City of Wetaskiwin

Land Use Bylaw 1804 -13, as amended



Approved by Council March 25, 2013

Wetaskiwin
ALBERTA, CANADA

BYLAW NO. 1804-13
OF THE
CITY OF WETASKIWIN
IN THE PROVINCE OF ALBERTA

A BYLAW OF THE CITY OF WETASKIWIN, IN THE PROVINCE OF ALBERTA TO PROHIBIT OR REGULATE AND CONTROL THE USE AND DEVELOPMENT OF LAND AND BUILDINGS.

WHEREAS, pursuant to the Municipal Government Act, Chapter M-26, R.S.A. 2000, with amendments thereto, the Council of the City of Wetaskiwin may regulate and control the use and development of land and buildings in the City; and

WHEREAS, Bylaw 1747-09 being the existing land use bylaw for the City of Wetaskiwin requires administrative changes and has had several amendments to it since being approved by Council in 2009; and

WHEREAS, Bylaw 1804-13 includes administrative changes and consolidates the amendments to the Land Use Bylaw since originally approved by Council ; and

WHEREAS, Bylaw 1804-13 will replace bylaw 1747-09; and

NOW THEREFORE, the Municipal Council of the City of Wetaskiwin duly assembled hereby enacts as follows:

1. That Schedule A as attached form part of this bylaw.

2. That Bylaw 1747-09 is hereby repealed.

Read a first time this 25th day of February, 2013.

Read a second time this 25th day of March, 2013.

Read a third time this 25th day of March, 2013.

ORIGINAL SIGNED
MAYOR

ORIGINAL SIGNED
CHIEF ADMINISTRATIVE OFFICER

IMPORTANT NOTICE

This document is consolidated into single publication for the convenience of users. The official Bylaw and all amendments thereto are available from the Legislative Officer and should be consulted in interpreting and applying this Bylaw.

In case of any dispute, the original Land Use Bylaw must be consulted. Where spelling, punctuation or type face was corrected, the change was not noted in this document.

For easy reference, the amending Bylaw Numbers are adjoining the sections that were amended to identify that a change has occurred in a Section, Subsection, or Clause, subsequent to the adoption of the original Land Use Bylaw.

The following is a list of bylaws adopted by Council subsequent to the adoption of this Bylaw that amended the Land Use Bylaw:

BYLAW NO.	ADOPTION DATE	CONTEXT
1829-14	February 10, 2014	That Part 11 – to reclassify the legal description Plan M4; Block 35; east half of Lot 7 and whole Lot 8 from R2 to R3.
1833-14	October 14, 2014	That Part 11 be amended to reclassify the legal description Lot 10; Block 1; Plan 0723758 from UR to R2.
1836-14	October 14, 2014	That Part 11 be amended to reclassify the east 15 acres of the NE 11 46 24 W4 from M2 to DC.
1838-14	December 15, 2014	To permanently close the road Plan 7723061; Block 3; Lane. That Part 11 be amended to classify lands Plan 7723061; Block 3; Lane as C2.
1847-15	April 27, 2015	Under Part 6 – Add Seniors and Supportive Housing Facilities as a permitted use in the R3, R4, and US districts. Under Part 7 – General Regulations, sections 7.4. Schedule 1, to be amended to add to include Seniors and Supportive Housing Facility.
1849-15	April 27, 2015	That Part 11 be amended to reclassify Plan 0022654; Block 2; Lot 37A from R3 to R4.
1850-15	May 11, 2015	That Part 11 be amended to reclassify Plan 0324115; Block 10; Lot 2 from C4 to R3.
1852-15	May 25, 2015	That Part 11 be amended to reclassify the following property from C1 to DC: Plan M4; Block 27: the most northernly 12 feet in perpendicular width throughout Lot 4 and all of Lots 5, 6, and 7; Plan M4; Block 27; Lot 8, and Plan M4 Block 27; Lots 9 and 10.

1853-15	May 25, 2015	That Part 11 be amended to reclassify the following legal descriptions from R2 to R3: Plan 1125673; Block 17; Lot 3A; Plan 1125673; Block 17; Lot 4A; Plan M8; Block 17; Lot 2; and Plan M8; Block 17; Lot 1.
1855-15	August 17, 2015	That Part 2 Definitions – sections129.1 Medical Marihuana, 129.2 Medical Marihuana Production Facility be added. That Part 6 be amended to add Medical Marihuana Production Facility as a discretionary use in the M2 district and to provide specific use regulations 6.23.3.18 Medical Marihuana Production Facility and 6.23.19.1 Medical Marihuana Production Facility That Part 8 be amended to add section 8.32 to the Specific Use Regulations for Medical Marihuana Production Facilities.
1856-15	August 17, 2015	That Part 6 be amended to add liquor stores as permitted in the C5 district. section 6.20.2.31 added to permitted use, 6.20.3.6 deleted from discretionary use. That Part 8 be amended to change the specific use regulation – Section 8.10 Liquor Store.
1864-16	March 14, 2016	That the land legally described as Lot 2; Block 1; Plan 0220662 be designated as Municipal Reserve.
1869-16	May 24, 2016	That Part 11 be amended to reclassify the following legal description Plan 7520278; Lot 6 from M1 to M2
1871-16	July 18, 2018	That Part 11 be amended to reclassify the following legal description Plan 1621231; Block 1; Lot 2 from UR to DC.
1882-17	May 23, 2017	That Part 7 Section 7.6.7.13 – Federal, Provincial, Municipal, or School Election Sign be replaced with 7.6.7.13.1 That Election Signs shall be regulated through the City of Wetaskiwin Election Signage Bylaw 1879-17.
1887-17	September 11, 2017	That Part 11 be amended to reclassify Plan 0022378; Block 18; from R3 to R5.
1892-17	December 11, 2017	That Part 11 be amended to reclassify Plan 8421434; Block 2; Lot 2 from C3 to DC.
1907-18	June 25, 2018	That Part 11 be amended to reclassify the following properties from R4 to DC: Plan 0728504; Block 14; Lot 1H and Plan 9421483; Block 14; Lot 1F
1911-18	September 10, 2018	That Part 11 be amended to reclassify the following property from US to DC: Plan 7920904; Block 87A.
1914-18	October 9, 2018	That Part 2 – Definitions 33.1, 33.3, 129.2 be added; 98 be replaced, and 129.1 be deleted. That Part 4 – Applications section 4.2.3, 4.5.1.9 be added.

		That Part 6 – Establishment of Districts sections 6.15.2.22, 6.15.10.1, 6.16.2.26, 6.16.10.1, 6.17.2.28, 6.17.10.1, 6.20.2.32, 6.20.11.1, 6.21.2.18, 6.21.10.1, 6.22.10.1 be amended to include and 6.22.2.26 be added. That Part 7 – General Regulations 7.6.7 be added. That Part 8 – Specific Use Regulations section 8.33 be added.
1922-19	March 25, 2019	That Part 2 – Definition 109 be amended and 109.a, be added. That Part 3.8.q be added. That Part 6.16 add sections 6.16.3.29, 6.16.10. That Part 6.17 add sections 6.17.3.13, 6.17.10. That Part 6.20 add sections 6.20.3.13, 6.20.10. That Part 6.26 add sections 6.23.3.10, 6. 23.19. That Part 7.20.p be added. That 8.27.4 be replaced.
1923-19	May 13, 2019	That Part 7 sections 7.6.2.14, 7.6.2.44 be replaced. That Part 7 section 7.6.7.24.3 be deleted. That Part 7 section 7.6.12 be deleted.
1929-19	June 10, 2019	That Part 11 be amended to reclassify Plan 7721760; Block 4; Lot 5 from R3 to R5.
1944-20	February 10, 2020	That Part 6 section 6.21.2.18 be amended to add Religious Assembly as a permitted use.
1950-20	March 9, 2020	That Part 11 be amended to reclassify Plan M4; Block 24; Lot 1 from R4 to DC.
1951-20	March 9, 2020	That Part 2 Definition 109a be amended.
1964-20	June 22, 2020	That section 7.1.1.c (i and ii) shall be added. That section 7.1.2.1 shall be amended.
1965-20	June 22, 2020	That section 3.1.1 be amended. That sections 3.1.2, 3.1.3, 3.2.2, 3.2.3, 3.11.6 be deleted

1985-20	January 25, 2021	That section 3.11.1 be replaced with 3.11.1 schedule of fees for a., b., c., d., e., f., g., h., i., j., k., l., shall be found in the Master Rates Bylaw.
1992-21	April 26, 2021	That Part 11, section 11 be amended to rezone Lot 1-3, Block 11, Plan M3 from DDO to C2.
1997-21	August 16, 2021	Under Part 2 – Definitions sections 4(c), 25, 36, 49, 50, 52, 68, 70, 77, 98, 104, 105, 122, 123, 146,147, 149, 173, 191, 194, 195, 196, 222, 238, 241 be deleted. Under Part 2 – Definitions sections 5, 51, 52, 54, 87, 91, 92, 102, 124, 129, 138, 236, be replaced. Under Part 2 – Definitions 249 YARD REAR be replaced with REAR YARD Under Part 2 – Definitions 246.1 WALL HEIGHT to be added. Under Part 3 – Administrative, sections 3.3, 3.8.c, 3.8.m, 3.8.n be replaced. Under Part 3 – Administrative, sections 3.4.h, 3.5.2.a, 3.5.2.c., 3.15, 3.16.4 be amended to read. Under Part 3 – Administrative, sections 3.8.r, 3.8.s be added to read. Under Part 4 – Application, sections 4.6.1, 4.6.2.1, 4.6.3.1, 4.6.3.2 be replaced. Under Part 4 – Application, section 4.6.1.2.a be amended. Under Part 6 – Establishment of Districts, sections 6.1.2.2, 6.2.2.2, 6.3.2.2, 6.6.2.2, 6.7.2.2, 6.8.2.5, 6.10.2.4, 6.11.2.7, 6.12.2.4, 6.13.2.5, 6.15.3.25, 6.16.3.28, 6.22.2.2, 6.23.2.2, 6.24.4 be deleted. Under Part 6 – Establishment of Districts, sections 6.1.3, 6.3.3. 6.4.3, 6.7.3, 6.10.3, 6.11.3, 6.25.3 be amended. Under Part 6 – Establishment of Districts, sections 6.2.6.4, 6.4.2.2 be replaced. Under Part 7 – General Regulations, sections 7.4.2 Schedule 1, 7.4.2 Schedule 2, 7.6.6.1, table be replaced. Under Part 7 – General Regulations, section 7.8.3 be amended. Under Part 7 – General Regulations, section 7.12.2 be amended.

		Under Part 7 – General Regulations, section 7.6.2.7 be deleted. Under Part 8 – Specific Use Regulations, section 8.5.2 be amended. Under Part 9 – Land Subdivision Considerations, section 9.2.2 be replaced. Under Part 11 – Maps, Schedule 11A be amended to designate the following parcels of the Urban Service (US) district: i. COFT0025;Z;11 ii. 5843U;43;68MR; iii. CE10;RLY;46 iv. CE1;RLY;46 v. M8;;K vi. 5831RS;;6
2015-22	March 28, 2022	Revisions to correct the section number errors under Part 2 – Definitions - s.36 replaced with s.34 ; s.49 replaced with s.47; s.50 replaced with s.48; s.52 replaced with s.62, s. 68 replaced with s. 66; s.70 replaced with s.68; s.77 replaced with s.75; s.98 replaced with s.95; s.104 replaced with s.101, s.105 replaced with s.102; s.122 replaced with 118; s.123 replaced with s.119; s.146 replaced with s.140; s.147 replaced with s.141; s.149 replaced with s.143; s.173 replaced with s.167; s.191 replaced with s.185; s.194 replaced with s.188; s.195 be replaced with s.189; s.196 be replaced with s.190; s.222 be replaced with s.216; s.238 be replaced with s.232; s.241 be replaced with s.235; be deleted. Revisions to correct the section number errors under Part 2 – Definitions - s.51 be replaced with s 57; s.52 be replaced with s.60; s.54 be replaced with s.63; s.87 be replaced with s.85; s. 91 be replaced with s.88; s.92 be replaced with s.90; s.102 be replaced with s.99; s.124 be replaced with s.120; s.129 be replaced with s.125; s.138 be replaced with s.132; s.236 be replaced with s.230. Revisions to correct the section number errors under Part 2 – Definitions s.249 YARD REAR be replaced with s.243 and s.180.1 REAR YARD be added Revisions to correct the section number errors under Part 2 – Definitions s.246.1 WALL HEIGHT to be added and replaced with s.240.1 WALL HEIGHT
2019-22	July 11, 2022	Part 2 – licensed Outdoor Patio deleted; Licensed Restaurant revised. 2.1.202.1 definition SIDEWALK PATIO added. Part 3. – 3.8.1.t added Part 6 – 6.15.2.7 revised; 6.15.2.23 sidewalk patio added; 6.15.3.7 deleted; 6.16.2.27 revised; 6.16.2.28 sidewalk patio added; 6.16.3.11 deleted; 6.17.2.16 revised; 6.17.2.17 deleted;

		6.17.2.16 revised; 6.17.2.17 deleted; 6.17.2.29 sidewalk patio added; 6.18.2.7 added; 6.19.2.8 sidewalk patio added; 6.20.2.9 revised; 6.20.2.11 deleted; 6.20.2.33 sidewalk patio added; 6.21.2.7 revised; 6.21.2.20 sidewalk patio added; 6.21.3.7 deleted; 6.22.2.27 added; 6.22.2.28 sidewalk patio added; 6.22.3.12 deleted; 6.23.2.21 added; 6.23.2.22 sidewalk patio added Part 8 – 8.15.1 deleted; 8.15.3 added; 8.15.4 added; 8.15.5 added; 8.15.6 added; 8.15.7 added; 8.15.8 added; 8.15.9 added; 8.15.10 added; 8.16 deleted; 8.34.1-9 added
2029-23	April 11, 2023	That Part 11 be amended to redistrict a 3 acre parcel from Plan 0524904 Block 2 lot 4MR from PUL to DC.
2030-23	April 11, 2023	That Part 11 be amended to redistrict Plan 2423NY Lot B from UR to M1.
2040-23	October 23, 2023	Part 2, section 2.1.130 revised. Part 6, sections 6.20.3 and 6.20.11.1 amended to add Mini Storage Facility use. Part 7, section 7.1.1.3 revised. Part 8, section 8.30 revised to add regulations for Mini Storage Facilities in commercial districts.
2048-23	November 27, 2023	That Part 11 be amended to redistrict Plan 0928307 Block 4 Lot 20 from C2 to C3.
2053-24	February 12, 2024	That Part 6 section 6.21.2 Permitted Uses be amended to add Child Care Service That Part 8, section 8.1.2 Child Care Service specific use regulations be revised.
2059-24	April 8, 2024	That Part 11 be amended to redistrict a 1.38 ha portion of NE-13-46-24-4 from UR to R4.
2075-24	November 12, 2024	That Part 2 be amended to add Manufacturer's Taproom and update numbering. That Part 6 be amended to revise sections 22.2.27 and 23.2.21 Outdoor Patio use. That Part 6 be amended to add sections 22.3.32 and 23.3.19 Manufacturer's Taproom. That Part 6 be amended to add sections 22.10.1 and 23.19.1 Manufacturer's Taproom. That Schedule 1 – Vehicle Parking Requirements be revised to include Manufacturer's Taproom.

		That Part 8 be amended to add section 35 Manufacturer's Taproom Specific Use Regulations.
2094-25	June 23, 2025	That Part 11 be amended to redistrict Plan 5573AB Block 84 Lot 12 from R2 to C3
2095-25	June 23, 2025	Minor amendments regarding solar collectors, development permit application processes, and sign permits. That Section 2.1 be amended to add 211.1: SOLAR COLLECTOR That Section 3.8 be amended to add subsection (u) "The installation or operation of solar collectors" That Section 4.1 be amended to add subsection 1 and revise subsection 2 (as re-numbered). That Section 4.5.2, be amended to revise subsection 1 and delete subsection 2. That Section 7.6.4 be amended to revise subsection 12. That Section 7.6.7.11 be amended to revise subsection 1. That Section 8.36, Solar Collectors be added.
2098-25	January 13, 2026	That 2.1.211 be deleted and replaced with revised version. That 6.17.3.12 Small Animal Kennel be added to section 6.17 C3 – Highway Commercial District Regulation. That section 8.37 Small Animal Kennels and subsections 1-6 be added to Part 8 – Specific Use Regulations.
2103-26	February 10, 2026	That 6.17.2.30 be added to C3 – Highway Commercial District Regulation to read Health Service.
2106-26	May 12, 2026	That 2.1.216.1 be added. That Section 3.11 be amended to revise subsection 1. That Section 3.11 be amended to add subsection 8. That Section 5.1 be amended to revise subsection 4. That Section 7.21 be replaced.

		That Section 7.22 be replaced. That Section 7.23 be amended to revise the section title and subsections 3 and 4.
2115-26	October 13, 2026	That 6.22.3.33 be added to read Health Service. That 6.23.3.20 be added to read Health Service.

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PART 1 – REGULATORY

1.0 Title and Contents

1.1 Title

1. This Bylaw is the City of Wetaskiwin Land Use Bylaw and is referred to as the City of Wetaskiwin Land Use Bylaw.

1.2 Contents of Bylaw

1. The contents of this Bylaw include:

    a. Part 1 comprising of the legal enactment of this Bylaw, and all schedules and appendices pertaining to those sections;

    b. Part 2 comprising of the definitions with this Bylaw;

    c. Part 3 comprising of the administrative function of this Bylaw;

    d. Part 4 comprising of the direction for application and the notification process pursuant to the provisions of this Bylaw;

    e. Part 5 consists of the appeal process;

    f. Part 6 consists of the establishment of districts;

    g. Part 7 consists of regulations that apply to general uses;

    h. Part 8 consists of regulations that apply to all use specific properties;

    i. Part 9 consists of the considerations for the subdivision of land and the development of those lands to municipal standards;

    j. Part 10 provides procedures and processes for dealing with contravention of the bylaw, violations, fines, and penalties;

    k. Part 11 provides for the division of the City into zoning classifications.

1.3 Headings and Titles

1. Notwithstanding any other provision of this Bylaw or any other bylaw passed by Council to the contrary, headings and titles within this Bylaw shall be deemed to form a part of the text of this Bylaw.

PART 1 – REGULATORY

1.4 Repeal, Enactment, and Transition Procedures

1. No provisions of any other bylaw with respect to land use classification, development control, development schemes and land use classifications adopted prior to the date of this Bylaw shall hereafter apply to any parts of the City described in this Bylaw.

2. Upon the effective date, the City of Wetaskiwin Land Use Bylaw 1747-09 as amended is hereby repealed.

3. Subject only to the provisions in the *Act* respecting legal non-conforming uses and notwithstanding the effect it may have on rights, vested or otherwise, the provisions of this Bylaw govern from the effective date onward. No application for a development permit shall be evaluated under the procedural or substantive provisions of the previous Land Use Bylaw after the effective date, even if the application was received before the effective date.

1.5 Transitional and Interpretive

1. In the case of any conflict between this Bylaw and the maps or drawings used to illustrate any aspect of this Bylaw, this Bylaw shall govern.

2. In the case of any conflict between a number written in numerals and a number written in letters, the number written in numerals shall govern.

3. In the case of any conflict between information expressed in metric units and in imperial units, the metric units shall govern.

1.6 Approval Required for Development

4. No Person, except where a permit is not required:

   a. shall commence, or cause or allow to be commenced, a development without a development permit issued under the provisions of this Bylaw; or

   b. shall carry on, or cause or allow to be carried on, a development without a development permit issued under this Bylaw.

PART 1 – REGULATORY

2. An approved development permit means that the proposed development has been reviewed against the provisions of this Bylaw. It does not remove obligations to conform with other legislation such as the *Act*, municipal bylaws or land title instruments, the City of Wetaskiwin Safety Codes Permit Bylaw, or any caveats, covenants or easements that might be attached to the site.

PART 2 – DEFINITIONS

2.1 Definitions

In this Bylaw:

1. **ABUT or ABUTTING** means immediately contiguous to or physically touching, and when used with respect to a lot, means that the lot physically touches upon another lot or shares a property line or boundary line with it.

2. **ACCESSORY** means when used to describe a use or building, a use or building naturally or normally incidental, subordinate, and exclusively devoted to the principal use or building, and located on the same lot or site.

3. **ACCESSORY BUILDING** means a permanent structure accessory to the main use or building on the site.

4. **ACT OR *MUNICIPAL GOVERNMENT ACT*** means the *Municipal Government Act,* R.S.A. 2000, c. M-26, as amended. References in this Bylaw to other Acts shall have the following meanings:

    a. *Condominium Property Act* shall mean the *Condominium Property Act,* R.S.A. 2000, c. C 22, as amended.

    b. *Environmental Protection and Enhancement Act* shall mean the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c. E-12, as amended.

    c. *deleted as per Bylaw 1997-21*

    d. *Historical Resources Act* shall mean the *Historical Resources Act*, R.S.A. 2000, c. H-9, as amended.

    e. *Railway (Alberta) Act* shall mean the *Railway Act,* R.S.A. 2000, c. R-4, as amended.

    f. *Safety Codes Act* shall mean the *Safety Codes Act*, R.S.A. 2000, c. S-1, as amended.

5. **ADULT ENTERTAINMENT FACILITY** means an establishment that provides sexually explicit or nude entertainment that is be law restreicted to those eighteen years of age or older. *replaced as per Bylaw 1997-21*

6. **AIRCRAFT HANGAR** means a storage garage used to store aircraft with at least 75% of the floor space being utilized to store aircraft. Outdoor storage used must also be 75% aircraft related.

PART 2 – DEFINITIONS

7. **AIRCRAFT MAINTENANCE SHOP** means a building used primarily for the repair of aircraft.

8. **AIRCRAFT PARTS STORE** means a building used primarily for the storage and sale of aircraft parts and accessories.

9. **AIRCRAFT SALES/RENTALS** means development used for the sale, charter or rental of aircraft together with incidental maintenance services, and the sale of parts and accessories.

10. **AMATEUR RADIO ANTENNA AND SUPPORT STRUCTURE** means an installation consisting of an antenna or antenna array, mounted on a metal tower or support structure, designed for the purpose of the reception and transmission of radio signals by private, federally licensed amateur radio operators.

11. **AMENITY AREA** means:

    a. with respect to residential use classes, space provided for the active or passive recreation and enjoyment of the occupants of a residential development, which may be for private or communal use and owned individually or in common, subject to the regulations of this Bylaw; and

    b. with respect to non-residential use classes, space provided for the active or passive recreation and enjoyment of the public, during the hours which the development is open to the public, which shall be owned and maintained by the owners of the development, subject to the regulations of this Bylaw.

12. **ANTIQUE STORE** means a development used for the retail sale of collectible, decorative or household objects that are valued because of their age and character. This use does not include second hand stores, pawn shops, or booth markets.

13. **APARTMENT BUILDING** means development consisting of five or more dwellings contained within a building in which the dwellings are arranged in any horizontal or vertical configuration, which does not conform to the definition of any other residential use class.

14. **ATTACHED GARAGE** means a portion of a building attached to a dwelling intended for the storage of vehicles for the dwelling occupants.

15. **AUCTIONEERING ESTABLISHMENT** means development specifically intended for the auctioning of goods and equipment, including temporary

storage of such goods and equipment. This use class does not include flea markets or the sale of farm animals.

16. **AUTOMOTIVE AND EQUIPMENT REPAIR SHOP** means development used for the commercial servicing and mechanical repair of automobiles, motorcycles, snowmobiles and similar vehicles or the sale, installation or servicing of related accessories and parts. This use class includes transmission shops, muffler shops, tire shops, automotive glass shops, and upholstery shops. This use class does not include body repair and paint shops.

17. **AUTOMOTIVE AND LIGHT RECREATION VEHICLE SALES/RENTALS** means development used for the retail sale or rental of new or used automobiles, motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar light recreational vehicles or crafts, together with incidental maintenance services and the sale of parts. This use class includes automobile dealerships, car rental agencies and motorcycle dealerships. This use class does not include dealerships for the sale of trucks with a gross vehicle weight rating of 4000kg or greater, or the sale of motorhomes with a gross vehicle weight rating greater than 6000kg or a length of more than 6.7m.

18. **AUTO SALVAGE AND AUTO RECYCLING YARD** means a site in an industrial district used in whole or partially for the collection of damaged or aged vehicles for the purpose of salvaging and recycling automotive parts which are sold for reuse.

19. **BACHELOR SUITE AND BED SITTING ROOM** means a dwelling in which the sleeping and living areas are combined and which is not reasonably capable of being developed as a dwelling containing one or more bedrooms.

20. **BALCONY** means a structure projecting from the wall of a building that may be surrounded by guardrails or parapet walls.

21. **BARE LAND CONDOMINIUM** means a condominium development containing Bare Land Condominium Units created specifically through subdivision and registered as a condominium plan in accordance with the *Condominium Property Act*, R.S.A. 2000, c. C-22.

22. **BARE LAND CONDOMINIUM UNIT** means a bare land unit as defined in the *Condominium Property Act*, R.S.A. 2000, c. C-22.

23. **BASEMENT** means the portion of a building or structure, which is wholly or partially below grade, having above grade no more than 1.8m of its clear height, which lies below the finished level of the floor directly above.

PART 2 – DEFINITIONS

24. **BED AND BREAKFAST Facility** means a major home-based business where the primary occupant(s) of a residential building provide hospitality and sleeping accommodation along with the availability of meals to other persons for remuneration on a per night basis.

25. **BLANK WALL** *deleted as per Bylaw 1997-21*

26. **BOARDING AND LODGING HOUSE** means a development consisting of a building containing more than one (1) additional sleeping unit where lodging or sleeping accommodation with or without meals is provided for remuneration on a monthly basis and shared kitchens for the use of the residents. This use class does not include group homes.

27. **BOOTH MARKET** means development used for the sale of new or used goods by multiple vendors renting tables or space in an enclosed building or in outdoor space. Typical uses include farmers markets, flea markets, trade shows, sidewalk sales and fairs.

28. **BROADCASTING AND MOTION PICTURE STUDIO** means development used for the production or broadcasting of audio and visual programming typically associated with radio stations, television stations and motion picture studios.

29. **BUILDING** means anything constructed or placed on, in, over, or under land but does not include a highway, or public roadway or bridge forming part of a highway or public roadway, or any utility installation.

30. **BUILDING PERMIT** means a building permit issued pursuant to the building permit bylaw authorizing construction.

31. **BUILDING SEPARATION** means open space around dwellings separating them from adjacent buildings or activities, and providing daylight, ventilation, and privacy. Separation space is not a yard.

32. **BUSINESS SUPPORT SERVICE** means development used to provide support services to businesses which are characterized by one (1) or more of the following features: the use of mechanical equipment for printing, duplicating, binding or photographic processing; the provision of office maintenance or custodial services; the provision of office security; and the sale, rental, repair or servicing of office equipment, furniture and machines. Typical uses include printing establishments, film processing establishments, janitorial firms and office equipment sales and repair establishments.

33. **CALLIPER** means the trunk diameter of a tree measured at a point 300 mm above the top of the root ball.

PART 2 – DEFINITIONS

33.1 **CANNABIS** means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the *Cannabis Act* (Canada) and its regulations, as amended from time to time. *added as per Bylaw 1914-18*

33.2 **CANNABIS RETAIL** means a development used for the retail sale of non-medical cannabis that is authorized by provincial or federal legislation and licensed by the Province of Alberta. This use does not include Cannabis Production Facilities. *added as per Bylaw 1914-18*

34. **CANOPY** *deleted as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

35. **CARNIVAL** means temporary development providing a variety of shows, games and amusement rides, for a period of less than seven (7) days, in which the patrons take part.

36. **CARPORT** means a roofed structure used for storing or parking of not more than two (2) private vehicles and which has not less than 40% of its total perimeter open and unobstructed. The structure must be attached to the primary residence.

37. **CASINO AND OTHER GAMING ESTABLISHMENTS** means development providing facilities for patrons to participate in gaming opportunities as the principal use. Typical uses include bingo halls and casinos. This use class does not include major and minor amusement establishments or other use classes where a bingo or casino occurs on an infrequent basis as an accessory use to another principal use.

38. **CEMETERY** means development of a parcel of land primarily as landscaped open space for the entombment of the deceased, and may include the following accessory developments: crematories, cinerariums, columbariums, and mausoleums. Typical uses in this class include memorial parks, burial grounds and gardens of remembrance.

39. **CHILD CARE SERVICE** means development intended to provide care, educational activities, and supervision for groups of seven or more children under 16 (sixteen) years of age during the day or evening, but does not include overnight accommodation, and is intended to be operated for at least 12 (twelve) consecutive weeks each year. This use class includes daycare centres, out-of-school care centres, drop-in centres and nursery schools and does not include day home operations.

40. **CITY** means the Municipal Corporation of the City of Wetaskiwin.

41. **COMMERCIAL SCHOOL** means development used for training and instruction in a specific trade, skill or service for the financial gain of the individual or company owning the school. This use class does not include schools defined as public education. Typical uses include secretarial, business, hairdressing, beauty culture, dancing or music schools.

42. **COMMUNITY RECREATION SERVICE** means development for recreational, social or multi-purpose use without fixed seats and an occupancy capacity of less than five hundred (500) persons, primarily intended for local community purposes. Typical uses include community halls, community centres, and community league buildings.

43. **COMPLIANCE CERTIFICATE** means a document which may be issued by a Development Officer, upon request and upon payment of the required fees, indicating that a building(s) located on a site is (are) located in accordance with the yard regulations of this Bylaw and the yards specified in development permits which may have been issued for the site. A Compliance Certificate shall not operate as a development permit, nor shall it approve any variance to the yard regulations of this Bylaw not previously approved.

44. **CONTRACTOR SERVICE** means development used for the provision of building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature which require on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service.

45. **CONVENIENCE RETAIL STORE** means development used for the retail sale of those goods required by area residents or employees on a day to day basis. Typical uses include small food stores, drug stores, and variety stores selling confectionery, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware or printed matter. This use does not include fuel sales or vehicle oriented uses.

46. **CONVENIENCE VEHICLE RENTAL** means development used for the rental of new or used automobiles and light trucks with a gross vehicle weight rating of 4000kg or less. This use class includes those establishments which are not strictly office in nature, but include, as an integral part of the operation, minor vehicle servicing, storing, fuelling or car washing facilities. This use class does not include professional, financial and office support services, fleet services or establishments for the rental of trailers.

47. **CONVENTIONALLY CONSTRUCTED OR CONVENTIONAL STICK BUILT**
deleted as per Bylaw 1997-21; amended section number as per Bylaw 2015-22

PART 2 – DEFINITIONS

48. **CONVERSION** *deleted as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

49. **CORNER LOT** means:

    a. a lot located at the intersection of two (2) public roadways, other than lanes; or

    b. a lot located abutting a public roadway, other than a lane, which changes direction at any point where it abuts the lot,

    provided that in both cases, the lot shall not be considered a corner lot where the contained angle formed by the intersection or change of direction is an angle of more than 135 degrees. In the case of a curved corner, the angle shall be determined by the lines tangent to the property line abutting the public roadways, provided the roadway is not a lane, at the point which is the extremity of that property line. In the case of a curved corner, the point which is the actual corner of the lot shall be that point on the property line abutting the public roadway, provided the roadway is not a lane, which is nearest to the point of intersection of the tangent lines.

50. **COUNCIL** means the Council of the Municipal Corporation of the City of Wetaskiwin.

51. **CURB CUT** means the cutting or lowering of a curb, sidewalk, or boulevard, or any of them, to provide a driveway for vehicular and pedestrian access to a site.

52. **DAY HOME OPERATION** means a major home-based business that provides a childcare program in the private residence of the operator for up to 6 (six) children who may include infants, preschool children, kindergarten children and school-aged children.

53. **DECK** means a horizontal structure that is either attached to, or separate from a building, is greater than 0.2m above grade to the walking surface and is intended as an outdoor amenity area. Similar structures of less than 0.2 m above grade are deemed to be hard landscaping.

54. **DENSITY** means, when used in reference to residential and residential-related development, the number of dwellings on a site expressed as dwellings per hectare.

55. **DETACHED GARAGE** means an accessory building, not connected to the building, intended for the storage of vehicles or property for the dwelling occupants.

PART 2 – DEFINITIONS

56. **DEVELOPMENT** means:

    a. an excavation or stockpile and the creation of either of them; or

    b. a building or an addition to or replacement or repair of a building and construction or placing of any of them in, on, over or under land; or

    c. a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building; or

    d. a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.

57. **DEVELOPMENT AUTHORITY** means a development authority pursuant to this Bylaw. *replaced as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

58. **DEVELOPMENT PERMIT** means a document that is issued under a Land Use Bylaw and authorizes a development.

59. **DISCRETIONARY USE** means those uses of land, buildings, or structures for which permits may be issued only at the discretion of the Development Officer.

60. **DOUBLE FRONTING LOT** means a lot which abuts two (2) public roadways, not including lanes as defined in the *Traffic Safety Act*. *replaced as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

61. **DRIVE-IN FOOD SERVICE** means development used as an eating establishment which offers a limited menu produced in a manner that allows rapid customer service and include one (1) or more of the following features: car attendant services; drive-through food pickup services; or parking primarily intended for the on-site consumption of food within a motor vehicle.

62. **DRIVE-IN SERVICE** *deleted as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

63. **DUPLEX HOUSING** means a single building on a single lot containing two (2) dwelling units, and each having a separate direct entrance from the exterior. *replaced as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

64. **DWELLING** means development that consists of a building, or portion(s) thereof, containing one (1) or more dwelling units, used or intended to be used, for residential purposes.

PART 2 – DEFINITIONS

65. **DWELLING UNIT** means a complete building or self-contained portion of a building intended for the domestic use of one (1) or more individuals living as a single housekeeping unit with cooking, eating, living, sleeping and sanitary facilities.

66. **EATING AND/OR DRINKING ESTABLISHMENT** *deleted as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

67. **EQUIPMENT RENTAL** means development used for the rental of tools, appliances, recreation craft, office machines, furniture, light construction equipment, or similar items. This use class does not include the rental of motor vehicles or industrial equipment.

68. **ENCLOSED FRONT PORCH** *deleted as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

69. **ENVIRONMENTAL RESERVE** means the land designated as environmental reserve by a subdivision authority or a municipality.

70. **ESSENTIAL UTILITY SERVICE** means development which is part of the infrastructure of a principal utility, pumping stations, electrical power transformers, underground water reservoirs, and wells. Typical uses include regulating stations.

71. **EXHIBITION AND CONVENTION FACILITY** means a development which is owned and managed by a public authority or non-profit agency and provides permanent facilities for meetings, seminars and conventions; product and trade fairs; circuses; and other exhibitions. Typical uses include exhibition grounds and convention centres.

72. **EXTENDED MEDICAL TREATMENT SERVICE** means development providing room, board, and surgical or other medical treatment for the sick, injured or infirm including out-patient services and accessory staff residences. Typical uses include hospitals, sanitariums, nursing homes, convalescent homes, isolation facilities, psychiatric hospitals, auxiliary hospitals, and detoxification centres.

73. **FARM** means development for the primary production of farm products such as dairy products, poultry products, cattle, hogs, sheep and other animals, wheat, oilseeds or other grains, and vegetables or other field crops. This does not include livestock operations.

74. **FENCE** means a vertical physical barrier constructed to prevent visual intrusion, sound abatement, or unauthorized access.

75. **FIXED SIGN** *deleted as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

76. **FLEET SERVICE** means development using a fleet of vehicles for the delivery of people, goods or services, where such vehicles are not available for sale or long term lease. This use class includes ambulance services, taxi services, bus lines, messenger and courier services. This use class does not include moving or cartage firms involving trucks with a gross vehicle weight of more than 3000 kg.

77. **FLOOR AREA** means the area of the building or structure contained within the outside surface of the exterior walls, not including basement walls, provided that in the case of a wall containing a window, the glazing line of windows may be used.

78. **FLOOR AREA RATIO** means the numerical value of the floor area of the building or structure relative to the site upon which it is located, excluding:

    a. basement areas used exclusively for storage or service to the building;

    b. parking areas below grade;

    c. walkways required by the Development Officer;

    d. floor areas devoted exclusively to mechanical or electrical equipment servicing the development, divided by the area of the site; and

    e. flat roof areas used for decks.

79. **FOSTER CARE** means the provision of family-based care for children who cannot remain in their own family home due to child protection concerns or exceptional special needs. This definition does not include care in a facility that is owned, leased, rented, or managed by a business, agency, or non-profit society in the business of social care.

80. **FOSTER HOME** means a non-staffed home that provides foster care for more than three (3) children.

81. **FOUNDATION** means the supporting portion of a building that includes the footings and/or pilings.

82. **FOURPLEX HOUSING** means development consisting of a building containing four (4) dwellings that have either a separate primary entrance from the exterior of the building to each dwelling unit or an entrance to the suite from a commoncorridor. This type of development shall be designed and constructed as four (4) dwellings at the time of initial construction of the building. This use class does not include secondary suites.

PART 2 – DEFINITIONS

83. **FRONTAGE** means where used with reference to residential development, the lineal distance measured along the front lot line; and, when used with reference to non-residential development, the length of the property line of any side of a separate development which is parallel to and abuts a public roadway, not including a lane, which is directly accessible from the development. The frontage of individual premises in a multiple occupancy development shall be considered as the total width of the bays occupied by that premises which have exposure parallel to any frontage of the multiple occupancy development.

84. **FRONT LOT LINE** means the property line separating a lot from an abutting public roadway other than a lane. In the case of a corner lot, the front line is the shorter of the property lines abutting a public roadway, other than a lane. In the case of a corner lot formed by a curved corner, the front lot line shall be the shorter of the two (2) segments of the property line lying between the point determined to be the actual corner and the two (2) points at the extremities of that property line.

85. **FRONT YARD** means a yard extending across the full width of a parcel of land from lot line to the nearest exterior wall of the main building situated on the parcel of land. *replaced as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

86. **GAMING ESTABLISHMENT** means the use of a building or a portion thereof for the holding of bingo games, operating a casino, placement of video lottery terminals, or similar gambling or betting activities not intended as the principal use.

87. **GARAGE** means an accessory building, or part of a principal building designed and used primarily for the storage of motor vehicles.

88. **GARAGE SUITE** means development accessory to the principal residential use consisting of a self-contained dwelling attached to a rear detached garage. *replaced as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

89. **GENERAL CONTRACTOR SERVICE** means development used for the provision of building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction 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 services use only. This use class does not include professional, financial and office support services.

90. **GENERAL INDUSTRIAL USE** means development used principally for one (1) or more of the following activities: *replaced as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

    a. the processing of raw materials;

    b. the manufacturing or assembling of semi-finished or finished goods, products, or equipment;

    c. the cleaning, servicing, repairing, or testing of materials, goods, and equipment normally associated with industrial or commercial businesses or cleaning, servicing, and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in non-industrial zones;

    d. the storage or transshipping of materials, goods, and equipment;

    e. the distribution and sale of materials, goods, and equipment to institutions, industrial, and commercial businesses for their direct use or to general retail stores or other sales use classes defined in this Bylaw for resale to individual customers; or

    f. the training of personnel in general industrial operations.

91. **GENERAL RETAIL STORE** means development used for the retail sale of groceries, beverages, household goods, furniture and appliances, hardware, printed matter, confectionery, tobacco, pharmaceutical and personal care items, automotive parts and accessories, video sales and rentals, office equipment, stationery and similar goods from within an enclosed building. Minor public services, such as postal services and film processing depots, are permitted within general retail stores. This use does not include other defined uses.

92. **GOVERNMENT SERVICE** means development providing municipal, provincial or federal government services directly to the public. This use class does not include protective and emergency services, minor or major impact utility services, and public education services. Typical uses include taxation offices, courthouses, postal distribution offices, human resource and employment offices, social service offices and airport terminals.

93. **GRADE** means a geodetic elevation from which the height of a structure is measured.

94. **GREENHOUSE AND PLANT NURSERY** means development used primarily for the raising, storage, basic processing and sale of fruits and vegetables,

bedding, edible, household, and ornamental plants. This use includes the retail sales of landscaping materials.

95. **GROUND SIGN** *deleted as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

96. **GROUP HOME** means a staffed residential care facility that is authorized, licensed, or certified by a public authority to provide care and\or supervision to more than four (4) and less than nine (9) residents, exclusive of staff. This use class does not include those facilities defined as foster homes or limited foster homes and does not include extended medical treatment services such as alcohol and drug addiction treatment centers or crime rehabilitation treatment centers.

97. **HALF STOREY** (or ½ Storey) means a storey under a gable, hip, or gambrel roof, the wall plates of which, on at least two (2) opposite walls, are not more than 0.66m above the floor of such storey.

98. **HEALTH SERVICE** means development used for the provision of physical and mental health services on an outpatient basis. Services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counselling nature. Typical uses include medical and dental offices, health clinics, counselling services. This use may also include consultations on the use of medical cannabis, providing prescriptions for medical cannabis and providing information on access to medical cannabis. *amended as per Bylaw 1914-18*

99. **HEIGHT** means when used with reference to a building or structure, the vertical distance between the horizontal plane through grade and a horizontal plane through the highest point. *replaced as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

100. **HIGHER RISK INDUSTRIAL USE** means uses that have the production, bulk storage, or handling of materials in large quantities that have a higher risk of explosion or injuries to persons off site in an emergent situation. The uses include but are not limited to bulk fuel storage and handling facilities, bulk propane storage and handling facilities, anhydrous ammonia storage and handling facilities.

101. **HIGH SIGN** *deleted as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

102. **HOME ADDRESS SIGN** *deleted as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

103. **HOME OFFICE** means a dedicated area located in a dwelling which has a phone and or a fax for a registered business entity but where there are no business clients, employees, products, or deliveries.

104. **HOTEL** means development used for the provision of rooms or suites for temporary sleeping accommodation where the rooms have access from a common interior corridor. Hotels may include licensed restaurants, meeting rooms, personal services shops, pubs, and lounges. This use class does not include nightclubs or bars.

105. **HOUSEHOLD REPAIR SERVICE** means development used for the provision of repair services to goods, equipment and appliances normally found within the home. This use class includes radio, television, and appliance repair shops, furniture refinishing and upholstery shops. This use class does not include personal service businesses.

106. **INDOOR PARTICIPANT RECREATION SERVICE** means development providing facilities within an enclosed building for sports and active recreation where patrons are predominantly participants and any spectators are incidental and attend on a non-recurring basis. Typical uses include athletic clubs, health and fitness clubs, curling, roller skating and hockey rinks, swimming pools, bowling alleys, and racquet clubs.

107. **INDUSTRIAL BUILDING** means a building designed for use for one (1) or more defined industrial uses and may contain accessory office space.

108. **INSTITUTIONAL GROUP HOME** means a staffed residential care facility that is authorized, licensed or certified by a public authority to provide care and/or supervision to more than eight (8) residents, exclusive of staff. This use class does not include extended medical treatment services, drug addiction or crime rehabilitation centers, or senior citizen housing facilities.

109. **INTERMODAL CONTAINER STORAGE** means Intermodal Container used for the storage of materials that will be placed on a site for a period of longer than ninety (90) days. *amended as per Bylaw 1922-19*

109.1 **INTERMODAL CONTAINER** means a standardized shipping container or similar that is either *added as per Bylaw 1922-19, amended as per Bylaw 1951-20*

a. less than 6.1 m in length, or;

b. 6.1 m in length or over.

110. **LANDSCAPING** means the preservation or modification of the natural features of a site through the placement or addition of any or a combination of the following:

a. soft landscaping elements such as trees, shrubs, plants, lawns, and ornamental plantings;

b. decorative hard surfacing elements such as bricks, pavers, shale, crushed rock, or other suitable materials, excluding monolithic concrete and asphalt, in the form of patios, walkways, and paths; and

c. architectural elements such as decorative fencing, walls, and sculpture.

111. **LANE** means a public roadway, which provides a secondary means of vehicular access to a lot.

112. **LICENSED OUTDOOR PATIO** *deleted as per Bylaw 2019-22*

113. **LICENSED RESTAURANT** means a restaurant with a Class A - minors permitted liquor license, where alcohol can be served with meals. This use does not include pubs, lounges, or bars and nightclubs. *amended as per Bylaw 2019-22.*

114. **LIMITED CONTRACTOR SERVICE** means development used 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 the contractor services where all materials are kept within an enclosed building, and there are no accessory manufacturing activities or fleet storage of more than four vehicles.

115. **LIMITED FOSTER HOME** means a non-staffed home that provides foster care for less than four (4) children.

116. **LIMITED GROUP HOME** means a staffed residential care facility which is authorized, licensed, or certified by a public authority to provide care and or supervision of more than two (2) and less than five (5) residents, exclusive of staff. This use class does not include those facilities defined as foster homes or limited foster homes and does not include extended medical treatment services such as alcohol and drug addiction treatment centers or crime rehabilitation treatment centers.

117. **LIQUOR STORE** means development used for the retail sales of any and all types of alcoholic beverages to the public for consumption off the premises. This use class may include retail sales of related products such as soft drinks and snack foods.

118. **LIVESTOCK** *deleted as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

119. **LIVESTOCK OPERATION** *deleted as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

120. **LOADING SPACE** means an off-street space on the same lot as a building or group of buildings used to provide unobstructed access for vehicles to a loading

door, platform, or bay. *replaced as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

121. **LOT** means:

    a. a quarter section;

    b. a river lot shown on an official plan, as defined in the *Surveys Act*, that is filed or lodged in a land titles office;

    c. a settlement lot shown on an official plan, as defined in the *Surveys Act*, that is filed or lodged in a land titles office;

    d. a part of a parcel described in a certificate of title if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision; or

    e. a part of a parcel described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision.

122. **LOT DEPTH** means the minimum horizontal distance between the front and rear lot boundaries.

123. **LOT WIDTH** means the horizontal measurement between the side lot lines measured at a point 6.0 m perpendicularly distant from the front boundary of the lot.

124. **MAJOR AMUSEMENT ESTABLISHMENT** means development providing facilities within any building, room or area having three or more table games or electronic games played by patrons for entertainment. This use class does not include carnivals, circuses, indoor participant recreation services, adult entertainment facilities, or casinos and other gaming establishments.

125. **MAJOR HOME-BASED BUSINESS** means development consisting of the use of an approved dwelling or accessory building by a resident of that dwelling for one (1) or more businesses. This use class includes bed and breakfast facilities but does not include general retail sales. *replaced as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

126. **MAJOR IMPACT UTILITY SERVICE** means development for public utility infrastructural purposes which are likely to have a major impact on the environment or adjacent uses by virtue of their potential emissions or effects, or their appearance. Typical uses include sanitary landfill sites, sewage treatment plants, sewage lagoons, sludge disposal beds, garbage transfer and compacting stations, power generating stations, cooling plants, district heating plants, incinerators, and waste recycling plants.

127. **MANUFACTURED HOME** means development consisting of transportable single detached housing which is suitable for permanent occupancy, designed to be transported on its own wheels, and which is, upon its arrival at the site where it is to be located, ready for occupancy except for incidental building operations such as placement on foundation supports and connection to utilities.

128. **MANUFACTURED HOME SITE** means the space allotted for the installation of one manufactured home in any manufactured home community or manufactured home subdivision.

129. **MANUFACTURED HOME COMMUNITY** means a parcel of land under one title, which has been divided, into manufactured home sites.

129.1 **MANUFACTURER'S TAPROOM** means a licensed premise that is open to the public for the sale and on-site consumption of liquor, where manufacturing is the primary source of business, and a development permit has been issued for the manufacturing use. This use does not include Licensed Restaurants, Nightclubs and Bars, Pubs and Lounges, or Liquor Stores. *Added as per Bylaw 2075-24*

129.1 **MEDICAL MARIHAUNA** *added as per Bylaw 1855-15, deleted as per Bylaw 1914-18*

129.3 **MEDICAL MARIHAUNA PRODUCTION FACILITY** means a use where medical marihuana is grown, processed, packaged, tested, destroyed, stored, or loaded for shipping where a license for all activities associated with medical marihuana production has been issued by Health Canada. *added as per Bylaw 1855-15, amended as per Bylaw 2075-24*

129.2 **MEDICAL CANNABIS** means a substance used for medical purposes authorized by a license issued under the federal government's Access to Cannabis for Medical Purposes Regulation or any subsequent legislation which may be enacted in substitution. *added as per Bylaw 1914-18*

130. **MINI STORAGE FACILITY** means a secure site containing building(s) constructed and used for the rental of bays to persons or businesses for storage of private goods. The site may also contain indoor or outdoor allotted rental spaces to be used for the storage of vehicles and Recreational Vehicles, security offices and security suites. *amended as per Bylaw 2040-23*

131. **MINOR AMUSEMENT ESTABLISHMENT** means development providing facilities within any building, room or area having two (2) or less table games or electronic games played by patrons for entertainment. This use class does not include carnivals, circuses, indoor participant recreation services, or casino and other gaming establishments.

132. **MINOR HOME-BASED BUSINESS** means development consisting of the use of an approved dwelling within a residential building by a resident of that dwelling where the business requires no more than one business-related vist per day. This use class does not include general retail sales. *replaced as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

133. **MINOR IMPACT UTILITY SERVICE** means development for public utility infrastructural purposes which is likely to have some impact on the environment or adjacent land uses by virtue of its appearance, noise, size, traffic generation or operational characteristics. Typical uses in this use class include vehicle, equipment and material storage yards for utilities and services, telephone exchanges, wire centres, switching centres, snow dumping sites, light rail transit stations, transit bus terminals, depots and transfer facilities, surface reservoirs or storm water lakes, water towers, hydrospheres, water treatment plants, power terminal and distributing substations, communication towers, and gate stations for natural gas distribution.

134. **MIXED USE RESIDENTIAL SUITE** means residential suites within a commercial building that do not occupy the primary commercial space of the building.

135. **MOBILE CATERING FOOD SERVICE** means development using a fleet of three (3) or more vehicles for the delivery and sale of food to the public.

136. **MODULAR HOUSING** means a dwelling unit manufactured off-site in a factory and placed onto a permanent foundation on-site or more complete dwelling units for year-round occupancy.

137. **MOTEL** means development used for the provision of rooms or suites for temporary lodging or light housekeeping, where each room or suite has its own exterior access. Motels may include licensed restaurants, meeting rooms, personal services shops, pubs, and lounges.

138. **MULTI-TENANT COMMERCIAL BUILDING** means a building designed and constructed in accordance with appropriate codes to accommodate multiple commercial tenants and or uses with in the same building. Approval for the classification does not include approval for the specific uses. This classification may include spaces designed mixed-use residential suites provided all regulations are met.

139. **MUNICIPAL RESERVE** means the land designated as municipal and school reserve.

140. **NATURAL RESOURCE DEVELOPMENT** *deleted as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

141. **NATURAL SCIENCE EXHIBIT** *deleted as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

142. **NIGHTCLUBS AND BARS** means a building with a Class A - minors prohibited liquor licence, with an occupant load of greater than forty-nine (49) persons, where the primary purpose of the facility is the sale of alcoholic beverages to the public, for consumption within the premises or off-site sales with a Class D liquor license. Major or minor amusement establishments are a permitted accessory use. This use does not include pubs and lounges, licensed outdoor patios, or adult entertainment facilities. This facility may include licensed electronic gaming devices.

143. **NON-COMERCIAL FARM** *deleted as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

144. **NON-CONFORMING BUILDING** means a building:

    a. that is lawfully constructed or lawfully under construction at the date a Land Use Bylaw affecting the building or the land on which the building is situated becomes effective; and

    b. that on the date this Land Use Bylaw becomes effective does not, or in the case of a building under construction will not, comply with the Land Use Bylaw.

145. **NON-CONFORMING USE** means a lawful specific use:

    a. being made of land or a building or intended to be made of a building lawfully under construction, at the date this Land Use Bylaw or any amendment thereof affecting the land or building becomes effective; and

    b. that on the date this Land Use Bylaw or any amendment thereof becomes effective does not, or in the case of a building under construction will not, comply with this Land Use Bylaw.

146. **NON-FIXED SIGN** means any sign that is not a fixed sign.

147. **NUDITY OR SEMI-NUDITY** means a state of undress to expose the breasts of females or the genital area or buttocks of males or females.

148. **OFF-SITE ADVERTISING** means the advertising of a business, commodity, service, or entertainment that is conducted, sold, or offered elsewhere other than the site on which the sign is located.

149. **OUTDOOR AMUSEMENT ESTABLISHMENT** means permanent development providing facilities for entertainment and amusement activities which primarily

take place out-of-doors, where patrons are primarily participants. This use class does not include carnivals or circuses. Typical uses include amusement parks, go-cart tracks, and miniature golf establishments.

150. **OUTDOOR PARTICIPANT RECREATION SERVICE** means development providing facilities which are available to the public at large for sports and active recreation conducted outdoors. This use class does not include community recreation services, spectator sports establishments, and outdoor amusement establishments. Typical uses include golf courses, driving ranges, ski hills, ski jumps, sports fields, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, boating facilities, outdoor swimming pools, bowling greens, riding stables, fitness trails, and gun and archery ranges.

151. **OUTDOOR RESTAURANT PATIO** means an extension of an enclosed outdoor area adjacent or adjoining to a restaurant.

152. **OUTDOOR STORAGE YARD** means a securely fenced site used in whole or in part for the storage of equipment of materials.

153. **OVERLAY** means additional development regulations superimposed on specific areas of the zoning map, which supersede or add to the development regulations of the underlying zone.

154. **OVERSIZE DETACHED GARAGE** means a detached garage exceeding 80.0 m^2.

155. **PARAPET WALL** means that part of an exterior, party wall, or firewall extending above the roofline or a wall, which serves as a guard at the edge of a balcony or roof.

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

157. **PARKING GARAGE** means an accessory building or structure, or any portion of a principal building or structure, containing communal parking spaces used for vehicular parking or storage.

158. **PARKING STALL** means a space available for parking one (1) motor vehicle.

159. **PARTY WALL** means either:

    a. a wall erected at, or upon, a line separating two (2) parcels of land, each of which is, or is capable of being, a separate legal parcel subdivided under the *Municipal Government Act*; or

b. a wall separating two (2) dwellings, each of which is, or is capable of being, a separate legal parcel divided under the *Condominium Property Act*.

160. **PATIO** means a hard surface area 0.2 m or less above grade that is placed adjacent to a building intended to be used as an outdoor amenity area. Patios are generally not equipped with railings or do not require stairs.

161. **PAWN SHOP** means a property used for a business that engages in the business of granting credit to individuals for personal, family, or household purposes and who takes in consumer goods by taking possession of them, or who purchases consumer goods under agreements or undertakings, express or implied, that the goods may be repurchased by the sellers.

162. **PERMITTED USE** means the use of land or a building provided for in the Land Use Bylaw for which a development permit shall be issued with or without conditions upon an application having been made, which conforms to the Land Use Bylaw.

163. **PERSONAL SERVICE BUSINESS** means development used for the provision of personal services to an individual that are related to the care and appearance of the body, or the cleaning and repair of personal effects. This use includes barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, dry-cleaning establishments, and laundromats, but does not include health services.

164. **PLAN OF SUBDIVISION** means a plan of survey prepared in accordance with the Land Titles Act for the purpose of effecting a subdivision.

165. **PRINCIPAL BUILDING** means a building or use, which in the opinion of the Development Authority:

a. occupies the major or central portion of a lot;

b. is the chief or main building among one (1) or more buildings on the lot; or

c. constitutes by reason of its use the primary purpose for which the lot is used.

There shall be no more than one (1) principal building on each lot unless specifically permitted otherwise in this Bylaw.

166. **PRINCIPAL USE** means the primary purpose, in the opinion of the Development Authority, for which a building or lot is used. There shall be no more than one (1) principal use on each lot unless specifically permitted otherwise in this Bylaw.

167. **PRIVATE CLUB** *deleted as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

168. **PRIVATE OUTDOOR AMENITY AREA** means required open space provided and designed for the active or passive recreation and enjoyment of the residents of a particular dwelling and which is immediately adjacent to and directly accessible from the dwelling it is to serve.

169. **PRIVATE SEWAGE SYSTEM** means a sewage system that that is approved by the correct authority and used solely for one (1) property where no municipal system with the sewage to be disposed of on site by approved methods.

