Municipality of Crowsnest Pass
AGENDA
Regular Council Meeting
Council Chambers at the Municipal Office
8502 - 19 Avenue, Crowsnest Pass, Alberta
Tuesday, November 14, 2023 at 7:00 PM

1. CALL TO ORDER

2. ADOPTION OF AGENDA

3. CONSENT AGENDA

3.a Bylaw 1165, 2023 - Land Use Bylaw (Omnibus No. 3) - *First Reading*
3.b Minutes of the Municipal Planning Commission of September 20, 2023
3.c Town of Fort Macleod Invitation to Participate in the 40th Annual Santa Clause Parade
3.d Request to Consider Lowering Business License Fees for Home Occupation - Category 2 License Holders

4. ADOPTION OF MINUTES

4.a Minutes of the Organizational Meeting of Council of October 24, 2023
4.b Minutes of the Council Meeting of October 24 , 2023

5. PUBLIC HEARINGS

5.a Bylaw 1161, 2023 - Road Closure - *Public Hearing*
5.b Bylaw 1162, 2023 - Land Use Bylaw Amendment - Rezone two portions of the NW-15-8-5-W5M from Non-Urban Area NUA-1 to Grouped Country Residential GCR-1 and Recreation and Open Space RO-1 - *Public Hearing*
5.c Bylaw 1163, 2023 - Land Use Bylaw Amendment - Rezone the lands legally described as Lot R2, Block 23, Plan 8147JK from Recreation and Open Space RO-1 to Residential R-1 - *Public Hearing*

6. DELEGATIONS

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

7. REQUESTS FOR DECISION

7.a Bylaw 1162, 2023 - Land Use Bylaw Amendment - Rezone two portions of the NW-15-8-5-W5M from Non-Urban Area NUA-1 to Grouped Country Residential GCR-1 and Recreation and Open Space RO-1 - *Second Reading*

7.b Bylaw 1163, 2023 - Land Use Bylaw Amendment - Rezone the lands legally described as Lot R2, Block 23, Plan 8147JK from Recreation and Open Space RO-1 to Residential R-1 - *Second and Third Reading*

7.c Bylaw 1167, 2023 - Amendment to the Fees Rates & Charges Bylaw

7.d 2024 Annual Franchise Fees

7.e Fire Engine Replacement

8. COUNCIL MEMBER REPORTS

9. PUBLIC INPUT PERIOD

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

10. COUNCILOR INQUIRIES AND NOTICE OF MOTION

11. IN CAMERA

11.a Information That Will Be Available to the Public - Nuisance Grounds Phase II ESA Reports - *FOIP Act Section 29*

11.b Advice from Officials - Agricultural Services - *FOIP Act Section 24*

12. ADJOURNMENT

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: November 14, 2023

Agenda #: 3.a

Subject: Bylaw 1165, 2023 - Land Use Bylaw (Omnibus No. 3) - First Reading

Recommendation:

That Council gives first reading of Bylaw 1165, 2023.

Executive Summary:
Bylaw 1165, 2023 is the third in a series of omnibus land use bylaw amendments to update the land use bylaw.

Omnibus No. 3 continues to clarify the administration of the land use bylaw, the development standards and land uses, apply current best practices, reduce red tape, incorporate relevant policies from the Municipal Development Plan, 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 1165, 2023 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.

Attached for reference is a key summary of the presentation, discussion and revisions at a Council workshop on October 04, 2023.

A land use matrix is attached for a user-friendly tool to identify the land uses and signs that are prescribed as permitted or discretionary in each land use district.

Note that Bylaw 1165, 2023 addresses the outstanding 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 but were not included in Omnibus No. 2 (Bylaw 1134, 2022).

Bylaw 1165, 2023 amends the current Land Use Bylaw No. 868, 2013, repeals the current Land Use Bylaw, and adopts the amended land use bylaw as a new Land Use Bylaw, to recognize that the cumulative amendments in Omnibus No. 1, No. 2 and No. 3 essentially result in a new Land Use Bylaw.

Analysis of Alternatives:
Under Bylaw 1152, 2023 (Fees Rates and Charges) Council revised the penalty fee for starting development without the benefit of a development permit and for development that has approval but did not comply with the approved site plan - the penalty fee is five times the normal fee. Considering that there are many such instances that are discovered through compliance certificate requests, Administration proposes that Council considers adopting a grace period to allow ratepayers to bring their developments and properties into compliance with the new Land Use Bylaw. When Bylaw 1165, 2023 is brought back to Council for second and third reading consideration, a separate report with a draft brochure for public distribution will be presented whereby Council could consider a grace period of six months starting on January 02, 2024. The grace period would allow ratepayers to apply for a development permit to comply with the new Land Use Bylaw without being charged the penalty fee. It will be proposed that the grace period extends to sheds, detached garages and decks.

Financial Impacts:
N/A

Attachments:
Bylaw 1165, 2023.pdf
Bylaw 1165, 2023 - Schedule 'A'.pdf
Omnibus No. 3 Council Summary - tracked changes from October 04 Council Workshop.pdf
land use matrix 10.31.2023 - current.pdf

MUNICIPALITY OF CROWSNEST PASS
BYLAW NO. 116X, 2023
LAND USE BYLAW AMENDMENT – OMNIBUS No. 3

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, repeal it and adopt a new Land Use Bylaw in its place, 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, incorporate relevant policies of the Municipal Development Plan, 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. Land Use Definitions

(a) The land use definitions are separated from the general word definitions.
(b) Several redundant land use definitions that were not listed in any land use district are deleted.
(c) New definitions were established for those land uses that were listed in the districts but were not defined.
(d) Some land uses are renamed, e.g. "Kennel" becomes "Animal Care Service Facility".
(e) Some land use definitions are being combined with others – e.g. "Barber Shop" is deleted because it is re-categorized as "Personal Service", or "Restaurant", "Coffee Shop" and "Bakery" are deleted and re-categorized as a new land use "Food & Beverage Service Facility", or "Liquor Store" is deleted and recategorized as "Retail".
(f) A clear distinction is made between "Campground" and "Recreational Vehicle Park" on the one hand, and "Resort" (which may include RVs) on the other, by requiring that a "Resort" must be a destination (e.g. include some form of recreation facility or convention centre).
(g) The definitions of "Campground" and "Recreational Vehicle Park" were revised to clarify that the RV stalls may be held under a rental, a lease or a bareland condominium subdivision.
(h) The wording of some land use definitions is clarified.

2. Land Use Districts and Land Uses

(a) The purpose statement of several land use districts is clarified.
(b) The distinction between R-2, R-2A and R-3 is made clearer (R-2 is duplex, R-2A is Medium Density with Multi-unit Residential (townhouses) as permitted use and Apartment as a discretionary use, and R-3 is High Density with 3-storey Apartment as permitted use and more than 3-storey Apartment as discretionary use, and Multi-unit Residential as discretionary use.
(c) In all land use districts some uses are moved from the discretionary use list to the permitted use list or retained in the discretionary use list and delegated to approval by the development Officer. This means that fewer development permit applications would have to be reviewed by the Municipal Planning Commission. The same standards apply, and the Development Office will still add conditions to the Development Permit. **<u>The key is that a permitted use cannot be refused, and adjacent landowners cannot appeal a permitted use</u>** (in most cases).
(d) In the NUA-1 district, several land uses including Single-detached Dwelling is retained in the discretionary use list, but its approval is delegated to the Development Officer.

(e) Solar Panels and small wind energy conversion systems are re-categorized as Private Utilities. Schedule 12 is revised to apply only to large solar panel farms, large wind energy farms and other large energy operations.
(f) In the CM-1 district Apartment up to 4-storeys is added as a permitted use, and Apartment more than 4-storey is a discretionary use.
(g) "Campground" and "Recreational Vehicle Park" are being deleted from the discretionary use list in the C-2 district, because the current distribution of the C-2 district is such that campgrounds may not be desirable in those locations. This will result in two existing campgrounds becoming non-conforming - these campgrounds may continue to operate as non-conforming uses but cannot be expanded unless the properties were rezoned to NUCR-1 (or the Municipality could initiate the rezoning in Omnibus No. 4).

3. Minimum Single-detached Dwelling size

(a) In the R-1 district the minimum size is kept at 1,100ft² and in the GCR-1 district the minimum size is reduced from 1,800 ft² to 1,100 ft² for any size parcel.
(b) The minimum habitable floor area of a Singe-detached Dwelling that applies to the R-1 District is added to the NUA-1 district (1,100 ft²).
(c) In the CRV district the minimum size is reduced from 1,400 ft² to 1,100ft², to be the same as for the R-1 district.
(d) In the CSV district (Southmore) the minimum size is increased from 750ft² to 1,100 ft².

4. Accessory Buildings

(a) The minimum side and rear yard setbacks for an Accessory Building in various land use districts are reduced to 0.6m (2ft) to make more useable yard space available.
(b) The maximum height for an Accessory Building in various land use districts are increased by 0.5m (approximately 2ft) from 4.5m to 5m to accommodate an observable trend for loft space.
(c) The above changes will reduce the number of variance applications that are considered by the Municipal Planning Commission.

5. Secondary Suites

(a) Secondary Suite, Attached (i.e. inside a Single-detached Dwelling) is a permitted use in all districts and Secondary Suite, Detached (i.e. within a detached garage or as a stand-alone accessory building) remains a discretionary use.
(b) The maximum floor area of a Secondary Suite, Attached is kept at 900 ft² with the exception that when the suite is in a basement, the entire basement can be used as secondary suite, regardless of the size.
(c) The maximum floor area of a Secondary Suite, Detached is increased to 1,100 ft².
(d) In the GCR-1 district additional Secondary Suites, Detached are still allowed but are now restricted to a maximum of two.
(e) When a development permit is issued for Secondary Suite (Attached or detached) on a property where a development permit was previously issued for a Tourist Home, the development permit for the Secondary Suite shall revoke the development permit for the Tourist Home (also see 11. Tourist Homes below).

6. **Tree Felling**
   (a) In the GCR-1, NUA-1, NUCR-1 and NUCR-2 districts tree felling within the yard setback areas require a development permit.

7. **Number of Dwelling Units and Principal Buildings on a Parcel**
   (a) Recreational Vehicle is no longer included in the definition of "Dwelling Unit".
   (b) This section is expounded and clarified.

8. **Multi-unit and Apartment Development Standards**
   (a) Schedule 5 is significantly expounded, clarified and specific policies from the Municipal Development Plan are incorporated into it.

9. **Sign Standards**
   (a) Schedule 11 is reformatted, clarified and rationalized.
   (b) Commercial sign types are removed from the CRV and CSV districts.
   (c) In all districts some signs are moved from discretionary to permitted.

10. **Standards for Renewable Energy Operations**
    (a) Schedule 12 is reformatted, clarified and rationalized by moving Solar Collector and Small Wind Energy Conversion System into each land use district as a "Private Utility" and focussing Schedule 12 on standards that apply only to large scale "Renewable Energy Operations" as a land use in specific land use districts.

11. **Tourist Homes**
    (a) It is clarified that only one Tourist Home may be approved on a property.
    (b) To this effect, a development permit for a Tourist Home on a property where there is a Duplex or a Secondary Suite shall impose a condition that the entire property shall be rented as one Tourist Home rental unit, i.e. only one reservation for the entire property may be made.

12. **Key Amendments - Housing**
    (a) Introducing enhanced ability to develop Secondary Suites in most residential land use districts.
    (b) Making the development approval process more favourable for higher density residential proposals with respect to the allocation of uses in the R-2A and R-3 districts.
    (c) Incentivizing the development of entry-level units in higher-density residential projects by eliminating the minimum floor area requirement per unit and relying on lot coverage ratio and height as the chief mechanisms to regulate the expression of bulk form on a parcel. Not only does this revision embed broader flexibility with respect to building configuration - it also increases the attainability of homeownership as well as supports a stable supply of rental housing to attract prospective members of the labour force.
    (d) Strengthening the design criteria for Apartment Buildings and Multi-Unit Residential Buildings in exchange for the increased allowances described above (Schedule 5).

13. **Document Formatting**
    (a) Relocated the overlay districts to Schedule 2 (these were previously separate Schedules).
    (b) Separated the use definitions from the non-use definitions.
    (c) Eliminated redundancies and, more importantly, inconsistencies regarding definitions throughout the Bylaw.

(d) Select renumbering and other adjustments to the document formatting aimed at enhancing readability.

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

AND WHEREAS, due to the extent of cumulative amendments in Omnibus No. 1, 2 and 3, the Municipality wishes to adopt this amending bylaw as a new Land Use Bylaw pursuant to s. 692 of the Municipal Government Act.

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 repealed and replaced by Bylaw 1165, 2023.
3. This bylaw shall come into effect upon third and final reading hereof.

READ a **first** time in council this _____ day of _____ 2023.

READ a **second** time in council this _____ day of _____ 2023.

READ a **third and final** time in council this _____ day of _____ 2023.

_____
Blair Painter
Mayor

_____
Patrick Thomas
Chief Administrative Officer

MUNICIPALITY OF CROWSNEST PASS

IN THE PROVINCE OF ALBERTA

CROWSNEST PASS
Naturally Rewarding

LAND USE BYLAW NO. 1165, 2023~~868-2013~~

SCHEDULE A

November 14, 2023
DRAFT

December 2023~~June 2013~~

~~(Consolidated to Bylaw No. 1157, 2023 – September 2023)~~

Prepared by

OLDMAN RIVER REGIONAL SERVICES COMMISSION

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MUNICIPALITY OF CROWSNEST PASS
BYLAW NO. 868, 2013

Land Use Bylaw

BEING a bylaw of the Municipality of Crowsnest Pass in the Province of Alberta to adopt a Land use bylaw pursuant to section 639 of the Municipal Government Act, Revised Statues of Alberta 2000, Chapter M-26, as amended and provide for its consideration at a public hearing.

WHEREAS the Council of the Municipality of Crowsnest Pass has determined that the existing Land Use Bylaw is dated and wishes to adopt a new Land Use bylaw for the purposes of:

- Updating and establishing standards and procedures regarding the use and development of land within the municipality;
- Amending the existing Land Use District Map to reflect land use redesignations and new districts and;
- Complying with the provisions of the Municipal Government Act, Revised Statues of Alberta 2000, Chapter M-26, as amended.

AND WHEREAS the purpose of Bylaw #868-2013 is to foster orderly growth and development within the Municipality;

AND WHEREAS a public hearing was conducted in accordance with Section 692 of the Municipal Government Act, Revised Statues of Alberta 2000, Chapter M-26, as amended.

NOW THEREFORE, The Council of the Municipality of Crowsnest Pass duly assembled enacts as follows:

1. Bylaw #632-2004, being the former Land Use Bylaw, and any amendments thereto, is hereby rescinded.

2. Bylaw #868-2013 shall come in effect upon third and final reading thereof.

3. Bylaw #868-2013 is hereby adopted.

READ a first time this 21st day of May, 2013.

CARRIED

READ a second time, as amended, this 18th day of June, 2013

CARRIED UNANIMOUSLY

READ a third time and finally passed this 18th day of June, 2013.

CARRIED UNANIMOUSLY

MAYOR

CHIEF ADMINISTRATIVE OFFICER

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Municipality of Crowsnest Pass Land Use Bylaw No. 868-2013 – Amendments

Bylaw No.	Amendment Description	Legal Description	Passed
872, 2013	"Non-Urban Area (NUA-1)" to "Drive-In Commercial (C-2)"	Lot 1, Block 37, Plan 9710300 & portion of SE 9-8-4-W5M	20-Aug-2013
875, 2013	"Drive-In Commercial (C-2)" to "Retail Commercial (C-1)"	Lot 11 to 16, Block 15, Plan 185AA	7-Jan-2014
876, 2014	"Residential (R-1)" to "Duplex Residential (R-2)"	Lot 37 & 38, Block 28, Plan 3661I	4-Feb-2014
878, 2014	"Residential (R-1) to "Group Country Residential (GCR-1)	Portion of NE 9-8-4-W5M	4-Mar-2014
880, 2014	Amend Bylaw No. 872, 2013 by changing the legal description to:	Lot 1, Block 37, Plan 9711300 & portion of SE 9-8-4-W5M	18-Feb-2014
892, 2014	"Public (P-1)" to "Residential (R-1)"	Lot 14 & 15, Block 41, Plan 5150S	12-Aug-2014
893, 2014	Add "Temporary auto sales" definition, as a discretionary use in the C-3 district and standards in Schedule 4		2-Sep-2014
894, 2014	"Recreation and Open Space (RO-1)" to "Drive-In Commercial (C-2)"	The westerly 3.35 m portion of Lot 12, Block 10, Plan 2347BS	12-Aug-2014
902, 2014	"Non-Urban Area (NUA-1)" to "Residential (R-1)"	Portion of Lot 14, Block 19, Plan 1011620	13-Jan-2015
903, 2014	"Non-Urban Area (NUA-1)" to "Residential (R-1)"	Portion of Lot 14, Block 19, Plan 1011620	13-Jan-2015
904, 2015	"Recreation and Open Space (RO-1)" to "Residential (R-1)"	Easterly 20 feet of Lot 7MR, Block 5, Plan 9510566	24-Mar-2015
909, 2015	"Non-Urban Area (NUA-1)" to "Residential (R-1)"	Portion of Lot 14, Block 19, Plan 1011620	24-Mar-2015
910, 2015	"Non-Urban Area (NUA-1)" to "Industrial (I-1)"	Block OT, Plan 1417JK	24-Mar-2015
911, 2015	Add "Medical or Dental Clinics" as a Discretionary Use in the "Comprehensive Commercial (C-3)" district		24-Mar-2015
912-2015	Cancel a registered plan of subdivision	Plan 1013526	21-Apr-2015
914-2015	"Grouped Country Residential (GCR-1)" to "Non-Urban Area (NUA-1)"	All the lands included within registered plan No. 1013526	21-Apr-2015
924-2015	Various text amendments to exempt, from the off-street parking requirements of the land use bylaw, certain change of use developments in the "Historic Commercial Areas Overlay District"		7-Jul-2015
928, 2015	"Recreation and Open Space – RO-1" to "Public – P-1"; "Residential – R-1" to "Public – P-1"	Lots 1 and 2, Block 18, Plan 820L; Lot 3, Block 18, Plan 820L	1-Sep-2015
929, 2015	"Non-Urban Area – NUA-1" to "Residential – R-1"	Part of NE 35-7-4-W5M in Blairmore	1-Sep-2015
931-2015	"Non-Urban Area - NUA-1" to "Grouped County Residential - GCR-1"	Ptn. NW 34-7-4 W5M	3-May-2016
950-2016	Various text amendments (see Bylaw for details)		5-Apr-2016
954-2016	Road Closure 955-2016 to "Residential – R1"	Plan 8211649 All that portion of street lying south of the lane within Block 30, Plan 3661 I, containing 0.028 hectares (0.07 acres)	6-Sep-2016
956, 2016	"Residential – R-1" to "Drive-In Commercial – C-2"	Lots 9-12, Block 28, Plan 3661I	20-Sep-2016

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Bylaw No.	Amendment Description	Legal Description	Passed
957, 2016	Various text amendments regarding “Retail – large scale” and “Warehouse Store” uses		5-Jul-2016
958,2016	“Non-Urban Area – NUA-1” to “Grouped County Residential – GCR-1”	Ptn. NW 34-7-4 W5M	Defeated at 2nd Reading
959-2016	“Non-Urban Area – NUA-1” to “Non-Urban Commercial Recreation – NUCR-1”	All of NE 3-8-4-W5M and Ptns of SE 10-8-4-W5M, SW 11-8-4-W5M, and Block 1, Plan 8711437	20-Sep-2016
963, 2016	Redistrict to “Residential – R-1”	The most northerly 100 feet of lane lying east of Block C, Plan 1878FA	22-Nov-2016
964, 2016	Various text amendments to separate the existing “Day Care Facility” use into two separate uses, along with new definitions for the same and to allocate the “Day Home”, “Day Care Facility”, and “Bed and Breakfast” uses throughout various districts		20-Sep-2016
979, 2017	“Manufactured / Modular Home Communities – R-4” to “Public – P-1”; “Residential – R-1” to “Public – P-1”	Lots 5 through 8, Block 24, Plan 6808CU; Lots 3 and 4, Block 24, Plan 6808CU	4-Apr-2017
982, 2017	“Commercial – C-1” to “Residential – R-1”	Lot 2, Block 21, Plan 8147JK	20-Jun-2017
986, 2017	“Drive-In Commercial (C-2)” to “Non-Urban Commercial Recreation (NUCR-1)”	Lots 1 through 8, Block 15, Plan 185AA	4-Jul-2017
987, 2017	“Recreation & Open Space – RO-1” to “Residential – R-1”	Portion of Parcel, Plan 5186F within S 3-8-4-W5M	20-Jun-2017
988, 2017	Amend legal description in Bylaw No. 979	from Lots 5 through 8, Block 24, Plan 6808CU and Lots 3 and 4, Block 24, Plan 6808CU to Lots 5 through 8, Block 27, Plan 6808CU and Lots 3 and 4, Block 27, Plan 6808CU	5-Sep-2017
990, 2017	“Industrial (I-1)” to “Retail Commercial (C-1)”	Lot 13 and a Portion of Lot 14, Block 17, Plan 2347BS	19-Sep-2017
992, 2017	Amend text of Schedule 2 Permitted and Discretionary Uses to include the written description of sign types for each land use district; Exempt the requirement to obtain a development permit for a change in text or logo of an existing sign - will now require a stamp on drawing of the change		3-Oct-2017
993, 2017	"Retail Commercial (C-1)" to "Residential (R-1)"	Lots 8-10, Block 20, Plan 820L	6-Feb-2018
996, 2018	“Residential (R-1)” to “Multi-Residential (R-2A)”; “Non-Urban Area (NUA-1)” to “Residential (R-1)”	Lots 1 and 2, Block 7, Plan 0613673; Lot 2, Block 6, Plan 0613673	27-Mar-2018
997, 2018	“Retail Commercial (C-1)” to “Multiple Residential (R-2A)”; “Non-Urban Area (NUA-1” to “Residential (R-1)”	Lot 36, Block 6, Plan 0811651 Lot 37, Block 6, Plan 0811651	24-Apr-2018
999, 2018	Various text amendments to define ‘Cannabis Retail Store’, Cannabis Lounge’ and ‘Cannabis Production Facility’ and add		4-Sep-2018

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Bylaw No.	Amendment Description	Legal Description	Passed
	'Cannabis Production Facility to the Sentinel Industrial Park – SIP land use district as a permitted use		
1006, 2018	"Non-Urban Area (NUA-1)" to "Retail Commercial (C-1)"	Lot 14, Block 19, Plan 1011620	10-Jul-2018
1011, 2018	Various text amendments to prohibit the storage of recreation vehicles on Grouped Country Residential parcels where a principal use has not been established on a parcel		18-Dec-2018
1014, 2018	"Retail Commercial (C-1)" to "Cannabis Retail Commercial (C-4)"	Lot 1, Block 1, Plan 3319I	25-Oct-2018
1015, 2018	"Direct Control (DC-3)" to "Retail Commercial (C-1)" Add "Brew Pub" to the C-1 and C-2 districts as a discretionary use and add the definition of "Brew Pub" to Schedule 18	Lot 1, Block 1, Plan 9410823	6-Nov-2018
1032, 2019	"Direct Control (DC-5)" to "Non-Urban Area (NUA-1)"	Portion of LSDs 7-10, 9-8-5-W5M	10-Sep-2019
1033, 2019	Add "Temporary auto sales" as a discretionary use in the "Drive-in-Commercial (C-2) land use district		10-Sep-2019
1034, 2019	"Retail Commercial (C-1)" to "Drive-in Commercial (C-2)" "Non-Urban Area (NUA-1)" to "Drive-in Commercial (C-2)" Add "Kennels" as a discretionary use in the "Drive-in Commercial (C-2)" land use district Amend Schedule 13, Part 2 of the Kennel Regulations to remove the reciprocal nature of the separation setback between dwellings and kennels	Lots 11-16, Block 15, Plan 185AA Lot 17, Block 16, Plan 0210887	10-Sep-2019
1037, 2019	Amend Schedule 4, Section 46 - Cannabis Retail Sales, to remove the separation distances between Retail Cannabis Stores and Liquor Stores, Public Parks, and Public Recreation Facilities and amend Schedule 18, to remove 'campground' from the Public park or recreation use definition		21-Jan-2020
1038, 2019	Replacing the "Turtle Mountain Restricted Development Area (DC-2)" map and "Bellevue/ Hillcrest" Land Use District Map 3		5-Nov-2019
1040, 2019	Amend the definition of "Work Camp" and add it to Discretionary Uses in the Industrial (I-1) and Sentinel Industrial Park (SIP-1) districts; add Schedule 18, "Work Camp Regulations"		21-Jan-2020
1044, 2020	"Retail Commercial – C-1" to "Cannabis Retail Commercial – C-4"	Cut-Off "A", Plan 8510549 within NW 36-7-4-W5M	31-Mar-2020
1051,2020	Amend Section 16(d), Schedule 4 by adding the following text: "which includes all areas designated R-1, R-1A, R-2, R-2A, R-3, R-4, R-5 and CSV".		29-Sept-2020
1057,2020	"Recreation & Open Space - RO-1" to "Residential - R-1"	Lot 18, Block 2, Plan 3387AE within SE 9-8-4 W5M	17-Nov-2020
1058,2020	Amend minimum front yard setback in the Comprehensive Ski Village (CSV) Land Use District		27-Oct-2020

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Bylaw No.	Amendment Description	Legal Description	Passed
Updated Map 6 - Coleman Area - to reflect Bylaw No. 638.2004, which redesignated Lots 29 and 30, Block 4, Plan 811 1839 from "Recreation and Open Space (RO-1)" to "Residential (R-1)" 26-Oct-2004			
1061, 2021	"Multiple Residential R2-A" to "Duplex Residential - R-2"	Lots 1 & 2, Block 7, Plan 0613673 within SW 21-7-3 W5M	9-March-2021
1062,2021	Establish a new land use district - Comprehensive Mixed Use AND "Drive-In Commercial - C-2" to "Comprehensive Mixed Use - CM-1"	Block H, Plan 731227 Within E ½ 3-8-4 W5M	13-April-2021
1063-2021	Amendment to reduce red tape and support density requirements in the Municipal Development Plan, as follows: 1) Re-organize and simplify the Administration Part and parts of Schedule 2 of the Land Use Bylaw, and align it with the provisions of the Municipal Government Act. 2) Provide for an exemption from the requirement to obtain a development permit for exploratory excavation in Schedule 3. 3) Provide for an exemption from the requirement to obtain a development permit for servicing of a new subdivision in Schedule 3. 4) Provide for “Duplex" or “Semi-detached Dwelling" as a discretionary use in the Residential R-1 District. 5) Provide for “Alternative/renewable energy, individual – restricted to roof mounted solar panels” as a permitted use in those districts where it exists as a discretionary use. 6) Provide for Secondary Suites in a consistent manner across all applicable land use districts in Schedule 2 and relevant provisions, including several other items, in Schedules 4, 6, 16 and 19. 7) Numerous other housekeeping amendments.		27-April-2021
1069,2021	"Non-Urban Area - NUA-1" to "Non-Urban Commercial Recreation – NUCR-2" "Recreation & Open Space - RO-1" to "Non-Urban Commercial Recreation - NUCR-2" Add "Resort Accommodation" to Discretionary Use. Provide an opportunity to subdivide and develop land in accordance with provisions of the "Non-Urban Commercial Recreation – NUCR-2" Land Use District.	Lot 1, Block 1, Plan 0213871 & Ptn. SE 2-8-4 W5M Ptn. SE 2-8-4 W5M	30-March-2021
1073,2021	"Recreation & Open Space RO-1" to "Residential R-1"	Lot 24MR, Block 2, Plan 0614155; Lot 12MR, Block 2, Plan 0614155; Lot 3MR, Block 2, Plan 0614155; Lot 5MR, Block 2, Plan 0614155; Lot 16MR, Block 2, Plan 0614155; Lot 16MR, Block 1, Plan 0614155; Lot 14MR, Block 1, Plan 0614155; Lot 7MR, Block 1, Plan 0614155; Lot 3MR, Block 1, Plan 0614155	6-June-2021
1075,2021	"Public - P-1" to "Multiple Residential - R-3"	Lots 1 to 3, Block 10, Plan 3319I within NE 35-7-4 W5M	4-May-2021

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Bylaw No.	Amendment Description	Legal Description	Passed
1077,2021	“Retail Commercial – C-1” to “Drive-In Commercial – C-2”	Lots 7-10, Block 6, Plan 2347BS	18-May-2021
1078,2021	"Recreation & Open Space - RO-1" to "Multiple Residential - R-3"	Lot 8, Block 12, Plan 6828EO within SE 29-7-3 W5M	13-July-2021
1079,2021	"Recreation & Open Space - RO-1" to "Residential - R1"	Lot 6, Block 8, Plan 6177Y within SE 29-7-3 W5M	6-July-2021
1081,2021	"Recreation & Open Spaces - RO-1" to "Residential - R-1"	Lot R1, Block 2, Plan 741 0209 within SW 36-7-4 W4M	7-Dec-2021
1083.2021	"Retail Commercial - C-1" to "Multiple Residential - R-3"	Lots 22-25, Block 1, Plan 6099AQ within NE 20-7-3 W5M	17-Aug-2021
1085.2021	Addition of "Car Wash" as Discretionary Use to Comprehensive Mixed-Use -CM-1 Land Use District		17-Aug-2021
1086.2021	Amendments to Schedule 3 - Development Not Requiring A Development Permit to reduce red tape by exempting from the requirement to obtain a development permit certain compliant development by, or on behalf of, government agencies.		17-Aug-2021
1089,2021	"Recreation & Open Spaces - RO-1" to "Residential - R-1"	Lot 15MR, Block 5, Plan 381 1587 within NW 21-7-3 W5M	7-Dec-2021
1090,2021	"Recreation & Open Space - RO - 1" to "Duplex Residential - R-2"	Lots 17 & 18, Block 41, Plan 5150S within SW 20-7-3 W5M	14-Sept-2021
1091,2021	"Recreation & Open Space - RO - 1" to "Duplex Residential - R-2"	Ptn 5th Avenue which lies between the production northerly of the East and West Limits of Block 41 within SW 20-7-3 W5M	14-Sept-2021
1092,2021	"Non-Urban Commercial Recreation - NUCR-1" to "Retail-Commercial - C-1"	Lots 5-10, Block 8, Plan 3319I within NE 35-7-4 W5M	5-Oct-2021
1093,2021	"Non-Urban Area (NUA-1)" to "Non-Urban Commercial Recreation (NUCR-2)"	E ½; LSD7; Lot 1, Block 1, Plan 211 ____ within SE 2-8-4 W5M	2-Nov-2021
1095,2021	“No Land Use” to “Residential – R-1” “No Land Use” to “Residential – R-1” “Residential – R-1” to “No Land Use”	Portion of Lot 36, Block 17, Plan 221 1554, within SE ¼ 29-7-3-W5M, containing +/-0.00008 ha (0.0002 acres) Portion of Lot 37, Block 17, Plan 221 1554, within SE ¼ 29-7-3-W5M, containing +/- 0.029 ha (0.072 acres) Portion of 21st Ave within SE ¼ 29-7-3-W5M, containing +/- 0.0025 ha (0.0060 acres)	10-Jan-2023
1097,2021	"Recreation and Open Space (RO-1)" to "Residential (R-1)"	Lot 32MR, Block 17, Plan 0815792 within SE 29-7-3 W5M	1-March-2022
1098,2021	"Retail Commercial - C-1" to "Narrow Lot Residential - R-5”	Lot 4, Block 21, Plan 1810330 within NE 35-7-4 W5M	30-Nov-2021
1099,2021	"Multi-Family Residential - R-3" to "Residential - R-1"	Lots 6&7, Block 1, Plan 181 0186 within NE 34-7-4 W5M	30-Nov-2021
1101, 2021	“Residential – R-1” to “Multi-Family Residential – R-3”	Lots 16-20, Block 14, Plan 3319I, within NE ¼ 35-7-4-W5M	17-May-2022
1102, 2021	Define “Moved-In Dwelling” and add as a Discretionary Use to the Comprehensive Resort Village – CRV Land Use District		25-Jan-2022
1103, 2021	Text amendments to create regulations and criteria to manage Short-Term Rentals, Tourist Homes, and Bed & Breakfasts.		12-Jul-2022

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Bylaw No.	Amendment Description	Legal Description	Passed
1104, 2021	“Non-Urban Area – NUA-1” to “Non-Urban Commercial Recreation – NUCR-1”	That Portion of the Southwest quarter which lies to the Southeast of the Roadway on Plan 4226BM.	DEFEATED At 2nd Reading
1106,2021	“Recreation & Open Space – RO-1” to “Residential – R-1”	Lot 28, Block 4, Plan 811 1839 (formerly a portion of Lot 28MR) within SE ¼ 17-8-4-W5M	7-Feb-2023
1109, 2022	To provide the opportunity to develop Accessory Buildings within the NUCR-1 and NUCR-2 Land Use Districts		5-April-2022
1110, 2022	"Duplex or Semi-Detached Residential R-2" to "Multi-Family Residential R-2A" And Delete "Modular Homes" from Prohibited Uses and add "Modular Home / Modular Construction" to Discretionary Uses in the Multi-Family Residential - R2-A Land Use District	Lots 17 and 18, Block 41, Plan 5150S, and a portion of 5th Avenue which lies between the production northerly of the east and west limits of Block 41, Plan 5150S within SW 20-7-3 W5M	22-March-2022
1114, 2022	“Residential – R-1” to “Commercial – C-1”	Lots 3-4, Block 8, Plan 3319I, within NE ¼ 35-7-4 W5M	7-Jun-22
1116,2022	Addition of minimum principal building footprint for Single-Family Dwelling in the Residential R-1 District and in the Grouped Country Residential – GCR-1 District in Schedule 2.		25-Apr-2023
1127,2022	"Non-Urban Area - NUA-1" to "Industrial - I-1"	Lot 1, Block 1, Plan 031 3303, within SW 1/4 11-8-5-W5M containing +/- 4.53 ha (11.19 acres)	4-Oct-22
1128,2022	"Residential -R-1" and "Multi-family Residential - R-3" to "Non-Urban Area - "NUA-1" "Residential - R-1" to "Non-Urban Commercial Recreation - NUCR-1"	Lot 1, Block 40, Plan 981 3593, within E 1/2 8-8-4-W5M and containing +/- 29.74 ha (73.5 acres) A portion within NW 1/4 8-8-4-W5M, containing +/- 1.21 ha (3.21 acres)	4-Oct-2022
1129,2022	No land use designation to "Comprehensive Mixed-Use District - CM-1"	Area "A" and Area "B", Plan 221 0634 and a portion of Block OT, Plan 1489JK, within SE1/4 3-8-4-W5M and containing 0.92 ha (2.27 acres)	25-Oct-2022
1130,2022	“Non-Urban Area – NUA-1” to “Recreation and Open Space – RO-1” Comprehensive Ski Village – CSV” to “Recreation and Open Spaces – RO-1” “Public – P-1” to “Recreation and Open Spaces – RO-1”	SE ¼ 37-7-4-W5M, SW ¼ 35-7-4-W5M, portion of SE ¼ 35-7-4-W5M, portion of NE ¼ 35-7-4-W5M, and portion or NW ¼ 35-7-4-W5M, containing a total area of 153.16 ha (378.46 acres) Portion NW ¼ 35-7-4-W5M, containing a total area of 5.31 ha (13.11 acres) Lots 50MR, and portion of 51MR, Block 1, Plan 081 2254, containing a total area of 0.79 ha (1.93 acres)	24-Jan-2023
1132,2022	“Non-Urban Area – NUA-1” to “Grouped Country Residential – GCR-1” “Recreation and Open Space – RO-1” to “Grouped Country Residential – GCR-1”	Portion of the NW ¼ 21-7-3-W5M, containing 0.037 ha (0.091 acres) Portion of Lot 1MR, Block 3, Plan 831 1587, containing 0.014 ha (0.036 acres)	25-Apr -2023

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Bylaw No.	Amendment Description	Legal Description	Passed
1134,2022	Omnibus Amendment No 2 – Various text amendments, including but not limited to (please refer to Bylaw No. 1134,2022 and Schedule A for a full list of details): 1) Re-organize, re-word, and make other amendments in the Administration Part and parts of Schedules 1 through 20. 2) Development Officer discretion to approve a variance beyond its standard variance authority or exempt a development to require a development permit when an encroachment agreement has been entered for an existing agreement. 3) Allow Development Officer to enter land or building for inspections or enforcement compliance with the land use bylaw after reasonable notice is given. 4) Remove distinction between Permitted Use garden sheds and garages and group them as Permitted Use Accessory Building up to the same specified size in the R-1 to R-5 and CSV districts; Remove distinction between Discretionary Use garden sheds and garages and group as Accessory Building up to the same specified size in GCR-1. 5) Remove temporary shipping contains from all districts and establish new standards for temporary shipping containers specific to use. 6) Remove Portable Garages and Portable Storage Structures as land uses and establish standards for Canvas Covered Structures as a specialty Discretionary Use Accessory Building. 7) Clarify distinctions between Ready to Move (RTM) Home, Modular Construction, and Modular Home; Remove Manufactured home. 8) Remove Prohibited Uses from land use table in all districts. 9) Rename R-3 to Multi-family Apartment Residential District. 10) Delete GCR-2 District, and incorporate differences into GCR-1. 11) Reduce minimum side and year yard setbacks for Accessory Building in GCR-1 district. 12) Allow Shipping Container as a speciality Discretionary Use Accessory Building in RO-1 and P-1 districts under specific requirements. 13) Clarify “resort” and “ski-resort” related land uses in NUCR-1 and NUCR-2 Districts. 14) Amend NUA-1 District. 15) Delete Direct Control DC-3, DC-4, and DC-5 Districts. 16) Amend Schedule 4 Standards of Development and Schedule 19 Definitions. 17) Clarify distinctions between Home Occupations. 18) Amend Secondary suites. 19) Amend Tourist Home and Short-term Rental / Beak & Breakfast. 20) Deleted Schedule 14. 21) Clarify that the Development Authority shall not approve a variance of a measurable standard as specified. 22) Require owners of canopy signs and/or projecting signs that encroach municipal property or a right-of-way to enter into an encroachment agreement. 23) Remove the sign permit renewal periods for all types of signs. 24) Incorporate provisions of existing highway sign policies		7-Feb-2023

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Bylaw No.	Amendment Description	Legal Description	Passed
	into Schedule 11.		
1135,2022	"Retail Commercial - C-1" to "Cannabis Retail Commercial - C-4"	Lot 26, Block 14, Plan 0411851 within the NW1/4 9-8-4 W5M containing 0.037 ha (0.092 acres)	22-Nov-2022
1136,2022	“Recreation and Open Space - RO-1” to “Residential - R-1”	Portion of Lot 15MR, Block 5, Plan 8311587 within NW ¼ SEC 21, TWP 7, RGE 3, W5M	24-Jan-2023
1137,2022	“Public – P-1” to “Comprehensive Ski Village - CSV”	Portion of Lot 51MR, Block 1, Plan 0812254 forming part of Lot 53, Block 1, Plan _____, containing +/- 0.05 ha (0.12 +/- acres) within NE ¼ SEC 34, TWP 7, RGE 4, W5M	24-Jan-2023
1141,2023	“Non-Urban Area – NUA-1” to “Non-Urban Commercial Recreation – NUCR-1”	Portion of SW ¼ SEC 9, TWP 8, RGE 5, W5M	28-Mar-2023
1142,2023	“Residential – R-1” to “Retail Commercial – C-1”	Lot 10, Block 25, Plan 820L within NE ¼ 8-8-4-W5M	4-April-2023
1143,2023	“Residential – R-1” to “Multi-Family Residential – R-2A”	Lots 35-40, Block 12, Plan 3247BS within NW ¼ 35-7-4-W5M	4-Apr-2023
1144,2023	“Retail Commercial – C-1” to “Drive-In Commercial – C-2”	Lot 9, Block 22, Plan 6808CU, within NW ¼ 9-8-4-W5M	18-Apr-2023
1145,2023	“Non-Urban Area – NUA-1” to “Residential – R-1”	Portion of Lot 36, Block 1, Plan 231 0213, with SW ¼ 21-7-3-W5M	18-Apr-2023
1146,2023	“Multi-Family Residential – R-3” to “Residential – R-1”	Lots 29-32, Block 18, Plan 3319I Within NE ¼ SEC 35, TWP 7, RGE 4, W5M	28-Mar-2023
1149,2023	Amend Schedule 4 Standards of Development establishing standard for new development and subdivision in proximity to four identified Areas of Potential Environment Concern. Addition of Schedule 20 Areas of Potential Environmental Concern.		6-June-2023
1151,2023	Amend Administration, Section 4 Development Officer, Section 5 Municipal Planning Commission, and Section 11 Discretionary Use and Variances to provide delegating authority to the Development Officer for Discretionary Uses and Variances.		6-June-2023
1154,2023	Add “Fitness Centre” to Industrial (I-1) Land Use District as a Discretionary Use		15-Aug-2023
1157,2023	Amend existing definition of "Subdivision Marketing Sign" in Schedule 11. Addition of Sign - Type 23 (Subdivision or Development Marketing) as permitted use in Comprehensive Mixed Use (CM-1) Land Use District. Amend Use of "Subdivision Marketing Sign" in R-1, R-1A, R-2, R-2A, R-3, R-4, R-5, GCR-1, CRV, and CSV Land Use Districts. Amend Schedule 11 Sign Standards.		12-Sept-2023

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MAPS

LAND USE DISTRICTS MAPS:

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

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MUNICIPALITY OF CROWSNEST PASS
IN THE PROVINCE OF ALBERTA

LAND USE BYLAW NO. 1165, 2023~~868-2013~~

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.

1 ~~DEFINITIONS~~INTERPRETATION

1.1 For Definitions, see Schedule 18~~19~~.

1.2 Unless the context specifically implies otherwise, the land use definitions shall be interpreted to imply the requirement of the construction of a building as defined in this Bylaw.

~~1.1~~1.3 If a regulation under a provincial act is repealed and a new regulation is substituted for it, any reference in this Bylaw to the repealed regulation shall be construed as a reference to the provisions of the new regulation relating to the same subject matter as the repealed regulation.

2 SCHEDULES AND MAPS

2.1 The Schedules and maps attached hereto form part of this Bylaw.

3 DEVELOPMENT AUTHORITY

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

3.2 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.

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

3.4 The Development Officer, the Municipal Planning Commission, the Subdivision and Development Appeal Board and 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.

4 DEVELOPMENT OFFICER

4.1 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 and shall notify the applicant accordingly;

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

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

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

(f) may approve variances as provided for in this Bylaw;

(g) 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, except as may be otherwise provided for in this Bylaw;

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

(i) shall issue a Notice of Decision for a development permit application that was approved by the Development Officer or by the Municipal Planning Commission and, if an appeal is not filed within the prescribed timeline and all conditions except those of a continuing nature have been met or fulfilled, shall issue a development permit;

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

~~(i)~~(j) may issue a Stop Order pursuant to the 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;

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

~~(k)~~(l) shall maintain a public register of approved amendments to this Bylaw;

~~(l)~~(m) may prepare and maintain such forms and notices as they may deem necessary;

~~(m)~~(n) 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~~.~~;

(o) in all its decisions, shall conform to the land uses provided for in each land use district, including as provided for "Similar Uses"~~.~~;

~~(n)~~(p) shall refuse an application for a use that is not listed within the applicable district, is not similar to any other use listed in the district, or that requests a variance in circumstances where this Bylaw expressly prohibits the issuance of a variance.

5 MUNICIPAL PLANNING COMMISSION

5.1 The Municipal Planning Commission, or the Development Officer pursuant to delegated authority provided for in this Bylaw:

(a) **may approve** a variance of any measurable standard 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 habitable floor area of a Secondary Suite;

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

(viii) the maximum lot coverage ratio for Accessory Buildings for the purpose of accommodating a Secondary Suite, Detached;

(ix) the maximum height of an Accessory Building containing a Secondary Suite, Detached by more than 10 percent;

~~(vii)~~(x) the minimum habitable floor area of a principal building by more than 20 percent; and

~~(viii)~~(xi) any land use definition.

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

(d) 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; and

(f) in all its decisions, shall conform to the land uses provided for in each land use district, including as provided for "Similar Uses".

6 LAND USE DISTRICTS, LAND USES, BUILDINGS AND REGULATIONS

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

6.2 The one or more land uses and buildings 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.

6.3 A land use that is not listed as permitted or discretionary in a district, is prohibited in that district.

6.4 The land uses~~ and buildings~~ listed in the land use districts are defined in the Definitions Schedule of this Bylaw, and the land use definitions shall be read together with, and their interpretation shall be understood to include, the accompanying land use regulations (that are not a measurable standard) established in any other applicable Schedule of this Bylaw.

7 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.

7.1 Development or Demolition requires a development permit as follows:

(a) Except for those exemptions as provided in Schedule 3, no person shall commence a development or a demolition, unless they have applied for and been issued a development permit in respect of the development.

(b) 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 by an agent of the owner, with written authorization from the owner.

(c) 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, the use or uses prescribed in the applicable land use district, ~~and~~ the development permit, the approved site plan and any conditions attached to the development permit~~ if one is required~~.

7.2 Specific Development or Demolition may not require a development permit as follows:

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

8 DEVELOPMENT PERMIT APPLICATIONS

8.1 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 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;

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

(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 registered easements or rights-of-way, dimensioned to property lines and drawn to a satisfactory scale;

~~(i)~~(ii) yard setbacks, building sizes, building heights;

~~(ii)~~(iii) existing and proposed accesses, parking and loading areas, driveways, abutting streets and intersections, traffic control devices, avenues and lanes, and surface drainage patterns;

~~(iii)~~(iv) where applicable, the location of existing and proposed water wells, private septic systems, culverts, ~~and~~ crossings and existing service connections to municipal water and wastewater mains;

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

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

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

~~(vii)~~(viii) a Comprehensive Site Development Plan for the purpose of ~~sound~~comprehensive 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. 300 m from a provincial highway right-of-way or 800 m of the centerline of a provincial highway and public road intersection;

(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;

(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 this Bylaw.

8.2 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.

9 COMPLETE DEVELOPMENT PERMIT APPLICATIONS

General

9.1 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 information for the Development Authority to make an informed decision and to allow any person who may be notified of the Development Authority's decision ~~affected by it~~ to determine its possible effects.

9.2 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 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

9.3 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

9.4 Within the timelines prescribed by the Act the Development Officer shall notify the applicant in writing (by regular mail or 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.

10 PERMITTED USES AND VARIANCES

10.1 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.

10.2 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.

10.3 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.

11 DISCRETIONARY USES ~~AND VARIANCES~~

11.1 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.

Delegation of Authority ~~of~~ to the Development Officer

General

11.2 In addition to the authority otherwise assigned to it in this Bylaw, the Development Officer is authorized to decide upon and either approve or refuse the following discretionary uses development permit applications which are otherwise assigned to the Municipal Planning Commission:

(a) a discretionary use application for a new ~~Modular~~Manufactured Home that replaces an existing ~~Modular Home,~~ Manufactured Home ~~or Modular Home~~ in any district where a ~~Modular~~Manufactured Home is listed as a discretionary use;

(b) 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;

(c) a discretionary use application for a Tourist Home or a Short-Term Rental / Bed & Breakfast that meets all the applicable minimum standards (i.e. the application does not propose a variance from an applicable minimum standard established in this Bylaw), and further provided that the Development Officer shall refuse a discretionary use application for a Tourist Home or a Short-Term Rental / Bed & Breakfast that proposes such a variance (i.e the Development Officer does not need to bring such an application to the Municipal Planning Commission for refusal);

(d) a discretionary use application for a Secondary Suite that meets all the applicable minimum standards (i.e the application does not propose a variance from an applicable minimum standard established in this Bylaw) or that proposes a variance to a standard that is within the Development Officer’s variance authority established here or elsewhere in this Bylaw, including a maximum 10% variance to the maximum habitable floor area (which is the maximum variance authority of the Municipal Planning Commission as established in the Bylaw), and further provided that the Development Officer shall refuse a discretionary use application for a Secondary Suite that proposes to exceed the maximum 10% variance authority of the Municipal Planning Commission to the

maximum habitable floor area (i.e. the Development Officer does not need to bring such an application to the Municipal Planning Commission for refusal);

(e) a discretionary use application for a Home Occupation – Class 2 that meets all the applicable minimum standards (i.e. the application does not propose a variance from the applicable minimum standards established in thus Bylaw);

(f) a discretionary use application for a Moved-In Building or a Moved-In Dwelling for a use or a building that is listed as a permitted use in any applicable land use district and that does not propose to exceed the Development Officer's variance authority established in this Bylaw;

(g) a discretionary use application for a Single-Detached Dwelling ~~Single-family Dwelling~~ in the NUA-1 District that does not propose to exceed the Development Officer's variance authority established in this Bylaw.

Restrictions on Delegated Authority

11.3 In exercising the delegated authority assigned to it in this section, the Development Officer shall:

(a) incorporate the "Considerations for Discretionary Uses" and the "Considerations for Variances"; and

(b) abide by the restrictions placed on the variance authority of the Municipal Planning Commission (e.g. the Development Officer shall not approve a discretionary use application for a Tourist Home, Short-Term Rental / Bed & Breakfast, a Secondary Suite, or a Home Occupation – Class 2 that proposes a variance in excess of the variance authority assigned to the Municipal Planning Commission);

as established in this Bylaw.

11.4 Notwithstanding the authority delegated to it in this section, the Development Officer may bring any application for which it has delegated authority to the Municipal Planning Commission for a decision.

12 REFERRAL OF A DEVELOPMENT PERMIT APPLICATION

Internal and External Referral

12.1 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.

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

(d) **shall**, in accordance with CSA Z663: Land Use Planning in the Vicinity of Pipeline Systems, refer to the pipeline systems operator of a high-pressure gas transmission pipeline a development permit application that is located within ~~260~~ 200 m of either side of the edge of the pipeline system right-of-way ~~Trans Canada high pressure gas pipeline~~.

12.2 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, 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

12.3 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, alterations to the façade of an existing building, 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.

(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.

12.4 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.

13 CONSIDERATIONS WHEN DECIDING ON AN APPLICATION FOR A DEVELOPMENT PERMIT, SUBDIVISION OR LAND USE REDESIGNATION ~~APPLICATION~~

Consistency with Section 617 of the MGA

13.1 When evaluating and deciding on an application for a development permit, subdivision or land use redesignation, the Development Authority, the Subdivision Authority or Council (whatever the case may be) shall fulfil the purpose of Part 17 of the MGA in that these decisions must strive:

(a) to achieve the orderly, economical and beneficial development, use of land and patterns of human settlement in the Municipality; and

(b) to maintain and improve the quality of the physical environment within which patterns of human settlement are situated in the Municipality,

without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest.

Considerations for Permitted Uses

~~13.1~~13.2 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) stormwater management and site grading;

(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

~~13.2~~13.3 When making a decision on a development permit for a discretionary use, the Development Authority shall seek to achieve the orderly, compatible, economical and beneficial 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:

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

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

(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) stormwater management and site grading;

(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

~~13.3~~13.4 The Municipal Planning Commission or 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 the proposed development does not comply with the standards in this Bylaw if, in the opinion of the Municipal Planning Commission, 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;

and

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

~~13.4~~13.5 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.

14 VARIANCE AND ENCROACHMENT AUTHORITY

14.1 The Development Officer may exercise a discretion relative to variances only in respect of the following matters:

(a) the approval of variances:

(i) not exceeding 50 percent of each yard setback standard, including provisions for projections into yard setbacks, 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 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 Bylaw if that building or use 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;

provided that, 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 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, lane, 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;

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.

14.2 In addition to the variance authority otherwise assigned to it in this Bylaw, the Development Officer is authorized to decide upon and either approve or refuse the following variance applications which are otherwise assigned to the Municipal Planning Commission:

(a) a variance of not more than 10% to the maximum habitable floor area of a Secondary Suite;

(b) a variance to the maximum ~~site~~ lot coverage ratio of a ~~Single-family Dwelling~~Single-Detached Dwelling (with an attached garage) in the R-1 District up to a percentage that is equal to the combined potential maximum ~~site coverage percentages~~lot coverage ratios for a ~~Single-family Dwelling~~Single-Detached Dwelling and all Accessory Buildings, on the condition that a detached Accessory Building does not exist or has not be approved on the subject property;

(c) a variance to allow tandem parking for a Tourist Home, a Short-Term Rental / Bed & Breakfast, a Secondary Suite, or a Home Occupation – Class 2, provided that no portion of a parked vehicle shall overhang a curb and gutter or a sidewalk or any portion thereof.

14.3 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 habitable floor -area of a Secondary Suite;

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

(viii) the maximum lot coverage ratio for Accessory Buildings for the purpose of accommodating a Secondary Suite, Detached;

(ix) the maximum height of an Accessory Building containing a Secondary Suite, Detached by more than 10 percent;

(x) the minimum habitable floor area of a principal building by more than 20 percent; and

~~(vii)~~(xi) any land use definition.

14.4 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.

15 NON-CONFORMING BUILDINGS AND USES

Qualification for Non-Conforming Status

15.1 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 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.

15.2 A non-conforming building or use may only be continued in accordance with the provisions of the Act.

Non-Conforming Building Variances

15.3 With respect to bringing non-conforming buildings into compliance with this Bylaw, and pursuant to the relevant provisions of the Municipal Government Act, the Development Officer is authorized to exercise the **restricted** variance authority assigned to them in this Bylaw, and the Municipal Planning Commission is authorized to exercise the variance authority assigned to it in this Bylaw.

16 SIMILAR USES

16.1 Except for “Short-Term Rental / Bed & Breakfast” and “Tourist Home”, 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 use is proposed, and generally complies with the intent of the land use district and a listed use definition, the Municipal Planning Commission

may determine that the proposed use is a "Similar Use" and, in all cases, a similar use shall be processed as a discretionary use.

17 TEMPORARY DEVELOPMENT PERMIT~~S~~

17.1 Pursuant to the relevant provisions 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 should expire when the same no longer 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.

17.2 A temporary development permit may be issued only for a use that is listed in the applicable land use district.

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

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

17.5 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.

18 ADDITIONAL APPROVALS REQUIRED

18.1 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 responsible, at their sole risk and to the exoneration of the Municipality of Crowsnest Pass from any liability related to these matters and at no cost to the Municipality, to comply with the

requirements of applicable municipal, provincial and federal legislation. This includes but is not limited to the *Safety Codes Act.*

18.2 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.

18.3 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.

~~18.3~~18.4 Where a development requires the approval of an entity listed in Section 619 of the Municipal Government Act and which also requires a municipal approval (in accordance with the paramountcy established by the abovementioned provision), the provincial approval will normally be expected to be issued and received prior to the application for a development permit. This does not preclude the involvement of the municipality in making preliminary statements and/or recommendations, as the case may be.

19 CONDITIONS OF DEVELOPMENT PERMIT APPROVAL

19.1 The standards, regulations and other 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, regulations and other provisions.

19.2 In addition to the standards, regulations and other 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 a development permit for a permitted use (regardless of whether or not a variance is involved) and on a development permit for a 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 the Act and the Subdivision and Development Regulation;

(b) to ensure compliance with the uses, standards, regulations and other provisions~~standards~~ established in this Bylaw, the land use districts and other~~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,
- requiring an appropriate form of fencing or screening,
- requiring a standard of aesthetic appearance including but not limited to:
  - consideration for the impact of the proposed development on the historical significance of the subject or adjacent properties,
  - slope-adaptive building and site design,
  - the impact of proposed infill development on and its compatibility with existing development in mature neighbourhoods;
- increasing the yard setbacks or other standards for a proposed development (e.g. in exchange for variances) and/or
- other mitigating measures;

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

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

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

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

(h) to require the provision of a refundable security deposit to ensure that the conditions are complied with;

(i) to require the stake-out, a survey and a survey drawing of the property and/or building footprint area 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 issued under the Safety Codes Act to demonstrate that such applications or permits are consistent with the development permit issued for the proposed development;

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

20 DECISION AND NOTIFICATION OF DEVELOPMENT PERMIT

20.1 The Development Authority shall decide on a development permit application within the timeline prescribed in the Act.

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

20.3 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 this 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, or an applicable municipal policy or bylaw, including email, or

(v) any combination of the above.

(c) In the case of a refusal of a development permit, the Development Officer **shall notify** the persons who would have been notified had the development permit been approved.

20.4 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, and whether the appeal lies with the local Subdivision and Development Appeal Board or the Land and Property Rights Tribunal.

21 APPEALS

21.1 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.

21.2 An appeal shall be commenced by serving a written notice of the appeal to the Subdivision and Development Appeal Board or the Land and Property Rights Tribunal, as the case may be, and the reasons for it in accordance with the relevant provisions of the Municipal Government Act 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.

21.3 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.

~~21.3~~21.4 Upon receiving an appeal, the Subdivision and Development Appeal Board shall notify those persons that are required to be notified of an approval or a refusal of a development permit.

22 VALIDITY AND CONTINUANCE OF A DEVELOPMENT PERMIT

Validity

22.1 Notwithstanding the issuance of a Notice of Decision regarding a development permit application, a development permit is not valid, shall not be issued and 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.

22.2 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

22.3 Unless it is suspended or cancelled, or an extension is granted pursuant to this Bylaw, 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.

22.4 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

22.5 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

22.6 The 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, the period of which shall be at the sole discretion of the Municipal Planning Commission.

22.7 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

22.8 Except when a temporary development permit was issued for a limited time 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.

22.9 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.

23 REAPPLICATION

23.1 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, 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.

24 SUSPENSION OF A DEVELOPMENT PERMIT

24.1 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, cancel or re-issue the development permit by notice in writing to the holder of the development permit stating the reasons for any suspension, 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.

24.2 If a development permit is suspended or cancelled (with or without the required accompanying Stop Order) or re- issued for reasons other than correcting a clerical error, the permit holder may appeal the suspension or cancellation (including the Stop Order) or the re-issuance, in accordance with the relevant provisions of the Act. 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.

25 INSPECTIONS AND ENFORCEMENT

25.1 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.

26 STOP ORDERS

26.1 The Development Authority may issue a stop order pursuant to the relevant provisions of the Act.

26.2 The issuance of a Stop Order may be appealed in accordance with the relevant provisions of the Act.

27 PENALTIES AND FINES

27.1 Pursuant to the applicable provisions of the Municipal Government Act:

(a) A person who contravenes a provision of this Bylaw is guilty of an offence and is liable, upon summary conviction, to a fine in an amount not less than that established in the Fees, Rates, and Charges Bylaw, and not exceeding $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.

28 LAND USE BYLAW ADMINISTRATION

Amendment Or Repeal Of Bylaw and Land Use Redesignations

28.1 The procedure for amendment or repeal of this Bylaw is prescribed under the relevant provisions of the Act.

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

28.3 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

28.4 A draft version of a 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 and regard shall be had to any comments received prior to amendment of this Bylaw.

Referral to the Municipal Planning Commission

28.5 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 bylaw to the Municipal Planning Commission, who may provide a recommendation to Council.

Re-application for a Redesignation of Land Use

28.6 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,

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

Public Register

28.7 The Development Officer shall maintain a public register of all approved amendments to this Bylaw.

Rescinding Land Use Redesignations

28.8 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.

28.9 The rescinding of the redesignation bylaw shall be undertaken in accordance with the provisions of the Act.

Adoption Of Bylaw

28.10 The Municipality of Crowsnest Pass Land Use Bylaw No. ~~632-2004~~868-2013, as amended, is hereby repealed.

28.11 This Bylaw comes into effect upon the final passing thereof.

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Schedule 1

LAND USE DISTRICTS

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Schedule 1

LAND USE DISTRICTS

1. The municipality is divided into those districts shown on the Land Use District Maps which form part of this Schedule.
2. Each land use district shall be known by the following identifying letters and numbers:

RESIDENTIAL	–	R-1
RESIDENTIAL	–	R-1A
DUPLEX OR SEMI-DETACHED RESIDENTIAL	–	R-2
~~MULTI-FAMILY~~ MEDIUM DENSITY RESIDENTIAL	–	R-2A
~~MULTI-FAMILY APARTMENT~~ HIGH DENSITY RESIDENTIAL	–	R-3
~~MODULAR~~MANUFACTURED HOME COMMUNITIES	–	R-4
NARROW LOT RESIDENTIAL	–	R-5
COMPREHENSIVE SKI VILLAGE	–	CSV
COMPREHENSIVE RESORT VILLAGE	–	CRV
GROUPED COUNTRY RESIDENTIAL	–	GCR-1
RETAIL COMMERCIAL	–	C-1
DRIVE-IN COMMERCIAL	–	C-2
COMPREHENSIVE COMMERCIAL	–	C-3
CANNABIS RETAIL COMMERCIAL	–	C-4
COMPREHENSIVE MIXED USE	–	CM-1
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
HISTORIC COMMERCIAL AREAS OVERLAY DISTRICT	–	HCAOD
AREAS OF POTENTIAL ENVIRONMENTAL CONCERN OVERLAY DISTRICT	–	APECOD
DIRECT CONTROL (Crowsnest Mountain Resort)	–	DC-1
DIRECT CONTROL (Turtle Mountain Restricted Development Area)	–	DC-2

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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

Schedule 2

LAND USE DISTRICT REGULATIONS

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RESIDENTIAL – R-1

PURPOSE: *To provide for a residential environment with the development of predominantly Single-Detached Dwellings while providing opportunities for additional land uses.~~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 modular homes and other compatible uses.~~*

1. PERMITTED USES

Accessory Building or Use up to 72.8 m² (784 ft²) ~~in area~~
~~Alternative/Renewable Energy, Individual – restricted to roof mounted solar panels only~~
Day Home
Exploratory Excavation
Home Occupation – Class 1
Private Utility – except freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Secondary Suite, Attached
Sign – Types:
- Home Occupation
- Subdivision Entrance
- Subdivision or Development Marketing

Single-Detached Dwelling
~~Single-family dwelling~~
Stockpiling

DISCRETIONARY USES

Accessory Building or Use over 72.8 m² (784 ft²) ~~in area~~
~~Alternative/Renewable Energy, Individual – except roof mounted solar panels~~
Canvas Covered Structure
Day Care Facility
Duplex / Semi-Detached Dwelling
Home Occupation – Class 2
Manufactured Home
~~Modular home~~
Moved-In Building
Moved-In Dwelling
~~Private institutional uses~~
Private Utility – freestanding Solar Collector and freestanding Small Wind Energy Conversion System
~~Public institutional uses~~
Secondary Suite, Detached
Short-Term Rental / Bed & Breakfast
~~Semi-Detached Dwelling~~
~~Sign – Types 22 (Subdivision Entrance) and 23 (Subdivision Marketing)~~
Tourist Home

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m²	ft²
Single-Detached Dwelling ~~family dwelling~~	13.7	45	30.5	100	418.1	4,500
Duplex ~~and~~/ Semi-Detached Dwelling (per building – i.e. for two units)	15.3	50	30.5	100	465.0	5,000
All other uses	~~As required~~ As approved by the Subdivision Authority					
Corner lots	See Schedule 4					

3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.

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All principal uses	6.1 to property line or 6.5 to back of existing or future public walkway or 7.5 to back of public curb	20 to property line or 21.33 to back of existing or future public walkway or 7.5 to back of public curb	1.5	5	7.6	25

4. MINIMUM ACCESSORY BUILDING YARD SETBACKS

Front Yard – requires approval by the Development Authority ~~to be located in front yard~~

Side Yard, where building does not contain a Secondary Suite – ~~1.2 m (4 ft.)~~0.6 m (2 ft)

Side Yard, where building contains a Secondary Suite – 1.5 m (5 ft)

Rear Yard, where building does not contain a Secondary Suite – ~~1.2 m (4 ft.)~~0.6 m (2 ft)

Rear Yard, where building contains a Secondary Suite – 1.5 m (5 ft)

5. MAXIMUM LOT COVERAGE RATIO

Principal building, except Duplex ~~and~~/ Semi-Detached Dwelling – 35%

Duplex ~~and~~/ Semi-Detached Dwelling (on one certificate of title) – 45%

Accessory buildings, except on a Duplex ~~or~~/ Semi-Detached Dwelling lot – 15%

Accessory building on a Duplex ~~or~~/ Semi-Detached Dwelling lot – 5%

6. 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)

Secondary Suite, Detached (above garage) – 7.5 m (24.6 ft)

Secondary Suite, Detached (stand-alone structure) – 5.0 m (16.4 ft)

Other accessory buildings – 5.0 m (16.4 ft) ~~4.5 m (14.8 ft)~~

7. MINIMUM HABITABLE FLOOR AREA OF PRINCIPAL BUILDING ~~FLOOR AREA~~

Single-Detached Dwelling – 102 m^2 (1,100 ft^2) habitable floor area

~~("above ground habitable space" excludes a basement, a walk-out basement, and an attached garage)~~

8. STANDARDS OF DEVELOPMENT – See Schedule 4.

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

10. RELOCATION OF BUILDINGS – See Schedule 7.

11. CRITERIA FOR HOME OCCUPATIONS – See Schedule 8.

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

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

14. **STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME** – See Schedule 17~~18~~.

15. **DEFINITIONS** – See Schedule 18~~19~~.

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RESIDENTIAL – R-1A

PURPOSE: *To provide for a residential environment with the development of predominantly Single-Detached Dwellings while providing opportunity for additional land uses. ~~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

Accessory Building or Use
up to 72.8 m² (784 ft²) ~~in area~~
~~Alternative/Renewable Energy, Individual – restricted to roof mounted solar panels only~~
Day Home
Exploratory Excavation
Home Occupation – Class 1
Private Utility – except freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Secondary Suite, Attached
Sign – Types:
Home Occupation
Subdivision Entrance
Subdivision or Development Marketing
Single-Detached Dwelling
~~Single-family dwelling~~
Stockpiling

DISCRETIONARY USES

Accessory Building or Use
over 72.8 m² (784 ft²) ~~in area~~
~~Alternative/Renewable Energy, Individual – except roof mounted solar panels~~
Canvas Covered Structure
Day Care Facility
Home Occupation – Class 2
~~Private institutional uses~~
Private Utility – freestanding Solar Collector and freestanding Small Wind Energy Conversion System
~~Public institutional uses~~
Secondary Suite, Detached
Short-Term Rental / Bed & Breakfast
~~Sign – Types 22 (Subdivision Entrance) and 23 (Subdivision Marketing)~~
Tourist Home

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	~~ft.~~	m	~~ft.~~	m²	ft²
Single-Detached Dwelling ~~family dwelling~~	13.7	45	30.5	100	418.1	4,500
All other uses	~~As required~~ As approved by the Subdivision Authority					
Corner lots	See Schedule 4					

3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS

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

4. MINIMUM ACCESSORY BUILDING YARD SETBACKS

Front Yard – requires approval ~~to be located in front yard~~

Side Yard, where building does not contain a Secondary Suite – ~~1.2 m (4 ft.)~~0.6 m (2 ft)

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Side Yard, where building contains a Secondary Suite – 1.5 m (5 ft)
Rear Yard, where building does not contain a Secondary Suite – ~~1.2 m (4 ft.)~~0.6 m (2 ft)
Rear Yard, where building contains a Secondary Suite – 1.5 m (5 ft)

5. MAXIMUM LOT COVERAGE RATIO

Principal building – 35%
Accessory buildings – 15%

6. MAXIMUM BUILDING HEIGHT

Principal building, up to two-storey, no walkout basement – 10.0 m (32.8 ft)
Principal building, two-storey walk-out basement – 13.0 m (42.7 ft)
Secondary Suite, Detached (above garage) – 7.5 m (24.6 ft)
Secondary Suite, Detached (stand-alone structure) – 5.0 m (16.4 ft)
Other accessory buildings – 5.0 m (16.4 ft)~~4.5 m (14.8 ft)~~

7. MINIMUM HABITABLE FLOOR AREA OF PRINCIPAL BUILDING

Single-Detached Dwelling – 102 m^2 (1,100 ft^2) habitable floor area
~~As required by the Development Authority.~~

8. STANDARDS OF DEVELOPMENT – See Schedule 4.

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

10. RELOCATION OF BUILDINGS – See Schedule 7.

11. CRITERIA FOR HOME OCCUPATIONS – See Schedule 8.

12. STANDARDS FOR SECONDARY SUITES – See Schedule 15.

13. STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME – See Schedule 17~~18~~.

14. DEFINITIONS – See Schedule 18~~19~~.

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

Accessory Building or Use
up to 72.8 m² (784 ft²) ~~in area~~
~~Alternative/Renewable Energy, Individual – restricted to roof mounted solar panels only~~
Day Home
Duplex / Semi-Detached Dwelling
Exploratory Excavation
Home Occupation – Class 1
Private Utility – except freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Secondary Suite, Attached
~~Semi-Detached Dwelling~~
Sign – Types:
Home Occupation
Subdivision Entrance
Subdivision or Development Marketing
Stockpiling

DISCRETIONARY USES

Accessory Building or Use
over 72.8 m² (784 ft²) ~~in area~~
~~Alternative/Renewable Energy, Individual – except roof mounted solar panels~~
Canvas Covered Structure
Day Care Facility
Home Occupation – Class 2
Manufactured Home
~~Modular home~~
Moved-In Building
Moved-In Dwelling
Private Utility – freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Secondary Suite, Detached
Short-Term Rental / Bed & Breakfast
~~Sign – Types 22 (Subdivision Entrance) and 23 (Subdivision Marketing)~~
~~Single-family dwelling~~
Single-Detached Dwelling
Tourist Home

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	~~ft.~~	m	~~ft.~~	m²	ft²
Duplex ~~or~~/ Semi-Detached Dwelling (per building – i.e. for two units)	18.3	60	30.5	100	650.3	6~~7~~,000
Single-Detached Dwelling ~~family dwelling~~	15.2	50	30.5	100	464.5	5,000
All other uses	~~As required~~ As approved by the Subdivision Authority					

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~~As approved by the Development Authority	
Corner lots	~~As required~~As approved by the Development Authority				~~As required~~As approved by the Development Authority	
All other uses	6.1	20	1.5	5		

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4. MINIMUM ACCESSORY BUILDING YARD SETBACKS

Front Yard	–	requires approval~~ to be located in front yard~~
Side Yard, where building does not contain a Secondary Suite	–	~~1.2 m (4 ft.)~~0.6 m (2 ft)
Side Yard, where building contains a Secondary Suite	–	1.5 m (5 ft)
Rear Yard, where building does not contain a Secondary Suite	–	~~1.2 m (4 ft.)~~0.6 m (2 ft)
Rear Yard, where building contains a Secondary Suite	–	1.5 m (5 ft)

5. MAXIMUM LOT COVERAGE RATIO

Principal building	–	40%
Accessory buildings	–	15%

6. MAXIMUM BUILDING HEIGHT

Principal building, up to two-storey, no walkout basement	–	10.0 m (32.8 ft)
Principal building, two-storey walk-out basement	–	13.0 m (42.7 ft)
Secondary Suite, Detached (above garage)	–	7.5 m (24.6 ft)
Secondary Suite, Detached (stand-alone structure)	–	5.0 m (16.4 ft)
Other a~~A~~ccessory buildings	–	5.0 m (16.4 ft)~~4.5 m (14.8 ft)~~

7. MINIMUM~~ FLOOR AREA~~ HABITABLE FLOOR AREA OF PRINCIPAL BUILDING

Duplex / Semi-Detached Dwelling (per unit)	–	74.3 m^2 (800 ft^2) habitable floor area
Single-Detached Dwelling	–	102 m^2 (1,100 ft^2) habitable floor area~~Duplex – 74.3 m^2 on the main floor (800 ft^2)~~
~~Semi-Detached Dwelling (per building)~~	~~–~~	~~148.6 m^2 on the main floor (1,600 ft^2.)~~
~~Single-family dwellin–~~		~~74.3 m^2 on the main floor (800 ft^2)~~

8. SIDE YARD PROJECTIONS – See Schedule 4.

9. CORNER LOTS – See Schedule 4.

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

11. RELOCATION OF BUILDINGS – See Schedule 7.

12. HOME OCCUPATIONS – See Schedule 8.

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

14. STANDARDS FOR SECONDARY SUITES – See Schedule 15.

15. STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME – See Schedule 17~~18~~.

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16. DEFINITIONS – See Schedule 18~~19~~.

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MEDIUM DENSITY RESIDENTIAL~~MULTI-FAMILY RESIDENTIAL~~ – R-2A

PURPOSE: *To provide for medium density residential environments by accommodating the development of Multi-Unit Residential Buildings in accordance with Schedule 5, while providing opportunity for additional land uses, including Apartments up to three (3) storeys in height. ~~To accommodate predominantly two-unit to eight-unit dwellings while providing opportunity for additional land uses to develop in this district.~~*

1. PERMITTED USES

Accessory Building or Use
up to 72.8 m² (784 ft²) ~~in area~~
~~Alternative/Renewable Energy, Individual – restricted to roof mounted solar panels only~~
Day Home
~~Duplex~~
Exploratory Excavation
~~Fourplexes~~
Home Occupation – Class 1
Multi-Unit Residential Building
Private Utility – except freestanding Solar Collector and freestanding Small Wind Energy Conversion System
~~Semi-Detached Dwelling~~
Sign – Types:
Home Occupation
Subdivision Entrance
Subdivision or Development Marketing
Stockpiling
~~Triplexes~~

DISCRETIONARY USES

Accessory Building or Use
over 72.8 m² (784 ft²) ~~in area~~
~~Alternative/Renewable Energy, Individual – except roof mounted solar panels~~
Apartment Building not exceeding 3 storeys or 14.0 m (45.9 ft)
Canvas Covered Structure
Day Care Facility
Duplex / Semi-Detached Dwelling
~~Eightplexes~~
Home Occupation – Class 2
Private Utility – freestanding Solar Collector and freestanding Small Wind Energy Conversion System
~~Rowhousing~~
~~Senior citizen housing~~
Seniors Supportive Housing Facility
Short-Term Rental / Bed & Breakfast
~~Sign – Types 22 (Subdivision Entrance) and 23 (Subdivision Marketing)~~
~~Sixplexes~~
Tourist Home

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft~~.~~	m	ft~~.~~	m²	ft²
Duplex~~,~~ / Semi-Detached Dwelling~~–~~ (per building)	18.3	60	30.5	100	557.4	6000
Apartment Building	24.4	80	30.5	100	743.2	8000
~~Triplex or Fourplex – per building~~	~~21.3~~	~~70~~	~~30.5~~	~~100~~	~~650.3~~	~~7000~~
~~Rowhouse~~Multi-Unit Residential Building – per unit						
– interior unit	6.1	20	30.5	100	185.8	2000
– end unit	9.1	30	30.5	100	278.7	3000
All other uses	~~As required~~As approved by the Subdivision Authority					

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	7.6	25
~~Triplex or Rowhouse~~Multi-Unit Residential Building						
– interior unit	6.1	20	–	–	7.6	25
– end unit	6.1	20	3.0	10	7.6	25
All other uses	~~As required~~As approved by the Development Authority					

4. MINIMUM ACCESSORY BUILDING YARD SETBACKS

Front Yard – requires approval ~~to be located in front yard~~

Side Yard – ~~1.2 m (4 ft.)~~0.6 m (2 ft)

Rear Yard – ~~1.2 m (4 ft.)~~0.6 m (2 ft)

5. MAXIMUM LOT COVERAGE RATIO

Principal building – 50%

Accessory buildings – 15%

6. MAXIMUM BUILDING HEIGHT

Principal building, excluding Apartment Building, up to 2-storey, no walkout basement – 10.0 m (32.8 ft)

Principal building, excluding Apartment Building, 2-storey walk-out basement – 13.0 m (42.7 ft)

Apartment Building – 14.0 m (45.9 ft)

Accessory buildings – 5.0 m (16.4 ft)~~4.5 m (14.8 ft)~~

7. MINIMUM HABITABLE FLOOR AREA OF PRINCIPAL BUILDING ~~MINIMUM FLOOR AREA (per dwelling unit)~~

This district does not prescribe a minimum habitable floor area for principal buildings.

