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Consolidated October/2011

LIST OF AMENDMENTS

1091.09 – Amendment to Section 7

1102.10 – Land Use By-Law Redesignation - SW 25-39-27-W4M – McKay Ranch

1106.10 – Land Use By-Law Redesignation – Parcel A Plan 6147 NY

1108.10 – Land Use By-Law Redesignation – KeithJay Lots Westridge Drive

1111.10 – Amendment to Section 12.8.6 Land Use By-law

1126.10 – Amendment to Section 12.11 – Accessory Suite, 4.2.7 Objects Prohibited or Restricted in Yards

1143.12 – adds “Communication Facility (as per Communication Facility Protocol)”to the I-1 and I-2 Industrial Districts as a permitted use.

1149.12 – Amendment to Section 1.4, Section 4.2.4 and Section 5.1.3



LAND USE BY-LAW NO 1081/09

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TOWN OF BLACKFALDS

LAND USE BYLAW # 1081/09



PART ONE – GENERAL

GENERAL

1.1 Title and Purpose

This By-law is entitled the Town of Blackfalds Land Use Bylaw. The purpose of this Bylaw is to, amongst other things,

- a) divide the municipality into Districts;
- b) prescribe and regulate the use for each District;
- c) establish the office of the Development Officer;
- d) establish a method of making decisions on applications for development permits including the issuing of development permits;
- e) provide the manner in which notice of the issuance of a development permit is to be given;
- f) Implement the statutory plans and studies of the Town of Blackfalds.

1.2 Scope

No development shall be carried out within the Town except in accordance with this By-law.

1.3 Rules of Interpretation

1. Words used in the present tense include the other tenses and derivative forms. Words used in the singular tense include the plural and vice versa. Words have the same meaning whether they are capitalized or not.
2. The words *shall* and *must* require mandatory compliance except where a variance has been granted pursuant to the Act or this By-law.
3. Words, phrases and terms not defined in this part may be given their definition in the Act or the Alberta Building Code. Other words shall be given their usual and customary meaning.
4. Where a regulation involves two or more conditions or provisions connected by the conjunction *and*, *and* means all the connected items shall apply in combination; *or* indicates that the connected items may apply singly or in combination; and *either-or* indicates the items shall apply singly but not in combination.

1.4 Definitions

In this Land Use By-law,

Accessory Building and Accessory Use
means a building or use which:

- a) is naturally and normally incidental, subordinate and exclusively devoted to a principle building or principle use
- b) is subordinate in area, extent or purpose to the principle building or principle use

served;

- c) contributes to the comfort, convenience, safety or necessity of occupants of the principle building or principle use; and

is located on the same site as the principle building or use. This includes buildings within a condominium development or apartment

building that are intended for use by all occupants of the principle building and are ancillary to the principle use, for example recreation room, convenience store, Laundromat, washroom and similar uses;

Accessory Suite means a self-contained dwelling unit having cooking, food preparation, sleeping and bathing facilities which are separate from the principle dwelling, and includes the conversion of basement space to a dwelling, or the addition of new floor space within a single detached dwelling. An accessory suite must have a separate entrance from the principle dwelling, either from a common indoor landing or directly from the exterior of the building.

Accommodation Unit means one or more rooms that provide sleeping accommodation and bathroom facilities for not more than two persons, but is not equipped with self-contained cooking facilities;

Adjacent Land means lands that are next to the parcel of land that is subject to a development permit or subdivision application and includes lands that would be next to the subject parcel if not for a river, stream, railway, road, utility right-of-way, or reserve

Adult Entertainment means a live or recorded performance for an audience that shows or displays nudity or partial nudity involving exposure of human breasts, the genitals and/or the buttocks in a sexually explicit or suggestive manner and includes strip bars or shows, exotic dancing, topless or bottomless waiters or waitresses and nude mud wrestling but does not include an adult mini theatre or lap dancing;

Adult Mini-Theatre means any premises or part thereof wherein live performances, motion pictures, video tapes, video disks, slides, electronic or photographic reproductions, the main feature of which is the nudity or partial nudity of any person, are performed or shown as a principle use or an accessory or similar use to some other business activity which is conducted on the premises, and wherein each separate viewing area has a capacity of less than 20 seats;

Agricultural Land means land that contains an agricultural operation, as defined by the Agricultural Operation Protection Act.

Agricultural Operation means an agricultural

activity conducted on agricultural land for gain or reward or in the hope or expectation of gain or reward, and includes:

- a) the cultivation of land,
- b) the raising of livestock, including game-production animals within the meaning of the Livestock Industry Diversification Act and poultry,
- c) the raising of fur-bearing animals, pheasants or fish,
- d) the production of agricultural field crops,
- e) the production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops,
- f) the production of eggs and milk,
- g) the production of honey,
- h) the operation of agricultural machinery and equipment, including irrigation pumps, and
- i) the operation of fertilizers, manure, insecticides, pesticides, fungicides and herbicides, including application by ground and aerial spraying for agricultural purposes;

Apartment means a residential building consisting of at least 3 dwelling units, but shall not include buildings containing units with separate exterior entrance way(s);

Appeal Board means the Subdivision and Development Appeal Board established by Town By-law;

Area Redevelopment Plan means a plan adopted by Council as an area redevelopment plan pursuant to the Municipal Government Act;

Area Structure Plan means a plan adopted by Council as an area structure plan pursuant to the Municipal Government Act;

Arterial Road means a roadway so designated in the Municipal Development Plan;

Auction Facilities means land and buildings that are used for the public sale of property or goods to the highest bidder;

Auto Wrecking Yard means land and buildings that are used for the storage and dismantling of old or wrecked cars or trucks for the purpose of recycling their components;

Auto Body and/or Paint Shop means development for the repair and/or painting of

motor vehicle bodies and frames, and for damaged motor vehicle appraisal services;

Automotive Sales and Service means a facility providing for the sale, rental, lease, service, or repair of automobiles or trucks;

Awning Sign means a sign inscribed on or affixed flat upon the covering material of an awning;

Bake Shop means a shop where products of a bakery are sold for retail sale, including incidental baking of products for retail sale on the premises only;

Basement means a habitable portion of a building which is partly underground, but which has more than 50 percent of the distance, between the floor level and the underside of the ceiling joists, above adjacent ground elevation;

Basement Suite refer to “accessory suite”;

Bareland Condominium a condominium in which the units are defined in relation to the land rather than in relation to a structure. A bareland condominium shares all the other features of a conventional condominium except for the definition of the boundaries.”

Bed and Breakfast Establishment means a residence, or portion thereof not being more than two (2) rooms, that is used for the travelling public to reside in for a period of not more than fourteen (14) days, and in which a breakfast or a single meal is served;

Billboard means a sign to which advertising copy is pasted, glued, painted or otherwise fastened to permit its periodic replacement and includes poster panels and painted bulletins;

Boarding and Rooming House means a dwelling in which the proprietor lives on site and supplies for a fee, sleeping accommodation with board for more than two persons, but does not include a bed and breakfast operation;

Bon-a-fide Tourist means a person on vacation away from his/her ordinary place of residence and not from the Town

Boundary means the registered property line of a site;

Building means any structure used or intended for supporting or sheltering any use or occupancy;

Building Demolition means the pulling down, tearing down or razing of a building;

Building Height means the distance between the average finished, landscaped elevation grade of the building and the highest point of the building;

Building Supply and Lumber Outlet means a building or structure in which building or construction and home improvement materials are offered or kept for retail sale and may include the fabrication of certain materials related to home improvement;

Bulk Fuelling Station development for handling petroleum products in bulk quantities, and includes dispensing equipment and supplementary tanker vehicle storage. Key-lock pumps and retail fuel sales may be incorporated as accessory uses.

Bus Depot means a facility providing for the departure and arrival of passengers and freight carried by bus;

Campground means a parcel developed and maintained for the temporary accommodation of travellers, tourists and vacationers in trailers, tents or recreation vehicles;

Car Wash means a building or structure containing facilities for a self-service car wash or washing motor vehicles by production line methods which may include a conveyor system or similar mechanical devices;

Cartage and Freight Terminal means a facility accommodating the storage and distribution of freight shipped by air, rail or highway transportation;

Cellar means a portion of a structure which is mainly underground, and which has less than 50 per cent of the distance, between the floor level and the underside of the ceiling joists, above adjacent ground elevation;

Cemetery means development of a parcel of land primarily as landscaped open space for the entombment of deceased persons;

Collector Road means a roadway so designated in the Municipal Development

Plan;

Commercial Recreation and Entertainment Facility means a facility or establishment which provides for recreation or entertainment for a gain or a profit;

Commercial Vehicle

- a) means a truck, trailer or semi-trailer, except:
 - (i) a truck, trailer or semi-trailer that is a public service vehicle, or
 - (ii) a truck, trailer or semi-trailer or any class of vehicle that by the regulations or by an order of the Alberta Motor Transport Board is exempted from being classified as a commercial vehicle, and
- b) includes:
 - (i) a motor vehicle from which sales are made of goods, wares, merchandise or commodity, and
 - (ii) a motor vehicle by means of which delivery is made of goods, wares, merchandise or commodity to a purchaser or consignee thereof;

Commercial Trailer means a trailer that is licensed and/or insured as a commercial trailer;

Convenience Store means a building used for indoor merchandise sales with off street parking established on the same site, which serves the day to day living needs of neighbourhood residents and employees;

Council means the Council of the Town of Blackfalds;

Condominium is a form of property ownership in which each owner holds title to his/her individual unit, plus a fractional interest in the common areas of the multi-unit project.

Day Care Facility means a facility providing care, and/or supervision for seven or more children under the age of 12 (including the operators own children) for more than 3 but less than 24 consecutive hours in a day.

Detached Dwelling means a freestanding building & contains one dwelling unit

Development means:

- a) an excavation or stockpile and the creation of either of them, or

- b) a building or an addition to, or replacement or repair of a building and the construction or placing in, on, over or under land of any of them, or
- c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
- d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building;

Development Authority means the person or persons appointed by resolution of Council as Development Officer pursuant to the Land Use By-law, and/or the Municipal Planning Commission established by By-law;

Development Officer means a person appointed as a Development Officer pursuant to this Land Use By-law;

Development Permit means a document authorizing a development issued pursuant to this Land Use By-law;

Discretionary Use means a use of land, building or other structure that may be permitted by the Municipal Planning Commission after due consideration is given to the impact of that use upon neighbouring land and other lands in the Town, and includes accessory and similar uses approved by the Municipal Planning Commission;

District means a Land Use District established under this By-law;

District Shopping Centre means a group of commercial establishments planned, owned, developed and managed as a unit with off street parking established on the same site which serves the needs of the urban centre and surrounding municipalities;

Drinking Establishment means an establishment where the primary purpose of which is the sale of alcoholic beverages for consumption on the premises and the secondary purposes of which may include entertainment, dancing, the preparation and sale of food for consumption on the premises, take-out food services and the sale of alcoholic beverages for consumption away from the premises. A drinking establishment includes any premises in respect of which a

"Class A" liquor license has been issued and where minors are prohibited by the terms of the license;

Driveway means a vehicle access route between the carriageway of a public roadway and a use on a parcel;

Duplex means two attached single dwellings sharing a common wall and located side by side or one above the other, and having separate exterior entrances;

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

Dwelling Unit for the Occupancy of the Owner, Operator or Caretaker means a dwelling unit which is accessory to other development on the parcel;

Eave Line means the horizontal line that marks the intersection of the roof and the wall of a building;

Existing Residence and Other Related Improvements means a detached dwelling or manufactured home and buildings accessory to the use of the dwelling unit and the parcel upon which it is located, serviced by utilities and access to the satisfaction of the Development Authority;

Existing Uses and Buildings means uses and buildings which existed at the time of adoption of Land Use By-law

Farm Equipment Sales and Service Outlet means a facility providing for the sale, rental, service or repair of farm equipment;

Farmers' Market means the use of land, buildings or structures, or part thereof, for the purpose of selling fruit and vegetables to the general public;

Fascia Sign means a sign attached to, marked or inscribed on and parallel to the face of a building wall but does not include a billboard;

Feed Mills and Grain Elevators means

buildings in which animal feeds and grain are stored during shipment to or from farms and in which animal feeds may be prepared;

Floor Area means:

- a) for residential buildings, the total area of all floors in a building measured from the outside of exterior walls excluding floor areas of basements, cellars, attached garages, sheds, carports, or open porches in all residential buildings, or
- b) for commercial buildings, the total floor area of all floors in a building measured from the outside of exterior walls including basements and cellars.

Food Processing Facility means a development that consists of the processing of raw materials into a semi finished or finished food and/or beverage product that may be stored on site prior to the distribution of the product. Any indoor display, office or administrative support area shall be deemed an accessory use;

Fourplex means a building containing four dwelling units, each unit comprising two floor levels and sharing a common party wall with two other units;

Freestanding Sign means a sign that is supported independently of a building wall or structure but does not include a portable sign;

Front Parcel Boundary means the boundary of a site adjacent to a street. In the case of a corner site, the front boundary is deemed to be the shorter of the two boundaries which are common with the streets. [See sketch in Schedule B (4) – Yards];

Front Yard means a yard extending across the full width of a parcel measured perpendicularly from the front boundary of the parcel to the front wall(s) of the main building situated on the parcel [see sketch in Schedule B (4) - Yards];

Funeral Home with Crematorium means a business establishment where the bodies of the dead are prepared for burial or cremation, where funeral services can be held, and where deceased persons can be cremated;

Funeral Home without Crematorium means a business establishment where the bodies of the dead are prepared for burial or cremation, and where funeral services can be held;

Garden Centre means a building for the wholesale or retail sale of flowers, plants, scrubs, trees, similar vegetation and associated gardening merchandise and landscaping materials;

Grade means the lowest level of finished ground elevation adjoining a building at any exterior wall;

Hard Landscaping means the use of non-vegetative material, other than monolithic concrete, asphalt or gravel, as part of a landscaped area;

Hard Surfacing means asphalt, concrete or paving stone that is used in the construction of a driveway or parking area;

Heavy Equipment Assembly, Sales and Service means the assembly, sales, rental and service of any heavy vehicle or equipment used in commercial, industrial or agricultural activities;

Heavy Manufacturing means the manufacture of products, the process of which generates fumes, gases, smokes, vapours, vibrations, noise or glare, or similar nuisance factors which have a high probability of occurring and which may cause adverse effects to the users of adjacent land;

Height refers to the vertical distance measured from the average grade to the highest point of the building;

Highway refer to the Province of Alberta Traffic Safety Act;

Home Based Business, Major means development consisting of the use of an approved dwelling or accessory building by the resident(s) of the dwelling as a use secondary to the residential use of the dwelling or accessory building for any occupation, profession or craft which may generate more than one business associated visit per day. The dwelling or accessory building may be used as a workplace for a non-resident. Businesses of this type may include a contracting business, dressmaker, hairdresser, music instructor, cattery, kennel, catalogue sales, and other domestic activities;

Home Based Business, Minor means development consisting of the use of an approved dwelling by the resident (s) of the

dwelling as a secondary use to the residential use of that dwelling for any occupation, profession or craft which shall not require more than one business associated visit per day. Businesses of this type typically involve the use of an office or workroom, a computer, a phone or a facsimile machine;

Hotel means a building which contains transient lodging accommodations for a daily fee to the general public, where each room has access from a common interior corridor, and may provide for additional services such as, but not limited to, restaurants, meeting rooms and recreational facilities;

Intermunicipal Development Plan means a plan adopted by Council and the Council of Lacombe County and/or any other municipal council as an Intermunicipal Development Plan pursuant to the Municipal Government Act;

Kennel means the owning or harbouring of more than two (2) dogs over the age of three (3) months and/or the owning or harbouring of more than three (3) cats over the age of three (3) months

Landscaped Area means an area of land made attractive and desirable by the use of any or all of the following: grass, trees, shrubs, groundcover (limited to decorative rock, bark or mulch), ornamental planting, fences, walls and associated earthworks; however, it shall not include areas occupied by garbage containers, storage, parking lots or driveways;

Land Use Bylaw means Bylaw No. 1081/09 and amendments thereto;

Land Use District means an area as described in Schedule C and shown in Schedule A of this Land Use Bylaw;

Land Use Policies means policies established by the Lieutenant Governor in Council pursuant to the Municipal Government Act;

Lane means a public thoroughfare which provides a secondary means of access to a parcel or parcels and which is registered in a land titles office;

Light Equipment Rental Shop means an establishment where small industrial, commercial and residential equipment is kept for rental to the general public and includes

such things as lawn and garden tools, floor cleaning equipment, painting and decorating supplies, and masonry, plumbing, construction supplies and power tools;

Light Manufacturing means the manufacture of products, the process of which does not create and emit fumes, gases, smokes, vapours, vibrations, noise or glare or other factors which are regarded as nuisances which would cause adverse effects to the users of adjacent land;

Legal Parking Pad shall include the area used as a driveway to an attached front drive garage and an area the will include the extension of the sidewalk to the front door to a maximum of 1m (3.28ft) from the wall of the garage adjacent to the walk leading to the front entrance and will also include the area from the edge of the driveway to the side property line on the opposite side of the sidewalk to the front door "Legal parking pad sample drawings at the end of Section 1"

Main Building means a building in which is conducted the main or principle use of the parcel on which it is erected;

Main Use means the principle purpose for which a building or parcel is used;

Manufactured Home means a residential building containing one dwelling built in a certified off-site manufacturing facility in accordance to the Alberta Building Code, that becomes part of the surface foundation suitable for long term occupancy designed to be transported on either its own wheels and chassis or other means to a suitable site.;

Manufactured Home Park means a parcel comprehensively designed, developed, operated and maintained to provide sites and facilities for the placement and occupancy of manufactured homes on a long-term basis;

Manufactured Home Sales and Service means a facility providing for the sale, rental, lease or service of mobile homes;

Mechanized Excavation, Stripping and Grading means the use of motorized equipment to remove, relocate or stockpile soil or vegetation in excess of normal landscape maintenance requirements;

Minimum Parcel Width means the distance measured from one side of the lot to the other

at a distance from the front property boundary equal to the minimum front yard setback applicable;

Modular Home means a method of constructing a single family dwelling in accordance with the Alberta Building Code, in one or more sections in a certified off site manufacturing facility. The section(s) are transported to a site for installation and anchoring on a permanent foundation in compliance with the Alberta Building Code.

Motel means a building or a group of buildings on a parcel designed and operated to provide temporary sleeping accommodation for transient motorists and contains separate sleeping units with bathrooms, each of which is provided with an adjoining or conveniently located parking space;

Mother-in-law Suite means a self contained dwelling unit having cooking, food preparation, sleeping and bathing facilities which are separate from the principle dwelling, and includes the conversion of a basement space to a dwelling, or the addition of new floor space within a single detached dwelling for family members. A mother-in-law suite must have a separate entrance from the principle dwelling, either from a common indoor landing or directly from the exterior of a building. A restrictive covenant is required to be registered against the title of the property to ensure that it would not become a rental unit.

Motor Vehicle Sales, Service or Repair means the sales, servicing and repair of motor vehicles including service stations and car washes;

Multiple Housing Development means two or more buildings containing dwelling units, located on a parcel of land, where all the buildings, recreation areas, vehicular areas, landscaping and all other features have been planned as an integrated development;

Municipal Development Plan means a plan adopted by Council as a municipal development plan pursuant to the Municipal Government Act;

Municipal Government Act means the Municipal Government Act, S.A. 1994, c. M-26.1, as amended;

Municipal Planning Commission means a Municipal Planning Commission established

by Bylaw # 1075/08, and any amendments thereto;

Municipality means the Town of Blackfalds;

Municipal Uses means the use of a parcel or building which is owned or leased by the municipality and which is necessary for the community of Blackfalds;

Natural Environment Preservation Area means an area that is to be preserved because it is unsuitable in its natural state for development;

Neighbourhood Convenience Store means a commercial establishment with off street parking established on the same site which serves the convenience shopping needs of the immediate neighbourhood only;

Nonconforming Building means a building:

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

Nonconforming Use means a lawful specific use:

- a) being made of land or a building or intended to be made of a building lawfully under construction, at the date a land use by-law affecting the land or building becomes effective, and
- b) that on the date a land use by-law becomes effective does not, or in the case of a building under construction will not, comply with this Land Use By-law;

Off Highway Vehicle means any motorized mode of transportation built for cross-country travel on land, water, snow, ice or marsh or swamp land or on other natural terrain.

Office means a development that provides professional, management, administrative, consulting, and health care services, such as the offices of doctors, lawyers, accountants, engineers, architects, clerical, secretarial, employment, telephone answering and similar

office support services, and financial services;

Open Storage Yard means land that is used for the storage of products, goods or equipment;

Outdoor Storage means the accessory storage of equipment, goods and materials, specifically related to the business activity conducted on the subject parcel, in the open air where such storage of goods and materials does not involve the erection of permanent structures for storage.