170. **PRIVATE SWIMMING POOL** means a structure, basin or tank containing an artificially created pool of water that is greater than 600 mm in depth at any point and is used for swimming, recreation, bathing, diving, wading, healing or therapy, religious rituals or other purpose and includes all buildings, equipment and facilities used in connection with it, that is used on a site with a single dwelling building by the owner, tenants, or their guest. This use class includes outdoor hot tubs.

171. **PROFESSIONAL, FINANCIAL, AND OFFICE SUPPORT SERVICE** means development primarily used for the provision of professional, management, administrative, consulting, and financial services, but does not include health services or government services. Typical uses include the offices of lawyers, accountants, engineers, and architects; offices for real estate and insurance firms, clerical, secretarial, employment, telephone answering, and similar office support services; and banks, credit unions, loan offices, and similar financial uses.

172. **PROVINCIAL LAND USE POLICIES** means the Provincial Land Use Policies.

173. **PUBLIC AND QUASI-PUBLIC BUILDING** means a building, which is, available to the public for the purpose of assembly, instruction, and culture or for a communal activity, but does not include a school or a place of public entertainment for which an admission fee is customarily charged.

174. **PUBLIC EDUCATION SERVICE** means development which is publicly supported or subsidized involving public assembly for educational, training or instruction purposes, and includes the administration offices required for the provision of such services on the same site. This use class includes public and separate schools, community colleges, universities, and technical and vocational schools, and their administrative offices. This use class does not include private education services and commercial schools.

175. **PUBLIC LIBRAIRY AND CULTURAL EXHIBIT** means development for the collection of literary, artistic, musical and similar reference materials in the form of books, manuscripts, recordings and films for public use, or a development for the collection, preservation, and public exhibition of works or objects of

historical, scientific, or artistic value. Typical uses include libraries, museums, and art galleries.

176. **PUBLIC PARK** means development of public land specifically designed or reserved for the general public for active or passive recreational use and includes all natural and man-made landscaping, facilities, playing fields, buildings, and other structures that are consistent with the general purposes of public parkland, whether or not such recreational facilities are publicly operated or operated by other organizations pursuant to arrangements with the public authority owning the park. Typical uses include tot lots, band shells, picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds, and water features.

177. **PUBLIC SPACE** means space within an establishment, which is open to the public and not restricted to employees only. This definition does not include kitchens, administrative offices, and food or drink preparation areas.

178. **PUBLIC UTILITY USES AND INSTALLATIONS** means one (1) or more of the following:

    a. systems for the distribution of gas, whether artificial or natural;

    b. facilities for the storage, transmission, treatment, distribution, or supply of water;

    c. facilities for the collection, treatment, movement, or disposal of sanitary sewage;

    d. storm sewer drainage facilities;

    e. the right of way to and installation of, one (1) or more of the following:

        i. telecommunications systems

        ii. waterworks systems

        iii. irrigation systems

        iv. systems for the distribution of gas, whether natural or artificial

        v. systems for the distribution of artificial light or electric power

        vi. heating systems

        vii. sewage systems

any other things prescribed by the Lieutenant Governor in Council by regulation pursuant to the *Planning Act*.

179. **PUBS AND LOUNGES** means a building with a Class A - minors prohibited liquor licence, with an occupant load of less than fifty (50) persons, where the primary purpose of the facility is the sale of alcoholic beverages to the public, for consumption within the premises. Major or minor amusment establishments are a permitted accessory use. This use does not include licensed outdoor patios or nightclubs and bars.

180. **RAPID DRIVE-THROUGH VEHICLE SERVICE** means development providing rapid cleaning, lubrication, maintenance or repair services to motor vehicles, where the customer typically remains within their vehicle or waits on the premises. Typical uses include automatic or coin operated car washes, rapid lubrication shops, or specialty repair establishments.

180.1 **REAR YARD** means the portion of a site abutting the rear lot line extending across the full width of the site between the rear lot line. *added as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

181. **RECYCLED MATERIALS DROP-OFF CENTRE** means a municipally operated development used for the collection and temporary storage of recyclable materials. Recyclable materials includes, but is not limited to, cardboard, plastics, paper, metal, and similar household goods. Recyclable material left at the drop-off centre shall be periodically removed and taken to larger, permanent recycling operations for final recycling. These drop-off centres are intended to operate out of doors within a fenced compound. This use class does not include recycling depots.

182. **RECYCLING DEPOT** means development used for the buying and temporary storage of, but not limited to, bottles, cans, newspapers, and similar household goods for reuse where all storage is contained within an enclosed building. This use class does not include recycled materials drop-off centres.

183. **RELIGIOUS ASSEMBLY** means development used for worship and related religious, philanthropic or social activities and includes accessory rectories, manses, meeting rooms, food preparation and service facilities, classrooms, dormitories and other buildings. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls, convents, and monasteries. This use class does not include private education services, public education services, and commercial schools, even as accessory uses.

184. **RESIDENTIAL SALES CENTRE** means a temporary building or structure used for a limited period of time for the purpose of marketing residential land or buildings.

185. **RESPITE SUPPORT** *deleted as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

186. **RESTAURANT** means development where the primary purpose of the facility is the sale of prepared foods and non-alcoholic beverages to the public, including minors, for consumption within the premises or off the site. This use class typically has a varied menu, with a fully equipped kitchen and preparation area, and includes fast food and family restaurants.

187. **RETAIL STORE** means development used for the retail sale of goods which may include groceries, beverages, household goods, furniture and appliances, hardware, printed matter, confectionery, tobacco, pharmaceutical and personal care items, automotive parts and accessories, office equipment, stationary, and similar goods from within an enclosed building. Minor public services, such as postal services and film processing depots are permitted within retail stores.

188. **ROW HOUSING** *deleted as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

189. **ROW HOUSING, STACKED** *deleted as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

190. **SATELLITE SIGNAL RECEIVING ANTENNA** *deleted as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

191. **SECONDARY SUITE** means development consisting of a self-contained dwelling located in a structure in which the principal use is a single dwelling building. A secondary suite has cooking, food preparation, bathroom facilities which are separate from those of the principal dwelling within the structure.

192. **SECONDHAND STORE** means development used for the indoor retail sale and temporary storage of secondhand household goods, such as clothing, furniture, jewelry, stereos, and musical instruments including the refurnishing and repair of the goods being sold. This use class does not include the sale of used vehicles, auto parts, recreation craft, or construction and industrial equipment or materials. This use class also does not include booth markets, pawn shops or antique stores.

193. **SECURITY SUITE** means a suite designed as accommodation for 24 hour on--site security personnel.

194. **SEMI-DETACHED DWELLING** means one dwelling of a duplex, which has been titled separately with a property line along a common wall.

195. **SEMI-DETACHED GARAGE** means detached garages joined on common property line(s) by a “firewall” as defined in the Alberta Building Code.

196. **SEMI-PUBLIC SWIMMING POOL** means the same definition as specified in the in the Alberta Building Code.

197. **SENIORS AND SUPPORTIVE HOUSING FACILITY** means a multi-unit residential facility operated solely to meet the housing needs of persons over the age of 64 years or those requiring supportive housing due to physical limitations. The facility operator may also provide supportive services to the residents, which may include, but are not limited to meals, housekeeping services, linen and laundry services, and recreational services.

198. **SERVICE STATION** means development used for the servicing, washing, and repairing of vehicles; and the sale of gasoline, other petroleum products, a limited range of vehicle parts and accessories, and may also include convenience stores. This use may include typical uses including truck stops and highway service stations.

199. **SETBACK** means the minimum horizontal distance between the lot boundary and the nearest point on the exterior wall or chimney of the building or another part of the building or projection if determined by the Development Authority.

200. **SHOPPING CENTRE** means two (2) or more commercial establishments planned, developed, and managed as a unit on a lot or lots and served by off-street parking, and includes the total site upon which the building(s) is located.

201. **SHOW HOME** means a permanent dwelling that is constructed for the temporary purpose of illustrating to the public the type or character of a dwelling or dwellings to be constructed in other parts of a subdivision or development area. Show homes may contain offices for the sale of other lots or dwellings in the area.

202. **SIDE LOT LINE** means the property line of a lot other than a front lot line or rear lot line.

202.1 **SIDEWALK PATIO** means simple non-permanent seating for patrons outside an established business, that occupies public space (usually the sidewalk in front of the business). *added as per Bylaw 2019-22*

203. **SIDE YARD** means that portion of a site abutting a side lot line extending from the front yard to the rear yard. The side yard shall be situated between the side lot line and a line on the site parallel to it, at a specified distance from it, and measured at a right angle to it along its full length.

204. **SIGN** means a display board, screen, structure, or material having characters, letters or illustration applied thereto, or displayed thereon, in any manner, not inside a building, and includes the posting or painting of an advertisement or notice on a building, structure or lot.

205. **SINGLE DWELLING BUILDING** means development consisting of a building containing only one (1) dwelling, not including approved secondary suites, which is separate from any other dwelling or building.

206. **SITE** means an area of land consisting of one (1) or more abutting lots.

207. **SITE COVERAGE** mean the total horizontal area of all buildings or structures on a site which are located at, or higher than, 1.0 m above grade, including accessory buildings or structures, calculated by perpendicular projection onto a horizontal plane from one point located at an infinite distance above all buildings and structures on the site. This definition shall not include:

    a. steps, eaves, cornices, and similar projections;

    b. driveways, aisles, and parking lots unless they are part of a parking garage which extends 1.0 m or more above grade; or

    c. unenclosed inner and outer courts, terraces, and patios where these are less than 1.0 m above grade.

208. **SITE WIDTH** means the horizontal distance between the side boundaries of the site measured at a distance from the front lot line equal to the minimum required front yard for the zone.

209. **SLEEPING UNIT** means a habitable room or a group of two (2) or more habitable rooms, not equipped with self-contained cooking facilities, providing accommodation for not more than two (2) persons.

210. **SMALL ANIMAL HOSPITAL** means development used for the care and grooming of small animals within an enclosed building but does not include small animal kennels or impoundment facilities.

211. SMALL ANIMAL KENNEL means a development used for daytime or overnight boarding of small animals normally considered to be household pets. Facilities may include indoor or outdoor enclosures, runs, pens or exercise areas. This use class may include animal shelters, impound or quarantine facilities, and activities such as grooming, training, breeding, and retail sales of associated products. This use does not include Small Animal Hospitals or Veterinarian Service. *amended as per Bylaw 2098-25*

211.1 **SOLAR COLLECTOR** means any device used to absorb sunlight that is part of a system used to convert solar radiation energy into thermal or electrical energy. *Added per Bylaw 2095-25*

212. **SPECTATOR ENTERTAINMENT ESTABLISHMENT** means development providing facilities within an enclosed building specifically intended for live

theatrical, musical, or dance performances; or the showing of motion pictures. This use class does not include entertainment developments associated with bars, neighbourhood pubs, and nightclubs and does not include adult entertainment facilities.

213. **STATUTORY PLAN** means an Intermunicipal Development Plan, a Municipal Development Plan, an Area Structure Plan, or an Area Redevelopment Plan adopted by a municipality.

214. **STOCKPILE SITE** means a site used in for the temporary stockpiling of earth materials for a period of greater than thirty (30) days and in quantities greater than fifty (50) cubic metres that have been excavated and stored for redistribution on the subject site or other locations. Typical materials include but are not limited to waste excavation materials, excess construction materials, gravel, clay, organic materials, salvaged materials.

215. **STOREY** means that portion of a building, which is situated between the top of any floor and the top of the floor next above it. If there is no floor above, the storey is the portion of the building, which is situated between the top of any floor and the ceiling above it. If the top of the floor directly above a basement is more than 1.83 m above grade, such basement shall be considered a storey for the purpose of this Bylaw.

216. **STOREY**, **HALF** *deleted as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

216.1 **STRUCTURE** means a Building or other thing erected or placed in, on, over or under land, whether or not it is so affixed to the land as to become transferred without special mention by a transfer or sale of the land, pursuant to the Municipal Government Act, as amended. *Added per Bylaw 2106-26*

217. **SUBDIVISION** means the division of a parcel of land by an instrument and "subdivide" has a corresponding meaning.

218. **SUBDIVISION AND DEVELOPMENT APPEAL BOARD** means the Board appointed under the City of Wetaskiwin Subdivision and Development Appeal Board, or its successors, pursuant to the *Act*, to hear appeals launched under Part 5 of this Bylaw.

219. **SUBDIVISION AND DEVELOPMENT REGULATIONS** means regulations made by the Lieutenant Governor in Council.

220. **SUBDIVISION AUTHORITY** means a subdivision authority established pursuant to City of Wetaskiwin Subdivision and Development Appeal Board.

221. **SUPPORT HOME** means a home where care, support, and training are provided for one (1) or two (2) persons with developmental disabilities where the care provider(s) view that home as their personal or primary residence. This use class includes those homes providing respite support.

222. **TANDEM PARKING** means two (2) parking spaces, one behind the other, with a common or shared point of access to the maneuvering aisle.

223. **TEMPORARY BUILDING** means a building or structure, without a foundation, that is to be placed on a site for a period of less than two (2) years. This use class definition does not include:

    a. residential accessory buildings

    b. commercial or industrial accessory buildings intended for long term use

    c. construction job site offices

    d. manufactured homes

    e. tent structures

224. **TEMPORARY DEVELOPMENT** means a development for which a Development Permit has been issued for a limited time only.

225. **TEMPORARY SHELTER SERVICE** means development sponsored or supervised by a public authority or non-profit agency for the purpose of providing temporary accommodation for persons requiring immediate shelter and assistance for a short period of time, being less than one (1) month. Typical uses are overnight shelters.

226. **TEMPORARY STORAGE YARD** means development used exclusively for temporary outdoor storage of goods and materials where such storage of goods and materials does not involve the erection of permanent structures or the material alteration of the existing state of the land. Typical uses include pipe yards, or vehicle or heavy equipment storage compounds.

227. **TENT STRUCTURE** means an enclosed structure that consists of a pliable material supported by light frame materials intended as a low cost structure for the protection of goods, vehicles from the weather or for temporary cover during special events that may be accessible to public. This use class does not include structures covering less than 10 m^2 of ground floor area, camping tents or patio sun shades.

228. **TOURIST CAMPSITE** means development of land which has been planned and improved for the seasonal short term use of holiday trailers, motor homes,

tents, campers and similar recreational vehicles, and is not used as year round storage, or accommodation for residential use. Typical uses include tourist trailer parks, campsites, and tenting grounds.

229. **TOWING COMPOUND** means a building designed for use for any one (1) or more defined industrial uses and may contain accessory office space.

230. **TOWNHOME** means development consisting of a building containing a row of more than two (2) dwellings joined in whole or in part at the side. Each dwelling shall have separate, individual, and direct access. *replaced as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

231. **TRAFFIC GENERATION** means the volume of vehicular traffic generated over a prescribed area within a prescribed time frame, which can be directly attributed to a particular development or geographic area.

232. **TREED LANDSCAPE BOULEVARD** *deleted as per amending Bylaw 2015-22*

233. **TRUCK AND FACTORY BUILT HOME SALES** means development used for the sale or rental of new or used trucks, motorhomes, factory built 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.

234. **UNDERGROUND SEWAGE HOLDING TANK** means the use of a certified underground tank placed on site for collection and temporary storage of sewage until pumped out into a municipal system or by pump out truck.

235. **UNENCLOSED FRONT PORCH** *deleted as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

236. **USE** means the purpose or activity for which a piece of land or its buildings are designed, arranged, developed, or intended, or for which it is occupied or maintained.

237. **VEHICLE AND EQUIPMENT SALES/RENTALS** means development used for the sale or rental of heavy vehicles, machinery or mechanical equipment typically used in building, roadway, pipeline, oilfield and mining construction, manufacturing, assembling and processing operations, and agricultural production.

238. **VEHICLE ORIENTED USE** means development used for the retail sale of gasoline, other petroleum products, and incidental auto accessories and may include convenience stores. This use does not include service stations.

239. **VETERINARY SERVICE** means development used for the care and treatment of animals where the veterinary services primarily involve out-patient care and minor medical procedures involving hospitalization. All animals shall be kept within an enclosed building. This use class includes pet clinics, small animal veterinary clinics, veterinary offices, animal grooming, and impound facilities. Small animal pet sales are also deemed as general retail sales.

240. **VIOLATION NOTICE** means the document issued by the City to a person who has committed an offence.

240.1 **WALL HEIGHT** means the height of a wall measured from grade to the meeting point of the top of the wall and the roof. *added as per Bylaw 1997-21; amended section number as per Bylaw 2015-22*

241. **WAREHOUSE SALES** means development used for the wholesale of a limited range of bulky goods from within an enclosed building where the size and nature of the principal goods being sold typically require large floor areas for direct display to the purchaser or consumer. This use class does not include developments used for the retail sale of food or a broad range of goods for personal or household use.

242. **YARD** means required open space unoccupied by any portion of a building or structure 1.0 m or more above grade, unless otherwise permitted in this Bylaw. A yard is not a setback, amenity area or separation space.

243. **YARD, REAR** *deleted as per Bylaw 1997-21*; *amended section number as per Bylaw 2015-22; see added s.180.1 Rear Yard*

244. **ZONE** means a specific group of listed use classes and development regulations, which regulate the use, and development of land within specific geographic areas of the City.

PART 3 – ADMINISTRATIVE

3.1 Establishment and Appointment of the Subdivision Authority

1. The City's Subdivision Authority is the Manager of Planning and Engineering, with powers and duties set out in the *Municipal Government Act* and may delegate in writing any or all these powers and duties to a designated officer.
amended as per Bylaw 1965-20

2. *deleted as per Bylaw 1965-20*

3. *deleted as per Bylaw 1965-20*

3.2 Duties with Respect to Subdivision Applications

1. The Subdivision Officer must not approve an application for subdivision of land unless:

   a. The land that is proposed to be subdivided is, in the opinion of the subdivision authority, suitable for the purpose that is intended, considering the relevant considerations outlined in the Subdivision and Planning Regulations.

   b. The proposed subdivision conforms to the provisions of the Intermunicipal Development Plan, the Municipal Development Plan and, if applicable, the Area Structure Plan.

   c. The proposed subdivision conforms to the lot size and area requirements of the Land Use Bylaw, unless the permitted discretion of the subdivision authority is used.

   d. The land that is proposed to be subdivided is classified to an appropriate Land Use classification.

   e. The proposed subdivision conforms to the requirements of Provincial Land Use Policies, the *Act*, the Subdivision and Development Regulation, and any other relative planning legislation.

   f. All outstanding property taxes and local improvements on the land have been paid to the City or arrangements satisfactory to the City have been made pursuant to the *Act*.

2. *deleted as per Bylaw 1965-20*

3. *deleted as per Bylaw 1965-20*

3.3 Establishment and Appointment of the Development Authority *replaced as per Bylaw 1997-21*

1. That the Chief Administrative Officer of the City of Wetaskiwin be designated as the Development Authority.

2. That the Chief Administrative Officer of the City of Wetaskiwin may delegate the authority in writing to one or more development officers or any other municipal staff to carry out the duties of Part 17 of the *Municipal Government Act*.

3.4 Duties with Respect to Development Permit Applications

1. The Development Officer shall receive all applications for development and:

   a. Shall ensure that a record of applications is maintained and is made available for viewing to any interested person during normal City Hall office hours.

   b. Shall review each development application to ascertain whether it is complete in accordance with the information requirements of this Bylaw, and shall, if the application complies with such requirements, enter the application in the record of applications.

   c. Shall review each development application to ascertain its appropriate development class and may require the applicant to apply for a permit for a different class.

   d. Shall approve, without conditions or with such conditions as required to ensure compliance, an application for development of a permitted use provided the development complies with the regulations of this Bylaw or shall refuse an application for development of a permitted use if the development does not comply with the regulations of this Bylaw, unless the Development Officer uses their discretion pursuant to Section 3.5 of this Bylaw.

   e. May relax a regulation in a Land Use Class District or other Section of this Bylaw in accordance with the regulations contained in that Land Use Classification or Section, or may relax regulations in accordance with Section 3.5, and in such case, the development application shall be a deemed a Discretionary Use.

   f. May refuse or approve, with or without conditions, with or without changes in the design of the development, or with or without the imposition of

regulations more restrictive than those required by the specific land use district or General Regulations of this Bylaw, an application for development of a discretionary use, having regard to the regulations of this Bylaw and the provisions of any applicable Statutory Plan.

g. Shall refer an application for a development in a Direct Control District to City Council for decision whereby City Council may direct the Development Officer to issue a development permit with or without conditions or refuse the application as submitted.

h. Shall give notice of the Development Authority's decision on applications for development permits as follows: *amended as per Bylaw 1992-21*

i. Where an application has been approved, public notification shall be given in accordance with Part 4, Section 4.6 of this Bylaw and notice to the applicant shall be given in writing by hand delivery, by regular mail or by electronic means where authorized.

ii. Where an application has been refused, notice in writing shall be given to the applicant, either hand delivered, by regular mail, or by electronic means where authorized, and such notice shall state the reason for refusal.

iii. Shall in the case of a development permit for a temporary use specify the length of time that Permit remains in effect.

3.5 Variance to Regulations

1. A Development Officer shall not issue a permit for a use that is not listed in the district regulations as permitted uses or discretionary uses of a particular land use district.

2. Except as restricted in Sentence 3.5(1) a Development Officer may approve, with or without conditions, an application for development that does not comply with this Bylaw where:

a. The proposed development would not, in opinion of the Development Authority: *amended as per Bylaw 1997-21*

i. unduly interfere with the amenities of the neighbourhood; or

ii. materially interfere with or affect the use, enjoyment, or value of neighbouring properties.

b. The proposed development would, in the Development Officer's opinion, conform with the use prescribed for that land or building in this Bylaw.

c. The Development Officer may approve, with or without conditions, an enlargement, alteration, or addition to a legal non-conforming building if the non-conforming building complies with the uses prescribed for that land in this Bylaw and the proposed development would not, in the opinion of the Development Authority: *amended as per Bylaw 1997-21*

i. unduly interfere with the amenities of the neighbourhood; or

ii. materially interfere with or affect the use, enjoyment, or value of neighbouring properties.

3. A Subdivision Officer may approve, with or without conditions, an application for subdivision that does not comply with the minimum lot dimensions outlined in the District Regulations Bylaw where:

a. The proposed subdivision would not unduly interfere with the amenities of the neighbourhood.

b. Materially interfere with or affect to use, enjoyment, or value of neighbouring parcels of land.

c. It can be proven by the applicant to the Subdivision Officer, that the proposed lot can accommodate development of the site.

3.6 Limitation of Variance

1. In approving an application for a development permit pursuant to Section 3.5, the Development Officer and the Subdivision and Development Appeal Board, shall adhere to the following:

a. A variance shall be considered only in cases of unnecessary hardship or practical difficulties particular to the use, character, or situation of land or a building, which are not generally common to other land in the same Land Use Classification.

b. A variance may be considered to front yard and rear yard setbacks for buildings, provided the variance does not get reduced to less than the setbacks of approved or legal-nonconforming buildings on adjacent properties.

c. A variance may be considered to minimum side yard setbacks to allow cantilevered projections of up to 0.3 m in floor area and up to 1.5 m in width, extending beyond the minimum setback line provided the construction materials and cladding type of the facing wall meets, or exceeds, the appropriate building and fire codes and the opposite on the property side yard is not increased beyond the minimum setback requirement.

d. A variance may be considered to maximum building height to allow an increase of up to 10% provided the roof style does not include gable ends facing side yards, the building style is suited to other buildings in the neighbourhood and the minimum side yard setbacks are increased by the varied distance.

e. A variance may be considered to the maximum site coverage for residential properties to allow an increase of up to 3% in the maximum site coverage to allow the construction of a principal building provided the building does not exceed one storey in building height, there is no more than one (1) accessory building on the site, at least 35% of the site is covered with soft landscaping and provided that no other variances have been granted or are required for the site.

2. In approving an application for a subdivision that does not meet the minimum lot size requirements specified in the Land Use District Regulations, the Subdivision Officer and the Subdivision and Development Appeal Board, shall adhere to the following:

a. The proposed variance has been circulated to appropriate City review committees for comments.

b. The variance does not exceed 10% of the required regulation.

c. The minimum lot area requirement for the subject lot has been met.

d. The lot can handle the minimum building footprint area without reducing setback requirements outlined in Part 9.

3.7 Maintenance and Inspection of Bylaw

1. The Development Officer shall:

a. make available to the public, during normal office hours, copies of this Bylaw and all subsequent amendments thereto; and

b. charge the specified fee for supplying to the public copies of this Bylaw.

3.8 Development Not Requiring a Development Permit

1. The following uses and developments are those which do not require a development permit, provided that such developments comply with the regulations of this Bylaw, where applicable:

   a. Those uses and developments exempted by Sections 618 or 619 of the *Act*.

   b. Those uses exempted by the Planning Exemption Regulation.

   c. An accessory building 9.3 m^2 or less in area, provided it complies with the regulations of the Bylaw. This includes play structures. *amended as per Bylaw 1997-21*

   d. Interior alterations and maintenance to a residential building, provided that such alterations and maintenance do not result in an increase in the number of dwellings, within the building or on the site, nor in a change of the use class or the introduction of another use class.

   e. Interior alterations and maintenance to a non-residential building, including mechanical or electrical work, provided that neither the use class nor the intensity of use class is changed, nor that another use class is added.

   f. The use of a building, or part thereof, as a temporary polling station, Returning Officer's headquarters, candidate's campaign office and any other official temporary use in connection with a federal, provincial, or municipal election, referendum, or census.

   g. A temporary structure, the sole purpose of which is incidental to the erection, alteration, or marketing of a building for which a development permit has been granted under this Bylaw, provided the temporary structure is removed within thirty (30) days of substantial completion as determined by the Development Officer.

   h. The erection of towers and poles, television and other communication aerials, masts, or towers where:

      i. such structures comply with the Airport Protection Overlay

      ii. such structures are to be used for cellular telephone or personal communication services signal transmission

i. The parking or storage, or both, of any uninhabited recreational and un-serviced vehicle in a residential Land Use Classification, where such parking or storage fully complies with the regulations of this Bylaw.

j. The construction and maintenance of a Public Utility Service development.

k. Landscaping, where the existing grade and natural surface drainage pattern is not materially altered, except where landscaping forms art of a development which requires a development permit.

l. Minor structures not exceeding 2.0 m in height which are ancillary to residential uses, such as a barbecue, doghouse, lawn sculpture, or bird feeder.

m. Construction of an uncovered deck in the side and/or rear yard and less than 0.60 m above grade. *amended as per Bylaw 1997-21*

n. Access platforms and stairs providing access to platforms that provide access or egress from the principal building that are less than 2.5 m^2 in platform area, provided they are constructed of non-combustible materials and do not interfere with property drainage and provided they are not enclosed by walls or covered by a roof structure. *amended as per Bylaw 1997-21*

o. Hard surfacing of any yard area on a residential lot for the purpose of providing vehicular access from a public roadway to an attached or detached garage or carport provided that the hard surfacing does not exceed 7.5 m in width.

p. Signs as exempted under Section 7.6 of this Bylaw.

q. Intermodal containers less than 6.1 m in length when located in the M1 or M2 districts. *added as per Bylaw 1922-19*

r. Patios provided the soft landscaping and site drainage requirements are met and there is no roof over the patio. *added as per Bylaw 1997-21*

s. Home office provided all regulations within this Bylaw are met. *added as per Bylaw 1997-21*

t. Sidewalk Patios that comply with the development regulations outlined in 8.34. *added as per Bylaw 2019-22*

u. The installation or operation of solar collectors, if:

    a. The solar collectors are mounted on an existing building; and

b. The solar collectors do not project above the existing building height or beyond the existing building footprint. *Added per Bylaw 2095-25*

3.9 Development Permits Required

1. Other than development listed in Section 3.8, all development requires a development permit.

2. No person shall commence, or direct a person to commence, a development without first obtaining a development permit and meeting the conditions of the development permit prior to commencement of the development.

3. No person shall commence, or direct a person to proceed with, a change in use class or add a use class without first obtaining a development permit to use land or buildings for that particular use class and meeting the conditions of the development permit that must be completed prior to use of the land or buildings.

3.10 Development Agreements Required

1. If deemed required by the Development Officer, as condition of a development permit, the property owner will be required to enter and comply with a Development Agreement with the City pursuant to Section 650 of the *Act*.

2. If deemed required by the Subdivision Officer, as condition of a subdivision approval, the property owner will be required to enter and comply with a development agreement with the City pursuant to Section 655 of the *Act*.

3. Development Agreements may also incorporate:

   a. Statements regarding the collection of off-site levies pursuant to Section 648 of the *Act*; and/or

   b. Statements regarding oversizing of municipal improvements to provide excess capacity pursuant to Section 651 of the *Act*.

4. The City has the right to register caveats on the Land Title of the subject lands to protect the interests of the City regarding the development agreements.

3.11 Development Permit Fees and Related Development & Subdivision Fees

1. The fees for the following shall be found in the Fees and Charges Bylaw in effect: *amended as per Bylaw 1985-20 and Bylaw 2106-26*

    a. Development Permit Applications

    b. Damage Deposits

    c. Damage Deposit Transfer Fees

    d. Grading Compliance Deposits

    e. Discretionary Use Notification

    f. Development Agreement Preparation

    g. Compliance Certificates Applications

    h. Land Use Bylaw Amendment Applications

    i. Statutory Plan Amendment Applications

    j. Subdivision Application and Endorsement

    k. Encroachment Agreements

    l. Subdivision and Development Appeals

2. Every application for a development permit shall:

    a. Be accompanied by the appropriate development permit application fee.

    b. If a discretionary use or use approved using the discretion of the Development Officer, the discretionary use notification fee.

3. Where development agreements are required the Development Agreement Preparation Fee shall be paid upon signing of the agreement.

4. The Development Permit Application Fee is an application fee and is non-refundable regardless of decision.

5. Fees for Compliance Certificate applications, Land Use Bylaw Amendment applications, Statutory Plan Amendment applications and for Encroachment Agreements shall be paid at time of application.

6. *deleted as per Bylaw 1965-20*

7. Off-site Levies due regarding properties shall be paid to the City prior to commencement of development on the lands, or as outlined in a development agreement.

8. The Development Authority may, as a condition of issuing a development permit, require the applicant to provide security in a form acceptable to the City to ensure the applicant's compliance with, or performance of, any of the conditions of a development permit, including but not limited to the restoration of damages to municipal installations as identified in section 7.22 and compliance with approved grading plans as identified in section 7.23. *Added per Bylaw 2106-26*

3.12 Development Agreement Authority

1. Development Agreements pursuant to development permits, may be endorsed by the Chief Administrative Officer provided:

   a. The developer is solely responsible for all costs related to the installation of Municipal Improvements where the cost does not exceed $500,000; and

   b. there are no oversizing costs to be incurred and due by parties other than the developer.

2. All other development agreements pursuant to development permits must be approved by resolution of City Council.

3. Development Agreements regarding Subdivision Approval or Condominium Plan Approval must be endorsed in accordance with the City's Subdivision Agreement Policy.

3.13 Bylaw Amendments

1. A person may apply, in writing, to the Development Officer to have an amendment of this Land Use Bylaw considered, furnishing reasons in support of the application, paying the associated fees, and requesting that the Development Officer submit the application to the Council.

2. City Council may, at any time, initiate an amendment to this Land Use Bylaw by directing the Development Officer to initiate an application.

3. A Development Officer may initiate an amendment to this Land Use Bylaw by preparing a draft bylaw and presenting the draft to City Council.

4. If an application for a proposed amendment to this Land Use Bylaw has been rejected by the Council within the previous twelve (12) months, the Development Officer shall advise the applicant that the amendment shall not be accepted and applicant shall be advised, in writing, that they must wait at least one (1) year from the time the original bylaw was rejected before reapplication will be considered

5. All applications for amendment to this Land Use Bylaw shall be accompanied by the following, namely:

   a. A copy of the certificate of title for the land affected.

   b. A statement of the reason/s for the request to amend the Land Use Bylaw.

   c. An accurately dimensioned and scaled map of the property under application and its relationship to surrounding land uses.

   d. Such fee as established by resolution of the Council.

   e. Where the applicant is an agent acting on behalf of the owner, written authorization from the registered owner; and

   f. Any other information which is deemed to be necessary by the Council.

3.14 Validity and Procedures for Amendment

1. This Bylaw and any amendment thereto shall be enacted to ensure conformity with all Statutory Plans as adopted and any amendments thereto.

2. If it appears to a Development Officer that the proposed amendment does not comply with any Statutory Plan, they shall advise the applicant in writing that the Statutory Plan(s) must be amended before the amendment to this Bylaw may proceed to second reading of the amendment

3. Before second reading of an amending bylaw, Council must hold a public hearing with respect to the proposed bylaw in accordance with Section 230 of the *Act* and the City's Public Hearing Policy after giving notice of the Public Hearing in accordance with Section 606 and 692 of the *Act*.

4. The validity of this Bylaw and its amendments thereto are governed by Sections 536 to 538 of the *Act*.

5. The amending bylaw must include a statement identifying when the bylaw comes into effect. If the effective date of an amending bylaw regarding the change in Land Use Classification is related to the date of subdivision

registration and the subdivision application expires or becomes invalid, then the amending bylaw is also deemed invalid.

3.15 Review and Processing of Amendments *amended as per Bylaw 1997-21*

1. The Development Officer shall:

   a. examine the proposed amendment;

   b. prepare a written report on the proposed amendment; and

   c. advise the applicant in writing that:

      i. the Development Authority is prepared to recommend the amendment to the Council without further investigation; or

      ii. the Development Authority is not prepared to recommend the amendment; or

      iii. the Development Authority requires further investigation to make a recommendation; or

      iv. the Development Authority is prepared to recommend an alternative amendment.

2. Upon receiving the advice of the Development Officer, the applicant shall advise the Development Officer in writing if:

   a. They wish to amend the amendment; or

   b. They do not wish to proceed to City Council with the proposed amendment, in which case the application is considered abandoned.

3. If the applicant does not respond to the Development Officer's notification, the application shall be cancelled after one (1) year from the date of the notice of the Development Officer.

4. If requested by the applicant, the Development Officer shall submit the proposed amendment to Council, accompanied by the report of the Development Officer.

5. The Development Officer, using discretion, may present for the consideration of Council any proposed amendment to this Bylaw, and the proposed amendment shall be accompanied by the report and recommendations of the Development Officer.

3.16 Land Use Bylaw Compliance Certificate and Certificate Fees

1. The applicant for a Compliance Certificate shall provide to the Development Officer a Real Property Report for the site prepared by a registered Alberta Land Surveyor and pay the associated fee.

2. The applicant shall pay all costs associated with the preparation of the Real Property Report.

3. In determining whether a Compliance Certificate can be issued for a site, the Development Officer shall rely on the Real Property Report provided by the applicant. The Development Officer shall not undertake independent site inspections.

4. The Development Officer may issue a Compliance Certificate when, in the opinion of the Development Authority, the building(s) located on a site and shown on the Real Property Report, are in accordance with the setback regulations of this Bylaw and the setbacks specified in any development permit, which may have been issued for the site. The Compliance Certificate shall only cover those buildings and structures, or parts thereof, shown on the Real Property Report submitted by the applicant. *amended as per Bylaw 1997-21*

5. The Development Officer may refuse to issue a Compliance Certificate when, in their opinion, do not have sufficient information from the applicant to determine if a building(s) located on a site is (are) located in accordance with the yard regulations of this Bylaw and/or the yards specified in any development permit which may have been issued for the site.

6. The Development Officer and the City shall not be liable for any damages arising from the use of a compliance certificate containing errors where the errors are the result of incorrect or incomplete information on the Real Property Report.

PART 4 – APPLICATION

4.0 Development Application Submission

4.1 General Conditions

1. Unless extended by an agreement in writing between the applicant and the Development Authority, the Development Authority shall within 20 days after receipt of an application for a development permit:

    a. Issue a written acknowledgement to the applicant advising that the application is complete; or

    b. Issue a written notice to the applicant advising that the application is incomplete, listing the documentation and information that is still required and setting a date by which the required documentation and information must be submitted. *Added per Bylaw 2095-25*

2. For the purposes of this Bylaw, applications for a development permit are not deemed complete until the applicant has: *Amended per 2095-25*

    a. Submitted all information required pursuant to Sections 4.2, 4.3 and 4.4 of this Bylaw.

    b. Submitted any information specifically required pursuant to the regulations of the applicable Land Use Classification under Part 6 or other information required under Part 7 or Part 8 of this Bylaw.

    c. Paid the appropriate development permit application fee as set pursuant to Section 3.11 of this Bylaw.

2. Notwithstanding clause (1) above, the Development Officer may consider an application if, the development is of such a nature as to enable a decision to be made on the application without all the information required in this Section.

3. The Development Officer may require an applicant to submit such additional information, as they consider necessary to verify the compliance of the proposed Use or development with the regulations of this Bylaw.

4. The approval of any application, drawing, or the issuing of a development permit shall not prevent the Development Officer from thereafter requiring the correction of errors, nor from prohibiting the development being carried out when the same is in violation of this Bylaw.

5. In the event of a discrepancy between any written description and the drawings, the written description shall prevail.

6. Where an application for a development permit is determined to contain incorrect information, no development permit shall be issued until such information is corrected. Any development permit issued based on incorrect information contained in the application shall be invalid.

7. Unless otherwise specified in this Bylaw, all drawings submitted shall be drawn on substantial standard drafting material or submitted electronically to a scale of not less than 1:100 or such other scale as the Development Officer may approve, and shall be fully dimensioned, accurately figured, explicit, and complete.

4.2 Development Permit Applications

1. An application for a development permit shall be accurately completed and be submitted either on the appropriate form or in an electronic format satisfactory to the Development Officer and include:

    a. the municipal address of the site;

    b. a legal description of the site on which the proposed development is proposed to occur;

    c. the property owner's name, address, daytime phone number, and if applicable, fax number, cell phone number, and email address;

    d. the applicant's name, address, daytime phone number, interest in the proposed development, and if applicable, fax number, cell phone number and email address;

    e. the owner's signature or a letter authorizing the applicant to apply for the proposed development;

    f. the applicant's signature;

    g. payment of the prescribed application fee;

    h. the existing use(s) of the site;

    i. the proposed use(s) pursuant to the application;

    j. the Land Use Classification of the subject site;

    k. the estimated market value of the proposed development;

l. and for permit applications other than a change in use class of an existing structure the applicant must include a detailed site plan, to the satisfaction of the Development Officer showing any or all of the following:

i. the north point;

ii. the scale of the plan;

iii. the legal description of the site;

iv. the location of all easements registered on the site;

v. the location of any existing structures on the site;

vi. the location of the proposed development relative to the boundaries of the site;

vii. the location, grade elevations, and style of existing and proposed curbs, sidewalks, and medians on or adjacent to the site;

viii. the grades and location of the adjacent streets and lanes;

ix. the floor area of the proposed development, in square metres;

x. the site area, in square metres;

xi. the area of the site covered by buildings, in square metres;

xii. the height of the proposed development, in metres;

xiii. the number of floors or storeys of the proposed development;

xiv. the proposed finish floor elevation(s);

xv. the proposed finish grade elevations, at each corner of the building, each corner of the lot, and at points along the property lines where direction of surface drainage flow changes and drainage direction;

xvi. the proposed bottom of footing grade elevation;

xvii. the approved neighbourhood geodetic grade elevations for the site;

xviii. the general location of all exiting water service, sanitary sewer service, and storm sewer service connections to the site;

xix. the location of any proposed new water service, sanitary sewer service, and storm sewer service connections to the site;

xx. the distance to the nearest fire hydrant to the site;

xxi. the location of any existing boulevard trees adjacent to the site;

xxii. the location of all existing and proposed driveways;

xxiii. the on-site parking and loading requirement calculations;

xxiv. the location and grade elevations of all proposed on-site parking and loading facilities;

xxv. the location of commercial garbage container placement areas.

xxvi. two set of plans or electronic submission of plans satisfactory to the Development Officer showing floor plans, building elevations and if deemed required by the Development Officer a perspective relationship of the proposed development to the adjacent buildings;

xxvii. a plan showing fire routes and lanes;

2. For comprehensive developments, if deemed necessary by the Development Officer, the applicant may be required to submit some or all the following each completed by an appropriate professional:

a. a Traffic Impact Assessment Study;

b. a Storm Water Management Plan;

c. an Environmental Impact Assessment;

d. an Environmental Report;

e. a Topographical Survey;

f. a Geotechnical Engineering Report;

g. a Detailed Site Landscaping Plan;

h. a Utility Impact Assessment; and/or,

i. any other pertinent information or tests required by the Development Officer respecting the site or other lands in the vicinity.

3. Applications for Cannabis Retail uses must be accompanied by: (*added as per Bylaw 1914-18)*

    a. proof of compliance with the Cannabis Retail Specific Use Regulation 8.33; and

    b. proof of an application to the Alberta Gaming and Liquor Commission (AGLC).

4.3 Discretionary Use Permits

1. In addition to the information required in Section 4.2, for development applications for a use(s) listed in the District Regulations as a Discretionary Use, other than a building style, the applicant shall include a letter clearly describing the nature of the proposed use(s) to determine proper classification.

2. In addition to the information required in Section 4.2, for development applications for requiring a variance to be issued the applicant shall provide a letter requesting the Development Officer to consider the variance including the reasons the applicant feels the requested variance is suited to the site; and, photographs, as evidence, of adjacent properties.

4.4 Sign Development Permit Applications

1. Applications for all signs shall include the following information in duplicate and the appropriate application form shall be fully and accurately completed:

    a. the municipal address of the land or building where the sign is to be erected, if any;

    b. the legal description of the land on which the proposed sign is to be erected;

    c. the zoning classification of the land on which the proposed sign is to be erected;

    d. the applicant's name, address, telephone number, and interest in the land;

    e. the landowners name, address, telephone number;

    f. the name of the advertised business or development where the sign is to be erected;

g. whether the development where the sign is to be erected is a single occupancy or multiple occupancy development;

h. a letter from the owner of the property on which the sign is to be erected, or their agent, authorizing the applicant's sign development application;

i. the name of the company the sign is to be installed or erected by;

j. the party responsible for compliance with the regulations;

k. the type of sign as defined in these regulations;

l. the detailed dimensions of the sign;

m. the wording to be placed on the sign;

n. the distances from all roads, intersections, driveways, property lines, and other signs;

o. and if deemed required by the Development Authority, detailed site plans showing:

i. the overall dimensions of the sign, including all sign boxes and cabinets;

ii. a description or illustration of the copy to be displayed on the sign;

iii. the method of illumination (if any), including the use of animation;

iv. the materials from which the sign is to be constructed;

v. the method used to support the sign;

vi. the dimensions of any changeable copy panels;

vii. any rotating parts of the sign;

viii. the total height of the sign above grade.

2. Applications for off-site freestanding signs shall include the following additional information:

a. a photograph that shows the entire frontage of the site where the sign is proposed; and

b. a site plan showing:

i. a north arrow;

ii. the curb line, property line and location of any existing or proposed buildings;

iii. the perpendicular distance from curb line to property line;

iv. the perpendicular distance from property line to building;

v. the location of the proposed sign on the site;

vi. the location of any existing freestanding signs on the site, and whether such sign shall be replaced by the proposed sign;

vii. the length of the frontage of the site where the sign is to be erected;

viii. the horizontal separation distance between the proposed sign and other freestanding signs located on the site; and

ix. for off-site signs, the horizontal distance from the proposed sign to the nearest existing off-site sign.

4.5 Decisions

4.5.1 Conditions Attached to Development Permit

1. The Development Officer may only impose conditions on the approval of a permitted development if the power to do so is clearly specified elsewhere in this Bylaw. Nothing in this Section prevents a Development Officer from identifying on the development permit certain sections of this Bylaw that the applicant would have to comply with in any event.

2. If an applicant applies for a development permit for a structure or a use that is intended to be temporary or that is inherently temporary, the Development Officer may impose conditions limiting the duration of the validity of the development permit. The Development Officer may exercise this power to add conditions to permitted and discretionary uses.

3. The Development Officer may, with respect to a discretionary development or a development in a Direct Control Provision, impose such conditions, as they deem appropriate, having regard to the regulations of this Bylaw and the provisions of any Statutory Plan.

4. The Development Officer may, as a condition of issuing a development permit, require the applicant to make satisfactory arrangements for the supply of water, electric power, sewer service, vehicular and pedestrian access, or any of them, including payment of the costs of installation or constructing any such utility or facility by the applicant.

5. The Development Officer may, as a condition of issuing a development permit require that an applicant enter into an agreement, which shall be attached to and form part of such development permit, to do all or any of the following:

    a. to construct, or pay for the construction of, a public roadway required to give access to the development;

    b. to construct or pay for the construction of:

        i. a pedestrian walkway system to serve the development; or

        ii. pedestrian walkways that will connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves, or is proposed to serve, an adjacent development, or both;

    c. to specify the location and number of vehicular and pedestrian access points to sites from public roadways;

    d. to install, or pay for the installation of, utilities that are necessary to serve the development;

    e. to construct or pay for the construction of, off-street or other parking facilities, or loading and unloading facilities; or

    f. to repair or reinstate, or to pay for the repair or reinstatement, to original condition, any street furniture, curbing, sidewalk, boulevard landscaping and tree planting which may be damaged or destroyed or otherwise harmed by development or building operations upon the site.

6. The Development Officer may, as a condition of issuing a development permit, require that an applicant enter into an agreement in a form satisfactory to the City, to pay an off-site levy or redevelopment levy, or both, imposed by a bylaw pursuant to the *Act*.

7. If an applicant applies for a development permit for a structure that encroaches on City owned property, the Development Officer may impose conditions requiring the applicant to mitigate the impact of the encroachment, including compensation, indemnities, insurance, and a duty to remove the encroaching structure on receipt of notice. If the Development Officer does not impose such a condition on an encroaching structure, this shall not be construed as granting

the applicant a right to encroach and the applicant may require a separate encroachment agreement.

8. The Development Officer may require any agreement be entered into pursuant to clauses (4) and (5) above to be filed against the title to the site at the Land Titles Office.

9. That Cannabis Retail development permits require proof of an approval from the Alberta Gaming and Liquor Commission (AGLC). *added as per Bylaw 1914-18*

4.5.2 Deemed Refusals

1. An application for a development permit is, at the option of the applicant, deemed to be refused if the decision of the Development Officer has not been made within 40 days of the application being deemed complete unless the applicant has entered into an agreement with the Development Officer to extend the forty (40) day period. *Amended per Bylaw 2095-25*

2. *Deleted per Bylaw 2095-25*

3. If a subdivision authority fails or refuses to decide on an application for subdivision approval within the time prescribed in the subdivision and development regulations, the applicant may, within fourteen (14) days after the expiration of the time frame prescribed;

    a. treat the application as refused and appeal it in accordance with Part 5; or,

    b. enter into an agreement with the subdivision authority to extend the time prescribed in the subdivision and development regulations.

4.5.3 Validity of Development Permit - General Provisions

1. When an application for a development permit has been approved by the Development Officer, the development permit shall not be valid unless and until:

    a. any conditions of approval have been fulfilled; and

    b. no notice of appeal from such approval has been served on the Subdivision and Development Appeal Board within the required time.

2. When an application for a development permit has been approved by the Subdivision and Development Appeal Board, it shall not be valid unless and until:

   a. the Board has provided a written decision to the applicant that the permit application has been approved; and

   b. any conditions of approval have been fulfilled.

3. The Development Officer shall suspend the development permit issued by the Subdivision and Development Appeal Board.

4. The development permit issued by the Subdivision and Development Appeal Board and suspended pursuant to the *Act*, remains suspended until:

   a. the Alberta Court of Appeal denies leave to appeal and any appeal from that denial has been finally determined; or

   b. the Alberta Court of Appeal has granted leave to appeal, heard the appeal on the merits, made its decision, and any appeal to the Supreme Court of Canada from that determination by the Alberta Court of Appeal has been finally determined.

4.5.4 Resubmission Interval

1. An application for a development permit for a use within the same use class of this Bylaw, shall not be accepted by the Development Officer from the same or any other applicant for the same site:

   a. within six (6) months of the date of a refusal by the Development Officer; or

   b. within six (6) months of the date of a written decision of the Subdivision and Development Appeal Board on a previous application, if the previous application was appealed to, and subsequently refused by, the Subdivision and Development Appeal Board; or

   c. within six (6) months of the date of a written decision of the Alberta Court of Appeal on the previous application if the application has been appealed to the Alberta Court of Appeal; or

   d. during the time prior to the decision of the Subdivision and Development Appeal Board or the Alberta Court of Appeal if the application has been appealed to the Subdivision and Development Appeal Board or the Alberta Court of Appeal.

2. Subsection 4.5.4(1) shall not apply in the case of an Application for a development permit for a permitted use if the application complies with all the regulations of this Bylaw.

3. If upon review of any application for a development permit, the Development Officer determines that Subsection 4.5.4(1) applies, then the application shall be returned to the applicant, along with any fees that have been submitted. The application shall not be considered as having been refused but shall be deemed not to have been submitted.

4. Notwithstanding Subsection 4.5.4(1) above, if two (2) or more development permit applications for the same use class on the same site have been refused by the Development Officer, the Subdivision and Development Appeal Board, the Alberta Court of Appeal, or any combination of the above, the third and any subsequent development permit application for that use class on that site shall not be accepted by the Development Officer until one year from the date of the most recent refusal, unless that application is for a permitted use and complies in all respects with the Land Use Classification.

4.5.5 Expiry of Permit

1. A development permit shall expire and shall no longer be valid after one (1) year from the date of approval of the permit if no construction has been initiated. Construction includes, but is not limited to, site surface preparation or excavation. Furthermore:

    a. work such as engineering studies, geotechnical investigations, site surveys, soils analysis, environmental assessment, and the like shall not be considered as construction in the context of this Subsection; and

    b. in the case of a change of use within an existing structure, where no significant construction or reconstruction is necessary, the applicant shall have the new Use in operation within one (1) year of the approval of the development permit.

2. Notwithstanding clause (1) above, if a building permit is issued for the development within the twelve (12) month period, the development permit issued therefore shall not lapse unless and until the building permit so issued is cancelled or allowed to lapse by virtue of work not having commenced within the statutory minimum period.

3. Where a development permit is issued for a site where any other development permit has been approved, all previous permits shall be invalid if the physical aspects of the development conflict, or both could not occur simultaneously upon the site, in conformity with the regulations of this Bylaw.

4. Notwithstanding Subsection 4.5.5 time shall not run during an appeal of the development permit to the Subdivision and Development Appeal Board and any consequent court proceedings until:

    a. the Subdivision and Development Appeal Board has issued a written decision of its approval of the development permit and there is no appeal from this decision of the Subdivision and Development Appeal Board; or

    b. the Alberta Court of Appeal denies leave to appeal and any appeal from that denial has been fully determined; or

    c. the Alberta Court of Appeal has granted leave to appeal, heard the appeal on the merits, made its decision, and any appeal to the Supreme Court of Canada from that determination by the Alberta Court of Appeal has been finally determined.

4.6 Notification

4.6.1 Notification of Issuance of Development Permits

1. For permitted use permits, where no variance has been granted, the Development Officer shall notify the assessed owner of the site and the permit applicant of the Development Authority's decision. *amended as per Bylaw 1997-21*

2. Within seven (7) days of the issuance of a development permit for discretionary use permits issued by the Development Officer, or permits issued pursuant to Section 3.5 by the Development Officer;

    a. the Development Officer shall send notice by regular mail, or by electronic means as authorized, to: *amended as per Bylaw 1997-21*

        i. each assessed owner of the site or a part of the site of the development;

        ii. each assessed owner of land, wholly or partly within 76.0 m of the boundary of the site;

    b. the notice shall include, but not be limited to:

        i. the development permit number;

        ii. the legal description and civic address of the site;

        iii. a description of the proposed development or use for the site;

        iv. the permit application date and permit issuance date;

        v. the conditions of approval for the permit;

        vi. the appeal deadline;

        vii. the name and office phone number of the Development Officer,

        viii. the office address and hours where the development permit file may be reviewed;

        ix. the right of appeal; and

        x. the appeal initiation procedure.

3. During any cessation of ordinary mail delivery, the written notice described above shall be given by such other alternative means as the Development Officer may specify.

4. The Development Officer at their sole discretion may, if they deem necessary, notify other owners beyond the 76.0 m distance from the site.

4.6.2 Notification of Refusals of Development Permits

1. Where the Development Officer has reviewed a development permit application and has chosen to refuse the application the Development Officer shall send notice by regular mail or by electronic means as authorized, to the development permit applicant and to each owner of the site or a part of the site of the proposed development. *amended as per Bylaw 1997-21*

2. The notice shall include, but not be limited to:

   a. the development permit application number;

   b. the legal description and civic address of the proposed site;

   c. a description of the proposed development or use for the site;

   d. include the permit application date and permit refusal date;

   e. the reasons for the refusal of the application;

   f. the decision appeal deadline;

   g. the name and office phone number of the Development Officer,

   h. the office address and hours where the development permit file may be reviewed;

   i. the right of appeal; and

   j. the appeal initiation procedure.

4.6.3 Notification of Applications of Direct Control Development Permit Applications

1. An application for a development permit in respect of development of land or a building in a Direct Control District shall require that each assessed owner of land within 76.0 m of the site, or such greater distance as determined by the Development Authority, shall be given notice of the application by regular mail,

by electronic means as authorized, or be delivered in person by the Development Officer. *amended as per Bylaw 1997-21*

2. Further to Subsection (1), the Development Authority may also determine that owners of land or persons that may be affected by the proposed development and shall give notice of the application by the same means as required in Subsection (1). *amended as per Bylaw 1997-21*

3. The above-mentioned notice shall state:

   a. the proposed use of the building or site;

   b. the location of the property (both legal and street address, if available) for which the application has been made;

   c. a method whereby public opinion can be received by City Council with respect to the application; and

   d. that comments on the application are requested within six (6) days of the date of the delivery of the notice, or such greater time as determined by the Development Authority.

PART 5 – APPEALS

5.1 Development Appeal Commencement

1. If a Development Officer:

   a. fails, or refuses, to issue a development permit to a person;

   b. issues a development permit subject to conditions; or

   c. issues an order under Section 645 of the *Act*, the person applying for the permit, or affected by the order, may appeal to the Subdivision and Development Appeal Board.

2. In addition to the applicant, any person affected by the order, decision or development permit issued or made by the development officer may appeal to the Subdivision and Development Appeal Board.

3. No appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of the Land Use Bylaw were relaxed, varied, or misinterpreted.

4. An appeal to the Subdivision and Development Appeal Board shall be commenced by serving a written notice of the appeal to the Secretary of the Subdivision and Development Appeal Board within twenty-one (21) days after: *amended per Bylaw 2106-26*

   a. an appeal made by the applicant, or person affected by the order, the date on which the applicant or person is notified of the order or decision or the issuance of the development permit; or

   b. no decision has been made with respect to the application for a development permit within forty (40) days of the application date; or

   c. an appeal made by a person other than the applicant who claims to be affected by development permit, the decision of the Development Officer or by the order, the date on which the notice of the issuance of the permit was given in accordance with this Land Use Bylaw.

5. The written notice of appeal shall be accompanied by the development appeal fee, which shall be set from time to time by resolution of the Council.

5.2 Subdivision Appeal Commencement

1. The decision of a subdivision authority on an application for subdivision approval may be appealed by:

a. the applicant for subdivision approval,

b. a government department if the application is required by the subdivision and development regulations to be referred to that department,

c. City Council,

d. a designated officer of the City, or

e. the school authority with respect to:

i. the allocation of municipal reserve

ii. the location of school reserve allocated to it, or

iii. the amount of school reserve allocated.

2. A subdivision appeal may be commenced by filing written notice within nineteen (19) days after the mailing of the written decision of the Subdivision Authority or a deemed refusal of application for subdivision as specified under Section 681 of the *Act* with:

a. respect to land that is within the distance of a highway, a body of water or a sewage treatment facility or waste management facility as set out in the subdivision and development regulations to the Municipal Government Board; or

b. in all other cases with the Subdivision and Development Appeal Board and must be accompanied by the subdivision appeal fee which shall be set from time to time by resolution of the Council.

