



Town of Bow Island

LAND USE BYLAW

No. 2024-07

Draft - May 2024

Town of Bow Island Land Use Bylaw
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Amendments AMENDING BYLAWS

Municipal Tracking List of any Bylaw Amendments (text or zoning) adopted after the initial adoption of Land Use Bylaw No. 2024:07

Bylaw No.	Amending Description	Legal Description (if applicable)	Date Passed



PART 1

ADMINISTRATION

TOWN OF BOW ISLAND

LAND USE BYLAW NO. 2024:07

PART 1

ADMINISTRATION

GENERAL

SECTION 1 SHORT TITLE

- 1.1 This bylaw may be cited as the “Town of Bow Island Land Use Bylaw.”

SECTION 2 EFFECTIVE DATE

- 2.1 This bylaw shall come into effect upon third and final reading thereof.

SECTION 3 REPEAL OF FORMER BYLAW

- 3.1 Town of Bow Island Land Use Bylaw No. 2003-07 and amendments thereto are hereby repealed.

SECTION 4 PURPOSE

- 4.1 The purpose of this bylaw is to, amongst other things:
- (a) divide the municipality into districts;
 - (b) prescribe and regulate the use(s) for each district;
 - (c) regulate and control or prohibit the use and development of land and buildings;
 - (d) prescribe standards and criteria for development;
 - (e) establish a method for making decisions on applications for development permits and issuing development permits for a development; and
 - (f) provide the manner in which notice of the issuance of a development permit is to be given.
- 4.2 The further purpose is to conform with, address, and implement the policies of the various statutory plans of the Town of Bow Island, including the MDP, IDP and any area structure plans that may be developed.

SECTION 5 SEVERABILITY AND COMPLIANCE WITH THE LAND USE BYLAW

- 5.1 No development, other than those designated in Part 1 of this bylaw (Development Not Requiring a Development Permit), shall be undertaken within the Town unless a development application has been approved and a development permit has been issued.
- 5.2 Notwithstanding subsection 5.1, while a development permit may not be required pursuant to Part 3, development shall comply with all regulations of this bylaw.
- 5.3 If one or more provisions of this bylaw are for any reason declared to be invalid by a decision of a court of competent jurisdiction, it is intended that all remaining provisions are to remain in full force and effect.

SECTION 6 COMPLIANCE WITH OTHER LEGISLATION

- 6.1 Compliance with the requirements of this bylaw does not exempt any person undertaking a development from complying with all applicable municipal, provincial or federal legislation, and respecting any easements, covenants, agreements or other contracts affecting the land or the development.
- 6.2 Nothing in this Bylaw affects the duty or obligation of a person to obtain a Safety Code permit as required in accordance with municipal and provincial legislation.

SECTION 7 RULES OF INTERPRETATION

- 7.1 Unless otherwise required by the context, words used in the present tense include the future tense, words used in the singular include the plural, and the word person includes a corporation as well as an individual.
- 7.2 In this bylaw, unless the context otherwise requires, the expression “use” or “to use” shall include done or permitted by the owner or occupant of any land, building or structure, directly or indirectly, or by or through any trustee, tenant, servant or agent acting for or with the knowledge and consent of the owner or occupant for the purpose of making the use of the said land, building or structure.
- 7.3 The *Interpretation Act, Chapter I-8, RSA 2000 as amended*, shall be used in the interpretation of this bylaw. Words have the same meaning whether they are capitalized or not.
- 7.4 All applicable *Definitions* as applied in this bylaw shall be as outlined and as defined by Part 3.
- 7.5 All references to engineering requirements shall be prepared by an engineer registered with the Association of Professional Engineers, Geologists, and Geophysicists of Alberta (APEGGA).

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- 7.6 The written regulations of this bylaw take precedence over any graphic or diagram if there is a perceived conflict.
- 7.7 The Land Use Districts Map takes precedence over any graphic or diagram in the district regulations if there is a perceived conflict.
- 7.8 Where there is an uncertainty or dispute about the exact location of a boundary of any district as shown on the Land Use District Map the location shall be determined by the application of the following rules. Where a district boundary is shown approximately following:
- (a) the centre of a public roadway, it shall be deemed to follow the centre line thereof;
 - (b) the boundary of a lot, the lot boundary shall be deemed to be the boundary of the district;
 - (c) the Town limits, it shall be deemed to be following the Town limits boundary;
 - (d) a canal, pipeline, railway line, or utility easement, it shall be deemed to follow the centre line of the right-of-way thereof.
 - (e) Where a Land Use District boundary is not located in conformity to the preceding provisions 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 measurements directly from that map. This may be applied in situations where the Council specifically approved a split zoning (land use designation) to occur on a parcel of land.
 - (f) Where the application of the above rules do not accurately determine the exact location of a district, Council either on its own motion or upon written request being made to it by any person requesting the determination of the exact location of a district boundary, shall fix the portion of the district boundary in doubt or dispute in a manner consistent with the provisions of this bylaw and with the degree of detail as to measurements and directions as the circumstances may require.

SECTION 8 MEASUREMENTS AND STANDARDS

- 8.1 All units of measure contained and applicable within this bylaw are metric (SI) standards. Imperial measurements and conversions are provided for information and convenience only. If a discrepancy exists, the metric standards apply.

SECTION 9 FORMS, FEES AND NOTICES

- 9.1 Application forms, fees and notices are included in Appendices A & B.
- 9.2 For the purpose of administering the provisions of this bylaw, Council may authorize by separate resolution or bylaw as may be applicable, the preparation and use of such fee Parts, forms or notices as in its discretion it may deem necessary. Any such fee Parts,

forms or notices are deemed to have the full force and effect of this bylaw in execution of the purpose for which they are designed, authorized and issued.

- 9.3 Refund of application fees requires approval of the Town Council unless otherwise authorized in the municipal fee schedule bylaw or subdelegated through the Subdivision and Development Authority bylaw.
- 9.4 In any case, where the required fee is not specifically listed in the fee Part, such fee shall be determined by the Development Officer or Municipal Planning Commission and shall be consistent with those fees listed in the Part for similar developments.
- 9.5 If development is commenced without a valid development permit, an additional fee in the amount as prescribed under the fee Part shall be payable upon application for the development permit.