~~Row dwelling, duplex, semi-detached, triplex, fourplex, sixpeightplex – 74.3 m² (800 ft²)~~

~~All other uses – As required by the Development Authority~~

8. STANDARDS OF DEVELOPMENT – See Schedule 4.

9. STANDARDS FOR APARTMENT, MULTI-UNIT~~FAMILY DWELLING~~RESIDENTIAL AND MIXED-USE BUILDINGS~~STANDARDS~~ – See Schedule 5.

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

11. RELOCATION OF BUILDINGS – See Schedule 7.

12. HOME OCCUPATIONS – See Schedule 8.

13. STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME – See Schedule 17~~18~~.

14. DEFINITIONS – See Schedule 18~~19~~.

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HIGH DENSITY RESIDENTIAL~~MULTI-FAMILY APARTMENT RESIDENTIAL~~ – R-3

PURPOSE: *To provide for high density residential environments by accommodating the development of predominantly Apartments and Multi-Unit Residential Buildings integrated into either existing or proposed residential neighbourhoods in accordance with Schedule 5.~~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

Accessory Building or Use up to 72.8 m² (784 ft²) ~~in area~~
~~Alternative/Renewable Energy, Individual – restricted to roof mounted solar panels only~~
Apartment Building not exceeding 3 storeys or 14.0 m (45.9 ft) ~~three habitable floors or 13.0 m (42.7 ft.)~~ 10.0 m (32.8 ft.)
Exploratory Excavation
Home Occupation – Class 1
Private Utility – except freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Sign – Types:
- Home Occupation
- Subdivision Entrance
- Subdivision or Development Marketing

Stockpiling

DISCRETIONARY USES

Accessory Building or Use over 72.8 m² (784 ft²) ~~in area~~
~~Alternative/Renewable Energy, Individual – except roof mounted solar panels~~
Apartment Building exceeding 3 storeys or 14.0 m (45.9 ft) ~~three habitable floors or 13.0 m (42.7 ft.)~~ 10 m (32.8 ft.) ~~in height~~
Canvas Covered Structure
Day Care Facility
Day Home
~~Duplex~~
Extended Care Facility
~~Fourplex~~
Home Occupation – Class 2
Multi-Unit Residential Building
Private Utility – freestanding Solar Collector and freestanding Small Wind Energy Conversion System
~~Rowhousing~~
~~Senior citizen housing~~
Seniors Supportive Housing Facility
~~Semi-detached Dwelling~~
Short-Term Rental / Bed & Breakfast
~~Sign – types 22 (Subdivision Entrance) 23 (Subdivision Marketing)~~
Tourist Home
~~Townhouses~~
~~Triplex~~

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m²	ft²
Apartments – per building	24.4	80	30.5	100	743.2	8,000
~~Rowhouse~~ Multi-Unit Residential Building – per unit						
– interior unit	6.1	20	30.5	100	185.8	2,000
– end unit	9.1	30	30.5	100	278.7	3,000
All other uses	~~As required~~As approved by the Subdivision Authority					

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~~	~~7.6~~	~~25~~
Apartment	6.1	20	~~As required~~As approved by the Development Authority		7.6	25
~~Triplex or Rowhouse~~ Multi-Unit Residential Building						
– interior unit	6.1	20	—	—	7.6	25
– end unit	6.1	20	3.0	10	7.6	25
All other uses	~~As required~~As approved by the Development Authority					
Corner lots	See Schedule 4					

4. MINIMUM ACCESSORY BUILDING YARD SETBACKS

Front Yard	–	requires approval ~~to be located in front yard~~
Side Yard	–	~~1.2 m (4 ft.)~~0.6 m (2 ft)
Rear Yard	–	~~1.2 m (4 ft.)~~0.6 m (2 ft)

5. MAXIMUM LOT COVERAGE RATIO

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 not exceeding 3 storeys ~~three habitable floors 13.0 m (42.7 ft.)~~	–	14.0 m (45.9 ft)
Apartment exceeding 3 storeys ~~three habitable floors~~	–	as approved ~~required~~ by the Development Authority
Accessory buildings ~~4.5 m (14.8 ft)~~	–	5.0 m (16.4 ft)

7. MINIMUM HABITABLE FLOOR AREA OF PRINCIPAL BUILDING ~~MINIMUM FLOOR AREA (per dwelling unit)~~

This district does not prescribe a minimum habitable floor area for principal buildings.

~~Rowhouse~~	~~–~~	~~74.3 m² (800 ft²)~~
~~Apartment~~	~~–~~	~~46.5 m² (500 ft²)~~
~~Duplex and semi-detached~~	~~–~~	~~74.3 m² (800 ft²)~~

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~~Triplex – 74.3 m² (800 ft²)~~

~~Fourplex – 74.3 m² (800 ft²)~~

~~All other uses – As required by the Development Authority~~

8. STANDARDS OF DEVELOPMENT – See Schedule 4.

9. STANDARDS FOR APARTMENT, MULTI-UNIT RESIDENTIAL AND MIXED-USE BUILDINGS~~MULTI-FAMILY DWELLING STANDARDS~~ – See Schedule 5.

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

11. RELOCATION OF BUILDINGS – See Schedule 7.

12. HOME OCCUPATIONS – See Schedule 8.

13. STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME – See Schedule 17~~18~~.

14. DEFINITIONS – See Schedule 18~~19~~.

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~~MODULAR~~ MANUFACTURED HOME COMMUNITIES – R-4

PURPOSE: *To provide areas suitable for the location of a Manufactured Home Community (MHC) consisting of individually titled Manufactured Home lots (i.e. a subdivided MHC), or of Manufactured Home spaces held under a single certificate of title and offered for rent (i.e. an unsubdivided MHC), or in a bare land condominium subdivision, in accordance with an approved Comprehensive Site Development Plan.~~To provide areas suitable for the location of modular homes and/or modular home parks where a comprehensive plan has been agreed to by the Development Authority. These areas would be designated and provide for high-quality development which complements adjacent uses.~~*

1. PERMITTED USES

Accessory Building or Use up to 72.8 m² (784 ft²) ~~in area~~
~~Alternative/Renewable Energy, Individual – restricted to roof mounted solar panels only~~
Day Home
Exploratory Excavation
Home occupation – Class 1
Manufactured Home, within an approved MHC
~~Modular Home~~
Private Utility – except freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Sign – Types:
- Home Occupation
- Subdivision Entrance
- Subdivision or Development Marketing

Stockpiling

DISCRETIONARY USES

Accessory Building or Use over 72.8 m² (784 ft²) ~~in area~~
~~Alternative/Renewable Energy, Individual – except roof mounted solar panels~~
Canvas Covered Structure
Home Occupation – Class 2
Manufactured Home Community (MHC)
~~Neighbourhood confectioneries~~
Private Utility – freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Retail – Store, Small
Seniors Supportive Housing Facility
Short-Term Rental / Bed & Breakfast
~~Sign – types 22 (Subdivision Entrance) 23 (Subdivision Marketing)~~
Tourist Home

2. MINIMUM LOT SIZE IN A SUBDIVIDED MANUFACTURED HOME COMMUNITY (EXCLUDING A BARE LAND CONDOMINIUM SUBDIVISION)

Use	Width		Length		Area	
	m	ft.	m	ft.	m²	ft²
~~Modular~~ Manufactured Home						
– single-wide	7.62	25	30.5	100	418.1	2,500
– double-wide	13.7	45	30.5	100	418.1	4,500
Corner lots	See Schedule 4					
Irregular lots	A development may be approved on a "pie-shaped" or irregular lot, parts of which are below the specified minimum lot width, provided that the front yard setback meets the minimum width, and provided the lot area and average dimensions otherwise equal or exceed the prescribed minimums.					
All other uses	~~As required~~As approved by the Subdivision Authority					

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3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS

3.1 Between Units in an Unsubdivided Manufactured Home Community or in a Bare Land Condominium Subdivision ~~(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 ~~modular~~Manufactured Home Community.

3.2.~~4.~~ ~~MINIMUM PRINCIPAL BUILDING YARD SETBACKS~~ To Property Lines in a Subdivided Manufactured Home Community (Excluding A Bare Land Condominium Subdivision)~~(Subdivided Lots)~~

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All principal uses	6.1	20	1.5 (one side) 3.0 (other side)	5 10	3.0	10

4. MINIMUM ACCESSORY BUILDING YARD SETBACKS TO PROPERTY LINES IN A SUBDIVIDED MANUFACTURED HOME COMMUNITY (EXCLUDING A BARE LAND CONDOMINIUM SUBDIVISION)~~(Subdivided Lots)~~

Front Yard – requires approval ~~to be located in front yard~~

Side Yard – ~~1.2 m (4 ft.)~~0.6 m (2 ft)

Rear Yard – ~~1.2 m (4 ft.)~~0.6 m (2 ft)

5. MAXIMUM LOT COVERAGE RATIO

Principal building – 40%

Accessory buildings – 15%

6. MAXIMUM BUILDING HEIGHT

Principal building – 6.1 m (20 ft)

Accessory buildings – 5.0 m (16.4 ft)~~4.5 m (14.8 ft)~~

7. STANDARDS OF DEVELOPMENT – See Schedule 4.

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

9. RELOCATION OF BUILDINGS – See Schedule 7.

10. HOME OCCUPATIONS – See Schedule 8.

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

12. ~~MODULAR~~ MANUFACTURED **HOME** ~~PARK~~ COMMUNITY **DEVELOPMENT STANDARDS** – See Schedule 10.

13. **STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME** – See Schedule 17~~18~~.

14. **DEFINITIONS** – See Schedule 18~~19~~.

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NARROW LOT RESIDENTIAL – R-5

PURPOSE: *To accommodate new residential development or infill on lots with narrower than conventional frontages.~~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

Accessory Building or Use up to 40.5 m² (436 ft²) ~~72.83 m² (784 ft²) in area~~
~~Alternative/Renewable Energy, Individual – restricted to roof mounted solar panels only~~
Day Home
Exploratory Excavation
Home Occupation – Class 1
Private Utility – except freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Sign – Types:
- Home Occupation
- Subdivision Entrance
- Subdivision or Development Marketing

Single-Detached Dwelling
~~Single-family dwelling~~
Stockpiling

DISCRETIONARY USES

Accessory Building or Use over 40.5 m² (436 ft²) ~~72.83 m² (784 ft²) in area~~
~~Alternative/Renewable Energy, Individual – except roof mounted solar panels~~
Canvas Covered Structure
Home Occupation – Class 2
Manufactured Home
~~Modular home~~
Moved-In Building
Moved-In Dwelling
~~Private institutional uses~~
Private Utility – freestanding Solar Collector and freestanding Small Wind Energy Conversion System
~~Public institutional uses~~
Secondary Suite, Attached
Short-Term Rental / Bed & Breakfast
~~Sign – Type~~ ~~s 22 (Subdivision Entrance~~) and 23 ~~(Subdivision Marketing)~~
Tourist Home

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m²	ft²
Single-Detached Dwelling-~~family dwelling~~	7.6	25	30.5	100	232.3	2,500
All other uses	~~As required~~As approved by the Subdivision Authority					
Corner lots	See Schedule ~~4~~					

3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Single-Detached Dwelling~~-family dwelling~~	6.1	20	1.2	4	7.6	25
All other principal uses	~~As required~~As approved by the Development Authority					

4. MINIMUM ACCESSORY BUILDING YARD SETBACKS

Front Yard – requires approval ~~to be located in front yard~~

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Side Yard – ~~0.9 m (3 ft.)~~0.6 m (2 ft)

Rear Yard – ~~0.9 m (3 ft)~~0.6 m (2 ft)

5. MAXIMUM LOT COVERAGE RATIO

Principal building – 40%

Accessory buildings – 15%

6. MAXIMUM BUILDING HEIGHT

Principal building, up to two-storey, no walkout basement – 10.0 m (32.8 ft)

Principal building, two-storey walk-out basement – 13.0 m (42.7 ft)

Accessory buildings – 5.0 m (16.4 ft)~~4.5 m (14.8 ft)~~

7. MINIMUM ~~FLOOR AREA~~ HABITABLE FLOOR AREA OF PRINCIPAL BUILDING

This district does not prescribe a minimum habitable floor area for principal buildings.
~~As required by the Development Authority.~~

8. STANDARDS OF DEVELOPMENT – See Schedule 4.

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

10. RELOCATION OF BUILDINGS – See Schedule 7.

11. CRITERIA FOR HOME OCCUPATIONS – See Schedule 8.

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

13. STANDARDS FOR SECONDARY SUITES – See Schedule 15.

14. STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME – See Schedule 17~~18~~.

15. DEFINITIONS – See Schedule 18~~19~~.

COMPREHENSIVE SKI VILLAGE – CSV

PURPOSE: *To provide for the development of residential, recreational and tourist-oriented land uses in a ski village.*

1. PERMITTED USES

Accessory Building or Use
up to 72.8 m^2 (784 ft²) ~~in area~~
~~Alternative/Renewable Energy, Individual – restricted to roof mounted solar panels only~~
Day Home
Duplex / Semi-Detached Dwelling
Exploratory Excavation
~~Fourplex dwelling~~
Home Occupation – Class 1
Multi-Unit Residential Building
Private Utility – except freestanding Solar Collector and freestanding Small Wind Energy Conversion System
~~Rowhouse dwelling~~
Secondary Suite, Attached
Short-Term Rental / Bed & Breakfast
~~Semi-Detached Dwelling~~
~~Triplex dwelling~~
Single-Detached Dwelling
~~Single-family dwelling~~
Sign – Types:
~~A-board~~
~~Canopy~~
~~Fascia and Wall~~
~~Freestanding~~
Home Occupation
~~Murals~~
~~Portable~~
~~Projecting~~
Subdivision Entrance
Subdivision or Development Marketing
Stockpiling

DISCRETIONARY USES

Accessory Building or Use
over 72.8 m^2 (784 ft²) ~~in area~~
~~Alternative/Renewable Energy, Individual – except roof mounted solar panels~~
Canvas Covered Structure
Day Care Facility
Home Occupation – Class 2
Manufactured Home
~~Modular home~~
Private Utility – freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Secondary Suite, Detached
~~Sign – Types:~~
~~Roof~~
~~12 (Canopy), 13 (Fascia and Wall), 14 (Freestanding), 16 (Multiple Listing), 17 (Murals), 19 (Portable), 22 (Subdivision Entrance) and 23 (Subdivision Marketing)~~
Tourist Home

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2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m²	ft²
Single-Detached Dwelling family dwelling	9.1	30	30.5	100	278.7	3,000
Duplex or/ Semi-Detached Dwelling – per unit	9.1	30	30.5	100	278.7	3,000
Multi-Unit Residential Building – per unit						
– interior unit	6.1	20	30.5	100	185.8	2000
– end unit	9.1	30	30.5	100	278.7	3000
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 As approved by the Subdivision Authority					

3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Single-Detached Dwelling family- dwelling	0	0	1.5	5	3.0	10
Duplex or/ Semi-Detached Dwelling	3.0	10	1.5	5	3.0	10
Multi-Unit Residential Building						
– interior unit	6.1	20	–	–	7.6	25
– end unit	6.1	20	3.0	10	7.6	25
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 As approved by the Development Authority					

4. MINIMUM ACCESSORY BUILDING YARD SETBACKS

Front Yard – requires approval to be located in front yard

Side Yard, where building does not contain a Secondary Suite – 0.9 m (3 ft.)0.6 m (2 ft)

Side Yard, where building contains a Secondary Suite – 1.5 m (5 ft)

Rear Yard, where building does not contain a Secondary Suite – 0.9 m (3 ft.)0.6 m (2 ft)

Side Yard, where building contains a Secondary Suite – 1.5 m (5 ft)

5. MAXIMUM LOT COVERAGE RATIO

Principal building – 40%

Accessory buildings – 15%

6. SPECIFIED GRADING PLANS FOR LOTS IN SOUTHMORE~~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.

7. MAXIMUM BUILDING HEIGHT

Principal building~~, up to two-storey~~, no walkout basement (except Multi-Unit Residential Building) – 10.0 m (32.8 ft)

Principal building, ~~two-storey~~ walk-out basement (except Multi-Unit Residential Building) – 13.0 m (42.6 ft)

Multi-Unit Residential Building – 12.0 m (39.4 ft)

Secondary Suite, Detached (above garage) – 7.5 m (24.6 ft)

Secondary Suite, Detached (stand-alone structure) – 5.0 m (16.4 ft)

Other accessory buildings – 5.0 m (16.4 ft)~~4.5 m (14.8 ft)~~

8. MINIMUM HABITABLE FLOOR AREA OF PRINCIPAL BUILDING ~~FLOOR AREA~~ (per dwelling unit)

Single-Detached Dwelling – 102 m^2 (1,100 ft^2) habitable floor area

Duplex / Semi-Detached Dwelling (per unit) – 69.7 m^2 (750 ft^2) habitable floor area

~~Single-family dwelling – 69.7 m^2 (750 ft^2)~~

~~Duplex or Semi-Detached – 69.7 m^2 (750 ft^2)~~

~~Triplex – 69.7 m^2 (750 ft^2)~~

~~Fourplex – 69.7 m^2 (750 ft^2)~~

~~Rowhouse – 69.7 m^2 (750 ft^2)~~

~~Sixplex – 69.7 m^2 (750 ft^2)~~

~~Interior units – 69.7 m^2 (750 ft^2)~~

All other uses – ~~As required~~ As approved by the Development Authority

9. ZERO FRONT YARD SETBACK VARIANCE – See Schedule 4.

10. STANDARDS OF DEVELOPMENT – See Schedules 4.

11. STANDARDS FOR APARTMENT, MULTI-UNIT RESIDENTIAL AND MIXED-USE BUILDINGS~~MULTI-FAMILY DWELLING STANDARDS~~ – See Schedule 5.

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

13. RELOCATION OF BUILDINGS – See Schedule 7.

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

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

16. **SIGN STANDARDS** – See Schedule 11.

17. **STANDARDS FOR SECONDARY SUITES –** See Schedule 15.

18. **STANDARDS FOR SHORT-TERM RENTAL / BED & BREAKFAST AND TOURIST HOME** – see Schedule 17~~18~~.

19. **DEFINITIONS** – See Schedule 18~~19~~.

COMPREHENSIVE RESORT VILLAGE – CRV

PURPOSE: *To accommodate the development of a designated area within the municipality for ~~multi-family~~multi-unit residential, recreational and related resort activities.*

1. PERMITTED USES

Accessory Building or Use
up to 72.8 m² (784 ft²)
~~Alternative/Renewable Energy, Individual – restricted to roof mounted solar panels only~~
Exploratory Excavation
Home Occupation – Class 1
Private Utility – except freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Secondary Suite, Attached
Short-Term Rental / Bed & Breakfast
Sign – Types:
~~A-board~~
~~Canopy~~
~~Fascia and Wall~~
~~Freestanding~~
Home Occupation
~~Murals~~
~~Portable~~
~~Projecting~~
Subdivision Entrance
Subdivision or Development Marketing
Single-Detached Dwelling
~~Single-family dwelling~~
Stockpiling

DISCRETIONARY USES

Accessory Building or Use
over 72.8 m² (784 ft²)
~~Alternative/Renewable Energy, Individual – except roof mounted solar panels~~
Canvas Covered Structure
Duplex / Semi-Detached Dwelling
Home Occupation – Class 2
Moved-In Building
Moved-In Dwelling
Multi-Unit Residential Building ~~Multi-family dwellings (i.e. triplex, fourplex, sixplex, rowhouse, townhouse, apartment, etc.)~~
Private Utility – freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Secondary Suite, Detached
~~Sign – Types:~~
~~Roof~~
~~12 (Canopy), 13 (Fascia and Wall), 14 (Freestanding), 16 (Multiple Listing), 17 (Murals), 19 (Portable), 22 (Subdivision Entrance) and 23 (Subdivision Marketing)~~
Tourist Home

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft~~.~~	m	ft~~.~~	m²	ft²
Single-Detached Dwelling ~~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
Multi-Unit Residential Building – per unit						
– interior unit	6.1	20	30.5	100	185.8	2000
– end unit	9.1	30	30.5	100	278.7	3000
~~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~~As approved by the Subdivision Authority					

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3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Single-Detached Dwelling family Dwelling	3.0	10	1.5	5	3.0	10
Duplex or/ Semi-Detached Dwelling	3.0	10	1.5	5	3.0	10
Multi-Unit Residential Building						
– interior unit	6.1	20	–	–	7.6	25
– end unit	6.1	20	3.0	10	7.6	25
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 As approved by the Development Authority					

4. MINIMUM ACCESSORY BUILDING YARD SETBACKS

Front Yard	–	requires approval to be located in front yard
Side Yard	–	0.9 m (3 ft.) 0.6 m (2 ft)
Rear Yard	–	0.9 m (3 ft.) 0.6 m (2 ft)

5. MAXIMUM LOT COVERAGE RATIO

Principal building	–	40%
Accessory buildings	–	15%

6. MAXIMUM BUILDING HEIGHT

Principal building, up to two-storey, no walkout basement	–	10.0 m (32.8 ft)
Principal building, two-storey walk-out basement	–	13.0 m (42.6 ft)
Multi-Unit Residential Building	–	12.0 m (39.4 ft)
Accessory buildings	–	5.0 m (16.4 ft) 6.7 m (22.0 ft)

7. MINIMUM FLOOR AREA HABITABLE FLOOR AREA OF PRINCIPAL BUILDING (per dwelling unit)

Single-Detached Dwelling	–	102 m^2 (1,100 ft^2) habitable floor area
Duplex / Semi-Detached Dwelling (per unit)	–	74.3 m^2 (800 ft^2) habitable floor area
Single-family Dwelling	–	130.1 m^2 (1,400 ft^2)
Duplex or Semi-Detached	–	130.1 m^2 (1,400 ft^2)
Triplex	–	111.5 m^2 (1,200 ft^2)
Fourplex	–	111.5 m^2 (1,200 ft^2)
Rowhouse	–	111.5 m^2 (1,200 ft^2)
Sixplex	–	111.5 m^2 (1,200 ft^2)
Interior units	–	92.9 m^2 (1,000 ft^2)

All other uses ____–~~as required~~As approved by the Development Authority

8. STANDARDS OF DEVELOPMENT – See Schedules 4.

9. STANDARDS FOR APARTMENT, MULTI-UNIT RESIDENTIAL AND MIXED-USE BUILDINGS~~MULTI-FAMILY DWELLING STANDARDS~~ – See Schedule 5.

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

11. RELOCATION OF BUILDINGS – See Schedule 7.

12. SIGN STANDARDS – See Schedule 11.

13. STANDARDS FOR SECONDARY SUITES – See Schedule 15.

14. STANDARDS FOR SHORT-TERM RENTAL / BED & BREAKFAST AND TOURIST HOME – see Schedule 17~~18~~.

15. DEFINITIONS – See Schedule 18~~19~~.

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GROUPED COUNTRY RESIDENTIAL – GCR-1

PURPOSE: *To provide for clustered residential development where conflicts with adjacent uses can be mitigated.~~To provide for a high-quality of clustered residential development in designated areas where conflicts with adjacent urban or non-urban uses are not expected, or can be mitigated.~~*

1. PERMITTED USES

Accessory Building or Use up to 95.2 m² (1024 ft²) ~~in area~~
~~Alternative/Renewable Energy, Individual – restricted to roof mounted solar panels only~~
Day Home
Exploratory Excavation
Home Occupation – Class 1
Private Utility – except freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Secondary Suite, Attached
Short-Term Rental / Bed & Breakfast
Sign – Types:
- Home Occupation
- Subdivision Entrance
- Subdivision or Development Marketing

Single-Detached Dwelling
~~Single-family dwelling~~
Stockpiling
Tree Felling, not within minimum yard setback

DISCRETIONARY USES

Accessory Building or Use over 95.2 m² (1024 ft²) ~~in area~~
~~Alternative/Renewable Energy, Individual – except roof mounted solar panels~~
Canvas Covered Structure
Home Occupation – Class 2
Manufactured Home
~~Modular home~~
Moved-In Building
Moved-In Dwelling
Private Utility – freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Secondary Suite, Detached
~~Sign – Type 22 (Subdivision Entrance) and 23 (Subdivision Marketing)~~
Tree Felling, within minimum yard setback
Tourist Home
~~Wind energy conversion systems (WECS) - Category 1~~

2. LOT SIZE

Unserviced (private water wells and PSDS)	–	minimum 1.2 hectares (3 acres) or existing titles
	–	maximum 2.02 hectares (5.0 acres) or existing titles
Serviced (municipal water and wastewater)	–	minimum 0.405 hectares (1.0 acre)
	–	maximum 1.2 hectares (3 acres)

3. MINIMUM YARD 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	20	3.05	10
Tree Felling	In accordance with the above					

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)
Secondary Suite, Detached (above garage)	–	7.5 m (24.6 ft)

Secondary Suite, Detached (stand-alone structure) – 5.0 m (16.4 ft))

Other a~~A~~ccessory buildings – 5.0 m (16.4 ft)~~6.7 m (22 ft)~~

5. MINIMUM HABITABLE FLOOR AREA OF PRINCIPAL BUILDING ~~FLOOR AREA~~

Single-Detached Dwelling~~Single-Family Dwelling~~ – 102 m^2 (1,100 ft^2) habitable floor area

~~• Parcel size up to 1.2 ha (± 3.0 ac) – 167 m^2 (1,800 ft^2) above ground habitable space~~

~~• Developable area of parcel size large than 1.2 ha (± 3.0 ac) – 232 m^2 (2,500 ft^2) above ground habitable space~~

~~("above ground habitable space" excludes a basement, a walk-out basement, and an attached garage)~~

~~**6. 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.~~7.~~ STANDARDS OF DEVELOPMENT – See Schedule 4.

7.~~8.~~ OFF-STREET PARKING AND LOADING – See Schedule 6.

8.~~9.~~ RELOCATION OF BUILDINGS – See Schedule 7.

9.~~10.~~ HOME OCCUPATIONS – See Schedule 8.

10.~~11.~~ ~~MODULAR~~ MANUFACTURED HOME DEVELOPMENT STANDARDS – See Schedule 9.

11.~~12.~~ STANDARDS FOR RENEWABLE ENERGY OPERATIONS~~WIND ENERGY CONVERSION SYSTEMS~~ – See Schedule 12.

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

13.~~14.~~ STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME – See Schedule 17~~18~~.

14.~~15.~~ DEFINITIONS – See Schedule 18~~19~~.

RETAIL COMMERCIAL – C-1

PURPOSE: *To provide an area suited for commercial uses which are compatible with historical main streets, and will maintain a strong central business district, while allowing a variety of other uses that may be determined to be compatible with this area depending on their locations and applicable mitigating measures.~~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

Accessory Building or Use up to 18.6 m^2 (200 ft^2)
~~Alternative/Renewable Energy, Individual – restricted to roof mounted solar panels only~~
Animal Care Service Facility, Small
Arts and Crafts Studio
~~Bakeries~~
~~Barber shops~~
~~Beauty salons~~
Cannabis Retail Sales
~~Coffee shops or restaurants (non drive-in)~~
Community Facility
Exploratory Excavation
Financial Institution
Food and/or Beverage Service
Home occupation – Class 1
~~Laundromats~~
~~Liquor stores~~
Office
Personal Service
~~Post offices~~
Private Utility – except freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Recreation Facility, Indoor (Small)
Retail – Store, Small
Short-Term Rental / Bed & Breakfast, inside an approved dwelling unit
Sign – Types:
- A-board
- Canopy
- Fascia and Wall
- Freestanding
- Murals
- Portable
- Projecting
- Subdivision or Development Marketing

Stockpiling
~~Theatres~~
~~Travel agencies~~

DISCRETIONARY USES

Accessory Building or Use over 18.6 m^2 (200 ft^2)
~~Alternative/Renewable Energy, Individual – except roof mounted solar panels~~
~~Animal Care Service, Small~~
~~Arcades~~
~~Bowling alleys~~
~~Brew pubs~~
~~Bus depots~~
~~Cabarets~~
Canvas Covered Structure
~~Clubhouses~~
~~Commercial recreation~~
Cultural Establishment
Day Care Facility
Dwelling Unit, secondary to an approved use (maximum 2 units)
Entertainment Establishment
~~Fitness centres~~
Funeral Home
Gaming or Gambling Establishment
Hostel
Hotel
Medical and/ or Dental Clinic
Mixed-Use Building
Mixed-Use Development
Parking Facility ~~area or Structure~~
~~Pawn shops~~
Place of Worship
Private Utility – freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Recreation Facility, Indoor (Large)
~~Printing establishments~~
~~Private clubs~~
~~Religious institutions~~
Retail – Store, Large ~~scale~~
Shipping Container, accessory to an approved use
Sign – Types:
- ~~14 (Freestanding), 16 (Multiple Listing), 17 (Murals), 19 (Projecting),~~
- Roof
- ~~Secondary~~
- Third-Party

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Single-Detached Dwelling existing as of June 18, 2013
~~Single-family dwelling existing as of June 18, 2013~~
~~Taxi stands~~
~~Taxidermy~~
Temporary Storage Yard
Tourist Home, inside an approved dwelling unit
Workshop ~~accessory to an approved use~~

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	~~ft.~~	m	~~ft.~~	m^2	ft^2
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

4. MINIMUM ACCESSORY BUILDING YARD SETBACKS

Front Yard – requires approval ~~to be located in front yard~~
Side Yard – 0.9 m (3 ft)
Rear Yard – 0.9 m (3 ft)

5. MAXIMUM LOT COVERAGE RATIO

Principal building and accessory buildings – 80%.

6. MAXIMUM BUILDING HEIGHT

Principal building, excluding Mixed-Use Building – 10.0 m (32.8 ft)
Mixed-Use Building not exceeding 3 storeys – 14.0 m (45.9 ft)
Mixed-Use Building exceeding 3 storeys – As approved by the Development Authority
Accessory building – 5.0 m (16.4 ft)
~~Principal building, excluding Apartment – 10.0 m (32.8 ft)~~
~~Principal Building, including Apartment not exceedingthree habitable floors – 13.0 m (42.7 ft.)~~
~~Principal Building, including Apartment exceeding three habitable floors – as required by the Development Authority~~
~~Accessory building – 4.5 m (14.8 ft)~~

7. STANDARDS OF DEVELOPMENT – See Schedule 4.

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

9. RELOCATION OF BUILDINGS – See Schedule 7.

10. SIGN STANDARDS – See Schedule 11.

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

12. HISTORIC COMMERCIAL AREAS – See ~~Schedule 16~~ the Historic Commercial Areas Overlay District (HCAOD).

13. STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME – See Schedule 17~~18~~.

14. DEFINITIONS – See Schedule 18~~19~~.

DRAFT

DRIVE-IN COMMERCIAL – C-2

PURPOSE: *To accommodate development of commercial uses which require high visibility and accessibility from major transportation routes.~~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

Accessory Building or Use up to 18.6 m^2 (200 ft^2)
~~Alternative/Renewable Energy, Individual – restricted to roof mounted solar panels only~~
Animal Care Service Facility, Small
Arts and Crafts Studio
Building Supply Centre
Cannabis Retail Sales
Community Facility
Cultural Establishment
~~Drive-in restaurants~~
Exploratory Excavation
Financial Institution
Food and/or Beverage Service
Garden Centre
~~Gas bars~~
Hotel
Motel
Office
Personal Service
Private Utility – except freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Recreation Facility, Indoor (Small)
Retail – Store, Small
Service station
Sign – Types:
- A-board
- Canopy
- Fascia and Wall
- Freestanding
- Murals
- Portable
- Projecting
- Subdivision or Development Marketing

Stockpiling

DISCRETIONARY USES

Accessory Building or Use over 18.6 m^2 (200 ft^2) ~~or use~~
~~Alternative/Renewable Energy, Individual – except roof mounted solar panels~~
Auto Repair Shop
Auto Sales and Service
~~Brew pubs~~
~~Campground~~
Canvas Covered Structure
Car Wash
Contractor Services, Limited
~~Contractor, general~~
Drive-In Food Service
Dwelling Unit, secondary to an approved use (maximum 2 units)
Entertainment Establishment
~~Equipment Sales, Rentals and Service~~
~~Fitness centres~~
Funeral Home~~s~~
Gaming or Gambling Establishment
~~Garden centres~~
Hostel
~~Hotels~~
~~Kennels~~
~~Liquor stores~~
Machinery and Equipment Sales and Repair
Medical and/or Dental Clinic
Mixed-Use Building
Mixed-Use Development
~~Pawn shops~~
~~Personal service~~
Parking Facility
Place of Worship
Private Utility – freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Recreation Facility, Indoor (Large)
Recreation Facility, Outdoor
~~Recreational Vehicle Park~~
Recreational Vehicle and/or Manufactured Home Sales and Rentals
Retail – Store, Large ~~scale~~
~~Retail sales~~
Shipping Container, 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),~~
Roof
~~Secondary~~
Third-Party
~~Taxidermy~~
Temporary Auto Sales
Temporary Storage Yard
Tourist Home, inside an approved dwelling unit
Travel Plaza
~~Veterinary clinics~~
Warehouse
Warehouse Store
Workshop

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m²	ft²
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 ACCESSORY BUILDING YARD SETBACKS

Front Yard – requires approval ~~to be located in front yard~~
Side Yard – 1.2 m (4 ft)
Rear Yard – 1.2 m (4 ft)

5. MAXIMUM LOT COVERAGE RATIO

Principal building and accessory buildings – 40%.

6. MAXIMUM BUILDING HEIGHT

Principal building – 7.6 m (25 ft)
Accessory buildings – 5.0 m (16.4 ft)~~4.5 m (14.8)~~

7. STANDARDS OF DEVELOPMENT – See Schedule 4.

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

9. **RELOCATION OF BUILDINGS** – See Schedule 7.

10. **SIGN STANDARDS** – See Schedule 11.

11. **~~KENNEL~~ ANIMAL CARE SERVICE FACILITY REGULATIONS** – See Schedule 13.

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

13. **HISTORIC COMMERCIAL AREAS** – See ~~Schedule 16~~ the Historic Commercial Areas Overlay District (HCAOD).

14. **STANDARDS FOR SHORT-TERM RENTAL/BED & BREAKFAST AND TOURIST HOME** – See Schedule 17~~18~~.

15. **DEFINITIONS** – See Schedule 18~~19~~.

DRAFT

COMPREHENSIVE COMMERCIAL – C-3

PURPOSE: *To provide for commercial uses within a comprehensively planned development, which relies on factors such as location, access and serviceability.~~To provide for a range 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

Accessory Building or Use up to 18.6 m^2 (200 ft^2)
~~Alternative/Renewable Energy, Individual – restricted to roof mounted solar panels only~~
Animal Care Service Facility, Small
Arts and Crafts Studio
Cannabis Retail Sales
Exploratory Excavation
Financial Institution
Food and/or Beverage Service
Medical and/or Dental Clinic
Office
Personal Service
Private Utility – except freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Retail – Store, Small
Sign – Types:
- A-board
- Canopy
- Fascia and Wall
- Freestanding
- Murals
- Portable
- Projecting
- Subdivision or Development Marketing

Stockpiling

DISCRETIONARY USES

Accessory Building or Use over 18.6 m^2 (200 ft^2)
~~Alternative/Renewable Energy, Individual – except roof mounted solar panels~~
~~Bakeries, retail~~
~~Banks and other financial institutions~~
~~Building Supply Centreoutlets~~
~~Gas bars~~
~~Liquor stores~~
~~Medical and/or Dental Clinic~~
~~Office~~
~~Personal Service~~
~~Restaurants~~
Private Utility – freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Retail – Store, Large
Retail – Shopping Mall
~~Retail sales~~
~~Taxidermy~~
~~Travel agencies~~
~~Veterinary clinics~~
Sign – Types:
- ~~14 (Freestanding), 16 (Multiple Listing), 17 (Murals), 19 (Projecting),~~
- Roof
- ~~Secondary~~
- Third-Party

Temporary Auto Sales

2. MINIMUM LOT SIZE

~~As required~~As approved by the Subdivision Authority.

3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS

~~As required~~As approved by the Development Authority.

4. MINIMUM ACCESSORY BUILDING YARD SETBACKS

Front Yard	–	requires approval~~ to be located in front yard~~
Side Yard	–	1.2 m (4 ft)
Rear Yard	–	1.2 m (4 ft)

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5. MAXIMUM BUILDING HEIGHT

Principal building	–	6.1 m (20 ft)
Accessory buildings	–	5.0 m (16.4 ft)~~4.5 m (14.8 ft)~~

6. STANDARDS OF DEVELOPMENT – See Schedule 4.

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

8. RELOCATION OF BUILDINGS – See Schedule 7.

9. SIGN STANDARDS – See Schedule 11.

10. HISTORIC COMMERCIAL AREAS – See ~~Schedule 16~~ the Historic Commercial Areas Overlay District (HCAOD).

11. DEFINITIONS – See Schedule 18~~19~~.

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

Accessory Building or Use up to 18.6 m² (200 ft²)
Cannabis Retail Sales
Contractor Services, Limited
Private Utility – except freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Sign – Types:
- A-board
- Canopy
- Fascia and Wall
- Murals
- Portable
- Projecting

DISCRETIONARY USES

Accessory Building or Use over 18.6 m² (200 ft²)
~~Bakeries~~
~~Barber shops~~
~~Beauty salons~~
~~Coffee shops or restaurants~~
~~Laundromats~~
Office
Personal Service
Private Utility – freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Retail – Store, Small
Retail – Store, Large
Sign – Types:
- ~~17 (Murals), 19 (Projecting), and~~
- Roof

~~Residence secondary to an approved use~~

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	~~ft.~~	m	~~ft.~~	m²	ft²
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	none	none	7.6	25

4. MINIMUM ACCESSORY BUILDING YARD SETBACKS

Front Yard – requires approval ~~to be located in front yard~~
Side Yard – 0.9 m (3 ft)
Rear Yard – 0.9 m (3 ft)

5. MAXIMUM LOT COVERAGE RATIO

Principal building and accessory buildings – 80%

6. MAXIMUM BUILDING HEIGHT

Principal building – 10.0 m (32.8 ft)

Accessory buildings – 5.0 m (16.4 ft)~~4.5 m (14.8 ft)~~

7. STANDARDS OF DEVELOPMENT – See Schedule 4.

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

9. RELOCATION OF BUILDINGS – See Schedule 7.

10 SIGN STANDARDS – See Schedule 11.

11. HISTORIC COMMERCIAL AREAS – See ~~Schedule 16~~ the Historic Commercial Areas Overlay District (HCAOD).

12. DEFINITIONS – See Schedule 18~~19~~.

COMPREHENSIVE MIXED USE – CM-1

PURPOSE: *To provide for a comprehensively planned destination that offers a mix of Mixed-Use Buildings ~~flexible multi-use buildings~~ with an active ground floor development and a variety of commercial, business, ~~and~~ tourism and multi-unit residential uses, shared parking and amenities. ~~, and multi-modal connections to surrounding lands. Multi-unit residential uses may be considered.~~*

1. PERMITTED USES

Accessory Building or Use
up to 18.6 m² (200 ft²)
~~Alternative/Renewable Energy, Individual – restricted to roof mounted solar panels only~~
Animal Care Service Facility, Small
Apartment Building not exceeding
4 storeys or 17.3 m (56.9 ft)
Arts and Crafts Studio
~~Bakery~~
Cannabis Retail Sales
Exploratory Excavation
~~Coffee Shop~~
~~Convenience Store~~
~~Drinking Establishment~~
~~Farmer's Market~~
Financial Institution
Food and/or Beverage Service
Home Occupation – Class 1
Hotel
~~Kiosk~~
Medical and/or Dental Clinic
Mixed-Use Building not exceeding
4 storeys or 17.3 m (56.9 ft)
Mixed-Use Development
Office
~~Parking Facility~~
Personal Service
~~Institution~~
Private Utility – except freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Recreation Facility, Indoor (Small)
~~Restaurant~~
~~Retail~~
Retail – Store, Small
Retail – Store, Large
~~Shopping Malls~~
Sign – Types:
A-board
Canopy
Fascia and Wall
Freestanding
Home Occupation

DISCRETIONARY USES

Accessory Building or Use
over 18.6 m² (200 ft²)
~~Alternative/Renewable Energy, Individual – except roof mounted solar panels~~
Apartment Building exceeding
4 storeys or 17.3 m (56.9 ft)
~~Athletic and Recreational Facilities~~
~~Auditorium~~
~~Boarding House~~
~~Car Wash~~
Community Facility
Cultural Establishment ~~Entertainment~~
Drive-In Food Service
Entertainment Establishment
~~Factory-Built Housing~~
~~Financial Institution~~
~~Fitness Centre~~
~~Food Services / Catering~~
Home Occupation – Class ~~1 and~~ 2
Mixed-Use Building exceeding
4 storeys or 17.3 m (56.9 ft
Multi-Unit Residential Building
Parking Facility
Private Utility – freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Recreation Facility, Indoor (Large)
~~Liquor Store~~
~~Motel~~
~~Multi-family Dwelling~~
~~Printing Establishment, Commercial~~
~~Sign – Types:~~
~~14 (Freestanding),~~
~~16 (Multiple Listing),~~
~~17 (Murals) and~~
~~21 Secondary~~
~~Temporary Structure~~
~~Travel Agency~~
~~Veterinary Clinic~~

Murals
Portable
Projecting
Subdivision or Development Marketing
Stockpiling
~~Workshop~~

2. MINIMUM LOT SIZE

0.4 hectares (1 acre)

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 ACCESSORY BUILDING YARD SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	~~ft.~~	m	~~ft.~~	m	~~ft.~~
All accessory buildings	Requires approval ~~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

Mixed-Use Building not exceeding 4 storeys	–	17.3 m (56.9 ft)
Mixed-Use Building exceeding 4 storeys	–	As approved by the Development Authority
Other Principal Building	–	14 m (45.9 ft)
Accessory Building	–	5.0 m (16.4 ft)~~14 m (45.9 ft)~~

6. STANDARDS OF DEVELOPMENT

a. All development shall comply with the following ~~schedule~~Schedules, as ~~required~~applicable:
   i. Schedule 4 (Standards of Development);
   ii. Schedule 5 (Standards for Apartment, Multi-Unit Residential and Mixed-Use Buildings~~Multi-Family Dwelling Standards)~~;
   iii. Schedule 8 (Criteria for Home Occupations); and
   iv. Schedule 12 (Standards for Renewable Energy Operations).~~(Alternative / Renewable Energy Developments).~~

b. In addition to the above Schedules, the following development standards shall apply:
   1 All buildings shall include 2 or more uses;
   2 Uses on ground floor shall include active commercial or retail uses that contribute to street-level pedestrian activity;
   3 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 to the standard established in Schedule 4, prior to the approval of a development permit application.

7. OFF-STREET PARKING AND LOADING

All development shall comply with the Off-Street Parking and Loading Area Standards Schedule of this Bylaw – 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 (including an assessment of the need for RV parking stalls if deemed appropriate or necessary by the Development Authority).

8. RELOCATION OF BUILDINGS – See Schedule 7.

9. SIGN STANDARDS – See Schedule 11.

10. DEFINITIONS – See Schedule 18~~19~~.

DRAFT

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

Accessory Building or Use up to 18.6 m^2 (200 ft^2)
Animal Care Service Facility, Small
Arts and Crafts Studio
Auction Market
Auto Body and Paint Shop
Auto Repair Shop
Auto Sales and Service
Building Supply Centre
Car Wash
Contractor Services, Limited
Contractor Services, General
Exploratory Excavation
Farm Supplies and Service
Garden Centre
Light Manufacturing
Machinery and Equipment Sales and Repair
Mini Storage Facility
Moved-In Building
Private Utility – except freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Recreation Facility, Indoor (Small)
Recreational Vehicle and/or Manufactured Home Sales and Rentals
Recreational Vehicle Storage
~~Alternative/Renewable Energy, Individual~~
Retail – Accessory
Sign – Types:
- A-board
- Canopy
- Fascia and Wall
- Freestanding
- Murals
- Portable
- Projecting
- Subdivision or Development Marketing

Stockpiling

DISCRETIONARY USES

Accessory Building or Use over 18.6 m^2 (200 ft^2)
Agriculture-Related Industry
Airport
Animal Care Service Facility, Large
~~Auction Market~~
Auction Market, Livestock
~~Auto Sales and Service~~
Auto Wreckage and Salvage
Bottling Plant
~~Building supply centres~~
Bulk Fertilizer Storage and Sales
Bulk Fuel Sales and Storage
Canvas Covered Structure
Community Facility
~~Car washes~~
~~Card locks~~
~~Concrete batch plants~~
Drive-In Theatre
Dwelling Unit, secondary to an approved use
Funeral Home
~~Farm Supplies and ServiceFitness Centre~~
~~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 – freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Recreational Facility, Indoor (Large)
Recreational Facility, Outdoor
~~Recreational vehicle storage~~
Recycling Facility
Renewable Energy Operation
Resource Processing ~~plants~~
~~Retail Use accessory to an approved use~~
Shipping Container, accessory to an approved use
Sign – Types:
- ~~14 (Freestanding), 16 (Multiple Listing), 17 (Murals), 19 (Projecting),~~

DRAFT

Roof
~~Secondary~~
Third-Party
Surveillance Suite
~~Taxidermy~~
Temporary Storage Yard
Transportation Terminal ~~Truck Transport Depot~~
Travel Plaza
~~Truck washes~~
~~Veterinary clinics~~
Warehouse
Warehouse Store
~~Warehousing and storage, indoor and outdoor~~
~~Welding Shop~~
~~Wind Energy Conversion System, ommercial (WECS) - Category 1 and 2~~
Work Camp
Workshop

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	~~ft.~~	m	~~ft.~~	m^2	ft^2
All uses	15.2	50	30.5	100	557.4	6,000

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 street side yard	15	7.6	25

4. MINIMUM ACCESSORY BUILDING YARD SETBACKS

Front Yard – requires approval ~~to be located in front yard~~
Side Yard – 1.5 m (5 ft)

Rear Yard – 1.5 m (5 ft)

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. RELOCATION OF BUILDINGS – See Schedule 7.

9. SIGN STANDARDS – See Schedule 11.

10. STANDARDS FOR RENEWABLE ENERGY OPERATIONS~~WIND ENERGY CONVERSION SYSTEMS (WECS)~~ – See Schedule 12.

11. ~~KENNEL~~ ANIMAL CARE SERVICE FACILITY REGULATIONS – See Schedule 13.

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

13. WORK CAMP REGULATIONS – See Schedule 16~~17~~.

14. DEFINITIONS – See Schedule 18~~19~~.

DRAFT

SENTINEL INDUSTRIAL PARK – SIP-1

PURPOSE: *To accommodate industrial uses that are suitable for the Sentinel area, having regard to Municipal Development Plan policy respecting the lack of water and wastewater infrastructure as well as access and egress considerations in the context of the ultimate freeway plan and future interchange for Highway 3. ~~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

Accessory Building or Use
up to 18.6 m^2 (200 ft^2)
Arts and Crafts Studio
Auction Market
Auto Body and Paint Shop
Auto Repair Shop
Auto Sales and Service
Building Supply Centre
Cannabis Production Facility
~~Contractors~~
Contractor Services, Limited
Contractor Services, General
Exploratory Excavation
Farm Supplies and Service
Light Manufacturing
Machinery and Equipment Sales and Repair
Mini Storage Facility
Moved-In Building
Private Utility – except freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Recreation Facility, Indoor (Small)
Recreational Vehicle and/or Manufactured Home Sales and Rentals
Recreational Vehicle Storage
~~Alternative/Renewable Energy, Individual~~
Retail – Accessory
Sign – Types:
- A-board
- Canopy
- Fascia and Wall
- Freestanding
- Murals
- Portable
- Projecting
- Subdivision or Development Marketing

Stockpiling

DISCRETIONARY USES

~~Abattoirs~~
Accessory Building or Use
over 18.6 m^2 (200 ft^2) ~~or and Use~~
Agriculture-Related Industry
Airport
Animal Care Service Facility, Large
~~Auction Market~~
Auction Market, Livestock
~~Automotive Sales, storage and Service~~
Auto Wreckage and Salvage
Bottling Plant
~~Building supply centres~~
Bulk Fertilizer Storage and Sales
Bulk Fuel Sales and Storage
Canvas Covered Structure
Community Facility
~~Car Wash~~
~~Card locks~~
~~Concrete batch plants~~
Drive-In Theatre
~~Residence~~ Dwelling Unit, secondary to an approved use
Funeral Home
~~Farm Supplies and Service~~
~~Food Processing~~
Garden Centre
~~Helipad / Heliport~~
~~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 – freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Recreational Facility, Indoor (Large)
Recreational Facility, Outdoor
~~Recreational vehicle storage~~
Recycling Facility
Renewable Energy Operation

DRAFT

~~Repair garages~~
Resource Processing ~~plants~~
~~Retail sales accessory to an approved use~~
Shipping Container, accessory to an approved use
Sign – Types:
~~14 (Freestanding), 16 (Multiple Listing), 17 (Murals), 19 (Projecting),~~
Roof
~~Secondary~~
Third-Party
Surveillance Suite
~~Taxidermy~~
Temporary Storage Yard
~~Truck stops~~
Transportation Terminal
Travel Plaza
Warehouse
Warehouse Store
Work Camp
Workshop
~~Truck transport depot~~
~~Truck washes~~
~~Veterinary clinics~~
~~Welding Shop~~
~~Wind Energy Conversion System (WECS) - Category 1 and 2~~

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m^2	ft^2
All uses	30.0	98.4	70.0	229.7	2,100	22,605

3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All principal uses	9.1	30	3.0	10	3.0	10

4. MINIMUM ACCESSORY BUILDING YARD SETBACKS

Front Yard – requires approval ~~to be located in front yard~~
Side Yard – 1.5 m (5 ft)
Rear Yard – 1.5 m (5 ft)

5. MAXIMUM BUILDING HEIGHT

Principal building – ~~as required~~As approved by the Development Authority
Accessory buildings – 7.6 m (25 ft)

6. STANDARDS OF DEVELOPMENT – See Schedule 4.

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

8. **RELOCATION OF BUILDINGS** – See Schedule 7.

9. **SIGN STANDARDS** – See Schedule 11.

10. **STANDARDS FOR RENEWABLE ENERGY OPERATIONS~~WIND ENERGY CONVERSION SYSTEMS (WECS)~~** – See Schedule 12.

11. **~~KENNEL~~ ANIMAL CARE SERVICE FACILITY REGULATIONS** – See Schedule 13.

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

13. **WORK CAMP REGULATIONS** – See Schedule 16~~17~~.

14. **DEFINITIONS** – See Schedule 18~~19.~~

DRAFT

RECREATION AND OPEN SPACE – RO-1

PURPOSE: *To provide for institutional uses, public parks and open space within the municipality.*

1. PERMITTED USES

Accessory Building or Use
up to 18.6 m^2 (200 ft^2)
~~Environmental reserves, dedicated~~
Exploratory Excavation
Private Utility – except freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Public Open Space
Recreation Facility, Indoor (Small)
Recreation Facility, Outdoor
Sign – Types:
A-board
Fascia and Wall
Freestanding
Murals
Portable
Projecting
~~Sportsfields~~
Stockpiling

DISCRETIONARY USES

Accessory Building or Use
over 18.6 m^2 (200 ft^2)
Canvas Covered Structure
Cemetery
~~Cenotaph~~
Community Facility
Cultural Establishment
Emergency Service
~~Institution~~
~~Public recreation buildings~~
Private Utility – freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Recreation Facility, Indoor (Large)
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),~~
Roof
~~Secondary~~
Third-Party

2. MINIMUM LOT SIZE

~~As required~~As approved by the Subdivision Authority.

3. MINIMUM YARD SETBACKS

~~As required~~As approved by the Development Authority.

4. MAXIMUM BUILDING HEIGHT

Principal building	–	7.6 m (25 ft)
Accessory buildings	–	5.0 m (16.4 ft)

~~4.~~5. MAXIMUM LOT COVERAGE RATIO

~~As required~~As approved by the Development Authority.

~~5.~~6. STANDARDS OF DEVELOPMENT – See Schedule 4.

DRAFT

~~6.~~7. **OFF-STREET PARKING AND LOADING** – See Schedule 6.

~~7.~~8. **SHIPPING CONTAINER / TRANSPORT TRAILER REGULATIONS** – See Schedule 14.

~~8.~~9. **DEFINITIONS** – See Schedule 18~~19~~.

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

Accessory Building or Use
up to 18.6 m^2 (200 ft^2)
~~Alternative/Renewable Energy, Individual – restricted to roof mounted solar panels only~~
Community Facility
Emergency Service
Exploratory Excavation
Private Utility – except freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Public Open Space
Recreation Facility, Indoor (Small)
Sign – Types:
- A-board
- Fascia and Wall
- Freestanding
- Murals
- Portable
- Projecting

Stockpiling

DISCRETIONARY USES

Accessory Building or Use
over 18.6 m^2 (200 ft^2)
~~Alternative/Renewable Energy, Individual – except roof mounted solar panels~~
~~Auditoriums~~
Canvas Covered Structure
Cemetery
~~Cenotaph~~
~~Community Facility~~
Cultural Establishment
~~Educational facilities, other than a school~~
Extended Care Facility
~~Fire halls~~
~~Government buildings~~
Health Care Facility
~~Hospitals~~
~~Libraries~~
Medical and/or Dental Clinic
~~Museums~~
~~Municipal offices~~
Place of Worship
Private Utility – freestanding Solar Collector and freestanding Small Wind Energy Conversion System
~~Police stations~~
~~Post offices~~
Recreation Facility, Indoor (Large)
Recreation Facility, Outdoor
~~Institution~~
~~Schools~~
Seniors Supportive Housing Facility
~~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),~~
- Roof
- ~~Secondary~~
- Third-Party

DRAFT

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m^2	ft^2
All uses	13.7	45	30.5	100	418.1	4,500

3. MINIMUM PRINCIPAL BUILDING YARD SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All uses	4.6	15	1.5	5	3.0	10

4. MINIMUM ACCESSORY BUILDING YARD SETBACKS

Front Yard – requires approval ~~to be located in front yard~~
Side Yard – 0.9 m (3 ft)
Rear Yard – 0.9 m (3 ft)

5. MAXIMUM BUILDING HEIGHT

Principal building – 7.6 m (25 ft)
Accessory buildings – 5.0 m (16.4 ft)~~4.5 m (14.8 ft)~~

6. MAXIMUM LOT COVERAGE RATIO

Principal building – 40%
Accessory buildings – 10%

7. STANDARDS OF DEVELOPMENT – See Schedule 4.

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

9. SIGN STANDARDS – See Schedule 11.

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

11. DEFINITIONS – See Schedule 18~~19~~.

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 Building or Use
up to 18.6 m² (200 ft²)~~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~~
Exploratory Excavation
Private Utility – except freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Recreation Facility, Indoor (Small)
Sign – Types:
- A-board
- Fascia and Wall
- Freestanding
- Murals
- Portable
- Projecting
- Subdivision or Development Marketing

Stockpiling
Tree Felling, not within minimum yard setback

DISCRETIONARY USES

Accessory Building or Use
over 18.6 m² (200 ft²) ~~13.9 m² (150 sq. ft.) in area~~
~~Alternative/Renewable Energy, Individual – except roof mounted solar panels~~
Campground
Canvas Covered Structure
Community Facility
Cultural Establishment
Drive-In Theatre
Dwelling Unit, secondary to an approved use
Hostel
~~Institution~~
Private Utility – freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Recreation Facility, Indoor (Large)
Recreation Facility, Outdoor
Recreational Vehicle Park
Recreational Vehicle Storage
Resort
Riding Arena ~~stables~~
~~Rodeo Grounds~~
Sign – Types:
- ~~13 (Fascia and Wall),~~
- ~~14 (Freestanding), 16 (Multiple Listing),~~
- ~~17 (Murals), 19 (Projecting),~~
- Roof
- ~~Secondary~~
- Third-Party

Surveillance Suite
Tree Felling, within minimum yard setback
~~Wind Energy Conversion System (WECS) - Category 1 and 2~~

2. MINIMUM LOT SIZE

1.2 hectares (3 acres).

3. MINIMUM YARD SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft	m	ft	m	ft
Tree Felling	15.2	50	15.2	50	15.2	50
All other uses	As approved by the Development Authority					

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~~As required by the Development Authority.~~

4. **~~MINIMUM~~ MAXIMUM BUILDING HEIGHT**
   ~~As required~~As approved by the Development Authority.

5. **MAXIMUM LOT COVERAGE RATIO**
   ~~As required~~As approved by the Development Authority.

6. **STANDARDS OF DEVELOPMENT** – See Schedule 4.

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

8. **RELOCATION OF BUILDINGS** – See Schedule 7.

9. **SIGN STANDARDS** – See Schedule 11.

10. **DEFINITIONS** – See Schedule 18~~19~~.

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 Building or Use
- up to 18.6 m² (200 ft²) ~~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~~
Exploratory Excavation
Private Utility – except freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Recreation Facility, Indoor (Small)
Resort
Sign – Types:
- A-board
- Fascia and Wall
- Freestanding
- Murals
- Portable
- Projecting
- Subdivision or Development Marketing

Stockpiling
Tree Felling, not within minimum yard setback

DISCRETIONARY USES

Accessory Building or Use
- over 18.6 m² (200 ft²) ~~13.9 m² (150 sq. ft.) in area~~

~~Alternative/Renewable Energy, Individual – except roof mounted solar panels~~
Campground
Canvas Covered Structure
Community Facility
Cultural Establishment
Drive-In Theatre
Dwelling Unit, secondary to an approved use
Hostel
~~Institution~~
Private Utility – freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Recreation Facility, Indoor (Large)
Recreation Facility, Outdoor
Recreational Vehicle Park
Recreational Vehicle Storage
Riding Arena ~~stables~~
~~Rodeo Grounds~~
Sign – Types:
- ~~13 (Fascia and Wall),~~
- ~~14 (Freestanding), 16 (Multiple Listing),~~
- ~~17 (Murals), 19 (Projecting),~~
- Roof
- ~~Secondary~~
- Third-Party

Surveillance Suite
Tree Felling, within minimum yard setback
~~Wind Energy Conversion System (WECS) - Category 1 and 2~~

2. MINIMUM LOT SIZE

1.2 hectares (3 acres)

3. MINIMUM YARD SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft	m	ft	m	ft
Tree Felling	15.2	50	15.2	50	15.2	50

All other uses	As approved by the Development Authority

~~As required by the Development Authority.~~

4. ~~MINIMUM~~ MAXIMUM BUILDING HEIGHT

~~As required~~As approved by the Development Authority.

5. MAXIMUM LOT COVERAGE RATIO

~~As required~~As approved by the Development Authority.

6. STANDARDS OF DEVELOPMENT – See Schedule 4.

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

8. RELOCATION OF BUILDINGS – See Schedule 7.

9. SIGN STANDARDS – See Schedule 11.

10. DEFINITIONS – See Schedule 18~~19~~.

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 72.8 m^2 (784 ft^2)~~ in area~~, secondary to an approved principal building or use
Agriculture
Exploratory Excavation
Home Occupation – Class 1
Private Utility – except freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Secondary Suite, Attached
Short-Term Rental / Bed & Breakfast, inside an approved dwelling unit
Sign – Types:
- Fascia and Wall
- Freestanding
- Murals
- Portable
- Projecting

Stockpiling
Tree Felling, not within minimum yard setback

DISCRETIONARY USES

Accessory Building or Use
over 72.8 m^2 (784 ft^2)~~ in area~~, secondary to an approved principal building or use
Animal Care Service Facility, Large
Animal Care Service Facility, Small
Auction Market
Auction Market, Livestock
Canvas Covered Structure
~~Commercial logging~~
Contractor Services, Limited~~general~~
~~Dairies~~
Drive-In Theatre
~~Extensive agriculture~~
Home Occupation – Class ~~1 and~~ 2
~~Horticulture~~
Intensive Horticultural Operation~~Intensive livestock operation~~
~~Isolated country residential~~
~~Kennels~~
Manufactured Home
~~Modular home~~
Moved-In Building
Moved-In Dwelling
~~Institution~~
Private Utility – freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Recreational Vehicle Storage
Renewable Energy Operation
~~Alternative/Renewable Energy, Individual~~
~~Resource development activities~~
Resource Extraction ~~uses~~
Resource Processing~~ activities~~
Riding Arena
Secondary Suite, Detached
Sign – Types:
- ~~13 (Fascia and Wall),~~
- ~~14 (Freestanding), 16 (Multiple Listing),~~
- ~~17 (Murals), 19 (Projecting),~~
- Roof
- ~~Secondary~~
- Third-Party

Single-~~family~~Detached Dwelling
Tourist Home, inside an approved dwelling unit

Tree Felling, within minimum yard setback
Work Camp
~~Wind Energy Conversion System (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 Services, Limited~~general~~ – 4.0 hectares (10 acres)
Other uses – 1.2 hectares (3 acres) or existing titles

3. MINIMUM YARD 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	20	3.05	10
Tree Felling	In accordance with the above					

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)
Secondary Suite, Detached (above garage) – 7.5 m (24.6 ft)
Secondary Suite, Detached (stand-alone structure) – 5.0 m (16.4 ft)
Other a~~A~~ccessory buildings – 6.1 m (20.0 ft)

5. MINIMUM HABITABLE FLOOR AREA OF PRINCIPAL BUILDING

Single-Detached Dwelling – 102 m^2 (1,100 ft^2) habitable floor area

6~~5~~. STANDARDS OF DEVELOPMENT – See Schedule 4.

7~~6~~. OFF-STREET PARKING AND LOADING – See Schedule 6.

8~~7~~. RELOCATION OF BUILDINGS – See Schedule 7.

9~~8~~. CRITERIA FOR HOME OCCUPATIONS – See Schedule 8.

10~~9~~. ~~MODULAR~~ MANUFACTURED HOME DEVELOPMENT STANDARDS – See Schedule 9.

11~~10~~. SIGN STANDARDS – See Schedule 11.

12~~11~~. STANDARDS FOR RENEWABLE ENERGY OPERATIONS~~WIND ENERGY CONVERSION SYSTEMS~~ – See Schedule 12.

13~~12~~. ~~KENNEL~~ ANIMAL CARE SERVICE FACILITY **REGULATIONS** – See Schedule 13.

14~~13~~. **STANDARDS FOR SECONDARY SUITES** – See Schedule 15.

15~~14~~. **STANDARDS FOR SHORT-TERM RENTAL / BED & BREAKFAST AND TOURIST HOME** – see Schedule 17~~18~~.

16~~15~~. **DEFINITIONS** – See Schedule 18~~19~~.

DRAFT

HISTORIC COMMERCIAL AREAS OVERLAY DISTRICT (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 in the underlying land use district.

Discretionary Uses: Those uses listed as discretionary in the underlying land use district.

Application: The regulations in this District apply to 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 Advisory Committee~~Board~~ for comment along with complete drawings to the satisfaction of the Development Officer and the Municipal Historic Resources Advisory Committee ~~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. 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 Advisory Committee~~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 Advisory Committee~~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, it is exempted from the parking requirements in the Off-street Parking and Loading Area Standards Schedule of this Bylaw, except when:

   (a) the ~~gross~~ net floor area of the building is increased, and/or

   (b) an additional dwelling unit is added.

   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, 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 of this Bylaw.

3. For developments that are not exempted by this Schedule, the Development Authority may approve an alternative parking plan in accordance with the Off-street Parking and Loading Area Standards Schedule of this Bylaw.

4. For developments that are not exempted by this Schedule, the Development Authority may approve a modification of the parking layout standard listed in the Off-street Parking and Loading Area Standards Schedule of this Bylaw, 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.

AREAS OF POTENTIAL ENVIRONMENTAL CONCERN OVERLAY DISTRICT (APECOD)

Purpose: To promote public and landowner awareness of the presence and location of existing closed nuisance grounds that constitute Areas of Potential Environmental Concern (APECs) in the Crowsnest Pass, and of the best practices and standards that are encouraged and, in some instances, required for the development of a residence, school or hospital, or for a subdivision for residential, school or hospital purposes, within proximity of these areas.

Permitted Uses: Those uses listed as permitted in the underlying land use district.

Discretionary Uses: Those uses listed as discretionary in the underlying land use district.

Application:

1. The extent of the Overlay District is the land area within the recommended 300 m setback distance from the Bushtown, Old Sartoris Staging Area, Hillcrest Ball Diamond Road, and Bellevue Old Highway 3 nuisance grounds / APECs, as identified in the attached maps.

2. Except for the exemptions provided for herein, the regulations in this Overlay District apply to:
   - a proposed subdivision for the purpose of residential, school or hospital development;
   - the development of a residence and an addition to an existing residence or a school or hospital on an existing lot~~parcel~~; and
   - the development of parks and recreation areas;

   located within the distances from the APECs as determined in the Overlay District.

Exemption:

1. The following types of development **are exempt** from the regulations prescribed in this Overlay District: ~~do not apply~~
   - a development permit application for a use or a building / structure that is deemed to not be a residence, school or hospital;
   - a development or a parcel of land that existed on February 07, 2023, which may continue in its present form but shall not be added to or subdivided except as allowed as per the relevant provisions of this District;
   - an addition without a basement to an existing residence or the development of a new residence without a basement; and
   - a development permit application for an accessory structure associated with an existing or proposed residence, such as an outdoor space, an uncovered deck, a shed, or a garage. ~~, is not restricted by the provisions of the Overlay District.~~

2. At the discretion of the Development Authority, the following types of development and subdivision **may be exempt** from the regulations prescribed in this Overlay District:
   - a development permit application for a residence that involves minimal soil disturbance; and
   - a subdivision for a boundary line adjustment, a party wall subdivision, or a title separation.

~~1. and these may continue in their present form but shall not be added to or subdivided unless the application complies with the development and subdivision regulations established herein.~~

Development and Subdivision Regulations:

1. A development permit application that is proposed on lands located within the Overlay District shall demonstrate compliance with the standards and best practices established in this Overlay District, to the satisfaction of the Development Authority, as follows:

   1.1 An addition with a basement to an existing residence or the development of a new residence with a basement, or the development of a school or hospital, requires a Phase II Environmental Site Assessment that verifies the absence of contaminants, offsite gas migration, or confirms that monitoring, mitigative measures and/or preventative measures are implemented, unless the Municipality of Crowsnest Pass previously completed the environmental assessment(s) and monitoring and provides the information to the applicant to make an informed decision to ensure that the nearby nuisance ground would not impact the proposed development. The Development Authority could require an applicant to include additional mitigative measures (i.e. soil vapour barriers applied to the basement walls) as part of the new construction.

   1.2 The development of a park or other recreational use should be restricted until a human health and ecological risk assessment is completed, to ensure there are no adverse affects from potential contamination in soil or water.

2. A subdivision application that is proposed on lands located within the Overlay District shall demonstrate compliance with the standards and best practices established in this Overlay District, as follows:

   2.1 A subdivision application requires a Phase II Environmental Site Assessment that verifies the absence of contaminants, offsite gas migration, or confirms that monitoring, mitigative measures and/or preventative measures are implemented, unless the Municipality of Crowsnest Pass previously completed the environmental assessment(s) and monitoring and provides the information to the applicant to make an informed decision to ensure that the nearby nuisance ground would not impact the proposed subdivision.

   2.2 A subdivision application for the development of a park or other recreational use should be restricted until a human health and ecological risk assessment is completed, to ensure there are no adverse effects from potential contamination in soil or water.

Rationale and Additional Information:

The Municipality of Crowsnest Pass (MCNP) retained Associated Environmental Consultants Inc. (Associated) to conduct an Environmental Overview of multiple nuisance grounds within the municipality, collectively referred to as the Project Area. On February 07, 2023 ~~the Municipal~~ Council received the final report for information and approved its public release. The rationale for the Overlay District is a partial and paraphrased extract from the Executive Summary of the final report. Additional and more detailed information may be obtained from the final report, "*Municipality of Crowsnest Pass Nuisance Grounds Environmental Overview – 2022-8246*" dated February 2023, which is available on the municipal website. In May 2023 the MCNP retained Associated Environmental Consultants Inc. to initiate Phase II Environmental Site Assessment and monitoring for the two nuisance grounds that it owns, i.e. Old Sartoris Staging Area and Hillcrest Ball Diamond Road.

Background

This project was initiated to determine whether setback variances are needed for previous and future developments within 300 metres (m) of the Project Area pursuant to the *Guideline for Setback Reviews*

[Waste Facility]. The *Guideline* outlines the requirements for developers, subdivision authorities, and development authorities to evaluate a new development permit or subdivision application where the setback distances are planned or being considered to be reduced to less than the default 300 m setback for new residences, schools, and hospitals. Typically, the default setback is 300 m from a non-operating landfill, pursuant to the *Matters Related to Subdivision and Development Regulation – Alberta Regulation 84/2022, dated October 24 2022*. To reduce the setback, the subdivision authority or development authority needs to have sufficient data to confirm the absence of nuisance (odours, vectors, and smoke) and contaminant migration (emissions, leachate, and landfill gas), or data to confirm the absence of pathways (i.e. mitigative measures). Developers typically provide environmental reports that meet the applicable guidelines to the authority for review as part of their subdivision or development application.

The May 2022 *Guideline for Setback Reviews [Waste Facility]* is an update to the May 2013 *Requesting Consent To Vary the Setback Distance For A Development To A Non Operating Landfill* document. The 2013 version required subdivision authorities and development authorities to submit a request to then Alberta Environment and Sustainable Resources (ESRD) to grant Ministerial consent to the setback variance. The 2022 version removed the requirements of the subdivision authorities and development authorities to receive consent from the Minister of Alberta Environment and Protected Areas (AEPA, formerly ESRD and Alberta Environment and Parks [AEP]). Similarly, the October 24, 2022, updated *Alberta Regulation 84/2022, Matters Related to Subdivision and Development Regulation, Part 3, Section 17, "Distance from wastewater treatment, landfill, waste sites"*, removed the requirement that a subdivision authority or development authority requires written consent of the Deputy Minister of AEPA. Based on these regulation updates, the Development Authority or the Subdivision Authority of the MCNP is not required to submit a request for a setback variance to AEPA.

Scope of Work

A desktop review was conducted to search for historical documents and reports related to known former nuisance/dumping grounds within the Project Area. In addition to the historical documents and reports, historical aerial photographs were reviewed to identify any other potential dumping sites. Eight (8) potential dumping locations were identified through air photograph review in addition to the four known nuisance grounds (i.e. Bushtown, Old Sartoris Staging Area, Hillcrest Ball Diamond Road, and Bellevue Old Highway 3).

Following the desktop review, a geophysical survey was conducted by AKS Geoscience on September 1 and 2, 2022 to estimate the presence and extent of buried waste at nine of the twelve locations. The other three suspected sites were not surveyed because they were either discovered after the geophysical surveys had been completed at the other sites, were greater than 300 m away from current and potential future residential developments, or they are located on private property and the landowners did not give permission to access their properties for geophysical surveys.

From September 19 to 23, 2022, Associated completed site inspections and test pitting to confirm waste boundaries closest to nearby residences at Bushtown, Old Sartoris Staging Area, Hillcrest Ball Diamond Road, and Bellevue Old Highway 3.

Findings

Four locations (Bushtown, Old Sartoris Staging Area, Hillcrest Ball Diamond Road, and Bellevue Old Highway 3) are confirmed to be within 300 m of existing residences and may impact future neighbourhood expansions. Of the eight suspected former dumping locations, five are no longer suspected of containing buried waste. The other three sites could have potential buried waste, and it would be the responsibility of the private landowners to conduct their own environmental assessments for these locations.

The identified sites in this report are considered to be former nuisance grounds due to: 1) their age (dumping activities between the early 1940s to late 1970s); 2) that they were never formally operated or controlled; 3) had no record-keeping; and 4) that the dumping locations were never intended to be designed or

constructed for waste management. Therefore, **the identified former nuisance grounds should be treated as Areas of Potential Environmental Concern (APECs), rather than landfills as defined in Alberta Regulation 84/2022, and as having the potential for soil and/or groundwater contamination that should have quantitative assessments (i.e. Phase II Environmental Site Assessments [ESAs]) completed to confirm if there are impacts to human and ecological health receptors**.

Regulations and Government Correspondence

Based on correspondence with AEPA and Alberta Municipal Affairs, the MCNP, acting as the Subdivision/Development Authority, should amend and apply administrative controls (bylaws) that outline what type of permits/applications for both existing and new developments trigger additional environmental reviews if located within 300 m of a nuisance ground. The following items should be considered by the MCNP when amending/ updating or creating new bylaws:

Existing Properties and Development

- Existing properties do not fall under the Guideline for Setback Reviews [Waste Facility]. Therefore, MCNP is not restricted to limit permits/applications for existing developments and construction of items that are not considered residential dwellings. However, MCNP must make an informed decision when reviewing applications.
- The MCNP is not restricted to limit permits/applications for non-residential structures such as: outdoor spaces, uncovered decks, sheds, or garages. The MCNP could also allow additions to existing residential homes that do not have a basement.
- Based on the proximity to a nuisance ground, applications for home expansions or full home replacements that have basements should be more thoroughly scrutinized by MCNP. An environmental assessment must be available that verifies the absence of contaminants, offsite gas migration, or that preventative measures were put in place at the nuisance ground. The MCNP could also require an applicant to include additional mitigative measures (i.e. soil vapour barriers) as part of the new construction.
- Parks and recreational use should be restricted, until a human health and ecological risk assessment is completed, to ensure there are no adverse effects from potential contamination in soil or water.

New Developments and Subdivisions

- Schools and hospitals should not be constructed within 300 m of a nuisance ground without detailed environmental assessments and mitigative measures. Confirmation that no environmental concerns originating from the nuisance ground exist is required prior to construction.
- Parks and recreational use should be restricted, until a human health and ecological risk assessment is completed, to ensure there are no adverse effects from potential contamination in soil or water.
- Applicants for new developments or subdivisions should be required to conduct a detailed intrusive environmental assessment(s) to ensure that the nearby nuisance ground would not impact their development. Mitigative measures (i.e. soil vapour barriers) should be integrated into the design of their construction; unless MCNP previously completed the environmental assessments and provides the information to the applicant to make an informed decision.
- Environmental assessments, including on-going environmental monitoring of the nuisance grounds, should be kept recent (within five years), as there is potential for contaminants to change and migrate over time. Updated environmental assessments and/or monitoring may not be required if it can be proven that there are no human or ecological health concerns related to a nuisance ground and/or remediation was completed.

