Municipality of Crowsnest Pass
AGENDA
Regular Council Meeting
Council Chambers at the Municipal Office
8502 - 19 Avenue, Crowsnest Pass, Alberta
Tuesday, August 16, 2022 at 7:00 PM

1. CALL TO ORDER

2. ADOPTION OF AGENDA

3. CONSENT AGENDA

3.a Minutes of the Crowsnest Pass Seniors Housing Board of April 18, 2022
3.b Minutes of the Crowsnest Pass Senior Housing Board of May 20, 2022
3.c Minutes of the Crowsnest Pass Community Pool Society of July 6, 2022
3.d Minutes of the Crowsnest Pass Community Pool Society of July 20, 2022
3.e Minutes of the Crowsnest Pass Community Pool Society of July 22, 2022
3.f Lacey Poytress, Board Chair Livingstone Range School Division - Invitation to attend the grand opening of PEAKS Campus of July 7, 2022
3.g Bellevue Residents - Dairy Road Ball Diamonds and Land Use Bylaw Amendment 1078, 2021 letter of July 18, 2022
3.h Teck Resources - Elk Valley Water Quality Plan 2022 Implementation Plan Adjustment Overview of August 2, 2022
3.i Fred Bradley, Chair Crowsnest Heritage Initiative Society Request to Waive Sign Application Fees of August 3, 2022

4. ADOPTION OF MINUTES

4.a Minutes of the Council Meeting of July 12, 2022

5. PUBLIC HEARINGS

5.a Bylaw 1119, 2022 - Road Closure Bylaw (York Creek Drive - Lot 15; Block 1; Plan _____) - *Public Hearing*
5.b Bylaw 1123, 2022 - Road Closure Bylaw (62nd Street- Coleman) - *Public Hearing*

6. DELEGATIONS

Delegations have 15 minutes to present their information to Council excluding questions. Any extension to the time limit will need to be approved by Council.

6.a Montem Resources Update - Peter Doyle, Managing Director and Chief Executive Officer

7. REQUESTS FOR DECISION

7.a Bylaw 1115, 2022 - Land Use Bylaw Amendment Omnibus No. 2 - *First Reading*

7.b Bylaw 1120, 2022 - Amendment to Bylaw 946, 2016 - the Safety Codes Permit Bylaw - FireSmart Principles - *First Reading*

7.c Bylaw 1121, 2022 - FireSmart Bylaw - *First Reading*

7.d Bylaw 1124, 2022 - Road Closure Bylaw (A portion of 207th Street- Bellevue) - *First reading*

7.e Bylaw 1127, 2022 - Land Use Bylaw Amendment - Redistrict Lot 1, Block 1, Plan 0313303 from Non-Urban Area NUA-1 to Industrial I-1 - *First Reading*

7.f Bylaw 1128, 2022 - Land Use Bylaw Amendment - Redistrict several large parcels in Coleman from the R-1 and R-3 Districts to the NUA-1 and NUCR-1 Districts - *First Reading*

7.g 2022 Q2 Financial Report

7.h 2022 Q2 Safety Codes, Facility Maintenance and Planning & Development Statistics Report

7.i Pass Disc Golf Course Update

8. COUNCIL MEMBER REPORTS

9. PUBLIC INPUT PERIOD

Each member of the public has up to 5 minutes to address Council. Council will only ask for clarification if needed, they will not engage in a back and forth dialogue.

10. COUNCILOR INQUIRIES AND NOTICE OF MOTION

11. IN CAMERA

11.a Economic Interests of the Public Body - MDM Developer Update - *FOIP Act Section 25*

11.b Economic Interests of the Public Body - Land Purchase Application - *FOIP Act Section 25*

11.c Advice from Officials - Org Review - *FOIP Act Section 24*

12. ADJOURNMENT

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: August 16, 2022

Agenda #: 3.a

Subject: Minutes of the Crowsnest Pass Seniors Housing Board of April 18, 2022

Recommendation: That Council accept the Minutes of the Crowsnest Pass Seniors Housing Board of April 18, 2022 as information.

Executive Summary:
Minutes of the Crowsnest Pass Seniors Housing Board are provided to Council at the subsequent meeting.

Relevant Council Direction, Policy or Bylaws:
1041, 2020 Procedure Bylaw

Discussion:
The Crowsnest Pass Senior Housing Board provides their minutes to keep Council apprised of the activities with senior housing.

Analysis of Alternatives:
n/a

Financial Impacts:
n/a

Attachments:
CPSH Board Minutes - April 18, 2022.pdf

CROWSNEST PASS SENIOR HOUSING

BOARD MEETING MINUTES
April 18, 2022

A regular meeting of the Management Body of Crowsnest Pass Senior Housing (CPSH) was held on Monday, April 18, 2022 at 10:00 a.m. at Peaks to Pines Senior Lodge in Coleman, Alberta.

ATTENDEES: Debi Ruzek: Board Chairperson, Dean Ward: Municipal Councillor, Dave Filipuzzi: Municipal Councillor, Susan Demchuk: Board Member, Cathy Painter: Board Member, Donna Stelmachovich: Vice-Chairperson, Marlene Anctil: Board Member, Annie Lok: Chief Administrative Officer, Dee-Anna Strandquist: Finance Manager

ABSENT:

Minutes recorded by Dee-Anna Strandquist

1. CALL TO ORDER

1.1 Debi Ruzek called the meeting to order at 10:05 a.m. and it was determined that a quorum of directors was present.

2. ADDITIONS/CHANGES TO AGENDA

2.1 No changes/additions.

3. APPROVAL OF AGENDA

3.1 *Motion #56/22 to approve the agenda as presented. — Dean Ward – cd.*

4. APPROVAL OF PRIOR MINUTES

4.1 *Motion #57/22 to approve the minutes of the meeting held March 21, 2022 as presented. – Dean Ward– cd.*

5. BUSINESS ARISING FROM THE MINUTES

5.1 Action Log

5.1. a See Attachment #1

5.2 *Motion #58/22 to go in Camera at 11:31 A.M. – Marlene Anctil – cd*

6. Lodge Resident In Person Meeting

6.1 Request from resident to extend notice to vacate.

7. FINANCIAL STATEMENTS – March 2022

7.1 *Motion #59/22 to approve the Financial Statements for March 2022. – Cathy Painter – cd.*

7.2 No changes to the rent ceiling nor electricity rates for self-contained at this time. Will bring back to board if need to revisit.

8. CORRESPONDENCE

8.1 Alberta Seniors and Housing – Cost of utilities

8.1.a Grant funding will be made available. Not sure about application process.

8.2 Phil Henke - Housing Information with Phil

8.2.b Contains information on the Alberta Housing Act, the Management Body Operation and Administration Regulation (MBOAR), Social and Affordable Housing Accommodation Exemption Regulation, Supplementary Accommodation Benefit, Incremental Covid-19 Funding, 2021 Budget Carryovers, Quarterly Report.

8.3 *Motion #60/22 to accept correspondence as information. – Dean Ward – cd*

9. BOARD CHAIRPERSON REPORT

9.1 Nothing to Report.

10. OTHER BOARD REPORTS

10.1 Nothing to report.

11. OLD BUSINESS

11.1 Peaks to Pines Building (P2P)- Standing Item

11.1.a CPSH has been given the keys to the building.

11.1.b $221,000 has been held back from contractor until deficiencies are resolved.

11.1.c Manufacturer warranty period has already expired for the boiler and air exchange.

11.2 Wing names

11.2.a Board members summitted suggestions for wing names. List will be compiled and emailed out.

12. NEW BUSINESS

12.1 Painting in N & S Dementia

12.1.a The board suggested management consult an occupational therapist regarding paint colours/designs and dementia.

12.1.b *Motion #61/22 to approve the quote from 29 Finishings for a total of $6007.91. – Dean Ward–cd*

12.2 Grad Class Volunteer Compensation

12.2.a Discussion to provide a donation based on a rate of $20 per hour.

12.2.b *Motion #62/22 to approve a total donation of $1260 to the CCHS grad class for volunteer hours. – Dean Ward – cd.*

12.3 Community Volunteers

12.3.a *Motion #63/22 to provide a temporary volunteer exemption from providing a criminal record check for volunteers for the move to Peaks to Pines– Dave Filipuzzi– cd.*

12.4 Policy 2.28 – Use of Monitoring Device Installed by Third Parties

12.4.a *Motion #64/22 to approve Policy 2.28 – Use of Monitoring Devices Installed by third parties, as presented.– Dean Ward – cd.*

12.5 Property Management of YCL

12.5.a Alberta Seniors has requested CPSH act as a custodian of York Creek Lodge after the move for a period of time to be determined. Expenses will be reimbursed.

12.5.b CAO to inquire what the expectations are and review insurance policy.

12.5.c Tabled to next meeting.

12.6 Municipal Requisition

12.6.a Discussion regarding operating grant versus requisition terminology. Regardless of terminology, Alberta Seniors considers it as a requisition.

12.6.b *Motion #65/22 to requisition the Municipality for $396,629 for the 2022 budget in whatever form they determine appropriate.—Susan Demchuk – cd.*

13. <u>IN CAMERA</u>

13.1 *Motion #66/22 to go In Camera at 12:00 P.M. – Dean Ward – cd*

13.2 *Motion #67/22 to come out of Camera at 2:45 P.M. – Dean Ward – cd.*

14. <u>ADJOURNMENT</u>

14.2 *Motion #68/22 to adjourn at 2:46 P.M.- Cathy Painter- cd*

Debi Ruzek – Board Chairperson

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: August 16, 2022

Agenda #: 3.b

Subject: Minutes of the Crowsnest Pass Senior Housing Board of May 20, 2022

Recommendation: That Council accept the Minutes of the Crowsnest Pass Senior Housing Board of May 20, 2022 as information.

Executive Summary:
Minutes of Boards and Committees are provided to Council at the subsequent meeting for Council's information.

Relevant Council Direction, Policy or Bylaws:
1041, 2020 Procedure Bylaw

Discussion:
The Crowsnest Pass Senior Housing Board provides their minutes to keep Council apprised of the activities with senior housing.

Analysis of Alternatives:
n/a

Financial Impacts:
n/a

Attachments:
CPSH Board Minutes - May 20, 2022.pdf

CROWSNEST PASS SENIOR HOUSING

SPECIAL BOARD MEETING MINUTES
May 20, 2022

A regular meeting of the Management Body of Crowsnest Pass Senior Housing (CPSH) was held on Friday, May 20, 2022 at 10:00 a.m. at Peaks to Pines Senior Lodge in Coleman, Alberta.

ATTENDEES: Debi Ruzek: Board Chairperson, Dean Ward: Municipal Councillor, Dave Filipuzzi: Municipal Councillor, Susan Demchuk: Board Member, Cathy Painter: Board Member, Donna Stelmachovich: Vice-Chairperson, Marlene Anctil: Board Member, Annie Lok: Chief Administrative Officer

ABSENT:

Minutes recorded by Annie Lok

1. CALL TO ORDER

   1.1 Debi Ruzek called the meeting to order at 10:05 a.m. and it was determined that a quorum of directors was present.

2. ADDITIONS/CHANGES TO AGENDA

   2.1 No changes/additions.

3. APPROVAL OF AGENDA

   3.1.1 Motion #69/22 to approve the agenda as presented. – Cathy Painter – cd.

4. OLD BUSINESS

   4.1 Peaks to Pines Building (P2P)- Standing Item

      4.1.a Estimate move date of June 8, 2022.

      4.1.b Finalise Wing names.

      4.1.c Volunteer source, fire department, FCSS, trailers availability.

5. NEW BUSINESS

   5.1 P2P recruitment status: has been challenging due to tight labour market. We are having difficulty recruiting LPN, HCA and HR positions.

   5.2 Relocation Assistance (one-time) *Motion #70/22 Relocation Assistance for LPN and Recreation Therapist with proposed ceiling – Dean Ward – cd.*

   5.3 *Motion #71/22 Approve revised Policy 5.15 – Terms & conditions of employment for CPSH Out of Scope Employees – Dean Ward – cd.*

6. IN CAMERA

   13.1 *Motion #72/22 to go In Camera at 11:23 A.M. – Marlene Anctil – cd*

13.2 *Motion #73/22 to come out of Camera at 12:12 P.M. – Dean Ward – cd.*
13.3 *Motion #74/22 Reserve Funds to cover necessary difference for Director of HR - Dean Ward-cd*

14. ADJOURNMENT

14.2 *Motion #75/22 to adjourn at 12:16 P.M.- Dean Ward- cd*

Debi Ruzek – Board Chairperson

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: August 16, 2022

Agenda #: 3.c

Subject: Minutes of the Crowsnest Pass Community Pool Society of July 6, 2022

Recommendation: That Council accept the Minutes of the Crowsnest Pass Community Pool Society of July 6, 2022 as information.

Executive Summary:
Minutes of the Crowsnest Pass Community Pool Society are provided to Council at the subsequent meeting.

Relevant Council Direction, Policy or Bylaws:
1041, 2020 Procedure Bylaw

Discussion:
The Crowsnest Pass Community Pool Society provides their minutes to keep Council apprised of the activities with the community pool operations.

Analysis of Alternatives:
n/a

Financial Impacts:
n/a

Attachments:
2022 July 6 Pass Community Swimming Pool Board Meeting.pdf

AGENDA

Pass Community Swimming Pool Board Meeting

Wednesday, July 6, 2022

@ 6:00 PM Council Chambers

1. Approval of Agenda

2. Minutes of June 22, 2022 Meeting

3. Old Business/Business Arising from the minutes

   A. Renovations – counter, pressure washer, cement, showers

   B. Summer weekly advertisements

   C. Trophy Case, Bike Rack, Parking Lot

   D. Hot Tub

   E. Canada Day

   F. Incident report

   G. Respirator fit testing

   H. Sinister 7 plan

4. New Business

   A. Variance Report

   B. Manager's report

   C. New Schedule

   D. In Camera

5. Next Meeting

6. Adjournment

<u>Pass Community Swimming Pool Board Meeting</u>
July 6, 2022 (6:00 PM)
Council Chambers

<u>IN ATTENDANCE</u>: Judy Sciarra, Lesley Margetak, Sherri Gleave, Pauline Beech, Dave Filipuzzi, Doreen Glavin, Ethan Ballak

Called to order: 6:02 pm

1. **Agenda**: Chair presented the Agenda. Judy would like to add D. Corporate Sponsorship under New Business and move In-camera to E.

   Pauline MOVED that the agenda be accepted with additions. Judy SECONDED the motion. CARRIED

2. **Minutes of June 22, 2022 Regular meeting.**

   Judy MOVED that the minutes of June 22, 2022, be adopted as read. Pauline SECONDED the motion. CARRIED.

3. Old Business/ Business arising from the minutes

A. Renovations – counter, pressure washer, cement, showers

- **Counter –** Derek R. said the counters should stay where they are as holes were drilled for them and the tv would be easier to move.
- **Pressure Washer** – Manager to go ahead with the purchase of a pressure washer and perhaps could be stored at the warehouse. We could use grant money to pay for pressure washer and AED trainers. Carey also let Manager know that only one sprinkler head would have to be moved should the Board purchase another storage shed, about a 2-hour job.
- **Cement Pad** – Derek told Chair that sidewalk blocks would likely be as expensive pouring cement; he also said the cement pad would have a longer life span. Board member requested that Board be consulted about placement of pad.
- **Showers** – Carey has fixed showerheads by fixing them in place, so far this has been effective in preventing breakage.

B. Summer Weekly Advertisements

- Article to be submitted every Friday to paper, “This Week at Pool.”
- Highlight one program each week.
- Perhaps paper could do an article on the lifeguard shortage in North America, create positive public relations, as it is a national problem not just local.

C. Trophy Case, Bike Rack, Parking Lot

- **Trophy Case –** Kristin following up on its placement.
- **Bike Rack –** new donated bike rack is installed and old one has been removed.
- **Parking Lot –** has been cleaned.

D. Hot Tub

- Hot tub has been painted but does need to cure 6 days without rain. If it does rain add an extra day for curing.
- Carey is off next week and he has to be available to start up hot tub.
- Ethan will talk to Carey if there any other municipal staff that could start up hot tub.

E. Canada Day

- 2- 7 pm free swim.
- 120 people attended, games and prizes.
- Thank you, Doreen, for supplying decorations and prizes.

F. Incident Report

- community member that made complaint to Mayor about people swimming at 1:30 am did not call RCMP, does not want to get involved.
- Lesley and Ethan will fill out police report about stolen lane rope (value $251.00).

G. Respirator Fit Testing

- Lesley has had conversations with speak Kristen and Christine Boardman concerning the regulations about fit testing and what it entails.
- Ethan will follow-up with Christine.

H. Sinister 7 Plan

- Open at 8 am for showers only ($5/shower)
- 2 cashiers are scheduled for this time, no guards at pool until 10:30 am on Sundays.
- Pool has towels they may use if necessary.

- Cashiers should check soap, paper towel and toilet paper often.
- Chair has purchased toiletries for sale (shampoo, conditioner, combs, etc.).

4. New Business

A. Variance report - Attached

- Board discussed and reviewed.
- Code 2831 – inquire with Brian what is this interest payment it seems to be an odd amount.
- Code 1490 what is this $2500.00
- Brian is currently working on how to code reimbursement for courses.

Dave MOVED to invite Brian to the next Pool Board Meeting to clarify Board questions on variance report. Doreen SECONDED the motion. CARRIED.

B. Manager's Report

- Pool should have 6 more qualified lifeguards by end of season.
- All cashiers that do not have First Aid will receive course on July 17th.
- Bronze Cross is being offered at Pincher Creek Pool beginning July 18th, our cashiers signed up.
- NL course in Pincher in August, but if it is full Jessie (lifeguard at our pool) is qualified to teach and will do it at our pool.
- All staff must complete Narcan training, it is an online course and participants receive certificate upon completion.
- Christine Boardman is having Tool Box meetings to review and discuss hazards at the pool.
- OHS Inspection – went well overall, couple of things to rectify near sump pump; a grate over pump is needed and 2 wires near there need to be tested to see if live. Need to call in municipal electrician to check.
- Instructions for chemicals and emergency procedures must be written and posted.
- If we have cashiers with Bronze Cross and first aid they are allowed on deck as assistant guards under the supervision of a senior guard. This allows 15 more patrons into the pool.

C. New Schedule

- Increased lane swim.
- Increased public swim.
- Aquafit and aqua yoga.
- Friday afternoons closed.
- July 16th swim meet.
- Schedule versus website not jiving, make sure this is corrected.

D. Corporate Sponsorship

- Judy sent letters to Montem, Teck, Riversdale and Health Foundation requesting corporate sponsorship for free swims or Events such as Canada Day Heritage Day, etc.
- No response from Montem yet.
- Teck up to 45 days for a response and fill an application.
- Riversdale will respond once their new budget is complete.
- Health Foundation guidelines have changed so they will not be able to donate.

E. In-camera

Lesley MOVED to go In-camera at 7:25 pm.

Lesley MOVED to come out of In-camera at 7:45 pm.

6. Next Regular Meeting: Wednesday, July 20, 2022 2 pm In-person

7. Sherri MOVED to adjourn at 7:47 pm

Actual vs Budget Year To Date by Sub-Department:

Sub-Department: - Pool

Reporting Period: January, 2022 To June, 2022 (6 Months)

Fund: <All>; Sub-Department: - Pool; GL Account: <All>; Costing Center: <All>

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
Revenues:				
Conditional Grants	0	4,950	4,950	100.00%
1830-Unconditonal Grants	0	4,950	4,950	100.00%
Other Revenues and Cost Recoveries	2,500	0	(2,500)	-100.00%
1490-Other Income	2,500	0	(2,500)	-100.00%
Rental Income	10,800	600	(10,200)	-94.44%
1562-Facility Rental	10,500	600	(9,900)	-94.29%
1564-Equipment Rental	300	0	(300)	-100.00%
Sale of Goods and Services	114,000	12,366	(101,634)	-89.15%
1405-Sale of Goods	5,000	9	(4,991)	-99.83%
1410-Sale of Services	1,000	0	(1,000)	-100.00%
1413-Daily Admission	45,000	2,243	(42,757)	-95.01%
1415-Season Tickets	38,000	9,390	(28,610)	-75.29%
1419-Lessons	25,000	724	(24,276)	-97.10%
Total Revenues	**127,300**	**17,916**	**(109,384)**	**-85.93%**
Expenses:				
Administration	11,100	3,816	(7,284)	-65.63%
2214-Freight & Express	3,000	1,041	(1,959)	-65.29%
2216-Telephone & Answering Service	500	123	(377)	-75.32%
2218-Purchased Travel	500	0	(500)	-100.00%
2221-Advertising	3,000	1,340	(1,660)	-55.33%
2222-Promotions	3,500	1,061	(2,439)	-69.69%
2225-Membership Fees	500	250	(250)	-50.00%
2515-Postage/Photocopier	100	0	(100)	-100.00%
Contracted Services	4,000	0	(4,000)	-100.00%
2240-Contracted Services	4,000	0	(4,000)	-100.00%
Operations	57,800	12,388	(45,412)	-78.57%
2291-Registration fees	0	0	0	0.00%
2292-General Insurance	8,000	2,609	(5,391)	-67.38%
2511-Supplies	9,500	124	(9,376)	-98.69%
2512-Clothing/Uniforms	2,000	0	(2,000)	-100.00%

2521-Gas & Oil	200	0	(200)	-100.00%
2523-Equip, Mach & Vehicle Parts	1,000	0	(1,000)	-100.00%
2531-Building Maintenance Materials	1,000	2,590	1,590	158.96%
2538-Chemicals	9,000	2,826	(6,174)	-68.60%
2543-Utilities-Electricity	7,200	1,047	(6,153)	-85.46%
2544-Utilities-WaterSewerGarbage	2,100	450	(1,650)	-78.59%
2545-Utilities, Gas	13,600	2,151	(11,449)	-84.18%
2548-Carbon levy	4,200	591	(3,609)	-85.92%
Repairs and Maintenance	1,700	5,973	4,273	251.35%
2251-Purch Repairs-Bldg	200	5,973	5,773	2,886.50%
2252-Purch Repairs- Mach & Equip	1,000	0	(1,000)	-100.00%
2261-Rental Equipment	500	0	(500)	-100.00%
Salaries, Wages and Benefits	158,576	17,685	(140,891)	-88.85%
2122-Casual & Part-Time	141,485	14,451	(127,034)	-89.79%
2123-Staff Overtime	0	1,145	1,145	100.00%
2127-Vacation Pay	5,659	570	(5,090)	-89.93%
2130-Benefits	11,432	1,519	(9,913)	-86.71%
Service Charges and Interest	33,394	3,673	(29,721)	-89.00%
2813-Bank Service Charges	1,000	313	(687)	-68.71%
2831-Interest on Borrowing	31,894	3,340	(28,554)	-89.53%
2992-Cash Shortages	500	20	(480)	-96.06%
Transfer to Reserves	7,040	0	(7,040)	-100.00%
2764-Transfer to Reserves from Operational	7,040	0	(7,040)	-100.00%
Total Expenses	**273,610**	**43,535**	**(230,075)**	**-84.09%**
Net Total	**(146,310)**	**(25,619)**	**120,692**	**82.49%**

Actual vs Budget Year To Date by Sub-Department:

Sub-Department: - Pool

Reporting Period: January, 2022 To June, 2022 (6 Months)

Fund: <All>; Sub-Department: - Pool; GL Account: <All>; Costing Center: <All>

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
Revenues:				
Conditional Grants	0	4,950	4,950	100.00%
Other Revenues and Cost Recoveries	2,500	0	(2,500)	-100.00%
Rental Income	10,800	600	(10,200)	-94.44%
Sale of Goods and Services	114,000	12,366	(101,634)	-89.15%
Total Revenues	**127,300**	**17,916**	**(109,384)**	**-85.93%**
Expenses:				
Administration	11,100	3,816	(7,284)	-65.63%
Contracted Services	4,000	0	(4,000)	-100.00%
Operations	57,800	12,388	(45,412)	-78.57%
Repairs and Maintenance	1,700	5,973	4,273	251.35%
Salaries, Wages and Benefits	158,576	17,685	(140,891)	-88.85%
Service Charges and Interest	33,394	3,673	(29,721)	-89.00%
Transfer to Reserves	7,040	0	(7,040)	-100.00%
Total Expenses	**273,610**	**43,535**	**(230,075)**	**-84.09%**
Net Total	**(146,310)**	**(25,619)**	**120,692**	**82.49%**

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: August 16, 2022

Agenda #: 3.d

Subject: Minutes of the Crowsnest Pass Community Pool Society of July 20, 2022

Recommendation: That Council accept the Minutes of the Crowsnest Pass Community Pool Society of July 20, 2022 as information.

Executive Summary:
Minutes of the Crowsnest Pass Community Pool Society are provided to Council at the subsequent meeting.

Relevant Council Direction, Policy or Bylaws:
1041, 2020 Procedure Bylaw

Discussion:
The Crowsnest Pass Community Pool Society provides their minutes to keep Council apprised of the activities with the community pool operations.

Analysis of Alternatives:
n/a

Financial Impacts:
n/a

Attachments:
2022 July 20 Pass Community Swimming Pool Board Meeting .pdf

AGENDA for Pass Community Swimming Pool Board Meeting
Wednesday, July 20, 2022
@ 2:00 PM Council Chambers

1. Approval of Agenda

2. Minutes of July 6, 2022 Meeting

3. Special Guest – Brian McCulloch

4. Old Business/Business Arising from the minutes

   A. Renovations – counter, pressure washer, showers

   B. Trophy Case, Bike Rack

   C. Hot Tub

   D. Incident report

   E. Respirator fit testing

   F. Sinister 7

5. New Business

   A. Variance Report

   B. Manager's report

   C. New Schedule

   D. Heritage Day – plans/donation

   E. Reimbursements

   F. In Camera

6. Next Meeting

7. Adjournment

<u>Pass Community Swimming Pool Board Meeting</u>
July 20, 2022 (2:00 PM)
Council Chambers

<u>IN ATTENDANCE</u>: Judy Sciarra, Lesley Margetak, Sherri Gleave, Pauline Beech, Dave Filipuzzi, Doreen Glavin, Ethan Ballak, Lexi Harrington, Brian McCulloch

Called to order: 2:01 pm

1. **Agenda**: Chair presented the Agenda. To New Business: Judy would like to add F. Plastic Picnic Tables, Sherri would like to add G. Facebook page, and Doreen would like to add H. Season pass Holders moving In-camera to I.

   Judy MOVED that the agenda be accepted with additions. Sherri SECONDS. CARRIED.

2. **Minutes of July 6, 2022 Regular meeting.**

   Pauline MOVED that the minutes of July 6, 2022, be adopted as read with amendments. Doreen SECONDS. CARRIED.

3. **Special Guest Brian McCulloch**
   - Clarification on how and where budget line items are assigned.
   - Board can request more detailed break down of budget lines and create new budget lines in consultation with Brian.
   - Website costs and articles in paper under advertising.
   - Thank you to Brian for attending.

4. Old Business/ Business arising from the minutes

A. Renovations – counter, pressure washer, cement, showers
- **Counter –** counters will remain where they are as recommended by Derek Robutka.
- **Pressure Washer** – Manager is currently waiting for a P.O. from the warehouse and a quote from NAPA.
- **Shed –** one sprinkler head needs to be removed, should the Board purchase another shed. The previous shed was purchased from Costco, Board will monitor shed prices and possibly purchase one when clear-out prices at the end of the season occur.

- **Showers** – Carey has fixed showerheads by fixing them in place. The women's showerhead has broken again, Carey will be in Friday and will have a look, hopefully a solution will be found.
- **Concrete –** concrete pad will be poured in the fall for the lane ropes. Municipal staff will do the job at a cost of $2500.00, which the Board has already approved.

B. Trophy Case, Bike Rack

- **Trophy Case –** trophy case has been refurbished, but there are questions if it still fits the aesthetic of renovated counter area. Discussion.
- **Bike Rack –** Patrick requested through Recreation to have the old bike rack removed and the new one delivered.

C. Hot Tub

- Hot tub is open.
- The top stair in the middle seems to have very little grip, it seems as if no sand was placed in that spot or it blew away on about 1x1 ft. square.
- Remind patrons to be cautious, no running and place slippery signs.

D. Incident Report

- Lesley has completed the police report for the stolen item from the pool.
- RCMP will try to increase observation of the pool in the evenings.

E. Respirator Fit Testing

- Respirator fit testing is scheduled for August 10, 2022
- Consult with Kristen and Christine about regulations and what information should be included in the binders.

F. Sinister 7 Plan

- Showers were busy on Sunday; 2 cashiers were booked to oversee shower use.
- Some miscommunication as racers thought pool showers were open to them all weekend, which was not what Sinister 7 organizers had requested.

4. New Business

A. Variance report – available at end of month.

B. Manager's Report – Attached

- Assistant Guards are a new category of lifeguard, which we will have 5 of after this week. Currently do not have a wage scale for this category and those cashiers that will be moving to the position are asking if there if hourly wage increase.
- Assistant Guards will not be scheduled until scenarios have been practiced at Sunday's in-service.
- Patrons who do not use the pool are still counted in the head count of bather load for the pool. If they are paying entrance fees they should be allowed to stay, but it does cause pool to reach patron capacity quicker.

Judy MOVED to pay new category of Assistant Guard an additional $.50/hour to their hourly wage when they are serving in an assistant guard capacity for the remainder of the 2022 season. Pauline SECONDS. CARRIED.

C. New Schedule- Attached

- Complaints about Friday closures.
- Post schedule weekly on Facebook
- New schedule is attached.
- Add to schedule 1. Weekly date 2. Subject to Change Without Notice 3. Pool Hours Reduction: The pool schedule is experiencing a reduction in hours due to the staffing shortage. Please check the schedule weekly for changes.
- Change swim lessons to run 2 weeks August 15 – 26, this allows for more swim instructor availability.
- Lexi will contact those signed up for the 3-week program and ask if they are still available to attend on the new dates.

D. Heritage Day – plans/donation

Sherri MOVED that the Board donate 3 family passes for the Heritage Day Festival. Judy SECONDS. CARRIED by email July 12th, 2022.

- Discussed with Brian how to categorize donations in the future.
- Board sees these donations as a way to promote the pool and support other community groups.
- Riversdale has donated $600.00 for a free Family Swim on Heritage Day weekend; in return they would like us to post Riversdale banners at pool.
- Lexi, in consultation with manager, will figure which date works best on that weekend.

E. Reimbursements

- Reimbursement forms for course have been created by Brian and Sandra.
- Forms need to be filled out, have receipts attached and follow the process explained by Manager.

Lesley Moved to include course reimbursement costs to those staff who took courses required for employment retroactive to September 2021 and concluding at the 2022 season end. Pauline SECONDS. CARRIED.

F. Plastic Picnic Tables

- Costco currently has heavy duty plastic tables on sale for $199.99.
- Wooden picnic tables at pool are rotting and should be replaced.

Judy MOVED to purchase 3 picnic tables at Costco at a cost of $199.00 each plus gst. Sherri SECONDS. CARRIED.

G. Facebook Page

- Wrong Facebook page has been used to post about pool.
- Kim U., at Municipal office is coordinating with staff to rectify.
- Schedule and all closures should be posted on the proper site as it has a large following.
- Coordinate schedule with staff schedule so we can post daily schedule with patron capacity.

H. Pass Holders

- Complaints from season pass holders that as a pass holder they should receive priority to access pool.
- Is it doable to allow season pass holders priority entrance at the beginning of public swim?
- Board will look for solutions to this complaint.

I. In-camera

Lesley MOVED to go In-camera at 4:35 pm.

Doreen MOVED to come out of In-camera at 5:30 pm.

6. **Next Regular Meeting: Wednesday, August 3, 2022 2 pm In-person**
7. **Judy MOVED to adjourn at 5:45 pm**

Pass Community Pool

Managers Report for July 20th

Manager: Ethan Ballak

Assistant Manager: Alexandra Harrington

- Many staff are taking bronze cross at the moment and a NL course is being offered in Pincher Creek August 8-12, may not help this year but there will be more guards for next year.

- Staff are being encouraged to take LSI over winter to teach lessons next year.

- On nice days daily cap is being reached, people are being put on wait list but unfortunately people are still being turned away. Pool is being cleared after every program. Not much we can do with limited staff.

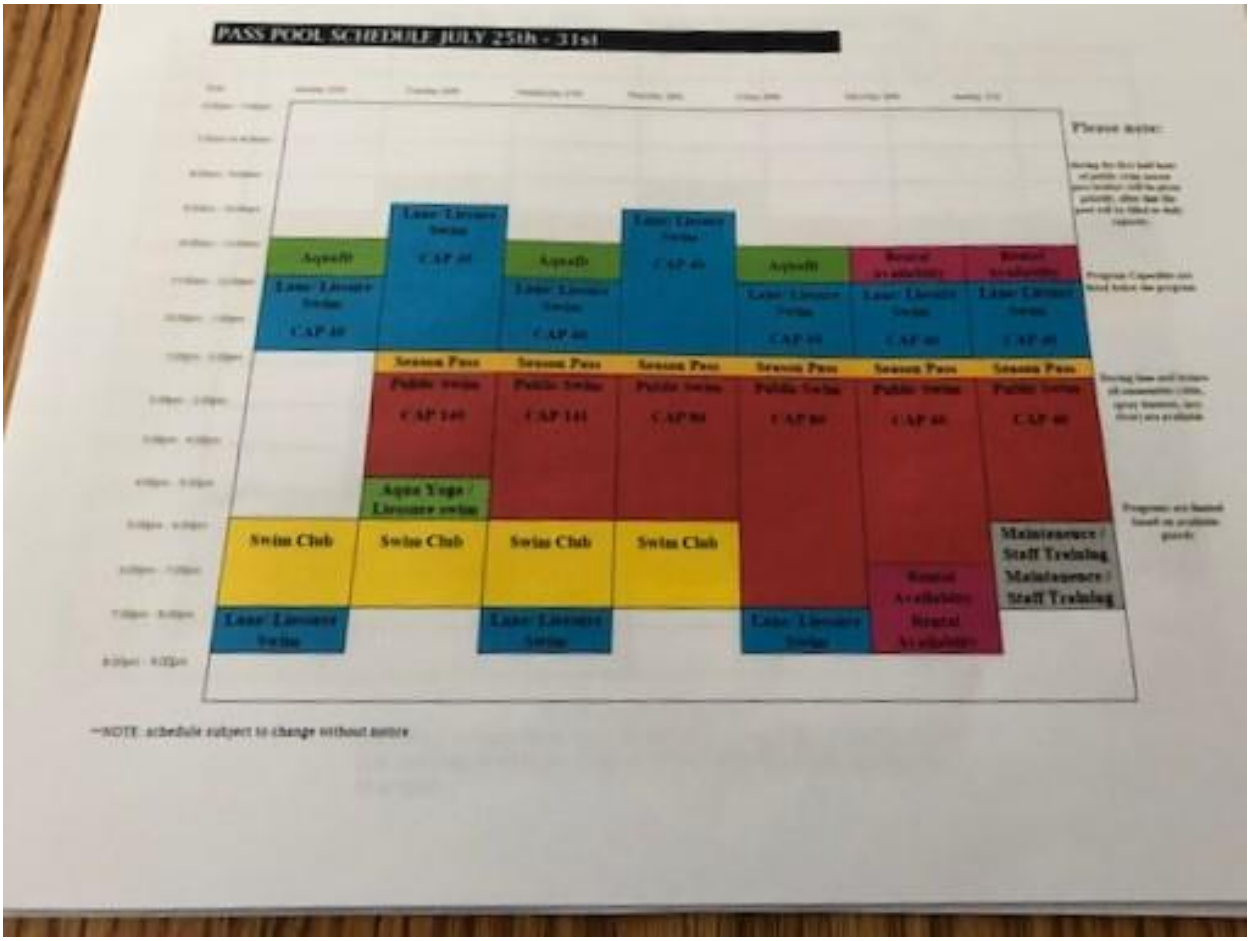
- Swim meet went well with over 250 swimmers participating. The swim meet did run a little long which was no problem.

- Hours will need to be reduced in early August as two guards are away for two weeks.

- Chlorine was purchased at the start of the month and will need to be reordered soon.

- Multiple items have been added to the concession.

- Staff from the town office will begin picking up cash outs on Monday and Thursday.


PASS POOL SCHEDULE JULY 25th - 31st
Please note:
Aquafit
Lane/ Lissure Swim
CAP 40
Rental availability
Season Pass
Public Swim
CAP 140
CAP 141
CAP 80
CAP 40
Aqua Yoga / Lissure swim
Swim Club
Maintenance / Staff Training
Rental Availability
~NOTE: schedule subject to change without notice

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: August 16, 2022

Agenda #: 3.e

Subject: Minutes of the Crowsnest Pass Community Pool Society of July 22, 2022

Recommendation: That Council accept the Minutes of the Crowsnest Pass Community Pool Society of July 22, 2022 as information.

Executive Summary:
Minutes of the Crowsnest Pass Community Pool Society are provided to Council at the subsequent meeting.

Relevant Council Direction, Policy or Bylaws:
1041, 2020 Procedure Bylaw

Discussion:
The Crowsnest Pass Community Pool Society provides their minutes to keep Council apprised of the activities with the community pool operations.

Analysis of Alternatives:
n/a

Financial Impacts:
n/a

Attachments:
2022 July 22 Pass Community Pool Board Special Meeting.pdf

<u>Pass Community Swimming Pool Board Special Meeting</u>
July 22, 2022 (3:00 PM)
Pool Office

<u>IN ATTENDANCE</u>: Judy Sciarra, Lesley Margetak, Sherri Gleave, Pauline Beech, Dave Filipuzzi, Doreen Glavin (absent), Ethan Ballak

Called to order: 3:08 pm

Discussion Points

1. **Refund Policy**
    - Chair contacted Brian McCulloch to ask protocol on refunding season pass holders.
    - Brian stated the Municipality will issue refund cheques with requisition, but it is a Board decision on policy.

      Judy MOVED that the Board refund 75% of season pass cost to pass holders if requested on or before July31, 2022. Pauline SECONDS. CARRIED.

    - Lesley will coordinate with Manager to collect information on those requests and fill out requisition forms.

2. **Schedule**
    - Schedule will be on a weekly basis for the remainder of the swim season.
    - Review schedule
    - Season pass holders will be given priority to enter the pool from 1:00 to 1:45pm during weekday public swim times. Expect that the pool may be cleared at 3 pm should we reach capacity. A daily waiting list will be compiled by our cashiers.

Moved to adjourn at 3:55 pm

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: August 16, 2022

Agenda #: 3.f

Subject: Lacey Poytress, Board Chair Livingstone Range School Division - Invitation to attend the grand opening of PEAKS Campus of July 7, 2022

Recommendation: That Council accept the Lacey Poytress, Board Chair Livingstone Range School Division - Invitation to attend the grand opening of PEAKS Campus of July 7, 2022 as information.

Executive Summary:
Correspondence received is provided to Mayor and Council at the subsequent Council meeting for Council's information and consideration.

Relevant Council Direction, Policy or Bylaws:
1041, 2020 Procedure Bylaw

Discussion:
n/a

Analysis of Alternatives:
n/a

Financial Impacts:
n/a

Attachments:
Livingstone Range School Division Invitation to Attend Grand Opening of PEAKS Campus of July 7, 2022.pdf

Livingstone Range
SCHOOL DIVISION

July 7, 2022

Town of Crowsnest Pass Council
PO Box 600
Crowsnest Pass, AB
T0K 0E0

Dear Town Council;

We are so excited to announce our grand opening of PEAKS and would like to thank you for all the support in achieving our vision. We would like to invite you to our grand opening. Please RSVP so we can acknowledge your attendance.

Date: September 28, 2022
Time: 1-3 pm
Location: 6 km west of Coleman on the south of Highway 3
RSVP: Nikki Lytwyn, lytwynn@lrsd.ab.ca

Thank you,

Lacey Poytress
Board Chair

RECEIVED
JUL 26 2022
MUNICIPALITY OF
CROWSNEST PASS

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: August 16, 2022

Agenda #: 3.g

Subject: Bellevue Residents - Dairy Road Ball Diamonds and Land Use Bylaw Amendment 1078, 2021 letter of July 18, 2022

Recommendation: That Council accept the Bellevue Residents - Dairy Road Ball Diamonds and Land Use Bylaw Amendment 1078, 2021 letter of July 18, 2022 as information.

Executive Summary:
Correspondence received is provided to Mayor and Council at the subsequent Council meeting for Council's information and consideration.

Relevant Council Direction, Policy or Bylaws:
1041, 2020 Procedure Bylaw

Discussion:
Although this letter was addressed to the CAO, it was emailed to all of Council and several ministers, therefore it has been forwarded to Council, as it is political in nature.

Analysis of Alternatives:
n/a

Financial Impacts:
n/a

Attachments:
Bellevue Residents - Dairy Road Ball Park Redesignation Process 2022 07 18.pdf

July 18, 2022

Municipality of Crowsnest Pass Administration
Box 600
8502 – 19th Ave.
Coleman, Alberta
T0K 0E0

Attention: Patrick Thomas, CAO

Dear Mr. Thomas

Residents of Bellevue request your attention regarding amended bylaw 1078 (July, 2021). Despite overwhelming "pushback" from the residents of Bellevue, the people were never given the opportunity to enter into a public participation process with the Municipality of Crowsnest Pass Council and its Mayor (presentation to Council, June, 2022; Shootin' the Breeze, July, 2021) that permitted an opportunity for the laws of Natural Justice to prevail and where issues of procedural fairness and actions were consistent with relevant legislation, policies and procedures. As the Chief Administrative Officer (CAO) for the Municipality of Crowsnest Pass, you have an obligation and a due diligence "to advise the potential impact a decision has on the community," as well as, acknowledge that "it is important, that the CAO takes a position of neutrality" (CAO Handbook for Alberta Municipal Chief Administrative Officers, March, 2018). The CAO Handbook, for Alberta Municipal Chief Administrative Officers, further states "Council should be able to rely on the CAO for well-founded advice and expertise to obtain necessary background information, research, and collect relevant facts that would assist in the decision-making role." It continues to include "the CAO presents drawbacks and benefits when Council is discussing an issue and its intent about making a decision based on the legislation described in the MGA." As the CAO, and in your role, there was ample opportunity to re-direct, guide and advise the Mayor and its former Council of the legal ramifications regarding the decisions that were made between a developer and the MCNP Council prior to amending a land-use bylaw.

In recent communication (July 7, 2022) with the Honorable Rick McIver, Minister of Municipal Affairs, we were informed "to amend a land-use bylaw, a municipality must uphold a public participation policy" which includes "stakeholder perspectives when making a decision" in accordance with Section 216.1 of the Municipal Government Act. There has been every opportunity for the Mayor, the MCNP former council and its CAO to engage its citizens, taxpayers, voters and owners of Lot 8, Block 12, Plan 6828E0 in the Municipal Public Participation Policy, 1302-01 as an opportunity to obtain best practices and insights from all stakeholders. Instead, there has been on-going resistance. Of issue concerns the lack of public engagement regarding the re-zoning of public open space (R-0) to multi-dwelling (R-3) (aka Dairy Road Park) designated HRV4a and HRV5a, an archeological site of "high

interest, by the Ministry of Culture and Status of Women. Your statement "that this (the historical designation) would not have any relevance regarding the development of these lands" was not appreciated.

There has been a complete lack of transparency by the Mayor, CAO and the MNCP Council regarding the disposition of these lands, as well as, a disregard to initiate the Municipality of Crowsnest Pass Public Participation Policy, 1302-01. The Municipality of Crowsnest Pass Public Participation Policy states, "(it) has been developed to recognize the value of public participation and create opportunities for meaningful public participation in decisions that directly impact the public (1.0)." It further states, "Council recognizes that good governance includes engaging Municipal Stakeholders in public participation (1.1, 1.2, 1.3)." Adjacent landowners and residents of Bellevue should have been afforded the opportunity for a public engagement process at multiple levels of decision-making by the Mayor and its former Council regarding Lot 8, Block 12, Plan 6828E0. These include amending a bylaw (1078); engaging in a development proposal prior to amending bylaw 1078; sale of land below market value (MGA); sale of land, without a public offering, to a developer (Ashcroft Master Builder Ltd. aka Trilogy Real Estate aka MMH Lawyers LLP); first and second hearings, to amend a bylaw with stakeholders, and exclude developer presentations; notification of the subdivision of land from ORRSC by the Municipality of Crowsnest; proposal for a "substandard" multi-dwelling development (ORRSC); approval for a substandard road allowance by the MCNP Council (Shootin' the Breeze July, 2022) despite "pushback" from the Bellevue community, to name a few.

The greatest impact of these decisions was to amend a bylaw from R-0 (recreation and open space) to R-3 multi-dwelling development on lands designated HRV4a and HRV5a by the Ministry of Culture and Status of Women. Lot 8, Block 12, Plan 6828E0, DjPo-81, is a known archeological site of "high interest" supported by the 1970's University of Calgary Archeology Department and archeologists Dr. Jonathon Driver and Dr. B.O.K. Reeves. The 1973 – 1976 investigations reveal artefact discoveries where radiocarbon dating exhibits information of the Prehistoric Indigenous Era dating 15,000 years ago. Since there is little information available regarding the Indigenous Era, further investigations, research and study would not only be beneficial to Crowsnest Pass history but is of significant value to the Province of Alberta. Preservation of these soils would enhance the Bellevue Historic corridor which stretches from the MDM designated archeological site, through to the existing Bellevue Mine, the Bellevue downtown historical buildings, through to Dairy Road Park designated within the Ministry of Culture and Status of Women as a historical listing of archeological relevance. There is also significant evidence that an Agate Basin exists at site DjPo-81.

Discovered artefacts from this site during the installation of the sewer line, include a bison head dated 10,000 years ago, are now located in the Glenbow Museum, Calgary, Royal Museum, Edmonton and the Canada Museum. Preservation of these soils would be important since "the excavation carried out in 1975 was the first

systematic attempt to recover data on what is at present the oldest radiocarbon dated site in the Alberta Rocky Mountains" (Reeves, 1975). A condition for development requires Historic Resources Approval. Consultation with the Honorable Ron Orr, Minister of Culture and Status of Women, as well as, the Ministry of Culture and Status of Women administrative team, and the Honorable Rick Wilson, Minister of Indigenous Relations acknowledge these findings. Finally, our Indigenous neighbors, the Piikani Nation Council, have also been informed of the Municipality of Crowsnest Pass Council, its Mayor and CAO's intent to develop lands that should be deemed as an archeological site in honor and in respect of important Indigenous information contained within these soils. Stories, which reveal human activity of Alberta's past, inclusive of the Prehistoric Indigenous Era, are worthy of uncovering and investigating. "Heritage planning is an integral part of the overall community planning system interacting with and relating to other municipal plans and policies and cannot be built in isolation" (Blueprint for a Heritage Program, Heritage Management Plan, Heritage Advisory Body, MDP).

Bellevue residents have been met with continual opposition. To follow any kind of process for judicial fairness has been minimal and flawed from the onset. Written communication, regarding the first hearing, to adjacent landowners, did not occur. The purpose to amend a bylaw was blurred by a proposal for development with a presentation from the developer. A petition opposing the amendment of these lands for a proposed development was ignored (refer to Petitions, MGA and CAO Handbook by the Alberta Government, 2018). Second hearing, resident, presentations were not deliberated upon by the MNCP Council, since a decision, based on "irrelevant considerations" (instead of legislations required of the MGA), was made immediately following the hearing. Presentations by Bellevue residents, astute and well informed, were met with judgment and received condescending responses from the MNCP Council. There was evidence (declared by the developer), that the Mayor should have recused himself from voting because of a pecuniary interest (MGA, s.169 -173). The notice of application for the subdivision of land and proposal of a multi-dwelling development, on lands declared as an archeological site by the Province of Alberta, should have comprised a public engagement process with Bellevue residents.

Transparent decision-making processes are seen as the foundation of good governance of a municipality. Instead, the decision-making processes of the MNCP Council and Mayor are viewed, by constituents, as manipulative, deceitful and lacking any motivation to be inclusive of stakeholder voices (presentation made to Council, June 14, 2022). There has been a loss of credibility or legitimacy with the residents for processes, ineffective, and which lacked buy-in from the voting constituency. As the CAO, effort should have been made to advise, guide and engage MNCP Council to participate in a public engagement process which was transparent and offered processes of fairness for the constituents of Bellevue. There were many opportunities, as the CAO, to inform MNCP Council regarding legal consequences and the impact that this could have on a community. Processes utilized were complex, complicated, confusing, manipulative, dissuaded truth and, lacked

transparency. Pursuant to the CAO Handbook, "municipalities must follow the legislation of standards set in the MGA with requirements for transparency and public accountability, recognizing that municipalities are accountable to its citizens first and foremost." In a presentation made to the Mayor, CAO and the MNCP Council (June 14, 2022), it was shared that "Bellevue residents would have liked to have had more conversations about the decisions made and would have appreciated a partnership where people work together to achieve a goal." Instead, we are faced with acrimony and conflict about an outcome that does not support the development of Lot 8, Block 12, Plan 6828E0, designated as archeological site DjPo-81.

There is a need to enact Public Participation Policy 1302-01 to investigate and resolve issues regarding procedural fairness where actions taken by our local government were not consistent with relevant legislation, policies and procedures. Our provincial government appreciates Municipal Governments that offer and participates in an effective public engagement process that ensures constituents play a key role in the democratic process. The ineffectual directions, as CAO, face the consequences of its many blunders, which generate much resistance from a public, non-supportive and disillusioned about the local Municipal Government's position on neutrality. Public engagement is dynamic and requires on-going evaluation and adjustment to continuously improve and address the changing needs of the Municipal stakeholders. Public participation plans consider early, ongoing and diverse opportunities to provide input. It is a way of bringing citizens together to solve problems that affect people's lives. It is a process that has commitment to the values of accountability, transparency, respect, and is inclusive and responsive to the needs and expectations of the residents (presentation to MNCP Council, June 14, 2022; CAO Handbook, Alberta, March 2018).

Bellevue residents welcome the opportunity to meet with you and the MNCP Mayor to bring resolution to these concerns, review documents regarding the public engagement process which affected all decisions made, as well as, the chance to initiate a public participation process that values and respects all stakeholder voices, as well as, procedural fairness that values the laws of Natural Justice, and regards the implementation of the MGA legislative authority. Restoring a high level of confidence between our local government and its constituents is paramount. We remain opposed to the development of archeological lands deemed HRV4a and HRV5a where its soils contain valuable information regarding the Indigenous Era. It is our desire to declare and give respect to this park space as an archeological site.

Sincerely

Carmen Roman
Matt Perry
Kirsten Perry
Marcel Kristek

Angela Spearman
Chad Roach
Craig Yakubowski
Brandi Yakubowski
Larry Ruzek
Debbie Ruzek
Irene Shafer
Wayne Shafer
Pam Vamplew
Spencer Vamplew
Barbara Sajitz
Siegfried Sajitz
Ken Petrone
Linda Petrone
Dean Bennett
Launa Dypolt
Teena Freeman
Courtney Cann
Ruth Smith
Barbara Janusz
Irfana Quershi
Jason Hay
Rachel Newrick
Ian Crawford
Jeanette Layton
Dan Lynk
Paul Svoboda
Mila Svovoda
Katrina Myette-Herein
Jeannie Shafer

*Petition with additional 110 names

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: August 16, 2022

Agenda #: 3.h

Subject: Teck Resources - Elk Valley Water Quality Plan 2022 Implementation Plan Adjustment Overview of August 2, 2022

Recommendation: That Council accept the Teck Resources - Elk Valley Water Quality Plan 2022 Implementation Plan Adjustment Overview of August 2, 2022 as information.

Executive Summary:
Correspondence received is provided to Mayor and Council at the subsequent Council meeting for Council's information and consideration.

Relevant Council Direction, Policy or Bylaws:
1041, 2020 Procedure Bylaw

Discussion:
n/a

Analysis of Alternatives:
n/a

Financial Impacts:
n/a

Attachments:
Elk Valley Water Quality Plan 2022 Implementation Plan Adjustment Overview.pdf

Elk Valley Water Quality Plan 2022 Implementation Plan Adjustment Overview

July 2022

Teck

Teck operates on the traditional territory of the Ktunaxa Nation in ʔamakʔis Ktunaxa.

About this Document

The 2022 Implementation Plan Adjustment (IPA) Overview provides a summary of Teck's most recent plans and progress implementing the Elk Valley Water Quality Plan (EVWQP). The EVWQP is a long-term plan with the goal of stabilizing and reducing the trend of selenium and other constituents and improving the health of the watershed, while at the same time allowing for continued sustainable mining in the region. It includes historical background on water quality challenges, how the EVWQP was developed, how science is used to adapt the plan, site-specific challenges, water treatment progress to date and future treatment plans.

The **2022 IPA** provides a schedule of treatment capacity to:

- Mitigate impacts on the environment and meet regulatory and permit compliance
- Support the objectives of the EVWQP
- Guide the data collection, engineering, design, permitting, construction, commissioning and operations of Teck's future treatment facilities
- Meet Teck's internal sustainability objectives, values and policies
- Support sustainable mining

2022 IPA highlights include:

- Bringing more water treatment online faster, compared to the **2019 IPA**
  - A fourfold increase in water treatment capacity in 2022, compared to 2020
  - An eightfold increase in water treatment capacity by 2027, compared to 2020
- Advancements in new water treatment technologies, including utilizing Saturated Rock Fill, and progress toward breakthrough source control technologies to prevent constituents from entering the watershed
- Achieving one of the primary objectives of the EVWQP: stabilizing and reducing the selenium trend in the Elk Valley, including in the Koocanusa Reservoir

The full 2022 IPA can be found **here**.

The Regional Water Quality Model can be found **here**.

1. The Journey

Background

Water quality in the Elk Valley is connected to a long history of mining in the region. For more than 120 years, the Elk Valley has been home to steelmaking coal mining operations. The mining process generates large quantities of leftover rock that contain naturally occurring constituents such as selenium, an element that is essential for human and animal health in small amounts. Water from precipitation and runoff flows through leftover rock and carries selenium and other constituents to the local watershed. If present in high enough concentrations, these constituents can adversely affect aquatic health. Our goal is to stabilize and reduce the trend of selenium and other constituents to help support the ongoing health of the watershed, while allowing for continued sustainable mining in the region. We are committed to protecting water quality in the Elk Valley now, and for generations to come.

Early Research to Understand the Challenge

Elevated selenium was first identified at Fording River Operations in 1995. This led to the initiation of the Elk Valley Selenium Task Force that began as an industry table involving three operating companies in the Elk Valley, and expanded to include regulators and Indigenous governments. This group did much of the early research into the effects of selenium and the strategies to mitigate effects. In 2001, the B.C. Government established a water quality guideline for selenium. In late 2008, Teck purchased and consolidated full ownership of the Elk Valley operations. From 2008 to 2010 we advanced research, and in 2010 we established a comprehensive research and development program, commenced development of regional scale management plans and began to formalize site-specific effects thresholds.

From 2011 to 2013, Teck piloted four active treatment technologies at our Line Creek Operations and multiple treatment options at Fording River Operations. These pilot projects helped us understand the technology best suited to remove selenium and nitrate from the water while managing risk to sensitive aquatic environments.

In 2012, Teck drafted the Valley-Wide Selenium Management Plan. This was the first cumulative effects

management plan focused on water quality in the Elk Valley and was based on more than a decade of scientific work. It proposed environmental management levels of selenium for protection of aquatic health and outlined a treatment plan to meet those levels. The Valley-Wide Selenium Management Plan formed the foundation of what would later become the Elk Valley Water Quality Plan (EVWQP).

In April 2013, the B.C. Ministry of Environment issued Ministerial Order No. M113 (the Order). The Order provided the necessary regulatory framework for Teck to develop an area-based management plan to identify actions to manage water quality downstream of our steelmaking coal mines in the Elk River watershed and the Koocanusa Reservoir.

Developing the Elk Valley Water Quality Plan

Between 2013 and 2014, Teck developed the EVWQP with input from the public, Indigenous governments, provincial and federal governments, independent technical experts and other stakeholders. The EVWQP includes water quality limits that aim to stabilize and reduce the trend of selenium and other constituents from mining, and support the ongoing health of the watershed.
Teck submitted the EVWQP to the Minister of Environment in July 2014 and it was approved in November that same year. The EVWQP included an Initial Implementation Plan (IIP). This was the original water treatment mitigation plan established to achieve location-specific water quality limits for selenium, sulphate, nitrate and cadmium in surface water at specific locations throughout the Elk Valley and in the Koocanusa Reservoir. The IIP is updated every three years based on evolving science and experience. This is done through the development of an Implementation Plan Adjustment (IPA). The previous IPA was completed in 2019.

Since the 2019 IPA, Teck has made progress towards stabilizing and reducing the trend of selenium and other constituents. In addition to operation of the West Line Creek Active Water Treatment Facility (AWTF) at our Line Creek Operations (completed in 2014), we have doubled treatment capacity at our Elkview Saturated Rock Fill (SRF). Construction has also been completed on the Fording River Operations South AWTF (20 million litres per day treatment capacity) and the Fording River Operations North SRF Phase 1 (9.5 million litres per day treatment capacity). There will be an additional 20.5 million litres per day of constructed treatment capacity with completion of the Fording River Operations North SRF Phase 2 by the end of 2022. At Fording River Operations, the Kilmarnock Water Diversion has been constructed and is conveying up to 86 million litres of water per day. Clean water diversions can reduce the volume of water affected by leftover rock, thereby reducing the amount of water that needs to be treated.

Adaptive Management Based on Science and Data

The Elk Valley Water Quality Plan (EVWQP) is designed to be adaptive and to incorporate new findings and respond to change. As such, we are constantly researching new technologies to help meet our water quality goals faster and more efficiently. We have a comprehensive research and development program that has led to breakthrough technologies such as Saturated Rock Fill (SRF) water treatment facilities. The first SRF was constructed and piloted at Elkview Operations, with water treatment beginning in 2018 and currently operating with the capacity to treat up to 20 million litres of water per day. The first phase of Teck's second SRF is now commissioning, and the second phase is under construction at Fording River Operations.

Other innovative work is being advanced by our research and development team on source control options designed to prevent the release of selenium and nitrate from leftover rock in the first place. Teck is currently constructing a suboxic zone, which is a form of source control, at our Elkview Operations in an area called Cedar North.

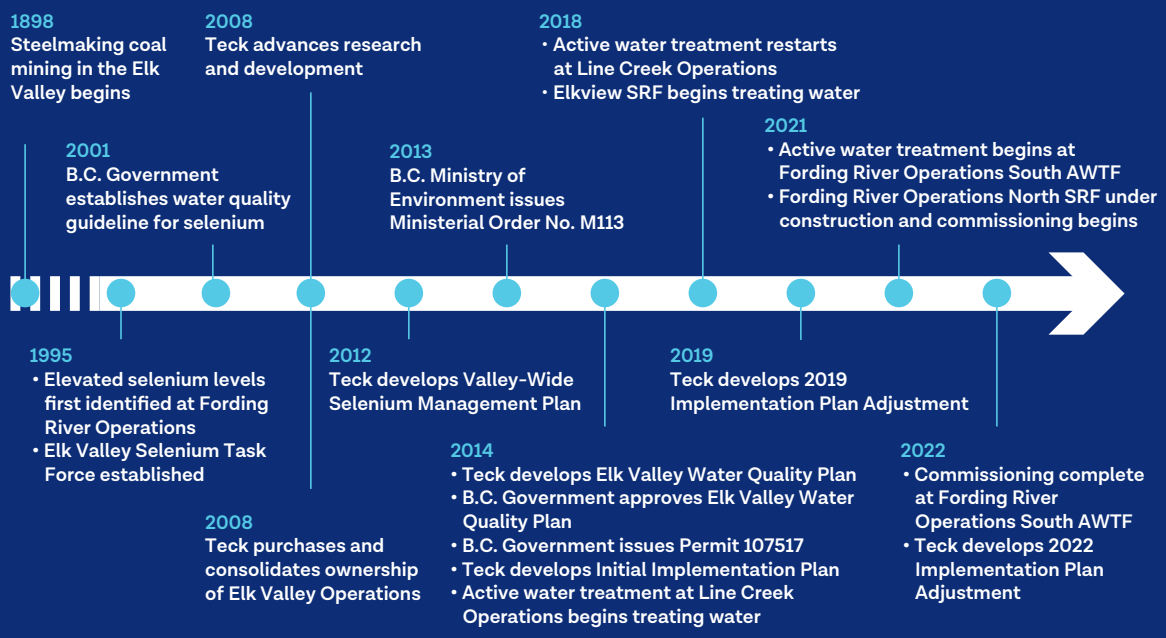
While Teck has had many successes in implementing the EVWQP, we have also faced challenges in meeting some short- and medium-term water quality limits. We discovered the presence of a previously unknown species of selenium in the outflow from our West Line Creek AWTF. We had to develop new solutions to understand and respond to this challenge. This temporarily paused water treatment at the West Line Creek AWTF and delayed construction of the Fording River Operations South AWTF — which was also slowed due to COVID-19 impacts — while we further studied and refined the technology. While the delay slowed our initial implementation, these findings proved extremely valuable, as the facilities are now operating as planned, achieving near-complete removal of selenium and improving water quality, demonstrating the effectiveness of the adaptive management approach.

Major Improvements in Water Quality

The EVWQP is the largest water quality management program of its kind in the world, and is improving water quality. Teck's water treatment facilities are achieving approximately 95% removal of selenium and nitrate from treated water. This year, we expect to achieve one of the primary objectives of the EVWQP: stabilizing and reducing the selenium trend in the Elk Valley. We expect further significant reductions of selenium and nitrate as additional facilities come online and as additional sources are treated. We are on track to have capacity to treat up to 77.5 million litres of water per day in 2022, a fourfold increase in treatment capacity over 2020. To date, Teck has spent more than $1.2 billion implementing the EVWQP. Between 2022 and 2024, we plan to invest up to $750 million more in work to protect the watershed.

About Teck's Elk Valley Operations

Teck's operations in the Elk Valley produce among the lowest carbon-intensity steelmaking coal in the world. This is an essential resource for steel production, which is required to support the global transition to net-zero greenhouse gas emissions. In total, Teck's Elk Valley operations sustain 30,000 jobs and contribute $1.5 billion annually to government revenues. Teck's operations directly employ more than 4,000 people in the region who are committed to protecting the environment.



2. About the Elk Valley Water Quality Plan

The EVWQP identifies the water quality mitigation required to stabilize and reduce concentrations of selenium, sulphate, nitrate and cadmium downstream of Teck's mines. The EVWQP guides water quality management in the Elk Valley and has four environmental objectives, including:

- Protecting aquatic ecosystem health
- Managing bioaccumulation of mine-related substances in the environment
- Protecting human health
- Protecting groundwater

The EVWQP was developed in cooperation with governments in Canada and the United States, Indigenous governments, communities, independent scientific experts and others. It was approved by the B.C. Government in 2014.

That same year, the B.C. Ministry of Environment issued Permit 107517 (the Permit) under the *Environmental Management Act*, which includes water quality concentration limits for selenium, sulphate, nitrate and cadmium in the creeks and rivers downstream of operations. Teck is required to monitor water quality at more than 130 locations in the Elk Valley and within the Koocanusa Reservoir. The purpose of this monitoring is to evaluate water quality and to allow for the early detection of emerging water quality concerns. Monitoring results are used to inform management decisions for the protection of aquatic and human health.

There are two types of water quality limits in Permit 107517: Site Performance Objectives (SPOs), which apply at Order Stations, and compliance limits, which apply at compliance points. The water quality limits are science-based and were set to protect aquatic and human health. In total, there are seven Order Stations and seven compliance points and each one has specific limits for selenium, sulphate, nitrate and cadmium. The compliance points and Order Stations are water quality monitoring locations, and the compliance points are set closer to Teck's mine operations than the Order Stations.

The locations of the Order Stations and compliance points are identified in Figure 2. Please note that one of the locations (GH_FR1) is both a compliance point and an Order Station.

Regional Water Quality Model

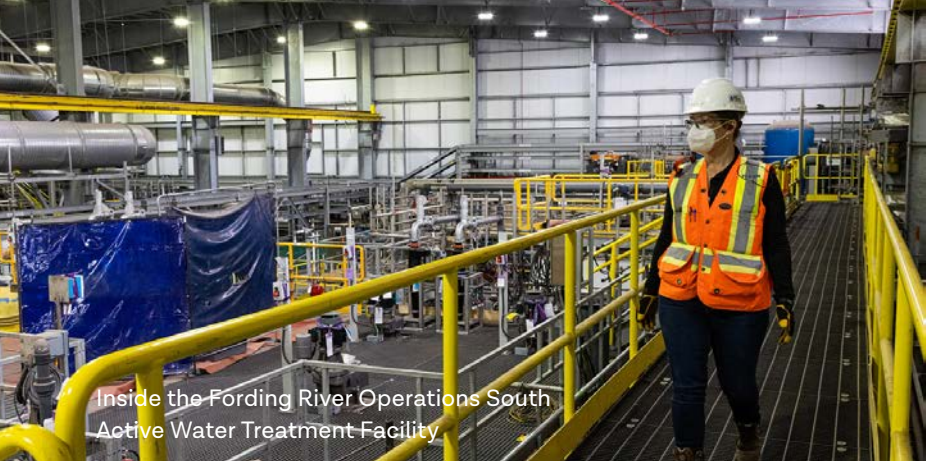
In 2014, Teck developed the Regional Water Quality Model (RWQM) to predict how historical, current and future mining activities will affect water quality in the Elk Valley. Teck used the RWQM to support the development of the EVWQP.

The RWQM is updated every three years to meet the requirements outlined in Permit 107517 and the *Mines Act* C Permits. These permits also require the water treatment mitigation plans to be updated every three years.

Teck is constantly advancing its understanding of the environmental setting of our mines and how they influence downstream water quality. Through this understanding, we add new, proven treatment technologies to our mitigation options. These new findings are incorporated into the RWQM updates and are then factored into the updates for the Implementation Plan Adjustment (IPA).

The 2020 RWQM can be found **here**.

There have been two updates to the IPA since the development of the Initial Implementation Plan (IIP). The water treatment mitigation plan presented in this summary document is the 2022 IPA.



Inside the Fording River Operations South Active Water Treatment Facility

Treated water outflow at Elkview SRF Treatment Facility

3. Significant Progress Improving Water Quality

Since 2014, we have made significant progress treating water in the Elk Valley. We have built and are operating our first water treatment facility at our Line Creek Operations as well as our second facility at our Elkview Operations. In 2020, we doubled the size of the Elkview water treatment facility. We have also completed and are operating our third water treatment facility at our Fording River Operations. In addition, our fourth water treatment facility is commissioning at our Fording River Operations. Later in 2022, Teck will have capacity to treat up to 77.5 million litres of water per day, a fourfold increase from our treatment capacity in 2020. See Figure 1 and Table 1.

In addition to treating water, preventing constituents from entering the watershed in the first place and reducing the need for water treatment is a priority for Teck. Best practices for water management and blasting have been implemented to help reduce the release of constituents. Teck is also working to incorporate water quality considerations earlier in the mine planning process to minimize impacts where possible.

Research and Development: Breakthrough Innovations for Water Treatment and Source Control

We are constantly researching new technology, and we have more than 25 research and development projects underway to help reach our water quality goals. Breakthrough technologies from this research and development include:

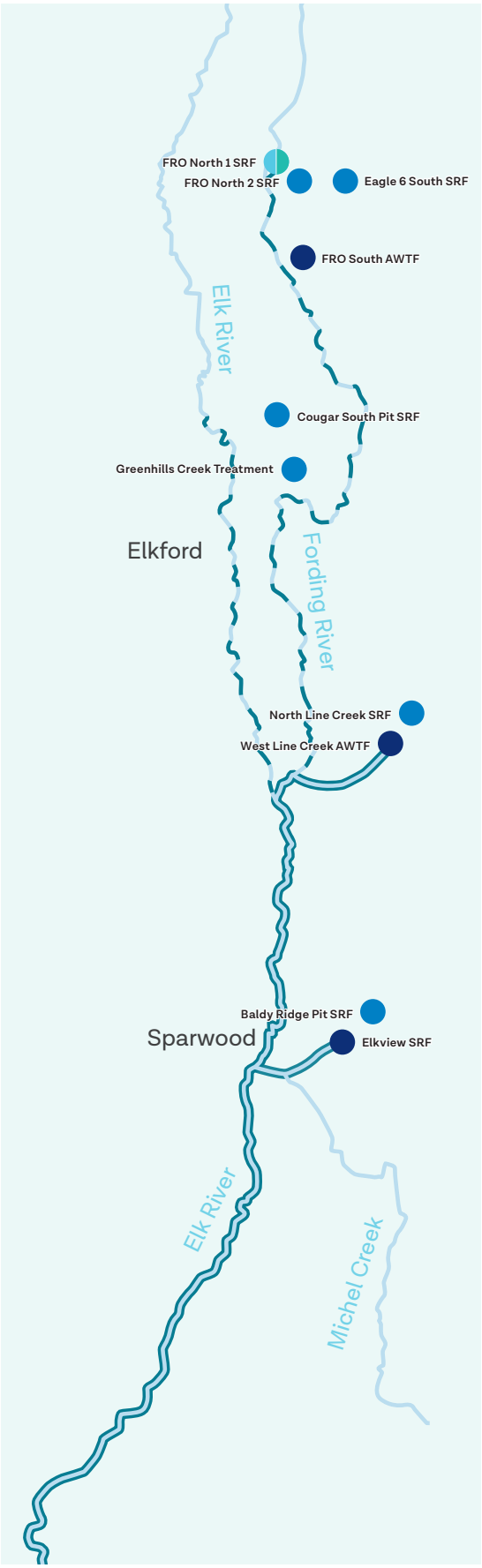
Saturated Rock Fill (SRF): SRFs use naturally-occurring biological processes in former mining areas that have been backfilled with rock and saturated with water to remove selenium and nitrate. Water for treatment is first injected into the SRF. Natural bacteria then convert dissolved forms of selenium into a solid form which remains securely stored in the SRF and nitrate becomes an inert nitrogen gas which is safely released. The treated water is then pumped out of the SRF and returned. SRF treatment offers significant benefits. SRFs are quicker to build and less complex to operate, have lower capital and operating costs, treat larger volumes of water, use less energy and have a smaller environmental footprint. More information on the effectiveness of SRFs can be found in our research paper **here**.

Nitrate reduction: Our research and development program led to the development of a new nitrate prevention technique that uses liners that prevent nitrate from blasting from coming in contact with water. This technique has been applied across our operations in the Elk Valley and the majority of blast holes now utilize a liner that prevents nitrate from blasting from entering the watershed, protecting water quality.

Suboxic zones: The development of suboxic zones is the next step in our evolution of managing water quality. By modifying our rock placement, we are looking to reduce air flow and create a low oxygen environment that, if successful, may reduce the amount of selenium and other constituents leaving leftover rock and entering the watershed. Teck is currently constructing the Cedar North suboxic zone at Elkview Operations and is planning to construct our second suboxic zone at Fording River Operations in 2023.

Teck also continues to evaluate other source control options that can be incorporated into planning and operations. We will look for opportunities to trial these methodologies.

Figure 1: Water Treatment Facilities Locations and Treatment Capacity (Selenium and Nitrate)*



Fording River Operations (FRO)

FRO South AWTF

2022
20 million litres per day†

FRO North 1 SRF

Phase 1	Phase 2	Phase 3
2022	2022	2025
9.5 million litres per day	30 million litres per day total	40 million litres per day total

FRO North 2 SRF

2026
20 million litres per day

Eagle 6 South SRF

2032
6.5 million litres per day

Greenhills Operations (GHO)

Greenhills Creek Treatment

2027
3 million litres per day

Cougar South Pit SRF

2042
3 million litres per day

Line Creek Operations (LCO)

West Line Creek AWTF

Completed
7.5 million litres per day

North Line Creek SRF

Phase 1	Phase 2	Phase 3
2025	2030	2033
12.5 million litres per day	22.5 million litres per day total	40 million litres per day total

Elkview Operations (EVO)

Elkview SRF

Phase 1	Phase 2	Phase 3	Phase 4
2021/2022	2023	2027	2036
20 million litres per day	24 million litres per day total	39 million litres per day total	42 million litres per day total

Baldy Ridge Pit SRF

2042
5 million litres per day

Water Treatment Facilities

Legend

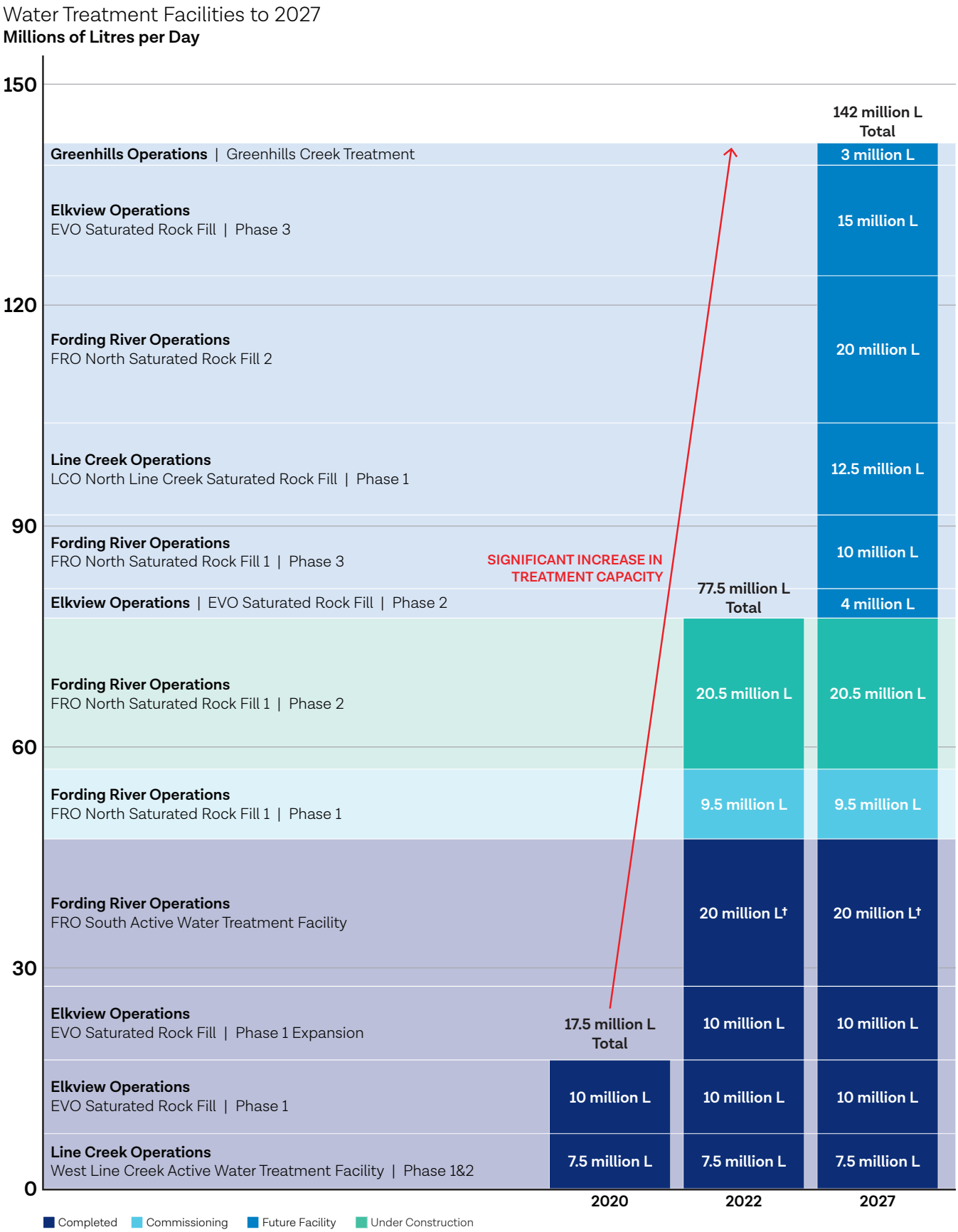
- Completed
- Commissioning
- Future facility
- Under construction
- Downstream reduction in selenium and nitrate
- Future downstream reduction in selenium and nitrate

*Based on 2022 Implementation Plan Adjustment

†Treating water since December 2021; commissioning fully complete as of June 30, 2022

Note: cadmium treatment not required

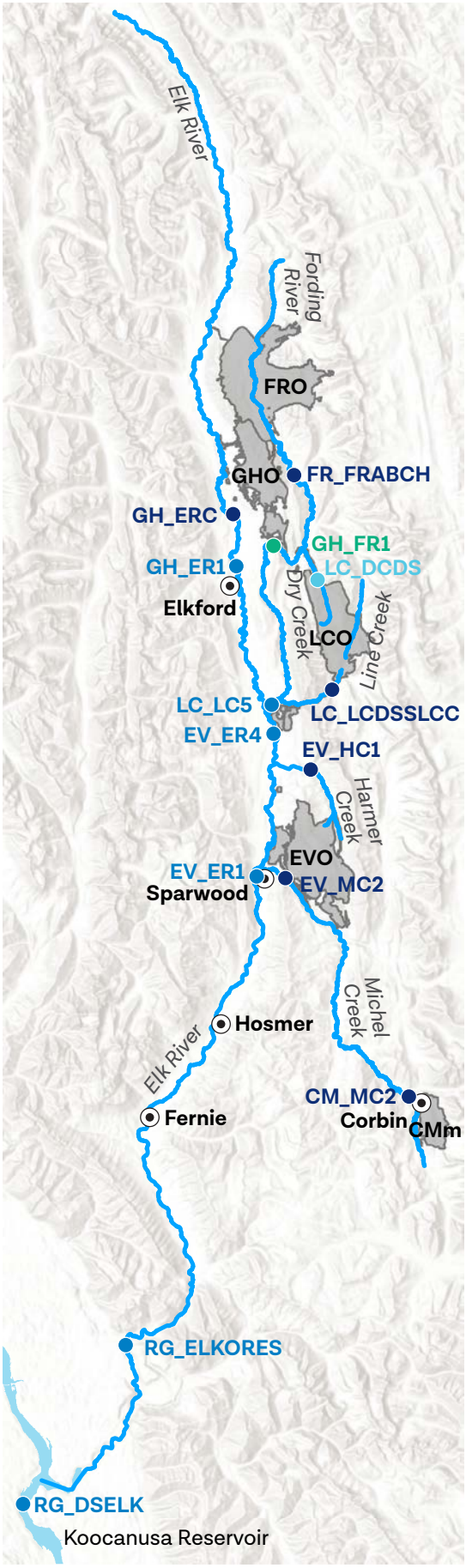
Table 1: Water Treatment Facilities in the 2022 IPA



*Based on 2022 Implementation Plan Adjustment

†Treating water since December 2021, commissioning fully complete as of June 30, 2022

Figure 2: Order Station and Compliance Point Locations



Order Stations

GH_ER1	Elk River upstream of Boivin
LC_LC5	Fording River downstream of Line Creek
EV_ER4	Elk River upstream of Grave Creek
EV_ER1	Elk River downstream of Michel Creek
RG_ELKORES	Elk River at Elko Reservoir
RG_DSELK	Koocanusa Reservoir downstream of the Elk River

Compliance Points

FR_FRABCH	FRO Compliance Point
GH_ERC	GHO Elk River Compliance Point
LC_LCDSSLCC	LCO Compliance Point
EV_HC1	EVO Harmer Creek Compliance Point
EV_MC2	EVO Michel Creek Compliance Point
CM_MC2	CMm Michel Creek Compliance Point

Order Station/Compliance Point

GH_FR1	Fording River downstream of Greenhills Creek GHO Fording River Order Station and Compliance Point

LCO Dry Creek

LC_DCDS	LCO Dry Creek is a compliance monitoring location for water quality with permit limit

Teck Operations

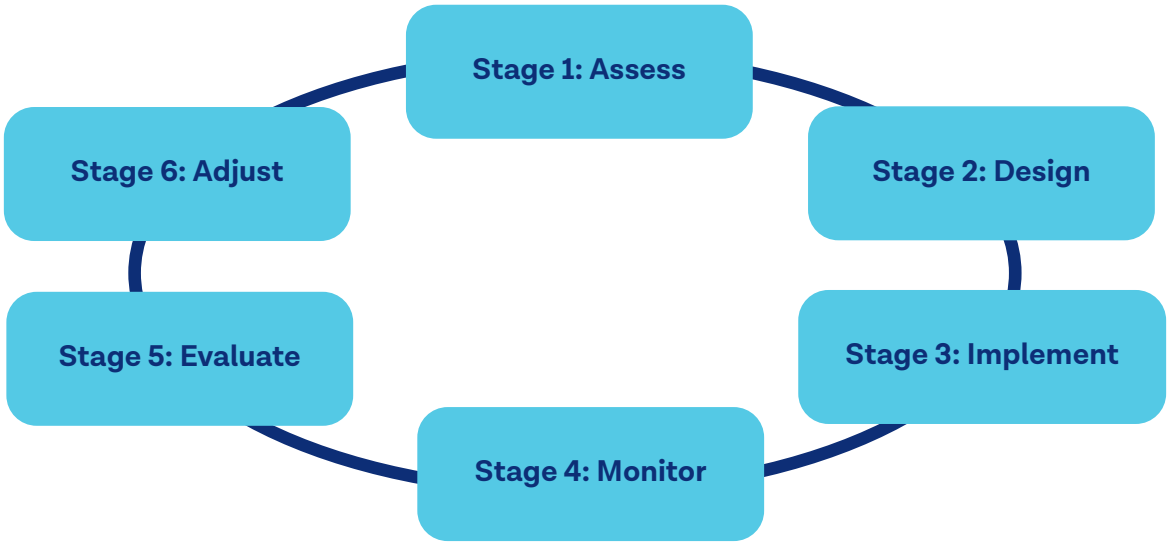
FRO	Fording River Operations
GHO	Greenhills Operations
LCO	Line Creek Operations
EVO	Elkview Operations
CMm	Coal Mountain mine

4. Always Adapting: About the 2022 Implementation Plan Adjustment

Teck was directed under Permit 107517 to develop an Adaptive Management Plan (AMP) to support the implementation of the EVWQP. This was done in order to support the protection of human health and the environment, and to facilitate the continuous improvement of water quality in the Elk Valley.

The 2022 IPA is Teck's third water treatment mitigation plan and the second adjustment since the Initial Implementation Plan. It is a long-term mitigation plan driven by adaptive management. It aims to protect water quality downstream of our operations. It outlines the adjustments made to the water quality mitigation timing and capacity in order to meet the water quality limits set out in the EVWQP. Through the development of the 2022 IPA, Teck provided opportunities to share information and gather feedback from external parties, including the Ktunaxa and other governments.

Adaptive management is a systematic, science-based, rigorous approach to environmental management that, through targeted research, reduces key uncertainties, strives to meet multiple management objectives and adapts management actions. The AMP is guided by six management questions to collectively address Teck's regulatory requirements and the environmental management objectives of the EVWQP. The stages of the adaptive management cycle are: assess, design, implement, monitor, evaluate and adjust. When triggers or unexpected conditions are identified, the response framework within the AMP is followed. This includes a process of notification, confirmation, investigation and adjustment.



5. Permit Compliance

In November 2014, the B.C. Ministry of Environment issued Permit 107517 (the Permit) under the *Environmental Management Act*. The Permit, along with permits from the Ministry of Energy, Mines and Low Carbon Innovation, made many of the actions and commitments described in the EVWQP legal requirements. To maintain compliance with the Permit, Teck must meet requirements including the construction and operation of water treatment facilities according to specified timelines, and the achievement of water quality limits.

Water Quality Limits

Permit 107517 sets water quality concentration limits that are protective of aquatic and human health. There are 14 locations with these limits – seven compliance points with compliance limits at mine sites, and seven Order Stations with Site Performance Objectives (SPOs) located downstream from the mine sites. The location GH_FR1 is both a compliance point and an Order Station (see Figure 2). Concentrations and compliance at these locations are influenced by seasonal variation in flow as a result of snowpack melt and precipitation. At each of these 14 locations, limits step down (become more stringent) over time, as outlined in the long-term water quality objectives set in the EVWQP. Since 2015, water quality has met these limits an average of 95% of the time.

Timelines to achieve the water quality limits were based on the best science and available technology at the time of the development of the EVWQP (2014). At that time, selenium experts were unaware of a critical issue related to water treatment operations and bioavailability of selenium. Further study successfully refined treatment technology, which resulted in a delay of the treatment timeline in our Initial Implementation Plan (IIP). Construction delays were also experienced due to the impacts of COVID-19.

Achieving Compliance

Compliance is currently being achieved and is projected to be maintained at Order Stations located in the Elk River upstream of Boivin (GH_ER1) and at Elk River at Elko Reservoir (RG_ELKORES). Compliance is also being achieved and is projected to be maintained at the Greenhills Operations Elk River compliance point (GH_ERC) and at the Harmer Creek (EV_HC1) and Michel Creek compliance points (EV_MC2 and CM_MC2) at Elkview Operations and Coal Mountain mine, respectively.

We expect to be in compliance for selenium and nitrate at all 14 locations following the commissioning of the Fording River Operations North 1 SRF (Phases 2 and 3), the Fording River Operations North 2 SRF, the Line Creek Operations North Line Creek SRF Phase 1 and the Elkview SRF Phase 3 (see Figure 1 for water treatment schedule).

