TOWN OF
HIGH LEVEL

Regular Open Council Meeting Agenda

Monday, May 26th, 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/0vlQzMDrfnM?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. MOTION TO RECESS INTO A PUBLIC HEARING

2.1. Motion to Recess into a Public Hearing

THAT Council recess into a Public Hearing.

3. RECONVENE OPEN MEETING

3.1. Reconvene Open Meeting

THAT the Regular Open Council meeting be reconvened.

4. ADOPTION OF MEETING AGENDA

4.1. Adoption of Meeting Agenda

THAT the Regular Open Council meeting agenda for May 26th, 2025, be adopted.

5. DELEGATIONS

There are no delegations scheduled for this meeting.

6. ADOPTION OF MINUTES

6.1. Minutes of the Regular Open Council Meeting held May 12th, 2025, for adoption.

THAT the Minutes of Regular Open Council meeting held May 12th, 2025, be adopted.

7. DELEGATION BUSINESS

8. MAYOR'S REPORT

8.1. Request for Participation – Morning Start Church Grand Opening

8.2. Mayor McAteer's Report May 13th, 2025 - May 26th, 2025

THAT Council receive Mayor McAteer's report for the period of May 13th, 2025, to May 26th, 2025, for information.

9. COUNCIL COMMITTEE REPORTS

9.1. Council Committee Reports

THAT Council receive the Council Committee Reports from Deputy Mayor Langford, Councillor Anderson, Councillor Lambert, Councillor Liboiron, and Councillor Welke for the period of May 13th, 2025, to May 26th, 2025, for information.

Deputy Mayor Langford:

Councillor Anderson:

Councillor Lambert:

Councillor Liboiron:

Councillor Welke

10. ADMINISTRATIVE REPORTS

10.1. CAO Report May 13th - May 26th, 2025

THAT Council receive CAO Thoss' report for the period of May 13th, 2025, to May 26th, 2025, for information.

11. ADMINISTRATIVE ENQUIRIES

11.2 Award Recommendation for MIEX Water Treatment Pre-Construction Services

THAT Council accept the recommendation from Associated Engineering to award the contract for MIEX Water Treatment Pre-treatment Pre-Construction Services to AGS Mechanical Contractors Ltd., in the amount of $54,000 (excluding GST), to be funded through the Alberta Municipal Water/Wastewater Partnership.

11.3 Town of High Level MIEX Water Treatment Borrowing Bylaw No. 1055, 2025

THAT Council give first reading to *Town of High Level MIEX Water Treatment Borrowing Bylaw No. 1055,2025*.

11.4 Replacement of Community Bulletin Board

THAT Council approve funding for the replacement of the Town Bulletin board, with the expenditure to be allocated from the Council Initiatives Budget.

11.5 Moose Meadows Phase 1 Outline Plan

THAT Council consider one of the options as presented.

11.6 Bylaw 1053-25, A bylaw to Establish a Direct Control District

THAT based on the May 26, 2025, report from the Planning Consultant, *Bylaw 1053-25 – Bylaw to Establish a Direct Control District*, Council consider providing SECOND and THIRD READING to Bylaw 1053-25 as presented.

11.7 Bylaw 1051-25, Making Housing Easier to Build - Land Use Bylaw Replace and Repeal

THAT based on the May 26, 2025, report from the Planning Consultant, *Making Housing Easier to Build – Land Use Bylaw Replace and Repeal*, Council consider providing SECOND and THIRD READING to Bylaw 1051-25 as presented.

11.8 Bylaw 1052-25, Municipal Development Plan Amendment

THAT based on the May 26, 2025, report from the Planning Consultant, *Municipal Development Plan Amendment*, Council consider providing SECOND and THIRD READING to Bylaw 1052-25 as presented.

12. OLD BUSINESS

13. NEW BUSINESS

14. CORRESPONDENCE FOR ACTION

There were no items for correspondence for action.

15. CORRESPONDENCE FOR INFORMATION

15.1 Correspondence for Information

THAT the items for correspondence for information be received.

- Government of Northwest Territories - Thank You Letter to Town of High Level Support
- Alberta Transportation and Economic Corridors Letter
- AB Munis - Upcoming Dialogue on Police Funding in Alberta
- Town of High Level 2025 LGFF Funding Letter

16. NOTICES OF MOTION

17. QUESTION PERIOD

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 **May 12th, 2025, at 7:00 p.m.**
in the Council Chambers, Town Hall, 10203-105th Avenue, High Level, AB

In Attendance:

Council:	Mayor Crystal McAteer Deputy Mayor Boyd Langford Councillor Brent Anderson Councillor Josh Lambert Councillor Mark Liboiron Councillor Jan Welke
Staff:	Viv Thoss, Chief Administrative Officer Jena-Raye Clarke, Director of Community Services Rodney Schmidt, Director of Emergency Services Bill Schnarr, Communications Coordinator Aya Balmores, Relief Legislative & Executive Assistant
Regrets:	Keith Straub, Director of Operations

1. CALL TO ORDER

Mayor McAteer called the meeting to order at 7:01 p.m.

2. ADOPTION OF MEETING AGENDA

2.1. Adoption of Meeting Agenda

Moved by Councillor Liboiron

124-25 THAT the Regular Open Council meeting agenda for May 12th, 2025, BE ADOPTED as amended with the following addition:

- **Council-only In-Camera session**

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 April 28th, 2025, for adoption.

Moved by Deputy Mayor Langford

125-25 THAT the Minutes of Regular Open Council meeting held April 28th, 2025, BE ADOPTED as amended;

- To Direct Administration to schedule a Public Hearing for Bylaw 1053-25 on May 26, 2025, at 6:30 p.m., and to hold a Public Hearing for Bylaws 1051-25 and 1052-25 on the same date at 7:00 p.m.

Carried

5. MAYOR'S REPORT

5.1 Mayor McAteer's Report April 29th, 2025, to May 12th, 2025

Moved by Councillor Welke

126-25 THAT Council RECEIVE Mayor McAteer's report for the period of April 29th, 2025, to May 12th, 2025, for information.

Carried

6. COUNCIL COMMITTEE REPORTS

6.1. Council Committee Reports

Moved by Councillor Lambert

127-25 THAT Council RECEIVE the Council Committee Reports from Deputy Mayor Langford, Councillor Anderson, Councillor Lambert, Councillor Liboiron, and Councillor Welke for the period of April 29th, 2025, to May 12th, 2025, for information.

Deputy Mayor Langford:

DRAFT

May 2 & 3 – Alberta Association of Police Governance
May 10 & 11 - Yellowknife Chamber Spring Trade Show

Councillor Anderson:
May 3 – High Level 2025 Trade Show

Councillor Lambert:
May 2 & 3 – High Level 2025 Trade Show

Councillor Liboiron:
May 3 – High Level 2025 Trade Show

Councillor Welke:
April 29 – Northwest Regional FASD Society

Carried

7. ADMINISTRATIVE REPORTS

7.1. CAO Report - Verbal

Moved by Councillor Anderson

128-25 THAT Council RECEIVE CAO Thoss' report for the period of April 29th, 2025, to May 12th, 2025, for information.

Carried

8. ADMINISTRATIVE ENQUIRIES

8.1. AB Forest Products Association 2025 AGM & Conference

Moved by Councillor Deputy Mayor

129-25 THAT based on the May 12th, 2025, report from the Viv Thoss, Chief Administrative Officer, "AB Forest Products Association 2025 AGM & Conference", Council SEND Mayor McAteer and Councillor Lambert to the Alberta Forest Products Association 2025 AGM & Conference, taking place in Jasper, Alberta from September 24 to 26, 2025;

AND THAT Council APPROVE the appropriate registration package for each attendee, including additional tickets for the evening reception dinners on Wednesday and Thursday.

Carried

DRAFT

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

The Council RECEIVE the items of correspondence for Action.

- **AB Munis - Summer 2025 Municipal Leaders' Caucus**

Moved by Councillor Welke

130-25 **THAT Council SEND Mayor McAteer to the Summer 2025 Municipal Leaders' Caucus, to be held in Peace River, Alberta on June 25th, 2025.**

Carried

12. CORRESPONDENCE FOR INFORMATION

There were no items for correspondence for information.

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 Welke

131-25 **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 a Council-only In-Camera session at 7:27 p.m.

Carried

DRAFT

16. RECOVENE OPEN MEETING

16.1. Reconvene Open Meeting

Moved by Councillor Lambert

132-25 THAT the Regular Open Council meeting BE RECONVENED.

The Regular Open Council Meeting reconvened at 9:04 p.m.

Carried

17. IN-CAMERA ITEMS

There were no in-camera items brought forward.

18. ADJOURNMENT

Moved by Councillor Anderson

133-25 THAT there being no further business of the Regular Open Council meeting, it BE ADJOURNED.

Carried

THE REGULAR OPEN COUNCIL MEETING ADJOURNED AT 09:04 P.M.

_____

MAYOR

_____

CHIEF ADMINISTRATIVE OFFICER

DRAFT

DELEGATION BUSINESS

MAYOR'S REPORT

Viv Thoss

From: Crystal McAteer
Sent: Friday, May 23, 2025 6:20 AM
To: Viv Thoss; Mayor and Council
Subject: Re: Request for participation - May 31 Morning Star Church Grand Opening

Good morning,
Please add this to council's agenda.
Thank you,
Mayor McAteer

Get Outlook for iOS

From: Viv Thoss <cao@highlevel.ca>
Sent: Thursday, May 22, 2025 5:04:02 PM
To: Mayor and Council <MayorandCouncil@highlevel.ca>
Subject: FW: Request for participation - May 31 Morning Star Church Grand Opening

Dear Mayor and Council:

Corina Nicolescu, representing the Morning Star SDA Church, has extended an invitation to Council members and staff to attend the grand opening of their church on May 31st, 2025. In addition, she has requested that a Council member and a staff representative serve as guest speakers at the event.

As the official spokesperson for the organization is typically the Mayor, Deputy Mayor, or a designated Council member appointed by either, I am forwarding this request to Council for consideration.

Best regards,

Viv Thoss
Chief Administrative Officer

Town of High Level
10511 – 103 Street
High Level, AB T0H 1Z0
Canada

Main: +1 (780) 926-2201
Cell: +1 (780) 926-7802
Email: cao@highlevel.ca

YOU'RE INVITED!

GRAND OPENING & COMMUNITY GUEST DAY

MORNING STAR SEVENTH-DAY ADVENTIST CHURCH

SATURDAY, MAY 31 | STARTING @ 9:30 AM

Join us as we celebrate a new beginning!
Come and discover what Morning Star SDA Church has to offer the community.

SPECIAL GUEST SPEAKERS from:

- The Friendship Center
- Local Church Leaders
- The Village
- The Christian Academy
- RCMP

INSPIRATION | CONNECTION | CELEBRATION

LOCATION: 10009 99 St. High Level, AB
CONTACT: 780-285-1483 / 780-841-7602 / 403-888-5465

COUNCIL COMMITTEE REPORTS

ADMINISTRATIVE REPORTS

Chief Administrative Officer
CAO Report

Meeting Date: May 26th, 2025

- Continue working with provincial staff to reconcile grant funding, provide updates on outstanding capital projects with approved or pending funding status from 2020 to 2023, and make corrections due to overcommitments and cost increases. Additionally, address projects in progress or completed that were not submitted for funding.
- Continue working with consultants to finalize the ARO report - a legal obligation associated with the retirement of a tangible capital assets. Municipalities across the province were notified around 2018 to prepare for this new audit requirement. However, the Town of High Level did not begin work on this requirement until February 2025. We are now very close to finalizing the report.
- Directed and collaborated with staff to expedite the mailing of tax notices due to the postal strike, ensuring timely delivery. Additionally, coordinated staffing for the following week to accommodate the expected increase in payment activity.
- Collaborated with staff to prepare agendas, minutes, and follow-ups for council and committee meetings, while also coordinating logistics for council attendance at conventions and conferences. Additionally, supported senior staff in report preparation and conducted report reviews.
- Assisted staff to develop and establish a structured bidding process for awarding the hay contract at the municipal airport. The contract was awarded on May 22, 2025, with James Friesen selected as the successful bidder.
- Working with staff to facilitate the renewal of expired leases at the municipal airport.
- Reviewed and approved all financial transactions for the corporation. Due to its manual nature, the current invoice review and payment approval process is highly time-consuming and requires a comprehensive overhaul for greater efficiency. This revision will be led by the new Director of Finance.
- Managed the upgrade of finance software and its integration with the budget system, ensuring directors have real-time, accurate budget information. Previously, the budget module was not utilized, and the systems were outdated and unintegrated, increasing the risk of errors. The new Director of Finance will oversee the final stages of implementation and conduct process reviews to optimize efficiency.

Chief Administrative Officer
CAO Report

TOWN OF HIGH LEVEL

- Following a ratepayer's concern, staff assessed hydrant flushing, flow testing, and hydrant condition, identifying four hydrants out of commission. One has been repaired, and staff are coordinating with contractors to restore the remaining three. They also recognized the need for a cyclical maintenance and replacement plan, which will be included in the 2026 workplan.





- Joined Mayor McAteer in a meeting with Tolko representatives to present and discuss key municipal initiatives.
- I attended the SLGM Mountain Refresher, widely regarded as the most significant training program for rural and municipal CAOs. During the event, I had the opportunity to meet a member of the Board of Directors, which helped me expand my professional network in Alberta.
- I have overseen and managed a wide range of responsibilities over the past two weeks, with these tasks representing just a portion of the key initiatives undertaken to support statutory requirements, municipal operations and community development. The new Director of Finance, starting today, May 26, 2025, will assist in meeting statutory requirements related to the 2023 and 2024 audits and associated financial information returns, as well as lead municipal finance operations. Meanwhile, the Director of Corporate Services, beginning on June 9, 2025, will support these efforts while also assuming legislative responsibilities and leading preparations for the 2025 fall municipal election, including coordinating candidate and Council training and briefings.

Respectfully submitted,

CAO Viv Thoss

ADMINISTRATIVE ENQUIRIES

Town of High Level
Regular Council Meeting
Request for Decision

Meeting Date: May 26th, 2025
Prepared By: Viv Thoss, Chief Administrative Officer
Subject: Award Recommendation for MIEX Water Treatment Pre-construction Services

Recommendation:

THAT Council accept the recommendation from Associated Engineering to award the contract for MIEX Water Treatment Pre-treatment Pre-construction Services to AGS Mechanical Contractors Ltd., in the amount of $54,000 (excluding GST), to be funded through the Alberta Municipal Water/Wastewater Partnership.

CAO Comments:

Background:

The Town of High Level's Water Treatment Plant (WTP), constructed in 2002, sources its raw water from Footner Lake. The current treatment process includes aeration and the application of chemical compounds to enhance treatment effectiveness, with a primary focus on the removal of organic materials. Chlorine is also added as a disinfectant. If implemented, the Magnetic Ion Exchange (MIEX®) system would be integrated into the disinfection process to further improve water quality.

The primary objective of the MIEX® treatment system is to remove dissolved organic carbon (DOC) from the water through ion exchange. Based on pilot testing conducted by Associated Engineering and IXOM, the MIEX® system is expected to deliver several operational and water quality benefits for the Water Treatment Plant (WTP).

These benefits include:

- Reduced chemical usage in the treatment process, leading to lower operational costs.
- Decreased organic loading, which extends the service life of the Granular Activated Carbon (GAC) filters.
- Lower formation of disinfection by-products in the distribution system, achieved by reducing the concentration of organics.

Collectively, these improvements contribute to enhanced final water quality for the community.

Discussion:

The project is currently progressing between the preliminary (30%) design phase and detailed design. Key design parameters, criteria, and assumptions have been established to guide the next stages of development.

Two project delivery methods were evaluated: Design-Bid-Build (DBB) and Construction Manager at Risk (CMAR). The Town has elected to proceed with the CMAR approach, as it offers several advantages in addressing the unique challenges of delivering a project in a remote location and under specific site conditions.

This method enables the contractor to be actively involved during the detailed design phase, providing valuable input on constructability and helping to refine the design. It also allows for significantly more accurate cost estimates throughout the design process, enhancing project planning and risk management.

Upon completion of the detailed design, the contractor will be required to submit a bid to construct the project at a Guaranteed Maximum Price (GMP). Under the terms of the contract, the contractor assumes responsibility for any costs exceeding this agreed-upon amount.

The CMAR (Construction Manager at Risk) contract follows a standard format developed by the Canadian Construction Documents Committee (CCDC) and is executed in two phases: pre-construction and construction.

Once the Town receives the contractor's GMP proposal, it will have the option to either proceed with awarding the construction phase under the CMAR model or, alternatively, to tender the project using the traditional Design-Bid-Build (DBB) approach.

On February 28, 2025, Associated Engineering, on behalf of the Town, issued a Request for Proposals (RFP) for pre-construction services. Four contractors expressed interest in the project, with two submitting qualified proposals. The submissions were received from Chandos Construction LP (Edmonton) and AGS Mechanical Contractors Ltd. (Peace River).

Associated Engineering evaluated the proposals using a scoring matrix, and the results were reviewed in collaboration with Town administration.

Based on a thorough review by administration and the recommendation of Associated Engineering, it will be proposed to Council that AGS Mechanical Contractors Ltd. be awarded the contract to provide MIEX Water Treatment pre-construction services.

The next step is to award the contract for pre-construction services. Following the award, a Kick-off Meeting will be scheduled with the Town, Associated Engineering, and the selected contractor to review project timelines, confirm key milestones, and define the contractor's role during the pre-construction phase.

Financial:

The opinion of probable cost for the project has been established at $5,714,000. This estimate was previously presented to Council and is included in the 2025 Capital Budget. The Province has approved funding of $3,379,299 through the Alberta Municipal Water/Wastewater Partnership, with the remaining $2,336,701 to be funded by the Town through a debenture.

At its January 13th, 2025, Regular Open Council Meeting, Council passed the following resolution:

Council Resolution 008-25

"THAT Council APPROVE the Water Treatment Pre-treatment Upgrading Project;

AND THAT Council DIRECT Administration to fund unbudgeted project costs through

A 10-year debenture."

Following this resolution, the Town's share of the project cost was incorporated into the capital budget. A borrowing bylaw is being presented to Council this evening for consideration.

Options:

Option 1: THAT Council ACCEPTS the recommendation from Associated Engineering to award the contract for MIEX Water Treatment Pre-treatment Pre-construction Services to AGS Mechanical Contractors Ltd., in the amount of $54,000 (excluding GST), to be funded through the Alberta Municipal Water/Wastewater Partnership.

Option 2: THAT Council DIRECT Administration to defer the award at this time, citing the specified reasons for postponement.

Option 3: THAT Council Direct Administration to take any other action deemed appropriate by Council.

Respectfully submitted,



_____

CAO Viv Thoss

Attachments:

Attachment 1 – Associated Engineering Design Basis Memorandum - January 2025

Associated Engineering | GLOBAL PERSPECTIVE. LOCAL FOCUS.

DESIGN BASIS MEMORANDUM

Town of High Level

High Level WTP
MIEX Upgrades







JANUARY 2025

carbon neutral since 2009

CANADA BEST MANAGED COMPANIES Platinum member

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EXECUTIVE SUMMARY

The Town of High Level's water treatment plant (WTP) experiences high organics loading in the source water, leading to high disinfection by-product (DBP) formation, significant coagulant use, and frequent granular activated carbon (GAC) replacement. In 2023, IXOM Watercare (IXOM) and Associated Engineering (Associated) conducted a pilot at the WTP to evaluate the ability of Magnetic Ion Exchange (MIEX®) to remove organics. The pilot found that MIEX reduced coagulant use, decreased the organics loading on the GAC filters, and reduced downstream DBP formation. Based on the favourable results of the pilot study, the Town elected to add MIEX to the WTP's process. This design basis memorandum (DBM) outlines the requirements for incorporating MIEX into the WTP.

Flow Requirements and Equipment Layout

The new MIEX process will be sized to match the existing capacity of the WTP: 75 L/s (6,480 m^3/d). Records from 2021 - 2023 show an average day flow of 20.4 L/s (1,850 m^3/d), with 95% of flows between 15 L/s and 27.5 L/s (1,296 and 2,376 m^3/d). The supplier of the MIEX system has indicated that two MIEX vessels, each sized for 50% of the WTP flow rate, are required. Each contactor vessel can operate at a capacity as low as 25-30%.

Based on the size of the equipment, the dewatering building was selected as the only existing location within the WTP envelope where the equipment could be placed.

MIEX Process Description

Once MIEX is incorporated into the High Level WTP, raw water will be pumped to the potassium permanganate contact chamber and then flow by gravity to the new MIEX contactors. MIEX effluent will flow by gravity to a break tank and then will be pumped to the existing clarifiers. The equipment included in the MIEX installation includes:

- 2 x MIEX Contactor Vessels
- Resin Regeneration Equipment, including 2 x Regeneration Skids
- Salt Saturator Tank
- Brine Tank and Brine Skid
- Fresh Resin Pump Skid
- Resin Tote / IBC
- Virgin Resin Skid

Discipline Considerations

Process Considerations

Associated performed a hydraulic analysis that indicated there is sufficient head in the potassium permanganate tanks for water to flow to the MIEX contactor tanks by gravity then back to the break tank. However, additional pumping will be required from the break tank the clarifier. The break tank will be a partitioned section of the existing potassium permanganate tank. Submersible pumps will deliver water to the clarifiers.

The MIEX system uses salt to regenerate the resin. Salt will be delivered by bulk salt tanker truck into the salt saturator. In general, approximately 150 kg of salt is required per million litres of treated water. At full plant capacity, the system will require 972 kg/day; at typical flows, the system will consume closer to 400 kg/day

The high-rate MIEX configuration periodically discharges waste brine at 1-1.5 L/s as the resin is regenerated. The system is expected to produce 1,875 L of waste brine per million litres of water treated. At the plant's rated capacity of 75 L/s, the waste generation would be 12,150 L/day.

The waste brine will also contain DOC. Based on the piloting results, approximately 50% of organics can be removed through the MIEX system. If the raw water contains 36 – 47 mg/L of DOC, then 18 mg/L to 23.5 mg/L of DOC will be in the waste brine.

The MIEX system waste will be sent to the existing backwash waste sump via the existing waste line within the dewatering building. The MIEX system includes pumps for waste brine which will pump the water to the existing waste line.

Electrical Considerations

The new equipment will contribute approximately 54 kVA of additional load. 386 kVA of electrical capacity is therefore required to support the new MIEX system. Sufficient electrical capacity is available to meet this requirement without additional upgrades.

The plant MCC has dedicated compartments for the centrifuges and related systems that can be reallocated to sub-feed the MIEX system and the two break tank pumps.

The MIEX supplier will provide a new Control Cabinet. This is a cabinet split into two sections: power and controls. The power section will house the motor protection equipment and motor controls for the MIEX system pumps and mixers. The controls section will house the Programmable Logic Controller (PLC), networking equipment, low-voltage terminal blocks and ancillary equipment. The PLC and other key equipment will have their electric power backed up by a 120 VAC Uninterruptible Power System (UPS) battery backup supplied by the Vendor in the MIEX Control Cabinet.

Controls Considerations

The MIEX system will operate on a vendor-supplied Allen-Bradley Micrologix Programmable Logic Controller (PLC) with an Allen-Bradely 15" OptixPanel. The OptixPanel comes complete with a web interface and remote screen-viewing software. The web interface or remote screen-viewing software will be used as the main form of control from the control room, instead of re-drawing the graphics in the existing control graphics system.

After the MIEX installation, when the WTP is started, first the break tank pump will start, achieving pressure on the clarifier inlets. Only after pressure has been achieved will the treatment units be permitted to open their valves. Once the level in the break tank descends below a setpoint, the raw water pumps will be started to restore level to the break tank. A level control loop based on the level in the break tank will control the flow-rate setpoint used by the raw water transfer pumps.

Structural Considerations

The MIEX system will be installed in the dewatering building. The floor space of the dewatering building is split between two elevations: a loading-bay slab that sits at-grade, and the elevated top of the abandoned concrete alum storage tank. To better use the area for the new MIEX system, most of the concrete storage tank structure will be demolished leaving the tank's base slab in place. The elevation of the tank's base slab is lower than the adjacent loading bay slab, so a concrete infill slab will be built over the tank base slab to the elevation of the adjacent loading bay floor. This will provide a level, uniform floor space in the dewatering building for the MIEX system. The elevated

walkway structure between the dewatering building and plant proper will be mostly maintained to not impact access between the two areas of the plant.

Opinion of Probable Costs

The opinion of probable cost for the inclusion of MIEX into the WTP is shown below.

Description	Estimate of Probable Costs
General Requirements (10% of all other costs)	$415,000
Structural	$610,000
Process Mechanical [1]	$3,200,000
Building Mechanical	$15,000
Electrical, Instrumentation, and Controls	$200,000
Subtotal, Construction	*$4,540,000*
Contingency (10%)	$454,000
Engineering [2]	$720,000
Total, Construction	**$5,714,000**

[1] IXOM has provided costs for the MIEX equipment in USD. Costs have been calculated based on an exchange rate of 1.38 CAD to 1 USD, but are subject to changes in USD conversion and possible tariffs.

[2] Engineering fees calculated from sum of DBM engineering fees + proposed design fees (issued December 2024) + 5% of construction subtotal for engineering during construction.

Construction Discussion

The Town has indicated a preference for construction not to take place in winter as travel can be compromised in the area. It is recommended that construction be staged to clear space in the fall of 2025 (demolition, building envelope modifications) and install the MIEX equipment in the spring of 2026.

Given the scale of the project, two project delivery methods were considered: Design-Bid-Build (DBB) and Construction Manager at Risk (CMAR). Given the remote location of High Level and the challenge with accurately estimating costs, the Town of High Level will proceed with CMAR.

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1 INTRODUCTION

1.1 Purpose

The Town of High Level's (Town) water treatment plant (WTP) experiences high organics loading in the source water, leading to significant coagulant use, frequent granular activated carbon (GAC) replacement, and high disinfection by-product (DBP) formation that exceed the Guidelines for Canadian Drinking Water Quality. In 2023, IXOM and Associated Engineering (Associated) conducted a pilot at the WTP to evaluate the ability of Magnetic Ion Exchange (MIEX®) to remove organics.

MIEX is an ion exchange process that uses a magnetized resin specifically developed to target organics removal. MIEX is implemented as a pre-treatment process (i.e., upstream of the flocculation, clarification, and filtration processes) and uses anion exchange resin to reduce Dissolved Organic Carbon (DOC). The resin is regenerated using salt brine to desorb the ions and restore the ion exchange capacity, allowing it to be continuously reused.

The pilot study *(Evaluation of MIEX Pilot Chemical Review and Jar Testing*, Associated Engineering, November 2023) found that MIEX reduced coagulant use, decreased the organics loading on the GAC filters, and reduced downstream DBP formation. Based on the favourable results of the pilot study, the Town elected to add MIEX to the WTP process.

1.2 Scope of Work

This design basis memorandum (DBM) outlines the requirements for incorporating MIEX into the WTP. It will define the project scope, outline the technical basis for detailed engineering, and guide the detailed design process. The DBM includes the following information:

- Review of the flow requirements and proposed equipment layout with the WTP
- Description of the MIEX system
- Process, electrical, controls, and structural considerations for incorporating MIEX
- Updated opinion of probable costs
- Construction considerations, including staging, project delivery, and a regulatory review

1.3 WTP Overview

The High Level WTP was constructed in 2002 and provides the Town with drinking water and bulk water needs. The facility draws water from Footner Lake and stores raw water in aerated storage ponds. Water is then pumped to the WTP, where it is treated as follows:

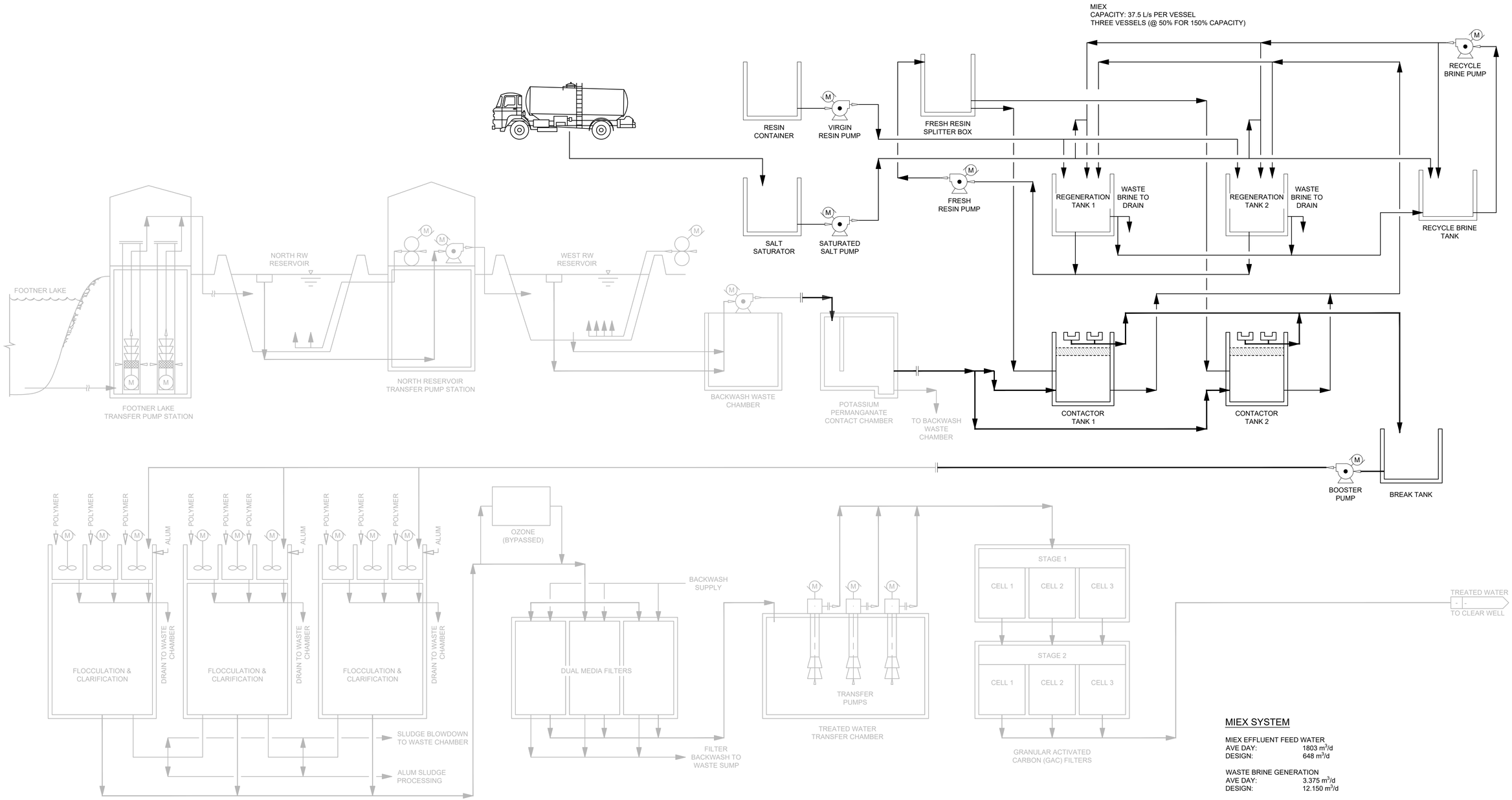
- Potassium permanganate dosing and contact tank to remove manganese.
- Package WTP, including coagulation, flocculation, and clarification
  - Alum is used as a coagulant and ClearFloc AP1065 is used as a polymer
- Ozone system, currently bypassed.
- Dual media sand and anthracite filters.
- Granular Activated Carbon (GAC) filtration.
- Disinfection by chlorine injection and contact time.

When installed, MIEX will be located between the potassium permanganate contact tank and the package WTP.

A simplified process schematic of the existing WTP including the new MIEX equipment is shown in **Figure 1-1**. The new equipment is shown in black.

IF NOT 50 mm ADJUST SCALES
50 mm

SCALE(S) SHOWN ARE INTENDED FOR ANSI D (22X34) SIZE DRAWINGS, TABLOID (11X17) SIZE DRAWINGS ARE 1/2 OF SCALE(S) SHOWN UNLESS NOTED OTHERWISE



MIEX SYSTEM

MIEX EFFLUENT FEED WATER
AVE DAY: 1803 m^3/d
DESIGN: 648 m^3/d

WASTE BRINE GENERATION
AVE DAY: 3.375 m^3/d
DESIGN: 12.150 m^3/d

PLOT DATE: 2024-11-22 2:52:35 PM
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Associated Engineering

BEST MANAGED COMPANIES CANADA
Platinum member

PRELIMINARY/ FOR DISCUSSION
NOT FOR CONSTRUCTION
DRAFT

REV	DATE	DESIGN	DRAWN	DESCRIPTION
A	2024DECDD	S. LARLEE	R. MOLZAN	ISSUED FOR XXXXXX

TOWN OF HIGH LEVEL
ALBERTA, CANADA

WATER TREATMENT PLANT
MIEX UPGRADES

2022-3031-00

SCALE: AS SHOWN

HIGH LEVEL

PROCESS FLOW DIAGRAM OF THE HIGH LEVEL WTP, INCLUDING MIEX

DRAWING	REVISION	SHEET
Figure 1-4	A	----

2 FLOW REQUIREMENTS AND EQUIPMENT LAYOUT

The MIEX process will be sized to match the existing capacity of the WTP, which has a raw water capacity of 75 L/s (6,480 m^3/d). The system will include two MIEX contactors, each sized for 50% of the plant's total flow rate. Based on the 2023 pilot study, a bed volume of 400 was selected for the full-size MIEX system. Bed volume (BV) measures the ratio of treated water volume to resin volume; a BV of 400 means the system will treat 400 m^3 of water for each 1 m^3 of resin before the resin is regenerated. Based on the size of the MIEX equipment, the dewatering building was selected as the only existing location within the WTP envelope where the equipment could be located. The dewatering building does not have capacity for additional contactors beyond the two proposed, so the design does not include any redundancy. However, Operations have noted that the WTP is generally not operated at or near capacity. Records from 2021 - 2023 show an average day flow of 20.4 L/s (1,850 m^3/d), with 95% of flows between 15 L/s and 27.5 L/s (1,296 and 2,376 m^3/d).

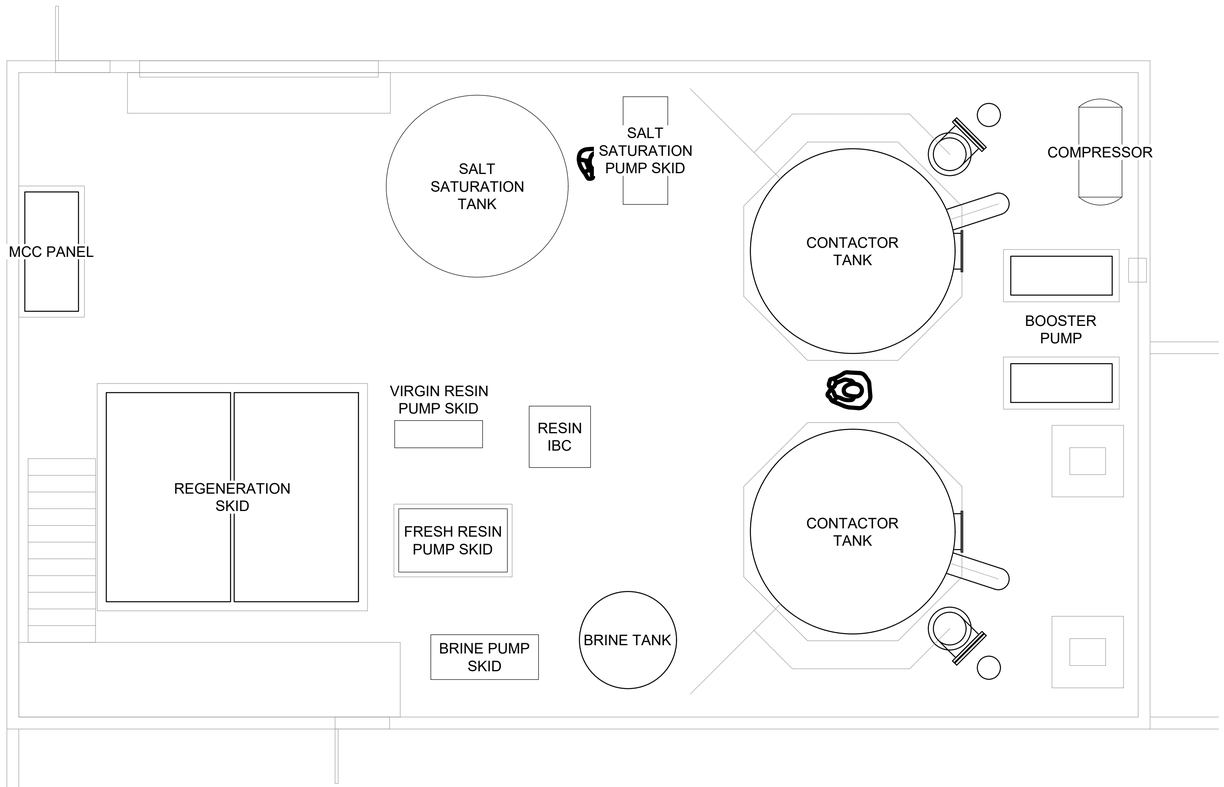
Plant records supplied to Associated indicate that the distribution flows are typically between 13 to 35 L/s (1,120 – 3,030 m^3/day).

The supplier of the MIEX system has indicated that each contactor vessel can operate at a capacity as low as 25-30% by using recirculation pumps to maintain the fluidization of the resin. The system can operate using only one contactor at the lower plant flow rates; with one MIEX vessel, the system flow can be as low as 9.4 L/s.

The MIEX unit layout drawings for the Town are shown in **Figure 2-2**.

IF NOT 50 mm ADJUST SCALES
50 mm

SCALE(S) SHOWN ARE INTENDED FOR ANSI D (22X34) SIZE DRAWINGS, TABLOID (11X17) SIZE DRAWINGS ARE 1/2 OF SCALE(S) SHOWN UNLESS NOTED OTHERWISE



1 D-101 PLAN 1:50

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DWG PATH: q:\2024-3031-00\proc\model\3031-00-d-101.dwg

Associated Engineering

CANADA BEST MANAGED COMPANIES
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FOR DISCUSSION
NOT FOR CONSTRUCTION

DRAFT

REV	DATE	DESIGN	DRAWN	DESCRIPTION
A	2024DEC07	S. LARLEE	R. MOLZAN	ISSUED FOR PRE-DESIGN

TOWN OF HIGH LEVEL
ALBERTA, CANADA

WATER TREATMENT PLANT
MIEX UPGRADES

2022-3031-00

SCALE: AS SHOWN

HIGH LEVEL

PROPOSED MIEX LAYOUT
WITHIN DEWATERING BUILDING

DRAWING	REVISION	SHEET
Figure 2-1	A	----

3 MIEX PROCESS DESCRIPTION

Following the upgrades, raw water will continue to be pumped to the potassium permanganate contact chamber and then flow by gravity to the new MIEX contactors. Effluent from the MIEX contactors will flow by gravity to a break tank and will then be pumped to the existing clarifiers. The new process flow diagram is shown in **Figure 3-1**.

The equipment included in the MIEX installation consists of:

- 2 x MIEX Contactor Vessels
- Resin Regeneration Equipment, including 2 x Regeneration Skids
- Salt Saturator Tank
- Brine Tank and Brine Skid
- Fresh Resin Pump Skid
- Resin Tote / IBC
- Virgin Resin Skid

The vendor process and instrumentation diagram (P&ID) is included in **Appendix A**. The process descriptions of this equipment are included below.

3.1 MIEX Contactors

Raw water is fed to the base of the contactor and mixed with MIEX resin. An agitator operates at low speeds to maintain a uniform resin and water suspension. During times of lower raw water flow, treated effluent will automatically recirculate to maintain a consistent flow through the vessels and level of resin fluidization. Above the resin bed are inclined tube settlers, which capture, settle, and return resin that escapes from the main bed. MIEX-treated effluent leaving the inclined tubes is directed to collection troughs and then flows out the top of the reactor vessel to the break tank.

Additional pumping will be required to transfer water from the break tank to the existing package water treatment equipment.

3.2 Regeneration

As resin is loaded with DOC, batches of resin are automatically removed from the contactors and regenerated with a salt solution in the regeneration tanks. Once regenerated, the fresh resin is returned to the contactor vessels via the fresh resin splitter tank. Regenerations occur once a specific volume of water is treated based on process setpoints. Once the specified volume of water is treated, a regeneration sequence is initiated automatically. Regeneration does not halt water treatment; the contractor continuously treats water.

Regeneration involves the following phases:

1. DOC-laden resin, mixed with water to form a slurry, flows by gravity to the regeneration tank.
2. The water is removed from the resin and returned to the treatment process.
3. Recycled brine is pumped into the regeneration tank and pumped through the resin bed.
4. A portion of the brine is directed to waste discharge, and the remainder is returned to the reuse brine tank.
5. Fresh (saturated) brine is transferred into the regeneration tank and pumped through the resin bed.
6. Process water is transferred into the regeneration tank and pumped through the resin bed to remove residual salt; depending on its conductivity, the rinse water drains to the reuse brine tank or waste.
7. Once rinsed, additional process water is added to the tank, and the resin is mixed/agitated into a slurry, then pumped back into the treatment process using the fresh resin transfer pump.

3.3 Recycle Brine

During a Regeneration Cycle, a pre-defined volume of brine is transferred from the Recycle Brine Tank to one of the Regeneration Tanks. The transfer pumps operate in a duty/standby configuration and normally switch after each use. Should a pump fail when in use, the system controls put it out of service, and the standby pump is promoted to duty.

Generally, the volume of brine transferred out at the start of a regeneration is equal to the volume of recycled brine/rinse water returned to the tank. The system measures the conductivity of the solution in the regeneration tank and adjusts the ratio of recycled brine and rinse water return as necessary.

3.4 Saturated Salt Systems

Granular salt is pneumatically blown into the salt saturator, which is dissolved to produce a saturated salt solution. Either service water or recovered permeate is used as liquid make-up to fill the salt saturator to its setpoint level.

During a Regeneration Cycle, a pre-defined volume of fresh brine is transferred from the Salt Saturator Tank to one of the Regeneration Tanks. The transfer pumps operate in a duty/standby configuration and normally switch after each use. Should a pump fail when in use, the system controls put it out of service, and the standby pump is promoted to duty.

The system adds make-up service water as required to maintain the Salt Tank liquid level setpoints.

3.5 Virgin Resin Addition

The virgin resin skid loads virgin (new) resin into the plant. MIEX resin is supplied in 1,000 L intermediate bulk containers (IBC). An eductor using service water draws resin slurry out of resin containers. Small amounts of virgin resin are added automatically to maintain a constant inventory, as resin is lost from the system at approximately 2 L/ML water treated.

The operator will be notified via an alarm when resin addition is required. This alarm is a notification only and does not stop or affect the operation of the MIEX system. Loading the virgin resin skid is a manual process whereby the operator connects the resin container via hoses and initiates service water flow to load the resin slurry. It is not imperative to immediately add resin when the notification message is raised; this can occur within the next 1-2 days.

The following is an example of how the alarm will be annunciated based on the manufacturer control philosophy:

Plant Flow:	= 75 L/sec (assume 24hr/day operating, =6,480,000 L/day treated
Resin Loss Rate:	= 2.0 L resin/ML
Net Daily Addition Volume:	= 6.48 ML/day x 2.0 L resin/ML
	= 12.96 (~13) L resin/day

The control system will have two (2) set points as below, and a totalized raw water volume that is accumulated since the last resin addition.

Setpoint Resin Loss:	= 2.0 L/ML
Setpoint Resin Volume per Addition:	= 180 L
Calculated Treated Water Vol. per Addition:	= 180 L resin / 2.0 L resin per ML
	= 90.0 ML treated

4 DISCIPLINE CONSIDERATIONS

There are several factors that must be considered when incorporating MIEX into the existing WTP. The following sections divide the considerations by discipline.

4.1 Process Considerations

4.1.1 Process Hydraulics

Effluent from the potassium permanganate contactor tank will flow to the MIEX system. The hydraulic pressure head must be enough to overcome minor losses and allow water to flow by gravity to the MIEX contactor tanks. Associated has performed a hydraulic analysis that indicated there is sufficient head in the potassium permanganate tanks for water to flow to the MIEX contactor tanks without additional pumping. Note: Based on discussions with Operations, the potassium permanganate tank is operated at an elevation of 331.5 m.

Once the MIEX system has treated water, it will gravity drain to a break tank from which it will be pumped to the existing package water treatment plant. A break tank with pumping is required for two reasons: 1) insufficient head for the water to flow by gravity from the MIEX system to the existing package water treatment plant, and 2) a break tank will maintain steady flow to the existing package water treatment plant.

Changes are required to the potassium permanganate tank for the break tank.

4.1.2 Changes to Potassium Permanganate Tank

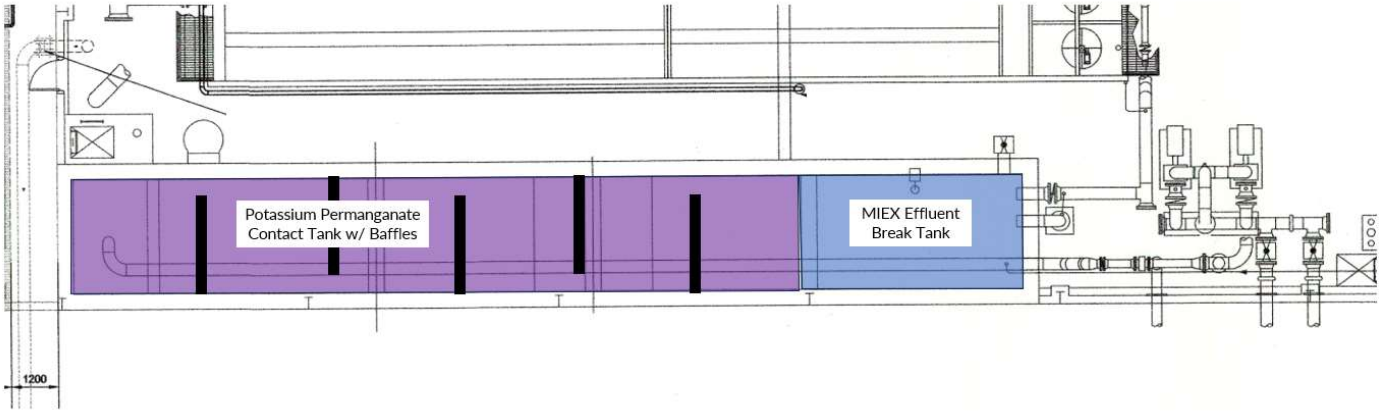
The current potassium permanganate contact tank has the following parameters:

Table 4-1 Existing Potassium Permanganate Conditions

Parameter	Value
Maximum Flow	75 L/s
Tank Area	70.2 m^2 (2.9 m x 24.2 m)
Operating Level	7.3 m
Contact Time	1.9 hr
Baffling Factor	0.5 (single baffle, high length to width ratio)
Effective Contact Time	0.9 hr (57 min)

The existing potassium permanganate contact tank will be divided into two tanks: one for potassium permanganate contact time and another for a MIEX effluent break tank, as shown in **Figure 4-1**. See Section 4.4 for structural details on the partitioning.

Figure 4-1 Partitioned Potassium Permanganate Tank



The new potassium permanganate tank will have the following parameters:

Table 4-2 New Potassium Permanganate Conditions

Parameter	Value
Maximum Flow	75 L/s
Tank Area	58.58 m^2 (2.9 m x 20.0 m)
Operating Level	7.3 m
Contact Time	1.6 hr
Baffling Factor	0.7 (serpentine or perforated intra-basin baffles, high length to width ratio)
Effective Contact Time	1.1 hr (66 min)

The operating level within the package WTP is 330.8 m. A break tank is required to allow for the equalization of treated water before pumping the water to the package WTP. The break tank design criteria are as follows:

Table 4-3 Break Tank Parameters

Parameter	Value
Tank Area	11.2 m^2 (2.9 m x 3.8 m)
Operating Level	5.25 m / 329.46 m (MIEX tank level minus headloss in piping)
Pump Type	Submersible well pumps
Pump Configuration	1 duty + 1 standby (+ provision for third pump)

Parameter	Value
Pump Duty Point	27.5 L/s
Motor Size	7.5 HP

Water will be pumped to the package WTP via a PRV to control pressure. Excess pressure will be discharged back to the break tank.

4.1.3 Waste Considerations

The MIEX system uses salt to regenerate the resin. Salt will be delivered by bulk salt tanker truck into the salt saturator. In general, approximately 150 kg of salt is required per million litres of treated water. At full plant capacity, the system will require 972 kg/day; at typical flows, the system will consume closer to 400 kg/day (see **Table 4-4**). *The Environmental Quality Guidelines for Alberta Surface Waters Surface Water Quality Guidelines for the Protection of Freshwater Aquatic Life* indicate a maximum wastewater limit of 120 mg/L. At a rate of 150 kg of salt per million litres of treated water, the estimated concentration going to the lagoon is 91 mg Cl/L of water.

Table 4-4 Salt Requirements for Various Flowrates

Flow Condition	Salt Use (kg/day)
Full Plant Capacity (75 L/s)	972
Typical High Flow (37.5 L/s)	486
Typical Low Flow (13 L/s)	168

The high-rate MIEX configuration periodically discharges waste brine at 1-1.5 L/s as the resin is regenerated. The system is expected to produce 1,875 L of waste brine per million litres of water treated as designed. At the plant's rated capacity of 75 L/s, the waste generation would be 12,150 L/day. The system would generate less waste at lower flow rates, as shown in **Table 4-5**.

Table 4-5 Waste Generation for Various Flow Rates

Flow Condition	Waste Brine (L/day)
Full Plant Capacity (75 L/s)	12,150
Typical High Flow (37.5 L/s)	6,075
Typical Low Flow (13 L/s)	2,106

Two regeneration tanks may send waste at the same time, so the waste-receiving system design allows for flows up to 3 L/s. If the system cannot handle this higher flow, the MIEX system can be limited to only one regeneration tank discharging waste at a time.

The waste brine will also contain DOC. Based on the piloting results, approximately 50% of organics can be removed through the MIEX system. If the raw water contains 36 – 47 mg/L of DOC, then 18 mg/L to 23.5 mg/L of DOC will be in the waste brine.

The MIEX system waste will be sent to the existing backwash waste sump via the existing waste line within the dewatering building, as shown in **Figure 4-2**. The MIEX system includes pumps for waste brine which will pump the water to the existing waste line.

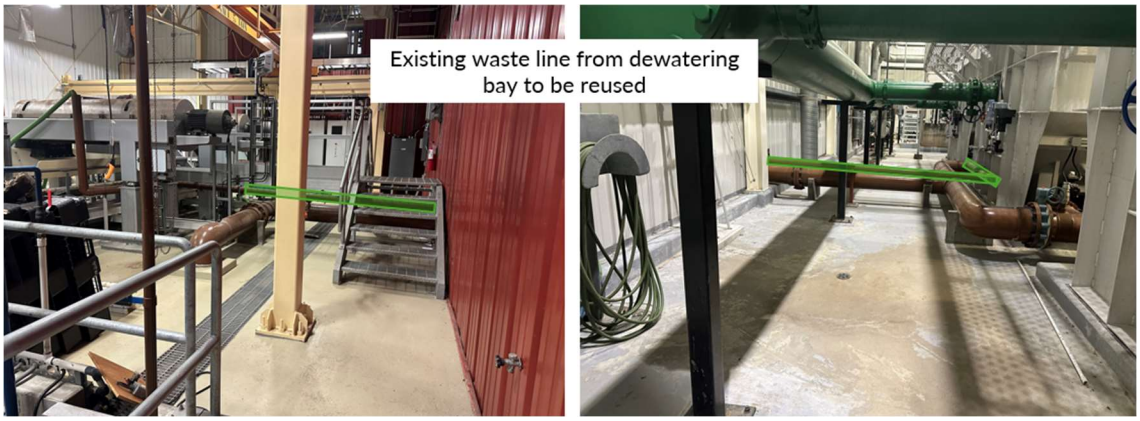


Figure 4-2 Existing Waste Line in Dewatering Building to be Reused for MIEX Waste

The existing floor trench in the dewatering bay will be extended the length of the bay at the new elevation of the floor.

4.1.4 Service Water

The MIEX system requires service water for the regeneration system, the resin tanks, the salt saturator tanks, the recycle brine tanks, the virgin resin skid, and the contactor sample sinks. All uses are intermittent, so a pressurized service water connection of 400-450 kPa with flows up to 3.75 L/s is required. Service water can be chlorinated water if the free chlorine concentration is below 2 ppm; based on annual reporting data, treated water at the plant typically has 1 ppm or less.

A 4-inch service water line branches off the distribution main. Operations have noted that the pressure on the 4-inch line is 430 kPa. The 4-inch main has numerous 2-inch service water lines that branch from it to provide service water throughout the WTP. There is a 2-inch service water line in the dewatering building for use. However, its pressure and flow are unknown. Operations must confirm the flow and pressure of the service water line before detailed design and a new, larger service water line may be required if it cannot meet the above noted requirements. Backflow preventers are required for service water lines.

4.1.5 Additional Process Considerations

All equipment will be NSF-certified for contact with potable water, and the MIEX resin has NSF-61 certification. The supplier does not have NSF approval for fully completed tanks or equipment skids, but the individual components in the MIEX system will have their own NSF certification, including contactor vessels, piping, valves, and standpipes. All associated piping will be Schedule 80 PVC. Connections in piping will be made to include some flexibility in case of building settlement.

4.2 Electrical Considerations

The WTP 600 Volt, 3-phase electrical utility supply is fed through a 500 kVA transformer, and a 500 kVA backup generator is connected through an automatic transfer switch. The electrical distribution system inside the plant is rated for 800 A or approximately 830 kVA at 600 VAC, allowing for future upgrades to the utility and backup generation capacity.

The WTP uses interval metering, which reports power usage in fifteen-minute periods. The power usage reported on the bill is based on the total energy consumed in a fifteen-minute period. Based on billing records, between November 2023 and November 2024, the WTP only consumed as much as 192 kVA in any fifteen-minute period. Associated has assumed that the high-flow pump, which is currently decommissioned, was never run and that only one 50 HP distribution pump was running at any one time during that timespan. Associated has assumed that all other electrical usage is typical and is not expected to increase significantly.

In an emergency, it is possible for the 100 HP high-flow pump to run at the same time as two 50 HP distribution pumps. The additional two pumps running impose an additional 140 kVA of load on the system, requiring a total base power allocation pre-upgrade of 332 kVA.

The new equipment will contribute approximately 54 kVA of additional load. 386 kVA of electrical capacity is therefore required to support the new MIEX system. Sufficient electrical capacity is available to meet this requirement without additional upgrades.

The plant MCC has dedicated compartments for the centrifuges and related systems that can be reallocated to sub-feed the MIEX system and the two break tank pumps.

The MIEX supplier will provide a new MIEX Control Cabinet. This is a cabinet split into two sections: power and controls. The power section will house the motor protection equipment and motor controls for the MIEX system pumps and mixers. The controls section will house the Programmable Logic Controller (PLC), networking equipment, low-voltage terminal blocks and ancillary equipment. The PLC and other key equipment will have their electric power backed up by a 120 VAC Uninterruptible Power System (UPS) battery backup supplied by the Vendor in the MIEX Control Cabinet. This will be installed in the dewatering building, near the entry doors (see **Figure 2-2**).

Two 7.5 HP VFDs will be provided for the break tank pumps. These will be installed separately from, but adjacent to, the MIEX Control Cabinet and controlled by the plant PLC over Ethernet.

Luminaires suspended from the roof assembly are currently present and provide adequate light for the facility. However, some of the luminaires may need to be relocated due to equipment installations.

Existing power distribution panel boards in the dewatering building room will be preserved and used to feed ancillary equipment.

Cable tray will be suspended from the roof assembly to provide a raceway between the MIEX control panel and the various skid-mounted equipment.

4.3 Controls Considerations

The MIEX system will operate on a vendor-supplied Allen-Bradley Micrologix Programmable Logic Controller (PLC) with an Allen-Bradely 15" OptixPanel. The OptixPanel comes complete with a web interface and remote screen-viewing software. The web interface or remote screen-viewing software will be used as the main form of control from the control room, instead of re-drawing the graphics in the existing control graphics system.

The existing graphical control software used at the High Level WTP is FactoryTalk View Studio version 10.00. This has a license for 100 unique display screens, of which 85 are currently used, leaving room for additional graphical displays.

This software can communicate natively with the new MIEX controller. To take advantage of the existing control graphics' historical logging capabilities, key process values and alarms will be polled by the software. These data will be shown on a Key Performance Indicators dashboard for the MIEX system on the main software. Alarms will be programmed to inform operations of specific issues from the MIEX system. Additionally, a trend page will be created for the analog values associated with the MIEX system. These graphical user interfaces on the main SCADA software will be strictly read-only: operators will manipulate the MIEX system using the touch panel in the dewatering building either in-person, using the Web interface, or using remote screen-viewing software.

Prior to the MIEX installation, the Raw Water Transfer Pumps draw from the West Raw Water Pond and deliver their flow to the potassium permanganate contact tank. This maintains a consistent level in the contact tank, which delivers consistent pressure to the inlets of the clarifiers.

After the MIEX installation, the consistent level in the potassium permanganate contact tank will deliver consistent pressure to the inlets of the MIEX contactors. These will flow by gravity to the break tank. The elevation of the contactor effluent is lower than the current elevation of the clarifiers, so pumping is required to deliver water to the clarifiers from the break tank. If at least one clarifier is running, the duty pumps will run and modulate their speed to maintain a pressure setpoint on the common header to the clarifiers. Refer to **Figure 4-3** below for a simplified illustration of the control loops involved. The three inlets to the three treatment units are currently provisioned with pneumatically actuated butterfly valves. To provide a more linear control and smoother operation, Associated recommends replacing these butterfly valves with v-port ball valves.

The plant is started and stopped either by clearwell level or manually. After the MIEX installation, when the WTP is started, first the break tank pump will start, achieving pressure on the clarifier inlets. Only after pressure has been achieved will the treatment units be permitted to open their valves. Once the level in the break tank descends below a setpoint, the raw water pumps will be started to restore level to the break tank. A level control loop based on the level in the break tank will control the flow-rate setpoint used by the raw water transfer pumps.

Before the MIEX installation, the filters operate while they see the raw water pumps running. After the MIEX installation, they will operate while they see the break tanks running.

An outdoor cabinet will be installed near the salt inlet port on the exterior wall to provide an indication of the level of the saturated salt tank to truck drivers delivering salt.

Existing plant ethernet connectivity is available to the dewatering building and will be re-used: A network switch installed in this location will provide connectivity to the Vendor's control cabinet and the two VFDs. Most equipment will be controlled from the Vendor control system. The VFDs for the Break Tank pumps will be controlled via Ethernet

to the VFDs. Other incidental equipment, such as the break tank discharge pressure transmitter, shall be monitored or controlled from the existing PLC taking advantage of existing spare capacity.

In general, instruments (Liquid Flow Meter, Radar Level Transmitter, Pressure Level Transmitter, Level Switch, Pressure Transmitter, Conductivity Sensor and Transmitter) shall be manufactured by Endress+Hauser. Small air-flow meters shall be manufactured by IFM. Small PVC electrically actuated valves shall be manufactured by Chemline with Chemline actuators. Solenoid Valves shall be manufactured by ASCO. All instruments touching liquids must be NSF-certified.

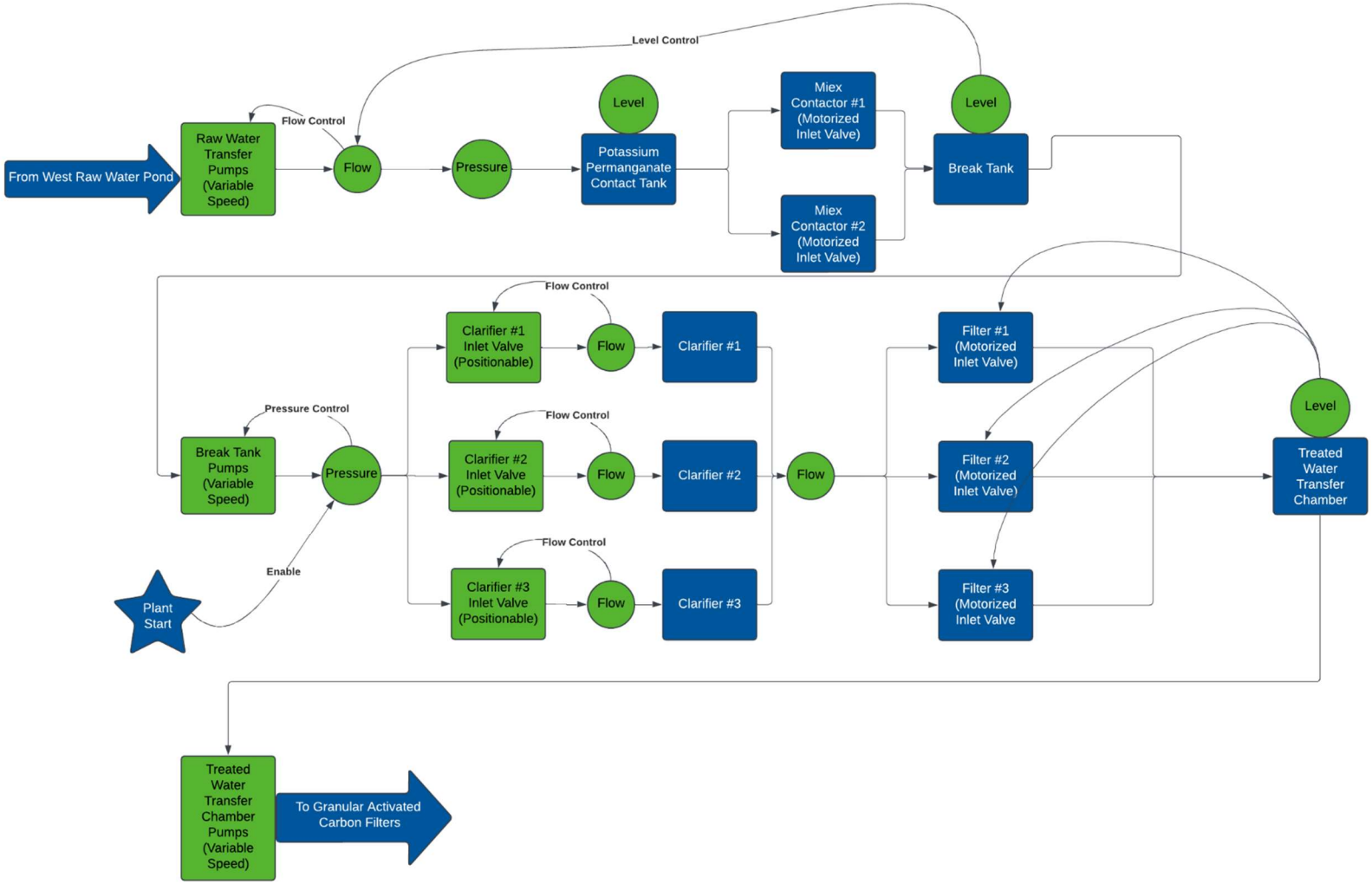


Figure 4-3 Control Loop Diagram

4.4 Structural Considerations

The MIEX system will be installed in the dewatering building. Approximately half of the area consists of a slab-on-grade with overhead door access that is currently being used a loading bay. The rest of the area is comprised of the concrete storage tank that is no longer in use. To accommodate the footprint of the new MIEX system, and provide an even uniform floor area, the cap slab and interior load bearing concrete walls, of the alum tank storage structure will be demolished and a new concrete floor assembly installed over the abandoned storage tank area (**Figure 4-4** and **Figure 4-5**). There is an elevated concrete walkway along the south end of the dewatering building that provides access between the main floor of the water treatment plant structure and the top slab surface of the alum storage tank. A localized section of the elevated walkway slab will be maintained to not affect building access between the new MIEX system room and water treatment plant.

In summary, the scope of structural work briefly includes the following:

- Demolition of the suspended cap slab, the two interior east and west tank concrete walls, and column structure of the abandoned alum storage tank.
    - There is a section of backfill between the storage tank walls and ozone building foundation that will need to be partially removed.
- Consideration for the effect demolition of the cap slab structure will have on adjacent structures, such as perimeter foundation walls, and elevated walkway slab that is to remain in place.
- Assessment of the perimeter foundation wall during detailed design. The perimeter foundation walls support exterior earth materials, that apply some lateral pressure against the foundation. Removal of the cap slab may affect the integrity of the foundation walls, and thus, require supplemental buttress walls to account for the removal of the cap slab.
- Design of the new concrete floor assembly over the existing storage tank. The base slab of the storage tank is approximately 800 mm lower than the adjacent bay. To provide a uniform floor elevation across the area, the storage tank base slab will be filled with fillcrete, and a new concrete floor assembly built over the fillcrete. The top surface of the new floor assembly will be level with the adjacent bay.
- Buoyancy considerations for the new concrete floor assembly.
- Design of the new concrete floor assembly will also include housekeeping pads for the new MIEX equipment.
- Design of galvanized steel handrails, guardrails, stairs, walkways and platforms as required for safe access to the MIEX system equipment.
- Analysis of existing structures capacity to support new or revised pipe loads, as a result of the new MIEX system. This also includes new pipe penetrations through existing structures as part of the new MIEX system.
    - Based on existing structures capacity, and new load demands of the MIEX system, structural strengthening or support of existing structures may be required.
- Design of new concrete separation wall, in the existing potassium permanganate tank, to create a new MIEX effluent break tank as part of the treatment changes for the new MIEX system (**Figure 4-6**).
    - Detailing for application of a new NSF 61 certified waterproof assembly on the surfaces new effluent break tank.
- Concrete repair details to address localized areas of deterioration that may be present at the new effluent break tank due to previous exposure and service conditions.

Figure 4-4 Dewatering Building Floor Plan – Demolition Mark-ups

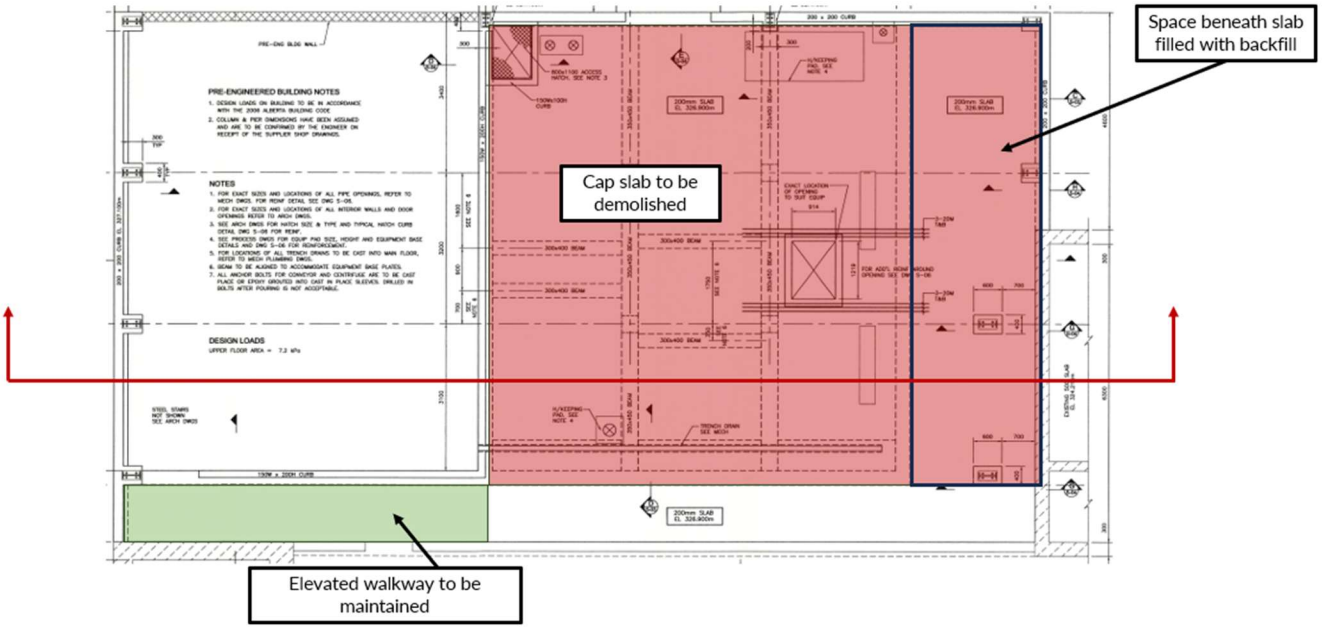


Figure 4-5 Section through Dewatering Building – Demolition and New Floor Assembly Mark-ups

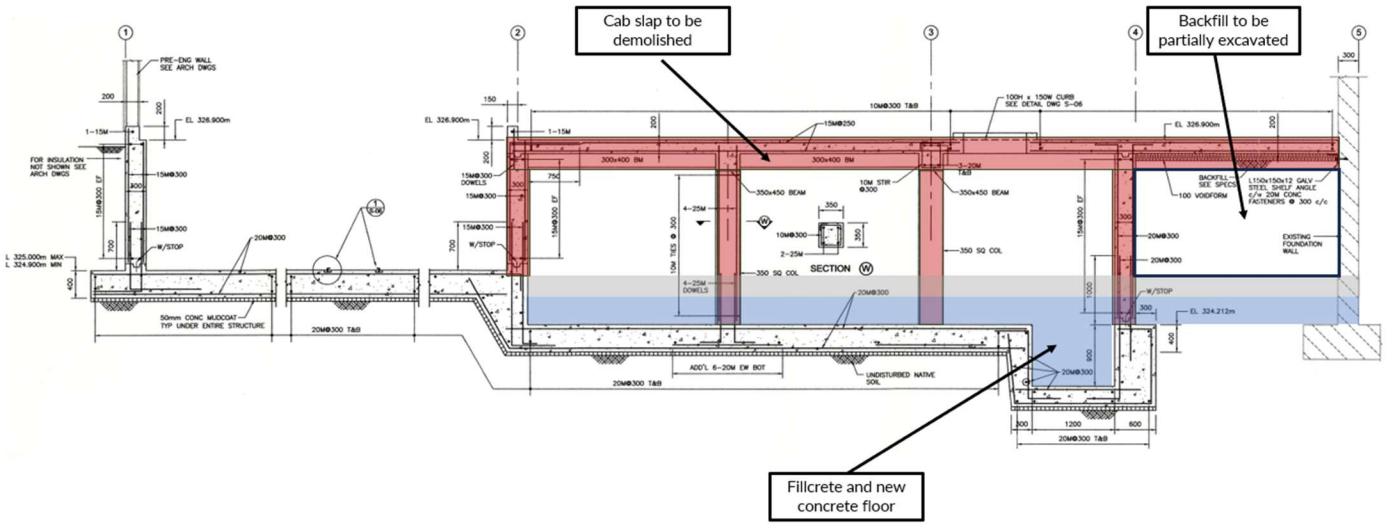
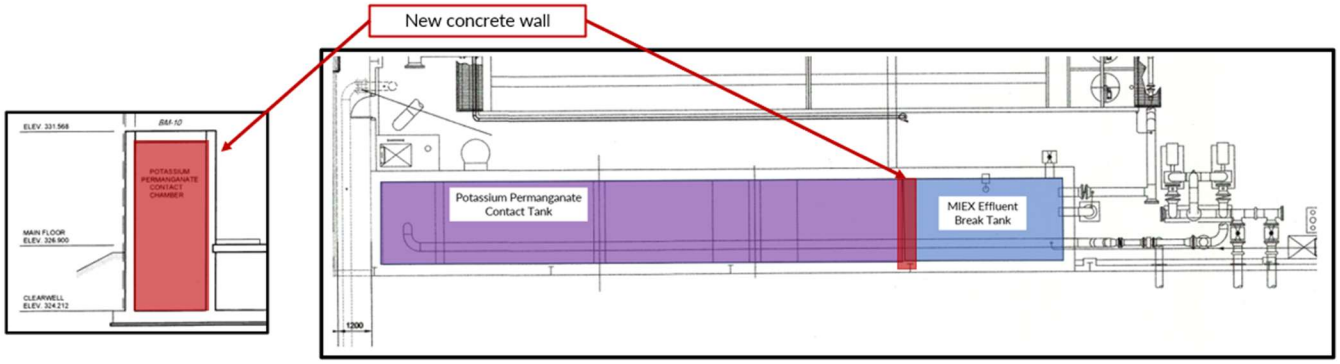


Figure 4-6 Partial Plan of Existing Potassium Permanganate Tank – New Concrete Wall to Form Break Tank



4.4.1 Available Historical Drawings

A limited set of drawings from original construction were available for our review. The structural design and analysis will include review of available existing drawings and specifications from original construction for the desludge room and water treatment plant. Associated has performed a preliminary visual review of the existing structure and did not identify any major concerns or discrepancies with the existing structures condition.

The following structural drawings for the desludge room and water treatment plant are available for our review during detailed design:

- Issued for Construction “Water Supply System Upgrading – Water Treatment Plant Upgrading” dated February 4, 2002 prepared by DCL Siemens Engineering Ltd.
- Issued for Tender “Water Treatment Plant Upgrading - Centrifuge Addition - Contract 1 – Structural and Building” dated August 4, 2010 prepared by DCL Siemens Engineering Ltd.

4.4.2 Codes, Standards, and Regulations

- National Building Code - 2023: Alberta Edition.
- CSA A23.1/ CSA A23.2, Concrete Materials and Methods of Concrete Construction/Test Methods and Standard Practices for Concrete.
- CSA A23.3, Design of Concrete Structures.
- CSA S16, Design of Steel Structures.

4.4.3 Construction Materials

Materials requirements for the construction of the new floor slab assembly and steel components will include:

- Cast-in-place concrete conforming to CSA A23.1/ A23.2, minimum compressive strengths of 35 MPa at 28 days for all concrete, exposure Class N.
- Reinforcing steel conforming to CAN/CSA-G30.18, grade 400 R/W.
- Structural steel conforming to CAN/CSA-G40.20/G40.21.
  - Grade 350W for W, channel and hollow structural sections.
  - Grade 300W for steel angle, and steel plate.

4.4.4 Geotechnical Considerations

A geotechnical investigation has not been performed as part of this project. The existing native soils are not expected to be disturbed by the works of this project. It is assumed that the existing grade materials were properly prepared or designed for during construction of the base buildings.

Based on our site reviews, and understanding of the building's performance to date, we have no reason to believe there to be any underlying issues with existing grade materials that support building foundations. Additionally, based on the age of the structure, we have assumed that the majority of long-term settlement has already occurred, and installation of the new MIEX system will not cause further settlement to occur.

4.5 Building Mechanical Considerations

The existing building mechanical system was reviewed, and no additional upgrades are required to accommodate the MIEX system. The existing dewatering building heaters are nearing the end of their lifespan, and will be replaced as part of this project (like-for-like replacement).

4.6 Operations and Maintenance Considerations

The MIEX resin must be topped up periodically, as approximately 2L of resin is lost per million litres of water treated. Resin is added in batches and can be delivered by IBC or in 200L drums. The resin is loaded from ground level to the virgin resin skid. The MIEX control panel will display a message when operators must add virgin resin.

As the MIEX system consumes a large quantity of salt during normal operations, salt will be delivered by tanker truck and blown into a salt tank through a port on the plant's exterior.

The MIEX system has a yearly routine maintenance requirement. The tube settlers must be washed twice per year, so stairs and walkways allow for access to the top of the contactors.

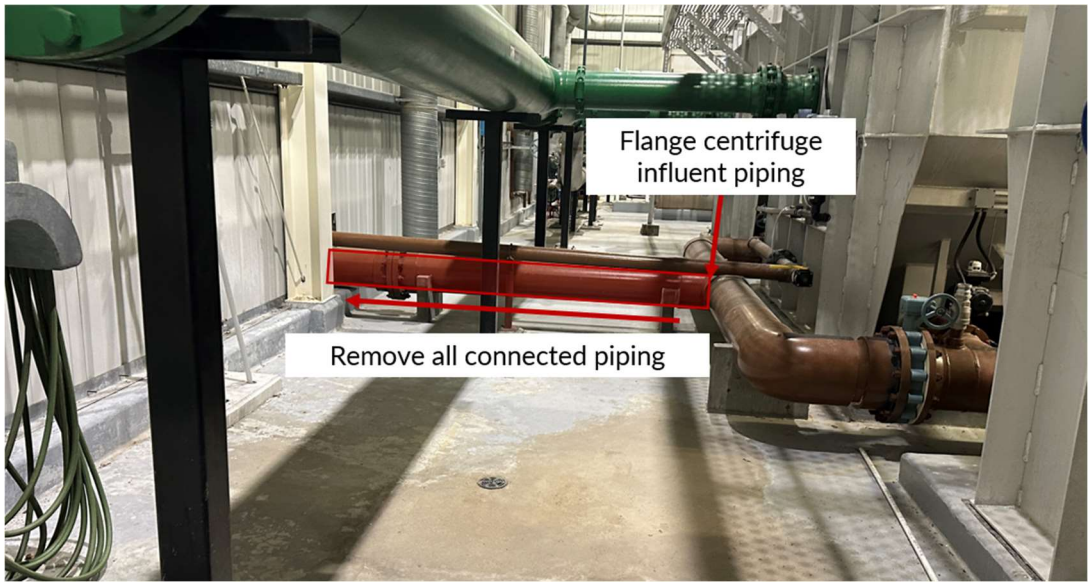
Replacement of valves, instruments, or fittings should not lead to unnecessary downtime for the MIEX system or the WTP as a whole. The upgrades will specify the use of parts purchased from manufacturers with a presence in northern Alberta.

4.7 Additional Scope

The centrifuge and all associated equipment will be removed to make space for the MIEX unit. The centrifuges, the access stairs to the centrifuge, the polymer system, the 5-ton lift, and centrifuge control panel will all be removed.

