



TOWN OF EDSON

LAND USE BYLAW BYLAW NO. 2070

The following Amendments have been unofficially consolidated into this Bylaw:

| Revision | Bylaw# | Description | Date |
|----------|--------|--|-----------|
| 1 | 2071 | Add Definitions (Business Commercial & Light Industrial), Add Sections 129A (C-3A District) & 130 (HWY 16 Corridor) | Dec 16/08 |
| 2 | 2073 | Add "Residential Dwelling Unit(s) above street level" to 129(2), Amend height maximum to 10.6m above average grade 129(6). | Feb 17/09 |
| 3 | 2082 | Amending Plan 002 1462, Block 2, Lot 1 from UR to R-ER – Map Sheet 10. | Sep 22/09 |
| 4 | 2085 | Amending Section 58 – Public lands and Town boulevards. | Nov 17/09 |
| 5 | 2086 | Adding Owner Occupied Two and Three Family Dwelling (3 definitions to Section 6; Special Land Use Provisions in Section 85; Discretionary use of Two & Three Family Dwelling to Sections 115, 116, 123, 123.1, 123.2, 123.3, 124; Discretionary Use of Two Family Dwelling to Section 117) | Feb 9/10 |
| 6 | 2091 | Amending Plan 092 6192, Block 4, Lot 27B from C-4 to R-4 – Map Sheet 14. | Feb 23/10 |
| 7 | 2094 | Amending Plan 032 4601, Block 47A, Lot 7A from CS to R-2 – Map Sheet 16. | Mar 2/10 |
| 8 | 2099 | Adding Section 17(4)(a) deck setback requirements up to 50% and Amending Section 57(1)(b) fence front yard setback by Development Authority. | Sep 21/10 |
| 9 | 2103 | Amending Pt. NW 21 17 53 W5 & Pt. Plan 982 3806, Block 2, Lot 4 from R RL to DC – Map Sheet 3. | Mar 15/11 |
| 10 | 2112 | Amending Pt. Plan 852 2180, Block 47A, Lot 2 from CS to R-2 – Map Sheet 16. | Oct 4/11 |
| 11 | 2117 | Amending Pt. NW & SW 25 53 17 W5 from UR to CS – Map Sheet 18 | Nov 1/11 |
| 12 | 2120 | Amending Plan 052 2055, Block 200, Lot 1A from CS to C-2 – Map Sheet 34. | Jun 5/12 |
| 13 | 2132 | Amending Plan 122 4721 from UR to R-4, DC, R-1B and PR (Hillendale Phase 2 – Map Sheet 06 | Jun 25/13 |
| 14 | 2136 | Amending Plan 1494 AC, Block 40, Lot 18 from R-1B to R-2 – Map Sheet 15. | Oct 1/13 |
| 15 | 2138 | Amending Plan 6384 AC, Block 82, Lot 19-20 from R-1B to R-2 – Map Sheet 15. | Jan 28/14 |
| 16 | | Motion of Council - Amend Zoning Boundary Plan 810 1050, OT - Adjustment R-1B to PR – Map Sheet 14 | Oct 5/10 |
| 17 | 2152 | Amending Plan 1484 AC, Block 38, Lot 4 from R-1B to R-2 – Map Sheet 15 | Jan 20/15 |
| 18 | 2153 | Amending Plan 3364 AC, Block 46, Lot 6 from R-1B to R-2 – Map Sheet 15 | Jan 20/15 |
| 19 | 2155 | Amending Plan 152 0542, Block 1, Lot 1; Plan 952 4985, Block 1; Lot 1, Plan 1118 CL, RLY 53; Plan 782 3117, RLY 53 from UR to M-2– Map Sheet 33 & 40 | Jul 14/15 |

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|----|------|--|-----------|
| 20 | 2161 | Amending Plan 042 5530, Block 1, Lots 5 through 10 inclusive; Plan 042 5530, Block 3, Lots 1, 2, 3; Plan 042 5543, Block 2, Lots 7 through 14 inclusive; Plan 042 5543, Block 2, Lot 16, and Lots 18 through 24 inclusive from DC to R-1B; AND Plan 042 5543, Block 2, Lots 15PUL, 17PUL, and 25PUL, from DC to PR – Map Sheet 3 | Jul 14/15 |
| 21 | 2164 | Amending Plan 162 3259, Block 1, Lot 1, from UR to C-3A– Map Sheet 31 | Sep 15/15 |
| 22 | 2165 | Amending Plan 002 1462, Block 1, Lot 1 from UR to PR– Map Sheet 10 | Sep 15/15 |
| 23 | 2166 | Amending Plan 122 4721, Block 1, Lots 95, 96, 97, 98, and 99 from R-1B to DC; AND Plan 062 2166, Block 2, Lots 14PUL, 24PUL, 32MR; Plan 062 2166, Block 3, Lot 7PUL; Plan 062 2166, Block 4, Lot 26MR; Plan 062 2166, Block 5, Lots 1MR, 7PUL; Plan 062 2166, Block 6, Lot 1MR; Plan 122 4721, Block 4, Lots 114MR, 115MR, 117PUL, 118PUL; Plan 122 4721, Block 5, Lots 111PUL, 112PUL, 113MR, 116MR; Plan 142 2011, Block 2, Lot 120MR; Plan 142 2011, Block 5, Lot 121MR from R-1B to PR; AND Plan 142 2011, Block 5, Lot 110MR, from UR to PR – Map Sheet 6 | Sep 15/15 |
| 24 | 2170 | Amending LUB - Replace MPC with new terminology and Various Amendments | Oct 27/15 |
| 25 | 2171 | Amending 2.202 Ha of SW 17-53-17-W5 from UR to CS– Map Sheet 32 | Jan 19/16 |
| 26 | 2179 | Amending side yard setbacks on dwellings and accessory buildings in R-1A, R-1B, R-1C, R-2, R-3, R-MHS, R-RU & R-GR | May 3/16 |
| 27 | 2185 | Amending Plan 052 6226, Block 199, Lot 12A from DS to C-1– Map Sheet 25 & 34 | Jul 19/16 |
| 28 | 2186 | Amending Plan 032 2421, Block 1, Lot 1 from DC to C-1– Map Sheet 17 | Jul 19/16 |
| 29 | 2188 | Amending Plan 032 1928, Block X, Lot 3 from DC to C-1 – Map Sheet 17 | Feb 7/17 |
| 30 | 2190 | Amending Plan 1494 AC, Block 29, Lot 1 & 2 from R-1B to R-3 – Map Sheet 16 | Feb 21/17 |
| 31 | 2208 | Amend Section 108 Temporary (Portable and Inflatable) Signs be removed in its entirety | Jun 19/18 |
| 32 | 2210 | Amending 0.07ha of Plan 982 3806, Block 2, Lot 4 from DC to R-1A and 0.45ha from R-RL to R-1A - Map Sheet 3 | Jan 16/18 |
| 33 | 2225 | Amending LUB 2070 to Include Cannabis Related Business Uses | Oct 16/18 |
| 34 | 2232 | Amending LUB 2070 to Remove Section 77 Places of Worship | Jul 10/19 |
| 35 | 2235 | Amending Section 128 Highway Commercial to remove the words “forming part of a hotel or motel” from Personal Service Establishment under Permitted Uses. | Sep 17/19 |
| 36 | 2239 | Amending Section 128(2) [Discretionary Uses] to add Medical Clinic to the C-3 Highway Commercial Land Use District. | Jan 7/20 |
| 37 | 2240 | Amending Section 19(1) to replace Notice of Decision issuance method, delete Section 19(3), replace Section 19(4) public notice for Direct Control, replace Section 19(5) advertising of Notice of Decision, replace Section 20(1) effective date of Development Permit, and replace Section 27(6) Appeal Period. | Jan 7/20 |
| 38 | 2242 | Amending Pt SE-18-53-17-W5M (7510 4 Avenue) for the south portion from UR to C-3A – Land Use Atlas Map 4B | Mar 17/20 |
| 39 | 2243 | Amending Pt SE-16-53-17-W5M (302 54 Street South) from UR to M-2 – Land Use Atlas Map 4F | May 19/20 |
| 40 | 2260 | Amending Section 6 Definitions to add Recycling Depot; add Section 87 (Recycling Depot); amending Sections 125(2), 127(2), 133(2) [Discretionary Uses] to add Recycling Depot; and amending Section 132(2), 134(2), 135(2) [Permitted Uses] to add Recycling Depot | Aug 17/21 |
| 41 | 2261 | Amending Section 127(2) [Permitted Uses] to add Retail Establishment to the C-2 Service Commercial Land Use District | Sep 7/21 |
| 42 | 2262 | Amending Section 6 Definitions to add Adjacent, Appeal Board, and Lane; repealing development permit appeals Sections 27. 1 to 27.15; and adding development permit appeals Sections 27.16 to 27.22 | Sep 7/21 |
| 43 | 2263 | Amending Section 6 Definitions to add Hotel and Motel; removing “Hotel or motel” from Section 125(2); removing “Hotel and motel” from Section 128(2); adding Hotel to Sections 125(2), 127(2), and 128(2); and adding Motel to Sections 125(2), 127(2), and 128(2). | Oct 5/21 |
| 44 | 2264 | Amending Section 103(1) to clarify appropriate billboard locations; and removing Section 103(1)(d) and 103(1)(e) relating to time restrictions on billboard development. | Oct 5/21 |
| 45 | 2267 | Amending Section 6 Definitions to add Truck Depot; amending Section 132 to add “outside storage of industrial materials, heavy trucks and equipment,” “industrial vehicle, construction equipment sales or materials services establishment,” “truck depot,” and “light industrial building such as a shop or garage for equipment storage and light servicing work.” | Dec 7/21 |
| 46 | 2271 | Amending Section 139 Direct Control to add Direct Control District DC01 affecting Plan 062080, Block 4, Lot 3. | Jan 11/22 |
| 47 | 2270 | Amending Section 6 to define “Excavation, stripping, or grading,” amending Section 14, renaming and amending Section 53, and adding “Excavation, stripping, or grading” as a discretionary use to all land use districts. | Feb 15/22 |

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PART I GENERAL CONDITIONS

Section 1 Establishment of General Conditions

General Conditions shall be set forth in PART I of this Bylaw.

Section 2 Title

This Bylaw is entitled "Town of Edson Land Use Bylaw".

Section 3 Purpose

The purpose of this Bylaw is to regulate the use and development of land and buildings within the Town of Edson and to achieve the orderly and economic development of land, and for that purpose, amongst other things:

- (a) to divide the Town of Edson into districts;
- (b) to prescribe and regulate for each district the purpose for which land and buildings may be used;
- (c) to establish the office of a Development Officer;
- (d) to establish a method of making decisions on applications for development permits including the issuing of development permits; and
- (e) to prescribe a procedure to notify owners of land likely to be affected by the issuance of a development permit.

Section 4 Previous Municipal Bylaw

No provision of any other Bylaws with respect to zoning, development control, development schemes and land use classifications shall hereafter apply to any part of the Town of Edson described in this Bylaw.

Section 5 Effective Date

The effective date of this Bylaw shall be the date of the third reading thereof.

Section 6 Definitions

- (1) In this Bylaw:

"ACCESSORY BUILDING" - means a building separate and subordinate to the principal building, the use of which is incidental to that of the principal building and is located on the same parcel of land.

"ACCESSORY USE" - means a use customarily incidental and subordinate to the principal use or building, and which is located on the same parcel of land with such principal use or building.

Section 6 - Definitions

(Bylaw 2262) **“ADJACENT”** - means contiguous or contiguous if not for a highway, road, lane, river, or steam.

“ACT” - means the *Municipal Government Act*, being Chapter M-26 of the Statutes of Alberta, 1994 and amendments thereto, and the regulations passed pursuant thereto.

“AMUSEMENT ARCADE” - means any building or place or part thereof containing a group of more than two amusement game machines.

“AMUSEMENT GAME MACHINE” - means a coin operated machine or device which, whether mechanical, electrical or electronic, shall be ready for play by the insertion of a coin or token and may be used by the public for playing any game of skill, chance or mixed skill and chance, which is used to afford entertainment or amusement to the operator and without limiting the generality of the foregoing, shall include devices such as pinball machines or any device which utilizes a video tube to reproduce symbolic figures and lines intended to be representative of real games or activities.

“APARTMENT” - means a building which is not a triplex or fourplex, designed and built to contain three or more dwelling units with shared services from the street, shared facilities, and shared outside entrances.

(Bylaw 2262) **“APPEAL BOARD”** – means the board hearing a subdivision or development permit appeal in accordance with the *Municipal Government Act*.

“AUTOMOBILE SERVICE CENTRE” – means a development or portion of a large retail establishment used exclusively for the repair and maintenance of passenger vehicles and other single axle vehicles and excludes the sale or other distribution of petroleum products such as gasoline, propane, diesel and other fuels.

(Bylaw 2086) **“BACHELOR UNIT”** - means a dwelling unit in which all of the sleeping and living areas are combined in a single room, which is not reasonably capable of being developed as a unit containing one or more bedrooms, and is contained entirely within the principal dwelling.

“BED AND BREAKFAST OPERATION” - means a minor and ancillary/subordinate commercial use of a residence where accommodation is provided for periods of fourteen (14) days or less in three or fewer guest rooms.

“BI-LEVEL” - means a one-storey dwelling that has the main living area on the uppermost floor, but raised to such a level that the upper face of the floor is not greater than 2.0m above average grade.

“BILLBOARD” - means an outdoor visual device and its structure and component parts which is intended to advertise or call attention to any matter, object, event or person, where the copy area is usually leasable and where the subject matter is not related to a use at or around the parcel on which the billboard is located. “Sign” is a separate use.

“BOARDER OR LODGER” - means an individual residing in a dwelling unit along with another individual or other individuals, who is (are) the principal occupant(s) of the dwelling unit and to whom the boarder or lodger is not related by blood or marriage, where accommodation and meals are provided for compensation to the principal occupant(s) pursuant to an agreement or arrangement.

“BOARDING OR LODGING HOME” - means a building (other than a hotel or motel) containing not more than fifteen sleeping rooms where meals or lodging for four or more persons are provided for compensation pursuant to previous arrangements or agreement.

“BUILDING” - includes anything constructed or placed on, in, over or under land but does not include a highway or public road or a bridge forming part of a highway or public road.

“BUNKHOUSE” - means a single wide mobile home which provides residential accommodation for a single or transient worker on a short term (temporary) basis.

(Bylaw 2071)

“BUSINESS COMMERCIAL” - means uses that are low intensity businesses and service commercial uses and activities located in a planned business centre or office park that is located in highly visible and accessible location, and displays a high standard of appearance. Types of uses include, but may not be limited to: auction mart, gas bar, service stations, casino, commercial recreation facility, RV park, community facility, crematorium, financial institution, funeral home, government service, office, retail store, warehouse store. Does not include Cannabis or Cannabis Accessories.

(Bylaw 2225)

“CANNABIS” - means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seed and/or any other substance defined as cannabis in the Cannabis Act (Canada) and its regulations, as amended from time to time and includes edible products that contain cannabis.

“CANNABIS ACCESSORIES” - means a cannabis accessory as defined in the Cannabis Act (Canada) and its regulations, as amended from time to time. This is deemed a Cannabis related use.

“CANNABIS COUNSELLING BUSINESS” - means a business that provides counselling on cannabis use by persons who are not medical professionals and has been authorized by provincial and/or federal legislation. Cannabis consumption, Cannabis Retail Sales, sale of Cannabis Accessories, and sale of any other Cannabis related products is prohibited in conjunction with a Cannabis Counselling Business unless the site has been approved as a Cannabis Store. This is deemed a Cannabis related use.

“CANNABIS FACILITY” - means a business where the primary use includes the growing, processing, producing, testing, destroying, storing, or distribution of cannabis. Recreational and medical production can occur on the same site that is authorized by Provincial and/or Federal legislation. This is deemed a Cannabis related use.

“CANNABIS RETAIL SALES” - means a retail store that is licensed by the Province of Alberta where Cannabis and/or Cannabis Accessories are lawfully sold to individuals who attend at the premises that is authorized by provincial and/or federal legislation. This is deemed a Cannabis related use.

(Bylaw 2225)

“CANNABIS STORE” - means a premise for the display, resale, and storage of cannabis and cannabis related products which must have a Provincial retail cannabis license. A cannabis store is a stand-alone use, which means it cannot be combined with any other non-cannabis use and may only offer related services and products including Cannabis Retail Sales, Cannabis Accessories sale/rental, and/or Cannabis Counselling. Cannabis stores may occur in a multi-tenant building or as part of a mixed-use development provided the building requirements of the *Gaming Liquor and Cannabis Regulation* are met. This is deemed a Cannabis related use.

“CANOPY” - means a projection extending from the outside wall of a building normally for the purpose of shielding a part of the building from the sun.

“CANOPY SIGN” - see SIGN, CANOPY.

“CAR WASH ESTABLISHMENT” - means a building used for the purpose of washing motor vehicles.

“CARPORT” - means a roofed structure used for storing or parking of not more than two private vehicles which has not less than 40% of its total perimeter open and unobstructed.

“CERTIFICATE OF COMPLIANCE” - means a letter or form issued by the Development Authority certifying that, based on the application and acceptable survey documents, a specified development is considered by the Town to be lawful with respect to the Town’s development regulations.

“CHATTEL” - means a moveable item of personal property.

“CLUSTER HOUSING” - means a group of dwellings, either detached or attached, located on a single parcel with shared yard and parking provisions.

“COMMERCIAL SCHOOL” - means a development for instruction and education which is not maintained at public expense and which may or may not offer courses equivalent to those offered at publicly supported education facilities, or private instruction as a home occupation.

“CONDOMINIUM” - means individual ownership of a unit or units in a multi-unit building or a parcel of land which is part of a Condominium Plan registered at Land Titles, and usually includes ownership in a share of common property administered and maintained by a Condominium Association in accordance with the provisions of the Condominium Property Act.

“CONVENIENCE RETAIL STORE” - means a development used for the retail sale of goods required by the neighborhood residents or employees or the traveling public on a day-to-day basis.

“CORNER PARCEL” - see PARCEL, CORNER.

“COUNCIL” - means the Council of the Town of Edson.

“CURB CUT” - means the lowering of a curb, sidewalk or boulevard to provide vehicular or pedestrian access to a parcel or road.

“DAY CARE FACILITY” - means a facility and program for the provision of care, maintenance and supervision for seven or more children under the age of 15 years, by a person other than one related by blood or marriage, for periods of more than three (3) but less than twenty four (24) consecutive hours, other than institutions operated by or under the authority of the Director of Child Welfare.

“DECK” - means a paved, wooden or hard-surfaced area, more than 0.3m above grade, used for outdoor living.

“DENSITY” - means a quantitative measure of the average number of persons, families or dwelling units per unit of area.

“DEVELOPER” - means an owner, agent or any person, firm or company required to obtain, through a development permit application, a development permit.

“DEVELOPMENT” - means

- (a) an excavation or stockpile and the creation of either of them;
- (b) a building or an addition to, or replacement or repair of a building and the construction or placing in, on, over or under land of any of them;
- (c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in change in the use of the land or building;
- (d) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building; or
- (e) the cutting or clearing of trees.

(Bylaw 2170)

“DEVELOPMENT AUTHORITY” – means the Town Manager or his designate(s), a Development Officer, or any other person or organization designated and/or authorized by Council, pursuant to Section 624(1) of the *Municipal Government Act*, to exercise development powers or duties on behalf of the Town.

“DEVELOPMENT OFFICER” - means a person(s) appointed by Resolution of Council, or a Board authorized by Bylaw, responsible for receiving, considering and deciding on applications for development, issuing Certificates of Compliance, and such other duties as specified under this Bylaw.

“DEVELOPMENT PERMIT” - means a certificate or document permitting a specified development and includes, where applicable, a plan or drawing or a set of plans or drawings, specifications or other documents. This permit is separate and distinct from a building permit.

“DISCONTINUED” - means the time at which, in the opinion of the Development Officer, substantial construction activity or a non-conforming use, or conforming use has ceased.

(Bylaw 2170)

“DISCRETIONARY USE” - means a use of land or buildings provided for in this Bylaw, for which a development permit may be issued by the Development Authority with or without conditions.

“DOUBLE FRONTING PARCEL” - means a parcel which abuts two public streets, excluding lanes/alleys.

“DRIVE-THROUGH BUSINESS” - means an establishment which services customers traveling in motor vehicles driven onto the parcel where such business is carried on, where the customer normally remains in the vehicle for service. Does not include Cannabis or Cannabis Accessories.

“DUPLEX” - means a dwelling containing two dwelling units and either sharing one common wall in the case of side-by-side units, or having the dwelling area of one located above the dwelling area of the other in the case of vertical units, each with a private entry.

“DWELLING” - means any building or structure used exclusively for human habitation which is supported on a permanent foundation or base extending below ground level, and includes multiple dwellings, apartments, modular homes and single family dwellings, but does not include mobile homes of any kind whether standing on wheels or supported by blocks, jacks, or any other temporary or permanent foundation.

“DWELLING, TEMPORARY” - see TEMPORARY BUILDING.

“DWELLING UNIT” - means a complete building or self-contained portion of a building, set or suite of rooms for the use of one or more individuals living as a single housekeeping unit, containing sleeping, cooking and separated or shared toilet facilities intended as a permanent or semi-permanent residence not separated from direct access to the outside by another separate or self-contained set or suite of rooms.

“EDSON AVPA REGULATION” - means the Edson Airport Vicinity Protection Area (AVPA) Regulation, being Alberta Regulation 184/91 and any amendments thereto.

(Bylaw 2270)

“EXCAVATION, STRIPPING, OR GRADING” – means a development, which is proposed without any other development on the same parcel, including, but not limited to, sand and gravel mining, berming, excavating, trenching, backfilling, re-contouring, topsoil stripping, removing trees, or construction of artificial bodies of water.

“FAMILY CARE FACILITY” - means a facility which provides resident service in a private residence to six or fewer individuals who may or may not be related. These individuals shall be handicapped, aged, disabled, or in need of supervision, on a temporary or long term basis, in accordance with their individual needs. This use includes the following, and such similar uses as, foster or boarding homes for children, day care centres, group homes, and family homes.

“FASCIA SIGN” - see SIGN, FASCIA.

“FLOOR AREA” - means the space within the exterior wall face of any storey of a building, as determined by the Development Authority.

“FOREMOST PORTION” - means that part of a building or structure which is determined by the Town to be nearest to a parcel boundary.

“FOUNDATION” - means the lower portion of a building, usually concrete or masonry, and includes the footings which transfer the weight of and loads on a building to the ground.

“FOURPLEX” - means a dwelling containing four dwelling units contained within one building structure and each unit having its own bathroom, cooking facilities and service connections to the street.

“FREESTANDING SIGN” - see SIGN, FREESTANDING.

“FRONT YARD” - see YARD, FRONT.

“FRONT YARD SETBACK”-see YARD SETBACK, FRONT.

“GARAGE” - means an accessory building or part of the principal building, designed and used primarily for the storage of motor vehicles.

“GAS BAR” - means an establishment used for the sale of gasoline, propane or other fuels, the sale of lubricating oils and other automotive fluids or motor vehicle accessories, but does not include service stations or automotive repair establishments.

“GRADE, BUILDING” - means the ground elevation established for the purpose of regulating the number of storeys and the height of a building. The building grade shall be the level adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level the grade shall be determined by averaging the elevation of the ground for each face of the building.

(Bylaw 2270)

“GRADING PLAN” – means a plan of survey showing:

- (a) parcel property lines;
- (b) constructed and proposed parcel corner elevations;
- (c) constructed and proposed elevations of building corners;
- (d) constructed and proposed drainage slopes;
- (e) constructed and proposed trap low areas with low point, spill elevation, and volume;
- (f) constructed and proposed drainage swale slopes and elevations;
- (g) constructed and proposed berm slopes and elevations;
- (h) constructed and proposed storm water ponds including volume, depth, and the location of escape routes and elevations;
- (i) the date the plan was prepared; and
- (j) the municipal address or legal description of the parcel.

“GROSS FLOOR AREA” - means the total area of all floors used for human occupancy within all buildings, including accessory buildings, located on any parcel.

“GROUP CARE FACILITY” - means a facility which provides resident services to seven or more individuals of whom one or more are unrelated. These individuals may be aged, disabled or undergoing rehabilitation, and provided services to meet their needs. This includes the following such similar uses as group homes (all ages), halfway houses, resident schools, and psychiatric care facilities.

“HABITABLE ROOM” - means a room or enclosed space used or useable for human occupancy, including but not limited to kitchens, bedrooms, living rooms, family rooms, and dens, excluding non-habitable rooms which include bathrooms, laundries, pantries, foyers, hallways, entry ways, storage areas and rooms in basements or cellars used only for recreational purposes or any space in a dwelling providing a service function and not intended primarily for human occupancy.

“HOME DAY CARE” - means when a dwelling unit is used to provide a facility and/or program for the care, maintenance and supervision of six or fewer children under the age of 15 years, by a person who resides in the dwelling unit and who is either related or unrelated to the children involved, for periods of more than three but less than twenty four (24) consecutive hours, other than institutions operated by or under the authority of the Director of Child Welfare.

“HOME OCCUPATION” - means any occupation, trade, profession or craft, including a bed and breakfast operation and Home Day Care as defined in this Bylaw, carried on by an occupant of a residential building as a use secondary to the residential use of the building and which does not change the character thereof or have any exterior evidence of such secondary use. Does not include Cannabis or Cannabis Accessories.

(Bylaw 2263) **“HOTEL”** – means a building providing accommodation for the public containing guest rooms served by a common entrance as well as a general kitchen and dining or other public rooms.

“INTERIOR PARCEL” - see PARCEL, INTERIOR.

(Bylaw 2262) **“LANE”** – means a roadway intended to give access to the rear of buildings and parcels of land.

(Bylaw 2071) **“LIGHT INDUSTRIAL”** – means development used principally for one or more of the following: processing of raw materials; the manufacturing or assembling of semi- finished or finished goods, products or equipment, the cleaning, servicing or repairing of materials, goods and equipment normally associated with business or household use; terminals for the storage or trans-shipping of materials, goods and equipment; the distribution and sale of materials, bulk goods and equipment to institutions, commercial businesses for their direct use; and the training of personnel in general industrial operations. Does not include Cannabis or Cannabis Accessories.

“LOT” - means

- (a) a quarter section,
- (b) a river lot or settlement lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a Land Titles Office,
- (c) a part of a parcel described in a certificate of title if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision, or
- (d) a part of a parcel described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision.

“MAIN BUILDING” - see PRINCIPAL BUILDING.

“MAJOR EATING OR DRINKING ESTABLISHMENT” - means development where prepared food and beverages are offered for sale to the public from establishments which are characterized by one or more of the following features: the provision of theatre, dancing or cabaret entertainment; facilities primarily intended for the on-premise catering of food to large groups; and, facilities primarily intended for the provision and consumption of alcoholic beverages which have a seating capacity for 100 or more persons. Typical uses include beverage rooms, cocktail lounges, cabarets, nightclubs, theatre restaurants and banquet facilities.

“MEDICAL CLINIC” - means a development used for the provision of publicly owned or privately owned physical and mental health services on an outpatient basis.

“MINOR” - means where added as a prefix to a permitted or discretionary use, a use which due to its nature or relatively small size will, at the discretion of the Development Authority, have a limited impact on surrounding uses, or which is intended to serve a small or local rather than a major or municipal area.

“MINOR EATING OR DRINKING ESTABLISHMENT” - means development where prepared food and beverages are offered for sale to the public, for consumption within the premises or off the parcel. This use class includes neighborhood pubs, licensed restaurants, cafes, delicatessens, tea rooms, lunch rooms, refreshment stands, take-out restaurants and catering services. This use class does not include drive-in food services or major eating and drinking establishments.

“MOBILE HOME, DOUBLE-WIDE” - means a factory-built or manufactured home, building or structure, whether ordinarily equipped with wheels or not, that is constructed or manufactured in two parts with each of the two parts being moved from one point to another individually and put together on parcel to form a single unit and which provides completely self-contained, year-round residential accommodation and meets the mobile home requirements of the Canadian Standards Association (C.S.A.) and the Alberta Building Code Regulations in effect at the time. A double-wide mobile home does not include a single family dwelling, modular home, single-wide mobile home, holiday trailers or recreational vehicles.

“MOBILE HOME, SINGLE-WIDE” - means a factory-built or manufactured home, building or structure, whether ordinarily equipped with wheels or not, that is constructed or manufactured to be moved from one point to another as a single unit which provides completely self-contained, year-round residential accommodation and meets the mobile home requirements of the Canadian Standards Association (C.S.A.) and the Alberta Building Code Regulations in effect at the time. A single-wide mobile home does not include a single family dwelling, modular home, double-wide mobile home, holiday trailers or recreational vehicles.

Section 6 - Definitions

“MODULAR HOME” - means a factory-built or manufactured home or dwelling which is factory built and assembled on the parcel in sections, but such sections or units have neither chassis, running gear, nor its own wheels, and the sections may be stacked side-by-side or vertically. A modular home does not include a single family dwelling or mobile home and must be built to Alberta Building Code regulations.

(Bylaw 2263)

“MOTEL” – means a building or group of buildings designed for the accommodation of the public containing guest rooms, each of which as a separate entrance directly from outside the building.

“MULTI-FAMILY DWELLING” - means a dwelling containing more than four dwelling units.

“MUNICIPAL DEVELOPMENT PLAN” - means the Town of Edson’s Municipal Development Plan (MDP), being Bylaw No. 1864, and any amendments thereto.

(Bylaw 2170)

~~**“MUNICIPAL PLANNING COMMISSION”**~~ *(deleted)*

“MUNICIPALITY” - means the Town of Edson.

“NON-CONFORMING BUILDING” – means

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

(Bylaw 2086)

“OWNER OCCUPIED TWO FAMILY DWELLING” – means a Single Family Dwelling, occupied as a primary residence by one or more individuals whose name(s) appears on the legal land title, and that includes another separate dwelling unit for monthly or yearly rental contained entirely within the principal dwelling.

(Bylaw 2086)

“OWNER OCCUPIED THREE FAMILY DWELLING” – means a Single Family Dwelling, occupied as a primary residence by one or more individuals whose name(s) appears on the legal land title, and that includes another two separate dwelling units for monthly or yearly rental contained entirely within the principal dwelling.

“PARCEL” - means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a Land Titles Office.

“PARCEL AREA” - means the total area of a parcel.

“PARCEL, CORNER” - means a parcel at the intersection of two abutting streets.

“PARCEL COVERAGE” - means the combined area of all buildings or structures upon the parcel, measured at the approved grades, including all porches and verandas, enclosed terraces and decks at grade, steps, cornices, eaves, and similar projections; such area shall include air wells, and all other space within an enclosed building.

“PARCEL DEPTH” - means the average distance between the front and rear parcel boundaries.

“PARCEL, INTERIOR” - means a parcel which is bounded by only one street.

“PARCEL WIDTH” - means the average distance between the side boundaries of a parcel.

“PARKING FACILITY” - means the area or structure set aside for the storage and parking of vehicles and includes parking stalls, loading spaces, aisles, entrances and exits to the area, and traffic islands where they are part of the parking facility.

“PATIO” - means a roofless, paved, wooden or hard- surfaced area, no more than 0.3m above grade, used for outdoor living.

“PERMITTED USE” - means the use of land or a building provided for in the Land Use Bylaw for which a development permit must be issued, with or without conditions, by the Development Authority upon application having been made to the Development Officer provided the use of land or buildings complies with all applicable provisions of this Bylaw.

“PERSONAL SERVICE ESTABLISHMENT” - means a development used for the provision of personal services to an individual which are related to the cleaning and repair of personal effects or of the care and appearance of the body. Typical uses include but are not limited to the following: hairdressers, shoe repair, dress makers, laundry cleaning facility and jeweler. Does not include Cannabis or Cannabis Accessories.

“PLACE OF WORSHIP” - means the development owned by a religious organization used for worship and related religious, philanthropic, or social activities including rectories, manses, and accessory buildings. Typical uses include the following and similar uses as churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries. Does not include Cannabis or Cannabis Accessories.

“PORTABLE SIGN” - see SIGN, PORTABLE.

“PRINCIPAL BUILDING” – means a building which, in the opinion of the Development Authority,

- (a) occupies the major or central portion of a parcel;
- (b) is the chief or main building among one or more buildings on the parcel;
- or

- (c) constitutes by reason of its use the primary purpose for which the parcel is used.

“PRINCIPAL USE” - means the primary purpose in the opinion of the Development Authority for which a building or parcel is used.

“PRIVATE CLUB OR LODGE” - means a development used for the meeting, social or recreational activities of members of non-profit, philanthropic, social service, athletic, business or fraternal organizations, and does not include any on-parcel residence(s). Does not include Cannabis or Cannabis Accessories.

“PROFESSIONAL, FINANCIAL, OFFICE, AND BUSINESS SUPPORT SERVICE” - means development primarily used for the provision of professional, management, administrative, consulting, and financial services. Typical uses include the following and similar uses as offices of lawyers, accountants, engineers, planners, doctors and architects; offices for real estate and insurance firms; clerical, secretarial, employment, telephone answering, and similar office support services; banks, credit unions, loan offices and similar financial uses; and printing establishments, film processing establishments, janitorial firms and business equipment repair shops. Does not include Cannabis or Cannabis Accessories.

“PROJECTING SIGN” - see SIGN, PROJECTING.

(Bylaw 2225)

“PUBLIC HEALTH FACILITIES” - means a premise providing health care via the prevention, diagnosis, and treatment of disease, illness, injury, and other physical and mental impairments in human beings. They include hospitals, medical clinics, outpatient care centers, and specialized care centers, such as birthing centers and psychiatric care centers.

“PUBLIC USE” - means a development which is publicly owned, supported or subsidized involving public assembly or use. Public uses typically may include the following and similar uses as, public schools, parks, libraries, arenas, museums, art galleries, hospitals, cemeteries, tennis courts, swimming pools and other indoor and outdoor recreational activities.

“PUBLIC UTILITY” - means the right-of-way for one or more of the following: sanitary and storm water sewerage, telecommunications systems, water works systems, irrigation systems, systems for the distribution of gas, whether natural or artificial, systems for the distribution of artificial light or electric power and heating systems.

“PUBLIC UTILITY BUILDING” - means a building to house a public utility, its offices or equipment.

“QUASI-PUBLIC USE” - means a development which is used for the meeting, social or recreational activities of its members, which may or may not include the general public. Typical quasi-public uses include private schools excluding commercial schools, indoor and outdoor recreational facilities, hospitals, lodges or clubs, cemeteries, galleries, museums, churches or places of worship, and libraries. Does not include Cannabis or Cannabis Accessories.

“REAR YARD” - see YARD, REAR.

“REAR YARD SETBACK” - see YARD SETBACK, REAR.

(Bylaw 2260)

“RECYCLING DEPOT” – means a development consisting of a principal building used for the enclosed/interior buying, collecting, sorting, packaging, and temporary storage of recyclable materials, which does not include construction or demolition materials. Typical uses include recycling facilities, bottle depots, and compost facilities.

“REGIONAL BUSINESS OFFICE” - means a development that provides primary office services for businesses which require regular vehicle traffic between the town and rural areas in the Edson region. Typical businesses in this category would include companies involved in natural resource exploration, production and distribution. Does not include Cannabis or Cannabis Accessories.

“REGISTERED OWNER” – means

- (a) in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land; or
- (b) in the case of any other land,
 - i) the purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the certificate of title in the land and any assignee of the purchaser’s interest that is the subject of a caveat registered against the certificate of title; or
 - ii) in the absence of a person described in paragraph (b)(i) above, the person registered under the Land Titles Act as the owner of the fee simple estate in the land.

“REPAIR SERVICE ESTABLISHMENT” - means a development used primarily for the repair, refinishing or reconditioning of consumer goods such as, but not limited to, electronic equipment, office equipment, household appliances, clothing and footwear, bicycles, etc. The repaired, refinished or reconditioned consumer goods, as referred to above, may be sold on the premises but the retail sales component must be clearly secondary to the primary use. Automobiles or any other motorized vehicles such as, but not limited to, trucks, recreational vehicles or buses are not included in the definition of consumer goods described above. Does not include Cannabis or Cannabis Accessories.

“RETAIL ESTABLISHMENT” - means a development used for the retail sale of a wide variety of consumer goods including the following and such similar uses as, groceries and beverages, electronic goods, furniture and appliances, hardware and home improvement supplies, household goods, printed mater, confectionery, pharmaceutical and personal care items, office supplies, stationery, etc. Does not include Cannabis or Cannabis Accessories.

“ROAD” - means land used as a public road or shown as a road on a plan of survey that has been filed or registered in a land titles office, and includes a bridge forming part of a public road and any structure incidental to a public road but, for the purposes of this Bylaw, does not include lanes or alleys.

“ROOF SIGN” - see SIGN, ROOF.

“ROW HOUSING” - means a group of three or more dwelling units having a common wall or structural feature, with each unit having direct access to the outside grade, but shall not mean an apartment.

“SECOND HAND STORE” - means a retail store whose merchandise may include previously owned goods offered for sale or for sale on a consignment basis to the general public. Does not include Cannabis or Cannabis Accessories.

“SERVICE STATION” - means an establishment used for the sale of gasoline, propane or other automotive fuels; and may include as an accessory use the sale of lubricating oils or other automotive fluids or accessories for motor vehicles, servicing and minor repair of motor vehicles, and a towing service dispatch point. This use does not include the following or similar uses, specialty motor repair shops, and motor vehicle repair establishments which do not include retail sale of automotive fuels.

“SETBACK” - means the minimum horizontal distance that the nearest point of the exterior of a development, or a specified portion of it, must be set back from a parcel boundary/property line.

“SHOPPING CENTRE” - means one or more architecturally unified buildings which may contain such uses as retail and personal service establishments, entertainment facilities, restaurants, medical and dental clinics and business offices located on a parcel planned and developed as a single development and characterized by the sharing of common parking areas and driveways. Does not include Cannabis or Cannabis Accessories.

“SIDE YARD” - see YARD, SIDE.

“SIDE YARD SETBACK” - see YARD SETBACK, SIDE.

“SIGHT TRIANGLE” - means a triangular area at a parcel corner adjacent to the intersections of roads and/or lanes to be kept free of visual obstructions and determined in accordance with the following measurements:

- (a) in the case of the intersection of a lane and a street, or a lane and a lane, each side of the triangle shall be a minimum of 3.0m in length.
- (b) in the case of the intersection of all other roads such as a street or an avenue, each side of the triangle shall be a minimum of 9.14m in length.

“SIGN” – means an outdoor visual device and its structure and component part, intended to identify, advertise or call attention to any matter, object, event or person having to do with a use on the parcel on which the sign is located. This use excludes traffic signs, railway operating signs, window displays, signs on licensed vehicles, and national, provincial or municipal flags. “Billboard” is a separate use.

“SIGN, AREA OF” - means the total superficial area within the outer periphery of the said sign, and, in the case of a sign comprised of individual letters or symbols, shall be calculated as the area of a rectangle enclosing the letters or symbols. Frames and structural members not bearing advertising matter shall not be included in computation of surface area.

“SIGN, CANOPY” - means a canopy or awning, which may be illuminated, and which projects from a structure or building.

“SIGN, FASCIA” - means a sign, plain or illuminated, running parallel for its whole length to the face of the building to which it is attached, but in no case does its vertical dimension exceed 1.5m.

“SIGN, FREESTANDING” - means a sign supported by one or more uprights, braces or pylons and that stands independently of a building and contains only advertising copy related to the development within the parcel on which the sign is located.

(Bylaw 2208) ~~**“SIGN, PORTABLE”**~~ *(deleted)*

“SIGN, PROJECTING” - means a sign other than a canopy or awning sign which projects at right angles from a structure or a building face or wall. This does not include a sign attached to the ground.

“SIGN, ROOF” - means any sign erected upon, against or directly above a roof or on top of or above the parapet wall of a building.

“SIGN, TEMPORARY” - means a sign which may or may not be portable in nature, and which is located on a parcel for a limited or specified period of time.

“SIGN, UNDER-CANOPY” - means a sign which is attached to the bottom face of a canopy.

“SIGN, WALL” - means a sign that is attached to or placed flat against the exterior wall or surface of any building, no portion of which projects more than 0.3m from the wall and which does not project above the roof or parapet.

“SINGLE FAMILY DWELLING” - means a dwelling intended for occupancy by one family which is supported on a permanent foundation or basement but does not include modular homes or mobile homes of any kind whether standing on wheels or supported by blocks, jacks or any other temporary or permanent foundation.

“SPLIT LEVEL” - means a dwelling that has three separate or more living areas, each separated from the next by one half-storey, not including the basement.

“STOREY” - means the habitable space between the upper face of one floor and the upper face of the next floor above it. The upper limit of the topmost storey shall be its ceiling.

“STOREY, FIRST” - means a storey having the upper face of its floor not more than 2.0m above average building grade. (A basement or cellar shall be considered the first storey if the upper face of the floor above it is more than 2.0m above average building grade.).

“STREET” - means, for the purposes of this Bylaw, a road as defined in this Bylaw.

“STRUCTURE” - means anything constructed or erected on the ground, or attached to something on the ground, and includes all buildings.

“SUBDIVISION AND DEVELOPMENT APPEAL BOARD” - means the Town of Edson Subdivision and Development Appeal Board as established under Division 3 of the *Municipal Government Act*, SA 1994, and any amendments thereto.

“SURVEILLANCE SUITE” - means a dwelling unit, as defined in this Bylaw, used solely to accommodate a person or persons whose official function is to provide surveillance, maintenance and/or security for the development which constitutes the principal use of the parcel. The surveillance suite shall be clearly a subordinate part of the development with which it is associated.

“TEMPORARY BUILDING” - means a structure which is permitted to exist for a maximum of six (6) months, or such period of time as determined by the Development Authority.

“TEMPORARY MINOR AUTOMOTIVE SALES” – means the temporary storage, display and sale of new or used cars, vans and light trucks. This land use category does not include the sale of trucks with a gross vehicle weight of 4000kg or more or an overall length greater than 6.7m.

“TEMPORARY SIGN” - see SIGN, TEMPORARY.

“TOWN” - means the incorporated municipality known and registered as the Town of Edson, the Council of the Town of Edson and/or any person(s) authorized by Council of the Town of Edson to undertake activities prescribed in and associated with this Bylaw in accordance with this Bylaw or any other Bylaw, resolution or adopted procedure.

“TOWN HOUSING” - see ROW HOUSING.

“TRIPLEX” - means a dwelling containing three dwelling units.

(Bylaw 2267)

“TRUCK DEPOT” – means a use where industrial vehicles and heavy trucks are stored and dispatched. This use does not include accessory sales or rental uses, storage or dispensing of motor fuel or petroleum products, or the storage of materials on the site. This use may include an accessory office building for administration of the use.

