



Municipality of Crowsnest Pass
AGENDA
Regular Council Meeting
Council Chambers at the Municipal Office
8502 - 19 Avenue, Crowsnest Pass, Alberta
Tuesday, December 13, 2022 at 1:00 PM

1. CALL TO ORDER

2. ADOPTION OF AGENDA

3. CONSENT AGENDA

- 3.a Minutes of the Crowsnest Pass Community Library Board of October 25, 2022
- 3.b Minutes of the Crowsnest Pass Senior Housing Board of November 9, 2022
- 3.c College of Physicians and Surgeons - Update on Physician Assessment Process of November 29, 2022
- 3.d Honourable Mike Ellis, Minister of Public Safety and Emergency Services - Victims Services Update of December 6, 2022

4. ADOPTION OF MINUTES

- 4.a Minutes of the Council Meeting of December 6, 2022

5. PUBLIC HEARINGS

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 Teck Resources 2022 Update - Rory O'Connor, Norm Fraser, and Katherine Gizikoff

7. REQUESTS FOR DECISION

- 7.a Bylaw 1130, 2022- Land Use Bylaw Amendment - Redesignate the Ski Hill lands as shown on Schedule A from various land use districts to Recreation and Open Space RO-1 - *First Reading*.
- 7.b Bylaw 1134, 2022 - Land Use Bylaw Amendment Omnibus No. 2 - *First Reading*
- 7.c Bylaw 1136, 2022 - Land Use Bylaw Amendment - Redesignate a closed portion of Lot 15MR, Block 5, Plan 8311587 from Recreation and Open Space RO-1 to Residential R-1 - *First Reading*
- 7.d Bylaw 1137, 2022 - Land Use Bylaw Amendment - Re-designate that portion of Lot 51MR, Block 1, Plan 0812254 forming part of Lot 53, Block 1, Plan _____ within the NE

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

12. ADJOURNMENT



Municipality of Crowsnest Pass Request for Decision

Meeting Date: December 13, 2022

Agenda #: 3.a

Subject: Minutes of the Crowsnest Pass Community Library Board of October 25, 2022

Recommendation: That Council accept the Minutes of the Crowsnest Pass Community Library Board of October 25, 2022 as information.

Executive Summary:

Minutes of internal Boards and Committees are provided to Council for their information.

Relevant Council Direction, Policy or Bylaws:

1041, 2020 Procedure Bylaw

Discussion:

The Crowsnest Pass Community Library Board provides their minutes to keep Council apprised of activities and operation of the library.

Analysis of Alternatives:

n/a

Financial Impacts:

n/a

Attachments:

[CNP Library board minutes October 25, 2022 with attachments.pdf](#)

Crowsnest Community Library Meeting room

Minutes

Attendance: Diane deLauw (Library Manager), Erin Matthews (Chair), Margaret Thomas (Vice Chair), Nicole Stafford (Secretary), Doreen Glavin (Municipal Council Rep), Lisa Sygutek (Municipal Council Rep) and John Hucik and Gale Comin (Treasurer).

1. Call to Order- Erin called the meeting to order at 1:30pm

2. Adoption of Agenda - October 25, 2022

Nicole made a motion to adopt the agenda as amended. Erin seconded. Motion carried.

3. Adoption of Minutes - September 13, 2022

Erin made a motion to adopt the minutes. Gale seconded. Motion carried.

4. Business arising from minutes:

- a. 2022 extra funding request
Extra funding for 2022 was approved by council.
- b. 2023 funding request update
Brought up and recommended at council.
- c. HSA benefit request update
It will be tabled until 2023.
- d. Municipal presentation review - Erin
Erin will email copy to all Board members

5. Librarians Report (attached)

Lisa made a motion to adopt the Librarians Report. Margaret seconded. Motion carried.

6. Financial Report - 2022 to date (attached)

Nicole made a motion to adopt the Financial Report. Gale Seconded. Motion carried.

7. Policy Review -

Reviewed up to section 1.5 in The Municipality of Crowsnest Pass Library Board Policies.

8. Meeting Adjournment

Lisa made a motion to adjourn the meeting at 2:05pm.

Next Regular Meeting: November 22, 2022 at 1:30pm

Approved _____ Date _____

Librarians Report
October 25, 2022

Programming

- Peaks to Pines first visit scheduled for Oct 27.
- Grade 1 will be coming for a visit mid November.
- Brat Pack running weekly.
- Hero Kids program started Oct 21 (every 2 weeks).
- After school crafts ran Oct 14.
- Nintendo Switch racing ran Oct 21(monthly).
- Dungeons and Dragons (no staff required).
 - Teen/adult is running up Wednesday nights.
 - Teen group runs some Thursdays.
 - School group has asked to play Saturdays.
 - Adult group may start up soon.
- 40DA Movie Nights
 - Teen movie night October 28th.
 - Kids movie night November 7th.
 - Teen movie night November 10th.
- Spooktacular October 29th.
 - Rean is putting on the crafts section.
 - We have teen volunteers doing the reading cave.

Building/Yard Maintenance

- Sprinkler system winter maintenance was done by Morency.
- Sidewalk leading up to ramp has been repaired again.
- Windows were cleaned by VISTA window cleaning.
- Many windows have broken seals and moisture between the panes. This was reported to the Municipality and they plan to put it forward as a 2024 budget item.

Friends of the Library

- Meeting held Oct 20th.
- Still figuring out how to spend Casino money.
- Looking to cover 3 programs that were provided by Literacy foundation.
 - Brat Pack (FCSS funding).
 - Books for Babies (partner with health unit).
 - 1 Book 5 Schools (grant application).

Staff training

- Rean took training on new ILL system Oct 3rd.
- Diane attended fall training day Oct 17th (cyber security and PLSB training).
- Diane attending Leadership training Oct 26th.
- Barb will be attending Mental Health First Aid training in November.

6



Municipality of Crowsnest Pass Request for Decision

Meeting Date: December 13, 2022

Agenda #: 3.b

Subject: Minutes of the Crowsnest Pass Senior Housing Board of November 9, 2022

Recommendation: That Council accept the Minutes of the Crowsnest Pass Senior Housing Board of November 9, 2022 as information.

Executive Summary:

Minutes of internal Boards and Committees are provided to Council for their 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 activities and operations of Senior Housing.

Analysis of Alternatives:

n/a

Financial Impacts:

n/a

Attachments:

[10 - Board Minutes - November 9, 2022.pdf](#)



BOARD MEETING MINUTES

November 9, 2022

A special meeting of the Management Body of Crowsnest Pass Senior Housing (CPSH) was held on Wednesday, November 9, 2022 at 11:00 a.m. at Country Encounters in Coleman, Alberta.

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

Minutes recorded by Annie Lok

1. CALL TO ORDER

- 1.1 Debi Ruzek called the meeting to order at 11:11 a.m. and it was determined that a quorum of directors was present.

2. ADDITIONS/CHANGES TO AGENDA

- 2.1 Additions 11.10 CAO Contract review

3. APPROVAL OF AGENDA

- 3.1 *Motion # 139/22 to approve the agenda as amended. — Dean Ward - cd*

4. APPROVAL OF PRIOR MINUTES

- 4.1 *Motion # 140 /22 to approve the minutes of the meeting held October 24, 2022 as presented. — Susan Demchuk— cd.*
- 4.2 *Motion #141/22 to approve the minutes of the meeting held October 28, 2022, as presented - Dean Ward — cd.*

5. BUSINESS ARISING FROM THE MINUTES

Action log as presented.

6. CORRESPONDENCE

- 6.1 Municipality Board terms 2023 – Debi Ruzek highlighted that 5 current board members may potentially be changed out in 2024 due to expiry terms. Board applications should be forwarded to CPSH Board for review by Municipality and recommendations can then be forwarded back to Municipality for considerations.

7. BOARD CHAIRPERSON REPORT

- 7.1 No other Board reports.

8. OTHER BOARD REPORTS

No Report

9. OLD BUSINESS

9.1 Peaks to Pines Building (P2P)- Standing Item

- 9.1.1 Suspected gas leak. 6 residents on level 1 evacuated from their suite toward the west side of the building. Fire Department attended to the emergency call out. No gas was detected by Atco. Further investigation ongoing. No staff or residents impacted.
- 9.1.2 Heat issues on the 3rd floor where hallways were at 17°C. Found drafty windows. Mechanical contractor came on site to rectify issues with controllers. Further probe to find the source of vent operation not aligning with the system controls. Calibration issues.

- 9.2 Recruitment status – Continued with LPN and HCA hiring. Engaged in contract workforce for a LPN hire.
- 9.3 Meet CUPE Nov 21. Coordinate web meeting with Janet Money Nov 18.
- 9.4 Snow removal tender issued to local contractor.

12. NEW BUSINESS

No new business

13. IN CAMERA

- 13.1 *Motion #142/22 to go In Camera at 11:46 AM. – Cathy Painter– cd*
- 13.2 *Motion #143/22 to come out of Camera at 11:55pm – Cathy Painter – cd*
- 13.3 *Motion #144/22 to accept new CAO contract and job description as presented.*

14. ADJOURNMENT

- 14.2 *Motion #145/22 to adjourn at 11:58pm – Dave Filipuzzi – cd.*

Next Board meeting Nov 28, 2022 at 10am; location Peaks to Pines Senior Lodge Board room.



Debi Ruzek – Board Chairperson



Municipality of Crowsnest Pass Request for Decision

Meeting Date: December 13, 2022

Agenda #: 3.c

Subject: College of Physicians and Surgeons - Update on Physician Assessment Process of November 29, 2022

Recommendation: That Council accept the College of Physicians and Surgeons - Update on Physician Assessment Process as information.

Executive Summary:

Correspondence received is provided to Council at the subsequent meeting for their information.

Relevant Council Direction, Policy or Bylaws:

1041, 2020 Procedure Bylaw

Discussion:

The College of Physicians and Surgeons provided an update to Council on the physician assessment process as Council had previously written to request consideration of streamlining the process to facilitate faster integration of foreign physicians into the health care system due to staffing shortages.

Analysis of Alternatives:

n/a

Financial Impacts:

n/a

Attachments:

[Update-PRA-Crowsnest-Pass-112022.pdf](#)

November 21, 2022

Delivered by E-mail

Mr. Blair Painter, Mayor
Municipality of Crowsnest Pass
Box 600, Crowsnest Pass, AB
T0K 0E0

Dear Mayor Painter:

Thank you again for reaching out to the College of Physicians and Surgeons of Alberta in January 2022, sharing your community's concerns about physician recruitment and retention. As I mentioned in my original response, CPSA continually seeks out ways to improve our processes, and we have recently announced a new pilot project to accelerate registration of internationally-trained physicians. The goal of this pilot is to evaluate whether certain internationally trained medical graduates (IMGs) may begin independently practicing in their identified communities faster, while still ensuring patient safety is the top priority. The pilot is expected to launch in early 2023.

As I shared in my previous letter, CPSA's Practice Readiness Assessment (PRA) is the final step to independent practice in Alberta for those who do not have complete Canadian credentials. Once an IMG has met eligibility criteria and secured a sponsorship through Alberta Health Services, they can move on to the PRA. Currently, the PRA consists of two parts—the first being a three-month Preliminary Clinical Assessment where the candidate works under direct observation in the medical practice of a CPSA-approved assessor, and the second being a three-month Supervised Practice Assessment where the candidate is working independently in their identified community and providing medical services to Albertans.

The new pilot project will waive the first three-month requirement for IMGs that have comparable training to that obtained in Canadian universities, as identified by experts in postgraduate medical training. Other requirements, such as clinical review exams, will also be waived for those eligible for the pilot program. To evaluate and ensure patients are receiving safe, high-quality care, safeguards (such as enhanced assessments and practice reviews over the first three years of practice) will be in place once the physician has successfully completed the Supervised Practice Assessment.

We understand how important access to safe, high-quality and community-based health care is to Albertans. We also recognize the challenges many communities face recruiting and retaining physicians, and are committed to doing our part to expedite the practice of internationally-trained physicians in Alberta.

Please do not hesitate to contact me directly if you have questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Michael Caffaro', with a long horizontal flourish extending to the right.

Dr. Michael Caffaro
Assistant Registrar – Registration
College of Physicians and Surgeons of Alberta

CC: Hon. Jason Copping, Minister of Health
Rural Municipalities of Alberta



Municipality of Crowsnest Pass Request for Decision

Meeting Date: December 13, 2022

Agenda #: 3.d

Subject: Honourable Mike Ellis, Minister of Public Safety and Emergency Services - Victims Services Update of December 6, 2022

Recommendation: That Council accept the correspondence from Honourable Mike Ellis, Minister of Public Safety and Emergency Services - Victims Services Update of December 6, 2022 as information.

Executive Summary:

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

Relevant Council Direction, Policy or Bylaws:

1041, 2020 Procedure Bylaw

Discussion:

A letter was received from the Honourable Mike Ellis, Minister of Public Safety and Emergency Services providing clarification to municipalities regarding the redesign of Victims Services.

Analysis of Alternatives:

n/a

Financial Impacts:

n/a

Attachments:

[2022 12 06 - Minister Ellis, Public Safety & Emergency Service - Victims Services Update.pdf](#)



ALBERTA
PUBLIC SAFETY AND EMERGENCY SERVICES

*Office of the Minister
MLA, Calgary-West*

AR 53295

Dear Community Leader:

Over the last number of weeks, many of our Alberta municipalities have been in contact with government, requesting further information and clarification on a number of items related to the provincial changes to victim services announced July 19, 2022, and scheduled for implementation by April 1, 2024.

I have heard from the many of you about your concerns with the redesign initiative. I am writing to provide clarification on a number of points.

I would like to reassure you the move to a regional governance model for police-based victim services units has always been intended to improve the consistency, stability, and continuity of services received by victims of crime across all regions of the province - municipal, rural and remote. It was also designed to ensure that all victims would continue to be supported locally, by dedicated workers and volunteers from within and around their own communities. While board governance is moving toward integration, all front-line services remain local. I appreciate this opportunity to provide further information about the ongoing redesign work that has occurred to date as it relates to your community and others like it.

Is victim services being removed from your community?

In short, no. The new governance model will empower more than 130 paid, front-line victim caseworkers (full and part-time equivalents), each of them living and working in the communities they serve now. Our new model never contemplated centralizing front-line victim caseworkers in a regional office. They will continue to be co-located with RCMP members in their local detachments, work alongside their volunteer advocates, and be supported not only by their regional boards but also by a new, full-time centralized professional support staff (CPSS); one CPSS for each region. These CPSS teams will consist of, at minimum: an executive director; human resources professional; regional operations manager; regional court support coordinator; cultural safety specialist; admin/office manager; qualified financial management professional; and a retained legal resource.

For smaller, rural and remote communities in Alberta, the new regional governance model for police-based victim services means all areas of the province will have uniform, flexible and sustainable victim services. The new layer of full-time, professional support staff for front-line victim caseworks will stabilize and improve programs above and beyond what is offered under the current governance structure. Front-line caseworkers will have more time to focus on working alongside volunteer advocates and with their local RCMP officers to support victims in the immediate aftermath of a crime, to provide court support within an integrated and coordinated court support program, and for engaging with local and community partners.

How will our communities be represented at the regional level?

As stated, front-line staff will work in the same detachment areas in which they live, as will their cadre of volunteer advocates. The new regional governance boards themselves will be virtual in nature, and will consist of members from communities all across the region. While every detachment area will not necessarily be represented at the board level, no more than one board member per detachment area will be selected.

Did the MLA-led review ever seek to engage municipalities, and did it engage local victim services units (VSUs)?

The MLA-led review of victims services took place over 2020/21 and included participants from the Rural Municipalities of Alberta and the Alberta Municipalities. Other individuals and organizations engaged during this period included MLAs from across the political spectrum, volunteers and staff at police-based VSUs, victim-serving community organizations, a variety of police service representatives, the RCMP, legal experts and Indigenous organizations. Alberta held about 40 engagement sessions, with around 150 stakeholders and organizations attending. The Victim Service Redesign is based on feedback received during these engagements and reflects the final report and recommendations of the MLA-led review. The Victims Services Redesign team continues to meet with affected and/or interested groups and municipalities to gather any outstanding questions, concerns and suggestions. These meetings have already been instrumental in informing improvements to the model.

Will there be a reduction in scope of services provided by the new victim services model, and will this new model serve Albertans who have been traumatized by non-criminal and tragic events?

As Minister of Public Safety and Emergency Services, I recognize that services other than those provided solely to victims of crime, such as for victims of non-criminal trauma, are incredibly important to Albertans. As such, Albertans will not experience a reduction in services currently available, now nor when the new zonal model is implemented. If legislative amendments to the Victims of Crime and Public Safety Act are required to assure this, then our government will pursue those.

Are program managers and other staff guaranteed jobs or do they have to re-apply for positions within the new zonal model?

The hiring of the victim caseworker positions will be the responsibility of each new executive director and respective support staff group. GOAVS will collaborate with the support staff groups, preferring a process that honours the skills and experience of the current cadre of police-based victim services workers. We will be recommending that current VSU employees be invited into a stream-lined on-boarding process prior to any positions being advertised publicly.

These changes to victim services in Alberta are an exciting step forward to ensure victims in our province have the help they need when they need it most. Over the next year, we will continue to work closely with municipalities and Indigenous communities to design and implement the new service delivery model. To ensure that you continue to have the most accurate and up to date information about the new victim services redesign, I encourage you to maintain direct contact with the Director of Victim Services Trent Forsberg at Trent.Forsberg@gov.ab.ca. He would be happy meet with you should you have any future questions, concerns, or suggestions. We look forward to continuing to engage Alberta municipalities on this important initiative.

Thank you for your ongoing commitment to ensuring the needs of victims in your community continue to be met.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mike Ellis', with a stylized, flowing script.

Honourable Mike Ellis, ECA
Minister

cc: Trent Forsberg, Director, Victims Services, Strategy, Support and Integrated Initiatives



Municipality of Crowsnest Pass Request for Decision

Meeting Date: December 13, 2022

Agenda #: 4.a

Subject: Minutes of the Council Meeting of December 6, 2022

Recommendation: That Council adopt the Minutes of the Council Meeting of December 6, 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 12 06 Council Meeting Minutes.docx](#)



Municipality of Crowsnest Pass

Council Meeting Minutes

Tuesday, December 6, 2022

A regular meeting of the Council of the Municipality of Crowsnest Pass was held in Council Chambers on Tuesday, December 6, 2022.

Council Present:

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

Administration Present:

Patrick Thomas, Chief Administrative Officer
Kristin Ivey, Deputy Chief Administrative Officer
Bonnie Kawasaki, Recording Secretary

CALL TO ORDER

Mayor Painter called the meeting to order at 7:00 pm.

ADOPTION OF AGENDA

Additions:

Councillor Inquiries and Notice of Motion

- a) Request for Letter of Support from the Oldman Watershed Council – Mayor Painter
- b) Request for Letter of Support for Crowsnest Pass Senior Housing – Councillor Ward

01-2022-12-06: Councillor Girhiny moved to adopt the agenda as amended.

Carried

CONSENT AGENDA

02-2022-12-06: Councillor Filipuzzi moved that Council approve the following Consent Agenda items as presented without debate:

3.a

Minutes of the Municipal Planning Commission of October 26, 2022

THAT Council accept the Minutes of the Municipal Planning Commission of October 26, 2022 as information.

Carried

ADOPTION OF MINUTES

03-2022-12-06: Councillor Girhiny moved to adopt the Minutes of the Council Meeting of November 29, 2022 as presented.

Carried

PUBLIC HEARINGS

None

DELEGATIONS

None

REQUESTS FOR DECISION

Bylaw 1138, 2022 - Municipal Reserve closure and removal of Municipal Reserve designation on a portion of Lot 1MR, Block 3, Plan 8311587 - First Reading

04-2022-12-06: Councillor Filipuzzi moved first reading of Bylaw 1138, 2022 - Municipal Reserve closure and removal of Municipal Reserve designation on a portion of Lot 1MR, Block 3, Plan 8311587.

Carried

COUNCIL MEMBER REPORTS

Council reports since the November 29, 2022 meeting of Council:

- Councillor Ward
 - Councillor Ward and Councillor Filipuzzi met with the grade one classes to explain to the kids how Council works and what Councillors do
 - It was an enjoyable experience and the teacher advised that the kids also enjoyed it

- Councillor Painter
 - Attended Brighter Futures with Tina and read a children's story to the kids, will be posted on Facebook
 - Attended the Children's Christmas Party, a lot of fun was had by all
 - Also attended the tree lighting ceremony it went very well, would like Council to consider adding more Christmas lights for the trees in the park and additional fire pits for next year to the budget
- Councillor Glavin
 - Commented that the Gazebo Park and the Christmas Tree looks awesome

PUBLIC INPUT PERIOD

None

COUNCILLOR INQUIRIES AND NOTICE OF MOTION

Letter of Support for the Oldman Watershed Council – Mayor Painter

05-2022-12-06: Councillor Filipuzzi moved to accept the report on the Oldman Watershed Council request for letter of support for information.

Carried

Letter of Support for Crowsnest Pass Senior Housing – Councillor Ward

06-2022-12-06: Councillor Ward moved to direct Administration to write a letter of support for Crowsnest Pass Senior Housing.

Carried

ADJOURNMENT

07-2022-12-06 : Councillor Filipuzzi moved to adjourn the meeting at 7:12 pm.

Carried

Blair Painter
Mayor

Patrick Thomas
Chief Administrative Officer



Municipality of Crowsnest Pass Request for Decision

Meeting Date: December 13, 2022

Agenda #: 6.a

Subject: Teck Resources 2022 Update - Rory O'Connor, Norm Fraser, and Katherine Gizikoff

Recommendation: That Council accept the Update from Teck Resources as information.

Executive Summary:

A request was received from the office of Rory O'Connor, Manager of Social Responsibility, requesting to appear as a delegation to Council to provide a 2022 update from Teck Resources.

Relevant Council Direction, Policy or Bylaws:

1041, 2020 Procedure Bylaw

Discussion:

Rory O'Connor, Manager of Social Responsibility, Norm Fraser, Senior Lead Indigenous and Community Affairs and Katherine Gizikoff, General Manager will be in attendance to provide Council with an update from Teck Resources for 2022.