5.3 Subdivision and Development Appeal Board Procedures

1. Once a subdivision appeal or development appeal has been filed and has been deemed as complete, the Secretary to the Subdivision and Development Appeal Board shall:

a. schedule a hearing date, that is within thirty (30) days of the notice of appeal, with the members of the Subdivision and Development Appeal Board to hear the appeal;

b. provide at least five (5) days written notice of the scheduled hearing, regarding subdivision appeals in accordance with Section 679 of the *Act*, or regarding development appeals in accordance Section 686 of the *Act*.

2. The Subdivision and Development Appeal Board shall carry out the hearing and provide their decision regarding subdivision appeals in accordance with Section 680 of the *Act*, or regarding development appeals in accordance with Section 687 of the *Act*.

5.4 Court of Appeal

1. An appeal lays to the Court of Appeal on a question of law or jurisdiction with respect to a decision of the Subdivision and Development Appeal Board; and the Municipal Government Board on a decision on an appeal under 619 of the *Act* regarding the Natural Resources Conservation Board, the Energy Resources Conservation Board, or the Alberta Utilities Commission.

6.1 R1 – Single Dwelling Residential District Regulations

6.1.1 Purpose

1. To establish a district in which land is used primarily for single dwelling housing development.

6.1.2 Permitted Uses

1. Single Dwelling Building
2. *deleted as per Bylaw 1997-21*
3. Carport
4. Detached Garage
5. Attached Garage
6. Home Office
7. Limited Foster Home
8. Support Home
9. Essential Utility Services
10. Uses accessory to the above (decks, patios, hot tubs, swimming pools, etc.)

6.1.3 Discretionary Uses

1. Modular Housing
2. Residential Sales Centre
3. Minor Home-Based Business
4. Secondary Suite
5. Day Home Operation
6. Garage Suite *added as per Bylaw 1997-21*

6.1.4 Minimum Front Yard Setback

1. Principal building ..... 6.1 m
2. All other buildings ..... 6.1 m

6.1.5 Minimum Rear Yard Setback

1. Principal building
   a. with an attached garage ..... 6.0 m
   b. without an attached garage ..... 13.0 m
2. Deck ..... 4.0 m
3. Detached garage
   a. rear entry ..... 5.5 m
   b. side entry ..... 1.0 m
4. Open carport ..... 3.0 m
5. Accessory building, other than detached garage ..... 1.0 m

6.1.6 Minimum Side Yard Setback

1. Principal building
   a. with lane access ..... 1.5 m
   b. without lane access\no front attached garage ..... 1.5 m one side
      ..... 3.0 m on other
   c. without lane access\front attached garage ..... 1.5 m
2. Deck
   a. 0.5 m and < 1.0 m above grade ..... 0.6 m
   b. 1.0 m or > above grade ..... 1.5 m
3. Detached garage, carport, and accessory buildings

a. less than 2.7 m wall height ..... 1.0 m

b. wall height 2.7 m or greater ..... 1.5 m

4. Attached carport..... 1.5 m

6.1.7 Maximum Site Coverage

1. Dwelling unit, excluding attached garage 26%
2. Attached and detached garage total.....14%
3. Total site coverage, excluding deck.....40%
4. Total site coverage, including open deck.....50%

6.1.8 Maximum Building Height

1. Principal building ..... 10.0 m
2. Detached garage.....4.0 m
3. Accessory building .....3.1 m
4. Antenna structures .....8.0 m

6.1.9 Minimum floor area

1. Principal building, excluding attached garage .....93.0 m^2

6.1.10 Specific Use Regulations

1. The following provide reference to specific regulations to Sections that apply to specific permitted or discretionary uses of this Section:

Home Office ..... Section 8.7.1

Minor Home-Based Business ..... Section 8.7.2

Day Home Operation..... Section 8.1.1

Limited Foster Home ..... Section 8.3.1

Support Home ..... Section 8.3.6

Secondary Suite ..... Section 8.5.1

Modular Housing ..... Section 8.6.2

Residential Sales Centre ..... Section 8.6.3

Private Swimming Pool..... Section 8.6.4.1

6.1.11 General Regulations

1. The following provides a reference to other Sections that apply to the development of all residential properties:

Fences ..... Section 7.1

Decks and Patios ..... Section 7.2

Detached Garages, Carports, and Accessory Buildings ..... Section 7.3

Parking and Loading ..... Section 7.4

Sign..... Section 7.6

Lot Grading and Property Drainage..... Section 7.7

Landscaping and Screening ..... Section 7.8

Building Separation ..... Section 7.9

Lighting of Sites..... Section 7.10

Building Design, Character, and Exterior Treatment..... Section 7.11

Excavation and Stripping of Land ..... Section 7.12

Utility Services to Land Sites ..... Section 7.13

Sidewalk and Curb Crossings..... Section 7.14

Corner and Double Fronting Lot ..... Section 7.15

Utility Right of Way ..... Section 7.16

Vehicular Access to Sites ..... Section 7.17

PART 6 – LAND USE DISTRICTS

Limited Access to Major Streets ..... Section 7.18

Emergency Access to Buildings ..... Section 7.19

Objects/Uses Prohibited/Restricted in Residential Districts . Section 7.20

Relocation of Buildings ..... Section 7.21

Construction Damage Deposits ..... Section 7.22

Grading Compliance Deposit ..... Section 7.23

Payment of Off-site Levies ..... Section 7.24

Water Meter Installation Costs..... Section 7.25

Restrictive Covenants..... Section 7.26

Development Maintenance Standards..... Section 7.27

Land Subdivision Considerations ..... Part 9

6.2 R1A – Small Lot Single Dwelling Residential District Regulations

6.2.1 Purpose

1. To establish a district in which land is used primarily for single dwelling housing development with smaller lots to provide for affordable homes.

6.2.2 Permitted Uses

1. Single Dwelling Building, with attached garage
2. *deleted as per Bylaw 1997-21*
3. Carport
4. Home Office
5. Limited Foster Home
6. Support Home
7. Uses accessory to the above (decks, patios, hot tubs, swimming pools, etc.)

6.2.3 Discretionary Uses

1. Modular Housing
2. Residential Sales Centre
3. Minor Home-Based Business
4. Secondary Suite
5. Day Home Operation
6. Essential Utility Services

6.2.4 Minimum Front Yard Setback

1. Principal building ..... 6.1 m
2. All other buildings ..... 6.1 m

6.2.5 Minimum Rear Yard Setback

1. Principal building, with an attached garage ..... 6.0 m
2. Deck ..... 4.0 m
3. Accessory building, other than detached garage ..... 0.9 m
4. Eaves ..... 0.6 m

6.2.6 Minimum Side Yard Setback

1. Principal building
   a. with or without lane access ..... 1.5 m
   b. without lane access and with front attached garage ..... 1.5 m
2. Deck 0.5 m and <1.0 m above grade ..... 0.6 m
3. 1.0 m or > above grade ..... 1.5 m
4. Accessory building < 2.7 m wall height *amended as per Bylaw 1997-21* ..... 1.0 m
5. Eaves ..... 0.6 m

6.2.7 Maximum Site Coverage

1. Dwelling unit, with attached garage 40%
2. Total site coverage, excluding deck 40%
3. Total site coverage, including open deck 50%

6.2.8 Maximum Building Height

1. Principal building ..... 10.0 m
2. Accessory building ..... 3.0 m
3. Antenna structures ..... 8.0 m

6.2.9 Minimum floor area

1. Principal building, excluding attached garage 83.0 m^2

6.2.10 Specific Use Regulations

1. The following provide reference to specific regulations to Sections that apply to specific permitted or discretionary uses of this Section:

Home Office ..... Section 8.7.1

Minor Home-Based Business ..... Section 8.7.2

Day Home Operation..... Section 8.1.1

Limited Foster Home ..... Section 8.3.1

Support Home ..... Section 8.3.6

Modular Housing ..... Section 8.6.2

Residential Sales Centre ..... Section 8.6.3

Secondary Suite ..... Section 8.5.1

Private Swimming Pool..... Section 8.6.4.1

6.2.11 General Regulations

1. The following provides a reference to other Sections that apply to the development of all residential properties:

Fences ..... Section 7.1

Decks and Patios ..... Section 7.2

Detached Garages, Carports, and Accessory Buildings ..... Section 7.3

Parking and Loading ..... Section 7.4

Signs ..... Section 7.6

Lot Grading and Property Drainage ..... Section 7.7

Landscaping and Screening ..... Section 7.8

Building Separation ..... Section 7.9

Lighting of Sites ..... Section 7.10

Building Design, Character, and Exterior Treatment ..... Section 7.11

Excavation and Stripping of Land ..... Section 7.12

Utility Services to Land Sites ..... Section 7.13

Sidewalk and Curb Crossings ..... Section 7.14

Corner and Double Fronting Lot ..... Section 7.15

Utility Right of Way ..... Section 7.16

Vehicular Access to Sites ..... Section 7.17

Limited Access to Major Streets ..... Section 7.18

Emergency Access to Buildings ..... Section 7.19

Objects/Uses Prohibited/Restricted in Residential Districts . Section 7.20

Relocation of Buildings ..... Section 7.21

Construction Damage Deposits ..... Section 7.22

Grading Compliance Deposit ..... Section 7.23

Payment of Off-site Levies ..... Section 7.24

Water Meter Installation Costs ..... Section 7.25

Restrictive Covenants ..... Section 7.26

Development Maintenance Standards ..... Section 7.27

Land Subdivision Considerations ..... Part 9

6.3 R1N - Narrow Lot Single Family Residential District Regulations

6.3.1 Purpose

1. To provide land that will be used for narrow lots for single dwelling buildings in new neighbourhoods. All lots in these districts will require lanes for rear garage access. Front drive garages are not permitted.

6.3.2 Permitted Uses

1. Single Dwelling Building, without attached garage
2. *deleted as per Bylaw 1997-21*
3. Detached Garage, not exceeding 54.0 m^2
4. Home Office
5. Limited Foster Home
6. Support Home
7. Essential Utility Services
8. Uses accessory to the above (decks, patios, hot tubs, swimming pools, etc.)

6.3.3 Discretionary Uses

1. Modular Housing
2. Residential Sales Centre
3. Minor Home-Based Business
4. Day Home Operation
5. Garage Suite *added as per Bylaw 1997-21*

6.3.4 Minimum Front Yard Setback

1. Principal building ..... 5.0 m

6.3.5 Minimum Rear Yard Setback

1. Principal building ..... 15.0 m
2. Deck ..... 13.0 m
3. Detached garage ..... 5.5 m
4. Accessory building ..... 0.9 m
5. Eaves ..... 0.6 m

6.3.6 Minimum Side Yard Setback

1. Principal building
   a. internal lot ..... 1.5 m
   b. corner lot abutting a street or lane ..... 2.4 m
2. Detached garage
   a. less than 2.7 m wall height ..... 1.0 m
   b. greater than 2.7 m wall height ..... 1.5 m
3. Detached garage
   a. where abutting a street ..... 2.4 m
   b. where abutting a lane ..... 1.5 m
4. Decks
   a. > 0.5 m and <1.0 m above grade ..... 0.6 m
   b. 1.0 m or > above grade ..... 1.5 m
5. Accessory building ..... 0.9 m
6. Eaves ..... 0.6 m

6.3.7 Maximum Site Coverage

1. Dwelling unit.....31%
2. Detached garage and accessory building total 14%
3. Total site coverage, excluding decks.....45%
4. Total site coverage, including open decks.....55%

6.3.8 Maximum Building Height

1. Principal building ..... 10.0 m
2. Detached garage.....4.0 m
3. Accessory building .....3.0 m
4. Antenna structures .....8.0 m

6.3.9 Minimum floor area

1. Principal building, excluding attached garage .....83.0 m^2

6.3.10 Specific Use Regulations

1. The following provide reference to specific regulations to Sections that apply to specific permitted or discretionary uses of this Section:

    Home Office ..... Section 8.7.1

    Minor Home-Based Business ..... Section 8.7.2

    Day Home Operation..... Section 8.1.1

    Limited Foster Home ..... Section 8.3.1

    Support Home ..... Section 8.3.6

    Modular Housing ..... Section 8.6.2

    Residential Sales Centre ..... Section 8.6.3

Private Swimming Pool..... Section 8.6.4.1

6.3.11 General Regulations

1. The following provides a reference to other Sections that apply to the development of all residential properties:

Fences ..... Section 7.1

Decks and Patios ..... Section 7.2

Detached Garages, Carports, and Accessory Buildings ..... Section 7.3

Parking and Loading ..... Section 7.4

Signs ..... Section 7.6

Lot Grading and Property Drainage ..... Section 7.7

Landscaping and Screening ..... Section 7.8

Building Separation ..... Section 7.9

Lighting of Sites..... Section 7.10

Building Design, Character, and Exterior Treatment..... Section 7.11

Excavation and Stripping of Land ..... Section 7.12

Utility Services to Land Sites ..... Section 7.13

Sidewalk and Curb Crossings..... Section 7.14

Corner and Double Fronting Lot ..... Section 7.15

Utility Right of Way ..... Section 7.16

Vehicular Access to Sites ..... Section 7.17

Limited Access to Major Streets ..... Section 7.18

Emergency Access to Buildings ..... Section 7.19

Objects/Uses Prohibited/Restricted in Residential Districts . Section 7.20

Relocation of Buildings ..... Section 7.21

Construction Damage Deposits ..... Section 7.22

Grading Compliance Deposit ..... Section 7.23

Payment of Off-site Levies ..... Section 7.24

Water Meter Installation Costs..... Section 7.25

Restrictive Covenants..... Section 7.26

Development Maintenance Standards..... Section 7.27

Land Subdivision Considerations ..... Part 9

6.4 R1R – Country Residential District Regulations

6.4.1 Purpose

1. To establish a district in which land is used primarily for single family detached housing development with large, semi-serviced lots in an urban setting with large back yards.

6.4.2 Permitted Uses

1. Single Dwelling Building
2. Detached Garage
    a. two (2) per lot maximum
3. Tent Structure
    a. maximum 60 m^2 in area
4. Swimming Pool
5. Limited Foster Home
6. Day Home Operation
7. Support Home
8. Home Office
9. Minor Home-Based Business
10. Underground Sewage Holding Tank
11. Essential Utility Services
12. Uses accessory to the above (decks, patios, hot tubs, swimming pools, etc.)

6.4.3 Discretionary Uses

1. Modular Housing
2. Secondary Suite

3. Foster Homes
4. Oversize Detached Garage
5. Residential Sales Centre
6. Major Home-Based Business
7. Private Sewage Systems
8. Garage Suite *added as per Bylaw 1997-21*

6.4.4 Minimum Front Yard Setback

1. Principal building ..... 12.2 m
2. All other buildings ..... 50% of lot depth

6.4.5 Minimum Rear Yard Setback

1. Principal building ..... 50% of lot depth
2. Detached garage, workshops, and accessory buildings
   a. up to 3.0 m wall height, and with a building area of <75 m^2 ..... 1.5 m
3. Detached garage, workshops, and accessory buildings
   b. greater than 3.0 m wall height, or ..... 2.5 m
   c. building area of 75 m^2 or greater ..... 2.5 m
4. Eaves ..... 0.9 m

6.4.6 Minimum Side Yard Setback

1. Principal building, internal lot
   a. single storey building ..... 1.5 m
   b. two storeyed building ..... 2.1 m
   c. with no front drive garage, increase one side yard to ..... 3.5 m

2. Principal building, corner lot abutting a street or lane ..... 3.0 m
3. Detached garage, workshops, and accessory buildings
    a. up to 3.0 m wall height and with a building area of <75 m^2 ..... 1.5 m
4. Detached garage, corner lot abutting a street ..... 3.0 m
5. Detached garage, workshops, and accessory buildings
    a. greater than 3.0 m wall height, or ..... 2.5 m
    b. with a building area of 75 m^2 or greater ..... 2.5 m
6. Deck ..... 1.5 m
7. Eaves ..... 0.9 m

6.4.7 Maximum Site Coverage

1. Principal building 25%
2. Detached garage, workshops, and accessory buildings
    a. individual building ..... 180 m^2
    b. combination of all secondary buildings ..... 200 m^2

6.4.8 Minimum Building Separation

1. Distance between any two buildings ..... 3.0 m

6.4.9 Maximum Building Height

1. Principal building ..... 12.0 m
2. Detached garage, workshops, and accessory buildings
    a. building height ..... 5.0 m
    b. wall height ..... 4.0 m
3. Antenna structures ..... 8.0 m

6.4.10 Minimum floor area

1. One storey, with attached garage

    a. dwelling unit only ..... 110 m^2

    b. building area total..... 158 m^2

2. One storey, with no attached garage..... 138 m^2

3. Two storeyed, with attached garage

    a. dwelling unit only ..... 138 m^2

    b. building area total..... 185 m^2

4. Two storeyed, with no attached garage..... 167 m^2

6.4.11 Private Sewage Systems

1. Where lots are not serviced with municipal sanitary sewers, they must use approved sanitary sewer pump-out holding tanks or have private sewage systems that have been designed and installed in full conformance with the appropriate provincial regulations.

    a. The type and design of the private sewage system must be provided in full detail at the time of application for the principal building along with a copy of the permit to install a private sewage system.

2. Where lots are serviced with pressurized municipal sanitary sewers, they must connect to the municipal system with the approved system type.

6.4.12 Specific Use Regulations

1. The following provide reference to specific regulations to Sections that apply to specific permitted or discretionary uses of this Section:

    Home Office ..... Section 8.7.1

    Minor Home-Based Business ..... Section 8.7.2

    Major Home-Based Business ..... Section 8.7.3

    Secondary Suite ..... Section 8.5.1

PART 6 – LAND USE DISTRICTS

Tent Structure ..... Section 8.27.3

Day Home Operation..... Section 8.1.1

Limited Foster Home ..... Section 8.3.1

Foster Home ..... Section 8.3.21

Support Home ..... Section 8.3.6

Modular Housing ..... Section 8.6.2

Residential Sales Centre ..... Section 8.6.3

Private Swimming Pool..... Section 8.6.4.1

6.4.13 General Regulations

1. The following provides a reference to other Sections that apply to the development of all residential properties:

Fences ..... Section 7.1

Decks and Patios ..... Section 7.2

Detached Garages, Carports, and Accessory Buildings ..... Section 7.3

Parking and Loading ..... Section 7.4

Signs ..... Section 7.6

Lot Grading and Property Drainage ..... Section 7.7

Landscaping and Screening ..... Section 7.8

Building Separation ..... Section 7.9

Lighting of Sites..... Section 7.10

Building Design, Character, and Exterior Treatment..... Section 7.11

Excavation and Stripping of Land ..... Section 7.12

Utility Services to Land Sites ..... Section 7.13

Sidewalk and Curb Crossings..... Section 7.14

PART 6 – LAND USE DISTRICTS

Corner and Double Fronting Lot ..... Section 7.15

Utility Right of Way ..... Section 7.16

Vehicular Access to Sites ..... Section 7.17

Limited Access to Major Streets ..... Section 7.18

Emergency Access to Buildings ..... Section 7.19

Objects/Uses Prohibited/Restricted in Residential Districts . Section 7.20

Relocation of Buildings ..... Section 7.21

Construction Damage Deposits ..... Section 7.22

Grading Compliance Deposit ..... Section 7.23

Payment of Off-site Levies ..... Section 7.24

Water Meter Installation Costs..... Section 7.25

Restrictive Covenants..... Section 7.26

Development Maintenance Standards..... Section 7.27

Land Subdivision Considerations ..... Part 9

6.5 Reserved for Future Use

6.6 RE – Residential Estate District Regulations

6.6.1 Purpose

1. To establish a district in which land is used for single dwelling residential development on a large tract of land in an urban setting.

6.6.2 Permitted Uses

1. Single Dwelling Building
2. *deleted as per Bylaw 1997-21*
3. Detached Garage
4. Attached Garage
5. Home Office
6. Limited Foster Home
7. Support Home
8. Essential Utility Services
9. Uses accessory to the above (decks, patios, hot tubs, swimming pools, etc.)

6.6.3 Discretionary Uses

1. Minor Home-Based Business
2. Major Home-Based Business
3. Secondary Suite
4. Day Home Operation
5. Foster Home
6. Residential Sales Centre

6.6.4 Minimum Front Yard Setback

1. Principal building ..... 12.2 m
2. All other buildings ..... 50% of lot depth

6.6.5 Minimum Rear Yard Setback

1. Principal building ..... 20.0 m
2. Detached garage, workshops, and accessory buildings
   a. up to 3.0 m wall height and,
      with a building area of less than 75 m^2 ..... 1.5 m
   b. greater than 3.0 m wall height, or
      with a building area of 75 m^2 or greater ..... 2.5 m
3. Eaves ..... 0.9 m

6.6.6 Minimum Side Yard Setback

1. Principal building, internal lot
   a. single storey building ..... 1.5 m
   b. two storeys building ..... 2.1 m
   c. with no front drive garage, increase one side yard ..... 3.5 m
2. Principal building, corner lot where abutting
   a. a street or lane ..... 3.0 m
3. Detached garage, workshop, and accessory buildings
   a. up to 2.5 m wall height ..... 1.2 m
   b. wall height greater than 2.5 m ..... 1.8 m
   c. corner lot, where abutting a street or lane ..... 5.5 m

4. Deck ..... 1.5 m

5. Eaves ..... 0.9 m

6.6.7 Maximum Site Coverage

1. Principal Building 25%

2. Detached garage, workshop, and accessory buildings

   a. individual building ..... 90 m^2

   b. combination of all secondary buildings ..... 130 m^2

6.6.8 Minimum Building Separation

1. Distance between any two (2) buildings ..... 3.0 m

6.6.9 Maximum Building Height

1. Principal building ..... 12.0 m

2. Detached garage, workshop, and accessory building

   a. building height ..... 5.0 m

   b. wall height ..... 4.0 m

3. Antenna structures ..... 8.0 m

6.6.10 Minimum floor area

1. One (1) storey, with attached garage

   a. dwelling unit only ..... 110 m^2

   b. building area total ..... 158 m^2

2. One (1) storey, with no attached garage ..... 138 m^2

3. Two (2) storeys, with attached garage

   a. dwelling unit only ..... 138 m^2

b. building area total ..... 185 m^2

4. One (1) storey, with no attached garage ..... 138 m^2

5. Two (2) storeys, with no attached garage ..... 167 m^2

6.6.11 Specific Use Regulations

1. The following provide reference to specific regulations to Sections that apply to specific permitted or discretionary uses of this Section:

Home Office ..... Section 8.7.1

Minor Home-Based Business ..... Section 8.7.2

Major Home-Based Business ..... Section 8.7.3

Secondary Suite ..... Section 8.5.1

Day Home Operation ..... Section 8.1.1

Limited Foster Home ..... Section 8.3.1

Foster Home ..... Section 8.3.2

Support Home ..... Section 8.3.6

Modular Housing ..... Section 8.6.2

Residential Sales Centre ..... Section 8.6.3

Private Swimming Pool ..... Section 8.6.4.1

6.6.11 General Regulations

1. The following provides a reference to other Sections that apply to the development of all residential properties:

Fences ..... Section 7.1

Decks and Patios ..... Section 7.2

Detached Garages, Carports, and Accessory Buildings ..... Section 7.3

Parking and Loading ..... Section 7.4

Signs ..... Section 7.6

Lot Grading and Property Drainage ..... Section 7.7

Landscaping and Screening ..... Section 7.8

Building Separation ..... Section 7.9

Lighting of Sites ..... Section 7.10

Building Design, Character, and Exterior Treatment ..... Section 7.11

Excavation and Stripping of Land ..... Section 7.12

Utility Services to Land Sites ..... Section 7.13

Sidewalk and Curb Crossings ..... Section 7.14

Corner and Double Fronting Lot ..... Section 7.15

Utility Right of Way ..... Section 7.16

Vehicular Access to Sites ..... Section 7.17

Limited Access to Major Streets ..... Section 7.18

Emergency Access to Buildings ..... Section 7.19

Objects/Uses Prohibited/Restricted in Residential Districts . Section 7.20

Relocation of Buildings ..... Section 7.21

Construction Damage Deposits ..... Section 7.22

Grading Compliance Deposit ..... Section 7.23

Payment of Off-site Levies ..... Section 7.24

Water Meter Installation Costs ..... Section 7.25

Restrictive Covenants ..... Section 7.26

Development Maintenance Standards ..... Section 7.27

Land Subdivision Considerations ..... Part 9

6.7 RMX – Residential Mixed Use District Regulations

6.7.1 Purpose

1. To establish a district in which land is used for large lot, single family development, generally without the provision of the full range of urban utility services where associated light industrial uses which do not jeopardize the nature and enjoyment of the residential area may utilize the additional land area for workshops and storage of vehicles and equipment.

6.7.2 Permitted Uses

1. Single Dwelling Building
2. *deleted as per Bylaw 1997-21*
3. Carport
4. Detached Garage
5. Attached Garage
6. Tent Structure (maximum 60 m^2 in area)
7. Home Office
8. Limited Foster Home
9. Support Home
10. Essential Utility Services
11. Uses accessory to the above (decks, patios, hot tubs, swimming pools, etc.)

6.7.3 Discretionary Uses

1. Residential Sales Centre
2. Minor Home-Based Business
3. Major Home-Based Business
4. Secondary Suite

5. Oversize Detached Garage
6. Day Home Operation
7. Limited Group Home
8. Foster Home
9. Associated uses described in 6.7.11
10. Garage Suite *added as per Bylaw 1997-21*

6.7.4 Minimum Front Yard Setback

1. Principal building ..... 7.5 m
2. All other buildings ..... 10.0 m

6.7.5 Minimum Rear Yard Setback

1. Principal building ..... 7.5 m
2. Detached garage, workshop, and accessory building
   a. up to 3.0 m wall height and,
      with a building area of less than 75 m^2 ..... 1.5 m
   b. greater than 3.0 m wall height, or
   c. with a building area of 75 m^2 or greater ..... 2.5 m
3. Eaves ..... 0.9 m

6.7.6 Minimum Side Yard Setback

1. Principal building with internal lot
   a. single storey building ..... 1.5 m
   b. two (2) storey building ..... 2.1 m
   c. with no front drive garage ..... increase one (1) side yard 3.5 m

2. Principal building with corner lot abutting a street or lane ..... 3.0 m

3. Detached garage, workshop, and accessory building

   a. up to 2.5 m wall height 1.2m

   b. wall height greater than 2.5 m 1.8m

   c. corner lot abutting street or lane ..... 3.0 m

4. Deck ..... 1.5 m

5. Eaves ..... 0.9 m

6.7.7 Maximum Site Coverage

1. Principal building 30%

2. Detached garage, workshop, and accessory building

   a. individual building ..... 90 m^2

   b. combination of all secondary buildings ..... 130 m^2

6.7.8 Minimum Building Separation

1. Distance between any two (2) buildings ..... 3.0 m

6.7.9 Maximum Building Height

1. Principal building ..... 12.0 m

2. Detached garage, workshop, and accessory building

   a. building height ..... 5.0 m

   b. wall height ..... 4.0 m

3. Antenna structures ..... 8.0 m

6.7.10 Minimum floor area

1. One (1) storey with attached garage

a. dwelling unit only ..... 95 m^2

b. building area total ..... 130 m^2

c. one (1) storey, with no attached garage 95 m^2

2. Two (2) storey with attached garage

a. dwelling unit only ..... 138 m^2

b. building area total ..... 185 m^2

c. two (2) storey, with no attached garage ..... 138 m^2

6.7.11 Associated Uses

1. Associated light industrial uses shall, in the opinion of the Development Authority, comply with the following general regulations:

   a. No associated light industrial use shall involve the sale or display of any goods on the site.

   b. The associated light industrial use shall not generate pedestrian and/or vehicular traffic or parking more than what is characteristic of the neighbourhood within which it is located. At no time shall the associated industrial use generate excessive traffic within the neighbourhood.

   c. No offensive noise, vibration, smoke, dust, odors, heat, glare, electrical, or radio disturbance shall be produced by the industrial use.

   d. At all times, the privacy and enjoyment of adjacent dwellings shall be preserved, and the industrial use shall not adversely affect the residential amenities of the neighbourhood.

2. All industrial uses shall be in strict compliance with the provisions of this Bylaw and the conditions imposed. The permit may be revoked at any time if, in the opinion of the Development Authority, the operator of the industrial use has violated any conditions of this Bylaw, or the permit issued.

3. For the guidance of the reader, the following are examples of uses, which may, depending on the scale of operation, be considered suitable within this district:

   a. delivery service

   b. furniture moving service

c. tree moving service

d. bricklayer

e. building contractor

f. carpet installer

g. carpenter

h. electrician

i. engineer

j. landscape contractor

k. plumber

l. security control installation service

m. sign making

n. vehicle storage for truckers, bus drivers

4. Exterior storage and operation of the industrial use may be permitted if, in the opinion of the Development Authority, the exterior storage and operation area is adequately screened and is sited behind the principal building at a minimum distance of 30.0 m from the front property line (existing of proposed).

5. No more than two (2) unlicensed vehicles will be allowed onsite.

6. The maximum number of non-resident employees onsite, in addition to the residents of the site, shall be as determined by the Development Authority, but shall at no time exceed four (4).

6.7.12 Specific Use Regulations

1. The following provide reference to specific regulations to Sections that apply to specific permitted or discretionary uses of this Section:

Home Office ..... Section 8.7.1

Minor Home-Based Business ..... Section 8.7.2

Major Home-Based Business ..... Section 8.7.3

Secondary Suite ..... Section 8.5.1

Day Home Operation ..... Section 8.1.1

Tent Structure ..... Section 8.27.3

Limited Foster Home ..... Section 8.3.1

Foster Home ..... Section 8.3.2

Limited Group Home ..... Section 8.3.3

Support Home ..... Section 8.3.6

Modular Housing ..... Section 8.6.2

Residential Sales Centre ..... Section 8.6.3

Private Swimming Pool ..... Section 8.6.4.1

6.7.13 General Regulations

1. The following provides a reference to other Sections that apply to the development of all residential properties:

Fences ..... Section 7.1

Decks and Patios ..... Section 7.2

Detached Garages, Carports, and Accessory Buildings ..... Section 7.3

Parking and Loading ..... Section 7.4

Signs ..... Section 7.6

Lot Grading and Property Drainage ..... Section 7.7

Landscaping and Screening ..... Section 7.8

Building Separation ..... Section 7.9

Lighting of Sites ..... Section 7.10

Building Design, Character, and Exterior Treatment ..... Section 7.11

Excavation and Stripping of Land ..... Section 7.12

Utility Services to Land Sites ..... Section 7.13

Sidewalk and Curb Crossings..... Section 7.14

Corner and Double Fronting Lot ..... Section 7.15

Utility Right of Way ..... Section 7.16

Vehicular Access to Sites ..... Section 7.17

Limited Access to Major Streets ..... Section 7.18

Emergency Access to Buildings ..... Section 7.19

Objects/Uses Prohibited/Restricted in Residential Districts . Section 7.20

Relocation of Buildings..... Section 7.21

Construction Damage Deposits ..... Section 7.22

Grading Compliance Deposit ..... Section 7.23

Payment of Off-site Levies ..... Section 7.24

Water Meter Installation Costs..... Section 7.25

Restrictive Covenants..... Section 7.26

Development Maintenance Standards..... Section 7.27

Land Subdivision Considerations ..... Part 9

6.8 RMH – Manufactured Home District Regulations

6.8.1 Purpose

1. To establish a district which land is used for low-density residential development wherein, manufactured home sites are provided on a rental basis for the placement of manufactured homes.

6.8.2 Permitted Uses

1. Manufactured Home Community
2. Manufactured Home Site
3. Manufactured Home
4. Addition
5. *deleted as per Bylaw 1997-21*
6. Home Office
7. Limited Foster Home
8. Support Home
9. Essential Utility Services

6.8.3 Discretionary Uses

1. Carport
2. Detached Garage
3. Residential Sales Centre
4. Minor Home-Based Business
5. Day Home Operation

6.8.4 Minimum Lot Area

1. Manufactured home community .....2.0 ha

2. Manufactured home site within a manufactured home community ..... 488 m^2

3. All other uses ..... to the satisfaction of the Development Authority

6.8.5 Minimum Manufactured Home Site Width

1. Single wide .....12.2 m

2. Double wide .....15.0 m

6.8.6 Minimum Manufactured Home Site Depth

1. Single wide .....40.0 m

2. Double wide .....35.0 m

6.8.7 Maximum Manufactured Home Site Coverage

1. Manufactured home, additions, enclosed porches..... 30%

2. Garage and accessory buildings combined area 14%

6.8.8 Minimum Front Yard Setback (from approved site boundary)

1. Manufactured home, additions, enclosed porches.....6.1 m

2. Garage and accessory building .....12.2 m

6.8.9 Minimum Side Yard Setback (from approved site boundary)

1. Manufactured home.....1.5 m

2. Addition and/or porch.....3.0 m

3. Detached garage and accessory buildings .....1.0 m

   a. where abutting a street .....3.0 m

4. Attached garage .....2.0 m

6.8.10 Minimum Rear Yard Setback (from approved site boundary)

1. Manufactured home.....4.5 m
2. Addition and/or porch.....4.5 m
3. Detached garage and accessory buildings .....1.0 m

6.8.11 Maximum Building Height

1. Manufactured home, additions, enclosed porches.....4.8 m
2. Detached garage and accessory buildings .....4.0 m
3. Side walls.....2.5 m

6.8.12 Manufactured Home Community Regulations

1. Each manufactured home site in a manufactured home community shall be clearly marked off by permanent markers at each lot corner to the satisfaction of the Development Authority.
2. At least 10% of the gross site area of the manufactured home community shall be devoted to an outdoor communal amenity area and recreational uses and shall be provided in a convenient and accessible location.
3. In a manufactured home community, adequate common storage areas, separate from the manufactured home site, shall be provided for the storage of seasonal recreational equipment and other equipment not capable of storage on the manufactured home site. Such storage areas shall be enclosed or screened by trees, landscape features or fences.
4. The undercarriage of each manufactured home shall be completely enclosed from view by the foundation or other means that is a manufactured or similar type to harmonize with the unit. This skirting shall permit the circulation of air beneath the unit and be fastened to the unit and base in a manner satisfactory to the Development Authority.
5. Each manufactured home community lot shall provide a hard-surfaced, durable base on which the manufactured home shall be placed.
6. All front streets in a manufactured home community shall be a minimum of 11.0 m in width, be hard-surfaced, well drained, and maintained. The manufactured homes and all community facilities in a manufactured home

community shall be connected by a safe, convenient, hard-surfaced pedestrian walkway, which shall be at least 1.0 m in width.

7. All manufactured homes sites created after the effective date of this Bylaw shall have access to a 7.0 m wide rear lane constructed to the design standards

8. All manufactured home communities shall have a servicing plan, storm water management plan and site-grading plan, approved by the Development Officer.

9. All accessory structures such as steps, patios, porches, additions, skirting and storage facilities shall be factory prefabricated units, or of equivalent quality, so that design and construction will complement the manufactured home. Additions to a manufactured home shall have a foundation and skirting equivalent to that of the manufactured home.

10. All detached garages shall:

    a. be bolted to permanent concrete slab foundations; and

    b. have an exterior finish of siding or stucco.

11. All front parking stalls shall be paved and at least be of 7.5m in depth from the back of the sidewalk.

6.8.13 Specific Use Regulations

Home Office ..... Section 8.7.1

Minor Home-Based Business ..... Section 8.7.2

Day Home Operation..... Section 8.1.1

Limited Foster Home ..... Section 8.3.1

Support Home ..... Section 8.3.6

Residential Sales Centre ..... Section 8.6.3

6.8.14 General Regulations

1. The following provides a reference to other Sections that apply to the development of all residential properties:

Fences ..... Section 7.1

Decks and Patios ..... Section 7.2

Detached Garages, Carports, and Accessory Buildings ..... Section 7.3

Parking and Loading ..... Section 7.4

Signs ..... Section 7.6

Lot Grading and Property Drainage ..... Section 7.7

Landscaping and Screening ..... Section 7.8

Building Separation ..... Section 7.9

Lighting of Sites ..... Section 7.10

Building Design, Character, and Exterior Treatment ..... Section 7.11

Excavation and Stripping of Land ..... Section 7.12

Utility Services to Land Sites ..... Section 7.13

Sidewalk and Curb Crossings ..... Section 7.14

Corner and Double Fronting Lot ..... Section 7.15

Utility Right of Way ..... Section 7.16

Vehicular Access to Sites ..... Section 7.17

Limited Access to Major Streets ..... Section 7.18

Emergency Access to Buildings ..... Section 7.19

Objects/Uses Prohibited/Restricted in Residential Districts . Section 7.20

Relocation of Buildings ..... Section 7.21

Construction Damage Deposits ..... Section 7.22

Grading Compliance Deposit ..... Section 7.23

Payment of Off-site Levies ..... Section 7.24

Water Meter Installation Costs ..... Section 7.25

Restrictive Covenants..... Section 7.26

Development Maintenance Standards..... Section 7.27

Land Subdivision Considerations ..... Part 9

6.9 Reserved for Future Use

6.10 R2 – Low Density Residential District Regulations

6.10.1 Purpose

1. To establish a district which is used primarily for low-density residential development.

6.10.2 Permitted Uses

1. Single Dwelling Building
2. Duplex Housing, on one (1) title
3. Semi-detached Housing, on separate titles
4. *deleted as per Bylaw 1997-21*
5. Carport
6. Detached Garage
7. Attached Garage
8. Tent Structure (maximum 60 m^2 in area)
9. Home Office
10. Limited Foster Home
11. Foster Home
12. Support Home
13. Essential Utility Services
14. Uses accessory to the above (decks, patios, hot tubs, swimming pools, etc.)

6.10.3 Discretionary Uses

1. Secondary Suite, in single dwelling buildings only
2. Modular Housing
3. Residential Sales Centre

4. Minor Home-Based Business
5. Major Home-Based Business
6. Day Home Operation
7. Garage Suite *added as per Bylaw 1997-21*

6.10.4 Maximum Site Coverage

1. Residential building without an attached garage 26%
2. Residential building with an attached garage 38%
3. Attached and detached garage total.....14%
4. Total site coverage, excluding deck.....40%
5. Total site coverage, including open deck.....50%

6.10.5 Minimum Front Yard Setback

1. Principal building .....6.1 m
2. Detached garage.....20.0 m
3. Deck.....5.0 m

6.10.6 Minimum Rear Yard Setback

1. Residential building
    a. with a front attached garage .....6.0 m
    b. without an attached garage .....13.0 m
2. Deck.....4.0 m
3. Garage, rear entry.....5.5 m
4. Detached garage with side entry .....1.0 m
5. Open carport .....3.0 m

6. Accessory building, other than detached garage ..... 1.0 m

6.10.7 Minimum Side Yard Setback

1. Single dwelling building

   a. with lane access ..... 1.5 m

   b. without lane access or front attached garage ..... 1.5 m one side and ..... 3.0 m on other

2. Semi-detached building

   a. with lane access ..... 1.5 m one side, party wall on other

   b. without lane access or a front attached garage ..... 3.0 m one side, party wall on the other

3. Duplex building

   a. with lane access ..... 1.5 m

   b. without lane access or front attached garages ..... 3.0 m on each side

   c. without lane access, with front attached garages ..... 1.5 m

4. Detached garage, carports, and accessory buildings

   a. less than 2.7 m wall height ..... 1.0 m

   b. wall height 2.7 m or greater ..... 1.5 m

5. Deck

   a. > 0.5 m and <1.0 m above grade 0.6m

   b. 1.0 m or > above grade ..... 1.5 m

6. Eaves ..... 0.9 m

6.10.8 Maximum Building Height

1. Principal building ..... 10.0 m

2. Detached garage, carports ..... 4.0 m

3. Accessory Building ..... 3.0 m

4. Antenna structures ..... 8.0 m

6.10.9 Minimum floor area

1. Single dwelling building, excluding attached garage ..... 75 m^2

2. Duplex unit, or semi-detached unit ..... 75 m^2

6.10.10 Specific Use Regulations

1. The following provide reference to specific regulations to Sections that apply to specific permitted or discretionary uses of this Section:

Home Office ..... Section 8.7.1

Minor Home-Based Business ..... Section 8.7.2

Major Home-Based Business ..... Section 8.7.3

Day Home Operation ..... Section 8.1.1

Tent Structures ..... Section 8.27.3

Limited Foster Home ..... Section 8.3.1

Foster Home ..... Section 8.3.2

Support Home ..... Section 8.3.6

Secondary Suite ..... Section 8.5.1

Modular Housing ..... Section 8.6.2

Residential Sales Centre ..... Section 8.6.3

Private Swimming Pool ..... Section 8.6.4.1

6.10.11 General Regulations

1. The following provides a reference to other Sections that apply to the development of all residential properties:

Fences ..... Section 7.1

Decks and Patios ..... Section 7.2

Detached Garages, Carports, and Accessory Buildings ..... Section 7.3

Parking and Loading ..... Section 7.4

Signs ..... Section 7.6

Lot Grading and Property Drainage ..... Section 7.7

Landscaping and Screening ..... Section 7.8

Building Separation ..... Section 7.9

Lighting of Sites ..... Section 7.10

Building Design, Character, and Exterior Treatment ..... Section 7.11

Excavation and Stripping of Land ..... Section 7.12

Utility Services to Land Sites ..... Section 7.13

Sidewalk and Curb Crossings ..... Section 7.14

Corner and Double Fronting Lot ..... Section 7.15

Utility Right of Way ..... Section 7.16

Vehicular Access to Sites ..... Section 7.17

Limited Access to Major Streets ..... Section 7.18

Emergency Access to Buildings ..... Section 7.19

Objects/Uses Prohibited/Restricted in Residential Districts . Section 7.20

Relocation of Buildings ..... Section 7.21

Construction Damage Deposits ..... Section 7.22

Grading Compliance Deposit ..... Section 7.23

Payment of Off-site Levies ..... Section 7.24

Water Meter Installation Costs ..... Section 7.25

Restrictive Covenants ..... Section 7.26

Development Maintenance Standards ..... Section 7.27

Land Subdivision Considerations ..... Part 9

6.11 R3 – Medium Density Residential District Regulations

6.11.1 Purpose

1. To establish a district which land is used primarily for medium density residential development.

6.11.2 Permitted Uses

1. Townhome
2. Duplex Housing, on one (1) title
3. Semi-detached Housing, on separate titles
4. Apartment Building
5. Triplex Housing
6. Fourplex Housing
7. *deleted as per Bylaw 1997-21*
8. Carport
9. Detached Garage
10. Attached Garage
11. Tent Structure (maximum 60 m^2 in area)
12. Secondary Suite, within an approved single dwelling building
13. Home Office
14. Limited Foster Home
15. Foster Home
16. Support Home
17. Essential Utility Services
18. Uses accessory to the above (decks, patios, hot tubs, swimming pools, etc.)

19. Seniors and Supportive Housing Facility

6.11.3 Discretionary Uses

1. Single Dwelling Building
2. Modular Housing
3. Boarding and Lodging House
4. Residential Sales Centre
5. Minor Home-Based Business, within an approved single dwelling building
6. Major Home-Based Business, within an approved single dwelling building
7. Bed and Breakfast Facility, within an approved single dwelling building
8. Limited Group Home
9. Group Home
10. Day Home Operation
11. Garage Suite *added as per Bylaw 1997-21*

6.11.4 Maximum Site Coverage

1. Residential building, without attached parking.....35%
2. Residential building, combined with parking lot area 70%
3. Residential building, with all underground parking and/or attached garages 50%
4. Detached garage, or carport parking total 20%

6.11.5 Maximum Site Density Ratio

1. Apartments.....95 units / hectare
2. Fourplex, triplex.....95 units / hectare
3. Townhomes .....45 units / hectare

6.11.6 Minimum Front Yard Setback

1. Principal building ..... 6.1 m
2. Detached garage, accessory building ..... 20.0 m

6.11.7 Minimum Rear Yard Setback

1. Residential building
   a. with a front attached garage ..... 6.0 m
   b. without an attached garage ..... 13.0 m
2. Deck ..... 4.0 m
3. Detached garage
   a. rear entry ..... 5.5 m
   b. side entry ..... 1.0 m
4. Open carports ..... 3.0 m
5. Accessory building, other than detached garage ..... 1.0 m

6.11.8 Minimum Side Yard Setback

1. Single dwelling building
   a. with lane access ..... 1.5 m
   b. without lane access or front attached garage .....1.5 m one side and
   ..... 3.0 m on other
2. Semi-detached building
   a. with lane access .....1.5 m one side and
   ..... party wall on other
   b. without lane access, or a front attached garage .....3.0 m one side and

..... party wall on the other

3. Duplex Building
   a. with lane access ..... 1.5 m
   b. without lane access or front attached garages..... 3.0 m on each side
   c. without lane access, with front attached garages ..... 1.5 m
4. Townhomes
   a. internal units joined by party wall or fire wall ..... at property line
   b. end units \ end wall ..... 10% of total site width, with a minimum of 2.1m
   c. end units \ corner lots ..... 3.0 m
5. Apartments, triplexes, fourplexes
   a. 10% of Site width with a minimum of ..... 3.0 m
   b. Decks
      i. > 0.5 m and <1.0 m above grade ..... 0.6 m
      ii. 1.0 m or > above grade ..... 1.5 m
   c. Balconies 2.4m
   d. Detached garages, carports, and accessory buildings..... 1.5 m

6.11.9 Maximum Building Height

1. Principal building ..... 10.0 m
2. Detached garage, carport..... 4.0 m
3. Accessory building ..... 3.0 m
4. Antenna structures ..... 8.0 m

6.11.10 Minimum floor area

1. Single dwelling building, excluding attached garage 75 m2

2. Duplex unit, or semi-detached unit.....75 m2

3. Apartment units.....45 m2

4. All other building styles 60 m2

6.11.11 Specific Use Regulations

1. The following provide reference to specific regulations to Sections that apply to specific permitted or discretionary uses of this Section:

Home Office ..... Section 8.7.1

Minor Home-Based Business ..... Section 8.7.2

Major Home-Based Business ..... Section 8.7.3

Bed and Breakfast Facility ..... Section 8.7.4

Day Home Operation..... Section 8.1.1

Tent Structure ..... Section 8.27.3

Boarding and Lodging House ..... Section 8.2

Limited Foster Home ..... Section 8.3.1

Foster Home ..... Section 8.3.2

Group Home..... Section 8.3.4

Support Home ..... Section 8.3.6

Secondary Suite ..... Section 8.5.1

Modular Housing ..... Section 8.6.2

Residential Sales Centre ..... Section 8.6.3

Apartment Building ..... Section 8.5.4

Private Swimming Pool..... Section 8.6.4.1

6.11.12 General Regulations

1. The following provides a reference to other Sections that apply to the development of all residential properties:

Fences ..... Section 7.1

Decks and Patios ..... Section 7.2

Detached Garages, Carports, and Accessory Buildings ..... Section 7.3

Parking and Loading ..... Section 7.4

Signs ..... Section 7.6

Lot Grading and Property Drainage ..... Section 7.7

Landscaping and Screening ..... Section 7.8

Building Separation ..... Section 7.9

Lighting of Sites ..... Section 7.10

Building Design, Character, and Exterior Treatment ..... Section 7.11

Excavation and Stripping of Land ..... Section 7.12

Utility Services to Land Sites ..... Section 7.13

Sidewalk and Curb Crossings ..... Section 7.14

Corner and Double Fronting Lot ..... Section 7.15

Utility Right of Way ..... Section 7.16

Vehicular Access to Sites ..... Section 7.17

Limited Access to Major Streets ..... Section 7.18

Emergency Access to Buildings ..... Section 7.19

Objects/Uses Prohibited/Restricted in Residential Districts . Section 7.20

Relocation of Buildings ..... Section 7.21

Construction Damage Deposits ..... Section 7.22

Grading Compliance Deposit ..... Section 7.23

Payment of Off-site Levies ..... Section 7.24

Water Meter Installation Costs..... Section 7.25

Restrictive Covenants..... Section 7.26

Development Maintenance Standards..... Section 7.27

Land Subdivision Considerations ..... Part 9

6.12 R4 – High Density Residential District Regulations

6.12.1 Purpose

1. To establish a district in which land is used primarily for maximum density residential development.

6.12.2 Permitted Uses

1. Townhomes
2. Apartment Building
3. Fourplex Housing
4. *deleted as per Bylaw 1997-21*
5. Carport
6. Detached Garage
7. Tent Structure (maximum 60 m^2 in area)
8. Limited Foster home
9. Foster Home
10. Support Home
11. Home Office
12. Seniors and Supportive Housing Facility

6.12.3 Discretionary Uses

1. Duplex Housing
2. Semi-detached Housing
3. Triplex Housing
4. Boarding and Lodging House
5. Semi-Detached Garage

6. Residential Sales Centre
7. Minor Home-Based Business, within an approved single dwelling building
8. Major Home-Based Business, within an approved single dwelling building
9. Limited Group Home
10. Group Home
11. Institutional Group Home
12. Essential Utility Services

6.12.4 Maximum Site Coverage

1. Residential building, without in building parking 50%
2. Residential building, combined with exterior parking..... 70%
3. Residential building, with in building parking 60%
4. Detached garage or carport parking total 20%
5. Accessory building .....40 m^2

6.12.5 Minimum Front Yard Setback

1. Principal building .....5.0 m
2. Door access to in building parking.....6.1m
3. Decks and/or balconies .....3.5 m
4. Detached garage, carport, and accessory building.....20.0 m

6.12.6 Minimum Rear Yard Setback

1. Residential building
    a. with a front attached garage .....6.0 m
    b. without an attached garage .....13.0 m

2. Deck, with balcony ..... 5.0 m
3. Garage, rear entry ..... 5.5 m
4. Open carport ..... 3.0 m
5. Accessory building, other than detached garage ..... 1.5 m

6.12.7 Minimum Side Yard Setback

1. Semi-detached building
   a. with lane access ..... 1.5 m one side, party wall on other
   b. without lane access or a front attached garage ..... 3.0 m one side and ..... party wall on the other
2. Duplex Building
   a. with lane access ..... 1.5 m
   b. without lane access, or front attached garages ..... 3.0 m on each side
   c. without lane access, with front attached garages ..... 1.5 m
3. Townhomes
   a. internal units joined by party wall or fire wall ..... at property line
   b. end units \ end wall ..... 10% of total site width minimum of 2.1m
4. Apartments, triplexes, fourplexes
   a. 10% of Site width with a minimum of ..... 3.0 m
5. Decks
   a. > 0.5 m .0 and <1.0 m above grade ..... 0.6 m
   b. 1.0 m or > above grade ..... 1.5 m
6. Balconies 2.4m
7. Detached garage, carport, and accessory building ..... 1.5 m

6.12.8 Maximum Building Height

1. Apartments, group care facilities ..... 20.0 m
2. All other residential building styles ..... 13.5 m
3. Garage, accessory building, carport ..... 4.0 m

6.12.9 Minimum floor area

1. Duplex unit, or semi-detached unit..... 75 m^2
2. Apartment Unit..... 40 m^2
3. Units in all other building styles..... 60 m^2

6.12.10 Specific Use Regulations

1. The following provide reference to specific regulations to Sections that apply to specific permitted or discretionary uses of this Section:

    Home Office ..... Section 8.7.1

    Minor Home-Based Business ..... Section 8.7.2

    Major Home-Based Business ..... Section 8.7.3

    Bed And Breakfast Facility ..... Section 8.7.4

    Day Home Operation..... Section 8.1.1

    Tent Structure ..... Section 8.27.3

    Limited Foster Home ..... Section 8.3.1

    Support Home ..... Section 8.3.6

    Modular Housing ..... Section 8.6.2

    Apartment Building ..... Section 8.5.4

6.12.11 General Regulations

1. The following provides a reference to other Sections that apply to the development of all residential properties:

Fences ..... Section 7.1

Decks and Patios ..... Section 7.2

Detached Garages, Carports, and Accessory Buildings ..... Section 7.3

Parking and Loading ..... Section 7.4

Signs ..... Section 7.6

Lot Grading and Property Drainage ..... Section 7.7

Landscaping and Screening ..... Section 7.8

Building Separation ..... Section 7.9

Lighting of Sites ..... Section 7.10

Building Design, Character, and Exterior Treatment ..... Section 7.11

Excavation and Stripping of Land ..... Section 7.12

Utility Services to Land Sites ..... Section 7.13

Sidewalk and Curb Crossings ..... Section 7.14

Corner and Double Fronting Lot ..... Section 7.15

Utility Right of Way ..... Section 7.16

Vehicular Access to Sites ..... Section 7.17

Limited Access to Major Streets ..... Section 7.18

Emergency Access to Buildings ..... Section 7.19

Objects/Uses Prohibited/Restricted in Residential Districts . Section 7.20

Relocation of Buildings ..... Section 7.21

Construction Damage Deposits ..... Section 7.22

Grading Compliance Deposit ..... Section 7.23

Payment of Off-site Levies ..... Section 7.24

Water Meter Installation Costs..... Section 7.25

Restrictive Covenants..... Section 7.26

Development Maintenance Standards..... Section 7.27

Land Subdivision Considerations ..... Part 9

6.13 R5 – Condominium Residential District Regulations

6.13.1 Purpose

1. To establish a district in which a large parcel of land is the location of numerous different housing complexes. The entire project shall be planned prior to the issuance of any permits being issued using standard planning practices and be approved by the City's Development Authority prior to the issuance of any permits.

6.13.2 Permitted Uses

1. Single Dwelling Building
2. Duplex Housing
3. Triplex Housing
4. Fourplex Housing
5. *deleted as per Bylaw 1997-21*
6. Carport
7. Attached Garage
8. Home Office
9. Internal Roadway Systems
10. Essential Utility Services
11. Uses accessory to the above (decks, patios, hot tubs, swimming pools, etc.)
12. Decks

6.13.3 Discretionary Uses

1. Townhome
2. Apartment Building
3. Community Recreation Service

4. Detached Garage
5. Residential Sales Centre
6. Minor Home-Based Business
7. Major Home-Based Business
8. Oversize Detached Garage
9. Storage Compounds
10. Storm Water Retention Facilities

6.13.4 Maximum Site Coverage

1. Residential building 40%
2. Community building 10%
3. Detached garage, carport 10%
4. Accessory building ..... 40 m^2

6.13.5 Minimum Building Setback

1. No building shall be placed within 6.0 m of any parcel boundary.
2. No building shall be placed within 6.0 m of any internal roadways, which serve more than seven (7) dwelling units measured perpendicular from the backside of sidewalks where sidewalks exit or the backside of curbs where sidewalks do not exist.
3. No residential building shall be placed within 3.1 m of any other building or greater if required by the Alberta Building Code.

6.13.6 Maximum Building Height

1. Residential building ..... 13.5 m
2. Detached garage, carport ..... 4.0 m
3. Community building ..... 6.0 m

4. Accessory building ..... 3.7 m

5. Antenna structures ..... 8.0 m

6.13.7 Minimum floor area

1. Apartment units ..... 45 m^2

2. All other dwelling units ..... 75 m^2

6.13.8 Specific Use Regulations

1. The following provide reference to specific regulations to Sections that apply to specific permitted or discretionary uses of this Section:

    Home Office ..... Section 8.7.1

    Minor Home-Based Business ..... Section 8.7.2

    Major Home-Based Business ..... Section 8.7.3

    Modular Housing ..... Section 8.6.2

    Residential Sales Centre ..... Section 8.6.3

    Apartment Building ..... Section 8.5.4

    Private Swimming Pool ..... Section 8.6.4.1

6.13.9 General Regulations

1. The following provides a reference to other Sections that apply to the development of all residential properties:

    Fences ..... Section 7.1

    Decks and Patios ..... Section 7.2

    Detached Garages, Carports, and Accessory Buildings ..... Section 7.3

    Parking and Loading ..... Section 7.4

    Signs ..... Section 7.6

Lot Grading and Property Drainage ..... Section 7.7

Landscaping and Screening ..... Section 7.8

Building Separation ..... Section 7.9

Lighting of Sites ..... Section 7.10

Building Design, Character, and Exterior Treatment ..... Section 7.11

Excavation and Stripping of Land ..... Section 7.12

Utility Services to Land Sites ..... Section 7.13

Sidewalk and Curb Crossings ..... Section 7.14

Corner and Double Fronting Lot ..... Section 7.15

Utility Right of Way ..... Section 7.16

Vehicular Access to Sites ..... Section 7.17

Limited Access to Major Streets ..... Section 7.18

Emergency Access to Buildings ..... Section 7.19

Objects/Uses Prohibited/Restricted in Residential Districts . Section 7.20

Relocation of Buildings ..... Section 7.21

Construction Damage Deposits ..... Section 7.22

Grading Compliance Deposit ..... Section 7.23

Payment of Off-site Levies ..... Section 7.24

Water Meter Installation Costs ..... Section 7.25

Restrictive Covenants ..... Section 7.26

Development Maintenance Standards ..... Section 7.27

Land Subdivision Considerations ..... Part 9

6.14 PUD – Planned Unit Development Direct Control District Regulations

6.14.1 Purpose

1. To establish a District wherein the Council of the City of Wetaskiwin may regulate and exercise particular control over the use and development of land and buildings within a designated area. More specifically, the intent of this District is to provide an area for comprehensively planned and designed development creating a unique, integrated, and high quality urban environment, which is compatible with surrounding development, but which could not be accommodated under any other Land Use District in this Bylaw.