“UNDER-CANOPY SIGN” - see SIGN, UNDER-CANOPY.

“UTILITY” - means a utility as defined in the *Municipal Government Act*, SA 1994, as amended.

“WALL SIGN” - see SIGN, WALL.

“WAREHOUSE” - means a structure used for the storage and distribution of raw materials, processed or manufactured goods, and establishments providing servicing for those purposes. Does not include Cannabis or Cannabis Accessories.

“YARD, FRONT” - means a yard extending across the full width of a parcel from the foremost portion of the principal building situated on the parcel to the front boundary of the parcel.

Section 7 - Other Legislative and Bylaw Requirements

“YARD, REAR” - means a yard extending across the full width of a parcel from the foremost portion of the principal building situated on the parcel to the rear boundary of the parcel.

“YARD SETBACK” - means a required open space unoccupied and unobstructed by any structure or portion of a structure above the general ground level of the graded parcel, unless otherwise permitted in this Bylaw.

“YARD SETBACK, FRONT” - means that portion of the parcel extending across the full width of the parcel, from the front parcel boundary, back to a distance required under the land use district regulations. A parcel abutting onto two streets or more shall have a front yard on each street in accordance with Section 48 of this Bylaw.

“YARD SETBACK, REAR” - means that portion of the parcel extending across the full width of the parcel from the rear parcel boundary back to a distance required under the land use district regulations.

“YARD SETBACK, SIDE” - means that portion of the parcel extending from the side parcel boundary back to that distance required under the land use district regulations and extending from the front yard setback to the rear yard setback.

“YARD, SIDE” - means a yard extending along the length of a parcel between the foremost portion of the principal building or any accessory building situated on the parcel to the side boundary of the parcel.

“ZERO SIDE YARD” - means a case in which a development is permitted to be built on the side parcel boundary, with no required side yard setback on the side to which the development is located.

(2) *Municipal Government Act Interpretation:*

Notwithstanding the meanings above, the Act, as amended, takes precedence in a case of any discrepancy or dispute on the meanings of all words or clauses.

Section 7 Other Legislative and Bylaw Requirements

- (1) This Bylaw and any amendment thereto shall be enacted in conformance with the Municipal Development Plan and any other statutory plan as adopted or amended.
- (2) Notwithstanding that a development permit may not be required by this Bylaw in certain, specified instances, nothing in this Bylaw relieves a person or corporation of their duty or obligation to comply with the provisions and requirements of this Bylaw, or to obtain any other permit, license or other authorization required by any Bylaw of the Town, or Act of the Province of Alberta or any regulation pursuant to said Acts.
- (3) Compliance with the provisions and requirements of this Bylaw does not exempt any person or corporation from complying with any easement, covenant, agreement or contract affecting the development.

PART II DEVELOPMENT AUTHORITIES

Section 9 Development Officer

- (1) The office of the Development Officer is hereby established and such office shall be filled by a person or persons to be appointed by Resolution of Council.
- (2) The Development Officer shall perform such duties that are specified in PART III of this Bylaw.
- (3) The Development Officer shall keep and maintain for the inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto; keep a register of all applications for development, including the decisions thereon and the reasons therefore.
- (4) For the purposes of Section 542(1) of the Act, the Development Officer is hereby declared to be a designated officer of the municipality.

Section 10 Deleted

Section 11 Subdivision and Development Appeal Board

The Subdivision and Development Appeal Board established under Division 3 of the Act shall perform such duties as are specified in PART IV of this Bylaw.

PART III DEVELOPMENT PERMITS, RULES AND PROCEDURES

Section 12 Control of Development

No development other than that designated in Sections 14 and 101(2) of this Bylaw shall be undertaken within the Municipality unless an application for it has been approved and a development/sign permit has been issued.

Section 13 Permit Fees

All fees and charges under and pursuant to this Bylaw, and any amendments thereto, with respect to development permits shall be as established by Resolution of Council.

Section 14 Where a Permit is Required

- (1) Subject to Section 14(2), the following development shall not require a development permit:
 - (a) The carrying out of works of maintenance or repair to any building provided that such works do not include structural alterations or major works of renovation, as determined by the Development Authority.
 - (b) The completion of a building which was lawfully under construction at the date of the first publication of the official notice required by Section 692 of the Act, provided that the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which such permit was granted and provided also that the building, whether or not a permit was granted in respect of it, is completed within a period of twelve (12) months from the said date of the first publication of the official notice.
 - (c) The use of any such building as is referred to in Section 14(1)(b) for the purpose for which construction was commenced.
 - (d) The erection or construction of gates, fences, walls or other means of enclosure (other than on corner parcels or where abutting on a road used by vehicular traffic) less than 1.0m in height in front yards and less than 2.0m in side and rear yards, and the maintenance, improvement and other alterations of any gates, fences, or walls or other means of enclosure provided height maximums herein prescribed are not exceeded.
 - (e) A temporary building, the sole purpose of which is incidental to the erection or alteration of a building or development, for which a permit has been issued under this Bylaw, provided that the temporary building shall be removed within one (1) year of the commencement of construction or upon completion of the building or development where it is completed in a period of less than one (1) year.

Section 14 - Where a Permit is Required

- (f) The construction, maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled.
- (g) The construction of sidewalks and driveways provided that such sidewalks and driveways shall be located in a manner where they do not constitute a traffic hazard and shall be maintained in a clean, tidy and safe condition.
- (h) Hard-surfacing of any yard area on a residential parcel for the purposes of providing vehicular access from a public road to an on-parcel parking stall, provided that a valid development permit shows the location of an approved driveway/approach and such hard-surfacing does not exceed 7.5m in width or drain onto adjacent parcels.
- (i) The construction of a pre-manufactured accessory building less than 10.0m² in area, or a patio less than 15.0m², provided that the side and rear setbacks are maintained.
- (j) The erection of towers, flag poles and other poles not exceeding 4.5m in height, provided that the structure is not located in a front yard or on a building or structure in a single family residential, mobile home park or mobile home subdivision land use district, not located in a front yard in all other land use districts and there is no interference with the Edson AVPA Regulation.
- (k) Landscaping, not including excavation or stripping as specified in Section 53 of this Bylaw, where the proposed average grades will not adversely affect the subject or adjacent parcel, except where landscaping forms part of a development which requires a development permit.
- (l) In all land use districts, television or communication aerials, masts or towers, where such things are freestanding, attached to or placed on a building, provided that the structure does not exceed the maximum height specified in the land use district regulations, is not located within the front yard setback, no variance of any provision or regulation applicable thereto in this Bylaw is requested or required and there is no interference with the Edson AVPA Regulation.
- (m) In any residential district, a television satellite dish which is less than 0.6m in any dimension or a dish that is located on a parcel size of 0.2 ha or more.
- (n) A mobile home, as defined in this Bylaw, moved in or out of a legally established mobile home park provided the owner of the mobile home being moved in or out obtains the required approvals under the mobile home licensing process utilized by the Town.

Section 15 - Non-Conforming Buildings and Uses

- (o) An existing or proposed home occupation, as defined in this Bylaw, but not including an existing or proposed bed and breakfast operation, also as defined in this Bylaw, if the existing or proposed home occupation, in the opinion of the Development Authority, complies with all provisions and requirements of Section 72 of this Bylaw.
- (p) Existing or proposed home day care, as defined in this Bylaw, if the existing or proposed home day care, in the opinion of the Development Authority, complies with the intent of all relevant provisions and requirements of Section 73 of this Bylaw;
- (q) In the M-1A Light Industrial (Serviced) District, M-1B Light Industrial (Unserviced) District, M-2 Heavy Industrial District and the UR Urban Reserve District, the temporary, outdoor storage of heavy vehicles and equipment used in association with the field operations of the various natural resource extraction industries in the Edson area provided there is general conformity with this Bylaw, and in particular, the uses prescribed within the relevant land use district, Sections 45, 46, 48, 51, 52, 53, 57, 83(1) and 92(1)(c).
- (r) Excavation, stripping, or grading provided that the excavation, stripping, or grading is carried out pursuant to a service agreement required as a condition of subdivision approval as described in Section 655 of the Municipal Government Act.
- (s) Excavation, stripping, or grading which does not affect grading or drainage.
- (2) In the R-AR Acreage Residential District, M-1B Light Industrial (Unserviced) District and UR Urban Reserve District, Sections 14(1)(e) and (k) do not apply.

Section 15 Non-Conforming Buildings and Uses

- (1) A non-conforming use of land or a non-conforming use of a building may be continued but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building must conform with the regulations of the Land Use Bylaw then in effect.
- (2) A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made to it or in it.
- (3) A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be erected upon the lot while the non-conforming use continues.
- (4) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except
 - (a) to make it a conforming building,

Section 16 - Application for Development Permit

- (b) for routine maintenance of the building, if the Development Authority considers it necessary, or
 - (c) in accordance with the variance powers provided to the Development Authority under Section 17(4) of this Bylaw.
- (5) If a development permit has been issued on or before the day on which this Bylaw or any Bylaw for the amendment thereof comes into force and the Bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building; the development permit continues in effect in spite of the coming into force of the Bylaw.
- (6) If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.
- (7) The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.
- (8) An existing building or use which conforms in all respects to this Bylaw and which is established on an existing parcel that no longer meets the minimum parcel size requirements of this Bylaw, shall be considered a conforming building or use.

Section 16 Application for Development Permit

- (1) Except where an application for a development permit is made within a Direct Control District, an application for a development permit shall be made to the Development Officer on the application form provided by the Town, and
 - (a) be signed by the registered owner or his or her agent where a person other than the owner is authorized by the owner to make application. The correctness of the information supplied shall, when required by the Development Authority, be verified by a Statutory Declaration;
 - (b) state the proposed use or occupancy of all parts of the land and buildings, and such other information as may be required by the Development Authority;
 - (c) be accompanied by an area structure plan if one is required pursuant to the provisions of the Municipal Development Plan; and
 - (d) at the discretion of the Development Authority, include parcel plans in duplicate at a scale satisfactory to the Development Authority, showing any or all of the following:
 - i) north point,
 - ii) legal description of parcel,
 - iii) location of principal building and other structures including accessory buildings, garages, carports, fences, driveways, paved areas, and major landscaped areas including buffering and

- screening areas where provided,
 - iv) outlines of the roof overhangs on all buildings,
 - v) front, side and rear yards,
 - vi) the provision of off-street loading and vehicle parking,
 - vii) access and egress points to and from the parcel,
 - viii) the exterior elevations showing height, horizontal dimensions and finishing materials of all buildings, existing and proposed,
 - ix) a parcel grading plan indicating but not limited to indicating the elevations of the parcel at all corners and the average grade at all corners of the proposed development as well as the average grades of the adjacent streets, lanes and sewers servicing the parcel,
 - x) storm drainage plan,
 - xi) the location of existing and proposed municipal and private local improvements as well as an estimation of the installation thereof,
 - xii) the lowest finished floor elevation in either the basement or main floor in the principal and accessory buildings where applicable,
 - xiii) on a vacant parcel in a residential land use district, the suggested location for a future driveway and garage or carport, if the application itself does not include such building as part of the proposal,
 - xiv) estimated cost of the project, excluding land prices, and
 - xv) any other pertinent information or tests required by the Development Authority respecting the parcel or adjacent lands.
- (e) be considered incomplete until all of the items noted in Section 16(1)(a through d) have been addressed to the satisfaction of the Development Authority.
- (2) In the case of a development permit application made pursuant to a Direct Control District, all requirements and procedures pertaining to the development permit application will be at the direction and to the satisfaction of Council.
- (3) In determining the development permit application requirements and procedures pursuant to Section 16(2), Council shall, at a minimum, consider and be guided by the provisions outlined in Section 16(1) and may require the Developer to submit any or all of the following for the purpose of relating any proposal to the growth of the entire Town:
- (a) an explanation of the intent of the project;
 - (b) the features of the project which make it desirable to the general public and the Town. This is to include an evaluation of how the project may

- contribute to the present and projected needs of the Town as a whole;
- (c) an economic analysis of the proposal's anticipated impact on the local community and the Town; and
- (d) a detailed development scheme containing the following information:
 - i) location of all proposed buildings,
 - ii) elevation and architectural treatment of all buildings and associated structures,
 - iii) proposed servicing scheme and its relationship to the Town's existing and/or proposed servicing plans,
 - iv) anticipated scheduling and sequence of development,
 - v) mechanisms by which conformance to the plan will be ensured such as normally achieved through a combination of caveats, easements, service agreements and performance bonds,
 - vi) all yard setbacks, parcel coverage, parcel areas, floor areas, sizes of parcels, number of parking stalls, and
 - vii) such additional requirements as are deemed necessary by Council having regard to the nature of the proposed development and the surrounding use(s) which may be affected.
- (4) Cannabis Related Use Applications must include:
 - (a) A site plan, acceptable to the Development Authority, illustrating the location and separation distances from the proposed Cannabis related use to those uses listed under Section 86 of this Bylaw.
 - (b) The Application must include a Certificate of Incorporation for the business as evidence of incorporation in Alberta or extra-provincially registered in Alberta for the exclusive purpose of Cannabis Retail Sales or Cannabis Counselling with each application.
 - (c) A color photo of the existing storefront taken directly in front of the proposed Cannabis establishment, unless the proposal does not intend to alter the existing exterior of the building.

Section 17 Decisions on Development Permit Application

(1) Permitted Use Applications

- (a) Upon receipt of a completed application for a development permit for a permitted use, the Development Authority shall approve, with or without conditions, an application for a permitted use where the proposed development conforms to this Bylaw and may:
 - i) require a Surveyor's Certificate or Real Property Report, signed by an Alberta Land Surveyor, relating to the building(s) that is (are) the subject of the development permit application;
 - ii) prior to making a decision, refer any application for a permitted use to any municipal department or external agency for comment;
 - iii) require, as a condition of issuing a development permit, that the Developer enter into an agreement with the Town to construct or pay for the construction of public roads, pedestrian walkways, parking and loading facilities, and any off-parcel levy or redevelopment levy imposed by Bylaw. To ensure compliance with the conditions in the agreement, the Town may be protected by caveat registered in favour of the Town;
 - iv) require financial guarantees, in a form and an amount acceptable to the Town, from the Developer to secure performance of any of the conditions of a development permit;
 - v) refuse to issue a development permit in the case where satisfactory arrangements have not been made by a Developer for a proposed building on any parcel, where it would otherwise be permitted by the Bylaw, for the supply of water, electric power, sewerage and street access, or any of them, including payment of the costs of installing or constructing any such utility by the Developer; and/or
 - vi) issue a temporary development permit where, in the opinion of the Development Authority, the proposed use is of a temporary nature.
- (b) Notwithstanding Section 17(1)(a)(i), in the case of new construction, the Development Authority shall require, as a condition of approval, that a Surveyor's Certificate or Real Property Report, signed by an Alberta Land Surveyor, relating to the building(s) that is (are) the subject of the development permit application, be submitted by the Developer prior to construction of the building foundation, or siting in the case of mobile and/or portable units on permanent foundations, and prior to commencement of framing or further structural construction to ensure that the building(s) is (are) sited according to the provisions of the development permit and this Bylaw.
- (c) *(deleted)* (Bylaw 2170)

(d) *(deleted)* (Bylaw 2170)

(2) Discretionary Use Applications

(a) Upon receipt of a completed application for a development permit for a discretionary use, the Development Officer shall review the application.

(Bylaw 2170)

(b) The Development Officer may, prior to making a decision, refer any application for a discretionary use to any municipal department or external agency for comment.

(Bylaw 2170)

(c) The Development Officer shall approve, with or without conditions, or refuse the application, giving reasons for the refusal.

(Bylaw 2170)

(d) The Development Officer may require, as a condition of issuing a development permit, that:

(Bylaw 2170)

i) the Developer provide financial guarantees, in a form and an amount acceptable to the Town, to secure performance of any of the conditions of a development permit;

ii) the Developer enter into an agreement with the Town to construct or pay for the construction of public roads, pedestrian walkways, parking and loading facilities, and off-parcel levy or redevelopment levy imposed by Bylaw. To ensure compliance with the conditions in the agreement, the Town may be protected by caveat registered in favour of the Town; and/or

iii) the Developer provide a Surveyor's Certificate or Real Property Report, signed by an Alberta Land Surveyor, relating to the building(s) that is (are) the subject of the development permit application.

(e) Notwithstanding Section 17(2)(d)(iii), in the case of new construction, the Development Authority shall require, as a condition of approval, that a Surveyor's Certificate or Real Property Report, signed by an Alberta Land Surveyor, relating to the building(s) that is (are) the subject of the development permit application, be submitted by the Developer prior to construction of the building foundation, or siting in the case of mobile and/or portable units on permanent foundations, and prior to commencement of framing or further structural construction to ensure that the building(s) is (are) sited according to the provisions of the development permit and this Bylaw.

(Bylaw 2170)

(f) The Development Authority may issue a temporary development permit where the Development Authority is of the opinion that the discretionary use is of a temporary nature.

(Bylaw 2170)

Section 17 - Decisions on Development Permit Application

- (g) Where any use is proposed which is not specifically shown in any land use district but is, in the opinion of the Development Authority, similar in character, intent and purpose to other uses of land and buildings provided by the Bylaw in the land use district in which such use is proposed, the Development Authority may, if requested by the Developer, rule that the proposed use is a discretionary use in the land use district in which such use is proposed. (Bylaw 2170)
 - (h) The Development Authority may refuse, or approve with conditions, any development if, in the opinion of the Development Authority, the proposed development will detract from the character or appearance of the general development in the area. (Bylaw 2170)
- (3) Direct Control District Applications
 - (a) Upon receipt of a completed application for a development permit in respect to a development proposed in a Direct Control District, Council or its Delegated Authority may, prior to making a decision, refer the application to the Development Authority or any municipal department or external agency for comment.
 - (b) At some point, as determined by Council or its Delegated Authority, prior to deciding upon the development permit application before it, Council or its Delegated Authority may provide public notice, through means and to whom it considers necessary, that a decision on a development permit for a development proposed in a Direct Control District is to be made, and Council or its Delegated Authority may afford an opportunity to any interested person to make representation on the application and shall take into account any such representations made when giving final consideration to the said application.
 - (c) Public notice referred to in Section 17(3)(b) may contain a statement to the effect that:
 - i) if no objection to the development is received within the time prescribed in the notice, then it will proceed without further notice; and
 - ii) if objection to the development is received, then a public hearing will be held on a date and at a time and place specified in the notice.
 - (d) Council or its Delegated Authority shall approve the application, with or without conditions, or refuse the application, giving reasons for the refusal.

Section 18 - Notice of Proposed Development

(4) Variance Provisions

- (a) Notwithstanding Section 17(1), the Development Officer may, in deciding upon an application for a permitted use, allow a variance that does not unduly interfere with the amenities of the neighborhood nor materially interfere with or affect the use, enjoyment or value of neighbouring parcels. (Bylaw 2170)
- (b) Notwithstanding Section 17(2), the Development Officer may approve or conditionally approve a discretionary use or a permitted use that does not comply with this Bylaw if, in the opinion of the Development Officer. (Bylaw 2170)
 - i) the proposed development would not unduly interfere with the amenities of the neighborhood, or materially interfere with or affect the use, enjoyment or value of neighbouring parcel, and
 - ii) the proposed development conforms with the use prescribed for that land or building in this Bylaw.
- (c) Notwithstanding Section 17(4)(a), for the purpose only of issuing a Certificate of Compliance, the Development Officer may issue a development permit for an existing development that does not fully comply with current Bylaw requirements if in his opinion such action will not unduly interfere with the amenities of the neighborhood nor affect the use, enjoyment or value of the neighboring parcels.

(5) Additional Provisions:

In the case of a development permit application for a development proposed in a Direct Control District, Council or its Delegated Authority may impose such conditions on the approval of the application that are considered necessary by Council or its Delegated Authority to

- (a) uphold the intent and objectives of the Municipal Development Plan and any area structure plan or other statutory plan or land use regulation as adopted or amended from time to time; and
- (b) ensure the orderly and economic development of land within the Town.

Section 18 Notice of Proposed Development

- (1) Prior to an application being considered for a discretionary use, a use pursuant to Sections 17(2)(g), (4), (5) or (7), the Development Authority may require, one or more of the following:
 - (a) cause a notice to be posted in a conspicuous place on the parcel upon which the proposed development is situated not less than seven (7) days prior to the date of consideration of such an application;

Section 19 - Notice of Decision

- (b) cause a similar notice to be published once in a newspaper circulating in the municipal area, at the expense of the Developer; and/or
 - (c) cause a similar notice to be sent by mail to all assessed property owners within 30.0m of the parcel, and to those assessed property owners who, in the opinion of the Development Authority may be affected, not less than seven (7) days prior to the date of consideration of the application.
- (2) The notices issued pursuant to Section 18(1) shall state:
 - (a) the proposed use of the building or parcel;
 - (b) that an application respecting the proposed use will be considered by the Development Authority;
 - (c) that any person who objects to the proposed use of the parcel may deliver to the Development Authority a written statement of their objections indicating:
 - i) their full name and address for service of any notice to be given to them in respect of the objection, and
 - ii) the reasons for their objections to the proposed use;
 - (d) the date by which objections must be received by the Development Authority; and
 - (e) the date, time and place the application will be considered by the Development Authority.
- (3) When considering applications under Section 18(1) for which notices have been served, the Development Authority may afford an opportunity to any interested person to make representation on the application and shall take into account any such representations made when giving final consideration to the said application.

Section 19 Notice of Decision

- (1) When a decision on a development permit application is issued for a development, the notice of decision must be: (Bylaw 2240)
 - (a) in writing;
 - (b) specify the date on which the decision was made; and
 - (c) provided to the Developer within twenty-four (24) hours of the decision being made.
 - i) Notice will be provided by email, unless the Developer requests regular post mail service in writing, addressed to the person(s) specified on the application form as the applicant(s).
 - ii) A notice sent by regular post mail will be post marked on the date the decision was made.

Section 20 - Effective Date of Permit

- (2) If an application is refused or conditionally approved by the Development Authority or Council, the notice of decision shall contain the reasons for the refusal or the conditions imposed as part of the approval.
- (3) *(deleted)* (Bylaw 2240)
- (4) When a decision on a development permit application is issued for a development in a Direct Control District, Council or its Delegated Authority may direct the Development Officer to post a notice of decision conspicuously on a public notice board in the Town offices, at a minimum, during regular office hours for a period of 21 days. (Bylaw 2240)
- (5) When a decision on a development permit is issued, the Development Officer: (Bylaw 2170, 2240)
 - (a) must advertise a notice prominently on the Town of Edson's official website;
 - (b) may advertise a notice of the issuance of the development permit in a newspaper circulating in the municipal area;
 - (c) may immediately mail a notice to all assessed property owners within 30.0m of the parcel with respect to which the application has been made; and
 - (d) may post a notice conspicuously on the parcel with respect to which the application has been made.
- (6) The notices issued pursuant to Sections 19(3), (4) or (5) shall indicate:
 - (a) the date that a notice of decision on the development permit application was issued;
 - (b) the location and use of the parcel in respect of which the application has been made and the decision of either the Development Authority or Council; and
 - (c) subject to Section 19(7), that an appeal may be made by a person affected by the decision by serving written notice of the appeal to the Subdivision and Development Appeal Board before the effective date of the development permit as determined pursuant to Section 20 of this Bylaw.
- (7) In accordance with Section 27(4) of this Bylaw, Section 19(6)(c) is not applicable in the case where the decision on a development permit application is made by Council pursuant to a Direct Control District.

Section 20 Effective Date of Permit

The decision on a development permit application shall come into effect, (Bylaw 2240)

Section 21 - Validity of Development Permit

- (1) if it is made by the Development Authority, on the twenty-second (22nd) day after the date of the issue of the Notice of Decision by the Development Authority on the application for a development permit, or
- (2) if it is issued by Council with respect to a development in a Direct Control District, upon the date of its issue, or
- (3) if an appeal is made, on the date that the appeal is finally determined.

ANY DEVELOPMENT CARRIED OUT PRIOR TO THE EFFECTIVE DATE OF THE DEVELOPMENT PERMIT IS DONE SOLELY AT THE RISK OF THE DEVELOPER.

Section 21 Validity of Development Permit

- (1) A development permit is valid unless:
 - (a) it is suspended or canceled; or
 - (b) the development that is the subject of the development permit is not commenced within twelve (12) months from the date of the issuance of the development permit, or not carried out with reasonable diligence; or
 - (c) the development that is the subject of the development permit is not commenced within a shorter time period than that indicated in Section 21 (1)(b), or not carried out with reasonable diligence, if the Development Authority or Council has specified that the development permit is to remain in effect for less than twelve (12) months.
- (2) The Development Authority or Council may extend the period of time that a development permit is specified to be valid in accordance with in Section 21(1)(b) and (c) if, in their opinion, circumstances warrant such a time extension.

Section 22 Deemed Refusals

In accordance with Section 684 of the Act, an application for a development permit shall, at the option of the Developer, be deemed to be refused when the decision of the Development Authority or Council, as the case may be, is not made within forty (40) days of the completed application being received by the Development Officer unless an agreement to extend the 40-day period herein described is established between the Developer and the Development Authority or Council.

Section 23 Subsequent Applications

- (1) If an application for a development permit is refused by the Development Authority, or on an appeal from the Subdivision and Development Appeal Board, another application for development by the same Developer or any other Developer,
 - (a) on the same parcel; and
 - (b) for the same or similar use,

Section 24 - Suspension or Cancellation

- (c) may not be made for at least six (6) months after the date of the refusal.
- (2) Notwithstanding Section 23(1), in the case of a Direct Control District, Council or its Delegated Authority may accept for consideration, a subsequent development permit application, at any time after refusal of a previous application for the same or similar use on the same parcel.

Section 24 Suspension or Cancellation

- (1) If, after a development permit has been issued, the Development Authority becomes aware that:
 - (a) the application for the development contains a misrepresentation; or
 - (b) facts concerning the application or the development were not disclosed which should have been disclosed at the time the application was considered; or
 - (c) the development permit was issued in error,the Development Authority, or Council, as the case may be, may suspend or cancel the notice of decision or the development permit by notice, in writing, to the Developer.
- (2) If a person fails to comply with a notice under Section 645 of the Act, the Development Officer or Council may suspend or cancel any existing development permit by notice, in writing, to the holder of the permit.
- (3) A person whose development permit is suspended or canceled under this section, with the exception of permits pertaining to a Direct Control District, may appeal to the Subdivision and Development Appeal Board.

Section 25 Developer's Responsibility

- (1) The Developer shall obtain from the appropriate authority where applicable, permits relating to building, grades, sewers, water mains, electricity and highways, and all other permits required in connection with the proposed development.
- (2) The Developer shall be financially responsible during construction for any damage by the Developer, his servants, his suppliers, agents or contractors to any public or private property.
- (3) The Developer shall prevent excess soil or debris from being spilled on public streets, lanes and sidewalks, and shall not place soil or any other materials on adjacent parcel without permission in writing from adjacent property owners.
- (4) Sections 25(2) and (3) may be enforced pursuant to PART V of this Bylaw. Any costs incurred as a result of neglect to public property may be collected where financial guarantees have been required pursuant to Sections 17(1)(a), 17(2)(d) and 17(3)(d).

Section 25 - Developer's Responsibility

- (5) The Development Authority may require a Surveyor's Certificate or Real Property Report prepared by an Alberta Land Surveyor relating to the building(s) that is (are) the subject of a development permit application.
- (6) No building or use shall be used or occupied and no change in the existing occupancy classification of a building shall be made until the Developer, proposed user or proposed occupant of said building or use demonstrates that substantial completion, as determined by the Development Authority, has been undertaken.
- (7) Further to Section 25(6), a Developer in receipt of an occupancy permit issued pursuant to the Alberta Building Code is not in receipt of permission to occupy under this Bylaw.
- (8) A Developer in receipt of a development permit issued pursuant to this Bylaw may be required to obtain a building permit issued pursuant to the Alberta Building Code Regulations, some of the regulations/provisions of which may not be consistent with the regulations/provisions of this Bylaw.
- (9) Transfers:
A development permit is not transferable without the prior consent of:
 - (a) the Development Authority, if the permit was issued by the Development Authority; or
 - (b) Council, if the permit was issued by a decision of Council with respect to development in a Direct Control District; or
 - (c) the Subdivision and Development Appeal Board, if the permit was issued by the Subdivision and Development Appeal Board.

PART IV APPEAL AND AMENDMENT

Section 27 Appeals and Procedures

- (1) Appeals respect to decisions on development permit applications are governed by the *Municipal Government Act*. (Bylaw 2262)
- (2) A development permit, upon receipt of a notice of appeal filed in accordance with the *Municipal Government Act*, will be suspended until the appeal is resolved. (Bylaw 2262)
- (3) If the decision of the Development Authority to refuse a development permit is reversed by the Appeal Board, the Development Authority must endorse the development permit in accordance with the decision of the Appeal Board. (Bylaw 2262)
- (4) If the decision of the Development Authority to approve a development permit application is reversed by the Appeal Board, the development permit is null and void. (Bylaw 2262)
- (5) If a decision of the Development Authority to approve a development permit is upheld by the Appeal Board, the Development Authority must release the development permit upon completion of any outstanding prior to release conditions. (Bylaw 2262)
- (6) If any decision of the Development Authority is varied by the Appeal Board, the Development Authority must endorse a development permit reflecting the decision of the Appeal Body and act in accordance therein. (Bylaw 2262)
- (7) Each notice of appeal must be accompanied by the fee as set by Council. (Bylaw 2262)

Section 28 Applications to Amend Bylaw

- (1) Subject to the Act, any Section or Part of this Bylaw may be amended in accordance with Section 28 of this Bylaw.
- (2) Application:
Any person applying to have this Bylaw amended shall apply in writing to the Development Authority, using the application form provided by the Town, and request that the Development Authority submit the application to Council.
- (3) As part of the application referred to in Section 28(2), the Developer must provide the following information:
 - (a) reasons in support of the application;
 - (b) the use to be made of the land that is the subject of the application; and
 - (c) the program of land servicing.

(4) Payment and Undertaking:

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

- (a) pay the Town an application fee as set by Resolution of Council;
- (b) undertake in writing on a form provided by the Town to be liable for, and pay on demand, all expenses made necessary by the processing of the proposed amendment which the Town may incur, whether it be enacted or not, including but not limited to map printing and reproduction costs, surveys and advertising charges; and
- (c) sign a certificate authorizing the right of entry by the Development Authority to such lands or buildings as may be required for investigation of the proposed amendment.

(5) *(deleted)* (Bylaw 2170)

(6) Investigation by Development Officer:

Upon receipt of an application to amend this Bylaw, the Development Officer shall:

- (a) initiate or carry out any necessary investigation or analysis of the problems involved in or related to the amendment;
- (b) prepare a detailed report for the Town Council on the proposed amendment; and
- (c) submit a copy of the report, maps and all material relevant thereto to the Town Council.

(7) *(deleted)* (Bylaw 2170)

(8) Procedure by Developer:

Upon receiving the preliminary advice of the Development Officer, the Developer shall advise the Council if:

- (a) he or she wishes to proceed with the amendment as submitted by the Developer, or an alternative amendment proposed by the Development Officer; or (Bylaw 2170)
- (b) he or she wishes to withdraw his or her application for an amendment. (Bylaw 2170)

(9) Decision by Council:

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

(10) Council May Direct Repayment:

If it appears that the proposed amendment is one which is applicable to and for the benefit of the Town at large, or most of the persons affected in one area, or to the entire district, then Council may direct that the application fee be returned to the Developer and that the Town pay the expense which the Developer has agreed to pay pursuant to the provisions of Section 28(4).

(11) *(deleted)* *(Bylaw 2170)*

(12) *(deleted)* *(Bylaw 2170)*

(13) Limit on Frequency of Applications:

Notwithstanding anything in this Section or this Part, a proposed amendment which has been rejected by Council within the previous twelve (12) months may not be reconsidered unless Council otherwise directs.

(14) Proposed amendments to this Bylaw are subject to those requirements and procedures set out in the Act regarding enactment of Bylaws, specifically, Sections 230 and 692 of the Act.

(15) Prior to third reading of a proposed amendment, Council may require the Developer to apply for a development permit and negotiate a development agreement for the proposal which initiated said proposed amendment.

PART V ENFORCEMENT, PENALTIES AND FINES

Section 29 Contravention

- (1) Where a Development Authority finds that a development or use of land or buildings is not in accordance with the Act or the regulations, or a development permit or subdivision approval, or this Bylaw; the Development Authority may, by notice in writing, order the registered owner, the person in possession of the land or buildings, or the person responsible for the contravention or all or any of them to
 - (a) stop the development or use of the land or buildings in whole or in part as directed by the notice; or
 - (b) demolish, remove or replace the development; or
 - (c) take such other measures as are specified in the notice so that the development or use of the land or buildings is in accordance with the Act, the regulations of the Act, a development permit, a subdivision approval or this Bylaw, as the case may be.
- (2) Where a notice is issued under Section 29(1), the notice shall state the following and any other information considered necessary by the Development Authority:
 - (a) an explanation of the contravention, and a statement indicating under which provisions of this Bylaw or the Act the order is being carried out;
 - (b) the alternatives and processes which the person responsible for the contravention may pursue in order to correct the contravention;
 - (c) a time frame in which the contravention must be corrected prior to the Town pursuing action; and
 - (d) advise the person of his right to appeal the notice to the Subdivision and Development Appeal Board.
- (3) Where a person fails or refuses to comply with an order directed to him under Section 29(1) or an order of the Subdivision and Development Appeal Board under Section 687(1) of the Act within the time specified, Council or a person appointed by it may, in accordance with Section 542(1) of the Act, enter upon the land or building and take such action as is necessary to carry out the order. Where Council or a person appointed by it carries out an order, Council may cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned and that amount shall be collected in the same manner as taxes on land.

Section 30 Offenses and Penalties

This Bylaw may be enforced, and the contravention of any provisions contained herein restrained, by the Court of Queen's Bench of Alberta upon action brought by Council, whether or not any penalty has been imposed for the contravention.

- (1) A person who:
 - (a) contravenes any provision of the Act or the regulations under the Act,
 - (b) contravenes this Bylaw,
 - (c) contravenes an order under Section 29 of this Bylaw and/or Section 645 of the Act,
 - (d) contravenes a development permit or subdivision approval or a condition attached thereto, and/or
 - (e) obstructs or hinders any person in the exercise or performance of his powers or duties under the Act, the regulations under the Act or this Bylaw,is guilty of an offense and is liable to a fine prescribed in Part 13, Division 5 of the Act.
- (2) If a person is found guilty of an offense under Section 30 of this Bylaw, the court may in addition to any other penalty imposed, order the person to comply with
 - (a) the Act and the regulations under the Act,
 - (b) this Bylaw,
 - (c) an order under Section 29 of this Bylaw and/or Section 645 of the Act, and/or
 - (d) a development permit or subdivision approval, or a condition attached to a development permit or subdivision approval.
- (3) Any written notice, or order, or decision that is required under any provision of this Bylaw to be provided to any person shall be deemed to have been so provided if it is:
 - (a) delivered personally to the person or their agent it is directed to; or
 - (b) mailed by certified mail to the last known address of the person it is directed to; or
 - (c) left with any agent or employee or resident at the last known address of the person to whom it is directed.

PART VI GENERAL PARCEL PROVISIONS

Section 40 Establishment of General Parcel Provisions

General parcel provisions shall be set forth in Part VI of this Bylaw.

Section 41 Dwelling Units on a Parcel

- (1) Subject to subsection (2) and (3), no person shall construct or locate or cause to be constructed or located more than one dwelling unit on a parcel.
- (2) A Development Authority may issue a development permit to a Developer that would permit the construction or location of more than one dwelling unit on a parcel if the second or additional dwelling unit
 - (a) is contained in one or more buildings, each of which is designed for or divided into two (2) or more dwelling units,
 - (b) is a mobile unit as defined in the Act forming part of a park for mobile units,
 - (c) is a building, as defined in the Condominium Property Act, that is the subject of a condominium plan to be registered in a land titles office under the Condominium Property Act.
- (3) The Development Authority, upon considering the particular circumstances of an application may, in a development permit, exempt any person or land from the operation of subsection (1). (Bylaw 2170)

Section 42 Boarders and Lodgers

In any residential land use district or any land use district which provides for residential uses, there shall not be more than two (2) boarders or lodgers in any residential development other than in a Boarding or Lodging home.

Section 43 House Number

Every residence shall have its house number clearly displayed near the front door entrance. The numbers shall be easily visible from the street.

Section 44 Development On or Near Slopes

- (1) For the purposes of this Section, “top of the bank” and “base of the bank” shall be as determined by the Development Authority.
- (2) Notwithstanding the yard setback requirements prescribed in the land use districts, the minimum development setback from the top of the bank abutting any water body, dry gully, or ravine shall be determined by establishing a line from the base of the bank upward to the ground surface at an angle of 8.5 degrees (15% slope) above the horizontal. No principal building shall be permitted to locate such that the base of its foundation is above this line.

Section 45 - Limited Access to Major Roads

- (3) The location of accessory buildings shall be at the discretion of the Development Authority.
- (4) The Development Authority may require a greater setback than is prescribed in Section 44(2).
- (5) The development setbacks required under this Section may be reduced by the Development Authority only if the Developer can demonstrate, by means of an engineering report bearing the signature and seal of a professional engineer registered in the Province of Alberta, that due to soil conditions and/or preventative engineering and construction measures, the site is suitable for the proposed development
- (6) Notwithstanding that a proposed development conforms in all respects to this Bylaw, where the application is for development on lands that potentially may be subject to subsidence (sinking or lowering of the soil), the Development Authority shall not issue a development permit unless the Developer can demonstrate by means of an engineering report bearing the seal and signature of a professional engineer registered in the Province of Alberta, that the parcel is suitable for the proposed development.
- (7) Further to Section 44(6), the Development Authority may, at its discretion, require that the development site and buildings be designed by a professional engineer registered in the Province of Alberta.
- (8) Subject to Sections 44(6) and (7), the Development Authority may, at its discretion, reduce the setback requirements established pursuant to Sections 44(2) and (3) if the Developer provides satisfactory proof of bank stability.

Section 45 Limited Access to Major Roads

- (1) No access for vehicles will be permitted from a major collector or arterial road, as designated in the Municipal Development Plan, Transportation Study or any Area Structure Plans, to:
 - (a) any residential parcel, unless the access serves more than four dwelling units;
 - (b) any parcel, unless turning space is provided on the parcel such that vehicles entering upon the parcel may turn before reentering the street; and
 - (c) any parcel where, in the opinion of the Development Authority, there would be an excessive number of access points onto the street.
- (2) Access to Highway 16 shall be limited to those access points approved by Alberta Infrastructure and Transportation.

Section 46 - Emergency Access to Buildings

Section 46 Emergency Access to Buildings

The Development Authority or Council, as the case may be, shall ensure that parcels are designed such that safe, unrestricted access for fire fighting vehicles and equipment is afforded to all buildings and parcels in accordance with municipal and provincial fire authorities having jurisdiction.

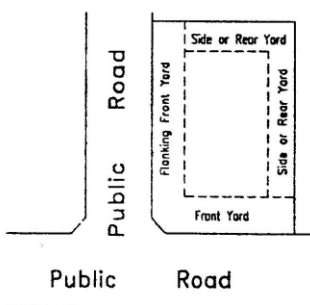
Section 47 Curb Cuts

In determining curb cuts, the Development Authority shall ensure that the amount of curb space lost for use as on-street parking is kept to an absolute minimum and that curb cuts are located such that they provide for the safe and efficient movement of vehicles and pedestrians.

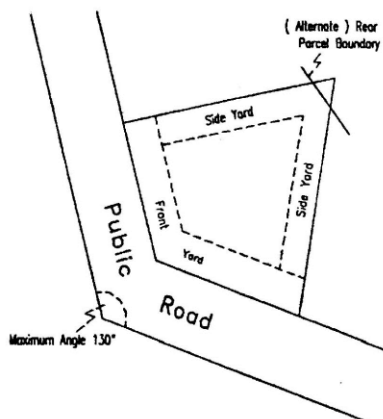
Section 48 Corner and Double Fronting Parcels

- (1) In all land use districts, a parcel abutting onto two or more public roads (not including lanes) shall have a front yard setback from each road in accordance with the front yard requirements of this Bylaw. For the purposes of determining the setback requirements, the long front yard shall be referred to as the flanking front yard.
- (2) In all cases, the location of buildings on corner parcels shall be subject to the approval of the Development Authority who may, at its discretion, vary the front yard setback requirements taking into account the location of existing adjacent buildings or the permitted setback on adjacent parcels where a building does not exist.

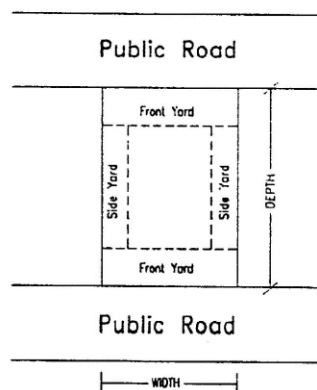
CORNER PARCEL



IRREGULAR CORNER PARCEL



DOUBLEFRONTING PARCEL



Section 49 Objects Prohibited or Restricted in Yards

- (1) Subject to Section 49(2), no person shall keep or permit in any part of a yard in a residential land use district:
 - (a) any dismantled or wrecked vehicle;
 - (b) any object or chattel which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the district;
 - (c) any excavation, storage or piling up of materials required during the construction stage unless all necessary safety measures are undertaken, and the owner of such materials or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work;
 - (d) a commercial vehicle loaded or unloaded of a maximum weight in excess of 5500kg; or
 - (e) television satellite dishes where, in the opinion of the Development Authority, they would create a disturbance, nuisance or other undue effect on adjacent landowners or the aesthetic appearance of the surrounding area.
- (2) In the R-AR Acreage Residential District, Sections 49(1)(a),(b) and (c) shall apply.
- (3) In all land use districts, garbage shall be stored in weather- proof containers screened from adjacent parcels and public thoroughfares to the satisfaction of the Development Authority and shall be in a location easily accessible for pickup.

Section 50 Zero Side Yard Developments in Residential

- (1) Where developments are proposed which are permitted to have a zero side yard, the regulations of this Section and the regulations of the land use district in which the development is proposed shall apply. (Consideration must be given to meeting the spatial separation requirements of the Alberta Building Code Regulations with respect to fire exposure.)
- (2) Prior to the approval of any zero side yard development, plans showing grading and drainage on adjacent parcels must be submitted and must be acceptable to the Development Authority.
- (3) Easements Required
 - (a) Where a zero side yard is permitted, an easement shall be provided on the parcel abutting that side yard, the full width of the side yard required on the adjacent property, for the maintenance of all principal and accessory buildings, and for any overhang of principal or accessory buildings onto that adjacent parcel. The Development Authority may require that an easement plan be registered in addition to the normal plan of subdivision.