SECTION 10 APPENDICES

- 10.1 Appendices A, B and C attached hereto are provided for information and processing purposes only and may be amended from time to time as they do not form part of the Town of Bow Island Land Use Bylaw.

APPROVING AUTHORITIES AND RESPONSIBILITIES

SECTION 11 DEVELOPMENT AUTHORITY

- 11.1 The Development Authority is established in accordance with Town of Bow Island Bylaw No. 1113 or any subsequent updated bylaw (Appendix C).
- 11.2 The Development Authority refers to the Development Officer or the Municipal Planning Commission as outlined in the responsibilities, powers and duties as specified in the Municipal Subdivision and Development Authority Bylaw (which for the Town is currently adopted as the Bylaw to Establish a Municipal Planning Commission) and this bylaw.
- 11.3 In the absence of the Development Officer, the following are authorized to act in the capacity of Development Officer:
 - (a) Municipal Planning Commission,
 - (b) Chief Administrative Officer if not the appointed acting Development Officer, or
 - (c) a designate(s) in accordance with the *Municipal Government Act (MGA)*.
- 11.4 The Development Officer is an authorized person in accordance with Section 624 of the *MGA*.
- 11.5 The Development Authority shall perform such powers and duties as are specified:

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- (a) in the Town of Bow Island Development Authority and Subdivision Authority Bylaws;
 - (b) in this bylaw;
 - (c) in the *MGA*;
 - (d) where applicable, by resolution of Council.

11.6 Council shall be the Development Authority within any Direct Control District, unless specifically delegated by bylaw to the Municipal Planning Commission or the Designated Officer acting in the capacity of Development Officer, or another designate(s).

SECTION 12 DEVELOPMENT OFFICER – POWERS AND DUTIES

12.1 The office of the Development Officer is hereby established and such office shall be filled by one or more persons as appointed by resolution of Council.

12.2 The Development Officer:

- (a) assist and advise the public with respect to the standards and requirements of the Land Use Bylaw and other pertinent land use legislation to the best of their ability;
- (b) shall receive and process all applications for development permits and determine whether a development permit application is complete;
- (c) shall maintain for the inspection of the public during office hours, a copy of this bylaw and all amendments thereto and ensure that copies of the same are available for public purchase;
- (d) shall also establish and maintain a register on file in which shall be recorded the application made for a development permit and the decision made on the application, and contain any such other information as the Municipal Planning Commission considers necessary;
- (e) shall consider and decide on applications for a development permit for:
 - (i) permitted uses that comply with this Land Use Bylaw;
 - (ii) permitted uses that request one variance of a measurable standard not to exceed 0.5 metres or 10 percent (10%) of the standard whichever is greater, in accordance with Sections 22 and 27;
 - (iii) permitted uses on existing registered lots where the Municipal Planning Commission granted a variance(s) to the minimum lot width, length and/or area requirements as part of a subdivision approval;
 - (iv) landscaping provided the standards of the bylaw are met;
 - (v) fences, walls or other types of enclosures, provided they do not require more than one variance not to exceed 0.5 metres or 10 percent (10%) of the standard; and
 - (vi) demolition;

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- (f) shall refer to the Municipal Planning Commission all development permit applications for which decision-making authority has not been assigned to the Development Officer including variances beyond the discretion of the Development Officer's authority;
 - (g) may refer any development application to the Municipal Planning Commission for a decision and may refer any other planning or development matter to the Municipal Planning Commission for its review, comment or advice;
 - (h) shall notify adjacent landowners and any persons who are likely to be affected by a proposed development in accordance with Section 28 of this bylaw;
 - (i) shall issue the written notice of decision and/or development permit on all development permit applications and any other notices, decisions or orders in accordance with this bylaw;;
 - (j) shall receive, review, and refer any applications to amend the Land Use bylaw to Council;
 - (k) may receive and consider and decide on requests for time extensions for development permits which the Development Officer has approved and shall refer to the Municipal Planning Commission those requests which the Municipal Planning Commission has approved;
 - (l) shall provide a regular report to the Municipal Planning Commission summarizing the applications made for a development permit and the decision made on the applications, and any other information as the Municipal Planning Commission considers necessary; and
 - (m) shall perform any other powers and duties as are specified in this bylaw, the Municipal Planning Commission Bylaw, the *MGA* or by resolution of Council;
 - (n) shall refer all development applications in a Direct Control District to Council for a decision unless Council has specifically delegated approval authority to the Development Officer or the Municipal Planning Commission.

SECTION 13 MUNICIPAL PLANNING COMMISSION

- 13.1 The Municipal Planning Commission may exercise only such powers and duties as are specified in the *MGA*, the Development Authority Bylaw, the Subdivision Authority Bylaw, the Municipal Planning Commission Bylaw, this bylaw, or by resolution of Council.
- 13.2 The Municipal Planning Commission shall administer this bylaw with the assistance of the Development Officer and the Planning Advisor.
- 13.3 Pursuant to the Municipal Planning Commission Bylaw and this bylaw, the Municipal Planning Commission shall be responsible for:
 - (a) considering and deciding upon development permit applications for discretionary uses and those referred to it by the Development Officer;

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- (b) providing recommendations on planning and development matters referred to it by the Development Officer or Council;
 - (c) considering and deciding upon requests for time extensions on development permit applications referred to it by the Development Officer;
 - (d) review and decide upon condominium building certificates; and
 - (e) any other powers and duties as are specified in this bylaw, the Municipal Planning Commission Bylaw, the *MGA* or by resolution of Council.
- 13.4 The Municipal Planning Commission may exercise its discretion and approve variances of one or more measurable standards of this bylaw in accordance with Section 27.

SECTION 14 SUBDIVISION AUTHORITY

- 14.1 The Subdivision Authority shall be designated by Council as established in the Subdivision and Development Authority Bylaw who shall consider and decide upon subdivision applications.
- 14.2 The Subdivision Authority may delegate, through the municipality's Subdivision and Development Authority Bylaw, this bylaw, or by resolution of Council, or through subdelegating to the CAO, any of its required functions or duties in the processing of subdivision applications to any municipal staff, planning advisor, individual or contracted entity. In respect of this:
- (a) the delegation of duties by the Subdivision Authority may include the authorized entity being responsible for determining the completeness of a submitted subdivision application; and
 - (b) the Subdivision Authority delegate is authorized to carry out the application process with subdivision applicants as described in the Subdivision Application Procedures Section of the bylaw, including the task of sending all required notifications to applicants as stipulated and conducting site inspections.