Other considerations for the MCNP are provided in Municipal Affairs' correspondence provided in Appendix N of the environmental overview report.

Recommendations

It is recommended that the APECs are assessed in the following order, from highest to lowest priority, based on existing residences and potential future neighbourhood expansions:

1. Bushtown (Owner: Alberta Government) – There is one existing residence approximately 50 m from buried waste, and dozens of existing houses within 60-300 m of the site, which are estimated to be hydraulically downgradient from the site. This site may also impact plans for future neighbourhood expansion.
2. Old Sartoris Staging Area (Owner: MCNP) – There are dozens of residences within 120 to 300 m from buried waste, which are estimated to be hydraulically downgradient from the site. Currently, this site does not impact potential future neighbourhood locations.
3. Hillcrest Ball Diamond Road (Owner: MCNP) – There are approximately five residences within 300 m of the site, one of which is estimated to be hydraulically downgradient. This site may also impact plans for future neighbourhood expansion.
4. Bellevue Old Highway 3 (Owner: Alberta Government) – There are approximately five residences within 170-300 m of the site, which are estimated to be hydraulically cross-gradient. Currently, this site does not impact potential future neighbourhood locations.

Potential contaminants of concern (PCOCs) in soil, groundwater, and soil vapour that should be assessed for include, but are not limited to: metals, salts (salinity), petroleum hydrocarbons (PHCs), BTEXS (benzene, toluene, ethylbenzene, xylenes, styrene), polycyclic aromatic hydrocarbons (PAHs), volatile organic compounds (VOCs), pesticides, herbicides, dioxins and furans, and gases (methane).

Additional information may be obtained from the environmental overview report. The findings for the four (4) confirmed APECs are provided in Table 1, and a summary of suspected nuisance grounds locations is provided in Table 2. The checklist showing outstanding items that should be obtained through Phase II ESAs is provided in Table 3.

The environmental overview report is limited by the information available through the desktop search, existing records and local residents' memories of the former nuisance ground locations. The earliest aerial photographs are from 1949 and have too poor of a resolution to discern the waste boundaries. Some of the historical records may have incorrect information or are too vague. The possibility remains that there are additional unidentified nuisance grounds that could be encountered. If other nuisance grounds are encountered, a similar approach should be implemented as recommended for the sites listed in this report. If additional information becomes available and is deemed pertinent to this Environmental Overview, Associated requests notification of such for amendment of this report.

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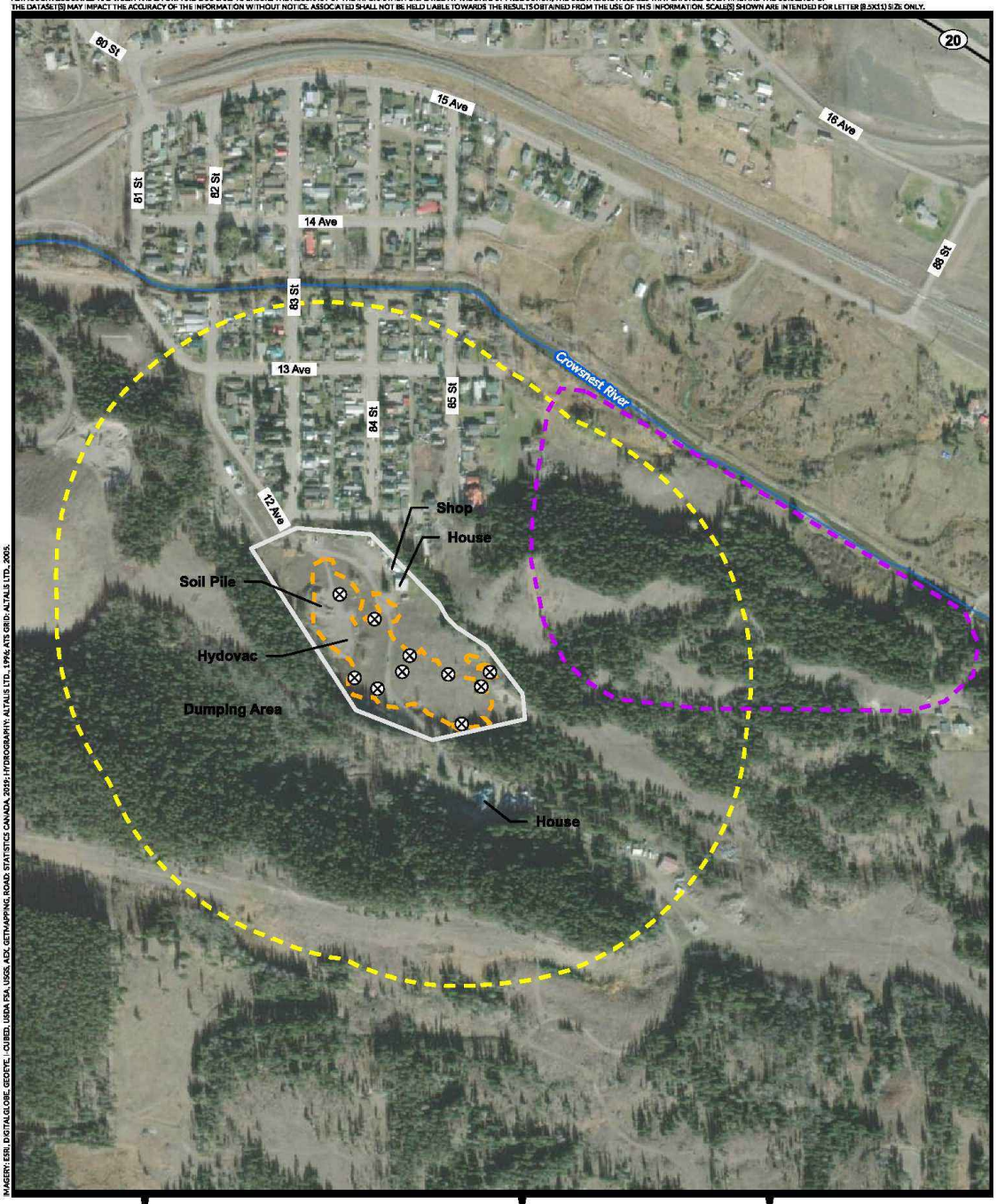

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Associated Environmental

Crowsnest Pass

LEGEND

- Test Pit
- Estimated mixed waste boundary
- Bushtown Potential Future Neighbourhood
- 300m buffer
- Site Boundary

Base Data

- Highway

0 30 60 90 120 150 m

AE PROJECT NO.	2022-8246
SCALE	1:6000
COORD. SYSTEM	NAD 1983 3TM 114
DATE	2022-10-21
REV	00
DRAWN BY	DK
CHECKED BY	
DESCRIPTION	ISSUED FOR REPORT

FIGURE 2E
BUSHTOWN - POTENTIAL DEVELOPMENT CONSTRAINTS

ENVIRONMENTAL OVERVIEW - NUISANCE GROUNDS

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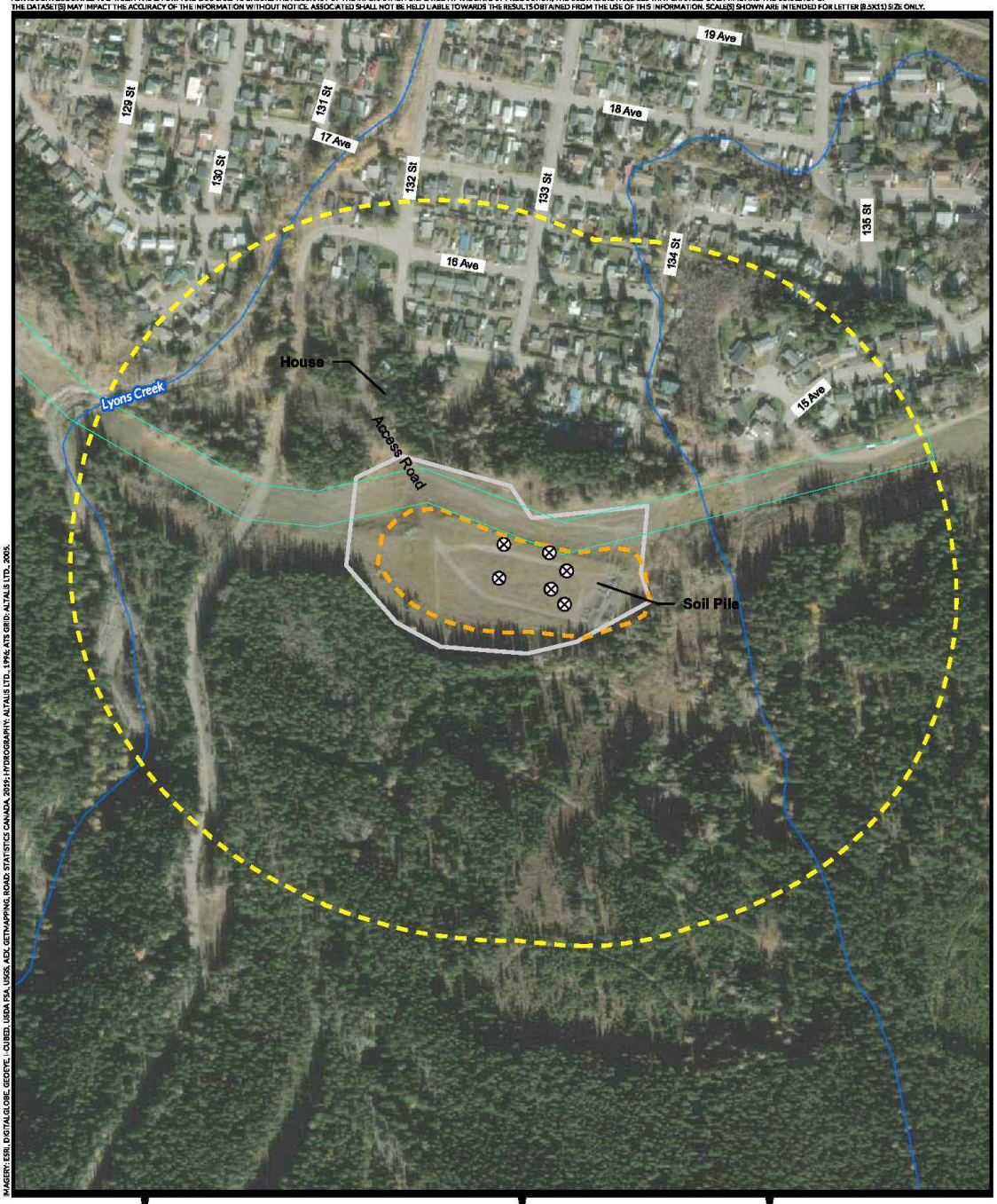

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Associated Environmental

Crowsnest Pass

LEGEND

- Test Pit
- Natural Gas Pipeline ROW
- 300m Buffer
- Estimated mixed waste boundary
- Site Boundary

N

0 25 50 75 100 125 m

AE PROJECT NO.	2022-8246
SCALE	1:5000
COORD. SYSTEM	NAD 1983 3TM 114
DATE	2022-10-21
REV	00
DRAWN BY	DK
CHECKED BY	
DESCRIPTION	ISSUED FOR REPORT

FIGURE 3E
OLD SARTORIS STAGING AREA - POTENTIAL DEVELOPMENT CONSTRAINTS

ENVIRONMENTAL OVERVIEW - NUISANCE GROUNDS

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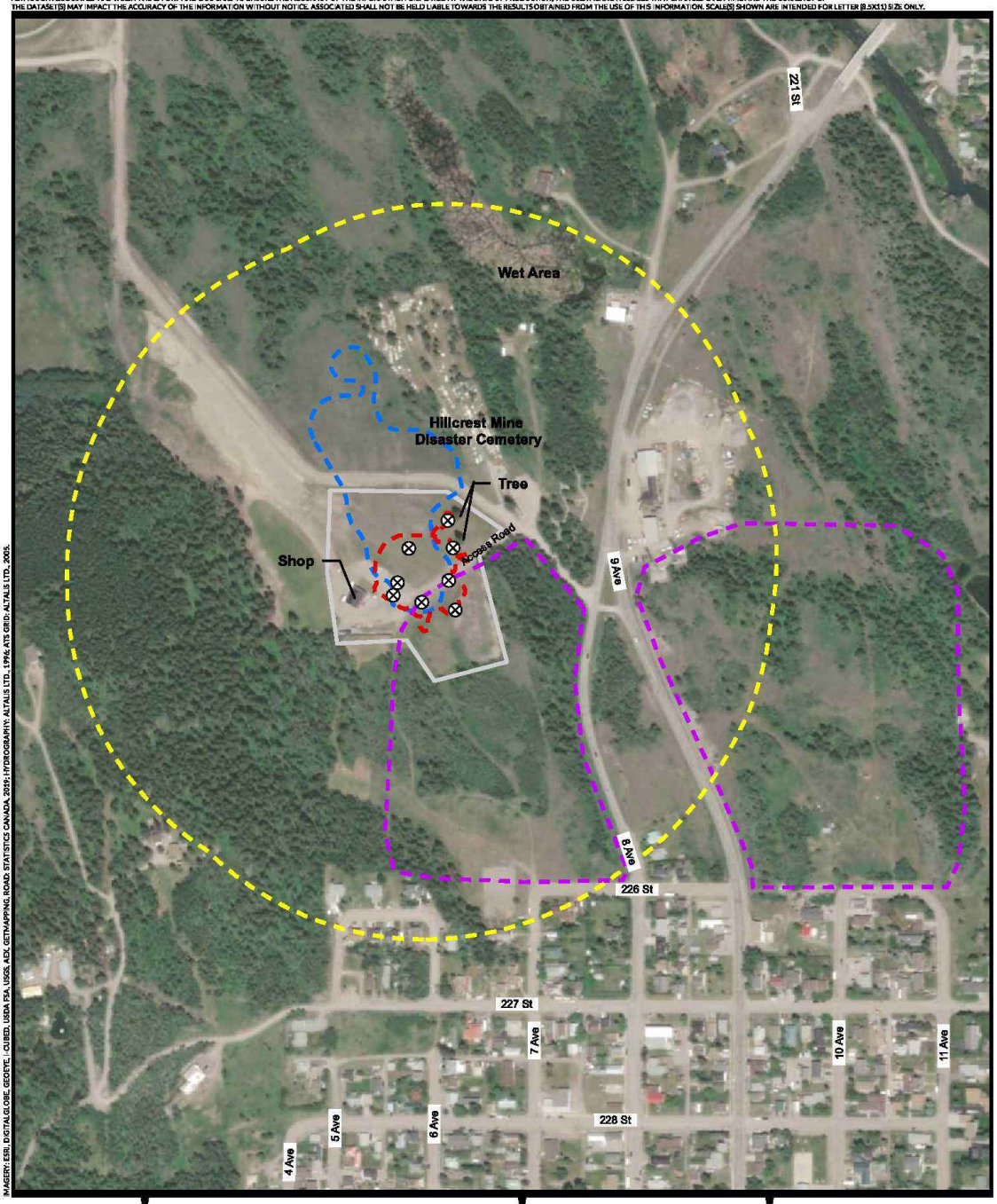

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LEGEND

- Test Pit
- 300m Buffer
- Former Waterpond
- Estimated buried waste boundary
- Potential future neighbourhood
- Site Boundary

0 20 40 60 80 100 m

AE PROJECT NO.	2022-8246
SCALE	1:5000
COORD. SYSTEM	NAD 1983 3TM 114
DATE	2022-10-21
REV	00
DRAWN BY	DK
CHECKED BY	
DESCRIPTION	ISSUED FOR REPORT

FIGURE 4D
HILLCREST BALL DIAMOND ROAD - POTENTIAL DEVELOPMENT CONSTRAINTS

ENVIRONMENTAL OVERVIEW - NUISANCE GROUNDS

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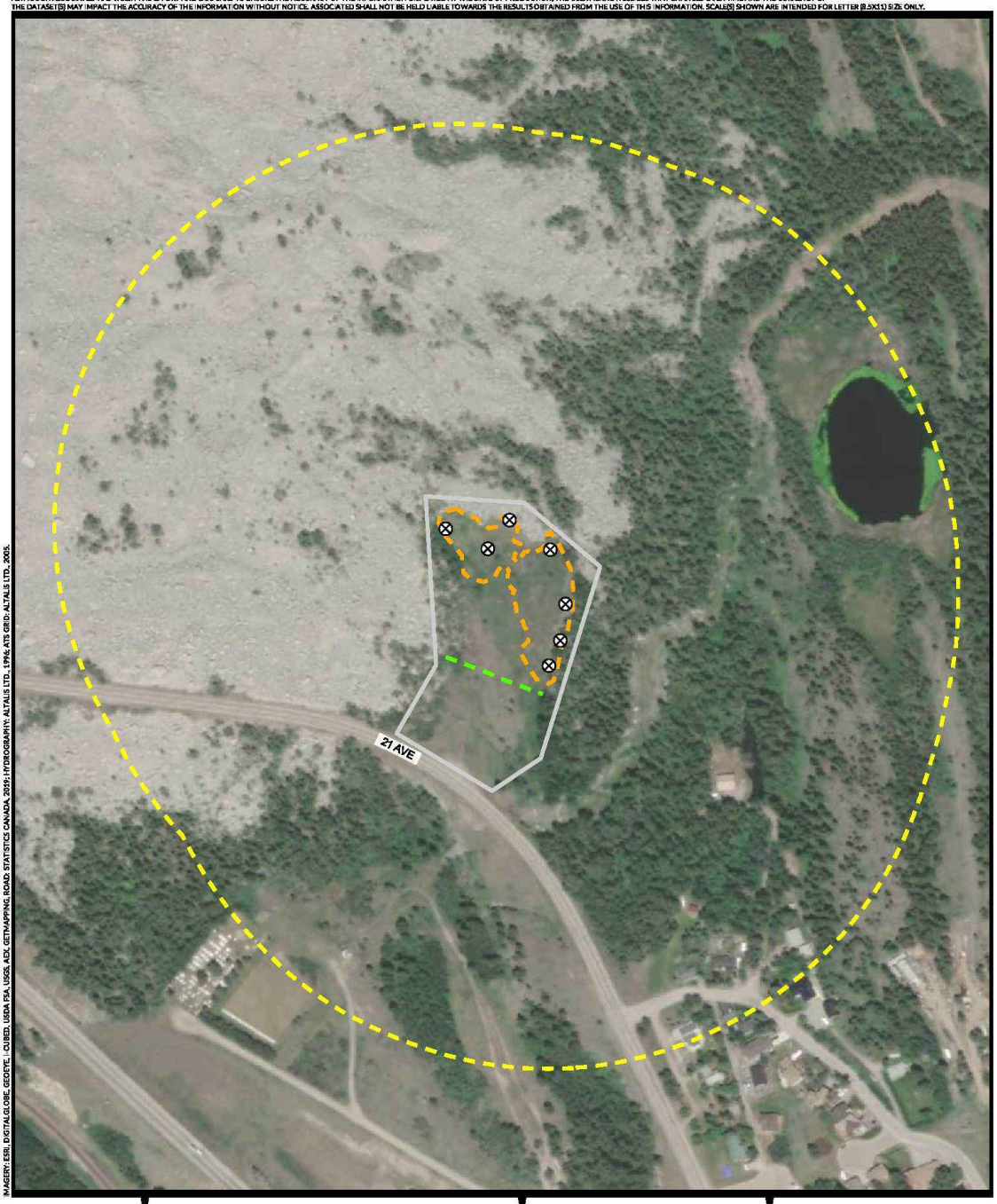

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LEGEND

- Test Pit
- Fence
- 300m Buffer
- Estimated mixed waste boundary
- Site Boundary

0 25 50 75 100 125 m

AE PROJECT NO.	2022-8246
SCALE	1:4000
COORD. SYSTEM	NAD 1983 3TM 114
DATE	2022-10-21
REV	00
DRAWN BY	DK
CHECKED BY	
DESCRIPTION	ISSUED FOR REPORT

FIGURE 5D
BELLEVUE OLD HIGHWAY 3 - POTENTIAL DEVELOPMENT CONSTRAINTS

ENVIRONMENTAL OVERVIEW - NUISANCE GROUNDS

DRAFT

DRAFT

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.

2. GENERAL REGULATIONS

The minimum lot size, coverage, development setbacks and general standards of development established in ~~the land use bylaw~~ this 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 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.

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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 this Bylaw ~~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 approved by Council, notwithstanding that:

(i) those residential buildings existing on November 01, 2007, shall be allowed to be repaired, rebuilt, altered or expanded to the extent provided for in the Land Use Bylaw as the same applied to the property in question on November 1, 2007; or

(ii) non-residential buildings 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.

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Schedule 3

DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

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Schedule 3

DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

1 A development permit is not required:

1.1 for any development exempted under either the Act or an exemption regulation ordered by the Lieutenant Governor in Council pursuant to the Act; or

1.2 for the completion of a construction lawfully commenced on or before the coming into effect of this Bylaw or an applicable amendment to it, provided that the construction is completed:

(a) in accordance with the terms of a development permit granted in respect of it, and

(b) within 12 months of the coming into effect of this Bylaw.

2 In addition to the exemptions provided for above, and subject to the relevant provisions of this Schedule, and in the sole discretion of the Development Officer, a development permit is not required for the following development, provided that the use is listed in the applicable land use district and that ~~they are prescribed as a permitted use in the applicable land use district and that~~ all district regulations, standards of development and other applicable provisions of this Bylaw that relate to the proposed development, are complied with:

2.1 **maintenance, improvement or renovation** to a building, including interior renovation, that does not include a structural alteration or an addition that would change the external appearance / dimensions of the building or would create an additional dwelling unit, or would result in a change of use or would increase the need for additional parking. This exemption does not apply to properties in the Historic Commercial Areas Overlay District when the character defining elements of a building listed in the Heritage Inventory Project or the exterior appearance of any other building in the Historic Commercial Areas Overlay District are affected or changed by the maintenance, improvement or renovation;

2.2 **a change of occupancy** while the land use remains unchanged, 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)~~ and all other development standards and requirements of this Bylaw are complied with. This exemption does not apply to properties in the Historic Commercial Areas Overlay District when the character defining elements of a building listed in the Heritage Inventory Project or the exterior appearance of any other building in the Historic Commercial Areas Overlay District are affected or changed by the maintenance, improvement or renovation;

2.3 **an at grade outdoor improvement, an alteration of the existing grade, 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 within the minimum yard setbacks ~~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 but is not limited to landscaping, a driveway (excluding a new access approach or a dropped curb onto a municipal road), a patio, a pergola, a privacy fence, a sidewalk, a wheelchair ramp, etc. This exemption does not apply to stockpiling, and to properties in the Historic Commercial Areas Overlay District when the character defining elements of a building listed in the Heritage Inventory Project or the exterior appearance of any other building in the Historic Commercial

Areas Overlay District are affected or changed by the maintenance, improvement or renovation;

2.4 **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)~~.~~;

2.5 **a ground level deck**, a landing, staircase and other similar structure (except a sign), and building features that are allowed as projections into yard setbacks pursuant to Schedule 4, provided that:

(a) the improvement does not alter lot drainage; and

(b) the improvement complies with all other development standards and provisions of this Bylaw, including projections into yard setbacks (see Schedule 4).

This exemption does not apply to properties in the Historic Commercial Areas Overlay District when the character defining elements of a building listed in the Heritage Inventory Project or the exterior appearance of any other building in the Historic Commercial Areas Overlay District are affected or changed by the maintenance, improvement or renovation;

2.6 the installation (except the initial installation of a waste management facility or a wastewater treatment plant), maintenance, upgrading, alteration and/or repair of any public works, service or utilities (including a waste management facility or a wastewater treatment plant) by or on behalf of a municipal, provincial or federal government agency on land that is publicly owned or controlled or is within a designated area of Crown land;

2.7 regardless of the use classification in the applicable land use district, the use of land or a building and any development ~~(except as specified herein)~~ 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 or is within a designated area of Crown land, ~~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 wastewater treatment plant~~ except the establishment by the Municipality of a wastewater treatment plant, waste management facility, resource extraction or other development that could be reasonably considered to have nuisance potential (provincial and federal government agencies may elect to obtain a development permit when it is deemed prudent to do so);

2.8 the installation of **private utilities** on private property with the intent to service only the same property on which it is located, except a free-standing ~~alternative /~~ renewable energy device (e.g. a wind turbine or a solar panel on a stand-alone structure – i.e. not attached to a building), including gas, propane, a water well, a Private Sewage Disposal System, electric power (solar panels attached to the roof of a building), ~~water and wastewater utilities~~ service connections to municipal water and wastewater ~~connected to off-site municipal~~ infrastructure, and stormwater management facilities, provided that a principal building or use exists on the property, or that a development permit for a principal building or use has been issued, and that any applicable permits under the *Safety Codes Act* are obtained, and that any engineering design that may be required and may require municipal review has been obtained;

2.9 **one accessory building per parcel with an established principal building** which is smaller than 10 m^2 (108 ft^2) in area, provided it meets all applicable setbacks and other development standards of this Bylaw – additional accessory buildings, or an accessory building that does not comply with the development standards prescribed in the applicable land use district, require a development permit regardless of their size;

2.10 the construction or maintenance of **gates and fences** or other means of enclosure, subject to any limitations in height, obstruction of corner sightlines or other features detailed in Schedule 4 hereof;

2.11 the following **signs** or changes to existing signage:

(a) any signs identified in as exempted from the requirement to obtain a development permit in the Sign Standards Schedule of this ~~Land Use~~ Bylaw;

(b) the change of copy for an existing approved sign that is a legal and conforming sign pursuant to a previous development permit provided that all conditions of the development permit and standards in Schedule 11 are complied with. ~~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;~~

This exemption does not apply to properties in the Historic Commercial Areas Overlay District when the character defining elements of a building listed in the Heritage Inventory Project or the exterior appearance of any other building in the Historic Commercial Areas Overlay District are affected or changed by the maintenance, improvement or renovation;

2.12 **a communication antenna** or structure for non-commercial, private use that complies with the following requirements:

(a) a communication antenna installed on or attached to a roof,

(b) a communication structure that is not located in a front yard or in a secondary front yard; and/or

(c) a communication antenna or structure that will not exceed the height of the principal building on the site;

2.13 the **demolition** of a building of less than 46.5 m^2 (500 ft^2) 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 this Bylaw (note that a demolition permit under the *Safety Codes Act* may still be required);

2.14 **individual recreational vehicle (RV)** units which are not considered permanent buildings and are located in an approved Recreational Vehicle Park or campground;

2.15 **the outdoor storage and/or use for temporary sleeping accommodations of a recreational vehicle (RV)** unit in accordance with the provisions and standards of and not exceeding any threshold or timeline 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;

2.16 one business per property that operates as a **Home Occupation ~~–~~ Class 1** (additional Home Occupations – Class 1 are subject to the development permit process);

2.17 the temporary placement of **one temporary Accessory ~~b~~Building** (including, for these purposes only, 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 under the *Safety Codes Act* have been issued, as may be required, for the duration of the project, provided that:

(a) the said temporary building is not used or intended to be used as a residence; and

(b) 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

(c) the temporary building shall be removed from the site immediately when construction has been suspended for a period of 60 days or more; and

(d) 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

(e) the temporary building must be removed immediately upon completion of construction;

If the Accessory Building cannot comply with the above conditions, then a temporary development permit is required pursuant to Schedule 14 section 3.2;

2.18 the **exploratory excavation** of utilities, 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 and does not affect storm water drainage to adjacent properties, 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:

(a) 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);

(b) 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;

(c) 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;

(d) 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;

2.19 earthworks and construction to service an approved subdivision for which engineering design has been approved by the Municipality and a development agreement has been executed; and

2.20 **Tree Felling** within the Grouped Country Residential – GCR-1, Non-Urban Area – NUA-1, Non-Urban Commercial Recreation – NUCR-1 or Non-Urban Commercial Recreation – NUCR-2 land use districts, on the part of a parcel that is not within the minimum yard setback. The minimum yard setbacks specific to Tree Felling are prescribed in the applicable land use districts. A development permit is required to fell trees within the minimum yard setback in the districts listed above, except for the purposes specified in Schedule 4 of this Bylaw.

3 Subject to the provisions of this Schedule relative to exemptions for certain developments [e.g. a shed less than 10 m² (108 ft²)] 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.

4 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.

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Schedule 4

STANDARDS OF DEVELOPMENT

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Schedule 4

STANDARDS OF DEVELOPMENT

1 The following is an alphabetical list with section number references of the general and land use specific development standards established in this Schedule:

Applicability of this Schedule ..... Section 2

Accessory Buildings and Uses ..... Section 29

- General Provisions 29.1
- Accessory Building or Use Prior to Principal Use 29.2
- Canvas Covered Structures 29.3
- Communication Antennae and Structures 29.4
- Decks 29.5
- Fences in any Residential Land Use District, CRV and CSV 29.6
- Outdoor Washroom Facilities 29.7
- Refuse Storage for Commercial, Industrial and Multi-Unit Residential Development 29.8
- Retaining Walls 29.9
- Shipping Containers 29.10
- Signs 29.11
- Swimming Pools 29.12

Animal Care Service Facilities ..... Section 30

Apartment, Multi-Unit Residential and Mixed-Use Building Standards ..... Section 31

Campground and Recreational Vehicle Park Standards ..... Section 32

Cannabis Retail Sales ..... Section 33

Comprehensive Planning for Redesignation, Development Permit or Subdivision Applications Section 3

- Comprehensive Site Development Plan 3.1
- Area Structure Plan 3.2

Corner Lot Sight Triangle ..... Section 4

Demolition, Removal or Replacement of Buildings ..... Section 5

Drive-in Commercial Use Standards ..... Section 34

Easements, Setback Distances and Public Safety ..... Section 6

- Easements, Rights-Of-Way and Legislated Setback Distances 6.1
- Future Highway 3X 6.2
- Railway Lines 6.3
- Setbacks Adjacent to Highway 6.4
- TC Energy High Pressure Gas Pipeline 6.5
- Wildland-Urban Interface 6.6

Environmental Considerations ..... Section 7

- Areas of Potential Environmental Concern (APEC) 7.1
- Flood-Risk Lands 7.2
- Tree Felling 7.3
- Wetlands, Watercourses, Riparian Areas, Regionally Sensitive Areas 7.4
- Wildlife and Wildland-Urban Interface 7.5

Exposed Foundations ..... Section 8

Historic Commercial Areas (also see Municipal Historic Resources) ..... Section 9
Home Occupations ..... Section 35
Industrial and Commercial Use Standards ..... Section 10
Infill Development in Mature Neighbourhoods ..... Section 11
Landscaping and Screening Standards ..... Section 12
Lighting (Outdoor) ..... Section 13
Lot Grading, Drainage and Stormwater Management (Retaining Walls) ..... Section 14
Lot Sizes and Sub-Standard Lots ..... Section 15
Manufactured~~Modular~~ Homes ..... Section 36
Manufactured~~Modular~~ Home Communities ..... Section 37
Maximum Grade ..... Section 16
Fully Developable Lots 16.1
Slope Stability Assessment 16.2
Urban Driveways 16.3
Municipal Historic Resources (also see Historic Commercial Areas) ..... Section 17
Municipal Infrastructure, Utilities and Servicing ..... Section 18
Number of Dwelling Units, Recreational Vehicles and Principal Buildings on a Parcel of Land or Bare Land Condominium Unit ..... Section 19
Number of Dwelling Units and Recreational Vehicles on a Parcel of Land or Bare Land Condominium Unit 19.1
Number of Principal Buildings on a Parcel of Land or Bare Land Condominium Unit 19.2
Parking and Loading ..... Section 20
Private Utilities ..... Section 38
Projections Into Yard Setbacks ..... Section 21
Quality and Design of Development ..... Section 22
Recreational Vehicles – Outdoor Storage and Temporary Sleeping Accommodations ..... Section 39
Relocation of Buildings ..... Section 23
~~Alternative /~~ Renewable Energy Operations ~~Development~~ ..... Section 40
Road Access, Driveways and Parking Pads ..... Section 24
All Locations 24.1
Urban Locations 24.2
Rural Locations 24.3
Secondary Front Yard ..... Section 25
Secondary Suites ..... Section 41
Short-Term Rental / Bed & Breakfast and Tourist Homes ..... Section 42
Show Homes and Real Estate Sales Offices ..... Section 26
Slope-Adaptive Building and Site Design ..... Section 27
Temporary Auto Sales Standards ..... Section 43
Work Camps ..... Section 44
Yard Setbacks and Yard Setback Variances ..... Section 28

GENERAL DEVELOPMENT STANDARDS

2 APPLICABILITY OF THIS SCHEDULE~~DEVELOPMENT IN GENERAL~~

2.1 ~~Except for~~In addition to more specific or more restrictive standards as may be established within an individual land use district or in a discretionary use development permit, the following standards apply to all land uses in all land use districts.

2.2 All development shall comply with this 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 in and enforced through other municipal bylaws and any federal and provincial regulations that may apply to a development, which is to be determined by an applicant or landowner or their agent and complied with by an applicant or landowner or their agent at their sole risk and responsibility and to the exoneration of the Municipality of Crowsnest Pass from any liability related to these matters and at no cost ~~or liability~~ to the Municipality.

~~2~~3 COMPREHENSIVE PLANNING FOR REDESIGNATION, DEVELOPMENT PERMIT OR SUBDIVISION APPLICATIONS

~~2.1~~3.1 Comprehensive Site Development Plan

(a) 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 bare land condominium subdivision to prepare a comprehensive site development plan as follows:

(i) 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 bare land condominium subdivision, the applicant for a redesignation, a development permit or a bare land condominium subdivision shall, at no cost to the Municipality and to the satisfaction of the Development Authority or the Subdivision Authority, prepare a Comprehensive Site Development Plan as part of the application for the redesignation, development permit or bare land condominium subdivision.

(ii) A Comprehensive Site Development Plan must describe the following information:

(A) Parcel boundaries and sizes, the layout of the proposed development or bare land 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.

(B) 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.

(C) 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 bare land condominium subdivision on the parcel.

(D) The sequence of the development or bare land condominium subdivision proposed for the parcel.

(E) Any other information that the Development Authority or Subdivision Authority deems relevant to making an informed decision on the development permit or bare land condominium subdivision application.

(iii) 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.

(iv) The Development Authority may approve blanket variances to yard setbacks and building heights in a Comprehensive Site Development Plan.

~~2.2~~3.2 Area Structure Plan

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

(b) 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 redesignation or subdivision.

(c) An Area Structure Plan must describe the information and comply with the preparation process requirements prescribed in the Act and relevant Council policy.

~~(c)~~(d) An Area Structure Plan shall demonstrate consistency with the Municipal Development Plan.

~~3~~4 CORNER LOT SIGHT TRIANGLE

~~3.1~~4.1 On a corner lot, no fence, wall, hedge, landscaping, sign or other material or building 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**".

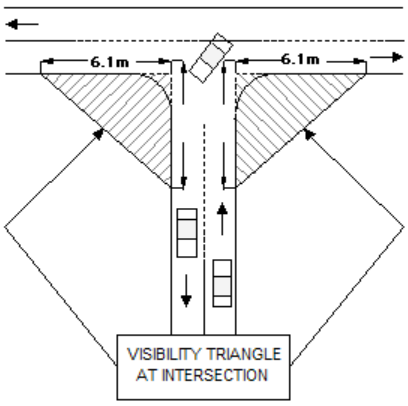

DIAGRAM 1

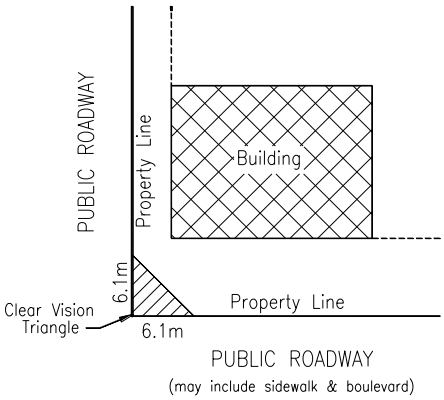

DIAGRAM 2

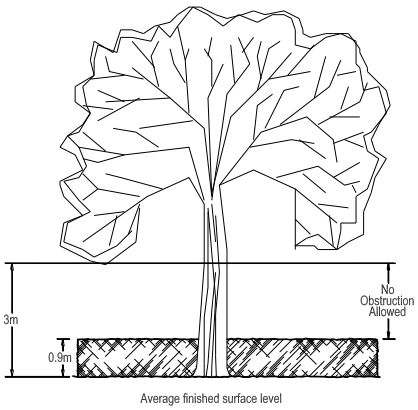

DIAGRAM 3

~~4~~5 DEMOLITION, REMOVAL OR REPLACEMENT OF BUILDINGS

~~4.1~~5.1 Building demolition, removal or replacement shall comply with the following:

(a) No person shall commence or cause to be commenced the demolition, removal or replacement of a building or portion thereof or of a use 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 for the demolition, removal or replacement of a building less than 46.5 m2 (500 ft²) 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 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 approved for the demolition, removal or replacement of a building, the Development Authority may require the applicant to provide a refundable security deposit in an amount established in the Fees, Rates and Charges Bylaw 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, removal or replacement of a building is carried out, the property owner or applicant shall, at their own responsibility and expense, protect any fence, wall, foundation, structure, sidewalk or roadway that could be affected by such demolition, removal or replacement, including those on neighbouring properties, from damage or displacement.

(f) The property owner or applicant shall be responsible to ensure that best practices are followed 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 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.

(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 cleaned up.

~~5~~6 EASEMENTS, SETBACK DISTANCES, AND PUBLIC SAFETY

~~5.1~~6.1 Easements, Rights-of-Way and Legislated Setback Distances

(a) The Development Authority may require that a permanent building is located a specified distance from any registered access easement, utility easement, or other right-of-way.

(b) 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.

6.2 Future Highway 3X

(a) Planning and development decisions shall consider the proposed location of the future Highway 3X bypass route, the future twinning of portions of the existing Highway 3 corridor, and the resulting interchange and access locations in an effort to facilitate logical future land use and to limit land use incompatibility.

6.3 Railway Lines

(a) In its review of development applications in proximity to the CPR main line the landowner shall have regard for the recommendations in the Guidelines for New Development in Proximity to Rail Lines document, and the Development Authority may require adherence to these recommendations as a condition of development approval.

6.4 Setbacks Adjacent to Highway

~~(b)~~(a) Development located within the prescribed distance from a highway (300 m from right-of-way or 800 m from centre line of highway and public road intersection) must obtain a roadside development permit from Alberta Transportation prior to submitting an application for a development permit, which shall establish the minimum setback requirement from the highway.

~~5.2~~6.5 TC Energy High Pressure Gas Pipeline

(a) Development within 30 m of the TC Energy 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.

~~5.3~~6.6 Wildland-Urban Interface

(a) 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.

~~6~~7 ENVIRONMENTAL CONSIDERATIONS

~~6.1~~7.1 Areas of Potential Environmental Concern (Nuisance Grounds)

(a) Development and subdivision in the proximity of an Area of Potential Environmental Concern as identified in ~~Schedule 20~~ the Areas of Potential Environmental Concern Overlay District (APECOD) of Schedule 2 shall comply with the standards and best practices established in that Schedule.

~~6.2~~7.2 Flood-Risk Lands

(a) Development of flood-risk lands shall comply with the following standards:

(i) 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).

(ii) No building shall be allowed in the floodway. A fence, a retaining wall 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.

(iii) 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.

(iv) No filling shall be allowed in the floodway.

(v) The Development Authority may 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.

~~6.3~~7.3 Tree Felling

(a) Tree Felling is regulated only in those districts where it is listed as a use.

(b) Tree Felling within the Grouped Country Residential – GCR-1, Non-Urban Area – NUA-1, Non-Urban Commercial Recreation – NUCR-1 or Non-Urban Commercial Recreation – NUCR-2 land use districts without the benefit of a development permit shall only be allowed on the part of a parcel that is not within the minimum yard setback. The minimum yard setbacks specific to Tree Felling are prescribed in the applicable land use districts.

(c) Notwithstanding the prohibitions on Tree Felling prescribed above, Tree Felling within the minimum yard setback shall be allowed for the purposes of adhering to FireSmart Canada best practices, developing a driveway or a fence, and managing land subject to an easement or right-of-way in accordance with the underlying easement or right-of-way agreement.

(d) Landowners shall refrain from felling trees within 30 m (98.4 ft) of the boundary of a water body or watercourse, in accordance with the guidelines promoted in the provincial policy document *Stepping Back from the Water.*

~~6.4~~7.4 Wetlands, Watercourses, Riparian Areas and Regionally Sensitive Areas

(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.

~~6.5~~7.5 Wildlife and Wildland-Urban Interface

(a) Development in the Municipality shall incorporate awareness of the presence of wildlife in the community and of the risk of wildfires 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.

(b) Landowners shall have regard to the development and planning related provisions in the FireSmart Bylaw.

~~(b)~~(c) In making a decision on a development permit, the Development Authority shall follow the development and planning related provisions in the FireSmart Bylaw and may impose development permit conditions for that purpose.

~~7~~8 EXPOSED FOUNDATIONS

8.1 The maximum allowable height above the average finished grade of the surrounding ground of the exposed portion of a concrete or block foundation may be limited by the Development Authority.

~~8~~9 HISTORIC COMMERCIAL AREAS

~~8.1~~9.1 Development shall comply with standards for historic commercial areas established in the Historic Commercial Areas Overlay District (HCAOD) of Schedule 2. ~~Schedule 16.~~

~~9~~10 INDUSTRIAL AND COMMERCIAL USE STANDARDS

~~9.1~~10.1 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, odour, 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;

(c) and the Development Authority may impose relevant conditions on a development permit to ensure compliance with this standard.

~~10~~11 INFILL DEVELOPMENT IN MATURE NEIGHBOURHOODS

~~10.1~~11.1 The Development Authority or the Subdivision Authority may require a Comprehensive Site Development Plan or an Area Structure Plan, as applicable, prior to approving infill development or subdivision within any block which has been determined to have redevelopment or infill potential. The determination of blocks with redevelopment or infill potential shall be consistent with the Municipal Development Plan policies.

~~10.2~~11.2 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.

~~11~~12 LANDSCAPING AND SCREENING STANDARDS

~~11.1~~12.1 The Development Authority shall impose development permit conditions relative to aesthetic, landscaping and/or screening requirements for commercial, industrial, campground

and multi-unit residential development for a permitted or discretionary use if these would serve to improve the quality or compatibility of the proposed development or to comply with the standards set out in this Bylaw.

~~12~~13 LIGHTING (OUTDOOR)

~~12.1~~13.1 Where artificial outdoor lighting is provided to illuminate any parcel, building or site, the type, location, intensity and orientation of lighting shall:

(a) avoid direct illumination of the neighbouring properties;

(b) not adversely affect the use, enjoyment and privacy of any dwelling; and

(c) not interfere with traffic safety on public roadways.

~~12.2~~13.2 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.

~~12.3~~13.3 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.

~~13~~14 LOT GRADING, DRAINAGE AND STORMWATER MANAGEMENT (RETAINING WALLS)

~~13.1~~14.1 Notwithstanding any other provision in this Bylaw, including exemptions provided for in Schedule 3, a development (i.e. land use activity, construction or earthworks) that involves or would result 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.

~~13.2~~14.2 Development shall comply with the following standards:

(a) In no circumstances shall any part of a building encroach into or cause runoff onto an adjoining property.

(b) The applicant shall provide to the Development Officer engineered grading and drainage plans for the development and a legal survey demonstrating that engineered grades have been met.

(c) Grading and other measures, as appropriate, to control surface drainage, reduce or eliminate grade difference between adjacent lots, and minimize erosion or slope instability.

(d) The construction of a retaining wall when, in the opinion of the Development Authority, significant grade differences exist or will exist after construction between the lot being developed and an 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 and/or landowner is responsible for ensuring adherence to an approved grading plan and/or drainage plan.

(g) Roof and surface drainage shall be directed either to the public roadway or lane adjacent to 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.

(h) 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:

(i) drains onto a lane or road abutting the site, and

(ii) does not drain onto land other than a lane or road abutting the site.

~~14~~15 LOT SIZES AND SUB-STANDARD LOTS

~~14.1~~15.1 With the approval of the Development Authority, development may be approved on a lot which does not conform to the minimum requirements for length, width or area.

~~14.2~~15.2 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.

~~14.3~~15.3 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.

~~14.4~~15.4 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:

(a) 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

(b) only up to the variance authority that is assigned in this Bylaw to the Municipal Planning Commission,

~~(b)~~(c) and such approval shall not be granted if the variance is otherwise expressly prohibited by this Bylaw or any other statute or regulation.

15.5 The minimum lot size standards established in the land use districts do not apply in a bare land condominium subdivision.

~~15~~16 MAXIMUM GRADE

16.1 **Fully Developable Lots**

(a) A lot with an effective grade of 15% or less is considered fully developable.

16.2 **Slope Stability Assessment**

~~(b)~~(a) A lot with an effective grade of greater than 15% requires the subdivision or 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.

16.3 **Urban Driveways**

~~(c)~~(a) An urban driveway slope shall meet the requirements established in the municipal Engineering and Development Standards (12% maximum slope).

~~16~~17 MUNICIPAL HISTORIC RESOURCES

~~16.1~~17.1 The Development Authority shall, as may be applicable, review a development permit application that proposes a change of use, new construction, renovations, alterations to the façade of an existing building, 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.

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

~~17~~18 MUNICIPAL INFRASTRUCTURE, UTILITIES AND SERVICING

~~17.1~~18.1 The Development Authority may impose a development permit condition to require that:

(a) the applicant or landowner shall make arrangements satisfactory to the Development Officer for the supply of private utilities and/or public utilities, street access and/or other services or facilities necessary to serve the development, at no cost to the Municipality, and

(b) 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.

18.2 New development shall be required to connect to water meters (if available), the municipal water supply system and the municipal wastewater collection system, except where in the opinion of the Development Authority, the development does not require water and wastewater services.

~~17.2~~18.3 The service connections from municipal water and wastewater mains to a serviced lot shall be independent from the service connections to any other lot. For greater clarity, a unit in a bare land condominium subdivision is not a lot.

~~17.3~~18.4 Private Sewage Disposal Systems are prohibited 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.

~~17.4~~18.5 In a block where infill development potential has been identified consistent with the Municipal Development Plan, a coordinated approach to provision of infrastructure is 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.

~~17.5~~18.6 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.

~~17.6~~18.7 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:

(a) transportation or communication system, including primary highways, secondary highways, railway, airport site or communication facility; or

(b) regionally significant service, public works or utilities, including pipelines and power transmission lines.

~~17.7~~18.8 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.

19 NUMBER OF DWELLING UNITS, RECREATIONAL VEHICLES AND PRINCIPAL BUILDINGS ON A PARCEL OF LAND OR BARE LAND CONDOMINIUM UNIT

19.1 Number of Dwelling Units and Recreational Vehicles on a Parcel of Land or Bare Land Condominium Unit

~~(a) 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.~~

(a) Where more than one dwelling unit type is listed (either as a permitted use or as a discretionary use) in a specific land use district, it does not imply that all such dwelling units may be approved to exist or to be placed or constructed on one parcel of land or bare land condominium unit at the same time, except as provided for in this section.

(b) No person shall construct or place or cause to be constructed or placed more than one dwelling unit or more than one recreational vehicle on a parcel of land or bare land condominium unit except where:

(i) in the sole discretion and opinion of the Development Authority:

(A) the additional dwelling unit(s) is (are) contained in a building designed for two or more dwelling units, or is (are) located on a parcel of land or bare land condominium unit in a land use district that allows for two or more dwelling units on the parcel or the bare land condominium unit, but not necessarily in the same building;

and:

(B) the additional dwelling unit(s) is (are) located in a land use district that includes either a Secondary Suite, a Duplex / Semi-Detached Dwelling, a Multi-unit Residential Building, an Apartment Building, a Mixed-use Building or Mixed-use Development, a Resort, or a Manufactured Home in an unsubdivided Manufactured Home Community; or

(C) the Recreational Vehicle(s) is (are) placed in a Resort, a Campground, or a Recreational Vehicle Park, or on a parcel of land or bare land condominium unit in an applicable land use district for the purposes of Section 39 of this Schedule;

and~~And~~:

(ii) the Development Authority has issued a development permit for the use.

19.2 **Number of Principal Buildings on a Parcel of Land or Bare Land Condominium Unit**

(a) Except for those types of buildings and recreational vehicles that are contemplated in this section, the Development Authority shall not approve one or more development permit applications for multiple principal buildings on either a parcel of land or on a bare land condominium unit, unless the Development Authority has approved a Comprehensive Site Development Plan that provides for two or more groups of principal buildings and addresses storm water management, pedestrian and vehicle traffic movement and any other matters that the Development Authority deems necessary.

(b) Where the applicable land use district does not provide for multiple dwelling units or multiple principal buildings on a parcel of land or bare land condominium unit, the Development Authority shall not approve a development permit application for a principal building if the same or a similar principal building already exists on the parcel of land or bare land condominium unit, except for the purpose of making an addition to the existing principal building or~~and~~ except when the removal of the existing principal building is made a condition of the development permit.

~~18~~20 PARKING AND LOADING

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

~~19~~21 PROJECTIONS INTO YARD SETBACKS

~~19.1~~21.1 A structure that projects into a yard setback shall not encroach into, or cause runoff onto, an adjacent property.

~~19.2~~21.2 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 as specified below) established in this Bylaw ***up to the specified property line***:

(a) unenclosed steps or unenclosed fire escapes, up to the side property line;

(b) a wheelchair ramp, excluding the housing of an elevator device;

(c) 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;

(d) a fence to the property line;

(e) a driveway, curb, and sidewalk;

(f) off-street parking;

(g) a cooling unit not to exceed 0.9 metres (3 ft) in height, up to the side property line;

(h) a mailbox and a garbage holding enclosure, up to the property line;

(i) landscaping, a privacy screen, a fish pond, an ornament, a flagpole less than 4.6 metres (15 ft) in height, or other similar landscaping features;

(j) a temporary swimming pool in the rear or side yard; and

(k) a sign authorized by a development permit issued pursuant to Schedule 11 of this Bylaw.

~~19.3~~21.3 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 as applicable) established in this Bylaw **by the percentages and distances stated below**:

(a) eaves or gutters, not more than 0.6 m (2 ft) into a front, side or rear yard and further provided that eaves or gutters do not project over the property line.

(b) a fireplace, belt course, cantilever, bay window, cornice, sill or other similar architectural feature may project up to 50% of a side yard setback and cover no more than 50% of a wall face;

(c) a **ground level deck**, a raised deck or, a balcony~~, patio~~ or a porch~~, veranda or other similar feature~~ may project up to the lesser of 2.0 metre (6.6 ft) or 75 percent of the minimum yard setback into a **front** or **rear** yard setback, as may apply.

~~20~~22 QUALITY AND DESIGN OF DEVELOPMENT

~~20.1~~22.1 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.

~~20.2~~22.2 Development shall comply with the following standards:

(a) The design, character and appearance of buildings, 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 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) 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.

~~21~~23 RELOCATION OF BUILDINGS

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

~~22~~24 ROAD ACCESS, DRIVEWAYS AND PARKING PADS

~~22.1~~24.1 All Locations

(a) New development shall have physical and legal access to a maintained public roadway, except for:

(i) development internal to a condominium plan; and

(ii) development internal to a n unsubdivided Manufactured Home Commun~~ity~~, a ~~dwelling group,~~ or a multi-use development containing private internal roadways.

(b) 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.

~~22.2~~24.2 Urban Locations

(a) A driveway or other vehicular access shall not be located less than:

(i) 6.1 metres (20 ft) from the intersection of any two streets, and

(ii) 3.0 metres (10 ft) from the entrance to a lane.

(b) Vehicular access to a corner lot shall be limited to the minor street wherever practical.

(c) An urban driveway slope shall meet the requirements established in the municipal Engineering and Development Standards (12% maximum slope).

(d) In a residential district 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 in the front yard to a maximum of 6.1 metres (20 ft) in width for two parking spaces~~stalls~~.

(e) Only one (1) driveway per parcel shall be approved for single-dwelling residential development unless otherwise authorized by the Development Authority.

~~22.3~~24.3 Rural Locations

(a) The location and grade of a driveway or other vehicular access to a parcel 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.

~~23~~25 SECONDARY FRONT YARD

~~23.1~~25.1 **In~~-~~ the R-1 to R-5, CRV and CSV land use districts~~a residential land use district~~,** ~~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. The 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 this Bylaw (see Diagram 4).

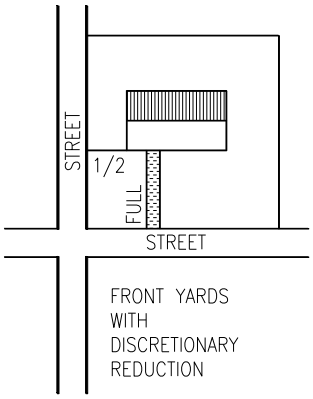

DIAGRAM 4

~~23.2~~25.2 Where the front yard setback is zero, the minimum side yard setback shall apply to the secondary front yard.

~~24~~26 SHOW HOMES AND REAL ESTATE SALES OFFICES

~~24.1~~26.1 Show Home 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.

~~25~~27 SLOPE-ADAPTIVE BUILDING AND SITE DESIGN

~~25.1~~27.1 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.

~~26~~28 YARD SETBACKS AND YARD SETBACK VARIANCES

~~26.1~~28.1 Notwithstanding the minimum yard setbacks for accessory structures prescribed in this section, such setbacks shall not apply to those accessory structures that are ordinarily located on or in close proximity to property boundaries (i.e. fences, flagpoles, signs, garbage holding enclosures, mailboxes, parking spaces, etc.) ~~yardsetbacks 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.

28.2 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.

~~26.2~~28.3 Except in the GCR-1 and NUA-1 land use districts, an Accessory Building that is a Secondary Suite, Detached~~,~~ or a detached garage /~~or~~ a shed / a shop ~~or structure~~ requires Municipal Planning Commission approval to be located in a front yard (excluding a secondary front yard).~~, except a deck, a retaining wall, and those other items for which this Schedule allows projections into yard setbacks.~~

~~26.3~~28.4 The side yard setback requirement applies only to one side of a Duplex / Semi-Detached Dwelling ~~duplex or semi-detached dwelling~~ and only to the end units of a Multi-Unit Residential Building~~multi-family dwellings~~.

~~26.4~~28.5 The Development Authority shall not approve a variance for yard setback to the extent that roof eaves or gutters 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.

~~26.5~~28.6 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.

~~26.6~~28.7 The Development Authority may waive, vary or increase any yard setback requirement wherever doing so would:

(a) either enhance, or avoid conflict with, the appearance of adjacent areas;

(b) facilitate a potential or proposed boundary adjustment scheme;

(c) protect buildings proposed within or adjacent to the Wildland-Urban Interface.

28.8 The Development Authority may approve blanket variances to yard setbacks in a Comprehensive Site Development Plan.

~~26.7~~28.9 The yard setbacks established in the land use districts do not apply to units in a bare land condominium subdivision, except to those units that are adjacent to the perimeter lot line.

LAND USE SPECIFIC DEVELOPMENT STANDARDS

~~27~~29 ACCESSORY BUILDINGS AND USES

29.1 General Provisions

(a) 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 Schedule 2, this Schedule and other Schedules, including but not limited to retaining wall, shipping container, campground and recreational vehicle park ~~standards~~, swimming pool, canvas covered structure ~~(which is a separate land use)~~, deck, sign, fence, communication antenna structure, and outdoor washroom facility.

(b) ~~An accessory building attached to a principal building by a roof 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.~~ An accessory building that becomes connected to or attached to a principal building only by an unenclosed roofed area (i.e. breezeway, carport, catwalk) that is not integral to the principal building shall be excluded from the calculation of building footprint area, lot coverage ratio and minimum yard setbacks.

(c) An Accessory Building shall not be used as a Secondary Suite unless a development permit has been issued for a Secondary Suite, Detached.

(d) The Development Authority may restrict the location of an Accessory Building whenever, because of its proposed location, it might cause snow drifting onto a public roadway or lane.

(e) Except in the GCR-1 and NUA-1 land use districts, when a development permit application is made for an Accessory Building or Use that is a detached Secondary Suite, a detached garage or a shed ~~or structure~~ that is listed as a permitted use in the applicable land use district and it is to be located in a front yard (excluding a secondary front yard), then the use shall surrender its permitted use status and shall default to a discretionary use, and all provisions and regulations of this Bylaw regarding considerations, conditions of approval, decision and notification, and right of appeal that apply to a discretionary use, shall apply to the development permit as if it were listed as a discretionary use in the applicable land use district.~~requires Municipal Planning Commission approval to be located in a front yard (excluding a secondary front yard).~~ , ~~except a deck, a retaining wall, and those other items for which this Schedule allows projections into yard setbacks.~~

~~27.2~~29.2 Accessory Building or Use Prior to Principal Use

(a) 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.

(b) When a development permit application is made for an Accessory Building or Use that is listed as a permitted use in the applicable land use district and it is to be constructed prior to the Principal Use of the subject parcel, then the use shall surrender its permitted use status and shall default to a discretionary use, and all provisions and regulations of this Bylaw regarding considerations, conditions of approval, decision and notification, and right of appeal that apply to a discretionary use, shall apply to the development permit as if it were listed as a discretionary use in the applicable land use district.

~~(b)~~(c) A development permit issued for an Accessory Building or use prior to the establishment of the principal use shall be subject to the following conditions:

(i) in the R-1, R-1A, R-2, R-2A, R-3, R-4, R-5, C-1, C-2, C-3, CRV and CSV land use districts, the principal building or use shall be commenced no less than one (1) year after the date of the approval for the Accessory Building and shall be completed, to the satisfaction of the Development Authority, no more than two (2) years after the date of the approval for the Accessory Building;

(ii) in all other land use districts, the principal building or use shall be commenced no more than two (2) years after the date of the approval for the Accessory Building and shall be completed, to the satisfaction of the Development Authority, no more than three (3) years after the date of the approval for the Accessory Building;

(iii) a 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 forfeit the security deposit in the event of non-compliance with the terms of the development permit; and

(v) an Accessory Building developed prior to a principal building shall not be used as a dwelling unit.

29.3 Canvas Covered Structures

~~(c)~~(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.

~~(d)~~(b) A Canvas Covered Structure shall comply with the development standards established for Accessory Buildings and Uses in this Schedule.

~~(e)~~(c) The Development Authority may limit the development permit duration of a Canvas Covered Structure.

~~27.3~~29.4 Communication Antennae and Structures

(a) Communication antennae and structures for non-commercial, private use are accessory uses which may require a development permit and are subject to the following (see Diagram 7):

(i) A communication antenna or structure shall only be located in a rear yard or side yard which does not abut on a street.

(ii) On an interior lot, a 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.

(iii) On a corner parcel, a communication antenna or structure shall be situated so that no part of it is closer to the street than the principal building or closer than 0.9 metre (3 ft) from any boundary of the parcel, whichever distance is larger.

(iv) Where any part of a 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 section, it shall be both screened and located to the satisfaction of the Development Authority.

(v) The illumination of a communication antenna or structure is prohibited.

(vi) In accordance with Schedule 3 of this Bylaw, most communication antennae and their structures may not require a development permit.

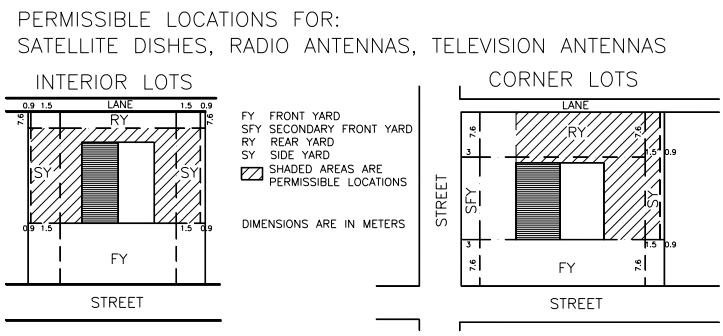

DIAGRAM 7

(b) 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.

~~27.4~~29.5 Decks

(a) A deck is an uncovered (roofless) outdoor space that:

(i) is classified as either:

(A) 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 this section allows projections into yard setbacks~~ and it is deemed to be an Accessory Building; or

(B) 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 elevation of the main floor of the habitable space in the building, and it is subject to the same yard setbacks as an accessory building, except to the extent that this section allows projections into yard setbacks~~ and it is deemed to be an Accessory Building.

And**:**

(ii) It must be accessible from inside the building as well as from the outdoor ground level.

(b) For greater clarity, a deck:

(i) is not a balcony, patio or porch;~~or veranda; and~~

(ii) is considered to be an accessory structure;

(iii) is **not** considered to be part of the gross floor area or habitable floor area of the building ~~building floor area~~that it is attached to (unless it is covered, in which case it is not considered to be a deck); and

(iv) does not contribute to the lot coverage ratio or to the building footprint area of any building.

(c) 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" and "Porch"~~ and "Veranda"~~).

~~27.5~~29.6 Fences in any Residential Land Use District, CRV and CSV

(a) In any residential district, no fence, wall, or any combination thereof shall extend more than 1.0 metre (3.3 ft) above the ground ~~in any front yard area~~ within any minimum front yard setback without approval by the Development Authority, 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,~~ which is to be determined at the sole discretion of the Development Authority ~~without approval by the Development Authority.~~ (see Diagrams 5 and 6).

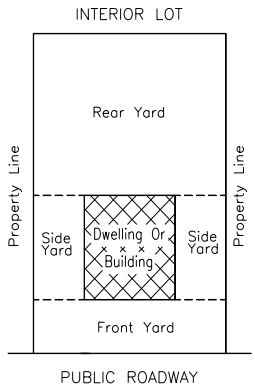

DIAGRAM 5

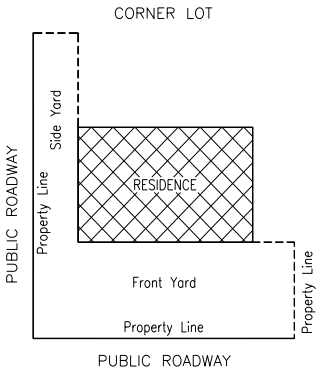

DIAGRAM 6

(b) A fence in a rear yard, side yard and secondary front yard shall be limited to 1.8 metres (6 ft) in height.

~~27.6~~29.7 Outdoor Washroom Facilities

(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 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.

~~27.7~~29.8 Refuse Storage for Commercial, Industrial and ~~Multi-Family~~Multi-Unit Residential Development

(a) In non-residential land use districts and in ~~multi-family~~multi-unit residential developments, refuse and garbage holding areas, including refuse containers and compaction, shall be effectively screened from public view. The Development Authority may require screening of refuse and garbage holding areas as a condition of development approval.

(b) In all non-residential land use districts, refuse and garbage holding areas, enclosures, and compaction areas are to be located a minimum of 7.6 metres (25 ft) from an adjacent residential use.

(c) A garbage holding area, enclosure, and / or compaction area shall be located and designed to ensure adequate on-site manoeuvring for refuse collection vehicles.

(d) Refuse on a construction site shall be properly screened or placed in an approved enclosure until removed for disposal.

(e) In a residential land use district, outdoor storage of refuse, other than garbage enclosures, shall not be located in any front yard, including any unscreened portion of a corner lot side yard (secondary front yard) adjacent to a street.

(f) The Development Authority may require that a yard area utilized for storage in a non-residential district that adjoins one or more lots in a residential district or a public property shall be effectively screened by an opaque 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.

29.9 Retaining Walls

~~(f)~~(a) 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.

~~27.8~~29.10 Shipping Containers

(a) 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.

~~(a)~~(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 districts where "Shipping Container, accessory to an approved use" is not listed as a permitted or discretionary use, except as provided in sub-section (c) below.

~~(b)~~(c) The masking requirement in sub-section (b) above to use a shipping container as an Accessory Building does not apply to a shipping container that is used for the purpose stated in Schedule 14 section 3, Temporary Shipping Containers on Construction Sites.

~~27.9~~29.11 Signs

(a) Development shall comply with standards established for signs in Schedule 11.

~~27.10~~29.12 Swimming Pools

(a) Swimming pool development shall comply with the following standards:

(i) A swimming pool is classified as an Accessory Building.

(ii) Construction of an in-ground swimming pool or a swimming pool that is attached to a deck requires a development permit and is subject to the following additional standards:

(A) placement of a swimming pool shall be limited to the side and rear yard only;

(B) a swimming pool is subject to the setback requirements for an Accessory Building in the applicable land use district; and

(C) a swimming pool is subject to the maximum lot coverage ratio for an accessory building in the applicable land use district.

~~28~~30 ~~KENNELS~~ANIMAL CARE SERVICE FACILITIES

30.1 Development shall comply with standards for ~~kennels~~ Animal Care Service Facilities established in Schedule 13.

~~29~~31 ~~STANDARDS FOR~~ APARTMENT, MULTI-UNIT RESIDENTIAL AND MIXED-USE BUILDING~~S~~ STANDARDS

~~29.1~~31.1 Development shall comply with the standards for ~~Multi-family Dwelling~~ Apartment, Multi-Unit Residential and Mixed-Use Buildings established in Schedule 5.

~~30~~32 CAMPGROUND AND RECREATIONAL VEHICLE PARK STANDARDS

~~30.1~~32.1 When considering an approval for a development permit for a Campground or Recreational Vehicle Park, and the conditions that may be attached to a development permit, the Development Authority may have regard for the specifications established in the current Alberta Camping Association Standards Manual, ~~and shall consider the criteria established in~~ as well as Policy 3.1.7 from the Municipal Development Plan, which discourages new campground development from locating within the boundaries of an urban growth node delineated on Maps 2–6 of the Municipal Development Plan. ~~when considering an approval for a development permit for a campground or recreational vehicle park, and the conditions that may be attached to a 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 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.

(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 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.

~~31~~33 CANNABIS RETAIL SALES

~~31.1~~33.1 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.

~~31.2~~33.2 Cannabis retail sales uses shall be located on parcels such that the following separation distances are complied with:

(a)

	Separation Distance	Use
(i)	100 m	Provincial Health Care Facility
(ii)	200 m	Schools; Child Care Facilities
(iii)	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.

~~32~~34 DRIVE-IN COMMERCIAL USE STANDARDS

~~32.1~~34.1 Every drive-in commercial development shall:

(a) provide at least 10 parking ~~stalls~~ spaces subject to the standards in Schedule 6 of this Bylaw;

(b) clearly identify on site plans accompanying the development application the areas proposed for parking and vehicle circulation, including appropriate signs;

(c) provide hard surfacing and surface drainage to the satisfaction of the Development Officer, in consultation with appropriate municipal staff;

(d) provide a waiting bay not less than 18.3 metres (60 ft) in length on the lot for every take-out service window;

(e) 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;

(f) ensure any vehicular access from Highway 3 is acceptable to Alberta Transportation;

(g) screen parking and traffic circulation areas abutting side or rear lot boundaries with an opaque structure or fence, wall or landscaping or any combination thereof to the satisfaction of the Development Authority;

(h) provide landscaping of a type and amount satisfactory to the Development Authority.

~~32.2~~34.2 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.

~~33~~35 HOME OCCUPATIONS

~~33.1~~35.1 Development shall comply with standards for Home Occupations established in Schedule 8.

~~34~~36 MANUFACTURED~~MODULAR~~ HOMES

~~34.1~~36.1 Development shall comply with standards for ~~Modular Homes~~Manufactured Homes established in Schedule 9.

~~35~~37 MANUFACTURED~~MODULAR~~ HOME COMMUNITIES

~~35.1~~37.1 Development shall comply with standards for ~~Modular~~ Manufactured Home Communities established in Schedule 10.

38 PRIVATE UTILITIES

38.1 Water, Wastewater, Stormwater, Gas, Electricity and Telecommunication Utilities

(a) A development permit is not required to install private water, wastewater, stormwater, gas, electricity, or telecommunications utilities inside a building that has the benefit of a development permit or from such a building to the property line, in order to connect to public utilities or franchised utilities. This exemption excludes a freestanding Solar Collector and a freestanding Small Wind Energy Conversion System and further does not apply to property where this Bylaw otherwise prohibits the installation of a water well and/or a Private Sewage Disposal System.

(b) The above utilities may be subject to standards established in this Schedule and this section.

(c) The above utilities may require a permit under the *Safety Codes Act* and it is the responsibility of the landowner to obtain any required permits.

38.2 Electric Utility – Solar Collectors

(a) A Solar Collector panel **attached to a roof or a wall of a building** does not require a development permit provided that the building to which it is attached has the benefit of a development permit, and such Solar Collector is subject to the following standards:

(i) A solar collector mounted on a roof:

(A) 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;

(B) 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; and

(C) must be located such that it does not create undue glare on neighbouring property or public roadways.

(ii) A solar collector mounted to a wall:

(A) must be located a minimum of 2.44 m (8 ft) above grade;

(B) 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;

(C) 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; and

(D) must be located such that it does not create undue glare on neighbouring property or public roadways.

(b) A **freestanding** Solar Collector panel or a Solar Collector panel mounted to any structure other than a roof or wall of a building requires a development permit, may be approved in a land use district where it is listed as a discretionary use, shall meet the required setbacks to roadways and property lines that apply to an Accessory Building, and is subject to the following additional standards:

(i) shall not exceed 2.44 m (8 ft) in height above existing grade;

(ii) 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

(iii) must be located such that it does not create undue glare on neighbouring property or public roadways.

(iv) The use of multiple freestanding solar collectors where the primary purpose and intent of the project is to collect, convert and feed energy back into the provincial electric grid for the commercial sale and distribution off site to the marketplace, shall be deemed a "Renewable Energy Operation" and may be approved only in those land use districts where it is listed as a discretionary use.

38.3 Electric Utility - Small Wind Energy Conversion System

(a) A Small Wind Energy Conversion System (SWECS) requires a development permit, may be approved in a land use district where it is listed as a discretionary use, shall meet the required setbacks to roadways and property lines that apply to an Accessory Building, and is subject to the following additional standards:

(i) In addition to the standard development permit application requirements, an application for a SWECS shall include the following information to the Development Authority's satisfaction:

(A) the manufacturer's specifications indicating the SWES rated output in kilowatts, safety features and sound characteristics, and the type of material used in tower, blade and/or rotor construction;

(B) the potential for electromagnetic interference;

(C) the nature and function of over speed controls which are provided;

(D) specifications on the foundations and/or anchor design, including location and anchoring of any guy wires; and

(E) the location of existing buildings or improvements.

(ii) A SWECS shall comply with the following standards:

(A) There shall be a limit of one SWECS per parcel.

(B) The system's tower shall be set back a minimum distance equal to the height of the tower from all parcel lines, or the minimum setback for an Accessory Building in the applicable land use district, whichever is greater.

(C) No part of the system, including guy wire anchors, may extend closer than 3.0 m (10 ft) to the property boundaries of the installation site.

(D) The system's total height shall not exceed a maximum height of 15.2 m (50 ft).

(E) The Development Authority may require that the system's tower be located and screened by landforms, natural vegetation or other means to minimize visual impacts on neighbouring residences and public roads, public trails and other public areas.

(F) The system's tower and supporting structures shall be painted a single, neutral, non-reflective, non-glossy (for example, earth-tones, gray, black) that, to the extent possible, visually blends the system with the surrounding natural and built environments.

(G) The system shall be equipped with manual and automatic over speed controls. The conformance of rotor and over speed control design and fabrication to good engineering practices shall be certified by a licensed mechanical, structural or civil engineer.

(H) The system's tower-climbing apparatus and blade tips shall be no closer than 4.6 m (15 ft) from ground level unless the system is enclosed by a 1.8 m (6 ft) high fence.

(I) The system's utility lines shall be underground where economically practical.

(J) The system shall be operated such that no electromagnetic interference is caused.

(K) A SWECS shall not exceed 45 dB(A), or in excess of 5 dB(A) above the background noise, whichever is greater. The level, however, may be exceeded during short-term events including utility outages and severe windstorms.

(L) No advertising or brand names shall be placed on a SWECS.

(M) Upon abandonment or termination of the system's use, the entire facility, including the system's tower, turbine, supporting structures and all equipment, shall be removed and the site shall be restored to its pre-construction condition.

~~36~~39 RECREATIONAL VEHICLES – OUTDOOR STORAGE AND TEMPORARY SLEEPING ACCOMMODATIONS

39.1 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.

39.2 For the purposes of this section:

(a) **Construction** means any construction activity that is necessary to construct the subject building; and

~~(a)~~(b) **Active construction** means that lawful construction on the subject property has been commenced, continues to be active and ongoing, and is not stopped and re-started over an extended period (which shall be determined at the sole discretion of the Development Officer) until construction completion.

~~36.2~~39.3 In the GCR-1 and NUA-1 land use districts the following standards 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)

and construction is not active, a recreational vehicle shall not be stored outdoors and/or used for temporary sleeping accommodations on the parcel.

(b) Where the principal dwelling unit has been approved (i.e. a development permit and a building permit 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 dwelling unit has been established (i.e. lawful construction of the principal dwelling has been completed), 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 dwelling or principal use for living accommodations on a parcel, except as provided for in this Schedule.

(f) In no case shall a recreational vehicle be 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, an addition, a shed or a deck be attached to or developed explicitly for the use of a recreational vehicle.

~~36.3~~39.4 In the R-1, R-1A, R-2, R-2A, R-3, R-4, R-5, CRV and CSV land use districts the following standards apply to recreational vehicles (RVs):

(a) On a vacant property where the principal dwelling unit(s) has not been approved (i.e. a development permit and a building permit have not been issued for the principal dwelling) and construction is not active, a recreational vehicle shall not be stored outdoors and/or used for temporary sleeping accommodations on the parcel.

(b) Where the principal dwelling unit(s) has been approved (i.e. a development permit and a building permit 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 the principal dwelling unit has been established (i.e. lawful construction of the principal dwelling has been completed), 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 occasional and temporary sleeping accommodations on the parcel, 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.

(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.

(e) In no case shall a recreational vehicle be 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.

(f) In no case shall an accessory building, an addition, a shed or a deck be attached to or developed explicitly for the use of a recreational vehicle.

~~36.4~~39.5 Where the above provisions do not specifically address the outdoor storage and/or use for temporary sleeping accommodations of a recreational vehicle 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 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 for the storage (indoors or outdoors) of one or more recreational vehicles may be issued only when "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".

~~36.5~~39.6 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).

~~36.6~~39.7 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.

~~37~~40 ~~ALTERNATIVE /~~ RENEWABLE ENERGY OPERATIONS ~~DEVELOPMENT, COMMERCIAL / INDUSTRIAL~~

~~37.1~~40.1 Development shall comply with Schedule 12: Standards for Renewable Energy Operations.

~~38~~41 SECONDARY SUITES

~~38.1~~41.1 Development shall comply with standards for Secondary Suites established in Schedule 15.