- (b) Where an accessory building is permitted to have a zero side yard abutting a parcel, the Developer will be responsible for the negotiation and registration of any easements required pursuant to Section 50(3)(a) prior to the issuance of a development permit for the zero side yard development proposal.

(4) Provisions for Future Zero Side Yard Development

Where a plan is accepted for a zero side yard project or zero side yard parcel, and where that plan indicates the location or alternative locations for future accessory buildings (including garages) on the parcel, easements required under Section 50(3) shall be provided for all possible alternative future locations of accessory buildings at, or prior to, the time of the development of the principal building.

(5) Side Yard Setbacks

Side yard setbacks shall be as prescribed below:

- (a) Zero for one side, except where a parcel in which the principal or accessory buildings are permitted to have a zero side yard abuts another land use district, in which case the minimum side yard setback from the boundary abutting the adjacent district shall be 1.5m.
- (b) 3.0m except that where a parking space is provided in the required side yard and adjacent to a zero side yard of another unit, the minimum side yard setback where the parking space is provided shall be 3.5m.
- (c) No part of any structure or building shall be erected within 5.0m of the street boundary on the flanking front yard side of a zero side yard parcel.

(6) Surveyed Boundaries

- (a) Notwithstanding other Sections of this Bylaw, at the discretion of the Development Authority, approval may be given and a development permit may be issued on a zero side yard development prior to the registration of a plan of subdivision for the development, if the development is in conformance with a parcel plan that proposes future subdivision to accommodate the zero side yard development provided that:
 - i) subdivision approval has been previously given on the proposed parcel by the subdivision approving authority;
 - ii) a preliminary survey plan has been undertaken and applied to the land to establish the location of buildings proposed;
 - iii) after the registration of the linen plan, the development will be in conformance with all regulations of this Bylaw; and

Section 51 - Outside Storage and Display

- iv) the Developer will be held responsible under Part V of this Bylaw for any development that is undertaken which is not in conformance with the Bylaw prior to, or after the registration of the linen plan of subdivision.
- (b) Where Section 50(6)(a) is enforced, the plan of subdivision must be prepared and registered immediately upon the completion of foundations and, at the discretion of the Development Authority, prior to any further development taking place on the parcel.

Section 51 Outside Storage and Display

- (1) The following shall apply in the C-1 Retail Commercial District, C-2 Service Commercial District, C-3 Highway Commercial District, M-1A Light Industrial (Served) District, M-1B Light Industrial (Unserved) District and M-2 Heavy Industrial District:
 - (a) There shall be no outside storage of goods, products, materials or equipment permitted within the front yard setback prescribed in the above-noted land use districts.
 - (b) Outside storage of goods, products, materials or equipment shall be kept in a clean and orderly condition at all times and shall be screened by means of a solid wall or fence from public thoroughfares and adjacent residential uses to the satisfaction of the Development Authority.
 - (c) No storage or activity may be undertaken that would in the opinion of the Development Authority:
 - i) unduly interfere with the amenities of the district, or
 - ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcel,by reason of excessive noise, smoke, steam, odour, glare, dust, vibration, refuse matter or other noxious emissions or containment of hazardous materials.
 - (d) When part of the parcel is to be used for the temporary outdoor display of goods or products for sale, lease or hire, such display shall be arranged and maintained in a neat and tidy manner and shall not, in the opinion of the Development Authority:
 - i) unduly interfere with the amenities of the district, or
 - ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcel.
- (2) The following shall apply in the C-4 Neighborhood Commercial District:
 - (a) No person shall store goods, products, materials or equipment outside of a building.

Section 52 - Pollution Control

- (b) When part of the parcel is to be used for the temporary outdoor display of goods or products for sale, lease or hire, such display shall be arranged and maintained in a neat and tidy manner and shall not, in the opinion of the Development Authority:
(Bylaw 2170)
 - i) unduly interfere with the amenities of the district, or
 - ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcel.
- (3) The following shall apply to the non-residential, accessory uses as provided for under Sections 123(1) and (2) in the R-AR Acreage Residential District:
 - (a) No person shall store goods, products, materials or equipment outside of a building.
 - (b) Notwithstanding Section 51(3)(a), heavy trucks and equipment may be stored outside of a building subject to approval being obtained from the Development Authority. Such heavy trucks and equipment stored outside of a building shall be screened from view by means of fencing, shrubbery, trees and other landscaping to the satisfaction of the Development Authority.
(Bylaw 2170)
 - (c) Subject to approval being granted by the Development Authority, part of the parcel may be used for the temporary outdoor display of goods or products for sale, lease or hire. Such display shall be arranged and maintained in a neat and tidy manner and shall not, in the opinion of the Development Authority:
(Bylaw 2170)
 - i) unduly interfere with the amenities of the district, or
 - ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcel.

Section 52 Pollution Control

- (1) In any land use district, no use of land or a development may be undertaken in a manner that would, in the opinion of the Development Authority:
 - (a) unduly interfere with the amenities of the district, or
 - (b) materially interfere with or affect the use, enjoyment or value of neighbouring parcel,by reason of potential for contamination of the water supply for the Town, excessive noise, smoke, steam, odour, glare, dust, vibration, refuse matter or other noxious emissions or containment of hazardous materials.

Section 53 Excavation, Stripping or Grading

- (1) *(deleted)* (Bylaw 2270)

Section 53 - Excavation, Stripping or Grading

- (2) A Developer making application for a development permit for the excavation, stripping, or grading of land, must include with their application the following information: [\(Bylaw 2270\)](#)
- (a) A grading plan.
 - (b) A description of the excavation, stripping, or grading operation proposed.
 - (c) A detailed timing and phasing program covering the length of the proposed operation.
 - (d) A site plan showing the final site layout following completion of the operation and any land reclamation proposals where applicable.
 - (e) A description of the measures to be taken for the prevention of dust or other nuisances during and after the operation.
 - (f) A plan for proposed access and hauling activities, including;
 - i) route,
 - ii) size of hauling vehicle,
 - iii) number of hauling vehicles,
 - iv) tonnage,
 - v) hauling schedule, including days and hours; and
 - vi) methods of preventing/ controlling/ reducing erosion or dust.
- (3) Where, in the process of development, areas require requiring leveling, filling, or grading, the topsoil must be removed before work commences, stockpiled, and then replaced following the completion of the work. [\(Bylaw 2270\)](#)
- (4) Where significant excavation and fill is proposed, the Development Authority may require that same be conducted in accordance with engineered plans bearing the seal and signature of a professional engineer registered in the Province of Alberta.
- (5) As a condition of a development permit, the Development Authority may require that the Developer provide financial guarantees, in a form acceptable to the Town, up to the value of the estimated cost of all or any proposed work/activities, including final grading and landscaping referred to under Section 53, to ensure that same is carried out with reasonable diligence.
- (6) Development involving the construction of artificial water bodies or dugouts may require, as a condition of development approval, that the developer ensure that signs, fences, or boarding are placed to protect the public from any danger arising as a result of the development. [\(Bylaw 2270\)](#)
- (7) All parcels must be graded to ensure that storm water is directed to a road without crossing adjacent land, except as otherwise required by the Development Authority. [\(Bylaw 2270\)](#)

Section 54 - On-Parcel and Off-Parcel Services and Improvements

- (8) A minimum topsoil coverage of 0.75 m must be retained on the parcel. (Bylaw 2270)

Section 54 On-Parcel and Off-Parcel Services and Improvements

- (1) For the purposes of consistency with the Act, the word “parcel” in this Section of the Bylaw has the same meaning as the word “site” in the Act as it pertains to “off-site levy”.
- (2) Where on-parcel services or improvements, including but not limited to water/sewer lines, power and other utility services, or any off-parcel local improvements, relating to but not limited to infrastructure such as roads, lanes, trunk water and sewer lines, are required to service a proposed development, a person shall not begin the excavation for the foundation nor commence the development until the Development Authority is satisfied that such services will be provided or the improvements will be undertaken using, as required, the means of securing performance available in this Bylaw.
- (3) If a development is to be served by private sewer and water systems, approval from the appropriate municipal and provincial authorities having jurisdiction with respect to the private sewer and water systems shall be a condition of the development permit issued for said development.

Section 55 Public Utility Buildings and Easements

- (1) Notwithstanding other regulations in this Bylaw, a person erecting a public utility facility or placing utility equipment on a parcel shall cause it to be placed in a location and with yard setbacks which are satisfactory to the Town.
- (2) Utility parcels, utility buildings and publicly owned buildings may be permitted in any district except as specifically regulated elsewhere in this Bylaw.
- (3) Subject to the conditions of a utility easement, no permanent structure other than a fence shall be constructed or placed on that utility easement unless:
 - (a) in the opinion of the Town, the said structure is of a temporary nature and does not restrict access to the utility easement for the purpose of installation and maintenance of the utility; and
 - (b) written consent has been obtained from the person for whose use the easement has been granted.

Section 56 Landscaping

- (1) In all land use districts, no person shall commence or continue the removal of topsoil, and in the R-AR Acreage Residential District, M-1B Light Industrial (Unserviced) District and UR Urban Reserve District, no person shall commence any landscaping of any kind, without first obtaining an approved development permit.

Section 57 - Fences and Screening

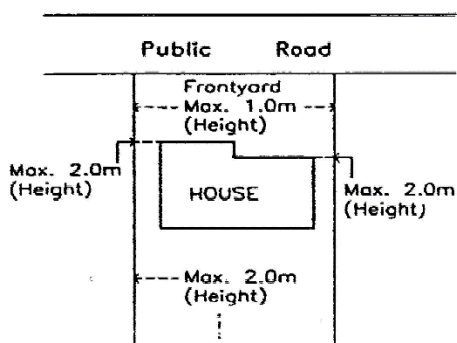
- (2) Pursuant to Section 56(1) and in addition to the requirements of Section 16 of this Bylaw, development permit applications shall be accompanied by a general parcel grading plan, drainage plan and indicate any existing or proposed retaining wall construction.
- (3) There shall be provided upon occupancy of the development, a minimum topsoil coverage of 7.5cm and the affected area shall be landscaped to the satisfaction of the Development Authority.
- (4) In any commercial or industrial land use district, except the M-1B Light Industrial (Unserviced) District, as well as in the PR Parks and Recreation District and CS Community Services District, all areas of a parcel not covered by buildings, parking or vehicular maneuvering areas shall be landscaped to the satisfaction of the Development Authority.
- (5) In any commercial land use district, off-street parking lots shall be landscaped by the planting of trees and/or shrubs in the amount of at least one tree and/or shrub for every 185.0m² of parking lot area. The trees and/or shrubbery shall be of a type and size approved by the Development Authority. Trees/shrubbery required shall be located within the parking area in locations where visibility for the safe movement of persons and traffic is not impaired.
- (6) As a condition of the development permit, all required landscaping and planting must be carried out to the satisfaction of the Development Authority and within one (1) year (weather permitting) of occupancy or commencement of operation of the proposed development
- (7) As a condition of a development permit, the Development Authority may require that the Developer provide a financial guarantee, in a form acceptable to the Town, up to the value of the estimated cost of the proposed landscaping/planting to ensure that such landscaping/planting is carried out with reasonable diligence.

Section 57 Fences and Screening

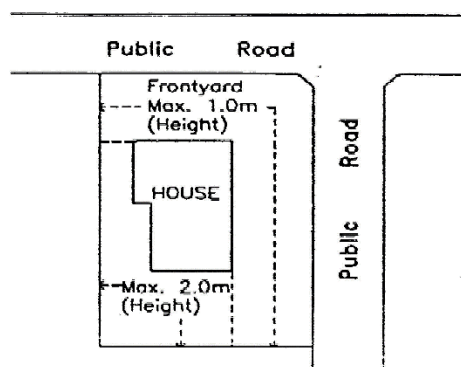
- (1) In all the residential land use districts:
 - (a) no fence shall be constructed that exceeds 2.0m in height; and
 - (b) notwithstanding 57(1)(a), no fence within a front yard setback shall exceed 1.0m in height unless otherwise approved by the Development Authority.

(Bylaw 2099)

SITING OF FENCES



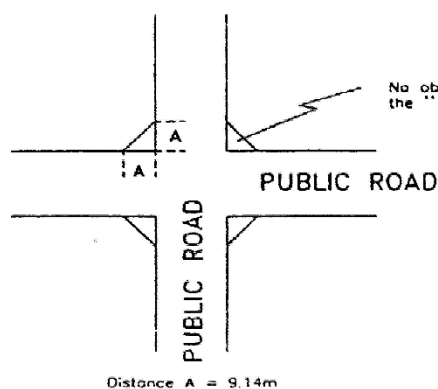
INTERIOR PARCEL



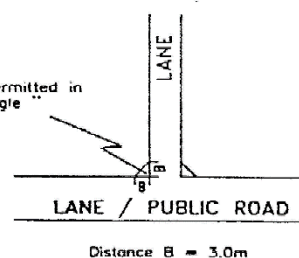
CORNER PARCEL

- (2) In the case of corner parcels in all land use districts, regardless of whether or not a corner cut-off has been taken, there shall be no obstruction of the sight triangle, as defined and illustrated in this Bylaw, by fencing or other screening, including landscaping. For the purposes of this Bylaw, the sight triangle;
- (a) in the case of laneways, is the triangle formed at a parcel corner located at the intersection of a lane and a street, or a lane and a lane, with each side of the triangle being 3.0m in length, and
 - (b) in the case of all other roads, is the triangle formed at a parcel corner located at the intersection of the roads such as a street or avenue, with each side of the triangle being 9.14m in length.

ALL PUBLIC ROADS



LANE ABUTTING LANE OR PUBLIC ROAD



- (3) Multiple family dwellings adjacent to a single family dwelling shall provide a wooden fence, or other such screening approved by the Development Authority, of not less than 1.5m or more than 2.0m in height along the side abutting the single family dwelling.

Section 58 - Public Lands and Town Boulevards

- (4) In the case of commercial, industrial, public and quasi-public uses abutting a residential area, a solid or chain link fence shall be provided of not less than 1.5m or more than 2.0m in height along the sides abutting the residential area.
- (5) In the M-1A Light Industrial (Serviced) District, M-1B Light Industrial (Unserviced) District, M-2 Heavy Industrial District or UR Urban Reserve District, the maximum height of a fence and the location of fencing and screening within a parcel, including landscaping, shall be determined by the Development Authority.
- (6) No electrification of fences will be permitted.
- (7) No barbed wire fences will be permitted in residential land use districts.
- (8) All fencing shall be of materials acceptable to the Development Authority and shall be constructed and maintained in a manner so as not to become unsightly or to pose a hazard to the public.

Section 58 Public Lands and Town Boulevards

(1) Residential District

The Developer of a parcel abutting a boulevard, in a residential district, shall develop and maintain the boulevard abutting their parcel by excavating, backfilling, leveling or consolidating to final grade, then seeding or performing other works that may be necessary to develop and maintain a turf boulevard, including weed control, with all development and maintenance of the boulevard being entirely at the Developer's expense.

(2) Commercial, Industrial, or Institutional District

The Developer of a parcel abutting a boulevard, in a commercial, industrial, or institutional district, shall develop and maintain the boulevard abutting their parcel by excavating, backfilling, leveling or consolidating to final grade, then seeding/turfing or performing other works that may be necessary to develop and maintain the boulevard, including weed control, to the satisfaction of the Development Authority, with all development and maintenance of the boulevard being entirely at the Developer's expense. Every developed lot shall be landscaped and maintained to a standard which, in the opinion of the Development Authority, is reasonably compatible with neighbouring properties.

Section 59 Design, Character and Appearance of Buildings and Structures

- (1) The purpose of this Section is to provide the Town with controls and guidance so that aesthetically attractive and compatible development is provided throughout the Town.

Section 59 - Design, Character and Appearance of Buildings and Structures

- (2) The design, siting, external finish and architectural appearance of all land, buildings, including any accessory building or structure, and signs, shall be to the satisfaction of the Development Authority in order that there shall be general conformity in such matters with respect to adjacent buildings and that there may be adequate protection afforded to the amenities of adjacent parcel.
- (3) Pursuant to Sections 59(1) and (2), the Development Authority shall consider all of the following when reviewing development proposals in all districts:
 - (a) The design, character and appearance of all buildings must be compatible with any other buildings existing in the vicinity unless the building is setting a new standard of design and character for the land use district or a particular location within it.
 - (b) The design of the building must be consistent with the purpose and intent of the land use district in which it is located.
 - (c) The siting of buildings must conform with the prescribed setback requirements.
 - (d) The height, massing, size and shape of the buildings should be consistent relative to existing adjacent buildings.
 - (e) The external finish of the principal and accessory buildings should be reviewed for consistency with respect to colour, finish and texture.
 - (f) The impact of a proposed building on the existing streetscape should be considered in order to maintain conformity of sight lines, and to reduce any extreme and distracting variations.
 - (g) The use of landscaping should be encouraged to enhance the appearance of a development
 - (h) The existing trees and natural features should be preserved in new subdivisions and developments.
 - (i) The building or structure shall comply with any provisions of a statutory plan, which sets out specific guidelines as to the design, character, appearance or building materials to be used within a district or area, or any architectural control guidelines adopted by Council.
- (4) Further to Section 59(3), the Development Authority shall consider, but not be limited to, the following criteria when evaluating the design, character and appearance of development proposals.
 - (a) Guidelines for Commercial and Industrial Development:
 - i) The harsh contrasts of very large buildings, mixed with small buildings can be softened by using similar sizes and shapes of massing elements like roof lines, exterior design and treatment

- ii) Blank, unfinished walls give a very bland appearance to the streetscape. Particular attention should be given to reduce large vacant spaces between buildings which are left open to public view.
- iii) Rooftop mechanical equipment should be hidden from view from public streets and from adjacent buildings.
- iv) Utility installations and buildings should be located in such a manner so as to be compatible with adjacent buildings and development. This may be achieved by placing utility installations within buildings, wherever possible, or developing utility buildings which blend into the surrounding area.
- v) Natural features are an important part of the urban environment and should be given a high priority in developing a parcel. This may be achieved by, for example, preserving existing trees wherever possible.
- vi) Corner parcels at the intersection of major streets should be given special consideration. Sight lines for drivers and more pedestrian space are features which should be incorporated into the design of buildings on corner parcels.
- vii) Buildings should provide weather protective overhangs at outdoor pedestrian areas and at building entrances. The overhangs can be achieved through the use of cantilevers, awnings and canopies.
- viii) Long buildings along the street front should include a public route through the building which can be used by pedestrians to access parking areas or simply to avoid having to walk around the building.
- ix) Pedestrian areas in parking lots should be designed for safety and at a pedestrian scale. The combination of landscaping and pedestrian walkway connections from the parking area to the shopping area can act as a windbreak, slow the traffic in the parking area and soften the harsh visual impact of large asphalt areas.
- x) The illumination of commercial and industrial parcels should not shine into residential windows.
- xi) On-parcel parking, loading and shipping areas are less attractive elements of a streetscape and should be hidden from public roads by buildings, screening and landscaping.
- xii) Outdoor storage and garbage collection areas are generally unsightly and undesirable elements from public roads and should be screened or hidden behind buildings. Existing storage and garbage collection areas should be screened from roads by using berms, walls and landscaping.

- xiii) Signage on the building facade should be integrated with signage in the immediate vicinity and the district as a whole to avoid the creation of visual cluttering, clashing or detracting from the appearance of the area or street.

(b) Guidelines for Residential Development:

- i) Visual privacy of internal living space and areas should be maintained in new and existing developments. The use of berms, landscaping and the orientation of the dwellings and the living space windows can improve the visual privacy between developments.
- ii) Identical or similar housing styles, models, designs and colours should be discouraged. The same housing colour, design or treatment should not be used for any more than three adjacent dwellings.
- iii) The intensity of colours should be restricted while encouraging the use of earth tone and pastel colours with natural finishes like wood and brick.
- iv) Corner parcel houses should be generally lower lying houses as height and mass is emphasized beside a void such as a road.
- v) Any accessory building built on a parcel, such as a detached garage or garden shed, should be similar to the principal building in terms of proportional mass, roof line and exterior treatment.
- vi) Developments should be encouraged to possess good proportion in the front elevations through the use of such elements as dormers, bay windows, shutters, brickwork, roof lines and variations of window sizes.
- vii) The relative proportions of a residential building, that is to say the length or height of a building relative to its width, should be generally consistent with that of other residential buildings in the area, and at the discretion of the Development. (Bylaw 2170)

Section 60 Architectural Design Guidelines

- (1) Further to Section 59, Council may adopt more detailed architectural control guidelines where Council wishes to achieve a higher standard of design and appearance within a specific development, subdivision or neighborhood.
- (2) Where Council adopts architectural control guidelines for a specific subdivision or neighborhood, the following elements shall be contained in the document in order to ensure the aesthetic and functional quality of development:

Section 61 - Projections Into Required Yard

- (a) the compatibility of parcel grading and drainage requirements within the parcel;
 - (b) the placement of the structure/building on the parcel to ensure proper utilization of the land and compatibility with surrounding structures/buildings;
 - (c) the styling and type of structure/building to ensure compatibility with surrounding structures/buildings; and
 - (d) the compatibility of exterior finish and coordination of colour relationships.
- (3) Where Council adopts architectural control guidelines, the Development Authority shall ensure the controls are adhered to using, but not limited to, the regulations and mechanisms contained in Parts III and V as well as Section 59 of this Bylaw.
- (4) The Town may require that the Developer register a restrictive covenant against the parcel or subdivision in order to ensure ongoing conformance with the architectural control guidelines.

Section 61 Projections Into Required Yard

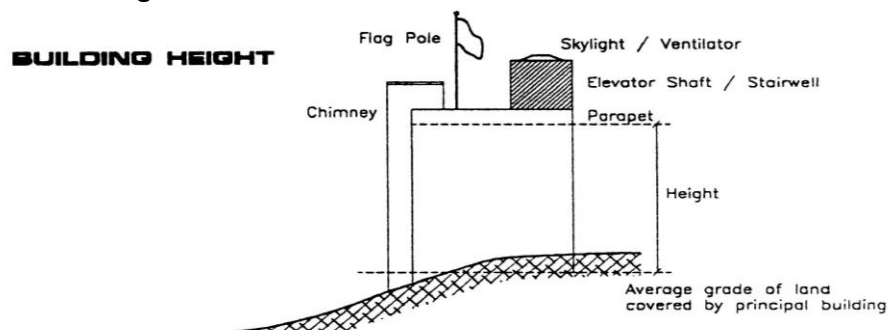
- (1) Except as provided in Section 61(2), no person shall permit any portion of the principal building on a parcel to project over or onto a front yard, side yard or rear yard.
- (2) On a parcel in a residential land use district, the parts of and the attachments to a principal building which may project over or onto the front, side and rear yards, as the case may be, are as follows:
- (a) a chimney, balcony, sill, cornice, deck, canopy, eave or any other architectural feature which in the opinion of the Development Authority is similar, if the projection does not exceed 0.6m and does not, under any circumstances, encroach into the 3.0m side yard intended to accommodate a driveway for vehicular passage and/or general access to the rear of the parcel;
 - (b) an unenclosed veranda, porch, deck, eave or canopy or open balcony individually supported by cantilever, projecting no more than 1.2m over a required front yard;
 - (c) unenclosed steps, if the steps are:
 - i) 2.5m or less above the surface of the yard; and
 - ii) not located in a required side yard which provides or is intended to accommodate a driveway for vehicular passage and/or general access to the rear of the parcel, and the steps would not reduce the required side yard by more than 0.6m;

Section 62 - Building Height

- (d) a bay or bow window or cantilevered section of a building which projects into a front yard or side yard if the projection is not wider than 2.5m, does not project more than 0.6m over the required front yard or side yard and does not, under any circumstances, encroach into the 3.0m side yard intended to accommodate a driveway for vehicular passage and/or general access to the rear of the parcel; and
 - (e) a patio or other similar development which may project into the yard requirement up to the parcel boundary, provided the development does not exceed 0.3m above average grade.
- (3) On a parcel in a residential land use district, the parts of and the attachments to an accessory building which may project over or onto the front, side and rear yards, as the case may be, are as follows:
- (a) eaves of a private garage or other accessory building if the eaves are not closer to the parcel boundary than one-half the width of the required yard or 0.5m, whichever is less; or
 - (b) a patio or other similar development may project up to the parcel boundary within a required yard, provided the development does not exceed 0.3m above average grade.
- (4) On a parcel in a commercial land use district, the parts of and attachments to a principal building which may project over or onto a front, side or rear yard are:
- (a) a canopy or extension over a front yard or side yard if the projection complies with the sign regulations contained in Part IX of this Bylaw; or
 - (b) a canopy or extension over a rear yard if the projection is at least 4.0m above the surface of the yard and does not obstruct the normal use of the yard.

Section 62 Building Height

- (1) The base from which to measure the height of a building or structure shall be from any point on the finished ground elevation adjoining all exterior walls as illustrated in the diagram below.



Section 63 - Relocation of Buildings

- (2) The height of a building shall not extend above the height requirement for the prescribed land use district.
- (3) Notwithstanding Section 62(2), in determining the highest points of a building, the following structures shall not be considered to be a part of the building: an elevator housing; mechanical housing; roof stairway entrance; ventilation fans; a skylight; a steeple; a smokestack; a parapet wall; or a flag pole or similar device not structurally essential to the building.

Section 63 Relocation of Buildings

- (1) No person shall:
 - (a) place on a parcel a building which has previously been erected or placed on a different parcel, or
 - (b) alter the location on a parcel of a building which has already been constructed on that parcel,unless the Development Authority approves the placement or alteration.
- (2) An approval shall not be granted under Section 63(1) unless the Development Authority is satisfied that:
 - (a) the placement or location of the building would meet the requirements of this Bylaw; and
 - (b) the building and the parcel meet the requirements of this Bylaw and the land use district in which the building is proposed to be located as well as all applicable building standards of the Alberta Government.

Section 64 Principal Uses or Buildings on a Parcel

- (1) Generally there shall be only one principal use or building permitted on any parcel of land.
- (2) Notwithstanding Section 64(1), more than one principal use or building may be allowed, at the discretion of the Development Authority, on suitable parcels of land in commercial, industrial and the community service districts.
- (3) For the purposes of this Bylaw, where a parcel of land contains more than one use or building, only the Development Authority may determine which use(s) or building(s) are to be considered principal, taking into account such matters as current Land Use District regulations, existing and historical use of the parcel, the size and location of the parcel, and its potential impact on adjacent parcels.

Section 65 Airport Vicinity Protection Area Regulations

- (1) The Edson AVPA Regulations:
 - (a) is Alberta Regulation 184/91, and any amendments thereto, established pursuant to the Act and forms part of this Bylaw;

Section 65 - Airport Vicinity Protection Area Regulations

- (b) is a plan to coordinate the land use and development of lands in proximity to the Edson Airport;
- (c) may be amended only by application submitted to and processed by the Minister of Municipal Affairs; and
- (d) shall be referred to directly in deciding upon subdivision, development and all other planning- related applications or proposals located wholly or partly within the AVPA boundary delineated in Schedule 'C' of this Bylaw.

PART VII SPECIAL LAND USE PROVISIONS

Section 70 Establishment of Special Land Use Provisions

Special land use provisions shall be set forth in Part VII of this Bylaw.

Section 71 Garages, Accessory Buildings and Structures

- (1) Where an accessory building is located less than the minimum distance from the principal building as specified in Section 71(2)(d)(i), it shall be considered part of the principal building and not as an accessory building and shall, therefore, adhere to the setback requirements for principal buildings as specified in the land use districts.
- (2) In Residential Land Use Districts:
 - (a) Accessory buildings include garages, carports, sheds, storage buildings, decks, balconies, permanently installed private swimming pools and hot tubs, gazebos and other accessory structures such as television and radio antennas, poles, satellite dishes and towers.
 - (b) Maximum Height:
 - i) The maximum height of an accessory building shall be at the discretion of the Development Authority who shall have regard for the following in determining the maximum height:
 1. The topography of the parcel upon which the accessory building is or is to be situated as well as the topography of immediately adjacent parcels and the surrounding area shall be taken into consideration to ensure that the sight lines and view angles of the subject parcel and adjacent parcels are not unduly obstructed by the height of the accessory building.
 2. The maximum height of an accessory building shall be in proportion with the principal and accessory buildings on immediately adjacent parcels as well as in keeping with the neighborhood itself.
 3. The maximum height of an accessory building shall be such that the accessory building, in relation to the principal building, does not visually dominate the parcel.
 - ii) An accessory structure, as referred to in Section 71(2)(a), shall not exceed twice the height of the highest building situated on the parcel, the height of the structure being measured from the average grade of the parcel.

Section 71 - Garages, Accessory Buildings and Structures

(c) Parcel Coverage:

The total combined floor area of accessory buildings shall be as prescribed in the land use district regulations.

(d) Siting of Buildings:

Unless otherwise provided in this Bylaw, detached garages, carports and other accessory buildings shall be located:

- i) a minimum of 3.0m in a laneless subdivision, and a minimum of 2.1m in a lane subdivision, from the principal building provided that both buildings meet the requirements of the Safety Code Act, Alberta Building Code Regulations and any amendments made from time to time;
- ii) no closer to the front parcel boundary than the foremost portion of the principal building. This regulation may be varied where in the opinion of the Development Authority; such variance would not adversely affect adjacent parcels. In no case however, shall the building encroach beyond the minimum required front yard or flanking front yard setbacks;
- iii) no closer than 1.2m to the rear parcel boundary, provided there is no encroachment of any part of the building onto public utility easements or onto adjacent property maintenance easements;
- iv) no closer than 1.2m to the side parcel boundary, excepting where an agreement exists between the owners of adjoining parcels to build using a common parcel boundary, in which case they shall build to the requirements of the Safety Code Act, Alberta Building Code Regulations, and any amendments made from time to time; (also see Section 61(3)(a)). (Bylaw 2170)
- v) in the case of a parcel with a zero side yard setback only at the discretion of the Development Authority, and only on the same side of the parcel as the principal building, and in accordance with the provisions of Section 50 of this Bylaw; and
- vi) so that there is a minimum distance of 6.0m provided between the wall or vertical support columns containing the vehicle entrance of a garage or carport and the facing parcel boundary.

(e) Decks, Patios and Balconies:

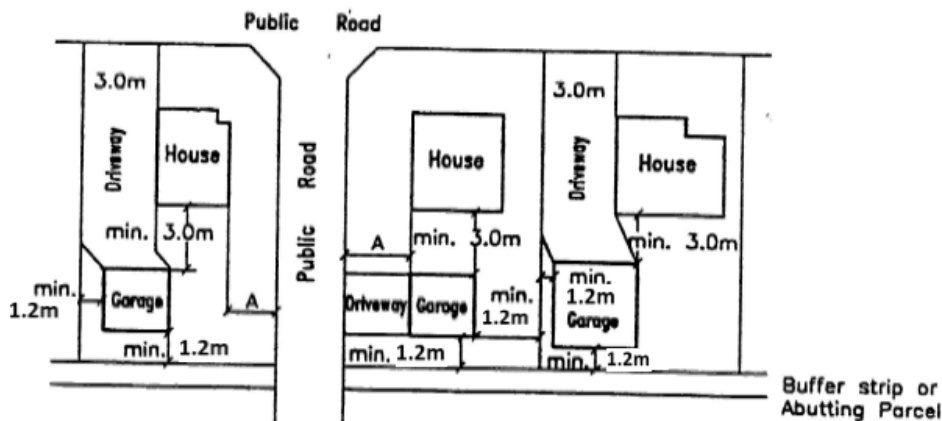
- i) which are not higher than 0.6m above average grade at any point shall be in accordance with Section 71(2)(c) in terms of parcel coverage requirements; or

- ii) which are at grade, shall adhere to the siting requirements under Sections 71(2)(d)(ii through v), whether attached or detached except that such structure may be allowed within the required front parcel boundary, but not closer than 1.5m from the front parcel line, and shall be subject to Section 57 of this Bylaw with respect to fences and screening.
- (f) Private Swimming Pools and Hot Tubs:
 - i) Every private swimming pool or hot tub shall be secured against entry by the public other than owners, tenants or their guests.
 - ii) No privately owned outdoor swimming pool or hot tub shall be constructed unless fenced; except that a wall of a building may be considered to provide adequate protection for its length when substituted for any portion of the fence.
 - iii) Every fence enclosing an outdoor swimming pool or hot tub shall be at least 1.7m in height above the level of the average grade outside the enclosure and shall be of approved design such that it will deter children from climbing over or crawling through or under it to gain access. Gates in the fence shall provide protection equivalent to the fence and shall be equipped with a self latching device located on the inside of the gate.
 - iv) A private swimming pool shall be provided with at least one exit ladder or stair from the deepest part of the pool where the greatest dimension of the pool does not exceed 9.0m. An additional ladder or stair is to be provided at the opposite end of the pool where the pool exceeds 9.0m.
 - v) Swimming pools and hot tubs shall be sited as per Section 71(2)(d).
- (g) Additional Requirements:
 - i) Notwithstanding any provision in this Section, no accessory building or structure shall be permitted that, in the opinion of the Development Authority, will serve to restrict access to the rear yard where a parcel has vehicular access from the front yard only and one side yard setback of 3.0m has been provided to accommodate a driveway for vehicular passage and general access to the rear of the parcel.
 - ii) Accessory buildings shall not be used as dwellings.
 - iii) Subject to Section 71(2)(g)(iv), accessory structures, as referred to in Section 71(2)(a), shall satisfy the siting requirements as established in Section 71(2)(d).

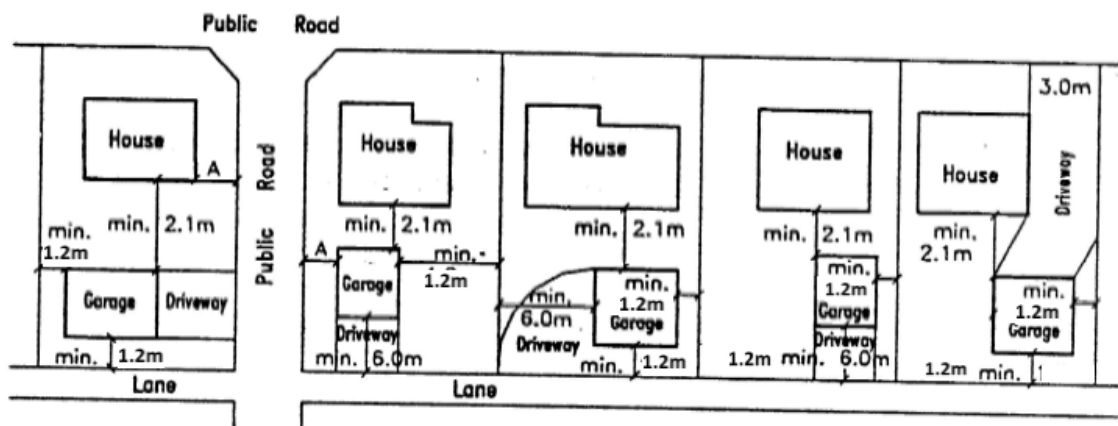
Section 71 - Garages, Accessory Buildings and Structures

- iv) Flag poles may be located in the front yard to the satisfaction of the Development Authority.
- (3) In all other land use districts, unless otherwise specified in this Bylaw, the provisions for accessory buildings and structures will be at the discretion of the Development Authority who shall have regard for the siting requirements applicable to principal buildings in the land use district in which the subject parcel is located.

LANELESS SUBDIVISION



LANE SUBDIVISION



Note: Sketches are for illustrative purposes only: refer directly to text of Section 71. Also, distances, as illustrated, not to scale.

A - No closer than the minimum front yard setback except for carports and garages which must be not less than 6.0m.

Section 72 Home Occupation

(1) General Provisions:

- (a) A home occupation shall be operated as a secondary use only and shall not change the principal character or external appearance of the dwelling in which it is located.
- (b) No more than 25% of the gross floor area of the principal building shall be used for a home occupation.
- (c) No advertisement or sign visible from the exterior of the dwelling shall be permitted as part of a home occupation other than that provided for under Section 72(1)(d).
- (d) Subject to Part IX of the Bylaw, it is permissible to have one non-illuminated fascia sign or nameplate to identify a home occupation not greater than 0.275m² in area placed within or flat against the dwelling unit or any accessory building.
- (e) Subject to Section 72(1)(f), a home occupation shall not require any alterations to the principal or accessory buildings.
- (f) In the R-AR Acreage Residential District, alterations to an accessory building as part of a home occupation may be permitted at the discretion of the Development Authority.
- (g) Persons employed as part of a home occupation shall be limited to the residents of the dwelling unit and other employees as determined by the Development Authority.
- (h) A home occupation shall not be permitted in a residence if, in the opinion of the Development Authority, it would be more appropriately located in a commercial or industrial land use district.
- (i) A home occupation shall not, in the opinion of the Development Authority, be a source of inconvenience, materially interfere with or affect the use, enjoyment or value of a neighbouring parcel by way of parking, excessive noise, smoke, steam, odour, dust, vibration or refuse matter which would not commonly be found in the neighborhood.
- (j) There shall be no mechanical or electrical equipment used which creates visual, audible or electrical interference in radio or television reception.
- (k) A home occupation shall not generate pedestrian or vehicular traffic or parking shortage in excess of that which is characteristic of the land use district in which it is located.
- (l) A home occupation that attracts clients, customers, or students to the premises shall be limited to a maximum of six (6) persons in attendance at any one time.

- (m) Subject to Section 51(3) in the case of a home occupation in the R-AR Acreage Residential District, there shall be no outdoor business activity, storage of material or equipment associated with the home occupation and the quantity of material or equipment stored on parcel shall be determined by the Development Authority.
 - (n) In accordance with Section 49(1)(d) of this Bylaw, no person operating a home occupation shall keep or permit in any part of a yard a commercial vehicle loaded or unloaded of a maximum weight in excess of 5,500kg.
- (2) Additional Requirements:
- (a) Subject to Section 72(3), persons wishing to operate a home occupation from their place of residence may be required to apply for a development permit from the Town.
 - (b) A home occupation, whether or not a development permit has been required/issued, shall be reviewed by the Town when complaints are registered against the home occupation by an affected landowner.
 - (c) If, at any time, any of the requirements for home occupations in this Section of the Bylaw are not complied with, whether or not a development permit has been required/issued, the Development Authority may utilize the mechanisms available under Part V of this Bylaw.
 - (d) A home occupation permit does not exempt compliance with health regulations or any other municipal or provincial regulations.
- (3) Bed and Breakfast Operations:
- In addition to all other provisions and requirements of this Section of the Bylaw, the following additional requirements shall apply to home occupations in the form of bed and breakfast operations, as defined in Section 6 of this Bylaw:
- (a) Persons wishing to operate a bed and breakfast operation shall be required to apply for a development permit from the Town.
 - (b) A bed and breakfast operation shall be limited to residential land use districts and shall be contained entirely within the principal building.
 - (c) A bed and breakfast operation shall be limited to one meal provided on a daily basis to registered guests only with such meal being prepared in one common kitchen and served in one common room.
 - (d) In addition to the off-street parking requirements for the dwelling/dwelling unit itself, as stipulated in Part VIII of this Bylaw, 1 (one) off-street parking space per rented guest room shall be required for a bed and breakfast operation.

Section 73 Day Care Facilities and Home Day Care

- (4) In considering a day care facility or a home day care operation, the Development Authority shall, among other factors, consider if the development would be suitable for the parcel taking into account the size of the parcel required given the intended use, appropriate yard setbacks in relation to adjacent land uses, potential traffic generation, proximity to park, open space or recreation areas, isolation of the proposed parcel from residential uses, buffering or other techniques designed to limit any interference with other uses or the peaceful enjoyment of a neighbouring parcel, and consistency with other development in the surrounding area/land use districts in terms of nature and intensity of use.
- (5) *(deleted)* (Bylaw 2170)

Section 74 Family Care and Group Care Facilities

- (1) General Provisions
 - (a) In reviewing an application for a family care or group care facility, the Development Authority shall, among other factors, consider if the development would be suitable for the parcel taking into account the size of the parcel required given the intended use, appropriate yard setbacks in relation to adjacent land uses, potential traffic generation, isolation of the proposed parcel from residential uses, buffering or other techniques designed to limit any interference with other uses or the peaceful enjoyment of a neighbouring parcel, and consistency with other development in the surrounding area/land use districts in terms of nature and intensity of use. (Bylaw 2170)
- (2) Group Care Facilities
 - (a) *(deleted)* (Bylaw 2170)
 - (b) The group care facility shall not change the character of the land use district in which it is located.

Section 75 Multiple Family Dwelling Developments

- (1) General Provisions:
 - (a) At the discretion of the Development Authority, the Developer of a multiple family dwelling building or development shall provide with the application, parcel development plans, design plans and working drawings including building and/or grade elevations which have been endorsed by a registered architect or professional engineer registered in the Province of Alberta.

- (b) The parcel development plans shall indicate:
 - i) the location and position of all buildings and structures on the parcel;
 - ii) the location and design of signage on the parcel, including any “for rent” signs;
 - iii) the location and number of parking spaces, access and egress onto the parcel from public thoroughfares;
 - iv) the location of refuse storage areas as well as access and egress to and from the refuse storage areas;
 - v) the location of exterior lighting including any lights in the parking lot and landscaped areas;
 - vi) the location and design of fencing on the parcel; and
 - vii) detailed landscaping plans for the parcel.

(2) Separation Space/Setback Requirements:

In the case of buildings adjacent to each other and the relationship of those buildings to each other and their relationship to the land on which they are constructed, the following separation spaces/setbacks relating to multiple family development shall apply:

- (a) Principal Living Room Windows:

There shall be a minimum separation space of 7.6m between a principal living room window and a street, parcel boundary, walkway, on-parcel parking/circulation area or another principal living room window.
- (b) Habitable Room Windows:

There shall be a minimum separation space of 3.0m between a habitable room window and a street, parcel boundary, walkway, on-parcel parking/circulation area or another habitable room window. This distance shall be 5.0m where such windows are in walls of more than two storeys.
- (c) Non-Habitable Room Windows:

There shall be a minimum separation space of 1.5m plus 0.3m for each storey above the first between a non-habitable room window and a street, parcel boundary, walkway, on-parcel parking/circulation area or another non-habitable room window.

(d) Distance Between Buildings:

The minimum required distance between two dwellings facing each other shall be the sum of the minimum separation spaces calculated separately for the opposing windows or openings except where there are two walls with no windows or openings in which case the minimum distance between the dwellings shall be 3.0m.