Owner means the person who is registered under the *Land Titles Act* as the owner of the fee simple estate in the land, or in respect of any property other than land, the person in lawful possession of it;

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 or registered in the land titles office;

Parcel Coverage means the area covered by buildings including the principle building and any addition to it and any accessory buildings on the property;

Parcel of Land means:

- a) where there has been a subdivision, any lot or block shown on a plan of subdivision that has been registered in a land titles office;
- b) where a building affixed to the land that would without special mention be transferred by a transfer of land has been erected on 2 or more lots or blocks shown on a plan of subdivision that has been registered in a land titles office, all those lots or blocks;
- c) a quarter section of land according to the system of surveys under the *Surveys Act* or any other area of land described on a certificate of title;

Parking Facility means a structure or an area providing for the parking of motor vehicles;

Parks and Playgrounds means areas of public land known for their natural scenery and/or preservation for public recreation either active or passive which meet the CSA Standards;

Permanent Foundation means:

- a) an engineered approved wood

- foundation, or
- b) a poured reinforced concrete basement, or
- c) a concrete block basement;

Permitted Use means a use which is compatible with other uses in the District and for which a development permit shall be issued provided it otherwise conforms to this Land Use Bylaw;

Personal Service means the provision of a service to individuals on a commercial basis, and includes such services as photographers, travel agencies, beauty salons, dry cleaners, medical and health related services including offices for doctors, dentists, psychologists, physiotherapists and message therapists, medical and dental laboratories and out-patient care facilities;

Pet Grooming means a facility for the grooming and care of animals, but does not include provision for their overnight accommodation, kennels, outdoor pens, runs, or enclosures;

Portable Sign means a sign which is not in a permanently installed or affixed position;

Principle Building means a building which:

- a) occupies the major or central portion of a site,
- b) is the chief or main building amongst the buildings on the site, or
- c) constitutes, by reason of its use, the primary purpose for which the site is used;

Projecting Sign means a sign which projects from a structure or a building face;

Public and Quasi-public Use means a use of land or a building for purposes of public administration and service and shall also include a building for the purpose of assembly, instruction, culture, recreation or other community activity;

Public Utility means a system or works used to provide one or more of the following for public consumption, benefit, convenience or use:

- a) water or steam
- b) sewage disposal
- c) public transportation operated on behalf of the municipality
- d) irrigation

- e) Drainage
- f) Fuel
- g) electric power
- h) heat
- i) waste management
- j) telecommunications

and includes anything that is provided for public consumption, benefit, convenience or use;

Public Utility Building means a building in which the proprietor of a public utility maintains an office, or maintains or houses equipment used in connection with the public utility, or for the service or commodity supplied by any of those systems;

Railway Uses means a use of land or a building directly related to the building or operation of a railroad system;

Rear Yard means a yard extending across the full width of a parcel measured perpendicularly from the rear wall(s) of the main building situated on the parcel to the rear property boundary of the parcel [see sketch in Schedule B (4) - Yards];

Recreation Facilities means a public building and grounds for community entertainment, relaxation, social activity and other leisure needs;

Recreation Vehicle Sales and Service means a facility providing for the sale, rental, lease or service of recreation motor homes, travel trailers and similar portable units designed for travel;

Recycle Depot means a building in which used materials are separated and may undergo minor processing prior to shipment to other facilities for manufacture into new products;

Repair Services means the restoration, maintenance and/or manufacturing of objects, which is compatible with other uses in the District;

Restaurant means an establishment where food is prepared and served on the premises for sale to the public, and may include the sale of consumable liquor or have drive-thru facilities;

Retail Liquor Store means a building or part of a building for the sale of alcohol, including

wine and cold beer, but not for consumption on site;

Retail Store means a development for the retail sale or rental of groceries, beverages, household goods, furniture and appliances, hardware, clothes, printed matter, confectionery, tobacco, pharmaceutical and personal care items, automotive parts and accessories, office equipment, stationery and similar goods within a building and includes supplementary services such as postal service, film processing and the repair of anything sold or rented by the retail store;

Road means land:

- a) shown as a road on a plan of survey that has been filed or registered in a Land Titles Office, or
- b) used as a public road and includes a bridge forming part of a public road and any structure incidental to a public road, but does not include a highway;

Row Housing means a group of three or more dwelling units, each unit separated by a common or party wall and having a separate front and rear access to the outside grade;

Screen means a fence, berm, hedge, wall or building used to separate areas or functions which detract from the appearance of the street scene and the view from the surrounding areas;

Seed Cleaning Plant means a building for the storage and preparation of seed used in agriculture;

Senior Citizen Housing means a building or portion of a building operating as a business which provides temporary or permanent accommodation for elderly persons, where each resident has a private bedroom or living unit and which has common facilities for the preparation and consumption of food, and in which common lounges, recreation facilities and medical care facilities for the occupants may also be provided;

Service Station means one or more pump islands, each consisting of one or more gasoline pumps and a shelter which may or may not be used for the sale of other products. There may also be facilities used for repairs, oil changes or greasing;

Set Back means a distance additional to

minimum yard requirements which may be required on parcels adjacent to the public roadways;

Side Yard means a yard extending from the front yard to the rear yard between the side boundary of the parcel and the wall of main building therein [see sketch in Schedule B (4) - Yards];

Sight Triangle means an area at the intersection of roadways, other than lanes, or roadways and railways in which all buildings, fences, vegetation and finished ground elevations shall be less than 1 m (3.28 ft.) in height above the average elevation of the carriageways/rails, in order that vehicle operators may see approaching vehicles in time to avoid collision;

Sign means any word, letter, model, placard, board, notice, device or representation, whether illuminated or not, in the nature of and employed wholly or in part for the purposes of advertisement, announcement or direction and its supporting structure;

Social Care Residence means a building or portion of a building where four or more occupants are living on a temporary, short, or long-term basis who, because of their circumstances, cannot or do not wish to maintain their own households, and may be provided with specialized care in the form of supervisory, nursing, medical, counselling or homemaking services;

Soft Landscaping means the use of vegetative material as part of a landscaped area;

Solid Waste Transfer Station means a facility for the collection and temporary holding of solid waste in a storage container;

Statutory Plan means a municipal development plan, intermunicipal development plan, area structure plan and area redevelopment plan adopted by a by-law of the municipality, or any one or more of them;

Street means a registered street or public roadway and does not include a lane or walkway;

Structure means anything constructed or erected, the use of which requires location on the ground or attachment to something located on the ground, but not including pavements,

curbs, walks or open air surfaced areas;
Structural Alterations means altering the main building components which support a building;

Subdivision and Development Appeal Board means the board established by Council through the Subdivision and Development Appeal Board Bylaw, and any amendments thereto;

Subdivision and Development Regulation means the Subdivision and Development Regulation (AR212/95), as amended;

Use means a building or an area of land and the function and activities therein or thereon;

Veterinary Clinic means a facility for the medical care and treatment of animals, and includes provision for their overnight accommodation but does not include kennels, outdoor pens, runs or enclosures;

Veterinary Hospital means a facility for the medical care and treatment of animals and includes provision for their accommodation and confinement in outdoor pens, runs and enclosures;

Warehousing means a facility for the indoor storage of goods and merchandise but does not include a building the principle use of which is the sale of goods;

Yard means an open space on the same site as a building and which is unoccupied and unobstructed from the ground upward except as otherwise provided herein.

All other words and expressions have the meaning respectively assigned to them in Part 17 of the Municipal Government Act and the Subdivision and Development Regulation.

1.5 Establishment of 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 this Land Use By-law, including among other things;
 - a) keeping and maintaining for the inspection of the public during all reasonable hours, a copy of this Land Use By-law and all amendments thereto, and
 - b) keeping a register of all applications for development, including the decisions thereon and the reasons therefore.
 - c) receive all applications for a development permit; and
 - d) refer all applications for development which would result in permanent overnight accommodation, including dwellings, or public facilities to the Alberta Energy and Utilities Board, if any of the land which is the subject of the application is within 1.5 km (0.93 miles) of a sour gas facility and the proposed development is not, in the opinion of the Development Officer, an infill development, and
 - e) consider and decide on applications for a development permit for those uses, listed in Schedule C, which constitute a permitted use in a District; and
 - f) refer with recommendations, to the Municipal Planning Commission for its consideration and decision, applications for a development permit for those uses listed in Schedule C which constitute a discretionary use; and
 - g) at his/her discretion refer to the Municipal Planning Commission any application which in his/her opinion should be decided by the Municipal Planning Commission, and
 - h) refer any application to an adjacent municipality or any other agency or person which in his/her opinion may provide relevant comments or advice respecting the application.

1.6 Municipal Planning Commission

The Municipal Planning Commission of the Town of Blackfalds is established by Bylaw and amendments thereto.

1.7 Subdivision and Development Appeal Board

The Subdivision and Development Appeal Board of the Town of Blackfalds is established by Bylaw and amendments thereto.

1.8 Establishment of Forms

1. For the purpose of administering this Land Use By-law, the Development Officer shall prepare such forms and notices as may be necessary.
2. Any such forms or notices are deemed to have the full force and effect of this Land Use By-law in the execution of the purpose for which they were designed, authorized and issued.

1.9 Establishment of Supplementary Regulations

Supplementary Regulations as set forth in Schedule "B" hereto, are hereby adopted by reference to be part of this Land Use By-law, and to be amended in the same manner as any other part of this Land Use By-law.

1.10 Establishment of Land Use District Regulations

Land Use District Regulations as set forth in Schedule "C" hereto, are hereby adopted by reference to be part of this Land Use By-law, and to be amended in the same manner as any other part of this Land Use By-law.

1.11 Establishment of Districts

1. For the purpose of this Land Use By-law the Town of Blackfalds is divided into the following Districts:
 - Residential Single Dwelling Small Lot District (R-1S)
 - Residential Single Dwelling Medium Lot District (R-1M)
 - Residential Single Dwelling Large Lot District (R-1L)
 - Residential Multi Dwelling District (R-2)
 - Residential Medium Density District (R-3)
 - Residential High Density District (R-4)
 - Residential Maximum Density Multi Unit District (R-5)
 - Residential Manufactured Home Community District (R-MHC)
 - Residential Manufactured Home Park District (R-MHP)
 - Commercial Central District (C-1)
 - Commercial Highway District (C-2)
 - Commercial Local District (C-3)
 - Business Park District (C-4)
 - Commercial Mixed Use District (CMU)
 - Direct Control District (DC)
 - Industrial Light District (I-1)
 - Industrial Heavy District (I-2)

- Public Facility District (PF)
- Environmental Open Space District (EOS)
- Urban Reserve District (UR)

Areas Annexed from Lacombe County

Those lands recently annexed from Lacombe County continue to be subject to the provisions of the Lacombe County Land Use By-law in force at the time of the effective date of annexation. The district has been added to the Bylaw.

2. The boundaries of the Districts listed in subsection (1) are as delineated on the Land Use District Map being Schedule A hereto. All public roadways, watercourses and lakes are excluded from the Land Use Districts.
3. Where the location of District boundaries on the Land Use District Map is not clearly understood, the following rules shall apply:
 - a) a boundary shown as approximately following a parcel boundary shall be deemed to follow the parcel boundary;
 - b) a boundary which does not follow a parcel boundary shall be located by measurement of the Land Use District Map; and
 - c) a boundary location which cannot be satisfactorily resolved shall be referred to Council for an official interpretation.

1.12 Amendment of the Land Use Bylaw

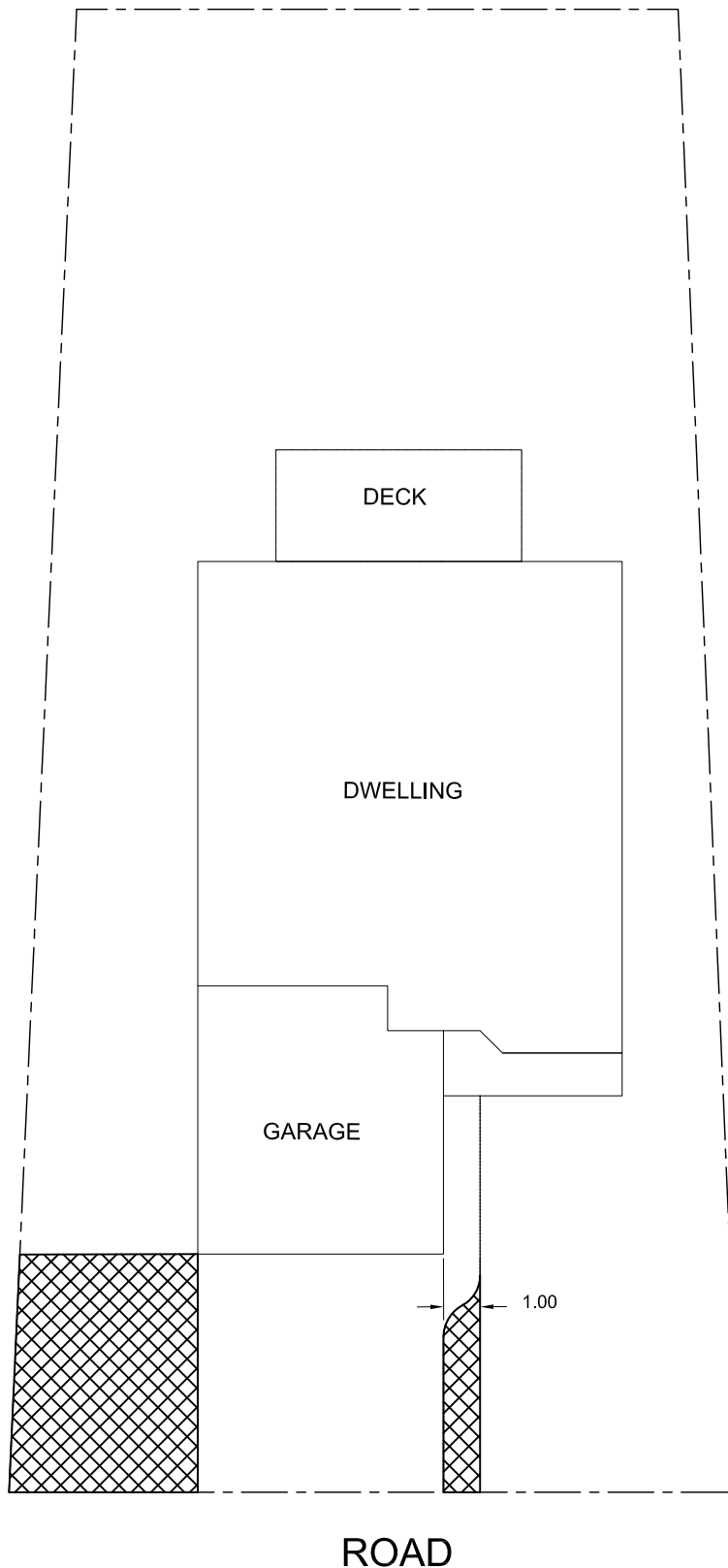
1. The Council on its own initiative may give first reading to a By-law to amend this Land Use By-law.
2. A person may make application to the Development Officer for amendment to this Land Use By-law. The application shall include:
 - a) a statement of the specific amendment requested;
 - b) the purpose and reasons for the application;
 - c) if the application is for a change of District, the legal description of the lands, or a plan showing the location and dimensions of the lands;
 - d) the registered owner's authorization for the proposed amendment, if the applicant is not the registered owner,
 - e) the applicant's interest in the lands; and
 - f) an application fee, the amount of which shall be determined from time to time by resolution of the Council. If first reading to a by-law to amend this Land Use By-law is not passed, the application fee, with the exception of a deduction for administrative costs, shall be refunded to the applicant.
3. If the amendment is for a redesignation of land, the Development Officer may require:
 - a) an area structure plan, or amended area structure plan, for the area to be redesignated, to the level of detail specified by the Development Officer; and
 - b) payment of a fee equal to the costs incurred by the Town to review the proposed redesignation and/or related area structure plan or amended area structure plan;
4. Upon receipt of an application for amendment to this Land Use By law, the Development Officer shall determine when the application will be placed before Council and shall issue not less than 5 days notice to the applicant advising that he may appear before Council at that time, and speak to the application. An application for amendment shall be placed before Council within 60 days of its receipt by the Development Officer.

5. Council, in considering an application for an amendment to this Land Use By-law, may at its sole discretion:
 - a) refuse the application; or
 - b) refer the application for further information; or
 - c) pass first reading to a by-law to amend this Land Use By-law, with or without conditions or amendments; or
 - d) defeat first reading of a by-law to amend this Land Use By-law; or
 - e) pass first reading of an alternative amendment to this Land Use By-law, with or without conditions.
6. Following first reading of an amending bylaw, Council shall:
 - a) establish the date, time and place for a public hearing on the proposed by-law;
 - b) if a by-law to establish procedures for public hearings has not been passed
 - (i) outline the procedures to be followed by any person, group of persons or person representing them who wish to be heard at the public hearing, and
 - (ii) outline the procedure for conducting the public hearing;
7. Following first reading to an amending bylaw, the Development Officer must give notice of the public hearing by
 - a) publishing notice at least once a week for 2 consecutive weeks in at least one newspaper or other publication circulating in the area to which the proposed by-law relates; or
 - b) mailing or delivering notice to every residence adjacent to the area to which the proposed by-law relates;
8. A notice of a public hearing must be advertised at least 5 days before the public hearing occurs;
9. A notice of a public hearing must contain:
 - a) a statement of the general purpose of the proposed by-law and public hearing,
 - b) the address where a copy of the proposed by-law and any documents relating to it or the public hearing may be inspected, and
 - c) the date, place and time where the public hearing will be held;
10. In the case of an amendment to change the district designation of a parcel of land, the Development Officer must, in addition to the requirements of subsection (7),
 - a) include in the notice
 - (i) the municipal address, if any, and the legal address of the parcel of land, and
 - (ii) a map showing the location of the parcel of land,
 - b) give written notice containing the information described in clause (a) and subsection (9) to the assessed owner of that parcel of land at the name and address shown in the assessment roll of the municipality, and
 - c) give written notice containing the information described in clause (a) and subsection (9) to each owner of adjacent land at the name and address shown for each owner on the assessment roll of the municipality.

11. If the land referred to in subsection (10)(c) is in Lacombe County, the written notice must be given to that municipality and to each owner of adjacent land at the name and address shown for each owner on the tax roll of Lacombe County.
12. Notwithstanding subsection (6), the Land Use By-law may be amended without giving notice or holding a public hearing if the amendment corrects clerical, technical, grammatical or typographical errors and does not materially affect the Land Use By-law in principle or substance.
13. In the public hearing, the Council:
 - a) must hear any person, group of persons, or person representing them, who claims to be affected by the proposed bylaw and who has complied with the procedures outlined by Council and,
 - b) may hear any other person who wishes to make representations and whom the Council agrees to hear.
14. After considering the representation made to it about the proposed by-law at the public hearing and after considering any other matter it considers appropriate, Council may
 - a) pass the bylaw,
 - b) make any amendment to the bylaw it considers necessary and proceed to pass it without further advertisement or hearing,
 - c) refer the bylaw for further information or comment, or
 - d) defeat the bylaw.
15. Prior to third reading of the proposed bylaw, Council may require the applicant to apply for a development permit and negotiate a development agreement in respect of the proposal which initiated the application for amendment.
16. After third reading of the proposed bylaw, the Development Officer shall send a copy of the bylaw to:
 - a) The applicant;
 - b) The owner of land, if not the applicant;
 - c) Lacombe County if it received a copy of the proposed bylaw pursuant to subsection (11).
17. In this section, "owner" means the person shown as the owner of land on the assessment roll prepared pursuant to the Municipal Government Act.
18. The Development Officer shall not accept an application for an amendment which is identical or similar to an application which was refused by Council, for a period of 3 months after the date of the refusal unless, in the opinion of the Development Officer, the reasons for refusal have been adequately addressed or the circumstances of the application have changed significantly.
19. If the subdivision or development for which land was redesignated does not occur within one year of the date of final passage of the redesignation bylaw, Council may initiate a bylaw to redesignate the land back to its former district and may adopt the redesignation bylaw.

1.13 Sections Found Invalid

If one or more provisions of this Land Use By-law are for any reason declared to be invalid, it is intended that all remaining provisions are to remain in full force and effect.



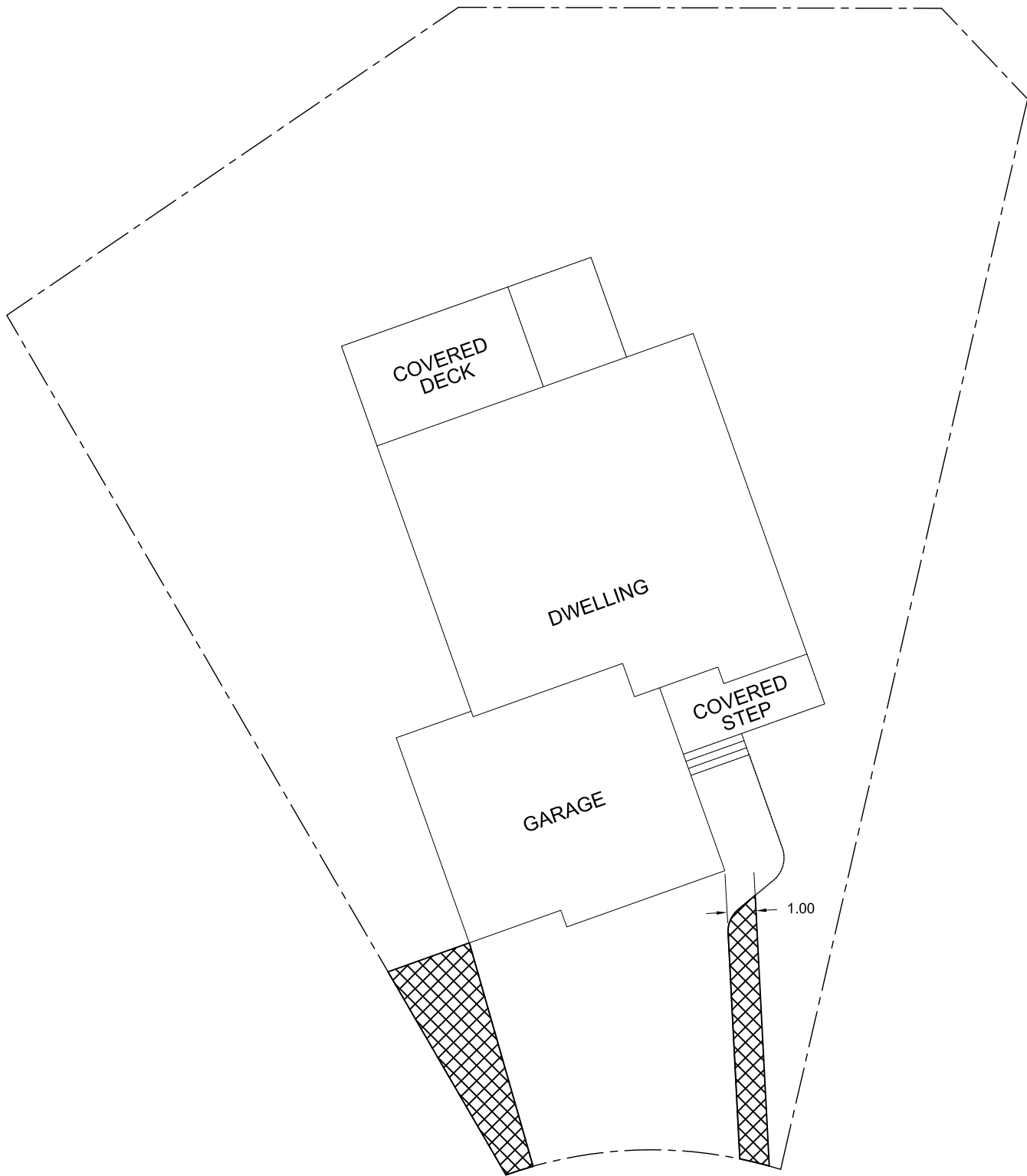
ROAD



ALLOWABLE LEGAL PARKING PAD AREA

ALLOWABLE LEGAL PARKING PAD
EXAMPLE DRAWING 3





ROAD

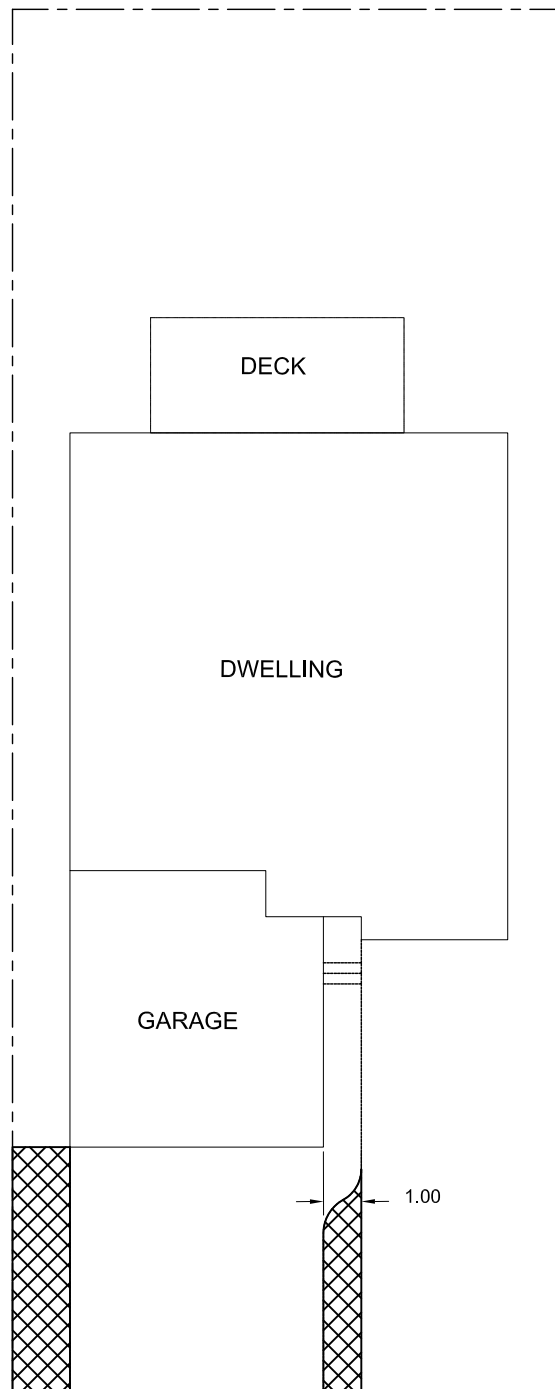


ALLOWABLE LEGAL PARKING PAD AREA

ALLOWABLE LEGAL PARKING PAD
EXAMPLE DRAWING 3



LANE



ROAD



ALLOWABLE LEGAL PARKING PAD AREA

ALLOWABLE LEGAL PARKING PAD
EXAMPLE DRAWING 3



TOWN OF BLACKFALDS

LAND USE BYLAW # 1081/09



PART TWO – DEVELOPMENT PERMITS CONTRAVENTION AND APPEAL

DEVELOPMENT PERMIT, CONTRAVENTION AND APPEAL

2.1 Purpose of Development Permits

Development permits are required to ensure that all development is achieved in an orderly manner in accordance with this Land Use By-law, the Municipal Government Act, and the Subdivision and Development Regulations.