Analysis of Alternatives:

n/a

Financial Impacts:

n/a

Attachments:

[2022.12.13MncpltyCNP_TeckYearInReview.pdf](#)

Teck in the Elk Valley

Presentation to the Municipality of
Crowsnest Pass
Regular Meeting of Council
December 13, 2022

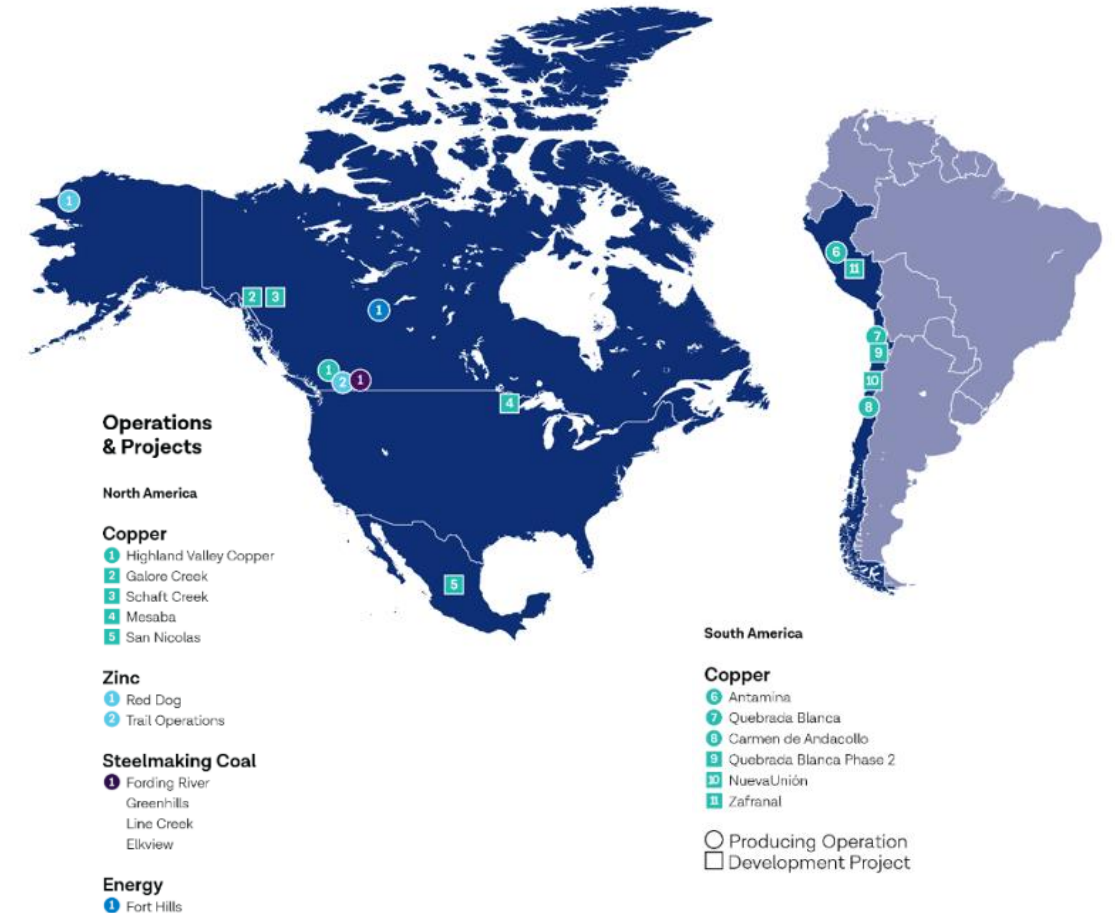
Teck



Teck is a Global Natural Resources Company

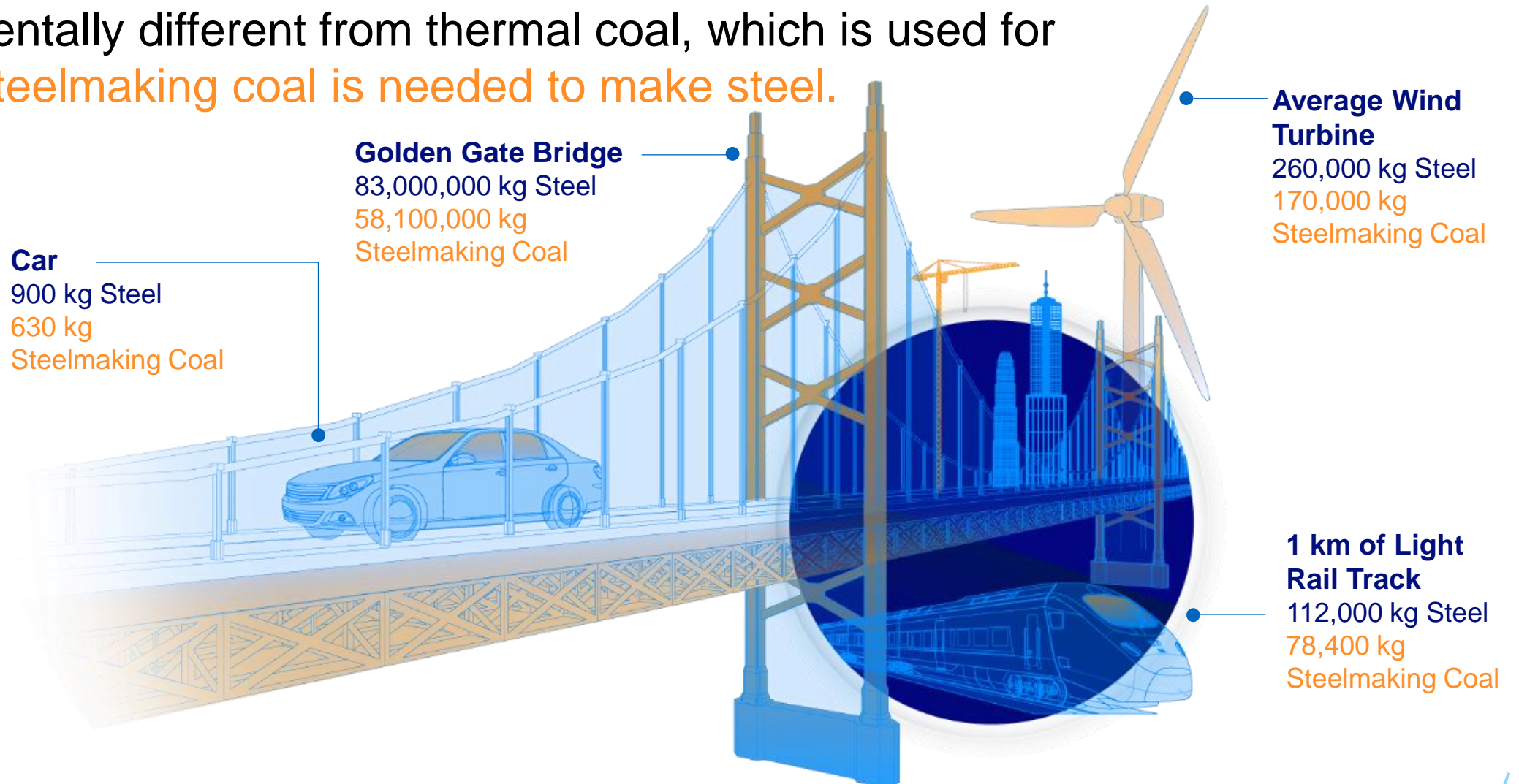
Teck:

- Operates in Canada, the U.S., Chile & Peru
- Several operations & projects in B.C.
 - 4 steelmaking coal mines in the Elk Valley
 - Highland Valley Copper mine near Kamloops
 - Trail Operations smelting / refining complex
 - Neptune port facility in North Vancouver
 - Steelmaking coal & copper development projects in northern B.C.
- Employs 8,000+ people across B.C.
- Leads globally in Environment, Social and Governance (ESG) standards & sustainability practices

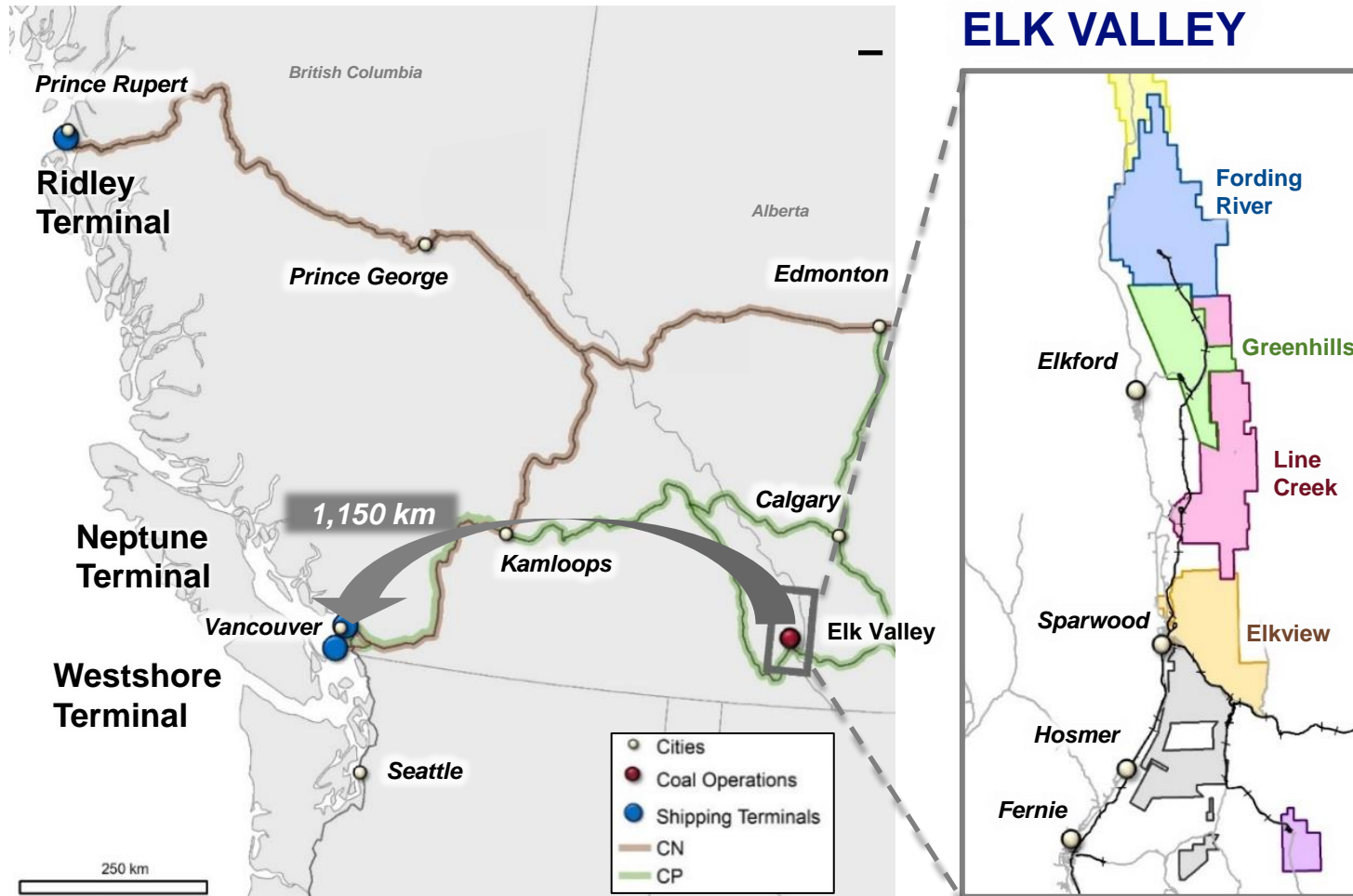


Understanding Global Demand for Steelmaking Coal

Fundamentally different from thermal coal, which is used for power, **steelmaking coal is needed to make steel.**



An Integrated Long Life Coal Business



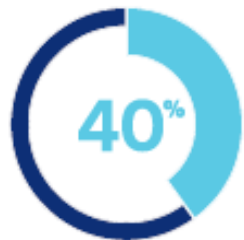
- 840 million tonnes of reserves support ~26 to 27 Mt of annual production capacity for many years
- Geographically concentrated in the Elk Valley
- Established infrastructure and capacity with mines, railways and terminals

Sustaining Benefits

Estimated Employment Share of Total Labour Force



1 in 5 of all jobs in the East Kootenay Regional District are created or sustained by Teck's activities.



Nearly half of all jobs in Elkford, Sparwood, Cranbrook and Fernie are created or sustained by Teck's activities.

Employment



Government Revenue



2022 Year in Review

Rory O'Connor
Manager, Social Responsibility

Advancements on Key Items

Elk Valley Water Quality Plan

- Submission of the Implementation Plan Adjustment
- Permitting, construction and commissioning of additional treatment capacity

Shared Services Office

- Project design and planning continued to advance permitting and geotechnical work

Maintenance Office

- Operating in Blairmore

Nature Positive

- Goal announced to become a nature positive company through conservation and rehabilitation for every hectare affected by mining activities

Community Investment

- Investments across various areas of the community

Fording River Extension Project Update

Norman Fraser
Engagement Manager, FRX



Fording River Extension Project



FRO currently permitted area supports operations to mid/late 2020s



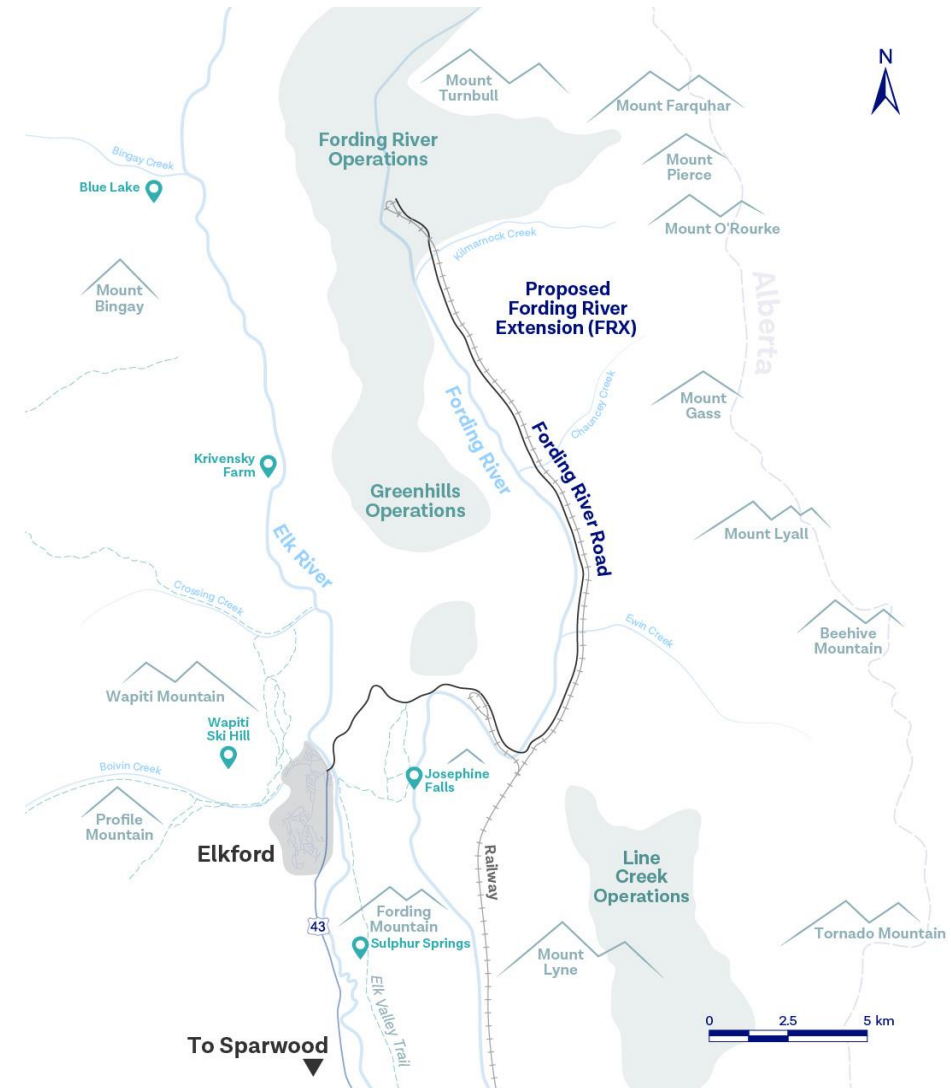
FRX will be the primary source of steelmaking coal to sustain FRO for decades



Retains existing workforce, supporting local economy and communities



Continued direct, indirect and induced socioeconomic benefits in the Elk Valley



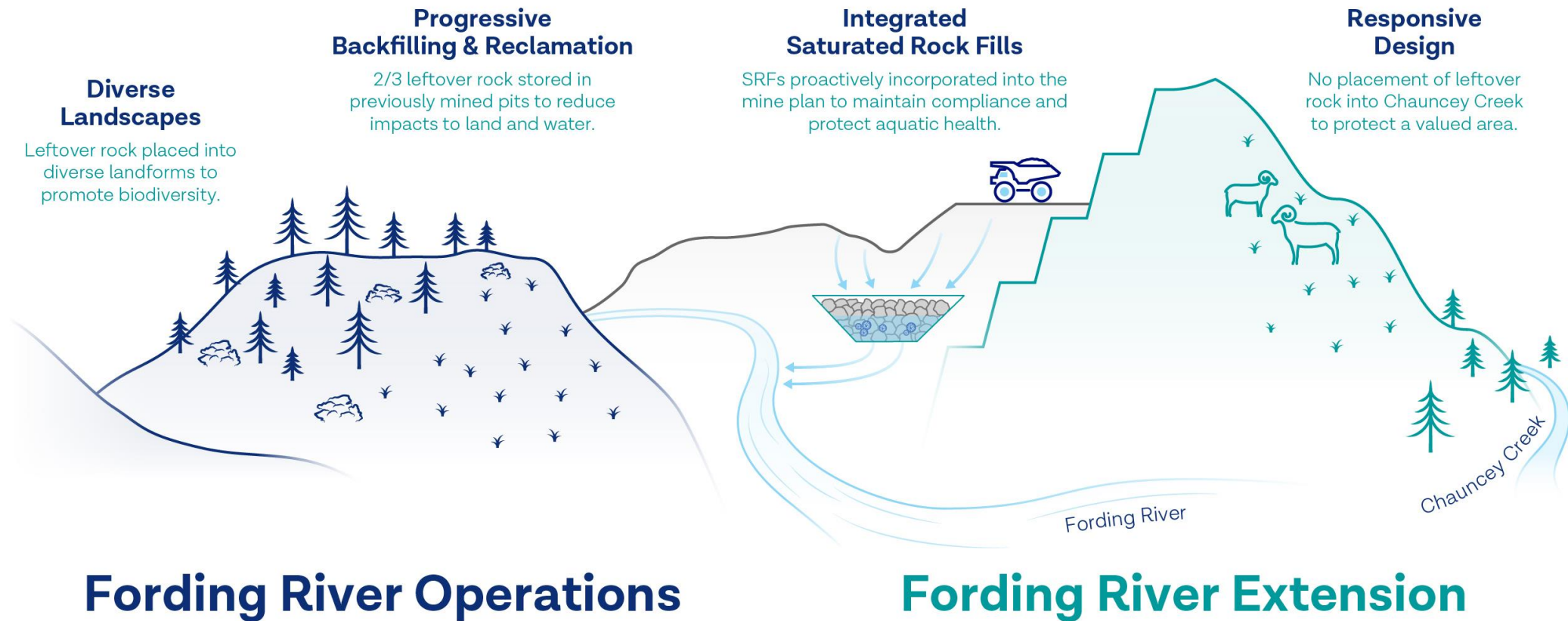
Coordinated Assessment

Conceptual Timeline



Sustainability Features

The Fording River Extension Project is incorporating innovative sustainability features into the mine design including



Nature Positive by 2030

Katherine Gizikoff
General Manager, Land Strategy

Global Context

Increased Focus on Nature: 'The Next Climate Change'

- Global biodiversity decreased by 68% from 1970 to 2016
- Continuation of current trajectory will result in 20% of all species becoming extinct in next several decades
- Climate change increasingly linked to biodiversity crisis
- Over half the world's economic output (US\$44 trillion) is highly or moderately dependent on nature

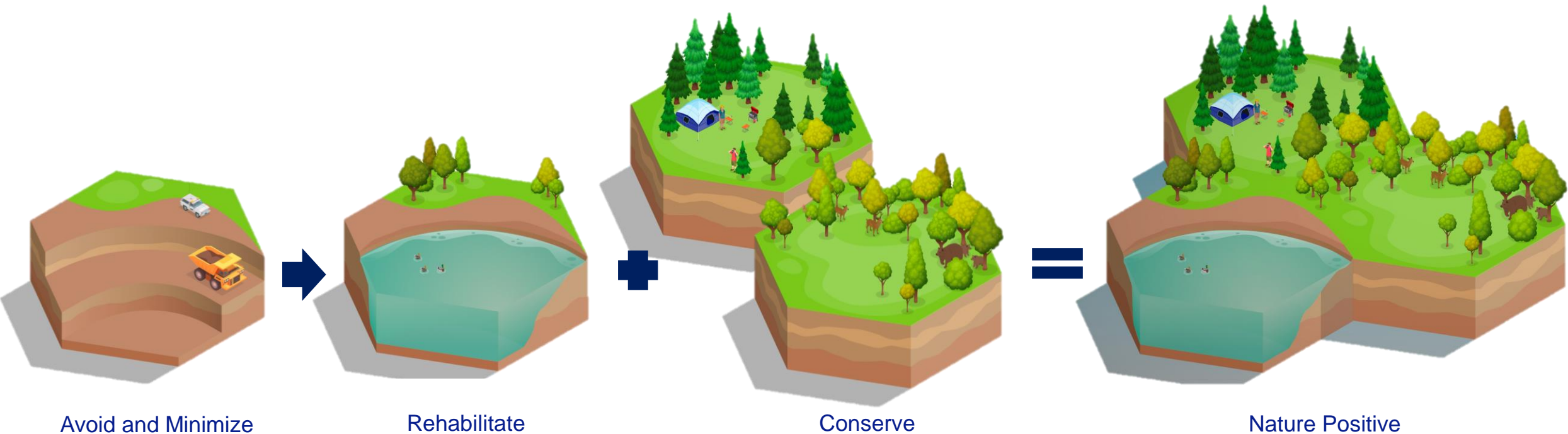


What we expect to see going forward

- Increased international law (Post-2020 Global Biodiversity Framework; 30x30 goals and Nature Positive global goal)
- Increased financial disclosure (Task Force on Nature-related Financial Disclosure 'TNFD')
- Future extractive sector action and increased regional regulation
- Biodiversity goals critical to sustainability leadership

Teck's Nature Positive Goal

By 2030, our conservation, protection and restoration of land and biodiversity will exceed the disturbance caused by our mining activities from a 2020 baseline



Nature Positive Community Investment



Conservation
and
Restoration



Education and
Experiential
Learning



Recreation
and Access
Management



Research and
Innovation

Nature Positive Initiative is broad, flexible and community driven.

Nature Positive in the Elk Valley

- Link fragmented habitats
- Conserve/protect lands
- Restore impacted ecosystems
- Reduce road densities
- **We want to hear from you!**

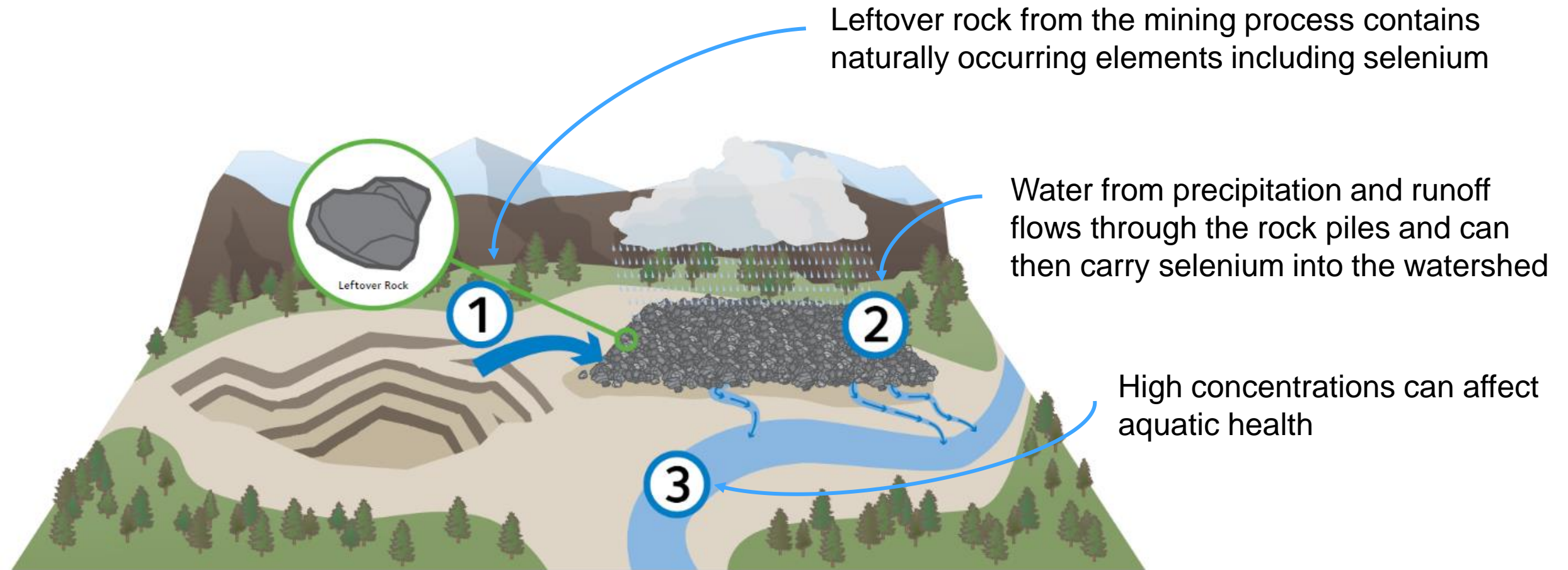


Elk Valley Water Quality Plan Overall Progress

Rory O'Connor
Manager, Social Responsibility



Mining Can Affect Water Quality



Elk Valley Water Quality Plan

Created collaboratively with the objective to protect the watershed and allow for ongoing mining

- Developed with input from First Nations, US Tribes, Canada and US government agencies, independent scientific experts, public and other stakeholders
- Approved by the Provincial Government in 2014



Plan Objectives

- Stabilize and reverse the trend of selenium and nitrate, manage calcite formation and protect the ongoing health of the watershed
- Allow for continued sustainable mining in the Elk Valley
- Manage adaptively and adjust to new information and research

Collaboration and Data Sharing

- Environmental Monitoring Committee
- Lake Koocanusa Monitoring and Research Committee
- Koocanusa Reservoir Transboundary Monitoring Task Group

2022 Update To Water Quality Treatment Plan

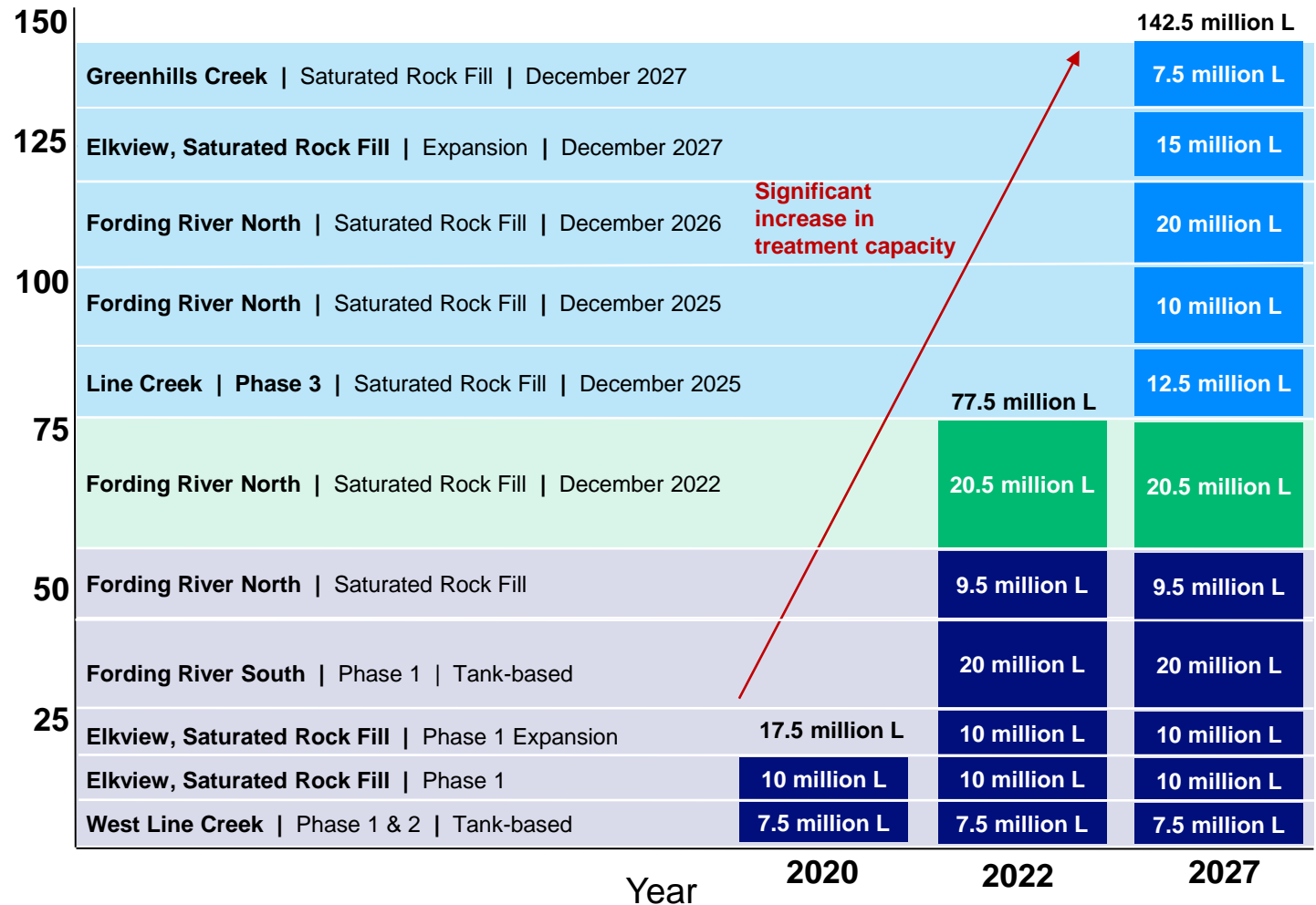
More water treatment online faster

- Compared to 2020
 - **~4x increase** in treatment capacity by end 2022 (total of 77,500 m³/d)
 - **~8x increase** in treatment capacity by end 2027 (total of 142,500 m³/d)
- Achieved by advancements in new water treatment technologies
- Stabilizing and reducing the selenium trend in the Elk Valley

Legend

- Future Facility
- Under Construction
- Completed

Millions of Litres per Day

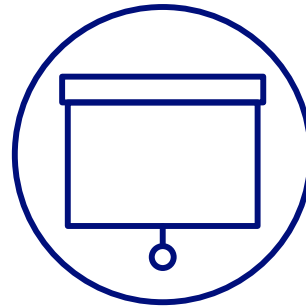


Stay In Touch

Have additional questions?