Centrifuge influent piping will be flanged and removed as shown in **Figure 4-7**.

Figure 4-7 Centrifuge Inlet Piping to be Removed and Capped



5 UPDATED OPINION OF PROBABLE COSTS

IXOM provided an updated cost estimate for the MIEX equipment, which is included in **Appendix B**. An updated opinion of probable cost is included below.

IXOM has indicated that design submittals will take 8 – 10 weeks to be provided. Equipment is 20 – 24 weeks after submittal approvals.

Table 5-1 Opinion of Probable Capital Costs

Description	Estimate of Probable Costs
General Requirements (10% of all other costs)	$415,000
Structural	$610,000
Process Mechanical [1]	$3,200,000
Building Mechanical	$15,000
Electrical, Instrumentation, and Controls	$200,000
Subtotal, Construction	*$4,540,000*
Contingency (10%)	$454,000
Engineering [2]	$720,000
Total, Construction	**$5,714,000**

[1] IXOM has provided costs for the MIEX equipment in USD. Costs have been calculated based on an exchange rate of 1.38 CAD to 1 USD, but are subject to changes in USD conversion and possible tariffs.

[2] Engineering fees calculated from sum of DBM engineering fees + proposed design fees (issued December 2024) + 5% of construction subtotal for engineering during construction.

6 CONSTRUCTION DISCUSSION

6.1 Construction Staging

The demolition scope of work and MIEX equipment installation can occur without significantly impacting the existing WTP process. In addition, the potassium permanganate tank can be bypassed during tie-in.

It is recommended that piping tie-ins and MIEX system construction be delayed until late fall, when water demand is lower.

The Town has indicated a preference for construction not to take place in winter as travel can be compromised in the area. It is recommended that construction be staged to clear space in the fall of 2025 (demolition, building envelope modifications) and install the MIEX equipment in the spring of 2026.

All equipment that can be salvaged will be returned to the Town, including the centrifuges and the polymer system.

6.2 Project Delivery Discussion

The project delivery methods were discussed with the Town of High Level. Given the scale of the project, two project delivery methods were considered:

1. Design-Bid-Build (DBB)
2. Construction Manager at Risk (CMAR)

Given the remote location of High Level and the challenge with accurately estimating costs, the Town of High Level will proceed with CMAR.

6.3 Regulatory Review

With the addition of the MIEX equipment to the WTP, the existing Waterworks Approval (Approval No. 772-04) must be amended.

It should be noted that the Approval expiry date is August 1, 2025, and the renewal should be submitted February 1, 2025, to meet the 6-month requirement for renewals. Associated Engineering will engage Alberta Environment and Protected Areas (AEPA) at the next design phase in early 2025 and begin discussions regarding approval renewal and amendments.

Updates to the Approval are required regardless of the MIEX addition, as the current document incorrectly indicates the use of ozone and biological filtration. The ozone system is not operational, and the granular activated carbon is not operated as a biological filtration system.

CLOSURE

This report was prepared for the Town of High Level to illustrate how MIEX will be incorporated into the existing process within the High Level WTP.

The services provided by Associated Engineering Alberta Ltd. in the preparation of this report were conducted in a manner consistent with the level of skill ordinarily exercised by members of the profession currently practicing under similar conditions. No other warranty expressed or implied is made.

Respectfully submitted,

Associated Engineering Alberta Ltd.

Sarah Larlee, M.A.Sc., P.Eng.
Process Engineer, Associate Project Manager

Devyn Rudd, P.Eng.
Structural Engineer

Luc Blanchette, P.Eng.
EI&C Engineer

APPENDIX A – MIEX P&ID

ABBREVIATIONS

AI	ANALOG INPUT
AO	ANALOG OUTPUT
BOP	BOTTOM OF PIPE
BOS	BOTTOM OF STEEL
CI	CAST IRON
CONC	CONCENTRIC
CS	CARBON STEEL
DI	DISCRETE INPUT
ECC	ECCENTRIC
EL	ELEVATION
FC	FAIL CLOSE
FI	FAIL INTERMEDIATE
FL	FAIL LOCKED
FLG	FLANGE
FO	FAIL OPEN
GPM	GALLONS PER MINUTE
HP	HIGH PRESSURE
LC	LOCKED CLOSE
LO	LOCKED OPEN
LLL	LOW PRESS. CONDENSATE
LP	LOW PRESSURE
LT	LOW TEMPERATURE
MAX	MAXIMUM
MCC	MOTOR CONTROL CENTER
MIN	MINIMUM
MW	MANWAY
NC	NORMALLY CLOSED
NLL	NORMALLY LIQUID LEVEL
NO	NORMALLY OPEN
ORIF	ORIFICE
PE	PRESSURE END
RED	REDUCER
SC	SAMPLE CONNECTION
SCH	SCHEDULE
SD	SHUTDOWN
SP	SAMPLE POINT
SS	STAINLESS STEEL
STD	STANDARD
TOP	TOP OF PIPE
TOS	TOP OF STEEL
TYP	TYPICAL

VALVE SYMBOLS

- GATE
- GLOBE
- CHECK
- DIAPHRAGM
- NEEDLE
- FLOAT
- BUTTERFLY NORMALLY OPEN
- BUTTERFLY NORMALLY CLOSED
- BALL NORMALLY OPEN
- BALL NORMALLY CLOSED
- SAFETY RELIEF
- PRESSURE REGULATING
- PLUG
- 3-WAY
- V-BALL
- POWERED VALVE - MOTOR / ELECTRIC
- POWERED VALVE - SOLENOID
- FOOT VALVE
- AUTO VENT VALVE
- Y STRAINER

ACTUATORS

- MOTOR OPERATOR
- SOLENOID
- PISTON OPERATOR
- SPRING TO OPEN
- SPRING TO CLOSE
- CURRENT-TO-PRESSURE

GENERAL FITTINGS

- REDUCER
- FLANGE / BOLTED
- END CAP
- RESTRICTING ORIFICE
- FLEXIBLE HOSE OR JOINT
- DRAIN
- VENT

GENERAL EQUIPMENT

- OPEN TOP TANK
- CLOSED TOP TANK
- PRESSURE VESSEL
- COVERED TANK WITH SUMP
- CENTRIFUGAL PUMP (ELECTRIC)
- POSITIVE DISPLACEMENT PUMP
- RECIPROCATING PUMP
- ROTARY PUMP
- PROPORTIONAL PUMP
- ROTARY SCREW COMPRESSOR
- RECIPROCATING COMPRESSOR
- MOTOR DRIVEN TURBINE
- TURBINE
- CENTRIFUGAL FAN / BLOWER
- RADIAL FAN
- AXIAL FAN
- BLOWER (POSITIVE DISPLACEMENT)
- EDUCTOR / JET PUMP
- SPRAY NOZZLE
- AIR FILTER
- MIXING EDUCTOR
- HEATER
- HEAT EXCHANGER

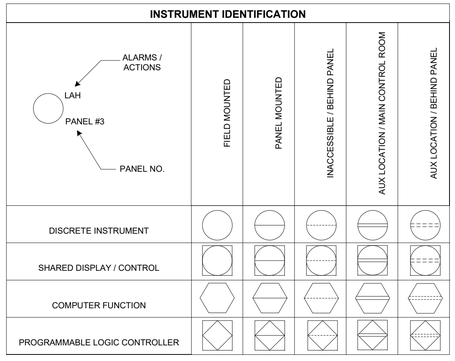
PROCESS INSTRUMENTS

- FLOWMETER - MAG
- FLOWMETER - PROPELLER
- FLOWMETER - VENTURI
- FLOWMETER - VORTEX
- ROTAMETER
- PRESSURE INDICATOR
- TEMPERATURE INDICATOR
- DIFFERENTIAL PRESSURE INDICATOR
- FLOW ELEMENT AND TRANSMITTER
- LEVEL ELEMENT AND TRANSMITTER
- PRESSURE ELEMENT AND TRANSMITTER
- ANALYZER ELEMENT AND TRANSMITTER

IDENTIFICATION LETTERS

	FIRST LETTER		SUCCEEDING LETTER		
	MEASURED OR INITIATING VARIABLE	MODIFIER	READOUT OR PASSIVE FUNCTION	OUTPUT FUNCTION	MODIFIER
A	ANALYSIS		ALARM	USERS CHOICE	USERS CHOICE
B	BURNER, COMBUSTION				
C	CONDUCTIVITY		USERS CHOICE	CONTROL	(CLOSED)
D	DENSITY	DIFFERENTIAL			
E	VOLTAGE (EMF)		SENSOR (PRIMARY ELEMENT)		
F	FLOWRATE	RATIO (FRACTION)			
G	GAUGING		GLASS, VIEWING DEVICE		
H	HAND (MANUAL)				HIGH
I	CURRENT (ELECTRIC)		INDICATE		
J	POWER	SCAN			
K	TIME, TIME SCHEDULE	TIME RATE OF CHANGE		CONTROL STATION	
L	LEVEL		LIGHT		LOW
M	MOISTURE	MOMENTARY			MIDDLE, INTERMEDIATE
N	USERS CHOICE	(NORMALLY)	USERS CHOICE	USERS CHOICE	USERS CHOICE
O	USERS CHOICE		ORIFICE, RESTRICTION		(OPEN)
P	PRESSURE, VACUUM		POINT (TEST) CONNECTION		
Q	QUANTITY	INTEGRATE, TOTALIZE			
R	RADIATION		RECORD		
S	SPEED, FREQUENCY	SAFETY		SWITCH	
T	TEMPERATURE			TRANSMIT	
U	MULTIVARIABLE		MULTIFUNCTION	MULTIFUNCTION	MULTIFUNCTION
V	VIBRATION, MECHANICAL ANALYSIS			VALVE, DAMPER, LOUVER	
W	WEIGHT, FORCE		WELL	UNCLASSIFIED	
X	UNCLASSIFIED	X AXIS	UNCLASSIFIED		UNCLASSIFIED
Y	EVENT, STATE, OR PRESENCE	Y AXIS		RELAY, COMPUTE, CONVERT	
Z	POSITION, DIMENSION	Z AXIS			

INSTRUMENT IDENTIFICATION

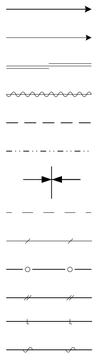


UNDEFINED INTERLOCK LOGIC

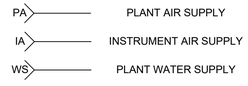
EXAMPLE ALARMS OR ACTIONS

HA	HIGH ALARM
LAH	LEVEL ALARM HIGH
LAHH	LEVEL ALARM HIGH HIGH
HOA	HAND / OFF / AUTO
HOR	HAND / OFF / REMOTE
JOR	JOG / OFF / REMOTE
LOR	LOCAL / OFF / REMOTE
OO	ON / OFF

LINE LEGEND



- PRIMARY PROCESS
- ANCILLARY PROCESS
- INSULATED
- SUPPLIED BY OTHERS
- SKID BOUNDARY
- SCOPE BOUNDARY
- ELECTRIC
- SIGNAL
- DATA
- PNEUMATIC
- HYDRAULIC
- ELECTROMAGNETIC



LINE NUMBERING

EXAMPLE: RW – 8 (200)

- LINE SERVICE (SEE SCHEDULE)
- NOMINAL SIZE (INCHES)
- DIAMETER NOMINAL (MILIMETERS)

LINE CONTENT DESCRIPTION

DRWG REF# — LINE CONTENT IN OR OUT OF DRAWING

LINE SERVICE

AS	AIR SCOUR
BR	BRINE
DR	DRAIN
ME	MIEX TREATED EFFLUENT
FR	FRESH RESIN
HPA	HIGH PRESSURE AIR
LR	LOADED RESIN
OF	OVERFLOW
RBS	RINSE / BRINE / SUPERNATANT
RM	RINSE / MAKEUP
RR	RECYCLE RESIN
Rw	RAW WATER
SA	SAMPLE
SALT	BULK SALT
SSS	SATURATED SALT SOLUTION
SR	SPENT RESIN
SRR	SUPERNATANT / BRINE / RINSE WATER
SW	SERVICE WATER
VR	VIRGIN RESIN
W2	MAKEUP WATER
WB	WASTE BRINE
WS	SOFTENED WATER

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PROJECT: 75 LPS HIGH LEVEL, AB
SERVICE: MIEX® PRE-TREATMENT
TITLE: PIPING & INSTRUMENTATION DIAGRAM P&ID SYMBOLS

SIZE: B | DWG NO: NAXXXX-03-00-002 | REV: B
SCALE: NTS | SHEET: 1 OF 11

PRELIMINARY

FRESH RESIN FROM REGEN SKID
SHEET 6
FR-3(80)

CARRIER WATER FROM REGEN SKID
SHEET 6
CW-2(50)

FRESH RESIN TO CONTACTOR 1
SHEET 3
FR-3(80)
V2021

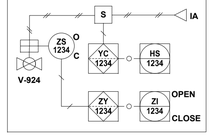
FRESH RESIN TO CONTACTOR 2
SHEET 4
FR-3(80)
V2023

FRESH RESIN TO CONTACTOR 3
SHEET 5
FR-3(80)
V2025

FRESH RESIN SPLITTER BOX

LS 2020
LY 2020
LAHH 2020

TYPICAL FOR AIR ACTUATED VALVES



LOADED RESIN FROM CONTACTOR 1
SHEET 3
LR-3(80)

LOADED RESIN FROM CONTACTOR 2
SHEET 4
LR-3(80)

LOADED RESIN FROM CONTACTOR 3
SHEET 5
LR-3(80)

LOADED RESIN TO REGEN TANKS
SHEET 6
LR-3(80)

ASSUMED AN EXISTING RAW WATER FLOW SIGNAL IS AVAILABLE FOR MIEX SYSTEM CONTROLS

FT 1000
FE 1000

75 LPS MAX FLOW
RAW WATER
RW-12(300)

12x1 (300x25)

SAMPLE VALVE (BY OTHERS)

RAW WATER TO CONTACTOR 1
SHEET 3
RW-10(250)
V2102
V2101
V2100
10x12 (250x300)
NOTE 3

RAW WATER TO CONTACTOR 2 (CENTRE)
SHEET 4
RW-10(250)
V2202
V2201
V2200
10x12 (250x300)
NOTE 3

RAW WATER TO CONTACTOR 3
SHEET 5
RW-10(250)
V2302
V2301
V2300
10x12 (250x300)
NOTE 3

MIEX EFFLUENT
ME-12(300)

8x12 (200x300)
8x12 (200x300)
8x12 (200x300)

MIEX EFFLUENT FROM CONTACTOR 1
SHEET 3
ME-8(200)

MIEX EFFLUENT FROM CONTACTOR 2
SHEET 4
ME-8(200)

MIEX EFFLUENT FROM CONTACTOR 3
SHEET 5
ME-8(200)

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2. VALVES WITH NUMBER FORMAT V1234 ARE SUPPLIED BY IXOM. OTHER VALVES SHOWN BY OTHERS.
3. RAW WATER BRANCHES TO EACH CONTACTOR ARE ALL AT SAME ELEVATIONS, SPLITTING FLOW EVENLY.

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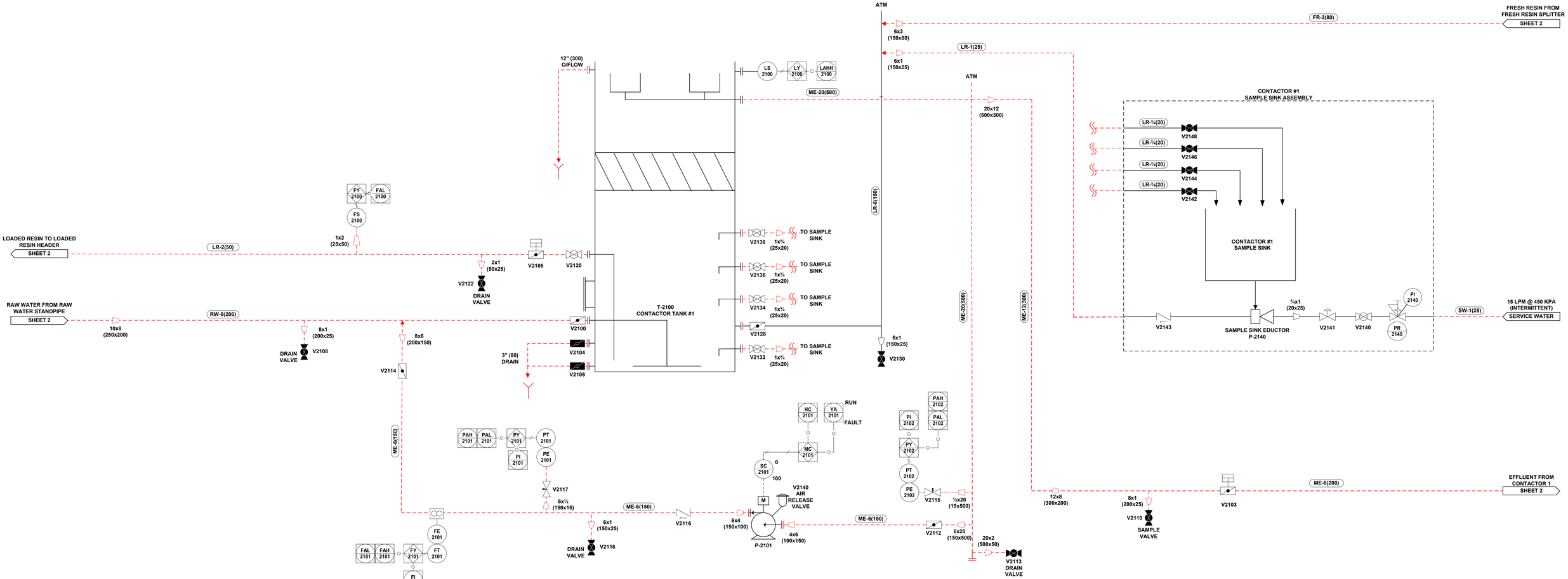
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IXOM

PROJECT: 75 LPS HIGH LEVEL, AB
SERVICE: MIEX® PRE-TREATMENT
TITLE: PIPING & INSTRUMENTATION DIAGRAM RAW WATER / FRESH RESIN SPLITTER, & MIEX EFFLUENT

SIZE: B
DWG NO: NAXXXX-03-00-002
REV: B
SCALE: NTS
SHEET: 2 OF 11

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NOTES:
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2. DASHED LINES (--------) AND RED COLORED ITEMS DENOTE SITE INSTALLED & SUPPLIED PIPING BY OTHERS.
3. VALVES WITH NUMBER FORMAT VXXXX ARE SUPPLIED BY IXOM. OTHER VALVES SHOWN BY OTHERS.

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PROJECT NO.	NAXXXX		

FULL FILENAME: L:\WATERCARE\ENGINEERING TEAM\NA-XXXX FILES\NAXXXX-HIGH LEVEL, AB\P&ID'S\NAXXXX-03-00-002_RB (HIGH LEVEL 75 LPS P&ID).VSD.VSD

IXOM

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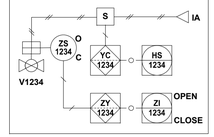
UNLESS OTHERWISE SPECIFIED DIMENSIONS ARE IN INCHES

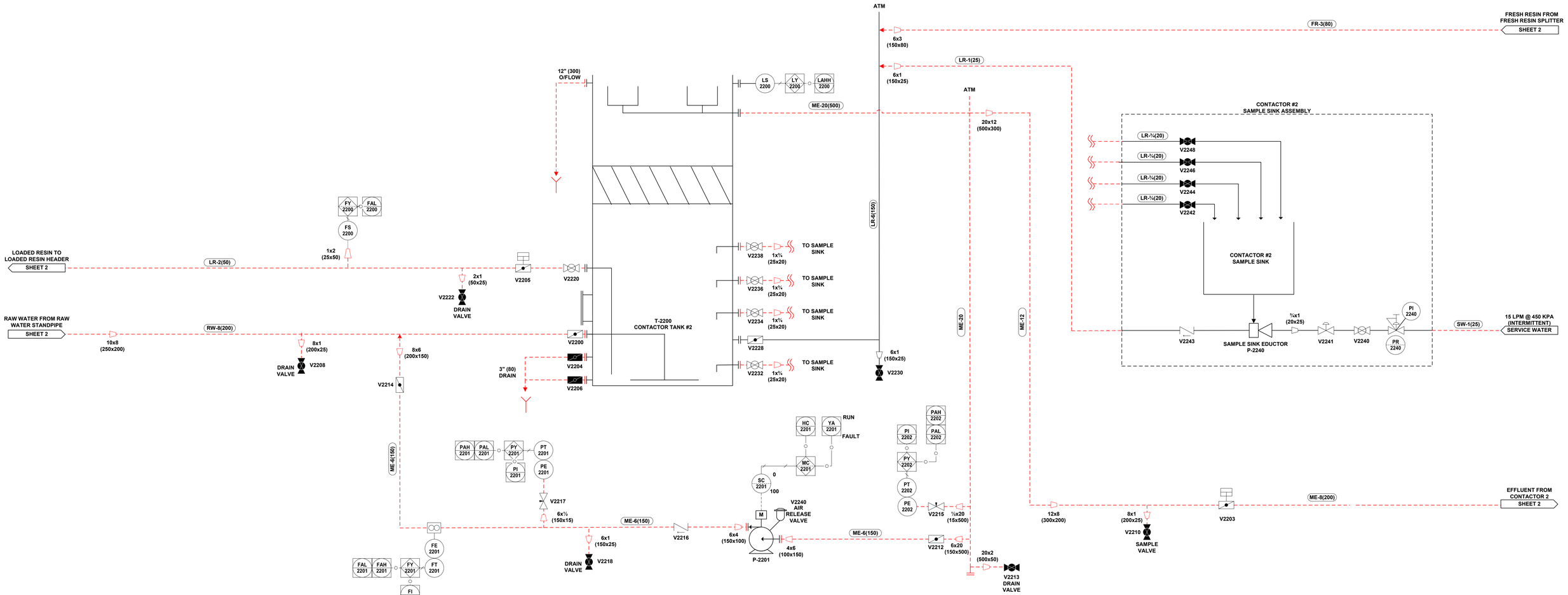
PROJECT: 75 LPS HIGH LEVEL, AB
SERVICE: MIEX® PRE-TREATMENT
TITLE: PIPING & INSTRUMENTATION DIAGRAM CONTACTOR #1

SIZE: B
DWG NO: NAXXXX-03-00-002
REV: B
SCALE: NTS
SHEET: 3 OF 11

PRELIMINARY

TYPICAL FOR AIR ACTUATED VALVES





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NOTES:
1. HIGH LEG FOR AIR TUBING REQUIRED FOR RESIN AIR-LIFT PUMPS. HIGH SPOT ABOVE CONTACTOR WATER LEVEL (2FT ABOVE).
2. DASHED LINES (- - - - -) AND RED COLORED ITEMS DENOTE SITE INSTALLED & SUPPLIED PIPING BY OTHERS.
3. VALVES WITH NUMBER FORMAT VXXXX ARE SUPPLIED BY IXOM. OTHER VALVES SHOWN BY OTHERS.

REVISION HISTORY				
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B	PRELIMINARY – UPDATES FROM COMMENTS	13 NOV '24	-	-
A	PRELIMINARY INFORMATION	24 OCT '24	-	-
REV	DESCRIPTION	DATE	CHECKED	ENGINEER

STAMP

TOLERANCE
FRACTION
DECIMAL: .XX
DECIMAL: .XXX
ANGULAR

DRAWN BY	J. SAVAGE	24 OCT 2024
CHECKED BY	S.MITCHELL	24 OCT 2024
ENGINEER	S.MITCHELL	24 OCT 2024
DISCIPLINE ENGR	N/A	
CLIENT	N/A	
PROJECT MGR		
PROJECT NO.	NAXXXX	

FULL FILENAME: L:\WATERCARE\ENGINEERING TEAM\NA-XXXX FILES\NAXXXX-HIGH LEVEL, AB\P&ID'S\NAXXXX-03-00-002_RB (HIGH LEVEL 75 LPS P&ID).VSD.VSD

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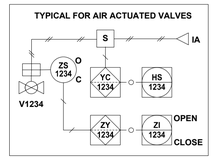
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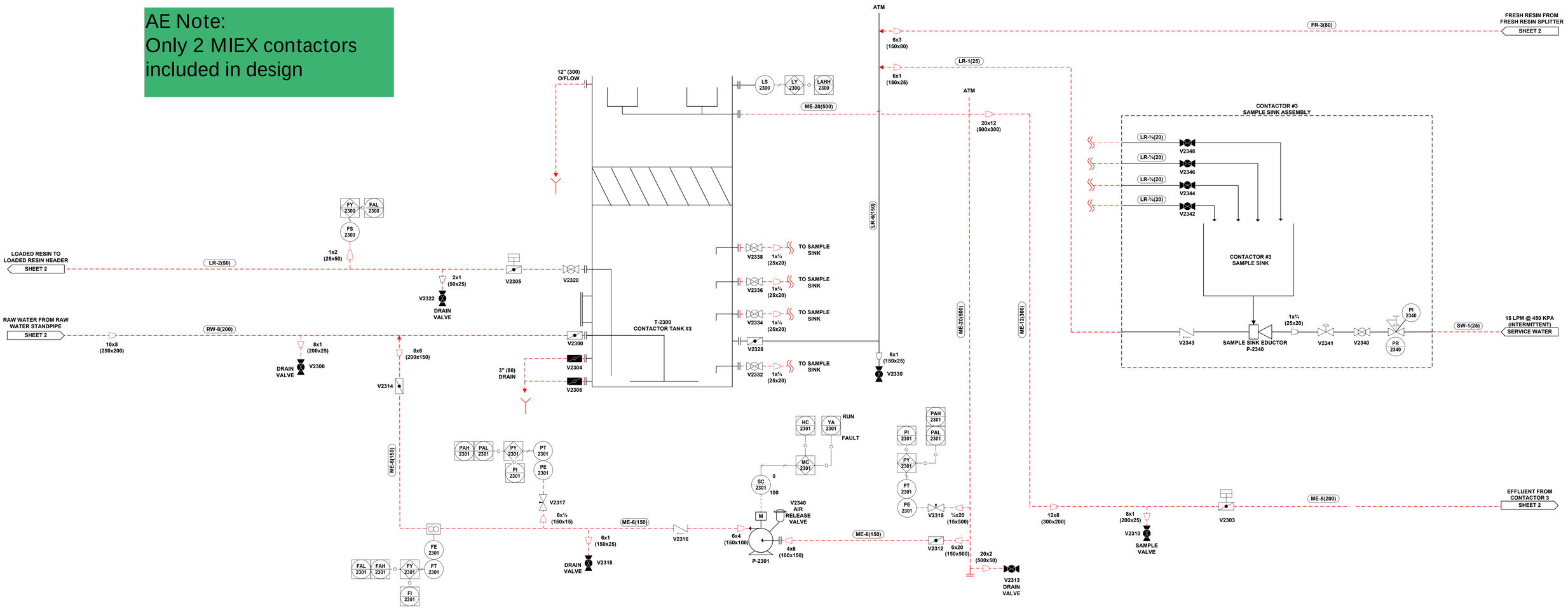
PROJECT: 75 LPS HIGH LEVEL, AB
SERVICE: MIEX® PRE-TREATMENT
TITLE: PIPING & INSTRUMENTATION DIAGRAM CONTACTOR #2

SIZE: B
DWG NO: NAXXXX-03-00-002
REV: B
SCALE: NTS
SHEET: 4 OF 11

PRELIMINARY

AE Note:
Only 2 MIEX contactors included in design





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NOTES:
1. HIGH LEG FOR AIR TUBING REQUIRED FOR RESIN AIR-LIFT PUMPS. HIGH SPOT ABOVE CONTACTOR WATER LEVEL (2FT ABOVE).
2. DASHED LINES (--------) AND RED COLORED ITEMS DENOTE SITE INSTALLED & SUPPLIED PIPING BY OTHERS.
3. VALVES WITH NUMBER FORMAT VXXXX ARE SUPPLIED BY IXOM. OTHER VALVES SHOWN BY OTHERS.

REV	DESCRIPTION	DATE	CHECKED	ENGINEER
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B	PRELIMINARY – UPDATES FROM COMMENTS	13 NOV '24	-	-
A	PRELIMINARY INFORMATION	24 OCT '24	-	-

STAMP

		SIGNATURE	DATE
DRAWN BY	J. SAVAGE		24 OCT 2024
CHECKED BY	S.MITCHELL		24 OCT 2024
ENGINEER	S.MITCHELL		24 OCT 2024
DISCIPLINE ENGR	N/A		
CLIENT	N/A		
PROJECT MGR			
PROJECT NO.	NAXXXX		

TOLERANCE
FRACTION
DECIMAL: .XX
DECIMAL: .XXX
ANGULAR

FULL FILENAME: L:\WATERCARE\ENGINEERING TEAM\NA-XXXX FILES\NAXXXX-HIGH LEVEL, AB\P&ID'S\NAXXXX-03-00-002_RB (HIGH LEVEL 75 LPS P&ID).VSD.VSD

IXOM

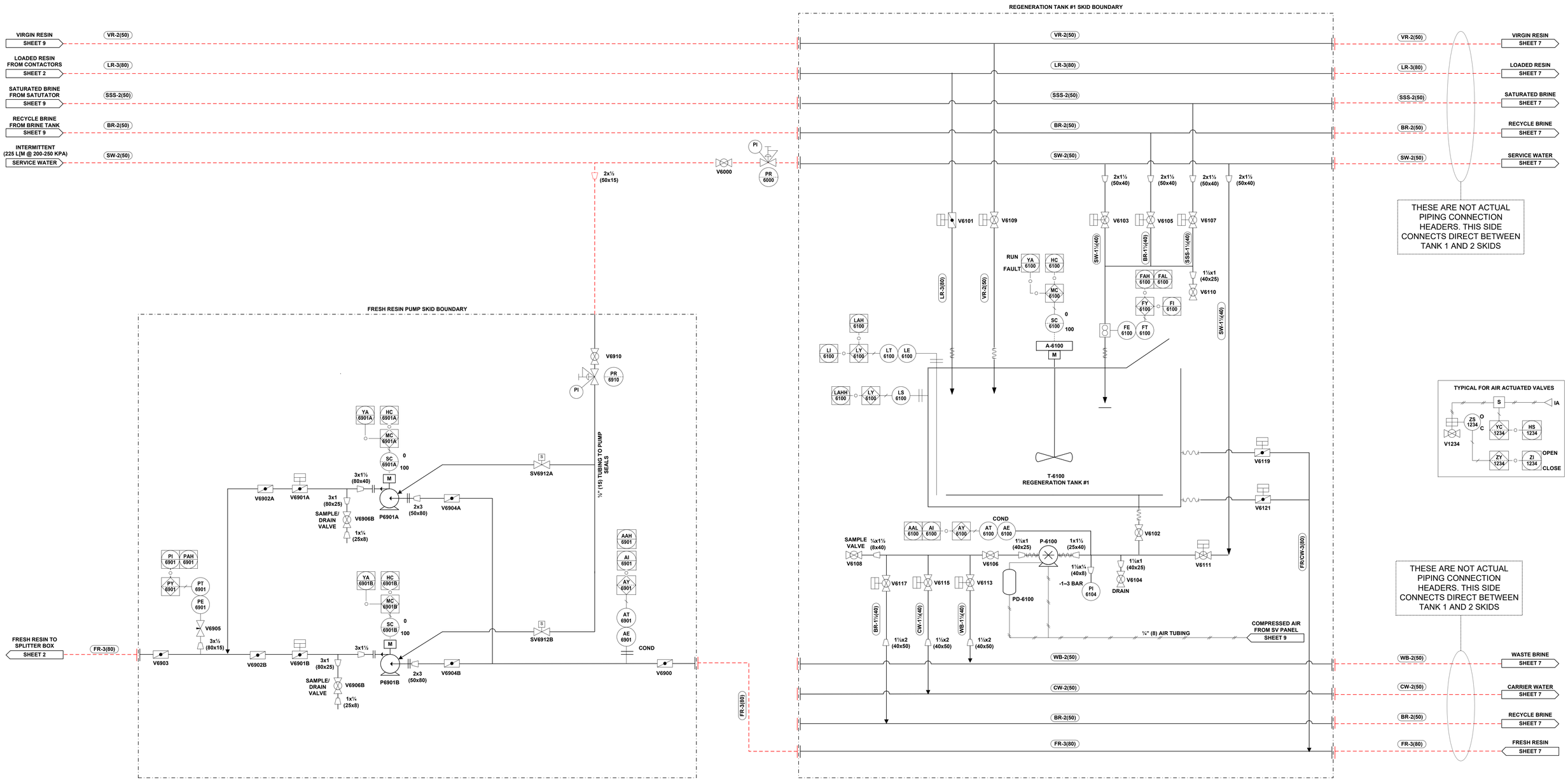
THIS DRAWING CONTAINS PROPRIETARY INFORMATION AND SHALL NOT BE USED OR REPRODUCED WITHOUT APPROVAL FROM IXOM WATERCARE INC.

UNLESS OTHERWISE SPECIFIED DIMENSIONS ARE IN INCHES

PROJECT: 75 LPS HIGH LEVEL, AB
SERVICE: MIEX® PRE-TREATMENT
TITLE: PIPING & INSTRUMENTATION DIAGRAM CONTACTOR #3

SIZE: B | DWG NO: NAXXXX-03-00-002 | REV: B
SCALE: NTS | SHEET: 5 OF 11

PRELIMINARY



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NOTES:
1. DASHED RED LINES (- - - - -) DENOTE SITE INSTALLED PIPING BY OTHERS.
2. VALVES WITH NUMBER FORMAT V1234 ARE SUPPLIED BY IXOM. OTHER VALVES SHOWN BY OTHERS.
3. VIRGIN RESIN ADDED MANUALLY AS REQUIRED (OPERATOR INITIATED).
4. TANK FITTED WITH FRP COVERS AND LIFT ACCESS HATCH.
5. REGENERATION SKID CONNECTION SPOOLS PROVIDED BY OTHERS WHERE REQUIRED.

REVISION HISTORY

REV	DESCRIPTION	DATE	CHECKED	ENGINEER
-			-	-
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B	PRELIMINARY – UPDATES FROM COMMENTS	13 NOV '24	-	-
A	PRELIMINARY INFORMATION	24 OCT '24	-	-

STAMP

	SIGNATURE	DATE
DRAWN BY	J. SAVAGE	24 OCT 2024
CHECKED BY	S.MITCHELL	24 OCT 2024
ENGINEER	S.MITCHELL	24 OCT 2024
DISCIPLINE ENGR	N/A	
CLIENT	N/A	
PROJECT MGR		
PROJECT NO.	NAXXXX	

TOLERANCE
FRACTION
DECIMAL: .XX
DECIMAL: .XXX
ANGULAR

FULL FILENAME: L:\WATERCARE\ENGINEERING TEAM\NA-XXXX FILES\NAXXXX-HIGH LEVEL, AB\P&ID'S\NAXXXX-03-00-002_RB (HIGH LEVEL 75 LPS P&ID).VSD.VSD

IXOM

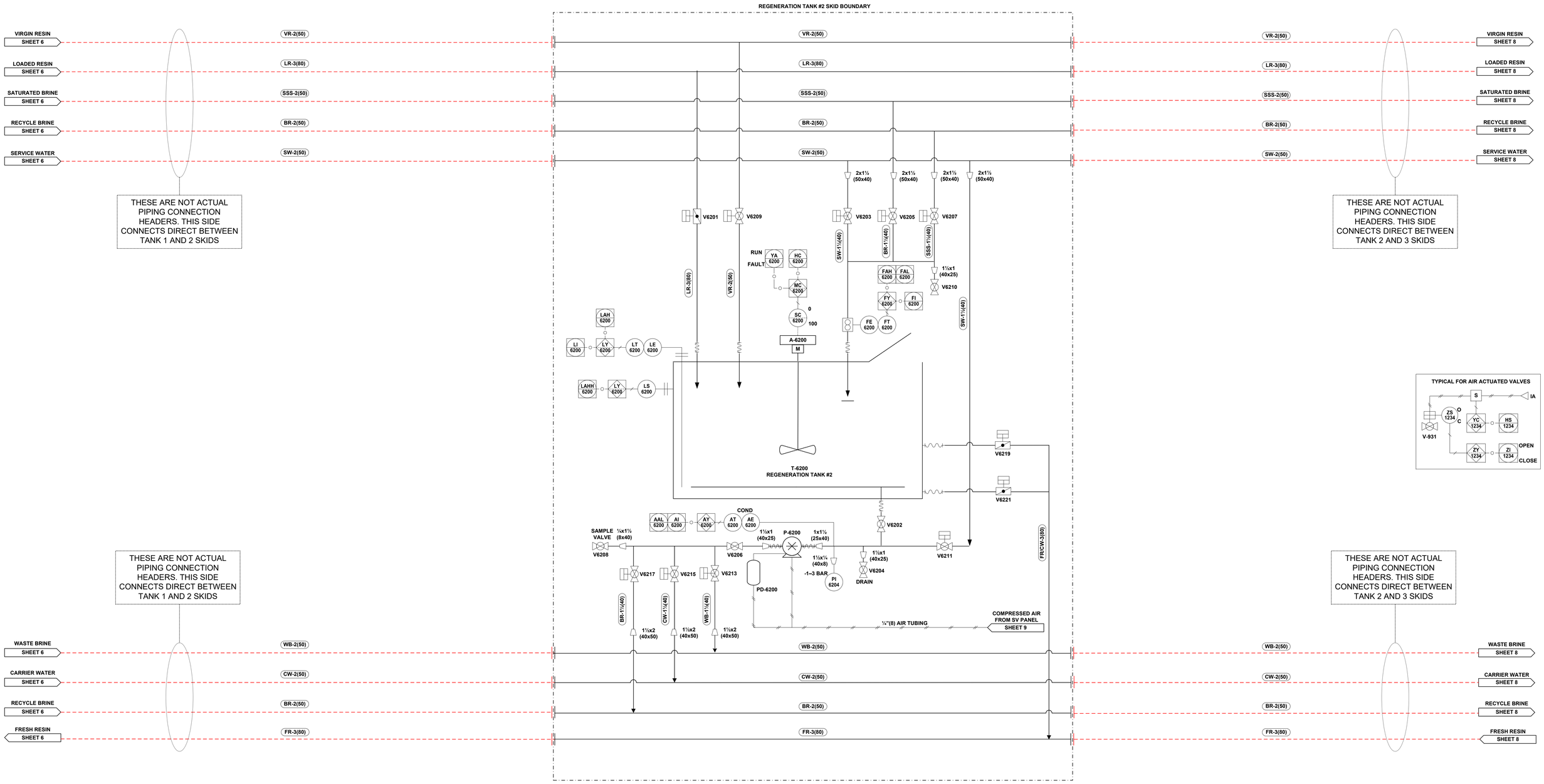
THIS DRAWING CONTAINS PROPRIETARY INFORMATION AND SHALL NOT BE USED OR REPRODUCED WITHOUT APPROVAL FROM IXOM WATERCARE INC.

UNLESS OTHERWISE SPECIFIED DIMENSIONS ARE IN INCHES

PROJECT: 75 LPS HIGH LEVEL, AB
SERVICE: MIEX® PRE-TREATMENT
TITLE: PIPING & INSTRUMENTATION DIAGRAM REGENERATION TANK #1 & FRESH RESIN PUMP SKID

SIZE: B
DWG NO: NAXXXX-03-00-002
REV: B
SCALE: NTS
SHEET: 6 OF 11

PRELIMINARY



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NOTES:
1. DASHED RED LINES (- - - - - -) DENOTE SITE INSTALLED PIPING BY OTHERS.
2. VALVES WITH NUMBER FORMAT V1234 ARE SUPPLIED BY IXOM. OTHER VALVES SHOWN BY OTHERS.
3. VIRGIN RESIN ADDED MANUALLY AS REQUIRED (OPERATOR INITIATED).
4. TANK FITTED WITH FRP COVERS AND LIFT ACCESS HATCH.
5. REGENERATION SKID CONNECTION SPOOLS PROVIDED BY OTHERS WHERE REQUIRED.

REVISION HISTORY					STAMP
REV	DESCRIPTION	DATE	CHECKED	ENGINEER	
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B	PRELIMINARY – UPDATES FROM COMMENTS	13 NOV '24	-	-	DECIMAL: .XX
A	PRELIMINARY INFORMATION	24 OCT '24	-	-	DECIMAL: .XXX
					ANGULAR

	SIGNATURE	DATE
DRAWN BY	J. SAVAGE	24 OCT 2024
CHECKED BY	S.MITCHELL	24 OCT 2024
ENGINEER	S.MITCHELL	24 OCT 2024
DISCIPLINE ENGR	N/A	
CLIENT	N/A	
PROJECT MGR		
PROJECT NO.	NAXXXX	
FULL FILENAME	L:\WATERCARE\ENGINEERING TEAM\NA-XXXX FILES\NAXXXX-HIGH LEVEL, AB\P&ID'S\NAXXXX-03-00-002_RB (HIGH LEVEL 75 LPS P&ID).VSD.VSD	

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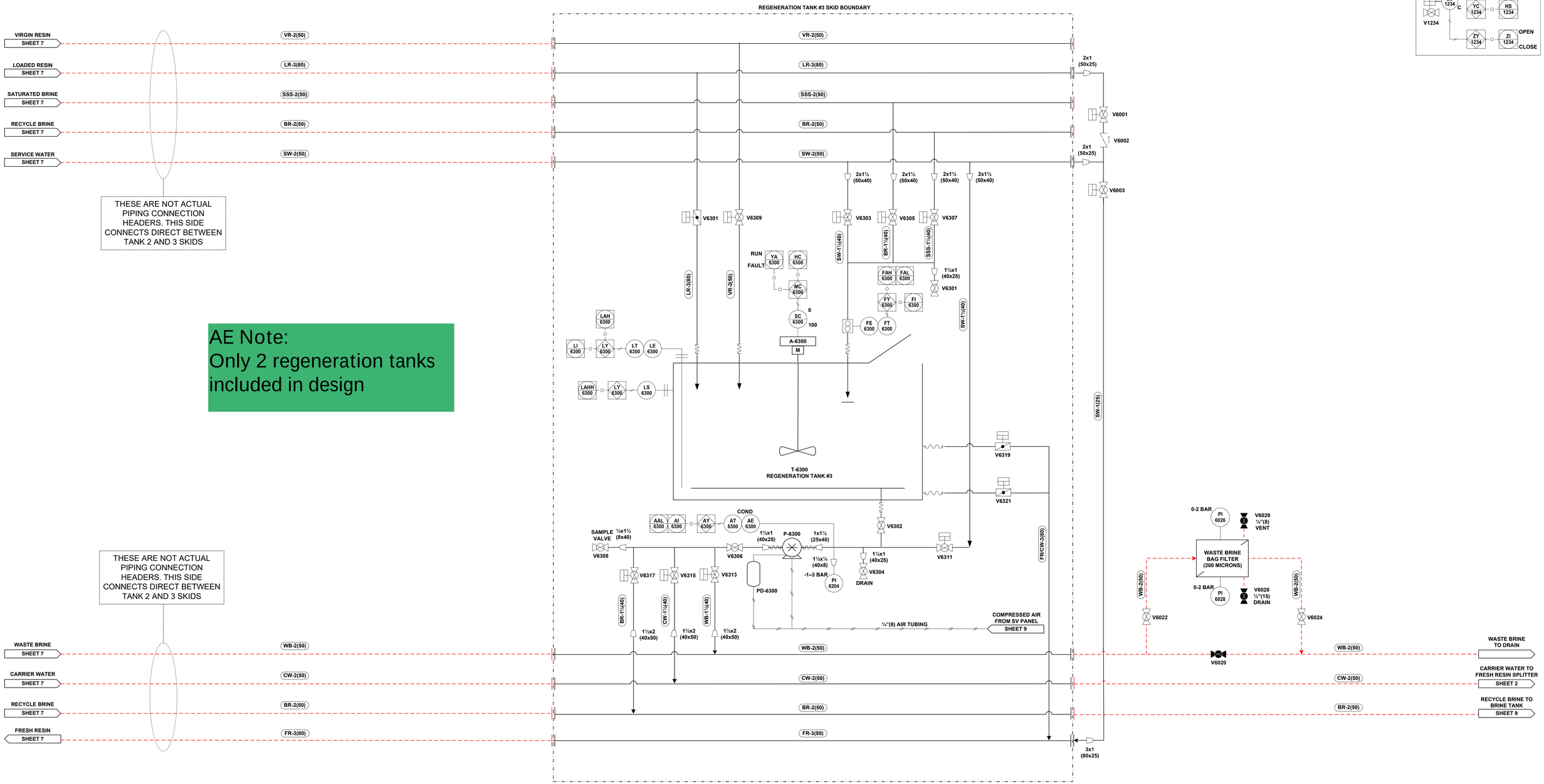
UNLESS OTHERWISE SPECIFIED DIMENSIONS ARE IN INCHES

PROJECT: 75 LPS HIGH LEVEL, AB
SERVICE: MIEX® PRE-TREATMENT
TITLE: PIPING & INSTRUMENTATION DIAGRAM REGENERATION TANK #2

SIZE	DWG NO	REV
B	NAXXXX-03-00-002	B

SCALE: NTS | SHEET: 7 OF 11

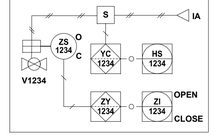
PRELIMINARY



THESE ARE NOT ACTUAL PIPING CONNECTION HEADERS. THIS SIDE CONNECTS DIRECT BETWEEN TANK 2 AND 3 SKIDS

AE Note:
Only 2 regeneration tanks included in design

TYPICAL FOR AIR ACTUATED VALVES



NOTES:
1. DASHED RED LINES (- - - - -) DENOTE SITE INSTALLED PIPING BY OTHERS.
2. VALVES WITH NUMBER FORMAT V1234 ARE SUPPLIED BY IXOM. OTHER VALVES SHOWN BY OTHERS.
3. VIRGIN RESIN ADDED MANUALLY AS REQUIRED (OPERATOR INITIATED).
4. TANK FITTED WITH FRP COVERS AND LIFT ACCESS HATCH.
5. REGENERATION SKID CONNECTION SPOOLS PROVIDED BY OTHERS WHERE REQUIRED.

REV	DESCRIPTION	DATE	CHECKED	ENGINEER
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B	PRELIMINARY – UPDATES FROM COMMENTS	13 NOV '24	-	-
A	PRELIMINARY INFORMATION	24 OCT '24	-	-

STAMP

TOLERANCE
FRACTION
DECIMAL: .XX
DECIMAL: .XXX
ANGULAR

	SIGNATURE	DATE
DRAWN BY	J. SAVAGE	24 OCT 2024
CHECKED BY	S.MITCHELL	24 OCT 2024
ENGINEER	S.MITCHELL	24 OCT 2024
DISCIPLINE ENGR	N/A	
CLIENT	N/A	
PROJECT MGR		
PROJECT NO.	NAXXXX	

FULL FILENAME: L:\WATERCARE\ENGINEERING TEAM\NA-XXXX FILES\NAXXXX-HIGH LEVEL, AB\P&ID'S\NAXXXX-03-00-002_RB (HIGH LEVEL 75 LPS P&ID).VSD.VSD

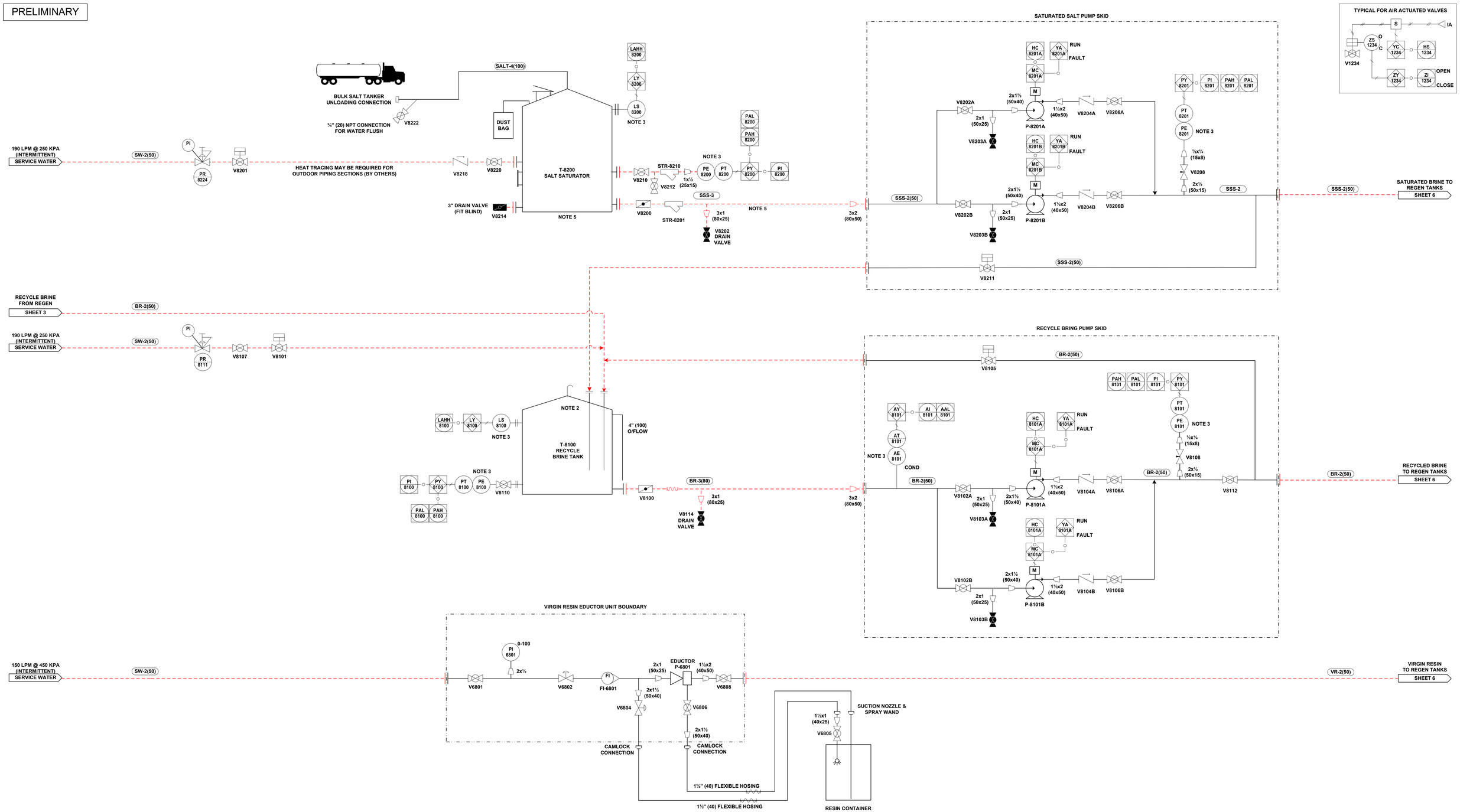
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UNLESS OTHERWISE SPECIFIED DIMENSIONS ARE IN INCHES

PROJECT	75 LPS HIGH LEVEL, AB
SERVICE	MIEX® PRE-TREATMENT
TITLE	PIPING & INSTRUMENTATION DIAGRAM REGENERATION TANK #3
SIZE	B
DWG NO	NAXXXX-03-00-002
REV	B
SCALE	NTS
SHEET	8 OF 11

PRELIMINARY



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NOTES:
1. DASHED RED LINES (- - - - - -) DENOTE SITE INSTALLED PIPING BY OTHERS.
2. VALVES WITH NUMBER FORMAT 'V1234' ARE SUPPLIED BY IXOM. OTHER VALVES SHOWN BY OTHERS.
3. INSTRUMENT SUPPLIED LOOSE. INSTALLED BY OTHERS.
4. SOME OUTDOOR LOCATIONS OF TANKS MAY REQUIRE HEAT TRACING OF WATER AND BRINE LINES. ALL BY OTHERS.
5. HEAT TRACING MAY BE REQUIRED FOR OUTDOOR PIPING SECTIONS (BY OTHERS)

REV	DESCRIPTION	DATE	CHECKED	ENGINEER
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B	PRELIMINARY – UPDATES FROM COMMENTS	13 NOV '24	-	-
A	PRELIMINARY INFORMATION	24 OCT '24	-	-

STAMP

TOLERANCE	
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DECIMAL: .XX	
DECIMAL: .XXX	
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		SIGNATURE	DATE
DRAWN BY	J. SAVAGE		24 OCT 2024
CHECKED BY	S.MITCHELL		24 OCT 2024
ENGINEER	S.MITCHELL		24 OCT 2024
DISCIPLINE ENGR	N/A		
CLIENT	N/A		
PROJECT MGR			
PROJECT NO.	NAXXXX		

FULL FILENAME: L:\WATERCARE\ENGINEERING TEAM\NA-XXXX FILES\NAXXXX-HIGH LEVEL, AB\P&ID'S\NAXXXX-03-00-002_RB (HIGH LEVEL 75 LPS P&ID).VSD.VSD

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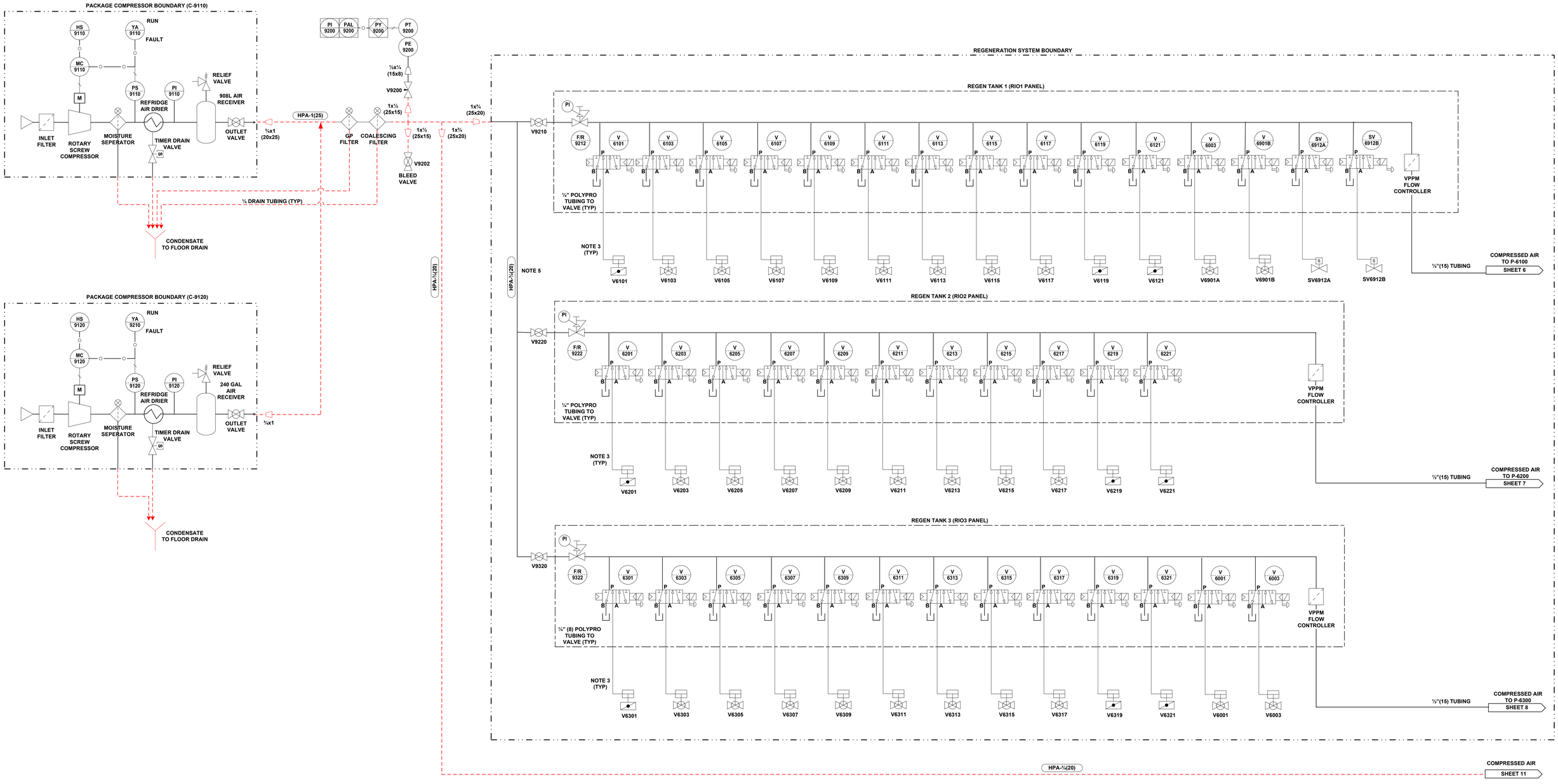
UNLESS OTHERWISE SPECIFIED DIMENSIONS ARE IN INCHES

PROJECT: 75 LPS HIGH LEVEL, AB
SERVICE: MIEX® PRE-TREATMENT
TITLE: PIPING & INSTRUMENTATION DIAGRAM SATURATED SALT TANK, RECYCLE BRINE TANK, AND VIRGIN RESIN SKID

SIZE	DWG NO	REV
B	NAXXXX-03-00-002	B

SCALE: NTS | SHEET: 9 OF 11

PRELIMINARY



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NOTES:
1. DASHED RED LINES (- - - - - -) DENOTES SITE PIPING INSTALLED BY OTHERS.
2. VALVES WITH NUMBER FORMAT 'V1234' ARE SUPPLIED BY ORICA. OTHER VALVES SHOWN BY OTHERS.
3. AIR TUBING TO VALVES INSTALLED ON IXOM SUPPLIED SKID.
4. AIR TUBING TO VALVES SUPPLIED / INSTALLED BY OTHERS.
5. ALL COMPRESSED AIR HEADER PIPING ON REGENERATION SKID TO BE SS304 SCH 10 PIPING.

REV	DESCRIPTION	DATE	CHECKED	ENGINEER
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B	PRELIMINARY – UPDATES FROM COMMENTS	13 NOV '24	-	-
A	PRELIMINARY INFORMATION	24 OCT '24	-	-

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TOLERANCE		NAME	SIGNATURE	DATE
		DRAWN BY	J. SAVAGE	24 OCT 2024
		CHECKED BY	S.MITCHELL	24 OCT 2024
		ENGINEER	S.MITCHELL	24 OCT 2024
		DISCIPLINE ENGR	N/A	
		CLIENT	N/A	
FRACTION		PROJECT MGR		
DECIMAL: .XX		PROJECT NO.	NAXXXX	
DECIMAL: .XXX		FULL FILENAME	L:\WATERCARE\ENGINEERING TEAM\NA-XXXX FILES\NAXXXX-HIGH LEVEL, AB\P&ID'S\NAXXXX-03-00-002_RB (HIGH LEVEL 75 LPS P&ID).VSD.VSD	
ANGULAR				

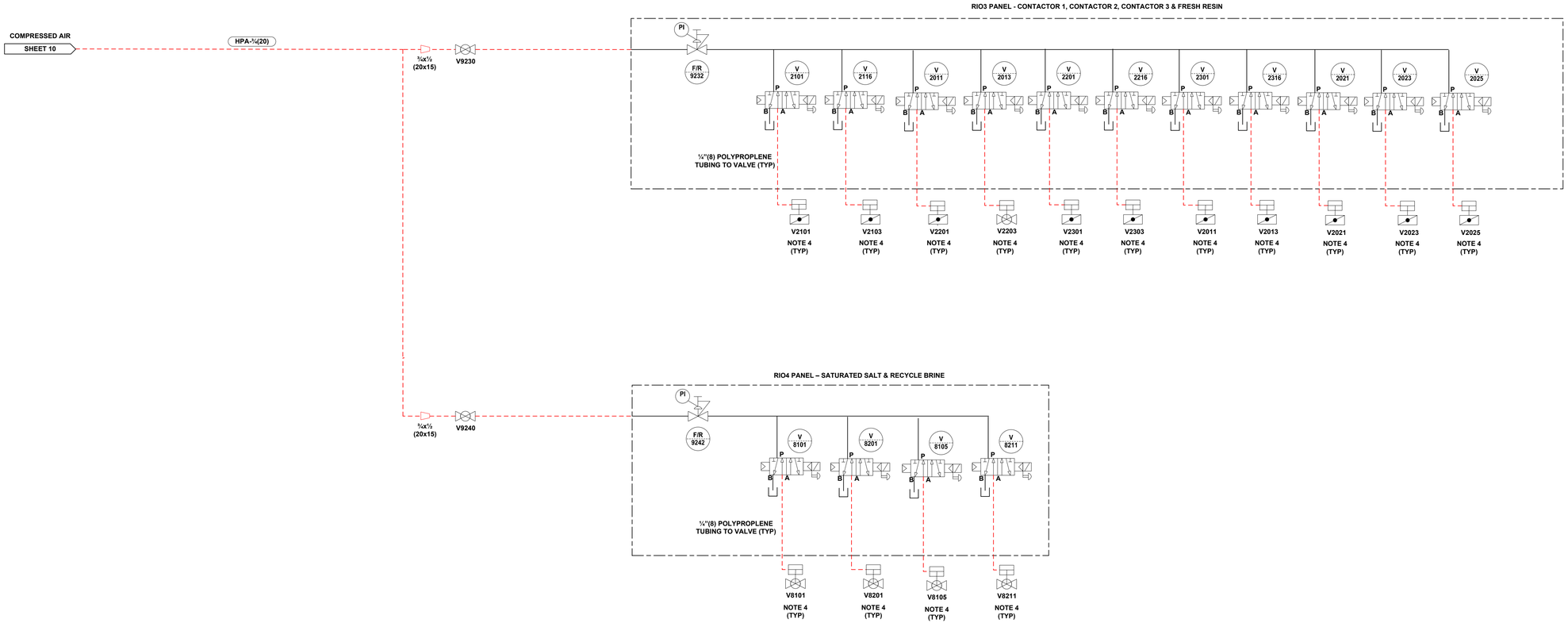
IXOM

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UNLESS OTHERWISE SPECIFIED DIMENSIONS ARE IN INCHES

PROJECT	75 LPS HIGH LEVEL, AB
SERVICE	MIEX® PRE-TREATMENT
TITLE	PIPING & INSTRUMENTATION DIAGRAM COMPRESSED AIR 1
SIZE	B
DWG NO	NAXXXX-03-00-002
REV	B
SCALE	NTS
SHEET	10 OF 11

PRELIMINARY



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NOTES:
1. DASHED RED LINES (- - - - - -) DENOTES SITE PIPING INSTALLED BY OTHERS.
2. VALVES WITH NUMBER FORMAT 'V1234' ARE SUPPLIED BY ORICA. OTHER VALVES SHOWN BY OTHERS.
3. AIR TUBING TO VALVES INSTALLED ON IXOM SUPPLIED SKID.
4. AIR TUBING TO VALVES SUPPLIED / INSTALLED BY OTHERS.

REVISION HISTORY

REV	DESCRIPTION	DATE	CHECKED	ENGINEER
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-			-	-
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-			-	-
B	PRELIMINARY – UPDATES FROM COMMENTS	13 NOV '24	-	-
A	PRELIMINARY INFORMATION	24 OCT '24	-	-

STAMP

TOLERANCE
FRACTION
DECIMAL: .XX
DECIMAL: .XXX
ANGULAR

		SIGNATURE	DATE
DRAWN BY	J. SAVAGE		24 OCT 2024
CHECKED BY	S.MITCHELL		24 OCT 2024
ENGINEER	S.MITCHELL		24 OCT 2024
DISCIPLINE ENGR	N/A		
CLIENT	N/A		
PROJECT MGR			
PROJECT NO.	NAXXXX		

FULL FILENAME: L:\WATERCARE\ENGINEERING TEAM\NA-XXXX FILES\NAXXXX-HIGH LEVEL, AB\P&ID'S\NAXXXX-03-00-002_RB (HIGH LEVEL 75 LPS P&ID).VSD.VSD

IXOM

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UNLESS OTHERWISE SPECIFIED DIMENSIONS ARE IN INCHES

PROJECT: 75 LPS HIGH LEVEL, AB
SERVICE: MIEX® PRE-TREATMENT
TITLE: PIPING & INSTRUMENTATION DIAGRAM COMPRESSED AIR 2

SIZE: B | DWG NO: NAXXXX-03-00-002 | REV: B
SCALE: NTS | SHEET: 11 OF 11

APPENDIX B – MIEX EQUIPMENT ESTIMATE

BUDGET EQUIPMENT SUPPLY AND COMMERCIAL PROPOSAL

1.71-MGD MIEX® TREATMENT SYSTEM FOR TOWN OF HIGH LEVEL, AB

DATE: 9 Sept 2024
IXOM DOCUMENT No.: PR-2024-016
REVISION: B

PRESENTED BY:
Mequipco Ltd.
#101, 5126- 126 Ave SE
Calgary, AB T2Z 0H2
Contact: Gareth Wright
(Ph: 587-327-4052)

Rev History

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SECTION 1: BACKGROUND

1.1 General

IXOM presents our budgetary proposal for the detailed design, supply of equipment and support services for a 1.71 MGD MIEX Treatment System for High Level, AB. Benefits of utilizing a MIEX system include a reduction in coagulation chemical demand, a significant residual sludge reduction, a decrease treated water organics and disinfection by-products, and potentially a more stable free chlorine residual in the distribution system. The plant design (max) flow evaluated in this proposal is 1.71-MGD and an assumed regeneration bed volume (BV) treatment rates of 400 BV which is based on preliminary results from pilot testing.

As outlined in the following sections of this proposal, it details IXOMS scope of supply being offered, namely the following items:

1. Necessary detailed design for MIEX System and Equipment.
2. Generation of detailed design documents, drawings, specifications for the MIEX System.
3. Procurement and fabrication of 1.71 MGD MIEX System equipment components.
4. Delivery of equipment to site only.
5. Onsite professional services to review installation requirements of supplied MIEX System equipment, and provide guidance to equipment installers (sub-contractors to or others).
6. Onsite professional services to support for start-up and commissioning of the MIEX System
7. Onsite professional services for operator training, overview of initial operation and performance verification.
8. Provide project documentation, OM Manuals, as built equipment drawings etc.

1.2 About IXOM Watercare

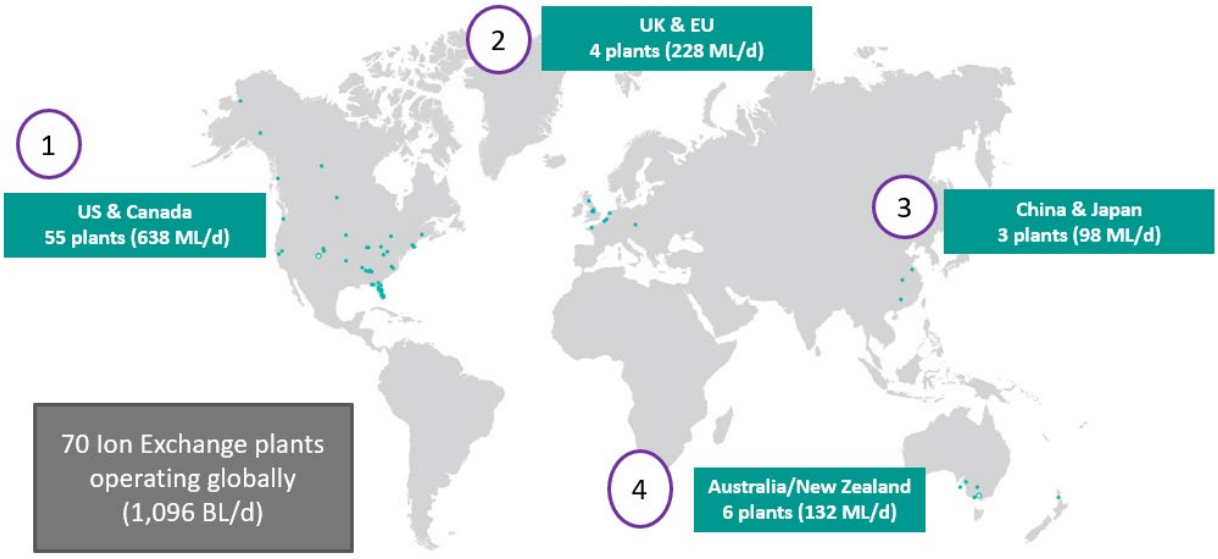
IXOM Watercare operates as a unit of Ixom Pty, Ltd doing business throughout the North America, and corporate headquarters based in Melbourne, Australia. Ixom is a market leader in water treatment and chemical distribution in Australia and New Zealand, with an expanding presence in Europe/UK, Asia, Latin America, and North America. We supply a wide range of products across a diverse range of industries including Water Treatment, Pulp & Paper, Mining, Energy, Industrial, Building & Construction, Plastics, Food & Beverage, Personal Care, Health, Hygiene and Agriculture.

We provide our customers with end-to-end solutions, supported by unique industry and technical expertise, across our full portfolio of products and services. With a focus on growth and innovation, Ixom will ensure we are providing the best possible products and services to our customers, in a bold, decisive, and results-focused manner. We will work every day to help your business succeed by providing end-to-end solutions to solve your challenges.

Ixom has supplied equipment and systems for over 70+ Ion Exchange systems worldwide ranging in capacity from 0.3 MLD up 124 MLD capacity, treating ~1.1 billion liters per day. Another 10 plants are currently in design or construction for through 2024.

Systems have been operating for 20 years treating targeting containments such as:

- Dissolved organic carbon
- Nitrate
- Softening
- Colour (reduction)
- Bromide
- Hydrogen sulphide
- Taste and odour
- Other targeted containments



1.3 MIEX Resin

The name "MIEX®" comes from **M**agnetic **I**on **Ex**change due to the ion exchange resin beads contain a magnetized component within the bead structure. This feature allows the resin beads to act as weak individual magnets and increases the settling rate in the fluidized bed process. Our small resin bead size of around 180-200µm provides a high surface area enabling the resin to bind up a larger amount of Dissolved Organic Carbon (DOC) than compared to larger resin beads.

MIEX Resin has been specifically designed for the removal of DOC from drinking water sources. Negatively charged DOC ions exchange slots with a chloride ion on the resin surface. In this process we exchange a significant removal of DOC for a small increase in the treated water chloride level. Over the time the exchange sites on the MIEX resin become laden with DOC and will require regeneration for continued treatment operations. To accomplish regeneration the resin loaded with DOC undergoes a reversed ion exchange reaction where the resin substitutes chloride ions for DOC when exposed to a saturated brine solution. We have provided a general flow schematic of the overall process for your review on the next page.

MIEX Resin is a strong base anion exchange resins with methacrylate, macroporous matrices. Our resin products are certified to NSF61 standard and all MIEX Resin is produced in ISO 9001 registered manufacturing facilities Ixom Watercare manufactures several products used specifically for fluidized ion exchange processes. MIEX DOC and MIEX® Gold both products

display excellent resistance to organic fouling, but with separate affinities to varying molecular weight fractions which occur in many water sources around the world.

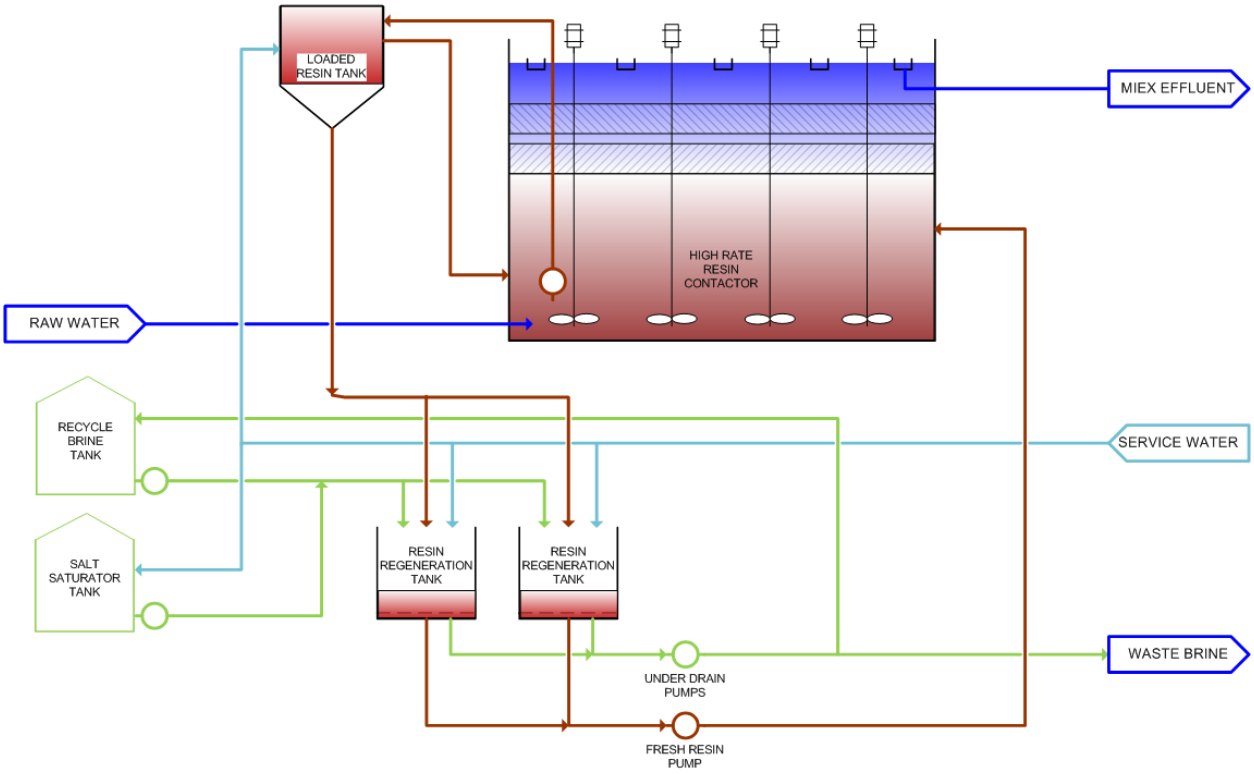


Figure 1: Typical MIEX Process Schematic

SECTION 2: TECHNICAL SUMMARY

2.1 Design Parameters and Preliminary Design

The proposed MIEX System main design parameters are summarized in the table below. MIEX Pilot testing has been carried out by Ixom in the summer of 2023. This preliminary proposal, as previously stated, is subject to change based on additional water quality sample testing. We assume the design shall use regeneration treatment rate of 400 bed volumes (BV) for this preliminary proposal.

Preliminary MIEX® Plant Design Parameters

Plant Variable	Value	Unit	Notes
Max. Daily Water Volume Treated	1.71	MGD	75.0 LPS
No. High-Rate Contactor Vessels	3	Qty	2 Duty / 1 standby. 0.86-MGD capacity each
Contactor Vessel (Circular)	11.0 x 19.5	ft (ID) x ft (H)	FRP Vessels, Circular
Maximum Treatment Rate	400	BVTR	
Number of Regeneration Tanks	3	Qty	6'-0"' (ID) x 9' 9"' (OAH) 2 duty / 1 standby
Resin Volume Regenerated	4,280	gal/day	
Recycle Brine Tanks – Quantity	1	ea	
Recycle Brine Tanks – Capacity	1,000	gal	
Salt Saturator Tanks – Quantity	1	ea	
Salt Saturator Tanks – Capacity	30	Tons	~30 days storage @ 1.7MGD

2.2 Feed Water Envelope and Treatment Performance

The feed water quality data used to develop this proposal comes from the preliminary information supplied to Ixom out of the 2023 piloting effort. As part of commissioning, a performance testing period will be carried out to verify the effluent water quality target(s) and the operational metrics are achieved. As previously stated, the MIEX will be subject to change depending on the design envelope for the feed water. For this BUDGET proposal, all design parameters presented in this document shall not be used for or assumed to be for final design purposes.

SECTION 3: SCOPE OF SUPPLY

This section outlines Ixom's typical scope of supply for a 1.71-MGD System at 400-BV Treatment Rate design.

3.1 Engineering: Process and Equipment Design Documentation

The following types of standard design documentation will be provided in Ixom standard supply formats for the MIEX System:

1 Lot Specification Documents:

1. Specification – Process Description, Design Basis and Scope
2. Specification – Responsibilities Matrix
3. Specification – Control System Functional Description & Sample HMI Screens
4. Specification – Performance Verification
5. Specification – Start-up / Process Commissioning Plan
6. Equipment Data sheets (Ixom forms)

1 Lot Schedule Documents:

1. Schedule – Ixom Equipment Summary
2. Schedule – Ixom Valve Summary
3. Schedule – Ixom Instrument Summary
4. Schedule – Ixom Drive Load Summary
5. Schedule – Ixom I/O List

1 Lot Drawings:

1. Process Flowsheet Mass Balance
2. Process & Instrumentation Drawings (w/ scope breaks)
3. Hydraulic Profile Schematic (Line Type)
4. Tanks/Vessel drawings and arrangements views
5. Equipment skids arrangement views
6. Overall Site Layout and Equipment Arrangement Views
7. Overall Site Interconnecting Piping (Schematic Lines)
8. Electrical panels layout, BoM and wiring

1 Lot Design PM / Review

1. Overall design project management
2. Site visits for design and overall review meetings with Client / Engineer
3. Supporting and providing input for general contractor bid documents generation (by Engineering)
4. Design / HAZOP review studies, if necessary

3.2 Equipment: High Rate Basins and Associated Equipment

Supply of internal equipment for Contactor Basins (installed by others). Each basin supplied with the following internal equipment (all site installed equipment by others):

3 of Contactor Vessels and Equipment:

Supply of three (3) 0.86 MGD High Rate Contactor Vessels constructed from fiberglass reinforced plastic (FRP) operation in 2-duty / 1-standby configuration. Each Vessel is supplied with:

1. Necessary influent, effluent, resin sample, drain nozzles (flanged or threaded) fitted to vessel.
2. Influent Distributor: One (1) internal bottom installed influent distributor constructed from PP piping.
3. Tube Settlers: Layer of plastic constructed tube settlers, overall 36-48" m thick
4. Effluent Troughs: One (1) set effluent collectors, all constructed from fiberglass
5. High Level Switch: One (1) high level switch (installed to side wall nozzle by the contractor)
6. Loaded Resin Collector: One (1) set of components for transferring resin from the contactor vessel to regeneration tank

Miscellaneous associated items with each Contactor Vessel equipment (supplied as loose items):

1. One (1) raw water influent standpipe constructed from stainless steel piping / fittings.
2. One (1) raw water influent standpipe high level switch.
3. One (1) MIEX treated effluent standpipe constructed from stainless steel piping / fitting.
4. One (1) MIEX treated effluent standpipe level (pressure) transmitter.
5. Contactor Recirculation Pumps: Two (2) vertical multistage centrifugal circulation pumps (duty / stand-by). Pump body constructed from ductile iron, with 304 stainless wetted internals.
6. Flowmeter: One (1) recirculation loop mag flowmeter, with local transmitter display
7. Pump Pressure Switches: One (1) set of suction and discharge pressure switches and gauges for each pump.
8. Resin Concentration Sampling (Manual) Equipment: One (1) sample sink system, with all necessary parts.
9. Actuated Process Valves: A set of air operated actuated valves with position feedback; valves constructed from PVC / EPDM.
10. Manual Process Valves: A set of manual operated valves; valves constructed from PVC / EPDM.