~~39~~42 SHORT-TERM RENTAL / BED & BREAKFAST AND TOURIST HOMES

~~39.1~~42.1 Development shall comply with standards for Short-Term Rental / Bed & Breakfast and Tourist Home established in Schedule 17.

~~40~~43 TEMPORARY AUTO SALES STANDARDS

~~40.1~~43.1 The Development Authority may issue a development permit for a Temporary auto sales use if in its opinion the available parking spaces/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.

~~40.2~~43.2 The Development Authority may limit the number of vehicles to be stored on the site for the purpose of sale.

~~40.3~~43.3 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.

~~40.4~~43.4 Servicing and repair operations shall not be included as part of the use.

~~41~~44 WORK CAMPS

~~41.1~~44.1 Development shall comply with standards for Work Camps established in Schedule 16~~17~~.

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Schedule 5

STANDARDS FOR APARTMENT, MULTI-UNIT RESIDENTIAL AND MIXED-USE BUILDINGS

~~MULTI-FAMILY DWELLING STANDARDS~~

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Schedule 5

~~MULTI-FAMILY DWELLING~~ STANDARDS FOR APARTMENT, MULTI-UNIT RESIDENTIAL AND MIXED-USE BUILDINGS

1 APPLICATION

1.1 This Schedule applies to all Apartment, Multi-Unit Residential and Mixed-Use Buildings containing three (3) or more dwelling units.

2 BUILDING HEIGHT

2.1 Where a proposed Apartment Building or Mixed-Use Building is proposed to exceed 3 storeys, or 4 storeys in the CM-1 land use district, the development permit application shall, to the satisfaction of the Development Authority, address the criteria in Administrative Section 13, adequacy of firefighting resources, as well as demonstrate thoughtful siting, massing and landscaping that mitigate the impact on neighbouring properties with respect to privacy and access to sunlight as per the policies in Section 2.2 of the Municipal Development Plan.

3 MAXIMUM DENSITY

3.1 The maximum density for Apartments, Multi-Unit Residential and Mixed-Use Buildings contemplated in this Schedule shall be determined by the Development Authority on a case by case basis with regard for the criteria in Administrative Section 13, the slope-adaptive building and site design considerations in Schedule 4, and the impact on adjacent development, parking requirements, the provision of outdoor amenity space, architectural interest at the pedestrian scale and access to existing and planned trails as per the policies in Section 2.2 of the Municipal Development Plan.

4 SEPARATION SPACE AND AMENITY AREAS

4.1 As a condition of approval, the Development Authority shall establish the minimum distance separating the development from adjacent buildings.

4.2 Wherever 20 or more dwelling units are proposed for a single lot or in a single condominium-style development, one or more communal amenity space(s) shall be provided in addition to the private amenity space, at a rate of 4.6 m^2 (50 ft^2) per unit.

4.3 Amenity space as specified above:

(a) may be located indoors, outdoors or both;

(b) shall not be located within a minimum front yard setback; and

(c) may be subject to screening, landscaping, fencing or other reasonable conditions as approved by the Development Authority having regard to compatibility of the proposed development with the surrounding area.

5 PARKING, DRAINAGE AND LANDSCAPING

5.1 An Apartment Building, a Multi-Unit Residential Building or a Mixed-Use Building shall comply with the following standards as conditions of approval:

(a) all off-street parking shall be paved, and surface drainage provided to the satisfaction of the Development Authority;

(b) a comprehensive landscaping plan shall be provided; and

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(c) the site plan shall identify on-site areas dedicated to snow storage.

6 ADDITIONAL REQUIREMENTS FOR BUILDINGS IN THE HISTORIC COMMERCIAL AREAS OVERLAY DISTRICT AND CM-1 DISTRICT

6.1 In addition to the considerations listed in this Schedule, an Apartment Building, a Multi-Unit Residential Building or a Mixed-Use Building located in the Historic Commercial Areas Overlay District or the CM-1 district should be designed with regard for the following "Downtown Design Requirements" as per Policy 1.3.5 of the Municipal Development Plan:

(a) provide a continuous street wall with activated spaces and transparency at the ground floor level (avoiding blank walls) that improves safety and surveillance while attracting interest;

(b) encourage a theme articulated by a comprehensive design approach that is historic or a theme complementary to existing buildings in the downtown area;

(c) promote active pedestrian activities such as sidewalk patios and canopies;

(d) locate automobile-oriented elements such as parking lots, driveways, and garages away from the pedestrian realm and to the rear of building;

(e) promote development with minimal to zero setbacks;

(f) explore streetscaping opportunities to create a visually pleasing, pedestrian oriented experience with permanent street furniture;

(g) promote barrier free design (universal accessibility);

(h) support a mix of uses including residential developments above the street level; and

(i) require a high degree of focus on architectural design of building façade and front setback areas.

6.2 A Mixed-Use Building located in the Historic Commercial Areas Overlay district and the CM-1 district shall consist predominantly of residential use below the second storey.

6.3 A proposal for an Apartment Building, a Multi-Unit Residential Building or a Mixed-Use Building located in the Historic Commercial Areas Overlay district and the CM-1 district shall be evaluated more rigorously by the Development Authority with respect to the architectural quality of building facades and the extent to which the proposals complement both the existing buildings in the area as well as the pedestrian realm.

~~1. APPLICATION~~

~~This schedule applies to all multi-family dwellings(i.e. three or more dwelling units attached), including but not limited to: triplexes, fourplexes, sixplexes, townhouses, rowhouses and apartments, whether owner-occupied, rental or condominium and its impact on the existing neighbourhood.~~

~~2. MAXIMUM DENSITY~~

~~The maximum net density for multi-family residential developments, excluding public roadways, parks and utility parcels, shall be:~~

~~Use~~	~~Units per hectare~~	~~Units per acre~~
~~Triplex, Fourplex, Sixplex~~	~~30~~	~~12~~
~~Rowhouse or townhouse~~	~~30~~	~~12~~
~~Apartment~~	~~50~~	~~20~~

~~3. SEPARATION SPACE AND AMENITY AREAS~~

~~As a condition of approval for each multi-family dwelling development, the Development Authority shall establish:~~

~~(a) the minimum distance separating the development from adjacent buildings and activities, and~~

~~(b) the size and number of outdoor amenity areas.~~

~~4. DEVELOPMENTS CONTAINING MULTI-FAMILY DWELLING UNITS~~

~~(a) Whenever multi-family dwelling units are to be erected on a single lot:~~

~~(i) all off-street parking shall be paved, and surface drainage provided to the satisfaction of the Development Authority;~~

~~(ii) comprehensive landscaping plans showing proposed vegetation, screening, parking and snow storage areas shall be submitted with the development application.~~

~~(b) Wherever 40 or more dwelling units are proposed for a single lot or a single condominium style development, a minimum of 4.6 m^2 (50 ft^2) per unit of shared, communal amenity space shall be provided in addition to private amenity space.~~

~~(c) Amenity space as required above:~~

~~(i) may be located indoors, outdoors or both;~~

~~(ii) shall not be located within a minimum front yard setback; and~~

~~(iii) may be subject to screening, landscaping, fencing or other reasonable conditions at the discretion of the Development Authority having regard to compatibility of the proposed development with the surrounding area.~~

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Schedule 6

OFF-STREET PARKING AND LOADING AREA STANDARDS

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Schedule 6

OFF-STREET PARKING AND LOADING AREA STANDARDS

1 REQUIREMENTS FOR PARKING AND LOADING AREAS

1.1 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 spaces~~stalls~~ without providing a driving aisle to enter or exit the parking spaces~~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.

1.2 Calculation of parking and loading space resulting in a fractional number shall be rounded to the next highest number.

1.3 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 or other suitable instrument registrable onto a certificate of title~~ 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.

2 REQUIREMENTS SPECIFIC TO PARKING AREAS ~~PARKING REQUIREMENTS~~

2.1 Parking spaces shall be designed to comply with the layout alternatives shown in the diagrams provided in this Schedule, and the following dimensions: ~~Minimum Parking Space Size~~

(a) 2.7 metres (9 ft) width~~wide~~;

(b) 6.1 metres (20 ft) length~~long~~.

2.2 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 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, or be screened to the Development Officer's satisfaction;

(d) parking facilities for any use, other than a residential building with ~~four or fewer~~less than three dwelling units, be laid out and clearly marked in a manner which provides for safe and orderly parking;

(e) the dimensions and layout of parking spaces and access lanes be comparable to one of the alternatives shown on the diagrams in this Schedule.

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2.3 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.

2.4 The minimum number of off-street parking spaces required for specific uses in ~~Table 1~~Table 2 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.

3 REQUIREMENTS SPECIFIC TO LOADING AREAS ~~LOADING AREA REQUIREMENTS~~

3.1 ~~;~~The provision of off-street loading areas shall be as follows:

(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.

(d) The Development Authority may~~:~~ require additional loading areas or doors be provided for a specific development or for all developments in specific land use districts.

3.2 The Development Authority may allow a joint loading area for two adjacent developments where this would facilitate more orderly or economical development.

3.3 Loading areas shall be designed to comply with the following dimensions:

(a) 3.0 metres (10 ft) width;

(b) 9.1 metres (30 ft) length;

(c) 27.9 m^2 (300 ft^2) area;

(d) 4.3 m (14 ft) overhead clearance.

~~3.2~~

~~(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.~~

~~3.3~~3.4 One loading area shall be provided for each loading door.

~~3.4 Each loading area shall be a minimum of 3.0 metres (10 ft) in width and 9.1 metres (30 ft) in length.~~

~~3.5 Each loading area shall provide a loading doorway of adequate size into the building.~~

~~3.6~~3.5 Each loading area shall be designed so that vehicles using it will not interfere with safe and convenient pedestrian movement, traffic flow or parking.

4 BARRIER-FREE PARKING SPACES~~STALLS~~

4.1 Barrier-free parking spaces~~stalls~~ shall be designed in accordance with best practices.

4.2 The number of designated barrier-free parking spaces~~stalls~~ shall be in accordance with Table 1.~~the table below~~

Table 1
DESIGNATED BARRIER-FREE PARKING SPACES

~~Number of~~ Total Parking Spaces~~Stalls~~ Required	~~Number of~~ Designated Barrier-Free Parking ~~Stalls~~ Spaces Required as Part of ~~the~~ Total Parking Spaces
2–10	1
11–25	2
26–50	3
51–100	4
for each additional increment of 100 or part thereof	one additional space~~stall~~

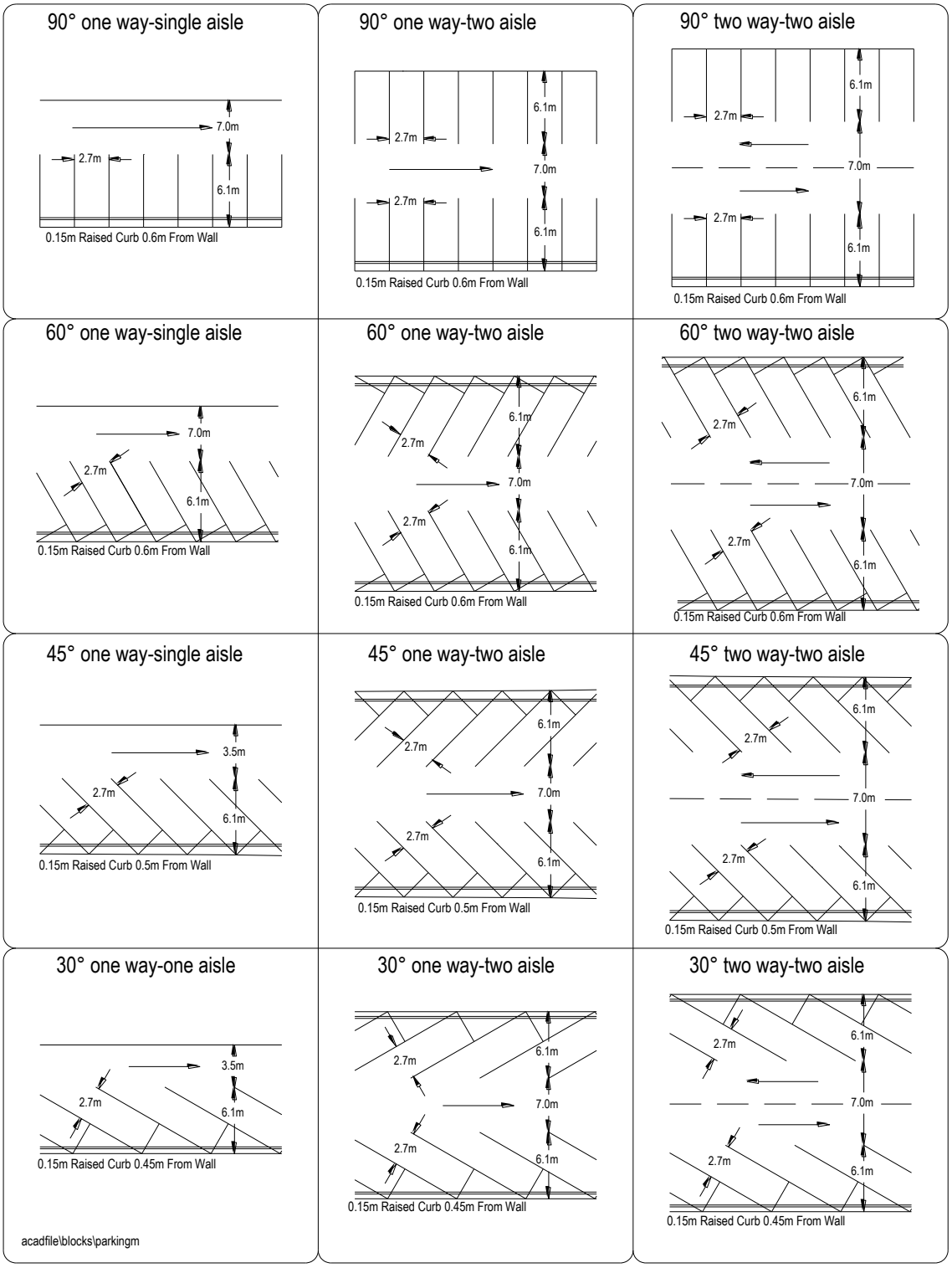
~~Table 1~~Table 2
MINIMUM OFF-STREET PARKING SPACES

PROPOSED USE	PARKING SPACES REQUIRED
Residential, except in the CM-1 District	
Apartment and Multi-Unit Residential Building	1.75 per dwelling unit containing 2 or more bedrooms 1.25 per dwelling unit containing no more than 1 bedroom
~~Senior citizens housing~~ Seniors Supportive Housing Facility	0.5 per accommodation unit
Secondary Suite	1.0 per secondary suite
All Other Residential Uses	2 per dwelling unit
Commercial, except in the CM-1 District	
Retail – Store, Small ~~sales~~	1 per 45.1 m^2 (485 ft^2) net ~~gross~~ floor area (NFA~~GFA~~)*
Retail – Store, Large	To be determined by the recommendations of a traffic engineering review
Service Station and Automobile or Equipment Repair	1 per 45.1 m^2 (485 ft^2) NFA ~~GFA~~; minimum 6 spaces~~stalls~~ per development
Office~~s~~ and Personal Service~~, personal and professional services~~	1 per 60.0 m^2 (645 ft^2) NFA~~GFA~~
~~Shopping centres~~	~~As required by the Development Authority~~
Food and/or Beverage Service ~~Restaurants, lounges and taverns~~	1 per 5 seats or 1 per 12.0 m^2 (130 ft^2) NFA~~GFA~~, whichever is greater, plus 1 space per 2 employees
~~Food take-out service~~	~~10 spaces minimum; the Development Authority may require additional spaces~~
Motel	1 per guest room
Hotel	1 per guest room
Drive-in Food Service ~~restaurants~~	As for Food and/or beverage service ~~restaurants~~, but with a minimum of 10 spaces per development
Auto Sales and Service ~~dealers~~	1 per 49.7 m^2 (535 ft^2) of site area
Short-Term Rental / Bed & Breakfast	1 per 4 guests in addition to parking required for the principal use. Parking for all principal use and guest vehicles, including recreation vehicles, utility trailers and ATV trailers shall be accommodated on the subject property, 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). The Development Authority shall not approve a variance to the off-street parking standard for a Short- Term Rental / Bed & Breakfast in any District that is not within the Historic Commercial Areas Overlay District.
Tourist Home	1 per 4 guests. Parking for all vehicles, including recreation vehicles, utility trailers and ATV trailers shall be accommodated on the subject property, 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). The Development Authority shall not approve a variance to the off-street parking standard for a Tourist Home in any District that is not within the Historic Commercial Areas Overlay District.
All Other Commercial Uses	~~As required~~ As approved by the Development Authority
Industrial and Storage	
Manufacturing or processing	1 per 65.0 m^2 (700 ft²) NFA~~GFA~~; minimum of 5 spaces
Light Manufacturing,~~industry,~~ Warehousing and Storage Facility ~~storage buildings and yards~~	1 per 65.0 m^2 (700 ft²) NFA~~GFA~~; minimum of 5 spaces
Public Assembly, except in the CM-1 District	
Place of Worship~~Churches~~	1 per 5 fixed seats
Community Facility (except school)~~halls, lodges and other public assembly~~	1 per 6 fixed seats OR 1 per 5.0 m^2 (54 ft²) NFA~~GFA~~, whichever is greater
School~~s~~, elementary and junior	2 per classroom
School~~s~~, high and college~~s~~	1 per 4 students
All other uses and all uses in the CM-1 District	~~As required~~As approved by the Development Authority and/or specified in an approved Comprehensive Site Development Plan

*** NOTE:** NFA refers to net floor area~~GFA refers to gross floor area~~

PARKING LAYOUT ALTERNATIVES-METRES



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Schedule 7

RELOCATION OF BUILDINGS

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Schedule 7

RELOCATION OF BUILDINGS

1 APPLICATION OF THIS SCHEDULE

1.1 This Schedule applies to any development permit application for either a permitted or a discretionary use that involves the relocation of a building, including "Moved-In Building", "Moved-In Dwelling"~~, "Modular Home"~~ and any other building type that is supplied as a "Ready-to-Move" or "Modular" building.~~, regardless of the use being listed as a permitted use or a discretionary use in any land use district.~~

2 DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

2.1 An applicant for a development permit that involves the relocation of a building within or to the Municipality is required to submit, with their application, the following information in addition to the information normally required within this Bylaw:

(a) colour photographs of the building proposed to be relocated, 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; and

(f) any other information that may be deemed necessary by the Development Authority.

2.2 It is the responsibility of the landowner to ensure that a building approved to be relocated into the community complies with relevant federal, provincial and municipal codes, standards, regulations, bylaws and legislation (e.g. the *Safety Codes Act,* restrictions on urea-formaldehyde insulation, asbestos content, standards in this Bylaw, the Traffic Bylaw, etc.)

3 DEVELOPMENT PERMIT APPLICATION CONSIDERATIONS

3.1 A development permit 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;

(b) age of the surrounding buildings;

(c) 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.

3.2 In the case of a "Moved-In Dwelling"~~ and "Modular Home"~~ to be relocated, it shall, in the opinion of the Development Authority, be compatible with respect to age and appearance, with the houses in the receiving neighbourhood.

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4 PROVISION OF SECURITY AND TIMELINE FOR COMPLETION

4.1 The landowner or applicant shall post a refundable security deposit in an amount specified in the Fees, Rates and Charges Bylaw to ensure that the proposed building is brought into compliance with the development permit conditions (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).

4.2 Renovations and conditions imposed by the Development Authority to a building relocated within or to the Municipality shall be completed within one year of the issuance of the development permit. Non-compliance shall result in the forfeiture of the security deposit.

Schedule 8

CRITERIA FOR HOME OCCUPATIONS

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Schedule 8

CRITERIA FOR HOME OCCUPATIONS

1 GENERAL

1.1 Where any doubt arises in determining the home occupation classification, then the Development Officer shall refer the application to the Municipal Planning Commission for a decision.

~~1~~2 CLASSIFICATION OF HOME OCCUPATIONS

~~1.1~~2.1 For the purpose of this Bylaw, the following classes shall be used to distinguish various home occupations:

(a) **Home Occupation – Class 1**

(i) Pursuant to the exemption provisions of this Bylaw, a development permit is not required, for a Home Occupation – Class 1, provided it complies with the following standards:

(A) ~~All sales occur off the premises or through electronic means~~ The use does not require more than occasional customer visits to the premises (for greater clarity, "occasional" means one customer site visit per day).

(B) T he use does not involve outdoor storage of materials, commercial vehicles or heavy equipment (note: a utility trailer or other equipment that is typically compatible with residential districts are excluded from this standard).

(C) There is no display of goods on the premises.

(D) An advertising sign is not allowed, except as may be provided under exemptions in the Sign Standards Schedule.

(E) The home occupation does not require any outside employees other than the operator and members of the household, all of whom reside on the premises.

(F) T use he omplies with the **Development Standards** in this Schedule.

~~1. the use involves phone and office only (i.e. no on-site sales, no manufacturing, no use of equipment, etc.), with limited customer visits (see below);~~

~~2. the use does not involve outdoor storage of materials, commercial vehicles or heavy equipment (note: a utility trailer or other equipment that is typically compatible with residential districts are excluded from this standard);~~

(b) **Home Occupation – Class 2**

(i) The Municipal Planning Commission shall 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 (or display) of materials, commercial vehicles or heavy equipment (note: a utility trailer or other equipment that is compatible with residential districts are excluded from this standard).

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(C) There is a limited display of goods on the premises and such display is restricted to indoors only.

(D) One identification or advertising sign may be attached to the building and shall be in accordance with the Sign Standards Schedule of this Bylaw.

~~(A) an advertising sign is proposed;~~

(E) The home occupation requires an employee (not more than one) outside of members of the household who reside on the premises.

(F) The use complies with the **Development Standards** in this Schedule.

3 DEVELOPMENT STANDARDS

~~1.2~~3.1 Home occupation – Class 1 shall be operated and Home Occupation – Class 2 may be approved and shall be operated subject to the following standards and conditions, as may be applicable to each of the categories:

~~(a) 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.~~

~~(a) 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.A new development application must be submitted for consideration by the Development Authority in order to:~~

~~(b)~~(a) A new development application must be submitted for consideration by the Development Authority in order to~~:~~ make any substantial changes or additions to an existing approved use (e.g. the type, use or intensity).

~~(c)~~(b) The home occupation shall not alter the residential character, appearance and/or activity of the dwelling, accessory building or the subject property such that it is incompatible with the applicable land use district.

~~(d)~~(c) The use shall not generate more vehicular or pedestrian traffic and vehicular parking than typical for the neighbourhood and within the district.

~~(e)~~(d) No noise, vibration, effluent, electrical interference, smoke, dust, ash, odour, heat, 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.

(e) The use shall not cause an increase in the demand placed on any one or more utilities (water, wastewater, garbage, etc.) such that the combined total consumption for a dwelling and its home occupation exceeds the average for residences in the area.

(f) The activity associated with the Home Occupation (Class 1 or Class 2) shall be of an innocuous nature that is unlikely to create a noise nuisance.

~~(f)~~(g) The approved use shall be valid only for the period of time the property is occupied by the applicant for such approved use.

~~(g)~~(h) A development permit issued for a home occupation may be subject to the condition that the applicant is required to apply annually to renew the development permit.

(i) ~~A development permit issued for a home occupation shall be revoked and/or a Stop Order shall be issued if, in the opinion of the Development Authority,~~Non-compliance with a development permit issued for a Home Occupation, ~~the~~where the use is or has become detrimental to or incompatible with the residential character and amenities of the neighbourhood, shall be enforced by the Development Authority by the issuance of a Stop Order ~~in the applicable or adjacent land use districts~~.

(j) Only one Home Occupation – Class 1 can be established per dwelling unit without a development permit. Any additional Home Occupation – Class 1 requires a development permit.

(k) Only one development permit for a Home Occupation – Class 2 shall be issued per dwelling unit.

(l) The use shall occur within the principal building or within a detached accessory structure.

~~1.1 A new development application must be submitted for consideration by the Development Authority in order to:~~

~~(h) reinstate a permit that has been revoked, or~~

~~(i) make any substantial changes or additions to an existing approved use (e.g. the type, use or intensity).~~

4 VARIANCES TO HOME OCCUPATION – CLASS 2

~~1.3~~4.1 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.

5 PROHIBITION OF RENTING A DWELLING UNIT TO A WORK CREW FOR HOME OCCUPATION – CLASS 2

5.1 In the R-1 to R-5 and the GCR-1, NUA-1, CRV and 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:

(a) 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

(b) 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).

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Schedule 9

MANUFACTURED ~~MODULAR~~ HOME DEVELOPMENT STANDARDS

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Schedule 9

~~MODULAR~~ MANUFACTURED HOME DEVELOPMENT STANDARDS

1 ELIGIBLE ~~MODULAR~~ MANUFACTURED HOMES

1.1 New ~~modular~~ Manufactured Home units that have Canadian Standards Association (CSA) approval (i.e. compliant with the CSA-A277 certification standard).

1.2 Previously occupied ~~modular~~ Manufactured Home units are subject to Municipal Planning Commission approval and:

(a) must be units of 74.3 m^2 (800 ft^2) or more, constructed within the last 20 years (applicant may be required to provide CSA approval for year constructed);

~~(a)~~(b) must be in a good state of repair; and

~~(b)~~(c) 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

2.1 All ~~modular~~ Manufactured Homes shall be placed on permanent concrete foundations or otherwise anchored as may be specified in the National Building Code – 2019 Alberta Edition (enforcement of this standard is not part of the Land Use Bylaw).

2.2 All ~~modular~~ Manufactured Homes shall be skirted to the satisfaction of the Development Authority, unless the underside of the unit is concealed by the foundation.

2.3 Where a basement is provided for a ~~modular~~ Manufactured Home, access shall be housed within an enclosure of a design and finish which, in the opinion of the Development Authority, complements the unit.

2.4 ~~Modular~~ Manufactured 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 ~~MODULAR~~ MANUFACTURED HOMES

3.1 Any proposed addition to a ~~modular~~ Manufactured Home will be considered part of the unit and shall require a development permit.

3.2 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.

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Schedule 10

MANUFACTURED ~~MODULAR~~ HOME COMMUNITY REGULATIONS

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Schedule 10

~~MODULAR~~ MANUFACTURED HOME COMMUNITY REGULATIONS

1 No parcel of land within the Municipality of Crowsnest Pass shall be developed for use as a ~~modular home community~~Manufactured Home Community unless the following regulations with regard thereto can be and are ~~-~~fulfilled, namely:

1.1 The parcel of land is situated within a land use district wherein such use is prescribed~~ and is at least 2.0 hectares (5 acres) in area~~.

1.2 The minimum area of all ~~modular home sites~~Manufactured Home spaces within a~~ modular home community~~Manufactured Home Community development shall not be less than 232.2 m^2 (2,500 ft^2).

1.3 Not less than 10 percent of the gross area of a~~ modular home community~~Manufactured 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.

1.4 All internal roads, streets or driveways used by vehicles must be paved to standards specified by the Development Authority.

1.5 A footpath system, which may or may not be adjoined to an internal road system, must be provided within a ~~modular~~Manufactured Home Community to provide convenient pedestrian access from the ~~modular~~ Manufactured 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.

1.6 A gravel pad connected by a driveway to the adjoining internal road system must be provided on each ~~modular home site~~Manufactured Home space for the purpose of situating a ~~modular~~ Manufactured Home thereon. The size of the pad must be sufficient to accommodate any ~~modular~~ Manufactured Home to be placed within the boundaries of the site without encroachment onto other lands, provided its location ensures the~~ modular~~ Manufactured Home cannot be closer than 4.6 metres (15 ft) from another~~ modular~~ Manufactured Home. The materials and construction of the pad and driveway shall be specified by the Development Authority.

1.7 A paved or concrete patio of not less than 9.3 m^2 (100 ft^2) in area shall be provided on each ~~modular~~ Manufactured Home lot in a location adjoining or near to the gravel pad.

1.8 Those areas of a~~ modular home site~~Manufactured Home space not developed with a patio, apron, driveway or footpath shall be developed or landscaped to an extent acceptable to the Development Authority.

1.9 All areas of a ~~modular home community~~Manufactured Home Community shall be maintained to the satisfaction of the Development Authority.

1.10 It is the applicant and/or landowner's responsibility to comply with all relevant provincial and federal legislation and regulations~~,~~ (e.g. relative to building, electrical, gas and plumbing permits issued under the *Safety Codes Act*).~~safety codes.~~

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1.11 One freestanding, identification sign may be erected at the entrance to the~~ modular home community~~Manufactured 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.

1.12 Directional signs within the~~ modular home community~~Manufactured Home Community must be integrated in design and appearance, in scale with the immediate surroundings, and constructed of durable material.

1.13 Two parking spaces shall be provided for each~~ modular home site~~Manufactured Home space. 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.

1.14 The design, appearance, general location and exterior finishing materials of the permanent buildings within a~~ modular home community~~Manufactured Home Community must be acceptable to the Development Authority.

1.15 The outdoor lighting system within a~~ modular home community~~Manufactured Home Community must be integrated in design and appearance. The type of lighting must conform to municipality requirements and specifications.

1.16 Each ~~modular home site~~Manufactured Home space shall be physically defined at its corners or along its boundaries by means of a marker to the satisfaction of the Development Authority.

1.17 The boundaries of a ~~modular~~ Manufactured Home Community shall be suitably and adequately screened, and the site shall be landscaped to the satisfaction of the Development Authority.

1.18 Except with the approval of the Development Authority, a~~ modular~~ Manufactured Home Community shall not have more than one motor vehicle entrance and not more than one motor vehicle exit to a primary highway, each of minimum width of 7.6 metres (25 ft) measured to the curb cuts.

1.19 The management of a~~ modular home community~~Manufactured Home Community shall at all times conform to local bylaws relating to sanitation and to garbage and refuse collection.

1.20 At least one communal garbage container on a permanent foundation shall be provided for each Manufactured Home Community~~modular community~~.

1.21 Each~~ modular home community~~Manufactured Home Community must be designed to have at least two access/egress points.

Schedule 11

SIGN STANDARDS

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Schedule 11

SIGN STANDARDS

1 DEFINITIONS

1.1 In addition to the definitions in Schedule 18~~19~~ of this Bylaw, the following definitions apply to this ~~schedule~~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. This does not include a portable sign.

~~**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 Third-Party Sign structure within the highways development control zone of Alberta Transportat~~t~~ion relative to the right-of-way of Highway 3, and that is designed and intended to provide a leasable advertising sign area~~copy area~~ on both sides in excess of 18.6 m^2 (200 ft^2) per side.

~~**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.

Clearance means the shortest vertical distance between the underside of a sign and grade.

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 or 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:

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(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.

~~**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 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.~~

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 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 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 the *Surveys Act* that is filed in a Land Titles Office;~~

~~(c) a settlement lot shown on an official plan referred to in 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 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.

~~**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 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. This does not include an A-Board sign.

~~**Principal Use** means the main purpose for which a lot, parcel, or building is used or intended to be used.~~

~~**Professional Engineer** means a professional engineer as defined in the Engineering and Geoscience Professions Act who has been registered (and, in the case of a partnership or corporation, also permitted to practice) 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. This is not a Subdivision or Development Marketing Sign.

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.

~~**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, 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 copy area ~~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 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 or Development Marketing Sign means a temporary sign placed on a parcel of land that is the subject of an approved subdivision or an approved development permit for the purpose of promoting future lots, new home areas, show homes, or a future development, and which may incorporate small banners or flags. This is not a Real Estate Sign.

~~**Temporary Sign** means any sign approved, 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 Sign means a sign advertising a business or an activity that is not located on the same lot or parcel as the sign, including a Contractual Sign, a Directional Sign, a Merchandising Aid and a Billboard.

Traffic or Directional Sign means any sign for the purpose of controlling traffic or providing directional information to drivers.

~~**Variance** means the relaxation 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

2.1 This Bylaw applies to all signs within the Municipality.

2.2 ~~No one u~~Unless exempt under Schedule 3 of this Bylaw, read together with Section 5 of this Schedule, no person 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 this Bylaw.

~~(c) Upon receipt of a completed application for a development permit, 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* and this Land Use Bylaw.~~

2.3 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 6 to 17~~11 to 24~~ of this Schedule. Where Table 1 contains a standard that is inconsistent with a standard established in Sections 6 to 17~~11 to 24~~, the standard in Sections 6 to 17~~11 to 24~~ shall prevail.

~~2.4 (f) Where 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.~~

~~2.5~~2.4 Resolution of conflicts between sections of this Bylaw will be at the discretion of the Municipal Planning Commission.

~~2.6~~2.5 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 development 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 development permit shall be accompanied by a basic application fee as per the Municipality's Fee Schedule.~~

3.1 ~~(c)~~ A business or enterprise applying for a sign development permit must possess or be in the process of obtaining a development permit and a business license for its business location, must be located and operational or in the process of becoming located and operation within the boundaries of the Municipality, and must have the written consent from the landowner on whose property the sign is proposed to be located.

3.2 ~~(d)~~ All applications for a sign development permit shall provide the following information in addition to the information required elsewhere in this Bylaw:

~~(a) (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;~~

~~(b) (ii) the location of the proposed sign on the lot or building;~~

~~(c)~~(a) ~~(iii)~~ the distance from the sign to property lines, roadway intersections, traffic control devices and from access points to the property;

~~(d)~~(b) ~~(iv)~~ the distance from the sign to buildings and other signs on the property;

~~(e)~~(c) ~~(v)~~ the distance to aerial power lines from freestanding and roof signs;

~~(f)~~(d) ~~(vi)~~ a sign plan drawn to scale or photographically produced showing design and placement;

~~(g)~~(e) ~~(vii)~~ the dimensions of the sign;

~~(h)~~(f) ~~(viii)~~ the method of attachment to and the nature of the structure to which attachment will be made;

~~(i)~~(g) ~~(ix)~~ for a fascia sign, the projection distance from the face of the building;

~~(j)~~(h) ~~(x)~~ the height of the sign measured from grade to the highest point of the sign or sign structure;

(i) ~~(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); and

~~(k)~~(j) sign copy.

4 GENERAL REGULATIONS

4.1 ~~(a)~~ The various types of Signs may be approved only where they are prescribed in a land use district in accordance with the provisions of this ~~Land Use~~ Bylaw.

4.2 ~~(b)~~ An application for a sign development located along a highway within the Municipal jurisdiction shall be considered in the context of Provincial legislated requirements, and the applicant must first obtain a roadside development permit from Alberta Transportation before making a development permit application to the Municipality.

4.3 ~~(c)~~ All signs in the Municipality shall comply with the following:

(a) ~~(i)~~ all signs shall be maintained by the owner in a safe and tidy manner to the satisfaction of the Development Authority;

(b) ~~(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;

(c) ~~(iii)~~ all signs shall, in the opinion of the Development Authority, be of quality construction and of a design suitable for public display;

(d) ~~(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.

4.4 ~~(d)~~ The Development Authority may require sign placements to be enhanced with landscaping or architectural features to improve aesthetics.

4.5 ~~(e)~~ No sign shall be placed or illuminated in such a manner that, in the opinion of the Development Authority, it:

(a) ~~(i)~~ causes confusion with or obstructs the view of any Traffic Control Sign, signal light, or other device;

(b) ~~(ii)~~ obstructs or endangers vehicular or pedestrian traffic; or

(c) ~~(iii)~~ adversely affects neighbouring properties; or

(d) ~~(iv)~~ will create a potential hazard or conflict with the routing of any public utility.

4.6 ~~(f)~~ The source of light for any Illuminated Sign shall be fixed, non-flashing, non-revolving, and suitably shielded to the satisfaction of the Development Authority.

4.7 ~~(g)~~ No Active Electronic Signs shall be approved within the Municipality's jurisdiction, with the exception of such signs as may be allowed by Alberta Transportation within the highway right-of-way.

4.8 ~~(h)~~ No Billboard Sign shall be approved within the Municipality's boundaries except where such sign was approved by Alberta Transportation within the development control zone of a highway.

~~4.9 (i) The types of sign that may be approved may be restricted by Design Standards for Signage Districts established by motion of Council or by Design Standards adopted by the Development Authority.~~

~~4.10~~4.9 ~~(j)~~ The maximum number of Primary Signs that may be approved 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 6 to 17~~11 to 24~~ of this Schedule.

~~4.11~~4.10 ~~(k)~~ 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 ft²) and with two or more frontages is 18.0 m2 (194 ft²).

~~4.12~~4.11 ~~(l)~~ All signs associated with a particular business must be moved within 30 days of the closure of the business.

~~4.13 (m) A sign may be designated as an Abandoned Sign by the Development Authority.~~

~~4.14 (n) Council may designate a Sign Clutter Area and require action to remediate.~~

~~4.15 (o) Signs to be placed on frontage roads may be approved at the discretion of the Development Authority.~~

4.164.12 (p) No signs shall be approved within the Municipality's boundaries that are attached to or mounted on permanently fixed or stationary transport trailers or shipping containers.

5 5. VARIANCES

6 (a) The Development Authority is hereby empowered to approve a variance of any development standard or other provision of this bylaw if, in its opinion:

7 (i) such variance would not unduly compromise the aesthetic quality or safety of signs in the Municipality; and

8 (ii) such variance will not conflict with other signs or land uses.

9 6. ENFORCEMENT

10 (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.

11 (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, 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.

12 (c) If an order issued under this Schedule 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.

13 7. APPEALS

14 Any person affected by a decision of the Development Authority may appeal said decision in accordance with the relevant provisions of the Act.

15 8. STOP ORDERS

16 The Development Authority may issue a Stop Order pursuant to the relevant provisions of the Act.

17 9. PENALTIES AND FINES

18 Refer to the Administration part of this bylaw.

5 SIGNS NOT REQUIRING A DEVELOPMENT PERMIT

18.15.1 All signs listed as a use in any land use district require a development permit, except the following signs, and regardless of whether or not the sign is listed as a use in the applicable land use district:

(a) **All signs require a development permit except for:**

(b)(a) (a) a maximum of one temporary sign located on a single lot or frontage;an inflatable sign posted for a maximum of 7 days;

(b) (c) a sign that is posted or exhibited inside a building, including window signs;

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(c) an A-board sign during business hours;

~~(c)~~(d) a temporary 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;

(ii) has sign area not exceeding 2.0 m2 (21.5 ft2);

(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;

~~(d)~~(e) a traffic or directional sign within a road or highway right-of-way authorized by the Municipality, the Government of Alberta, or the Federal Government;

~~(e)~~(f) 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;

~~(f)~~(g) 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);

(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;

~~(g)~~(h) real estate signs as follows:

(i) a sign advertising the location of real estate for the purposes of public viewing or an open house, provided that the sign is posted for a time period not exceeding 3 days and is removed from the property within 48 hours of the completion of the event; ~~and~~or

(ii) a sign that indicates the **immediate availability** for sale, lease, or rental of a land parcel or a building, or portion thereof, provided that the sign:

(A) 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;

(B) has a sign area not exceeding 3.0 m2 (32 ft²); and

(C) is removed within 30 days of the lease or sale of the building or land;

but is not to be interpreted as a Subdivision or Development Marketing Sign.

~~(h)~~(i) 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;

~~(i)~~(j) address numbers or letters displayed on the property where together the total sign area is less than 1.2 m2 (13 ft2);

~~(j)~~(k) copy in a contractual sign or merchandising aid;

~~(k)~~(l) 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, and does not obstruct the use of the bench or waste receptable; and

~~(l)~~(m) a sign posted on a ~~any~~ construction site during the period of construction and removed within 30 days following construction completion.

~~19~~6 A-BOARD SIGN~~S – Type 11~~

~~19.1~~6.1 ~~(a)~~ A-Board Signs shall only be allowed in commercial and industrial districts.

~~19.2~~6.2 ~~(b)~~ A-Board Signs must be on or directly in front of the property on which the business being advertised is located.

~~19.3~~6.3 ~~(c)~~ A-Board Signs may be displayed only during the business hours of the business being advertised.

~~19.4~~6.4 ~~(d)~~ A-Board Signs shall not exceed 0.76 metre (2.5 ft) in width and 1.23 metres (4 ft) in height.

~~19.5~~6.5 ~~(e)~~ No A-Board Sign shall occupy more than 30 percent of the width of any public sidewalk.

~~19.6~~6.6 ~~(f)~~ The number of A-Board Signs that may be approved per business frontage to a maximum of two.

~~20~~7 CANOPY SIGN~~S – Type 12~~

~~20.1~~7.1 ~~(a)~~ No more than one canopy is allowed per building.

~~20.2~~7.2 ~~(b)~~ No more than one Canopy Sign is allowed per business frontage to a maximum of two.

~~20.3~~7.3 ~~(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.

~~20.4~~7.4 ~~(d)~~ Approval of any Canopy Sign 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.

~~20.5~~7.5 ~~(e)~~ The ~~copy area~~ of a Canopy Sign shall not exceed the lesser of 9.3 m2 (100 ft²) or 30 percent of the area of each side of the awning or marquee to which it is mounted, painted or otherwise attached.

~~20.6~~7.6 ~~(f)~~ No part of a Canopy Sign, exclusive of any supports, shall be less than 2.7 m (9 ft) above ground or sidewalk grade.

~~20.7~~7.7 ~~(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.

~~20.8~~7.8 ~~(h)~~ No Canopy Sign shall be located within 0.5 m (1.5 ft) of the top of a parapet or roofline.

~~21~~8 FASCIA AND WALL SIGN~~S – Type 13~~

~~21.1~~8.1 ~~(a)~~ No more than one Fascia or Wall Sign per business frontage may be approved and it shall be located completely on the same site as the use being advertised.

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~~21.2~~8.2 ~~(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.

~~21.3~~8.3 ~~(c)~~ The sign surface shall not exceed the lesser of 6.5 m2 (70 ft²) or 15 percent of the exterior wall unit on which it is attached or located.

~~21.4~~8.4 ~~(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.

~~21.5~~8.5 ~~(e)~~ No Fascia or Wall Sign may be located within 0.5 metre (1.5 ft) of the top of a parapet or a roofline.

~~22~~9 FREESTANDING SIGN~~S – Type 14~~

~~22.1~~9.1 ~~(a)~~ Freestanding Signs may be approved only in non-residential land use districts.

~~22.2~~9.2 ~~(b)~~ All Freestanding Signs shall be located completely on the same lot as the use being advertised.

~~22.3~~9.3 ~~(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.

~~22.4~~9.4 ~~(d)~~ Freestanding Signs advertising a single business shall not be approved on properties zoned for multiple commercial enterprises~~, and where multiple listing signs are allowed~~.

~~22.5~~9.5 ~~(e)~~ No Freestanding Sign shall exceed 7.6 metres (25 ft) in height including supporting structures.

~~22.6~~9.6 ~~(f)~~ The sign area of a Freestanding Sign shall not exceed 6.5 m2 (70 ft²) per face.

~~22.7~~9.7 ~~(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.

~~23~~10 HOME OCCUPATION – CLASS 2, TOURIST HOME, AND SHORT-TERM RENTAL / BED & BREAKFAST SIGN~~S – Type 15~~

~~23.1~~10.1 ~~(a)~~ Home Occupation – Class 2, Tourist Home, and Short-Term Rental / B&B Signs may be allowed for the purpose of identifying an approved Home Occupation – Class 2, Tourist Home, or Short-Term Rental / B&B.

~~23.2~~10.2 ~~(b)~~ The sign area of a Home Occupation – Class 2, Tourist Home, and Short-Term Rental / B&B Sign shall not exceed 0.72 m2 (8 ft²).

~~23.3~~10.3 ~~(c)~~ A Home Occupation – Class 2, Tourist Home and Short-Term Rental / B&B Sign may be attached to a wall or a fence, or it may be a stand-alone structure that shall not extend more than 1.5 metres (5 ft) above grade, or it may be a window sign.

~~23.4~~10.4 ~~(d)~~ An application for a Home Occupation – Class 2, Tourist Home, and Short-Term Rental / B&B Sign will not be considered unless the operator of the home occupation is in possession of a development permit and a business license.

~~23.5~~10.5 ~~(e)~~ Only one Home Occupation – Class 2, Tourist Home, and Short-Term Rental / B&B Sign per residence may be approved.

~~24 16. MULTIPLE LISTING SIGNS – Type 16~~

~~25 (a) No more than one Multiple Listing Sign per frontage to a maximum of two may be approved.~~

~~26 (b) All Multiple Listing Signs shall be located completely on the same lot as the use being advertised.~~

~~27 (c) Each component sign, panel or advertisement comprising a Multiple Listing Sign shall:~~

~~28 (i) be manufactured of the same materials for continuity;~~

~~29 (ii) be confined within the same structural frame;~~

~~30 (iii) be of a design acceptable to the owner of the entire sign or owner of the property; and~~

~~31 (iv) have copy acceptable to the owner of the entire sign or owner of the property.~~

~~32~~11 MURAL~~S – Type 17~~

~~32.1~~11.1 A Mural may be approved on the basis of design merit if, in the opinion of the Development Authority the mural will:

(a) be visually attractive to passers-by and/or will enhance the visual quality of the Municipality;

(b) enhance the immediate surroundings in which they are to be situated; and

(c) be constructed of weather-resistant materials that will withstand prevailing climatic conditions.

~~33~~12 PORTABLE SIGN~~S – Type 18~~

~~33.1~~12.1 The sign area of a Portable Sign shall not exceed 3.~~8~~7 m2 (40 ft²).

~~33.2~~12.2 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.

~~33.3~~12.3 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.

~~33.4~~12.4 A sign development permit granted for a Portable Sign shall specify the period of time, not to exceed 90 days, during which the sign is approved to be exhibited.

~~34~~13 PROJECTING SIGN~~S – Type 19~~

~~34.1~~13.1 This category of sign includes decorative light pole signs.

~~34.2~~13.2 A single Projecting or Overhanging Sign may be approved on a single lot or business frontage.

~~34.3~~13.3 Any Projecting Sign shall have a minimum clearance above ground, or sidewalk grade of at least 2.7 metres (9 ft).

~~34.4~~13.4 The sign area of a Projecting Sign shall not exceed 1.5 m2 (16 ft²) per face.

~~34.5~~13.5 A Projecting Sign shall be securely fastened to the building to the satisfaction of the Development Authority.

~~34.6~~13.6 Approval of any Projecting Sign 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.

~~34.7~~13.7 No part of a Projecting 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 roadway without the approval of the Development Authority.

~~34.8~~13.8 No Projecting Sign may be located within 0.5 metre (1.6 ft) of the top of a parapet or a roofline.

~~35~~14 ROOF SIGN~~S – Type 20~~

~~35.1~~14.1 No more than one Roof Sign may be approved per business frontage.

~~35.2~~14.2 The sign area of a Roof Sign shall not exceed 8.4 m2 (90 ft²).

~~35.3~~14.3 No part of a Roof Sign shall project horizontally beyond any exterior wall, parapet or roofline of the building upon which it is located.

~~35.4~~14.4 A Roof Sign may be approved:

(a) on the flat roof of a building that is at least 9.1 metres (30 ft) high; or

(b) between the eaves and peak of a sloping roof.

~~35.5~~14.5 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.

~~35.6~~14.6 No supporting structures shall be visible to the public unless finished in an aesthetically pleasing manner to the satisfaction of the Development Officer.

~~35.7~~14.7 On a sloping roof no part of any Roof Sign shall be more than 6.1 metres (20 ft) above grade.

~~35.8~~14.8 All Roof Signs shall be securely fastened to the building to the satisfaction of the Development Authority.

~~36 21. SECONDARY SIGNS – Type 21~~

~~37 (a) A maximum of one Secondary Sign per principal use may be approved.~~

~~38 (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.~~

~~39 (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.~~

~~40~~15 SUBDIVISION ENTRANCE FEATURE SIGN~~S – Type 22~~

~~40.1~~15.1 Subdivision Entrance Feature Signs may be approved in all land use districts provided it:

(a) is freestanding;

(b) does not exceed 4.0 metres (13 ft) in sign height;

(c) does not exceed 6.0 m2 (64.6 ft²) in sign area;

(d) incorporates the name of the neighbourhood, subdivision or area; and

(e) is architecturally integrated with any design theme or style of the neighbourhood, subdivision or area at which it is located.

~~41~~16 SUBDIVISION OR DEVELOPMENT MARKETING SIGN~~S – Type 23~~

~~41.1~~16.1 Approval of a Subdivision or Development Marketing Sign requires that:

(a) the subject subdivision application or development permit application has been approved by the Subdivision Authority or the Development Authority;

(b) the sign is located within the boundaries of the parcel that is the subject of the subdivision or the development being marketed;

(c) the sign is free-standing, a banner, or attached to a structure;

(d) the sign has sign area not exceeding 12.0 m2 (130 ft2); and

(e) the sign does not exceed 5.0 metres (16 ft) in height.

~~41.2~~16.2 Only one sign per street frontage of the original parcel boundary is allowed.

~~41.3~~16.3 This sign type shall not be interpreted to include a Real Estate Sign as defined in this Schedule.

~~42~~17 THIRD-PARTY SIGN~~S – Type 24~~

~~42.1~~17.1 Third-Party Signs include off-premises directional signs, off-premises contractual signs, off-premises merchandising aids, and Billboards (the latter only in those ~~pre-approved~~ locations as specified in this Schedule).

~~42.2~~17.2 An application for a Third-Party sign development located within the development control zone of a highway within the Municipal jurisdiction shall be considered in the context of Provincial legislated requirements, and the applicant must first obtain a roadside development permit from Alberta Transportation before making a development permit application to the Municipality.

~~42.3~~17.3 Third-Party Signs are prohibited in residential land use districts.

~~42.4~~17.4 A business or enterprise applying for a Third-Party sign development permit must possess or be in the process of obtaining a development permit and a business license for its business location, must be located and operational or in the process of becoming located and operation within the boundaries of the Municipality, and must have the written consent from the landowner on whose property the sign is proposed to be located.

~~42.5~~17.5 The site requirements for a Third-Party Sign include:

(a) the sign must be attached to a fixed structure, which shall exclude signs posted or exhibited on motor vehicles or trailers that are temporarily or permanently parked solely for the purpose of displaying the sign;

(b) the sign area shall not exceed 18.6 m2 (200 ft²) on each face ~~excluding the frame~~, except for a Billboard of which the advertising sign area~~copy area~~ on both sides may exceed 18.6 m2 (200 ft²) per side up to a maximum sign area at the sole discretion of the Development Authority;

(c) the maximum height, including support structure, shall be 6.1 metres (20 ft);

(d) the spacing between Billboards along Highway 3 shall be no less than 500 metres (~~547 yds.~~1640 ft), at the ~~pre-approved~~ sites as follows:

(i) West of Coleman, starting approximately 1.8 km west of the West Access to Coleman and each additional 500 metres (approximately) west thereof, to a maximum of five sign sites.

(ii) East of Bellevue, starting approximately 500 metres east of the East Access to Bellevue and each additional 500 metres (approximately) east thereof, to a maximum of five sign sites.

(Note: field conditions will be taken into consideration when determining the exact location for placement of Third-Party Signs along Highway 3)

(e) consideration by the Development Authority of the sign in relation to the site's topography, adjacent land uses, and aesthetics of the area.

~~42.6~~17.6 Both sides of a Third-Party Sign may be used for advertising purposes.

~~42.7~~17.7 The Development Authority may restrict the number of Third-Party Signs per site or location and/or the number of advertisements per Third-Party Sign panel.

~~42.8~~17.8 Each component sign, panel or advertisement shall be:

(a) of equal sign area;

(b) manufactured of the same materials for continuity; and

(c) confined within the same structural frame.

~~42.9~~17.9 The reverse side of a Billboard that is visible from the opposite direction shall have copy or be painted upon installation.

~~42.10~~17.10 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.

TABLE 1 – Summary of Sign Requirements
(see Section shown under Category for the complete listing of requirements)

Category	Maximum Sign Area~~Size~~	Maximum and Minimum Height / Width	Number of Signs Permitted	Additional Requirements
A-Board Sign (Section ~~11~~6)	~~0.6 m (2 ft) wide~~	1.23 m (4 ft) maximum height and 0.6 m (2 ft) maximum width	one per business frontage to a maximum of two	allowed in commercial and industrial districts only
Canopy Sign (Section ~~12~~7)	the sign area~~copy area~~ must not exceed the lesser of 9.3 m^2 (100 ft^2) or -30% of the area of each side of the awning or marquee	minimum height above grade 2.7 m (9 ft)	one per frontage to a maximum of two	(a) cannot project more than 1.5 m (5 ft) over any public place or within 0.9 m (~~2.95~~ 3~~ft.~~ ft) of the curb or roadway (b) cannot be within 0.5 m (1.6 ft) of the top of a parapet or roofline ~~(b)~~(c) excluding any supports, no part shall be less than 2.7 m (9 ft) above ground or sidewalk grade ~~(c)~~(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 Sign (Section ~~13~~8)	sign area the lesser of 6.5 m^2 (70 ft^2) or 15% of the exterior wall area to which it is attached		one per business frontage	(a) cannot be within 0.5 m (1.6 ft) of the top of a parapet or roofline ~~(a)~~(b) where located in proximity of traffic, no part shall be less than 2.7 m (9 ft) above grade
Freestanding Sign (Section ~~14~~9)	sign area 6.5 m^2 (70 ft^2) per face	7.6 m (25 ft) maximum height	one per frontage, to a maximum of two	must be located completely on the same lot as the use being advertised

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Category	Maximum Sign Area~~Size~~	Maximum and Minimum Height / Width	Number of Signs Permitted	Additional Requirements
Home Occupation – Class 2, Tourist Home and Short-Term Rental / Bed & Breakfast Sign (Section ~~15~~10)	~~0.37~~ 0.72 m^2 (~~4~~ 8 ft^2)	maximum height above grade 1.5 m (5 ft) for stand-alone signs	one per residence	the operator of the approved home occupation – class 2, tourist home or short-term rental / bed & breakfast must be in possession of a ~~Municipality~~ development permit and business license
~~**Multiple Listing Sign**~~ ~~(Section 16)~~			~~one per frontage, to a maximum of two~~	~~must be located completely on the same lot as the use being advertised~~
Mural (Section ~~17~~11)				
Portable Sign (Section ~~18~~12)	sign area 3.7 m^2 (40 ft^2)		one per frontage, to a maximum of two	(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
Projecting Sign (Section ~~19~~13)	sign area 1.5 m^2 (16 ft^2) per face	minimum 2.7 m (9 ft) above grade	one per single lot or business frontage	(a) horizontal projection ≤ 1.5 m (5 ft) (b) setback from curb or roadway ≥ ~~1.5 m (5 ft.)~~ 0.9 m (3 ft) (c) setback from any public place ≥ 1.5 m (5 ft) ~~(c)~~(d)cannot be within 0.5 m (1.6 ft) of the top of a parapet or roofline
Roof Sign (Section ~~20~~14)	sign area 8.4 m^2 (90 ft^2)	(a) 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 (b) on a sloping roof no part of any Roof Sign shall be more than 6.1 m (20 ft) above grade	one per business frontage	(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~~

Category	Maximum Sign Area~~Size~~	Maximum and Minimum Height / Width	Number of Signs Permitted	Additional Requirements
~~**Secondary Sign** (Section 21)~~	~~50% of the sign area of the principal sign~~		~~one per use~~	~~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 Sign (Section ~~22~~15)	sign area 6 m^2 (64 ft^2)	maximum height 4 m (13 ft)		
Subdivision or Development Marketing Sign (Section ~~23~~16)	sign area 12 m^2 (130 ft^2)	maximum height 5 m (16~~.4~~ ft)	one per street ~~subdivision~~ frontage of the original parcel boundary	
Third Party Sign (Section ~~24~~17)	sign area 18.6 m^2 (200 ft^2), except a billboard, which is at the sole discretion of the Development Authority	maximum height 6.1 m (20 ft) including support structure	subject to the spacing requirements outlined in Section 19(e) of this Schedule	(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.~~ 1640 ft) (d) minimum clearance of 5.0 m (16.4 ft) for community oriented or public service banner signs that cross a public roadway (e) the spacing between billboards along Highway 3 shall be no less than 500 m at the designated locations specified in this Schedule (f) the reverse side of a billboard shall be painted upon installation

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Schedule 12

STANDARDS FOR RENEWABLE ENERGY OPERATIONS

~~ALTERNATIVE/RENEWABLE ENERGY DEVELOPMENTS~~

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Schedule 12

~~ALTERNATIVE/RENEWABLE ENERGY DEVELOPMENTS~~, STANDARDS FOR RENEWABLE ENERGY OPERATIONS

1 DEFINITIONS

1.1 In addition to the definitions below, the definitions in Schedule 18 also apply to this Schedule.

~~1.1~~1.2 ~~In addition to the definitions in Schedule 19 (Definitions) of this Bylaw, t~~The following definitions ~~apply~~ are specific to this Schedule:

(a) **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.

(b) **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.

(c) **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.

(d) **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.

(e) **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.

(f) **Blade(s)** means the part(s) of a WECS system that forms an aerodynamic surface and revolves on contact with the wind.

(g) **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.

(h) **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.

(i) **Fermentation** is the process of extracting energy from the oxidation of organic compounds.

~~(b)~~(j) **Gasification** is a process that converts organic or fossil~~-~~-based carbonaceous materials into carbon monoxide, hydrogen and carbon dioxide. ~~-~~This is achieved by reacting the material at high temperatures (>700 °C), without combustion, with a controlled amount of oxygen and/or steam.

(k) **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.~~

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(l) **Horizontal axis nacelle** means a WECS on which the axis of the nacelle is parallel to grade.

(m) **Internal parcel boundary** means the property boundary for lands which are within the footprint of the wind farm.

(n) **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.

~~(c)~~(o) **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.

(p) **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.~~

(q) **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.

(r) **Over speed control** means a device which prevents excessive rotor speed.

(s) **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.

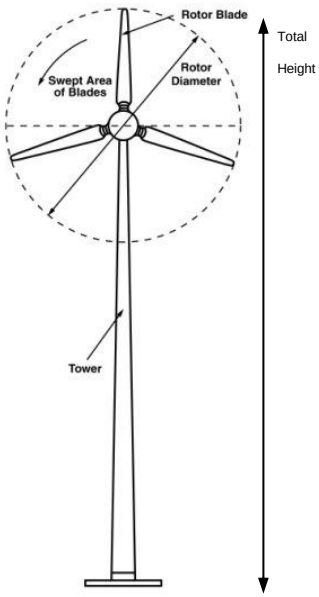
(t) **Rotor's arc** means the largest circumferential path travelled by a blade.~~Single Wind Energy Conversion System (SWECS) means a single wind energy conversion system developed to generate electrical power for a single landowner for domestic and/or agricultural uses.~~

(u) **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.

(v) **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.

(w) **Tower** means the vertical structure that supports the nacelle and the blade(s) above the ground.

(x) **Vertical axis rotor** means a wind energy conversion system where the rotor is mounted on an axis perpendicular to the earth's surface.



~~(d)~~(y) **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.~~**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 GENERAL APPLICATION REQUIREMENTS

2.1 ~~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).~~The applicant is responsible to apply for provincial and federal approvals or permits that may be required.

2.2 All types of Renewable Energy Operations require a development permit, including but not limited to solar photovoltaic, solar thermal, geo-exchange, micro-hydro, carbon capture and storage, geothermal, micro-hydro, waste-to-energy, an anaerobic digester, biodiesel, biofuel or a fuel cell.

2.3 An individual development permit application shall be submitted for each titled parcel.

2.4 A development permit application for a Renewable Energy Operation shall be accompanied by the following information:

(a) all information previously submitted to the Alberta Utilities Commission and any other provincial or federal agency that the Development Authority determines to be relevant to the development permit application;

(b) a copy of any provincial and federal approvals, licenses and authorizations obtained prior to the application for a development permit; and

(c) if not include in the above, the following information:

(i) a reclamation plan;

(ii) the status of the applicant's application to provincial and federal agencies, including but not limited to Industry Canada, NavCanada, Transport Canada, Alberta Utilities Commission, Alberta Transportation, Environmental Impact Assessment Agency of Canada, Alberta Environment, and any other government departments required for approval;

(iii) detailed information on the type of facility, structure or system, number of structures, height of structures, the proposed energy process and rated output;

(iv) the manufacturer's specifications indicating (if applicable) the rated output in megawatts and/or the safety features and sound characteristics;

(v) information or verification of the proposed source of water if required for the type of facility;

(vi) a visual representation of the project including scaled elevations, photographs and/or digital projections of the project within the landscape;

(vii) identification of the roads to be used for construction and operation of the project and any impacts to the local road system including required approaches from public roads having regard to municipal standards;

(viii) 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 and identification of any sensitive, environmental or topographical features which may be present on the parcel, including canals, streams or water wells;

(ix) a site suitability analysis including but not limited to: potential visual impacts, topography, soil characteristics, environmental features and issues, studies identifying noise, odour and pollutant impacts and how these impacts will be addressed, accessibility to a road, compatibility with surrounding land uses, potential impacts to agricultural land and irrigation operations, storm water management, and consistency with the policies of the Municipal Development Plan and this Bylaw;

(x) setback distances of structures from public roads, property lines and structures or uses on adjacent parcels of land;

(xi) a preliminary grading/drainage plan, including a site construction/grading plan with details on proposed management practices for any soil stripping and erosion control, and proposed construction haul route;

(xii) the location of overhead utilities on or abutting the subject parcel and identification of any sensitive, environmental or topographical features which may be present on the parcel;

(xiii) an emergency response plan;

(xiv) plans and methods of weed control and erosion control;

(xv) information regarding general public safety and security measures including site fencing;

(xvi) a summary of any public consultation undertaken prior to the application date; and

(xvii) a statement describing the project's relationship to the *South Saskatchewan Regional Plan.*

3 SITING AND STANDARDS

3.1 General Site Selection Criteria

(a) The following site selection criteria are to be considered:

(i) the preferred location of Renewable Energy Operations is on parcels designated for industrial land use and located in proximity to highways or railway corridors;

(ii) use of the poor quality lowest productive land, and poor agricultural land is preferred;

(iii) use of cut-off, fragmented, irregular shaped parcels is preferred;

(iv) environmentally sensitive and environmentally significant areas, including wetlands or intact native grasslands, should be avoided; and

(v) a Renewable Energy Operation shall not be located within 300 m (984.3 ft) of an individual residential dwelling on an adjacent parcel, or 750 m (2460.6 ft) from a boundary of a designated grouped country residential subdivision or an urban residential area.

3.2 Development Standards

(a) The following development standards are established for a Renewable Energy Operation:

(i) the buildings or structures of a commercial or industrial energy project shall comply with all property line and public roadway setbacks as established in the district in which the project is proposed;

(ii) the Development Authority may require a larger minimum setback than required in the applicable land use district, having regard for the location of the development, determined natural, scenic or ecologically significant features of the landscape, adjacent land uses and potential environmental impacts (e.g. air, water surface and subsurface soil, etc.);

(iii) all surface drainage must be contained on site and any adjacent water bodies must be adequately protected from run-off;

(iv) suitable fencing must be installed to provide security and discourage trespassing;

(v) 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;

(vi) spacing of structures must provide access for firefighting of both forage and electrical fires; and

(vii) weeds shall be controlled in a comprehensive manner ensuring adjacent landowners are not negatively affected.

4 DECOMMISSIONING

4.1 General Decommissioning Requirements

(a) Decommissioning and reclamation shall take place in compliance with the applicable provincial standards of the day the site is decommissioned. If no standards are in place at the time of a development permit application, the applicant shall provide a reclamation plan outlining how the site will be decommissioned and reclaimed to the site's predevelopment state. The reclamation plan shall include information on:

(i) treatment of footings and wires;

(ii) reclamation of roads, driveways, pathways, and other similar disturbances;

(iii) notice to be given to landowners and the Municipality;

(iv) containment of hazardous materials;

(v) site security;

(vi) haul routes for disposal materials;

(vii) the requirement for removal of structures / devices after a certain period of inactivity; and

(viii) discussion of the timeline for the reclamation plan.

4.2 Provision of Security

(a) As a condition of development approval, the Municipality may require security, in a form satisfactory to the Development Authority, to ensure the reclamation plan is implemented. The condition may include a periodic review and supplementation of the security to ensure the amount is sufficient to implement the reclamation plan.

~~3 Should a Renewable Energy Project / Operation discontinue producing power for a minimum of two consecutive years, or two cumulative years over a five-year period, the operator shall provide a report on the status of the project to the Municipality. A review of the status report by the Municipal Planning Commission may result in a request for the Solar Farm to be decommissioned. Failure to comply with a decommissioning request may result in the issuance of a stop order by the Municipality in accordance with the provisions of the MGA.~~

5 GENERAL CONDITIONS OF DEVELOPMENT PERMIT APPROVAL

5.1 Any license, 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.

~~3.1~~5.2 In addition to any other conditions authorized under this Bylaw, the Development Authority may attach to the development permit for a Renewable Energy Operation any condition related to the following criteria and in accordance with Sections 619 and 620 of the MGA: ~~As a condition of development permit approval for a Solar Collector Farm, the Development Authority shall consider, in addition to any other conditions authorized under other sections of this Bylaw, attaching conditions related to the following and in accordance with Sections 619 and 620 of the MGA:~~

(i) require the developer to enter into a road use agreement and/or development agreement with the Municipality;

(ii) place restrictions on the location, height and type of fencing used for the site;

(iii) require the application of approved weed control measures;

(iv) require ground cover to be established prior to solar installation to mitigate erosion;

(v) stipulate minimum clearance from average ground elevation so to allow perennial forage to grow;

(vi) stipulate grading, stockpiling, weed control and soil erosion control measures;

(vii) the provision of an emergency/fire suppression management plan;

(viii) require compliance with applicable decommissioning and reclamation standards or, if no decommissioning and reclamation standards are in place at the time of rendering a decision, require compliance with a reclamation plan prepared by the applicant to the satisfaction of the Development Authority;

(ix) require that, should the developer propose alteration, retooling or repowering of an existing approved Renewable Energy Operation where the equipment is proposed to change from the original approval, the developer shall apply for a new development permit; and

(x) the provision of financial security in an amount and form acceptable to the municipality to ensure that the conditions of the development permit are complied with and completed, including that the reclamation plan is implemented. The condition may include a periodic review and supplementation of the security to ensure the amount is sufficient to ensure compliance.

6 GENERAL APPROVAL NOTIFICATION REQUIREMENTS

6.1 The Development Authority shall provide its Notice of Decision on a development permit application for a Renewable Energy Operation to:

(a) an adjacent municipal jurisdiction if the boundaries of the municipal jurisdiction are within 2 km (1.2 miles) of the proposed project site; and

(b) landowners within 2 km (1.2 miles) of the proposed project site.

7 SOLAR COLLECTOR FARM

7.1 Application Requirements

(a) In addition to the general application requirements, a development permit application for a solar collector farm shall provide details on the estimated reflection or sunglare produced from the solar panels to adjacent public roads and private property.

7.2 Development Standards

(a) In addition to the general development standards, a Solar Collector Farm shall be positioned with a minimum clearance above grade as approved by the Development Authority, to facilitate the growth of perennial forage as a soil erosion control.

8 COMMERCIAL WIND ENERGY CONVERSION SYSTEM (CWECS)

8.1 Application Requirements

(a) In addition to the general application requirements, a development permit application for a CWECS shall be accompanied by the following additional information:

(i) a digital version of the site plan showing the exact location and base elevation of each WECS in UTM coordinates with NAD datum, Zone 12;

(ii) an analysis of the potential for noise and shadow/flicker effect, both at the site of the installation, at the boundary of the property containing the development at any habitable residence within 2 km (1.2 miles) of any WECS – AUC Rule 12; and

(iii) specifications on the foundations and/or anchor design, including location and anchoring of any guy wires.

8.2 Development Standards

(a) The Development Authority may approve multiple WECS on a case-by-case basis having regard for:

(i) proximity to other adjacent land uses;

(ii) density of CWECS;

(iii) consideration of the cumulative effect of all CWECS approved or proposed within the Municipality;

(iv) utilities; and

(v) information received through the circulation process.

(b) In addition to the general development standards, the following development standards are established for a CWECS:

(i) A CWECS shall be setback from a property line or a developed or undeveloped municipal roadway adjacent to the project not less than the total height of the CWECS, plus 10 percent.

(ii) A CWECS shall be setback from a dwelling unit within the project boundary (lands leased for wind energy development) not less than 300 m or as required by the Alberta Utilities Commission, whichever is greater.

(iii) A CWECS shall be setback from a dwelling unit not within the project boundary (lands leased for wind energy development) not less than 800 m or as required by the Alberta Utilities Commission, whichever is greater.

(iv) The cumulative modelled sound level of a multi-CWECS measured at the project boundary (including all titled parcels participating in the project) shall not exceed 45dBa unless an easement, as approved by the Development Authority, is agreed to by the affected landowner and registered on the subject certificates of land title.

(v) In the case of multiple CWECS, setbacks can be increased from the minimum setback requirements in the district depending upon the number of CWECS in a group and the prominence of the location, in order to reduce the impact to a residence, building, public roadway or highway, or land use.

(vi) The minimum vertical blade clearance from grade shall be 7.6 m (25 ft) for a CWECS employing a horizontal axis rotor unless otherwise approved by the Development Authority.

(vii) For public safety:

(A) a security fence with a lockable gate shall surround a CWECS tower not less than 1.8 m (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 m (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 Development Authority considers reasonable and appropriate;

(E) the use of tubular towers, with locked door access, will preclude the above requirements.

(viii) All collector lines (less than 69 kV) on the site of a multi-CWECS shall be underground.

(ix) Unless otherwise approved by the Development Authority, a CWECS shall be finished in a non-bright reflective matte colour that minimizes the obtrusive impact of a CWECS to the satisfaction of the Development Authority.

(x) No lettering or advertising shall appear on the towers or blades. On other parts of the CWECS, the only lettering will be the manufacturer's identification or municipal symbol.

9 OTHER RENEWABLE ENERGY OPERATIONS

9.1 Development Standards

(a) In addition to the general development standards, structures or facilities related to waste-to-energy, anaerobic digesters, biodiesel, or biofuels projects or 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; or

(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).

(b) In addition to the general development standards, the following standards are established for Renewable Energy Operations other than Solar Collector and Commercial Wind Energy Conversion System, and depending on the type of renewable energy project being proposed:

(i) All surface drainage must be contained on site and any adjacent water bodies must be adequately protected from run-off.

(ii) 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.

(iii) Any biodiesel waste or water contaminated with biodiesel, is prohibited to be discharged directly into any sewers or surface waters.

(iv) All feedstock and materials are to be stored and contained within buildings, and no outdoor storage is allowed.

(v) 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.

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

~~(c) 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.~~

~~Decommissioning~~

~~Conditions of Approval~~

~~4. WIND ENERGY CONVERSION SYSTEMS (WECS)~~

~~Small Scale Wind Energy Conversion System (Category 1)~~

~~A wind energy conversion system of a single structure designed primarily for the property owner's use but being capable of producing excess power that can augment the existing provincial grid system. The system and supporting structure is less than 15.0 m (50 ft.) in height.~~

~~Wind Energy Conversion System (WECS) (Category 2)~~

~~A wind energy conversion system of one or more structures designed primarily for the property owner's use but being capable of producing excess power that can augment the existing provincial grid system. The system and supporting structure is less than 25.0 m (80 ft.) in height.~~

~~Wind Energy Conversion System (WECS) (Category 3)~~

~~A wind energy conversion system of one or more structures designed to convert wind energy into mechanical or electrical energy on one or more parcels of land for commercial purposes.~~

~~INFORMATION REQUIREMENTS~~

~~(1) All development applications for a WECS, depending upon category, may be required to be accompanied by the following if determined necessary by the MPC.~~

	~~Category 1~~	~~Category 2~~	~~Category 3~~
~~(a) an accurate site plan showing and labeling the information outlined in this Section, and the location of overhead utilities on or abutting the subject lot or parcel;~~	✓	✓	✓
~~(b) a detailed public consultation process, complete with a summary report;~~			✓
~~(c) an analysis of the visual impact of the project, especially with respect to the scenic qualities of the municipality's landscape and any impact on the same. The analysis will include the cumulative impact if other WECS are in the area and the impact of overhead collection lines;~~			✓
~~(d) scale elevations or photographs of the proposed WECS showing total height, tower height, rotor diameter, and colour;~~	✓	✓	✓

	Category 1	Category 2	Category 3
(e) the manufacturer's specifications indicating: (i) the WECS rated output in kilowatts; (ii) safety features and sound characteristics; (iii) type of material used in tower, blade, and/or rotor construction;	✓	✓	✓
(f) an analysis of the potential for noise, both at the site of the installation and at the boundary of the property containing the development, shall be provided to ensure consistency with AUC Rule 12;	✓	✓	✓
(g) specifications on the foundations and/or anchor design, including location and anchoring of any guy wires;	✓	✓	✓
(h) the status of the applicant's circulation to all required regulatory agencies and any other government departments required for provincial approval;		✓	✓
(i) any information regarding general public safety;	✓	✓	✓
(j) any impacts to the local road system including required approaches from public roads having regard to municipality standard;			✓
(k) a plan outlining how the site will be decommissioned and reclaimed prior to the development;		✓	✓
(l) a description of all potential impacts on existing or nearby WECS and wind resources on adjacent properties.		✓	✓

REFERRALS

(2) Prior to making a decision on a development application for a WECS, the MPC should refer and consider the input of the following agencies and departments:

- Alberta Environment
- Alberta Sustainable Resource Development
- Alberta Electric System Operator (AESO)
- Transport Canada
- Navigation Canada
- Alberta Culture and Community Spirit
- Alberta Transportation

~~SETBACKS~~

~~(3) A WECS shall be located at a distance of twice the height of the WECS, as measured from the ground to the highest point of rotor's arc, from any dwelling or at the distance established by the 'AUC Directive 038: Noise Control'; the greater distance shall be used.~~

~~(4) A WECS shall be located so that the outside of the rotor arc is a minimum of 10.0 metres (32.8 ft.) from the vertical projection of the internal parcel boundary and the total height plus 10 percent from any external parcel boundary.~~

~~(5) In the case of multiple WECS, setbacks can be increased from the minimum setback requirements in the district depending upon the number of WECS in a group and the prominence of the location.~~

~~(6) The setback for a WECS (Category 3) shall be a minimum of 100 metres (328 ft.) from any municipal road allowance.~~

~~MINIMUM BLADE CLEARANCE~~

~~(7) The minimum vertical blade clearance from grade shall be 7.5 metres (24.6 ft.) for a WECS employing a horizontal axis rotor unless otherwise required by the MPC.~~

~~TOWER ACCESS AND SAFETY~~

~~(8) To ensure public safety, the MPC may require that:~~

~~(a) a security fence with a lockable gate shall surround a WECS tower not less than 1.8 metres (5.9 ft.) in height if the tower is climbable or subject to vandalism that could threaten tower integrity;~~

~~(b) no ladder or permanent tower access device shall be located less than 3.7 metres (12 ft.) from grade;~~

~~(c) a locked device shall be installed on the tower to preclude access to the top of the tower;~~

~~(d) all of the above be provided or such additional safety mechanisms or procedures be provided as the MPC considers reasonable and appropriate;~~

~~(e) the use of tubular towers, with locked door access, will preclude the above requirements.~~

~~COLOUR AND FINISH~~

~~(9) Unless otherwise required by the MPC, a WECS shall be finished in a non-reflective matte and in a colour which minimizes the obtrusive impact of a WECS to the satisfaction of the MPC.~~

~~(10) The MPC may allow wind turbines to display the developer's and/or manufacturer~~'s logos ~~and identification lettering on the structure.~~

~~NUMBER OF WECS~~

~~(11) Two or more WECS on a parcel or lot will be considered a multiple WECS for the purposes of this bylaw.~~

(12) The MPC may approve multiple WECS on bycasec 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.