- (3) Separation space for windows as required in Sections 75(2)(a), (b) and (c), shall be effective for the full length of the exterior wall of the room in which the window is located.
- (4) Notwithstanding the provisions of this Section, the Development Authority may reduce the required separation space/setback requirements respecting the setback requirements within the applicable land use district and where special aspects of design ensure equivalent or better light, ventilation, privacy or visibility from dwellings.
- (5) General Development Regulations for Mixed Commercial and Residential Uses:
 - (a) The following shall apply to commercial developments containing residential dwelling units:
 - i) Both the residential and commercial portions of the development will have separate and direct access to the outside street level.
 - ii) The residential dwelling units shall not be located on the ground floor nor shall commercial uses be located on the same level as the residential dwelling units.
 - iii) The minimum floor area for a dwelling unit shall be 50.0m² for a bachelor unit and an additional 11.0m² for each bedroom in the dwelling unit included thereafter.
 - iv) The relationship of the residential dwelling units to each other; to the commercial portion of the development; to the parcel as a whole; and to the adjacent parcel with respect to adequate light, ventilation and privacy or visibility of habitable room windows; all of which shall be fully shown on the parcel development plans for the whole development to the satisfaction of the Development Authority.

Section 76 Surveillance Suites

- (1) The issuance of a development permit for a surveillance suite, as defined in this Bylaw, shall be in accordance with the following criteria and regulations:
 - (a) A development permit for a surveillance suite will only be issued if a surveillance suite, as defined in this Bylaw, is provided for either as a permitted or discretionary use in the land use district in which the subject parcel is located.

- (b) A development permit for a surveillance suite will only be issued if the surveillance suite is clearly compatible with and subordinate to the principal use of the subject parcel. Moreover, in the opinion of the Development Authority the placement of a surveillance suite shall be compatible with all existing, principal development/land uses on adjacent properties and shall not interfere with future principal development/land uses of adjacent properties. (Bylaw 2170)
- (c) Where a surveillance suite is allowed in accordance with this Bylaw, the Development Authority may issue a development permit for one (1) surveillance suite per associated development or parcel.
- (d) Where a surveillance suite is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or a foundation, it is to be considered a part of the principal building.
- (e) Detached surveillance suites shall be sited in accordance with siting regulations specified in the land use district within which the subject parcel is located or in accordance with the following requirements, whichever are more stringent:
 - i) a minimum of 2.0m from any buildings; and
 - ii) a minimum of 2.0m from the rear and side parcel boundaries; and
 - iii) no closer than the foremost portion of the principal building.
- (f) Where a surveillance suite is a mobile home unit, the following shall apply:
 - i) the unit shall have C.S.A. certification or equivalent. Proof of this shall accompany the development permit application; and
 - ii) the unit shall be anchored to the ground in accordance with the Alberta Building Code Regulations and properly skirted to the satisfaction of the Development Authority.
- (g) The quality of exterior treatment and design of any surveillance suite shall be to the satisfaction of the Development Authority who shall ensure that the design, character and appearance of any surveillance suite is compatible with the development or use with which the suite is associated as well as with all developments uses on adjacent properties.
- (h) If the principal use of a development on a parcel terminates, an associated surveillance suite may be permitted to remain as a temporary use, but only for a period of time as determined by the Development Authority. (Bylaw 2170)

Section 77 Deleted

(deleted)

(Bylaw 2232)

Section 78 Motels/Hotels

(1) Interpretation:

For the purposes of this Section, a rentable unit means a separate unit on a motel parcel used or intended to be used for the temporary dwelling accommodation of one or more persons.

(2) Space Between Buildings:

Except in the case of rentable units and any other buildings where connected by a continuous roof to form a shelter for motor vehicles, not less than 3.5m of clear and unoccupied surface space shall be provided between each rentable unit and any other building on the parcel.

(3) Parcel Requirements:

| | Minimum Parcel <u>Area/Unit</u> | Minimum Building <u>Setbacks</u> | On-Parcel <u>Parking</u> | Minimum Floor <u>Area/Unit</u> |
|------------|---------------------------------------|--|---|--------------------------------------|
| One Storey | 130.0m ² | Front 7.6m Side 3.0m Rear 3.0m | 1 per Rentable Unit and 1 per 3 Employees | 26.5m ² |
| Two Storey | 80.0m ² | Front 7.6m Side 3.0m Rear 3.0m | 1 per Rentable Unit and 1 per 3 Employees | 26.5m ² |

(4) Driveways, Entrances, and Exits:

- (a) Pursuant to Sections 45 and 46 of this Bylaw, each rentable unit shall face onto or abut a driveway not less than 6.0m in width, with unobstructed access thereto, and the parcel must be suitable, in the opinion of the Development Authority, in terms of safe and efficient internal traffic circulation and access to/egress from the parcel.

Section 79 Shopping Centre Developments

(1) Parcel Location:

Notwithstanding the regulations and provisions of the land use district within which the shopping centre is or is to be located, a shopping centre shall not be located on parcels which, in the opinion of the Development Authority, would be considered unsafe in terms of internal vehicle circulation or access to and egress from the parcel. To this end, the Development Authority must consider, but not be limited to considering, the nature of the proposed uses and uses on adjacent parcels, anticipated volumes of traffic and types of vehicles during peak and off-peak business periods, off- street parking and loading as well as landscaping requirements.

(Bylaw 2170)

Section 80 - Drive-Through Businesses

(2) Additional Parcel/Building Regulations:

The following parcel and building regulations shall be at the discretion of the Development Authority, and shall be reviewed by the Development Authority when considering a shopping centre use application: [\(Bylaw 2170\)](#)

- (a) entrance and exit points, exit lanes being separated from entrance lanes by dividers or treed boulevards, and other similar aspects related to the access and egress from the parcel;
- (b) traffic circulation within the parcel;
- (c) adequate surfacing and drainage of the parcel;
- (d) width and angle of parking stalls, lanes and dividers to control parking;
- (e) signage on buildings and freestanding on the parcel;
- (f) landscaping and other provisions to enhance the appearance of the shopping centre; and
- (g) snow removal and cleaning accessibility.

Section 80 Drive-Through Businesses

(1) Parcel Location and Coverage:

Notwithstanding the land use district regulations, drive- through businesses shall not be located on parcels which, in the opinion of the Development Authority, would be considered unsafe in terms of vehicle circulation or access and egress from the parcel. To this end, the Development Authority must consider, but not be limited to considering, the nature of the proposed use and uses on adjacent parcels, anticipated volumes of traffic and types of vehicles during peak and off-peak business periods, off-street parking and loading as well as landscaping requirements.

(2) Parcel Area:

The minimum parcel area for a drive-through business shall be 1500.0m², unless the Development Authority specify that a greater or lesser amount is required given their considerations and determinations pursuant to Section 80(1).

(3) Setback of Buildings:

Unless the land use district in which the drive-through business is located stipulates greater setbacks, the minimum front yard setback shall be no less than 3.0m and the side and rear yard setbacks shall be at the discretion of the Development Authority who shall make provision for vehicle line-ups, on-parcel traffic circulation, turning and maneuvering.

(4) Additional Parcel/Building Regulations:

- (a) The on-parcel layout of vehicle circulation patterns shall be to the satisfaction of the Development Authority who shall ensure that there is sufficient space for vehicle line-ups, turning and maneuvering.
- (b) Where a drive-through business is located adjacent to a residential land use district, screening shall be provided to the satisfaction of the Development Authority any lighting proposed to illuminate the parcel shall be located and arranged so that all direct rays of light are directed upon the parcel only and not on any residential parcel.

Section 81 Gas Bars, Service Stations and Bulk Oil Stations

(1) Parcel Location:

Notwithstanding the regulations prescribed in the land use districts, a use pursuant to this Section shall not be located on parcels which, in the opinion of the Development Authority, would be considered unsafe in terms of internal vehicle circulation or access to and egress from the parcel. To this end, the Development Authority must consider, but not be limited to considering, the nature of the proposed use and uses on adjacent parcels, anticipated volumes of traffic and types of vehicles during peak and off-peak business periods, off-street parking and loading as well as landscaping requirements.

(2) Parcel Area:

- (a) The minimum parcel area for a gas bar shall be 1200.0m².
- (b) The minimum parcel area for a service station shall be 1500.0m².
- (c) Where a service station or gas bar forms part of a shopping centre, the minimum parcel area containing the service station or gas bar buildings and pump areas shall in no case be less than 1000.0m².
- (d) Where a service station or gas bar is combined with a convenience store, the minimum parcel area for the total parcel shall in no case be less than 1950.0m².
- (e) The minimum parcel area for bulk oil stations or a gas bar or a service station including a car wash shall be 2700.0m².

(3) Parcel Coverage:

The maximum building coverage for a use under this Section shall be 25% of the parcel area.

Section 82 - Car Washing Establishments

(4) Parcel and Building/Structure Requirements:

- (a) Unless the land use district in which the gas bar, service station and/or bulk oil station is located or the Alberta Building Code stipulates greater setbacks, the front yard setback shall be a minimum of 12.0m, with no pump being located closer than 6.0m from the front parcel boundary, and the side yard and rear yard setbacks shall be no less than 6.0m.
- (b) In addition to siting requirements of Section 81(4)(a) and of the land use district in which the gas bar, service station and/or bulk oil station is located, the siting of all buildings and structures, including all fuel and other flammable liquid storage tanks, shall be in accordance with the requirements of the Alberta Gas Protection Act and its regulations, the requirements of the Alberta Boiler Inspection Branch and the regulations under the Fire Prevention Act.
- (c) No development permits will be issued for the installation of fuel or any other flammable liquid storage tanks prior to the Town receiving certified copies of the required permits from the Alberta Government.
- (d) Where adjoining residential land use districts, any lighting proposed to illuminate the parcel shall be located and arranged so that all direct rays of light are directed upon the parcel only and not on any residential parcel.

Section 82 Car Washing Establishments

(1) Parcel Location:

Notwithstanding the regulations prescribed in the land use districts, a use pursuant to this Section shall not be located on parcels which, in the opinion of the Development Authority, would be considered unsafe in terms of internal vehicle circulation or access to and egress from the parcel. To this end, the Development Authority must consider, but not be limited to considering, the nature of the proposed use and uses on adjacent parcels, anticipated volumes of traffic and types of vehicles during peak and off-peak business periods, off-street parking and loading as well as landscaping requirements.

(2) Parcel Area:

The minimum parcel area shall be 1200.0m² and the parcel shall contain storage space for at least twelve vehicles or a minimum of four vehicles per car wash bay, whichever is greater, prior to their entry into any part of the cleaning process for which they are bound. In the case of service stations and gas bars including car washes, the minimum parcel area shall be 2700.0m².

(3) Parcel and Building Requirements:

All parcel, building and setback requirements pertaining to drive-through businesses (Sections 80(3) and (4) of this Bylaw) shall also apply to car washing establishments.

Section 83 Chemical Storage and Handling

(1) Parcel Location:

Notwithstanding the regulations prescribed in the land use districts, industrial and commercial uses which involve storing, handling, distributing or disposing of chemical materials or products shall not be located on parcels which, in the opinion of the Development Authority, would be considered unsafe or may have potential for contaminating the Town's water supply, unduly interfere with, or affect the use, enjoyment or value of neighbouring parcels by reason of the storage or containment of the product or the potential release of the product.

(Bylaw 2170)

(2) Parcel and Building Requirements:

At the discretion of the Development Authority, the Developer applying for a use pursuant to this Section shall provide an approved parcel plan from the appropriate provincial agencies prior to a development permit being issued.

(Bylaw 2170)

Section 84 Temporary Minor Automotive Sales

- (1) The maximum term of approval for Temporary Automotive Sales shall be five (5) years after which time the permit may be renewed by the Development Authority;
- (2) The maximum parcel area for temporary automotive sales shall be 900m²;
- (3) Vehicular access to the site shall be from a lane only;
- (4) Servicing and repair operations shall not be permitted on site;
- (5) All vehicle access, storage, display or parking areas shall be hard-surfaced in accordance with this Bylaw;
- (6) Buildings located on the site must be movable and, in the opinion of the Development Authority, visually compatible with surrounding development;
- (7) All outdoor display areas that abut a residential development shall be obscured from direct view by providing a visual screen at least 1.8m in height to the satisfaction of the Development Authority; and
- (8) Lighting for the display area shall be to the satisfaction of the Development Authority and no exposed bulbs or strings of lights shall be used.

Section 85 Owner Occupied Two and Three Family Dwellings

- (1) Additional dwelling units permitted as part of a two or three family dwelling shall not require structural or exterior alteration of the principal dwelling that would adversely affect the low density residential character of the site.
- (2) Additional dwelling units permitted as part of a two or three family dwelling on a lot provided with municipal water and sewer services shall be required to connect to the municipal water and sewer services of the principal dwelling.

Section 86 - Cannabis Related Use Development Standards

- (3) Additional dwelling units permitted as part of a two or three family dwelling shall be considered part of the principal dwelling on the site and shall not be permitted to obtain a separate unit title.
- (4) Two and three family dwellings shall be required to provide on-site parking in accordance with the parking requirements of this Bylaw.
- (5) An application to develop a secondary suite shall be referred to the owners of all residential properties within 50m of the proposed development for their comments which shall be considered by the Development Authority.

Section 86 Cannabis Related Use Development Standards

- (1) Cannabis Facility, Cannabis Store, and Cannabis Counselling Business are cannabis related uses and will not be considered a like or similar Use to any other commercial, industrial, residential, or institutional use;
- (2) A Cannabis related use shall be the exclusive business use on the premises and may not be operated in conjunction with a non-cannabis related use;
- (3) All functions of the Use shall be fully enclosed within the Building;
- (4) No Outdoor Storage shall be allowed on the Site;
- (5) All garbage containers, waste material and loading facilities shall be fully enclosed within the Building and shall have a separate loading area;
- (6) The Use shall not emit nuisances including, but not limited to odour, noise and light, that may have a negative impact to adjacent sites or the surrounding area;
- (7) Drive through windows are prohibited, all sales must occur within the building, and no delivery services may be offered in conjunction with the business;
- (8) The business name is to be prominently displayed in signage at all public access points of the Cannabis Related Use;
- (9) A 200m separation distance between Cannabis Related Uses and certain uses is required. This setback is measured in a straight line from the exterior wall of the building containing the Cannabis Related Use to the closest point of a property boundary containing any of the following specified uses:
 - (a) Public Use and Parks;
 - (b) Daycare Facilities;
 - (c) Schools and lands owned or designated for future school use; and
 - (d) Public Health Facilities designated as an Approved Hospital.
- (10) Hours of operation shall be no longer than 10:00 AM to 2:00 AM and may be for a shorter period as identified within a development permit, at the discretion of the Development Authority.

Section 87 - Recycling Depot

- (11) All Cannabis related use permits will be referred to adjacent property owners within 200m of the site and the Royal Canadian Mounted Police for comment for a period of no less than 14 days, or longer as determined by the Development Authority, prior to issuing a decision.

Section 87 Recycling Depot

(Bylaw 2260)

- (1) A Recycling Depot must not be approved without the construction of a principal building for the enclosed/ interior receiving, sorting, or processing of materials;
- (2) If outdoor storage is an accessory component of the operation, all outdoor storage areas must be screened from adjacent properties, roads, and lanes;
- (3) All outdoor storage or stockpiles of materials must not be vertically higher than the approved screening;
- (4) If household waste or organics are received as an accessory use of the operation, there must not be any outdoor storage of such materials;
- (5) Any preparation for shipment activities, including cardboard baling or glass breaking, must be conducted in a completely enclosed area;
- (6) The Developer must not adversely affect adjacent properties through stockpiling or processing of material, including attraction of pests, or the creation of dust or nuisance odours;
- (7) The developer must provide details on how the development will
 - (a) Store materials which attract rodents, pests, or other animals, including organic waste or compost;
 - (b) Minimize dust through dust suppression techniques;
 - (c) Minimize nuisance odours through odour control techniques; and
 - (d) If household waste or organics are received, how will the development manage materials to reduce the likelihood of a fire.

PART VIII PARKING AND LOADING REGULATIONS

Section 90 Establishment of Parking and Loading Provisions

Parking and loading provisions shall be set forth in Part VIII of this Bylaw.

Section 91 Off-Street Parking Development Regulations

- (1) Parking stalls and loading spaces shall be clearly marked and regularly maintained in the parking facility to the satisfaction of the Development Authority.
- (2) Except in the case of residential land use districts where the off-street parking area for an individual residential dwelling unit is accessed directly from the public street, and unless otherwise specified in this Bylaw, all off-street parking areas/facilities shall be separated from public streets by a landscaped area at least 1.0m in width as measured from the outside edge of the parked vehicle to the edge of the public street right-of-way.
- (3) Except in cases of one and two family dwellings, including mobile, modular and manufactured homes, off-street parking facilities shall be designed such that no parking stall exits directly onto a public road or lane and no vehicle is required to back out onto a public road or lane.
- (4) All off-street parking facilities shall be constructed according to the following standards:
 - (a) The location and design of curb cuts shall be to the satisfaction of the Development Authority.
 - (b) Unless otherwise specified by resolution of Council, in all land use districts, every off-street parking space provided, and the access thereto, shall be hard-surfaced to the standards of the Town, if the access is from a street or lane which is hard-surfaced, using the same or similar material for the off-street parking space as is found in the hard-surfaced street or lane giving access. Also, for developments in all land use districts Council may, by resolution, require all parking areas and all accesses thereto to be hard-surfaced to the standards stipulated by Council, even though the access to the subject development is not from a street or lane which is hard-surfaced.
 - (c) Parking facilities used at night shall have adequate lighting for the entire parking facility. Such lighting shall be directed away from adjacent residential parcel and other parcel where in the opinion of the Development Authority it would have adverse effects.

Section 92 - Number of Off-Street Parking Stalls Required

- (d) The grading and drainage design of all areas to which vehicles have access shall be to the satisfaction of the Development Authority in consultation with the Director of Engineering. In no case shall grades be established that would permit surface drainage to cross any sidewalk or parcel boundary without the approval of the Development Authority.
- (e) Parking for the physically handicapped shall be provided as provincial regulations require, be considered as part of the number of stalls required for the project and be clearly identified for use by the physically handicapped.

Section 92 Number of Off-Street Parking Stalls Required

- (1) The minimum number of off-street parking stalls required for each use of a building or development shall be as follows:

- (a) Residential:

| | |
|--|---------------------|
| Single family dwelling, modular home, mobile home within a mobile home subdivision or park and duplex. | 2 per dwelling unit |
|--|---------------------|

| | |
|---|---------------------|
| Multiple family dwellings of one bedroom or less per dwelling unit. | 1 per dwelling unit |
|---|---------------------|

| | |
|--|-----------------------|
| Multiple family dwellings of two or more bedrooms per dwelling unit. | 1.5 per dwelling unit |
|--|-----------------------|

| | |
|---|------------------------------|
| Senior citizen self contained dwelling units. | 1 for every 2 dwelling units |
|---|------------------------------|

In addition to the total number of parking spaces required for multifamily dwellings, one (1) space for every four (4) dwelling units must be assigned to guest parking, and must be clearly identified as guest parking.

- (b) Commercial: (Customer and employee parking included, unless otherwise noted.)

| | |
|--|---|
| Business, public administration and offices other than doctor and dentist. | 1 space for every 50.0m ² of gross floor area. |
|--|---|

| | |
|--|---|
| Medical and dental offices or clinics. | 1 space for every 40.0m ² of gross floor area. |
|--|---|

Section 92 - Number of Off-Street Parking Stalls Required

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|---|---|
| Retail/service shops with a gross floor area of 1000m ² or less. | 1 space for every 55.0m ² of gross floor area. (Plus 1 space for every 3 employees on a maximum shift.) |
| Retail/service shops with a gross floor area of between 1000m ² and 4000m ² . | 1 space for every 35.0m ² of gross floor area. (Plus 1 space for every 3 employees on a maximum shift.) |
| Retail/service shops with a gross floor area of more than 4000m ² on one parcel. | 1 space for every 28.0m ² of gross floor area. (Plus 1 space for every 3 employees on a maximum shift.) |
| Shopping Centres | 1 space for every 25.0m ² of gross floor area or as determined by Council. (Plus 1 space for every 3 employees on a maximum shift.) |
| Restaurants (over 500m ² gross floor area or over 100 seating), Cocktail Bars, Beer Parlours, Lounges, Entertainment (high density occupancies). | 1 per 5.0 seating spaces or 1 space for every 10.0 ² of gross floor area (whichever is greater). |
| Restaurants (under 500m ² gross floor area or under 100 seating), Cafeterias, Lunch Rooms (low density occupancies) | 1 per 6.0 seating spaces or 1 space for every 16.0 ² of gross floor area (whichever is greater). |
| Drive-in restaurants | 1 per 4 seating spaces or 1 space for every 2.8m ² used by the patrons, whichever is deemed to be the most applicable standard given the nature of the application as determined by the Development Authority. |

Section 92 - Number of Off-Street Parking Stalls Required

| | | |
|-----|--|---|
| | Automotive repair and services; automobile sales lots and showrooms; automobile accessory sales and service; recreational vehicle sales and service; auto body repair and paint shops; and tire sales and services | 1 space for every 55.0m ² of gross floor area. Parking for customers and the service department (if applicable) shall be clearly identified and separate from the sales and display lot. (But not less than 1 space per 3 employees on maximum shift). |
| | Hotels, motor hotels, motels, and apartment hotels | 1 per rentable unit, and 1 space per 3 employees on maximum shift. |
| (c) | Industrial: | |
| | Light manufacturing plants; wholesale and storage building and yards; servicing and repair establishment; research laboratories; and public utility buildings. | 1 space for every 70.0m ² of gross floor area. (But not less than 1 space per 3 employees on maximum shift). |
| | Medium to heavy mills or manufacturing plants, shops. | 1 space for every 100.0m ² of gross floor area for Warehouses. (But not less than 1 space per 3 employees on maximum shift). |
| (d) | Places of Assembly: | |
| | Private clubs or lodges, funeral homes, chapels, auditoriums, places of worship, recreation arenas, theatres, halls, cinemas and other amusement or recreational establishments. | 1 per 5.5 seating spaces, or 1 space for every 10.0m ² of patron floor area (whichever is greater), and 1 space for every 30.0m ² of gross floor area of the floor space used for recreational purposes only, in clubs and lodges, and quasi-public uses. |
| (e) | Schools: | |
| | Elementary and Junior High Schools. | 5 plus 1 per daytime school employee on a maximum shift. |

Section 92 - Number of Off-Street Parking Stalls Required

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|-----|---|---|
| | Public or Private, Senior High Schools which do or do not include an auditorium, gymnasium or swimming pool. | 1 per daytime school employee plus 1 for every 8 students. Parking for auditoriums and swimming pools, as part of the school development, shall be provided as per Section 92(1)(d) and may be reduced accordingly to accommodate joint use and peak use activity. |
| | Post-secondary or adult education facilities including universities, educational consortiums and other college-type facilities. | 1 per 4 students plus 1 for each staff member on maximum shift. |
| (f) | Hospitals and Similar Uses: | |
| | Hospitals, sanitariums, convalescent homes, group care facilities, senior citizens lodges and nursing homes. | 1 space for every 100.0m ² of gross floor area. |
| (g) | Day Care Facilities | |
| | Nursery schools | 1 space for every 34.0m ² of gross floor area plus 1.0 per staff member. |
- (2) Where a building is enlarged, or altered, or a change in the use occurs in such a manner as to cause a more intensive use of that building, provisions shall be made for the additional parking spaces required under the parking provisions of this Bylaw. The calculations shall be based on the number of additional parking spaces required as a result of the enlargement, alteration or change in the use of the building, in addition to parking spaces that may have been removed due to the enlargement or alteration.
- (3) Where in the opinion of the Development Authority, parking facilities have previously been provided in accordance with Section 93 to specifically serve a proposed project, the number of parking stalls required on a parcel pursuant to Section 92(1) may be reduced accordingly.
- (4) The number of parking stalls required may be reduced where, in the opinion of the Development Authority, the parking required by various users on a parcel will vary according to time so that all needs as defined in this Bylaw can be met at any given time by the reduced number of stalls.

Section 93 - Communal and Off-Parcel Parking

- (5) In the case of a use not specified in Section 92(1), the number of stalls provided shall be the same as for a similar use as determined by the Development Authority.
- (6) Where a development on a parcel falls within more than one use of a building or development, the required number of spaces shall be the sum of the requirements for each of the uses as specified under Section 92(1).
- (7) Where there is a fractional number of parking spaces required by this Bylaw, the next highest number of stalls shall be provided.
- (8) The design of the parking area can be altered where the Development Authority considers that the situation warrants variance of the standard design.

Section 93 Communal and Off-Parcel Parking

- (1) Parking may be supplied on a parcel other than the parcel of the principal use provided that it is in accordance with the following regulations:
 - (a) Except in the case of residential, neighborhood commercial or highway commercial land use districts as well as parcel in parks/recreation or community services land use districts adjacent to residential parcel, and subject to the approval of the Development Authority, an owner of land or a group of such owners may pool his or their required off- street parking stalls within one or more communal parking facilities and may thereby collectively fulfill the requirements of Section 92(1); [\(Bylaw 2170\)](#)
 - (b) Where a group of uses is served by a communal parking facility, the requirement for such facility shall be the sum of the off-street parking requirements for each of the uses served by the parking facility;
 - (c) Where a group of uses or businesses pool their parking requirements onto one parcel, such a communal parcel shall be located no more than 120.0m from any one of the owners who have pooled their off-street parking requirements;
 - (d) The owners who have pooled their parking requirements shall enter into an agreement with the Town and the owners shall consent to such an agreement being registered as an encumbrance against the titles of land involved; and
 - (e) The owners involved in a communal parking arrangement shall pay the full costs of preparation and registration of the agreement referred to in Section 93(1)(d).
- (2) Where all of the required off-street parking cannot be provided on-parcel, the necessary additional off-street parking may, at the discretion of the Development Authority, be provided on lands within 120.0m of the extremities of the parcel subject to the following conditions: [\(Bylaw 2170\)](#)

Section 94 - Off-Street Loading

- (a) The Developer of the lands required for off-street parking shall enter into an agreement with the Town and the Developer shall consent to such agreement being registered as an encumbrance against the title of the lands; and
 - (b) The Developer shall pay the full costs of preparation and registration of the agreement referred to in Section 93(2)(a).
- (3) At the option of Council, and in lieu of providing off-street parking, a Developer of land proposed for development shall pay the Town to provide the equivalent parking area. The amount of money required will be determined by a resolution of Council and shall be based on the amount needed to purchase the land required and construct the parking facility and required number of parking stalls. Money so received by the Town will be used only for the development or improvement of municipal, off-street parking facilities.

Section 94 Off-Street Loading

- (1) Where a proposed development will, from time to time, require pick up or delivery of commodities, adequate space for the loading and unloading of same shall be provided and maintained on the parcel to the satisfaction of the Development Authority.
- (2) Pursuant to Section 94(1), the Development Authority shall consider all of the criteria listed in Section 94(3) when reviewing off-street loading requirements.
- (3) Off-street loading spaces shall:
 - (a) have dimensions of not less than 4.0m in width and 8.0m in length, or a length greater than 8.0m, at the discretion of the Development Authority, taking into account the type of motor transport vehicle typically associated with delivering the commodities to the parcel(s);
 - (b) have overhead clearance of not less than 5.3m above average grade;
 - (c) have vehicular access to and exit from a street or lane either directly or by a clearly defined traffic aisle;
 - (d) be sited at an elevation or elevations convenient to a major floor level in the building or to a utility elevator serving each major floor level;
 - (e) be so graded and drained as to dispose of all surface water. In no case shall grades be established that would permit drainage to cross parcel boundaries or sidewalks without the approval of the Development Authority;
 - (f) be paved or hard-surfaced where an off-street parking facility is required to be paved or hard-surfaced;
 - (g) have adequate lighting to the satisfaction of the Development Authority; and

Section 95 - Minimum Parking Facility Dimensions

- (h) be screened on each side adjoining or fronting on any parcel in a residential district by a wall, fence, earth berm or hedge of not less than 2.0m in height to the satisfaction of the Development Authority.

Section 95 Minimum Parking Facility Dimensions

- (1) The minimum dimensions of maneuvering aisles and parking stalls shall be in accordance with the following regulations.

BASIC STALL: 6.0 m x 2.75m

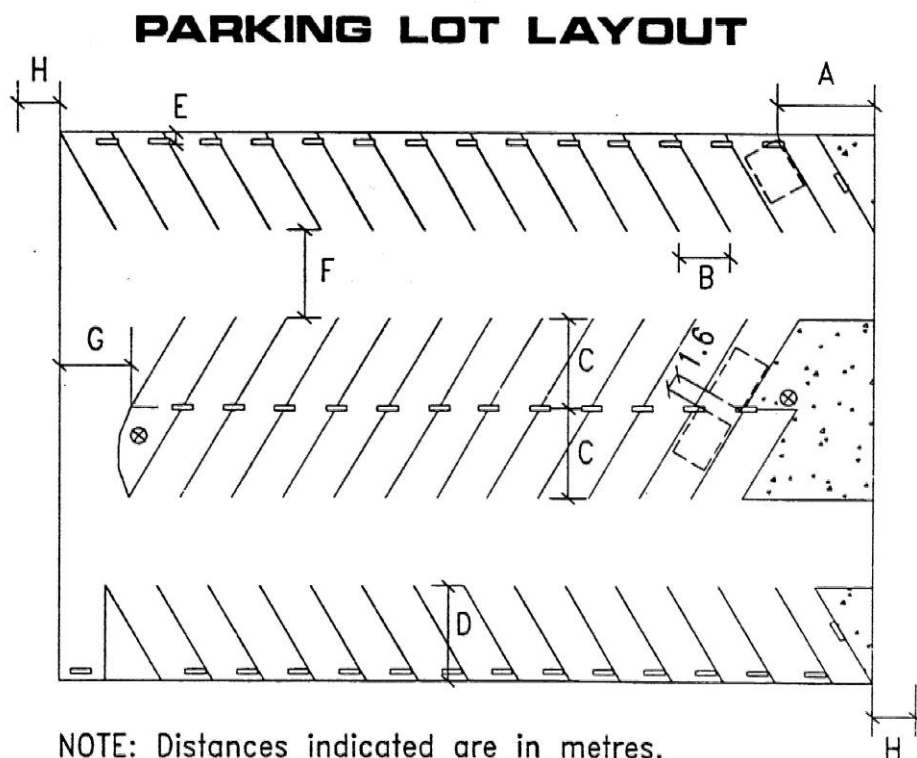
PARALLEL STALL: 7.0m x 2.8m

DIMENSION TABLE

Minimum dimensions when parking at any of these angles:

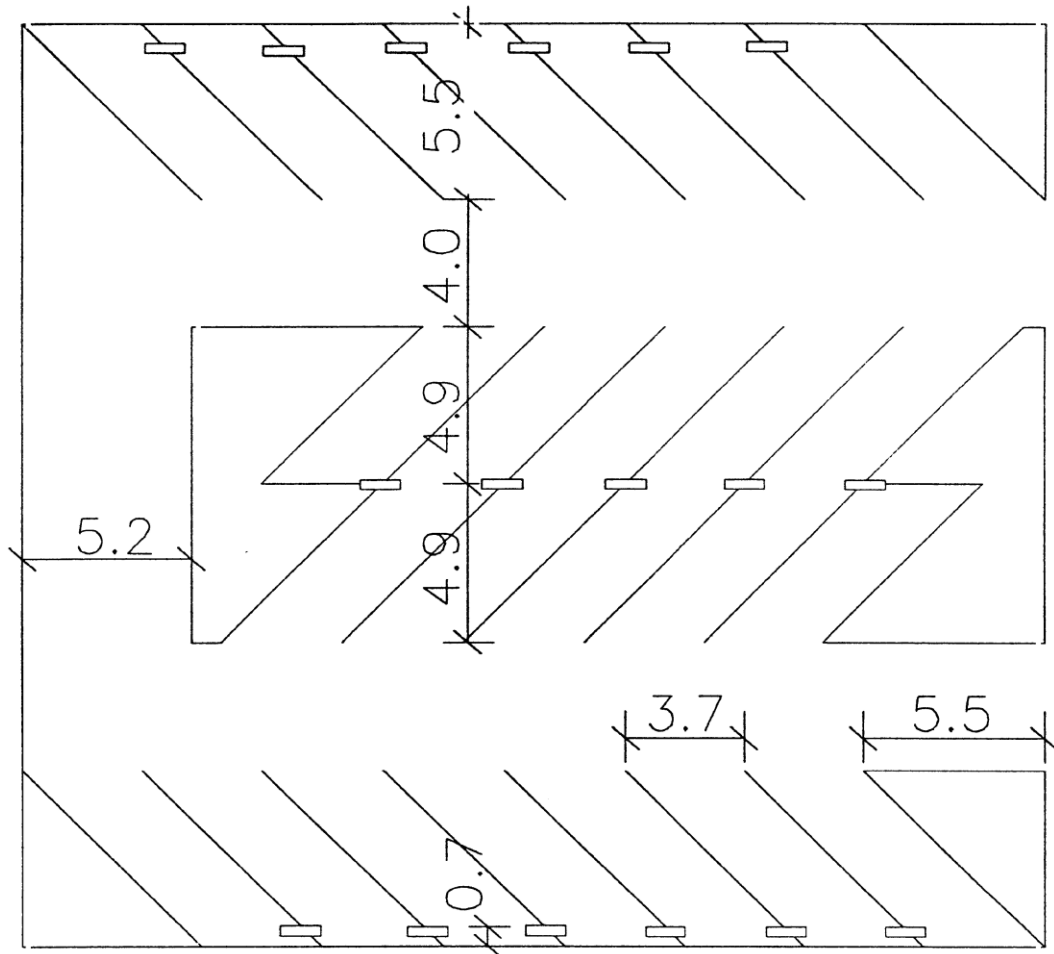
| Angle of Stall | | 45 deg. | 50 deg. | 55 deg. | 60 deg. | 90 deg. |
|----------------|---|---------|---------|---------|---------|---------|
| Offset | A | 5.5 | 4.8 | 4.1 | 3.4 | 0.5 |
| Car Space | B | 3.7 | 3.5 | 3.3 | 3.1 | 2.7 |
| Stall Depth | C | 4.9 | 5.1 | 5.3 | 5.5 | 5.7 |
| Stall Depth | D | 5.5 | 5.6 | 5.7 | 5.8 | 5.8 |
| Overhang | E | 0.7 | 0.7 | 0.7 | 0.7 | 0.9 |
| Driveway | F | 4.0 | 4.6 | 4.9 | 5.4 | 7.7 |
| Turnaround | G | 5.2 | 4.9 | 4.6 | 4.3 | 4.3 |
| Extra | H | 1.9 | 1.6 | 1.3 | 1.0 | 0.0 |

Note: Distances indicated are in metres.



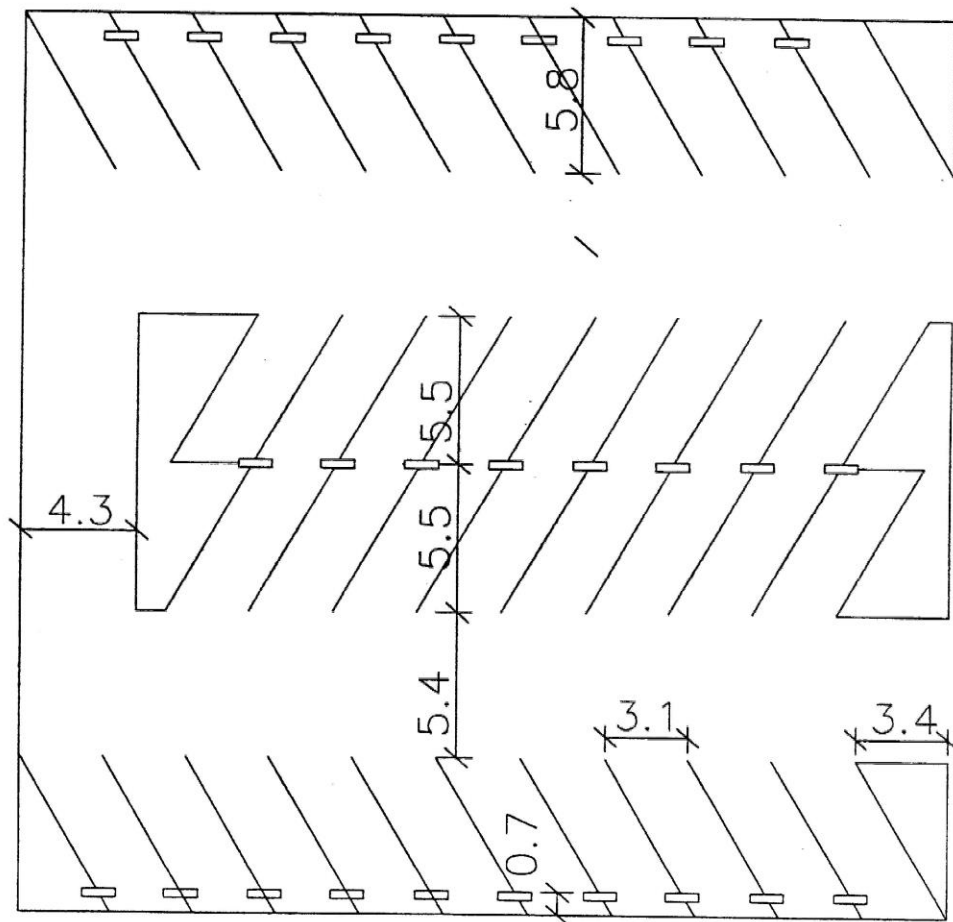
TYPICAL PARKING LOT LAYOUT – 45 DEGREE ANGLE

NOTE: Distances indicated are in metres.



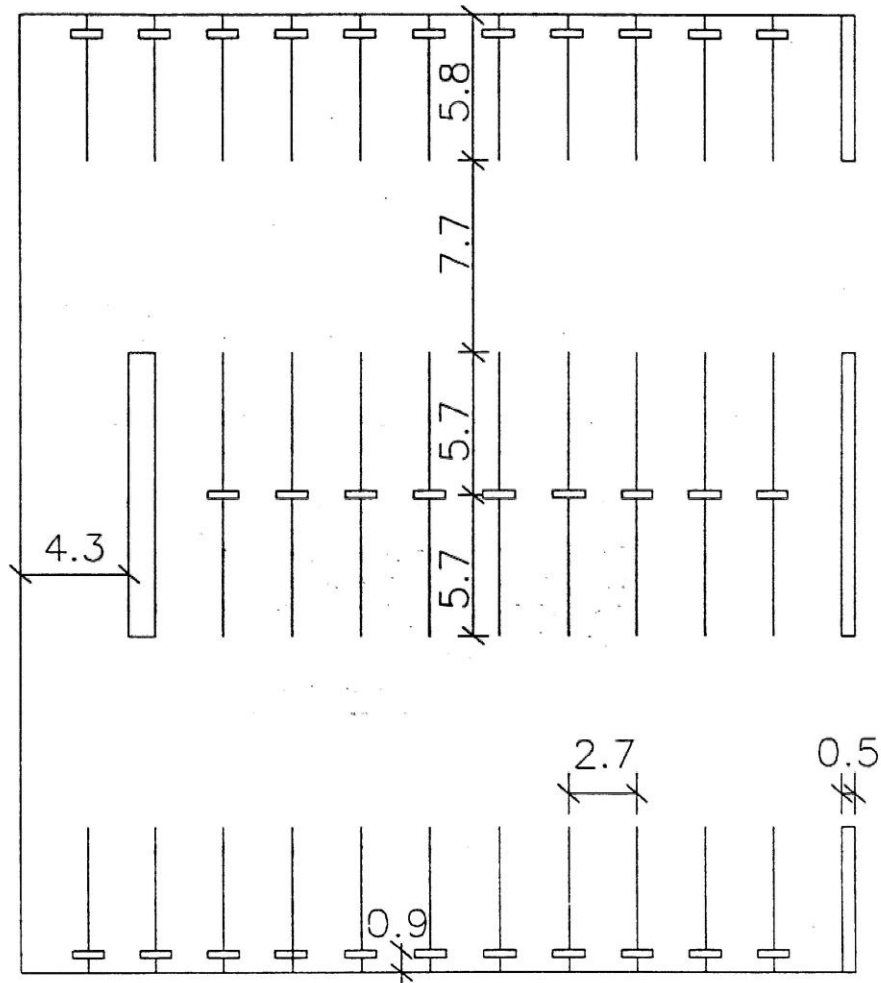
TYPICAL PARKING LOT LAYOUT – 60 DEGREE ANGLE

NOTE: Distances indicated are in metres.



TYPICAL PARKING LOT LAYOUT – 90 DEGREE ANGLE

NOTE: Distances indicated are in metres.



PART IX SIGN PROVISIONS

Section 100 Establishment of Sign Provisions

Sign provisions shall be set forth in Part IX of this Bylaw.

Section 101 General Sign Regulations

- (1) All signs shall require a development permit unless otherwise specified under this Bylaw.
- (2) No development permit is required for the following signs:
 - (a) In all but residential land use districts, a sign which is posted or exhibited inside a building.
 - (b) A sign posted or exhibited in or on an operating motor vehicle if the vehicle is not temporarily or permanently parked solely for the purpose of displaying the sign.
 - (c) A statutory or official notice of a function of, or activity lawfully allowed to be undertaken by, the Town.
 - (d) A traffic or directional sign authorized by the Town.
 - (e) The erection of campaign signs for federal, provincial, municipal, or school board elections on private parcel for no more than thirty (30) days, or such other time as regulated under provincial or federal legislation provided that:
 - i) such signs are removed, or caused to be removed by the owner of the parcel on which the sign is situated, ten (10) days after the election date;
 - ii) the consent of the parcel owner or occupant is obtained;
 - iii) such signs do not obstruct or impair vision or traffic; and
 - iv) such signs are not attached to utility poles.
 - (f) Subject to Section 108(1)(c), a temporary sign if the temporary sign:
 - i) is limited to advertising a lawn sale, garage sale or other special event;
 - ii) is located on private property or is to be situated within a road right-of-way or other public property designated for such purposes by Resolution of Council;
 - iii) is not larger than 0.55m² and
 - iv) is removed from the parcel or road right-of-way or other public property designated for such purposes by Resolution of Council within 72 hours of it being erected on the parcel.