1 Lot Loaded Resin Tanks and Equipment:

One (1) Loaded Resin Tank constructed from glass reinforced plastic (GRP) and associated equipment:

1. Tank: One (1) 1,000-gal (approx.) HDPE conical bottom tank to be installed. Tank supplied with aluminum or painted carbon steel support stand. NOTE: Any access / platform for tank supplied BY OTHERS.

2. Loaded Resin Air-lift Pumps: Three (3) shop fabricated loaded resin air-lift pumps, made from PVC Sch 80 piping / fittings.
3. High Level Switch: One (1) high level switch.
4. Actuated Process Valves: A set of pneumatically operated actuated valves with position feedback; valves constructed from PVC / EPDM.
5. Manual Process Valves: A set of manual operated valves; valves constructed from PVC / EPDM.

All tank and associated equipment site installation shall be performed BY OTHERS.

1 Lot Fresh Resin Distribution Tanks and Equipment:

One (1) 200-gal (approx.) fresh resin tank would be required. Tank of stainless or fiberglass construction and supplied by Ixom, each tank will also include:

1. Tank high level switch. One (1) per tank.
2. Air Actuated Process Valves: A set of air operated actuated valves for each resin vessel; valves constructed from PVC / EPDM.
3. Manual Process Valves: A set of manual operated valves; valves constructed from PVC / EPDM.

All tank and associated equipment site installation shall be by OTHERS. Tanks or valves/piping are not skidded supply by Ixom.

3.3 Resin Regeneration Equipment

The following equipment will be part of the packaged regeneration systems supplied by Ixom. Site installation of skid modules shall be BY OTHERS

3 of Regeneration Tanks:

For a 400 BV treatment rate at 1.71-MGD, three (3) regeneration tanks that are connected as a system (2 duty / 1 standby configuration). Each individual regeneration tank consists of the following:

1. Resin Regeneration Vessel: One (1) regeneration vessels of approximate dimensions 6'-0" (ID) x 9-9" (OAH) constructed from FRP.
2. Vessel Agitator: One (1) regeneration vessel agitator units (with standard TEFC motor, gearbox, stainless steel shaft and impeller).
3. Underdrain Pump: One (1) air-operated, non-metallic diaphragm underdrain pump used for separating resin / liquid, constructed from plastic.
4. Level Transmitter: One (1) vessel radar level transmitter.
5. Conductivity Probe: One (1) conductivity probes and transmitters for the vessel underdrain system.
6. Air Actuated Process Valves: A set of air operated actuated valves for each resin vessel; valves constructed from PVC / EPDM.
7. Manual Process Valves: A set of manual operated valves; valves constructed from PVC / EPDM.
8. Skid Frame: One (1) aluminum constructed skid frame for mounting vessels, mixers, instruments, valves, pumps, associated piping and controls. Regeneration skid may be fitted with access stairs and platform with handrails, kick plates, etc. for viewing into regeneration tanks.

9. Resin Process Piping: One (1) set of piping for resin duties on the regeneration skid to distribute resin to and from the regeneration vessels. Piping and fittings constructed from Sch 80 PVC.
10. Brine Process Piping: One (1) set of piping for brine duties on the regeneration skid to distribute brine to and from the regeneration vessels. Piping and fittings constructed from Sch 80 PVC.
11. Service Water Piping: One (1) set of piping for service water duties on the regeneration skid to distribute service water to and from the regeneration vessels. (NOTE: Service water connection supplied BY OTHERS).
12. Service Air Piping: One (1) set of piping/tubing for service air duties on the regeneration skid to distribute compressed air to applicable skid/vessel services. Pipe/tube and fittings constructed from stainless steel and poly tubing.

1 ea. Fresh Resin Pump Skid

One (1) fresh resin pump skid is required, skid consists of:

1. Two (2) low shear pumps (duty/standby configuration) for transferring fresh resin from the regeneration vessels back to the contactor vessels (via the fresh resin splitter tank). (NOTE: This is a common pump skid for all tanks).
2. Pump Pressure: One (1) common pump discharge pressure transmitter.
3. Discharge Conductivity: One (1) common pump discharge conductivity probe and transmitter.
4. Air Actuated Process Valves: A set of air operated actuated valves for each resin vessel; valves constructed from PVC / EPDM.
5. Manual Process Valves: A set of manual operated valves; valves constructed from PVC / EPDM.
6. Skid Frame: One (1) aluminum constructed skid frame for mounting pump, valves, instrument and associated piping.

1 Lots Access and Walkway Platform

System is supplied with one (1) common access stairs and walkway platform (that sits to the side of the Regeneration Tanks):

1. One (1) fabricated set of access stairs constructed from structural aluminum members, aluminum handrail components and GRP grid stair treads.
2. One (1) common tank walkway / access platform constructed from structural aluminum members, aluminum handrail components and FRP grid walkway grating.

3.4 Recycle Brine Tanks and Components

The following equipment will be part of the packaged regeneration systems supplied by Ixom. Site setting and installation of skid modules BY OTHERS

1 Lot One (1) recycle brine tank is supplied.

1. One (1) ~1,400-gal (approx.) recycle brine tank with all required nozzles constructed from HDPE.
2. One (1) brine tank pressure level transmitter.
3. One (1) brine tank high level switch.

4. One (1) set of air operated actuated valves with position feedback for associated recycle brine tank piping; valves constructed from PVC / EPDM.
5. One (1) set of manual valves for associated brine tank piping; valves constructed from PVC / EPDM.

One (1) recycle brine pump skid is supplied:

1. One (1) aluminum constructed skid frame for mounting pump, valves, instrument and associated piping.
2. Two (2) magnetic drive centrifugal pumps (duty/standby configuration) for transferring recycle brine to the resin regeneration module.
3. Pump Pressure: One (1) common pump discharge pressure transmitter.
4. One (1) recycle brine tank/piping conductivity sensor and transmitter.
5. Actuated Process Valves: A set of pneumatically operated actuated valves with position feedback; valves constructed from PVC / EPDM.
6. Manual Process Valves: A set of manual operated valves; valves constructed from PVC / EPDM.

Tank to be installed on concrete foundation BY OTHERS. Pump skid and interconnecting piping with and associated piping/valves will be supplied loose for site installation BY OTHERS.

3.5 Salt Saturator Tank and Components

1 Lot One (1) saturated salt tank and transfer pump(s) are supplied. Tank to be installed on concrete foundation BY OTHERS. Transfer pump(s) and associated piping/valves will be supplied loose for site installation BY OTHERS. Each saturator tank system will consist of:

1. One (1) 30 Ton salt saturator vessel with all required nozzles constructed from FRP. Vessel of flat bottom and domed top design; with access ladder; necessary internal components; translucent strip; anchor chairs or tie downs; lifting lugs; dust collection bag.
2. One (1) magnetic drive centrifugal pumps for transferring saturated brine to the resin regeneration module and Recycle Brine Tank.
3. One (1) pressure level transmitter for controlling water flow to saturator.
4. One (1) vessel high level switch.
5. One (1) set of air operated actuated valves with position feedback for the brine vessel skid; valves constructed from PVC / EPDM.
6. One (1) set of manual valves for the brine vessel skid; valves constructed from PVC / EPDM.

One (1) saturated salt pump skid is supplied:

1. One (1) aluminum constructed skid frame for mounting pump, valves, instrument and associated piping.
2. Two (2) magnetic drive centrifugal pumps (duty/standby configuration) for transferring recycle brine to the resin regeneration module
3. Pump Pressure: One (1) common pump discharge pressure transmitter.
4. One (1) saturated salt tank/piping conductivity sensor and transmitter.

5. Actuated Process Valves: A set of pneumatically operated actuated valves with position feedback; valves constructed from PVC / EPDM.
6. Manual Process Valves: A set of manual operated valves; valves constructed from PVC / EPDM.

Tank to be installed on concrete foundation BY OTHERS. Pump skid and interconnecting piping with and associated piping/valves will be supplied loose for site installation BY OTHERS.

3.6 MIEX Resin Addition Skid

1 Lot One (1) MIEX resin handling system. MIEX resin pump and associated piping/valves will be supplied on an aluminum or stainless steel support frame:

1. One (1) resin container interface device with slurry attachment.
2. One (1) virgin resin educator for transferring from the tank to the resin regeneration module.
3. One (1) set of manual valves; valves constructed from PVC / EPDM.

3.7 Package Air Compressors

1 Lot For 1.71-MGD / 400 BV System: Two (2) 15-HP package air compressor units (duty / standby configuration). All supplied as lose items for site installation (by a general contractor). Each compressor unit will be comprised of:

1. One (1) package rotary screw air compressor and air receiver tank.
2. One (1) low sound enclosure.
3. One (1) coalescing pre-filter unit (prior to drying).
4. One (1) refrigerated air drier.
5. One (1) pressure transmitter to monitor supplied air pressure (common for all).
6. Other features; safety relief valve; high temperature shutdown, motor starter
7. One (1) set of manual piping and manual valves for compressor equipment. Valves constructed from stainless steel / EPDM.
8. Air compressors are supplied with internal motor starter and controls (only require a power feeds).

3.8 Electrical Panels

1 Lot <u>Motor Control Center (MCC)</u>

Motor controls center (MCC) for supplied drives are included in scope of supply by Ixom. Preliminary required motor control loads are listed above in previous section. MCC's Panels supplied with:

1. Motor drives, VFD's and controls as needed.
2. Panel from VFD keypads with HOA type features.

1 ea. <u>Programmable Logic Control Panel</u>

Supply of one (1) stand-alone Programmable Logic Controller (PLC) control panel which will house necessary PLC controls for the MIEX System alone. Supplied with:

1. Power (120 VAC) supply / circuits.
2. One (1) PLC processor, power supply and necessary communication cards.

3. Necessary relays, terminals and other wiring devices.
4. Ethernet switch for communications to motors/drives

Panel supplied as a loose items (not skid installed) for site setting BY OTHERS. Wiring and communications to remote I/O panels, drive VSD, and other plant connections all BY OTHERS

4 ea. Remote I/O Panels

Supply of necessary remote I/O panels for regeneration tank skids, recycle brine and salt saturator equipment, and resin contactor equipment. Panels contain:

1. Power (120V VAC) supply / circuits for associated field equipment devices.
2. I/O cards (analog, discrete) for necessary field equipment devices control signals.
3. Necessary relays, terminals and other wiring devices.
4. Pneumatic controls for field air actuated valves.
5. Ethernet switch for communications.

The regeneration I/O panels are skid mounted with shop installed skid wiring. Other I/O panels are supplied a loose items for site installation and all field wiring to devices in BY OTHERS.

Remote I/O Panels for and Located:

- Contactor Vessels 1 / 2 / 3 (1 of overall)
- Regeneration Tanks 1 / 2 / 3 (1 of per tank)
- Recycle Brine Tanks / Salt Saturator Area (1 of overall)

3.9 MIEX Resin and Regeneration Salt

1 Lot MIEX Resin

Total MIEX Resin initial inventory requirements (for full plant capacities). MIEX Resin is supplied for the initial resin inventory sufficient for system start-up / commissioning, and currently in 1,000 L totes (with 900 L resin each).

1. Additional ongoing operating make-up resin is NOT INCLUDED.
2. Site unloading, storage and handling of resin BY OTHERS.

N/A Regeneration Salt

Salt for resin regeneration is NOT INCLUDED. Any and all initial / ongoing salt supply is BY OTHERS.

3.10 Site Support Services

1 Lot Site Support and Services: Equipment Installation

Onsite support for 2 trips (3 days each) visits during various phases of equipment installation to support the general contractor. Visit is for technical support only (no actual install works included).

1 Lot Site Support and Services: Commissioning, Testing

Onsite support for 20 days for all start-up, testing and commissioning of the MIEX System, initial testing and operator training.

1 Lot Site Support and Services: Post-Commissioning Follow-up Visits

Onsite support for 3 trips (3 days each) visits for MIEX System Operation check, additional training, further process optimization, support, any warranty items etc. over the first 12 months of plant operation.

3.11 Other Items

1 Lot Operation and Maintenance Manuals

System delivered with a full Operations and Maintenance Manual including P&ID's, Plant arrangement drawings, electrical schematics and panel layouts, process equipment cut-sheets and operation/maintenance manuals (to supplier weblinks), and other system information. Electronic copy (PDF files) will be provided.

1 Lot Optional: MIEX Equipment Spares

None included. A list of recommend spare can developed as the project progresses.

1 of Optional: MIEX Water Quality Monitoring

None included (i.e. online UVA).

3.12 General Equipment Comments / Clarifications

Skid/Frame Structure: Equipment skids are constructed from Aluminum unless otherwise specified. Some equipment and pipe supports on equipment skids may be constructed from 304 stainless steel when applicable.

Process Piping: Process piping and fittings that is prefabricated on equipment skids shall be constructed from:

- Sch 80 PVC for MIEX resin duties
- Sch 80 PVC for brine duties
- Sch 80 PVC for service water duties
- Stainless steel 304 sch 10 pipe/fittings for compressed air (for main header line); and nylon or PP tubing for individual lines to equipment items (e.g. from electric solenoid valve to underdrain pump)

Coatings: Scope of supply is based on standard coatings/finishes provided by equipment suppliers (pumps, motors, instruments, etc.).

Anchors: All equipment skids and tanks are designed with footing pads and hold-down features. ALL anchors/hold down bolts, washers, nuts and grout for leveling equipment shall be BY OTHERS unless otherwise noted.

Electrical Assembly of Equipment Skids: Any equipment skids will be pre-wired in the shop as much as practical. Field wiring to equipment skids will be terminated in junction boxes / panels installed on the equipment skids.

SECTION 4: EXCLUSIONS AND SCOPE OF WORKS BY OTHERS

4.1 General

All the items listed in this Section and other Sections where scope has been identified as BY OTHERS or BY BUYER/CONTACTOR are equipment, items, scope, works etc. that are fully carried out by others in terms of supply necessary equipment, materials, consumables and labor to perform the required tasks.

4.2 Ixom Equipment Unloading / Site Setting

The following items or works have NOT BEEN INCLUDED:

1. The unloading, storage and handling of process equipment and resin items supplied by Ixom shall be BY OTHERS.
2. All labor, materials, consumables, construction facilities, site setting and installation of process equipment items supplied by Ixom shall be BY OTHERS.

4.3 Contactor Vessels

The following items or works have NOT BEEN INCLUDED:

1. The design and construction of any concrete foundations (for tanks) or other services required shall be BY OTHERS.
2. Installation of all Ixom supplied internal components shall be BY OTHERS
3. The design and construction of any buildings or structures to house the equipment supplied by Ixom shall be BY OTHERS.
4. The design, supply and installation of any covers, unless specifically noted shall be BY OTHERS.
5. The design, supply and installation of any equipment/component supports, unless specifically noted shall be BY OTHERS.
6. The supply and installation of any general equipment for general power outlets, visual lighting, electrical ground wiring and lightning conductors, etc. around the equipment and access stairs / walkways shall be BY OTHERS.
7. The supply and installation of any protective coatings on concrete foundation/structures that are installed by others shall be BY OTHERS.
8. Dissolved / entrained gas in the raw water feed shall be removed prior to entry into the MIEX System. Provision for gas removal (if required) shall be BY OTHERS.
9. Provisions for raw water grit or other foreign solid material removal (if required) shall be BY OTHERS.

4.4 Raw Water and MIEX Treatment Effluent

The following items or works have NOT BEEN INCLUDED:

1. The supply and installation of any piping, fittings and controls to and from the MIEX Plant boundary; or to and from any upstream or downstream process equipment shall be BY OTHERS.

2. The supply and installation of any transfer pumps, flow measuring devices, automated controls, instruments, electrical equipment, civil structures, buildings, etc. shall be BY OTHERS.
3. The supply of any standalone or online water quality instruments or devices (such as to measure but not limited to TOC, DOC, UVA, Color, Turbidity) shall be BY OTHERS.

4.5 Loaded Resin Tank Equipment

The following items or works have NOT BEEN INCLUDED:

1. Site setting of supplied equipment associated with the tank.
2. Supplying and installation of loaded resin piping from tank outlet to regeneration system shall be BY OTHERS.

4.6 Resin Regeneration Equipment

The following items or works have NOT BEEN INCLUDED:

1. The design and construction of concrete foundations or structures shall be BY OTHERS.
2. The design and construction of any buildings or structures to house regeneration equipment supplied by Ixom shall be BY OTHERS.
3. The supply and installation of any protective coatings on concrete structures shall be BY OTHERS.
4. Supply and installation of resin transfer piping for interconnecting between Ixom supplied equipment items/skids shall be BY OTHERS.
5. Supply and installation of brine transfer piping for interconnecting between Ixom supplied equipment items/skids shall be BY OTHERS.
6. Supply and installation of service water piping for interconnecting between Ixom supplied equipment items/skids shall be BY OTHERS.
7. Supply and installation of compressed air piping for interconnecting between Ixom supplied equipment items/skids shall be BY OTHERS.

- Supply and installation of a service water supply and controls for the MIEX Treatment System shall be BY OTHERS.

8. Supply and installation of residual brine piping from the resin regeneration module to a residual brine storage tank or other location shall be BY OTHERS.
9. Supply provisions for and application of all piping labeling BY OTHERS
10. The supply and installation of a forklift, pallet jack, crane or other lifting/handling device for handling MIEX Resin bulk containers shall be BY OTHERS.

4.7 Electrical and Instrumentation

The following items or works have NOT BEEN INCLUDED:

1. The installation of Ixom supplied Motor Control Center for Ixom supplied pump and agitators.
2. The supply and installation of power supply cabling / equipment to the MIEX Plant location shall be BY OTHERS.
3. The supply and installation of any additional equipment required for a Motor Control Center (MCC) room; building or structures shall be BY OTHERS.

4. Field installation, conduit, cable trays, wiring terminations, etc. of Ixom supplied electrical equipment (e.g. motors, disconnects, instruments, electrical panels, etc.) and associated interconnections shall be BY OTHERS.
5. Any components, wiring, software required for integrating an existing PLC / SCADA control system with the MIEX control system shall be BY OTHERS.

4.8 SCADA / HMI Control System

It is assumed that water treatment plant has an existing SCADA control and operator interface system. This MIEX system and related components, software and programming are assumed to be integrated into the existing customer SCADA system BY OTHERS. Ixom would provide an overall specification document which outlines recommended SCADA/HMI features required for a MIEX System. The SCADA/HMI system integrator will use this to develop the necessary MIEX system sections.

4.9 General Items

The following items or works have NOT BEEN INCLUDED:

1. Necessary permits and/or governmental agency approval shall be BY OTHERS.
2. The supply and installation of a potable water supply, valves and controls to the MIEX Plant location shall be BY OTHERS. Potable (service) water max pressure: 3-4 bar.
3. The supply and installation of a services (compressed air, water) piping, and other valves shall be BY OTHERS.
4. The supply and installation of floor drains, any storm water or other underground drainage shall be BY OTHERS.
5. The supply and installation of any general operator amenities, office equipment, laboratory equipment, etc. shall be BY OTHERS.

SECTION 5: COMMERCIAL PROPOSAL

5.1 IXOM Scope of Supply

Section 3 provides an overall scope of supply summary in terms of process equipment items and services being supplied by IXOM. Only explicit items listed in the Scope of Supply are included by IXOM. Items that maybe shown in preliminary design drawings/documents generated by IXOM that are not explicitly listed in Section 3 are not included in IXOM scope of supply (i.e. walkway platforms, concrete basins, etc.).

5.2 Site Installation

All site installation of IXOM supplied equipment is BY OTHERS. Some site visits during equipment installation are included in the scope of supply as outlined in Section 3. These are professional type visits providing guidance. No physical work is carried out or included.

5.3 Professional Services Allowances

As detailed in Section 3, IXOM has allowed for the set number of days for the activities listed. Days beyond those listed will be charged in addition at standard daily rates.

5.4 Training

Scope is based on all training performed by IXOM occurring at the works and during commissioning and testing phases. No other special trips or training occurring at other locations have been allowed for. Assumed all necessary operations and WTW staff will be available all at the same time for scheduled training classes / segments.

5.5 Documentation

System will be delivered with a full Operations and Maintenance Manual including P&ID's, Plant arrangement drawings, electrical schematics, panel layouts, process equipment cut-sheets, operation/maintenance manuals, and other system information for IXOM scope of supply.

5.6 Equipment Warranty

A warranty period of 12 months (from completion date) has been allowed for. Equipment warranty offered covers supply of parts only (delivered too site). Site labor requirements for change out / replacement of parts is not included. Specific timeframes upon which defects are to be corrected (based on defect classification/levels) have not been factored in. NOTE: IXOM does not store any parts; replacement parts are ordered from suppliers.

5.7 Spares

Currently no equipment spares are included. As the project develops, a recommended list can be supplied.

5.8 Equipment Delivery and Storage

Delivery to site included in IXOM budget estimate. Which is based on:

1. All equipment shipped to site.
2. All year round road access is possible (i.e. no ice roads accounted for)
3. A General contractor will off-load all the equipment and supply all necessary equipment and labour.
4. No temporary off-site equipment storage has been allowed for (i.e. if there was delay in site being able to accept equipment).
5. Resin may be shipped separately closer to the time when needed during commissioning.
6. Any general equipment packaging of the likes but not limited to wooden crates, plastic / shrink wrapping, cardboard boxes etc. Its assumed there will be an overall mechanism to dispose of onsite that's part of the larger project available, and specific removal of packaging materials will not be required.

5.9 Price Offering

In summary, IXOM scope of supply includes:

- Completion of detailed design documentation
- Procurement of process equipment components
- Procurement and fabrication of contactor vessels and equipment
- Procurement and fabrication of regenerations equipment skid and
- Procurement and fabrication of brine tanks and equipment skids
- Procurement and fabrication of miscellaneous equipment skids equipment
- Shop / FAT testing and inspection of equipment
- Delivery of all equipment to site / initial resin inventory
- Onsite support for start-up and commissioning
- Onsite support for operation of performance testing
- Onsite operator training
- Project documentations, as built drawings, OM manuals etc.

Removed two regeneration systems (reduce price by 2 x 222,000 USD) Conversion of 1.38 CAD = 1 USD

Assume removal of one contactor will be approx $400,000

Scope of Supply items	Budget Price (USD)
The Total Lump Sum Costs for, Equipment Procurement and Fabrication, Delivery, Onsite Services During Installation, Start-up, Commissioning and Performance Verification, Initial Resin Inventory, Operator Training, Documentation.	$ 2,556,000

Price Validity:	Not applicable, indicative budgetary pricing provided. Inflationary market environment should be accounted for in the project timeline.
Additional Field Service	Additional field service beyond the services indicated in the Proposal is available at USD $1,250 per day on site per person plus travel and living expenses at cost plus 15%
COVID-19	IXOM will agree to follow all provincial / regional health and safety regulations in effect at the time the IXOM site services are requested, and as provided to IXOM at the time; however, these cannot be anticipated at the time of bid. Any additional requirements regarding quarantine (i.e. entering Canada or regional requirements), testing,

	confinement, etc. are not included in the site services quoted in this proposal and any delays that may result.
Equipment Shipment:	The price includes delivery of all equipment to site. All equipment and labor for off-loading equipment is provide all BY OTHERS.
IXOM Standard Payment Terms:	20% with Issuance of Purchase Order 10% with Issuance of all Submittals 50% with Delivery of Equipment and Resin Inventory, partial and/or staged shipments allowed 10% Upon Completion of Equipment Installation 10% Upon Successful Commissioning and Testing
Taxes:	The Price excludes sales tax, HST, GST or other imposed taxes/duties by law
Terms & Conditions	Scope and price offering are based only on IXOM standard terms and conditions of sale, see Attachments. No allowance for liquidated damages have been included in the Ixom scope of supply and pricing. Ixom has described it's equipment warranty (12 months) and terms and conditions (see attachments).

5.10 Schedule (Preliminary)

Shop Drawings:	8-10 weeks after full acceptance of a purchase order
Equipment Fabrication	30-34 weeks after approval of all Final Submittals / Shop Drawings

NOTES:

1. These are tentative timeframes for MIEX System of this size / capacity. All durations and schedules subject to final conformation.
2. Based on Ixom standard equipment design. Changes from standard design / components can alter timeframes.
3. Staggered shipments based on overall construction schedule (TDB) by a general contractor shall be allowed.

SECTION 6: ATTACHMENTS

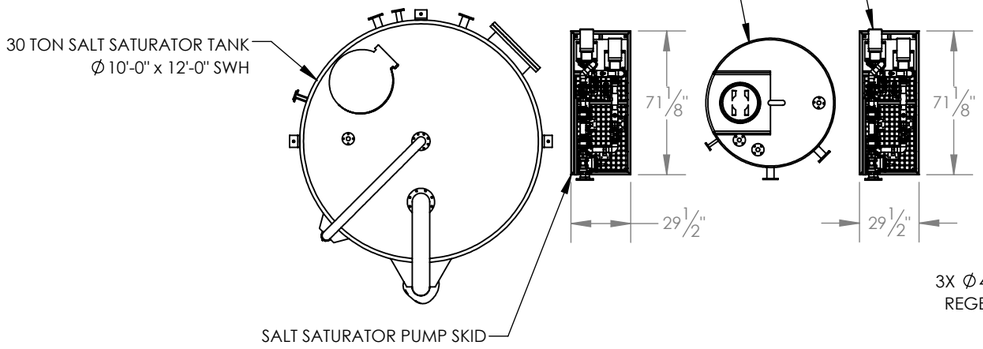
Following attachments are included:

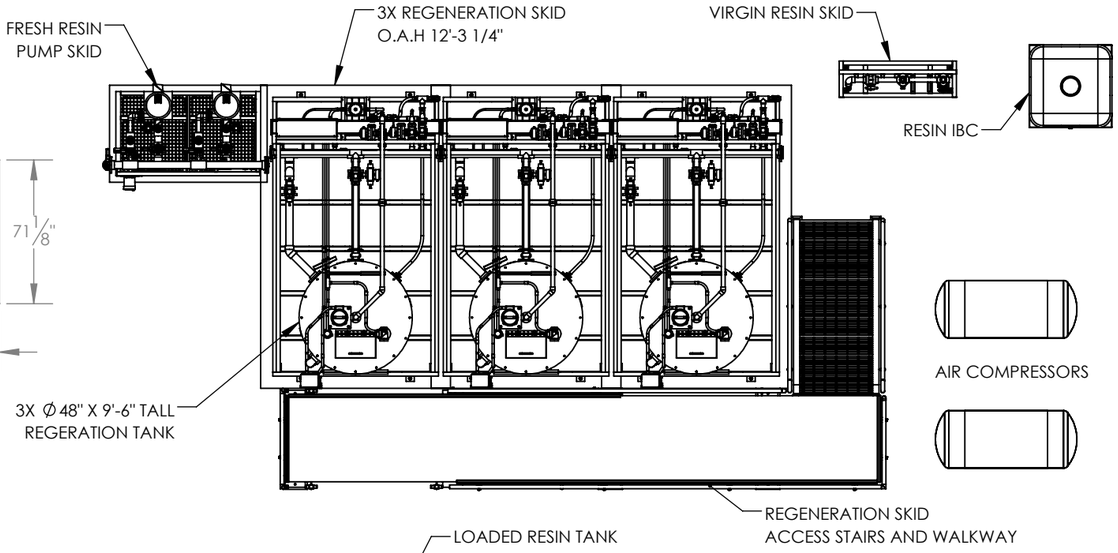
1. Preliminary Equipment Footprint
2. IXOM Standard Terms and Conditions
3. Equipment Warranty

END OF DOCUMENT

PRELIMINARY

NOT TO BE USED FOR BUILDING DESIGN OR SCOPE DETERMINATION

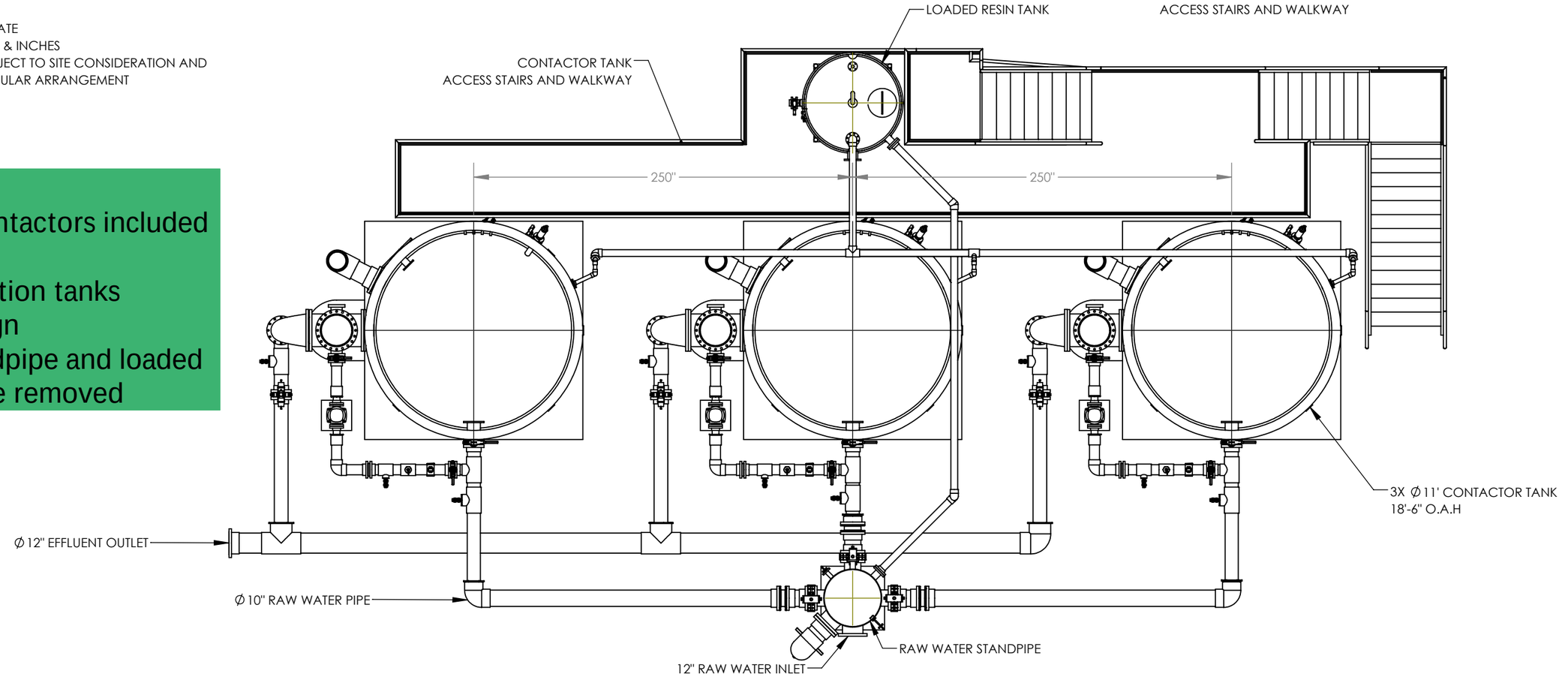




NOTES:

1. ALL DIMENSIONS APPROXIMATE
2. ALL DIMENSIONS ARE IN FEET & INCHES
3. EQUIPMENT LOCATIONS SUBJECT TO SITE CONSIDERATION AND NOT GIVEN FOR ANY PARTICULAR ARRANGEMENT

AE Note:
Only 2 MIEX contactors included in design
Only 2 regeneration tanks included in design
Raw water standpipe and loaded resin tank will be removed



THIS AND OTHER ELECTRONIC MEDIA COUNTERPART IS AN INSTRUMENT OF SERVICE PREPARED BY IXOM WATERCARE, INC. FOR A DEFINED PROJECT. IT IS NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE IN WHOLE OR IN PART ON EXTENSIONS OF THE PROJECT OR ON ANY OTHER PROJECT. REUSE OR MODIFICATION, OF ANY UTILIZATION IF NOT A FINISHED INSTRUMENT, WITHOUT THE PRIOR EXPRESS WRITTEN CONSENT OF IXOM WATERCARE, INC. SHALL BE AT SOLE RISK FOR THE UNAUTHORIZED USER WITHOUT LIABILITY OR LOSS EXPOSURE TO IXOM WATERCARE, INC.

REVISIONS

REV	REVISION DESCRIPTION	DATE	CHANGED	CHECKED	ENGINEER
A	PRELIMINARY - FOR REVIEW	08-30-24			

STAMP

		SIGNATURE	DATE
DRAWN BY	S. PADIAS		08/30/24
CHECKED BY			
ENGINEER			
DISCIPLINE ENGR			
CLIENT			
PROJECT NO.	NAXXXX-HIGH LEVEL, AB		
PROJECT MGR			
FILENAME	NAXXXX-05-00-001		

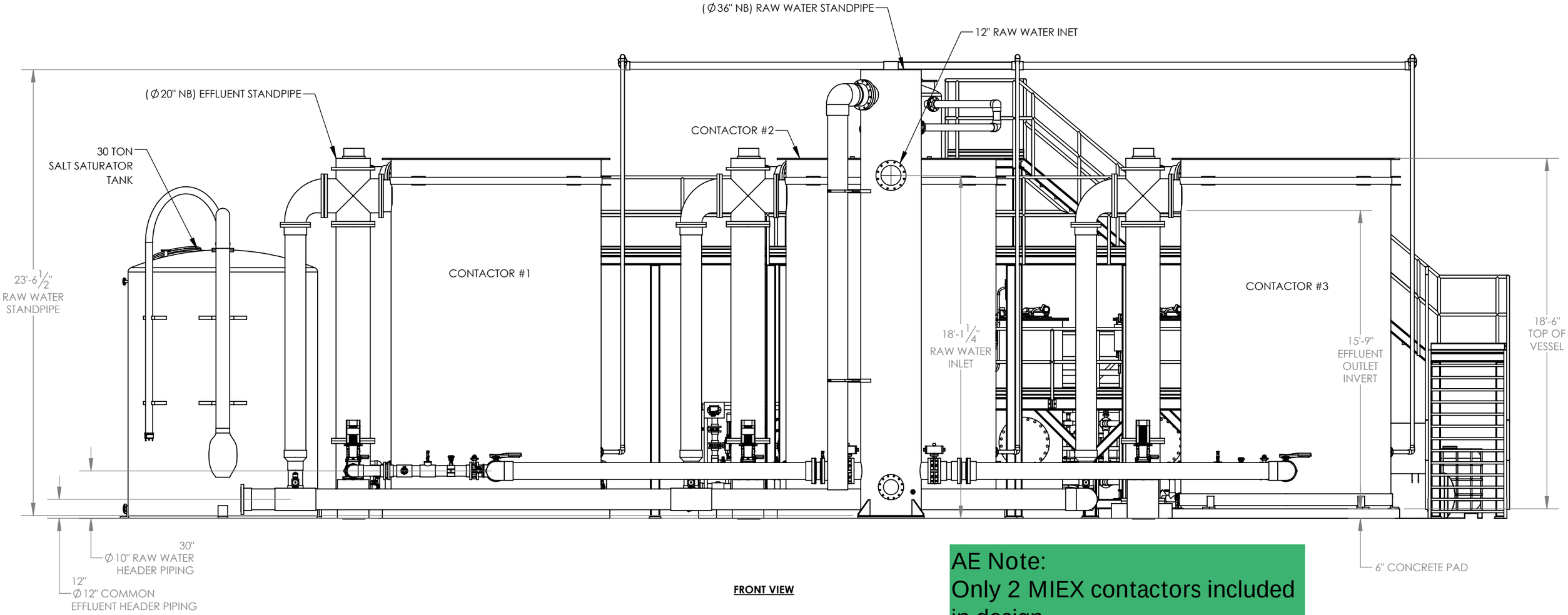
TOLERANCE
FRACTION ± 1/8
DECIMAL: XX ± 0.03
DECIMAL: XXX ± 0.010
ANGULAR ± 1°

IXOM WATERCARE
8150 S. AKRON ST. SUITE 401
CENTENNIAL, CO 80112

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UNLESS OTHERWISE SPECIFIED DIMENSIONS ARE IN INCHES

PROJECT	NAXXXX-HIGH LEVEL, AB
SERVICE	MIEX® PRE-TREATMENT
TITLE	**MIEX® SYSTEM GENERAL ARRANGEMENT 1.71 MGD SITE LAYOUT**
SIZE	B
DWG NO	NAXXXX-05-00-001
REV	A
SCALE	1:75
SHEET	1 OF 3



FRONT VIEW

AE Note:
Only 2 MIEX contactors included in design
Only 2 regeneration tanks included in design
Raw water standpipe and loaded resin tank will be removed

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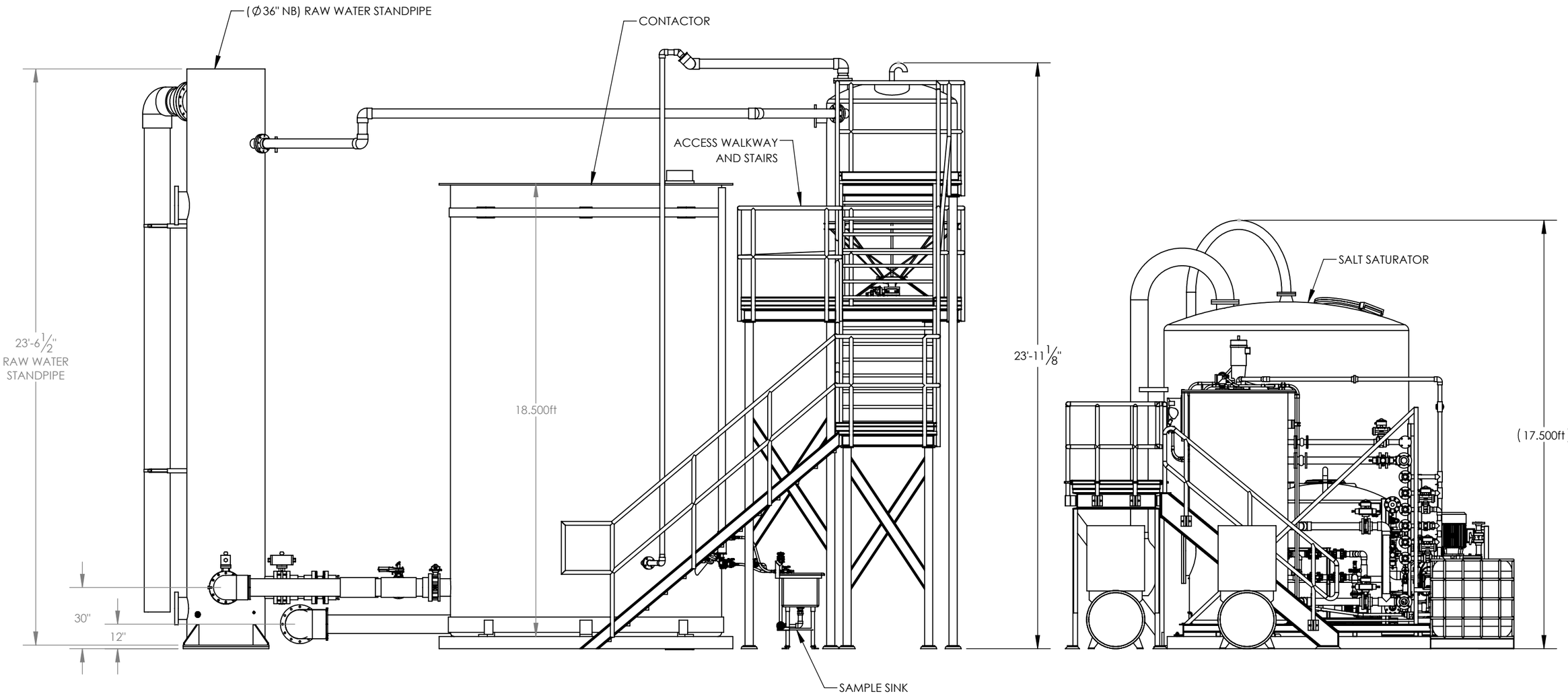
STAMP		SIGNATURE	DATE
	DRAWN BY	S. PADIAS	9/15/2023
	CHECKED BY	S. VIGIL	
	ENGINEER	S. MITCHELL	
	DISCIPLINE ENGR		
TOLERANCE	CLIENT		
FRACTION ± 1/8 DECIMAL: XX ± 0.03 DECIMAL: XXX ± 0.010 ANGULAR ± 1°	PROJECT NO.	NAXXXX-HIGH LEVEL, AB	
	PROJECT MGR		
	FILENAME	NAXXXX-05-00-001	

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8150 S. AKRON ST. SUITE 401
CENTENNIAL, CO 80112

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UNLESS OTHERWISE SPECIFIED DIMENSIONS ARE IN INCHES

PROJECT	NAXXXX-HIGH LEVEL, AB
SERVICE	MIEX® PRE-TREATMENT
TITLE	**MIEX® SYSTEM GENERAL ARRANGEMENT 1.71 MGD SITE LAYOUT**
SIZE	B
DWG NO	NAXXXX-05-00-001
REV	A
SCALE	1:60
SHEET	2 OF 3



RIGHT SIDE VIEW

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STAMP		SIGNATURE	DATE
	DRAWN BY	S. PADIAS	9/15/2023
	CHECKED BY	S. VIGIL	
	ENGINEER	S. MITCHELL	
	DISCIPLINE ENGR		
TOLERANCE	CLIENT		
FRACTION ± 1/8 DECIMAL: .XX ± 0.03 DECIMAL: .XXX ± 0.010 ANGULAR ± 1°	PROJECT NO.	NAXXXX-HIGH LEVEL, AB	
	PROJECT MGR		
	FILENAME	NAXXXX-05-00-001	

IXOM WATERCARE
8150 S. AKRON ST. SUITE 401
CENTENNIAL, CO 80112

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UNLESS OTHERWISE SPECIFIED DIMENSIONS ARE IN INCHES

PROJECT	NAXXXX-HIGH LEVEL, AB
SERVICE	MIEX® PRE-TREATMENT
TITLE	**MIEX® SYSTEM GENERAL ARRANGEMENT 1.71 MGD SITE LAYOUT**
SIZE	B
DWG NO.	NAXXXX-05-00-001
REV	A
SCALE	1:50
SHEET	3 OF 3

GENERAL TERMS AND CONDITIONS OF SALE

These terms and conditions (collectively, "Terms and Conditions") govern all sales of products, equipment and services (collectively, "Goods") agreed to be supplied by IXOM Watercare Inc ("Seller") to any person to whom any quotation is made or who is offering to contract with the Seller ("Buyer"). The Terms and Conditions are incorporated into any order, offer, arrangement or understanding between the Seller and the Buyer (including pursuant to a quotation or letter of offer accepted by the Buyer) as well as any quotation or invoice or any other document to which they are attached (individually and collectively "Order"). All purchases by Buyer are expressly limited and conditioned upon acceptance of the Terms and Conditions and without limiting any other mode of acceptance, Buyer's acceptance of the Goods manifests Buyer's assent to the Terms and Conditions and the credit terms offered by Seller. Seller objects to and rejects any provision additional to or different from the Terms and Conditions that may appear in Buyer's purchase order, acknowledgement, confirmation, writing or in any prior or later communication from Buyer to Seller, unless Seller expressly agrees to such provision in a written amendment signed by Seller. An Order together with these Terms and Conditions are herein referred to as "Contract".

1. PRICES; TAXES; PAYMENT TERMS; DEFAULT.

(a) Prices for Goods and any adjustments to such prices shall be determined in accordance with Seller's final pricing letter or offer forming part of the Contract which has been accepted by Buyer ("Price").

(b) Prices do not include any sales, use, excise, privilege, or other taxes or assessments imposed on the Goods sold hereunder and unless Buyer provides proof of exemption satisfactory to Seller, such may be added to the price of the Goods.

(c) Subject to Section 1(e) and unless otherwise agreed in writing, payment terms are net 30 days from date of invoice. Payments not received when due shall incur service charges at the rate of 1½% per month (18% per annum) until paid, compounded on a daily basis.

(d) If any of the events set out in this Section 1(d)(i) through (v) below occur, Seller reserves the right, among other remedies, to delay or suspend further shipments or require full or partial cash payment in advance until all sums due have been paid. Buyer shall be liable for all costs and expenses incurred by Seller in collecting any overdue amounts, including without limitation reasonable attorneys' fees..

(i) Buyer defaults in any payments or is unable or states that it is unable to pay its debts as and when they fall due.

(ii) Buyer commits an act of bankruptcy, files a voluntary petition in bankruptcy or has filed against it an involuntary petition in bankruptcy or has a trustee, receiver, liquidator, custodian, conservator, manager, controller or voluntary administrator appointed in respect of Buyer's estate or any part of Buyer's property or assets.

(iii) Buyer passes a resolution for its winding up or enters into liquidation or has an application for winding up filed against it.

(iv) Buyer makes an assignment for the benefit of its creditors.

(v) Buyer experiences any analogous event having substantially similar effect to any of the events listed above.

(e) Notwithstanding Section 1(a), Seller may at any time in its sole and unfettered discretion and without being under any duty or obligation to assign reasons, review, alter or terminate Buyer's credit limit or payment terms without notice. Without limiting the generality of the foregoing, the decision of Seller shall be final and Seller accepts no liability or responsibility for any loss, howsoever arising, incurred by Buyer due to the operation of this condition.

2. SHIPMENT; DELIVERY AND RESPONSIBILITY TO PURCHASE.

(a) Unless agreed otherwise in writing, all shipments are F.C.A. Seller's or its sub-contractor's warehouse. Shipping dates are estimates only and are subject to Seller's lead time policy. Seller shall make all reasonable efforts to have Goods delivered to Buyer on or about the date or within the time frame of the Order but Seller shall not be liable for any failure or delay in delivery for any reason. Buyer is responsible for disposing of all non-returnable containers and shipping materials

(b) Purchase orders issued by Buyer and placed with Seller are irrevocable and Buyer is contractually obliged to take delivery and pay for all Goods ordered and supplied or made available by Seller pursuant to such purchase order. If Seller does not receive forwarding instructions sufficient to enable it to dispatch Goods within fourteen (14) days after notice to Buyer that such Goods are ready, Buyer shall be deemed to have taken delivery from such date and shall be obliged to pay reasonable storage charges payable on demand. Unless otherwise agreed upon by the parties in writing, if Buyer does not accept delivery or collect Goods from Seller when made available at the agreed delivery point in accordance with the Contract, Buyer also will pay Seller for storage costs and reimburse Seller for any demurrage, transport or futile delivery costs incurred by Seller.

3. TITLE; RISK OF LOSS OR DAMAGE.

Title to and risk of loss of the Goods shall pass to Buyer upon delivery to the carrier at point of shipment.

4. INSPECTION; ACCEPTANCE.

Buyer shall promptly examine the Goods for any damage or shortage or failure of the Goods to comply with the Seller's standard sales specifications or the specifications contained in or referenced in the Contract. All claims for damage or shortage of Goods shall be deemed waived unless made in writing and received by Seller within 30 days of delivery of the Goods. If Buyer finds that any of the Goods do not comply with the specifications, Buyer may, at its option, reject that portion of the Goods that fail to comply by providing Seller with a notice made in writing and received by the Seller within 30 days of delivery of the Goods. Failure to timely deliver written notice of any such claim or rejection of the Goods within the warranty period specified in this clause 4 shall be deemed an absolute and unconditional waiver of such claim for damage or shortage or a right to reject such Goods and all claims related thereto and shall constitute an unqualified acceptance of such Goods, irrespective of whether the facts giving rise to such claim shall have then been discovered or of whether use or application of the Goods shall have then taken place.

5. **RETURNS.**

Returned Goods shall not be accepted unless Buyer obtains prior written approval and transportation instructions from Seller. All Goods returned to Seller must be in full containers or cases, unopened and in the same condition as when delivered. If a return is approved by Seller, Goods may be returned for exchange or credit only. Seller shall give no cash refunds for returned Goods. Approved returned Goods are subject to a restocking charge of 15% of the invoiced value of such Goods and Buyer shall pay all transportation charges.

6. LIMITED WARRANTY.

(a) Subject to Section 6(e) and Section 7 below, Seller warrants title and that the Goods shall conform to Seller's standard sales specifications in effect at the time of manufacture or the specifications agreed by the parties in writing and contained or referenced in the Order. Equipment components not manufactured by Seller which are incorporated in the Goods may, if specified elsewhere in the Contract, be subject only to warranties of Seller's vendors and Seller hereby assigns to Buyer all such rights in such vendor's warranties and will provide reasonable assistance in enforcing such rights.

(b) Buyer is solely responsible for determining that the Goods and their specification and scope are appropriate for Buyer's intended use. Any advice or recommendations by Seller with respect to the Goods or the use of the Goods are provided in good faith based on tests or experience believed to be reliable but such advice or recommendations are not warranted. Buyer agrees that it is responsible for ensuring that Goods that comply with the warranties in Section 6(a) are fit and suitable for its purposes, requirements, processes, plant and equipment.

(c) To the maximum extent permitted by law, Seller makes no other representation or warranty of any kind, and hereby expressly disclaims all other representations or warranties, express, implied, statutory or arising from a course of dealing, usage of the trade or otherwise, including without limitation any representation or warranty as to merchantability, fitness for a particular purpose, or any other matter with respect to the goods, whether used alone or in combination with any other goods, substances processes or materials or services.

(d) In the event the exclusion of some or all of such warranties under section 6(c) for certain goods subject to this contract would be illegal, any additional warranty would be limited to the warranty required by applicable law and to the extent permitted by such law, would be subject to section 6(e) and section 7, and is conditioned upon use in accordance with label directions under normal conditions reasonably foreseeable to seller with buyer assuming the risk of any use contrary to label directions, under abnormal conditions or under conditions not reasonably foreseeable to seller.

(e) Seller's sole liability and Buyer's sole remedy for breach of warranty are specifically limited to the repair of the goods (or re-performance of services when applicable) or the cost thereof where Seller fails to perform such repair necessitate by a breach of warranty, and such liability and remedy are exclusive of all other liabilities and remedies. Should these remedies be found inadequate or to have failed of their essential purpose for any reason whatsoever, Buyer agrees that the return of the amount paid by buyer to seller for the purchase of the goods which fail to conform with the warranties set forth in section 7 shall be considered a fair and adequate remedy and prevent the remedies from failing of their essential purpose.

7. LIMITATION OF LIABILITY.

(a) The liability of Seller and its affiliates to Buyer under and in connection with the Contract is limited to the price allocable to the Goods giving rise to the claim and in no event shall the cumulative liability of Seller howsoever arising,

whether under warranty, contract, tort, negligence, strict liability, indemnification, defense or any other cause or combination of causes whatsoever, exceed the total payments received from Buyer under the Contract in connection with the Goods.

(b) To the extent permitted by law and not withstanding any provision to the contrary in the contract, Seller shall not be liable for special, indirect, incidental or consequential damages, including without limitation, and loss of profits. Loss of business revenues, loss of capital, failure to realize expected profits or savings, overhead costs, loss by reason of service interruption or increased expense of operation, loss of goodwill, loss of reputation, loss of value in any intellectual property, damages or liquidated sums payable pursuant to other agreements or to other third parties, other economic losses, whether arising under warranty, contract; negligence (including negligent misrepresentation) or other tort, strict liability, breach of statute, indemnification, or any other cause or combination of causes, including any theories of concurrent liability arising from a duty of care by operation of law or otherwise.

8. **SAFE STORAGE HANDLING AND USE; ASSUMPTION OF RISK; INDEMNIFICATION**.

Buyer acknowledges that it is familiar with the risks associated with the storage, handling and use of Goods and any waste resulting therefrom. Accordingly and notwithstanding anything to the contrary set forth in the Contract, Buyer covenants and warrants and shall ensure that (i) that it and its employees, agents, carriers and customers are familiar with and adhere to all necessary and appropriate precautions and safety measures to safely store, handle or use the Goods; (ii) it and its employees, agents, carriers and customers shall comply with all applicable Laws, including without limitation, environmental laws and regulations pertaining to the storage, handling and use of Goods; (iii) shall obtain and comply with all required permits and licenses. Seller takes no responsibility for, and Buyer assumes all risks associated with waste characterization, regulatory status and chemical composition of any product, process, material, waste or substance into which the Goods are incorporated or applied. Without limiting the foregoing, Buyer shall further ensure that all storage tanks, vessels, and pipes, hoses and valves and other components used by Buyer or its employees, agents, carriers and customers to store, handle and transfer Goods which are bulk chemicals are properly installed and maintained to prevent injury, death or loss of containment during storage, handling and transfer of such Goods. If Buyer resells or distributes Goods to third parties, Buyer assumes responsibility for ensuring that it provides detailed instructions to such third parties regarding safe storage, handling and use of those Goods and any Storage Items or packaging in which such Goods are stored. To the maximum extent allowed by law, Buyer assumes all risks and liability whatsoever for all injuries, losses and damages to persons or property or otherwise and shall indemnify, defend and hold harmless Seller and Seller's employees and agents against all claims, damages, losses, costs, liabilities, and other expenses (including investigation and attorneys' fees) that Seller incurs or may be obligated to pay as a result of (i) Buyer's, its employees', agents', carriers' or customers' handling, possession, further processing, storage, use treatment, transportation, disposal, sale or other use or disposition of the Goods, whether used alone or in combination with other products, materials, substances or wastes, (ii) Buyer's, its employees', agents', carriers' or customers' violation or alleged violation of any Law, or (iii) Buyer's breach of any of its obligations set forth herein.

9. FORCE MAJEURE. Shipments or deliveries may be totally or partially suspended or delayed by Seller during any period in which the Seller may be prevented or hindered from manufacture, delivery or supply through any circumstances outside Seller's reasonable control or where such manufacture, delivery or supply is rendered materially more expensive by such circumstances. Circumstances beyond Seller's reasonable control shall include, without limitation, strikes, lockouts or other labor difficulty; acts of carriers; acts of God; acts of civil or military authorities; acts or omissions of Buyer; war; riot; fire; explosion; acts of terrorism; flood; any inability to obtain or lack of any necessary or adequate materials, inputs, fuel, power, labor, equipment, containers, facilities or services on usual terms; power or water shortage; accidents or breakdowns or failures of plant or machinery or apparatus; delays, congestions or blockages at sea ports or transport depots or software, hardware or communication network; changes in applicable Laws; or any other event, whether or not enumerated herein, beyond the reasonable control of Seller that makes impractical the manufacture, transportation or shipment of the Goods or of a material or other resource upon which the manufacture, transportation or shipment of the Goods depends. Seller shall not incur any liability to Buyer in respect of such suspension.

10. **INTELLECTUAL PROPERTY**.

Seller is the sole and exclusive owner of the Intellectual Property in the Goods and processes incorporated in such Goods, and the rights attached to that Intellectual Property. Nothing herein grants to Buyer any right, title or interest in or to any of the Intellectual Property in the Goods. Buyer shall not claim to have acquired any right, title or interest to the Intellectual Property in the Goods by virtue of purchasing Goods sold hereunder. Buyer shall not deconstruct, reverse compile or reverse engineer the Goods in any way for the purpose of deciphering or replicating the chemical composition of the Goods. As used herein, "Intellectual Property" means any intellectual or industrial property right anywhere in the world including, without limitation, any patent, patent application, utility model, copyright (including copyright in manuals, databases, and promotional materials), registered design and other design rights, unpatented secrets and innovations, confidential information, and any other rights that may subsist anywhere in the world in improvements, inventions and other manufacturing processes or technical and other information of Seller. Buyer shall not resell, distribute or supply the Goods to any third party for any reason without Seller's prior written consent

11. CONFIDENTIALITY; ENTIRE AGREEMENT; AMENDMENTS; CHANGES TO TERMS AND CONDITIONS.

(a) All information that Buyer acquires from Seller hereunder, directly or indirectly, and all information that arises out of the sale of the Goods hereunder, concerning such Goods and/or proprietary processes involved, including information concerning Seller's current and future business plans, information relating to Seller's operations, know-how, and other

Seller-furnished information shall be deemed Seller's "Proprietary Information". Buyer shall (a) hold Seller's Proprietary Information in strictest confidence, (b) not disclose it to others, (c) use it solely for purposes of this Agreement and (d) upon Seller's request, either promptly deliver to Seller all such Proprietary Information that is in written, electronic or other form, including copies and summaries, or, at Seller's option, destroy such Proprietary Information and provide Buyer certification of such destruction. The obligations under this Section shall survive the expiration or termination of the Contract.

(b) The Contract constitutes the entire agreement of the parties with respect to the purchase and sale of Goods and supersedes and excludes all prior and other discussions, representations (contractual or otherwise) and arrangements relating to the supply of Goods, including but not limited to, those relating to the performance of Goods or results that ought to be expected from using the Goods. Nothing in the Terms and Conditions is

12. **GOVERNING LAW**.

The rights and duties of the parties and any dispute regarding the sale of Goods covered hereby shall be resolved according to the laws of the state of Colorado, without regard to its conflicts of law provisions. Buyer hereby agrees to submit to the non-exclusive jurisdiction of the courts in the state of Colorado. Any controversy or claim arising out of or relating to the sale of Goods or the dealings between the parties shall be settled exclusively by arbitration in Denver, Colorado by a single arbitrator pursuant to the American Arbitration Association's Commercial Arbitration rules then in effect, and judgment upon the award shall be entered in any court having jurisdiction thereof. The prevailing party in any arbitration proceeding shall be entitled to recover its reasonable attorneys' fees and costs, in addition to any other relief obtained.

13. WAIVER.

No failure to exercise nor any delay or omission in exercising any right, power or remedy by Seller operates as or constitutes a waiver. A single or partial exercise by Seller of any right, power or remedy does not preclude any other or further exercise by it of that or any other right, power or remedy. A waiver is not valid or binding on Seller unless made in writing. No failure by Seller to exercise, nor any delay or omission by Seller in exercising any right, power or remedy nor any representation made or conduct carried out by Seller under the Contract or in connection with the supply of Goods or any of them shall constitute or provide grounds for a common law or equitable estoppel.

14. SEVERANCE.

If any provision of the Terms and Conditions or its application to any person or circumstances is or becomes invalid, illegal or unenforceable, the provision shall so far as possible be read down to such extent as may be necessary to ensure that it is not invalid, illegal or unenforceable. If any provision or part of it cannot be so read down, the provision or part of it shall be deemed void and severable and the remaining provisions of the Terms and Conditions shall not in any way be affected or impaired.

8150 S. Akron Street, Suite 401, Centennial CO 80112

LIMITED WARRANTY

Ixom Watercare Inc. (IXOM) warrants all new equipment manufactured by IXOM against defects in material and workmanship, and will repair or replace at IXOM's expense, F.C.A. shipping point, any part(s) returned to IXOM which upon IXOM's examination are shown to have failed under normal use and service within twelve (12) months from date of equipment start-up, or eighteen (18) months from shipment to the purchaser, whichever occurs first. The warranty for repaired or replacement equipment shall continue for the remainder of the original warranty period, or for a period of six (6) months, whichever is longer. IXOM shall not be responsible for providing working access to the defective equipment, including disassembly and reassembly of the equipment, or for providing transportation to and from the repair facility, all of which shall be at purchaser's expense.

When the nature of the warranty item is such that it is appropriate in the judgment of IXOM to make such repairs or modifications at the site of operation, purchaser agrees to provide site access to IXOM or its sub-contractors, during normal working hours 8:00 a.m. to 5:00 p.m., Monday through Friday, exclusive of holidays. Labor performed at other times at the request of purchaser will be billed at the applicable rate then prevailing for services provided.

THE FOREGOING WARRANTY SHALL CONSTITUTE THE SOLE AND EXCLUSIVE REMEDY OF PURCHASER AND IS IN LIEU OF ALL OTHER WARRANTIES, REPRESENTATIONS, CONDITIONS, RIGHTS AND REMEDIES WITH RESPECT TO THE QUALITY, CONDITION OR PERFORMANCE OF THE EQUIPMENT, WHETHER EXPRESS OR IMPLIED, STATUTORY OR OTHERWISE AND WHETHER WRITTEN OR ORAL. ALL OTHER WARRANTIES, REPRESENTATIONS, CONDITIONS, RIGHTS AND REMEDIES, INCLUDING, BUT NOT LIMITED TO, WARRANTIES OF MERCHANTABILITY, DURABILITY OR FITNESS FOR A PARTICULAR PURPOSE, ARE HEREBY EXPRESSLY DISCLAIMED AND EXCLUDED TO THE FULLEST EXTENT PERMITTED BY LAW. IXOM SHALL NOT BE LIABLE FOR ANY CONTINGENT, SPECIAL, INCIDENTAL, INDIRECT OR CONSEQUENTIAL DAMAGE OR LOSS OF ANY KIND, INCLUDING BUT NOT LIMITED TO, LOSS OF PROFITS, DUE TO PARITAL OR COMPLETE INOPERABILITY OF IXOM'S EQUIPMENT FOR ANY REASON WHATSOEVER.

IXOM only warrants equipment that has been paid for in full and which was put into service for its intended purpose. The warranty contained herein shall not apply to normal wear and tear, defects in materials provided by purchaser, or those items such as media, resin, and the like that are normally replaced or consumed as part of routine operation or maintenance of the equipment.

The warranty contained herein shall terminate if the equipment failure giving rise to a claim under warranty results from (a) unauthorized modification, repair or alteration, (b) improper or abnormal operation, application, maintenance or installation, (c) damage during shipment, or (d) operation, handling or other dealings with the equipment in a negligent manner.

Town of High Level
Regular Council Meeting
Request for Decision

Meeting Date: May 26th, 2025
Prepared By: Viv Thoss, Chief Administrative Officer
Subject: Town of High Level MIEX Water Treatment Borrowing Bylaw No. 1055, 2025

Recommendation:

THAT Council give first reading to *Town of High Level MIEX Water Treatment Borrowing Bylaw No. 1055,2025*.

CAO Comments:

Background:

The Town of High Level's Water Treatment Plant (WTP), constructed in 2002, sources its raw water from Footner Lake. The current treatment process includes aeration and the application of chemical compounds to enhance treatment effectiveness, with a primary focus on the removal of organic materials. Chlorine is also added as a disinfectant. If implemented, the Magnetic Ion Exchange (MIEX®) system would be integrated into the disinfection process to further improve water quality.

Discussion:

At its January 13th, 2025, Regular Open Council Meeting, Council passed the following resolution:

Council Resolution 008-25
"THAT Council APPROVE the Water Treatment Pre-treatment Upgrading Project; AND THAT Council DIRECT Administration to fund unbudgeted project costs through A 10-year debenture."

This bylaw authorizes the financing of the MIEX Water Treatment Project through debenture borrowing, either from the Alberta Capital Finance Authority or another authorized financial institution.

Legislative Implications:

The borrowing bylaw process, as required under the *Municipal Government Act* (MGA), includes the following steps:

- First Reading by Council
- Public Advertising (minimum two-week period)
- 15-day Petition Period (following the conclusion of advertising)
- Second and Third Readings by Council
- 30-day Appeal Period to the Court of King's Bench
- The legislative framework for borrowing bylaws is outlined in Sections 251, 253, 254, and 258 of the *Municipal Government Act*, RSA 2000, c. M-26. Advertising requirements are detailed in Section 606 of the Act.

Financial:

The opinion of probable cost for the project has been established at $5,714,000. This estimate was previously presented to Council and is included in the 2025 Capital Budget. The Province has approved funding of $3,379,299 through the Alberta Municipal Water/Wastewater Partnership, with the remaining $2,336,701 to be funded by the Town through a debenture.

Debenture Funding and Utility Rate Implications

The cost of the debenture will be funded primarily through utility user fees. Based on a 10-year term at the current interest rate of 3.61%, the estimated annual payment is $280,457.

To support this repayment, estimated increases to the water utility rate (per cubic metre) are outlined below:

			Monthly Usage			
Borrowing	Annual Payment (P&I)	Increase in M^3 water charged	$15M^3$	$30M^3$	$100M^3$	$500M^3$
$2,336,701	$280,457.00	$0.49	$7.28	$14.56	$48.54	$242.71

These amounts are subject to change and will vary depending on the interest rate in effect at the time of borrowing.

Options:

Option 1: THAT Council give first reading to Town of High Level MIEX Water Treatment Borrowing Bylaw No. 1055,2025

Option 2: THAT Council DIRECT Administration to explore and evaluate alternative financing options.

Option 3: THAT Council Direct Administration to take any other action deemed appropriate by Council.

Respectfully submitted,



CAO Viv Thoss

Attachments:

Attachment 1 - Town of High Level MIEX Water Treatment Borrowing Bylaw No. 1055, 2025

TOWN OF HIGH LEVEL
MIEX WATER TREATMENT BORROWING BYLAW
BYLAW NO. 1055-25

A BYLAW TO INCUR INDEBTEDNESS BY THE ISSUANCE OF DEBENTURE(S) IN THE AMOUNT OF $2,336,701 FOR THE PURPOSE OF CONSTRUCTING THE MIEX WATER TREATMENT SYSTEM

WHEREAS the Council of the Town of High Level has decided to issue a bylaw pursuant to Section 258 of the *Municipal Government Act* RSA, Chapter M-26, to authorize the financing, undertaking, and completion of the MIEX Water Treatment System.

Plans and specifications have been prepared and the total cost of the project is estimated to be $5,714,000 and the Town of High Level estimates the following grants and contributions will be applied to the project:

Provincial Grant	$3,379,299
Debenture	$2,336,701
Total Cost	$5,714,000

In order to complete the project, it will be necessary for the Town of High Level to borrow the sum of $2,336,701 for a period not to exceed Ten (10) years, from the Alberta Capital Finance Authority or another authorized financial institution, by the issuance of debentures and on the terms and conditions referred to in this bylaw.

The estimated lifetime of the project financed under this by-law is equal to, or in excess of twenty (20) years.

The principal amount of the outstanding debt of the Town of High Level at December 31, 2024 is $1,629,031 and no part of the principal or interest is in arrears.

All required approvals for the project have been obtained and the project is in compliance with all Acts and Regulations of the Province of Alberta.

NOW THEREFORE, the Council of the Town of High Level in the Province of Alberta, duly assembled, enacts:

1. That for the purpose of constructing the MIEX Water Treatment System, the Sum of TWO MILLION THREE HUNDRED AND THIRTY SIX THOUSAND SEVEN HUNDRED AND ONE DOLLARS ($2,336,701) be borrowed from the Alberta Capital Finance Authority or another authorized financial institution by way of debenture on

the credit and security of the Town of High Level at large, of which amount the full sum of $2,336,701 is to be paid by the Town of High Level at large.

2. The proper officers of the Town of High Level are hereby authorized to issue debenture(s) on behalf of the Town of High Level for the amount and purpose as authorized by this by-law, namely the MIEX Water Treatment System.

3. The Town of High Level shall repay the indebtedness according to the repayment structure in effect, namely semi-annual or annual equal payments of combined principal and interest not to exceed ten (10) years calculated at a rate not exceeding the interest rate fixed by the Alberta Capital Finance Authority or another authorized financial institution on the date of the borrowing, and not to exceed six percent (6%).

4. The Town of High Level shall levy and raise in each year municipal taxes sufficient to pay the indebtedness.

5. 5. The indebtedness shall be contracted on the credit and security of the Town of High Level.

6. The net amount borrowed under the by-law shall be applied only to the project specified by this by law.

7. This Bylaw shall come into force upon 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 this	day of	2025.

_____
Mayor

_____
Chief Administrative Officer

TOWN OF HIGH LEVEL

Town of High Level
Regular Council Meeting
Request for Decision

Meeting Date: May 26th, 2025
Prepared By: Jena-Raye Clarke
Subject: Replacement of Community Bulletin Board

Recommendation:
THAT Council approve funding for the replacement of the Town Bulletin Board, with the expenditure to be allocated from the Council Initiatives Budget.

CAO Comments:

I support the recommendation.

Background:

Last year, Administration introduced the "Flower Grant" as part of our Community Improvement Incentive. This initiative was well received and popular among the residents that received it. However, we also received valuable feedback from community members who were unable to participate—some had already purchased flowers prior to the grant announcement, others lacked required documentation, and there were concerns about the limited availability of grants with only 30 residents being able to participate.

In response to this feedback and to create a more inclusive and widely beneficial project, we are proposing a new direction for this year's Community Improvement Incentive: the replacement of the community bulletin board located downtown.

This bulletin board serves as a communication hub for local events, yard sales, and public announcements. Replacing it will not only enhance its appearance and usability but also address an emerging safety concern, as the structure is currently leaning and may soon require removal if not replaced.

This project will benefit the entire community and create a lasting improvement to our shared public space.

Discussion:

This initiative aligns with Council's Strategic Plan - Goal #3: Resilient Community, which emphasizes the importance of fostering a safe and supportive environment where programs and services are adaptable to the evolving needs of residents, and where health and wellness are prioritized.

In support of this goal, the initiative advances the following objectives:

- Objective 2: Advocate for increased professional services and support.
- Objective 3: Maintain and strengthen community programs while actively working to grow the volunteer base, ensuring long-term sustainability and increased civic engagement.

Additionally, the initiative supports Goal #4: Accountable Governance, which focuses on ensuring leadership that is accessible, transparent, and respectful - building trust and confidence within the community.

This is further reflected in:

- Objective 2: Improving collaborative community engagement to ensure residents are meaningfully involved in shaping and promoting local initiatives.
- Objective 3: Enhancing the effectiveness of administrative communication and collaboration.

Financial:

Funding for the renovation will be provided through the Council Initiatives - Community Improvement Grant, with an allocation of $10,000 already approved in the 2025 municipal budget. No additional funding is required.

Council Options:

1. THAT Council approve funding for the replacement of the Town Bulletin Board, with the expenditure to be allocated from the Council Initiatives Budget.
2. THAT Council receives this Request for Decision for information.
3. THAT Council Direct Administration to take any other action deemed appropriate by Council.

Approvals

_____	_____
CAO Viv Thoss	**Author**

Town of High Level
Regular Council Meeting
Request for Decision

Meeting Date:	**May 26, 2025**
Prepared By:	**Logan Bartholow, Planning Consultant**
Subject:	**Moose Meadows Phase 1 Outline Plan (Amended)**

Recommendation:

THAT Council consider one of the options as presented.

CAO Comments:

I support the recommendation.

Background:

April 28, 2025

Council tabled the item presented at the April 28, 2025 Council meeting to the May 26, 2025 Council meeting and requested that members from the N'DEH Limited Partnership & the Dene Tha' First Nation attend the May 21, 2025 Committee of the Whole meeting to provide further information on their project.

May 21, 2025

Representatives from the N'DEH Limited Partnership & the Dene Tha' First Nation clarified at the Committee of the Whole meeting that the proposed housing development was not "Secondary Stage Recovery Housing" in the traditional sense.

Instead the project is intended to be more generally supportive housing for indigenous individuals escaping gender based violence and other unsafe circumstances. They further clarified that the intent of the project was not to support individuals with addictions issues. Council requested that the Outline Plan be amended to reflect these clarifications ahead of the May 26, 2025 Council meeting.

Further 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 supportive housing for indigenous individuals escaping gender based violence and other unsafe circumstances. 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, however, this is standard practice in other municipalities. Outline Plans are a critical non-statutory document 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 give 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 standpoint. Any concerns that have been raised by Administration have been addressed by the applicant. Furthermore, the Town's Planning & Development consultant has also completed a review and found no concerns.
- Concerns raised by Council have been addressed in the attached Outline Plan as amended.

- 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.
- 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 will 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 take any other action deemed appropriate by Council.

Attachments:

Attachment 1 – Moose Meadows Outline Plan – Phase 1 (Amended)

Approvals:





CAO, Viv Thoss

Author: Logan Bartholow, Planning Consultant



Moose Meadows Phase 1 Outline Plan

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

May 2025

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SECTION ONE
Planning Context

1

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 Temporary Indigenous Supportive Housing Project is a priority initiative aimed at providing safe and supportive housing for women and families transitioning from the women's shelter. These individuals, identified as low risk, have previously experienced unsafe or violent situations in their homes.

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 supportive 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 as part of a supportive housing program that offers stable and supportive environments for women and families who are no longer at risk and are transitioning from the women's shelter after experiencing homelessness or intimate partner violence.

The **Moose Meadows Phase 1 Outline Plan** is intended to provide a framework for the development of this temporary supportive 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

Integrated Expertise, Locally Delivered

115 April 2025

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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 temporary supportive 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 temporary supportive housing meets an urgent regional need and provides a safe environment to support the identified vulnerable population.

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 temporary supportive 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 temporary supportive housing provides a safe environment to support the identified 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 temporary supportive 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 temporary supportive 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 temporary supportive 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)

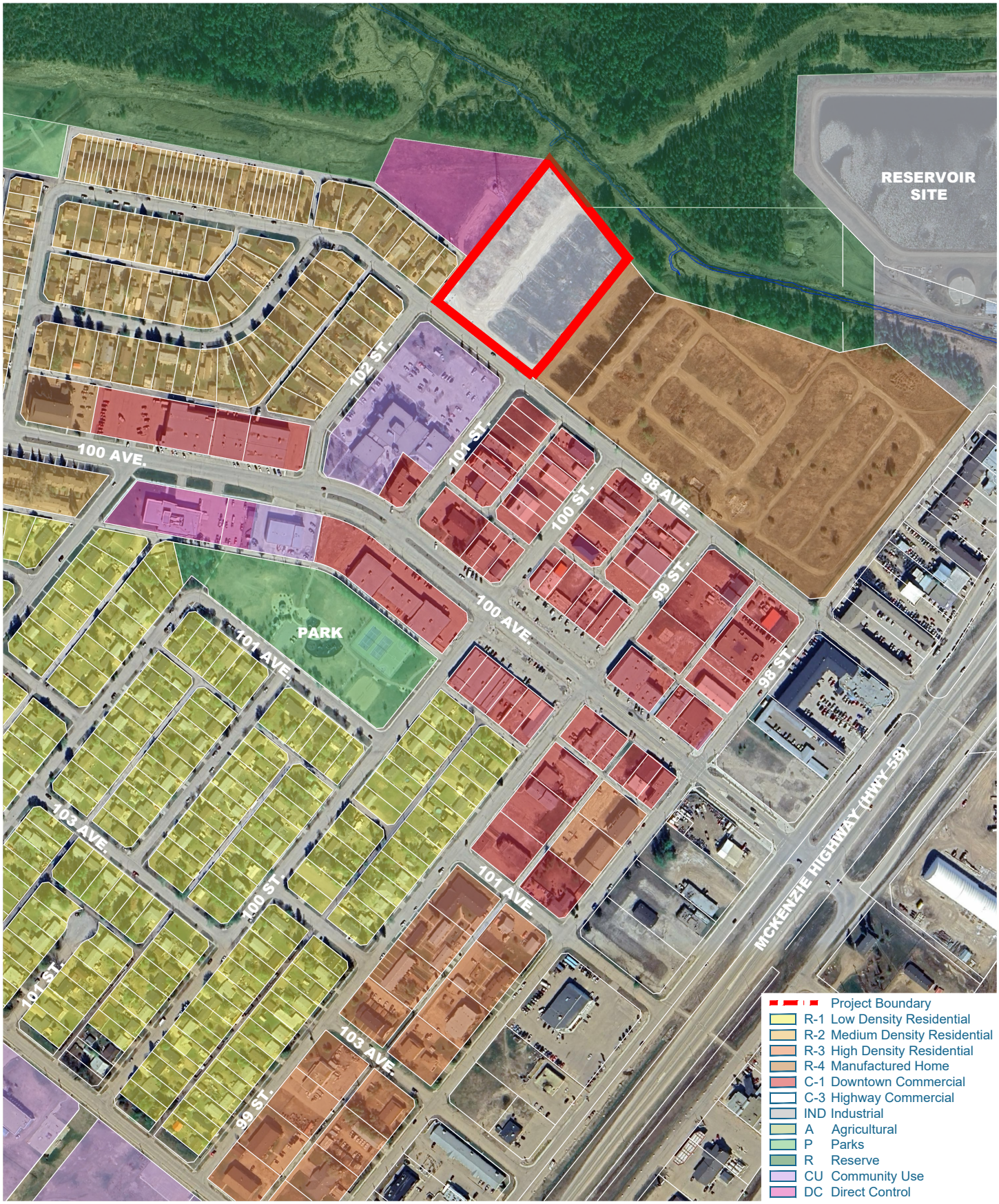
The Development Concept prepared for the Moose Meadows Phase 1 Outline Plan has been designed to reflect the regulatory parameters of the Town of High Level LUB.