WIND ENERGY CONVERSION SYSTEMS (WECS)

Application Requirements

This section applies to commercial WECS developed for the purpose of generating electricity for the purpose of distribution and sale to the provincial electricity grid.

Exempt — A single small wind energy conversion system under 15.2 m (50 ft) in total height.

All development applications for a WECS shall be required to be accompanied by the following if determined necessary by the Development Authority:

(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 digital version of the site plan showing the exact location and base elevation of each WECS in UTM coordinates with NAD datum, Zone 12;

(c) a visual representation of the multi-WECS project including scale elevations, photographs and/or digital projections of the project showing total height, rotor diameter, colour and the landscape;

(e) an analysis of the potential for noise and shadow/flicker effect, both at the site of the installation, at the boundary of the property containing the development at any habitable residence within 2 km (1.2 miles) of any WECS – AUC Rule #12;

(f) specifications on the foundations and/or anchor design, including location and anchoring of any guy wires;

(g) the results of any public consultation process;

(h) the status of the applicant's circulation to NavCanada, Transport Canada, Alberta Utilities Commission and any other government departments required for provincial approval;

(i) any information regarding general public safety;

(j) identification of the roads to be used for construction of the project and any impacts to the local road system including required approaches from public roads having regard to municipal standard;

(k) a plan outlining how the site will be decommissioned and reclaimed prior to the development

32.11 An individual development permit application shall be submitted for each titled parcel.

Number of WECS

32.13 The Development Authority may approve multiple WECS on a case-by-case basis having regard for:

(a) proximity to other adjacent land uses;

(b) density of WECS;

(c) consideration of the cumulative effect of all WECS approved or proposed within the Municipality;

(d) underlying utilities;

(e) information received through the circulation process and at the development hearing.

Setbacks

NOTE TO READER: *The Alberta Utilities Commission (AUC) establishes separation distances between wind turbines and dwellings based on permissible sound levels established in AUC Rule 012 and a cumulative noise assessment of energy-related facilities within 1.5 km.*

32.18 A WECS shall be setback from a property line or a developed or undeveloped municipal roadway not less than the total height of the WECS, plus 10 percent.

32.15 A WECS shall be setback from a dwelling unit within the wind farm project boundary (lands leased for wind energy development) not less than 300 m or as meets AUC Rule 012 permitted levels, whichever is greater.

32.16 A WECS shall be setback from a dwelling unit not within the wind farm project boundary (lands leased for wind energy development) not less than 800 m or as meets AUC Rule 012 permitted levels, whichever is greater.

32.17 At no time shall the cumulative modelled sound level of a multi-WECS measured at the wind farm project boundary (including all titled parcels participating in the project) exceed 45dBa unless an easement, as approved by the Development Authority, is agreed to by the affected land owner and registered on the affected title.

32.19 Where, in the opinion of the Development Authority, the setbacks referred to in Section 33.18 above are not sufficient to reduce the impact of a WECS from a public

roadway or a primary highway, the Municipal Planning Commission may increase the required setback.

32.20 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, in order to reduce the impact to a residence, building, public roadway or highway, or land use.

Minimum Blade Clearance

32.21 The minimum vertical blade clearance from grade shall be 7.6 m (25 ft) for a WECS employing a horizontal axis rotor unless otherwise required by the Development Authority.

Tower Access and Safety

32.22 To ensure public safety, the Development Authority may require that:

(a) a security fence with a lockable gate shall surround a WECS tower not less than 1.8 m (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 m (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 Development Authority considers reasonable and appropriate;

(e) the use of tubular towers, with locked door access, will preclude the above requirements.

Transmission Lines

32.23 All collector lines (less than 69 kV) on the site of a multi-WECS shall be underground except where the Development Authority approves overhead installation.

Colour and Finish

32.24 Unless otherwise required by the Development Authority, a WECS shall be finished in a non-bright reflective matte and in a colour which minimizes the obtrusive impact of a WECS to the satisfaction of the Development Authority.

32.25 No lettering or advertising shall appear on the towers or blades. On other parts of the WECS, the only lettering will be the manufacturer's identification or municipal symbol.

Conditions of Approval

32.26 As a condition of development permit approval for a multi-WECS, the Development Authority shall consider, in addition to any other conditions authorized under other sections of this Bylaw, attaching conditions related to the following and in accordance with Sections 619 and 620 of the *MGA*:

(a) require the applicant/developer to enter into a road use agreement and/or development agreement with the municipality;

(b) place restrictions on the location, height and type of fencing used for the tower sites;

(c) require compliance with applicable decommissioning and reclamation standards of the day, or if no decommissioning and reclamation standards are in place at the time of application, require compliance with a decommissioning/reclamation plan prepared by the applicant to the satisfaction of the Development Authority;

(d) require that the project commence construction within two years of approval, and complete the project within four years;

(e) require that the operation remain in continuous operation and if the operation is inactive for two consecutive years, or two cumulative years over a five year period, the obligation to decommission the site is automatically triggered;

(f) require that, should the developer propose alteration, retooling or repowering of an existing multi-WECS project where the equipment has changed from the original approval, the developer shall apply for a new development permit; and

(g) the provision of financial security in an amount and type acceptable to the municipality to ensure the decommissioning plan is implemented.

OTHER ALTERNATIVE/RENEWABLE ENERGY, COMMERCIAL / INDUSTRIAL PROJECTSAll alternative/Renewable Energy Commercial/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.**Information Requirements**

1.1 A development permit application shall be accompanied by the following information:

(a) 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;

(b) detailed information on the type of facility, structure or system and the energy process involved;

(c) the manufacturer's specifications indicating (if applicable) the rated output in megawatts and/or the safety features and sound characteristics;

(d) any information regarding general public safety;

(e) identification of any impacts to the local road system including required approaches from public roads;

(f) information regarding setbacks from property lines and the proximity to structures or uses on both the site and adjacent parcels of land;

(g) information or verification of the proposed source of water if required for the type of facility such as an ethanol plant;

(h) a plan outlining how the site will be decommissioned and reclaimed if the use is discontinued;

(i) large commercial/industrial facilities shall submit studies identifying noise, odour and pollutant impacts and how these impacts will be addressed;

(j) an emergency response plan;

(k) a summary report of any and all public consultation that was undertaken by the applicant;

(l) 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

(m) any other information as required by the MPC.

Setbacks

1.2 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.

1.3 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:

(a) a minimum of 250 m (820 ft) from any residential dwelling, food establishment or public use facility or building;

(b) 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; or

(c) 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).

1.4 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.

Development Application Referrals

1.5 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;
- Industry Canada;

- ~~Alberta Culture and Community Spirit~~
- ~~Alberta Environment~~
- ~~Alberta Agriculture, Food and Rural DevelopmentAESO (Alberta Energy Systems Operator);~~
- ~~Alberta Sustainable Resource Development;~~
- ~~Alberta Transportation (within prescribed distances to provincial roadways); and~~
- ~~any other federal or provincial agencies or departments, as deemed necessary.~~

~~1.6 The Development Authority shall also refer a development application for a Alternative/Renewable Energy, Commercial/Industrial project to:~~

~~(a) 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~~

~~landowners within 2 km (1.2 miles) of the proposed Renewable Energy, Commercial/Industrial project.~~**~~Development Standards~~**

~~1.7 Depending on the type of 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.~~

~~(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/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.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.~~

~~(g) 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.~~

(h) Any license, 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.

(i) 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.

1.8 The Development Authority may apply to any alternative/renewable energy generating facility any other standards that are provided for in this Bylaw, including:

(a) a condition to enter into a road use agreement with the Municipality to address road maintenance and repairs that may arise from the development;

(b) a condition to post a refundable security deposit in the amount specified in the Fees, Rates and Charges Bylaw with the Municipality; and

(c) a condition to allow the developer to register the approved project in phases.

Site Specific Energy Generating Facilities

1.9 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.

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Schedule 13

ANIMAL CARE SERVICE FACILITY ~~KENNEL~~ REGULATIONS

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Schedule 13

~~KENNEL~~ ANIMAL CARE SERVICE FACILITY REGULATIONS

1 DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

1.1 An application for a development permit for a domestic animal care service facility ~~kennel~~ (small or large ~~Category 1 and/or 2~~) must be made to the Development Officer by submitting:

(a) a completed development application;

(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~~to the satisfaction of the Development Officer.

2 No buildings or exterior exercise area(s) forming part of an animal care service facility, large ~~to accommodate domestic animals~~ shall be allowed within 304.8 m (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.

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 animal care service~~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 animal care service facility ~~kennel~~, the proximity of the facility ~~kennel~~ to other uses ~~and/or other kennels~~, and the possibility that the noise from the facility ~~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 an animal care service facility ~~kennel~~, including pups, may be required to be kept indoors between the hours of ~~9:00 p.m. and 7:00 a.m.~~ 11:00 p.m. and 7:00 a.m.

7 All ~~kennel~~ animal care service facilities, large 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 ~~Kennels~~ Animal care service facilities which propose to house exotic animals shall not be allowed within the municipality.

9 It is the ~~kennel operator's~~ responsibility of the facility operator 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.

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Schedule 14

SHIPPING CONTAINER / TRANSPORT TRAILER REGULATIONS

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Schedule 14

SHIPPING CONTAINER / TRANSPORT TRAILER REGULATIONS

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

1.1 A shipping container and/or transport trailer may be allowed to locate in those 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.

2 SHIPPING CONTAINER ACCESSORY TO AN APPROVED USE - CONDITIONS OF APPROVAL

2.1 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".

2.2 The Development Authority may limit the number of shipping containers and/or transport trailers that may be allowed on a lot.

2.3 Shipping containers may be stacked no more than two containers high.

2.4 The ~~floor~~ building footprint area of the shipping containers and/or transport trailers when added to the ~~floor~~ building footprint area of principal and accessory buildings on the property shall not exceed the maximum ~~site coverage~~lot coverage ratio in an applicable land use district.

2.5 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 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).

2.6 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 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).

2.7 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.

2.8 The 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.

2.9 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 development fee. At least two recent colour photographs of the shipping container and/or transport trailer (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.

2.10 The Development Authority may attach any additional reasonable conditions to an application that are not specifically outlined in this schedule.

2.11 Shipping containers and transport trailers shall not display advertising, company logos, names or other marketing without an approved sign development permit.

3 TEMPORARY SHIPPING CONTAINERS ON CONSTRUCTION SITES

3.1 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 is not required for one temporary construction site shipping container in connection with:

(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.

3.2 A temporary development permit pursuant to Administration, section 17 is required to use a shipping container as an Accessory Building or Use on a construction site in a manner that is inconsistent with one or more of the provisions in section 3.1 above.

3.3 When a development permit application is made pursuant to section 3.2 above for an Accessory Building or Use that is listed as a permitted use in the applicable land use district, then the use shall surrender its permitted use status and shall default to a discretionary use, and all provisions and regulations of this Bylaw regarding considerations, conditions of approval, decision and notification, and right of appeal that apply to a discretionary use, shall apply to the development permit as if it were listed as a discretionary use in the applicable land use district.

3.4 The masking requirement in Schedule 4, section 29.10(b) to use a shipping container as an Accessory Building does not apply to shipping container that is lawfully used for the purposes stated in sections 3.1 and 3.2 above.

Schedule 15

STANDARDS FOR SECONDARY SUITES

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Schedule 15

STANDARDS FOR SECONDARY SUITES

1 **Secondary Suite** means a second dwelling unit located on the same property and land title as that on which an existing Single-Detached Dwelling ~~Single-family Dwelling~~ is the principal use, but the Secondary Suite, regardless of its location, is sub-ordinate to the Single-Detached Dwelling ~~Single-family Dwelling~~ in gross floor area. A Secondary Suite may be located inside a Single-Detached Dwelling ~~Single-family Dwelling~~ or inside an Accessory Building that is located on the same property as an existing Single-Detached Dwelling. ~~Single-family Dwelling.~~ A Secondary Suite is a self-contained dwelling unit, which means that it provides sleeping, cooking and washroom facilities.

2 All Secondary Suite Types

2.1 A secondary suite shall only be allowed on a property on which the principal use or principal building is a Single-Detached Dwelling ~~Single-family Dwelling~~ as defined in this Bylaw ~~the Land Use Bylaw~~ and in a land use district where Secondary Suite is listed as a use.

2.2 There shall be no more than one Secondary Suite developed on a property in any land use district, except in the Grouped Country Residential (GCR-1) district. In the GCR-1 district no more than one Secondary Suite, Attached and two Secondary Suites, Detached shall be allowed on a property. ~~more than one Secondary Suite may be allowed on a property, either inside a 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 Dwelling or per Accessory Building.~~

2.3 When a Secondary Suite has been approved on a property in the R-1 to R-5 and the GCR-1, NUA-1, CRV and CSV land use districts, the Secondary Suite and/or the principal Single-Detached Dwelling ~~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 Bylaw. Where a development permit for a Secondary Suite is issued in a Single-Detached Dwelling containing an approved Tourist Home, the development permit that was issued in respect of the Tourist Home shall be revoked as a condition of the development permit for the Secondary Suite.

2.4 In the R-1 to R-5 and the GCR-1, NUA-1, CRV and CSV land use districts, a Secondary Suite and/or the Single-Detached Dwelling ~~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:

(a) 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

(b) 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).

2.5 The off-street parking standard per Secondary Suite shall be in accordance with the Off-street Parking and Loading Area Standards Schedule of this ~~Land Use~~ Bylaw and the Development Authority shall not approve a variance to the off-street parking requirement.

2.6 The gross floor area of a Secondary Suite is restricted as follows:

(a) The gross floor area of a Secondary Suite, Attached shall not exceed the lesser of 900 ft2 or 40 percent of the net floor area of the Single-Detached Dwelling in which it is

located, except when it is located in the basement of a principal building, in which case it may encompass the entire basement area.

(b) The area of a Secondary Suite, Detached shall count toward the 15 percent maximum lot coverage ratio combined for Accessory Buildings on the property.

(c) The gross floor area of a Secondary Suite, Detached that is enclosed within a detached garage shall not exceed the gross floor area of the garage by more than 10 percent and further, shall not exceed 1100 ft2, whichever is less and is further subject to the 15 percent maximum lot coverage ratio combined for Accessory Buildings on the property.

(d) The gross floor area of a Secondary Suite, Detached that is a stand-alone Accessory Building shall not exceed 1100 ft2, and is subject to the 15 percent maximum lot coverage ratio combined for Accessory Buildings on the property.

(e) Restrictions on Variance Authority:

(i) The Development Authority may approve a maximum 10% variance of the standard for maximum gross floor area of a Secondary Suite. An application requesting a variance in excess of 10% shall be refused.

~~(i)~~(ii) The Development Authority shall not approve a variance to the 15 percent maximum lot coverage ratio combined for Accessory Buildings for the purpose of accommodating a Secondary Suite, Detached.

2.7 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.

~~**3 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.**~~

~~**4 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 buildingshall not exceed 900 ft² or 40 percent of the total gross floor area of the Single-family Dwelling on the property, whichever is less. The Development Authority may approve a maximum 10% variance of this standard, and further:**~~

~~**5 When a Secondary Suite is proposed in the basement of a single-storey Single-Detached 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.**~~

~~**6**~~

~~**7 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**~~

~~8~~3 Secondary Suite enclosed within ~~inside~~ a Single-Detached Dwelling ~~Single-family Dwelling~~ (which includes a Secondary Suite above an attached garage)

~~8.1~~3.1 When a Secondary Suite is ~~located inside~~ enclosed within a Single-Detached Dwelling ~~Single-family Dwelling~~ the exterior frontage of the Single-Detached Dwelling ~~Single-family Dwelling~~ shall continue to appear as a typical Single-Detached Dwelling.~~single-family dwelling~~.

8.23.2 A Secondary Suite inside enclosed within a Single-Detached Dwelling 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. Exterior access to the sSecondary sSuite shall be subordinate in both size and appearance to the access of the principal Single-Detached Dwelling.Single-family Dwelling.

94 Secondary Suite inside enclosed within an Accessory Building (i.e. inside a detached garage or as a stand-alone Accessory Building)

9.14.1 For a Secondary Suite, Detached located in an Accessory Building the Development Authority may approve a maximum variance of 10 percent to the maximum height of an Accessory Building to accommodate the Secondary Suite, and only when the proposed side and/or rear yard setbacks are acceptable to the Development Authority or increased to its satisfaction as a condition of the variance.

4.2 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-Detached Dwelling Single-family Dwelling, or other standards that the Development Authority considers relevant, necessary and reasonable.

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Schedule 16~~17~~

WORK CAMP REGULATIONS

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Schedule 16 ~~17~~

WORK CAMP REGULATIONS

1 A work camp developed and operated by or on behalf of a ~~F~~federal, provincial, or municipal government on land that is publicly owned or controlled 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:

3.1 A work camp shall be developed in compliance with the relevant provincial legislation and regulation, e.g. Work Camps Regulation, Public Health Act, etc.

3.2 Where possible a Work Camp must connect to municipal water and/or wastewater services.

3.3 Minimum setbacks shall be ~~at the discretion of the~~ as approved by the Development Authority.

3.4 The maximum number of sleeping units in a Work Camp is 300, and the Development Authority shall not approve a variance to this standard.

3.5 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:

4.1 type and purpose of the camp;

4.2 number of residential units;

4.3 adjacent land uses;

4.4 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;

4.5 detailed building plans, including the type and number of rooms, and building elevations;

4.6 detailed servicing plan identifying proposed water supply, wastewater disposal, solid waste collection areas, lighting, drainage and grading;

4.7 the start date for development, date of occupancy, and camp removal date; and

4.8 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:

5.1 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;

5.2 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;

5.3 requirement to maintain any existing natural buffers (trees, etc.); and

5.4 requirement to mitigate traffic impact by using vans or buses for transporting workers to and from job sites or urban areas.

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Schedule 17~~18~~

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

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Schedule 17~~18~~

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

1 DEFINITIONS

1.1 **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.

1.2 **Tourist Home** means the operation of short-term commercial accommodation within a dwelling unit where the entire property is rented to only one reservation at a time 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.

1.3 **Tourist Home Rental Unit** means the building or portion thereof and the entire premises contained in a certificate of title that are rented as a single reservation to a party who occupies either the entire building or a portion thereof and the entire premises for the rental period.

~~1.2~~1.4 **Primary Residence** means the residence where a person normally resides and has control and management of the property by ownership.

2 STANDARDS

~~1.3~~2.1 General Standards

(a) 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".

(b) 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.

(c) 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.

(d) 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).

~~1.4~~2.2 **Separation Distance**

(a) There shall be a minimum separation distance of 200 m between Tourist Homes in the Residential R-1 to R-5 land use districts. The Development Authority shall not approve a variance to the 200 m separation distance.

2.3 **Maximum Occupancy and Number of Rental Units shall be determined as follows:**

(a) **for a Short-Term Rental / Bed & Breakfast:**

(i) 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.

(ii) 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 / Semi-Detached Dwelling units on the property from where a Short-Term Rental / Bed & Breakfast is operated.

(iii) 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.

(b) **for a Tourist Home:**

~~(iv)~~(i) 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.

~~(v)~~(ii) ~~The Development Authority shall not approve a development permit for more than one Tourist Home on any property.~~In the R-1 to R-5 and the GCR-1, NUA-1, CRV and CSV land use districts, the Development Authority shall not issue a development permit for more than one Tourist Home rental unit as defined in this Bylaw per certificate of title, regardless of the number of approved dwelling units on the parcel (e.g. a Single-Detached Dwelling, a Secondary Suite, a Duplex / Semi-Detached Dwelling, a Multi-unit Residential Building or an Apartment Building).

(iii) On a parcel in any land use district except the C-1 and C-2 districts where a development permit for a Secondary Suite had previously been issued, the Development Authority shall, as conditions of approval:

(A) require that those portions of the building and premises that are not rented as part of the approved Tourist Home rental unit (e.g. either the Single-detached Dwelling or the Secondary Suite), shall remain unoccupied during the rental period of the Tourist Home; and/or

~~(A)~~(B) require that the building or portion of the building that is designed as a Secondary Suite shall not be operated as a Secondary Suite unless the development permit for a Tourist Home is surrendered and revoked; and/or;

(C) require that the entire property / building is rented as one Tourist Home rental unit for a single reservation.

(iv) On a parcel in any land use district except the C-1 and C-2 districts where the principal building is a Duplex / Semi-Detached Dwelling owned under a single certificate of title, the Development Authority shall, as a condition of approval, require that both units in the Duplex / Semi-Detached Dwelling are rented as one Tourist Home rental unit for a single reservation pursuant to the Tourist Home

maximum occupancy standards established in this Bylaw for the applicable land use district, and that the separate rental of one or both Duplex / Semi-Detached Dwelling units under the *Residential Tenancies Act* shall require that the development permit for a Tourist Home is surrendered and revoked.

~~(vi)~~(v) A Tourist Home in any land use district where it is listed as a use shall comply with the maximum occupancy standards stated in the **table below**, in addition to the applicable parking standards. 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-1 Non-Urban Area – NUA-1 Retail Commercial - C-1 Drive-In Commercial - C-2	Based on the number bedrooms and the site conditions to comply with the off-street parking requirements

(c) **for Short-Term Rental / Bed & Breakfasts and Tourist Homes**

~~(vii)~~(i) The number of rental unit(s) and bedrooms in and the maximum occupancy of the Short-Term Rental / Bed & Breakfast or the Tourist Home, as provided for in this Schedule, 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.

2.4 **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.

2.5 **Parking**

(a) 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).

(b) The Development Authority shall not approve a 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.

(c) In the R-1 to R-5 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.

~~1.5~~2.6 Guests Visiting Renters

(a) 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 overnight in the rental unit.

2.7 Work Crews and Home Occupation – Class 2

(a) In the R-1 to R-5 and the GCR-1, NUA-1, CRV and 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:

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

(ii) requires using 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).

~~1.6~~2.8 Advertising and Apprising Renters and Guests of the Applicable Rules

(a) 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. 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.

(b) The Short-Term Rental / Bed & ~~Breakfast or~~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.

(c) The operator of a Short-Term Rental / Bed & Breakfast or a Tourist Home shall make available to their guests a copy of this Schedule ~~schedule of the Land Use Bylaw~~, the Community Standards Bylaw, the Fire and Rescue Services Bylaw, and shall ensure that guests are aware of and adhere to the rules established in those bylaws and posted fire bans in the area – albertafirebans.ca.

~~(a)~~

~~1.7~~2.9 Signage

(a) The landowner of the property on which a development permit for a Short-Term Rental / Bed & Breakfast or Tourist Home is applied for shall be required as part of submitting a complete development permit application and as a condition of the development permit to provide and maintain:

(i) In a residential district, one Home Occupation, Tourist Home and Short-Term Rental / B&B Sign between 0.18 m^2 (3 ft^2) and 0.72 m^2 (8 ft^2), that shall not extend more than 1.5metres (5ft) above grade and shall be located in the front yard visible to the public; and

(i)(ii) in a commercial district, a sign to the Development Officer's satisfaction.

2.10 Compatibility with Neighbouring Parcels of Land

(a) 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 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.

(b) In the Residential R-1 to R-5 and the GCR-1, NUA-1, CRV and 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, Tourist Homes or Home Occupations – Class 2 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 – for example, as a result of concerns related to expected additional traffic volume, parking of vehicles, late night noise, etc.

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

(a) 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:

(i) the original applicant for and holder of the development permit continues to be the landowner; and

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

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

(b) For greater clarity:

(i) In the event that the property is transferred to a third party the development permit shall expire, and a new development permit application by the new landowner shall be required to continue the use; and

(ii) if the Business License lapses, is transferred to another person, or is revoked for any reason, the development permit shall expire, and a new application shall be required to reinstate the development permit and subsequently the business license; and

(iii) at the annual renewal of the business license, if this 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 & BeakfastBreakfast or Tourist Home shall

not be operated without renewing the development permit to comply with amended standards and conditions.

~~1.9~~2.12 Contraventions, Fines and Penalties

(a) 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. Refer to the Administration part of this Bylaw.

Schedule 18~~19~~

DEFINITIONS

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Schedule 18~~19~~

USE AND ADMINISTRATIVE 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.

SCHEDULE 18A—USE DEFINITIONS

Unless the context specifically implies otherwise, the land use definitions shall be interpreted to imply the requirement of the construction of a building as defined in this Bylaw.

A

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 (for example, accessory retail sales within a fitness centre);

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 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 sign, a fence, 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.

Agriculture means the use of land and structures associated with such uses for the raising of livestock or the commercial cultivation of crops, but does not include an Intensive Horticultural Operation as defined in this Bylaw, a confined feeding operation regulated by the Natural Resources Conservation Board (NRCB) under the *Agricultural Operation Practices Act* (AOPA) or a riding arena.

~~**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.~~

Agriculture-Related Industry means a use that supports agricultural production or adds value to agricultural products, including but not limited to seed processing facilities, garden markets and feed mills.

Airport means any area of land designed for the landing and taking off of aircraft, including but not limited to airstrips, heliports and helipads. Such an operation ~~will~~ may or may not 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.~~

~~**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.~~

Animal Care Service Facility, 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.

Animal Care Service Facility, 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.

Apartment Building ~~or **Apartments**~~ means a residential building, which contains three or more attached dwelling units and where access to each unit is provided ~~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 does not include Multi-Unit Residential Building, Mixed-Use Building, Hotel, Motel or Hostel. ~~This use includes Multi-family Dwelling but does not include Mixed Use Building or Mixed Use Development.~~

~~**Arcades** – see "Amusement arcades".~~

Arts and Crafts Studio means development used for the purpose of small scale, on-site production and sale of goods by hand manufacturing primarily involving the use of hand tools. Typical uses include pottery, ceramic, jewellery, toy manufacturing, ~~and~~ sculpture, taxidermy and artist studios. This use does not include Workshop.

~~**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.~~

~~**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.~~

Auction Market ~~**Auction mart**~~ means a use of land or buildings for the auctioning and related temporary storage of household effects, goods and equipment, except livestock.

Auction Market, Livestock means a use of land or buildings for the auctioning and related temporary storage of 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 a~~ny~~ building 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 Auto Wreckage and Salvage and Auto Body and Paint Shop~~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.~~

~~**Bank** means a financial institution for the deposit, custody, loan, exchange or issuance of money.~~

~~**Batch plants** – see "Natural resource extractive uses".~~

~~**Bed & Breakfast** – see Short-Term Rental / Bed & Breakfast.~~

~~**Boarding House** means a building 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, a Hostel, a Motel, a Short-Term Rental / Bed & Breakfast or a 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. This use does not include a brew pub, which is encompassed by "Food and/or beverage service."

~~**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.~~

Building Supply Centre means a commercial retail store where building materials, landscaping, gardening, household accessories and other related goods are stored, offered, or kept for sale and ~~may~~ typically includes ~~outside storage~~outdoor 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 Sales and Storage ~~**Bulk Fuel station**~~ means a facility for the purpose of storing and/or selling oil and gas products. Such a facility may or may not include an office and convenience retail establishment.~~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.~~

Campground means an area with ~~four or more~~ campsites or stalls for short-term, temporary, seasonal occupancy in camping-related equipment (e.g. an RV or tent) or cabins. This use may include accessory buildings and uses such as an administrative office, washrooms, cooking and eating shelters, laundry facilities, recreational and entertainment facilities, a convenience retail operation, accommodation for the owner/operator, and a shed and a deck for each RV stall, subject to these items being identified in a Comprehensive Site Development Plan. 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" or a "Work Camp". This use does not include

"Recreational Vehicle Park" or "Resort" as defined in this Bylaw. The stalls in a campground may be held under rentals, leases or a bare land condominium.

~~**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 and Cannabis~~Commission~~ (AGLC). This use shall be a stand-alone use and not in conjunction with any other use.

Canvas Covered Structure means a framework structure covered by any fabric or any similar type of non-rigid sheathing and used to provide outdoor storage.

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.~~

Cemetery means an area ~~landscaped open space~~ for the entombment or commemoration of the deceased, and may include crematoria, cineraria, columbaria, ~~and~~ mausolea and cenotaph.

~~**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.~~

~~**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 childcare services.~~

~~**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 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.~~

~~**Community facilities** means community halls, public libraries, parks, playgrounds, schools, hospitals, shopping, medical and dental clinics and other similar facilities.~~

Community Facility means a facility owned or operated by a government or quasi-government entity established primarily for the benefit and service of residents of the Municipality or the province.

Typical examples of a Community Facility include a community centre, a library , a municipal government building, a post office, a public works yard or facility, a public utility and a school.

~~**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 Services, 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.

Contractor Services, General means development used for industrial service support and construction. Typical uses include cleaning and maintenance contractors, building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, wastewater 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.

~~**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 ft²) 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.~~

Cultural Establishment means a development ~~that is available to the public~~ for the purpose of ~~assembly, instruction,~~ cultural ~~or community~~ activity and includes but is not limited to such uses as an art gallery, an auditorium, a private club, a museum or a visitor information centre. ~~a church, a library, a museum and an art gallery.~~ This use does not include "Resort."

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.

~~**Dog kennel** – see "Kennel".~~

~~**Drinking establishment** means an establishment licensed pursuant to provincial legislation where alcoholic beverages are served for consumption on the premises.~~

Drive-In Food Service means a food service facility operated ~~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: interior or outdoor sit-down facility, car attendant services; drive-through food ordering and pickup services~~; or~~ and parking primarily intended for the on-site consumption of food within a motor vehicle and for customers who choose to use the sit-down facility~~.~~

~~**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.

~~**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 / Semi-Detached Dwelling means a residential building containing two attached 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~~ The two dwelling units in a Duplex / 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.

Dwelling Unit, secondary to an approved use means a dwelling unit on property within a non-residential land use district, where a principal building or use has been legally established on the property prior to a development permit being issued in respect of the dwelling 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.~~

Emergency Service means fire protection, police, ambulance, rescue or similar services.

~~**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 drive-in theatre, gambling establishment ~~restaurant, gaming establishment~~ or adult entertainment establishment ~~mini-theatre~~. This use may include Food and/or Beverage Service as an accessory use.

~~**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.~~

~~**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.~~

Exploratory Excavation means excavation in preparation for intended construction to undertake a permitted or discretionary use in the applicable land use district, where a development permit application has been submitted but a decision has yet to be made by the Development Authority in respect of the application. Exploratory Excavation includes excavation for the purposes of gaining temporary access to a parcel, removing trees, confirming yard setbacks, locating existing utilities and exploring building foundation options, subject to the criteria specified in Schedule 3 of this Bylaw.

Extended Care Facility means a public or private health facility for the care~~,~~ or 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.~~

F

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 and fuel 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.~~

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".~~

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.

Food and/or Beverage Service means a facility where food and/or beverages are prepared and/or served on the premises and includes catering, a restaurant, a delicatessen, a bakery, a cafeteria, a brew pub and a licensed establishment serving alcoholic beverages, but excludes Drive-In Food Service.

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.

Freight terminal means a facility accommodating the storage and distribution of freight shipped by rail, or highway transportation.

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 any portion thereof, which is used or intended for use for the purpose of dealing, operating, maintaining or conducting any risk game played with cards, dice, or any mechanical device or machine for money, property or any item of value, and may include the accessory sale of food and/or beverages.

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 may include greenhouses as well as 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.

Golf Course means an outdoor establishment/development of varying sized designated primarily for the game of golf. Accessory uses include a pro shop, driving range and/or proactive facility, food service, and other commercial uses typically associated with a golf course clubhouse facility.

Golf driving range means an area of land whose primary purpose is to accommodate the practicing of golf shots and may include the land encompassed by netting or screening and may also include buildings, such as a club house or maintenance building as part of the use.

~~**Government 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.~~

~~**Grain elevator** means a facility for the collection, grading, sorting, storage, and transhipment of grains. This definition also includes inland grain terminals.~~

~~**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.~~

H

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 may include accessory uses such as staff residences, diagnostic imaging, a medical clinic and/or a pharmacy. Typical ~~uses~~ examples of a Health Care Facility include a hospital, a sanatorium, a nursing home, a convalescent home, an isolation facility, a psychiatric hospital and an auxiliary hospital~~s, 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.~~

~~**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.~~

~~**Holiday trailer** or **travel trailer** – see "Recreational vehicle".~~

~~**Home improvement centre** – see "Building supply centre".~~

~~**Home care service** – see "Personal care service".~~

Home Occupation – Class 1 – see ~~definitions in~~ Schedule 8.

Home Occupation – Class 2 – see 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~~ This use does not include an Apartment Building,~~a Boarding House,~~ a Hotel, a Motel, a Short-Term Rental / Bed & Breakfast or a 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, food and/or beverage service, ~~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 by an artificial means.~~

~~**Industrial Equipment Sales and Rentals** 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 modular MHome 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.~~

~~**Institution** 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 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.~~

~~**Institutional** means a use by or for an organization or society for public or social purposes and, without restricting the generality of the term, includes senior citizen housing, nursing homes, day care centres, places of worship, museums, libraries, schools, service and fraternal organizations, and government buildings.~~

~~**Intensive agricultural pursuit** means any concentrated method used to raise crops or to rear or keep livestock, animals, poultry or their products for market, including such operations as horse riding stables, poultry farms, pastures, rabbitries, fur farms, greenhouses, tree farms, sod farms, dairies, nurseries and similar specialty uses conducted as the principal use of a building or site.~~

~~**Intensive grazing** is a pasture management program which utilizes pasture or rangeland that has been cross-fenced into small areas for the purpose of grazing livestock on each area for a short time~~

~~on a rotational basis, at a density that does not exceed two animal units per acre if considering the total area of the pasture of rangeland.~~

Intensive Horticultural Operation~~s 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.~~

~~K~~

~~**Kennel** means a facility where dogs or cats or other domestic animals are maintained, boarded, bred, trained or cared for or kept for the purposes of sale but excludes a veterinary clinic.~~

~~**Kennel – Category 1** means an establishment in which three or less domestic animals, more than one year old, are housed, groomed, bred, boarded, exercised, trained and/or sold over a period of time but excludes an animal care services facility (veterinary clinic).~~

~~**Kennel – Category 2** means an establishment in which more than three domestic animals, more than one year old, are housed, groomed, bred, boarded, exercised, trained and/or sold over a period of time but excludes an animal care services facility (veterinary clinic).~~

~~**Kiosk** means a location or building housing a seasonal/temporary business.~~

L

~~**Laboratory** means a facility for the purpose of scientific or technical research, investigations or experimentation.~~

~~**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.~~

Light Manufacturing ~~**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 parcel.~~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.~~

~~**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 light and/or heavy machinery.

Manufactured Home means a factory-built self-contained dwelling unit, typically single-wide and measuring approximately 6.7 m (22 ft) by 23.1 m (76 ft), which is certified to the CSA-A277 standard indicating that it has been designed and constructed in compliance with the National Building Code – 2019 Alberta Edition. A Manufactured Home constructed to the CSA-Z240 MH standard is not accepted under the National Building Code – 2019 Alberta Edition unless it also carries the CSA-A277 label. A Manufactured Home is typically transported to its ultimate site in a single module on its own chassis and wheel system or on a flatbed truck. This use does not include a 'Ready-to-Move' home or a modular home as defined in this Bylaw.

Manufactured Home Community means a comprehensively planned residential development for Manufactured Homes. This use may include shared amenity areas or facilities.

~~**Manufactured Home Sales and Rentals** means development used for the sale or rental of new or used trucks, motor homes, mManufactured 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.~~

~~**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.~~

Medical and/or Dental Clinic ~~**Medical and dental office**~~ means development providing medical and/or health care on an outpatient basis. Examples of this use include a medical and dental ~~offices,~~ clinic~~s~~, a facility providing diagnostic imaging, an occupational health and safety office~~s~~, counselling services, chiropractic and naturopathic services and similar uses.~~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.

~~**Mixed-use building** means a building used partly for residential use (including Apartments andother 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 Building means a building used partly for residential use containing a minimum of three dwelling units (including Apartments and Multi-Unit Residential Buildings) and partly for commercial or office use with the street shopfront on the ground floor typically consisting predominantly of commercial and/or office uses.

Mixed-Use Development ~~**Mixed-use development**~~ means a parcel of land developed for two or more different uses or buildings that may include uses such as residential (including Apartments and ~~other~~ Multi-Unit Residential Buildings~~Multi-family Dwellings~~), office, manufacturing, retail, public or entertainment with ~~the requirement that~~ the street shopfront on the ground floor ~~shall~~ typically consisting predominantly of ~~include~~ commercial and/or office uses.

~~**Modular Home** means the construction of a building in one or more prefabricated units at a factory or place other than the site of its final assembly and use, which:~~

~~(a) are constructed at the factory under climate controlled conditions and certified as compliant with the CSA-A277 certification standard and labelled accordingly pursuant to the National Building Code – 2019 Alberta Edition;~~

~~(b) are not constructed on a frame capable of being equipped with wheels and thus towed from one point to another, except in the case of a Manufactured Home built to the CSA-Z240 MH standard (which must also carry the CSA-A277 certification label);~~

~~(c) are equipped at the factory with interior electrical and plumbing utilities and interior walls (if these elements are required in the modular building); and~~

~~(d) are transported from the factory to the site of its final assembly and use by being carried on a motor vehicle or on a chassis or wheel system, or in the case of a Manufactured Home built to the CSA-Z240 MH standard (which must also carry the CSA-A277 certification label) by being equipped with wheels and towed from one point to another.~~

~~**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 space~~stall~~. A motel may include eating and drinking facilities, entertainment, convention, sports, recreation, personal service and retail facilities as accessory uses. Motel does not include a ~~boarding house,~~ hotel, hostel, Short-Term Rental / Bed & Breakfast or Tourist Home.

~~**Motor home** – see "Recreational vehicle".~~

Moved-In Building means a conventional, previously existing, established and occupied non-residential building (e.g. an accessory building), which is removed from one site, transported and re-established on another site. This does not include a ~~Modular~~ Manufactured 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~~ Manufactured Home or 'Ready-to-Move' home.

Multi-Unit Residential Building means a residential building containing three or more attached dwelling units, each with its own exterior access to grade. This use does not include Apartment Building, Hotel, Motel, Hostel, Mixed-Use Building or Mixed-Use Development. More than one Multi-Unit Residential Building may be developed on a parcel.

~~**Multi-family dwelling** means a residential building containing three or more separate dwelling units. This use includes Apartment Building but does not include Mixed-Use Building and Mixed-Use Development.~~

~~**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.~~

~~**Noxious industry, grouped** means two or more contiguous noxious industries.~~

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.

~~**Outside**~~ **Outdoor Storage** means the open storage of goods~~, merchandise~~ or equipment on a lot. ~~outside a building.~~

~~**Outdoor vehicle storage** means the outdoor storage of vehicles including automobiles, recreation vehicles and boats.~~

P

Parking Facility means a principal building designed for parking motor vehicles, or a principal use of an at-grade area of open space designed to accommodate the parking of motor vehicles.

~~**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.~~

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~~(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 designed for parking automobiles in tiers on a number of levels above each other whether above or below the ground.~~

~~**Personal care service** means the provision of food, lodging and care for up to three individuals conducted in a conventional Single-family dwelling which has common cooking and washroom facilities.~~

Personal Service 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, and may include accessory sales of associated goods.

~~**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.

~~**Post office** means a government approved facility charged with regulating and handling the transmission of mail or parcels in a country.~~

~~**Primary farm residence** means the dwelling unit located on a farmstead as defined.~~

~~**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 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.~~

Private Utility ~~**Private Utilities**~~ means liquid natural gas, propane, geothermal heating, electric power (including solar collector and small wind energy conversion system), ~~"Alternative / Renewable Energy" systems),~~ telecommunication, 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 franchised service provider.

~~**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 picnic area** means land or buildings used for picnicking or similar activities, which is not in private ownership and is open to use by the public.~~

Public Open Space means land that is owned or controlled by a public entity and is predominantly developed and used as a park that is accessible to the public.~~which is not in private ownership and is open to use by the public~~.

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.~~

~~**Recreation Facility** means a 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, 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.~~

Recreation Facility, Indoor (Small) means a building with a gross floor area up to 186 m^2 (2000 ft^2) that accommodates recreational activities including but not limited to fitness centres, tennis courts, racquetball, wrestling, dance studios and yoga studios, and may include the accessory sales of associated goods and food and/or beverages.

Recreation Facility, Indoor (Large) means a building with a gross floor area exceeding 186 m^2 (2000 ft^2) that accommodates recreational activities including but not limited to fitness centres, gymnasiums, indoor riding arenas, indoor rinks, indoor sports fields and swimming pools, and may include the accessory sales of associated goods and food and/or beverages.

Recreation Facility, Outdoor ~~**Outdoor Recreation Facility**~~ means a 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, rodeo grounds, historic or archaeological site, or any similar facility or use of land or buildings, and may include associated uses incidental to the principal recreational use such as a designated area for stalls or a group area for tents, recreational vehicles and/or cabins, ~~campground, a recreational vehicle park, a resort,~~ dining or eating facilities and a concession booth.~~retail commercial uses.~~

Recreational Vehicle Park 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). 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. This use may include accessory buildings and uses such as an administrative office, washrooms, cooking and eating shelters, laundry facilities, recreational and entertainment facilities, a convenience retail operation, accommodation for the owner/operator, and a shed and a deck for each RV stall, subject to these items being identified in a Comprehensive Site Development Plan. The stalls in a Recreational Vehicle Park may be held under rentals, leases or a bare land condominium. Also see the definition of "Campground". This use does not include "Campground" or "Resort" as defined in this Bylaw.

Recreational Vehicle and/or Manufactured Home Sales and Rentals means a facility for the retail sale or rental of new or used motorcycles, snowmobiles, tent trailers, boats, travel trailers, ~~or~~ similar recreational vehicles, Manufactured Homes, bicycles, and skis and may include incidental maintenance services and sale of parts.

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.

~~**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".~~

Renewable Energy Operation means a development that collects or produces energy (and in some cases marketable by-products, depending on the process utilized) from natural renewable resources or from waste, and transmits the energy off-site for distribution in the commercial marketplace. This may include energy collected or derived from the earth, the sun, flowing water, tides, the wind, or incineration of waste and various other materials.

Resort means a comprehensively planned and operated destination development held under a single certificate of title (i.e. unsubdivided) that offers recreational, educational, cultural, convention and/or conference facilities 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 associated with and that may be incorporated into a resort could include, but are neither required nor limited to resort accommodation as defined in this Bylaw, dwelling units in their various forms as defined in this Bylaw, golf course, ski hill, riding arena~~stable~~, tennis court, health spa, retail, personal service, and other uses suitable to the location and compatible with the land uses in the resort and adjacent land uses. This use shall not be interpreted to mean ~~use does not include~~ "Campground," ~~or~~ "Recreational Vehicle Park" or "Cultural Establishment" as defined in this Bylaw. The dwelling units in a resort may be held under timeshare, rental or lease, but shall not be subdivided.

~~**Resource development activity** means the removal of natural resources including oil, gas, minerals or timber on a commercial basis.~~

Resource Extraction ~~uses~~ means those uses of land or buildings which are governed by the location of a natural resource, and which involve the extraction, storage and/or on-site processing of a natural resource, Resource extraction includes, but is not limited to, commercial logging and the extraction of surface materials.

Resource Processing ~~activity~~ means the use of land and/or buildings for the storage ~~extraction,~~ mixing, refining or other processing of natural resources including ~~oil, gas,~~ cement, gravel, sand and/or other surface minerals or timber ~~on a commercial basis.~~ that are transported to the subject site from the location where the resources were extracted.

~~**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 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 general retail stores.~~

Retail – Accessory means retail sales accessory to an approved principal use and shall not exceed 69.7 m^2 (750 ft^2).

Retail – Store, Small means a ~~building~~singular retail premises up to 464.5 m^2 (5000 ft^2) in size (not including those portions of the premises not used specifically for retail purposes) where goods, wares, merchandise, substances~~,~~ alcoholic beverages or 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. Typical examples of this use include but are not limited to a department store, a pharmacy, a business and office supply store and a retailer that primarily sells electronics, appliances, furniture, clothing or sporting goods. This use may include an accessory convenience food and/or beverage serving area. Where a retail store is engaged in the sale of alcoholic beverages, the retail store must be licensed by the Alberta Gaming, Liquor and Cannabis (AGLC). For uses involving the on-site consumption of alcoholic beverages, see "Food and/or beverage service."

Retail – Store, Large ~~**scale**~~ means a singular retail premises ~~that exceeds~~ exceeding 464.5 m^2 (5000 ft^2) in size (not including those portions of the premises not used specifically for retail purposes)~~.~~ where goods, wares, merchandise, substances, alcoholic beverages or articles 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. Typical examples of this use~~s~~ include but are not limited to a department store~~s~~, a pharmacy, a business and office supply store~~s~~ and a retailer~~s~~ that primarily sells electronics, appliances, furniture, clothing or sporting goods. This use may include an accessory convenience food and/or beverage serving area. Where a retail store is engaged in the sale of alcoholic beverages, the retail store must be licensed by the Alberta Gaming, Liquor and Cannabis (AGLC). For uses involving the on-site consumption of alcoholic beverages, see "Food and/or beverage service."

Retail – Shopping Mall means a unified concentration of retail stores, offices and service establishments of the types listed as permitted or discretionary uses in the applicable land use district. ~~in a suburban area with generous parking space, usually planned to serve a community or neighbourhood~~.

Riding Arena ~~**stable**~~ means a compound designed ~~with stalls~~ for the housing, bedding or confinement of four-legged animals used for riding purposes, but does not include the structures associated with the raising of livestock under Agriculture as defined in this Bylaw.

~~**Rifle range** means a designated practice area designed for the purpose of controlled discharge of firearms or archery equipment.~~

~~**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.~~

~~**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

~~**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.~~

~~**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.~~

Secondary Suite means a second dwelling unit located on the same property and land title as that on which an existing Single-Detached Dwelling~~-family Dwelling~~ is the principal use, but the Secondary Suite~~, regardless of its location,~~ is typically sub-ordinate to the Single-Detached Dwelling~~-family Dwelling~~ in habitable floor area. ~~A Secondary Suite may be located inside a Single-family Dwelling or inside an Accessory Building that is located on the same property as an existing Single-family Dwelling.~~ A Secondary Suite is a self-contained dwelling unit, which means that it provides sleeping, cooking and washroom facilities. A Secondary Suite may be attached or detached as follows:

- **Secondary Suite, Attached** means a Secondary Suite enclosed within a Single-Detached Dwelling.
- **Secondary Suite, Detached** means a Secondary Suite enclosed within an Accessory Building, where the Accessory Building may be a garage or a stand-alone structure.

~~**Seed cleaning plant** – see "Rural industry".~~

~~**Senior citizen housing** means development, including lodges, which is used as a residence for elderly individuals not requiring constant or intensive medical care.~~

Seniors Supportive Housing Facility means a Multi-Unit Residential Building or group of buildings that emphasizes barrier-free design and integrates some combination of supportive services, personalized assistance and health care services that is responsive to the unique needs of senior residents and facilitates the ability to age in place. The facility shall be predominantly residential in character and may include centralized areas for dining and social activities, along with separate living quarters for staff. A spectrum of different levels of on-site care may be accommodated in a seniors supportive housing facility, ranging from comparatively minimal care where residents are able to retain substantial functional independence over daily activities, to the continuing care required in nursing homes and lodge accommodation as defined under the *Alberta Housing Act*.

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 and a convenience store.

Shipping Container means a rectangular steel structure originally used to haul merchandise on a cargo ship 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.

~~**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.~~

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.

Single-Detached Dwelling means a freestanding dwelling designed for the occupancy of a single household. A Single-Detached Dwelling includes a 'Ready-to-Move' home and a home that is built using modular construction practices but does not include a Manufactured Home as defined in this Bylaw.

~~**Single-family dwelling** means a freestanding residential dwelling, other than a modular home, designed for the occupancy of a single family or household. 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.~~

~~**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.~~

Sign has the same meaning as it has in the sign standards in Schedule 11 of this bylaw.

~~**Sod farm** means the commercial growing of sod through seeding and stripping of topsoil to sell the final product.~~

Stockpiling means an accumulation of soil, gravel and/or other surface materials that is temporarily stored on a parcel as a result of earthwork undertaken to accommodate a development that has been approved or is exempt from requiring a development permit pursuant to Schedule 3 of this Bylaw.

~~**Souvenir shop** means a retail store which sells various souvenirs and mementos and generally caters to the shopping needs of visitors.~~

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.~~

~~**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. 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 Storage Yard means development used exclusively for temporary ~~outside~~ outdoor storage of goods, materials, vehicles or equipment where such storage does not involve the construction of a permanent building, the establishment of business operations on the same site as the temporary outdoor storage, or the material alteration of the existing state of the land. Typical uses include the temporary storage of construction vehicles, equipment and materials and/or a maximum of one recreational vehicle 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.~~

~~**Theatre** means a building 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 where the entire property is rented to only one reservation at a time 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.~~

~~**Travel agency** means an office or enterprise engaged in the selling, arranging or furnishing of information regarding personal transportation or travel.~~

Transportation Terminal~~**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, and may typically include a Warehouse.~~.~~

Travel Plaza means a development providing fuel-dispensing facilities and/or electric vehicle charging stations to motor vehicles large and small, along with a variety of vehicle-related services and amenities tailored to the travelling public. Travel plazas typically include an accompanying restaurant or cafe along with a convenience store. Car washes, sani-dumps, vehicle towing and car rentals are common ancillary services, while ancillary amenities include retail sales, personal services and visitor information services.

Tree Felling means a development or land use activity that results in the removal of one or more trees on a parcel of private land. This use does not include the trimming of branches or other foliage management practices related to tree maintenance.

~~**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 Authorit~~

~~**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.~~

~~**Veterinary clinic** means a facility for the care of animals but does not include outdoor pens, runs or enclosures.~~

W

Warehouse means a building used or intended to be used predominantly for the indoor storage of goods and merchandise with the associated loading and unloading of heavy vehicles, but is not a Transportation Terminal.

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.

~~**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.~~

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 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, typically involving the use of power tools, and may include the sales of the associated products. This use does not include Arts and Crafts Studio. ~~by an individual or proprietor with or without helpers or power machinery~~.

SCHEDULE 18B—ADMINISTRATIVE DEFINITIONS

A

Access, legal ~~**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.

Access, primary ~~**Primary access**~~ means the location and manner of the principal means of vehicular access and egress from a site or building.

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 National Building Code – 2019 Alberta Edition, 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.

Alberta Environment means Alberta Environment and Protected Areas: a provincial Ministry tasked with ensuring Alberta's natural environment and resources are cared for and managed responsibly and sustainably.

Alberta Gaming, Liquor and Cannabis (AGLC) means the Crown commercial enterprise and agency responsible for overseeing the gaming, liquor and cannabis industries in Alberta.

Alberta Transportation means Alberta Transportation and Economic Corridors: a provincial Ministry tasked with providing a safe and efficient transportation system to support Alberta's economic, social and environmental vitality.

~~**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.

Amenity area means an area or areas within the boundaries of a parcel ~~project~~ intended for recreational purposes by the occupants of the parcel. These may include a landscaped area~~s~~, a patio~~s~~, a pergola, a gazebo, ~~balconies,~~ a swimming pool~~s~~ and similar uses.

AOPA means the *Agricultural Operation Practices Act*, revised Statutes of Alberta 2000, Chapter A-7, as amended.

Applicant means the registered owner of the land or his or her representative or agent certified as such.

Apron means a flat-surfaced area that surrounds and lies adjacent to a ~~modular~~ Manufactured Home pad.

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 of Potential Environmental Concern (APEC) means any area on, in or under the site and surrounding area where one or more contaminants of potential concern may be present, as identified through an initial Phase 1 Environmental Site Assessment (ESA) or other investigation, and that has not been ruled out through subsequent Phase 2 ESA investigations.

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 Council considers necessary.

~~**As required by the Municipal Planning Commission or the Development Authority or the Subdivision Authority** means that a standard or requirement of this Bylaw may be established 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.~~

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 purposes of calculating ~~setbacks and site coverage~~lot coverage ratio and minimum yard setback requirements, an attached garage is deemed to be part of the principal building.

B

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, normally surrounded by a baluster railing, it may be roofed, and it is used as an outdoor space ~~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, and it is subject to the provisions for projections into yard setbacks. Also see "Deck", "Patio" and "Porch." ~~and "Veranda".~~

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.

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.

Berm means a dyke-like earthen or rock form used to separate incompatible areas or functions, or constructed to protect the site or district from vehicular road or other noise.

Boulevard means that portion of a public roadway that lies between a curb and the boundary of a lot or parcel.

Brew pub means a licensed "Food and/or Beverage Service" establishment ~~where~~ that includes the brewing of malt beverages (beer, ale, etc.) ~~are brewed,~~ in compliance with applicable provincial laws, for on-site consumption and/or retail or wholesale distribution. ~~, retail or wholesale.~~ The establishment may include ~~a restaurant, drinking establishment or~~ live entertainment ~~as an accessory use.~~ but does not include a Bottling Plant.

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* and in addition includes a structure but does not include a recreational vehicle or other types of wheeled / mobile units.

Building footprint means the shape of the building where it sits on the parcel. If an outline of the building could be drawn on the ground along the exterior of the foundation wall where it sits and then the building is 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.

Building footprint area means the greatest above-grade horizontal roofed floor area of a building in plan view, measured from the outside surface of the exterior walls or the centreline of adjoining firewalls as may be applicable.

Building height means the vertical distance measured from the finished grade point(s) located at the base of the tallest exposed wall to the highest point of a building including the top of a pitched roof but excluding an elevator housing, a roof stairway entrance, HVAC equipment, a roof sign, 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.

C

Cabin means a seasonal habitable dwelling unit of not more than 46.5 m^2 (500 ft^2) complete with sleeping, cooking and washroom facilities that is located in a Campground, a Resort, a Recreation Facility or other similar 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.

Carport means a ~~partially enclosed~~ structure enclosed on not more than three sides intended for the shelter of one or more motor vehicles.

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.

Certificate of title means the record of the title to land that is maintained by the Registrar of Titles at a Land Titles Office.

~~**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.~~

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.

Communication structure means a~~n anchored~~ structure designed to support one or more~~a~~ communication antenna~~e~~.

Communication antenna means an~~ parabolic~~ antenna for the transmission and/or reception of ~~transmitted~~ television, ~~or~~ radio or cellular phone signals/waves.

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 bare land 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 coordinated planning of access roads, water, wastewater, power and other services to the satisfaction of the Development Authority; and

(d) ~~has~~ is not ~~been~~ adopted by municipal bylaw.

Condominium means a real property ownership structure where units are owned individually and common property is owned collectively by the unit owners, whose interests in the common property are held as tenants in common in shares proportional to the unit factors for their respective units. Management schemes for condominium property are governed by the *Condominium Property Act*, and a condominium plan is registered in a land titles office.~~a building 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 Property Act*, Revised Statutes of Alberta 2000, Chapter C-22, as amended.

Corner lot sight triangle ~~**Clear vision triangle**~~ means a triangular area formed on a ~~the~~ corner lot~~site~~ by the two street property lines and a straight line~~, which intersects~~ intersecting no less than~~then~~ 6.1 metres (20 ft) from the corner where the property lines meet.

Council means the elected Council of the Municipality of Crowsnest Pass in the Province of Alberta.

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.

CSA ~~**Canadian Standards Association (CSA)**~~ means Canadian Standards Association, 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.

CSA A277 means the most current edition of the Procedure for Certification of Prefabricated Buildings, Modules, and Panels. CSA A277 is used by accredited certification agencies to indicate that buildings, modules and panels constructed in a factory or other off-site location have been designed and constructed in compliance with the National Building Code – 2019 Alberta Edition (NBC(AE)). Modular components that have been certified to meet CSA A277 do not require an on-site inspection to demonstrate compliance with the NBC(AE). CSA A277 is applicable to all types and sizes of buildings.

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.

D

Deck means an uncovered (roofless) outdoor space that:

(a) Is classified as either:

(i) a ground level dec~~k~~ it is always attached to a building and its surface is not higher than 0.6 m above ~~average~~ grade and it is deemed to be an Accessory Building; or~~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 grade and it is deemed to be an Accessory Building.~~ but not higher than the elevation of the main floor of the habitable space in 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.~~

And:

(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, a patio~~,~~ or a porch~~ or veranda~~; and

(b) Is considered to be an accessory structure; and

(c) Is not considered to be part of the ~~building~~ gross floor area or habitable floor area of the building that it is attached to (unless it is covered, in which case it is not considered to be a deck); and

(d) Does not contribute to the lot coverage ratio or to the building footprint area of any building.

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 (eg. 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"~~,~~ and "Porch").~~ and "Veranda").~~

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

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.

Developable area means that portion of a lot or parcel that can feasibly be developed after all minimum yard setbacks, separation distances, easements and undevelopable areas have been deducted.

Developed ~~**residence**~~ **parcel** means a ~~dwelling~~ lot that:

(~~a)~~ contains a lawful principal dwelling of which the construction is complete, and 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 the means to provide electric power to the site; and

~~(c) has electrical and gas utilities available to the site;~~

(d) is connected to municipal water and wastewater infrastructure, or has a supply of potable water and a functional private sewage disposal system approved under the *Safety Codes Act.*

Developer means an individual, partnership or body corporate that locates and secures control of a parcel, conceives a development proposal that is suitable for the parcel and compatible with existing uses in the vicinity, obtains the necessary regulatory approval for that proposal, and undertakes the proposal in accordance with this Bylaw, the conditions attached to the approval, and any applicable federal and provincial regulations~~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*, and in addition includes Tree Felling in circumstances specified in this Bylaw. In this Bylaw a reference to a building shall be understood to include a "structure", and vice versa.

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 Authority means the Development Officer and/or the Municipal Planning Commission and/or the Subdivision and Development Appeal Board and/or 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.

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.

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.

Drive-in business means an establishment with facilities for on-site service to customers who remain in their motor vehicles.

~~**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 inhabited by a household. No land use that involves a dwelling unit shall be interpreted to include a recreational vehicle, and the use of a recreational vehicle as a dwelling unit is restricted to those purposes provided for in Schedule 4, Section 39 of th is Bylaw, and the placement of a recreational vehicle in a Campground or a Recreational Vehicle Park.~~used~~

~~permanently or semi-permanently as a residence for one or more individuals as a single housekeeping unit.~~

E

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.

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.

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.

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 landforms 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.

Exotic animals means any species of animals that are not indigenous to the Municipality~~planning area~~.

F

Factory-built housing or Modular Construction means homes intended for residential occupancy that are constructed in a factory setting. Includes modular, panelized and pre-engineered homes.

Family means one or more persons occupying a dwelling unit as a single housekeeping unit.

~~**Farm Building** means a building 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 a Modular Home.~~

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 any combination thereof, used as a perimeter enclosure or screening, and typically located~~, or intended to be located,~~ on any section of a lot boundary~~ or between a lot boundary and an occupied structure on the subject property.~~, and may extend from the lot boundary such that it is attached to a building on the lot. A fence does not include a privacy screen.

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.

FireSmart means a program developed 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. As of 2021, FireSmart is the responsibility of the Canadian Interagency Forest Fire Centre, a non-profit organization operated by the federal, provincial and territorial wildland fire management agencies. ~~In 2021 w~~Work is progressing towards introducing legislative changes to implement FireSmart principles into community planning and construction standards.

Firewall means a type of fire separation of noncombustible construction that separates adjoining buildings to resist the spread of fire and that has a fire-resistance rating as prescribed in the National Building Code – 2019 Alberta Edition.

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.

Flood-risk 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.

Flood-risk lands means areas that may be subject to flooding from time to time.

Floodplain means the areas adjacent to a watercourse that are susceptible to inundation by water as a result of a flood.

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.

~~**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 embankment but including all mechanical equipment areas.~~

Floor area, gross means the roofed floor area of all storeys of a building, above and below grade, including the floor area of a developable basement, a roofed area (e.g. a porch or balcony), a stairwell, an elevator shaft, a mechanical or utility equipment area, an area used for garbage collection or recycling, a storage area and a roofed enclosed parking or loading area integral to the building, but in the case of a principal building, excludes a detached garage connected to the building by a breezeway or catwalk. Gross floor area is measured from the outside surface of the exterior walls or the centre line of adjoining firewalls as may be applicable.

Floor area, habitable means that portion of a dwelling unit that includes the sum of all above-grade storeys but excludes the floor area of an attached garage, a carport, a basement or a walk-out basement.

Floor area, net means the gross floor area of a building, as defined in this Bylaw, excluding the following areas:

(a) a crawl space and other undevelopable below grade area;

(b) an area that is unenclosed on at least one side;

(c) an unroofed area;

(d) an area that does not meet the minimum ceiling height requirements specified in the National Building Code – 2019 Alberta Edition;

(e) a stairwell;

(f) an elevator shaft;

(g) a mechanical or utility equipment area;

(h) an area used for garbage collection or recycling;

(i) a storage area; and

(j) in the case of a principal building, an attached, roofed parking or loading area.

Floor area, room means the area of an individual room within a building, and is measured from paint to paint on the interior walls (i.e. room floor area includes areas covered by cabinets, closets, bathtubs, and appliances.

~~**Flower** means an annual, perennial, flowering shrub/tree, etc.~~

~~**Footprint** means the shape of the building 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.~~

~~**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.~~

~~**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.~~

G

Gazebo means a freestanding roofed, typically unenclosed accessory structure, usually round, octagonal or similarly shaped, which is a common architectural feature in a public park or in an amenity area of a private development and that serves purposes related to relaxation, socialisation and/or nature appreciation.

Geotechnical report means a comprehensive site analysis and report prepared by a 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.

Grade means the ~~average~~ elevation of the finished ground, sidewalk or street surface. In accordance with the National Building Code – 2019 Alberta Edition, the grade around the exterior of a building is determined by the lowest of the average levels of finished ground adjoining each exterior wall.

Grade point means the point(s) on a site which are used to measure the maximum 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~~ by an approved ~~comprehensive~~ grading plan, the location of grade points shall be determined by the Development Authority, or an average grade may be calculated.

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.

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.

Grouped country residential means two or more contiguous country residential parcels or acreages.

Guest means an invited individual who temporarily occupies a dwelling unit other than their own residence.

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.

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.

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, travel plazas~~truck stops~~, motels, motor-hotels~~,~~ and Drive-in Food Service establishments~~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.

Household means the one or more persons who inhabit a single dwelling unit.

I

Improvement means any installation or physical change made to a property with a view to increasing its value, utility or beauty.

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.

Isolated country residential means a small single-lot parcel of land or acreage created by subdivision for the purpose of accommodating a Single-Detached Dwelling ~~Single-family dwelling~~.

L

Land and Property Rights Tribunal means an amalgamation of provincial quasi-judicial boards whose duties include acting as the appeal body for subdivision and development decisions where a provincial interest exists on the land subject to the appeal.

Land Use – See "Use."

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; and

(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 means of access to a lot or lots.

Lane, rear ~~**Rear lane**~~ means service access, generally for vehicular traffic at the rear of properties.

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.

Loft means the floor space above the eaveline and within the pitch of the roof of a building.

Lot or Parcel means, for the purposes of this Bylaw, ~~in accordance with the *Municipal Government Act*, means~~:

(a) a quarter section;

(b) a river lot shown on an official plan referred to in 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 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

but does not include:

(a) a condominium unit as described in the *Condominium Property Act*, unless the context provides otherwise; or

(b) an area of land that is less than the area of a lot and is the subject of a lease or rental agreement.

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 coverage ratio means the percentage of lot area covered by the roofed building footprint area as defined in this Bylaw.

Lot frontage means the lineal distance measured along the front legal lot line.

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 line, front yard~~principal~~ means the front property boundary as shown in Figure 1.

~~**Lot line, secondary** means the front property boundary as shown in Figure 1.~~

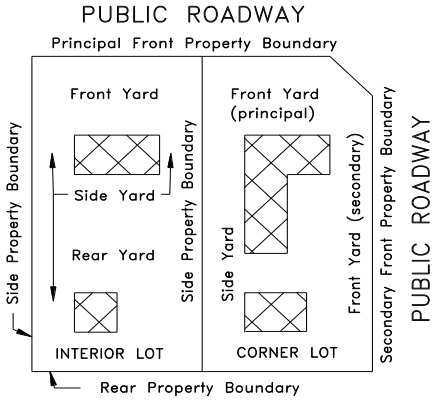

FIGURE 1

Lot line, secondary front yard~~Corner side~~ means the side lot or side 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".~~

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.

Lot, corner means a lot located at the intersection of two or more streets (not including lanes).

Lot, cut-off ~~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.

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, existing ~~**Existing parcel** means a lot or parcel as defined in the *Municipal Government Act* and~~ means a lot for which a certificate of title has been issued.

~~**Existing lot** means a lot that existed at the time this Bylaw was adopted.~~

Lot, interior means a lot other than a corner lot as shown in Figure 2.

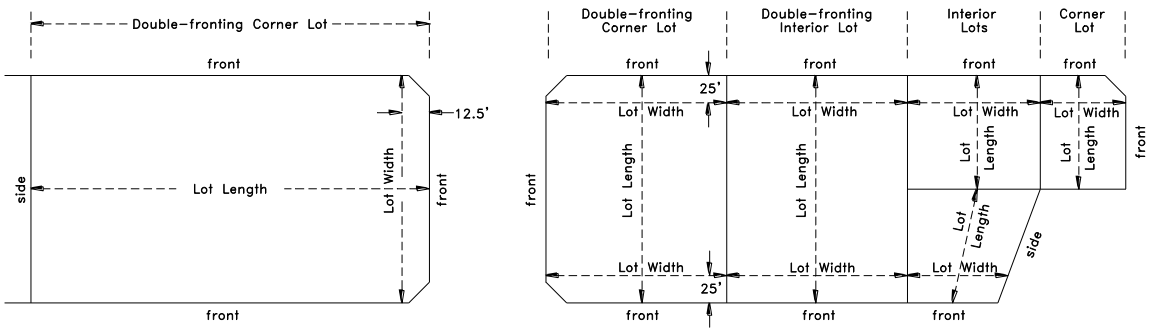

FIGURE 2

Lot, serviced ~~**Serviced Parcel** means a parcel or a~~ lot that is or will be serviced by a municipal water system and by a municipal wastewater system.

Lot, semi-serviced means a lot that is serviced by a municipal water system or by a municipal wastewater system, but not by both.

Lot, unserviced means a lot that is serviced by neither a municipal water system nor a municipal wastewater system.

~~**Non-serviced or Unserviced Parcel** means in respect to a lot or parcel that neither a municipal water system nor a municipal wastewater system services it.~~

M

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 lot means an individually titled lot within a subdivided Manufactured Home Community.

Manufactured Home space means an area within an unsubdivided Manufactured Home Community that is, or is intended to be, subject to a rental agreement allowing the placement of a Manufactured Home.

May means, within the context of a policy, that an action is discretionary.

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.

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 National Building Code – 2019 Alberta Edition standards.

~~The term mobile home includes "double-wide" and "single-wide" mobile homes, as defined, but the~~ 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 National Building Code – 2019 Alberta Edition.

Mobile home, double-wide ~~**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.

Modular construction (also see "Factory-built housing") means the construction of a building in prefabricated units at a factory or place other than the site of its final assembly and use, which:

(a) are constructed at the factory ~~under climate controlled conditions~~ and certified as compliant with the CSA-A277 certification standard and labelled accordingly pursuant to the National Building Code – 2019 Alberta Edition;

(b) are not constructed on a frame capable of being equipped with wheels and thus towed from one point to another;

(c) are equipped at the factory with interior electrical and plumbing utilities and interior walls (if these elements are required in the modular building);

(d) are transported from the factory to the site of its final assembly and use by being carried on a motor vehicle; and

(e) are assembled and placed at the site where the building is to be permanently used.

Any building listed as a use in this Bylaw, including a dwelling unit, may be built using modular construction methods without that building being deemed to be a "Manufactured~~Modular~~ Home" as defined in this Bylaw.

Modular home means a dwelling unit constructed using modular construction practices but is not a Manufactured Home as defined in this Bylaw.

Module means a 3D-section of a building constructed at a factory or other off-site location and transported to its final location. Modules are constructed off-site to various levels of completion.

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.*

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*.

Municipality means the geographic area of the Municipality of Crowsnest Pass in the Province of Alberta.

N

National Building Code – 2019 Alberta Edition (NBC(AE)) means the technical requirements governing the design and construction of new buildings, as well as the alteration, demolition or change of use of existing buildings. The National Building Code – 2019 Alberta Edition is brought into force as regulation under the *Safety Codes Act.*

National Fire Code – 2019 Alberta Edition (NFC(AE)) means the technical requirements predominantly related to the ongoing operation and maintenance of fire safety and fire protection features of existing buildings. The National Fire Code – Alberta Edition is developed in coordination with the National Building Code – 2019 Alberta Edition and is brought into force as regulation under the *Safety Codes Act.*

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 means, 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.

Noxious industry means an industry which is hazardous, noxious, unsightly or offensive and cannot, therefore, be compatibly located in an urban environment. Examples include, but are not limited to: anhydrous ammonia storage, abattoirs, oil and gas plants, seed cleaning plants, alfalfa depots, livestock sales yards, asphalt plants, alfalfa dehydrating plants, sanitary landfill sites, wastewater treatment plants or lagoons, auto wreckers or other such uses determined by the Municipal Planning Commission to be similar in nature.

Nuisance means any use, prevailing condition or activity which has a detrimental effect on living or working conditions.

O

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 with respect to the points of the compass.

~~**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

Parapet means the extension of a false front wall above a roofline.

Parcel – see "Lot"~~.means, as may be determined by the context, 1) , the area of land described in a certificate of title or described in a certificate of title by reference to a plan 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.~~

Patio means an uncovered floor or platform, which is not elevated above the surface of the ground in any manner, and may or may not be attached to a building. Also see "Balcony", "Deck"~~,~~ and "Porch." ~~and "Veranda".~~

Pergola means an unenclosed accessory structure with an open roof of latticework supported on posts or columns that are placed on a deck, a patio or directly on the ground in an amenity area. As a pergola provides only semi-permeable overhead covering, it does not meet the definition of "Roofed" as defined in this Bylaw (unless its overhead covering is structurally modified to become impermeable, in which case it is not a pergola).

Permanent foundation means a ~~foundation~~ base installed to provide structural support for a building, ~~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.

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.

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 (roofed) platform or an enclosed gallery or room, ~~usually having a separate roof, at a ground level entrance to a building, or an open or enclosed gallery or room,~~ which is not

heated or cooled, that is attached to the outside of a building at a ground level entrance to the 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" and "Patio." ~~and "Veranda".~~

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.

Primary Residence means the residence where a person normally resides and has control and management of the property by ownership.

Principal building means a building which:

(a) is the main building on a lot;

(b) by reason of its use, is the primary purpose for which the lot is used; and

(c) includes any building, including a garage or carport, that is attached to the principal building by a roof or a foundation.

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.

Professional Engineer means a professional engineer as defined in the Engineering and Geoscience Professions Act who has been registered (and, in the case of a partnership or corporation, also permitted to practice) 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.

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 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 municipally owned or franchise owned infrastructure, property and / or right-of-way or easement for one or more of the following:

(a) water service;

(b) wastewater service;

(c) stormwater drainage and retention facility;

(d) gas;

(e) electricity;

(f) telecommunication;

(g) 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 (f) that are exempted by the Lieutenant Governor in Council by regulation.

~~**Public utility** means the right-of-way for one or more of the following:~~

~~(a) telecommunications systems;~~

~~(b) waterworks systems;~~

~~(c) wastewater 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.~~

Q

Quarter section means a titled area of approximately 64.8 hectares (160 acres).

Quarter section, unsubdivided ~~**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.

R

Ready-to-move (RTM) home means a factory-built dwelling unit other than a Manufactured Home.~~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.

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, a van, a Recreational Vehicle that conforms to the CSA-Z240 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~~ Manufactured 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 m^2 (600 ft^2). 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~~ Manufactured Home or a Recreational Vehicle.

~~**Recreational vehicle sanitary pump out site** means a facility for the disposal of wastes from recreational vehicles.~~

Regionally sensitive area~~s~~ 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.

Reserve land means environmental reserve, municipal reserve or school reserve or municipal and school reserve.

Residence – see "Dwelling".

Resort accommodation means accommodation inside a "Resort", as defined in this Bylaw, for visitors to the resort, which may be in the form of apartments, cabins, hotels, lodges, recreational vehicles (but not as a stand-alone "Campground" or "Recreational Vehicle Park" as defined in this Bylaw) or other dwelling units in their various forms as defined in this Bylaw.

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.

Roofed or covered means that an area, or a space, or a building or a structure has an impermeable overhead covering.

Roofline means the top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys, or minor similar projections.

~~**Rowhouse dwelling or townhouse** means aResidential 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 row house 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.~~

S

Safety Codes Officer means a person certified and authorized to perform inspections and enforce the regulations established in the National Building Code – 2019 Alberta Edition pursuant to the *Safety Codes Act*, Chapter S-1, RSA 2000, as amended.

~~**Safety Code** or **Building Code** or **NBC(AE)** means the National Building Code – 2019 Alberta Edition pursuant to the *Safety Codes Act,* and includes subsequent editions as amended from time to time.~~

Screening means a fence, berm or landscaping, or any combination thereof, 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.

Self-contained means a dwelling unit providing sleeping, cooking and washroom facilities.

Service connection means, in respect of a municipal water or wastewater utility, the portion of the public utility running from the main line to a building or other place on a lot for the purpose of providing utility service to the lot. Where the public utility is municipally owned, the responsibility for constructing, maintaining and repairing the portion of the service connection running from the main line to the lot boundary lies with the Municipality. By implication, the landowner is responsible for constructing, maintaining and repairing the portion of the service connection between the lot boundary and the building, including the associated cost. As a term of supplying utility service to a lot, the Municipality may make the owner of the lot bear the costs associated with constructing, maintaining and repairing the portion of the service connection running from the main line to the lot boundary.

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.

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.

Shall means that the action is mandatory.

Should means that the action is recommended.

Shrub means a single or multi-stemmed woody plant under 5.0 metres at maturity.

Site means that part of a parcel or a bare land condominium unit, or a group of parcels or a condominium plan 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 or structure. Site coverage is also known as lot coverage.~~

Site plan means a graphic representation of proposed access, utilities, landscaping, buildings and structures, and other features that the Development Authority considers necessary, in relation to existing conditions and property boundaries. A site plan is drawn to scale and includes dimensions for boundaries and improvements, as well as an arrow indicating north. Existing conditions typically included in a site plan include topography, water bodies, high-value environmental features, registered easement and utility rights-of-way, and existing improvements.

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.