Please email feedbackteckcoal@teck.com

To find Teck's reports on water quality,
please visit www.teck.com/elkvalley

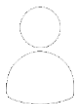


To provide feedback about Teck's Elk Valley Operations:

Phone: 1.855.806.6854

Email: feedbackteckcoal@teck.com

Visit the Communities Office
116 Centennial Square, Sparwood





Municipality of Crowsnest Pass Request for Decision

Meeting Date: December 13, 2022

Agenda #: 7.a

Subject: Bylaw 1130, 2022- Land Use Bylaw Amendment - Redesignate the Ski Hill lands as shown on Schedule A from various land use districts to Recreation and Open Space RO-1 - First Reading.

Recommendation: That Council gives first reading of Bylaw 1130, 2022 to redesignate the Ski Hill lands as shown on Schedule A from various land use districts to Recreation and Open Space RO-1.

Executive Summary:

The proposed bylaw 1130, 2022 involves the re-designation of the lands legally described as SE¼ 34-7-4-W5M, SW¼ 35-7-4-W5M, portion of SE¼ 35-7-4-W5M, portion of the NE¼ 35-7-4-W5M, portion of the NW¼ 35-7-4-W5M and Lots 50MR to 52MR, Block 1, Plan 081 2254, as shown on Schedule 'A', from various land use districts to "Recreation and Open Space – RO-1" to bring the existing land use into compliance with the land use bylaw.

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 bylaw 1130, 2022 brought forward by Administration involves the redesignation of the lands as shown on Schedule 'A' and described below, from various land use districts to "Recreation & Open Space – RO-1" to bring the existing land use into compliance with the land use bylaw.

- a. SE¼ 34-7-4-W5M, SW¼ 35-7-4-W5M, portion of SE¼ 35-7-4-W5M, portion of the NE¼ 35-7-4-W5M and portion of the NW¼ 35-7-4-W5M, as shown on Schedule 'A', and containing a total area of 153.16 ha (378.46 acres), from the "Non-Urban Area – NUA-1" District to the "Recreation and Open Space – RO-1" District;
- b. portion of the NW¼ 35-7-4-W5M, as shown on Schedule 'A', and containing a total area of 5.31 ha (13.11 acres), from the "Comprehensive Ski Village – CSV" District to the "Recreation and Open Space

– RO-1” District; and

c. Lots 50MR, 51MR and 52MR, Block 1, Plan 081 2254, as shown on Schedule ‘A’, and containing a total area of 0.79 ha (1.96 acres), from the “Public – P-1” District to the “Recreation and Open Space – RO-1” District.

Analysis of Alternatives:

1. Council may proceed with first reading of Bylaw 1130, 2022, as proposed, and schedule a public hearing for January 24, 2023.
2. Council may defer first reading of Bylaw 1130, 2022 and outline what additional information they would like to see with reconsideration.

Financial Impacts:

N/A

Attachments:

[Bylaw 1130-2022 - ski-hill etc - various parcels.docx](#)

[Bylaw 1130, 2022 - Multiple to RO1-Schedule A.pdf](#)

MUNICIPALITY OF CROWSNEST PASS

BYLAW NO. 1130, 2022

LAND USE BYLAW AMENDMENT – Redesignate Ski Hill and Adjacent Lands

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 redesignate the lands known as the SE¼ 34-7-4-W5M, SW¼ 35-7-4-W5M; portion of SE¼ 35-7-4-W5M; portion of the NE¼ 35-7-4-W5M; portion of the NW¼ 35-7-4-W5M; and Lots 50MR, 52MR & portion of Lot 51MR, Block 1, Plan 081 2254; as shown on Schedule 'A', from various land use districts to "Recreation & Open Space – RO-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 "Recreation & Open Space – RO-1".

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 redesignate the lands legally described as:
 - a. SE¼ 34-7-4-W5M, SW¼ 35-7-4-W5M, portion of SE¼ 35-7-4-W5M, portion of the NE¼ 35-7-4-W5M and portion of the NW¼ 35-7-4-W5M, as shown on Schedule 'A', and containing a total area of 153.16 ha (378.46 acres), from "Non-Urban Area – NUA-1" to "Recreation & Open Space – RO-1";
 - b. portion of the NW¼ 35-7-4-W5M, as shown on Schedule 'A', and containing a total area of 5.31 ha (13.11 acres), from "Comprehensive Ski Village – CSV" to "Recreation & Open Space – RO-1"; and
 - c. Lots 50MR, 52MR & portion of 51MR, Block 1, Plan 081 2254, as shown on Schedule 'A', and containing a total area of 0.79 ha (1.96 acres), from "Public – P-1" to "Recreation & Open Space – RO-1".
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

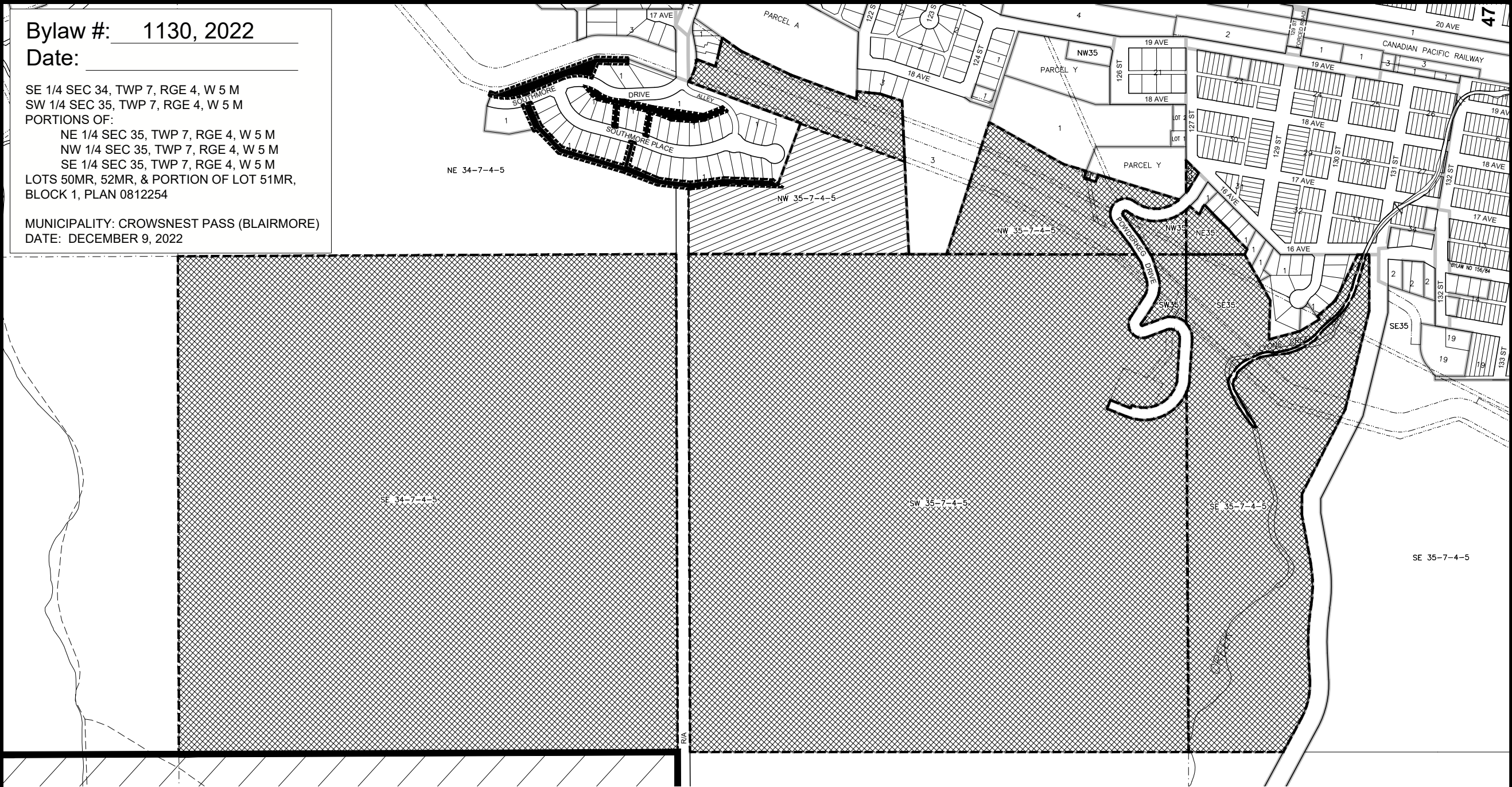
Mayor

Patrick Thomas
Chief Administrative Officer

Bylaw #: 1130, 2022
Date:

SE 1/4 SEC 34, TWP 7, RGE 4, W 5 M
SW 1/4 SEC 35, TWP 7, RGE 4, W 5 M
PORTIONS OF:
NE 1/4 SEC 35, TWP 7, RGE 4, W 5 M
NW 1/4 SEC 35, TWP 7, RGE 4, W 5 M
SE 1/4 SEC 35, TWP 7, RGE 4, W 5 M
LOTS 50MR, 52MR, & PORTION OF LOT 51MR,
BLOCK 1, PLAN 0812254

MUNICIPALITY: CROWSNEST PASS (BLAIRMORE)
DATE: DECEMBER 9, 2022



LAND USE DISTRICT REDESIGNATION
SCHEDULE 'A'



FROM: NON-URBAN AREA NUA-1
TO: RECREATION & OPEN SPACE RO-1



FROM: COMPREHENSIVE SKI VILLAGE CSV
TO: RECREATION & OPEN SPACE RO-1
FROM: PUBLIC P-1
TO: RECREATION & OPEN SPACE RO-1

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"





Municipality of Crowsnest Pass Request for Decision

Meeting Date: December 13, 2022

Agenda #: 7.b

Subject: Bylaw 1134, 2022 - Land Use Bylaw Amendment Omnibus No. 2 - First Reading

Recommendation:

That Council give First Reading of Bylaw 1134, 2022.

Executive Summary:

Bylaw 1134, 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 1134, 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 1134, 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 1134, 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.

Bylaw 1134, 2022 has been revised since the first reading and public hearing of Bylaw 1115, 2022, which was defeated on October 18, 2022 at second reading. The revisions are based on feedback from Council during the consideration of Bylaw 1115, 2022, from the public during a recent appeal hearing, from the December 08, 2022 Council workshop, as well as on items identified by Administration. These revisions address the following (the revised pages are attached and the revised text identified in yellow highlight):

1. A definition of Comprehensive Site Development Plan.
2. A definition of Infill Development.
3. Comments from a legal review regarding Penalties and Fines.
4. Clarification of the standards for Recreational Vehicle Outdoor Storage and Temporary Sleeping Accommodations on residential properties, and providing for a discretionary use in the C-1 and C-2 Districts as a "Temporary Storage Yard".
5. Removal of the prohibition of permanent residential occupancy in a Recreational Vehicle Park (as opposed to a Campground), and the addition of standards in Schedule 4 to control the number of RVs in a Recreational Vehicle Park that may be used for permanent residential occupancy, and to require that such units must be serviced with year-round water and wastewater systems.
6. Clarification in the definition of Canvas Covered Structure to allow its use for any type of storage, not just vehicles and equipment.
7. Prohibit the renter of any dwelling unit to bring a commercial vehicle to the premises or conduct a business from the premises, unless it is a standard passenger vehicle for employment purposes and unless a development permit for a Home Occupation has been issued.
8. The above prohibition includes a Secondary Suite and a Tourist Home and Short-Term Rental / Bed & Breakfast.
9. Clarify that the use of a Tourist Home is restricted to one dwelling unit / rental unit regardless of the existence of a Duplex or a Secondary Suite on the property.

Please note that relative to item 4 above, the land use bylaw that is in place prior to this proposed amendment already restricts the outdoor storage/parking of a recreational vehicle to existing

residences and residences under construction - the proposed amendment is a clarification only. This means that a business is not allowed to store a personal recreational vehicle outdoors on the business premises, except where "Recreational Vehicle Storage" or "Temporary Storage Yard" is listed as a use in the district and a development permit has been obtained. If there was a building on the business premises that could accommodate a recreational vehicle, the business owner would not contravene the land use bylaw if they stored the recreational vehicle inside the building.

Please note that item 5 above was the basis for the defeat of Bylaw 1115, 2022 when this proposed omnibus amendment was before council on October 18, 2022. Campground was deleted as an option for permanent occupancy as discussed with Council at the workshop.

Please note that item 6 above is in response to a comment received during the discussion of Bylaw 1115, 2022.

Please note that items 7, 8 and 9 are in response to feedback received from residents during a recent hearing by the Subdivision and Development Appeal Board regarding a Tourist Home application. These changes do not introduce (significant) new concepts to the standards for Tourist Homes and Short-Term rentals, and are intended to provide clarification of matters that appeared to not be commonly understood. This addresses:

- whether an absent landowner can occasionally stay in a Secondary Suite or rent it out to a long-term renter while the principal dwelling is operated as a Tourist Home.
- that parking of guest vehicles is not allowed on the street.
- that a tourist home or short-term rental cannot be rented to a work crew who requires to bring commercial vehicles to the premises or use the premises for business purposes (this excludes a regular passenger vehicle for employment purposes).
- that a development permit for a Tourist Home and a Short-Term Rental / Bed & Breakfast is a temporary development permit and must be updated when the land use bylaw is amended regarding standards for these land uses.

Please note that the proposed bylaw amendment does not introduce new requirements under the Safety Codes Act or the National Building Code - Alberta Edition relative to sheds, decks, canvas covered structures or any other type of building.

Please note that in all the R-1 to R-5 residential districts and in the CSV district and the NUA-1 district, the size of a permitted use Accessory Building has been revised from 728 ft² to 784 ft² as discussed with Council at the workshop.

Analysis of Alternatives:

N/A

Financial Impacts:

N/A

Attachments:

FORMATTED Bylaw 1134, 2022.pdf
Bylaw 1134, 2022 Schedule A - LUB Omnibus No. 2.pdf
Omnibus No. 2 - Infill Development - definition.pdf
Omnibus No. 2 - Comprehensive Site Development Plan - text.pdf
Omnibus No. 2 - Comprehensive Site Development Plan - definition.pdf
Omnibus No. 2 - Penalties and Fines - revised.pdf
Omnibus No. 2 - Campground and Recreational Vehicle Park Standards.pdf
Omnibus No. 2 - Recreational Vehicle Park Definition.pdf
Omnibus No. 2 - Canvas Covered Structure Definition.pdf
Omnibus No. 2 - Outdoor Residential Storage of Recreational Vehicles - clarification.pdf
Omnibus No. 2 - RV storage in C-1 and C-2 districts - Temporary Storage Yard.pdf
Omnibus No. 2 - RV storage in C-1 and C-2 districts - Temporary Storage Yard definition.pdf
Omnibus No. 2 - Secondary Suite - work crews.pdf
Omnibus No. 2 - Home Occupation - work crews.pdf
Omnibus No. 2 - TH clarification.pdf

MUNICIPALITY OF CROWSNEST PASS
BYLAW NO. 1134, 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 (except GCR-1), 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 (except GCR-1).
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, for any type of storage not just for vehicles and equipment.
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 Standards of Development and Schedule 19 Definitions:
 - (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) Relative to Campground and Recreational Vehicle Park
 - (i) 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. Provide that a number of RVs as deemed appropriate by the Development Authority may be used for year-round permanent residential occupancy provided that those RV units are connected to year-round collective water and wastewater services. Clarify the definition of Recreational Vehicle Park accordingly.
 - (ii) Remove Family Campground as a land use (Motion 13-2021-09-14) and consolidate all campground related land use definitions in a new definition.
 - (iii) Add a new definition for Recreational Vehicle Park.
 - (e) Relative to Recreational Vehicle Storage
 - (i) Clarify that this standard relates to the outdoor storage of a recreational vehicle on a property in a residential district and/or its occasional use for temporary sleeping accommodations.
 - (ii) Clarify that the land use bylaw continues to prohibit the outdoor storage of a recreational vehicle on a property that is not in one of the residential districts identified in this Schedule.
 - (iii) Introduce a discretionary use for “Temporary Storage Yard” to allow a vacant property in the C-2 District to obtain a development permit to temporarily store equipment and a Recreational Vehicle.
 - (iv) Add the NUA-1 District as a district where an RV may be stored outdoors and used for temporary sleeping accommodation.
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.
- (c) Prohibit the rental of a dwelling unit under certain circumstances to a person or a work crew who requires to bring a commercial vehicle to the property or use the property as a business.
18. Regarding Secondary Suites:
- (a) Prohibit the rental of a Secondary Suite under certain circumstances to a person or a work crew who requires to bring a commercial vehicle to the property or use the property as a business.
- (d) Prohibit the rental of a Secondary Suite or the principal Single-family Dwelling as a separate Tourist Home, and require that when a Tourist Home is approved for a property with a Single-family Dwelling and a Secondary Suite, that the entire property shall be rented out as the Tourist Home.
19. Regarding Tourist Home and Short-Term Rental / Bed & Breakfast:
- (a) Prohibit the rental of a Tourist Home under certain circumstances to a person or a work crew who requires to bring a commercial vehicle to the property or use the property as a business.
- (b) Clarify that the approval of a Tourist Home in a Duplex where both units are on the same certificate of land title or in a Single-family Dwelling with a Secondary Suite does not allow the landowner to use the dwelling units separately, and further require that when a Tourist Home is approved in a Duplex (both units on the same certificate of land title) or in a Single-family Dwelling with a Secondary Suite, that the entire property shall be rented out as the Tourist Home.
- (c) Clarify that on-street parking of Tourist Home guest vehicles is not allowed and that all vehicles must be accommodated on-site in off-street parking stalls.
- (d) Clarify that a development permit for a Tourist Home and Short-Term Rental / Bed & Breakfast is temporary and expires when the standards in the land use bylaw are amended, and the landowner must then apply for a new or revised development permit.
20. 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 1134, 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.
21. 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.
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 22nd day of November 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
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 1920.

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 and the Act.

DEVELOPMENT OFFICER

7. The Development Officer:
 - (a) shall 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;
- (~~cb~~) shall process, refer and, as assigned to them, decide upon development permit applications in accordance with this bylaw;
- (~~de~~) shall decide upon permitted uses with or without conditions;
- (~~ed~~) may refer any development permit application to the Municipal Planning Commission for a decision;
- (~~fe~~) may approve variances as provided for in this BylawSection-33;
- (~~gf~~) 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;
- (~~hg~~) 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;
- (~~ih~~) may approve, with or without conditions, a discretionary use application for a new ManufacturedModular Home that replaces an existing Mobile Home, ~~or~~ Manufactured Home or Modular Home in any district where a ManufacturedModular 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;
- (~~ki~~) 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;
- (~~lj~~) shall issue a development permit when the Subdivision and Development Appeal Board has approved a proposed development;
- (~~mk~~) 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 and, for these purposes, acting with the delegation of the designated officer or the Chief Administrative Officer, may give reasonable notice to a landowner or occupant and thereafter may enter property at a reasonable time for inspection and enforcement;
- (~~nl~~) shall maintain a public register of development permits issued by the Development Authority;
- (~~om~~) shall maintain a public register of approved amendments to this bylaw;
- (~~pn~~) may prepare and maintain such forms and notices as they may deem necessary;
- (~~q~~) may require a Comprehensive Site Development Plan or an Area Structure Plan for a redesignation, development permit or subdivision application as provided for in Schedule 4.
- (~~r~~) in all its decisions, shall conform to the land uses provided for in each land use district, including as provided for "Similar Uses".

MUNICIPAL PLANNING COMMISSION

8. The Municipal Planning Commission:

- (a) may approve a ~~variances~~ of ~~anyall~~ measurable standards 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.
- (de) may provide comments to the Council prior to the adoption of land use bylaw amendments and statutory plans.
- (e) may require a Comprehensive Site Development Plan or an Area Structure Plan for a redesignation, development permit or subdivision application as provided for in Schedule 4.
- (f) in all its decisions, shall conform to the land uses provided for in each land use district, including as provided for "Similar Uses".

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

1342. 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.

1413. A person who has been issued a development permit, if one is required, to develop 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.

1544. 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

1645. Development or demolition that does not require a development permit is specified in Schedule 3.

DEVELOPMENT PERMIT APPLICATIONS

1746. 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 applicable ~~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.

1847. 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

- 1948.** 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.
- 2049.** 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

- 2120.** 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

- 2224.** 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

- 2322.** 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.
- 2423.** 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.

2524. 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

2625. 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

2726. 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.

2827. 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

2928. The Development Officer, within the decision timeline prescribed in the Act, shall refer a development permit application that proposes a change of use, new construction, renovations, ~~or~~ alterations to the façade of an existing building ~~façade~~, or new signage or changes to existing 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.

3029. 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

3130. 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) any approved stormwater management plan and site grading plan;
- (d) 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

3234. 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 the orderly, compatible, economical and beneficial ~~development~~, use of land, development, 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 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 OF DEVELOPMENT STANDARDS

3332. The Municipal Planning Commission or, ~~subject to the restrictions in Section 33~~ the Development Officer, ~~subject to the restrictions established under~~ **Variance and Encroachment Authority** in this bylaw, and the Subdivision and Development Appeal Board, as may be applicable, may approve an application for, ~~or an appeal of,~~ a development permit ~~even though 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~~ or the Subdivision and Development Appeal Board:

- (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 parcels of land properties;

and

- (b) the proposed development conforms with the use prescribed for the subject 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 setback variances in Schedule 4 are complied with.

VARIANCE AND ENCROACHMENT AUTHORITY

3533. 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~~ 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. Also refer to **Non-Conforming Building Variances** elsewhere in this Administration part of the bylaw.

- (iv) that are required to enable the ~~applicant~~ Municipality pursuant to the relevant Municipal policy 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.

37. The Subdivision and Development Appeal Board, in determining an appeal, may exercise its discretion, to any extent that it deems appropriate, relative to the variance of any measurable development standard established in this bylaw, except when such a measurable standard is

established in a land use table or in a land use definition, or when it is prohibited in the Municipal Government Act, for example regarding setback distances relative to cannabis establishments.

NON-CONFORMING BUILDINGS AND USES

Qualification for Non-Conforming Status

~~3834.~~ 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 be brought into compliance.

~~3935.~~ 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

~~4036.~~ 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 ~~authoritypower~~ assigned to them in this bylaw, and the Municipal Planning Commission is authorized to exercise the variance ~~authoritypowers~~ 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

~~4138.~~ 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 "sSimilar 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

4239. Pursuant to the relevant provisions~~Section 640(2)(e)(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.

4340. 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 ~~permitted~~ period.

4444. The Development Authority may require the applicant to post a guarantee for the cessation or removal of the use and any associated development.

45. 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

4642. 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.

4743. 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.

4844. 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

4945. 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.

5046. 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 ~~any~~ 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 and its Schedules;

~~(c)~~ 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;
- (~~de~~) 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;
- (~~ed~~) to require the preparation of and/or compliance with recommendations in relevant~~pertinent~~ engineering reports and other professional studies;
- (~~fe~~) 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;
- (~~gf~~) to require the consolidation of parcels by plan of survey prepared by an Alberta Land Surveyor;
- (~~hg~~) to require the provision of a refundable security deposit~~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 (see definition) 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 a refundable security deposit 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;~~
- (~~ml~~) to specify the timing of the completion of any part of the proposed development.

DECISION AND NOTIFICATION OF DEVELOPMENT PERMIT

5147. The Development Authority shall decide on a development permit application within the timeline prescribed in the Act,
5248. A decision on a development permit is deemed to have been made on the date that it is put into writing.
5349. 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.

5450. 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

5554. 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.

5652. 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.

57. 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

5853. 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.

59. A Notice of Decision to approve a development permit application with conditions that must be satisfied prior to the issuance of the development permit shall remain effective for a period of six months and shall then expire and shall be deemed null and void unless the person to whom the Notice of Decision was issued continues to collaborate with the Development Authority to satisfy or complete the conditions.

Period of Effectiveness Prior To Commencement

6054. 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.

6155. 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

6256. 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

6357. 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; 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;

6458. 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

6559. 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.