- (g) Subject to Section 108(1)(c), a temporary sign if the temporary sign:
 - i) is limited to advertising the location of real estate for the purposes of public viewing together with the name/logo of the associated realtor(s)/real estate company(ies);
 - ii) is not larger than 0.55m²; and
 - iii) is removed within 72 hours of it being erected.
- (h) Other temporary signs, not defined in Sections 101(2)(f) and (g), if all provisions and requirements of Section 108(1) are met.
- (i) A sign that is posted or exhibited solely for the identification of the land or building on which it is displayed including signs for professional, corporate or trade nameplates identifying the occupants, if the sign:
 - i) does not exceed 1.0m² in area; and
 - ii) is posted only at each entrance from which access from a public road to the building is provided.
- (j) A sign that is posted or exhibited for sale, lease or rental of land or a building if the sign:
 - i) is 3.0m² or less in area; and
 - ii) is posted only on each side of the building or land facing a different public road.
- (k) A sign of a building contractor relating to constructional work in progress on the land on which such signs are erected, provided that:
 - i) such signs shall be removed within fourteen (14) days of occupancy; and
 - ii) such signs shall be limited in size to a maximum of 4.0m² and limited in number to one sign for each boundary of the parcel under construction which fronts onto a public street.
- (l) A community-oriented and/or public service-type cloth sign, authorized by the Development Authority or Council, as the case may be, that is proposed to cross a public road provided the sign is to be located at least 6.5m above the public road.
- (3) All signs requiring a development permit shall follow the development permit process as specified under Section 16 of this Bylaw
- (4) Notwithstanding Sections 17(1)(b) and 17(2)(e) of this Bylaw, the Development Authority may, with respect to an application for a development permit for a sign:
 - (a) Grant a development permit with or without conditions; or
 - (b) Refuse the application.

- (5) The Development Authority may, at its discretion, require the Developer of a sign to obtain an engineer-approved plan prior to the issuance of a development permit in order to ensure the safe design and placement of a sign, awning or canopy. It is the responsibility of the Developer to ensure the safe design and installation of a sign.
- (6) Quality, aesthetic character and finishing of sign construction shall be to the satisfaction of the Development Authority.
- (7) No person shall erect or place a sign so that it would be considered, in the opinion of the Development Authority, to be a hazard or obstruct the vision of vehicular traffic.
- (8) Except as otherwise specified in this Bylaw, the maximum area of any sign shall be 35.0m².
- (9) The Edson AVPA regulations take precedence over this Bylaw's height restrictions.
- (10) Where, in the opinion of the Development Authority, a proposed sign in a commercial or industrial land use district might be objectionable to a resident in any adjacent residential land use district, the Development Authority may impose such other regulations as they feel would protect the interests of residents including but not limited to periodic checks of the light being directed by a lighted sign as well as controlling the hours that lighted signs remain lighted.
- (11) Flashing, animated or interiorly illuminated signs shall not be permitted in any land use district where, in the opinion of the Development Authority, they might:
 - (a) affect residents in adjacent housing or residential land use districts, or
 - (b) interfere with or obstruct a motor vehicle driver's vision or interpretation of oncoming traffic signs or traffic signal lights.
- (12) Notwithstanding Section 101(11), no person shall exhibit or place an illuminated sign that permits or provides for:
 - (a) A current interrupting or flashing device unless there is a continuous source of concealed illumination on the translucent portions of the sign.
 - (b) A flashing beacon of a type that is the same or similar to those used by emergency vehicles.
 - (c) A flashing device, animator or revolving beacon within 50.0m of the intersection of two or more public roads.
 - (d) A device described in Section 101(12)(c) that would be directly visible from any residential building within a distance of 50.0m of the sign.
- (13) The area around sign structures shall be kept clean and free of overgrown vegetation and free from refuse material.

Section 102 - Freestanding Signs

- (14) The Development Authority may require the removal of any sign which, in its opinion, is or has become unsightly or is in such a state of disrepair as to constitute a hazard.
- (15) Applications for signs on parcels abutting Highway 16 and Secondary Road 748 or any other road under the jurisdiction of Alberta Infrastructure and Transportation or Yellowhead County may be referred to the appropriate road authority for their review and consideration.

Section 102 Freestanding Signs

- (1) Freestanding signs may be permitted in all land use districts, excepting residential land use districts where freestanding signs are provided for under the following special provisions:
 - (a) Within a residential land use district, one identification freestanding sign may be allowed to identify the name of an apartment, multi-family complex, mobile home park or a subdivision, and which does not:
 - i) exceed 2.0m² in area; or
 - ii) project within 0.6m from the parcel boundary; or
 - iii) exceed 3.5m in height.
 - (b) Freestanding signs identifying the name of the community, neighborhood or subdivision shall blend in with the architecture or development theme of the surrounding area.
 - (c) A neighborhood identification sign shall not contain an advertisement in any form but may contain the name or logo of the company or companies which developed the neighborhood.
- (2) Within all land use districts, excepting residential land use districts, the following shall apply:
 - (a) One freestanding sign may be allowed per parcel and where a parcel has in excess of 90.0m of frontage, one additional freestanding sign may be erected for each additional 90.0m, or portion thereof, of street frontage abutting the developed portion of the said parcel.
 - (b) Where a parcel is considered to be double fronting by the Development Authority, each frontage may have a freestanding sign provided that the signs are no closer than 90.0m apart.
 - (c) No freestanding sign shall exceed 9.2m above average grade, nor have a vertical distance from the ground to the bottom of the sign copy of less than 3.0m.

Section 103 - Billboard

- (d) No development permit shall be issued for a freestanding sign unless the area of the sign is less than 7.5m² for the first 20.0m of lineal frontage of the parcel upon which it is located, plus 1.0m² for each additional 10.0m of lineal frontage, up to a maximum of 14.0m².
- (e) The freestanding sign shall not project within 2.0m of overhead utility lines.
- (f) Freestanding signs may rotate at a number of revolutions per minute or consist of a “readograph” electronic message display system as determined by the Development Authority, who shall consider relevant traffic safety variables and legislation.
- (g) Part of the calculated allowable area of the freestanding sign may include an area for copy that can be changed for announcing matters relating to the development, with such changeable copy not exceeding 50% of the permitted sign area.

Section 103 Billboard

- (1) A development permit for a billboard may be issued by the Development Authority but only in accordance to the following provisions: [\(Bylaw 2170\)](#)
 - (a) Billboards shall only be located on vacant parcels of land having a frontage that exceeds 22.86m.
 - (b) Billboards within the Urban Reserve District, Light Industrial (Serviced) District, Light Industrial (Unserviced) District, Glenwood Service Industrial – Commercial District, and Heavy Industrial District, will only be considered on parcels where parcel coverage in addition to parking facilities, and outdoor storage, amount to less than 30% of the parcel area. [\(Bylaw 2264\)](#)
 - (c) No billboard shall be located within an area bounded on the south by 1st Avenue, the west by 54th Street, the north by 5th Avenue, and the east by 46th Street.
 - (d) *(deleted)* [\(Bylaw 2264\)](#)
 - (e) *(deleted)* [\(Bylaw 2264\)](#)
 - (f) The Development Officer shall exercise high standards regarding the aesthetic quality of billboards by ensuring that billboards are: [\(Bylaw 2170\)](#)
 - i) compatible with the general architectural lines and forms of adjacent development;
 - ii) of high quality construction and;
 - iii) that the amount of advertising copy be kept to an absolute minimum and be of high quality.

Section 104 - Awning and Canopy Signs

- (g) A Billboard, including border and trim, but excluding the base, supports or other structural members, shall not exceed 28m² in area within an Urban Reserve district, or 18m² in area in any other district. The border and trim may be excluded from the area calculation of a billboard where the proposed border and trim is in accordance with an approved theme design under the Town's Concept Plan for Beautification.
- (h) The area of a billboard referred to in Section 103(g) applies to each sign face, and the sign faces may be placed back-to-back or in a V-shaped configuration.
- (i) The minimum distance between any billboard located on the same side of a road shall be 150.0m.
- (j) No part of a billboard shall be located closer than 5.0m to any parcel boundary.
- (k) A billboard shall not exceed 9.2m in height.
- (l) Billboard copy may only be illuminated by a constant light source.
- (m) In the case of community-oriented or public service- type billboard, Council may authorize the placement of such a billboard on public roads and lands notwithstanding Sections 103(1), 103(1)(g) and (k).

Section 104 Awning and Canopy Signs

- (1) Subject to Section 104(2), awning or canopy signs may be permitted in all but residential land use districts.
- (2) In a residential land use district, awnings or canopies shall not be attached to or be constructed so as to be considered a part of any sign other than a house or apartment name sign.
- (3) The awning or canopy sign shall have a clearance of not less than 3.0m between the bottom of the canopy or awning and the sidewalk, walkway or ground level.
- (4) Where the front portion of a building extends or is allowed to extend out to the front parcel boundary, the canopy or awning sign shall not project more than 2.0m over the sidewalk and in no case shall any support pillar/pole forming part of the awning or canopy sign project beyond the front parcel boundary.
- (5) Notwithstanding Sections 104(3) and (4), no canopy sign shall be permitted where, in the opinion of the Development Authority, the canopy or awning obstructs the free movement or access to pedestrians, vehicles or repairs to overhead utility lines.
- (6) The print or lettering of awnings and canopies in all land use districts shall be restricted to identification of the building name or the proprietor's identification.

Section 105 Projecting Signs

- (1) In the C-1 Retail Commercial District, C-2 Service Commercial District and C-3 Highway Commercial District, a projecting sign shall be permitted with the approval of the Development Authority, as follows:
- (a) For any building located less than 6.0m from the parcel boundary, not more than one projecting sign, 2.3m² less in area, shall be erected;
 - (b) No part of the sign shall:
 - i) extend more than 2.0m above the parapet of the building;
 - ii) extend more than 2.0m from the face of the building; or
 - iii) be less than 3.0m above ground or sidewalk grade.
- (2) In the C-2 Service Commercial District, M-1 Light Industrial District and M-2 Heavy Industrial District, projecting signs shall be erected so that:
- (a) No part of the sign shall be less than 3.0m above the ground or sidewalk grade;
 - (b) No part of the sign shall project more than 2.5m over public property, or come within 0.6m of the curb or edge of a road;
 - (c) No part of the sign shall project more than 1.0m above the top of the vertical face of the wall to which it is attached;
 - (d) The space between the sign and supporting wall shall not be more than 0.6m;
 - (e) There shall be only one projecting sign for each business frontage, provided that if a business frontage shall exceed 15.0m, a further projecting sign be permitted for each additional 15.0m or portion thereof;
 - (f) The permitted area of the sign shall be related to the amount of projection from the face of the building, as follows:

| Amount of Projection (m) | Maximum Area of Sign (m ²) |
|--------------------------|--|
| 2.5 | 2.3 |
| 2.1 | 2.6 |
| 1.8 | 3.2 |
| 1.5 | 4.5 |
| 1.2 | 5.6 |
| 1.0, or less | 7.0 |

The area of the sign shall be computed exclusive of supports and structural members provided that such supports and structural members are free of advertising and are so constructed that they do not form part of the advertisement;

- (g) Supports shall not be provided by an A-frame.

Section 106 - Roof Signs

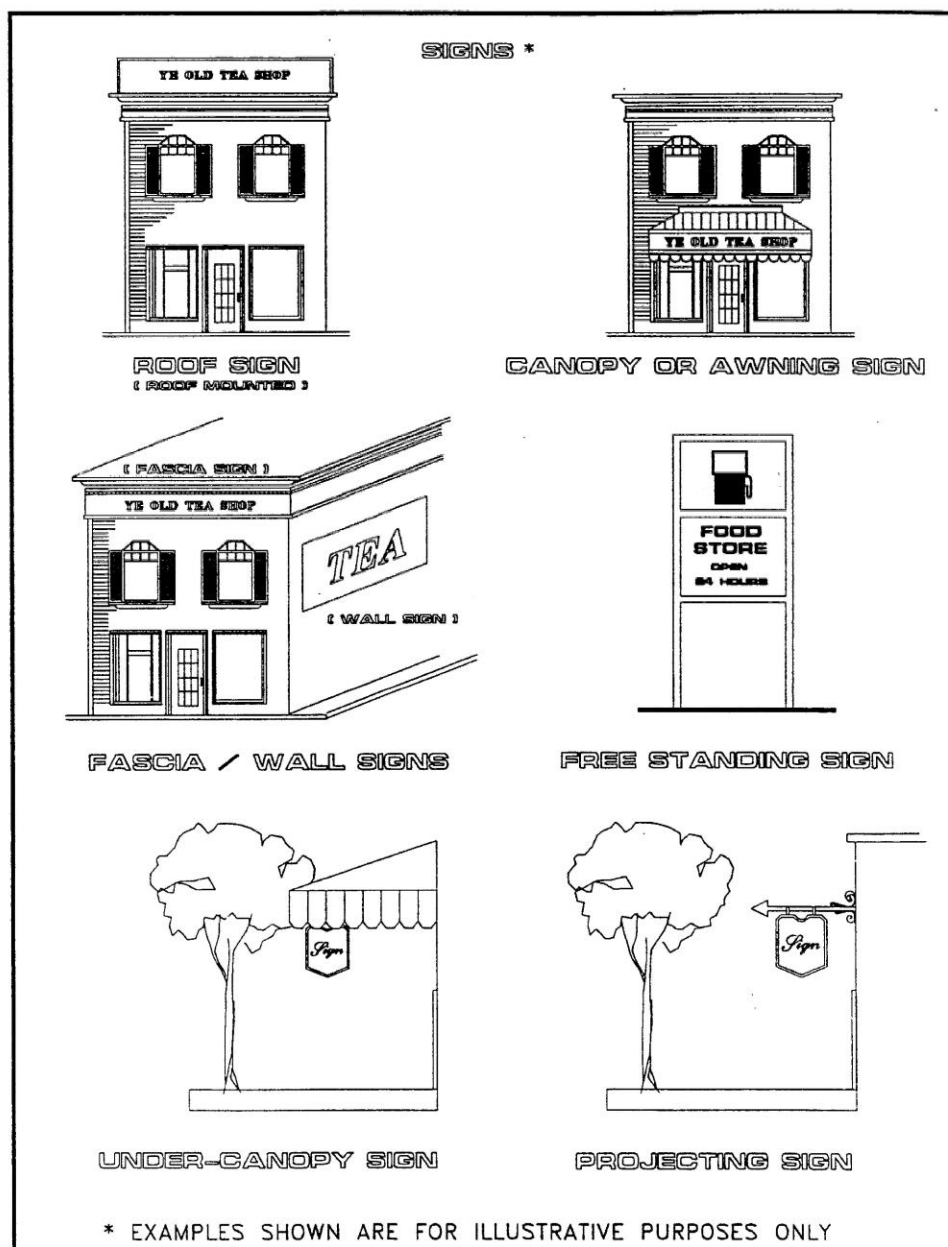
Section 106 Roof Signs

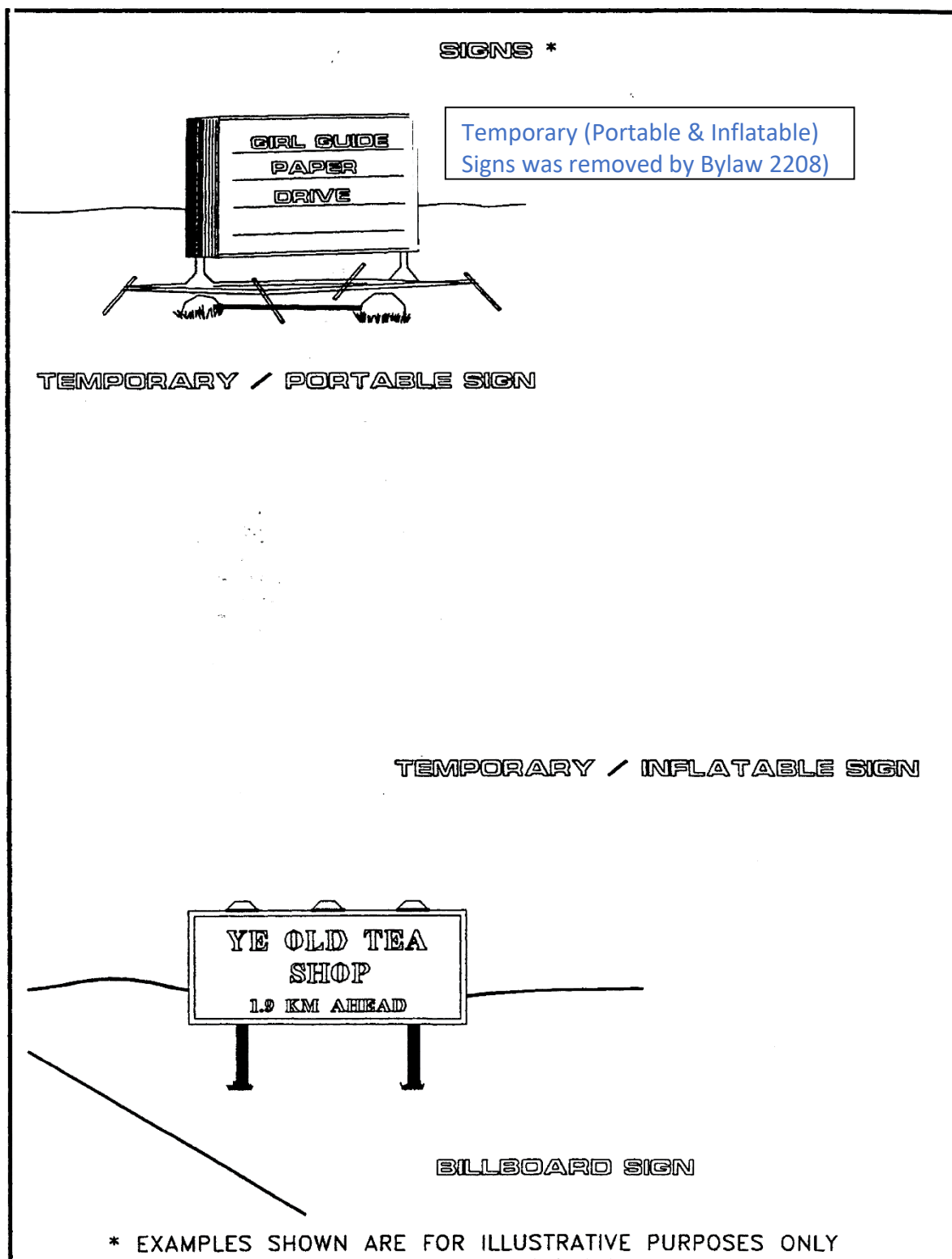
- (1) Roof signs may be allowed in all land use districts except residential land use districts and the C-4-Neighborhood Commercial District.
- (2) No portion of a sign shall overhang the roof on which it is located.
- (3) No supporting structures shall be visible to the public unless finished in an aesthetically pleasing manner to the discretion of the Development Authority.

Section 107 Wall/Fascia Signs

- (1) Wall and fascia signs may be permitted in all land use districts, excepting residential land use districts wherein it is permissible to have one non-illuminated fascia sign or nameplate to identify a home occupation not greater than 0.275m² in area placed within or flat against the dwelling unit or any accessory building.
- (2) One fascia sign only will be permitted to indicate the name and nature of the occupancy for each occupancy within the development. The sign shall not exceed a height of 1.5m and a horizontal dimension greater than the length of the bay which the proprietor's sign identifies. In no case shall the fascia sign exceed 30% of the building face or bay which the sign identifies.
- (3) Notwithstanding Section 107(2), developments which are considered by the Development Authority to be double fronting may apply for a fascia sign permit for the second fronting building face.
- (4) Notwithstanding Section 107(2), in developments containing more than two storeys, fascia signs shall only be permitted on the building face below the third storey offices and bays.
- (5) A wall sign in a commercial or industrial land use district shall not exceed an area of more than 45% of the wall to which it is attached.
- (6) A wall sign shall not extend beyond the limits of the wall to which it is attached.
- (7) Notwithstanding Sections 107(2) and (5), a wall mural, not to be used to advertise the business within the building upon which the mural is painted or any other business, may encompass 100% of the wall to which it is painted provided that the wall sign mural complies with Section 59 of this Bylaw.
- (8) Notwithstanding Sections 107(2) and (5), fascia and wall signs for a commercial or industrial building containing more than one bay shall maintain the same character and size of sign throughout the building face and from bay to bay.
- (9) Any identification wall signs with non-illuminated letters up to but not exceeding 0.7m in height, nor 0.4m² in area, are not restricted and may be permitted in addition to regulated signs.

Section 108 Deleted





PART X DISTRICT PROVISIONS AND REGULATIONS

Section 110 Establishment of Districts and District Regulations

Land use districts and land use district regulations shall be set forth in Part X of this Bylaw.

Section 111 Land Use Districts

The Town is hereby divided into the following land use districts.

| | Section | Short Form | District Designation |
|--------------|---------|------------|--|
| | 115 | R-1A | Single Family Residential (Class A) |
| | 116 | R-1B | Single Family Residential (Class B) |
| | 117 | R-1C | Single Family Residential (Class C) |
| | 118 | R-2 | Low Density Multiple Family Residential |
| | 119 | R-3 | Medium Density Multiple Family Residential |
| | 120 | R-4 | High Density Multiple Family Residential |
| | 121 | R-MHS | Mobile Home Subdivision |
| | 122 | R-MHP | Mobile Home Park |
| | 123 | R-AR | Acreage Residential |
| | 123.1 | R-ER | Estate Residential (Unserviced) |
| | 123.2 | R-RU | Estate Residential |
| | 123.3 | R-RL | Estate Residential (Large Lot) |
| | 124 | R-GR | Glenwood Residential |
| | 125 | C-1 | Retail Commercial |
| | 127 | C-2 | Service Commercial |
| | 128 | C-3 | Highway Commercial |
| | 129 | C-4 | Neighbourhood Commercial |
| (Bylaw 2071) | 129A | C-3A | Business Commercial/Light Industrial |
| (Bylaw 2071) | 130 | | Highway 16 Corridor Overlay District |
| | 132 | M-1A | Light Industrial (Served) |
| | 133 | M-1B | Light Industrial (Unserviced) |
| | 134 | GSI-C | Glenwood Service Industrial-Commercial |
| | 135 | M-2 | Heavy Industrial |
| | 136 | AD | Airport |
| | 137 | PR | Parks and Recreation |
| | 138 | CS | Community Services |
| (Bylaw 2271) | 139 | DC | Direct Control |
| | 140 | UR | Urban Reserve |

Section 112 Land Use District Map

- (1) Land use districts specified under Section 111 are described in the short form on the LAND USE DISTRICT MAP, being Schedule "A", which is an integral part of this Bylaw.
- (2) The land use district boundaries are delineated on the LAND USE DISTRICT MAP. Where uncertainty arises as to the precise location of the boundary of any district, the following rules shall apply:

Rules:

 - (a) Where a boundary is shown as following a road, lane, stream or canal, it shall be deemed to follow the centerline thereof.
 - (b) Where a boundary is shown as approximately following a parcel boundary, it shall be deemed to follow the parcel boundary.
 - (c) In circumstances not covered by Rules 1 and 2, the location of the land use district boundary shall be determined:
 - i) Where dimensions are set out on the Land Use District Map, by the dimensions so set; or
 - ii) Where dimensions are set out on the Land Use District Map with respect to such boundary, by measurement of and use of the scale shown on the Land Use District Map.
- (3) Where the application of the above rules does not determine the exact location of the boundary of a land use district, Council either on its motion or upon written application being made to it by any person requesting the determination of the exact location of the boundary shall fix the portion of the land use district boundary in doubt or dispute in a manner consistent with the provisions of this Bylaw and the degree of detail as to measurements and directions as the circumstances may require.
- (4) After Council has fixed a land use district boundary pursuant to the provisions of Section 112(3), the portion of the boundary so fixed shall not be thereafter altered except by an amendment to this Bylaw.
- (5) Council shall maintain a list of its decisions with respect to boundaries or portions thereof fixed by it.

Section 115 R-1A Single Family Residential (Class A)

(1) General Purpose of District

This land use district is generally intended to provide for single family dwellings on large urban parcels. The regulations of this land use district are such that a minimum size of dwelling is required in a setting which allows for and protects larger homes.

(2) Listed Uses

Permitted Uses

Single family dwelling
Accessory building

Discretionary Uses

Home occupation
Home day care
Excavation, stripping, or grading
(Bylaw 2270)
Owner Occupied Two Family Dwelling
(Bylaw 2086)
Owner Occupied Three Family
Dwelling (Bylaw 2086)
Small park and/or playground which
serves specific residential
development.
Utility building, not containing offices,
which is required to serve the
immediate area.
Those uses which in the opinion of
the Development Authority are
similar to the permitted or
discretionary uses, and which
conform to the general purpose and
intent of this land use district.

(3) Minimum Parcel Dimensions

(a) Width:

Shall be no less than 20.0m except in the case of parcels located on curves or cul-de-sacs which shall maintain a minimum frontage of 15.0m with a minimum width of 18.0m at the 7.6m setback line.

(b) Depth:

Shall be no less than 40.0m.

(c) Area:

Shall be the product of the minimum parcel width and depth.

(4) Minimum Floor Area (not including attached garage)

Any single family dwelling shall have a minimum floor area of 155.0m².

The floor areas and floor configurations of an Owner Occupied Two or Three Family dwelling shall be to the satisfaction of the Development Authority. Notwithstanding, a Bachelor Unit, One Bedroom Unit, or Two Bedroom Unit in an Owner Occupied Two or Three Family Dwelling shall have the following minimum floor areas:

(Bylaw 2086)

Bachelor Unit 33m² (355 sq.ft)

One Bedroom Unit 45m² (484 sq.ft)

Two Bedroom Unit 56m² (602 sq.ft)

(5) Minimum Setback Requirements

(a) Front Yard:

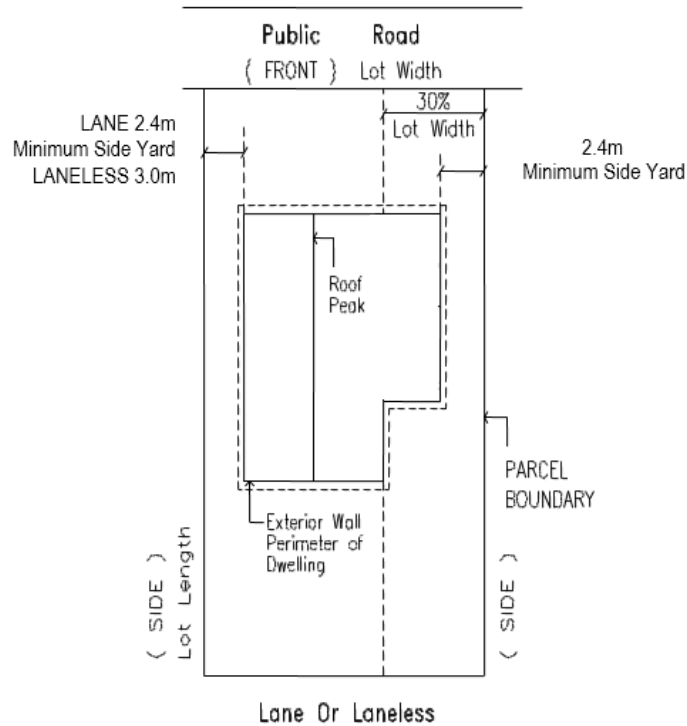
- i) Subject to Section 115(5)(a)(ii), the minimum front yard setback shall be 7.6m.
- ii) At the discretion of the Development Authority, the front yard setback may be varied for corner or double fronting parcels pursuant to Sections 17(4) and Section 48 of this Bylaw.
- iii) For the purposes of determining the front yard setback for parcels referred to in Section 115(5)(a)(ii), the Development Officer shall consider that the setback for the flanking front yard should be no less than 4.5m, and in the case of an attached garage or carport, the setback from the wall containing the vehicle entrance to the facing parcel boundary should be no less than 6.0m.

(b) Side Yard:

(Bylaw 2179)

- i) The minimum side yard setback to the principal building shall be 2.4m.
- ii) Notwithstanding Section 115(5)(b)(i), where a parcel has vehicular access from the front only, one side yard setback shall be a minimum of at least 3.0m to accommodate a driveway for vehicular passage and general access to the rear of the parcel, and no part of the principal building is permitted to project into this yard.

Section 115 - R-1A Single Family Residential (Class A)



(c) Rear Yard:

- i) The minimum rear yard setback to the principal building shall be 7.6m.
- ii) The Development Officer may vary the rear yard setback to a maximum of 10% in the case of parcels located on curves or cul-de-sacs.

(6) Parcel Coverage

- (a) The maximum parcel coverage for all buildings shall be 42% of the area of the parcel with the combined areas of all Accessory Buildings, as referred to in Section 71 of this Bylaw, being not greater than the area of the principal building.
- (b) Notwithstanding Section 115(6)(a), the Development Authority may vary the parcel coverage in the case of corner or double fronting parcels pursuant to Sections 17(4) and (5) and Section 48 of this Bylaw.

(7) Principal Building Height

Shall not exceed 10.6m above average grade.

(8) Other Provisions

- (a) Administrative procedures and regulations: refer to Parts I-V of this Bylaw.
- (b) General Parcel Provisions: refer to Part VI of this Bylaw.
- (c) Special Land Use Provisions: refer to Part VII of this Bylaw.
- (d) Parking and Loading Regulations: refer to Part VIII of this Bylaw.
- (e) Sign Regulations: refer to Part IX of this Bylaw.

Section 116 R-1B Single Family Residential (Class B)

(1) General Purpose of District

This land use district is generally intended to establish areas of single detached housing comprised of standard parcels and dwellings.

(2) Listed Uses

Permitted Uses

Single family dwelling

Accessory building

Discretionary Uses

Modular home

Home occupation

Home day care

Day care facility

Excavation, stripping, or grading
(Bylaw 2270)

Family care facility

Owner Occupied Two Family Dwelling
(Bylaw 2086)

Owner Occupied Three Family
Dwelling (Bylaw 2086)

Small park and/or playground which
serves specific residential
development.

Utility building, not containing offices,
which is required to serve the
immediate area.

Those uses which in the opinion of
the Development Authority are
similar to the permitted or
discretionary uses, and which
conform to the general purpose and
intent of this land use district.

Section 116 - R-1B Single Family Residential (Class B)

(3) Minimum Site Dimensions/Area

(a) Lane Subdivision:

i) One family dwellings:

| | <u>Width (m)</u> | <u>Length (m)</u> |
|-------------|------------------|-------------------|
| One storey | 15.0 | 33.5 |
| 1 ½ storey | 18.0 | 33.5 |
| 2 storey | 18.0 | 33.5 |
| Corner lots | 18.0 | 33.5 |

(b) Laneless Subdivisions:

i) One family dwellings:

| | <u>Width (m)</u> | <u>Length (m)</u> |
|-------------|------------------|-------------------|
| One storey | 16.75 | 33.5 |
| 1 ½ storey | 18.0 | 33.5 |
| 2 storey | 18.0 | 33.5 |
| Corner lots | 18.0 | 33.5 |

(c) All Other Uses

For uses not identified in Sections 116(3)(a) and (b) above, the minimum site dimensions/area shall be as prescribed by the Development Authority.

- (4) Minimum Floor Area (not including basement or attached garage)
- | | |
|--|---------------------|
| 1 Storey | 93.0m ² |
| 1.5 Storey/Split Level | |
| lower floor(s) | 75.0m ² |
| total minimum floor area of both storeys | 110.0m ² |
| Bi-level | |
| upper floor area | 90.0m ² |
| 2 Storey | |
| first storey | 70.0m ² |
| total minimum floor area of both storeys | 130.0m ² |

The floor areas and floor configurations of an Owner Occupied Two or Three Family dwelling shall be to the satisfaction of the Development Authority. Notwithstanding, a Bachelor Unit, One Bedroom Unit, or Two Bedroom Unit in an Owner Occupied Two or Three Family Dwelling shall have the following minimum floor areas:

(Bylaw 2086)

| | |
|------------------|------------------------------|
| Bachelor Unit | 33m ² (355 sq.ft) |
| One Bedroom Unit | 45m ² (484 sq.ft) |
| Two Bedroom Unit | 56m ² (602 sq.ft) |

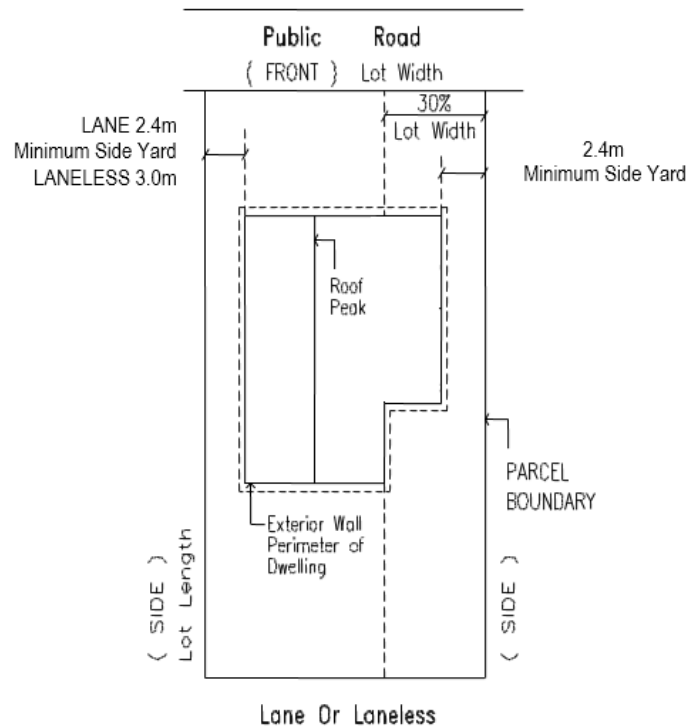
(5) Minimum Setback Requirements

- (a) Front Yard:
- i) Subject to Section 116(5)(a)(ii), the minimum front yard setback shall be 7.6m.
 - ii) At the discretion of the Development Authority, the front yard setback may be varied for corner or double fronting parcels pursuant to Sections 17(4) and Section 48 of this Bylaw.
 - iii) For the purposes of determining the front yard setback for parcels referred to in Section 116(5)(a)(ii), the Development Authority shall consider that the setback for the flanking front yard should be no less than 4.5m, and in the case of an attached garage or carport, the setback from the wall containing the vehicle entrance to the facing parcel boundary should be no less than 6.0m.

(b) Side Yard:

(Bylaw 2179)

- i) The minimum side yard setback to the principal building shall be 2.4m.
- ii) Notwithstanding Section 115(5)(b)(i), where a parcel has vehicular access from the front only, one side yard setback shall be a minimum of at least 3.0m to accommodate a driveway for vehicular passage and general access to the rear of the parcel, and no part of the principal building is permitted to project into this yard.



(c) Rear Yard:

- i) The minimum rear yard setback to the principal building shall be 7.6m.
 - ii) The Development Officer may vary the rear yard setback to a maximum of 10% in the case of parcels located on curves or cul-de-sacs.
- (d) In the "Woods Subdivision", Lots 40-44, Block 83, Plan 992 0960 and Lots 45-53, Block 83, Plan 992 4827 shall be subject to the following provisions:
- i) The front yard setback shall be a minimum of 10.67m (35ft); and
 - ii) Driveways shall be designed so that vehicles can turn around on the site before re-entering Edson Drive.

(6) Parcel Coverage

- (a) The maximum parcel coverage for all buildings shall be 42% of the area of the parcel with the combined areas of all accessory buildings, as referred to in Section 71 of this Bylaw, being not greater than the area of the principal building.
- (b) Notwithstanding Section 116(6)(a), the Development Authority may vary the parcel coverage in the case of corner or double fronting parcels pursuant to Sections 17(4) and Section 48 of this Bylaw.

(7) Principal Building Height

Shall not exceed 10.6m above average grade.

(8) Other Provisions

- (a) Administrative procedures and regulations: refer to Parts I-V of this Bylaw.
- (b) General Parcel Provisions: refer to Part VI of this Bylaw.
- (c) Special Land Use Provisions: refer to Part VII of this Bylaw.
- (d) Parking and Loading Regulations: refer to Part VIII of this Bylaw.
- (e) Sign Regulations: refer to Part IX of this Bylaw.

Section 117 R-1C Single Family Residential (Class C)

(1) General Purpose of District

This land use district is to apply to residential areas comprised of small parcels and generally intended for detached housing forms. This land use district, particularly when used in combination with the R-2 Multiple Family Residential District, also provides for a broader mix of parcel sizes and housing forms.

(2) Listed Uses

Permitted Uses

Single family dwelling
Accessory building

Discretionary Uses

Modular home
One unit of a duplex per parcel
Home occupation
Duplex
Excavation, stripping, or grading
(Bylaw 2270)
Home day care
Day care facility
Owner Occupied Two Family Dwelling
(Bylaw 2086)
Small park and/or playground which serves specific residential development.
Utility building, not containing offices, which is required to serve the immediate area.
Those uses which in the opinion of the Development Authority are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of this land use district.

(3) Minimum Parcel Area

- (a) In the case of a road and lane subdivision, 340.0m².
- (b) In the case of a laneless subdivision, 390.0m².
- (c) In the case of new single family or modular home parcels resulting from re-plot, re-subdivision and/or consolidation, minimum parcel area will be as prescribed by the Development Authority.

- (d) In the case of vertical duplex units, 570.0m².
 - (e) In the case of side-by-side duplex units, 670.0m² if located on an interior parcel and 740.0m² if located on a corner or double fronting parcel.
- (4) Minimum Parcel Width
- (a) Road and lane subdivisions:
 - i) a minimum of 10.0m for interior parcels; or
 - ii) a minimum of 12.0m for corner or double fronting parcels.
 - (b) Laneless subdivisions:
 - i) a minimum of 11.0m for interior parcels; or
 - ii) a minimum of 12.0m for corner or double fronting parcels.
 - (c) For pie or irregularly shaped parcels, the minimum parcel width shall be measured 6.0m back from the front yard parcel boundary.
 - (d) In the case of new single family or modular home parcels resulting from replot, resubdivision and/or consolidation, minimum parcel width shall be as prescribed by the Development Authority.
- (5) Minimum Floor Area (not including basement or attached garage)
- | | |
|--|---------------------|
| 1 Storey | 79.0m ² |
| 1.5 Storey | 79.0m ² |
| Split Level | 79.0m ² |
| Bi-level | 79.0m ² |
| Each unit of a duplex dwelling | 79.0m ² |
| 2 Storey | |
| first storey | 56.0m ² |
| total minimum floor area of both storeys | 102.0m ² |

The floor areas and floor configurations of an Owner Occupied Two Family dwelling shall be to the satisfaction of the Development Authority. Notwithstanding, a Bachelor Unit, One Bedroom Unit, or Two Bedroom Unit in an Owner Occupied Two Family Dwelling shall have the following minimum floor areas:

(Bylaw 2086)

| | |
|------------------|------------------------------|
| Bachelor Unit | 33m ² (355 sq.ft) |
| One Bedroom Unit | 45m ² (484 sq.ft) |
| Two Bedroom Unit | 56m ² (602 sq.ft) |

(6) Minimum Setback Requirements

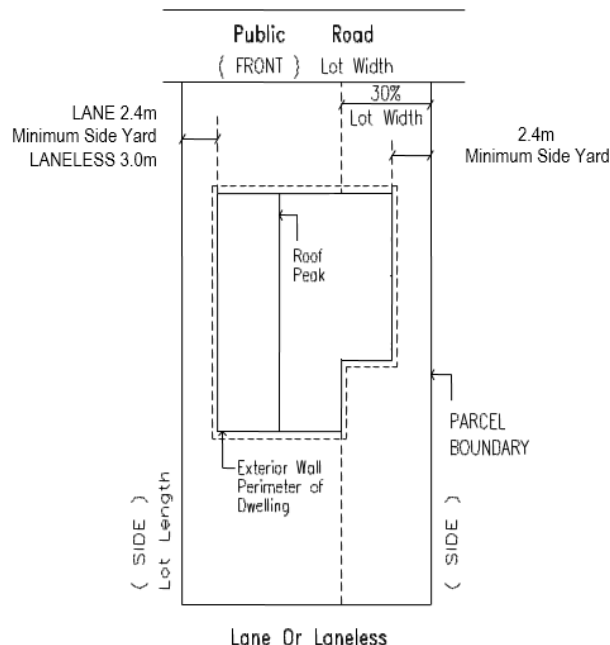
(a) Front Yard:

- i) Subject to Section 117(6)(a)ii), the minimum front yard setback shall be 6.0m.
- ii) At the discretion of the Development Authority, the front yard setback may be varied for corner or double fronting parcels pursuant to Sections 17(4) and Section 48 of this Bylaw.
- iii) For the purposes of determining the front yard setback for parcels referred to in Section 117(6)(a)ii), the Development Officer shall consider that the setback for the flanking front yard should be no less than 4.5m, and in the case of an attached garage or carport, the setback from the wall containing the vehicle entrance to the facing parcel boundary should be no less than 6.0m.

(b) Side Yard:

(Bylaw 2179)

- i) The minimum side yard setback to the principal building shall be 2.4m.
- ii) Notwithstanding Section 117(6)(b)(i), where a parcel has vehicular access from the front only and no garage or carport is provided, one side yard setback shall be a minimum of at least 3.0m to accommodate a driveway for vehicular passage and general access to the rear of the parcel, and no part of the principal building is permitted to project into this yard.
- iii) In the case zero parcel boundary development, see Section 50 of this Bylaw.



- (c) Rear Yard:
 - i) The minimum rear yard setback to the principal building shall be 6.0m.
 - ii) The Development Officer may vary the rear yard setback to a maximum of 10% in the case of parcels located on curves or cul-de-sacs.
- (d) In the case of new single family or modular home parcels resulting from re-plot, re-subdivision and/or consolidation, the setback requirements shall be as prescribed by the Development Authority.
- (7) Parcel Coverage
 - (a) The maximum parcel coverage for all buildings shall be 42% of the area of the parcel with the combined areas of all accessory buildings, as referred to in Section 71 of this Bylaw, being not greater than the area of the principal building.
 - (b) Notwithstanding Section 117(7)(a), the Development Authority may vary the parcel coverage in the case of corner or double fronting parcels pursuant to Sections 17(4) and (5) and Section 48 of this Bylaw.
- (8) Principal Building Height

Shall not exceed 10.6m above average grade.
- (9) Other Provisions
 - (a) Administrative procedures and regulations: refer to Parts I-V of this Bylaw.
 - (b) General Parcel Provisions: refer to Part VI of this Bylaw.
 - (c) Special Land Use Provisions: refer to Part VII of this Bylaw.
 - (d) Parking and Loading Regulations: refer to Part VIII of this Bylaw.
 - (e) Sign Regulations: refer to Part IX of this Bylaw.

Section 118 R-2 Low Density Multiple Family Residential

(1) General Purpose of District

This land use district is intended to provide for low density multiple family housing types ranging from duplex dwellings up to fourplexes. The dwelling forms shall be of a low profile/elevation thereby making such developments compatible with adjacent single family residential neighbourhoods. All units within this land use district will be designed to have direct access to street level.

(2) Listed Uses

Permitted Uses

Duplex

Accessory building

Park

Discretionary Uses

Triplex

Fourplex

Single family dwelling

Day care facility

Excavation, stripping, or grading
(Bylaw 2270)

Family care facility

Group care facility

Home occupation

Home day care

Utility building, not containing offices,
which is required to serve the
immediate area.