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 temporary supportive 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

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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)

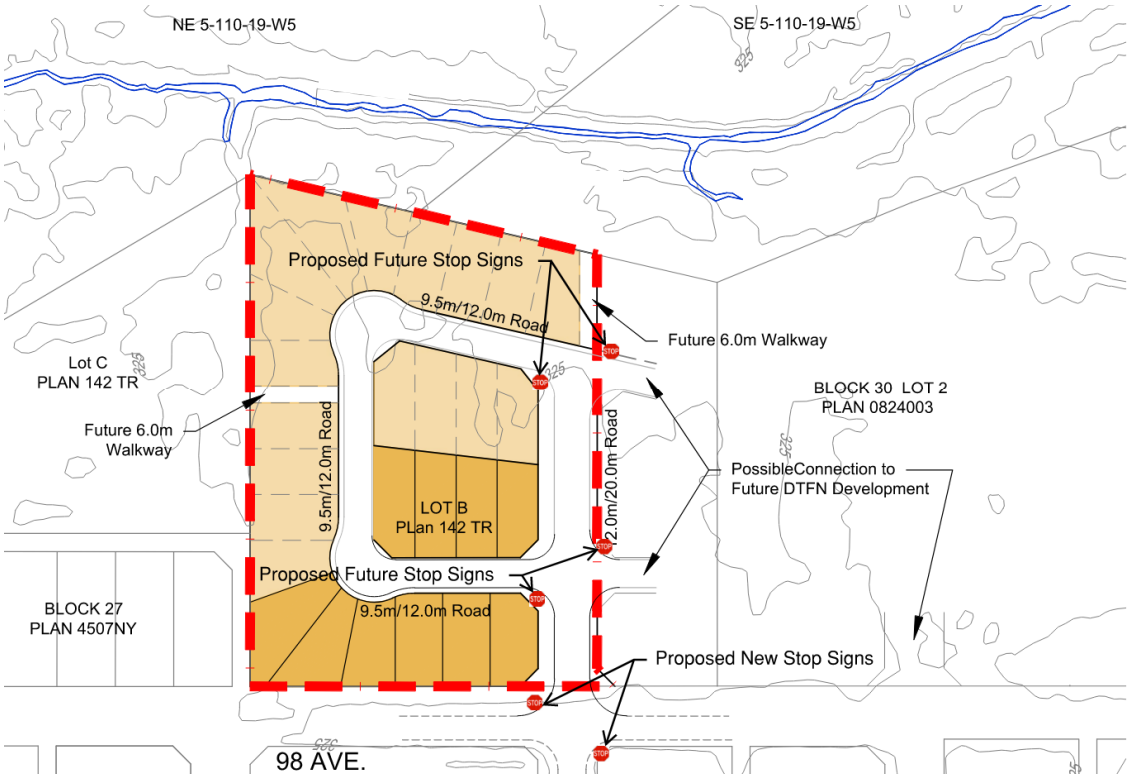
A desktop BIA was conducted by ISL Engineering and Land Services in 2025. The assessment of landforms, soils, wildlife, vegetation, wetlands, fish habitat, historical resources, groundwater, watercourses, and environmental risks for the DTFN Transitional Housing Unit Project identified minimal environmental 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

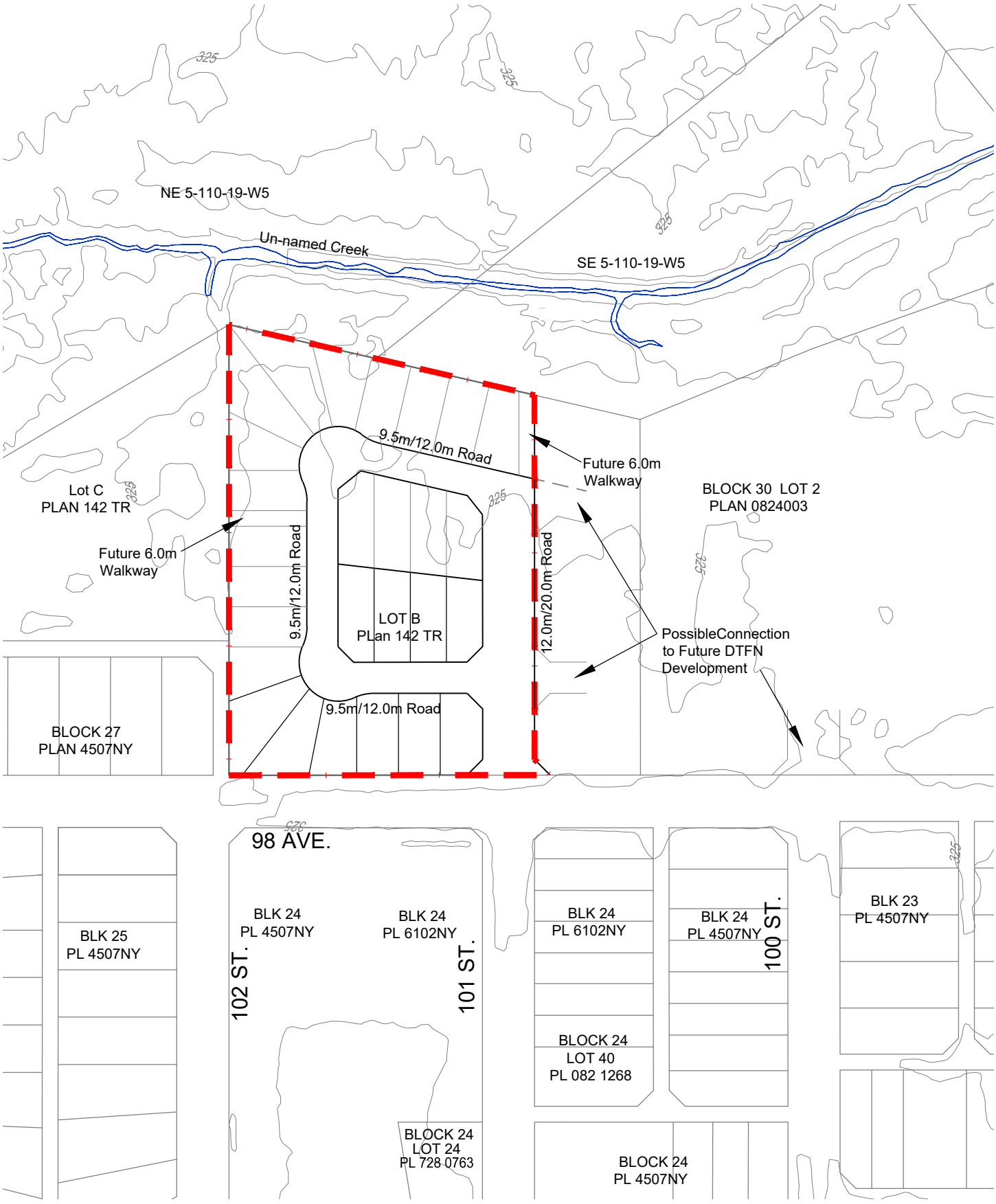
The parcel is relatively flat with a slight drainage tendency to an unnamed creek to the northeast and was previously graded and graveled to accommodate emergency housing for fire evacuees in the region.

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

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SECTION THREE 3
Development Concept

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 temporary supportive 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 temporary supportive housing for the Indigenous women, children and families. Dene Tha' First Nation's Temporary Indigenous Supportive Housing Units will offer a variety of support services and programs for tenants, delivered in collaboration with aftercare staff from the women's shelter.

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

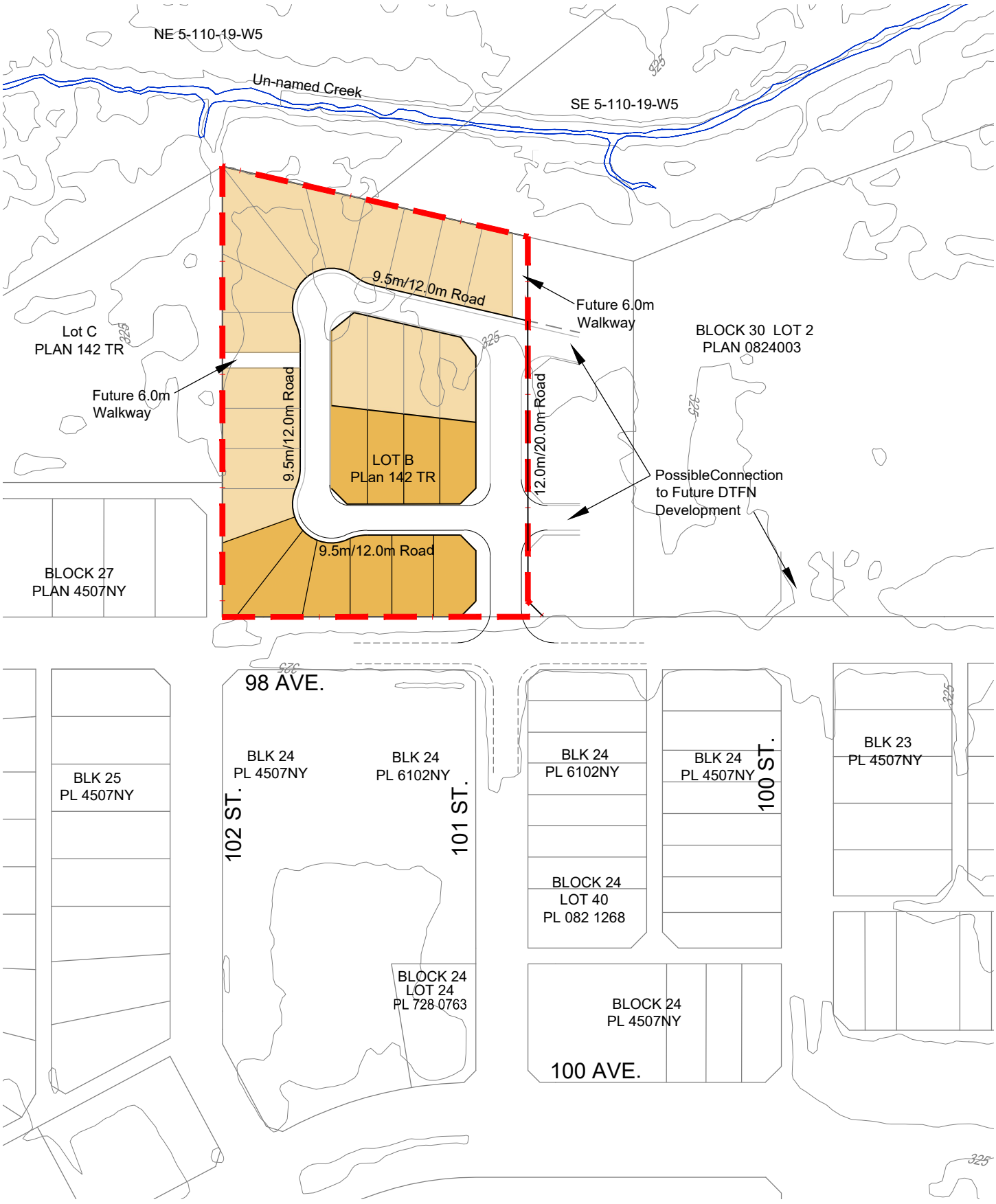
The Development Concept, shown in **Figure 4: Development Concept**, has been created using input gathered from consultation with the Town to prepare a design that meets the current demand for transitional housing and supports existing Town goals and objectives.

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

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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 temporary supportive 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 1: 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

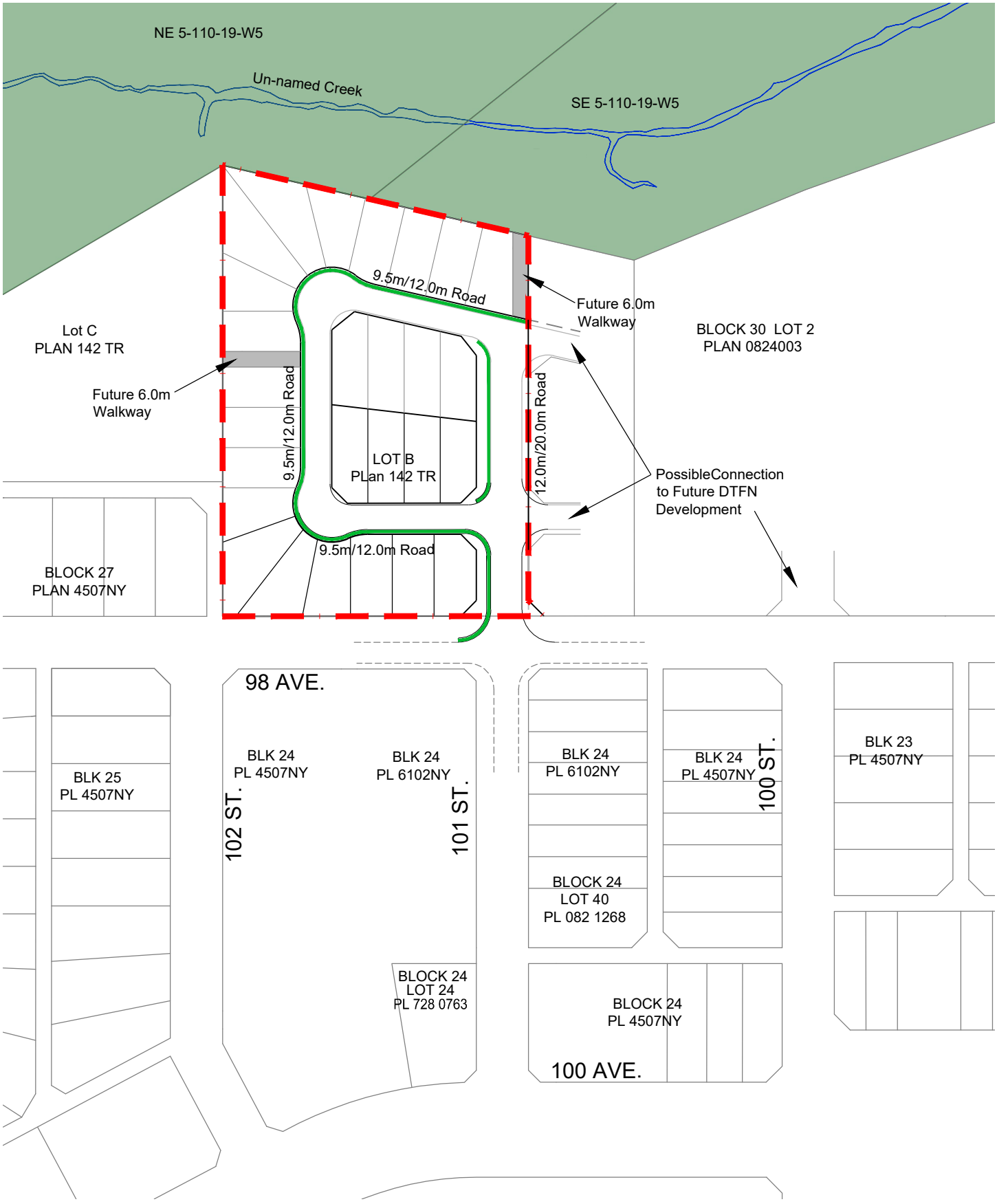
The Development Concept provides for residential uses compatible with the adjacent existing development. The area is designed to provide connectivity to support services and amenities through local pathway connections. Direct connections are provided to the proposed recreational amenities and support 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

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Figure 5

Open Space & Pedestrian Network

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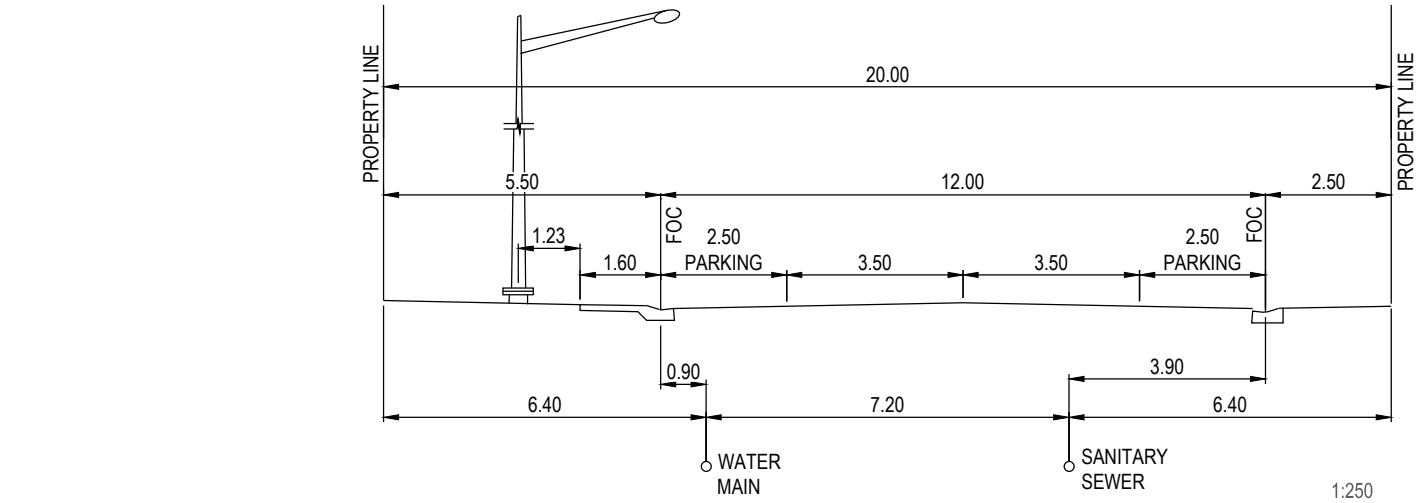
SECTION FIVE
Transportation Framework 5

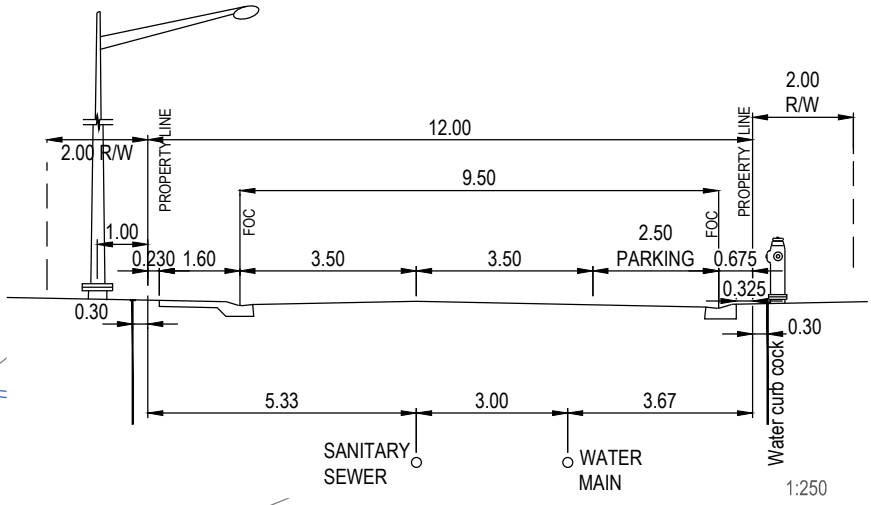
This section addresses how pedestrians, cyclists and motorists are accommodated within and beyond the Plan area.

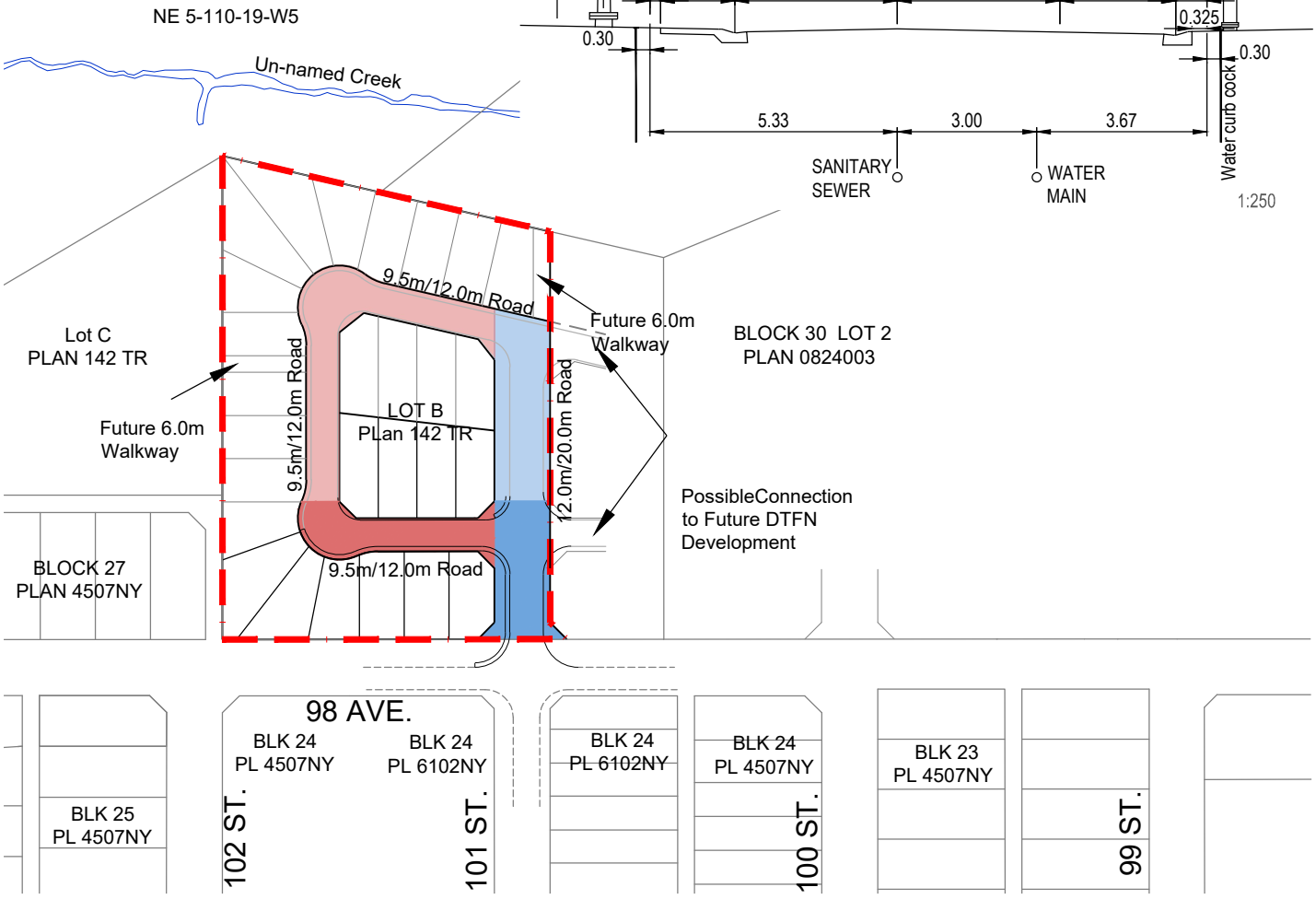
5.1 TRANSPORTATION NETWORK

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

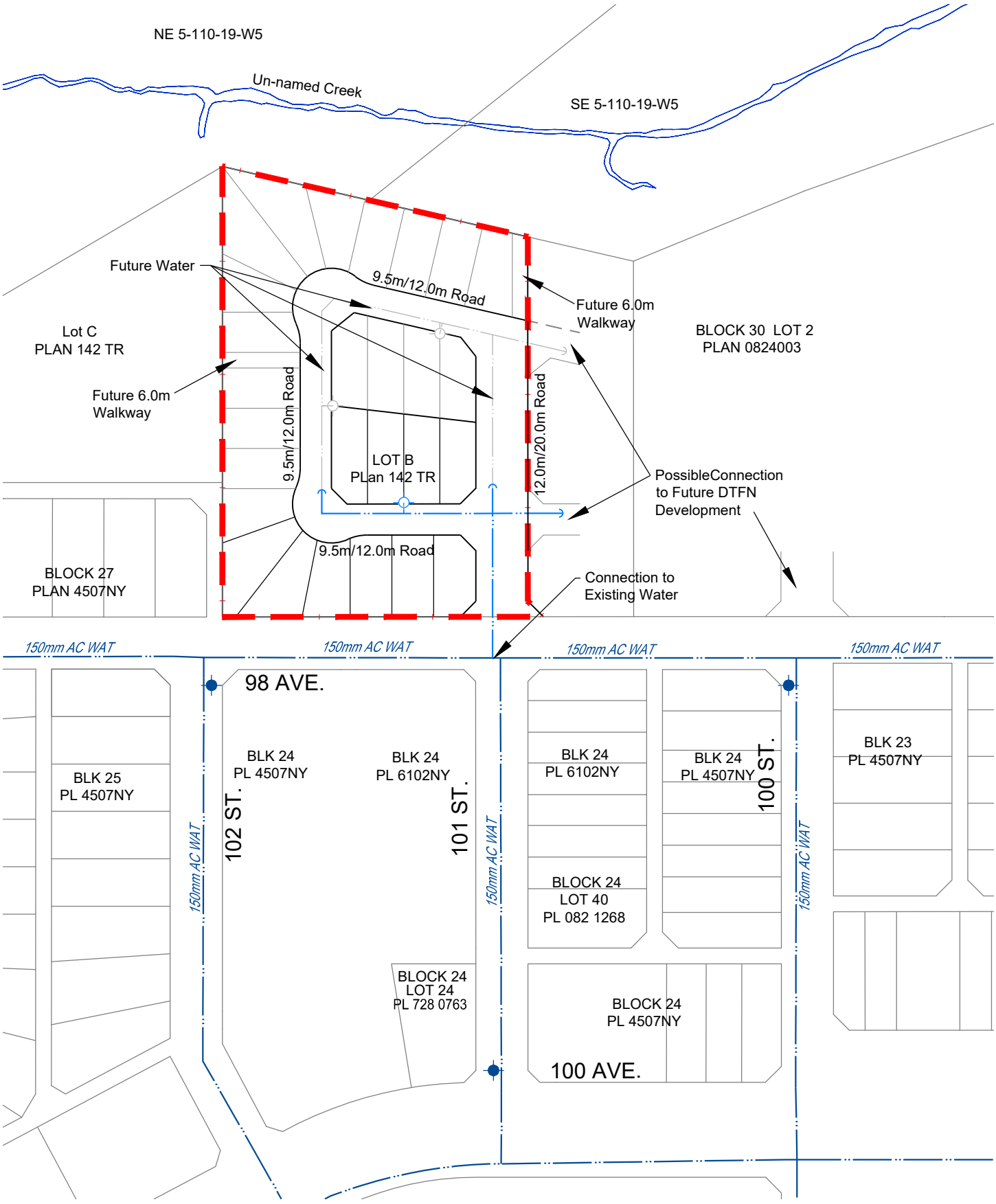
Appropriate stormwater management strategies are proposed within the Plan area to control stormwater and alleviate the impact of post-development flows on overland conveyances as illustrated on **Figure 9: Stormwater Management**.

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.



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

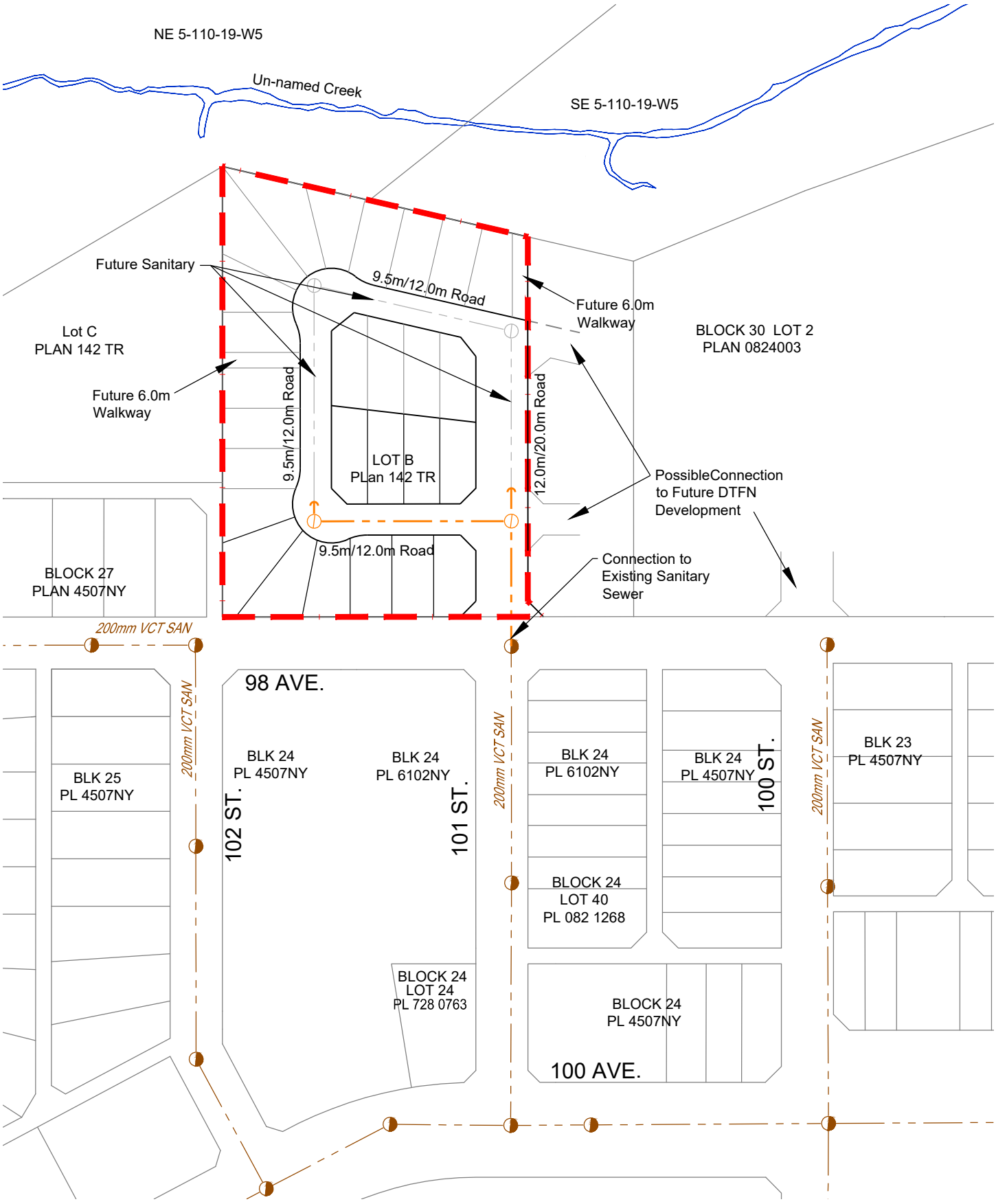
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Moose Meadows Phase 1
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Figure 7
Water Distribution Mains

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

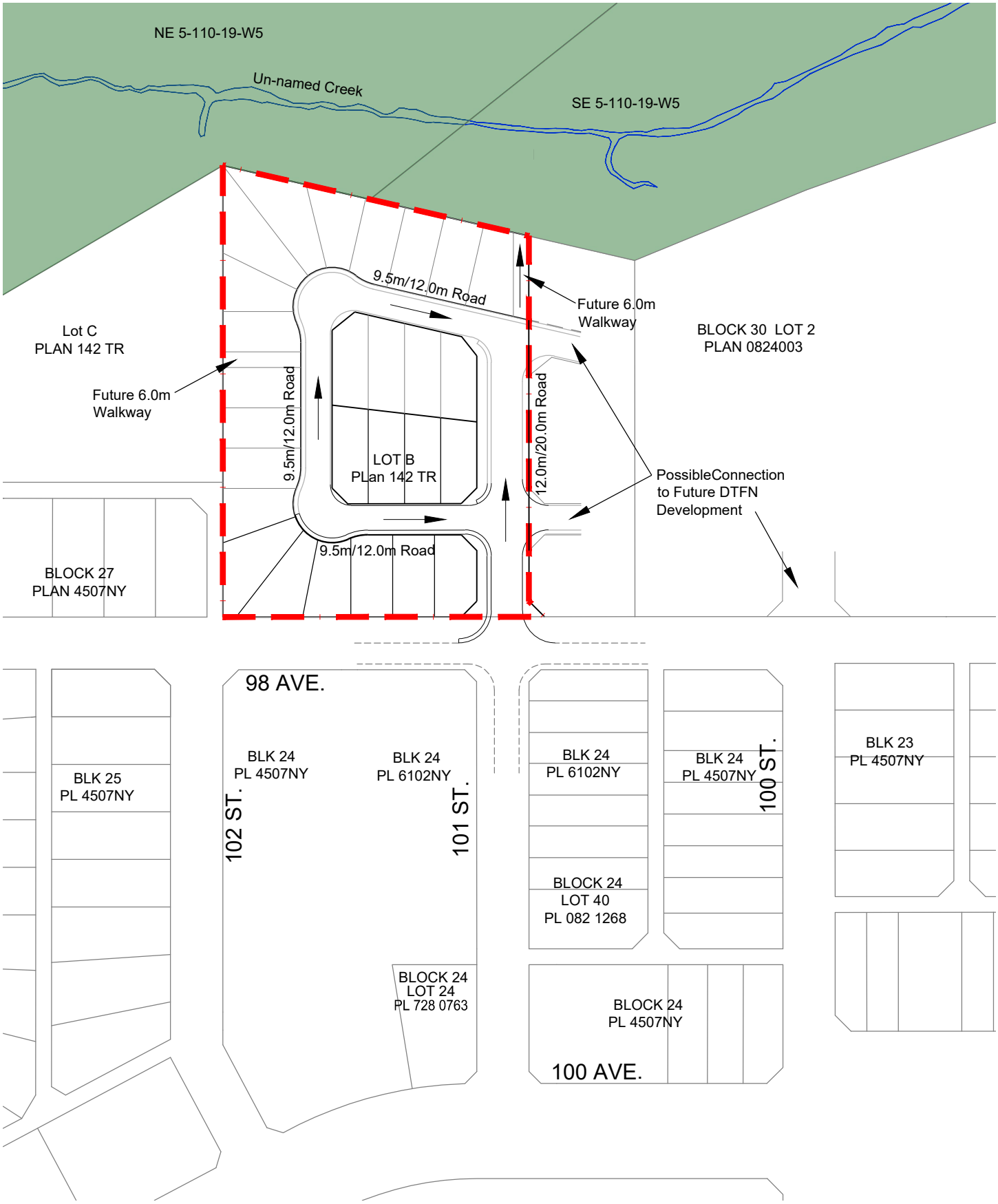
Moose Meadows Phase 1
Outline Plan

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 7

Implementation

This section outlines the proposed sequence of development.

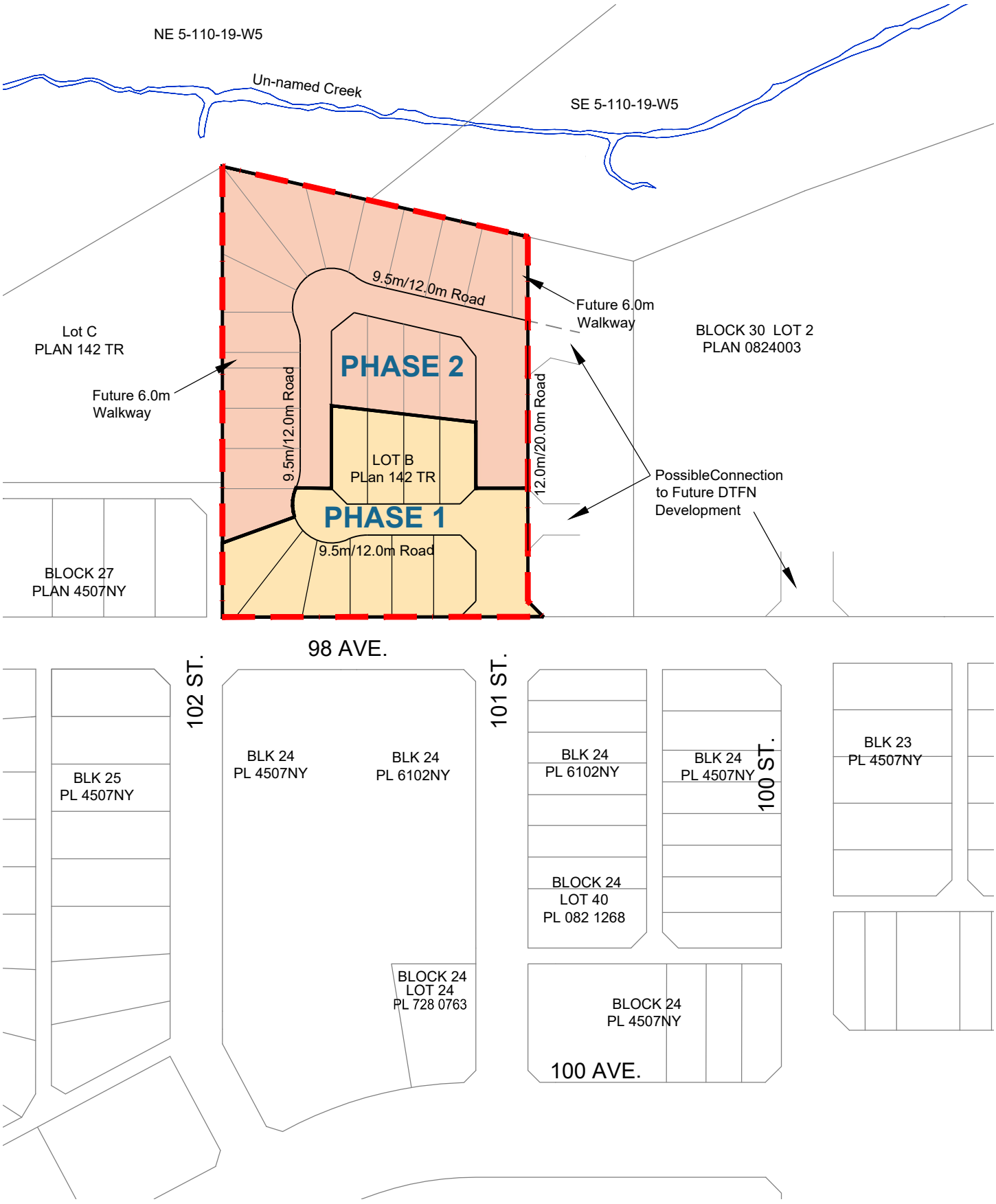
7.1 SEQUENCE OF DEVELOPMENT

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: • shall be informed by infrastructure capacity, servicing availability, environmental stewardship, and the need for additional transition housing; and • 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
1:2000

Integrated Expertise, Locally Delivered

C:\ADSK\ACCDocs\ISL\16751 – Dene Tha' First Nation Transitional Housing (DTFN Transitional Housing)\Project Files\02_CADD\21_Base\219_Plannning\16751–High Level_Outline Plan.dwg

Town of High Level
Regular Council Meeting
Request for Decision

Meeting Date:	**May 26, 2025**
Prepared By:	**Logan Bartholow, Planning Consultant**
Subject:	**Bylaw 1053-25 – A Bylaw to Establish a Direct Control District**

Recommendation:

THAT based on the May 26, 2025 report from the Planning Consultant, *Bylaw 1053-25 – Bylaw to Establish a Direct Control District*, Council consider providing SECOND and THIRD READING to Bylaw 1053-25 as presented.

CAO Comments:

I support the recommendation.

Background:

May 21, 2025

Representatives from the N'DEH Limited Partnership & the Dene Tha' First Nation clarified at the Committee of the Whole meeting that the proposed housing development was not "Secondary Stage Recovery Housing" in the traditional sense. Instead the project is intended to be more generally supportive housing for indigenous individuals escaping gender based violence and other unsafe circumstances. They further clarified that the intent of the project was not to support individuals with addictions issues. Council requested that the Outline Plan be amended to reflect these clarifications ahead of the May 26, 2025 Council meeting.

Further Background

- 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 consultant, 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 supportive housing for vulnerable populations) on a single lot, and to retain private ownership of all buildings, underground services, and road/sidewalk infrastructure on the property.
- 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 MDP as has been included within subsection 1.3 of the proposed Moose Meadows Phase 1 Outline Plan.

Engagement Summary:

To meet the Town's statutory obligations as well as the requirements of Land Use Bylaw 1018-21, Administration carried out the following activities:

- Mail notices of the proposed rezoning application were sent to neighbours within 100 metres of the subject property.
- The rezoning application was advertised for two consecutive weeks in a local newspaper.
- A copy of the proposed bylaw was made available on the Town's website and advertised on the Town's Facebook page.

Engagement Findings:

- Administration received no public comments or inquiries related to the proposed Bylaw.

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.
d) Defeat the Bylaw as presented.

Council Options:

1. THAT Council provide SECOND and THIRD READING to Bylaw 1053-25 as presented.

2. THAT Council provide SECOND and THIRD READING to Bylaw 1053-25 as amended.

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

Attachments:

Attachment 1 – Bylaw 1053-25 (DRAFT)

Approvals:





CAO, Viv Thoss

Author: Logan Bartholow, Planning Consultant

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 28 day of April, 2025

MAYOR CHIEF ADMINISTRATIVE OFFICER

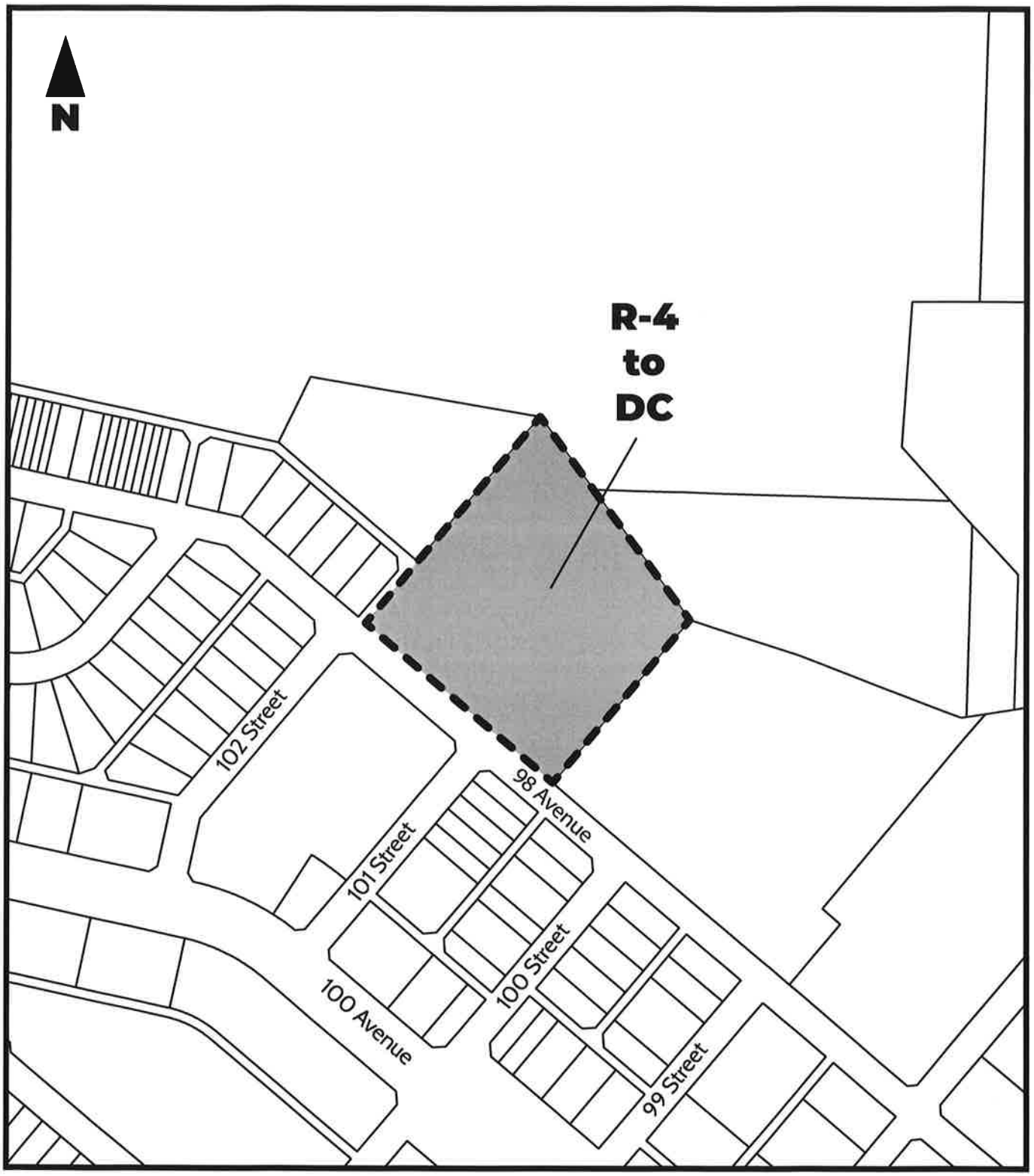
READ A SECOND TIME this _____ day of _____, 202_

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; b) DWELLING – SINGLE-FAMILY; and c) MANUFACTURED HOME – MODULAR.	a) BUILDING – MOVED IN; b) DWELLING – DUPLEX; c) ACCESSORY USES associated with a DWELLING – SINGLE-FAMILY: i. HOME OCCUPATION; and 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. 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

Integrated Expertise, Locally Delivered

April 2025

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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, TOH 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 TOH 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
Date Received April 24, 2025
Town File # LUBA01-25
MPS File # N/A

Version 2025.1

Land Use Bylaw Amendment Application

Rezoning Rationale & Checklist

TOWN OF HIGH LEVEL
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', there is a larger regional need for transitional housing units to supp vulnerable populations. During times of less than 100% occupancy, Dene Tha' may offer up 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

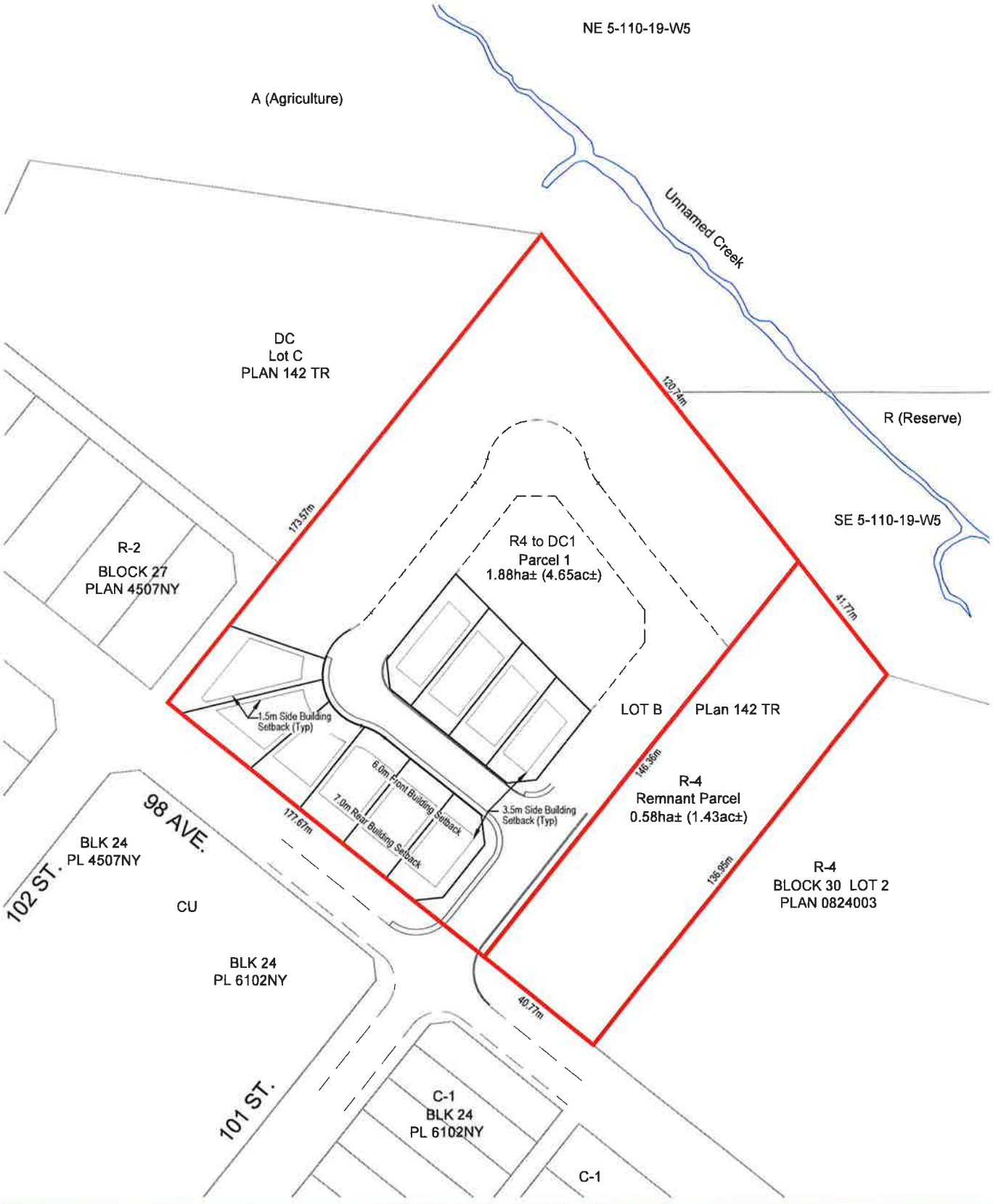
- ☑ Completed site plan with dimensions of the property and adjacent properties
- ☑ Site Orthophoto Showing Full Extent of Property
- ☑ Certificate of Title* (<30 days)

**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



Project Boundary

ISL

0 30 60 m
1:1500

Integrated Expertise, Locally Delivered

Land Use Redesignation

Site Plan

March 2025

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Project Boundary

ISL

0 30 60 m
1:1500

Integrated Expertise, Locally Delivered

N

Land Use Redesignation

Aerial Photo

March 2025

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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 RE : SEE CAVEAT CAVEATOR - THE TOWN OF HIGH LEVEL. BOX485 HIGH LEVEL ALBERTA T0H1Z0 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 RE : SEE CAVEAT CAVEATOR - THE TOWN OF HIGH LEVEL. BOX485 HIGH LEVEL ALBERTA T0H1Z0 AGENT - WILLIAM N GILBERT

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

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

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Town of High Level
Regular Council Meeting
Request for Decision

Meeting Date:	**May 26, 2025**
Prepared By:	**Logan Bartholow, Planning Consultant**
Subject:	**Making Housing Easier to Build – Land Use Bylaw Replace and Repeal**

Recommendation:

THAT based on the May 26, 2025 report from the Planning Consultant, *Making Housing Easier to Build – Land Use Bylaw Replace and Repeal*, Council consider providing SECOND and THIRD READING to Bylaw 1051-25 as presented.

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 2025

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

March 2025

- 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.

April 2025

- Council provides first reading to the proposed bylaw.

Housing Accelerator 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/reduce 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 proposed 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, 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 for easy reference.
- 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.

Project Engagement

- To meet the Town's statutory notification requirements as well as requirements in the Town's Land Use Bylaw, Administration completed the following engagement activities:
    - Hosted an information session for two days during the High Level Trade Show.
    - Mailed notices of the proposed changes to all residences in High Level
    - Advertised the changes in the local newspaper for two consecutive weeks.
    - Published the proposed bylaw on the Town's website and advertised the proposed bylaw on the Town's Facebook page.
    - Launched an online survey for those unable to attend the open house or public hearing.

Engagement Findings:

- An engagement summary report has been created (attachment 5). In summary, 29 people answered surveys at the information session with nearly all respondents stating they supported the proposed LUB changes and increasing flexibility for development regulations in some way.
- Following the creation of this summary report, two other individuals filled out the virtual survey, with one respondent generally supporting the proposed changes, and one respondent indicating they were neutral on the overall changes and specifically didn't support allowing different housing forms throughout the Town's residential areas.
- No other comments were received from the public by Administration.

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.
d) Defeat the Bylaw as presented.

Council Options:

1. THAT Council provide SECOND and THIRD READING to Bylaw 1051-25 as presented.

2. THAT Council provide SECOND and THIRD READING to Bylaw 1051-25 as amended.

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

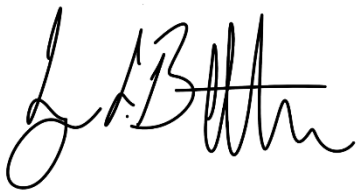
Attachments:

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
Attachment 5 – Engagement Summary Report

Approvals:



CAO, Viv Thoss



Author: Logan Bartholow, Planning Consultant

TOWN OF HIGH LEVEL

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 28 day of April, 2025

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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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.

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. 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.

6

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. • 1 stall per DWELLING UNIT for all other residential USES. • 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. • 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). • 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). • 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. • 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. • 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. • 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. 60 Degrees: 5.5m/18.0ft. 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. 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: a) SITE conditions do not permit rear PARKING; or 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;
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.

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 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; **b)** DWELLING – BACKYARD UNIT; **c)** DWELLING – DUPLEX; **d)** DWELLING – SECONDARY SUITE; **e)** DWELLING – SINGLE DETACHED; *On applicable LOT CORNERS (see 9.1.1):* **f)** DWELLING – MULTIPLE UNIT; and **g)** DWELLING – TOWNHOUSE.	**a)** ACCESSORY USES associated with a DWELLING - SINGLE DETACHED: **i)** BED AND BREAKFAST BUSINESS; and **ii)** FAMILY DAY HOME. **b)** ACCESSORY USES associated with any DWELLING UNIT type: **i)** HOME OCCUPATION. **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. DUPLEX/TOWNHOUSE with a PARTY WALL on 1 side: 312 m^2 TOWNHOUSE with a PARTY WALL on 2 sides: 208 m^2
LOT WIDTH (minimum)	Standard: 15m/49.2 ft. DUPLEX/TOWNHOUSE with a PARTY WALL on 1 side: 7m/23.0 ft. 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. 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. 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; **b)** DWELLING – BACKYARD UNIT; **c)** DWELLING – DUPLEX; **d)** DWELLING – MULTIPLE UNIT; and **e)** DWELLING – SECONDARY SUITE; **f)** DWELLING – SINGLE DETACHED; **g)** DWELLING – TOWNHOUSE; **h)** MANUFACTURED HOME – MODULAR.	**a)** ASSISTED LIVING FACILITY of up to 6 units; **b)** BUILDING – MOVED IN; **c)** DWELLING – MULTIPLE UNIT of up to 16 units; **d)** ACCESSORY USES associated with a DWELLING – SINGLE DETACHED: **i)** BED AND BREAKFAST BUSINESS; **ii)** BOARDING HOUSE; **iii)** FAMILY DAY HOME; **e)** ACCESSORY USES associated with a DWELLING UNIT of any type: **i)** HOME OCCUPATION. **f)** MANUFACTURED HOME – MOBILE; and **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 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. DUPLEX/TOWNHOUSE with a PARTY WALL on 1 side: 6m/23.0 ft. 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. 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. 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; **b)** ASSISTED LIVING FACILITY of up to 24 units; **c)** DWELLING – MULTIPLE UNIT; and **d)** DWELLING – TOWNHOUSE.	**a)** ASSISTED LIVING FACILITY of more than 24 units; **b)** BUILDING – MOVED IN; **c)** BUSINESS SUPPORT SERVICE; **d)** DAY CARE FACILITY; **e)** DRINKING ESTABLISHMENT; **f)** DWELLING – DUPLEX; **g)** FINANCIAL INSTITUTION; **h)** GENERAL SERVICE; **i)** MIXED-USE BUILDING; **j)** NON-PROFIT COMMUNITY SUPPORT SERVICE; **k)** PROFESSIONAL SERVICE; **l)** RECREATIONAL SERVICE – INDOOR; **m)** RESTAURANT; **n)** RETAIL – CONVENIENCE; **o)** RETAIL – GENERAL; **p)** RETAIL – SPECIALITY STORE; and **q)** ACCESSORY USES associated with a DWELLING UNIT: **i)** FAMILY DAY HOME; **ii)** HOME OCCUPATION; **iii)** HOME OFFICE; **iv)** DWELLING – SECONDARY SUITE; and **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)	900m^2/9,687.5 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 1.5m^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; **b)** DWELLING – DUPLEX; **c)** DWELLING – SINGLE DETACHED; **d)** DWELLING –TOWNHOUSE; **e)** MANUFACTURED HOME – MOBILE; and **f)** MANUFACTURED HOME – MODULAR.	**a)** BUILDING – MOVED IN; ACCESSORY USES associated with a DWELLING UNIT: **i)** BED AND BREAKFAST BUSINESS; **ii)** BOARDING HOUSE; **iii)** FAMILY DAY HOME; **iv)** HOME OCCUPATION; **v)** HOME OFFICE; **g)** DWELLING – SECONDARY SUITE; and **c)** DWELLING – BACKYARD UNIT **d)** MANUFACTURED HOME – COMMUNITY; and **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 DUPLEX/TOWNHOUSE with a PARTY WALL on 1 side: 132m^2/1,421sq.ft. TOWNHOUSE with a PARTY WALL on 2 sides: 88m^2/947sq.ft.
LOT WIDTH (minimum)	Standard: 8m/49.2 ft. DUPLEX/TOWNHOUSE with a PARTY WALL on 1 side: 6m/23.0 ft. 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.

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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; **b)** BUSINESS SUPPORT SERVICE; **c)** CATERING SERVICE; **d)** DAY CARE FACILITY; **e)** DRINKING ESTABLISHMENT; **f)** Farmers market; **g)** FINANCIAL INSTITUTION; **h)** GENERAL SERVICE; **i)** GOVERNMENT SERVICE; **j)** HEALTH SERVICE; **k)** HOUSEHOLD REPAIR SERVICE; **l)** MIXED-USE BUILDING; **m)** Movie and/or video game rental and sales; **n)** NON-PROFIT COMMUNITY SUPPORT SERVICE;	**a)** ACCESSORY BUILDING OR STRUCTURE; **b)** ACCESSORY USES associated with a DWELLING UNIT: **vi)** BED AND BREAKFAST BUSINESS; **vii)** BOARDING HOUSE; **viii)** FAMILY DAY HOME; **ix)** HOME OCCUPATION; and **x)** HOME OFFICE. **c)** AMUSEMENT ARCADE; **d)** ASSISTED LIVING FACILITY; **e)** AUTOMOTIVE SERVICE; **f)** BUILDING – MOVED IN; **g)** BREWERY, WINE, DISTILLERY; **h)** CAR WASH; **i)** COMMUNITY HALL;

o) Park; **p)** PARKING LOT; **q)** PAWNBROKER; **r)** PROFESSIONAL SERVICE; **s)** RESTAURANT; **t)** RETAIL – CONVENIENCE; **u)** RETAIL – GENERAL; **v)** RETAIL – SPECIALTY STORE; **w)** SCHOOL – COMMERCIAL; and **x)** THEATRE.	**j)** DRIVE-THROUGH BUSINESS; **k)** DRIVE-THROUGH RESTAURANT; **l)** DWELLING – MULTIPLE UNIT; **m)** FUNERAL HOME; **n)** HOTEL; **o)** PET SERVICE; **p)** PLACE OF WORSHIP; **q)** PUBLIC USE; **r)** RECREATIONAL SERVICE – INDOOR; **s)** RETAIL – ADULT; **t)** RETAIL – CANNABIS; **u)** RETAIL – LIQUOR; **v)** SHOPPING CENTRE; and **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 0.5m^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; **b)** AUTOMOTIVE SALES AND RENTAL; **c)** AUTOMOTIVE SERVICE; **d)** CAR WASH; **e)** CONSTRUCTION SERVICE; **f)** DRINKING ESTABLISHMENT; **g)** DRIVE-THROUGH BUSINESS; **h)** DRIVE-THROUGH RESTAURANT; **i)** EQUIPMENT RENTAL FACILITY; **j)** FUNERAL HOME; **k)** FUEL STATION; **l)** HOTEL; **m)** RECREATIONAL SERVICE – INDOOR; **n)** RESTAURANT; **o)** RETAIL – CONVENIENCE as part of a FUEL STATION; **p)** RETAIL – GENERAL; and **q)** THEATRE.	**a)** ADULT ENTERTAINMENT FACILITY; **b)** AMUSEMENT ARCADE **c)** BUILDING – MOVED IN; **d)** BUSINESS SUPPORT SERVICE; **e)** DAY CARE FACILITY; **f)** DWELLING – MULTIPLE UNIT; **g)** DWELLING – TOWNHOUSE; **h)** GENERAL SERVICE; **i)** GOVERNMENT SERVICE; **j)** HEALTH SERVICE; **k)** LUMBER YARD; **l)** MANUFACTURED HOME – MOBILE SALES; **m)** NON-PROFIT COMMUNITY SUPPORT SERVICE; **n)** PAWNBROKER; **o)** PET SERVICE; **p)** PLACE OF WORSHIP – STOREFRONT CHURCH; **q)** PROFESSIONAL SERVICE; **r)** PUBLIC USE; **s)** RECREATIONAL VEHICLE SALES AND SERVICE; **t)** RETAIL – ADULT; **u)** RETAIL – LIQUOR; **v)** SCHOOL – COMMERCIAL; **w)** SHOPPING CENTRE; **x)** VETERINARY CLINIC; **y)** WAREHOUSE STORE; **z)** ASSISTED LIVING FACILITY; and **aa)** MIXED-USE BUILDING; and **bb)** ACCESSORY USES associated with a DWELLING UNIT: a. BED AND BREAKFAST BUSINESS; b. BOARDING HOUSE; c. FAMILY DAY HOME; d. HOME OCCUPATION; and 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.

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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; AUCTION FACILITY; AUTOMOTIVE SALES AND RENTALS; AUTOMOTIVE SERVICE; BUSINESS SUPPORT SERVICE; CAR WASH; COMMERCIAL SCHOOL or COLLEGE; CONSTRUCTION SERVICE; EQUIPMENT RENTAL FACILITY; FARM IMPLEMENT SALES AND SERVICES; FLEET SERVICE; Grain storage facility; HOUSEHOLD REPAIR SERVICE; INDUSTRIAL OPERATION; LUMBER YARD; Manufacturing; MINI-STORAGE; OIL FIELD SERVICE;	ABATTOIR; AGRICULTURE; BUILDING – MOVED IN; BULK OIL, FUEL AND CHEMICAL STORAGE; COMMUNITY HALL; CANNABIS PRODUCTION AND DISTRIBUTION; GOVERNMENT SERVICE; HELICOPTER LANDING PAD; LOGGING SERVICE; MANUFACTURED HOME – MOBILE SALES; PAWNBROKER; PET SERVICE; RECREATIONAL SERVICE – INDOOR; RECYCLING DEPOT; RELOCATABLE INDUSTRIAL ACCOMMODATION;

OUTDOOR STORAGE; PROPANE FACILITY; PUBLIC USE; RECREATIONAL VEHICLES SALES AND SERVICE; RECYCLING DEPOT; TAXI SERVICE; TRANSMITTING STATION; VETERINARY CLINIC; and WAREHOUSE.	SALVAGE YARD; and 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 0.5m^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

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; **b)** ASSISTED LIVING FACILITY; **c)** COLLEGE; **d)** COMMUNITY HALL; **e)** DAY CARE FACILITY; **f)** EMERGENCY SERVICES FACILITY; **g)** EXHIBITION GROUNDS; **h)** GOVERNMENT SERVICE; **i)** HEALTH SERVICE; **j)** HOSPITAL; **k)** NON-PROFIT COMMUNITY SUPPORT SERVICE; **l)** PLACE OF WORSHIP; **m)** PUBLIC EDUCATION SERVICE; **n)** PUBLIC USE; and **o)** TEMPORARY shelter services.	**a)** BUILDING – MOVED IN; **b)** CEMETERY; **c)** HELICOPTER LANDING PAD; **d)** Park; **e)** RECREATIONAL SERVICE – INDOOR; and **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 **b)** Playground.	**a)** ACCESSORY BUILDING OR STRUCTURE; **b)** BUILDING – MOVED IN **c)** CAMPGROUND; **d)** CEMETERY; **e)** EXHIBITION GROUNDS; **f)** PUBLIC USE; **g)** RECREATIONAL SERVICE – INDOOR; and, **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 **b)** AGRICULTURE.	**a)** BUILDING – MOVED IN; **b)** DWELLING – SINGLE DETACHED; **c)** HOME OCCUPATION; **d)** MANUFACTURED HOME – MODULAR; and **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 **b)** HANGERS AND TERMINAL FACILITIES **c)** HELICOPTER LANDING PAD	**a)** AGRICULTURE **b)** ALTERNATIVE ENERGY TECHNOLOGY AUTOMOTIVE SALES & RENTALS **c)** BULK OIL, FUEL AND CHEMICAL STORAGE **d)** GOVERNMENT SERVICES **e)** PUBLIC USE **f)** RECREATIONAL VEHICLE SALES AND SERVICES **g)** SHIPPING CONTAINER **h)** RESTAURANT **i)** RETAIL – CONVENIENCE **j)** RETAIL – GENERAL **k)** TOURIST INFORMATION FACILITY **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 **b)** EMERGENCY SERVICES FACILITY **c)** GOVERNMENT SERVICES **d)** OUTDOOR STORAGE **e)** TRANSMITTION STATION **f)** WAREHOUSE	**a)** AGRICULTURE **b)** ALTERNATIVE ENERGY TECHNOLOGY **c)** BULK OIL, FUEL, AND CHEMICAL STORAGE **d)** CAMPGROUND **e)** INDUSTRIAL OPERATION **f)** PUBLIC USE **g)** LOGGING SERVICE **h)** LUMBER YARDS **i)** NON-PROFIT COMMUNITY SUPPORT SERVICES **j)** RECREATIONAL SERVICE - OUTDOOR **k)** RELOCATABLE INDUSTRIAL ACCOMODATION **l)** SHIPPING CONTAINER **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.

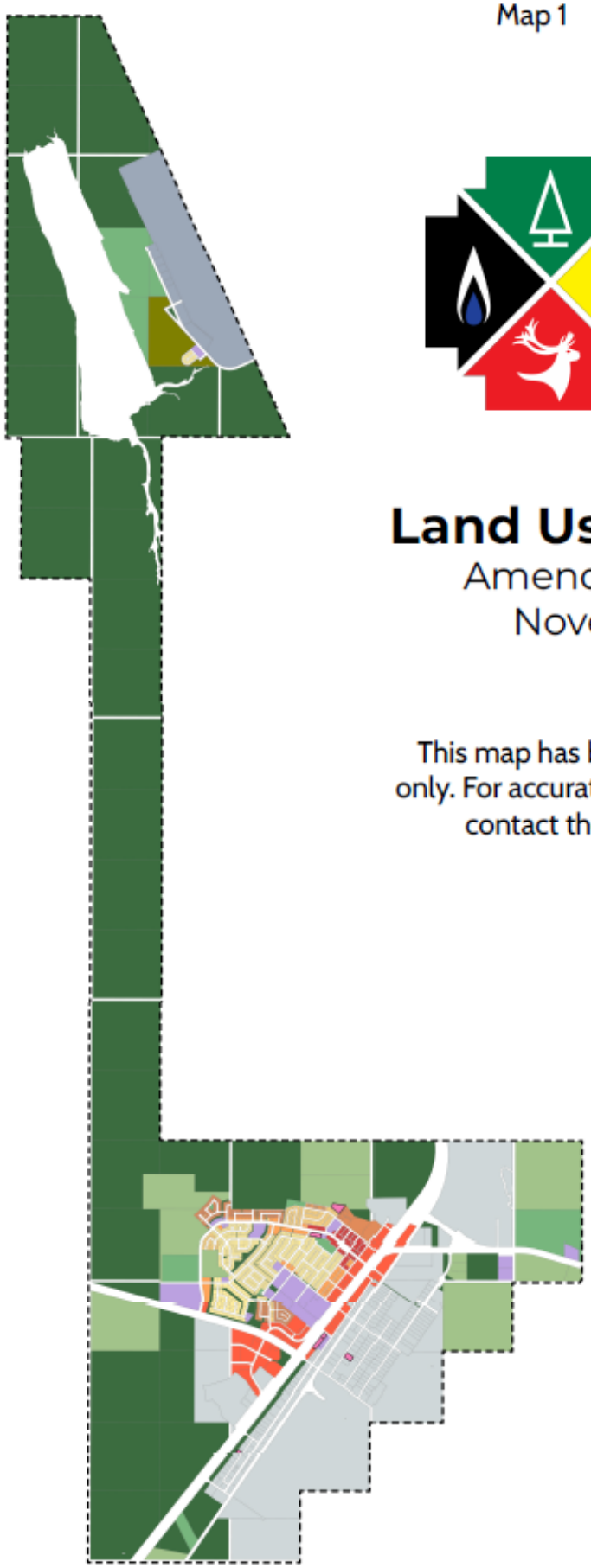
12.7.15 SIGNS – SANDWICH are permitted provided that the SIGN shall:

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

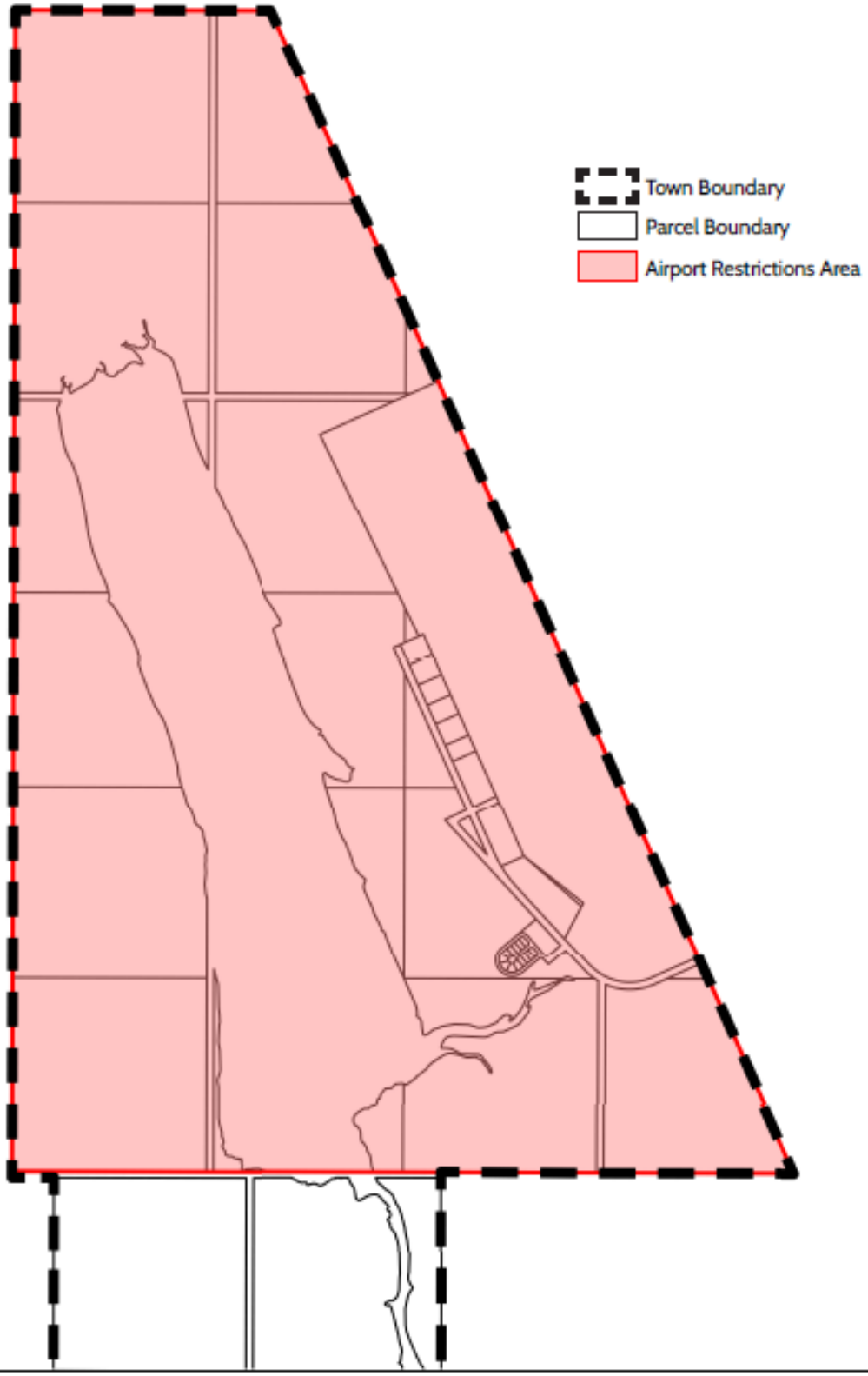
Amendments current to
November 22, 2024

This map has been provided for convenience only. For accurate zoning of individual properties contact the Planning & Development department.

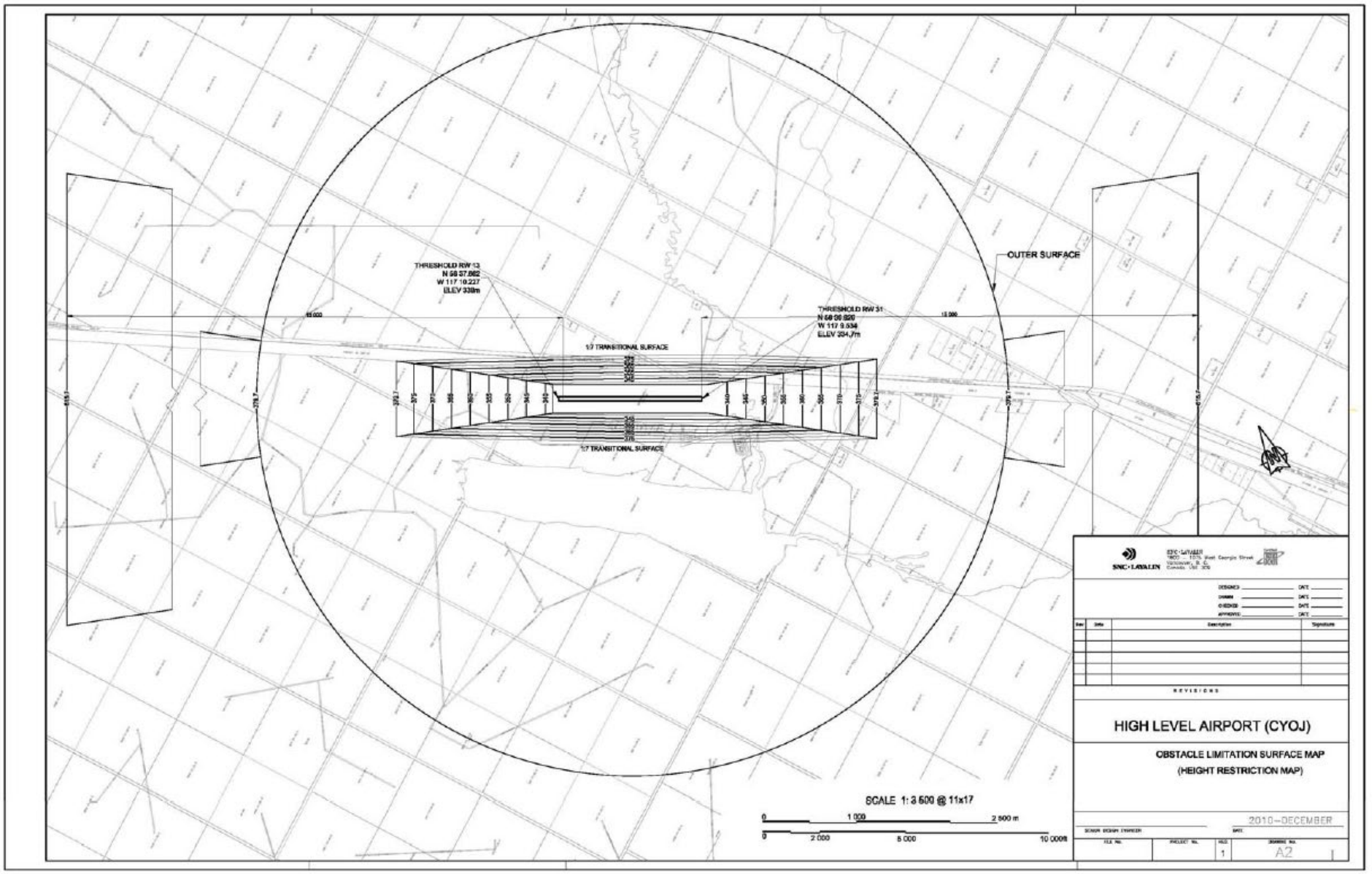
- Town Boundary
- R-1 Low Density Residential
- R-2 Medium Density Residential
- R-3 High Density Residential
- R-4 Manufactured Home
- C-1 Downtown Commercial
- C-3 Highway Commercial
- IND Industrial
- AP Airport
- A Agriculture
- P Parks
- FS Forestry Services
- R Reserve
- CU Community Use
- DC Direct Control

Map 2

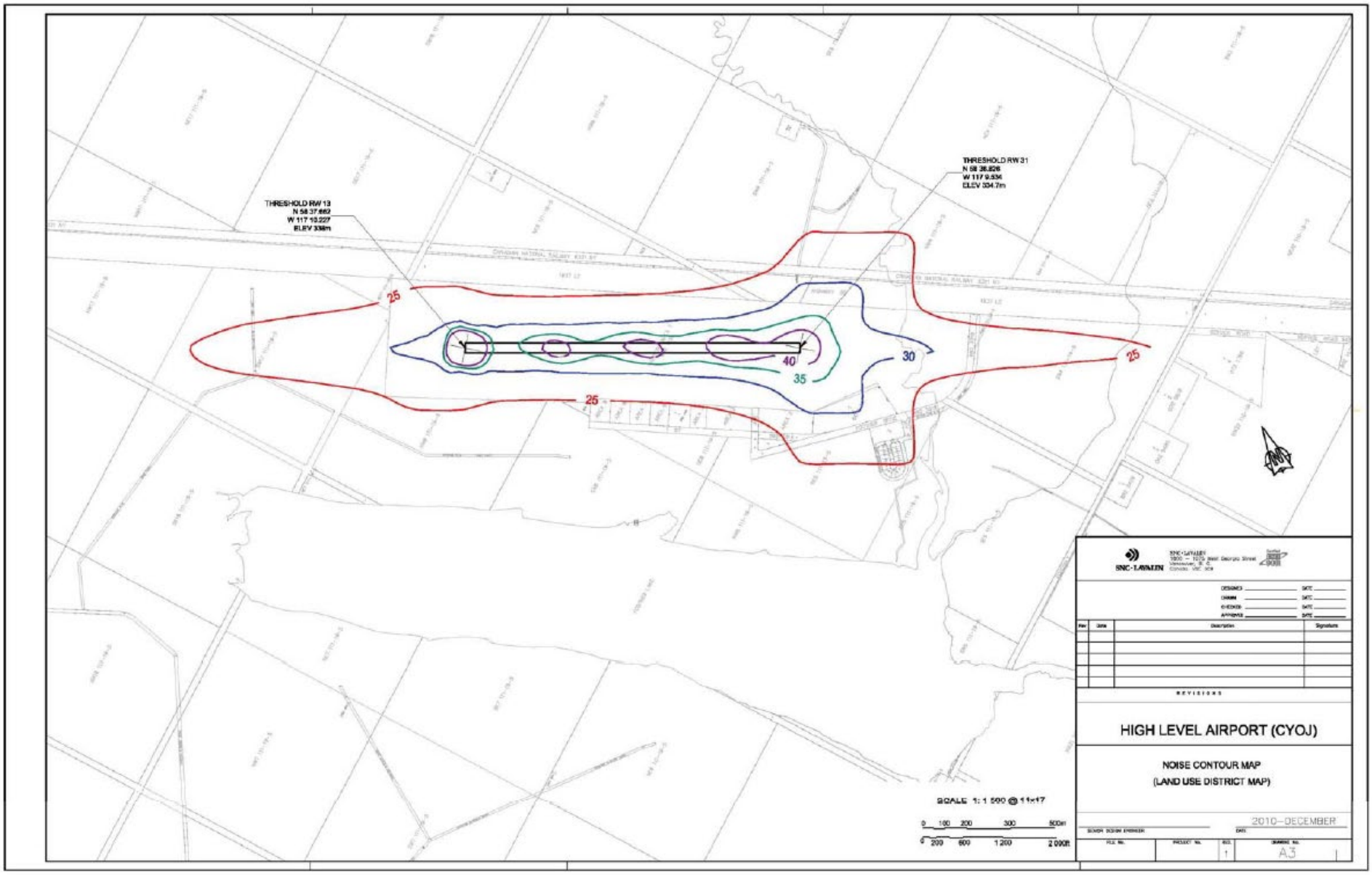
Airport Restrictions Area



Map 3


THRESHOLD RW 13
N 58 37.062
W 117 10.227
ELEV 338m
THRESHOLD RW 31
N 58 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
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.