Solar collector means a grouping of multiple devices, panels or structures that are capable of collecting and distributing solar energy for the purpose of transforming the solar energy into thermal, chemical or electrical energy, and typically will tie-in and feed or sell power to the provincial electric grid transmission or distribution system for off-site consumption. This use includes any associated solar panels, solar modules, supports or racks, inverters, electrical transformers or substations required to transform the solar energy.

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.

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. Where the top of a floor directly above a basement is ~~over~~ at least 1.8 metres (6 ft) above grade, that basement shall be considered a storey.

Storey, above-grade means a storey of a building that is enclosed by a roof and is at least 1.8 metres
(6 ft) above grade.

Storey, below-grade means a storey of a building that is enclosed by a roof and is less than 1.8 metres
(6 ft) above grade.

Street means a public thoroughfare that affords 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.

Street, residential ~~**Residential streets**~~ means a street 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.

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 "building" as defined in this Bylaw.~~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)*, 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.

T

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.

Telecommunication means infrastructure required for the distribution or reception of telephone, cable, and internet services, but excludes a Communication Structure and a Communication Antenna as defined in this Bylaw.

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~~.

Tenant means a person who rents, leases or sub-leases, through either a written or oral agreement, real property from another individual or entity.

This Bylaw means the Municipality of Crowsnest Pass Land Use Bylaw No. 1165, 2023 as amended.

Tourist Home Rental Unit means the building or portion thereof and the entire premises contained in a certificate of title that are rented as a single reservation to a party who occupies either the entire building or a portion thereof and the entire premises for the rental period.

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.

~~**Triplex** means a single building comprised of three dwelling units, each unit having a separate, direct entrance from grade or a landscaped area.~~

U

Unenclosed means an area, a space, a building or a structure that is permanently open on at least one side, while it may be roofed.

~~**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 is, or may be, occupied and maintained.

Use, approved ~~**Approved use**~~ means a use of land and/or building for which a development permit has been issued by the Development Authority.

Use, change of~~**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 in each land use district.

Use, discontinued ~~**Discontinued use**~~ means a use of land or buildings that has been, for all material purposes and efforts, entirely abandoned or indefinitely interrupted.

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 with or without conditions.

Use, non-conforming, in accordance with the *Municipal Government Act,* means a ~~lawful specific~~ use that has the benefit of a development permit or does not require a development permit:

(a) being made of land or a building or intended to be made of a building lawfully under construction, at the date ~~of~~that 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~~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~~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~~

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~~having been made to the Development Authority if the proposed development conforms with this bylaw.~~

Use, permitted ~~**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.

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.

~~**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.~~

V

Variance means the relaxation by the Development Authority of a development standard or regulation established in ~~the land use bylaw~~this Bylaw.

Vegetation management means the manipulation of plant material for purposes such as the spread of wildfires, or the control of plants or diseases.

~~**Veranda** means a porch or balcony, 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".~~

W

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.

Wetland means those areas that are inundated and saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil condition including swamps, marshes, bogs and similar areas.

Wildland-Urban Interface (WUI) means an identified area where residential, industrial or agricultural developments are located within or near wildland settings with natural vegetation, that puts the development at risk from wildfire.

Wildlife corridor means an area which provides or is designed to provide connectivity between patches of wildlife habitat. Wildlife corridors generally do not fulfil the requirements of wildlife habitat patches except for the physical security provided by vegetative cover or other buffers from development.

Y

Yard ~~**or Yard Setback**~~ means the undeveloped space, on a lot~~site~~, that lies between the wall of a ~~principal building or an accessory~~ building and the nearest section of a ~~designated~~ lot line. The yard may exceed the minimum yard setback.

Yard setback ~~**Setback**~~ means that portion of the yard that constitutes the minimum distance required between ~~the~~ a property line ~~of a lot~~ and the nearest part of a~~ny~~ building wall or post, or edge of development, excavation or extent of use on ~~the~~a lot, and is measured at a right angle to the 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~~ lot line and the nearest projection of the principal building as shown in Figure 3. Where this distance exceeds the minimum yard setback standard as established in the applicable land use district, the minimum yard setback shall determine the distance of the front yard.

Yard, rear means a yard which extends the full width of a lot~~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, secondary front means the side yard on a corner lot that has road frontage.

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.

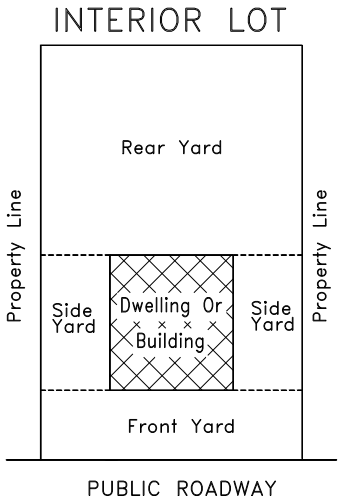
INTERIOR LOT
Rear Yard
Property Line
Property Line
Side Yard
Dwelling Or Building
Side Yard
Front Yard
PUBLIC ROADWAY

FIGURE 3

Omnibus No. 3 Land Use Bylaw Amendment

Summary of Key Changes

1. **Land Use Definitions**
   (a) The land use definitions are separated from the general word definitions.
   (b) Several redundant land use definitions that were not listed in any land use district are deleted.
   (c) New definitions were established for those land uses that were listed in the districts but were not defined.
   (d) Some land uses are renamed, e.g. "Kennel" becomes "Animal Care Service Facility".
   (e) Some land use definitions are being combined with others – e.g. "Barber Shop" is deleted because it is re-categorized as "Personal Service", or "Restaurant", "Coffee Shop" and "Bakery" are deleted and re-categorized as a new land use "Food & Beverage Service Facility", or "Liquor Store" is deleted and recategorized as "Retail".
   (f) A clear distinction is made between "Campground" and "Recreational Vehicle Park" on the one hand, and "Resort" (which may include RVs) on the other, by requiring that a "Resort" must be a destination (e.g. include some form of recreation facility or convention centre).
   (g) The definitions of "Campground" and "Recreational Vehicle Park" were revised to clarify that the RV stalls may be held under a rental, a lease or a bareland condominium subdivision.
   (h) The wording of some land use definitions is clarified.

2. **Land Use Districts and Land Uses**
   (a) The purpose statement of several land use districts is clarified.
   (b) The distinction between R-2, R-2A and R-3 is made clearer (R-2 is duplex, R-2A is Medium Density with Multi-unit Residential (townhouses) as permitted use and Apartment as a discretionary use, and R-3 is High Density with 3-storey Apartment as permitted use and more than 3-storey Apartment as discretionary use, and Multi-unit Residential as discretionary use.
   (c) In all land use districts some uses are moved from the discretionary use list to the permitted use list. This means that fewer development permit applications would have to be reviewed by the MPC. The same standards apply, and the Development Office will still add conditions to the DP. **The key here is that a permitted use cannot be refused, and adjacent landowners cannot appeal a permitted use (in most cases)**. This is one of the more significant changes for Council to focus on. The Land Use Matrix provides a convenient tool to see which uses are permitted and which uses are discretionary in which land use districts.
   (d) In the NUA-1 district, several land uses including Single-detached Dwelling is moved from the discretionary use list to the permitted use list.
   (e) Solar Panels and small wind energy conversion systems are re-categorized as Private Utilities. Schedule 12 is revised to apply only to large solar panel farms, large wind energy farms and other large energy operations.

(f) In the CM-1 district Apartment up to 4-storeys is added as a permitted use, and Apartment more than 4-storey is a discretionary use.

(g) "Campground" and "Recreational Vehicle Park" are being deleted from the discretionary use list in the C-2 district, because the current distribution of the C-2 district is such that campgrounds may not be desirable in those locations. . This will result in two existing campgrounds becoming non-conforming – the Lost Lemon Campground in the York Creek subdivision and the Crowsnest Campground in Passburg (a portion of which is already non-conforming in that it is in the NUA-1 district, where campground is not allowed). These campgrounds can continue to operate as non-conforming uses but cannot be expanded, unless the properties were rezoned to NUCR-1 (or the MCNP could rezone these properties in Omnibus No. 4).

3. Minimum Single-detached Dwelling size

(a) In the R-1 district the minimum size is kept where Council approved it under Bylaw 1116, 2022 but in the GCR-1 district the minimum size is reduced from 1,800 ft² to 1,100 ft² for any size parcel ~~for 3-acre parcels and from 2,500 ft² to 1,500 ft² for parcels larger than 3 acres~~.

(b) In the CRV district the minimum size is reduced from 1,400 ft² to be the same as for the R-1 district.

(c) In the CSV district (Southmore) the minimum size is kept at ~~750~~1,100 ft².

4. Accessory Buildings

(a) The minimum side and rear yard setbacks for an Accessory Building in various land use districts are proposed to be reduced to 0.6m (2ft) in an attempt to make more useable yard space available.

(b) The maximum height for an Accessory Building in various land use districts are proposed to be increased by 0.5m (approximately 2ft) from 4.5m to 5m in an attempt to accommodate an observable trend for loft space.

(c) The above changes will reduce the number of variance applications that are considered by the Municipal Planning Commission.

5. Secondary Suites

(a) Secondary Suite, Attached (i.e. inside a Single-detached Dwelling) is a permitted use in all districts and Secondary Suite, Detached (i.e. within a detached garage or as a stand-alone accessory building) remains a discretionary use.

(b) The maximum floor area of a Secondary Suite, Attached is kept at 900 ft² with the exception that when the suite is in a basement, the entire basement can be used as secondary suite, regardless of the size.

(c) The maximum floor area of a Secondary Suite, Detached is increased to 1,100 ft².

(d) In the GCR-1 district additional Secondary Suites, Detached are still allowed but are now restricted to a maximum of two.

(e) When a development permit is issued for Secondary Suite (Attached or detached) on a property where a DP was previously issued for a Tourist Home, the DP for the Secondary Suite shall revoke the DP for the Tourist Home.

6. **Tree Felling**
   (a) In the GCR-1, NUA-1, NUCR-1 and NUCR-2 districts tree felling within the yard setback areas require a development permit.

7. **Number of Dwelling Units and Principal Buildings on a Parcel**
   (a) Recreational Vehicle is no longer included in the definition of "Dwelling Unit".
   (b) This section is expounded and clarified.

8. **Multi-unit and Apartment Development Standards**
   (a) This Schedule 5 is significantly expounded, clarified and specific policies from the Municipal Development Plan is incorporated into it.

9. **Sign Standards**
   (a) Schedule 11 is reformatted, clarified and rationalized.
   (b) Commercial sign types are removed from the CRV and CSV districts.
   (c) In all districts some signs are moved from discretionary to permitted.

10. **Tourist Homes**
    (a) It is clarified that only one Tourist Home may be approved on a property.
    (b) To this effect, a development permit for a Tourist Home on a property where there is a Duplex or a Secondary Suite shall impose a condition that the entire property shall be rented as one Tourist Home rental unit, i.e. only one reservation for the entire property may be made.

11. **Key Amendments - Housing**

- Introducing enhanced ability to develop Secondary Suites in most residential land use districts.
- Making the development approval process more favourable for higher density residential proposals with respect to the allocation of uses in the R-2A and R-3 districts
- Incentivizing the development of entry-level units in higher-density residential projects by eliminating the minimum floor area requirement per unit and relying on lot coverage ratio and height as the chief mechanisms to regulate the expression of bulk form on a lot. Not only does this revision embed broader flexibility with respect to building configuration - it also increases the attainability of homeownership as well as supports a stable supply of rental housing to attract prospective members of the labour force.
- Strengthening the design criteria for Apartment Buildings and Multi-Unit Residential Buildings in exchange for the increased allowances described above (Schedule 5).

12. **Document Formatting**

- Relocated the overlay districts to Schedule 2 (these were previously separate Schedules).
- Separated the use definitions from the non-use definitions.
- Eliminated redundancies and, more importantly, inconsistencies regarding definitions throughout the Bylaw.

- Select renumbering and other adjustments to the document formatting aimed at enhancing readability.

Council accepted the proposed Land Use Matrix as presented with the following changes to be made to land uses and signs:

- Single Detached Dwelling in NUA-1 – discretionary, by the DO
- Moved-in Dwelling in R-1, R-2, R-5, GCR-1, NUA-1 and CRV districts – discretionary, by the DO
- Animal Care Service Facility, Small – permitted in C-1 and C-3 – not allowed in P-1
- Animal Care Service Facility, Large – not allowed in P-1
- Arts and Crafts Studio – permitted in C-3
- Auto Sales and Service – permitted in I-1 and SIP-1
- Building Supply Centre – not allowed in C-3
- Community Facility – discretionary in I-1 and SIP-1
- Exploratory Excavation – permitted in C-4
- Financial Institution – permitted in C-3
- Food and/or Beverage Service – permitted in C-3
- Funeral Home – discretionary in I-1 and SIP-1
- Medical and/or Dental Clinic – discretionary in C-1 and permitted in CM-1
- Motel – not allowed in CM-1
- Moved-in Building - R-1, R-2, R-5, GCR-1, NUA-1 and CRV districts – discretionary, by the DO; and permitted in I-1 and SIP-1
- Parking Facility – discretionary in C-2
- Place of Worship – not allowed in R-1 and R-1A
- Recreational Vehicle Sales and Rentals – permitted in I-1
- Retail – Store (large) – permitted in CM-1
- Retail – Shopping Mall – not allowed in CM-1
- Stockpiling – permitted in C-4
- Travel Plaza – discretionary in I-1
- A-Board Sign – not allowed in CRV and CSV
- Canopy Sign – not allowed in CRV and CSV
- Free-standing Sign – not allowed in CRV and CSV
- Multiple Listing Sign – delete as a definition and in all districts
- Secondary Sign – delete as a definition and in all districts
- Subdivision or Development Marketing Sign – permitted in C-4, I-1, SIP-1. NUCR-1 and NUCR-2

The following changes to the Land Use Matrix are recommended by staff:

- Community Facility – permitted in P-1
- Emergency Service – discretionary in RO-1
- Travel Plaza – not allowed in NUA-1
- Tree felling within the minimum yard setback – discretionary in GCR-1, NUA-1, NUCR-1 and NUCR-2
- Outdoor Storage as a principal use – discretionary in I-1 and SIP-1
- Recreation Facility, Indoor (small) – permitted in RO-1 and P-1
- Recreation Facility, Indoor (large) – discretionary in RO-1

- The minimum habitable floor area of a Singe-detached Dwelling that applies to the R-1 District was added to the NUA-1 district.

DRAFT LAND USE MATRIX FOR OMNIBUS #3 (FIRST READING 11.14.2023)

RESIDENTIAL USES	R-1	R-1A	R-2	R-2A	R-3	R-4	R-5	CSV	CRV	GCR-1	C-1	C-2	C-3	C-4	CM-1	I-1	SIP-1	RO-1	P-1	NUCR-1	NUCR-2	NUA-1
Single-Detached Dwelling	P	P	D				P	P	P	P	D *											D
Secondary Suite, Attached	P	P	P				D	P	P	P												P
Secondary Suite, Detached	D	D	D					D	D	D												D
Moved-in Dwelling	D		D				D		D	D												D
Manufactured Home	D		D			P **	D	D		D												D
Manufactured Home Community						D																
Duplex / Semi-Detached Dwelling	D		P	D				P	D													
Multi-Unit Residential Building				P	D			P	D						D							
Apartment Building not exceeding 3 storeys or 14.0 m				D	P																	
Apartment Building exceeding 3 storeys or 14.0 m					D																	
Apartment Building not exceeding 4 storeys or 17.3 m															P							
Apartment Building exceeding 4 storeys or 17.3 m															D							
Seniors Supportive Housing Facility				D	D	D													D			

DRAFT LAND USE MATRIX FOR OMNIBUS #3 (FIRST READING 11.14.2023)

OTHER USES	R-1	R-1A	R-2	R-2A	R-3	R-4	R-5	CSV	CRV	GCR-1	C-1	C-2	C-3	C-4	CM-1	I-1	SIP-1	RO-1	P-1	NUCR-1	NUCR-2	NUA-1
Accessory Building or Use (up to 18.6 m^2)											P	P	P	P	P	P	P	P	P	P	P	
Accessory Building or Use (over 18.6 m^2)											D	D	D	D	D	D	D	D	D	D	D	
Accessory Building or Use (up to 40.5 m^2)							P															
Accessory Building or Use (over 40.5 m^2)							D															
Accessory Building or Use (up to 72.8 m^2)	P	P	P	P	P	P		P	P													P
Accessory Building or Use (over 72.8 m^2)	D	D	D	D	D	D		D	D													D
Accessory Building or Use (up to 95.2 m^2)										P												
Accessory Building or Use (over 95.2 m^2)										D												
Agriculture																						P
Agriculture-Related Industry																D	D					
Airport																D	D					
Animal Care Service Facility, Small											P	P	P		P	P						D
Animal Care Service Facility, Large																D	D					D
Arts and Crafts Studio											P	P	P		P	P	P					
Auction Market																P	P					D
Auction Market, Livestock																D	D					D
Auto Body and Paint Shop																P	P					

DRAFT LAND USE MATRIX FOR OMNIBUS #3 (FIRST READING 11.14.2023)

OTHER USES	R-1	R-1A	R-2	R-2A	R-3	R-4	R-5	CSV	CRV	GCR-1	C-1	C-2	C-3	C-4	CM-1	I-1	SIP-1	RO-1	P-1	NUCR-1	NUCR-2	NUA-1
Auto Repair Shop												D				P	P					
Auto Sales and Service												D				P	P					
Auto Wreckage and Salvage																D	D					
Bottling Plant																D	D					
Building Supply Centre												P				P	P					
Bulk Fertilizer Storage and Sales																D	D					
Bulk Fuel Sales and Storage																D	D					
Campground																				D	D	
Cannabis Production Facility																	P					
Cannabis Retail Sales											P	P	P	P	P							
Canvas Covered Structure	D	D	D	D	D	D	D	D	D	D	D	D				D	D	D	D	D	D	D
Car Wash												D				P						
Cemetery																		D	D			
Community Facility											P	P			D	D	D	D	P	D	D	
Contractor Services, Limited												D		P		P	P					D
Contractor Services, General																P	P					
Cultural Establishment											D	P			D			D	D	D	D	

DRAFT LAND USE MATRIX FOR OMNIBUS #3 (FIRST READING 11.14.2023)

OTHER USES	R-1	R-1A	R-2	R-2A	R-3	R-4	R-5	CSV	CRV	GCR-1	C-1	C-2	C-3	C-4	CM-1	I-1	SIP-1	RO-1	P-1	NUCR-1	NUCR-2	NUA-1
Day Care Facility	D	D	D	D	D			D			D											
Day Home	P	P	P	P	D	P	P	P		P												
Drive-in Food Service												D			D							
Drive-In Theatre																D	D			D	D	D
Dwelling Unit, secondary to an approved use											D	D				D	D			D	D	
Emergency Service																		D	P			
Entertainment Establishment											D	D			D							
Exploratory Excavation	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P
Extended Care Facility					D														D			
Farm Supplies and Service																P	P					
Financial Institution											P	P	P		P							
Food and/or Beverage Service											P	P	P		P							
Funeral Home											D	D				D	D					
Gaming or Gambling Establishment											D	D										
Garden Centre												P				P	D					
Health Care Facility																			D			
Home Occupation - Class 1	P	P	P	P	P	P	P	P	P	P	P				P							P

DRAFT LAND USE MATRIX FOR OMNIBUS #3 (FIRST READING 11.14.2023)

OTHER USES	R-1	R-1A	R-2	R-2A	R-3	R-4	R-5	CSV	CRV	GCR-1	C-1	C-2	C-3	C-4	CM-1	I-1	SIP-1	RO-1	P-1	NUCR-1	NUCR-2	NUA-1
Home Occupation - Class 2	D	D	D	D	D	D	D	D	D	D					D							D
Hostel											D	D								D	D	
Hotel											D	P			P							
Intensive Horticultural Operation																						D
Light Manufacturing																P	P					
Machinery and Equipment Sales and Repair												D				P	P					
Medical and/or Dental Clinic											D	D	P		P				D			
Mini Storage Facility																P	P					
Mixed-Use Building											D	D										
Mixed-Use Building not exceeding 4 storeys or 17.3 m															P							
Mixed-Use Building exceeding 4 storeys or 17.3 m															D							
Mixed-Use Development											D	D			P							
Motel												P										
Moved-in Building	D		D				D		D	D						P	P					D
Office											P	P	P	D	P							
Outdoor Storage																D	D					

DRAFT LAND USE MATRIX FOR OMNIBUS #3 (FIRST READING 11.14.2023)

OTHER USES	R-1	R-1A	R-2	R-2A	R-3	R-4	R-5	CSV	CRV	GCR-1	C-1	C-2	C-3	C-4	CM-1	I-1	SIP-1	RO-1	P-1	NUCR-1	NUCR-2	NUA-1
Parking Facility											D	D			D							
Personal Service											P	P	P	D	P							
Place of Worship											D	D							D			
Private Utility – except freestanding Solar Collector and freestanding Small Wind Energy Conversion System	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Private Utility – freestanding Solar Collector and freestanding Small Wind Energy Conversion System	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D
Public Open Space																		P	P			
Recreation Facility, Indoor (Small)											P	P			P	P	P	P	P	P	P	
Recreation Facility, Indoor (Large)											D	D			D	D	D	D	D	D	D	
Recreational Facility, Outdoor												D				D	D	P	D	D	D	
Recreational Vehicle Park																				D	D	
Recreational Vehicle and/or Manufactured Home Sales and Rentals												D				P	P					
Recreational Vehicle Storage																P	P			D	D	D
Recycling Facility																D	D					
Renewable Energy Operation																D	D					D
Resort																				D	P	

DRAFT LAND USE MATRIX FOR OMNIBUS #3 (FIRST READING 11.14.2023)

OTHER USES	R-1	R-1A	R-2	R-2A	R-3	R-4	R-5	CSV	CRV	GCR-1	C-1	C-2	C-3	C-4	CM-1	I-1	SIP-1	RO-1	P-1	NUCR-1	NUCR-2	NUA-1
Resource Extraction																						D
Resource Processing																D	D					D
Retail – Accessory																P	P					
Retail – Store, Small						D					P	P	P	D	P							
Retail – Store, Large											D	D	D	D	P							
Retail – Shopping Mall													D									
Riding Arena																				D	D	D
Service Station												P										
Shipping Container, accessory to an approved use											D	D				D	D					
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																		D	D			
Short-Term Rental / Bed & Breakfast	D	D	D	D	D	D	D	P	P	P	P ***	D ***										P ***
Stockpiling	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P
Surveillance Suite																D	D			D	D	
Temporary Auto Sales												D	D									
Temporary Storage Yard											D	D				D	D					

DRAFT LAND USE MATRIX FOR OMNIBUS #3 (FIRST READING 11.14.2023)

OTHER USES	R-1	R-1A	R-2	R-2A	R-3	R-4	R-5	CSV	CRV	GCR-1	C-1	C-2	C-3	C-4	CM-1	I-1	SIP-1	RO-1	P-1	NUCR-1	NUCR-2	NUA-1
Tourist Home	D	D	D	D	D	D	D	D	D	D	D ***	D ***										D ***
Transportation Terminal																D	D					
Travel Plaza												D				D	D					
Tree Felling, not within minimum yard setback										P										P	P	P
Tree Felling, within minimum yard setback										D										D	D	D
Warehouse												D				D	D					
Warehouse Store												D				D	D					
Work Camp																D	D					D
Workshop											D	D				D	D					

DRAFT LAND USE MATRIX FOR OMNIBUS #3 (FIRST READING 11.14.2023)

SIGNS	R-1	R-1A	R-2	R-2A	R-3	R-4	R-5	CSV	CRV	GCR-1	C-1	C-2	C-3	C-4	CM-1	I-1	SIP-1	RO-1	P-1	NUCR-1	NUCR-2	NUA-1
A-Board Sign											P	P	P	P	P	P	P	P	P	P	P	
Canopy Sign											P	P	P	P	P	P	P					
Fascia & Wall Sign											P	P	P	P	P	P	P	P	P	P	P	P
Freestanding Sign											P	P	P		P	P	P	P	P	P	P	P
Home Occ - Class 2, Tourist Home, Short-Term Rental / B&B Sign	P	P	P	P	P	P	P	P	P	P					P							
Mural Sign											P	P	P	P	P	P	P	P	P	P	P	P
Portable Sign											P	P	P	P	P	P	P	P	P	P	P	P
Projecting Sign											P	P	P	P	P	P	P	P	P	P	P	P
Roof Sign											D	D	D	D		D	D	D	D	D	D	D
Subdivision Entrance Feature Sign	P	P	P	P	P	P	P	P	P	P												
Subdivision or Development Marketing Sign	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P			P	P	
Third-Party Sign											D	D	D			D	D	D	D	D	D	D

DRAFT LAND USE MATRIX FOR OMNIBUS #3 (FIRST READING 11.14.2023)

Notes to Land Use Matrix

* refers only to a Single-Detached Dwelling that was existing as of June 18, 2013

** refers only to a Manufactured Home within an approved Manufactured Home Community

*** use must be located inside an approved Dwelling Unit

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: November 14, 2023

Agenda #: 3.b

Subject: Minutes of the Municipal Planning Commission of September 20, 2023

Recommendation: That Council accept the Minutes of the Municipal Planning Commission of September 20, 2023 as information.

Executive Summary:
Minutes of Internal Boards and Committees are provided to Council at the subsequent meeting.

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

Discussion:
The Municipal Planning Commission provides their minutes to keep Council apprised of exceptional development activities.

Analysis of Alternatives:
n/a

Financial Impacts:
n/a

Attachments:
2023 09 20_Municipal Planning Commission Minutes Approved.pdf

Municipality of Crowsnest Pass
Municipal Planning Commission Minutes
Wednesday, September 20, 2023, at 2:00 PM

PRESENT: Justin Ames, Chair
Gaston Aubin, Vice Chair
Dave Filipuzzi, Member
Sam Silverstone, Member
Dean Ward, Member
Joanne Tulk, Member

ADMINISTRATIVE: Katherine Mertz, Development Officer
Johan Van Der Bank, Manager of Development & Trades
Ryan Dyck, ORRSC
Sasha Lassey, Recording Secretary

ABSENT: Don Montalbetti, Member (no apology)

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1. CALL TO ORDER

Justin Ames called the meeting to order at 2:05 pm

2. ADOPT AGENDA

MOTION by Dean Ward to accept the agenda as presented.

CARRIED

3. CONSENT AGENDA

4. ADOPTION OF MINUTES

MOTION by Gaston Aubin to accept the agenda as presented.

CARRIED

5. SUBDIVISION APPLICATIONS

5.1 **Subdivision 2023-0-115 Lot 1 Block 1 Plan 2211390 within SW1/4 20-7-3-W5M**

MOTION by Dean Ward to approve the presented resolution for Subdivision Application 2023-0-115 with an amendment to the condition as follows:

> *Remove: Condition 2 – That a service connection agreement be entered into for the purpose of providing water and sewer service connections to the proposed northerly parcel (with servicing to the southerly parcel to be dealt with in the future),*

as the service connections are existing currently.

CARRIED

5.2 **Subdivision 2023-0-116 Lot 2 Block 1 Plan 0411150 within SE1/4 16-7-3-W5M**

MOTION by Joanne Tulk to approve the presented resolution for Subdivision Application 2023-0-116 with amendments to the reserve and conditions as follows:

> *Amendment: Reserve 1 - That the 10% Municipal Reserve requirement, pursuant to Sections 666 and 667 of the Municipal Government Act, be provided as money in place of land on part of the subdivision area, being 21.97 acres (8.89 ha), at the market value of $14,000 per acre with the actual acreage and amount to be paid to the Municipality of Crowsnest Pass being determined at the final stage, for Municipal Reserve Purposes.*
>
> *Remove: Reserve 2 - AND FURTHER that the remaining portion of the 10% reserve requirement, pursuant to Section 669 of the Municipal Government Act, be deferred by caveat on the 16.48 ac (6.67 ha) residual parcel with the actual acreage being determined at the final stage.*
>
> *Remove: Condition – That any conditions of Alberta Transportation be satisfied.*
>
> *Addition: Condition – That an agreement with the municipality be registered by caveat acknowledging that a water report has not been submitted and therefore, the household statutory right for a well has not been re-established on Lot 4, Block 2.*

CARRIED

6. DEVELOPMENT PERMIT APPLICATIONS

6.1 **DP2022-177 1605 78 Street, Coleman (Lot 19 Block 5 Plan 8411161)**

MOTION by Dave Filipuzzi to:

Approve DP2022-177, For a "Fitness Centre" (Gymnastics), "Industrial equipment sales and rentals" (U-haul rentals – 10-units), "Light Industrial/manufacturing" (wood shop) and a "Convert to furniture shop and surveillance office" (all

discretionary uses), all within an existing building., with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.2 **DP2023-142 1308 East Hillcrest Drive, Hillcrest (W5;3;7;17;NE)**

MOTION by Joanne Tulk to:

Approve DP2023-142, for a "Single-Family Dwelling" (discretionary use), with conditions as identified by Alternative A in the MPC request for decision package and add the conditions as follows:

3. *The landowner / applicant shall not connect the proposed development to the existing water line that services Lot 8; Block 1: Plan 0210159 from 12 Avenue. Alternatives to water servicing of the proposed development on NE17;7;3;W5 (Title 191167104) include:*
    - *The landowner shall provide to the Development Officer a section 23 of the Water Act report to support the drilling of a water well, or*
    - *The landowner shall service the proposed development by installing a cistern to which water is hauled, or*
    - *The landowner / applicant shall enter into a development agreement with and to the Municipality's satisfaction to construct a public waterline (separate from the service connection and waterline that services Lot 8; Block 1: Plan 0210159) from the existing infrastructure in 12 Avenue to the proposed development on NE17;7;3;W5 (Title 191167104) (i.e. the building site) at no cost to the municipality.*

CARRIED

3:06 pm – Justin Ames called a short recess
3:09 pm – Justin Ames reconvened the meeting

6.3 **DP2023-147 7702 18 Avenue, Coleman (Lots 11-12, Block 12 Plan 820L)**

MOTION by Dean Ward to:

Approve DP2023-147, for a "Fitness Centre" (Yoga Studio) (discretionary use) and a "Coffee Shop" (permitted use), with conditions as identified by Alternative A in the MPC request for decision package and add the conditions as follows:

3. *The landowner shall ensure any improvements to the exterior (including paint colours) comply with the historical integrity of the area as per the Design Guidelines of the Crowsnest Pass Historic District and are subject to a development permit.*

CARRIED

6.4 **DP2023-157 13118 18 Avenue, Blairmore (Lot 3-6 Block 27 Plan 2933AA & Lot 7 Block 27 Plan 2933AA)**

MOTION by Dave Filipuzzi to:

Approve DP2023-157, to:
Demolish the existing "Accessory Buildings" [Garage / Covered Storage Area encroaching into the lane, Shed on Lot 7, and Fence encroaching into the lane] and

For an "Accessory Building over 72.83m2 in area" (Garage 112.25m2) (discretionary use) with a 100% variance to the rear yard setback and a 39% variance to the height from 4.5m to 6.25m.,

with conditions as identified by Alternative A in the MPC request for decision package and add the condition as follows:

5. *The garage foundation and eaves (zero lot line setback) shall not encroach into the lane. It shall be the landowner's responsibility to undertake the required due diligence of ensuring this by staking out the building site of the garage by an Alberta Land Surveyor prior to laying the garage foundation.*
6. *Within 90-days of completing the development that Landowner shall provide an RPR to the Development Officer's satisfaction and make an application to discharge the existing encroachment agreement.*

CARRIED

6.5 **DP2023-163 13001 16 Avenue, Blairmore (Lot 19-20 Block 33 Plan 2933AA)**

MOTION by Gaston Aubin to:

Approve DP2023-163, for an "Accessory Building over 72.83m2 in area" (Garage – 82.13m2) (discretionary use) and the re-location of an existing "Accessory Building under 72.83m2 in area" (Shed- 13.66m2) (permitted use), with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

7. BYLAW AMENDMENTS

8. APPEALS

Katherine Mertz reviewed the upcoming appeal scheduled for September 21, 2023, for DP2023-122 for a refused development permit to construct a new garage with a secondary suite that exceeded the allowable 40% floor area ratio (of a secondary suite to the single-family dwelling).

9. ROUND TABLE DISCUSSION

Johan van der Bank updated the committee on the Land Use Bylaw Omnibus 3 revision and highlighted some of the changes being proposed and a timeline for being presented to Council.

- September 20, 2023 - Final subcommittee meeting
- October 4, 2023 - Council Workshop
- 1st Reading to be determined following Council Workshop input

Johan also discussed a new Secondary Suite Incentive Policy that council approved and mentioned that the relevant changes in Omnibus 3 align with the new Policy in that barriers to secondary suite development are being removed.

10. NEXT MEETING

Next Meeting October 25, 2023, 2:00pm

Joanne Tulk notified the committee that she will not be present for the next two meetings.

11. IN CAMERA

12. ADJOURN

MOTION by Dave Filipuzzi to adjourn the meeting at 3:32 pm.

CARRIED

APPROVAL OF MINUTES

Approved By:

Chairperson	25 Oct 2023 *Date*
Manager of Development and Trades	October 25, 2023 *Date*

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: November 14, 2023

Agenda #: 3.c

Subject: Town of Fort Macleod Invitation to Participate in the 40th Annual Santa Clause Parade

Recommendation: That Council consider participating in the parade with the new float on November 25th.

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:
Annually the Town of Fort Macleod and the Fort Macleod and District Chamber of Commerce invite communities in Southern Alberta to take part in their annual Santa Clause Parade. It has been a number of years since the Municipality has participated, however Council could consider participating this year with the new float.

Analysis of Alternatives:
n/a

Financial Impacts:
n/a

Attachments:
2023 10 25 - Town of Fort Macleod Invitation to Participate in the 40th Annual Santa Clause Parade.pdf

Good day,

October 4th 2023

With warm regards from the Town of Fort Macleod and the Fort Macleod and District Chamber of Commerce, we extend our heartfelt invitation to you for the 40th annual Santa Claus Parade. This delightful event is scheduled to take place on Saturday, November 25th, at 11:00 a.m., and this year, we proudly celebrate the theme of **"Celebrating 40 years of Christmas."**

We encourage you to explore creative ways to weave this theme into your parade entry, since we are celebrating 40 years of Christmas we have attached the themes that have been done the past 40 years, **bearing in mind that Santa Claus should not be featured on any floats as he has a dedicated spot at the parade's conclusion.**

Our Santa Claus Parade has earned a well-deserved reputation as the "Biggest and Best, West of Toronto," boasting a spectacular lineup of up to 100 entries, including vibrant marching bands. Our historic Main Street transforms into a captivating stage where approximately 12,000 people from across Southern Alberta gather to revel in the hour-long procession.

Hosting an event of this magnitude incurs substantial costs, and it is your benevolence that truly makes our annual parade a resounding success. We wholeheartedly invite you to participate in the parade and also consider becoming a financial sponsor, contributing an amount that aligns with your comfort. Your generosity will be acknowledged with a Certificate of Appreciation, symbolizing our profound gratitude.

For corporate sponsors, we offer comprehensive recognition for your invaluable contribution. Donors contributing $500 or more will be prominently featured in our media coverage. Additionally, for previous donors, the option to display a sizable banner bearing your name is available, allowing you or your staff to proudly represent your corporate sponsorship during the parade. If you are a new donor and wish to have a banner included, this service is available for an additional fee.

As a cherished member of our community, we eagerly await your positive response of support. Your involvement will help us sustain this cherished tradition in Fort Macleod. Donations can be conveniently dropped off at the Chamber of Commerce or sent by mail to: Santa Claus Parade, PO Box 928, Fort Macleod, Alberta, T0L 0Z0. For those requiring a tax receipt, please make checks payable to the "Town of Fort Macleod." If a tax receipt is unnecessary, kindly make checks payable to the "Santa Claus Parade."

We extend our deepest appreciation for your continued support and eagerly anticipate your presence on November 25th, as we come together to create magical memories.

Warmest Regards,

Santa Claus Parade Committee

P.O. Box 928 Fort Macleod AB T0L 0Z0
Email: santaclausparade@fortmacleod.com

Sydney Tobler Tel: 403-715-2125
Web: www.facebook.com/FortMacleodSantaClausParade

Fort Macleod

Fort Macleod & District Chamber of Commerce

Parade Entry Registration Form

RECEIVED
OCT 2 5 2023
MUNICIPALITY OF
CROWSNEST PASS

The Town of Fort Macleod & Fort Macleod & District Chamber of Commerce present:

Celebrating 40 years of Christmas

40th Annual Santa Claus Parade on Saturday, November 25th, 2023
Line – Up: 10 a.m. Parade Start: 11 a.m.

Name of Organization: _____
Contact Person: _____
Address: _____
Phone #: (_____) _____ **Fax #:** (_____) _____
Email: _____
Float Category Entered:

___ 1. Float
___ 2. Car/Golf Cart/Bike (please circle)
___ 3. Truck & Trailer
___ 4. Antique
___ 5. Horse/Rider (Horses must have manure bag)
___ 6. Horse Drawn (Horses must have manure bag)
___ 7. Walking/Marching
___ 8. Other, please describe on reverse

Will you have music? Live _____ Taped _____ None _____
Will Candy be given out? Yes _____ No _____

****No candy is to be thrown from vehicles****
Please walk and hand out any candy. It is slippery and dangerous for the children to run towards the moving vehicles.

Please, **DO NOT use Santa Claus on Floats or other entries. **
He has his own float at the very end of the parade. Thank you!

Floats should be at least 80% decorated

Insurance: The Town of Fort Macleod strongly encourages participants with motorized vehicle and equestrian entries to have a minimum of $2 million liability coverage.

I agree to the above rules and acknowledge that a minimum $2 million liability insurance coverage has been recommended to me:

_____ _____
Signature of Applicant Date

Entries can be dropped off at The Chamber of Commerce, The Macleod Gazette, or mailed according to the information on this form. For further information please call or email Sydney Tobler.

P.O. Box 928 Fort Macleod AB T0L 0Z0
Email: santaclausparade@fortmacleod.com

Sydney Tobler Tel: 403-715-2125
Web: www.facebook.com/FortMacleodSantaClausParade

Fort Macleod

Fort Macleod & District Chamber of Commerce

THEMES FROM THE PAST 40 YEARS

1983 - Old Fashioned Christmas

1985 - Olde England

1986 - Christmas Around The World

1987 - Olympic Christmas

1988 - Teddy Bear Christmas

1989 - Music Of Christmas

1992 - I'll Be Home for Christmas

1993 - Disneyland Christmas

1994 - The Night Before Christmas

1995 - Christmas Western Style

1996 - Christmas Traditions

1997 - A Christmas Card Christmas

1998 - A Salute to the NWMP

1999 - A Child Christmas Fantasy

2000 - A Millenium Christmas

2001 - A Dickens Old Fashioned Christmas

2002 - A Frosty's Christmas

2003 - A Gingerbread Christmas

2004 - Silver Bells

P.O. Box 928 Fort Macleod AB T0L 0Z0
Email: santaclausparade@fortmacleod.com

Sydney Tobler Tel: 403-715-2125
Web: www.facebook.com/FortMacleodSantaClausParade

Fort Macleod

Fort Macleod & District Chamber of Commerce

2005 - A Snowflake Christmas

2006 - An Old Fashioned Christmas

2007 - It's A Candy Cane Christmas

2008 - Santa's Workshop

2009 - O' Christmas Tree

2010 - A Cowboy Christmas

2011 - I'll Be Home For Christmas

2012 - Celebrating Southern Alberta's Milestones

2013 - Candyland Christmas

2014 - NWMP/RCMP 140 Years of Tradition

2015 - A Christmas Miracle on 24th Street

2016 - Sleigh Bells Ringing

2017 - Celebrating Canada's 150

2018 - Christmas Stories

2019 - There's Snow Place like Home for the Holidays

2020 - Cancelled - was going to be A Hollywood Christmas

2021 - Cancelled

2022 - Welcome to Macleodville

P.O. Box 928 Fort Macleod AB T0L 0Z0
Email: santaclausparade@fortmacleod.com

Sydney Tobler Tel: 403-715-2125
Web: www.facebook.com/FortMacleodSantaClausParade

Fort Macleod

Fort Macleod & District Chamber of Commerce

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: November 14, 2023

Agenda #: 3.d

Subject: Request to Consider Lowering Business License Fees for Home Occupation - Category 2 License Holders

Recommendation: That Council accept the letters from Tamara Currie, Emma South, and Baylee Matthews as information and to write a letter in response that this will be reconsidered in the Spring when the Fees, Rates & Charges Bylaw is updated.

Executive Summary:
A collective email was received form Tamara Currie containing letters from Tamara Currie, Emma South, and Baylee Matthews regarding their concerns with respect to the cost of Home Occupation - Category 2 Business License fees being set at $500 annually, in addition to the cost of development permits.

They are requesting that Council consider dropping the fees to something more affordable, at a rate comparable to neighboring towns and cities, and further that development permits should be considered on a case-by-case basis.

They feel that the costs are deterring people from being compliant with the bylaws and forgoing applying for Home Occupation business licenses.

Relevant Council Direction, Policy or Bylaws:
1140, 2023 Fees, Rates and Charges Bylaw (Schedule A)

Discussion:
The letters are attached for Council's consideration and information.

Analysis of Alternatives:
Council can consider adjusting the fees for Home Occupation - Category 2 Business Licenses

Financial Impacts:
n/a

Attachments:
2023 10 31 - Tamara Currie - Request to Consider Lowering Business License Fees.pdf
2023 10 31 - Emma South - Request to Consider Lowering Fees for Business Licenses.pdf
2023 10 31 - Baylee Matthews - Request to Consider Lowering Business License Fees.pdf
Bylaw 1140, 2023 - Fees, Rates and Charges Bylaw - Schedule A Administrative Fees.pdf

To Council,

I just wanted to touch base on the different business licenses that are available to the members of the Crowsnest Pass. I have lived here, on and off, for the past 12 years and recently have committed to the area. I am getting all my ducks in a row to open up a spray tanning business at my house in Coleman but I am running into issues with getting a business license.

I would love explanation when it comes to the Business 1 and Business 2 because there doesn't seem to be a middle ground. I understand that the towns is trying to force people to open up a business downtown however with rent prices the way they are right now, it seems a lot of people cannot afford that. I also am under the impression the push to have someone doing their business out of their home having clients come in and out all day is $500, to "compensate" for the them not paying taxes but in reality if I was to move my business downtown I would be paying the $125 business license and never paying taxes, my landlord would.

I have looked around at what the surrounding communities charge for business licenses and compared to the surrounding areas, the Crowsnest Pass price of $500 PLUS a developmental permit (which is hefty and there is not guarantee you will actually get it) on top of that just to have a business at home (that has more than 1 person attend the home in a day).

For example:

Pincher Creek
Resident Business Licensing
Home Occ (Class one aka desk and phone). $125
Home Occ (Class two aka hairdressing, dressmaking etc etc) $125

Lethbridge
Home occupation license fee for a business if there are no visitors: $193
Home occupation license fee for a business that does have clients: $288

Both of these options are significantly less than the $500 that the Crowsnest Pass is offering to their home owners. I would love to bring spray tanning into the community however the town is making it very hard to do this.

Hear me out-I work a full time business in Lethbridge and this hobby that I want to bring to the Pass is not intended to be a revolving door of strangers getting tanned out of my house. I work 4 on 4 off as a 911 Dispatcher for the city and I am literally gone 3 days, home maybe 5 hours before I have to return to Lethbridge for two night shifts. Then I am home 3.5 days. I work another job on the side as I'm contracted out of the US to score their 911 calls. What I am saying is that it would be impossible to have clients stack up my day when I have a family and two other jobs.

I spoke to Katherine with the town and basically said I'm not interested in paying the $500, that's fine, I will only take a client a day. With the amount of money it costs to insure the business, pay for the licensing fees and maybe doing it once every couple weeks, then the majority of my money I would be making already goes to the town. The town is making it difficult to have a business here. Katherine also mentioned that the "1 visit a day" is more for an accountant and someone bringing documents over to the house not a client coming over. She mentioned this is up for review so to call back in December. Now I'm sitting in limbo not having a license.

I am asking for the town to meet me in the middle. I don't want a full time job in my house. I want people to book in with me and feel good about themselves when they leave. I shouldn't have to be punished and pay $500 plus get a developmental permit for a brand new house that we just moved into 6 months ago.

I am looking for clarity on the purpose of being double what other places are.

I want to do this the right way. I don't want bylaw knocking at my door or watching my every move, I don't have time for that and will not accept that as an option. I have heard horror stories of town employees basically stalking people-that is absurd, and insane-they must have better things to do with their time.

I don't know what else to do but go to council-so please, let me know what I can do because I want to bring business in but the town makes it really hard to do so.

Tamara Currie

Hello Council,

I am writing today in regards of the excessive Increase of the Beauty services business license.
I have been advised that this is increasing from $125 to $500 come 2024.
I know inflation has happened but not at that high of a rate.
May I ask what we are getting for the extra $375 a month?
For example; I live in an area in Blairmore where we have a steep hill to drive up to my business. This isn't a priority considering the steep grade alone, and the three businesses in this one cul de sac area. Two being day homes.
To add to this, the first Tuesday we had snow, I personally helped the garbage guys as they couldn't get up our hill. I did load our family truck of all the neighbours garbage and took it all down to where the garbage truck was stuck. I know I didn't have to do that, but I can't watch people struggle, plus with the bears around it wouldn't have been ideal having garbage out until all the neighbours were home from work. This isn't the first time the garbage truck has been stuck up here.
So the question is, will this extra $375 per home business plus our high property taxes that we pay already, help us have better snow clearing services so my clients and others can make that hill safely?

I really feel increasing the business license will deter more home business to run without the correct permits and licenses as many are already. This is unfair on everyone who plays by the current bylaws.

The development permit was new to myself when moving here, I've never ever had to pay for a development permit unless I'm developing/building within my property area.

For a new home business in town now we're looking at $500 for the license then $325 for the development permit. And this is even before they know if they'll be a success or not.

I really hope we can work together to re visit the new cost of a license as I for one work from home due to having a young child, two dogs. It's convenient and works well.

Kindest regards

Emma South
Owner and operator of South Mountain Beauty
Cell - 4038805991
Email - [redacted]

Dear Council Member,

I am writing to formally oppose the increase in the cost of the Business License Fee from $125 to $500 annually.

An increase this significant in the fees due for Home Based Businesses may be detrimental to many of us who operate out of the home. With the current state of the economy, many people struggle with single incomes and the basic cost of living. Home based businesses provide an opportunity to generate another source of income while minimizing outside costs (childcare, vehicle maintenance or other operational overhead costs.)

The cost of inflation makes it difficult for the business owners as their operating costs rise, but the costs rise for their clientele as well which means there is less expendable income for outside services. With this fee increase, small business owners are being met with another obstacle to overcome in keeping their business operational and more revenue is required to meet the basic business needs.

In this case, I don't see how the benefits outweigh the disadvantages and hope that City Council will reconsider.

Sincerely,

Baylee Matthews
Wild Soul Hair Studio
[redacted]

Schedule "A" – Administrative Fee Schedule

Business Licenses	
General – Local Business (including Tourist Home in a commercial property)	$125.00 per annum
General – Local Business – Alberta Southwest Regional Alliance (as an addition to the General – Local Business fee)	$80.00 per annum
General - Non-Resident Business	$360.00 per annum
Home Occupation – Category 1	$125.00 per annum
Home Occupation – Category 2	$500.00 per annum
Short-Term Rental/Bed & Breakfast	$500.00 per annum
• Tourist Home in residential taxed property (for Tourist Home in commercial property – see General – Local Business). • Residentially taxed property operating as a commercial business without residential occupancy.	Current property assessment x 0.0055 calculated per annum
Non-payment penalty after Jan 31	0%
Operating or advertising a business without a license - First offence	Double License fee
Operating or advertising a business without a license- Subsequent Offences	Double previous fine up to $10,000
Transfer of License	$25.00
Replacement of License Certificate	$25.00
The above Business License Fees are due and payable by January 31st of each year. The fee payable for those Business License issued between the 1st day of January and the 30th day of September shall be the license fee for the full year and for those issued after September 30th the Business License fee shall be one half (1/2) of the license fee for the full year. Special trades that are not available or represented by the community and hired by the Municipality as a contractor may be exempt from a business license for a one-time job	
Festivals and Events (deferred until special events bylaw is created)	$360.00 per annum
Day Rate (maximum 2 consecutive days) – Resident	$50.00 per day
Day Rate (maximum 3 consecutive days) – Non-Resident	$100.00 per day
Hawkers/Peddlers/Mobile Vendors/Pushcart Vendors – Resident	$125.00
Hawkers/Peddlers/Mobile Vendors/Pushcart Vendors – Non-Resident	$375.00
Craft Sales and Garage Sales (maximum of 4 per year with a duration of 2 consecutive days per event)	Exempt

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: November 14, 2023

Agenda #: 4.a

Subject: Minutes of the Organizational Meeting of Council of October 24, 2023

Recommendation: That Council adopt the Minutes of the Organizational Meeting of Council of October 24, 2023 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:
2023 10 24 Council Organizational Meeting Minutes.docx

Municipality of Crowsnest Pass

Organizational Meeting of Council Minutes

Tuesday, October 24, 2023

An Organizational meeting of the Council of the Municipality of Crowsnest Pass was held in Council Chambers on Thursday, October 24, 2023.

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
Brian McCulloch, Director of Finance
Bonnie Kawasaki, Recording Secretary

CALL TO ORDER

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

ADOPTION OF AGENDA

ORG 01-2023-10-24: Councillor Ward moved to adopt the agenda as presented.

Carried

2023-2024 Deputy Mayor Schedule

ORG 02-2023-10-24: Councillor Sygutek moved to adopt the 2023-2024 Deputy Mayor Schedule as presented.

Carried

November/December 2023	Councillor Lisa Sygutek
January/February 2024	Councillor Glen Girhiny
March/April 2024	Councillor Doreen Glavin
May/June 2024	Councillor Dave Filipuzzi
July/August 2024	Councillor Vicki Kubik
September/October 2024	Councillor Dean Ward

Council Committee Appointments

ORG 03-2023-10-24: Councillor Ward moved to approve the 2023-2024 Council Committee Appointments as amended.

Carried

Internal Committees – 2023-2024

Agriculture Service Board	**Bylaw 1020, 2018**	**Councillors Glavin, Kubik, & Filipuzzi**
Community Marketing Advisory Committee	**Bylaw 1055, 2020**	**Councillors Sygutek & Glavin**
Crowsnest Community Library Board*	**Bylaw 1027, 2019**	**Councillors Glavin & Sygutek**
Crowsnest Pass Senior Housing Board*	**Bylaw 1028, 2019 and Ministerial Order H:091/95 with amending Ministerial Order**	**Councillors Filipuzzi & Ward**
Emergency Management Committee	**Bylaw 1026, 2019**	**Mayor Painter, & Councillors Sygutek, Girhiny, & Ward**
Family & Community Support Services Advisory Committee	**Bylaw 1055, 2020**	**Councillors Sygutek & Ward**
Municipal Historic Resources Advisory Committee	**Bylaw 1055, 2020**	**Councillors Girhiny & Kubik**
Municipal Planning Commission*	**Bylaw 1042, 2020**	**Councillors Filipuzzi & Ward**
Parks & Recreation Advisory Committee	**Bylaw 1055, 2020**	**Councillors Sygutek & Girhiny**

Mayor is named Ex Officio on all Boards & Committees except designated by *

External Organizations – 2023-2024

Alberta SouthWest Regional Alliance	**Mayor Painter**
Alberta Municipalities (AM)	**Mayor Painter**
Chinook Arch Library Board	**Councillor Glavin**
Chinook Regional Subdivision and Development Appeal Board	**Councillor Girhiny**
CNP ECC Committee – Community Futures/ Chamber of Commerce/Council	**Mayor Painter, Councillors Girhiny & Kubik**
Crowsnest/Pincher Creek Landfill Association*	**Councillors Ward, Glavin, & Filipuzzi**
Forest Management Plan Public Advisory Committee	**Councillor Kubik**
Highway 3 Twinning Development Association	**Mayor Painter**
Intermunicipal Development Plan Committee MCNP & MD of Pincher Creek	**Councillors Ward & Filipuzzi Councillor Girhiny (Alternate)**
Intermunicipal Development Plan Committee MCNP & MD of Ranchlands	**Councillors Ward & Filipuzzi Councillor Girhiny (Alternate)**
Management Negotiating Committee	**Mayor Painter & Councillor Ward**
Mayors & Reeves of Southwest Alberta	**Mayor Painter**
Oldman River Regional Services Commission*	**Councillors Ward & Filipuzzi**
Pass Powderkeg Ski Society	**Councillor Girhiny**
Regional Airport Committee	**Councillors Kubik & Girhiny**
Rural Municipalities of Alberta (RMA)	**Mayor Painter**
Teck Coal Advisory Group	**Councillor Ward**

2024 Council Meeting Dates

ORG 04-2023-10-24: Councillor Glavin moved to approve the 2024 Schedule of Council Meeting Dates as presented.

Carried

2024 Schedule of Council Meetings

Approved October 24, 2023

JANUARY
16 · COUNCIL - 1:00 pm
23 · COUNCIL - 7:00 pm

FEBRUARY
6 - COUNCIL - 7:00 pm
13 · COUNCIL - 1:00 pm
27 · COUNCIL - 7:00 pm

MARCH
5 - COUNCIL - 7:00 pm
12 · COUNCIL - 1:00 pm

APRIL
9 - COUNCIL - 7:00 pm
16 · COUNCIL - 1:00 pm
23 · COUNCIL - 7:00 pm

MAY
7 - COUNCIL - 7:00 pm
28 · COUNCIL - 7:00 pm

JUNE
11 · COUNCIL - 7:00 pm
25 · COUNCIL - 7:00 pm

JULY
9 - COUNCIL - 7:00 pm
16 · COUNCIL - 1:00 pm

AUGUST
15 · SPECIAL BUDGET MEETING - 1:00 pm
20- COUNCIL - 7:00 pm
27 · COUNCIL - 1:00 pm

SEPTEMBER
10 · COUNCIL - 7:00 pm
17 · COUNCIL - 7:00 pm

OCTOBER
10 · SPECIAL BUDGET MEETING - 9:00 am
8 - COUNCIL - 1:00 pm
22 · ORGANIZATIONAL MEETING OF COUNCIL - 7:00 pm
22 · COUNCIL - 7:30 pm

NOVEMBER
19 · COUNCIL - 7:00 pm
26 · COUNCIL - 1:00 pm
28 · SPECIAL BUDGET MEETING - 9:00 am

DECEMBER
5- SPECIAL BUDGET MEETING - 9:00 am
10 · COUNCIL - 1:00 pm
17 · COUNCIL - 7:00 pm

IN CAMERA

ORG 05-2023-10-24: Councillor Glavin moved that Council go In Camera for the purpose of discussion of matters of Personal Privacy under the FOIP Act Section 17 at 7:08 pm:

- Personal Privacy – Expiration of Terms and or Resignation of Board Members – *FOIP Act Section 17*
- Personal Privacy – Board Member Applications – *FOIP Act Section 17*

Carried

RECONVENE

Mayor Painter convened the In Camera meeting at 7:09 pm. Patrick Thomas, Chief Administrative Officer, Kristin Ivey, Deputy Chief Administrative Officer, Brian McCulloch, Director of Finance and Bonnie Kawasaki, Executive Assistant remained in attendance to provide advice to Council.

OUT OF IN CAMERA

ORG 06-2023-10-24: Councillor Filipuzzi moved that Council come out of In Camera at 7:17 pm.

Carried

Expiration of Terms and or Resignation of Board Members

ORG 07-2023-10-24: Councillor Girhiny moved that Council accept the notifications provided by board members who are not renewing terms and to direct Administration to write letters thanking each member for their service.

Carried

Melisa Atkinson, ASB	Mirjam Thielen, PPKSS
Teyel Strandquist, CMAC	Don Budgen, MHRAC
Donna Stelmachovich CPSH	Fred Bradley, MHRAC
Gaston Aubin MPC & MHRAC	Barbara Ann Hession PPKSS
Larry Hennig, PRAC	Andy Vanderplas SDAB

Community Marketing Advisory Committee

ORG 08-2023-10-24: Councillor Filipuzzi moved that Council appoint John McCann and Justin Ames to 3-year terms ending December 31, 2026 on the Community Marketing Advisory Committee with both terms commencing January 1, 2024 and to direct Administration to advertise to fill the remaining vacancy.

Carried

Crowsnest Pass Senior Housing Board

ORG 09-2023-10-24: Councillor Ward moved that Council appoint Cathy Painter and Deb Ruzek to 3-year terms ending on December 31, 2026, and Diane Nummi to a 2-year term ending on December 31, 2025 on the Crowsnest Pass Senior Housing Board with all terms commencing January 1, 2024.

Carried

Family and Community Support Services Advisory Committee

ORG 10-2023-10-24: Councillor Glavin moved that Council re-appoint Barbara Kelly to 3-year terms ending December 31, 2026, on the Family and Community Support Services Advisory Committee with the term commencing January 1, 2024.

Carried

Crowsnest Pass Community Library Board

ORG 11-2023-10-24: Councillor Filipuzzi moved that Council reappoint Nicole Stafford and Margaret Thomas to 3-year terms ending December 31, 2026, on the Crowsnest Pass Community Library Board with the terms commencing January 1, 2024.

Carried

Municipal Historic Resources Advisory Committee

ORG 12-2023-10-24: Councillor Girhiny moved that Council appoint Howard Vandenhoef, Bellevue Underground Mine Representative to a 3-year term ending on December 31, 2026, Dawn Rigby, Community Futures Representative to a 3-year term ending on December 31, 2026 and Bruce Nimmo to a 3-year term ending on December 31, 2026 on the Municipal Historic Resources Advisory Committee with all terms commencing January 1, 2024.

Carried

Municipal Planning Commission

ORG 13-2023-10-24: Councillor Ward moved that Council appoint Justin Ames to a 3-year term ending on December 31, 2026 and Doreen Johnson to a 3-year term ending on December 31, 2026 on the Municipal Planning Commission with terms commencing January 1, 2024.

Carried

Pass Powderkeg Ski Society

ORG 14-2023-10-24: Councillor Girhiny moved that Council appoint Marty Neumeier and Jef Fisher to 3-year terms ending December 31, 2026, on the Pass Powderkeg Ski Society with terms commencing January 1, 2024 and to direct Administration to continue advertising to fill the other vacancy.

Carried

ADJOURNMENT

ORG 15-2023-10-24: Councillor Filipuzzi moved to adjourn the meeting at 7:21 pm.

Carried

_____
Blair Painter
Mayor

_____
Patrick Thomas
Chief Administrative Officer

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: November 14, 2023

Agenda #: 4.b

Subject: Minutes of the Council Meeting of October 24, 2023

Recommendation: That Council adopt the Minutes of the Council Meeting of October 24, 2023 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:
2023 10 24 Council Meeting Minutes.docx

Municipality of Crowsnest Pass

Council Meeting Minutes

Tuesday, October 24, 2023

A regular meeting of the Council of the Municipality of Crowsnest Pass was held in Council Chambers on Tuesday, October 24, 2023.

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
Brian McCulloch, Director of Finance
Bonnie Kawasaki, Recording Secretary

CALL TO ORDER

Mayor Painter called the meeting to order at 7:22 pm.

ADOPTION OF AGENDA

01-2023-10-24: Councillor Filipuzzi moved to adopt the agenda as presented.

Carried

CONSENT AGENDA

02-2023-10-24: Councillor Kubik moved that Council approve the following Consent Agenda items as presented without debate:

3.a
Minutes of the Minutes of the Crowsnest Pass Senior Housing Board of June 6, 2023
THAT Council accept the Minutes of the Crowsnest Pass Senior Housing Board of June 6, 2023 as information.

3.b
Minutes of the Minutes of the Crowsnest Pass Senior Housing Board of July 7, 2023
THAT Council accept the Minutes of the Crowsnest Pass Senior Housing Board of July 7, 2023 as information.

3.c
Minutes of the Minutes of the Crowsnest Pass Senior Housing Board of August 8, 2023
THAT Council accept the Minutes of the Crowsnest Pass Senior Housing Board of August 8, 2023 as information.

3.d
Minutes of the Minutes of Agriculture Services Board Meeting of September 20, 2023
THAT Council accept the Minutes of the Agriculture Services Board Meeting of September 20, 2023 as information.

3.e
AlbertaSW Board Minutes of September 6, 2023 and October Bulletin
THAT Council accept the AlbertaSW Board Minutes of September 6, 2023 and October Bulletin as information.

3.f
Minutes of the ORRSC Board of Directors Meeting of June 1, 2023
THAT Council accept the Minutes of the ORRSC Board of Directors Meeting of June 1, 2023 as information.

Carried

ADOPTION OF MINUTES

03-2023-10-24: Councillor Glavin moved to adopt the Minutes of the Council Meeting of October 17, 2023 as presented.

Carried

PUBLIC HEARINGS

Bylaw 1159, 2023 Road Closure Bylaw - Public Hearing

Mayor Painter declared the Public Hearing opened at 7:24 pm for Bylaw No. 1159, 2023.

Patrick Thomas, Chief Administrative Officer provided a brief overview of the bylaw and read into the record that there were no written submissions received prior to the due date.

Mayor Painter noted there were no members of the public present to speak at the hearing and declared the public hearing closed at 7:25 pm.

Bylaw 1160, 2023 - Land Use Bylaw Amendment - To rezone the lands legally described as Lot 2, Block 1, Plan 0411150; Ptn of SE16-7-3-W5M & adjacent closed roads from Non-Urban Area NUA-1 to Grouped Country Residential - GCR-1 - Public Hearing

Mayor Painter declared the Public Hearing opened at 7:26 pm for Bylaw No. 1160, 2023.

Patrick Thomas, Chief Administrative Officer provided a brief overview of the bylaw and read into the record that there were no written submissions received prior to the due date.

Mayor Painter noted there were no members of the public present to speak at the hearing and declared the public hearing closed at 7:27 pm.

DELEGATIONS

None

REQUESTS FOR DECISION

Bylaw 1160, 2023 - Land Use Bylaw Amendment - To rezone the lands legally described as Lot 2, Block 1, Plan 0411150; Ptn. of SE16-7-3-W5M & adjacent closed roads from Non-Urban Area NUA-1 to Grouped Country Residential - GCR-1 - Second and Third Reading

04-2023-10-24: Councillor Ward moved second reading of Bylaw 1160, 2023 - Land Use Bylaw Amendment - To rezone the lands legally described as Lot 2, Block 1, Plan 0411150; Ptn. of SE16-7-3-W5M & adjacent closed roads from Non-Urban Area NUA-1 to Grouped Country Residential - GCR-1.

Carried

05-2023-10-24: Councillor Filipuzzi moved third and final reading of Bylaw 1160, 2023 - Land Use Bylaw Amendment - To rezone the lands legally described as Lot 2, Block 1, Plan 0411150; Ptn of SE16-7-3-W5M & adjacent closed roads from Non-Urban Area NUA-1 to Grouped Country Residential - GCR-1.

Carried

Bylaw 1164,2023 - Chinook Intermunicipal Subdivision and Development Appeal Board Bylaw - Second & Third Reading

06-2023-10-24: Councillor Girhiny moved second reading of Bylaw 1164,2023 - Chinook Intermunicipal Subdivision and Development Appeal Board Bylaw.

Carried

07-2023-10-24: Councillor Filipuzzi moved third and final reading of Bylaw 1164,2023 - Chinook Intermunicipal Subdivision and Development Appeal Board Bylaw.

Carried

Bylaw 1166, 2023 - Borrowing Bylaw for Fire Department Fire Engine (Truck) - First Reading

08-2023-10-24: Councillor Sygutek moved first reading of Bylaw 1166, 2023 - Borrowing Bylaw for Fire Department Fire Engine (Truck).

Carried

COUNCIL MEMBER REPORTS

- Councillor Ward
  - Noted that he has received comments from the public that the new cemetery fences look really nice.

- Councillor Girhiny
  - Attended the Parks and Recreation Advisory Committee meeting.
    - Noted that recreational facility usage is up overall.
  - Reminded Council of the importance of following through with planning for new facilities as previously promised.

- Mayor Painter
  - Received a telephone call with the new Junior Hockey League Owner.
    - The two top teams in the league will be playing a game on November 4th, with puck drop at 7:30 pm at the Coleman Sports Complex.
    - Council and Administration are invited to attend an open house and introduction to the owners, coaches etc. from five until six pm, location to be confirmed.

PUBLIC INPUT PERIOD

None

COUNCILLOR INQUIRIES AND NOTICE OF MOTION

None

IN CAMERA

None

ADJOURNMENT

09-2023-10-24: Councillor Filipuzzi moved to adjourn the meeting at 7:40 pm.
Carried

_____
Blair Painter
Mayor

_____
Patrick Thomas
Chief Administrative Officer

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: November 14, 2023

Agenda #: 5.a

Subject: Bylaw 1161, 2023 - Road Closure - Public Hearing

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

Executive Summary:
This bylaw proposes the closure of a portion of Fifth Street (Municipally known as 207th Street), creating a title to dispose, as follows:

Plan 6432 F.E. - That portion of Fifth Street contained within Area "B", Plan _____, containing 0.012 ha (0.030 acres) more or less excepting thereout all mines and minerals.

Relevant Council Direction, Policy or Bylaws:

Section 22 of the Municipal Government Act.

Discussion:
Public Hearing.
A letter is attached that expresses concerns from an adjacent landowner (George Tuck).

Analysis of Alternatives:
After public hearing the bylaw will be forwarded to the Minister of Transportation for review. When it is returned with the Minister's signature, the bylaw will be brought back to Council for consideration of second and third readings.

Financial Impacts:
If the application proceeds the Municipality would receive the agreed upon purchase amount.

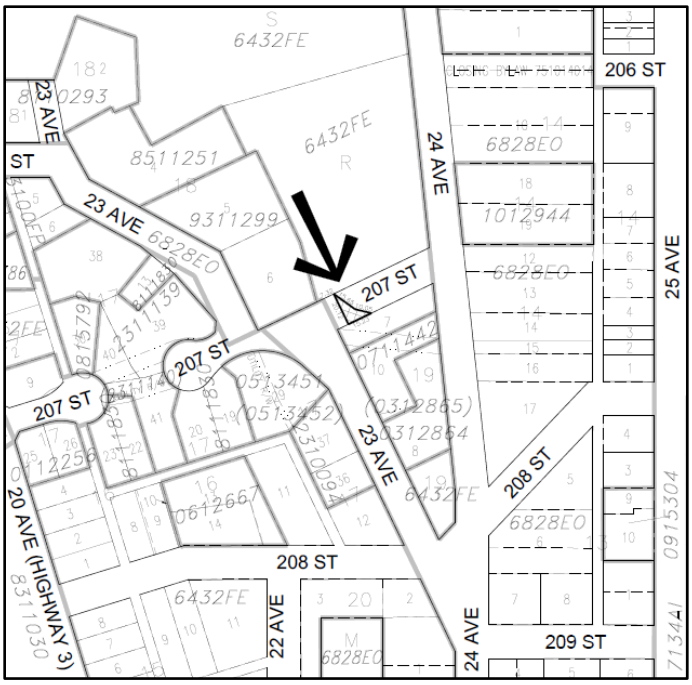
Attachments:
FORMATTED CNP Road Closure Bylaw No. 1161, 2023 public hearing notice.docx
FORMATTED CNP Road Closure Bylaw No. 1161, 2023.docx
Schedule A.pdf
Schedule A with airphoto.pdf
Schedule A of Bylaw 1161, 2023 showing Area 'A' of Bylaw 1124, 2022.pdf
2023 11 01 George Tuck - Bylaw 1161 - Public Hearing Submission.pdf

NOTICE OF PUBLIC HEARING

MUNICIPALITY OF CROWSNEST PASS
IN THE PROVINCE OF ALBERTA
PROPOSED BYLAW NO. 1161, 2023

7:00pm, November 14, 2023
Municipality of Crowsnest Pass Council Chambers
8502 – 19 Avenue, Coleman

PURSUANT to sections 22, 216.4, and 606 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, notice is hereby given that the Council of the Municipality of Crowsnest Pass in the Province of Alberta will consider a bylaw to close a portion of a roadway located in Bellevue, as legally described and depicted in the sketch below.



PROPOSED ROAD CLOSURE
SCHEDULE 'A'

PLAN 6432FE THAT PORTION OF 5 STREET CONTAINED WITHIN AREA "B", PLAN _____ CONTAINING 0.012±ha(0.03±ac) EXCEPTING THEREOUT ALL MINES AND MINERALS WITHIN SE 1/4 SEC 29, TWP 7, RGE 3, W 5 M

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

THEREFORE, TAKE NOTICE THAT a public hearing to consider the proposed Bylaw No. 1161, 2023 will be held in the Municipality of Crowsnest Pass Council Chambers at 7:00pm on November 14, 2023. Each person shall be allotted 5 minutes to present their position.

AND FURTHER TAKE NOTICE that anyone wishing to provide slide decks, maps, videos or a written submission regarding the proposed bylaw should email: Bonnie Kawasaki, Executive Assistant to the CAO at bonnie.kawasaki@crowsnestpass.com with the bylaw number and public hearing date clearly marked in the subject line no later than 12:00pm on November 7 , 2023. Verbal presentations (limited to 5 minutes) will be accepted at the public hearing.

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

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

DATED at the Municipality of Crowsnest Pass in the Province of Alberta this 18th day of October 2023.

MUNICIPALITY OF CROWSNEST PASS
BYLAW NO. 1161, 2023
ROAD CLOSURE

BEING a bylaw of the Municipality of Crowsnest Pass for the purpose of closing to public travel and creating title to and disposing of portions of a public roadway in accordance with section 22 of the Municipal Government Act, Chapter M26, Revised Statutes of Alberta 2000, as amended.

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

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

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

AND WHEREAS notice of intention of Council to pass a bylaw has been given in accordance with sections 216.4 and 606 of the Municipal Government Act,

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

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

Plan 6432 F.E. That portion of Fifth Street contained within Area "B", Plan _____,
0.012 ha (0.030 acres) more or less, excepting thereout all mines and minerals

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

READ a **first** time in council this _____ day of _____ 2023.

APPROVED this _____ day of _____ 20____.

_____
Minister of Transportation

READ a **second** time in council this _____ day of _____ 20____.

READ a **third and final** time in council this _____ day of _____ 20____.

_____
Blair Painter
Mayor

_____
Patrick Thomas
Chief Administrative Officer

PROPOSED ROAD CLOSURE
SCHEDULE 'A'

PLAN 6432FE THAT PORTION OF 5 STREET CONTAINED WITHIN AREA "B", PLAN _____ CONTAINING 0.012±ha(0.03±ac) EXCEPTING THEREOUT ALL MINES AND MINERALS WITHIN SE 1/4 SEC 29, TWP 7, RGE 3, W 5 M

MUNICIPALITY: MUNICIPALITY OF CROWSNEST PASS

DATE: SEPTEMBER 26, 2023

Bylaw #: 1161, 2023

Date: _____

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 Metres 50 100 150 200

N

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

September 26, 2023 N:\C-N-P\CNP LUD & Land Use Redesignations\Crowsnest Pass - Road Closure - Portion of 5 Street, Plan 6432FE.dwg

PROPOSED ROAD CLOSURE
SCHEDULE 'A'

Aerial Photo Date: May 19, 2021

PLAN 6432FE THAT PORTION OF 5 STREET CONTAINED WITHIN AREA "B", PLAN _____ CONTAINING 0.012±ha(0.03±ac) EXCEPTING THEREOUT ALL MINES AND MINERALS WITHIN SE 1/4 SEC 29, TWP 7, RGE 3, W 5 M

MUNICIPALITY: MUNICIPALITY OF CROWSNEST PASS

DATE: SEPTEMBER 26, 2023

Bylaw #: 1161, 2023

Date: _____

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 Metres 50 100 150 200

N

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

September 26, 2023 N:\C-N-P\CNP LUD & Land Use Redesignations\Crowsnest Pass - Road Closure - Portion of 5 Street, Plan 6432FE.dwg

PROPOSED ROAD CLOSURE
SCHEDULE 'A'

PLAN 6432FE THAT PORTION OF 5 STREET CONTAINED WITHIN AREA "B", PLAN _____ CONTAINING 0.012±ha(0.03±ac) EXCEPTING THEREOUT ALL MINES AND MINERALS WITHIN SE 1/4 SEC 29, TWP 7, RGE 3, W 5 M

MUNICIPALITY: MUNICIPALITY OF CROWSNEST PASS

DATE: SEPTEMBER 26, 2023

Bylaw #: 1161, 2023

Date: _____

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 Metres 50 100 150 200

N

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

September 26, 2023 N:\C-N-P\CNP LUD & Land Use Redesignations\Crowsnest Pass - Road Closure - Portion of 5 Street, Plan 6432FE.dwg

From: George Tuck <georgetucktrucking@gmail.com>
Sent: November 1, 2023 2:54 PM
To: development <development@crowsnestpass.com>
Subject: Re: Proposed Bylaw No 1161,2023

Hi,

I would like to object to closing off this road as my gas line and water line are going through this part of the road and any further development above me in the future would cause a problem not to say these lines someday would need to be changed and I am not sure whether the town would be given access or a utility company. No one should be building on top of a road that was originally put in for a road that contains utilities that are active etc. I have discussed this with you many times and it has been noted unless your paper work is lost. The road in front of my place was active when I moved in 45 years ago and I see no reason to close this road. I built my home with the fact that there was a road in front of my home and that is the way I would like it to be in the future.

Thank-you
George Tuck
2314 207th St
BELLEVUE, AB
T0K 0C0
[redacted]

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: November 14, 2023

Agenda #: 5.b

Subject: Bylaw 1162, 2023 - Land Use Bylaw Amendment - Rezone two portions of the NW-15-8-5-W5M from Non-Urban Area NUA-1 to Grouped Country Residential GCR-1 and Recreation and Open Space RO-1 - Public Hearing

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

Executive Summary:
The proposed bylaw involves the rezoning of lands from Non-Urban Area NUA-1 to Grouped Country Residential GCR-1 and Recreation and Open Space RO-1, for the purpose of creating seven (7) country residential parcels of approximately 3 acres each, adjacent to the existing Tecumseh subdivision. The proposed 0.07 acres for RO-1 is part of the municipal reserve dedication and is proposed as an ATV and cross-country ski trails staging area to be dedicated to the Municipality.