2.2 Development Not Requiring a Development Permit

All development undertaken in the municipality requires an approved development permit prior to commencement, except:

1. the carrying out of internal alterations (i.e. painting, flooring, etc.) , external maintenance, including roof repair, mechanical and electrical work, provided the use of the building and the number of dwelling units within the building or on the site does not increase;
2. the completion of any development which has lawfully commenced before the passage of this Land Use By-law or any amendment thereof, provided that the development is completed in accordance with the terms of any permit granted in respect of it, and provided that it is completed within 12 months of the date of commencement;
3. a deck that is unenclosed and not higher than 61 cm (24 in) from the approved grade level;
4. the use of any such development as is referred to in subsection (2) for the purpose of which development was commenced;
5. the erection or construction of gates, fences, walls or other means of enclosure less than 1 m (3.28 ft.) in height in front yards and less than 2 m (6.56 ft.) in side and/or rear yards, and the maintenance, improvement and other alterations of any gates, fences, or walls or other means of enclosure;
6. the carrying out of any landscaping in which there will be no change to the approved grade of the site;
7. a temporary building, the sole purpose of which is incidental to the carrying out of a development for which a permit has been issued under this Land Use By-law;
8. a temporary use of a parcel not exceeding 7 days for the sole purpose of mobile commercial sales providing a business license is obtained from the municipality and the location of the business is to the satisfaction of the Development Officer;
9. the maintenance and repair of existing utilities and the installation of utility system extensions which are necessary to serve developments approved by the Development Authority of Council;
10. any development carried out by or on behalf of the Crown;
11. any development carried out by or on behalf of the municipality provided that such development complies with all applicable provisions of this Land Use By-law;
12. in a residential land use district, the construction of one accessory building used as a garden or tool shed, such building not to exceed 10 m² (108.00 sq. ft.) in floor area and 2.5 m (8.2 ft.) in height.

13. development specified in Section 618 of the Municipal Government Act, which includes:

- a) a highway or public roadway;
- b) a well or battery within the meaning of the Oil and Gas Conservation Act;
- c) a pipeline or an installation or structure incidental to the operation of a pipeline, or;
- d) any other thing specified by the Lieutenant Governor in Council by regulation, which includes but is not limited to construction of buildings, or the construction or installation of equipment, navigational aids, and communications systems for use in connection with the operation of airports owned by or on land vested in the Crown in right of Alberta, or a municipal corporation;

12. the erection of one non-illuminated sign of the following nature and size for each use within a building or on a parcel, provided such signs do not resemble or conflict with traffic signs:

- a) a fascia sign for the purpose of identification, direction and warning not exceeding 0.2 m² (2.15 sq. ft.),
- b) a fascia sign relating to a person, partnership or company carrying on a profession, business or trade not exceeding 0.3 m² (3.23 sq. ft.),
- c) a fascia or freestanding sign relating to a religious, educational, cultural, recreational or similar institution, or to an apartment not exceeding 1 m² (10.76 sq. ft.),
- d) a portable sign or notice, relating to the sale or lease of land or buildings, sale of goods or livestock by auction, carrying out of construction, or the announcement of any local event of a religious, educational, cultural, political, or governmental nature not exceeding 3.0 m² (32.29 sq. ft.) and limited in display to the period of completion of the sale, lease, construction or event,
- e) a flag attached to a single upright flagpole.

13. the use of a building as a temporary polling station, an election candidate's campaign office or any other official temporary use in connection with a federal, provincial or municipal election or referendum.

14. the temporary placement of campaign signs in connection with a federal, provincial, or municipal election or referendum to be removed no later than 24 hours after the election.

15. temporary placement of garage sale signs for a period of time not exceeding 24 hours from the time the sale ends.

16. the erection of a satellite dish antennae with a dish diameter of less than 1 m (3.28 ft.) which:

- a) is attached to a dwelling , other than an apartment, in such a manner that no more than one half of the dish is higher than the peak of the roof of that part of the building to which it is attached, or
- b) is attached to a garage in a residential district in such a manner that no more than one half of the dish is higher than the peak of the of the part of the garage to which it is attached, or
- c) is at grade level and within 2 m (6.56 ft.) of the main building,
- d) displays no advertising other than the manufacturer's name and logo, and
- e) is the only satellite dish antennae on the parcel.

2.3 Permission for Development

Except as provided for in Section 2.2, no person shall commence any development unless the development conforms to this by-law and a development permit, if required, has been issued.

2.4 Development Permit Application

1. An application for a development permit shall be made to the Development Officer in writing and/or by electronic format when requested, on the prescribed form and shall be accompanied by:
 - a) a site plan at the scale of 1:500 in duplicate showing:
 - (i) north arrow and scale of plan;
 - (ii) legal and civic addresses of the property;
 - (iii) lot lines with dimensions;
 - (iv) proposed front, rear and side yards shown with dimensions;
 - (v) location of all utility easements and rights-of-way;
 - (vi) location of existing and proposed trees, landscaping, retaining walls and other physical features and an indication of which existing features will be retained/removed in the course of development;
 - (vii) location, layout and dimension of all parking and loading areas, entrances, exits and abutting roads (labelled); and
 - (viii) existing and proposed use of the existing and propped buildings and/or property;
 - b) scaled floor plans, elevations and sections in duplicate including a description of the exterior finishing materials, colours and signs;
 - c) a landscape plan;
 - d) a lot grading plan;
 - e) a copy of the Certificate of Title to the land;
 - f) a statement of the applicant's interest in the land if the applicant is not the owner, together with the written consent of the owner to the application,
 - g) the estimated commencement and completion dates;
 - h) the estimated cost of the project or contract price;
 - i) the applicable development permit fee; and
 - j) such other plans and information as the Development Authority may consider necessary to properly evaluate the proposed development.
2. The Development Officer may refuse to accept an application for a development permit where the information required by this bylaw has not been supplied or where, in the opinion of the Development Officer, the quality of the material supplied is inadequate to properly evaluate the application.
3. The Development Authority may deal with an application and make a decision without all of the information required by if it is the opinion of the Development Officer that a decision on the application can be properly made without such information.
4. The Development Authority may require that an applicant for a Development Permit attend a public meeting in the manner required by the Development Authority to allow input on the intended development.

2.5 Decision on Development Permit Application

1. For a permitted use in any District,
 - a) the Development Officer shall approve, with or without conditions, an application for a development permit where the proposed development conforms in every respect to this Land Use Bylaw, or
 - b) subject to the provision of subsection (4) and Section 2.8, the Development Officer shall refuse an application for a development permit if the proposed development does not conform in every respect to this Land Use Bylaw.
2. For a discretionary use in any District,
 - a) the Municipal Planning Commission may approve an application for a development permit:
 - (i) with or without conditions;
 - (ii) based on the merits of the proposed development including its relationship to any approved statutory plan or approved policy affecting the site;
 - (iii) where the proposed development conforms in every respect to this Land Use Bylaw; or
 - b) the Municipal Planning Commission may refuse an application for a development permit based on the merits of the proposed development, even though it meets the requirements of this Land Use By-law; or
 - c) subject to the provisions of subsection (4) and Section 2.8, the Municipal Planning Commission shall refuse an application for a development permit if the proposed development does not conform in every respect to this Land Use Bylaw.
3. In reviewing a development permit application for a discretionary use, the Development Authority shall have regard to:
 - a) The circumstances and merits of the application, including but not limited to:
 - (i) the impact on properties in the vicinity of such nuisance factors as smoke, airborne emissions, odours and noise;
 - (ii) the design, character and appearance of the proposed development and in particular whether it is compatible with and complementary to the surrounding properties, and
 - (iii) the servicing requirement for the proposed development
 - b) The purpose and intent of any statutory plan adopted by the Town, and
 - c) The purpose and intent of any non-statutory plan and pertinent policy adopted by the Town.
4. The Development Officer or Municipal Planning Commission, as the case may be, may approve an application for a development permit, may recommend approval of an application for subdivision approval, or advise that a real property report appears to conform with the Land Use By-law, notwithstanding that the proposed development or subdivision does not comply with the By-law or is a non-conforming building, if in the opinion of the Development Officer or Municipal Planning Commission, as the case may be, the proposed development or nonconforming building:

- a) would not:
 - (i) unduly interfere with the amenities of the neighbourhood, or
 - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and
 - b) conform with the use prescribed for that land or building in this Land Use By-law.
5. The Development Officer or Municipal Planning Commission, as the case may be, may require that, as a condition of issuing a development permit for a permitted use in a District, the use conform to any or all provisions of this Land Use By-law.
 6. The Municipal Planning Commission may require that, as a condition of issuing a development permit for a discretionary use in a District,
 - a) the use conform to any or all provisions of this Land Use By-law,
 - b) measures be taken or the development used in a manner that ensures that
 - (i) the development is orderly;
 - (ii) any impact upon adjacent uses is mitigated;
 - (iii) the safety and free flow of pedestrians and vehicular traffic on adjacent public roadways is not prejudiced;
 - (iv) the use is developed in a aesthetic and environmentally sound manner;
 - (v) the use is developed in conformance with any applicable statutory plan policies.
 7. The Development Authority shall require that, as a condition of issuing a development permit for a permitted or discretionary use in a District, arrangements, satisfactory to the municipality, be made for the payment of all outstanding off-site levies.
 8. A development permit may be issued on a temporary basis for a period specified by the Development Authority.
 9. Notwithstanding any provisions or requirements of this By-law, the Development Authority may establish a more stringent stand for a discretionary use when the Development Authority deems it necessary to do so.
 10. In the case where an application for a development permit has been refused pursuant to this Part or refused upon appeal to the Subdivision and Development Board, the submission of another application for a permit on the same parcel and for the same or similar use of land by the same or any other applicant may not be accepted by the Development Officer for at least 6 months after the date of the final decision unless in the opinion of the Development Officer the reasons for refusal have been adequately addressed or the circumstances of the application have changed significantly.

2.6 Development Agreement

1. The Development Authority may require with respect to a development proposal that, as a condition of issuing a development permit, the applicant submit a Real Property Report to the satisfaction of the Development Authority and enter into an agreement with the municipality to do all or any of the following:
 - a) to construct or pay for the construction of a public roadway required to give access to the development, or

- b) to construct or pay for the construction of pedestrian walkway systems in accordance with the Town of Blackfalds Trail Master Plan or as otherwise required, or
 - c) to install or pay for the installation of utilities, including the oversizing of utilities, that are necessary to serve the development and provide connections to future developments
 - d) to construct or pay for the construction of
 - (i) off street or other parking facilities, and
 - (ii) loading and unloading facilities, or
 - e) to pay an off-site levy or redevelopment levy imposed by bylaw, to carry out landscaping off the site which may include the retention and/or planting of trees, the construction of an earth berm or other form of screening;
 - f) to carry out such other work or things as the Development Authority considers necessary or advisable having regard to the nature of the proposed development;
 - g) to repair or reinstate, to original condition, any street furniture, roadways, curbing, sidewalk, boulevard landscaping or trees which may be damaged or destroyed or otherwise harmed by development or building operations upon the site;
 - h) to provide an irrevocable letter of credit or other security as may be required in such sum specified, as the Development Authority deems appropriate to ensure the application complies with the terms and conditions of the Development Agreement;
 - i) to pay to the municipality, to any Engineer or other person for materials testing, inspections, monitoring of construction and review of construction drawings, and legal costs and expenses to which the municipality is put in connection with the Development Agreement and the Agreement relates.
2. Prior to imposing any condition upon the issue of a development permit pursuant to subsection (1), the Development Authority shall consult with Council as may be required in the circumstances. All agreements pursuant to subsection (1) above shall be ratified by Council.
 3. To ensure compliance with the Development Agreement, the municipality may register a caveat pursuant to the provisions of the Land Titles Act and the Municipal Government Act in respect of an agreement under this Section against the Certificate of Title for the land that is the subject of the development, which said caveat shall be discharged when the agreement has been complied with.

2.7 Responsibility for Meeting Development Conditions

Responsibility for meeting conditions outlined in this Land Use By-law are that of the applicant for any development and/or building permit, and cannot be passed onto another party without written approval from the Development Authority. Any applicant who contravenes or does not comply with this requirement may be subject to penalties as outlined in Section 2.13 – Offences and Penalties.

2.8 Variances

1. Notwithstanding the provisions of this By-law, and that an application for development or conformity of a real property report does not comply with the standards established in this by-law, where the use of land conforms with the uses prescribed for land or building

in the By-law:

- a) The Development Officer, at their sole discretion, may approve a variance of up to 15% of the Regulations and Standards stated in the a bylaw provided all Safety Codes and the intent of the Bylaw are met;
- b) The Municipal Planning Commission may approve an unlimited variance of the Regulations and Standards stated in the Bylaw provided all Safety Codes and the intent of the Bylaw are met;

if in the opinion of the Development Officer or Municipal Planning Commission that such approval would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.

2.9 Development Permits, Notices and Appeals

1. Upon issuance of a development permit, the Development Officer shall publicize a notice of the issuance of the permit for a discretionary use or for a permitted use for which variances have been granted, by
 - a) mailing a notice of the decision to all persons whose use, enjoyment or value of property may, in the opinion of the Development Authority, be affected; and/or
 - b) publishing notice in a newspaper circulating in the municipality or.
 - c) posting all permitted use applications on the Town bulletin board.
2. A decision of the Development Authority on an application for a development permit shall be given in writing within 40 days of receipt, and a copy of it sent to the applicant.
3. When the Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal.
4. If a decision is not rendered within 40 days of the receipt of an application, the applicant may,
 - a) deem that a refusal has been issued, or
 - b) enter into an agreement with the Development Authority to extend the 40 day period within which a decision is to be made on the application.
5. The applicant for a development permit may appeal to the Subdivision and Development Appeal Board if the Development Authority:
 - a) refuses or fails to make a decision on a development permit within 40 days of receipt of a completed application; or
 - b) issues a development permit subject to conditions;

in which case the appeal period shall be within 14 days from the date which the development permit was either issued or refused, or within 14 days after the expiration of the 40 days in which the Development Authority failed to make a decision.

In addition to the applicant, any person affected by a development permit or the decision on it, may appeal to the Board. The appeal period shall be within 14 days from the date of issue for a permitted use, and within 21 days from the date of issue when a variance has been granted for a permitted use, or for a discretionary use. The date of issue of any permit shall be the date of notification pursuant to subsection (1).

Notwithstanding Sections 5(a) and 5(b), no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of this By-law are relaxed, varied, or misinterpreted.

6. Where an appeal is made to the Subdivision and Development Appeal Board, a development permit which has been issued shall not come into effect until the appeal has been determined, at which time the permit may be modified or nullified thereby.
7. If the development authorized by a permit is not commenced within 12 months or completed within 18 months, from the date of its issue, or the date of decision of the Subdivision and Development Appeal Board upon appeal, the permit ceases to be effective, unless an extension to this period, being no longer than an additional 12 months has previously been granted by the Development Authority.

2.10 Cancellation

The Municipal Planning Commission may cancel a development permit if

- a) the permit was issued in error, or
- b) the permit was issued on the basis of incorrect information.

2.11 Contravention

1. If the Development Authority finds that a development, land use or use of a building is not in conformity with:
 - a) the Land Use Bylaw, Part 17 of the Municipal Government Act, or the Subdivision and Development Regulations, or
 - b) a development permit or subdivision approval;

the Development Authority may, by written notice, order the owner, the person in possession of the land or building, or the person responsible for the contravention, or any or all of them, to:

- a) stop the development or use of the land or building in whole or in part as directed by the notice;
- b) demolish, remove or replace the development, or
- c) carry out other actions required by the notice so that the development or use of the land or building complies with the Land Use Bylaw, Part 17 of the Municipal Government Act, the Subdivision and Development Regulations, a development permit or subdivision approval;

and in such an order establish a time for compliance with such order, acting reasonably.

2. If a person fails or refuses to comply with an order under subsection (1) or an order of the Subdivision and Development Appeal Board made pursuant to Part 17 of the Municipal Government Act, the municipality may enter on the land or building and take any action necessary to carry out the order.
3. The municipality may register a caveat under the *Land Titles Act* in respect of an order referred to in subsection (1) against the certificate of title for the land that is the subject of the order. The caveat must be discharged by the municipality when the order has been complied with.

2.12 Appeal Procedure

1. An appeal of an order, and/or a decision or a failure to make a decision by the Development Authority may be made in writing to the Subdivision and Development Appeal Board in accordance with the provisions set forth in the Subdivision and Development Appeal Board By-law and amendments thereto.
2. If an appeal is filed pursuant to subsection (1), in order for the appeal to be complete it must be accompanied by an appeal fee, if one has been established by resolution of Council.

2.13 Offences and Penalties

1. A person who contravenes or does not comply with:
 - a) the Land Use Bylaw,
 - b) Part 17 of the Municipal Government Act,
 - c) the Subdivision and Development Regulation,
 - d) an order under Section 2.11(1) of this By-law,
 - e) a development permit or subdivision approval, or a condition therein,
 - f) a decision of the Subdivision and Development Appeal Board, or
 - g) who obstructs or hinders any person in the exercise or performance of his powers or duties under this Land Use By-law is:

guilty of an offence and is liable on summary conviction to a fine of not less than \$500.00 and not more than \$2,500.00 and in addition thereto a fine of not less than \$500.00 and not more than \$2,500.00 for every day that the offence continues.

2.14 Compliance with Other Legislation

Compliance with the requirements of this Land Use By-law does not exempt any person from

- a) the requirements of any federal, provincial or municipal legislation; and
- b) complying with any easement, covenant, agreement or contract affecting the development.

2.15 Repeal

Land Use Bylaw #1081/09 and amendments thereto are hereby repealed.

2.16 Date of Commencement

1. This Land Use By-Law comes into effect upon the date of its third reading.
2. Schedules A, B, C, and D are deemed to be part of the Land Use By-Law.

TOWN OF BLACKFALDS

LAND USE BYLAW # 1081/09

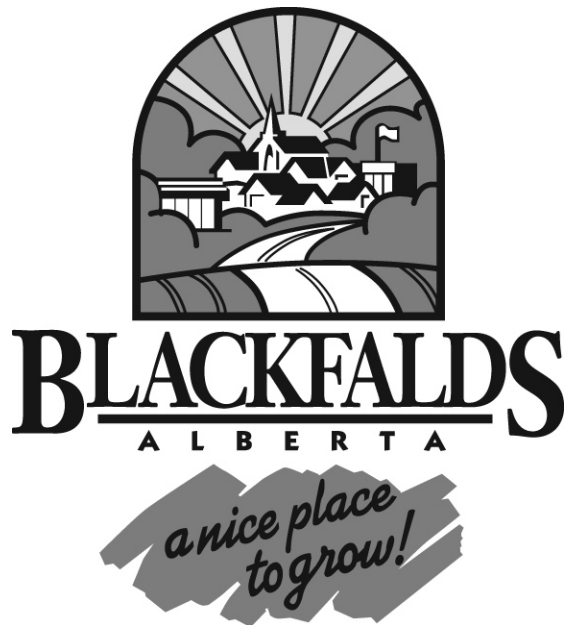


PART THREE SCHEDULES

SCHEDULE A LAND USE DISTRICT MAP

TOWN OF BLACKFALDS

LAND USE BYLAW # 1081/09



SCHEDULE B

SUPPLEMENTARY REGULATIONS

BUILDINGS

3.1 Accessory Buildings

1. Residential Districts

- a) Any accessory building that exceeds 10m² (108 sq ft) shall require a development permit;
- b) There shall be no more than two accessory buildings per residential lot which includes sheds and detached garages.
- c) No accessory building or any portion thereof shall be erected or placed within the front yard of a parcel.
- d) An accessory building on an interior parcel shall be situated so that the exterior wall is at least 1 m (3.28 ft.) from the side and rear boundaries of the parcel, except buildings having vehicle access, which are regulated by Section 5(3) of Schedule B.
- e) An accessory building on a corner parcel shall not be situated closer to the street than the main building. It shall not be closer than 1 m (3.28 ft.) to the other side parcel boundary or the rear parcel boundary, and where sight triangles are required at the intersection of roadways, it shall comply with Section 5(4) of Schedule B.
- f) An accessory building shall not be more than 4.5 m (14.76 ft.) in height, and shall not exceed the height of the main building.
- g) An accessory building or any portion thereof may be erected or placed on the rear or side boundary common to two parcels provided the accessory building serves the two abutting parcels.
- h) An accessory building erected or placed on a parcel shall not be used as a dwelling, in a single family residential district,
- i) An accessory building to which a vehicle may enter shall conform to Section 5(3) of this Schedule.
- j) Notwithstanding the provisions in Schedule C, the size of an accessory building may not exceed the size of the main building.

2. Other Districts

- a) accessory building or any portion thereof shall be erected or placed within the front yard of a parcel.

3.2 Building Orientations and Design

- 1. The design, character and appearance of any building, or series of buildings, structure or sign proposed to be erected or located in any District must be acceptable to the Development Authority having due regard to:
 - a) amenities such as daylight, sunlight and privacy
 - b) the character of existing development in the District, and
 - c) it's affect on adjacent parcels.
- 2. The Development Authority may establish architectural controls in order to guide the development and appearance of any building, including but not restricted to: shape, scale and mass; appearance including colour and the type of façade materials; roof lines and projections, signs; and lighting.
- 3. The Development Authority may approve an application for a development permit for an accessory building that is faced or finished with flexible sheeting capable of being rolled

or folded only if

- a) the building is located in the Industrial Light District (I-1), Industrial Heavy District (I-2) or, subject to subsection (d) the Commercial Highway District (C-2), and
 - b) the building is an accessory building on the parcel and is not erected or placed within the front yard of a parcel, unless otherwise approved by the Development Authority.
4. In the Commercial Highway District (C-2), a building that is faced or finished with flexible sheeting capable of being rolled or folded may be erected or placed on a parcel and must be removed after a maximum period of thirty (30) consecutive days from the date of its erection or placement except in the instance of a garden centre with will be allowed for a maximum of one hundred and twenty (120) consecutive days from the date of its erection or placement.

3.3 Number of Buildings on a Parcel

1. A development permit shall not be issued for more than one main building on an unsubdivided parcel, except where it is proposed to develop more than one main building to form a single, unified group of buildings.