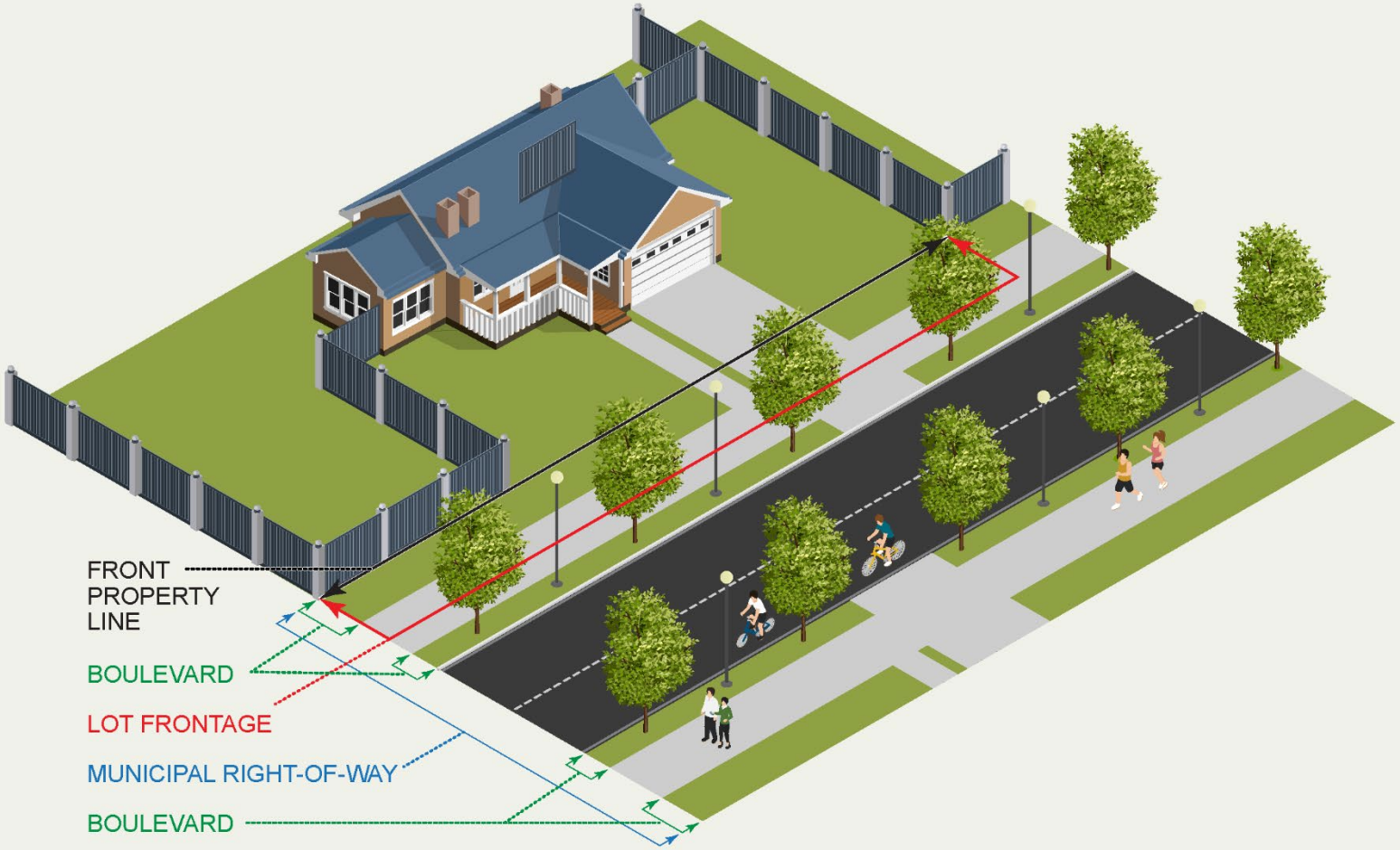


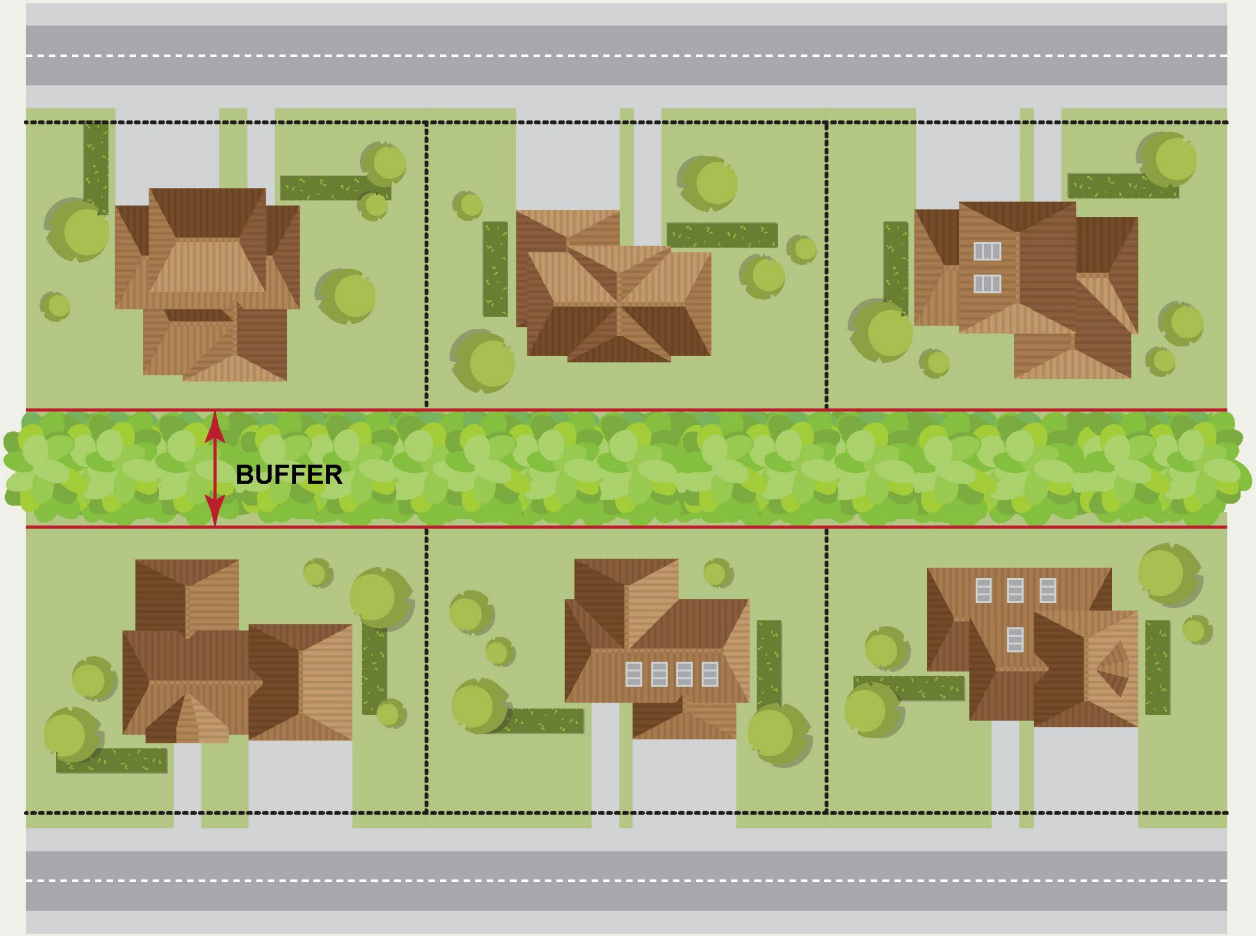




FIGURE 3

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.





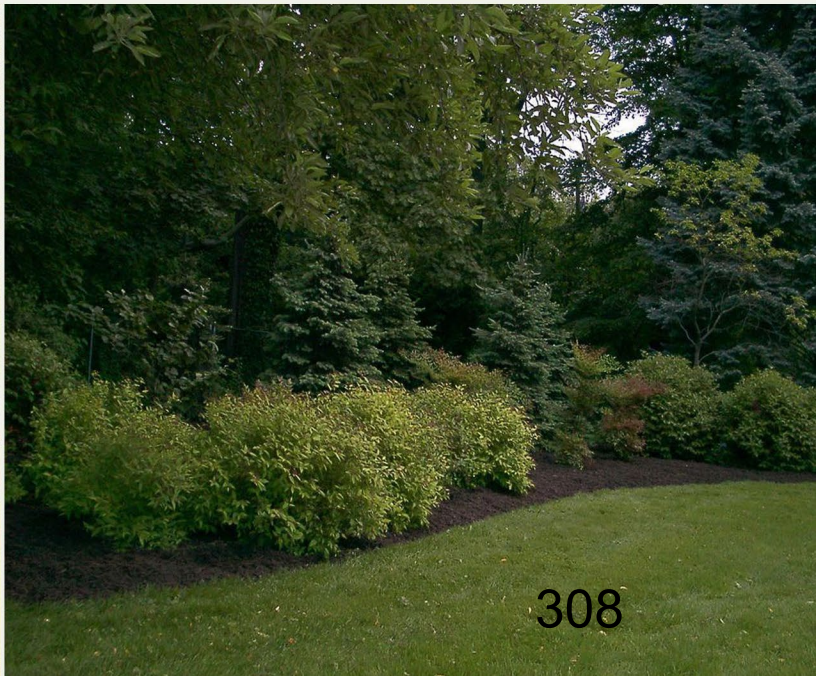


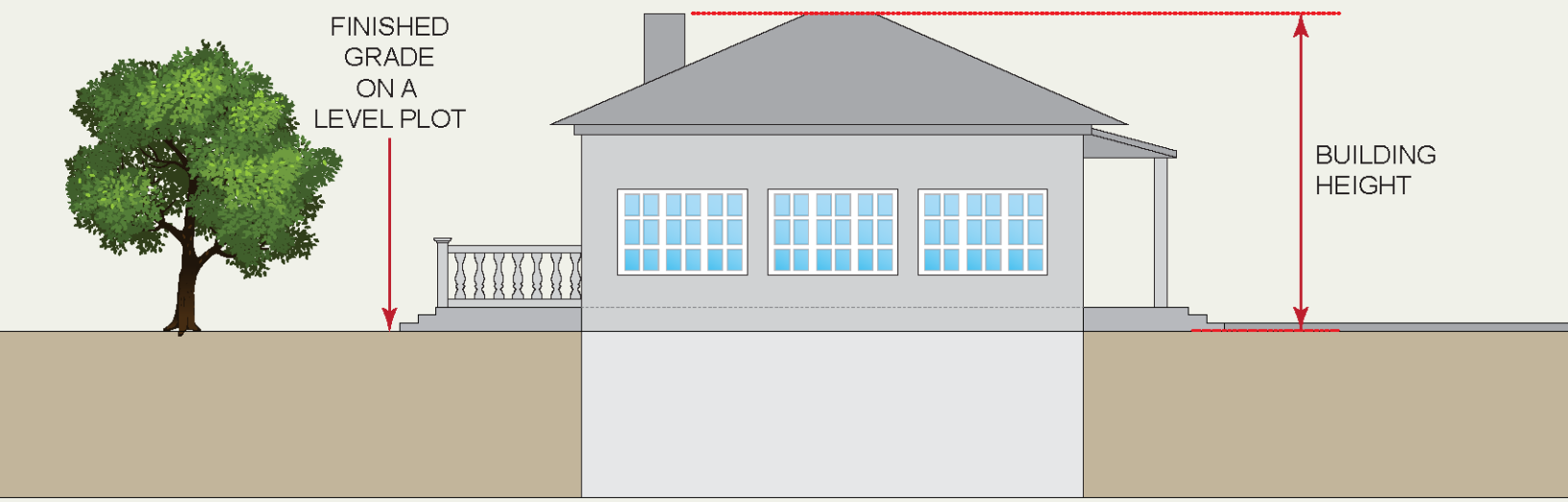
FIGURE 4

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.



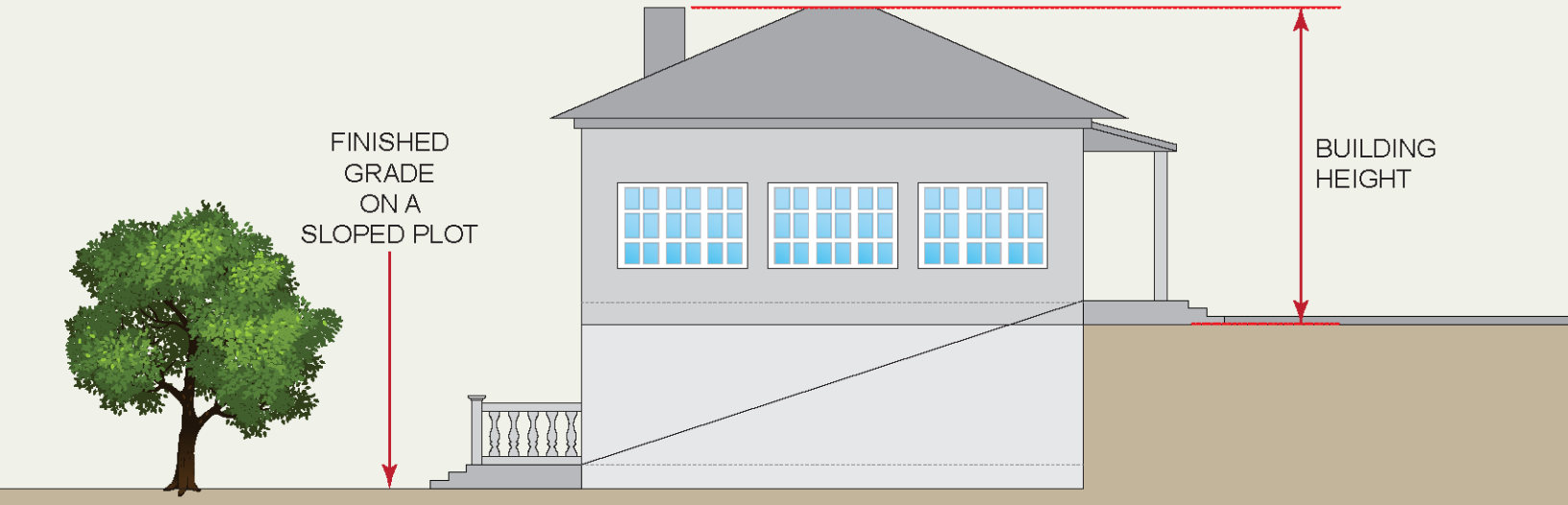


FIGURE 5

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.

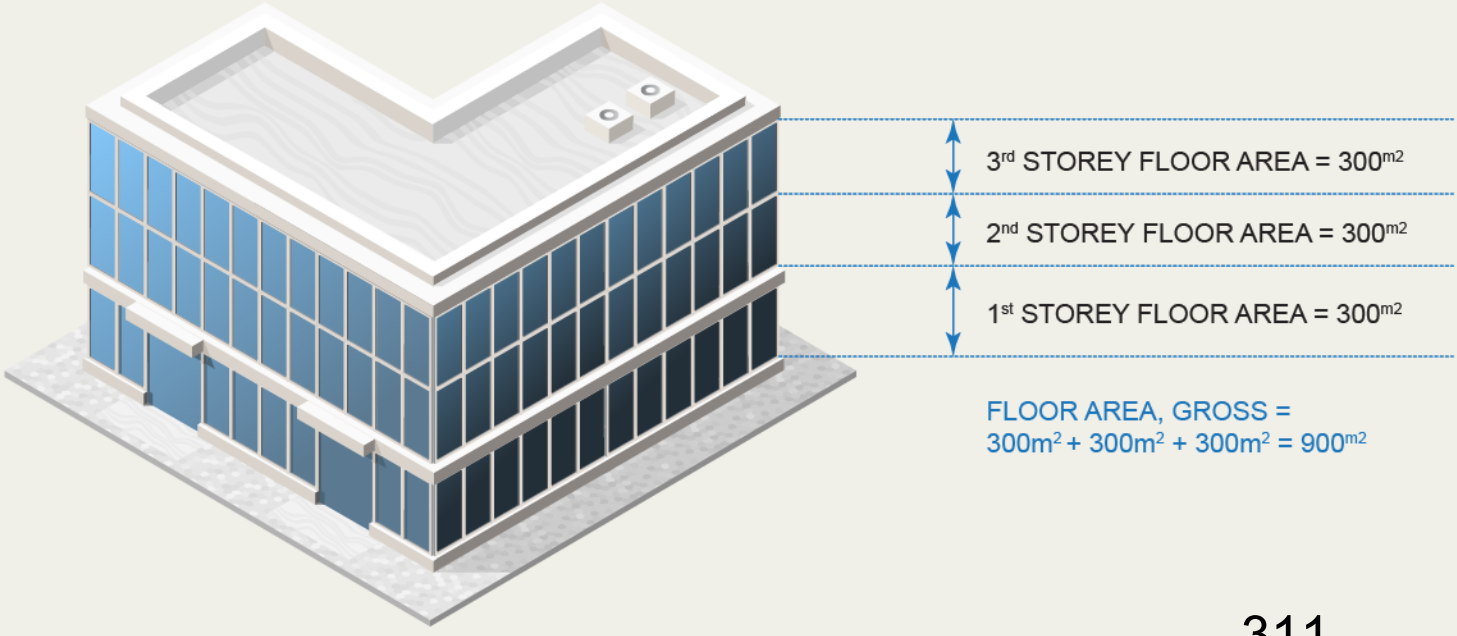


FIGURE 7

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.

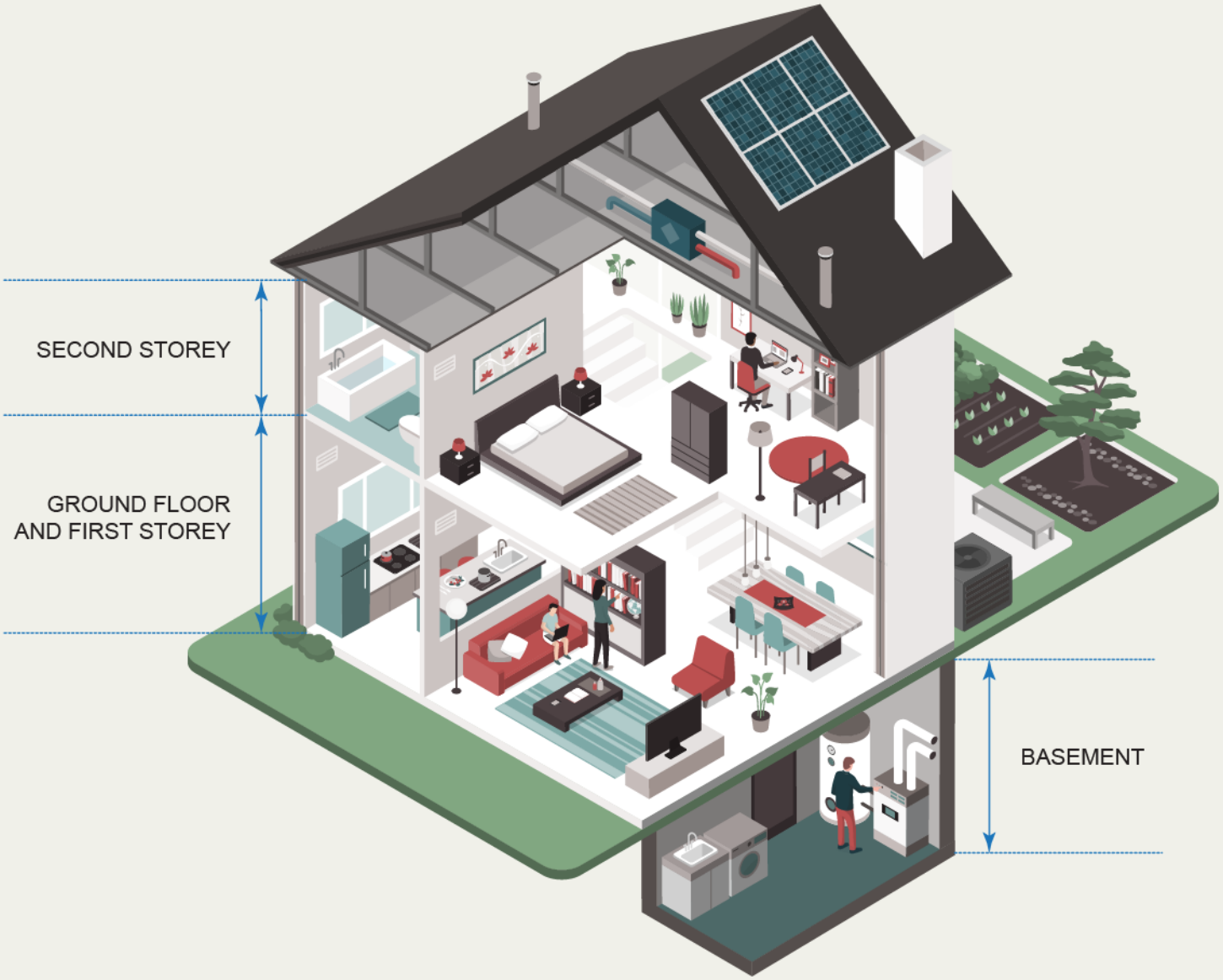


FIGURE 8

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.

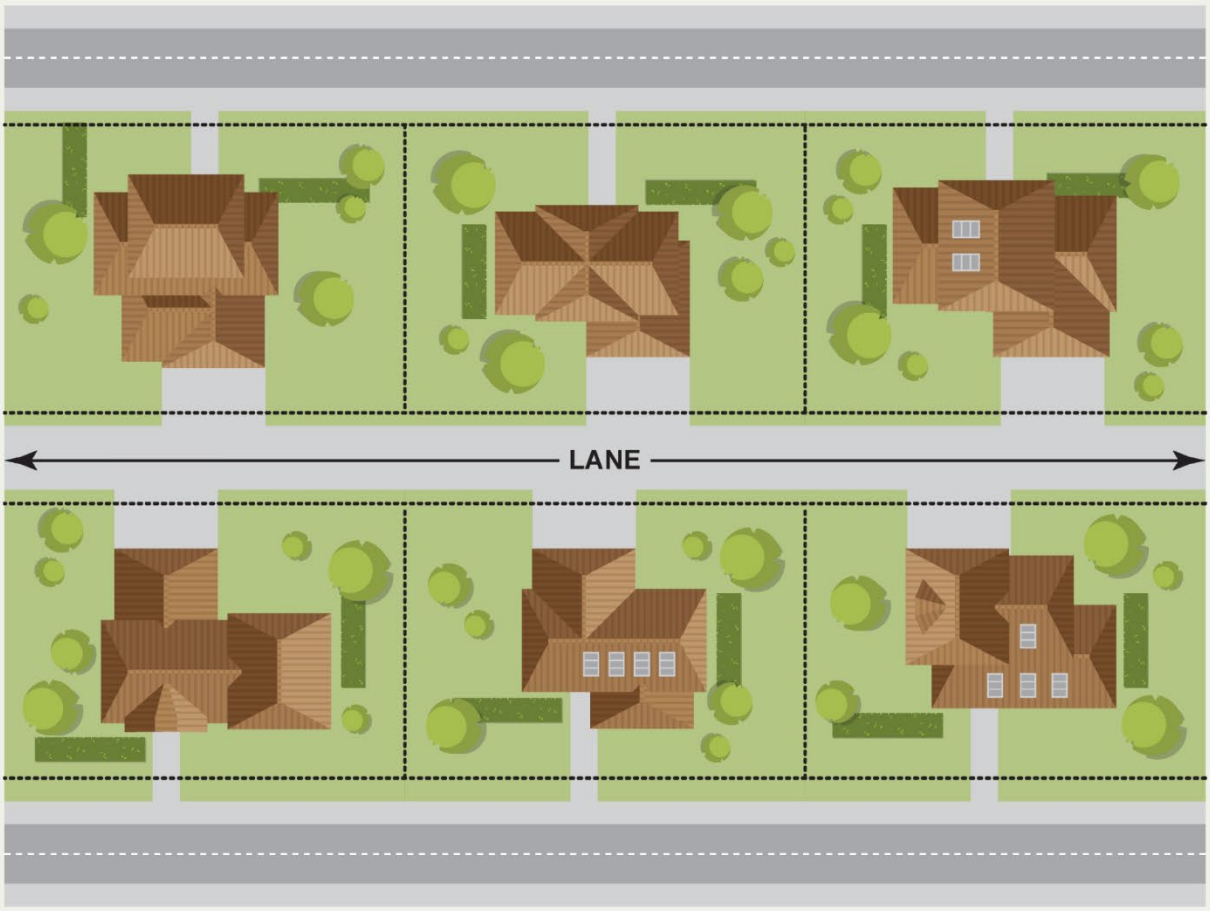






FIGURE 10

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.

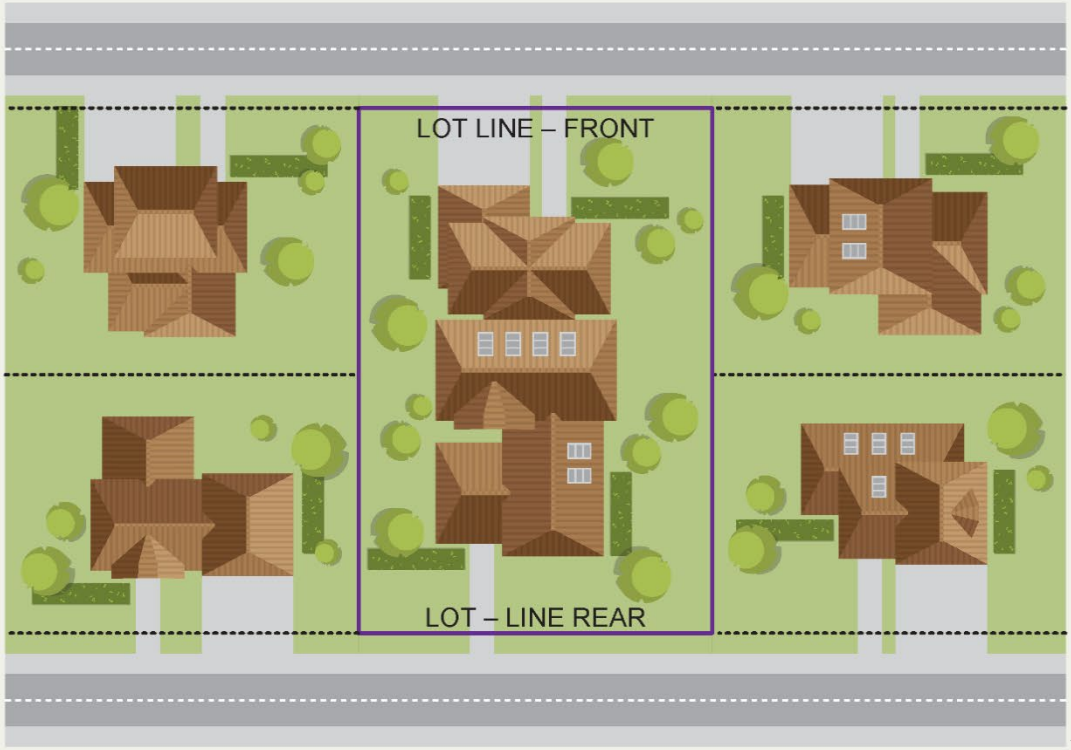


FIGURE 11

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.

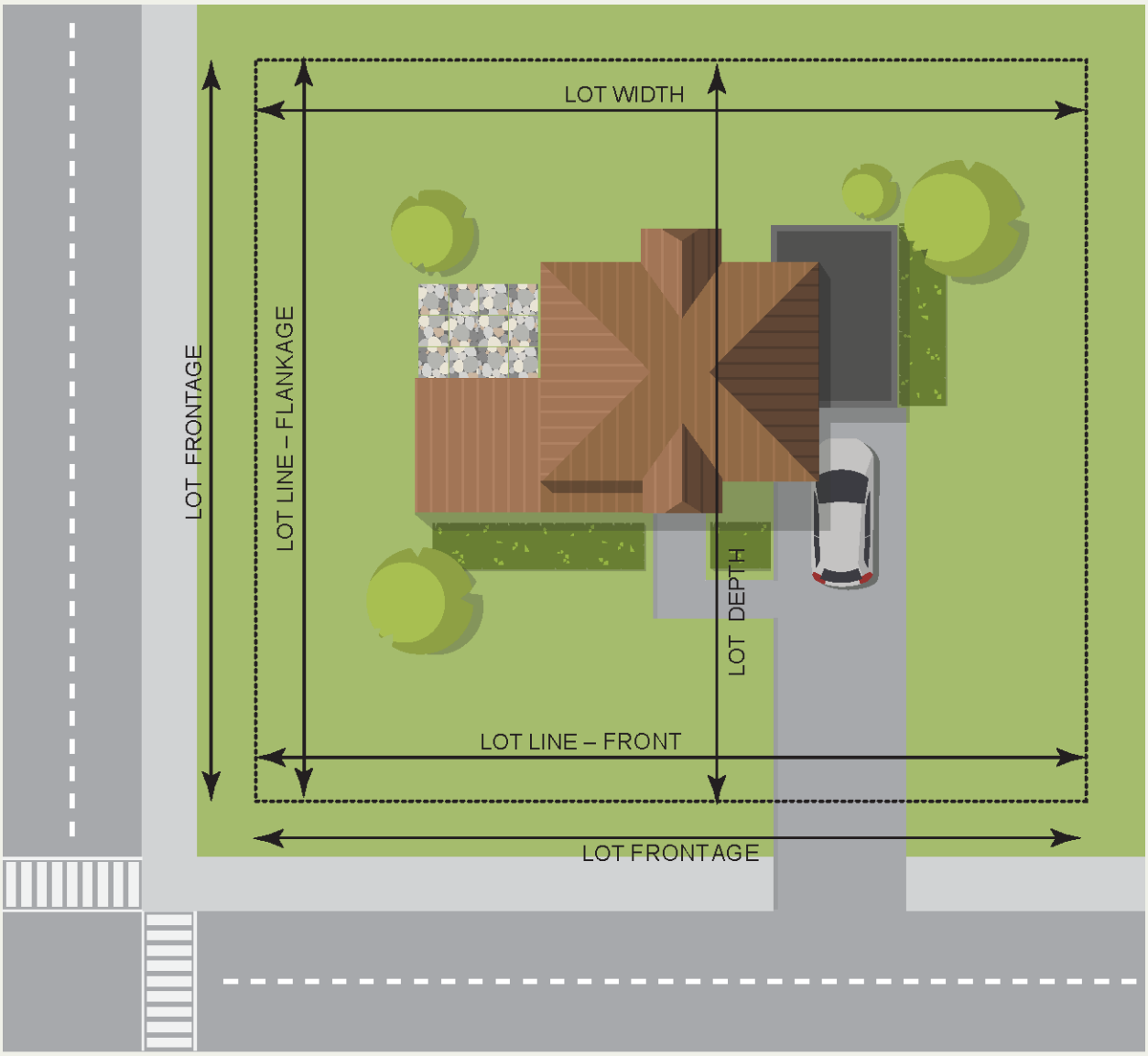


FIGURE 12

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.

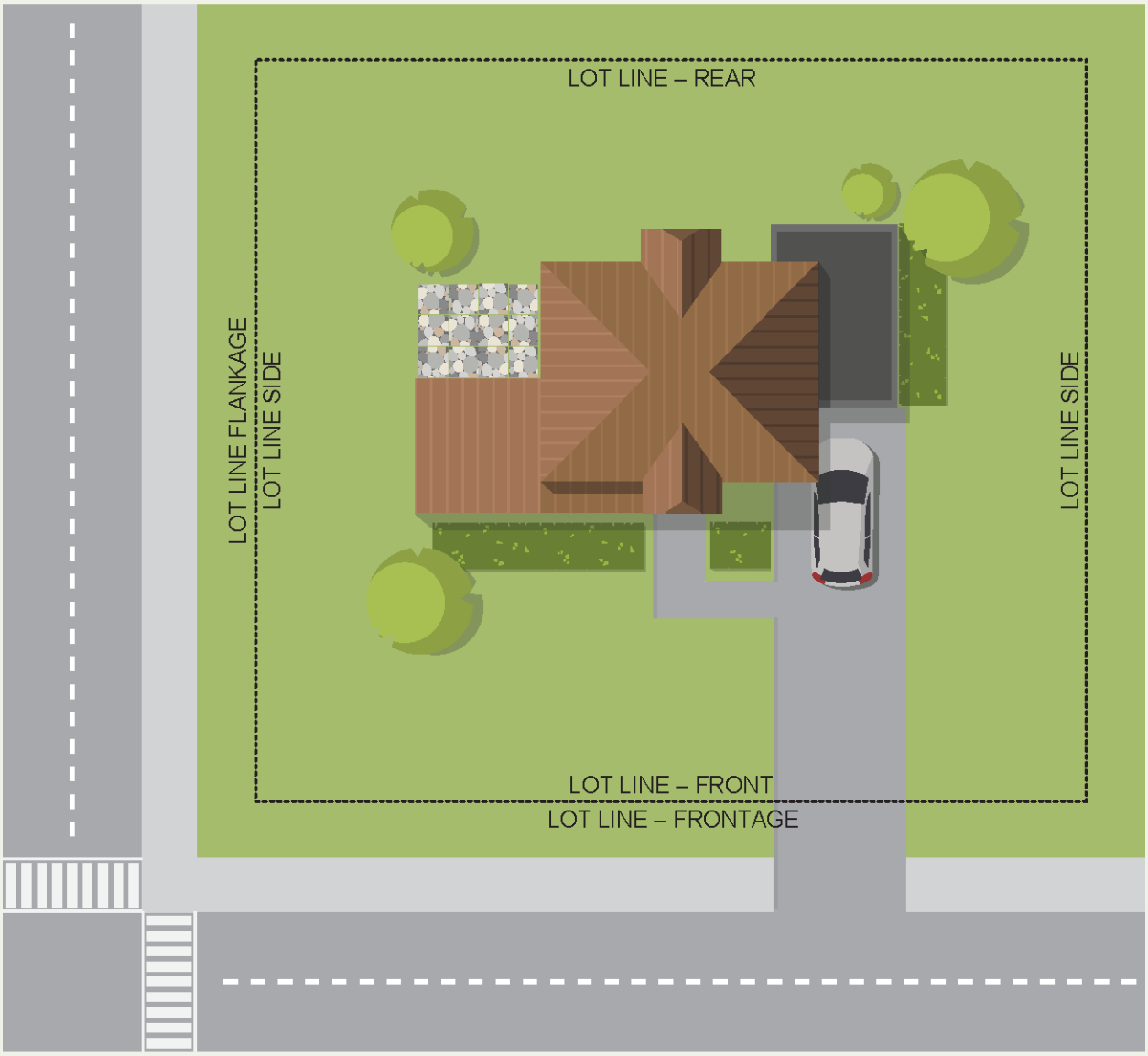


FIGURE 13

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.

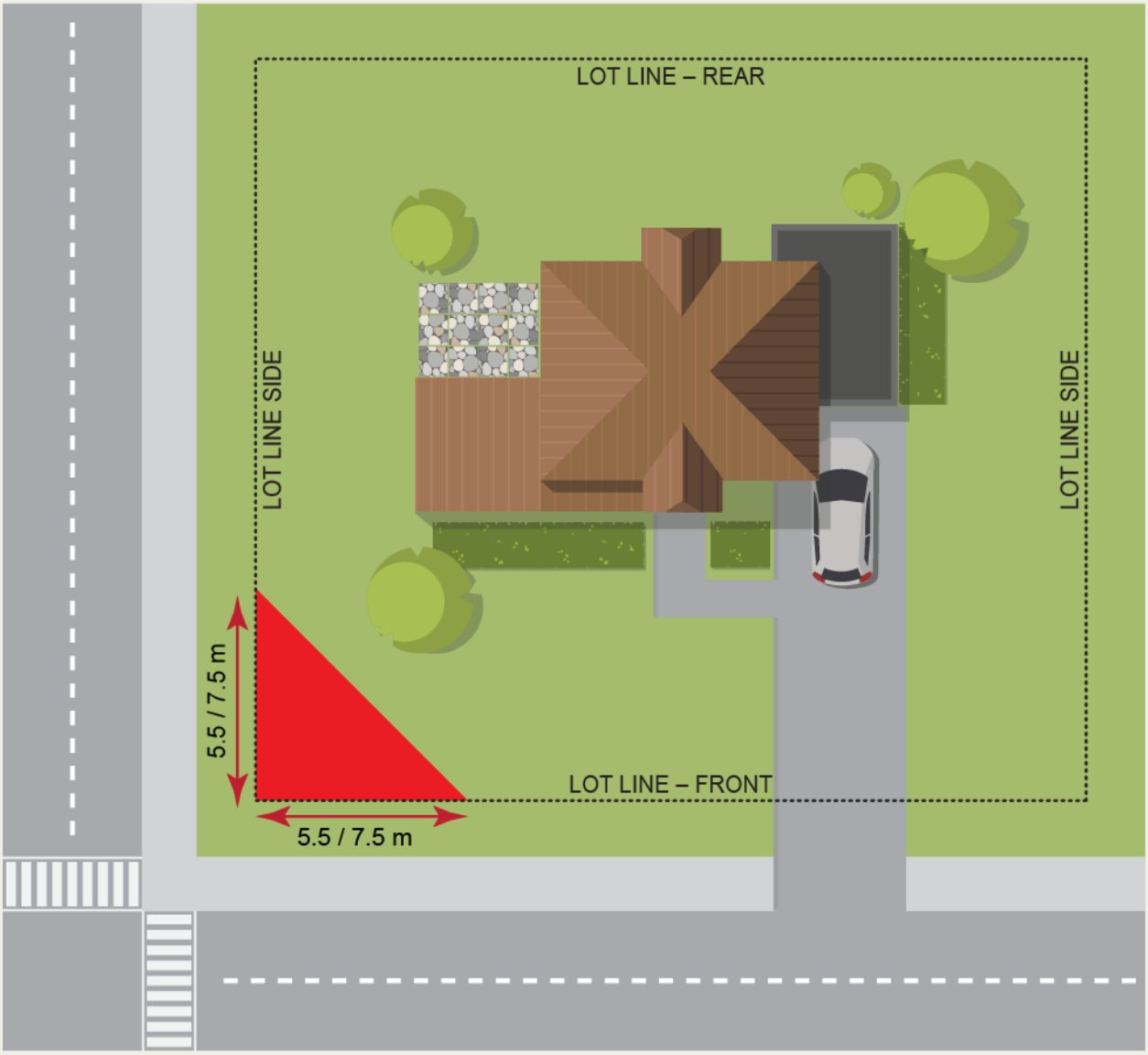


FIGURE 18

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



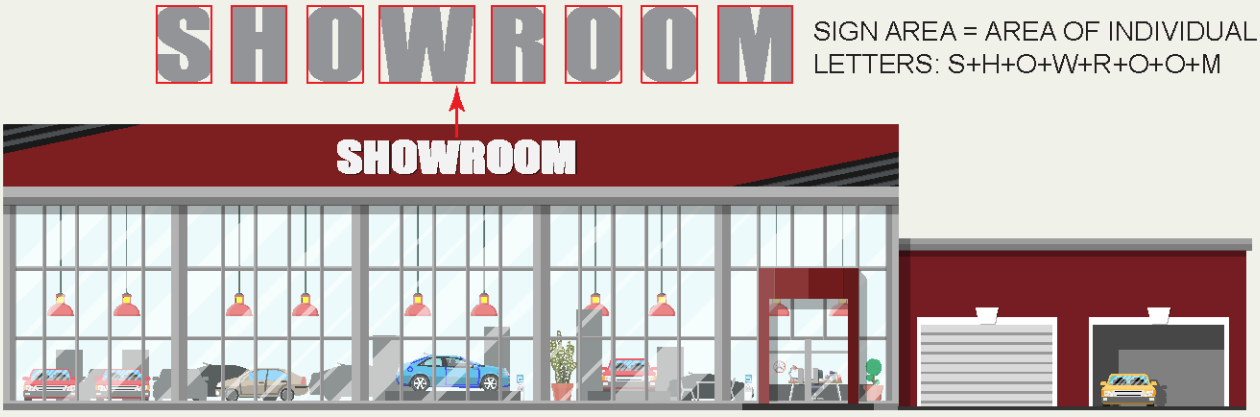
SIGN – SANDWICH

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.





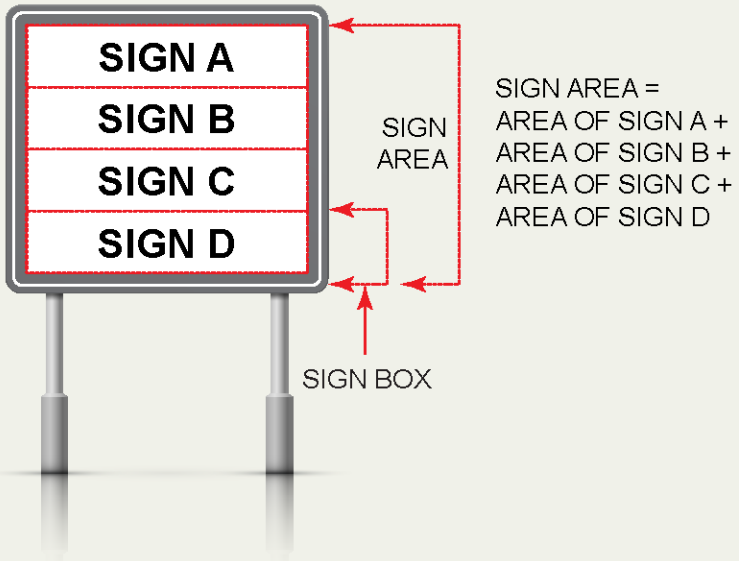


FIGURE 20

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.



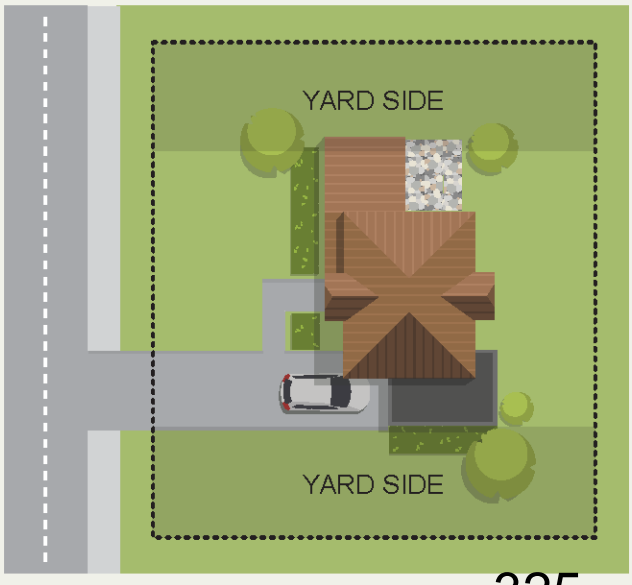


FIGURE 21

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

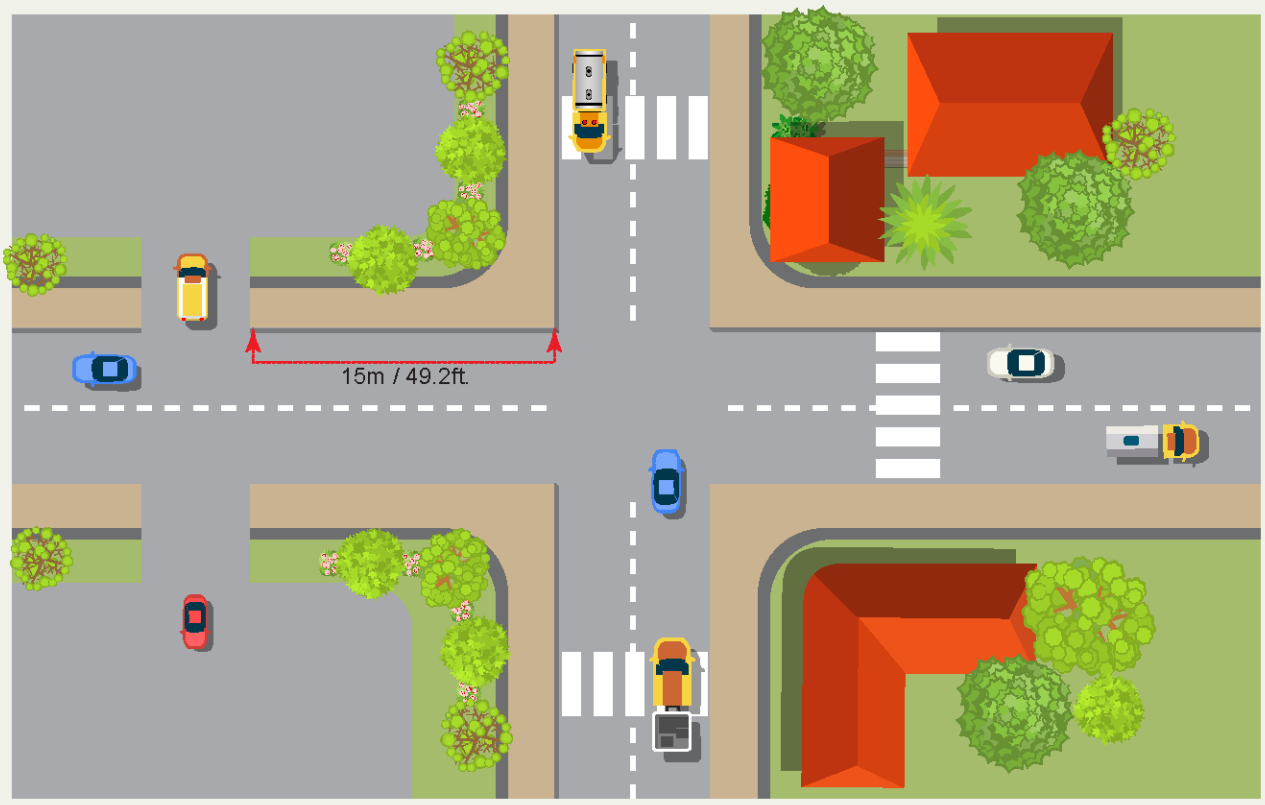




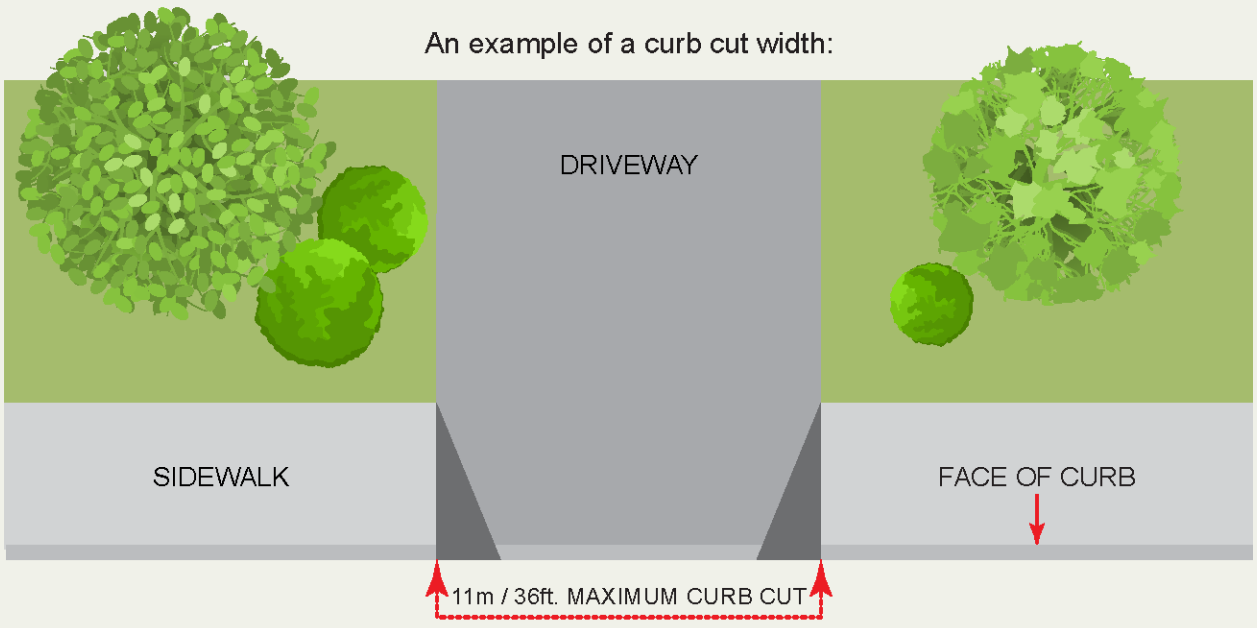
FIGURE 26

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 Amending provisions for Home Occupations Simplifying Variances in all Land Use Districts Amending some IND accessory and discretionary uses Adding minimum parking provisions for General Service Adding Manufactured Home – Tiny Home and provisions Adding Commercial uses within R-3 Land Use Districts	May 8th 2023
1048-24	Addition definition to more accurately describe airport uses Classifying Footner Lake as an environmentally sensitive area Establishing an Airport Restriction Area Introducing AP – Airport and FS Forestry Services as new Land Use Districts Applying land use designations to annexed lands in 2024. 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 Rezone Plan 5447 LZ; Lot OT from P and IND 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. 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. 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.

8.0 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.

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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 **b)** DWELLING – SINGLE FAMILY.	**a)** DWELLING – DUPLEX; **b)** ACCESSORY USES associated with a DWELLING – SINGLE FAMILY: **i)** BED AND BREAKFAST BUSINESS; **ii)** FAMILY DAY HOME; **iii)** HOME OCCUPATION; **iv)** MANUFACTIRED HOME – TINY HOME; **v)** SECONDARY SUITE; and **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 1,000m^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 1.5m^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.

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

9.1.11 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 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; **b)** DWELLING – SINGLE-FAMILY; **c)** DWELLING – DUPLEX; **d)** DWELLING – TOWNHOUSE of up to 6 units; and **e)** MANUFACTURED HOME – MODULAR.	**a)** ASSISTED LIVING FACILITY of up to 6 units; **b)** BUILDING – MOVED IN; **c)** DWELLING – MULTIPLE UNIT of up to 6 units; **d)** ACCESSORY USES associated with a DWELLING – SINGLE-FAMILY: **i)** BED AND BREAKFAST BUSINESS; **ii)** BOARDING HOUSE; **iii)** FAMILY DAY HOME; **iv)** HOME OCCUPATION; **v)** SECONDARY SUITE; and **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; **b)** ASSISTED LIVING FACILITY of up to 24 units; **c)** DWELLING – APARTMENT of up to 24 units; **d)** DWELLING – DUPLEX; **e)** DWELLING – MULTIPLE UNIT more than 6 units; and **f)** DWELLING – TOWNHOUSE.	**a)** ASSISTED LIVING FACILITY of more than 24 units; **b)** BUILDING – MOVED IN; **c)** BUSINESS SUPPORT SERVICE; **d)** DAY CARE FACILITY; **e)** DRINKING ESTABLISHMENT; **f)** DWELLING – APARTMENT of more than 24 units; **g)** FINANCIAL INSTITUTION; **h)** GENERAL SERVICE; **i)** NON-PROFIT COMMUNITY SUPPORT SERVICE; **j)** PROFESSIONAL SERVICE; **k)** RECREATIONAL SERVICE – INDOOR; **l)** RESTAURANT; **m)** RETAIL – CONVENIENCE; **n)** RETAIL – GENERAL; **o)** RETAIL – SPECIALITY STORE; and **p)** ACCESSORY USES associated with a DWELLING UNIT: **i)** FAMILY DAY HOME; **ii)** HOME OCCUPATION; **iii)** HOME OFFICE; and **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; DWELLING – DUPLEX; DWELLING – SINGLE FAMILY; DWELLING –TOWNHOUSE; MANUFACTURED HOME – MOBILE; and MANUFACTURED HOME – MODULAR.	**a)** BUILDING – MOVED IN; ACCESSORY USES associated with a DWELLING UNIT: **i)** BED AND BREAKFAST BUSINESS; **ii)** BOARDING HOUSE; **iii)** FAMILY DAY HOME; **iv)** HOME OCCUPATION; **v)** HOME OFFICE; **vi)** SECONDARY SUITE; **c)** MANUFACTURED HOME – COMMUNITY; and **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)	352m^2/3,788sq.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)	75m^2/807.29sq.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.

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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; BUSINESS SUPPORT SERVICE; CATERING SERVICE; DAY CARE FACILITY; DRINKING ESTABLISHMENT; DWELLING – MULTIPLE UNIT above a GROUND FLOOR; Farmers market; FINANCIAL INSTITUTION; GENERAL SERVICE; GOVERNMENT SERVICE; HEALTH SERVICE; HOUSEHOLD REPAIR SERVICE; Movie and/or video game rental and sales; NON-PROFIT COMMUNITY SUPPORT SERVICE; Park;	**a)** ACCESSORY BUILDING OR STRUCTURE; **b)** AMUSEMENT ARCADE; **c)** AUTOMOTIVE SERVICE; **d)** BUILDING – MOVED IN; **e)** BREWERY, WINE, DISTILLERY; **f)** CAR WASH; **g)** COMMUNITY HALL; **h)** DRIVE-THROUGH BUSINESS; **i)** DRIVE-THROUGH RESTAURANT; **j)** FUNERAL HOME; **k)** HOTEL; **l)** PET SERVICE; **m)** PLACE OF WORSHIP; **n)** PUBLIC USE; **o)** RECREATIONAL SERVICE – INDOOR; **p)** RETAIL – ADULT; **q)** RETAIL – CANNABIS;

PARKING LOT; PAWNBROKER; PROFESSIONAL SERVICE; RESTAURANT; RETAIL – CONVENIENCE; RETAIL – GENERAL; RETAIL – SPECIALTY STORE; and SCHOOL – COMMERCIAL; THEATRE.	**r)** RETAIL – LIQUOR; **s)** SHOPPING CENTRE; and **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; **b)** AUTOMOTIVE SALES AND RENTAL; **c)** AUTOMOTIVE SERVICE; **d)** CAR WASH; **e)** CONSTRUCTION SERVICE; **f)** DRINKING ESTABLISHMENT; **g)** DRIVE-THROUGH BUSINESS; **h)** DRIVE-THROUGH RESTAURANT; **i)** EQUIPMENT RENTAL FACILITY; **j)** FUNERAL HOME; **k)** FUEL STATION; **l)** HOTEL; **m)** RECREATIONAL SERVICE – INDOOR; **n)** RESTAURANT; **o)** RETAIL – CONVENIENCE as part of a FUEL STATION; **p)** RETAIL – GENERAL; and **q)** THEATRE.	**a)** ADULT ENTERTAINMENT FACILITY; AMUSEMENT ARCADE BUILDING – MOVED IN; BUSINESS SUPPORT SERVICE; DAY CARE FACILITY; DWELLING – APARTMENT; DWELLING – MULTIPLE UNIT; DWELLING – TOWNHOUSE; GENERAL SERVICE; GOVERNMENT SERVICE; HEALTH SERVICE; LUMBER YARD; MANUFACTURED HOME – MOBILE SALES; NON-PROFIT COMMUNITY SUPPORT SERVICE; PAWNBROKER; PET SERVICE; PLACE OF WORSHIP – STOREFRONT CHURCH; PROFESSIONAL SERVICE; PUBLIC USE; RECREATIONAL VEHICLE SALES AND SERVICE; RETAIL – ADULT; RETAIL – LIQUOR; SCHOOL – COMMERCIAL; SHOPPING CENTRE; VETERINARY CLINIC; and **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 0.5m^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.

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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; AUCTION FACILITY; AUTOMOTIVE SALES AND RENTALS; AUTOMOTIVE SERVICE; BUSINESS SUPPORT SERVICE; CAR WASH; COMMERCIAL SCHOOL or COLLEGE; CONSTRUCTION SERVICE; EQUIPMENT RENTAL FACILITY; FARM IMPLEMENT SALES AND SERVICES; FLEET SERVICE; Grain storage facility; HOUSEHOLD REPAIR SERVICE; INDUSTRIAL OPERATION; LUMBER YARD; Manufacturing; MINI-STORAGE; OIL FIELD SERVICE;	ABATTOIR; AGRICULTURE; BUILDING – MOVED IN; BULK OIL, FUEL AND CHEMICAL STORAGE; COMMUNITY HALL; CANNABIS PRODUCTION AND DISTRIBUTION; GOVERNMENT SERVICE; HELICOPTER LANDING PAD; LOGGING SERVICE; MANUFACTURED HOME – MOBILE SALES; PAWNBROKER; PET SERVICE; RECREATIONAL SERVICE – INDOOR; RECYCLING DEPOT; RELOCATABLE INDUSTRIAL ACCOMMODATION; SALVAGE YARD; and

OUTDOOR STORAGE; PROPANE FACILITY; PUBLIC USE; RECREATIONAL VEHICLES SALES AND SERVICE; RECYCLING DEPOT; TAXI SERVICE; TRANSMITTING STATION; VETERINARY CLINIC; and 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 0.5m^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.

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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; **b)** ASSISTED LIVING FACILITY; **c)** COLLEGE; **d)** COMMUNITY HALL; **e)** DAY CARE FACILITY; **f)** EMERGENCY SERVICES FACILITY; **g)** EXHIBITION GROUNDS; **h)** GOVERNMENT SERVICE; **i)** HEALTH SERVICE; **j)** HOSPITAL; **k)** NON-PROFIT COMMUNITY SUPPORT SERVICE; **l)** PLACE OF WORSHIP; **m)** PUBLIC EDUCATION SERVICE;	BUILDING – MOVED IN; CEMETERY; HELICOPTER LANDING PAD; Park; and 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 Playground.	ACCESSORY BUILDING OR STRUCTURE; BUILDING – MOVED IN CAMPGROUND; CEMETERY; EXHIBITION GROUNDS; PUBLIC USE; RECREATIONAL SERVICE – INDOOR; and, 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 AGRICULTURE.	BUILDING – MOVED IN; DWELLING – SINGLE FAMILY; HOME OCCUPATION; MANUFACTURED HOME – MODULAR; and 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. 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 **b)** HANGERS AND TERMINAL FACILITIES **c)** HELICOPTER LANDING PAD	**d)** AGRICULTURE **e)** ALTERNATIVE ENERGY TECHNOLOGY AUTOMOTIVE SALES & RENTALS **f)** BULK OIL, FUEL AND CHEMICAL STORAGE **g)** GOVERNMENT SERVICES **h)** PUBLIC USE **i)** RECREATIONAL VEHICLE SALES AND SERVICES **j)** SHIPPING CONTAINER **k)** RESTAURANT **l)** RETAIL – CONVENIENCE **m)** RETAIL – GENERAL **n)** TOURIST INFORMATION FACILITY **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 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 **b)** EMERGENCY SERVICES FACILITY **c)** GOVERNMENT SERVICES **d)** OUTDOOR STORAGE **e)** TRANSMITTION STATION **f)** WAREHOUSE	**a)** AGRICULTURE **b)** ALTERNATIVE ENERGY TECHNOLOGY **c)** BULK OIL, FUEL, AND CHEMICAL STORAGE **d)** CAMPGROUND **e)** INDUSTRIAL OPERATION **f)** PUBLIC USE **g)** LOGGING SERVICE **h)** LUMBER YARDS **i)** NON-PROFIT COMMUNITY SUPPORT SERVICES **j)** RECREATIONAL SERVICE - OUTDOOR **k)** RELOCATABLE INDUSTRIAL ACCOMODATION **l)** SHIPPING CONTAINER **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.

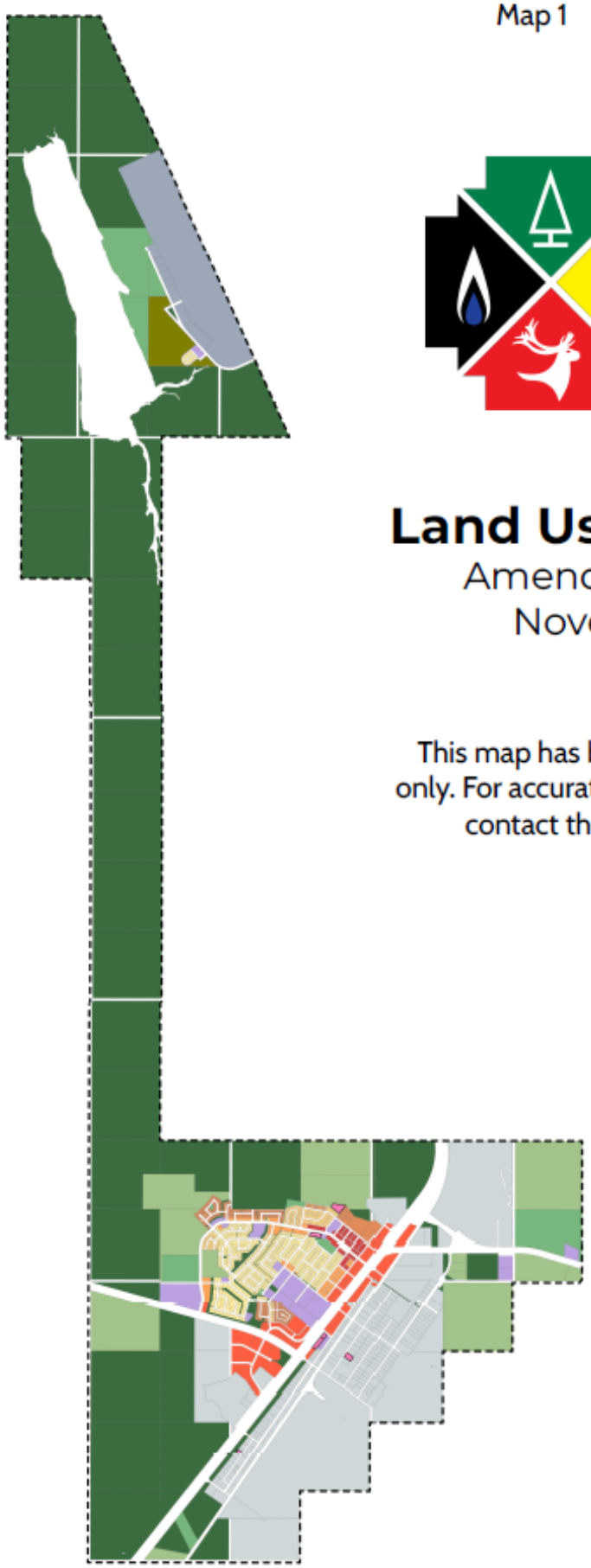
12.7.15 SIGNS – SANDWICH are permitted provided that the SIGN shall:

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

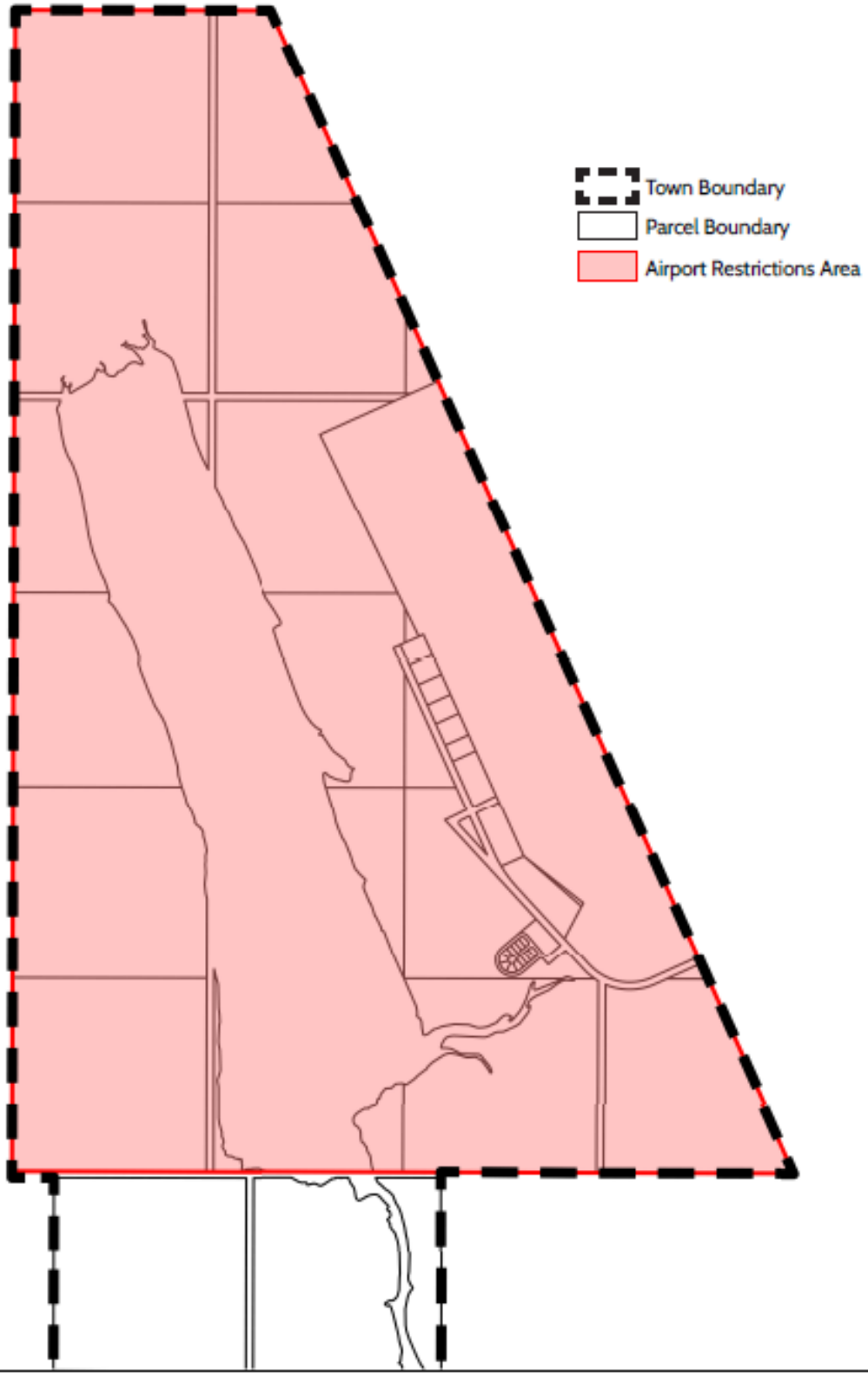
Amendments current to
November 22, 2024

This map has been provided for convenience only. For accurate zoning of individual properties contact the Planning & Development department.

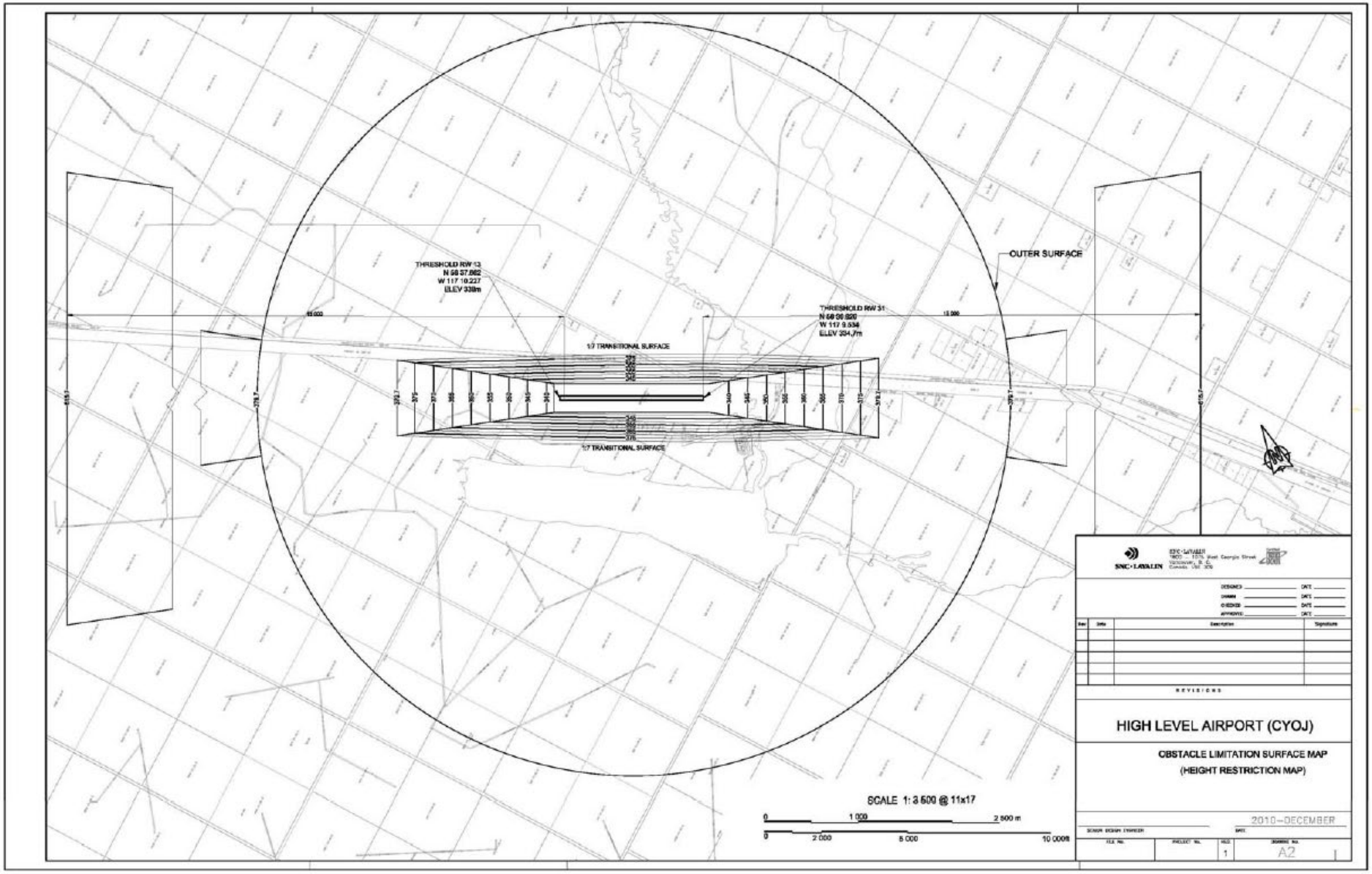
- Town Boundary
- R-1 Low Density Residential
- R-2 Medium Density Residential
- R-3 High Density Residential
- R-4 Manufactured Home
- C-1 Downtown Commercial
- C-3 Highway Commercial
- IND Industrial
- AP Airport
- A Agriculture
- P Parks
- FS Forestry Services
- R Reserve
- CU Community Use
- DC Direct Control

Map 2

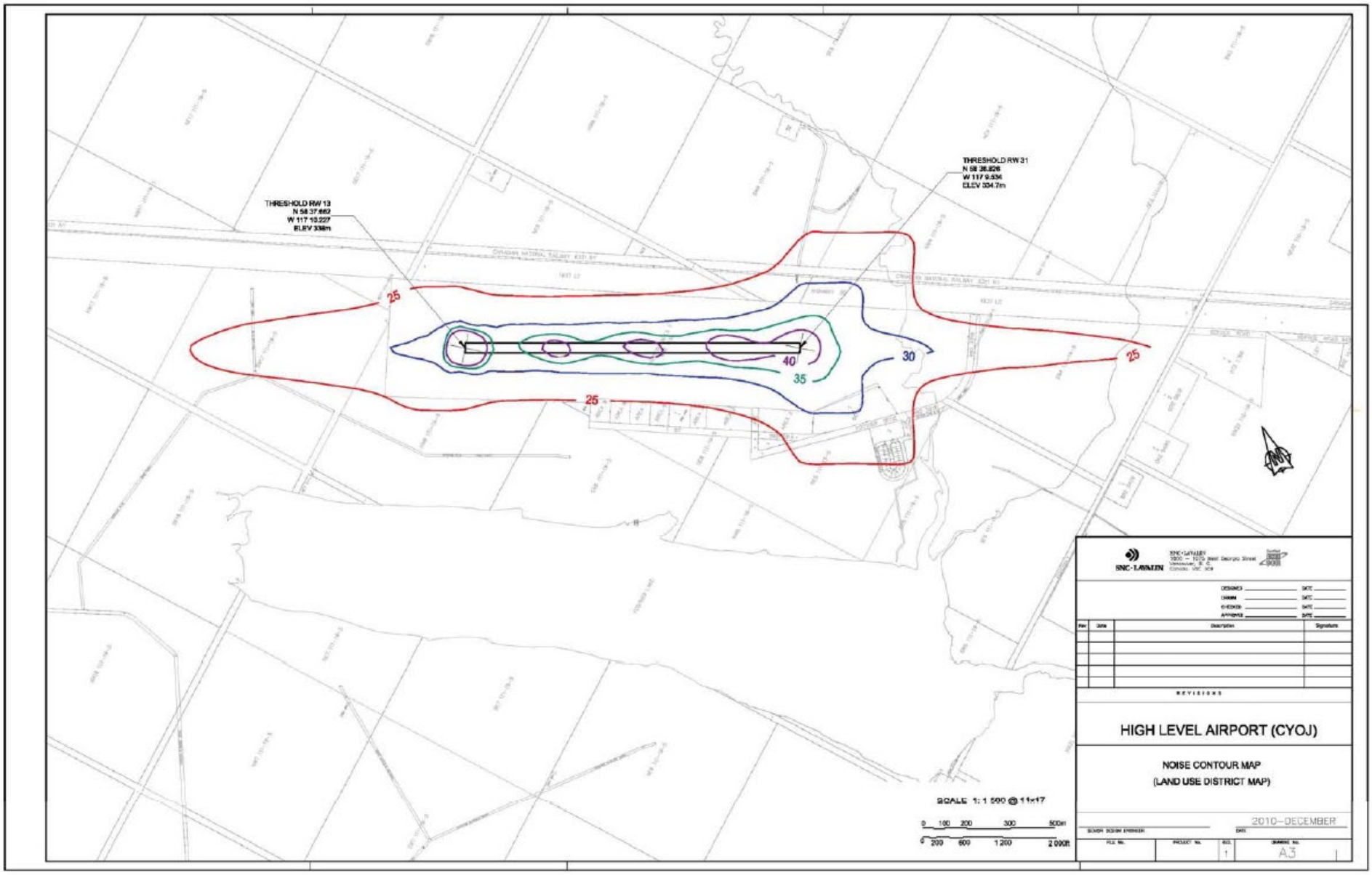
Airport Restrictions Area



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
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.