SECTION 15 PLANNING ADVISOR

- 15.1 The office of Planning Advisor is hereby established at the discretion of Council and may be filled by a person, persons, agency or entity as appointed by resolution of Council or as by the Chief Administrative Officer if so delegated the authority.
- 15.2 Pursuant to the *MGA*, the Planning Advisor is hereby declared to be a subdivision authority as per the duties and authority as prescribed. The duties include that, the Planning Advisor:
- (a) shall determine application completeness and review all completed applications for subdivision;

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- (b) refer for comments any application which meets the requirements of the land use bylaw to any government department, agency or person when deemed appropriate or as required under the Subdivision and Development Regulation;
 - (c) review all subdivision applications to determine compliance with the MGA, Subdivision and Development Regulations, land use bylaw, statutory plans, provincial government legislation and ensure suitability based on servicing, access, land constraints, drainage, and environmental factors amongst other matters;
 - (d) refer, with a recommendation, to the Municipal Planning Commission all completed applications for subdivisions which meet the requirements of the Land Use Bylaw and any statutory plan;
 - (e) shall process and provide recommendations on condominium building certificates;
 - (f) be responsible for sending out all subdivision decision notices and advising the applicant on the subdivision approval finalization process;
 - (g) determine the completeness of approval conditions and prepare all final endorsement documentation; and
 - (h) compile and keep for the municipality's files a record of all subdivision applications including the decisions therein in perpetuity as a historical land record.

15.3 The Planning Advisor shall upon the direction of Council or the CAO:

- (a) assist and advise the Council and the public with respect to general planning standards, the Land Use Bylaw, planning law and practice in Alberta, and other pertinent legislation to the best of their ability;
- (b) assist and advise the Development Officer and the Municipal Planning Commission with respect to the requirements of the Land Use Bylaw and development standards either generally or in consideration of a particular development proposal or application.

SECTION 16 COUNCIL

- 16.1 Council shall consider and decide upon applications for subdivision approval per Town of Bow Island Municipal Subdivision and Development Authority Bylaw (See Appendix C);
- 16.2 Council shall be responsible for considering and deciding upon requests for time extensions on subdivision approvals in accordance with Section 657 of the MGA.
- 16.3 Council shall be responsible for considering all proposed amendments, including land use redesignations, to this bylaw as outlined in Sections 42 through 44.
- 16.4 Council shall be responsible for considering development permit applications within any Direct Control District except where the decision making authority has been delegated to the Municipal Planning Commission or the Development Officer.

SECTION 17 SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB)

- 17.1 The Subdivision and Development Appeal Board is established by separate bylaw pursuant to the *MGA*, which may be in the form of an intermunicipal appeal board, and may exercise such powers and duties as are specified in this bylaw, the *MGA*, and the Subdivision and Development Appeal Board Bylaw.
- 17.2 If the decision of the Subdivision and Development Appeal Board approves a subdivision or development with or without conditions, the written decision issued by the Appeal Board serves as the official subdivision approval decision or the approved development permit and the Development Officer or Municipal Planning Commission will not issue a separate complementary approval or permit.
- 17.3 If the decision of the Development Officer or Municipal Planning Commission to approve a subdivision or development permit is overturned or reversed by the Appeal Board, the subdivision approval or the development permit so approved shall then be null and void.

DEVELOPMENT PERMIT RULES AND PROCEDURES

SECTION 18 DEVELOPMENT PERMIT – WHEN REQUIRED

- 18.1 Except as otherwise provided for in Part 2 (Development Not Requiring a Development Permit), all development shall be required to obtain a development permit.
- 18.2 In addition to meeting the requirements of this bylaw, it is the responsibility of the applicant to ascertain, obtain and comply with all other approvals and licenses that may be required by other federal, provincial or municipal regulatory departments or agencies. It is further required that copies of all other approvals and licenses be submitted to the Development Authority.

SECTION 19 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

- 19.1 This Section does not negate the requirement of obtaining all required permits, as applicable, under the *Safety Codes Act* and any other Provincial or Federal statute.
- 19.2 This Section does not negate the requirement of obtaining a business license where required.
- 19.3 Developments not requiring a municipal development permit are listed in Part 2.
- 19.4 Signs not requiring a municipal development permit are listed in Part 7, Section 2.
- 19.5 If there is a question as to whether a development permit is required for a particular use, the matter shall be referred to the Municipal Planning Commission for a determination.

SECTION 20 DEVELOPMENT PERMIT APPLICATION

- 20.1 An application for a development permit shall be made to the Development Officer by submitting:
- (a) a completed development permit application, signed by the registered owner(s) or authorized by the owner pursuant to Section 20.2;
 - (b) the prescribed fee, as set by Council;
 - (c) a description of the existing and proposed use of the land, building(s) and/or structures and whether it is a new development, an alteration/addition, relocation or change of use and whether the use is temporary in nature;
 - (d) a legible site plan, print copy or digital format, acceptable to the Development Officer indicating:
 - (i) the lot boundaries with dimensions;
 - (ii) the location of all existing and proposed buildings and structures and registered easements or rights-of-way, dimensioned to property lines and drawn to a satisfactory scale;
 - (iii) floor plans, elevations, exterior views and Sections of proposed buildings;
 - (iv) existing and proposed parking and loading areas, driveways, access, abutting streets, avenues and lanes, and surface drainage patterns;
 - (v) where applicable, the location of existing wells, septic tanks, disposal fields, culverts and crossings;
 - (vi) any additional information as may be stipulated in the standards of development;
 - (vii) any such other information as may be required by the Development Officer or Municipal Planning Commission to evaluate an application including but not limited to: conceptual design schemes, landscaping plans, building plans, drainage plans, servicing and infrastructure plans, soil analysis, geotechnical reports and/or other reports regarding site suitability; Real Property Report; or a surveyors sketch;
 - (e) documentation from the Alberta Energy Regulator (AER) identifying the presence or absence of abandoned oil and gas wells as required by the Subdivision and Development Regulation; and
 - (f) a copy of the current Certificate of Title to the parcel subject of the development application, unless otherwise exempted by the Development Officer from providing such.
 - (g) When requested by the Development Officer, the site plan submitted must be professionally prepared (e.g., surveyor, geomatic survey technologist, draftsman, architect, planner, engineer, etc.). This shall be required for principal commercial, industrial and institutional buildings unless otherwise exempted by the Development Officer.