As treatment comes online, selenium and nitrate concentrations will steadily decrease. Compliance is projected to be achieved in varying years, as summarized in the **2022 Implementation Plan Adjustment**. We expect full compliance to be met and maintained at 11 of the 14 locations by mid-2026. Full compliance is projected to be met and maintained at all 14 locations by mid-2028, since seasonal fluctuations in flow will continue to be a factor until further treatment is operational.

We have prepared the 2022 IPA to achieve full compliance as soon as possible. Our timelines consider design, permitting, construction and operating schedules. Facilities need to fit the specific environment for which they are designed and take into account important site-level information such as water flows and building footprints.

Sulphate compliance is currently met at all 14 locations, and sulphate treatment is planned at Fording River Operations, Line Creek Operations and Elkview Operations. Seasonal fluctuations in flow, prior to treatment being operational, result in the potential for concentrations to be above limits, but full compliance is projected to be met and maintained at all 14 locations in early 2026, following the commissioning of the sulphate treatment.

Addressing Water Quality at Specific Locations

The 2022 IPA is Teck's plan to bring more water treatment online faster to meet water quality limits. Teck has implemented new technology, the latest science, and industry-leading best practices for water management to help reduce the release of constituents across all of our Elk Valley operations.

Fording River Operations and Greenhills Operations

At Fording River Operations and Greenhills Operations, we are working to meet permitted selenium and nitrate concentration limits and requirements under an Environment and Climate Change Canada Direction. We will have the capacity to treat up to 50 million litres of water per day, which treats water from both the Fording River Operations and Greenhills Operations in 2022 as we ramp up water treatment capacity at the Fording River South AWTF and the Fording River North SRF. This work is in conjunction with the operation of the Kilmarnock Water Diversion, which reduces the volume of water affected by leftover rock. In addition, we are planning to test an emerging source control option called suboxic zones at our Fording River Operations.

Through our monitoring program, we also learned that there is more mine-affected water coming from the Kilmarnock drainage at our Fording River Operations than

we originally planned for and understood. To address this, we made design changes to enhance water collection. We also adjusted the future mitigation plans at Fording River Operations to include the collection and treatment of groundwater, in addition to the surface water already targeted for water treatment.

In 2021, Teck successfully completed a pilot of sulphate technologies for use in the Elk Valley that demonstrated over 90% sulphate removal. Fording River Operations will be the second location where Teck implements sulphate treatment at up to 8.5 million litres of water per day. This will be operational in 2026.

Elkview Operations

At Elkview Operations, we have successfully reduced selenium concentrations with the operation of the Elkview SRF at up to 20 million litres of water per day with an expansion in treatment capacity of up to 4 million litres per day in 2023 and up to 15 million litres per day to be completed in 2027. In addition, we are currently constructing a suboxic zone at the Cedar North Spoil.

Line Creek Operations

At Line Creek Operations, in Line Creek, we have successfully reduced selenium concentrations with the operation of the West Line Creek AWTF. We also identified and solved challenges related to selenium compounds in the treated water through the implementation of a new advanced oxidation process (AOP). Nitrate concentrations have been reduced overall with blasting best practices. In order to treat water with higher concentrations of selenium and nitrate at the West Line Creek AWTF, we are installing a pipeline from the Mine Services Area West backfill pit to the West Line Creek AWTF, which will further improve water quality. The next phase of water treatment is in progress at Line Creek Operations. This includes the North Line Creek SRF, which will treat up to 12.5 million litres of water per day (including sources from the Line Creek and Dry Creek watersheds). It is expected to be fully operational at the end of 2025.

We also learned that there is more mine-affected water at Line Creek Operations in West Line Creek than originally understood. Groundwater from this catchment has been included as a source for treatment in this IPA.

Line Creek will be the first location where Teck implements sulphate treatment at up to 2.5 million litres of water per day. This will be operational in 2025.

At Line Creek Operations, in Dry Creek, we are planning to reduce selenium and nitrate concentrations by installing a conveyance and supplementation system that has a capacity of up to 30 million litres of water per day. The schedule for operation is dependent upon regulatory approval of this project.

Aquatic and Human Health

While we work towards full compliance with Permit limits and SPOs, monitoring results indicate some areas with local and area-based effects on benthic invertebrates (bugs that are a source of food for fish). The spatial extent of effects occurs in less than 10% of flowing habitats, which is not expected to impact fish populations. Most of the watershed (>90% of flowing habitat) appears to be healthy and stable with no indication of adverse effects on invertebrates or risk to fish.

The Human Health Risk Assessment supporting the Elk Valley Water Quality Plan (Ramboll 2022) has been completed using monitoring data collected between 2015 and 2020. Based on Health Canada guidance and the Ktunaxa Diet Study (Firelight 2014, Fediuk and Firelight 2015), the average adult consumer eats 10 grams of fish per day (about 1 meal per month), and the upper percentile consumers eat 40 to 43 grams of fish per day (about 5 meals per month). The Human Health Risk Assessment results show average and upper percentile consumption levels of fish caught in the Elk River watershed and Koocanusa Reservoir result in negligible risk for selenium and are considered safe. Average selenium levels in fish from the Koocanusa Reservoir are comparable to those found in Canadian grocery stores. Mercury in Koocanusa Reservoir fish, which is not related to mining in the Elk Valley, may result in elevated risks for people eating at upper percentile rates or higher. Montana currently has fish consumption guidelines for mercury for many species of fish caught in the Koocanusa Reservoir.

Sukiɬ ʔiknała (“eating good”)

Sukiɬ ʔiknała (“eating good”) is unique to the Ktunaxa People, consistent with Ktunaxa cultural practices. It is a relative term — one person “eating good” is not necessarily the same for another person. Sukiɬ ʔiknała is also interconnected to the Ktunaxa concept of “take what you need” and is the same principle for food relationships with ʔa·kxaḿ is q̓api qapsin (“all living things”). Preferred consumption rates are estimated quantities required to enable sukiɬ ʔiknała. The Ktunaxa Diet Study Expansion (Ktunaxa Nation Council 2020) defines Ktunaxa adult preferred fish consumption at 245 grams of fish per day (equal to one meal per day). A diet with fish consumption at these rates results in elevated risk for selenium from fish harvested in the Elk Valley. Fish consumption at these levels resulted in negligible risks for selenium in fish harvested from Koocanusa Reservoir and is considered safe. Mercury in Koocanusa Reservoir fish may result in elevated risks for people who are sukiɬ ʔiknała, or, eating at preferred consumption levels.

The mitigation included in this Implementation Plan Adjustment will improve current conditions and continue to support aquatic and human health in the watershed.

6. Our Ongoing Commitment to Water Quality

The EVWQP is working. In 2022, Teck will have the capacity to treat up to 77.5 million litres of water per day — a fourfold increase from our treatment capacity in 2020 — with a near-complete removal of selenium and nitrate from treated water. An eightfold increase in water treatment capacity, compared to 2020, is planned to be in place by 2027. We remain focused on our research and development program so that we can create innovative ways to meet our water quality goals and face new challenges head-on.

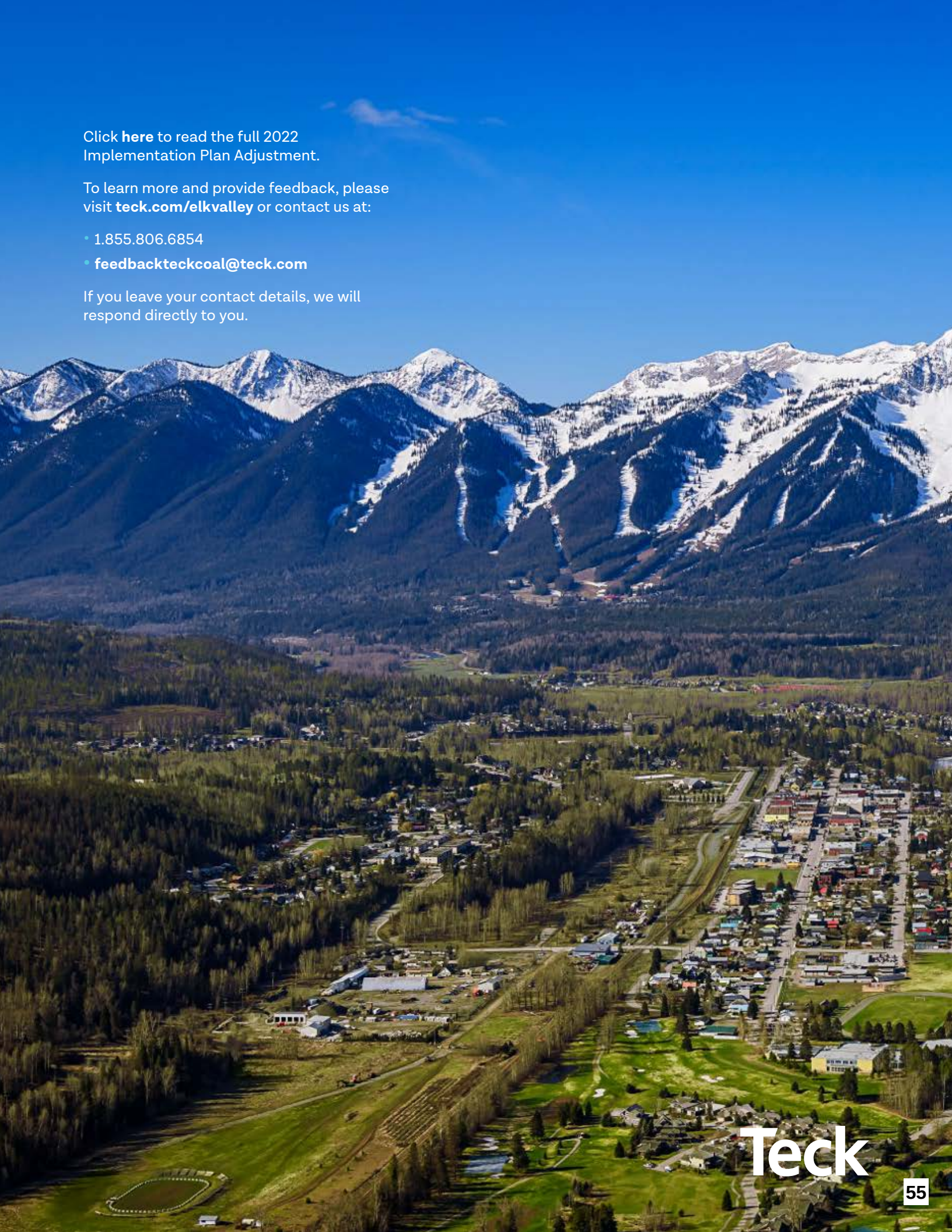
We are committed to supporting water quality now, and for generations to come. With the 2022 IPA, we will start to see a step change improvement in water quality in the Elk Valley. This year, we expect to achieve one of the primary objectives of the EVWQP: stabilizing and reducing the selenium trend in the Elk Valley.

Click **here** to read the full 2022 Implementation Plan Adjustment.

To learn more and provide feedback, please visit **teck.com/elkvalley** or contact us at:

- 1.855.806.6854
- **feedbackteckcoal@teck.com**

If you leave your contact details, we will respond directly to you.



Municipality of Crowsnest Pass
Request for Decision

Meeting Date: August 16, 2022

Agenda #: 3.i

Subject: Fred Bradley, Chair Crowsnest Heritage Initiative Society Request to Waive Sign Application Fees of August 3, 2022

Recommendation: That Council waive the Crowsnest Heritage Initiative Society's Sign Application fees.

Executive Summary:
Correspondence received is provided to Mayor and Council at the subsequent Council meeting for Council's information and consideration.

Relevant Council Direction, Policy or Bylaws:
1041, 2020 Procedure Bylaw

Discussion:
n/a

Analysis of Alternatives:
n/a

Financial Impacts:
The the two application fees of $275 each will be charges towards Council's goodwill budget.

Attachments:
HC_billboard_BUMv4.2.pdf
HC_billboard_MuseumV4.2.pdf

BELLEVUE UNDERGROUND MINE

BOOK ONLINE

TAKE A TOUR UNDERGROUND

Downtown Bellevue

CROWSNEST MUSEUM & ARCHIVES

COLEMAN NATIONAL HISTORIC SITE

Downtown Coleman

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: August 16, 2022

Agenda #: 4.a

Subject: Minutes of the Council Meeting of July 12, 2022

Recommendation: That Council adopt the Minutes of the Council Meeting of July 12, 2022 as presented.

Executive Summary:
Minutes of the previous Council meeting are provided to Council for review and adoption.

Relevant Council Direction, Policy or Bylaws:
1041, 2020 Procedure Bylaw

Discussion:
n/a

Analysis of Alternatives:
n/a

Financial Impacts:
n/a

Attachments:
2022 07 12 Council Meeting Minutes.docx

Municipality of Crowsnest Pass
Council Meeting Minutes
Tuesday, July 12, 2022

A regular meeting of the Council of the Municipality of Crowsnest Pass was held in Council Chambers on Tuesday, June 14, 2022.

Council Present:

Mayor Blair Painter, Councillors: Vicki Kubik, Dave Filipuzzi, Doreen Glavin, Lisa Sygutek, Glen Girhiny, and Dean Ward.

Administration Present:

Patrick Thomas, Chief Administrative Officer
Brian McCulloch, Director of Finance
Trent Smith, Manager of Community Services
Jesse Fox, Manager of Protective Services/Fire Chief
Bonnie Kawasaki, Recording Secretary

CALL TO ORDER

Mayor Painter called the meeting to order at 1:00 pm.

ADOPTION OF AGENDA

Additions:

In Camera

a) Personal Privacy - Personnel - FOIP Act Section 17 – Councillor Filipuzzi
b) Information that will be published or released within 60 days – Resident Correspondence – FOIP Act Section 29 – Councillor Girhiny

01-2022-07-12: Councillor Filipuzzi moved to adopt the agenda as amended.

Carried

CONSENT AGENDA

02-2022-07-12: Councillor Kubik moved that Council approve the following Consent Agenda items without debate:

3.a
Minutes of the Municipal Planning Commission of May 25, 2022
THAT Council accept Minutes of the Municipal Planning Commission of May 25, 2022 as information.

3.b
Minutes of the Crowsnest Pass Community Pool Society of May 25, 2022
THAT Council accept Minutes of the Crowsnest Pass Community Pool Society of May 25, 2022 as information.

3.c
Minutes of the Crowsnest Pass Community Pool Society of June 22, 2022
THAT Council accept the Minutes of the Crowsnest Pass Community Pool Society of June 22, 2022 as information.

3.d
Jason Copping, Minister of Health - Letter of Response to EMS Concerns of June 22, 2022
THAT Council accept the Jason Copping, Minister of Health - Letter of Response to EMS Concerns of June 22, 2022 as information.

3.e
Alberta Utilities Commission - Letter of Response to Utility Rates Concerns of July 7, 2022
THAT Council accept the Alberta Utilities Commission - Letter of Response to Utility Rates Concerns of July 7, 2022 as information.

Carried

ADOPTION OF MINUTES

Minutes of the Council Meeting of July 5, 2022

03-2022-07-12: Councillor Girhiny moved to adopt the Minutes of the Council Meeting of July 5, 2022, as presented.

Carried

PUBLIC HEARINGS

None

DELEGATIONS

None

REQUESTS FOR DECISION

Bylaw 1103, 2021- Land Use Bylaw Amendment to Regulate Tourist Homes - Second and Third Reading

04-2022-07-12: Councillor Filipuzzi moved second reading of Bylaw 1103, 2021 - Land Use Bylaw Amendment to Regulate Tourist Homes.

05-2022-07-12: Councillor Ward moved to change the separation distance to 100 meters to regulate tourist homes.

Defeated

04-2022-07-12 (as amended): that Council moves second reading of Bylaw 1103, 2021 – Land Use Bylaw Amendment to Regulate Tourist Homes

Carried

06-2022-07-12: Councillor Sygutek moved third reading of Bylaw 1103, 2021- Land Use Bylaw Amendment to Regulate Tourist Homes.

Carried

Bylaw 1112, 2022 - Business License Bylaw - Second and Third Reading

07-2022-07-12: Councillor Girhiny moved second reading of Bylaw 1112, 2022 - Business License Bylaw.

Carried

08-2022-07-12: Councillor Ward moved third reading of Bylaw 1112, 2022 - Business License Bylaw.

Carried

Bylaw 1125, 2022- Amendment to the Fees Rates and Charges Bylaw - Second and Third Reading

09-2022-07-12: Councillor Kubik moved second reading of Bylaw 1125, 2022- Amendment to the Fees Rates and Charges Bylaw.

Carried

10-2022-07-12: Councillor Filipuzzi moved third reading of Bylaw 1125, 2022- Amendment to the Fees Rates and Charges Bylaw.

Carried

Service Areas Update

11-2022-07-12: Councillor Ward moved to accept the Service Areas Update as information.

Carried

Budget 2023 Calendar and Development Guidelines

12-2022-07-12: Councillor Ward moved that Council approve the Budget 2023 Calendar as amended and the Budget 2023 Development Guidelines.
Carried

Business Façade Policy

13-2022-07-12: Councillor Filipuzzi moved that Council approves the Business Façade Policy 1709-01.

Carried

Campground Update

14-2022-07-12: Mayor Painter moved that Administration brings back a report regarding future campground zoning to an upcoming meeting of Council.

Carried

Sole Survivor Trail Race Funding Request

15-2022-07-12: Councillor Sygutek moved that Council approves $880 of funding for insurance for the Sole Survivor Trail Race as a one-time grant under Category 3.

Carried

Alberta Municipalities (AM) Convention Attendees

16-2022-07-12: Councillor Ward moved that Council appoint the Chief Administrative Officer, Councillors Ward, Sygutek and Filipuzzi to attend the AM Fall Convention on September 21-23, 2022 in Calgary.

Carried

Clarification of Meeting with the Chamber of Commerce

Council held discussion and agreed that the delegates from each group will meet initially.

COUNCIL MEMBER REPORTS

Council reports since the July 5, 2022 meeting of Council:

- Mayor Painter
  - Discussion with MLA Roger Reid

    - Mr. Reid will follow up with the Ministers who did not respond to invitations to come to our community

- Councillor Sygutek
  - Will be unable to cover the interim Deputy Mayor Appointment at the end of July, and extended her apologies.
  - Noted the beauty of the flower planters placed around the community
    - Has received many positive comments

PUBLIC INPUT PERIOD

- Melissa Tiegen
  - Will advise the Chamber of the Bylaws and Policies passed this evening
  - Information can be added on their website as well
  - Chamber administration is working towards promoting additions to the GoCrowsnest Website
  - Commented that the Municipal beautification efforts are appreciated

COUNCILLOR INQUIRIES AND NOTICE OF MOTION

IN CAMERA

17-2022-07-12: Councillor Ward moved that Council go In Camera for the purpose of discussion of the following confidential matters under the Freedom of Information and Protection of Privacy Act and to take a short recess at 3:00 pm:

a) Economic Interests of the Public Body – Land Purchase Application - FOIP Act Section 25
b) Economic Interests of the Public Body – Land Purchase Application - FOIP Act Section 25
c) Personal Privacy - Personnel – FOIP Act Section 17
d) Information that will be published or released within 60 days – Resident Correspondence – FOIP Act Section 29

Carried

Reconvene

Mayor Painter convened the In Camera meeting at 3:05 pm. Patrick Thomas, Chief Administrative Officer in attendance to provide advice to Council.

18-2022-07-12: Councillor Sygutek moved that Council come out of In Camera at 4:11 pm.

Carried

19-2022-07-12: Councillor Sygutek moved that Council accepts the offer to purchase a portion of the lane adjacent to 2706-76 Street in Coleman, subject to the following conditions:

1. That the price be $3.00 per square foot
2. That the applicant be responsible for all legal costs associated with the preparation for an easement in favor of the Municipality for access to the existing sanitary sewer line located on the subject lands.
3. That the applicant be responsible for all costs associated with closing the road allowance to public travel.
4. That the applicant be responsible for all costs associated with the Land Use Bylaw amendment to redistrict the subject lands to R-1 Residential.
5. That the applicant be responsible for all legal costs associated with this transaction including the legal fees of the Municipality, if any.
6. That the applicant be responsible for all costs associated with the consolidation of the subject lands with the title to 2706-76 Street in Coleman, legally described as Lot 19, Block 4, Plan 811839.
7. That this transaction be completed by June 30, 2023.

Defeated

20-2022-07-12: Councillor Sygutek moved that Council accept the offer to purchase a portion of Lane, subject to the following conditions:

1. That the purchase price is $4.00 per square foot for 1,000 Square Feet (20 x 50)
2. That the applicant is responsible for all costs relating to the closure of the lane by bylaw.
3. That the applicant is responsible for all costs relating to the amendment of the Land Use bylaw to R-1 Residential.
4. That the applicant is responsible for all costs relating to the consolidation of the subject lane with Lot 10, Block 32, Plan 6808CU by plan of survey.
5. That the applicant be responsible for all legal costs associated with this transaction including the legal fees of the Municipality, if any.
6. That this transaction be completed by June 1, 2023.
7. That the entire lane be closed at this time.

Carried

21-2022-07-12: Councillor Filipuzzi moved that Administration look into resolutions for bylaw and land-use enforcement capacity.

Carried

ADJOURNMENT

22-2022-07-12: Councillor Filipuzzi moved to adjourn the meeting at 4:15 pm.

Carried

_____
Blair Painter
Mayor

_____
Patrick Thomas
Chief Administrative Officer

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: August 16, 2022

Agenda #: 5.a

Subject: Bylaw 1119, 2022 - Road Closure Bylaw (York Creek Drive - Lot 15; Block 1; Plan _____) - Public Hearing

Recommendation: That Council holds a public hearing and considers input received.

Executive Summary:
Council gave First reading of Bylaw 1119, 2022 on July 12, 2022.

The public notice was advertised in the newspaper on July 13 and July 20, 2022.

Bylaw 1119, 2022 proposes to close that portion of Government Road Allowance lying adjacent to SW1/4 Sec 3-8-4-W5 and forming part of Lot 15; Block 1 Plan _____ and containing 0.126 Hectares (0.31 acres) more or less.

The applicants own an acreage at 1818 York Creek Estates. On the west boundary of their acreage is a 66' (sixty-six feet) wide undeveloped statutory road allowance. They are interested in purchasing a portion to build a garage. There are several marsh areas both on the road allowance and on their acreage which are natural habitat for water fowl. The applicants wish to protect the wildlife corridor and obtain sufficient additional space to construct a garage or a carport in the future.

Relevant Council Direction, Policy or Bylaws:
Section 22 of the Municipal Government Act.

Discussion:
The Municipal Development Plan identifies a future growth area to the southeast of the York Creek subdivision. The proposed (and approved) Greenwood Heights subdivision is located to the south of the York Creek subdivision. Both these areas have alternate access options. The north-south road allowance portion that is proposed to be closed is mostly wetland. Due to steep slopes on the east-west road allowance (which is an extension of 108 Street) and the presence of a lake in the same road allowance, and the proposed future developments on surrounding lands having alternate access

options, it is not expected that these road allowances, including the portion that is proposed to be closed, would be required to provide future access.

Once a road allowance is closed to public travel, title to it is granted in the name of the Municipality. It can then be sold and incorporated into an adjacent title.

After the Public Hearing, Administration will forward the Bylaw to the Minister of Transportation for signature at which time the bylaw will return to Council for second and third reading. A subdivision application will then follow in order to consolidate the closed road portion with the applicants' property and another bylaw is required to redistrict the parcel to the GCR-1 district.

Analysis of Alternatives:
N/A

Financial Impacts:
If the application proceeds the Municipality would receive $6000 plus GST

Attachments:
FORMATTED CNP Road Closure Bylaw No. 1119, 2022 public hearing notice.docx
FORMATTED CNP Road Closure Bylaw No. 1119, 2022.docx
Schedule A Crowsnest Pass - Lot 15, Block 1, Plan ___ - Bylaw 1119, 2022-Road Closure.pdf

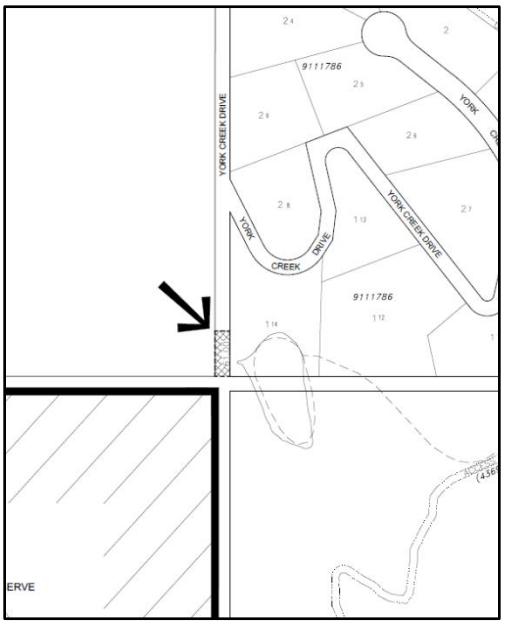
NOTICE OF PUBLIC HEARING

MUNICIPALITY OF CROWSNEST PASS
IN THE PROVINCE OF ALBERTA
PROPOSED BYLAW NO. 1119, 2022

7:00pm, August 16, 2022
Municipality of Crowsnest Pass Council Chambers
8502 – 19 Avenue,Coleman

PURSUANT to section 22 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, notice is hereby given that the Council of the Municipality of Crowsnest Pass will consider a bylaw to close a portion of the roadway depicted in the sketch below and legally described as:

THAT PORTION OF GOVERNMENT ROAD ALLOWANCE LYING ADJACENT TO SW ¼ SEC. 3-8-4-5 AND FORMING PART OF LOT 15, BLOCK 1, PLAN _____
CONTAINING 0.126 HECTARES (0.31 ACRES) MORE OR LESS



PROPOSED ROAD CLOSURE
SCHEDULE 'A'

THAT PORTION OF GOVERNMENT ROAD ALLOWANCE LYING ADJACENT TO SW ¼ SEC. 3-8-4-5 AND FORMING PART OF LOT 15, BLOCK 1, PLAN _____,
CONTAINING 0.126 HECTARES (0.31 ACRES) MORE OR LESS

THE PURPOSE of this bylaw is to close to public travel, create title to and dispose of portions of a public roadway in accordance with section 22 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

THEREFORE, TAKE NOTICE THAT public hearings to consider the proposed Bylaw No. 1119, 2022 will be held in the Municipality of Crowsnest Pass Council Chambers at 7:00pm on August 16, 2022. Each person shall be alotted 5 minutes to present their position

AND FURTHER TAKE NOTICE that anyone wishing to provide slide decks, maps, videos or a written submission regarding the proposed bylaw should email: Bonnie Kawasaki, Executive Assistant to the CAO at bonnie.kawasaki@crowsnestpass.com no later than 12:00pm on August 9, 2022. Verbal presentaitions (limited to 5 minutes) will be accepted at the public hearing.

For questions regarding the proposed Bylaw Amendment please contact the Development Officer by calling 403-562-8833 or emailing development@crowsnestpass.com.

A copy of the proposed bylaw may be inspected at the municipal office during normal business hours.

DATED at the Municipality of Crowsnest Pass in the Province of Alberta this 6th day of July, 2022.

MUNICIPALITY OF CROWSNEST PASS
BYLAW NO. 1119, 2022
ROAD CLOSURE

BEING a bylaw of the Municipality of Crowsnest Pass for the purpose of closing to public travel and creating title to and disposing of portions of a public roadway in accordance with section 22 of the Municipal Government Act, chapter m26, Revised Statutes of Alberta 2000, as amended.

WHEREAS the lands hereafter described are no longer required for public travel,

AND WHEREAS application has been made to Council to have the roadway closed, and

AND WHEREAS the Council of the Municipality of Crowsnest Pass deems it expedient to provide for a bylaw for the purpose of closing to public travel certain roads or portions thereof, situated in the said municipality and thereafter creating title to and disposing of same, and

AND WHEREAS notice of intention of Council to pass a bylaw has been given in accordance with Section 606 of the Municipal Government Act, and

AND WHEREAS Council was not petitioned for an opportunity to be heard by any person claiming to be prejudicially affected by the bylaw,

NOW THEREFORE be it resolved that the Council of the Municipality of Crowsnest Pass in the Province of Alberta does hereby close to public travel and creating title to and disposing of the following described roadway, subject to rights of access granted by other legislation:

THAT PORTION OF GOVERNMENT ROAD ALLOWANCE LYING ADJACENT TO SW ¼ SEC. 3-8-4-5 AND FORMING PART OF LOT 15, BLOCK 1, PLAN _____
CONTAINING 0.126 HECTARES (0.31 ACRES) MORE OR LESS

As illustrated in Schedule 'A', attached to, and forming part of this bylaw.

READ a **first** time in council this _____ day of _____ 2022.

_____
Blair Painter
Mayor

_____
Patrick Thomas
Chief Administrative Officer

DRAFT

PUBLIC HEARING scheduled for the 16th day of August 2022 and advertised in the Crowsnest Pass Herald on the 13th and 20th day of July 2022.

APPROVED this _____ day of _____ 2022.

_____
Minister of Transportation

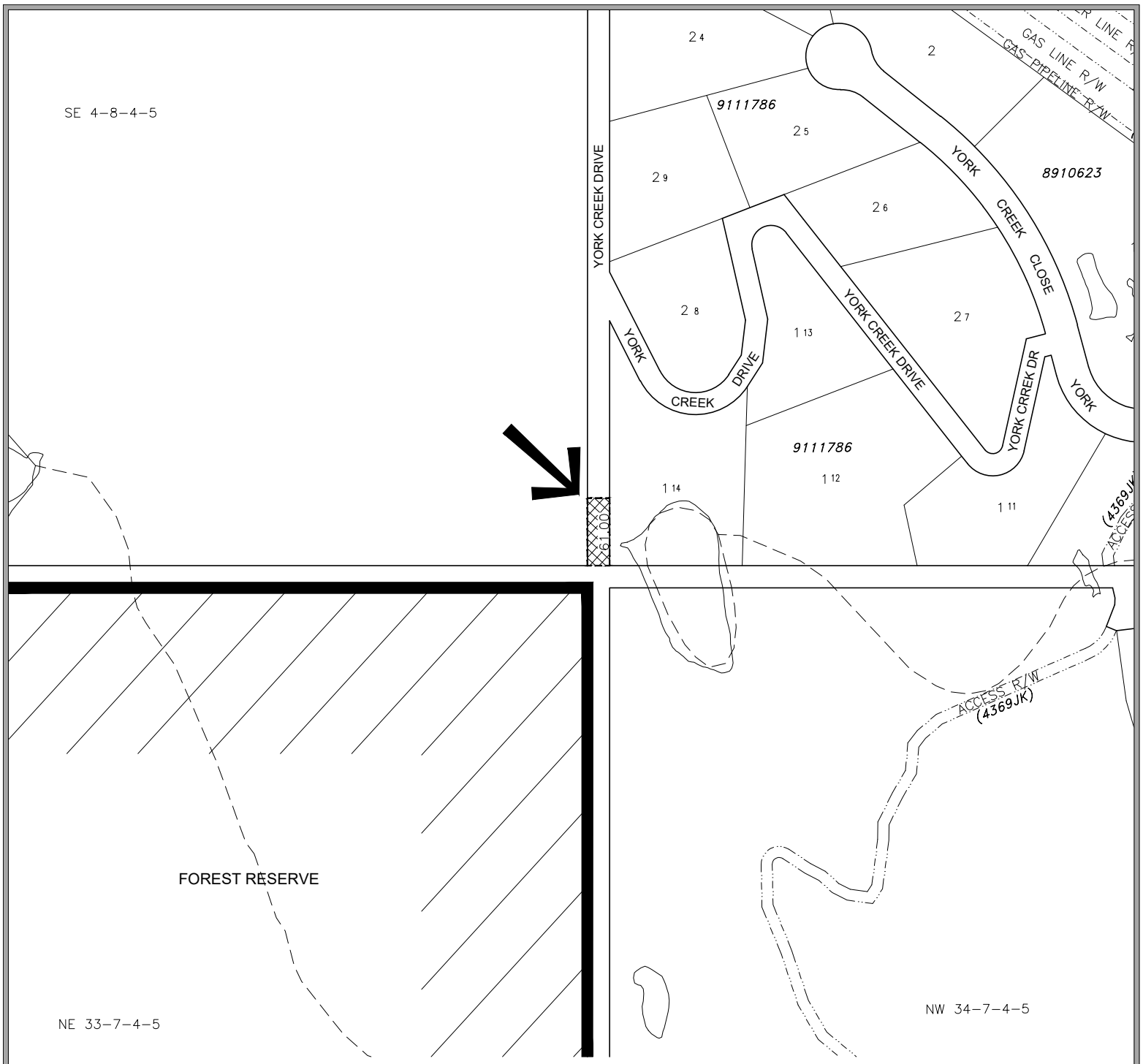
READ a **second** time in council this _____ day of _____ 2022.

READ a **third and final** time in council this _____ day of _____ 2022.

_____
Blair Painter
Mayor

_____
Patrick Thomas
Chief Administrative Officer

DRAFT



PROPOSED ROAD CLOSURE
SCHEDULE 'A'

THAT PORTION OF GOVERNMENT ROAD ALLOWANCE LYING ADJACENT TO SW ¼ SEC. 3-8-4-5 AND FORMING PART OF LOT 15, BLOCK 1, PLAN _____, CONTAINING 0.126 HECTARES (0.31 ACRES) MORE OR LESS

MUNICIPALITY: CROWSNEST PASS
DATE: JUNE 24, 2022

Bylaw #: 1119, 2022
Date: _____

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 Metres 100 200 300 400

N

MAP PREPARED BY:
OLDMAN RIVER REGIONAL SERVICES COMMISSION
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8
TEL. 403-329-1344
"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"

June 24, 2022 N:\C-N-P\CNP LUD & Land Use Redesignations\Crowsnest Pass - Lot 15, Block 1, Plan ___ - Bylaw 1119, 2022.dwg

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: August 16, 2022

Agenda #: 5.b

Subject: Bylaw 1123, 2022 - Road Closure Bylaw (62nd Street- Coleman) - Public Hearing

Recommendation: That Council holds a public hearing and considers input received.

Executive Summary:
Council gave first reading of Bylaw 1123, 2022 on July 5th, 2022.

Bylaw 1123, 2022 proposes a road closure of a portion of 62nd Street south of 22nd Avenue in Coleman.

Relevant Council Direction, Policy or Bylaws:
Section 22 of the Municipal Government Act
Motion 18-2022-03-22

Discussion:
The applicant is the owner of four existing lots to the west of the subject road allowance, and three lots to the east. The applicant intends to develop all eight lots over the next few years. One of the house plans is wider and the road allowance closure could accommodate the extra width. Water service would be provided from 22 Avenue, and gas and sewer are available from the south. The topography slopes approximately 4 meters from the north to south.

After the Public Hearing, Administration will forward the Bylaw to the Minister of Transportation for signature at which time the bylaw will return to Council for second and third reading. A subdivision application may then follow in order to adjust lot boundaries if necessary, and another bylaw is required to redistrict the parcel to the R-1 district.

Analysis of Alternatives:
N/A

Financial Impacts:
If the application proceeds the Municipality would receive $26,400 plus GST.

Attachments:
FORMATTED [redacted] Road Closure Bylaw No. 1123, 2022 public hearing notice.docx
FORMATTED Bylaw 1123, 2022.docx
Schedule A.pdf

NOTICE OF PUBLIC HEARING

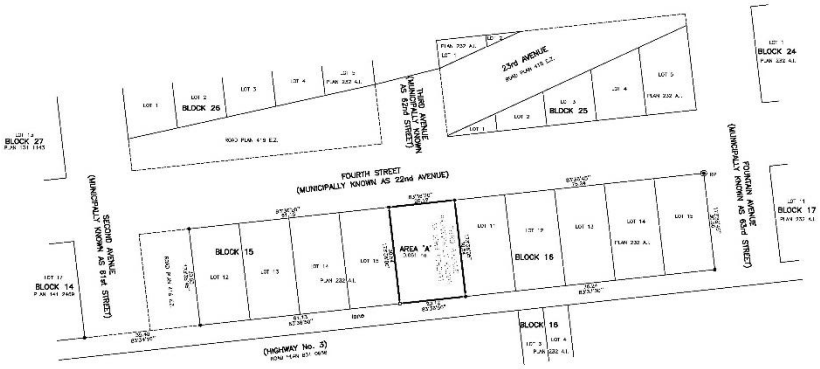
MUNICIPALITY OF CROWSNEST PASS
IN THE PROVINCE OF ALBERTA
PROPOSED BYLAW NO. 1123, 2022

7:00PM, August 16, 2022
Municipality of Crowsnest Pass Council Chambers
8502 – 19 Avenue, Coleman

PURSUANT to section 22 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, notice is hereby given that the Council of the Municipality of Crowsnest Pass will consider a bylaw to close a portion of the roadway depicted in the sketch below and legally described as:

PLAN 232 A.I.
THAT PORTION OF THIRD AVENUE CONTAINED WITHIN AREA "A", PLAN _____,
CONTAINING 0.061 HECTARES (0.151 ACRES) MORE OR LESS

THE PURPOSE of this bylaw is to close to public travel, create title to and dispose of portions of a public roadway in accordance with section 22 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended.



THEREFORE, TAKE NOTICE THAT public hearings to consider the proposed Bylaw No. 1123, 2022 will be held in the Municipality of Crowsnest Pass Council Chambers at 7:00PM on August 16, 2022. Each person shall be alotted 5 minutes to present their position

AND FURTHER TAKE NOTICE that anyone wishing to provide slide decks, maps, videos or a written submission regarding the proposed bylaw should email: Bonnie Kawasaki, Executive Assistant to the CAO at bonnie.kawasaki@crowsnestpass.com no later than 12:00PM on August 9, 2022. Verbal presentations (limited to 5 minutes) will be accepted at the public hearing.

For questions regarding the proposed Bylaw Amendment please contact the Development Officer by calling 403-562-8833 or emailing development@crowsnestpass.com.

A copy of the proposed bylaw may be inspected at the municipal office during normal business hours.

DATED at the Municipality of Crowsnest Pass in the Province of Alberta this 6th day of July, 2022.

MUNICIPALITY OF CROWSNEST PASS

BLAW No. 1123, 2022

ROAD CLOSURE BYLAW

BEING a bylaw of the Municipality of Crowsnest Pass for the purpose of closing to public travel and creating title to and disposing of portions of a public highway in accordance with section 22 of the Municipal Government Act, chapter m26, revised statutes of Alberta 2000, as amended.

WHEREAS the lands hereafter described are no longer required for public travel,

WHEREAS application has been made to Council to have the roadway closed, and

WHEREAS the Council of the Municipality of Crowsnest Pass deems it expedient to provide for a bylaw for the purpose of closing to public travel certain roads or portions thereof, situated in the said municipality and thereafter creating title to and disposing of same, and

WHEREAS notice of intention of Council to pass a bylaw has been given in accordance with Section 606 of the Municipal Government Act, and

WHEREAS Council was not petitioned for an opportunity to be heard by any person claiming to be prejudicially affected by the bylaw

NOW THEREFORE be it resolved that the Council of the Municipality of Crowsnest Pass in the Province of Alberta does hereby close to Public Travel and creating title to and disposing of the following described highways, subject to rights of access granted by other legislation.

> **Plan 232 A.I. That portion of Third Avenue contained within Area "A", Plan _ _ _ _ _ _, containing 0.061 ha (0.151 acres) more or less, excepting thereout all mines and minerals**

As illustrated in Schedule 'A', attached to, and forming part of this bylaw.

READ **a first time** in council this 5th day of July 2022.

_____

Blair Painter
Mayor

_____

Patrick Thomas
Chief Administrative Officer

PUBLIC HEARING scheduled for the 16th day of August 2022 and advertised in the Crowsnest Pass Herald on the 13th and 20th of July 2022.

Approved this ____ day of _____, 20__

_____
Minister of Transportation

READ **a second time** in council this ___ day of _____ 2022.

READ **a third and final time** in council this ___ day of _____ 2022.

_____
Blair Painter
Mayor

_____
Patrick Thomas
Chief Administrative Officer

REGISTRAR
LAND TITLES OFFICE

PLAN NO. _____

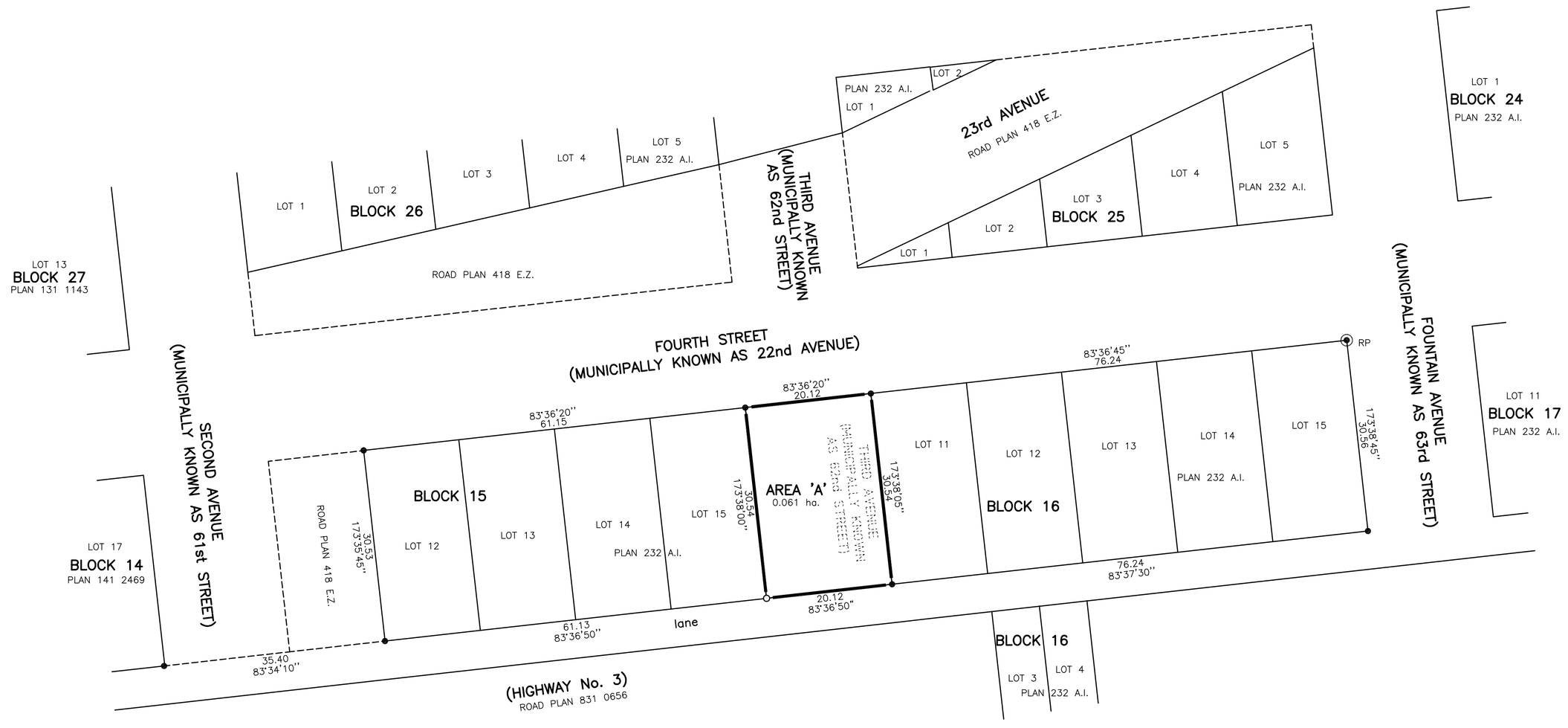
ENTERED AND REGISTERED

ON _____

INSTRUMENT NO : _____

_____
A.D.REGISTRAR

N



MUNICIPALITY OF CROWSNEST PASS

PLAN SHOWING SURVEY OF

AREA FOR ROAD CLOSURE PURPOSES

OF PART OF

THIRD AVENUE; PLAN 232 A.I.

ALL WITHIN

N.E.1/4 SEC. 7; TWP. 8; RGE. 4; W.5 M.

BY: D. J. AMANTEA, A.L.S.

SCALE 1:500

10 5 0 10 20 30 METRES

Fd.I. – Statutory Iron Posts found shown thus _____ ●
Pl.I. – Statutory Iron Posts placed shown thus _____ ○ marked 'P004'
Temporary points shown thus _____ X
Distances are shown in metres and decimal parts thereof.
Bearings are GRID and are derived from GNSS observations
PROJECTION – 3TM
DATUM – NAD'83 (original)
REFERENCE MERIDIAN – 114°
COMBINED SCALE FACTOR – 0.999706
RP – Geo-reference point shown thus _____ ○ RP
Coordinate value for Geo-reference point is N: 5499970.09 E: –38076.79
Portion to be registered is bound in heavy black lines and contains 0.061 ha.

found No Marks on Plan 232 A.I. except where shown

SURVEYOR
NAME : D. J. AMANTEA, A.L.S.
SURVEYED BETWEEN THE DATES OF APRIL 12th, 2022 AND MAY 26th, 2022, IN ACCORDANCE WITH THE PROVISIONS OF THE SURVEYS ACT.

ALBERTA LAND SURVEYORS' ASSOCIATION
PERMIT NUMBER
P 004
BROWN OKAMURA & ASSOCIATES LTD.

REQUESTED BY:
MUNICIPALITY OF CROWSNEST PASS

DRAWING FILE : 22–15620.DWG
CLIENT : BRIAN SEAMAN
FILE NO. : 22–15620 CJB (6.0 sq.ft.)

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: August 16, 2022

Agenda #: 6.a

Subject: Montem Resources Update - Peter Doyle, Managing Director and Chief Executive Officer

Recommendation: That Council accept the Montem Resources Update as information.

Executive Summary:
Montem Resources provides updates to Council on activities and plans going forward for their projects.

Relevant Council Direction, Policy or Bylaws:
1041, 2020 Procedure Bylaw

Discussion:
Montem Resources contacted the Office of the Chief Administrative Officer to request a date to provide a Council update.

Analysis of Alternatives:
n/a

Financial Impacts:
n/a

Attachments:
Montem Presentation - August 16 2022.pdf

Montem Resources

Montem Resources Limited

Presentation | TM-REX Pre-Feasibility

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Information in this presentation remains subject to change without notice.

Montem Resources

TM-REX DEVELOPMENT CONCEPT

320 MW 2,560 MWh
Pumped Hydro Energy Storage (PHES)

8 hours of energy storage to firm intermittent renewables

100 MW SCALABLE
Green Hydrogen Electrolyser

Potential to be Alberta's first large-scale green hydrogen project

100 MW
Wind Farm (Offsite)

Recharges the TM-PHES and powers the Green Hydrogen Electrolyser

THE INVESTMENT CASE

Alberta needs Energy Storage

Alberta's electricity grid is rapidly de-carbonising,
and needs storage to maintain stability.

Capital Cost Competitive

TM-PHES capital intensity is as low or lower
than any other PHES being considered in North America.

Comparison Valuation

AGL Energy (AGL) paid AUD$31M for pre-feasibility stage PHES project in 2019*.

Federal and Provincial Government Support

Grant opportunities emerging
Proposed Federal Tax Credit: 30% of capital cost for storage projects.

Potential Future De-risking with Offtake PPAs

PPA option being pursued to enhance project bankability.

Significant Upside Option

PFS identifies optimization work with potential to almost double storage capacity.

Footnote:
* For further information see:
AGL media release here.

Montem Resources

TM-REX at a Glance

PHES CAPABLE OF 2,560 MWh
Potential to increase to 4,995MWh

400 JOBS CREATED
Full time and construction across an 80+ year project life

TRANSMISSION LINE ACCESS WITHIN 8 KM
Several viable power grid interconnection options exist

~400,000 HOMES
Powered by the PHES simultaneously

UP TO 590,000* T/YR CO_2 ABATED
Capacity for the TM-REX to abate Alberta's emissions

H_2 GREEN HYDROGEN
Potential to be Alberta's first large scale green hydrogen electrolyser

*Assumes TM-PHES cycles once per day and is charged with renewable energy

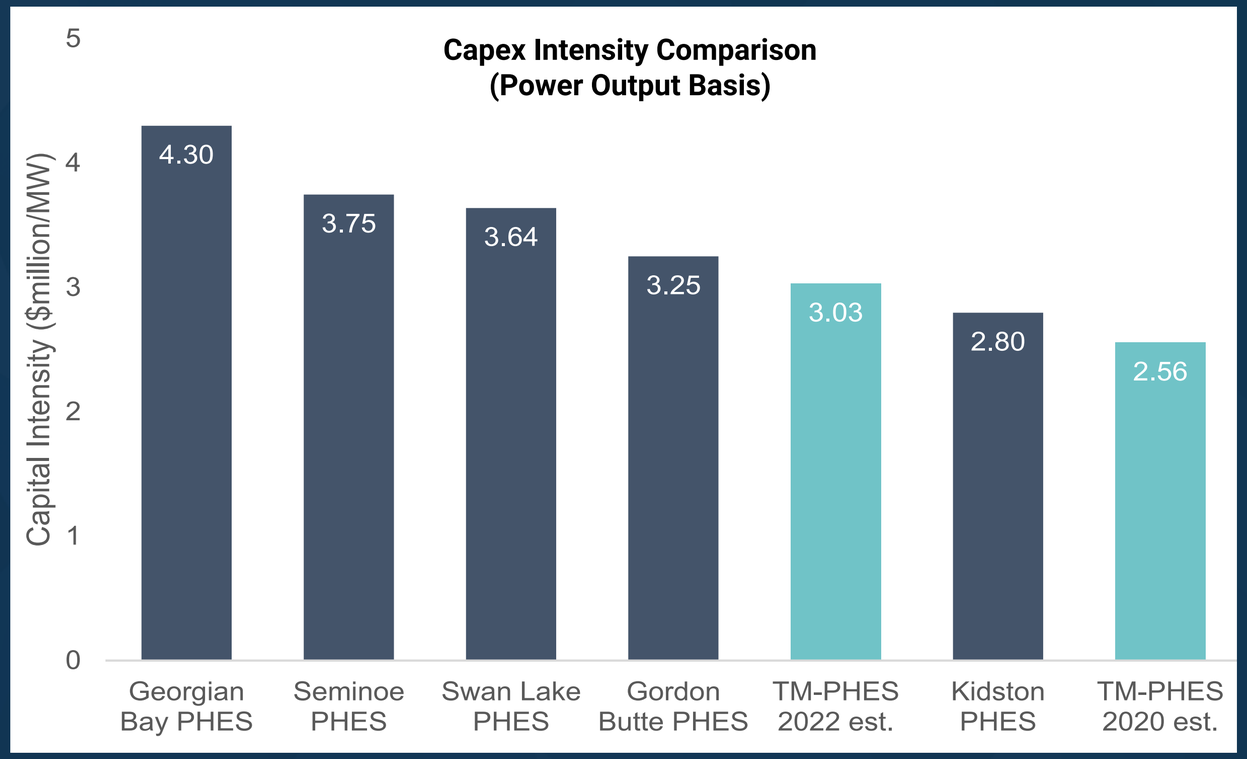
Tent Mountain
Upper Reservoir

TM-PHES PFS

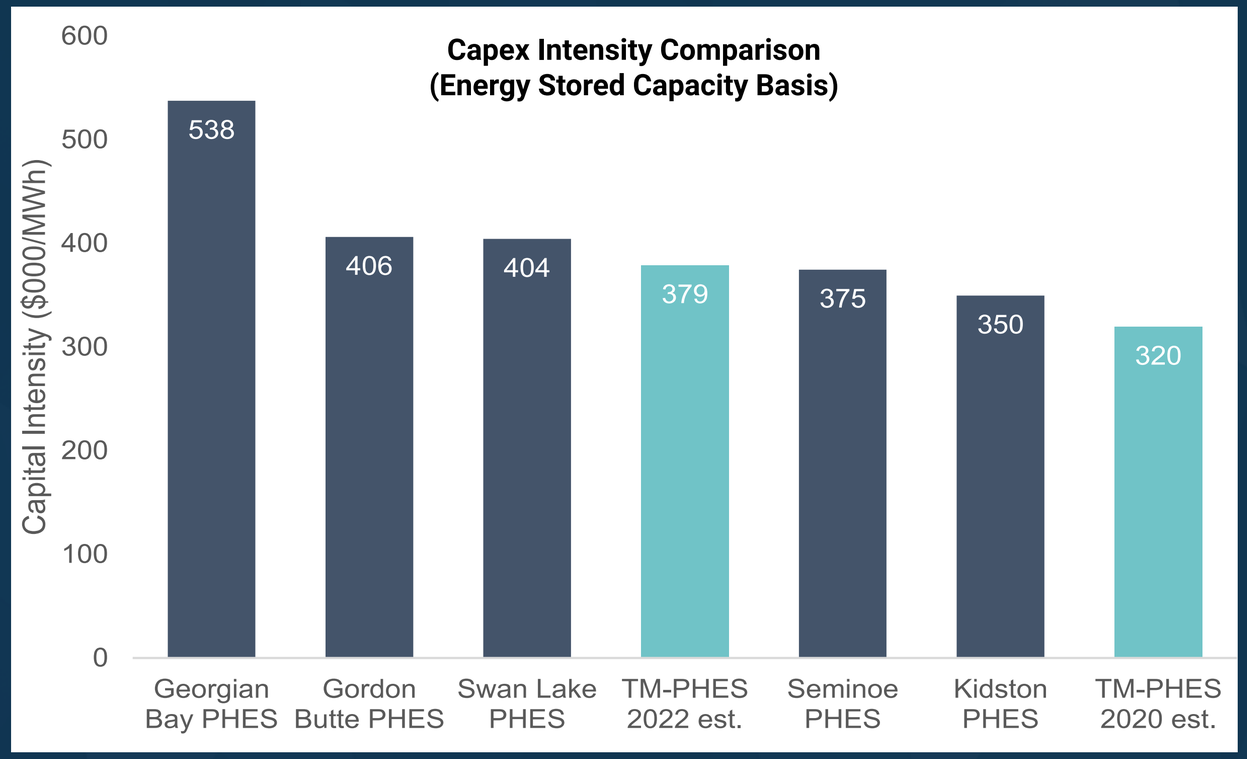
Project Life	80+ Years
Installed Capacity	320 MW
Storage Capacity	2,560 MWh (potential for up to 4,955 MWh)
Continuous Generation Duration	8 hours (potential for up to 15 hours)
Turbine Configuration	4 x 80 MW fixed speed reversible Francis turbines
Hydraulic Head	300m

For full technical information please see the Company's ASX release titled "Montem's Pre-Feasibility Studies confirm TM-REX as an outstanding Renewable Energy Project"

TM-PHES Low Capital Intensity



TM-PHES has a lower capital intensity, on a power output basis, than similar PHES projects in North America.



TM-PHES has a lower capital intensity, on a energy stored basis, than similar PHES projects in North America.

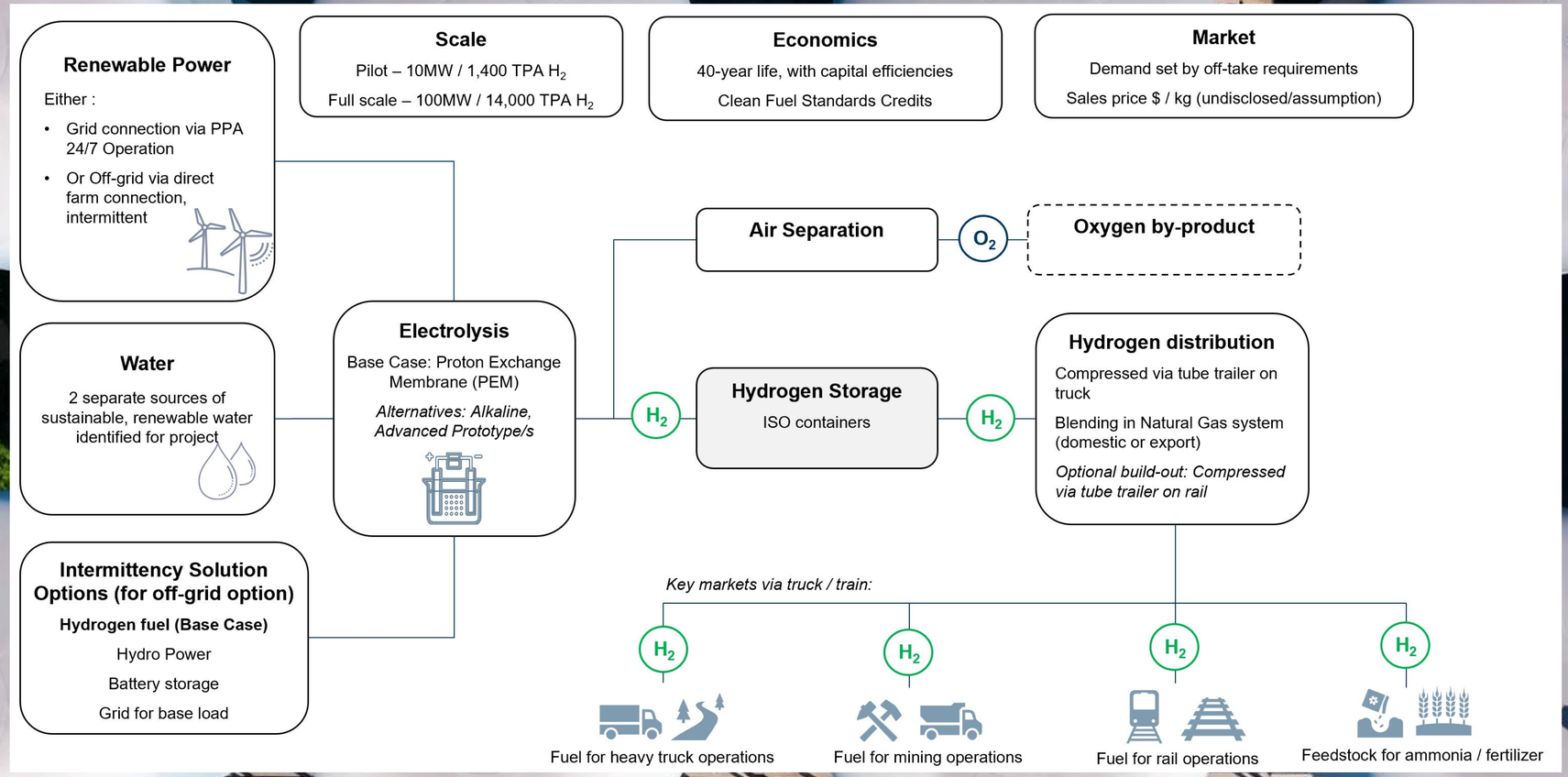
For full technical information please see the Company's ASX release titled "Montem's Pre-Feasibility Studies confirm TM-REX as an outstanding Renewable Energy Project"

Alberta Electricity Market

- Alberta is the only fully de-regulated electricity market in Canada, making it the most attractive jurisdiction for private capital to invest in power assets in the country.
- Decarbonizing of Alberta grid increasingly relies on wind and solar.
- Energy storage needed to meet supply/demand balance and grid stability.
- PHES is a proven technology that offers superior storage duration and significantly longer asset life than lithium-ion batteries.

Green Hydrogen Electrolyser Study

- To meet growing hydrogen demand, project capacity could be scalable from 10 MW pilot plant to 100 MW facility.



Piikani Nation Agreement

- Tent Mountain is located in the traditional territory of the Piikani Nation ("Piikani").
- Montem has entered into a framework agreement ("Agreement") with Piikani.
- Agreement focuses on TM-PHES and aims to build a long-term cooperative and mutually beneficial relationship.

Pictured: Montem CEO Peter Doyle, and Piikani COO Corbin Provost, signing the Agreement, witnessed by the Honourable Rick Wilson, Alberta Minister Indigenous Relations, and the Honourable Whitney Issik, Alberta Minister of Environment and Parks at the annual Blackfoot Confederacy Calgary Stampede BBQ.

TM-REX Government Relations

- Ministerial level government relations efforts ongoing, seeking up to C$50M in grants for TM-REX.
- Montem's NRCan Clean Fuels Program C$5M grant application has advanced to next stage of review process. Grants expected to be announced late summer 2022.
- Montem investigating other Provincial and Federal renewable energy grants, including:
  - Alberta Innovates
  - Invest Alberta
  - Emissions Reduction Alberta
- Montem receives Government of Alberta's support in principle for TM-REX (see next slide).

Pictured: Alberta Premier the Honourable Jason Kenney and Montem CEO Peter Doyle, at a Networking Function, July 11th, 2022, Calgary Stampede.

TM-REX Support

Premier of Alberta

Office of the Premier, 307 Legislature Building, Edmonton, Alberta T5K 2B6 Canada

July 24, 2022

Mr. Peter Doyle
Managing Director and Chief Executive Officer
Montem Resources
7720 – 17th Avenue
PO Box 610
Coleman AB T0K 0M0

Dear Peter,

I am writing to express the Government of Alberta's support in principle for Montem Resource's Tent Mountain Renewable Energy Complex proposal.

With a 320MW pumped hydro energy storage facility powered by a 100MW offsite wind farm and the opportunity for a green hydrogen electrolyser, this project stands out as a potential model of economic innovation and environmental responsibility. It is an attractive opportunity for our province in meeting the demands on our power grid, while reducing emissions. As a fully reclaimed coal mine with a closed loop system, it stands out as a way to lower our province's dependency on both intermittent renewable and conventional sources. Further, we believe it could further develop Alberta's economy and enjoy broad support in the Crowsnest Pass where it is located.

As Albertans, we also believe in the importance of working with our Indigenous communities as we encourage development in a spirit of reconciliation. Montem Resources has shown that they are committed to developing real and authentic partnerships, as demonstrated by the recent signing of a commercial agreement with the Piikani Tribe of the Blackfoot Confederacy.

I have asked ministers in our government to work with Montem Resources to pursue support for the project.

Since our government was elected, we have had a relentless focus on attracting new investment to Alberta. We have reduced red tape by one third across government, our province has the lowest tax burden for businesses and individuals across Canada, and we would invite the development of this project with enthusiasm.

Premier of Alberta

Office of the Premier, 307 Legislature Building, Edmonton, Alberta T5K 2B6 Canada

Sincerely,

Hon Jason Kenney PC ECA MLA
Premier of Alberta

cc: Honourable Sonya Savage ECA QC
Minister of Energy

Honourable Whitney Issik ECA
Minister of Environment and Parks

P.S. Thanks for the recent briefing, and your hard work on this fascinating project!

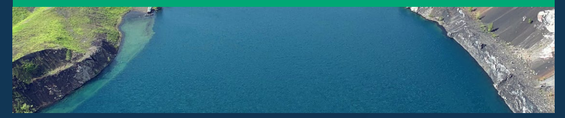
TM-PHES Value Proposition

Low Capital Cost

TM-PHES capital intensity is as low or lower than any other PHES being considered in North America.

Alberta needs Energy Storage Solutions

Alberta is Canada's only fully deregulated power market. With rapid growth of intermittent renewables, Alberta needs energy storage solutions.



Upside

Optimization work has the potential to nearly double TM-PHES storage capacity.

Government Support

Federal and Provincial government financial support through grants and proposed project capital cost 30% tax credit.

Montem is exploring options of the feasibility of divestment of up to a 50% interest of this early stage project.

TM-REX Value Drivers

A trend of Mergers & Acquisitions (M&A) and comparable valuations, in the sector, against Montem's current valuation.

MONTEM CONTACTS

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Montem Resources

Montem Resources Limited

Presentation | TM-REX Pre-Feasibility

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: August 16, 2022

Agenda #: 7.a

Subject: Bylaw 1115, 2022 - Land Use Bylaw Amendment Omnibus No. 2 - First Reading

Recommendation: That Council give first reading to Bylaw 1115, 2022 Land Use Bylaw Amendment Omnibus No. 2, and schedule a public hearing for September 13, 2022.

Executive Summary:
Bylaw 1115, 2022 is the second in a series of three omnibus land use bylaw amendments to update the land use bylaw.

Omnibus No. 2 continues to clarify the administration of the land use bylaw, the development standards and land uses, apply current best practices, reduce red tape, and align the Land Use Bylaw with the provisions of the Municipal Government Act.

Relevant Council Direction, Policy or Bylaws:
Municipal Government Act, s. 692 Planning Bylaws

Land Use Bylaw No. 868, 2013

Bylaw No. 1059, 2020 Municipal Development Plan

Discussion:
The nature of the more significant amendments contained in Bylaw 1115, 2022 is summarized in the attached bylaw, and the details of specific amendments are identified by tracked changes in the attached Schedule 'A' forming part of the bylaw.

Note that Bylaw 1115, 2022 addresses Council Motions as follows:

- Motion 10-2020-08-11 regarding encroachment agreement for canopy sign and projecting sign
- Motion 07-2021-06-15 regarding shipping container at the Sportsplex
- Motion 13-2021-09-14 regarding family campground

Note that Bylaw 1115, 2022 addresses most of the items identified for review in the June 12, 2020 legal review of the land use bylaw by Brownlee LLP that was presented to Council on July 07, 2020. There will be an Omnibus No. 3 land use bylaw amendment in due course, to be prepared by the Oldman River Regional Services Commission staff in conjunction with administration, to review the remaining matters, i.e. a comprehensive review of the remaining land use definitions and the land uses in each district, a review of Schedule 12 Alternative/Renewable Energy Developments, and amendments to implement the relevant policies of the 2020 Municipal Development Plan.

Analysis of Alternatives:
N/A

Financial Impacts:
N/A

Attachments:
Bylaw 1115, 2022 - LUB Omnibus No. 2.pdf
Bylaw 1115, 2022 Schedule A - LUB Omnibus No. 2.pdf

MUNICIPALITY OF CROWSNEST PASS

BYLAW NO. 1115, 2022

LAND USE BYLAW AMENDMENT – OMNIBUS No. 2

BEING a bylaw of the Municipality of Crowsnest Pass in the Province of Alberta, to amend Bylaw No. 868-2013, being the municipal Land Use Bylaw, in accordance with section 692 of the Municipal Government Act, Chapter M26, Revised Statutes of Alberta 2000, as amended.

WHEREAS the Council of the Municipality of Crowsnest Pass determines it prudent to clarify the development standards and land uses, apply current best practices, reduce red tape, and align the Land Use Bylaw with the provisions of the Municipal Government Act, it wishes to amend the Land Use Bylaw as follows (details of the amendments are identified in Schedule 'A' attached hereto and forming part of this bylaw):

1) Re-organize, re-word and make other amendments in the Administration Part and parts of Schedules 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20 of the Land Use Bylaw.
2) Allow the Development Officer to exercise its discretion to approve a variance beyond its standard variance authority or to exempt a development from the requirement to obtain a development permit, where an encroachment agreement has been entered into for an existing development.
3) Allow the Development Officer to enter upon land or a building for the purpose to inspect for or enforce compliance with the land use bylaw, after having given reasonable notice to the owner or occupant.
4) In the R-1 to R-5, GCR-1, and CSV districts, remove the distinction between permitted use garden sheds and garages and group them as permitted use Accessory Building up to the same specified size, and remove the distinction between discretionary use garden sheds and garages and group them as discretionary use Accessory Building up to the same specified size.
5) In all districts, remove temporary shipping containers and establish a new standard for temporary shipping containers specifically connected to the duration of a construction project (also see related changes to Schedule 3 development permit exemptions and Schedule 14 Shipping Container). Establish standards that apply in all districts to use a shipping container as an Accessory Building provided it is upgraded with exterior finishing.
6) Remove Portable Garages and Portable Storage Structures as land uses and instead establish standards for and introduce Canvas Covered Structures as a special type of discretionary use Accessory Building.
7) Clarify that any dwelling type could be a Ready to Move (RTM) Home or be constructed using modular construction methods. Remove Ready to Move (RTM) Home and Modular Construction as land uses. Clarify the distinction between these types of buildings and a Modular Home. Clarify that Manufactured Home is not allowed in the Alberta Edition of the National Building Code, and rename this use to Modular Home.
8) Remove the Prohibited Uses portion of the land use table in all districts – any use that is not listed in a district or cannot be deemed to be a similar use, is a prohibited use in that district.
9) Rename the R-3 Multi-family Residential District the R-3 Multi-family Apartment Residential District, to distinguish it from the R-2A Multi-family Residential District.
10) Delete the GCR-2 District and incorporate its differences into the GCR-1 District.
11) In the combined GCR-1 District, reduce the minimum side and rear yard setbacks for an Accessory Building from 15.2 m (50 ft) to respectively 6.1 m (20 ft) and 3.05 m (10 ft).

12) Allow a shipping container as a special type of discretionary use Accessory Building in the RO-1 and P-1 Districts, provided it is so used by or under a lease agreement with a local, provincial, or other government agency (Motion 07-2021-06-15).

13) Clarify the "resort" and "ski-resort" related land uses in the NUCR-1 and NUCR-2 Districts, while maintaining the *raison d'être* distinctions between these two districts.

14) In the NUA-1 District where all land uses are discretionary:
    a) Introduce Accessory Building of a specified size as a permitted use secondary to an approved use.
    b) Introduce General Contractor as a discretionary use on a parcel that is at least 10 acres (the Development Authority could approve a variance to this standard).
    c) Reduce the minimum side and rear yard setbacks for an Accessory Building from 15.2 m (50 ft) to respectively 6.1 m (20 ft) and 3.05 m (10 ft).

15) Delete the Direct Control DC-3, DC-4 and DC-5 Districts, which no longer apply.

16) In Schedule 4:
    a) Relative to building mass, height, style, and setbacks, establish a new standard for infill development in mature neighbourhoods and areas of historic significance.
    b) Establish a new standard for slope-adaptive building and site design.
    c) Clarify and expand the scope of standards that apply to industrial development, and extend those standards to include commercial development.
    d) Update and expand the standards for campground development with a focus on its impact on adjacent areas, while not being prescriptive to the extent that each application cannot be reasonably reviewed on its own merit. Extend the campground standards to include recreational vehicle park.

17) Regarding Home Occupations:
    a) Clarify the distinctions between Home Occupation – Class 1 and Home Occupation – Class 2, for example one customer site visit per day versus approximately five customer site visits per day (25 per week).
    b) Expand the scope of variance that the Municipal Planning Commission may consider for a Home Occupation – Class 2 only in the GCR-1 and NUA-1 Districts, by allowing additional employees, additional customer site visits, and the outdoor storage of commercial vehicles and heavy equipment, on a case-by-case and merit basis, to attract and allow start-up businesses to locate in the community.

18) Delete Schedule 14 FireSmart Regulations. Many of the matters in FireSmart principles relate to construction materials, standards, and methods, which cannot be effectively regulated in the Land Use Bylaw because they are not land use and planning related. Further, section 66 of the Safety Codes Act states that a municipal bylaw that purports to regulate matters that are regulated under the Safety Codes Act, is inoperative (e.g. a land use bylaw cannot specify the use of fire-resistant building materials). The Safety Codes Act allows a municipality to make a bylaw to carry out its powers under the Forest and Prairie Protection Act (regarding protection against fire hazards). As a result, Bylaw 1115, 2022 Land Use Bylaw Amendment Omnibus No. 2 removes Schedule 14 FireSmart Regulations from the land use bylaw. In its place, Bylaw 1120, 2022 proposes an amendment to the Safety Codes Permit Bylaw pursuant to section 66 of the Safety Codes Act, and Bylaw 1121, 2022 a new FireSmart Bylaw is proposed pursuant to sections 10 and 25 of the Forest and Prairie Protection Act.

19) Clarifying that the Development Authority shall not approve a variance of a measurable standard relative to or established in:
    a) The parking requirement for a Tourist Home or Short-Term Rental / Bed & Breakfast, except in a district that is within the Historic Commercial Areas Overlay District.

b) The separation distance for a Tourist Home in the R-1 to R-5 Districts.
c) The maximum occupancy of a Tourist Home or Short-Term rental / Bed & Breakfast.
d) The number of rental units in a Tourist Home, except in the Retail Commercial C-1 District.
e) The number of Tourist Homes on a property.
f) The parking requirement for and/or not more than 10% of the maximum floor area of a Secondary Suite.
g) The maximum number of sleeping units in a Work Camp.
h) Any land use definition.

20) Remove Family Campground as a land use (Motion 13-2021-09-14) and consolidate all campground related land use definitions in a new definition.

21) Add a new definition for Recreational Vehicle Park.

22) Require that the owner of a canopy sign and/or a projecting sign that encroaches into or over Municipal property or right-of-way enter into an encroachment agreement with the Municipality (Motion 10-2020-08-11).

23) Remove the sign permit renewal periods for all types of signs - there are other ways to enforce sign maintenance.

24) Numerous other housekeeping amendments.

AND WHEREAS the Municipality must prepare an amending bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Municipality of Crowsnest Pass in the Province of Alberta duly assembled does hereby enact the following amendments:

1. Replace the existing sections of the Land Use Bylaw with the revised sections of the Land Use Bylaw as identified in Schedule 'A' attached hereto and forming part of this bylaw.

2. Bylaw No. 868-2013 is hereby amended.

3. This bylaw shall come into effect upon third and final reading hereof.

READ a **first** time in council this _____ day of _____ 2022.

READ a **second** time in council this _____ day of _____ 2022.

READ a **third and final** time in council this _____ day of _____ 2022.

_____
Blair Painter
Mayor

_____
Patrick Thomas
Chief Administrative Officer

Schedule 'A' of Bylaw 1115, 2022
Land Use Bylaw Amendment
Omnibus No. 2

MUNICIPALITY OF CROWSNEST PASS
IN THE PROVINCE OF ALBERTA

LAND USE BYLAW NO. 868-2013

The Council of the Municipality of Crowsnest Pass in the Province of Alberta enacts as follows:

BEING A BYLAW OF THE MUNICIPALITY OF CROWSNEST PASS, IN THE PROVINCE OF ALBERTA, TO REGULATE THE USE AND DEVELOPMENT OF LAND AND BUILDINGS WITHIN THE MUNICIPAL BOUNDARIES AND TO ESTABLISH THE AUTHORITIES REQUIRED TO EXERCISE THE RELATED POWERS, FUNCTIONS AND DUTIES ON BEHALF OF THE MUNICIPALITY, PURSUANT TO THE MUNICIPAL GOVERNMENT ACT, CHAPTER M-26, REVISED STATUTES OF ALBERTA 2000.

THIS BYLAW MAY BE CITED AS THE MUNICIPALITY OF CROWSNEST PASS LAND USE BYLAW.

DEFINITIONS

1. For Definitions, see Schedule 19~~20~~.

SCHEDULES AND MAPS

2. The Schedules and maps attached hereto form part of this bylaw.

DEVELOPMENT AUTHORITY

3. The office of "Development Authority" is established pursuant to the relevant provisions of the Act ~~*Municipal Government Act*~~. It shall consist of the Development Officer, the Municipal Planning Commission and, in a Direct Control District, the Council and, upon an appeal, the Subdivision and Development Appeal Board.

4. The incumbent in the position of Development Officer and their supervisor(s) are hereby appointed as the Development Officer to fulfil that part of the Development Authority role assigned to the Development Officer in this bylaw.

5. The Council shall, in accordance with the Municipal Planning Commission Bylaw, appoint the members of the Municipal Planning Commission.

6. The Development Officer, the Municipal Planning Commission, the Subdivision and Development Appeal Board and the Council, as may be applicable, shall be the Development Authority for all purposes of the Act and shall exercise those powers, duties and functions assigned to them in this Bylaw.

DEVELOPMENT OFFICER

7. The Development Officer:

(a) assist and advise the Municipal Planning Commission, Council, Administration, applicants and the public with respect to the provisions, standards and requirements of this Bylaw and other pertinent legislation and policies, and in regard to the planning of orderly and economical development within the Municipality;

(b) shall determine if an application is complete~~, i.e. that it provides enough information to make an informed decision~~ and shall notify the applicant accordingly;

(c~~b~~) shall process, refer and, as assigned to them, decide upon development permit applications in accordance with this bylaw;

(d~~c~~) shall decide upon permitted uses with or without conditions;

(e~~d~~) may refer any development permit application to the Municipal Planning Commission for a decision;

(f~~e~~) may approve variances as provided for in this Bylaw~~Section 33~~;

(g~~f~~) shall refer to the Municipal Planning Commission for a decision when an application for a variance exceeds the variance power assigned to the Development Officer;

(h~~g~~) shall refer discretionary use development permit applications to the Municipal Planning Commission for a decision, except as may be otherwise provided for in this bylaw;

(i~~h~~) may approve, with or without conditions, a discretionary use application for a new ~~Manufactured~~Modular Home that replaces an existing Mobile Home, ~~or~~ Manufactured Home or Modular Home in any district where a ~~Manufactured~~Modular Home is listed as a discretionary use;

(j) may approve, with or without conditions, a discretionary use application for an "Accessory Building or Use" for each RV stall in a campground for which the Municipal Planning Commission previously approved a Comprehensive Site Development Plan that allows in principle a discretionary use "Accessory Building or Use" on each RV stall, in any district where an "Accessory Building or Use" is listed as a discretionary use in a campground;

(k~~i~~) shall issue a notice of decision for a development permit application that was approved by the Development Officer for a variance or by the Municipal Planning Commission for a discretionary use or a variance and, if an appeal is not filed within the prescribed timeline, shall issue a development permit;

(l~~j~~) shall issue a development permit when the Subdivision and Development Appeal Board has approved a proposed development;

(m~~k~~) may issue a Stop Order pursuant to the Act ~~*Municipal Government Act*~~ or, when deemed appropriate to do so, may obtain direction from the Municipal Planning Commission to issue a Stop Order;

(n~~l~~) shall maintain a public register of development permits issued by the Development Authority;

(o~~m~~) shall maintain a public register of approved amendments to this bylaw;

(p~~n~~) may prepare and maintain such forms and notices as they may deem necessary;

MUNICIPAL PLANNING COMMISSION

8. The Municipal Planning Commission:

(a) may approve a variance~~s~~ of any~~all~~ measurable standard~~s~~ established in this bylaw, and specifically as specified below:

(i) only in the GCR-1 and NUA-1 Districts, and only relative to the number of on-site customer visits, the outdoor storage of materials, commercial vehicles or heavy equipment, and the number of employees outside of members of the household who reside on the premises, the Development Authority may vary the standards for a Home Occupation – Class 2 in order to allow a small business start-up until the business requires relocation to a commercial or industrial District, to the extent that, in the sole discretion of the Development Authority, the Home Occupation would be compatible with the neighbourhood;

(b) shall not approve a variance of a measurable standard established in this bylaw, as specified below or as stated in:

(i) the parking requirement for a Tourist Home and a Short-Term Rental / Bed & Breakfast in any District that is not within the Historic Commercial Areas Overlay District;

(ii) the separation distance for a Tourist Home in the in the R-1 to R-5 Districts;

(iii) the maximum occupancy of a Tourist Home and a Short-Term Rental / Bed & Breakfast in any land use district;

(iv) the number of rental units in a Tourist Home in any land use district other than the Retail Commercial C-1 District;

(v) the number of Tourist Homes on a property in any land use district;

(vi) the parking requirement for and/or not more than 10% of the maximum floor area of a Secondary Suite;

(vii) the maximum number of sleeping units in a Work Camp; and

(viii) any land use definition.

(c) shall decide upon discretionary uses and any permitted uses referred to it by the Development Officer, with or without conditions.

(d~~c~~) may provide comments to the Council prior to the adoption of land use bylaw amendments and statutory plans.

LAND USE DISTRICTS, LAND USES, BUILDINGS AND REGULATIONS

9. The municipality is divided into those districts specified in Schedule 1 and shown on the Land Use District Maps.

10. The one or more land uses ~~of land,~~ and buildings ~~or structures~~ that are:

(a) permitted uses in each district, with or without conditions; or

(b) discretionary uses in each district, with or without conditions;

are described in Schedule 2 and may be qualified by and is subject to standards established in Schedule 4.

11. A land use that is not listed as permitted~~,~~ or discretionary ~~or similar to a listed use~~ in a district, ~~or that is specifically listed as a prohibited use,~~ is prohibited in that district.

12. The land uses and buildings listed in the land use districts are defined in the Definitions Schedule of this bylaw.

CONTROL OF DEVELOPMENT AND DEMOLITION

* Note Regarding Restrictive Covenants

The Development Authority does not enforce Restrictive Covenants that attempt to regulate land use and to which it is not a party. As a result, a development permit for any specific land use or building may be issued even if a Restrictive Covenant prohibited the operation of that land use or building. The enforcement of such a Restrictive Covenant would be a matter between landowners and the standing of the Restrictive Covenant would be determined through the legal system. It is the responsibility of the landowner / applicant to determine if the property is subject to a Restrictive Covenant that prohibits the land use or building for which they are making a development permit application.

Development and Demolition Requires A Development Permit

13~~12~~. Except for those exemptions as provided in Schedule 3, no person shall commence a development~~, including a change of use~~ or a demolition, unless they have been issued a development permit in respect of the development.

14~~13~~. A person who has been issued a development permit, if one is required, to develop~~s~~ land or a building or to demolish a building in the municipality, shall comply with the regulations and standards of development specified in this bylaw, ~~, in addition to complying with~~ the use or uses prescribed in the applicable land use district and any conditions attached to a development permit if one is required.

15~~14~~. An application for a development permit must be made by *either* the owner(s) of the land on which the development or demolition is proposed or ~~, with the written consent of the owner(s),~~ by an agent of the owner, with written authorization from the owner~~any other person~~.

Development Not Requiring A Development Permit

16~~15~~. Development or demolition that does not require a development permit is specified in Schedule 3.

DEVELOPMENT PERMIT APPLICATIONS

17~~16~~. An application for a development permit must be made to the Development Officer by submitting, at no cost to the municipality, the following information at the discretion and to the satisfaction of the Development Officer:

(a) a completed application on the appropriate form;

(b) proof of ownership or right to the land in question, including agent authorization where applicable.

(c) a current corporate search, where the applicant/landowner is a corporation/registered company~~, a current corporate search~~;

(d) a copy of a certificate of title issued within 90 days prior to the date of the application~~ if deemed necessary~~;

(e) the prescribed fee including a penalty fee if applicable (the Development Officer may determine to proceed with the application review if they are satisfied that the fee will be paid or that the development permit will not be issued until the fee is paid);

(f) a site plan and such other plans acceptable to the Development Officer, if deemed necessary, including but not limited to:

(i) the location of all existing and proposed buildings ~~and structures~~ and registered easements or rights-of-way, dimensioned to property lines and drawn to a satisfactory scale;

(ii) existing and proposed accesses, parking and loading areas, driveways, abutting streets, avenues and lanes, and surface drainage patterns;

(iii) where applicable, the location of existing and proposed wells, private septic systems, culverts and crossings;

(iv) where applicable, a floor plan and elevation plans of the existing and proposed buildings;

(v) an application for a change of use may require a site plan for the purpose of assessing off-street parking requirements;

(vi) the location of a building that is proposed to be demolished;

(vii) a Comprehensive Site Development Plan for the purpose of sound planning practices, at no cost to the Municipality and to the Development Authority's satisfaction.

(g) a copy of a roadside development permit issued by Alberta Transportation, if the subject property is within the provincial development control zone, i.e. 300m from a provincial highway right-of-way or 800m of the centerline of a provincial highway and public road intersection~~, a copy of a roadside development permit issued by Alberta Transportation~~;

(h) the abandoned well information from the Alberta Energy Regulator and/or Licensee (as required by the Subdivision and Development Regulation) for a building larger than 47 m² (506 ft²) or for an addition to an existing building that will, as a result of the addition, become larger than 47 m² (506 ft²), affecting land on which an abandoned oil or gas well may be present~~, the abandoned well information from the Alberta Energy Regulator and/or Licensee (as required by the Subdivision and Development Regulation Alberta Regulation 43/2002)~~;

(i) additional information relevant to the proposed development, including but not limited to, servicing, grading, compaction, traffic impact assessment, wetland assessment, geotechnical assessment, groundwater assessment, soil percolation tests, flood risk assessment, slope stability assessment, environmental impact assessment and/or a structural building plan. These studies shall be prepared by a qualified professional to demonstrate how any potential hazards can be mitigated. The Development Officer may impose conditions on the development permit to ensure that recommendations from these studies are followed in the development of the land; and

(j) such other information as may be required by the Development Officer to ensure that the development application conforms with the standards in ~~accordance with~~ this bylaw.

18~~17~~. The Development Authority may deal with an application without any of the information required in this section if, in its opinion, a decision can be properly made on the application without that information and an affected person can reasonably determine the possible effects of the proposed development.

COMPLETE DEVELOPMENT PERMIT APPLICATIONS

General

19~~18~~. Within the timelines provided for in the *Municipal Government Act*, the Development Officer shall determine if an application is complete, i.e. that it provides sufficient~~enough~~ information to make an informed decision and to allow any person who may be affected by it to determine its possible effects.

20~~19~~. The Development Officer may deem a development permit application to be incomplete:

(a) where pertinent information required to properly evaluate the development application is incomplete; or

(b) where, in the Development Officer's opinion, the nature and/or the quality of the material supplied is inadequate to support the merits of the application; or

(c) where the subject property is located within an approved plan of subdivision that has not yet been registered in the Land Titles Office; or

(d) where municipal improvements that are required to be undertaken by the applicant or a ~~third party~~Third-Party to service the subject property have not been accepted by the Municipality through a Construction Completion Certificate; or

(e) where the Subdivision and Development Regulation prohibits a Development Authority from issuing a development permit under certain circumstances or otherwise prescribes the conditions under which a development permit shall be processed (e.g. with respect to the provincial development control zone from a provincial highway right-of-way, sour gas facilities, oil and gas wells, abandoned oil and gas wells, setback distances from wastewater treatment plants, landfills, etc), and approval from the applicable authority or pertinent information relevant to those circumstances is incomplete; or

(f) where provincial or federal legislation, of which the Development Officer may be aware of, requires provincial or federal approval or review of the proposed development prior to municipal approval (e.g. the Highways Development and Protection Act).