3.4 Relocation of Buildings

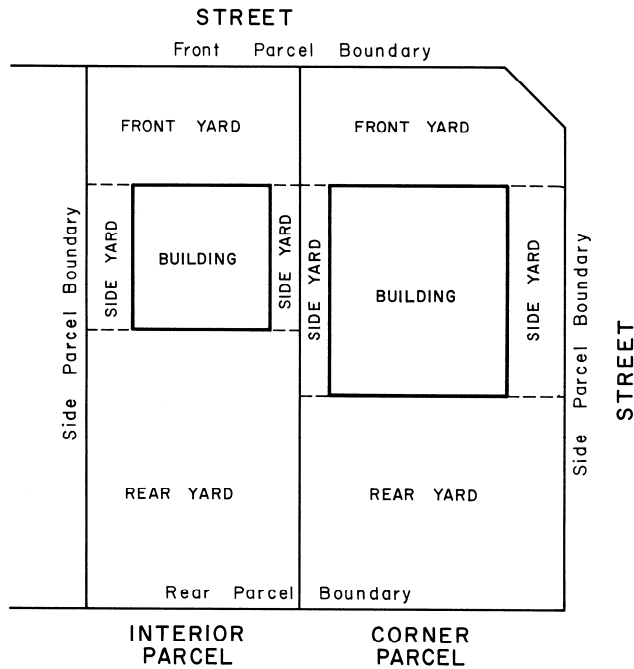
1. No person shall:
 - a) place on a parcel a building which has previously been erected or placed on a different parcel, unless a development permit has been issued by the Development Authority;
 - b) alter the location on a building on a parcel which has been constructed on that parcel unless a development permit has been issued by the Development Authority;
2. In addition to the requirements of Section 2.4(1) of PART TWO, the Development Authority may require an application for a development permit to be accompanied with
 - a) recent colour photographs showing all sides of the building;
 - b) a statement on the age, size and condition of the building;
 - c) a statement prepared and signed by a qualified person on the structural condition of a building; and
 - d) a statement of proposed improvements to the building.
2. Where a development permit has been granted for the relocation of a building either on the same parcel or from another parcel, the Development Authority may require the applicant to provide a performance bond of such amount to ensure completion of any renovations set out as a condition of approval of a permit.
3. All structural and exterior renovations shall be completed within one year of the issuance of a development permit.

3.5 Building Demolition

An application to demolish a building shall not be approved without submitting a statement or plan to the satisfaction of the Development Authority, indicating:

- a) how the operation will be carried out to create a minimum of dust and other nuisances;
- b) a traffic control plan approved by the Director of Infrastructure and Property Services;
- c) proof of disconnection of all utilities;
- d) an environment assessment of the building performed by a qualified consultant;
- e) the destination of debris materials;
- f) a work schedule of the demolition and site cleanup;
- g) the final reclamation of the parcel.

YARDS



4.1 Projection Over Yards

Except as otherwise provided in this Section, projections on foundation walls and footings, or on piles, are deemed to be part of the building and shall not be considered a projection over a yard.

Those structures complying with the requirements of this Section shall be considered permitted uses.

1. In residential Districts, structures such as fireplaces, eaves, bay or bow windows, unenclosed decks and steps, canopies and balconies may project into a minimum yard provided that the projection does not exceed:
 - a) 1.5m (4.92 ft) into the minimum front yard;
 - b) one-half of the minimum side yard required for the building, unless the site is in a laneless subdivision where Section 4(4) of Schedule B shall apply; and
 - c) 3m (9.84 ft) into the minimum rear yard.

No part of or attachment to a main building, including unenclosed decks more than 0.6 m (1.97 ft.) above grade, shall project into a front or rear yard any closer to the side parcel boundary than the distance in sub-clause (ii) above.

2. In all other Districts, the parts of and attachments to a main or accessory building which may project over or on a minimum yard are:
 - a) any projection not exceeding 1.5 m (4.92 ft.) into a front or rear yard;
 - b) any projection not exceeding 0.6 m (1.97 ft.) into a side yard; and
 - c) exterior fire escapes not exceeding 1.2 m (3.94 ft.) in width.
3. No portion of a building other than eaves, signs or canopies shall project into a public or private right-of-way.

4.2 Objects Prohibited or Restricted in Yards

1. Any dismantled, inoperable, dilapidated or wrecked motor vehicle, recreation equipment and vehicles or other equipment of any kind.
2. In a residential district, no person shall erect a temporary tented structure.
3. 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.
4. In any district, no motor vehicles, boats, utility trailers, ATV's and/ their trailers (off-highway vehicles), or recreational vehicles shall be allowed to park on any landscaped area of any front yard.
5. In a residential district, no person shall park or permit to be parked or remain on any part of a parcel, a commercial vehicle, loaded or unloaded:
 - a) having a gross vehicle weight exceeding 7500 kg (20,938 pounds), or
 - b) having more than one rear axle, or
 - c) being more than 6.65 m (21.82 ft) in length.
6. In a residential district, no person shall park or permit to be parked or remain on any part of a parcel, more than one commercial vehicle having a gross vehicle weight over 7500 (20,938 pounds) unless it is parked and parked for no longer than is reasonably necessary to unload or load.
7. Recreation Vehicles may be stored in a required front yard in any residential district provided the recreation vehicle is on a legal parking pad and is not overhanging a sidewalk, or where no sidewalk exists not overhanging the curb. When a side yard is adjacent to a paved public roadway recreation vehicles may only be stored on approved parking pads. This recreation vehicle may be stored in accordance with this rule for the entire year. No recreation vehicle, including travel trailers, boats and trailers, ATV and trailers or cargo trailer whether closed or open is to be unattached from the pulling vehicle or motor home is to be store on any street or Town property unless the unit is owned by the Town.
8.

NOTE: a holiday trailer or camper attached to a pulling vehicle or a motor home parked on a residential street shall be allowed to do so for a maximum of 72 continuous hours for a bon-a-fide tourist and 48 hours for a resident of the Town
9. A holiday trailer, motor home or camper parked in a Residential District may be used for living and sleeping accommodation by a bon-a-fide tourist for a maximum of 7 days per

10. The outdoor storage of materials, products, equipment or machinery shall not be permitted in the front yard of commercial or industrial districts unless required as part of the sale, promotion or display of merchandise in the sole discretion of the Development Authority. In the side and rear yard of these and any other district, the outdoor storage of vehicles, equipment or products shall be screened from public view to the satisfaction of the Development Authority.

4.3 Satellite Dish and Amateur Radio Antennae

1. A satellite dish and amateur radio antenna are accessory uses which require an approved development permit. An exception to this is if a satellite antenna has a dish diameter of less than 1 m (3.28 ft) and conforms with the requirements outlined in Section 2.2 (15) of Part Two.
2. In a Residential District, a satellite dish and amateur radio antenna shall only be located in a rear yard, or a side yard which does not abut a street.
3. On an interior parcel, a satellite dish and amateur radio antenna shall be situated so that no part of it is closer than 1 m (3.28 ft.) from the side or rear boundaries of the parcel.
4. On a corner parcel, a satellite dish and amateur radio antenna shall be situated so that no part of it is closer to the street than the main building, or closer than 1 m (3.28 ft.) from the other side parcel boundary or the rear parcel boundary.
5. The location of satellite dish and amateur radio antennae in all other districts other than the Residential District shall be determined by the Municipal Planning Commission.
6. Where any part of a satellite dish antenna is more than 4 m (13.12 ft.) above grade level, or when it is located other than described in subsection 4(3)(b) and (c) above, it shall be both screened and located to the satisfaction of the Development Authority.
7. The maximum height of an amateur radio antenna in a residential area shall be 12.5 m (41.00 ft.), unless a greater height is required by the amateur radio license.
8. An application for a Development Permit for an amateur radio antenna must be accompanied by a valid amateur radio operator's license.
9. No advertising other than the manufacturer's name/logo shall be allowed on a satellite dish antenna and amateur radio antenna.
10. The illumination of satellite dish antenna and amateur radio antenna is prohibited unless required by Transport Canada regulations.

4.4 Laneless Subdivisions

1. In a laneless subdivision in a residential District, one side yard shall not be less than:
 - a) 1.5m (4.92 ft) in the case of a detached dwelling with attached garage;
 - b) 3m (9.84 ft) in the case of a detached dwelling without attached garage;and both side yards shall not be less than:
 - a) 1.5m (4.92 ft) in the case of a duplex with attached garages;
 - b) 3m (9.84 ft) in the case of a duplex without attached garages;

or such greater distance adjacent to a public roadway that may be required by Schedule C.

2. In a laneless subdivision in a commercial or industrial District one side yard shall not be less than 6 m (19.69 ft.). This does not apply to an accessory building where such building is located to the rear of the main building and separated a minimum distance of 12 m (39.37 ft.).

4.5 Setbacks on Future Major Roadways

Where a parcel abuts a street for which a setback is established, the minimum yard requirement shall be increased by the amount of the applicable setback shown below unless the required road widening has previously been provided.

STREET	FROM	TO	EXISTING RIGHT-OF-WAY	SETBACK REQUIRED
Leung Road	South Street	Womacks Road	20.12m (66 ft)	2m (6.56 ft) on both sides
Highway 2A	South Town Limits	North Town Limits	Varies	As required by Alberta Transportation

4.6 Fences

1. No development permit is required for the construction of a fence unless a variance is required;
2. The height of a fence, in all districts, is measured from approved grade level to the top of the fence, except where the fence is located on a retaining wall, in which case the height of the fence shall include the height of the retaining wall;
3. Gates, fences, walls and other means of enclosing a yard shall:
 - a) in all districts, be less than 1m (3.28 ft) in height in front yards and less than 2m (6.56 ft) in side or rear yards;
 - b) be compatible with and complementary to the surround area in terms of design, character and appearance;
 - c) be in accordance with Section 5 (4) of this Schedule, if applicable;
 - d) in other districts, be in accordance with the requirements of the Development Authority;

Where construction of a vinyl fence is required the fence shall be solid in nature to the satisfaction of the Development Authority.

4.7 Decks

1. All decks that are enclosed and/or more than 61 cm (24 in) in height from the approved grade require a development permit, unless they are indicated on the original site plan of the development;
2. All decks must comply with section 4.1 of this bylaw;
3. When a deck becomes covered or enclosed, it shall be considered an addition to the building and is required to meet all district requirements;

VEHICLES

5.1 General Parking

The following minimum number of parking spaces shall be provided and maintained upon the use of a parcel or a building in any District as described in Schedule C of this Land Use By-law. Any calculation of the number of parking spaces which produces a requirement for part of a space shall be rounded up to the next highest integer.

COMMERCIAL DISTRICTS

LAND USE	MINIMUM PARKING REQUIREMENT
District Shopping Centre	5.0 / 100m ² (1076.4 sq ft)
Neighbourhood Shopping Centre	4.0 / 100m ² (1076.4 sq ft)
Other Indoor Merchandise Sales	2.5 / 100m ² (1076.4 sq ft)
Office	2.5 / 100m ² (1076.4 sq ft)
Motels/Hotels	1.0 per guest room and 1.0 / 2 employees
Personal Services	2.5 / 100m ² (1076.4 sq ft)
Recreation and Entertainment Facilities	1.0 / 4 seats
Repair Services	2.5 / 100m ² (1076.4 sq ft)
Restaurants, drinking establishments	1.0 / 4 seats
Vehicle and Equipment Sales	2.0 / 100m ² (1076.4 sq ft)

INDUSTRIAL DISTRICTS

LAND USE	MINIMUM PARKING REQUIREMENT
Minimum	6.0 / tenant
Office	2.0 / 100m ² (1076.4 sq ft)
Other	1.0 / 100m ² (1076.4 sq ft)
Employee Parking	1.0 / 2 employees

PUBLIC USES

LAND USE	MINIMUM PARKING REQUIREMENT
Hospitals	1.0 / 4 beds and 1.0 / 2 employees
Places of Worship	1.0 / 4 seats
Public Assembly Buildings	1.0 / 4 seats

SCHOOLS

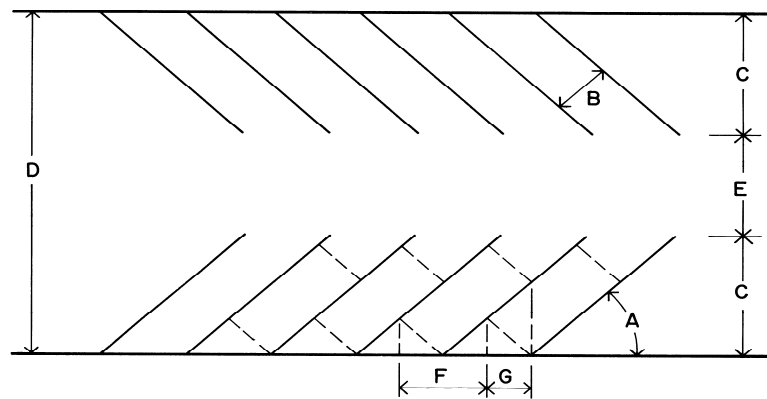
LAND USE	MINIMUM PARKING REQUIREMENT
Grades K-3	1.0 / 1 employee and 1.0 / 25 students
Grades 4-9	1.0 / 1 employee and 1.0 / 25 students
Senior High	1.0 / 1 employee and 1.0 / 12 students

RESIDENTIAL

LAND USE	MINIMUM PARKING REQUIREMENT
Single Family Dwelling	2.0 / dwelling
Detached, Duplexes and Row Housing	2.0 / dwelling
Fourplexes	2.0 / dwelling
Apartments – 1 Bedroom	1.0 / unit
Apartments – 2 Bedroom	2.0 / unit

Apartments – 3 or more Bedrooms	2.0 / unit
Apartments – Guest Parking	1.0 / 5 units
Social Care Residence	2.0 / 3 occupants
Other	2.0 / dwelling unit

1. For uses not listed above the number of spaces shall be determined by the Development Authority having regard to similar uses listed above and the estimated traffic generation and attraction of the proposed use.
2. The Development Authority may refuse to grant a development permit to an applicant not fully complying with parking or loading requirements.
3. All off street parking areas that enter onto a paved public roadway must be hard surfaced as defined in this bylaw.
4. When a building is enlarged or the use of a parcel or a building is changed or increased in intensity, the additional parking spaces to be provided shall be limited to the difference between the requirement of the original building or use and that of the enlarged building or changed or intensified use.
5. The parking space requirement on a parcel which has or is proposed to have more than one use shall be the sum of the requirements for each of those uses.
6. Each parking space shall have dimensions of not less than 2.75 m (9.02 ft.) by 6.0 m (19.69 ft.).
7. The dimensions of parking areas shall be as set out in the following diagram and



A Parking Angle	B Stall Width	C Stall Depth	D Overall Depth	E Manoeuvring Space	F Curb Length	G Row End Length
0	2.75 m (9.02 ft.)	2.75 m (9.02 ft.)	9.00 m (29.53 ft.)	3.50 m (11.48 ft.)	6.70 m (21.98 ft.)	0 m
30	2.75 m (9.02 ft.)	5.00 m (16.4 ft.)	13.5 m (44.29 ft.)	3.50 m (11.48 ft.)	5.45 m (17.89 ft.)	0.85 m (2.79 ft.)
45	2.75 m (9.02 ft.)	5.70 (18.70 ft.)	15.40 m (50.52 ft.)	4.00 m (13.12 ft.)	3.85 m (12.63 ft.)	2.05 m (6.75 ft.)
60	2.75 m (9.02 ft.)	6.00 m (19.69 ft.)	17.50 m (57.41 ft.)	5.50 m (18.04 ft.)	3.20 m (10.49 ft.)	2.00 m (6.72 ft.)
90	2.75 m (9.02 ft.)	6.00 m (19.69 ft.)	18.00 m (59.06 ft.)	7.00 m (22.97 ft.)	2.75 m (9.02 ft.)	0m

1. A minimum standard of 24.75 m² (266.4 sq.ft.) per parking space shall be used for general calculations for the areas of parking facilities or the number of parking spaces in a parking facility.
2. For development in Commercial Central District (C-1), where in the opinion of the Municipal Planning Commission, it is impractical because of lot shape, proposed building configuration, orientation of adjacent buildings, or economic viability to provide any or all of the required parking stalls, the Municipal Planning Commission may:
 - a) reduce the number of parking stalls required, or
 - b) waive the provisions of any parking stalls.
3. Parking spaces shall be located on the same parcel as the use for which they are being provided.

5.2 Parking Spaces for Physically Disabled Persons

1. Parking spaces for physically disabled persons shall be located as close as possible to ramps, walkways and building entrances.
2. Parking shall be arranged in such a way that users of wheelchairs are not required to pass behind parked cars.
3. For conditions requiring more than two parking spaces for vehicles used by physically disabled persons, no more than two stalls shall be placed adjacent to each other. If there are several accessible building entrances, a stall shall be located near each entrance.
4. Parking stalls shall conform with the requirements of the Alberta Building Code (minimum width of 3.9m (13ft)).
5. Each parking stall shall be clearly identified by painting the international symbol of accessibility. The symbol shall be in white on a blue background and have a minimum size of 0.9m (3 ft) by 0.9m (3 ft).
6. Each parking stall shall be marked with a wheelchair symbol sign with the message **Handicap Parking Only**, the symbol shall be white on a blue background, and shall have minimum dimensions of 0.46m (18 in) by 0.6m (2 ft). The sign shall be mounted at a height of at least 1.2m (4 ft) from the pavement or sidewalk to the bottom of the sign, and be positioned so as to be easily seen by drivers who are attempting to park.
7. The access aisle shall be marked with diagonal striping with strip spacing of 0.6m (2 ft).
8. The access aisle shall lead to a curb cut to the adjacent sidewalk connecting to a building entrance.
9. The number of parking stalls for vehicles used by physically disabled persons shall be as follows:

NUMBER OF STANDARD VEHICLE PARKING SPACES	NUMBER OF PHYSICALLY DISABLED PERSON VEHICLE PARKING SPACES
1 to 25	1
26 to 50	2
51 to 100	3
> 100	3 plus 1 / 100

5.3 Loading Spaces

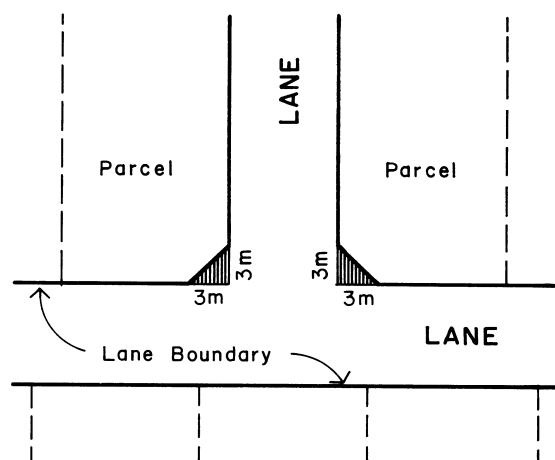
1. Loading spaces shall be required for all non-residential development and apartments.
2. Loading spaces shall be designed and located so that all vehicles using those spaces can be parked and manoeuvred entirely within the bounds of the parcel before moving onto a public roadway.
3. Loading spaces shall be located in rear and side yards only.
4. A loading space shall be at least 3.5 m x 8 m (11.48 ft. x 26.25 ft.), with an overhead clearance of at least 4.6 m (15.09 ft.).
5. Hard surfacing of the loading space shall be required where a loading space enters a paved public roadway; otherwise the Development Authority may permit all-weather surfacing.

5.4 Vehicle Access to Buildings

1. In locating a building for which vehicle access is intended:
 - a) any private garage shall not be erected or placed on the rear yard of a site closer to the side where the vehicle entrance to the garage or carport face a land, the building setback shall be either 6m or 1m from the land, except in those cases where an easement has been placed along the rear property line, in which case the building setback shall be either 6m or the width of the easement plus 0.55m from the lane;
 - b) where the vehicle entrance door to a garage faces a side boundary of the site which abuts an adjacent lot, the building shall be not less than 6m (19.69 ft) from that side boundary;
 - c) any other building into which a vehicle may enter shall be placed so that a 6m (19.69 ft) minimum driveway exists between the property line, road or land and the vehicle entrance door.

5.5 Sight Lines at Intersections of Roadways

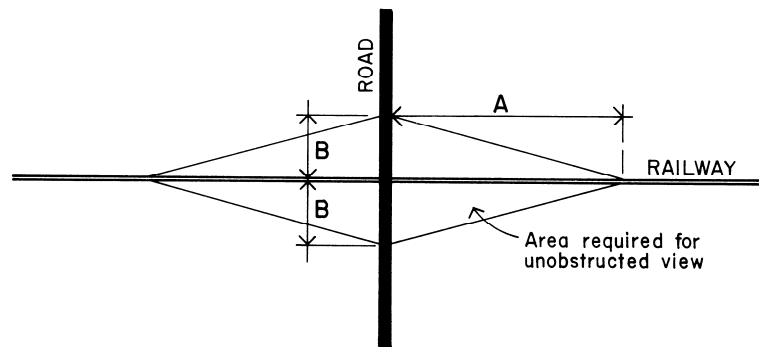
1. At the intersection of lanes, a 3m (9.84 ft.) sight triangle shall be provided (see diagram below).



2. At the intersection of other roadways, the Development Authority may require the calculation of sight triangles where:
 - a) One or more right-of-ways is less than 15m (49.21 ft), or
 - b) Regulated vehicle speed exceeds 50 km/h, or
 - c) One of the carriageways is not centered in its right-of-way, or
 - d) An intersection leg is curved or skewed, or
 - e) An intersection leg is sloped at 2% or greater
3. sight triangle calculations shall be in accordance with the recommended methods of the Roads and Transportation Association of Canada regarding crossing sight distances for roadways

5.6 Sight Triangles at Road and Rail Intersections

1. At the intersections of roadways and railways, sight triangles shall be determined using the diagram below



MAXIMUM TRAIN SPEED	SIGHT DISTANCE A FROM CROSSING	MAXIMUM SPEED	SIGHT DISTANCE FROM CROSSING	
Km/h	m	Km/h	m	m
30	90	30	30	18
50	140	50	50	30
70	185	70	80	45
80	230	80	110	65
100	275	100	150	85
110	320	110	190	110
130	365	* distances based on level approach grade and good traction **panic stop distances		
145	410			
160	460			

2. At the intersection of roadways and railways, which are protected by automatic warning signals, the Development Officer/Municipal Planning Commission may require the calculation of sight triangles where:
 - a) one or more of the rights-of-way is less than 15.25 m, or
 - b) regulated vehicle speed exceeds 50 km/h, or
 - c) either the carriage way or the railway is not centered in its right-of-way, or
 - d) an intersection leg is curved or skewed, or
 - e) an intersection leg is sloped at 2% or greater,

3. Sight triangle calculations shall be in accordance with the recommended methods of the Roads and Transportation Association of Canada regarding crossing sight distances for roadways, with the provision that distance between the nearest rail and the front of the stopped motor vehicle is between 5 m and 15 m as required by the Highway Traffic Act.

5.7 Driveways

1. At street intersections, driveways shall be setback from the parcel boundaries which form the intersection not less than
 - a) 6 m (19.69 ft.) where the driveway serves not more than four dwelling units, and
 - b) 15 m (49.21 ft.) for all other uses,except where existing or planned traffic volumes indicate that a greater distance is required to improve or maintain traffic safety and efficiency.
2. The maximum width of a driveway shall be 10 m (32.81 ft.).
3. The minimum distance between driveways shall be:
 - a) nil, where the driveways serve single dwelling units,
 - b) 6 m (19.69 ft.), where the driveways serve any other use, except where existing or planned traffic volumes indicate that a greater distance is required to improve or maintain traffic safety and efficiency.
4. The minimum angle for a driveway to a use which generates high traffic volumes shall be 70 degrees.
5. To ensure that the movement of traffic is both safe and efficient, the Development Authority may prohibit driveways onto arterial roads, Highway 2A and where a driveway would be liable to create a hazardous traffic situation.
6. The Development Authority may require that, in addition to the requirements of Section 5(1) of this Schedule, any on-street parking stalls which are removed upon the development of a driveway are replaced on the parcel to which the driveway provides access.