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- 20.2 An application for a development permit must be made by the registered owner(s) of the land on which the development is proposed. An application may be made by a person who is not the registered owner of the land:
- (a) if they are an agent authorized to act on the owner’s behalf (i.e., contractor, developer, surveyor, lawyer, engineer, leasee, etc.); or
 - (b) upon the provision of written consent of the owner(s).
 - (c) The Development Officer may request verification of written consent or a copy of the current title documenting ownership and copies of any registered encumbrance, lien or interest registered on title.

SECTION 21 DETERMINATION OF A COMPLETE DEVELOPMENT PERMIT APPLICATION

- 21.1 The Development Authority shall, within 20 days after the receipt of a development permit application in accordance with Section 20, determine whether the application is complete.
- 21.2 The Development Authority may refuse to accept a development permit application where the information required by Section 20 (Development Permit Application) is incomplete or where, in their opinion, the quality of the material supplied is inadequate to properly evaluate the application.
- 21.3 An application is complete if, in the opinion of the Development Officer, the application contains the required documents and other information necessary to review the application.
- 21.4 The time period referred to in Section 21.1 may be extended by an agreement in writing between the applicant and the Development Officer.
- 21.5 If the Development Officer does not make a determination referred to in Section 21.7 within the time required under Section 21.1 or 21.4, the application is deemed to be complete.
- 21.6 The commencement of processing the development application by the Development Officer, and not asking additional information to be provided, is an acknowledgement to the applicant that the submitted information and application is deemed to be complete. Additionally:
- (a) if the application is submitted in person, the Development Officer may review the application submission with the applicant and if deemed complete, the Development Officer may relay the completeness determination to the applicant and fill-in the date of deemed completeness; or,
 - (b) if the Development Authority issues a permit within 20 days of the application being made, the application is deemed complete, and the permit Notice of Decision is the acknowledgment of such.

21.7 If the Development Authority determines that the application is incomplete, the Development Officer shall issue to the applicant a written notice indicating that the application is incomplete, which specifies:

- (a) the outstanding documents and information to be provided, including but not limited to those required by Section 20, and
- (b) a submission deadline.

A later submission date may be agreed on by the applicant and the Development Authority in order for the application to be considered complete.

21.8 If the requested documents and information under Section 21.7 have not been submitted to the Development Officer within the timeframe prescribed in the notice issued under Section 21.7, the Development Officer shall return the application to the applicant accompanied by a written Notice of Refusal stating the application is deemed refused and the reasons for refusal.

21.9 Despite issuance of a Notice of Completeness under Section 21.6 or 21.8, the Development Authority in the course of reviewing the application may request additional information or documentation from the applicant that the Development Authority considers necessary to review the application.

SECTION 22 PERMITTED USE APPLICATIONS

22.1 Upon receipt of a completed application for a development permit for a permitted use that conforms with this bylaw, the Development Officer:

- (a) shall approve a development permit with or without conditions, or
- (b) may refer the application to the Municipal Planning Commission for a decision.

22.2 Upon receipt of a completed application for a permitted use that requests a limited variance not to exceed 10 percent (10%) of one measurable standard of this bylaw, the Development Officer:

- (a) may grant the limited variance not to exceed 10 percent (10%) of one measurable standard of this bylaw and approve the development permit with or without conditions if, in the opinion of the Development Officer, the variance would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; or
- (b) may refer the development application involving a request for a limited variance not to exceed 10 percent (10%) of one measurable standard of this bylaw to the Municipal Planning Commission for a decision; and
- (c) is not required to notify adjacent landowners or persons likely to be affected prior to issuance of a decision on a development permit granting one limited variance under this Section.

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- 22.3 Upon receipt of a completed application for a permitted use that requests more than one limited variance, a variance(s) exceeding 10 percent (10%) of any measurable standard of this bylaw or a variance of any other bylaw provision, the Development Officer shall refer the application to the Municipal Planning Commission for a decision pursuant to Section 27 (Applications Requesting Variance of Bylaw Provisions).
- 22.4 The Development Officer or the Municipal Planning Commission may place any of the following conditions on a development permit for a permitted use:
- (a) requirement for applicant to enter into a development agreement;
 - (b) payment of any applicable off-site levy or redevelopment levy;
 - (c) provide a geotechnical investigation to ensure that the site is suitable in terms of topography, soil characteristics, flooding, subsidence, mass wasting and erosion;
 - (d) require the alteration of a structure or building size or location to ensure any setback requirements of this Land Use Bylaw or the Subdivision and Development Regulation can be met;
 - (e) any measures to ensure compliance with the requirements of this Land Use Bylaw or any other statutory plan adopted by the Town of Bow Island;
 - (f) requirement for a lot and/or construction stakeout conducted by an approved surveyor or agent;
 - (g) provide easements, right-of-ways and/or encroachment agreements;
 - (h) provision of public utilities, other than telecommunications systems or works, including water and wastewater (sewer);
 - (i) provision of shallow utilities, including gas, electricity
 - (j) provision of legal and physical vehicular and pedestrian access;
 - (k) require repairs or reinstatement of original condition of any curbing, sidewalk, roads, street furniture, boulevard landscaping and tree planting which may be damaged or destroyed or otherwise altered by development or building operations upon the site, to the satisfaction of the Development Officer or the Municipal Planning Commission;
 - (l) provision of a lot grade plan or drainage plan;
 - (m) provide financial security to ensure the terms of the permit approval under this Section are carried out;
 - (n) specify time periods stipulating completion of development;
 - (o) the submission of an Environmental Impact Assessment;
 - (p) any measures to ensure compliance with applicable federal, provincial and/or other municipal legislation and approvals;

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- (q) obtain any other approval, permit, authorization, consent or license that may be required to develop and/or service the affected land.