66. 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

6760. 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

6864. 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 or contains a clerical error;

the Development Authority may suspend, ~~or~~ cancel or re-issue the development permit by notice in writing to the holder of the development permit stating the reasons for any suspension, ~~or~~ cancellation, or re-issuance, and in the case of a suspension or cancellation 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, and in the case of a re-issuance shall clarify the reason for the re-issuance and when such re-issuance was for clerical corrections, the re-issuance shall not reset the appeal period.

6962. If a development permit is suspended or cancelled (with or without the required accompanying and a Stop Order) or re- issued for reasons other than correcting a clerical error, the permit holder may have the right to appeal the suspension or cancellation (including the Stop Order) or the re-issuance, in accordance with the relevant provisions of the Act to the Subdivision and Development Appeal Board. The re-issuance of a development permit to correct a clerical error does not reset the appeal period and such a re-issued development permit cannot be appealed.

INSPECTIONS AND ENFORCEMENT

70. Pursuant to the relevant provisions of the Act, the Development Officer acting in their capacity as the Development Authority and on behalf of and with a mandate hereby delegated by a designated officer or the Chief Administrative 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

7163. The Development Authority may issue a stop order pursuant to the relevant provisions of the Act ~~Municipal Government Act~~.

7264. 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

7365. Pursuant to the applicable provisions of the *Municipal Government Act*:

- (a) ~~A every~~ person who contravenes ~~any~~ provision of this Bylaw is guilty of an offence and is liable, upon summary conviction, to a fine of in an amount not less than that established in the Fees, Rates, and Charges Bylaw, and not exceeding not more than \$10,000.00, or to imprisonment for not more than one year, or to both a fine and imprisonment.
- (b) A Community Peace Officer or Bylaw Enforcement Officer, in collaboration with the Development Officer, may issue a Municipal Violation Tag for an offence under this Bylaw in the amount established in the Fees, Rates and Charges Bylaw.
- (c) The penalty amounts for a second offence, third offence, or any subsequent offences, shall be in accordance with the provisions of the Fees, Rates and Charges Bylaw.
- (d) A person who is issued a Municipal Violation Tag may pay the fine amount to the Municipality on or before the required date.
- (e) If a (provincial) Violation Ticket is issued in respect to an offence for which a Municipal Violation Tag has not been paid, the Community Peace Officer or Bylaw Enforcement Officer, in collaboration with the Development Officer:
 - (i) may specify the fine amount established in the Fees, Rates and Charges Bylaw, to be paid by the accused person for the offence; or
 - (ii) may require the accused person to appear in court without the alternative of making a voluntary payment.

LAND USE BYLAW ADMINISTRATION

Amendment Or Repeal Of Bylaw and Land Use Redesignations

7466. The procedure for amendment or repeal of this bylaw is prescribed under the relevant provisions of the Act-Municipal Government Act.

7567. An application to amend this bylaw or to redesignate land from one district to another shall be made to the Development Officer.

7668. 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

7769. A draft version of ~~any~~ 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

7870. 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

7974. 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

8072. The Development Officer shall maintain a public register of all approved amendments to this bylaw.

Rescinding Land Use Redesignations

8173. 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.

8274. The rescinding of the redesignation bylaw shall be undertaken in accordance with the provisions of the Act-Municipal Government Act.

Adoption Of Bylaw

8375. The Municipality of Crowsnest Pass Land Use Bylaw No. 632-2004, as amended, is hereby repealed.

8476. This bylaw comes into effect upon the final passing thereof.

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 <u>APARTMENT</u> 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
<u>CANNABIS RETAIL COMMERCIAL – C-4</u>	<u>– C-4</u>
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 <u>(Crowsnest Mountain Resort)</u>	– DC-1
<u>DIRECT CONTROL (Turtle Mountain Restricted Development Area)</u>	<u>– DC-2</u>
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~~ homesdwelling 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 72.8367.7 m² (784728 ft²sq. 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 dwellings

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 67.772.83 m² (728784 ft²sq. ft.) in area

Home occupations - Class 2

~~Manufactured or m~~Modular homes

Moved-in building

Moved-in dwellings

~~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.	m ²	ft ² sq. ft.
Single-family dwelling	13.7	45	30.5	100	418.1	4,500
Duplex and semi-detached dwelling (per building <u>— i.e. for two units</u>)	15.25	50	30.5	100	465.0	5,000
All other uses	As required by the <u>Subdivision Authority</u> <u>Municipal Planning Commission</u>					
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.

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 (for duplex and semi-detached dwelling — see **Note)	6.1 to property line or 6.5 to back of existing or future <u>public walkway or 7.5 to back of public curb</u>	20 to property line or 21.33 to back of existing or future <u>public walkway or 7.5 to back of public curb</u>	1.5	5	7.6	25

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 on one side and 3.0 on the other	5 10**	7.6	25

45. ~~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~~

56. 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%

67. 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~~ 42.9 ft)
- Accessory buildings — 4.5 m (14.8 ft.)

78. MINIMUM FLOOR AREA

As required by the Development Authority.

89. 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.~~

944. **OFF-STREET PARKING AND LOADING** – See Schedule 6.

1042. **~~MOVED-IN BUILDINGS~~RELOCATION OF BUILDINGS** – See Schedule 7.

1143. **CRITERIA FOR HOME OCCUPATIONS** – See Schedule 8.

1244. **~~MANUFACTURED /~~MODULAR HOME DEVELOPMENT STANDARDS** – See Schedule 9.

1345. **STANDARDS FOR SECONDARY SUITES** – See Schedule ~~46~~15.

1446. **STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME** – See Schedule ~~18~~19.

1547. **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 ~~67.772.83~~ m² (~~728784~~ ft²sq. 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 dwellings

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 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
~~Accessory Building or Use~~
~~Garages and carports accessory to single family dwellings~~ over ~~67.772.83~~ m² (~~728784~~ ft²sq. ft.) in area
Home occupations - Class 2
Modular homes ~~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 <u>Municipal Planning Commission</u>					
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 10** on the other			

45. 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~~

56. MAXIMUM LOT COVERAGE

- Principal building – 35%
- Accessory buildings – 15%

67. 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.)

78. MINIMUM FLOOR AREA

As required by the Development Authority.

89. STANDARDS OF DEVELOPMENT – See Schedule 4.

10. LOT SETBACK WAIVERS — See Schedule 4.

944. OFF-STREET PARKING AND LOADING – See Schedule 6.

1042. MOVED-IN BUILDINGS RELOCATION OF BUILDINGS – See Schedule 7.

1143. CRITERIA FOR HOME OCCUPATIONS – See Schedule 8.

1244. MANUFACTURED / MODULAR HOME DEVELOPMENT STANDARDS – See Schedule 9.

1345. STANDARDS FOR SECONDARY SUITES – See Schedule 4615.

1446. STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME – See Schedule 1849.

1547. DEFINITIONS – See Schedule 1920.

** 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 67.772.83 m² (728784 ft²sq.-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
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 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
~~Accessory Building or Use~~ Garages and carports accessory to single family dwellings over 67.772.83 m² (728784 ft²sq.-ft.) in area
Home occupations - Class 2
~~Manufactured homes~~
Modular homes
Moved-in buildings
~~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 dwellings
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 <u>Subdivision Authority</u> 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	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 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 ~~ft²sq. ft.~~)
- Semi-detached dwelling (per building) – 148.6 m² on the main floor (1,600 ~~ft²sq. ft.~~)
- Single-family dwelling – 74.3 m² on the main floor (800 ~~ft²sq. 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.~~



- 1014. OFF-STREET PARKING AND LOADING** – See Schedule 6.
- 1112. ~~MOVED-IN-BUILDINGS~~RELOCATION OF BUILDINGS** – See Schedule 7.
- 1213. HOME OCCUPATIONS** – See Schedule 8.
- 1314. ~~MANUFACTURED~~ /MODULAR HOME DEVELOPMENT STANDARDS** – See Schedule 9.
- 1415. STANDARDS FOR SECONDARY SUITES** – See Schedule ~~46~~15.
- 1516. STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME** – See Schedule ~~18~~19.
- 1617. 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 67.772.83 m²~~

~~(728784 ft²sq. 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

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 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

Eightplexes

~~Accessory Building or Use~~ Garages and carports
~~accessory to multi-family dwellings over~~
~~67.772.83 m² (728784 ft²sq. 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 — <u>per building</u>	18.3	60	30.5	100	557.4	6000
<u>Triplex or Fourplex — per building</u>	21.3	70	30.5	100	650.3	7000
Rowhouse <u>— per unit</u>						
— 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 <u>Subdivision Authority</u> 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.	m ²	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 <u>Semi-detached dwelling</u>	6.1	20	1.5	5	7.6	25
Semi-detached	6.1	20	1.5	5	7.6	25
<u>Triplex or</u> 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 <u>Development Authority</u> 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

<u>Principal building, up to two-storey, no walkout basement</u>	– 10.0 m (32.8 ft.)
<u>Principal building, two-storey walk-out basement</u>	– 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 m ² (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.

~~1214.~~ HOME OCCUPATIONS – See Schedule 8.

~~1312.~~ STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME – See Schedule
~~1819.~~

~~1413.~~ DEFINITIONS – See Schedule ~~1920.~~

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 buildings 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 72.8313.9 m² (784150 ft²sq. 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 buildings or Use over ~~72.8313.9 m²~~ (784150 ft²sq. 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 buildings 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		Length		Area	
	m	ft.	m	ft.	m ²	ft² sq. ft.
(a) — Interior Lots						
Apartment <u>— per building</u>	24.424- 3	8079	30.5	100	743.26 50.3	8,0007- 000
Rowhouse <u>— per unit</u>						
– 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 <u>Subdivision Authority</u> 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	9.4	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 <u>Municipal Planning Commission</u>					
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 40.0 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 ft²sq. ft.)
Apartment	– 46.5 m ² (500 ft²sq. ft.)
Duplex and semi-detached	– 74.3 m ² (800 ft²sq. ft.)
Triplex	– 74.3 m ² (800 ft²sq. ft.)
Fourplex	– 74.3 m ² (800 ft²sq. ft.)
All other uses	– As required by the <u>Development Authority</u> 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.

1244. HOME OCCUPATIONS – See Schedule 8.

1342. STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME – See Schedule 1849.

1413. DEFINITIONS – See Schedule 1920.

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 67.772.83 m² (728784 ft²sq.-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 67.772.83 m² (728784 ft²sq.-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.	m ²	ft ² sq.-ft.
Single-family dwelling	13.7	45	30.5	100	418.1	4,500
Manufactured/m <u>Modular home</u>						
– 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 <u>Municipal Planning Commission</u>					

* ~~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)

Use	Front Yard		Side Yard		Rear Yard	
	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.

1140. HOME OCCUPATIONS – See Schedule 8.

1244. ~~MANUFACTURED~~/MODULAR HOME DEVELOPMENT STANDARDS – See Schedule 9.

1342. ~~MANUFACTURED~~/MODULAR HOME PARK DEVELOPMENT STANDARDS – See Schedule 10.

**1443. STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME – See Schedule
1849.**

1544. DEFINITIONS – See Schedule 1920.

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 72.8353.5 m² (784576 ft²sq. 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 dwellings

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 72.8353.5 m² (784576 ft²sq. ft.) in area~~
~~Canvas Covered Structure~~
Home occupations - Class 2
~~Manufactured or modular homes~~
~~Moved-in building~~
Moved-in dwellings
~~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.	m ²	ft ² sq. ft.
Single-family dwelling	7.6	25	30.5	100	232.3	2,500
All other uses	As required by the Subdivision Authority <u>Municipal Planning Commission</u>					
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 <u>Municipal Planning Commission</u>					

* ~~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					

45. ~~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~~

56. MAXIMUM LOT COVERAGE

- Principal building – 40%
- Accessory buildings – 15%

67. 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.)

78. MINIMUM FLOOR AREA

As required by the Development Authority.

89. STANDARDS OF DEVELOPMENT – See Schedule 4.

940. OFF-STREET PARKING AND LOADING – See Schedule 6.

1044. ~~MOVED-IN BUILDINGS~~ RELOCATION OF BUILDINGS – See Schedule 7.

1142. CRITERIA FOR HOME OCCUPATIONS – See Schedule 8.

1243. ~~MANUFACTURED~~ / MODULAR HOME DEVELOPMENT STANDARDS – See Schedule 9.

1344. STANDARDS FOR SECONDARY SUITES – See Schedule ~~46~~15.

1445. STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME – See Schedule ~~18~~49.

1546. 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 dwellings
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/modular homes over 9.1 m (30 ft.) wide~~
Moved-in buildings
~~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 YARDBUILDING 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 4.5	20 50	3.05 4.5	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 m ² (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.

98. HOME OCCUPATIONS – See Schedule 8.

109. MANUFACTURED / MODULAR HOME DEVELOPMENT STANDARDS – See Schedule 9.

1140. WIND ENERGY CONVERSION SYSTEMS – See Schedule 12.

11. FIRESMART REGULATIONS – See Schedule 14.

12. STANDARDS FOR SECONDARY SUITES – See Schedule ~~46~~15.

13. STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME – See Schedule 184~~9~~.

14. DEFINITIONS – See Schedule 192~~0~~.

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 m ² (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 services
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
Temporary Storage Yard
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		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	25
					or as required by the MPC	

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, <u>excluding Apartment</u>	– 10.0 m (32.8 ft.)
<u>Principal Building, including Apartment not exceeding three habitable floors</u>	– <u>13.0 m (42.7 ft.)</u>
<u>Principal Building, including Apartment exceeding three habitable floors</u>	– <u>as required by the Development Authority</u>
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.

109. SIGN STANDARDS – See Schedule 11.

11. SHIPPING CONTAINER / TRANSPORT TRAILER REGULATIONS – See Schedule 14.

1240. HISTORIC COMMERCIAL AREAS – See Schedule 1716.

1344. STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME – See Schedule 1849.

1442. DEFINITIONS – See Schedule 1920.

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
 Campgrounds
~~Canvas Covered Structure~~
 Car washes
~~Construction trade shop~~~~Contractors~~~~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 containers, ~~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
~~Temporary storage yard~~
 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.	m ²	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 m ² (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.

109. SIGN STANDARDS – See Schedule 11.

1140. KENNEL REGULATIONS – See Schedule 13.

12. SHIPPING CONTAINER / TRANSPORT TRAILER REGULATIONS – See Schedule 14.

1344. HISTORIC COMMERCIAL AREAS – See Schedule ~~14~~16.

1442. STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME – See Schedule ~~18~~49.

1543. 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 services
~~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. **MINIMUMDETACHED 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.

98. SIGN STANDARDS – See Schedule 11.

109. HISTORIC COMMERCIAL AREAS – See Schedule ~~47~~16.

1140. DEFINITIONS – See Schedule ~~1920~~.

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 services
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	25
	or as required by the MPC					

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.

109. SIGN STANDARDS – See Schedule 11.

1140. HISTORIC COMMERCIAL AREAS – See Schedule ~~47~~16.

1244. DEFINITIONS – See Schedule ~~1920~~.

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		Length		Area	
	m	ft.	m	ft.	m ²	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		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	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.

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	22,605

or as required by the MPC

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.

98. SIGN STANDARDS – See Schedule 11.

109. WIND ENERGY CONVERSION SYSTEMS (WECS) – See Schedule 12.

1140. KENNEL REGULATIONS – See Schedule 13.

1214. SHIPPING CONTAINER / TRANSPORT TRAILER REGULATIONS – See Schedule ~~45~~14.

1342. WORK CAMP REGULATIONS – See Schedule ~~48~~17.

1413. 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 institutional 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 YARDBUILDING 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.

87. DEFINITIONS – See Schedule 1920.

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 Facilityhalls
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 institutional 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	4,500 or as required by the MPC

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
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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 m² (150 sq. ft.) in area
 Alternative/renewable energy, individual – except roof mounted solar panels
~~Archery or rifle ranges~~
~~Campgrounds~~
~~Country lodges~~
 Dwelling unit, secondary to an approved use
~~Golf courses~~
~~Golf driving ranges~~
~~Guest ranches~~
~~Private institutional 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 YARDBUILDING SETBACKS

As required by the Development Authority.

4. MINIMUM BUILDING HEIGHT

As required by the Development Authority.

5. MAXIMUM LOT COVERAGE

As required by the Development Authority.

65. STANDARDS OF DEVELOPMENT – See Schedule 4.

76. OFF-STREET PARKING AND LOADING – See Schedule 6.

8. RELOCATION OF BUILDINGS – See Schedule 7.

97. SIGN STANDARDS – See Schedule 11.

8. FIRESMART REGULATIONS – See Schedule 14.

109. DEFINITIONS – See Schedule 1920.

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 m² (150 sq. ft.) in area
Alternative/renewable energy, individual – except roof mounted solar panels
~~Archery or rifle ranges~~
~~Campgrounds~~
~~Country lodges~~
Dwelling unit, secondary to an approved use
~~Golf courses~~
~~Golf driving ranges~~
~~Guest ranches~~
~~Private institutional 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 YARDBUILDING SETBACKS

As required by the Development Authority.

4. MINIMUM BUILDING HEIGHT

As required by the Development Authority.

54. MAXIMUM LOT COVERAGE

As required by the Development Authority.

65. STANDARDS OF DEVELOPMENT – See Schedule 4.

76. OFF-STREET PARKING AND LOADING – See Schedule 6.

8. RELOCATION OF BUILDINGS – See Schedule 7.

97. SIGN STANDARDS – See Schedule 11.

8. FIRESMART REGULATIONS – See Schedule 14.

109. DEFINITIONS – See Schedule 1920.

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 72.83 m² (784 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 buildings and uses over 72.83 m² (784 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/modular homes~~
~~Moved-in buildings~~
Moved-in dwelling
~~Public and private institutional 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 dwellings
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 ₂	3.05 ¹⁵ ₂	10 ⁵⁰ ₂

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 ~~4~~¹⁵.

~~14~~¹⁵. STANDARDS FOR SHORT-TERM RENTAL / BED & BREAKFAST AND TOURIST HOME – see Schedule ~~18~~⁴⁹.

~~15~~⁴⁶. 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 Institutional 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		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	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		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	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); ~~and~~
~~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)~~ to the standard established in Schedule 4, prior to the approval of a development permit application ~~for a permanent building or structure and/or Area Structure Plan prior to conditional subdivision approval,~~ and shall include the following:

~~Parcel boundaries and sizes (including future parcels if a subdivision is proposed);
Anticipated building locations, sizes and uses;
Coordinated building and landscaping standards;
Traffic Impact Assessment, road layout, access(es), parking and loading design;
Servicing locations and connections;
Non-vehicular layout, design and connections to adjacent lands; and
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.

98. SIGN STANDARDS – See Schedule 11.

109. DEFINITIONS – See Schedule 1920.

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 dwellings
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

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	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
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		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	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 <u>Development Authority</u> 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

<u>Principal building, up to two-storey, no walkout basement</u>	– 10.0 m (32.8 ft.)
<u>Principal building, two-storey walk-out basement</u>	– 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)

<u>Single-family Dwelling</u>	– 130.1 m ² (1,400 ft ²)
Duplex or Semi-detached	– 130.1 m ² (1,400 ft²sq. ft.)
Triplex	– 111.5 m ² (1,200 ft²sq. ft.)
Fourplex	– 111.5 m ² (1,200 ft²sq. ft.)
Rowhouse	– 111.5 m ² (1,200 ft²sq. ft.)
Sixplex	– 111.5 m ² (1,200 ft²sq. ft.)
Interior units	– 92.9 m ² (1,000 ft²sq. ft.)
All other uses	– As required by the <u>Development Authority</u> Municipal Planning Commission



8. **STANDARDS OF DEVELOPMENT** – See Schedules 4 ~~and Appendix 10~~.
9. **MULTI-FAMILY DWELLING STANDARDSREQUIREMENTS** – See Schedule 5.
10. **OFF-STREET PARKING AND LOADING** – See Schedule 6.
11. **RELOCATION OF BUILDINGS** – See Schedule 7.
1211. **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 buildings ~~s or use under~~ up to 72.8313.9 m² (784150 ft²sq.-ft.) in area
 Alternative/renewable energy, individual – restricted to roof mounted solar panels only
 Day home
 Duplex
 Fourplex dwellings
 Home occupations - Class 1
 Rowhouse dwellings
 Semi-detached dwellings
 Triplex dwellings
 Single-family dwellings
~~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

PROHIBITED USES

~~Commercial logging~~
~~Dog kennels~~
~~Mobile homes~~
~~Shipping container, permanent~~

DISCRETIONARY USES

Accessory buildings ~~s or use~~ over 72.8313.9 m² (784150 ft²sq.-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 homes ~~[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

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	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		Length		Area	
	m	ft.	m	ft.	m ²	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		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Single-family <u>dwelling</u>	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 (see definition) 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

<u>Principal building, up to two-storey, no walkout basement</u>	<u>– 10.0 m (32.8 ft.)</u>
<u>Principal building, two-storey walk-out basement</u>	<u>– 13.0 m (42.6 ft.)</u>
<u>Accessory buildings</u>	<u>– 4.5 m (14.8 ft.)</u>
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 <u>dwelling</u>	– 69.7 m ² (750 <u>ft²sq. ft.</u>)
Duplex or Semi-detached	– 69.7 m ² (750 <u>ft²sq. ft.</u>)
Triplex	– 69.7 m ² (750 <u>ft²sq. ft.</u>)
Fourplex	– 69.7 m ² (750 <u>ft²sq. ft.</u>)
Rowhouse	– 69.7 m ² (750 <u>ft²sq. ft.</u>)
Sixplex	– 69.7 m ² (750 <u>ft²sq. ft.</u>)
Interior units	– 69.7 m ² (750 <u>ft²sq. ft.</u>)
All other uses	– As required by the <u>Development Authority</u> 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 a Comprehensive Site Development Plan or an Area Structure Plan, as may be applicable, 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~~ a Comprehensive Site Development Plan or an Area Structure Plan, as may be applicable, 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.~~

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 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 renovations, that ~~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 – this exemption does not apply to properties in the Historic Commercial Areas Overlay District;
 - (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 grades, 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 include ~~ing~~ but is not limited to landscaping, a driveways (excluding a new access approach or a dropped curb onto a municipal road), a patios, a privacy fence, a sidewalks, a wheelchair ramps [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 decks, landings, staircases and similar structures (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 improvements~~ does not alter lot drainage; ~~and further provided that~~
 - (ii) ~~the improvements~~ complies 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, except free-standing alternative / renewable energy devices (e.g. a wind turbine or solar panels on a stand-alone structure not attached to the roof of a building)~~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;~~
- ~~(ij) not more than one accessory building per parcel garden shed or tool shed which is smaller not more than 1043.93 m² (108 ft² 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;~~
- ~~(jk) 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;~~
- ~~(kl) the following signs or changes to existing signage:~~
 - (i) any signs identified in as exempted from the requirement to obtain a development permit 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.
- ~~(lm) a satellite dish communication antenna or structure for non-commercial, private use 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 side yard adjoining a street; and/or

- (iii) a communication antenna or structure that will not exceed the height of the principal building on the site.
- (~~ma~~) the demolition of a building ~~or structure~~ of less than 46.5 m² (500 ft²sq. 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);
- (~~ne~~) individual recreational vehicle (RV) units which are not considered permanent buildings ~~or structures~~ and are located in an approved Recreational Vehicle pPark or campground;
- (~~op~~) the outdoor storage and/or use for temporary sleeping accommodations of a recreational vehicle (RV) units, which are not considered permanent buildings or structures, in accordance with the provisions and standards of and not exceeding any threshold or timeline ~~that may have been established in Schedule 4 – for greater clarity, while a development permit is not required to store (outdoors) or use an RV so stored in accordance with the standards in Schedule 4, a development permit cannot be applied for and shall not be issued for the outdoor storage or use of an RV out of scope with the provisions of Schedule 4;~~
- (~~pq~~) 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:~~
 - (~~iii~~) ~~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 buildingshipping container on an inactive construction site is prohibited; and~~
 - (~~iiii~~) ~~in no case shall at the temporary buildingconstruction shipping container shall be removedremain on from the site immediately when construction has been suspended for more than a period of 60 days or more; and~~
 - (~~iviii~~) ~~the temporary buildingshipping 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~~
 - (~~viv~~) ~~the temporary buildingshipping container~~ must be removed immediately upon completion of construction.
 - (~~rs~~) 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;

(st) 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 relative to exemptions for certain developments [e.g. a shed less than 10m² (108ft²)] and the exemptions provided for in the Municipality's Encroachment Policy and Procedure, a development permit for certain developments that encroach onto adjacent land may not be required. To qualify for such an exemption, the development must be 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. In all cases, it is required that an Encroachment Agreement must be executed pursuant to the Municipality's Encroachment Policy and Procedure. A duly executed Encroachment Agreement shall be deemed to be an exemption from the requirement to obtain a development permit. Where the Encroachment Agreement is between two private landowners it is a requirement that the Municipality shall be a third-party to the agreement.

43. 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.