Those uses which in the opinion of
the Development Authority are
similar to the permitted or
discretionary uses, and which
conform to the general purpose and
intent of this land use district.

Development in the “R.B. Anderson Duplex Subdivision” on the west side of 63rd Street (Plan 072 8621, Block 3, Lot 2) shall be restricted to allow only the permitted uses listed under Section 118(2) of the Bylaw.

Development on the said lands (Plan 2071AC, Block 5, Lot 10 & 11 / 4820 – 16 Avenue) shall be restricted to allow only the permitted uses under Section 118(2) of the Bylaw.

(3) Minimum Parcel Dimensions/Area

- (a) Subject to the minimum parcel area requirements for duplexes, triplexes and fourplexes where all dwelling units are contained within the same parcel, as stipulated in Sections 118(3)(b),(c),(d) and (e) below, the minimum parcel width shall be 11.0m and the minimum parcel depth shall be 36.0m.
- (b) The minimum parcel area for vertical duplex units shall be 570.0m².
- (c) The minimum parcel area for side-by-side duplex units shall be 570.0m² located on an interior parcel and 670.0m² if located on a corner or double fronting parcel.
- (d) The minimum parcel area for a triplex shall be 615.0m² located on an interior parcel and 705.0m² if located on a corner or double fronting parcel.
- (e) The minimum parcel area for a fourplex shall be 650.0m² located on an interior parcel and 740.0m² if located on a corner or double fronting parcel.

(4) Minimum Floor Area (not including basement or attached garage)

The minimum floor area for a dwelling unit shall be:

- (a) In the case of duplex housing, not less than 79.0m².
- (b) In the case of triplex and fourplex housing, not less than 75.0m² for each unit.

(5) Minimum Setback Requirements

(a) Front Yard:

- i) Subject to Section 118(5)(a)(ii), the minimum front yard setback shall be 6.0m.
- ii) At the discretion of the Development Authority, the front yard setback may be varied for corner or double fronting parcels pursuant to Sections 17(4) and Section 48 of this Bylaw.
- iii) For the purposes of determining the front yard setback for parcels referred to in Section 118(5)(a)ii), the Development Officer shall consider that the setback for the flanking front yard should be no less than 4.5m, and in the case of an attached garage or carport, the setback from the wall containing the vehicle entrance to the facing parcel boundary should be no less than 6.0m.

(b) Side Yard:

(Bylaw 2179)

- i) The minimum side yard setback to the principal building shall be 2.4m.

- ii) Notwithstanding Section 118(5)(b)(i), where a parcel has vehicular access from the front only and no garage or carport is provided, one side yard setback shall be a minimum of at least 3.0m to accommodate a driveway for vehicular passage and general access to the rear of the parcel, and no part of the principal building is permitted to project into this yard.
 - iii) In the case zero parcel boundary development, see Section 50 of this Bylaw.
- (c) Rear Yard:
 - i) The minimum rear yard setback to the principal building shall be 6.75m.
 - ii) The Development Officer may vary the rear yard setback to a maximum of 10% in the case of parcels located on curves or cul-de-sacs.
- (6) Parcel Coverage
 - (a) The maximum parcel coverage for all buildings shall be 42% of the area of the parcel with the combined areas of all accessory buildings, as referred to in Section 71 of this Bylaw, being not greater than the area of the principal building.
 - (b) Notwithstanding Section 118(6)(a), the Development Authority may vary the parcel coverage in the case of corner or double fronting parcels pursuant to Sections 17(4) and (5) and Section 48 of this Bylaw.
- (7) Principal Building Height

Shall not exceed 10.6m above average grade.
- (8) Other Provisions
 - (a) Administrative procedures and regulations: refer to Parts I-V of this Bylaw.
 - (b) General Parcel Provisions: refer to Part VI of this Bylaw.
 - (c) Special Land Use Provisions: refer to Part VII of this Bylaw.
 - (d) Parking and Loading Regulations: refer to Part VIII of this Bylaw.
 - (e) Sign Regulations: refer to Part IX of this Bylaw.

Section 119 R-3 Medium Density Multiple Family Residential

(1) General Purpose of District

This land use district is intended to provide a variety of low to medium density multiple family housing types ranging from duplex dwellings up to row housing. The dwelling forms shall be of a low profile/elevation thereby making such developments compatible with adjacent single family residential neighbourhoods. All units within this land use district will be designed to have direct access to street level.

(2) Listed Uses

Permitted Uses

Duplex
Triplex
Fourplex
Accessory building
Park

Discretionary Uses

Row housing
Cluster housing
Boarding or lodging home
Day care facility
Excavation, stripping, or grading
(Bylaw 2270)
Family care facility
Group care facility
Home occupation
Home day care
Utility building, not containing offices,
which is required to serve the
immediate area.
Single family dwelling
Those uses which in the opinion of
the Development Authority are
similar to the permitted or
discretionary uses, and which
conform to the general purpose and
intent of this land use district.

(3) Minimum Parcel Dimensions/Area

- (a) Subject to the minimum parcel area requirements for duplexes and triplexes where all dwelling units in these developments are contained within the same parcel, as stipulated in Sections 119(3)(b), (c) and (d) below, the minimum parcel width shall be 11.0m and the minimum parcel depth shall be 36.0m.

- (b) The minimum parcel area for vertical duplex units shall be 570.0m².
 - (c) The minimum parcel area for side-by-side duplex units shall be 570.0m² located on an interior parcel and 670.0m² if located on a corner or double fronting parcel.
 - (d) The minimum parcel area for a triplex shall be 615.0m² located on an interior parcel and 705.0m² if located on a corner or double fronting parcel.
 - (e) The minimum parcel area for a fourplex shall be 650.0m² located on an interior parcel and 740.0m² if located on a corner or double fronting parcel.
 - (f) The maximum parcel area shall be 1.2ha.
- (4) Minimum Floor Area (not including basement or attached garage)
- The minimum floor area for a dwelling unit shall be:
- (a) In the case of duplex housing, not less than 79.0m².
 - (b) In the case of triplex and fourplex housing, not less than 75.0m² for each unit.
 - (c) In the case of horizontal town housing or row housing, not less than 72.0m² for a one bedroom unit, and an additional 11.0m² per unit for each additional bedroom in the unit thereafter.
 - (d) In the case of vertical or stacked row housing, not less than 50.0m² for a bachelor unit with an additional 11.0m² for each bedroom in the unit thereafter.
- (5) Minimum Setback Requirements
- (a) Front Yard:
 - i) Subject to Section 119(5)(a)ii), the minimum front yard setback shall be 6.0m.
 - ii) At the discretion of the Development Authority, the front yard setback may be varied for corner or double fronting parcels pursuant to Sections 17(4) and Section 48 of this Bylaw.
 - iii) For the purposes of determining the front yard setback for parcels referred to in Section 119(5)(a)ii), the Development Officer shall consider that the setback for the flanking front yard should be no less than 4.5m, and in the case of an attached garage or carport, the setback from the wall containing the vehicle entrance to the facing parcel boundary should be no less than 6.0m.
 - (b) Side Yard: (Bylaw 2179)
 - i) The minimum side yard setback to the principal building shall be 2.4m.

- ii) Notwithstanding Section 119(5)(b)(i), where a parcel has vehicular access from the front only and no garage or carport is provided, one side yard setback shall be a minimum of at least 3.0m to accommodate a driveway for vehicular passage and general access to the rear of the parcel and no part of the principal building is permitted to project into this yard.
 - iii) In the case zero parcel boundary development, see Section 50 of this Bylaw.
- (c) Rear Yard:
 - i) The minimum rear yard setback to the principal building shall be 6.75m.
 - ii) The Development Officer may vary the rear yard setback to a maximum of 10% in the case of parcels located on curves or cul-de-sacs.
- (6) Parcel Coverage
 - (a) The maximum parcel coverage for all buildings shall be 42% of the area of the parcel with the combined areas of all accessory buildings, as referred to in Section 71 of this Bylaw, being not greater than the area of the principal building.
 - (b) Notwithstanding Section 119(6)(a), the Development Authority may vary the parcel coverage in the case of corner or double fronting parcels pursuant to Sections 17(4) and (5) and Section 48 of this Bylaw.
- (7) Dwelling Unit Density

Maximum density shall be 30 units to each net hectare (12 units to each net acre) of the parcel upon which the development is proposed.
- (8) Principal Building Height

Shall not exceed 10.6m above grade.
- (9) Landscaping and Amenities
 - (a) The minimum landscaped area for row/cluster housing shall be 35% of the parcel.
 - (b) A minimum of 10% of the open space required pursuant to Section 119(9)(a) shall be provided for recreational purposes, and recreational equipment shall be provided on this area to the satisfaction of the Development Authority.
 - (c) Each dwelling unit in row/cluster housing shall have one yard which serves as an outdoor living area for the occupants and this yard shall have a depth of 7.6m.

- (d) Within the 7.6m outdoor living area referred to in Section 119(9)(c), there shall be a privacy zone of 4.5m which is contained by a fence or other means of enclosure at least 1.5m in height.

(10) Other Provisions

- (a) Administrative procedures and regulations: refer to Parts I-V of this Bylaw.
- (b) General Parcel Provisions: refer to Part VI of this Bylaw.
- (c) Special Land Use Provisions: refer to Part VII of this Bylaw.
- (d) Parking and Loading Regulations: refer to Part VIII of this Bylaw.
- (e) Sign Regulations: refer to Part IX of this Bylaw.

Section 120 R-4 High Density Multiple Family Residential

(1) General Purpose of District

This land use district is intended to provide a variety of medium to high density housing. This land use district will normally be located adjacent to collector and arterial roads to reduce the impact of higher density development upon single family residential land use districts.

(2) Listed Uses

Permitted Uses

Apartment
Row housing
Cluster housing
Accessory building
Park

Discretionary Uses

Apartment rental office
Senior citizen housing
Boarding or lodging home
Day care facility
Excavation, stripping, or grading
(Bylaw 2270)
Family care facility
Group care facility
Home occupation
Home day care
Utility building, not containing offices,
which is required to serve the
immediate area
Those uses which in the opinion of
the Development Authority are
similar to the permitted or
discretionary uses, and which
conform to the general purpose and
intent of this land use district.

(3) Minimum and Maximum Parcel Dimensions/Area

(a) Width:

The minimum parcel width shall be not less than 35.0m.

(b) Depth:

The minimum parcel depth shall be not less than 35.0m.

(c) Area:

The minimum parcel area shall be the product of the minimum parcel

width and depth and the maximum parcel area shall be 1.2ha.

(4) Minimum Floor Area (not including basement or attached garage)

The minimum floor area for a dwelling unit shall be:

- (a) In the case of apartment buildings and vertical or stacked town housing, not less than 50.0m² for a bachelor unit and an additional 11.0m² for each bedroom in the unit included thereafter.
- (b) In the case of horizontal town housing or row housing, not less than 72.0m² for a one bedroom unit and an additional 11.0m² per unit for each additional bedroom in the unit thereafter.

(5) Minimum Yard Setbacks

(a) Front Yard:

- i) The minimum front yard setback shall be at the discretion of the Development Authority who shall have concern for development or potential development on adjacent parcels and for the amenities of the area, but in no case shall the setback be permitted less than:

| Storeys | Distance (m) |
|---------|--------------|
| 1 | 6.0 |
| 2 | 7.6 |
| 3 | 9.0 |

- ii) The front yard setback standards may be varied by the Development Authority with respect to corner parcels pursuant to Sections 17(4) and (5) and Section 48 of this Bylaw.

(b) Side Yard:

The minimum side yard setback shall be one-half the height of the building or 15% of the width of the parcel, whichever is the greater.

(c) Rear Yard:

The minimum rear yard setback shall be 7.6m.

(6) Parcel Coverage

- (a) The maximum parcel coverage of all buildings, including accessory buildings, shall be 40% of the area of the parcel.
- (b) Notwithstanding Section 120(6)(a), the Development Authority may vary the parcel coverage in the case of corner or double fronting parcels pursuant to Sections 17 (4) and Section 48 of this Bylaw.

(7) Dwelling Unit Density

Maximum density shall be 74 (seventy four) units to each net hectare (thirty units to each net acre) of the parcel upon which the development is proposed.

(8) Principal Building Height

Shall not exceed 10.6m above average grade.

(9) Landscaping and Amenities

(a) The minimum landscaped area shall be 35% of the parcel.

(b) A minimum of 10% of the open space required pursuant to Section 120(9)(a) shall be provided for recreational purposes, and recreational equipment shall be provided on this area to the satisfaction of the Development Authority.

(c) Each dwelling unit in row/cluster housing shall have one yard which serves as an outdoor living area for the occupants and this yard shall have a depth of 7.6m.

(d) Within the 7.6m outdoor living area referred to in Section 120(9)(c), there shall be a privacy zone of 4.5m which is contained by a fence at least 1.5m in height.

(10) Other Provisions

(a) Administrative procedures and regulations: refer to Parts I-V of this Bylaw.

(b) General Parcel Provisions: refer to Part VI of this Bylaw.

(c) Special Land Use Provisions: refer to Part VII of this Bylaw.

(d) Parking and Loading Regulations: refer to Part VIII of this Bylaw.

(e) Sign Regulations: refer to Part IX of this Bylaw.

Section 121 R-MHS Mobile Home Park Subdivision

(1) General Purpose of District

This land use district is generally intended to provide for mobile home dwellings on new, mid-sized, subdivided parcels and on parcels existing at the time this Bylaw came into effect.

(2) Listed Uses

Permitted Uses

Single-wide mobile home
Double-wide mobile home

Modular home
Accessory building

Discretionary Uses

Day care facility
Excavation, stripping, or grading
(Bylaw 2270)
Family care facility
Home occupation
Home day care
Single family dwelling
Small park and/or playground which serves specific residential development
Utility building, not containing offices, which is required to serve the immediate area
Those uses which in the opinion of the Development Authority are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of this land use district.

(3) Minimum Parcel Dimensions/Area

(a) Width:

- i) For single-wide mobile homes, a minimum of 12.0m, and for modular and double-wide mobile homes, a minimum of 15.0m.
- ii) Notwithstanding Section 121(3)(a), in the case of parcels forming part of a mobile home subdivision existing at the time this Bylaw came into effect, the minimum parcel width requirements are as follows:
 1. a minimum parcel width of 11.0m is required single-wide mobile homes;

2. a minimum parcel width of 13.2m is required for double-wide mobile homes; and
 3. the minimum parcel width for modular homes shall be as determined by the Development Authority.
 - (b) Depth:
 - i) For single-wide mobile homes, double-wide mobile homes and modular homes, a minimum of 33.5m.
 - ii) Notwithstanding Section 121(3)(c), in the case of parcels forming part of a mobile home subdivision existing at the time this Bylaw came into effect, the minimum parcel depth shall be 30.0m.
 - (c) Area:
 - i) For single-wide mobile homes, double-wide mobile homes and modular homes, the minimum parcel area shall be the product of the minimum parcel width and depth.
 - ii) Notwithstanding Section 121(3)(e), in the case of parcels forming part of a mobile home subdivision existing at the time this Bylaw came into effect, the minimum parcel area requirements are as follows:
 1. a minimum parcel area of 340.0m² is required for single-wide mobile homes;
 2. a minimum parcel area of 520.0m² is required for double-wide mobile homes; and
 3. the minimum parcel area for modular homes shall be as determined by the Development Authority.
- (4) Minimum Floor Area (not including basement or attached garage)
 - (a) The minimum floor area for any mobile home or modular home shall be 93.0m².
 - (b) Notwithstanding Section 121(4)(a), in the case of parcels forming part of a mobile home subdivision existing at the time this Bylaw came into effect, the minimum floor area for a mobile home shall be 65.0m² and at the discretion of the Development Authority in regard to modular homes.
- (5) Minimum Setback Requirements
 - (a) Front Yard:
 - i) The minimum front yard setback shall be 4.5m.
 - ii) At the discretion of the Development Authority, the front yard setback may be varied for corner or double fronting parcels pursuant to Sections 17(4) and Section 48 of this Bylaw.

- iii) For the purposes of determining the front yard setback for parcels referred to in Section 121(5)(b), the Development Officer shall consider that the setback for the flanking front yard should be no less than 4.5m, and in the case of an attached garage or carport, the setback from the wall containing the vehicle entrance to the facing parcel boundary should be no less than 6.0m.
- (b) Side Yard: (Bylaw 2179)
 - i) The minimum side yard setback shall be no less than 3.0m to the adjacent parcel boundary from either one of the long sides containing the main entrance door, and 2.4m on the other side yard.
 - ii) Notwithstanding Section 121(5)(d), where a parcel has vehicular access from the front only and no garage or carport is provided, one side yard setback shall be a minimum of at least 3.0m to accommodate a driveway for vehicular passage and general access to the rear of the parcel, and no part of the principal building is permitted to project into this yard.
- (c) Rear Yard:
 - i) The minimum rear yard setback to the principal building shall be 6.0m.
 - ii) The Development Officer may vary the rear yard setback to a maximum of 10% in the case of parcels located on curves or cul-de-sacs.
- (d) Other:
 - i) Notwithstanding Sections 121(5)(d) and (e), for parcels forming part of a mobile home subdivision existing at the time this Bylaw came into effect, the following minimum yard requirements apply:
 - 1. The minimum side yard setback shall be no less than 1.5m to the adjacent parcel boundary.

2. Notwithstanding Section 121(5)(h)(i), where a parcel has vehicular access from the front only, one side yard setback shall be a minimum of at least 3.0m to accommodate a driveway for vehicular passage and general access to the rear of the parcel, except where a carport is attached to the principal dwelling and does not restrict access to the rear yard or where the requirement for a 3.0m sideyard would preclude the development of customary additions to the mobile home such as but not limited to a porch, deck, attached storage shed, and so forth, in which case the setback requirements referred to in Section 121(5)(h)(i) shall apply.

(6) Parcel Coverage

- (a) The maximum parcel coverage for all buildings shall be 42% of the area of the parcel with the combined areas of all accessory buildings, as referred to in Section 71 of this Bylaw, being not greater than the area of the principal building.
- (b) Notwithstanding Section 121(6)(a), the Development Authority may vary the parcel coverage in the case of corner or double fronting parcels pursuant to Sections 17(4) and (5) and Section 48 of this Bylaw.

(7) Principal Building Height

No mobile home or modular home shall exceed 5.0m above average grade.

(8) Mobile Home Development Regulations, Foundations and Skirting

- (a) Each mobile home shall have C.S.A. (Canadian Standard Association) certification and be constructed in accordance with the Alberta Building Code Regulations.
- (b) The Development Authority may require that current photographs showing all sides of the mobile home be submitted with the application.
- (c) The Development Authority may require with the application, a plan showing the location of development on adjacent parcels.
- (d) The mobile home subdivision shall be designed to accommodate units of different sizes, including expandable and double wide units, with variety in the street design and the placement of individual units.
- (e) Accessory structures and additions shall also be finished to a suitable level of quality to the satisfaction of the Development Authority and be constructed in accordance with the Alberta Building Code Regulations.

- (f) The crawl space between the structure and ground of each mobile home shall be suitably enclosed from view by skirting, or another means satisfactory to the Development Authority, within thirty (30) days of placement of the unit. All axles, wheels and trailer hitches shall be removed.
- (9) Building Appearance and Construction
 - (a) In all cases, mobile homes must be anchored and placed on a permanent foundation in accordance with applicable Alberta Building Code Regulations, and such foundations shall extend at least below the greatest local active frost zone.
 - (b) All accessory buildings and structures such as, patios, porches, additions, skirting and storage facilities shall be factory pre-fabricated units, or of a quality equivalent thereof, so that the appearance, design and construction will complement the mobile or modular home.
- (10) Other Provisions
 - (a) Administrative procedures and regulations: refer to Parts I-V of this Bylaw.
 - (b) General Parcel Provisions: refer to Part VI of this Bylaw.
 - (c) Special Land Use Provisions: refer to Part VII of this Bylaw.
 - (d) Parking and Loading Regulations: refer to Part VIII of this Bylaw.
 - (e) Sign Regulations: refer to Part IX of this Bylaw.

Section 122 R-MHP Mobile Home Park

(1) General Purpose of District

This land use district is generally intended to provide for mobile home rental units within a mobile home development or trailer park. This land use district will be applied in those areas where there will be no negative impact on adjacent existing land uses. All such developments shall be serviced by Town water and sewer services and be accessible to the type of community services and facilities normally available in medium density residential land use districts.

(2) Listed Uses

Permitted Uses

Mobile home park

Single-wide mobile home

Park and playground

Mobile home park common storage area

Common laundry facility

Mobile home park office

Discretionary Uses

Accessory building

Day care facility

Excavation, stripping, or grading
(Bylaw 2270)

Family care facility

Home occupation

Home day care

Public utility building, not consisting of offices, which is required to serve the immediate area

Social centre of the mobile home park

Those uses which in the opinion of the Development Authority are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of this land use district.

(3) Minimum Mobile Home Stall and Park Dimensions/Area

(a) Width:

In the case of a single wide mobile home, the minimum stall width shall be 12.0m, and 14.5m for double wide mobile home stalls.

(b) Area:

i) In the case of a single wide mobile home, the minimum stall area shall be 372.0m², and 437.0m² for double wide mobile home stalls.

- ii) The boundaries of the stall area shall be clearly marked by permanent markers.
 - iii) The minimum parcel area of a mobile home park shall be 2.0ha.
- (4) Minimum Floor Area (not including attached garages/carports)
The minimum floor area shall be not less than 62.0m².
- (5) Minimum Yard Setbacks
 - (a) Front Yard:
A minimum of 3.0m, except where a mobile home fronts onto a public street, thoroughfare or other public space, the front yard shall be 7.6m.
 - (b) Side Yard:
A minimum distance of 6.0m to the adjacent mobile home shall be provided and in every case there shall be one side yard of at least 3.0m.
 - (c) Rear Yard:
A minimum of 3.0m, except where a mobile home backs onto a public street, thoroughfare or other public space, the rear yard shall be 7.6m.
- (6) Mobile Home Stall Coverage
The combined coverage of the mobile home and all accessory buildings shall not exceed 45% of the mobile home stall upon which they are located with the combined area of all accessory buildings, as referred to in Section 71 of this Bylaw, being not greater than the area of the principal building.
- (7) Mobile Home Park Density
The maximum permissible density for a mobile home park shall be 20 (twenty) mobile home stalls per gross developable hectare.
- (8) Maximum Height
The height of a mobile home shall not exceed 5.0m, the maximum height of accessory buildings/structures shall be in accordance with Section 71 of this Bylaw and the maximum height of all other buildings and uses prescribed in this land use district shall be determined by the Development Authority.
- (9) General Development Regulations
 - (a) Prior to the granting of a development permit for a mobile home park, the Developer shall enter into an agreement with the Town, specifying the respective obligations to be assumed by the Developer and the Town regarding:
 - i) the establishment, operation and maintenance of services during the life of the mobile home park, including but not limited to:

1. storm sewers, ditches;
 2. sanitary sewers;
 3. water, power and gas services;
 4. roads, sidewalks, walkways, curbs and easements;
 5. landfill;
 6. snow clearance;
 7. garbage collection;
 8. fire fighting facilities;
 9. parks, buffers, playgrounds and playground equipment;
 10. street lighting;
 11. architectural controls; and
 12. any other service deemed necessary by Council.
- ii) the standards of construction for water distribution, fire mains, sewer and storm water systems, utilities, and heating fuel services;
 - iii) the manner in which the costs of the above services are to be met or recovered;
 - iv) periods of time for the completion of construction or installation of facilities; and
 - v) such other matters as may be deemed necessary by Council.
- (b) Each mobile home within the mobile home park shall have C.S.A. certification or the equivalent to the satisfaction of the Development Authority. Proof of this shall be submitted with the application.
 - (c) Utilities shall be underground and roads shall be hard- surfaced to the standards of the Town.
 - (d) The mobile homes and all community facilities in a mobile home park shall be connected by safe, convenient, hard-surfaced pedestrian walkways at least 1.5m in width, using a material satisfactory to the Town.
 - (e) For mobile home parks, two separate means of access shall be provided. In mobile home parks under one hundred units, this may be in the form of a boulevard road with a central dividing strip so that in the event of a blockage on one side, the other side is available for two-way emergency traffic.
 - (f) All internal roads in a mobile home park shall conform to the following regulations:

- i) Roads shall be provided in the mobile home park to allow access to individual mobile home stalls as well as other facilities where access is required;
 - ii) These roads shall be privately owned and maintained and form part of the common area;
 - iii) The street system shall be designed to be compatible with existing municipal street and public utility systems;
 - iv) The street system shall provide convenient circulation by the use of local roads and properly located collector roads within the mobile home park;
 - v) All roads will have a minimum right-of-way width of 10.0m and a minimum carriage-way width of 8.5m;
 - vi) Dead end roads shall be discouraged; however, where design alternatives are not available, a minimum of 16.8m radius right-of-way (12.0m carriage way) for turn abouts shall be provided.
- (g) There shall be two (2) off-street parking spaces provided within each mobile home stall and a visitor parking area shall be provided under the following circumstances and according to the following formula:
 - i) Where there is no provision made for parking on the street, visitor parking shall be provided at a ratio of one (1) off-street parking space for every three (3) mobile home stalls.
 - ii) Where there is provision for parking on one side of the street only, visitor parking shall be provided at a ratio of one (1) off-street parking space for every six (6) mobile home stalls.
 - iii) Where there is provision made for parking on both sides of the street, a visitor parking area is not required.
- (h) The parcel should be designed to meet the conditions of each mobile home stall. The existing topography, vegetation and drainage should be considered in the design of the park with a view to maintaining the natural environment where possible. Attempts should be made to maintain as much of the existing natural vegetation, trees in particular, as possible. Under no conditions should a mobile home development be built in a low lying poorly drained area. The parcel plan and subsequent improvement required should provide facilities and amenities appropriate to the needs of the occupants. The parcel plan must also provide for adequate means of protection for the mobile home park occupants from offensive developments by means of screening and spacing. All landscaping and screening of the boundaries of the mobile home park shall be to the complete satisfaction of the Development Authority.

(10) Building Appearance and Construction

- (a) Within each mobile home stall, the principal building shall only be a mobile home as defined in this Bylaw.
- (b) Each mobile home must be placed on a proper foundation in accordance with Alberta Building Code Regulations.
- (c) All accessory buildings and structures such as, patios, porches, additions, skirting and storage facilities shall be factory pre-fabricated units, or of a quality equivalent thereof, so that the appearance, design and construction will complement the mobile home to the satisfaction of the Development Authority.
- (d) The undercarriage of each mobile home must be skirted to the satisfaction of the Development Authority, within thirty (30) days of placement of the mobile home.

(11) Landscaping and Open Space

- (a) In a mobile home park, 10% of the gross parcel area shall be devoted to recreational use. This recreation space shall be placed in locations convenient to all park residents, free from traffic hazards, shall not be included in areas designated as buffer strips and shall be clearly defined.
- (b) All areas of a mobile home park not occupied by mobile homes and their additions, internal roads, footpaths, driveways, permanent buildings and any other developed facilities shall be fully landscaped to the satisfaction of the Development Authority.
- (c) Removal of topsoil - no person shall commence or continue the removal of topsoil without first obtaining a development permit. There shall be provided upon occupancy of the development, minimum topsoil coverage of 10.0cm and the affected area shall be landscaped to the satisfaction of the Development Authority.
- (d) As a condition of the development permit, the Development Authority may require the Developer to provide, within a time frame specified by the Town, a letter of credit or cash to the value of the estimated cost of the proposed landscaping as security to ensure that such landscaping is carried out with reasonable diligence.
- (e) Notwithstanding Section 56(6) of this Bylaw, as a condition of the development permit, all landscaping and planting must be carried out to the satisfaction of the Development Authority within two (2) months of completion, occupancy or commencement of operation of the proposed development (weather permitting).

(12) Storage

A lighted storage area of 14.0m² per mobile home stall, separate from mobile home stalls, shall be provided for the storage of seasonal recreational equipment and other equipment not capable of storage within the mobile home stall. Such storage areas shall be enclosed and screened by trees, landscape features, or fencing, or a combination thereof.

(13) Other Provisions

- (a) Administrative procedures and regulations: refer to Parts I-V of this Bylaw.
- (b) General Parcel Provisions: refer to Part VI of this Bylaw.
- (c) Special Land Use Provisions: refer to Part VII of this Bylaw.
- (d) Parking and Loading Regulations: refer to Part VIII of this Bylaw.
- (e) Sign Regulations: refer to Part IX of this Bylaw.

Section 123 R-AR Acreage Residential

(1) General Purpose of District

This land use district is generally intended to accommodate single family dwellings, mobile and modular homes on large parcels primarily in the western end of Edson where minimal urban services are or will be provided. Under this land use district, each parcel (or unit within a bareland condominium plan) is to be supplied with potable water by way of an individual water well, and a sealed pump-out tank is to be utilized for the containment of sewage which shall be removed from the site for disposal in accordance with provincial regulations. The Development Authority will ensure that the water usage associated with all uses in this district is limited, comparable to the domestic water use, including water used for landscaping, of a standard residence in the R-1B Single Family Residential (Class B) District. Subject to approval being received from the Development Authority, this land use district makes provision for non-offensive accessory uses relating to activities such as the storage of large trucks and equipment, and so forth. In reviewing an application for such accessory uses, the Development Authority will ensure that they are: clearly subordinate to the principal use of the parcel, being residential; limited in size and intensity; and, compatible with and can be properly screened from the uses occurring or proposed to occur on adjacent parcels.

(2) Listed Uses

Permitted Uses

On a parcel no smaller than 2.0 ha with a minimum parcel width of 100.0m:

- Single family dwelling
- Single-wide mobile home
- Double-wide mobile home
- Modular home
- Accessory building
- Park and/or playground

Discretionary Uses

Excavation, stripping, or grading
(Bylaw 2270)

Public utility building, not containing offices which is required to serve the immediate area

On a parcel no smaller than 2.0 ha, with a minimum parcel width of 100.0m, and in accordance with the general purpose and intent of this land use district, as outlined in Section 123(1), the following may be allowed:

- Home day care
- Home occupation
- Heavy truck and equipment storage

Owner occupied two family dwelling
(Bylaw 2086)

Owner occupied three family dwelling
(Bylaw 2086)

Those uses which in the opinion of the Development Authority are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of this land use district.

(3) Minimum Parcel Area

- (a) Minimum parcel size will be as prescribed in Section 123(2)
- (b) Notwithstanding Section 123(3)(a), the Development Authority may stipulate a larger parcel size than that indicated in Section 123(2) if, in their opinion:
 - i) any of the uses prescribed in this land use district require a larger parcel to make the proposed use compatible with adjacent parcels; and/or:
 - ii) the parcel needs to be larger due to the availability of on-parcel potable ground water and to ensure that there is a suitable building site comprised of soils and water table conditions that do not preclude the placement within the parcel of a foundation and/or sealed pump out tank for on-site sewage disposal.
- (c) Notwithstanding Section 123(3)(a), in the case of parcels existing at the time this Bylaw came into effect that are smaller than 2.0ha and to which this land use district applies, minimum parcel size for development proposed in these cases shall be at the discretion of the Development Authority who shall consider:
 - i) the availability of on-parcel potable ground water and the requirements of the Plumbing and Drainage Act with respect to on-parcel sewage disposal;
 - ii) whether the parcel size will provide for safe, unconstrained and assured access, particularly with respect to emergency vehicles; and
 - iii) the policies/requirements pertaining to suitable parcel size as contained in the Act, Subdivision Regulation, Municipal Development Plan and any other statutory plan where applicable.

(4) Minimum Parcel Width

- (a) Minimum parcel width will be as prescribed in Section 123(2).

- (b) Notwithstanding Section 123(4)(a), the Development Authority may stipulate a larger parcel width than that indicated in Section 123(2) if, in their opinion:
 - i) any of the uses prescribed in this land use district require a greater parcel width to make the proposed use/parcel compatible with adjacent parcel; and/or
 - ii) the parcel width needs to be greater given the access requirements associated with the proposed use in relation to the topographical constraints involved; and/or
 - iii) a greater parcel width is required to ensure safe, unconstrained and assured access, particularly with respect to emergency vehicles.
- (c) Notwithstanding Section 123(4)(a), in the case of parcels existing at the time this Bylaw came into effect that are narrower than 100.0m and to which this land use district applies, minimum parcel width for development proposed in these cases shall be at the discretion of the Development Authority who shall consider:
 - i) whether the parcel width is sufficient for the access requirements associated with the proposed use in relation to the topographical constraints involved;
 - ii) whether the parcel width will provide for safe, unconstrained and assured access, particularly with respect to emergency vehicles; and
 - iii) the policies/requirements pertaining to suitable parcel width as contained in the Act, Subdivision Regulation, Municipal Development Plan and any other statutory plan where applicable.

(5) Minimum Floor Area (not including basement or attached garage)

Any single family, modular or mobile home dwelling shall not be less than 75.0m² in size.

The floor areas and floor configurations of an Owner Occupied Two or Three Family dwelling shall be to the satisfaction of the Development Authority. Notwithstanding, a Bachelor Unit, One Bedroom Unit, or Two Bedroom Unit in an Owner Occupied Two or Three Family Dwelling shall have the following minimum floor areas: (Bylaw 2086)

| | |
|------------------|------------------------------|
| Bachelor Unit | 33m ² (355 sq.ft) |
| One Bedroom Unit | 45m ² (484 sq.ft) |
| Two Bedroom Unit | 56m ² (602 sq.ft) |

(6) Minimum Setback Requirements

(a) Front Yard:

No building shall be closer to the street line than the average of the front yard setbacks of the adjacent buildings, but in no case shall any building be closer than 15.0m to the front parcel boundary.

(b) Side and Rear Yard:

i) In the case of buildings/structures developed after this Bylaw came into effect, the minimum side and rear yard setbacks to any building shall be 15.0m.

ii) In the case of all accessory buildings, those buildings/structures existing at the time this Bylaw came into effect and/or buildings used for heavy truck and equipment storage or similar uses, as prescribed in Section 123(2), the minimum side and rear yard setbacks to any building shall be 7.6m or a greater distance, at the discretion of the Development Authority who shall consider the location of buildings on adjacent parcels and the impact of the side and rear yard setback in terms of access for emergency vehicles.

(7) Parcel Coverage

In the case of heavy truck and equipment storage or similar uses prescribed in Section 123(2), the maximum parcel coverage, including the dwelling and any associated accessory building, shall be 5% of the area of the parcel.

(8) Building Height

(a) No single family dwelling or modular home shall exceed 10.6m above average grade and no mobile home dwelling shall exceed 5.0m in height, unless the Development Authority, in consultation with the Fire Chief, stipulate a lower height due to the limitations of fire fighting on lands within this land use district.

(b) For all other principal and accessory buildings, the maximum height shall be as approved by the Development Authority who shall consider the provisions of Section 123(8)(a), as well as the design, siting and screening of the proposed development in order to minimize any objectionable aspects or incompatibilities as a result of an increased height of a building or structure beyond what would normally be found in the land use district or adjacent land use districts; but, in no case shall the height of any building exceed 10.6m above average grade.

(9) Other Provisions

- (a) Administrative procedures and regulations: refer to Parts I-V of this Bylaw.
- (b) General Parcel Provisions: refer to Part VI of this Bylaw.
- (c) Special Land Use Provisions: refer to Part VII of this Bylaw.
- (d) Parking and Loading Regulations: refer to Part VIII of this Bylaw.
- (e) Sign Regulations: refer to Part IX of this Bylaw.

Section 123.1 R-ER Estate Residential (Unserviced)

(1) General Purpose of District

This land use district is generally intended to accommodate large single family (“stick-built”) dwellings on large parcels primarily in the western end of Edson where communal (piped) water and sanitary sewer services will not be extended in accordance with the Development Authority and its background analysis. Under this land use district, each parcel (or unit within a bareland condominium plan) is to be supplied with potable water by way of an individual water well, and a sealed pump-out tank is to be utilized for the containment of sewage which shall be removed from the site for disposal in accordance with provincial regulations. In addition, water usage/consumption in this land use district will be monitored/controlled by the Town and is to be comparable to (ie: not to exceed that of) other residential land use districts within the Town.

Further to Section 6 of this Bylaw, for the purposes of determining “parcel” size for residential use in the case of a bareland condominium plan within this land use district, “parcel” also means a bareland condominium unit plus all shares (considered an equivalent land area) in the common property associated with that unit. For example, a “parcel” size of 2.0ha could consist of the bareland condominium unit itself at 1.0ha, to which 10/100 shares (10%) of 10.0ha of common property is added, totaling 2.0ha. Notwithstanding the foregoing, each unit (i.e. the residential portion of each “parcel”) must contain a suitable building site composed of soils and water table/groundwater conditions providing for the proper placement within the unit of a dwelling foundation, sealed pump-out tank and water well.

Given the nature and location of the lands to which this land use district is to be applied, and the unique character and intent of the associated subdivision/development, horses belonging to the owners/occupants of the lots within the plan of subdivision may be kept on a congregate basis on a separate lot within the plan boundaries. The keeping of horses, and any related facilities, will be subordinate to the principal use of the parcel(s)/unit(s), being residential, and be located within a suitable area compatible with and properly screened, if required, from the uses occurring or proposed to occur on adjacent parcels. In the case of a bareland condominium plan, an area designated as common property will be set aside for the keeping of horses, limited for use by the unit holders named in the condominium association. The area and location of such horse holding areas, as determined herein, under the authority of the Act, does not preclude the application of any other federal, provincial or municipal regulations affecting the keeping of horses.

(2) Listed Uses

Permitted Uses

On a parcel no smaller than 2.0 ha, in accordance with the general purpose and intent of this land use district outlined in Section 123.1(1):

One single family dwelling per parcel with the following minimum floor areas (not including basement level nor attached garage):

One storey 150.0m²

Bi-level 150.0m²

Split-level:

-lower floor(s) 150.0m²

-total 225.0m²

1.5 storey

-main floor 130.0m²

-total 200.0m²

Two storey

-main floor 130.0m²

-total 225.0m²

Accessory building

Park and/or playground

Discretionary Uses

Excavation, stripping, or grading
(Bylaw 2270)

Public utility or public utility building which is required to serve the immediate area

On a parcel (or in the case of a bareland condominium plan, an equivalent area of common property) no smaller than 10.0 ha, and in accordance with the general purpose and intent of this land use district, as outlined in Section 123.1(1), the following may be allowed:

Horse-holding and related improvements

Home day care

Home occupation

Owner occupied two family dwelling
(Bylaw 2086)

Owner occupied three family dwelling
(Bylaw 2086)

Those uses which in the opinion of the Development Authority are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of this land use district.

The floor areas and floor configurations of an Owner Occupied Two or Three Family dwelling shall be to the satisfaction of the Development Authority. Notwithstanding, a Bachelor Unit, One Bedroom Unit, or Two Bedroom Unit in an Owner Occupied Two or Three Family Dwelling shall have the following minimum floor areas:

(Bylaw 2086)

Bachelor Unit 33m² (355 sq.ft)

One Bedroom Unit 45m² (484 sq.ft)

Two Bedroom Unit 56m² (602 sq.ft)

(3) Minimum Parcel Area and Width

(a) Minimum parcel size will be as prescribed in Sections 123.1(1) and (2).

(b) *(deleted)* (Bylaw 2170)

(4) Minimum Setback Requirements

(a) Front Yard:

No building shall be closer to the streetline than the average of the front yard setbacks of the adjacent buildings, but in no case shall any building be closer than 10.0m to the front parcel boundary.

(b) Side and Rear Yard:

i) In the case of buildings/structures developed after this land use district came into effect, the minimum side and rear yard setbacks to any building shall be 10.0m.

ii) In the case of all accessory buildings and those buildings/structures existing at the time this Bylaw came into effect, the minimum side and rear yard setbacks to any building shall be 5.0m or a greater distance, at the discretion of the Development Authority who shall consider the location of buildings on adjacent parcels and the impact of the side and rear yard setback in terms of access for emergency vehicles.

(5) Building Height

(a) No single family dwelling shall exceed 10.6m above average grade unless the Development Authority, in consultation with the Fire Chief, stipulate a lower height due to the limitations of fire fighting on lands within this land use district.

(b) For all other principal and accessory buildings, the maximum height shall be as approved by the Development Authority who shall consider the provisions of Section 123.1(5)(a), as well as the design, siting and screening of the proposed development in order to minimize any objectionable aspects or incompatibilities as a result of an increased height of a building or structure beyond what would normally be found in the land use district or adjacent land use districts; but, in no case shall the height of any building exceed 10.6m above average grade.

(6) Parcel Coverage

The maximum parcel coverage shall not exceed the amount as established by the Development Authority.

(7) Other Provisions

- (a) Administrative procedures and regulations: refer to Parts I-V of this Bylaw.
- (b) General Parcel Provisions: refer to Part VI of this Bylaw.
- (c) Special Land Use Provisions: refer to Part VII of this Bylaw.
- (d) Parking and Loading Regulations: refer to Part VIII of this Bylaw.
- (e) Sign Regulations: refer to Part IX of this Bylaw.

Section 123.2 R-RU Estate Residential

(1) General Purpose of District

This district is generally intended to accommodate single family residential dwellings on large lots, in a country setting where minimal urban standards are provided.

(2) Listed Uses

Permitted Uses

On a parcel no smaller than 2.0 ha, in accordance with the general purpose and intent of this land use district outlined in Section 123.1(1):

One single family dwelling per parcel with the following minimum floor areas (not including basement level nor attached garage):

One storey 150.0m²

Bi-level 150.0m²

Split-level:

-lower floor(s) 150.0m²

-total 225.0m²

1.5 storey

-main floor 130.0m²

-total 200.0m²

Two storey

-main floor 130.0m²

-total 225.0m²

Accessory building

Park and/or playground

Discretionary Uses

Excavation, stripping, or grading
([Bylaw 2270](#))

Public utility or public utility building which is required to serve the immediate area

On a parcel (or in the case of a bareland condominium plan, an equivalent area of common property) no smaller than 10.0 ha, and in accordance with the general purpose and intent of this land use district, as outlined in Section 123.1(1), the following may be allowed:

Horse-holding and related improvements

Home day care

Home occupation

Owner occupied two family dwelling
([Bylaw 2086](#))

Owner occupied three family dwelling
([Bylaw 2086](#))

Those uses which in the opinion of the Development Authority are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of this land use district.

(3) Parcel Coverage

Coverage of all buildings shall not exceed 25% of the total parcel area.