SECTION 23 DISCRETIONARY USE APPLICATIONS

- 23.1 Upon receipt of a completed application for a development permit for a discretionary use or a permitted use that requests more than one variance, a variance(s) exceeding 10 percent (10%) of any measurable standard of this bylaw, or a variance of any other bylaw provision, the Development Officer shall:
 - (a) refer the application to the Municipal Planning Commission for a decision pursuant to Section 27 (Applications Requesting Variance of Bylaw Provisions);
 - (b) notify adjacent landowners and other persons likely to be affected in accordance with Section 28 (Notification of Persons Likely Affected).
- 23.2 After consideration of any response to the notifications of adjacent landowners and other persons likely to be affected, including County of Forty-Mile, government departments and referral agencies as applicable, compatibility and suitability of the proposed use, and any other matters, the Municipal Planning Commission may:
 - (a) approve a development permit with or without conditions; or
 - (b) refuse to approve the development permit, stating reasons.
- 23.3 The Municipal Planning Commission may place any of the conditions stipulated in subsection 22.4 (Permitted Use Applications) on a development permit for a discretionary use in any Land Use District, in addition to any other conditions necessary to ensure the quality, suitability and compatibility of a development with other existing and approved uses in the area.

SECTION 24 DIRECT CONTROL DISTRICTS

- 24.1 Upon receipt of a completed application for a development permit in a Direct Control District, the Development Officer shall:
 - (a) refer the application to Council for a decision, except where the decision-making authority has been delegated to the Municipal Planning Commission or the Development Officer as stated in the regulations of the Direct Control bylaw adopted; and
 - (b) notify adjacent landowners and other persons likely to be affected in accordance with Section 28 (Notification of Persons Likely Affected).
- 24.2 After considering any response to notifications issued under Section 28, Council or the delegated decision-making authority may:
 - (a) approve a development permit with or without conditions; or
 - (b) refuse to approve the development permit, stating reasons.

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- 24.3 In accordance with Section 641(4)(a) of the *MGA*, there is no appeal to the Subdivision and Development Appeal Board for a decision on an application for a development permit in a Direct Control District.

SECTION 25 SIMILAR USE

- 25.1 Upon receipt of an application for a development permit for a use that is not specifically listed in any Land Use District, but which may be similar in character and purpose to other uses of land and structures in the Land Use District in which such use is proposed, the Development Officer may classify the use as either similar to a permitted use or similar to a discretionary use.
- 25.2 Where a use has been classified similar to a permitted use, the Development Officer may process the application accordingly as a permitted use or refer the application to the Municipal Planning Commission for a decision. The notice of the decision shall be subject to Section 29.
- 25.3 Where a use has been classified similar to a permitted use and requests more than one limited variance, a variance(s) exceeding 10 percent (10%) of any measurable standard of this bylaw, or a variance of any other bylaw provision, the Development Officer shall:
- (a) refer the application to the Municipal Planning Commission for a decision, and
 - (b) notify adjacent landowners and other persons likely to be affected in accordance with Section 28 (Notification of Persons Likely Affected).
- 25.4 Where a use has been classified similar to a discretionary use, the Development Officer shall:
- (a) refer the application to the Municipal Planning Commission for a decision, and
 - (b) notify adjacent landowners and other persons likely to be affected in accordance with Section 28 (Notification of Persons Likely Affected).
- 25.5 Upon referral of an application by the Development Officer for a use that may be similar in character and purpose to a permitted or discretionary use, the Municipal Planning Commission:
- (a) shall rule whether or not the proposed use is similar to a use in the Land Use District in which it is proposed;
 - (b) if the proposed use is deemed similar to a use in the Land Use District in which it is proposed, the application shall be reviewed as a discretionary use application;
 - (c) if the proposed use is not deemed similar to a use in the Land Use District in which it is proposed, the development permit shall be refused.

SECTION 26 TEMPORARY USE

- 26.1 Where, in the opinion of the Development Authority, a proposed use is of a temporary nature, it may approve a temporary development permit valid for a period of up to one year for a use, provided the use is listed as a permitted use, discretionary use or deemed similar to a permitted or discretionary use in the applicable Land Use District.
- 26.2 Temporary use applications shall be subject to the following conditions:
- (a) the applicant or developer is liable for any costs involved in the cessation or removal of any development at the expiration of the permitted period;
 - (b) the Municipal Planning Commission may require the applicant to submit an irrevocable letter of credit, performance bond or other acceptable form of security guaranteeing the cessation or removal of the temporary use; and
 - (c) any other conditions deemed necessary.
- 26.3 A use deemed temporary in nature shall be processed in accordance with the corresponding Sections 22-25 of this bylaw. Notification of adjacent landowners and other persons likely to be affected, including County of Forty-Mile, government departments and referral agencies shall be in accordance with Section 28 of this bylaw.

SECTION 27 APPLICATIONS REQUESTING VARIANCE OF BYLAW PROVISIONS

- 27.1 Upon receipt of an application for a development permit that does not comply with this bylaw but in respect of which the Municipal Planning Commission is requested to exercise discretion under Section 27.3, the Development Officer shall:
- (a) refer the application to the Municipal Planning Commission for a decision; and
 - (b) notify adjacent landowners and other persons likely to be affected, including County of Forty-Mile if applicable, government departments and any other referral agency in accordance with Section 28.
- 27.2 The Development Officer is authorized to exercise discretion for a permitted use where a limited variance to one applicable measurable standard not to exceed 10 percent (10%) is requested, in accordance with Section 22.2.
- 27.3 The Municipal Planning Commission is authorized to decide upon an application for a development permit notwithstanding that the proposed development does not comply with this bylaw if, in the opinion of the Municipal Planning Commission, the proposed development would not:
- (a) unduly interfere with the amenities of the neighbourhood; or
 - (b) materially interfere with or affect the use, enjoyment or value of neighbouring properties;
 - (c) and the proposed development conforms with the use prescribed for that land or building within Part 4.