NONCONFORMING BUILDINGS AND USES

6.1 Nonconforming Buildings and Uses

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

- a) as may be necessary to make it a conforming building,
 - b) for routine maintenance of the building, if the Development Authority considers it necessary, or
 - c) in accordance with the provision of Section 2.5(4) of Part Two.
5. If a nonconforming building is damaged or destroyed to the extent of more than 75% of the assessed value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Land Use By-law.
- a) The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

7. SIGN REGULATIONS

7.1 SIGN REGULATIONS

A sign shall not conflict with the general character of the surrounding streetscape or the architecture of nearby buildings or be liable to create a cluttered appearance to the streetscape.

No sign shall be erected, enlarged, changed or structurally altered except in conformance with this bylaw and the sign regulations stated in this section.

1. The following definitions shall be used to define signs in this Land Use Bylaw:

A-board means a self supporting A-shaped local advertising sign which is set upon the ground and has no external supporting structure.



A-board sign for illustrative purposes

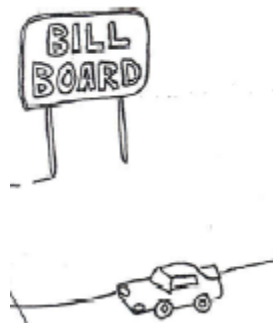
Accessory Tenants means businesses, which have leased land or buildings or space within a building from the principal business on a site;

Awning Sign means a non-illuminated local advertising sign which is painted on or affixed flat to the surface of an awning



Awning sign for illustrative purpose

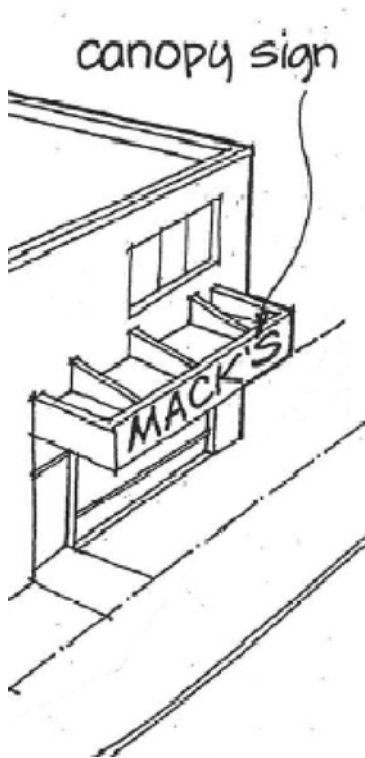
Billboard means a sign to which advertising copy is pasted, glued, painted or otherwise fastened to permit its periodic replacement and includes poster panels and painted structures. A billboard displays third-party advertising.



Bill board sign for illustrative purposes

Canopy means a non-retractable, solid projection which extends from the wall of a building and includes a structure commonly known as a theatre marquee, but does not include normal architectural features such as lintels, sills, mouldings, architraves, awnings and pediments.

Canopy Sign means a local advertising sign attached to or constructed in or on a face of a canopy or marquee but does not include an under canopy sign;



Canopy sign for illustrative purposes

Construction Sign means a sign located on a site where construction is planned and which contains general information about the intended construction.

Corner Lot for the sole purpose of section 7 means that portion of any site abutting two streets.

Directional Sign means a sign which indicates the distance and/or direction to a place of business or other premises indicated on the sign.

Election Sign means any sign used to promote a candidate or party during a municipal, school board, provincial or federal election or any election held pursuant to the Local Authorities Election Act.

Electric Sign means a sign which utilizes an electrical energy source.

Existing Billboard means a billboard that has been approved prior to the adoption of Land Use Bylaw No. 1081/09

Façade means the exterior wall of a building exposed to public view or that wall viewed by persons not within the building.

Fascia Sign means a local advertising attached to, marked or inscribed on and parallel to the face of a building wall but does not include a billboard, a third-party advertising sign or painted wall sign.



Fascia sign for illustrative purposes

Flashing Sign means a sign which contains an intermittent or flashing light source.

Free Standing Sign means a local advertising sign that is supported independently of a building wall or structure but does not include a temporary sign.



Free standing sign for illustrative purposes

Frontage means the minimum straight line distance between the intersection of the side lot lines and the front lot lines.

Frontage for the sole purpose of section 7 means that portion of any site abutting the street excepting a flanking street on a corner lot.

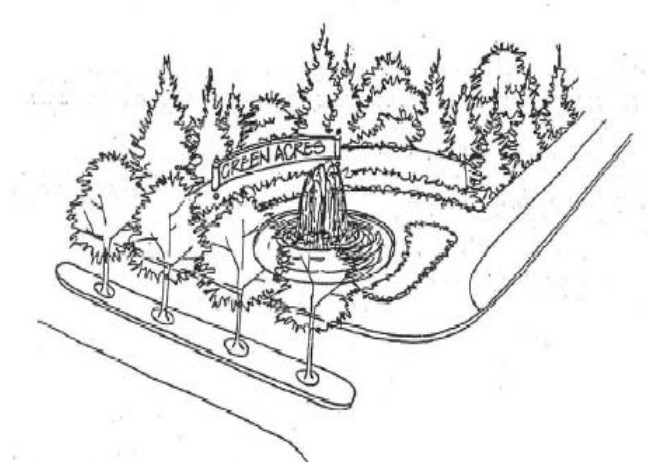
Height of Sign means the vertical distance measured from the highest point of the sign or sign structure to grade.

Identification means a sign which contains no advertising but is limited to the name, address and number of a building, institution or person.

Inflatable Sign means a sign or other advertising device which is designed to be inflated with air or a lighter-than-air gas and to be anchored or affixed to a building or to the ground.

Local Advertising Sign means a sign which advertises the business on the property where the sign is located.

Neighbourhood Identification Sign means a sign which states the name of a community area and may contain a logo, symbol or map which is related to the community name.



Neighbourhood identification sign for illustrative purposes

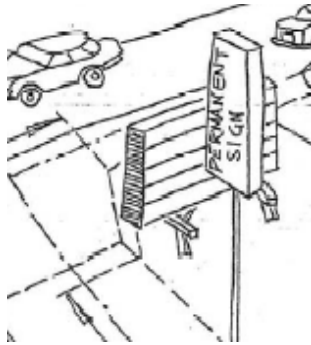
Owner means a person, or the authorized agent of such person, in lawful possession or control of a sign.

Painted Wall Sign means a sign which is painted directly upon any outside surface or other part of a building advertising product, services, or activities which need not relate to products, services, or activities provided for at the property on which the sign is located and also includes super graphics.



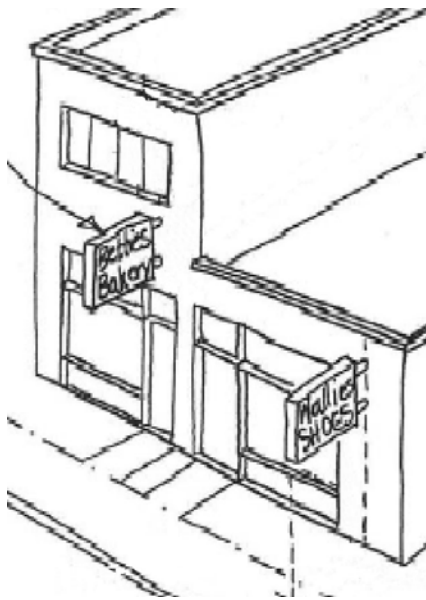
Painted wall sign for illustrative purposes

Portable Sign means any sign or advertising device that can be carried or transported from one site to another, which does not rely on a building or a fixed concrete foundation for its structural support and includes sign commonly known as mobile signs, temporary signs, inflatable signs, or devices or banners, whether tethered to a building or no, vehicles placed in a location for advertising purposes, but does not include A-board or real estate sign or signage permanently attached and forming part of motor vehicles used in the day to day conduct of a business.



Portable sign for illustrative purposes

Projecting Sign means a sign which projects from a structure or a building face and includes a sign in the shape of a canopy but does not include a canopy sign or an awning sign.



Projecting sign for illustrative purposes

Property Management Sign means a sign that identifies the party responsible for the management of the site and any necessary sales, leasing or rental information.

Reader Board means a sign which provides for a changeable message through the uses of an electronically displayed message or other similar means and which forms an integral part of the sign which advertises events related to the principal building and may be used for sponsor recognition.

Real Estate Sign means a sign erected on a site by the owner or agent of the owner of the

site, advertising the site for sale or lease but does not include an inflatable sign.

Roof Sign means a sign or logo which is erected upon or above a roof or parapet of a building but does not include an inflatable sign.



Roof sign for illustrative purposes

Rotating Sign means a local advertising sign or portion of a local advertising sign which moves in a revolving manner, but does not include a clock.

Sign includes any device used to identify or advertise a place of business or a product, whether words or numbers are used or not.

Sign Area means the entire surface area of a sign on which advertising copy could be placed and includes any frame or embellishment which forms an integral part of the display, but does not include landscaping and in the case of a double-face or multi-face sign, the average of the total area of all sign faces.

Sign Permit means permission in writing given by the Development Officer to erect or place a sign in accordance with the land use bylaw or any variance thereto.

Sign Structure means a structure designed to support a sign and may consist of a single pole or be a wall or an integral part of the building.

Sponsor means a corporation or organization that enters into an agreement to pay money to a property owner in exchange for public recognition of the sponsor's contribution, including the right to advertise the name of the sponsor on signage on the property.

Sponsor Recognition means the identification, by name and/or logo, of an individual or organization.

Subdivision Identification Sign means a sign containing general information about a new subdivision such as the name of the subdivision or the name of the developer.

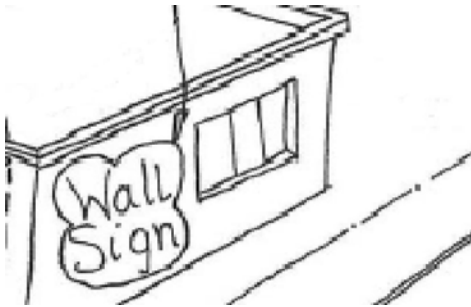
Super graphics means a graphic design painted on a building, which does not convey a defined advertising message or logo and includes a mural.

Third-party Advertising means a sign which refers to goods, activities or services other than those produced, offered for sale or free or obtainable at the premises or on the site on

which the sign is displayed.

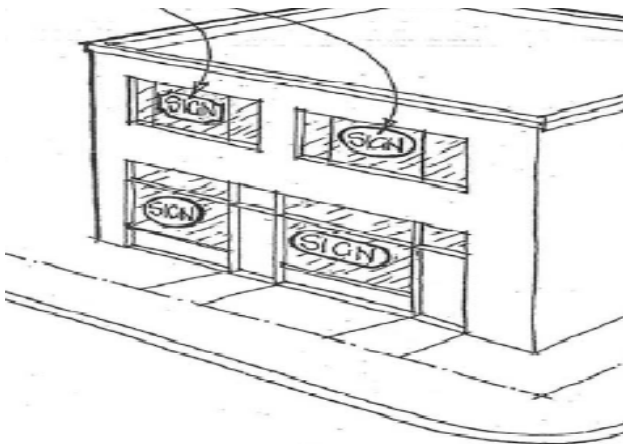
Under-Canopy Sign means a local advertising sign which is suspended beneath a canopy.

Wall Sign means a sign which is mounted or fixed to or supported by a wall by any means but does not include a fascia sign and may display general advertising.



Wall sign for illustrative purposes

Window Sign means a local advertising sign which is painted on, attached to or installed inside a window for the purpose of being viewed from outside the premises.



Window sign for illustrative purposes

Reference to land use districts in this section means the respective land use district established in the Land Use By-law.

7.2 SIGN REGULATION PROCEDURES

1. Duties of the Development Officer pursuant to sign regulations,
2. The Development Officer may by notice in writing:
 - a) direct the owner to correct the condition of any sign or remove any sign within 30 days of receipt of the notice where, in the opinion of the Development Officer, that condition or sign constitutes a violation of this bylaw or any permit hereunder, has become unsightly or is unsafe;
 - b) order the owner to stop work on a sign if it is proceeding in contravention of this bylaw;

- c) order the owner to stop work on a sign if a permit has not been issued

7.3 SIGN PERMIT AND REQUIREMENTS

1. Except as provided in section 7.3(4), no person shall place, replace, erect or use any sign without first obtaining a sign permit.
2. A person who fails to comply with any of the provisions of sections 7.3 and 7.4 shall be guilty of an offence and subject to the penalties set in Land Use By-law 1081/09.
3. The Development Officer shall issue a sign permit if the sign complies with the provisions of the Land Use By-law.
4. The sign permit shall bear the date on which it is issued and if active work is not commenced within the period of 12 months from the date of its issuance, the sign permit shall expire and become invalid, unless the Development Officer approves an extension of time which must be requested by the owner.
5. Provided the sign is erected within 12 months of the date of issue of the permit, the permit shall continue in force from year to year.
6. An application for a sign permit shall include the following:
 - d) the name and address of:
 1. the sign company responsible for the sign; and
 2. the owner of the sign; and
 3. the registered owner of the land or premises upon which the sign is to be erected.
 - e) a site plan designating location and setback requirements;
 - f) a plan showing the following construction details:
 1. the overall dimensions of the sign and the total sign area;
 2. the amount of projection from the face of the building, where applicable;
 3. the amount of projection over Town Property, where applicable;
 4. the height of the top and the bottom of sign above Town streets, sidewalks, or the average ground level at the face of the building or sign;
 5. the distance to aerial power lines from freestanding signs.
 6. a colour rendering of the proposed sign
 - g) Normal maintenance of a sign in accordance with an existing permit does not require a new permit.
 - h) Upon application by the Owner the Development Officer and/or Municipal Planning Commission may consider a relaxation in accordance with the provisions outlined in the Land use By-law

Whenever the conditions of installation require unusual structural provisions, the Development Officer, if he deems it necessary in the interest of public safety, may require that a structural drawing be prepared by and bear the seal of a professional engineer.

7.4 SIGNS NOT REQUIRING A SIGN PERMIT

1. The following signs shall not require a sign permit but must comply with the regulations of the Land Use Bylaw as amended, where applicable:
 - a) signs, notices, placards or bulletins required or permitted to be displayed;
 - b) under the provision of federal, provincial or municipal legislation;
 - c) by or on behalf of the federal, provincial or municipal government; or
 - d) on behalf of a department, a commission, a board, a committee or an official of the federal, provincial or municipal government.
2. Advertising signs displayed in or on buses, bus shelters, bus stop seats or on garbage or recycling bins located on streets under an agreement with the Town;
3. Signs located in or on taxi cabs;
4. Signs located inside a building, including permanent tenant identification signs located inside an enclosed shopping mall;
5. The name or address of a building when it is sculptured or formed out of the fabric of the building face;
6. Street numbers or letters displayed on a premises where together the total copy area is less than 1.2 m²;
7. A fascia sign which is attached to a residential dwelling unit or its accessory buildings and states no more than the name of the building or the name of the persons occupying the building or both, provided that the total sign area does not exceed 0.28 m²;
8. A fascia sign or a canopy sign which is attached to a building other than a residential dwelling unit and states no more than:
 - a) the name or address of the building;
 - b) the name of the person or institution occupying the building; and
 - c) the activities carried on in the building including hours of operations and rates charges, provided the total sign area does not exceed 1.5 m²;
9. A real estate property management sign provided that the total sign area does not exceed 1.0 m² in R1, R2, R3, R4 and R5 Districts;
10. A real estate or property management sign provided that the total sign area does not exceed 6.0 m square in any other district;
11. Signs placed on a premises for the guidance, warning or restraint of persons;
12. Window signs, unless otherwise stated in this section;

13. A-Board signs located within the boundaries of lots in the I1, I2, C1, C2, C-3, C-4 and CMU land use districts provided that:
 - a) such signs may not display third-party advertising; and
 - b) in the I1 and I2 Districts such signs may not be placed on any portion of a lot which abuts an arterial road; and
 - c) provided these signs meet the requirements in section 7.1(1)
14. Candidates' election signs only during the following time frames:
 - a) between September 1 of an election year and the date of the election, in the case of an election under the Local Authorities Election Act, and
 - b) between the date the election is officially called and the date of the election, in the case of elections for Federal and Provincial public office,
 - c) and provided that the signs shall be removed within 48 hours after the election
15. Directional signs with an area less than 1.4 m²;
16. Construction signs, provided they conform to the following requirements:
 - a) there shall not be more than a total of four construction signs per site, and:
 - b) in residential subdivisions, the total area of all four construction signs shall not exceed 6.4 m²; and
 - c) in commercial and industrial subdivisions, the total area of all four construction signs shall not exceed 25 m².
17. No individual construction sign in a residential area may exceed 3.2 m² in area;
18. All construction signs must be located on private property;
19. Construction signs shall be professionally designed and maintained to the satisfaction of the Development Officer; and
20. Construction signs may be erected within a period starting not earlier than six months before the date of intended construction and ending three months following the completion of construction, but in no case shall a construction sign be erected for a maximum total time period of 18 months
21. The temporary placement of garage sale signs for a period not exceeding 48 hours from the time the sale ends.

7.5 Sign Owner's Responsibility

1. Neither the granting of a sign permit, nor the approval of the plans nor any inspections made by the Development Officer shall in any way relieve the Owner from full compliance with the Land Use By-law or other applicable legislation.

2. The Owner of a sign shall permit any Safety Code Officer to enter the Owner's premises at any reasonable time for the purpose of inspecting the sign or administering or enforcing this bylaw.
3. The owner of a sign shall at all times maintain the sign in a proper and safe state of repair and shall not allow or permit the sign to become dilapidated or unsightly.
4. Unless otherwise allowed in this section, no person shall attach anything to an existing permitted sign unless a new permit is issued for such addition.
5. General Regulations, Structural Provisions
6. All sign structures shall be securely built, constructed and erected to conform to the standards set forth in this section.

7.6 Safety Provisions

1. No person shall:
 - a) erect or maintain any sign that is in contravention of this or any other Town bylaw;
 - b) erect a sign or sign structure on any exterior stairway, fire escape, fire tower or balcony serving as a horizontal exit; or
 - c) erect a sign so that any portion of the surface or supports will interfere in any way with any of the following:
 1. any opening necessary for a standpipe, required light, ventilation or exit from the premises;
 2. the free use of any window above the first storey; or
 3. the free passage from one part of a roof to another part of the same roof;
 - d) erect, construct or maintain a sign or a display structure so as to create a hazard for pedestrian or vehicular traffic by blocking sight lines between pedestrian and vehicular traffic or distracting a driver or pedestrian, as determined by the Development Officer;
 - e) erect, construct or maintain any sign which makes use of the words, "STOP", "LOOK", and "DANGER" or any other word, phrase, symbol or character in such a manner as to interfere with, mislead or confuse traffic.

7.7 Illumination Provisions

1. No person shall place flashing signs at locations closer than twenty-three (23.0) m to any dwelling in a residential district.
2. No person shall place flashing signs, revolving beacons, readograms, stationary lights or coloured signs at locations which may, in the opinion of the Development Officer, obscure or cause confusion with traffic lights and traffic signs or in any way endanger progress of traffic through the streets or lanes of the Town.

3. No permit shall be issued for and no person shall erect, install or maintain an electric sign, unless it conforms with the Alberta Safety Codes Act and regulations thereto.

7.8 Projection Over Town Property – Overhanging Sign

1. Except for an A-board sign for which a permit has been issued under this bylaw or an election sign pursuant to section 7.1(12), no person shall erect a sign upon or over Town property (including rights of ways, easements and utility lots), or within any setbacks required by the Land Use Bylaw without:
 - a) the approval of the Development Officer; and
 - b) entering into an encroachment agreement binding upon the owner of the land or building to which the sign is attached, and containing provisions to:
 1. indemnify the Town;
 2. place and maintain insurance; and
 3. charge the land with any costs incurred by the Town.
2. no person shall erect a sign so that any part of the sign or the sign structure projects into or over a lane at a clearance less than 4.6 m above grade; and
 - a) within a distance of 7.5 m from the intersection of the boundaries of two streets, two lanes, or a street and a lane, no person shall erect a sign in such a manner that:
 1. a vertical line from the outer edge of the sign intersects the sidewalk below at a point less than 1.5 m from the face of curb;
 2. any part of the sign is less than 0.9 m from any utility pole or a pole supporting traffic signals or signs;
 - b) no person shall place or construct a sign extending over a street or lane where the street or lane is less than 10.0 m wide.

7.9 Insurance

1. The owner of any sign that overhangs Town property, where a permit has been issued, shall be responsible for maintaining in force an insurance policy naming the Town as an additional insured and shall provide evidence of such insurance to the Town on demand.

7.10 License Fee

1. Where a sign is permitted on Town land, the owner shall pay to the Town an annual license fee in an amount as established by Council from time to time.

7.11 Permit Fee

1. The permit fee for a sign is determined by the Fee Schedule By-law 1053/07 and amendments thereto.

7.12 Revocation of Sign Permit

1. The Development Officer may revoke any sign permit where:

- a) a sign for which such permit was issued violates the conditions of the permit or any of the provisions of this bylaw; or
- b) the owner is in breach of any of the provisions of this bylaw

7.13 Sign Regulations by type

1. A-board Signs

- a) A-board Signs shall:
 - b) be of a painted finish, be neat and clean, and be maintained in such condition; and
 - c) be of a size not exceeding 0.61 m wide by 0.92 m high, and not less than 0.30 m wide by 0.61 m high.
- 2. A-board Signs shall be placed on private property within any Residential, Commercial or Industrial District:
- 3. The Development Officer may issue a sign permit to permit one A-board sign to be erected on private property in a Commercial district subject to the following conditions:
 - a) the Commercial site for which the permit is issued shall be 40.0 m or more from a collector or arterial road;
 - b) the A-board sign is erected for or on behalf of one tenant in the Commercial site
 - c) not more than one A-board sign may be issued for the Commercial site;
 - d) the arterial or collector road on which the site is located is the one that provides the closest access to the Commercial site;
- 4. the sign may remain at its approved location only during the business hours of the permit holder;
- 5. the sign permit shall expire one year from the date of its issue; and

7.14 Subdivision Identification Signs

- 1. A Subdivision Identification Sign must meet the following requirements:
 - a) it must be professionally designed and maintained;
- 2. The appearance and contents of the sign must be approved by the Development Officer;
- 3. It must be located on private property adjacent to the entry of the subdivision;

4. It may not exceed 12.0 m² in area unless the sign is located more than 100.0 m from a roadway and is approved by the Development Officer;
5. Not more than one sign for each entrance to the subdivision;
6. It may be approved for a period of up to five years;
7. The Development Officer may approve one-year renewals of the permit for a Subdivision Identification Sign after the initial five-year term, provided that the sign remains properly maintained, there are still lots available for sale and the continued presence of the sign will not adversely affect any municipal interests in the land on which the sign is erected.