Lands With Multiple Land Use Designations

21~~20~~. The Development Officer shall not accept an application for development approval for lands that bear more than one land use designation until such a time that the issue has been rectified, remedied or reconciled.

Notifying The Applicant Of An Incomplete Application

22~~21~~. Within the timelines prescribed by the Act the Development Officer shall notify the applicant in writing (by regular mail or~~including by~~ email) whether or not the application is deemed complete and, when applicable, what additional information is required by a specified date in order to make the application complete.

PERMITTED USES AND VARIANCES

23~~22~~. Upon receipt of a completed application for a development permit for a permitted use, the Development Officer shall, if the application otherwise conforms with this bylaw, issue a development permit with or without conditions.

24~~23~~. Upon receipt of a completed application for a development permit for a permitted use that seeks variance from one or more standards in this bylaw that fall within the restrictions assigned to the Development Officer in this bylaw, the Development Officer shall issue a development permit with or without conditions and may approve or refuse the variances sought.

25~~24~~. The Development Officer may refer any application for a permitted use or a variance that is within their variance authority, to the Municipal Planning Commission for a decision.

DISCRETIONARY USES AND VARIANCES

26~~25~~. Upon receipt of a completed application for a development permit for a discretionary use (except as may be otherwise provided for in this bylaw) or for variances assigned to the Municipal Planning Commission, the Development Officer shall process the application for a decision by the Municipal Planning Commission at its next available meeting, within the timelines prescribed in the Act.

REFERRAL OF A DEVELOPMENT PERMIT APPLICATION

Internal and External Referral

27~~26~~. Prior to making a decision on a complete development permit application or bringing a development permit application before the Municipal Planning Commission for a decision, the Development Officer, within the decision timeline prescribed in the Act:

(a) **may** refer a development permit application to any person who in their opinion may provide relevant comments respecting the Application (e.g. adjacent landowners, a municipal department or other agency); and

(b) **shall** refer a development permit application to those government agencies as required by the Subdivision and Development Regulation ~~(Alberta Regulation 43/2002 as amended from time to time)~~.

(c) **shall** refer to an adjacent municipality those types of development permit application as may be specified in an Intermunicipal Development Plan ~~and consider their comments~~ prior to deciding on an application.

(d) **shall** refer to the pipeline operator a development permit application that is located within 260 m of the Trans Canada high pressure gas pipeline.

28~~27~~. After the expiry of fourteen days, or such other referral time periods as may be required by the *Municipal Government Act*, the Subdivision and Development Regulation, an Intermunicipal Development Plan, or this bylaw~~, relevant to application referral pursuant to section 26~~, the Development Authority may deal with the application whether or not comments have been provided.

Referral of Applications for Properties with Historic or Heritage Relevance

29~~28~~. The Development Officer, within the decision timeline prescribed in the Act, shall refer a development permit application that proposes new construction or alterations to an existing building façade or signage to the Municipal Historic Resources Advisory Committee for review and comment prior to the application being considered by the Development Officer or the Municipal Planning Commission, when the property is located in one of the following areas or is identified as one of the following:

(a) A property located within the boundaries of the Historic Commercial Areas Overlay District ~~identified in Schedule 17~~.

(b) Those properties that are designated by bylaw as a Municipal Historic Resource or listed as a Provincial Historical Resource.

(c) The properties, buildings and structures listed in the 3-phased Heritage Inventory as Historically Significant, as part of the Heritage Management Plan.

(d) Any property within the Coleman National Historic Site of Canada.

30~~29~~. The Development Officer or the Municipal Planning Commission, as the case may be, may make a decision on a development permit application for a property with historic or heritage relevance without receiving comments from the Municipal Historic Advisory Committee provided that the Development Officer or the Municipal Planning Commission acknowledges in its decision the historic or heritage relevance of the property and that the applicant has been made aware of the significance of the property and the statutory requirements, if any, that apply to the property.

CONSIDERATIONS WHEN DECIDING ON A DEVELOPMENT PERMIT APPLICATION

Considerations for Permitted Uses

31~~30~~. When making a decision on a development permit for a permitted use the Development Officer shall take into account, but not be limited to:

(a) access, transportation and servicing requirements;

(b) the Subdivision and Development Regulation;

(c~~b~~) ~~any approved~~ stormwater management ~~plan or~~and site grading ~~plan~~;

(d~~c~~) the land use definitions, the purpose statement of the applicable land use district, the development standards of the applicable land use district and the applicable Schedules in this bylaw.

Considerations for Discretionary Uses

32~~31~~. When making a decision on a development permit for a discretionary use or a development permit application that requires a variance, the Development Authority shall seek to achieve orderly, economical and beneficial development, use of land and patterns of settlement and to maintain and improve the quality of the physical environment, within the following context, but not limited to it~~taking into account~~:

(a) the decision must be in accordance with the South Saskatchewan Regional Plan;

(b) the decision must have regard to ~~any~~ applicable statutory plans and comply with the same however, where discrepancy exist between an applicable statutory plan and this bylaw, the land use bylaw takes precedence over a statutory plan;

(c) ~~or~~ the decision must have regard to the provisions of applicable non-statutory plans or studies affecting the parcel or type of development;

~~(c) the purpose statement of the applicable land use district;~~

(d) the appropriateness of the location and the suitability of the parcel for the proposed development;

(e) the compatibility and impact of the proposed development with respect to existing and future adjacent development and the neighbourhood;

(f) the merits of the proposed development;

(g) access, transportation and servicing requirements;

(h) the Subdivision and Development Regulation;

(i) ~~any approved~~ stormwater management ~~plan or~~and site grading ~~plan~~;

(j) the land use definitions, the purpose statement of the applicable land use district, the development standards of the applicable land use district and the applicable Schedules in this bylaw.

Considerations for Variances~~VARIANCE OF DEVELOPMENT STANDARDS~~

33~~32~~. The Municipal Planning Commission or, subject to the restrictions established under Variance Authority in this bylaw~~Section 33~~, the Development Officer, as may be applicable, may approve an application for a development permit notwithstanding that the proposed development does not comply

with the standards in this bylaw if, in the opinion of the Municipal Planning Commission or the Development Officer:

(a) the proposed development would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring properties; and

(b) the proposed development conforms with the use prescribed for the land or building in Schedule 2.

34. The Development Authority shall not approve a variance for a yard setback unless the relevant provisions and standards for yard setbacks in Schedule 4 are complied with.

VARIANCE AUTHORITY

35~~33~~. The Development Officer may ~~only~~ exercise a discretion relative to variances~~under Section 32~~ only in respect of the following matters:

(a) the approval of variances:

(i) not exceeding 50 percent of each yard setback standard established in this bylaw for a permitted use development permit, except as provided for in this section for a non-conforming building existing from a specified era;

(ii) not exceeding 20 percent of any other measurable standard established in this bylaw for a permitted use development permit, except as provided for in this ~~section~~Bylaw for a Tourist Home, a Short-Term Rental / Bed & Breakfast and for a non-conforming building existing from a specified era;

(iii) of any extent that are required to bring a non-conforming building or use into compliance with this~~e land use~~ bylaw if that building or use ~~existed~~were established as follows:

- in Frank prior to 1970;
- in Coleman or Blairmore prior to 1971;
- in Bellevue prior to 1972; or
- in Hillcrest prior to 1980;

In order to bring into compliance with this bylaw a non-conforming building or use that was established or commenced **subsequent** to the above stated dates for each community, the Development Officer shall not exceed their variance authority stated elsewhere in this section.

(iv) that are required to enable the applicant~~Municipality~~ to enter into an encroachment agreement with the Municipality or an adjacent landowner for an existing encroachment onto an adjacent street, ~~a~~ lane, ~~and/or a~~ municipal easement or municipal property (other than Reserves) or onto adjacent private property~~.~~; and

(b) the approval of minor deviations, in the Development Officer's discretion, from approved site plans ~~and/or drawings that are consistent with the above variance authorities~~;

provided that in the exercising of this discretion the Development Officer shall issue the proper notifications to the applicant and adjacent property owners relative to their right to an appeal in accordance with the provisions of this land use bylaw, except in the case of an encroachment onto the said Municipal Lands or adjacent private property where an encroachment agreement has been executed, in which case the duly executed encroachment agreement shall be deemed to be an exemption from the requirement to obtain a development permit.

36. The Municipal Planning Commission may exercise a discretion relative to variances in respect of the following matters:

(a) The Municipal Planning Commission **may** approve a variance:

(i) that exceeds 50 percent of each yard setback standard established in this bylaw;

(ii) that exceeds 20 percent of any other measurable standard established in this bylaw;

(iii) in order to bring into compliance with this bylaw a non-conforming building or use that was established or commenced subsequent to the above stated dates for each community;

(iv) only in the GCR-1 and NUA-1 Districts, and only relative to the number of on-site customer visits, the outdoor storage of materials, commercial vehicles or heavy equipment, and the number of employees outside of members of the household who reside on the premises, the Development Authority may vary the standards for a Home Occupation – Class 2 in order to allow a small business start-up until the business requires relocation to a commercial or industrial District, to the extent that, in the sole discretion of the Development Authority, the Home Occupation would be compatible with the neighbourhood;

(b) Notwithstanding the above, the Municipal Planning Commission **shall not** approve a variance of a measurable standard established in this bylaw, as specified below or as stated in:

(i) the parking requirement for a Tourist Home and a Short-Term Rental / Bed & Breakfast in any District that is not within the Historic Commercial Areas Overlay District;

(ii) the separation distance for a Tourist Home in the in the R-1 to R-5 Districts;

(iii) the maximum occupancy of a Tourist Home and a Short-Term Rental / Bed & Breakfast in any land use district;

(iv) the number of rental units in a Tourist Home in any land use district other than the Retail Commercial C-1 District;

(v) the number of Tourist Homes on a property in any land use district;

(vi) the parking requirement for and/or not more than 10% of the maximum floor area of a Secondary Suite;

(vii) the maximum number of sleeping units in a Work Camp; and

(viii) any land use definition.

NON-CONFORMING BUILDINGS AND USES

Qualification for Non-Conforming Status

37~~34~~. An existing building or use qualifies for non-conforming status only if it was lawfully constructed or commenced as follows:

(a) the building or use were established~~existed~~ in one of the former municipalities (or improvement districts) as follows:
(i) in Frank prior to 1970;
(ii) in Coleman or Blairmore prior to 1971;
(iii) in Bellevue prior to 1972; or
(iv) in Hillcrest prior to 1980;

prior to which dates it is unknown and unlikely that a development permit was required due to the presumed absence of a development control mechanism; or

(b) the building or use was constructed or commenced after the above dates either with the benefit of a development permit or with the benefit of being exempted from the requirement to obtain a development permit. A building or use that does not comply with this requirement is disqualified from non-conforming status and must obtain development approval to acquire such status.

38~~35~~. A non-conforming building or use may only be continued in accordance with the provisions of the Act ~~*Municipal Government Act*~~.

Non-Conforming Building Variances

39~~36~~. With respect to bringing ~~post-1970~~ non-conforming buildings into compliance with this bylaw, and pursuant to the relevant provisions of the *Municipal Government Act*, the Development Officer is authorized to exercise the **restricted** variance authority~~power~~ assigned to them in this bylaw, and the Municipal Planning Commission is authorized to exercise the variance authority~~powers~~ assigned to it in this bylaw.

~~37. With respect to bringing pre-1970 non-conforming buildings into compliance with this bylaw, the Development Officer is authorized to exercise the variance powers assigned to it by this bylaw.~~

SIMILAR USES

40~~38~~. Except for "Short-Term Rental / Bed & Breakfast" and "Tourist Home", ~~Where~~where a use is applied for which is not specifically considered in a land use district but, in the opinion of the Municipal Planning Commission, it is similar in character and purpose to another use that is permitted or discretionary in the land use district in which the~~such~~ use is proposed, and generally complies with the intent of the land use district and a listed use definition, the Municipal Planning Commission may~~:~~

~~(a)~~ determine~~rule~~ that the proposed use is a "~~s~~Similar Use"~~to a permitted or discretionary use in the land use district in which it is proposed;~~ and, in all cases, a similar use shall be processed as a discretionary use.

~~(b) direct that a development permit be issued with or without conditions.~~

TEMPORARY PERMITS

41~~39~~. Pursuant to the relevant provisions~~Section 640(2)(c)(v)~~ of the Act and this Land Use Bylaw, when, in the opinion of the Development Authority, a development permit or some aspect of it is or should be of a temporary nature or that the times during which a use authorized in a development permit is exercised should be limited or that a development permit should expire when the original applicant, occupant or landowner no longer operates the use that was authorized by it or occupies or owns the premises on which the approved building or use is located, it may issue a temporary development permit valid for such a period as it considers appropriate, or it may attach a condition that regulates the times during which the development permit may be exercised.

42~~40~~. It shall be a condition of every temporary development permit that the Municipality shall not be liable for any costs involved in the cessation or removal of any development at the expiration of the permit~~ted period~~.

43~~41~~. The Development Authority may require the applicant to post a guarantee for the cessation or removal of the use and any associated development.

44. A temporary permit shall include conditions that address the following considerations:

a) That a temporary permit is issued for the purpose of excavating to gain temporary access to a parcel, remove trees, explore foundation options, locate existing utilities and confirm yard setbacks in preparation for intended construction relative to a development for which the developer has submitted a development permit application to the Municipality. The developer shall not proceed with construction activities beyond this scope (e.g. the developer shall not pour concrete foundations).

b) That a developer undertakes any and all work permitted under a temporary permit at their sole risk and assumes the full cost of associated expenses. This includes any remediation work and expenses, if required. By accepting and bringing into effect a temporary permit the developer indemnifies the Municipality from any liability and/or cost relative to the work permitted under the permit or any remediation work, if required.

c) That a temporary permit is valid from the date of issuance and until a development permit is issued for the construction of the proposed development on the subject property, or a date to be determined, whichever occurs first. If a development permit is not issued by the determined date, the developer may apply for an extension of the temporary permit. Failing the completion of this condition, the developer shall remediate the site to the Development Officer's satisfaction and at no cost to the Municipality.

d) That the issuance of a temporary permit does not provide any guarantees to the developer relative to the issuance of a development permit for any use;

ADDITIONAL APPROVALS REQUIRED

45~~42~~. In addition to the requirements of this Bylaw, a landowner, an applicant or their agent, as part of commencing a development permit issued to any of them under this bylaw, is required and solely responsible to comply with the requirements of applicable municipal, provincial and federal legislation. This includes but is not limited to the Safety Codes Act.

46~~43~~. The issuance of a development permit pursuant to this bylaw does not preclude or absolve the landowner, the applicant and/or their agent from the responsibility to obtain any additional municipal, provincial or federal permits, authorizations, approvals or licenses that may be required before, during or after the development permitting process required in this bylaw.

47~~44~~. Every development permit shall include notes to make the landowner, applicant and their agent aware of their responsibility to comply with the requirements of applicable municipal, provincial and federal legislation.

CONDITIONS OF DEVELOPMENT PERMIT APPROVAL

48~~45~~. The standards and provisions established in this bylaw are conditions that attach by default to any development permit as may be applicable without them being listed in a development permit. It shall be the responsibility of the Landowner and/or Applicant to ensure that they comply with those standards and provisions.

49~~46~~. In addition to the standards and provisions established in this bylaw the Development Authority may impose enforceable, reasonable conditions with a planning-related objective that do not exceed its jurisdiction or subdelegate its decision-making power on ~~both~~ a development permit for a permitted use (regardless of whether or not a variance is involved) and on a development permit for a~~ny~~ discretionary use, as may be specified below, and on a development permit for the demolition of a building, for the following purposes as may be applicable:

(a) to ensure compliance with the relevant provisions of ~~Part 17 of~~ the Act~~,~~ and the Subdivision and Development Regulation ~~(Alberta Regulation 43/2002 as amended)~~;

(b) to ensure compliance with~~, an applicable statutory plan and~~ the provisions, uses, regulations and standards established in this bylaw;

(c~~b~~) to ensure that:

(i) in the case of a permitted use for which the development standards are being relaxed through a variance; or

(ii) in the case of any discretionary use; or

(iii) in the case of infill development in an existing mature neighbourhood or an historically significant area, whether the proposed development is a permitted or discretionary use;

appropriate mitigating measures are established such that the proposed development would not affect public safety, result in environmental contamination, create a nuisance or increase traffic volumes, and is compatible with and 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. Measures to this effect may include but are not limited to:

- restricting the hours of operation,
- requiring dust control,
- ~~or~~requiring an appropriate form of fencing or screening,
- requiring a standard of aesthetic appearance including but not limited to:
  - consideration for the impact of the proposed development on the historical significance of the subject or adjacent properties,
  - slope-adaptive building and site design,
  - the impact of proposed infill development on and its compatibility with existing development in mature neighbourhoods;
- increasing the yard setbacks or other standards for a proposed development (e.g. in exchange for variances) and/or
- other mitigating measures;

(d~~c~~) to require that the landowner or applicant enters into an agreement with the municipality in accordance with the provisions of the Act regarding the construction, upgrading and connection to roads, walkways, public utilities, off-street parking and loading facilities, off-site levies and redevelopment levies, agreement securities and oversized improvements;

(e~~d~~) to require the preparation of and/or compliance with recommendations in relevant~~pertinent~~ engineering reports and other professional studies;

(f~~e~~) to require the preparation of detailed plans and construction drawings illustrating, to the Development Officer's satisfaction, access, site layout, landscaping, parking, building elevations, slope-adaptive building and site design, signs, slope stability, lot grading, stormwater management and/or utility servicing;

(g~~f~~) to require the consolidation of parcels by plan of survey prepared by an Alberta Land Surveyor;

(h~~g~~) to require the provision of securities to ensure that the conditions are complied with;

~~(h) to require the provision of off-site levies in accordance with the applicable provisions of the Act;~~

(i) to require the stake-out, a survey and a survey drawing of the property and/or building footprint by either an Alberta Land Surveyor, professional engineer or other certified agent prior to the commencement and/or after the completion of a development;

(j) to specify the temporary nature, maximum duration or other limitation on the time that a development permit remains in effect or a use may be exercised;

(k) to require, relative to a temporary development permit, the cessation and removal from the property of any improvements associated with the temporary development permit upon its expiry, the posting of security to ensure its removal and an agreement from the landowner or applicant wherein the Municipality shall not be liable for any costs involved in the cessation or removal of any development at the expiration of the temporary development permit;

(l) to require that the landowner or applicant provide to the Development Officer copies of applications for, or copies of, Safety Codes permits to demonstrate that such applications or permits are consistent with the development permit issued for the proposed development;

(m~~l~~) to specify the timing of the completion of any part of the proposed development.

DECISION AND NOTIFICATION OF DEVELOPMENT PERMIT

50~~47~~. The Development Authority shall decide on a development permit application within the timeline prescribed in the Act,

51~~48~~. A decision on a development permit is deemed to have been made on the date that it is put into writing.

52~~49~~. Notification of decisions on development permit applications are to be made in the following manner:

(a) When the Development Officer has made a decision on a permitted use development permit application that conforms in all respects to the provisions of the land use bylaw, the Development Officer may notify the public by publishing a notice in any manner that is deemed appropriate in accordance with an applicable Municipal policy or bylaw.

(b) When the Development Authority has made a decision on a permitted use development permit application in which the provisions of the land use bylaw were relaxed or varied or where there is a possibility of the provisions having been misinterpreted, or has made a decision on a discretionary use development permit application, with or without a variance to a development standard, the Development Officer shall , on the same day the decision is made, notify, as may be applicable, the applicant, adjacent landowners and/or any other person that the Development Officer deems likely to be affected by the decision, in one of the following manners:

(i) by mail, or

(ii) by placing an advertisement in a local newspaper circulating in the municipality, or

(iii) by posting a notice in a conspicuous place on the property, or

(iv) a suitable alternative in accordance with the provisions of the *Municipal Government Act*, including email, or

(v) any combination of the above.

53~~50~~. A notice of decision on a development permit application shall include:

(a) the street address and legal description of the subject property;

(b) the nature of the proposed development or use shown on a site plan (if applicable);

(c) if applicable, the location and/or extent of any variances, shown on a site plan;

(d) if applicable, the nature of any conditions that are attached to the permit;

(e) if applicable, the reasons for refusing an application; and

(f) if applicable, the date by which the legislated 21-day appeal period expires and by which any person who has grounds to appeal must file a notice of appeal.

APPEALS

54~~51~~. Any person affected by a decision of, or an order, issued by the Development Authority or by the Development Authority's failure to make a decision within the legislated timeline, has the right, pursuant to the *Municipal Government Act*, to appeal said decision, order or failure in accordance with the relevant provisions of the Act ~~to the Subdivision and Development Appeal Board~~.

55~~52~~. An appeal ~~to the Subdivision and Development Appeal Board~~ shall be commenced by serving a written notice of the appeal and the reasons for it in accordance with the relevant provisions of the *Municipal Government Act*~~to the Subdivision and Development Appeal Board~~ within 21 days after the written decision is given or the order is made or the date on which the legislated timeline or extension expires.

56. Any person affected by a decision of an appeal body may appeal such decision to the Court of Appeal in accordance with the relevant provisions of the Act.

VALIDITY AND CONTINUANCE OF A DEVELOPMENT PERMIT

Validity~~Commencement~~

57~~53~~. Notwithstanding the issuance of a Notice of Decision regarding a development permit application, a development permit is not valid, shall not be issued and~~no~~ development shall not commence:

(a) until an appeal period, excluding an appeal period to the Court of Appeal, has expired and no appeal was made, if applicable; or

(b) if an appeal, excluding an appeal to the Court of Appeal, is made, until the appeal is decided upon and rendered; and

(c) until all conditions of the development permit, except those conditions of a continuing nature, have been met or fulfilled to the Development Officer's satisfaction.

Period of Effectiveness Prior To Commencement

58~~54~~. Unless it is suspended or cancelled, or an extension is granted pursuant to this bylaw~~section 57 and 58~~, a development permit that has been issued remains in effect for 12 months from the date of issuance and, if it has not been commenced at the expiry of this period, the development permit shall be deemed to be null and void.

59~~55~~. Development or use must be commenced with reasonable diligence, in the opinion of the Development Officer, within 12 months from the date of issuance of the development permit, otherwise the development permit shall be deemed to be null and void.

Timeline to Complete Development

60~~56~~. When a development permit that involves construction has been issued the exterior work must be completed to the Development Officer's satisfaction within 36 months after the date of the issuance of the development permit, otherwise the applicant or landowner shall be deemed to be in contravention of the development permit conditions.

Extension

61~~57~~. The ~~validity~~effectiveness and timeline to completion of a development permit may be extended:

(a) by the Development Officer upon request from the applicant prior to the expiry date of the development permit, for an extension period not exceeding 12 months and only for a first extension~~t~~; or

(b) by the Municipal Planning Commission upon request from the applicant within six months after the original expiry date of the development permit or the expiry date of an existing extension, for an additional extension, ~~in both cases for an extension~~the period of which shall be at the sole discretion of the Municipal Planning Commission;

62~~58~~. The Development Officer may require the resubmission of original information and/or the submission of additional information, along with the prescribed fee, in support of the extension request.

Transfer and Continuance

63~~59~~. Except when a temporary development permit was issued for a limited time~~ or as a temporary development permit~~ pursuant to the Act and/or this bylaw, when a development or use has been commenced pursuant to a development permit, the development permit by which it was approved is deemed to be valid and transferrable and it shall "run with the land" or continue and remain in effect on the subject property until a new development permit is issued and commenced that effectively replaces the previous development or use on the subject property.

64. After commencement, a development permit issued for a commercial or industrial land use shall expire when the use has not been carried on for twelve consecutive months.

REAPPLICATION

65~~60~~. If a development permit application was accepted as complete, processed, reviewed and refused by the Development Authority and there was no appeal filed within the prescribed timeline or if, on appeal, a development permit was refused~~ by the Subdivision and Development Appeal Board~~, the Development Officer shall not accept another application by the same or a new applicant for the same use or a similar use on the subject property for a period of six (6) months after the date of refusal.

SUSPENSION OF A DEVELOPMENT PERMIT

66~~61~~. If, after a development permit has been issued, the Development Authority becomes aware that:

(a) the application for the development permit contained misrepresentations; or

(b) facts concerning the application or the development that were not disclosed, and which should have been disclosed at the time the application was considered, have subsequently become known; or

(c) a development permit was issued in error;

the Development Authority may suspend or cancel the development permit by notice in writing to the holder of the development permit stating the reasons for any suspension or cancellation, and shall

issue a Stop Order requiring that the use or development that was the subject of the development permit shall be ceased and removed or a new application be made.

67~~62~~. If a development permit is suspended and a Stop Order issued, the permit holder has the right to appeal the Stop Order in accordance with the relevant provisions of the Act ~~to the Subdivision and Development Appeal Board~~.

INSPECTIONS AND ENFORCEMENT

68. Pursuant to the relevant provisions of the Act, the Development Officer, after giving reasonable notice to the owner or occupant of the land or building to be entered to inspect for or enforce compliance with this Bylaw, may enter the land or building at any reasonable time to carry out the inspection or enforcement, request anything to be produced to assist in the inspection or enforcement, and make copies of anything related to the inspection or enforcement.

STOP ORDERS

69~~63~~. The Development Authority may issue a stop order pursuant to the relevant provisions of the Act ~~*Municipal Government Act*~~ .

70~~64~~. The issuance of a Stop Order may be appealed ~~to the Subdivision and Development Appeal Board~~ in accordance with the relevant provisions of the Act ~~*Municipal Government Act*~~.

PENALTIES AND FINES

71~~65~~. Pursuant to the applicable provisions of the *Municipal Government Act*, a~~every~~ person who contravenes any provision of this bylaw is guilty of an offence and is liable to the penalty fees and/or fines in accordance with the provisions of the Fees, Rates and Charges Bylaw ~~a fine of~~but not more than $10,000 or to imprisonment for not more than one year, or to both fine and imprisonment.

LAND USE BYLAW ADMINISTRATION

Amendment Or Repeal Of Bylaw and Land Use Redesignations

72~~66~~. The procedure for amendment or repeal of this bylaw is prescribed under the relevant provisions of the Act ~~*Municipal Government Act*~~.

73~~67~~. An application to amend this bylaw or to redesignate land from one district to another shall be made to the Development Officer.

74~~68~~. The Development Officer may, in addition to the information provided on the land use designation application form, request such other information as necessary to properly evaluate the application.

Notification To Adjacent Municipalities

75~~69~~. A draft version of a~~ny~~ proposed land use bylaw, amendment bylaw or redistricting bylaw shall be referred to an adjacent municipality in accordance with the provisions of an applicable inter-municipal development plan~~:~~

~~(a) new land use bylaw; or~~

~~(b) urban fringe land use district and associated schedules; or~~

~~(c) land use bylaw amendment lying 1.6 km (1 mile) or less from the boundary of an adjacent municipality;~~

~~shall be sent to the municipality concerned for comments~~ and regard shall be had to any comments received prior to amendment of this bylaw.

Referral to the Municipal Planning Commission

76~~70~~. The Development Officer may, after first reading of and prior to a public hearing for a proposed land use bylaw, amendment bylaw or redistricting bylaw, submit the proposed~~land use~~ bylaw ~~amendment application, with or without a recommendation,~~ to the Municipal Planning Commission, who may provide a recommendation to Council.

Re-application

77~~71~~. If an application for a land use redesignation is refused by the Council, another application for a redesignation:

(a) on the same lot, and

(b) for the same or a similar use,

~~may~~shall not be accepted for at least six months after the date of refusal, and then provided that any additional requested ~~development~~ information has been provided by the applicant in support of a new land use redesignation.

Public Register

78~~72~~. The Development Officer shall maintain a public register of all approved amendments to this bylaw.

Rescinding Land Use Redesignations

79~~73~~. Council, at its sole discretion, may rescind an amending bylaw which has redesignated certain lands within the municipality to accommodate a proposed subdivision and/or development. Council may rescind the said redesignation bylaw and rezone the lands back to their original designation if:

(a) the proposed subdivision has not been applied for, decided upon or extended; and/or

(b) the proposed development has not been applied for, decided upon, commenced or extended within 24 months of the redesignation bylaw being given third and final reading.

80~~74~~. The rescinding of the redesignation bylaw shall be undertaken in accordance with the provisions of the Act ~~*Municipal Government Act*~~.

Adoption Of Bylaw

81~~75~~. The Municipality of Crowsnest Pass Land Use Bylaw No. 632-2004, as amended, is hereby repealed.

82~~76~~. This bylaw comes into effect upon the final passing thereof.

Schedule 1

LAND USE DISTRICTS

1. The municipality is divided into those districts shown on the Land Use District Maps which form part of this Schedule.

2. Each land use district shall be known by the following identifying letters and numbers:

RESIDENTIAL	– R-1
RESIDENTIAL	– R-1A
DUPLEX OR SEMI-DETACHED RESIDENTIAL	– R-2
MULTI-FAMILY RESIDENTIAL	– R-2A
MULTI-FAMILY APARTMENT RESIDENTIAL	– R-3
~~MANUFACTURED /~~ MODULAR HOME COMMUNITIES	– R-4
NARROW LOT RESIDENTIAL	– R-5
GROUPED COUNTRY RESIDENTIAL	– GCR-1
~~GROUPED COUNTRY RESIDENTIAL~~	~~– GCR-2~~
RETAIL COMMERCIAL	– C-1
DRIVE-IN COMMERCIAL	– C-2
COMPREHENSIVE COMMERCIAL	– C-3
CANNABIS RETAIL COMMERCIAL – C-4	– C-4
INDUSTRIAL	– I-1
SENTINEL INDUSTRIAL PARK	– SIP-1
RECREATION AND OPEN SPACE	– RO-1
PUBLIC	– P-1
NON-URBAN COMMERCIAL RECREATION	– NUCR-1
NON-URBAN COMMERCIAL RECREATION	– NUCR-2
NON-URBAN AREA	– NUA-1
COMPREHENSIVE MIXED USE	– CM-1
COMPREHENSIVE RESORT VILLAGE	– CRV
COMPREHENSIVE SKI VILLAGE	– CSV
DIRECT CONTROL (Crowsnest Mountain Resort)	– DC-1
DIRECT CONTROL (Turtle Mountain Restricted Development Area)~~TURTLE MOUNTAIN RESTRICTED DEVELOPMENT AREA~~	– DC-2
~~DIRECT CONTROL~~	~~– DC-3~~
~~DIRECT CONTROL~~	~~– DC-4~~
~~DIRECT CONTROL~~	~~– DC-5~~

3. Land Use District Maps (see Map section at the end of the document)

Map 1	–	Municipality of Crowsnest Pass
Map 2	–	Passburg Area
Map 3	–	Bellevue-Hillcrest Area
Map 4	–	Frank Area
Map 4A	–	Frank Area
Map 5	–	Blairmore Area
Map 6	–	Coleman Area
Map 7	–	Sentinel Area
Map 8	–	Crowsnest Area

RESIDENTIAL – R-1

PURPOSE: *To provide for a high-quality residential environment with the development of primarily single-family dwellings on standard sized lots or duplex and semi-detached dwellings or ~~manufactured homes or~~ modular homes~~dwelling units~~ and other compatible uses.*

1. PERMITTED USES

Alternative/renewable energy, individual – restricted to roof mounted solar panels only
Day home
Accessory Building or Use~~Garages or carports accessory to single family dwellings~~ up to 67.7 m² (728 ft²~~sq. ft.~~) in area
~~Garden sheds and other accessory buildings with no permanent foundation and not over 13.9 m² (150 sq. ft.) in area~~
Home occupations - Class 1
~~Shipping container, temporary~~
Sign - type 15 (Home Occupation)
Single-family dwelling~~s~~

~~**PROHIBITED USES**~~

~~Mobile homes~~
~~Shipping container, permanent~~

DISCRETIONARY USES

~~Accessory buildings over 13.9 m² (150 sq. ft.) in area*~~
~~Accessory building or use prior to the establishment of the principal use~~
Alternative/renewable energy, individual – except roof mounted solar panels
Canvas Covered Structure
Day care facility
Duplex
Accessory Building or Use~~Garages or carports accessory to single family dwellings~~ over 67.7 m² (728 ft²~~sq. ft.~~) in area
Home occupations - Class 2
~~Manufactured or m~~Modular home~~s~~
Moved-in building
Moved-in dwelling~~s~~
~~Portable garages~~
~~Portable storage structures~~
Private institutional uses
Public institutional uses
~~Public park, playground or recreational uses~~
~~Ready-to-move (RTM) homes~~
Secondary suite
Semi-detached Dwelling
Sign - types 22 (Subdivision Entrance) and 23 (Subdivision Marketing)
Short-Term Rental / Bed & Breakfast
Tourist Home
~~Utilities and services~~

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m²	ft²~~sq. ft.~~
Single-family dwelling	13.7	45	30.5	100	418.1	4,500
Duplex and semi-detached dwelling (per building – i.e. for two units)	15.25	50	30.5	100	465.0	5,000
All other uses	As required by the Subdivision Authority~~Municipal Planning Commission~~					
Corner lots	See Schedule 4					

~~* Note: A building or structure attached to a principal building by a roof or any other open or enclosed structure shall be considered part of the principal building.~~
~~** Note: The side yard requirement for a duplex and semi-detached dwelling applies only to one side property line when each unit is on a separate title.~~

CROWSNEST PASS
Naturally Rewarding

3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS ~~– with developable lane~~

Use	Front Yard m	Front Yard ft.	Side Yard** m	Side Yard** ft.	Rear Yard m	Rear Yard ft.
All principal uses ~~(for duplex and semi-detached dwelling – see **Note)~~	6.1 to property line or 6.5 to back of existing or future public walkway or 7.5 to back of public curb	20 to property line or 21.33 to back of existing or future public walkway or 7.5 to back of public curb	1.5	5	7.6	25

~~4. MINIMUM PRINCIPAL BUILDING SETBACKS – no lane or undevelopable lane~~

~~Use~~	~~Front Yard m~~	~~Front Yard ft.~~	~~Side Yard m~~	~~Side Yard ft.~~	~~Rear Yard m~~	~~Rear Yard ft.~~
~~All principal uses~~	~~6.1~~	~~20~~	~~1.5~~	~~5~~	~~7.6~~	~~25~~
			~~on one side and~~			
			~~3.0~~	~~10**~~		
			~~on the other~~			

~~4~~5. MINIMUM~~DETACHED~~ ACCESSORY BUILDING YARD SETBACKS

Front Yard – not to be located in front yard
Side Yard – 1.2 m (4 ft.) ~~to wall face; 0.6 m (2 ft.) to eaves~~
Rear Yard – 1.2 m (4 ft.) ~~to wall face; 0.6 m (2 ft.) to eaves~~
~~Setback from principal building – 1.2 m (4 ft.) to wall face; 0.6 m (2 ft.) to eaves~~

~~5~~6. MAXIMUM LOT COVERAGE

Principal building, except duplex and semi-detached dwelling – 35%
Duplex and Semi-detached Dwelling - 45%
Accessory buildings, except on a duplex or semi-detached dwelling lot – 15%
Accessory building on a duplex or semi-detached dwelling lot - 5%

~~6~~7. MAXIMUM BUILDING HEIGHT

Principal building, ~~standard~~ up to two-storey, no walkout basement – 10.0 m (32.8 ft.)
Principal building, two-storey walk-out basement – ~~15.0~~13.0 m (42.7~~49.25~~ ft)
Accessory buildings – 4.5 m (14.8 ft.)

~~7~~8. MINIMUM FLOOR AREA

As required by the Development Authority.

~~8~~9. STANDARDS OF DEVELOPMENT – See Schedule 4.

~~** Note: The side yard requirement for a duplex and semi-detached dwelling applies only to one side property line when each unit is on a separate title.~~
~~** Only applicable where access to the rear yard for a detached accessory building is required.~~

~~10. LOT SETBACK WAIVERS – See Schedule 4.~~

9~~11~~. **OFF-STREET PARKING AND LOADING** – See Schedule 6.

10~~12~~. ~~**MOVED-IN BUILDINGS**~~**RELOCATION OF BUILDINGS** – See Schedule 7.

11~~13~~. **CRITERIA FOR HOME OCCUPATIONS** – See Schedule 8.

12~~14~~. ~~**MANUFACTURED /**~~ **MODULAR HOME DEVELOPMENT STANDARDS** – See Schedule 9.

13~~15~~. **STANDARDS FOR SECONDARY SUITES –** See Schedule ~~16~~15.

14~~16~~. **STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME** – See Schedule 18~~19~~.

15~~17~~. **DEFINITIONS** – See Schedule 19~~20~~.

RESIDENTIAL – R-1A

PURPOSE: *To provide for a high-quality residential environment with the development of single-family dwellings on standard sized lots and other compatible uses.*

1. PERMITTED USES

Alternative/renewable energy, individual – restricted to roof mounted solar panels only
Day home
Accessory Building or Use~~Garages or carports accessory to single family dwellings~~ up to 67.7 m^2 (728 ft^2~~sq. ft.~~) in area
~~Garden sheds and other accessory buildings with no permanent foundation and not over 13.9 m^2 (150 sq. ft.) in area~~
Home occupations - Class 1
~~Shipping container, temporary~~
Sign - type 15 (Home Occupation)
Single-family dwelling~~s~~

~~**PROHIBITED USES**~~

~~Manufactured homes~~
~~Modular homes under 9.1 m (30 ft.) wide~~
~~Mobile homes~~
~~Moved-in buildings~~
~~Shipping container, permanent~~

DISCRETIONARY USES

~~Accessory buildings over 13.9 m^2 (150 sq. ft.) in area*~~
~~Accessory building or use prior to the establishment of the principal use~~
Alternative/renewable energy, individual – except roof mounted solar panels
Canvas Covered Structure
Day care facility
Accessory Building or Use~~Garages and carports accessory to single family dwellings~~ over 67.7 m^2 (728 ft^2~~sq. ft.~~) in area
Home occupations - Class 2
Modular home~~s over 9.1 m (30 ft.) wide*~~
~~Portable garages~~
~~Portable storage structures~~
Private institutional uses
Public institutional uses
~~Public park, playground or recreational uses~~
~~Ready-to-move (RTM) homes~~
Secondary suite
Sign - types 22 (Subdivision Entrance) and 23 (Subdivision Marketing)
Short-Term Rental / Bed & Breakfast
Tourist Home
~~Utilities and services~~

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m^2	ft^2~~sq. ft.~~
Single-family dwelling	13.7	45	30.5	100	418.1	4,500
All other uses	As required by the Subdivision Authority~~Municipal Planning Commission~~					
Corner lots	See Schedule 4					

3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS~~ – with developable lane~~

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All principal uses	6.1	20	1.5	5	7.6	25

~~* Note: A building or structure attached to a principal building by a roof or any other open or enclosed structure shall be considered part of the principal building.~~

~~4. MINIMUM PRINCIPAL BUILDING SETBACKS – no lane or undevelopable lane~~

~~Use~~	~~Front Yard~~		~~Side Yard~~		~~Rear Yard~~	
	~~m~~	~~ft.~~	~~m~~	~~ft.~~	~~m~~	~~ft.~~
~~All principal uses~~	~~6.1~~	~~20~~	~~1.5~~	~~5~~	~~7.6~~	~~25~~
			~~on one side and~~ ~~3.0~~ ~~on the other~~	~~10~~**		

4~~5~~. MINIMUM~~DETACHED~~ ACCESSORY BUILDING YARD SETBACKS

Front Yard – not to be located in front yard
Side Yard – 1.2 m (4 ft.)~~ to wall face; 0.6 m (2 ft.) to eaves~~
Rear Yard – 1.2 m (4 ft.)~~ to wall face; 0.6 m (2 ft.) to eaves~~
~~Setback from principal building – 1.2 m (4 ft.) to wall face; 0.6 m (2 ft.) to eaves~~

5~~6~~. MAXIMUM LOT COVERAGE

Principal building – 35%
Accessory buildings – 15%

6~~7~~. MAXIMUM BUILDING HEIGHT

Principal building, up to two-storey, no walkout basement – 10.0 m (32.8 ft.)
Principal building, two-storey walk-out basement – 13.0 m (42.7 ft)
~~Principal building – 10.0 m (32.8 ft.)~~
Accessory buildings – 4.5 m (14.8 ft.)

7~~8~~. MINIMUM FLOOR AREA

As required by the Development Authority.

8~~9~~. STANDARDS OF DEVELOPMENT – See Schedule 4.

~~10. LOT SETBACK WAIVERS – See Schedule 4.~~

9~~11~~. OFF-STREET PARKING AND LOADING – See Schedule 6.

10~~12~~. ~~MOVED-IN BUILDINGS~~RELOCATION OF BUILDINGS – See Schedule 7.

11~~13~~. CRITERIA FOR HOME OCCUPATIONS – See Schedule 8.

12~~14~~. ~~MANUFACTURED /~~ MODULAR HOME DEVELOPMENT STANDARDS – See Schedule 9.

13~~15~~. STANDARDS FOR SECONDARY SUITES – See Schedule ~~16~~15.

14~~16~~. STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME – See Schedule 18~~19~~.

15~~17~~. DEFINITIONS – See Schedule 19~~20~~.

** ~~Only applicable where access to the rear yard for a detached accessory building is required.~~

DUPLEX OR SEMI-DETACHED RESIDENTIAL – R-2

PURPOSE: *To accommodate predominantly two-unit dwellings while providing opportunity for additional land uses to develop in this district.*

1. PERMITTED USES

Alternative/renewable energy, individual – restricted to roof mounted solar panels only
Day home
Duplexes
Accessory Building or Use~~Garages and carports accessory to single family dwellings~~ up to 67.7 m^2 (728 ft^2~~sq. ft.~~) in area
~~Garden sheds and other accessory buildings with no permanent foundation and not over 13.9 m^2 (150 sq. ft.) in area~~
Home occupations - Class 1
Semi-detached dwellings
~~Shipping container, temporary~~
Sign - type 15 (Home Occupation)

~~**PROHIBITED USES**~~

~~Shipping container, permanent~~
~~Mobile homes~~

DISCRETIONARY USES

~~Accessory buildings over 13.9 m^2 (150 sq. ft.) in area*~~
~~Accessory building or use prior to the establishment of the principal use~~
Alternative/renewable energy, individual – except roof mounted solar panels
Canvas Covered Structure
Day care facility
Accessory Building or Use~~Garages and carports accessory to single family dwellings~~ over 67.7 m^2 (728 ft^2~~sq. ft.~~) in area
Home occupations - Class 2
~~Manufactured homes~~
Modular home~~s~~
Moved-in building~~s~~
Moved-in dwelling
~~Portable garages~~
~~Portable storage structures~~
~~Ready-to-move (RTM) homes~~
Secondary suite
Sign - types 22 (Subdivision Entrance) and 23 (Subdivision Marketing)
Single-family dwelling~~s~~
Short-Term Rental / Bed & Breakfast
Tourist Home
~~Utilities and services~~

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m^2	ft^2~~sq. ft.~~
Duplex or semi-detached dwelling (per building – i.e. for two units)	18.3	60	30.5	100	650.3	7,000
Single-family dwelling	15.2	50	30.5	100	464.5	5,000
All other uses	As required by the Subdivision Authority~~Municipal Planning Commission~~					

~~* Note: A building or structure attached to a principal building by a roof or any other open or enclosed structure shall be considered part of the principal building.~~

3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS

Use	Front Yard		Side Yard**		Rear Yard	
	m	ft.	m	ft.	m	ft.
Duplex or semi-detached dwelling	6.1	20	1.5	5	As required by the Development Authority	
~~Single-family dwelling~~	~~6.1~~	~~20~~	~~1.5~~	~~5~~		

~~Use~~	~~Front Yard~~		~~Side Yard**~~		~~Rear Yard~~	
	~~m~~	~~ft.~~	~~m~~	~~ft.~~	~~m~~	~~ft.~~
Corner lots	As required by the Development Authority				As required by the Development Authority	
All other uses	6.1	20	1.5	5		

4. MINIMUM~~DETACHED~~ ACCESSORY BUILDING YARD SETBACKS

Front Yard – not to be located in front yard
Side Yard – 1.2 m (4 ft.)~~ to wall face; 0.6 m (2 ft.) to eaves~~
Rear Yard – 1.2 m (4 ft.)~~ to wall face; 0.6 m (2 ft.) to eaves~~
~~Setback from principal building – 1.2 m (4 ft.) to wall face; 0.6 m (2 ft.) to eaves~~

5. MAXIMUM LOT COVERAGE

Principal building – 40%
Accessory buildings – ~~111.5 m² (1,200 sq. ft.) or~~ 15%~~, whichever is the lesser~~

6. MAXIMUM BUILDING HEIGHT

Principal building, up to two-storey, no walkout basement – 10.0 m (32.8 ft.)
Principal building, two-storey walk-out basement – 13.0 m (42.7 ft)
~~Principal building – 10.0 m (32.8 ft.)~~
Accessory buildings – 4.5 m (14.8 ft.)

7. MINIMUM FLOOR AREA

Duplex – 74.3 m² on the main floor (800 ft²~~sq. ft.~~)
Semi-detached dwelling (per building) – 148.6 m² on the main floor (1,600 ft²~~sq. ft.~~)
Single-family dwelling – 74.3 m² on the main floor (800 ft²~~sq. ft.~~)

8. SIDE YARD PROJECTIONS – See Schedule 4.

9. CORNER LOTS – See Schedule 4.

~~**10. LOT SETBACK WAIVERS** – See Schedule 4.~~

~~** Note: The side yard requirement does not apply for the construction of a duplex, semi-detached dwelling or row dwelling where each unit is on a separate title.~~

~~** Note: The side yard requirement does not apply for the construction of a duplex, or semi-detached dwelling or row dwelling where each unit is on a separate title.~~

10~~11~~. **OFF-STREET PARKING AND LOADING** – See Schedule 6.

11~~12~~. ~~**MOVED-IN BUILDINGS**~~**RELOCATION OF BUILDINGS** – See Schedule 7.

12~~13~~. **HOME OCCUPATIONS** – See Schedule 8.

13~~14~~. ~~**MANUFACTURED /**~~ **MODULAR HOME DEVELOPMENT STANDARDS** – See Schedule 9.

14~~15~~. **STANDARDS FOR SECONDARY SUITES –** See Schedule ~~16~~15.

15~~16~~. **STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME** – See Schedule 18~~19~~.

16~~17~~. **DEFINITIONS** – See Schedule 19~~20~~.

MULTI-FAMILY RESIDENTIAL – R-2A

PURPOSE: *To accommodate predominantly two-unit to eight-unit dwellings while providing opportunity for additional land uses to develop in this district.*

1. PERMITTED USES

Alternative/renewable energy, individual – restricted to roof mounted solar panels only
Day home
Duplexes
Fourplexes
Accessory Building or Use~~Garages and carports accessory to multi- family dwellings~~ up to 67.7 m^2 (728 ft^2~~sq. ft.~~) in area
~~Garden sheds and other accessory buildings with no permanent foundation and not over 13.9 m^2 (150 sq. ft.) in area~~
Home occupations - Class 1
Semi-detached dwellings
~~Shipping container, temporary~~
Sign - type 15 (Home Occupation)
Triplexes

~~**PROHIBITED USES**~~

~~Manufactured homes~~
~~Mobile homes~~
~~Moved-in buildings~~
~~Shipping container, permanent~~

DISCRETIONARY USES

~~Accessory buildings over 13.9 m^2 (150 sq. ft.) in area*~~
~~Accessory building or use prior to the establishment of the principal use~~
Alternative/renewable energy, individual – except roof mounted solar panels
Canvas Covered Structure
Day care facility
Eightplexes
Accessory Building or Use~~Garages and carports accessory to multi-family dwellings~~ over 67.7 m^2 (728 ft^2~~sq. ft.~~) in area
Home occupations - Class 2
Modular Home~~ / Modular Construction~~
~~Portable garages~~
~~Portable storage structures~~
~~Public park, playground or recreational uses~~
Rowhousing
Senior citizen housing
Sign - types 22 (Subdivision Entrance) and 23 (Subdivision Marketing)
Sixplexes
Short-Term Rental / Bed & Breakfast
Tourist Home
~~Utilities and services~~

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m^2	ft^2~~sq. ft.~~
~~(a) Interior Lots~~						
Duplex, ~~triplex or~~ semi-detached – per building	18.3	60	30.5	100	557.4	6000
Triplex or Fourplex – per building	21.3	70	30.5	100	650.3	7000
Rowhouse – per unit						
– interior unit	6.1	20	30.5	100	185.8	2000
– end unit	9.1	30	30.5	100	278.7	3000
All other uses	As required by the Subdivision Authority~~Municipal Planning Commission~~					

~~* Note: A building or structure attached to a principal building by a roof or any other open or enclosed structure shall be considered part of the principal building.~~

~~Use~~	~~Width~~		~~Length~~		~~Area~~	
	~~m~~	~~ft.~~	~~m~~	~~ft.~~	~~m²~~	~~sq. ft.~~
~~(b) Corner Lots~~						
~~Duplex, triplex or semi-detached~~	~~18.3~~	~~60~~	~~30.5~~	~~100~~	~~557.4~~	~~6000~~
~~Fourplex~~	~~21.3~~	~~70~~	~~30.5~~	~~100~~	~~650.3~~	~~7000~~
~~Rowhouse~~	~~9.1~~	~~30~~	~~30.5~~	~~100~~	~~278.7~~	~~3000~~
~~All other uses~~	~~As required by the Municipal Planning Commission~~					

3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Duplex or ~~triplex~~Semi-detached dwelling	6.1	20	1.5	5	7.6	25
~~Semi-detached~~	~~6.1~~	~~20~~	~~1.5~~	~~5~~	~~7.6~~	~~25~~
Triplex or Rowhouse						
– interior unit	6.1	20			7.6	25
– end unit	6.1	20	3.0	10	7.6	25
All other uses	As required by the Development Authority~~Municipal Planning Commission~~					

4. MINIMUM~~DETACHED~~ ACCESSORY BUILDING YARD SETBACKS

Front Yard – not to be located in front yard
Side Yard – 1.2 m (4 ft.)~~ to wall face; 0.6 m (2 ft.) to eaves~~
Rear Yard – 1.2 m (4 ft.)~~ to wall face; 0.6 m (2 ft.) to eaves~~
~~Setback from principal building – 1.2 m (4 ft.) to wall face; 0.6 m (2 ft.) to eaves~~

5. MAXIMUM LOT COVERAGE

Principal building – 50%
Accessory buildings – 15%

6. MAXIMUM BUILDING HEIGHT

Principal building, up to two-storey, no walkout basement – 10.0 m (32.8 ft.)
Principal building, two-storey walk-out basement – 13.0 m (42.7 ft)
~~Duplex, semi-detached, triplex, fourplex, sixplex and eightplex – 10.0 m (32.8 ft.)~~
Accessory buildings – 4.5 m (14.8 ft.)

7. MINIMUM FLOOR AREA (per dwelling unit)

Row dwelling, duplex, semi-detached, triplex, fourplex, sixplex, eightplex – 74.3 m² (800 ft²~~sq. ft.~~)
All other uses – As required by the Development Authority

8. STANDARDS OF DEVELOPMENT – See Schedule 4.

9. **MULTI-FAMILY DWELLING STANDARDS~~REQUIREMENTS~~** – See Schedule 5.

10. **OFF-STREET PARKING AND LOADING** – See Schedule 6.

11. **RELOCATION OF BUILDINGS** – See Schedule 7.

12~~11~~. **HOME OCCUPATIONS** – See Schedule 8.

13~~12~~. **STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME** – See Schedule 18~~19~~.

14~~13~~. **DEFINITIONS** – See Schedule 19~~20~~.

MULTI-FAMILY APARTMENT RESIDENTIAL – R-3

PURPOSE: *To provide high-quality, multi-family dwelling environments, integrated into either existing or proposed residential neighbourhoods at a density of not more than 50 units per hectare or 20 units per acre.*

1. PERMITTED USES

Alternative/renewable energy, individual – restricted to roof mounted solar panels only
Apartment building~~s~~ not exceeding three habitable floors or 10.0 m (32.8 ft.) in height
Accessory Building or Use~~Garden sheds and other accessory buildings with no permanent foundation and not over~~ up to 67.7~~13.9~~ m^2 (728~~150~~ ft^2~~sq. ft.~~) in area
Home occupations - Class 1
~~Shipping container, temporary~~
Sign - type 15 (Home Occupation)

~~**PROHIBITED USES**~~

~~Shipping container, permanent~~
~~Mobile homes~~

DISCRETIONARY USES

Accessory building~~s~~ or Use over 67.7~~13.9~~ m^2 (728~~150~~ ft^2~~sq. ft.~~) in area*
~~Accessory building or use prior to the establishment of the principal use~~
Alternative/renewable energy, individual – except roof mounted solar panels
Apartment building~~s~~ exceeding three habitable floors or 10 m (32.8 ft.) in height
Canvas Covered Structure
Day care facility
Day home
Duplex
Extended care facilities
Fourplex
Home occupations - Class 2
~~Portable garages~~
~~Portable storage structures~~
Rowhousing
Senior citizen housing
Semi-detached Dwelling
Sign - types 22 (Subdivision Entrance) and 23 (Subdivision Marketing)
Short-Term Rental / Bed & Breakfast
Tourist Home
Townhouses
Triplex~~Utilities and services~~

2. MINIMUM LOT SIZE

Use	Width m	Width ft.	Length m	Length ft.	Area m^2	Area ft^2~~sq. ft.~~
~~(a) Interior Lots~~						
Apartments – per building	24.4~~21.3~~	80~~70~~	30.5	100	743.2~~6 50.3~~	8,000~~7,000~~
Rowhouse – per unit						
– interior unit	6.1	20	30.5	100	185.8	2,000
– end unit	9.1	30	30.5	100	278.7	3,000
All other uses	As required by the Subdivision Authority~~Municipal Planning Commission~~					

~~(b) Corner Lots~~

~~* Note: A building or structure attached to a principal building by a roof or any other open or enclosed structure shall be considered part of the principal building.~~

~~Apartments~~	~~24.4~~	~~80~~	~~30.5~~	~~100~~	~~743.2~~	~~8,000~~
~~Rowhouse~~	~~9.1~~	~~30~~	~~30.5~~	~~100~~	~~278.7~~	~~3,000~~
~~All other uses~~	~~As required by the Municipal Planning Commission~~					

~~(c) **Developable Lot Size**~~

~~The Development Authority may, at its discretion, omit from the calculation of minimum lot area or dimensions any part of a lot which, because of rock, steep slopes or other physical features cannot be reasonably developed for the proposed use, including access, parking and buildings.~~

3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Duplex or Semi-detached dwelling~~triplex~~	6.1	20	1.5	5	7.6	25
~~Semi-detached dwelling~~	~~6.1~~	~~20~~	~~1.5~~	~~5~~	~~7.6~~	~~25~~
Triplex or Rowhouse						
– interior unit	6.1	20	—	—	7.6	25
– end unit	6.1	20	3.0	10	7.6	25
~~Apartment~~						
Apartment~~ – not over 6 units per building~~	6.1	20	As required by the Development Authority		7.6	25
~~– over 6 units per building~~	~~6.1~~	~~20~~	~~As required by the Development Authority~~		~~7.6~~	~~25~~
All other uses	As required by the Development Authority~~Municipal Planning Commission~~					
Corner lots	See Schedule 4					

4. MINIMUM~~DETACHED~~ ACCESSORY BUILDING YARD SETBACKS

Front Yard	– not to be located in front yard
Side Yard	– 1.2 m (4 ft.)~~ to wall face; 0.6 m (2 ft.) to eaves~~
Rear Yard	– 1.2 m (4 ft.)~~ to wall face; 0.6 m (2 ft.) to eaves~~
~~Setback from principal building~~	~~– 1.2 m (4 ft.) to wall face; 0.6 m (2 ft.) to eaves~~

5. MAXIMUM LOT COVERAGE

Principal building	– 50%
Accessory buildings	– 15%

6. MAXIMUM BUILDING HEIGHT

Principal building, excluding Apartment, up to two-storey, no walkout basement	– 10.0 m (32.8 ft.)
Principal building, excluding Apartment, two-storey walk-out basement	– 13.0 m (42.7 ft)
Apartment~~Apartments, duplexes, triplexes, fourplexes~~ not exceeding three habitable floors	– 13.0~~10.0~~ m (42.7~~32.8~~ ft.)
Apartment exceeding three habitable floors	– as required by the Development Authority
Accessory buildings	– 4.5 m (14.8 ft.)

7. **MINIMUM FLOOR AREA (per dwelling unit)**

Rowhouse	– 74.3 m^2 (800 ft^2~~sq. ft.~~)
Apartment	– 46.5 m^2 (500 ft^2~~sq. ft.~~)
Duplex and semi-detached	– 74.3 m^2 (800 ft^2~~sq. ft.~~)
Triplex	– 74.3 m^2 (800 ft^2~~sq. ft.~~)
Fourplex	– 74.3 m^2 (800 ft^2~~sq. ft.~~)
All other uses	– As required by the Development Authority~~Municipal Planning Commission~~

8. **STANDARDS OF DEVELOPMENT** – See Schedule 4.

9. **MULTI-FAMILY DWELLING STANDARDS~~REQUIREMENTS~~** – See Schedule 5.

10. **OFF-STREET PARKING AND LOADING** – See Schedule 6.

11. **RELOCATION OF BUILDINGS** – See Schedule 7.

12~~11~~. **HOME OCCUPATIONS** – See Schedule 8.

13~~12~~. **STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME** – See Schedule 18~~19~~.

14~~13~~. **DEFINITIONS** – See Schedule 19~~20~~.

~~MANUFACTURED /~~ MODULAR HOME COMMUNITIES – R-4

PURPOSE: *To provide areas suitable for the location of ~~manufactured/~~modular homes and/or ~~manufactured/~~modular home parks where a comprehensive plan has been agreed to by the Development Authority~~Municipal Planning Commission~~. These areas would be designated and provide for high-quality development which complements adjacent uses.*

1. PERMITTED USES

Alternative/renewable energy, individual – restricted to roof mounted solar panels only
Day home
~~Double-wide manufactured/modular homes~~
Accessory Building or Use~~Garages or carports accessory to a residence~~ up to 67.7 m² (728 ft²~~sq. ft.~~) in area
~~Garden sheds and other accessory buildings with no permanent foundation and not over 13.9 m² (150 sq. ft.) in area~~
Home occupations - Class 1
Modular Home
~~Playing fields and open space~~
~~Shipping container, temporary~~
Sign - type 15 (Home Occupation)
~~Single-wide manufactured/modular homes~~

~~**PROHIBITED USES**~~

~~Shipping container, permanent~~

DISCRETIONARY USES

~~Accessory buildings over 13.9 m² (150 sq. ft.) in area*~~
~~Accessory building or use prior to the establishment of the principal use~~
Alternative/renewable energy, individual – except roof mounted solar panels
Accessory Building or Use~~Garages and carports accessory to a residence~~ over 67.7 m² (728 ft²~~sq. ft.~~) in area
Canvas Covered Structure
Home occupations - Class 2
Neighbourhood confectioneries
~~Portable garages~~
~~Portable storage structures~~
~~Public parks or playgrounds~~
~~Public utilities and services~~
~~Ready-to-move (RTM) homes~~
Sign - types 22 (Subdivision Entrance) and 23 (Subdivision Marketing)
Short-Term Rental / Bed & Breakfast
Tourist Home
~~Single-family dwellings~~

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m²	ft²~~sq. ft.~~
~~Single-family dwelling~~	~~13.7~~	~~45~~	~~30.5~~	~~100~~	~~418.1~~	~~4,500~~
~~Manufactured/m~~Modular home						
– single-wide	7.62	25	30.5	100	418.1	2,500
– double-wide	13.7	45	30.5	100	418.1	4,500
Corner lots	See Schedule 4					
Irregular lots	A development may be approved on a "pie-shaped" or irregular lot, parts of which are below the specified minimum lot width, provided that the front yard setback meets the minimum width, and provided the lot area and average dimensions otherwise equal or exceed the prescribed minimums.					
All other uses	As required by the Subdivision Authority~~Municipal Planning Commission~~					

~~* Note: A building or structure attached to a principal building by a roof or any other open or enclosed structure shall be considered part of the principal building.~~

3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS BETWEEN UNITS (Non-subdivided Community)

Each building (including accessory buildings) shall be located:

(a) entirely within the boundaries of the community plot;

(b) at least 4.6 m (15 ft.) from a principal building on an adjacent plot;

(c) at least 1.8 m (6 ft.) from an accessory building on an adjacent plot;

(d) at least 5.0 m (16.4 ft.) from a front plot line;

(e) at least 3.0 m (9.8 ft.) from the property line of the ~~manufactured/~~modular home community.

4. MINIMUM PRINCIPAL BUILDING YARD SETBACKS TO PROPERTY LINES (Subdivided Lots)

	Front Yard		Side Yard		Rear Yard	
Use	**m**	**ft.**	**m**	**ft.**	**m**	**ft.**
All principal uses	6.1	20	1.5	5	3.0	10
			on one side and			
			3.0	10**		
			on the other side			

~~*NOTE: Where a manufactured/modular home cannot meet the minimum building setbacks because of its length, the Development Authority may issue a waiver of the rear yard setback to accommodate the development.~~

5. MINIMUM~~DETACHED~~ ACCESSORY BUILDING YARD SETBACKS TO PROPERTY LINES (Subdivided Lots)

Front Yard – not to be located in front yard

Side Yard – 1.2 m (4 ft.)~~ to wall face; 0.6 m (2 ft.) to eaves~~

Rear Yard – 1.2 m (4 ft.)~~ to wall face; 0.6 m (2 ft.) to eaves~~

~~Setback from principal building – 1.2 m (4 ft.) to wall face; 0.6 m (2 ft.) to eaves~~

6. MAXIMUM LOT COVERAGE

Principal building – 40%

Accessory buildings – 15%

7. MAXIMUM BUILDING HEIGHT

Principal building – 6.1 m (20 ft.)

Accessory buildings – 4.5 m (14.8 ft.)

8. STANDARDS OF DEVELOPMENT – See Schedule 4.

9. OFF-STREET PARKING AND LOADING – See Schedule 6.

~~** Note: Only applicable where access to the rear yard is required for a detached accessory building.~~

10. RELOCATION OF BUILDINGS – See Schedule 7.

11~~10~~. **HOME OCCUPATIONS** – See Schedule 8.

12~~11~~. **~~MANUFACTURED /~~ MODULAR HOME DEVELOPMENT STANDARDS** – See Schedule 9.

13~~12~~. **~~MANUFACTURED /~~ MODULAR HOME PARK DEVELOPMENT STANDARDS** – See Schedule 10.

14~~13~~. **STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME** – See Schedule 18~~19~~.

15~~14~~. **DEFINITIONS** – See Schedule 19~~20~~.

NARROW LOT RESIDENTIAL – R-5

PURPOSE: *To accommodate residential infill or replacement on existing lots which are narrower than the conventional frontages established in the Residential – R-1 land use district.*

1. PERMITTED USES

Alternative/renewable energy, individual – restricted to roof mounted solar panels only
Day home
Accessory Building or Use~~Garages or carports accessory to single family dwellings~~ up to 53.5 m² (576 ft²~~sq. ft.~~) in area
~~Garden sheds and other accessory buildings with no permanent foundation and not over 13.9 m² (150 sq. ft.) in area~~
Home occupations - Class 1
~~Shipping container, temporary~~
Sign - type 15 (Home Occupation)
Single-family dwelling~~s~~

~~**PROHIBITED USES**~~

~~Mobile homes~~
~~Shipping container, permanent~~

DISCRETIONARY USES

~~Accessory buildings over 13.9 m² (150 sq. ft.) in area*~~
~~Accessory building or use prior to the establishment of the principal use~~
Alternative/renewable energy, individual – except roof mounted solar panels
Accessory Building or Use~~Garages or carports accessory to single family dwellings~~ over 53.5 m² (576 ft²~~sq. ft.~~) in area
Canvas Covered Structure
Home occupations - Class 2
~~Manufactured or m~~Modular home~~s~~
Moved-in building
Moved-in dwelling~~s~~
~~Portable garages~~
~~Portable storage structures~~
Private institutional uses
Public institutional uses
~~Public park, playground or recreational uses~~
Secondary suite
Sign - types 22 (Subdivision Entrance) and 23 (Subdivision Marketing)
Short-Term Rental / Bed & Breakfast
Tourist Home~~Utilities and services~~

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m²	ft²~~sq. ft.~~
Single-family dwelling	7.6	25	30.5	100	232.3	2,500
All other uses	As required by the Subdivision Authority~~Municipal Planning Commission~~					
Corner lots	See Schedule 4					

3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS~~ – with developable lane~~

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Single-family dwelling	6.1	20	1.2	4	7.6	25
All other principal uses	As required by the Development Authority~~Municipal Planning Commission~~					

~~* Note: A building or structure attached to a principal building by a roof or any other open or enclosed structure shall be considered part of the principal building.~~

~~4. MINIMUM PRINCIPAL BUILDING SETBACKS – no lane or undevelopable lane~~

~~Use~~	~~Front Yard~~		~~Side Yard~~		~~Rear Yard~~	
	~~m~~	~~ft.~~	~~m~~	~~ft.~~	~~m~~	~~ft.~~
~~All principal uses~~	~~As required by the Development Authority~~					

4~~5~~. MINIMUM~~DETACHED~~ ACCESSORY BUILDING YARD SETBACKS

Front Yard – not to be located in front yard
Side Yard – 0.9 m (3 ft.)~~ to wall face; 0.45 m (1.5 ft.) to eaves~~
Rear Yard – 0.9 m (3 ft.)~~ to wall face; 0.45 m (1.5 ft.) to eaves~~
~~Setback from principal building – 1.2 m (4 ft.) to wall face; 0.6 m (2 ft.) to eaves~~

5~~6~~. MAXIMUM LOT COVERAGE

Principal building – 40%
Accessory buildings – 15%

6~~7~~. MAXIMUM BUILDING HEIGHT

Principal building, up to two-storey, no walkout basement – 10.0 m (32.8 ft.)
Principal building, two-storey walk-out basement – 13.0 m (42.7 ft)
~~Principal building – 10.0 m (32.8 ft.)~~
Accessory buildings – 4.5 m (14.8 ft.)

7~~8~~. MINIMUM FLOOR AREA

As required by the Development Authority.

8~~9~~. STANDARDS OF DEVELOPMENT – See Schedule 4.

9~~10~~. OFF-STREET PARKING AND LOADING – See Schedule 6.

10~~11~~. ~~MOVED-IN BUILDINGS~~RELOCATION OF BUILDINGS – See Schedule 7.

11~~12~~. CRITERIA FOR HOME OCCUPATIONS – See Schedule 8.

12~~13~~. ~~MANUFACTURED /~~ MODULAR HOME DEVELOPMENT STANDARDS – See Schedule 9.

13~~14~~. **STANDARDS FOR SECONDARY SUITES –** See Schedule ~~16~~15.

14~~15~~. STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME – See Schedule 18~~19~~.

15~~16~~. DEFINITIONS – See Schedule 19~~20~~.

GROUPED COUNTRY RESIDENTIAL – GCR-1

PURPOSE: *To provide for a high-quality of clustered residential development in designated areas where ~~no~~ conflicts with adjacent urban or non-urban uses are not expected, or can be mitigated~~can be anticipated~~.*

1. PERMITTED USES

~~Accessory buildings not over 18.6 m² (200 sq. ft.) in area~~
Alternative/renewable energy, individual – restricted to roof mounted solar panels only
Day home
Accessory Building or Use~~Garages and carports accessory to a single family dwelling~~ up to 95.2 m² (1024 ft²~~sq. ft.~~) in area
Home occupations - Class 1
~~Shipping container, temporary~~
Sign - type 15 (Home Occupation)
Single-family dwelling~~s~~
Short-Term Rental / Bed & Breakfast

~~**PROHIBITED USES**~~

~~Campgrounds~~
~~Shipping container, permanent~~

DISCRETIONARY USES

~~Accessory buildings over 18.6 m² (200 sq. ft.) in area~~
~~Accessory building or use prior to the establishment of the principal use~~
Alternative/renewable energy, individual – except roof mounted solar panels
Accessory Building or Use~~Garages and carports accessory to a single family dwelling~~ over 95.2 m² (1024 ft²~~sq. ft.~~) in area
Canvas Covered Structure
Home occupations - Class 2
~~Manufactured/m~~Modular home~~s over 9.1 m (30 ft.) wide~~
Moved-in building~~s~~
Moved-in dwelling
~~Portable garages~~
~~Portable storage structures~~
~~Ready-to-move (RTM) homes~~
Secondary suite
Sign - types 22 (Subdivision Entrance) and 23 (Subdivision Marketing)
Tourist Home
Wind energy conversion systems (WECS) - Category 1

2. ~~MINIMUM~~ LOT SIZE

Unserviced (private water wells and PSDS) – minimum 1.2 hectares (3 acres) or existing titles.
– maximum 2.02 hectares (5.0 acres) or existing titles.
Serviced (municipal water and wastewater) – minimum 0.405 hectares (1.0 acre)
– maximum 1.2 hectares (3 acres)

3. MINIMUM YARD~~BUILDING~~ SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Principal use	15.2	50	15.2	50	15.2	50
Accessory buildings	15.2	50	6.1~~15.2~~	20~~50~~	3.05~~15.2~~	10~~50~~

4. MAXIMUM BUILDING HEIGHT

Principal building, up to two-storey, no walkout basement – 10.0 m (32.8 ft.)
Principal building, two-storey walk-out basement – 13.0 m (42.7 ft)
~~Principal building – 13.0 m (42.7 ft.)~~
Accessory buildings – 6.7 m (22 ft.)
~~Accessory buildings not over 18.6 m² (200 sq. ft.) in area – 4.6 m (15 ft.)~~

5. ADDITIONAL INFORMATION

Every area structure plan or subdivision application for grouped country residential development shall be accompanied by details of how fire suppression and~~,~~ fire protection and garbage containment, utilizing BearSmart principles, will be provided.

6. STANDARDS OF DEVELOPMENT – See Schedule 4~~ and Appendix 10~~.

7. OFF-STREET PARKING AND LOADING – See Schedule 6.

8. RELOCATION OF BUILDINGS – See Schedule 7.

9~~8~~. HOME OCCUPATIONS – See Schedule 8.

10~~9~~. ~~MANUFACTURED /~~ MODULAR HOME DEVELOPMENT STANDARDS – See Schedule 9.

11~~10~~. WIND ENERGY CONVERSION SYSTEMS – See Schedule 12.

~~**11. FIRESMART REGULATIONS** – See Schedule 14.~~

12. STANDARDS FOR SECONDARY SUITES – See Schedule ~~16~~15.

13. STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME – See Schedule 18~~19~~.

14. DEFINITIONS – See Schedule 19~~20~~.

~~GROUPED COUNTRY RESIDENTIAL – GCR-2~~

~~***PURPOSE:*** *To provide for the logical resubdivision and infill of existing grouped country residential designated areas subject to a rigorous review of the land's suitability, serviceability, environmental considerations, wildlife and wildland carrying capacity for higher density residential development.*~~

~~1. PERMITTED USES~~

~~Accessory buildings not over 18.6 m² (200 sq. ft.) in area~~
~~Alternative/renewable energy, individual – restricted to roof mounted solar panels only~~
~~Day home~~
~~Garages and carports accessory to a single family dwelling up to 95.2 m² (1024 sq. ft.) in area~~
~~Home occupations - Class 1~~
~~Shipping container, temporary~~
~~Single-family dwellings~~
~~Sign - type 15 (Home Occupation)~~
~~Short-Term Rental / Bed & Breakfast~~

~~PROHIBITED USES~~

~~Campgrounds~~
~~Shipping container, permanent~~

~~DISCRETIONARY USES~~

~~Accessory buildings over 18.6 m² (200 sq. ft.) in area~~
~~Accessory building or use prior to the establishment of the principal use~~
~~Alternative/renewable energy, individual – except roof mounted solar panels~~
~~Garages and carports accessory to a single family dwelling over 95.2 m² (1024 sq. ft.) in area~~
~~Home occupations - Class 2~~
~~Manufactured/modular homes over 9.1 m (30 ft.) wide~~
~~Moved-in buildings~~
~~Portable garages~~
~~Portable storage structures~~
~~Ready-to-move (RTM) homes~~
~~Secondary suite~~
~~Sign - types 22 (Subdivision Entrance) and 23 (Subdivision Marketing)~~
~~Tourist Home~~
~~Wind energy conversion systems (WECS) - Category 1~~

~~2. LOT SIZE~~

~~Unserviced – 1.2 hectares (3 acres) minimum~~
~~Serviced – 1.2 hectares (3 acres) maximum~~

~~3. MINIMUM BUILDING SETBACKS~~

~~Use~~	~~Front Yard~~		~~Side Yard~~		~~Rear Yard~~	
	~~m~~	~~ft.~~	~~m~~	~~ft.~~	~~m~~	~~ft.~~
~~Principal use~~	~~15.2~~	~~50~~	~~15.2~~	~~50~~	~~15.2~~	~~50~~
~~Accessory buildings~~	~~15.2~~	~~50~~	~~15.2~~	~~50~~	~~15.2~~	~~50~~

~~**4. MAXIMUM BUILDING HEIGHT**~~

~~Principal building — 13.0 m (42.7 ft.)~~
~~Accessory buildings — 6.7 m (22 ft.)~~
~~Accessory buildings not over 18.6 m² (200 sq. ft.) in area — 4.6 m (15 ft.)~~

~~**5. ADDITIONAL INFORMATION**~~

~~Every application for grouped country residential development shall be accompanied by details of how fire suppression, fire protection and garbage containment utilizing BearSmart principles will be provided.~~

~~**6. STANDARDS OF DEVELOPMENT** — See Schedule 4 and Appendix 10.~~

~~**7. OFF-STREET PARKING AND LOADING** — See Schedule 6.~~

~~**8. HOME OCCUPATIONS** — See Schedule 8.~~

~~**9. MANUFACTURED / MODULAR HOME DEVELOPMENT STANDARDS** — See Schedule 9.~~

~~**10. WIND ENERGY CONVERSION SYSTEMS** — See Schedule 12.~~

~~**11. FIRESMART REGULATIONS** — See Schedule 14.~~

~~**12. STANDARDS FOR SECONDARY SUITES** — See Schedule 16.~~

~~**13. STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME** — See Schedule 19.~~

~~14. DEFINITIONS — See Schedule **20**.~~

RETAIL COMMERCIAL – C-1

PURPOSE: *To provide an area suited for retail commercial uses which will both maintain a strong central business district and allow a variety of other suitable uses compatible with this area of the community.*

1. PERMITTED USES

Alternative/renewable energy, individual – restricted to roof mounted solar panels only
Bakeries
Barber shops
Beauty salons
Coffee shops or restaurants (non drive-in)
Financial institutions
Home occupations - Class 1
Laundromats
Liquor stores
Offices
Personal service~~s~~
Post offices
Retail stores
~~Shipping container, temporary~~
Short-Term Rental / Bed & Breakfast, inside an approved dwelling unit
Sign - types 11 (A-board), 12 (Canopy), 13 (Fascia and Wall) and 18 (Portable)
Theatres
Travel agencies

~~**PROHIBITED USES**~~

DISCRETIONARY USES

Accessory buildings and uses
~~Accessory building or use prior to the establishment of the principal use~~
Alternative/renewable energy, individual – except roof mounted solar panels
Animal care service, small
~~Apartment Dwelling in conjunction with ground floor commercial or office use~~
Arcades
Bowling alleys
Brew pubs
Bus depots
Cabarets
Canvas Covered Structure
Clubhouses
Commercial recreation
Day care facilities
Entertainment establishment
Fitness centres
Funeral homes
Gaming or gambling establishments
Hostels
Hotels
Medical or dental clinics
Mixed Use Building
Mixed Use Development
Parking area or structures
Pawn shops
~~Personal service uses~~
Printing establishments
Private clubs
Religious institutions
Retail - large scale
Shipping container, ~~permanent,~~ accessory to an approved use
Sign - types 14 (Freestanding), 16 (Multiple Listing), 17 (Murals), 19 (Projecting), 20 (Roof), 21 (Secondary) and 24 (~~Third Party~~Third-Party)
Single family dwelling existing as of June 18, 2013
Taxi stands
Taxidermy
Tourist Home, inside an approved dwelling unit
~~Dwelling Unit (maximum 2) inside a mixed use building and in conjunction with ground floor commercial or office use~~
~~Utilities and services~~
Workshop accessory to an approved use

2. MINIMUM LOT SIZE

Use	Width m	Width ft.	Length m	Length ft.	Area m²	Area ft²~~sq. ft.~~
All uses	4.6	15	30.5	100	139.4	1,500

3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS

Use	Front Yard m	Front Yard ft.	Side Yard m	Side Yard ft.	Rear Yard m	Rear Yard ft.
All principal uses	none		none		7.6 ~~or as required by the MPC~~	25

4. MINIMUM~~DETACHED~~ ACCESSORY BUILDING YARD SETBACKS

Front Yard – not to be located in front yard
Side Yard – 0.9 m (3 ft.)~~ to wall face; 0.45 m (1.5 ft.) to eaves~~
Rear Yard – 0.9 m (3 ft.)~~ to wall face; 0.45 m (1.5 ft.) to eaves~~
~~Setback from principal building – 1.2 m (4 ft.) to wall face; 0.6 m (2 ft.) to eaves~~

5. MAXIMUM LOT COVERAGE

Principal building and accessory buildings – 80%.

6. MAXIMUM BUILDING HEIGHT

Principal building, excluding Apartment – 10.0 m (32.8 ft.)
Principal Building, including Apartment not exceeding three habitable floors – 13.0 m (42.7 ft.)
Principal Building, including Apartment exceeding three habitable floors – as required by the Development Authority

Accessory building~~s~~ – 4.5 m (14.8 ft.)
~~Accessory buildings not over 13.9 m² (150 sq. ft.) in area – 3.5 m (11.5 ft.)~~

7. STANDARDS OF DEVELOPMENT – See Schedule 4.

8. OFF-STREET PARKING AND LOADING – See Schedule 6.

9. RELOCATION OF BUILDINGS – See Schedule 7.

10~~9~~. SIGN STANDARDS – See Schedule 11.

11. SHIPPING CONTAINER / TRANSPORT TRAILER REGULATIONS – See Schedule 14.

12~~10~~. HISTORIC COMMERCIAL AREAS – See Schedule ~~17~~16.

13~~11~~. STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME – See Schedule 18~~19~~.

14~~12~~. DEFINITIONS – See Schedule 19~~20~~.

DRIVE-IN COMMERCIAL – C-2

PURPOSE: *To accommodate development of commercial uses which require both high visibility and ready access or egress to and from designated highways and major thoroughfares for the benefit of the motoring public.*

1. PERMITTED USES

Alternative/renewable energy, individual – restricted to roof mounted solar panels only
Building supply centres
Drive-in restaurants
Gas bars
Motels
Office~~, secondary to an approved use~~
Service stations
~~Shipping container, temporary~~
Sign - types 11 (A-board), 12 (Canopy), 13 (Fascia and Wall) and 18 (Portable)

~~**PROHIBITED USES**~~

DISCRETIONARY USES

Accessory buildings and uses
~~Accessory building or use prior to the establishment of the principal use~~
Alternative/renewable energy, individual – except roof mounted solar panels
Auto repair shop
Auto sales and service
Brew pubs
Campground~~s~~
Canvas Covered Structure
Car washes
~~Construction trade shopContractors~~Contractor, general
Entertainment establishment
Equipment sales, rentals and service
Fitness centres
Funeral homes
Gaming or gambling establishments
Garden centres
Hotels
Kennels
Liquor stores
Mixed Use Building
Mixed Use Development
Pawn shops
Personal service~~ uses~~
Recreational Vehicle Park
Recreational vehicle sales and rental
~~Dwelling Unit, secondary to an approved use~~
Retail – large scale
Retail sales~~, secondary to an approved use~~
Shipping container~~s~~, ~~permanent,~~ accessory to an approved use
Short-Term Rental / Bed & Breakfast, inside an approved dwelling unit
Sign - types 14 (Freestanding), 16 (Multiple Listing), 17 (Murals), 19 (Projecting),
20 (Roof), 21 (Secondary) and
24 (~~Third Party~~Third-Party)
Taxidermy
Temporary auto sales
Tourist Home, inside an approved dwelling unit
~~Utilities and services~~
Veterinary clinics
Warehouse store
Warehouses~~, secondary to an approved use~~

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m²	ft²~~sq. ft.~~
All uses	27.4	90	50.3	165	1393.5	15,000

3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All principal uses	9.1	30	6.1	20	6.1	20

4. MINIMUM~~DETACHED~~ ACCESSORY BUILDING YARD SETBACKS

Front Yard – not to be located in front yard
Side Yard – 1.2 m (4 ft.)~~ to wall face; 0.6 m (2 ft.) to eaves~~
Rear Yard – 1.2 m (4 ft.)~~ to wall face; 0.6 m (2 ft.) to eaves~~
~~Setback from principal building – 1.2 m (4 ft.) to wall face; 0.6 m (2 ft.) to eaves~~

5. MAXIMUM LOT COVERAGE

Principal building and accessory buildings – 40%.

6. MAXIMUM BUILDING HEIGHT

Principal building – 7.6 m (25 ft.)
Accessory buildings – 4.5 m (14.8 ft.)
~~Accessory buildings not over 13.9 m² (150 sq. ft.) in area – 3.5 m (11.5 ft.)~~

7. STANDARDS OF DEVELOPMENT – See Schedule 4.

8. OFF-STREET PARKING AND LOADING – See Schedule 6.

9. RELOCATION OF BUILDINGS – See Schedule 7.

10~~9~~. SIGN STANDARDS – See Schedule 11.

11~~10~~. KENNEL REGULATIONS – See Schedule 13.

12. SHIPPING CONTAINER / TRANSPORT TRAILER REGULATIONS – See Schedule 14.

13~~11~~. HISTORIC COMMERCIAL AREAS – See Schedule ~~17~~16.

14~~12~~. STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME – See Schedule 18~~19~~.

15~~13~~. DEFINITIONS – See Schedule 19~~20~~.

COMPREHENSIVE COMMERCIAL – C-3

PURPOSE: *To provide for a range~~multitude~~ of commercial uses that can be compatibly located within a comprehensively planned, large-scale development which relies on factors such as location, access and serviceability.*

1. PERMITTED USES

Alternative/renewable energy, individual – restricted to roof mounted solar panels only
~~Retail shopping malls~~
~~Shipping container, temporary~~
Sign - types 11 (A-board), 12 (Canopy), 13 (Fascia and Wall) and 18 (Portable)

~~**PROHIBITED USES**~~

~~Shipping container, permanent~~

DISCRETIONARY USES

Accessory buildings and uses
~~Accessory building or use prior to the establishment of the principal use~~
Alternative/renewable energy, individual – except roof mounted solar panels
Retail Shopping Mall~~If secondary to a retail shopping mall~~:
Bakeries, retail
Banks and other financial institutions
Building supply outlets
Coffee shops
Condominiums
Dry cleaners
Gas bars
Liquor stores
Medical or dental clinics
Offices
Personal service~~s~~
~~Public utilities~~
Restaurants
Retail sales
Taxidermy
Travel agencies
~~Utilities and services~~
Veterinary clinics
Sign - types 14 (Freestanding), 16 (Multiple Listing), 17 (Murals), 19 (Projecting), 20 (Roof), 21 (Secondary) and 24 (~~Third Party~~Third-Party)
Temporary auto sales

2. MINIMUM LOT SIZE

As required by the Subdivision Authority~~Municipal Planning Commission~~.

3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS

As required by the Development Authority.

4. MINIMUM~~DETACHED~~ ACCESSORY BUILDING YARD SETBACKS

Front Yard	– not to be located in front yard
Side Yard	– 1.2 m (4 ft.)~~ to wall face; 0.6 m (2 ft.) to eaves~~
Rear Yard	– 1.2 m (4 ft.)~~ to wall face; 0.6 m (2 ft.) to eaves~~
~~Setback from principal building~~	~~– 1.2 m (4 ft.) to wall face; 0.6 m (2 ft.) to eaves~~

5. MAXIMUM BUILDING HEIGHT

Principal building	– 6.1 m (20 ft.)
Accessory buildings	– 4.5 m (14.8 ft.)
~~Accessory buildings not over 13.9 m² (150 sq. ft.) in area~~	~~– 3.5 m (11.5 ft.)~~

6. STANDARDS OF DEVELOPMENT – See Schedule 4.

7. OFF-STREET PARKING AND LOADING – See Schedule 6.

8. RELOCATION OF BUILDINGS – See Schedule 7.

9~~8~~. SIGN STANDARDS – See Schedule 11.

10~~9~~. HISTORIC COMMERCIAL AREAS – See Schedule ~~17~~16.

11~~10~~. DEFINITIONS – See Schedule 19~~20~~.