SECTION 28 NOTIFICATION OF PERSONS LIKELY AFFECTED

- 28.1 Where notification of adjacent landowners and other persons likely to be affected is required under Sections 23 to 27, or the Development Authority deems it necessary, the Development Officer shall:
- (a) mail (postal service or electronic) written notice of the application at least 12 days before the meeting of the Municipal Planning Commission to:
 - (i) adjacent landowners and other persons likely to be affected by the issuance of a development permit;
 - (ii) County of Forty-Mile if, in the opinion of the Development Officer or the Municipal Planning Commission, the proposed development could have an impact upon land uses in the County, is adjacent to the County boundary or is within any referral distance as specified within the Intermunicipal Development Plan; and
 - (iii) any other persons, government departments or referral agency that is deemed to be affected; or
 - (b) hand deliver written notice of the application at least seven days (1 week) before the meeting of the Municipal Planning Commission to the persons and agencies specified in the previous subsection; or
 - (c) publish a notice of the application in a newspaper circulating in the municipality or the Town newsletter at least seven days (1 week) before the meeting of the Municipal Planning Commission; or
 - (d) post a notice of the application in a conspicuous place on the property at least seven days (1 week) before the meeting of the Municipal Planning Commission; or
- any combination of the above.
- 28.2 In all cases, notification shall:
- (a) describe the nature and legal location of the proposed use or development;
 - (b) state the place and time where the Municipal Planning Commission will meet to consider the application, and state how and when written or oral submissions on the application will be received and considered;
 - (c) specify the location and time at which the application can be inspected; and
 - (d) if the development is for a discretionary use or an application requesting a variance by the Municipal Planning Commission, the notice shall include a statement that there is a right to an appeal process on a decision.
- 28.3 The Development Authority may refer any development permit application that is 7.6 m (25 ft) or over in height within one-half mile of the Airport district to Transport Canada, Navigation Canada for comments in order to ensure the safety of the development.

SECTION 29 NOTICE OF DECISION

- 29.1 Upon the decision on a development application for a permitted use that complies with the Land Use Bylaw, the Development Officer:
- (a) shall mail (postal service or electronic mail or both) or hand deliver a written notice of decision to the applicant; and
 - (b) may post/publish the notice of decision in a municipal newsletter or in a newspaper circulating in the municipality or on the municipality's website or social media site.
- 29.2 Upon the decision on all other development permit applications (e.g., discretionary use, use requiring a variance), the Development Officer shall:
- (a) mail (postal service or electronic mail or both) or hand deliver a written notice of decision to the applicant; and either
 - (b) mail (postal service or electronic mail or both) a copy of the notice of decision to those originally notified of the development permit application, those that made written submissions, and any other person, government department or agency that may, in the opinion of the Development Officer, likely be affected; or
 - (c) post/publish a notice of the decision in a newspaper or the municipal newsletter circulated within the municipality; or
 - (d) post/publish the notice of decision on the municipality's website or social media site; or
- any combination of methods (b) through (d).

SECTION 30 COMMENCEMENT OF DEVELOPMENT

- 30.1 Despite the issuance of a development permit, no development is authorized to commence until the appeal period has expired in compliance with the following:
- (a) in the case of a permitted use, until at least 21 days after the date on which the applicant is notified of the decision in writing;
 - (b) in all other cases, until at least 21 days after the date on which the decision is made and the notice of the issuance of the permit is posted, or published in municipal newsletter, or posted on the municipality's website or social media site, or published in a newspaper or deemed received through direct mailing, in accordance with Section 686(1) of the *Municipal Government Act*.
- 30.2 If an appeal is made, no development is authorized pending the outcome of the appeal.
- 30.3 Any development occurring prior to the dates determined under Sections 30.1 and 30.2 is at the sole risk of the applicant.

SECTION 31 DEVELOPMENT PERMIT VALIDITY

- 31.1 Unless a development permit is suspended or cancelled, the development must be commenced and carried out with reasonable diligence in the opinion of the Development Officer or the Municipal Planning Commission within 12 months from the date of issuance of the permit, otherwise the permit is no longer valid.

- 31.2 An application to extend the validity of a development permit may be made at any time prior to the expiration of the approved permit in accordance with subsection 31.3, except for a permit for a temporary use which shall not be extended.

- 31.3 Upon receipt of a request to extend the validity of a development permit, the validity of a development permit may be extended for up to an additional period of 12 months from the date of its expiry:
 - (a) by the Development Officer or the Municipal Planning Commission if the permit was issued by the Development Officer,

 - (b) by the Municipal Planning Commission if the permit was issued by the Municipal Planning Commission or approved on appeal by the Subdivision and Development Appeal Board.

- 31.4 When any use has been discontinued for a period of 12 months or more, any development permit that may have been issued is no longer valid and said use may not be recommenced until a new application for a development permit has been made and a new development permit issued. This Section does not apply to non-conforming uses which are regulated under Section 643 of the *MGA*.

SECTION 32 TRANSFERABILITY OF DEVELOPMENT PERMIT

- 32.1 Any valid development permit is transferable for the land on which it was approved where the use remains unchanged, and the development is affected only by a change of ownership, tenancy, or occupancy. This provision does not apply to a home occupation permit which is non-transferable.

SECTION 33 OCCUPANCY PERMITS

- 33.1 The Development Officer, the Municipal Planning Commission, or in a Direct Control District the Council, may require that the holder of a development permit obtain an occupancy permit before a building or use that was the subject of a development permit is occupied and/or the approved use initiated.

SECTION 34 FAILURE TO MAKE A DECISION – DEEMED REFUSAL

- 34.1 In accordance with Section 684 of the *MGA*, an application for a development permit shall, at the option of the applicant, be deemed to be refused when the decision of the Development Officer or the Municipal Planning Commission, as the case may be, is not

made within 40 days of receipt of the completed application, unless the applicant has entered into an agreement with the Development Officer or the Municipal Planning Commission to extend the 40-day decision period.

SECTION 35 REAPPLICATION FOR A DEVELOPMENT PERMIT

- 35.1 If an application for a development permit is refused by the Development Officer, the Municipal Planning Commission, or on appeal the Subdivision and Development Appeal Board, the submission of another application for a development permit on the same parcel of land for the same or for a similar use of the land may not be accepted by the Development Officer for at least six months after the date of refusal.
- 35.2 If an application was refused solely because it did not comply with the standards of this bylaw or was refused as an incomplete application under Section 21, the Development Officer may accept another application on the same parcel of land for the same or similar use before the time period referred to in subsection 35.1 has lapsed, provided the application has been modified to comply with this bylaw.