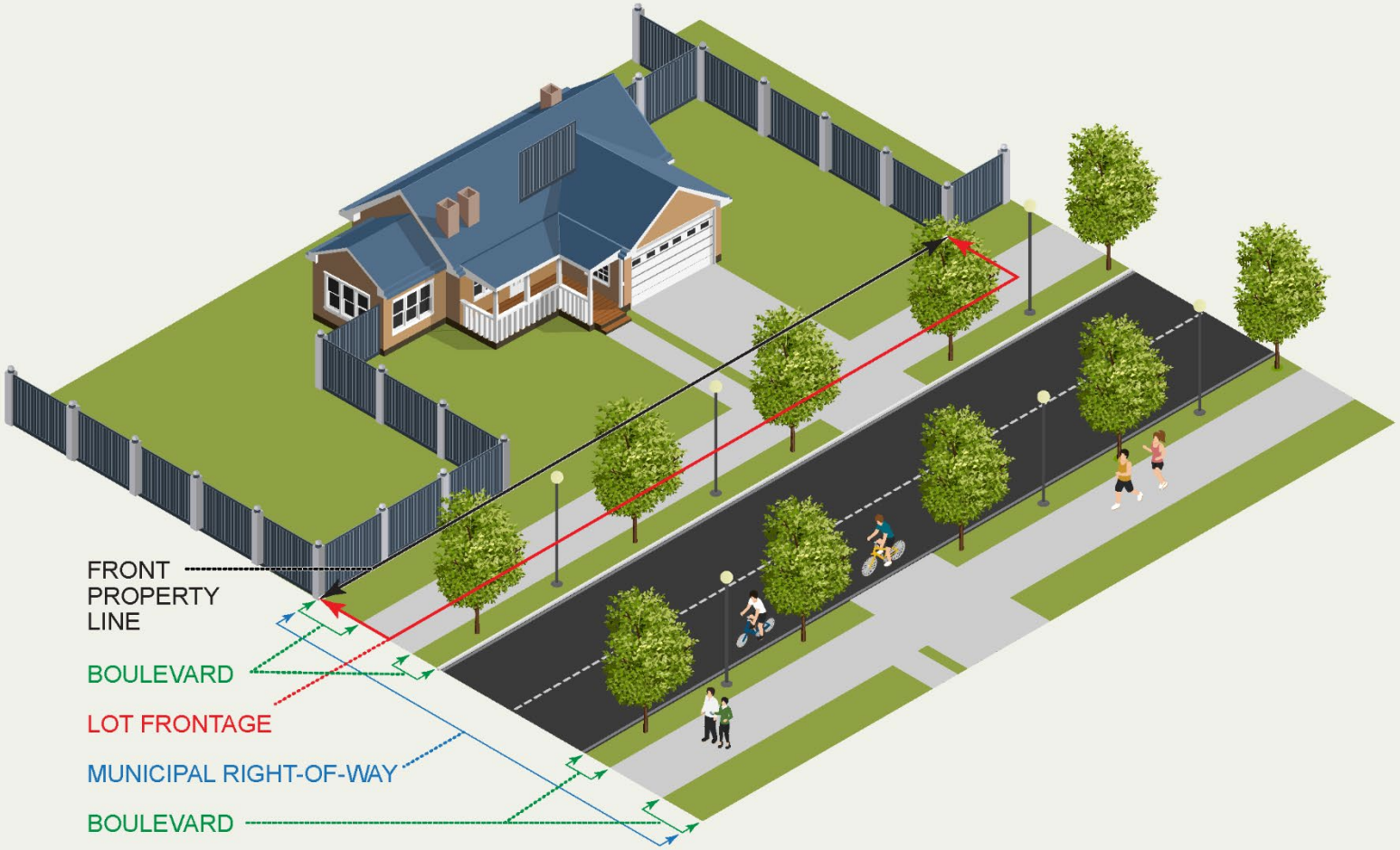


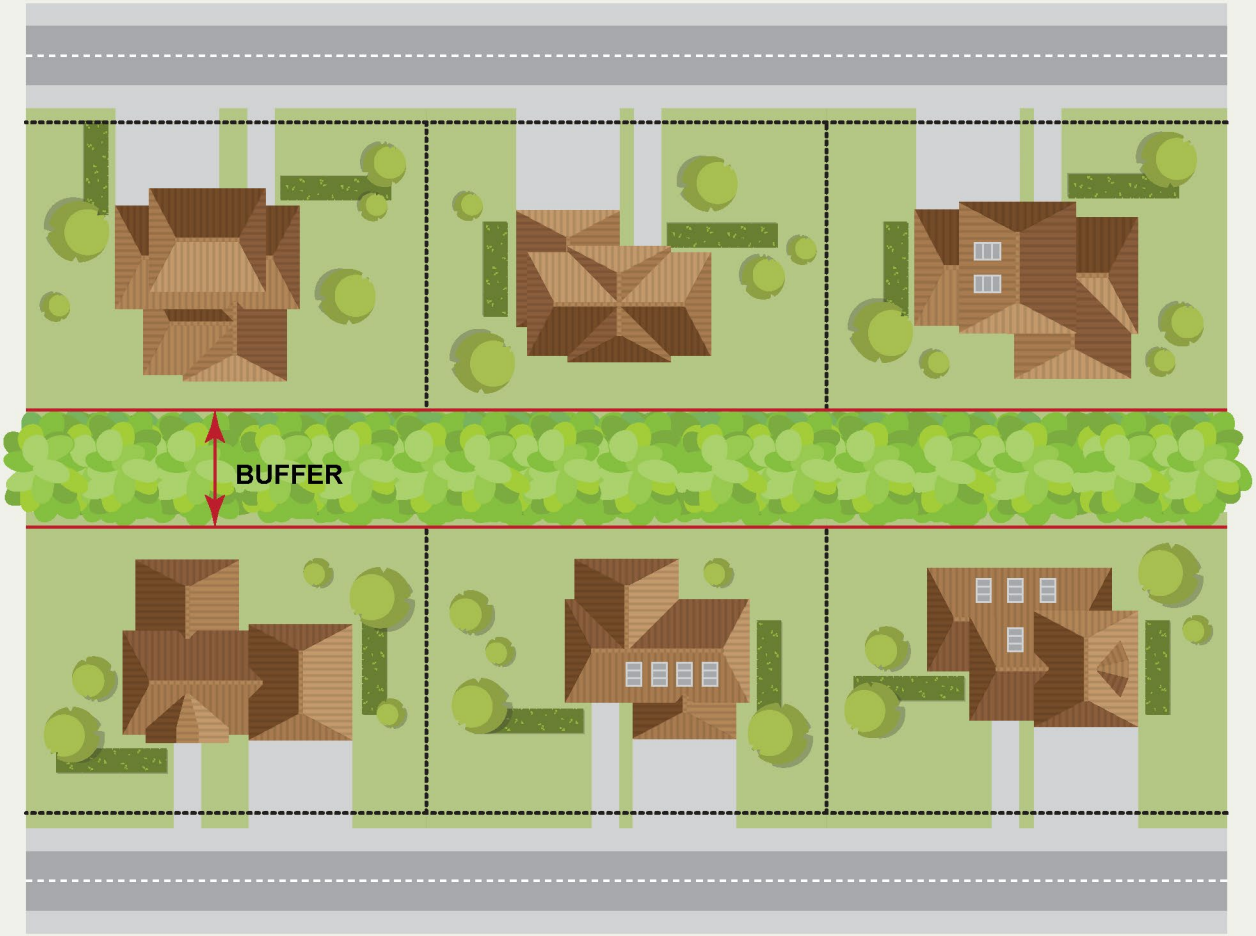




FIGURE 3

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.





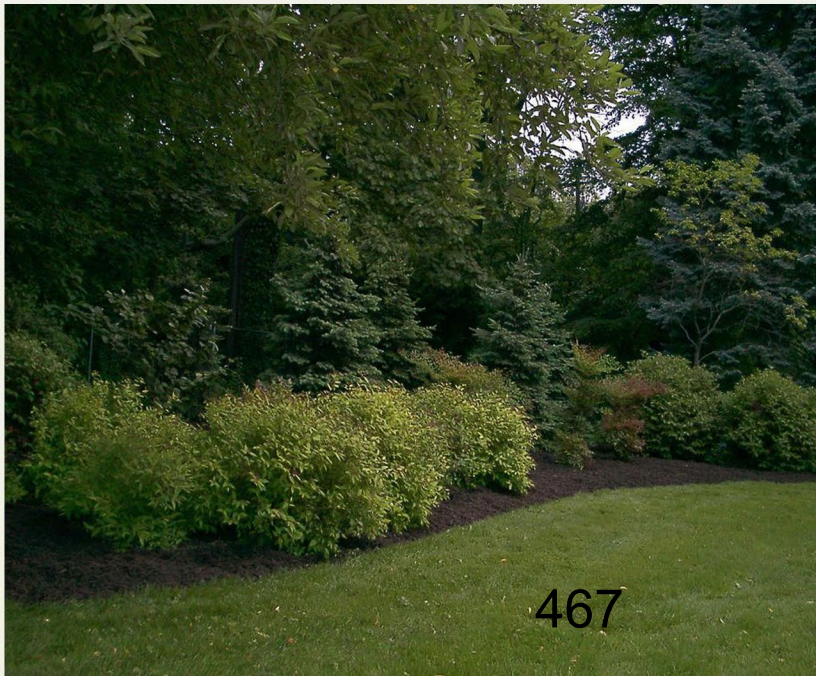


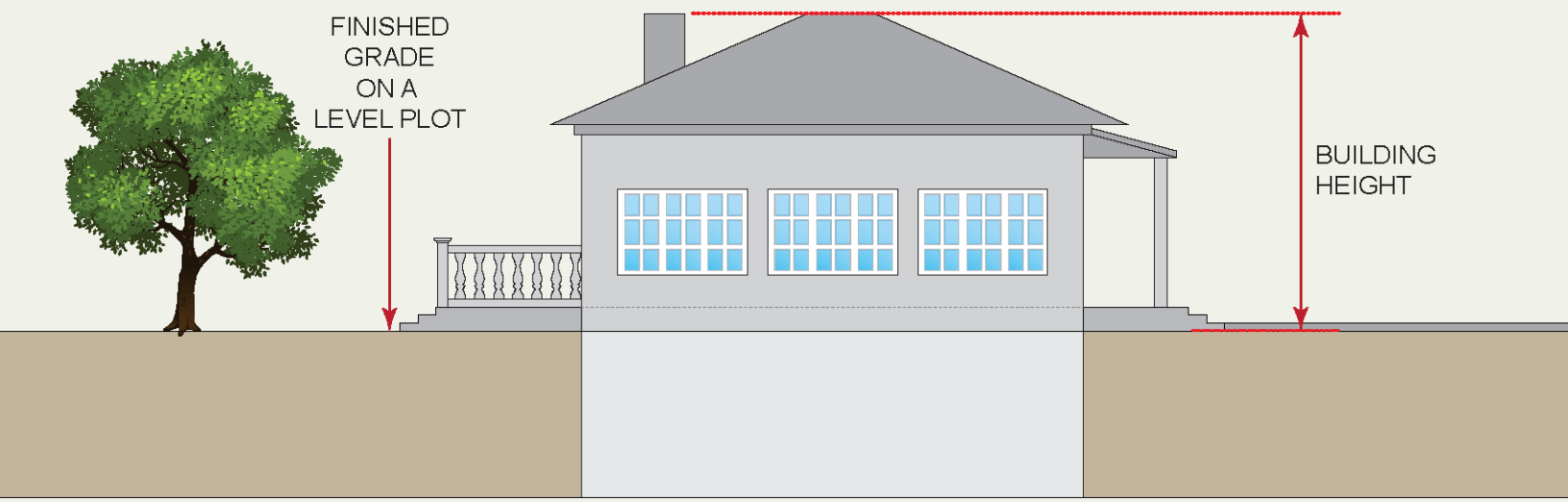
FIGURE 4

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.



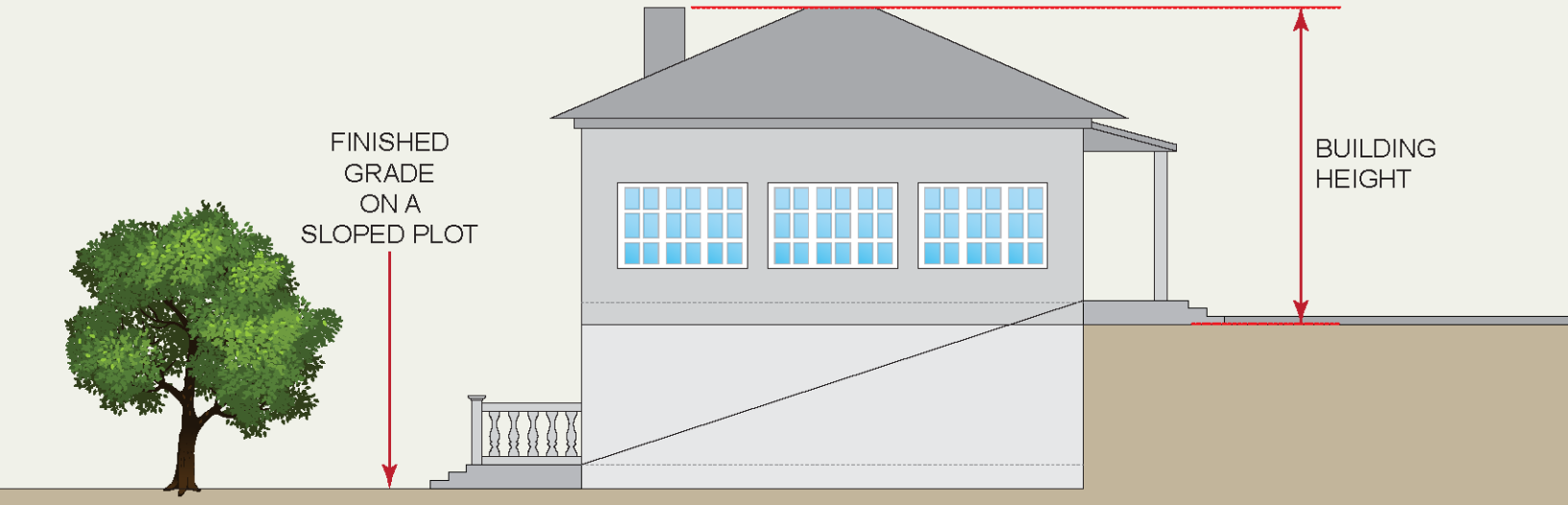


FIGURE 5

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.

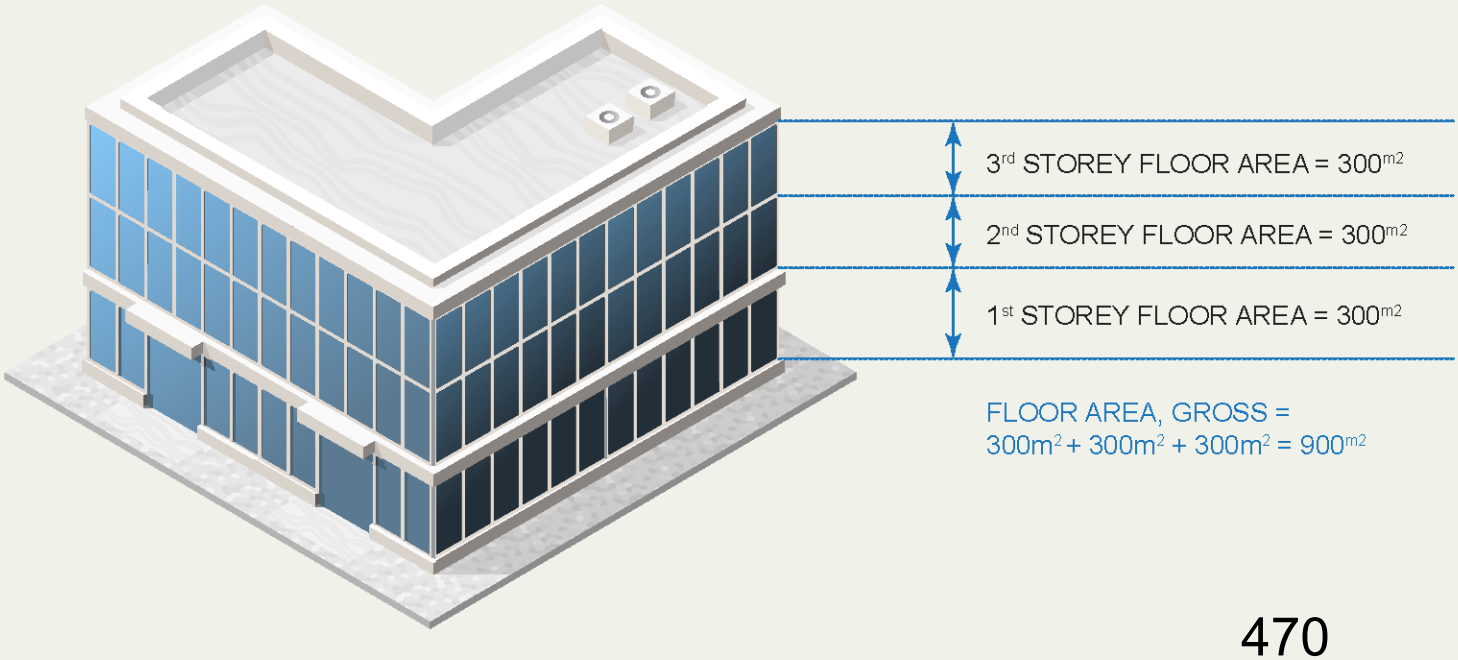


FIGURE 7

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.

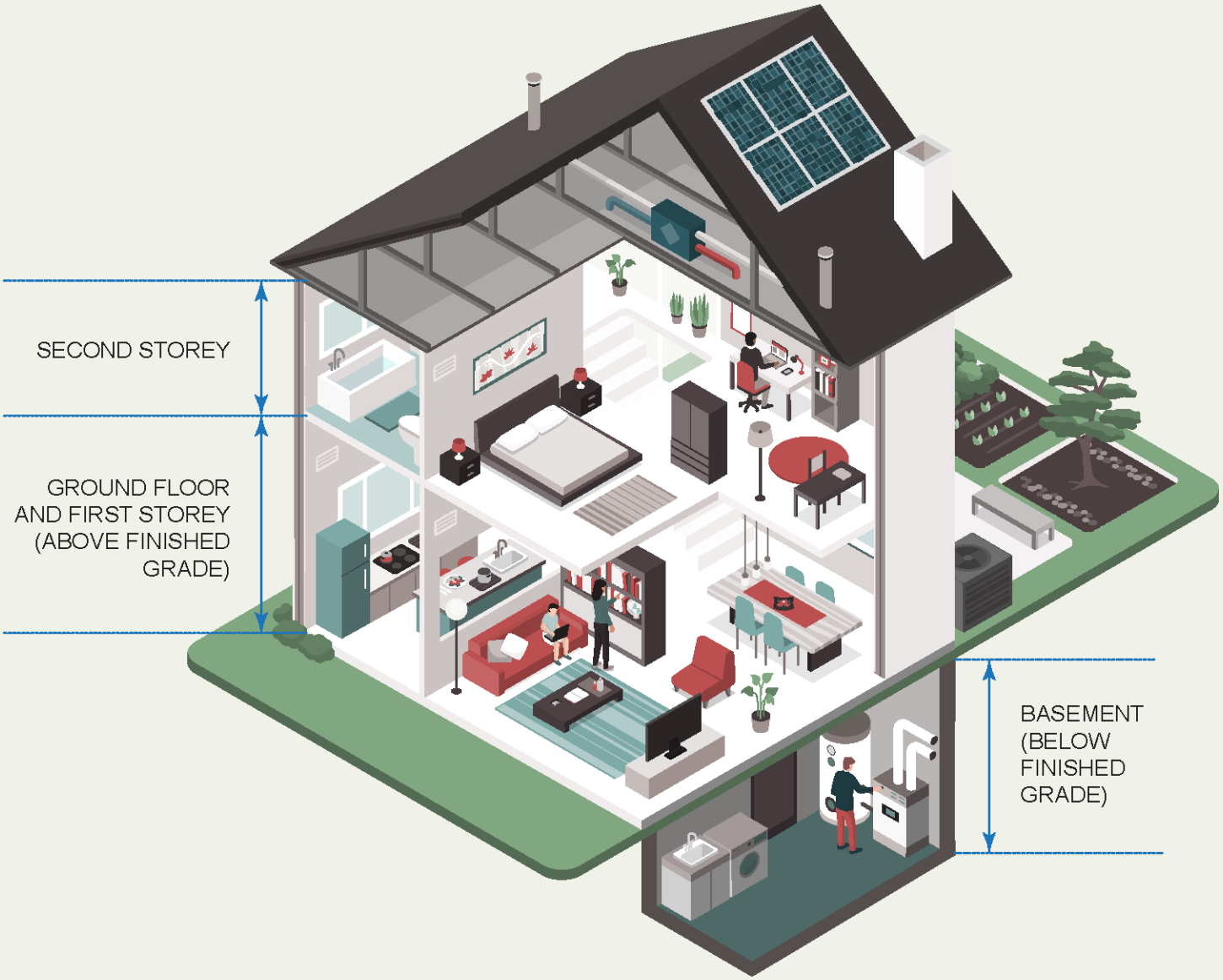


FIGURE 8

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.

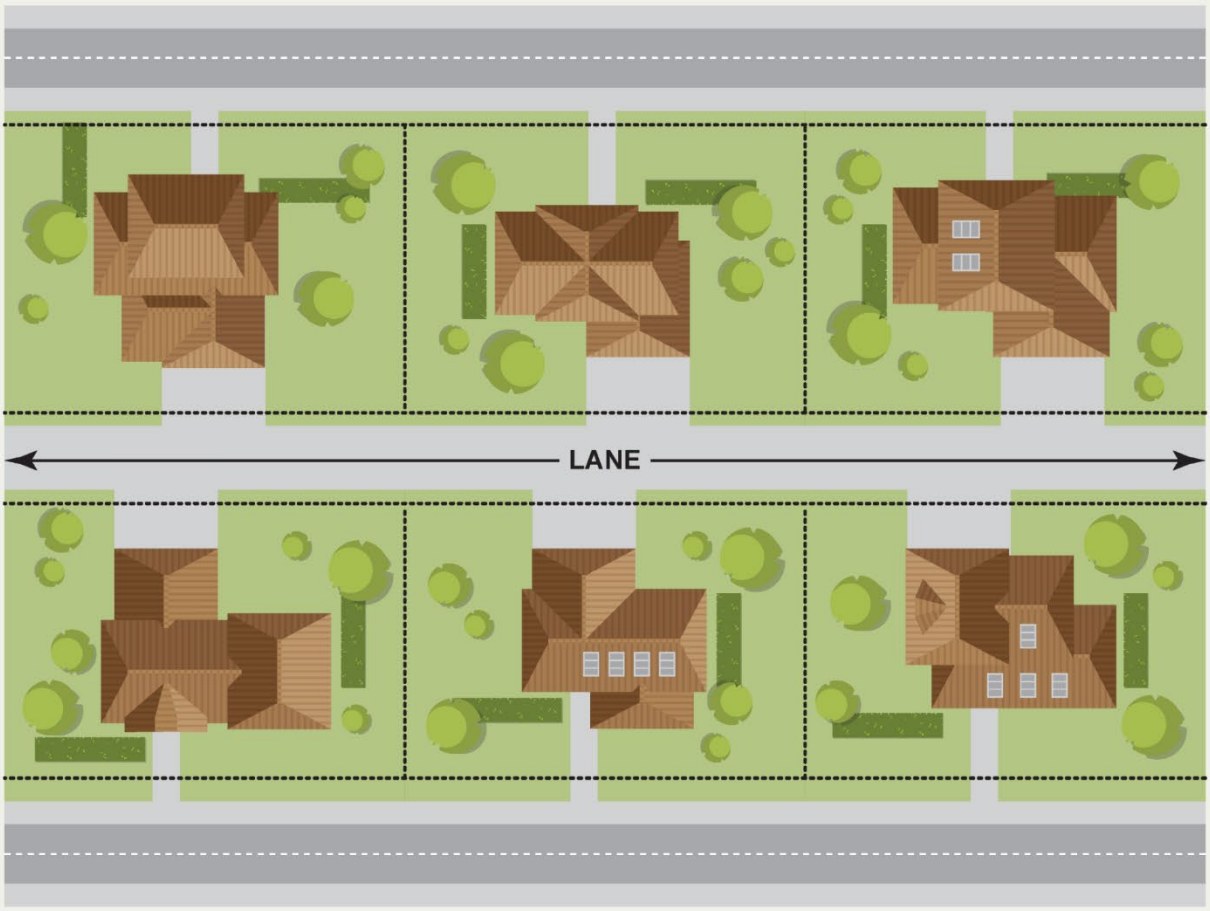






FIGURE 10

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.

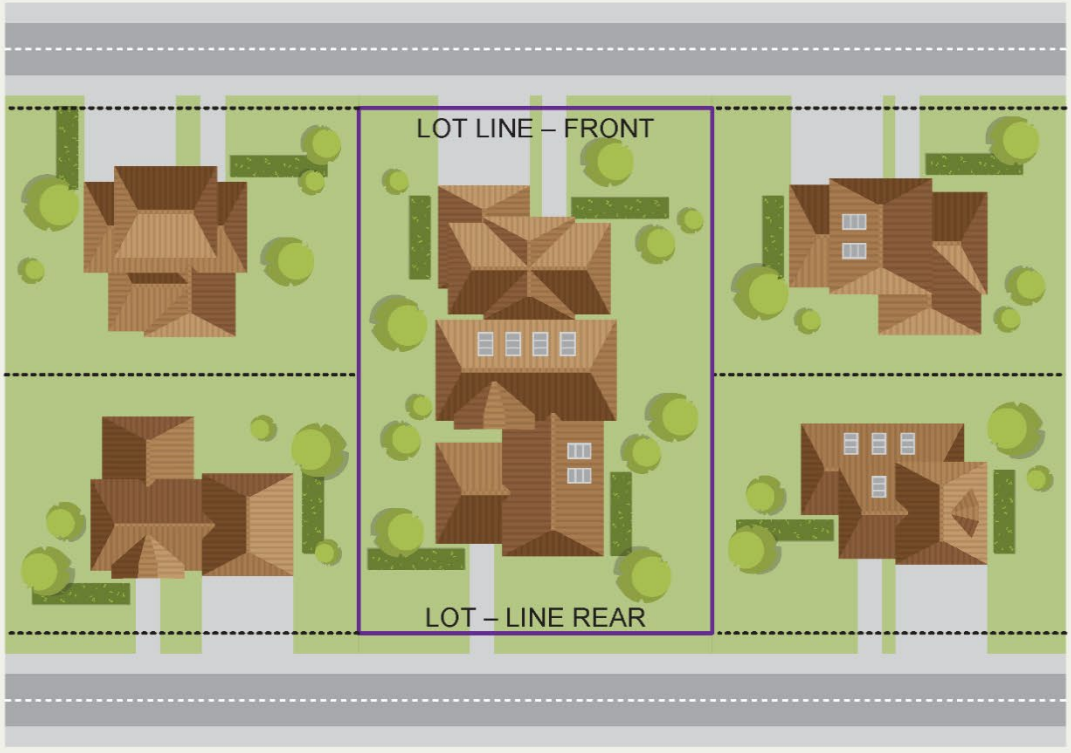


FIGURE 11

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.

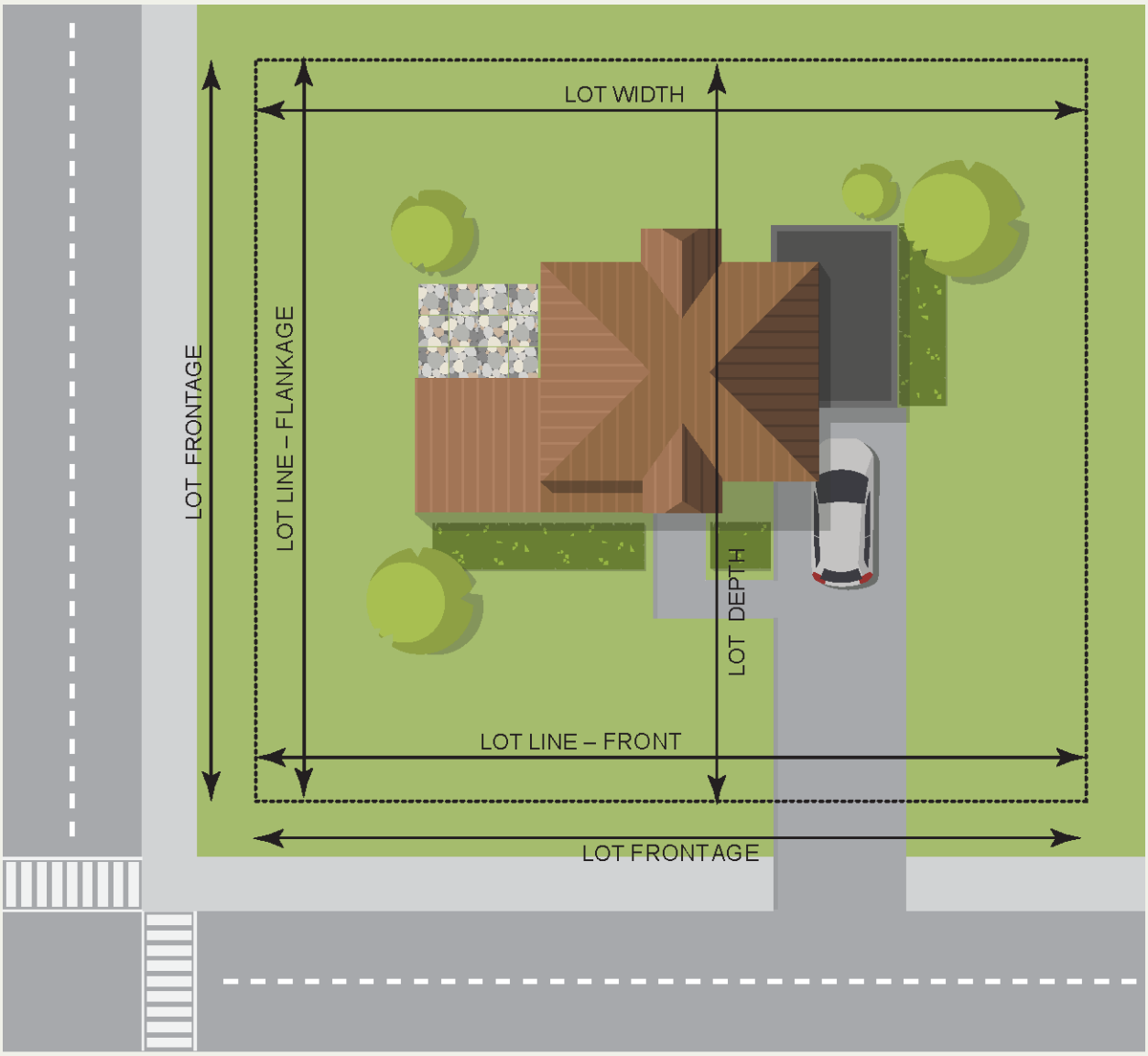


FIGURE 12

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.

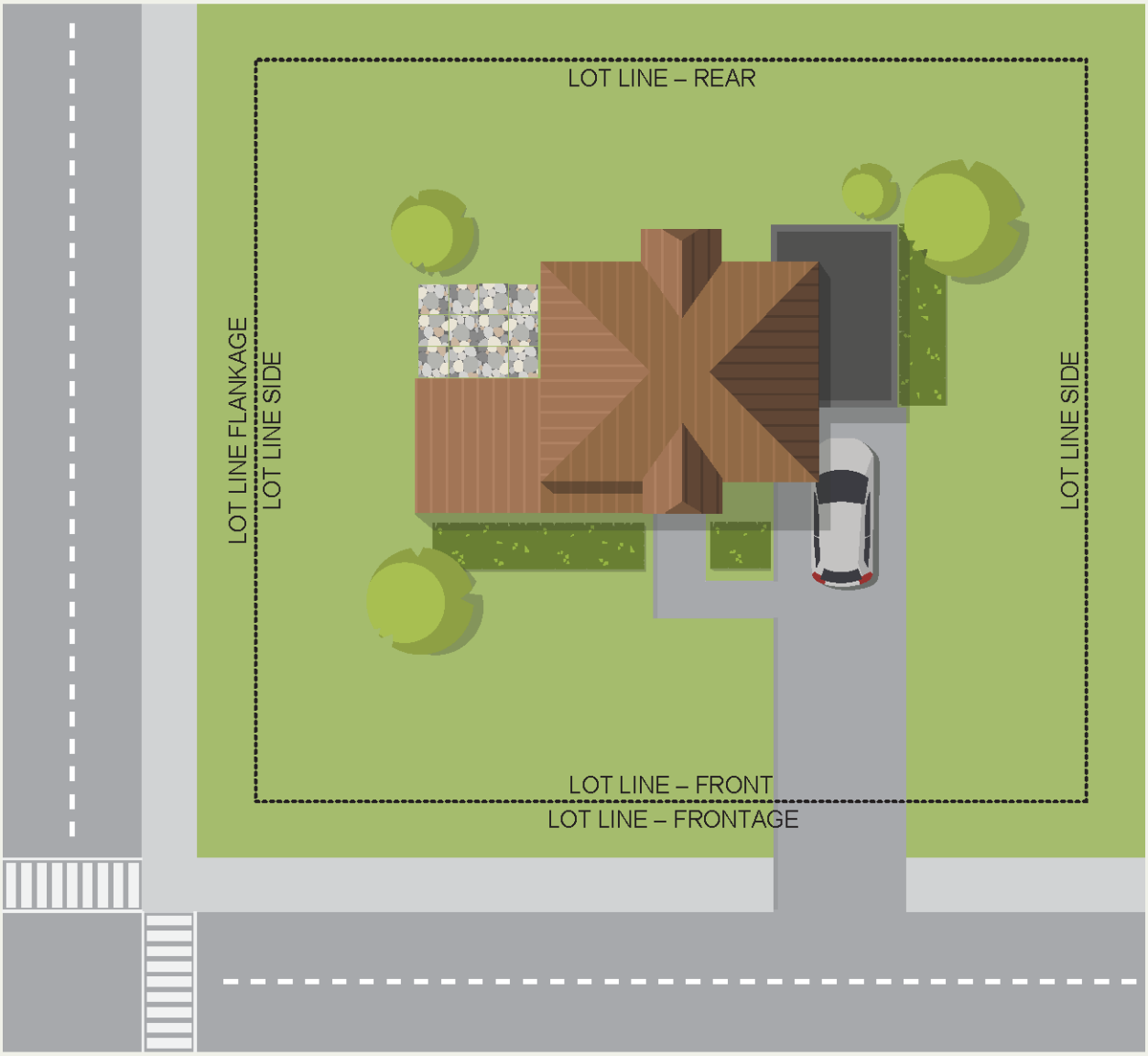


FIGURE 13

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.

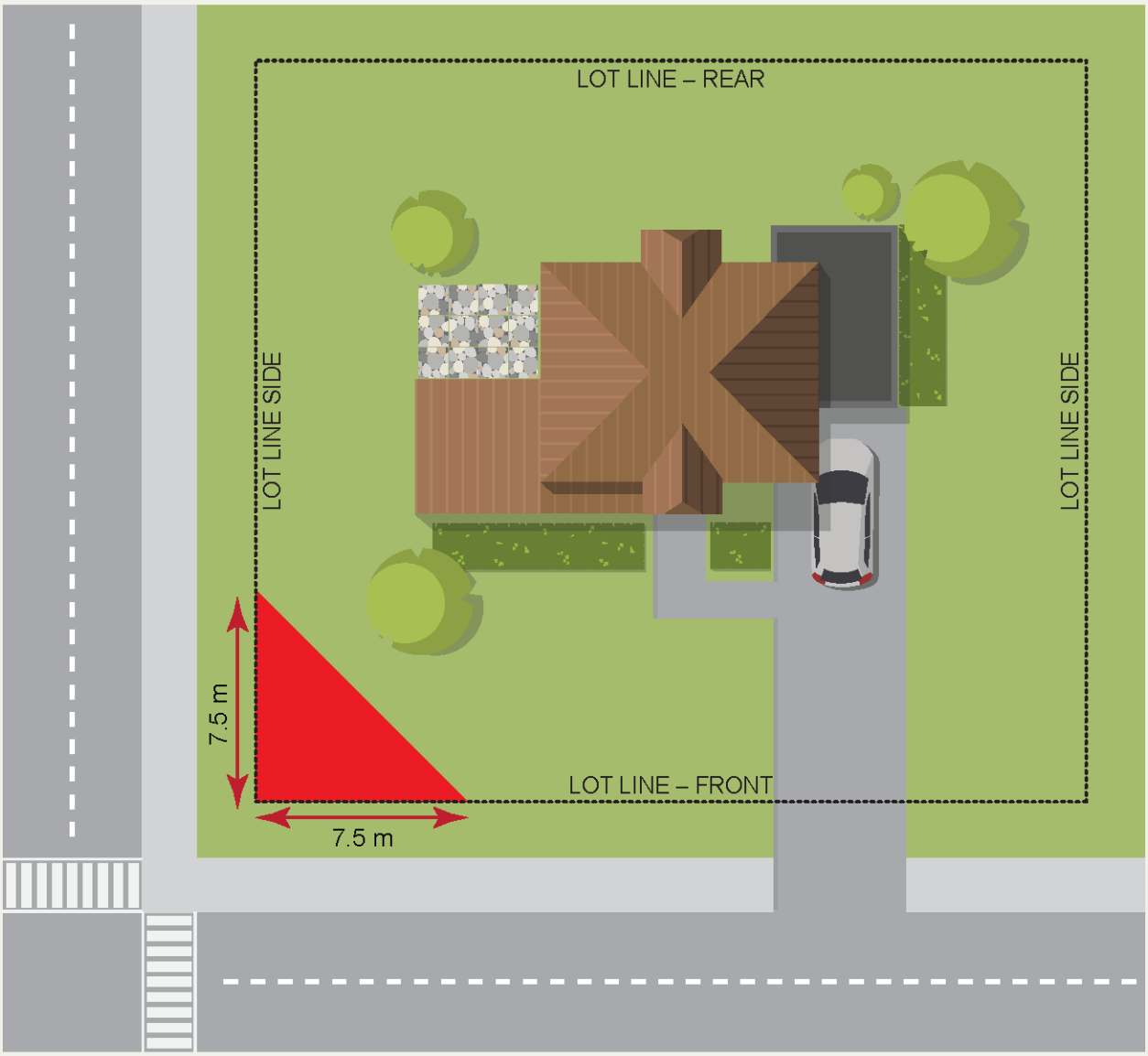


FIGURE 18

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



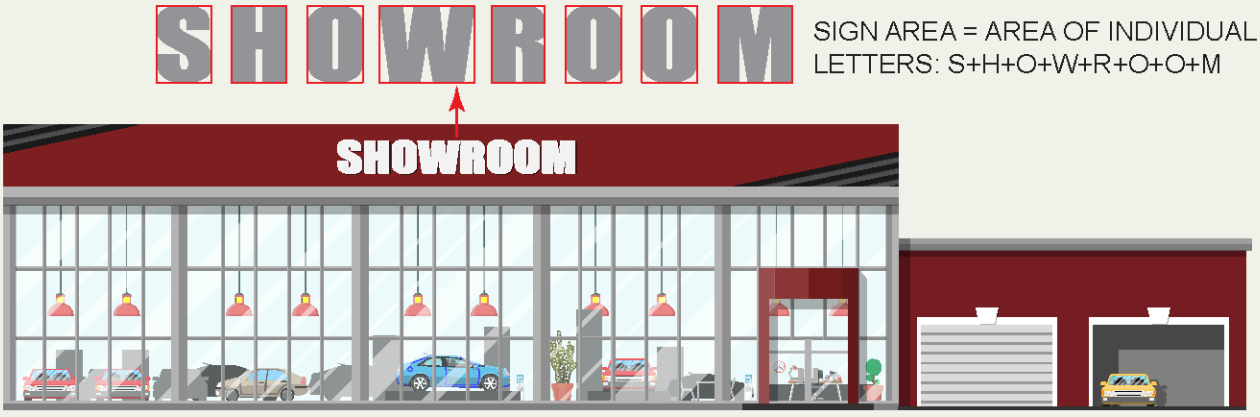
SIGN – SANDWICH

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.





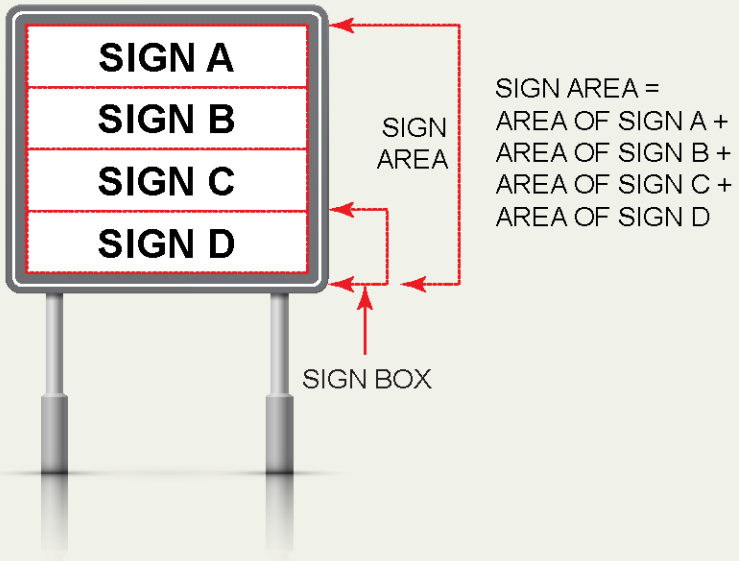


FIGURE 20

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.



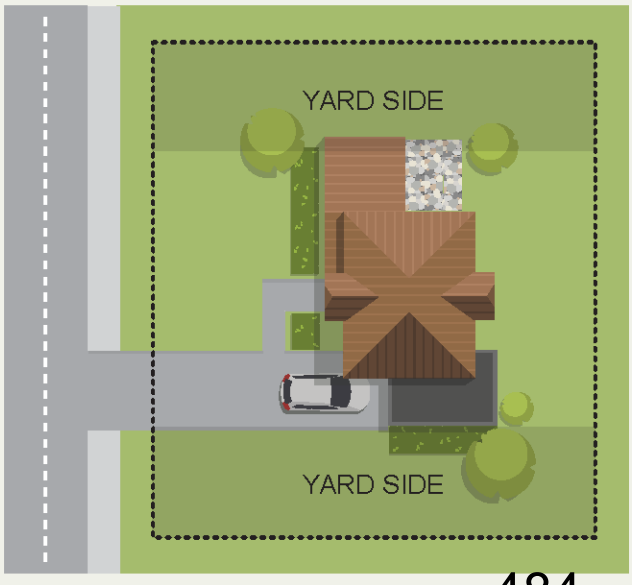


FIGURE 21

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

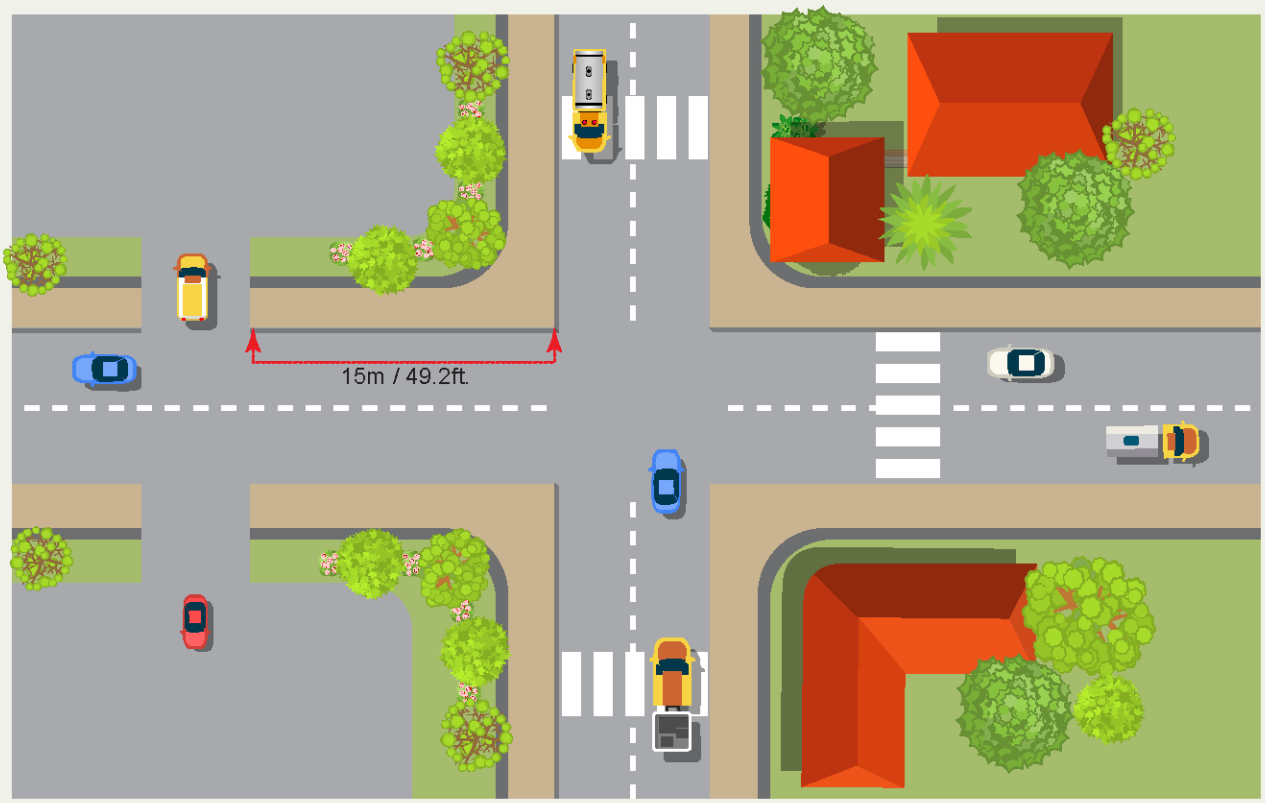




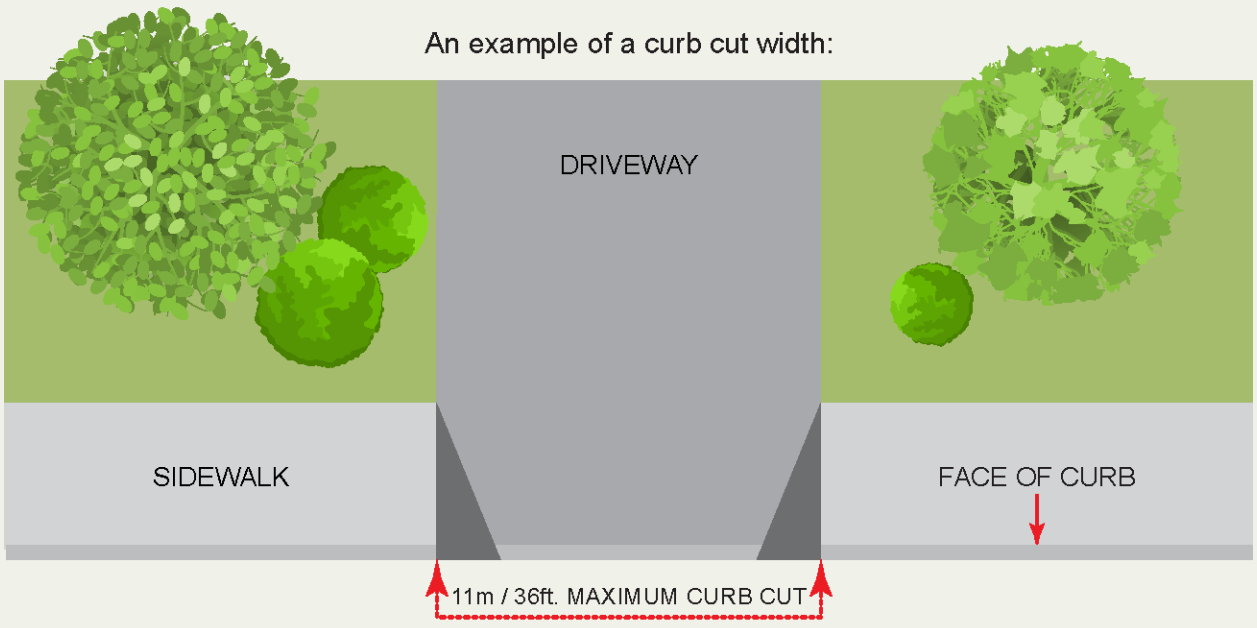
FIGURE 26

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.

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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. • 1 stall per DWELLING UNIT for all other residential USES. • 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. • 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). • 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). • 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. • 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. • 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. • 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. 60 Degrees: 5.5m/18.0ft. 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. 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: a) SITE conditions do not permit rear PARKING; or 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.

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 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; **b)** DWELLING – BACKYARD UNIT; **c)** DWELLING – DUPLEX; **d)** DWELLING – SECONDARY SUITE; **e)** DWELLING – SINGLE DETACHED; *On applicable LOT CORNERS (see 9.1.1):* **f)** DWELLING – MULTIPLE UNIT; and **g)** DWELLING – TOWNHOUSE.	**a)** ACCESSORY USES associated with a DWELLING - SINGLE DETACHED: **i)** BED AND BREAKFAST BUSINESS; and **ii)** FAMILY DAY HOME. **b)** ACCESSORY USES associated with any DWELLING UNIT type: **i)** HOME OCCUPATION. ~~**iii)** MANUFACTIRED HOME – TINY HOME;~~ **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. DUPLEX/TOWNHOUSE with a PARTY WALL on 1 side: 312 m^2 TOWNHOUSE with a PARTY WALL on 2 sides: 208 m^2
LOT WIDTH (minimum)	Standard: 15m/49.2 ft. DUPLEX/TOWNHOUSE with a PARTY WALL on 1 side: 7m/23.0 ft. 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. 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. 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; **b)** DWELLING – BACKYARD UNIT; **c)** DWELLING – DUPLEX; **d)** DWELLING – MULTIPLE UNIT; and **e)** DWELLING – SECONDARY SUITE; **f)** DWELLING – SINGLE DETACHED; **g)** DWELLING – TOWNHOUSE ~~of up to 6 units~~; **h)** MANUFACTURED HOME – MODULAR.	**a)** ASSISTED LIVING FACILITY of up to 6 units; **b)** BUILDING – MOVED IN; **c)** DWELLING – MULTIPLE UNIT of up to 16 units; **d)** ACCESSORY USES associated with a DWELLING – SINGLE DETACHED: **i)** BED AND BREAKFAST BUSINESS; **ii)** BOARDING HOUSE; **iii)** FAMILY DAY HOME; **e)** ACCESSORY USES associated with a DWELLING UNIT of any type: **i)** HOME OCCUPATION. ~~**iv)** SECONDARY SUITE; and~~ **f)** MANUFACTURED HOME – MOBILE; and **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. TOWNHOUSE with a PARTY WALL on 2 sides: 82m²/883sq.ft.
LOT WIDTH (minimum)	Standard: 8m/49.2 ft. DUPLEX/TOWNHOUSE with a PARTY WALL on 1 side: 6m/23.0 ft. 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. 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. 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; **b)** ASSISTED LIVING FACILITY of up to 24 units; **c)** ~~DWELLING – APARTMENT of up to 24 units;~~ **d)** ~~DWELLING – DUPLEX;~~ **e)** DWELLING – MULTIPLE UNIT ~~more than 6 units; and~~ **f)** DWELLING – TOWNHOUSE.	**a)** ASSISTED LIVING FACILITY of more than 24 units; **b)** BUILDING – MOVED IN; **c)** BUSINESS SUPPORT SERVICE; **d)** DAY CARE FACILITY; **e)** DRINKING ESTABLISHMENT; **f)** DWELLING – DUPLEX; **g)** FINANCIAL INSTITUTION; **h)** GENERAL SERVICE; **i)** MIXED-USE BUILDING; **j)** NON-PROFIT COMMUNITY SUPPORT SERVICE; **k)** PROFESSIONAL SERVICE; **l)** RECREATIONAL SERVICE – INDOOR; **m)** RESTAURANT; **n)** RETAIL – CONVENIENCE; **o)** RETAIL – GENERAL; **p)** RETAIL – SPECIALITY STORE; and **q)** ACCESSORY USES associated with a DWELLING UNIT: **i)** FAMILY DAY HOME; **ii)** HOME OCCUPATION; **iii)** HOME OFFICE; **iv)** DWELLING – SECONDARY SUITE; and **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; **b)** DWELLING – DUPLEX; **c)** DWELLING – SINGLE DETACHED; **d)** DWELLING –TOWNHOUSE; **e)** MANUFACTURED HOME – MOBILE; and **f)** MANUFACTURED HOME – MODULAR.	**a)** BUILDING – MOVED IN; ACCESSORY USES associated with a DWELLING UNIT: **i)** BED AND BREAKFAST BUSINESS; **ii)** BOARDING HOUSE; **iii)** FAMILY DAY HOME; **iv)** HOME OCCUPATION; **v)** HOME OFFICE; ~~SECONDARY SUITE;~~ **g)** DWELLING – SECONDARY SUITE; and **c)** DWELLING – BACKYARD UNIT **d)** MANUFACTURED HOME – COMMUNITY; and **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 DUPLEX/TOWNHOUSE with a PARTY WALL on 1 side: 132m²/1,421sq.ft. TOWNHOUSE with a PARTY WALL on 2 sides: 88m²/947sq.ft.
LOT WIDTH (minimum)	Standard: 8m/49.2 ft. DUPLEX/TOWNHOUSE with a PARTY WALL on 1 side: 6m/23.0 ft. 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.

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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; **b)** BUSINESS SUPPORT SERVICE; **c)** CATERING SERVICE; **d)** DAY CARE FACILITY; **e)** DRINKING ESTABLISHMENT; **f)** ~~DWELLING – MULTIPLE UNIT above a GROUND FLOOR;~~ **g)** Farmers market; **h)** FINANCIAL INSTITUTION; **i)** GENERAL SERVICE; **j)** GOVERNMENT SERVICE; **k)** HEALTH SERVICE; **l)** HOUSEHOLD REPAIR SERVICE; **m)** MIXED-USE BUILDING; **n)** Movie and/or video game rental and sales;	**a)** ACCESSORY BUILDING OR STRUCTURE; **b)** ACCESSORY USES associated with a DWELLING UNIT: **vi)** BED AND BREAKFAST BUSINESS; **vii)** BOARDING HOUSE; **viii)** FAMILY DAY HOME; **ix)** HOME OCCUPATION; and **x)** HOME OFFICE. **c)** AMUSEMENT ARCADE; **d)** ASSISTED LIVING FACILITY; **e)** AUTOMOTIVE SERVICE; **f)** BUILDING – MOVED IN; **g)** BREWERY, WINE, DISTILLERY; **h)** CAR WASH; **i)** COMMUNITY HALL;

o) NON-PROFIT COMMUNITY SUPPORT SERVICE; **p)** Park; **q)** PARKING LOT; **r)** PAWNBROKER; **s)** PROFESSIONAL SERVICE; **t)** RESTAURANT; **u)** RETAIL – CONVENIENCE; **v)** RETAIL – GENERAL; **w)** RETAIL – SPECIALTY STORE; **x)** SCHOOL – COMMERCIAL; and **y)** THEATRE.	**j)** DRIVE-THROUGH BUSINESS; **k)** DRIVE-THROUGH RESTAURANT; **l)** DWELLING – MULTIPLE UNIT; **m)** FUNERAL HOME; **n)** HOTEL; **o)** PET SERVICE; **p)** PLACE OF WORSHIP; **q)** PUBLIC USE; **r)** RECREATIONAL SERVICE – INDOOR; **s)** RETAIL – ADULT; **t)** RETAIL – CANNABIS; **u)** RETAIL – LIQUOR; **v)** SHOPPING CENTRE; and **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; **b)** AUTOMOTIVE SALES AND RENTAL; **c)** AUTOMOTIVE SERVICE; **d)** CAR WASH; **e)** CONSTRUCTION SERVICE; **f)** DRINKING ESTABLISHMENT; **g)** DRIVE-THROUGH BUSINESS; **h)** DRIVE-THROUGH RESTAURANT; **i)** EQUIPMENT RENTAL FACILITY; **j)** FUNERAL HOME; **k)** FUEL STATION; **l)** HOTEL; **m)** RECREATIONAL SERVICE – INDOOR; **n)** RESTAURANT; **o)** RETAIL – CONVENIENCE as part of a FUEL STATION; **p)** RETAIL – GENERAL; and **q)** THEATRE.	**a)** ADULT ENTERTAINMENT FACILITY; **b)** AMUSEMENT ARCADE **c)** BUILDING – MOVED IN; **d)** BUSINESS SUPPORT SERVICE; **e)** DAY CARE FACILITY; **f)** DWELLING – MULTIPLE UNIT; **g)** DWELLING – TOWNHOUSE; **h)** GENERAL SERVICE; **i)** GOVERNMENT SERVICE; **j)** HEALTH SERVICE; **k)** LUMBER YARD; **l)** MANUFACTURED HOME – MOBILE SALES; **m)** NON-PROFIT COMMUNITY SUPPORT SERVICE; **n)** PAWNBROKER; **o)** PET SERVICE; **p)** PLACE OF WORSHIP – STOREFRONT CHURCH; **q)** PROFESSIONAL SERVICE; **r)** PUBLIC USE; **s)** RECREATIONAL VEHICLE SALES AND SERVICE; **t)** RETAIL – ADULT; **u)** RETAIL – LIQUOR; **v)** SCHOOL – COMMERCIAL; **w)** SHOPPING CENTRE; **x)** VETERINARY CLINIC; **y)** WAREHOUSE STORE; **z)** ASSISTED LIVING FACILITY; and **aa)** MIXED-USE BUILDING; and **bb)** ACCESSORY USES associated with a DWELLING UNIT: a. BED AND BREAKFAST BUSINESS; b. BOARDING HOUSE; c. FAMILY DAY HOME; d. HOME OCCUPATION; and 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 0.5m^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.

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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; AUCTION FACILITY; AUTOMOTIVE SALES AND RENTALS; AUTOMOTIVE SERVICE; BUSINESS SUPPORT SERVICE; CAR WASH; COMMERCIAL SCHOOL or COLLEGE; CONSTRUCTION SERVICE; EQUIPMENT RENTAL FACILITY; FARM IMPLEMENT SALES AND SERVICES; FLEET SERVICE; Grain storage facility; HOUSEHOLD REPAIR SERVICE; INDUSTRIAL OPERATION; LUMBER YARD; Manufacturing; MINI-STORAGE; OIL FIELD SERVICE;	ABATTOIR; AGRICULTURE; BUILDING – MOVED IN; BULK OIL, FUEL AND CHEMICAL STORAGE; COMMUNITY HALL; CANNABIS PRODUCTION AND DISTRIBUTION; GOVERNMENT SERVICE; HELICOPTER LANDING PAD; LOGGING SERVICE; MANUFACTURED HOME – MOBILE SALES; PAWNBROKER; PET SERVICE; RECREATIONAL SERVICE – INDOOR; RECYCLING DEPOT; RELOCATABLE INDUSTRIAL ACCOMMODATION;

OUTDOOR STORAGE; PROPANE FACILITY; PUBLIC USE; RECREATIONAL VEHICLES SALES AND SERVICE; RECYCLING DEPOT; TAXI SERVICE; TRANSMITTING STATION; VETERINARY CLINIC; and WAREHOUSE.	SALVAGE YARD; and 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 0.5m^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.

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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; **b)** ASSISTED LIVING FACILITY; **c)** COLLEGE; **d)** COMMUNITY HALL; **e)** DAY CARE FACILITY; **f)** EMERGENCY SERVICES FACILITY; **g)** EXHIBITION GROUNDS; **h)** GOVERNMENT SERVICE; **i)** HEALTH SERVICE; **j)** HOSPITAL; **k)** NON-PROFIT COMMUNITY SUPPORT SERVICE; **l)** PLACE OF WORSHIP; **m)** PUBLIC EDUCATION SERVICE; **n)** PUBLIC USE; and **o)** TEMPORARY shelter services.	**a)** BUILDING – MOVED IN; **b)** CEMETERY; **c)** HELICOPTER LANDING PAD; **d)** Park; **e)** RECREATIONAL SERVICE – INDOOR; and **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 **b)** Playground.	**a)** ACCESSORY BUILDING OR STRUCTURE; **b)** BUILDING – MOVED IN **c)** CAMPGROUND; **d)** CEMETERY; **e)** EXHIBITION GROUNDS; **f)** PUBLIC USE; **g)** RECREATIONAL SERVICE – INDOOR; and, **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 **b)** AGRICULTURE.	**a)** BUILDING – MOVED IN; **b)** DWELLING – SINGLE DETACHED; **c)** HOME OCCUPATION; **d)** MANUFACTURED HOME – MODULAR; and **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 **b)** HANGERS AND TERMINAL FACILITIES **c)** HELICOPTER LANDING PAD	**a)** AGRICULTURE **b)** ALTERNATIVE ENERGY TECHNOLOGY AUTOMOTIVE SALES & RENTALS **c)** BULK OIL, FUEL AND CHEMICAL STORAGE **d)** GOVERNMENT SERVICES **e)** PUBLIC USE **f)** RECREATIONAL VEHICLE SALES AND SERVICES **g)** SHIPPING CONTAINER **h)** RESTAURANT **i)** RETAIL – CONVENIENCE **j)** RETAIL – GENERAL **k)** TOURIST INFORMATION FACILITY **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 **b)** EMERGENCY SERVICES FACILITY **c)** GOVERNMENT SERVICES **d)** OUTDOOR STORAGE **e)** TRANSMITTION STATION **f)** WAREHOUSE	**a)** AGRICULTURE **b)** ALTERNATIVE ENERGY TECHNOLOGY **c)** BULK OIL, FUEL, AND CHEMICAL STORAGE **d)** CAMPGROUND **e)** INDUSTRIAL OPERATION **f)** PUBLIC USE **g)** LOGGING SERVICE **h)** LUMBER YARDS **i)** NON-PROFIT COMMUNITY SUPPORT SERVICES **j)** RECREATIONAL SERVICE - OUTDOOR **k)** RELOCATABLE INDUSTRIAL ACCOMODATION **l)** SHIPPING CONTAINER **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.

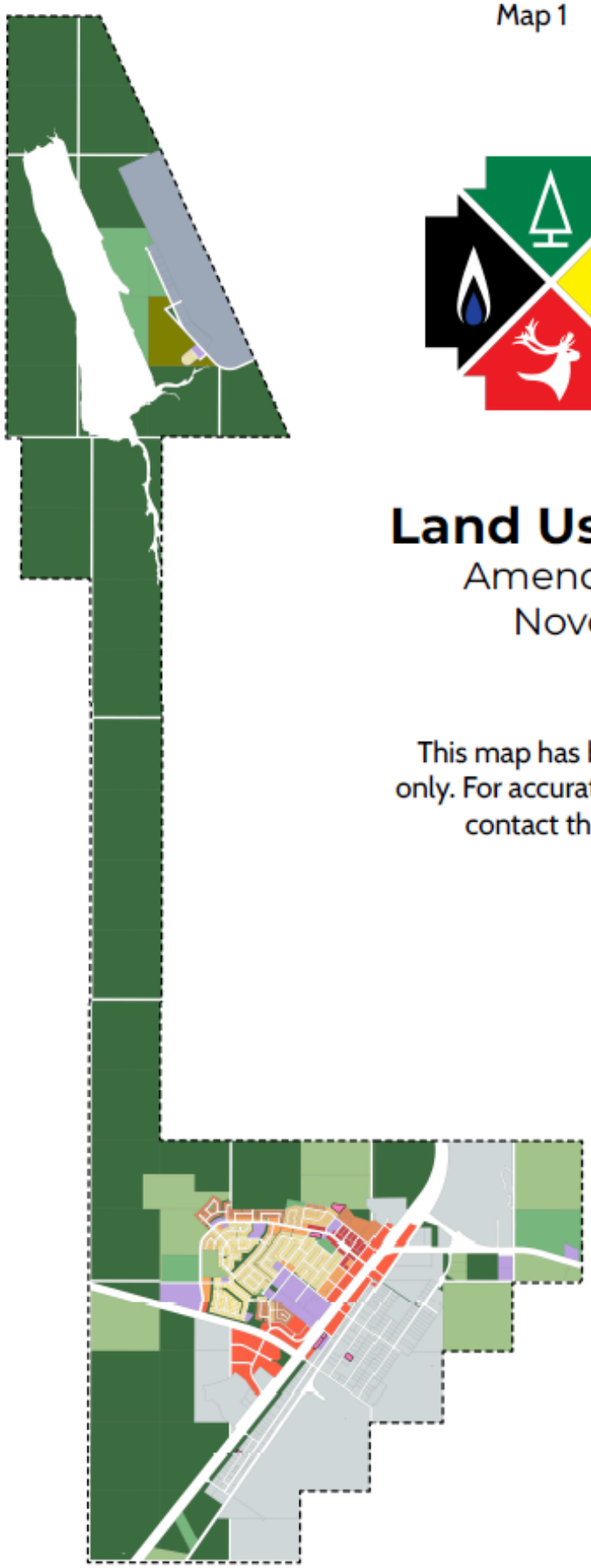
12.7.15 SIGNS – SANDWICH are permitted provided that the SIGN shall:

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

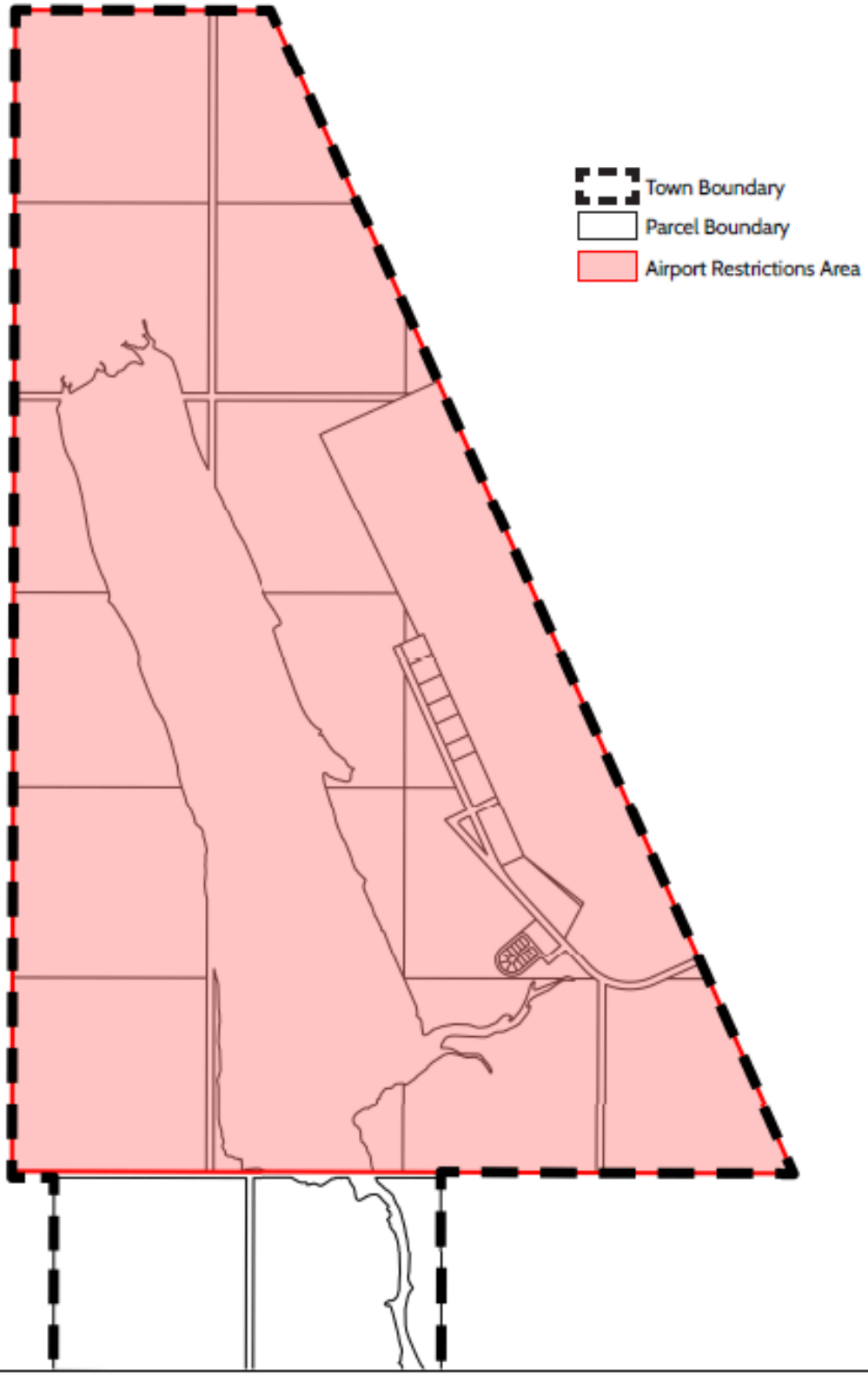
Amendments current to
November 22, 2024

This map has been provided for convenience only. For accurate zoning of individual properties contact the Planning & Development department.

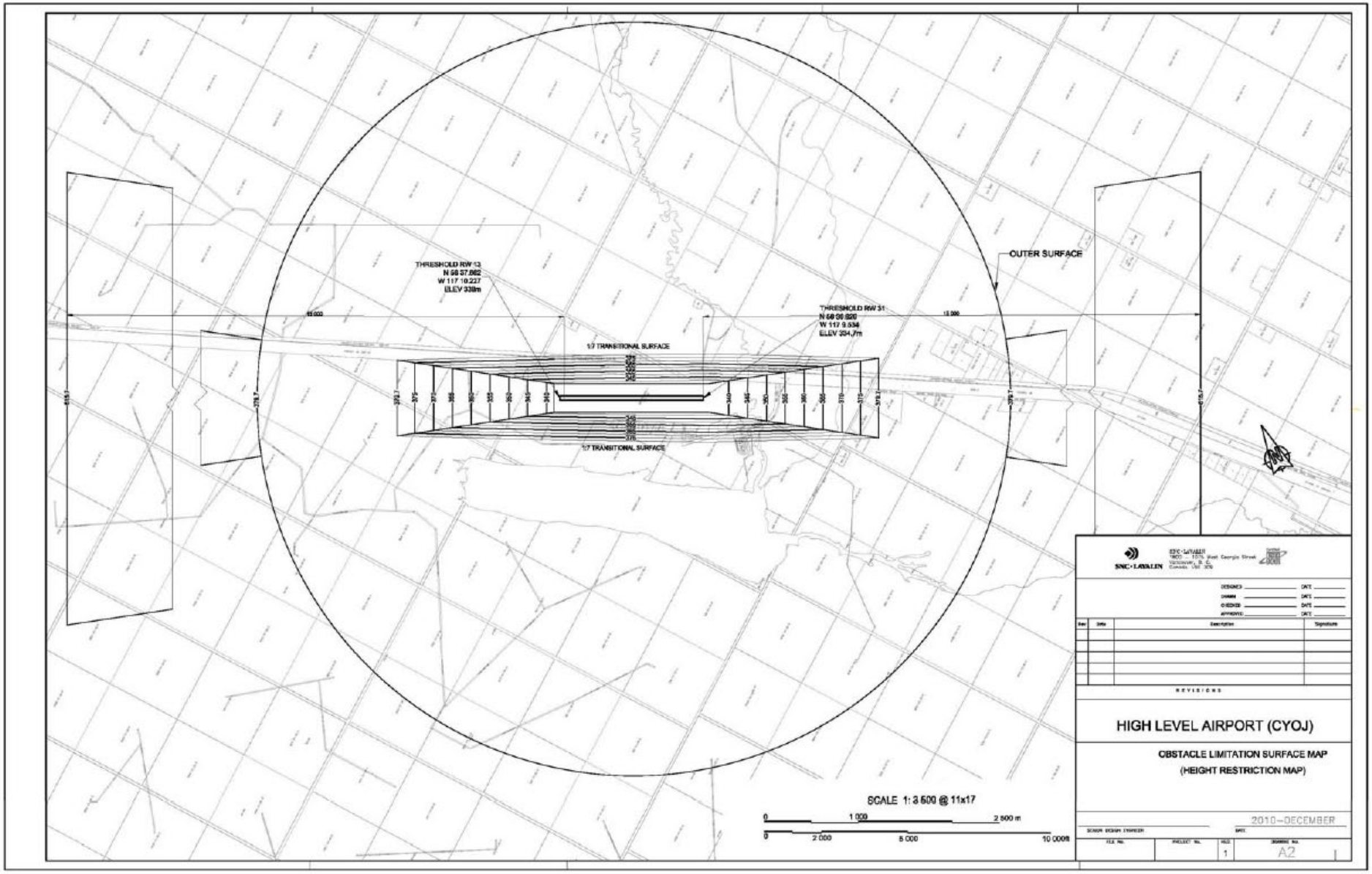
- Town Boundary
- R-1 Low Density Residential
- R-2 Medium Density Residential
- R-3 High Density Residential
- R-4 Manufactured Home
- C-1 Downtown Commercial
- C-3 Highway Commercial
- IND Industrial
- AP Airport
- A Agriculture
- P Parks
- FS Forestry Services
- R Reserve
- CU Community Use
- DC Direct Control

Map 2

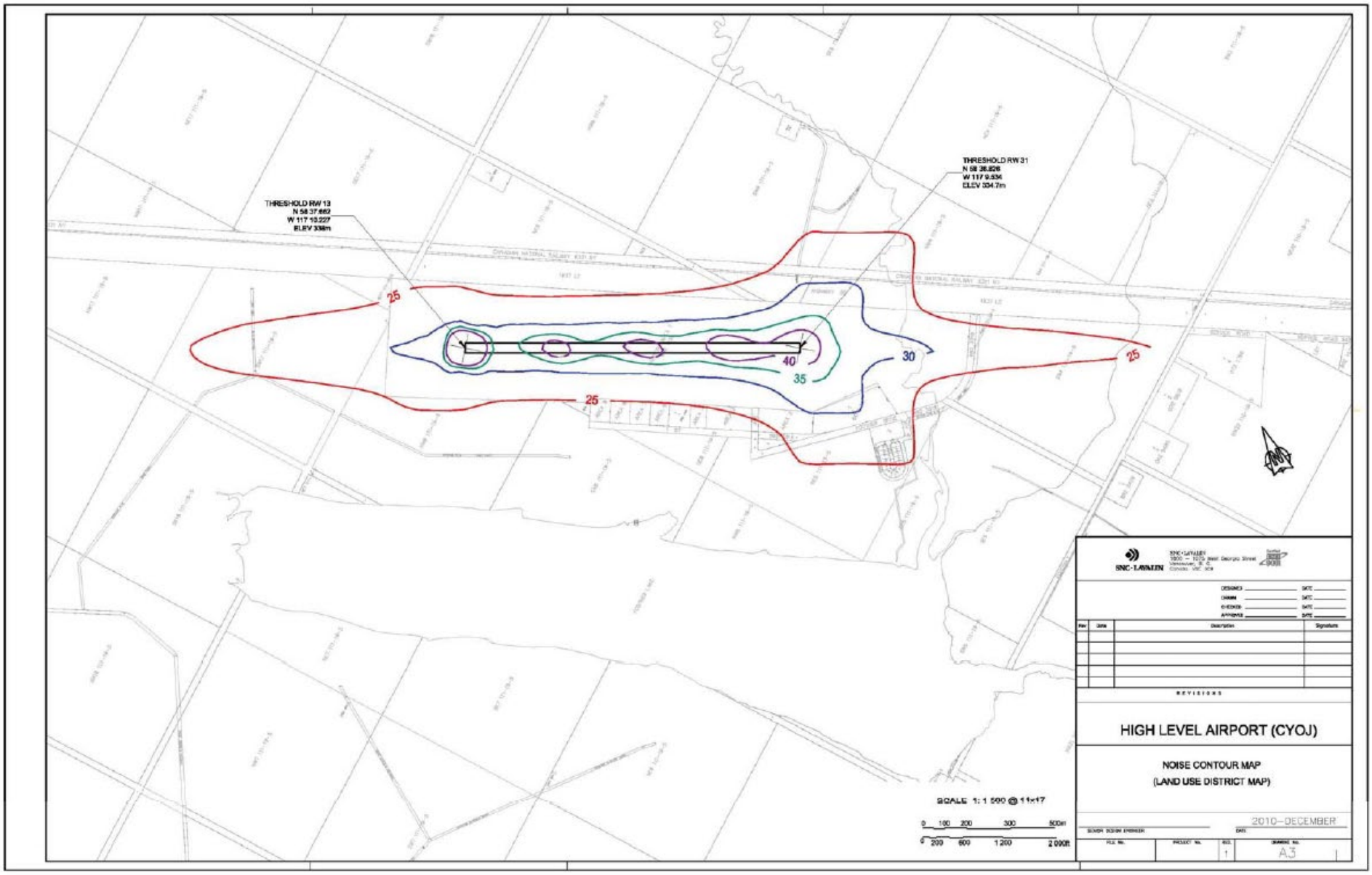
Airport Restrictions Area



Map 3


THRESHOLD RW 13
N 58 37.062
W 117 10.227
ELEV 338m
THRESHOLD RW 31
N 58 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

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.