- (4) Minimum Floor Area (not including basement or attached garage)
- | | |
|-------------------------------------|---------------------|
| One Storey | 140.0m ² |
| 1.5 Storey / Split Level / Bi-level | |
| lower floor(s) | 56.0m ² |
| total minimum floor area | 102.0m ² |
| 2 Storey | |
| lower floor(s) | 56.0m ² |
| total minimum floor area | 102.0m ² |

The floor areas and floor configurations of an Owner Occupied Two or Three Family dwelling shall be to the satisfaction of the Development Authority. Notwithstanding, a Bachelor Unit, One Bedroom Unit, or Two Bedroom Unit in an Owner Occupied Two or Three Family Dwelling shall have the following minimum floor areas:

(Bylaw 2086)

| | |
|------------------|------------------------------|
| Bachelor Unit | 33m ² (355 sq.ft) |
| One Bedroom Unit | 45m ² (484 sq.ft) |
| Two Bedroom Unit | 56m ² (602 sq.ft) |

- (5) Minimum Site Depth
Shall be no less than 60.0m.
- (6) Minimum Site Width
Shall be no less than 38.0m.
- (7) Minimum Parcel Area
Shall be no less than 2,280.0m²
- (8) Minimum Front Yard Setback
The minimum front yard setback shall be 12.0m. This standard may be varied at the discretion of the Development Authority with respect to corner and double fronting lots pursuant to Section 48 of this Bylaw.
- (9) Minimum Side Yard Setbacks
- The minimum side yard setback to the principal building shall be 2.4m.
 - Notwithstanding Section 123.2(9)(a), where a parcel has vehicular access from the front only and no garage or carport is provided, one side yard setback shall be a minimum of at least 3.0m to accommodate a driveway for vehicular passage and general access to the rear of the parcel, and no part of the principal building is permitted to project into this yard.
- (10) Minimum Rear Yard Setback
The rear yard setback to the principal building shall be a minimum of 7.6m.

(11) Parking

- (a) A two car parking area shall be provided to the rear, side or front of the dwelling.
- (b) Notwithstanding Subsection 11(a), in the case of a dwelling fronting onto an arterial road, the parking area shall access from the lane where one is provided.

(12) Garages and Accessory Buildings

Garages and accessory buildings shall be regulated under Section 71 of this Bylaw.

(13) Other Provisions

- (a) Administrative procedures and regulations: refer to Parts I-V of this Bylaw.
- (b) General Parcel Provisions: refer to Part VI of this Bylaw.
- (c) Special Land Use Provisions: refer to Part VII of this Bylaw.
- (d) Parking and Loading Regulations: refer to Part VIII of this Bylaw.
- (e) Sign Regulations: refer to Part IX of this Bylaw.

Section 123.3 R-RL Estate Residential (Large Lot)

(1) General Purpose of District

This district is generally intended to accommodate single family residential dwellings on lots 0.4ha (1.0ac) or more, in a semi-rural setting where a municipal sewer system and water system may or may not be currently available. Temporary private water and/or sewer services consisting of only one (1) water well and a sealed sewage holding tank (pump out type) disposal system may be permitted on a parcel not serviced with municipal water and/or sewer. Where private wells are used water usage/consumption will be monitored/controlled by the Town and is to be comparable to (ie: not to exceed that of) other residential land use districts within the Town.

(2) Listed Uses

Permitted Uses

Accessory building
Modular home
Park or playground
Single family dwelling
Park or playground

Discretionary Uses

Excavation, stripping, or grading
(Bylaw 2270)
Home daycare
Home occupation
Owner occupied two family dwelling
(Bylaw 2086)
Owner occupied three family dwelling
(Bylaw 2086)
Public utility
Public utility building not containing offices
Those uses which in the opinion of the Development Authority are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of this land use district.

(3) Parcel Coverage

The combined parcel coverage of all buildings shall not exceed 10% of the total parcel area. In cases where the existing parcels are significantly less than the minimum parcel size required for new parcels under this Section, the Development Authority may allow a variance of the maximum parcel coverage, in accordance with Section 17(4)(b).

Section 123.3 - R-RL Estate Residential (Large Lot)

- (4) Minimum Floor Area (not including basement or attached garage)
- | | |
|--------------------------|---------------------|
| One Storey | 93.0m ² |
| 1.5 Storey / Split Level | |
| lower floor(s) | 75.0m ² |
| total minimum floor area | 110.0m ² |
| Bi-level | |
| upper floor area | 90.0m ² |
| 2 Storey | |
| lower floor(s) | 70.0m ² |
| total minimum floor area | 130.0m ² |

The floor areas and floor configurations of an Owner Occupied Two or Three Family dwelling shall be to the satisfaction of the Development Authority. Notwithstanding, a Bachelor Unit, One Bedroom Unit, or Two Bedroom Unit in an Owner Occupied Two or Three Family Dwelling shall have the following minimum floor areas:

(Bylaw 2086)

| | |
|------------------|------------------------------|
| Bachelor Unit | 33m ² (355 sq.ft) |
| One Bedroom Unit | 45m ² (484 sq.ft) |
| Two Bedroom Unit | 56m ² (602 sq.ft) |

- (5) Minimum Parcel Depth

The minimum parcel depth for new parcels shall be 80.0m. In order to allow this minimum depth, the parcel width must be sufficient to achieve a total parcel area of at least 4047.0m².

- (6) Minimum Parcel Width

The minimum parcel width for new parcels shall be 30.0m. In order to allow this minimum width, the parcel depth must be sufficient to achieve a total parcel area of at least 4047.0m².

- (7) Minimum Parcel Area

The minimum parcel area for new parcels shall be 4047.0m².

- (8) Minimum Front Yard Setback

The minimum front yard setback shall be 10.0m. This standard may be varied at the discretion of the Development Authority with respect to corner and double fronting lots pursuant to Section 48 of this Bylaw.

- (9) Minimum Side Yard Setback

- (a) Side yard setbacks to the principle building shall be the lesser of 10% of the parcel width or 3.0m.

- (b) Notwithstanding Section 123.3(9)(a), where a parcel has vehicular access from the front only and no garage or carport is provided, one side yard setback shall be a minimum of at least 3.0m to accommodate a driveway for vehicular passage and general access to the rear of the parcel and no part of the principal building is permitted to project into this yard.

(10) Minimum Rear Yard Setback

The rear yard setback to the principal building shall be 10.0m.

(11) Parking

- (a) A two car parking area shall be provided to the rear, side or front of the dwelling.
- (b) Notwithstanding Section 123.3(11)(a), in the case of a dwelling fronting onto an arterial road, the parking area shall access from the lane where one is provided.

(12) Garages and Accessory Buildings

Garages and accessory buildings shall be regulated under Section 71 of this Bylaw.

(13) Other Provisions

- (a) Administrative procedures and regulations: refer to Parts I-V of this Bylaw.
- (b) General Parcel Provisions: refer to Part VI of this Bylaw.
- (c) Special Land Use Provisions: refer to Part VII of this Bylaw.
- (d) Parking and Loading Regulations: refer to Part VIII of this Bylaw.
- (e) Sign Regulations: refer to Part IX of this Bylaw.

Section 124 R-GR Glenwood Residential

(1) General Purpose of District

This district is generally intended to provide for low density housing in a portion of an area of Town known as "Glenwood" and is to, therefore, apply solely to those lands indicated as R-GR on the Land Use District Map, being Schedule 1A of this Bylaw. Single detached dwellings shall be the predominant dwelling type with two-family/semi- detached and row housing allowed on a limited basis on sites or in areas considered suitable by the Development Authority. In addition, this district provides for modular homes and also provides for both single and double wide mobile homes which are only permitted as noted in Section 124(11).

(2) Listed Uses

Permitted Uses

Accessory building
Accessory use
Park
Single family dwelling

Discretionary Uses

Boarding or lodging home
Day nursery, nursery school or kindergarten
Double wide mobile home
Excavation, stripping, or grading
(Bylaw 2270)
Home occupation
Modular home
Owner Occupied Two Family Dwelling
(Bylaw 2086)
Owner Occupied Three Family Dwelling (Bylaw 2086)
Public and quasi-public use or building
Public or private school
Public utility
Row housing
Semi-detached dwelling
Single wide mobile home
Two family dwelling
Those uses which in the opinion of the Development Authority are similar to the permitted or

discretionary uses, and which conform to the general purpose and intent of this land use district.

(3) Minimum Site Dimensions/Area

(a) Lane subdivision

i) One family dwellings:

| | <u>Width (m)</u> | <u>Length (m)</u> |
|------------|------------------|-------------------|
| 1 storey | 15.0 | 33.5 |
| 1 ½ storey | 18.0 | 33.5 |
| 2 storey | 18.0 | 33.5 |
| Corner lot | 18.0 | 33.5 |

ii) Two family dwellings:

| | <u>Width (m)</u> | <u>Length (m)</u> |
|------------|------------------|-------------------|
| 1 storey | 20.0 | 33.5 |
| 1 ½ storey | 20.0 | 33.5 |
| 2 storey | 20.0 | 33.5 |
| Corner lot | 20.0 | 33.5 |

(b) Laneless Subdivisions:

i) One family dwellings:

| | <u>Width (m)</u> | <u>Length (m)</u> |
|------------|------------------|-------------------|
| 1 storey | 16.75 | 33.5 |
| 1 ½ storey | 18.0 | 33.5 |
| 2 storey | 18.0 | 33.5 |
| Corner lot | 18.0 | 33.5 |

ii) Two family dwellings:

| | <u>Width (m)</u> | <u>Length (m)</u> |
|------------|------------------|-------------------|
| 1 storey | 20.0 | 33.5 |
| 1 ½ storey | 20.0 | 33.5 |
| 2 storey | 20.0 | 33.5 |
| Corner lot | 20.0 | 33.5 |

(c) Row Housing:

There shall be a minimum of 232.25m² of parcel area per interior dwelling unit and a minimum of 325.25m² of parcel area per corner or end dwelling unit.

(d) All Other Uses:

For uses not identified in Sections 124(3)(a), (b) and (c) above, the minimum site dimensions/area shall be as prescribed by the Development Authority.

(4) Minimum Floor Area (not including basement or attached garage)

| | |
|--------------------------|---------------------|
| 1 Storey | 93.0m ² |
| 1.5 Storey / Split Level | |
| lower floor(s) | 75.0m ² |
| total minimum floor area | 110.0m ² |
| Bi-level | |
| upper floor area | 90.0m ² |
| 2 Storey | |
| lower floor | 70.0m ² |
| total minimum floor area | 130.0m ² |

The floor areas and floor configurations of an Owner Occupied Two or Three Family dwelling shall be to the satisfaction of the Development Authority. Notwithstanding, a Bachelor Unit, One Bedroom Unit, or Two Bedroom Unit in an Owner Occupied Two or Three Family Dwelling shall have the following minimum floor areas:

(Bylaw 2086)

| | |
|------------------|------------------------------|
| Bachelor Unit | 33m ² (355 sq.ft) |
| One Bedroom Unit | 45m ² (484 sq.ft) |
| Two Bedroom Unit | 56m ² (602 sq.ft) |

(5) Minimum Yard Requirements

One and Two Family Dwellings:

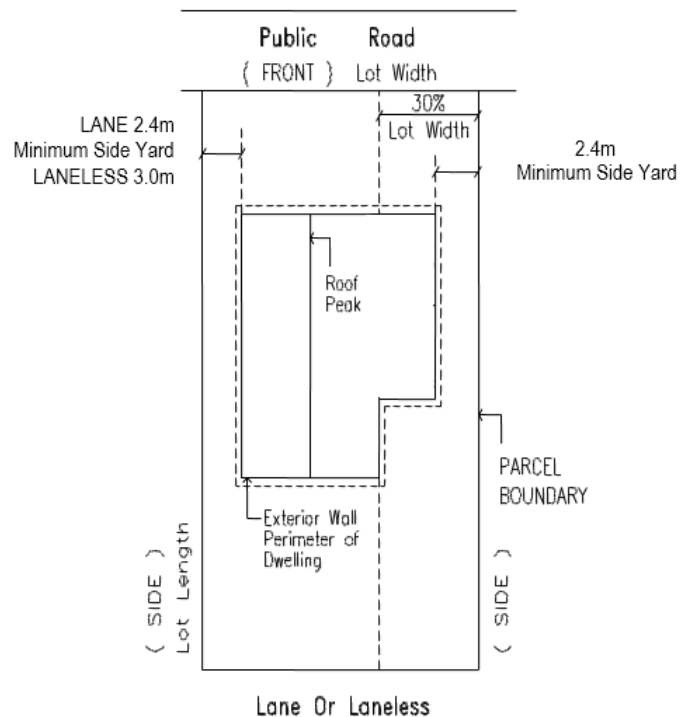
(a) Front Yard:

- i) Subject to Section 124(5)(a)(ii), the minimum front yard setback shall be 7.6m.
- ii) At the discretion of the Development Authority, the front yard setback may be varied for corner or double fronting parcels pursuant to Sections 17(4) and 48 of this Bylaw.
- iii) For the purposes of determining the front yard setback for parcels referred to in Section 124(5)(a)(ii), the Development Officer shall consider that the setback for the flanking front yard should be no less than 4.5m, and in the case of an attached garage or carport, the setback from the wall containing the vehicle entrance to the facing parcel boundary should be no less than 6.0m.

(b) Side Yard:

[\(Bylaw 2179\)](#)

- i) The minimum side yard setback to the principal building shall be 2.4m.
- ii) Notwithstanding Section 124(5)(b)(i), where a parcel has vehicular access from the front only and no garage or carport is provided, one side yard setback shall be a minimum of at least 3.0m to accommodate a driveway for vehicular passage and general access to the rear of the parcel, and no part of the principal building is permitted to project into this yard.



(c) Rear Yard:

- i) The minimum rear yard setback to the principal building shall be 7.6m.
- ii) The Development Officer may vary the rear yard setback to a maximum of 10% in the case of parcels located on curves or cul-de-sacs.

Row Housing:

(d) Front and Rear Yards:

- i) The minimum setback shall be 7.6m.
- ii) The Development Officer may vary the rear yard setback to a maximum of 10% in the case of parcels located on curves or cul-de-sacs.

(e) Side Yard:

- i) The side yard shall be a minimum 4.5m except where two or more buildings are on one lot, in which case there shall be 6.0m between the side walls of the two buildings.

(f) Other Requirements Applicable to Row Housing:

- i) Each dwelling unit in row housing shall have one yard which serves as an outdoor living area for the occupants and this yard shall have a depth of 7.6m.
- ii) Within the 7.6m outdoor living area referred to in Section 124(5)(f)(i) above, there shall be a privacy zone of 4.5m which is contained by a fence at least 1.5m in height.
- iii) Where two or more buildings are on one site, the siting of buildings, architectural appearance and the provision of adequate light, air and privacy shall be to the satisfaction of the Development Authority. [\(Bylaw 2170\)](#)
- iv) No project walkway shall be located within 4.5m of a window to a habitable room.

(g) General Yard Provisions Applicable to All Residential Uses: [\(Bylaw 2179\)](#)

- i) The minimum side yard on the flanking street side of a corner lot shall be 4.5m unless an attached garage faces the flanking street in which case it will be 5.0m.
- ii) Subject to Sections 124(5)(g)(v-vii) below, the minimum yard requirements prescribed in Section 124(5)(g) apply to both lane and laneless subdivisions.
- iii) In the case of a corner lot, the yard next to the lane at the rear of the lot may be a minimum of 4.5m.
- iv) In laneless subdivisions, one side yard shall be a minimum of 3.0m or such width as is necessary to accommodate a front drive for each dwelling unit.

All Other Uses:

- (h) The minimum yard requirements for uses not specifically identified in Sections 124(5)(a) through (g) above are to be determined by the Development Authority in accordance with this Bylaw.

(6) Parcel Coverage

- (a) The maximum parcel coverage for all buildings shall be 42% of the area of the parcel with the combined areas of all accessory buildings, as referred to in Section 71 of this Bylaw, being not greater than the area of the principal building.
- (b) Notwithstanding Section 124(6)(a), the Development Authority may vary the parcel coverage in the case of corner or double fronting parcels pursuant to Sections 17(4) and (5) and Section 48 of this Bylaw.

(7) Principal Building Height

Shall not exceed 10.6m above average grade.

(8) Site and Design Standards

The design, siting, external finish, architectural appearance of all buildings (including any accessory building or structure) and signs shall be to the satisfaction of the Development Authority in order that there shall be general conformity in such matters with respect to adjacent buildings and that there may be adequate protection afforded to the amenities of adjacent properties.

(9) Landscaping, Screening and General Appearance

(a) All on-site heavy truck and equipment storage, as provided for in this district, shall be enclosed or completely screened by buildings, trees, landscaped features or fences, or a combination thereof, in a manner satisfactory to the Development Authority. [\(Bylaw 2170\)](#)

(b) Non-residential uses shall be fenced along any parcel boundary where such use abuts a residential property to the satisfaction of the Development Authority.

(c) As a condition of a development permit, the Development Authority may require an irrevocable letter of credit or cash in order to secure the performance of any requirement relating to landscaping, screening or general appearance as prescribed in this Subsection.

(10) Other Provisions

(a) Administrative procedures and regulations: refer to Parts I-V of this Bylaw.

(b) General Parcel Provisions: refer to Part VI of this Bylaw.

(c) Special Land Use Provisions: refer to Part VII of this Bylaw.

(d) Parking and Loading Regulations: refer to Part VIII of this Bylaw.

(e) Sign Regulations: refer to Part IX of this Bylaw.

(11) Manufactured Single Wide and Double Wide Mobile Home Development

(a) Manufactured single wide mobile homes shall not be permitted on existing vacant parcels of land or on parcels of land containing single family dwellings which have been destroyed by fire or which have been demolished for one reason or another, or are being proposed for demolition; however, manufactured double wide mobile homes may be permitted on these parcels of land at the discretion of the Development Officer, as a discretionary use. [\(Bylaw 2170\)](#)

- (b) Existing manufactured single wide or double wide mobile homes (including those damaged by fire) that are located on existing parcels of land may be replaced with new or newer models of mobile homes at the discretion of the Development Authority, as a discretionary use. [\(Bylaw 2170\)](#)
- (c) Manufactured single wide mobile homes shall not be permitted on parcels of land which have become vacated for a time period of more than six (6) calendar months. The time period shall commence on the day (as established by the Town) that a parcel becomes vacated.
- (d) The replacement of manufactured single wide mobile homes for the purpose of rental revenue shall not be permitted.

Section 125 C-1 Retail Commercial

(1) General Purpose of District

This land use district is generally intended to provide for a wide variety of retail commercial and office uses at higher densities than would normally be found or provided for in other commercial areas in Town. A high density residential component is allowed for in the areas to which this land use district is applied in the form of mixed residential-commercial development as well as stand-alone high density residential development, the latter preferably located outside the core of the retail commercial office use area.

(2) Listed Uses

Permitted Uses

Bakery
Dry cleaning establishment
Hotel
([Bylaw 2263](#))
Major eating or drinking establishment
Medical clinic
Minor eating or drinking establishment
Motel ([Bylaw 2263](#))
Park
Parking facility
Personal service establishment
Professional, financial, office and business support service
Retail establishment
Sign, except billboard
Theatre or cinema

Discretionary Uses

Accessory building
Amusement arcade
Cannabis counselling business
([Bylaw 2225](#))
Cannabis store ([Bylaw 2225](#))
Commercial school (excluding a school using heavy and industrial vehicles)
Day care facility
Excavation, stripping, or grading
([Bylaw 2270](#))
Family care facility
Funeral home/chapel
Gas bar, service station or car wash establishment
Group care facility
Hardware and home improvement centre
Home day care
Indoor recreational establishment
Multi-family dwelling
Private club or lodge

Public or quasi-public use
Public utility building
Public utility
Recycling depot ([Bylaw 2260](#))
Repair service establishment.
(excluding automotive and other
motorized vehicle repairs)
Residential dwelling unit(s) above
street level
Second hand store
Single family dwelling or modular
home, in existence at the time of the
passage of this Bylaw
Small animal veterinary clinic
Surveillance suite
Temporary minor automotive sales
(only on an existing lot vacant at the
time of the passing of this Bylaw)
Those uses which in the opinion of
the Development Authority are
similar to the permitted or
discretionary uses, and which
conform to the general purpose and
intent of this land use district.

(3) Minimum Parcel Dimensions

Unless otherwise prescribed in Parts VI and VII of this Bylaw:

- (a) Width:
Shall be no less than 4.5m.
- (b) Depth:
Shall be no less than 30.0m.
- (c) Area:
Shall be the product of the minimum parcel width and depth.

(4) Parcel Coverage

- (a) Unless parcel coverage is specifically prescribed or otherwise affected by provisions in Parts VI and VII of this Bylaw for the uses prescribed in this land use district, 90% parcel coverage will be allowed, with the remaining 10% to be used for landscaping, except on parcels facing 50th Street where 100% parcel coverage is permissible.
- (b) Developing to maximum parcel coverage, as prescribed in Section 125(4)(a), will depend on provision being made for off-street parking, loading, storage and waste disposal to the satisfaction of the Development Authority in accordance with the pertinent policies and regulations of the Municipal Development Plan and this Bylaw.

(5) Minimum Floor Area

The minimum floor area for a dwelling unit shall be:

- (a) In the case of apartment buildings and vertical or stacked town housing, not less than 50.0m² for a bachelor unit and an additional 11.0m² for each bedroom in the unit included thereafter.
- (b) In the case of horizontal town housing or row housing, not less than 72.0m² for a one bedroom unit and an additional 11.0m² per unit for each additional bedroom in the unit thereafter.

(6) Minimum Setback Requirements

Unless otherwise prescribed in Parts VI and VII of this Bylaw:

- (a) Front Yard:
No front yard shall be required except as specified under Section 48 of this Bylaw.
- (b) Side Yard and Rear Yard:
 - i) No side yard or rear yard shall be required.
 - ii) Notwithstanding Section 125(6)(b)(i), and in addition to the provisions of Parts VI and VII of this Bylaw, side yard and rear yard setbacks immediately adjacent to a residential land use district shall be 3.0m or one-half the height of the building, to a maximum of 6.0m, whichever is the greater distance.

(7) Building Height

No building shall exceed four (4) storeys above average grade.

(8) Other Provisions

- (a) Administrative procedures and regulations: refer to Parts I-V of this Bylaw.
- (b) General Parcel Provisions: refer to Part VI of this Bylaw.
- (c) Special Land Use Provisions: refer to Part VII of this Bylaw.
- (d) Parking and Loading Regulations: refer to Part VIII of this Bylaw.
- (e) Sign Regulations: refer to Part IX of this Bylaw.

Section 127 C-2 Service Commercial

(1) General Purpose of District

This land use district is generally intended to provide for retail and service commercial outlets where, in some cases, part of the parcel is required for outside storage and display of goods and services.

(2) Listed Uses

Permitted Uses

Drive through business
Gas bar or service station
Hardware or home improvement centre
Medical clinic
Minor eating or drinking establishment
Personal service establishment
Processional financial office and business support service
Repair service establishment
Retail establishment ([Bylaw 2261](#))
Sign, except billboard
Wholesale or retail of the following:
 Furniture or lumber
 General machinery
 Modular/mobile homes and trailers
Plumbing or heating equipment and supplies
An establishment for use by and/or a workshop of a:
 Carpenter/cabinet maker
 Decorator/painter
 Electrician
 Machinist
 Metalworker/tinsmith
 Plumber/steamfitter
 Sign painter
 Upholsterer

Discretionary Uses

Accessory building
Amusement arcade
Billboard
Bulk fuel storage and distribution
Cannabis counselling business ([Bylaw 2225](#))
Cannabis store ([Bylaw 2225](#))
Commercial school (excluding a school using heavy industrial vehicles)
Daycare facility
Excavation, stripping, or grading ([Bylaw 2270](#))
Funeral home/chapel
Hotel ([Bylaw 2263](#))
Indoor recreational establishment
Motel ([Bylaw 2263](#))
Motor vehicle and equipment sales, service and rentals
Moving/cartage firm
Private club or lodge
Public or quasi-public use
Private club or lodge
Public utility building
Public utility
Recycling depot ([Bylaw 2260](#))
Second hand store
Single family dwelling or modular home, in existence at the time of the passage of this Bylaw
Surveillance suite

Welder

Veterinary clinic

Warehousing, storage, receiving or distribution facility

Those uses which in the opinion of the Development Authority are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of this land use district.

(3) Minimum Parcel Dimensions

Unless otherwise prescribed in Parts VI and VII of this Bylaw:

(a) Width:

Shall be no less than 4.5m.

(b) Depth:

Shall be no less than 30.0m.

(c) Area:

Shall be the product of the minimum parcel width and depth. The minimum parcel area may be reduced at the discretion of the Development Authority who shall take into account the general purpose and intent of this land use district, the location and setbacks of adjacent land uses and buildings, the safe and efficient movement of pedestrians and motor vehicles and the landscaping, parking and loading requirements of this Bylaw.

(4) Parcel Coverage

Unless specifically prescribed or otherwise affected by provisions in Parts VI and VII of this Bylaw, all developments shall not exceed 80% of the parcel area if provision has been made for off-street parking, loading, storage and waste disposal to the satisfaction of the Development Authority.

(5) Minimum Setback Requirements

Unless otherwise prescribed in Parts VI and VII of this Bylaw:

(a) Front Yard:

No front yard shall be required except where the Development Authority may deem it necessary to conform with existing development.

(b) Side Yard:

- i) No side yard setback shall be required where the side(s) of the parcel is (are) bound(ed) by land designated C-1 Retail Commercial or C-2 Service Commercial.
- ii) Where the development is bounded by a land use district other than as described in Section 127(5)(b)(i), the minimum side yard setback shall be 1.5m.
- iii) Notwithstanding Section 127(5)(b)(ii), side yards adjacent to a residential land use district shall be 3.0m, or one half the height of the building, to a maximum of 6.0m, whichever is greater.

(c) Rear Yard:

The minimum rear yard shall be 6.0m, or as required by the Development Authority in order to provide adequate off-street parking, storage, internal traffic circulation and landscaping.

(6) Building Height

No building shall exceed two (2) storeys above average grade. This requirement does not apply to building facade or other design features of a building not forming part of the useable or functional floor space of the building.

(7) Other Provisions

- (a) Administrative procedures and regulations: refer to Parts I-V of this Bylaw.
- (b) General Parcel Provisions: refer to Part VI of this Bylaw.
- (c) Special Land Use Provisions: refer to Part VII of this Bylaw.
- (d) Parking and Loading Regulations: refer to Part VIII of this Bylaw.
- (e) Sign Regulations: refer to Part IX of this Bylaw.

Section 128 C-3 Highway Commercial

(1) General Purpose of District

This land use district is generally intended to provide for a range of commercial uses to serve the traveling and local public using Highway 16.

(2) Listed Uses

Permitted Uses

Car wash establishment

Convenience retail store

Gas bar and service station

Hotel ([Bylaw 2263](#))

Laundromat

Major eating or drinking establishment

Minor eating or drinking establishment

Motel ([Bylaw 2263](#))

Personal service establishment
([Bylaw 2235](#))

Sign, except billboard

Souvenir shop

Travel information centre

Discretionary Uses

Accessory use or building

Billboard

Bulk fuel storage and distribution

Bus depot

Cannabis counselling business
([Bylaw 2225](#))

Cannabis store ([Bylaw 2225](#))

Drive-through business

Equipment sales, service, and rental

Excavation, stripping, or grading
([Bylaw 2270](#))

Maintenance yard existing at the time
this Bylaw came into effect

Medical clinic ([Bylaw 2239](#))

Mobile home sales and service

Motor vehicle and recreational
equipment sales, service, and rentals

Public or quasi-public use

Public utility building

Public utility

Recreational establishment

Regional business office

Retail establishment with retail floor
space, (public access, sales and
display area), not exceeding 190.0m²
in accordance with the Municipal
Development Plan and Section 128(1)
of this Bylaw

Single family dwelling or modular home, in existence at the time of the passage of this Bylaw

Surveillance suite

Those uses which in the opinion of the Development Authority are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of this land use district.

(3) Minimum Parcel Dimensions

Unless otherwise prescribed in Parts VI and VII of this Bylaw:

(a) Width:

Shall be no less than 15.0m.

(b) Depth:

Shall be no less than 30.0m.

(c) Area:

Shall be the product of the minimum parcel width and depth. The minimum parcel area may be reduced at the discretion of the Development Authority who shall take into account the general purpose and intent of this land use district, the location and setbacks of adjacent land uses and buildings, the safe and efficient movement of pedestrians and motor vehicles and the landscaping, parking and loading requirements of this Bylaw.

(4) Parcel Coverage

Unless specifically prescribed or otherwise affected by provisions in Parts VI and VII of this Bylaw, all developments shall not exceed 0.5 times the parcel area provided that provision has been made for off-street parking, loading, storage and waste disposal to the satisfaction of the Development Authority.

(5) Minimum Setback Requirements

Unless otherwise prescribed in Parts VI and VII of this Bylaw:

(a) Front Yard:

- i) The minimum front yard setback shall be no less than 6.0m. These standards may be varied by the Development Officer with respect to corner parcels, where the Development Officer shall take into account the location and setbacks of existing adjacent buildings.

(Bylaw 2170)

- ii) There shall be no parking, loading, storage, or any other similar use permitted within 1.5m of the front yard parcel boundary.
- (b) Side Yard:
The minimum side yard shall be no less than 3.0m.
- (c) Rear Yard:
The minimum rear yard shall be 6.0m, or as required by the Development Authority in order to provide adequate off-street parking, storage, internal traffic circulation and landscaping.
- (6) Building Height
No building shall exceed three (3) storeys above average grade. This requirement does not apply to building façade or other design features of a building not forming part of the useable or functional floor space of the building.
- (7) Other Provisions
 - (a) Administrative procedures and regulations: refer to Parts I-V of this Bylaw.
 - (b) General Parcel Provisions: refer to Part VI of this Bylaw.
 - (c) Special Land Use Provisions: refer to Part VII of this Bylaw.
 - (d) Parking and Loading Regulations: refer to Part VIII of this Bylaw.
 - (e) Sign Regulations: refer to Part IX of this Bylaw.

Section 129 C-4 Neighborhood Commercial

(1) General Purpose of District

This land use district is generally intended to provide for local retail and service outlets selling a variety of low order goods and services, the trading area of which being the adjacent residential neighbourhoods.

(2) Listed Uses

Permitted Uses

With a gross floor area not exceeding 190.0m²:

Convenience store

Day care facility

Gas bar

Sign, except billboard

Discretionary Uses

Accessory building

Excavation, stripping, or grading
(Bylaw 2270)

Public utility

Public utility building

Residential dwelling unit(s) above street level (Bylaw 2073)

Those uses which in the opinion of the Development Authority are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of this land use district.

(3) Parcel Dimensions

(a) Area:

Unless otherwise prescribed in Parts VI and VII of this Bylaw, the minimum parcel area for any single, commercial use prescribed above shall be 465.0m². The maximum parcel area for any single, commercial use prescribed above, or combination thereof, shall be 5000.0m².

(b) Width:

Unless a greater amount is stipulated in Parts VI and VII of this Bylaw, minimum parcel width shall be no less than 15.25m.

(c) Depth:

Unless a greater amount is stipulated in Parts VI and VII of this Bylaw, minimum parcel depth shall be no less than 30.5m.

(4) Parcel Coverage

Unless specifically prescribed or otherwise affected by provisions in Parts VI and VII of this Bylaw, coverage of all buildings associated with any or all of the uses prescribed above shall not exceed 0.35 times the total parcel area.

(5) Minimum Setback Requirements

Unless a greater amount is stipulated in Parts VI and VII of this Bylaw:

(a) Front Yard:

(Bylaw 2170)

- i) The minimum front yard setback shall be 7.6m from the front parcel boundary. These standards may be varied by the Development Authority with respect to corner parcels, in accordance with Section 48 of this Bylaw, where the Development Authority shall take into account the location of existing adjacent buildings or the permitted setback on adjacent parcels where a building does not exist.
- ii) There shall be no parking, loading, storage, or any other similar use permitted within 3.0m of the front yard parcel boundary. This 3.0m setback area shall be used as a landscaped buffer area. The front yard setback shall not prohibit the use of a portion of the front yard for such uses as sidewalks or driveways as may be necessary, but shall be landscaped to a standard as required by the Development Authority.

(b) Side Yard:

The minimum side yard setback shall be 3.0m. Where the side yard abuts a residential land use district, the Development Authority may require, at their discretion, up to an additional 2.5m where, in their opinion, the proposed development may affect the adjacent residences by reason of noise, traffic, loading, odors, or any other potential interference with the amenities or enjoyment of the adjacent residential land use district.

(c) Rear Yard:

The minimum rear yard setback shall be 3.0m. Where the rear yard abuts a residential land use district, the Development Authority may require, at their discretion, up to an additional 2.5m where, in their opinion, the proposed development may affect the adjacent residences by reason of noise, traffic, loading, odours, or any other potential interference with the amenities or enjoyment of the adjacent residential land use district.

(6) Building Height

No building shall exceed 10.6m in height above average grade. This requirement does not apply to building façade or other design features of a building not forming part of the useable or functional floor space of the building. (Bylaw 2073)

(7) Other Provisions

- (a) Administrative procedures and regulations: refer to Parts I-V of this Bylaw.
- (b) General Parcel Provisions: refer to Part VI of this Bylaw.
- (c) Special Land Use Provisions: refer to Part VII of this Bylaw.
- (d) Parking and Loading Regulations: refer to Part VIII of this Bylaw.
- (e) Sign Regulations: refer to Part IX of this Bylaw.

Section 129A C-3A Business Commercial/Light Industrial

(Bylaw 2071)

(1) General Purpose of District

To provide for a mix of highway oriented business, commercial and light industrial uses located within the Highway 16 corridor area. The District is directed by the intent of the area pursuant to the Town of Edson and Yellowhead County Intermunicipal Development Plan and the Edson West and Branch Corner Area Structure Plans.

(2) Listed Uses

Permitted Uses

Accessory building
Accessory structure
Business commercial
Major or minor eating or drinking establishment
Hotel
Institutional use
Light industrial
Motel
Public utility
Personal service establishment
Travel information centre
Sign, except billboard

Discretionary Uses

Bulk fuel storage and distribution
Excavation, stripping, or grading
(Bylaw 2270)
Rural industrial
Surveillance suite
Those uses which in the opinion of the Development Authority are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of this land use district.

(3) Minimum Parcel Dimensions

(a) Area:

The minimum parcel area shall be 0.8 ha (2.0 ac) or as determined at the discretion of the Development Authority who shall consider:

- i) access and egress from the site;
- ii) traffic circulation within the site;
- iii) adequate surfacing and drainage of the site;
- iv) adequate parking and loading requirements; and
- v) snow removal and clearing accessibility.

(b) Width:

Unless a greater amount is stipulated in Parts VI and VII of this Bylaw, the minimum parcel width shall be no less than 30.0m.

(c) Depth:

Unless a greater amount is stipulated in Parts VI and VII of this Bylaw, the minimum parcel depth shall be no less than 30.0m.

(4) Parcel Coverage

Unless a lesser amount is otherwise prescribed in Parts VI and VII of this Bylaw, the maximum site coverage shall be 45% of the total parcel area.

(5) Minimum Setback Requirements

(a) Front Yard:

The minimum front yard setback shall be as follows:

- i) 40.0m from a Provincial highway
- ii) 30.0m from any municipal road allowance
- iii) 10.7m from an internal subdivision road or property line

(b) Side Yard:

The minimum side yard setback shall be as follows:

- i) 30.0m from a provincial highway or any municipal road allowance
- ii) 6.0m from an internal subdivision road or property line

(c) Rear Yard:

- i) 30.0m from a provincial highway or any municipal road allowance
- ii) 6.0m from an internal subdivision road or property line

(6) Building Height

No building shall exceed 15.0m (49 ft) in height above average grade.

(7) Additional Regulations

- (a) No operation or activity associated with any use that would create a nuisance factor from noise, odour, earth-borne vibrations, heat, intense light sources or dust, outside an enclosed building shall be permitted in this District. All loading, service, garbage collection and storage areas (where permitted), shall be located to the rear and sides of the principal building and shall be screened from view from any public roadway other than a lane, and from adjacent sites by a wall, landscape materials, berms, fences, or a combination of these features, to the satisfaction of the Development Authority.

- (b) The Development Authority may require that any exposed projections outside the building, such as mechanical and electrical equipment and cooling towers, be screened from view from any public roadway and adjacent sites if, in the opinion of the Development Authority, such projections are inconsistent with the character and appearance of surrounding development or intended visual qualities of this District.
 - (c) All buildings shall be constructed and finished with durable materials. The Development Authority may require that the appearance of metal, and/or concrete block be improved with finishing materials that maintain an appearance which is characteristic of surrounding development.
 - (d) The provisions of Section 130 - Highway 16 Corridor Overlay District shall be applied.
- (8) Other Provisions
 - (a) Administrative procedures and regulations: refer to Parts I-V of this Bylaw.
 - (b) General Parcel Provisions: refer to Part VI of this Bylaw.
 - (c) Special Land Use Provisions: refer to Part VII of this Bylaw.
 - (d) Parking and Loading Regulations: refer to Part VIII of this Bylaw.
 - (e) Sign Regulations: refer to Part IX of this Bylaw.

Section 130 Highway 16 Corridor Overlay District

(1) General Purpose of District

To establish a positive visual impression of the Highway 16 corridor by:

- Providing greenery and seasonal colour to visually soften paved areas and buildings;
- Preserving existing trees wherever possible;
- Screening unsightly equipment or materials from the view of the highway, adjacent roadways or adjoining properties; and,
- Enhancing the quality and appearance of developed properties within the overlay district.

(2) Application

- (a) The Overlay regulation applies to the development or redevelopment of all lots that are located adjacent to or are visible from Highway 16 at the discretion of the Development Authority.
- (b) The Overlay District regulations are to be applied as a condition of a Development Permit.
- (c) The Overlay District applies to the redevelopment of existing buildings and facilities as well as all new development.
- (d) Wherever possible, trees existing on the site shall be preserved and protected or replaced. Notwithstanding the status of existing vegetation, landscaping of the site shall be subject to the provisions of the Overlay District.
- (e) Where the provisions of the Overlay District conflict with other regulations of this bylaw, the more restrictive provisions shall take precedence.

(3) General

- (a) All applications for development permits shall be accompanied by a landscaping plan completed by Landscape Architect or a person qualified to perform such work. No development permit shall be issued prior to the approval of the required landscaping plan.

The landscaping plan shall include the following:

- i) Boundaries and dimensions of the subject site;
- ii) Location of all the buildings, parking areas, driveways and entrances;
- iii) Location of all exterior lights on the site and their projected light patterns in relation to adjacent public roadways and developments;

- iv) Location of existing plant materials to be retained;
 - v) Location of new plant materials;
 - vi) Plant material list identifying the name, quantity and size of plant material;
 - vii) All other physical features, existing or proposed; including berms, walls, fences, outdoor furniture, lighting and decorative paving; and,
 - viii) A location plan showing the proposed development and landscaping relative to the landscaping and improvements on adjacent properties.
- (b) The owner of the property, or his/her successor or assignees, shall be responsible for landscaping and proper maintenance. As a condition of a development permit, an irrevocable letter of credit may be required, up to a value of the estimated cost of the proposed landscaping/planting to ensure that such landscaping/planting is carried out with reasonable diligence. The conditions of the security being that:
 - i) If the landscaping is not completed in accordance with this Bylaw and the landscaping plan within one year after occupying the building or site, then the municipality shall use the security to complete the approved landscape development; and,
 - ii) If the landscaping does not survive a two (2) year maintenance period, the applicant must replace it with a similar type of species and with a similar calliper width or forfeit the portion of the amount fixed equal to the cost of replacing the affected landscaping materials.
 - iii) The letter of credit will be released when the landscaping and other improvements have been completed to the satisfaction of the Development Authority and the two-year maintenance period has expired.
- (4) Planting Standards
 - (a) All required yards on the site shall be landscaped in accordance with the approved landscaping plan.
 - (b) To provide year round colour and interest, a tree mix of approximately 50% coniferous and 50% deciduous, shall be provided.
 - (c) 50% of required deciduous trees shall be at least 50mm (2.4 in.) calliper and 50% shall be a minimum of 75mm (3.0 in.) calliper above the root ball.
 - (d) 75% of coniferous trees shall be a minimum of 2.0m (6.6 ft.) in height and 25% shall be minimum of 3.5m (11.5 ft.) in height above the root ball.

- (e) Trees or shrubs shall be provided in accordance with this Section. The number is determined on the basis of the following:
 - i) One (1) tree for every 40.0 m² (430.6 ft²) and one (1) shrub for each 20 m² (215.3 ft²) of any required yard or setback;
 - ii) One (1) tree for each 25.0 m² (269.1 ft²) and one shrub for each 10.0 m² (107.6 ft²) of required parking area islands. In no case shall there be less than one tree per required parking area island.
 - (f) Trees or shrubs should be clustered or arranged in planting beds within the site.
 - (g) Trees and shrubs shall be evenly placed at regular intervals when used for screening of adjacent development.
 - (h) As required by the Development Authority, all required yards and all open spaces on the site excluding parking areas, driveways, and outdoor storage and service areas shall be landscaped in accordance with the approved landscaping plan.
 - (i) Planting beds shall consist of an odd number of trees to approximate a site mix of 50% coniferous and 50% deciduous with shrubs in a mulched medium such as shredded wood, rocks, or similar materials. Mulch shall not be used as a substitute for plant materials.
 - (j) At a minimum, a planting bed shall be composed of a mix of three (3) coniferous trees, two (2) ornamental deciduous trees and shrubs.
 - (k) As required by the Development Authority, the undeveloped portion of the site, excluding parking areas, driveways, outdoor storage and service areas must be graded, contoured and seeded.
 - (l) On the advice of a Landscape Architect or Arborist, planting standards may be altered to suit unique site topography or soils or micro-climatic conditions.
 - (m) Retained natural vegetation may be applied to satisfy landscape yard requirements. These plantings may be extended with plant material as specified in this section.
- (5) Landscape Islands within Parking Areas
- (a) Landscape islands shall be required with at-grade parking areas with a capacity of twenty-five (25) or more vehicles. These islands shall be landscaped in accordance with Section 4 – Planting Standards.
 - (b) Parking islands shall be placed to provide visual relief and to organize large areas of parking into smaller cells. The number of islands provided shall be to the satisfaction of the Development Authority.