SECTION 36 SUSPENSION OR CANCELLATION OF A PERMIT

- 36.1 If, after a development permit has been issued, the Development Officer or the Municipal Planning Commission determines that:
- (a) the development permit was issued in error,
 - (b) the application contained a misrepresentation,
 - (c) facts were not disclosed which should have been at the time of consideration of the application for the development permit, or
 - (d) the applicant withdrew the application by way of written notice,
- the Development Officer or the Municipal Planning Commission may suspend or cancel the development permit by notice in writing to the holder of it stating the reasons for any suspension or cancellation.
- 36.2 Upon receipt of the written notification of suspension or cancellation, the applicant must cease all development and activities to which the development permit relates.
- 36.3 A person whose development permit is suspended or cancelled under this Section, and they did not voluntarily withdraw the application in writing, may appeal within 21 days of the date the notice of cancellation or suspension is received to the appropriate appeal board.
- 36.4 If a development permit is suspended or cancelled, the Subdivision and Development Appeal Board shall review the application if an appeal is filed by the applicant and either:
- (a) reinstate the development permit, or

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- (b) cancel the development permit if the Development Officer or the Municipal Planning Commission would not have issued the development permit if the facts subsequently disclosed had been known during the consideration of the application, or
 - (c) reinstate the development permit and may impose such other conditions as are considered necessary to ensure that this bylaw or any statutory plan is complied with.
- 36.5 If a permit holder voluntarily requests to withdraw a submitted application or an issued development permit such requests must be made in writing to the Development Officer. The Development Officer shall respond in a timely manner and acknowledge the cancellation of the application or permit in writing to the permit holder, and the applicant must immediately cease all development and activities to which the development permit relates. No other advertisement or notification of the cancellation is required.

SECTION 37 DEVELOPMENT AND SUBDIVISION APPEALS

- 37.1 A decision of the Development Authority or the Subdivision Authority must state whether the appeal lies to the local Subdivision and Development Appeal Board or the provincial Land and Property Rights Tribunal (LPRT).
- 37.2 Any person applying for a development permit, or any other person affected by an order, decision or development permit made or issued by the Development Authority, or any development application deemed refused in accordance with Section 21, may appeal such an order or decision or deemed refusal to the Subdivision and Development Appeal Board in accordance with the procedures described in the *MGA*.
- 37.3 In accordance with the *Municipal Government Act* and the procedures outlined, any landowner who applied for subdivision and was refused an approval, or had conditions attached to the approval, or any subdivision application deemed refused in accordance with Section 46, may appeal the decision to the Subdivision and Development Appeal Board, or LPRT if the circumstances require it. Adjacent or affected landowners have no right to appeal under the *MGA*.
- 37.4 An appeal to the Subdivision and Development Appeal Board shall be commenced by serving a written notice of the appeal with reasons to the Subdivision and Development Appeal Board and shall be accompanied by the applicable fees.

CONTRAVENTION, ENFORCEMENT AND PENALTIES

SECTION 38 NOTICE OF VIOLATION

- 38.1 Where the Development Officer or Municipal Planning Commission finds that a development or use of land or buildings is not in accordance with the *MGA*, the Subdivision and Development Regulation, a development permit or subdivision approval, or this bylaw, the Development Officer may issue a notice of violation to

the registered owner or the person in possession of the land or buildings or to the person responsible for the contravention.

- 38.2 Such notice shall state at a minimum the following:
- (a) nature of the violation,
 - (b) the legal description of the land subject to the violation,
 - (c) corrective measures required to comply, which may include ceasing operations, and
 - (d) time period within which such corrective measures must be performed.

SECTION 39 STOP ORDERS

- 39.1 As set forth in the *MGA*, the Development Authority is authorized to issue an Order under Section 645 of the *MGA* if a development, land use or use of a building is not in accordance with the *MGA*, the Subdivision and Development Regulation, a development permit or subdivision approval, or the Land Use Bylaw.
- 39.2 A person who receives notice pursuant to subsection 39.1 may appeal the order to the Subdivision and Development Appeal Board in accordance with the *MGA*.
- 39.3 Any decision regarding an appeal filed with respect to subsection 39.2 shall be limited to whether a contravention of the *MGA*, the Subdivision and Development Regulation, a development permit or subdivision approval, or this bylaw, is found to have occurred, whether the Order was issued correctly, and if the timeline for corrective measures is deemed reasonable.

SECTION 40 ENFORCEMENT OF STOP ORDERS

- 40.1 Pursuant to Section 646 of the *MGA*, if a person fails or refuses to comply with an order directed to the person under Section 645 or an order of a subdivision and development appeal board under Section 687, the designated officer may, in accordance with Section 542 of the *MGA*, enter on the land or building and take any action necessary to carry out the order.
- 40.2 The Town may register a caveat under the *Land Titles Act* in respect of an order referred to in subsection 40.1 against the certificate of title for the land that is the subject of an order.
- 40.3 If a caveat is registered under subsection 40.2, the Town must discharge the caveat when the order has been complied with.
- 40.4 If compliance with a stop order is not voluntarily effected, the Town may undertake legal action including, but not limited to, seeking injunctive relief from the Alberta Court of King's Bench pursuant to Section 554 of the *MGA*. In accordance with Section 553 of the

MGA, the expenses and costs of carrying out an order under Section 646 of the *MGA* may be added to the tax roll of the parcel of land.

SECTION 41 PENALTIES AND RIGHT OF ENTRY

- 41.1 Any person who contravenes any provision of this bylaw is guilty of an offence in accordance with Part 13, Division 5, Offences and Penalties of the *MGA* and 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.
- 41.2 In accordance with Section 542 of the *MGA*, a Development Officer may, after giving reasonable notice to and obtaining consent from the owner or occupier of land upon which this bylaw or *MGA* authorizes anything to be inspected, remedied or enforced or done by a municipality:
- (a) enter on that land at a reasonable time and carry out inspection, enforcement, or action authorized or required by the enactment or bylaw;
 - (b) request anything to be produced to assist in the inspection, remedy, enforcement or action; and
 - (c) make copies of anything related to the inspection, remedy, enforcement or action.
- 41.3 If a person refuses to grant consent or refuses to produce anything to assist in the inspection, remedy, enforcement or action referred to in Section 542 of the *MGA*, the municipality under the authority of Section 543 of the *MGA* may obtain a court order.