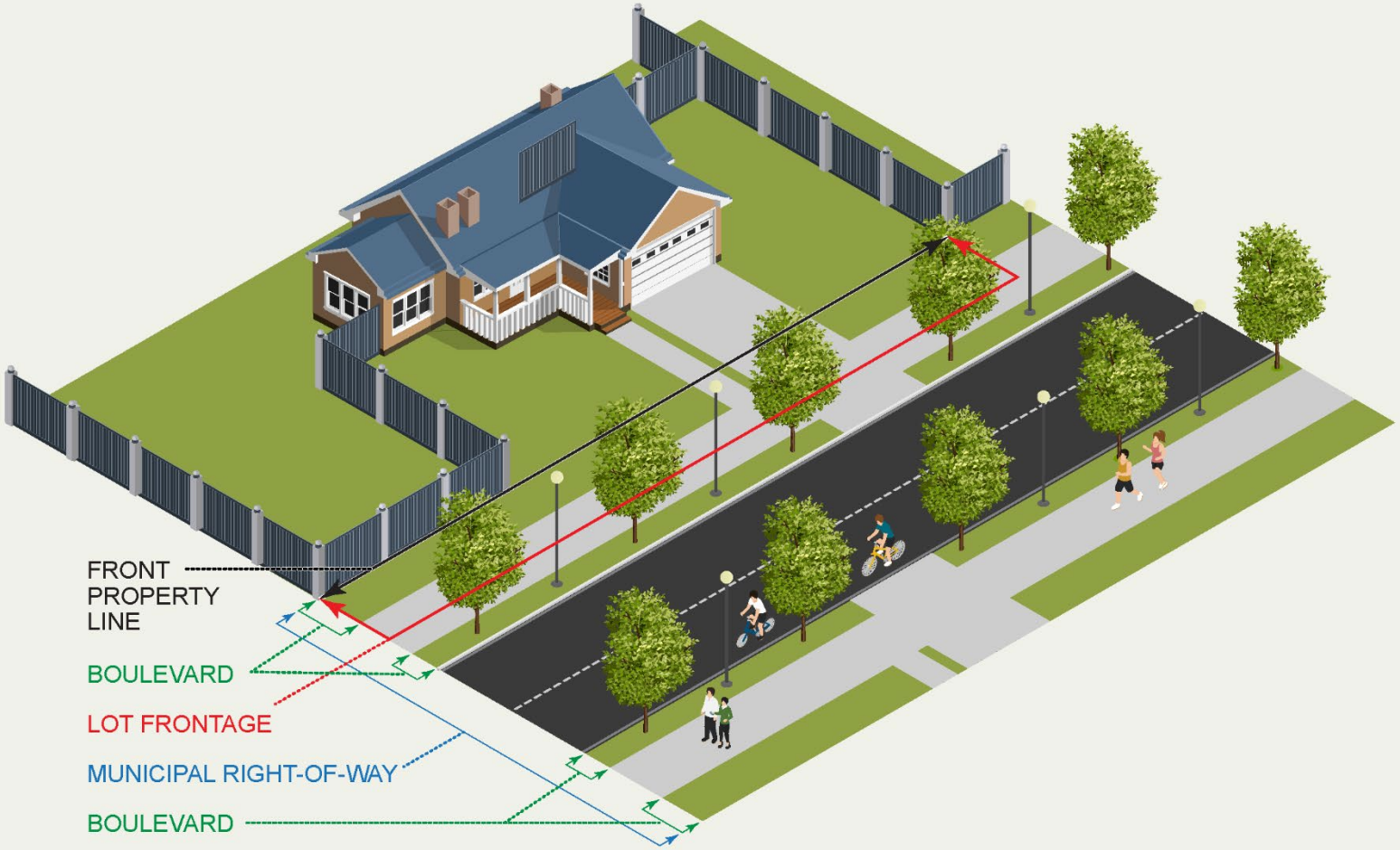


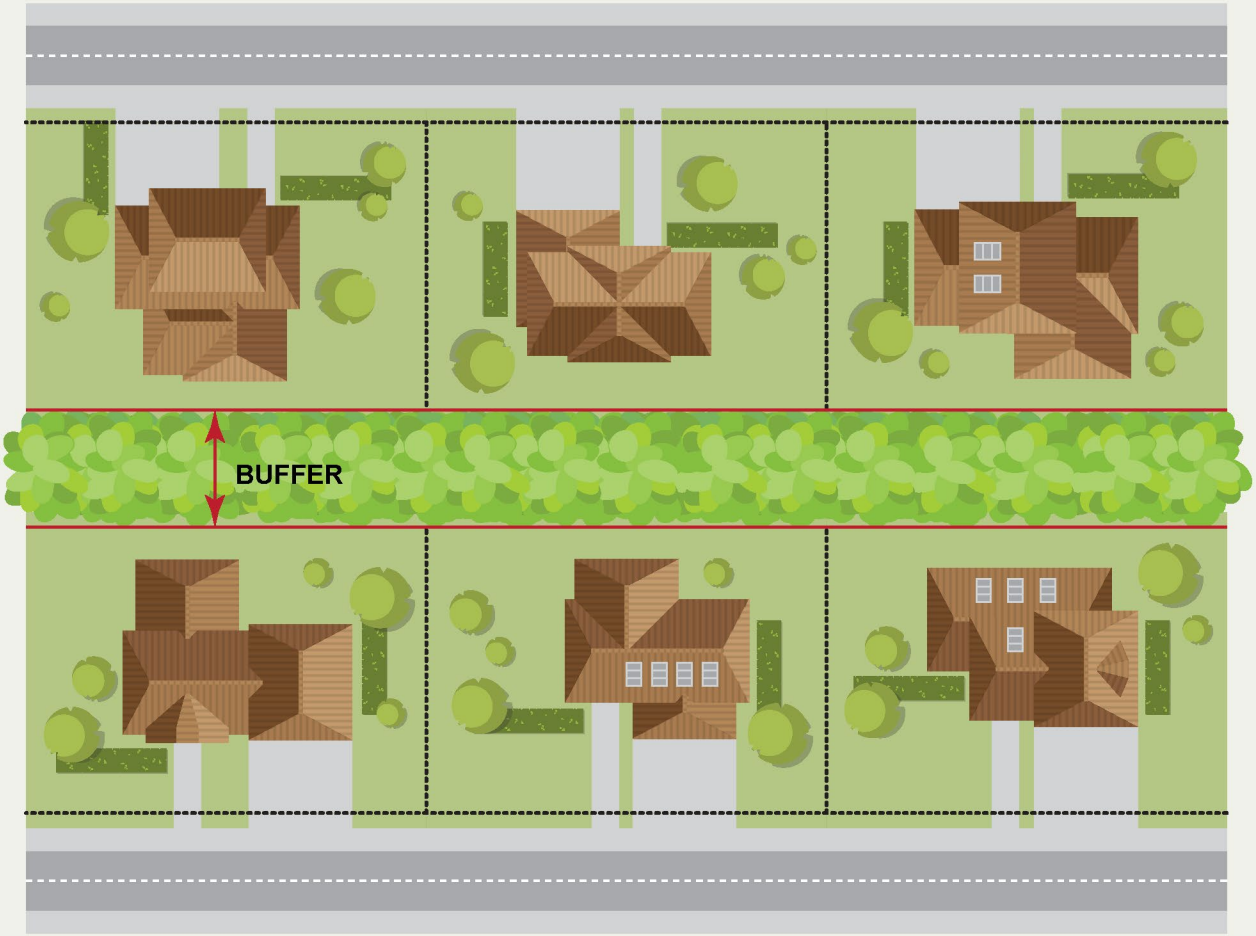




FIGURE 3

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.





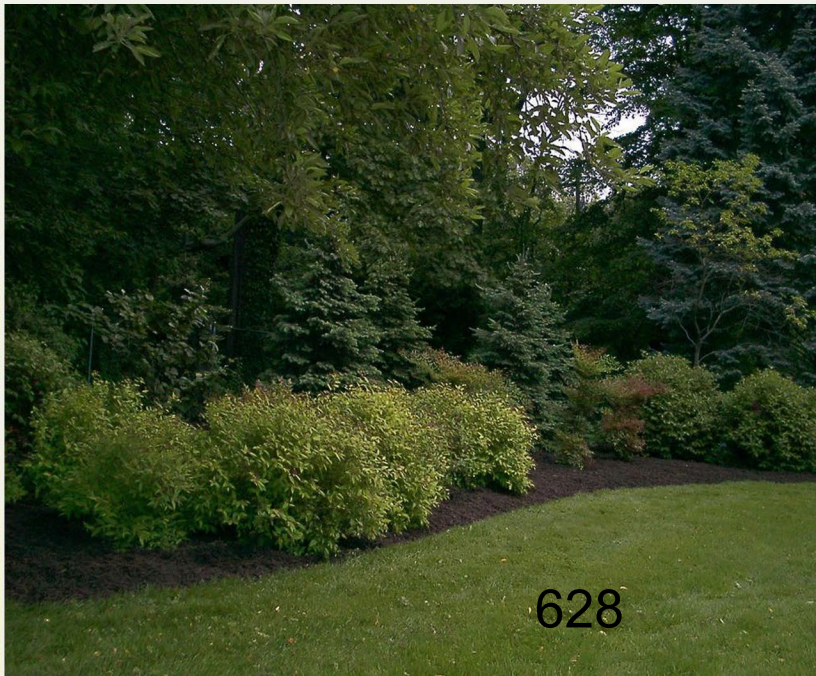


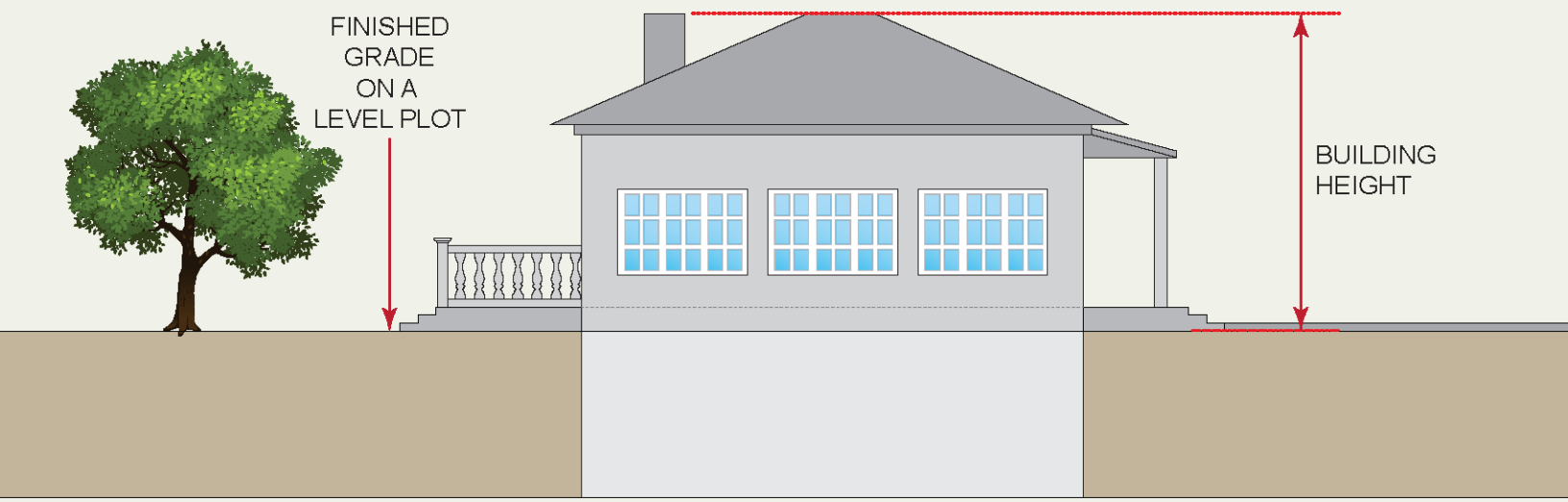
FIGURE 4

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.



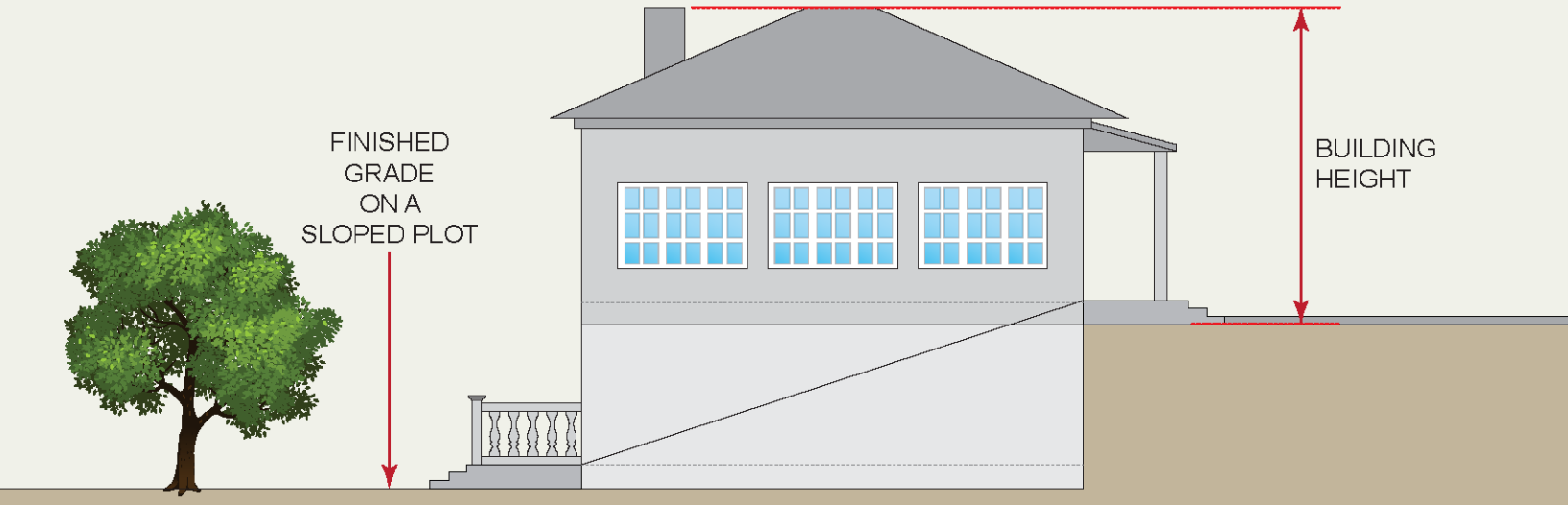


FIGURE 5

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.

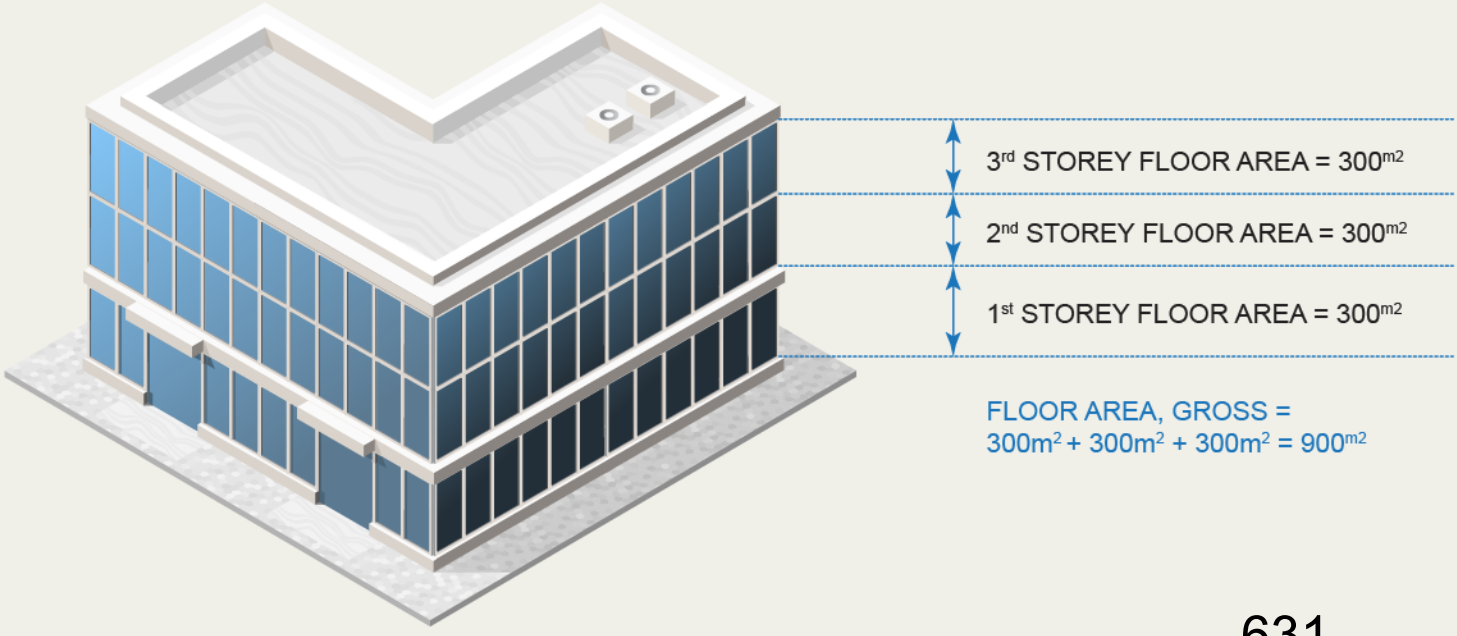


FIGURE 7

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.

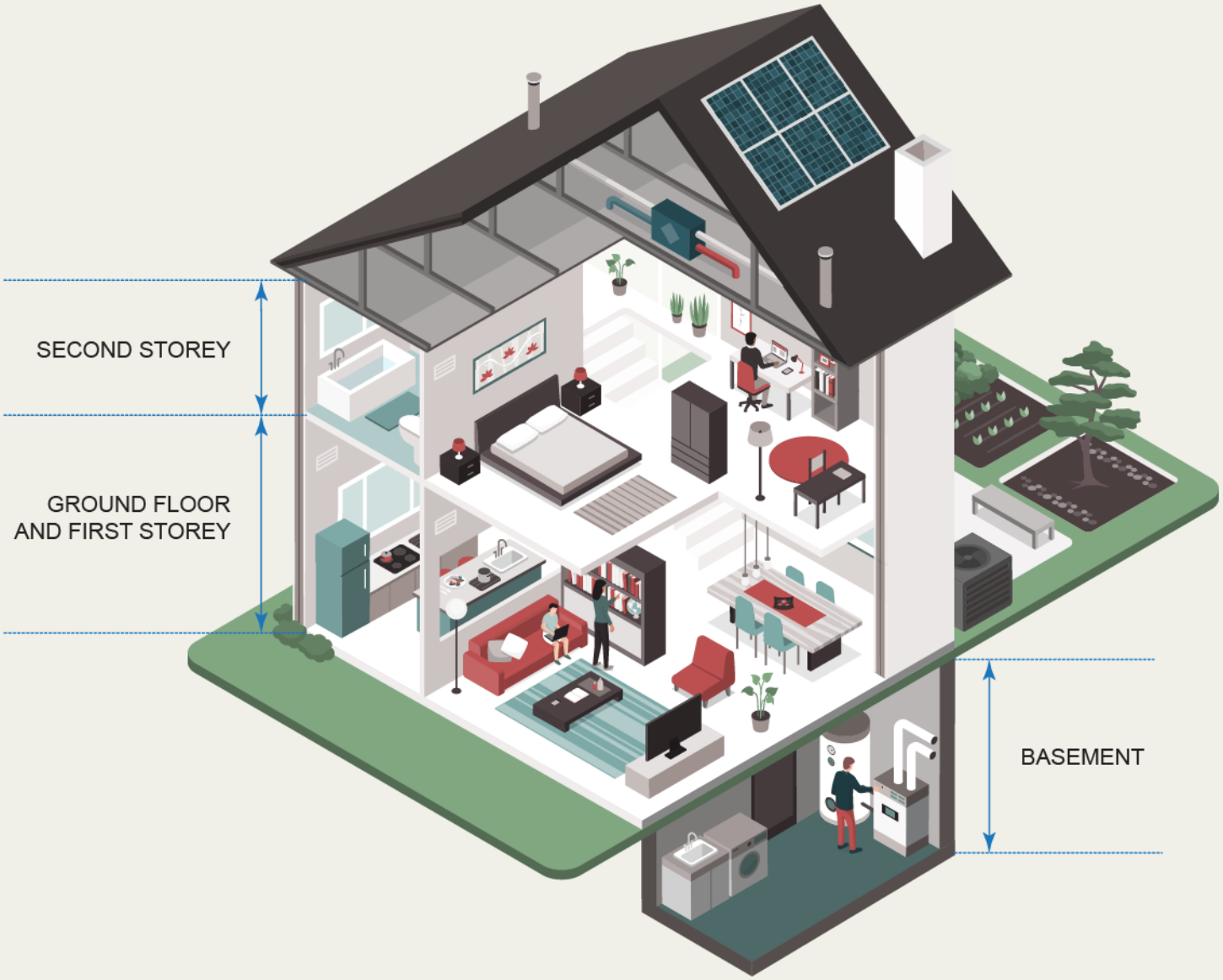


FIGURE 8

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.

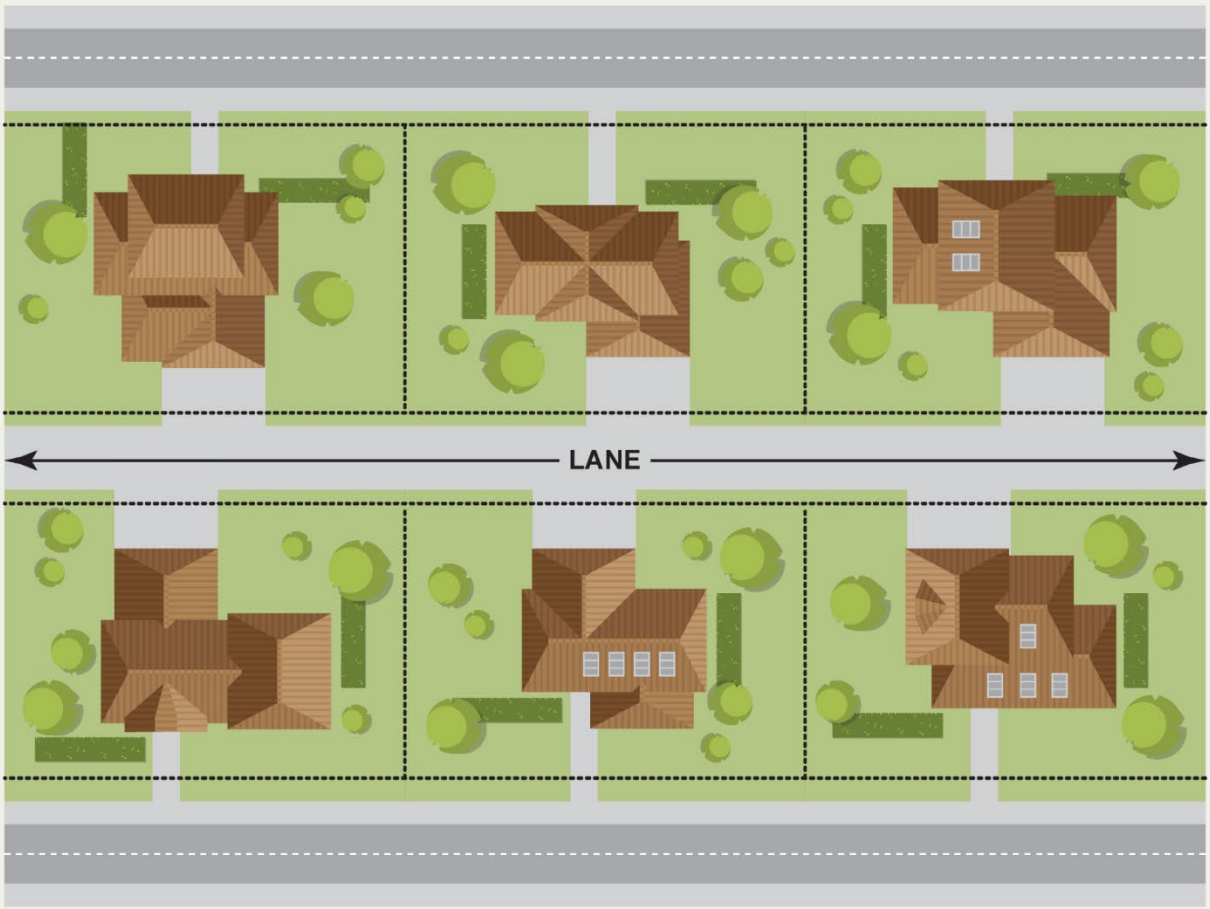






FIGURE 10

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.

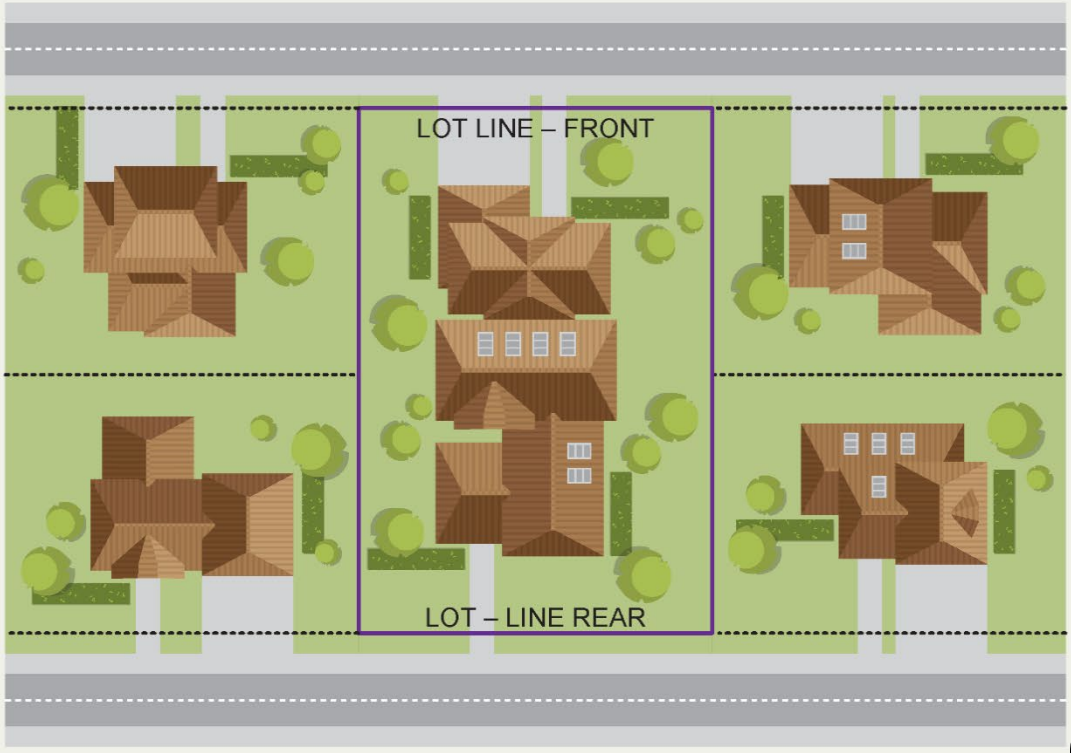


FIGURE 11

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.

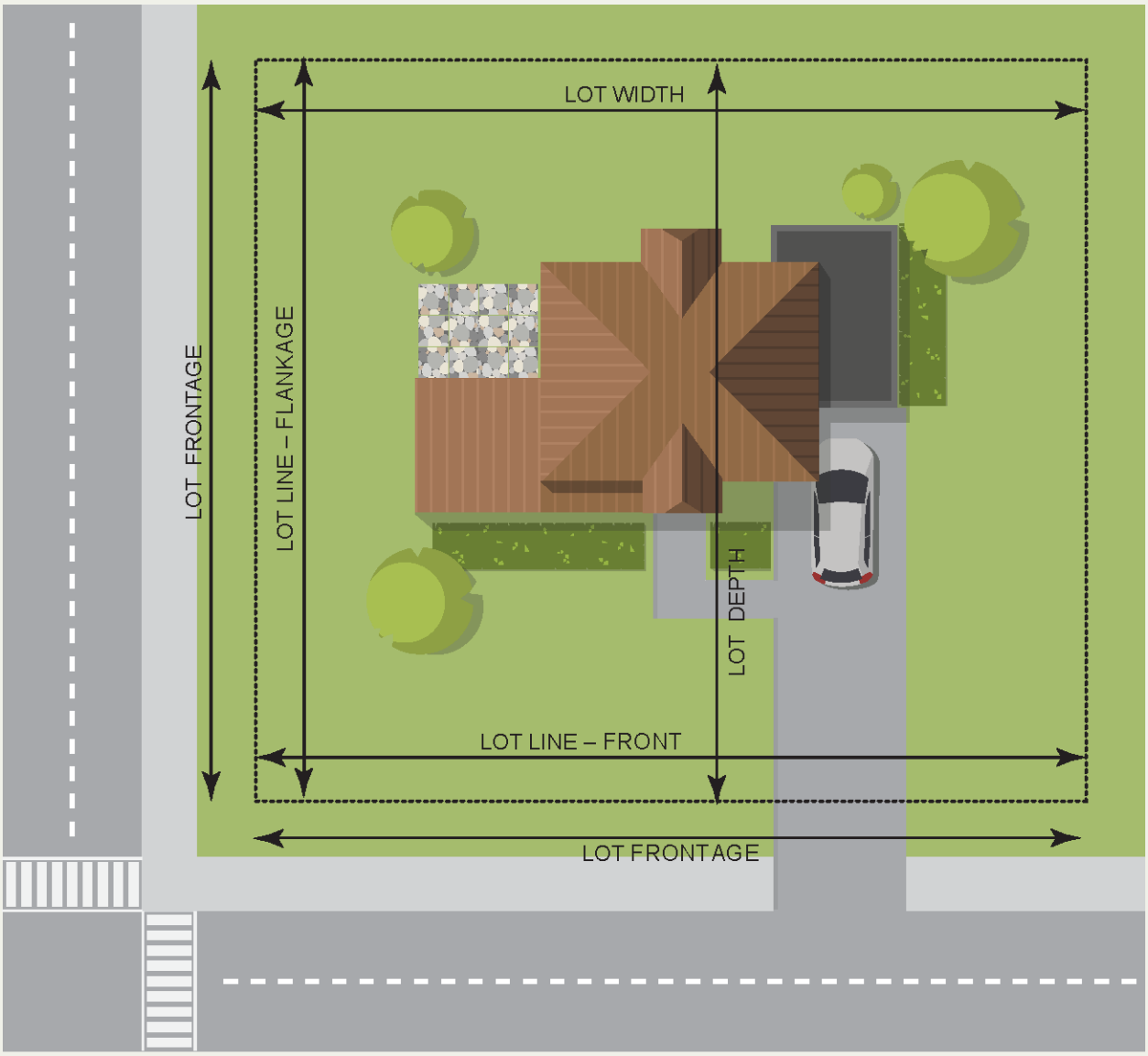


FIGURE 12

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.

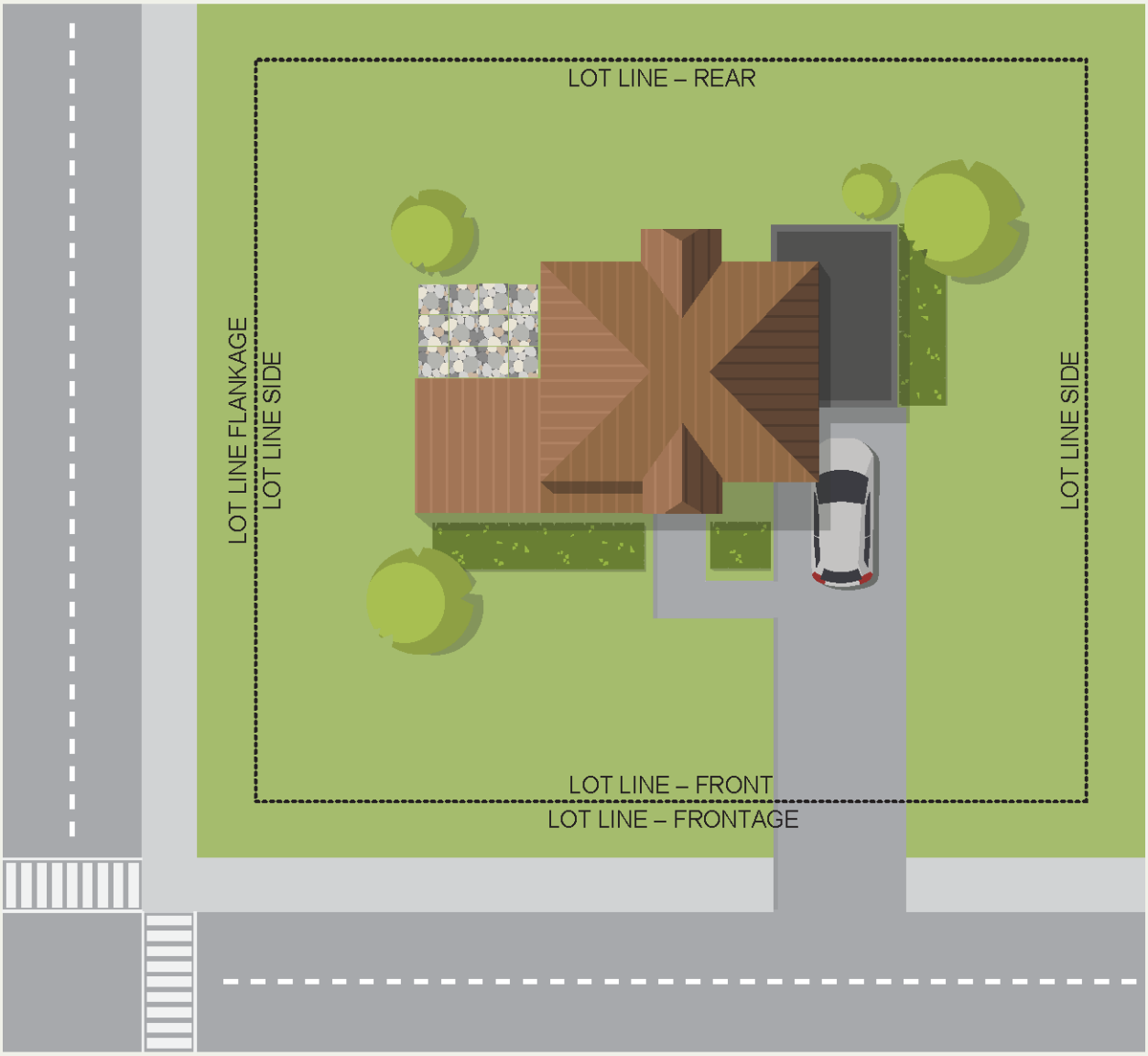


FIGURE 13

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.

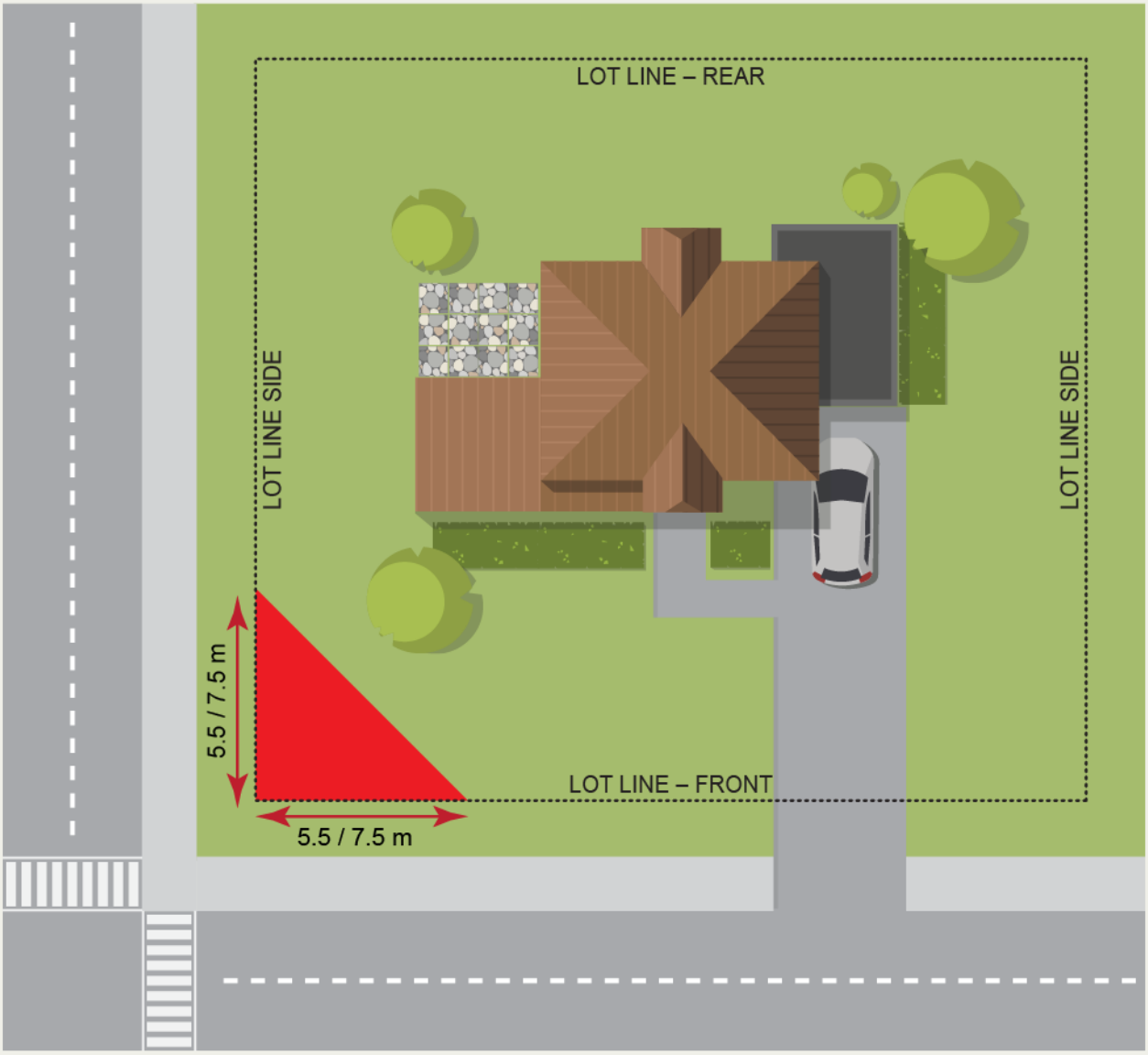


FIGURE 18

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



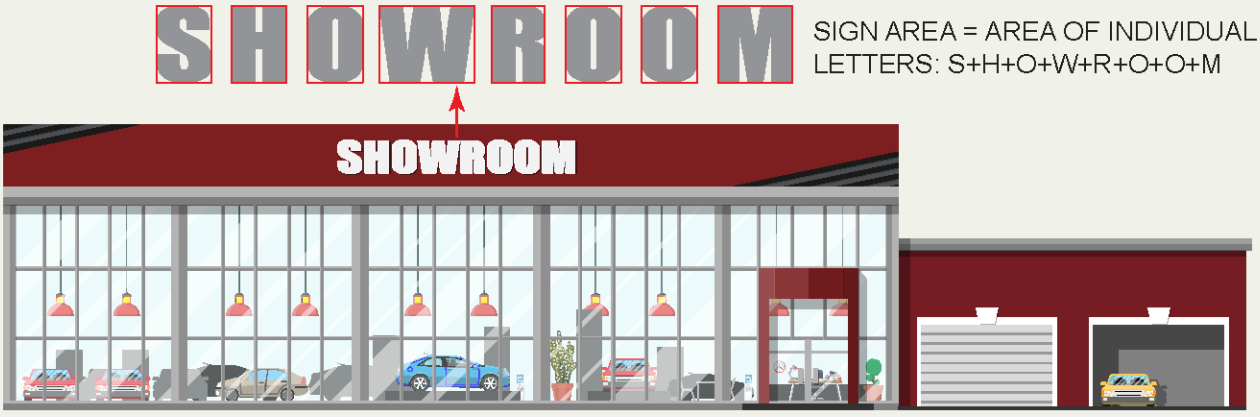
SIGN – SANDWICH

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.





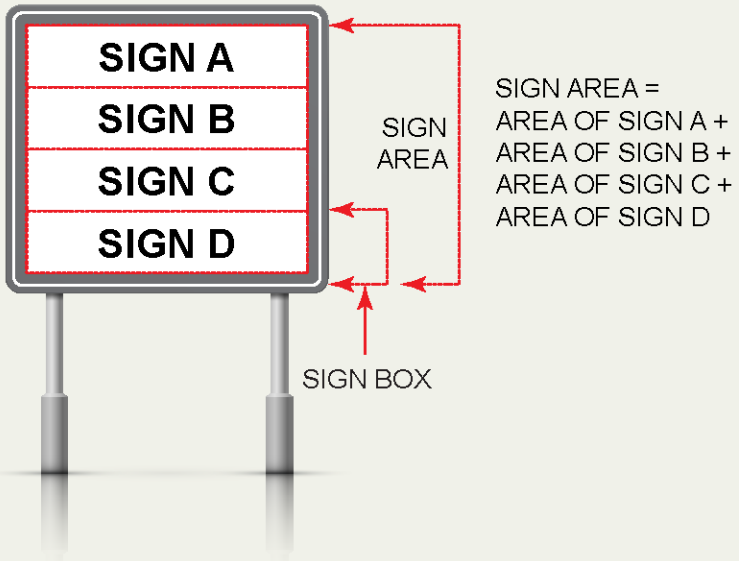


FIGURE 20

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.



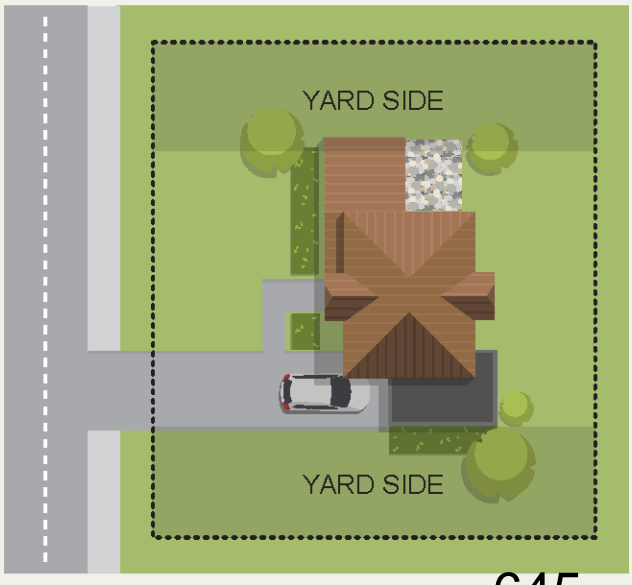


FIGURE 21

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

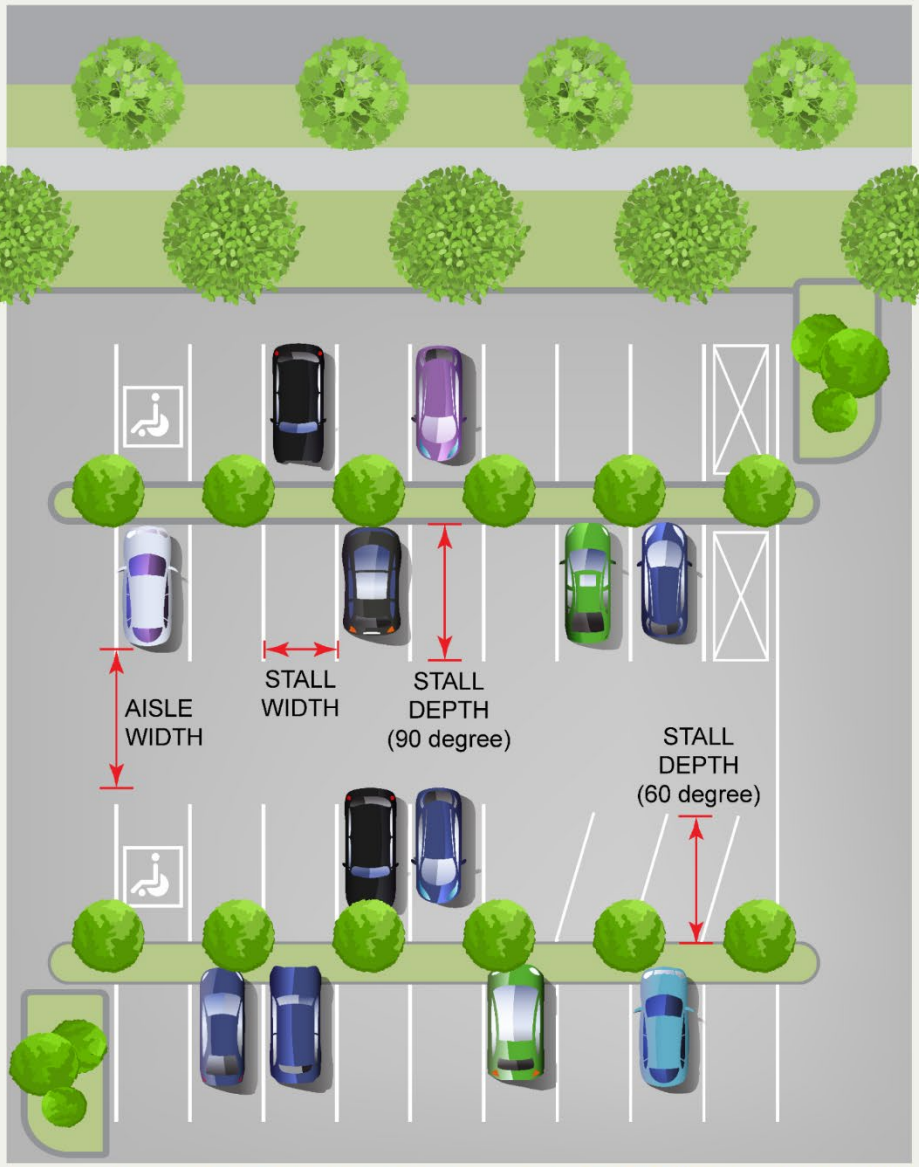
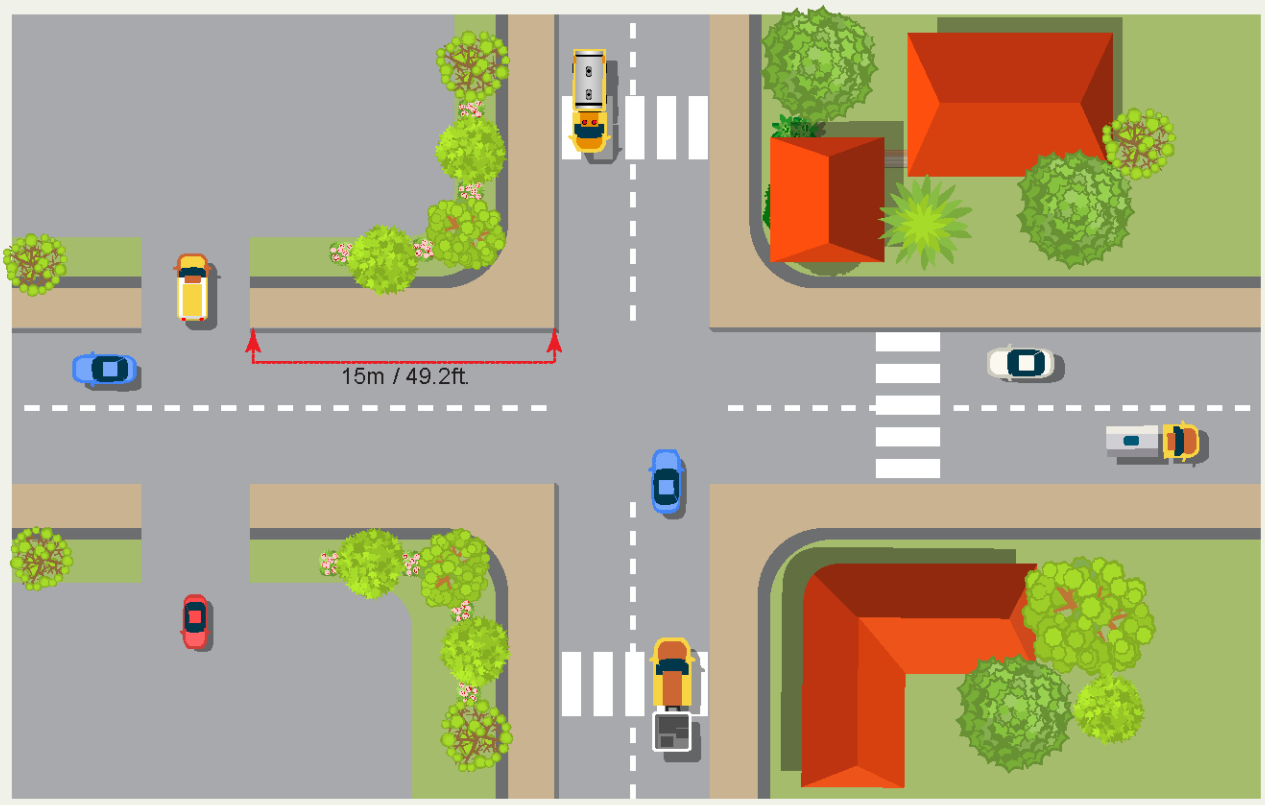




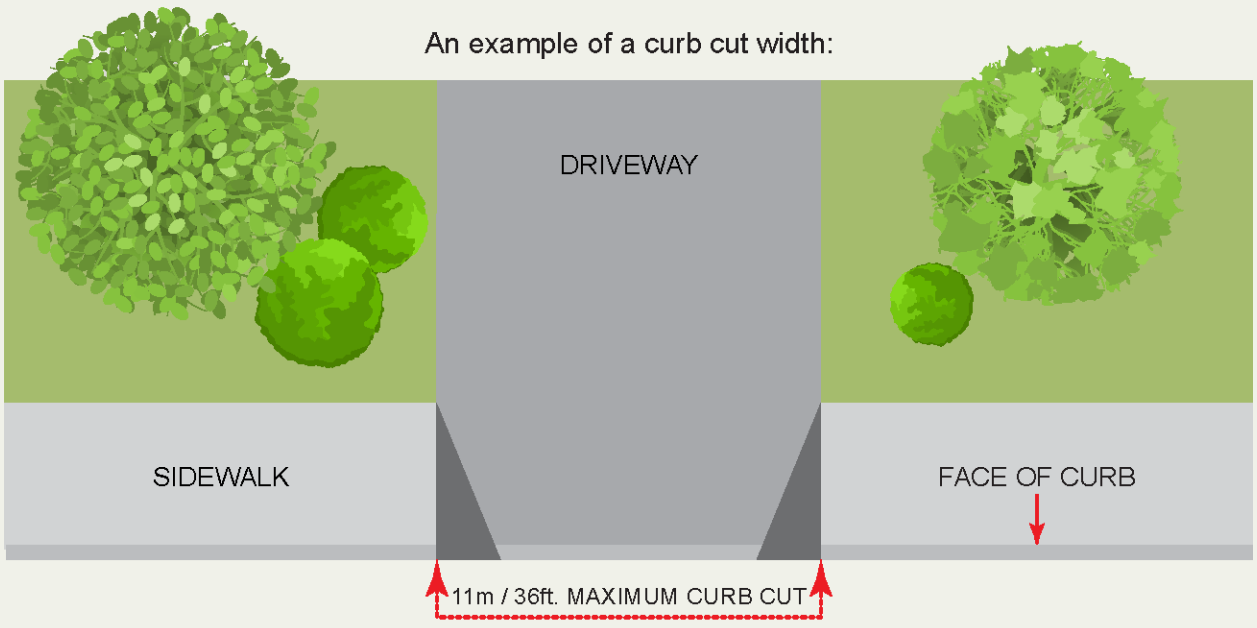
FIGURE 26

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.



LAND USE BYLAW UPDATE

MAKING HOUSING EASIER TO BUILD
WHAT WE HEARD REPORT

May 13, 2025

URBAN SYSTEMS

200 - 10345 105 Street NW, Edmonton, AB T5J 1E8 | T: 780.430.4041

CONTACT: Jake Papineau
E: jpapineau@urbansystems.ca

TOWN OF
HIGH LEVEL

PREPARED FOR:

Town of High Level
10511 – 103 Street
High Level, AB T0H 1Z0

200 - 10345 105 Street NW, Edmonton, AB T5J 1E8 | T: 780.430.4041

File: 2732.0041.01

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DRAFT

PROJECT OVERVIEW

The Town of High Level is updating its Land Use Bylaw (LUB) to help address housing needs and enable more flexible residential development. The Making Housing Easier to Build project focuses on expanding housing options, reducing regulatory barriers, and creating a more adaptable planning framework for future growth.

As part of this initiative, and in order to meet the requirements of Section 606 of the Municipal Government Act, the proposed changes were communicated via the project page on the Town's ShapeHighLevel.ca webpage, a public notice published for two consecutive weeks in the local newspaper, and postcard with a QR code survey link and invitation to participate which was mailed to every residence in the area impacted by the proposed bylaw changes.

Residents and stakeholders were invited to complete the short survey either online (open between April 28 and May 13, 2025) or in-person at the High Level & District 2025 Trade Show on May 2–3, 2025. While the number of responses was modest—with 29 individuals participating in-person and no additional responses received through the web link—the feedback offers useful insight from community members who are engaged and interested in the Town's approach to housing and land use. These responses also align with themes raised through earlier residential and commercial needs assessments, lending broader context to the perspectives shared.

KEY TAKEAWAYS

1. Most respondents were local residents and homeowners.
Of the 29 responses received, 90% came from people who currently live in High Level. Two-thirds of respondents identified as homeowners, while about one-third were renters. A small number identified as business owners or contractors.

2. Housing affordability and availability are pressing concerns.
Participants expressed a high level of concern about both the **cost** and **availability** of housing if they were to seek a new place to live. These concerns reinforce the need for greater housing flexibility.

3. Residents want the Town to ease restrictions on housing development.
Respondents indicated a moderate preference for less restrictive zoning and showed support for a more flexible approach to regulating where housing can be built.

4. There is strong support for reducing red tape.
Efforts to simplify and streamline the permitting process were well-received, with 55% of respondents indicating that reducing red tape was "very important."

5. Diverse housing types are welcomed in residential areas.
Allowing more types of housing—such as duplexes, row houses, and backyard suites—scored particularly high, with 72% of respondents indicating that they strongly support allowing more diverse housing types.

6. Broad support for the proposed bylaw updates.
The proposed changes to the Land Use Bylaw received an average approval rating of 82%, with nearly 60% of respondents expressing strong support.

7. Additional feedback reflects interest and caution.
Six participants shared written comments. While limited in number, these reflected both enthusiasm for increased housing options and a desire to maintain community character and infrastructure capacity as development expands. Written comments can be found in **Appendix A**.

DRAFT

CONCLUSION

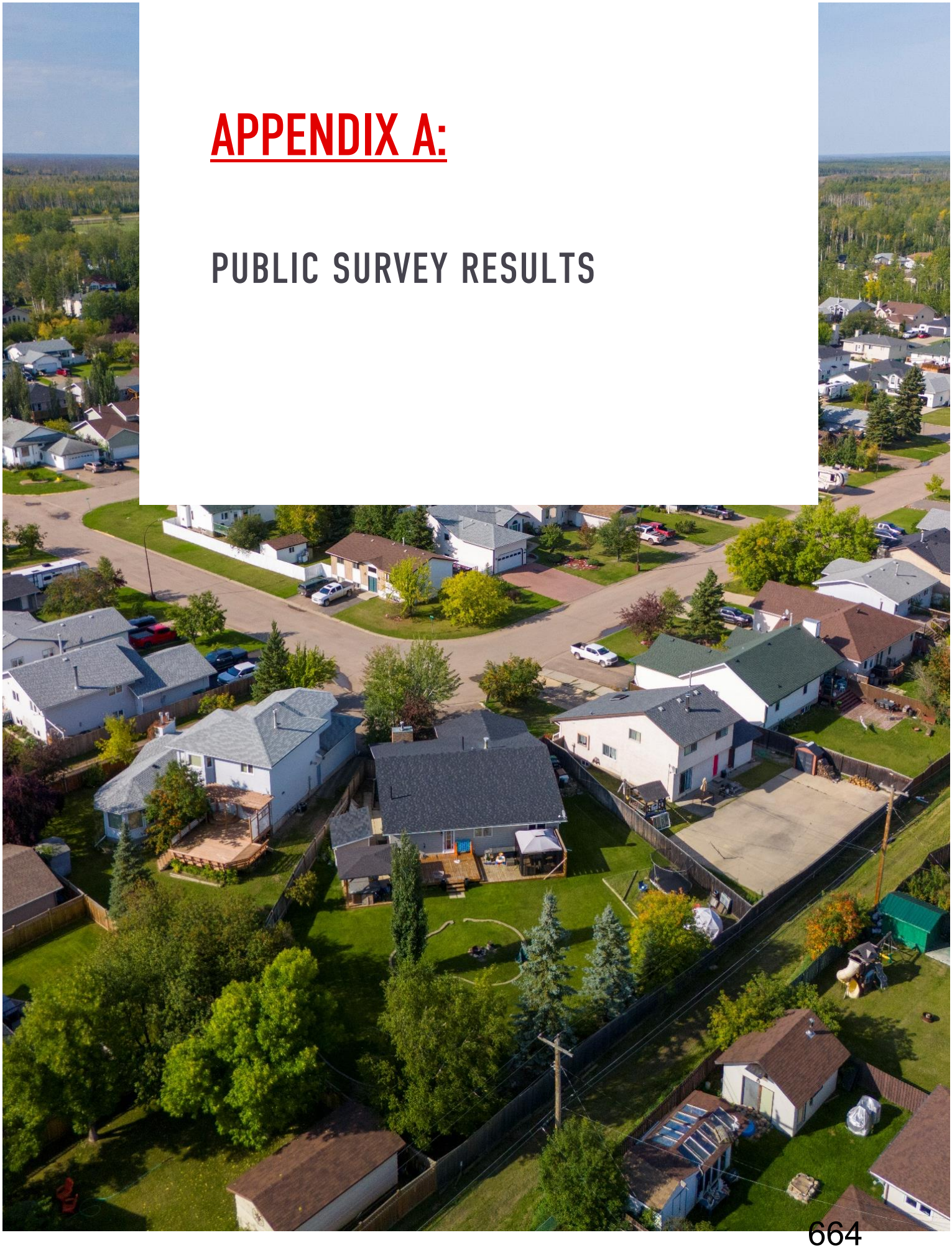
Although the survey received a relatively small number of responses compared to the Town's population, the feedback points to a shared interest in increasing housing diversity and reducing barriers to development. The strong alignment with findings from earlier engagement efforts adds weight to these themes.

Respondents expressed a clear desire for change—highlighting affordability, flexibility, and housing availability as top priorities. As the Town finalizes updates to the Land Use Bylaw, these insights will help ensure that policy changes reflect both the needs and aspirations of the community.

DRAFT

APPENDIX A:

PUBLIC SURVEY RESULTS



Shape High Level

Report Type: Form Results Summary
Date Range: 07-05-2025 - 13-05-2025
Exported: 13-05-2025 14:31:56

Open

Land Use Bylaw Amendments Survey
Making Housing Easier to Build - Land Use Bylaw Project

1 Contributors	29 Contributions

Contribution Summary

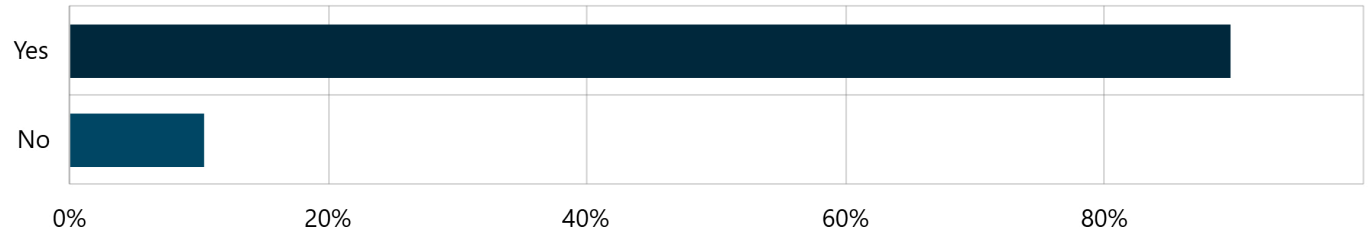
1. I acknowledge the privacy statement above. Required
Single Checkbox | Skipped: 0 | Answered: 29 (100%)



Answer choices	Percent	Count
Yes	100.00%	29
Total	**100.00%**	**29**

2. Do you live in the Town of High Level?

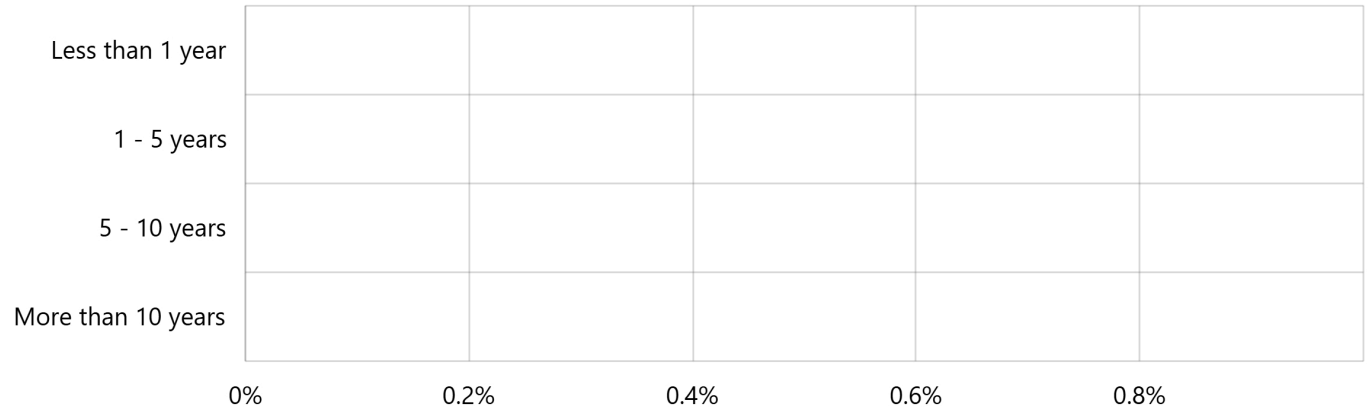
Multi Choice | Skipped: 0 | Answered: 29 (100%)



Answer choices	Percent	Count
Yes	89.66%	26
No	10.34%	3
Total	**100.00%**	**29**

3. How long have you lived in the Town of High Level?

Multi Choice | Skipped: 29 | Answered: 0 (0%)



Answer choices	Percent	Count
Less than 1 year	0%	0
1 - 5 years	0%	0
5 - 10 years	0%	0
More than 10 years	0%	0
Total	**0%**	**0**

4. You answered "No" to living in the Town of High Level. Where do you currently reside?

Short Text | Skipped: 29 | Answered: 0 (0%)

Sentiment

No sentiment data

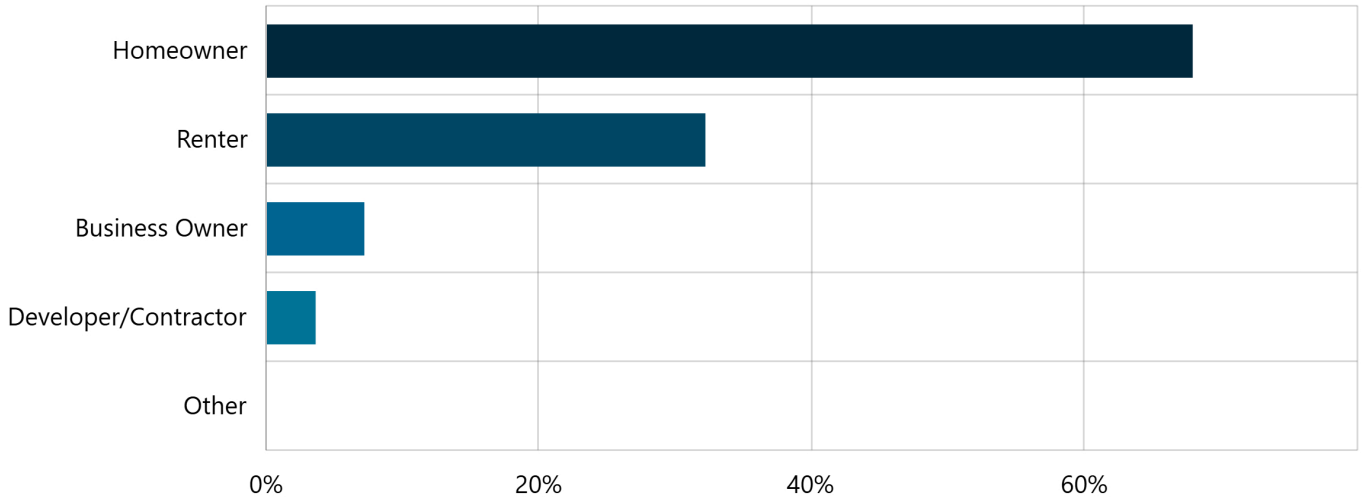
Tags

No tag data

Featured Contributions

No featured contributions

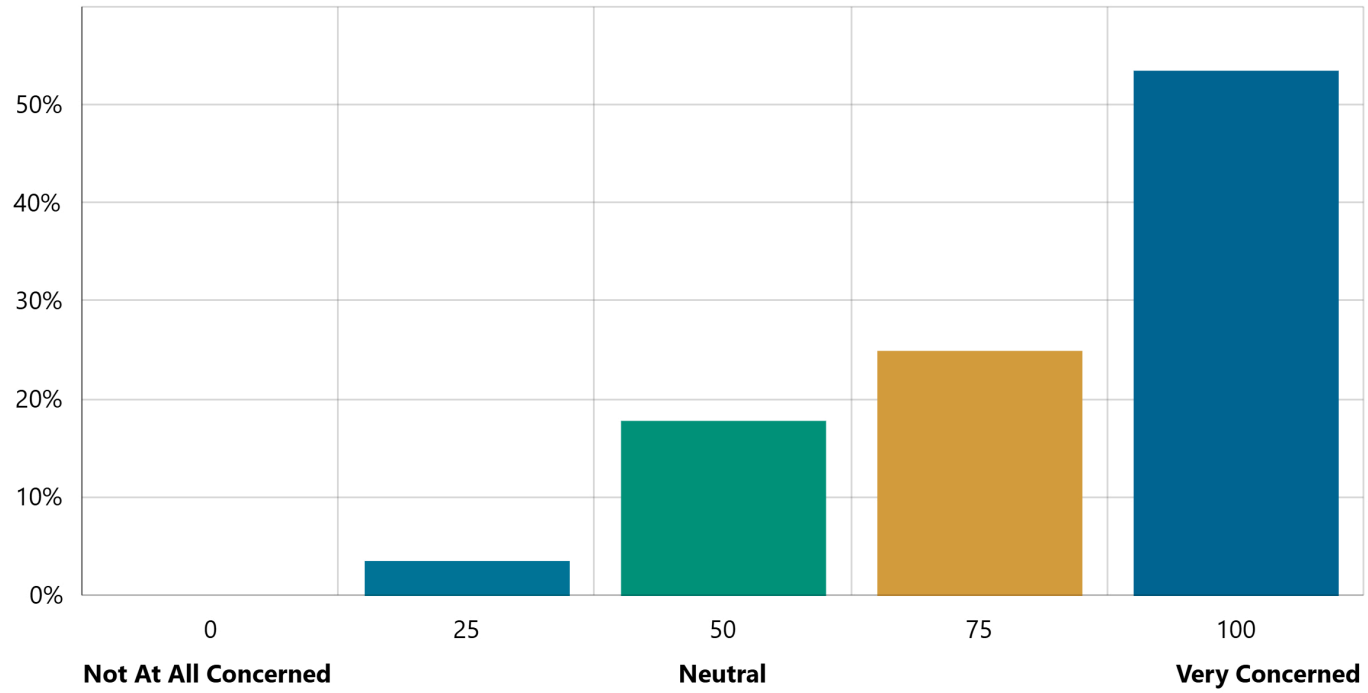
5. Which of the following best describes you (select any/all that apply)?
Multi Choice | Skipped: 1 | Answered: 28 (96.6%)



Answer choices	Percent	Count
Homeowner	67.86%	19
Renter	32.14%	9
Business Owner	7.14%	2
Developer/Contractor	3.57%	1
Other	0%	0

6. If you were to require a different housing situation tomorrow, how concerned would you be about the cost of renting or purchasing housing in High Level?

Slider | Skipped: 1 | Answered: 28 (96.6%)

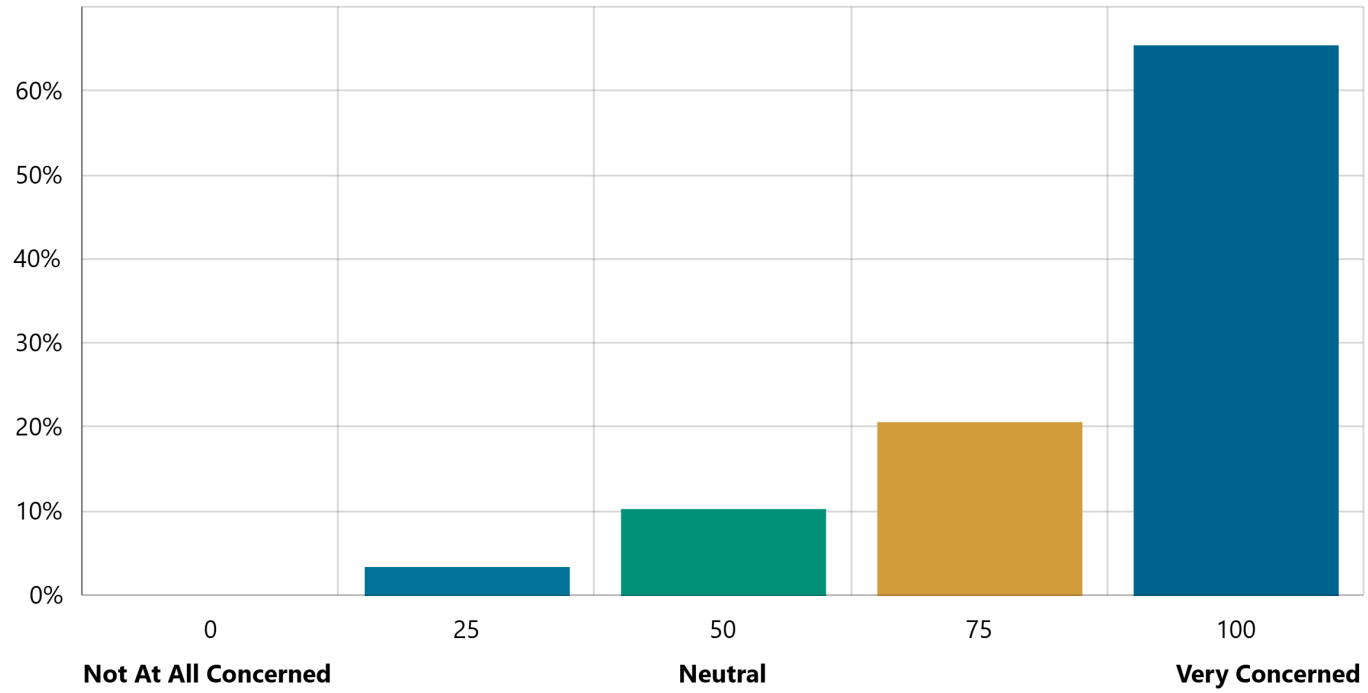


Count	Average	Median	Min	Max
28	82.14	100.00	25	100

0	25	50	75	100
0% 0	3.57% 1	17.86% 5	25.00% 7	53.57% 15

7. If you were to require a different housing situation tomorrow, how concerned are you about the availability of housing in High Level?