7.15 Awning Signs, Canopy Signs and Under Canopy Signs

1. Awning signs shall not project from the building to a point greater than where a perpendicular line from the front edge of the awning will intersect the sidewalk 0.6 m from the face of curb.
2. Canopy signs may be attached to the sides and front of the canopy, and such signs may extend the entire length and width of the canopy.
3. Under canopy signs may be hung from the canopy provided such signs shall not:
 - a) extend beyond the sides or the front of such canopy; and
 - b) exceed a vertical dimension of 1.5 m.
4. No person shall erect an awning sign, a canopy sign or an under canopy sign unless such sign:
 - a) is securely hung and anchored to the building to which it is attached;
 - b) the structure to which it is attached is capable of resisting all stresses resulting from dead weight, snow and wind loads;
 - c) is at clearance of not less than 2.8 m from the grade of the sidewalk;
 - d) does not project more than 3.0 m from the face of the building or structure to which it is attached.
5. Projecting signs installed over or above canopies shall not be supported by the canopy.

7.16 Billboard Signs

1. A billboard sign shall not:
 - a) be more than 3.10 m high, and not more than 6.10 m long;
 - b) have a maximum height above grade of more than 6.1 m;
 - c) have a maximum area exceeding 19.0 m²;
 - d) not be located closer than 3.0 m to any property line;

- e) not be erected, constructed, altered or used anywhere within The Town except as provided by this and other bylaws of The Town.
- 2. The land and the sites in and about where the billboards are permitted shall be at all times maintained in a neat and clean manner, free from all loose papers and rubbish. A second face may be required on the billboard where the back of the billboard is visible to pedestrian or vehicle traffic.
- 3. An existing billboard may be relocated on the same site with the approval of the Development Officer.

7.17 Fascia Signs

- 1. Fascia signs shall not be located above any portion of a street, or project over public property unless there is a minimum clearance from grade of 2.5 m and a maximum projection of 0.4 m.
- 2. a fascia sign shall not exceed 15 % of the visible area of the façade of each wall of the building on which it is located;
- 3. a fascia may be illuminated.

7.18 Freestanding Signs

- 1. A freestanding sign may be allowed in a setback area as established in the Land Use Bylaw and is subject to the condition that it be removed or relocated at the owner's expense upon 30 days written notice from the Town.
- 2. In a C-2 (Highway Commercial) District, freestanding signs are subject to the following regulations:
 - a) one sign up to a maximum area of 40.0 m² may be allowed per site for the purpose of identifying the said centre and the tenants collectively; or
 - b) for the purpose of identifying the said centre and the tenants collectively, one sign not exceeding 25.0 m² in area may be allowed per arterial road frontage;
 - c) provided that in either case the maximum height of sign shall be 9.0 m.
- 3. In a C-3 (Commercial Local District) district, freestanding signs are subject to the following regulations:
 - a) only one sign may be allowed for the purpose of identifying the said centre and the tenants collectively, except that an additional auxiliary sign may be allowed for a gas bar which auxiliary sign shall not exceed 2.0 m²;
 - b) the maximum sign area shall be 9.3 m²;
 - c) the maximum height of a sign shall be 9.0 m for signs abutting an arterial street and 7.5 m for signs abutting any other street, and where signs are located at the corner of an arterial and any other street, the lower maximum limit shall apply.

4. A minimum separation distance of 50.0 m shall be maintained between freestanding signs located on the same site.
5. Distance requirements between freestanding signs shall not apply to entrance or exit signs used for the purpose of directing traffic, providing:
 - a) those signs do not display any advertising message, excluding a logo; and
 - b) the sign area does not exceed 2.0 m².
6. Notwithstanding section 7.1(6) (d) (iii) where the site is at the corner of two or more arterial roads, one additional sign may be allowed on the site.
7. The maximum area of a freestanding sign:
 - a) in the Residential Districts is 2.0 m²;
 - b) in the C3 District is 5.0 m²;
 - c) in the C1, C2, CMU, I1 and I2 Districts is 12.0 m²;
8. The maximum height of a freestanding sign:
 - a) in the Residential and C3 Districts is 4.5 m;
 - b) in the C1, C2, CMU, I1, I2 and DC(2) Districts is 9.0 m;
 - c) in the C4 District is 12.0 m.
9. The bottom of freestanding signs:
 - a) in C3 Districts shall be a minimum of 2.8 m above grade; and
 - b) in all other Districts where such signs are allowed, shall be a minimum of 3.6 above grade, unless a lesser distance is approved by the Development Officer, and the space between the bottom of the sign and the grade shall be unobstructed, except for such supports as the sign may require.

7.19 Neighbourhood Identification Signs

1. A neighborhood identification sign may be erected by a developer at the entrances to a subdivision, subject to the developer entering into a Development Agreement to the satisfaction of Engineering Services and dealing with the precise location, number, size, design and character of the sign and making provision for the perpetual maintenance and care of the sign.
2. Neighborhood identification signs shall:
 - a) be for neighborhood identification purposes only;
 - b) display no advertising; and
 - c) be constructed of maintenance free material wherever possible.

3. A neighborhood identification sign shall not:
 - a) encroach upon a utility right-of-way; or
 - b) affect traffic safety.

7.20 Painted Wall Signs

1. A painted wall sign shall not exceed 3.1 m in height and 9.14 m in length.
2. Only one sign per wall is permitted.
3. Notwithstanding section 7.1(8) (b), a super graphic may be the entire length of an exterior wall providing the design has been approved by the Municipal Planning Commission.

7.21 Portable, Temporary, Inflatable Signs and Banners

1. Intent:
 - a) portable signs are intended for temporary on site advertising relating to the commercial activities of the landowner or tenants. Third party advertising is not permitted on portable signs with the exception only of promotions of not for profit organizations;
 - b) the portable sign owner or licensee, not the Town will determine which tenant(s) shall have the benefit of the portable sign; and
 - c) a portable sign being used to advertise activities or events with the exception of not for profit organizations may only be located on a site where the event or activity is taking place.
2. Districts in which Portable Signs are allowed:
 - a) Subject to the provisions of this part, portable signs are a permitted use in C1, C2, C3, C4, CMU, I1, I2 and discretionary in all other districts.
3. Specific locations in which Portable Signs are allowed:
 - a) no portable sign is allowed on any site which contains an A-board;
 - b) the landowner or a lessee with the consent of the landowner of a site for which a portable sign is proposed may apply for a portable sign permit;
 - c) an application for portable sign permit must include a site plan showing the proposed location of the portable sign, all dimensions of the sign including height and face area of the sign, the design of the sign including a photograph of same, the type of construction, material and finish of the sign, the manner of stability and support of the sign, the distance from curb lines, property lines and driveway locations;
 - d) notwithstanding (c) herein, a portable sign must be wholly located on the property of the landowner who has been granted a permit;

- e) notwithstanding (a), (b), (c), or (d) above, no portable sign shall be located closer than 100 linear meters to any other portable sign' and
- f) a portable sign may only be located at the specific location for which a permit is granted.

4. Portable Sign Standards:

- a) a portable sign shall be installed, serviced, removed, and accessed from within the property on which the sign is located;
- b) a portable sign shall not exceed 4.0m² per face, nor shall any such sign exceed 3.0m in height from grade;
- c) no portable sign shall be illuminated or employ any flashing or sequential lights or any mechanical or electronic device to produce or simulate motion;
- d) a portable sign shall not interfere with pedestrian and/or vehicular traffic;
- e) notwithstanding (iv) above, no portable sign shall be located closer than 1.5 m to a property line or within 3.0 m of any access/egress to/from a property or within 10.0 m of any intersection;
- f) a portable sign must be stabilized but shall not use unsightly or potentially hazardous methods. The means by which stability is to be provided shall be included as part of the permit application. An inflatable sign may, however, use guy wires;
- g) a portable sign shall be removed immediately on ceasing to be in use; and
- h) a portable sign in use, shall at all times be maintained in good condition and, specifically, shall contain lettering and signage which is secure and complete. Any damaged or missing signage must be repaired within 24 hours of knowledge of same coming to the attention of the permit holder.

5. Permit and Fees:

- a) no portable sign shall be erected without a permit from the Town of Blackfalds Development Authority; the fee payable for a sign permit for a portable sign shall be \$85.00;
- b) an applicant for a portable sign permit shall provide all of the information required by these provisions, and include such other information as the Development Authority may reasonably require;
- c) no portable sign may be placed other than at a location approved by the Development Authority and shown on a site plan forming part of the permit application;
- d) the maximum length of a permit is 30 days. The maximum duration of display at one location for each portable sign shall be 30 days twice a year, provided, however, that no portable sign shall remain at one location for more than 60 consecutive days at a time. A site shall remain free of portable signs for a minimum of 60 consecutive days before a further permit for such site can be

- e) portable signs shall be removed on or before the date on which the permit expires; and

6. Short Term Seasonal Activity Portable Signs:

- a) on application the Development Authority may in his/her sole discretion permit the placement of a portable sign for short term seasonal activities but in any event for a period not exceeding 15 days. The license fee for such permit shall be \$40.00.

7. Inflatable Signs:

- a) except as enumerated herein, all provisions applicable to portable signs generally shall apply to inflatable signs;
- b) an inflatable sign shall be tethered or anchored and shall be touching the surface to which it is anchored;
- c) an inflatable sign shall not exceed the maximum free standing sign height allowable for the district;
- d) there shall be a maximum of 1 inflatable sign per site, but no inflatable sign shall be permitted on the site containing any other portable sign;
- e) an inflatable sign may be placed on a site twice within a calendar year, but for not more than 30 days at a time; and
- f) an inflatable sign may not be located on the roof of a structure.

8. Banners:

- a) a banner shall not be displayed at any one site for longer than 60 consecutive days and for no more than 120 days within a calendar year;
- b) the application for a permit respecting a banner shall indicate the location and the area the banner will cover but in no circumstance will a banner be permitted on any structure other than a permanent building;
- c) notwithstanding the above, a banner size shall not exceed 10% of the gross area of the face of the structure to which it is attached;
- d) a banner shall be maintained in good condition and promptly removed if damaged; and
- e) except as enumerated herein, all provisions applicable to portable signs generally shall apply to Banners.

9. Exception:

- a) These provisions do not apply to portable signs including banners erected by the Town or the RCMP as warning signs in connection with traffic speed or safety.

7.22 Projecting Signs

1. No projecting sign shall be erected so that the bottom thereof is less than 2.8 m above the sidewalk; provided however, where traffic lights may be obscured in the opinion of the Development Officer, the minimum requirement for the bottom of the projecting sign may be increased to a height of 3.6 m or more above the sidewalk.
2. All projecting signs shall maintain the required clearance from overhead power and service lines as required forth under The *Electrical Protection Act*.
3. The maximum area of a projecting sign shall be 4.5 m².
4. The nearest edge of a projecting sign shall not be set off more than 0.3 m from the building face.

7.23 Wall Signs

5. Wall signs shall be securely fastened to walls and shall not be entirely supported by an unbraced parapet wall.
6. The maximum horizontal dimension of a wall sign shall be 6.1m

7.24 Election Signs

1. Election signs may be placed on private or public property (with the approval of the owner/public authority).
 - a) Election signs are permitted on municipal property, excluding all parks, only as designated by the Town Council.
 - b) No encroachment of an election sign from private property onto municipal property will be permitted unless it is at a designated location.
 - c) Election signs must be located at least 3.0 m from the back of sidewalk or if there is no sidewalk, the back of curb.
 - d) Election signs on public property may not exceed 3.0 m² in size or 3.6 m in height.
 - e) Candidates shall remove their election signs from public and private property within 48 hours after the close of the voting stations on Election Day and ensure that the site is cleaned up and that the holes are filled with a mixture of topsoil and grass seed.
 - f) If a candidate fails to remove his or her election signs within 48 hours after the voting stations close on Election Day, the Designated Officers may remove them and the candidate shall be liable for the cost of removal.
 - g) When an election sign interferes with work being carried out by Town work crews or contractors doing work on behalf of the Town, the crews may remove and dispose of such signs.

- h) Designated Officers employed by the Town may remove any election signs which have been erected, affixed, posted or placed on any Town property in contravention of this bylaw.
- i) A candidate whose name appears on an election sign which is in contravention of this bylaw shall be guilty of an offence under this bylaw.

7.25 Offensive Signage

1. No sign shall be erected which promotes intolerance, hatred or ridicule of any race, religion or other segment of society.
2. No billboard, wall sign, or painted wall sign, including super graphics or portable sign shall be allowed to advertise adult entertainment or services which feature nudity.

ILLUMINATION OF SITES

8.1 Illumination of Sites

1. With the exception of street lighting (height to be approved by the Municipality), 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:
 - a) No light structure shall exceed a height of 7.62 m (25 ft.)
 - b) No light shall be attached to a structure above a height of 7.62 m (25 ft.) along that structure.
 - c) 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,
 - d) 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.

HOME BASED BUSINESSES

9.1 General Provisions

1. Home based businesses are intended to permit the use of residential premises for purposes related to business, provided that such use does not cause excessive vehicular or pedestrian traffic or otherwise interfere with or detract from the peace and quiet of a residential neighbourhood. Accordingly it is intended that home based businesses shall not include the following uses or uses similar to the following uses: retail stores; personal service businesses, with the exception of beauty parlours, hair styling establishments, barber shops or health care services; autobody repairs, autobody painting, automotive repairs, vehicle or equipment storage or cleaning, sheet metal work, welding work, upholstery work and cabinet making.
2. A home based business, notwithstanding its inclusion in any land use district as a

3. No person shall operate or permit or allow the operation of a home based business without development approval and a current business license.
4. A development permit for a home based business shall only be valid for the address identified in the permit. Such permit will cease to be valid if the person to whom the permit was issued vacates the property for which approval was granted to conduct the business
5. Only one home based business may be operated per dwelling unit unless otherwise approved by the Development Authority.
6. Where any of the provisions of this by-law dealing with home based businesses are breached, the Development Authority, in addition to the power to cancel or suspend a development permit under Section 2.11 of Part 2, may take such action as may be available under the law, including revocation of the home based business permit and business license, or the issuance of a notice under the provisions of the Municipal Government Act requiring the person to cease the home based business (Stop Order) if, in its opinion, the business is being operated in a manner that is or has become detrimental to the amenities of the neighbourhood.
7. The issuance of a Stop Order is appealable to the Subdivision and Development Appeal Board in accordance with the provisions of the Municipal Government Act.

9.2 Application for Home Based Business

1. An application for a development permit for a home based business shall be made to the Development Officer in writing on the form prescribed in accordance with Section 1.8 of Part One and shall describe:
 - a) the nature of the business;
 - b) the hours of operation;
 - c) the materials, equipment and/or vehicles that will be used and where they will be stored;
 - d) the number of resident and non-resident employees;
 - e) the number of business visits per day expected to the property; and
 - f) the number of parking spaces on the property.
2. If the applicant is not the registered owner of the property, a letter from the owner is required granting the applicant permission to use the property for the proposed business.

9.3 Regulations for a Minor Home Based Business

1. There shall be no exterior signage, display or advertisement other than a business identification plaque or sign 20 cm (8 in.) by 30.5 cm (12 in.) in size located on or in the dwelling.
2. No mechanical or electrical equipment shall be used which creates unreasonable external noise, or visible and audible interference with home electronics equipment in adjacent dwellings. The operation of such business shall not create any nuisance

by way of noise, dust, odour or smoke or anything else of an offensive or objectionable nature.

3. The business shall not employ any person on-site other than a resident of the dwelling. Not more than two adult residents of the home are permitted to work in the business.
4. There shall be no outside business activity, or storage of materials or equipment associated with the business allowed on the site. Indoor storage shall only be permitted inside the dwelling. The home based business shall not use any dangerous goods which would not be used in association with the residential use of the dwelling.
5. No physical changes to the external appearance of the dwelling shall be allowed as a result of the establishment of the home based business.
6. In addition to the parking spaces required pursuant to Section 5(1) of Schedule B, the Development Officer may require one off-street parking space to be provided for exclusive use of the home based business.
7. Not more than one commercial vehicle used in the operation of the home based business shall be parked on site or on an adjacent street.
 - a) The one commercial vehicle used in the operation of the home based business shall conform to the Town of Blackfalds Highway Traffic Bylaw and amendments thereto.
 - b) In a residential district, the one commercial vehicle shall be restricted to a maximum gross vehicle weight of 7500 kg (20,938 lbs)
 - c) The home based business shall not create a level of additional traffic or parking, in the opinion of the Development Officer, which will be detrimental to the amenities and safety of residents in the vicinity of the parcel.
 - d) These restrictions do not apply to holiday trailers, motor homes or campers which are subject to the provisions of Section 4(2) in Schedule B.
8. Unless the Town of Blackfalds Business License By-law states otherwise, a business license shall be required for the home based business.
 - a) A home based business does not exempt the applicant from compliance with any federal or provincial regulation, or any municipal bylaw or regulation.

9.4 Regulations for a Major Home Based Business

1. There shall be no exterior display or advertisement other than a business identification plaque or sign 20 cm (8 in.) by 30.5 cm (12 in.) in size located on or in the dwelling.
2. No mechanical or electrical equipment shall be used which creates unreasonable noise, or visible and audible interference with home electronics equipment in adjacent dwellings. The operation of such business shall not create any nuisance by way of noise, dust, odour or smoke or anything of an offensive or objectionable nature.
3. The business shall not, in the opinion of the Municipal Planning Commission, generate pedestrian or vehicular traffic or parking in excess that would be

detrimental to the amenities and safety of the residents in the vicinity of the parcel.

4. The business shall not employ any person on-site other than a resident of the dwelling, unless otherwise approved by the Municipal Planning Commission. Not more than two adult residents of the home are permitted to work in the home based business unless otherwise approved by the Municipal Planning Commission.
5. There shall be no outside business activity, or outdoor storage of materials or equipment associated with the business on the site. Indoor storage related to the business activity will be allowed within the dwelling unit or an accessory building provided that such materials or equipment are not, in the opinion of the Municipal Planning Commission, likely to result in a hazard. The home based business shall not use any dangerous goods which would not be used in association with the residential use of the dwelling or accessory building.
6. No physical changes to the external appearance of the dwelling or any accessory building shall be allowed as a result of the establishment of the home based business.
7. A home based business may be accommodated in a private garage, provided that the parking requirements of any by-law continue to be met. Therefore, in addition to the parking spaces required pursuant to Section 5(1) of Schedule B, the Development Authority may require additional off-street parking spaces to be provided.
8. At the discretion of the Development Authority, not more than one commercial vehicle used in the operation of the home based business shall be parked on site or on an adjacent street. The commercial vehicle used in the operation of the home based business shall conform to the Town of Blackfalds Highway Traffic Bylaw and amendments thereto.
 - a) In a residential district, the commercial vehicle shall be restricted to a maximum gross vehicle weight of 7500 kg (20,938 lbs)
 - b) These restrictions do not apply to holiday trailers, motor homes or campers which are subject to the provisions of Section 4(2) in Schedule B.
9. The home based business shall not create a level of additional traffic or parking, in the opinion of the Development Officer that will be detrimental to the amenities and safety of residents in the vicinity of the parcel.
10. Unless the Town of Blackfalds Business License Bylaw states otherwise, a business license shall be required for the home based business.
11. A home based business does not exempt the applicant from compliance with any federal or provincial regulation, or any municipality bylaw or regulation.

BED AND BREAKFAST ESTABLISHMENTS

10.1 Bed and Breakfast Establishments

1. Bed and breakfast establishments are allowed in the Town provided that they are secondary to the residential use of the dwelling. Such accommodation shall not interfere with the use and enjoyment of the neighbourhood as a residential area. The planning, operation, and appearance of a bed and breakfast shall be compatible

with and sensitive to the general residential character of its immediate surroundings, in terms of atmosphere, privacy, enjoyment, landscaping, architecture, scale, activity and retaining the appearance of a detached dwelling. In this regard, bed and breakfast establishments shall comply with the following standards:

- a) alterations to the residence shall be limited so that a home can be easily converted back to a residence. Any alterations are to be approved by the Municipal Planning Commission;
 - b) there shall be a maximum of two (2) rooms available for guests at a bed and breakfast establishment.
 - c) the property owner or bed and breakfast host shall occupy the subject dwelling as his or her primary residence.
 - d) the maximum length of stay for a guest at a bed and breakfast shall be fourteen nights in any thirty day period.
 - e) guest rooms shall not be self-contained dwelling units, ie. there shall not be any cooking facilities available in the guest rooms for the use of guests to prepare meals.
 - f) one sign only shall be permitted to identify, rather than advertise the establishment. The sign must not exceed 20 cm (8 in.) by 30.5 cm (12 in.) in size; and
 - g) off-street parking shall be provided as follows: two parking spaces for the dwelling unit plus one space per guest room.
 - h) no other services or retail sales may be offered at or from the same premises than that of a bed and breakfast, and no home occupation is permitted on the premises of a bed and breakfast.
 - i) there shall be no accessory suite on the premises of a detached dwelling where a bed and breakfast is being lawfully operated.
2. A development permit issued for a bed and breakfast establishment does not exempt compliance with health regulations or any other permit requirements.

MISCELLANEOUS

11.1 Swimming Pools & Outdoor Hot Tubs

1. Every private swimming pool and or hot tub shall be secured against entry according to the current Alberta Building Code.

11.2 Dangerous Goods

1. Prior to making any decision on a development application which involves dangerous goods or development on adjacent land or in close proximity to any dangerous goods, the Development Authority shall refer the development proposal to the appropriate regulatory authority for comments.

11.3 Mechanized Excavations, Stripping and Grading of Parcels

1. A development permit will be required for any excavations, stripping and/or grading of land with appropriate plans, including placement of any material, as required by Development Authority prior to commencement.
2. A temporary fence shall be erected around all excavations which in the opinion of the Development Authority may be hazardous to the public.

3. Where finished ground elevations are established, all grading shall comply with approved plans.
4. All topsoil shall be retained on the parcel, except where it must be removed for building purposes.

LANDSCAPING, ENVIRONMENTAL CONSERVATION AND DEVELOPMENT

12.1 General

1. Except for a single family dwelling, duplex or individually owned row house the Development Authority shall apply the landscaping regulations in conjunction with every application for a development permit involving new development or when any existing development is, in the opinion of the Development Authority, substantially enlarged or increased in intensity of use. Where a development permit was issued for the use, building or development prior to this Bylaw taking effect, such use, building or development shall be deemed conforming to the landscaping regulations, however, any subsequent extension, enlargement or addition of uses, building or development shall conform to these regulations.
2. All applications for development permits shall be accompanied by a landscaping plan completed by a landscape professional. No development permit shall be issued prior to the approval of the approved landscape plan.
3. The landscape plan shall, to the satisfaction of the Development Authority, include the following:
 - a) name of the project and/or applicant;
 - b) name and/or endorsement stamp of the landscape professional;
 - c) north arrow, plan scale and legal and civic addresses;
 - d) location of existing plant materials and indication as to whether they are to be removed or retained;
 - e) new plant materials shall be accurately scaled to mature size;
 - f) location of planting beds and identification of bedding material;
 - g) minimum number of trees and shrubs, in the required coniferous/deciduous ratio, required to be provided pursuant to the requirements of this section;
 - h) total number of trees and shrubs proposed to be provided, and the proposed coniferous/deciduous ratio;
 - i) a list of any proposed variances;
 - j) identification of proposed surfacing of parking and storage areas;
 - k) plant material list identifying the species/type of trees and shrubs and their planted size, as well as their typical mature size;
 - l) if landscaping is being proposed within a utility right-of-way the plan must be endorsed by all utility companies that have access to the right-of-way, indicating their approval of the proposed landscaping;
 - m) all other physical features, existing or proposed; including berms, walls, fences, outdoor furniture and decorative paving; and,
 - n) a site plan indicating lot boundaries and lot dimensions and the location of proposed landscaping and features in relation to all existing and proposed

buildings, signs, outdoor storage areas, parking areas, display areas, approaches, driveways, fences, and utility right-of-ways.