6.14.2 Application

1. This District shall only be applied to a site, which is one (1) acre or more in extent, and which is owned, leased, or controlled by a single person, agent, or corporation at the time the initial development proposal and application for redistricting is submitted.

2. This district will only be designated after a detailed site design has been submitted which:

    a. adheres to the purpose of the district;

    b. could not be enabled through any other Land Use District;

    c. complies with any approved Statutory Plan; and

    d. complies with the uses and development criteria specified in this District.

3. Where this District is applied, Council shall regulate and control the use and development of land or buildings through a development agreement between the applicant and the City. The development agreement for the entire site must be executed prior to the issuance of any development permit, and it shall detail all regulations and conditions imposed by Council upon the development and use of land at the time of redistricting.

4. If the development proposal upon which the designation of this District is based involves subdivision, a proposed plan of subdivision shall be included in the development agreement as the basis for future subdivision. The Planning Commission shall not generally approve any subdivision under this District, which does not generally conform to the provisions of the agreement, except

for the purpose of effecting the staging or financing of the development proposal and provided that its form and integrity are not affected.

5. If development permits are not issued within the time periods specified in the development agreement or if the permits issued within the specified periods subsequently lapse because a building permit is not issued, is cancelled or construction activity is not maintained, the agreement between the applicant and the City shall be null and void for that portion of the site without a valid development permit and the land use designation for that portion shall automatically revert to the land use designation in place prior to the application of this District unless Council, by Bylaw, extends the application of this District for that part of the site for a specified further period.

6.14.3 Development Criteria

1. Council may, through the development agreement required in this District, specify any development regulation, criteria, or condition necessary to ensure development conforms to the development proposal upon which this designation is based.

2. In determining the acceptability of a development proposal under this District, Council may consider, among other matters, the following:

   a. its relationship and compliance with the General Municipal Plan and other applicable Statutory Plans;

   b. its compliance with or conformity to the regulations of surrounding Land Use Districts and the General Regulations and Special Land Use Provisions of this Bylaw;

   c. its compatibility with surrounding existing land uses, scale of development, and potential effect on stability, retention, and rehabilitation of desirable existing uses and/or buildings in the area;

   d. its traffic impact;

   e. the location, function and design of roadways, parking facilities, pedestrian circulation and transit systems serving the whole proposed development, or each phase of the proposed development;

   f. its impact on services such as water and sewage systems and other utilities;

   g. its impact on community services including student generation and school capacities;

h. its relationship to municipal land, right-of-way, or easement requirements;

i. its impact on natural drainage patterns, vegetative cover, energy conservation, and efficiency;

j. the provision and quality of landscaped open space and recreational amenities, including children's play space or other communal recreation space;

k. its responsiveness to the documented concerns and opinions of area residents and owners;

l. the arrangements for the ongoing maintenance of communal open spaces, recreational facilities and land which is not to be conveyed to the City; and

m. the need for restrictive covenants or development agreement provisions to maintain the design integrity of the project and control any future additions, accessory buildings, or renovations.

6.14.4 Information Requirements

1. The applicant may be requested to supply information related to potential impacts of development including regard to the following impact criteria:

   a. compatibility with surrounding development in terms of scale and density of development;

   b. traffic impacts;

   c. relationship to, or impacts on, services such as water and sewage systems and other utilities, and

   d. public services such as recreational and school facilities.

6.14.5 Parking and Loading

1. As regulated under Section 7.4 of this Bylaw.

6.14.6 Signs

1. As regulated under Section 7.6 of this Bylaw.

6.14.7 Landscaping and Screening

1. To the satisfaction of the Development Authority.

6.14.8 Specific Use Regulations

1. Regulations pertaining to specific uses are as follows:

Home Office ..... Section 8.7.1

Minor Home Based-Business ..... Section 8.7.2

Major Home Based-Business ..... Section 8.7.3

Private Swimming Pool..... Section 8.6.4.1

Utility installations to the satisfaction of the Development Authority regarding aspects of safety and building aesthetics.

6.14.9 General Regulations

1. The following provides a reference to other Sections that apply to the development of all residential properties:

Fences ..... Section 7.1

Decks and Patios ..... Section 7.2

Detached Garages, Carports, and Accessory Buildings ..... Section 7.3

Parking and Loading ..... Section 7.4

Signs ..... Section 7.6

Lot Grading and Property Drainage ..... Section 7.7

Landscaping and Screening ..... Section 7.8

Building Separation ..... Section 7.9

Lighting of Sites..... Section 7.10

Building Design, Character, and Exterior Treatment..... Section 7.11

Excavation and Stripping of Land ..... Section 7.12

Utility Services to Land Sites ..... Section 7.13

Sidewalk and Curb Crossings..... Section 7.14

Corner and Double Fronting Lot ..... Section 7.15

Utility Right of Way ..... Section 7.16

Vehicular Access to Sites ..... Section 7.17

Limited Access to Major Streets ..... Section 7.18

Emergency Access to Buildings ..... Section 7.19

Objects/Uses Prohibited/Restricted in Residential Districts . Section 7.20

Relocation of Buildings ..... Section 7.21

Construction Damage Deposits ..... Section 7.22

Grading Compliance Deposit ..... Section 7.23

Payment of Off-site Levies ..... Section 7.24

Water Meter Installation Costs..... Section 7.25

Restrictive Covenants..... Section 7.26

Development Maintenance Standards..... Section 7.27

Land Subdivision Considerations ..... Part 9

6.15 C1 – Downtown Commercial District Regulations

6.15.1 Purpose

1. To establish a central business district in which land is used for commercial service, entertainment services and retail development which does not require large tracts of land for efficient operation. In addition, this district will accommodate traditional civic development which functions as a central focus of the downtown and downtown living with mixed uses.

6.15.2 Permitted Uses

1. Multi-tenant Commercial Building
2. Single Tenant Commercial Building
3. Office Building
4. General Retail Store
5. Licensed Restaurant
6. Restaurant
7. Outdoor Restaurant Patio, as an accessory to a Restaurant, Pub, Lounge, Nightclub, or Bar for which a development permit has been issued *amended as per Bylaw 2019-22*
8. Antique Store
9. Personal Service Business
10. Professional, Financial, and Office Support Service
11. Business Support Service
12. Government Service
13. Health Service
14. Public Education Service
15. Public Library and Cultural Exhibit
16. Commercial School

17. Child Care Service
18. Spectator Entertainment Establishment
19. Minor Amusement Establishment
20. Convenience Vehicle Rental
21. Broadcasting and Motion Picture Studio
22. Cannabis Retail *added as per Bylaw 1914-18*
23. Sidewalk Patio *added as per B*

6.15.3 Discretionary Uses

1. Booth Market
2. Funeral and Cremation Service
3. Second-hand Store
4. Convenience Retail Store
5. Pubs and Lounges
6. Nightclubs and Bars
7. *deleted as per Bylaw 2019-22*
8. Limited Contractor Service
9. Household Repair Service
10. Major Amusement Establishment
11. Carnival
12. Mobile Catering Food Service
13. Veterinary Service
14. Religious Assembly
15. Equipment Rentals
16. Fleet Service

17. Indoor Participant Facility
18. Limited Group Home
19. Support Home
20. Foster Home
21. Mixed Use Residential Suites
24. Hotel
25. Motel
22. Warehouse Sales
23. Apartment Building
24. Essential Utility Services
25. *deleted as per Bylaw 1997-21*

6.15.4 District Overlays

1. District Overlays may apply to portions of this zoning classification that will add additional regulation to some of the properties within this classification. Refer to Part 11 of this Bylaw for further information.

6.15.5 Maximum Lot Coverage

1. Principal Building and accessory buildings 90%

6.15.6 Minimum Front Yard Setback

1. Principal Building .....0.0 m
2. Accessory Building .....25.0 m
3. Hotel, Motel, and/or Apartment .....3.0 m

6.15.7 Minimum Side Yard Setback

1. Determined by Alberta Building Code requirements based on construction type.

6.15.8 Minimum Rear Yard Setback

1. Principal Building .....6.0 m
2. Accessory Building .....1.0 m

6.15.9 Maximum Building Height

1. Principal Building.....20.0 m
2. Accessory Building .....4.0 m

6.15.10 Specific Use Regulations

1. The following provide reference to specific regulations to Sections that apply to specific permitted or discretionary uses of this Section:

    Outdoor Restaurant Patio..... Section 8.15

    Child Care Service ..... Section 8.1.2

    Booth Market..... Section 8.17

    Secondhand Store..... Section 8.11

    Nightclubs and Bars ..... Section 8.14.2

    Licensed Outdoor Patio..... Section 8.16

    Liquor Store..... Section 8.10

    Carnival..... Section 8.20

    Adult Entertainment Facility..... Section 8.13

    Foster Home ..... Section 8.3.2

    Limited Group Home ..... Section 8.3.3

    Group Home..... Section 8.3.4

Support Home ..... Section 8.3.6

Mixed Use Residential Suites ..... Section 8.5.3

Cannabis Retail *added as per Bylaw 1914-18* ..... Section 8.33

6.15.11 General Regulations

1. The following provides a reference to other Sections that apply to the development of all properties:

Fences ..... Section 7.1

Decks and Patios ..... Section 7.2

Detached Garages, Carports, and Accessory Buildings ..... Section 7.3

Parking and Loading ..... Section 7.4

Signs ..... Section 7.6

Lot Grading and Property Drainage ..... Section 7.7

Landscaping and Screening ..... Section 7.8

Building Separation ..... Section 7.9

Lighting of Sites ..... Section 7.10

Building Design, Character, and Exterior Treatment ..... Section 7.11

Excavation and Stripping of Land ..... Section 7.12

Utility Services to Land Sites ..... Section 7.13

Sidewalk and Curb Crossings ..... Section 7.14

Corner and Double Fronting Lot ..... Section 7.15

Utility Right of Way ..... Section 7.16

Vehicular Access to Sites ..... Section 7.17

Limited Access to Major Streets ..... Section 7.18

Emergency Access to Buildings ..... Section 7.19

Objects/Uses Prohibited/Restricted in Residential Districts . Section 7.20

Relocation of Buildings ..... Section 7.21

Construction Damage Deposits ..... Section 7.22

Grading Compliance Deposit ..... Section 7.23

Payment of Off-site Levies ..... Section 7.24

Water Meter Installation Costs..... Section 7.25

Restrictive Covenants..... Section 7.26

Development Maintenance Standards..... Section 7.27

Land Subdivision Considerations ..... Part 9

6.16 C2 – General Commercial District Regulations

6.16.1 Purpose

1. To establish a district in which land is used for retail development which requires larger than normal tracts of land for efficient operation.

6.16.2 Permitted Uses

1. Multi-tenant Commercial Building
2. Single Tenant Commercial Building
3. General Retail Store
4. General Contractor Service
5. Household Repair Service
6. Limited Contractor Service
7. Automotive and Light Recreation Vehicle Sales/Rentals
8. Convenience Vehicle Rentals
9. Equipment Rentals
10. Fleet Services
11. Business Support Service
12. Commercial School
13. Personal Service Business
14. Antique Store
15. Public Library and Cultural Exhibit
16. Public Education Service
17. Indoor Participant Recreation Service
18. Child Care Service

19. Government Service
20. Warehouse Sales
21. Minor Amusement Establishment
22. Spectator Entertainment Establishment
23. Mobile Catering Food Service
24. Broadcasting and Motion Picture Studio
25. Greenhouse and Plant Nursery
26. Cannabis Retail *added as per Bylaw 1914-18*
27. Outdoor Restaurant Patio, as an accessory to a Restaurant, Pub, Lounge, Nightclub, or Bar for which a development permit has been issued. *added as per Bylaw 2019-22*
28. Sidewalk Patio *added as per Bylaw 2019-22*

6.16.3 Discretionary Uses

1. Automotive and Equipment Repair Shops
2. Truck and Factory Built Home Sales
3. Convenience Retail Store
4. Vehicle Oriented Uses
5. Service Station
6. Automotive and Equipment Repair Shop
7. Second-hand Store
8. Motel
9. Hotel
10. Restaurant
11. *deleted as per Bylaw 2019-22*
12. Pubs and Lounges

13. Casino and Other Gaming Establishment
14. Liquor Store
15. Health Service
16. Booth Market
17. Religious Assembly
18. Funeral and Cremation Services
19. Auctioneering Establishment
20. Outdoor Amusement Establishment
21. Recycling Depot
22. Veterinary Service
23. Major Amusement Establishment
24. Mixed Use Residential Suites
25. Limited Group Home
26. Outdoor Storage Yard
27. Essential Utility Services
28. *deleted as per Bylaw 1997-21*
29. Intermodal Container Storage *added as per Bylaw 1922-19*

6.16.4 District Overlays

1. District Overlays may apply to portions of this zoning classification that will add additional regulation to some of the properties within this classification. Refer to Part 11 of this Bylaw for further information.

6.16.5 Maximum Lot Coverage

1. Principal building and accessory buildings 70%

6.16.6 Minimum Front Yard Setback

1. Vehicle oriented uses ..... 12.0 m
2. All other uses \ principal building ..... 0.0 m
3. Accessory building ..... 25.0 m
4. Hotel, Motel 3.0m

6.16.7 Minimum Side Yard Setback

1. Determined by Alberta Building Code requirements based on construction type.

6.16.8 Minimum Rear Yard Setback

1. Principal Building ..... 6.0 m
2. Accessory Building ..... 1.0 m

6.16.9 Maximum Building Height

1. Principal Building ..... 13.5 m
2. Accessory Building ..... 4.0 m

6.16.10 Specific Use Regulations

1. The following provide reference to specific regulations to Sections that apply to specific permitted or discretionary uses of this Section:

    Child Care Service ..... Section 8.1.2

    Greenhouse and Plant Nursery ..... Section 8.21

    Automotive and Equipment Repair Shop ..... Section 8.24

    Service Station ..... Section 8.26

    Second-hand Store ..... Section 8.11

Outdoor Restaurant Patio ..... Section 8.15

Liquor Store..... Section 8.10

Booth Market..... Section 8.17

Auctioneering Establishment ..... Section 8.29

Outdoor Amusement Establishment ..... Section 8.19

Mixed Use Residential Suites ..... Section 8.5.3

Limited Group Home ..... Section 8.3.3

Intermodal Container Storage *added as per Bylaw 1922-19*..... Section 8.27.4

Cannabis Retail *added as per Bylaw 1914-18* ..... Section 8.33

6.16.11 General Regulations

1. The following provides a reference to other Sections that apply to the development of all properties:

Fences ..... Section 7.1

Decks and Patios ..... Section 7.2

Detached Garages, Carports, and Accessory Buildings ..... Section 7.3

Parking and Loading ..... Section 7.4

Signs ..... Section 7.6

Lot Grading and Property Drainage ..... Section 7.7

Landscaping and Screening ..... Section 7.8

Building Separation ..... Section 7.9

Lighting of Sites..... Section 7.10

Building Design, Character, and Exterior Treatment..... Section 7.11

Excavation and Stripping of Land ..... Section 7.12

Utility Services to Land Sites ..... Section 7.13

Sidewalk and Curb Crossings..... Section 7.14

Corner and Double Fronting Lot ..... Section 7.15

Utility Right of Way ..... Section 7.16

Vehicular Access to Sites ..... Section 7.17

Limited Access to Major Streets ..... Section 7.18

Emergency Access to Buildings ..... Section 7.19

Objects/Uses Prohibited/Restricted in Residential Districts . Section 7.20

Relocation of Buildings ..... Section 7.21

Construction Damage Deposits ..... Section 7.22

Grading Compliance Deposit ..... Section 7.23

Payment of Off-site Levies ..... Section 7.24

Water Meter Installation Costs..... Section 7.25

Restrictive Covenants..... Section 7.26

Development Maintenance Standards..... Section 7.27

Land Subdivision Considerations ..... Part 9

6.17 C3 – Highway Commercial District Regulations

6.17.1 Purpose

1. To establish a district that encourages high quality business establishments along the primary high traffic corridor through the community. The types of businesses in the classification should provide services to motoring public, visitors to the community, and to local and regional business clients.

6.17.2 Permitted Uses

1. Multi-tenant Commercial Building
2. Single Tenant Commercial Building
3. Office Building
4. Hotel
5. Motel
6. Automotive and Equipment Repair Shop
7. Automotive and Light Recreation Vehicle Sales/Rentals
8. Rapid Drive-through Vehicle Service
9. Service Station
10. Vehicle Oriented Uses
11. Convenience Retail Store
12. Convenience Vehicle Rentals
13. Drive-in Food Service
14. Restaurant
15. Licensed Restaurant
16. Outdoor Restaurant Patio, as an accessory to a Restaurant, Pub, Lounge, Nightclub, or Bar for which a development permit has been issued. a*mended as per Bylaw 2019-22*

17. *deleted as per Bylaw 2019-22*
18. Spectator Entertainment Establishment
19. Indoor Participant Recreation Service
20. Public Library and Cultural Exhibit
21. Fleet Service
22. Warehouse Sales
23. General Retail Store
24. Antique Store
25. Business Support Service
26. Professional, Financial, and Office Support Service
27. Personal Service Business
28. Cannabis Retail *added as per Bylaw 1914-18*
29. Sidewalk Patio *added as per Bylaw 2019-22*
30. Health Service *added as per Bylaw 2103-26*

6.17.3 Discretionary Uses

1. Major Amusement Establishment
2. Outdoor Amusement Establishment
3. Booth Market
4. Liquor Store
5. Pubs and Lounges
6. Nightclubs and Bars
7. Adult Entertainment Facility
8. Carnival
9. Government Services

10. Mixed Use Residential Suites

11. Truck and Factory Built Home Sales

12. Small Animal Kennel *added as per Bylaw 2098-25*

13. Essential Utility Services

14. Intermodal Container Storage *added as per Bylaw 1922-19*

6.17.4 District Overlays

1. District Overlays may apply to portions of this zoning classification that will add additional regulation to some of the properties within this classification. Refer to Part 11 of this Bylaw for further information.

6.17.5 Maximum Lot Coverage

1. Principal Building.....60%

2. All buildings and paved areas combined 90%

6.17.6 Minimum Front Yard Setback

1. Service Stations \ Vehicle oriented uses.....12.0 m

2. All other uses.....10.0 m

6.17.7 Minimum Side Yard Setback

1. Internal lot.....3.0 m

2. Corner lot.....6.0 m

3. Internal and corner lots must also meet building code limiting distance

6.17.8 Minimum Rear Yard Setback

1. All lots.....3.0 m

6.17.9 Maximum Building Height

1. Hotel \ Motel.....20 m
2. All other buildings.....13.5 m

6.17.10 Specific Use Regulations

1. The following provide reference to specific regulations to Sections that apply to specific permitted or discretionary uses of this Section:

Automotive and Equipment Repair Shop	Section 8.24
Rapid Drive-through Vehicle Service	Section 8.26
Drive-in Food Service	Section 8.26
Service Station	Section 8.26
Outdoor Restaurant Patio	Section 8.15
Licensed Outdoor Patio	Section 8.16
Booth Market	Section 8.17
Outdoor Amusement Establishment	Section 8.19
Carnival	Section 8.20
Liquor Stores	Section 8.10
Adult Entertainment Facility	Section 8.13
Nightclubs and Bars	Section 8.14.2
Mixed Use Residential Suites	Section 8.5.3
Intermodal Container Storage *added as per Bylaw 1922-19*	Section 8.27.4
Cannabis Retail *added as per Bylaw 1914-18*	Section 8.33

6.17.11 General Regulations

1. The following provides a reference to other Sections that apply to the development of all properties:

Fences ..... Section 7.1

Decks and Patios ..... Section 7.2

Detached Garages, Carports, and Accessory Buildings ..... Section 7.3

Parking and Loading ..... Section 7.4

Signs ..... Section 7.6

Lot Grading and Property Drainage ..... Section 7.7

Landscaping and Screening ..... Section 7.8

Building Separation ..... Section 7.9

Lighting of Sites ..... Section 7.10

Building Design, Character, and Exterior Treatment ..... Section 7.11

Excavation and Stripping of Land ..... Section 7.12

Utility Services to Land Sites ..... Section 7.13

Sidewalk and Curb Crossings ..... Section 7.14

Corner and Double Fronting Lot ..... Section 7.15

Utility Right of Way ..... Section 7.16

Vehicular Access to Sites ..... Section 7.17

Limited Access to Major Streets ..... Section 7.18

Emergency Access to Buildings ..... Section 7.19

Objects/Uses Prohibited/Restricted in Residential Districts . Section 7.20

Relocation of Buildings ..... Section 7.21

Construction Damage Deposits ..... Section 7.22

Grading Compliance Deposit ..... Section 7.23

Payment of Off-site Levies ..... Section 7.24

Water Meter Installation Costs ..... Section 7.25

Restrictive Covenants..... Section 7.26

Development Maintenance Standards..... Section 7.27

Land Subdivision Considerations ..... Part 9

6.18 Reserved for Future Use

6.19 C4 – Neighbourhood Commercial District Regulations

6.19.1 Purpose

1. To establish a district in which land is used for local retail and service outlet development, which provide for the sale of convenience goods and services near residential areas.

6.19.2 Permitted Uses

1. Multi-tenant Commercial Building
2. Single Tenant Commercial Building
3. Child Care Service
4. Convenience Retail Store
5. Mixed Use Residential Suites
6. Essential Utility Services
7. Outdoor Restaurant Patio, as an accessory to a Restaurant, Pub, Lounge, Nightclub, or Bar for which a development permit has been issued. *added as per Bylaw 2019-22*
8. Sidewalk Patio *added as per Bylaw 2019-22*

6.19.3 Discretionary Uses

1. Office Building
2. Restaurant
3. Professional, Financial, and Office Support Service
4. Health Service
5. Personal Service Business
6. Pubs and Lounges
7. Licensed Restaurant

8. Small Animal Hospital

6.19.4 Maximum Lot Coverage

1. One (1) storey building..... 50%
2. Two (2) storey building..... 45%
3. Three (3) storey building or greater..... 35%

6.19.5 Minimum Front Yard Setback

1. All buildings.....12.0 m

6.19.6 Minimum Side Yard Setback

1. One (1) storey building.....3.0 m
2. Two (2) storey building.....4.0 m
3. Three (3) storey building or greater.....6.0 m

6.19.7 Minimum Rear Yard Setback

1. One (1) storey building.....6.0 m
2. Two (2) storey building.....6.0 m
3. Three (3) storey building or greater.....8.0 m
4. Greater than three (3) storeys.....10.0 m

6.19.8 Maximum Building Height

1. To roof peak.....13.5 m

6.19.9 Appearance and Siting Requirements

1. Sites to be designated as C4 Neighbourhood Commercial, shall be located on at least one (1) arterial roadway.

2. The siting and appearance of all buildings or improvements and the landscaping of the lot shall be cohesive with residential properties in order that there shall be general conformity with adjacent buildings and that there may be adequate protection afforded to the amenities of the adjacent buildings.

6.19.10 Specific Use Regulations

1. The following provide reference to specific regulations to Sections that apply to specific permitted or discretionary uses of this Section:

Child Care Services ..... Section 8.1.2

Mixed Use Residential Suites ..... Section 8.5.3

Pubs and Lounges ..... Section 8.14.1

6.19.11 General Regulations

1. The following provides a reference to other Sections that apply to the development of all properties:

Fences ..... Section 7.1

Decks and Patios ..... Section 7.2

Detached Garages, Carports, and Accessory Buildings ..... Section 7.3

Parking and Loading ..... Section 7.4

Signs ..... Section 7.6

Lot Grading and Property Drainage ..... Section 7.7

Landscaping and Screening ..... Section 7.8

Building Separation ..... Section 7.9

Lighting of Sites ..... Section 7.10

Building Design, Character, and Exterior Treatment ..... Section 7.11

Excavation and Stripping of Land ..... Section 7.12

Utility Services to Land Sites ..... Section 7.13

Sidewalk and Curb Crossings ..... Section 7.14

Corner and Double Fronting Lot ..... Section 7.15

Utility Right of Way ..... Section 7.16

Vehicular Access to Sites ..... Section 7.17

Limited Access to Major Streets ..... Section 7.18

Emergency Access to Buildings ..... Section 7.19

Objects/Uses Prohibited/Restricted in Residential Districts . Section 7.20

Relocation of Buildings ..... Section 7.21

Construction Damage Deposits ..... Section 7.22

Grading Compliance Deposit ..... Section 7.23

Payment of Off-site Levies ..... Section 7.24

Water Meter Installation Costs..... Section 7.25

Restrictive Covenants..... Section 7.26

Development Maintenance Standards..... Section 7.27

Land Subdivision Considerations ..... Part 9

6.20 C5 – Shopping Centre Commercial District Regulations

6.20.1 Purpose

1. To establish a district in which land is used for shopping centre development which is intended to serve the community, regional trade area and visitors to the community.

6.20.2 Permitted Uses

1. Multi-tenant Commercial Building
2. Single Tenant Commercial Building
3. Office Building
4. General Retail Store
5. Warehouse Sales
6. Antique Store
7. Personal Service Business
8. Restaurant
9. Outdoor Restaurant Patio, as an accessory to a Restaurant, pub, Lounge, Nightclub, or Bar for which a development permit has been issued. *amended as per Bylaw 2019-22*
10. Licensed Restaurant
11. *Deleted as per Bylaw 2019-22*
12. Drive-in Food Service
13. Professional, Financial, and Office Support Service
14. Business Support Service
15. Vehicle Oriented Uses
16. Convenience Vehicle Rentals
17. Convenience Retail Store

18. Booth Market
19. Hotel
20. Motel
21. Broadcasting and Motion Picture Studio
22. Commercial School
23. Public Education Service
24. Government Service
25. Child Care Service
26. Public Library and Cultural Exhibit
27. Health Service
28. Indoor Participant Recreation Service
29. Minor Amusement Establishment
30. Spectator Entertainment Establishment
31. Liquor Stores
32. Cannabis Retail *added as per Bylaw 1914-18*
33. Sidewalk Patio *added as per Bylaw 2019-22*

6.20.3 Discretionary Uses

1. Outdoor Amusement Establishment
2. Major Amusement Establishment
3. Casino and Other Gaming Establishment
4. Carnival
5. Pubs and Lounges
6. *deleted as per Bylaw 1856-15*
7. Funeral and Cremation Service

8. Fleet Services

9. Automotive and Equipment Repair Shop

10. Household Repair Service

11. Mixed Use Residential Suites

12. Essential Utility Services

13. Small Animal Hospital

14. Intermodal Container Storage *added as per Bylaw 1922-19*

15. Mini Storage Facility *added as per Bylaw 2040-23*

6.20.4 District Overlays

1. District Overlays may apply to portions of this zoning classification that will add additional regulation to some of the properties within this classification. Refer to Part 11 of this Bylaw for further information.

6.20.5 Restrictive Covenants

1. Some properties within the zoning classification have Restrictive Covenants and Caveats registered on the title of the property that restrict uses and are more restrictive than these regulations. The City does not monitor or regulate these restrictive covenants or caveats. This right and responsibility is regulated and monitored by the documents registered on the title and the rights within the registered documents. Applicants are hereby advised to be aware of these registered documents.

6.20.6 Maximum Lot Coverage

1. Commercial Building 40%

2. All Buildings and parking lots.....95%

6.20.7 Minimum Front Yard Setback

1. Service stations \ vehicle oriented uses ..... 12.0 m

2. All other buildings ..... 4.0 m

6.20.8 Minimum Side Yard Setback

1. Internal property boundaries ..... 4.0 m

6.20.9 Minimum Rear Yard Setback

1. Internal property boundaries ..... 4.0 m
2. Adjacent to public property ..... 6.0 m

6.20.10 Maximum Building Height

1. Hotel \ Motel ..... 20.0 m
2. All other buildings ..... 13.5 m

6.20.11 Specific Use Regulations

1. The following provide reference to specific regulations to Sections that apply to specific permitted or discretionary uses of this Section:

    Outdoor Restaurant Patio ..... Section 8.15

    Licensed Outdoor Patio ..... Section 8.16

    Booth Market ..... Section 8.17

    Drive-in Food Service ..... Section 8.26

    Child Care Service ..... Section 8.1.2

    Outdoor Amusement Establishment ..... Section 8.19

    Carnival ..... Section 8.20

    Liquor Store ..... Section 8.10

    Automotive and Equipment Repair Shops ..... Section 8.24

    Mixed Use Residential Suites ..... Section 8.5.3

Intermodal Container Storage *added as per Bylaw 1922-14* ..... Section 8.27.4

Cannabis Retail *added as per Bylaw 1914-18* ..... Section 8.33

Mini Storage Facility *added as per Bylaw 2040-23* .....Section 8.30

6.20.12 General Regulations

1. The following provides a reference to other Sections that apply to the development of all residential properties:

Fences ..... Section 7.1

Decks and Patios ..... Section 7.2

Detached Garages, Carports, and Accessory Buildings ..... Section 7.3

Parking and Loading ..... Section 7.4

Signs ..... Section 7.6

Lot Grading and Property Drainage ..... Section 7.7

Landscaping and Screening ..... Section 7.8

Building Separation ..... Section 7.9

Lighting of Sites ..... Section 7.10

Building Design, Character, and Exterior Treatment ..... Section 7.11

Excavation and Stripping of Land ..... Section 7.12

Utility Services to Land Sites ..... Section 7.13

Sidewalk and Curb Crossings ..... Section 7.14

Corner and Double Fronting Lot ..... Section 7.15

Utility Right of Way ..... Section 7.16

Vehicular Access to Sites ..... Section 7.17

Limited Access to Major Streets ..... Section 7.18

Emergency Access to Buildings ..... Section 7.19

Objects/Uses Prohibited/Restricted in Residential Districts . Section 7.20

Relocation of Buildings ..... Section 7.21

Construction Damage Deposits ..... Section 7.22

Grading Compliance Deposit ..... Section 7.23

Payment of Off-site Levies ..... Section 7.24

Water Meter Installation Costs..... Section 7.25

Restrictive Covenants..... Section 7.26

Development Maintenance Standards..... Section 7.27

Land Subdivision Considerations ..... Part 9

6.21 DDO – Downtown District Overlay

6.21.1 Purpose

1. To provide specific district regulations for the downtown core to cultivate a dynamic environment for business and residents while creating a gathering place for the community. This district will take advantage of the historical character of the downtown core while encouraging development that does not require large tracts of land.

6.21.2 Permitted Uses

1. Multi-tenant Commercial Building
2. Single Tenant Commercial Building
3. Office Building
4. General Retail Store
5. Licensed Restaurant
6. Restaurant
7. Outdoor Restaurant Patio, as an accessory to a Restaurant, Pub, Lounge, Nightclub, or Bar for which a development permit has been issued. *amended as per Bylaw 2019-22*
8. Antique Shop
9. Personal Service Business
10. Professional, Financial, and Office Support Service
11. Business Support Service
12. Government Service
13. Health Service
14. Public Education Service
15. Public Library and Cultural Exhibit
16. Spectator Entertainment Establishment

17. Minor Amusement Establishment
18. Cannabis Retail *added as per Bylaw 1914-18*
19. Religious Assembly *added as per Bylaw 1944-20*
20. Sidewalk Patio *added as per Bylaw 2019-22*
21. Child Care Services *added as per Bylaw 2053-24*

6.21.3 Discretionary Uses

1. Booth Market
2. Commercial School
3. Second-hand Store
4. Convenience Retail Store
5. Pubs and Lounges
6. Nightclubs and Bars
7. *deleted as per Bylaw 2019-22*
8. Household Repair Service
9. Carnival
10. Mobile Catering Food Service
11. Broadcasting and Motion Picture Studio
12. Indoor Participant Recreation Service
13. Limited Group Home
14. Support Home
15. Foster Home
16. Mixed Use Residential Suites
17. Hotel
18. Essential Utility Service

19. Liquor Store

6.21.4 Maximum Lot Coverage

1. Principal building 90%

6.21.5 Minimum Front Yard Setback

1. Principal Building .....0.0 m
2. Hotel .....3.0 m

6.21.6 Minimum Side Yard Setback

1. Determined by Alberta Building Code requirements based on construction type.

6.21.7 Minimum Rear Yard Setback

1. Principal Building .....6.0 m

6.21.8 Maximum Building Height

1. Accessory Building .....4.0 m

6.21.9 Specific Use Regulations

1. The following provide reference to specific regulations to Sections that apply to specific permitted or discretionary uses of this Section:

    Outdoor Restaurant Patio ..... Section 8.15

    Child Care Service ..... Section 8.1.2

    Booth Market..... Section 8.17

    Secondhand Store..... Section 8.11

    Nightclubs and Bars ..... Section 8.14.2

    Licensed Outdoor Patio ..... Section 8.16

Carnival ..... Section 8.20

Foster Home ..... Section 8.3.2

Limited Group Home ..... Section 8.3.3

Group Home ..... Section 8.3.4

Support Home ..... Section 8.3.6

Mixed Use Residential Suites ..... Section 8.5.3

Cannabis Retail *added as per Bylaw 1914-18* ..... Section 8.33

2. That the specific use regulations regarding Liquor Stores only for the Downtown District Overlay Area are as follows:

    a. A liquor store shall be located outside of a 76.0 m radius from:

        i. the nearest residential district

        ii. any existing religious assembly

        iii. any existing private and public school

        iv. any existing day are facility

        v. any existing community hall, or

        vi. any existing park

3. That any residential uses only be considered as secondary to the primary use and be above the first storey including:

    a. Foster Home

    b. Limited Group Home

    c. Group Home

    d. Support Home

    e. Mixed Use Residential Suites

6.21.10 General Regulations

1. The following provides a reference to other Sections that apply to the development of all properties:

Fences ..... Section 7.1

Decks and Patios ..... Section 7.2

Detached Garages, Carports, and Accessory Buildings ..... Section 7.3

Parking and Loading ..... Section 7.4

Signs ..... Section 7.6

Lot Grading and Property Drainage ..... Section 7.7

Landscaping and Screening ..... Section 7.8

Building Separation ..... Section 7.9

Lighting of Sites ..... Section 7.10

Building Design, Character, and Exterior Treatment ..... Section 7.11

Excavation and Stripping of Land ..... Section 7.12

Utility Services to Land Sites ..... Section 7.13

Sidewalk and Curb Crossings ..... Section 7.14

Corner and Double Fronting Lot ..... Section 7.15

Utility Right of Way ..... Section 7.16

Vehicular Access to Sites ..... Section 7.17

Limited Access to Major Streets ..... Section 7.18

Emergency Access to Buildings ..... Section 7.19

Objects/Uses Prohibited/Restricted in Residential Districts . Section 7.20

Relocation of Buildings ..... Section 7.21

Construction Damage Deposits ..... Section 7.22

Grading Compliance Deposit ..... Section 7.23

Payment of Off-site Levies ..... Section 7.24

Water Meter Installation Costs..... Section 7.25

Restrictive Covenants..... Section 7.26

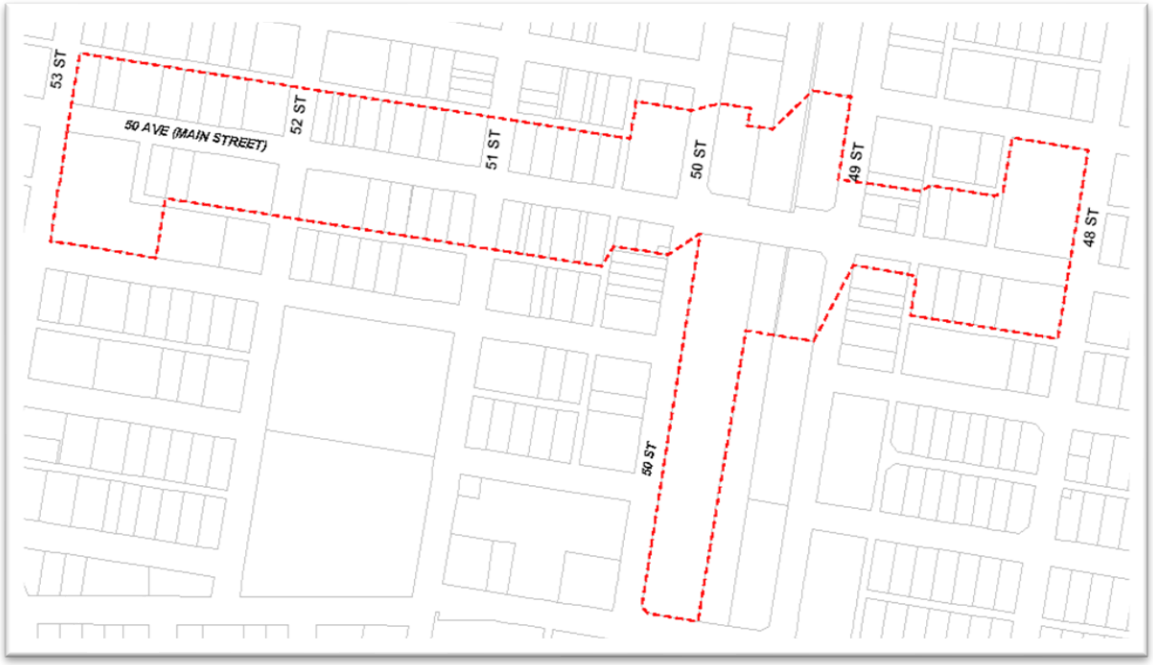
Development Maintenance Standards..... Section 7.27

Cannabis Retail *added as per Bylaw 1914-18* ..... Section 8.33

Land Subdivision Considerations ..... Part 9

6.21.11 Overlay Area

1. Only properties abutting 50 Avenue from 53 Street to 48 Street shall be included in the Downtown District Overlay Area as shown on the following map.



6.22 M1 – Light Industrial District Regulation

6.22.1 Purpose

1. The primary purpose of this zoning classification is to provide for high quality, light industrial developments that operate in such a manner that no nuisance factor is created or apparent outside an enclosed building. Limited outdoor activities (loading, service, storage, etc.) that are accessory to a principal use may occur providing the scale of such activities does not unduly conflict with the primary purpose of this zoning classification or dominate the use of the site.

6.22.2 Permitted Uses

1. Industrial Building
2. *deleted as per Bylaw 1997-21*
3. Household Repair Service
4. Antique Store
5. Automotive and Equipment Repair Shop
6. Automotive and Light Recreation Vehicle Sales/Rentals
7. Business Support Service
8. Commercial School
9. Convenience Vehicle Rental
10. Equipment Rentals
11. Fleet Service
12. Funeral and Cremation Service
13. Vehicle Oriented Use
14. Licensed Restaurant
15. General Contractor Service
16. Limited Contractor Services

17. Service Stations
18. Outdoor Amusement Establishment
19. Recycling Depot
20. Truck and Factory Built Home Sales
21. General Industrial Uses
22. Vehicle and Equipment Sales/Rentals
23. Public Education Service
24. Public Library and Cultural Exhibit
25. Greenhouse and Plant Nursery
26. Cannabis Retail *added as per Bylaw 1914-18*
27. Outdoor Restaurant Patio, as an accessory to a Restaurant, Pub, Lounge, Nightclub, Bar, or Manufacturer's Taproom for which a development permit has been issued. *added as per Bylaw 2019-22, amended per Bylaw 2075-24*
28. Sidewalk Patio *added as per Bylaw 2019-22*

6.22.3 Discretionary Uses

1. Mini Storage Facility
2. General Retail Store
3. Convenience Retail Store
4. Secondhand Store
5. Booth Market
6. Child Care Service
7. Warehouse Sales
8. Hotel
9. Motel

10. Restaurant
11. Pubs and Lounges
12. *Deleted as per Bylaw 2019-22*
13. Liquor Store
14. Mobile Catering Food Service
15. Public Park
16. Indoor Participant Recreation Service
17. Auctioneering Establishment
18. Towing Compound
19. Broadcasting and Motion Picture Studio
20. Temporary Storage Yard
21. Temporary Building
22. Intermodal Container Storage
23. Tent Structure
24. Veterinary Service
25. Security Suite
26. Mixed Use Residential Suites
27. Stockpile Site
28. Government Services
29. Outdoor Storage Yard
30. Essential Utility Services
31. Small Animal Hospital
32. Manufacturer's Taproom *added as per Bylaw 2075-24*
33. Health Service *added as per Bylaw 2115-26*

6.22.4 District Overlays

1. District Overlays may apply to portions of this zoning classification that will add additional regulation to some of the properties within this classification. Refer to Part 11 of this Bylaw for further information.

6.22.5 Maximum Lot Coverage

1. Principal Building and accessory buildings 60%

6.22.6 Minimum Front Yard Setback

1. Principal Building, without front yard parking .....6.0 m
2. Principal Building, with front yard parking .....12.0 m
3. Accessory Building .....20.0 m
4. Vehicle Oriented Uses .....12.0 m

6.22.7 Minimum Side Yard Setback

1. Determined by Alberta Building Code requirements based on construction type with minimum of 3.0 m.

6.22.8 Minimum Rear Yard Setback

1. Principal Building .....3.0 m
2. Accessory Building .....1.5 m

6.22.9 Maximum Building Height

1. Principal Building..... 13.5 m
2. Accessory Building .....5.0 m

6.22.10 Specific Use Regulations

1. The following provide reference to specific regulations to Sections that apply to specific permitted or discretionary uses of this Section:

Child Care Service ..... Section 8.1.2

Greenhouse and Plant Nursery ..... Section 8.21

Automotive and Equipment Repair Shop ..... Section 8.24

Service Station ..... Section 8.26

Second-hand Store ..... Section 8.11

Outdoor Restaurant Patio ..... Section 8.15

Liquor Store ..... Section 8.10

Booth Market ..... Section 8.17

Auctioneering Establishment ..... Section 8.29

Outdoor Amusement Establishment ..... Section 8.19

Mixed Use Residential Suites ..... Section 8.5.3

Temporary Storage Yard ..... Section 8.27.1

Temporary Building ..... Section 8.27.2

Intermodal Container Storage ..... Section 8.27.4

Stockpile Site ..... Section 8.28

Tent Structure ..... Section 8.27.3

Cannabis Retail *added as per Bylaw 1914-18* ..... Section 8.33

Manufacturer's Taproom *added as per Bylaw 2075-24* ..... Section 8.35

6.22.11 General Regulations

1. The following provides a reference to other Sections that apply to the development of all properties:

Fences ..... Section 7.1

Decks and Patios ..... Section 7.2

Detached Garages, Carports, and Accessory Buildings ..... Section 7.3

Parking and Loading ..... Section 7.4

Signs ..... Section 7.6

Lot Grading and Property Drainage ..... Section 7.7

Landscaping and Screening ..... Section 7.8

Building Separation ..... Section 7.9

Lighting of Sites ..... Section 7.10

Building Design, Character, and Exterior Treatment ..... Section 7.11

Excavation and Stripping of Land ..... Section 7.12

Utility Services to Land Sites ..... Section 7.13

Sidewalk and Curb Crossings ..... Section 7.14

Corner and Double Fronting Lot ..... Section 7.15

Utility Right of Way ..... Section 7.16

Vehicular Access to Sites ..... Section 7.17

Limited Access to Major Streets ..... Section 7.18

Emergency Access to Buildings ..... Section 7.19

Objects/Uses Prohibited/Restricted in Residential Districts . Section 7.20

Relocation of Buildings ..... Section 7.21

Construction Damage Deposits ..... Section 7.22

Grading Compliance Deposit ..... Section 7.23

Payment of Off-site Levies ..... Section 7.24

Water Meter Installation Costs ..... Section 7.25

Restrictive Covenants ..... Section 7.26

Development Maintenance Standards ..... Section 7.27

Land Subdivision Considerations ..... Part 9

6.22.12 Industrial Performance Standards

1. No operation or activity shall emit air and water contaminants more than the standards prescribed by the Province of Alberta pursuant to the *Clean Air Act* and the *Clean Water Act* and regulations pertaining thereto.

2. Any industrial operation including production, processing, cleaning, testing, repairing, storage, or distribution of any material shall always conform to the following standards:

   a. **Noise** – emit no offensive noise of industrial production audible at any point on the boundary of the lot on which the operation takes place.

   b. **Smoke** – no process involving the use of solid fuel is permitted except the use of waste disposal incinerators of a design approved by the appropriate approving authority(s).

   c. **Dust and ash** – no process involving the emission of dust, fly ash, or other matter is permitted.

   d. **Smell** – the emission of any odorous gas or other odorous matter is prohibited.

   e. **Toxic gases or other toxic substances** – the emission of toxic gases or other toxic substances is prohibited.

   f. **Glare and heat** – no industrial operation shall be carried out that would produce glare or heat discernible beyond the property line of the lot concerned.

   g. **External storage** – external storage of goods or materials is permitted if kept in a neat and orderly manner, suitably enclosed by a fence or wall to the satisfaction of the Development Authority.

   h. **Industrial wastes** – no wastes shall be discharged into any sewer which does not conform to the standards established from time to time by bylaw of the City.

3. The onus of proving to the Development Authority's satisfaction that a proposed development does, and will, comply with these standards rests with the developer and or operator.

4. In considering the application, the Development Authority shall have regard to the intent of this Section, which is to establish use based on:

a. Appropriate performance standards.

b. The methods, equipment, and techniques of the applicant.

c. The use of neighbouring land and land use districts and the compatibility of the proposed use with neighbouring land and land use district.

6.22.13 Appearance

1. All yards abutting the highway or road shall be landscaped and the entire lot and all buildings maintained in a neat, tidy manner, including the trimming and upkeep of landscaped areas and the removal of debris and unsightly objects.

2. All storage, freight, or trucking yards shall be enclosed or completely screened by buildings, tree, landscaped features or fences, or a combination thereof to provide effective screening from the ground to a height of 2.0 m.

3. All front yards shall be landscaped and maintained to meet or exceed the minimum standards outlined in this Bylaw.

6.23 M2 - Heavy Industrial District Regulation

6.23.1 Purpose

1. The purpose of this zoning classification is to provide for manufacturing, processing, assembly, distribution, and service and repair uses as permitted uses, that carry out a portion of their operation outdoors or require outdoor storage areas. Any nuisance associated with such permitted uses should not generally extend beyond the boundaries of the zoning classification. The zoning classification also allows for other industrial uses as discretionary uses that due to their appearance, industry image, noise, odor, risk of toxic emissions, or fire and explosion hazards are incompatible with residential, commercial, and other land uses. The zoning classification also allows for some commercial uses as discretionary uses that provide commercial services to the industrial areas.

6.23.2 Permitted Uses

1. Industrial Building
2. *deleted as per Bylaw 1997-21*
3. General Industrial Uses
4. Recycling Depot
5. Automotive and Light Recreation Vehicle Sales/Rentals
6. Automotive and Equipment Repair Shop
7. Vehicle and Equipment Sales/Rentals
8. Truck and Factory Built Home Sales
9. Equipment Rentals
10. Towing Compound
11. Fleet Service
12. Vehicle Oriented Use
13. General Contractor Service

14. Household Repair Service
15. Limited Contractor Service
16. Auctioneering Establishment
17. Temporary Storage Yard
18. Outdoor Storage Yard
19. Greenhouse and Plant Nursery
20. Essential Utility Services
21. Outdoor Restaurant Patio, as an accessory to a Restaurant, Pub, Lounge, Nightclub, Bar, or Manufacturer's Taproom for which a development permit has been issued. *added as per Bylaw 2019-22, amended as per Bylaw 2075-24*
22. Sidewalk Patio *added as per Bylaw 2019-22*

6.23.3 Discretionary Uses

1. Antique Store
2. Business Support Service
3. Commercial School
4. Public Education Service
5. Temporary Shelter Service
6. Veterinary Service
7. Restaurant
8. Licensed Restaurant
9. Mini Storage Facility
10. Security Suite
11. Pawn Shop
12. Tent Structure
13. Intermodal Container Storage

14. Stockpile Site
15. Temporary Building
16. Auto Salvage and Auto Part Recycling Yard
17. Higher Risk Industrial Uses
18. Medical Marijuana Production Facility
19. Manufacturer's Taproom *added as per Bylaw 2075-24*
20. Health Service *added as per Bylaw 2115-26*

6.23.4 District Overlays

1. District Overlays may apply to portions of this zoning classification that will add additional regulation to some of the properties within this classification. Refer to Part 11 of this Bylaw for further information.

6.23.5 Maximum Lot Coverage

1. Principal Building and accessory buildings 60%

6.23.6 Minimum Front Yard Setback

1. Principal Building..... 12.0 m
2. Accessory Building..... 15.0 m

6.23.7 Minimum Side Yard Setback

1. Determined by Alberta Building Code requirements based on construction type with a minimum of 3.0 m.

6.23.8 Minimum Rear Yard Setback

1. Principal Building..... 3.0 m
2. Accessory Building..... 1.5 m

6.23.9 Maximum Building Height

1. Principal Building..... 13.5 m
2. Accessory Building..... 5.0 m

6.23.19 Specific Use Regulations

1. The following provide reference to specific regulations to Sections that apply to specific permitted or discretionary uses of this Section:

Greenhouse and Plant Nursery..... Section 8.21

Automotive and Equipment Repair Shop ..... Section 8.24

Pawn Shop ..... Section 8.12

Temporary Shelter Service ..... Section 8.4

Higher Risk Industrial Uses..... Section 8.23

Auto Salvage and Recycling Yard..... Section 8.25

Auctioneering Establishment..... Section 8.29

Security Suite ..... Section 8.31

Mixed Use Residential Suites ..... Section 8.5.3

Temporary Storage Yard ..... Section 8.27.1

Temporary Building..... Section 8.27.2

Mini-Storage Facility ..... Section 8.30

Intermodal Container Storage ..... Section 8.27.4

Stockpile Site..... Section 8.28

Tent Structure..... Section 8.27.3

Medical Marijuana Production Facility *added as per Bylaw 1922-19* Section 8.32

Manufacturer's Taproom *added as per Bylaw 2075-24* .....Section 8.35

6.23.20 General Regulations

1. The following provides a reference to other Sections that apply to the development of all properties:

Fences ..... Section 7.1

Decks and Patios ..... Section 7.2

Detached Garages, Carports, and Accessory Buildings ..... Section 7.3

Parking and Loading ..... Section 7.4

Signs ..... Section 7.6

Lot Grading and Property Drainage ..... Section 7.7

Landscaping and Screening ..... Section 7.8

Building Separation ..... Section 7.9

Lighting of Sites ..... Section 7.10

Building Design, Character, and Exterior Treatment ..... Section 7.11

Excavation and Stripping of Land ..... Section 7.12

Utility Services to Land Sites ..... Section 7.13

Sidewalk and Curb Crossings ..... Section 7.14

Corner and Double Fronting Lot ..... Section 7.15

Utility Right of Way ..... Section 7.16

Vehicular Access to Sites ..... Section 7.17

Limited Access to Major Streets ..... Section 7.18

Emergency Access to Buildings ..... Section 7.19

Objects/Uses Prohibited/Restricted in Residential Districts . Section 7.20

Relocation of Buildings ..... Section 7.21

Construction Damage Deposits ..... Section 7.22

Grading Compliance Deposit ..... Section 7.23

Payment of Off-site Levies ..... Section 7.24

Water Meter Installation Costs..... Section 7.25

Restrictive Covenants..... Section 7.26

Development Maintenance Standards..... Section 7.27

Land Subdivision Considerations ..... Part 9

6.23.21 Industrial Performance Standards

1. No operation or activity shall emit air and water contaminants more than the standards prescribed by the Province of Alberta pursuant to the *Clean Air Act* and the *Clean Water Act* and regulations pertaining thereto.

2. Any industrial operation including production, processing, cleaning, testing, repairing, storage, or distribution of any material shall always conform to the following standards:

   a. **Noise** – emit no offensive noise of industrial production audible at any point on the boundary of the lot on which the operation takes place.

   b. **Smoke** – no process involving the use of solid fuel is permitted except the use of waste disposal incinerators of a design approved by the appropriate approving authority(s).

   c. **Dust and ash** – no process involving the emission of dust, fly ash, or other matter is permitted.

   d. **Smell** – the emission of any odorous gas or other odorous matter is prohibited.

   e. **Toxic gases or other toxic substances** – the emission of toxic gases or other toxic substances is prohibited.

   f. **Glare and heat** – no industrial operation shall be carried out that would produce glare or heat discernible beyond the property line of the lot concerned.

   g. **External storage** – external storage of goods or materials is permitted if kept in a neat and orderly manner, suitably enclosed by a fence or wall to the satisfaction of the Development Authority.

h. **Industrial wastes** – no wastes shall be discharged into any sewer which does not conform to the standards established from time to time by bylaw of the City.

3. The onus of proving to the Development Authority's satisfaction that a proposed development does, and will, comply with these standards rests with the developer and or operator.

4. In considering the application, the Development Authority shall have regard to the intent of this Section, which is to establish use based on:

   a. Appropriate performance standards.

   b. The methods, equipment, and techniques of the applicant.

   c. The use of neighbouring land and land use districts and the compatibility of the proposed use with neighbouring land and land use district.

6.23.22 Appearance

1. All yards abutting the highway or road shall be landscaped and the entire lot and all buildings maintained in a neat, tidy manner, including the trimming and upkeep of landscaped areas and the removal of debris and unsightly objects.

2. All storage, freight, or trucking yards shall be enclosed or completely screened by buildings, tree, landscaped features or fences, or a combination thereof to provide effective screening from the ground to a height of 2.0 m

3. All front yards shall be landscaped and maintained to meet or exceed the minimum standards outlined in this Bylaw.

6.24 M3 – Airport Industrial District Regulations

6.24.1 Purpose

1. The purpose of the Airport district is to allow aviation-related land uses in immediate proximity to the Wetaskiwin Regional Airport. The safety of flight operations has highest priority and shall guide the Development Authority in all their actions and decisions. Buildings and land uses are restricted to aviation related developments, which add to the viability of the airport, or which require a direct connection to airport operations.

6.24.1 Permitted Uses

1. Aircraft Hangar (see definition)
2. Aircraft Sales/Rentals
3. Aircraft Parts Store
4. Aircraft Maintenance Shop
5. Aircraft Manufacturing

6.24.4 Discretionary Uses

1. Security Suite
2. Public Library and Cultural Exhibit
3. Utility Structures
4. *deleted as per Bylaw 1997-21*
5. Industrial, Commercial, and Storage uses that require direct airport access
6. Temporary Indoor Storage uses by the owner (temporary means less than 12 months)
7. Essential Utility Services

6.24.5 Building Setbacks

1. The setbacks for new buildings and additions to be constructed on lots that have been subdivided on or before January 1, 1999, shall be:

    a. 8.0 m from taxiways right-of-way to the aircraft door building face; and

    b. 1.0 m from other property lines.

2. The setbacks for new buildings and additions to be constructed on lots that have been subdivided after January 1, 1999. shall be:

    a. 8.0 m from taxiway right-of-way to the aircraft door building face.

    b. 6.0 m from a public road right-of-way to the building face.

    c. 1.5 m from other property lines to the building face.

    d. 0.9 m from property line to the building eaves.

3. All buildings constructed prior to January 1, 1999, as determined by assessment records, that do not conform to this Section will be legal non-conforming. If one or more of these legal non-conforming buildings is damaged or destroyed to the extent of more than 75% above its foundation, the building may not be repaired or rebuilt except in accordance with the Land Use Bylaw.

6.24.6 Other Referrals

1. The Airport Manager shall be consulted regarding all applications and shall be notified of all decisions of the development officer within the M3 District.