STANDARDS OF DEVELOPMENT

1. The following alphabetical list with page number references of headings in this Schedule is intended to enhance user-friendliness:

- Accessory Buildings and Uses Schedule 4 | 17
- Alternative / Renewable Energy Development Schedule 4 | 26
- Campground and Recreational Vehicle Park Standards Schedule 4 | 21
- Cannabis Retail Sales Schedule 4 | 23
- Canvas Covered Structures Schedule 4 | 21
- Communication Antennae and Structures Schedule 4 | 16
- Comprehensive Planning for Redesignation, 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
 - Easements, Rights-Of-Way and Legislated Setback Distances
 - Trans Canada High Pressure Gas Pipeline
 - Wildland-Urban Interface
- Environmental Considerations Schedule 4 | 19
 - Wildlife and Wildland-Urban Interface
 - Wetlands, Watercourses, Riparian Areas and Regionally Sensitive Areas
- Exposed Foundations Schedule 4 | 17
- Fences Schedule 4 | 13
- Flood-risk Lands Schedule 4 | 19
- Historic Commercial Areas Schedule 4 | 27
- Home Occupations Schedule 4 | 26
- Industrial and Commercial Use Standards Schedule 4 | 20
- Infill Development in Mature Neighbourhoods Schedule 4 | 04
- Kennels Schedule 4 | 25
- Landscaping and Screening Standards Schedule 4 | 15
- Lighting Schedule 4 | 10
- Lot Grading, Drainage and Stormwater Management (Retaining Walls) Schedule 4 | 06
- Lot Sizes and Sub-Standard Lots Schedule 4 | 03

• Maximum Grade	Schedule 4 06
• Modular Homes.....	Schedule 4 26
• Modular Home Communities.....	Schedule 4 26
• Multi-Family Dwellings	Schedule 4 26
• Municipal Historic Resources.....	Schedule 4 24
• Municipal Infrastructure, Utilities and Servicing.....	Schedule 4 11
• Number of Dwelling Units on A Parcel	Schedule 4 24
• Outdoor Washroom Facilities.....	Schedule 4 21
• Parking and Loading.....	Schedule 4 26
• Projections Into Yard Setbacks	Schedule 4 15
• Quality and Design of Development.....	Schedule 4 04
• Recreational Vehicles – Outdoor Storage and Temporary Sleeping Accommodations	Schedule 4 22
• Refuse Storage for Commercial, Industrial and Multi-Family Development	Schedule 4 10
• Relocation of Buildings.....	Schedule 4 26
• Road Access, Driveways and Parking Pads	Schedule 4 08
<u>All Locations</u>	
<u>Urban Locations</u>	
<u>Rural Locations</u>	
• Secondary Front Yard.....	Schedule 4 12
• Secondary Suites.....	Schedule 4 26
• Shipping Containers.....	Schedule 4 26
• Short-Term Rental / Bed & Breakfast and Tourist Homes.....	Schedule 4 27
• Show Homes and Real Estate Sales Offices	Schedule 4 18
• Signs.....	Schedule 4 26
• Slope-Adaptive Building and Site Design.....	Schedule 4 05
• Swimming Pools	Schedule 4 19
• Temporary Auto Sales Standards	Schedule 4 22
• Work Camps	Schedule 4 27
• Yard Setbacks and Yard Setback Variances	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

34. 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 REDESIGNATION, DEVELOPMENT PERMIT OR SUBDIVISION APPLICATIONS

Comprehensive Site Development Plan

42. The Development Authority or the Subdivision Authority, as the case may be, may require an applicant for a redesignation (rezoning), a development permit or a bareland condominium subdivision to prepare a comprehensive site development plan as follows:
- (a) When the Development Officer or the Subdivision Authority, as applicable, deems it necessary for the purpose of sound planning practices to ensure comprehensive and coordinated planning of land uses and infrastructure for a complex development permit or a bareland condominium subdivision, the applicant for a redesignation, a development permit ~~application for a permanent building or structure or a bareland condominium subdivision~~ shall, at no cost to the Municipality and to the satisfaction of the Development Authority's or the Subdivision Authority's satisfaction, prepare a Comprehensive Site Development Plan as part of the application prior to the approval of ~~for~~ the redesignation, 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.
 - (c) The Development Authority or the Subdivision Authority, as may be applicable, may require that a Comprehensive Site Development Plan is subject to satisfactory public consultation prior to being deemed complete.

Area Structure Plan

53. The Development Officer or the Subdivision Authority, as the case may be, may require an applicant for redesignation or subdivision (excluding a bareland condominium subdivision) to prepare an area structure plan as follows:

- (a) When the Development Officer or the Subdivision Authority deems it necessary for the purpose of sound planning practices, the applicant for a redesignation or a subdivision application shall, at no cost to the Municipality and to the Development Officer's and/or 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 redesignation or 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

65. 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 plan of 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 a ~~Comprehensive Site Development Plan or an Area Structure Plan, as applicable, an infill development plan illustrating the proposed road network, utility plan, and lot configurations~~ prior to approving infill development ~~or subdivision~~ within any block which has been determined ~~by the Municipal Planning Commission~~ to have redevelopment ~~or infill~~ potential. The determination of blocks with redevelopment ~~or infill~~ 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 DEVELOPMENTBUILDINGS, 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.~~

108. Development shall comply with the following standards:

- (a) The design, character and appearance of buildings, ~~structures or~~ signs ~~and properties~~ shall be consistent with the intent of the land use district in which the building, ~~sign or property~~ is located and compatible with other buildings, ~~signs and properties in the same district~~ 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.~~
- ~~(ef)~~ 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.~~
- ~~(fh)~~ 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 include the design of rooflines and building massing to reflect the angles and shapes of the surrounding landscape, the 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~~

129. 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 any 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 any building ~~or structure less~~ greater than 46.5 m² (500 ft²sq. 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 refundable security deposit, irrevocable letter of credit or other acceptable form of security in an such amount established in the Fees, Rates and Charges Bylaws 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 that could liable to be affected by such demolition, ~~or~~ removal or replacement, including those on neighbouring properties, from damage or displacement.
- (f) ~~Further, 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) 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) 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 (see definition) 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)

1440. 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.
- (ba) 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;
- (cb) 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 any 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 (see definition). 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.~~

1544. 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.

1642. 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

1744. 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"

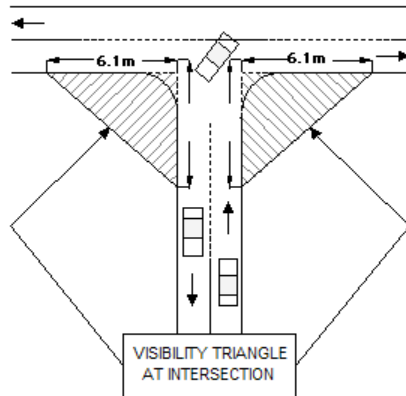


DIAGRAM 1

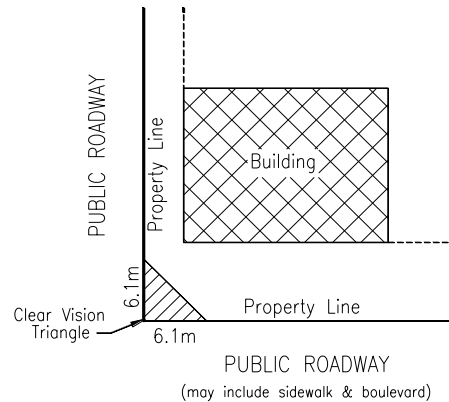


DIAGRAM 2

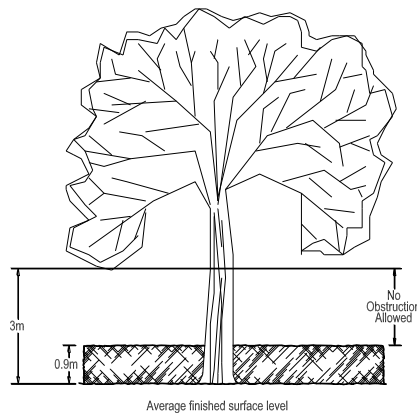


DIAGRAM 3

ROAD FRONTAGE AND ACCESS, DRIVEWAYS AND PARKING PADS

All Locations

1845. 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.~~
- ~~(ab)~~ 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.~~

- (~~be~~) 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

1946. 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.~~
- (~~be~~) Vehicular access to a corner lots shall be limited to the minor street wherever practical.
- (~~cd~~) AllAn urban driveway slopes 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.~~
- (~~df~~) 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 LocationsSTREET ACCESS – RURAL

2047. 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.~~
- (~~ab~~) 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

2148. 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

2249. 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.~~
- ~~(ab)~~ 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.
- ~~(be)~~ 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.
- ~~(cd)~~ All garbage holding areas, enclosures, and compaction areas shall be located and designed to ensure adequate on-site manoeuvring for refuse collection vehicles.
- ~~(de)~~ All refuse on any construction site shall be properly screened or placed in an approved enclosure until removed for disposal.
- ~~(ef)~~ 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.
- ~~(fg)~~ 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

2320. 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.~~
- ~~(be)~~ 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~~.
- ~~(cd)~~ 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.
- ~~(de)~~ 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, subject to the preparation of a Comprehensive Site Development Plan or an Area Structure Plan, as applicable, to the satisfaction of the Development Authority or the Subdivision Authority.
- ~~(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

2424. The Development Authority may require that a ~~all~~ 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

2822. 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)

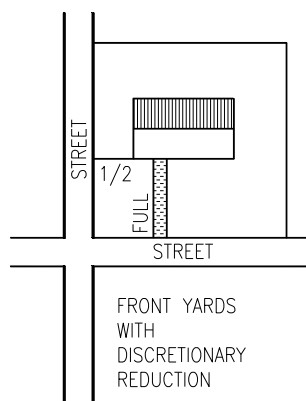


DIAGRAM 4

FENCES

2923. 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 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)

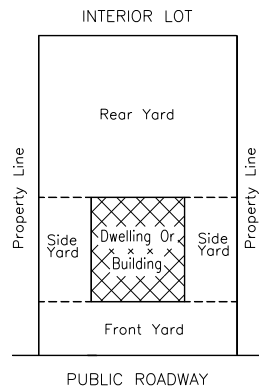


DIAGRAM 5

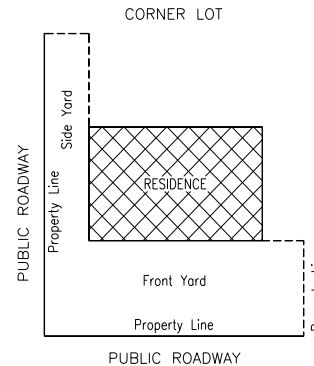


DIAGRAM 6

- (b) A Fences in a rear yard, and side yard and secondary front yards 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 AND YARD SETBACK VARIANCES

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 at a right-angle from the property line to the nearest part of a building exterior wall or post, the edge of an excavation or the extent of a use.

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 the alternatives to approving such a variance are not practical, the Development Authority may approve such a variance and shall add conditions 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 the registration on the certificate of land title of 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 same land use district in the neighbourhood, including mature neighbourhoods and historically significant areas.

3624. 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 ~~buildingsstructures~~ proposed within or adjacent to the Wildland-Urban Interface.

LANDSCAPING ~~AND SCREENING~~ STANDARDS ~~AND SCREENING~~

~~3725.~~ 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

~~3826.~~ 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 adjacentadjoining 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 requiredminimum yard setbacks (front, rear and sides as specified below) underestablished 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;
 - (iviii) ~~a fences or walls to the property line in accordance with the applicable land use district or corner sight triangles~~;
 - (iv) a driveways, curbs, and sidewalks;
 - (vi) off-street parking ~~in accordance with the applicable land use district~~;
 - (vii) a cooling units not to exceed 0.9 metres (3 ft.) in height, up to the side property line;
 - (viii) a mailboxes and a garbage holding enclosure, up to the property line;
 - (ixviii) landscaping, a privacy screen, a fish ponds, an ornaments, a flagpoles less than 4.6 metres (15 ft.) in height, or other similar landscaping features;
 - (ix) a temporary swimming pools in the rear or side yardin accordance with the applicable land use district; and
 - (xi) a signs.
- (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, belt courses, cantilevers, bay windows, cornices, sills or other similar architectural features 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.) efinto a front or rear yard setback, as may apply.

SATELLITE DISHES, RADIO AND TELEVISION COMMUNICATION ANTENNAE AND STRUCTURES

3927. 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 subsection (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)

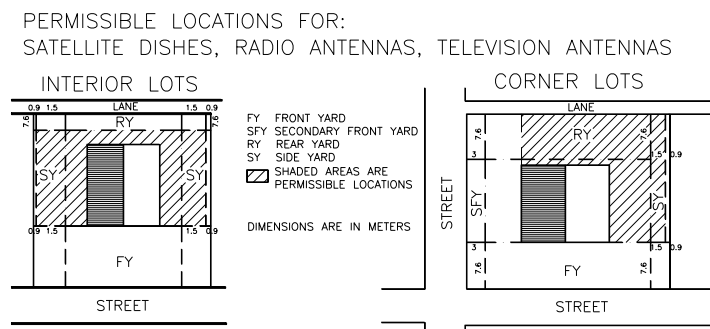


DIAGRAM 7

- (f) In accordance with Schedule 3 of this bylaw, most satellite dishes communication antennae and their structures mayde 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

4134. The maximum allowable height above the average finished gradesurface 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. For standards relative to Accessory Building and Uses, refer to the standards provided below and to the definition of "Accessory Building or Use" and to the standards for specific accessory structures established elsewhere in this Schedule and other Schedules, e.g. retaining wall, shipping container, campground and recreational vehicle park standards, swimming pool, canvas covered structure (which is a separate land use), deck, communication antenna and structure, and outdoor washroom facility.

4332. 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 deemed to fall under "Accessory Building" and 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" and shall be a prohibited use in those district where "Shipping Container, accessory to an approved use" is not listed as a permitted or discretionary use..

- (cb) 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 usedevelopment~~ shall be commenced no less than one (1) year after the date of the approval for the accessory ~~buildingdevelopment~~ 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 ~~buildingdevelopment~~;
 - (ii) in all other land use districts, the principal ~~building or usedevelopment~~ shall be commenced no more than two (2) years after the date of the approval for the accessory ~~buildingdevelopment~~ 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 ~~buildingdevelopment~~;
 - (iii) a ~~\$5000-refundable~~ security deposit in an amount specified in 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 thatforfeit~~ 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

4433. 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 temporary permit do not limit the private showing by appointment of the show home at any time.

~~PRIVATE~~ SWIMMING POOLS

4534. Development shall comply with the following standards:

- (a) ~~Private~~ A swimming pools ~~is~~shall be classified as an accessory buildingstructure.
- ~~(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.~~
- ~~(be)~~ Construction of an in-ground swimming pool ~~or~~and a swimming pools 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 pools ~~is~~are subject to the setback requirements for an accessory buildingstructures in the applicable land use district;
 - (iii) a swimming pools ~~is~~are subject to the maximum lot coverage requirements for an accessory buildingstructures in the applicable land use district.

DEVELOPMENT IN FLOOD-RISK LANDSPRONE AREAS

4635. 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 Fences~~, a retaining walls 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.~~

~~(eg) 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 (see definition), 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

~~4736. 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

~~4837. 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

~~4938. Industrial and commercial development in the Municipality shall incorporate locational, design and operational considerations (including restricting its hours of operation) to reduce its impact on municipal infrastructure and 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, odours, 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

~~5039. 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 ~~of this bylaw~~ 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

5144. 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

5242. Development shall comply with the following standards:

- (a) Notwithstanding any other provisions in this Bylaw relative to "Accessory Building and Use", a "Canvas Covered Structure" that is proposed to be used as an Accessory Building shall be 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~~ 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

5343. 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~~ development permit. The Development Authority may require that the applicant prepare a Comprehensive Site Development Plan to its satisfaction, and 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 unduly interfere with the amenities of the neighbourhood or 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.
- (e) the maximum number or maximum percentage of RV units in a Campground or a Recreational Vehicle Park that may be used for permanent residential occupancy, provided that the RV stalls on which the RV units so used are located, have year-round collective water and wastewater services connections available.
- (f) the restrictions on the number, size, height, appearance, and use of an Accessory Building (e.g. deck, shed) that may be approved to be placed on an RV stall in a Campground or a Recreational Vehicle Park.

TEMPORARY AUTO SALES STANDARDS

5444. 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 – OUTDOOR STORAGE AND TEMPORARY SLEEPING ACCOMMODATIONS

55. The provisions of this Schedule do not apply to the indoor storage of a recreational vehicle for personal and private purposes on any property in any land use district.

5645. In the GCR-1 and ~~GCR-2~~ NUA-1 land use districts the following ~~standards~~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 for the principal dwelling), ~~No~~ a recreational vehicles ~~shall~~ may not be stored outdoors and/or used for temporary sleeping accommodations on ~~the~~ parcel ~~where the principal use has not been established or approved.~~
- (b) Where ~~the~~ principal ~~used~~dwelling unit has been approved (i.e. a development permit and a building permits ~~have been~~ issued for the principal dwelling) and its construction is active, a maximum of three (3) recreational vehicles may be stored outdoors (for non-commercial purpose) and/or used for 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~~ principal ~~used~~dwelling unit has been established (i.e. construction of the principal dwelling has been completed), ~~up to a maximum of~~ three (3) recreational vehicles may be stored outdoors (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 outdoors (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 that is stored outdoors be used as the principal ~~used~~dwelling or principal use ~~for~~ living accommodations ~~on~~ for ~~at~~ the parcel, except as provided for in this Schedule.
- (f) In no case shall a recreational vehicle be ~~permanently~~ connected to private or public utilities (e.g., septic system, municipal water or wastewater systems, power connections) or wastewater from an RV dumped into a municipal wastewater system.
- (g) In no case shall an accessory building ancillary structures (e.g., an additions, a shed or a decks, etc.) be ~~permitted to be~~ attached to or developed explicitly for the use of a recreational vehicles.

5746. 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 ~~standards~~rules apply to recreational vehicles (RVs):

- (a) On a vacant property where the ~~Where a~~ principal ~~used~~dwelling unit(s) has not been ~~established or approved (i.e. a development permit and a building permits have not been issued for the principal dwelling) on a parcel, ~~no~~ a recreational vehicles ~~may~~ shall not be stored outdoors and/or used for temporary sleeping accommodations on the parcel.~~
- (b) Where ~~the~~ principal ~~used~~dwelling unit(s) has been approved (i.e. a development permit and a building permits ~~have been~~ issued for the principal dwelling) 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 outdoors (for non-commercial purposes) and/or used for 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 ~~thea~~ principal ~~used~~dwelling unit has been established (i.e. construction of the principal dwelling has been completed), ~~not more thana~~ maximum of one (1) recreational vehicle per principal dwelling unit (i.e. excluding secondary suites or dwelling units in an apartment buildings without individual exterior ingress/egress) may be stored outdoors (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 that is stored outdoors be used as the principal dwelling or principal use for living accommodations on a parcel, except as provided for in this Schedule.
- (ed) In no case shall a recreational vehicle be ~~permanently~~ connected to private or public utilities (e.g., septic system, municipal water or wastewater systems, power connections) or wastewater from an RV dumped into a municipal wastewater system.
- (fe) In no case shall an accessory buildingancillary structures (e.g., an additions, a shed or a decks, etc.) be ~~permitted to be~~ attached to or developed explicitly for the use of a recreational vehicles.
- (f)58. Where ~~the abovea~~ provisions do not specifically address the outdoor storage and/or use for temporary sleeping accommodations of to a particular land use district regarding the storage of a recreational vehicles is not listed anywhere above in any other land use district than those listed above, the outdoor storage and/or use for temporary sleeping accommodation of a recreational vehicle is prohibited. For greater clarity, the ~~non-commercial outdoor 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 is obtained for a "Campground", because "Campground" is listed as a use in the C-2 district. Further, in any district a development permit may be issuedfor the storage (indoors or outdoors) of three (3) or more one or more recreational vehicles may be issued only when, provided that "Recreational Vehicle Storage" or "Temporary Storage Yard" is a listed use in the particular district however, temporary sleeping accommodation is not allowed in "Recreational Vehicle Storage" or "Temporary Storage Yard"for the storage of three (3) or more recreational vehicles.~~
- 59. 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).
- 60. For greater clarity, while a development permit is not required to store (outdoors) or use a recreational vehicle in accordance with the provisions of this Schedule, there is no implied right to store (outdoors) a recreational vehicle and/or to use it for occasional and temporary sleeping accommodations on any property in any land use district out of scope with the provisions in this Schedule, and a development permit cannot be applied for and shall not be issued for such use. The provisions of this Schedule do not apply to the indoor storage of a recreational vehicle for personal and private purposes on any property in any land use district.

CANNABIS RETAIL SALES

- 6147. The Development Authority and the Subdivision and Development Appeal Board shall not issue a development permit for a use that is required to obtain a cannabis license under the Gaming, Liquor and Cannabis Act when the proposed use does not comply with the applicable requirements of regulations under that Act respecting the location of cannabis premises and distances between cannabis premises and other specified premises.

62. Cannabis retail sales uses ~~shall be~~ located on parcels such that the following separation distances are ~~complied with~~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

6348. 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

6449. The Development Authority shall, as may be applicable, review a development permit application that proposes a change of use, new construction, renovations, ~~or~~ alterations to the façade of an existing building ~~façade~~, or new signage or changes to existing 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.

MULTI-FAMILY DWELLINGS

65. Development shall comply with standards for Multi-family Dwelling established in Schedule 5.

PARKING AND LOADING

66. Development shall comply with standards for off-street parking and loading area established in Schedule 6.

RELOCATION OF BUILDINGS

67. Development shall comply with standards for the relocation of buildings established in Schedule 7.

HOME OCCUPATIONS

68. Development shall comply with standards for Home Occupations established in Schedule 8.

MODULAR HOMES

69. Development shall comply with standards for Modular Homes established in Schedule 9.

MODULAR HOME COMMUNITIES

70. Development shall comply with standards for modular home communities established in Schedule 10.

SIGNS

71. Development shall comply with standards established for signs in Schedule 11.

ALTERNATIVE / RENEWABLE ENERGY DEVELOPMENT

72. Development shall comply with standards for alternative / renewable energy development established in Schedule 12.

KENNELS

73. Development shall comply with standards for kennels established in Schedule 13.

SHIPPING CONTAINERS

74. Development shall comply with standards for Accessory Buildings established in this Schedule and with standards for Shipping Containers established in Schedule 14, as may be applicable.

SECONDARY SUITES

75. Development shall comply with standards for Secondary Suites established in Schedule 15.

HISTORIC COMMERCIAL AREAS

76. Development shall comply with standards for historic commercial areas established in Schedule 16.

WORK CAMPS

77. Development shall comply with standards for Work Camps established in Schedule 17.

SHORT-TERM RENTAL / BED & BREAKFAST AND TOURIST HOMES

78. Development shall comply with standards for Short-Term Rental / Bed & Breakfast and Tourist Home established in Schedule 18.

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:

- the minimum distance separating the development from adjacent buildings and activities, and
- the size and number of outdoor amenity areas.

4. DEVELOPMENTS CONTAINING MULTI-FAMILY DWELLING UNITS

- Whenever multi-family dwelling units are to be erected on a single lot:
 - all off-street parking shall be paved, and surface drainage provided to the satisfaction of the Development Authority;
 - comprehensive landscaping plans showing proposed vegetation, screening, parking and snow storage areas shall be submitted with the development application.
- Wherever 40 or more dwelling units are proposed for a single lot or a single condominium style development, a minimum of 4.6 m² (50 ~~ft²sq. ft.~~) per unit of shared, communal amenity space shall be provided in addition to private amenity space.
- Amenity space as required above:
 - may be located indoors, outdoors or both;
 - shall not be located within a minimum front yard setback; and
 - 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.

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 m² (300 ~~ft²sq. 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 eliminate tandem parking (which is the stacking of vehicles in parking stalls without providing a driving aisle to enter or exit the parking stalls).~~
 - (b) constructed so as to facilitate drainage, snow removal and maintenance;
 - (c) provided with either gravelled or paved all-weather surfaces;
 - (d) 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/or~~ be screened to the Development Officer's satisfaction 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, t~~The minimum number of off-street parking spaces ~~required~~designated for specific uses in Table 1 shall be provided for these uses and shall be applicable in every land use district, except as provided for parking exemptions in the Historic Commercial Areas Overlay District, or unless otherwise specified in this bylaw, and except as may be varied by a variance approved by the Development Authority.