CANNABIS RETAIL COMMERCIAL – C-4

PURPOSE: *To provide an area suited for retail commercial uses which will both maintain a strong central business district and allow a variety of other suitable uses compatible with this area of the community.*

1. PERMITTED USES

Cannabis retail sales
Sign - types 11 (A-board), 12 (Canopy), 13 (Fascia) and 18 (Portable)

~~**PROHIBITED USES**~~

DISCRETIONARY USES

Accessory Building or Use
Bakeries
Barber shops
Beauty salons
Coffee shops or restaurants
Laundromats
Offices
Personal service~~s~~
Retail stores
Shipping container, ~~permanent,~~ accessory to an approved use
Sign - types 17 (Murals), 19 (Projecting), and 20 (Roof)
Residence secondary to an approved use

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m^2	ft^2 ~~sq. ft.~~
All uses	4.6	15	30.5	100	139.4	1,500

3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All principal uses	none		none		7.6 ~~or as required by the MPC~~	25

4. MINIMUM~~DETACHED~~ ACCESSORY BUILDING YARD SETBACKS

Front Yard – not to be located in front yard
Side Yard – 0.9 m (3 ft.) ~~to wall face; 0.45 m (1.5 ft.) to eaves~~
Rear Yard – 0.9 m (3 ft.) ~~to wall face; 0.45 m (1.5 ft.) to eaves~~
~~Setback from principal building – 1.2 m (4 ft.) to wall face; 0.6 m (2 ft.) to eaves~~

5. MAXIMUM LOT COVERAGE

Principal building and accessory buildings – 80%

6. MAXIMUM BUILDING HEIGHT

Principal building	– 10.0 m (32.8 ft.)
Accessory buildings	– 4.5 m (14.8 ft.)
~~Accessory buildings not over 13.9 m² (150 sq. ft.) in area~~	~~– 3.5 m (11.5 ft.)~~

7. STANDARDS OF DEVELOPMENT – See Schedule 4.

8. OFF-STREET PARKING AND LOADING – See Schedule 6.

9. RELOCATION OF BUILDINGS – See Schedule 7.

10~~9.~~ SIGN STANDARDS – See Schedule 11.

11. SHIPPING CONTAINER / TRANSPORT TRAILER REGULATIONS – See Schedule 14.

12~~10~~. HISTORIC COMMERCIAL AREAS – See Schedule ~~17~~16.

13~~11~~. DEFINITIONS – See Schedule 19~~20~~.

INDUSTRIAL – I-1

PURPOSE: *To provide a broad range of industrial, manufacturing and storage use whereby the location of individual uses will have regard to both the effect on adjacent uses and the ability to provide adequate services to the site.*

1. PERMITTED USES

Alternative/renewable energy, individual
Auto body and paint shops
Auto repair shop
~~Contractors~~Contractor, general
~~Shipping container, temporary~~
Sign - types 11 (A-board), 12 (Canopy), 13 (Fascia and Wall) and 18 (Portable)

DISCRETIONARY USES

Accessory buildings and uses
~~Accessory building or use prior to the establishment of the principal use~~
Agriculture related industries
Alternative/renewable energy, commercial/ industrial
Auction markets
Auto sales and service
Bottling plants
Building supply centres
Bulk fuel sales and storage
Canvas Covered Structure
Car washes
Card locks
Concrete batch plants
Farm supplies and service
Food processing
Garden centres
Industrial equipment sales and rentals
Kennels
Light industrial/manufacturing
Lumber yards
Machinery and equipment sales and repair
Mini storage facilities
Moved-in building
Outdoor storage accessory to an approved use
~~Private utility structures and uses~~
Recreational vehicle storage
Resource processing plants
Recycling facilities
Retail uses accessory to an approved use
Shipping container, ~~permanent,~~ accessory to an approved use
Sign - types 14 (Freestanding), 16 (Multiple Listing), 17 (Murals), 19 (Projecting), 20 (Roof), 21 (Secondary) and 24 (~~Third Party~~Third-Party)
Surveillance Suite
Taxidermy
Truck transport depots
Truck washes~~Utilities and services~~
Veterinary clinics
Warehousing and storage, indoor and outdoor
Welding shops
Wind energy conversion systems (WECS) - Category 1 and 2
Work Camp

2. MINIMUM LOT SIZE

Use	Width m	Width ft.	Length m	Length ft.	Area m²	Area ft²~~sq. ft.~~
All uses	15.2	50	30.5	100	557.4	6,000
					~~or as required by the MPC~~	

3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS

Use	Front Yard m	Front Yard ft.	Side Yard m	Side Yard ft.	Rear Yard m	Rear Yard ft.
All principal uses	7.6	25	3.0	10	7.6	25
Corner lot	7.6	25	4.6	15 street side	7.6	25

4. MINIMUM~~DETACHED~~ ACCESSORY BUILDING YARD SETBACKS

Front Yard – not to be located in front yard
Side Yard – 1.5 m (5 ft.)~~ to wall face; 1.2 m (4 ft.) to eaves~~
Rear Yard – 1.5 m (5 ft.)~~ to wall face; 1.2 m (4 ft.) to eaves~~
~~Setback from principal building – 1.5 m (5 ft.) to wall face; 0.9 m (3 ft.) to eaves~~

5. MAXIMUM BUILDING HEIGHT

Principal building – 10 m (32.8 ft.)
Accessory buildings – 7.6 m (25 ft..)

6. STANDARDS OF DEVELOPMENT – See Schedule 4.

7. OFF-STREET PARKING AND LOADING – See Schedule 6.

8. ~~MOVED-IN BUILDINGS~~RELOCATION OF BUILDINGS – See Schedule 7.

9. SIGN STANDARDS – See Schedule 11.

10. WIND ENERGY CONVERSION SYSTEMS (WECS) – See Schedule 12.

11. KENNEL REGULATIONS – See Schedule 13.

12. SHIPPING CONTAINER / TRANSPORT TRAILER REGULATIONS – See Schedule ~~15~~14.

13. WORK CAMP REGULATIONS – See Schedule ~~18~~17.

14. DEFINITIONS – See Schedule 19~~20~~.

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SENTINEL INDUSTRIAL PARK – SIP-1

PURPOSE: *To accommodate a broad range of light and heavy industrial uses at this pre-planned location suitable for those uses and compatible with adjacent land uses.*

1. PERMITTED USES

Alternative/renewable energy, individual
Auto body and paint shops
Auto repair shop
Cannabis production facility
Contractors
Contractor, general
~~Shipping container, temporary~~
Sign - types 11 (A-board), 12 (Canopy), 13 (Fascia and Wall) and 18 (Portable)

DISCRETIONARY USES

Abattoirs
Accessory buildings and uses
~~Accessory building or use prior to the establishment of the principal use~~
Agriculture-related industries
Alternative/renewable energy, commercial/ industrial
Auction markets
Automotive sales, storage and service
Bottling plants
Building supply centres
Bulk fuel sales and storage
Canvas Covered Structure
Car washes
Card locks
Concrete batch plants
Farm supplies and service
Food processing
Garden centres
Helipads
Heliports
Industrial equipment sales and rentals
Kennels
Light industrial/manufacturing
Lumber yards
Machinery and equipment sales and repair
Mini-storage facilities
Moved-in Building
Outdoor storage accessory to an approved use
Private utility buildings and uses
Recreational vehicle storage
Recycling facilities
Repair garages
Residence secondary to an approved use
Resource processing plants
Retail sales accessory to an approved use
Shipping container, ~~permanent,~~ accessory to an approved use
Sign - types 14 (Freestanding), 16 (Multiple Listing), 17 (Murals), 19 (Projecting), 20 (Roof), 21 (Secondary) and 24 (~~Third Party~~Third-Party)
Surveillance suites
Taxidermy
Truck stops
Truck Transport depots
Truck washes

~~Utilities and services~~
Veterinary clinics
Warehouses
Welding shops
Wind energy conversion systems (WECS) - Category 1 and 2
Work Camp

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m^2	ft^2~~sq. ft.~~
All uses	30.0	98.4	70.0	229.7	2,100 ~~or as required by the MPC~~	22,605

3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All principal uses	9.1	30	3.0	10	3.0	10

4. MINIMUM~~DETACHED~~ ACCESSORY BUILDING YARD SETBACKS

Front Yard – not to be located in front yard
Side Yard – 1.5 m (5 ft.)~~ to wall face; 1.2 m (4 ft.) to eaves~~
Rear Yard – 1.5 m (5 ft.)~~ to wall face; 1.2 m (4 ft.) to eaves~~
~~Setback from principal building – 1.5 m (5 ft.) to wall face; 0.9 m (3 ft.) to eaves~~

5. MAXIMUM BUILDING HEIGHT

Principal building – As required by the Development Authority
Accessory buildings – 7.6 m (25 ft.)

6. STANDARDS OF DEVELOPMENT – See Schedule 4.

7. OFF-STREET PARKING AND LOADING – See Schedule 6.

8. RELOCATION OF BUILDINGS – See Schedule 7.

9~~8~~. SIGN STANDARDS – See Schedule 11.

10~~9~~. WIND ENERGY CONVERSION SYSTEMS (WECS) – See Schedule 12.

11~~10~~. KENNEL REGULATIONS – See Schedule 13.

12~~11~~. SHIPPING CONTAINER / TRANSPORT TRAILER REGULATIONS – See Schedule ~~15~~14.

13~~12~~. WORK CAMP REGULATIONS – See Schedule ~~18~~17.

14~~13~~. DEFINITIONS – See Schedule 19~~20~~.

RECREATION AND OPEN SPACE – RO-1

PURPOSE: *To provide for institutional uses, public parks and open space within the municipality.*

1. PERMITTED USES

Environmental reserves, dedicated
Public open space
Recreation Facility~~Public park or recreation uses~~
~~Shipping container, temporary~~
Sign - types 11 (A-board) and 18 (Portable)
Sportsfields

~~**PROHIBITED USES**~~

~~Shipping container, permanent~~

DISCRETIONARY USES

Accessory Building or Use
Cemeteries
Cenotaphs
~~Public and private i~~Institution~~al uses~~
Public recreation buildings
Shipping container, accessory to an approved use, subject to location on land owned by government, for government use or under a lease agreement with government.
Sign - types 13 (Fascia and Wall), 14 (Freestanding), 16 (Multiple Listing), 17 (Murals), 19 (Projecting), 20 (Roof), 21 (Secondary) and 24 (~~Third Party~~Third-Party)
~~Utilities and services~~

2. MINIMUM LOT SIZE

As required by the Subdivision Authority~~Municipal Planning Commission~~.

3. MINIMUM YARD~~BUILDING~~ SETBACKS

As required by the Development Authority.

4. MAXIMUM LOT COVERAGE

As required by the Development Authority.

5. STANDARDS OF DEVELOPMENT – See Schedule 4.

6. OFF-STREET PARKING AND LOADING – See Schedule 6.

7. SHIPPING CONTAINER / TRANSPORT TRAILER REGULATIONS – See Schedule 14.

8~~7~~. DEFINITIONS – See Schedule 19~~20~~.

PUBLIC – P-1

PURPOSE: *To provide for institutional, public and semi-public uses which are compatible with each other and adjoining land uses.*

1. PERMITTED USES

Alternative/renewable energy, individual – restricted to roof mounted solar panels only
~~Shipping container, temporary~~
Sign - types 11 (A-board) and 18 (Portable)

~~**PROHIBITED USES**~~

~~Shipping container, permanent~~

DISCRETIONARY USES

Accessory Building or Use
Alternative/renewable energy, individual – except roof mounted solar panels
Auditoriums
~~Buildings or uses ancillary to an approved use~~
Cemeteries
Cenotaphs
Community Facility~~halls~~
Educational facilities, other than a school
Fire halls
Government buildings
Hospitals
Libraries
Museums
Municipal offices
Places of worship
Police stations
Post offices
~~Private meeting halls~~
~~Public and private i~~Institution~~al uses~~
Schools
Service clubs
Shipping container accessory to an approved use, subject to location on land owned by government, for government use or under a lease agreement with government.
Sign - types 13 (Fascia and Wall), 14 (Freestanding), 16 (Multiple Listing), 17 (Murals), 19 (Projecting), 20 (Roof), 21 (Secondary) and 24 (~~Third Party~~Third-Party)
~~Utilities and services~~

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m^2	ft^2~~sq. ft.~~
All uses	13.7	45	30.5	100	418.1 ~~or as required by the MPC~~	4,500

3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.

All uses	4.6	15	1.5	5	3.0	10

4. MINIMUM~~DETACHED~~ ACCESSORY BUILDING YARD SETBACKS

Front Yard – not to be located in front yard
Side Yard – 0.9 m (3 ft.)~~ to wall face; 0.45 m (1.5 ft.) to eaves~~
Rear Yard – 0.9 m (3 ft.)~~ to wall face; 0.45 m (1.5 ft.) to eaves~~
~~Setback from principal building – 1.2 m (4 ft.) to wall face; 0.6 m (2 ft.) to eaves~~

5. MAXIMUM BUILDING HEIGHT

Principal building – 7.6 m (25 ft.)
Accessory buildings – 4.5 m (14.8 ft.)
~~Accessory buildings not over 13.9 m^2 (150 sq. ft.) in area – 3.5 m (11.5 ft.)~~

6. MAXIMUM LOT COVERAGE

Principal building – 40%
Accessory buildings – 10%

7. STANDARDS OF DEVELOPMENT – See Schedule 4.

8. OFF-STREET PARKING AND LOADING – See Schedule 6.

9. SIGN STANDARDS – See Schedule 11.

10. SHIPPING CONTAINER / TRANSPORT TRAILER REGULATIONS – See Schedule 14.

~~**10. FIRESMART REGULATIONS** – See Schedule 14.~~

11. DEFINITIONS – See Schedule 19~~20~~.

NON-URBAN COMMERCIAL RECREATION – NUCR-1

PURPOSE: *To accommodate a variety of commercial recreation uses which are to be located primarily outside the built-up urban areas of the community.*

1. PERMITTED USES

Accessory buildings with no permanent foundation and not over 13.9 m2 (150 sq. ft.) in area
Alternative/renewable energy, individual – restricted to roof mounted solar panels only
~~Shipping container, temporary~~
Sign - types 11 (A-board) and 18 (Portable)

~~**PROHIBITED USES**~~

~~Shipping container, permanent~~

DISCRETIONARY USES

Accessory buildings over 13.9 m^2 (150 sq. ft.) in area
Alternative/renewable energy, individual – except roof mounted solar panels
~~Archery or rifle ranges~~
Campground~~s~~
~~Country lodges~~
Dwelling unit, secondary to an approved use
~~Golf courses~~
~~Golf driving ranges~~
~~Guest ranches~~
~~Private i~~Institution~~al uses~~
~~Private recreation uses~~
~~Public institutional uses~~
~~Parks, playgrounds or recreation areas~~
Recreation Facility
Recreational Vehicle Park
Recreational vehicle storage
Resort
Riding stables
Rodeo grounds
Sign - types 13 (Fascia and Wall), 14 (Freestanding), 16 (Multiple Listing), 17 (Murals), 19 (Projecting), 20 (Roof), 21 (Secondary) and 24 (~~Third Party~~Third-Party)
~~Ski lodges~~
~~Ski resorts~~
~~Utilities and services~~
Wind energy conversion systems (WECS) - Category 1 and 2

2. MINIMUM LOT SIZE

1.2 hectares (3 acres)~~, or as required by the Municipal Planning Commission~~.

3. MINIMUM YARD~~BUILDING~~ SETBACKS

As required by the Development Authority.

4. MINIMUM BUILDING HEIGHT

As required by the Development Authority.

5~~4~~. MAXIMUM LOT COVERAGE

As required by the Development Authority.

6~~5~~. **STANDARDS OF DEVELOPMENT** – See Schedule 4.

7~~6~~. **OFF-STREET PARKING AND LOADING** – See Schedule 6.

8. **RELOCATION OF BUILDINGS** – See Schedule 7.

9~~7~~. **SIGN STANDARDS** – See Schedule 11.

~~8. **FIRESMART REGULATIONS** – See Schedule 14.~~

10~~9~~. **DEFINITIONS** – See Schedule 19~~20~~.

NON-URBAN COMMERCIAL RECREATION – NUCR-2

PURPOSE: *To accommodate a variety of commercial recreation uses which are to be located primarily outside the built-up urban areas of the community.*

1. PERMITTED USES

Accessory buildings with no permanent foundation and not over 13.9 m2 (150 sq. ft.) in area
Alternative/renewable energy, individual – restricted to roof mounted solar panels only
~~Ski resorts~~Resort
~~Shipping container, temporary~~
Sign - types 11 (A-board) and 18 (Portable)

~~**PROHIBITED USES**~~

~~Shipping container, permanent~~

DISCRETIONARY USES

Accessory buildings over 13.9 m^2 (150 sq. ft.) in area
Alternative/renewable energy, individual – except roof mounted solar panels
~~Archery or rifle ranges~~
Campground~~s~~
~~Country lodges~~
Dwelling unit, secondary to an approved use
~~Golf courses~~
~~Golf driving ranges~~
~~Guest ranches~~
~~Private i~~Institution~~al uses~~
~~Private recreation uses~~
~~Public institutional uses~~
~~Parks, playgrounds or recreation areas~~
Recreation Facility
Recreational Vehicle Park
Recreational vehicle storage
~~Resort Accommodation~~
Riding stables
Rodeo grounds
Sign – types 13 (Fascia and Wall), 14 (Freestanding), 16 (Multiple Listing), 17 (Murals), 19 (Projecting), 20 (Roof), 21 (Secondary) and 24 (~~Third Party~~Third-Party)
~~Ski lodges~~
~~Utilities and services~~
Wind energy conversion systems (WECS) - Category 1 and 2

2. MINIMUM LOT SIZE

1.2 hectares (3 acres)~~, or as required by the Municipal Planning Commission.~~

3. MINIMUM YARD~~BUILDING~~ SETBACKS

As required by the Development Authority.

4. MINIMUM BUILDING HEIGHT

As required by the Development Authority.

5~~4~~. MAXIMUM LOT COVERAGE

As required by the Development Authority.

6~~5~~. STANDARDS OF DEVELOPMENT – See Schedule 4.

7~~6~~. OFF-STREET PARKING AND LOADING – See Schedule 6.

8. RELOCATION OF BUILDINGS – See Schedule 7.

9~~7~~. SIGN STANDARDS – See Schedule 11.

~~**8. FIRESMART REGULATIONS** – See Schedule 14.~~

10~~9~~. DEFINITIONS – See Schedule 19~~20~~.

NON-URBAN AREA – NUA-1

PURPOSE: *To ensure that these areas, typically on the periphery of existing development, allow only restricted uses and maintain parcels of large sizes to provide maximum flexibility for use and development if or when the land is used for urban development.*

1. PERMITTED USES

Accessory Building or Use up to 67.7 m² (728 ft²) in area, secondary to an approved principal building or use
~~Shipping container, temporary~~
Short-Term Rental / Bed & Breakfast, inside an approved dwelling unit
Sign - type 18 (Portable)

~~**PROHIBITED USES**~~

~~Shipping container, permanent~~

DISCRETIONARY USES

Accessory building~~s~~ or~~and~~ use~~s~~ over 67.7 m² (728 ft²) in area, secondary to an approved principal building or use
~~Accessory building or use prior to the establishment of the principal use~~
Alternative/renewable energy, individual
Commercial logging
Contractor, general
Dairies
Extensive agriculture
Home occupations – Class 1 and 2
Horticulture
Intensive livestock operation
Isolated country residential
Kennels
~~Manufactured/m~~Modular home~~s~~
Moved-in building~~s~~
Moved-in dwelling
~~Public and private i~~Institution~~al uses~~
~~Public park or recreation uses~~
~~Public utilities~~
Recreational vehicle storage
Resource development activities
Resource extraction uses
Resource processing activities
Secondary suite
Sign - types 13 (Fascia and Wall), 14 (Freestanding), 16 (Multiple Listing), 17 (Murals), 19 (Projecting), 20 (Roof), 21 (Secondary) and 24 (~~Third Party~~Third-Party)
Single family dwelling~~s~~
Tourist Home, inside an approved dwelling unit
~~Utilities~~
Wind energy conversion systems (WECS) - Category 1 and 2

2. MINIMUM LOT SIZE

Extensive agriculture	– 64.8 hectares (160 acres) or existing titles
Isolated country residential	– 1.2 hectares (3 acres) or existing titles
Contractor, general	– 4.0 hectares (10 acres)

Other uses – 1.2 hectares (3 acres) or existing titles

3. MINIMUM YARD~~BUILDING~~ SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Principal use	15.2	50	15.2	50	15.2	50
Accessory buildings	15.2	50	6.1~~15.2~~	20~~50~~	3.05~~15.2~~	10~~50~~

4. MAXIMUM BUILDING HEIGHT

Principal building, up to two-storey, no walkout basement – 10.0 m (32.8 ft.)
Principal building, two-storey walk-out basement – 13.0 m (42.6 ft)
~~Principal building – 13.0 m (42.7 ft.)~~
Accessory buildings – 6.1 m (20.0 ft.)
~~Accessory buildings not over 18.6 m² (200 sq. ft.) in area – 4.6 m (15.0 ft.)~~

5. STANDARDS OF DEVELOPMENT – See Schedule 4.

6. OFF-STREET PARKING AND LOADING – See Schedule 6.

7. ~~MOVED-IN BUILDINGS~~RELOCATION OF BUILDINGS – See Schedule 7.

8. CRITERIA FOR HOME OCCUPATIONS – See Schedule 8.

9. ~~MANUFACTURED /~~ MODULAR HOME DEVELOPMENT STANDARDS – See Schedule 9.

10. SIGN STANDARDS – See Schedule 11.

11. WIND ENERGY CONVERSION SYSTEMS – See Schedule 12.

12. KENNEL REGULATIONS – See Schedule 13.

~~**13. FIRESMART REGULATIONS** – See Schedule 14.~~

13~~14~~. STANDARDS FOR SECONDARY SUITES – See Schedule ~~16~~15.

14~~15~~. STANDARDS FOR SHORT-TERM RENTAL / BED & BREAKFAST AND TOURIST HOME – see Schedule 18~~19~~.

15~~16~~. DEFINITIONS – See Schedule 19~~20~~.

COMPREHENSIVE MIXED USE – CM-1

PURPOSE: *To provide for a comprehensively planned destination that offers a mix of flexible multi-use buildings with an active ground floor development and a variety of commercial, business and tourism uses, shared parking and amenities, and multi-modal connections to surrounding lands. Multi-unit residential uses may be considered.*

1. PERMITTED USES

Alternative/renewable energy, individual – restricted to roof mounted solar panels
~~Amusement Arcade~~
Art and Craft Studio
Bakery
Coffee Shop
~~Commercial / Private Recreation~~
Convenience Store
Drinking Establishment
Farmer's Market
~~Government Services~~
Hotel
Kiosk
Mixed Use Building
~~or~~Mixed Use Development
~~Modular Construction~~
Office
Parking Facility
Personal Service~~ Use~~
~~Post Office~~
~~Public and Private~~ Institution~~al Use~~
~~Public and Private Recreation Use~~
~~Public Open Space~~
~~Public or Quasi-Public Building or Use~~
Recreation Facility~~Public Park or Recreation Use~~
~~Public Picnic Area~~
Restaurant
Retail
Retail Store
Shopping Malls
Signs – types 11 (A-board), 12 (Canopy), 13 (Fascia and Wall), 15 (Home Occupation), 18 (Portable) and 19 (Projecting)
~~Souvenir Shop~~
~~Take-Out Service~~
~~Utilities~~
Workshop

DISCRETIONARY USES

Accessory Building or Use~~Development~~
Alternative energy, individual – except roof mounted solar panels
Apartment Building~~Dwelling~~
Athletic and Recreational Facilities
Auditorium
Boarding House
Car Wash
Cultural Entertainment
Factory-Built Housing
Financial Institution
Fitness Centre
Food Services / Catering
Home Occupation – Class 1 and 2
Liquor Store
Motel
Multi-family Dwelling
Printing Establishment, Commercial
~~Shipping Container, Temporary~~
Signs – types 14 (Freestanding), 16 (Multiple Listing), 17 (Murals) and 21 (Secondary)
Temporary Structure
Travel Agency
Veterinary Clinic

2. MINIMUM LOT SIZE

0.4 hectares (1 acre)~~, or at the discretion of the Development Authority.~~

3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS

Use	Front Yard m	Front Yard ft.	Side Yard m	Side Yard ft.	Rear Yard m	Rear Yard ft.
All principal uses	To be determined in a Comprehensive Site Development Plan.					
Adjacent to a highway	To be determined in conjunction with Alberta Transportation.					

4. MINIMUM~~DETACHED~~ ACCESSORY BUILDING YARD SETBACKS

Use	Front Yard m	Front Yard ft.	Side Yard m	Side Yard ft.	Rear Yard m	Rear Yard ft.
All Accessory Buildings	Not to be located in the front yard.		To be determined in a Comprehensive Site Development Plan.			
Adjacent to a highway	To be determined in conjunction with Alberta Transportation.					

5. MAXIMUM BUILDING HEIGHT

Principal building – 14 m (45.9 ft.)
Accessory building – 14 m (45.9 ft)
~~Accessory buildings under 13.9 m² (150 ft²) in area – 3.5 m (11.5 ft).~~

6. STANDARDS OF DEVELOPMENT

a. All development shall comply with the following schedules, as required:
   i. Schedule 4 (Standards of Development);
   ii. Schedule 5 (Multi-Family Dwelling Standards~~Development~~);
   iii. Schedule 8 (Criteria for Home Occupations); and
   iv. Schedule 12 (Alternative / Renewable Energy Developments)~~;~~.
   ~~Schedule 14 (FireSmart Regulations); and~~
   ~~Schedule 15 (Shipping Container / Transport Trailer Regulations).~~

b. In addition to the above Schedules, the following development standards shall apply:
   i. All building shall include 2 or more uses;
   ii. Uses on ground floor shall~~should~~ include active commercial or retail uses that contribute to street-level pedestrian activity;
   iii. Blank walls and loading areas shall be located to the side or rear of the building.

c. The applicant shall, at no cost to the Municipality and to the Development Authority's satisfaction, prepare a Comprehensive Site Development Plan (master site plan) prior to the approval of a development permit application for a permanent building ~~or structure~~ and/or an Area Structure Plan prior to conditional subdivision approval, and shall include the following:
   i. Parcel boundaries and sizes (including future parcels if a subdivision is proposed);
   ii. Anticipated building locations, sizes and uses;
   iii. Coordinated building and landscaping standards;
   iv. Traffic Impact Assessment, road layout, access(es), parking and loading design;
   v. Servicing locations and connections;
   vi. Non-vehicular layout, design and connections to adjacent lands; and
   vii. Location and design of amenity space(s).

7. OFF-STREET PARKING AND LOADING

All development shall comply with ~~Schedule 6 (~~the Off-Street Parking and Loading Area Standards Schedule of this bylaw~~Requirements)~~ – the number of parking spaces to be provided shall be specified in the Comprehensive Site Development Plan, shall include an assessment of the need for RV parking stalls and shall be supported by a qualified transportation engineering review.

8. RELOCATION OF BUILDINGS – See Schedule 7.

9~~8~~. SIGN STANDARDS – See Schedule 11.

10~~9~~. DEFINITIONS – See Schedule 19~~20~~.

COMPREHENSIVE RESORT VILLAGE – CRV

PURPOSE: *To accommodate the development of a designated area within the municipality for multi-family residential, recreational and related resort activities.*

1. PERMITTED USES

Alternative/renewable energy, individual – restricted to roof mounted solar panels only
~~Shipping container, temporary~~
Sign - types 11 (A-board), 15 (Home Occupation) and 18 (Portable)
Single-family dwelling~~s~~
Short-Term Rental / Bed & Breakfast

~~**PROHIBITED USES**~~

~~Commercial logging~~
~~Kennels~~
~~Manufactured/modular homes~~
~~Shipping container, permanent~~

DISCRETIONARY USES

Accessory buildings and uses
~~Accessory building or use prior to the establishment of the principal use~~
Alternative/renewable energy, individual – except roof mounted solar panels
Moved-in dwelling
Moved-in building
Multi-family dwellings (~~e.g. duplex, semi-detached,~~i.e. triplex, fourplex, sixplex, rowhouse, townhouse, apartment, etc.)
~~Public and private utilities~~
Secondary Suite
Sign - types 12 (Canopy), 13 (Fascia and Wall), 14 (Freestanding), 16 (Multiple Listing), 17 (Murals), 19 (Portable), 20 (Roof), 21 (Secondary), 22 (Subdivision Entrance) and 23 (Subdivision Marketing)
Tourist Home

2. MINIMUM LOT SIZE

	Width		Length		Area	
Use	**m**	**ft.**	**m**	**ft.**	**m²**	ft²~~**sq. ft.**~~
Single-family dwelling	9.1	30	30.5	100	278.7	3,000
Duplex or Semi-detached - per unit	9.1	30	30.5	100	278.7	3,000
Triplex – per unit	9.1	30	30.5	100	278.7	3,000
Fourplex – per unit	7.6	25	30.5	100	232.3	2,500
Rowhouse – per unit	7.6	25	30.5	100	232.3	2,500
Sixplex – per unit	7.6	25	30.5	100	232.3	2,500
Interior units	6.1	20	30.5	100	185.8	2,000
All other uses	As required by the Subdivision Authority~~Municipal Planning Commission~~					

3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS

Use	Front Yard m	Front Yard ft.	Side Yard m	Side Yard ft.	Rear Yard m	Rear Yard ft.
Single-family Dwelling	3.0	10	1.5	5	3.0	10
Duplex or Semi-detached	3.0	10	1.5	5	3.0	10
Triplex	3.0	10	1.5	5	3.0	10
Fourplex	3.0	10	1.5	5	3.0	10
Rowhouse	3.0	10	1.5	5	3.0	10
Sixplex	3.0	10	1.5	5	3.0	10
Interior units	3.0	10	0	0	3.0	10
All other uses	As required by the Development Authority~~Municipal Planning Commission~~					

4. MINIMUM~~DETACHED~~ ACCESSORY BUILDING YARD SETBACKS

Front Yard – not to be located in front yard
Side Yard – 0.9 m (3 ft.)~~ to wall face; 0.45 m (1.5 ft.) to eaves~~
Rear Yard – 0.9 m (3 ft.)~~ to wall face; 0.45 m (1.5 ft.) to eaves~~
~~Setback from principal building – 1.2 m (4 ft.) to wall face; 0.6 m (2 ft.) to eaves~~

5. MAXIMUM LOT COVERAGE

Principal building – 40%
Accessory buildings – 15%

6. MAXIMUM BUILDING HEIGHT

Principal building, up to two-storey, no walkout basement – 10.0 m (32.8 ft.)
Principal building, two-storey walk-out basement – 13.0 m (42.6 ft)
~~Principal building – 13.0 m (42.7 ft.)~~
Accessory building – 6.7 m (22.0 ft.)

7. MINIMUM FLOOR AREA (per dwelling unit)

Single-family Dwelling – 130.1 m^2 (1,400 ft^2)
Duplex or Semi-detached – 130.1 m^2 (1,400 ft^2~~sq. ft.~~)
Triplex – 111.5 m^2 (1,200 ft^2~~sq. ft.~~)
Fourplex – 111.5 m^2 (1,200 ft^2~~sq. ft.~~)
Rowhouse – 111.5 m^2 (1,200 ft^2~~sq. ft.~~)
Sixplex – 111.5 m^2 (1,200 ft^2~~sq. ft.~~)
Interior units – 92.9 m^2 (1,000 ft^2~~sq. ft.~~)
All other uses – As required by the Development Authority~~Municipal Planning Commission~~

8. STANDARDS OF DEVELOPMENT – See Schedules 4 ~~and Appendix 10~~.

9. MULTI-FAMILY DWELLING STANDARDS~~REQUIREMENTS~~ – See Schedule 5.

10. OFF-STREET PARKING AND LOADING – See Schedule 6.

11. RELOCATION OF BUILDINGS – See Schedule 7.

12~~11~~. SIGN STANDARDS – See Schedule 11.

~~**12. FIRESMART REGULATIONS** – See Schedule 14.~~

13. STANDARDS FOR SECONDARY SUITES – See Schedule ~~16~~15.

14. STANDARDS FOR SHORT-TERM RENTAL / BED & BREAKFAST AND TOURIST HOME – see Schedule 18~~19~~.

15. DEFINITIONS – See Schedule 19~~20~~.

COMPREHENSIVE SKI VILLAGE – CSV

PURPOSE: *To provide for the development of residential, recreational and tourist-oriented land uses ~~and development~~ in a ski village.*

1. PERMITTED USES

Accessory building~~s~~ or use ~~under~~up to 67.7~~13.9~~ m^2 (728~~150~~ ft^2~~sq. ft.~~) in area
Alternative/renewable energy, individual – restricted to roof mounted solar panels only
Day home
Duplex
Fourplex dwelling~~s~~
Home occupations - Class 1
Rowhouse dwelling~~s~~
Semi-detached dwelling~~s~~
Triplex dwelling~~s~~
Single-family dwelling~~s~~
~~Garages or carports accessory to single-family dwellings~~
~~Shipping container, temporary~~
Sign - types 11 (A-board), 15 (Home Occupation) and 18 (Portable)
Short-Term Rental / Bed & Breakfast

DISCRETIONARY USES

Accessory building~~s~~ or use over 67.7~~13.9~~ m^2 (728~~150~~ ft^2~~sq. ft.~~) in area
~~Accessory building or use prior to the establishment of the principal use~~
Alternative/renewable energy, individual – except roof mounted solar panels
Day care facility
Home occupations - Class 2
Modular home~~s [minimum 9.1 m (30 ft.) width]~~
~~Private institutional uses~~
~~Public institutional uses~~
~~Public and private utilities~~
Secondary Suite
Sign - types 12 (Canopy), 13 (Fascia and Wall), 14 (Freestanding), 16 (Multiple Listing), 17 (Murals), 19 (Portable), 20 (Roof), 21 (Secondary), 22 (Subdivision Entrance) and 23 (Subdivision Marketing)
Tourist Home

~~PROHIBITED USES~~

~~Commercial logging~~
~~Dog kennels~~
~~Mobile homes~~
~~Shipping container, permanent~~

2. MINIMUM LOT SIZE

Use	Width m	Width ft.	Length m	Length ft.	Area m^2	Area ft^2~~sq. ft.~~
Single-family dwelling	9.1	30	30.5	100	278.7	3,000
Duplex or Semi-detached – per unit	9.1	30	30.5	100	278.7	3,000
Triplex – per unit	9.1	30	30.5	100	278.7	3,000
~~Use~~	~~Width m~~	~~Width ft.~~	~~Length m~~	~~Length ft.~~	~~Area m^2~~	~~Area sq. ft.~~
Fourplex – per unit	7.6	25	30.5	100	232.3	2,500
Rowhouse – per unit	7.6	25	30.5	100	232.3	2,500
Sixplex – per unit	7.6	25	30.5	100	232.3	2,500
Interior units	6.1	20	30.5	100	185.8	2,000
All other uses	As required by the Subdivision Authority~~Municipal Planning Commission~~					

3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS

Use	Front Yard m	Front Yard ft.	Side Yard m	Side Yard ft.	Rear Yard m	Rear Yard ft.
Single-family dwelling	0	0	1.5	5	3.0	10
Duplex or Semi-detached	3.0	10	1.5	5	3.0	10
Triplex	3.0	10	1.5	5	3.0	10
Fourplex	3.0	10	1.5	5	3.0	10
Rowhouse	3.0	10	1.5	5	3.0	10
Sixplex	3.0	10	1.5	5	3.0	10
Interior units	3.0	10	1.5	5	3.0	10
All other uses	As required by the Development Authority~~Municipal Planning Commission~~					

4. MINIMUM~~DETACHED~~ ACCESSORY BUILDING YARD SETBACKS

Front Yard – not to be located in front yard
Side Yard – 0.9 m (3 ft.)~~ to wall face; 0.45 m (1.5 ft.) to eaves~~
Rear Yard – 0.9 m (3 ft.)~~ to wall face; 0.45 m (1.5 ft.) to eaves~~
~~Setback from principal building – 1.2 m (4 ft.) to wall face; 0.6 m (2 ft.) to eaves~~

5. MAXIMUM LOT COVERAGE

Principal building – 40%
Accessory buildings – 15%

6. MAXIMUM GRADE

In the Southmore subdivision a grading plan has been approved for each lot. A development permit issued in this subdivision shall include the approved grading plan for the subject property, and development on that property shall comply with the approved grading plan. Any deviation from the approved grading plan shall be prohibited, unless a revised grading plan has been designed and approved by a professional engineer to the Development Officer's satisfaction.~~Lots with an effective grade of 15% or less are considered fully developable.~~
~~Lots with an effective grade of greater than 15% require the plans to be approved by a professional engineer licensed in the Province of Alberta demonstrating the viability of the proposed development.~~

7. MAXIMUM BUILDING HEIGHT

Principal building, up to two-storey, no walkout basement – 10.0 m (32.8 ft.)
Principal building, two-storey walk-out basement – 13.0 m (42.6 ft)
Accessory buildings – 4.5 m (14.8 ft.)
~~Principal building – 15.0 m (49.2 ft.)~~
~~Accessory building – 6.0 m (19.7 ft.)~~

8. MINIMUM FLOOR AREA (per dwelling unit)

Single-family dwelling – 69.7 m^2 (750 ft^2~~sq. ft.~~)
Duplex or Semi-detached – 69.7 m^2 (750 ft^2~~sq. ft.~~)

Triplex	– 69.7 m^2 (750 ft^2~~sq. ft.~~)
Fourplex	– 69.7 m^2 (750 ft^2~~sq. ft.~~)
Rowhouse	– 69.7 m^2 (750 ft^2~~sq. ft.~~)
Sixplex	– 69.7 m^2 (750 ft^2~~sq. ft.~~)
Interior units	– 69.7 m^2 (750 ft^2~~sq. ft.~~)
All other uses	– As required by the Development Authority~~Municipal Planning Commission~~

~~**9. DESIGN GUIDELINES**~~

~~As a condition of any approval by the Municipal Planning Commission within this land use district, design guidelines may be required to uphold the integrity and prevailing aesthetics of the village.~~

9. ZERO FRONT YARD SETBACK VARIANCE – See Schedule 4.

10. STANDARDS OF DEVELOPMENT – See Schedules 4~~ and Appendix 10~~.

11. MULTI-FAMILY DWELLING STANDARDS~~REQUIREMENTS~~ – See Schedule 5.

12. OFF-STREET PARKING AND LOADING – See Schedule 6.

13. RELOCATION OF BUILDINGS – See Schedule 7.

14~~13~~. CRITERIA FOR HOME OCCUPATIONS – See Schedule 8.

15~~14~~. ~~MANUFACTURED /~~ MODULAR HOME DEVELOPMENT STANDARDS – See Schedule 9.

16~~15~~. SIGN STANDARDS – See Schedule 11.

~~**16. FIRESMART REGULATIONS** – See Schedule 14.~~

17. STANDARDS FOR SECONDARY SUITES – See Schedule ~~16~~15.

18. STANDARDS FOR SHORT-TERM RENTAL / BED & BREAKFAST AND TOURIST HOME – see Schedule 18~~19~~.

19. DEFINITIONS – See Schedule 19~~20~~.

DIRECT CONTROL – DC-1 (Crowsnest Mountain Resort)

PURPOSE: *To provide a Direct Control district for the creation of site specific land use regulations in respect of specific sites within the municipality where the circumstances relating to the development of a specific site are such that regulation and control by means of the other land use districts provided for in this bylaw would be inappropriate or inadequate, having regard to existing or future surrounding developments and to the interest of the applicant and the public, generally.*

1. USES

All land use applications shall be evaluated on their merits by Council prior to a decision being rendered, whether or not to issue a development permit. ~~Shipping containers are prohibited uses.~~

2. GENERAL REGULATIONS

The minimum lot size, coverage, development setbacks and general standards of development established in the land use bylaw shall be required only at the discretion of Council.

3. APPLICATION

This district shall only be applied where all of the following conditions are met:

(a) the proposed development is, in the opinion of Council, considered appropriate for the site having regard for the land use policies of the municipal development plan, the objectives of any applicable statutory plan, and compatibility with the scale and character of surrounding development;

(b) that the use of any other land use district of this bylaw to accommodate the proposed development would, in the opinion of Council, result in potential conflicts with existing or future surrounding developments, should the full development potential of such land use district be utilized; and

(c) the proposed development is of a scale or complexity requiring a comprehensive planning and implementation approach that, in the opinion of Council, would be more appropriately regulated through a more comprehensively planned land use district or area structure plan for the area.

4. DESIGNATED AREA

(a) The area that is the subject of this Direct Control – DC-1 designation is shown on the map in this land use district.

(b) A full extent version of this land use district is shown on Map 7 of this Land Use Bylaw.

~~TURTLE MOUNTAIN RESTRICTED DEVELOPMENT AREA~~DIRECT CONTROL – DC-2 (Turtle Mountain Restricted Development Area)

PURPOSE: *To provide a Direct Control district for the creation of site specific land use regulations in respect of specific sites within the municipality where the circumstances relating to the development of a specific site are such that regulation and control by means of the land use districts provided for in this bylaw would be inappropriate for the further subdivision and development of land in close proximity to the Turtle Mountain Slide Area.*

1. USES

All land use applications shall be evaluated on their merits by Council prior to a decision being rendered, whether or not to issue a development permit approval.

2. GENERAL REGULATIONS

The minimum lot size, coverage, development setbacks and general standards of development established in the land use bylaw shall be required only at the discretion of Council.

3. APPLICATION

(a) New residential dwellings shall not be allowed to be constructed in the district, except when~~where~~ approved by Council~~ on application~~, notwithstanding that:

(i) those residential buildings~~structures~~ existing on November 01, 2007, shall be allowed to be repaired, rebuilt, altered or expanded to the extent provided for in~~permitted under~~ the Land Use Bylaw as the same applied to the property in question on November 1, 2007~~ on application to the Council~~; or

(ii) non-residential buildings~~structures~~ such as garages, garden sheds or other similar uses will be permitted in the district.

(b) This district shall not allow the subdivision of existing certificates of title.

4. DESIGNATED AREA

(a) The area that is the subject of this Direct Control – DC-2 designation is shown on the map in this land use district.

(b) A full extent version of this land use district is shown on Map 1 of this Land Use Bylaw.

~~DIRECT CONTROL – DC-3~~

~~***PURPOSE:*** *To authorize Council to exercise particular control over the use and development of land or buildings within an area of the municipality.*~~

~~1. USES~~

~~All land use applications shall be evaluated on their merits by Council prior to a decision being rendered, whether or not to issue a development permit. Shipping containers are prohibited uses.~~

~~2. GENERAL REGULATIONS~~

~~The minimum lot size, coverage, development setbacks and general standards of development established in the land use bylaw shall be required only at the discretion of Council.~~

~~3. APPLICATION~~

~~This district shall only be applied where all of the following conditions are met:~~

~~(a) the proposed development is, in the opinion of Council, considered appropriate for the site having regard for the land use policies of the municipal development plan, the objectives of any applicable statutory plan, and compatibility with the scale and character of surrounding development;~~

~~(b) that the use of any other land use district of this bylaw to accommodate the proposed development would, in the opinion of Council, result in potential conflicts with existing or future surrounding developments, should the full development potential of such land use district be utilized; and~~

~~(c) the proposed development is of a scale or complexity requiring a comprehensive planning and implementation approach that, in the opinion of Council, would be more appropriately regulated through a more comprehensively planned land use district or area structure plan for the area.~~

~~4. DESIGNATED AREA~~

~~(a) The area that is the subject of this Direct Control – DC-3 designation is shown on the map within this land use district.~~

~~(b) A full extent version of this land use district is shown on Map 5 of this Land Use Bylaw.~~

~~DIRECT CONTROL – DC-4~~

~~***PURPOSE:*** *To authorize Council to exercise particular control over the use and development of land or buildings within an area of the municipality.*~~

~~1. USES~~

~~All land use applications shall be evaluated on their merits by Council prior to a decision being rendered, whether or not to issue a development permit. Shipping containers are prohibited uses.~~

~~2. GENERAL REGULATIONS~~

~~The minimum lot size, coverage, development setbacks and general standards of development established in the land use bylaw shall be required only at the discretion of Council.~~

~~3. APPLICATION~~

~~This district shall only be applied where all of the following conditions are met:~~

~~(a) the proposed development is, in the opinion of Council, considered appropriate for the site having regard for the land use policies of the municipal development plan, the objectives of any applicable statutory plan, and compatibility with the scale and character of surrounding development;~~

~~(b) that the use of any other land use district of this bylaw to accommodate the proposed development would, in the opinion of Council, result in potential conflicts with existing or future surrounding developments, should the full development potential of such land use district be utilized; and~~

~~(c) the proposed development is of a scale or complexity requiring a comprehensive planning and implementation approach that, in the opinion of Council, would be more appropriately regulated through a more comprehensively planned land use district or area structure plan for the area.~~

~~4. DESIGNATED AREA~~

~~(a) The area that is the subject of this Direct Control – DC-4 designation is shown on the map within this land use district.~~

~~(b) A full extent version of this land use district is shown on Map 5 of this Land Use Bylaw.~~

~~DIRECT CONTROL – DC-5~~

~~***PURPOSE:*** *To authorize Council to exercise particular control over the use and development of land or buildings within an area of the municipality.*~~

~~1. USES~~

~~All land use applications shall be evaluated on their merits by Council prior to a decision being rendered, whether or not to issue a development permit. Shipping containers are prohibited uses.~~

~~2. GENERAL REGULATIONS~~

~~The minimum lot size, coverage, development setbacks and general standards of development established in the land use bylaw shall be required only at the discretion of Council.~~

~~3. APPLICATION~~

~~This district shall only be applied where all of the following conditions are met:~~

~~(a) the proposed development is, in the opinion of Council, considered appropriate for the site having regard for the land use policies of the municipal development plan, the objectives of any applicable statutory plan, and compatibility with the scale and character of surrounding development;~~

~~(b) that the use of any other land use district of this bylaw to accommodate the proposed development would, in the opinion of Council, result in potential conflicts with existing or future surrounding developments, should the full development potential of such land use district be utilized; and~~

~~(c) the proposed development is of a scale or complexity requiring a comprehensive planning and implementation approach that, in the opinion of Council, would be more appropriately regulated through a more comprehensively planned land use district or area structure plan for the area.~~

~~4. DESIGNATED AREA~~

~~(a) The area that is the subject of this Direct Control – DC-5 designation is shown on the map within this land use district.~~

~~(b) A full extent version of this land use district is shown on Map 7 of this Land Use Bylaw.~~

Schedule 3

DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

1. ~~No~~A development permit is not required for:
   (a) any development exempted under either the Act ~~*Municipal Government Act*~~ or an exemption regulation ordered by the Lieutenant Governor in Council pursuant to the Act ~~*Municipal Government Act*~~;

   (b) the completion of any construction lawfully commenced on or before the coming into effect of this bylaw or any applicable amendment to it, provided that the construction is completed:
      (i) in accordance with the terms of any development permit granted in respect of it, and
      (ii) within 12 months of the coming into effect of this bylaw.

2. Subject to the relevant provisions of this Schedule, ~~No~~a development permit is not required for any of the following uses and buildings, ~~except for areas identified within or adjacent to the Wildland Urban Interface, and further~~ provided that they are prescribed as a permitted use in the applicable land use district and all district regulations, standards of development and other applicable provisions of this bylaw that relate to the proposed development, are complied with:
   (a) maintenance, improvement or renovation to a building, including interior renovation~~s~~, that ~~do~~does not include either structural alterations or additions which would change its external appearance/ dimensions or create an additional dwelling unit, or would result in a change of use or increase the need for additional parking;
   (b) at the discretion of the Development Officer, a change of occupant, activity or use of land or a building to that which falls under the definition of a permitted use in the given land use district, provided that the change does not involve alterations or additions to the external appearance of the building, or internal alterations that substantially alter the space (e.g. addition of walls or changes to floor plan), and further provided that the parking requirements (except for certain developments within the Historic Commercial Areas Overlay District ~~– Schedule 17~~) and all other development standards and requirements of this bylaw are complied with;
   (c) an at grade outdoor improvement, an alteration of the existing grade~~s~~, or an uncovered enclosure (i.e. a structure without a roof), provided that, as may be applicable, such improvement, grade alteration or uncovered enclosure is not located on the property line, and has a maximum side slope ratio (metres) of 3:1 and a maximum back slope ratio (metres) of 2:1, and any of the above does not alter lot drainage and does not cause lot drainage onto an adjacent property~~,~~. This may includ~~ing~~e but is not limited to landscaping, a driveway~~s~~ (excluding a new access approach or a dropped curb onto a municipal road), a patio~~s~~, a privacy fence, a sidewalk~~s~~, a wheelchair ramp~~s~~ ~~[maximum 0.6 metres (2 ft) in height]~~, etc.
   (d) a retaining wall that is either not greater than 1.2 m (4 ft) in height above grade and/or that is not critical to the support of building foundations (notwithstanding any other provision in this bylaw, a retaining wall is deemed to be an accessory structure and may be constructed with a zero-lot line yard setback without requiring the approval of a variance).~~s [maximum 0.6 metres (2 ft.) in height], etc~~;
   ~~(d) uncovered enclosures (i.e. do not involve a roof), providing the improvements do not alter lot drainage and comply with all other provisions of this bylaw;~~
   (e) ~~uncovered~~ a ground level deck~~s~~, landing~~s~~, staircase~~s~~ and similar structure~~s~~ (except a sign) and building features that are allowed as projections into yard setbacks pursuant to Schedule 4~~a maximum of 0.6 metres (2 ft.) in height~~, provided that:
      (i) the improvement~~s~~ does not alter lot drainage; and ~~further provided that~~

(ii) the improvement~~s~~ compli~~es~~y with all other development standards and provisions of this bylaw, including ~~yard setbacks and yard~~ projections into yard setbacks (see Schedule 4);

(f) the installation (except the initial installation of a waste management facility or a waste~~-~~water treatment plant), maintenance, upgrading, alteration and/or repair of any public works, service or utilities~~utility~~ (including a waste management facility or a waste~~-~~water treatment plant) by or on behalf of a municipal, provincial or federal government agency on land which is publicly owned or controlled;

(g) the use of land or a building and any development (except as specified below) that is undertaken by or on behalf of, or subject to a lease agreement with, a municipal, provincial or federal government agency on land that is publicly owned or controlled, provided that all standards of this bylaw are complied with and excepting thereout the establishment of a large scale or high density development, a resource extraction operation, a waste management facility, a waste water treatment plant or other development that could be reasonably considered to have nuisance potential;

(h) the installation of private utilities on private property~~land in compliance with the Safety Codes Act and~~, including gas, propane, a water well, a Private Sewage Disposal System, electric power, water and wastewater utilities connected to off-site municipal infrastructure, and stormwater management facilities, provided that a principal building or use exists on the property, or that a ~~building~~development permit for a principal building or use has been issued, and that any applicable permits under the Safety Codes Act have been obtained, and that any engineering design that may be required and may require municipal review has been obtained;

~~(i) a temporary building or construction trailer not including a work camp, the sole purpose of which is incidental to the erection or alteration of a building for which a permit has been issued pursuant to the provincial building code, and further provided the said temporary building is not used or intended to be used as a residence;~~

(i~~j~~) ~~not more than~~ one accessory building per parcel~~garden shed or tool shed~~ which is smaller ~~not more~~ than 10~~13.93~~ m^2 (108 ft^2~~150 sq. ft.~~) in area~~, has no permanent foundations or utility connections and~~, provided it meets all applicable setbacks and other development standards of this bylaw – additional accessory buildings require a development permit regardless of their size;

(j~~k~~) the construction or maintenance of gates and~~,~~ fences~~, walls,~~ or other means of enclosure, subject to any limitations in height, obstruction of corner sightlines or other features detailed in Schedule 4 hereof;

(k~~l~~) the following signs or changes to existing signage:

(i) any signs identified in the Sign Standards Schedule of~~Section 10 of Schedule 11 in~~ this Land Use Bylaw;

(ii) the change of copy for an existing sign that is a legal and conforming sign pursuant to a previous development permit~~, where the sign renewal period has not expired~~. In order to be exempted from the requirement to obtain a development permit for such a sign, the applicant shall submit colour rendering of the proposed new sign copy, to the satisfaction of the Development Officer, which shall be stamped by the Development Officer after it has been reviewed to ensure compliance with the Land Use Bylaw.

(l~~m~~) a ~~satellite dish~~ communication antenna or structure ~~which~~that complies with the following requirements ~~will not~~:

(i) ~~be~~ a communication antenna installed on or attached to a roof,

(ii) a communication structure that is not located in a front yard~~,~~ or in a secondary front yard~~part of a corner lot sideyard adjoining a street~~; and/or

(ii) a communication antenna or structure that will not exceed the height of the principal building on the site.

(m~~n~~) the demolition of a building ~~or structure~~ of less than 46.5 m^2 (500 ft^2~~sq. ft.~~) and provided the building is not located on a property in one of the categories that require referral to the Municipal Historic Resources Advisory Committee pursuant to ~~section 28 of~~ this bylaw (note that a demolition permit under the Safety Codes Act may still be required);

(n~~o~~) individual recreational vehicle (RV) units which are not considered permanent buildings ~~or structures~~ and are located in an approved Recreational Vehicle ~~p~~Park or campground;

(o~~p~~) the storage of recreational vehicle (RV) units, which are not considered permanent buildings ~~or structures~~, in accordance with the provisions and not exceeding any threshold or timeline that may have been established in Schedule 4;

(p~~q~~) one business per property that operates as a Home Occupation - Class 1;

(q) the temporary placement of one ~~a~~ temporary building~~,~~ (including a shipping container / transport trailer or construction trailer but not including a work camp), for the sole purpose of and directly in connection with a construction project for which a development permit and a Safety Codes building permit have been issued, as may be required, for the duration of the project, provided that:

(i) ~~the sole purpose of which is incidental to the erection or alteration of a building for which a permit has been issued pursuant to the provincial building code, and further provided~~ the said temporary building is not used or intended to be used as a residence; and

~~(r) the temporary placement of one shipping container in connection with the construction of a development for which a development permit has been issued, or a project for which a development permit is not required, for the period of the project in accordance with the following:~~

(i~~i~~) the construction site is active (i.e., construction has commenced and is on-going or is about to commence within one week); placement of a temporary building~~shipping container~~ on an inactive construction site is prohibited; and

(iii~~ii~~) ~~in no case shall a~~the temporary building~~construction shipping container~~ shall be removed~~remain on~~ from the site immediately when construction has been suspended for ~~more than~~ a period of 60 days or more; and

(iv~~iii~~) the temporary building~~shipping container~~ shall be placed entirely within the boundaries of the property on which construction is undertaken and shall not obstruct required sight triangles (placement of the temporary building within a road right-of-way, including a boulevard or lane, may require a hoarding permit or temporary closure permit pursuant to the Traffic Bylaw); and

(v~~iv~~) the temporary building~~shipping container~~ must be removed immediately upon completion of construction.

(r~~s~~) the exploratory excavation of utilities, ~~and~~ building foundations and temporary accesses prior to obtaining a development permit for a use that is listed as either a permitted or discretionary use in the applicable land use district, provided that the Developer has notified the Development Officer and the Development Officer has issued a conditional excavation approval, including a hold harmless condition as follows:

i) This temporary permit is issued for the purpose of excavating to gain temporary access to a parcel, remove trees, explore foundation options, locate existing utilities and confirm yard setbacks in preparation for intended construction relative to a development for which the developer has submitted a development permit application to the Municipality. The developer shall not proceed with construction activities beyond this scope (e.g. the developer shall not pour concrete foundations).

ii) The developer undertakes any and all work permitted under this temporary permit at their sole risk and assumes the full cost of associated expenses. This includes any remediation work and expenses, if required. By accepting and bringing into effect this temporary permit the developer indemnifies the Municipality from any liability and/or cost relative to the work permitted under this permit or any remediation work, if required.

iii) This temporary permit is valid from the date of issuance and until a development permit is issued for the construction of the proposed development on the subject property, or a date to be determined, whichever occurs first. If a development permit is not issued by the determined date, the developer may apply for an extension of the temporary permit. Failing the completion of this condition, the developer shall remediate the site to the Development Officer's satisfaction and at no cost to the Municipality.

iv) The issuance of this temporary permit does not provide any guarantees to the developer relative to the issuance of a development permit for any use;

(s~~t~~) work to service an approved subdivision for which a development agreement has been executed

(t) solar panels affixed to the roof of a building.

3. Subject to the provisions of this Schedule, a development permit is not required for an existing building, structure or other improvement that encroaches onto an adjacent street, lane, Municipal easement or Municipal property (other than Reserves) or onto adjacent private property, where an encroachment agreement has been executed, in which case the duly executed encroachment agreement shall be deemed to be an exemption from the requirement to obtain a development permit.

4~~3~~. Any question as to whether a proposed development requires a development permit shall be referred to the Development Officer who may make a decision or may refer the question to the Municipal Planning Commission.

5. Notwithstanding anything stated elsewhere in this bylaw, including the exemptions provided for in this Schedule, any activity or construction or earthworks that involves or results in a change to the flow of overland stormwater drainage patterns, whether natural or man-made, or that results in a change to the existing grade of a property by more than 1.20 metres, or that results in a side slope ratio (metres) that exceeds 3:1 or a back slope ratio (metres) that exceeds 2:1, shall not be undertaken without first obtaining a development permit.

Schedule 4

STANDARDS OF DEVELOPMENT

1. The following alphabetical list with page number references of headings in this Schedule is intended to enhance user-friendliness:

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- Cannabis Retail Sales ..... Schedule 4 | 23
- Canvas Covered Structures ..... Schedule 4 | 21
- Communication Antennae and Structures ..... Schedule 4 | 16
- Comprehensive Planning for Development Permit or Subdivision Applications ..... Schedule 4 | 02
- Corner Lot Sight Triangle ..... Schedule 4 | 07
- Decks ..... Schedule 4 | 13
- Demolition, Removal or Replacement of Buildings ..... Schedule 4 | 05
- Development in General ..... Schedule 4 | 02
- Drive-in Commercial Use Standards ..... Schedule 4 | 20
- Easements, Setback Distances and Public Safety ..... Schedule 4 | 12
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- Fences ..... Schedule 4 | 13
- Flood-risk Lands ..... Schedule 4 | 19
- Industrial and Commercial Use Standards ..... Schedule 4 | 20
- Infill Development in Mature Neighbourhoods ..... Schedule 4 | 04
- Landscaping and Screening Standards ..... Schedule 4 | 15
- Lighting ..... Schedule 4 | 10
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- Lot Sizes and Sub-Standard Lots ..... Schedule 4 | 03
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- Show Homes and Real Estate Sales Offices ..... Schedule 4 | 18
- Slope-Adaptive Building and Site Design ..... Schedule 4 | 05
- Swimming Pools ..... Schedule 4 | 19
- Temporary Auto Sales Standards ..... Schedule 4 | 22
- Yard Setbacks ..... Schedule 4 | 14

2. Except for more specific, alternative, or contradictory standards as may be set forth within an individual land use district, the following standards apply to all uses in all districts.

DEVELOPMENT IN GENERAL

3~~1~~. All development shall comply with this land use bylaw, the land uses, standards and regulations prescribed in the applicable district, the conditions attached to a development permit, the standards established in this Schedule, any other standards established by the Municipality of Crowsnest Pass ~~municipal standards as~~ in and enforced through other municipal bylaws~~required by the Development Authority~~ and any federal and provincial regulations that may apply to a development, which is to be determined by an applicant or landowner and complied with by an applicant or landowner at no cost or liability to the Municipality.

COMPREHENSIVE PLANNING FOR DEVELOPMENT PERMIT OR SUBDIVISION APPLICATIONS

4~~2~~. The Development Authority or the Subdivision Authority, as the case may be, may require an applicant for a development permit or for a bareland condominium subdivision to prepare a comprehensive site development plan as follows:

(a) When the Development Officer deems it necessary for the purpose of sound planning practices, the applicant for a development permit ~~application for a permanent building or structure~~ or for a bareland condominium subdivision shall, at no cost to the Municipality and to the satisfaction of the Development Authority~~'s~~ or the Subdivision Authority~~satisfaction~~, prepare a Comprehensive Site Development Plan as part of the application~~prior to the approval of~~ for the development permit or bareland condominium subdivision.

(b) A Comprehensive Site Development Plan must describe the following information:

(i) Parcel boundaries and sizes, the layout of the proposed development or bareland condominium subdivision on the parcel, land uses, density of population, location of

buildings, parking and loading areas, landscaping, amenity spaces, property line yard setbacks and other relevant development standards.

(ii) The location and specifications of access points into the parcel from public roadways, including vehicular and pedestrian connections to adjacent properties, supported by a qualified transportation engineering review if required.

(iii) The location and capacity and upsizing requirements of existing or required water and wastewater servicing connections at the property line, based on the proposed volumes required and produced by the proposed development or bareland condominium subdivision on the parcel.

(iv) The sequence of the development or bareland condominium subdivision proposed for the parcel.

(v) Any other information that the Development Authority or Subdivision Authority deems relevant to making an informed decision on the development permit or bareland condominium subdivision application.

5~~3~~. The Subdivision Authority may require an applicant for subdivision (excluding a bareland condominium subdivision) to prepare an area structure plan as follows:

(a) When the Development Officer deems it necessary for the purpose of sound planning practices, the applicant for a subdivision application shall, at no cost to the Municipality and to the Subdivision Authority's satisfaction, prepare an Area Structure Plan in accordance with relevant Council policy as part of the application for~~prior to the approval of the~~ subdivision~~ application~~.

(b) An Area Structure Plan must describe the information and comply with the preparation process requirements prescribed in the Act ~~*Municipal Government Act*~~ and relevant Council policy.

~~**QUALITY OF DEVELOPMENT**~~

~~4. The Development Authority may require additional standards as a condition of a development permit, in order to improve the quality of any proposed development such as, but not limited to, paved parking areas, exterior finishes to buildings, and street setbacks.~~

LOT SIZES AND SUB-STANDARD LOTS~~**DEVELOPMENT ON NON-CONFORMING SIZED LOTS**~~

6~~5~~. Development shall comply with the following standards:

(a) With the approval of the ~~Municipal Planning Commission~~Development Authority, development may be approved~~permitted~~ on a lot which does not conform to the minimum requirements for length, width or area.

(b) The Subdivision Authority and the Development Authority may, at their discretion, omit from the calculation of minimum lot area or dimensions any part of a lot which, because of rock, steep slopes or other physical features cannot be reasonably developed for the proposed use, including access, parking and buildings.

(c) The Subdivision Authority may approve a subdivision application for a bare lot that does not meet the minimum lot sizes or minimum lot dimensions established in each District, which shall be considered a sub-standard lot, except if the variance is otherwise expressly prohibited by this Bylaw or any other statute or regulation. The approval of a sub-standard lot shall not be a guarantee that the Development Authority shall approve a variance to a standard in this bylaw to accommodate the subsequent development of a sub-standard lot.

(d) The Subdivision Authority may approve a subdivision application for a lot that contains an existing development that, after allowing for the variances provided for in this bylaw, does not or, after the subdivision is registered, will not meet the minimum measurable standards of this Bylaw:

(i) only if the purpose of the subdivision is to accommodate a development that existed on the date of the initial adoption of this Bylaw (i.e. June 2013), and

(ii) only up to the variance authority that is assigned in this bylaw to the Municipal Planning Commission,

and such approval shall not be granted if the variance is otherwise expressly prohibited by this Bylaw or any other statute or regulation.

~~STATUTORY PLANS~~

~~6. Where the policies, rules or procedures indicated in a statutory plan vary, supplement, reduce, replace or qualify the requirements of this bylaw for a particular district or districts, the policies, rules or procedures indicated in the statutory plan shall take precedence.~~

INFILL DEVELOPMENT IN MATURE NEIGHBOURHOODS

7. The Development Authority or the Subdivision Authority~~Municipal Planning Commission~~ may require an infill development plan illustrating the proposed road network, utility plan, and lot configurations prior to approving infill development within any block which has been determined ~~by the Municipal Planning Commission~~ to have redevelopment potential. The determination of blocks with redevelopment potential shall be consistent with the Municipal Development Plan policies.

8. The Development Authority shall require that a development permit application for infill development in a mature neighbourhood or area of historic significance is compatible with existing mature development, with regard to building height, mass and style, yard setbacks, roof slopes, and slope-adaptive building and site design considerations where applicable. The Development Authority may impose development permit conditions to ensure that an infill development complies with this standard.

QUALITY AND DESIGN ~~AND ORIENTATION~~ OF DEVELOPMENT~~BUILDINGS, STRUCTURES AND SIGNS~~

9. In addition to the standards established in this bylaw, the Development Authority may require additional standards as a condition of a development permit, in order to improve the quality of any proposed development such as, but not limited to, paved parking areas, exterior finishes to buildings, landscaping, yard setbacks, slope-adaptive building and site design considerations, and the impact on existing development in mature neighbourhoods or areas of historic significance.

10~~8~~. Development shall comply with the following standards:

(a) The design, character and appearance of buildings~~, structures~~ or signs shall be consistent with the intent of the land use district in which the building is located and compatible with other buildings in the vicinity.

(b) The Development Authority may regulate the exterior finish of buildings~~, structures~~ or signs to improve the quality of any proposed development within any land use district.

(c) The Development Authority may require that the appearance of walls exposed to public view from beyond the site be improved where, in its opinion, the appearance of such walls is incompatible with the finishing standards of surrounding developments.

(d) The maximum allowable height above the average finished surface level of the surrounding ground of the exposed portion of a concrete or block foundation may be limited by the Development Authority.

~~(e) Subject to the requirements of the Safety Codes, the Development Authority may require that buildings be physically accessible to disabled persons.~~

(e~~f~~) If a building is to be located on a lot with more than one street frontage or on a lot with potential for further subdivision, the Development Authority may regulate the orientation and location of the building as a condition of development approval.

~~(g) The construction of the building shall meet the FireSmart requirements for applicable areas.~~

(f~~h~~) All development shall comply with any development criteria established by Council for a designated area.

SLOPE-ADAPTIVE BUILDING AND SITE DESIGN

11. As part of the information to determine that a development permit application is complete, the Development Officer may require that an application incorporates slope-adaptive building and site design principles, including design methods that minimize the impact of site development on the natural environment, ensures slope stability, and responds positively to the aesthetic opportunities presented by construction on sloping lands. Techniques to achieve this normally include design of rooflines and building massing to reflect the angles and shapes of the surrounding landscape, breaking up of the building mass to conform to the slope, and the use of indigenous materials, compatible colours and landscaping.

DEMOLITION, ~~OR~~ REMOVAL OR REPLACEMENT OF BUILDINGS ~~OR STRUCTURES~~

12~~9~~. All building demolitions, ~~or~~ removals or replacements shall comply with the following:

(a) No person shall commence or cause to be commenced the demolition, removal or ~~destruction~~ replacement of a~~ny~~ building ~~or structure,~~ or portion thereof~~,~~ or of a use ~~until all necessary permits have been obtained.~~unless they have applied for and been issued a development permit for demolition, removal or replacement of the building or use.

(b) A development permit is not required~~must be obtained~~ for the demolition, ~~or~~ removal or replacement of a~~ny~~ building ~~or structure~~ less~~greater~~ than 46.5 m^2 (500 ft^2~~sq. ft.~~) in size (note that a demolition permit under the Safety Codes Act may still be required).

(c) Whenever a development permit is issued for the demolition or removal of a building ~~or structure~~ without it being replaced by a new development at the time, it shall be a condition of the development permit that the lot shall be cleared, with all debris removed to an appropriate waste management facility, and left in a graded condition upon completion of the demolition or removal to the satisfaction of the Development Authority.

(d) When a development permit is ~~to be~~ approved for the demolition, ~~or~~ removal or replacement of a building ~~or structure~~, the Development Authority may require the applicant to provide a cash deposit, irrevocable letter of credit or other acceptable form of security in such amount as to cover the costs of reclamation to any public utility or municipal property and/or to repair any damage to municipal infrastructure, including but not limited to roads, curbs, sidewalks, signs, lights and utilities.

(e) Whenever a demolition, ~~or~~ removal or replacement of a building ~~or structure~~ is carried out, the property owner or applicant shall, at their~~his~~ own responsibility and expense, protect any fence, wall, foundation, structure, sidewalk or roadway liable to be affected by such demolition, ~~or~~

removal or replacement, including those on neighbouring properties, from damage or displacement.

(f) ~~Further, t~~The property owner or applicant shall be responsible to ensure that ~~adequate measures~~best practices are followed~~taken~~ by way of, for example, fencing and screening to ensure public safety, and the removal of waste to an appropriate waste management facility.

(g~~f~~) The landowner or applicant shall be responsible for obtaining ~~all necessary Safety Codes approvals~~ the required approval under the Safety Codes Act and other applicable legislation (e.g. relative to asbestos handling), and for utility service disconnections before demolition or removal of buildings ~~or structures~~.

(h~~g~~) The Development Officer shall impose a reasonable timeline on all development permits for demolition, removal or replacement, specifying the time period by which the building must be demolished, removed or replaced and the site ~~fully~~ cleaned up.

MAXIMUM GRADE

13. Development shall comply with the following standards:

(a) Lots with an effective grade of 15% or less are considered fully developable;

(b) Lots with an effective grade of greater than 15% require the development permit application to be accompanied by a slope stability assessment and/or a grading plan, as may be applicable, approved by a professional engineer licensed in the Province of Alberta demonstrating the viability of the proposed development.

(c) An urban driveway slope shall meet the requirements established in the municipal Engineering and Development Standards (12% maximum slope).

LOT GRADING, DRAINAGE AND STORMWATER MANAGEMENT (RETAINING WALLS)

14~~10~~. Notwithstanding any other provision in this bylaw, including exemptions provided for in Schedule 3, any development (i.e. land use activity, construction or earthworks) that involves or results in a change to the flow of overland stormwater drainage patterns, whether natural or man-made, or that results in a change to the existing grade of a property by more than 1.20 metres, or that results in a side slope ratio (metres) that exceeds 3:1 or a back slope ratio (metres) that exceeds 2:1, shall not be undertaken without first obtaining a development permit. Development shall comply with the following standards:

(a) In no circumstances shall any part of a building encroach into or cause runoff onto an adjoining property.

(b~~a~~) the applicant shall provide to the Development Officer engineered grading and drainage plans for the development and a legal survey demonstrating that engineered grades have been met;

(c~~b~~) grading and other measures, as appropriate, to control surface drainage, reduce or eliminate grade difference between adjacent lots, and minimize erosion or slope instability;

~~(c) the final grades of the development must be approved by the Development Officer before the issuance of a building permit;the applicant is responsible for ensuring adherence to final grades;~~

(d) the construction of a retaining wall when~~ever~~, in the opinion of the Development Authority, significant grade differences ~~in grade~~ exist or will exist after construction between the lot being developed and an~~y~~ adjacent lot, public land, a lane or a roadway. A retaining wall that is either greater than 1.2 m (4 ft) in height above grade and/or that is critical to the support of building foundations, shall be designed by a professional engineer. Should a retaining wall be required,

that was not previously approved in a development permit, an additional development permit is required. Notwithstanding any other provision in this bylaw, a retaining wall is deemed to be an accessory structure and may be constructed with a zero-lot line yard setback without requiring the approval of a variance;~~;~~

(e) the Developer and/or the Landowner shall ensure that any changes to the lot grading maintains positive drainage directing the flow of all surface stormwater away from building foundations towards adjacent streets and lanes without adversely affecting (e.g. erosion, flooding) adjacent properties, roads, lanes, public property, or public infrastructure, including where applicable in such a manner that the post-development rate and volume of surface stormwater drainage from the subject property do not exceed the pre-development rate and volume of surface stormwater drainage. Should a retaining wall be required as part of the stormwater drainage system, that was not previously approved in a development permit, an additional development permit is required. Construction of the stormwater drainage system shall be completed by the landowner at no cost to the Municipality;

(f) the applicant ~~is~~and/or landowner is responsible for ensuring adherence to approved grading and drainage plans.

~~where a retaining wall is required, the applicant shall submit to the Development Officer plans identifying the design and specifications of development for review and approval by the accredited Safety Codes Officer.~~

15~~11~~. Roof and surface drainage shall be directed either to the public roadway or lane adjacent to~~fronting~~ the property~~,~~ or, as may be approved by the Development Officer, to a rear or side property boundary, or as approved in an engineered stormwater management plan.

16~~12~~. A developer shall ensure that a site on which a development is carried out is graded in such a manner that surface stormwater from the site:

(a) drains onto a lane or road abutting the site, and

(b) does not drain onto land other than a lane or road abutting the site.

~~**RETAINING WALLS, GRADING AND DRAINAGE**~~

~~13. The Development Authority may require:~~

~~(a) lot grading plans for all developments at the time of application;~~

~~(b) the construction of a retaining wall as a condition of development if significant differences in grade exist or will exist between the lot to be developed and adjacent parcels;~~

~~(c) the preparation and submission of engineered drainage and/or landscaping plans prior to the issuance of a development permit for new development;~~

~~(d) special grading to prevent or alleviate drainage problems with neighbouring lots as a condition of a development permit;~~

~~(e) the provision of security within the terms and conditions of a development agreement to ensure proper drainage patterns are provided with any development.~~

CORNER LOT SIGHT TRIANGLE

17~~14~~. On a corner lot, no fence, wall, hedge, landscaping, sign or other material or building~~structure~~ that will obstruct vision between a height of 0.9 metre (3 ft.) and 3.0 metres (10 ft.) shall be erected, placed or maintained within the triangular area formed by an imaginary line starting at the point of intersection of property lines and extending 6.1 metres (20 ft.) from their point of intersection, as shown

on the following illustrations. Also see location of driveways or other vehicular access relative to intersections and lane entrances under "Road Access, Driveways and Parking Pads - Urban Locations"

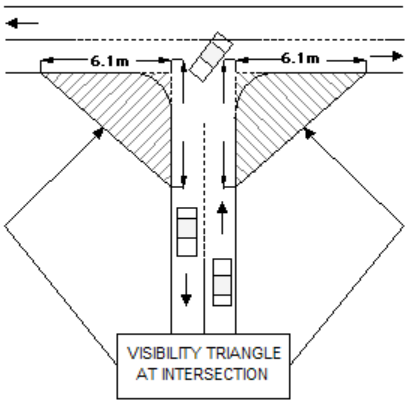


DIAGRAM 1

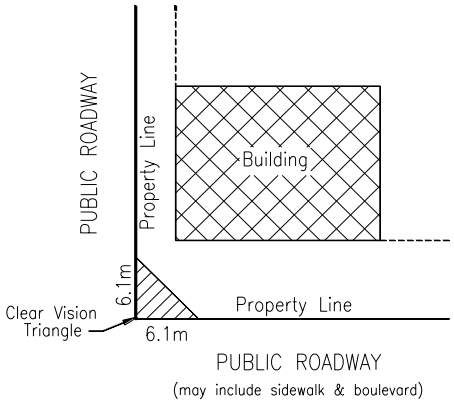


DIAGRAM 2

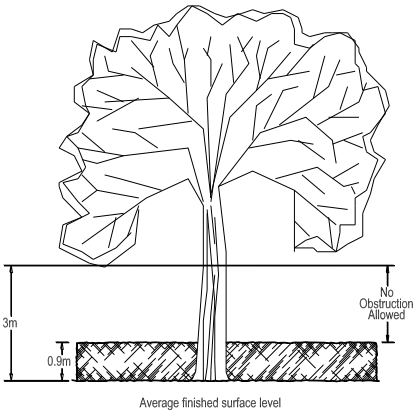


DIAGRAM 3

ROAD ~~FRONTAGE AND~~ ACCESS, DRIVEWAYS AND PARKING PADS

All Locations

18~~15~~. Development shall comply with the following standards:

~~(a) All newly created lots shall have frontage on a public roadway which enables direct physical and legal access onto that public road. Frontage on a laneway alone will not be permitted. The minimum frontage requirements shall be as defined by the minimum lot dimensions in the applicable land use district.~~

(a~~b~~) All new development shall have ~~frontage on and direct~~ physical and legal access to a maintained public roadway, except for:

(i) development internal to a condominium plan ~~containing private roadways~~; and

(ii) development internal to a unsubdivided ~~manufactured~~modular home community, a dwelling group, or a multi-use development containing private internal roadways.

~~(c) Vehicular access to a corner lot shall generally be limited to locations along the minor residential street.~~

(b~~d~~) The Development Authority may require access to be located so that it can be shared with an adjoining lot or development.

(c) The Development Authority may require a minimum separation distance between vehicular access points.

~~**DRIVEWAYS AND STREET ACCESS – URBAN**~~

Urban Locations

19~~16~~. Development shall comply with the following standards:

(a) No driveways or other vehicular access shall be located less than:

(i) 6.1 metres (20 ft.) from the intersection of any two streets,

(ii) 3.0 metres (10 ft.) from the entrance to a lane.

~~(b) The Development Authority may require a minimum separation distance between vehicular access points in a non-residential land use district~~.

(b~~c~~) Vehicular access to a corner lot~~s~~ shall be limited to the minor street wherever practical.

(c~~d~~) ~~All~~An urban driveway slope~~s~~ shall meet the requirements established in the municipal Engineering and Development Standards (12% maximum slope).

~~(e) Vehicular access for corner lots shall generally be limited to locations along the minor street or cul-de-sac.~~

(d~~f~~) In residential districts where a subject property does not have rear lane access or provide a side yard sufficient for a driveway to the rear yard, then one off-street, hard-surfaced (concrete, paving or gravel) parking pad may be located~~permitted~~ in the front yard to a maximum of 6.1 metres (20 ft.) in width for two parking stalls.

~~(g) In laneless subdivisions, and when not already included in laned subdivisions, all single-family, semi-detached and duplex dwellings should provide for the future construction of an attached garage or carport for one or more vehicles.~~

~~(h) Only one driveway per lot should be permitted for single-family residential development, including single-wide and double-wide manufactured/modular homes.~~

Rural Locations~~STREET ACCESS – RURAL~~

20~~17~~. Development shall comply with the following standards:

~~(a) The Development Authority may require a minimum separation distance between vehicular access points in a non-residential land use district~~.

(a~~b~~) The location and grade of driveways or other vehicular access to ~~non-residential or country residential~~ parcels shall be to the satisfaction of the Development Authority, having regard to sight lines, drainage, compatibility with the construction and maintenance of municipal roads and potential for conflict with nearby lands and emergency vehicle access ~~for fire service vehicles~~.

LIGHTING

21~~18~~. Development shall comply with the following standards:

(a) Where artificial outdoor lighting is provided to illuminate any parcel, building or site, the type, location, intensity and orientation of lighting shall:

(i) avoid direct illumination of the neighbouring properties;

(ii) not adversely affect the use, enjoyment and privacy of any dwelling; and

(iii) not interfere with traffic safety on public roadways.

(b) Outdoor lighting is to be mounted not more than 6.1 metres (20 ft.) above ground, excepting outdoor lighting for public uses and lighting approved in conjunction with a development permit.

(c) Site lighting may be required as a condition of development and any such lighting shall be located, oriented and shielded so as not to adversely affect neighbouring properties or traffic safety on public roadways.

REFUSE ~~COLLECTION AND~~ STORAGE FOR COMMERCIAL, INDUSTRIAL AND MULTI-FAMILY DEVELOPMENT

22~~19~~. Development shall comply with the following standards:

~~(a) In all land use districts refuse and garbage shall be stored in suitable BearSmart containers for the applicable use within a land use district.~~

(a~~b~~) In non-residential land use districts and in multi-family residential developments, refuse and garbage holding areas, including refuse containers and compaction, shall be effectively screened from public view. The Development Authority may require screening of refuse and garbage holding areas as a condition of development approval.

(b~~c~~) In all non-residential land use districts, refuse and garbage holding areas, enclosures, and compaction areas are to be located a minimum of 7.6 metres (25 ft.) from an adjacent residential use.

(c~~d~~) All garbage holding areas, enclosures, and compaction areas shall be located and designed to ensure adequate on-site manoeuvring for refuse collection vehicles.

(d~~e~~) All refuse on any construction site shall be properly screened or placed in an approved enclosure until removed for disposal.

(e~~f~~) In a residential land use district, no outdoor storage of refuse, other than garbage enclosures, shall be located~~permitted~~ in any front yard, including any unscreened portion of a corner lot side yard adjacent to a street.

(f~~g~~) The Development Authority may require that any yard area utilized for storage in a non-residential district that adjoins one or more lots in a residential~~non-industrial land use~~ district or a public property shall be effectively screened by an opaque ~~a solid fence, vegetation, earth berm or other~~ structure or device or landscaping or any combination thereof to the satisfaction of the Development Officer. This shall apply whether or not there is an intervening public roadway, railway or water body.

~~(h) All refuse collection and storage conditions must be consistent with any other municipal bylaws.~~

MUNICIPAL INFRASTRUCTURE, UTILITIES AND SERVICING

23~~20~~. Development shall comply with the following standards:

(a) A development permit condition~~The erection of a building on any site~~ may require that:

(i) ~~be prohibited where it would otherwise be permitted when, in the opinion of the Development Authority,~~ The applicant or landowner shall make arrangements satisfactory to the Development Officer~~arrangements have not been made~~ for the supply of private utilities and/or public utilities~~water, gas, electric power, sewage~~, street access and/or other services or facilities necessary to serve the development, at no cost to the Municipality.

(ii) Notwithstanding the prohibition of Private Sewage Disposal Systems in certain land use districts, the landowner shall, where applicable and required, enter into a Restrictive Covenant with the Municipality regarding the provision of a Private Sewage Disposal System holding tank from where wastewater is pumped to the property line before it enters by gravity into the Municipal wastewater collection system.

~~(b) Private outdoor use of coal burning appliances/utilities or other similar utilities shall not be permitted within the Municipality of Crowsnest Pass.~~

(b~~c~~) All new development shall be required to connect to water meters (if available), the municipal water supply system and the municipal wastewater collection~~sewerage~~ system, except where in the opinion of the Development Authority, the development does not require water and wastewater services~~sewer~~.

(c~~d~~) Private ~~s~~Sewage ~~d~~Disposal ~~s~~Systems are prohibited~~not permitted~~ in urban areas, which includes all areas designated R-1, R-1A, R-2, R-2A, R-3, R-4, R-5 and CSV, except for the purpose of complying with a Restrictive Covenant for a holding tank pursuant to clause (a) above.

(d~~e~~) In a block where infill development potential has been identified~~, as determined by the Municipal Planning Commission~~ consistent with the Municipal Development Plan~~long-range growth policies~~, a coordinated approach to provision of infrastructure is~~will be~~ required.

(e) Development proposed for an unserviced parcel (i.e. water and wastewater connections to Municipal infrastructure have not been installed for the subject parcel) or in areas of the Municipality that are not serviced with water and wastewater infrastructure, must be connected to municipal water and wastewater infrastructure. Where municipal infrastructure is not available or it is unfeasible or impractical to connect to municipal infrastructure, development approval shall be subject to a condition requiring compliance with provincial standards for unserviced parcels.

(f) A development permit application shall be refused where, in the opinion of the Development Authority, the proposed use will have a detrimental effect on an existing or planned:

(i) transportation or communication system, including primary highways, secondary highways, railway, airport site or communication facility; or

(ii) regionally significant service, public works or utilities, including pipelines and power transmission lines.

(g) Building foundations and sub-grade pilings, and/or the utility connections to municipal infrastructure (e.g. curb stop water valves and sanitary sewer), respectively shall be set back from the front lot boundary a distance that allows safe excavation of municipal infrastructure for maintenance and repair.

EASEMENTS, SETBACK DISTANCES AND PUBLIC SAFETY

Easements, Rights-of-Way and Legislated Setback Distances

24~~21~~. The Development Authority may require that a~~ll~~ permanent building~~structures be~~ is located a specified distance from any registered access easement, ~~or~~ utility easement, or other right-of-way.

25. Development shall comply with the setback distances prescribed in the Subdivision and Development Regulation relative to the provincial development control zone from a provincial highway right-of-way, and the setback distances from sour gas facilities, oil and gas wells, abandoned oil and gas wells, wastewater treatment plants, and landfills.

Trans Canada High Pressure Gas Pipeline

26. Development within 30 m of the Trans Canada high pressure gas pipeline shall be set back a minimum of 7 m from the edge of the right-of-way and 12 m from the edge of the pipeline unless the pipeline operator consents in writing to a lesser setback.

Wildland-Urban Interface

27. Development in the Municipality shall incorporate awareness of the risk of wildland fires affecting development in the Wildland-Urban Interface. The Development Authority shall strive to provide educational information and to enhance public awareness of applicable programs, such as FireSmart. In making a decision on a development permit application the Development Authority shall follow the development and planning related provisions in the FireSmart Bylaw and may impose development permit conditions for that purpose.