6.25 US – Urban Service and Open Space Regulations

6.25.1 Purpose

1. To establish a district in which land is used for public and or privately owned institutional, recreational, and community service developments.

6.25.2 Permitted Uses

1. Government Services
2. Extended Medical Treatment Service
3. Public Education Service
4. Health Service
5. Public Library and Cultural Exhibit
6. Public Park
7. Child Care Service
8. Community Recreation Service
9. Religious Assembly
10. Essential Utility Services
11. Major Impact Utility Service
12. Recycled Materials Drop-off Centre
13. Spectator Entertainment Establishment
14. Indoor Participant Recreation Service
15. Outdoor Participant Recreation Service
16. Exhibition and Convention Facility
17. Booth Market
18. Tourist Campsite

19. Limited Group Home
20. Carnival
21. Seniors and Supportive Housing Facility

6.25.3 Discretionary Uses

1. Cemetery
2. Auctioneering Establishment
3. Group Home
4. Institutional Group Home
5. Tent Structure
6. Greenhouse and Plant Nursery
7. Stockpile Site
8. Minor Impact Utility Service *added as per Bylaw 1997-21*

6.25.4 Minimum Front Yard Setback

1. Must match the requirement of the zoning classification of the nearest adjacent property.
2. Must meet the minimum requirements of the Alberta Building Code.

6.25.5 Minimum Rear Yard Setback

1. Building with lane access ..... 3.0 m
2. Building without lane access ..... 6.0 m
3. Other uses are at the discretion of the Development Authority

6.25.6 Minimum Side Yard Setback

1. Must match the requirement of the zoning classification of the nearest adjacent property.

2. Must meet the minimum requirements of the Alberta Building Code.

6.25.7 Maximum Site Coverage

1. Buildings 40%

2. All Buildings and parking lot 70%

3. The maximum lot coverage can be increased at the full discretion of the Development Authority if it is compatible with other uses in the vicinity or if the lot is adjacent to another Urban Service lot where shared amenities are provided that meet the intent of the regulation.

6.25.8 Maximum Building Height

1. All buildings, except accessory buildings..... 13.5 m

2. Accessory Building.....one (1) storey

6.25.9 Specific Use Regulations

1. The following provide reference to specific regulations to Sections that apply to specific permitted or discretionary uses of this Section:

Child Care Service ..... Section 8.1.2

Tourist Campsite ..... Section 8.18

Booth Market..... Section 8.17

Carnival..... Section 8.20

Auctioneering Establishment ..... Section 8.29

Limited Group Home ..... Section 8.3.3

Group Home..... Section 8.3.4

Institutional Group Home..... Section 8.3.5

Tent Structure ..... Section 8.27.3

Greenhouse and Plant Nursery ..... Section 8.21

Stockpile Site ..... Section 8.28

6.25.10 General Regulations

1. The following provides a reference to other Sections that apply to the development of all properties:

Fences ..... Section 7.1

Decks and Patios ..... Section 7.2

Detached Garages, Carports, and Accessory Buildings ..... Section 7.3

Parking and Loading ..... Section 7.4

Signs ..... Section 7.6

Lot Grading and Property Drainage ..... Section 7.7

Landscaping and Screening ..... Section 7.8

Building Separation ..... Section 7.9

Lighting of Sites ..... Section 7.10

Building Design, Character, and Exterior Treatment ..... Section 7.11

Excavation and Stripping of Land ..... Section 7.12

Utility Services to Land Sites ..... Section 7.13

Sidewalk and Curb Crossings ..... Section 7.14

Corner and Double Fronting Lot ..... Section 7.15

Utility Right of Way ..... Section 7.16

Vehicular Access to Sites ..... Section 7.17

Limited Access to Major Streets ..... Section 7.18

Emergency Access to Buildings ..... Section 7.19

Objects/Uses Prohibited Restricted in Residential Districts . Section 7.20

Relocation of Buildings ..... Section 7.21

Construction Damage Deposits ..... Section 7.22

Grading Compliance Deposit ..... Section 7.23

Payment of Off-site Levies ..... Section 7.24

Water Meter Installation Costs..... Section 7.25

Restrictive Covenants..... Section 7.26

Development Maintenance Standards..... Section 7.27

Land Subdivision Considerations ..... Part 9

6.26 UR - Urban Reserve District Regulations

6.26.1 Purpose

1. To establish a district for development which will not pose problems to the logical expansion of future urban uses.

6.26.2 Permitted Uses

1. Crop Farming
2. Greenhouse and Plant Nursery
3. Essential Utility Services

6.26.3 Discretionary Uses

1. Tourist Campsite
2. Outdoor Participant Recreation Service
3. Temporary Storage Yard
4. Outdoor Amusement Establishment
5. Tent Structure
6. Pastureland
7. Stockpile Site
8. Temporary Building
9. Private Sewage System
10. Intermodal Container Storage *added as per Bylaw 1922-19*

6.26.4 Minimum Front Yard Setback

1. Set by development permit conditions by the Development Authority.

6.26.5 Minimum Rear Yard Setback

1. Set by development permit conditions by the Development Authority.

6.26.6 Minimum Side Yard Setback

1. Set by development permit conditions by the Development Authority.

6.26.7 Maximum Lot Coverage

1. All buildings 10%

6.26.8 Maximum Building Height

1. All buildings ..... 7.0 m

6.26.9 Private Sewage Systems

1. Where lots are not serviced with municipal sanitary sewers, they must use approved sanitary sewer pump-out holding tanks or have private sewage systems that have been designed and installed in full conformance with the appropriate provincial regulations.

    a. The type and design of the private sewage system must be provided in full detail at the time of application for the principal building along with a copy of the permit to install a private sewage system.

    b. Where lots are serviced with pressurized municipal sanitary sewers, they must connect to the municipal system with the approved system type.

6.26.10 Specific Use Regulations

1. The following provide reference to specific regulations to Sections that apply to specific permitted or discretionary uses of this Section:

    Tourist Campsite ..... Section 8.18

    Outdoor Amusement Establishment ..... Section 8.19

    Temporary Storage Yard ..... Section 8.27.1

Temporary Building ..... Section 8.27.2

Tent Structure ..... Section 8.27.3

Stockpile Site ..... Section 8.28

Greenhouse and Plant Nursery ..... Section 8.21

Intermodal Container Storage..... Section 8.27.4

6.26.11 General Regulations

1. The following provides a reference to other Sections that apply to the development of all properties:

Fences ..... Section 7.1

Decks and Patios ..... Section 7.2

Detached Garages, Carports, and Accessory Buildings ..... Section 7.3

Parking and Loading ..... Section 7.4

Signs ..... Section 7.6

Lot Grading and Property Drainage ..... Section 7.7

Landscaping and Screening ..... Section 7.8

Building Separation ..... Section 7.9

Lighting of Sites..... Section 7.10

Building Design, Character, and Exterior Treatment..... Section 7.11

Excavation and Stripping of Land ..... Section 7.12

Utility Services to Land Sites ..... Section 7.13

Sidewalk and Curb Crossings..... Section 7.14

Corner and Double Fronting Lot ..... Section 7.15

Utility Right of Way ..... Section 7.16

Vehicular Access to Sites ..... Section 7.17

Limited Access to Major Streets ..... Section 7.18

Emergency Access to Buildings ..... Section 7.19

Objects/Uses Prohibited/Restricted in Residential Districts . Section 7.20

Relocation of Buildings ..... Section 7.21

Construction Damage Deposits ..... Section 7.22

Grading Compliance Deposit ..... Section 7.23

Payment of Off-site Levies ..... Section 7.24

Water Meter Installation Costs..... Section 7.25

Restrictive Covenants..... Section 7.26

Development Maintenance Standards..... Section 7.27

Land Subdivision Considerations ..... Part 9

6.27 DC – Direct Control Districts Regulations

6.27.1 Purpose

1. To establish a district or districts wherein the Council of the City of Wetaskiwin may regulate and exercise particular control over the use and development of land and buildings within a designated area.

2. As time progresses land and the community evolves, certain properties become into a state of transition where the redevelopment of land is subjective. While some of the buildings are in good condition and met the desired intentions of the day, any new development may require a change in use to meet the planning and development strategies for the present and future. These properties are generally in districts where they are surrounded by a myriad of other uses; therefore, any development must be sensitive to several issues. On these properties, the City wants to remain open minded and flexible, consider the comments of surrounding property owners, and meet the objectives of the key planning documents of the City, such as, the Municipal Development Plan, Area Redevelopment Plans, Area Structure Plans, and Area Overlay Plans.

3. This classification should be limited in use where conventional classifications are not practical considering the site and its surrounding uses.

4. When an application has been received for a development or significant change in use on a property classified as Direct Control the Development Authority with consultation with other departments shall prepare a comprehensive report to Council with all the planning issues identified for Council to consider when making their decision.

5. City Council at its sole discretion can make the decision on the development permit or can delegate the decision to the Development Authority with direction that it deems appropriate.

6. For development and uses that are accessory to the principal use of the property and that do not make changes to the property that will not deter the desired long term transition of the property, the Development Authority may make the decision on the application after public consultation on the application in accordance with Section 4.6.3, with the Development Authority replacing the decision making power of City Council. These applications include:

    a. change in the use classification of the building to a different classification

    b. the placement of a moveable accessory building

c. the construction of a deck or fence

d. the construction of a detached garage not exceeding 40 m^2

e. the placement of a sign

f. a home based business application

g. temporary uses

6.28 DCEM – Direct Control Environmental Management District Regulations

6.28.1 Purpose

1. To establish a land use district (the DCEM District) wherein the Council of the City of Wetaskiwin may regulate and exercise particular control over the use and development of land and buildings within a designated area.

2. More specifically, the DCEM District will apply to lands specially impacted by known or suspected environmental and development constraints, including provincial subdivision, and planning constraints. The DCEM District will enable Council to regulate land use and development more particularly and site specifically in respect to those constraints, including, without restriction, to require special suitability testing prior to approval of any land use or development within the DCEM District.

6.28.2 Land Uses

1. Council, in its sole and exclusive discretion, shall determine the land uses that may be allowed within the DCEM District from time to time, which uses shall be fundamentally restricted by the following:

    a. no use shall be approved within the DCEM District except in compliance with the Subdivision and Development Regulations, Alta. Reg. 43/2002, as amended; and

    b. no use shall be approved within the DCEM District without prior evidence of site-specific suitability to the satisfaction of Council. For the purpose of this Section, Council has the sole and exclusive discretion to determine the level of evidence required to establish site-specific suitability.

6.28.3 Development Regulations

1. Notwithstanding anything to the contrary within this Land Use Bylaw, for lands within the DCEM District:

    a. no development shall be undertaken unless an application for the development has been approved and Council has issued a development permit for the development;

    b. Council shall have the sole and exclusive jurisdiction to decide all Development Permit applications; and

c. all development standards and regulations shall be at the sole and exclusive discretion of Council.

6.28.4 Development Permit Application

1. Notwithstanding anything to the contrary in this Land Use Bylaw, for lands within the DCEM District, no application for a Development Permit shall be considered complete unless the applicant has provided the following information in support of the application to the satisfaction of City Council:

   a. a site specific risk assessment from a qualified professional that makes a clear recommendation on:

      i. whether the use or development should be approved, considering its location in relation to adjacent land uses and in relation to the requirements of the provincial Subdivision and Development Regulations, as amended;

      ii. whether the proposed location is safe for the proposed use or development; and

      iii. recommended risk-mitigating conditions, if any.

   b. reports of professional consultant(s), stamped where applicable, that identify and summarize the effect of known or suspected development constraints located at or near the proposed use or development;

   c. copies of any information required by provincial authorities;

   d. the information required by Section 4.2 of this Land Use Bylaw; and

   e. Council or a Development Officer, as directed by Council, may require that additional application information be submitted with any Development Permit application before consideration of the same, for the purpose of assessing the suitability of the proposed use or development and considering the purpose of the DCEM District and the City's Municipal Development Plan.

6.28.5 Development Permit Conditions

1. For applications under the DCEM District, Council shall have sole and exclusive discretion to impose conditions of approval that result in a variance

of the standards or regulations of this Land Use Bylaw or any other municipal bylaw or policy other than an applicable statutory plan (including the Municipal Development Plan) as Council may deem necessary or prudent considering the purpose of the DCEM District and the potential impact of the proposed use or development.

2. Without restriction, Council may, at its sole discretion:

   a. require, as a condition of approval, that the applicant enter and comply with an agreement with the Municipality for the purposes described in Sections 648, 650, or 651 of the *Municipal Government Act* and including, without limitation, the provision of security and the payment of fees or levies;

   b. require as a condition of approval that the applicant exceed the Municipality's standard design or engineering requirements; and

   c. apply whatever conditions of approval that Council deems necessary or prudent considering the purpose of the DCEM District, the policies of the Municipal Development Plan, and the potential impact of the proposed use or development.

6.28.6 General Regulations

1. In determining the acceptability or suitability of a proposed use or development for lands within the DCEM District, Council may consider, without restriction, in respect to the proposal:

   a. its compliance with or conformity to the regulations of other land use districts and provisions of this Land Use Bylaw;

   b. its compatibility with surrounding, existing land uses and scale of development, including, without limitation, its potential effect on stability, retention, and rehabilitation of desirable existing uses and/or buildings in the area;

   c. its traffic impact;

   d. the location, function, and design of roadways and parking facilities serving the whole proposed development or each phase of the proposed development;

   e. its impact on services such as water and sewage systems and other utilities; and

f. its impact on community services including student generation and school capacities.

PART 7 – GENERAL REGULATIONS

7.1 Fences

7.1.1 Fence Height and Locations

1. **Residential**

   a. On any residential property, except as hereinafter provided, a person shall not construct a fence or wall, or permit a hedge to grow taller than:

      i. 1.0 m beyond the front face of the principal building to the front property line; or

      ii. 1.8 m on side yards, rear yards, or fences running perpendicular to the side face of the buildings.

   b. Privacy walls up to 1.8 m in height may be built on decks or patios, measuring from the surface of the deck or patio provided the deck or patio is at least 1.5m from the property line.

   c. Notwithstanding section 7.1.1.a, the maximum allowable fence height within the front yard of a townhome, apartment building, triplex housing, or fourplex housing development shall be 1.8 m. Where a front yard fence is taller than 1.0 m:

      i. At least 85% of the total surface area of the fence must be transparent. *added as per Bylaw 1964-20*

      ii. The fence shall not be made of chain link. *added as per Bylaw 1964-20*

2. **Industrial and General Commercial**

   a. on properties zoned Light or Heavy Industrial or General Commercial a person shall not construct a fence or wall taller than:

      i. 2.0 m to the top of the fence; or

      ii. 2.3 m to the top of the security wire.

3. **Highway Commercial, Shopping Centre Commercial and Downtown Commercial** *amended as per Bylaw 2040-23*

   a. on properties zoned Highway Commercial and Downtown Commercial a person may construct a chain link fence on side and rear property lines and perpendicular to the side of the principal building not taller than:

i. 1.8 m to the top of the fence; or

ii. 2.3 m to the top of the security wire.

b. decorative fencing may be permitted in the front yard at the discretion of the development authority with the issuance of a development permit.

4. **Public Facilities**

a. fences at public recreational facilities, playgrounds or school grounds will be permitted to be constructed to a height to suit the facility needs and must be approved in writing by the development authority.

5. **Measurement Location**

a. fence height shall be measured from the average grade level. Where grade levels differ between properties, the average of the two (2) elevations, measured 0.3 m from the fence shall be used.

6. **Commercial and Industrial Gate locations**

a. vehicle gates in commercial and industrial fences providing access from public roadways must allow enough space for vehicles entering the property with the gate in a closed position to be completely off the public roadway.

7.1.2 Fence Materials

1. **Residential**

a. residential fences may be constructed of wood, concrete, brick, manufactured plastic boards, wrought iron, or chain link fence materials. *amended as per Bylaw 1964-20*

b. all materials used in the construction of wood fences shall be graded lumber unless otherwise pre-approved in writing by the Development Authority.

2. **Commercial and Industrial**

a. commercial and Industrial fences, if constructed, shall be of standard chain link materials installed to City Design Standards, unless otherwise approved in writing by the Development Authority.

b. commercial and Industrial fences in storage compounds facing roadways shall have screening slats installed.

7.1.3 Fence Maintenance

1. All fences shall be constructed and maintained to stand without bracing within 10.16 cm of plumb over the height of the fence.

2. All mandatory fencing shall be maintained to its original design.

7.1.4 Restricted Fencing

1. **Barbed Wire**

   a. no barbed wire fence will be allowed in any district except as parallel security wire on top of commercial and industrial chain link fences above the 1.8 m level to a maximum height of 2.3 m above grade.

   b. the Development Authority may relax this requirement in an agricultural area where residences would not be near the proposed fence.

2. **Electrified Fencing**

   a. electrified fencing is prohibited in all districts.

7.1.5 Mandatory Fencing

1. **Airport**

   a. except where the adjacent land use is for agricultural purpose**,** properties adjacent to airport runways, taxiways, and aprons shall be fenced with chain link fences to prevent unauthorized vehicle traffic from accessing the runways, taxiways, and aprons;

   b. in accordance with the airport operations manual agricultural properties may be fenced with barbed or page wire fencing; and

   c. adjacent property owners are responsible for the maintenance of this fencing.

2. **Uniform Fencing**

   a. properties within residential sub-divisions with uniform fencing required by a development agreement shall keep the uniform fencing in place and

keep the fence maintained to the neighborhood standard. One (1) gate not exceeding 1.0 m wide will be permitted in the uniform fence from each property provided the gate opens inward to the property.

3. **Railways**

   a. all commercial, industrial, and residential properties, which are subject to a development permit and are adjacent to railways, shall have 1.8 m chain link fencing installed to prevent unauthorized access to the railway property. The property owners are responsible for the maintenance of this fencing.

4. **Neighborhood Commercial**

   a. on properties zoned Neighborhood Commercial, property lines separating the subject property from other properties shall be constructed of with low maintenance materials and provide a full screen to a height between 1.2 m and 1.5 m. The neighborhood commercial property owners are responsible for the maintenance of this fencing.

5. **Swimming Pools**

   a. all swimming pools and hot tubs shall be fenced as required by the Alberta Building Code.

7.2 Decks, Patios, and Platforms

1. The maximum site coverage, minimum yard setbacks, and the minimum soft landscaping percentages of the specific district regulations must be complied with when applying for or issuing a development permit for a deck.

2. When a deck or patio contains more than one (1) level, the deck area shall include the areas of all combined levels.

3. When a property contains more than one (1) deck, the maximum deck area shall include all decks.

4. Where a deck provides egress from a required exit of a building it must have stairs that provide safe access to grade.

5. Access platforms and stairs providing access to platforms that provide access to or egress from the principal building that are less than 2.5 m^2 in platform area, are allowed without a permit within the minimum side yards, provided they are constructed of non-combustible materials and do not interfere with

property drainage and provided they are not enclosed by walls or covered by a roof structure.

6. Patios are allowed to be constructed without a development permit provided the soft landscaping and site drainage requirements are met and there is no roof over the patio.

7. Where drainage swales exist between properties that provide required drainage flow, decks, patios and platforms and the supporting structures must be designed and constructed so they do not interfere with this required drainage.

8. Where roofs are constructed over, or intended to be constructed over, decks or patios, the deck or patio must meet the minimum property line setbacks and maximum site coverage of the specific district regulations for the principal building and must have a foundation structure installed that meets the building code requirements that would support the roof and the appropriate snow loads.

9. Freestanding gazebos are required to meet the minimum setback requirements of the specific district regulations for a detached garage.

10. Decks must meet all the current Alberta Building Code requirements.

7.3 Detached Garages, Carports, and Accessory Buildings

7.3.1 Detached Garage

1. A detached garage must not be connected to the principal building.

2. Garages that are connected by breezeways are considered an attached garage and deemed part of the principal building.

3. Garages that are less than 2.0 m from the wall surface of the principal building to the wall surface of the garage, or less than 1.2 m from eave to eave are deemed to be attached garages and must meet the setback requirements of the principal building.

4. Detached garage setbacks are specified in each zoning classification.

7.3.1.1 Maximum Building Height

1. As outlined in the district regulations.

7.3.1.2 Maximum Wall Height

1. As determined by the maximum building height in the district regulations.

7.3.1.3 Exterior Finish

1. Detached Garages must have an exterior finish installed within one (1) year of the development permit consistent with materials that are similar to those commonly used in new residential construction.

2. The materials used for exterior finish must include materials approved for use as cladding, stucco, soffits, or roofing under the Alberta Building Code under the appropriate application.

3. The exterior finish must be completed to a professional standard and complimentary to the appearance of the principal building.

4. Where roof slopes terminate within 1.0 m of a property line, they must be equipped with eaves troughs and downspouts. The downspouts must not terminate within 0.6 m of a property line.

5. The grade away from the garage, measured perpendicular to a side property line, must not exceed 20% within 1.0 m of the property line.

6. The side yard of a detached garage must be kept in a neat and tidy order and free of flammable debris.

7.3.2 Carports

1. Where carports are attached to the principal building, they are deemed to be part of the principal building and must meet the required principal building setbacks and other regulations as outlined in the specific district regulations.

2. Carports attached to buildings other than the principal building must meet the required building setbacks and other regulations for that building as outlined in the specific district regulations.

3. Freestanding carports must meet the same regulations as a detached garage as outlined in 7.3.1.

7.3.3 Accessory Building

1. A structure accessory to the main use or building on the site, not exceeding 4.5 m in height, and the exterior walls not exceeding 3.1 m in height on a

residential site intended for the storage of the personal property of the resident or on a commercial or industrial site intended for the storage of the goods belonging to the business on the site.

2. An accessory building must be setback from property lines in accordance with the specific district regulations.

3. Where an accessory building is placed within 2.0 m of a principal building or other building it is deemed to be part of the adjacent building and must meet the property line setbacks required for the adjacent building as required in the specific district regulations.

4. The exterior finish must be completed to a professional standard and complimentary to the appearance of the principal building.

5. Placement of accessory buildings must not affect drainage swales between properties.

7.4 Parking and Loading

7.4.1 Off-street Parking and Loading Regulations

1. Applicability and Exceptions

a. When any development takes place on any site, off-street parking and loading facilities for each building type or use, including accessory uses, shall be provided, and maintained in accordance with the regulations and standards of this Bylaw.

b. Notwithstanding the above, the regulations contained within this Section shall not apply to buildings or uses existing at the time of the adoption of this Bylaw, except that:

i. Where any building or structure undergoes an increase in floor area due to addition or external renovation, off-street parking, including parking for the disabled and visitors, shall be increased to equal or exceed the off-street parking requirements resulting from application of the provisions of this Bylaw to the entire building, structure or use as modified in size.

ii. Where any building or use undergoes a change of use, intensity of use or capacity and the change results in an increase in the parking requirements, the off-street parking, including parking for the disabled

and visitors, shall be increased to equal or exceed the off-street parking requirements resulting from application of the provisions of this Bylaw to the entire building, structure or use as modified in use.

iii. Where off-street parking facilities or loading facilities are provided when not required, the location, design and operation of such facilities shall comply with all the regulations of this Bylaw.

c. All required parking and loading facilities shall only be used for the purpose of accommodating the vehicles of clients, customers, employees, members, residents, or visitors in connection with the building or use for which the parking and loading facilities are provided, and the parking and loading facilities shall not be used for driveways, access or egress, commercial repair work, display, sale, or storage of goods of any kind.

2. General Requirements

a. Where provision of off-street vehicular parking, garage spaces, or loading spaces is required by this Bylaw except for single dwelling building, duplex housing and semi-detached housing, a plan of the proposed site layout shall be included with the development permit application. The site plan must be drawn to scale and must clearly illustrate the lot size and configuration, building locations, site access, parking and loading spaces, on-site circulation, and any other details relevant to the review of the development proposal.

b. The number of off-street vehicular parking spaces and loading spaces required for any use is specified in Schedule 1 and Schedule 2 respectively.

c. Where Schedules 1 and Schedule 2 do not clearly define regulations for a particular development, the single use class or combination of use classes most representative of the proposed development shall be used by the Development Officer to determine the vehicular parking and loading requirements.

d. Where the total number of vehicular parking spaces or loading facilities is determined by reference to a unit such as the number of seats or floor area, the next higher whole number shall be required where the calculation results in a fractional number of required spaces.

e. Where more than one (1) calculation of parking space requirements is specified for a use, the greater requirement shall be applied.

f. Unless otherwise specified in this Bylaw, no required parking spaces shall be provided as Tandem Parking.

g. The Development Officer may use their variance power to relax the vehicular parking requirements in Schedule 1 and the loading requirements in Schedule 2; however, such a variance shall only be considered in cases where the nature of the use, the size of the site, or other physical constraints result in a situation where the requirements cannot be met on-site without unnecessary hardship or practical difficulties.

h. In the case of the multiple use of a site, the Development Officer shall calculate the vehicular parking and off-street loading requirement for each individual use and the total shall be deemed to be the required vehicular parking or off-street loading for the site, unless the applicant can demonstrate that there is complementary use of the parking or loading facilities which would warrant a reduction in the requirements. Where such reduction is made, this shall be considered a variance and the Development Officer shall state the reduction and the reasons for it on the Development Permit.

3. Parking for People with Disabilities

a. Be provided in accordance with the Alberta Building Code in effect at the time of the Development Permit application, for which no discretion exists.

b. Be included, by the Development Officer, in the calculation of the applicable minimum parking requirement.

c. Be identified as parking spaces for the disabled using appropriate signage, in accordance with Provincial standards.

7.4.2 Required Off-street Vehicular Parking

1. **Number of Vehicular Spaces**

a. The minimum number of off-street parking spaces required for each use is specified in Schedule 1.

b. Where the applicant for a development permit can demonstrate through a vehicular parking demand study prepared and submitted with respect to the proposed development, that by virtue of the use, character, or location of the proposed development, and other available parking facilities, the parking requirement for the proposed development is less than any

minimum or more than any maximum set out in the Parking Schedule, the Development Officer may allow a reduction from the minimum or an increase from the maximum in the number of parking spaces. The Development Officer shall submit the demand study to the Engineering Department for analysis, and the proposed reduction or increase may be approved by the Development Officer with the advice of the Engineering Department. In no case shall the resulting number of parking spaces be less than one (1) per dwelling in the case of residential uses.

c. For mixed use developments of greater than 20,000 m^2 of floor area, which accommodate restaurant, entertainment and or cinema uses exceeding 20% of the floor area, a shared use parking impact assessment shall be submitted to the Development Officer to assist in the determination of the required off-street vehicular parking supply. The Development Officer shall submit the parking study to the Engineering Department for analysis, and the proposed reduction, or increase may be approved by the Development Officer with the advice of the Engineering Department.

2. Location of Vehicular Parking Facilities

a. Except for properties zoned as downtown commercial the required parking spaces shall be wholly provided on the same site as the building.

b. For downtown commercial districts, parking spaces may be provided on a site located remotely, but no further than 120m from the site. Such distance shall be measured along the shortest public pedestrian route from the nearest point of the parking area to the nearest point of the site where the building or use is located. Where off-site parking is provided pursuant to this provision, the development shall be considered as discretionary use.

c. Where required parking spaces are not on the same site of the development or use, these parking spaces shall be identified as parking spaces for that development or use with appropriate signage.

d. Except on residential sites where a front attached garage is an approved use or on residential sites where lane access is not available, no parking stalls shall be provided within 8.0 m of the front property line of a residential property.

e. Where parking is permitted within the front yard of a residential site the parking area and access space shall be hard-surfaced, have approved curb crossings, and shall not conflict with the minimum landscaping requirements of this Bylaw.

3. Landscaped Islands Within Parking Areas

a. Every off-street parking or loading area required by this Bylaw to accommodate thirty (30) or more vehicles at grade, shall incorporate landscaped open space within the parking area, calculated based on 1.5 m^2 of landscaped island area per required parking and loading space. This shall be landscaped in accordance with this Bylaw.

b. For parking areas containing required parking for forty (40) or more vehicles, a minimum of two (2) landscaped islands shall be required. These islands shall be placed to provide visual relief, to assist vehicular circulation and to organize large areas of parking into smaller cells. The number of islands provided shall be to the satisfaction of the Development Officer.

4. Vehicular Parking Dimensions and Configuration

a. All required parking spaces shall be clear of any access driveways, aisles, ramps, columns, signs, or other similar obstructions, and shall conform to the following minimum dimensions:

i. Except as provided below, each required off-street parking space shall be a minimum of 2.7 m width with a minimum clear length of 5.5 m exclusive of access drives, aisles, ramps, or columns. Parking spaces shall have a vertical clearance of at least 2.0 m. For parallel parking, the length of the parking spaces shall be increased to 7.0 m except that an end space with an open end shall be a minimum length of 5.5 m.

ii. Where the use of a parking space is limited on both sides by a wall or a column, the unobstructed width from face to face of the obstructions shall be 3.0 m and if in this case, a building door opens into the parking space on its long side, the unobstructed width shall be 3.3 m.

iii. Where the use of a parking space is limited to one side by a wall or a column, the unobstructed width of the parking space shall be 2.9 m and if in this case, a building door opens into the parking space on its long side, the unobstructed width shall be 3.3 m.

iv. Aisles shall be a minimum of 7.0 m wide for 90º parking, 5.5 m for 60º parking, and 3.6 m wide for 45º parking and parallel parking.

v. Disabled parking spaces shall be a minimum of 3.7 m in width and 5.5 m length.

vi. Where parking spaces are located with access directly off a lane, the length of the stall shall be increased to 6.8 m the site.

7.4.3 Hard-surfacing and Curbing of Parking and Loading Spaces

1. General Requirements

a. Required parking and loading facilities shall provide for, and include, an adequate, safe, and convenient arrangement of vehicular points of ingress or egress, driveways, internal roadways, aisles, and ramps, loading of motor vehicles all in relation to buildings and entry points to buildings on the site. Such facilities shall comply with the following design, development, and maintenance standards:

i. All required parking and loading facilities shall be clearly demarcated, have adequate storm water drainage and storage facilities, and be hard-surfaced. Hard-surfacing shall mean the provision of a durable, dust-free material constructed of concrete, asphalt, or similar pavement capable of withstanding expected vehicle loads.

ii. Where the street or lane from which access is available to any loading or required parking space is hard-surfaced after the time at which the parking space is provided or required, the person responsible for the construction or maintenance of such parking or loading space shall forthwith hard surface such spaces and the access thereto, and the whole area contained within the City-owned land to which a curb crossing permit applies.

iii. Notwithstanding anything contained in the above clause, where hard-surfacing has been provided on a site to the minimum required, then the type of surface permitted on the balance of the site shall be of such material as the Engineering Department approves.

iv. In parking areas and similarly congested locations, curbs and other protective measures shall be used to protect adjacent fences, walls, boulevards, landscaped areas or buildings on the site or an adjacent site.

v. Continuous raised or pre-cast curbing of not less than 100 mm in height shall be provided adjacent to streets and required landscaped areas, 600 mm from the front of the parking stall. Concrete curb stops shall be placed to ensure that vehicles do not overhang boulevards,

sidewalks, or required landscaped areas. Curbing shall also be required to clearly demarcate the required portion of driveway leading to an internal roadway, aisle, ramp, parking space or loading space.

vi. Where continuing curbs are used as wheel stops, the measured size of parking spaces shall be reduced 1.0 m in length than otherwise required. In such instances, the parking layout should allow for the vehicle to overhang the curb by 1.0 m and such overhang areas must be clear of all obstructions (signs, shrubs, trees, etc.) and shall not be regarded as a required landscaped area.

vii. In situations where lighting of off-street parking and loading facilities is to be provided, the lighting shall be arranged, installed, and maintained to deflect, shade, and focus light away from any adjacent land uses.

2. Residential Zones

a. Every off-street parking or loading space, and access provided or required in any residential zone, including the area contained within City-owned land to which a curb crossing permit applies, shall be hard-surfaced if access is from a public roadway which is hard-surfaced or graveled. If there are two (2) or less parking or loading spaces, this is not required.

b. For an on-site driveway in any residential zone, the area required to be hard-surfaced may be constructed based on separated tire tracks, with natural soil, grass, or gravel between the tracks, but shall be constructed so that the tires of a parked or oncoming vehicle will normally remain upon the hard-surface.

3. Commercial and Industrial Zones

a. Every off-street parking or loading space provided or required in any commercial zone, and the access thereto, including the whole area contained within the City-owned land to which a curb crossing permit applies, shall be hard-surfaced if the access is from a public roadway which is hard-surfaced.

b. Every off-street parking or loading space provided or required in an industrial zone, and the access thereto, including the whole area contained within the City-owned land to which a curb crossing permit applied, shall be hard-surfaced if such area lies in front of the principal building. Any area at the rear or the side of the principal building provided or required for off-street parking or loading space need not be hard-surfaced but shall be

of such a surface that shall minimize the carrying of dirt or foreign matter upon the highway.

Schedule 1 – Vehicular Parking Requirement

Use of Building or Site	Minimum Number of Parking Spaces or Garage Spaces Required
Residential and Residential-Related	
Apartment Building	1 parking space per bachelor suite and bed sitting room, plus 1 parking space per 1 bedroom dwelling, plus 1.5 parking spaces per 2 bedroom dwelling, plus 1.75 parking spaces per 3 or more bedroom dwelling, plus 1 parking space per 7 dwellings for visitor parking. The visitor parking must be readily available to an entrance of the building and be clearly identified as visitor parking. The Development Officer may accept tandem parking spaces of a number that is equivalent to the total required parking minus the total number of dwellings and minus visitor parking. Visitor parking spaces shall not be in tandem.
Boarding and Lodging House, Garage Suite, and Secondary Suite	1 parking space per 1 sleeping unit, in addition to the parking requirements for the primary dwelling.
Duplex Housing, Manufactured Home (excluding Manufactured Home Parks), and Semi-detached Housing	2 parking spaces per dwelling include 1 garage space. Where a front yard driveway provides access to a parking space that is not within the front yard, the Development Officer may consider this driveway as the provision of a second car parking space that is in tandem.
Group Home	1 parking space per 3 sleeping units and 1 parking space per maximum staff members on shift.
Major Home-Based Business except Bed and Breakfast Facility (see below)	1 parking space in addition to parking required for primary dwelling.
Bed and Breakfast Facility	1 parking space per guest room is required in addition to the parking required for the primary dwelling.
Manufactured Home Parks	2 parking spaces per manufactured home lot, plus 1 parking space per 7 manufactured home lots as visitor parking. The visitor parking shall be dispersed, to be conveniently located for all lots.
Residential Sales Centre	4 parking spaces

Single Dwelling Building	2 parking spaces
Commercial	
Any development within a commercial use class not listed separately in this table, with a floor area of 100 m^2	4 parking spaces per 100 m^2 of floor area
Hotels and Motels	1 parking space per sleeping unit, plus 1 per employee
Nightclubs and Bars	1 parking space per 20 m^2 public space, or 1 parking space per 3.5 persons occupant load, plus 1 per employee
Pubs and Lounges	1 parking space per 20 m^2 public space, or 1 parking space per 3.5 persons occupant load, plus 1 per employee
Casino and Other Gaming Establishment	1 parking space per 20 m^2 of public space, or 1 parking space per 3.5 persons occupant load, plus 1 per employee
Commercial School	1 parking space per 3.5 seats, plus auditorium requirements where applicable.
Booth Market	6.5 parking spaces per 100 m^2 of floor area in the building used for this use class.
Funeral and Cremation Service	1 parking space per 3.5 seats plus 1 parking space per funeral home vehicle
Health Service	4.5 parking space per 100 m^2 of floor area
Professional, Financial and Office Support Service	3.4 parking space per 100 m^2 of floor area
Restaurant	1 parking space per 7.5 m^2 of public space
Warehouse Sales	1 parking space per 100 m^2 of floor area
Manufacturer's Taproom	1 parking space per 20 m^2 of public space, or 1 parking space per 3.5 persons occupant load, plus 1 per employee *added as per Bylaw 2075-24*
Industrial	
Any development within the Industrial Use Classes and Industrial Performance Use	1 parking space per 100 m^2 of floor area provided this is not less than 3 parking spaces per tenant or establishment
Basic Service	

Extended Medical Treatment Services	1 parking spaces per 100 m^2 of floor area
Community, Educational, Recreational, and Cultural Service	
Any development within the Community, Educational, Recreational and Cultural Service Use Class not listed separately.	1 parking space per 3.5 seats or 3.1 parking spaces per 10 m^2 of floor area used by patrons
Child Care Service	1 parking space per employee
Community Recreation Service	16 parking spaces, plus where multipurpose room greater than 93 m^2 is present and is used for general assembly purposes, an additional 2.2 parking spaces per 10 m^2 over 93 m^2 of floor area in a multipurpose room is required. The multipurpose area shall not include dressing rooms, change rooms, washrooms, storage areas, and cooking or kitchen areas, which are normally incidental to the primary function of the community recreation services. Where the community recreation service facility parking area immediately abuts a parking area for a school, a maximum of 50% of the additional parking spaces required, pursuant to the above clause, may be provided by including the parking facilities on the abutting school parking area.
College, Business, or Technical School	1 parking space per 3.5 seats, plus auditorium requirements where applicable.
Exhibition and Convention Facility	1 parking space per 3.5 seats or 3.1 parking spaces per 10 m^2 of floor area used by patrons
Indoor Participant Recreation Service except the following:	1 parking space per 3.5 seats or 3.1 parking spaces per 10 m^2 of floor area used by patrons
• Bowling Alley	4 parking spaces per lane plus parking requirements for accessory uses
• Curling Rink	8 parking spaces per sheet plus parking requirements for accessory uses
• Health and Fitness Club	1 parking space per 10 m^2 of floor area
• Hockey Rink	1 parking space per 3.5 seats or 1 parking space per 5 m^2 playing/water surface or assembly area

• Swimming Pool	
• Racquet Sport Facility	2 parking spaces per court plus parking requirements for accessory uses
Natural Science Exhibit	1 parking space per 3.5 seats or 3.1 parking spaces per 10 m^2 of floor area used by patrons
Outdoor Participant Recreation Service except for the following:	1 parking space per 3.5 seats or 3.1 parking spaces per 10 m^2 of floor area used by patrons
• Golf Course	5 parking spaces per hole plus parking requirements for accessory uses
• Driving Range	1 parking space per T-box plus parking requirements for accessory uses
• Sports Field, in association with school and park sites	A maximum of 10 parking spaces per field to be developed provided that the sports and playing fields are developed prior to the development of other uses on the site, such as community recreation service facilities or other school uses. The number and design of the parking spaces and the surface treatment of the parking area shall be approved by the Development Officer in consultation with Transportation and Streets Department, Community Services Department, and the School Boards.
Private Club	1 parking space per 3.6 m^2 of public space
Public Library and Cultural Exhibit	1 parking space per 10 m^2 of floor area used by patrons
Public or Private Elementary and Junior High Schools	1.4 parking spaces per classroom This calculation shall include the ultimate parking requirements for all potential future school development on-site, whether contained in a core facility or in attached portable pods. Actual development of parking spaces may, however, be phased in accordance with each phase of school development. Where the school parking area immediately abuts a parking area for a community recreation service facility, a maximum of 50% of the smaller parking requirement between the school and the community recreation service facility may be provided by including the parking facilities on the abutting community recreation service parking area.

Public or Private High Schools	1.4 parking spaces for each classroom, plus 1 parking space for every 10 students This calculation shall include the ultimate parking requirements for all potential future school development on-site, whether contained in a core facility or in attached portable pods. Actual development of parking spaces may, however, be phased in accordance with each phase of school development. Where the school parking area immediately abuts a parking area for a community recreation service facility, a maximum of 50% of the smaller parking requirement between the school and the community recreation service facility may be provided by including the parking facilities on the abutting community recreation service parking area.
Religious Assembly	1 parking space per 4 seats
Spectator Entertainment Establishment	1 parking space per 3.5 seats or 3.1 parking spaces per 10 m^2 of floor area used by patrons
Seniors and Supportive Housing Facility	6 units or less – 1 parking space per 2 sleeping units plus one parking space per maximum staff members on shift. 7 units or more – a vehicular parking demand study must be completed to determine the required number of parking stalls.

Schedule 2 - Loading Spaces Requirement

Use of Building or Site	Total floor area of Building	Minimum Number of loading Spaces Required
Any development within the Commercial or Industrial Use Classes, excluding Professional, Financial, and Office Support Services	Less than 465 m^2	2 loading spaces
	Greater than 465 m^2	3 loading spaces

7.5 Reserved for Future Use

7.6 Signs

7.6.1 Purpose

1. The purpose of this Section is to ensure that signs:

   a. do not obstruct the orderly and safe flow of vehicular and pedestrian traffic;

   b. do not create visual or aesthetic blight;

   c. do not unduly interfere with the amenities of the district in which they are located; and

   d. do not materially interfere with or affect the use, enjoyment, or value of neighboring properties.

7.6.2 Sign Definitions

1. **A-BOARD SIGN** means an A-shaped sign with no external supporting structure that is set upon, but not attached to, the ground.

2. **AWNING SIGN** means a sign incorporated upon or within an awning.

3. **BALLOON SIGN** means an air-inflated sign.

4. **BANNER SIGN** means a sign constructed from a non-rigid fabric in a banner style, which is attached to a pole or other structure.

5. **BILLBOARD SIGN** means an engineered freestanding sign exceeding 7.5 m^2 in sign area for sites with a frontage of up to 30.0 m. and exceeding 8.5 m^2 in sign area for sites with a frontage more than 30.0 m. designed for a changeable message used generally for off-site and corporate advertising;

6. **CANOPY SIGN** means a sign incorporated upon or within a building canopy;

7. *deleted as per Bylaw 1997-21*

8. **DEVELOPER MARKETING SIGN** means a temporary sign for promoting vacant lots or show homes in a new subdivision;

9. **DEVELOPMENT DIRECTIONAL SIGN** means a temporary sign for guiding or directing pedestrian or vehicular traffic to new subdivisions, new home areas, or show homes;

10. **DIRECTIONAL SIGN** means a sign for directing pedestrian or vehicular traffic including ingress and egress signs and parking signs, but does not include advertising, except for a logogram;

11. **ELECTION SIGN** means a sign advertising a local candidate and/or party in a federal, provincial, school board or municipal election;

12. **ELECTRONIC MESSAGE SIGN** means a sign or part of a sign on which the advertising is programmable or changeable by electrical or electronic means;

13. **EVENT DIRECTIONAL SIGN** means a temporary sign providing direction to a non-reoccurring event of less than three (3) days in length; such as a property auction sale;

14. **FASCIA SIGN** means a sign placed flat and parallel to the face, side, or rear of the building so that no part projects more than 0.4 m from the building; *amended as per Bylaw 1923-19*

15. **FENCE SIGN** means a sign painted on or attached to a fence;

16. **FIXED SIGN** means a sign securely attached to the ground or a building.

17. **FLASHING SIGN** means a sign that contains an intermittent or flashing light source.

18. **FREESTANDING SIGN** means a sign anchored into the ground and not attached to a building which does not exceed 7.5 m^2 in sign area for sites with a frontage of up to 30.0 m. and which does not exceed 8.5 m^2 in sign area for sites with a frontage more than 30.0 m.

19. **GARAGE SALE SIGN** means a sign advertising the location and product of a garage sale.

20. **HOME ADDRESS SIGN** means a sign that is no larger than 0.7 m^2, which states only the municipal address and occupant names

21. **HOME BUSINESS SIGN** means a sign advertising an approved home business.

22. **ILLUMINATION** means the lighting of any sign by artificial means.

23. **INDIRECT ILLUMINATION** means the lighting of a sign by reflected light.

24. **LOW SIGN** means a freestanding sign with advertising at an elevation at or less than 3.0 m above grade

25. **MULTIPLE TENANT SIGN** means a sign for advertising two (2) or more on-site developments or businesses.

26. **MUNICIPAL SIGN** means a sign erected by the City.

27. **NEIGHBOURHOOD IDENTIFICATION SIGN** means a sign for displaying the name of a City neighbourhood or business park and may include the logogram of the developer.

28. **NON-FIXED SIGN** means any sign that is not a fixed sign.

29. **OFF-SITE ADVERTISING** means the advertising of a business, commodity, service, or entertainment that is conducted, sold, or offered elsewhere other than the site on which the sign is located.

30. **OPEN HOUSE SIGN** means a sign for guiding vehicular traffic and pedestrians to real estate open house locations.

31. **PEDDLER SIGN** means a sign advertising for a business operating from a temporary location.

32. **PICKET SIGN** means a sign driven or pushed into the ground.

33. **POLE SIGN** means a sign attached to an onsite light standard or freestanding sign support structure.

34. **PORTABLE SIGN** means a sign, with changeable message, designed to be readily relocated.

35. **PROJECTING SIGN** means a sign that is attached to and supported by a building and extends at least 0.4 m perpendicular to the building but excludes a canopy sign.

36. **REAL ESTATE SIGN** means a sign for advertising property for sale, lease, or rent.

37. **REVERSE-T SIGN** (not exceeding ninety (90) days) means a sign placed on the ground surface with a horizontal member used to balance the sign.

38. **ROOF SIGN** means a sign located upon, against, or above the roof of a building, or a sign attached to the roof or parapet of a building.

39. **SIGN** means a device or structure for providing direction or information to the public on such things as a development, business, product, service, location, event, or person.

40. **SIGN AREA** means the area of one (1) sign face available for advertising of a single or multiple faced sign, excluding the main support structure.

41. **SIGN HEIGHT** means the vertical distance measured at right angles from the highest point of the sign or sign structure to the finished grade directly below.

42. **SITE** means the legal property identified on the Land Title.

43. **UNDEVELOPED SITE** means a site with assessable improvements of less than $20,000 in value

44. **WALL SIGN** means a sign painted on a wall at a level where the bottom of the sign is less than 2.4 m above grade. *amended as per Bylaw 1923-19*

45. **WINDOW SIGN** means a sign placed on or inside a window that faces the outside and is intended to be seen from the outside.

46. **ZONING** means the property zoning classification as shown on the Land Use District Map being Part 11, Section 11.1 of the Land Use Bylaw.

7.6.4 Regulations Which Apply to All Signs

1. Where the regulations require an opinion, it is the opinion of the Development Authority that is to be considered.

2. Unless otherwise stated in this Bylaw, all signs require development permits.

3. Signs shall not be constructed nor located such that they could, in any case be confused with or detract from a traffic control device or any other municipal sign or municipal device.

4. Signs shall not be constructed nor located such that they interfere with the safe or orderly movement of pedestrians or vehicular traffic, or the sight lines required under this or any other bylaw.

5. Unless otherwise stated in this Bylaw, a sign height must not exceed the maximum building height allowed in the district.

6. The combined sign area of all signs on a building face shall not be greater than 25% of the overall wall area.

7. The illumination of a sign must not negatively affect, nor pose a safety hazard to an adjacent site.

8. Wiring must be fully concealed or in a conduit for electrified signs and comply with electrical codes.

9. Signs must be designed and constructed to ensure public safety.

10. Signs must be of professional quality and kept in good repair.

11. If a sign fits within two (2) or more sign categories, then the strictest and all regulations apply.

12. Except for a municipal sign, a sign otherwise permitted in this Bylaw, or sign permitted in a contractual agreement with the City, or a sign permitted by the written approval of the Development Authority, no sign or poster may be placed on public property, on any median or on any traffic control device, publicly owned power poles or light standards. *Amended per Bylaw 2095-25*

13. No sign shall be placed in a prohibited sign location listed in Section 7.6.5.

14. The business advertising on any sign that projects over a City sidewalk or road right-of-way is responsible to keep the sign free and clear of ice and snow that could fall and injure pedestrians below. The business is also responsible to ensure that the sign is securely fastened and kept in good order.

15. Landscaping and paved areas around and under a sign must be maintained to match the landscaping and paved area nearby the sign.

16. Non-fixed signs and low signs shall be designed and installed to withstand 80 km winds without being blown over or away.

17. If a business identified on a sign ceases, all signage referencing that business must be removed within 30 days.

18. Where the message on a sign relates to a specific dated event, the message shall be changed within 48 hours after the end of the event.

7.6.5 Prohibited Sign Placement Locations

1. No low sign shall be placed on public lands or right or ways.

2. Other than traffic or municipal signs, no fixed sign shall be placed where any portion of the sign encroaches onto or over public property or public road rights-of-way.

PART 7 – GENERAL REGULATIONS

3. No sign shall be placed on or over a public sidewalk, unless otherwise specified in these regulations.

4. The following locations are prohibited sign location areas:

   a. Where a driveway exits onto a road no portion of a low sign shall be placed in "the driveway sight lines" as shown in figure 7.6.5.4.a below.

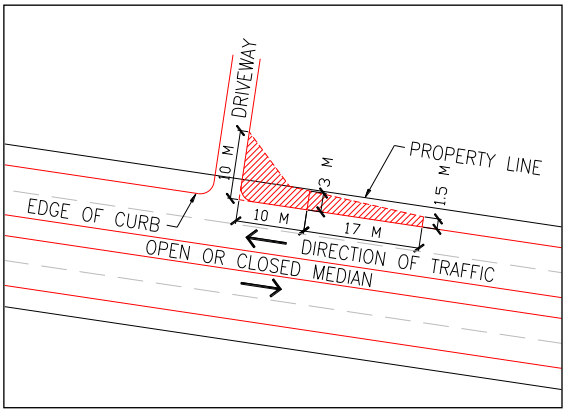


Figure 7.6.5.4.a Driveway Sight Lines

   b. Where a driveway exits onto a road with both right and left turn access no portion of a low sign shall be placed in the "two way sight lines" as shown in figure 7.6.5.4.b below.

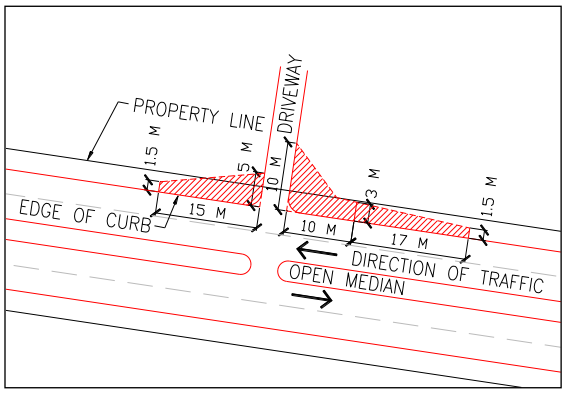


Figure 7.6.5.4.b Two Way Sight Lines

   c. At intersections, no portion of a low sign shall be placed in the "intersection sight lines" as shown in figure 7.6.5.4.c below.

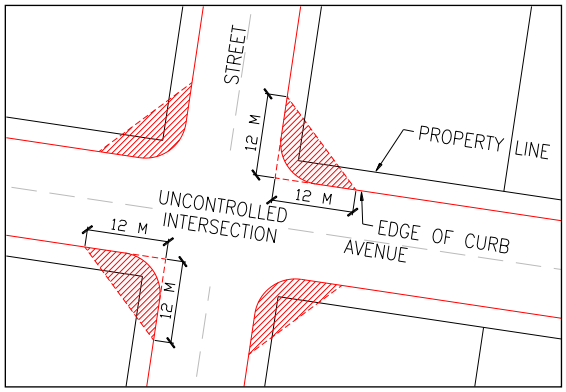


Figure 7.6.5.4.c Intersection Sight Lines

d. No low sign, except for A-board signs in C1 districts, shall be placed within 1.5 m from the face of curb within a public roadway.

7.6.6 Signs Considered in Zoning Classifications

1. In determining where sign types are permitted, or discretionary use refer to Chart 7.6.6.1.

2. To determine the regulations for each sign type, refer to Section 7.6.7.

PART 7 – GENERAL REGULATIONS

Schedule 3 – Zoning Classification

Chart 7.6.6.1

"P" means the sign type is a permitted use in the district
"D" means the sign type is a discretionary use in the district

Sign Type	Residential											Commercial \ Industrial								Other	
	R1	R2	R3	R4	R5	RMX	RMH	RE	R1N	R1A	R1R	C1	C2	C3	C4	C5	M1	M2	M3	US	UR
A-board				D	D							P	P	P		D	P	P		D	
Awning			D	D								P	P	P	P	P	P	P	P	D	
Balloon												D	D	D		D	D	D			
Banner												P	P	P	P	P	P	P		D	
Billboard														D			D*	D			
Canopy			D	D								P	P	P	P	P	P	P	P		
Developer Marketing	P	P	P	P	P	P	P	P	P	P	P										
Development Directional	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Directional			P	P	P							P	P	P	P	P	P	P	P		
Election	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Electronic Message (fascia or window)												P	P	P	P	P	P	P			
Electronic Message (freestanding)												D	D	D	D	D	D	D		D	D
Event Directional												D	D	D	D	D	D	D		D	D
Fascia			D	D	D							P	P	P	P	P	P	P	P	D	
Fence													D				P	P	P		
Flashing																					
Freestanding			D	D	D							P	P	P	D	P	P	P	P	D	
Garage Sale	P	P	P	P	P	P	P	P	P	P	P										
Home Business	P	P	P	P	P	P	P	P	P	P	P										
Multiple Tenant												P	P	P	P	P	P				
Municipal	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Neighbourhood Identification	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D
Open House	P	P	P	P	P	P	P	P	P	P	P										
Peddler														D			D				
Picket													P	P		P	P	P			
Pole												P	P	P	P	P	P	P	P		
Portable												P	P	P		P	P	P	P	P	D
Projecting						D						P	P	P	P	P	P	P	P	D	
Real Estate	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Reverse-T (not exceeding 90-day use)												P	P	P		P	P	P	P		
Roof												D	P	P	D	P	P	P	D	D	
Wall												P	P	P	P	P	P	P	P	D	
Window												P	P	P	P	P	P	P	P		

*Billboard Signs are a discretionary use in the M1 Zone only for properties adjacent to 40 Avenue between the railway tracks and 45 Street and are not permitted in any other areas within the M1 Zone.

7.6.7 Specific Regulations for Particular Sign Types

Signage Related to Cannabis Retail uses *added as per Bylaw 1914-18*

1. All signage related to Cannabis Retail must meet the requirements of the provincial legislation.

7.6.7.1 A-Board Sign

1. Except in a C1 district, an A-board sign shall:
    a. not exceed 1.0 m in sign height;
    b. not exceed 0.8 m^2 in sign area;
    c. must be located on private property;
    d. not be in prohibited sign locations;
    e. only be placed during business hours;
    f. only be placed in front of the business it advertises; and
    g. not located within 6.0 m of any permanent sign.
2. In a C1 district, an A-board sign shall:
    a. not exceed 1.0 m in sign height;
    b. not exceed 0.6 m in sign width;
    c. not be located within 0.3 m of a curb line of a public roadway;
    d. not be placed so that that walking path width is not reduced to less than 1.2 m unless approved in writing by the development authority;
    e. only be placed in front of the business it advertises;
    f. be located adjacent to a permanent fixture where possible;
    g. not be located within 5.0 m of another A-board sign advertising a business on the same property; and
    h. only be placed during business hours.

7.6.7.2 Awning or Canopy Sign

1. An awning sign or canopy sign shall:

    a. not exceed a maximum vertical dimension of 1.5 m;

    b. have at least 2.4 m clearance above finished grade;

    c. not be suspended from the support structure in any way that poses a hazard to pedestrians or vehicles;

    d. not extend above the parapet wall or roof line of the building; and

    e. if on a residential, such as apartments or higher density property the sign shall:

        i. not be greater than 3.0 m^2 in sign area;

        ii. provide the building name and address only; and

        iii. not be illuminated.

7.6.7.3 Balloon Sign

1. Balloon signs shall:

    a. if mounted on the ground surface of a site:

        i. not exceed 8.0 m in height;

        ii. be located at least 1.5 m from all property lines except for a corner lot where the sign must be set back a minimum of 6.0 m from all property lines; and

        iii. not interfere with the access to or from the site.

    b. if mounted on a building, shall:

        i. not have a combined building and sign height that exceeds the maximum building height allowed in the district; and

        ii. be securely fastened to the building as per manufacturer recommendations.

    c. A balloon sign may be illuminated.

d. No more than one (1) balloon sign is allowed per site.

e. Balloon sign permits must be obtained every 90 days.

7.6.7.4 Banner Sign

1. A commercial banner sign can be placed for up to ninety (90) days on one (1) permit.

2. A banner sign that is attached to the face of a building must comply with the dimensional regulations for fascia signs.