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 <u>BARRIER-FREE</u> PARKING SPACES	
Number of <u>Total</u> Parking Stalls Required	Number of Designated <u>Barrier-Free Parking</u> Stalls Required <u>as Part of the Total</u> <u>for use by Persons with Disabilities</u>
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~~arking stalls ~~for persons with physical disabilities~~ shall be designed in accordance with best practices~~the "Barrier-Free Design Guide".~~

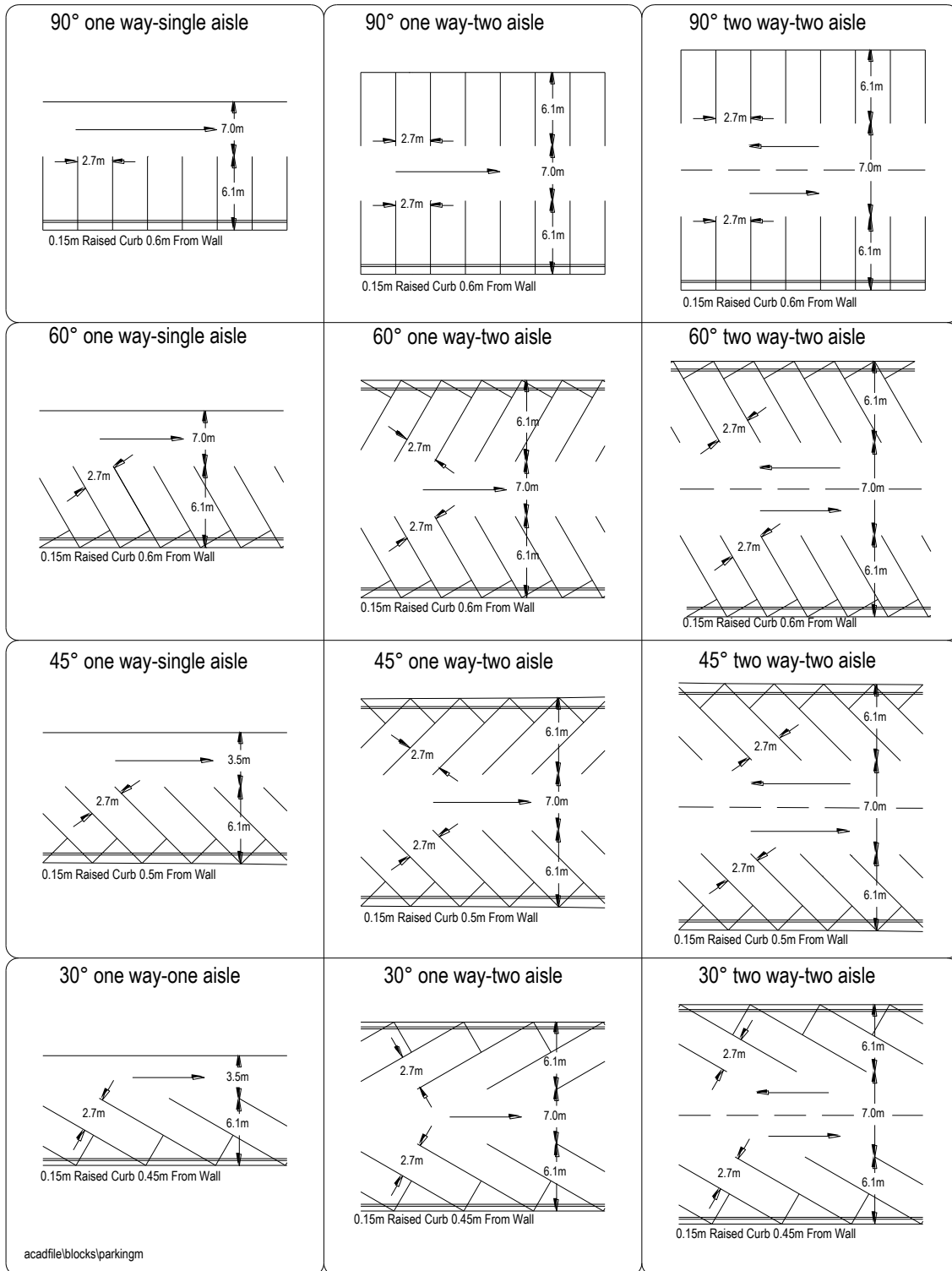
Table 1
MINIMUM OFF-STREET PARKING SPACES

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 <u>ft²sq.-ft.</u>) gross floor area (GFA)*
Service stations and automobile or equipment repair	1 per 45.1 m ² (485 <u>ft²sq.-ft.</u>) GFA; minimum 6 stalls per development
Offices, personal and professional services	1 per 60.0 m ² (645 <u>ft²sq.-ft.</u>) 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 <u>ft²sq.-ft.</u>) GFA, whichever is greater, plus 1 space per 2 employees
Food take-out service	10 spaces minimum; <u>the Development Authority may require additional spaces as required by the Development Authority</u>
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 <u>ft²sq.-ft.</u>) of site area
Short-Term Rental / Bed & Breakfast	1 per 4 guests in addition to parking required for the principal use. Parking for all <u>principal use and guest vehicles, including 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</u> shall be accommodated on the subject property, <u>and the parking of all principal use and guest vehicles, including recreation vehicles, utility trailers and ATV trailers shall not be allowed on the street, regardless of the provisions in other municipal bylaws (e.g. for landowner on-street parking or the recreational vehicle of the landowner) and, unless otherwise approved by the Development Authority, shall be located in the rear yard or the side yard.</u> The Development Authority shall not approve any variance to the off-street parking standard for a Short-Term Rental / Bed & Breakfast <u>or a Tourist Home in any District that is not within the Historic Commercial Areas Overlay District.</u>
Tourist Home	1 per 4 guests with a minimum of 2. Parking for all <u>vehicles, including 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</u> shall be accommodated on the subject property, <u>and the parking of all vehicles, including recreation vehicles, utility trailers and ATV trailers shall not be allowed on the</u>

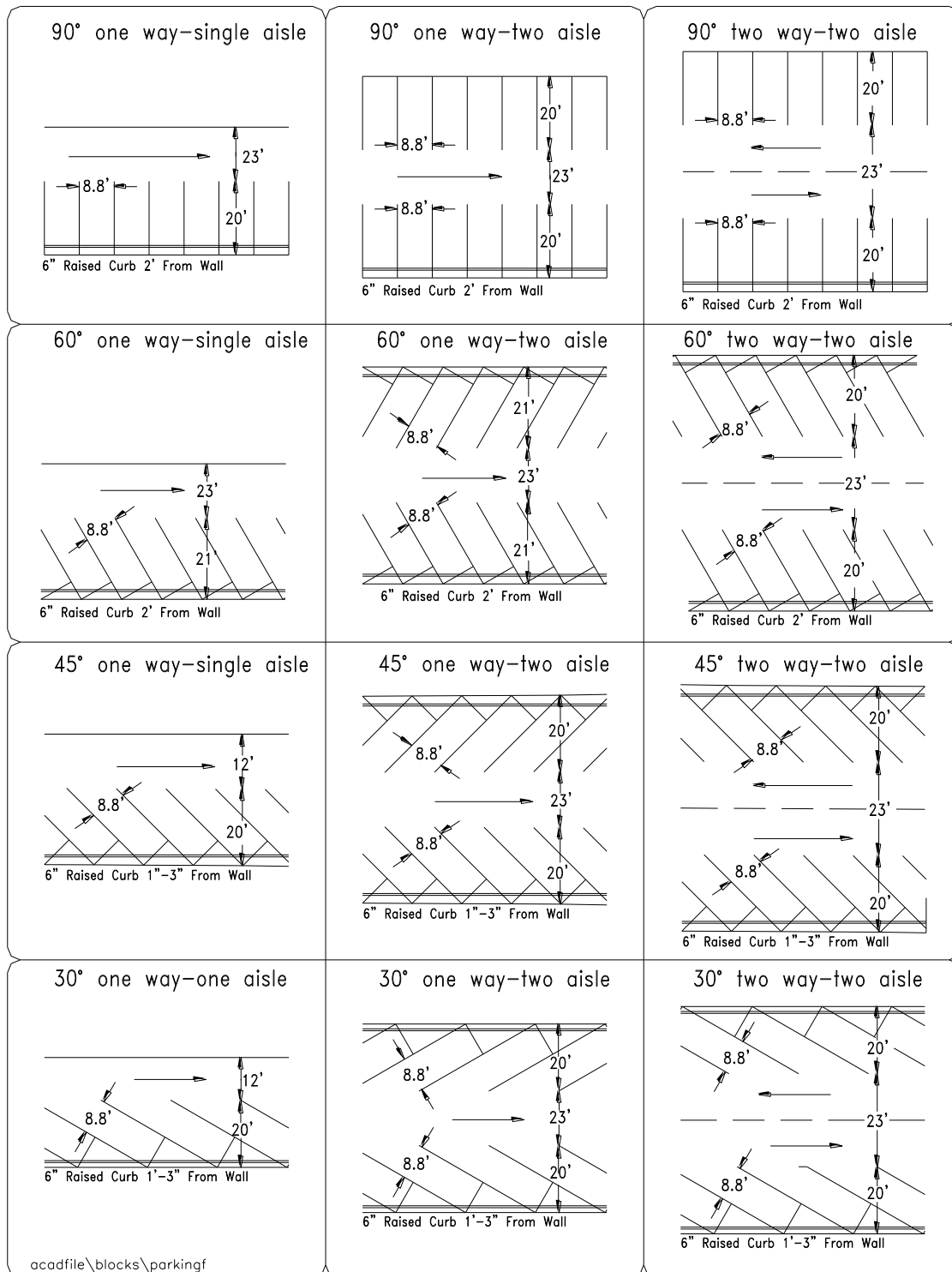
	<u>street, regardless of the provisions in other municipal bylaws (e.g. for landowner on-street parking or the recreational vehicle of the landowner) and, unless otherwise approved by the Development Authority, shall be located in the rear yard or the side yard. The Development Authority shall not approve any 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.</u>
Other uses	As required by the Development Authority
Industrial and Storage	
Manufacturing or processing	1 per 65.0 m ² (700 ft²sq.-ft.) GFA; minimum of 5 spaces
Light industry, warehousing, storage buildings and yards	1 per 65.0 m ² (700 ft²sq.-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 ft²sq.-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



PARKING LAYOUT ALTERNATIVES—FEET



RELOCATION OF MOVED-IN BUILDINGS

1. ~~All moved-in buildings shall be considered to be discretionary uses under this bylaw. For the purpose of 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 building 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. ~~A~~A applicants 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. ~~A~~A development permits ~~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.

4. In the case of a "Moved-In dDwelling" 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.~~
54. ~~Each individual~~The landowner or applicant shall post a ~~performance bond~~refundable security deposit or letter of credit in an amount specified in the Fees, Rates and Charges Bylaw~~necessary to ensure that~~bring the proposed building is brought into compliance with the development permit conditions~~municipality's requirements~~ (Note: the landowner or applicant may also be required under the Traffic Bylaw to obtain a permit to move the building on municipal roads and to provide a refundable security deposit to cover potential damages to municipal infrastructure or utility infrastructure owned by a third-party – please contact the Transportation Department).
6. ~~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 security deposit~~performance bond or letter of credit~~.
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.)~~
76. ~~It is the responsibility of the landowner to ensure that All a buildings 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.~~
7. ~~All renovations and any conditions imposed by the Development Authority to a 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.~~

CRITERIA FOR HOME OCCUPATIONS

1. **General** - For the purpose of this bylaw, the following classes shall be used to distinguish various home occupations:

1.1 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 with 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 ~~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)~~ the use complies with the general standards found in this Schedule,
- ~~(g)~~ 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.

1.2 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 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) 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 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.

2. **Development Standards - Home occupation – Class 1 shall be operated and Home Occupation – Class 2, as defined, may be approved and shall be operated** subject to the following **standards and conditions, as may be applicable to each of the categories**~~conditions~~:
- 2.1 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.
- 2.2 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.
- 2.3 **The home occupation shall not alter**~~No variation in~~ the residential character and appearance of the dwelling, **accessory building**~~ancillary residential building~~, or **the subject property such that it is incompatible with the applicable land use district**~~and shall be permitted~~.
- 2.4 One identification sign may be attached to the building but shall not exceed **0.370-4 m² (4 ft²sq. 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.
- 2.5 The use shall not generate more vehicular or pedestrian traffic and vehicular parking than normal within the district.
- 2.6 No **offensive**-noise, vibration, **effluent**, electrical interference, smoke, dust, **ash**, **odours**, heat, **or glare** **or industrial waste** shall be produced by the use **to a level that is reasonably considered and deemed by the Development Officer to be offensive, noxious, a nuisance or otherwise incompatible with the character and purpose of the subject and adjacent land use districts**.
- 2.7 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.~~
- ~~2.89.~~ The approved use shall be valid only for the period of time the property is occupied by the applicant for such approved use.
- ~~2.9~~ **and the**A development permit **issued for a home occupation shall**~~may~~ be revoked ~~at any time~~ if, in the opinion of the Development Authority, the use is, or has become detrimental to **or incompatible with** the residential character and amenities of the neighbourhood **in the applicable or adjacent land use districts**.
- ~~2.10~~~~40.~~ **Permits**A development permit issued for **a** home occupations may be subject to the conditions that the **permit applicant is required to apply**~~renewed~~ annually **to renew the development permit**,~~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.~~
- ~~2.11~~~~42.~~ Only one **development permit**~~license~~ for a Home Occupation ~~—Class 2~~ shall be issued per dwelling **unit**.
- ~~2.12~~~~43.~~ 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)**.

344. **Variances to Home Occupation – Class 2** - 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.
4. **Prohibition of Renting a Dwelling Unit for Employment Purposes** - In the R-1 to R-5 and the CRV and the CSV land use districts, a dwelling unit shall not be rented for any period of time to or occupied by a person or by a work crew, where such person or work crew:
- 4.1 requires to bring a commercial vehicle (other than a standard passenger vehicle/truck which is the person's employment vehicle) or equipment to the premises; or
 - 4.2 requires to use the premises for any portion of an occupation that is reasonably categorized as a business, including a Home Occupation – Class 2 (except the long-term renter or landowner who has complied with the provisions of this bylaw regarding Home Occupations).

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 m² (800 ~~ft²sq. 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 – (year) 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.).~~
- ~~(bc)~~ 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.~~
- ~~(cd)~~ 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.
- ~~(de)~~ ~~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.~~

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 m² (3,000 ~~ft²sq.-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 m² (100 ~~ft²sq.-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. It is the applicant and/or landowner's responsibility to comply~~All service and utility wires, shall be installed underground and in compliance~~ with all relevant provincial and federal legislation and regulations, e.g. relative to building, electrical, gas and plumbing safety codes.

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.

SIGN STANDARDS

1. DEFINITIONS

In addition to the definitions in Schedule 1920 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 m² (200 ~~ft²sq.-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~~ professional engineer as defined in the Engineering and Geoscience Professions Act who has been registered~~licensed~~ (and, in the case of a partnership or corporation, also permitted to practice the profession of engineering) in Alberta by the Association of Professional Engineers and Geoscientists of Alberta (APEGA). Professional engineer does not include a licensee or a technologist. The terms "engineering" and "engineered" shall be understood within this context.

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 approvedpermitted, 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.

VarianceWaiver 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 (see definition);
 - (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 its nature and/or location~~ a sign may be defined by its nature and/or location 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 the nature~~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 (see definition).

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 districts 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.~~
- (be) 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.
- (ce) The Development Authority may require sign placements to be enhanced with landscaping or architectural features to improve aesthetics.
- (de) 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.
- (ef) 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.
- (fg) No Active Electronic Signs shall be approved~~permitted~~ with the exception of Changeable Copy Signs approved by Alberta Transportation for use on highways.
- (gh) No Billboard Signs shall be approved~~permitted~~ within the Municipality boundaries except for provincial government approved structures within the Highway 3 right-of-way.

- (~~hi~~) 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.
- (~~ij~~) 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.
- (~~jk~~) The maximum combined sign area of all Primary Signs that may be located on a lot with a single frontage is 12.0 m² (130 ~~ft²sq. ft.~~) and with two or more frontages is 18.0 m² (194 ~~ft²sq. ft.~~).
- (~~kl~~) All signs associated with a particular business must be moved within 30 days of the closure of the business.
- (~~lm~~) A sign may be designated as an Abandoned Sign by the Development Authority.
- (~~mn~~) Council may designate a Sign Clutter Area and require action to remediate.
- (~~no~~) Signs to be placed on frontage roads may be approved at the discretion of the Development Authority.
- (~~op~~) 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. **VARIANCESWAIVERS**

- (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 AND FINES

Refer to the Administration part of this bylaw. ~~Every person who contravenes any provision of this bylaw is guilty of an offence pursuant to the relevant provisions of the 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 nature ~~character~~;
 - (ii) has sign area not exceeding 2.0 m² (21.5 ft² ~~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 m² (6 ft² ~~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 m² (32 ~~ft²sq.-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 m² (13 ~~ft²sq.-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 m² (100 ft²sq. 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 m² (70 ft²sq. 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 m² (70 ft²sq. 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 m² (4 ~~ft²sq. 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 development permit and Municipal a 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 m² (40 ~~ft²sq. 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 m² (16 ~~ft²sq. ft.~~) per face.
- (e) ~~All~~ Projecting Signs 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 m² (90 ~~ft²sq. 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 m² (64.6 ~~ft²sq. 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 m² (130 ~~ft²sq. 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 development permit and 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 ~~excludes~~ 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 m² (200 ~~ft²sq. 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.)

ALTERNATIVE/RENEWABLE ENERGY DEVELOPMENTS

1. DEFINITIONS

In addition to the definitions in Schedule ~~1920~~ (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 ($>700^{\circ}\text{C}$), 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.

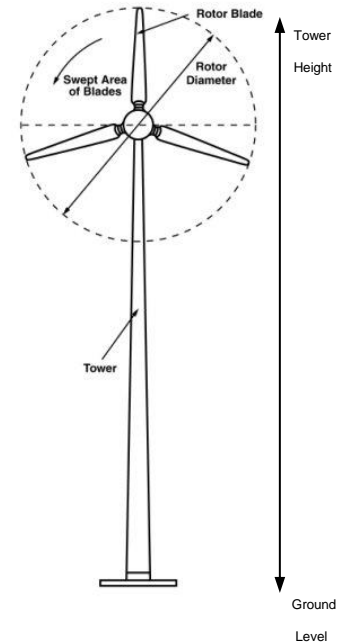
Total height means the distance from grade to the tip of a blade when that tip is at the top of a full 360° revolution and is pointed up to the sky.

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);~~
- ~~(be)~~ wire service provider (WSP) approval for solar collectors that are proposed to be connected to the provincial power/electrical grid; and

- (cd) 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.

	<u>Category 1</u>	<u>Category 2</u>	<u>Category 3</u>
(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;	✓	✓	✓

	<u>Category 1</u>	<u>Category 2</u>	<u>Category 3</u>
(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 a refundable security deposit in the amount specified in the Fees, Rates and Charges Bylaw 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.

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.~~

840. Kennels which propose to house exotic animals shall not be allowed within the municipality.

944. ~~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.~~

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 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 spathulifolium	Hardy
Stonecrop, Green	Sedum album	Very hardy
Strawberry, Wild	Fragaria chiloensis	Very hardy
Thrift, Common	America maritima	Very hardy
Thyme, Woolly	Thymus pseudolanuginosus	Very hardy
Thyme, Creeping	Thymus praecox articus	Very hardy
Valerian, Red	Centranthus ruber	Hardy
Violet, Canadian	Viola canadensis	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

SHIPPING CONTAINER / TRANSPORT TRAILER REGULATIONS

1. SHIPPING CONTAINER ACCESSORY TO AN APPROVED USE - APPLICABLE LAND USE DISTRICTS

~~Permanent-A~~ shipping containers and/or transport trailers may be allowed to locate in ~~thosethe~~ 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) Shipping containers may be stacked no more than two containers high.

(d) 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) 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) 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, and the Development Authority may specify the location of a shipping container on a lot or may refuse to

approve a shipping container in the location on the lot proposed by the applicant if the Development Authority is of the opinion that the proposed location unduly interferes with the amenities of the neighbourhood or materially interferes with or affects the use, enjoyment or value of neighbouring parcels of land.

- (gf) 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.
- (hg) 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 applicable 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.
- (ih) The MPC Development Authority may attach any additional reasonable conditions to an application that are not specifically outlined in this schedule.
- (ji) 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.).~~

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~~ districts 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. ~~When a Secondary Suite has been approved on a property in the R-1 to R-5 and the CRV and the CSV land use districts, the Secondary Suite and/or the principal Single-family Dwelling shall not be approved or used as a Tourist Home, except when the entire property is rented out as one Tourist Home rental unit, and subject to the standards established for Tourist Homes in this land use bylaw.~~
4. ~~In the R-1 to R-5 and the CRV and the CSV land use districts, a Secondary Suite and/or the Single-family dwelling on the property where a Secondary Suite has been approved shall not be rented for any period of time to or occupied by a person or by a work crew, where such person or work crew:~~
 - 4.1 ~~requires to bring a commercial vehicle (other than a standard passenger vehicle/truck which is the person's employment vehicle) or equipment to the premises; or~~
 - 4.2 ~~requires to use the premises for any portion of an occupation that is reasonably categorized as a business, including a Home Occupation – Class 2 (except the landowner who has complied with the provisions of this bylaw regarding Home Occupations).~~
53. 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 ~~any~~ variance to the off-street parking requirement.
64. ~~For the purpose of calculating site coverage~~ ~~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.~~
75. 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 locatedSingle-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, and further:~~

(a) When a Secondary Suite is proposed as a stand-alone building, or within an Accessory Building, or within a Single-family Dwelling, and it would exceed this standard, including the maximum variance, then the application shall be refused; and

(b) When a Secondary Suite is proposed in the basement of a single-storey Single-family Dwelling (bungalow, split-level, etc.) and it would encompass the majority or all of the habitable space in the basement, then the application shall be refused and, where applicable, the applicant shall be directed to revise the application to an application for an up-down duplex.

- 86.** 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)

- 98.** 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.

- 109.** 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)

- 1140.** 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.

- 1244.** 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.

HISTORIC COMMERCIAL AREAS OVERLAY DISTRICT (~~HCO~~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 a proposed change of use, new construction, renovations, alterations to the façade of an existing building, or new signage or changes to existing signage~~ 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 building's 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 HCAOD 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, andthe 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.

WORK CAMP REGULATIONS

1. ~~A work camp developed and operated by or on behalf of a~~ Federal, provincial, or municipal ~~governmentwork 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. ~~All~~ work camps 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 ~~wastewatersewer~~ 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.

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

General

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.~~
- ~~23.~~ In the Residential R-1 to R-5 and the CRV and the CSV land use districts, the Development Authority may deny a discretionary use development permit application for a Short-Term Rental / Bed & Breakfast or a Tourist Home, including for but not limited to, the reason that: ~~Other~~ Short-Term Rentals / Bed & Breakfasts ~~or~~ Tourist Homes or Home Occupations had previously been approved in the immediate neighbourhood and that the addition of another in the same area will, in the sole discretion of the Development Authority, unduly interfere with the amenities of the neighbourhood or will materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land adjacent private property – for example, as a result of concerns related to expected additional traffic volume, parking of vehicles, late night noise, etcetera, ~~or~~
- ~~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.~~
- ~~343.~~ 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.

444. 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.

545. 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, fire bans, and the requirement to obtain a business license under the Business License Bylaw].

6. **Separation Distance:** ~~There shall be~~ 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.

74. Maximum Occupancy and Number of Rental Units shall be determined as follows:

Short-Term Rental / Bed & Breakfast

7.1 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.~~

7.24.1 During all times that a Short-Term Rental / Bed & Breakfast is rented to guests, the landowner shall occupy either the principal dwelling unit or a portion thereof or a Secondary Suite or one of the Duplex units on the property from where a Short-Term Rental / Bed & Breakfast is operated.

7.3 A Short-Term Rental / Bed & Breakfast operation may offer for rent more than one rental unit in the operation in accordance with the definition established in this Schedule, 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.

Tourist Home

7.4 The Developmental Authority shall not approve a development permit for both a Tourist Home and a Short-Term Rental / Bed & Breakfast on the same property.

7.54.2 The Development Authority ~~and~~ shall not approve a development permit for more than one Tourist Home on any subject property.

7.6 In the R-1 to R-5 and the CRV and the CSV land use districts, the Development Authority shall not approve a development permit for a Tourist Home in a Single-Family Dwelling with a Secondary Suite or in a Duplex, where the two dwelling units are on the same certificate of land title and one of the dwelling units (i.e. either the Single-Family Dwelling, the Secondary Suite, or one of the Duplex units) is rented out to a third party for any period of time or is occupied by the landowner for any period of time. For greater clarity, the approval of a Tourist Home does not approve the property for the use of more than one dwelling unit, and the landowner does not have the right to operate more than one dwelling unit on the property. Where a landowner desires to use their property in the manner described above, the landowner shall be directed to apply for a Short-Term Rental / Bed & Breakfast instead of a Tourist Home, and shall be required to abide by the standards and rules for Short-Term Rental / Bed & Breakfast, including that the

landowner shall occupy one of the dwelling units during all times that the Short-Term Rental / Bed & Breakfast is rented to guests. Another alternative is that the two dwelling units on the property (i.e. either one or both the Single-Family Dwelling, the Secondary Suite, or the Duplex units) are rented out under the provisions in the Residential Tenancy Act.

7.7 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

All Short-Term Rental / Bed & Breakfasts and Tourist Homes

7.85. The number of rental units in and the maximum occupancy of the Short-Term Rental / Bed & Breakfast or the 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 reduce the maximum occupancy of a Short-Term Rental / Bed & Breakfast or a Tourist Home established in the above standards on a case-by-case basis, based on considerations stated in this Schedule.

86. Recreational Vehicles: A recreational vehicle shall not be used as accommodation for the landowner / operator, other residents of the property or for the guests in a Short-Term Rental / Bed & Breakfast or a Tourist Home ~~guests~~.

97. Parking

9.1 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 parking of all vehicles, including recreation vehicles, utility trailers and ATV trailers shall not be allowed on the street, regardless of the provisions in other municipal bylaws (e.g. for landowner on-street parking or the recreational vehicle of the landowner).

9.2 ~~The~~ The Development Authority shall not approve ~~any~~ 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.~~

9.3 In the R-1 to R-5 and the CRV and the CSV land use districts, the vehicles of guests visiting the renting guests of a Short-Term Rental / Bed & Breakfast or a Tourist Home may be parked on the street for the duration of the visit, subject to other provisions in this Schedule.

10. Guests Visiting Renters: In the R-1 to R-5 and the CRV and CSV land use districts, guests visiting the renting guests of a Short-Term Rental / Bed & Breakfast or a Tourist Home shall not exceed the number of people that can be reasonably accommodated in two passenger vehicles including a mini-van, and such visitors shall not become *de facto* renters or occupants of the Short-Term Rental / Bed & Breakfast or the Tourist Home, i.e. the guests shall not be allowed to stay over in the rental unit.

11. Work Crews and Home Occupation – Class 2: In the R-1 to R-5 and the CRV and the CSV land use districts, a Short-Term Rental / Bed & Breakfast or a Tourist Home shall not be rented for any period of time to or occupied by a person or by a work crew, where such person or work crew:

11.1 requires to bring a commercial vehicle (other than a standard passenger vehicle/truck which is the person's employment vehicle) or equipment to the premises; or

11.2 requires to use the premises for any portion of an occupation that is reasonably categorized as a business, including a Home Occupation – Class 2 (except the landowner who has complied with the provisions of this bylaw regarding Home Occupations).

128. Advertising and Appraising Renters and Guests of the Applicable Rules

12.1 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 to the Development Officer 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.

12.29. 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.

12.346. 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, and shall ensure that guests are aware of and adhere to the rules established in those bylaws and to posted fire bans in the area – albertafirebans.ca.

1340. Signage: 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 0.18m² (3ft²) and 0.72m² (8ft²), that shall not extend more than 1.5metres (5ft) above grade and shall be located in the front yard visible to the public.

1444. Compatibility with Neighbouring Parcels of Land: 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 residential neighbourhood, and shall not unduly interfere

with the amenities of the residential neighbourhood or materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land.