SECONDARY FRONT YARD ~~PROVISION~~

28~~22~~. In a residential land use development where any lot has more than one front yard setback requirement (e.g. a corner lot), the Development Authority may allow for a reduction of up to one-half of the front yard requirement for one of the front yards; however, the full setback shall apply to the other front yard~~main entrance side of the dwelling~~. The~~is~~ reduced front yard is termed the "Secondary" front yard. For the purpose of determining the "front property boundary", "lot frontage" and "front yard" of, and the fencing standards for a corner lot, the secondary front yard shall be deemed to be a side yard with an increased setback standard as required in this section of the land use bylaw. (see Diagram 4)

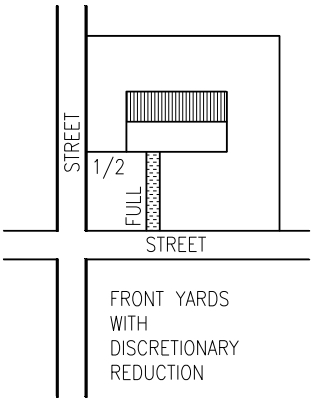


DIAGRAM 4

FENCES

29~~23~~. Development shall comply with the following standards:

(a) No fence, wall, ~~hedge~~ or any combination thereof shall extend more than 1.0 metre (3.3 ft.) above the ground in any front yard area, except in the case of a secondary front yard of a corner lot~~s~~ where one of the front yards is considered as the secondary front yard~~side yard~~, without approval by the Development Authority~~.~~. (see Diagrams 5 and 6)

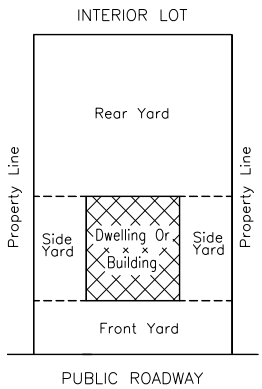


DIAGRAM 5

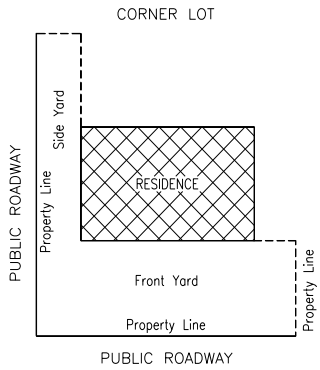


DIAGRAM 6

(b) A ~~F~~fence~~s~~ in a rear yard, ~~and~~ side yard and secondary front yard~~s~~ shall be limited to 1.8 metres (6 ft.) in height.

DECKS

30. A deck is an **uncovered (roofless) outdoor** space that:

(a) Is classified as either:

(i) a ground level deck – it is always attached to a building and its surface is not higher than 0.6 m above average grade and it is subject to the same yard setbacks as an accessory building, except to the extent that Schedule 4 of this bylaw allows projections into yard setbacks; or

(ii) a raised deck – it is always attached to a building and its surface is higher than 0.6 m above average grade but not higher than the level of the main floor of the building and it is subject to the same yard setbacks as an accessory building, except to the extent that Schedule 4 of this bylaw allows projections into yard setbacks.

(b) It must be accessible from inside the building as well as from the outdoor ground level; and

For greater clarity, a deck:

(a) Is not a balcony, patio, porch or veranda; and

(b) Is considered to be an accessory structure; and

(c) Is not considered to be part of the building floor area that it is attached to (unless it is covered, in which case it is not considered to be a deck).

For further clarification, when any outdoor space that could otherwise be deemed to be a deck is proposed to be covered by a roof, it is no longer considered to be a deck as defined herein; for the

purpose of determining development standards (e.g. yard setbacks) such a covered outdoor space shall be considered to be part of the building that it is attached to (refer to the definitions of "Balcony", "Patio", "Porch" and "Veranda").

~~BUILDING~~ YARD SETBACKS

31. Yard setbacks do not apply to, or apply only partially to, a fence, a ground level deck, a sign, a parking stall, a driveway, an outdoor use and those other items for which this Schedule allows projections into yard setbacks.

32. Yard setbacks are measured from the property line to the face of the exterior wall of a building.

33. The side yard setback requirement applies only to one side of a duplex or semi-detached dwelling and only to the end units of multi-family dwellings.

34. The Development Authority shall not approve a variance for yard setback to the extent that roof eaves will overhang beyond the property line. In cases where this is not practical the Development Authority shall add a condition to the development permit to require the installation of eavestroughs to prevent water run-off from the roof directly onto the adjacent property, street or lane, and an encroachment agreement.

35. When approving a **front yard** setback variance, the Development Authority shall ensure that, at its sole discretion and to its satisfaction, and where necessary by imposing conditions on a development permit:

    (a) Setback from Curb and Sidewalk:

        (i) there is rear lane access to the property, or

        (ii) there is a minimum distance of 6.5 m (21.33 ft) between the front of the building and the back of an existing curb in the adjacent public roadway or the back of an existing sidewalk in the adjacent public roadway, or

        (iii) when a sidewalk does not exist in the adjacent public roadway and there is the possibility of a future sidewalk, there is a minimum distance of 7.5 m (24.6 ft) between the front of the building and the back of an existing curb in the adjacent public roadway.

    (b) Setback from / of Municipal Utilities:

        (i) the building foundation and sub-grade pilings, and/or the utility connections to municipal infrastructure (e.g. curb stop water valves and sanitary sewer), are respectively set back from the front lot boundary a distance that allows safe excavation of municipal infrastructure for maintenance and repair.

    (c) Typical Setbacks on Existing Developed Properties in the Neighbourhood:

        (i) the proposed setback would not be out of character with the typical average setback in the neighbourhood, including mature neighbourhoods and historically significant areas.

36~~24~~. The Development Authority may waive, vary or increase any ~~building~~ yard setback requirement wherever doing so would:

(a) either enhance, or avoid conflict with, the appearance of adjacent areas;

(b) facilitate a potential or proposed boundary adjustment scheme;

(c) protect buildings~~structures~~ proposed within or adjacent to the Wildland-Urban Interface.

LANDSCAPING AND SCREENING STANDARDS ~~AND SCREENING~~

37~~25~~. The Development Authority shall impose development permit conditions relative to aesthetic, landscaping and/or screening requirements for commercial, industrial, campground and multi-family residential development ~~approval~~ for a permitted or discretionary use ~~within 12 months of an approval~~ if these would serve to improve the quality or compatibility of the proposed development or to comply with the standards set out in this land use bylaw ~~FireSmart Regulations and BearSmart principles~~.

PROJECTIONS INTO YARD SETBACKS

38~~26~~. Development shall comply with the following standards:

(a) ~~In no circumstances shall any part of any~~ A structure that projects into a yard setback shall not encroach into or cause runoff onto an adjacent~~adjoining~~ property.

(b) ~~The following features may, s~~Subject to the relevant ~~provisions of Safety Codes~~ development standards in this bylaw (e.g. corner sight triangles, fence height, etc.) ~~and approval by the Development Authority~~, the following accessory buildings and structural features may project into the ~~required~~minimum yard setbacks (front, rear and sides as specified below) ~~under~~established in this bylaw ***up to the specified property line***:

(i) unenclosed steps or unenclosed fire escapes, up to the side property line;

(ii) a wheelchair ramp, excluding the housing of an elevator device;

(iii) a **ground level deck** attached to the front or rear elevation of a building may wrap around into the side yard of the property for a distance not exceeding two metres along the side wall of the building, and up to the side property line;

(iv~~iii~~) a fence~~s or walls~~ to the property line ~~in accordance with the applicable land use district or corner sight triangles~~;

(~~i~~v) a driveway~~s~~, curb~~s~~, and sidewalk~~s~~;

(vi) off-street parking ~~in accordance with the applicable land use district~~;

(vii) a cooling unit~~s~~ not to exceed 0.9 metres (3 ft.) in height, up to the side property line;

(viii) a mailbox~~es~~ and a garbage holding enclosure, up to the property line;

(ix~~viii~~) landscaping, a privacy screen, a fish pond~~s~~, an ornament~~s~~, a flagpole~~s~~ less than 4.6 metres (15 ft.) in height, or other similar landscaping features;

(~~i~~x) a temporary swimming pool~~s~~ in the rear or side yard ~~in accordance with the applicable land use district~~; and

(xi) a sign~~s~~.

(c) Subject to the relevant development standards in this bylaw (e.g. corner sight triangles, fence height, etc.), the following accessory buildings and structural features may project into the minimum yard setbacks (front, rear and sides) established in this bylaw by the percentages and distances stated below: ~~The portions of an attachment to a residential structure which may, subject to the relevant provisions of Safety Codes, project over a setback are as follows:~~

(i) eaves, not more than 0.6 m (2 ft) into a front, side or rear yard and further provided that eaves do not project over the property line.

(ii) a fireplace~~s~~, belt course~~s~~, cantilever~~s~~, bay window~~s~~, cornice~~s~~, sill~~s~~ or other similar architectural feature~~s~~ may project up to 50% of a side yard setback and cover no more than 50% of a wall face;

(iii) an ~~unenclosed~~**ground level deck**, a balcony, patio, porch, veranda, or other similar feature may project ~~over~~ 2.0 metre (6.6 ft.) ~~of~~into a front or rear yard setback, as may apply.

~~SATELLITE DISHES, RADIO AND TELEVISION~~COMMUNICATION ANTENNAE AND STRUCTURES

39~~27~~. ~~Satellite dishes and radio and television~~Communication antennae and structures for non-commercial, private~~residential~~ use are accessory uses which may require a development permit and are subject to the following (see Diagram 7):

(a) A ~~satellite dish, radio antenna or television~~communication antenna or structure shall only be located in a rear yard or side yard which does not abut on a street.

(b) On an interior lot, a ~~satellite dish, radio antenna or television~~communication antenna or structure shall be situated so that no part of it is closer than 0.9 metre (3 ft.) from the side boundaries of the parcel.

(c) On a corner parcel, a ~~satellite dish, radio antenna or television~~communication antenna or structure shall be situated so that no part of it is closer to the street than the ~~main~~principal building or closer than 0.9 metre (3 ft.) from any boundary of the parcel, whichever distance is larger.

(d) Where any part of a ~~satellite dish, radio antenna or television~~communication antenna or structure is more than 3.0 metres (10 ft.) above grade level, or when it is located other than described in this ~~sub~~section ~~(a)~~, it shall be both screened and located to the satisfaction of the Development Authority.

(e) The illumination of a ~~satellite dish, radio antenna or television~~communication antenna or structure is prohibited. ~~(see Diagram 7)~~

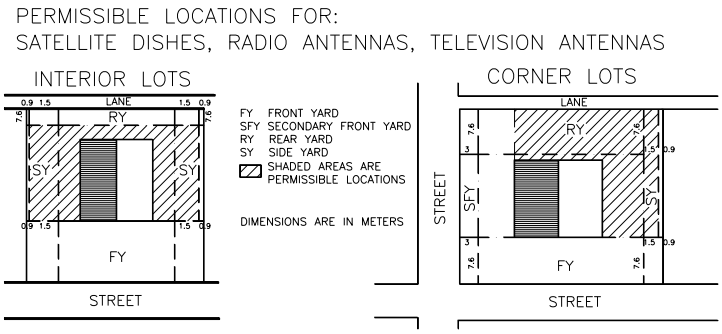


DIAGRAM 7

(f) In accordance with Schedule 3 of this bylaw, most ~~satellite dishes~~communication antennae and their structures may~~do~~ not require a development permit.

40. Communication antennae and structures for commercial or public use are regulated by federal agencies, who are required by law to take into consideration any applicable Municipal policy (rather than a land use bylaw) when making decisions about the location and approval of applications.

~~SERVICES, TRANSPORTATION AND UTILITIES FACILITIES~~

~~28. Development shall comply with the following standards:~~

~~(a) All development proposed for unserviced areas, parcels and lots must be connected to municipal servicing lines. Where no municipal servicing is available, development approval shall be subject to compliance with Regional Health Authority and Alberta Safety Code standards for unserviced parcels.~~

~~(b) No application to locate or expand a land use shall be approved unless, in the opinion of the Development Authority, the proposed use will not have a detrimental effect on any:~~

(i) transportation or communication system, including primary highways, secondary highways, railway, airport site or communication facility; or

(ii) regionally significant services or utilities facilities, including irrigation works, pipelines and power transmission lines.

HAZARDOUS CHEMICAL STORAGE

29. The storage of bulk hazardous chemicals, as defined in the appropriate provincial legislation, shall not be permitted within the non-industrial areas of the municipality.

CONSTRUCTION HOARDING

30. A temporary development permit is required for construction hoarding which may infringe on any public property such as sidewalks or streets. The maintenance of pedestrian and vehicular access shall be deemed to be essential.

EXPOSED FOUNDATIONS

41~~31~~. The maximum allowable height above the average finished grade~~surface level~~ of the surrounding ground of the exposed portion of a concrete or block foundation may be limited by the Development Authority.

ACCESSORY BUILDINGS AND~~,~~ USES ~~AND/OR STRUCTURES~~

42. Refer to the definition of "Accessory Building or Use", and the standards for specific accessory structures established elsewhere in this Schedule and other Schedules, e.g. retaining wall, shipping container, swimming pool, canvas covered structure (which is a separate land use), deck, communication antenna and structure, and outdoor washroom facility.

43~~32~~. Development shall comply with the following standards:

(a) An accessory building ~~or structure~~ attached to a principal building by a roof ~~or any other unattached, open or enclosed above-grade structure or foundation~~ shall, for the purposes of determining development standards in this bylaw (e.g. lot coverage, yard setbacks, gross floor area, etc.), be considered to be a part of the principal building.

(b) A shipping container or similar structure may be used as an Accessory Building, provided that in those Districts where "Shipping Container, accessory to an approved use" is not listed as a use, the shipping container shall be masked by exterior framing, siding and, if applicable, a pitched roof to resemble the appearance of a typical accessory building in the immediate neighbourhood, to the Development Authority's satisfaction. A shipping container that remains so masked to the Development Officer's satisfaction shall be deemed to be an "Accessory Building" and not a "Shipping Container, accessory to an approved use". A shipping container that is not masked by exterior finishing is a "Shipping Container, accessory to an approved use" and shall not be used as an "Accessory Building".

(c~~b~~) An Accessory Building shall not be used as a Secondary Suite unless a development permit has been issued for a Secondary Suite.

~~(c) The height of an accessory building or structure in a non-residential land use district shall be at the discretion of the Development Authority.~~

(d) The Development Authority may restrict the location of an accessory building~~ or structure~~ whenever~~wherever~~, because of its proposed location, it might cause snow drifting onto a public roadway or lane.

(e) An accessory building that is proposed to be located in a front yard (excluding a secondary front yard) requires approval by~~ provided~~ the Municipal Planning Commission ~~has granted a development approval~~, except a ground level deck, a retaining wall, and those other items for which this Schedule allows projections into yard setbacks~~ or structure may be constructed~~.

(f) One (1) accessory building or use may be developed prior to the development of the principal building or use only if the Development Authority is satisfied that the accessory building, regardless of its status as a permitted use, is appropriate and will be followed by the commencement of the principal building or by the conversion of the accessory building into a principal building. A development permit issued for an accessory building or use prior to the establishment of the principal use shall be subject to the following conditions:

(i) in the R-1, R-1A, R-2, R-2A, R-3, R-4, R-5, C-1, C-2, C-3, CRV and CSV land use districts, the principal building or use~~development~~ shall be commenced no less than one (1) year after the date of the approval for the accessory building~~development~~ and shall be completed, to the satisfaction of the Development Authority, no more than two (2) years after the date of the approval for the accessory building~~development~~;

(ii) in all other land use districts, the principal building or use~~development~~ shall be commenced no more than two (2) years after the date of the approval for the accessory building~~development~~ and shall be completed, to the satisfaction of the Development Authority, no more than three (3) years after the date of the approval for the accessory building~~development~~;

(iii) a ~~$5000~~ security deposit pursuant to the Fees, Rates and Charges Bylaw, in a form satisfactory to the Municipality, shall be submitted in order to ensure compliance with the prescribed commencement and completion timelines of the development permit;

(iv) the applicant for development shall enter into an agreement with the Municipality acknowledging that the security deposit shall be forfeited in the event of non-compliance with the terms of the development permit;

(vi) an accessory building developed prior to a principal building shall not be used as a dwelling unit.

(g) Notwithstanding any other provision in this bylaw, a retaining wall is deemed to be an accessory structure and may be constructed with a zero-lot line yard setback without requiring the approval of a variance.

SHOW HOMES AND REAL ESTATE SALES OFFICES

44~~33~~. Development shall comply with the following standards:

(a) The construction of or use of a new, unoccupied dwelling unit for the purpose of a show home and real estate agent office for the sale or marketing of other dwelling units by a builder or developer within a subdivision or development may be approved as a temporary use in all residential land use districts and the general commercial land use district.

(b) A dwelling occupied as a residence shall not be used permanently as a show home, sales office or as a facility to demonstrate a builder's construction quality or methods.

(c) The show home shall not be open to the public for viewing until the road accessing the show home is developed to municipal standards, where practical.

(d) There shall be a sign posted at the show home identifying it as such.

(e) The advertised hours that the show home is open to the public shall not be earlier than 9:00 a.m. or later than 9:00 p.m.

(f) Conditions of the permit do not limit the private showing by appointment of the show home at any time.

~~PRIVATE~~ SWIMMING POOLS

45~~34~~. Development shall comply with the following standards:

(a) ~~Private~~ A swimming pool~~s~~ is~~shall be~~ classified as an accessory building~~structure~~.

~~(b) Any private swimming pool with a design depth greater than 0.6 metre (2 ft.) shall be constructed and fenced in accordance with Safety Codes requirements.~~

(b~~c~~) Construction of an in-ground swimming pool or~~and~~ a swimming pool~~s~~ that is~~are~~ attached to a deck requires a development permit and is~~are~~ subject to the following additional standards:

(i) placement of a swimming pool shall be limited to the side and rear yard only;

(ii) a swimming pool~~s~~ is~~are~~ subject to the setback requirements for an accessory building~~structures~~ in the applicable land use district;

(iii) a swimming pool~~s~~ is~~are~~ subject to the maximum lot coverage requirements for an accessory building~~structures~~ in the applicable land use district.

~~DEVELOPMENT IN~~ FLOOD-RISK LANDS~~PRONE AREAS~~

46~~35~~. Development shall comply with the following standards:

(a) Passive recreational land use may be allowed in a portion of the floodway as identified in the "Flood Risk Mapping Study of the Crowsnest River and its Tributaries" (AMEC, February 2007).

(b) No building shall be allowed in the floodway. A ~~F~~fence~~s~~, a retaining wall~~s~~ and other minor structures may be allowed in the floodway if the Development Authority is of the opinion that damage to the structure in the event of a flood is not likely to be significant.

(c) No development in the floodway shall be allowed which may, in the Development Authority's opinion, adversely alter the floodway hydraulics to the extent that flood frequency is increased.

(d) No filling shall be allowed in the floodway.

~~(f) Council may, by resolution, establish standards for flood proofing.~~

(e~~g~~) The Development Authority may~~shall~~ require that a principal building in the flood fringe be flood proofed pursuant to the recommendations of a professional engineer, as a condition of issuing a development permit for the building. This requirement does not apply to accessory buildings.

ENVIRONMENTAL CONSIDERATIONS

Wildlife and Wildland-Urban Interface

47~~36~~. Development in the Municipality shall incorporate awareness of the presence of wildlife in the community and of the risk of wildland fires affecting development in the Wildland-Urban Interface. The Development Authority shall strive to provide educational information and to enhance public awareness of applicable programs, such as BearSmart and FireSmart. In making a decision on a

development permit application the Development Authority shall follow the development and planning related provisions in the FireSmart Bylaw and may impose development permit conditions for that purpose.

Wetlands, Watercourses, Riparian Areas and Regionally Sensitive Areas

48~~37~~. Development shall comply with the following standards:

(a) Development in the Municipality shall incorporate appropriate setbacks and other design considerations relative to its potential impact on the bed and shore of a watercourse or waterbody, riparian areas and/or regionally sensitive areas, by incorporating best practices, for example those promoted in relevant publications such as *"Stepping Back from the Water"* and *"Environmentally Significant Areas of Alberta"*.

(b) It is the responsibility of the landowner or applicant for a development permit to obtain clearance from provincial agencies for wetland assessment and compensation and from provincial and/or federal agencies for the use of or impacting upon the bed and shore of a waterbody or watercourse.

INDUSTRIAL AND COMMERCIAL USE STANDARDS

49~~38~~. Industrial and commercial development in the Municipality shall incorporate locational, design and operational considerations (including restricting its hours of operation) to improve its compatibility with nearby land uses by mitigating conflicts and adverse effects upon those uses, including~~,~~ but not limited to:

(a) measures to control or mitigate noise, smoke, vibration, effluent, dust, ash, odour~~smell~~, electrical interference, glare, heat and/or industrial waste to a level below what is reasonably considered to be offensive, noxious or a nuisance to the character and purpose of the adjacent land use district;

(b) design, exterior building finish, landscaping, siting, setbacks, paving of parking areas, and other details, as appropriate and to the satisfaction of the Development Authority;

and the Development Authority may impose relevant conditions on a development permit to ensure compliance with this standard.

DRIVE-IN COMMERCIAL USE STANDARDS

50~~39~~. Development shall comply with the following standards:

(a) Every drive-in commercial development, as listed in the C-2 (Drive-in Commercial) land use district shall:

(i) provide at least 10 parking stalls subject to the standards in Schedule 6 hereof;

(ii) clearly identify on site plans accompanying the development application the areas proposed for parking and vehicle circulation, including appropriate signs;

(iii) by means of a development agreement contract to provide hard surfacing and surface drainage to the satisfaction of the Development Officer, in consultation with appropriate municipal staff;

(iv) provide a waiting bay not less than 18.3 metres (60 ft.) in length on the lot for any take-out service window;

(v) provide adequate distance separation between all vehicle access points as well as between access points and streets or lanes to the satisfaction of the Development Authority;

(vi) ensure any vehicular access from Highway 3 is acceptable to Alberta Transportation;

(vii) screen parking and traffic circulation areas abutting side or rear lot boundaries with an opaque structure or fence, wall~~ or hedge~~ or landscaping or any combination thereof to the satisfaction of the Development Authority;

(viii) provide landscaping of a type and amount satisfactory to the Development Authority.

(b) The Development Authority may waive or vary any of these provisions for drive-in commercial development wherever it concludes it is reasonable to do so.

~~**DEVELOPABLE LOT SIZE CALCULATION**~~

~~40. The Development Authority may, at its discretion, omit from the calculation of minimum lot area or dimensions any part of a lot which, because of rock, steep slopes or other physical features cannot be reasonably developed for the proposed use, including access, parking and buildings.~~

OUTDOOR WASHROOM FACILITIES

51~~41~~. Development shall comply with the following standards:

(a) Outhouses which involve the human discharge into an open, uncontained pit are prohibited within the municipality. Those facilities which are plumbed~~,~~ and connected to the municipal wastewater infrastructure system or a Private Sewage Disposal System~~sewerage system or contained by a vault or tank~~ may be allowed provided they are constructed to comply with provincial regulations and standards.

(b) Portable toilets may be allowed within the municipality, on a temporary basis, to coincide with a public assembly, a special event or a construction project.

CANVAS COVERED STRUCTURES~~PORTABLE GARAGES AND STORAGE STRUCTURES~~

52~~42~~. Development shall comply with the following standards:

(a) Notwithstanding any other provisions in this Bylaw relative to "Accessory Building and Use", including its listing as a permitted use in a District, a canvas covered structure that is proposed to be used as an Accessory Building shall be deemed a discretionary use.~~All portable garages and storage structures shall require a development permit.~~

(b) ~~All~~A canvas covered structure~~ portable garages and storage structures~~ shall comply with the development standards ~~as~~ established for Accessory Buildings and Uses in ~~Section 32 of~~ this ~~s~~Schedule.

(c) The Development Authority may limit the development permit duration of a canvas covered structure~~any of these garages or structures~~.

CAMPGROUND AND RECREATIONAL VEHICLE PARK STANDARDS

53~~43~~. The Development Authority ~~shall~~may have regard for the specifications established in the ~~"Alberta Tourism Minimum Standards for Approved Campgrounds & Trailer Parks" document (1988)~~current Alberta Camping Association Standards Manual when considering an approval for a development permit for a campground or recreational vehicle park, and the conditions that ~~they~~ may be attached to ~~that~~a development permit. The Development Authority may set development related conditions to ensure a minimum standard within the campground or recreational vehicle park and to ensure compatibility with adjacent land uses including, but not limited to:

(a) the siting, area, dimensions, surfacing, setbacks, landscaping, screening, density, servicing and delineation of campsites and RV stalls;

(b) parking areas, access and roadway design;

(c) measures to mitigate adverse effects and~~control~~ nuisances that may materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land ~~activities~~.

(d) measures to mitigate the impact of a campground or recreational vehicle park on landscapes visible or viewed from adjacent and nearby public roadways.

TEMPORARY AUTO SALES STANDARDS

54~~44~~. Development shall comply with the following standards:

(a) The Development Authority may issue a development permit for a Temporary auto sales use if in its opinion the available parking stalls/area is sufficient to support the proposed use while not having an appreciable negative impact on the parking or use of the shopping mall or other adjacent land uses.

(b) The Development Authority may limit the number of vehicles to be stored on the site for the purpose of sale.

(c) The Development Authority shall limit the timeframe of the development permit which shall in no case exceed ten (10) days, and for not more than ten (10) occasions per calendar year.

(d) Servicing and repair operations shall not be included~~permitted~~ as part of the use.

RECREATIONAL VEHICLES

55~~45~~. In the GCR-1 and ~~GCR-2~~ NUA-1 land use districts the following rules apply to recreational vehicles (RVs):

(a) On a vacant property where the principal dwelling unit has not been approved (i.e. a development permit and a building permit have not been issued), ~~No~~ a recreational vehicle~~s~~ shall~~may~~ not be stored and/or used for temporary sleeping accommodations on the~~a~~ parcel ~~where the principal use has not been established or approved~~.

(b) Where the~~a~~ principal ~~use~~dwelling unit has been approved (i.e. a development permit and a building permit~~s~~ have been issued) and its construction is active, a maximum of three (3) recreational vehicles may be stored (for non-commercial purpose) and/or used for occasional and temporary sleeping accommodations on the parcel for the period that construction of the principal dwelling unit is active, provided that the recreational vehicle(s) or any part of it shall not be stored on a municipal road allowance or lane and that the recreational vehicle does not exceed 15 percent of the parcel area.

(c) Where the~~a~~ principal ~~use~~dwelling unit has been established (i.e. construction has been completed), ~~up to~~a maximum of three (3) recreational vehicles may be stored (for non-commercial purposes) and/or used for occasional and temporary sleeping accommodations on the parcel, provided that the recreational vehicle(s) or any part of it shall not be stored on a municipal road allowance or lane and that the recreational vehicle does not exceed 15 percent of the parcel area.

(d) A recreational vehicle stored (for non-commercial purposes) on a parcel shall be set back a minimum of 3.0 m (10 ft.) from a side or rear property line.

(e) In no case shall a recreational vehicle be used as the principal ~~use~~building or principal use for~~or~~ living accommodations for the parcel.

(f) In no case shall a recreational vehicle be permanently connected to private or public utilities (e.g., septic system, power connections).

(g) In no case shall an accessory building~~ancillary structures (e.g., ~~, an addition~~s,~~ or a deck~~s, etc.)~~ be ~~permitted to be~~ attached to or developed explicitly for a recreational vehicle~~s~~.

56~~46~~. In the R-1, R-1A, R-2, R-2A, R-3, R-4, ~~and~~ R-5, CRV and CSV land use districts the following rules apply to recreational vehicles (RVs):

(a) On a vacant property where the~~Where a~~ principal ~~use~~dwelling unit(s) has not been ~~established or~~ approved (i.e. a development permit and a building permit~~s~~ have not been issued)~~ on a parcel~~, ~~no~~a recreational vehicle~~s~~ ~~may~~shall not be stored and/or used for temporary sleeping accommodations on the parcel.

(b) Where the~~a~~ principal ~~use~~dwelling unit(s) has been approved (i.e. a development permit and a building permit~~s~~ have been issued) and its construction is active, a maximum of one (1) recreational vehicle per principal dwelling unit (i.e. excluding secondary suites or dwelling units in an apartment building) may be stored (for non-commercial purposes) and/or used for occasional and temporary sleeping accommodations on the parcel for the period that construction of the principal dwelling unit(s) is active, provided that the recreational vehicle or any part of it shall not be stored on a municipal road allowance or lane and that the recreational vehicle does not exceed 15 percent of the parcel area.

(c) Where the~~a~~ principal ~~use~~dwelling unit has been established (i.e. construction has been completed), ~~not more than~~a maximum of one (1) recreational vehicle per principal dwelling unit (i.e. excluding secondary suites or dwelling units in an apartment building~~s without individual exterior ingress/egress~~) may be stored (for non-commercial purposes) ~~on the property~~ and/or used for occasional and temporary sleeping accommodations on the parcel, provided that ~~no part of~~ the recreational vehicle or any part of it shall not~~may~~ be stored on a municipal road allowance or lane and that the recreational vehicle does not exceed 15 percent of the parcel area.

(d) In no case shall a recreational vehicle be permanently connected to private or public utilities (e.g., septic system, power connections).

(e) In no case shall an accessory building~~ancillary structures (e.g.,~~, an addition~~s,~~ or a deck~~s, etc.)~~ be ~~permitted to be~~ attached to or developed explicitly for a recreational vehicle~~s~~.

~~(f)~~57. Where a provision specific to a particular land use district regarding the storage of recreational vehicles (for non-commercial purposes) and their use for temporary sleeping accommodation is not listed ~~anywhere~~ above, the storage and/or use for temporary sleeping accommodation of a recreational vehicle is prohibited. For greater clarity, the non-commercial storage of a recreational vehicle and/or its occasional use as temporary sleeping accommodation in, for example, the Drive-in Commercial C-2 district is prohibited, unless a development permit for a campground is obtained, because campground is listed as a use in the C-2 district. Further, in any district a development permit may be issued for the commercial storage of three (3) or more recreational vehicles only when~~,~~ ~~provided that~~ "Recreational Vehicle Storage" is a listed use in the particular district however, temporary sleeping accommodation is not allowed in "Recreational Vehicle Storage"~~for the storage of three (3) or more recreational vehicles~~.

58. Provided that all the requirements in the above standards are met, the storage of a recreational vehicle (for non-commercial purposes) and/or its use for occasional and temporary sleeping accommodations are exempted from the requirement to obtain a development permit (see Schedule 3).

CANNABIS RETAIL SALES

59~~47~~. Cannabis retail sales uses are located on parcels such that the following separation distances are met:

(a) **Separation Distance** **Use**

100 m	Provincial Health Care Facility
200 m	Schools; Child Care Facilities
300 m	Cannabis Retail Sales

(b) Separation distances are established by measuring the shortest distance between the property lines of the parcels containing the uses to be separated.

(c) Separation distances are reciprocal.

NUMBER OF DWELLING UNITS ON A PARCEL

6048. No person shall construct or locate or cause to be constructed or located more than one dwelling unit on a parcel unless authorized by the Development Authority through the issuance of a development permit for a use that allows an additional dwelling unit in those districts where it may be allowed.

MUNICIPAL HISTORIC RESOURCES

6149. The Development Authority shall, as may be applicable, review a development permit application that proposes new construction or alterations to an existing building façade or signage for a property in one of the following categories, against the Design Guidelines for the Crowsnest Pass Historic District, in addition to any other relevant considerations:

(a) A property located within the boundaries of the Historic Commercial Areas Overlay District ~~identified in Schedule 17~~.

(b) Those properties that are designated by bylaw as a Municipal Historic Resource or listed as a Provincial Historical Resource.

(c) The properties, buildings and structures listed in the 3-phased Heritage Inventory as Historically Significant, as part of the Heritage Management Plan.

(d) Any property within the Coleman National Historic Site of Canada.

Schedule 5

MULTI-FAMILY DWELLING STANDARDS~~REQUIREMENTS~~

1. APPLICATION

This schedule applies to all multi-family dwellings(i.e. three or more dwelling units attached), including but not limited to: ~~duplexes, semi-detached,~~ triplexes, fourplexes, sixplexes, townhouses, rowhouses and apartments, whether owner-occupied, rental or condominium and its impact on the existing neighbourhood.

2. MAXIMUM ~~PERMITTED~~ DENSITY

The maximum ~~permitted~~ net density for multi-family residential developments ~~other than single-family detached~~, excluding public roadways, parks and utility parcels, shall be:

Use	Units per hectare	Units per acre
~~Semi-detached~~	~~25~~	~~10~~
~~Duplex~~	~~25~~	~~10~~
Triplex, Fourplex, Sixplex	30	12
Rowhouse or townhouse	30	12
Apartment	50	20

3. SEPARATION SPACE AND AMENITY AREAS

As a condition of approval for each multi-family dwelling development, the Development Authority shall establish:

(a) the minimum distance separating the development from adjacent buildings and activities, and

(b) the size and number of outdoor amenity areas.

4. DEVELOPMENTS CONTAINING MULTI-FAMILY DWELLING UNITS

(a) Whenever multi-family dwelling units are to be erected on a single lot:

(i) all off-street parking shall be paved, and surface drainage provided to the satisfaction of the Development Authority;

(ii) comprehensive landscaping plans showing proposed vegetation, screening, parking and snow storage areas shall be submitted with the development application.

(b) Wherever 40 or more dwelling units are proposed for a single lot or a single condominium style development, a minimum of 4.6 m^2 (50 ft^2~~sq. ft.~~) per unit of shared, communal amenity space shall be provided in addition to private amenity space.

(c) Amenity space as required above:

(i) may be located indoors, outdoors or both;

(ii) shall not be located within a minimum front yard setback; and

(iii) may be subject to screening, landscaping, fencing or other reasonable conditions at the discretion of the Development Authority having regard to compatibility of the proposed development with the surrounding area.

Schedule 6

OFF-STREET PARKING AND LOADING AREA STANDARDS~~REQUIREMENTS~~

PARKING ~~AREA~~ REQUIREMENTS

1. Minimum Parking Space Size:
   - 2.7 metres (9 ft.) wide
   - 6.1 metres (20 ft.) long

2. Minimum Loading Space Size:
   - 3.0 metres (10 ft.) wide
   - 9.1 metres (30 ft.) long
   - 27.9 m^2 (300 ft^2~~sq. ft.~~) area
   - 4.3 metres (14 ft.) overhead clearance

3. Off-street parking and loading facilities shall be accessible and shall be:
   (a) designed to avoid tandem parking where vehicles are stacked without a driving aisle to enter or exit the parking area.
   (b) constructed so as to facilitate drainage, snow removal and maintenance;
   (c~~b~~) provided with either gravelled or paved all-weather surfaces;
   (d~~c~~) designed so as to not interfere with either parking or traffic and pedestrian safety.

4. As a condition of development approval, the Development Authority **may** require that:
   (a) all or part of a specified parking area be paved;
   (b) a certain number of parking spaces for the handicapped be provided pursuant to provisions in ~~conjunction with Section 15 of~~ this Schedule;
   (c) a proposed parking area with over four parking spaces be set back at least 2.4 metres (8 ft.) from a street, lane or property line adjacent to a residential land use district, and be screened appropriately;
   (d) parking facilities for any use, other than a residential building~~structure~~ with four or fewer dwelling units, ~~shall~~ be laid out and clearly marked in a manner which provides for safe and orderly parking;
   (e) the dimensions of parking spaces and access lanes ~~shall~~ be comparable to one of the alternatives shown on the diagrams in this schedule.

5. In the case of multiple uses on a site, parking spaces equivalent to the total of the spaces required for each individual use shall be provided.

6. Calculation of parking and loading space resulting in a fractional number shall be rounded to the next highest number.

7. A required parking or loading facility shall be located on the same lot as the development for which it is required unless, in the opinion of the Development Authority, it is impractical to provide all of the required facilities on the same lot. In such a situation the Development Authority may:
   (a) allow all or some of the required parking spaces on an alternate lot located within 50 metres (164 ft.) of the development, provided a parking agreement~~restrictive covenant~~ or other suitable instrument registrable onto a land title certificate, to which the Municipality is a Third-Party, is registered against the alternate lot concerned; or
   (b) allow limited sharing of parking spaces between two uses where the *normal* hours of operation will not conflict, e.g. a church and a commercial use.~~;~~

~~(c) the amounts to be paid into the municipality's "Off-Street Parking Fund" are based on the estimated costs involved to acquire land and develop parking stalls equivalent in number to those which would be required under Table 1 of this schedule;~~

~~(d) all funds paid into the municipality's "Off-Street Parking Fund" shall be used for the development of off-street parking facilities in the respective land use districts from which the funds were derived.~~

8. Unless otherwise specified, the minimum number of off-street spaces designated for specific uses in Table 1 shall be provided for these uses and be applicable in every land use district.

LOADING AREA REQUIREMENTS

9. (a) A minimum of one off-street loading area per building shall be provided in the C-1 and C-2 land use districts.
   (b) A minimum of two off-street loading areas per building shall be provided in the I-1 and SIP-1 land use districts.
   (c) The Development Authority may require the provision of off-street loading areas in other land use districts.

10. The Development Authority may:
    (a) require additional loading areas or doors be provided for a specific development or for all developments in specific land use districts;
    (b) allow a joint loading area for two adjacent developments where this would facilitate more orderly or economical development.

11. One loading area shall be provided for each loading door.

12. Each loading area shall be a minimum of 3.0 metres (10 ft.) in width and 9.1 metres (30 ft.) in length.

13. Each loading area shall provide a loading doorway of adequate size into the building.

14. Each loading area shall be designed so that vehicles using it will not interfere with safe and convenient pedestrian movement, traffic flow or parking.

BARRIER-FREE PARKING STALLS ~~FOR PERSONS WITH PHYSICAL DISABILITIES~~

15. The number of designated barrier-free parking stalls ~~required for use by persons with physical disabilities~~ shall be in accordance with the table below:

DESIGNATED BARRIER-FREE PARKING SPACES	
Number of Total Parking Stalls Required	**Number of Designated Barrier-Free Parking Stalls Required as Part of the Total ~~for use by Persons with Disabilities~~**
11 - 25	1
26 - 50	2
51 - 100	3
for each additional increment of 100 or part thereof	one additional stall

16. Barrier-free ~~P~~parking stalls ~~for persons with physical disabilities~~ shall be designed in accordance with best practices~~the "Barrier Free Design Guide"~~.

Table 1

MINIMUM OFF-STREET PARKING SPACES

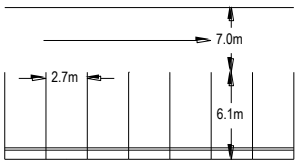
PROPOSED USE	PARKING SPACES REQUIRED
Residential, except in the CM-1 District	
Apartments	1.75 per dwelling unit
Senior citizens housing	0.5 per accommodation unit
Secondary Suite	1.0 per secondary suite
All other	2 per dwelling unit
Commercial, except in the CM-1 District	
Retail sales	1 per 45.1 m^2 (485 ft^2~~sq. ft.~~) gross floor area (GFA)*
Service stations and automobile or equipment repair	1 per 45.1 m^2 (485 ft^2~~sq. ft.~~) GFA; minimum 6 stalls per development
Offices, personal and professional services	1 per 60.0 m^2 (645 ft^2~~sq. ft.~~) GFA
Shopping centres	As required by the Development Authority
Restaurants, lounges and taverns	1 per 5 seats or 1 per 12.0 m^2 (130 ft^2~~sq. ft.~~) GFA, whichever is greater, plus 1 space per 2 employees
Food take-out service	10 spaces minimum; the Development Authority may require additional spaces ~~as required by the Development Authority~~
Motels	1 per guest room
Hotels	1 per guest room
Drive-in restaurants	As for restaurants, but with a minimum of 10 spaces per development
Auto dealers	1 per 49.7 m^2 (535 ft^2~~sq. ft.~~) of site area
Short-Term Rental / Bed & Breakfast	1 per 4 guests in addition to parking required for the principal use. Parking for all recreation vehicles, utility trailers and ATV trailers associated with the use of a Short-Term Rental / Bed & Breakfast ~~or Tourist Home~~ that are disengaged from the towing vehicle shall be accommodated on the subject property and, unless otherwise approved by the Development Authority, shall be located in the rear yard or the side yard. The Development Authority shall not approve a~~ny~~ variance to the off-street parking standard for a Short- Term Rental / Bed & Breakfast ~~or a Tourist Home~~ in any District that is not within the Historic Commercial Areas Overlay District.
Tourist Home	1 per 4 guests with a minimum of 2. Parking for all recreation vehicles, utility trailers and ATV trailers associated with the use of a ~~Short-Term Rental / Bed & Breakfast or~~ Tourist Home that are disengaged from the towing vehicle shall be accommodated on the subject property and, unless otherwise approved by the Development Authority, shall be located in the rear yard or the side yard. The Development Authority shall not approve a~~ny~~ variance to the off-street parking standard for ~~a Short- Term Rental / Bed & Breakfast or~~ a Tourist Home in any District that is not within the Historic Commercial Areas Overlay District.
Other uses	As required by the Development Authority

Industrial and Storage	
Manufacturing or processing	1 per 65.0 m^2 (700 ft^2~~sq. ft.~~) GFA; minimum of 5 spaces
Light industry, warehousing, storage buildings and yards	1 per 65.0 m^2 (700 ft^2~~sq. ft.~~) GFA; minimum of 5 spaces
Public Assembly, except in the CM-1 District	
Churches	1 per 5 fixed seats
Community halls, lodges and other public assembly	1 per 6 fixed seats OR 1 per 5.0 m^2 (54 ft^2~~sq. ft.~~) GFA, whichever is greater
Schools, elementary and junior	2 per classroom
Schools, high and colleges	1 per 4 students~~, or as required by the Development Authority~~
All other uses and all uses in the CM-1 District	As required by the Development Authority and/or specified in an approved Comprehensive Site Development Plan

*** NOTE:** GFA refer to gross floor area.

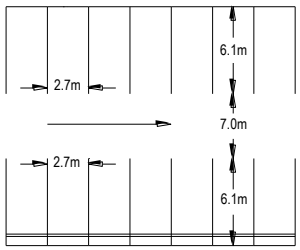
PARKING LAYOUT ALTERNATIVES-METRES

90° one way-single aisle



0.15m Raised Curb 0.6m From Wall

90° one way-two aisle



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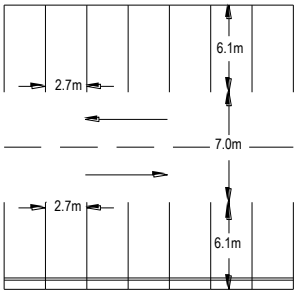
90° two way-two aisle



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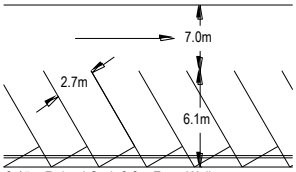
60° one way-single aisle



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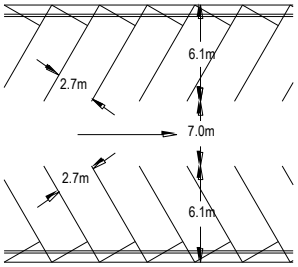
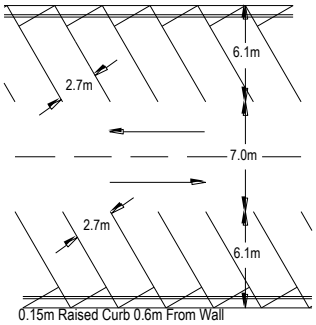
60° one way-two aisle



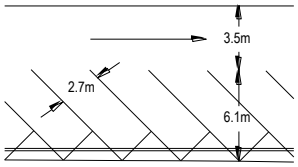
0.15m Raised Curb 0.6m From Wall

60° two way-two aisle



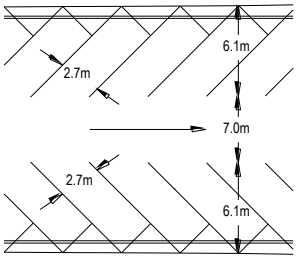
0.15m Raised Curb 0.6m From Wall

45° one way-single aisle



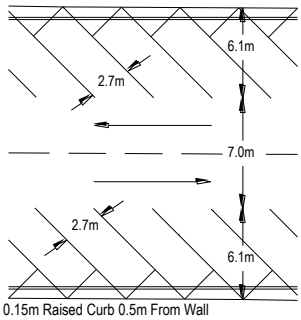
0.15m Raised Curb 0.5m From Wall

45° one way-two aisle



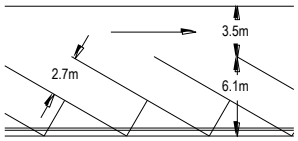
0.15m Raised Curb 0.5m From Wall

45° two way-two aisle



0.15m Raised Curb 0.5m From Wall

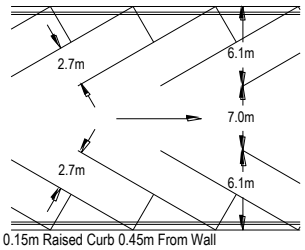
30° one way-one aisle



0.15m Raised Curb 0.45m From Wall

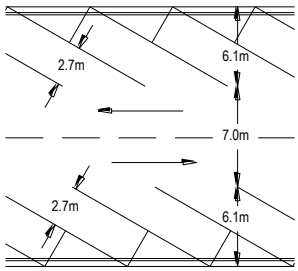
acadfile\blocks\parkingm

30° one way-two aisle



0.15m Raised Curb 0.45m From Wall

30° two way-two aisle



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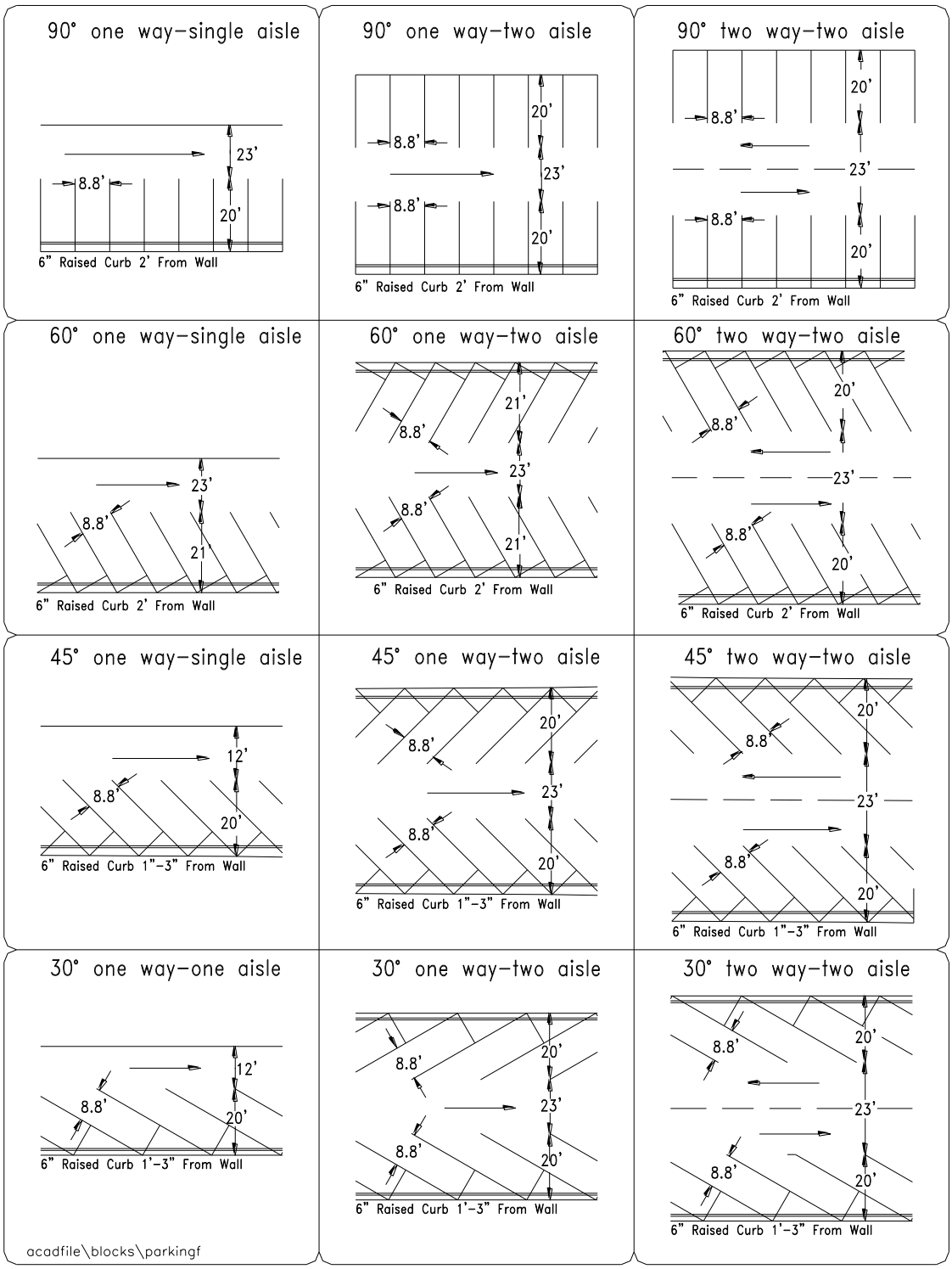
PARKING LAYOUT ALTERNATIVES–FEET



Schedule 7

RELOCATION OF~~MOVED-IN~~ BUILDINGS

1. ~~All moved-in buildings shall be considered to be discretionary uses under this bylaw. For the purpose of t~~This schedule~~,~~ applies to any development permit application that involves the relocation of a building, including~~modular and manufactured (mobile) homes~~ "Moved-In Building", "Moved-In Dwelling", "Modular Home" and any other dwelling unit type that is supplied as a "Ready-to-Move" building, regardless of the use being listed as a permitted use or a discretionary use in any land use district.~~are not considered to be moved-in buildings.~~

~~2. All buildings proposed to be moved or relocated within or into the Municipality of Crowsnest Pass shall require a development permit and be subject to fees as established by Council.~~

2. ~~All~~An applicant~~s~~ for a development permit that involves the relocation of a building within or to the Municipality is~~will be~~ required to submit, with their application, the following ~~additional~~ information ~~(~~in addition to the information normally required within this bylaw~~) prior to processing this permit~~:

   (a) colour photographs of the building proposed to be relocated~~moved in~~, accurately depicting the building and general condition of the building;

   (b) complete site plan showing how the proposed building would be located on the proposed lot;

   (c) foundation proposals;

   (d) floor plans of the building;

   (e) the designated route for transporting the building into the community;

   ~~(e) consent to entry to owner and all successors in title until such time as the building has complied with all the requirements of the development permit;~~

   ~~(f) written confirmation from a certified building inspector, at the applicant's cost, that building meets, or can be made to meet, the provincial building code;~~ and

   (f~~g~~) any other information that may be deemed necessary by the Development Authority.

3. ~~All~~A development permit~~s for moved-in buildings~~ that involves the relocation of a building shall be reviewed by the Development Authority, based on the following criteria:

   (a) age of the building to be relocated~~moved~~;

   (b) age of the surrounding buildings;

   (c) ~~building~~ condition / building materials of the relocated building;

   (d) the compatibility of the proposed building to the neighbourhood and adjacent properties;

   (e) the proposed location within the municipality;

   (f) aesthetics of the neighbourhood;

   (g) the compatibility of the proposed building with the future development of the area; and

   (h) any other planning considerations as determined by the Development Authority.

In the case of a "Moved-In ~~d~~Dwelling" and "Modular Home" to be relocated, it shall, in the opinion of the Development Authority, be compatible with respect to age and appearance, with the houses in the receiving neighbourhood~~, prior to the permit being issued~~.

4. Each individual landowner or applicant shall post a performance bond or letter of credit in an amount necessary to bring the proposed building into compliance with the municipality's requirements and to cover damages to municipal infrastructure or utility infrastructure owned by a Third-Party which may be caused by the relocation.

~~5. No dwelling will be relocated into the Municipality of Crowsnest Pass which is known to be substandard or has known defects which would not have been known defects at the time of construction (such as urea-formaldehyde insulation, sprayed asbestos insulation, etc.)~~

5~~6~~. It is the responsibility of the landowner to ensure that ~~All~~ a building~~s~~ ~~receiving approval~~approved to be relocated into the community ~~shall be brought up to all existing~~complies with relevant federal, provincial and municipal codes, standards, ~~ordinances, rules,~~ regulations, ~~and~~ bylaws and legislation (e.g. the Safety Codes Act, restrictions on urea-formaldehyde insulation, asbestos content, standards in this Land Use Bylaw, etc.)~~, including the *Alberta Safety Codes Act*~~.

6~~7~~. ~~All r~~Renovations and ~~any~~ conditions imposed by the Development Authority to a building relocated within or to the Municipality~~moved-in building~~ shall be completed within one year of the issuance of the development permit. Non-compliance shall result in the forfeiture of the performance bond or letter of credit.

~~8. Every entrance into the moved-in building 0.6 metre (2.0 ft.) or more above grade must have a landing and/or a set of stairs.~~

Schedule 8

CRITERIA FOR HOME OCCUPATIONS

For the purpose of this bylaw, the following classes shall be used to distinguish various home occupations:

Home Occupation – Class 1

No development permit is required, pursuant to the exemption provisions of this bylaw~~Schedule 3, Section 2(p)~~, for a Home Occupation – Class 1 provided it complies~~fits~~ with~~in~~ the following standards ~~parameters below~~:

(a) the use involves phone and office only (i.e. no manufacturing, no use of equipment other than office equipment, no on-site advertising signs, no storage of materials, etc.),

(b) the use does not involve~~s no~~ outdoor storage of materials, commercial vehicles or heavy equipment (a utility trailer or other equipment that is compatible with residential districts are excluded from this requirement),

(c) there is no display of goods on the premises~~interior of the residence~~,

(d) all sales ~~or customer visits~~ occur off the premises or through electronic means,

(e) the use does not require more than occasional customer visits to the premises (for greater clarity, "occasional" means one customer site visit per day),

(f~~e~~) the use complies with the general standards found in this Schedule,

(g~~f~~) there is no sign proposed,

(h) the home occupation does not require any employees other than the operator and members of the household who reside on the premises.

If there is a doubt as to whether a proposed home occupation is a Home Occupation – Class 1, then the Development Officer shall refer the application to the Municipal Planning Commission for a decision.

Home Occupation – Class 2

The Municipal Planning Commission is to decide upon all applications that exceed any one or more parameters established for a Home Occupation – Class 1. A Home Occupation – Class 2 may be approved provided that:

(a) there is a limited volume of on-premises sales (for greater clarity "limited volume" means not more than 25 customer site visits per week),

(b) the proposed storage is not exposed to public view,

(c) there is a limited display of goods on the premises~~proposed for the inside of the building~~,

(d) the use complies with the general standards found in this Schedule,

(e) an interior or exterior sign is proposed,

(f) the use does not involve outdoor storage of materials, commercial vehicles or heavy equipment (a utility trailer or other equipment that is compatible with residential districts are excluded from this requirement),

(f) the home occupation requires an employee (not more than one) outside of members of the household who reside on the premises.

Where any doubt arises in determining the home occupation classification, the matter may be referred to the Municipal Planning Commission for clarification and whose decision shall prevail.

Home occupation – Class 1 shall be operated and Home Occupation – Class 2~~s, as defined,~~ may be approved subject to the following standards and conditions, as may be applicable based on the standards established for each of the categories in the section above~~conditions~~:

1. No person other than the occupant's immediate family who resides on the premises and one paid assistant (only for Home Occupation – Class 2) shall be engaged in such occupations on the premises.

2. The use shall not involve the display or storage of goods or equipment upon or inside the premises such that these items are exposed to public view from the exterior.

3. The home occupation shall not alter~~No variation in~~ the residential character and appearance of the dwelling, accessory building~~ancillary residential building~~, or land~~ shall be permitted~~.

4. One identification sign may be attached to the building but shall not exceed 0.37~~0.4~~ m^2 (4 ft^2~~sq. ft.~~) in area unless authorized by the Development Authority and shall be in accordance with the Sign Standards Schedule~~Section 15 of Schedule 11~~ of this Land Use Bylaw.

5. The use shall not generate more vehicular or pedestrian traffic and vehicular parking than normal within the district.

6. No ~~offensive~~ noise, vibration, effluent, electrical interference, smoke, dust, ash, odour~~s~~, heat, ~~or~~ glare or industrial waste beyond a level that is reasonably considered to be offensive, noxious or a nuisance to the character and purpose of the subject and adjacent land use districts, shall be produced by the use.

7. No use shall cause an increase in the demand placed on any one or more utilities (water, wastewater~~sewer~~, garbage, etc.) such that the combined total consumption for a dwelling and its home occupation exceeds the average for residences in the area.

~~8. No use requiring electrical or mechanical equipment shall cause a substantial fire rating change in the structure or the district in which the home occupation is located.~~

8~~9~~. The approved use shall be valid only for the period of time the property is occupied by the applicant for such approved use.

9~~10~~. Permits issued for home occupations may be subject to the conditions that the permit is renewed annually and may be revoked at any time if, in the opinion of the Development Authority, the use is, or has become detrimental to the residential character and amenities of the neighbourhood.

~~11~~. ~~Home occupations shall not include any use declared by resolution of Council to be undesirable as a home occupation or identified as a prohibited use within the applicable land use district.~~

10~~12~~. Only one license for a Home Occupation~~ – Class 2~~ shall be issued per dwelling unit.

11~~13~~. A new development application must be submitted for consideration by the Development Authority in order to:

(a) reinstate a permit that has been revoked, or

(b) make any substantial changes or additions to an existing approved use (e.g. the type, use or intensity).

12~~14~~. Only in the GCR-1 and NUA-1 Districts and only relative to the number of on-site customer visits, the outdoor storage of materials, commercial vehicles or heavy equipment, and the number of employees outside of members of the household who reside on the premises, the Development Authority may vary the standards for a Home Occupation – Class 2 in order to allow a small business start-up until the business requires relocation to a commercial or industrial District, to the extent that, in the sole discretion of the Development Authority, the Home Occupation would be compatible with the neighbourhood.~~A home occupation which proposes to change the type, use or intensity of an existing development approval shall require a new development permit to do so.~~

Schedule 9

~~MANUFACTURED /~~ MODULAR HOME DEVELOPMENT STANDARDS

1. ELIGIBLE ~~MANUFACTURED /~~ MODULAR HOMES

(a) New ~~manufactured/~~modular home units that have Canadian Standards Association (CSA) approval.

(b) ~~Used~~Previously occupied ~~manufactured/~~modular home units are subject to Municipal Planning Commission approval and:

(i) must be ~~manufactured~~ units of 74.3 m^2 (800 ft^2~~sq. ft.~~) or more, constructed within the last 20 years;

(ii) applicant may be required to provide CSA approval for year constructed;

(iii) must be in a good state of repair;

(iv) the development application must be accompanied by recent colour photographs of all elevations (i.e. front, side and rear views), including additions.

2. FOUNDATIONS, SKIRTING AND ANCHORING

(a) All ~~manufactured/~~modular homes shall be placed on permanent concrete foundations or otherwise anchored as may be specified in the National Building Code – 2019 Alberta Edition (enforcement of this standard is not part of the Land Use Bylaw)~~consisting of:~~

~~(i) strip footings and concrete walls if specified in a land use district or designated area;~~

~~(ii) concrete piers set below frost level; or~~

~~(iii) a concrete slab at least 10 cm (4 inches) thick, set on at least 15 cm (6 inches) of crushed, compacted gravel.~~

~~(b) A manufactured/modular home not bolted to a concrete foundation, shall be anchored to the ground by not less than 6 cables, including one cable at each corner of the unit. Each cable, its attachment and anchor, shall have a rated load capacity of not less than 1,814 kg (4,000 lbs.).~~

(b~~c~~) All ~~manufactured/~~modular homes shall be skirted to the satisfaction of the Development Authority, unless the underside of the unit is concealed by the foundation~~, and the skirting shall have a fire resistance at least equal to that of the unit's exterior cladding~~.

(c~~d~~) Where a basement is provided for a ~~manufactured/~~modular home, access shall be housed within an enclosure of a design and finish which, in the opinion of the Development Authority, complements the unit.

(d~~e~~) ~~Manufactured/m~~Modular homes, with or without a basement, shall be not less than 0.3 metre (1 ft.) and not more than 0.9 metre (3 ft.) above the average grade of the surrounding ground.

3. ADDITIONS TO ~~MANUFACTURED/~~MODULAR HOMES

(a) Any proposed addition to a ~~manufactured/~~modular home will be considered part of the unit and shall require a development permit.

(b) The colour and finish of any addition shall be of a quality, style and design which, in the opinion of the Development Officer, match or complement the unit. The materials used shall be limited to those normally used for the exteriors of residences.

~~4. UTILITIES~~

~~(a) Utility connections shall be installed by qualified tradesmen only, at the expense of the manufactured/modular home owner. Electrical and natural gas hook-ups must be done by licensed journeymen.~~

~~(b) The Development Authority may require that fencing, vegetation or other suitable screening be provided for uses that may be highly visible from nearby properties.~~

~~5. ADDITIONAL DEVELOPMENT CRITERIA~~

~~(a) This Land Use Bylaw may specify that, in certain land use districts, manufactured/modular homes must:~~

~~(i) be placed on full concrete, permanent basements, and~~

~~(ii) meet or exceed a width to length ratio of at least 1:3.~~

~~(b) Every entrance into a manufactured/modular home 0.6 m (2.0 ft.) or more above grade must have a landing and/or a set of stairs.~~

Schedule 10

~~MANUFACTURED /~~ MODULAR HOME COMMUNITY REGULATIONS

No parcel of land within the Municipality of Crowsnest Pass shall be developed for use as a ~~manufactured/~~modular home community unless the following regulations with regard thereto can be and are fulfilled, namely:

1. The parcel of land is situated within a land use district wherein such use is prescribed~~permitted~~ and is at least 2.0 hectares (5 acres) in area.

2. The minimum area of all ~~manufactured/~~modular home sites within a ~~manufactured/~~modular home community development shall not be less than 278.8 m^2 (3,000 ft^2~~sq. ft.~~).

3. Not less than 10 percent of the gross area of a ~~manufactured/~~modular home community shall be allocated to communal open space for the recreational use and enjoyment of its inhabitants, and shall be provided in a location or locations satisfactory to the Development Authority.

4. All internal roads, streets or driveways used by vehicles must be paved to standards specified by the Development Authority.

5. A footpath system, which may or may not be adjoined to an internal road system, must be provided within a ~~manufactured/~~modular home community to provide convenient pedestrian access from the ~~manufactured/~~modular home lots to the community's communal services and facilities. All footpaths must be a minimum of 0.9 metre (3 ft.) in width and surfaced to the satisfaction of the Development Authority.

6. A gravel pad connected by a driveway to the adjoining internal road system must be provided on each ~~manufactured/~~modular home site for the purpose of situating a ~~manufactured/~~modular home thereon. The size of the pad must be sufficient to accommodate any ~~manufactured/~~modular home to be placed within the boundaries of the site without encroachment onto other lands, provided its location ensures the ~~manufactured/~~modular home cannot be closer than 4.6 metres (15 ft.) from another ~~manufactured/~~modular home. The materials and construction of the pad and driveway shall be specified by the Development Authority.

7. A paved or concrete patio of not less than 9.3 m^2 (100 ft^2~~sq. ft.~~) in area shall be provided on each ~~manufactured/~~modular home lot in a location adjoining or near to the gravel pad.

8. Those areas of a ~~manufactured/~~modular home site not developed with a patio, apron, driveway or footpath shall be developed or landscaped to an extent acceptable to the Development Authority.

9. All areas of a ~~manufactured/~~modular home community shall be maintained to the satisfaction of the Development Authority.

10. All service and utility wires~~,~~ shall be installed underground and in compliance with provincial regulations.

11. One freestanding, identification sign may be erected at the entrance to the ~~manufactured/~~modular home community. The Development Authority may allow a second sign under exceptional circumstances. The sign or signs shall be of a size, type and construction acceptable to the Development Authority and in compliance with the sign standards in Schedule 11 of this bylaw.

12. Directional signs within the ~~manufactured/~~modular home community must be integrated in design and appearance, in scale with the immediate surroundings, and constructed of durable material.

13. Two parking spaces shall be provided for each ~~manufactured/~~modular home site. These spaces may be located on site or in a communal parking area which does not encroach into any adjacent internal road or driveway. All parking spaces shall be hard surfaced to the satisfaction of the Development Authority.

14. The design, appearance, general location and exterior finishing materials of the permanent buildings ~~or structures~~ within a ~~manufactured/~~modular home community must be acceptable to the Development Authority.

15. The outdoor lighting system within a ~~manufactured/~~modular home community must be integrated in design and appearance. The type of lighting must conform to municipality requirements and specifications.

16. Each ~~manufactured/~~modular home site shall be physically defined at its corners or along its boundaries by means of a marker to the satisfaction of the Development Authority.

17. The boundaries of a ~~manufactured/~~modular home community shall be suitably and adequately screened, and the site shall be landscaped to the satisfaction of the Development Authority.

18. Except with the approval of the Development Authority, a modular home community shall not have more than one motor vehicle entrance and one motor vehicle exit to a primary highway, each of minimum width of 7.6 metres (25 ft.) measured to the curb cuts~~, shall be permitted~~.

19. The management of a ~~manufactured/~~modular home community shall at all times conform to local bylaws relating to sanitation and to garbage and refuse collection.

20. At least one communal garbage container on a permanent foundation shall be provided for each ~~manufactured/~~modular community~~ designed in accordance with BearSmart principles~~.

21. Each ~~manufactured/~~modular home community must be designed to have at least two access/egress points.

Schedule 11

SIGN STANDARDS

1. DEFINITIONS

In addition to the definitions in Schedule 19~~20~~ of this bylaw, the following definitions apply to this schedule:

A-Board Sign means a self-supporting A-shaped sign or sandwich board which is set upon the ground and has no external supporting structure.

Abandoned Sign means a sign which no longer advertises or identifies an existing activity, business, owner, product, lessee or service, or a sign for which no legal owner can be found.

Active Electronic Sign means a computerized structure that uses digital technology to provide visual communication in advertising or conveying a message for pedestrian or vehicular traffic where the message is non-fixed (flashing, scrolling, etc.).

Awning means an adjustable or temporary roof-like covering fitted over windows and doors and used for either shelter, advertising or decoration.

Balloon Sign means any inflatable device, used or employed as a sign that is anchored to the ground or to a building.

Banner Sign means a sign made of fabric or other non-rigid material with no enclosing framework.

Billboard means a sign structure within or adjacent to the right-of-way of Highway 3 and that is designed and intended to provide a leasable advertising copy area on both sides in excess of 18.6 m^2 (200 ft^2~~sq. ft.~~) per side.

Boulevard means that portion of a public roadway that lies between a curb and the boundary of a lot or parcel.

Business frontage – see “Frontage”.

Canopy means a permanent fixture fitted over windows and doors and used for either shelter advertising or decoration.

Canopy Sign means a sign that is mounted, painted or otherwise attached to an awning, canopy or marquee.

Changeable Copy Sign means a sign on which the copy changes automatically through electronic or mechanical means.

Construction Sign means a temporary sign erected on a site where construction is taking place to identify the construction project and those parties having a role or interest in the construction.

Contractual Signs includes but are not limited to Highway Directional and Promotional Signs on Highway property; Theme Signs and kiosks that are components of a single design theme, and; signs owned and approved as a single Theme Sign.

Copy means the message on a sign in either permanent or removable form.

Copy Area means the entire area within a single polygon or a combination of squares or rectangles that will enclose the limits of the advertising message or announcement, and that include, but not be limited to:

(a) decorations related to the specific nature of the advertising message or announcement;

(b) the area of individual figures or letters shall be calculated on the basis of the smallest squares or rectangles that will enclose the individual letters or figures; and

(c) in the case of a double or multi-face sign, the average of the total area of all sign faces will be counted in copy area calculations.

Cornice means a horizontal molded projection crowning a building ~~or structure~~.

Council means the Council of the Municipality of Crowsnest Pass.

Decorative Light Pole Sign means a series of similar community or special event signs placed upon decorative or permanent light poles.

Design Standards means a set of regulations addressing design aspects of signs such as materials, finishes, colours, lettering, size, placement, and maintenance.

Development Officer means the person or persons appointed to the office of Development Officer.

Development Permit means a document authorizing a development issued pursuant to the Land Use Bylaw of the Municipality of Crowsnest Pass.

Directional Off-Premises Sign means any sign which advertises, directs or otherwise identifies a service, facility, product or activity to be found at a location other than the premises on which the sign is located.

Fascia Sign means a sign attached across the face of a building, located approximately parallel thereto, in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign, which does not project more than 0.3 metre (1 ft.) from the building ~~or structure~~ supporting said sign.

Freestanding Sign means any sign or display supported by a freestanding column or structure.

Frontage means the front lot line or that side of a lot abutting a public roadway, but does not include any side abutting a lane, unless said lane is the only means of physical access to a lot.

Frontage Road means a local street or road parallel to and adjacent to a highway or arterial street separated by a dividing strip and providing access to abutting properties.

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

Highway means:

(a) a highway or proposed highway that is designated as a primary highway; or

(b) a road, street, or highway formerly designated as a secondary road and numbered between 500 and 999.

Home Occupation means a home occupation, as it is defined in the Municipality of Crowsnest Pass Land Use Bylaw, as amended.

Home Occupation Sign means a sign advertising a home occupation approved under the provisions of the Municipality of Crowsnest Pass Land Use Bylaw.

Inflatable Sign means a sign displayed on a tethered airborne object that relies on lighter-than-air buoyancy, and the sign may be classified under several types of signs in this bylaw (a Portable Sign, a Projecting Sign, a Temporary Sign, a Roof Sign, or a ~~Third Party~~Third-Party Sign).

Illumination means the lighting of any sign by artificial means and may be further described as:

(a) internal illumination that means the lighting of any sign face from a light source located within the sign or behind the copy;

(b) directed illumination that means the lighting of any sign face from a light source located on or near the exterior of the sign;

(c) indirect illumination that means the lighting of any sign face by reflected light from a source that is distinct form, but intentionally directed towards the sign.

Illuminated Sign means a sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed towards the sign.

Land Use Bylaw means the Municipality of Crowsnest Pass Land Use Bylaw as amended.

Land Use District means a land-zoning category as defined in the Land Use Bylaw.

Lane means a public thoroughfare that provides a ~~secondary~~ means of access to a lot or lots.

Lot, in accordance with the *Municipal Government Act*, means:

(a) a quarter section;

(b) a river lot shown on an official plan referred to in ~~section 32 of~~ the *Surveys Act* that is filed in a Land Titles Office;

(c) a settlement lot shown on an official plan referred to in ~~section 32 of~~ the *Surveys Act* that is filed in a Land Titles Office;

(d) a part of a parcel where the boundaries of the parcel are described in a certificate of title by reference to a plan of subdivision.

Marquee means a permanent structure that projects over a public place, usually an entrance, and is permanently attached to and supported by a building.

May means that an action is discretionary.

Memorial Sign means a tablet or plaque memorializing a person, event, building~~structure~~ or site, provided said sign is not located in conjunction with any commercial or industrial use.

Merchandising Aid means a device, such as statues, inflatable signs, and tethered balloons intended to call attention to a business and that may contain a name, logo, advertising message or announcement.

Multiple Listing Sign means a sign that contains within one structural frame two or more smaller signs, each of which identifies or advertises a different business, organization or facility.

Municipal Government Act (MGA) or the Act means the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

Municipality means the Municipality of Crowsnest Pass.

Mural means a painting or other decorative work applied to and made integral with an exterior wall surface of a building.

Parapet means the extension of a false front wall above a roofline.

Parcel, in accordance with the *Municipal Government Act*, means the aggregate of the one or more areas of land described in a certificate of title by reference to a plan filed or registered in a Land Titles Office.

Political Poster means a temporary sign announcing or supporting candidates or issues in any election or plebiscite.

Portable Sign means a sign that is not permanently affixed to a building~~, structure~~ or the ground and is supported on a structure allowing it to be readily moved from one location to another, to provide short-term promotional advertising using manual changeable copy.

Principal Use means the main purpose for which a lot, parcel, or building is used or intended to be used.

Professional Engineer means an engineer who has been licensed to practice the profession of engineering by the Association of Professional Engineers and Geoscientists of Alberta (APEGA).

Projecting Sign means a sign that is wholly or partly dependent upon a building for support and that projects more than 0.3 metre (1 ft.) from such building.

Primary Sign means a sign advertising the primary use of the premises.

Property Line means any legal surveyed boundary of a parcel.

Public Place means any location in the Municipality that is for public use and includes streets, lanes, avenues, boulevards, sidewalks, parks, public campgrounds, squares, or rights-of-way and the space above the same.

Public Roadway means, in a city, town, new town, village, or summer village, the right-of-way of all or any of the following:

(a) a local road;

(b) a service road;

(c) a street;

(d) an avenue; or

(e) a lane.

Public Thoroughfare means any pathway, sidewalk, bridge, lane, service road, local street, collector street, arterial street, or highway.

Real Estate Sign means a sign pertaining to the sale or lease of the premises or a portion of the premises on which the sign is located.

~~**Renewal** means reissuing a sign permit that has expired or is about to expire.~~

Resident Identification Sign means a sign located on the premises, limited to providing the address and/or name of the owner or occupant of a building or premises.

Roof Sign means any sign that is entirely upon and above the roofline or parapet of a building.

Roofline means the top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys, or minor similar projections.

Secondary Sign means any sign advertising or otherwise related to an occupation or use that is not the primary use of the premises.

Setback means the distance required between a building, development, or use from a property line facing a street or other property line.

Shall means that the action is mandatory.

Should means that the action is recommended.

Sign means any development that is:

(a) constructed and affixed directly or indirectly to any building~~, structure~~, window, or a parcel of land; and

(b) used to advertise, identify or display a commercial or non-commercial activity, product, place, organization, institute, person, service, event or location, by any means, including words, letters, figures, design, symbols, fixtures, colours, trademarks, illumination or projected images and in such a manner as to be visible from any public place.

Sign Area means the entire face of a sign including the advertising surface and any framing, trim or moulding, but not including the supporting structure.

Sign Band means a prominent exterior display surface located horizontally below the cornice or roofline.

Sign Clutter Area means any area of the Municipality of Crowsnest Pass that Council has declared by resolution to appear cluttered by an excessive number of signs, and therefore warranting special restrictions in order to eliminate the sign clutter.

Signage District means an area of the Municipality defined by street locations ~~where by~~whereby motion of Council, Sign Design Standards may be applied for visual impact and continuity and/or to incorporate a specific theme.

Site means that part of a parcel or a group of parcels on which a development exists or for which an application for a development permit is being made.

Static Electronic Sign means a computerized structure that uses digital technology to provide visual communication in advertising or conveying a message for pedestrian or vehicular traffic where the message is fixed (non-flashing, non-scrolling, etc.) or where the message is displayed for a duration whereby normal traffic is not normally exposed to a message change.

Stop Order means an Order issued by the Municipality pursuant to the applicable provisions of the *Municipal Government Act* requiring immediate cessation of all development activity associated with a specific sign.

Subdivision and Development Appeal Board means the tribunal established by the Municipality of Crowsnest Pass, by bylaw, to act as the municipal appeal body for subdivision and development pursuant to the relevant provisions of the Act.

Subdivision and Development Authority means the Municipal Planning Commission or the Development Officer, as the case may be, empowered by the Municipality of Crowsnest Pass to make decisions on subdivisions and development and land use issues within the Municipality.

Subdivision Entrance Feature Sign means a permanent sign indicating the name of a subdivision or a portion of the subdivision on which it is placed.

Subdivision Frontage means the external boundaries of a subdivision that abut public roadways.

Subdivision Marketing Sign means a temporary sign placed at the entrance to a new subdivision for the purpose of promoting vacant lot, new home areas or show homes, and which may incorporate small banners or flags.

Temporary Sign means any sign approved~~permitted~~, designed or intended to be displayed for a period not exceeding 30 days.

Theme Sign means any sign that is part of a series or group of signs incorporating a distinctive theme, design or logo.

~~**Third Party**~~**Third-Party Sign** means any off-premises sign advertising an activity not located on the same lot or parcel of land as the sign, including directional off-premises signs but excluding billboards.

Traffic or Directional Sign means any sign for the purpose of controlling traffic or providing directional information to drivers.

Variance~~**Waiver**~~ means the relaxation ~~or variance~~ of a development standard established in the Land Use Bylaw.

Wall Sign means a sign fastened to or painted on the wall of a building.

Window Sign means a sign permanently applied directly to the inside surface of a window and intended to be viewed from the outside.

2. ADMINISTRATION

(a) This bylaw applies to all signs within the Municipality.

(b) No one unless exempt under Schedule 3 shall erect, place, alter, or commence any sign development within the Municipality without having first obtained a development permit from the Development Authority in accordance with the provisions of the Land Use Bylaw.

(c) Upon receipt of a completed application for a development permit, ~~including renewals,~~ the Development Officer:

(i) shall process the application as required in accordance with the requirements of the Land Use Bylaw, as amended; and

(ii) may request submission of drawings approved by a Professional Engineer;

(iii) may issue a development permit with or without conditions, including a condition that the development permit shall be temporary and require renewal at a future date; or

(iv) may refer the application to the Municipal Planning Commission; or

(v) may reject the application.

(d) Any decision made under this bylaw may be appealed in accordance with the relevant provisions of the *Municipal Government Act*~~to the Subdivision and Development Appeal Board in accordance with the provisions of~~ and this Land Use Bylaw.

(e) Table 1, *Summary of Sign Requirements*, is provided as a convenient summary of certain significant requirements for each category of sign. For the complete list of requirements, refer to Sections 11 to 24 of this schedule.

(f) ~~Where by~~Whereby its nature and/or location a sign may be defined as more than one type of sign, then all relevant sections of this bylaw apply.

(g) Resolution of conflicts between sections of this bylaw will be at the discretion of the Municipal Planning Commission.

(h) All types of signs and circumstances may not be addressed by this bylaw, so affected persons are encouraged to submit an application for a development permit for consideration by the Development Authority.

3. APPLICATION REQUIREMENTS

(a) All applications for a sign permit shall be made in writing to the Development Officer on the approved form and/or such other form that may be required by the Development Officer;

(b) All applications for a sign permit shall be accompanied by a basic application ~~or renewal~~ fee as per the Municipality's Fee Schedule;

(c) All applications for a sign permit must be accompanied by a document indicating in a form satisfactory to the Development Officer, that the owner of the property on which the sign is to be located has authorized its placement.

(d) All applications for a sign permit shall provide the following information:

(i) the site plan drawn to scale showing the scale of the plan, the municipal address and legal description of the lot or building on which the sign is to be erected, altered or relocated;

(ii) the location of the proposed sign on the lot or building;

(iii) the distance from the sign to property lines, roadway intersections, traffic control devices and from access points to the property;

(iv) the distance from the sign to buildings and other signs on the property;

(v) the distance to aerial power lines from freestanding and roof signs;

(vi) a sign plan drawn to scale or photographically produced showing design and placement;

(vii) the dimensions of the sign;

(viii) the method of attachment to and character of the structure to which attachment will be made;

(ix) for a fascia sign, the projection distance from the face of the building;

(x) the height of the sign measured from grade to the highest point of the sign or sign structure;

(xi) any other information as may reasonably be required by the Development Officer, which could include plans for installation and mounting that have been approved by a Professional Engineer.

4. GENERAL REGULATIONS

(a) The various types of Signs may be approved~~are permitted~~ only where they are prescribed in ~~conjunction with conforming~~ a land use district~~s~~ in accordance with the provisions of this Land Use Bylaw.

~~(b) All development permits are granted for a fixed period. Prior to expiry, permit holders may apply for a renewal.~~

(b~~c~~) All signs in the Municipality shall comply with the following:

(i) all signs shall be maintained by the owner in a safe and tidy manner to the satisfaction of the Development Authority;

(ii) no sign for which a development permit has been granted shall be relocated or substantially repaired unless authorized by a new development permit. However, no development permit is required to clean, repaint or otherwise maintain any sign;

(iii) all signs shall, in the opinion of the Development Authority, be of quality construction and of a design suitable for public display;

(iv) the colour, design, visual impact, aesthetics, character, finishing (both sides), and shape of all signs shall be to the satisfaction of the Development Authority.

(c~~d~~) The Development Authority may require sign placements to be enhanced with landscaping or architectural features to improve aesthetics.

(d~~e~~) No sign shall be placed or illuminated in such a manner that, in the opinion of the Development Authority, it:

(i) causes confusion with or obstructs the view of any Traffic Control Sign, signal light, or other device;

(ii) obstructs or endangers vehicular or pedestrian traffic; or

(iii) adversely affects neighbouring properties; or

(iv) will create a potential hazard or conflict with the routing of any public utility.

(e~~f~~) The source of light for any Illuminated Sign shall be fixed, non-flashing, non-revolving, and suitably shielded to the satisfaction of the Development Authority.

(f~~g~~) No Active Electronic Signs shall be approved~~permitted~~ with the exception of Changeable Copy Signs approved by Alberta Transportation for use on highways.

(g~~h~~) No Billboard Signs shall be approved~~permitted~~ within the Municipality boundaries except for provincial government approved structures within the Highway 3 right-of-way.

(h~~i~~) The types of sign that may be approved~~permitted~~ may be restricted by Design Standards for Signage Districts established by motion of Council or by Design Standards adopted by the Development Authority.

(i~~j~~) The maximum number of Primary Signs that may be approved~~permitted~~ on a lot with single frontage is three and with two or more frontages, four. These primary signs may consist of any combination of the sign categories in Sections 11 to 24 of this schedule.

(j~~k~~) The maximum combined sign area of all Primary Signs that may be located on a lot with a single frontage is 12.0 m^2 (130 ft^2~~sq. ft.~~) and with two or more frontages is 18.0 m^2 (194 ft^2~~sq. ft.~~).

(k~~l~~) All signs associated with a particular business must be moved within 30 days of the closure of the business.

(l~~m~~) A sign may be designated as an Abandoned Sign by the Development Authority.

(m~~n~~) Council may designate a Sign Clutter Area and require action to remediate.

(n~~o~~) Signs to be placed on frontage roads may be approved at the discretion of the Development Authority.

(o~~p~~) No signs shall be approved~~permitted~~ within the Municipality's boundaries that are attached to or mounted on permanently fixed or stationary transport trailers or shipping containers.

5. VARIANCES~~WAIVERS~~

(a) The Development Authority~~ or, on appeal, the Subdivision and Development Appeal Board, are~~ is hereby empowered to approve~~issue~~ a variance~~waiver~~ of any development standard or other provision of this bylaw if, in its opinion:

(i) such variance~~waiver~~ would not unduly compromise the aesthetic quality or safety of signs in the Municipality; and

(ii) such variance~~waiver~~ will not conflict with other signs or land uses.

6. ENFORCEMENT

(a) No one shall erect, place, alter or commence any sign development within the Municipality without having complied with all the provisions of this bylaw.

(b) When, in the opinion of the Development Authority, a sign does not comply with this bylaw, is improperly maintained, in unsafe, has become obsolete, or is an Abandoned Sign, the Municipality, in accordance with the Act~~ *Municipal Government Act* or subsequent legislation~~, may order the alteration, repair, or removal within 30 days of said sign by the owner of the sign and/or the registered owner of the lot or parcel upon which the sign is located.

(c) If an order issued under this Schedule~~Section 6(b)~~ is not complied with, the Municipality may further order, subject to any appeal, that said sign be immediately altered, repaired, or removed by its agents, employees or independent contractors with the entire costs for any labour, equipment, or materials required borne by the owner of said sign and/or registered owner of the lot or parcel upon which said sign is or was located.

(d) Anyone convicted of an offence under this bylaw shall, in accordance with the *Municipal Government Act*, or subsequent legislation, pay to the Municipality an amount sufficient to satisfy any and all costs, including legal fees on a solicitor/client basis, as well as all witness fees including experts, all costs incurred in the gathering and assembly of information and the investigation surrounding the offence, to which it may be put or for which it may be responsible to third parties for the prosecution of the offence or enforcement of this bylaw including any and all

steps and proceedings for the removal or rectification of any development not complying with this bylaw.

7. APPEALS

Any person affected by a decision of the Development Authority may appeal said decision in accordance with the relevant provisions of the Act ~~to the Subdivision and Development Appeal Board pursuant to the provisions of the *Municipal Government Act*~~.

8. STOP ORDERS

The Development Authority may issue a Stop Order pursuant to the relevant provisions of the Act ~~*Municipal Government Act*~~.

9. PENALTIES

Every person who contravenes any provision of this bylaw is guilty of an offence pursuant to the relevant provisions of the Act ~~*Municipal Government Act*~~ and is liable to a fine as defined in the Fee Schedule.

10. SIGNS NOT REQUIRING A DEVELOPMENT PERMIT

All signs require a development permit except for:

(a) a maximum of one temporary sign located on a single lot or frontage;

(b) an inflatable sign posted for a maximum of 7 days;

(c) a sign that is posted or exhibited inside a building, including window signs;

(d) an A-board sign;

(e) a temporary advertisement sign that:

- (i) relates to the sale of goods, the carrying out of construction or similar work, or the announcement of any special event of a religious, educational, cultural, political or similar character;
- (ii) has sign area not exceeding 2.0 m^2 (21.5 ft^2~~sq. ft.~~);
- (iii) is posted for a time period not to exceed 21 days; and
- (iv) is removed by the advertiser within 7 days of the completion of the event or works to which the sign relates.