Slider | Skipped: 0 | Answered: 29 (100%)

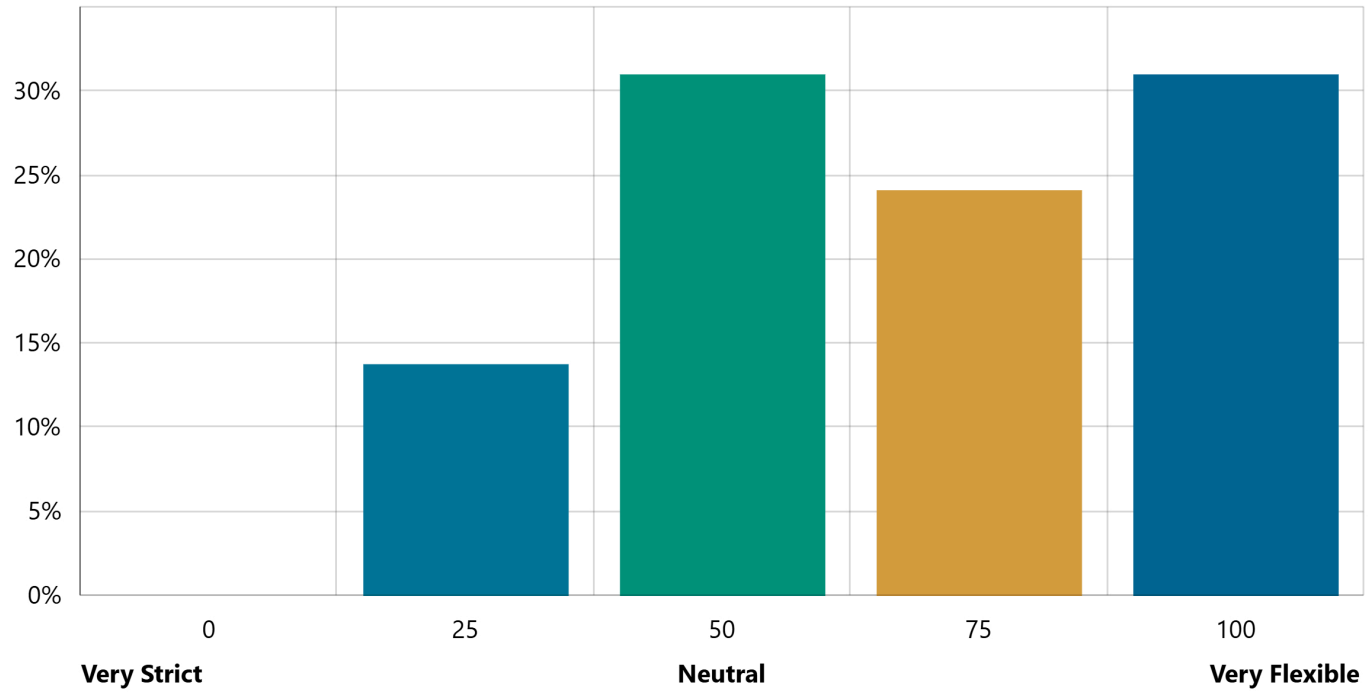


Count	Average	Median	Min	Max
29	87.07	100.00	25	100

0	25	50	75	100
0% 0	3.45% 1	10.34% 3	20.69% 6	65.52% 19

8. How flexible or strict do you think the Town of High Level should be when regulating where new housing can be built?

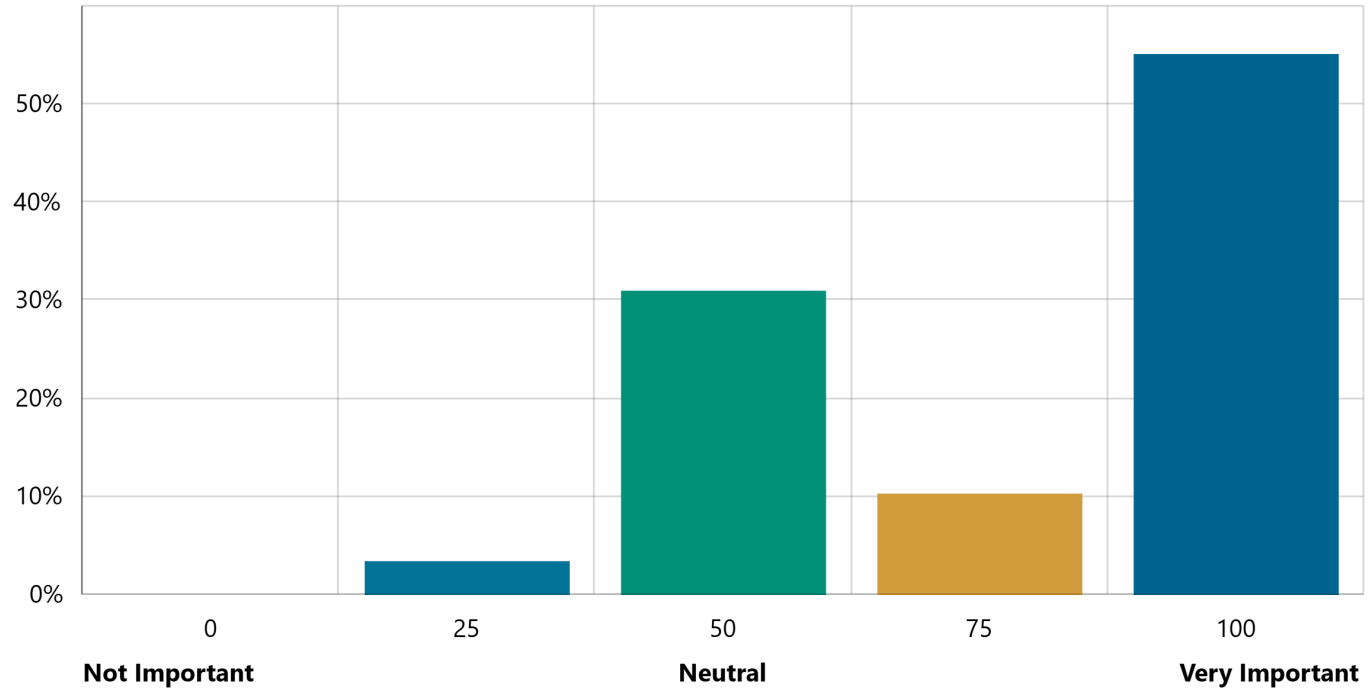
Slider | Skipped: 0 | Answered: 29 (100%)



Count	Average	Median	Min	Max
29	68.10	75.00	25	100

0	25	50	75	100
0% 0	13.79% 4	31.03% 9	24.14% 7	31.03% 9

9. How important is it to you that the Town reduces red tape to make building new housing easier?
Slider | Skipped: 0 | Answered: 29 (100%)

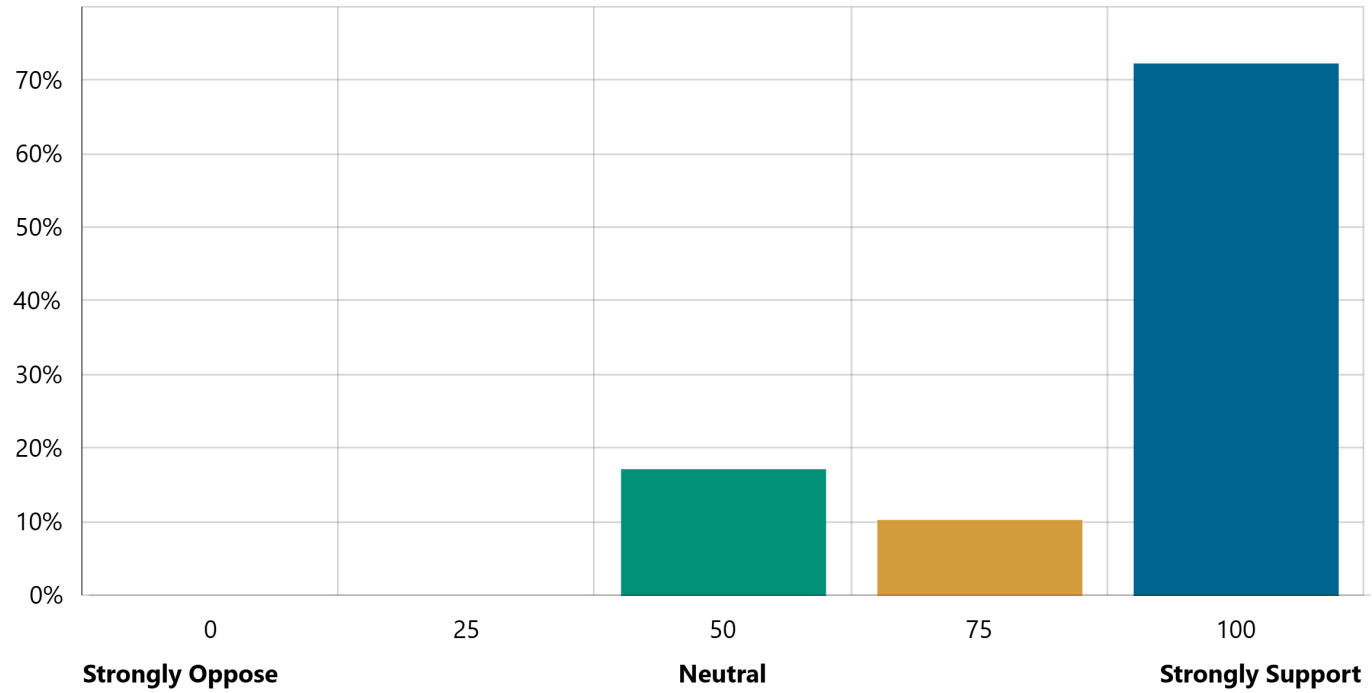


Count	Average	Median	Min	Max
29	79.31	100.00	25	100

0	25	50	75	100
0% 0	3.45% 1	31.03% 9	10.34% 3	55.17% 16

10. Do you support allowing more housing types in residential areas (e.g., duplexes, row houses, backyard suites, etc.)

Slider | Skipped: 0 | Answered: 29 (100%)

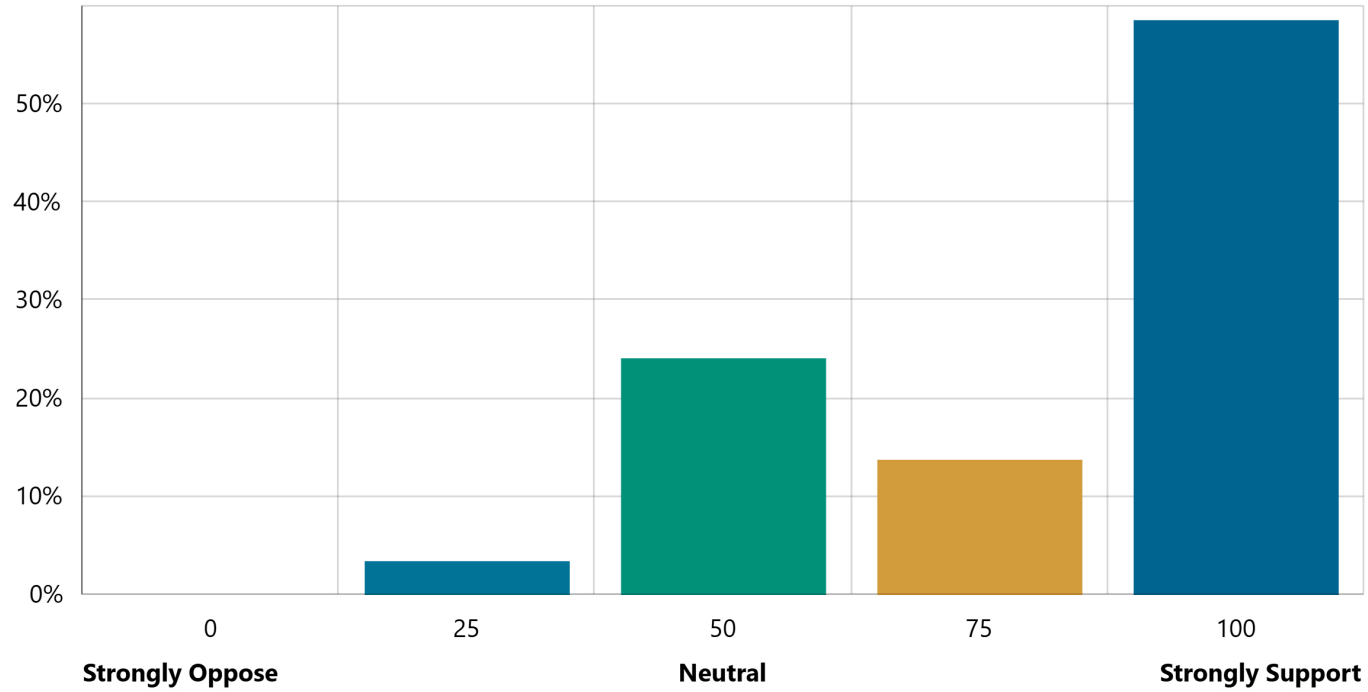


Count	Average	Median	Min	Max
29	88.79	100.00	50	100

0	25	50	75	100
0% 0	0% 0	17.24% 5	10.34% 3	72.41% 21

11. Do you support the proposed updates to the Land Use Bylaw?

Slider | Skipped: 0 | Answered: 29 (100%)



Count	Average	Median	Min	Max
29	81.90	100.00	25	100

0	25	50	75	100
0% 0	3.45% 1	24.14% 7	13.79% 4	58.62% 17

12. Do you have any comments about the proposed changes to the Land Use Bylaw? Please let us know below.
Long Text | Skipped: 23 | Answered: 6 (20.7%)

Sentiment

No sentiment data

Tags

No tag data

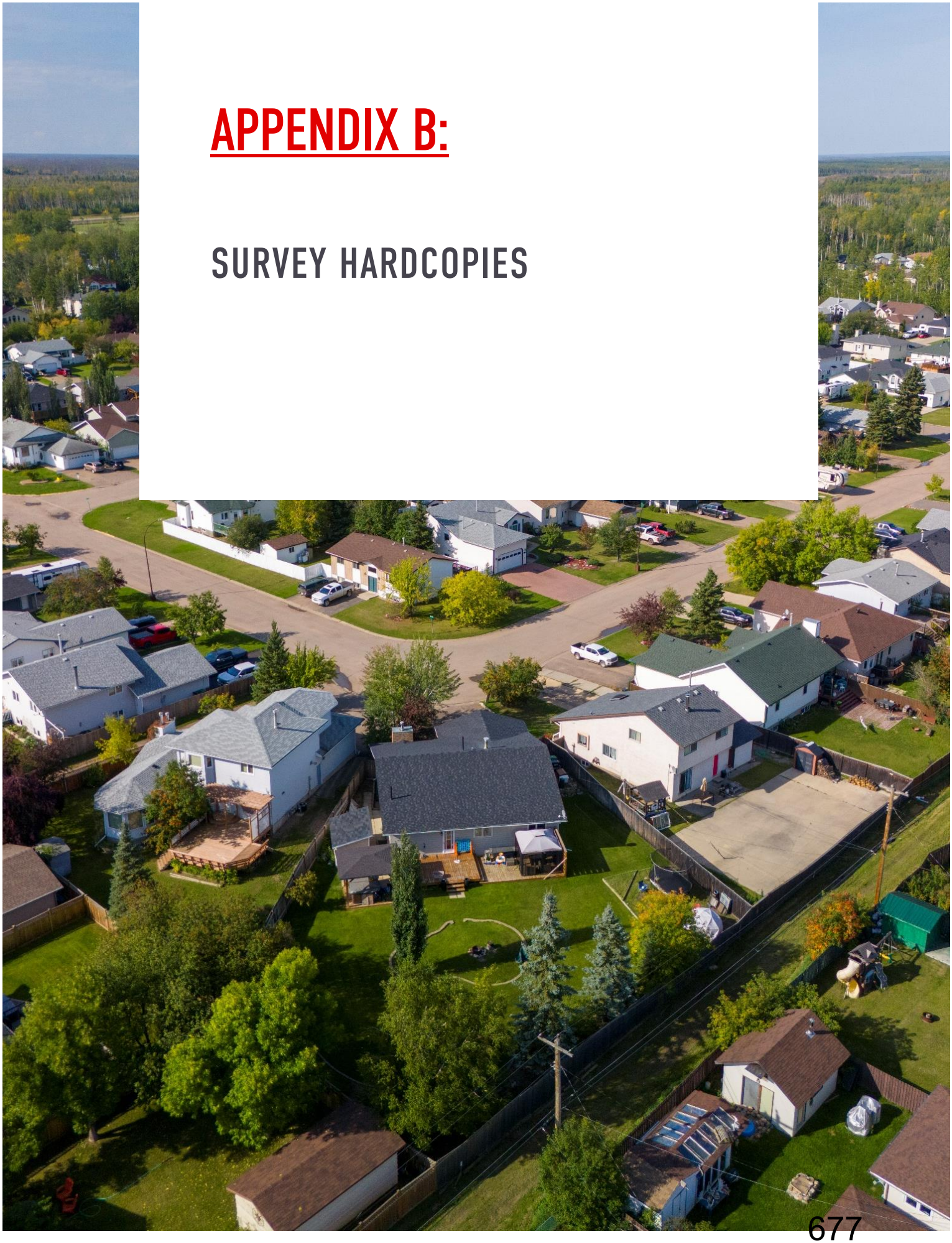
Featured Contributions

No featured contributions

ID	Contribution
795	Housing is definitely needed both for purchase & rent.
791	Make renting more affordable. It's not just about how much the property owner can profit. You want to create a community & grow it then meet them half way. Stop attacking the working class and actually work together. Not just fill your own coffers.
789	There needs to be an increase in building more residential units.
784	With the shortage of housing currently, I think all initiatives to build and cut red tape are fantastic. Excellent job already with online permits!
783	Good idea.
780	I highly suggest and support building residential mixed use buildings. This creates walkable communities and provides entrepreneurs with new space and opportunity to open businesses.

APPENDIX B:

SURVEY HARDCOPIES



Engagement Feedback Form

TOWN OF HIGH LEVEL

Project: Making Housing Easier to Build - Land Use Bylaw Update

Do you live in High Level?

☐ Yes ☒ No

Which of these best describes you:

☒ Home Owner ☐ Renter ☐ Business Owner ☐ Developer

If you were to require a different housing situation tomorrow, how concerned would you be with the cost of renting or purchasing a house in High Level?

Not Concerned At All — Neutral — Very Concerned

If you were to require a different housing situation tomorrow, how concerned would you be with the availability of housing in High Level?

Not Concerned At All — Neutral — Very Concerned

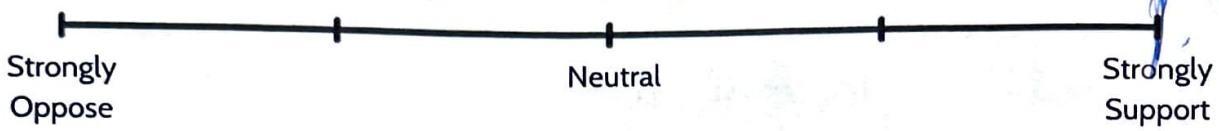
How flexible or strict do you think the Town of High Level should be when regulating where new housing can be built?

Very Strict — Neutral — Very Flexible

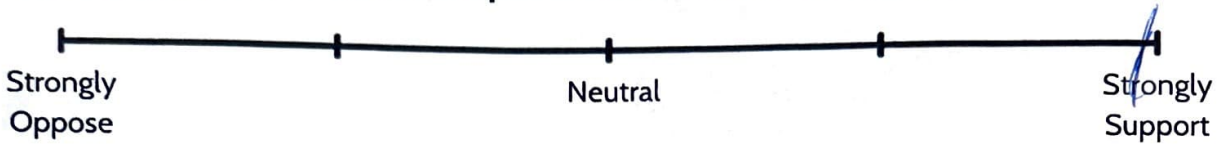
How important is it to you that the Town reduces red tape to make building new housing easier?

Not Important — Neutral — Very Important

Do you support allowing more housing types in residential areas (e.g., duplexes, row houses, backyard suites, etc.)



Do you support the proposed updates to the Land Use Bylaw?



Do you have any comments about the proposed changes to the Land Use Bylaw? Please let us know below!

Engagement Feedback Form

TOWN OF HIGH LEVEL

Project: Making Housing Easier to Build - Land Use Bylaw Update

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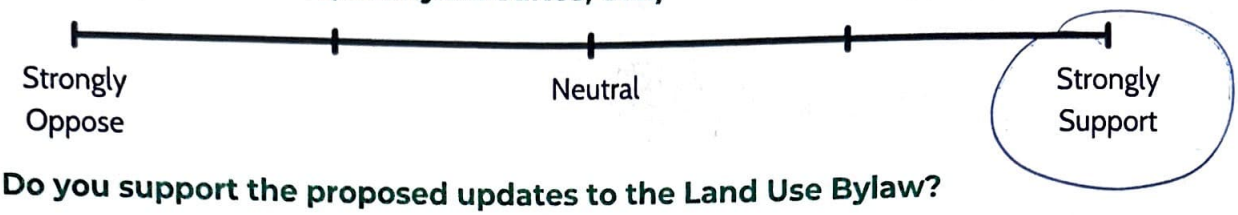
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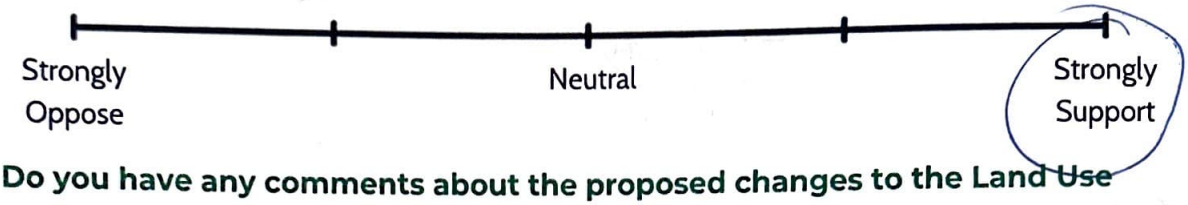
How important is it to you that the Town reduces red tape to make building new housing easier?

Not Important — Neutral — Very Important

Do you support allowing more housing types in residential areas (e.g., duplexes, row houses, backyard suites, etc.)



Do you support the proposed updates to the Land Use Bylaw?



Do you have any comments about the proposed changes to the Land Use Bylaw? Please let us know below!

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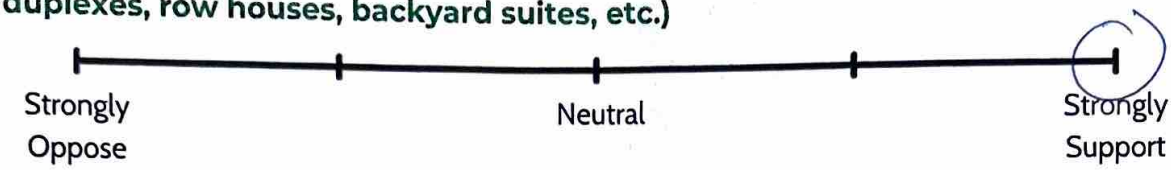
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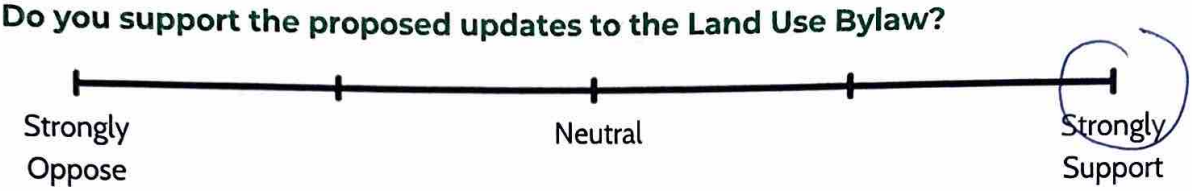
How important is it to you that the Town reduces red tape to make building new housing easier?

Not Important — Neutral — Very Important

Do you support allowing more housing types in residential areas (e.g., duplexes, row houses, backyard suites, etc.)



Do you support the proposed updates to the Land Use Bylaw?



Do you have any comments about the proposed changes to the Land Use Bylaw? Please let us know below!

I highly suggest & support building Residential Mixed Use buildings. This creates walkable Communities and provides entrepreneurs with new space & opportunity to open businesses.

Engagement Feedback Form

TOWN OF HIGH LEVEL

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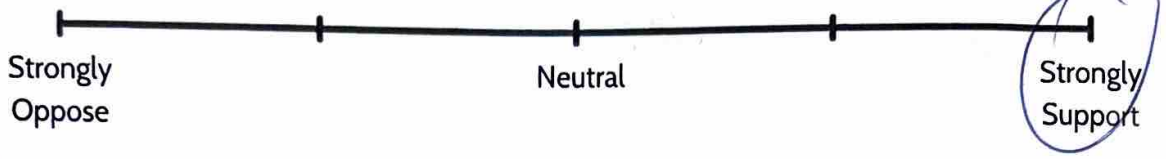
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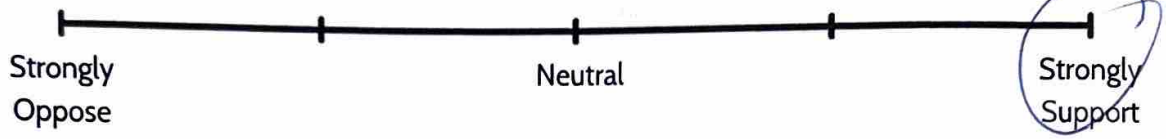
How important is it to you that the Town reduces red tape to make building new housing easier?

Not Important — Neutral — Very Important

Do you support allowing more housing types in residential areas (e.g., duplexes, row houses, backyard suites, etc.)



Do you support the proposed updates to the Land Use Bylaw?



Do you have any comments about the proposed changes to the Land Use Bylaw? Please let us know below!

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If you were to require a different housing situation tomorrow, how concerned would you be with the availability of housing in High Level?

Not Concerned At All — Neutral — Very Concerned

How flexible or strict do you think the Town of High Level should be when regulating where new housing can be built?

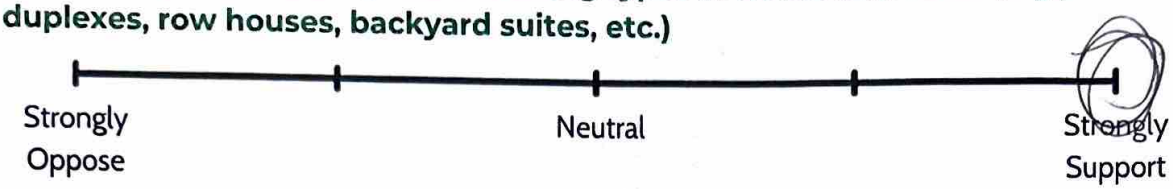
Very Strict — Safe, 1 — Neutral — Very Flexible

How important is it to you that the Town reduces red tape to make building new housing easier?

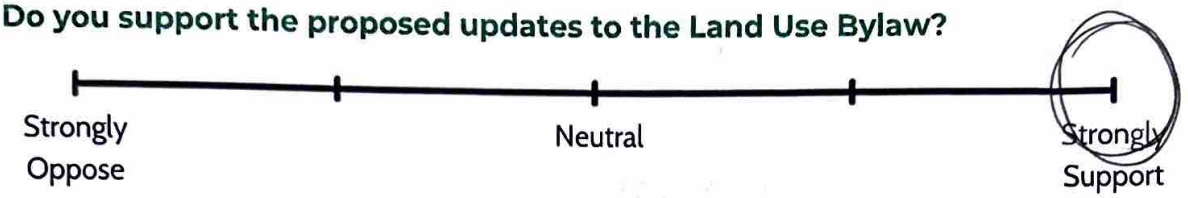
Not Important — Neutral — Very Important

Safety

Do you support allowing more housing types in residential areas (e.g., duplexes, row houses, backyard suites, etc.)



Do you support the proposed updates to the Land Use Bylaw?



Do you have any comments about the proposed changes to the Land Use Bylaw? Please let us know below!

Engagement Feedback Form

TOWN OF HIGH LEVEL

Project: Making Housing Easier to Build - Land Use Bylaw Update

Do you live in High Level?

☑ Yes ☐ No

Which of these best describes you:

☑ Home Owner ☐ Renter ☐ Business Owner ☐ Developer

If you were to require a different housing situation tomorrow, how concerned would you be with the cost of renting or purchasing a house in High Level?

Not Concerned At All — Neutral — Very Concerned

If you were to require a different housing situation tomorrow, how concerned would you be with the availability of housing in High Level?

Not Concerned At All — Neutral — Very Concerned

How flexible or strict do you think the Town of High Level should be when regulating where new housing can be built?

Very Strict — Neutral — Very Flexible

How important is it to you that the Town reduces red tape to make building new housing easier?

Not Important — Neutral — Very Important

Do you support allowing more housing types in residential areas (e.g., duplexes, row houses, backyard suites, etc.)



Strongly Oppose — Neutral — Strongly Support

Do you support the proposed updates to the Land Use Bylaw?



Strongly Oppose — Neutral — Strongly Support

Do you have any comments about the proposed changes to the Land Use Bylaw? Please let us know below!

Good idea.

Engagement Feedback Form

TOWN OF HIGH LEVEL

Project: Making Housing Easier to Build - Land Use Bylaw Update

Do you live in High Level?

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Which of these best describes you:

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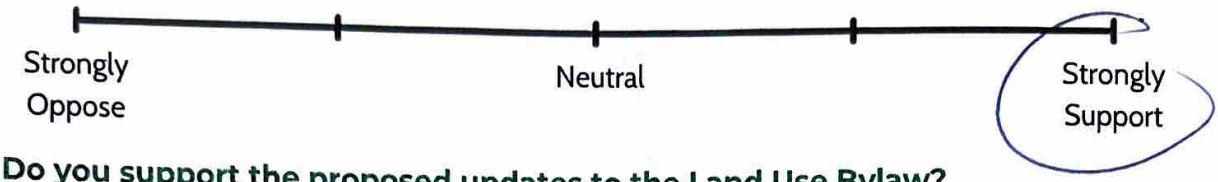
How flexible or strict do you think the Town of High Level should be when regulating where new housing can be built?

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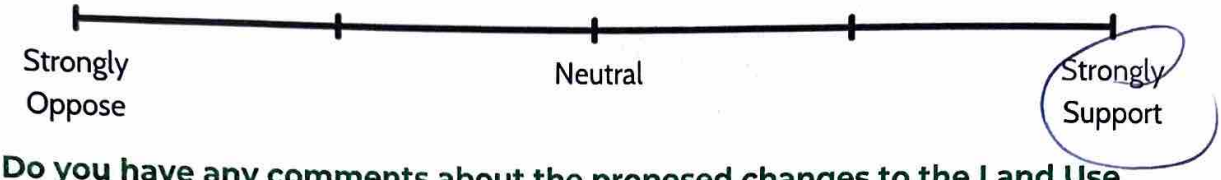
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Do you support allowing more housing types in residential areas (e.g., duplexes, row houses, backyard suites, etc.)



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With the shortage of housing currently, I think all initiatives to build and cut red tape are fantastic. Excellent job already with online permits!

Engagement Feedback Form

TOWN OF HIGH LEVEL

Project: Making Housing Easier to Build - Land Use Bylaw Update

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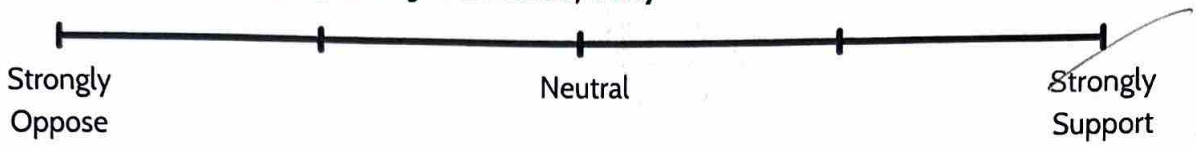
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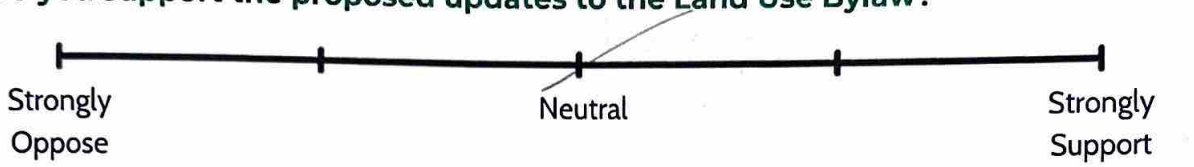
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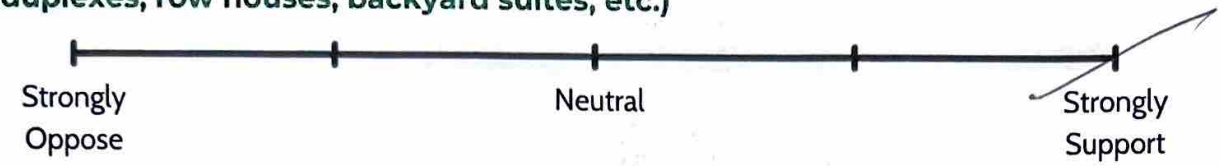
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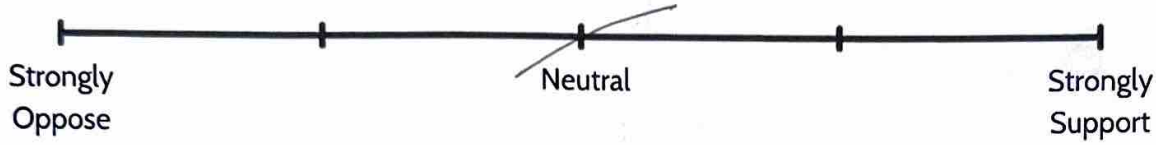
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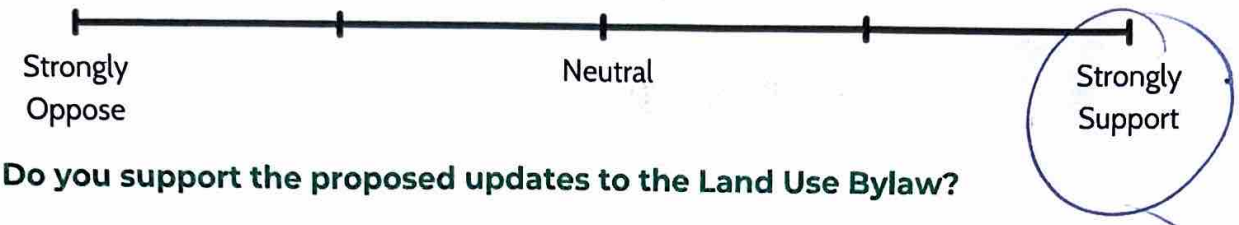
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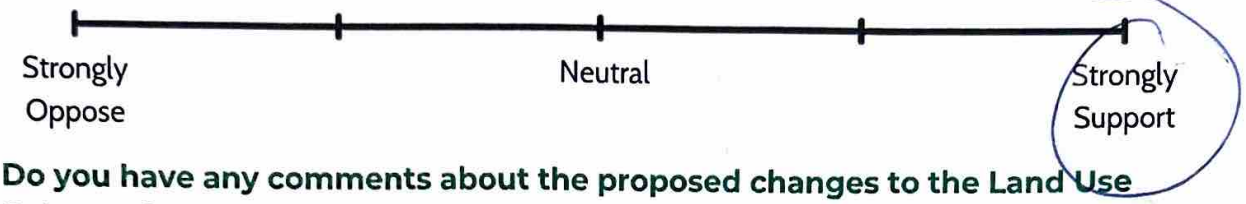
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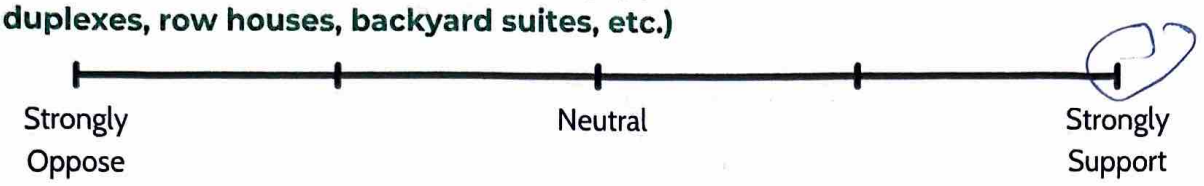
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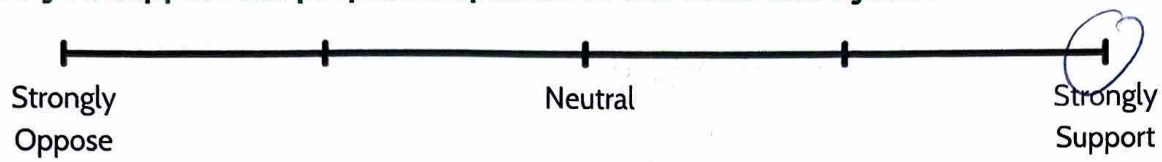
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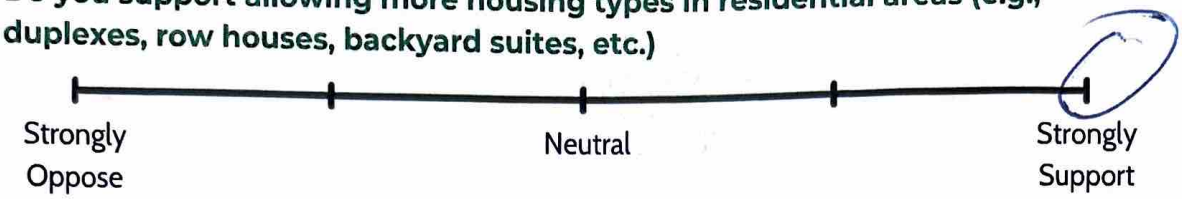
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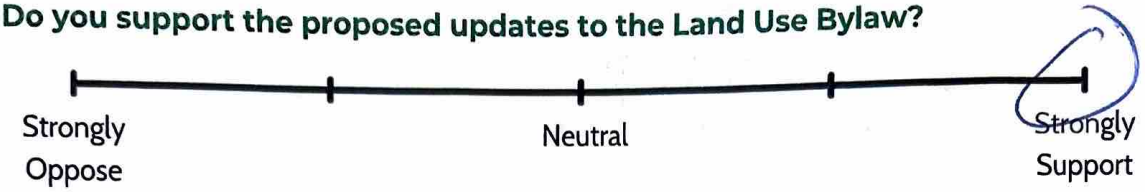
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There needs to be an increase in building more residential units.

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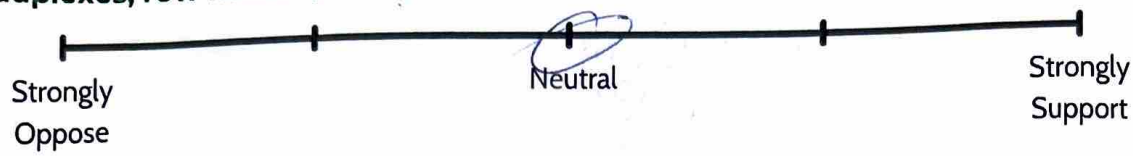
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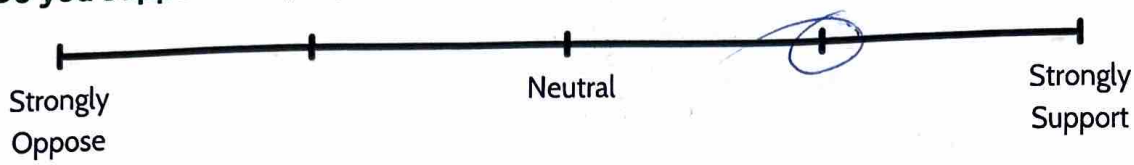
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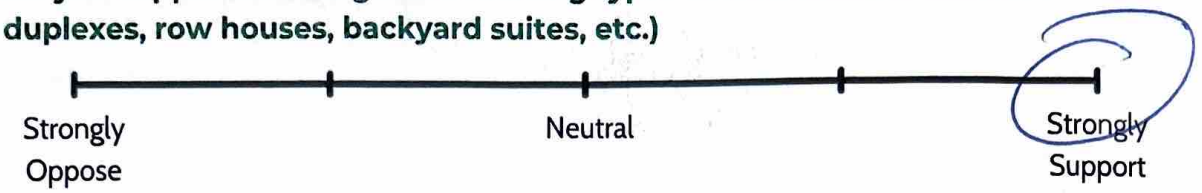
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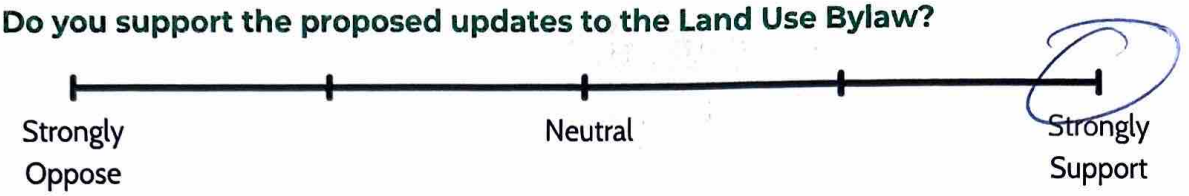
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Make renting more affordable. It's not just about how much the property owner can profit. You want to create a community? grow it then meet them half way. Stop attacking the working class and actually work together. Not just fill your own coffers.

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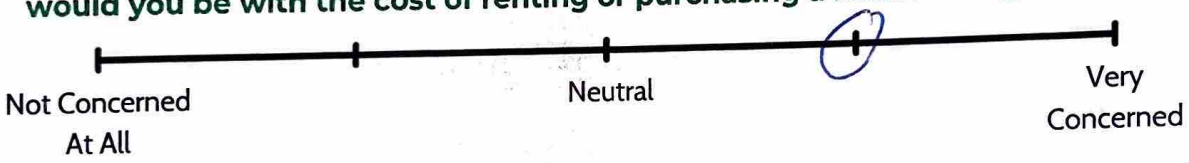
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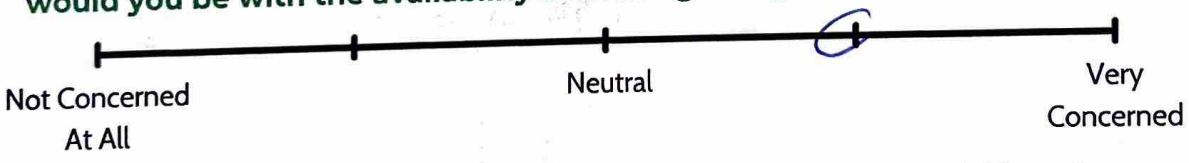
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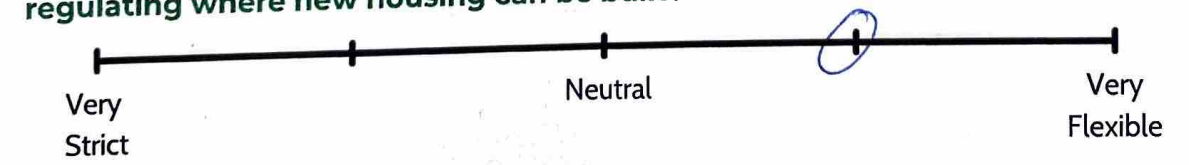
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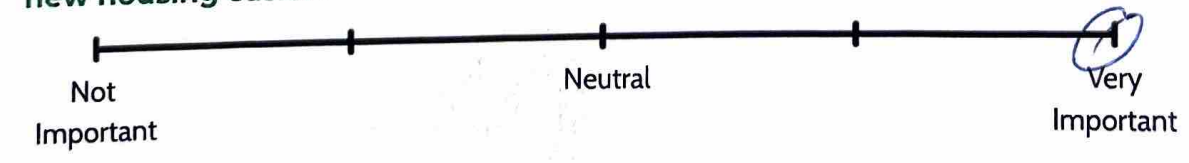
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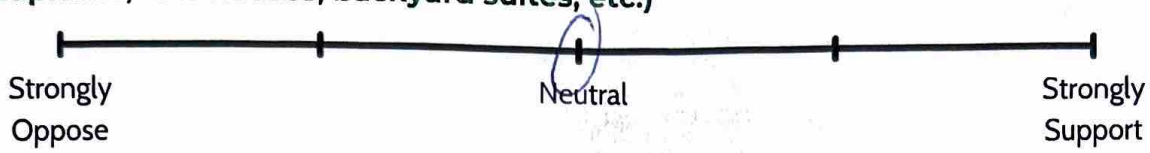
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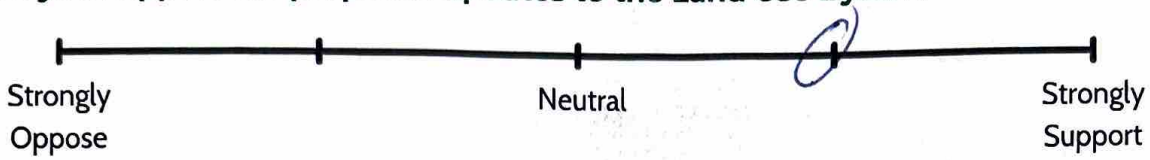
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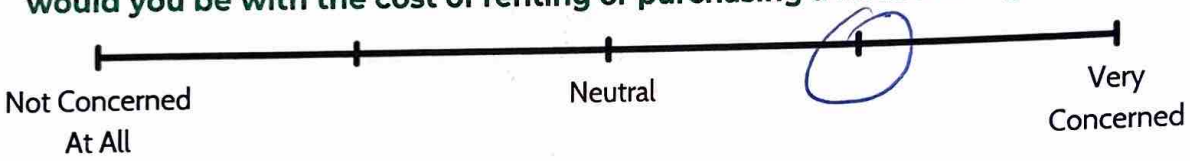
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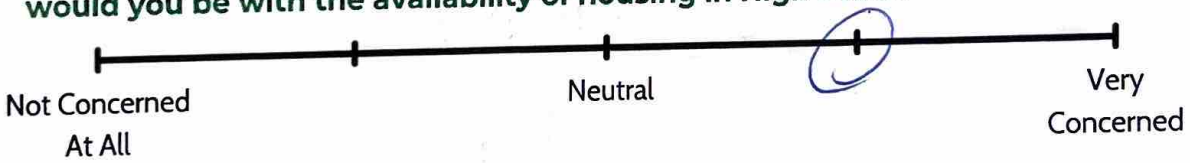
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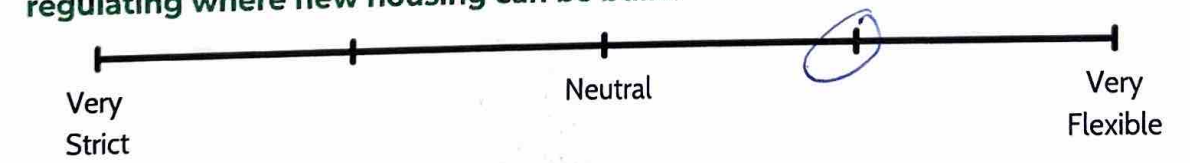
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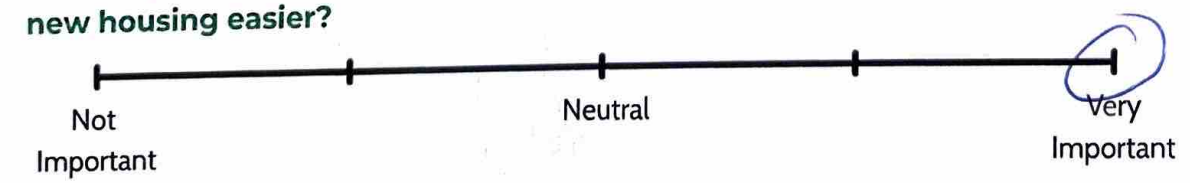
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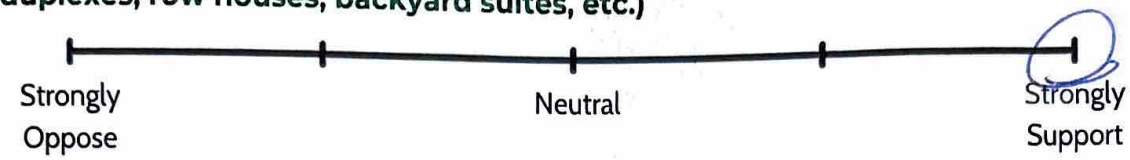
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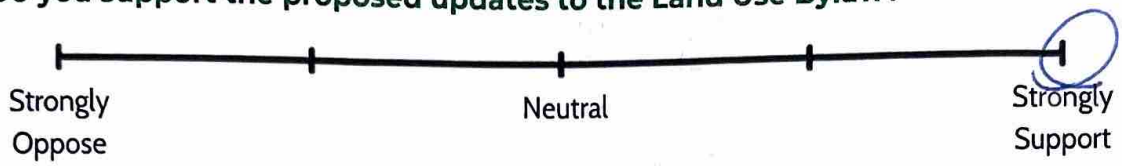
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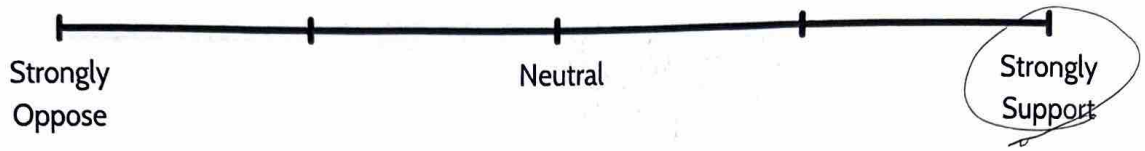
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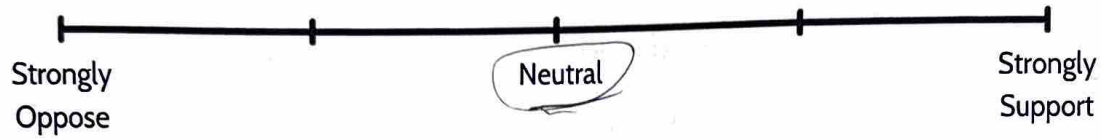
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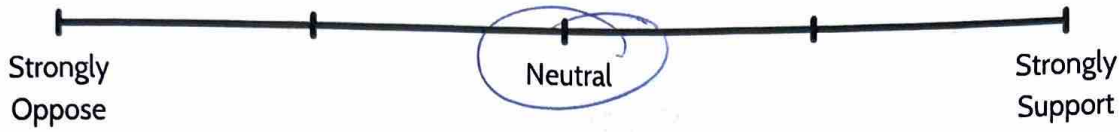
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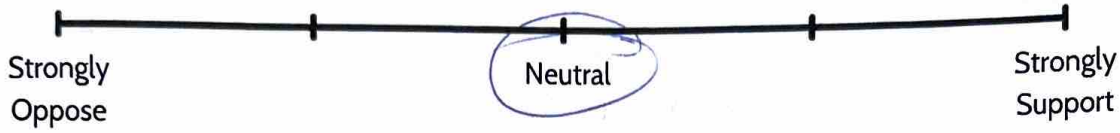
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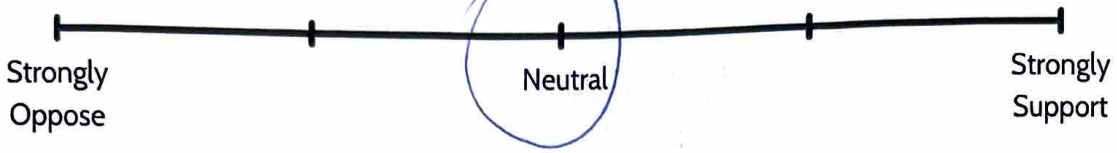
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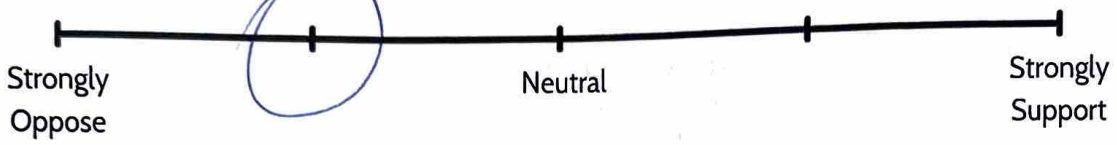
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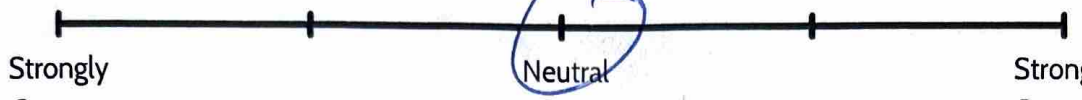
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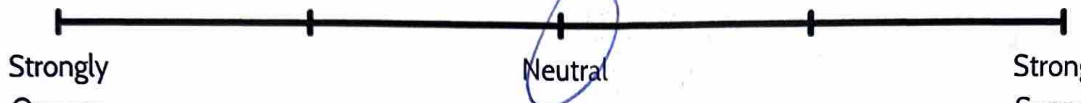
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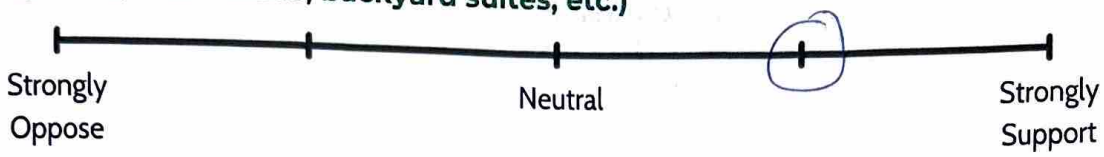
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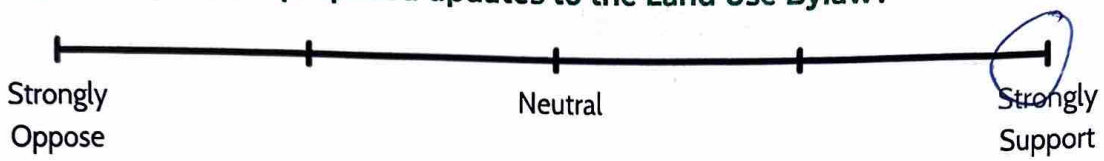
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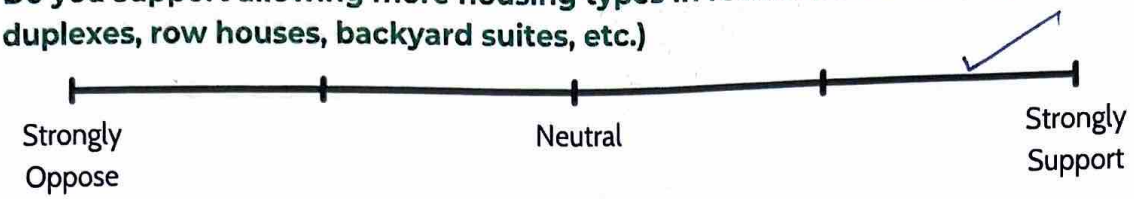
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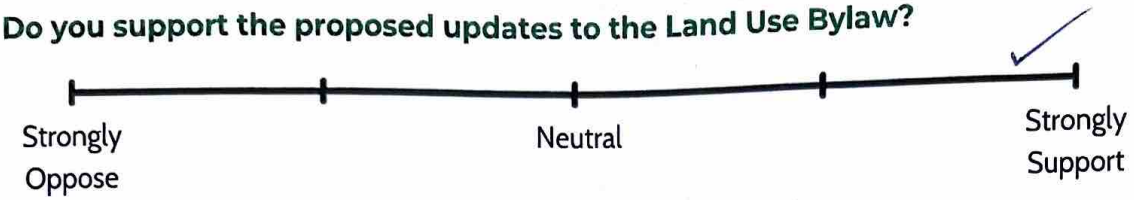
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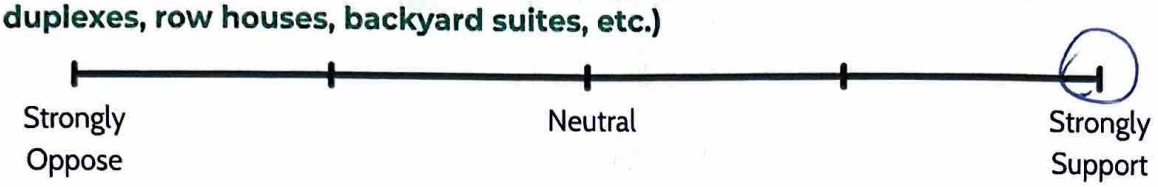
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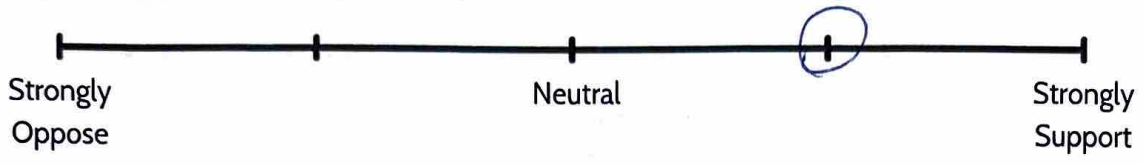
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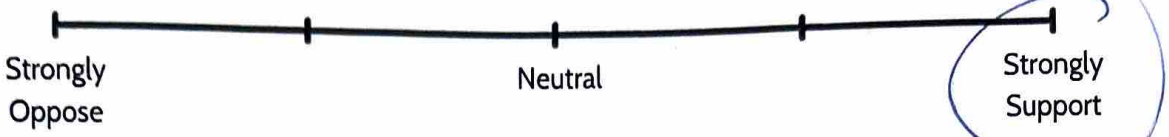
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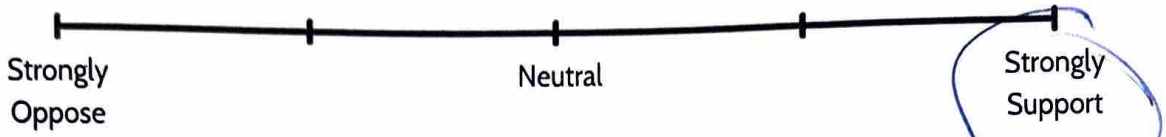
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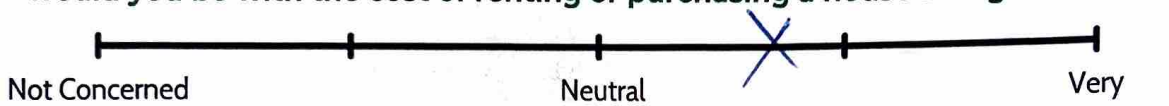
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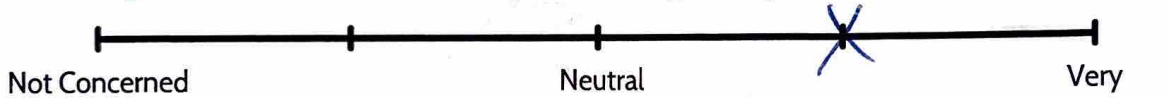
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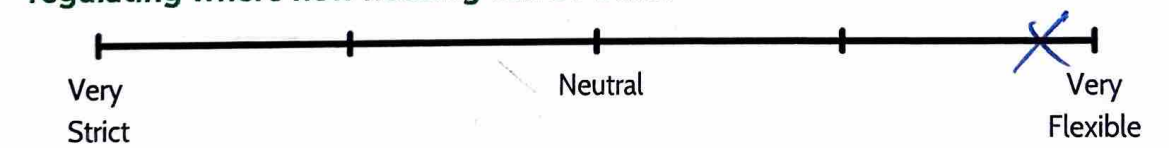
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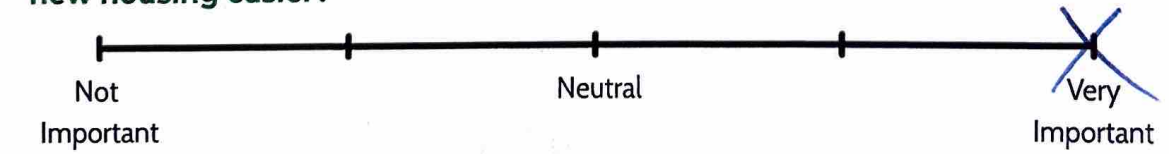
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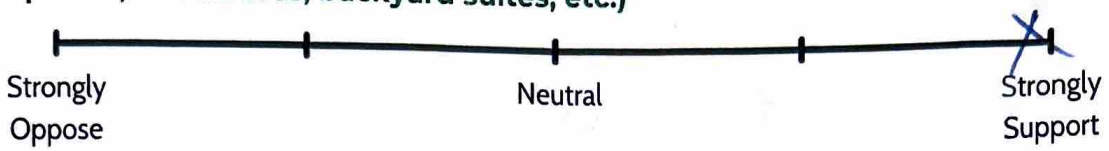
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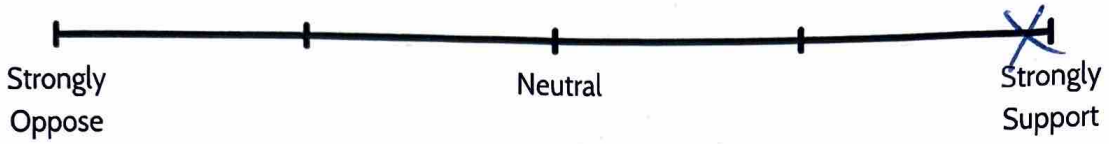
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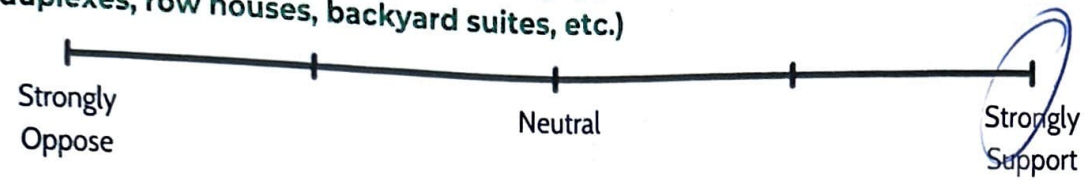
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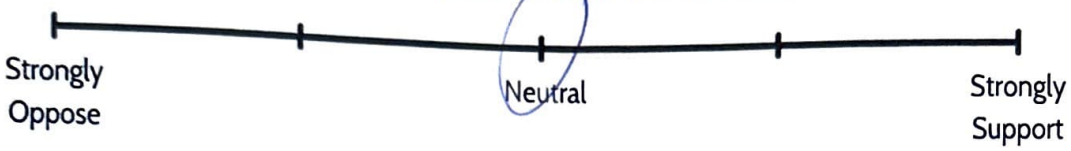
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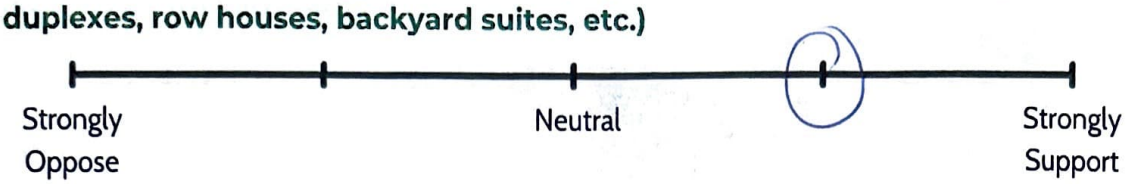
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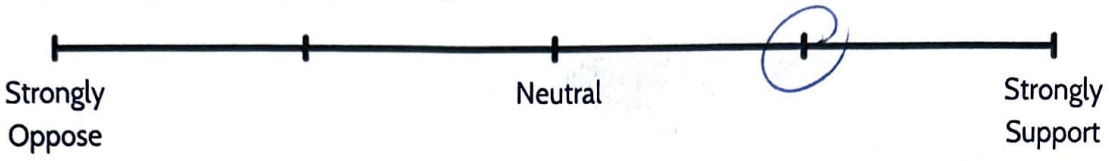
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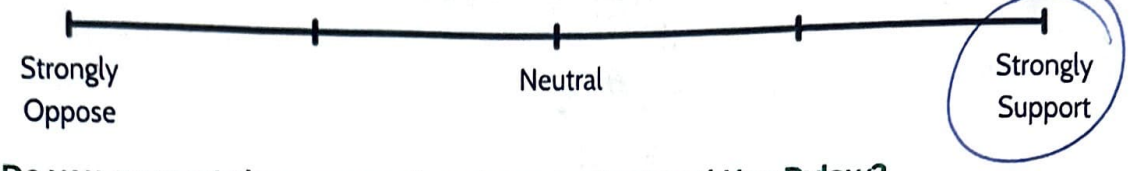
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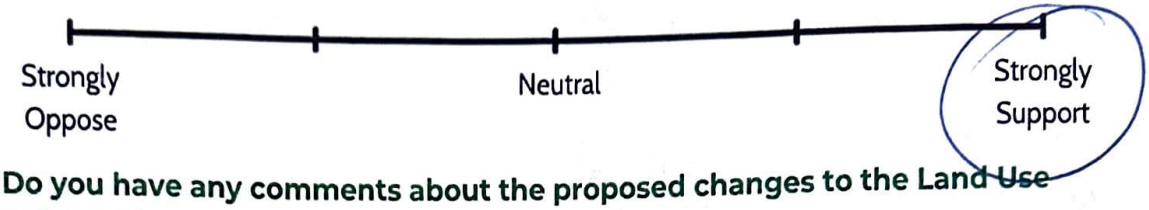
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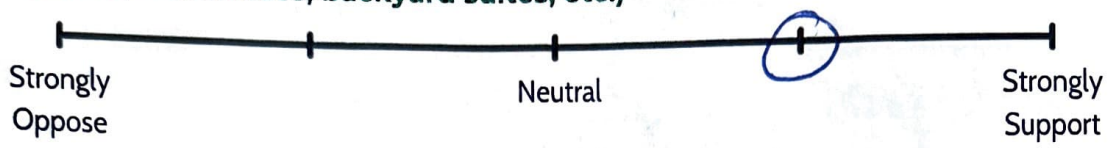
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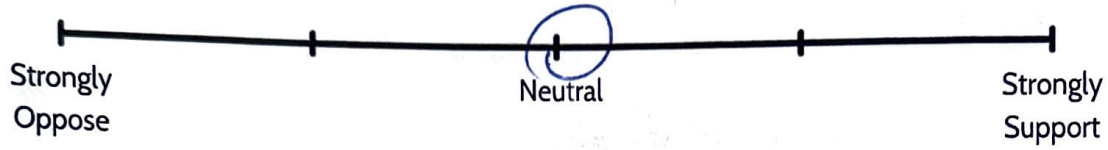
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Town of High Level
Regular Council Meeting
Request for Decision

Meeting Date:	**May 26, 2025**
Prepared By:	**Logan Bartholow, Planning Consultant**
Subject:	**Municipal Development Plan Amendment**

Recommendation:

THAT based on the May 26, 2025 report from the Planning Consultant, *Municipal Development Plan Amendment*, Council consider providing SECOND and THIRD READING to Bylaw 1052-25 as presented.

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.

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.
d) Defeat the Bylaw as presented.

Council Options:

1. THAT Council provide SECOND and THIRD READING to Bylaw 1052-25 as presented.

2. THAT Council provide SECOND and THIRD READING to Bylaw 1052-25 as amended.

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

Attachments:

Attachment 1 – Bylaw 1052-25 (DRAFT)
Attachment 2 - Bylaw 987-18 – Municipal Development Plan

Approvals:





CAO, Viv Thoss

Author: Logan Bartholow, Planning Consultant

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 28 day of April, 2025

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

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

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MAYOR

MUNICIPAL SECRETARY

OLD BUSINESS

NEW BUSINESS

CORRESPONDENCE FOR ACTION

CORRESPONDENCE FOR INFORMATION

Government of
Northwest Territories

May 14, 2025

Mayor McAteer and Members of Council
Town of High Level
10511-103 Street
High Level, AB T0H 1Z0

Dear Mayor McAteer:

Thank you – Town of High Level Support

On behalf of the Department of Municipal and Community Affairs, I would like to extend my sincere gratitude to the Town of High Level for sending Fire Chief Rodney Schmidt to participate in the NWT Association of Communities Wildfire Preparedness Workshop, held from April 23 to 25, 2025.

Chief Schmidt and his team from the High Level Fire Department brought invaluable knowledge and experience, which were instrumental during the 2023 wildfire season in the Northwest Territories. Chief Schmidt's contributions at the symposium brought relevant and a close to home experience that everyone could relate to and exemplified the professionalism and strength of your community's fire services—qualities that many communities aspire to achieve.

The support and collaboration provided by Chief Schmidt and his team played a vital role in assisting both the NWT and the Town of Hay River during the challenging wildfire events of 2023.

We are truly fortunate to benefit from the dedication and skill of professionals like Chief Schmidt, whose commitment to public safety and inter-regional cooperation reflects the exemplary leadership of your municipality.

Once again, thank you for your continued support and for sharing Chief Schmidt's expertise.

Warm regards,

Vince McKay
Minister
Municipal and Community Affairs

c. Distribution List

Distribution List:

Kandis Jameson
President, NWT Association of Communities

Gary Brennan
Deputy Minister
Municipal and Community Affairs

Viv Thos
Chief Administrative Officer
Town of High Level

Alberta Transportation and Economic Corridors

Strategic Aviation Advisory Council

May 15, 2025

Her Worship Crystal McAteer
Mayor
Town of High Level
Email: cmcateer@highlevel.ca

Thank you for your thoughtful participation in the regional airport engagement process undertaken earlier this year through CPCS Consultants.

With sincere appreciation for meeting tight timelines, CPCS subsequently reported survey results to the Regional Air Connectivity Task Team (RACTT). These findings are now under review and will inform recommendations for a proposed regional air connectivity enhancement program. The focus on a data-driven approach to route identification and regional airport (and community) readiness—along with gauging interest levels and identifying the most effective "levers" to attract and retain airlines or aircraft operators—will continue

With program development well underway, ASM's recommendations are expected by late Spring. The Task Team will then refine these before forwarding them to the Minister of Transportation and Economic Corridors for input, potential revisions, and final decision. Though funding has been allocated in the 2025 provincial budget and the program is expected to launch by late 2025 or early 2026, Cabinet approval of the proposed program and expenditures is still required.

The Task Team is committed to a logical, diligent process and to building confidence among regional and municipal leaders and airport authorities. Recognizing the critical importance of air services, we aim to ensure balance, fairness, and a regional "spoke" (rather than hub-centric) perspective, and will challenge our consultants to be fully transparent in their final recommendations.

Our goal is not to create winners or losers, but a ranked launch process that, if successful, could be expanded to further enhance rural and remote air connectivity. RACTT is grateful for the opportunity to work with the Minister and Government to improve access to sustainable, affordable scheduled air services in support of residents, businesses, and economic development.

Sincerely,

Richard Gotfried
Chair

cc: Ms Viv Thoss, Chief Administration Officer, Town of High Level
Mr. Luke Colatori, Airport Manager, Town of High Level

Viv Thoss

From: Tyler Gandam <president@abmunis.ca>
Sent: Wednesday, May 21, 2025 1:55 PM
To: Viv Thoss
Subject: Upcoming engagement on Alberta's police funding model
Attachments: Email to Mayors and CAOs re upcoming engagement on police funding model.pdf

Dear Member of Alberta Municipalities,

We recently learned that Alberta Public Safety and Emergency Services has engaged consulting firm MNP to conduct a review of the police funding model that was implemented in 2020. According to the ministry, this review will include actionable recommendations for fairness, shared fiscal responsibility, and sustainability. Engagement will take place over May and June 2025, and municipalities will have the opportunity to share feedback with MNP through a survey and virtual focus groups. I have also been advised that MNP intends to hold four town halls (in Grande Prairie, Fort McMurray, Red Deer, and Airdrie) for municipalities policed under the Provincial Police Service Agreement and one town hall for municipalities with Municipal Police Service Agreements (in either Red Deer or Airdrie). Unfortunately, I do not have any further information about dates or times at this moment.

To help members prepare, we are sharing ABmunis' key messages on this topic, which were developed in consultation with the Safe and Healthy Communities and Small Communities Committees. We have also attached a briefing that provides background information on the police funding model, as well as average policing costs and ABmunis' advocacy on this topic to date. We will share additional information about opportunities for engagement through ABmunis' newsletter, *The Weekly*. You may also wish to monitor the provincial webpage for updates or reach out to MNP directly at AlbertaPoliceFundingModelReview@mnp.ca.

In addition, I encourage you to attend our Summer Municipal Leaders' Caucus which will feature a session on Police Funding and Governance. During this session, we will seek your input on what a fair and equitable police funding model looks like and check in with you on the establishment of new, mandatory civilian governance bodies. Visit the Events section of the ABmunis.ca website for the agenda and to register.

If you have any additional questions or concerns, please feel free to contact me directly.

Sincerely,

Tyler Gandam | President

E: president@abmunis.ca
300-8616 51 Ave Edmonton, AB T6E 6E6
Toll Free: 310-MUNI | 877-421-6644 | www.abmunis.ca

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the sender. This message contains confidential information and is intended only for the individual named. If you are not the named addressee, you should not disseminate, distribute or copy this email.

We respectfully acknowledge that we live, work, and play on the traditional and ancestral territories of many Indigenous, First Nations, Métis, and Inuit peoples. We acknowledge that what we call Alberta is the traditional and ancestral territory of many peoples, presently subject to Treaties 4, 6, 7, 8 and 10 and Six Regions of the Métis Nation of Alberta.

Key Messages on Municipal Policing Costs and the Police Funding Model

Municipal Role in Public Safety

- Municipalities play a crucial role in public safety as they possess local expertise, understand community needs, and are accountable to residents.
- Municipalities have an intimate understanding of their communities, including their unique needs, challenges, and demographics. This local knowledge allows them to make informed decisions about the level of policing required to maintain public safety.
- Municipalities are responsible for allocating resources across various essential services, including policing. Consulting with them allows for a holistic approach to resource allocation, ensuring that public safety needs are effectively balanced with other community priorities.

Police Funding Model (PFM)

- ABmunis appreciates the provincial government's efforts to develop a more equitable funding strategy for communities served by the RCMP, as we have been advocating for a fair approach to police funding for over a decade.
- ABmunis continues to support the "everyone should pay" concept for policing services. This means keeping the current PFM formula based on population and property assessment and continuing to invest these funds in public safety.
- We would welcome data from Public Safety and Emergency Services that provides a full accounting of how funds raised through the police funding model (PFM) were spent. This would assist us in demonstrating the value of the PFM to local rate payers.
- ABmunis also believes in "no pay without say" – as local experts, municipalities need to have oversight of local police services and the ability to set local policing priorities. We appreciate Public Safety and Emergency Services' recent efforts to strengthen civilian oversight of policing.
- ABmunis believes that creating a new, stand-alone provincial police service would be prohibitively expensive and face the same recruitment challenges as every other police service in Canada.
- We also know that the majority of municipalities and Albertans support keeping Alberta RCMP.
- However, we are deeply concerned that recent and significant increases in RCMP policing costs are being passed along to municipalities who cannot cover these increases without raising property taxes, cutting services or both.

Provincial Police Service Agreement

- The PFM was implemented in 2020-21, using cost estimates from 2019.
- Since then, the cost of the Provincial Police Service Agreement has increased by 39%, primarily due to salary increases negotiated through collective bargaining.
- Municipalities who receive policing under the PPSA cannot absorb this scale of cost increase without either raising tazes, cutting services, or both.

- ABmunis therefore requests that the provincial government provide additional assistance to municipalities that pay for policing through the PFM by:
    1. Increasing the total amount of subsidies distributed to municipalities through the PFM to offset their policing costs.
    2. Distributing fines and penalties under the *Traffic Safety Act* to municipalities receiving policing services under the Provincial Police Services Agreement at the same percentage that these municipalities pay in cost recovery.
    3. Adequately funding community infrastructure needs so that municipalities do not face competing demands for funding local infrastructure versus public safety.

Municipal Police Service Agreements

- Municipalities who contract the RCMP are already paying higher policing costs: four years ago, the collective salary increases negotiated through collective bargaining added approximately $60 million to the total policing costs of the 47 municipalities in Alberta with Municipal Police Service Agreements.
- These costs were particularly difficult to absorb as municipalities were not at the bargaining table and did not have adequate notice of either the scale or timing of significant cost increases.
- Notably, Treasury Board Canada advised municipalities to plan for a 2.5% cost increase; however, the first collective bargaining agreement included retroactive salary increases that resulted in the salary for a First-Class Constable rising by a total of 24% over six years
- ABmunis therefore calls on the provincial government to:
    1. Enhance the total amount of assistance provided through the Policing Support Grant to better offset the rising costs of policing.
    2. Provide additional support to municipalities who are crossing the 5,000 and 15,000 population markers and therefore triggering changes to their policing arrangements and funding models.

Municipal Financial Pressures

- Rising policing costs, coupled with decreased infrastructure funding and increased provincial downloading, are placing immense strain on local budgets.
- With limited financial flexibility and no ability to run deficits, municipalities are forced to make difficult choices: cut vital services or burden residents with higher property taxes.
- The cost of providing essential services like policing continues to escalate, leaving municipalities struggling to balance budgets without sacrificing public safety.
- Provincial infrastructure funding to municipal governments has plummeted by 64% since 2011, exacerbating the financial challenges facing our communities.
- We urgently need the provincial government to step up and provide fair and sustainable funding solutions for municipalities.
- Provincial leaders must recognize the critical role municipalities play in delivering essential services and commit to providing adequate funding to address budgetary pressures and infrastructure deficits.

BRIEFING NOTE

TOPIC:

Police Funding Model (PFM) and Municipal Policing Costs

BACKGROUND:

Until 2020, under the Alberta Police Act, the Government of Alberta provided police services to municipalities with populations of 5,000 or less, as well as to all municipal districts and counties, at no direct cost to these municipalities.

In 2019, the Government of Alberta opened consultations on a police funding model.

ABmunis established a Police Act Working Group made up of municipalities of all sizes to inform our response to consultation and this group developed a written submission in partnership with the Safe and Healthy Communities and Small Communities Committees. ABmunis' written submission emphasized that any new police funding model must:

- Reflect a municipality's demand for services and ability to pay.
- Give municipalities paying for policing improved oversight of and accountability for local policing.
- Reinvest all revenue raised by a new funding model back into policing services.

In 2020 the provincial government implemented a new police funding model that applies to all municipalities that are policed by the RCMP under the Provincial Police Service Agreement (those with populations under 5,000, as well as municipal districts and counties).. Under the five-year model, municipalities paid 10% of their policing costs in Year One, 15% in Year Two, 20% in Year Three, and 30% in Years Four and Five. Each municipality's share of policing costs was calculated according to a formula that weighs equalized assessment at 50% and population at 50%, with modifiers related to shadow populations, crime severity, proximity to detachment, and existing enhanced policing positions.

As the police funding model expired on March 31, 2025, the provincial government announced earlier this year that they would temporarily freeze the amount municipalities are responsible for paying for the 2025-26 fiscal year. The provincial news release noted that "due to higher costs from recent RCMP collective agreements, the cost for policing in these smaller communities will increase to 39 per cent, with no corresponding increase in the services provided. To assist municipalities with these new costs, Alberta's government will pay the increase for one year and will begin engagement with them on their policing needs for the future."

Municipal Policing Costs

The following table shows the current arrangements for responsibility for policing costs in Alberta:

Policing Arrangement	Population	Responsibility for policing costs			
		Municipality pays:	Provincial government pays:	Federal government pays:	Eligible for Policing Support Grant?
Cities, Towns, Villages, and Summer Villages					
• Municipally-run police service	Various	100%	-	-	Yes
• Municipal agreement with RCMP	15,000+	90%	-	10%	Yes
	5,001 – 15,000	70%	-	30%	Yes
• Provincial agreement with RCMP	1 – 5,000	30% of provincial cost (21% of total cost)	70% of provincial cost (49% of total cost)	30% of total cost	No
Municipal Districts and Counties					
• Provincial agreement with RCMP	Various	30% of provincial cost (21% of total cost)	70% of provincial cost (49% of total cost)	30% of total cost	No

Municipalities with populations over 5,000 that provide their own policing, through either a municipal police service or by contracting the RCMP, are eligible for the provincial Policing Support Grant. Grant amounts are calculated based on population, but the per capita rate has not changed since 2018. As a result, grant amounts do not cover a significant portion of policing costs:

- For example, in 2022, the City of Calgary (population of 1.4 million, municipal police service) received $32.8 million, which represents about 6% of its $547 million police operating budget.
- The Town of Slave Lake (population of 6,836, Municipal Police Service Agreement) received $353,208, which is about 15% of its $2.3 million RCMP contract.

The following table on the following page shows the average costs of policing based on the size of municipality and the type of policing agreement they have.

Policing Arrangement	Population	Municipal portion of the cost	# of Reporting Municipalities	Average Net Expense for Policing as a % of Total Municipal Expense (net of grants)
Cities, Towns, Villages, and Summer Villages				
• Municipal police service	Various	100%	7	**12.1%**
• Municipal agreement with RCMP	15,000+	90%	16	**8.3%**
	5,001 - 15,000	70%	27	**7.5%**
• Provincial agreement with RCMP	1,001 – 5,000	30%	28	**2.0%**
	<1,000	30%	102	**2.2%**
Municipal Districts and Counties				
• Provincial agreement with RCMP	Various	30%	35	**2.2%**

NOTES

- ABmunis calculations using Alberta Municipal Affairs' 2023 Financial Information Return (FIR) schedule C(1)-Revenue using Police expense (column 01210) and Total Expense (column 01580) excluding services for gas, electric, and other utility services (columns 01566, 01567, 01568).
- Expenditures are presented on a net basis after deducting grant funding received from the Government of Alberta through the Policing Support Grant for eligible municipalities to be representative of the actual expenditures funded by the municipality. The Policing Support Grant allocations represent 2022-23 figures as 2023-24 figures are not publicly available.
- Municipalities that reported zero expense for policing were excluded from the analysis. This represented 104 municipalities that appear to have reported their policing costs in other cost categories (e.g. mixed with bylaw enforcement, disaster and emergency, other protective services, or other).
- Specialized municipalities and improvement districts are excluded due to their unique treatment.

Police Resources Added under the Police Funding Model

Since the implementation of the police funding model in 2020, the Alberta RCMP has added 279 police officer positions and 242 civilian support positions. As of October 2024, about three-quarters of these positions had been filled. Of the 279 new police officer positions, 136 were added directly to detachments, as shown below:

POLICE OFFICER POSITIONS BY DETACHMENT = 136 POSITIONS			
Central Alberta District Detachments 31	**Eastern Alberta District Detachments 34**	**Southern Alberta District Detachments 35**	**Western Alberta District Detachments 36**
Bashaw	Athabasca	Airdrie	Beaverlodge
Blackfalds	Bonnyville	Bassano	Edson
Breton	Cold Lake	Bow Island	Evansburg
Camrose	Elk Point	Canmore	Faust
Innisfail	Kitscoty	Cochrane	Grande Prairie
Leduc	Lac La Biche	Didsbury	High Level
Morinville	Provost	Hanna	High Prairie
Parkland	Smoky Lake	High River	Manning
Ponoka	St. Paul	Lake Louise	Mayerthorpe
Rimbey	Two Hills	Okotoks	Peace Regional
Rocky Mountain House	Vegreville	Strathmore	Red Earth Creek
Stettler	Viking	Three Hills	Spirit River
Strathcona	Westlock	Vulcan	Swan Hills
Sylvan Lake			Valleyview
Thorsby			Whitecourt
Wetaskiwin			

To help determine where to allocate new resources, the RCMP analyzed its workload at each detachment, looking at factors such as:

- Travel time

- Call volume
- The type of crimes occurring in the area,
- The amount of time required for investigations
- The size of detachment, and
- The time available for proactive policing – things like strategic patrols, community engagement, visiting schools, and attending community events.

The RCMP has an integrated service delivery model, which means that detachments receive assistance from centralized frontline support and specialized units, as well as from civilian support positions. So even detachments that do not receive new police officer positions benefit from additional centralized services, as these positions enable frontline officers to spend more time on community policing. Some of the centralized services that have been enhanced include forensic units, police-dog teams, and Emergency Response Teams – specialized police tactical units that are trained to handle high-risk situations using specialized weapons, equipment, and tactics.

The RCMP was also able to establish a Real Time Operations Centre, which is a team of senior police officers who monitor operations in real-time, assess incident risk, coordinate resources and manage the response. This centre enables the RCMP to track suspects in real time and gives officers on the ground instant support during emergency situations.

Lastly, the RCMP built additional capacity in teams dedicated to tackling financial and cybercrime and in teams that provide specialized skills related to child advocacy. While many of these resources are not needed in each community every day, they are available to all Alberta municipalities to address more dangerous situations and more serious and complex files.

The RCMP acknowledges that, like all other police services right now, vacancies, recruitment, and retention of regular members pose challenges. More information about RCMP resource allocation and strategies to address vacancies is available in Appendix A of this document.

ALBERTA
MUNICIPAL AFFAIRS
Office of the Minister
MLA, Calgary-Hays

AR118837

May 12, 2025

Her Worship Crystal McAteer
Mayor
Town of High Level
10511 - 103 Street
High Level AB T0H 1Z0

Dear Mayor McAteer:

I am pleased to provide correspondence for your record confirming the 2025 Local Government Fiscal Framework (LGFF) allocations for your community.

For the Town of High Level:
- The 2025 LGFF Capital allocation is $904,792.
- The 2025 LGFF Operating allocation is $269,132.

LGFF Capital is a legislated program aimed at providing local governments with substantial notice of their future infrastructure funding. As indicated on the program website, in 2026, your community will be eligible for $870,455. Information on 2027 LGFF Capital allocations will be shared with local governments this fall, after growth in provincial revenues between 2023/24 and 2024/25 has been confirmed and used to calculate 2027 program funding.

Information on LGFF funding for all local governments is available on the LGFF website at www.alberta.ca/LGFF.

We look forward to our continued partnership through the LGFF program to build strong and prosperous communities across our province.

Sincerely,

Ric McIver
Minister

cc: Viviane Thoss, Chief Administrative Officer, Town of High Level

NOTICE OF MOTIONS

QUESTION PERIOD

CLOSED SESSION