1542. Temporary Nature and Expiry of a Short-Term Rental / Bed & Breakfast and Tourist Home Development Permit

~~A Tourist Home development permit shall only be valid as long as it coincides with an active Business Licence and a development permit.~~

15.1 The development permit for a Short-Term Rental / Bed & Breakfast or Tourist Home shall be temporary, and the period for which it shall be valid and during which the use may be operated shall coincide with the period during which:

(a) the original applicant for and holder of the development permit holder continues to be the property landowner – for greater clarity, in the event that the property is transferred to a 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; and

(b) the landowner holds an active Business License; and

(c) the development permit complies with the standards established in this Schedule, as these standards may be amended from time to time.

15.2 For greater clarity:

(a) – for greater clarity, in the event that the property is transferred to a third party the development permit shall expires, and a new development permit application by the new property landowner shallwould be required to continue the useTourist Home operation; and

(b) If the Business LicenceLicense lapses, is transferred to another person, or is revoked for any reason, the development permit shallwill expire, and a new application shallwill be required to reinstate the development permit and subsequently the business licencelicense; and

(c) At the annual renewal of the business license, if the Land Use Bylaw has been amended regarding the standards for Short-Term Rentals / Bed & Breakfast or Tourist Home since the initial issuance of the development permit or since the previous business license was issued, the initial development permit shall expire and the applicant for the business license is required to obtain a new or revised development permit in compliance with the revised standards – i.e. a “non-conforming” Short-Term Rental / Bed & Breakfast or Tourist Home shall not be operated without renewing the development permit to comply with amended standards and conditions.

~~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.~~

Contraventions, Fines and Penalties

- ~~1647.~~ 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 to the perpetrator (i.e. either the landowner or the guests as may be applicable), pursuant to the Fees Rates and Charges Bylaw ~~to the Landowner or guest depending on the infraction.~~ Refer to the Administration part of this bylaw.

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, e.g. masked as an accessory building), 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 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 Apartmentsdwelling 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 Authoritydesignated 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, that will include the construction of Municipal Improvements (i.e. public infrastructure constructed by a developer and owned and operated by the Municipality) and/or the dedication of Municipal Reserves or Environmental Reserves (or other forms of public open space). 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 and for other items as provided for in this bylaw) 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 m² (500 ~~ft²sq. 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 either seasonal and/or year-round collective water supply and sanitary wastewater disposal systems for 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 dishCommunication structure** means an anchored structure designed to support a communication antennacapture or receive broadcast signals beamed by satellites for audio-visual purposes.~~

~~**Satellite dishCommunication 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.

~~**Comprehensive Site Development Plan** means a plan, in a format to be determined for each case based on the requirements established in Schedule 4 of this bylaw, that provides for the coordinated, comprehensive planning of multi-faceted or otherwise complex development, redevelopment, infill development or bareland condominium subdivision, which is of such a scale or complexity or is located in an area that, in the opinion of the Development Authority or the Subdivision Authority, the proposal requires a coordinated and comprehensive approach to the provision of infrastructure, the design and layout of land uses or buildings, the interrelation of the proposal with adjacent or neighbouring lands, and/or the impact of the proposal on adjacent or neighbouring property owners.~~

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, ~~wastewatersewer~~, 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, ~~wastewatersewer 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 m² (2,153 ~~ft²sq.-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; 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 wastewatersewage 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 roofless structure, wall or ~~hedge~~ any combination thereof, used as an 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.

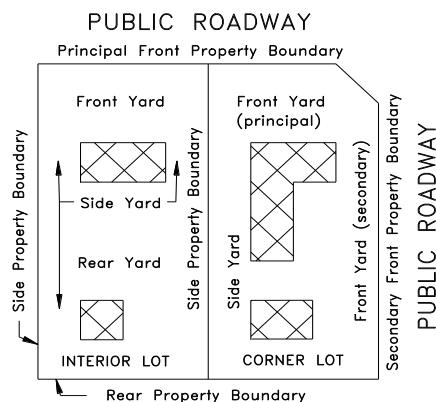


FIGURE 1

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) and permitted to practice in Alberta. 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 practice 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 transshipment 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.

Infill Development means locating new building(s) within unused and underutilized lands within an existing developed area (e.g. in a mature neighbourhood), typically but not exclusively in an urban area. Infill development is critical to accommodating growth and redesigning communities to be environmentally, financially and socially sustainable. Infill development can consist of demolishing one or more buildings and replacing it with something new. It also includes the development of residential, commercial, mixed-use or institutional uses on vacant lots in existing neighbourhoods. Infill projects can range in size from a single lot to the complete redevelopment of significantly larger areas. Many forms of infill development can be more intensive than previous uses, or than the predominant existing development in the mature neighbourhood where it is proposed.

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 or 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 ~~buildingstructure~~ 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.

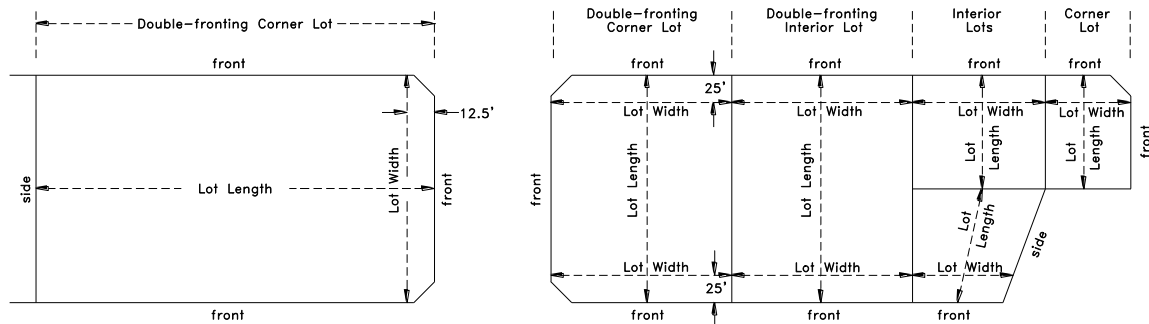


FIGURE 2

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 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 constructed, previously existing, established and occupied residential or non-residential occupied building (e.g. an accessory building), which is physically removed from one site, transported and re-established on another site. This and does not include a manufactured/modular home 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 ~~two~~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 or Unserviced Parcel means in respect to a lot or parcel that neither a municipal water system nor a municipal wastewatersewage 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, wastewatersewage 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 areas~~ of land described in a certificate of title ~~or described in a certificate of title~~ by reference to a plan ~~filed or~~ registered in a Land Titles Office, 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 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 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 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; ~~under~~
- (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~~ professional engineer as defined in the Engineering and Geoscience Professions Act who has been registered/licensed (and, in the case of a partnership or corporation, also permitted to practice the profession of engineering) in Alberta by the Association of Professional Engineers and Geoscientists of Alberta (APEGA). Professional engineer does not include a licensee or a technologist. The terms “engineering” and “engineered” shall be understood within this context.

~~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 institutional 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) wastewatersewage 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) storm~~water-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 motorhome, a fifth-wheel, a travel trailer, a camping trailer, a truck camper, a motorhome, a fifth-wheel trailer, ~~or a van~~, a Recreational Vehicle that conforms to the CSA Z-240 Standard for Recreational Vehicles (i.e. a Recreational Vehicle - Park Model Trailer), a tent trailer, or a boat, but does not include any vehicle or trailer over 2.6 m (8 ft 6 in.) in transit mode width, a Modular Home, or a Recreational Vehicle – Park Model Recreational Unit (CSA-Z241).

Recreational Vehicle - Park Model Recreational Unit (“Cottage Model”) means a living unit, conforming to CSA-Z241 standard, built on a single chassis mounted on wheels which may be removed. The unit is designed to facilitate occasional relocation using a special tow vehicle and requiring a highway movement permit to tow the unit. It has living quarters for a temporary residence or seasonal use. It is typically skirted once installed on the parcel. It is typically connected to those public or private utilities necessary for the operation of installed fixtures and appliances, with a maximum CSA approved 50 amp interior electric panel. The transit mode width of this unit exceeds 2.6 m (8 ft 6 in). The maximum size of a Recreational Vehicle - Park Model Recreational Unit is 55 m² (600 ft²). A Recreational Vehicle – Park Model Recreational Unit is not allowed to be placed on a basement or other permanent foundation. This land use does not include a Modular Home or a Recreational Vehicle.

Recreational vehicle park — see “Campground, private”. means the use of an area developed specifically and only for the occupancy of Recreational Vehicles (RVs) on stalls that are collectively serviced with potable water supply and wastewater disposal systems for either seasonal and/or year-round 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 “Work Camp” (see the definition for those land uses) 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. Sleeping accommodation (whether temporary, seasonal, long-term, or permanent) 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 courses, ski hills, riding stables, 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 Resort facility~~ 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 bylaw~~ forms 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 of permitted within~~ general retail stores.

Retail – large scale means a singular retail premises that exceeds 464.5 m² (5000 ft²) 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 – (year) 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 – (year) 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 Parcel means a parcel or a lot that is or will be serviced by a municipal water system and by a municipal wastewatersewage system.

Serviced, Collectively or Communally means a system of pipes designed, constructed, or installed as a collective or communal means of water supply or sewage disposal, where the water supply source or the final sewage disposal and treatment is either privately-owned on-site or publicly-owned off-site (municipal infrastructure), and to which two or more properties are connected.

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 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 affordsaffording 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 by a bylaw of the Municipal Council 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, vehicles or equipment where such storage of goods and materials does not involve the construction erection of a permanent building structures or the material alteration of the existing state of the land. Typical uses include the temporary storage yards for of construction vehicles, equipment and materials and/or a maximum of one recreational vehicles which shall not be occupied or otherwise used as temporary sleeping accommodation.

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 ~~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 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.

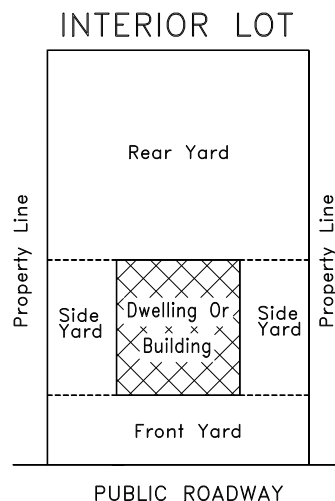


FIGURE 3

**MUNICIPALITY OF CROWSNEST PASS
IN THE PROVINCE OF ALBERTA**

LAND USE BYLAW NO. 868-2013



Prepared by



June 2013

(Consolidated to Bylaw No. [1110, August 26, 2022](#)~~1051, September 2020~~)



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**STANDARDS FOR
SHORT-TERM RENTAL / BED & BREAKFAST
AND TOURIST HOME**

Schedule 1920

DEFINITIONS

|

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.

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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.

Infill Development means locating new building(s) within unused and underutilized lands within an existing developed area (e.g. in a mature neighbourhood), typically but not exclusively in an urban area. Infill development is critical to accommodating growth and redesigning communities to be environmentally, financially and socially sustainable. Infill development can consist of demolishing one or more buildings and replacing it with something new. It also includes the development of residential, commercial, mixed-use or institutional uses on vacant lots in existing neighbourhoods. Infill projects can range in size from a single lot to the complete redevelopment of significantly larger areas. Many forms of infill development can be more intensive than previous uses, or than the predominant existing development in the mature neighbourhood where it is proposed.

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.

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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

34. 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 REDESIGNATION, DEVELOPMENT PERMIT OR SUBDIVISION APPLICATIONS

Comprehensive Site Development Plan

42. The Development Authority or the Subdivision Authority, as the case may be, may require an applicant for a redesignation (rezoning), a development permit or a bareland condominium subdivision to prepare a comprehensive site development plan as follows:
- (a) When the Development Officer or the Subdivision Authority, as applicable, deems it necessary for the purpose of sound planning practices to ensure comprehensive and coordinated planning of land uses and infrastructure for a complex development permit or a bareland condominium subdivision, the applicant for a redesignation, a development permit application for a permanent building or structure or a bareland condominium subdivision shall, at no cost to the Municipality and to the satisfaction of the Development Authority's or the Subdivision Authority's satisfaction, prepare a Comprehensive Site Development Plan as part of the application prior to the approval of for the redesignation, 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.
- (c) The Development Authority or the Subdivision Authority, as may be applicable, may require that a Comprehensive Site Development Plan is subject to satisfactory public consultation prior to being deemed complete.

Area Structure Plan

53. The Development Officer or the Subdivision Authority, as the case may be, may require an applicant for redesignation or subdivision (excluding a bareland condominium subdivision) to prepare an area structure plan as follows:
- (a) When the Development Officer or the Subdivision Authority deems it necessary for the purpose of sound planning practices, the applicant for a redesignation or a subdivision application shall, at no cost to the Municipality and to the Development Officer's and/or 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 redesignation or 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

65. 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.

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 dishCommunication structure** means an anchored structure designed to support a communication antennacapture or receive broadcast signals beamed by satellites for audio-visual purposes.~~

~~**Satellite dishCommunication 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.

Comprehensive Site Development Plan means a plan, in a format to be determined for each case based on the requirements established in Schedule 4 of this bylaw, that provides for the coordinated, comprehensive planning of multi-faceted or otherwise complex development, redevelopment, infill development or bareland condominium subdivision, which is of such a scale or complexity or is located in an area that, in the opinion of the Development Authority or the Subdivision Authority, the proposal requires a coordinated and comprehensive approach to the provision of infrastructure, the design and layout of land uses or buildings, the interrelation of the proposal with adjacent or neighbouring lands, and/or the impact of the proposal on adjacent or neighbouring property owners.

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;

SUSPENSION OF A DEVELOPMENT PERMIT

6664. 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 or contains a clerical error;

the Development Authority may suspend, ~~or cancel~~ or re-issue the development permit by notice in writing to the holder of the development permit stating the reasons for any suspension, ~~or cancellation~~, or re-issuance, and in the case of a suspension or cancellation 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, and in the case of a re-issuance shall clarify the reason for the re-issuance and when such re-issuance was for clerical corrections, the re-issuance shall not reset the appeal period.

6762. If a development permit is suspended or cancelled (with or without the required accompanying and a Stop Order) or re-issued for reasons other than correcting a clerical error, the permit holder may have the right to appeal the suspension or cancellation (including the Stop Order) or the re-issuance, in accordance with the relevant provisions of the Act to the Subdivision and Development Appeal Board. The re-issuance of a development permit to correct a clerical error does not reset the appeal period and such a re-issued development permit cannot be appealed.

INSPECTIONS AND ENFORCEMENT

68. Pursuant to the relevant provisions of the Act, the Development Officer acting in their capacity as the Development Authority and on behalf of and with a mandate hereby delegated by a designated officer or the Chief Administrative 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

6963. The Development Authority may issue a stop order pursuant to the relevant provisions of the Act ~~Municipal Government Act~~.

7064. 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

7165. Pursuant to the applicable provisions of the *Municipal Government Act*:

- (a) A every person who contravenes ~~any~~ provision of this Bylaw is guilty of an offence and is liable, upon summary conviction, to a fine ~~of in an amount not less than that established in the Fees, Rates, and Charges Bylaw, and not exceeding not more than~~ \$10,000.00, or to imprisonment for not more than one year, or to both a fine and imprisonment.

- (b) A Community Peace Officer or Bylaw Enforcement Officer, in collaboration with the Development Officer, may issue a Municipal Violation Tag for an offence under this Bylaw in the amount established in the Fees, Rates and Charges Bylaw.
- (c) The penalty amounts for a second offence, third offence, or any subsequent offences, shall be in accordance with the provisions of the Fees, Rates and Charges Bylaw.
- (d) A person who is issued a Municipal Violation Tag may pay the fine amount to the Municipality on or before the required date.
- (e) If a (provincial) Violation Ticket is issued in respect to an offence for which a Municipal Violation Tag has not been paid, the Community Peace Officer or Bylaw Enforcement Officer, in collaboration with the Development Officer:
 - (i) may specify the fine amount established in the Fees, Rates and Charges Bylaw, to be paid by the accused person for the offence; or
 - (ii) may require the accused person to appear in court without the alternative of making a voluntary payment.

LAND USE BYLAW ADMINISTRATION

Amendment Or Repeal Of Bylaw and Land Use Redesignations

- 7266. The procedure for amendment or repeal of this bylaw is prescribed under the relevant provisions of the Act-Municipal Government Act.
- 7367. An application to amend this bylaw or to redesignate land from one district to another shall be made to the Development Officer.
- 7468. 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

- 7569. A draft version of ~~any~~ 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

- 7670. 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

CAMPGROUND ~~AND RECREATIONAL VEHICLE PARK~~ STANDARDS

5343. 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~~ development permit. The Development Authority may require that the applicant prepare a Comprehensive Site Development Plan to its satisfaction, and 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 unduly interfere with the amenities of the neighbourhood or 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.
- (e) the maximum number or maximum percentage of RV units in a Campground or a Recreational Vehicle Park that may be used for permanent residential occupancy, provided that the RV stalls on which the RV units so used are located, have year-round collective water and wastewater services connections available.
- (f) the restrictions on the number, size, height, appearance, and use of an Accessory Building (e.g. deck, shed) that may be approved to be placed on an RV stall in a Campground or a Recreational Vehicle Park.

TEMPORARY AUTO SALES STANDARDS

5444. 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 Vehicle - Park Model Recreational Unit (“Cottage Model”) means a living unit, conforming to CSA-Z241 standard, built on a single chassis mounted on wheels which may be removed. The unit is designed to facilitate occasional relocation using a special tow vehicle and requiring a highway movement permit to tow the unit. It has living quarters for a temporary residence or seasonal use. It is typically skirted once installed on the parcel. It is typically connected to those public or private utilities necessary for the operation of installed fixtures and appliances, with a maximum CSA approved 50 amp interior electric panel. The transit mode width of this unit exceeds 2.6 m (8 ft 6 in). The maximum size of a Recreational Vehicle - Park Model Recreational Unit is 55 m² (600 ft²). A Recreational Vehicle – Park Model Recreational Unit is not allowed to be placed on a basement or other permanent foundation. This land use does not include a Modular Home or a Recreational Vehicle.

Recreational vehicle park — see “Campground, private”. means the use of an area developed specifically and only for the occupancy of Recreational Vehicles (RVs) on stalls that are collectively serviced with potable water supply and wastewater disposal systems for either seasonal and/or year-round 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 “Work Camp” (see the definition for those land uses) ~~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. Sleeping accommodation (whether temporary, seasonal, long-term, or permanent) 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;

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.

- (iii) a communication antenna or structure that will not exceed the height of the principal building on the site.
- (~~ma~~) the demolition of a building ~~or structure~~ of less than 46.5 m² (500 ft²sq. 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);
- (~~ne~~) individual recreational vehicle (RV) units which are not considered permanent buildings ~~or structures~~ and are located in an approved Recreational Vehicle pPark or campground;
- (~~op~~) the outdoor storage and/or use for temporary sleeping accommodations of a recreational vehicle (RV) units, ~~which are not considered permanent buildings or structures, in accordance with the provisions and standards of and not exceeding any threshold or timeline that may have been established in Schedule 4~~ for greater clarity, while a development permit is not required to store (outdoors) or use an RV so stored in accordance with the standards in Schedule 4, a development permit cannot be applied for and shall not be issued for the outdoor storage or use of an RV out of scope with the provisions of Schedule 4;
- (~~pq~~) 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:~~
 - (iii) ~~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 buildingshipping container on an inactive construction site is prohibited; and
 - (~~iiii~~) ~~in no case shall at the temporary buildingconstruction shipping container shall be removedremain on from the site immediately~~ when construction has been suspended for more than a period of 60 days or more; and
 - (~~iviii~~) the temporary buildingshipping 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
 - (~~viv~~) the temporary buildingshipping container must be removed immediately upon completion of construction.
 - (~~rs~~) 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:

RECREATIONAL VEHICLES – OUTDOOR STORAGE AND TEMPORARY SLEEPING ACCOMMODATIONS

55. The provisions of this Schedule do not apply to the indoor storage of a recreational vehicle for personal and private purposes on any property in any land use district.

5645. In the GCR-1 and ~~GCR-2~~ **NUA-1** land use districts the following ~~standards~~~~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 for the principal dwelling), No a~~ recreational vehicles ~~shall~~~~may not~~ be stored **outdoors** and/or used for temporary sleeping accommodations on ~~thea~~ parcel ~~where the principal use has not been established or approved~~.
- (b) Where ~~thea~~ principal ~~used~~dwelling unit has been approved (i.e. a development ~~permit~~ and a building permits ~~have been~~ issued **for the principal dwelling**) and its construction is active, a **maximum of three (3) recreational vehicles** may be stored **outdoors** (for non-commercial purpose) and/or used for 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 ~~thea~~ principal ~~used~~dwelling unit has been established (i.e. **construction of the principal dwelling has been completed**), ~~up to a maximum of~~ **three (3) recreational vehicles** may be stored **outdoors** (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 **outdoors** (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 **that is stored outdoors** be used as the principal ~~used~~dwelling or principal use ~~for~~ living accommodations ~~on for at the~~ parcel, **except as provided for in this Schedule.**
- (f) In no case shall a recreational vehicle be ~~permanently~~ connected to private or public utilities (e.g., septic system, **municipal water or wastewater systems**, power connections) **or wastewater from an RV dumped into a municipal wastewater system.**
- (g) In no case shall **an accessory building ancillary structures (e.g., an additions, a shed or a decks, etc.)** be ~~permitted to be~~ attached to or developed explicitly for **the use of a** recreational vehicles.

5746. 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 ~~standards~~~~rules~~ apply to recreational vehicles (RVs):

- (a) ~~On a vacant property where the~~~~Where a~~ principal ~~used~~dwelling unit(s) has not been ~~established or approved (i.e. a development permit and a building permits have not been issued for the principal dwelling) on a parcel, noa~~ recreational vehicles ~~may~~~~shall not~~ be stored **outdoors** and/or used for temporary sleeping accommodations on the parcel.
- (b) Where ~~thea~~ principal ~~used~~dwelling unit(s) has been approved (i.e. a development ~~permit~~ and a building permits ~~have been~~ issued **for the principal dwelling**) 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 **outdoors** (for non-commercial purposes) and/or used for 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 ~~thea~~ principal ~~used~~dwelling unit has been established (i.e. construction of the principal dwelling has been completed), ~~not more thana maximum of~~ one (1) recreational vehicle per principal dwelling unit (i.e. excluding secondary suites or dwelling units in an apartment buildings without individual exterior ingress/egress) may be stored outdoors (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 notmay 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 that is stored outdoors be used as the principal dwelling or principal use for living accommodations on a parcel, except as provided for in this Schedule.
- (ed) In no case shall a recreational vehicle be ~~permanently~~ connected to private or public utilities (e.g., septic system, municipal water or wastewater systems, power connections) or wastewater from an RV dumped into a municipal wastewater system.
- (fe) In no case shall an accessory building ancillary structures (e.g., an additions, a shed or a decks, etc.) be ~~permitted to be~~ attached to or developed explicitly for the use of a recreational vehicles.
- (f)58. Where the abovea provisions do not specifically address the outdoor storage and/or use for temporary sleeping accommodations of to a particular land use district regarding the storage of a recreational vehicles is not listed anywhere above in any other land use district than those listed above, the outdoor storage and/or use for temporary sleeping accommodation of a recreational vehicle is prohibited. For greater clarity, the ~~non-commercial outdoor~~ 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 is obtained for a "Campground", because "Campground" is listed as a use in the C-2 district. Further, in any district a development permit may be issued for the storage (Indoors or outdoors) of three (3) or more one or more recreational vehicles may be issued only when, provided that "Recreational Vehicle Storage" or "Temporary Storage Yard" is a listed use in the particular district however, temporary sleeping accommodation is not allowed in "Recreational Vehicle Storage" or "Temporary Storage Yard" for the storage of three (3) or more recreational vehicles.
59. 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).
60. For greater clarity, while a development permit is not required to store (outdoors) or use a recreational vehicle in accordance with the provisions of this Schedule, there is no implied right to store (outdoors) a recreational vehicle and/or to use it for occasional and temporary sleeping accommodations on any property in any land use district out of scope with the provisions in this Schedule, and a development permit cannot be applied for and shall not be issued for such use. The provisions of this Schedule do not apply to the indoor storage of a recreational vehicle for personal and private purposes on any property in any land use district.

CANNABIS RETAIL SALES

6147. 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

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 services
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
Temporary Storage Yard
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

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
 Campgrounds
~~Canvas Covered Structure~~
 Car washes
~~Construction trade shop~~~~Contractors~~~~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 containers, ~~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
~~Temporary storage yard~~
 Tourist Home, inside an approved dwelling unit
~~Utilities and services~~
 Veterinary clinics
 Warehouse store
 Warehouses, ~~secondary to an approved use~~

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, vehicles or equipment~~ where such storage ~~of goods and materials~~ does not involve the ~~construction~~ erection of a permanent ~~building~~ structures or the material alteration of the existing state of the land. Typical uses include ~~the temporary storage yards for of~~ construction vehicles, equipment and materials ~~and/or a maximum of one recreational vehicles which shall not be occupied or otherwise used as temporary sleeping accommodation.~~

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

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~~ districts 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. When a Secondary Suite has been approved on a property in the R-1 to R-5 and the CRV and the CSV land use districts, the Secondary Suite and/or the principal Single-family Dwelling shall not be approved or used as a Tourist Home, except when the entire property is rented out as one Tourist Home rental unit, and subject to the standards established for Tourist Homes in this land use bylaw.
4. In the R-1 to R-5 and the CRV and the CSV land use districts, a Secondary Suite and/or the Single-family dwelling on the property where a Secondary Suite has been approved shall not be rented for any period of time to or occupied by a person or by a work crew, where such person or work crew:
 - 4.1 requires to bring a commercial vehicle (other than a standard passenger vehicle/truck which is the person's employment vehicle) or equipment to the premises; or
 - 4.2 requires to use the premises for any portion of an occupation that is reasonably categorized as a business, including a Home Occupation – Class 2 (except the landowner who has complied with the provisions of this bylaw regarding Home Occupations).
53. 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 ~~any~~ variance to the off-street parking requirement.
64. For the purpose of calculating site coverage ~~The~~ 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.~~
75. 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, and further:~~

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.