4. Landscape plans shall be accompanied by a colour rendering, as viewed from adjacent streets, to illustrate what the site will look like when all plant life has matured.
5. Landscape plans shall be accompanied by a quote from a landscape professional indicating the cost to implement the landscaping. An irrevocable letter of credit having the value equivalent to 100% of the established costs will be retained until all landscaping is completed. 50% will then be returned and the remainder will be retained by the Town for maintenance for 1 full growing season.
6. Landscape plans shall be accompanied by a quote from a paving professional indicating the cost to implement the required site paving. An irrevocable letter of credit having the value equivalent to 100% of the established costs will be retained for one full year after the paving is completed.
7. Landscaping must be completed by the end of the first full growing season following completion of construction or commencement of the use.
8. Landscaping as approved on the landscaping plan shall be maintained for the duration of the development permit;
9. If the side yard of the property is adjacent to a paved public roadway additional landscaping may be required at the discretion of the Development Authority;
10. All landscaping must be placed on the outside of any fence that runs adjacent to a paved public roadway.
11. All outdoor storage areas, parking facilities and loading areas must be appropriately screened from adjacent buildings and public roadways to the satisfaction of the Development Authority. All outdoor storage located along Highway 2, Highway 2A or Highway 597 must be screened by a 6ft (2m) solid white vinyl fence. Other screening may include the use of a fence, berming, landscaping or a combination of all three.
12. The conservation of existing trees and shrubs should be exercised to the maximum extent possible. Any proposed clearing is subject to the approval of the Development Authority.
13. Where off street parking for 25 or more vehicles is required and is being provided at grade, dispersed landscaped areas may be required within the interior of the parking area(s) for the purpose of providing visual relief and to break up large areas of parking into smaller cells, to the satisfaction of the Development Authority.
14. The following must be retained, in their natural state:
 - a) Wetlands, gullies and natural drainage courses;
 - b) Unstable land;
 - c) Land subject to flooding by a 1:100 year flood;
 - d) Land with a natural gradient of 15% or greater, and
 - e) A strip of land not less than 15m (49.21 ft) in width along any river, stream, creek or lake, such distance to be measure from the top of the bank.

12.2 Minimum Plant Sizes

1. Landscaping shall consist of the following minimum plant sizes:
 - a) Deciduous trees – minimum calliper 75mm (measured 450mm from ground level)
 - b) Coniferous trees – minimum height 2.5m
 - c) Deciduous shrubs – minimum # 2 container class
 - d) Coniferous shrubs – minimum # 2 container class

12.3 Planting Density and Minimum Landscaping Area

2. The following minimum standards shall be met:
 - a) One tree is required for each 40m² of landscape area.
 - b) The proportion of deciduous trees and coniferous trees shall be approximately 2:3.
 - c) Where new tree plantings are otherwise required, existing trees having a height of 2.5m may be used if the earth under the normal spread of branches for the species (measured as an equilateral triangle from the top of the tree) remains undisturbed during construction and final grades are not significantly changed.
 - d) One shrub for every 20m² of landscape area.
 - e) The proportion of deciduous to coniferous shrubs required shall be approximately 2:1.
 - f) The landscaping of boulevard and front yards shall include a mixture of coniferous/deciduous trees and shrubs.
 - g) Notwithstanding the above requirements, the minimum landscape area scheme will require the following:
 - (i) 6 trees – 4 coniferous and 2 deciduous;
 - (ii) 6 shrubs – 4 deciduous and 2 coniferous;
 - h) A minimum of 23.9 cm (8 in) of topsoil to facilitate growth in the soft-landscaped areas, with areas not planted to trees and shrubs being seeded to grass or sodded.
2. In all commercial districts and the Industrial Light District the following minimum landscaping area shall apply:
 - a) On lots smaller than 1 hectare (2.5 acres) a minimum of 15 percent of the site area shall be landscaped;
 - b) On lots larger than 1 hectares (2.5 acres) a minimum of 80 percent of the required front yard setback of the site shall be landscaped;
3. In the Industrial Heavy District the following minimum landscaping area shall apply:
 - a) On lots smaller than 1 hectare (2.5 acres) a minimum of 10 percent of the site area shall be landscaped;
 - b) On lots larger than 1 hectare (2.5 acres) a minimum of 60 percent of the required front yard setback of the site shall be landscaped;
4. A minimum of 40% of the total landscaping required shall be placed within the front yard of the property.

12.4 Municipal Historic Area

1. A by-law designating a part of the municipality as a Municipal Historic Area under the Historical Resources Act is deemed to form part of this Land Use By-law.

12.5 Development in Proximity to Oil and Gas Wells

1. In accordance with the Subdivision and Development Regulation, no building shall be constructed within 100 m (328.1 ft.) of the well head of a gas or oil well, unless, in the opinion of the Development Authority, it may be considered an infill development or is otherwise approved in writing by the Alberta Energy and Utilities Board.

12.6 Development Setbacks from Wastewater Treatment Plants

1. In accordance with the Subdivision and Development Regulations,
 - a) a school, hospital, food establishment or residential building must not be approved and a residential building must not be constructed within 300 m (984.25 ft.) of the working area of an operating wastewater treatment plant, and
 - b) a wastewater treatment plant must not be approved unless the working area of the plant is at least 300 m (984.25 ft.) from any existing or proposed school, hospital, food establishment or residential building, unless the development is approved in writing by the Deputy Minister of Environment.

12.7 Development Setbacks from Landfills and Waste Sites

1. In accordance with the Subdivision and Development Regulations,
 - a) a school, hospital, food establishment or residence must not be approved and a residence must not be constructed if the building site is within the distances from a sanitary landfill, modified landfill, hazardous waste management facility, dry waste site, waste processing site, waste storage site, waste sorting station or waste transfer station specified in the Subdivision and Development Regulations, and
 - b) a sanitary land, modified landfill, hazardous waste management facility, dry waste site, waste processing site, waste storage site, waste sorting station or waste transfer station must not be approved within the distances from the property boundary of a school, hospital, residence or food establishment specified in the Subdivision and Development Regulations,

unless the development is approved in writing by the Deputy Minister of Environment.

12.8 Development Setbacks from Water Bodies and Slopes

1. No development shall be permitted in the 1:100 year flood plain of a water body or otherwise prone to flooding or subsidence, unless the applicant demonstrates to the satisfaction of the Development Authority that preventive engineering and construction measures can be used to make the site suitable.
2. A minimum building setback of 30m (100 ft) is required from the high water mark of a water body to which the Crown claims ownership.

3. Applications for development permits may be required to submit a slope stability assessment completed by a licensed Geotechnical Engineer or a person qualified to perform such work.
4. Where a development permit has been issued pursuant to Section 11.11 (3) the Development Authority may require that a security deposit be submitted to the Town of ensure that development is carried out in conformity with the approved engineering and construction measures.
5. No trees or vegetations shall be cleared within 30m (100 ft) of any water body, water course or the crest of a slope greater than 15% where the removal could have a negative impact on the water body, water course, or slope stability.
6. Environmental reserve shall include a 5m setback from the top of the bank to the developable property. A trail system link will be required in this setback.

12.9 Land Use Policies

1. Every action undertaken by the municipality and the Development Authority must be consistent with any land use policies established pursuant to the Municipal Government Act.

12.10 Drainage

1. All roof drainage from a building shall be directed onto the parcel upon which the building is situated by means satisfactory to the Development Officer.
2. Any landscaping and/or recontouring shall be done so that the finished grade does not direct surface drainage or cause impoundment of drainage onto an adjoining site unless otherwise approved by the Municipal Planning Commission.

12.11 Accessory Suites

1. The maximum number of accessory suites per detached dwelling unit is limited to one (1).
2. There shall be a maximum of two (2) bedrooms per basement suite provided the parking requirements are fulfilled.
3. The maximum number of unrelated people occupying the suite shall not exceed two (2).
4. One on-site parking stall shall be provided for each bedroom to a maximum of 2 stalls with the maximum number of vehicles for the basement occupants not to exceed onsite parking for the accessory suite.
5. The parking stalls for accessory suites shall not be considered to be the driveway stalls for attached garages but are to be separate parking stalls.
6. The number of dwelling units allowed to have Accessory suites within a neighbourhood subdivision shall not exceed 10% of the total units in that subdivision, and the accessory units are to have a distance of approx 10 dwellings between units.
7. An accessory suite shall have a separate entrance from the primary dwelling unit, either

- from a common indoor landing or directly from the exterior of the structure.
8. An accessory unit shall comply with the Safety Codes Act or its successor.
 9. When a Development Application is made for an accessory suite, the Planning Department shall notify all landowners within 75m of the subject site that an application has been made for an accessory suite.

12.12 Manufactured Homes

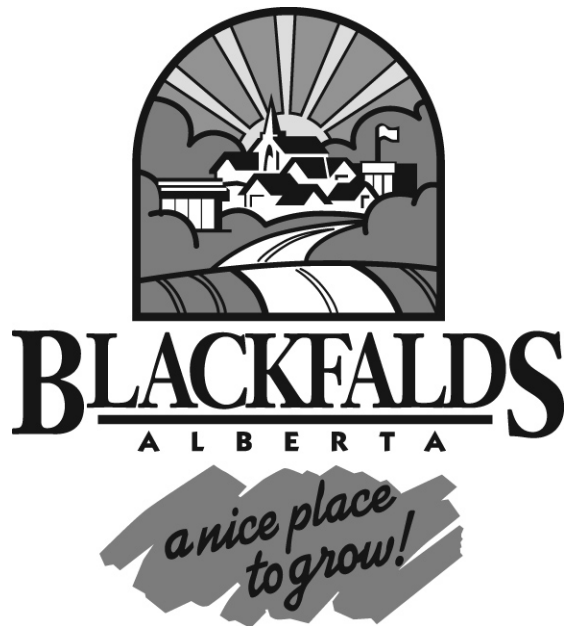
1. For manufactured homes placed in any Residential Single Dwelling Lot District (R-1L, R-1M, or R-1S), or in the Residential Manufactured Home Community District (R-MHC), in addition to any other requirements in this bylaw, the size, form and external appearance of a manufactured home must be acceptable to the Development Authority having regard to compatibility with other buildings in the vicinity. Notwithstanding the generality of the foregoing, a manufactured home must:
 - a) be of new construction, such that it is being transported directly from the factory or sales dealership to the residential site,
 - b) have a minimum roof pitch of 4:12,
 - c) have a roof surface of wood or asphalt shingles, clay or concrete tiles, slate or wood shakes,
 - d) have a minimum roof overhang or eaves of .40m (1.33 ft.) from each external wall,
 - e) have a minimum box width of 6.1 m (20 ft.)
 - f) have a maximum length to width ratio of 3:1,
 - g) be placed on a permanent foundation.
 - h) the manufactured home cannot be removed from the residential site unless approval is granted by the Development Authority.

12.13 Guidelines for Other Land Uses

1. All uses which are not covered by specific regulations in Schedule C shall, in accordance with the following guidelines, be
 - a) separated from adjacent uses by such a distance as to ensure that there will be no adverse impact upon or by those adjacent uses,
 - b) at a density which is consistent with that prevailing in the area, unless otherwise provided for in a statutory plan,
 - c) setback from any parcel boundary abutting a public roadway a sufficient distance to ensure that the development will not be visually intrusive, having regard to any possible changes in surrounding uses,
 - d) of a height which will be consistent with that prevailing in the area,
 - e) developed in such a manner that there will be no adverse impact upon or by traffic on adjacent public roadways, and
 - f) developed in conformance with applicable statutory plan policies.
 - g) designed, constructed and the exterior finished to the satisfaction of the Development Authority, who shall ensure, as far as practical, that materials will be used which are appropriate and compatible with the standard of surrounding developments.

TOWN OF BLACKFALDS

LAND USE BYLAW # 1081/09



SCHEDULE C

LAND USE DISTRICT REGULATIONS

RESIDENTIAL SINGLE DWELLING SMALL LOT DISTRICT (R-1S)

Purpose - To provide an area for detached dwellings on small parcels, and other uses, herein listed, which are compatible with a residential area, all of which are connected to the municipal sewer and water systems.

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> • Accessory Building and Accessory Use • Detached Single Family Dwelling • Home Based Business, Minor 	<ul style="list-style-type: none"> • Home Based Business, Major • Manufactured Homes on Permanent Basement Foundations • Modular Homes on Permanent Basement Foundations • Public and Quasi-Public Uses • Signs, Excluding Billboards • Public Utility Buildings • Parks and Playgrounds

The following regulations relate to detached dwellings and manufactured homes; standards for all other uses shall be determined by the Municipal Planning Commission in accordance with Schedule B.

Minimum Front Yard	6.0m (19.68 ft) except adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 7.5m (24.61 ft)
Minimum Side Yard	1.5m (4.92 ft) except: <ol style="list-style-type: none"> 1. Adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 4.5m (14.75 ft); 2. Adjacent to a road, but not including a land, where it shall be 3m (9.84 ft) or as required by Alberta Building Code, whichever is greater; 3. In a laneless subdivision, Section 4.4 (a) of Schedule B shall also apply, or as required in the Alberta Building Code, whichever is greater.
Minimum Rear Yard	7.5m (24.61 ft) with an attached garage 10m (32.81 ft) without an attached garage 12.5m (41.00 ft) where it abuts a major Collector Road as designated in the Municipal Development Plan
Minimum Parcel Area	Interior Parcels – 360m ² (3,875.13 sq ft) Corner Parcels – 410m ² (4,413.34 sq ft)
Minimum Parcel Width	Interior Parcels – 10.5m (34.44 ft) Corner Parcels – 11.5m (37.72 ft)
Maximum Parcel Coverage	50% - excluding driveways and grade level open decks
Maximum Building Height	10m (32.81 ft)

RESIDENTIAL SINGLE DWELLING MEDIUM LOT DISTRICT (R-1M)

Purpose - To provide an area for detached dwellings and other uses, herein listed, which are compatible with a residential area, all of which are connected to the municipal sewer and water systems.

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> • Accessory Building and Accessory Use • Detached Single Family Dwelling • Home Based Business, Minor 	<ul style="list-style-type: none"> • Accessory Suites • Bed and Breakfast Establishment • Home Based Business, Major • Manufactured Homes on Permanent Basement Foundations • Modular Homes of Permanent Basement Foundations • Mother-in-law-suite • Parks and playgrounds • Public and quasi-public uses • Public utility buildings • Signs, excluding billboards • Social care residence

The following regulations relate to detached dwellings and manufactured homes; standards for all other uses shall be determined by the Municipal Planning Commission in accordance with Schedule B.

Minimum Front Yard	6.0m (19.68 ft) except adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 7.5m (24.61 ft)
Minimum Side Yard	1.5m (4.92 ft) except: <ol style="list-style-type: none"> 1. Adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 4.5m (14.75 ft); 2. Adjacent to a road, but not including a land, where it shall be 3m (9.84 ft) or as required by Alberta Building Code, whichever is greater; 3. In a laneless subdivision, Section 4.4 (a) of Schedule B shall also apply, or as required in the Alberta Building Code, whichever is greater.
Minimum Rear Yard	7.5m (24.61 ft) with an attached garage 10m (32.81 ft) without an attached garage 12.5m (41.00 ft) where it abuts a major Collector Road as designated in the Municipal Development Plan
Minimum Parcel Area	Interior parcels 460 m ² (4,951.56 sq.ft.) Corner parcels 510 m ² (5,489.77 sq.ft.)
Minimum Parcel Width	Interior parcels 12.5 m (41.0 ft.) Corner parcels 14 m (45.92 ft.)
Maximum Parcel Coverage	40% total building coverage excluding driveways and grade level decks.
Maximum Building Height	10 m (32.8 ft.)

RESIDENTIAL SINGLE DWELLING LARGE LOT DISTRICT (R-1L)

Purpose - To provide an area for low density residential development in the form of detached dwellings and compatible uses, herein listed, which are connected to the municipal sewer and water systems.

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> • Accessory Building and Accessory Use • Detached Single Family Dwelling • Home Based Business, Minor 	<ul style="list-style-type: none"> • Accessory Suites • Bed and Breakfast Establishment • Home Based Business, Major • Manufactured Homes on Permanent Basement Foundations • Modular Homes of Permanent Basement Foundations • Mother-in-Law Suite • Parks and Playgrounds • Public and Quasi-Public Uses • Public Utility Buildings • Signs, excluding Billboards • Social Care Residence

The following regulations relate to detached dwellings and manufactured homes; standards for all other uses shall be determined by the Municipal Planning Commission in accordance with Schedule B.

Minimum Front Yard	6.0m (19.68 ft) except adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 7.5m (24.61 ft)
Minimum Side Yard	1.5m (4.92 ft) except: <ol style="list-style-type: none"> 1. Adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 4.5m (14.75 ft); 2. Adjacent to a road, but not including a land, where it shall be 3m (9.84 ft) or as required by Alberta Building Code, whichever is greater; 3. In a laneless subdivision, Section 4.4 (a) of Schedule B shall also apply, or as required in the Alberta Building Code, whichever is greater.
Minimum Rear Yard	7.5m (24.61 ft) with an attached garage 10m (32.81 ft) without an attached garage 12.5m (41.00 ft) where it abuts a major Collector Road as designated in the Municipal Development Plan
Minimum Parcel Area	Interior parcels 550 m ² (5,920.34 sq.ft.) Corner parcels 600 m ² (6,458.55 sq.ft.)
Minimum Parcel Width	Interior parcels 15 m (49.2 ft.) Corner parcels 16.5 m (54.12 ft.)
Maximum Parcel Coverage	40% excluding driveways and grade level decks.
Maximum Building Height	10 m (32.8 ft.)

RESIDENTIAL MULTI-DWELLING DISTRICT (R-2)

Purpose - To provide for an area to accommodate and control medium residential development for which separate, at-grade entry is available, and other uses which are compatible with a residential area, all of which are connected to the municipal water and sewer systems.

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> • Accessory Building and Accessory Use • Duplexes, Row Housing • Home Based Business, Minor 	<ul style="list-style-type: none"> • Detached Dwelling • Bed and Breakfast Facility • Boarding and Rooming Houses • Fourplexes • Home Based Business, Major • Mother-in-Law Suite • Public and Quasi-Public Uses • Signs, Excluding Billboards • Public Utility Buildings • Parks and Playgrounds • Social Care Residence

Minimum Front Yard	6.0m (19.68 ft) except adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 7.5m (24.61 ft)
Minimum Side Yard	1.5m (4.92 ft) except: <ol style="list-style-type: none"> 1. Adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 4.5m (14.75 ft); 2. Adjacent to a road, but not including a land, where it shall be 3m (9.84 ft) or as required by Alberta Building Code, whichever is greater; 3. In a laneless subdivision, Section 4.4 (a) of Schedule B shall also apply, or as required in the Alberta Building Code, whichever is greater.
Minimum Rear Yard	7.5m (24.61 ft) except when adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 10.0m (32.81 ft)
Minimum Parcel Area	<p><u>Duplexes</u></p> <p>Interior parcels 280 m² (3,013.99 sq.ft.)</p> <p>Corner parcels 330 m² (3,552.21 sq.ft.)</p> <p><u>Row Houses</u></p> <p>Interior parcels 185 m² (1,991.39 sq.ft.)</p> <p>Corner parcels 275 m² (2,960.17 sq.ft.)</p> <p><u>Fourplexes</u></p> <p>Interior parcels 200 m² (2,152.85 sq.ft.)</p> <p>Corner parcels 220 m² (2,368.14 sq.ft.)</p> <p><u>Social Care Residence</u></p> <p>Interior parcels 280 m² (3,013.99 sq.ft.)</p> <p>Corner parcels 330 m² (3,552.21 sq.ft.)</p>
Maximum Parcel Coverage	55% excluding driveways

RESIDENTIAL MEDIUM DENSITY DISTRICT (R-3)

Purpose - To provide for an area to accommodate and control higher residential development for which entry to individual dwellings is gained from a common hallway or foyer, and other uses which are compatible with a residential area, all of which are connected to the municipal water and sewer systems.

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> • Accessory Building and Accessory Use • Apartments • Home Based Business, Minor 	<ul style="list-style-type: none"> • Public and Quasi-Public Uses • Signs, Excluding Billboards • Public Utility Buildings • Parks and Playgrounds • Social Care Residence • Senior Citizen Housing

Minimum Front Yard	<u><i>Social Care Residence/Senior Citizen Housing</i></u> 6.0m (19.68 ft) except adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 7.5m (24.61 ft) <u><i>Apartments</i></u> 7.5m (24.61 ft)
Minimum Side Yard	3.0m (9.84 ft) except: <ol style="list-style-type: none"> 1. Adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 4.5m (14.75 ft); 2. As required by Alberta Building Code, whichever is greater.
Minimum Rear Yard	7.5m (24.61 ft) except when adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 10.0m (32.81 ft)
Minimum Parcel Area	3,035.14m ² (.30 ha)
Maximum Parcel Area	1.75 ha (4.32 ac)
Dwelling Unit Density	45 units/hectare or 18 units per acre
Maximum Parcel Coverage	<u><i>Social Care Residence/Senior Citizen Housing</i></u> 55% excluding driveways <u><i>Apartments</i></u> 75%
Maximum Building Height	<u><i>Social Care Residence/Senior Citizen Housing</i></u> 10m (32.80 ft) <u><i>Apartments</i></u> 12m (39.36 ft)

RESIDENTIAL HIGH DENSITY DISTRICT (R-4)

Purpose - To provide an area for a variety of multi-family dwelling types at a higher density and other uses, herein listed, which are compatible with a residential area, all of which are connected to the municipal sewer and water systems.

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> • Accessory Building and Accessory Use • Apartments • Row Housing • Signs, excluding Billboards directly related to the building 	<ul style="list-style-type: none"> • Home Based Business, Minor • Public and Quasi-Public Uses • Signs, Excluding Billboards • Public Utility Buildings • Parks and Playgrounds • Secondary Suites in Existing Detached Dwellings Only

Minimum Front Yard	6.0m (19.68 ft) except adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 7.5m (24.61 ft)
Minimum Side Yard	<u>Apartments</u> 3m, except where it abuts a road other than a lane it shall be 3.5m, or as required in the Alberta Building Code, whichever is greater <u>Row Housing (end units)</u> 1.5m, except where it abuts a road other than a land it shall be 2.75m
Minimum Rear Yard	7.5m (24.61 ft) except when adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 10.0m (32.81 ft)
Minimum Parcel Area	.50 hectares
Dwelling Unit Density	80 units/ha or 32 units/acre
Maximum Parcel Coverage	75%
Maximum Building Height	The lesser of 4 storeys or 17m
Amenity Area	An amenity area including hard and self-landscaped areas, balconies, recreation facility and communal lounges must be incorporated into the plans

MAXIMUM DENSITY MULTI-UNIT RESIDENTIAL (R-5)

Purpose - To provide an area for multi-unit residential developments at a higher density and any other uses, herein listed, all of which are connected to the municipal sewer and water systems.

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Accessory Building and Accessory Use• Apartments• Social Care Residence• Signs, excluding Billboards directly related to the building	<ul style="list-style-type: none">• Home Based Business, Minor• Public and Quasi-Public Uses• Public Utility Buildings• Parks and Playgrounds

Minimum Front Yard	6.0m (19.68 ft) except adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 7.5m (24.61 ft)
Minimum Side Yard	3m, except where it abuts a road other than a lane it shall be 3.65m, or as required in the Alberta Building Code, whichever is greater
Minimum Rear Yard	7.5m (24.61 ft) except when adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 10.0m (32.81 ft)
Minimum Parcel Area	.75 hectares
Dwelling Unit Density	150 units/ha or 60 units/acre
Maximum Parcel Coverage	75%
Maximum Building Height	The lesser of 4 storeys or 17m

NEW RESIDENTIAL MANUFACTURED HOME COMMUNITY DISTRICT (R-MHC)

Purpose - To provide an area for and to regulate the development and use of land for manufactured homes and other uses herein listed, which are compatible with a residential area, on separately registered parcels. The area is to be connected to municipal sewer and water systems.