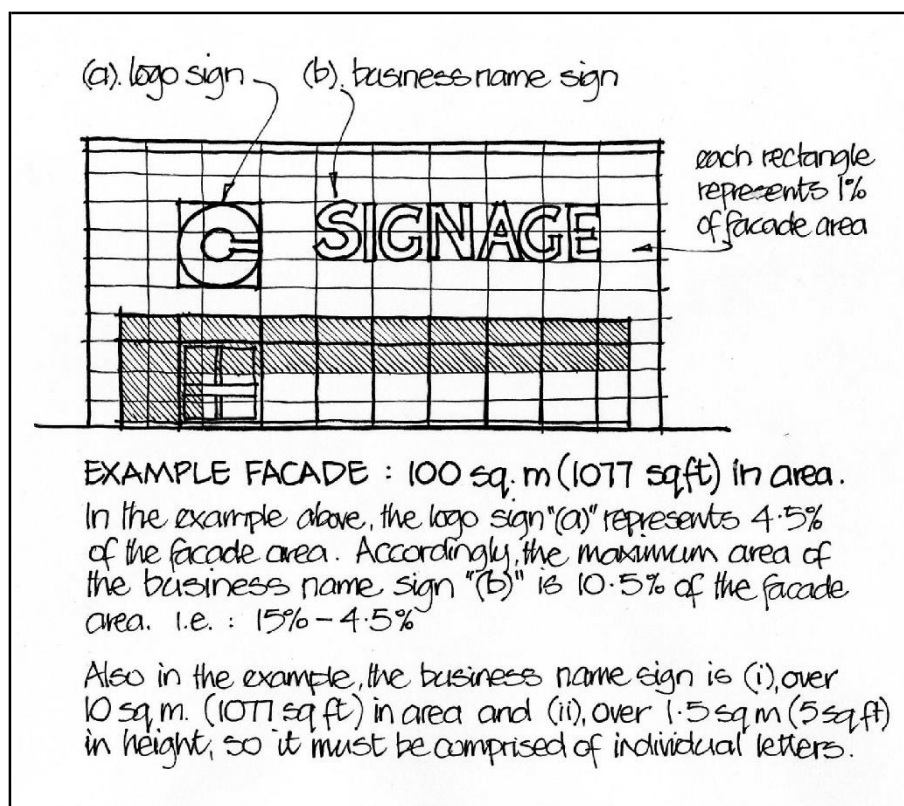
(6) Additional Aesthetic Regulations

- (a) The Development Authority may require the application of additional aesthetic regulations, if in the opinion of the Development Authority:
 - i) There is a likelihood that the proposed development will generate undesirable impacts on surrounding sites, such as poor appearance, excessive noise, light, odours, traffic, litter, or dust;
 - ii) There is a likelihood that undesirable impacts may be generated on the site, and cause conflicts with other businesses within the development;
- (b) The additional aesthetic regulations that may be required at the discretion of the Development Authority may include, but are not limited to, the following:
 - i) Additional separation space between incompatible use classes;
 - ii) The use of trees, shrubs, opaque fences, walls, and berms to buffer or screen uses of negative impact;
 - iii) The use of trees, shrubs, planting beds, street furniture and surface treatments to enhance the appearance of a proposed development.

(7) Signs

- (a) Signs shall identify on-site developments or facilities only. Signs advertising off-premises developments or facilities (billboards) are not permitted within the overlay district.
- (b) Where more than one business occupies a building, additional signage shall be located in accordance with a comprehensive signage package prepared for the building, and submitted as part of the required landscape plan.
- (c) One freestanding identification sign per lot shall be allowed. The sign shall not exceed 9.13 metres (30.0 ft.) in height with no dimension exceeding 4.5 metres (14.76 ft.)
- (d) Illuminated freestanding signs shall not exceed 7.62 m (25.0 ft.) in height.
- (e) Moving or animated signs and electronic message boards that may distract adjacent highway users are not permitted within the overlay district.

- (f) Where buildings abut the highway corridor, signs facing and visible from that corridor may be considered by the Development Authority if they comply with the following principles:
- i) One illuminated logo sign per visible façade. The maximum dimension of such sign shall not exceed 3.0m (9.8 ft.) in vertical and horizontal direction, parallel to the façade of the building, nor exceed a depth of 0.305m (1.0 ft.)
 - ii) One illuminated business name sign per visible façade shall not exceed 15% of the area of the façade of the building or business premises, whichever governs and shall in no case exceed 40.0m² (430.6 ft²) (less the area of any logo sign: see (a) above).
- (8) To discourage the use of building facades as billboards a business sign exceeding an area of 10.0m² (107.7 ft²) and 1.5m (5.0 ft.) in height, shall be limited to individual letters or shapes.



- (9) Lighting
- (a) Outdoor lighting provided for security, display or attraction purposes for any development shall be arranged so that no direct rays of light are directed at any adjoining site or interfere with the effectiveness of adjacent traffic, and shall comply with the following provisions:
 - i) No light structure shall exceed a height of 7.62m (25.0 ft.);

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- ii) No light shall be attached to a structure above a height of 7.62m (25.0 ft.) along that structure;
- iii) The developer shall provide a plan indicating the location of all exterior lights, including the projected light patterns in relation to adjacent public roadways and developments; and,
- iv) No flashing or strobe, or revolving lights, which may impact the safety of motorists using adjacent public roadways, shall be installed on any structure or site.

Section 132 M-1A Light Industrial (Serviced)

(1) General Purpose of District

This land use district is generally intended to establish an area of light industrial uses, and those commercial uses which provide service to industrial uses or which, as a result of their nature, are better suited in an industrial area. The uses in this land use district are not intended to cause any objectionable or dangerous conditions beyond the confines of the building and parcel upon which they are located.

Retail or service commercial uses may be allowed in this land use district if it can be demonstrated to the satisfaction of the Town that this is the most viable location for the business, and that they can coexist with surrounding industrial uses. Commercial uses which would be more appropriately located in either the C-1 Retail Commercial District shall not be permitted in this land use district.

(2) Listed Uses

Permitted Uses

Accessory building
Accessory use industrial office
Bulk fuel storage and distribution
Gas bar, service station or car wash establishment
Greenhouse or plant nursery
Industrial vehicles, automobile, recreational, construction equipment sales, service and rental establishment
Manufacturing processing
Minor eating or drinking establishment
Moving or cartage firm
Outside storage of industrial materials, heavy trucks and equipment ([Bylaw 2267](#))
Recycling depot ([Bylaw 2260](#))
Repair service establishment
Sign, except billboard
Truck Depot ([Bylaw 2267](#))
Warehousing, storage receiving or distribution facility

Discretionary Uses

Auctioneering establishment
Billboard
Cannabis counselling business ([Bylaw 2225](#))
Cannabis store ([Bylaw 2225](#))
Cannabis facility ([Bylaw 2225](#))
Drive through business
Excavation, stripping, or grading ([Bylaw 2270](#))
Industrial vehicle, construction equipment sales or materials services establishment ([Bylaw 2267](#))
Kennel
Light industrial building such as a shop or garage for equipment storage and light servicing work ([Bylaw 2267](#))
Private club or lodge
Public or quasi-public use
Public utility building
Public utility
Recreational establishment
Salvage establishment
Single family dwelling or modular

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| Wholesale or retail of the following: | home, in existence at the time of the page of this Bylaw |
| Plumbing or heating equipment and supplies | Surveillance suite |
| Home improvement or building supplies | Veterinary clinic |
| Electrical equipment and supplies | Those uses which in the opinion of the Development Officer are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of this district. |
| Furniture or lumber | |
| General machinery | |
| Manufactured homes and trailers | |

(3) Parcel Dimensions

Unless otherwise prescribed in Parts VI and VII of this Bylaw, parcel area shall be at the discretion of the Development Authority who, in determining parcel area, given the proposed use, shall consider, among other variables, adjacent land uses, the utilization of existing or proposed infrastructure, on-parcel storage, internal traffic circulation, off-street parking and loading, landscaping and the required setbacks of the this land use district.

(4) Parcel Coverage

Unless specifically prescribed or otherwise affected by provisions in Parts VI and VII of this Bylaw:

- (a) Industrial commercial centre - for all combined uses and buildings the total parcel coverage shall not exceed 0.50 times the parcel area.
- (b) All other developments shall not exceed 0.60 times the parcel area.

(5) Minimum Setback Requirements

Unless otherwise prescribed in Parts VI and VII of this Bylaw:

- (a) Front Yard:
 - i) The minimum front yard setback shall be not less than 6.0m, except where a greater distance is deemed necessary by the Development Authority. No area for loading, storage, display of goods or products, or any other similar use, shall be permitted within 3.0m of the front yard and such area shall be landscaped to the carriageway.
 - ii) Notwithstanding Section 132(5)(a)(i), patron and employee parking may be permitted 3.0m back from the front yard parcel boundary at the discretion of the Development Authority.

- iii) Subject to Section 132(5)(a)(v), the standard with respect to the building setback may be varied at the discretion of the Development Authority for corner or double fronting parcels pursuant to Sections 17(4) and (5) and Section 48 of this Bylaw.
- iv) The front yard setback shall not prohibit the use of a portion of the front yard for walks, driveways or freestanding signs.

(b) Side Yard:

- i) No side yard setback is required unless, in the opinion of the Development Authority, a setback is required in order to provide spatial separation distance between uses or as may be required pursuant to the Alberta Building Code.
- ii) Notwithstanding Section 132(5)(b)(i), where a parcel has vehicular access from the front public road only, one side yard setback of not less than 6.0m shall be provided in order to gain access to the rear of the parcel.
- iii) Notwithstanding Section 132(5)(b)(i), side yards adjacent to a residential land use district shall be 3.0m, or one half the height of the building, to a maximum of 6.0m, whichever is the greater.

(c) Rear Yard:

Shall be not less than 6.0m, or where in the opinion of the Development Authority, a greater distance is required in order to provide for off-street parking, on- parcel traffic circulation, storage or separation between adjacent land uses.

(6) Building Height

The maximum height of buildings shall be at the discretion of the Development Authority who shall consider the design, siting and screening of the proposed development in order to minimize any objectionable aspects or incompatibilities as a result of an increased height of a building or structure beyond what would normally be found in the land use district or adjacent land use districts; but, in no case shall the height of any building exceed 10.6m above average grade.

(7) Other Provisions

- (a) Administrative procedures and regulations: refer to Parts I-V of this Bylaw.
- (b) General Parcel Provisions: refer to Part VI of this Bylaw.
- (c) Special Land Use Provisions: refer to Part VII of this Bylaw.
- (d) Parking and Loading Regulations: refer to Part VIII of this Bylaw.
- (e) Sign Regulations: refer to Part IX of this Bylaw

Section 133 M-1B Light Industrial (Unserviced)

(1) General Purpose of District

This land use district is generally intended to establish an area of light industrial uses in areas of Town where minimal urban services are or will be provided. The Development Authority shall ensure that the water usage associated with any use in this district is limited to domestic water use. No use shall be allowed in this land use district that requires the use of water in any process associated with the use.

Due to the limits placed on water usage, the uses in this land use district generally involve the outside storage of materials, heavy trucks, equipment, and so forth and are not intended to cause any objectionable or dangerous conditions beyond the confines of the building and parcel upon which they are located.

(2) Listed Uses

Permitted Uses

Outside storage of industrial materials, heavy trucks and equipment
Public utility
Public utility building
Sign, except billboard

Discretionary Uses

Accessory building
Accessory use
Billboard
Cannabis counselling business
(Bylaw 2225)
Cannabis facility (Bylaw 2225)
Excavation, stripping, or grading
(Bylaw 2270)
Light industrial building such as a shop or garage for equipment storage and light servicing work
Recycling depot (Bylaw 2260)
Salvage establishment
Single family dwelling or modular home in existence at the time of the passage of this bylaw
Surveillance suite
Those uses which in the opinion of the Development Officer are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of this district.

(3) Development Regulations

All parcel and development regulations shall be at the discretion of the Development Authority who shall adhere to the general purpose and intent of this land use district and all other relevant provisions contained in Parts I through IX of this Bylaw.

(4) Other Provisions

- (a) Administrative procedures and regulations: refer to Parts I-V of this Bylaw.
- (b) General Parcel Provisions: refer to Part VI of this Bylaw.
- (c) Special Land Use Provisions: refer to Part VII of this Bylaw.
- (d) Parking and Loading Regulations: refer to Part VIII of this Bylaw.
- (e) Sign Regulations: refer to Part IX of this Bylaw.

Section 134 GSI-C Glenwood Service Industrial – Commercial

(1) General Purpose of District

This district is generally intended to provide for a mix of predominantly service industrial-commercial uses and limited residential use within portion of an area of Town known as "Glenwood" fronting along Highway #16. This district applies solely to the lands indicated as GSI-C on the Land Use District Map, being Schedule A of this Bylaw.

The uses prescribed in this district are not intended to cause objectionable or hazardous conditions beyond the confines of a principal/accessory building or site in or upon which the use is located. Moreover, the principal component of uses prescribed in the district shall generally encompass the building/industrial trades and/or consist of the storage, repair, service, fabrication and/or assembly of goods, materials or equipment. The commercial component of any use prescribed in this district will not constitute the sole purpose of the use. Uses that involve a commercial component that would be, in the opinion of the Town, more suitably located in another commercial district, as set out in this Bylaw, shall not be allowed in this district. In accordance with the Municipal Development Plan (MDP), the latter provision applies particularly to uses that should locate in the Central Business District (as delineated in the MDP).

(2) Listed Uses

Permitted Uses

An establishment for use as a workshop and minor sales outlet for a:

Carpenter/cabinetmaker
Decorator/painter
Electrician
Machinist
Metalworker/tinsmith
Plumber/steamfitter
Sign painter
Upholsterer
Welder
Agriculture-oriented sales/service
Car wash
Cold storage locker
Recycling depot ([Bylaw 2260](#))

Discretionary Uses

Billboard
Cannabis counselling business
([Bylaw 2225](#))
Cannabis store ([Bylaw 2225](#))
Excavation, stripping, or grading
([Bylaw 2270](#))
Light industrial uses that are not
noxious or hazardous
Light manufacturing, assembly and
processing. Public or quasi-public
building
Public utility
Single family dwelling or Modular
home, in existence at the time of the
passage of this Bylaw
Surveillance suite
Truck depot

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| Service and repair establishment with a minor sales component | Those uses which in the opinion of the Development Officer are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of this district. |
| Sign, except billboard | |
| Storage and/or sale of: | |
| Automobiles | |
| Accessory buildings and uses | |
| Building materials | |
| Lumber | |
| Mobile homes | |
| Recreation vehicles | |
| Warehousing, storage and supply depot including moving/cartage and/or mini-storage firm. | |

(3) Minimum Parcel Area

The minimum site area shall be as determined by the Development Authority who shall take into account, among other factors considered necessary, the nature of the proposed use and the accompanying requirements regarding off-street parking, traffic circulation, access, storage, landscaping and screening.

(4) Minimum Setback Requirements

(a) Front Yard:

The front yard setback shall be as prescribed by the Development Authority who shall, in determining said setback, adhere to the following:

- i) principal and accessory buildings shall be setback a distance from the front yard parcel boundary such that off-street parking, as required in this Bylaw, is provided in front of the principal and accessory buildings on site - i.e.: in the area of the lot(s) adjacent to Highway #16 or 63rd Street, away from adjoining residential districts;
- ii) a minimum of 3.0m between the parking area, as established in Section 134(4)(a)(i) above, and the front yard parcel boundary shall be landscaped to the satisfaction of the Development Authority;
- iii) no area for loading, storage or the display of goods and products or any other similar use should be permitted within 6.0m of the front yard setback established pursuant to this Subsection; and,
- iv) the front yard setback established pursuant to this Subsection shall not prohibit the use of a portion of the front yard for walkways, driveways or freestanding signs.

(b) Side Yard:

- i) The side yard setback for principal and accessory buildings shall be as prescribed by the Development Authority.
- ii) Notwithstanding the discretionary powers regarding side yard requirements as established in Section 134(4)(b)(i) above, where a site has vehicular access from the fronting public road only, one side yard setback of not less than 5.0m shall be provided in order to gain access to the rear of the site.
- iii) Subject to Section 134(4)(b)ii) above, the established side yard may, at the discretion of the Development Authority, be used for off- street parking provided such parking area is not within the front yard area established pursuant to Section 134(4)(a)ii) and that sufficient space is available as prescribed in the off-street parking lot requirements of this Bylaw.
- iv) With respect to corner or double-fronting lots, refer to Section 48 of this Bylaw.

(c) Rear Yard:

The minimum rear yard shall not be less than 6.0m or where, in the opinion of the Development Authority, a greater distance is required to provide for storage, loading or separation from adjacent residential land uses.

(5) Parcel Coverage

The combined area of all buildings including accessory buildings shall not exceed 60% of the parcel area.

(6) Building Height

The maximum height of buildings shall not exceed 10.6m unless otherwise authorized by the Development Authority who, in considering a variance of the maximum height herein prescribed, shall consider adjacent land uses and aesthetics in relation to adjoining public roads.

(7) Performance Standards

(a) Any use provided for in this district that involves the processing, cleaning, testing, repairing, storage or distribution of any material shall conform to the following standards at all times:

i) Noise:

no noise of industrial production audible at any point on the boundary of the lot on which the operation takes place shall be emitted;

ii) Smoke:

no process involving the use of solid fuel is permitted, except for the use of waste disposal incinerators of a design approved by the

- Development Authority;
- iii) Dust and Ash:
no process involving the emission of dust, fly ash or other particulate matter is permitted;
 - iv) Smell:
the emission of any malodorous gas or other malodorous matter is prohibited;
 - v) Toxic Gases, Emissions, etc.:
the emission of toxic gases or other toxic substances is prohibited;
 - vi) Glare or Heat:
no industrial operation shall be carried out that would produce glare or heat discernible beyond the parcel boundary of the lot concerned;
 - vii) Construction:
all buildings shall be entirely of fire-resistant construction in accordance with the Alberta Building Code as amended from time to time; and,
 - viii) Industrial Wastes:
no wastes shall be discharged into any sewer that does not conform to the standards established from time to time by Bylaw of the Town.
- (b) The onus of proving to the Development Authority's satisfaction that a proposed development does and will comply with the standards prescribed in Section 134(7)(a) above rests with the Developer.
- (c) In considering the application, the Development Authority shall have regard to the intent of this Subsection, which is to establish use on the basis of:
- i) appropriate performance standards;
 - ii) the methods, equipment and techniques involved in the proposal; and,
 - iii) the compatibility of the proposed use with neighbouring lands and land use districts.

(8) Site and Design Standards

The design, siting, external finish, architectural appearance of all buildings, including any accessory buildings or structures and signs, shall be to the satisfaction of the Development Authority, in order that there shall be general conformity in such matters with respect to adjacent buildings and that there may be adequate protection afforded to the amenities of the adjacent residential properties and public roads.

(9) Outside Storage and Display

(a) It is generally intended that outside storage of goods, products, materials or equipment be located in the rear yard area of the site.

(b) No storage or activity may be undertaken that would in the opinion of the Development Authority:

1. unduly interfere with the amenities of the district, or
2. materially interfere with or affect the use, enjoyment or value of neighbouring properties,

by reason of excessive noise, smoke, steam, odour, glare, dust, vibration, refuse matter or other noxious emissions or containment of hazardous materials.

ii) When part of the site is to be used for the temporary outdoor display of goods or products for sale, lease or hire, such display shall be arranged and maintained in a neat and tidy manner and shall not, in the opinion of the Development Authority:

iii) unduly interfere with the amenities of the district, or materially interfere with or affect the use, enjoyment or value of neighbouring residents, tenants or properties.

(10) Landscaping, Screening and General Appearance

(a) All areas of a site not covered by buildings, parking or vehicular maneuvering areas shall be landscaped to the satisfaction of the Development Authority.

(b) Outside storage of goods, products, materials or equipment shall be kept in a clean and orderly condition at all times and shall be screened by means of a solid wall or fence from public thoroughfares and adjacent residential uses to the satisfaction of the Development Authority.

(c) All storage, freight or trucking yards shall be enclosed or completely screened by buildings, trees, landscaped features or fences, or a combination thereof, in a manner satisfactory to the Development Authority.

- (d) A solid wall or fence at least 1.8m in height shall be constructed along any parcel boundary abutting a residential district to the satisfaction of the Development Authority.
 - (e) All driveways with access to paved public streets shall be paved for a minimum distance of 15.0m from the front parcel boundary.
 - (f) The maximum height of a fence in this district shall be determined by the Development Authority with no barbed wire being permitted below a height of 2.0m.
 - (g) As a condition of a development permit, the Development Authority may require a letter of guarantee or an irrevocable letter or credit in order to secure performance of any requirement relating to landscaping, screening or general appearance as prescribed in this Subsection.
- (11) Other Provisions
- (a) Administrative procedures and regulations: refer to Parts I-V of this Bylaw.
 - (b) General Parcel Provisions: refer to Part VI of this Bylaw.
 - (c) Special Land Use Provisions: refer to Part VII of this Bylaw.
 - (d) Parking and Loading Regulations: refer to Part VIII of this Bylaw.
 - (e) Sign Regulations: refer to Part IX of this Bylaw.

Section 135 M-2 Heavy Industrial

(1) General Purpose of District

This land use district is generally intended to establish an area for industrial uses which do not cause objectionable or dangerous conditions beyond the boundary of the land use district wherein the parcel is located. Uses permitted in this land use district include those which are not permitted in the M-1 Light Industrial District. This land use district may be applied in areas where there will be no adverse effects upon other land use districts.

(2) Listed Uses

Permitted Uses

Accessory building
Accessory office
Bulk fuel storage and distribution
Gas bar, service station or car wash establishment
Manufacturing, processing, packaging or assembly of goods or materials
Minor eating or drinking establishment
Processing, assembly, fabricating operations, manufacturing, sales or storage of natural resources
Recycling depot ([Bylaw 2260](#))
Salvage establishment
Sign, except billboard

Discretionary Uses

Billboard
Cannabis counselling business ([Bylaw 2225](#))
Cannabis facility ([Bylaw 2225](#))
Day care facility.
Drive-through business which is accessory to a permitted use in this land use district
Excavation, stripping, or grading ([Bylaw 2270](#))
Industrial vehicle, construction equipment sales or materials service establishment
Moving or cartage firm
Public utility building
Public utility
Surveillance suite
Warehousing, storage, receiving or distributing facilities
Those uses which in the opinion of the Development Officer are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of this district.

(3) Minimum Parcel Dimensions

Unless otherwise prescribed in Parts VI and VII of this Bylaw:

- (a) Width:
Shall be no less than 20.0m.
 - (b) Depth:
Shall be no less than 35.0m.
 - (c) Area:
Shall be 0.4047ha. A larger minimum parcel area may be required where, in the opinion of the Development Authority, a greater area is required to provide for improved on-parcel traffic circulation, off- street parking, setbacks and on-parcel storage.
- (4) Minimum Setback Requirements
 - (a) Front Yard:
 - i) Shall be not less than 9.0m, except where a greater distance is deemed necessary by the Development Authority. No area for loading, storage or display of goods or products, or any other similar use shall be permitted within 6.0m of the front yard and such area shall be landscaped to the carriageway.
 - ii) Notwithstanding Section 135(4)(a)(i), patron and employee parking may be permitted 3.0m back from the front yard parcel boundary at the discretion of the Development Authority.
 - iii) The standard with respect to the building setback may be varied at the discretion of the Development Authority for corner or double fronting parcels pursuant to Section 48 of this Bylaw.
 - iv) The front yard setback shall not prohibit the use of a portion of the front yard for walks, driveways or freestanding signs.
 - (b) Side Yard:
 - i) The minimum side yard shall be 3.0m unless, in the opinion of the Development Authority, a greater setback is required in order to provide separation distance between uses or as may be required pursuant to the Alberta Building Code.
 - ii) Notwithstanding Section 135(4)(b)(i), where a parcel has vehicular access from the front public road only, one side yard setback of not less than 5.0m shall be provided in order to gain access to the rear of the parcel.

(c) Rear Yard:

The minimum rear yard shall be 6.0m unless, in the opinion of the Development Authority, a greater distance is required in order to provide for off-street parking, on-parcel traffic circulation, storage or separation between adjacent land uses.

(5) Parcel Coverage

Unless specifically prescribed or otherwise affected by provisions in Parts VI and VII of this Bylaw, all developments shall not exceed 0.6 times the parcel area if provision has been made for off-street parking, loading, storage and waste disposal to the satisfaction of the Development Authority.

(6) Building Height

The maximum height of buildings shall be at the discretion of the Development Authority who shall the design, siting and screening of the proposed development to minimize any objectionable aspects or incompatibilities as a result of an increased height of a building or structure beyond what would normally be found in the land use district or adjacent land use districts. In addition, the Development Authority shall consider what the industry is proposing in terms of fire prevention and prepared to provide as far as firefighting equipment is concerned, beyond what the Town can provide or is equipped to handle, in determining maximum height of buildings.

(7) Other Provisions

- (a) Administrative procedures and regulations: refer to Parts I-V of this Bylaw.
- (b) General Parcel Provisions: refer to Part VI of this Bylaw.
- (c) Special Land Use Provisions: refer to Part VII of this Bylaw.
- (d) Parking and Loading Regulations: refer to Part VIII of this Bylaw.
- (e) Sign Regulations: refer to Part IX of this Bylaw.

Section 136 AD Airport District

(1) General Purpose of District

This land use district is intended to establish an area surrounding the Edson Airport to protect the operation of the facility in accordance with the Edson AVPA Regulations and provide for appropriate airport-related land uses.

(2) Listed Uses

Permitted Uses

Airstrip
Airport
Public use
Public utility
Public utility building
Accessory use
Accessory building
Sign, except billboard

Discretionary Uses

Billboard
Excavation, stripping, or grading
(Bylaw 2270)
Those airport-related uses which in the opinion of the Development Authority are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of this land use district.

(3) Development Regulations

All parcel and development regulations shall be at the discretion of the Development Authority who shall adhere to the Edson AVPA Regulation and the general purpose and intent of this land use district and all other relevant provisions contained in Parts I through IX of this Bylaw.

(4) Other Provisions

- (a) Administrative procedures and regulations: refer to Parts I-V of this Bylaw.
- (b) General Parcel Provisions: refer to Part VI of this Bylaw.
- (c) Special Land Use Provisions: refer to Part VII of this Bylaw.
- (d) Parking and Loading Regulations: refer to Part VIII of this Bylaw.
- (e) Sign Regulations: refer to Part IX of this Bylaw.

Section 137 PR Parks and Recreation

(1) General Purpose of District

This land use district is generally intended to establish an area for the use and development of public areas to meet the active or passive recreational and leisure pursuits at the local, neighborhood, municipal and district level.

(2) Listed Uses

Permitted Uses

Active and passive recreational facility
or building, and parks
Accessory use
Accessory building

Discretionary Uses

Billboard
Campground
Day care facility
Excavation, stripping, or grading
(Bylaw 2270)
Golf course
Public use
Public utility
Public utility building
School
Sign
Surveillance suite
Those airport-related uses which in
the opinion of the Development
Authority are similar to the permitted
or discretionary uses, and which
conform to the general purpose and
intent of this land use district.

(3) Development Regulations

All parcel and development regulations shall be at the discretion of the Development Authority. In reviewing applications, the Development Authority shall consider the design, siting, landscaping and screening of the proposed development to minimize any objectionable aspects or incompatibilities such as traffic and patrons using the parcel, increased noise, dust, odors or refuse and any other factors which would interfere with or affect the use and enjoyment of adjacent land uses and land use districts.

(4) Other Provisions

- (a) Administrative procedures and regulations: refer to Parts I-V of this Bylaw.
- (b) General Parcel Provisions: refer to Part VI of this Bylaw.
- (c) Special Land Use Provisions: refer to Part VII of this Bylaw.
- (d) Parking and Loading Regulations: refer to Part VIII of this Bylaw.
- (e) Sign Regulations: refer to Part IX of this Bylaw.

Section 138 CS Community Services

(1) General Purpose of District

This land use district is generally intended to establish an area for the development of publicly or privately owned institutions or community services.

(2) Listed Uses

Permitted Uses

Public use
Government service
Place of worship
Museum or archives
Library
School
Park
Essential service
Senior citizen housing
Nursing home
Hospital
Recreational Establishment
Cemetery
Accessory use or building
Sign, except billboard

Discretionary Uses

Billboard
Day care facility
Excavation, stripping, or grading
(Bylaw 2270)
Family care facility
Group care facility
Quasi-public use
Public utility
Public utility building
Surveillance suite
Those airport-related uses which in the opinion of the Development Authority are similar to the permitted or discretionary uses, and which conform to the general purpose and intent of this land use district.

(3) Development Regulations

All parcel and development regulations shall be at the discretion of the Development Authority. In reviewing applications, the Development Authority shall consider the design, siting, landscaping and screening of the proposed development to minimize any objectionable aspects or incompatibilities such as traffic and patrons using the parcel, increased noise, dust, odors or refuse and any other factors which would interfere with or affect the use and enjoyment of adjacent land uses and land use districts.

(4) Other Provisions

- (a) Administrative procedures and regulations: refer to Parts I-V of this Bylaw.
- (b) General Parcel Provisions: refer to Part VI of this Bylaw.
- (c) Special Land Use Provisions: refer to Part VII of this Bylaw.
- (d) Parking and Loading Regulations: refer to Part VIII of this Bylaw.
- (e) Sign Regulations: refer to Part IX of this Bylaw.

Section 139 DC Direct Control

(1) General Purpose of District

To enable land use and development to occur in areas of special character or circumstance. Interim uses may be allowed provided they do not preclude or significantly increase cost for development, conversion or redevelopment in terms of the existing and future urban infrastructure. Proposed developments are subject to the regulations of this Bylaw and such rules with respect to land generally or specifically as Council may make from time to time and as described within policies of the Municipal Development Plan or any other statutory plan in effect. Pursuant to Part III of this Bylaw, all proposals will be received, considered and decided upon by Council or its Delegated Authority.

(2) Uses

As prescribed by Council or its Delegated Authority.

(3) General Development Regulations

- (a) All development and parcel regulations, including but not limited to general parcel provisions, special land use provisions, parking and loading regulations and sign regulations, shall be at the discretion of Council or its Delegated Authority.
- (b) The design, siting, landscaping, screening and buffering shall minimize and compensate for any objectionable aspects or potential incompatibility with development in this land use district or abutting land use districts.
- (c) In evaluating a proposed land use or a development, Council or its Delegated Authority:
 - i) shall have regard for, but not be limited to:
 - 1. the existing use of the land,
 - 2. the uses, regulations and development criteria specified in the land use district superseded by this land use district,
 - 3. the general and special regulations as contained elsewhere in this Bylaw, and
 - 4. the land use regulations of adjoining land use districts; and
 - ii) shall comply with the Act, Subdivision and Development Regulations, Municipal Development Plan and any statutory plan in effect.

(4) Land Use Agreement

- (a) A Developer may be required to enter into a legal land use agreement with the Town to ensure that the use and development of land and buildings on the parcel complies with the approved development plan, as a condition of a development permit issued pursuant to the Direct Control District.
- (b) The land use agreement shall run as a restrictive covenant against the title of the parcel and shall serve to restrict the development of land in accordance with the approved development plan.
- (c) The land use agreement may also provide that the Developer post security in such form and amount as may be approved by Council to ensure performance with the terms of the agreement.
- (d) An agreement made pursuant to this Direct Control District may specify a time period for which it is to remain in effect.

Note: Council has directed administration to administer the “Skyview” Subdivision with the R-1B regulations, and Lots 1-8 within the “Goldie” Subdivision with R-AR regulations; all applications are required to go before Council.

(5) DC01 Direct Control

(Bylaw 2271)

(a) Purpose

The purpose of this site-specific direct control provision is to accommodate a proposed light industrial development and establish sensitive site development regulations that will ensure compatibility with surrounding land uses. For the purposes of administering other sections of this Bylaw, this district is deemed to be an industrial land use district.

(b) Area of Application

Plan 062 0808, Block 4, Lot 3

(c) Administration of Development Permits

An application for a development permit on this parcel is subject to approval by the Development Officer only and no further public hearings are required prior to issuance of a development permit.

(d) Uses

Principal use: Truck depot

Accessory uses may include:

Accessory building

Outside storage of industrial materials, heavy trucks, and equipment

Sign, except billboard

Temporary staff accommodation

(e) Permit Timelines

- i) Notwithstanding the definition of “Temporary Building” in Section 6 [Definitions], a development permit approval may be issued for a period of up to 12 months from the date of decision on the development permit application.
- ii) Any uses must be discontinued, and structures must be removed, on or before the expiry of an approved development permit, excepting any legal structures in existence at the time of the passage of this Bylaw, which do not need to be removed.
- iii) The developer may re-apply for an additional 12-month approval. There is no limit to the number of consecutive approvals issued.
- iv) Prior to deciding on an application for any additional approval, the Development Officer will consider any complaints, conflicts with adjacent land uses, or any other offsite impacts that may have occurred during any previous approvals under this district.

(f) Parcel Coverage

- i) The minimum coverage is 10%.
- ii) The maximum coverage is 60%.

(g) Minimum Setback Requirements

- i) Section 48 [Corner and Double Fronting Parcels] of this Bylaw does not apply to this district.
- ii) Notwithstanding Section 6 [Definitions], “front yard” means the portion of the parcel adjacent to 26 Street. The minimum front yard is 3.0 m.
- iii) Notwithstanding Section 6 [Definitions], “rear yard” means the portion of the parcel adjacent to 25 Street/Hwy 748. The minimum rear yard is 3.0 m.
- iv) Notwithstanding Section 6 [Definitions], “side yard” means the portion of the parcel not described as a Front Yard or Rear Yard within this district. The minimum side yard is 3.0 m.

(h) Building Height

- i) The maximum height for a principal building is 14.0 m.
- ii) The maximum height for an accessory building is 8.0 m.

(i) Outside Storage and Display

- i) There will be no outside storage of goods, products, materials, or equipment permitted within the front yard.

- ii) Outside storage of goods, products, materials, or equipment must be kept in a clean and orderly condition at all times and must be screened by means of a solid wall or solid fence from roads. Chain link with privacy slats or a fabric covering is considered acceptable.

(j) Fencing

- i) The maximum fence height is 2.5 m.
- ii) Use of razor wire is prohibited. Barbed wire atop a chain link fence is permitted.
- iii) Electrification of fences is prohibited.
- iv) A fence with a minimum height of 1.83 m is required along the north property line.

(k) Nuisances

No development, use, or activity may be undertaken that would create excessive noise, smoke, steam, odour, glare, dust, vibration, refuse matter, contamination, or other noxious emissions beyond the property line.

(l) Building Design

- i) Section 59 [Design, Character and Appearance of Buildings and Structures] and Section 60 [Architectural Design Guidelines] of this Bylaw apply to permanent buildings and structures. Notwithstanding, these sections do not apply to approvals less than 13 months in length.
- ii) The principal building must have its civic address building number clearly displayed near the front entrance legible from 26 Street. Alternatively, the address may be displayed on the fence near a vehicle entrance.

(m) Landscaping

- i) Section 56 [Landscaping] of this Bylaw does not apply to this district.
- ii) Outdoor storage areas must be screened from public roadways using a variety of techniques such as building orientation, landscaping, or architectural elements.
- iii) A minimum of four (4) trees are to be provided within the front yard.
- iv) All required landscaping and planting must be carried out within one (1) year of building completion or occupancy, whichever occurs first.

- v) The maintenance/warranty period for all required trees is two (2) years. After the maintenance period has expired, plant material must match the accepted landscaping plan; must be structurally sound; well branched, healthy, and free from disease, insect manifestations, rodent damage, sun scald, frost cracks, and other untreated abrasions to the bark; and densely foliated with a healthy and well-developed root system. Development Securities associated with a development permit approval will be held until the successful completion of the landscaping maintenance period.

(n) Access, Parking, and Loading

- i) Part VIII [Parking and Loading Regulations] of this Bylaw does not apply to this district.
- ii) Any apron from the road to the parcel must be hard surfaced.
- iii) Access to the parcel will be limited to two access points from 26 Street.
- iv) All loading and unloading activities must be contained on the parcel. Use of 26 Street for loading/unloading is prohibited.
- v) A minimum of three (3) parking stalls must be provided in proximity to the administrative office building in existence at the time of the passage of this Bylaw .
- vi) The required parking stalls must be hard-surfaced with asphalt, cement, or concrete and be clearly marked and regularly maintained.
- vii) Barrier-free parking must be provided in accordance with provincial requirements.
- viii) Parking stalls and barrier-free access aisles must be a minimum of 6.0 m x 2.75 m.

(o) Lighting

- i) All exterior light fixtures must be fully shielded (no light emitted above 90 degrees) and pointed downward.
- ii) Exterior lighting must not create a nuisance to adjacent properties or roads.
- iii) A site lighting plan must be provided indicating the location of all exterior lights, including the projected light patterns in relation to adjacent public roadways and developments.

(p) Grading and Drainage

- i) A general grading and drainage plan must be provided with a development permit application. Any existing or proposed retaining wall must be indicated on the plan.

- ii) Grading must ensure that stormwater is contained on-site or directed to 26 Street, without affecting adjacent parcels.
- iii) Notwithstanding Sections 139(5)(o)(i-ii), grading and drainage of the parcel must be in accordance with all subdivision approvals and any developer agreements in effect.
- iv) Parcel grading and drainage must not adversely affect adjacent parcels or roads.

(q) Temporary Staff Accommodation Standards

- i) Sections 41 [Dwelling Units on a Parcel] and 42 [Boarders and Lodgers] of this Bylaw do not apply to this district.
- ii) "Temporary Staff Accommodation" means accommodations provided to employees of the approved on-site use(s) on a temporary basis. This use does not include any eating or drinking establishment.
- iii) Temporary Staff Accommodation may only be approved as an accessory use to a Truck Depot. If the principal use on the parcel terminates, any associated Temporary Staff Accommodation must be discontinued, and associated structures must be removed.
- iv) All buildings associated with Temporary Staff Accommodation must be equipped with self-contained servicing excepting connection to power or gas.
- v) A development permit application for Temporary Staff Accommodation must indicate how the building(s) will be serviced. Any cisterns, fuel storage, generators, or similar, must be identified on the site plan. The Development Authority may require screening or safety measures as a condition of approval.
- vi) Temporary Staff Accommodation may not be accommodated in holiday trailers, recreational vehicles, or similar.
- vii) Temporary Staff Accommodation provided in a mobile home unit must have C.S.A. certification or equivalent. Proof of this certification must accompany a development permit application. The unit must be anchored to the ground in accordance with provincial regulations and skirted to avoid trespass underneath the unit.
- viii) The maximum number of occupants within all areas of Temporary Staff Accommodation must not exceed the number of sleeping rooms provided.
- ix) The maximum number of sleeping rooms is 20.
- x) Sleeping rooms must have a minimum floor area of 7.4 m².

- xi) Washrooms must be provided. "Washroom" means any hygiene facility that include toilets, sinks, showers, or any combination thereof.
- xii) Washrooms must be separated from sleeping rooms by full partitions and doors and must have separate ventilation from sleeping rooms.
- xiii) Washrooms must be for the exclusive use of the Temporary Staff Accommodation use and cannot be used for other uses, such as an office.
- xiv) Temporary Staff Accommodation may be subject to additional approvals and requirements from Alberta Health Services, Alberta Transportation, Canadian National Railway, Alberta Environment and Parks, and the Safety Codes Council.

(r) Other Provisions

Unless otherwise stated within this district, the following procedures and regulations apply:

- i) Administrative procedures and regulations: refer to Parts I – IV of this Bylaw.
- ii) General parcel provisions: refer to Part VI of this Bylaw.
- iii) Special land use provisions: refer to Part VII of this Bylaw.
- iv) Sign regulations: refer to Part IX of this Bylaw.

Section 140 UR Urban Reserve

(1) General Purpose of District

This land use district is generally intended to reserve those areas within the Town that are rural in character or land use for development that is urban in character and density. When development on lands within this land use district is proposed, other than for the uses and development prescribed in this land use district, and at any time when subdivision on lands within this land use district is proposed, such development or subdivision will require reclassifying the subject lands to the appropriate land use district.

Furthermore, the Development Authority shall ensure that the water usage associated with all uses in this district is limited, comparable to the domestic water use, including water used for landscaping, of a standard residence in the R-1B Single Family Residential (Class B) District. Beyond this, no use shall be allowed in this land use district that requires the use of water in any process associated with the use.

(2) Listed Uses

Permitted Uses

Public park and recreational area
Public utility
Public utility building
Public use
Sign, except billboard

Discretionary Uses

Accessory building or use
Billboard
Excavation, stripping, or grading
(Bylaw 2270)
Farming and cultivation of land but not such agricultural pursuits as a feed lot or fur farm.
Home occupation
Single family dwelling, modular home, or mobile home existing on a parcel of land at the time this Bylaw came into effect
Surveillance suite
Any temporary use or any building which, in the opinion of the Development Authority will not prejudice the possibility of conveniently replotting or development the area in the future

(3) Development Regulations

- (a) Unless the associated impacts on the general purpose and intent of this land use district are considered to be minimal or non-existent by the Development Authority or Council, as the case may be, all subdivision applications, reclassification of land from UR Urban Reserve District into any other land use district, or development proposals other than for the permitted or discretionary uses above, shall be accompanied by an area structure plan satisfactory to the Town. This area structure plan shall include but not be limited to identifying the following:
 - i) the sequence of development proposed for the area,
 - ii) the land uses proposed for the area, either generally or with respect to specific parts of the area,
 - iii) the density of the population proposed for the area, either generally or with respect to specific parts of the area,
 - iv) the general location of major transportation routes and public utilities, and
 - v) any other matters Council considers necessary.
- (b) All siting, parcel coverage, densities, yard setbacks and height of buildings shall be at the discretion of the Development Authority.
- (c) In deciding upon applications involving the keeping of livestock, the Development Authority will ensure that such use is compatible with the uses occurring or proposed/expected to occur on adjacent parcels by limiting number, scale and intensity and by requiring proper screening;
(Bylaw 2170)
- (d) Water supply and sewage disposal shall be provided in accordance with all applicable federal, provincial and municipal regulations and standards.
- (e) A Developer may be required to enter into a legal land use agreement with the Town to ensure that the use and development of land and buildings on the parcel complies with the approved development plan, as a condition of a development permit issued pursuant to the UR Urban Reserve District.
- (f) The land use agreement shall run as a restrictive covenant against the title of the parcel and shall serve to restrict the development of land in accordance with the approved development plan.
- (g) The land use agreement may also provide that the Developer post security in such form and amount as may be approved by Council to ensure performance with the terms of the agreement.
- (h) A land use agreement made pursuant to this land use district may specify a time period for which it is to remain in effect.

- (i) The Development Authority may specify the length of time a use is permitted in this land use district having regard to the future servicing and development of the subject land.
- (4) Other Provisions
 - (a) Administrative procedures and regulations: refer to Parts I-V of this Bylaw.
 - (b) General Parcel Provisions: refer to Part VI of this Bylaw.
 - (c) Special Land Use Provisions: refer to Part VII of this Bylaw.
 - (d) Parking and Loading Regulations: refer to Part VIII of this Bylaw.
 - (e) Sign Regulations: refer to Part IX of this Bylaw.