7.6.7.5 Billboard Sign

1. Billboard Sign(s) shall be subject to the following regulations:

   a. Billboard Sign may be allowed only on sites, which are an integral part of a commercial or industrial strip.

   b. Billboard Sign permits may be approved for a period of one (1) year.

   c. The maximum height of a Billboard Sign shall be 8.0m

   d. No part of any Billboard Sign shall be located within any required yard or setback.

   e. Billboard sign locations shall be separated from any other billboard sign on the same side of the street by a minimum of 100.0 m. For billboard signs with an area of 20.0 m^2 to 40.0 m^2, this separation shall be increased to 200.0 m. For billboard signs over 40.0 m^2, this separation shall be increased to 300.0 m. The separation shall be applied from the larger billboard sign location regardless of the size of any proposed billboard sign.

   f. Billboard signs may be illuminated.

   g. Billboard signs may include electronic copy or animation, subject to review of the Development Officer in consultation with qualified City engineering staff. The applicant shall provide evidence that the proposed copy or animation does not cause undue distraction to pedestrian or vehicular traffic.

   h. All proposed billboard sign locations shall be reviewed in the context to the surrounding development, such as (but not limited to) the architectural

theme of the area, any historic designations, the requirements of any statutory plan, any streetscape improvements and proximity to residential development. The development officer may require revisions to the application to mitigate the impact of a proposed billboard sign or may refuse a permit that, in the opinion of the development officer, adversely impacts the existing built environment;

i. All billboards and the foundation for billboards must be designed by a professional engineer, licensed to practice in the province of Alberta. The installation of the foundation must be monitored by a professional engineer with written verification of installation compliance with design being provided by the engineer to the development officer prior to the installation of the sign on the foundation.

7.6.7.6 Construction Site Identification Sign

1. No development permit is required, provided that the sign:

   a. is a freestanding or fascia sign

   b. does not exceed 3.0 m in sign height

   c. does not exceed 3.0 m^2 in sign area

   d. is not erected for a period longer than twelve (12) months from the issuance of a building permit

2. No more than one (1) construction site identification sign is allowed per site.

3. Each construction supplier is allowed to place one (1) supplier sign during construction and for sixty (60) days after occupancy of the building. No permit is required for the sign, provided:

   a. the sign is less than 3.0 m^2 in sign area; and

   b. the sign is a window sign or freestanding sign.

7.6.7.7 Development Directional Sign

1. A development directional sign must be located on private property adjacent to an arterial road right-of-way.

2. Development directional signs are discretionary in UR districts, for a period specified by the Development Officer and permits will be issued for a ninety (90) day period.

3. A development directional sign must:

   a. be freestanding;

   b. not exceed 1.5 m^2 in sign area;

   c. not exceed 3.0 m in sign height; and

   d. be located a minimum of 30.0 m from any arterial road intersection.

7.6.7.8 Developer Marketing Sign

1. No permit is required, provided that the sign:

   a. is freestanding;

   b. is not illuminated;

   c. is in a subdivision or development that is subject to a subsisting development agreement;

   d. does not exceed 3.0 m in sign area; and

   e. does not exceed 3.0 m in sign height.

2. No more than one (1) developer marketing sign is allowed per parcel of land.

7.6.7.9 Directional Sign

1. A directional sign must be a freestanding, fascia, or wall sign; and

   a. if freestanding must not exceed 0.6 m in sign area. or 1.2 m in sign height; and

   b. if a fascia sign, must not exceed 3.0 m.

7.6.7.10 Electronic Message Sign

1. An electronic message board sign shall not be erected adjacent to a property within a residential district.

2. An electronic message sign with a sign area greater than 7.5 m^2 for sites with a frontage of up to 30.0 m and exceeding 8.5 m^2 in sign area for sites with a frontage more than 30.0 m must comply with the regulations of Section 7.6.7.5 – Billboard Sign.

3. An electronic message sign with a sign area up to 7.5 m^2 for sites with a frontage of up to 30.0 m and with a sign area up to 8.5 m^2 for sites with a frontage more than 30.0 m must also comply with the regulations of Section 7.6.7.16 – Freestanding Sign.

7.6.7.11 Event Directional Sign

1. No permit is required for up to five (5) Event Directional Signs per event, provided the signs: *Amended per Bylaw 2095-25*

   a. are in place for no more than seven (7) days;

   b. are not greater than 1.5 m^2 in sign area;

   c. are not illuminated;

   d. are placed on private property, with written permission from the property owner;

   e. are not placed on vacant lands; and

   f. are placed on public property, with written permission from the City. and are placed not less than 3.0 m from the curb.

7.6.7.12 Fascia Sign

1. A fascia sign shall:

   a. not exceed a maximum vertical dimension of 1.5 m;

   b. have at least 2.7 m clearance above finish grade;

   c. not be suspended from the support structure in any way that poses a hazard to pedestrians;

   d. not extend above the parapet wall or roof line of the building;

   e. not extend more than 0.4 m perpendicularly from a supporting building frontage; and

f. if on a higher density residential property shall:

i. not be greater than 3.0 m in sign area;

ii. provide the building name and address only; and

iii. not be illuminated.

7.6.7.13 Federal, Provincial, Municipal, or School Election Sign

1. That Election Signs shall be regulated through the City of Wetaskiwin Election Signage Bylaw 1879-17. *amended as per Bylaw 1882-17*

7.6.7.14 Fence Sign

1. Fence signs are not allowed in residential districts unless they are a property address sign, an election sign, or a real estate sign. where no permit is required.

2. In commercial and industrial districts, fence signs shall not exceed 3.0 m^2 in sign area and shall not extend above the height of the fence.

7.6.7.15 Flashing Sign

1. Flashing signs are prohibited except for an electronic message sign.

7.6.7.16 Freestanding Sign

1. In districts where a freestanding sign is a permitted use:

a. the sign height shall not exceed the maximum building height permitted;

b. the sign area shall not exceed 7.5 m^2 unless the site upon which it is located has a frontage that is wider than 30.0 m in which case it may be up to 8.5 m^2; and

c. a freestanding sign must be separated by a minimum of 60.0 m separation from another freestanding sign on the same property;

d. A freestanding sign must be separated by a minimum of 60.0 m separation from a billboard sign on the same side of the street;

2. In districts where a freestanding sign is a discretionary use:

   a. the sign height shall not exceed 4.5 m; and

   b. the sign area shall not exceed 4.0 m^2.

3. Angle bracing of signposts is not permitted.

4. The backside of a freestanding sign and the supporting posts must be painted and kept clean.

5. Freestanding signs must be placed at least 5 m from other properties.

6. Freestanding signs must be placed at least 1 m inside the private property.

7. No more than one (1) freestanding sign is allowed per site, except for sites that are:

   a. greater than 1.0 ha, or that contain commercial buildings with more than 10,000 m^2 of gross floor area, where a maximum of three (3) freestanding signs may be allowed, provided the site is in a C2, C3, C5, M1, or M2 district. and at least 1 of the 3 signs is a multiple tenant sign.

   b. greater than 0.5 ha where a maximum of two (2) freestanding signs may be allowed, provided the site is in a C2, C3, C5, M1, or M2 district. and the site contains a commercial building with more than 4000 m^2 of gross floor area, and at least one (1) of the signs is a multiple tenant sign. and

   c. double fronting lots, in which case one (1) freestanding sign is permitted per fronting side.

7.6.7.17 Garage Sale Sign

1. Garage Sale signs or notices are only permitted on Community Notice Boards and at the address of the garage sale, with no permit required.

7.6.7.18 Home Business Sign

1. Home business signs will be issued a permit provided the sign:

   a. is not greater than 0.14 m^2 in sign area;

   b. is not illuminated; and

c. is a window sign that is attached directly to the face of the building or is a freestanding sign less than 0.6 m in height and placed within 2.0 m of the residential building.

7.6.7.19 Neighbourhood Identification Sign

1. A neighborhood identification sign must:

   a. be freestanding;

   b. not exceed 3.0 m^2 in sign area;

   c. not exceed 2.4 m in sign height; and

   d. incorporate the neighborhood name specified by the relevant plans or bylaw in accordance with City policy.

7.6.7.20 Open House Sign

1. An Open House sign is allowed with no permit required, provided:

   a. the sign is either an A-Board sign or mounted on a stake firmly secured;

   b. the sign is not greater than 0.6 m in width or 1.0 m in height;

   c. the sign is setback at least 1.0 m back from the curb edge;

   d. the sign is placed on private property;

   e. the sign indicates only the company logo, directional arrows, the salespersons' name, and the words Open House or Show Home;

   f. the sign is only placed between 8:00 a.m. and 9:00 p.m., provided the open house or show home is in operation; and

   g. no more than one (1) sign per company is placed at any intersection.

7.6.7.21 Peddler Sign

1. A permit will be issued for a peddler sign provided the sign is:

   a. on the same site as the business;

b. on an A-board sign as per the regulations in 7.6.7.1; and

c. for businesses licensed to operate within the City.

7.6.7.22 Picket Sign

1. Picket signs are allowed with no permits required in C2, C3, C5, M1, and M2 districts, provided the sign advertises for a business located on the site.

2. Picket signs shall not be greater than 0.7 m in height.

3. No more than two (2) picket signs shall be placed in front of any site.

4. Picket signs shall be completely located on private property.

7.6.7.23 Pole Sign

1. Pole signs must:

   a. be entirely located on private property, including projections; and

   b. not be located within 5.0 m of the boundary of another site.

7.6.7.24 Portable Sign

1. Portable signs are intended for temporary on-site advertising relating to the commercial activities of the landowners or tenants. Portable signs may only be located on a site not related to the location of an activity or event only in the case of a non-profit organization.

2. Permit applications for portable signs must include:

   a. a completed sign permit application form;

   b. a site plan showing the proposed location of the site; and

   c. the applicable fee.

3. *deleted as per Bylaw 1923-19*

4. Portable signs are permitted uses in C1, C2, C3, C5, M1, M2, M3 and US districts and in association with churches and public schools in any land use district provided that the sign:

   a. does not exceed 5.6 m^2 in sign area;

   b. does not exceed a height of 2.7 m from grade;

   c. is located a minimum of 1.0 m from the frontage property line inside the site;

   d. is not located within 5.0 m of the boundary of another site;

   e. is two (2) sided only, with advertising on both sides of the sign and that the advertising refers to a business, event, or land use located on the site;

   f. is placed so the sign is within 75.0 mm if being horizontally level;

   g. is securely but not permanently fastened to the ground;

   h. site frontage will be used to calculate the number of portable signs allowed per site;

   i. portable signs must be 90.0 m away from other portable signs on the same site, while also considering prohibited locations;

   j. if sign's message is interfered with, the permit holder must ensure the message is corrected within forty-eight (48) hours of being notified by the development authority;

   k. the sign cannot be attached to a roof, or erected or placed on, or above a roof;

   l. the portable sign must have a uniform background color;

   m. where the message on a portable sign relates to a specific dated event, the date shall be removed within forty-eight (48) hours after the end of the event or shall be subject to a violation notice and applicable fee.

   n. an off-site portable sign permit may be issued for up to thirty (30) days provided:

      i. the sign meets the placement criteria as outlined in this Bylaw;

      ii. the sign is used by a non-profit organization; and

iii. a letter from the property owner authorizing the use of the property is attached to the application.

7.6.7.25 Projecting Sign

1. A projecting sign is a permitted use in C1, C2, C3, C4, C5, M1, M2, and M3 districts.

2. A projecting sign is a discretionary use in US, DC1, and DC4 districts.

3. A projecting sign must:

   a. not exceed 1.5 m^2 in sign area;

   b. be placed so that the distance between the nearest edge of the sign and the building to which it is attached, does not exceed 0.35 m;

   c. provide a minimum vertical clearance of 2.7 m from finished grade to the bottom of the sign;

   d. not project over public property, other than in a C1 district, in which case the sign is set back 0.7 m from a curb line and the owner accepts full liability for the sign;

   e. have proper clearance from any electrical power lines or other utilities and provide for safe pedestrian movement or any other activities or use underneath the projecting sign; and

   f. except for corner locations, be located at right angles to the building facade.

7.6.7.26 Real Estate Sign

1. No development permit is required, provided:

   a. the sign is a freestanding or fascia sign;

   b. that in other than R1 and R2 districts, the sign does not exceed 3.0m in sign height or 3.0 m^2 in sign area;

   c. that in R1 and R2 districts, the sign does not exceed 1.7 m in sign height or 0.6 m^2 in sign area; and

d. that the sign advertises only the site upon which the sign is located.

2. No more than one (1) real estate sign is allowed per site frontage.

3. In residential districts, the real estate signs must be located on property at least 1m from public sidewalks.

7.6.7.27 Reverse-T Sign

1. Reverse-T signs may be used as a temporary sign during the winter season (November 1 to April 30) in place of a freestanding sign provided a permit is obtained.

2. Professionally manufactured small Reverse-T signs, that meet the size regulations of A-board signs, can follow the regulations of A-board signs.

3. A Reverse-T sign shall:

   a. not exceed 3.0 m^2 in sign area;

   b. be placed at least 1m into the private property;

   c. be securely but not permanently fastened to the ground; and

   d. be maintained to its original approved design.

4. A ninety (90) day permit will be issued for Reverse-T signs and are subject to a $50.00 permit fee.

7.6.7.28 Roof Sign

1. A roof sign must not exceed 6.0 m^2 in sign area.

2. The maximum vertical dimension of a roof sign, measured from the roof or parapet where the sign is located, is 3.0 m, however, the height of the sign, added to the building height, must not exceed the maximum height requirements of the district.

3. No more than one (1) roof sign is allowed per building.

4. A roof sign shall not overhang a building.

5. A roof sign may be illuminated.

7.6.7.29 Signage Related to Cannabis Retail uses

1. All signage related to Cannabis Retail must meet the requirements of provincial legislation.

7.6.7.30 Wall Sign

1. The area of a wall sign that is part of a wall mural will be calculated based on the rectangular area of the advertising and must not exceed 20% of the wall.

7.6.7.31 Window Sign

1. No permits are required for window signs.

7.6.8 Exempt Sign

1. Provided they otherwise comply with this Bylaw, a development permit is not required for:

    a. signs posted or exhibited inside a building;

    b. window signs, provided they are not for the purpose of advertising a minor or major home based business or home office;

    c. signs posted or exhibited in or on an operating motor vehicle, provided the vehicle is not temporarily or permanently parked for the purpose of displaying the sign;

    d. municipal or provincial signs;

    e. signs displayed on benches approved by the City;

    f. signs located on a community notice board;

    g. signs erected pursuant to a development agreement;

    h. emergency or warning signs placed on a public building, lot, or utility lot; or

    i. home address signs.

7.6.9 Development Officer Discretion

1. Although this Bylaw is intended to regulate all signs, there may be signs without clear regulation. In such a case, the Development Officer may use discretion when making decisions regarding such signs. These decisions require notification of the decision to property owners within 76.0 m of the subject property.

7.6.10 Existing Signs

1. All fixed signs that have been issued a development permit prior to the adoption of these regulations are allowed to stay without conforming to these regulations (considered legal non-conforming).

2. All fixed signs that have not been issued a development permit and were in place prior to this regulation, advertising an onsite business, that do conform with this regulation will be issued a development permit at no cost.

7.6.11 Contravention

1. The offences and fees for contravention to this Section of the Land Use Bylaw are outlined in Part 10.

2. Notwithstanding Part 10, where any sign is in such a manner as to cause public safety concerns, the Development Officer or Bylaw Enforcement Officer may have the sign immediately removed from the area.

7.6.12 *deleted as per Bylaw 1923-19*

7.7 Lot Grading and Property Drainage

1. All development applications must meet the requirements of the City of Wetaskiwin Surface Drainage Bylaw.

2. All development applications for development on residential properties must conform to the residential lot grading guidelines, which fall under the City of Wetaskiwin Surface Drainage Bylaw.

3. All development applications for development on commercial and industrial properties must conform to the commercial lot grading guidelines, which fall under the City of Wetaskiwin Surface Drainage Bylaw.

4. All developments where grading is regulated by the Design Standards shall conform to the minimum standards of the Design Standards.

5. All roofs on buildings that have over 60 m^2 in roof area, where the roof terminates within 2.0 m of a property boundary shall be equipped with either roof drains or eavestroughs. Where eavestroughs are used the downspouts shall not discharge within 0.3 m of the property line.

7.8 Landscaping and Screening

7.8.1 Section Purpose

1. The intent of these Landscaping regulations is to contribute to a reasonable standard of livability and appearance for developments, from the initial placement of the Landscaping through to its mature state, to provide a positive overall image for Wetaskiwin and to encourage good environmental stewardship.

7.8.2 Applicability

1. The provision of Landscaping, in accordance with this Bylaw, shall be a condition of the issuance of a Development Permit for any of the following types of new development:

    a. single dwelling; semi-detached, duplex, triplex, and fourplex housing; and secondary suite in any residential district;

    b. townhomes and apartment buildings;

    c. any development in a commercial district;

    d. any development in an Industrial district;

    e. any development in the urban reserve or urban service district; and

    f. any development in all direct control district specifically modified or excluded in writing on the permit.

2. The provision of landscaping, in accordance with this Bylaw, shall also be a condition of the issuance of a development permit related to an existing development if the existing development shall be, because of the work that is the subject of the development permit, substantially enlarged or increased in capacity. This Section shall not apply to developments that consist solely of interior alterations or improvements or change of use that does not alter the building shell.

3. Landscaping for single dwelling buildings, semi-detached, duplex, triplex, and fourplex housing, and secondary suite housing shall be provided in accordance with the following:

   a. the owner of the property, or the owner's successors or assignees, shall be responsible for the placement and proper maintenance of landscaping on the site. The Development Officer may require, as a condition of development permit approval, that the owner provide a guaranteed security in accordance with the provisions of subsection 7.8.6 of this Bylaw;

   b. all yards, visible from a public roadway, other than a lane, on a site developed with a single dwelling building, semi-detached housing, duplex housing, triplex housing and fourplex housing and secondary suite housing shall be seeded or sodded within eighteen (18) consecutive months of the occupancy of the development. Alternate forms of landscaping, including hard decorative pavers, washed gravel, shale or similar treatments, flower beds or cultivated gardens, may be substituted for seeding or sodding, provided that all areas of exposed earth are designed as either flower beds or cultivated gardens;

   c. each site developed with a single dwelling, semi-detached, duplex, triplex, and fourplex housing, and secondary suite housing shall have a minimum of 35% of the site being covered with soft landscaping; and

   d. the tree and shrub planting requirements of Subsection 7.8.4(6) shall not apply to single detached, semi-detached, duplex, or secondary suite housing.

7.8.3 Landscape Plan and Content

1. Every application for a development listed in Subsection 7.8.2(1) (b) through (e) shall include a Landscape Plan, drawn at a scale of 1:300 or larger, which clearly indicates and accurately identifies the following:

   a. a key plan with a north arrow;

   b. the property lines and dimensions of the site;

   c. the approximate or estimated location of land uses, building perimeters, and landscaping on adjacent sites;

   d. adjacent public area features, such as streets, lanes, driveways, vehicular entrances, street furniture and boulevard trees;

e. overhead, surface, and underground utilities, and limits of easements;

f. outlines of all site structures to include the building footprints at grade, location and type of underground structures, and overhangs within the first two (2) storey;

g. building entrances, porches, decks, steps, walkways, other hard surfacing or hard landscaping features, parking areas, curbs, lighting, fencing, walls, screens, recreational facilities, and garbage collection areas. Materials, colors, and patterns shall be indicated;

h. existing and final site grading, including the established lot boundaries, elevations, berming shown in half-metre contours, direction of site drainage, proposed catch basin rim elevations, top and bottom of retaining wall elevations and existing elevations of plant material to be retained;

i. the height and materials of all fencing, screens, and walls;

j. existing trees and shrubs labeled by common name, botanical name, size, and condition of health. The sizes shall be graphically illustrated by the spread or canopy. In addition, the caliper of tree trunks shall be identified. The landscape plan shall graphically illustrate the spread of the trees to be removed or relocated by the proposed construction;

k. proposed trees, shrubs, flower beds, and ground covers labeled by common name, cross-referenced with a plant list identifying botanical name, quantity, size, and method of planting; and

l. the method of watering the proposed landscaping.

2. The Development Officer may consider an application for a development permit that does not provide all the information required by Subsection 7.8.3(1) if, in the opinion of the Development Officer, the information provided is sufficient to show that the landscaping provisions of the bylaw shall be met.

3. The Development Officer shall approve the landscape plan as a condition of the development permit approval. Any changes to an approved landscape plan require the approval of the Development Officer prior to the landscaping being installed.

7.8.4 General Requirements

1. All open space including required yards, at grade amenity areas, private outdoor amenity areas and separation spaces shall be landscaped with trees,

shrubs, flower beds, grass, ground cover or suitable decorative hard surfacing, in accordance with the landscape plan submitted pursuant to Subsection 7.8.3 and approved by the Development Officer. This requirement shall not apply to those areas designated for parking and circulation, which shall be landscaped in accordance with Subsection 7.8.8 of this Bylaw. The Development Officer may require landscaping of areas within a site that are intended for future development if, in the opinion of the Development Officer, the lack of landscaping creates a potential negative visual impact, given the visibility of these areas from adjacent properties and public roadways.

2. Hard surfaced areas such as walkways and plazas shall be enhanced with landscaping, at the discretion of the Development Officer. Provision shall be made for adequate on-site pedestrian circulation, by means of sidewalks or walkways, to connect with public sidewalks and walkways adjacent to roadways or within rights-of-way abutting the site.

3. Any parking lot having eight (8) or more parking spaces that is visible from an adjoining site in a residential or commercial zone, or from a public roadway other than a lane, shall have perimeter planting. The location, length, thickness, and height of such perimeter planting at maturity shall, in conjunction with a change in grade or other natural or man-made features, be sufficient to provide substantial interruption of the view of the parking area from any adjoining residential or commercial zone and enhance the view of the parking area from any adjacent public roadway or light rail transit line.

4. Any trash collection area, open storage area, or outdoor service area, including any loading, unloading or vehicular service area that is visible from an adjoining site in a residential or commercial zone, or from a public roadway other than a lane, shall have screen planting. The location, length, thickness, and height of such screen planting at maturity shall, in conjunction with a change in grade or other natural or man-made features, be sufficient to block the view from any adjoining residential or commercial zone, or from the public roadway. Such screen planting shall be maintained to provide effective screening from the ground to a height of 1.85 m. If, in the opinion of the Development Officer, screen planting cannot reasonably be expected to survive, earth berming, masonry walls, wood fencing or other man-made features may be permitted as a substitution.

5. If the height of materials in an outdoor storage area would limit the effectiveness of screen planting required by Subsection 7.8.4(4), a fence, wall, earth berm, or a combination thereof, may be substituted, subject to the approval of the Development Officer.

6. Trees and shrubs shall be provided in accordance with Subsection 7.8.8. For development consisting of residential use classes, the number of trees and shrubs provided shall be determined based on the following:

   a. one (1) tree for each 35.0 m^2 and one (1) shrub for each 15.0 m^2 of any required yard or setback at grade; and

   b. one (1) tree for each 20.0 m^2 and one (1) shrub for each 10.0 m^2 of required parking area islands. In no case shall there be less than one (1) tree per required parking area island.

7. For development consisting of non-residential use classes, the number of trees and shrubs provided shall be determined based on the following:

   a. one (1) tree for each 25.0 m^2 and one (1) shrub for each 15.0 m^2 of any required yard or setback at grade; and

   b. one (1) tree for each 20.0 m^2 and one (1) shrub for each 10.0 m^2 of required parking area islands. In no case shall there be less than one (1) tree per required parking area island.

8. Existing vegetation shall be preserved and protected unless removal is demonstrated, to the satisfaction of the Development Officer, to be necessary or desirable to efficiently accommodate the proposed development. Trees and shrubs preserved on the site may, at the discretion of the Development Officer, be credited to the total landscaping requirements.

9. All planting shall be installed to the finished grade. Where this is not practical in the opinion of the Development Officer, planters may be used. Such planters shall be of adequate design, having sufficient soil capacity and insulation to promote healthy growth.

10. The Development Officer may, where the Development Officer considers it appropriate, vary any or the entire general landscaping regulations of this Bylaw. Before granting a variance of the landscaping regulations, the Development Officer may require the applicant seeking the reduction of the minimum landscaping standards of this Bylaw to submit a report from a qualified landscape professional, such as a horticulturist, or landscape architect, explaining and justifying the reduction.

7.8.5 Additional Landscaping Regulations for Specific Land Uses

1. The Development Officer shall require the application of additional landscaping regulations to those specified in Subsection 7.8:

a. there is a likelihood that the proposed development shall generate undesirable impacts on surrounding sites, such as poor appearance, excessive noise, light, odors, traffic, litter, or dust;

b. there is a likelihood that undesirable impacts may be generated on the site, and cause conflicts among use classes within the development; or

c. such additional landscaping is warranted due to combinations of use classes including, but not limited to the following:

i. townhome development, where the private outdoor amenity area of the townhome units faces single dwelling buildings or sites zoned for single dwelling buildings as a permitted use, public roadways other than lanes;

ii. low rise apartments, where developed on an infill basis abutting existing single detached housing or land sites for single detached housing as a permitted use;

iii. religious assembly development directly adjacent to a residential use class;

iv. any non-accessory parking development; or

v. vehicle oriented uses where located on a site adjacent to residential uses.

2. The additional landscaping that may be required at the discretion of the development officer may include, but is not limited to, the following:

a. additional separation space between incompatible use classes;

b. the use of trees, shrubs, fences, walls, and berms to buffer or screen use classes that generate negative impacts; and,

c. the use of trees, shrubs, planting beds, street furniture, and surface treatments to enhance the appearance of a proposed development.

3. The Development Officer may consult with a qualified landscape professional, such as a horticulturist or landscape architect, in determining if additional landscaping requirements are to be imposed, and the type of additional landscaping required.

7.8.6 Landscaping Letters of Credit

1. The Development Officer may require, as a condition of development permit approval, a guaranteed security, from the property owner, to ensure that landscaping is provided and maintained for two growing seasons. Only the following forms of security are acceptable:

   a. cash to a value equal to 100% of the landscaping cost; or

   b. an irrevocable Letter of Credit in the amount of 100% of the landscaping cost.

2. The projected cost of the landscaping shall be calculated by the owner or the owner's representative and shall be based on the information provided on the landscape plan. If, in the opinion of the Development Officer, these projected costs are inadequate, the Development Officer may establish a higher landscaping cost figure for the purposes of determining the value of the landscaping security.

3. If cash is offered as the landscaping security, it shall be held by the City without interest payable until, by confirmation through inspection by the Development Officer, the landscaping has been installed and successfully maintained for two (2) growing seasons. Partial refund after installation of the landscaping or after one (1) growing season shall be considered upon request of the owner, at the sole discretion of the Development Officer.

4. If a Letter of Credit is offered as the landscaping security, it shall be in a form satisfactory to the Development Officer. The initial term of the Letter of Credit shall be one (1) year. The Letter of Credit shall be renewed by the owner thirty (30) days prior to expiry and delivered to the Development Officer until such time as the landscaping has been installed and maintained for two (2) growing seasons.

5. Upon application by the owner or the owner's representative, a Letter of Credit may be amended to a reduced amount, for attachment to the original Letter of Credit, at the discretion of the Development Officer, when any of the following events occur:

   a. the required landscaping has been properly installed; and

   b. the required landscaping has been well maintained and is in a healthy condition after one (1) growing season.

6. Upon application by the owner or the owner's representative, a Letter of Credit shall be fully released if the required landscaping has been well maintained and is in a healthy condition after two (2) growing seasons.

7. Any Letter of Credit shall allow for partial draws by the City if the landscaping is not completed in accordance with the approved landscape plan(s) within one (1) growing season after completion of the development; or the landscaping is not well maintained and in a healthy condition two (2) growing seasons after completion of the landscaping. The City may draw on a cash security or a Letter of Credit and the amount thereof shall be paid to the City for its use absolutely. All expenses incurred by the City, to renew or draw upon any Letter of Credit, shall be reimbursed by the owner to the City by payment of invoice or from the proceeds of the Letter of Credit.

8. In the event the owner does not complete the required landscaping or fails to maintain the landscaping in a healthy condition for the specified periods of time, and the cash or the proceeds from the Letter of Credit are insufficient for the City to complete the required work, should it elect to do so, then the owner shall pay such deficiency to the City immediately upon being invoiced. The City shall provide an accounting to the owner indicating how the proceeds of the Letter of Credit were applied, within sixty (60) days of completing or maintaining the landscaping.

7.8.7 Inspections

1. Upon receipt of a written request from the parties involved in the development, including but not limited to the property owner, condominium association or the issuer of the Letter of Credit, the Development Officer shall complete an inspection of the finished landscaping. Inspections shall be made during the normal growing season, between May 01 and September 30. All reasonable effort shall be made by the Development Officer to perform the inspection within twenty (20) working days of receipt of the inspection request.

7.8.8 Specifications for Plant Materials

1. All plant materials shall be hardy to the Wetaskiwin area and to the actual site conditions. The Development Officer shall use the most current edition of the *Alberta Horticultural Guide* as a reference.

2. All plant materials shall meet the horticultural standards of the most current edition of the *Guide Specifications for Nursery Stock*, produced by the Canadian Nursery Trade Association.

3. All planting shall conform to the following:

   a. the proportion of deciduous to coniferous trees and shrubs shall be approximately 50:50; and

b. the following mix of tree sizes shall be used:

i. 50% of required deciduous trees shall be a minimum 50.0 mm caliper and 50% shall be a minimum 75.0 mm caliper; and

ii. 75% of required coniferous trees shall be a minimum of 2.5 m in height and 25% shall be a minimum 3.5 m in height.

4. The regulations regarding the required specifications for plant materials of this Bylaw may be waived by the Development Officer at the request of a qualified landscape professional, such as a horticulturist or landscape architect, acting on behalf of the property owner.

7.9 Building Separations

1. In addition to the required building setbacks from property lines all buildings must be separated from all other buildings on the same site by a minimum of 2.0 m measured from the wall of one (1) building to the wall of any other building and must meet or exceed the limiting distance requirements of the Alberta Building Code.

2. The wall construction and the exterior finishes of the walls must meet or exceed the minimum requirements of the building code based on the distance between buildings.

3. The minimum distance measured from the eave of one (1) building to the wall of another building on the same site shall not be less than 1.4 m.

4. The minimum distance between the eave of one (1) building to the eave of another building on the same site shall not be less than 0.8 m.

5. Where the wall of one (1) principal building is within 3.2 m of another principal building on the same site or adjacent site and where one building and where one (1) of the building's eaves are 1.5 m or greater above the eaves of at adjacent building, the wall of the taller building must have an exterior finish that is of non-combustible material and the taller building must have the eaves protected to reduce the risk of fire spread from building to building.

7.10 Lighting of Sites

1. Any outdoor lighting for any development shall be located and arranged so that no direct rays are directed at buildings or private spaces on any adjoining properties, or that interfere with the effectiveness of any traffic control devices.

7.11 Building Design, Character, and Exterior Treatment

1. The exterior design of a new building and the quality of the exterior building finishes shall be completed within eighteen months of the issuance of the development permit;

2. The exterior design and character of a building being considered for a development permit shall be approved by the Development Authority who shall be guided by the following principles:

a. Residential Districts

i. the building is designed to limit perceived building mass and large building surfaces;

ii. large surfaces may be broken up by using a combination of exterior building finishes;

iii. the building finishes should either be of types and colors that are typical for the construction of the time or suited to be similar with those already in the neighbourhood;

iv. roof slopes and roof styles should be used that are within a reasonable range of those that are characteristic of the neighbourhood; and

v. the style and character of accessory buildings shall be of similar style and complimentary to the principal building.

b. **Commercial Districts**

i. all buildings on a site shall be constructed using similar architectural theme and exterior finishes, and colours unless the function of individual buildings dictates a specific style or image associated with a company. In such instances, development must maintain harmony in terms of building lines, mass, as well as quality and colour of exterior treatment;

ii. all mechanical equipment, including roof mechanical units, shall be concealed by screening in a manner compatible with the architectural character of the building, or concealed by incorporating it within the building roof;

iii. where a building has a floor area of greater than 2000.0 m^2 or has an exterior wall length greater than 30.0 m that is directly visible from a public roadway the roof line and building facade shall include design elements that reduce the perceived mass of the building and add architectural interest. As well, the use of landscaping adjacent to exterior walls which are visible from adjacent public roads, other than lanes, to minimize the perceived mass of the building and to create visual interest.

c. **Industrial Districts**

i. all buildings shall be constructed and finished with new durable materials designed to maintain the initial appearance of the development throughout the life of the project.

d. **All Other Districts**

i. shall be to the satisfaction of the Development Authority.

7.12 Excavation and Stripping of Land

1. For the purpose of this Section, excavation shall mean excavation other than for construction or building purposes, including but not limited to, sand and gravel mining, topsoil stripping, and construction of artificial bodies of water.

2. A person wishing to excavate, strip, or grade land shall provide the following details in the application: *amended by Bylaw 1997-21*

a. the location and area of the site on which the excavation, stripping, or grading is to take place;

b. the existing land use and vegetation;

c. the type and dimensions of the excavation to be made, and the effect on existing drainage patterns;

d. the condition in which the excavation is to be left when the operations are complete, or the final disposition to be made of the area from which the topsoil is to be removed, including the action that is to be taken for restoring the condition of the surface of the land to be affected, for preventing, controlling, or lessening the creation of erosion or dust from the land; and

e. if the application coincides with a subdivision of land or a site that is subject to an approved area structure plan, that appropriate drawings stamped by

appropriate professionals shall be submitted for review and consideration by the engineering department and consideration.

3. The Development Officer shall consider every application for a permit to excavate land, and shall not issue a permit unless the Development Officer is satisfied that:

   a. the operation shall be carried out to create a minimum of dust and environmental disturbance;

   b. the operation is one that, in the opinion of the Development Officer, is reasonably necessary for the use and development of the land in question, considering the need for preservation of prime agricultural land, the need for natural preservation, and the future need for soil on the site;

   c. the operation shall not destroy, disturb, or alter any historical resource designated in accordance with the *Alberta Historical Resources Act*;

   d. the operation shall not deter future development of the site; and

   e. the operation will not leave the site in a condition that is not safe and is not easily maintained to an acceptable visual standard.

5. The Engineering department has been consulted and supports approval of the application with or without conditions.

6. The Development Officer may require, as a condition of issuing a permit to excavate land, that the applicant take the precautions and follow the methods prescribed by the Development Officer for the prevention, or control of dust, or any other nuisance caused by the proposed operation, and for the reclamation of the site if required.

7. The Development Officer may require that cash security be provided to ensure that the project is carried out in its entirety to the standards specified.

7.13 Utility Services to Sites

1. Where an unserviced site exists and municipal water, sanitary sewer, and or storm sewer service mains are available, and a development permit application is made to construct or place a building on the site that requires service connections, the owner must enter into a development agreement with the City regarding the cost of installing the necessary services.

2. Where an infill site exists that has been previously developed and the site was serviced with water and or sanitary sewer, and a development permit

application has been made to construct a building on the site, depending on the age of the service, the materials used, and the condition of the existing services the applicant of the permit or the owner of the property may be required to install new water and sanitary sewer services to the site from the municipal mains and, if the old services are not used, will be required to pay the cost to remove the municipal services. The costs include road subbase and surface repair, curb and gutter repair, sidewalk repair, and boulevard landscaping.

3. Where a serviced site exists and a development permit application has been made to construct a building on the site where the existing services do not meet the size and capacity necessary to provide service to the proposed building or site, the owner must enter into a development agreement regarding the costs of installing the necessary services and restoring the surface and subsurface infrastructure.

4. Where a development permit application is made and due to building and fire codes a fire hydrant is required, the owner must enter into a development agreement regarding the cost of the necessary water service, the fire hydrant and related values and mains to serve the hydrant.

5. Prior to the commencement of the work to install, remove or replace water, sanitary sewer, or storm sewer services, or install a fire hydrant the applicant must:

   a. have a contractor deemed qualified by the City obtain a Permit to Construct from the City's Engineering department for the proposed work;

   b. provide the necessary cash security to the City to ensure that the work will be completed to the City's Design Standards;

   c. arrange a satisfactory time frame with the City's Engineering department for the work to be completed.

7.14 Sidewalk and Curb Crossings

1. Where a development permit application has been made for a residential building on a site and a straight-faced curb is in place on the municipal road adjacent to the site and where it is desired to have vehicular access to the site, if the vehicular access is permitted pursuant to Section 7.17, the owner may be required to enter into a development agreement with the City regarding the cost of modifications to the curbs and sidewalks and regarding the standards to which the modifications shall be completed.

2. Where a development permit application has been made for a development that is on a site that is classified for commercial, industrial, or institutional development and vehicular access is required to the site, and the vehicular access is permitted pursuant to Section 7.17, the owner may be required to enter into a development agreement with the City regarding the cost of modifications to the curbs and sidewalks and regarding the standards to which the modifications shall be completed.

3. If the above clauses 1 or 2 apply, then prior to the commencement of the work to remove or replace a portion of curb and gutter and or sidewalk to provide vehicular access to a site the applicant must:

   a. have a contractor deemed qualified by the City obtain a Permit to Construct from the City's Engineering department for the proposed work;

   b. provide the necessary cash security to the City to ensure that the work will be completed to the City's Design standards;

   c. arrange a satisfactory time frame with the City's Engineering department for the work to be completed.

7.15 Corner and Double Fronting Lot

1. Where a site is adjacent to two (2) streets, the Development Authority has the exclusive decision making power in determining which street shall be determined as the front street for the purpose of setbacks from property lines and regulations within the bylaw.

2. In making the decision, the Development Authority shall consider how the placement of buildings will affect the use and enjoyment of adjacent properties and how the decision will affect the intended layout of the neighbourhood.

3. Where the driveway of a residential garage accesses onto a street determined to be a side yard, the wall of the detached garage that has the vehicle access must be setback from property lines by a minimum of 5.5 m.

4. Where a building is proposed with an attached garage on a corner lot, the garage must be placed closest to the side of the lot that is farthest from the intersection.

5. Where a site is adjacent to where two (2) public roads intersect, where a road intersects with a lane, or where a road or lane intersects with a perpendicular public walkway or park, the Development Authority, at their sole discretion, may restrict or limit any development, fences or other visual obstructions within a

triangle measured 8.0 m from the edges of the roads that may reduce visibility and safety at the intersection.

6. Notwithstanding any other provision of this Bylaw, no person shall place or maintain any object, structure, fence, hedge, shrub, or tree in or on that part of a corner lot located within any district other than C1 Downtown Commercial, which lies within a triangle formed by a straight line drawn between two (2) points on the closest roadway curbs of the intersecting streets or lanes 8.0 m from the point where the curbs would intersect if extended in a straight line.

7. Where two (2) streets, lanes, or a street and lane intersect in the C1 Downtown Commercial District, a minimum corner cut-off building restriction of 2.0 m will be required.

7.16 Development on a Utility Right of Way

1. The applicant for a development permit is responsible to provide a copy of all registered utility right of way documents registered against the subject site.

2. Where a utility right of way is registered on the title of a property, no development permit will be issued for a building or use that contravenes the rights of the grantee within the utility right of way document unless written consent has been obtained from the grantee.

3. Where a historical utility right of way exists and there is no evidence of an operating underground or overhead utility within the right of way, the Development Officer can consider issuing a development permit after consultation with all utility companies.

4. Where a known essential service utility main or primary line exists and no utility right of way is registered on the title of the property, the Development Officer may refuse or delay the approval of the application until an appropriate right of way is registered on the title of the property.

5. No building footing or cantilevered portion of the building or roof eave shall encroach into or above a utility right of way unless written consent has been obtained from the grantee.

6. Driveways, sidewalks, landscaping, fences. and parking lots may be allowed on a utility right of way; however, are subject to compliance with the registered utility right of way documents.

7.17 Vehicular Access to Sites

1. If a front attached garage is a permitted use, a rolled curb is provided, and the adjacent road is not an arterial roadway and vehicular access will be permitted from the adjacent road to the driveway leading to the attached garage.

2. If a lane exists, driveway access to rear Detached garage must be from the lane and in the case of corner lots from the lane or side streets and not from the front roadway.

3. Vehicular access to required parking lots from streets other than arterial roadways may be permitted dependent on traffic volumes. A letter of support must accompany the application from the City's Engineering department.

7.18 Limited Access to Major Streets

1. Where a site has a residential zoning classification, the site fronts onto an arterial road, and the site has access to a road other than the arterial road or has access to a lane, no vehicular access will be permitted to the site from the arterial roadway unless granted written permission by the City's Engineering department.

2. Where a site has a residential zoning classification, the site fronts onto an arterial road, and the site does not have access to a road other than the arterial road and has no access to a lane, the City may allow a vehicular access to be constructed to gain limited vehicular access to the site under written permission from the City's Engineering department.

3. Where a site has a commercial, industrial, or urban service zoning classification, one (1) vehicular access to the site may be considered from the arterial roadway provided the location and design of the vehicular access is approved in writing by the City's Engineering department and the owner of the site has conformed with Section 7.14.

4. No median cuts will be permitted within medians on arterial or collector roadways unless a traffic impact assessment has been completed by an appropriate professional and the assessment indicates that the median cut meets the requirements of the municipal and provincial standards for traffic safety as determined by the City's Engineering department.

5. Where two (2) adjacent commercial properties both require vehicular access to an arterial roadway the City provides strong consideration towards shared vehicular access points with joint crossing agreements in place.

7.19 Emergency Access to Buildings

1. Access for fire department equipment shall be provided to one (1) side of each building that exceeds 12 m^2. in floor area by means of a public roadway, private roadway, or yard access.

2. Where the Alberta Building Code requires more than one (1) access route to a building and public roads are not directly adjacent to the site on site fire access routes must be provided that meet the requirements of the building code regarding access routes, location of access routes and access route design

3. Where an onsite fire access route is required by the building code it shall be designed to handle the necessary fire-fighting equipment and should be designed in consultation and approval of the City Fire Chief.

7.20 Objects and Uses Prohibited or Restricted in Residential Districts

1. Except as permitted in 7.20.3, no person shall keep, in the required front yard in any residential zone, or in the case of a corner site, in the required front yard or the required flanking side yard in any residential zone, any large recreational vehicle for any longer than is reasonably necessary to load or unload such vehicle and not exceeding 72 hours.

2. From April 1 through October 31 inclusive, on a residential site, large recreational vehicles may be parked on a driveway, to within 1.0 m of the interior edge of the municipal sidewalk or within 1.0 m of the curb if there is no sidewalk, provided they do not obstruct the visibility of motorists in an adjacent private driveway, alley, or intersection.

3. For the purposes of Subsections 7.20.2 and 7.20.3, a large recreational vehicle shall include:

    a. any motorhome, travel trailer, fifth wheel trailer; or any camper when it is not mounted on a truck but placed on the ground, on a stand, or otherwise stored; or any similar vehicles.

5. For the purposes of Subsections 7.20.2 and 7.20.3, a large recreational vehicle shall not include:

    a. small utility trailers, camper van conversions, tent trailers, campers which are mounted in trucks, boats, snowmobiles, all-terrain vehicles, jet skis, or motorcycles, and trailers to carry them.

6. No person shall keep on any part of a site, outside of approved buildings in any residential zone:

   a. any unregistered, inoperable, damaged, under repair, or unroadworthy vehicle, stored outside of a building for more than fourteen (14) days;

   b. open unprotected excavations without advisory signage, safety fencing, or onsite security;

   c. power generating wind turbines that create noise or exceed the height of the principal building;

   d. construction or demolition debris for periods longer than ten day periods;

   e. on-site or adjacent street parking for more than one (1) vehicle with business signage per property;

   f. containers designed for intermodal transfer of goods (sea cans);

   g. recreational vehicles used on site for sleeping accommodation for periods exceeding fourteen (14) days per year;

   h. unless approved in writing by the development officer, any storage of construction materials for longer than a six (6) month period;

   i. stockpiles of earth and landscaping materials for periods exceeding ninety (90) days;

   j. fire pits without appropriate fire department permits;

   k. propane tanks exceeding 45 kilogram or 45 litre bottles;

   l. container storage of flammable products exceeding 100 litres or 100 kilograms in total volume;

   m. storage of excavation equipment such as skid steer loaders, backhoes, tractors other than riding lawnmowers; and similar equipment;

   n. defined uses that are not listed as permitted or discretionary uses in that district or deemed to be legal non-conforming uses; and/or

   o. any items deemed a nuisance under the *Nuisance Bylaw*.

   p. An intermodal container for a period of longer than 48 hours. Use of intermodal container storage in residential districts must only be used for moving or construction, be wholly located on private property and must

have prior permission from the Development Authority. *added as per Bylaw 1922-19*

7. Equipment for use such as horse trailers, tradesmen trailers, or similar such equipment shall not be stored in front or side yards for periods exceeding seven (7) days.

7.21 Relocation of Buildings *replaced per bylaw 2106-26*

1. Except as otherwise provided for in this Bylaw, no person shall relocate a building or structure, or portion thereof, onto or within a Site without first obtaining a development permit for the building or structure to be relocated. The relocated building or structure shall be considered as a discretionary use and shall comply with the appropriate land use district regulations and Safety Codes requirements.

2. The relocated building or structure must be consistent in form and character, in the opinion of the Development Authority, with the predominant form and character of the structures and developments in the area which the building or structure is moved to.

3. In addition to the requirements of section 4.2, a development permit application for a relocated building shall include:

   a. recent colour photographs showing all sides of the building;

   b. a statement of the age, size and structural condition of the building issued by a qualified professional;

   c. a statement of any proposed improvements to the building, including any that may be needed to meet Safety Codes requirements for a fire response time greater than 10 minutes;

   d. a description of proposed landscaped areas as required by section 7.8

4. The Development Authority shall require the following conditions of the Development Permit:

   a. an inspection by a qualified professional providing a written certification of the building's structural condition following building placement, as well as any deficiencies relating to building codes, ordinances or regulations;

   b. any renovations or improvements required to ensure that the relocated building or structure complies with current federal, provincial and municipal standards, codes, rules, regulations, and bylaws;

c. development security sufficient to ensure the fulfilment of the conditions of the development permit.

5. Portable school classrooms are allowed as permitted uses in US – Urban Service districts, subject to the development permit requirements of this Bylaw.

6. Temporary construction job site buildings are allowed to be placed on job sites during the term of construction, subject to the development permit requirements of this Bylaw.

7.22 Construction Damage Security *replaced per bylaw 2106-26*

1. A construction damage security shall be provided to the City at the time of issuance of a development permit pursuant to subsection 3.11, based on the type of development project. This requirement may be waived if, in the opinion of the Development Authority, there are no improvements abutting the property that could sustain damage during construction.

2. It is the owner's or agent's responsibility to ensure that prior to commencement of construction or demolition there is no previous damage to existing municipal infrastructure. If there is existing damage, it shall be documented with photographs and reported within two (2) working days of the issuance of the development permit to the Engineering Department, and the damage is to be documented and acknowledged in writing by the Engineering department.

3. It is the owner’s responsibility to apply in writing to the City’s Engineering department for a security refund inspection and return of the security. This should only happen after the rough grading is complete and the black dirt is placed and graded in accordance with the approved grading plan. All required hard surfaced areas shall be completed and any required tree and shrub planting must be complete.

4. The property owner or agent is responsible for having the necessary improvement cleared and visible for the initial and final inspections by the City.

5. The Engineering department shall perform the requested inspection and notify the owner of the results.

6. If no damage has occurred, the security shall be refunded in full within thirty (30) days.

7. If damage has occurred, the security will be used by the City to repair or replace damaged curb stops, valve boxes, manhole covers, catch basins, culverts, pipelines, sidewalks, curbs and gutters, lanes, roads, and any other surface or

underground improvements on or abutting the land, where such damage is caused by the construction or demolition activity.

8. If the cost to repair the damage is less than the amount of the security, then the City shall return the difference to the depositor.

9. If the cost to repair the damage is more than the security, then the City can invoice the owner and place the charges against the tax roll of the lands.

10. The security placed regarding one permit cannot be transferred to a different permit, nor can it be transferred or refunded to a different party.

11. If the depositor does not apply for the inspection following completion of the work and restoration of municipal infrastructure, or if the development permit for which the security was provided expires, the City has the right to perform an inspection and make any repairs necessary as if the depositor had applied for an inspection.

7.23 Grading Compliance Security *amended per bylaw 2106-26*

1. When a permit is issued for a new principal building, or an addition to an existing principal building the development permit may have conditions requiring compliance with the Surface Drainage Bylaw, approved grading plans and or lot grading certificates.

2. The Development Authority may place a condition on a development permit requiring the applicant or owner to provide written verification of geodetic elevations from an Alberta Land Surveyor at various stages of construction; including but not limited to any or all the following stages of construction.

    a. after the footings are formed up or placed and prior to forming of the foundation walls;

    b. after the foundation of an attached garage is formed and prior to placement of the garage floor slab or driveway;

    c. after the foundation walls are placed and ready for backfill; and

    d. after rough grading of the site is complete and prior to finished landscaping.

3. The Development Authority may place conditions on a development permit requiring the applicant or owner to provide security pursuant to Subsection 3.11 for Grading Compliance Deposits, to ensure compliance with the approved grading documents. *amended per bylaw 2106-26*

4. Where a condition is placed requiring specific written verification of geodetic grades in accordance with 7.23.2 and the verification is not provided, the Development Authority can use the security to have the geodetic elevations verified by an Alberta Land Surveyor. *amended per bylaw 2106-26*

5. Where the work completed is not in accordance with the approved drainage plans the Development Authority can issue a Stop Work Order requiring that the work completed be brought into compliance.

7.24 Payment of Off-site Levies

1. All outstanding off-site levies owing regarding a property shall be paid in full at the time of application for a development permit of the property.

7.25 Water Meter Installation Costs

1. When a development permit application has been made for a building or use that will require a water meter to be installed, the fee for the water meter shall be paid in full upon the issuance of a development permit.

7.26 Restrictive Covenants

1. It is not the responsibility of the City to enforce the restrictive covenant in its issuance of a development permit unless the City has registered the restrictive covenant.

7.27 Development Maintenance Standards

1. Where a commercial, industrial, or multi-family residential property was required to provide landscaping drawings and complete landscaping, paved parking, provide screening, refuse containers, and have building façade features at the time of the development permit, the owner is required to maintain the items to meet or exceed the standard they were designed and originally constructed or installed.

2. Where a residential property was part of a development that had community features such as uniform fencing and subdivision signage the owners of the property must maintain the items to the standard they were constructed or installed.

PART 7 – GENERAL REGULATIONS

3. All developments shall be maintained to ensure a visual standard that meets the standard of the neighbourhood and are not deemed a nuisance property under the Nuisance Bylaw.

8.1.1 Day Home Operation

1. A Day Home Operation is deemed a major home based business and must meet all the requirements of Section 8.7.3. as well as this Section.

2. A development permit application for a Day Home Operation shall be accompanied by documentation that will show compliance with the following clauses within this Subsection.

3. The number of children cared for in a Day Home Operation shall not exceed six (6) children under the age of thirteen (13) at any given time and shall conform to the Province of Alberta Family Day Home Operations Standards Manual.

4. Outdoor play space shall be provided that meet or exceed the requirements of the Province of Alberta Family Day Home Operations Standards Manual.

5. Children in care shall be supervised in accordance with the Province of Alberta Family Day Home Operations Standards Manual.

6. A Day Home Operation shall have three (3) parking spaces readily available for parent drop off and pick up of children either on-site or on the street directly in front of the Day Home Operation.

8.1.2 Child Care Service

1. Outdoor play space shall be provided as required to conform to the requirements of the *Early Learning and Child Care Act* and its applicable regulations. *Amended per Bylaw 2053-24*

2. Outdoor play space may be allowed in any required yard, providing it is designed to limit any interference with other uses, or the peaceful enjoyment of the properties of nearby residents, through landscaping, buffering and the placement of fixed play equipment. *Amended per Bylaw 2053-24*

3. Outdoor play space shall not be in any required yard that abuts a public roadway unless the design, size and other characteristics of the proposed play space shall mitigate the potential impact of the traffic on the public roadway on children using the play space. *Amended per Bylaw 2053-24*

4. Parking shall be provided according to the regulations outlined in this Bylaw. In addition, drop-off parking shall be provided as follows:

a. a separate on-site drop-off area shall be provided at the rate of one on-site drop-off space for every ten (10) children;

b. each drop-off space shall be a minimum of 2.7 m in width and a minimum of 5.5 m length; and

c. the drop-off area shall be located within 60.0 m from the main entrance of the Child Care Service facility.

d. The Development Authority may reduce or waive the requirement for on-site drop-off spaces where the applicant can demonstrate that public on-street parking is available within 60.0 m of the main entrance to the facility that can meet the requirements of this section. *Added per Bylaw 2053-24*

5. No portion of a Child Care Service use, including the building or bay of building and outdoor play space, shall be located within 50.0 m of a service station or vehicle-oriented use. This distance shall be measured from the pump island, fill pipes, vent pipes or service station or a vehicle-oriented use building, depending on whichever is closest to the childcare facility. *Amended per Bylaw 2053-24*

6. New Child Care Service facilities shall be located to meet the required separation distances from other uses for which a radius or distance is set out under this bylaw, including Adult Entertainment Facility, Cannabis Retail, Liquor Store, Medical Marihuana Production Facility and other uses as amended. *Amended per Bylaw 2053-24*

7. All development permit applications for Child Care Service shall include a site plan that shows the required on-site parking and drop-off facilities, the outdoor play area, the location and type of any fixed play equipment, fencing, landscaping and any buffering to be provided. *Added per Bylaw 2053-24*

8.2 Boarding and Lodging House

1. Each sleeping unit in a boarding and lodging house must have access to:

a. a washroom, with toilet, sink, and a bathtub or shower stall;

b. a shared kitchen facility with fridge, stove, and sink; and

c. an outdoor amenity space.

2. Any sleeping unit in a boarding and lodging house shall be compliant with current codes regarding safe egress, exit signage, fire safety, and early warning devices.

3. Any sleeping unit in a boarding and lodging house shall have a satisfactory annual inspection completed by the City of Wetaskiwin fire department

4. There shall be one on-site parking stall provided for each sleeping unit in addition to parking required for other uses in the building.

8.3.1 Limited Foster Home

1. No development permit is required for Limited Foster Homes where they are listed as a permitted use.

8.3.2 Foster Homes

1. Applications for Foster Homes must be accompanied by a letter or form from the public approving or licensing authority that verifies the number of clients that the building is suited for; and that verifies that all life safety issues of the building and fire code have been properly inspected and addressed.

2. No development permit fees will be charged for Foster Homes where they are a permitted use.

8.3.3 Limited Group Home

1. Applications for Limited Group Homes must be accompanied by a letter or form from the public approving or licensing authority that verifies the number of clients that the building is suited for, and that verifies that all life safety issues of the building and fire code have been properly inspected and addressed.

2. Applications for Limited Group Homes must be accompanied by a letter or form from the public approving or licensing authority verifying the number of staff that will be required to meet the expected supervision and care for the clients.

3. Limited Group Homes in residential districts shall have a residential appearing exterior building design and landscaping features.

4. Adequate onsite parking shall be provided for Limited Group Homes for maximum employees on shift. The Development Authority shall determine the number of required stalls that shall be provided. The Group Care operator shall encourage the staff to park in the parking provided.

8.3.4 Group Home

1. Applications for Group Homes must be accompanied by a letter or form from the public approving or licensing authority that verifies the number of clients that the building is suited for, and that verifies that all life safety issues of the building and fire code have been properly inspected and addressed.

2. Applications for Group Homes must be accompanied by a letter or form from the public approving or licensing authority verifying the number of staff that will be required to meet the expected supervision and care for the clients.

3. An application for a Group Home will not be permitted within 76.0 m of a previously approved Group Home or Limited Group Home.

4. Group Homes in residential districts shall have a residential appearing exterior building design and landscaping features.

5. Adequate on-site parking shall be provided for Group Homes for maximum employees on shift. The Development Authority shall determine the number of required stalls that shall be provided. The Group Care operator shall encourage the staff to park in the parking provided.