4. **Prohibition of Renting a Dwelling Unit for Employment Purposes** - In the R-1 to R-5 and the CRV and the CSV land use districts, a dwelling unit shall not be rented for any period of time to or occupied by a person or by a work crew, where such person or work crew:
- 4.1 requires to bring a commercial vehicle (other than a standard passenger vehicle/truck which is the person's employment vehicle) or equipment to the premises; or
 - 4.2 requires to use the premises for any portion of an occupation that is reasonably categorized as a business, including a Home Occupation – Class 2 (except the long-term renter or landowner who has complied with the provisions of this bylaw regarding Home Occupations).

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

General

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.~~
- ~~23.~~ In the Residential R-1 to R-5 **and the CRV and the CSV land use** districts, the Development Authority may deny a discretionary use development permit application for a Short-Term Rental / Bed & Breakfast or a Tourist Home, including for **but not limited to** the reason that: ~~Other~~ Short-Term Rentals / Bed & Breakfasts ~~or~~ Tourist Homes **or Home Occupations** had previously been approved in the immediate neighbourhood and that the addition of another in the same area will, **in the sole discretion of the Development Authority**, unduly interfere with the amenities of the neighbourhood or will materially interfere with or affect the use, enjoyment, or value of **neighbouring parcels of land** ~~adjacent private property~~ – for example, as a result of **concerns related to** expected additional traffic volume, **parking of vehicles, late night noise, etcetera** ~~;~~ ~~or~~
- ~~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.~~
- ~~343.~~ 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.

444. 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.

545. 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, fire bans, and the requirement to obtain a business license under the Business License Bylaw].

6. **Separation Distance:** ~~There shall be~~ 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.

74. Maximum Occupancy and Number of Rental Units shall be determined as follows:

Short-Term Rental / Bed & Breakfast

7.1 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.~~

7.24.1 During all times that a Short-Term Rental / Bed & Breakfast is rented to guests, the landowner shall occupy either the principal dwelling unit or a portion thereof or a Secondary Suite or one of the Duplex units on the property from where a Short-Term Rental / Bed & Breakfast is operated.

7.3 A Short-Term Rental / Bed & Breakfast operation may offer for rent more than one rental unit in the operation in accordance with the definition established in this Schedule, 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.

Tourist Home

7.4 The Developmental Authority shall not approve a development permit for both a Tourist Home and a Short-Term Rental / Bed & Breakfast on the same property.

7.54.2 The Development Authority ~~and~~ shall not approve a development permit for more than one Tourist Home on any ~~subject~~ property.

7.6 In the R-1 to R-5 and the CRV and the CSV land use districts, the Development Authority shall not approve a development permit for a Tourist Home in a Single-Family Dwelling with a Secondary Suite or in a Duplex, where the two dwelling units are on the same certificate of land title and one of the dwelling units (i.e. either the Single-Family Dwelling, the Secondary Suite, or one of the Duplex units) is rented out to a third party for any period of time or is occupied by the landowner for any period of time. For greater clarity, the approval of a Tourist Home does not approve the property for the use of more than one dwelling unit, and the landowner does not have the right to operate more than one dwelling unit on the property. Where a landowner desires to use their property in the manner described above, the landowner shall be directed to apply for a Short-Term Rental / Bed & Breakfast instead of a Tourist Home, and shall be required to abide by the standards and rules for Short-Term Rental / Bed & Breakfast, including that the

landowner shall occupy one of the dwelling units during all times that the Short-Term Rental / Bed & Breakfast is rented to guests. Another alternative is that the two dwelling units on the property (i.e. either one or both the Single-Family Dwelling, the Secondary Suite, or the Duplex units) are rented out under the provisions in the Residential Tenancy Act.

7.7 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

All Short-Term Rental / Bed & Breakfasts and Tourist Homes

7.85. The number of rental units in and the maximum occupancy of the Short-Term Rental / Bed & Breakfast or the 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 **reduce** the maximum occupancy of a Short-Term Rental / Bed & Breakfast or a Tourist Home **established in the above standards** on a case-by-case basis, **based on considerations stated in this Schedule.**

86. Recreational Vehicles: A recreational vehicle shall not be used as accommodation for the landowner / operator, other residents of the property or for **the guests in** a Short-Term Rental / Bed & Breakfast or a Tourist Home ~~guests~~.

97. Parking

9.1 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 parking of all vehicles, including recreation vehicles, utility trailers and ATV trailers shall not be allowed on the street, regardless of the provisions in other municipal bylaws (e.g. for landowner on-street parking or the recreational vehicle of the landowner).**

9.2 ~~The~~ The Development Authority shall not approve ~~any~~ 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.

- 9.3 In the R-1 to R-5 and the CRV and the CSV land use districts, the vehicles of guests visiting the renting guests of a Short-Term Rental / Bed & Breakfast or a Tourist Home may be parked on the street for the duration of the visit, subject to other provisions in this Schedule.
10. **Guests Visiting Renters:** In the R-1 to R-5 and the CRV and CSV land use districts, guests visiting the renting guests of a Short-Term Rental / Bed & Breakfast or a Tourist Home shall not exceed the number of people that can be reasonably accommodated in two passenger vehicles including a mini-van, and such visitors shall not become *de facto* renters or occupants of the Short-Term Rental / Bed & Breakfast or the Tourist Home, i.e. the guests shall not be allowed to stay over in the rental unit.
11. **Work Crews and Home Occupation – Class 2:** In the R-1 to R-5 and the CRV and the CSV land use districts, a Short-Term Rental / Bed & Breakfast or a Tourist Home shall not be rented for any period of time to or occupied by a person or by a work crew, where such person or work crew:
- 11.1 requires to bring a commercial vehicle (other than a standard passenger vehicle/truck which is the person's employment vehicle) or equipment to the premises; or
- 11.2 requires to use the premises for any portion of an occupation that is reasonably categorized as a business, including a Home Occupation – Class 2 (except the landowner who has complied with the provisions of this bylaw regarding Home Occupations).
- 128. Advertising and Appraising Renters and Guests of the Applicable Rules**
- 12.1 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 to the Development Officer 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.
- 12.29. 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.
- 12.346. 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, and shall ensure that guests are aware of and adhere to the rules established in those bylaws and to posted fire bans in the area – albertafirebans.ca.
1340. **Signage:** 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 0.18m² (3ft²) and 0.72m² (8ft²), that shall not extend more than 1.5metres (5ft) above grade and shall be located in the front yard visible to the public.
1444. **Compatibility with Neighbouring Parcels of Land:** 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 residential neighbourhood, and shall not unduly interfere

with the amenities of the residential neighbourhood or materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land.

1542. Temporary Nature and Expiry of a Short-Term Rental / Bed & Breakfast and Tourist Home Development Permit

~~A Tourist Home development permit shall only be valid as long as it coincides with an active Business Licence and a development permit.~~

15.1 The development permit for a Short-Term Rental / Bed & Breakfast or Tourist Home shall be temporary, and the period for which it shall be valid and during which the use may be operated shall coincide with the period during which:

- (a) the original applicant for and holder of the development permit holder continues to be the property landowner – for greater clarity, in the event that the property is transferred to a 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.; and
- (b) the landowner holds an active Business License; and
- (c) the development permit complies with the standards established in this Schedule, as these standards may be amended from time to time.

15.2 For greater clarity:

- (a) – for greater clarity, in the event that the property is transferred to a third party the development permit shall expires, and a new development permit application by the new property landowner shallwould be required to continue the useTourist Home operation.; and
- (b) If the Business LicenceLicense lapses, is transferred to another person, or is revoked for any reason, the development permit shallwill expire, and a new application shallwill be required to reinstate the development permit and subsequently the business licencelicense.; and
- (c) At the annual renewal of the business license, if the Land Use Bylaw has been amended regarding the standards for Short-Term Rentals / Bed & Breakfast or Tourist Home since the initial issuance of the development permit or since the previous business license was issued, the initial development permit shall expire and the applicant for the business license is required to obtain a new or revised development permit in compliance with the revised standards – i.e. a “non-conforming” Short-Term Rental / Bed & Breakfast or Tourist Home shall not be operated without renewing the development permit to comply with amended standards and conditions.

~~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.~~

Contraventions, Fines and Penalties

- ~~1647.~~ 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 to the perpetrator (i.e. either the landowner or the guests as may be applicable), pursuant to the Fees Rates and Charges Bylaw ~~to the Landowner or guest depending on the infraction.~~ Refer to the Administration part of this bylaw.

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 <u>ft²sq.-ft.</u>) gross floor area (GFA)*
Service stations and automobile or equipment repair	1 per 45.1 m ² (485 <u>ft²sq.-ft.</u>) GFA; minimum 6 stalls per development
Offices, personal and professional services	1 per 60.0 m ² (645 <u>ft²sq.-ft.</u>) 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 <u>ft²sq.-ft.</u>) GFA, whichever is greater, plus 1 space per 2 employees
Food take-out service	10 spaces minimum; <u>the Development Authority may require additional spaces as required by the Development Authority</u>
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 <u>ft²sq.-ft.</u>) of site area
Short-Term Rental / Bed & Breakfast	1 per 4 guests in addition to parking required for the principal use. Parking for all <u>principal use and guest vehicles, including 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</u> shall be accommodated on the subject property. <u>and the parking of all principal use and guest vehicles, including recreation vehicles, utility trailers and ATV trailers shall not be allowed on the street, regardless of the provisions in other municipal bylaws (e.g. for landowner on-street parking or the recreational vehicle of the landowner) and, unless otherwise approved by the Development Authority, shall be located in the rear yard or the side yard.</u> The Development Authority shall not approve any variance to the off-street parking standard for a Short-Term Rental / Bed & Breakfast <u>or a Tourist Home in any District that is not within the Historic Commercial Areas Overlay District.</u>
Tourist Home	1 per 4 guests with a minimum of 2. Parking for all <u>vehicles, including 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</u> shall be accommodated on the subject property. <u>and the parking of all vehicles, including recreation vehicles, utility trailers and ATV trailers shall not be allowed on the</u>

	street, regardless of the provisions in other municipal bylaws (e.g. for landowner on-street parking or the recreational vehicle of the landowner) 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 any 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 ft²sq.-ft.) GFA; minimum of 5 spaces
Light industry, warehousing, storage buildings and yards	1 per 65.0 m ² (700 ft²sq.-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 ft²sq.-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.



Municipality of Crowsnest Pass Request for Decision

Meeting Date: December 13, 2022

Agenda #: 7.c

Subject: Bylaw 1136, 2022 - Land Use Bylaw Amendment - Redesignate a closed portion of Lot 15MR, Block 5, Plan 8311587 from Recreation and Open Space RO-1 to Residential R-1 - First Reading

Recommendation: That Council gives first reading of Bylaw 1136, 2022 - LUB Redesignation: A closed portion of Lot 15MR, Block 5, Plan 8311587 from Recreation and Open Space RO-1 to Residential R-1.

Executive Summary:

The proposed bylaw involves the re-designation of a closed portion of Lot 15MR, Block 5, Plan 8311587 from Recreation and Open Space RO-1 to Residential R-1 as part of the conditions related to the sale of the municipal reserve lands.

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:

On April 05, 2022 Council approved the conditional sale of a portion of Lot 15MR, Block 5, Plan 8311587 to the adjacent landowner for consolidation with developed Lot 28, Block 5, Plan 1211031, subject to conditions. Bylaw 1117, 2022 closed and removed the Municipal Reserve designation on the subject portion of Lot 15MR. Subdivision 2022-0-139 received final approval (endorsement), and the MR disposal and subdivision may be registered at the Land Titles Office simultaneously. The redesignation Bylaw 1136, 2022 intends to bring the closed and subdivided portion of the MR lot into the same land use district as the lot with which it is being consolidated.

Analysis of Alternatives:

1. Council may proceed with first reading of Bylaw 1136, 2022, as proposed, and schedule a public hearing (January 24, 2023).

2. Council may defer first reading of Bylaw 1136, 2022 and outline what additional information they would like to see with reconsideration.

Financial Impacts:

N/A

Attachments:

[FORMATTED Bylaw 1136, 2022 - prtn of Lot 15MR, Block 5, Plan 8311587 \(December 2022\).docx](#)

[BYlaw 1136, 2022 Schedule A.pdf](#)

MUNICIPALITY OF CROWSNEST PASS

BYLAW NO. 1136, 2022

LAND USE BYLAW AMENDMENT – Redesignate a portion of Lot 15MR, Block 5, Plan 831 1587.

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 redesignate the lands legally described as a portion of Lot 15MR, Block 5, Plan 831 1587 within the NW ¼-21-7-3-W5M, containing ±0.01 ha (0.02 acres), as shown on Schedule 'A' from "Recreation and Open Space – RO-1" to "Residential – R1."

AND WHEREAS the subject portion of Lot 15MR, Block 5, Plan 831 1587 had previously been closed and the MR designation removed under Bylaw 1117, 2022.

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 "Residential – R1" 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 redesignate the lands legally described as a closed portion of Lot 15MR, Block 5, Plan 831 1587 within the NW ¼-21-7-3-W5M, containing ±0.01 ha (0.02 acres), as shown on Schedule 'A' attached to and forming part of this bylaw, from "Recreation and Open Space – RO-1" to "Residential – R1."
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.

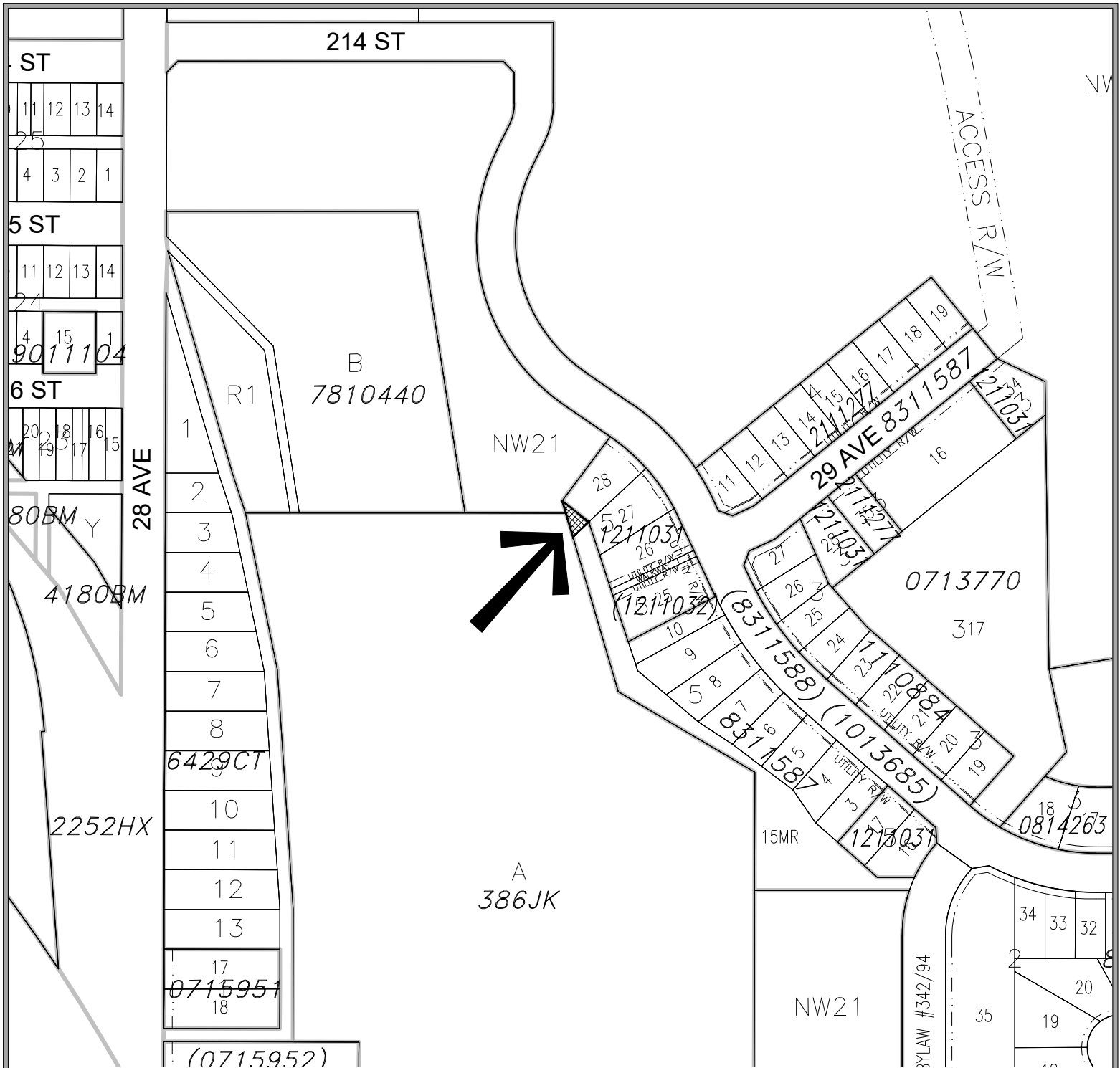
READ a **first** time in council this _____ day of _____ 2022.

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: RECREATION AND OPEN SPACE RO-1
TO: RESIDENTIAL R-1 (0.01±ha (0.02±ac))

PORTION OF LOT 15MR, BLOCK 5, PLAN 8311587
WITHIN NW 1/4 SEC 21, TWP 7, RGE 3, W 5 M
MUNICIPALITY: CROWSNEST PASS (BELLEVUE)
DATE: NOVEMBER 23, 2022

Bylaw #: 1136, 2022
Date: _____



November 23, 2022 N:\C-N-P\CNP LUD & Land Use Redesignations\Crowsnest Pass - Lot 15MR, Block 5, Plan 8311587, Bylaw 1136, 2022.dwg

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"



Municipality of Crowsnest Pass Request for Decision

Meeting Date: December 13, 2022

Agenda #: 7.d

Subject: Bylaw 1137, 2022 - Land Use Bylaw Amendment - Re-designate that portion of Lot 51MR, Block 1, Plan 0812254 forming part of Lot 53, Block 1, Plan _____ within the NE 34-7-4-W5M from Public P-1 to Comprehensive Ski Village CSV - First Reading

Recommendation: That council gives first reading of Bylaw 1137, 2022 - LUB re-designation on: a portion of Lot 51MR, Block 1, Plan 0812254 from Public P-1 to Comprehensive Ski Village CSV, and schedules a public hearing (January 24, 2022).

Executive Summary:

The proposed bylaw involves the re-designation of a portion of Lot 51MR, Block 1, Plan 0812254 forming part of Lot 53, Block 1, Plan _____ from Public P-1 to Comprehensive Ski Village - CSV for the purpose of completing the conditions of a land sale.

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:

On August 16, 2022 Council approved the conditional sale of a portion of Lot 51MR, Block 1, Plan 0812254 to the adjacent landowner for consolidation with developed Lot 44, Block 1, Plan 0812254 subject to conditions.

Bylaw 1131, 2022 removed the municipal reserve designation and closed the MR portion.

The proposed Bylaw 1137, 2022 will complete the conditions of the sale by redesignating the lands to the Comprehensive Ski Village District.

The purpose of closing the MR portion and disposing of it is to increase the size of the rear yard of the adjacent residential lot owned by the applicant.

Analysis of Alternatives:

1. Council may proceed with first reading of Bylaw 1137, 2022, as proposed, and schedule a public hearing (January 17, 2022).
2. Council may defer first reading of Bylaw 1137 2022 and outline what additional information they would like to see with reconsideration.

Financial Impacts:

N/A

Attachments:

[Bylaw 1137, 2022 - prtn of Lot 51MR, Block 1, Plan 081 2254 forming part of Lot 53, Block 1, Plan ____ \(December 2022\).docx](#)

[Bylaw 1137, 2022 Schedule A.pdf](#)

MUNICIPALITY OF CROWSNEST PASS

BYLAW NO. 1137, 2022

LAND USE BYLAW AMENDMENT – Redesignate that portion of Lot 51MR, Block 1, Plan 081 2254 forming part of Lot 53, Block 1, Plan _____.

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 redesignate the lands legally described as that portion of Lot 51MR, Block 1, Plan 081 2254 forming part of Lot 53, Block 1, Plan _____, containing ± 0.05 ha (0.12 acres), within the NE $\frac{1}{4}$ -34-7-4-W5M, as shown on Schedule 'A', from "Public – P-1" to "Comprehensive Ski Village – CSV."

AND WHEREAS the subject portion of Lot 51MR, Block 1, Plan 0812254 had previously been closed and the MR designation removed under Bylaw 1131, 2022.

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 "Comprehensive Ski Village – CSV" 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 redesignate the lands legally described as that portion of Lot 51MR, Block 1, Plan 081 2254 forming part of Lot 53, Block 1, Plan _____, containing ± 0.05 ha (0.12 acres), within the NE $\frac{1}{4}$ -34-7-4-W5M, as shown on Schedule 'A' attached hereto and forming part of this bylaw, from "Public – P-1" to "Comprehensive Ski Village – CSV."
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.

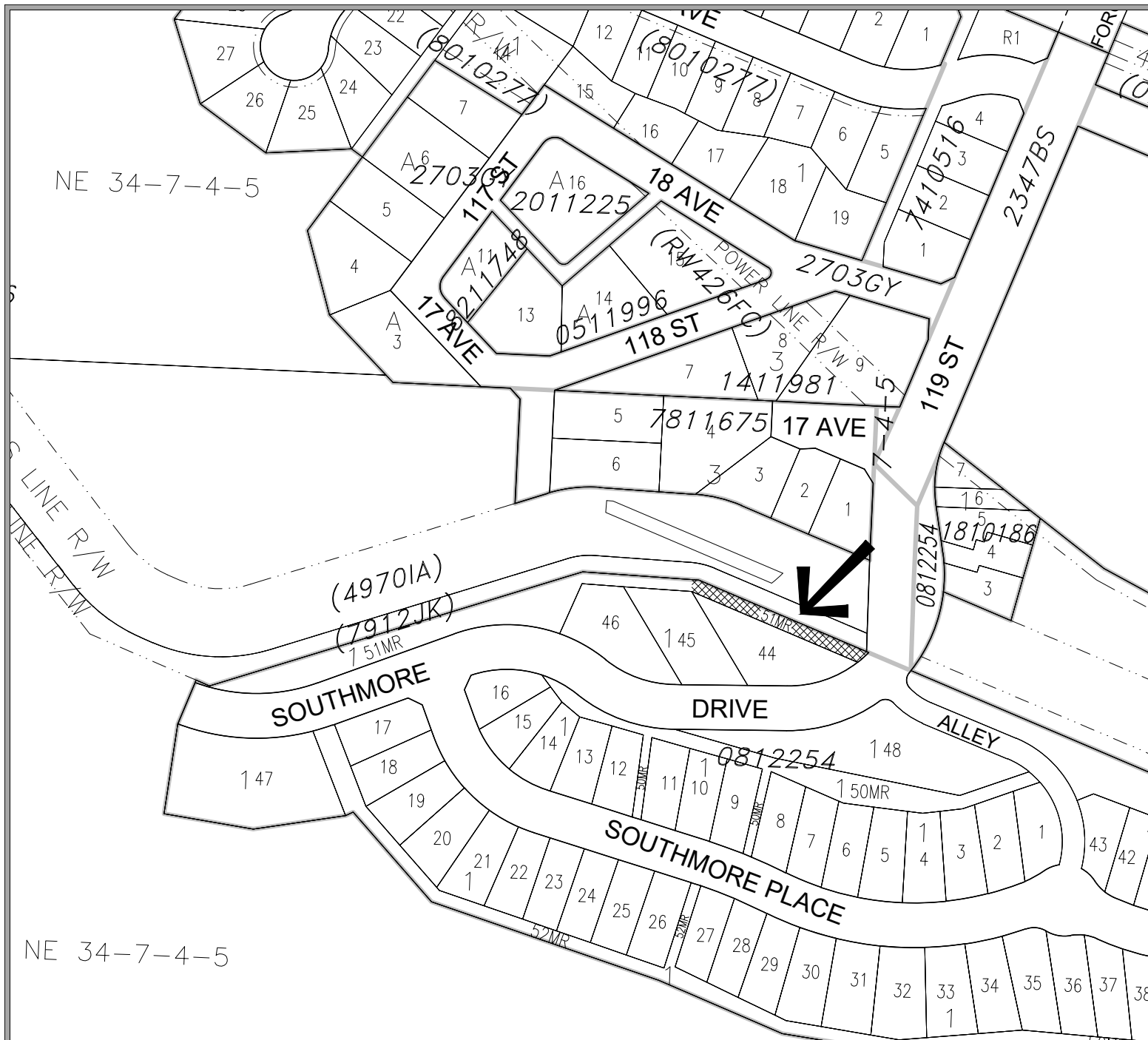
READ a **first** time in council this _____ day of _____ 2022.

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: PUBLIC P-1 (0.05±ha (0.12±ac))

TO: COMPREHENSIVE SKI VILLAGE CSV

THAT PORTION OF LOT 51MR, BLOCK 1, PLAN 0812254 FORMING PART
OF LOT 53, BLOCK 1, PLAN _____, CONTAINING 0.05±ha(0.12±ac)
WITHIN NE 1/4 SEC 34, TWP 7, RGE 4, W 5 M

MUNICIPALITY: CROWSNEST PASS (BLAIRMORE)

DATE: NOVEMBER 23, 2022

Bylaw #: 1137, 2022

Date: _____



December 01, 2022 N:\C-N-P\CNP LUD & Land Use Redesignations\Crowsnest Pass - Lot 51MR, Block 1, Plan 0812254 - Bylaw 1137, 2022.dwg



MAP PREPARED BY:
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"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"