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:
Public Hearing.
Attached are letters received as part of the Public Hearing from:

1. Geoff and Melanie Legge
2. Shelly Berlin
3. Karan Spoelder (2 submissions)
4. Dale and Maxine Kropinak
5. Emilie Brien, Nature Conservancy of Canada
6. Brad Kropinak

7. Richard and Pam Carr
8. Carol Ostrom
9. Steven Pye
10. Rhonda Rosner
11. Susan Wagner, Crowsnest Conservation
12. Fred Bradley

Analysis of Alternatives:
N/A

Financial Impacts:
N/A

Attachments:
FORMATTED Bylaw 1162, 2023 - public notice.docx
Schedule A Redesignation.pdf
2023 11 01 - Geoff & Melanie Legge - Public Hearing Submission
2023 11 02- Shelly Berlin-Public Hearing Submission
2023 11 03_Spoelder, Karan_Public Hearing Submission.pdf
2023 11 06_Karen Spoelder (2).pdf
2023 11 04_Dale and Maxine Kropinak_Public Hearing Submission
2023 11 06- Nature Conservancy- Public Hearing Submission
2023 11 06_ Brad Kropinak_Public Hearing Submission
2023 11 06 - Richard and Pam Carr - Public Hearing Submission.pdf
2023 11 06_Ostrom, Carol_Public Hearing Submission
2023 11 07_Steven Pye.pdf
2023 11 07_Rhonda Rosner.pdf
2023 11 07_Crowsnest Conservation.pdf
2023 11 07_Fred Bradley.pdf

NOTICE OF PUBLIC HEARING

MUNICIPALITY OF CROWSNEST PASS
IN THE PROVINCE OF ALBERTA
PROPOSED BYLAW NO. 1162, 2023

7:00pm, November 14, 2023
Municipality of Crowsnest Pass Council Chambers
8502 – 19 Avenue, Coleman

PURSUANT to sections 216.4, 606, and 692 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, the Council of the Municipality of Crowsnest Pass in the Province of Alberta hereby gives notice of its intention to consider proposed Bylaw No. 1162, 2023, being a bylaw to amend Bylaw No. 868, 2013, being the municipal land use bylaw.

The purpose of Bylaw No. 1162, 2023 is to redesignate the lands legally described as a portion of NW¼ 15-8-5-W5M, containing ±8.27 ha (20.44 acres), from "Non-Urban Area – NUA-1" to "Grouped Country Residential – GCR-1", and a portion of NW¼ 15-8-5-W5M, containing ±0.03 ha (0.07 acres), from "Non-Urban Area – NUA-1" to "Recreation & Open Space – RO-1". The subject lands are municipally known as 3751 Tecumseh Road.

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 "Grouped Country Residential – GCR-1" and the "Recreation & Open Space – RO-1" land use districts.

THEREFORE, TAKE NOTICE THAT a public hearing to consider the proposed Bylaw No. 1162, 2023 will be held in the Municipality of Crowsnest Pass Council Chambers at 7:00pm on November 14, 2023. Each person shall be allotted 5 minutes to present their position.

AND FURTHER TAKE NOTICE that anyone wishing to provide slide decks, maps, videos or a written submission regarding the proposed bylaw should email: Bonnie Kawasaki, Executive Assistant to the CAO at bonnie.kawasaki@crowsnestpass.com with the bylaw number and public hearing date clearly marked in the subject line no later than 12:00pm on November 7, 2023. Verbal presentations (limited to 5 minutes) will be accepted at the public hearing.

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

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

DATED at the Municipality of Crowsnest Pass in the Province of Alberta this 18th day of October 2023.

LAND USE DISTRICT REDESIGNATION SCHEDULE 'A'

Bylaw #: 1162, 2023

Date: _____

FROM: Non-Urban Area NUA-1

TO: Grouped Country Residential GCR-1

CONTAINING 8.27±ha(20.44±ac)

FROM: Non-Urban Area NUA-1

TO: Recreation & Open Space RO-1

CONTAINING 0.03±ha(0.07±ac)

PORTION OF NW 1/4 SEC 15, TWP 8, RGE 5, W 5 M

MUNICIPALITY: MUNICIPALITY OF CROWSNEST PASS

DATE: SEPTEMBER 29, 2023

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"

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 Metres 100 200 300 400

October 11, 2023 N:\C-N-P\CNP LUD & Land Use Redesignations\
Crowsnest Pass - Portion of NW15-8-5-5.dwg

October 31, 2023

Letter re Tecumseh Subdivision Development Proposal

Proposed bylaw 1162,2023
Re meeting November 14 2023

Thank you for the opportunity so speak.

Out of the nine families I have spoken to about this subdivision no one is happy to see this occur. Certainly, somewhat expected. We all agree we would be vehemently opposed to a campground of any size. The campground arrangement definitely should only be in an industrial defined area as the campground it is in Sentinel Industrial Park. So, if these seven acreages are to be in the future considered to be a buffer zone that is a huge injustice to everyone who bought an acreage in COUNTRY Residential Tecumseh neighborhood. To take some of that Agricultural zoned property to country residential is bad enough but to change it to campground would be out of control. The density of people per acre would even far exceed the population density in any part of Crowsnest municipality.

There has been a moratorium on new acreages in Crowsnest municipality for the last few years, so it is disappointing to see immediately following the lifting of this moratorium we are in need of acreages up here immediately. If this is definitely the end of development on this existing agricultural zoned property would at least be of some consolation.

If this subdivision is to be approved the group of Tecumseh neighborhood association would want to have the paved road fixed and repaved before all the heavy equipment from 7 acreage developments would take place. And maintain and repair Tecumseh Road properly throughout the building of this subdivision. Every spring we have a weight limit load ban on this road and the sign is down immediately and big equipment is running up and down this road that is already an accumulation of despicable repairs. Any trained road maintenance person should be ashamed to connect their name to such a mess. Usually when one patch is done somewhere one meter away is one or more holes not repaired hopefully a manager or someone can come around and we can explain and show them that we are extremely displeased to see our tax dollars being used so poorly

Supposedly our municipality cannot approve the wells and septic fields talked about in this proposal. We certainly hope that this is not done through some loophole by our municipality. These application approvals are needing to go through the approval process with different Alberta government departments. We have enough water mismanagement in Tecumseh area already without more incorrect goings on

Early on this proposal states how all wetlands have been avoided in this subdivision which is not correct. The only marshland section near the north end right alongside Tecumseh Road shows a lot right beside or slightly over it. Alfie's old original road to his house goes next to this marsh which is perfectly fine. So, if the subdivision can be done correctly access needs to avoid this approximate 2-acre marsh.

I certainly expect this marsh used by ducks and moose etc. will be untouched completely. There is no excuse to destroy wetlands habitat in this Tecumseh area. We have had an extremely dry last couple years, so this wetland needs to be quite carefully determined on what area it actually covers in a higher or more normal rainfall year.

There is some industrial property in Blairmore I would bet if there were application for a campground there would be some real confrontation so it should be way more opposed here as this is zoned COUNTRY Residential already NOT industrial let alone you are changing it from non urban to an industrial campground arrangement is sacrilege.

Many of us walk this Tecumseh road daily and to now expect it's possible 7 houses are going to be adjacent to the road is quite disappointing. I would like to suggest this subdivision has the house and outbuildings be no closer than 100 meters and or near the back of the lots. The weird black squares in the Google earth view that show the individual lots would even be better. They may thank us later as this road can be pretty busy with some of our better speeders in a hurry.

This subdivision is right in the middle of the Jim Prentice wildlife corridor. So, I would want to see Nature Conservancy of Canada time to determine their opinion on this subdivision. There are huge numbers of elk in this exact area that winter here.

Sincerely Melanie and Geoff Legge

Anita Berlin, Randall Berlin, Darrin Berlin, Shelly Berlin
3011 Tecumseh Road
Coleman, Alberta, T0K 0M0
[redacted]

November 2, 2023

Municipality of the Crowsnest Pass
Attention: Bonnie Kawasaki, Executive Assistant to the CAO (sent via email to: Bonnie.Kawasaki@crowsnestpass.com)
8502 -19th Avenue,
Coleman, Alberta T0K 0M0

Re: Proposed Bylaw No. 1162, 2023 Public Hearing Date: Nov 14, 2023

Dear Bonnie

I hope this letter finds you well. I am writing on behalf of my family and owners of property at 3011 Tecumseh Road to express our concerns and reservations regarding the rezoning and subsequent development related to Proposed Bylaw No., 1162, 2023 related to the property known as 3751 Tecumseh Road.

While we recognize the potential benefits of this rezoning and the rights of property owners to develop their land, we strongly believe that it is imperative that the following issues are addressed before any decisions are made that affect future development. These are issues: water scarcity, traffic volume and fire safety.

Potable Water is becoming a greater issue in the Tecumseh Road area, and a shortage of water will affect the quality of life for many existing residents. It is important to ensure that there is a sustainable and sufficient water supply not only for any future developments but also for those who currently reside in this area. It is our collective responsibility to safeguard the interests of our existing community members and guarantee their access to this essential resource.

Traffic along Tecumseh Road has grown steadily over the past few years, and any development must also consider the impact of traffic and the safety upgrades necessary to accommodate a higher volume of traffic.

Fire Risk and Safety – we currently rely primarily on well water and limited creek water for firefighting. This raises questions about the area's capacity to handle large-scale emergencies. In the event of a major fire outbreak, it's crucial to have access to a substantial water supply, and the capacity of the wells and creek in the area may not be sufficient to meet these demands. Furthermore, the proximity of the development to the forest reserve adds another layer of risk. Forested areas are much more susceptible to wildfires, and the proximity of the development increases the potential for fires to spread rapidly. Additionally, the distance from the nearest fire department should be a key consideration. A longer response time could exacerbate the situation during an emergency.

… /2

Letter to: Municipality of the Crowsnest Pass
Attention: Bonnie Kawasaki, Executive Assistant to the CAO (sent via email to: Bonnie.Kawasaki@crowsnestpass.com)

To this end, we strongly recommend that the Municipality seriously consider these issues, and conduct a comprehensive water, traffic and fire safety study to evaluate the potential impact of the proposed rezoning. This study should assess the long-term sustainability of our water supply and identify any necessary infrastructure improvements or conservation measures required to support both the current and future population. I would also like to raise that it is not unusual to have the development bear the cost of impact studies and also the cost for fire-smarting in their area as part of the conditions of approval.

Only with a clear understanding of how these additional risks are understood and mitigated can we responsibly support or oppose this rezoning. It is important that any future development in the area does not compromise the quality of life of our current residents.

Thank you for your attention to this critical matter. We look forward to hearing about next steps.

Sincerely,

Shelly Berlin

Shelly Berlin, on behalf of Anita Berlin, Darrin Berlin, and Randall Berlin, Owners of 3011 Tecumseh Road.

From: Karan Spoelder [redacted]
Sent: Friday, November 3, 2023 2:59:23 PM
To: Bonnie Kawasaki <bonnie.kawasaki@crowsnestpass.com>
Subject: Bylaw No. 1162,2023

Municipal Council of the Crowsnest Pass,

I am writing this letter as I am strongly opposed to changing the designation of NW1/4 15-8-5-W5M to grouped country residential and Recreation and Open Space. There has been a problem with getting adequate water on this property for a single dwelling and now they want to put even more pressure on the water system by putting multiple dwellings on the same piece of property which is ludicrous. As a landowner who borders this property I know that water has been an issue in this area for many years and for that reason alone the changes should not be allowed. This is also supposed to be a quiet residential area and putting in a campground would not be allowing those of us already in the area to continue to enjoy the peace and solitude we have become accustomed to.

Karan Spoelder

From: Karan Spoelder [redacted]
Sent: Friday, November 3, 2023 9:00 PM
To: reception <reception@crowsnestpass.com>
Subject: Bylaw No. 1162,2023

Municipal Council of the Crowsnest Pass,

Let me first say that it is rather frustrating to have been given a contact person to send things to who is actually out of the office from Nov. 3rd- Nov.14th when we are supposed to have given any information we want shown handed in to her by Nov. 6th at noon. As a person who very recently moved back into the Crowsnest Pass I am dumbfounded by the things I have seen allowed in the area since I moved away 22years ago and it seems to possibly be a systemic problem.

I am writing this letter as I am strongly opposed to changing the designation of NW1/4 15-8-5-W5M to grouped country residential and Recreation and Open Space. There has been a problem with getting adequate water on this property for a single dwelling and now they want to put even more pressure on the water system by putting multiple dwellings on the same piece of property which is ludicrous. As a landowner who borders this property I know that water has been an issue in this area for many years and for that reason alone the changes should not be allowed. This is also supposed to be a quiet residential area and putting in a campground would not be allowing those of us already in the area to continue to enjoy the peace and solitude we have become accustomed to.

Karan Spoelder
Sent from my iPhone

From: Dale & Maxine Kropinak [redacted]
Sent: Saturday, November 4, 2023 4:27:57 PM
To: Bonnie Kawasaki <bonnie.kawasaki@crowsnestpass.com>
Subject: Bylaw No. 1162, 2023 Meeting Date November 14 2023

Hello Bonnie

This letter is concerning the proposed Bylaw 1162 2023.

Our property borders the proposed land Bylaw 1162. We have many concerns, our water comes from an artesion spring which is mainly fed from two seasonal creeks which originate on the land on which this change of designation from non urban to urban is being proposed. We want in writing who is to be responsible for our loss of water to our homes. If this occurs, who will have to pay for the cost of an alternate water supply to our homes.

Another concern will be any sewage from this area entering our water supply.

Another concern is that this land along with ours is the last area on the west side of Allison Creek that allows a corridor to the Jim Prentice corridor, that our council seemed to be in favor of. Maybe we need not develop every inch of land in the Pass for the sole purpose of out of the area developers putting money in their pockets. If the council uses the excuse that we need this development to increase our tax base, then why after all the development in the Pass have my taxes increased by 60% in the last eight years.

I see on your map that the largest portion of the property isn't involved in this bylaw proposal. This concerns me more, because rumor is that the developers plan to apply to make this area another RV campground in the future, which be totally unacceptable to us. All us REAL Pass Residents have already seen what our council have allowed into the Pass already. Letting in hundreds of RV's who contribute nothing to the Pass but over use of our facilities and destruction of the area, and don't pay a dime in taxes.

Another concern of ours is increased chance of forest fire because of the increase of people on this land. Will our counselors acknowledge that if there is a fire started in this area that affects our property that the municipality will be responsible for the cost of damage to our property and homes.

Increased noise will also be a concern coming from this area, with ATV use,seemingly a high priority to anyone moving to this area. This will greatly reduce the quality of life on our land, on which we have paid taxes to this municipality for 98 years. Maybe it's time for our council

to give some consideration to people have lived in the Pass for generations instead of approving every development proposed to them because it benefits them.

Reject this development and approach NCC to buy this property from the developers and leave a little of this area alone as it should be.

Dale and Maxine Kropinak

2399 Allison Creek Road

NATURE CONSERVANCY CANADA

Council - Municipality of Crowsnest Pass
Attn. Bonnie Kawasaki,
Executive Assistant to the CAO
Municipality of Crowsnest Pass

November 6, 2023

Dear Council members;

Letter of Concern, Proposed Bylaw No. 1162, 2023

The Nature Conservancy of Canada (NCC) owns land in the Municipality of Crowsnest Pass and has secured several near the vicinity of the land holdings subject to the proposed change in use. The land affected by the proposed Bylaw No. 1162, 2023 is in the Castle-Crowsnest Watershed Natural Area, designated by NCC's Natural Area Conservation Plan (2017) as an area of prime importance for its high conservation values. The area between Coleman and Crowsnest Lake, referred to as the Jim Prentice Wildlife Corridor, is an ecologically significant zone, recognized as one of the most crucial wildlife corridors in North America. This corridor plays a vital role in the Yellowstone to Yukon Initiative, which aims to establish a connected system of wildlands, waters, and corridors spanning a vast geography. The Jim Prentice Wildlife Corridor provides an important winter habitat for ungulate species and for iconic large carnivore species. This corridor offers a rare low elevation east-to-west movement opportunity within the Rockies, and critical north-to-south movement across the highway.

After studying the Tecumseh Subdivision Development Proposal, we have some concerns that there will be repercussions to the ecosystem and the ecological corridor due to the cumulative results of increased human presence.
When reviewing the Municipal Land Use Suitability Tool Report for the Municipality of Crowsnest Pass (D. Horvath, H. Winder, T. Lee, K. Sanderson, 2021), we found that the proposed subdivision is situated in an area with a high likelihood for ecological conflicts (See map).

We also used the Miistakis' Connectivity Risk Assessment tool to assess the potential impacts of the Tecumseh Subdivision Development Proposal on the area, and the results have raised significant concerns. The proposed project has been categorized as "High Risk Conditions" according to the Connectivity Risk Assessment tool. The high-risk conditions identified include:

- Governance diversity
- Human activity level
- Human predictability
- Widllife attractants
- Habitat loss for ungulates and carnivores.

The mitigation recommendations from the CRA tool include, but are not limited, to:

- Avoid development in the ecological corridor.
- Relocate the development outside of highly productive grizzly bear habitat and elk range.
- Maintain native vegetation in as much of the development as possible.
- Implement beneficial management practices in relation to unsecured anthropogenic features (secure all garbage, composting, and recycling, discourage planning fruit trees, etc.)

For more detailed information, please refer to the attached Connectivity Risk Assessment Results.

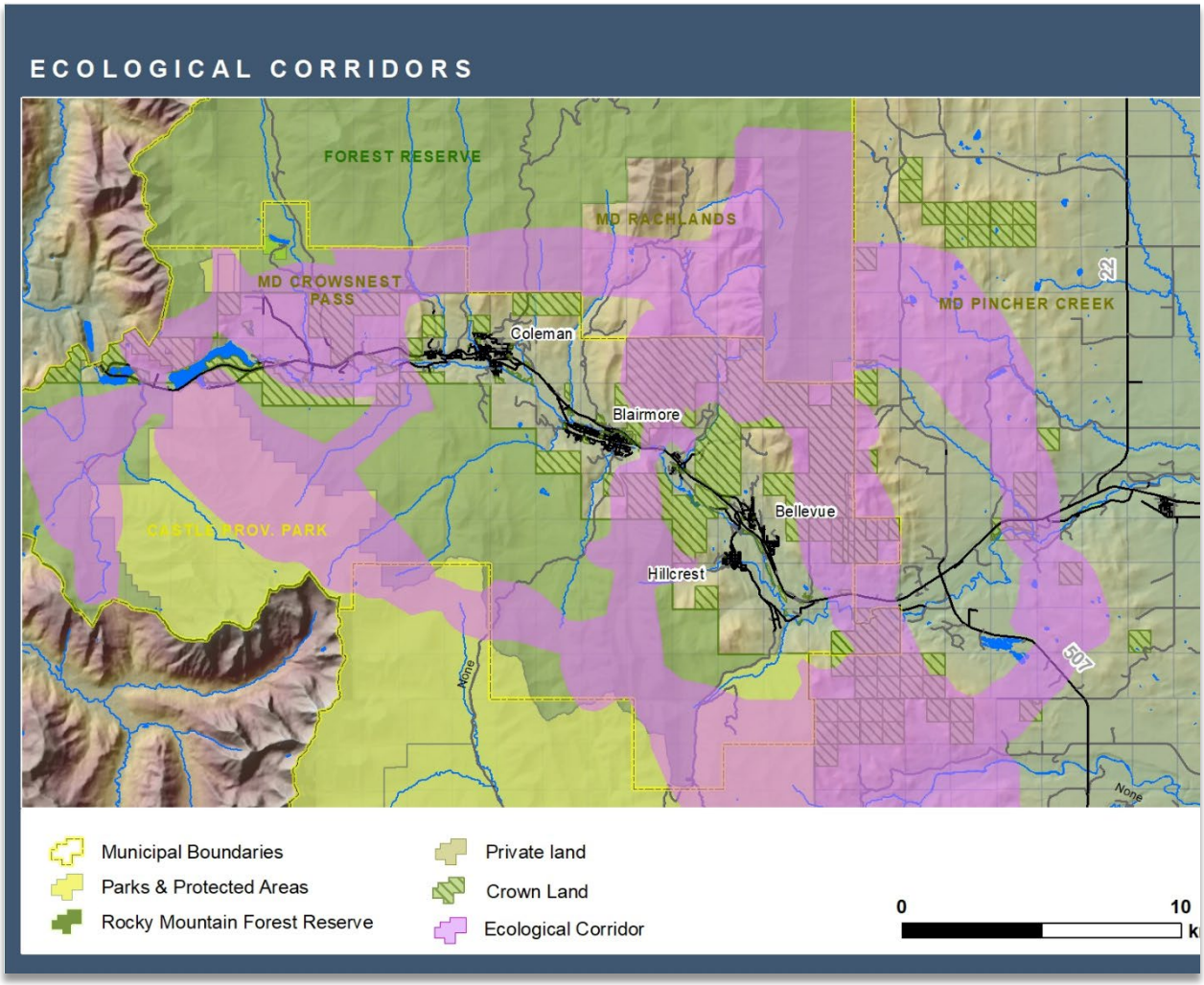
NATURE CONSERVANCY CANADA

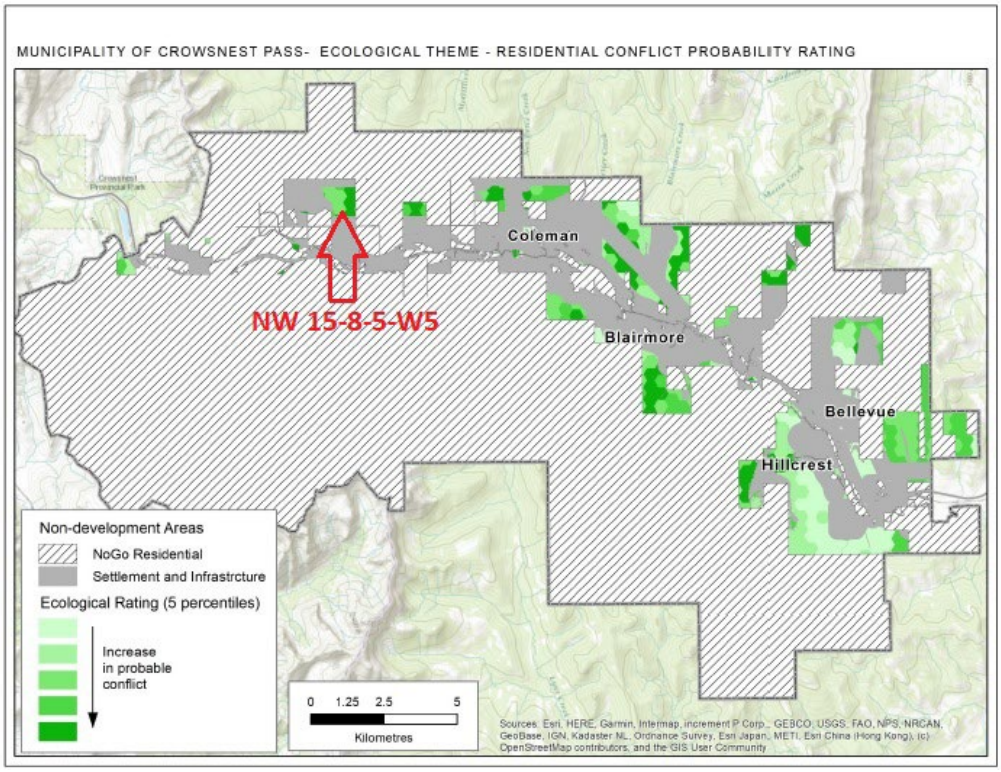
Considering these concerns, we advise exercising caution before granting approval for subdivisions in this ecologically sensitive area. We believe it would be prudent to concentrate residential developments outside of sensitive ecological corridors, in areas identified as highly suitable in the Municipal Land Use Suitability Tool (see map). Some examples of alternative areas that would have a lesser impact on the ecosystem would be south of Hillcrest, north of Bellevue, and north of Coleman/Blairmore.

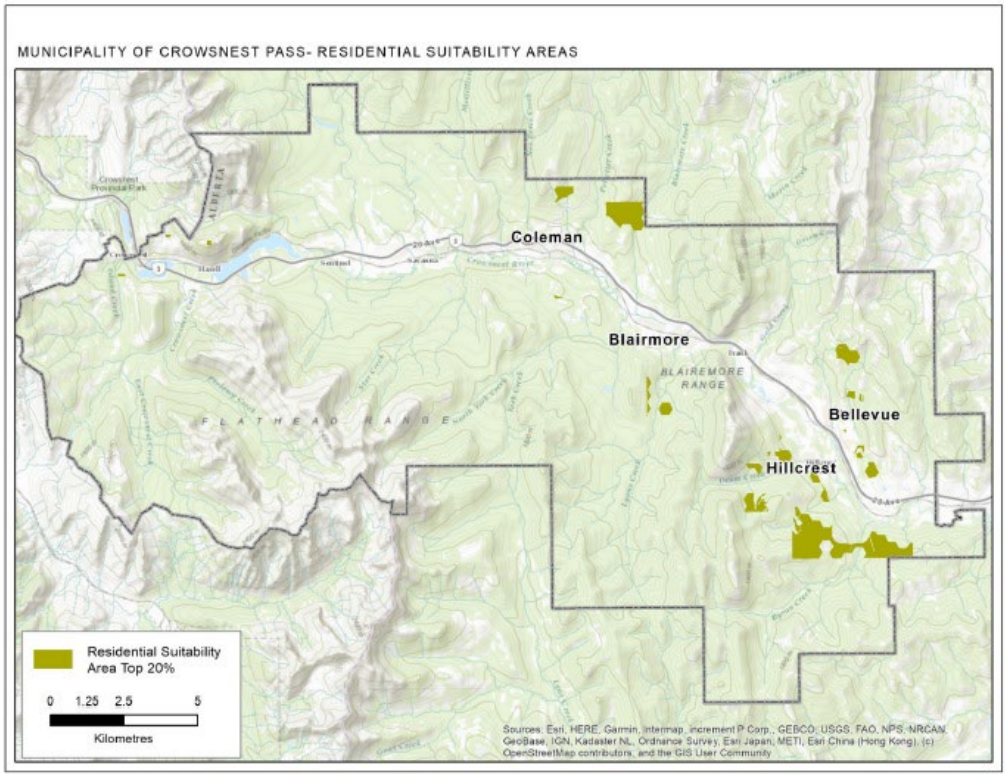
Respectfully yours,

Emilie Brien
Natural Area Manager – Castle-Crowsnest Watershed
Nature Conservancy of Canada | Alberta Region
P.O. Box 1204 |Coleman, AB, T0K 0M0
[redacted]
Emilie.brien@natureconservancy.ca

NATURE CONSERVANCY CANADA

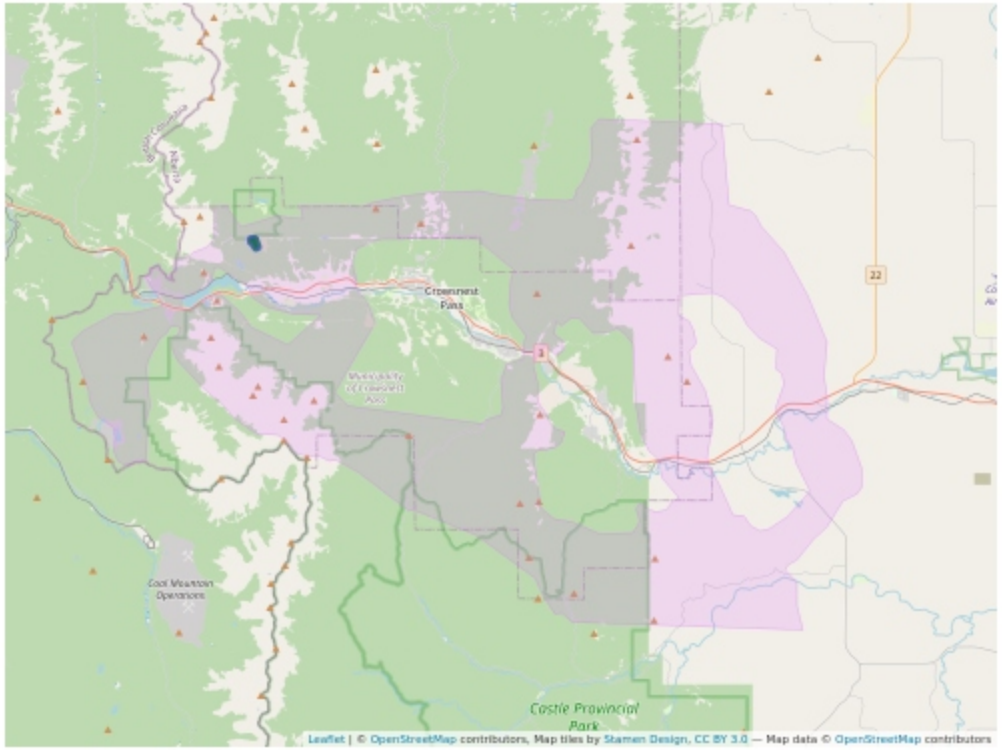






Source: Municipal Land Use Suitability Tool Final Report 2021 – Municipality of Corwsnest Pass

CONNECTIVITY RISK ASSESSMENT RESULTS



HIGH RISK CONDITIONS AND MITIGATION

HIGH RISK

GOVERNANCE DIVERSITY

Governance diversity represents the number of landowners with governance outside the ecological corridor. The fewer the number of landowners, the easier it will be to adjust the corridor boundary. This impact consideration is tied directly to corridor plasticity which determines if the area is conducive to wildlife movement.

MITIGATIONS

- If possible to shift the corridor boundary, identify if the land is privately or publicly owned, then:
  - If private ownership, use conservation easements or other conservation tools to promote appropriate practices and protection on lands adjacent to the corridor.
  - If public ownership, work with appropriate government agency to place a protective notation on the parcels to ensure protection from sale or development approval in future.

HIGH RISK

HUMAN ACTIVITY LEVEL

human activity level accounts for the number of people doing various activities on the landscape (e.g., working, hiking, biking, residential activity, grazing leases, fishing, etc.). Research indicates greater than 20 human activity events per month (approximately 50 events/day) will impede wildlife movement.

MITIGATIONS

- Avoid development in the ecological corridor
- Relocate high human activity centres outside or close to the corridor edge.
- Install a berm to block the corridor from the development. The berm should be planted with natural vegetation.
- Use wildlife-friendly fencing to create a barrier between wildlife movement and human activity.
- Implement recreation beneficial management practices (designated trails, trails cross perpendicular to corridor, temporal trail closures, and linear density of trails within acceptable thresholds).
- Implement human access management beneficial management practices (including temporal and seasonal closures).
- Use signage and education to explain the value of the ecological corridor and encourage good stewardship by visitors, landowner, and those working in or near the corridor (e.g., keep dogs on leash, stay on trails, do not remove native vegetation, do not disturb or feed wildlife, bear ty, etc.).

HIGH RISK

HUMAN PREDICTABILITY

Human predictability is defined as constant or perfect periodicity (e.g., scheduled bus route); non-predictable human activity is defined as not constant or imperfect periodicity (e.g., hiking). Research indicates that the less predictable the human activity is, the higher the risk to wildlife movement.

MITIGATIONS

- Implement seasonal and temporal trail closures as necessary for public safety reasons or when wildlife are most sensitive to human disturbance (e.g., early spring when bears are emerging from their dens and/or fall rut for ungulates, no night use on trails).

HIGH RISK

WILDLIFE ATTRACTANTS

Wildlife attractants include unsecured human food sources (fruit trees, bird feeders, garden, garbage and compost) within the development buffer.

MITIGATIONS

- Implement beneficial management practices in relation to unsecured anthropogenic features (secure all garage, composting and recycling, discourage planting fruit trees, discourage use of bird-feeders, wildlife proof fence gardens).

HIGH RISK

HABITAT LOSS - UNGULATE

Ungulate habitat loss represents the area within the wildlife corridor used by elk for their winter and summer ranges. We recommend that 50% of the corridor in elk range is necessary to abate human influence and enable wildlife presence in the area ultimately resulting in movement through the ecological corridor.

MITIGATIONS

- Avoid development in the ecological corridor.
- Relocate the development out of elk winter and summer range.
- Maintain native vegetation in as much of the development as possible for hiding cover and forage.
- Limit recreational access in elk range.

HIGH RISK

HABITAT LOSS - CARNIVORE

Carnivore habitat represents the percentage of wildlife corridor that is considered highly productive habitat for grizzly bear. Research indicates 50% of the wildlife corridor in high productive grizzly bear habitat as the maximum necessary to abate human influence and enable movement of large terrestrial mammals.

MITIGATIONS

- Avoid development in the ecological corridor.
- Relocate the development out of highly productive grizzly bear habitat.
- Encourage good ranching husbandry practices to reduce livestock depredations, and consider payment programs to compensate producers for livestock losses from wildlife.
- Maintain native vegetation in as much of the development as possible for hiding cover and forage.
- Limit recreational access in high productive grizzly bear habitat.
- Restrict road density below 0.6km/km2 in grizzly bear habitat.

CONNECTIVITY RISK ASSESSMENT SUMMARY

CURRENT CONDITION	FUTURE CONDITION
MINIMUM WIDTH **LOW RISK** A low risk rating for corridor minimum width (>1000m) indicates wildlife movement can occur.	**MINIMUM WIDTH** **LOW RISK** A low risk rating for corridor minimum width (>1000m) implies the development will have little impact on the corridor and wildlife movement will be maintained.
FLATNESS **LOW RISK** A low risk rating for flatness indicates wildlife movement can occur.	**FLATNESS** **LOW RISK** A low risk rating for flatness with <30 ° slope implies the development will have will have little impact on the corridor and wildlife movement will be maintained.
HUMAN DISTURBANCE **LOW RISK** A low risk rating for human disturbance (<50% of the landscape) indicates wildlife movement can occur.	**HUMAN DISTURBANCE** **LOW RISK** A low risk rating human disturbance (<50%) implies the development will have little impact on the corridor and wildlife movement will be maintained.

GOVERNANCE DIVERSITY **NOT APPLICABLE**	**GOVERNANCE DIVERSITY** **HIGH RISK** A high risk rating for governance diversity (multilateral) implies shifting the ecological corridor boundary of the corridor could be difficult.
CORRIDOR PLASTICITY **NOT APPLICABLE**	**CORRIDOR PLASTICITY** **LOW RISK** A low risk rating for corridor plasticity implies neighbouring lands are conducive to wildlife movement and if the ecological corridor is shifted wildlife movement could be maintained.
HUMAN ACTIVITY LEVEL **LOW RISK** A low risk rating for human activity level (<12 human events per day) indicates wildlife movement can occur.	**HUMAN ACTIVITY LEVEL** **HIGH RISK** A high risk rating for human activity level (>20 human events per day) implies the development will have a substantial impact on the corridor, and it is unlikely wildlife movement will be maintained.
HUMAN PREDICTABILITY **MEDIUM RISK** A medium risk rating for human predictability (>100 people events per month and predictable) indicates some wildlife movement can occur.	**HUMAN PREDICTABILITY** **HIGH RISK** A high risk rating for human predictability (> 100 human events per month and non-predictable) implies the development will have a substantial impact on the corridor, and it is unlikely wildlife movement will be maintained.

WILDLIFE ATTRACTANTS **LOW RISK** A low risk rating for wildlife attractants (limited or no presence of unsecured human food sources) indicates wildlife movement can occur.	>	**WILDLIFE ATTRACTANTS** **HIGH RISK** A high risk rating for wildlife attractants (presence of unsecured human food sources) implies the development will have a substantial impact on the corridor, and it is unlikely wildlife movement will be maintained.
HABITAT LOSS - UNGULATE **NOT APPLICABLE**	>	**HABITAT LOSS - UNGULATE** **HIGH RISK** A high risk for ungulate habitat loss (>50% in ungulate habitat range) implies the development could have a significant negative impact on ungulate presence in corridor, and their movement in the corridor.
HABITAT LOSS - CARNIVORE **NOT APPLICABLE**	>	**HABITAT LOSS - CARNIVORE** **HIGH RISK** A high risk for carnivore habitat loss (>50% of the development occurs in highly productive carnivore habitat within the corridor) implies the development could have a significant negative impact on carnivore presence in

November 5, 2023

RE: BYLAW 1162

MTG DATE- NOV.14/ 2023

Please accept this letter in regards to the proposed Subdivision on N.W 15.8.5.5. Myself and my family are major stakeholders in the decision since our land directly borders the proposed subdivision, and there are many environmental, wildlife and general concerns over the development of the land.

My family homesteaded this area and have lived on the land for five generations, the surrounding area has provided a serene sanctuary but this is about to be threatened if sanctions are not put in place to limit the amount of development permitted on the 120 acre parcel. Already, our water is at all-time lows and allowing dozens of houses or if the rumors are true, hundreds of RV sites this will greatly tax our access to clean water, not to mention the private septic systems that will be installed.

With the reality of unlimited random camping on Crown land to the North of our property and the proposed development, the species of many wildlife (i.e whitetail deer, elk,etc.) have no habitat away from civilization and once again by allowing rampant development this wildlife corridor will become even less and many of these species will be forced from the areas. I understand the reality that this land will be developed, but I would urge the decision makers to be prudent and stipulate that the land can only be split into 10/ acre parcels this would allow the land to keep its natural integrity, and maintain some habitat for animals.

We live in a world where we are taught to be responsible to the environment and the decision made in this scenario will impact generations to come. I sincerely hope this is considered when decisions are being made and it is not about jamming as many people in without regarding the land on any level.

Sincerely,

Brad Kropinak

Johan Van Der Bank

Subject: FW: Proposed bylaw No. 1162,2023

From: Pam Carr <[redacted]
Sent: November 6, 2023 2:10 PM
To: Bonnie Kawasaki <bonnie.kawasaki@crowsnestpass.com>; development <development@crowsnestpass.com>
Subject: Proposed bylaw No. 1162,2023

CNP Municipal Office
Public Hearing Date- Nov. 14,2023

We, as homeowners at 3018 Tecumseh Dr, do not approve of this proposed change from Non-Urban area to Grouped country Residential. We do not approve of it being considered for Recreation and open space. We do not approve these changes for the following reasons.

1. Damage to watershed and groundwater contamination. We are already having water issues with wells in the area. This would only damage the existing water flow. (This water system must be protected as well as Allison Creek that runs alongside of this property). This area also contains a wetland site that is vital to the local moose population. We must protect our water source for the animals and the homeowners in the area from overuse and contamination.

2. The increase in traffic will damage the already fatigued Tecumseh road.

3. Fire protection from this proposed area is a HUGE concern. We have no fire protection in this area. Already we have seen an increase in fireworks over the last few years. We could lose everything, our home, our forest and our animals.

4. We are concerned with the increase of population will increase crime in the area. This is a remote area and not a lot of police presence. We have already seen an increase in property damage, stolen property and break ins.

5. **THIS IS THE MOST CRITICAL** – This land aligns with the Jim Prentice Wildlife Corridor Legacy Project to conserve and connect one of the last internationally significant wildlife corridors in the Crowsnest Pass. This is a highly trafficked corridor for Elk, moose, and mountain sheep. Many other animals use this corridor as well. This MUST be protected at all cost!!

PLEASE DO NOT CHANGE LAND USE BYLAW. IT MUST BE KEPT AS NON-URBAN AREA.

Regards,

Richard and Pam Carr

Nov 6, 2023

Re: Proposed Bylaw # 1162, 2023
Public Hearing Date Nov. 14, 2023

I am writing to express my opposition to the proposed bylaw amendment #1162, 2023. I am long term resident of the Crowsnest and Tecumseh Road. I have significant concerns regarding the proposed bylaw amendment and I request council take the long view regarding this application. I have concerns regarding water and sewage as the proposed development is in a location known to have ongoing and increasing issues with water supply. Take for example the Wolfstone Terrace development just east of Allison road where tax payers are currently on the hook to cover the cost of hauling water to service residences in an unfinished and problematic development. My family has lived at the bottom end of Tecumseh Road for 70 years and every year we see our water supply reduced as more development occurs upstream. An unnamed stream through the property was home to fish 30 years ago and currently is a trickle I can't rely on to water stock. I know the previous owners of the property of concern had ongoing issues with water supply yet the municipality is considering multiplying this issue 7 fold. Also of concern, being downstream of this development, is potential contamination of our water supply by the ever increasing sewage upstream of my water source. We can not continue to add to the burden of a limited clean water source and not expect to have issues of scarcity and viability.

I have further concerns regarding the increased traffic to the area. I reside in a Non Urban Area where one should reasonably expect, at most, a quiet country residential atmosphere in which to enjoy an idyllic walk with a grandchild or amble up the road on a horse. Instead I have a busy, degraded, asphalt road. One which, for some reason, has inconsistent speed limits which are largely ignored without consequence.

While the above matters are significant, and are the responsibility of council to address and mitigate, my biggest concern regarding this matter is the degradation of the Provincially supported Jim Prentice Wildlife Corridor. In 2018 the Nature Conservancy of Canada announced their goal of establishing a wildlife corridor to address the carnage on Highway 3. A Hiway that runs for 26 km through our Municipality. Our Mayor Blair Painter attended this pubic announcement stating, "Its a great project preserving part of our community for the wildlife to be able to move, hopefully safely north and south, into the Castle Park and North towards Banff. They've been doing that forever and it's nice to see that we're able to preserve an area of our community for them." (quote from the Western Producer Nov 15, 2018). Nice words but I have seen nothing in the way of actions to support this statement. Instead what I see is development and decisions which are completely contrary to maintaining this vital wildlife corridor. There is no where left on the front range of southern Alberta to establish and maintain a protected corridor. It is time to have the foresight and the integrity to do what you profess to support. It is my understanding there is no area under the jurisdiction of the municipality, that is protected as greenspace for nature. That's along a 26 km stretch of highway. It seems council promotes the area as the beautiful wild outdoors yet has done nothing but lip service to ensure the continuance of what we say is our greatest value. Instead we have disgraced our community with lowest quality tourism in the way of RV/ATV Parks which look like work camps or storage facilities. Or maybe lets look at the private campground on the old highway into Emerald Lake. Even though council originally and appropriately denied a request to allow a private campground on a piece of property zoned Non Urban Area, in critical Big Horn sheep habitat, council obviously caved when pressure from vacationers was ongoing. Instead of enforcing the current zoning and handing out some fines, council simply and very quietly, at their discretion, approved the unlawful development. Shame on the council who have

allowed all of this. It degrades our community, it intersects vital wildlife corridors, and leaves long term residents feeling hopeless in efforts to preserve one of the most beautiful places on earth.

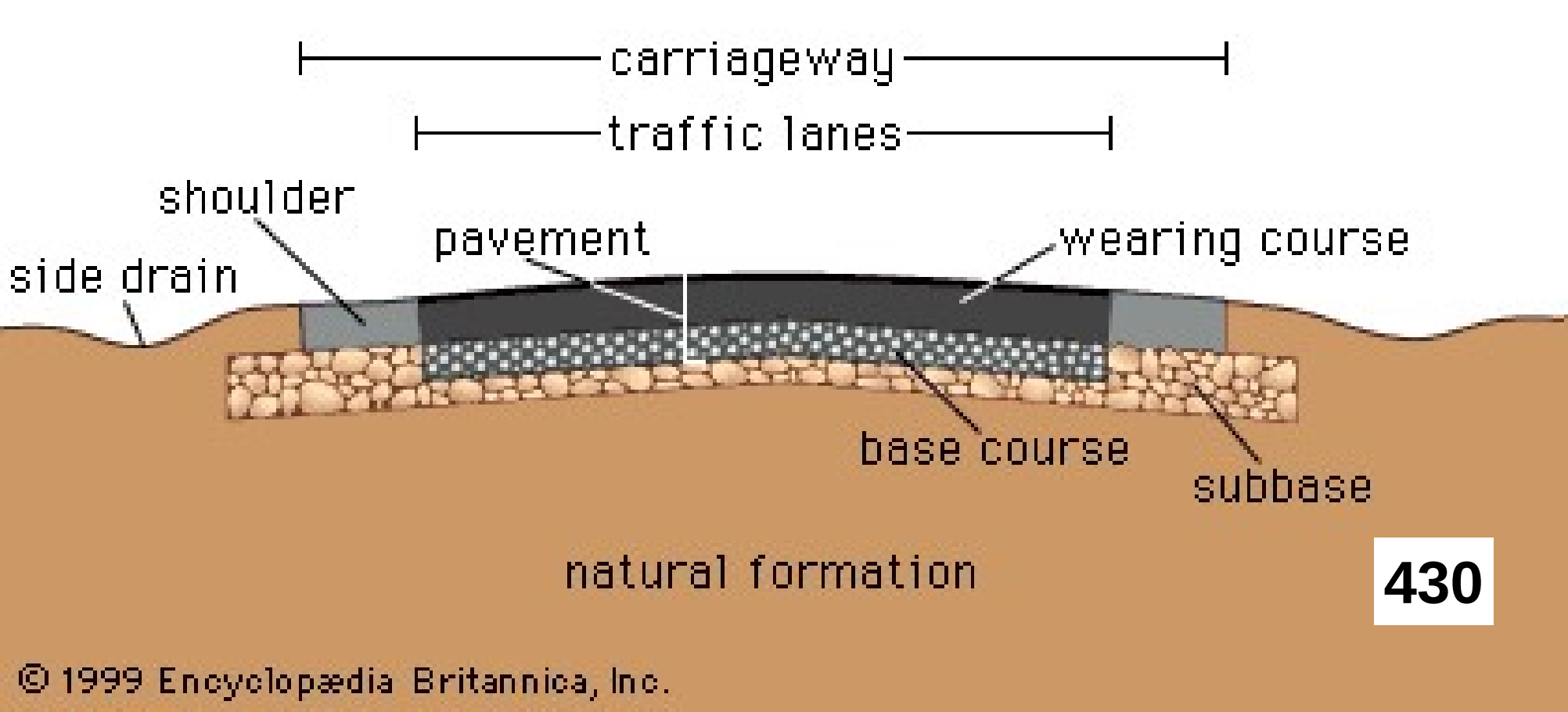
We have limited resources and an ever increasing demands on those resources. Council can not continue to make the same mistakes over and over and then discard responsibility for those decisions saying , “Mistakes were made,” or, “ Yes Tecumseh has had a raw deal,” or, “ Yes we need to get that cleaned up,”and then make the same mistakes yet again. Its time to look beyond your term in office or your tax roll and budget for the year and make decisions that will be sustainable and beneficial over time. The current zoning for the proposed development is Non-Urban residential and it is my opinion that property should remain as that designation and council should **exercise their discretion** and NOT allow any subdivision or rezoning of any portion of this property. Thus you will protect both the current residents as well as the **only viable remaining international wildlife corridor.** I realize the current owners would like to have that area rezoned and it will interfere with their plans if their proposal is denied, but this is why we have bylaws. Bylaws reflect forethought and planning and need enforcement not amendments. The developers took a chance in purchasing a property with hopes of having it rezoned, that does not place any obligation on the council approve the request. Instead it is your job to have an actual development plan and adhere to it. You are making decisions which impact many lives, both human and otherwise. Please give this matter the attention it deserves and leave the zoning as is.

Thank You

Carol Ostrom

Does and fawns on
proposed development site

Alligator cracking on road


carriageway
traffic lanes
shoulder
pavement
wearing course
side drain
base course
subbase
natural formation
430
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November 7, 2023

Re: Proposed Bylaw # 1162, 2023
Public Hearing Date Nov. 14, 2023

I tried to ascertain earlier whether the purpose of the rezoning was for the purpose of subdividing the rezoned parcel but I did not get an answer. If that is indeed the intended purpose then I am opposed to the proposed bylaw.

By quick count (picturing in my head going up Tecumseh Road), since 2006, at least 15 new houses developed been developed west of Tecumseh Drive. This leaves only a very small 'open' pathway between developed acreages and the steep slopes of Tecumseh Mountain. The property in question provides a wildlife avenue between PLUZ to the north and NCC lands south of Tecumseh Road. This is one reason to oppose rezoning and subsequent subdivision.

Potable water is the next reason to oppose subdivision. We installed a buried cistern and have water trucked in due to the high likelihood of a drilled well coming up dry. Overtaxing what groundwater there is in the area does not make for viable higher acreage densities in the long term.

Reason number three is philosophical: The default decision of approving rezoning requests in the absence of sufficient opposition is the opposite of the way it should be. The default should instead be that rezoning requests are only approved if there is sufficient demonstration of net-positive outcome for all, not just the requesters. The parcel was purchased with its existing zoning and the assumption that rezoning approval would be rubber-stamped sets a bad example.

One of the main purposes of NUA-1 zoning is to keep land parcels as large as possible until there's a clear need and reason for subdividing. Rushing this decision means the genie's out of the bottle and it can't be undone. Denying the rezoning request now and keeping open the option of revisiting in the future allows time for NCC to determine whether the right thing to do is attempt to ensure the parcel remains undivided.

Sincerely,
Steven Pye
2509 Tecumseh Road.

From: Rhonda Rosner [redacted]
Sent: Tuesday, November 7, 2023 10:18:34 AM
To: Bonnie Kawasaki <bonnie.kawasaki@crowsnestpass.com>
Subject: Bylaw No. 1162, 2023. Public Hearing Date: Nov 14, 2023

To Bonnie Kawasaki:

Re: Proposed Bylaw No. 1162, 2023
Redesignation of Land in NW 15-8-5 W5M
Public Hearing Date: Nov 14, 2023

As a future landowner/homeowner of NE 15-8-5 W5M, I object to the redesignation of land in NW 15-8-5 W5M for the following reasons:

Water
I have concerns that additional homes will reduce available groundwater. My parents who currently reside on NW 15 have noticed less water in the last several years and we have concerns that it is due to development to the east.

Impact to Wildlife
More development will reduce the available habitat for wildlife. This reduction will lead to changes to the character of the area and impact species at risk like grizzly bears. This land is part of a wildlife corridor to allow native species to access the forestry and their lives depend upon it remaining undeveloped. Acreages and campsites loaded with off highway vehicles heading to the forestry will be detrimental to the habitat and the animals calling it home.

Noise/Nuisance/Traffic
Increased property development and the associated use of the land will lead to increased noise and decrease the enjoyment of my property. I have concerns with increased traffic, especially OHV use, which is destroying this area of the province. I have concerns with illegal OHV use on public roads and I feel that more homes in the area can only increase this problem.

Decrease to Property Value
I value my property for the wildlife, peace and quiet, and natural setting. Developing the adjacent quarter will reduce my property value in this regard.

Thank you for your time.

Rhonda Rosner
[redacted]

From: Susan Wagner [redacted]
Sent: Tuesday, November 7, 2023 11:35:28 AM
To: Bonnie Kawasaki <bonnie.kawasaki@crowsnestpass.com>
Subject: RE: Public Hearing Nov. 14, 2023: Proposed Bylaw No. 1162

Dear Mayor Painter and Councillors,

The Crowsnest Conservation Society is opposed to the Tecumseh Subdivision Development Proposal presented by SentrySix Land Corporation. We have attached a Brief articulating four reasons for our opposition:

- Proposed Zoning and Housing Type not needed or desirable
- Lack of Access to Water
- Interference and Reduction of Wildlife Corridors
- Existence of Wetlands in close proximity

Thank you for considering our Brief in opposition to this proposal for rezoning of Non-Urban Area – NUA-1 land to Grouped Country Residential- GCR-1 and its associated land rezoning of Non-Urban-NUA-1 to Recreation and Open Space – RO-1.

Sincerely,
On behalf of the Crowsnest Conservation Society
Susan Wagner, Board Member

[redacted]

Brief Opposing Proposed Bylaw No. 1162, Land Use Bylaw Amendment
By
Crowsnest Conservation Society
November 7, 2023

The Crowsnest Conservation Society is "a diverse group of individuals with a passion for nature and the beautiful landscapes in the Crowsnest Pass and surrounding area. We share a strong conservation ethic." Our vision states "we work together with community partners" to ensure "private and public decisions about land development are made with the long term needs of wildlife and sustainable community as key factors." (https://www.crowsnestconservation.ca)

The Crowsnest Conservation Society urges you to reject this application by SentrySix for a rezoning of Non-Urban Area – NUA-1 land to Grouped Country Residential- GCR-1 and its associated land rezoning of Non-Urban-NUA-1 to Recreation and Open Space – RO-1. There are four important reasons for rejecting this application for rezoning;

- Proposed Zoning and Housing Type not needed or desirable
- Lack of Access to Water
- Interference and Reduction of Wildlife Corridors
- Existence of Wetlands in close proximity

These reasons will be discussed knowing that the rezoning is a prelude to the proponent's Development Plan that will request the division into residential lots by the Crowsnest Pass Municipal Planning Commission.

1. **Proposed Zoning and Housing Type not needed or desirable**

   a. The creation of an additional Grouped Country Residential Subdivision within our municipality is not needed or desired.

   "The MCNP is also dealing with a legacy of large lot, low density housing, typically called "country residential development. P.25 MDP

We have too many GCR subdivisions which have never been completed by the developer, to the detriment of current residents who have no access to water for fire prevention or no egress if the single access road were to be closed. Most of these existing subdivisions have not yet sold or had residences built on each lot. It makes no sense to start another subdivision.

   b. The proposal for a Grouped Country Residential Subdivision is in contravention of Council's own Municipal Development Plan (2000).

   ''…. this type of development is not compatible with focusing housing development in urban areas where more diverse, efficient housing options can be provided. P.25 MDP

" Densification is the basis of the MCNP growth strategy….Setting density targets for new development areas means that more people will live on a smaller footprint of land, which makes infrastructure delivery more affordable, supports businesses and protects important natural areas. This is particularly important in Crowsnest Pass because of the limited land base and environmental constraints. P.29 MDP

"GOAL: Direct new residential development to existing urban areas and establish a sustainable density target – supporting a wide range of housing option in size, style, and price for a diverse population. P.60 MDP

2. Lack of Access to water

a. The *South Saskatchewan River Basin Management Plan (2015)*, under the *Alberta Water Act*, has not allowed any new water licenses since 2006 except for conservation purposes.

"Each lot is expected to drill a personal household water well for water supply. A hydrological study is currently underway to verify that the underground aquifer has enough supply for each lot to be allocated 1250 m3/year as per the Alberta Water Act without impacting existing domestic and licenced (sic) users. The hydrological study will also verify whether baseline water chemistry is acceptable for drinking without treatment. P.7 SentrySix Proposal

This proposal is for a new Grouped Country Residential subdivision within the South Saskatchewan River Basin. It will have to be demonstrated that the new wells are not taking water from the aquafers in the closed river basin.

b. The *Crowsnest Pass Land Use Bylaw* for Grouped Country Residential subdivision requires access to potable water for each lot (Schedule 2-GCR-1).

c. Under the *Alberta Municipal Development Act*, the *Subdivision and Development Regulations* require the availability and adequacy of a water supply.

7. "In making a decision as to whether to approve an application for subdivision, the subdivision authority <u>must</u> consider, with respect to the land that is the subject of the application, …f) the availability and adequacy of a water supply…." *Subdivision & Development Regulations*, P.10 (emphasis added}

3. Interference and Reduction of Wildlife Corridors

The Crowsnest Conservation Society supports all the work done recently by environmental groups to support wildlife connectivity in our area, such as Road Watch, Miistakis Institute, and the Nature Conservancy of Canada (NCC). This research and planning should be respected rather than allowing a residential development that will jeopardize wildlife movement.

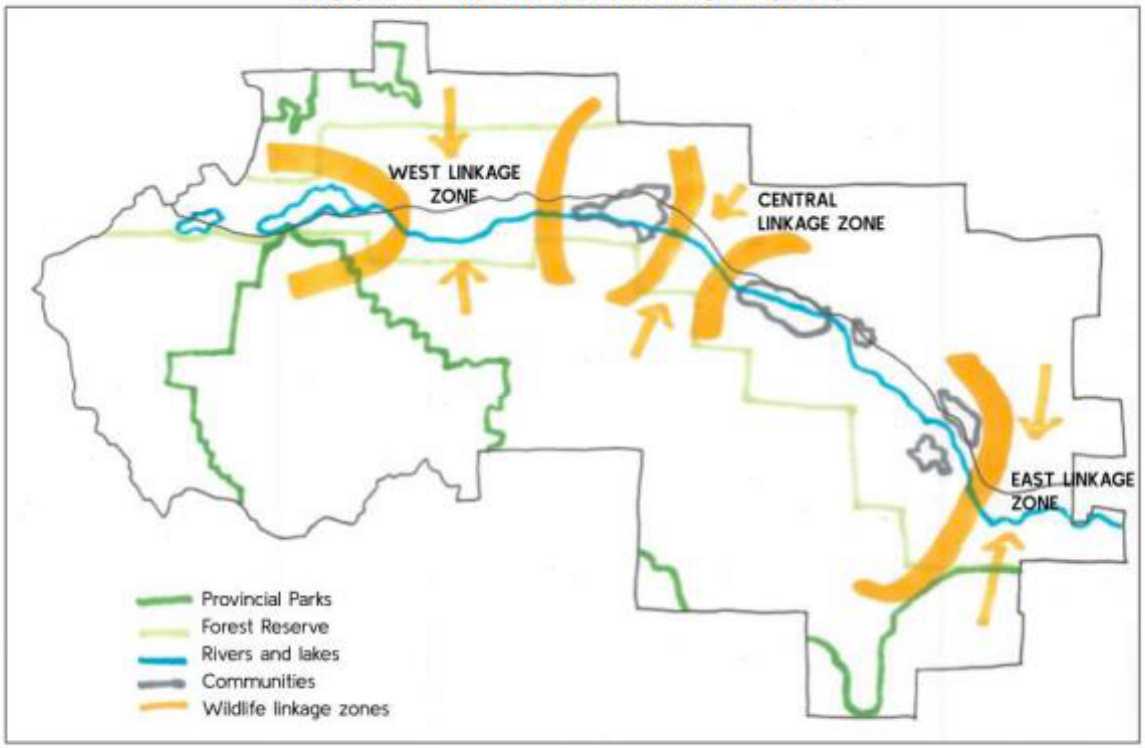
a. The Proposal was sent to Council omitting important Technical Studies as listed in the *Crowsnest Pass Municipal Development Plan* Section 4.2.9 (p.77) for:
    a. Biophysical assessment
    b. Environmental impact assessment
    c. Wildlife impact assessment
    d. Environmental management plan

> "New grouped country residential development …Proposals for subdivision shall be required to articulate the interaction between proposed land uses and the open space network. P.64 MDP

A survey quoted in the *Crowsnest Pass Municipal Development Plan* stated that 93% of people identify the natural environment as the most defining characteristic of the Crowsnest Pass. (P.101 MDP). The proponents of this development have not provided Council with these additional reports that would demonstrate Council's recognition of that importance to residents.

b. This proposed development is in the middle of the municipally-defined West Zone wildlife linkage corridor (MDP, P.15).

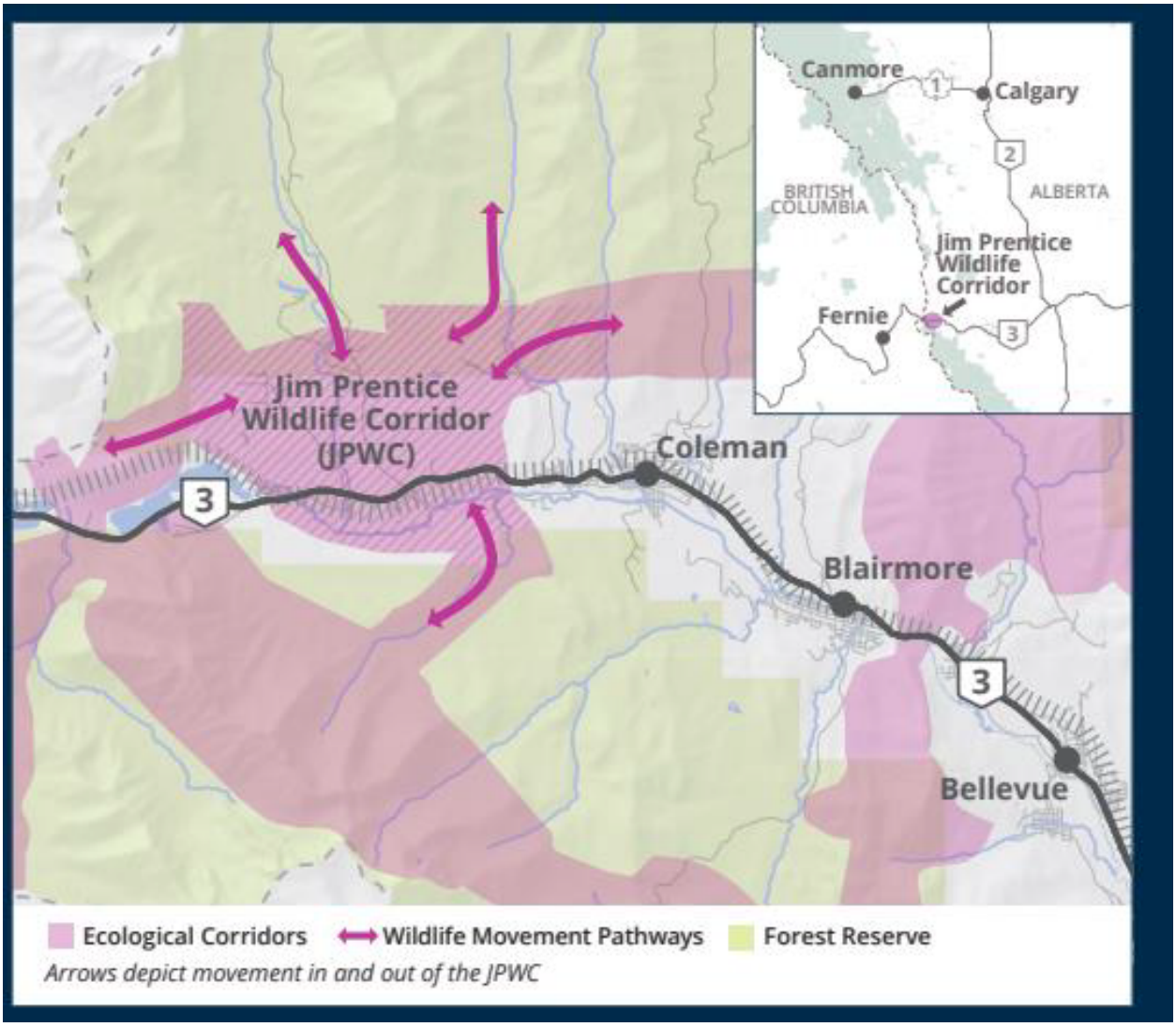
FIGURE 9 - WILDLIFE LINKAGE ZONES



15

The NCC created the Jim Prentice Wildlife Corridor and has conducted a wildlife monitoring study with Miistakis Institute over the past three years. They have proven that the Crowsnest Pass "contains the highest number of medium and large animal species in North America" (Miistakis Institute and NCC, 2022). Road Watch and Miistakis had previously identified where wildlife collisions occurred and where a wildlife crossing structure would be valuable.

The evidence collected by these three organizations confirm that the West Wildlife Linkage Zone as described in the MDP is critical to the movement of large wildlife.



Map from "Linking Landscapes," Miistakis Institute and NCC, 2022.

c. The designation of these particular Non-Urban lands for any type of development is in contravention of the current *Crowsnest Pass Municipal Development Plan* which emphasizes the importance of maintaining wildlife corridors.

> "The municipality's five urban communities are separated by areas that remain generally undeveloped. In effort to retain critical habitat areas and wildlife linkage zones, and to maintain distinct identities for each community within the municipality, these spaces should be left in an undeveloped state (not including linear uses like trails and utilities). P. 35 MDP
>
> "Goal: Sustain a harmonious balance between natural and built environments by directing development to built-up areas – preventing the fragmentation of wild lands and preserving the unique biodiversity of the MCNP. P. 74 MDP
>
> "Preserving connected patches of native vegetation is critical to maintaining a wildlife habitat. Intensive uses in proximity to the west linkage zone and east linkage zone are discouraged in this plan and the compatibility of proposed projects will be determined on a case-by-case basis. P.76 MDP

d. This proposal is also in contravention of the Alberta government requirement for the Municipality to abide by the South Saskatchewan Regional Plan, approved in 2014 and amended in 2018, under the *Alberta Land Use Act*, *Regulatory Details*, Part 1, Section 2,(1.c).

The South Saskatchewan Regional Plan states key outcomes as:

> "Biodiversity and ecosystem function are sustained through shared stewardship."
> "Watersheds are managed to support healthy ecosystems and human needs through shared stewardship."
> "Land is used efficiently to reduce the amount of are that is taken up by permanent or long-term developments associated with the built environment."
> "The quality of life of residents is enhanced through… the preservation and promotion of the region's unique…natural heritage." SSRP P.45, 46

and strategic directions as

> "Conserving and Maintaining the benefits of biodiversity."
> "Advancing watershed management."
> "Promoting efficient use of land."
> "…preserving and promoting the region's unique…natural heritage." SSRP P.45, 46

4. Risk of damage to three existing wetlands on the border of the proposed development.

The Proposal states that an "desktop environmental study" is being conducted to "evaluate existence of wetlands or environmentally sensitive areas " and to assess "any other environmental conditions that may need to be mitigated." (Proposal, P.7).

The Crowsnest Conservation Society believes that an on-site examination of the wetlands and regionally sensitive areas must be required by Council to ensure that the proposed development adheres to the *Municipal Development Plan*, the *Standards of Development* in the municipal *Land Use Bylaw* and the expectations of provincial agencies regulating such areas.

> "Development proposals shall be required to determine the existence of a wetland and adhere to the Government of Alberta requirements concerning the preservation of wetlands, including the Alberta Wetland Policy, Stepping Back from the Water, Water Act and Public Lands Act." P.75 MDP

Conclusion

There are four important reasons the Crowsnest Conservation Society opposes Proposed Bylaw No. 1162, Land Use Bylaw Amendment, that would allow SentrySix to create a new Grouped Country Residential Subdivision in this part of the Municipality of the Crowsnest Pass.

- Proposed Zoning and Housing Type not needed or desirable
- Lack of Access to water
- Interference and Reduction of Wildlife Corridors
- Existence of wetlands in close proximity

To justify some of our statements we have used Council's own recently approved *Municipal Development Plan* and *Land Use Bylaw*, as well as provincial requirements such as the *South Saskatchewan Regional Plan* and the *South Saskatchewan River Basin Management Plan*, under *Alberta Water Act.*

The Crowsnest Conservation Society urges you to deny approval of Proposed Bylaw No. 1162, Land Use Bylaw Amendment.

Council's refusal to approve this application will help to maintain existing wildlife corridors, water quantities, the integrity of our own municipal goals, and provincial requirements that are committed to preserving healthy natural landscapes for future generations of Albertans.

References

Miistakis Institute and Nature Conservancy of Canada (2022), *Linking Landscapes: Helping Wildlife Move around the Crowsnest Pass.* https://www.rockies.ca/files/reports/MIR_NCC_LinkingLandscapes_ParticipantUpdate_OCT2022_Final.pdf

Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 (MGA). *Current in 2016.*

Municipality of Crowsnest Pass Development Plan (MCDP), Bylaw No. 1059, 2020.

SentrySix Land Corporation (2023). *Tecumseh Subdivision Development Proposal*. (Proposal).

Standards of Development, Municipality of Crowsnest Pass Land Use Bylaw No. 868-2013, consolidated to Bylaw No. 1157-2023.I (LUB).

South Saskatchewan Regional Plan (2014, Amended 2018) *(SSRP)*. Developed pursuant to section 13 of the *Alberta Land Stewardship Act.*

South Saskatchewan River Basin Management Plan, under the *Alberta Water Act. (2015).*

Fred Bradley
[redacted]

November 7, 2023

Municipality of Crowsnest Pass
Box 600,
Crowsnest Pass, Alberta T0K0E0

Re: PROPOSED BYLAW NO. 1162, 2023

Dear Mayor and Council

As a resident of Tecumseh Road, I would like to provide the following input for consideration prior to further consideration of the proposed Bylaw No. 1162,2023 regarding re-zoning and subdivision of lands known as 3751 Tecumseh Road.

AREA STRUCTURE PLAN

As this proposal will see the current parcel have three separate land use district designations being Grouped Country Residential – GCR-1, Recreation and Open Space -RO-1, and Non Urban Area – NUA-1, I would like to request that an **Area Structure Plan** be required for this parcel and land adjacent to Tecumseh Road prior to any land use re-designation and subdivision of lands be considered.

Such Area Structure Plan should consider the following as required in the Municipal Land Use Bylaw

a. Sequence of development in the proposed area (What is proposed for the remaining portion of the subdivided land? Is the NUA – 1 just a place holder for further development in the future? What does the owner intend for the balance of the land?)
b. Any future land uses proposed for the area, either generally or with respect to specific parts of the area
c. The density of population proposed for the area either generally or with respect to specific parts of the area. (Is the intent to only have 7 country residential parcels created or are further country residential parcels to be created from the balance of the lands or are there are other land use district redesignation planned which may increase density or use of these lands for other purposes?)

Residents along Tecumseh Road are concerned about the impact of development along Tecumseh Road, Tecumseh Close, and Tecumseh Drive on the following issues:

a. Condition of Tecumseh Road due to increased traffic. Current paved road is deteriorating and is badly in need of major repairs. Increased traffic caused by this proposed subdivision will only add to that deterioration.
b. Hydrology – there is concern about further development having impact on stream flow and acquifers for water supply which are the source of potable water for the residents in the area.
c. Impact on Wildlife and Environmentally Sensitive areas including wetlands and the Jim Prentice Wildlife Corridor.

TECHNICAL STUDIES

Given the significant impacts of the proposed subdivision and land use district redesignation I would request that prior to any consideration for land district re-designation and subdivision the following **technical studies** as suggested in the Municipal Development Plan should be required, undertaken, and completed prior to this bylaw being considered. These studies should be required either separately or as part of an Area Structure Plan for the parcel and larger Tecumseh Road area and include but not limited to:

a. Biophysical assessment
b. Environmental impact assessment
c. Wildlife impact assessment
d. Wildfire risk assessment
e. Groundwater supply evaluation
f. Geotechnical study
g. Soils evaluation
h. Septic suitability analysis
i. Traffic impact assessment
j. Servicing study
k. Environmental management plan

Residents along Tecumseh Road would like certainty regarding future proposed developments in this district as it affects the peaceful and quiet enjoyment of their property, traffic density, hydrology, wetlands and wildlife. Requiring an Area Structure Plan and associated Technical Studies is the minimum required for future development in this area.

Thank you for the opportunity to provide input into consideration of this bylaw.

Respectfully submitted,

Fred Bradley

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: November 14, 2023

Agenda #: 5.c

Subject: Bylaw 1163, 2023 - Land Use Bylaw Amendment - Rezone the lands legally described as Lot R2, Block 23, Plan 8147JK from Recreation and Open Space RO-1 to Residential R-1 - Public Hearing

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

Executive Summary:
The proposed bylaw involves the rezoning of the subject parcel from Recreation and Open Space RO-1 to Residential R-1 for the purpose of bringing an existing single family dwelling 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:
Public Hearing.

Analysis of Alternatives:
N/A

Financial Impacts:
N/A

Attachments:
FORMATTED Bylaw 1163, 2023 - notice.docx
Bylaw 1163, 2023 Schedule A.pdf

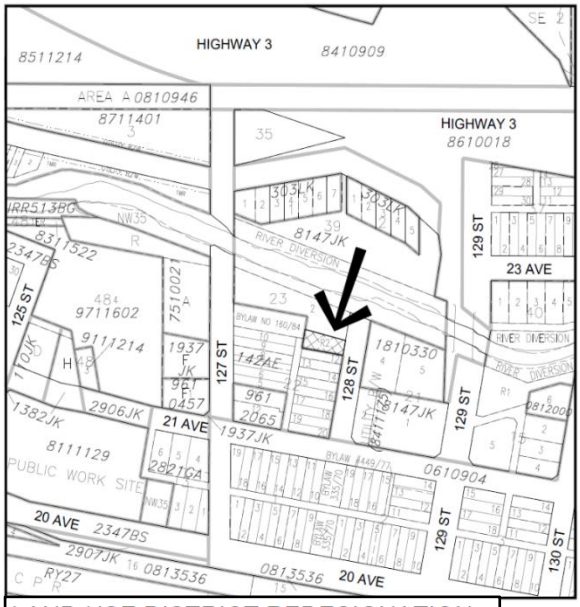
NOTICE OF PUBLIC HEARING

MUNICIPALITY OF CROWSNEST PASS
IN THE PROVINCE OF ALBERTA
PROPOSED BYLAW NO. 1163, 2023

7:00pm, November 14, 2023
Municipality of Crowsnest Pass Council Chambers
8502 – 19 Avenue, Coleman

PURSUANT to sections 216.4, 606, and 692 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, the Council of the Municipality of Crowsnest Pass in the Province of Alberta hereby gives notice of its intention to consider proposed Bylaw No. 1163, 2023, being a bylaw to amend Bylaw No. 868, 2013, being the municipal land use bylaw.

The purpose of Bylaw No. 1163, 2023 is to redesignate the lands legally described as Lot R2, Block 23, Plan 8147JK, within NE¼ 35-7-4-W5M, containing ±0.048 ha (0.12 acres), as shown on Schedule 'A', from "Recreation & Open Space – RO-1" to "Residential – R-1". The subject lands are municipally described as 2134 128th Street and are located in Blairmore.



LAND USE DISTRICT REDESIGNATION
SCHEDULE 'A'

FROM: Recreation & Open Space RO-1
TO: Residential R-1
LOT R2, BLOCK 23, PLAN 8147JK
CONTAINING 0.048±ha(0.12±ac)
WITHIN NE 1/4 SEC 35, TWP 7, RGE 4, W 5 M

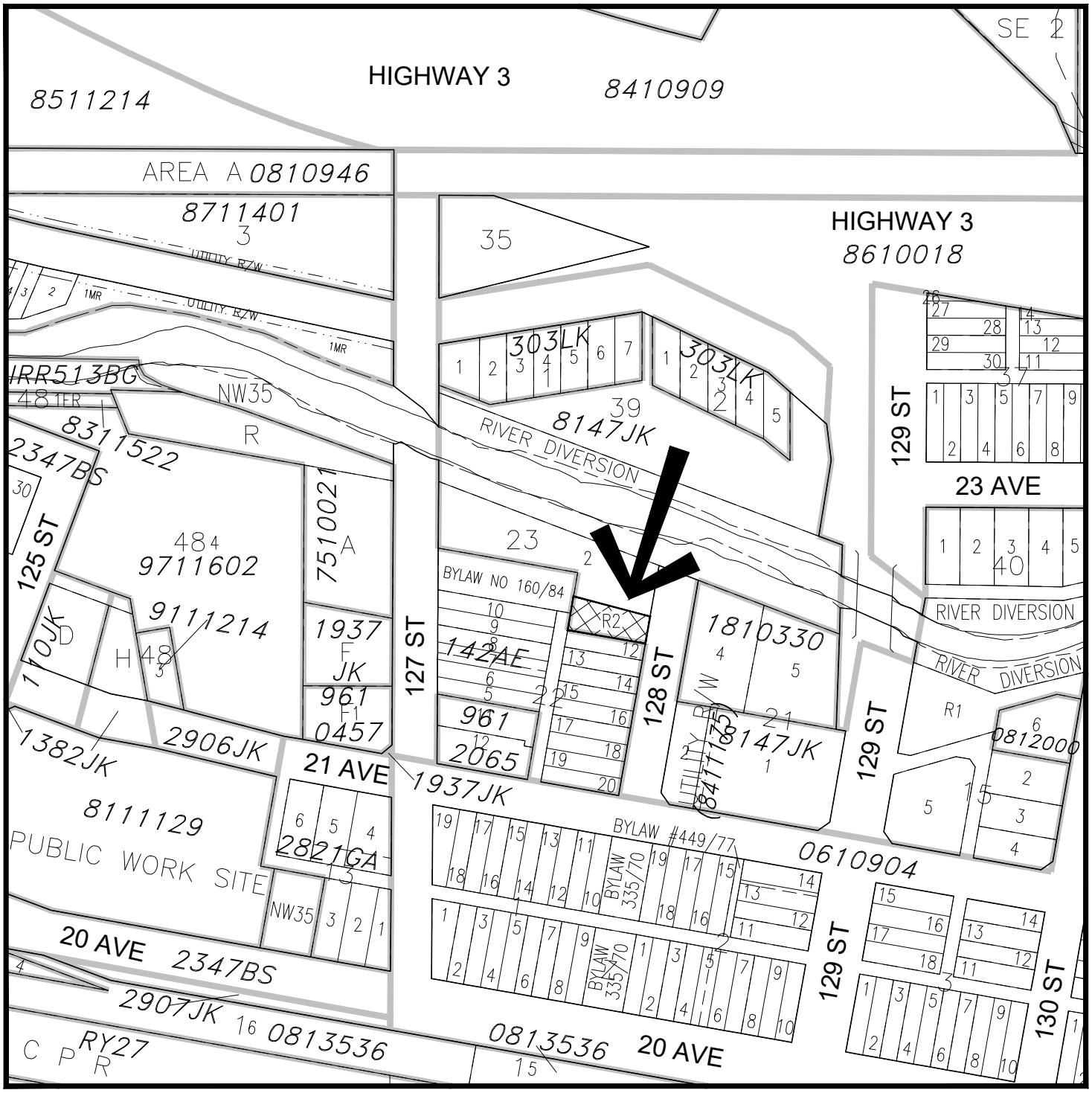
The purpose of the proposed amendment is to provide for the opportunity to use and develop the lands in accordance with the provisions of the "Residential – R-1" land use district.