(f) a traffic or directional sign authorized by the Municipality, the Government of Alberta, or the Federal Government;

(g) a campaign sign relating to a Federal, Provincial, Municipal, or School Board election provided that:

- (i) it is posted for a time period not to exceed 30 days or such other time as regulated under Provincial or Federal legislation; and
- (ii) the sign is removed within 7 days following the election;

(h) a sign advertising a lawn sale, garage sale, a family event, or a sporting event provided that it:

- (i) has a sign area not exceeding 0.55 m^2 (6 ft^2~~sq. ft.~~);
- (ii) is posted for a time period not to exceed 7 days; and

(iii) is removed from the property within 48 hours of the completion of the event;

(i) a sign advertising the location of real estate for the purposes of public viewing or an open house, and that displays the name and/or logo of the associated realtor and/or real estate company, provided that the sign:

(i) is posted for a time period not to exceed 3 days; and

(ii) is removed within 48 hours of the public viewing or open house;

(j) a sign that indicates the availability for sale, lease, or rental of a land parcel or a building provided that the sign:

(i) is posted only on the business frontage of the building or land, on the building, or on public land directly in front of the building;

(ii) has a sign area not exceeding 3.0 m^2 (32 ft^2~~sq. ft.~~); and

(iii) is removed within 30 days of the lease or sale of the building or land;

(k) a sign showing the name or address of a building and that is sculpted or formed from a building material that is integral to the building face;

(l) address numbers or letters displayed on the property where together the total copy area is less than 1.2 m^2 (13 ft^2~~sq. ft.~~);

(m) copy in a contractual sign or merchandising aid;

(n) a sign on a bench or waste receptacle, where the bench or receptacle is on or in front of a business property, and is provided as public service;

(o) any construction site.

11. A-BOARD SIGNS – Type 11

(a) A-Board Signs shall only be allowed in commercial and industrial districts.

(b) A-Board Signs must be on or directly in front of the property on which the business being advertised is located.

(c) A-Board Signs may be displayed only during the business hours of the business being advertised.

(d) A-Board Signs shall not exceed 0.6 metre (2 ft.) in width and 1.23 metres (4 ft.) in height.

(e) No A-Board Sign shall occupy more than 30 percent of the width of any public sidewalk.

(f) The number of A-Board Signs that may be approved~~permitted~~ is one per business frontage to a maximum of two.

~~(g) The sign permit renewal period for A-Board Signs is 3 years.~~

12. CANOPY SIGNS – Type 12

(a) No more than one canopy is allowed per building.

(b) No more than one Canopy Sign is allowed per business frontage to a maximum of two.

(c) The Canopy Sign for each use in a multi-tenant building having individual business frontages shall be consistent in size and design as directed by the Development Officer.

(d) Approval of any Canopy Sign ~~under the provisions of this bylaw~~ that projects or encroaches into or over Municipal property or right-of-way is conditional upon the owners and occupiers of the premises upon which said sign is located entering into an encroachment agreement and providing

to the Municipality, on an annual basis, a liability insurance policy that indemnifies the Municipality for any public safety risk, liability, injury or damage resulting from said sign.

(e) The copy area of a Canopy Sign shall not exceed the lesser of 9.3 m^2 (100 ft^2~~sq. ft.~~) or 30 percent of the area of each side of the awning or marquee to which it is mounted, painted or otherwise attached.

(f) No part of a Canopy Sign, exclusive of any supports, shall be less than 2.7 metres (9 ft.) above ground or sidewalk grade.

(g) No part of a Canopy Sign shall project or encroach more than 1.5 metres (5 ft.) over any public place or extend within 0.9 metre (3 ft.) of the edge of a curb or a roadway without the approval of the Development Authority.

(h) No Canopy Sign shall be located within 0.5 metre (1.6 ft.) of the top of a parapet or roofline.

~~(i) The sign permit renewal period for Canopy Signs is 5 years.~~

13. FASCIA AND WALL SIGNS – Type 13

(a) No more than one Fascia or Wall Sign ~~is permitted~~ per business frontage may be approved and it shall be located completely on the same site as the use being advertised.

(b) Where a sidewall of a building project is above the roofline of an adjacent building, the Development Authority may allow one additional Fascia or Wall Sign to be located on the exposed sidewall.

(c) The sign surface shall not exceed the lesser of 6.5 m^2 (70 ft^2~~sq. ft.~~) or 15 percent of the exterior wall unit on which it is attached or located.

(d) Whenever there is an identifiable sign band, Fascia and Wall Signs should be of a consistent size and located near the same level as other similar signs on the premises and adjacent buildings.

(e) No Fascia or Wall Sign may be located within 0.5 metre (1.6 ft.) of the top of a parapet or a roofline.

~~(f) The sign permit renewal period for Fascia or Wall Signs is 10 years.~~

14. FREESTANDING SIGNS – Type 14

(a) Freestanding Signs may be approved~~are~~ only ~~permitted~~ in non-residential land use districts.

(b) All Freestanding Signs shall be located completely on the same lot as the use being advertised.

(c) No more than one Freestanding Sign per frontage, or where there are two or more frontages, a maximum of two Freestanding Signs shall be located on a single lot or premises.

(d) Freestanding Signs advertising a single business shall not be approved~~permitted~~ on properties zoned for multiple commercial enterprises, and where multiple listing signs are allowed.

(e) No Freestanding Sign shall exceed 7.6 metres (25 ft.) in height including supporting structures.

(f) The sign area of a Freestanding Sign shall not exceed 6.5 m^2 (70 ft^2~~sq. ft.~~) per face.

(g) No part of a Freestanding Sign located in the proximity of traffic shall be less than 2.7 metres (9 ft.) above ground or sidewalk grade.

~~(h) The sign permit renewal period for a Freestanding Sign is 10 years.~~

15. HOME OCCUPATION SIGNS – Type 15

(a) Home Occupation Signs may be allowed for the purpose of identifying approved home occupations.

(b) The sign area of a Home Occupation Sign shall not exceed 0.37 m^2 (4 ft^2~~sq. ft.~~).

(c) A Home Occupation Sign shall not extend more than 1.5 metres (5 ft.) above grade.

(d) Applications for Home Occupation Signs will not be considered unless the operator of the home occupation is in possession of a Municipal business license.

(e) Only one Home Occupation Sign ~~is permitted~~ per residence may be approved.

~~(f) The sign permit renewal period for a Home Occupation Sign is 3 years.~~

16. MULTIPLE LISTING SIGNS – Type 16

(a) No more than one Multiple Listing Sign ~~is permitted~~ per frontage to a maximum of two may be approved.

(b) All Multiple Listing Signs shall be located completely on the same lot as the use being advertised.

(c) Each component sign, panel or advertisement comprising a Multiple Listing Sign shall:

(i) be manufactured of the same materials for continuity;

(ii) be confined within the same structural frame;

(iii) be of a design acceptable to the owner of the entire sign or owner of the property; and

(iv) have copy acceptable to the owner of the entire sign or owner of the property.

~~(d) The sign permit renewal period for Multiple Listing Signs is 10 years.~~

17. MURALS – Type 17

(a) Murals may be approved~~permitted~~ on the basis of design merit if, in the opinion of the Development Authority they will:

(i) be visually attractive to passers-by and/or will enhance the visual quality of the Municipality;

(ii) enhance the immediate surroundings in which they are to be situated;

(iii) be consistent with a theme, if any, identified by Council for that vicinity; and

(iv) be constructed of weather-resistant materials that will withstand prevailing climatic conditions.

~~(b) The sign permit renewal period for Murals is 5 years.~~

18. PORTABLE SIGNS – Type 18

(a) The sign area of a Portable Sign shall not exceed 3.8 m^2 (40 ft^2~~sq. ft.~~).

(b) No more than one Portable Sign per frontage or, where there are two or more frontages, a total of two Portable Signs may be located on a single lot or premises.

(c) No Portable Sign shall extend or project into any public place or beyond the boundaries of the lot premises upon which it is sited without the approval of the Development Authority.

(d) A sign permit granted for a Portable Sign shall specify the period of time, not to exceed 90 days, during which the sign is approved~~permitted~~ to be exhibited.

~~(e) The sign permit renewal period for portable signs is 90 days.~~

19. PROJECTING SIGNS – Type 19

(a) This category of sign includes decorative light pole signs.

(b) A single Projecting or Overhanging Sign may be approved~~permitted~~ on a single lot or business frontage.

(c) Any Projecting Sign shall have a minimum clearance above ground, or sidewalk grade of at least 2.7 metres (9 ft.).

(d) The sign area of a Projecting Sign shall not exceed 1.5 m^2 (16 ft^2~~sq. ft.~~) per face.

(e) A~~ll~~ Projecting Sign~~s~~ shall be securely fastened to the building~~ or structure~~ to the satisfaction of the Development Authority.

(f) Approval of any Projecting Sign~~ under the provisions of this bylaw~~ that encroaches into or over Municipal property or right-of-way is conditional upon the owners and occupiers of the premises upon which said sign is located entering into an encroachment agreement and providing to the Municipality, on an annual basis, a liability insurance policy that indemnifies the Municipality for any public safety risk, liability, injury or damage resulting from said sign.

(g) No part of a Projecting Sign shall project or encroach~~horizontally~~ more than 1.5 metres (5 ft.) over any public place or extend within 0.9 metre (3 ft.)~~1.5 metres (5 ft.)~~ of the edge of a curb or roadway without the approval of the Development Authority.

(h) No Projecting Sign may be located within 0.5 metre (1.6 ft.) of the top of a parapet or a roofline.

~~(i) The sign permit renewal period for a Projecting Sign is 10 years.~~

20. ROOF SIGNS – Type 20

(a) No more than one Roof Sign may be approved~~permitted~~ per business frontage.

(b) The sign area of a Roof Sign shall not exceed 8.4 m^2 (90 ft^2~~sq. ft.~~).

(c) No part of a Roof Sign shall project horizontally beyond any exterior wall, parapet or roofline of the building upon which it is located.

(d) A Roof Sign may be approved~~is permitted~~:

(i) on the flat roof of a building that is at least 9.1 metres (30 ft.) high; or

(ii) between the eaves and peak of a sloping roof.

(e) On a flat roof, no part of any Roof Sign, excluding that portion which is used for support and which is free of copy, shall be less than 1.2 metres (4 ft.), or more than 4.6 metres (15 ft.) above the parapet or roofline.

(f) No supporting structures shall be visible to the public unless finished in an aesthetically pleasing manner to the satisfaction of the Development Officer.

(g) On a sloping roof no part of any Roof Sign shall be more than 6.1 metres (20 ft.) above grade.

(h) All Roof Signs shall be securely fastened to the building~~ or structure~~ to the satisfaction of the Development Authority.

~~(i) The sign permit renewal period for Roof Signs is 10 years.~~

21. SECONDARY SIGNS – Type 21

(a) A maximum of one Secondary Sign per principal use may be approved.

(b) The sign area of all Secondary Signs located on single premises shall not exceed 50 percent of the sign area of the approved primary sign.

(c) The Secondary Sign for each use in a multi-tenant building having individual business frontages shall be consistent in size and design as directed by the Development Officer.

~~(d) The sign permit renewal period for Secondary Signs is 5 years.~~

22. SUBDIVISION ENTRANCE FEATURE SIGNS – Type 22

(a) Subdivision Entrance Feature Signs may be approved~~are permitted~~ in all land use districts provided it:

(i) is freestanding;

(ii) does not exceed 4.0 metres (13 ft.) in sign height;

(iii) does not exceed 6.0 m^2 (64.6 ft^2~~sq. ft.~~) in sign area;

(iv) incorporates the name of the neighbourhood, subdivision or area; and

(v) is architecturally integrated with any design theme or style of the neighbourhood, subdivision or area at which it is located.

~~(b) The sign permit renewal period for Subdivision Entrance Feature Signs is 10 years.~~

23. SUBDIVISION MARKETING SIGNS – Type 23

(a) Approval of a Subdivision Marketing Sign requires that it:

(i) is wholly located within the subdivision being marketed;

(ii) is free-standing, a banner, or attached to a structure;

(iii) has sign area not exceeding 12.0 m^2 (130 ft^2~~sq. ft.~~);

(iv) does not exceed 5.0 metres (16 ft.) in height.

(b) Only one sign per subdivision frontage is allowed.

~~(c) The sign permit renewal period for Subdivision Marketing Signs is 5 years for the first renewal, and 1 year thereafter.~~

24. ~~THIRD PARTY~~THIRD-PARTY SIGNS – Type 24

(a) ~~Third Party~~Third-Party Signs include directional off-premises signs, contractual signs, and some merchandising aids.

(b) ~~Third Party~~Third-Party Signs are prohibited~~not permitted~~ in residential land use districts.

(c) Businesses or enterprises applying for a sign permit for a ~~Third Party~~Third-Party Sign must possess a business license issued by the Municipality and be located and operational within the boundaries of the Municipality.

(d) The site requirements for a ~~Third Party~~Third-Party Sign include:

(i) the sign must be attached to a fixed structure, which shall exclude~~s~~ signs posted or exhibited on motor vehicles or trailers that are temporarily or permanently parked solely for the purpose of displaying the sign;

(ii) the sign area shall not exceed 18.6 m^2 (200 ft^2~~sq. ft.~~) on each face excluding the frame;

(iii) the maximum height, including support structure, shall be 6.1 metres (20 ft.);

(iv) the spacing between ~~Third Party~~Third-Party Signs shall be no less than 500 metres (547 yds.);

(v) consideration by the Development Authority of the sign in relation to the site's topography, adjacent land uses, and aesthetics of the area.

(e) Both sides of a ~~Third Party~~Third-Party Sign may be used for advertising purposes.

(f) A maximum of two businesses or enterprises may advertise per panel.

(g) Each component sign, panel or advertisement shall be:

(i) of equal sign area;

(ii) manufactured of the same materials for continuity; and

(iii) confined within the same structural frame.

(h) The reverse side of all ~~Third Party~~Third-Party Signs visible from the opposite direction must have copy or be painted upon installation.

(i) Community oriented and/or public service Banner Signs that cross a public roadway must be located at least 5.0 metres (16.4 ft.) above the public roadway.

~~(j) The sign permit renewal period for Third Party~~Third-Party ~~Signs is 5 years.~~

TABLE 1 – Summary of Sign Requirements (see Section shown under Category for the complete listing of requirements)

Category	Maximum Size	Maximum and Minimum Height	Number of Signs Permitted	Renewal Period	Additional Requirements
A-Board Signs (Section 11)	0.6 m (2 ft.) wide	1.23 m (4 ft.) maximum	one per business frontage to a maximum of two	3 years	allowed in commercial and industrial districts only
Canopy Signs (Section 12)		minimum height above grade 2.7 m (9 ft.)	one per frontage to a maximum of two	5 years	(a) cannot project more than 1.5 m (5 ft.) over any public place or within 0.9 m (2.95 ft.) of the curb or roadway (b) cannot be within 0.5 m (1.6 ft.) of the top of a parapet or roofline (c) the copy area must not exceed 30% of the area of each side of the awning or marquee (d) the Canopy Sign for each use in a multi-tenant building having individual business frontages shall be consistent in size and design as directed by the Development Officer
Fascia and Wall Signs (Section 13)	sign area the lesser of 6.5 m^2 (70 sq. ft.) or 15% of the exterior wall area to which it is attached		one per business frontage	10 years	cannot be within 0.5 m (1.6 ft.) of the top of a parapet or roofline
Freestanding Signs (Section 14)	sign area 6.5 m^2 (70 sq. ft.) per face	7.6 m (25 ft.) maximum	one per frontage, to a maximum of two	10 years	must be located completely on the same lot as the use being advertised
Home Occupation Signs (Section 15)	0.37 m^2 (4 sq. ft.)		one per residence	3 years	the operator of the approved home occupation must be in possession of a Municipality business license
Multiple Listing Signs (Section 16)			one per frontage, to a maximum of two	10 years	must be located completely on the same lot as the use being advertised
Murals (Section 17)				5 years	
Portable Signs (Section 18)	sign area 3.7 m^2 (4 sq. ft.)		one per frontage, to a maximum of two	90 days	(a) may not extend into any public place or beyond the lot boundaries (b) maximum time on the premises may not exceed 90 days per calendar year

TABLE 1 – (continued) Summary of Sign Requirements (see Section shown under Category for the complete listing of requirements)

Category	Maximum Size	Maximum and Minimum Height	Number of Signs Permitted	Renewal Period	Additional Requirements
Projecting Signs (Section 19)	sign area 1.5 m^2 (16 sq. ft.) per face	minimum 2.7 m (9 ft.) above grade	one per single lot or business frontage	10 years	(a) horizontal projection ≤ 1.5 m (5 ft.) (b) setback from curb or roadway ≥ 1.5 m (5 ft.) (c) cannot be within 0.5 m (1.6 ft.) of the top of a parapet or roofline
Roof Signs (Section 20)	sign area 8.4 m^2 (90 sq. ft.)		one per business frontage	10 years	(a) may not project horizontally beyond any exterior wall, parapet or roofline of the building (b) only on flat roof of building more than 9.1 m (30 ft.) high (c) on a flat roof, no part, excluding that portion which is used for support and is free of copy, shall be less than 1.2 m (4 ft.), or more than 4.6 m (15 ft.) above the parapet or roofline (d) on a sloping roof no part of any Roof Sign shall be more than 6.1 m (20 ft.) above grade
Secondary Signs (Section 21)	50% of the sign area of the principal sign		one per use	5 years	the secondary sign for each use in a multi-tenant building having individual business frontages shall be consistent in size and design as directed by the Development Officer
Subdivision Entrance Feature Signs (Section 22)	sign area 6 m^2 (64 sq. ft.)	maximum height 4 m (13 ft.)		10 years	
Subdivision Marketing Signs (Section 23)	sign area 12 m^2 (130 sq. ft.)	maximum height 5 m (16.4 ft.)	one per subdivision frontage	5 years for first renewal, annually thereafter	
Third Party Signs (Section 24)	sign area 18.6 m^2 (200 sq. ft.)	maximum height 6.1 m (20 ft.) including support structure		5 years	(a) not permitted in residential land use districts (b) no more than two businesses may advertise per panel (c) minimum spacing between signs is 500 m (547 yds.)

Schedule 12

ALTERNATIVE/RENEWABLE ENERGY DEVELOPMENTS

1. DEFINITIONS

In addition to the definitions in Schedule 19~~20~~ (Definitions) of this bylaw, the following definitions apply to this Schedule:

Alternative/renewable energy, commercial/industrial means a use that produces energy (and in some cases other marketable by-products depending on the process utilized) fueled in ways that do not use up natural resources or harm the environment. Energy may be derived from natural and/or non-traditional sources (e.g. geothermal, solar, water, tides, waste, etc.) and once produced is sold and distributed off-site (commercially) to the marketplace.

Alternative/renewable energy, individual means a use that produces energy that is generated from an alternative or renewable source and that is generally derived from natural and/or non-traditional sources (e.g. geothermal, solar, water, tides, waste, etc.) and is primarily utilized on-site for the sole consumption of the landowner, resident or occupant.

Anaerobic digester means a facility or system designed to process animal manure, organic or septic waste, and typically converts what used to be waste, into biogas. The biogas can be used to heat water or create electricity, and may also provide a source of organic fertilizer.

Anaerobic digestion is a series of processes in which microorganisms break down biodegradable material in the absence of oxygen. It is used for industrial or domestic purposes to manage waste and/or to release energy.

Biodiesel means a clean burning alternative fuel, produced from domestic, renewable resources, such as soy oil and other feedstocks. Biodiesel is made through a chemical process called transesterification whereby the glycerin is separated from the fat or vegetable oil.

Bioenergy means the energy stored in organic matter to generate electricity. This organic matter can include agricultural residues, animal manure, waste wood, wood chips and bark. Bioenergy can be generated in a variety of ways such as Thermal treatment, Anaerobic digestion, Biofuel or Landfill gas.

Biofuel means a fuel derived from biological raw materials or biomass (recently living organisms or their metabolic byproducts, such as manure from cows). It is a renewable energy source and typically, it is considered a fuel with an 80% minimum content by volume of materials derived from living organisms harvested within ten years preceding its manufacture.

Blade(s) means the part(s) of a WECS system that forms an aerodynamic surface and revolves on contact with the wind.

Blade clearance means the minimum distance from grade to the tip of the blade(s) when that tip is at the bottom of a full 360° revolution and pointed down to the ground.

External parcel boundary means the property boundary for which are outside the footprint of the wind farm and adjacent to the WECS, where adjacent refers to lands that are contiguous in nature and not separated by a municipal road allowance.

Fermentation is the process of extracting energy from the oxidation of organic compounds.

Gasification is a process that converts organic or fossil based carbonaceous materials into carbon monoxide, hydrogen and carbon dioxide. This is achieved by reacting the material at high temperatures (>700 °C), without combustion, with a controlled amount of oxygen and/or steam.

Geothermal energy means thermal energy that is generated and stored in the Earth.

Grade means the elevation of the developed and finished ground surface at the base of the tower.

Horizontal axis nacelle means a WECS on which the axis of the nacelle is parallel to grade.

Internal parcel boundary means the property boundary for lands which are within the footprint of the wind farm.

Mechanical biological treatment system is a type of waste processing facility that combines a sorting facility with a form of biological treatment such as composting or anaerobic digestion. MBT plants are designed to process mixed household waste as well as commercial and industrial wastes.

Meteorological (met) tower is a free-standing tower or a removed mast, which carries measuring instruments with meteorological instruments such as thermometers and wind velocity measurers. Typically, for wind farms these mount anemometers at a range of heights up to the hub height of the proposed wind turbines (up to heights of 80 meters) and they log the wind speed data at frequent intervals (e.g. every ten minutes) for at least one year and often for two or more.

Micro-hydro means a type of hydroelectric power that typically produces up to 100 kW of electricity using the natural flow of water. These installations can provide power to an isolated home or small community, or are sometimes connected to electric power networks.

Municipal Planning Commission (MPC) means a body established by municipal bylaw pursuant to the *Municipal Government Act*.

Nacelle means the part of the WECS that includes a generator, gearbox or yaw motors and other operating parts that is installed at the top of the tower, and to which the blade(s) are attached, and is responsible for converting wind power to energy.

Over speed control means a device which prevents excessive rotor speed.

Pyrolysis is a thermochemical decomposition of organic material at elevated temperatures without the participation of oxygen. It involves the simultaneous change of chemical composition and physical phase, and is irreversible.

Rotor's arc means the largest circumferential path travelled by a blade.

Single Wind Energy Conversion System (SWECS) means a single wind energy conversion system developed to generate electrical power for a single landowner for domestic and/or agricultural uses.

Thermal depolymerization (TDP) is a depolymerization process using hydrous pyrolysis for the reduction of complex organic materials (usually waste products of various sorts, often biomass and plastic) into light crude oil. It mimics the natural geological processes thought to be involved in the production of fossil fuels.

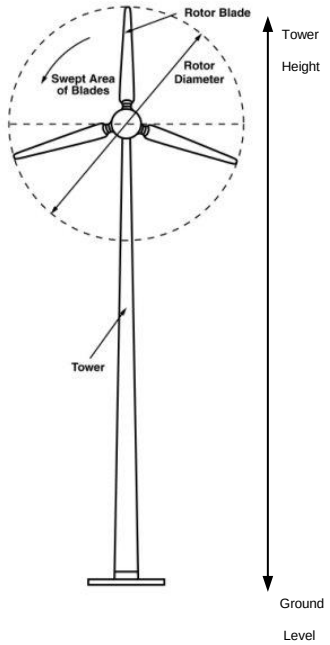
Total height means the distance from grade to the tip of a blade when that tip is at the top of a full 360° revolution and is pointed up to the sky.

Tower means the vertical structure that supports the nacelle and the blade(s) above the ground.

Vertical axis rotor means a wind energy conversion system where the rotor is mounted on an axis perpendicular to the earth's surface.

Waste-to-Energy (WtE) or energy-from-waste (EfW) is the process of creating energy, typically in the form of electricity or heat, from the incineration of a waste source. Most WtE processes produce electricity directly through combustion, or produce a combustible fuel commodity, such as methane, methanol, ethanol or synthetic fuels. Besides incineration, other WtE technologies may include: gasification, thermal depolymerization, pyrolysis, plasma gasification, anaerobic digestion, fermentation, and mechanical biological treatment.

Wind Energy Conversion System (WECS) means the aggregation of parts, including but not limited to the tower, nacelle and blades that in their aggregate convert wind energy into electrical power. See WECS Categories in Section 4 of this Schedule.



Multiple Unit Wind Energy Conversion System (WECS) / Wind Farm means two or more WECS on one or more contiguous or non-contiguous parcels of land and approved under a single development permit, or in phases under a single development permit. See WECS Categories in Section 4 of this Schedule.

2. APPLICATION

Except where a more specific definition is listed in a particular land use district (i.e. WECS – Category 1) all the developments listed in this schedule shall be considered either "Alternative/Renewable Energy, Individual" or "Alternative/Renewable Energy, Commercial/Industrial". A question as to how a particular development should be classified shall be decided upon by the Municipal Planning Commission (MPC).

3. SOLAR COLLECTORS

(1) Solar collector(s) attached to a wall or roof of a building may be allowed in any land use district subject to meeting the following requirements:

(a) A solar collector mounted on a roof:

(i) may project a maximum of 1.22 m (4 ft.) from the surface of the roof and shall not exceed the maximum height requirements of the applicable land use district; and

(ii) must not extend beyond the outermost edge of the roof and shall be located as to not impede access to the roof structure for emergency purposes, to the satisfaction of the Development Authority.

(b) A solar collector mounted to a wall:

(i) must be located such that it does not create undue glare on neighbouring property or public roadways;

(ii) must be located a minimum of 2.44 m (8 ft.) above grade;

(iii) may project a maximum of 1.52 m (5 ft.) from the surface of the wall, when the wall faces the rear property line, subject to the setback requirements of the applicable land use district; and

(iv) may project a maximum of 0.6 m (2 ft.) from the surface of the wall when the wall faces the front, secondary front or side property line, subject to the setback requirements of the applicable land use district.

(2) A free-standing solar collector or a solar collector mounted to any structure other than a roof or wall of a building shall meet all required setbacks to roadways and property lines and be subject to the following additional standards:

(a) A free-standing solar collector or a solar collector mounted to any structure other than a roof or wall of a building:

(i) must be located such that it does not create undue glare on neighbouring property or public roadways; and

(ii) must not exceed 2.44 m (8 ft.) in height above existing grade.

(3) Free-standing solar collectors which:

(a) are connected to and may (in times of excess power generation) feed power back into the provincial power/electrical grid; or

(b) transmit or distribute power or energy off-site to other parcels/properties;

may be approved at the discretion of the Development Authority.

(4) The use of multiple free-standing solar collectors where the primary purpose and intent of the project is to collect, convert and feed energy back into the provincial power/electrical grid for the commercial sale and distribution off-site to the marketplace, shall be deemed “Alternative/renewable energy, commercial/industrial” use.

(5) Prior to the installation of a solar collectors that are deemed “Alternative/renewable energy, commercial/industrial” the applicant and/or landowner shall obtain:

(a) any and all relevant federal and provincial permits and permissions;

~~(b) an electrical permit, and if applicable, a building permit (or any other Safety Codes Permit that may be required);~~

(b~~c~~) wire service provider (WSP) approval for solar collectors that are proposed to be connected to the provincial power/electrical grid; and

(c~~d~~) Alberta Utilities Commission (AUC) approval for solar collectors that are proposed to be connected to the provincial power/electrical grid with a rated output of 10 kW or greater.

Copies of any and all required permits and/or approvals shall be provided to the Municipality.

(6) Any and all free-standing solar collectors shall be suitably anchored and secured, to the satisfaction of the Municipality.

4. WIND ENERGY CONVERSION SYSTEMS (WECS)

Small Scale Wind Energy Conversion System (Category 1)

A wind energy conversion system of a single structure designed primarily for the property owner's use but being capable of producing excess power that can augment the existing provincial grid system. The system and supporting structure is less than 15.0 m (50 ft.) in height.

Wind Energy Conversion System (WECS) (Category 2)

A wind energy conversion system of one or more structures designed primarily for the property owner's use but being capable of producing excess power that can augment the existing provincial grid system. The system and supporting structure is less than 25.0 m (80 ft.) in height.

Wind Energy Conversion System (WECS) (Category 3)

A wind energy conversion system of one or more structures designed to convert wind energy into mechanical or electrical energy on one or more parcels of land for commercial purposes.

INFORMATION REQUIREMENTS

(1) All development applications for a WECS, depending upon category, may be required to be accompanied by the following if determined necessary by the MPC.

	Category 1	Category 2	Category 3
(a) an accurate site plan showing and labeling the information outlined in this Section, and the location of overhead utilities on or abutting the subject lot or parcel;	✓	✓	✓
(b) a detailed public consultation process, complete with a summary report;			✓
(c) an analysis of the visual impact of the project, especially with respect to the scenic qualities of the municipality's landscape and any impact on the same. The analysis will include the cumulative impact if other WECS are in the area and the impact of overhead collection lines;			✓
(d) scale elevations or photographs of the proposed WECS showing total height, tower height, rotor diameter, and colour;	✓	✓	✓

	Category 1	Category 2	Category 3
(e) the manufacturer's specifications indicating:			
(i) the WECS rated output in kilowatts;			
(ii) safety features and sound characteristics;	✓	✓	✓
(iii) type of material used in tower, blade, and/or rotor construction;			
(f) an analysis of the potential for noise, both at the site of the installation and at the boundary of the property containing the development, shall be provided to ensure consistency with AUC Rule 12;	✓	✓	✓
(g) specifications on the foundations and/or anchor design, including location and anchoring of any guy wires;	✓	✓	✓
(h) the status of the applicant's circulation to all required regulatory agencies and any other government departments required for provincial approval;		✓	✓
(i) any information regarding general public safety;	✓	✓	✓
(j) any impacts to the local road system including required approaches from public roads having regard to municipality standard;			✓
(k) a plan outlining how the site will be decommissioned and reclaimed prior to the development;		✓	✓
(l) a description of all potential impacts on existing or nearby WECS and wind resources on adjacent properties.		✓	✓

REFERRALS

(2) Prior to making a decision on a development application for a WECS, the MPC should refer and consider the input of the following agencies and departments:

- Alberta Environment
- Alberta Sustainable Resource Development
- Alberta Electric System Operator (AESO)
- Transport Canada
- Navigation Canada
- Alberta Culture and Community Spirit
- Alberta Transportation

SETBACKS

(3) A WECS shall be located at a distance of twice the height of the WECS, as measured from the ground to the highest point of rotor's arc, from any dwelling or at the distance established by the 'AUC Directive 038: Noise Control'; the greater distance shall be used.

(4) A WECS shall be located so that the outside of the rotor arc is a minimum of 10.0 metres (32.8 ft.) from the vertical projection of the internal parcel boundary and the total height plus 10 percent from any external parcel boundary.

(5) In the case of multiple WECS, setbacks can be increased from the minimum setback requirements in the district depending upon the number of WECS in a group and the prominence of the location.

(6) The setback for a WECS (Category 3) shall be a minimum of 100 metres (328 ft.) from any municipal road allowance.

MINIMUM BLADE CLEARANCE

(7) The minimum vertical blade clearance from grade shall be 7.5 metres (24.6 ft.) for a WECS employing a horizontal axis rotor unless otherwise required by the MPC.

TOWER ACCESS AND SAFETY

(8) To ensure public safety, the MPC may require that:

(a) a security fence with a lockable gate shall surround a WECS tower not less than 1.8 metres (5.9 ft.) in height if the tower is climbable or subject to vandalism that could threaten tower integrity;

(b) no ladder or permanent tower access device shall be located less than 3.7 metres (12 ft.) from grade;

(c) a locked device shall be installed on the tower to preclude access to the top of the tower;

(d) all of the above be provided or such additional safety mechanisms or procedures be provided as the MPC considers reasonable and appropriate;

(e) the use of tubular towers, with locked door access, will preclude the above requirements.

COLOUR AND FINISH

(9) Unless otherwise required by the MPC, a WECS shall be finished in a non-reflective matte and in a colour which minimizes the obtrusive impact of a WECS to the satisfaction of the MPC.

(10) The MPC may allow wind turbines to display the developer's and/or manufacturer's logos and identification lettering on the structure.

NUMBER OF WECS

(11) Two or more WECS on a parcel or lot will be considered a multiple WECS for the purposes of this bylaw.

(12) The MPC may approve multiple WECS on a case-by-case basis having regard for:

(a) proximity to other immediate land uses,

(b) density of WECS,

(c) underlying utilities,

(d) information received through the circulation process and at the development hearing,

(e) regard for the scenic qualities of the municipality's landscape and any impact on the same.

5. OTHER ALTERNATIVE/RENEWABLE ENERGY COMMERCIAL/INDUSTRIAL PROJECTS

All alternative/renewable energy commercial or industrial development projects, such as but not limited to, solar photovoltaic, solar thermal, geo-exchange, micro-hydro, carbon capture and storage, geothermal, micro-hydro, waste-to-energy, anaerobic digesters, biodiesel, biofuel or fuel cells, require a development permit. This section is specific and applicable to those commercial/industrial development projects whose primary intent and purpose is to sell and/or export energy (or any other by-product of a particular process) off-site.

(1) **Information Requirements**

(a) A development permit application shall be accompanied by the following information:

(i) an accurate site plan showing and labelling the proposed development and the location of overhead utilities on or abutting the subject lot or parcel, and identification of any sensitive, environmental or topographical features which may be present on the parcel, including canals, streams or water wells;

(ii) detailed information on the type of facility, structure or system and the energy process involved;

(iii) the manufacturer's specifications indicating (if applicable):

- the rated output in megawatts;
- safety features and sound characteristics;

(iv) any information regarding general public safety;

(v) identification of any impacts to the local road system including required approaches from public roads;

(vi) information regarding setbacks from property lines and the proximity to structures or uses on both the site and adjacent parcels of land;

(vii) information or verification of the proposed source of water if required for the type of facility such as an ethanol plant;

(viii) a plan outlining how the site will be decommissioned and reclaimed if the use is discontinued;

(ix) large commercial/industrial facilities shall submit studies identifying noise, odour and pollutant impacts and how these impacts will be addressed;

(x) an emergency response plan;

(xi) a summary report of any and all public consultation that was undertaken by the applicant;

(xii) any or all information (as deemed relevant to a proposed project) as outlined in Section 4(1) of this schedule (Wind Energy Conversion Systems) for any other type of non-wind energy generating facility; and

(xiii) any other information as required by the MPC.

(2) **Setbacks**

(a) The buildings or structures of a commercial or industrial energy project shall comply with all the property line and public roadway setbacks as established in the district in which the project is proposed.

(b) In addition to the requirements of Section (2)(a) above, structures or facilities related to waste-to-energy, anaerobic digesters, biodiesel, or biofuels developments shall not be located within:

(i) a minimum of 250 m (820 ft.) from any residential dwelling, food establishment or public use facility or building;

(ii) a minimum of 120 m (394 ft.) from the boundary or right-of-way of an irrigation district canal, creek, stream, river, lake shore or water body.

(iii) the parts of the project related to the transmission lines and associated structures and to the roads, docks, water crossings, culverts, etc. associated with the facility may be allowed within 30 m (100 ft.) of a water body or within the water body itself (to the satisfaction of the Municipality and/or all other federal and provincial departments that may have jurisdiction with respect to a proposed project).

(c) The MPC may require a larger minimum setback than required as per the above and in the applicable land use district having regard for the location of the development, potential environmental impacts (e.g. air, water – surface and subsurface, soil, etc.), adjacent land uses and any determined natural, scenic or ecologically significant features of the landscape.

(3) **Development Application Referrals**

(a) Prior to making a decision on a development application for an alternative/renewable energy commercial/industrial project, the MPC may refer and consider the input of the following agencies and departments:

- Alberta Utilities Commission,
- Transport Canada,
- NavCanada,
- Industry Canada
- Alberta Culture and Community Spirit,
- Alberta Environment,
- Alberta Agriculture, Food and Rural Development
- AESO (Alberta Energy Systems Operator),
- Alberta Sustainable Resource Development,
- Alberta Transportation (within prescribed distances to provincial roadways),
- any other federal or provincial agencies or departments, as deemed necessary.

(b) The Development Authority shall also refer a development application for an Alternative/Renewable Energy, Commercial/Industrial project to:

(i) an adjacent municipal jurisdiction if the boundaries of the municipal jurisdiction are within 2 km (1.2 miles) of the proposed alternative/renewable energy, commercial/ industrial project; and

(ii) landowners within 2 km (1.2 miles) of the proposed alternative/renewable energy, commercial/industrial project.

(4) **Development Standards**

Depending on the type of alternative/renewable energy project proposed, the MPC may require that the applicant comply with any or all of the following standards or requirements:

(a) All surface drainage must be contained on site and any adjacent water bodies must be adequately protected from run-off.

(b) The applicant is responsible for preparing at their own expense an engineered surface drainage management plan and submitting an application for approval to Alberta Environment, if applicable.

(c) Any biodiesel waste or water contaminated with biodiesel, is prohibited to be discharged directly into any sewers or surface waters.

(d) All feedstock and materials are to be stored and contained within buildings, and no outside storage is allowed~~permitted~~.

(e) That the semi-truck traffic used for the hauling and shipment of raw material or feedstock and finished/processed goods associated with the development shall be limited to a designated truck haul route as agreed to or specified by the Municipality.

(f) The preferred location of alternative/renewable energy commercial or industrial developments is on parcels designated for industrial land use and located in proximity to highways or railway corridors. The MPC may require a parcel redesignation to the applicable industrial land use district be approved prior to accepting a development application.

(g) The applicant is responsible to apply for any Alberta Environment, AUC, AER or other applicable provincial approvals or permits that may be required, and must provide the municipality with a copy to be kept on file.

(h) The MPC may stipulate any or all of the Section (4) criteria listed above to be addressed by the applicant as a condition of a development permit application approval.

(i) Any license~~licence~~, permit, approval or other authorization granted by AUC or AER shall prevail over any land use bylaw requirements or development permit decisions or conditions if there is a perceived conflict.

(j) All energy transmission lines on the site of the energy generating facility to the substation or grid shall be underground unless otherwise approved by the Development Authority.

(k) The Development Authority may apply to any alternative/renewable energy generating facility any other standards that are provided for in the Land Use Bylaw, including:

(i) a condition to enter into a road use agreement with the Municipality to address road maintenance and repairs that may arise from the development;

(ii) a condition to post security with the Municipality; and

(iii) a condition to allow the developer to register the approved project in phases.

(5) **Site Specific Energy Generating Facilities**

Energy generating facilities whose energy is not distributed off of the lot upon which the energy generating facility is located may be approved on a case-by-case basis by the MPC taking into regard the applicable standards of this bylaw.

Schedule 13

KENNEL REGULATIONS

1. An application for a development permit for a domestic animal kennel (Category 1 and/or 2) must be made to the Development Officer by submitting:
   (a) a completed development application~~ in Form A of Appendix 1~~;
   (b) the fee prescribed;
   (c) a site plan indicating the legal description, all property lines and easements, and the location of existing and proposed development in relation to lot boundaries; and
   (d) floor plans, elevations and sections at a minimum scale of 1:200 or such other scale as required by the Development Officer.

2. No buildings or exterior exercise area(s) ~~to be used~~ to accommodate domestic animals shall be allowed within 304.8 metres (1000 ft.) of any dwelling located on adjacent parcels and a diagram indicating the distances shall be submitted with the development permit application.

3. All domestic animal facilities, including buildings and exterior exercise areas, shall be located to the rear of the principal building.~~ and shall be constructed to the following standards:~~
   ~~(a) interior walls and ceilings shall be constructed of washable building material;~~
   ~~(b) exterior walls should be fire-resistant and impervious to moisture;~~
   ~~(c) doors, window frames and window sashes should be impervious to moisture and rodent resistant;~~
   ~~(d) insulation shall be required, taking into consideration the breed, age and overall health of the domestic animals; and~~
   ~~(e) all facilities must have adequate ventilation and light.~~

4. The Development Authority may, when issuing a development permit, determine the maximum number of adult domestic animals that may be kept at any one time by the operator of a private or commercial kennel.

5. All pens, rooms, exercise runs, and holding stalls shall be soundproofed if deemed necessary by the Development Authority which shall base its decision on the number and types of animals to be kept at the kennel, the proximity of the kennel to other uses and/or other kennels, and possibility that the noise from the kennel may adversely affect the amenities of the area.

6. In addition to soundproofing requirements, the times at which the animals are allowed outdoors may be regulated. In particular, all domestic animals at a kennel, including pups, may be required to be kept indoors between the hours of 9:00 p.m. and 7:00 a.m.

7. All kennel facilities shall be screened by both a visual and sound barrier, by fences and/or landscaping, from existing dwellings on adjacent parcels to the satisfaction of the Development Authority.

~~8. Kenneling facilities shall be operated in accordance with health regulations and, in particular, excrement and similar waste shall be disposed of in a manner acceptable to Alberta Health Services.~~

~~9. As a condition of approval, the Development Authority shall require that the applicant submit an inspection report, prepared by a doctor of veterinary medicine, to the Municipality of Crowsnest Pass on an annual basis.~~

8~~10~~. Kennels which propose to house exotic animals shall not be allowed within the municipality.

9~~11~~. It is the kennel operator's responsibility to comply with other applicable Municipal Bylaws, e.g. the Business License Bylaw, the Community Standards Bylaw, etc. and with all applicable federal and provincial legislation.~~All kennels that have been issued a development permit must also obtain a business license from the municipality.~~

~~Schedule 14~~

~~FireSmart REGULATIONS~~

1. ~~All subdivision and development located within or adjacent to the Wildland Urban Interface (WUI) shall be subject to the requirements outlined in the schedule as well as those established in the "FireSmart" manuals prepared by Partners in Protection.~~

2. ~~A Wildland Urban Interface map shall be prepared and adopted within this bylaw to identify critical development areas within the municipality.~~

3. ~~The municipality, at its sole discretion, may require a developer to provide a higher development standard than those outlined in this schedule or this bylaw.~~

4. ~~The Development Authority may forward any subdivision or development application to Alberta Sustainable Resource Development or any appropriate government department for comment or concurrence prior to rendering a decision.~~

5. ~~The Development Authority may require an applicant to undertake a Wildland Urban Interface Risk Assessment and provide mitigative planning of a specific property as part of the planning approval process.~~

6. ~~Any development within or adjacent to the Wildland Urban Interface shall be required to use FireSmart building materials and standards for new construction.~~

7. ~~Any development within or adjacent to the Wildland Urban Interface shall be required to use FireSmart building materials and standards when replacing or retrofitting an existing dwelling unit or structure.~~

8. ~~The municipality shall supply a potential developer with an itemized list of FireSmart building materials and standards as outlined in this schedule.~~

9. ~~The municipality may require a developer to remove vegetation or fuel load stockpiles on vacant or developed lots.~~

10. ~~As a condition of subdivision or development approval, the municipality may require a developer to implement specific landscaping standards (plant species, ground cover, fire pits, etc.)~~

11. ~~As part of the planning approval process, the municipality shall consider infrastructure development (access, egress, water supply, powerlines, propane tanks, water reservoirs, etc.~~

12. ~~The Development Authority shall consider the provision of land for municipal and environmental reserve purposes adjacent to Wildland Urban Interface areas at the time of a subdivision approval.~~

13. ~~The developer may be required, as a condition of approval, to fuel modify Environmental Reserve and Municipal Reserve lands in zones 2 and 3 (10 metres to 200 metres) prior to the commencement of development.~~

14. ~~The minimum development standards accepted by the Development Authority for interface developments are established in "FireSmart – Protecting Your Community from Wildfire" (PIP 1999).~~

15. ~~The FireSmart building materials and standards for development in the Wildland Urban Interface are presented in the following checklist:~~

~~FireSmart Building Materials & Standards for New Construction in the Wildland Urban Interface~~

~~These are minimum standards imposed by the Municipality. This should not be construed as a comprehensive resource. For more detailed information please review the FireSmart manual itself.~~

1. ~~Roofing~~

   ~~All roofing materials on new, replacement, or retrofitted dwellings, accessory buildings and commercial buildings shall meet a minimum Class "C" ULC rating or as specified by the Development Authority based on Wildland Urban Interface hazard and risk. Roofing materials on buildings within 2 kilometres of High or Extreme FireSmart hazard class areas areas may be required to meet a minimum Class "A" ULC rating.~~

2. ~~Siding~~

   ~~All siding materials on new, replacement, or retrofitted dwellings, accessory buildings and commercial buildings within 30 metres of Moderate, High and Extreme FireSmart hazard class areas shall use fire resistant materials a minimum of 12 millimetres thick and extend from ground level to the roofline.~~

3. ~~Balconies, Decks & Porches~~

   ~~All new dwellings, accessory buildings, and commercial buildings with exposed undersides and/or with raised decks and porches less than 2 metres from ground level shall be sheathed from the floor level to the ground level with fire-resistant material to prohibit the entry of sparks and embers under the structure.~~

4. ~~Slope~~

   ~~Homes at the crest of forested slopes greater than 25% shall be setback a minimum of 10 metres from crest of slope.~~

5. ~~Propane Tanks~~

   ~~All above-ground liquefied petroleum gas (LPG) tanks, greater than or equal to 80 US gal (420 lbs) capacity, shall be located a minimum of 10 metres from any building and have a minimum of 3 metres non-combustible defensible space meeting FireSmart standards surrounding the tank.~~

6. ~~Overhead Lines~~

   ~~The Development Authority shall require the placement of all franchised utilities underground in order to give better assurance of service in disaster situations and to mitigate fire risk as a result of damage to overhead lines.~~

7. ~~Emergency Service Access~~

   ~~Access to all new dwellings and commercial buildings shall meet adequate FireSmart standards for emergency vehicle access as requested by the Development Authority.~~

8. ~~Vegetation~~

   a) ~~All new dwellings, accessory buildings, and commercial buildings shall establish and maintain FireSmart defensible space for a minimum of 30 metres from the structure or to lot boundary, whichever is less.~~

   b) ~~All new dwellings, accessory buildings, and commercial buildings shall have a minimum of one-metre of non-combustible surface cover (gravel, rock, concrete, etc.) around the perimeter of the structure. All new exposed decks, greater than 2 metres from ground level shall require a minimum one-metre of non-combustible surface cover placed around the outside perimeter and underneath.~~

   c) ~~Fire resistant species, (see list below) and FireSmart – Protecting Your Community from Wildfire (2003), shall be used for all landscaping within 30 metres of the all structures.~~

~~List of Fire-Resistant Plants for Alberta~~

~~Groundcovers and Herbaceous Perennial Plants~~

~~Common Name~~	~~Genus and Species~~	~~Comments~~
~~Bergenia~~	~~Bergenia spp.~~	~~Very hardy~~
~~Blanket Flower~~	~~Gaillardia x grandiflora~~	~~Very hardy~~
~~Bluegrass, Kentucky~~	~~Poa pratensis~~	~~Very hardy~~
~~Buffalograss~~	~~Buchloe dactyloides~~	~~Very hardy~~
~~Candytuft, Evergreen~~	~~Iberis sempervirens~~	~~Very hardy~~
~~Carpet bugle~~	~~Ajuga reptans~~	~~Very hardy~~
~~Cinquefoil, Spring~~	~~Potentilla tabernaemontanii~~	~~Very hardy~~
~~Columbine~~	~~Aquilegia spp.~~	~~Very hardy~~
~~Coral Bells~~	~~Heuchera sanguinea~~	~~Very hardy~~
~~Coreopsis~~	~~Coreopsis spp.~~	~~Hardy~~
~~Cotoneaster~~	~~Cotoneaster ssp.~~	~~Hardy~~
~~Cotoneaster, Rock~~	~~Cotoneaster horizontalis~~	~~Marginally hardy~~
~~Cotoneaster, Bearberry~~	~~Cotoneaster dammerii~~	~~Hardy~~
~~Daisy, Shasta~~	~~Leucanthemum x superbum~~	~~Hardy~~
~~Daylily~~	~~Hemerocallis spp.~~	~~Very hardy~~
~~Dusty Miller~~	~~Artemisa stelleriana~~	~~Very hardy~~
~~Fescue~~	~~Festuca spp.~~	~~Very hardy~~
~~Fescue, Blue~~	~~Festuca cinerea~~	~~Very hardy~~
~~Fescue, Tall~~	~~Festuca arundinacea~~	~~Very hardy~~
~~Fescue, Creeping Red~~	~~Festuca rubra~~	~~Very hardy~~
~~Flax~~	~~Linum spp.~~	~~Very hardy~~
~~Fleabane~~	~~Erigeron hybrids~~	~~Very hardy~~
~~Geranium, Hardy~~	~~Geranium cinereum~~	~~Very hardy~~
~~Geranium, Bloodred~~	~~Geranium sanguineum~~	~~Very hardy~~
~~Geranium~~	~~Geranium spp.~~	~~Hardy~~
~~Ginger, Wild~~	~~Asarum caudatum~~	~~Very hardy~~
~~Hen and Chicks~~	~~Sempervivum tectorum~~	~~Very hardy~~
~~Iris~~	~~Iris spp.~~	~~Hardy~~
~~Kinnickinnick~~	~~Arctostaphylos uva-ursi~~	~~Very hardy~~
~~Lambs Ear~~	~~Stachys byzantina~~	~~Very hardy~~
~~Lupine~~	~~Lupinus spp.~~	~~Hardy~~
~~Mahonia, Creeping~~	~~Mahonia repens~~	~~Hardy~~
~~Mock Strawberry~~	~~Duchesnea indica~~	~~Very hardy~~
~~Myrtle, Dwarf Periwinkle~~	~~Vinca minor~~	~~Very hardy~~
~~Penstemon, Rocky Mountain~~	~~Penstemon strictus~~	~~Very hardy~~
~~Pinks~~	~~Dianthus plumarius~~	~~Very hardy~~
~~Poppy~~	~~Papaver spp.~~	~~Very hardy~~
~~Potentilla~~	~~Potentilla spp.~~	~~Hardy~~
~~Primrose, Mexican Evening~~	~~Oenothera berlandieri~~	~~Hardy~~
~~Primrose~~	~~Oenothera spp.~~	~~Hardy~~
~~Pussytoes~~	~~Antennaria spp.~~	~~Very hardy~~
~~Ryegrass~~	~~Lolium spp.~~	~~Very hardy~~
~~Sage~~	~~Salvia spp.~~	~~Very hardy to hardy~~
~~Sedum, Goldmoss~~	~~Sedum acre~~	~~Very hardy~~
~~Snow-in-Summer~~	~~Cerastium tomentosum~~	~~Very hardy~~
~~Stonecrop~~	~~Sedum spathulifoluim~~	~~Hardy~~
~~Stonecrop, Green~~	~~Sedum album~~	~~Very hardy~~
~~Strawberry, Wild~~	~~Fragaria chiloensis~~	~~Very hardy~~
~~Thrift, Common~~	~~America maritima~~	~~Very hardy~~
~~Thyme, Wooly~~	~~Thymus pseudolanuginosus~~	~~Very hardy~~
~~Thyme, Creeping~~	~~Thymus praecox articus~~	~~Very hardy~~
~~Valerian, Red~~	~~Centranthus ruber~~	~~Hardy~~
~~Violet, Canadian~~	~~Viola canandensis~~	~~Hardy~~
~~Virginia Creeper~~	~~Parthenocissus quinquefolia~~	~~Very hardy~~
~~Wheatgrass, Western~~	~~Agropyron cristatum~~	~~Very hardy~~
~~Wheatgrass, Crested (low-growing)~~	~~Agropyron cristatum~~	~~Very hardy~~
~~Winterfat~~	~~Eurotia spp.~~	~~Very hardy~~
~~Yarrow~~	~~Achillea spp.~~	~~Very hardy~~
~~Yarrow, White~~	~~Achillea millefolium white~~	~~Very hardy~~

Schedule ~~15~~14

SHIPPING CONTAINER / TRANSPORT TRAILER REGULATIONS

1. SHIPPING CONTAINER ACCESSORY TO AN APPROVED USE - APPLICABLE LAND USE DISTRICTS

~~Permanent~~ A shipping container~~s~~ and/or transport trailer~~s~~ may be allowed to locate in those~~the following~~ land use districts where it is listed as "Shipping container, accessory to an approved use" if a development permit for this discretionary use is approved by the Development Authority, subject to the standards and conditions established in this Schedule.~~Municipal Planning Commission (MPC):~~

~~Retail Commercial – C-1~~

~~Drive-In Commercial – C-2~~

~~Industrial – I-1~~

~~Sentinel Industrial Park – SIP-1~~

2. SHIPPING CONTAINER ACCESSORY TO AN APPROVED USE - CONDITIONS OF APPROVAL

(a) A shipping container / transport trailer that is not masked by exterior framing, siding and, if applicable, a pitched roof to resemble the appearance of a typical accessory building in the immediate neighbourhood, to the Development Authority's satisfaction, shall not be used as an "Accessory Building".

(b) The ~~Municipal Planning Commission~~Development Authority may limit the number of shipping containers and/or transport trailers that may be allowed on a lot.

(c~~b~~) Shipping containers may be stacked no more than two containers high.

(d~~c~~) The floor area of the shipping containers and/or transport trailers when added to the floor area of principal and accessory buildings on the property shall not exceed the maximum site coverage in an applicable land use district.

(e~~d~~) A shipping container or transport trailer located in the C-1 or C-2 district shall normally be required to be improved (i.e. painted, augmented with landscaping etc.) to the satisfaction of the Development Authority, so as to improve its appearance and compatibility with the land use district. The ~~MPC~~Development Authority may waive this requirement where it is satisfied that the proposed shipping container or transport trailer will be compatible with existing development on the site and adjacent to the site (i.e. the proposed development does not require painting or is not readily in view).

A shipping container or transport trailer located in the I-1 or I-2 district may be required to be improved (i.e. painted, augmented with landscaping etc.) to the satisfaction of the Development Authority, so as to improve its appearance and compatibility with the land use district. The ~~MPC~~Development Authority may waive this requirement where it is satisfied that the proposed shipping container or transport trailer will be compatible with existing development on the site and adjacent to the site (i.e. the proposed development does not require painting or is not readily in view).

(f~~e~~) The placement of any shipping container and/or transport trailer shall comply with the yard setbacks established for an Accessory Building within an applicable land use district.

(g~~f~~) The ~~MPC~~Development Authority may limit the time for which a development permit issued for a "Shipping container, accessory to an approved use" in an applicable land use district is valid.

(h~~g~~) An application for a development permit for a shipping container and/or transport trailer must be completed and submitted to the Development Officer along with the appropriate development fee. At least two recent colour photographs of the shipping container and/or transport trailer~~structure~~ (one end view and one side view) shall be required to accompany each application. The application must be authorized by the registered owners of the property.

(i~~h~~) The ~~MPC~~Development Authority may attach any additional reasonable conditions to an application that are not specifically outlined in this schedule.

(j~~i~~) Shipping containers and transport trailers shall not display advertising, company logos, names or other marketing without an approved sign permit.

3. TEMPORARY SHIPPING CONTAINERS ON CONSTRUCTION SITES

One temporary shipping container / transport trailer shall be allowed to be placed as a temporary building in conjunction with an active construction site. Pursuant to Schedule 3 a development permit for one temporary construction site shipping container is not required for:

(a) a development for which a development permit and a building permit has been issued, or

(b) a project for which a development permit or a building permit is not required,

for the period that is required to complete the project, provided that:

(i) the said temporary building is not used or intended to be used as a residence; and

(ii) the construction site is active (i.e., construction has commenced and is on-going or is about to commence within one week); placement of a temporary building on an inactive construction site is prohibited; and

(iii) the temporary building shall be removed from the site immediately when construction has been suspended for a period of 60 days or more; and

(iv) the temporary building shall be placed entirely within the boundaries of the property on which construction is undertaken and shall not obstruct required sight triangles (placement of the temporary building within a road right-of-way, including a boulevard or lane, may require a hoarding permit or temporary closure permit pursuant to the Traffic Bylaw); and

(v) the temporary building must be removed immediately upon completion of construction.

~~**Temporary shipping containers** that are proposed to exceed the time-limit eligibility for an exemption from the requirement to obtain a development permit in Schedule 3 may be issued a development permit by the Development Officer subject to the following:~~

~~(a) A temporary development permit may be issued for a period up to four (4) months, in any land use district, where a construction project time-line is in excess of the exemption time-line provided in Schedule 3.~~

~~(b) Minimum yard setbacks shall be 0.9 m (3 ft.).~~

Schedule ~~16~~15

STANDARDS FOR SECONDARY SUITES

Secondary Suite means a second dwelling unit located on the same property and land title as that on which an existing ~~Single-Family~~Single-family Dwelling is the principal use, but the Secondary Suite, regardless of its location, is sub-ordinate to the ~~Single-Family~~Single-family Dwelling in floor area. A Secondary Suite may be located inside a ~~Single-Family~~Single-family Dwelling or inside an Accessory Building that is located on the same property as an existing ~~Single-Family~~Single-family Dwelling~~.~~. A Secondary Suite is a self-contained dwelling unit, which means that it provides sleeping, cooking and washroom facilities.

All Secondary Suite Types

1. A secondary suite shall only be allowed on a property on which the principal use or principal building is a ~~Single-Family~~Single-family Dwelling as defined in the Land Use Bylaw and in a land use district where Secondary Suite is listed as a use.

2. There shall be no more than one secondary suite developed on a property in any land use district, except in the Grouped Country Residential ~~Districts (i.e.~~ GCR-1 district~~and GCR-2)~~. In the GCR-1 ~~and GCR-2~~ district~~s~~ more than one Secondary Suite may be allowed on a property, either inside a ~~Single-Family~~Single-family Dwelling, inside a detached garage or as a stand-alone Accessory Building, provided that not more than one Secondary Suite shall be allowed inside a ~~Single-Family~~Single-family Dwelling or per Accessory Building.

3. The off-street parking standard per Secondary Suite shall be in accordance with the Off-street Parking and Loading Area Standards Schedule~~Schedule 6, Section 8~~ of this Land Use Bylaw and the Development Authority shall not approve a~~ny~~ variance to the off-street parking requirement.

4. For the purpose of calculating site coverage ~~T~~the floor area occupied by a secondary suite shall be considered as part of the gross floor area of the building in which it is located.~~predominant use of the structure for the purpose of calculating site coverage.~~

5. The total floor area of a Secondary Suite, regardless of its location in an accessory building or a principal building, or as a stand-alone building, shall not exceed 900 ft² or 40 percent of the total gross floor area of the ~~building in which it is located~~Single-family Dwelling on the property, whichever is less~~, except that when the Secondary Suite is located in the basement of the building it may exceed this standard to the extent that is required to optimize the use of the habitable floor space in the basement~~. The Development Authority may approve a maximum 10% variance of this standard. When a proposed Secondary Suite exceeds this standard, including the maximum variance, or when a Secondary Suite located in the basement of a Single-family Dwelling encompasses the majority or all of the habitable space in the basement, the application shall be refused; and where applicable, the applicant shall be directed to revise the application to an up-down duplex.

6. The applicant for a Secondary Suite shall demonstrate that the municipal water and wastewater infrastructure, or if applicable, the on-site private water and wastewater facilities, have capacity to service the Secondary Suite(s) and, if required, the applicant/landowner shall be required to upgrade municipal infrastructure or on-site private water and wastewater facilities (or provide alternative servicing) at no cost to the municipality.

~~The Development Officer shall notify the owners of all properties within 100 metres (328 ft.) of the subject property of the Development Authority's decision to approve a Secondary Suite.~~

Secondary Suite inside a ~~Single Family~~Single-family Dwelling (which includes a Secondary Suite above an attached garage)

7~~8~~. When a Secondary Suite is located inside a ~~Single Family~~Single-family Dwelling the exterior frontage of the ~~Single Family~~Single-family Dwelling shall continue to appear as a typical single-family dwelling~~residential structure~~.

8~~9~~. A secondary suite inside a ~~Single Family~~Single-family Dwelling shall have an entrance separate from and secondary to the entrance to the primary dwelling unit, either from a common indoor landing or directly from the exterior of the building~~structure~~. Exterior access to the secondary suite shall be subordinate in both size and appearance to the access of the principal ~~Single Family~~Single-family Dwelling.

Secondary Suite inside an Accessory Building (i.e. inside a detached garage or as a stand-alone Accessory Building)

9~~10~~. For a Secondary Suite located in an Accessory Building the Development Authority may approve a variance to the maximum height of an Accessory Building to accommodate the Secondary Suite.

10~~11~~. For a Secondary Suite located in an Accessory Building the Development Authority may require higher standards, including but not limited to minimum yard setbacks, screening, orientation of windows, maximum building height, roof slope, specification of side yard elevation design, exterior finishing to match that of the ~~Single Family~~Single-family Dwelling, or other standards that the Development Authority considers relevant, necessary and reasonable.

Schedule ~~17~~16

HISTORIC COMMERCIAL AREAS OVERLAY DISTRICT (~~HCOD~~HCAOD)

Purpose: To promote and protect the significance of historic commercial areas and areas immediately adjacent to historic commercial areas by ensuring development is designed and constructed in a manner that respects the sense of place evoked by these areas, reinforces the character of these areas and ensures a high quality of development.

Permitted Uses: Those uses listed as permitted~~ and discretionary~~ in the underlying land use district.

Discretionary Uses: Those uses listed as ~~permitted and~~ discretionary in the underlying land use district.

Application: The regulations in this District apply to the construction of any new building and signage and to any renovations, alterations, additions and/or reconstruction of an existing building on lands located within the District.

Every development permit application which meets the above criteria shall be referred to the Municipal Historic Resources Board for comment along with complete drawings to the satisfaction of the Development Officer and the Municipal Historic Resources Board. Complete drawings shall be to scale and shall consist of a site plan, full elevations drawings (including colours, materials etc.), floor plan, landscaping plan and a statement from the developer as to how the application satisfies the purpose statement of the District.

General Development Regulations:

1. ~~Building~~ Yard setbacks, building height and parcel coverage shall be the same as in the underlying Land Use District. Where there appears a contrast between the regulations of the underlying Land Use District and the historical development patterns of adjacent buildings, the new development shall be expected to achieve a reasonable compromise between these two standards but shall have more regard for historical development patterns.

2. Development shall be of a style, design and quality that respects and compliments existing buildings in the historic commercial area, in accordance with design guidelines that may be established by the Municipal Historic Resources Board. Development shall adhere to Section 3, "Main Street Buildings in the Crowsnest Pass", and to Section 4, "New Construction in the Historic District" of the Design Guidelines for the Crowsnest Pass Historic District document. Buildings shall utilize an established historical design theme or a design theme respectful of and complementary to existing buildings in the historic commercial area.

3. In addition to the provisions of the above paragraph, façade renovations, alterations, additions and/or reconstruction of existing buildings shall be expected to retain the integrity of a buildings character defining elements if any character defining elements are known to be present.

Residential Development Regulations:

1. R-1, Residential, areas within the District will be allowed to continue in use including new construction, additions and renovations, in accordance with design guidelines that may be established by the Municipal Historic Resources Board. Redevelopment of R-1 parcels within the District shall adhere to Section 3, "Main Street Buildings in the Crowsnest Pass", and to Section

4, “New Construction in the Historic District” of the Design Guidelines for the Crowsnest Pass Historic District document. Redevelopments will be encouraged to utilize an established historical design theme or a design theme respectful of and complementary to existing buildings in the historic commercial area.

Special Parking Provisions:

1. Provided that a change of use development permit application within the HCAOD does not propose to reduce the number of existing parking spaces, ~~Change of use developments within the HCOD are~~ it is exempted from the ~~off-street~~ parking requirements in the Off-street Parking and Loading Area Standards Schedule of this bylaw~~Schedule 6~~, except when ~~provided~~:

   a. the gross floor area of the building is ~~not~~ increased, and/or

   b. an additional dwelling unit is ~~not~~ added. ~~and~~

   ~~the number of existing off-street parking spaces is not reduced.~~The above standards may be varied at the discretion of the Development Authority specifically for the purpose of encouraging residential use in the Historic Commercial Areas Overlay District pursuant to the Municipal Development Plan.

2. For developments that are not exempted by this Schedule~~Section 1 (above)~~, the location and design of all off-street parking areas shall be subject to the approval of the Development Authority in accordance with the Off-street Parking and Loading Area Standards Schedule ~~6~~ of this bylaw.

3. For developments that are not exempted by this Schedule~~Section 1 (above)~~, the Development Authority~~Municipal Planning Commission~~ may approve an alternative parking plan in accordance with the Off-street Parking and Loading Area Standards Schedule of this bylaw~~Section 7 of Schedule 6~~.

4. For developments that are not exempted by this Schedule~~Section 1 (above)~~, the Development Authority~~Municipal Planning Commission~~ may approve a modification of the parking layout standard listed in the Off-street Parking and Loading Area Standards Schedule of this bylaw~~Schedule 6~~, for all or a portion of a parking area, where the incidence of turnover and/or familiarity with the parking area is such that a reduced standard is appropriate.

   a. An applicant applying for a modified parking layout must submit an accurate site plan based on a precise study of the area.

Schedule ~~18~~17

WORK CAMP REGULATIONS

1. A work camp developed and operated by or on behalf of a Federal, provincial, or municipal government~~work camps~~ does not require a development permit. Any other permits, licenses or authorizations required shall be obtained and any federal, provincial and municipal legislation must be adhered to at all times.
2. A development permit for a private Work Camp may be issued for up to four (4) years or a lesser time period as determined by the Development Authority.
3. Development Standards for a private Work Camp include the following:
   a. A~~ll~~ work camp~~s~~ shall be developed in compliance with the relevant provincial legislation and regulation, e.g. *Work Camps Regulation, Public Health Act, etc.~~ Alberta Regulation 218/2002 as amended~~*;
   b. Where possible a Work Camp must connect to municipal water and/or wastewater~~sewer~~ services;
   c. Minimum setbacks shall be at the discretion of the Development Authority;
   d. The maximum number of sleeping units in a Work Camp is 300, and the Development Authority shall not approve a variance to this standard; and
   e. The minimum parcel size for a Work Camp is 1.62 hectares (4 acres).
4. An application for a development permit must provide the following information to the satisfaction of the Development Authority:
   a. Type and purpose of the camp;
   b. Number of residential units;
   c. Adjacent land uses;
   d. A comprehensive site plan including total area of the camp, camp boundary lines, building locations, sizes, and uses, access location(s), driveways, parking and landscaping;
   e. Detailed building plans, including the type and number of rooms, and building elevations;
   f. Detailed servicing plan identifying proposed water supply, wastewater disposal, solid waste collection areas, lighting, drainage and grading;
   g. The start date for development, date of occupancy, and camp removal date; and
   h. Reclamation measures for the land once the camp has been removed.
5. As a condition of approval, the Development Authority may include the following conditions:
   a. Requirement for road upgrading (if required) or entering into a road use agreement with respect to impact on the roadway used to provide access to the camp, such as dust control and other matters;
   b. Requirements to limit noise to certain hours and days (generally 11 pm to 7 am), with the exception of generator noise, which must be mitigated by shielding or other method when it may be detrimental to an adjacent property;
   c. Requirement to maintain any existing natural buffers (trees, etc.); and
   d. Requirement to mitigate traffic impact by using vans or buses for transporting workers to and from job sites or urban areas.

Schedule 18~~19~~

STANDARDS FOR SHORT-TERM RENTAL / BED & BREAKFAST AND TOURIST HOME

Definitions

Short-Term Rental / Bed & Breakfast means the operation of short-term commercial accommodation within a dwelling unit, including a Secondary Suite or a room(s) in or a portion of a dwelling unit for a period not exceeding 30 days, and the owner of the property is required to occupy the dwelling unit as their primary residence and be present on the premises during the operation of the Short-Term Rental / Bed & Breakfast. Refer to the definition of Primary Residence. Short-Term Rental / Bed & Breakfast does not include a boarding house, hotel, hostel, motel, or Tourist Home.

Tourist Home means the operation of short-term commercial accommodation within a dwelling unit, including a Secondary Suite, or a room(s) in or a portion of a dwelling unit for a period not exceeding 30 days and the owner of the property is not required to occupy the dwelling unit as their primary residence. Refer to the definition of Primary Residence. Tourist Home does not include a boarding house, hotel, hostel, motel, or Short-Term Rental / Bed & Breakfast.

Primary Residence means the residence where a person normally resides and has control and management of the property by ownership.

Standards

1. A Short-Term Rental / Bed & Breakfast and a Tourist Home may be allowed only in a land use district where Short-Term Rental / Bed & Breakfast and/or Tourist Home are specifically listed as uses – no other uses in any district shall be interpreted to be “similar uses”.

2. The Developmental Authority shall not approve a development permit for both a Short-Term Rental / Bed & Breakfast and a Tourist Home on the same property, and shall not approve a development permit for more than one Tourist Home on a subject property.

3. In the Residential R-1 to R-5 districts, the Development Authority may deny a discretionary use development permit application for a Short-Term Rental / Bed & Breakfast or Tourist Home, including for the reason that:

   (a) Other Short-Term Rentals / Bed & Breakfasts or Tourist Homes had previously been approved in the immediate neighbourhood and that the addition of another in the same area will unduly interfere with the amenities of the neighbourhood or will materially interfere with or affect the use, enjoyment, or value of adjacent private property – for example, as a result of expected additional traffic volume; or

   (b) Based on a minimum separation distance of 200m between Tourist Homes in the Residential R-1 to R-5 land use districts. The Development Authority shall not approve a variance to the 200m separation distance.

4. Maximum occupancy shall be determined as follows:

   4.1 A Short-Term Rental / Bed & Breakfast may offer for rent more than one rental unit in the operation, subject to complying with the parking requirements and restricting occupancy to two guests per bedroom including one bonus room (e.g., the living room with pull-out couch). The Development Authority shall not approve any variance to the maximum occupancy standard or the off-street parking standard for a Short-Term Rental / Bed & Breakfast.

4.2 A Tourist Home in any land use district where it is listed as a use shall not offer for rent more than one rental unit, and the Development Authority may vary this standard only for a Tourist Home in an approved mixed-use commercial building in the Retail Commercial C-1 District.

4.3 A Tourist Home in any land use district where it is listed as a use shall comply with the maximum occupancy and parking requirements stated below. The maximum occupancy shown in the table below is the maximum number of guests over the age of two that may be advertised for rental accommodation, subject to the ability to accommodate the off-street parking requirement as stated in Schedule 6 and a maximum of 2 guests per bedroom including one bonus room (e.g., the living room with pull-out couch). The Development Authority shall not approve any variance to the maximum occupancy standard or the off-street parking standard for a Tourist Home.

Land Use District	Maximum Occupancy
Residential R-1 to R-5	6
Comprehensive Village Districts	8
Grouped Country Residential - GCR **Retail Commercial - C-1** **Drive-In Commercial - C-2**	Based on the number bedrooms and off-street parking requirements

5. The number of rental units in and the maximum occupancy of the Short-Term Rental / Bed & Breakfast or Tourist Home shall be stated on the application form and included as a condition of approval in the development permit. The Development Authority may limit the number of rental units and/or the maximum occupancy of a Short-Term Rental / Bed & Breakfast or Tourist Home on a case-by-case basis.

6. A recreational vehicle shall not be used as accommodation for the landowner / operator, other residents of the property or for the Short-Term Rental / Bed & Breakfast or Tourist Home guests.

7. The off-street parking standards for a Short-Term Rental / Bed & Breakfast or Tourist Home shall be in accordance with Schedule 6, Section 8 of this Land Use Bylaw, and the Development Authority shall not approve a~~ny~~ variance to the off-street parking standard for a Short-Term Rental / Bed & Breakfast or a Tourist Home in any District that is not within the Historic Commercial Areas Overlay District. ~~For greater clarity of the standard, the parking standard shall be in addition to the parking standard for the principal building or use, except for a Tourist Home that occupies the entire principal building. Parking for all recreation vehicles, utility trailers and ATV trailers associated with the use of a Short-Term Rental / Bed & Breakfast or Tourist Home that are disengaged from the towing vehicle shall be accommodated on the subject property and, unless otherwise approved by the Development Authority, shall be located in the rear yard or the side yard.~~

8. The Short-Term Rental / Bed & Breakfast development permit owner shall provide their personal contact information to the Development Officer. The Tourist Home development permit owner shall provide the name and phone number of a local person (an adult) who can respond to any complaints in person within a 30-minute contact time), and who is authorized to act as their representative, to the Development Officer. The owner of the Short-Term Rental / Bed & Breakfast operation or the Tourist Home shall be required as a condition of approval to keep this information up to date throughout the lifetime of the Short-Term Rental / Bed & Breakfast or Tourist Home operation.

9. The Short-Term Rental / Bed & Breakfast or Tourist Homeowner shall post their development permit number and business license number and the approved number of rental units and the maximum occupancy on all of their advertisements of the rental property as a condition of development permit approval.

10. The landowner of the property on which a development permit for a Short-Term Rental / Bed & Breakfast or Tourist Home is applied for~~issued~~ shall be required as part of submitting a complete development permit application and as a condition of the development permit to provide and maintain one wall sign or freestanding sign between 0.18m^2 (3ft^2) and 0.72m^2 (8ft^2), that shall not extend more than 1.5metres (5ft) above grade and shall be located in the front yard visible to the public.

11. The operation of a dwelling unit in a residential land use district as a Short-Term Rental / Bed & Breakfast or Tourist Home shall not alter or detract from the appearance or use of the subject property as a residential property, or from the general residential character of the immediate neighbourhood.

12. An approved Tourist Home ~~development permit~~ shall only be operated~~valid~~ when and for as long as it coincides with an active Business ~~Licence~~License and a development permit. If the Business ~~Licence~~License lapses, is transferred to another person, or is revoked for any reason, the development permit will expire, and a new application will be required to reinstate the development permit and subsequently the business ~~licence~~license. The development permit shall be temporary and the period for which it shall be valid shall coincide with the period during which the original applicant for the development permit holder continues to be the property owner - for greater clarity, in the event that the property is transferred to a ~~third party~~Third-Party the development permit expires, and a new development permit application by the new property owner would be required to continue the Tourist Home operation.

13. The Development Officer shall maintain an inventory by civic address and/or map of all Short-Term Rental / Bed & Breakfast and Tourist Home operations that have been issued a development permit and a business license. This inventory shall inform the Development Authority's decision in the case of discretionary use applications.

14. The Development Officer shall notify the owners of all adjacent properties as well as those within 100 metres (328 ft.) of the subject property on both sides of the street in which the subject property is located of the Development Authority's decision to approve a discretionary use Short-Term Rental / Bed & Breakfast or Tourist Home.

15. The operator of a Short-Term Rental or Tourist Home shall be made aware through the issuance of a development permit of their responsibility to comply with federal and provincial legislation (e.g. Alberta Health, Safety Codes Act and Fire Code regulations) and other municipal bylaws [e.g. the Community Standards Bylaw regarding the control of wildlife attractants (e.g. by providing a bear proof garbage receptacle), restrictions on noise, loud music or other disturbances, and the requirement to obtain a business license under the Business License Bylaw].

16. The operator of a Short-Term Rental / Bed & Breakfast or a Tourist Home shall make available to their guests a copy of this schedule of the Land Use Bylaw, the Community Standards Bylaw, and the Fire and Rescue Services Bylaw.

17. Contraventions/violations of this or any other municipal bylaw by the operator of a Short-Term Rental / Bed & Breakfast or a Tourist Home or by their guests shall result in the issuing of fines and penalties pursuant to the Fees Rates and Charges Bylaw to the Landowner or guest depending on the infraction.

Schedule 19~~20~~

DEFINITIONS

Terms used in this Bylaw that are not defined in this Schedule shall have the meaning ascribed to them by the Act or, if not defined there, the meaning commonly understood or as determined in an official dictionary.

A

Abattoir means a licensed facility where animals are killed and processed into meat products for human consumption.

Accessory building or use means:

(a) In the case of a building, any building that is detached from an established principal building on the lot on which both are located and the use of which the Development Officer decides is normally subordinate, ancillary, incidental and directly related to that of the established principal building;

or

(b) In the case of a use, any use that the Development Officer decides is normally subordinate, ancillary, incidental and directly related to the established principal use of the lot on which both are located;

and

(c) In the case of both a building and a use, any building or use that does not substantially add to the patronage, volume of traffic, or intensity of activity on the property;

and

(d) An Accessory Building or Use shall not precede the development of the principal building or use unless it is conditionally approved through a development permit;

and

(e) An Accessory Building includes but is not limited to a deck, a flagpole, a propane tank, a communication antenna and structure, an outdoor washroom facility, a retaining wall, a shipping container (subject to conditions), a swimming pool, a carport (even when attached to the principal building), a detached garage, a garden shed, etc. but does not include a canvas covered structure;

and

(f) Notwithstanding the above:

(i) subject to provisions in Schedule 4, one Accessory Building or Use per parcel may be conditionally approved prior to the establishment of the principal use; and

(ii) an Accessory Building does not include a Canvas Covered Structure, but a Canvas Covered Structure may be used as an Accessory Building if the Development Authority approved a discretionary use development permit for it, and it shall comply with the standards established for Accessory Building and Use.

~~**Accessory Building or Use** means a building or use which is detached from and subordinate, incidental and directly related to the principal building on or use of the property and which does not substantially add to the patronage, volume of traffic, or intensity of the use of the property. An Accessory Building or Use must be located on the same property as the principal building or use and shall not precede the~~

~~development of the principal building or use unless authorized by a development permit. An Accessory Building includes structures such as flagpoles, swimming pools, propane tanks, satellite dishes, garages, garden sheds, etc.~~

Act or the Act – see Municipal Government Act.

Addition means adding onto an existing building, provided that there are no structural changes to the existing building, no removal of the roof structure, and no removal of the exterior walls, other than that required to provide an opening for access from, and integration of, the existing building to the portion added thereto and there is a common structural connection from the existing building to the addition that includes a foundation, constructed to the minimum standards outlined in the Alberta Building Code, and a roof.

Adjacent means land that abuts a site and land that would abut if not for a road, lane, walkway, watercourse, utility lot, pipeline right-of-way, power line, railway, or similar feature.

Agriculture, extensive means the production of crops and/or livestock by the expansive cultivation or open grazing of existing titles or proposed parcels usually greater than 64.8 hectares (160 acres) on dryland or 32.4 hectares (80 acres) on irrigated land.

Agriculture, intensive means the concentrated cultivation, operation of cultivation facilities or operation of confinement structures on a parcel of land usually less than 32.4 hectares (80 acres), for the commercial production of specialty crops, produce and/or livestock via special agricultural practices.

Airport means any area of land designed for the landing and taking off of aircraft. Such an operation will include all the facilities required for the housing, administration, management (i.e. control tower) and maintenance of aircraft.

Airport site means the lands licensed as an airport by Transport Canada.

Airstrip, licensed means land licensed as an airstrip as determined by the appropriate federal department.

Airstrip, unlicensed means an unlicensed airport as determined by the appropriate federal department.

Alter or **Alteration** means any structural change to a building that results in an increase or decrease in the area or the volume of the building; any change in the area frontage, depth, or width of a lot that affects the required yard, landscaped open space, or parking requirements of this bylaw; structural change to a sign; and to discontinue or change the principal use of the site or building with a use defined as being distinct from the discontinued use.

Alternative energy, individual means energy that is renewable or sustainable that is generally derived from natural sources (for example, the earth, sun, wind, water) and is for the sole consumption of the landowner, resident or occupant. **Alternative/renewable energy, individual** means a use that produces energy that is generated from an alternative or renewable source and that is generally derived from natural and/or non-traditional sources (e.g. geothermal, solar, water, tides, waste, etc.) and is primarily utilized on-site for the sole consumption of the landowner, resident or occupant. **Alternative energy, industrial** means energy that is renewable or sustainable that is generally derived from natural sources (for example, the earth, sun, wind, water). Typically, this use will include commercial systems for the production and sale of energy generated by the following, but not limited to solar photovoltaic, solar thermal, geo-exchange, wind, micro-hydro, carbon capture and storage, ~~bio-fuel~~biofuel or fuel cell. **Alternative/renewable energy, commercial/industrial** means a use that produces energy (and in some cases other marketable by-products depending on the process utilized) fueled in ways that do not use up natural resources or harm the environment. Energy may be derived from natural and/or non-traditional sources (e.g. geothermal,

solar, water, tides, waste, etc.) and once produced is sold and distributed off-site (commercially) to the marketplace.

Amenity area means an area or areas within the boundaries of a project intended for recreational purposes. These may include landscaped areas, patios, balconies, swimming pools and similar uses.

Amusement arcade means a facility where four or more mechanical or electronic games are kept for the purpose of furnishing entertainment or amusement to the public for a fee.

~~**Ancillary building** – see "Accessory building or use".~~

~~**Ancillary use** – see "Accessory building or use".~~

Animal care service, large means development used for the care, treatment, boarding, breeding or training of animals and livestock within or outside buildings and includes the supplementary sale of associated products. This use includes veterinary offices or hospitals, animal shelters, boarding and breeding kennels, facilities for impounding and quarantining animals and related research facilities.

Animal care service, small means development for the on-site treatment or grooming of small animals such as household pets, where on-site accommodation is not normally provided and where all care and confinement facilities are enclosed within a building. This use includes off-site treatment of animals or livestock of any size and the supplementary sale of associated products. Examples include pet grooming salons, pet clinics and veterinary offices.

AOPA means the *Agricultural Operation Practices Act*, revised Statutes of Alberta 2000, Chapter A-7, as amended.

Apartment or **Apartment Building** or **Apartments**~~**dwelling**~~ means a building or a portion of a building which contains three or more dwelling units and where the primary access to each unit is provided through a common or shared entryway. This use includes Multi-family Dwelling but does not include Mixed Use Building or Mixed Use Development. ~~This use also includes eightplexes or any building containing more than six dwelling units, where each unit is provided with its own primary access to the outside.~~

Applicant means the registered owner of the land or his or her representative or agent certified as such.

Approved use means a use of land and/or building for which a development permit has been issued by the Development Authority~~designated officer, the Municipal Planning Commission, or the Subdivision and Development Appeal Board~~.

Apron means a flat-surfaced area that surrounds and lies adjacent to a ~~manufactured/~~modular home pad.

Arcades – see "Amusement arcades".

Architectural controls means a set of development guidelines or standards that have been established by the developer and registered on a certificate of title for the purpose of creating and maintaining a higher quality of construction than is the norm for a particular subdivision and/or development project. Standards normally address square footage, roof slopes and materials, siding, landscaping, garages, setbacks, driveway materials and other appealing neighbourhood aesthetics.

Area redevelopment plan means a statutory plan in accordance with the *Municipal Government Act* and the municipal development plan for the purpose of all or any of the following:

(a) preserving or improving land and buildings in the area;

(b) rehabilitating buildings in the area;
(c) removing buildings from the area;
(d) constructing or replacing buildings in the area;
(e) establishing, improving or relocating public roadways, public utilities or other services in the area;
(f) any other development in the area.

Area structure plan means a statutory plan in accordance with the *Municipal Government Act* and the municipal development plan for the purpose of providing a framework for subsequent subdivision and development of an area of land in the municipality. An area structure plan:

(a) must describe
  (i) the sequence of development proposed for the area,
  (ii) the land uses proposed for the area, either generally or with respect to specific parts of the area,
  (iii) the density of population proposed for the area either generally or with respect to specific parts of the area, and
  (iv) the general location of major transportation routes and public utilities, and
(b) may contain any other matters the council considers necessary.

Art and craft studio means development used for the purpose of small scale, on-site production of goods by hand manufacturing primarily involving the use of hand tools. Typical uses include pottery, ceramic, jewellery, toy manufacturing, and sculpture and artist studios.

Artificial insemination facility means an operation which places semen from animals not resident of the facility into the reproductive tract of a female by means other than sexual intercourse for the purpose of impregnating the female.

As required by the Municipal Planning Commission or the Development Authority or the Subdivision Authority means that a standard or requirement of the land use bylaw may be established~~varied~~ by the Municipal Planning Commission, the Development Authority (including the Development Officer for permitted uses) or the Subdivision Authority~~, but not completely waived~~.

Athletic and recreational facilities means a facility for the purpose of active recreation or athletic activities where patrons are predominantly participants and any spectators are incidental. This includes skating and hockey rinks, swimming pools, rifle, archery and pistol ranges, bowling alleys and racquet courts.

Attached garage means a building or portion of a building that is used for the storage of motor vehicles, which is attached to the principal building by sharing a common wall with the dwelling, and usually contains an access doorway into the principal building. For the purpose of calculating setbacks and site coverage requirements, an attached garage is deemed to be part of the principal building.

Auction mart means a use of land or buildings for the auctioning and related temporary storage of household effects, goods and equipment, except livestock.

Auditorium means a room, hall or entire building specially designed for stage and film presentations, concerts, recitals, lectures and audio-visual features and activities.

Auto body and paint shop means a premise where the bodies, but not other parts of motor vehicles, are repaired, and where motor vehicle bodies and other metal machines, components or articles may be painted.

Auto repair shop means any building~~, structure~~ or land used for the repair or maintenance of automobiles, motorcycles, trucks, trailers or similar vehicles, including but not limited to muffler shops, auto repair garages, oil change and lubrication, tire service and sales, and similar repair and service activities, but excludes dismantling or salvage.

Auto sales and service means an enclosed building within which motor vehicles and parts are displayed for sale, and may include a new or used automobile sales lot, and may also include auto repairs, except for body work and painting.

Auto wreckage and salvage means a facility for the dismantling of motor vehicles and sale of parts to the general public. Such a facility may include a central office and work area.

B

Bakery means a facility where baked products (i.e. bread, buns, cookies, pastries) are prepared, sold and/or distributed.