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> • Accessory Building and Accessory Use • Manufactured Homes • Home Based Business, Minor 	<ul style="list-style-type: none"> • Home Based Business, Major • Parks and Playgrounds • Public and Quasi-public Uses • Public Utility Buildings • Signs, excluding Billboards

Minimum Front Yard	6.0m (19.68 ft) except adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 7.5m (24.61 ft)
Minimum Side Yard	1.5m (4.92 ft) except: <ol style="list-style-type: none"> 1. Adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 4.5m (14.75 ft); 2. Adjacent to a road, but not including a land, where it shall be 3m (9.84 ft) or as required by Alberta Building Code, whichever is greater; 3. In a laneless subdivision, Section 4.4 (a) of Schedule B shall also apply, or as required in the Alberta Building Code, whichever is greater.
Minimum Rear Yard	7.5m (24.61 ft) except when adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 10.0m (32.81 ft)
Minimum Parcel Area	Interior Parcels – 460m ² (4,951.56 sq ft) Corner Parcels – 510m ² (5,489.77 sq ft)
Minimum Parcel Width	Interior Parcels – 10.5m (34.44 ft) Corner Parcels – 11.5m (37.72 ft)
Dwelling Gross Density	17 Manufactured Homes/ha (7/acre)
Maximum Parcel Coverage	50%, excluding driveways
Minimum Floor Area	80m ² (860 sq ft)
Minimum Manufactured Home Width	4.8m (16ft)
Maximum Building Height	8.5m (27.88 ft)

RESIDENTIAL MANUFACTURED HOME PARK DISTRICT (R-MHP)

Purpose - To provide an area for and to regulate the development and use of land for new and used manufactured homes, and other uses, herein listed, which are compatible with a residential area, in comprehensively designed parks wherein sites are rented or owned as part of a condominium. The area is to be connected to municipal sewer and water systems. These districts are related to existing parks.

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> • Accessory Building and Accessory Use • Manufactured Homes 	<ul style="list-style-type: none"> • Home Based Business, Minor • Parks and Playgrounds • Public and Quasi-public Uses • Public Utility Buildings • Signs, excluding Billboards

NOTE: “Lot” means the total area of land reserved for the placement of a manufactured home and for the exclusive use of its occupants.

Maximum Gross Density	17 Manufactured Homes / ha (7 acres)
Minimum Park Area	2 Hectares (4.94 acres)
Minimum Rear Yard	7.5m (24.61 ft) except when adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 10.0m (32.81 ft)
Minimum Parcel Area	Interior Parcels – 460m ² (4,951.56 sq ft) Corner Parcels – 510m ² (5,489.77 sq ft)
Minimum Parcel Width	Interior Parcels – 10.5m (34.44 ft) Corner Parcels – 11.5m (37.72 ft)
Dwelling Gross Density	17 Manufactured Homes/ha (7/acre)
Maximum Parcel Coverage	50%, excluding driveways
Minimum Lot Area	Single Wide – 370m ² Double Wide – 470m ²
Minimum Floor Area	90m ² (968.78 sq ft)
Minimum Manufactured Home Width	4.8m (16ft)
Minimum Requirements	<ul style="list-style-type: none"> • 4.5m (14.76 ft) from one another • 7m (22.97 ft) from any park boundary • 3m (9.84 ft) from any internal access road or common parking area • 1.5m (4.92 ft) from any side lot line or as required by the Alberta Building Code, whichever is greater • 4.5m (14.76 ft) from any rear lot line or as required by the Alberta Building Code, whichever is greater

Recreation Area: A minimum of 5% of the total area of a manufactured home park shall be set aside in a suitable location as a recreation area. Playground apparatus or other recreation facilities shall be provided in accordance with a recreation site plan approved by the Development Authority. All construction must meet Town standards.

RESIDENTIAL MANUFACTURED HOME PARK DISTRICT (R-MHP)

Roadways:	All manufactured home park roadways shall have at least a 12 m (39.37 ft.) right-of-way and a carriageway no less than 8 m (26.25 ft.) in width.
Walkways:	Internal pedestrian walkway shall meet the Town standards. Plans must be submitted at the time of application for approval by the Town.
Parking:	The owner of the park shall provide parking spaces for visitors at the ratio of one space per four manufactured home lots, in locations and to specifications approved by the Town.
Storage Areas:	Common storage areas, separate from the manufactured home lot, shall be provided for storage of seasonal recreational equipment not capable of storage on the mobile home lot. Such storage areas shall be screened. Such storage areas shall have an area of not less than 20 m ² (215.29 sq.ft.) per manufactured home lot.
Fences and Lot Lines:	Fences and hedges shall be allowed only if they are erected and maintained by the mobile home park operator to a uniform standard throughout the mobile home park. All lot lines shall be clearly defined on the ground by permanent flush stakes, or markers, with a lot number or other address system.
Building Design:	All manufactured homes shall be factory built. A foundation meeting CSA Z240.10.1-94 standard may be approved in this district, providing that Alberta Building Code regulations are being met. Skirting or any attached structure shall be fabricated to complement the exterior finish of the manufactured home, and be of durable all-weather construction and designed in a manner that will enhance the appearance of the manufactured home. Each manufactured home shall be levelled, blocked and skirted, within 30 days of being placed on a lot so that the entire undercarriage, hitch and support structures are concealed from view.

COMMERCIAL CENTRAL DISTRICT (C-1)

Purpose - To provide an area for intensive commercial use, offering a wide variety of goods and services, and other uses, herein listed, which are compatible with the area, which will create an attractive environment for pedestrians, but which will be accessible to motor vehicles.

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> • Accessory Building and Accessory Use • Bake Shop • Car Wash • Commercial Recreation Facility • Convenience Store • Day Care Facility • Dwelling Units Above Ground Floor • Home Based Businesses • Office • Personal Services • Pet Grooming • Repair Services • Restaurant • Retail Liquor Store • Retail Store • Service Station • Signs not exceeding 4.5m² (48.44 ft) 	<ul style="list-style-type: none"> • Automotive Sales and Service (up to and including one-ton trucks) • Bus Depots • Drinking Establishment • Funeral Homes without Crematorium • Light Equipment Rental Shop • Parking Facilities for Uses in this District • Public and Quasi-public Uses • Public Utility Buildings • Repair Services

The following regulations relate to all permitted uses and discretionary uses listed above. Standards for all other uses shall be determined by the Development Authority in accordance with Schedule B.

Minimum Front Yard	Nil
Minimum Side Yard	Nil, or as required by the Alberta Building Code, whichever is greater
Minimum Rear Yard	Shall provide for parking and loading spaces in accordance with Schedule B
Maximum Parcel Coverage	100%, provided that parking and loading spaces are provided as required in Schedule B
Maximum Building Height	17m (56 ft)
Building Design	<p>All mechanical equipment on a roof shall be screened from view of adjoining roads and residential districts.</p> <p>First storey windows or doors abutting a sidewalk shall be covered by an awning or canopy which is at least 2.5m (8.20 ft) above the sidewalk, where there are residential units above.</p>
Dwelling Unit Entrance	Dwelling units above the ground floor shall have an entrance separate from the entrance to any commercial component of the building

COMMERCIAL HIGHWAY DISTRICT (C-2)

Purpose - To provide an area for commercial uses and other uses, herein listed, which are compatible with the area, adjacent to a major thoroughfare, which requires large open areas for parking by clientele, for display of merchandise, or both, which will create an attractive environment, primarily accessible to motor vehicles.

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> • Accessory Building and Accessory Use • Automotive Sales and Service • Bake Shop • Car Wash • Commercial Recreation Facility • Convenience Store • District Shopping Centre • Hotel • Mobile Home Sales • Motel • Office • Personal Services • Pet Grooming • Recreational Vehicle Sales and Service • Restaurants • Retail Store • Retail Liquor Store • Service Station • Signs within a District Shopping Centre not exceeding 19 m² (204.52 ft) • Signs not exceeding 12.5m² (134.55ft) • Veterinary Clinic 	<ul style="list-style-type: none"> • Building Supply and Lumber Outlet • Bus Depot • Drinking Establishment • Dwelling Unit Above Ground Floor (Occupancy by Owner/Operator Only) • Farm Equipment Sales and Service Outlet • Funeral Home with or without Crematorium • Garden Centre • Light Equipment Rental Shop • Public and Quasi-public uses • Public Utility Building • Repair Services

The following regulations relate to permitted uses; standards for all other uses shall be determined by the Development Authority in accordance with Schedule B.

Minimum Front Yard	9m (29.53 ft)
Minimum Side Yard	3m (9.84 ft) or as required in the Alberta Building Code, whichever is greater
Minimum Rear Yard	6m (19.69 ft)
Minimum Parcel Width	15m (49.21 ft) adjacent to a service or local road
Maximum Parcel Coverage	80%
Maximum Building Height	17m (56 ft)

All mechanical equipment on a roof shall be screened from view of a highway, arterial and residential districts.

COMMERCIAL LOCAL DISTRICT (C-3)

Purpose - To facilitate the development of local convenience trade centres to serve adjacent residential neighbourhoods or non-commercial areas, only.

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Accessory Building and Accessory Use• Bake Shop• Convenience Store• Day Care Facility• Office• Personal Services• Pet Grooming• Restaurant• Retail Liquor Store• Service Station• Signs not exceeding 4.5m² (48.44 ft)	<ul style="list-style-type: none">• Community Recreation and Entertainment Facility• Dwelling Unit Above Ground Floor (Occupancy by Owner/Operator Only)• Public and Quasi-public Uses• Public Utility Buildings• Repair Services

Minimum Front Yard	6m (19.69 ft)
Minimum Side Yard	1.5m (4.92 ft.) except adjacent to a residential parcel, where it shall be 3m (9.84 ft.)
Minimum Rear Yard	3m (9.84 ft.)
Minimum Parcel Area	0.2ha (0.49 acres)
Maximum Parcel Coverage	80%
Maximum Building Height	8.5m (27.88 ft.)

All mechanical equipment on a roof shall be screened from view of adjoining roads and residential Districts.

BUSINESS PARK DISTRICT (C-4)

Purpose - To provide a comprehensively designed area for a variety of businesses that can be undertaken entirely within buildings and structures such that there are no nuisance factors associated with them. This district must be connected to municipal water and sewer services.

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Accessory Building and Accessory Use• Convenience Store• Commercial Recreation and Entertainment Facility• Light Manufacturing• Office• Personal Services• Pet Grooming• Restaurant• Service Station• Signs not exceeding 4.5m² (48.44 ft)• Veterinary Clinic	<ul style="list-style-type: none">• Light Equipment Rental Shop• Public and Quasi-public Uses• Public Utility Buildings• Repair Services

Minimum Front Yard	9m (29.53 ft)
Minimum Side Yard	3m (9.84 ft) or as required by the Alberta Building Code, whichever is greater
Minimum Rear Yard	6m (19.69 ft)
Minimum Parcel Width	15m (49.21 ft)
Maximum Parcel Coverage	70%
Maximum Building Height	Flat Roof Buildings – 9.5m (31.17ft) Pitched Roof Buildings – 12m (39.36 ft)

All outdoor storage should be screened by white vinyl fencing

All mechanical equipment on a roof shall be screened from view of adjoining roads and residential Districts

COMMERCIAL MIXED USE DISTRICT (CMU)

Purpose - To provide an area for a variety of commercial, office, residential and other uses that serve the local community and other uses herein listed, which are compatible with the area, which will create an attractive environment for pedestrians, but will be accessible to motor vehicles. A mixed use district will contribute to the vitality, viability and sustainability of the community.

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> • NIL 	<ul style="list-style-type: none"> • Accessory Buildings and Accessory Use • Apartment • Child Care Facility • Convenience Store • Commercial Recreation and Entertainment Facilities • Day Care Facility • Dwelling Units Above First Floor • Gas Bar • Office • Personal Services • Pet Grooming • Public and Quasi-public Uses • Restaurant • Retail Liquor Store • Retail Store

Minimum Front Yard	Nil or at the discretion of the Development Authority taking into consideration the amenities of adjacent properties
Minimum Side Yard	At the discretion of the Development Authority
Minimum Rear Yard	At the discretion of the Development Authority
Floor Area Ratio	At the discretion of the Development Authority
Maximum Building Height	At the discretion of the Development Authority
Density	For residential portion of the development the density shall not exceed 30 units/ha based on the total parcel area
Outdoor Storage	None Permitted

Development Proposal: A developer at time of application must hold an open house for the properties within 300 m of the site to be able to alleviate any concerns from the neighbours. Said open house shall contain conceptual and detailed drawings.

DIRECT CONTROL DISTRICT (DC)

This district will be for specific uses and regulations as decided by council to accommodate specific designs for specific parcels of lands as approved by Council.

Each district will have its own regulations as approved by Council.

INDUSTRIAL LIGHT DISTRICT (I-1)

Purpose - To provide an area for light industrial uses and other uses herein listed which are compatible to the area and are located in an attractive environment, and to accommodate uses which do not cause any external, objectionable or dangerous conditions beyond the parcel boundary.

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> • Accessory Building and Accessory Use • Bulk Fuelling Station • Car Wash • Cartage and Freight Terminal • Dwelling Unit for Owner, Operator or Caretaker • Gas Bar • Kennel • Light Manufacturing • Pet Grooming • Repair Services • Retail Store for Uses in this District • Self Storage Buildings • Service Station • Signs not exceeding 4.5m² (48.44 ft) • Veterinary Clinic • Veterinary Hospital 	<ul style="list-style-type: none"> • Auction Facility • Autobody and/or Paint Shop • Public Utility Building • Railway Uses • Recycle Depot

Minimum Front Yard	9m (29.53 ft)
Minimum Side Yard	3m (9.84 ft) or as required by the Alberta Building Code, whichever is greater
Minimum Rear Yard	6m (19.69 ft)
Minimum Parcel Width	15m (49.21 ft)
Maximum Building Height	Flat Roof Buildings – 9.5m (31.17ft) Pitched Roof Buildings – 12m (39.36 ft)
Outdoor Storage	Shall be to a maximum of 30% of the site and shall be screened to the satisfaction of the Development Authority

INDUSTRIAL HEAVY DISTRICT (I-2)

Purpose - To provide an area for heavy industrial uses, and other uses, herein listed, which are compatible with the area.

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> • Accessory Building and Accessory Use • Auto Body and/or Paint Shop • Bulk Fuelling Station • Cartage and Freight Terminal • Ethylene Glycol Storage and Shipping Facility • Food Processing Facility • Heavy Equipment Assembly, Sales and Service • Heavy Manufacturing • Kennel • Light Manufacturing • Municipal Uses • Recycle Depot • Repair Services • Retail Store for Uses in this District • Self Storage Building • Service Station • Signs not exceeding 4.5m² (48.44 ft) • Veterinary Clinic • Veterinary Hospital 	<ul style="list-style-type: none"> • Auction Facility • Auto Wrecking Yard • Feed Mill and Grain Elevator • Public Utility Buildings • Railway Uses • Seed Cleaning Plats • Solid Waste Transfer Station

Minimum Front Yard	9m (29.53 ft)
Minimum Side Yard	3m (9.84 ft) or as required by the Alberta Building Code, whichever is greater
Minimum Rear Yard	6m (19.69 ft), except where a rear yard abuts a railway, no rear yard is required
Minimum Parcel Width	15m (49.21 ft)
Maximum Parcel Coverage	80%, except adjacent to Highways 2 and 2A, Secondary Road 597, or a Residential District, in which case it shall be 70%
Maximum Building Height	12m (39.36 ft)
Outdoor Storage	Shall be screened by white vinyl fencing (2m high) and/or to the satisfaction of the Development Authority

PUBLIC FACILITY DISTRICT (PF)

Purpose - To provide an area for the development of public facilities, and other uses, herein listed, which are compatible with the area and which are necessary for the community.

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> • Accessory Building and Accessory Use • Campground • Cemetery • Church • Farmers Market • Municipal Uses • Parks and Playgrounds • Public and Quasi-public Uses • Public Recreation Buildings • Recreation Facilities • Signs Used Solely by Community Organizations 	<ul style="list-style-type: none"> • NIL

Minimum Front Yard	9m (29.53 ft)
Minimum Side Yard	3m (9.84 ft) or as required by the Alberta Building Code, whichever is greater
Minimum Rear Yard	6m (19.69 ft), except where a rear yard abuts a railway, no rear yard is required
Minimum Parcel Width	15m (49.21 ft)
Maximum Parcel Coverage	70%
Maximum Building Height	Flat Roof Buildings – 9.5m (31.17 ft) Pitched Roof Buildings – 12m (39.36 ft)
Outdoor Storage	Shall be screened by white vinyl fencing (2m high) to the satisfaction of the Development Authority

ENVIRONMENTAL OPEN SPACE DISTRICT (EOS)

Purpose - To provide an area for either the preservation of public land in its natural state, or for its development as a park.

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Natural Environmental• Parks and Playgrounds	<ul style="list-style-type: none">• Accessory Uses• Public and Quasi-Public Uses• Public Utility Buildings• Signs Used Solely by Community Organizations

Outdoor Storage is not permitted

URBAN RESERVE DISTRICT (UR)

Purpose - To reserve land for future subdivision and development until an overall plan is prepared for and approved by Council.

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• NIL	<ul style="list-style-type: none">• Accessory Uses• Existing Residence and Related Improvements• Farming and Uses that will not, in the opinion of the Municipal Planning Commission, materially alter the use of the land from that existing on the date the land was designated to the Land Use District or conflict with future urban expansion• Public Utility Buildings• Signs not exceeding 4.5m² (48.44 ft)

Minimum Parcel Area	All the land contained in the existing Certificate of Title, unless otherwise approved by the Municipal Planning Commission, having regard to future use of the parcel and the form of future subdivision and development
Outdoor Storage	Shall be screened by white vinyl fencing (2m high) to the satisfaction of the Development Authority

AGRICULTURAL DISTRICT (AG)

Purpose: To provide a guideline for the annexation land base to support a variety of agricultural operations. Other uses would be considered in this District based upon their compatibility with surrounding agricultural operations. Definitions covered under the Lacombe County Land Use Bylaw

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Accessory Building and Accessory Use• Dwelling Unit in accordance with Section 6• Agricultural Building• Agricultural Operation• Home Based Business, Minor• One residence on a parcel created prior to August 28, 2007 or thereafter in accordance with the residential subdivision policies set forth in the Municipal Development Plan	<ul style="list-style-type: none">• Adult Care Residence• Airport• Bed and Breakfast• Campground• Cemetery• Community Facility• Contractor Business• Crematorium• Dwelling, temporary family care in accordance with sections 6.1(5) and 6.1(6) in Part 6 of this Bylaw• Dwelling, Secondary Suite• Greenhouse and Plant Nursery• Government Service• Kennel• Home Based Business, Major• Minor Business and Trade• Oil and Gas Facility, Uses Accessory to the Oil and Gas Industry• Outdoor Storage• Recreation Facilities, Outdoor• Public Use• Public Utility Building• Radio, TV or Other Communication Tower and Associated Service Buildings and/or Equipment• Residential Alcohol and Drug Treatment Centre on the Lands Legally Described as Follows" Plan 2398 EU, Pt. SE 6-41-23W4M• Riding and Boarding Stable• Salvage Yard• Sand and Gravel Extraction and Processing• Use Requisite for, or Accessory to Agriculture• Wind Energy Conversion System, Small Scale• Wind Farm

AGRICULTURAL DISTRICT (AG)

Minimum Site Area	All of the land contained in the existing titled area, unless otherwise approved by the Development Authority
Floor Area	The minimum floor area for a dwelling unit shall be not less than 83.61m ² (900 sq ft)

1. Setbacks

- a. Setbacks from right-of-ways shall be in accordance with section 6.17.
- b. The setback from any property line adjoining a lot located in any other District in this Bylaw shall be 22.86 m (75 ft).
- c. The setback from the property boundary in the Agricultural District shall be 7.62 m (25 ft).
- d. Where a lot adjoins a lake or river, no building shall be placed in the area outside the lot property lines as shown on the registered plan of subdivision or the original land survey, or on lands claimed by the Crown.

2. Objects Prohibited or Restricted in Yards

- a. No person shall keep in their yards:
 - i. any unlicensed, dismantled, wrecked or dilapidated vehicle, unless it is suitably housed or screened from view to the satisfaction of the Development Officer;
 - ii. any object or chattel which, in the opinion of the Development Officer, is unsightly or tends to adversely affect the amenities of the area;
 - iii. more than six (6) recreational vehicle on a regular basis, unless otherwise approved by the Development Authority; or
 - iv. a recreational vehicle that is used as permanent residence. However, a recreational vehicle may be used for living and sleeping accommodation by visitors on a temporary, short-term basis, no longer than two weeks, or as temporary accommodation by the landowner(s) or their building contractor for a period not exceeding one (1) year following the issue of a development permit for the construction of a dwelling on the property and where arrangements, satisfactory to the Development Officer, have been made for the disposal of wastewater effluent.

3. Additional Regulations

Permitted and discretionary uses shall adhere to Schedule B – GENERAL REGULATIONS

TOWN OF BLACKFALDS

LAND USE BYLAW # 1081/09



SCHEDULE D

FINE SCHEDULE

OFFENCE	SECTION	FINE
Failure to remove campaign sign	2.2 (14)	\$50.00
• Second Offence		\$100.00
• Third and Subsequent Offences		\$200.00
Failure to remove garage sale sign	2.2 (15)	\$50.00
• Second Offence		\$100.00
• Third and Subsequent Offences		\$200.00
Operating a Mobile Commercial Sales unit for longer than 7 days on one parcel	2.2 (8)	\$250.00
• Second Offence		\$500.00
• Third and Subsequent Offences		\$1000.00
Commencing demolition without a development permit	3.5	\$1000.00
• Second Offence		\$2000.00
• Third and Subsequent Offences		\$4000.00
The storing of dismantled, inoperable, dilapidated or wrecked motor vehicles, recreation equipment or other equipment	4.2 (1)	\$250.00
• Second Offence		\$500.00
• Third and Subsequent Offences		\$1000.00
Erecting a temporary tented structure in a residential district	4.2 (2)	\$100.00
• Second Offence		\$200.00
• Third and Subsequent Offences		\$400.00
Excavation, storage or piling up of construction materials	4.2 (3)	\$250.00
• Second Offence		\$500.00
• Third and Subsequent Offences		\$1000.00
Parking a motor vehicle, boats, utility trailer, ATV or recreational vehicle on the grass and/or residential district	4.2 (4 & 7)	\$100.00
• Second Offence		\$200.00
• Third and Subsequent Offences		\$400.00
Parking a commercial vehicle in a residential district	4.2 (5 & 6)	\$250.00
• Second Offence		\$500.00
• Third and Subsequent Offences		\$1000.00
Permitting accommodation by a bon-a-fide tourist for more than 7 days per annum	4.2 (8)	\$100.00
• Second Offence		\$200.00
• Third and Subsequent Offences		\$400.00
Excavation, Stripping or Grading without a development permit	11.3	\$500.00
• Second Offence		\$1000.00
• Third and Subsequent Offences		\$2000.00