THEREFORE, TAKE NOTICE THAT a public hearing to consider the proposed Bylaw No. 1163, 2023 will be held in the Municipality of Crowsnest Pass Council Chambers at 7:00pm on November 14, 2023. Each person shall be allotted 5 minutes to present their position.

AND FURTHER TAKE NOTICE that anyone wishing to provide slide decks, maps, videos or a written submission regarding the proposed bylaw should email: Bonnie Kawasaki, Executive Assistant to the CAO at bonnie.kawasaki@crowsnestpass.com with the bylaw number and public hearing date clearly marked in the subject line no later than 12:00pm on November 7, 2023. Verbal presentations (limited to 5 minutes) will be accepted at the public hearing.

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

A copy of the proposed bylaw may be inspected at the municipal office during normal business hours.
DATED at the Municipality of Crowsnest Pass in the Province of Alberta this 18th day of October 2023.



LAND USE DISTRICT REDESIGNATION SCHEDULE 'A'

Bylaw #: 1163, 2023

Date: _____

FROM: Recreation & Open Space RO-1

TO: Residential R-1

LOT R2, BLOCK 23, PLAN 8147JK

CONTAINING 0.048±ha(0.12±ac)

WITHIN NE 1/4 SEC 35, TWP 7, RGE 4, W 5 M

MUNICIPALITY: MUNICIPALITY OF CROWSNEST PASS (BLAIRMORE)

DATE: SEPTEMBER 29, 2023

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"

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 Metres 50 100 150 200

October 12, 2023 N:\C-N-P\CNP LUD & Land Use Redesignations\
Crowsnest Pass - Lot R2 - Block 23 - Plan 8147JK.dwg

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: November 14, 2023

Agenda #: 7.a

Subject: Bylaw 1162, 2023 - Land Use Bylaw Amendment - Rezone two portions of the NW-15-8-5-W5M from Non-Urban Area NUA-1 to Grouped Country Residential GCR-1 and Recreation and Open Space RO-1 - Second Reading

Recommendation: That Council gives second reading of Bylaw 1162, 2023.

Executive Summary:
Bylaw 1162, 2023 was given first reading on October 17, 2023 and a public hearing was scheduled for November 14, 2023.

The proposed bylaw involves the rezoning of lands from Non-Urban Area NUA-1 to Grouped Country Residential GCR-1 and Recreation and Open Space RO-1, for the purpose of creating seven (7) country residential parcels of approximately 3 acres each, adjacent to the existing Tecumseh subdivision. The proposed 0.07 acres for RO-1 is part of the municipal reserve dedication and is proposed as cross-country ski trails parking area (6-8 parking stalls) to be dedicated to the Municipality. The remainder of the property (approximately 100 acres), is proposed to remain NUA-1 with the existing dwelling unit.

Relevant Council Direction, Policy or Bylaws:
Section 692, Planning Bylaws, Municipal Government Act, RSA 2000, c M-26. (MGA)

Bylaw 1059, 2020 Municipal Development Plan

Land Use Bylaw No. 868-2013

Discussion:
The **Municipal Development Plan** (Policy 2.3.5, p. 64) encourages grouped country residential development in areas outside of the urban growth nodes.

The landowner prepared a conceptual development plan to illustrate the proposal (attached). The landowner is in the process of undertaking further due diligence regarding groundwater supply and

wastewater disposal, wetland assessment, and other matters relevant to subdivision of the land.

A Phase 1 **Groundwater Assessment** was completed, and found that:

"A moderate volume of the groundwater supply is currently utilized by existing domestic, licensed, or traditional groundwater
users in the area. Based on available pumping test data, sufficient aquifer supplies should exist to provide water for future
development without causing adverse affects to existing domestic, licensed, or traditional agricultural users." (Executive Summary is attached).

It will be a requirement of subdivision that the applicant refine the groundwater supply assessment to confirm the preliminary findings.

The potential impact of any development on **wildlife corridor connectivity** is a valid consideration, particularly in the context of the proposed bylaw where the subject property is located in the Jim Prentice Wildlife Corridor. The Tecumseh Subdivision and other developments in the area are existing disturbances to the wildlife corridor. It should be considered that the proposed rezoning area for the 7-lot subdivision is adjacent to the existing Tecumseh Subdivision and the proposed subdivision uses the existing road infrastructure. From this perspective the proposal does not disturb new or pristine areas of the Jim Prentice Wildlife Corridor, and in fact minimizes the potential impact.

The **Municipal Land Use Suitability Tool (MLUST) - Report for the Municipality of Crowsnest Pass** (D. Horvath, H. Winder, T. Lee, K. Sanderson, 2021) identifies vast areas of the Crowsnest Pass as a "NoGo Area for Residential Development" (map attached). The study takes into consideration, and accommodates, the developed areas in the Crowsnest Pass, including the Tecumseh Subdivision, as existing disturbances to the "NoGo Area for Residential Development". The study identifies the existing Tecumseh Subdivision and the subject parcel of Bylaw 1162, 2023 as being located ***outside of the "NoGo Area for Residential Development"*** (identified on the attached map).

The **Connectivity Risk Assessment Tool** (Miistakis Institute, 2021), presently still under development, is intended as a tool to better understand the risks a proposed development may have on ecological connectivity for large mammals. All development in the Crowsnest Pass will yield some High-Risk impact due to its proximity to wild lands. Although the Connectivity Risk Assessment tool is not yet a requirement (as it is still under development and has no official status), it may ultimately be used to assist in evaluating Wildlife Linkage Zones as mentioned in Policy 4.2.7 of the Municipal Development Plan, which discourages intensive uses in proximity to these areas: *"Developments in the vicinity of wildlife linkage zones, as identified on Figure 9, shall be required to integrate wildlife-sensitive design through contextual placement of buildings, fencing and landscaping, as well as outdoor lighting solutions ..."* - this MDP Policy does not necessarily prohibit development when there are options to provide mitigation.

Additional Studies that have been or will be undertaken as part of subdivision application, include an engineering suitability letter, a geotechnical report, and a wetland assessment.

Proposed Process:

The Area Structure Plan Applications Policy 2003-02 requires that an applicant prepares an area structure plan when a subdivision of six or more parcels is proposed. The Municipal Government Act (s. 633) states the purpose of an area structure plan as a comprehensive planning instrument to plan for municipal infrastructure (major public utilities and transportation routes), land use, density, and sequencing of development. In this instance, the proposed subdivision does not involve new municipal infrastructure, is located along the existing Tecumseh Road, land use, density and sequencing (not applicable) can be derived from the attached Development Proposal, and the land is located outside of Alberta Transportation's development control zone. As such, there does not appear to be a need for an area structure plan to consider the merit of the proposal.

Therefore, it is recommended that Council approach this proposal in a staged manner, as follows:

1. First reading of the bylaw given and public hearing scheduled.

2. Consider the input from adjacent landowners at the public hearing and require that the applicant incorporate any relevant matters arising therefrom.

3. Consider second reading of the bylaw, which may pass or be defeated.

4. If second reading of the bylaw were passed, the landowner would have "in principle approval" from Council for the proposal, provided the landowner successfully completed their due diligence and applied for and obtained subdivision approval. It is also possible that second reading of the bylaw could fail.

5. If the bylaw passed second reading, then the bylaw process could be paused after second reading to allow the landowner to apply for subdivision approval. The landowner would have two years from the date of first reading of the bylaw to obtain subdivision approval and complete the bylaw process.

6. If subdivision approval was obtained, then Council should proceed with third reading of the bylaw to complete the process. If subdivision approval was not obtained within two years from the date of first reading of the bylaw then the bylaw would expire by default, or if subdivision was refused and the refusal was not successfully appealed, then the bylaw would come back to Council to be defeated.

Analysis of Alternatives:

1. Following the Public Hearing, Council give Second Reading of Bylaw 1162, 2023, as proposed (withhold third reading at this time).

2. If additional information is required by Council and/or amendments to the Bylaws are proposed by Council prior to Second Reading, Council may postpone Second Reading of Bylaw 1162, 2023 and provide further direction to Administration. Substantial changes to the Bylaw will require Council hold a second Public Hearing prior to considering the Bylaw 1162,2023 for Second and Third reading.

3. Council may defeat Bylaw 1162, 2023, as proposed.

Financial Impacts:

N/A

Attachments:
FORMATTED Bylaw 1162, 2023.docx
Schedule A Redesignation.pdf
Schedule A Aerial Photo.pdf
SentrySix - Tecumseh Subdivision Development Plan.pdf
Tecumseh Groundwater Assessment - Executive Summary.pdf
NoGo Area for Residential Development - MLUST - Report for the Municipality of Crowsnest Pass.pdf

MUNICIPALITY OF CROWSNEST PASS

BYLAW NO. 1162, 2023

LAND USE BYLAW AMENDMENT – Redesignate Portion of NW¼ 15-8-5-W5M

BEING a bylaw of the Municipality of Crowsnest Pass in the Province of Alberta, to amend Bylaw No. 868, 2013, being the Municipal Land Use Bylaw.

WHEREAS the Council of the Municipality of Crowsnest Pass considers it prudent to rezone the lands legally described as a portion of NW¼ 15-8-5-W5M containing ±8.27 ha (20.44 acres) from "Non-Urban Area – NUA-1" to "Grouped Country Residential – GCR-1", and to rezone the lands legally described as a portion of NW¼ 15-8-5-W5M containing ±0.03 ha (0.07 acres) from "Non-Urban Area – NUA-1" to "Recreation & Open Space – RO-1", as shown on Schedule 'A' attached hereto and forming part of this bylaw, provided that the applicant / landowner completes their due diligence with regard to water and private sewage disposal options and other relevant matters, and apply form and obtain subdivision approval.

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 "Grouped Country Residential – GCR-1" and the "Recreation & Open Space – RO-1" land use districts.

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

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

1. The Land Use District Map be amended to rezone the lands legally described as a portion of NW¼ 15-8-5-W5M containing ±8.27 ha (20.44 acres) from "Non-Urban Area – NUA-1" to "Grouped Country Residential – GCR-1", and to rezone the lands legally described as a portion of NW¼ 15-8-5-W5M containing ±0.03 ha (0.07 acres) from "Non-Urban Area – NUA-1" to "Recreation & Open Space – RO-1", as shown on Schedule 'A' attached hereto and forming part of this bylaw.

2. Bylaw No. 868, 2013, being the Land Use Bylaw, is hereby amended.

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

READ a **first** time in council this _____ day of _____ 2023.

READ a **second** time in council this _____ day of _____ 20_____.

If second reading of this bylaw passed, it will be deemed that Council approved the bylaw amendment in principle subject to the landowner / applicant successfully completing their due diligence regarding relevant subdivision matters, and Council may pause the bylaw process after second reading to allow the

landowner / applicant to apply for and obtain subdivision approval within two years of the date that the bylaw received first reading.

READ a **third and final** time in council this _____ day of _____ 20_____.

_____
Blair Painter
Mayor

_____
Patrick Thomas
Chief Administrative Officer

LAND USE DISTRICT REDESIGNATION SCHEDULE 'A'

Bylaw #: 1162, 2023

Date: _____

FROM: Non-Urban Area NUA-1

TO: Grouped Country Residential GCR-1

CONTAINING 8.27±ha(20.44±ac)

FROM: Non-Urban Area NUA-1

TO: Recreation & Open Space RO-1

CONTAINING 0.03±ha(0.07±ac)

PORTION OF NW 1/4 SEC 15, TWP 8, RGE 5, W 5 M

MUNICIPALITY: MUNICIPALITY OF CROWSNEST PASS

DATE: SEPTEMBER 29, 2023

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"

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 Metres 100 200 300 400

October 11, 2023 N:\C-N-P\CNP LUD & Land Use Redesignations\
Crowsnest Pass - Portion of NW15-8-5-5.dwg

LAND USE DISTRICT REDESIGNATION SCHEDULE 'A'

Bylaw #: 1162, 2023

Date: _____

FROM: Non-Urban Area NUA-1

TO: Grouped Country Residential GCR-1

CONTAINING 8.27±ha(20.44±ac)

FROM: Non-Urban Area NUA-1

TO: Recreation & Open Space RO-1

CONTAINING 0.03±ha(0.07±ac)

PORTION OF NW 1/4 SEC 15, TWP 8, RGE 5, W 5 M

MUNICIPALITY: MUNICIPALITY OF CROWSNEST PASS

DATE: SEPTEMBER 29, 2023

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"

Aerial Photo Date: May 19, 2021

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 Metres 100 200 300 400

October 11, 2023 N:\C-N-P\CNP LUD & Land Use Redesignations\
Crowsnest Pass - Portion of NW15-8-5-5.dwg

SENTRYSIX LAND CORP
TECUMSEH SUBDIVISION DEVELOPMENT PROPOSAL

SUBMITTED BY

Josh Campbell

[redacted]

[redacted]

September 25, 2023

SentrySix
Land Corp.

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1 INTRODUCTION

This proposal describes the addition of seven Grouped Country Residential lots to be located east of the existing Tecumseh Grouped Country Residential subdivision. This area is known for striking views of Crowsnest Mountain to the north, Tecumseh Mountain to the west, and the Crowsnest Range to the south. SentrySix Land Corp. believes that a high quality country residential development can occur on these lands in accordance with the long term goals of the Municipality of the Crowsnest Pass.

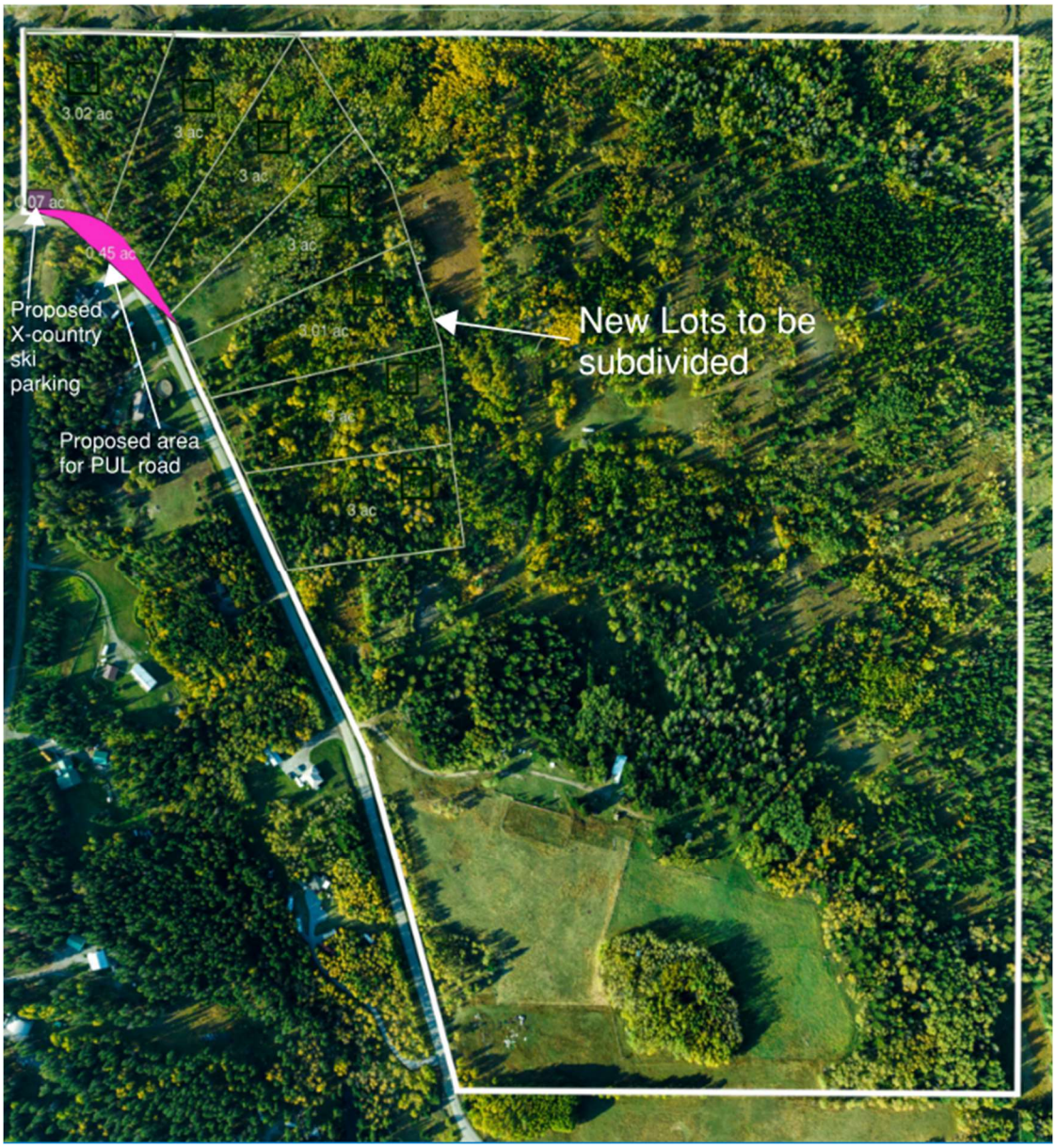

Figure 1 – Aerial Photo

2 THE SITE

The address of the site is 3751 Tecumseh Rd, Crowsnest Pass, Alberta.

The proposed lots are directly adjacent to the existing Tecumseh Road on approximately 21 acres of undeveloped land, and no new roads are required to access these lots. Access to the site is on an existing paved road that is currently maintained by the MCNP.

GOVERNMENT OF THE PROVINCE OF ALBERTA

LAND TITLE CERTIFICATE

S

LINC	SHORT LEGAL	TITLE NUMBER
0013 794 318	5;5;8;15;NW	961 237 765

LEGAL DESCRIPTION

THE NORTH WEST QUARTER OF SECTION FIFTEEN (15) IN TOWNSHIP EIGHT (8) RANGE FIVE (5) WEST OF THE FIFTH MERIDIAN, CONTAINING ONE HUNDRED AND SIXTY (160) ACRES MORE OR LESS
EXCEPTING FIRST: THE ROADWAY ON PLAN 1115JK, CONTAINING THREE AND SEVENTY SIX HUNDREDTHS (3.76) ACRES MORE OR LESS
SECONDLY: THAT PORTION LYING TO THE SOUTH WEST OF THE ROADWAY ON PLAN 1115JK, CONTAINING THIRTY (30) ACRES MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPALITY OF CROWSNEST PASS

REFERENCE NUMBER: 951 169 216

Figure 2 – Legal Land Description and Title

3 MUNICIPAL BYLAWS

The lands are located outside the urban growth nodes identified in the MCNP Municipal Development Plan, Bylaw 1059, 2020, and as such can be considered for Grouped Country Development.

The area being developed is part of a larger 126 acre parcel that is currently zoned Non-Urban Area which generally provides only for agricultural uses under the current Land Use Bylaw. The 21 acre portion will need to be rezoned to Grouped Country Residential prior to submitting a subdivision application.

SentrySix Land has evaluated the Municipality of Crowsnest Pass Land Use Bylaw 868 with respect to setbacks, building heights, permitted uses, and lots sizes. We believe that the GCR-1 restrictions provide a suitable framework for creating a desirable community and will not be proposing any additional restrictive covenants to be placed on the subdivided lots that would enforce architectural controls or additional restrictions.

Based on discussion with the ORRSC and MCNP representatives, SentrySix Land agrees to pay cash in lieu of land owing for the Municipal Reserve owing on the 21 acre rezoned area as per section 666 of the Alberta Municipal Government Act.

4 SITE OPPORTUNITIES

The portion of the overall parcel that is proposed for development contains exceptional views of the surrounding mountains. Residential lots created out of this parcel will be highly desirable and saleable. The site is relatively flat, with only slight slopes offering a large amount of flexibility in building locations with excellent privacy and lookouts. As such, each of the lots are proposed to be approximately three acres in size to allow for proper development of well and septic systems, while still retaining an appropriate level of density to not disproportionately overburden the municipal services provided by the MCNP.

It is proposed that seven lots be created out of this rezoning and subdivision as shown in the below diagram. This area has been deliberately chosen to avoid any wetlands or potentially environmentally sensitive areas.

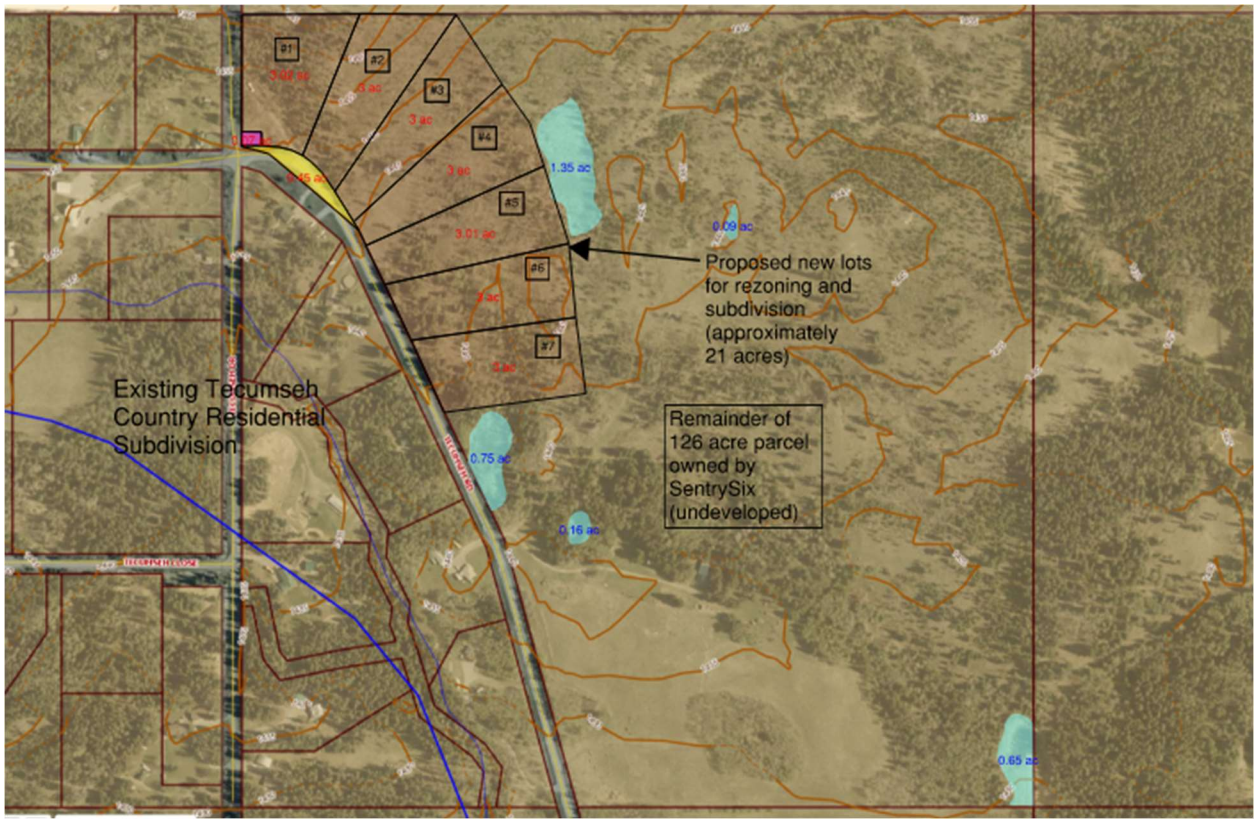

Figure 3 – Proposed lot layout

5 EXISTING LAND USE

This parcel has an existing residence on it which is currently unoccupied and is located approximately 250 meters from the closest point of the proposed new lots. The residence is in extremely poor condition and is expected to be demolished. The remaining land is undeveloped and has been used for grazing horses.

Land uses in the immediate vicinity include:

- Crown land directly north of the property, with Altalink owned 1201L 500 kV powerline bordering the entire north property line.
- Designated ATV trails and cross country ski trails are directly north of the property.
- The properties to the east and south are zoned Non-Urban Area and have personal residences constructed on the property.
- The area to the west consists of an existing Country Residential subdivision, known colloquially as "Tecumseh Major"

There is an existing 100 meter ATCO gas right-of-way located in the south-west portion of the proposed "Lot #1". This right-of-way is not expected to impact the ability a potential buyer to build on the parcel.

The area directly to the west which borders the existing cross country ski trails is currently used as a designated staging area for cross country skiing. Parking is severely limited in this area, with space limited to roughly three vehicles at a time. This leads to people parking along the existing municipal road, which is not ideal, especially as users have to put on their skis on the shoulder of the municipal road and ski to the trail head. It is proposed that SentrySix Land donate a portion of the land immediately proximate to the existing trailhead to allow for the development of an additional 6-8 parking stalls to be used by cross country skiers as shown in *Figure 4*.

There is a portion of the municipal road approximately 85 meters long containing 0.45 acres which is built across the land owned by SentrySix Land instead of in the designated road right of way as shown in *Figure 4*. It is proposed that this is designated as PUL P-1 land to allow the road to continue to exist as it currently lays.

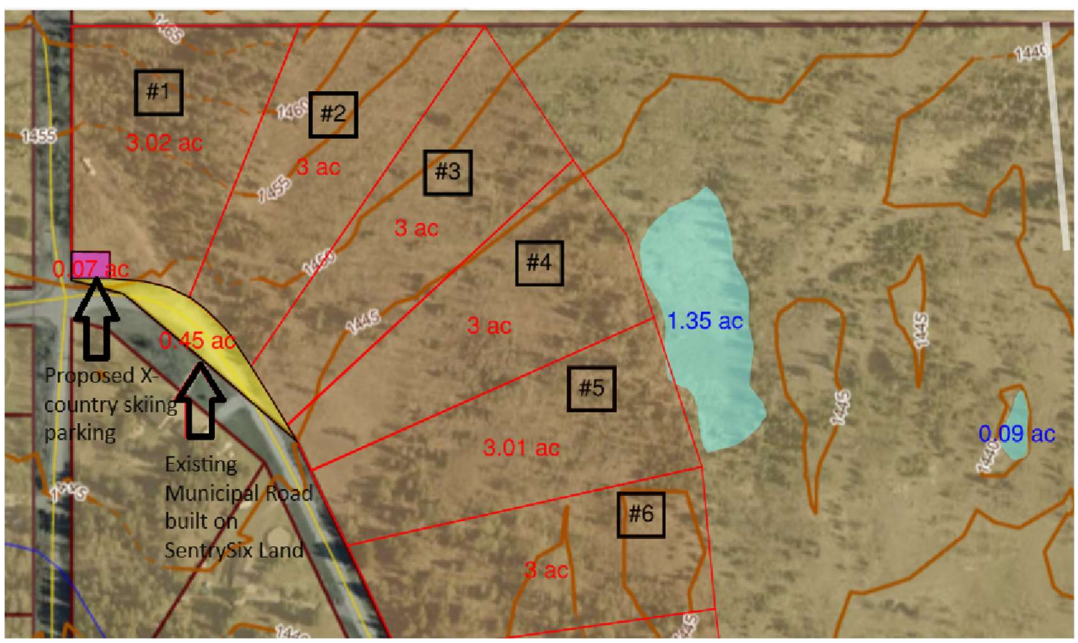

Figure 4 – Diagram of proposed PUL lands

6 UTILITIES AND SERVICES

There is existing power (Fortis), natural gas (ATCO), and phone line (Telus) running along the west border of each of the proposed lots, parallel to the existing road.

Each lot is expected to drill a personal household water well for water supply. A hydrological study is currently underway to verify that the underground aquifer has enough supply for each lot to be allocated 1250 m^3/year as per the Alberta Water Act without impacting existing domestic and licenced users. The hydrological study will also verify whether baseline water chemistry is acceptable for drinking without treatment.

Each lot is expected to install a private sewage/septic system. A geotechnical study is currently underway to verify that soil percolation is acceptable to allow a private septic system on each parcel.

7 PROFESSIONAL STUDIES AND DUE DILIGENCE

The following due diligence is currently in progress:

7.1 Historical Resource Assessment

SentrySix Land has submitted a Historical Resource Assessment to the Alberta Historic Resources Management Branch and received a response on Sept 1, 2023. The HRA assessment requires additional site investigation through a Historical Resources Impact Assessment by an archeologist qualified to hold an archeological research permit within the Province of Alberta.

SentrySix Land has engaged Arrow Archeology to perform this HRIA, and we expect the assessment to be complete by Nov. 30, 2023.

7.2 Geotechnical Assessment

BDT Engineering is performing a geotechnical evaluation on the proposed lands that will evaluate the following:

- Suitability of proposed parcels for building locations
- Bearing capacity of soil to indicate suitability of location for building construction
- Evaluation of slopes to indicate slope stability for building structures
- Soil percolation tests to indicate what type of septic systems can be installed

We expect BDT Engineering to be complete with their geotechnical evaluation and report by Oct 15, 2023

7.3 Environmental Assessment

Solstice Environmental is performing a desktop environmental study on the proposed lands to evaluate existence of wetlands or environmentally sensitive areas that may need to be accounted for in environmental reserve or environmental reserve easement as well as any other environmental conditions that may need to be mitigated.

We expect the results of this evaluation to be completed by Sept 30, 2023.

7.4 Hydrological Assessement

Arletta Water Resources is currently performing a hydrological study to verify that each parcel can have individual water wells without impacting surrounding properties.

We expect the results of this study to be completed by Sept 30, 2023.

7.5 Provincial regulations related to subdivision

1. The closest point of the land to Highway 3 is 1.7 km away, and it is therefore exempt from requiring approval from the Minister of Transportation with and Economic Corridors as per Matters Related to Subdivision and Development Regulation, Section 18.
2. An evaluation of the AER Abandoned Well Map Viewer has verified that there are no abandoned wells on this property.

Phase I Groundwater Supply Assessment for Residential Subdivision

NW-15-08-05W5
Municipality of Crowsnest Pass
3751 Tecumseh Road
Lat/Long: 49.653119, -114.607745

Project #: AW.53.01
September 2023

1900, 700 – 2ND STREET SW, CALGARY, AB, T2P 2W2
PHONE 403.991.1879 WWW.ARLETTA.CA

arletta water resources

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APPENDIX III: WATER QUALITY REPORTS

1. EXECUTIVE SUMMARY

A Phase I Groundwater Supply Assessment was undertaken for a proposed phased subdivision located NW-15-08-05W5 to better understand the quality and distribution of aquifer resources in the area as they relate to the future development of the property and its water requirements. The initial development phase proposes seven 3-acre lots with future phase being completed over the entire 126.24-acre Site. This report assesses the aquifer availability and water supply potential for the entire development area.

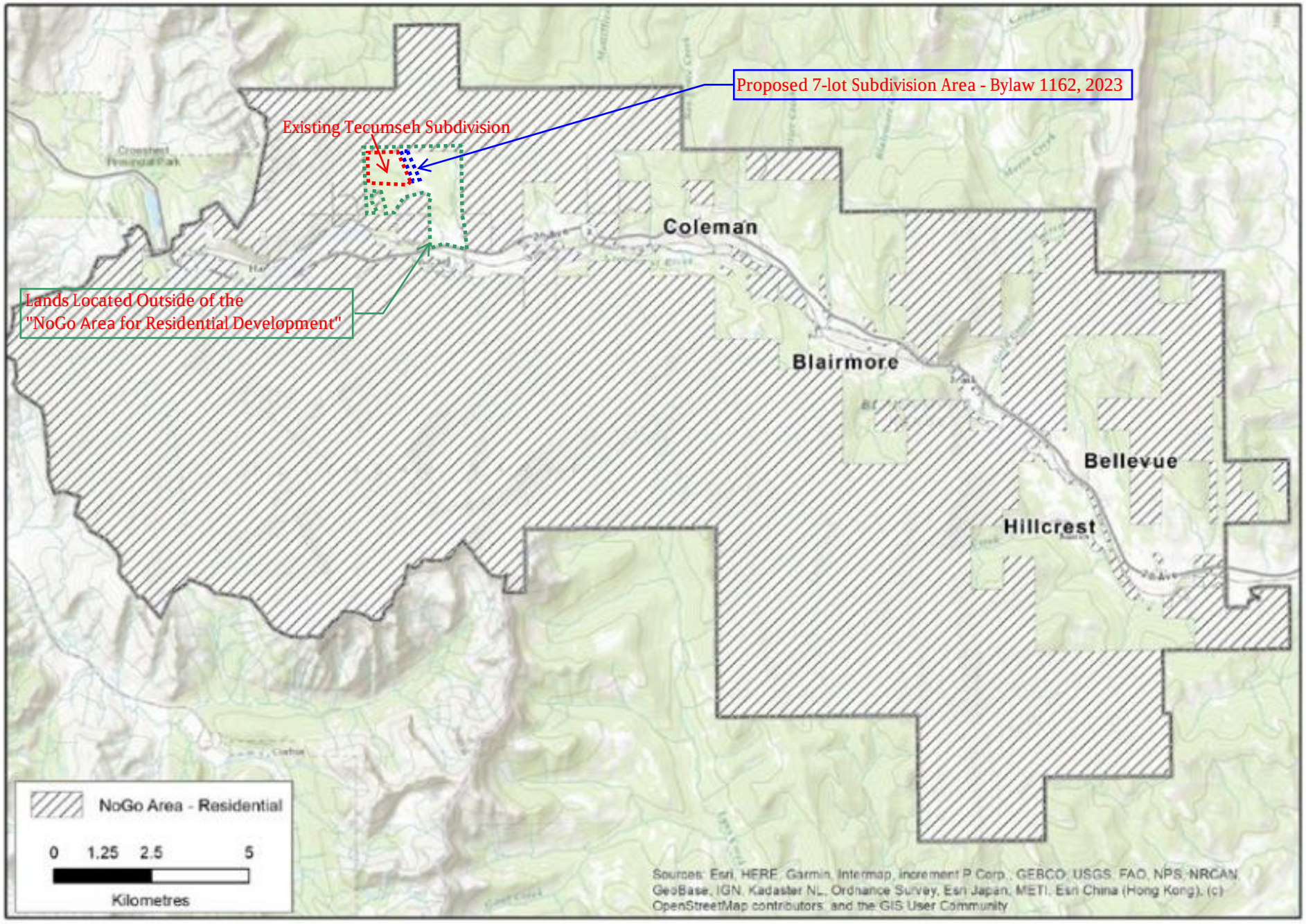
The best aquifer targets for future wells on site are the bedrock aquifer units present from 5 – 30 metres below the site, with the potential for deeper aquifer bearing zones. Water is obtained from bedrock shale aquifers which provide limited amounts of water. Conservative projected water yields from wells completed within these aquifers are 3.5 m^3/day ((1,278 m^3/year or 0.5 imperial gallons per minute) based on pumping test data from surrounding wells. Sufficient aquifer supplies exist to meet the demands of the *Water Act* (3.4 m^3/day or 1,250 m^3/year), however, due to relatively low aquifer permeability more than one attempt at drilling a successful well may be required on the lots.

A moderate volume of the groundwater supply is currently utilized by existing domestic, licensed, or traditional groundwater users in the area. Based on available pumping test data, sufficient aquifer supplies should exist to provide water for future development without causing adverse affects to existing domestic, licensed, or traditional agricultural users.

A groundwater chemistry report from a nearby well in the area was evaluated to determine baseline water chemistry characteristics and provide a proxy for future wells water chemistry. The water quality is generally acceptable for drinking water purposes.. Future supply wells completed in aquifers at a similar depth will likely have similar water chemistry and be suitable for use without treatment. It is recommended that a sample from the future supply wells be collected and analyzed prior to human consumption.

Municipal Land Use Suitability Tool Report for the Municipality of Crowsnest Pass (D. Horvath, H. Winder, T. Lee, K. Sanderson, 2021)

MUNICIPALITY OF CROWSNEST PASS- NOGO AREAS FOR RESIDENTIAL DEVELOPMENT



Municipality of Crowsnest Pass
Request for Decision

Meeting Date: November 14, 2023

Agenda #: 7.b

Subject: Bylaw 1163, 2023 - Land Use Bylaw Amendment - Rezone the lands legally described as Lot R2, Block 23, Plan 8147JK from Recreation and Open Space RO-1 to Residential R-1 - Second and Third Reading

Recommendation: That Council gives second and third reading of Bylaw 1163, 2023.

Executive Summary:
Bylaw 1163, 2023 was given first reading on October 17, 2023 and a Public Hearing was scheduled for November 14, 2023.

The proposed bylaw involves the rezoning of the subject parcel from Recreation and Open Space RO-1 to Residential R-1 for the purpose of bringing an existing single family dwelling 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 existing single family dwelling was built in the 1970's and straddles two lots, Lot R2, Block 23, Plan 8147JK (RO-1) and Lot 12, Block 22, Plan 142AE (R-1). The two lots are in two different land use districts, and the RO-1 district does not allow the development of a single family dwelling. In order to bring the existing development into compliance, a land use amendment is required to rezone the one lot to the Residential R-1 district, where "Single Family Dwelling "is listed as a use. As this is part of a current land sale, the Municipality is bringing this forward to correct the zoning. There are other properties within the Municipality that share this same non-compliance issue, and those will be brought forward as an amendment in the Land Use Bylaw Omnibus 4 in 2024.

The lot is described as Lot R2 which identifies it as a Municipal Reserve lot under the pre-1995

Planning Act however, the Municipal Reserve designation was removed as per Instrument Number 841089827 (attached).

Analysis of Alternatives:

1. Following the Public Hearing, Council give Second and Third Reading of Bylaw 1163, 2023, as proposed.

2. If additional information is required by Council and/or amendments to the Bylaws are proposed by Council prior to Second Reading, Council may postpone Second Reading of Bylaw 1163, 2023 and provide further direction to Administration. Substantial changes to the Bylaw will require Council hold a second Public Hearing prior to considering the Bylaw 1163,2023 for Second and Third reading.

3. Council may defeat Bylaw 1163, 2023, as proposed.

Financial Impacts:

N/A

Attachments:

FORMATTED Bylaw 1163, 2023.docx
Bylaw 1163, 2023 Schedule A.pdf
Bylaw 1163, 2023 Schedule A with 2021 Aerial Photo.pdf
Removal of R designation from Lot R2, Block 23, Plan 8147JK.pdf

MUNICIPALITY OF CROWSNEST PASS

BYLAW NO. 1163, 2023

LAND USE BYLAW AMENDMENT – Redesignate Lot R2, Block 23, Plan 8147JK

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 Lot R2, Block 23, Plan 8147JK, within NE¼ 35-7-4-W5M, containing ±0.048 ha (0.12 acres) from "Recreation & Open Space – RO-1" to "Residential – R-1", as shown on Schedule 'A' attached hereto and forming part of this bylaw.

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 – R-1" land use district.

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

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

1. The Land Use District Map be amended to redesignate the lands legally described as Lot R2, Block 23, Plan 8147JK, within NE¼ 35-7-4-W5M, containing ±0.048 ha (0.12 acres), from "Recreation & Open Space – RO-1" to "Residential – R-1", as shown on Schedule 'A' attached hereto and forming part of this bylaw.

2. Bylaw No. 868-2013, being the Land Use Bylaw, is hereby amended.

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

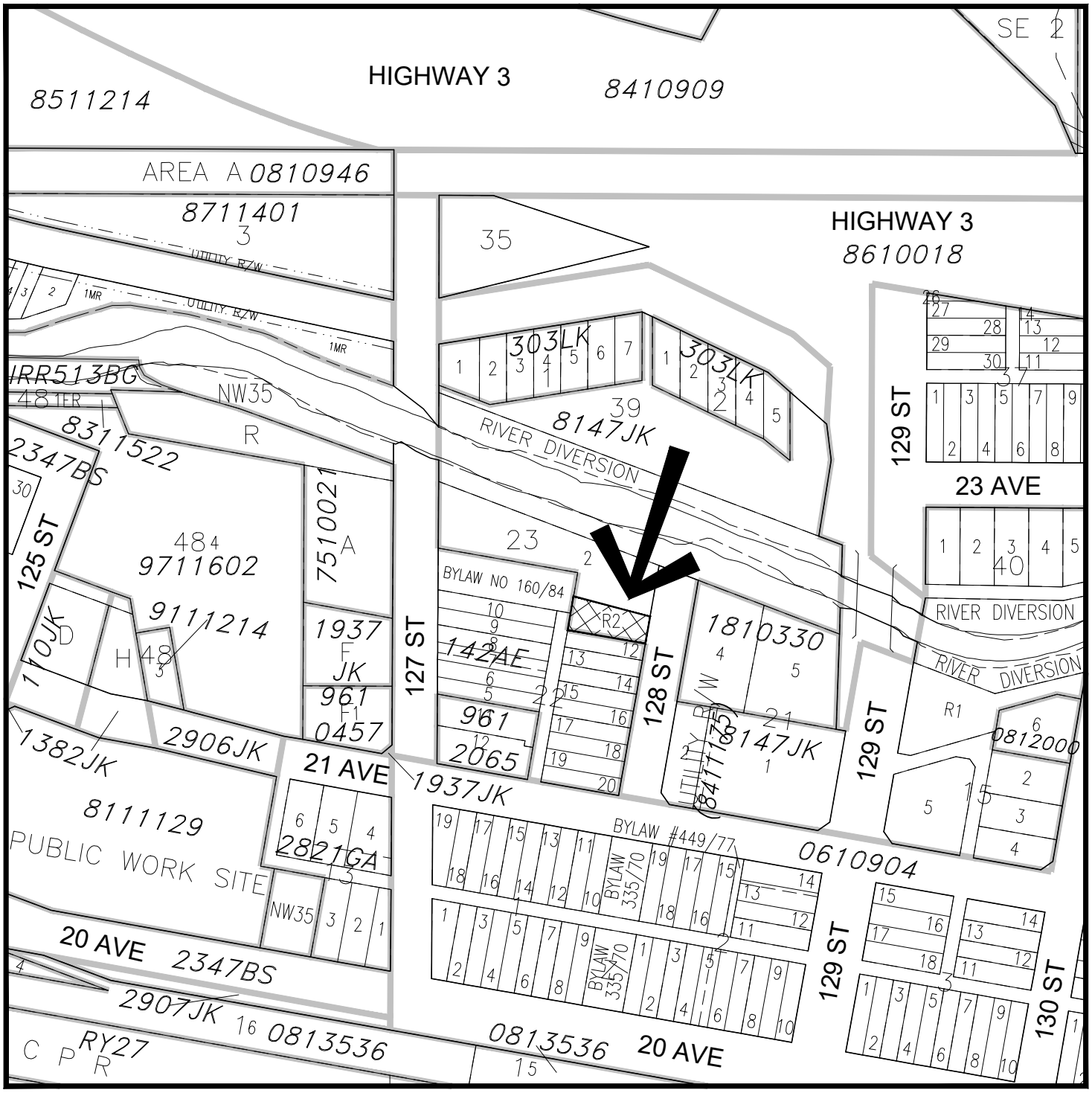
READ a **first** time in council this _____ day of _____ 2023.

READ a **second** time in council this _____ day of _____ 2023.

READ a **third and final** time in council this _____ day of _____ 2023.

_____
Blair Painter
Mayor

_____
Patrick Thomas
Chief Administrative Officer



LAND USE DISTRICT REDESIGNATION SCHEDULE 'A'

Bylaw #: 1163, 2023

Date: _____

FROM: Recreation & Open Space RO-1

TO: Residential R-1

LOT R2, BLOCK 23, PLAN 8147JK

CONTAINING 0.048±ha(0.12±ac)

WITHIN NE 1/4 SEC 35, TWP 7, RGE 4, W 5 M

MUNICIPALITY: MUNICIPALITY OF CROWSNEST PASS (BLAIRMORE)

DATE: SEPTEMBER 29, 2023

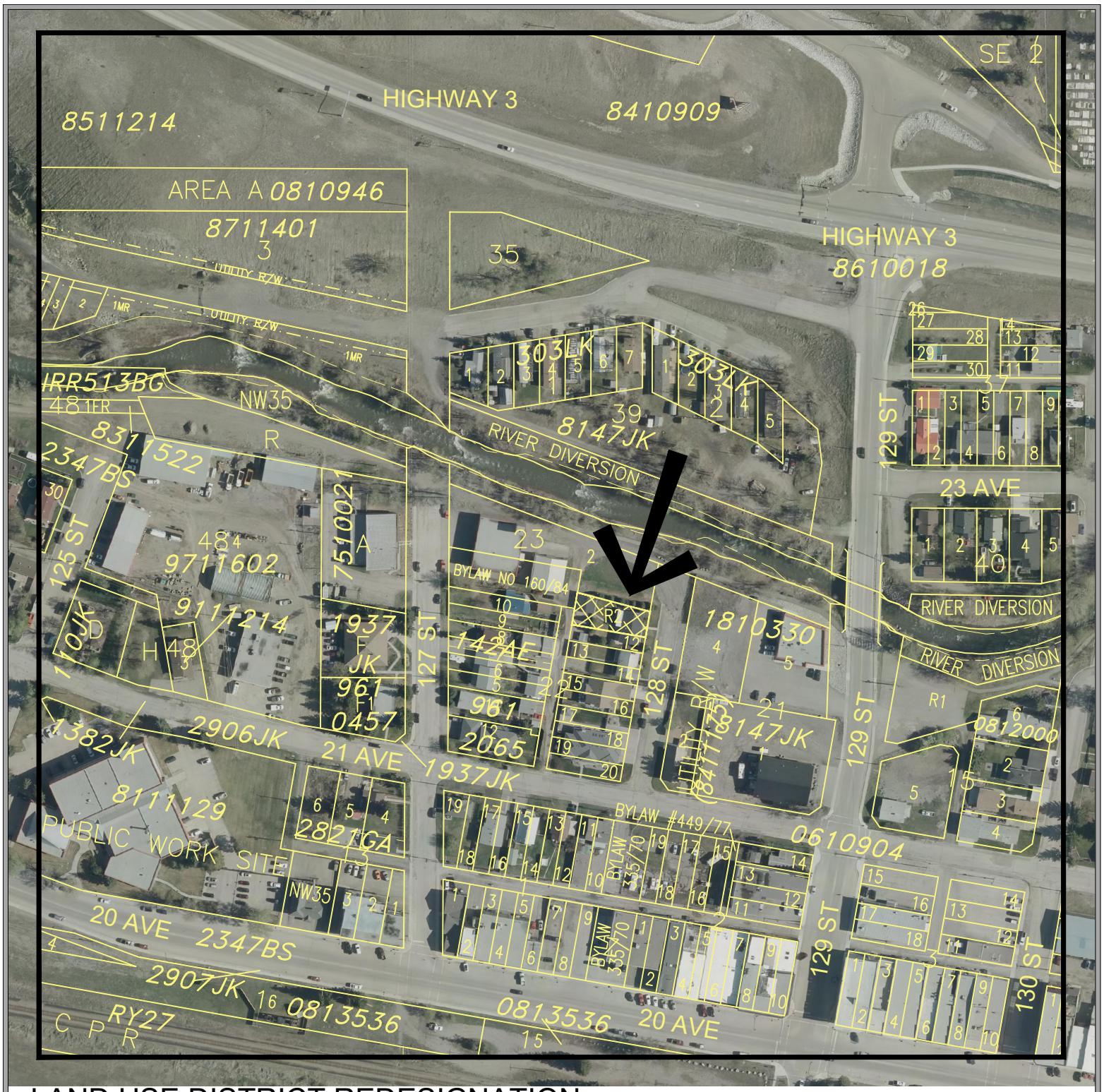
MAP PREPARED BY:
OLDMAN RIVER REGIONAL SERVICES COMMISSION
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8
TEL. 403-329-1344
"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 Metres 50 100 150 200

N

October 12, 2023 N:\C-N-P\CNP LUD & Land Use Redesignations\
Crowsnest Pass - Lot R2 - Block 23 - Plan 8147JK.dwg



LAND USE DISTRICT REDESIGNATION SCHEDULE 'A'

Bylaw #: 1163, 2023

Date: _____

FROM: Recreation & Open Space RO-1

TO: Residential R-1

LOT R2, BLOCK 23, PLAN 8147JK

CONTAINING 0.048±ha(0.12±ac)

WITHIN NE 1/4 SEC 35, TWP 7, RGE 4, W 5 M

MUNICIPALITY: MUNICIPALITY OF CROWSNEST PASS (BLAIRMORE)

DATE: SEPTEMBER 29, 2023

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"

Aerial Photo Date: May 19, 2021

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 Metres 50 100 150 200

October 12, 2023 N:\C-N-P\CNP LUD & Land Use Redesignations\
Crowsnest Pass - Lot R2 - Block 23 - Plan 8147JK.dwg

ALBERTA GOVERNMENT SERVICES
LAND TITLES OFFICE

IMAGE OF DOCUMENT REGISTERED AS:

841089827

ORDER NUMBER: 48584325

ADVISORY

This electronic image is a reproduction of the original document registered at the Land Titles Office. Please compare the registration number on this coversheet with that on the attached document to ensure that you have received the correct document. Note that Land Titles Staff are not permitted to interpret the contents of this document.

Please contact the Land Titles Office at (780) 422-7874 if the image of the document is not legible.

84-1 089827

MAY 25 '84

STAT DEC.

I certify that the within instrument is duly Entered and Registered in the Land Titles Office for the South Alberta Land Registration District at Calgary.

A.D. Registrar
SALRD

MUNICIPALITY OF CROWSNEST PASS

P.O. BOX 370
COLEMAN, ALBERTA
TOK OMO
PHONE 1-403-562-8836

May 23rd, 1984.

The Registrar,
Land Titles Office,
P.O. Box 7575,
620 - 7th Ave. S.W.,
Calgary, ALberta,
T2P 2R4.

Dear Sir:

RE: LOT R2, BLOCK 23, PLAN 8147 JK.
OUR ACCOUNT NUMBER 01-03-8513.

With reference to the above mentioned lot, the Municipality of Crowsnest Pass have complied with the Provisions of the Planning Act, Sections 115 and 116. Now, therefore, we request to have the disignation of Municipal Reserve removed.

Enclosed is DCT 164 X 14 covering the above property.

Please issue new DCT to us.

Thank you.

Yours truly,

Frances A. Kuryluk

Mrs. Frances A. Kuryluk,
Taxation Clerk.

/fk.

encl.

STATUTORY DECLARATION

I, John Kapalka, of the Municipality of Crowsnest Pass in the Province of Alberta, Do solemnly declare:

1. That I am the duly appointed Municipal Administrator of the Municipality of Crowsnest Pass and its proper officer in this behalf.
2. That the Council of the Municipality of Crowsnest Pass wishes to dispose of a Municipal Reserve.
3. That the Municipality of Crowsnest Pass has complied with the provisions of Section 115, and 116, of the Planning Act, 1980.
4. That the Municipality of Crowsnest Pass in accordance with Section 117 (1) of the Planning Act, 1980, requests the removal of the designation of Municipal Reserve from the following Land;

Lot R2, Block 23, Plan 8147 JK

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the Municipality of Crowsnest Pass, in the Province of Alberta, this 23rd day of May AD, 1984.

John Kapalka
DECLARANT

Margaret A. Donnohoy
Margaret A. Donnohoy,
A COMMISSIONER FOR OATHS IN AND FOR THE PROVINCE OF ALBERTA.
MY COMMISSION EXPIRES JANUARY 31, 1987

STATUTORY DECLARATION

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3. That the Municipality of Crowsnest Pass has complied with the provisions of Section 115, and 116, of the Planning Act, 1980.
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Lot R2, Block 23, Plan 8147 JK

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Declared before me at the Municipality of Crowsnest Pass, in the Province of Alberta, this 23rd day of May AD, 1984.

John Kapalka
DECLARANT

Margaret A. Dossumoy
Margaret A. Dossumoy,
A COMMISSIONER FOR OATHS IN AND FOR THE PROVINCE OF ALBERTA.
MY COMMISSION EXPIRES JANUARY 31, 1987

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: November 14, 2023

Agenda #: 7.c

Subject: Bylaw 1167, 2023 - Amendment to the Fees Rates & Charges Bylaw

Recommendation: That Council approves first reading of Bylaw 1167, 2023.

Executive Summary:
Due to rising costs, it is evident that prices at Pass Powderkeg will need to be raised in order to help increase revenues to meet expenses. Prices have been increased on day tickets and rentals for the season.

Relevant Council Direction, Policy or Bylaws:
Fees, Rates & Charges

Discussion:
In the past few months, costs at Pass Powderkeg have been steadily increasing, and has necessitated looking at increasing revenue where possible. While it is not advisable to increase the cost of season passes and lesson programs as some have been sold already, we are able to increase the price of day tickets and rentals. Prices in these departments have not substantially increased in over 5 years and the adjustments help keep rates in line with other comparable areas in Alberta. These increases range approximately 6-10% for tickets and rentals, and will increase revenue by approximately $10,000.

Analysis of Alternatives:
- Council can move first reading of Bylaw 1167, 2023
- Council can defer first reading of Bylaw 1167, 2023 and outline what additional information they require
- Council can amend Bylaw 1167, 2023
- Council can pass first, second and third reading of Bylaw 1167, 2023
- Council can defeat Bylaw 1167, 2023

Financial Impacts:
Approximately $10,000 increase on the season.

Attachments:
1167 2023, Amending The Fees, Rates & Charges Bylaw.docx

MUNICIPALITY OF CROWSNEST PASS

BYLAW NO. 1167,2023

Amending the Fees, Rates & Charges Bylaw

BEING a bylaw of the Municipality of Crowsnest Pass in the Province of Alberta for the purpose of amending the Fees, Rates & Charges Bylaw No. 1040, 2023

WHEREAS the Municipality of Crowsnest Pass adopted Bylaw No. 1041, 2020, being the Fees, Rates & Charges Bylaw, to identify general fees, rates and charges for Administrative Fees, Planning and Development Fees, Safety Codes Permit Fees, Protective Services Fees, Utility Rates, Community Services Fees and Pass Powderkeg Fees;

AND WHEREAS the Municipality of Crowsnest Pass deems it advisable to amend the Fees, Rates & Charges Bylaw;

AND WHEREAS pursuant to section 191 of the *Municipal Government Act* a council is authorized to amend a bylaw;

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

1. This Bylaw may be cited as "Bylaw No 1167, 2023 amending the Fees, Rates & Charges Bylaw."

2. That this Bylaw shall amend the Fees, Rates & Charges Bylaw as follows:

   2.1 By replacing Schedule "H" with the following:

Schedule "H" – Pass Powderkeg Fee Schedule

Day Tickets	**Full Day**	**Half Day**	**Twilight**
All Lift Access			
Adult (Ages 18-64)	~~$49.99~~ $54.99	~~$29.99~~ $34.99	~~$19.99~~ $22.50
Youth (Ages 7-17)	~~$39.99~~ $44.99	~~$24.99~~ $29.99	~~$14.99~~ $19.99
Senior (65-74)	~~$39.99~~ $44.99	~~$24.99~~ $29.99	~~$14.99~~ $19.99
Child (0-6)	~~$14.99~~ $19.99	~~$9.99~~ $14.99	~~$4.99~~ $9.99
Super Senior (75+)	~~$14.99~~ $19.99	~~$9.99~~ $14.99	~~$4.99~~ $9.99
Bunny Hill	Free	Free	Free
Single Lift Access (Early Season Rate)			
Adult (Ages 18-64)	~~$29.99~~ $33.99	~~$19.99~~ $23.99	~~$14.99~~ $17.99
Youth (Ages 7-17)	~~$23.99~~ $26.99	~~$14.99~~ $17.99	$12.49
Senior (65-74)	~~$23.99~~ $26.99	~~$14.99~~ $17.99	$12.49
Child (0-6)	$9.99	$4.99	$4.99
Super Senior (75+)	$9.99	$4.99	$4.99
Bunny Hill	Free	Free	Free
Promotional			
Chinook Arch Library Pass (All Ages)		Free	

Group Pricing (Group meaning over 12 people. Discount valid on lift tickets, rentals, and lessons. School groups are not included)	10% off		
Full Package (Skis/Board, Boots, Helmet)			
Adult (Ages 18-64)	~~$34.99~~ $36.99	~~$24.99~~ $26.99	~~$14.99~~ $16.99
Youth (Ages 7-17)	~~$27.99~~ $ 29.99	~~$19.99~~ $22.99	~~$13.99~~ $15.99
Child (0-6)	$14.99	$12.99	$9.99
Senior (65-74)	~~$27.99~~ $29.99	~~$19.99~~ $22.99	~~$13.99~~ 15.99
Super Senior (75+)	$14.99	$12.99	$9.99
Skis/Board Only			
Adult (Ages 18-64)	~~$22.99~~ $23.99	~~$16.99~~ $17.99	~~$9.99~~ $10.99
Youth (Ages 7-17)	~~$18.99~~ $19.99	~~$12.75~~ $13.99	~~$8.99~~ $9.99
Child (0-6)	$9.99	$7.99	$4.99
Senior (65-74)	~~$18.99~~ $19.99	~~$12.75~~ $13.99	~~$8.99~~ $9.99
Super Senior (75+)	$9.99	$7.99	$4.99
Poles Only			
Adult (Ages 18-64)	$5.00	$5.00	$5.00
Youth (Ages 7-17)	$5.00	$5.00	$5.00
Child (0-6)	$5.00	$5.00	$5.00
Senior (65-74)	$5.00	$5.00	$5.00
Super Senior (75+)	$5.00	$5.00	$5.00

Rentals	**Full Day**	**Half Day**	**Twilight**
Helmet Only			
Adult (Ages 18-64)	$7.50	$7.50	$7.50
Youth (Ages 7-17)	$7.50	$7.50	$7.50
Child (0-6)	$7.50	$7.50	$7.50
Senior (65-74)	$7.50	$7.50	$7.50
Super Senior (75+)	$7.50	$7.50	$7.50
Snowshoe Rental: (All Ages)		$15.00	

Seasonal Rental	**2023/24**
Adult	$209.99
Youth	$199.99
Child	$164.99
Senior	$199.99
Super Senior	$164.99

Snow School	**2023/2024**
Learn to Turn Intro	$79.99
Learn to Turn Full Package	$274.99
Learn to Turn Progression Package	$194.99
PPK Rippers Single Session	$149.99
PPK Rippers Both Sessions	$259.99
PPK Rippers Holiday Week	$99.99

Weekend Youth Program	$149.99
Little Cubs Single Session	$79.99
Little Cubs 4 Pack	$287.99
Little Cubs 6 Pack	$407.99
Little Cubs Unlimited (Half-day sessions only)	$999.99
1.5-hour group	$59.99
1 Hr. Private	$89.99
1.5 hr. private	$134.99
Senior's Program	$10.00
4 pack of private lessons	10% off
6 pack of private lessons	15% off

Race Training (Per 2.5 Hour Block)	**Per Athlete**
7 or fewer athletes (block rate)	$350.00
8-12 Athletes	$50.00/Athlete
13-18 Athletes	$47.00
19+ Athletes	$45.00

Signage Sponsorship Opportunities	**Regular Rate**	**Renewal Rate**
Tower Signage	$250	$225
Saturday Night Skiing Sponsorship	$800	N/A

Season Passes	**Full Season**
Resident Rate	
Adult (Ages 18-64)	$229.99
Youth (Ages 7-17)	$183.99
Senior (65-74)	$183.99
Child (0-6)	$29.99
Super Senior (75+)	$29.99
Family of 4+	$724.99
NEW Family of 3 (2 adults, 1 youth)	$604.99
Non-Resident Regular Rate	
Adult (Ages 18-64)	$329.99
Youth (Ages 7-17)	$261.99
Senior (65-74)	$261.99
Child (0-6)	$29.99
Super Senior (75+)	$29.99
Family of 4+(Includes 2 adults and all dependents under the age of 18 within same household)	$891.99
Family of 3 (2 adults, 1 youth)	$734.99

Learn to Turn Graduate/Other Passholder	
Adult (Ages 18-64)	$247.50
Youth (Ages 7-17)	$196.90
Senior (65-74)	$196.90
Child (0-6)	$29.99
Super Senior (75+)	$29.99
Family (Includes 2 adults and all dependents under the age of 18 within same household)	$799.99
Uphill Pass (All Ages)	$25.00

Lodge Rental	
Hourly	$ 32.00
Daily	$ 256.00
Washroom Trailer Rental (Per Weekend)	$ 250.00
• Subsequent Days	$ 125.00

3. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, the invalid portion shall be severed, and the remainder of the Bylaw is deemed valid.

4. This Bylaw shall come into force and effect when it has received third reading and has been duly signed.

READ a **first** time in council this _____ day of _____ 2023.

READ a **second** time in council this _____ day of _____ 2023.

READ a **third and final** time in council this _____ day of _____ 2023.

_____
Blair Painter
Mayor

_____
Patrick Thomas
Chief Administrative Officer

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: November 14, 2023

Agenda #: 7.d

Subject: 2024 Annual Franchise Fees

Recommendation: That Council moves to maintain the current franchise fee rates for both ATCO Gas (25%) and Fortis Alberta (16%) for 2024.

Executive Summary:
The Municipality of Crowsnest Pass has two Franchise Agreements; one with ATCO Gas and the other with Fortis Alberta. The agreements provide the Municipality with the opportunity to review and change the franchise fee percentage rate annually in the fall. If Council maintains the current rate structure of 25% for ATCO Gas, the franchise fee revenue is projected to be $543,308; and 16% for Fortis Alberta, the franchise fee revenue is projected to be $818,045 for a total projected Franchise revenue of $1,361,353.

Relevant Council Direction, Policy or Bylaws:
ATCO Gas and Pipeline Ltd Franchise Agreement was signed September 1, 2021 for a term of 10 years.
Fortis Alberta Franchise Agreement was signed January 1, 2016 for a term of 10 years.

Discussion:
The Municipality receives franchise fees from both ATCO Gas and Fortis Alberta. As part of the franchise fee agreements, Council can review the franchise fee percentage each fall and increase, decrease or maintain the current franchise fee rate. The franchise fees are collected from residents based on a percentage of the delivery tariff. The current franchise fee for ATCO is 25% (maximum allowed is 35%) while Fortis is currently at 16% (maximum allowed is 20%).

The franchise fee revenue is one source of income used to balance the annual operating budget. Any change (increase or decrease) would have an impact on the 2024 operating budget. Both companies are looking for direction from Council on whether the rate should remain the same as 2023 or be changed (increased or decreased).

ATCO Gas Franchise Fee

The historical franchise fee rates and revenue as well as the 2023 and 2024 forecasted revenue provided by ATCO is included in the table below. ATCO is forecasting a delivery tariff of $2,173,233 (2023 forecast $2,423,596) which would result in a franchise fee of $543,308 (2023 $605,899) a projected decrease in revenue of $62,591. A one percent change to the rate is equal to $21,733. The 2022 actual franchise revenue was $597,000.

Year	Franchise Fee Percentage	Franchise Fee Revenue
2010	15%	206,932
2011	15%	211,864
2012	20%	247,511
2013	25%	355,484
2014	25%	400,569
2015	25%	408,032
2016	25%	446,886
2017	25%	482,579
2018	25%	432,864
2019	25%	462,979
2020	25%	449,391
2021	25%	475,875
2022	25%	597,000
2023 Forecast	25%	605,899
2024 Forecast	25%	543,308

Note: 2023 ATCO Gas franchise fees received (Q1 to Q3) is $388,967 with an average for Q4 over the last 4 years being $131,007, this would resulted in a projected total revenue of $519,974 well short of ATCO's forecasted amount of $605,899.

Fortis Alberta Franchise Fee

The historical as well as the 2023 projected (based on the first 6 months of revenue received) and the 2024 forecasted revenue provided by Fortis is provided in the table below. Fortis is forecasting a delivery tariff of $5,112,779 for 2024, an increase in franchise revenue of $27,108 over the 2023 projected income. A one percent change to the rate is equal to $51,128.

Year	Franchise Fee Percentage	Franchise Fee Revenue
2016	16%	437,280
2017	16%	590,067
2018	16%	602,964
2019	16%	641,864
2020	16%	654,517
2021	16%	695,112
2022	16%	752,863
2023 Projected	16%	790,937

2024 Forecasted	16%	818,045

ATCO Gas is projecting a decrease in delivery tariff for 2024, while Fortis is projecting an increase the the delivery tariff for 2024. Without changing the Franchise Fee percentage, the decrease projected revenue generated will be $(35,483) being a decrease in ATCO Gas of $62,591 (2024 Forecast $543,308 - 2023 Forecast $605,899) and an increase in Fortis of $27,108 (2024 Forecast $818,045 - 2023 Projected $790,937).

Analysis of Alternatives:
ATCO Gas

- Maintain the Current Franchise fee rate of 25% will generate projected revenue of $543,308 an estimated decrease of $62,591 lower than the 2023 forecasted revenue.
- Council could increase or decrease the rate from any of the options listed below:

Rate	Franchise Revenue	Change Versus 2023 Forecast
Increase		
26%	565,041	(40,858)
27%	586,773	(19,126)
28%	608,505	2,606
29%	630,238	24,339
30%	651,970	46,071
Decrease		
24%	521,576	(84,323)
23%	499,844	(106,055)

Note: With ATCO Gas reducing the 2024 forecasted delivery tariff revenue below the 2023 forecasted amount an increase of 3% would be needed to maintain the forecasted 2023 revenue amount. Based on the first nine months of franchise fee revenue received in 2023, ATCO's original forecast will likely we $85,000 higher than actual.

Fortis

- Maintain the current franchise fee rate of 16% will generate projected revenue of $818,045 an estimated increase of $27,108 more than the 2023 projection.
- Council could increase or decrease the franchise fee rate from any of the options listed below:

Rate	Franchise Revenue	Change Versus 2023 Projection
Increase		
17%	869,172	78,235
18%	920,300	129,363

19%	971,428	180,491
20%	1,022,556	231,619
Decrease		
15%	766,917	(24,020)

Note: A decrease of 1% in Fortis Franchise fee rate will produce less revenue than the 2023 projected revenue.

Financial Impacts:
The financial impact to the 2024 budget will be dependent on the decision made by Council. Based on keeping the franchise fee rates the same as 2023, the forecasted decrease to franchise fee revenue for 2024 will be $35,483.

Attachments:

Municipality of Crowsnest Pass
Request for Decision

Meeting Date: November 14, 2023

Agenda #: 7.e

Subject: Fire Engine Replacement

Recommendation:

Council to provide direction on which fire apparatus to proceed with, considering the recommendations provided.

Executive Summary:

The current 2004 fire apparatus is at the end of its operational life cycle and therefore administration has been exploring replacement options. Provided within this request are three suitable options that would meet all modern fire service expectations for the community.

While our current capital budget of $900,000 was more than adequate at the time it was established, current costs have increased substantially. There are industry regulations and pressures to move engines to meet the increasing demands of the Environmental Protection Agency (EPA) causing the price of the motors to increase by as much as $100K alone. There have been other contributing factors for the price increases such as a government regulated steel tariff, problematic supply issues, and a volatile exchange rate. Through this design process, the prices have increased monthly and show no signs of stabilizing in the near future.

Relevant Council Direction, Policy or Bylaws:

Bylaw 1166,2023-Borrowing Bylaw for Fire Department Fire Engine (Truck)

Discussion:

The selection of the right fire apparatus for our community is one that takes careful consideration, considering a broad spectrum of factors. Throughout the past 11 months, Administration has worked with three high quality manufacturers in the fire industry to best determine the functionality and needs of a modern truck. We engaged through the RMA Sourcewell contract, the assistance of Pierce Manufacturing, E-One, and Rosenbauer, receiving proposals based on a defined set of needs. E-One has not been included in the recommendations here as they have indicated that they did not have the capacity at this time to provide us with a current proposal.

Criteria that held the most significant weight in the evaluation process were:

1. Proven ability to build and deliver a high performance, quality fire apparatus, on time and on budget.
2. Ease of operations for a volunteer-based fire department, that reasonably matches our existing fleet. Minimal differences between fleet fire apparatuses.
3. The ability to provide after-purchase servicing, maintenance, and parts availability. This was to include emergency response to our location, 24 hours a day and 7 days a week, should an issue arise.
4. Customer service.

There is considerable value in achieving uniformity through a single manufacturer. This results in cost savings efficiency for servicing, emergency repairs, annual pump testing and maintenance. Commercial Truck Equipment in Calgary (Pierce) has a massive parts inventory and the ability to deploy their Emergency Vehicle Technicians (EVT's) to our location, 24/7, should a problem occur. Rocky Mountain Phoenix (Rosenbauer) also claims to have access to a significant parts inventory with servicing done by their EVT's, with operations based out of Red Deer. It is likely that both companies provide quality after purchase care however due to having our Pierce Ascendant aerial, Commercial has had the opportunity to prove their excellence in customer service.

The recommendations for the replacement fire apparatus (in order) are:

1 - Pierce Enforcer PUC – Provided by Commercial Emergency Equipment Co.

List Price	$1,545,728.07
Sourcewell Discount (5.5%)	$-85,015.04
Dealer Discount	$-5,004.03
Total Equipment Cost	**$1,455,709.00 CAD**
Optional Prepayment Discount	$-192,245.00
Optional Prepay Price	$1,263,464.00

- Delivery estimated at 45 months from the time of executing the purchase order.
- Quote valid for 30 days (from November 8 th, 2023).

2 - Pierce Saber - Provided by Commercial Emergency Equipment Co.

List Price	$1,305,053.68
Sourcewell Discount (5.5%)	$-71,777.95
Dealer Discount	$-24,913.73
Total Equipment Cost	**$1,208,362.00 CAD**

Optional Prepayment Discount	$-90,422.54
Optional Prepay Price	$1,117,939.46

- Delivery estimated at 37 months from the time of executing the purchase order.
- Quote valid for 30 days (from November 8 th, 2023).

3 - Rosenbauer Commander – Provided by Rocky Mountain Phoenix

Total Equipment Cost **$1,170,000 CAD**

- Delivery estimated at 18 months from the time of executing the purchase order.
- Quote valid for 20 days (from November 3 rd, 2023)

Analysis of Alternatives:

1 - Pierce Enforcer 7010 PUC

The Pierce Enforcer PUC meets and exceeds all design expectations and is the exact same chassis line as the recently acquired Pierce Ascendant 110' aerial unit. The operability of this apparatus would be virtually identical to the existing Pierce Ascendant 110' aerial, with only the aerial function being different, as this is a pumper engine. It is identical in pump operations, interior cab, driving features, inlets and discharges and all other components. It would further have the exact same fit and finish to the fleet we are working towards standardizing.

While our qualified operators are proficient in truck operations, having to learn and use multiple pump and truck configurations, becomes problematic on emergency scenes. Selecting the Enforcer chassis will significantly reduce the time firefighters need to become familiar and qualified to use it, in addition to being a superior product. This model comes with a Cummins X10 engine which produces 450 HP, meeting the EPA requirements for 2027.

The Enforcer chassis additionally has the longest manufacturing time, due to supply and demand of a

popular chassis line, which actually improves our capital spacing plan. Having recently introduced the Pierce Ascendant aerial into the fleet (2022), it would be advantageous to space out such significant expenditures.

Features

- Chassis, Pierce Enforcer 7010
- Single source manufacturer
- Cummins X10, 450 HP, 2027 EPA Compliant
- Transmission-Allison 3000 EVS, 6th Gen
- VMUX Fire Command with 360 HD camera system
- Pump and roll capability-grass fires
- Vehicle data recorder
- Seating for 6
- 1500 GPM PUC pump
- 1000-gallon water tank
- Pierce Husky Foam system
- 32' overall length
- Fully *enclosed* pump control panel (beneficial for winter conditions)
- Fully *enclosed* cross-lay hose beds (beneficial for winter conditions)

2 - Pierce Saber

The Pierce Saber is a product line just below the Pierce Enforcer chassis. It has many of the same attributes as the Enforcer however there are significant differences in engine, fire pump, pump enclosures, electronic and mechanical diagnostics, and ease of operations. The key differences between the Saber and the Enforcer is the fire pump technology, engine, computer monitoring and diagnostics, pump and roll ability (not equipped), and the full enclosures of the pump panel and hoses. This model comes with a PACCAR engine which produces 510 HP, meeting the EPA requirements for 2024. The Enforcer has selected an engine (Cummins X10) that meets the 2027 EPA requirements.

Features

- Chassis, Pierce Saber
- PACCAR MX13, 510 HP, 2024 EPA Compliant
- Transmission, Allison 4000 EVS, 6th Gen
- No pump and roll capability-grass fires

- Seating for 6
- 1500 GPM Waterous pump
- 1000-gallon water tank
- Pierce Husky Foam system
- 32’ overall length
- Fully exposed pump control panel
- Fully exposed cross-lay hose bed

3 - Rosenbauer Commander

The Rosenbauer Commander meets all the specifications for the fire department. It is a leading manufacturer of fire apparatus’s that have been proven to be reliable and of high quality. This fire apparatus has met the design demands, resulting in it being selected as a suitable apparatus. While there are many similarities between this vehicle and the Pierce models, there would be natural differences in how the truck is operated, such as driver and pump configurations, when compared to the current Pierce unit (aerial) we have.

Features

- Chassis, Commander
- 450 Cummins L9
- Transmission, Allison EVS-3000 5 speed
- VMUX Fire Command with 360 HD camera system
- Seating for 6
- 1500 GPM Hale fire pump
- 1080-gallon water tank
- Hale foam system
- 33’ overall length
- Fully *enclosed* pump control panel
- Fully *enclosed* cross-lay hose bed

Financial Impacts:
Will be dependent on unit chosen. Between $1.1M to $1.4M of debt over 10 years. Bylaw 1166,2023 will allow up to $1.5M in debt and is incorporated into Budget 2024 to cover the interest and principal payments.

Attachments:
Pierce Enforcer Pic.PNG
Pierce Saber Pic.PNG
Rosenbauer Commander Pic.PNG

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