Balcony means a platform above the first storey, attached to and projecting from the face of a principal building with or without a supporting structure~~ above the first storey~~, normally surrounded by a baluster railing, it may be roofed, and it is used as an outdoor porch or sundeck with access only from within the building. For the purpose of determining development standards (e.g. yard setbacks) a balcony shall be considered to be part of the building that it is attached to. Also see “Deck”, “Patio”, “Porch” and “Veranda”.

Bank means a financial institution for the deposit, custody, loan, exchange or issuance of money.

Basement means any storey of a building of which the ceiling level is less than 1.8 metres (6 ft.) above the average finished surface level of the surrounding ground.

Batch plants ~~–~~ ~~-~~see “Natural resource extractive uses”.

BearSmart means the Alberta BearSmart Program which provides information on how to reduce human-bear conflicts while achieving the goals of keeping people safe, helping bear populations survive and reducing property damage and costs.

Bed & Breakfast – see Short-Term Rental / Bed & Breakfast.

Berm means a dyke-like form used to separate incompatible areas or functions, or constructed to protect the site or district from vehicular road or other noise.

Boarding house means a building ~~(other than a hotel or motel)~~ containing not more than 15 sleeping rooms where meals or lodging for five or more persons are provided for compensation pursuant to previous arrangements or agreements. Boarding house does not include a hotel, hostel, motel, Short-Term Rental / Bed & Breakfast or Tourist Home.

Boat launch means a facility for dispatching of boats and other structures into a body of water.

Bottling plant means an industrial facility where beverages are put in bottles with caps and later transported to various markets for sale.

Bowling alley means an indoor business facility to accommodate several games which balls are rolled down an alley toward a stationary group of objects (i.e. pins).

Brew pub means a licensed establishment where malt beverages (beer, ale, etc.) are brewed, in compliance with applicable provincial laws, for distribution, retail or wholesale. The establishment may include a restaurant, drinking establishment or live entertainment as an accessory use.

Buffer means a row of trees, hedges, shrubs or landscaped berm planted or constructed to provide visual screening and separation between uses, buildings, sites or districts.

Buildable area means that portion of a lot or parcel which remains after all setbacks, minimum yard dimensions, separation distances and undevelopable areas have been deducted.

Building has the same meaning as it has in the *Municipal Government Act*.

Building height means the vertical distance measured from~~between~~ the finished grade point(s) located at the base of the tallest exposed wall ~~and~~to the highest point of a building including the top of a pitched roof but excluding an elevator housing, a roof stairway entrance, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, a fire wall or a parapet wall and a flagpole or similar device not structurally essential to the building.

Building inspector means the person or persons appointed by the municipality to be the building inspector in and for the Municipality of Crowsnest Pass.

Building permit means a certificate or document issued by the Safety Codes Officer pursuant to provincial legislation authorizing commencement of construction.

Building supply centre means a commercial retail store where building materials, household accessories and other related goods are stored, offered, or kept for sale and may include outside storage.

Building trades means an individual, contractor or company performing activities connected to the construction industry including but not limited to plumbing, electrical, heating, excavating, roofing, framing, drywalling, painting, masonry and interior and exterior remodelling.

Bulk fertilizer storage and sales means a facility or storage containers used to house and sell fertilizer products to customers.

Bulk fuel station means a facility for the purpose of storing fuel for distribution to customers and does not include a service station.

Bus depot means a building designed to accommodate the scheduled arrival and departure of bus passengers or cargo.

C

Cabaret means a restaurant or facility which serves liquor and provides entertainment, usually singing and dancing.

Cabin means a seasonal habitable dwelling unit of not more than 46.5 m^2 (500 ft^2~~sq. ft.~~) complete with sleeping, cooking and washroom facilities that is located in a Campground, a Resort, a Recreation Facility

or other similar use. that is constructed, renovated or relocated in compliance with this bylaw and *Safety Codes Act*.

Campground means an area upon which with fourtwo or more campsites or stalls for short-term, temporary, seasonal occupancy in camping-related equipment (e.g. an RV or tent) or cabins.are located or maintained for temporary or seasonal occupancy by camping units of the general public as temporary living quarters for recreation, education or vacation purposes. This use may include accessory uses such as an administrative office, washrooms, cooking and eating shelters, laundry facilities, recreational and entertainment facilities, a convenience retail operation, and accommodation for the owner/operator. If the campground included an area for group camping, accessory uses may include joint use facilities such as dormitories and kitchens. A campground may provide water supply and sanitary wastewater disposal systems for collectively serviced campsites or RV stalls, or it may provide communal washrooms and RV dumping stations. An RV in a campground may be parked on a designated camping stall year-round however, a "Campground" does not include and shall not be used as "Recreational Vehicle Storage", a "Recreational Vehicle Park" or a "Work Camp".

Campground facility means a development designed with distinct sites to be used by the general public for short-term camping purposes. The use of the land is intended for seasonal occupancy by camping-related equipment. The campground may also include supplementary facilities such as an administrative office, washrooms, cooking and eating shelters, convenience retail operations, laundry facilities and a living area for the owner/operator.

Campground, family means an area upon which no more than five campsites are located or maintained for occupancy by camping units of the immediate family as temporary living quarters for recreation, education or vacation purposes.

Campground, institutional means a group camp having such joint use facilities such as dormitories and kitchens and operated by not-for-profit organizations.

Campground, private means:

(a) a use of land or buildings for financial gain where the public is admitted only on payment of a fee, or where admission may include members of a club, organization or association; and

(b) a use of land or buildings intended for seasonal occupancy by holiday or tent trailers, recreation vehicles, tents and similar equipment. This use may include supplementary bathroom and recreational facilities, eating shelters, convenience retail, laundry facilities and dwelling accommodation for the owner/operator as part of the use or, as accessory uses.

Campground, tourist means a seasonal development of land for the paid use of holiday trailers, motor homes, tents, campers, and similar vehicles, recreation, and is not normally used as year-round storage, or accommodation for residential uses.

Canadian Standards Association (CSA) means a not-for-profit organization which exists to develop standards in 57 different areas of specialization including climate change, business management and safety and performance standards, including those for electrical and electronic equipment, industrial equipment, boilers and pressure vessels, compressed gas handling appliances, environmental protection and construction materials.

Cannabis lounge means the use of land or buildings for a business, licensed by the Province of Alberta, where legal Cannabis and Cannabis accessories are used or consumed on-site by individuals of legal age who attend the premise, and for which any product sales are expressly authorized by the Alberta Gaming and Liquor Commission (AGLC).

Cannabis production facility means a building where federally approved Cannabis plants, for either medical or recreational use, are grown, processed, packaged, tested, destroyed, stored or loaded for shipping, and that meets all applicable federal and provincial requirements.

Cannabis retail sales means a retail store licensed by the Province of Alberta where Cannabis and Cannabis accessories are sold to individuals who attend the premise and for which any sales are expressly authorized by the Alberta Gaming and Liquor Commission (AGLC). This use shall be a standalone use and not in conjunction with any other use.

Cantilever means a structure that projects into a yard, such as a beam~~,~~ that is supported at one end and carries a load at the other end or along its length.

Canvas Covered structure means a framework structure covered by a fabric and used to provide outdoor storage for vehicles and/or equipment.

Car wash means a building designed for the cleansing and vacuuming of motor or recreational vehicles.

Card lock means a facility for the wholesale or retail sale of oil and gas products by means of a prearranged and managed account card. Such a facility may include an office and retail establishment for the sale of convenience items.

Carport means a partially enclosed structure intended for the shelter of one or more motor vehicles.

Cemetery means a landscaped open space for the entombment of the deceased, and may include crematoria, cineraria, columbaria, and mausolea.

Cenotaph means a structure or monument erected at an area designed for public assembly and reflection to honour individuals who lost their lives and whose remains are buried elsewhere.

Certificate of Compliance means a document signed by the Development Authority certifying that a development complies with this bylaw with respect to yard requirements and insofar as represented on an Alberta Land Surveyor's Real Property Report.

Change of use means the conversion of land or building or portion thereof from one land use activity to another in accordance with the prescribed Permitted or Discretionary Uses ~~as listed~~ in each land use district.

Church means a facility for the purpose of assembly and worship and may include as accessory uses social, recreational and community activities such as group meetings, cultural events, banquets, and child care services.

Clear vision triangle means a triangular area formed on the corner site by the two street property lines and a straight line, which intersects then 6.1 metres (20 ft.) from the corner where the property lines meet.

Clearance means the shortest vertical distance between the underside of a sign and grade.

Club house means a building or room occupied by a club, fraternity or an association used for social or recreational activities by its members and/or guests.

Coffee shop means a small restaurant which is independent or attached to a hotel where light refreshments or regular meals are served.

Commercial means the use of land and/or buildings for the purpose of public sale, display and storage of goods and/or services on the premises. Any on-premises manufacturing, processing or refining of materials may, at the discretion of the Development Authority, be deemed to be a commercial use.

Commercial logging means the removal of existing timber stands within the municipality whereby the logs are removed from the site to be processed at a different location into dimensional lumber or other wood by-products.

~~**Commercial recreation** means the use of land or buildings for the purpose of providing recreation opportunities to individuals or groups on a user-pay basis. Such uses include, but are not limited to: lodges, ski hills, resorts, golf courses, riding stables, guest ranches, campgrounds, golf and rifle ranges.~~

~~**Commercial/private recreation** means the recreational use of land or a building for financial gain where the public is admitted only on the payment of a fee or where admission is limited to members of a club, organization or association. Examples include go-cart tracks, riding stables or academies, golf driving ranges and such other facilities as the Municipal Planning Commission considers similar in character and nature to any one or all of these uses. Commercial/private recreation uses may include dining or eating facilities, retail commercial uses and dwelling or sleeping units, provided that such facilities are accessory uses and clearly incidental to the principal recreational use of land and buildings.~~

Common wall means a vertical separation completely dividing a portion of a building from the remainder of the building and creating in effect a building which, from its roof to its lowest level, is separate and complete unto itself for its intended purpose, such wall being owned by one party or both but jointly used by two parties, one or both of whom is entitled to such use by prior arrangement.

~~**Satellite dish**~~**Communication structure** means an anchored structure designed to support a communication antenna~~capture or receive broadcast signals beamed by satellites for audio-visual purposes~~.

~~**Satellite dish**~~**Communication antenna** means a parabolic antenna ~~including foundation used~~ for the reception of ~~satellite~~ transmitted television or radio waves.

Community facilities means community halls, public libraries, parks, playgrounds, schools, hospitals, shopping, medical and dental clinics and other similar facilities.

Comprehensive development means planned residential development having a high standard of design, a variety of accommodation, and adequate amenity provisions.

Conceptual scheme means a detailed site layout plan for piece of land which:

(a) shows the location of any existing or proposed buildings; and

(b) describes the potential effect and/or relationship of the proposed development on the surrounding area and the municipality as a whole;

(c) provides for access roads, water, wastewater~~sewer~~, power and other services to the satisfaction of the Development Authority; and

(d) has not been adopted by municipal bylaw.

Condominium means a building~~, structure~~ or land where there exists a type of ownership of individual units, generally in a multi-unit development or project where the owner possesses an interest as a tenant in common with other owners.

Condominium plan means a plan of survey registered at Land Titles Offices prepared in accordance with the provisions of the *Condominium Act*, Revised Statutes of Alberta 2000, Chapter C-22, as amended.

Construction trade shop means a facility for the provision of electrical, plumbing, heating, painting and similar contractor services primarily to individual households and the accessory sale of goods normally associated with such contractor services where all materials are kept within an enclosed building, and where there are no associated manufacturing activities.

Contractor means an individual or company who contracts on predetermined terms to provide labour and materials and to be responsible for the performance of a construction job in accordance with established specifications or plans.

Contractor, general means development used for industrial service support and construction. Typical uses include cleaning and maintenance contractors, building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, wastewater~~sewer~~ systems or similar services of a construction or light manufacturing nature which require on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service. Any sales, display, office or technical support service areas shall be accessory to the principal general contractor use.

Contractor, limited means a development used for the provision of electrical, plumbing, heating, painting, catering and similar contractor services primarily to individual households and the accessory sales of goods normally associated with the contractor services where all materials are kept within an enclosed building, and there are no accessory manufacture activities or fleet storage of more than four vehicles.

Convenience store means a retail outlet selling goods and foodstuffs to area residents on a day-to-day basis from business premises which do not exceed 200 m^2 (2,153 ft^2~~sq. ft.~~) in gross floor area.

Convention facility means a permanent facility for meetings, seminars and conventions. Eating establishments and drinking establishments may be incorporated into the facility as accessory uses.

Corner lot means a lot located at the intersection or junction of two or more streets (not including lanes).

Corner side means the lot or property line on a corner lot that has road frontage but is not the lot line from which primary access or development to the building is gained. See “Setback”.

Council means the Council of the Municipality of Crowsnest Pass in the Province of Alberta.

~~**Country inn** means an owner-occupied establishment that offers both accommodation of generally 24 or fewer guests and/or food service to the public in excess of a breakfast and subject to the Food and Housing Regulations.~~

~~**Country lodge** – see “Lodge”.~~

Country residence means a use of land, the primary purpose of which is for a dwelling or the establishment of a dwelling in a rural area, whether the dwelling is occupied seasonally, for vacation purposes or otherwise, or permanently.

Critical wildlife zone means an area which is critical to a number of individuals of a species during at least part of the year. This can include, for example, wintering areas for ungulates, nesting or staging areas for waterfowl, colony sites for colonial nesters, and over wintering areas for upland birds.

Cultural establishment means a development that is available to the public for the purpose of assembly, instruction, cultural or community activity and includes such uses as a church, a library, a museum and an art gallery.

Cumulative effect means the resulting combined impacts of past, present and reasonably foreseeable future actions on the landscape. They are the total effect, both direct and indirect impacts, to any resource, ecosystem or human community no matter who has taken the action.

Cut-off parcel means a piece of land that is separated from the major area of the quarter section by:

(a) a permanent irrigation canal,

(b) a water course,

(c) a railway,

(d) a graded public roadway or highway,

(e) an embankment,

such that it is impractical, in the opinion of the Development Authority, to use the piece of land either independently or with adjacent lands, including those under different ownership.

D

Dairies ~~—~~ see “Intensive agricultural pursuit”.

Day care facility means the use of a building, or portion of a building, for the provision of care, instruction, maintenance, or supervision of 7 or more children under the age of 13 years, not including children under the age of 13 years who permanently reside in the home, for periods not exceeding 24 consecutive hours.

Day home means a private dwelling unit where temporary care, development and supervision for periods not exceeding 24 consecutive hours is provided to a maximum of six (6) children under the age of 13 years, not including children under the age of 13 years who permanently reside in the home.

Deck means an uncovered (roofless) outdoor space that~~;~~:

(a) Is classified as either:

(i) a ground level deck – it is always attached to a building and its surface is not higher than 0.6 m above average grade and it is subject to the same yard setbacks as an accessory building, except to the extent that Schedule 4 of this bylaw allows projections into yard setbacks; or

(ii) a raised deck – it is always attached to a building and its surface is higher than 0.6 m above average grade but not higher than the level of the main floor of the building and it is subject to the same yard setbacks as an accessory building, except to the extent that Schedule 4 of this bylaw allows projections into yard setbacks.

~~built as an aboveground platform~~

(b) It must be accessible from inside the building as well as from the outdoor ground level; and

~~projecting from the wall of a building and connected by structural supports at grade or by the building structure.~~

For greater clarity, a deck:

(a) Is not a balcony, patio, porch or veranda; and

(b) Is considered to be an accessory structure; and

(c) Is not considered to be part of the building floor area that it is attached to (unless it is covered, in which case it is not considered to be a deck).

For further clarification, when any outdoor space that could otherwise be deemed to be a deck is proposed to be covered by a roof, it is no longer considered to be a deck as defined herein; ~~F~~for the purpose of determining development standards (e~~.~~g. yard setbacks) such a covered outdoor space~~a deck~~ shall be considered to be part of the building that it is attached to (refer to the definitions of "Balcony", "Patio", "Porch" and "Veranda").

Demolition means the pulling down, tearing down or razing of a building~~ or structure~~.

Density means the number of dwelling or accommodation units on a site expressed in units per acre or hectare, or alternatively as the site area required per dwelling unit.

Developed residence means a dwelling that:

(a) in the opinion of the Development Authority is permanent and habitable, based on comments from the appropriate regional health authority;

(b) has developed legal access;

(c) has electrical and gas utilities available to the site;

(d) has a supply of potable water and a functional wastewater~~sewage~~ disposal system;

(e) is situated on a permanent foundation.

Developer means a person or an owner of land in accordance with the Statutes of the Province of Alberta who wishes to alter the title to the property and change the use of the property from its existing use.

Development has the same meaning that it has in the *Municipal Government Act.* In this bylaw a reference to a building shall be understood to include a "structure", and vice versa.~~means:~~

~~(a) an excavation or stockpile and the creation of them;~~

~~(b) a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land;~~

~~(c) a change of use of land or a building or an act done in relation to land or a building that results in a change in the use of the land or building;~~

~~(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~~

~~(e) a structure or a sign.~~

Development agreement means a contractual agreement completed between the municipality and an applicant for a development permit or subdivision application which specifies the public roadways, utilities and other services to be provided by the permit holder as a condition of development approval or subdivision approval, provided the agreement is in accordance with the relevant provisions of the *Municipal Government Act*, as amended.

Development area means the area to be occupied by a building plus the reasonable area required for excavation and construction.

Development Authority means the Development Officer and/or the Municipal Planning Commission and/or the Subdivision and Development Appeal Board and/or the Council as provided for in this bylaw.

Development permit means a document issued pursuant to this bylaw authorizing a development.

Direct control means a land use designation attributed to a piece of land for exercising specific land use regulations and uses in accordance with the relevant provisions of the *Municipal Government Act*, as amended.

Discontinued use means a use of land or buildings that has been, for all material purposes and efforts, entirely abandoned or indefinitely interrupted.

Discretionary use means the one or more uses of land or buildings that are described in Schedule 2 within the land use classifications that are required to be approved by the Municipal Planning Commission, or by the Development Officer for those discretionary uses as may be provided for in this Bylaw.

District means a district established under Schedule 1 of this bylaw.

Dog kennel — see "Kennel".

Domestic animal means an animal that is kept by a household for domestic purposes. A domestic animal may include the following: cat, dog, ferret, gerbil, guinea pig, hamster, rabbit, iguana or small non-poisonous amphibians, reptiles, caged birds, and other similar animals typically sold in pet stores and kept as pets. The Development Authority may include other animals as domestic animals on a case-by-case basis after due consideration of the potential impact on neighbouring property and residents.

Double-wide mobile home means a mobile home (as defined) that is permanently fixed to two chassis, or is permanently fixed to one chassis and has a section which can be expanded or telescoped from the mobile home for additional floor area. Double-wide mobile homes are typically not less than 6.1 metres (20 ft.) in width.

Drinking establishment means an establishment licensed pursuant to provincial legislation where alcoholic beverages are served for consumption on the premises.

Drive-in business means an establishment with facilities for on-site service to customers who remain in their motor vehicles.

Drive-in food service means a facility for eating and drinking which offers a limited menu produced in a manner that allows rapid customer service and includes one or more of the following features: car attendant services; drive-through food pickup services; or parking primarily intended for the on-site consumption of food within a motor vehicle.

Drive-in restaurant means a restaurant which offers car attendant service or drive-through pick-up service.

Drive-in theatre means a commercial facility on a parcel of land where movies are shown on an outdoor screen to customers who remain in their vehicle. Typically the facility will consist of a large outdoor screen, a projection booth, a concession stand, washroom facilities and a large parking/viewing area.

~~**Driving range** means a designated practice area designed for the purpose of hitting and/or putting golf balls.~~

Dry cleaners means an establishment which specializes in the cleansing of clothes or fabrics with substantially non-aqueous organic solvents to which special detergents or soaps are often added.

Dugout means an excavation specifically sited and constructed for the purpose of catching and storing water. Depending on the circumstances, the dugout may be intended for either seasonal use or permanent use.

Duplex means a residential building containing two dwelling units located either above and below or side by side, with separate access to each dwelling unit. When located side by side the two dwelling units in a Duplex are connected either by a common floor or ceiling or by at least one common wall which extends from the foundation to the top of the first storey of both dwelling units.

Dwelling means a building designed for permanent human habitation which includes provisions for cooking, sleeping and sanitary facilities. Travel trailers, motor homes, tents or other similar recreational vehicles do not constitute a dwelling.

Dwelling unit means one or more self-contained rooms provided with sleeping, cooking, dining and sanitary facilities intended to be used permanently or semi-permanently as a residence for one or more individuals as a single housekeeping unit.

E

Eating establishment means a facility where food is prepared and served on the premises for sale to the public and includes restaurants, delicatessens, and cafeterias but excludes drive-in food services.

Easement means a right held by one party in land owned by another, typically for access or to accommodate a public utility.

Eaveline means the overhanging portion of a roof beyond the exterior walls of a building.

Embankment means an earth bank constructed so that it is raised above the immediately surrounding land, with the specific purpose to redirect water or prevent flooding by a river, lake, canal, or other water body, or to carry a road, railway, or canal across a low-lying area.

Employee housing means one or more dwelling units used exclusively for the residence of employees and members of their family.

Entertainment establishment means a facility where entertainment is provided to the public, either exclusively or in combination with other activities and may, without restricting the generality of the foregoing, include a live theatre or cinema, but does not include a restaurant, gaming establishment or adult mini-theatre.

Entertainment establishment, adult means any premises or part thereof wherein live performances, motion pictures, video tapes, video discs, slides or similar electronic or photographic reproductions, the main feature of which is the nudity or partial nudity of any person, are performed or shown as a principal use or an accessory to some other business activity which is conducted on the premises.

Environmental audit means the process of determining the impact of proposed projects on the environment.

Environmental education means field trips related to publicly or privately sponsored educational and interpretive programs.

Environmental impact assessment means a comprehensive report triggered by the magnitude of a development or project that describes the natural features and characteristics of a proposed development site, the changes that will occur as a result of the proposed development activities on the site, the anticipated environment impacts and consequences of the proposed development, and the mitigation measures to be taken to minimize undesirable impacts to the environment.

Environmentally significant areas means:

(a) "hazard" lands and areas which are unsuitable for development in their natural state such as floodplains, permanent wetlands, and steep and unstable slopes; or which pose severe constraints on types of development such as areas of artesian flow and aeolian surficial deposits;

(b) areas which perform a vital environmental, ecological, or hydrological function such as aquifer recharge;

(c) areas which contain unique geological or physiographic features;

(d) areas which contain significant, rare, or endangered species;

(e) areas which are unique habitats with limited representation in the region or are a small remnant of once large habitats which have virtually disappeared;

(f) areas which contain an unusual diversity of plant and/or animal communities due to a variety of geomorphological features and microclimatic effects;

(g) areas which contain large and relatively undisturbed habitats and provide sheltered habitat for species which are intolerant of human disturbance;

(h) areas which contain plants, animals, or land–forms which are unusual or of regional, provincial, or national significance;

(i) areas which provide an important linking function and permit the movement of wildlife over considerable distance.

Environmental reserve means any parcel of land specified as environmental reserve by a subdivision approving authority pursuant to the relevant provisions of the *Municipal Government Act*, as amended.

Equestrian centre means public facilities (buildings, shelters, or other structures) at which horses are exercised or trained, training in equestrian skills or equestrian competitions or shows are held.

Equipment sales, rental and service means the use of land or buildings including but not limited to the retail sale, wholesale distribution, rental and/or service of: hand tools, small construction, farming, gardening and automotive equipment, small machinery parts and office machinery and equipment.

Essential public service means a facility which provides public services that are critical to the residents of the municipality. Such services include fire, police, ambulance or other similar public service that is deemed by Council to be necessary for the continued health, welfare or safety of the general public in the municipality.

Extended care facility means a public or private health facility for the care, supervision or rehabilitation of individuals, and containing overnight accommodation.

Extensive agricultural pursuit means systems of tillage and animal husbandry on large areas of land for the raising of crops or the rearing of livestock either separately or in conjunction with another in unified operations and includes buildings and other structures incidental to the operation.

Extensive agriculture means the production of crops or livestock or both by the expansive cultivation or open grazing of normally more than one parcel or lot containing 64.8 hectares (160 acres) more or less.

Existing lot means a lot that existed at the time this bylaw was adopted.

Existing parcel means a lot or parcel as defined in the *Municipal Government Act* and for which a certificate of title has been issued.

Exotic animals means any species of animals that are not indigenous to the planning area.

F

Factory-built housing or Modular Construction means homes intended for residential occupancy that are constructed in a factory setting. Includes ~~manufactured,~~ modular, panelized and pre-engineered homes.

Family means one or more persons occupying a dwelling unit as a single housekeeping unit.

Farm buildings means buildings or development commonly or normally contained in a farmstead that is associated with a farming operation or an extensive agriculture use. Examples include barns, granaries, implement machinery and equipment sheds, dugouts, corrals, fences and haystacks but this use does not include intensive horticultural facility, intensive livestock operation or any dwelling unit including conventional single-detached residences and ~~manufactured/~~modular homes.

Farm supplies and service means the use of land or buildings for the sale, storage and distribution of grain (including grain elevators), livestock feed, fertilizer and chemicals used in agriculture.

Farmer's market means the use of land or buildings where fresh farm or garden produce is sold in a retail or wholesale setting and where goods are typically displayed in bulk bins or stalls for customer selection. This use includes vendors of fruit, vegetables, meat products, baked goods, dry goods, spices and non-food products such as handicrafts, provided that the sale of fresh food products remains the primary function.

Farming means the use of a parcel of land and/or buildings for the raising of livestock or the production of crops. This type of use does not include a confined feeding operation for which registration and approval is required from the Natural Resources Conservation Board.

Farmstead means a part of a parcel:

(a) that is presently or was formerly used as the site for a dwelling as part of an agricultural operation;

(b) that typically includes agricultural buildings such as quonsets, grain bins, sheds, and ancillary structures such as corrals, dugouts, storage areas for farm machinery, equipment and products;

(c) that is relatively compact and well-defined by topography, shelterbelts or other physical characteristics;

(d) that does not include any cultivated farmland, pasture land or lands unsuitable for agricultural production unless included within the shelter belt and/or physically defined area. Fencing alone shall not constitute a physically defined area if it encompasses agricultural land or other lands that are not necessary for habitation, unless it is proven to be impractical to do so.

Fence means an unoccupied~~a~~ roofless structure, wall or ~~hedge~~ any combination thereof, used as a~~n~~ perimeter enclosure or screening, and located, or intended to be located, on any section~~part~~ of a lot boundary or between a lot boundary and an occupied structure on the subject property.

Fill means the import and placement of natural uncontaminated earth or aggregate materials (e.g. clay, silt, sand, gravel) on a parcel for the purposes of altering/modifying grades, drainage, or building up a site for a proposed building or development, but does not include the import and placement of dry-waste or land fill waste materials.

Financial institution means a development or use primarily for providing the service of banking or lending money, such as a bank, savings and loan institution, or credit union. See "Bank".

~~**Fire stations** – see "Public and private institutional use".~~

FireSmart means a program developed ~~in Alberta~~ by FireSmart Alberta in conjunction with Alberta Municipal Affairs and other municipal, provincial and federal partners relative to reducing the risk that fires in the Wildland-Urban Interface pose to communities. In 2021 work is progressing towards introducing legislative changes to implement FireSmart principles into community planning and construction standards.~~Partners in Protection to educate stakeholders on the risks of developing in the Wildland Urban Interface and methods to reduce the risk of wildfire to developments. The publication *"FireSmart – Protecting Your Community from Wildfire"* (PIP, 1999) outlines minimum standards for development in the Wildland Urban Interface.~~

Fitness centre means the use of premises for the development of physical health or fitness, including, but not limited to, health centres, gymnasiums, racquet and ball courts, spas and reducing salons.

Flood elevation, 1:100 year means the water level reached during a 1:100 year flood as determined in accordance with the technical criteria established by Alberta Environment.

Flood fringe means that portion of the floodplain that lies outside the designated floodway which is inundated by flood waters characterized by relatively low velocity flows, shallow depths and/or standing water.

Floodplain means the areas adjacent to a watercourse that are susceptible to inundation by water as a result of a flood.

Floodrisk area means the area of land bordering a water course or waterbody that would be inundated by a 1:100 year flood (i.e. a flood that has a 1 percent chance of occurring every year) as determined by Alberta Environment in consultation with the municipality and may include both flood fringe and floodway.

Floodway means the channel of a watercourse and those portions of the floodplain joining the channel which are readily required to carry and discharge flood waters or flood flows of a 1:100 year flood with no significant increase in the base flood elevation.

Floor area means the sum of the gross horizontal area of the several floors and passageways of a building, but not including basements, attached garages, and open porches. All dimensions shall be external dimensions.

Flower means an annual, perennial, flowering shrub/tree, etc.

Flood-risk ~~prone~~ lands means areas that may be subject to flooding from time to time.

Food processing means an industry which refines, mills or alters a basic agricultural product into an edible commodity fit for human consumption.

Food services/catering means a land use which involves the preparation of meals at one location and delivery of those meals to a second location for human consumption.

Footprint means the shape of the building~~/structure~~ where it sits on the parcel. If an outline of the building could be drawn on the ground where it sits and then the building removed, the footprint is the shape that was drawn around the building. Changing the footprint of the building means adding to it or removing from it in such a way that this outline would be altered.

Foundation means the supporting base structure of a building~~ or structure~~.

Fourplex dwelling means a form of cluster housing containing four dwelling units, where:

(a) each unit has two contiguous or abutting walls which provide fire separation from the adjacent dwelling units;

(b) two of the dwelling units ordinarily face the front yard, and two dwelling units ordinarily face the rear yard; and

(c) each unit is provided with its own separate primary access to the outdoors.

Freight terminal means a facility accommodating the storage and distribution of freight shipped by rail, or highway transportation.

Frontage means the lineal distance measured along the front legal lot line.

Front property boundary, principal means the front property boundary as shown in Figure 1.

Front property boundary, secondary means the front property boundary as shown in Figure 1.

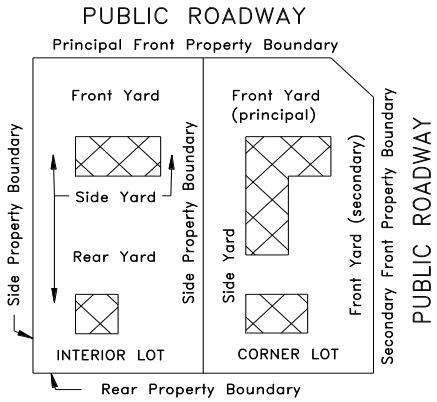


FIGURE 1

Front yard means a yard extending across the full width of a lot and situated between the front lot line and the nearest portion of the principal building.

Funeral home means a development used for the arrangement of funerals, the preparation of the dead for burial or cremation, the holding of funeral services and the carrying out of cremations, where not more than one cremation chamber is provided.

G

Gaming or gambling establishment means a building~~ or structure~~, or any portion thereof, which is used or intended for use for the purpose of dealing, operating, maintaining or conducting any game played with cards, dice, or any mechanical device or machine for money, property or any item of value.

Garage (residential) means an accessory building designed and used for storage of motor vehicles.

Garden centre means the use of land or buildings for the sale, display, growing and storage of garden, household, and ornamental plants and trees provided that the retail sale and display of plants and trees remains the principal use. This use includes the supplementary retail sale of fertilizers, garden chemicals and implements as well as associated products.

Garden shed means a small outdoor storage compound constructed for the housing of garden tools, lawn equipment or other small items.

Gas bar means a facility for the sale of gasoline and associated automotive fluids but is not a service station.

Geotechnical report means a comprehensive site analysis and report prepared by a qualified and registered professional with the Association of Professional Engineers and Geoscientists of Alberta (APEGA). All geotechnical reports should contain certain **basic** essential information, including:

(a) summary of all subsurface exploration data, including subsurface soil profile, exploration logs, laboratory or in situ test results, and ground water information;

(b) interpretation and analysis of the subsurface data;

(c) specific engineering recommendations for design;

(d) discussion of conditions for solution of anticipated problems; and

(e) recommended geotechnical special provisions.

Golf course means an outdoor establishment/development of varying sized designated primarily for the game of golf. Accessory uses include a pro shop, driving range and/or proactive facility, food service, and other commercial uses typically associated with a golf course clubhouse facility.

Golf driving range means an area of land whose primary purpose is to accommodate the practicing of golf shots and may include the land encompassed by netting or screening and may also include buildings, such as a club house or maintenance building as part of the use.

~~**Government buildings** – see "Public and private institutional use".~~

Government services means development providing municipal, provincial, or federal government services directly to the public or the community at large, and includes development required for the public protection of persons or property.

Grade means the average elevation of the finished ground or street surface.

Grade point means the point(s) on a site which are used to measure the maximum ~~permitted~~ height of a building from finished grade at the base of the tallest exposed wall. Where grade points have not been established as part of an approved comprehensive grading plan, the location of grade points shall be determined by the Development Authority.

Grain elevator means a facility for the collection, grading, sorting, storage, and transhipment of grains. This definition also includes inland grain terminals.

Grandfathered development means a use of land or buildings that has been in existence and/or operational prior to adoption of the present Land Use Bylaw that is lawfully allowed to exist in its present state even though it may not comply with the uses or standards allowed within the present Land Use Bylaw.

Greenhouse means a building specially designed and used for the growing of vegetables, flowers or other plants for transplanting or sale.

Gross floor area means the sum of the areas of all floors of a building measured to the outside surface of the exterior walls or, where buildings are separated by firewalls, to the centre line of the common firewalls and includes all floors totally or partially above the finished ground surface excluding an artificial embankment but including all mechanical equipment areas.

Group camp means a number of individuals taking part in the same educational or extracurricular activities on private lands usually sponsored by an organization or religious group.

Group home means development using a dwelling unit for a provincially-approved residential social care facility providing rehabilitative and supportive care for four or more persons. A group home' may incorporate accommodation for resident staff as an accessory use.

Grouped country residential means two or more contiguous country residential parcels or acreages.

~~**Grouped country residential resort use** means two or more contiguous country residential lots developed in conjunction with an approved recreation use.~~

Guest means an invited individual who temporarily occupies a dwelling unit other than their own residence.

~~**Guest ranches** means a ranch or resort in an agricultural setting designed for vacationers offering primarily lodging, horseback riding and other activities typical of western ranches.~~

H

Habitat enhancement means the manipulation of plant, animal and microbe habitat for the purpose of improving the capacity of the habitat as a source of food, shelter, or cover for an identified species or suite of species.

Hazard lands means areas that may not be suitable for subdivision and/or development due to geographic or locational constraints, or development restrictions due to prior activities or usage.

Health care facility means a facility providing room, board, and surgical or other medical treatment for the sick, injured or infirm including outpatient services and accessory staff residences. Typical uses include hospitals, sanatoria, nursing homes, convalescent homes, isolation facilities, psychiatric hospitals, auxiliary hospitals, and detoxification centres.

Health care services means development used for the provision of physical and mental health services on an outpatient basis, of a preventative, diagnostic treatment, therapeutic nature. Typical uses or facilities would include medical and dental offices, health clinics, and chiropractor offices.

Heavy industrial means manufacturing or other enterprises with significant external effects, or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides, or other hazardous materials used in the manufacturing or other processes.

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

Helipad means a designated area, usually with a prepared surface, used for the takeoff, landing, or parking of helicopters.

Heliport means a facility for the use of helicopters landing or taking off on a frequent basis and includes development of passenger terminals, service, repair and storage facilities and other necessarily ancillary developments required for the purpose of operating a heliport in accordance with all applicable statutes and regulations.

Highway means:

(a) a roadway or proposed highway that is designated as a primary highway; or

(b) a road, street or highway formerly designated as a secondary road and numbered between 500 and 999.

Highway commercial is a general term used to describe development, typically along a major roadway or highway that provides goods and services to the travelling public. Typical highway commercial uses include service stations, truck stops, motels, motor-hotels, drive-in and fast-food restaurants.

Historical site means a site or a building or both designated to be of historical significance by the Government of Canada, the Government of Alberta or the Municipality of Crowsnest Pass.

Holiday trailer or **travel trailer** – see "Recreational vehicle".

~~**Holiday trailer park** – see "Campground, private".~~

Home improvement centre – see "Building supply centre".

Home care service – see "Personal care service".

Home occupation – see definitions in Schedule 8.

Horticulture means the concentrated utilization of land or buildings for the raising of crops, plants or vegetables.

Hostel means a facility operated to provide temporary (not exceeding 30 days) accommodation to transients for remuneration within dormitory-style visitor accommodation with communal kitchen and sanitary facilities and may include recreational facilities or services but not additional services such as room service. Hostel does not include a boarding house, hotel, motel, Short-Term Rental / Bed & Breakfast or Tourist Home.

Hotel means a building used primarily for sleeping accommodation and ancillary services provided in rooms or suites of rooms which may contain bar/kitchen facilities. The building may also contain commercial or other uses and may offer such additional services as parking facilities, restaurant or dining room, room service or public convention facilities. Hotel does not include a boarding house, hostel, motel, Short-Term Rental / Bed & Breakfast or Tourist Home.

Household repair service means a facility for the provision of repair services to goods, equipment and appliances normally found within the home. This includes radio, television and appliance repair shops, and furniture refinishing and upholstery shops.

I

Illumination means the lighting ~~of any structure~~ by an artificial means.

Improvement means any installation or physical change made to a property with a view to increasing its value, utility or beauty.

Industrial equipment sale and rental means a facility for the sale or rental of equipment typically used in building, roadway, pipeline, oilfield and mining construction or agricultural production. This does not include truck and ~~manufactured/~~modular home sales and rentals.

Industrial operation means a business engaged in secondary manufacturing, processing, assembling, disassembling, packaging, printing, cleaning, servicing, testing, storing and distribution of materials, goods, products or equipment.

Institutional means a use by or for an organization or society for public or social purposes and, without restricting the generality of the term, includes senior citizen housing, nursing homes, day care centres, places of worship, museums, libraries, schools, service and fraternal organizations, and government buildings.

Intensive agricultural pursuit means any concentrated method used to raise crops or to rear or keep livestock, animals, poultry or their products for market, including such operations as horse riding stables, poultry farms, pastures, rabbitries, fur farms, greenhouses, tree farms, sod farms, dairies, nurseries and similar specialty uses conducted as the principal use of a building or site.

Intensive grazing is a pasture management program which utilizes pasture or rangeland that has been cross-fenced into small areas for the purpose of grazing livestock on each area for a short time on a rotational basis, at a density that does not exceed two animal units per acre if considering the total area of the pasture of rangeland.

Intensive horticultural operations or facilities means a use of land or buildings for the high yield production and/or sale of specialty crops. This use includes greenhouses, nurseries, hydroponic or market gardens, tree, mushroom and sod farms and such other uses that the Development Authority considers similar in nature and character to any one or all of these uses.

Intensive livestock operation means any land enclosed by buildings, shelters, fences, corrals or other structures which, in the opinion of the Development Authority, or in accordance with the Land Use Bylaw, is capable of confining, rearing, feeding, dairying or auctioning livestock, and excepting only wintering of a basic breeding herd of livestock and intensive grazing programs, and exceeds the thresholds established in the Land Use Bylaw but is less than the thresholds established by the Natural Resources Conservation Board (NRCB).

Interior lot means any lot other than a corner lot.

Isolated country residential means a small single-lot parcel of land or acreage created by subdivision for the purpose of accommodating a ~~single family~~Single-family dwelling.

K

Kennel means a facility where dogs or cats or other domestic animals are maintained, boarded, bred, trained or cared for or kept for the purposes of sale but excludes a veterinary clinic.

Kennel – Category 1 means an establishment in which three or less domestic animals, more than one year old, are housed, groomed, bred, boarded, exercised, trained and/or sold over a period of time but excludes an animal care services facility (veterinary clinic).

Kennel – Category 2 means an establishment in which more than three domestic animals, more than one year old, are housed, groomed, bred, boarded, exercised, trained and/or sold over a period of time but excludes an animal care services facility (veterinary clinic).

Kiosk means a location or building~~structure~~ housing a seasonal/temporary business.

L

Laboratory means a facility for the purpose of scientific or technical research, investigations or experimentation.

Landscaped area means that portion of a site which is to be landscaped pursuant to a development permit, and excludes areas used for parking and driveways.

Landscaping means the modification and enhancement of a site or development through the use of the following elements:

(a) natural landscaping consisting of vegetation such as trees, shrubs, hedges, grass and other ground cover;

(b) hard landscaping consisting of non-vegetative materials such as brick, stone, concrete, tile and wood, excluding monolithic concrete and asphalt; and

(c) excludes all areas utilized for driveways and parking.

Lane means a public thoroughfare which provides a ~~secondary~~ means of access to a lot or lots.

Laundromat means a facility for the cleaning of clothing or other fabric goods on a self-serve basis.

Laundry means a facility for the cleaning and pressing of clothing or other fabric goods.

Legal access means a parcel or lot that adjoins a road as defined in the *Municipal Government Act*, or that access from a public roadway to a parcel or lot is via an easement which is registered for the purpose of granting access to a parcel or lot.

Light industrial/manufacturing means development used for manufacturing, fabricating, processing, assembly, production or packaging of goods or products, as well as administrative offices and warehousing and wholesale distribution uses which are accessory uses to the above, provided that the use does not generate any detrimental impact, potential health or safety hazard or any nuisance beyond the boundaries of the developed portion of the site or lot upon which it is situated.

Liquor store means a retail establishment licensed under provincial authority for the sale of any or all of beer, wine, or spirits for consumption off-premises. ~~Full walls must physically separate the premises from any other business.~~

Loading space means a portion of a lot or parcel that is designated or used by a vehicle while loading or unloading goods or materials to a building or use on that parcel or lot.

~~**Lodge** means a facility for tourists that complies with the definition of visitor accommodation except that a lodge has a minimum of five (5) accommodation rooms and cooking facilities which are not located in the accommodation rooms and where there are no areas for public retail, public entertainment functions, meeting rooms and public convention rooms. Accessory uses may include rental cabins, accommodation for permanent staff and one or more beverage rooms, dining rooms, athletic and recreation facilities (indoor and outdoor) for use by the guests and other similar uses.~~

Loft means the floor space above the eaveline and within the pitch of the roof of a building.

Lot, in accordance with the *Municipal Government Act*, means:

(a) a quarter section;

(b) a river lot shown on an official plan referred to in ~~section 32 of~~ the *Surveys Act* that is filed or lodged in a land titles office;

(c) a settlement lot shown on an official plan referred to in ~~section 32 of~~ the *Surveys Act* that is filed or lodged in a land titles office;

(d) a part of a parcel where the boundaries of the parcel are separately described in a certificate of title other than by reference to a legal subdivision; or

(e) a part of a parcel where the boundaries of the parcel are described in a certificate of title by reference to a plan of subdivision.

Lot area means the area contained within the lot lines of a lot as shown on a plan of subdivision or described in a certificate of title.

Lot, corner means a lot located at the intersection of two or more streets.

Lot, double fronting means a lot with two front property boundaries, where the front property boundaries are situated at opposite or approximately opposite sides of the lot, as shown in Figure 2.

Lot, interior means a lot other than a corner lot as shown in Figure 2.

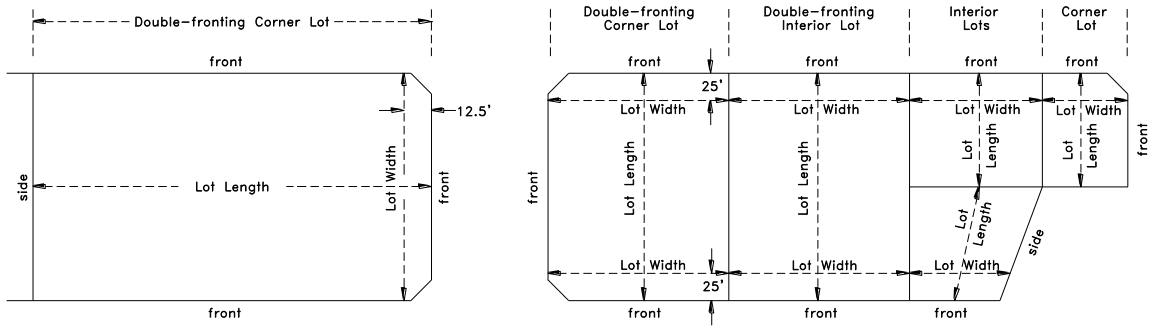


FIGURE 2

Lot length means the horizontal distance between the shortest or principal front property boundary and the opposite property boundary, measured along the median between the side property boundaries as shown in Figure 2.

Lot line means the property lines bounding the lot or the recorded boundary of a plot of land.

Lot width means the horizontal distance between opposite side property boundaries measured at a point 7.6 metres (25 ft.) from the shorter or principal front property boundary as shown in Figure 2.

Lumber yard means a facility where bulk supplies of lumber and other building materials are stored, offered or kept for retail sale and includes storage on or about the premises of such material but does not include retail sales of furniture, appliances or other goods not ordinarily used in building construction.

M

Machinery and equipment sales and repair means the use of land or buildings for the display, sale, service and/or rental of machinery.

Maintenance means the upkeep of a building or property that does not involve structural change, the change of use, or the change of intensity of use.

Manufactured Home 1 means a completely self-contained dwelling unit, designed and constructed entirely within a factory setting to the National Building Code CSA Z240 MH standard. These homes are not accepted under the Alberta Building Code. A Manufactured Home 1 refers to a new building~~structure~~, and one that has not been previously occupied or used as a show-home. Typically it is transported to a site in not more than one piece on its own chassis and wheel system or on a flatbed truck. For the purposes of this bylaw, a manufactured home does not a include a “Modular home” or “Ready-to-move-home”.

Manufactured Home 2 has the same meaning as Manufactured Home 1, except that it has been occupied previously as a dwelling.

Manufactured home sale and rental means development used for the sale or rental of new or used trucks, motor homes, manufactured homes, and automobiles together with incidental maintenance services and the sale of parts and accessories. Typical uses include truck dealerships, recreation vehicle sales and manufactured home dealerships.

Manufactured housing community means a comprehensively planned residential development intended for the placement of manufactured homes on sites or pads. Such a community may also include amenity areas or facilities for the use of the community’s residents.

Market garden means the growing of vegetables or fruit for commercial purposes. This use includes an area for the display and sale of goods or produce grown or raised on site.

Marina means a series of connected docks located primarily in a sheltered area which provides secure moorings, protection and service for boats and other watercraft.

May means, within the context of a policy, that ~~a discretionary~~ an action is discretionary~~permitted~~.

Medical and dental office means development providing medical and health care on an outpatient basis. Examples of this use include medical and dental offices, clinics, occupational health and safety offices,

counselling services, chiropractic and naturopathic services and such other uses as the Municipal Planning Commission considers similar in character and nature to any of these uses, but this excludes dispensaries (which sell pharmaceutical and related medical supplies) as an accessory use.

Mini storage facility means the use of land with compartmentalized buildings or designated sites set up for the storage of equipment, household or business materials, or vehicles, but excludes storage of hazardous goods or materials. Accessory to this use is the exterior screened storage of recreational vehicles, boats, trailers and similar items.

Minimum ~~building~~ yard setback means the shortest distance between the wall of a building and a designated lot line.

Minimum Distance Separation (MDS) means the minimum distance calculated for separation between an intensive livestock operation or confined feeding operation and another use based on criteria established by the Natural Resources Conservation Board, the municipality or provincial regulation, intent on minimizing land use conflicts.

Mixed use building means a building used partly for residential use (including Apartments and other Multi-family Dwellings) and partly for commercial or office use with the requirement that the street shopfront on the ground floor shall include commercial and/or office uses.

Mixed use development means a parcel of land ~~or building or structures~~ developed for two or more different uses or buildings that may include uses such as residential (including Apartments and other Multi-family Dwellings), office, manufacturing, retail, public or entertainment with the requirement that the street shopfront on the ground floor shall include commercial and/or office uses.

Mobile home means an antiquated prefabricated dwelling unit that had been:

(a) designed to be transported, and when placed on a foundation and connected to utilities is ready for occupancy; and

(b) does not meet the current provincial building requirements.

The term mobile home includes “double-wide” and “single-wide” mobile homes, as defined, but the term does not include motor homes, travel trailers, recreation vehicles and any similar vehicles that are neither intended for permanent residential habitation nor subject to the current provincial building requirements.

Modular construction (also see “Factory-built housing”) means the construction of a building in prefabricated units at a factory or place other than that of its final assembly which:

(a) are assembled at the location where the building is to be permanently used;

(b) are transported from one point to another by being carried on a motor vehicle;

(c) are not constructed on a frame capable of being equipped with wheels and thus towed from one point to another; and

(d) are equipped at the factory with interior electrical and plumbing utilities and interior walls (if these elements are required in the modular building).

Any building listed in this land use bylaw, including a dwelling unit, may be built using modular construction methods without that building being deemed to be a “Modular Home” as defined in this bylaw.

Modular home means the construction of a building in prefabricated units at a factory or place other than that of its final assembly which:

(a) are assembled at the location away from the home site under climate controlled conditions;

(b) are transported from one point to another by being carried on a motor vehicle or on its own chassis or wheel system;

(c) are not constructed on a frame capable of being equipped with wheels and thus towed from one point to another;

(d) are equipped at the factory with interior electrical and plumbing utilities and interior walls (if these elements are required in the modular building); and

(e) are certified Alberta Building Code compliant under CSA-A277 and labelled accordingly.

Modular home park means a site which provides rentable space for long-term parking and occupancy of modular homes as defined under "modular homes".

Motel means development primarily providing temporary sleeping accommodation in rooms or suites, where each room or suite may contain kitchen facilities. Each room or suite in a motel usually has its own private exterior access and is typically provided with an adjoining or conveniently located parking stall. A motel may include eating and drinking facilities, entertainment, convention, sports, recreation, personal service and retail facilities as accessory uses. Motel does not include a boarding house, hotel, hostel, Short-Term Rental / Bed & Breakfast or Tourist Home.

Motor home – see "Recreational vehicle".

Moved-in building means a conventional, previously existing, established and occupied non-residential building (e.g. an accessory building), which is removed from one site, transported and re-established on another site. This does not include a Modular Homes or 'Ready-to-Move' home.

Moved-in dwelling means a conventional, previously existing, established and occupied dwelling, which is removed from one site, transported, and re-established on another site. This does not include a Modular Home or 'Ready-to-Move' home.

Multi-family dwelling means a residential building containing three or more separate dwelling units. This use includes Apartment Building but does not include Mixed Use Building and Mixed Use Development.

Municipal development plan means a statutory plan adopted by bylaw in accordance with the *Municipal Government Act*.

Municipal Government Act (MGA) or the Act means the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

Municipal Planning Commission (MPC) means a committee appointed by Council to act as a development authority and/or subdivision authority pursuant to the provisions of the *Municipal Government Act* and in accordance with the relevant municipal bylaw.

Municipal reserve means the land specified to be municipal reserve by a subdivision approving authority pursuant to the provisions of the *Municipal Government Act.*

Municipality means the geographic area of the Municipality of Crowsnest Pass in the Province of Alberta.

Municipal/school reserve means the land specified to be municipal and school reserve by a subdivision approving authority pursuant to the provisions of the *Municipal Government Act*.

Museum means a building or site used for the preservation, collection, restoration, display and/or demonstration of articles of historical significance and may include archival records of a geographic area or of a time period.

N

Natural resource extractive uses means those uses of land or buildings which are governed by the location of a natural resource, and which involve the extraction or on-site processing and/or storage of a natural resource, except those industries which are noxious or hazardous industries. Natural resource extractive uses include, but are not limited to, the following:

(a) cement and concrete batching plants;

(b) sand and gravel operations;

(c) logging and forestry operations, including sawmills; and

(d) such other uses as established by Council or the Municipal Planning Commission to be similar to any one or all of the above uses.

Natural Resources Conservation Board (NRCB) means the board established by provincial statute to regulate confined feeding operations and associated uses in the Province of Alberta.

Non-conforming building, in accordance with the *Municipal Government Act*, means a building:

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

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

Non-conforming use, in accordance with the *Municipal Government Act*, means a lawful specific use:

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

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

Non-serviced means in respect to a lot or parcel that neither a municipal water system nor a municipal wastewater~~sewage~~ system services it.

Noxious industry means an industry which is hazardous, noxious, unsightly or offensive and cannot, therefore, be compatibly located in an urban environment. Examples include, but are not limited to: anhydrous ammonia storage, abattoirs, oil and gas plants, seed cleaning plants, alfalfa depots, livestock sales yards, asphalt plants, alfalfa dehydrating plants, sanitary landfill sites, wastewater~~sewage~~ treatment plants or lagoons, auto wreckers or other such uses determined by the Municipal Planning Commission to be similar in nature.

Noxious industry, grouped means two or more contiguous noxious industries.

Nuisance means any use, prevailing condition or activity which has a detrimental effect on living or working conditions.

O

Office means development to accommodate:

(a) professional, managerial and consulting services;

(b) the administrative centres of businesses, trades, contractors and other organizations; and

(c) service-related businesses such as travel agents, insurance brokers, real estate agents.

Off-street parking space means a lot or parcel or portion thereof, excluding a public roadway, which is used or intended to be used as a parking area for motor vehicles.

Orientation means the arranging or facing of a building~~ or other structure~~ with respect to the points of the compass.

~~**Outdoor athletic and recreational facility** means a facility available to the public for sports and active recreation conducted outdoors. Typical uses include golf courses, driving ranges, ski hills, ski jumps, sports fields, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, boating facilities, outdoor swimming pools, bowling greens, riding stables and fitness trails.~~

Outdoor vehicle storage means the outdoor storage of vehicles including automobiles, recreation vehicles and boats.

Outhouse means a small, enclosed structure having one or more holes in a seat built over a pit and serving as an outdoor toilet not connected to any source of plumbing or sewerage system.

Outside storage means the open storage of goods, merchandise or equipment outside a building.

Owner means the person or persons shown as the owner(s) of land on the assessment roll of a municipality.

P

Parcel means, as may be determined by the context, 1) ~~in accordance with the *Municipal Government Act*, means~~ the ~~aggregate of the one or more~~ area~~s~~ of land described in a certificate of title or described in a certificate of title by reference to a plan ~~filed or~~ registered in a Land Titles Office, or 2) an area of land that is the subject of a lease or rental agreement.

Park means any public or private land available for recreational, educational, cultural or aesthetic use.

Park model recreational unit means a living unit, conforming to CSA~~-~~ Z241~~Z-421~~ standards, built on a single chassis mounted on wheels and designed to facilitate occasional relocation and include living quarters for temporary or seasonal residential use. Typically it is connected to utilities and skirted once installed on the parcel. For the purposes of this bylaw, this type of living unit is not the same as a ~~manufactured~~ modular home and will not be considered for a permanent dwelling.

Parking facility includes parking areas, parking spaces and parking structures which are defined as follows:

(a) **Parking area** means a portion of land or a building or a combination of both, set aside for and capable of providing space for the parking of a number of motor vehicles.

(b) **Parking space** means a space set aside for and capable of being used for the parking of one motor vehicle.

(c) **Parking structure** means a building ~~or other structure~~ designed for parking automobiles in tiers on a number of levels above each other whether above or below the ground.

Patio means an uncovered floor, usually made of concrete, brick or other masonry material, which is not elevated above the surface of the ground in any manner. Also see "Balcony", "Deck", "Porch" and "Veranda".

Pawn shop means an establishment primarily engaged in the loaning of money on the security of property pledged in the keeping of the pawn broker, and the sale of such property.

Permanent foundation means a foundation installed to provide structural support for a building ~~or structure~~, for a period of at least 20 years including: concrete slab on grade, concrete strip footings, wood or concrete full basement and pile or pier footings.

Permitted use means:

(a) the one or more uses of land or buildings that are stated in Schedule 2 as permitted uses; and

(b) uses which, in accordance with and subject to the *Municipal Government Act*, shall be issued a development permit with or without conditions (unless the use is exempted from requiring a development permit) if the proposed development conforms with this bylaw.

Personal care service means the provision of food, lodging and care for up to three individuals conducted in a conventional ~~single family~~Single-family dwelling which has common cooking and washroom facilities.

Personal service ~~use~~ means a development providing services for personal care and appearance; services for cleaning, servicing, altering and maintenance of personal effects and accessories. Personal service includes but is not limited to barber shops, beauty salons, tailors, diet centres, shoe repair shops, dry cleaners, upholstery and rug cleaners, laundromats, funeral homes and such other uses that the Municipal Planning Commission considers similar to any one or all of these uses.

Pet cemetery means the use of land or buildings for the interment of deceased domestic animals.

Place of worship means a building dedicated to the undertaking of religious practices and activities and includes churches, chapels, temples, parish halls, synagogues, convents, seminaries, monasteries, rectories, or mosques and may include such accessory uses as offices for administration of the place of worship, parsonages, and parish houses.

Plan of subdivision means a plan of survey prepared in accordance with the relevant provisions of the *Land Titles Act* for the purpose of effecting subdivision.

Planning advisor means the person or organization retained by the Municipality of Crowsnest Pass to provide planning-related advice or services.

~~**Playground** – see "Public park or recreation use".~~

Pollution means any non-point source impacts on the environment from substances such as sediments, nutrients, pesticides, bacteria, parasites or toxic chemicals that reach a watercourse by surface or subsurface flow through adjacent land, and the unauthorized release of any "deleterious substance" as defined in the *Fisheries Act* (Canada) or the unauthorized release of any substance whether non-point or

otherwise that may cause an adverse effect under provisions of the *Environmental Protection and Enhancement Act.*

Porch means a covered platform, usually having a separate roof, at a~~n~~ ground level entrance to a building~~dwelling~~, or an open or enclosed gallery or room, which is not heated or cooled, that is attached to the outside of a building. For the purpose of determining development standards (e.g. yard setbacks) a porch shall be considered to be part of the building that it is attached to. Also see "Balcony, "Deck", "Patio" and "Veranda".

~~**Portable garage** means a non-permanent structure designed by virtue of easy assembly and dismantling, commercially constructed of metal or synthetic tube and fabric, plastic or similar materials, and covered with waterproof sheeting, synthetic sheeting or plastic film, which shall meet all the requirements of the *Alberta Safety Codes*.~~

~~**Portable storage structure** means a framework structure made of steel or aluminum and covered by a fabric used to provide outdoor storage for vehicles and/or equipment.~~

Portable toilet means a prefabricated, enclosed closet used to provide temporary on-site toilet access that is hauled, by a contractor, to a particular location to accommodate a public assembly, a special event or a construction site where no permanent washroom facilities exist or to augment the limited facilities that are present.

Post office means a government approved facility charged with regulating and handling the transmission of mail or parcels in a country.

Primary access means the location and manner of the principal means of vehicular access and egress from a site or building.

Primary farm residence means the dwelling unit located on a farmstead as defined.

Primary Residence means the residence where a person normally resides and has control and management of the property by ownership.

Principal building means a building which:

(a) is the main building on a lot;

(b) by reason of its use, is the primary purpose for which the lot is used; and~~or~~

(c) ~~is~~includes any building~~ or structure~~, including a~~ deck,~~ garage or carport, that is attached to the principal building by a roof or a foundation.

Principal use means the main purpose for which a lot, parcel, or building is used or intended to be used.

Printing establishment, commercial means a retail business providing photocopying and/or commercial offset printing and retail services.

Printing establishment, industrial means a facility providing non-retail commercial, industrial printing and publishing services normally using automated, web-type presses or full colour process printing.

Private means the use of land or buildings intended for or restricted to the use of a particular person or group or class of persons which is not freely available to the general public.

~~**Private campground** – see "Campground, tourist".~~

Private club means a facility, not open to the general public, for the meeting, social or recreational activities of members of philanthropic, social services, athletic, business or service organizations, without on-site residences. Private clubs may include rooms for eating, drinking and assembly.

Professional engineer means an engineer who has been licensed to practice the profession of engineering by the Association of Professional Engineers and Geoscientists of Alberta (APEGA).

~~**Prohibited use** means one or more uses of land or buildings that are described in a land use district as prohibited uses.~~

Property line means any legal surveyed boundary of a parcel.

Provincial Land Use Policies means policies established by order of the Lieutenant Governor pursuant to the *Municipal Government Act*.

Public means the use of land or a building which is accessible or visible to all members of the community.

~~**Public and private i**~~**Institution**~~**al use**~~ means a use of land or buildings for any of the following public or semi-public developments:

(a) a school or educational facility whether public or private;

(b) churches or places of worship;

(c) medical facilities which provide both in-patient and out-patient services including hospitals, nursing homes and sanatoriums;

(d) government services, including~~and municipal~~ offices, yards, post office, libraries and similar developments;

(e) protective services, including fire stations, police stations, ambulance and rescue services;

(f) cemeteries; and

(g) such other uses as the Municipal Planning Commission considers similar in nature and character to any one of these.

~~**Public and private recreation use** means a public or private park, playground, recreation area, including but not limited to hiking, biking, snow sledding, skiing, all terrain vehicle (ATV), and/or walking trail, indoor or outdoor rink, gymnasium, sportsfield campground, historic or archaeological site or any similar facility or use of land or buildings provided that the park, playground, recreation area or similar facility is owned and/or administered by any level of government, a private organization, association or society or private individual.~~

Public open space means land which is not in private ownership and is open to use by the public.

Public or quasi-public building or use means a facility owned or operated by or for the municipality, the provincial government, the federal government, or a corporation which is an agent of the Crown under federal or provincial statute for the purpose of furnishing services or commodities to or for the use of the inhabitants of the municipality.

~~**Public park or recreation use** means a public park, playground, recreation area, indoor or outdoor rink, gymnasium, sportsfield, historic or archaeological site or any similar facility or use of land or buildings provided that the park, playground, recreation area or similar facility is owned and/or administered by any level of government.~~

Public picnic area means land~~, structures~~ or buildings used for picnicking or similar activities, which is not in private ownership and is open to use by the public.

Public roadway means, in a city, town, new town, village or summer village, the right-of-way of all or any of the following:

(a) a local road,

(b) a service road,

(c) a street,

(d) an avenue, or

(e) a lane.

Public thoroughfare means any pathway, sidewalk, bridge, lane, service road, local street, collector street, arterial street, or highway.

Public utility means the right-of-way for one or more of the following:

(a) telecommunications systems;

(b) waterworks systems;

(c) wastewater~~sewage~~ systems;

(d) stormwater drainage and retention facilities;

(d) heating systems;

(e) systems for the distribution of gas, whether natural or artificial;

(f) systems for the distribution of artificial light or electric power.

Public Utilities means any one or more of the following:

(a) systems for the distribution of gas, whether artificial or natural;

(b) facilities for the storage, transmission, treatment, distribution or supply of water or electricity;

(c) facilities for the collection, treatment, movement or disposal of wastewater~~sanitary sewage~~;

(d) stormwater ~~sewage~~ drainage and retention facilities;

(e) any other things prescribed by the Lieutenant Governor in Council by regulation;

but does not include those systems or facilities referred to in subclauses (a) to (d) that are exempted by the Lieutenant Governor in Council by regulation.

Private Utilities means liquid natural gas, propane, geothermal heating, electric power (including "Alternative / Renewable Energy" systems), communication, a water well, a Private Sewage Disposal System, water and wastewater utilities, and stormwater drainage and retention facilities, that are located on private property, that are specifically and only intended for personal / private use by the occupants of the subject property, that may require permits under the Safety Codes Act, and that may or may not be connected to "Public Utilities" owned and operated by the municipality or a third-party service provider.

Q

Quarter section means a titled area of approximately 64.8 hectares (160 acres).

R

Railway means any use connected with the direct operation of a railway system.

Ready-to-move (RTM) home means a house that would normally be built on a construction site, but for various reasons, such as cost and location, the RTM gets built on the plant site. It is then loaded and transported as one unit on to the proper moving equipment and delivered to the client's location.

Real property report (RPR) means a legal document that illustrates in detail the location of all relevant, visible public and private improvements relative to property boundaries.

Rear lane means service access, generally for vehicular traffic at the rear of properties.

~~**Public and private r**~~**Recreation Facility**~~**use**~~ means a ~~public or private~~ park, playground, or recreation area, including but not limited to hiking, biking, snow sledding, snowboarding, skiing, all-terrain vehicle (ATV), and/or walking trail, golfing, indoor or outdoor rink, gymnasium, sports field, ~~campground,~~ historic or archaeological site, or any similar facility or use of land or buildings, and may include as associated uses incidental to the principal recreational use a campground, a recreational vehicle park, a resort, dining or eating facilities and retail commercial uses ~~provided that the park, playground, recreation area or similar facility is owned and/or administered by any level of government, a private organization, association or society or private individual~~.

Recreational vehicle means a vehicular unit, which is designed as a temporary or seasonal dwelling for travel, recreational and vacation use, and which is either self-propelled, mounted on, or pulled by another vehicle. Examples include but are not limited to a travel trailer, camping trailer, truck camper, motor home, fifth-wheel trailer, or van.

Recreational vehicle park ~~– see "Campground, private".~~means the use of an area developed specifically and only for the occupancy of Recreational Vehicles on stalls that are collectively serviced with potable water supply and sanitary wastewater disposal systems for seasonal operation. An RV in a Recreational Vehicle Park may be parked on its designated stall year-round however, a "Recreational Vehicle Park" does not include and shall not be used as "Recreational Vehicle Storage" or as permanent residential occupancy. A Recreational Vehicle Park may be developed in association with related recreational activities such as hiking, skiing or riding trails, picnic grounds, boating facilities and playgrounds. Also see the definition of Campground.

Recreational vehicle sale and rental means a facility for the retail sale or rental of new or used motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar recreational vehicles, bicycles, and skis and may include incidental maintenance services and sale of parts.

Recreational vehicle sanitary pump out site means a facility for the disposal of wastes from recreational vehicles.

Recreational vehicle storage means a fenced compound used for the parking, wintering, or storing of trailers, motor homes, boats, quads, recreational vehicles and/or hauling structures licensed under the *Motor Vehicles Administration Act* for a specified fee paid to the owner or proprietor of the property. Temporary sleeping accommodation is not allowed in "Recreational Vehicle Storage".

Recycling facility means the use of land or buildings for the purchasing, receiving and/or temporary storage of discarded articles, provided that the use does not generate a detrimental effect or nuisance beyond the boundaries of the lot or site on which it is situated. A recycling facility may involve supplementary production of by-products or materials and includes bottle, can and paper recycling depots.

Regionally sensitive areas means lands within the municipality that are or may be environmentally sensitive including, but not limited to:

(a) a swamp;
(b) a gully, ravine or coulee;
(c) an escarpment;
(d) a natural drainage course;
(e) riparian lands adjacent to the beds and shores of rivers, streams, creeks, water bodies, or natural drainage courses;
(f) wetlands;
(g) lands subject to flooding, including flood risk areas, floodways, and flood fringe:
(h) unstable lands;
(i) contaminated lands;
(j) a public park;
(k) a designated historic or archaeological site;
(l) an environmentally significant area; or
(m) a forest reserve.

Registered owner means:

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

Religious assembly means development owned by a religious organization used for worship and related religious, philanthropic or social activities and includes accessory rectories, manses, meeting rooms, classrooms, dormitories and other buildings. Typical facilities would include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries.

Religious institution ~~—~~ see "Church" or "Place of worship".

Reserve land means environmental reserve, municipal reserve or school reserve or municipal and school reserve.

Residence ~~—~~ see "Dwelling".

Residential streets means streets whose primary function is to allow access to residential lots. A collector street may be classified as a residential street, providing the volume of traffic is not detrimental to living conditions.

Resort means a comprehensively planned and operated development offering recreational, educational, cultural, convention and conference facilities~~, together with~~ with or without resort visitor accommodation, in a location chosen for the unique qualities and attributes of its cultural or natural physical setting. Appropriate uses within a resort could include, but are neither required or~~not~~ limited to~~:~~ ~~visitor~~resort accommodation, dwelling units in their various forms as defined in this land use bylaw,~~private residences, convention and conference facilities, indoor and outdoor recreation facilities (e.g.~~ golf course~~s~~, ski hill~~s~~, riding stable~~s~~, tennis

courts, health spas), retail, and personal service facilities and other uses suitable to the location and compatible with adjacent land uses.

Resort accommodation means a accommodation inside a Resortfacility for visitors to thea resort, which may be in the form of visitor accommodation, apartments, cabins, hotels, lodges, campground or other dwelling units in their various forms as defined in this land use bylawforms of tourist accommodation.

Resource development activity means the removal of natural resources including oil, gas, minerals or timber on a commercial basis.

Resource extraction uses – see "Natural resource extractive uses".

Resource processing activity means the extraction, refining or other processing of natural resources including oil, gas, minerals or timber on a commercial basis.

Restaurant means an establishment where food is prepared and served on the premises for sale to the public, and may include entertainment which is ancillary to the preparation and service of food.

Retail means premises where goods, merchandise, other materials, and personal services are offered for sale at retail to the general public and includes limited on-site storage or limited seasonal outdoor sales to support that store's operations. Typical uses include but are not limited to grocery, hardware, pharmaceutical, appliance and sporting goods stores. This use excludes warehouse sales and the sale of gasoline, heavy agricultural and industrial equipment, alcoholic beverages, pawnshops, or second-hand goods, or retail stores requiring outdoor storage. Minor government services, such as postal services, are considered part ofpermitted within general retail stores.

Retail – large scale means a singular retail premises that exceeds 464.5 m^2 (5000 ft^2) in size not including those portions of the premises not used specifically for retail purposes. Typical uses include but are not limited to department stores, business and office supply stores and retailers that primarily sell electronics, appliances, furniture, clothing or sporting goods.

Retail store means a building where goods, wares, merchandise, substances, articles or things are stored, offered or kept for sale at retail, and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles or things sufficient only to service such a store.

Riding stable means a compound designed with stalls for the housing, bedding or confinement of four-legged animals used for riding purposes.

Rifle range means a designated practice area designed for the purpose of controlled discharge of firearms or archery equipment.

Riparian area means land that is comprised of the vegetative and wildlife areas strongly influenced by water that occur adjacent to streams, shorelines and wetlands which are delineated by the existence of plant species normally found near fresh water.

Rodeo grounds consists of an agricultural-recreation oriented facility where exhibiting horses and cattle and giving exhibitions of the speed, breeding and management of livestock and husbandry is one of its functions and purposes, and which may also include facilities (arena, chutes, grandstand, corrals, stables, concession booths, etc.) to carry out such purpose, and may be managed by civic, private or non-profit organizations.

Rowhouse dwelling or townhouse means a residential building containing three or more dwelling units, where each dwelling unit is joined in whole or in part at the side only and where no dwelling unit is located in whole or in part above another dwelling unit. Each dwelling unit in a rowhouse is separated from the abutting dwelling unit by a wall, generally extending from the foundation to the roof, and each dwelling unit is provided with its own direct access from grade.

Rural industry means an agriculturally-related industry which supports agriculture directly in rural areas and non-labour intensive industries which require relatively large areas of land, but require minimal on-site improvements, services and public amenities. Examples include, but are not necessarily limited to: seed cleaning plants, apiaries, grain elevators, storage warehouses, water treatment plants and reservoirs, and other uses determined by the Municipal Planning Commission to be similar in nature.

Rural industry, grouped means two or more contiguous rural industries.

S

Safety Codes Officer means a person certified ~~individual who is~~and authorized to perform inspections and enforce the regulations established in the National Building Code – 2019 Alberta Edition pursuant to the *Safety Codes Act*, Chapter S-1, RSA 2000, as amended.

Safety Code or **Building Code** or **NBC-ABE** means the National Building Code – 2019 Alberta Edition pursuant to the Safety Codes Act.

Salvage or waste disposal facility means development for purchasing, receiving or transporting of spent materials or substances which may generate a detrimental impact or nuisance beyond the boundaries of the lot or parcel on which it is situated. This term includes uses such as auto-wreckers, salvage and scrap yards, garbage container services, effluence tanker services and such other uses as the Municipal Planning Commission considers similar in character and nature to any one or all of these uses.

~~**Satellite dish** means an anchored structure designed to capture or receive broadcast signals beamed by satellites for audio-visual purposes.~~

~~**Satellite dish antenna** means a parabolic antenna including foundation used for the reception of satellite transmitted television or radio waves.~~

School means a place of instruction offering courses of study. Included in the category are public, private, and separate schools.

School, commercial means a place in instruction operated for profit but does not include a private school.

School, post-secondary means a public or private educational establishment providing academic, professional, trade, craft or other educational curriculum to post-secondary students.

School, private means a school, other than a school operated by a School Board under the *School Act*, that provides grade and secondary school instruction to pupils through courses prescribed or approved by the Minister of Education.

School, public or separate means a place of instruction operated with public funds pursuant to the *School Act*.

Scrap yard means a facility where materials are stored temporarily on the site for reprocessing into scrap materials for sale or where useable parts for used goods, equipment or vehicles are sold.

Screening means a fence, ~~wall,~~ berm or landscaping, or any combination thereof~~hedge~~, used to visually separate areas or functions which detract from the urban street or neighbouring land uses.

Seasonal means a use that coincides with weather-related or cultural times of the year.

Secondary Suite means a second dwelling unit located on the same property and land title as that on which an existing ~~Single-Family~~Single-family Dwelling is the principal use, but the Secondary Suite, regardless of its location, is sub-ordinate to the ~~Single-Family~~Single-family Dwelling in floor area. A Secondary Suite may be located inside a ~~Single-Family~~Single-family Dwelling or inside an Accessory Building that is located on the same property as an existing ~~Single-Family~~Single-family Dwelling. A Secondary Suite is a self-contained dwelling unit, which means that it provides sleeping, cooking and washroom facilities.

Seed cleaning plant – see "Rural industry".

Semi-detached dwelling means a residential building containing two dwelling units located side by side with separate access to each dwelling unit. The two dwelling units in a "Semi-detached dwelling" are connected either by a common floor or ceiling or by at least one common wall which extends from the foundation to the top of the first storey of both dwelling units.

Senior citizen housing means development, including lodges, which is used as a residence for elderly individuals not requiring constant or intensive medical care.

Service club – see "Private club".

Service road means a road located adjacent to a Provincial highway or local road, which is intended to provide access to one or more subdivided parcels.

Service station means premises or the portion thereof used or intended to be used for the servicing and minor repairing of motor vehicles and for the sale of gasoline, lubricating oils and minor accessories for motor vehicles.

Serviced means a parcel or a lot that is or will be serviced by a municipal water system and by a municipal wastewater~~sewage~~ system.

Setback means the minimum distance required between the property line of a lot and the nearest part of any building wall or post~~, structure,~~ edge of development excavation or extent of use on the lot, and is measured at a right angle to the lot line.

Shall means that the action is mandatory.

Shipping container~~, permanent~~ means a ~~permanently affixed~~ rectangular steel structure originally used to haul merchandise on a cargo ship~~sea-worthy vessel to a designated~~ to port from where the structure is then transported inland by transport truck and/or rail to its point of destination. Shipping containers may also include box cars and other transport trailers~~storage structures~~.

~~**Shipping container, temporary** means a temporarily affixed, in accordance with a timeline set out in Schedule 3 or Schedule 15 and/or a timeline set forth in a development permit, rectangular steel structure originally used to haul merchandise on a sea-worthy vessel to a designated port where the structure is then transported inland by transport truck and/or rail to its point of destination. Shipping containers may also include box cars and other storage structures.~~

Shopping malls means a unified concentration of retail stores and service establishments in a suburban area with generous parking space, usually planned to serve a community or neighbourhood.

Should means that the action is recommended.

Short-Term Rental / Bed & Breakfast means the operation of short-term commercial accommodation within a dwelling unit, including a Secondary Suite or a room(s) in or a portion of a dwelling unit for a period not exceeding 30 days, and the owner of the property is required to occupy the dwelling unit as their primary residence and be present on the premises during the operation of the Short-Term Rental / Bed & Breakfast. Refer to the definition of Primary Residence. Short-Term Rental / Bed & Breakfast does not include a boarding house, hotel, hostel, motel, or Tourist Home.

Show home means use of an unoccupied residential building as a sales office for a builder and/or as a facility to demonstrate a builder's construction quality, design options or methods.

Shrub means a single or multi-stemmed woody plant under 5.0 metres at maturity.

Sign has the same meaning as it has in the sign standards in Schedule 11 of this bylaw.

Similar use means a use which is not specifically considered in a land use district but, in the opinion of the Municipal Planning Commission, is similar in character and purpose to another use that is permitted or discretionary in the land use district in which such use is proposed, the Municipal Planning Commission may:

(a) rule that the proposed use is either a permitted or discretionary use in the land use district in which it is proposed; and

(b) direct that a development permit be issued in accordance with this bylaw.

~~**Single family**~~**Single-family** **dwelling** means a freestanding residential dwelling, other than a ~~manufactured/~~modular home, designed for the occupancy of a single family or household~~not forming part of and not physically attached to any other dwelling or structure~~. A "Single-family Dwelling" includes a "Ready-to-Move" home and a home that is built by "modular construction" methods but does not include a "Modular Home" as defined in this bylaw.

Site means that part of a parcel or a group of parcels on which a development exists or for which an application for a development permit is being made.

Site coverage means the percentage of the site area covered by a roofed building~~(s)~~ or structure~~(s)~~. Site coverage is also known as lot coverage.

~~**Ski hill** or facilities means a natural elevation of land, slope or trail suitable for the recreational art or sport of sliding, travelling or gliding on skis and may include ancillary uses such as a ski lift, lodge, and maintenance facilities whose purpose is to accommodate the use of such a ski hill in a designated area.~~

~~**Ski lift** means a motor-driven conveyor consisting usually of a series of bars or seats suspended from an overhead moving cable and used for transporting skiers or sightseers up a long slope.~~

~~**Ski lodge** means a retail development associated with the operation of a ski hill providing food and beverage services, washroom facilities, ski ticket sales and related accessory uses or facilities. This use does not include dwelling units or sleeping units.~~

~~**Ski resort** – see "Resort".~~

Skirt means a vertical adornment usually made of wood, metal or fabric attached to a dwelling unit to hide or screen the underbelly of the development.

Slope adaptive housing means housing which incorporates specific building and site design methods that minimize the impact of site development on the natural environment, ensures slope stability, and responds positively to the aesthetic opportunities presented by construction on sloping lands. Techniques to achieve this normally include: design of rooflines and building massing designs to echo the angles and shapes of the surrounding landscape; breaking up of the building mass to conform to the slope; and the use of indigenous materials and compatible colours.

Sod farm means the commercial growing of sod through seeding and stripping of topsoil to sell the final product.

Souvenir shop means a retail store which sells various souvenirs and mementos and generally caters to the shopping needs of visitors.

Stake out of the site means the process of measuring the site and designating the areas on the site where construction will occur.

Statutory plan means a municipal development plan, area structure plan or area redevelopment plan adopted under the *Municipal Government Act*.

Stop order means an order issued by the Development Authority pursuant to the relevant provisions of the Act ~~*Municipal Government Act*~~.

Storage means a space or place where goods, materials, equipment or personal property is placed and kept for more than 24 consecutive hours.

Storey means that portion of a building situated between the top of any floor and the top of the next floor above it or, if there is no floor above it, the ceiling above it. When the top of a floor directly above a basement is over 1.8 metres (6 ft.) above grade, that basement shall be considered a storey.

Street means a public thoroughfare that affords~~affording~~ the principal means of access to abutting parcels, and includes the sidewalks and the land on each side of and contiguous with the prepared surface of the thoroughfare, and that is owned by the municipality.

Structural alteration means a repair or alteration to the supporting members or fabric of a building which tends to either substantially prolong its use or alter its character.

Structure means any piece of work constructed or erected by man, including but not limited to an edifice or a building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner that requires location on the ground or attached to something having location on the ground.

Subdivision means the division of a parcel by an instrument, and "subdivide" has a corresponding meaning.

Subdivision and Development Appeal Board means the tribunal established, by bylaw, to act as the municipal appeal body for subdivision and development pursuant to the relevant provisions of the Act.

Subdivision and Development Regulation means the *Matters Relating to Subdivision and Development Regulation (Alberta Regulation 84/2022)*~~regulations~~, established and amended from time to time by order of the Lieutenant Governor in Council pursuant to the *Municipal Government Act*.

Subdivision approval means the approval of a subdivision by a subdivision approving authority.

Subdivision Authority means the person or body empowered to approve a subdivision.

Surveillance suite means a dwelling unit or sleeping unit that is developed in conjunction with a principal use so that the dwelling is a supplementary use to that principal use, and which is used solely to accommodate a person or persons, whose function is to provide surveillance, maintenance and/or security for a development provided for in the land use district.

T

Take-out service means the sale of food or beverages in a form ready for consumption from a restaurant or other premises where a significant portion of the consumption will take place off the premises.

Tandem parking space means a parking space that is located behind another parking space and which, if used, prevents the other space from being accessed by a motor vehicle.

Taxi service means a business established to provide chauffeur-driven automobile transportation available on call to carry a passenger between two points for a fare determined by a taximeter or flat rate.

Taxidermist means an individual engaged in the art of preparing life-like representations of animals by stuffing the skin or usually fashioning a wooden or plaster model on which the skin of the specimen is mounted or moulded.

Taxidermy means the art of preparing life-like representations of animals by stuffing the skin or usually fashioning a wooden or plaster model on which the skin of the specimen is mounted or moulded.

Telecommunication facility means a tower, typically constructed of metal and used to convey telecommunications signals and includes any related accessory building~~ancillary structures~~. It may also be a shortened tower or antennae on top of a structure.

Temporary auto sales means the temporary use of land for the purpose of the sale of new or used motor vehicles, but does not include auto repairs.

Temporary development means a development for which a development permit has been issued for a limited time period not exceeding 30 consecutive days, unless authorized by the Development Authority for a longer period.

Temporary storage yard means development used exclusively for temporary outside storage of goods and materials where such storage of goods and materials does not involve the erection of permanent buildings~~structures~~ or the material alteration of the existing state of the land. Typical uses include storage yards for construction vehicles, equipment and materials or recreation vehicles.

Temporary structure means a structure without any foundation or footings, and which is removed when the designated time~~-~~period, activity or use for which the temporary structure was erected and ceased.

Tenant means a person who rents, leases or sub-leases, through either a written or oral agreement, real property from another individual or entity.

Theatre means a building ~~or structure~~ designed for the showing of motion pictures or to accommodate live performances.

Tourist Home means the operation of short-term commercial accommodation within a dwelling unit, including a Secondary Suite, or a room(s) in or a portion of a dwelling unit for a period not exceeding 30 days and the owner of the property is not required to occupy the dwelling unit as their primary residence. Refer to the definition of Primary Residence. Tourist Home does not include a boarding house, hotel, hostel, motel, or Short-Term Rental / Bed & Breakfast.

Tower means a vertical structure used to support, including but not limited to telecommunication, navigational, microwave, power generation, telephone, transmission, cellular or directional devices.

Townhouse or **Rowhouse** means a single building comprised of three or more dwelling units separated from each other by walls extending from foundation to roof, with each dwelling unit having a separate, direct, at grade entrance. This includes all row, linked, patio, garden court or other housing which meet these criteria. A townhouse development may consist of a group of buildings each of which contains three or more dwelling units.

~~**Townhouse, stacked** means a multi-family dwelling comprised of three or more dwelling units and constructed such that one or more dwelling units are located totally or partially above another dwelling unit, and each having a separate, direct entrance from grade or a landscaped area. A stacked townhouse development may consist of a group of buildings each of which contains three or more dwelling units.~~

Transport trailer means a rectangular steel structure mounted on a series of axles and wheels used to haul merchandise while being towed by a transport truck licensed under the *Motor Vehicles Administration Act* or subsequent provincial legislation.

Travel agency means an office or enterprise engaged in the selling, arranging or furnishing of information regarding personal transportation or travel.

Triplex means a single building comprised of three dwelling units, each unit having a separate, direct entrance from grade or a landscaped area.

Truck repair and servicing means a facility for the servicing and repair primarily of licensed motor vehicles with a gross vehicle weight in excess of 4000 kg (8818 lbs.).

Truck stop means a service station which caters to large commercial vehicles such as semi-trailer trucks as well as intermediate-sized vehicles and passenger vehicles. The use "Truck stop" includes an accompanying restaurant or cafe as well as a card lock or key lock motor vehicle fuel dispensing facility. The use may also include general retail sales, vehicle towing services, limited vehicle sales or rentals and similar uses provided that any such uses are clearly accessory uses and incidental to the operation of the truck stop in the opinion of the Development Authority.

Truck transport depot means a centralized area for the parking, loading, unloading, storage or servicing of large commercial trucks engaged in the business of transporting goods and materials to specified destinations.

Truck wash – see "Car wash".

Trucking establishment means a facility for the purpose of storing and dispatching trucks and tractor trailers for transporting goods.

U

Unsubdivided quarter section means a titled area of 64.8 hectares (160 acres) more or less, but excluding road widening, previous subdivision for school sites and other public uses.

Urban municipality means the area of a town or village.

Use means the purposes for which land or a building is arranged or intended, or for which either land~~,~~ or a building ~~or a structure~~ is, or may be, occupied and maintained.

Use, discretionary means the one or more uses of land or buildings in a land use district from which a development permit may be approved at the discretion of the Development Authority ~~or Subdivision and Development Appeal Board~~ with or without conditions.

Use, non-conforming, in accordance with the *Municipal Government Act*, 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 of a land use bylaw or any amendment thereof, affecting the land or building, becomes effective; and

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

Use, permitted means those uses as prescribed in Schedule 2 of this bylaw for which a development permit shall be issued with or without conditions by the Development Authority upon application having been made to the Development Authority if the proposed development conforms with this bylaw.