8.3.5 Institutional Group Home

1. Applications for Institutional Group Homes must be accompanied by a letter or form from the public approving or licensing authority that verifies the number of clients that the building is suited for, and that verifies that all life safety issues of the building and fire code have been properly inspected and addressed.

2. Applications for Institutional Group Homes must be accompanied by a letter or form from the public approving or licensing authority verifying the number of staff that will be required to meet the expected supervision and care for the clients.

3. An Institutional Group Home shall not be permitted on a property within 300.0 m of any property that is zoned R1, R1A, R1L, R1N, R2, RE, RMX, or RMH.

8.3.6 Support Home

1. No development permit is required for a Support Home where it is listed as a permitted use.

8.4 Temporary Shelter Service

1. A development sponsored or supervised by a public authority or non-profit agency for the purpose of providing temporary accommodation for persons requiring immediate shelter and assistance for a short period of time. Typical uses are overnight shelters.

2. Temporary Shelter Services are a direct control use that must be approved by resolution of City Council considering the following regulations:

    a. temporary shelter services must be within a permanent building that meets all Safety Codes regulations;

    b. temporary shelter services shall not be permitted on a site within of 200.0 m from any site with a residential zoning classification;

    c. temporary shelter services shall not be permitted on a site within 100.0 m of a site with operating retail store;

    d. the Development Authority must allow temporary shelter service without due notification process, with written direction from the Director of Disaster Services due to an emergency; and

    e. temporary shelter services must provide outdoor space or supervised indoor space for persons waiting to use the facility as overnight accommodation to deter loitering in the neighbourhood.

8.5.1 Secondary Suite

1. For this section, reference to secondary suites floor area means the floor area of the suite excluding stairways to a common landing and floor area of furnace rooms and shared common areas.

2. Where a secondary suite is proposed, the site area of the subject property must exceed the minimum site area for the zoning classification by at least 40.0 m^2.

3. One (1) on-site parking stall shall be provided specifically for the secondary suite, in addition to the two on-site parking stalls parking required for the principal building.

4. The additional on-site parking stall shall not be in the front yard or side yard of the property.

5. Only one (1) of a secondary suite or a garage suite may be developed in conjunction with a single dwelling building.

6. A secondary suite shall not be developed within the same principal building containing a group home or limited group home, or a major home based business, unless the secondary suite is an integral part of a bed and breakfast facility in the case of a major home based business.

7. A secondary suite shall be restricted to a site occupied by a single dwelling building.

8. A secondary suite is prohibited from being constructed in any building containing more than one (1) living unit.

9. A secondary suite shall remain accessory to and subordinate to the principal building and:

   a. in the case of a secondary suite built partially or entirely above grade the floor area of the secondary suite shall not exceed 40% of the floor area of the principal building; or

   b. in the case of a secondary suite, where the floor of the suite is below grade, the floor area of the secondary suite shall not exceed 85% of the floor area of the principal dwelling.

10. The floor area of a secondary suite shall not be less than 30.0 m^2.

11. A building containing a secondary suite will not be approved for conversion to condominium ownership.

8.5.2 Garage Suite

1. Garage Suites shall be developed in accordance with the following regulations:

   a. the minimum site area for a site considered for a garage suite shall be the minimum site area required for the principal dwelling plus 100.0 m^2;

   b. the maximum roof peak height for a garage containing a garage suite shall be 6.0 m or the height of the principal dwelling as constructed at the time of the development permit application, whichever is the lesser;

   c. the maximum wall height regulation for the detached garage must be met, except for gable ends, which must not face adjacent properties;

d. one (1) dormer roof up to 2.4 m in width will be permitted provided the wall containing the dormer is at least 3.6 m from an adjacent property;

e. exterior stairs and exterior landings of up to 2.0 m are permitted to access the garage suite provided the landing is at least 3.6 m from a side property line;

f. the maximum floor area of a garage suite shall be 60.0 m^2;

g. the minimum floor area of a garage suite shall be 32.0 m^2;

h. the minimum side yard for that portion of a detached garage that contains a garage suite shall be the same as that for the principal Dwelling in the applicable zone;

i. the minimum distance between a detached garage containing a garage suite and the principal dwelling on the same site shall be 3.0 m;

j. windows contained within the garage suite portion of the detached garage shall be placed and sized such that they minimize overlook into yards and windows of abutting properties through one (1) or more of the following:

    i. off-setting window placement to limit direct views of abutting rear or side yard amenity areas, or direct view into a garage suite window on an abutting site;

    ii. strategic placement of windows in conjunction with landscaping or the placement of other accessory buildings; and

    iii. placing larger windows such as living room windows, to face a lane, a flanking street, or the larger of any Side Yard abutting another property.

k. no decks on garage suite roofs shall be allowed;

l. balconies may be allowed as part of a garage suite only where the balcony faces the lane or a flanking roadway;

m. only one of a secondary suite or a garage suite may be developed in conjunction with a principal dwelling;

n. the number of unrelated persons occupying a garage suite shall not exceed two (2);

o. a garage suite shall not be allowed within the same site containing:

i. a group home or limited group home;

ii. a major home based business in associated principal dwelling, unless the garage suite is an integral part of a bed and breakfast facility in the case of a major home based business.

p. where garage suites are discretionary within the applicable zone, the Development Officer may exercise discretion in considering a garage suite having regard to:

i. compatibility of the use with the siting;

ii. grade elevations;

iii. height;

iv. roof slopes;

v. building types and materials characteristic of surrounding low density ground-oriented housing and development;

vi. the effect on the privacy of adjacent properties; and

vii. the policies and guidelines for garage suites contained in a statutory plan for the area.

q. a garage suite may only be developed on a lot where a single dwelling building is the principal use. *added as per Bylaw 1997-21*

8.5.3 Mixed Use Residential Suites

1. Applications for mixed-use residential suites will be considered provided:

a. the building does or will, with renovation, meet the requirements of the Alberta Building Code and Alberta Fire Code;

b. the floor space is located above the first storey; or is located entirely in the back 60% of the floor space of the first floor of the building and any entrances to first floor suites is from the back or side of the building.

2. On-site parking is provided in addition to the parking and loading spaces required for the commercial or industrial space.

3. Prior to occupancy of any mixed-use residential suites a copy of all required satisfactory Safety Codes inspection report be provided to the Development Officer

4. Despite having a permit issued for a mixed-use residential suite, for the purpose of all municipal bylaws and regulations, the property is deemed a commercial or industrial property and not a residential property.

8.5.4 Apartment Building

1. Notwithstanding the other regulations of this zone, where an apartment building directly abuts a site zoned to allow a single dwelling building as a permitted use, the following regulations shall apply:

   a. a minimum landscaped setback of 7.5 m shall be required from any apartment building to any property line common with a single dwelling unit. No surface parking or loading facilities shall be located within this setback area;

   b. no outdoor parking, trash collection or outdoor storage areas shall be developed within 3.0 m of any property line that abuts a site zoned to allow a single dwelling building as a permitted use;

   c. a solid screen fence 1.8 m in height, shall be installed along all property lines that abut a site zoned to allow a single dwelling building as a permitted use, except for common flanking front yard boundaries which shall be 1.0 m in height;

   d. design techniques including, but not limited to, the use of sloped roofs, variations in building setbacks, and articulation of building façades, will be employed to minimize the perception of massing of the building when viewed from adjacent residential areas and roadways;

   e. building finishes shall be compatible with the exterior finishing materials and colours typical of adjacent single detached housing; and

   f. where an apartment building is to be developed directly adjacent to a site zoned to allow single detached housing as a permitted use, the maximum building height for the directly adjacent façade of such apartment building shall not exceed 9.0 m or 2½ storeys, unless the portion of the façade which is above 9.0 m is stepped inward from the lower façade by a distance equivalent or greater than height of the façade that is above 9.0 m.

2. A minimum outdoor amenity area of 7.5 m^2 per dwelling shall be provided. This area may include the area of balconies and patios.

3. Where an apartment building exceeds twenty (20) suites, an on-site children's playground shall be developed that provides at least 2.5 m^2 of communal outdoor play space per suite.

4. All parking lots and walkways shall be well lit to provide for a safe, secure environment.

5. All signs related to the name of the building, sale, lease, or rental of suites conform to Section 7.6.

8.6.1 Manufactured Home

1. Applications for the placement of a manufactured home, as defined, shall include the unit CSA certification number, the manufacturer name and model name, and shall supply a letter from the manufactured home community owner or manager supporting the application for placement of the manufactured home, deck, or addition.

2. Manufactured homes shall be supported and tied down in accordance with manufacturers specifications and the Alberta Building Code.

3. Additions, decks, and porches require separate development permits or shall be specified to at the time of the original development permit application. The application shall include a letter from the manufactured home community owner or manager supporting the application for placement of the deck or addition.

8.6.2 Modular Housing

1. Applications for the placement of modular housing, as defined, shall include all information required by Section 4.2, and be treated the same as site built buildings.

2. In addition, applications must include a copy of a certificate indicating the CSA certification number, the foundation type, and drawings and indicate all decks, porches and site built additions such as garages.

3. Modular Housing must be placed on a permanent foundation equal to that of a site built home.

8.6.3 Residential Sales Centre

1. A residential sales centre may be in the form of a show home(s) with a sales office, a show suite within a multi-family building, or as a separate temporary building.

2. Sites containing residential sales centres shall be located and developed such that their impacts on local roadways and surrounding residential development are minimized. In deciding upon an application, the Development Officer shall take into consideration the scale of the residential sales centre, its proximity to arterial or neighbourhood collector roadways, and to occupied residential development.

3. Where sites are located within 60.0 m of existing development, the applicant shall demonstrate that sufficient parking is available on or adjacent to the site so that parking congestion shall not develop on that portion of local streets serving existing development in the vicinity of the residential sales centre.

4. The siting and development of residential sales centre buildings shall comply with the regulations of the land use zone applying to the site except that:

    a. the Development Officer may attach conditions requiring additional setbacks to minimize any adverse impacts on adjacent development;

    b. in the case of a temporary structure, the height of the building, including any hoardings or false fronts, shall not exceed one storey or 4.0 m.

8.6.4.1 Private Swimming Pool

1. A development permit is required for a private swimming pool, as defined.

2. Except hot tubs identified in Clause 4, the entire area of an outdoor swimming pool shall be protected by a fence, building, wall, or enclosure that can prevent access by unauthorized persons, and its height above ground level shall not be less than 1.8 m.

3. An opening for access through a fence around a private swimming pool shall be protected by a gate that is the same height as the fence, equipped with a self-closing device, equipped with a self-latching mechanism located on the inside of the gate that is at least 1.5 m above the ground level, and that is capable of being locked.

4. An outdoor hot tub that is equipped with a cover can carry a weight of 100kg and that is capable of being latched and locked, can have the minimum fence height requirements of a fence or gate reduced to 1.0 m.

5. A private swimming pool shall be setback at least 1.5 m away from any property line.

6. A building that is built specifically to enclose a private swimming pool shall meet the same yard setback requirements as the principal building.

8.6.4.2 Semi-Public Swimming Pool

1. A semi-public swimming pool is required to meet all requirements specified in the appropriate Subsections of Section 7.3 of the Alberta Building Code.

2. An attached or detached building enclosing a semi-public swimming pool or water theme park shall meet all the same building height and setback requirements as outlined for the principal building in the appropriate zoning classification regulations.

8.7.1 Home Office

1. A Home Office shall comply with the following regulations:

   a. there shall be no exterior display or advertisement;

   b. there shall be no mechanical or electrical equipment used that creates external noise, or

   c. visible and audible interference with home electronics equipment in adjacent dwellings;

   d. the home office shall not employ any person other than a residents of the dwelling;

   e. there shall be no outdoor business activity, or outdoor storage of materials or equipment other than office equipment associated with the business allowed on the site;

   f. there shall be no business traffic or deliveries to the property;

   g. the home office shall not change the principal character or external appearance of the dwelling involved; and

h. in addition to the information requirements of Section 4.2 of this Bylaw, each application for a Development Permit for the use class home office shall include a description of the business to be undertaken in the dwelling, an indication that there will be no business or deliveries and details for the provision of parking.

8.7.2 Minor Home Based Business

1. A minor home based business shall comply with the following regulations:

   a. there shall be no exterior display or advertisement other than an identification plaque or sign as specified in 7.6.7.18;

   b. there shall be no mechanical or electrical equipment used that creates external noise, or visible and audible interference with home electronics equipment in adjacent dwellings;

   c. the minor home based business shall not employ any person on-site other than a resident of the dwelling;

   d. there shall be no outdoor business activity, or outdoor storage of materials or equipment associated with the business allowed on the site. Indoor storage shall only be allowed inside the dwelling;

   e. the minor home based business shall not change the principal character or external appearance of the dwelling involved; and

   f. in addition to the information requirements of Section 4.2 of this Bylaw, each application for a development permit for the use class minor home based business shall include a description of the business to be undertaken in the dwelling, an indication of the anticipated number of business visits per week and details for the provision of parking.

   g. No more than one (1) business-related visit to the site per day. *added as per Bylaw 1997-21*

8.7.3 Major Home Based Business

1. A major home based business shall comply with the following regulations:

   a. there shall be no exterior display or advertisement other than an identification plaque or sign as specified in 7.6.7.18;

b. there shall be no mechanical or electrical equipment used that creates external noise, or visible and audible interference with home electronics equipment in adjacent dwellings;

c. the major home based business shall be of a nature that will not cause excessive vehicular traffic, however, will allow business visits that do not cause unreasonable traffic flow to the residence;

d. the number of non-resident employees or business partners working on-site shall not exceed one (1) at any one time;

e. there shall be no outdoor business activity, or outdoor storage of material or equipment associated with the business. Indoor storage related to the business activity is allowed in either the dwelling or accessory buildings;

f. the major home based business shall not change the principal character or external appearance of the dwelling or accessory building;

g. a major home based business, operating as a bed and breakfast facility shall conform to Section 8.7.4, in addition to this Section;

h. a major home based business, operating as day home shall conform to Section 8.1.1. in addition to this Section;

i. in addition to the information requirements Section 4.2 of this Bylaw, each application for a development permit for the use class major home based business shall include a description of the business to be undertaken at the premises, an indication of the number of business visits per week, provision for parking, and where any materials or equipment associated with the business use are to be stored; and

j. the major home based business will not be allowed if, in the opinion of the Development Officer, such use would be more appropriately located in a commercial or industrial zone having regard for the overall compatibility of the use with the residential character of the area.

k. A major home based business shall not be allowed within the same principal dwelling containing a secondary suite or within the same site containing a garage suite and an associated principal dwelling, unless the home based business is a bed and breakfast facility and the secondary suite or the garage suite is an integral part of the bed and breakfast facility.

8.7.4 Bed and Breakfast Facility

1. A bed and breakfast facility is deemed a major home based business and must meet all of the requirements of Section 8.7.2. as well as this Section.

2. A development permit application for a bed and breakfast facility shall be accompanied by documentation that will show compliance with the following clauses within this Subsection.

3. A bed and breakfast facility, located on a site with a residential zoning classification, shall be limited to three sleeping units dedicated for guests.

4. Sleeping units used for guests shall be rooms that are above grade.

5. There shall be no cooking facilities within guest rooms.

6. The sleeping units considered as guest rooms shall have a satisfactory inspection completed by the City of Wetaskiwin fire department prior to being used by guests and shall be compliant with current codes regarding safe egress, exit signage, fire safety and early warning devices.

7. The sleeping units shall have a satisfactory annual inspection completed by the City of Wetaskiwin fire department.

8. There shall be one clearly identified parking stall provided on-site for each sleeping unit in addition to the stalls required for the primary residential use.

9. A bed and breakfast facility will be allowed to have one sign as permitted under Section 7.6.7.18; however, will be allowed to double the permitted sign area.

10. A bed and breakfast facility shall allow guests unlimited access to all outdoor amenity areas on the site.

8.8 Reserved for Residential

8.9 Reserved for Commercial

8.10 Liquor Store

1. A liquor store shall be located outside of a 200.0 m radius from:

   a. the nearest residential district;

b. any existing religious assembly;

c. any existing private and/or public school;

d. any existing day care facility;

e. any existing community hall, or

f. any existing park.

2. The 200.0 m radius as identified in 8.10.1 shall be calculated from the exterior boundary of the space to be occupied by the liquor store, not the parcel boundary.

3. For sites in the C5 district, a liquor store is a Permitted Use, and sites in the C5 district are exempted from the restrictions in 8.10(1) provided the parcel of land is greater than 10 acres in size.

4. The Development Officer has no variance powers regarding this Subsection.

8.11 Secondhand Store

1. Applications for the use of a building as a secondhand store, as defined, must include information regarding all signage and displays visible from the streets.

2. All signage must be a professionally designed and constructed structure and be permanent in nature.

3. No outdoor storage or display of goods is permitted.

4. Secondhand stores must have one onsite-loading stall from the rear of the building.

8.12 Pawn Shop

1. Pawn shops will not be considered as a use within buildings on any site that is within 200.0 m of a site that has a residential zoning classification, or that is classed for residential use in an Area Structure Plan or the Municipal Development Plan.

2. On-sites where a building is used as a pawn shop, the site shall not have outdoor storage for any goods or materials.

8.13 Adult Entertainment Facility

1. An adult entertainment facility shall be located outside of a 200.0 m radius from:
   a. the nearest residential district;
   b. an existing religious assembly facility;
   c. any existing private and public school;
   d. any existing arena or active recreational facility;
   e. any existing day care facility;
   f. any existing community hall;
   g. any existing park; or
   h. any other adult entertainment facility.
2. The Development Officer has no variance regarding this Subsection.

8.14.1 Pubs and Lounges

1. All required parking for a pub or lounge shall be on the same site as the facility.
2. There shall be exit doors leading from the facility directly to the provided parking lots.
3. All pubs and lounges shall keep all doors, windows and other openings in the exterior walls closed, except for doors during the entrance and exiting of patrons, to prevent noise to the surrounding properties.
4. Noise from a pub or lounge shall be controlled so it does not emit beyond the boundaries of the site.
5. The Development Officer may consider limiting the hours of operation, as a condition of the Development Permit, if the site is adjacent to or across a street or lane from residential uses. Consideration would be based on potential outdoor noise and annoyances from traffic and pedestrian uses.

PART 8 – SPECIFIC USE REGULATIONS

8.14.2 Nightclubs and Bars

1. All required parking for nightclubs and bars shall be on the same site as the facility.

2. There shall be exit doors leading from the facility directly to the provided parking lots.

3. All nightclubs and bars shall keep all doors, windows and other openings in the exterior walls closed, except for doors during the entrance and exiting of patrons, to prevent noise to the surrounding properties.

4. Noise from a nightclub or bar shall be controlled so it does not emit beyond the boundaries of the site.

5. The Development Officer may consider limiting the hours of operation, as a condition of the Development Permit, if the site is adjacent to or across a street or lane from residential uses. Consideration would be based on potential outdoor noise and annoyances from traffic and pedestrian uses.

8.15 Outdoor Restaurant Patio

1. *deleted as per Bylaw 2019-22*

2. If an outdoor restaurant patio is within 75.0 m of a property with a residential zoning classification, it shall be prohibited from use between the hours of 10:00 p.m. one day and 7:00 a.m. the next day.

3. Shall only be approved as an accessory use to an eating and drinking establishment for which a development permit and City of Wetaskiwin Business License have been issued. *added as per Bylaw 2019-22*

4. Shall comply with the Alberta Building code with respect to accessibility. *added as per Bylaw 2019-22*

5. Shall be located to minimize parking stall loss. *added as per Bylaw 2019-22*

6. Shall employ colours and materials that complement the adjacent business. *added as per Bylaw 2019-22*

7. Shall be maintained in a safe and orderly manner. *added as per Bylaw 2019-22*

8. Shall not extend in front of any building exit and shall ensure that emergency egress complies with all applicable regulations. *added as per Bylaw 2019-22*

9. Shall not affect vehicular/pedestrian traffic flow on public property and on private property. *added as per Bylaw 2019-22*

10. The Applicant is responsible for obtaining all relevant permissions (AGLC, AHS, property landowner, and other relevant regulatory bodies). *added as per Bylaw 2019-22*

8.16 Licensed Outdoor Patio *deleted as per Bylaw 2019-22*

8.17 Booth Market

1. A development permit is required for an outdoor booth market or for an indoor booth market on a property that classified anything other than urban service or shopping center commercial.

2. A permit application for a booth market shall:

   a. indicate the maximum number of vendors that will be taking part in the event;

   b. indicate the specific dates that the event will be operating;

   c. identify the parking that will be utilized for the vendors and for patrons;

   d. include a drawing showing the layout of the booths; and

   e. include separate applications for all signage within the City that will be promoting the event.

3. The organizing party for any booth market shall ensure that proper exiting is in place and that it is maintained to the satisfaction of the City of Wetaskiwin Fire Chief.

4. Outdoor booth markets shall provide a minimum of one garbage receptacle for every four booths.

5. No development permit is required for a sunshade structure at a booth market; however, they shall be set up to resist wind uplift.

6. Organizations that hold booth markets on a regular basis can obtain annual permits.

8.18 Tourist Campsite

1. A tourist campsite must have access to a provincial highway or an arterial roadway and the road access including turning lanes must meet the City of Wetaskiwin design standards.

2. Tourist campsites must not be placed within 150.0 m of properties classified as residential.

3. Fire pits within tourist campsites must meet the City of Wetaskiwin fire regulations.

4. Patrons within tourist campsites must not exceed the noise regulations within the nuisance bylaw.

5. Tourist campsites must have washroom and shower facilities located on-site.

6. All camping stalls within a tourist campsite must be equipped with electrical power connections.

7. Tourist campsites must be fenced on property boundaries where the site is adjacent to other uses.

8.19 Outdoor Amusement Establishment

1. An outdoor amusement establishment placed, as a secondary use to a commercial development on a parking lot shall not reduce the onsite parking by more than 10% of the required stalls for the commercial development.

2. An outdoor amusement establishment placed on a separate site shall have at least eight (8) on-site customer parking stalls.

3. An outdoor amusement establishment where potential noise is generated by the facility shall not be placed within 200.0 m of a residential property, measured from the actual perimeter of the outdoor amusement establishment to the property boundary of the residential property.

4. An outdoor amusement establishment shall be fenced with chain link fencing with all entrance through a controlled gate.

5. An outdoor amusement establishment must have on-site washroom facilities or have agreed access to public washrooms with the operator of an adjacent facility.

8.20 Carnival

1. A development permit must be applied for at least three (3) weeks prior to set up for the event.

2. The application must include:

   a. proof of Safety Codes certification,

   b. a general layout of the proposed site,

   c. an emergency vehicle access plan,

   d. the location for storage of equipment and vehicles,

   e. the hours of operation,

   f. a policing and security plan, and

   g. a litter control plan.

3. The Development Officer with consultation with the police, may require, that additional professional security be provided at the expense of the carnival operator.

4. The applicant may at the Development Officer's discretion be required to provide cash refundable security to ensure the site is left clean and tidy.

5. The carnival operator must arrange a meeting with the Fire Chief, RCMP, and ambulance personnel prior to public access to the site and review the emergency plans and gain the support of these officials.

6. The carnival operator must provide the names and immediate contact information of the top three (3) carnival personnel to the Fire Chief and RCMP prior to the commencement of the carnival.

7. The Development Officer can make conditions regarding the hours of operation of the carnival.

8.21 Greenhouse and Plant Nursery

1. Greenhouse buildings for public access must be designed by a professional engineer and be constructed and maintained in accordance with the design. A generic design will be accepted provided the design meets Canadian standard.

2. Applications to place a greenhouse building intended for public access shall include the building design drawings.

3. Greenhouse buildings intended for year round placement shall be firmly attached to a permeable surface and shall be able of surviving 120 km winds.

4. Greenhouse buildings placed in parking lots intended for commercial businesses shall not reduce the available parking spaces to a number less than the number of required parking stalls for the commercial use.

5. Greenhouse buildings less than 80.0 m^2 in floor area shall meet or exceed the minimum building setback requirements of accessory buildings and not exceed the height requirements of accessory buildings.

6. Greenhouse buildings 80.0 m^2 or greater in floor area shall meet or exceed the minimum building setback requirements of principal buildings and not exceed the maximum height requirements of the principal buildings.

7. All materials or goods stored outdoors shall be always kept in a neat and tidy order.

8. Storage of bulk landscaping materials shall be kept on pallets or in constructed bins.

9. Greenhouse buildings located on residential properties are deemed an accessory building.

8.22 General Industrial Uses

1. This use class shall only be used when the use class does not fit into any other classification defined in this Bylaw.

2. Applications for this use class shall include a detailed written description of the industrial activity intended for the site.

3. Applications for this use class shall clearly fit within the definition outlined in Part 2 of this Bylaw.

4. The applicant shall, at time of application, provide written verification of their intent and agree to comply with the Industrial Performance Standards outlined in the district regulations in Part 6 of this Bylaw.

5. Applications for this use class will require written approval for the proposed use from the City Fire Chief prior to the issuance of a development permit.

8.23 Higher Risk Industrial Uses

1. All fuel storage tank systems for bulk fuel facilities must be designed, installed, and operated in accordance with the Alberta Fire Code.

2. All fuel storage tank systems must have a permit to install from the Petroleum Tank Management Association of Alberta.

3. All fuel storage tank systems must not be located within 100.0 m of a residential property measured from the proposed tanks to the residential property line.

4. Prior to use of the fuel tank systems, the applicant shall submit a letter of installation compliance addressed to the City from the designing engineer.

5. Every facility at which the transfer of propane takes place shall have a risk and safety management plan. If the facility handles greater than 30,000 USWG, the risk and safety management plans must be approved by a professional engineer.

6. Bulk propane handling facilities with a vessel not greater than 5,000 USWG shall be located at least 320.0 m from a residential property and bulk propane handling facilities with a vessel not greater than 30,000 USWG shall be separated from residential properties by 640.0 m.

7. All other uses that are deemed a High Hazard Industrial Occupancy (F1) under the Alberta Building Code must be located at least 250.0 m from any property classified as residential and located south and or east from residential properties.

8.24 Automotive and Equipment Repair Shop

1. The design for an Automotive and Equipment Repair Shop, that includes the outdoor storage of tires, must be reviewed for compliance with the fire code and be approved in writing by the Fire Chief prior to development permit application.

2. The application for an Automotive and Equipment Repair Shop that includes the outdoor storage of tires must include a fire protection plan that has been approved by the Fire Chief.

3. An Automotive and Equipment Repair Shop that provides for the repair of motor vehicles shall have a minimum of 1.5 paved parking stalls for each service bay.

4. Any parking or storage of dismantled vehicles or equipment at a site approved as an Automotive and Equipment Repair Shop shall be within a fenced and screened compound.

5. Any fenced compound on a site approved for an Automotive and Equipment Repair Shop shall not be placed within 12.0 m of the front property line.

6. The storage of dismantled vehicles and equipment within a fenced compound shall not cover more than 450 m^2 or it shall be deemed an Auto Recycling and Salvage Yard.

7. The storage area of an Automotive and Equipment Repair Shop must be hard surfaced and be kept free of vegetation.

8. The placement of overhead doors within an Automotive and Equipment Repair Shop shall allow for onsite maneuvering of vehicles and queuing of vehicles that are entering and leaving the building.

8.25 Auto Recycling and Salvage Yard

1. The design for an Auto Recycling and Salvage Yard must be reviewed for compliance with the fire code and be approved in writing by the Fire Chief prior to development permit application.

2. The application must include a fire prevention plan that has been approved by the Fire Chief.

3. The site of an Auto Recycling and Salvage Yard must be fenced to a height of 2.4 m with commercial grade chain link materials including privacy slats.

4. The maximum storage height within the storage area shall be 3.0 m.

5. The fenced area of an Auto Recycling and Salvage Yard must be set back at least 12.0 m from the front property line.

6. The front 12.0 m of the property must include 40% of the area as soft landscaping.

7. At least five (5) on-site parking stalls shall be provided within the front yard for customers and staff.

8. An application for an Auto Recycling and Salvage Yard must be accompanied by a Storm Water Management Plan that meets the City of Wetaskiwin Design Standards and that has been approved in writing by the engineering department prior to the issuance of a development permit.

9. The storage area of an Auto Recycling and Salvage Yard must be hard surfaced and be kept free of vegetation.

10. An Auto Recycling and Salvage Yard shall be equipped with a private on-site fire hydrant that meets the City of Wetaskiwin Design Standards.

11. No storage of salvage or unlicensed vehicles shall be kept outside of the fenced area.

12. An Auto Recycling and Salvage Yard shall have a permanent building that is equipped with offices and washroom facilities.

8.26 Vehicle Oriented Uses

8.26.1 Application of Subsection

1. Developments in the following use classes shall comply with the special regulations of this Section:

    a. Drive-in Food Service;

    b. Service Station;

    c. Rapid Drive-through Vehicle Service

2. The Development Officer may also require that developments not included in the use classes listed in clause (1) above, such as drive-through automated teller machines or other similar uses, shall comply with the regulations of this Section if such developments provide drive-in service or service in which patrons remain within their vehicle.

8.26.2 Development Regulations

1. Sites shall be located:

   a. at the intersection of two (2) or more public roadways, but not including lanes, provided that a site may be located between intersections where there is a service road or a centre median; or

   b. as part of a shopping centre or in conjunction with other commercial development, if the Engineering Department is satisfied that the development shall not adversely affect the functioning of surrounding public roadways, or traffic circulation on the site.

2. The minimum frontage shall be 30.0 m.

3. Service Stations and Rapid Drive-through Vehicle Services shall have a minimum lot depth of 30.0 m.

4. Site area and coverage shall be provided as follows:

   a. the minimum site area for Drive-in Food Services, or developments defined in Subsection 8.26.1(2) shall be 930 m^2, and the maximum site coverage shall be 15%;

   b. the minimum site area for a Service Station as an independent development shall be 1200 m^2 and the maximum site coverage, including pump islands, shall not exceed 20%;

   c. where two (2) or more of the aforementioned uses are part of a mixed use development on the same site, the total site area requirements shall be the sum of the requirements of the uses computed separately, unless the applicant can demonstrate to the Development Officer that there is a complementary use of space which would warrant a reduction in site area requirement.

5. Queuing Space shall be provided as follows:

   a. for Drive-in Food Services and other developments having a drive-through service window, a minimum of eight (8) in-bound queuing spaces shall be provided for vehicles approaching the drive-through service window, and two (2) out-bound queuing spaces shall be provided on the exit side of each service position and this space shall be located so as not to interfere with service to the next vehicle;

b. for Rapid Drive-through Vehicle Services a minimum of four (4) in-bound and two (2) out-bound queuing spaces shall be provided for each service bay, except in the case of:

   i. a complete service car wash or a multi-bay single entrance self-service car wash the number of required queuing spaces shall be as follows:

      - a minimum of five (5) in-bound to a maximum of ten (10) queuing spaces for facilities with up to ten (10) bays, and a minimum of two (2) out-bound queuing space shall be provided;

      - a minimum of five (5) in-bound to a maximum of fifteen (15) queuing spaces for facilities with eleven (11) or more bays, and a minimum of two (2) out-bound queuing space shall be provided;

   ii. a multi-bay multi-entrance self-service car wash a minimum of two (2) in-bound and a minimum of one (1) out-bound queuing space shall be provided for each bay. The actual number of queuing spaces shall be determined to the satisfaction of the Development Officer.

c. for Rapid Drive-through Vehicle Services and Drive-in Food Services, access aisles and queuing spaces associated with these use classes shall be located no less than 3.0 m from any property line where the site containing these use classes abuts any site containing existing residential or residential-related uses, including situations where such sites are separated by a road or lane 10.0 m or less in width. The orientation of access aisles, queuing spaces and on-site vehicular circulation shall be designed to the satisfaction of the Development Officer, in consultation with the Engineering Department, having regard to the minimization of traffic circulation conflicts, and to other on-site and off-site impacts, particularly regarding existing off-site and adjacent residential or residential-related uses; and

d. all queuing spaces shall be a minimum of 6.5 m long and 3.0 m wide. Queuing lanes shall provide sufficient space for turning and maneuvering.

6. Service Stations shall adhere to the following additional regulations:

   a. all pump islands shall be located at least 6.0 m from any boundary of the site, parking area on the site, or laneways intended to control traffic circulation on the site; and

   b. any canopy over a gas pump island shall be no closer than 3.0 m to any boundary of the site, and shall be designed, finished, and of a height such

that the canopy is not obtrusive, and maintains consistency with the design and eave line of the principal building on-site. The canopy area shall not be included in the calculation of site coverage for the purpose of this Subsection; and

c. where these use classes are adjacent to sites zoned residential or separated from them by a lane or are directly visible to residential uses across a public roadway, the design, finishing, lighting, and siting of development, including the orientation of gas pump islands and service bays with the intent of achieving a compatible relationship with surrounding development and a high standard of appearance when viewed from adjacent roadways.

7. Rapid Drive-through Vehicle Services and Drive-in Food Services shall adhere to the following additional regulations:

a. the design, finishing and siting of such development shall achieve a compatible relationship with surrounding development and a high standard of appearance when viewed from adjacent roadways; and

b. these use classes shall be located not less than 15.0 m from any property line where the site containing these use classes abuts any site zoned residential or any site containing residential or residential-related uses, including situations where such sites are separated by a road or lane 10.0 m or less in width. This 15.0 m minimum setback distance may be reduced at the discretion of the Development Officer, if the Development Officer is satisfied that impacts on the residential or residential-related uses shall be minimal due to structural and design measures incorporated into the proposed development;

c. where these use classes and associated access aisles and queuing spaces are located within 30.0 m of a property line where the site containing these use classes abuts any site zoned residential or any site containing existing residential or residential-related uses, including situations where such sites are separated by a road or lane 10.0 m or less in width, the following fencing and landscaping requirements shall apply:

i. solid, screen fencing constructed of wood or suitable wood-like synthetic substitute, 1.83 m in height; and

ii. required fencing shall be augmented with tree and shrub planting designed to soften the visual effect of the required fencing and shall be provided in accordance with the standards identified in Part 7.

8. Drive-in Food Services and other developments having a drive-through service window shall adhere to the following additional regulations:

    a. the location, orientation and setback of drive-through service windows shall be to the satisfaction of the Development Officer in consultation with the Transportation and Streets Department, having regard to the minimization of on-site and off-site traffic impacts.

8.27.1 Temporary Storage Yard

1. A temporary storage yard shall only be used as an interim use for a period not exceeding one (1) year under any development permit. A permit may be renewed annually at the discretion of the Development Officer.

2. No alteration to the grade of the site shall take place without a development permit to excavate.

3. Prior to constructing a fence to enclose a temporary storage yard, the owner shall provide the necessary surveying information to the City Engineering department to indicate that the grades at the fenced property lines are at or near proper elevations to control storm water within the vicinity of the site.

4. Intermodal containers and portable tent structures may be allowed to be stored in a temporary storage yard under a separate permit.

5. Storage on the site must be kept safe and orderly to allow access throughout the site and must not be for the storage of salvage or in operable vehicles.

6. Vegetation must be controlled in a temporary storage yard to a growth height of less than 100.0 mm and the site must be kept free of noxious weeds.

7. Access to the site must have appropriate curb cuts as approved by the City's Engineering department.

8.27.2 Temporary Building

1. An application for a temporary building shall be accompanied by the following:

    a. information required under Section 4.2;

    b. the development permit fee as prescribed pursuant to in Section 3.11 which will include an annual fee;

c. $1000 deposit fee to ensure removal of the temporary building by the development permit expiry date; and

d. information regarding the exterior appearance of the building.

2. A temporary building shall meet all yard setback requirements and building separation requirements required in the district zoning classification regulations.

3. The maximum period a Development Officer may issue a development permit for is one (1) year from date of development permit approval. The Development Officer may, at their discretion, issue one (1) extension of up to one (1) additional year.

4. Failure to remove the temporary building on, or before the expiry date, will result in:

a. penalties;

b. per day fines pursuant to Section 10; and

c. use of the deposit fee to have the building and contents removed from the site.

8.27.3 Tent Structure

1. An application for a tent structure, as defined, shall be accompanied by the following:

a. information required under Section 4.2;

b. the development permit fee as prescribed pursuant to in Section 3.11;

c. documentation to verify that the tent structure will support local snow loads; and

d. information regarding the exterior appearance of the building for consideration by the Development Officer.

2. A tent structure shall meet all yard setback requirements and building separation requirements required in the district zoning classification regulations.

3. A permit holder intending to use a tent structure for the public assembly of persons shall arrange for inspection and gain written approval from the Fire

Department to ensure the fire safety and the public meets egress requirements of the appropriate codes prior to access.

4. Tent structures shall be no closer to the front property line than the leading edge of the principal dwelling.

5. Tent structures shall meet all regulations as outlined for a detached garage.

6. Tent structures placed on properties with commercial, industrial, or urban service zoning classifications intended for longer term use shall be kept in a neat and tidy appearance without wind damage or tears.

7. Uses within tent structures on properties that are within the vicinity of residential uses, as determined by the Development Officer, are limited to storage uses only and not industrial activities.

8.27.4 Intermodal Container Storage *amended as per Bylaw1922-19*

1. Intermodal Containers located in the C2 – General Commercial, C3 – Highway Commercial, C5 – Shopping Centre Commercial and UR – Urban Reserve districts must meet the following requirements:

    a. Must be in the rear yard of the parcel.

    b. Must be a minimum of 2.0 m from the principal building.

    c. Must be a minimum of 1.0 m from the rear lot line.

    d. Must not be stacked on one another or any other structure.

    e. Must only be placed on parcels that have a principal building already developed on it.

2. Intermodal Containers are limited to a maximum of one (1) intermodal container per hectare in the following districts:

    a. C2 – General Commercial

    b. C3 – Highway Commercial

    c. C5 – Shopping Centre Commercial

    d. UR – Urban Reserve.

3. All Intermodal Containers located in the C2 – General Commercial, C3 – Highway Commercial, C5 – Shopping Centre Commercial and UR – Urban Reserve districts must meet the following criteria:

   a. must be fully painted the same colour as the principal building;

   b. must be free of graffiti; and

   c. must be screened by either solid fencing at a height of 1.8 m or coniferous trees at a minimum height of 1.8 m when planted.

4. All pre-existing intermodal containers located in the C2 – General Commercial, C3 – Highway Commercial, C5 – Shopping Centre Commercial and UR – Urban Reserve districts have one year from the date of the bylaw approval to become compliant with these specific use regulations

5. Permit fees for Intermodal Containers are annual and due by January 1 of each calendar year upon the placement of an intermodal container.

8.28 Stockpile Site

1. Other than a site approved for development work related to an approved subdivision, approved building project, or for municipal work, no person or party shall create a stockpile of materials without first obtaining a development permit to do so.

2. An application to place a stockpile on a site shall be accompanied by a letter signed by the property owner, stating the guaranteed date of removal of the stockpile and the name of the party responsible to remove the stockpile.

3. Any stockpile shall be kept in a safe and manageable manner and not be deemed a nuisance or unsafe property under the nuisance bylaw.

4. Any stockpile shall be kept free of noxious weeds.

5. No person shall create a stockpile of materials that have been relocated from a site where the soils may have been contaminated with environmentally sensitive materials.

6. No person shall create a stockpile within 200.0 m of an existing residential property without the site being fully fenced to discourage the access of persons and having signs placed to advise of the dangers.

7. The development officer may require the applicant to provide financial security to ensure that the stockpile is removed from the site within agreed timelines.

8.29 Auctioneering Establishment

1. Auctioneering establishments with outdoor auction activity shall be placed at least 300.0 m from any property classified as residential use.

2. Indoor auctioneering establishments shall have on-site parking provided at a ratio of one (1) stall per two (2) patrons based on building code occupancy load calculations.

3. Outdoor auctioneering establishments shall 25% of the site dedicated for patron parking.

8.30 Mini Storage Facility *amended as per Bylaw 2040-23*

1. Mini Storage Facilities in Industrial zones shall be entirely fenced. Mini Storage Facilities in Commercial zones shall fence any outdoor rental spaces.

2. Access Gates to enter the Mini Storage Facilities site shall be set back from the front property line by at least 7.0 m and shall not swing outward.

3. Outdoor rental spaces at Mini Storage Facilities in Commercial districts shall be set back equal to or greater than the setback of the primary building.

4. Mini Storage Facilities located in Commercial districts shall be of a higher exterior architectural standard suitable to a commercial area.

5. Building spacing and layout shall meet the requirements of the Alberta Building Code

8.31 Security Suite

1. Security suites shall not exceed 80 m^2 in floor area.

2. Security suites must be designed and constructed to meet all building code requirements.

3. The occupier of a security suite must be accepting of all surrounding and commercial and industrial uses and associated noise and traffic.

8.32 Medical Marijuana Production Facilities *added as per Bylaw 1855-15*

1. All Medical Marijuana Production Facilities must be located outside of a 76.0 m radius from the property line to any of the following:

a. the nearest residential district;

b. any existing religious assembly;

c. any existing private and public schools;

d. any existing day care facility;

e. any existing community hall; or

f. any existing park

2. Medical Marihuana Production Facilities shall:

a. be contained in a fully enclosed stand-alone building;

b. must not have any outdoor area for storage of goods, materials, and supplies;

c. must have all loading stalls and docks inside the building;

d. must include equipment designed and intended to remove odors from the air where it is discharged from the building as part of the ventilation system.

8.33 Cannabis Retail added as per Bylaw 1914-18

1. A Cannabis Retail development shall be outside of the specific radius for the following:

a. 100 m from parks

b. 100 m for playgrounds

c. 100 m from schools

d. 100 m from child care

e. 100 m from libraries

f. 100 m from hospitals

g. 50 m from liquor stores

h. 50 m from other Cannabis Retail uses

2. For any sites over 10 acres in size the setback distance identified in 8.33.1 (excluding provincial requirements) shall be calculated from the exterior of the retail space, not the parcel boundary.

3. If a development permit application is made for a park, playground, school, child care, or library after the approval of a Cannabis Retail use and it is within the specified buffer distance from the Cannabis Retail; the park, playground, school, child care, or library shall not be bound by the required buffer distances from the Cannabis Retail use.

4. The number of Cannabis Retail permits approved will be limited to 3 at any one time. The applications to be considered will be chosen by a random selection process as follows:

    a. Random selection process applications will be accepted up to a date established by City Council.

    b. Applicants will need to meet the criteria established at the time of the random selection process.

    c. All valid applications will be entered into a random selection draw that will be conducted by an independent third party.

    d. The order in which the applications are selected will be posted and applicants will be notified of their ranking and a time to meet with the Development Authority to accept their development permit application.

    e. The application will then be reviewed within the time established in Section 4.5.

    f. If less than 3 Cannabis Retail uses exist, the selection process of applications will be a Bylaw 1914-18 page 5 of 6 continuation of the previous random selection process unless otherwise directed by Council.

5. All functions of the use shall be fully enclosed in the building.

6. No outdoor storage shall be allowed on site.

7. All garbage containers, waste material, and loading facilities shall be fully enclosed within the building.

8. The use shall not emit any odor or other substance which is harmful or injurious to health or physical well-being.

9. Products in the store must not be visible from outside the premise.

10. Drive-through windows are prohibited.

11. The building containing the Cannabis Retail use must be protected by a professionally installed and supervised alarm system.

12. The building containing the Cannabis Retail use must be secure from all sides including the roof.

13. Must comply with all applicable municipal, provincial, and federal legislation.

8.34 Sidewalk Patios *added as per Bylaw 2019-22*

1. Shall only be installed as an accessory to an eating and drinking establishment for which a development permit and business license have been issued.

2. Shall only occupy the area abutting the frontage of the lot on which the business resides, and shall not occupy the space abutting the frontage of any other property.

3. Shall not extend in front of any building exit and shall ensure that emergency egress complies with all applicable regulations.

4. Shall allow a clear path of pedestrian travel of minimum 2.0m (6'6") on the public sidewalk.

5. Shall not impeded sight lines at an intersection, cause any operational or safety problem on a public road right of way.

6. Shall be kept in neat and tidy order and shall be kept such that the items do not pose a safety hazard to the public.

7. Shall be monitored at all times by the owner of the business.

8. Shall only be erected while the business is open, and shall be entirely removed from public land and stored either indoors or offsite when the business is closed.

9. The Applicant is responsible for obtaining all relevant permissions (AGLC, AHS, property owner, and other relevant regulatory bodies) before opening a sidewalk patio, and shall be prepared to show proof of permission if requested by the City's Development Authority or Bylaw Enforcement Officer.

8.35 Manufacturer's Taproom *added as per Bylaw 2075-24*

1. All required parking for Manufacturer's Taproom shall be on the same site as the facility.

2. There shall be exit doors leading from the facility directly to the provided parking lots.

3. Between 10:00 p.m. one day and 7:00 a.m. the next day, all Manufacturer's Taprooms shall keep all doors, windows, and other openings in the exterior

walls that are located within 75.0 m of a property with a residential zoning classification closed, except for doors during the entrance and exiting of patrons, to prevent noise to the surrounding properties.

4. Noise from Manufacturer's Taproom shall be controlled so it does not emit beyond the boundaries of the site.

5. The Development Officer may consider limiting the hours of operation, as a condition of the Development Permit, if the site is adjacent to or across a street or lane from residential uses. Consideration would be based on potential outdoor noise and annoyances from traffic and pedestrian uses.

8.36 Solar Collectors *added as per Bylaw 2095-25*

1. An application for a Solar Collector will be reviewed by the Development Authority to ensure the proposal will not negatively impact the surrounding area. The Development Authority will have specific regard for visual impacts on neighbouring properties and public roadways.

2. The Development Authority may request technical drawings or studies to assess impacts as set out in subsection 1.

3. No above ground portion of a solar collector may be located in a front yard or a minimum required side yard as specified for the district.

8.**37 Small Animal Kennel** *added as per Bylaw 2098-25*

1. Any outdoor areas that may contain animals must be fenced and screened to ensure security of the animals and the aesthetic character of the property.

2. All facilities shall be kept in a manner satisfactory to the applicable health authority and in accordance with the Animal Protection Act.

3. No Small Animal Kennel shall generate significant noise or odour beyond the site that may impact the use and enjoyment of the neighbouring properties.

4. If an outdoor enclosure is located within 75.0 m of a property with residential zoning classification, animals shall not be kept outdoors between the hours of 9:00 p.m. one day and 7:00 a.m. the next day.

5. The Development Officer may require specific screening, buffers, landscaping and other measures to mitigate potential negative impacts on neighbouring properties.

6. In addition to the applicable development permit requirements under section 4.2 and 4.3, an application for a Development Permit for a Small Animal Kennel shall include

PART 8 – SPECIFIC USE REGULATIONS

a. The type of facility,

b. The maximum number of animals kept on site at any one time,

c. How noise will be mitigated, and

d. Days and hours of operation.

PART 9 – LAND SUBDIVISION CONSIDERATIONS

9.1 Purpose

1. The purpose of this Part is to provide regulations, reference of documents and other regulations to persons considering applying for subdivision of land and the development of such land into serviced lots of the items they must consider before application. This does not cover all items however does provide a basic understanding of the planning considerations.

9.2 Minimum Parcel Sizes

1. Except as specified in 9.2.2 or 9.2.3, the minimum size of any lot that is proposed in a subdivision of land shall meet the minimum lot sizes and areas for the proposed zoning as specified in Schedule 9A.

2. Where an Area Structure Plan has been approved prior to the effective date of this Bylaw and the minimum parcel sizes meet the requirements of this Bylaw, the Subdivision Authority may approve the subdivision without considering Schedule 9A. *replaced by Bylaw 1997-21*

3. In situations where existing parcels cannot be logically subdivided, an application can be made to City Council for a variance to the minimum parcel sizes. The decision is at the sole discretion of City Council.

9.3 Engineering Design Standards

1. All infrastructure and municipal improvements related to subdivision of land within the City shall be designed and constructed in accordance with the “City of Wetaskiwin Design Guidelines and Construction Standards for Developments”.

2. The “City of Wetaskiwin Design Guidelines and Construction Standards for Developments” outline practices acceptable to the City, amended from time to time, and approved by resolution of City Council.

3. Any discretion in the interpretation of the “City of Wetaskiwin Design Guidelines and Construction Standards for Developments”, lies solely with the City Manager or designate.

9.4 Provincial Regulation

1. Applications for subdivision must consider the Alberta Land Uses Policies.

2. When considering a subdivision application, it is highly recommended that a person be familiar with or have parties engaged, that understand the requirements of the following legislation:

   a. the *Municipal Government Act*, Part 17;

   b. The Subdivision and Development Regulation;

   c. The *Land Titles Act*; and

   d. The *Environmental Protection and Enhancement Act*.

3. The subdivision applicant will be required to prove that the land is suitable for the proposed subdivision and uses.

9.5 Intermunicipal Development Plan

1. The City is in an agreement, approved by bylaw, with the County regarding land uses adjacent to the municipal boundaries. Refer to the approved bylaw when considering development in proximity to the municipal boundary.

2. Land that is planned in conjunction with lands beyond the City boundaries must gain the approval of both municipalities.

9.6 Municipal Development Plan

1. Persons considering subdivision of lands should refer to the Municipal Development Plan, which is a separate bylaw of the City of Wetaskiwin, as it may affect the land and consideration for approval of the subdivision.

9.7 Area Structure Plans

1. The Municipal Development Plan identifies many items including which areas that must have Area Structure Plans in place prior to subdivisions.

2. Area Structure Plans are approved neighbourhood plans and exist in several areas of the City.

3. Persons considering subdivision of lands should refer to the any Area Structure Plan, which is a separate bylaw of the City of Wetaskiwin, as it may affect the land and consideration for approval of the subdivision.

PART 9 – LAND SUBDIVISION CONSIDERATIONS

9.8 Area Redevelopment Plans

1. Established areas of the City may have an approved plan in place for the redevelopment of a neighbourhood, called an Area Redevelopment Plan.

2. Persons considering consolidation or subdivision of lots in established areas should refer to any Area Redevelopment Plans.

9.9 Documents Registered on the Land Title

1. When considering subdivision of land, a person must be prepared to meet all obligations of the documents registered on the Land Title. It is recommended that the applicant be fully aware of these obligations.

9.10 Servicing Availability and Servicing Master Plans

1. Persons considering subdivision must be aware that utility servicing may or may not be available to properties and should consult with the appropriate utility provider prior to making application for subdivision of land to understand the consequence and associated costs.

2. Where land is available for multi lot subdivisions, persons considering application should consult with appropriate planning professionals or civil engineers.

9.11 Costs Associated with Subdivision

1. In general terms all costs associated with the subdivision of lands are the costs of the Developer.

2. Once the land has been subdivided and has had the municipal improvements installed to the satisfaction of the City and survived the prescribed maintenance period, the City will accept the responsibility for maintenance.

3. The Developer will be required to enter into a development agreement with the City regarding, among other things, the costs associated with the subdivision of land.

PART 9 – LAND SUBDIVISION CONSIDERATIONS

Schedule 9A – Minimum Parcel Sizes for Subdivision of Land

Residential Zoning Classification	Min. Lot Width	Min. Lot Depth	Min. Lot Area	Min. Building Pocket (width x depth)
R1-Single Dwelling Building				
Rectangular lot, internal lot, with lane access	15.0 m	33.5 m	525.0 m^2	
Rectangular lot, internal lot, no lane access	16.5 m	33.5 m	550.0 m^2	
Corner Lot, with or without lane	17.0 m	33.5 m	560.0 m^2	
Irregular shaped lot with lane access	13.5 m	33.5 m	600.0 m^2	12.0 m x 13.0 m
Irregular shaped lot without lane access	15.0 m	35.0 m	600.0 m^2	12.0 m x 13.0 m
R1A – Small Lot Single Dwelling Residential				
Rectangular lot, internal lot	12.2 m	35.0 m	430 m^2	
Corner Lot	14.5 m	35.0 m	510 m^2	
Irregular shaped lot	11.0 m	33.5 m	500 m^2	9.2 m x 14.0 m
R1N - Narrow Lot Single Family Residential				
Rectangular lot, internal lot	10.9 m	36.6 m	400 m^2	
Corner Lot	12.4 m	36.6 m	460 m^2	
Irregular shaped lot	10.0 m	35.0 m	450 m^2	7.9 mx 11.0 m
R1R – Country Residential				
Rectangular lot	23.0 m	60.0 m	2000 m^2	
Irregular shaped lot	23.0 m	50.0 m	2000 m^2	17.0 m x 15.0 m
RE – Residential Estate				
Rectangular lot	20.0 m	60.0 m	1200 m^2	
Irregular shaped lot	19.0 m	50.0 m	1200 m^2	15.0 m x 15.0 m
RMX – Residential Mixed Use				
Rectangular lot	23.0 m	60.0 m	2000 m^2	
Irregular shaped lot			2000 m^2	17.0 mx 15.0 m
RMH - Manufactured Home Park				
Manufactured Home Community	110.0 m		20000 m^2	
R2 – Low Density Residential				
Semi-Detached housing lot, no lane access	9.0 m	36.6 m	330 m^2	
Semi-Detached housing lot, with lane access	7.5 m	36.6 m	275 m^2	
Semi-Detached housing, corner lot	9.0 m	36.6 m	330 m^2	
Single Dwelling Unit, with lane access	14.0 m	36.6 m	513 m^2	
Single Dwelling Unit, no lane access or corner lot	15.5 m	36.6 m	570 m^2	
Duplex housing lot, with lane access	15.0 m	36.6 m	549 m^2	
Duplex housing lot, no lane access	18.0 m	36.6 m	659 m^2	
Duplex housing lot, corner lot	16.5 m	36.6 m	605 m^2	
Duplex housing lot, irregular shaped lot	15.0 m	34.0 m	610 m^2	12.0 m x 16.0 m
R3 – Medium Density Residential				
Townhome lot, lane access, internal unit	5.0 m	36.6 m	183 m^2	
Townhome lot, lane access, end unit	7.0 m	36.6 m	256 m^2	

PART 9 – LAND SUBDIVISION CONSIDERATIONS

Residential Zoning Classification (continued)	Min. Lot Width	Min. Lot Depth	Min. Lot Area	Min. Building Pocket (width x depth)
Townhome lot, lane access, corner lot	8.0 m	36.6 m	263 m^2	
Semi-Detached housing lot, no lane access	9.0 m	36.6 m	330 m^2	
Semi-Detached housing lot, with lane access	7.5 m	36.6 m	275 m^2	
Semi-Detached housing lot, irregular shaped lot	7.5 m	34.0 m	290 m^2	6.0 m x 15.0 m
Duplex housing lot, with lane access	15.0 m	36.6 m	549 m^2	
Duplex housing lot, no lane access	18.0 m	36.6 m	659 m^2	
Duplex housing lot, corner lot	16.5 m	36.6 m	605 m^2	
Duplex housing lot, irregular shaped lot	15.0 m	34.0 m	610 m^2	12.0 m x 16.0 m
Triplex \ Fourplex, lane access required, internal lot	18.0 m	36.6 m	659 m^2	
Triplex \ Fourplex, corner lot	20.0 m	36.6 m	732 m^2	
Triplex \ Fourplex, irregular lot, lane access required	18.0 m	35.0 m	732 m^2	12.0 m x 20.0 m
Apartment Buildings	23.0 m	36.6 m	842 m^2	
Single Dwelling Unit, with lane access	12.0 m	36.6 m	440 m^2	
Single Dwelling Unit, no lane access or corner lot	14.0 m	36.6 m	513 m^2	
R4 – High Density Residential				
Townhome lot, lane access, internal unit	5.0 m	36.6 m	183 m^2	
Townhome lot, lane access, end unit	7.0 m	36.6 m	256 m^2	
Townhome lot, lane access, corner lot	8.0 m	36.6 m	263 m^2	
Semi-Detached housing lot, no lane access	9.0 m	36.6 m	330 m^2	
Semi-Detached housing lot, with lane access	7.5 m	36.6 m	275 m^2	
Semi-Detached housing lot, irregular shaped lot	7.5 m	34.0 m	290 m^2	6.0 m x 15.0 m
Duplex housing lot, with lane access	15.0 m	36.6 m	549 m^2	
Duplex housing lot, no lane access	18.0 m	36.6 m	659 m^2	
Duplex housing lot, corner lot	16.5 m	36.6 m	605 m^2	
Duplex housing lot, irregular shaped lot	15.0 m	34.0 m	610 m^2	12.0 m x 16.0 m
Triplex \ Fourplex, lane access required, internal lot	18.0 m	36.6 m	659 m^2	
Triplex \ Fourplex, corner lot	20.0 m	36.6 m	732 m^2	
Triplex \ Fourplex, irregular lot, lane access required	24.0 m	35.0 m	732 m^2	12.0 m x 20.0 m
Apartment Buildings	24.0 m	36.6 m	842 m^2	
R5 – Condominium Residential				
Multi-Unit Development Site			12500 m^2	
Bareland Condominium Building Site	12.0 m		230 m^2	
Commercial Zoning Classification	**Min. Lot Width**	**Min. Lot Depth**	**Min. Lot Area**	**Min. Building Pocket (width x depth)**
C1 – Downtown Commercial				
Internal Lot	12.0 m	36.6 m	549 m^2	
C2 – General Commercial				
Internal Lot, with Lane Access	15.0 m		549 m^2	

PART 9 – LAND SUBDIVISION CONSIDERATIONS

Internal Lot, without Lane Access	24.0 m		864 m^2	
Commercial Zoning Classification (continued)	**Min. Lot Width**	**Min. Lot Depth**	**Min. Lot Area**	**Min. Building Pocket (width x depth)**
Corner Lot	24.0 m		864 m^2	
C3 – Highway Commercial				
Internal Lot	25.0 m		750 m^2	
Corner Lot	30.0 m		900 m^2	
C4 – Neighbourhood Commercial				
Corner Lot	30.0 m		750 m^2	
C5- Shopping Center Commercial				
Development Area			40000 m^2	
Individual lots within the Development area	50.0 m	50.0 m	4000 m^2	
Industrial Zoning Classification	**Min. Lot Width**	**Min. Lot Depth**	**Min. Lot Area**	**Min. Building Pocket (width x depth)**
M1 – Light Industrial				
Internal Lot	20.0 m		800 m^2	
Corner Lot	24.0 m		960 m^2	
M2 – Heavy Industrial				
Internal or Corner Lot	30.0 m		1000 m^2	
M3 – Airport Industrial				
Internal Lots	20.0 m	35.0 m	700 m^2	
Corner Lots	25.0 m	35.0 m	875 m^2	
Urban Zoning Classification	**Min. Lot Width**	**Min. Lot Depth**	**Min. Lot Area**	**Min. Building Pocket (width x depth)**
US – Urban Service				
At the discretion of the Subdivision Authority	At the discretion of the Subdivision Authority			
UR – Urban Reserve				
Without Area Structure Plan in place	8000.0 m	8000.0 m	300000 m^2	
With Area Structure Plan in place	At the discretion of the Subdivision Authority			
Direct Control Zoning Classification	**Min. Lot Width**	**Min. Lot Depth**	**Min. Lot Area**	**Min. Building Pocket (width x depth)**
DC- Direct Control	At the discretion of the Subdivision Authority with consideration of Statutory Plans			
DCEM – Direct Control Environmental Management	At the discretion of the Subdivision Authority with consideration of Statutory Plans			

PART 10 – CONTRAVENTIONS, VIOLATIONS, AND PENALTIES

10.1 General

1. The enforcement powers granted to the Development Officer under this Bylaw are in addition to any enforcement powers the City or any of its officers may have under the *Municipal Government Act* or any other applicable legislation. The Development Officer may exercise all such powers concurrently.