Use, principal means the main purpose or primary activity for which a site or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.

Use, similar means a use of land or building(s) for a purpose that is not provided in any district designated in this bylaw, but is deemed by the Development Authority to be similar in character and purpose to another use of land or buildings that is included within the list of uses prescribed for that district.

~~**Utilities** means any one or more of the following:~~

~~(a) systems for the distribution of gas, whether artificial or natural;~~

~~(b) facilities for the storage, transmission, treatment, distribution or supply of water or electricity;~~

~~(c) facilities for the collection, treatment, movement or disposal of sanitary sewage;~~

~~(d) storm sewage drainage facilities;~~

~~(e) any other things prescribed by the Lieutenant Governor in Council by regulation;~~

~~but does not include those systems or facilities referred to in subclauses (a) to (d) that are exempted by the Lieutenant Governor in Council by regulation.~~

V

Variance – ~~see "Waiver"~~ means the relaxation by the Development Authority of a development standard or regulation established in the land use bylaw.

Vegetation management means the manipulation of plant material for purposes such as the spread of wildfires, or the control of plants or diseases.

Vehicle sales and rental use means a use of land or buildings for the sale or rental of automobiles, vans, motorcycles, snowmobiles, tent and holiday trailers, boats and other recreational vehicles and craft and trucks with a tare weight not exceeding 5,900 kg (13,000 lbs.). This use includes supplementary vehicle maintenance and cleaning, sale of parts and accessories and dispensing of motor fuel.

Veranda means a porch or balcony, ~~usually~~ roofed and often partly enclosed, extending along the outside of a building. For the purpose of determining development standards (e.g. yard setbacks) a veranda shall be considered to be part of the building that it is attached to. Also see "Balcony", "Deck", "Patio" and "Porch".

Veterinary clinic means a facility for the care of animals but does not include outdoor pens, runs or enclosures.

~~**Visitor accommodation** means a building or group of buildings not intended for residential use where sleeping facilities are provided for persons for periods of up to 30 days and which may also contain recreational facilities, commercial uses and additional facilities including but not limited to eating establishments, drinking establishments, room service, meeting rooms, public convention rooms, and laundry service. Where the majority of visitor accommodation units within the visitor accommodation contain suites of more than one room, two or more of the following services shall be provided: eating establishment, drinking establishment, room service, public convention room, or laundry service. This definition does not include lodges.~~
~~**Visitor accommodation unit** means a room or suite of rooms located within visitor accommodation which has a door leading directly to a public hallway or other public access area.~~

W

~~**Waiver** means the relaxation or variance of a development standard established in the land use bylaw. For the purpose of this bylaw, only the Development Authority can waive provisions of the land use bylaw.~~

Warehouse means a building used or intended to be used predominantly for the indoor storage of goods and merchandise.

Warehouse store means a facility for the wholesale or retail sale of a limited range of bulky goods from within an enclosed building where the warehouse or storage component occupies at least 50 percent of the gross floor area and retail uses occupy 50 percent or less of the gross floor area. Typical uses include furniture, carpet and appliance warehouses.

Warehousing means the use of a building for the storage of materials, products, goods and merchandise.

Watercourse means a stream usually flowing in a particular direction, in a definite natural or artificial channel, having a bed or banks, though it need not flow on a continual or permanent basis.

Welding shop means a business engaged in the fabrication, assembly or repair of machinery or equipment by heating materials to a fluid state and uniting or consolidating them at a common point known as a weld.

Wetland means those areas that are inundated and saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil condition including swamps, marshes, bogs and similar areas.

Wildland-Urban Interface (WUI) means an identified area where residential, industrial or agricultural developments are located within or near wildland settings with natural vegetation, that puts the development at risk from wildfire.

Wildlife corridor means an area which provides or is designed to provide connectivity between patches of wildlife habitat. Wildlife corridors generally do not fulfil~~fulfill~~ the requirements of wildlife habitat patches except for the physical security provided by vegetative cover or other buffers from development.

Wind energy conversion system (WECS) means a system consisting of subcomponents which convert wind energy to electrical energy and having major components being generator rotors, tower and a storage system.

Work camp means a temporary residential complex used to house workers for a contracting firm or project on a temporary basis up to four (4) years. The camp is usually made up of a number of ~~manufactured~~ modular units, clustered in such fashion as to provide sleeping, eating, recreation and other basic living facilities. A work camp may include an area dedicated for the parking of Recreational Vehicles to be used by occupants of the work camp for sleeping accommodations.

Workshop means a small establishment where manufacturing or craftwork is carried on by an individual or proprietor with or without helpers or power machinery.

Y

Yard or Yard Setback means the undeveloped~~open~~ space, on a site, that lies between the wall of a principal building or~~and~~ an accessory building ~~or structure~~ and the nearest section of a designated lot line.

Yard, front means a yard extending across the full width of the site and measured, as to depth, at the least horizontal distance between the front street line and the nearest projection of the principal building as shown in Figure 3.

Yard, rear means a yard which extends the full width of a site and measured, as to depth, at the least horizontal distance between the rear property line and the nearest projection of any building as shown in Figure 3.

Yard, side means a yard extending from the front yard to the rear yard, and measured as to width at the least horizontal distance between the side property line or side street line and the nearest projection of any building as shown in Figure 3.

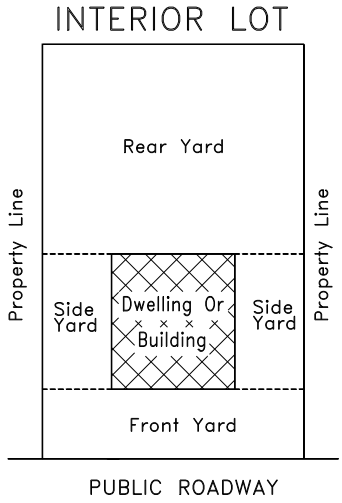


FIGURE 3

MUNICIPALITY OF CROWSNEST PASS

IN THE PROVINCE OF ALBERTA

LAND USE BYLAW NO. 868-2013

Prepared by

OLDMAN RIVER REGIONAL SERVICES COMMISSION

June 2013

(Consolidated to Bylaw No. 1110, March 2022~~1051, September 2020~~)

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DEFINITIONS

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: August 16, 2022

Agenda #: 7.b

Subject: Bylaw 1120, 2022 - Amendment to Bylaw 946, 2016 - the Safety Codes Permit Bylaw - FireSmart Principles - First Reading

Recommendation: That Council give first reading to Bylaw 1120, 2022, amendment to the Safety Codes Permit Bylaw - FireSmart Principles, and schedule a public hearing for September 13, 2022.

Executive Summary:
The purpose of Bylaw No. 1120, 2022 amendment to the Safety Codes Permit Bylaw - FireSmart Principles is to move the FireSmart regulations from the Land Use Bylaw, which does not facilitate implementation and enforcement of building standards, materials and practices and is inoperative to that extent, to a new FireSmart Bylaw (Bylaw 1121, 2022) in conjunction with an amendment to the Safety Codes Permit Bylaw.

Bylaw 1121, 2022 the FireSmart Bylaw, appears as a separate item in the Council agenda.

Relevant Council Direction, Policy or Bylaws:
Safety Codes Act, Chapter S-1, the Forest and Prairie Protection Act, Chapter F-19, and the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta 2000, as amended.

Bylaw 946, 2016 the Safety Codes Permit Bylaw.

Bylaw 1115, 2022 Land Use Bylaw Amendment Omnibus No. 2.

Bylaw 1121, 2022 the FireSmart Bylaw.

Discussion:
Many of the matters in FireSmart principles relate to construction materials, standards, and methods, which cannot be effectively regulated in the Land Use Bylaw because they are not land use and planning related. Further, section 66 of the Safety Codes Act states that a municipal bylaw that purports to regulate matters that are regulated under the Safety Codes Act, is inoperative (e.g. a land

use bylaw cannot specify the use of fire-resistant building materials). The Safety Codes Act allows a municipality to make a bylaw to carry out its powers under the Forest and Prairie Protection Act (regarding protection against fire hazards). As a result, Bylaw 1115, 2022 Land Use Bylaw Amendment Omnibus No. 2 removes Schedule 14 FireSmart Regulations from the land use bylaw. In its place, Bylaw 1120, 2022 proposes an amendment to the Safety Codes Permit Bylaw pursuant to section 66 of the Safety Codes Act, and Bylaw 1121, 2022 a new FireSmart Bylaw is proposed pursuant to sections 10 and 25 of the Forest and Prairie Protection Act.

Analysis of Alternatives:
N/A

Financial Impacts:
N/A

Attachments:
Bylaw 1120 2022 - Amend Safety Codes Permit Bylaw - FireSmart Principles.pdf

MUNICIPALITY OF CROWSNEST PASS

BYLAW NO. 1120, 2022

SAFETY CODES PERMIT BYLAW AMENDMENT – FIRESMART PRINCIPLES

BEING a bylaw of the Municipality of Crowsnest Pass in the Province of Alberta, to amend Bylaw No. 946, 2016, being the municipal Safety Codes Permit Bylaw, in accordance with and pursuant to the provisions of the Safety Codes Act of Alberta, as amended, relative to the bylaw making powers of a municipality to regulate the form, content and costs of permits for the use, occupancy, relocation, construction or demolition of buildings as well as for the cost of permits for electrical, gas, plumbing and private sewage disposal system installations.

WHEREAS the Legislature of the Province of Alberta has passed the Safety Codes Act, Chapter S-1, Revised Statutes of Alberta 2000, as amended;

AND WHEREAS the Municipality of the Crowsnest Pass is an accredited Municipality;

AND WHEREAS pursuant to section 66 of the Safety Codes Act, the Municipality of the Crowsnest Pass as an accredited municipality may make Bylaws:

(a) respecting fees for anything issued or any material or service provided pursuant to this Act,

(b) respecting the carrying out of its powers and duties as an accredited municipality,

(c) to carry out its powers and duties under the Forest and Prairie Protection Act, and

(d) respecting minimum maintenance standards for buildings and structures.

AND WHEREAS the Council of the Municipality of Crowsnest Pass determines it prudent to move the FireSmart regulations from the Land Use Bylaw, which does not facilitate implementation and enforcement of building standards, materials and practices and is inoperative to that extent, to a new FireSmart Bylaw in conjunction with an amendment to the Safety Codes Permit Bylaw, it wishes to amend the Safety Codes Permit Bylaw accordingly.

NOW THEREFORE, under the authority and subject to the provisions of the Safety Codes Act, Chapter S-1 and the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta 2000, as amended, the Council of the Municipality of Crowsnest Pass in the Province of Alberta duly assembled does hereby enact the following bylaw amendments:

1. Under DEFINITIONS, amend definition 2.8 by replacing "**ABC** means the Alberta Building Code" with "**NBC-ABE** means the National Building Code – 2019 Alberta Edition".

2. In sections 15.2.1, 15.2.2, 15.2.4, 15.3.1.1, 15.4.2, 24.1, SCHEDULE A-3: BUILDING DISCIPLINE, and any other applicable occurrence of "ABC" or "Alberta Building Code" throughout the bylaw, replace those terms respectively by "NBC-ABE" and "National Building Code – 2019 Alberta Edition".

3. Under DEFINITIONS, add a new definition as follows:

   "2.10 "FireSmart" means the voluntary programs presently established at federal and provincial levels to promote the use of fire rated construction materials and other considerations that could reduce the risk of wildfires impacting communities in the Wildland-Urban Interface."

4. Add a new section 15.12 and 15.12.1 as follows:

   "15.12 The Municipality supports the Alberta and Canadian FireSmart Program and pursuant to Section 66(2)(a) of the Safety Codes Act and Sections 10 and 25 of the Forest and Prairie Protection Act, Revised Statutes of Alberta, 2000, Chapter F-19, hereby requires the following:

15.12.1 In reviewing plans and making a decision on a Safety Codes Permit application on land that is located within or adjacent to the Wildland-Urban Interface as identified in the FireSmart Bylaw No. 1121, 2022, the Safety Codes Officer shall consider the provisions of that Bylaw and may direct the applicant for a Safety Codes Permit to use fire-rated construction materials and/or methods and/or standards as referenced in that Bylaw, subject to and in accordance with any fire-safety related provisions and standards in the National Building Code – 2019 Alberta Edition."

5. Bylaw No. 946, 2016 is hereby amended.
6. Bylaw No. 1120, 2022 shall come into effect upon third and final reading hereof.

READ a **first** time in council this _____ day of _____ 2022.

READ a **second** time in council this _____ day of _____ 2022.

READ a **third and final** time in council this _____ day of _____ 2022.

_____
Blair Painter
Mayor

_____
Patrick Thomas
Chief Administrative Officer

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: August 16, 2022

Agenda #: 7.c

Subject: Bylaw 1121, 2022 - FireSmart Bylaw - First Reading

Recommendation: That Council give first reading to Bylaw 1121, 2022, FireSmart Bylaw, and schedule a public hearing for September 13, 2022.

Executive Summary:
The purpose of Bylaw No. 1121, 2022 is to move the FireSmart regulations from the Land Use Bylaw, which does not facilitate implementation and enforcement of building standards, materials and practices and is inoperative to that extent, to a new FireSmart Bylaw in conjunction with an amendment to the Safety Codes Permit Bylaw (Bylaw 1120, 2022).

Bylaw 1120, 2022 an amendment to the Safety Codes Permit Bylaw regarding FireSmart Principles, appears as a separate item in the Council agenda.

Relevant Council Direction, Policy or Bylaws:
Safety Codes Act, Chapter S-1, the Forest and Prairie Protection Act, Chapter F-19, and the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta 2000, as amended.

Bylaw 946, 2016 the Safety Codes Permit Bylaw.

Bylaw 1120, 2022 amendment to the Safety Codes Permit Bylaw - FireSmart Principles.

Bylaw 1115, 2022 Land Use Bylaw Amendment Omnibus No. 2.

Discussion:
Many of the matters in FireSmart principles relate to construction materials, standards, and methods, which cannot be effectively regulated in the Land Use Bylaw because they are not land use and planning related. Further, section 66 of the Safety Codes Act states that a municipal bylaw that purports to regulate matters that are regulated under the Safety Codes Act, is inoperative (e.g. a land use bylaw cannot specify the use of fire-resistant building materials). The Safety Codes Act allows a

municipality to make a bylaw to carry out its powers under the Forest and Prairie Protection Act (regarding protection against fire hazards). As a result, Bylaw 1115, 2022 Land Use Bylaw Amendment Omnibus No. 2 removes Schedule 14 FireSmart Regulations from the land use bylaw. In its place, Bylaw 1120, 2022 proposes an amendment to the Safety Codes Permit Bylaw pursuant to section 66 of the Safety Codes Act, and Bylaw 1121, 2022 a new FireSmart Bylaw is proposed pursuant to sections 10 and 25 of the Forest and Prairie Protection Act.

Analysis of Alternatives:
N/A

Financial Impacts:
N/A

Attachments:
Bylaw 1121 2022 FireSmart Bylaw.pdf

MUNICIPALITY OF CROWSNEST PASS
BYLAW NO. 1121, 2022
FIRESMART BYLAW

BEING a bylaw of the Municipality of Crowsnest Pass in the Province of Alberta, in accordance with and pursuant to Sections 10 and 25 of the Forest and Prairie Protection Act, Revised Statutes of Alberta, 2000, Chapter F-19, as amended, section 66 of the Safety Codes Act, Chapter S-1, Revised Statutes of Alberta 2000, as amended, and the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta 2000, as amended.

WHEREAS the Council of the Municipality of Crowsnest Pass determines it prudent to support FireSmart principles within its jurisdiction, it wishes to make a FireSmart Bylaw as follows:

1. The Wildland Urban Interface Fire Hazard Map attached hereto as Schedule 'A' and forming part of this bylaw identifies critical development areas within the Municipality.

2. All subdivisions approved under the Municipal Government Act and, subject to provisions in the National Building Code – 2019 Alberta Edition, all construction projects approved under the Safety Codes Act, on property located within or adjacent to the Wildland Urban Interface (WUI) shall be subject to the requirements outlined in this bylaw and shall consider, and incorporate as may be deemed prudent and appropriate, the relevant best practices as may be established in "FireSmart" manuals prepared by Partners in Protection and others.

3. Notwithstanding provisions in any other bylaw, the Subdivision Authority and the Safety Codes Officer, at their sole discretion, may require a developer to provide a higher or an alternative standard than those outlined in this bylaw.

4. The Subdivision Authority and/or the Safety Codes Officer may forward any subdivision or Safety Codes Permit application to the appropriate provincial government agency for comment or concurrence prior to rendering a decision.

5. The Subdivision Authority and/or the Safety Codes Officer may require an applicant to undertake a Wildland Urban Interface Risk Assessment and provide mitigative measures for a proposed subdivision or for a construction project on a specific property, as part of the approval process.

6. Any construction project for new construction or renovation, replacement or retrofitting of an existing structure within or adjacent to the Wildland Urban Interface shall be required to consider, and to incorporate as may be deemed prudent and appropriate, the relevant best practices, including appropriate building materials, as may be established in "FireSmart" manuals prepared by Partners in Protection and others, subject to provisions in the National Building Code – 2019 Alberta Edition.

7. The Designated Officer (or the Fire Chief) may require a developer or landowner to remove vegetation or fuel load stockpiles on vacant or developed lots, pursuant .

8. As a condition of development permit approval, the Development Authority may require a developer to implement relevant best practices, including appropriate landscaping materials and standards, as may be established in "FireSmart" manuals prepared by Partners in Protection and others.

9. As part of the area structure planning and/or subdivision approval processes, the Municipality and the Subdivision Authority shall consider infrastructure development relevant to wildfire risk (access, egress,

the method of water supply for fire protection in an un-serviced rural subdivision, powerlines, propane tanks, etc.) and may require that the developer make the necessary provisions to address these matters to the Municipality's or the Subdivision Authority's satisfaction, and at no cost to the Municipality.

10. The Subdivision Authority shall consider the provision of land for municipal and/or environmental reserve to aid in the protection against fire hazard adjacent to Wildland-Urban Interface areas at the time of a subdivision approval.

11. The Municipality may require a developer of a new subdivision to fuel-modify Environmental Reserve and Municipal Reserve lands through the terms and conditions of a development agreement.

AND WHEREAS the Municipality must provide for the consideration of this bylaw at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Forest and Prairie Protection Act, Revised Statutes of Alberta, 2000, Chapter F-19, as amended, section 66 of the Safety Codes Act, Chapter S-1, Revised Statutes of Alberta 2000, as amended, and the provisions of the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta 2000, as amended, the Council of the Municipality of Crowsnest Pass in the Province of Alberta duly assembled does hereby enact this bylaw.

This bylaw shall come into effect upon third and final reading hereof.

READ a **first** time in council this _____ day of _____ 2022.

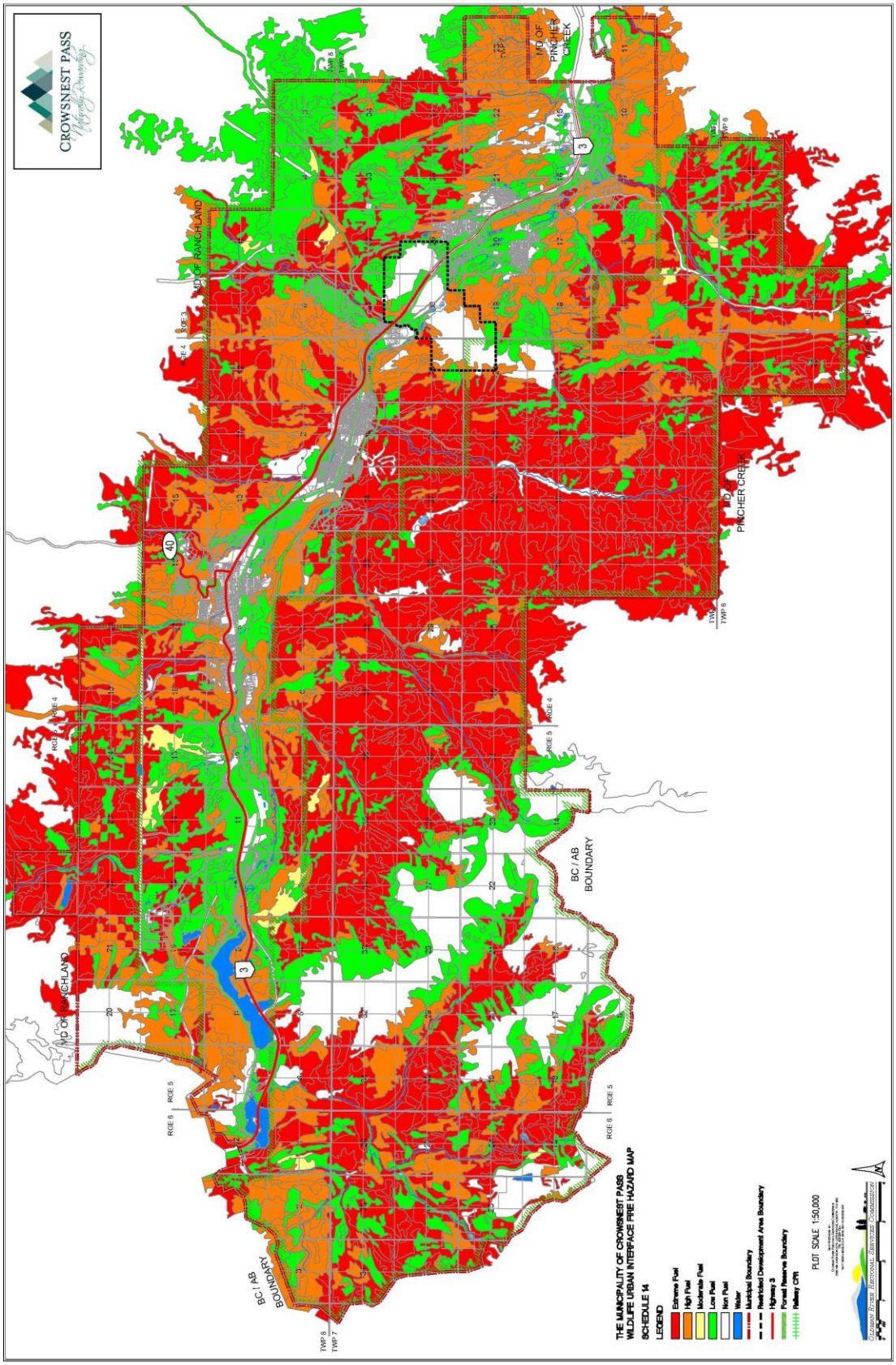
READ a **second** time in council this _____ day of _____ 2022.

READ a **third and final** time in council this _____ day of _____ 2022.

_____
Blair Painter
Mayor

_____
Patrick Thomas
Chief Administrative Officer

SCHEDULE 'A'
Wildland Urban Interface Fire Hazard Map



Municipality of Crowsnest Pass
Request for Decision

Meeting Date: August 16, 2022

Agenda #: 7.d

Subject: Bylaw 1124, 2022 - Road Closure Bylaw (A portion of 207th Street- Bellevue) - First reading

Recommendation: That Council give first reading to Bylaw 1124, 2022 and provide for a public hearing to be held September 13, 2022.

Executive Summary:
Bylaw 1124, 2022 proposes the closure of a 410 m² portion of 207 Street in Bellevue to create a new developable residential parcel. This will also facilitate access to the adjacent Municipally-owned property that is proposed for sale and development (by the same applicant).

Relevant Council Direction, Policy or Bylaws:
Section 22 of the Municipal Government Act
Motion 08-2022-02-01

Discussion:
This portion of 207 Street will not be developed as a road because of the topography.

The applicant has applied to purchase the adjacent lot to the east, and while the applicant was conducting his due diligence review of the site to the east, it was discovered that access to the building site would be very steep, and that closing the portion of road to create a new developable lot, would at the same time facilitate access to both properties.

After the Public Hearing, Administration will forward the Bylaw to the Minister of Transportation for signature at which time the bylaw will return to Council for second and third reading. A subdivision application will then follow in order to subdivide the closed road portion, and another bylaw is required to redistrict the new parcel to the R-1 district.

Analysis of Alternatives:
1. Council may proceed with first reading of Bylaw 1124, 2022, and schedule a public hearing for

future date. (September 13, 2022)

2. Council may defer first reading of Bylaw 1124, 2022 and outline what additional information they would like to see with reconsideration.

Financial Impacts:

If the application proceeds, the Municipality will receive $5,675 plus GST, plus the assessment revenue on two smaller single family homes.

Attachments:

FORMATTED Bylaw 1124, 2022 Road Closure 5th Street.docx

Schedule_A.pdf

MUNICIPALITY OF CROWSNEST PASS
BYLAW NO. 1124, 2022
ROAD CLOSURE BYLAW

BEING a Bylaw of the Municipality of Crowsnest Pass for the purpose of closing to Public Travel and creating title to and disposing of portions of a Public Highway in accordance with Section 22 of the Municipal Government Act, chapter M-26, revised Statutes of Alberta 2000, as amended.

WHEREAS the lands hereafter described are no longer required for public travel,

WHEREAS application has been made to Council to have the roadway closed, and

WHEREAS the Council of the MUNICIPALITY OF CROWSNEST PASS deems it expedient to provide for a bylaw for the purpose of closing to public travel certain roads or portions thereof, situated in the said municipality and thereafter creating title to and disposing of same, and

WHEREAS notice of intention of Council to pass a bylaw has been given in accordance with Section 606 of the Municipal Government Act, and

WHEREAS Council was not petitioned for an opportunity to be heard by any person claiming to be prejudicially affected by the bylaw

NOW THEREFORE BE IT RESOLVED that the Council of the MUNICIPALITY OF CROWSNEST PASS in the Province of Alberta does hereby close to Public Travel and creating title to and disposing of the following described highways, subject to rights of access granted by other legislation.

> **Plan 232 A.I. That portion of Third Avenue contained within Area "A", Plan _ _ _ _ _ _, containing 0.061 ha (0.151 acres) more or less, excepting thereout all mines and minerals**

As illustrated in Schedule 'A', attached to, and forming part of this bylaw.

READ a **first** time in council this _____ day of _____ 2022.

_____
Blair Painter
Mayor

_____
Patrick Thomas
Chief Administrative Officer

PUBLIC HEARING scheduled for the 13th day of September 2022 and advertised in the Crowsnest Pass Herald on the 24th and 31st day of August 2022.

APPROVED this ____ day of _____, 20__

_____
Minister of Transportation

READ a **second** time in council this _____ day of _____ 2022.

READ a **third and final** time in council this _____ day of _____ 2022.

_____
Blair Painter
Mayor

_____
Patrick Thomas
Chief Administrative Officer

REGISTRAR
LAND TITLES OFFICE

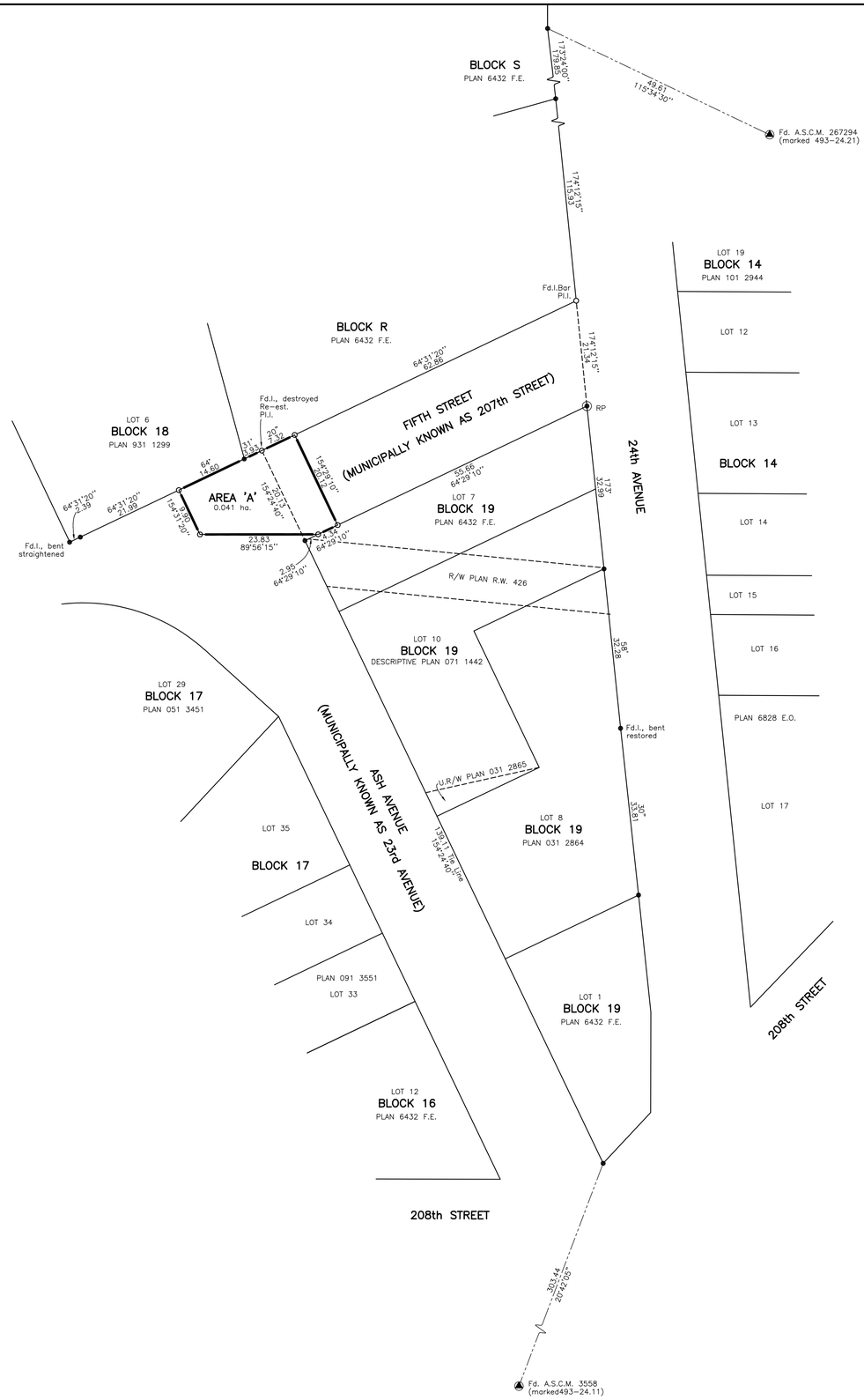
PLAN NO. _____

ENTERED AND REGISTERED

ON _____

INSTRUMENT NO : _____

_____
A.D.REGISTRAR



N

MUNICIPALITY OF CROWSNEST PASS

PLAN SHOWING SURVEY FOR

ROAD CLOSURE PURPOSES

OF PART OF

FIFTH STREET; PLAN 6432 F.E. AND
ASH AVENUE; PLAN 6828 E.O.

ALL WITHIN

S.E.1/4 SEC. 29; TWP. 7; RGE. 3; W.5 M.

BY: D. J. AMANTEA, A.L.S.

SCALE 1:500

10 5 0 10 20 30 METRES

A.S.C.M. – Alberta Survey Control Markers found shown thus _____ ▲
Fd.I. – Statutory Iron Posts found shown thus _____ ●
Pl.I. – Statutory Iron Posts placed shown thus _____ ○ marked 'P004'
Est. stands for established
Fd. No Mk. stands for Found No Mark
Distances are shown in metres and decimal parts thereof.
Bearings are GRID and are derived from GNSS observations
PROJECTION – 3TM
DATUM – NAD'83 (original)
REFERENCE MERIDIAN – 114°
COMBINED SCALE FACTOR – 0.999705
RP – Geo-reference point shown thus _____ ○ RP
Coordinate value for Geo-reference point is N: 5494398.12 E: -26722.75
Portion to be registered is bound in heavy black lines and contains 0.041 ha.

TABLE OF AREAS

AREA 'A'

within Ash Avenue; Plan 6828 E.O.= 0.027 ha.
within Fifth Street; Plan 6432 F.E.= 0.014 ha.
Total= 0.041 ha.

SURVEYOR

NAME : D. J. AMANTEA, A.L.S.
SURVEYED ON THE DATE OF MARCH 31st, 2022
IN ACCORDANCE WITH THE PROVISIONS OF
THE SURVEYS ACT.

ALBERTA LAND SURVEYORS' ASSOCIATION
PERMIT NUMBER
P 004
BROWN OKAMURA & ASSOCIATES LTD.

REQUESTED BY:
MUNICIPALITY OF CROWSNEST PASS

DRAWING FILE : 22-15611.DWG
CLIENT : HIGH STANDARD INSTALLATION
FILE NO. : 22-15611 CJB (6.0 sq.ft.)

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: August 16, 2022

Agenda #: 7.e

Subject: Bylaw 1127, 2022 - Land Use Bylaw Amendment - Redistrict Lot 1, Block 1, Plan 0313303 from Non-Urban Area NUA-1 to Industrial I-1 - First Reading

Recommendation: That Council gives first Reading of Bylaw 1127, 2022 and schedules a Public Hearing for September 13, 2022.

Executive Summary:
The proposed bylaw involves the redistricting of Lot 1, Block 1, Plan 0313303 containing ±4.53 ha (11.19) acres from Non-Urban Area NUA-1 to Industrial I-1 for the purpose of marketing the property for manufacturing type development.

Relevant Council Direction, Policy or Bylaws:
Section 692, Planning bylaws, Municipal Government Act, RSA 2000, c M-26. (MGA)
Land Use Bylaw No. 868-2013
Municipal Development Plan Bylaw No. 1059, 2020 (3.2.2)

Discussion:
Bylaw 1127, 2022 proposes to redistrict Lot 1, Block 1, Plan 0313303 from Non-Urban Area NUA-1 to Industrial I-1.

The property is on the east side of Sentinel Industrial Park. The Municipal Development Plan identifies this area for low intensity uses such as storage and warehousing due to the lack of municipal water and wastewater services in the area.

The property operated R&R Lumber and more recently Artic Spas. The property has been vacant and the application to redistrict the property is for the purpose of marketing the property for manufacturing / storage development, which is not a use listed in the current NUA-1 land use district.

The surrounding properties are within the industrial land use districts other than to the north is NUA-1 and to the south is a developed campground in the NUCR-1 Non-Urban Commercial Recreation

district. Development of the subject property as industrial may require conditions involving screening and noise / air quality limitations and standards at the time of reviewing a development permit application.

Analysis of Alternatives:

1. Council may proceed with first reading of Bylaw 1127, 2022, as proposed, and schedule a public hearing (September 13, 2022).

2. Council may defer first reading of Bylaw 1127, 2022 and outline what additional information they would like to see with reconsideration.

Financial Impacts:

N/A

Attachments:

FORMATTED Bylaw 1127-2022 - CNP LUB 868-2013 Lot 1, Block 1, Plan 031 3303 rezoning (June 2022).docx

Schedule A Crowsnest Pass - Lot 1, Block 1, Plan 0313303-LUD Redesignation.pdf

MUNICIPALITY OF CROWSNEST PASS

BYLAW NO. 1127, 2022

LAND USE BYLAW AMENDMENT – Redistrict Lot 1, Block 1, Plan 031 3303

BEING a bylaw of the Municipality of Crowsnest Pass in the Province of Alberta, to amend Bylaw No. 868-2013, being the municipal Land Use Bylaw.

WHEREAS the Council of the Municipality of Crowsnest Pass wishes to redistrict the lands legally described as Lot 1, Block 1, Plan 031 3303, within SW¼ 11-8-5-W5M containing ±4.53 ha (11.19 acres), as shown on Schedule 'A', from "Non-Urban Area – NUA-1" to "Industrial – I-1".

AND WHEREAS the purpose of the proposed amendment is to provide for the opportunity to use and develop the lands in accordance with the provisions of the "Industrial I-1" land use district.

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Municipality of Crowsnest Pass in the Province of Alberta duly assembled does hereby enact the following amendments:

1. The Land Use District Map be amended to redistrict the lands from "Non-Urban Area – NUA-1" to "Industrial – I-1". legally described as Lot 1, Block 1, Plan 031 3303, within SW¼ 11-8-5-W5M containing ±4.53 ha (11.19 acres), as shown on Schedule 'A', attached to, and forming part of this bylaw.

2. Bylaw No. 868-2013, being the Land Use Bylaw, is hereby amended.

3. This bylaw comes into effect upon third and final reading hereof.

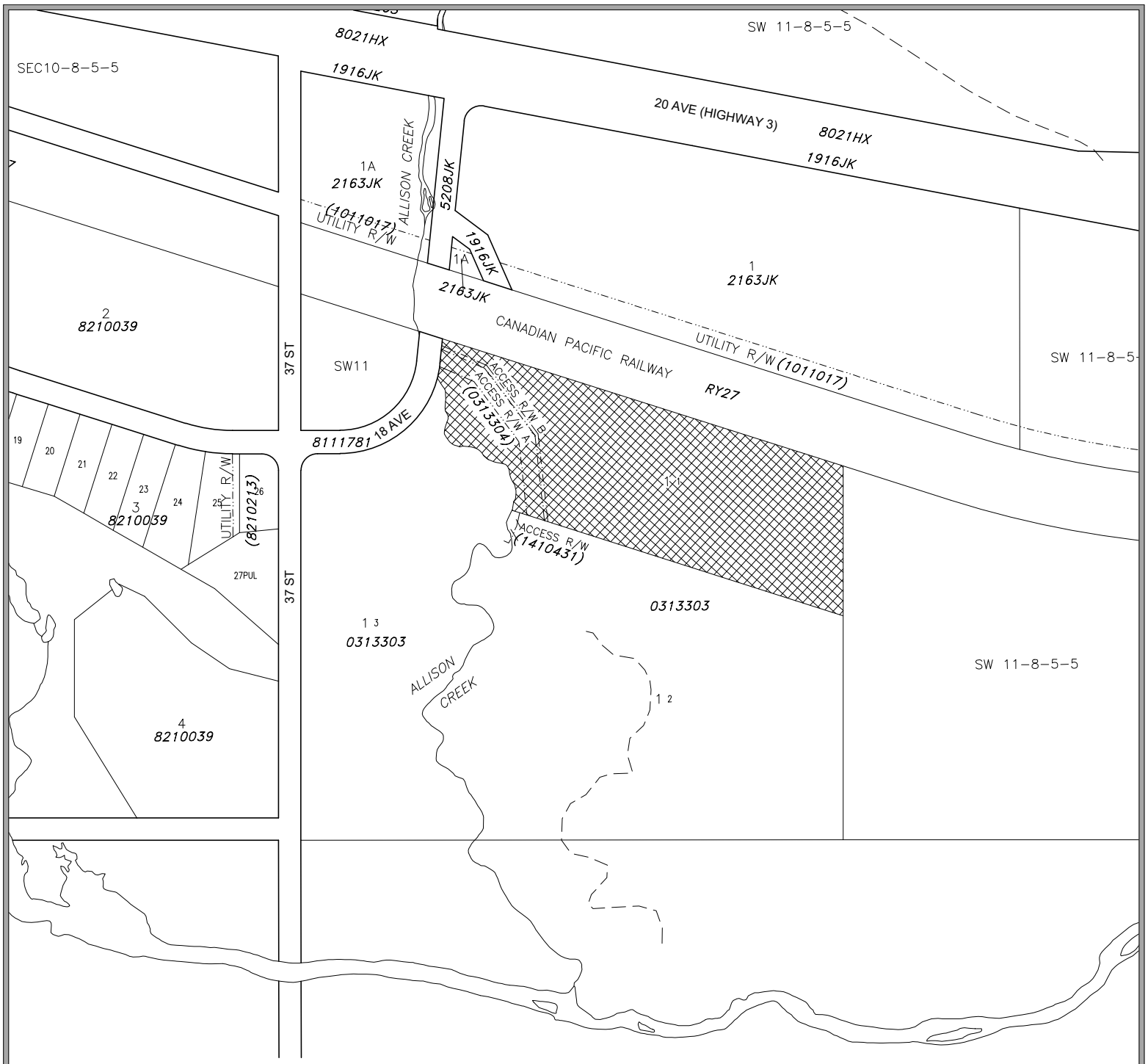
READ a **first** time in council this _____ day of _____ 2022.

READ a **second** time in council this _____ day of _____ 2022.

READ a **third and final** time in council this _____ day of _____ 2022.

_____
Blair Painter
Mayor

_____
Patrick Thomas
Chief Administrative Officer



LAND USE DISTRICT REDESIGNATION SCHEDULE 'A'

FROM: NON-URBAN AREA NUA-1
TO: INDUSTRIAL I-1

LOT 1, BLOCK 1, PLAN 0313303
WITHIN SW 1/4 SEC 11, TWP 8, RGE 5, W 5 M
MUNICIPALITY: CROWSNEST PASS
DATE: JUNE 24, 2022

Bylaw #: 1127, 2022
Date: _____

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 Metres 100 200 300 400

N

MAP PREPARED BY:
OLDMAN RIVER REGIONAL SERVICES COMMISSION
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8
TEL. 403-329-1344
"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"

June 24, 2022 N:\C-N-P\CNP LUD & Land Use Redesignations\Crowsnest Pass – Lot 1, Block 1, Plan 0313303.dwg

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: August 16, 2022

Agenda #: 7.f

Subject: Bylaw 1128, 2022 - Land Use Bylaw Amendment - Redistrict several large parcels in Coleman from the R-1 and R-3 Districts to the NUA-1 and NUCR-1 Districts - First Reading

Recommendation: That Council give first reading of Bylaw 1128, 2022 and schedule a public hearing for September 13th, 2022.

Executive Summary:
The proposed bylaw involves the redistricting of:

1. Lot 1, Block 40, Plan 9813593 from Residential R-1 and Multi-Family Residential R-3 to Non-Urban Area NUA-1 as the initial stage required to bring the existing uses into compliance (a landscaping business and a resource processing business, both of which have been and continue to operate without the benefit of a development permit).

and

2. A portion of NW¼ 8-8-4-W5M, containing ±1.21 ha (3.21 acres), from Residential R-1 to Non-Urban Commercial Recreation NUICR-1, to accommodate a small portion of the Green Mountain RV Campground that is presently being developed.

Relevant Council Direction, Policy or Bylaws:
Section 692, Planning bylaws, Municipal Government Act, RSA 2000, c M-26. (MGA)

Land Use Bylaw No. 868-2013

Discussion:
The proposed redistricting of Lot 1, Block 40, Plan 9813593 from Residential R-1 and Multi-Family Residential R-3 to Non-Urban Area NUA-1 is the initial stage required to bring the existing uses (i.e. a

resource processing business and a landscaping contractor) into compliance with the land use bylaw through development permits.

The proposed redistricting of a portion of NW 8-8-4-5 is to correct the land use district of a small portion on the north boundary of the existing Green Mountain Campground. This sliver of land contains the road that winds within the campground and is not suitable for Residential Development. The redistricting to Non-Urban Commercial Recreation NUCR-1 would allow the affected portion of the campground (approximately 4 RV sites) to operate legally. This portion of land will be used primarily as roadway and part of the landscaping plan to provide screening of the campground from the adjacent residential properties.

Analysis of Alternatives:

1. Council may proceed with first reading of Bylaw 1028, 2022, as proposed, and schedule a public hearing for September 13, 2022.

2. Council may defer first reading of Bylaw 1028, 2022 and outline what additional information they would like to see with reconsideration.

Financial Impacts:

N/A

Attachments:

Bylaw 1128-2022 - CNP LUB 868-2013 Lot 1, Block 40, Plan 981 3593 rezoning July 2022 (updated July 26).docx

Crowsnest Pass - Bylaw 1128, 2022 - Lot 1, Block 40, Plan 9813593-LUD Redesignation.pdf

MUNICIPALITY OF CROWSNEST PASS

BYLAW NO. 1128, 2022

LAND USE BYLAW AMENDMENT – Redistrict Lot 1, Block 40, Plan 981 3593 and a portion of NW¼ 8-8-4-W5M

BEING a bylaw of the Municipality of Crowsnest Pass in the Province of Alberta, to amend Bylaw No. 868-2013, being the municipal Land Use Bylaw.

WHEREAS the Council of the Municipality of Crowsnest Pass wishes to redistrict the lands legally described as Lot 1, Block 40, Plan 981 3593, within E½ 8-8-4-W5M and containing ±29.74 ha (73.5 acres), from "Residential – R-1" and "Multi-Family Residential – R-3" to "Non-Urban Area – NUA-1"; and a portion of NW¼ 8-8-4-W5M, containing ±1.21 ha (3.21 acres), from "Residential – R-1" to "Non-Urban Commercial Recreation – NUCR-1"; as shown on Schedule 'A'.

AND WHEREAS the purpose of the proposed amendment is to provide for the opportunity to use and develop the lands in accordance with the provisions of the "Non-Urban Area – NUA-1" and "Non-Urban Commercial Recreation – NUCR-1" land use districts.

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Municipality of Crowsnest Pass in the Province of Alberta duly assembled does hereby enact the following amendments:

1. The Land Use District Map be amended to redistrict the lands legally described as Lot 1, Block 40, Plan 981 3593, within E½ 8-8-4-W5M and containing ±29.74 ha (73.5 acres), from "Residential – R-1" and "Multi-Family Residential – R-3" to "Non-Urban Area – NUA-1"; and a portion of NW¼ 8-8-4-W5M, containing ±1.21 ha (3.21 acres), from "Residential – R-1" to "Non-Urban Commercial Recreation – NUCR-1"; as shown on Schedule 'A' attached to, and forming part of this bylaw.

2. Bylaw No. 868-2013, being the Land Use Bylaw, is hereby amended.

3. This bylaw comes into effect upon third and final reading hereof.

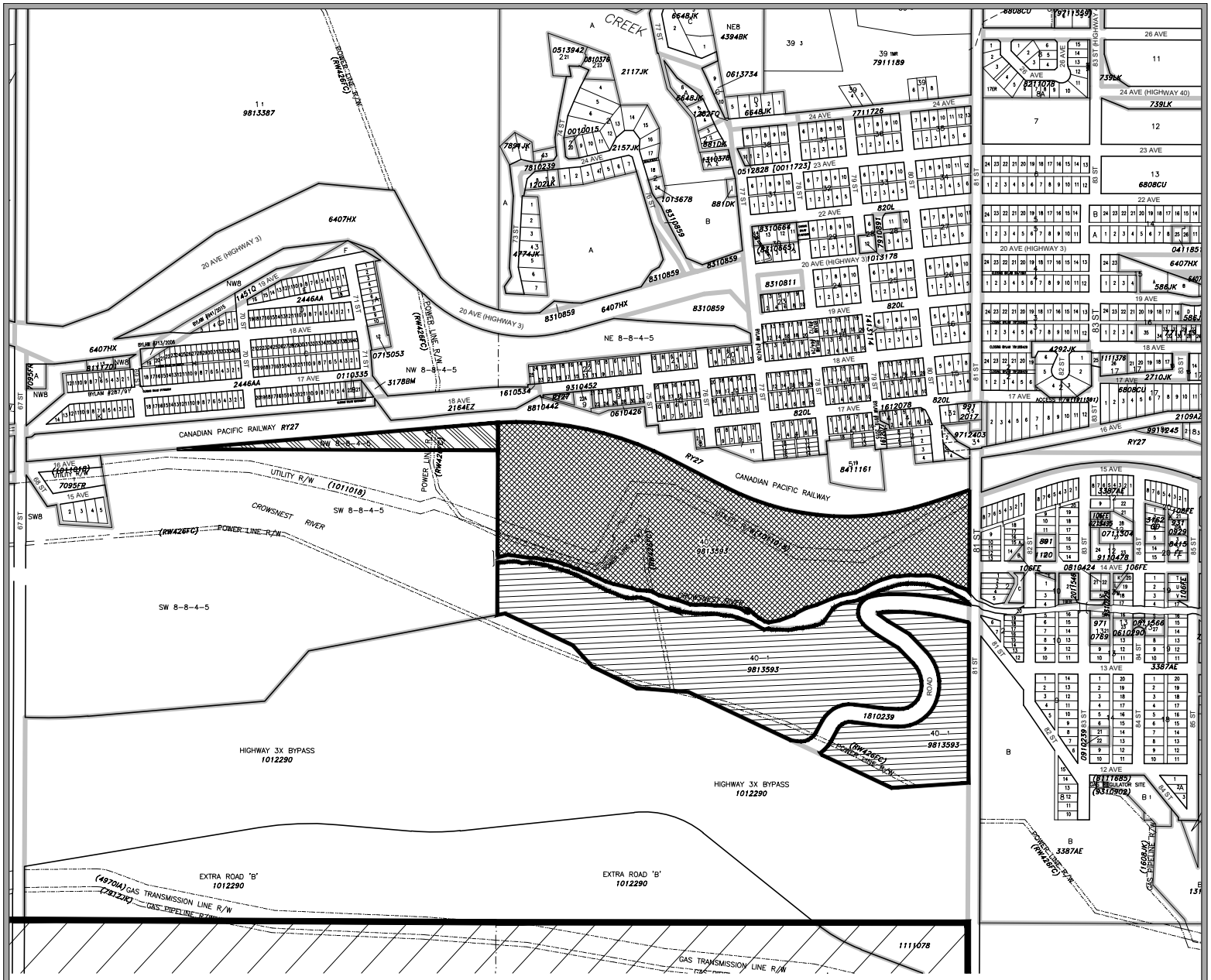
READ a **first** time in council this _____ day of _____ 2022.

READ a **second** time in council this _____ day of _____ 2022.

READ a **third and final** time in council this _____ day of _____ 2022.

_____
Blair Painter
Mayor

_____
Patrick Thomas
Chief Administrative Officer



LAND USE DISTRICT REDESIGNATION
SCHEDULE 'A'

FROM: RESIDENTIAL R-1
TO: NON-URBAN AREA NUA-1

FROM: MULTI-FAMILY RESIDENTIAL R-3
TO: NON-URBAN AREA NUA-1

FROM: RESIDENTIAL R-1
TO: NON-URBAN COMMERCIAL RECREATION NUCR-1

LOT 1, BLOCK 40, PLAN 9813593, WITHIN E. 1/2 SEC 8, TWP 8, RGE 4, W 5 M
AND PORTION OF NW 1/4 SEC 8, TWP 8, RGE 4, W 5 M

MUNICIPALITY: CROWSNEST PASS
DATE: JULY 26, 2022

Bylaw #: 1128, 2022
Date: _____

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 Metres 200 400 600 800

N

MAP PREPARED BY:
OLDMAN RIVER REGIONAL SERVICES COMMISSION
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8
TEL. 403-329-1344
"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"

July 26, 2022 N:\C-N-P\CNP LUD & Land Use Redesignations\Crowsnest Pass – Bylaw 1128, 2022 – Lot 1, Block 40, Plan 9813593.dwg

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: August 16, 2022

Agenda #: 7.g

Subject: 2022 Q2 Financial Report

Recommendation: That Council receive the 2022 Q2 Financial Report for information.

Executive Summary:
The second quarter financial operating statements, for the 6 months ending June 30, 2022, have been attached for Council's review.

Relevant Council Direction, Policy or Bylaws:
Administration brings forward financial information for Council's review four times a year. This is the second report for 2022.

Discussion:
This is the second quarterly report for the 2022 budget year. In general, the Municipality should be at 50 percent spend. The operating report is broken down by Object Type, Department Summary, followed by each department breakdown. Some revenue and expenses occur at specific points in time. On the revenue side, Property Taxes are the largest source of revenue and is recorded in June. From an expenditure side there are several one time expenses that occur at specific points in time. Examples are: Insurance, Grants to Organizations, and Payroll Vacation Entitlement, which are recorded in January, while Transfers to Reserves and Interdepartmental Transfers happen in December. Overall, the Municipality has received 99 percent of the annual revenues and spent 45 percent of the expenses.

Revenue Variances

ASFF Taxes	AB Government increased the amount of contribution required, will be offset by expenditure by quarterly payments to the province.
Conditional Grant	PPK Ski Hill received $100,000 grant for disability access (not budgeted for)

	Utilities FWWTP (AMWWP Grant) advance received $1,125,000. Grant revenue is recorded as operational revenue and will be transferred to capital to offset expenses.
Donations	Community Services - Memorial Benches received more than usual; Fit for Life donation.
Franchise Fee	5 months of Electrical Payment received averages $63k per month
	3 months from ATCO as paid quarterly, 1st quarter payment $199,143
Interest and Penalties	Made up of Utilities Penalties applied each month on outstanding balance averaging $1,900 per month at 81% of budget; Property tax is on budget to the end of June (May increase as current year penalties are applied July, August and September).
Investment Interest	This category includes WCB Rebate under Corporate Services of $17,678 and the rest is long term investment income up slightly over budget.
Licenses and Fees	The two departments with the largest budget are Development, Engineering and Operations who are on budget; and Finance which have Business Licenses that are recorded in January (100% of budget accounted for) and interest on our bank accounts. As a result of increase in interest rates in the last six months, we have earned $60K which was the budget for the year.
Other Revenue and Recoveries	Transportation - Highway 3 Progress payment of $1,297,881
Rental Income	Community Services Facilities - leases within MDM and the Complex have matched the budget and rentals are slightly above the six month projected budget.
Sale of Goods and Services	Are generally on track for all departments with the exception of Land sales currently sales are $524,570 compared to a budget of $50,000

Expense Variance

DIP Requisition	Will be paid in July to the Government of Alberta
Grant to Organizations	Culture Category 1 and 2 have fully been paid out Community Services- FCSS is at 50% paid out General Government payment to Senior Housing for Operating Budget $396,629 and operating reserve requisition $150,000 was paid in July
Repairs and Maintenance	Development, Engineering and Operations has $222,264 budget with a spend of 20% to the end of June
Requisition	This is the offset to ASFF requisition listed under revenue paid quarterly to Government of Alberta.

Service Charges and Interest	This account is primarily made up of the interest paid on long term debt. The municipality took out additional debt in 2022 (Fire Ladder Truck) and additional debt for Frank Waste Water Treatment Plant which will only have one payment on the debt occurring in September or December.
Waste Disposal	CNP landfill charges - 5 months are in expenses as the municipality is billed after month end.

One additional item Administration is tracking as a result of the drastic increase in costs that have occurred in 2022 is Gas, Diesel, Propane and other utilities (Electricity and Natural Gas). To the end of June:

- Oil and Gas 78% of Budget has been spent
- Propane 102% of Budget has been spent
- Electricity 64% of Budget has been spent (contains 5 months of invoices)
- Natural Gas 70% of Budget has been spent (contains 6 months of invoices)

Analysis of Alternatives:
N/A

Financial Impacts:
The Municipality is on track to be within budget by year end provided business as usual prevails for the remainder of the year.

Attachments:
All Departments- 2022-07-26T105505.383.xlsx

CROWSNEST PASS
Naturally Rewarding

Financial Report
Thursday, June 30, 2022

Actual vs Budget Year To Date by Object:

Reporting Period: January 1, 2022 To June 30, 2022 (6 Months)

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
Revenues:				
ASFF Taxes	2,757,000	3,166,708	409,708	14.86%
Conditional Grants	455,904	1,374,282	918,378	201.44%
Donations	22,700	32,377	9,677	42.63%
Franchise Fees	1,319,000	514,909	- 804,091	-60.96%
Inter-Department Revenues	615,035	-	- 615,035	0.00%
Interest and Penalties	143,500	39,103	- 104,397	-72.75%
Investments Interests	85,000	67,621	- 17,379	-20.45%
Licenses and Fees	545,350	343,076	- 202,274	-37.09%
Other Revenues and Cost Recoveries	293,550	1,521,112	1,227,562	418.18%
Property Taxes	9,092,650	10,065,618	972,968	10.70%
Rental Income	309,909	220,285	- 89,623	-28.92%
Sale of Goods and Services	4,669,145	2,876,504	- 1,792,641	-38.39%
Senior Housing Tax	150,000	149,662	- 338	
Transfers from Reserves	60,000	23,419	- 36,582	-60.97%
Total Revenues	**20,518,743**	**20,394,675**	**- 124,067**	**-0.60%**
Expenses:				
Administration	726,448	336,037	- 390,411	-53.74%
Contracted Services	2,539,473	1,274,157	- 1,265,316	-49.83%
DIP Requisition	4,734	-	- 4,734	-100.00%
Grants to Organizations	1,048,944	473,309	- 575,635	-54.88%
Inter-Department Expenses	615,034	-	- 615,034	-100.00%
Operations	3,422,855	1,578,865	- 1,843,990	-53.87%
Rebates	44,000	23,019	- 20,981	-47.68%
Repairs and Maintenance	290,394	60,135	- 230,259	-79.29%
Requisitions	2,757,000	1,340,896	- 1,416,104	-51.36%
Salaries, Wages and Benefits	7,375,637	3,725,213	- 3,650,424	-49.49%
Service Charges and Interest	292,281	104,750	- 187,531	-64.16%
Transfer to Reserves	794,636	17,678	- 776,958	-97.78%
Waste Disposal	153,000	60,588	- 92,412	-60.40%
Total Expenses	**20,064,437**	**8,994,647**	**- 11,069,790**	**-55.17%**
Long Term Debt Repayment (4510)	454,306	175,363	- 278,943	-61.40%
Total Expense & Debt Repayment	**20,518,743**	**9,170,010**	**- 11,348,733**	**-55.31%**
Net Income /(Loss)	**0**	**11,224,666**	**11,224,665**	

Actual vs Budget Year To Date by Department:

Department Summary

Reporting Period: January, 2022 To June 30, 2022 (6 Months)

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
Revenues:				
CAO Office	-	8,557	8,557	100.00%
Community Services	505,654	400,162	- 105,492	-20.86%
Culture	143,309	49,852	- 93,457	-65.21%
Pool	127,300	24,945	- 102,355	-80.40%
Ski Hill	527,000	451,156	- 75,844	-14.39%
Corporate Services	49,550	54,429	4,879	9.85%
Council	40,000	25,119	- 14,881	-37.20%
Development, Engineer & Operation	4,993,042	5,102,035	108,993	2.18%
Finance	261,000	148,504	- 112,496	-43.10%
General Government	13,547,150	13,992,994	972,968	7.18%
Protective Services	324,738	136,922	- 187,816	-57.84%
Total Revenue	**20,518,743**	**20,394,675**	**403,056**	**1.96%**
Expenses:				
CAO Office	926,345	350,690	- 575,655	-62.14%
Community Services	1,835,651	872,190	- 963,461	-52.49%
Culture	649,407	468,167	- 181,240	-27.91%
Pool	273,610	71,196	- 202,414	-73.98%
Ski Hill	907,366	522,830	- 384,537	-42.38%
Corporate Services	762,195	395,435	- 366,760	-48.12%
Council	263,468	168,225	- 95,242	-36.15%
Development, Engineer & Operation	8,071,379	3,387,355	- 4,684,024	-58.03%
Finance	1,478,683	746,631	- 732,051	-49.51%
General Government	3,339,601	1,340,909	- 1,998,692	-59.85%
Protective Services	1,556,731	671,019	- 885,713	-56.90%
Total Expenses	**20,064,437**	**8,994,647**	**- 11,069,790**	-55.17%
Long Term Debt Repayment	454,306	175,363	- 278,943	-61.40%
Total Expense & Debt Repayment	**20,518,743**	**9,170,010**	**- 11,348,732**	-55.31%
Net Income /(Loss)	**0**	**11,224,665**	**11,751,789**	

Actual vs Budget Year To Date by Department:

Department: CAO Office

Reporting Period: January, 2022 To June, 2022 (6 Months)

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
Revenues:				
Other Revenues and Cost Recoveries	0	8,557	8,557	100.00%
Total Revenues	**0**	**8,557**	**8,557**	**100.00%**
Expenses:				
Administration	270,550	124,861	(145,689)	-53.85%
Contracted Services	136,500	36,435	(100,065)	-73.31%
Operations	17,500	8,409	(9,091)	-51.95%
Salaries, Wages and Benefits	476,533	180,984	(295,549)	-62.02%
Transfer to Reserves	25,262	0	(25,262)	-100.00%
Total Expenses	**926,345**	**350,690**	**(575,655)**	**-62.14%**
Net Total	**(926,345)**	**(342,133)**	**584,212**	**63.07%**

Actual vs Budget Year To Date by Department:

Department: Community Services

Reporting Period: January, 2022 To June, 2022 (6 Months)

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
Revenues:				
Conditional Grants	208,904	98,152	(110,752)	-53.02%
Donations	16,200	32,377	16,177	99.86%
Licenses and Fees	0	3,450	3,450	100.00%
Other Revenues and Cost Recoveries	10,000	35,059	25,059	250.59%
Rental Income	165,200	139,517	(25,683)	-15.55%
Sale of Goods and Services	105,350	91,607	(13,743)	-13.05%
Total Revenues	**505,654**	**400,162**	**(105,492)**	**-20.86%**
Expenses:				
Administration	39,275	21,566	(17,709)	-45.09%
Contracted Services	169,650	62,981	(106,669)	-62.88%
Grants to Organizations	107,000	59,175	(47,825)	-44.70%
Inter-Department Expenses	0	0	0	0.00%
Operations	436,490	190,832	(245,658)	-56.28%
Repairs and Maintenance	43,850	4,609	(39,241)	-89.49%
Salaries, Wages and Benefits	957,453	511,949	(445,504)	-46.53%
Service Charges and Interest	39,791	21,078	(18,713)	-47.03%
Transfer to Reserves	42,142	0	(42,142)	-100.00%
Total Expenses	**1,835,651**	**872,190**	**(963,461)**	**-52.49%**
Net Total	**(1,329,997)**	**(472,029)**	**857,969**	**-64.51%**

Actual vs Budget Year To Date by Sub-Department:

Department: - Culture

Reporting Period: January, 2022 To June, 2022 (6 Months)

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
Revenues:				
Other Revenues and Cost Recoveries	128,000	47,572	(80,428)	-62.83%
Rental Income	15,309	2,280	(13,029)	-85.11%
Total Revenues	**143,309**	**49,852**	**(93,457)**	**-65.21%**
Expenses:				
Administration	51,640	189	(51,451)	-99.63%
Contracted Services	131,400	0	(131,400)	-100.00%
Grants to Organizations	395,315	392,134	(3,181)	-0.80%
Operations	37,750	13,839	(23,911)	-63.34%
Repairs and Maintenance	5,000	0	(5,000)	-100.00%
Salaries, Wages and Benefits	0	62,005	62,005	100.00%
Transfer to Reserves	28,302	0	(28,302)	-100.00%
Total Expenses	**649,407**	**468,167**	**(181,240)**	**-27.91%**
Net Total	**(506,098)**	**(418,315)**	**87,784**	**17.35%**

Actual vs Budget Year To Date by Sub-Department:

Department: - Pool

Reporting Period: January, 2022 To June, 2022 (6 Months)

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
Revenues:				
Conditional Grants	0	4,950	4,950	100.00%
Other Revenues and Cost Recoveries	2,500	0	(2,500)	-100.00%
Rental Income	10,800	750	(10,050)	-93.06%
Sale of Goods and Services	114,000	19,245	(94,755)	-83.12%
Total Revenues	**127,300**	**24,945**	**(102,355)**	**-80.40%**
Expenses:				
Administration	11,100	4,313	(6,787)	-61.14%
Contracted Services	4,000	0	(4,000)	-100.00%
Operations	57,800	14,893	(42,907)	-74.23%
Repairs and Maintenance	1,700	5,973	4,273	251.35%
Salaries, Wages and Benefits	158,576	29,553	(129,023)	-81.36%
Service Charges and Interest	33,394	16,464	(16,930)	-50.70%
Transfer to Reserves	7,040	0	(7,040)	-100.00%
Total Expenses	**273,610**	**71,196**	**(202,414)**	**-73.98%**
Net Total	**(146,310)**	**(46,251)**	**100,060**	**68.39%**

Actual vs Budget Year To Date by Sub-Department:

Department: - Ski Hill

Reporting Period: January, 2022 To June, 2022 (6 Months)

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
Revenues:				
Conditional Grants	16,000	104,000	88,000	550.00%
Donations	6,500	0	(6,500)	-100.00%
Licenses and Fees	0	2,195	2,195	100.00%
Other Revenues and Cost Recoveries	12,500	1,000	(11,500)	-92.00%
Rental Income	73,500	38,148	(35,352)	-48.10%
Sale of Goods and Services	418,500	305,813	(112,688)	-26.93%
Total Revenues	**527,000**	**451,156**	**(75,844)**	**-14.39%**
Expenses:				
Administration	18,625	4,879	(13,746)	-73.80%
Contracted Services	23,500	5,577	(17,923)	-76.27%
Operations	242,095	144,389	(97,706)	-40.36%
Repairs and Maintenance	16,300	6,283	(10,017)	-61.45%
Salaries, Wages and Benefits	573,418	355,592	(217,826)	-37.99%
Service Charges and Interest	7,000	6,109	(891)	-12.73%
Transfer to Reserves	26,428	0	(26,428)	-100.00%
Total Expenses	**907,366**	**522,830**	**(384,537)**	**-42.38%**
Net Total	**(380,366)**	**(71,674)**	**308,692**	**81.16%**

Actual vs Budget Year To Date by Department:

Department: Corporate Services

Reporting Period: January, 2022 To June, 2022 (6 Months)

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
Revenues:				
Investments Interests	0	17,678	17,678	100.00%
Other Revenues and Cost Recoveries	49,550	35,332	(14,218)	-28.69%
Transfers from Reserves	0	1,419	1,419	100.00%
Total Revenues	**49,550**	**54,429**	**4,879**	**9.85%**
Expenses:				
Administration	79,727	35,043	(44,684)	-56.05%
Contracted Services	7,300	5,004	(2,296)	-31.46%
Operations	25,750	7,708	(18,042)	-70.07%
Salaries, Wages and Benefits	621,525	330,002	(291,523)	-46.90%
Transfer to Reserves	27,893	17,678	(10,215)	-36.62%
Total Expenses	**762,195**	**395,435**	**(366,760)**	**-48.12%**
Net Total	**(712,645)**	**(341,006)**	**371,639**	**52.15%**

Actual vs Budget Year To Date by Department:

Department: Council

Reporting Period: January, 2022 To June, 2022 (6 Months)

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
Revenues:				
Other Revenues and Cost Recoveries	0	3,119	3,119	100.00%
Transfers from Reserves	40,000	22,000	(18,000)	-45.00%
Total Revenues	**40,000**	**25,119**	**(14,881)**	**-37.20%**
Expenses:				
Administration	24,900	7,563	(17,337)	-69.63%
Contracted Services	41,200	43,252	2,052	4.98%
Grants to Organizations	0	22,000	22,000	100.00%
Operations	9,500	3,420	(6,080)	-64.00%
Salaries, Wages and Benefits	181,339	91,991	(89,348)	-49.27%
Transfer to Reserves	6,529	0	(6,529)	-100.00%
Total Expenses	**263,468**	**168,225**	**(95,242)**	**-36.15%**
Net Total	**(223,468)**	**(143,106)**	**80,362**	**35.96%**

Actual vs Budget Year To Date by Department:

Department: Development, Engineering & Operations

Reporting Period: January, 2022 To June, 2022 (6 Months)

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
Revenues:				
Conditional Grants	4,500	1,150,000	1,145,500	25,455.56%
Inter-Department Revenues	615,035	0	(615,035)	-100.00%
Licenses and Fees	283,350	148,032	(135,319)	-47.76%
Other Revenues and Cost Recoveries	0	1,308,265	1,308,265	100.00%
Rental Income	45,000	39,571	(5,429)	-12.06%
Sale of Goods and Services	4,025,157	2,456,168	(1,568,989)	-38.98%
Transfers from Reserves	20,000	0	(20,000)	-100.00%
Total Revenues	**4,993,042**	**5,102,035**	**108,993**	**2.18%**
Expenses:				
Administration	78,986	44,162	(34,824)	-44.09%
Contracted Services	1,231,500	751,663	(479,837)	-38.96%
Inter-Department Expenses	559,506	0	(559,506)	-100.00%
Operations	2,080,077	890,151	(1,189,926)	-57.21%
Repairs and Maintenance	222,264	42,749	(179,515)	-80.77%
Salaries, Wages and Benefits	3,018,074	1,546,777	(1,471,297)	-48.75%
Service Charges and Interest	164,196	51,266	(112,930)	-68.78%
Transfer to Reserves	563,776	0	(563,776)	-100.00%
Waste Disposal	153,000	60,588	(92,412)	-60.40%
Total Expenses	**8,071,379**	**3,387,355**	**(4,684,024)**	**-58.03%**
Net Total	**(3,078,337)**	**1,714,680**	**4,793,017**	**155.70%**

Actual vs Budget Year To Date by Department:

Department: Finance

Reporting Period: January, 2022 To June, 2022 (6 Months)

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
Revenues:				
Conditional Grants	120,000	0	(120,000)	-100.00%
Licenses and Fees	141,000	140,076	(924)	-0.66%
Other Revenues and Cost Recoveries	0	7,679	7,679	100.00%
Sale of Goods and Services	0	748	748	100.00%
Total Revenues	**261,000**	**148,504**	**(112,496)**	**-43.10%**
Expenses:				
Administration	131,700	81,376	(50,324)	-38.21%
Contracted Services	370,000	143,203	(226,797)	-61.30%
Operations	273,900	212,752	(61,148)	-22.32%
Rebates	0	23,005	23,005	100.00%
Repairs and Maintenance	0	216	216	100.00%
Salaries, Wages and Benefits	635,588	276,245	(359,342)	-56.54%
Service Charges and Interest	26,000	9,833	(16,167)	-62.18%
Transfer to Reserves	41,495	0	(41,495)	-100.00%
Total Expenses	**1,478,683**	**746,631**	**(732,051)**	**-49.51%**
Net Total	**(1,217,683)**	**(598,127)**	**619,555**	**50.88%**

Actual vs Budget Year To Date by Department:

Department: General Government

Reporting Period: January, 2022 To June, 2022 (6 Months)

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
Revenues:				
ASFF Taxes	2,757,000	3,166,708	409,708	14.86%
Conditional Grants	0	2,000	2,000	100.00%
Franchise Fees	1,319,000	514,909	(804,091)	-60.96%
Interest and Penalties	143,500	39,103	(104,397)	-72.75%
Investments Interests	85,000	49,943	(35,057)	-41.24%
Licenses and Fees	0	5,052	5,052	100.00%
Property Taxes	9,092,650	10,065,618	972,968	10.70%
Seniors Housing Taxes	150,000	149,662	(338)	-0.23%
Total Revenues	**13,547,150**	**13,992,994**	**445,844**	**3.29%**
Expenses:				
DIP Requisition	4,734	0	(4,734)	-100.00%
Grants to Organizations	546,629	0	(546,629)	-100.00%
Rebates	44,000	14	(43,986)	-99.97%
Requisitions	2,757,000	1,340,896	(1,416,104)	-51.36%
Transfer to Reserves	(12,762)	0	12,762	100.00%
Total Expenses	**3,339,601**	**1,340,909**	**(1,998,692)**	**-59.85%**
Net Total	**10,207,549**	**12,652,085**	**2,444,536**	**23.95%**

Actual vs Budget Year To Date by Department:

Department: Protective Services

Reporting Period: January, 2022 To June, 2022 (6 Months)

	Budget	YTD Actual Cost	Variance Over/Under	Percentage Variance
Revenues:				
Conditional Grants	106,500	15,180	(91,320)	-85.75%
Licenses and Fees	121,000	44,272	(76,728)	-63.41%
Other Revenues and Cost Recoveries	91,000	74,528	(16,472)	-18.10%
Rental Income	100	20	(80)	-80.00%
Sale of Goods and Services	6,138	2,923	(3,215)	-52.38%
Total Revenues	**324,738**	**136,922**	**(187,816)**	**-57.84%**
Expenses:				
Administration	19,945	12,086	(7,859)	-39.41%
Contracted Services	424,423	226,041	(198,382)	-46.74%
Inter-Department Expenses	55,528	0	(55,528)	-100.00%
Operations	241,993	92,472	(149,521)	-61.79%
Repairs and Maintenance	1,280	305	(975)	-76.20%
Salaries, Wages and Benefits	753,132	340,116	(413,016)	-54.84%
Service Charges and Interest	21,900	0	(21,900)	-100.00%
Transfer to Reserves	38,531	0	(38,531)	-100.00%
Total Expenses	**1,556,731**	**671,019**	**(885,713)**	**-56.90%**
Net Total	**(1,231,993)**	**(534,096)**	**697,897**	**56.65%**

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: August 16, 2022

Agenda #: 7.h

Subject: 2022 Q2 Safety Codes, Facility Maintenance and Planning & Development Statistics Report

Recommendation: That Council receive the 2022 Q2 - Safety Codes, Facility Maintenance and Planning & Development Statistics Report for information.

Executive Summary:

The attached report provides an update of the 2022- Q2 and Year to Date statistics for housing starts, safety codes permits, facility maintenance work orders, development permits, compliance certificates, business license reviews, land use bylaw enforcement, bylaws, review of subdivision applications and Subdivision and Development Appeal Board / Land and Property Rights Tribunal (former Municipal Government Board) hearings. The report shows the total statistics for 2021 as a comparison.

Relevant Council Direction, Policy or Bylaws:
N/A

Discussion:
N/A

Analysis of Alternatives:
N/A

Financial Impacts:
N/A

Attachments:
Q2-2022 Development and Trades Stats.pdf

Development & Trades – Quarterly Report

Permit Fees and Safety Codes Council (SCC) Levy Collected

Permit Fees and SCC Levy Statistics	2021 Total	2022 Q1	2022 Q2	2022 Q3	2022 Q4	2022YTD
Permit Fee collected – Building	$194,207	$26,287	$49,270	-	-	**$75,557**
SCC Levy Collected – Building	$6,873	$1,052	$1,971	-	-	**$3,023**
Permit Fee collected - Electrical, Gas, Plumbing & PSDS	$78,566	$10,475	$19,455	-	-	**$29,930**
SCC Levy Collected – Electrical, Gas, Plumbing & PSDS	$3,197	$433	$787	-	-	**$1,220**

Building Permits, New Housing Starts and Project Value

Building Permit Statistics	2021 Total	2022 Q1	2022 Q2	2022 Q3	2022 Q4	2022 YTD
New Housing Starts	82	7	16	-	-	**23**
Building Permits - Issued	159	33	56	-	-	**89**
Building Permits – inspections	268	64	70	-	-	**134**
Building Permits - Closed	124	23	31	-	-	**54**
Project Value of Construction to Date	Residential $22,284,974 Non-Residential $6,464,544	Residential $3,467,800 Non-Residential $609,457	Residential $6,395,316 Non-Residential $190,000	-	-	**Residential $9,863,116** **Non-Residential $799,457**

Electrical Permits

Electrical Permit Statistics	2021 Total	2022 Q1	2022 Q2	2022 Q3	2022 Q4	2022YTD
Electrical Permits Issued	167	28	57	-	-	**85**
Electrical Permits – inspections	139	46	65	-	-	**111**
Electrical Permits Closed	145	34	41	-	-	**75**

Gas Permits

Gas Permit Statistics	2021 Total	2022 Q1	2022 Q2	2022 Q3	2022 Q4	2022 YTD
Gas Permits Issued	141	15	27	-	-	**42**
Gas Permits – inspections	125	35	48	-	-	**83**
Gas Permits Closed	110	24	38	-	-	**62**

Plumbing Permits

Plumbing Permit Statistics	2021 Total	2022 Q1	2022 Q2	2022 Q3	2022 Q4	2022 YTD
Plumbing Permits Issued	90	16	22	-	-	**38**
Plumbing Permits – inspections	88	27	45	-	-	**72**
Plumbing Permits Closed	64	14	32	-	-	**46**

Private Sewage Disposal System (PSDS) Permits

PSDS Permit Statistics	2021 Total	2022 Q1	2022 Q2	2022 Q3	2022 Q4	2022 YTD
PSDS Permits Issued	6	1	2	-	-	**3**
PSDS Permits – inspections	6	0	2	-	-	**2**
PSDS Permits Closed	8	0	1	-	-	**1**

Fire Inspections

Fire Inspection Statistics	2021 Total	2022 Q1	2022 Q2	2022 Q3	2022 Q4	2022 YTD
Fire inspections Completed	53	9	13	-	-	**22**

Safety Codes Department Highlights

- Park Enterprises continues to fill the building inspector role and, since December 2021, is also filling the plumbing, gas and PSDS inspector roles as a pilot project to enable Facility Maintenance staff who typically fill that role to focus on and accomplish facility maintenance workload. The contractual arrangement with Park Enterprises works well. From their perspective it is beneficial to have the plumbing, gas and PSDS functions in addition to the building discipline, because they can better coordinate file reviews and inspections and ensure that all the required permits are pulled and coordinated.
- Park Enterprises also has been filling in for electrical, gas, plumbing and PSDS roles to cover staff vacations and other time off, as may be required.

Work Orders – Facility Maintenance

Work Orders	2021 Total	2022 Q1	2022 Q2	2022 Q3	2022 Q4	2022 YTD
Number of Work Orders Issued / Closed	414 / 377	138 / 123	144 / 123	-	-	**282 / 246**

Development Permits

Development Permits	2021 Total	2022 Q1	2022 Q2	2022 Q3	2022 Q4	2022 YTD
Number of Development Permit and Variance Applications Received	210	53	76	-	-	**129**

Compliance Certificates

Compliance Certificates	2021 Total	2022 Q1	2022 Q2	2022 Q3	2022 Q4	2022 YTD
Number of Compliance Certificate Requests processed	163	29	30	-	-	**59**

Business License Review

Business Licenses	2021 Total	2022 Q1	2022 Q2	2022 Q3	2022 Q4	2022 YTD
Number of Business Licenses Processed	59	28	25	-	-	**53**

Stop Orders / LUB Enforcement

Stop Orders / LUB Enforcement	2021 Total	2022 Q1	2022 Q2	2022 Q3	2022 Q4	2022 YTD
Number of Cases	19	3	8	-	-	**11**

Bylaws - Land Use Bylaw Amendments and Road / MR Closures

Land Use Bylaw Amendments and Road Closure Bylaws	2021 Total	2022 Q1	2022 Q2	2022 Q3	2022 Q4	2022 YTD
Number of Bylaws Processed	38	3	10	-	-	**13**

Subdivision Review

Subdivision Applications	2021 Total	2022 Q1	2022 Q2	2022 Q3	2022 Q4	2022 YTD
Number of Subdivision Applications Processed	14	4	4	-	-	**8**

Subdivision and Development Appeal Board Hearings

Appeal Hearings	2021 Total	2022 Q1	2022 Q2	2022 Q3	2022 Q4	2022 YTD
Number of Development Permit Appeals	4	0	0	-	-	**0**
Number of Subdivision Appeals	1	0	1	-	-	**1**

Facility Maintenance Department Highlights

- The department staff are developing a preventative maintenance schedule for each of their specialized areas.
- While the focus is always on maintenance activities, emergencies and winter breakdowns add to the workload. The Safety Codes Officer role for gas, plumbing and PSDS has been moved to Park Enterprises as a pilot project to relieve staff of SCO duties and enable them to focus on maintenance activities. This started in December 2021 and has had a desirable outcome. In June 2022 this arrangement was extended to January 2023.

Development Department Highlights

The two Development Officers have been able to manage the department workload much more efficient and effective than before, and to accomplish tasks that were previously not given the expected attention and detail. However, the high workload is continuing. The result is that tasks that do not have a statutory timeline attached to it, are delayed, for example compliance certificates, bylaw enforcement, site inspections, following up to ensure development permit conditions are complied with, replying to phone calls and emails, etc.

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: August 16, 2022

Agenda #: 7.i

Subject: Pass Disc Golf Course Update

Recommendation: That Council approves the location of the green space located near the Coleman Complex for the disc golf course.

Executive Summary:
On the June 21st 2022 Council meeting Jarrod Elliot presented the Disc Golf course concept. There was some confusion as the to the actual locations of the course as a map had been accidentally not included in the slide show presentation. Council directed that Administration work with the proponent to ensure the location would be within the Municipal parcel and to bring the matter back to Council for approval of the proposal.

Relevant Council Direction, Policy or Bylaws:

03-2022-06-21: Councillor Sygutek moved that Jarrod Elliot representing the disc golf group work with Administration to gather the proper information and bring a proposal back for Council's consideration.

Carried

Discussion:
A map of the location of the purposed disc golf course has been provided. During the meeting with Jarrod and Administration, the course layout was rearranged to start hole 1 nearest the Complex, as a discussion on school access may be an issue during school hours.

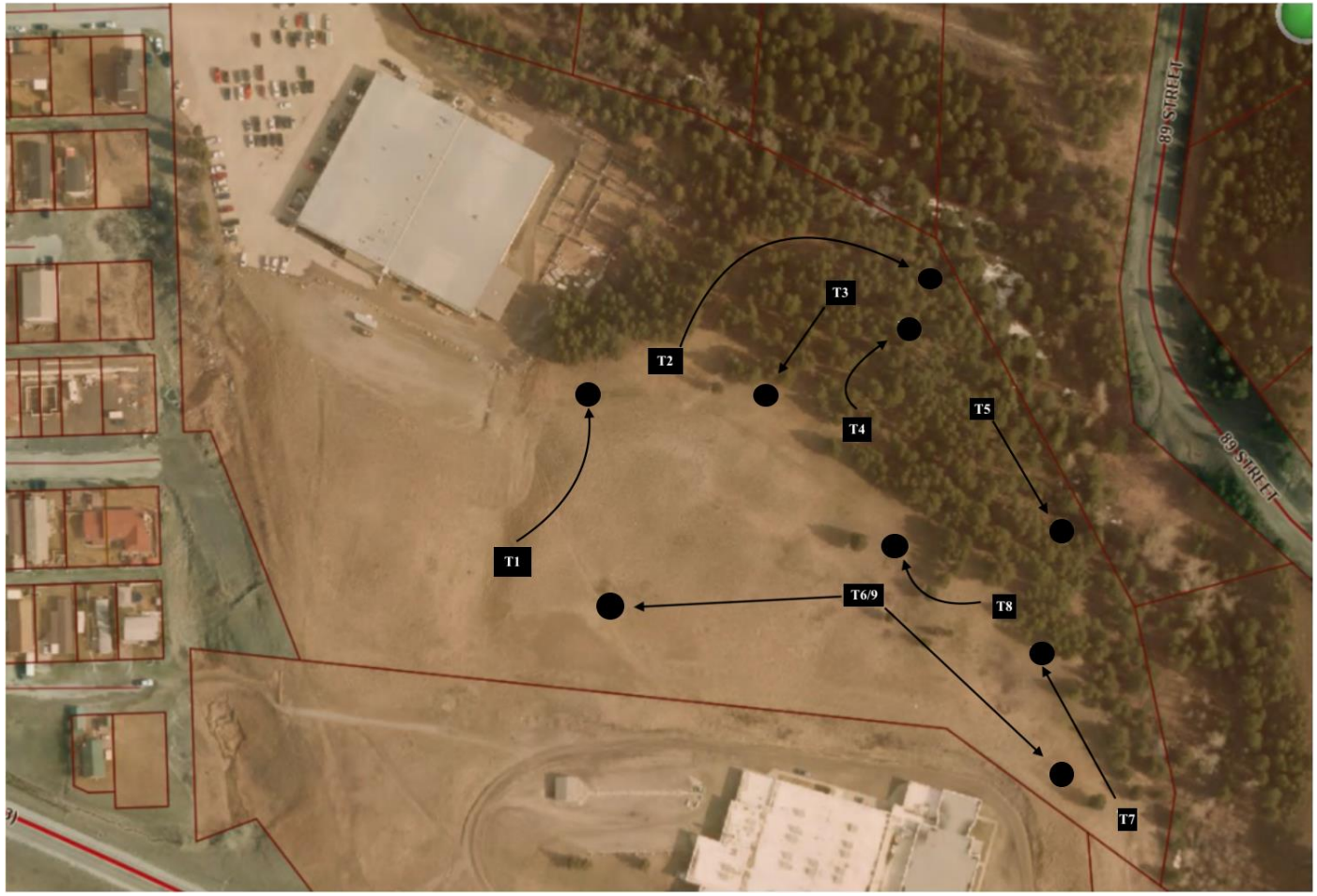
Attachment 2 confirms this is Municipal owned land.

Analysis of Alternatives:

Council may request further information about the Disc golf course.

Financial Impacts:
N/A

Attachments:
Disc golf Course..pdf
Disc Golf Ownership .pdf


T1
T2
T3
T4
T5
T6/9
T7
T8
89 STREET
89 STREET

Select Sub Report: Property
Select Records: This Page All Pages
Record 1 of 1
Roll Number : 1157400
Customer Number : MUNIC007
Account Number : 127500
Owner 1 : MUNICIPALITY OF CROWSNEST PASS
Owner 2 :
Civic Address : 8702 22 AVE
Unit / Trailer Number :
Lot : 2
Block : 33
Plan : 9411496
Short Legal : 9411496;33;2
Linc Number : 0026100149
Title Number : 941192005014
Land Use District : RECREATION & OPEN SPACE RO-1
Area (sq m) : 78555.09
Perimeter (m) : 1338.86
Land Value : $315,700.00
Improved Value : $4,858,700.00
Total Assessed Value : $5,174,400.00
CAMALot Report : Assessment Report
Registered Plan : Registered Plan
Additional Documents :
SQL Row Number : 58795
25 AVENUE
24 AVENUE (HIGHWAY 40)
24 AVENUE
22 AVENUE
21 AVENUE
19 AVENUE
18 AVENUE
85 STREET
86 STREET
89 STREET
UNKNOWN