2. The Council of the City shall from time to time, considering social and economic factors including the resources available to it and the various demands made upon those resources by the residents of the City, allocate resources to the Development Manager of the Development Services Department, who shall then determine the extent of enforcement made under this Bylaw to optimize use of those resources.

10.2 Violation Notices

1. If a Development Officer or Enforcement Official finds a violation of this Bylaw, the City shall notify either the owner of the land, the building or the structure, the person in possession of the land, building or structure, the person responsible for the violation or any or all of them, of the contravention of this Bylaw, by:

    a. issuing them an order under Subsection 10.4; and or

    b. delivering a violation notice delivered either in person or by ordinary mail:

        i. to the owner of the land, building or structure at the address listed on the tax roll for the land in question; or

        ii. to the owner of the sign, at a location where the owner carries on business; or

        iii. in the case of non-fixed signs, verbal notification to the sign owner; or

        iv. by delivering a violation notice in person to the sign owner or by ordinary mail or by facsimile to an address where the sign owner carries on business.

    c. such notice shall state the following:

        i. nature of the violation of this Bylaw;

        ii. corrective measures required to comply with this Bylaw; and

        iii. time within which such corrective measures must be performed.

PART 10 – CONTRAVENTIONS, VIOLATIONS, AND PENALTIES

10.3 Offences

1. Any owner, lessee, tenant or occupant of land, building, structure, or sign thereon, who, with respect to such land, building, or structure

   a. contravenes this Bylaw; or,

   b. causes, allows, or permits a contravention of any provision of this Bylaw;

   commits an offence.

2. It is an offence for any person;

   a. to construct a building or structure;

   b. to make an addition or alteration thereto; or

   c. to place a sign;

   d. to place a fence; or

   e. to commence excavation on a site;

   for which a development permit is required but has not been issued or is not valid under this Bylaw.

3. If the corrective measures described in a violation notice issued pursuant to Subsection 10.2 are not completed within the time specified by the violation notice, the person to whom the violation notice was issued is guilty of an offence and will be issued a violation ticket and shall pay the penalty amount specified in Schedule 10A to the City.

4. It is an offence to display a non-fixed sign or fixed sign without a valid development permit.

5. It is an offence to have a sign in an abandoned state on a site.

6. It is an offence to use any property or building without a valid development permit where the use is listed as a permitted or discretionary use in the zoning classification regulations.

7. It is an offence to use any property or building without a valid development permit where the use is not listed as a permitted or discretionary use in the zoning classification regulations unless the use is deemed to be legal non-conforming.

PART 10 – CONTRAVENTIONS, VIOLATIONS, AND PENALTIES

8. It is an offence to continue with a use or a development after a development permit has been revoked.

9. It is an offence to continue with a use or a development after a development permit has expired.

10. It is an offence to have a non-fixed sign that does not conform to sign regulations.

11. If a person does not comply with an order issued pursuant to this Bylaw or obstructs or hinders any person in exercise of the person's powers granted to them under this Bylaw, such person is guilty of an offence and subject to penalties as prescribed by the Court.

10.4 Orders

1. If a Development Officer finds that a development, or land use or use of a building is not in accordance with:

   a. the *Act* or regulations under the *Act*;

   b. a development permit or a condition thereof;

   c. a subdivision approval or condition thereof;

   d. an agreement pursuant to a development permit or a subdivision approval;

   e. this Land Use Bylaw, or

   f. a violation ticket issued under this Part

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

   a. stop the development or use of the land or building in whole or in part as directed by the notice,

   b. demolish, remove, or replace the development, or

   c. carry out other actions required by the notice so that the development or use of the land or building complies with the *Act*, regulations under Part 17 of the *Act*, this Land Use Bylaw, a development permit, or subdivision approval within the time specified by the notice.

PART 10 – CONTRAVENTIONS, VIOLATIONS, AND PENALTIES

10.5 Enforcement of Orders

1. If a person fails or refuses to comply with:

   a. an order directed to the person under Section 645 of the *Act*,

   b. an order of the Subdivision and Development Appeal Board under Section 687 of the *Act*,

   the City may, in accordance with Section 542 of the *Act*, enter onto the land or building and take any necessary action to carry out an order.

2. The city may register a caveat under the *Land Titles Act* with respect to the order, where a person fails or refuses to comply with the order, against the certificate of title for the land that is subject of the order.

3. Where the Council or a person acting under the authority of this Bylaw carries out an order under Section 646 of the *Act*, the expense and costs occurred in carrying out the order will be added to the tax roll of the parcel of land and deemed to be a tax from the date it was added to the tax roll and form a special lien against the parcel of land in favour of the City.

4. If a person does not comply with an order issued pursuant to this Bylaw or obstructs or hinders any person in exercise of the person's powers granted to them under this Bylaw, such person is guilty of an offence and subject to penalties as prescribed by the Court.

10.6 Penalties

1. A person who is found guilty of non-compliance with an order is liable to a fine of not more than $10,000, or to imprisonment for not more than one year, or to both fine and imprisonment.

2. Penalties imposed on a conviction of non-compliance with an order under this Bylaw are an amount owing to the City.

10.7 Court Order to Comply

1. If a person is found guilty of a non-compliance with an order, the court may, in addition to any other penalty imposed, order the person to comply with:

   a. this Land Use Bylaw;

   b. an order issued pursuant to this Bylaw;

c. a development permit or a condition of a development permit;

d. a subdivision approval or a condition of subdivision approval;

e. an agreement pursuant to a development permit or a subdivision approval;

f. a decision of the Subdivision and Development Appeal Board; or

g. a decision of the Municipal Government Board respecting a subdivision.

10.8 Cancellation of Permit

1. The Development Officer may revoke a development permit where any person undertakes or causes or permits any development on a site contrary to the development permit.

2. The Development Officer shall notify the development permit holder and the owner of the land, building, structure, or sign (if not the same) of the cancellation of the development permit. The revocation is effective upon receipt of the notice by the development permit holder.

3. Any person who undertakes, causes, or allows any development after a development permit has been revoked, shall discontinue such development forthwith and shall not resume such development unless a new development permit has been issued.

4. All developments continuing after the development permit has been revoked shall be deemed to be developments occurring without a development permit under this Section.

5. The Development Officer may cancel a development permit where required fees have not been received.

PART 10 – CONTRAVENTIONS, VIOLATIONS, AND PENALTIES

Schedule 10A – Fines for Offences

1. The following table indicates the fines for offences outlined in Subsection 10.3

10.3(2)	**Failing to obtain a development permit prior to development**	
	First Offence	$250.00
	Second Offence	$500.00
	Third and Subsequent Offences	$1000.00
10.3(2)(a)	**Commencing with construction of a building or structure without a valid development permit**	
	First Offence	$250.00
	Second Offence	$500.00
	Third and Subsequent Offences	$1000.00
10.3(2)(c)	**Placement of a sign without a valid development permit**	
	First Offence	$250.00
	Second Offence	$500.00
	Third and Subsequent Offences	$1000.00
10.3(3)	**Failure to comply with violation notice**	
	First Offence	$500.00
	Second Offence	$1000.00
	Third and Subsequent Offences	$2000.00
10.3(3)(e)	**Failing to obtain a development permit prior to commencing excavation**	
	First Offence	$500.00
	Second Offence	$1000.00
	Third and Subsequent Offences	$2000.00
10.3(4)	**Displaying a sign without a valid development permit**	
	First Offence	$100.00
	Second Offence	$200.00
	Third and Subsequent Offences	$400.00
10.3(5)	**Having an abandoned sign on a property**	
	First Offence	$100.00
	Second Offence	$200.00
	Third and Subsequent Offences	$400.00
10.3(6)	**Failing to obtain a development permit prior to commencing with a permitted or discretionary use of a property or building**	
	First Offence	$250.00
	Second Offence	$500.00
	Third and Subsequent Offences	$1000.00

PART 10 – CONTRAVENTIONS, VIOLATIONS, AND PENALTIES

10.3(7)	**Using a building or a property for a use that is not a permitted or discretionary use**	
	First Offence	$500.00
	Second Offence	$1000.00
	Third and Subsequent Offences	$2000.00
10.3(8)	**Continuing with a use or development after revocation of the development permit**	
	First Offence	$500.00
	Second Offence	$1000.00
	Third and Subsequent Offences	$2000.00
10.3(9)	**Continuing with a use or development with an expired development permit**	
	First Offence	$250.00
	Second Offence	$500.00
	Third and Subsequent Offences	$1000.00
10.3(10)	**Non-compliance of a non-fixed sign with any prescribed regulations**	
	First Offence	$100.00
	Second Offence	$200.00

PART 11 – CLASSIFICATION OF LAND INTO LAND USE DISTRICTS

11.1 The Land Use District Map

1. The Land Use District Map, Part 11, Schedule A, divides the City into land use classifications and specifies the land use classifications applying to lands. The map is for demonstrative purpose only.

11.2 Land Use District Boundaries

1. Should uncertainty or dispute arise relative to the precise location of any Land Use Classification boundary, as depicted on the Land Use District Map, the location shall be determined by applying the following rules:

    a. where a Land Use Classification boundary is shown as approximately following the centre of streets, lanes, or other public thoroughfares, it shall be deemed to follow the centre line thereof;

    b. where a Land Use Classification boundary is shown as approximately following the boundary of a site, the site boundary shall be deemed to be the boundary of the Land use classification for that portion of the Land Use Classification boundary which approximates the site boundary;

    c. where a Land Use Classification boundary is shown approximately following City limits, it shall be deemed to be following City limits;

    d. where a Land Use Classification boundary is shown as approximately following the centre of pipelines, railway lines, or utility easements, it shall be deemed to follow the centre line of the right-of-way thereof;

    e. where a Land Use Classification boundary is shown as being parallel to or as an extension of features noted above, it shall be so construed;

    f. where features on the ground are at variance with those shown on the Land Use District Map or in other circumstances not mentioned above, the Development Officer shall interpret the Land Use Classification boundaries. Any such decision may be appealed to the Subdivision and Development Appeal Board; and

    g. where a Land Use Classification boundary is not located in conformity to the provisions of clauses (1) to (8) above, and in effect divides or splits a registered parcel of land, the disposition of such boundary shall be determined by dimensions indicated on the Land Use District Map or by measurements directly scaled from that map.

2. Schedule B identifies the zoning of each property within the City as of the effective date of this Bylaw.

PART 11 – CLASSIFICATION OF LAND INTO LAND USE DISTRICTS

3. Schedule C will list all the amendments made to this Bylaw after the effective date of this Bylaw.

11.3 Street and Highway Boundaries

1. Notwithstanding anything contained in this Bylaw, no Land Use classification shall be deemed to apply to any public roadway and any public roadway may be designed, constructed, widened, altered, redesigned, and maintained in such manner as may be determined by the City Manager.

2. Where any public roadway is closed pursuant to the provisions of the *Act*, the land contained therein shall there upon be deemed to be classified as US – Urban Service until reclassified by a Land Use Bylaw amendment or until such a time that the title for the closed road is consolidated with another property, in such the closed road shall be classified the same as the other property.

Schedule 11A – Land Use District Map

Wetaskiwin

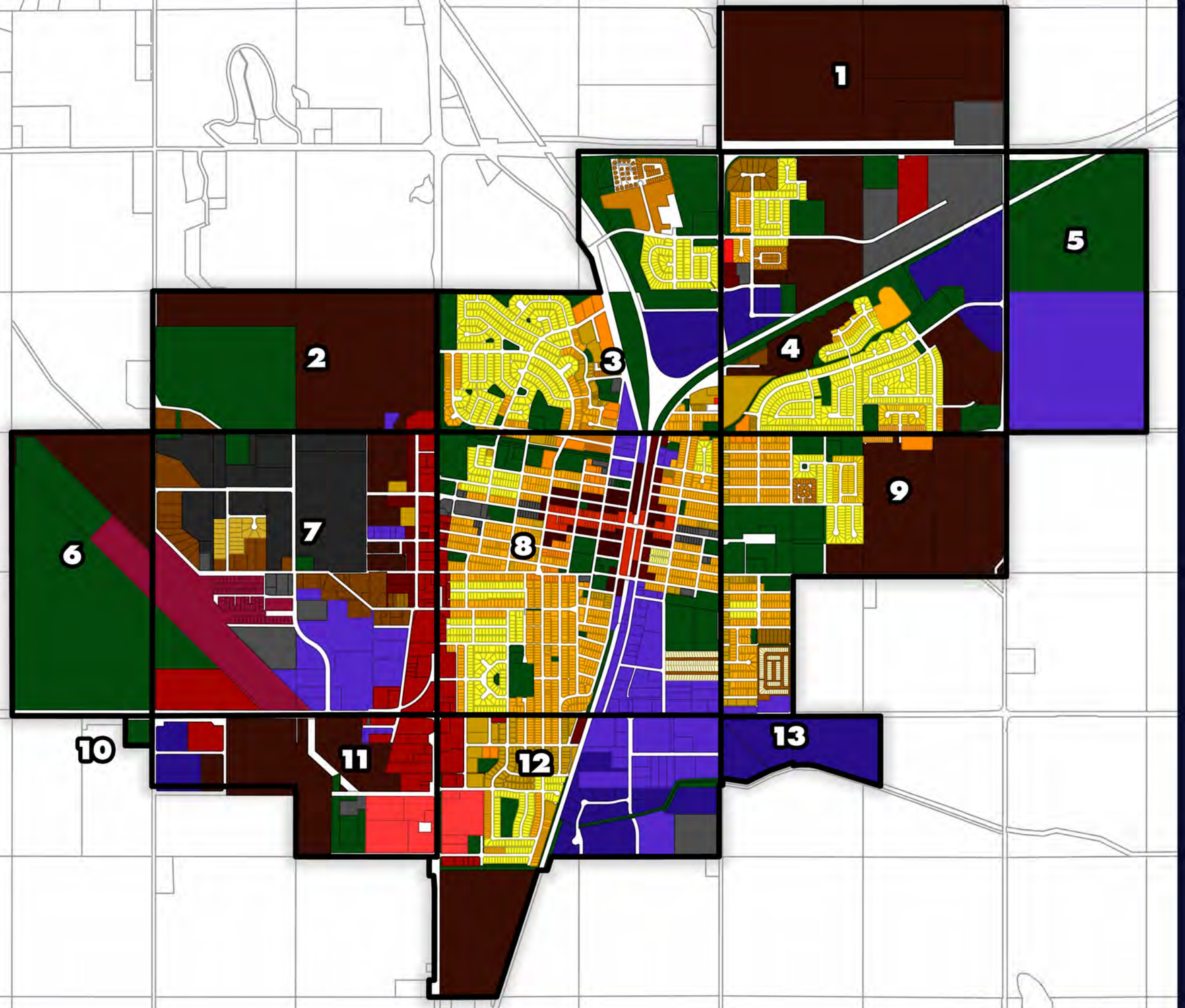
THE CITY WE SHARE.

Land Use District Map

N

Land Use Districts

- C1 - Downtown Commercial
- C2 - General Commercial
- C3 - Highway Commercial
- C4 - Neighbourhood Commercial
- C5 - Shopping Centre Commercial
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Wetaskiwin

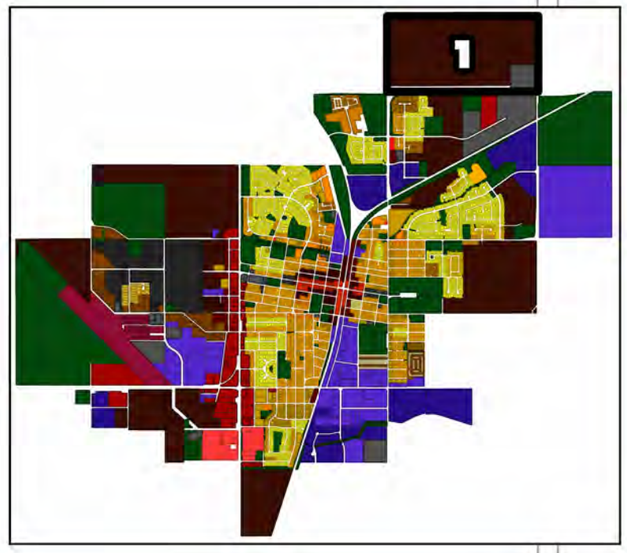
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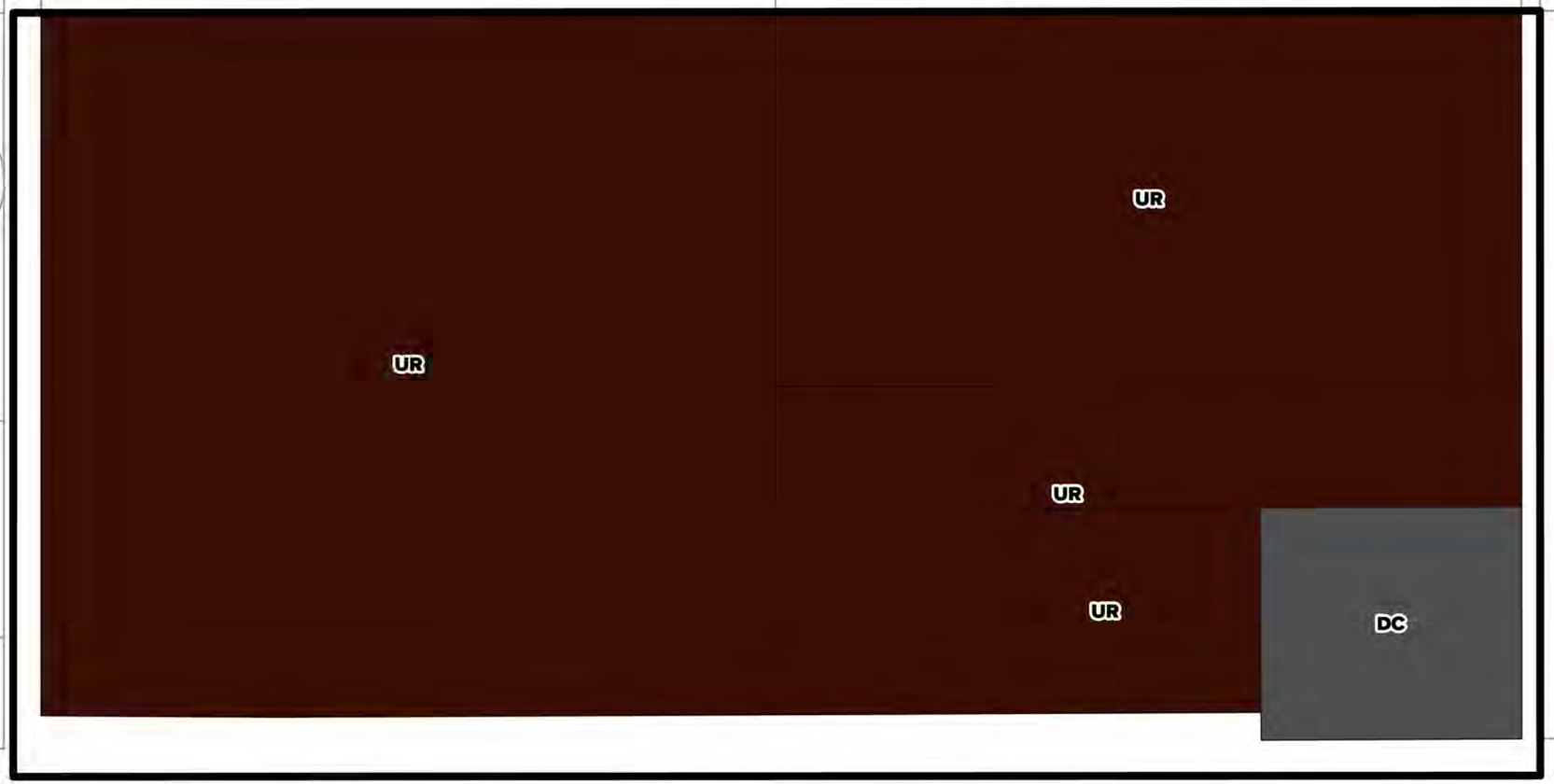
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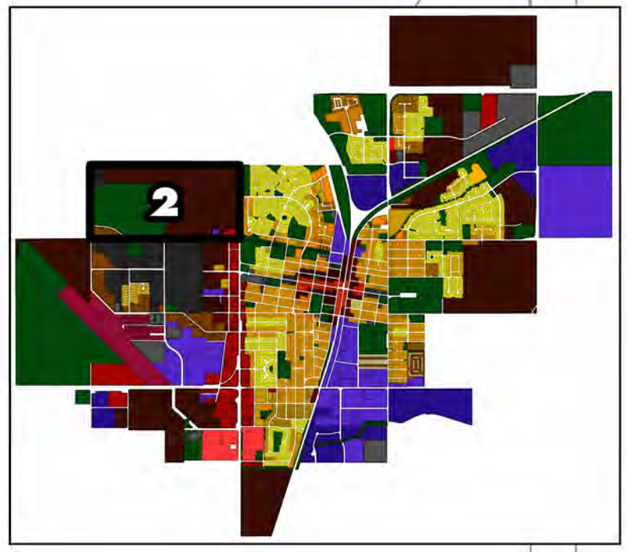
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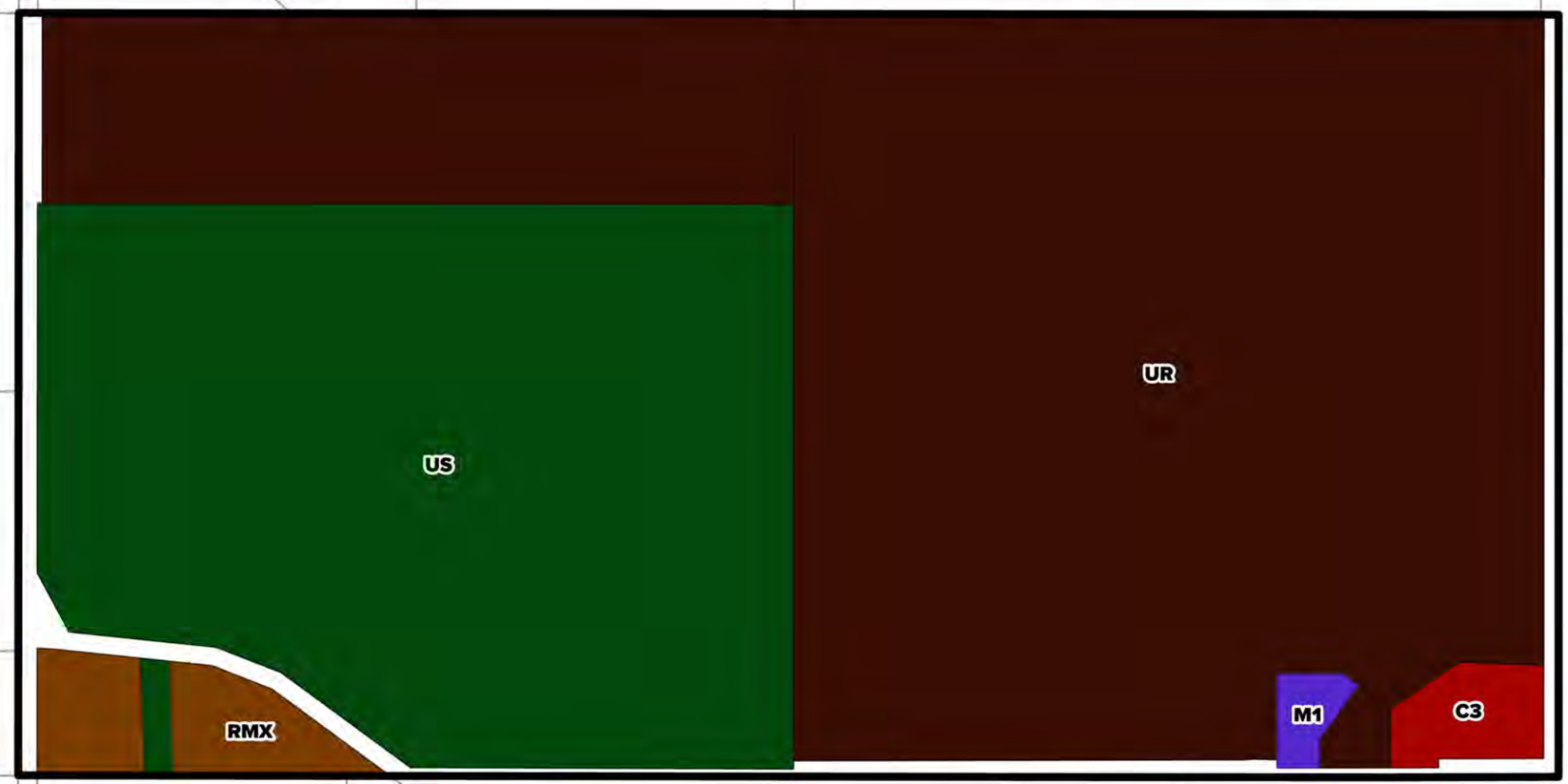
Area 2

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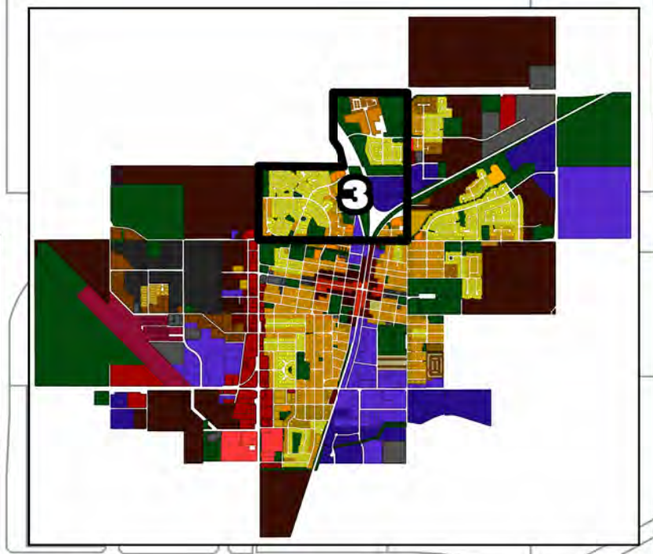
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Area 3

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Area 4

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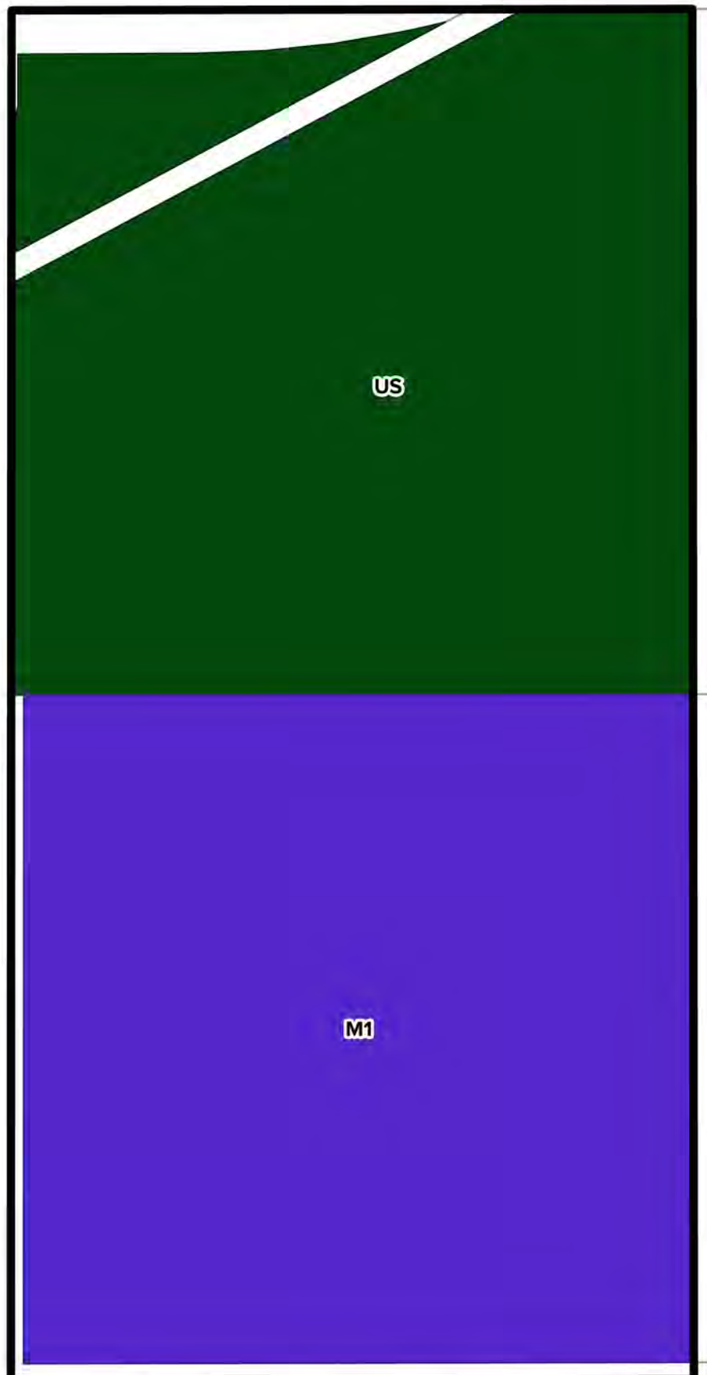
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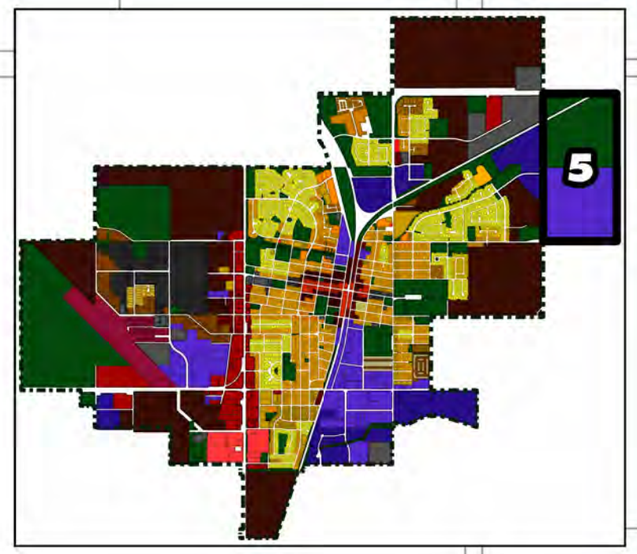
Area 5

N

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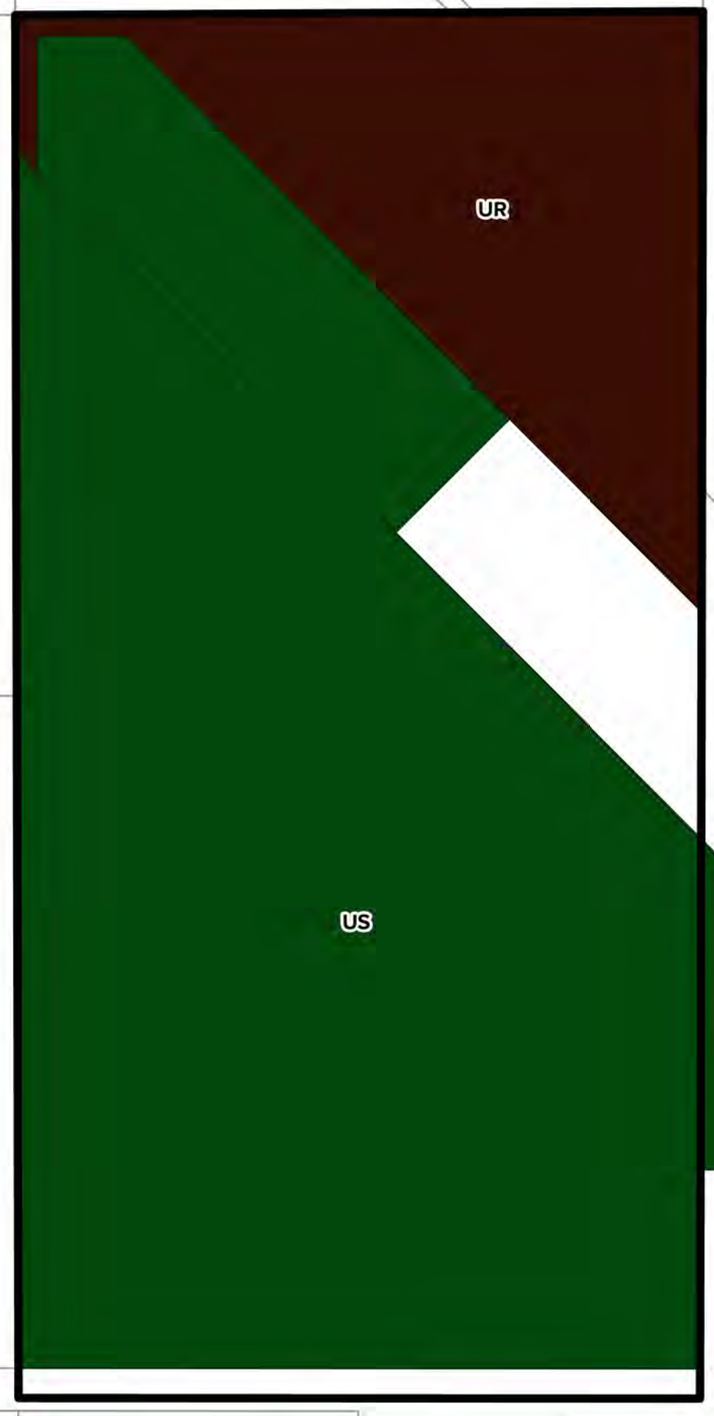
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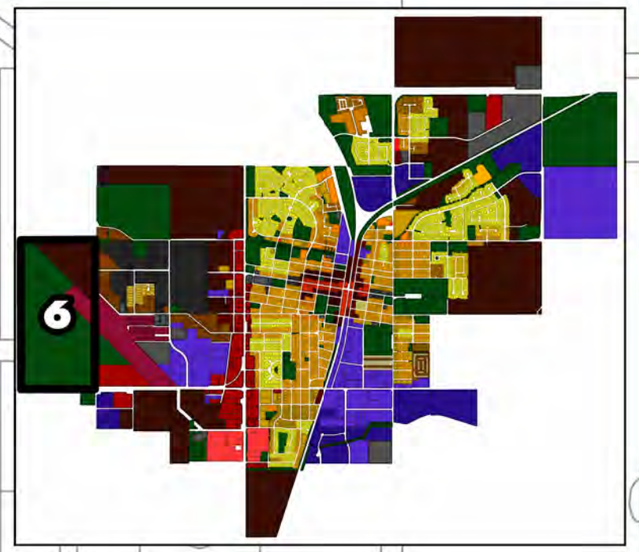
Area 6

N

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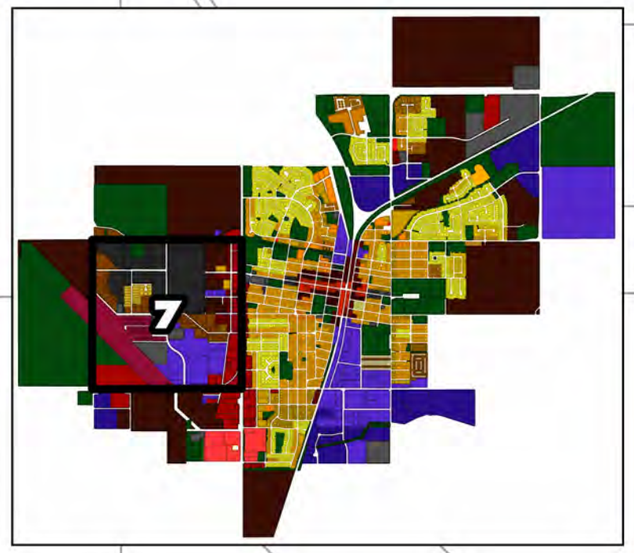
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Area 7

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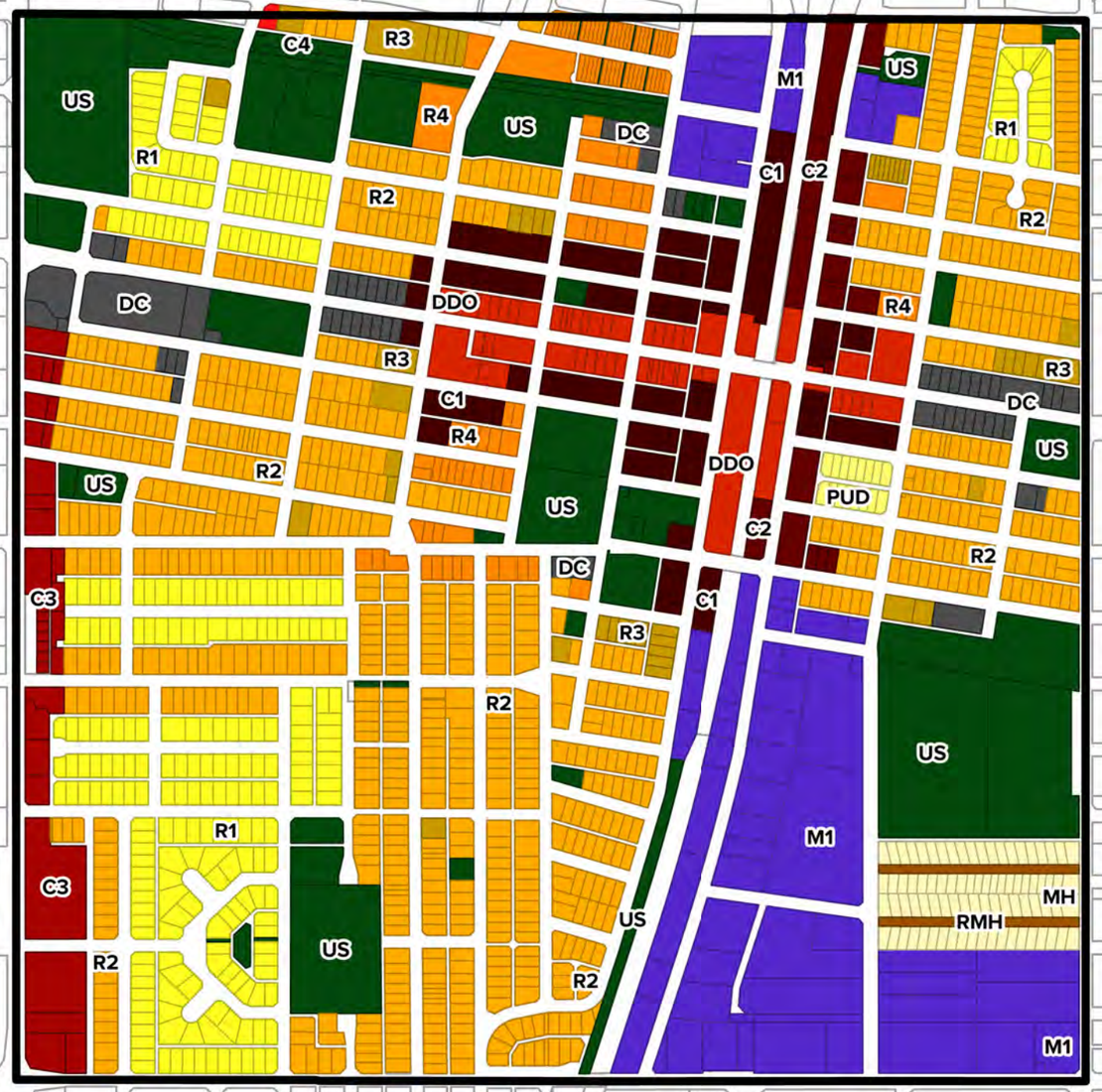
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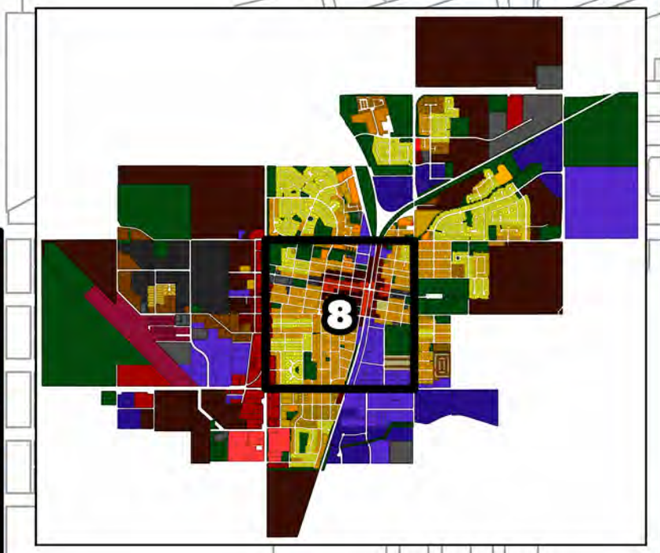
Area 8

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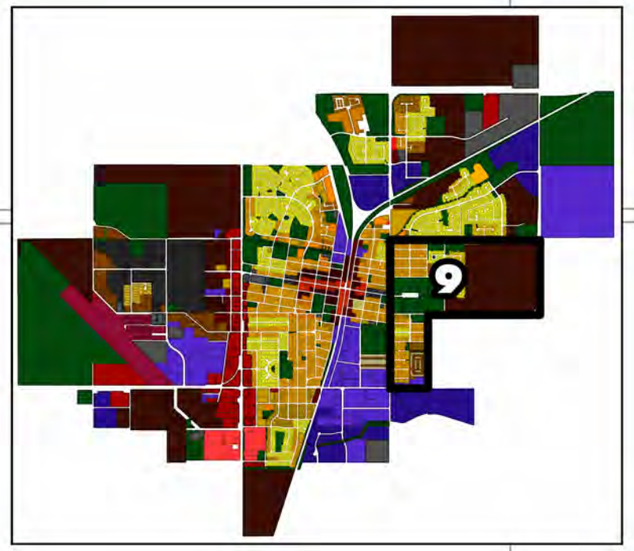
Area 9

N

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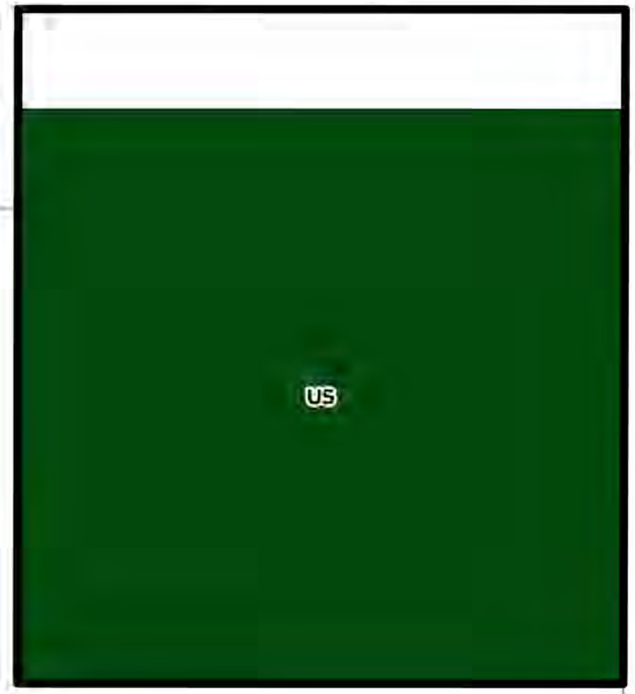
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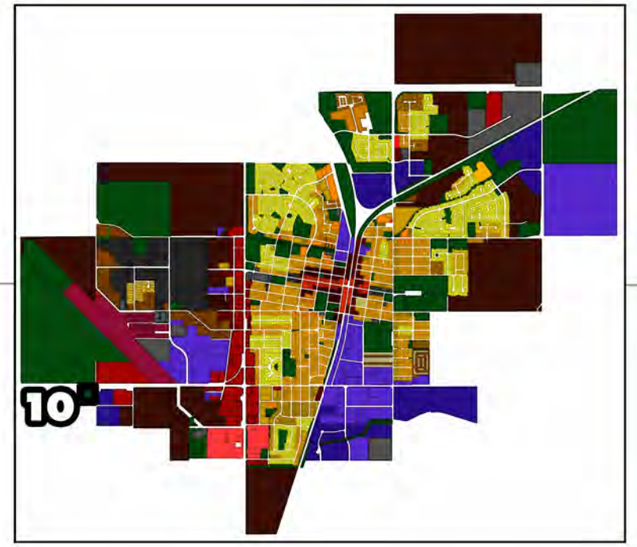
Area 10

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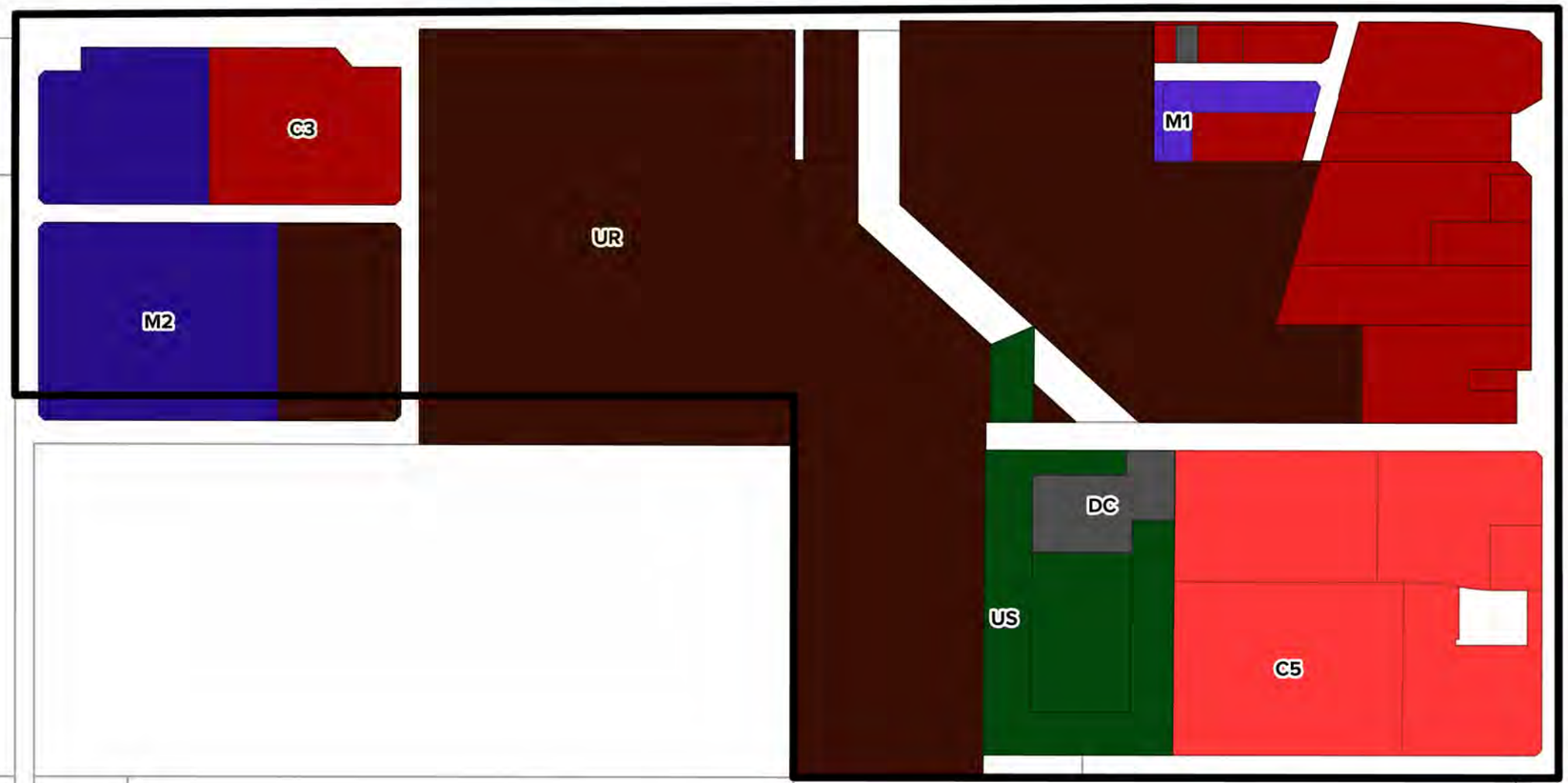
Area 11

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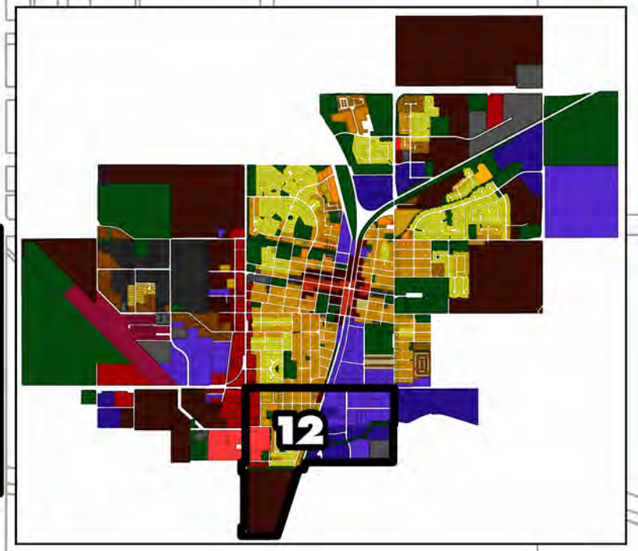
Area 12

N

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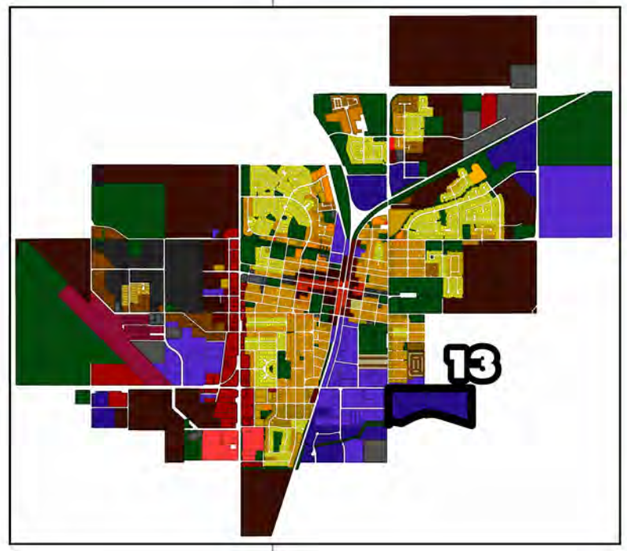
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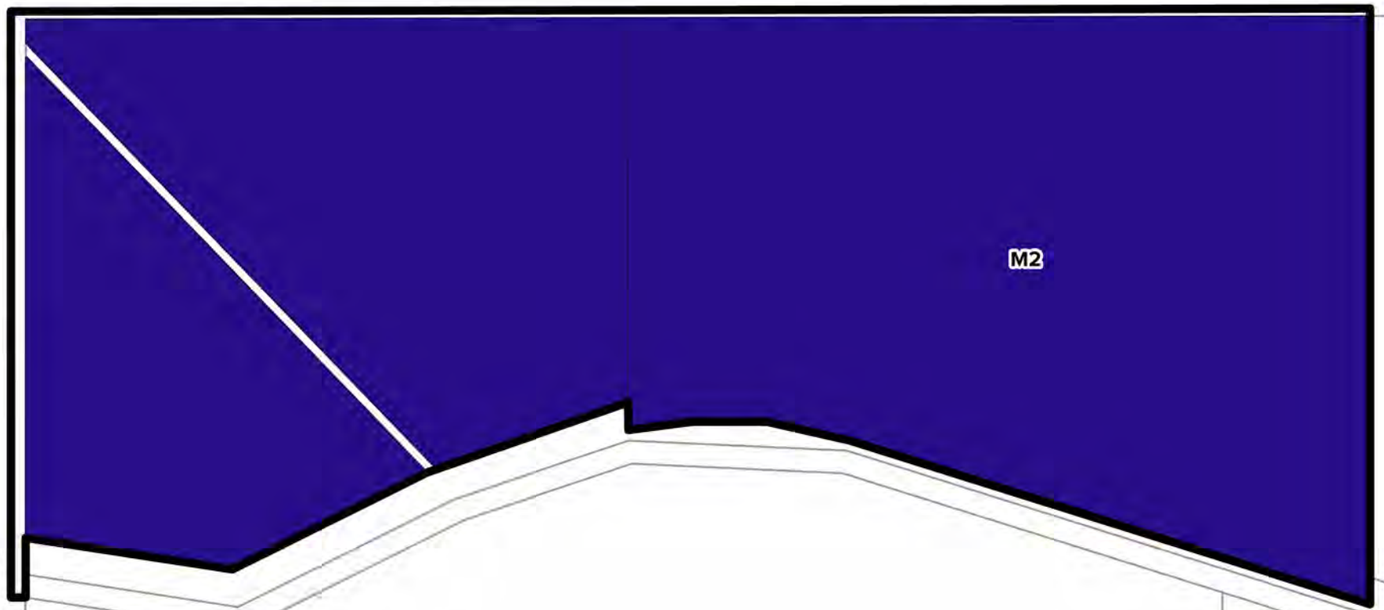
Area 13

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