AMENDMENTS

SECTION 42 AMENDMENTS TO THE LAND USE BYLAW

- 42.1 The Town or any person may initiate amendments to the Town of Bow Island Land Use Bylaw by submitting an application to the Development Officer.
- 42.2 All applications by the public for amendments shall include the applicable fee and be submitted using the form in Appendix A with written reasons provided in support of the application and any additional information, as deemed necessary by the Development Officer to process the application.
- (a) The Development Officer may refuse to accept an application if, in their opinion, the information supplied is not sufficient to make a proper evaluation of the proposed amendment.
 - (b) The Development Officer shall forward an application to Council for consideration when satisfied that sufficient information has been provided with the application.

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- (c) Where Council is of the opinion that the proposed bylaw amendment is applicable to and for the benefit of the greater municipality at large, the Council may direct that the fee be returned to the applicant.

42.3 Public hearing and notification requirements shall be in accordance with Section 692 of the *MGA*.

42.4 Where an application for an amendment to the Town of Bow Island Land Use Bylaw has been refused by Council, another application that is the same or similar in nature shall not be accepted until at least 12 months after the date of refusal.

42.5 Where an application refused has been significantly changed, or changed at the request of Council, Town Council may accept an application prior to the end of the 12-month period specified in subsection 42.5.

SECTION 43 LAND USE REDESIGNATION APPLICATION REQUIREMENTS

43.1 A request for redesignation (rezoning) from one Land Use District to another shall be accompanied by:

- (a) a completed application form and the applicable fee;
- (b) a copy of the certificate of title for the lands, dated not more than 60 days prior to the date on which the application was made;
- (c) a narrative describing the:
 - (i) proposed designation and future uses(s);
 - (ii) consistency with the applicable statutory plans;
 - (iii) compatibility of the proposal with surrounding uses and zoning;
 - (iv) development potential/suitability of the site, including identification of any constraints and/or hazard areas (e.g., easements, soil conditions, topography, drainage, flood hazard area, steep slopes, etc.);
 - (v) availability of facilities and services (wastewater (sewage), domestic water, storm water, gas, electricity, fire and police protection, schools, etc.) to serve the subject property while maintaining adequate levels of service to existing development;
 - (vi) any potential impacts on public roads; and
 - (vii) any other information deemed necessary by the Development Officer or Council to properly evaluate the proposal;
- (d) conceptual lot design, if applicable;
- (e) an engineering or geotechnical report addressing the following, but not limited to:
 - (i) slope stability/soil compaction,
 - (ii) groundwater,
 - (iii) sewage (if in a municipal unserved area),

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- (iv) water table, and
 - (v) flood hazard analysis,
- if deemed necessary by the Development Officer or Council;

- (f) an evaluation of surface drainage which may include adjacent properties, if deemed necessary by the Development Officer or Council; and
- (g) any other information deemed necessary by the Development Officer or Council to properly evaluate the application.

43.2 An Area Structure Plan or Conceptual Design Scheme may be required in conjunction with a redesignation application when:

- (a) redesignating land from Urban Reserve (UR) to another district;
- (b) redesignating annexed land to a district other than Urban Reserve (UR) except where an existing approved Area Structure Plan or Conceptual Design Scheme defines land use designation(s) for the proposed development area, or unless determined otherwise by Council;
- (c) proposing multi-lot residential development resulting in the creation of more than four lots or which has the potential to cause capacity upgrades or expansion of infrastructure,
- (d) industrial development,
- (e) large-scale commercial development, or
- (f) as required by Council.

SECTION 44 REDESIGNATION CRITERIA

44.1 When redesignating (rezoning) land from one Land Use District to another, Council considerations may include the following:

- (a) compliance with applicable standards and provisions of the Town of Bow Island Land Use Bylaw;
- (b) consistency with the Municipal Development Plan, Intermunicipal Development Plan, and any other adopted statutory plans;
- (c) compatibility with adjacent land uses;
- (d) development potential/suitability of the site;
- (e) availability of municipal services and facilities, shallow utilities, etc., to serve the subject property and any potential impacts to levels of service to existing and future developments;
- (f) cumulative and financial impacts to the Town;
- (g) potential impacts on Town municipal roads and provincial highways;
- (h) setback distances contained in the Subdivision and Development Regulation;

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- (i) existing supply of similar suitably-designated land;
 - (j) public comment and any applicable review agency comments; and
 - (k) any other matters deemed pertinent.

SUBDIVISION APPLICATION PROCEDURES

SECTION 45 SUBDIVISION REQUIREMENTS

- 45.1 Any instrument that has the effect or may have the effect of subdividing a title or parcel of land that requires registration at the Land Titles office shall require subdivision approval from the Town of Bow Island Subdivision Authority, unless otherwise exempt by the *MGA*.
- 45.2 A subdivision approval is required for registration of a separation of title instrument or caveat that has the effect or may have the effect of subdividing a parcel of land
 - (a) if the parcel of land is described in a plan of subdivision that was registered in a land titles office before July 1, 1950; and
 - (b) if the parcel of land contains 2 or more lots one or more of which is less than 8.0 hectares in area.

SECTION 46 SUBDIVISION APPLICATIONS

- 46.1 An applicant applying for subdivision shall provide the required material and information as requested by the Subdivision Authority or its designate. A completed application shall consist of:
 - (a) An official application, in the manner and form prescribed, clearly and legibly filled out with all the required information and signatures provided as requested on the form;
 - (b) The applicable fees paid;
 - (c) An up-to-date and current copy of the Certificate of Title to the subject land;
 - (d) A (clear and eligible) diagram, Surveyors sketch or tentative subdivision plan with dimensions and a north arrow, in the manner requested which may include the provision that it be professionally prepared as stipulated;
 - (e) Provincial abandoned gas well information;
 - (f) Any such other information as may be required at the discretion of the Subdivision Authority in order to accurately evaluate the application and determine compliance with the land use bylaw or other government regulations. This may include but is not limited to the provision of:
 - (i) geotechnical information,
 - (ii) soil analysis reports,

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- (iii) water reports,
 - (iv) soil or slope stability analysis,
 - (v) drainage information,
 - (vi) contours and elevations of the land,
 - (vii) engineering studies or reports,
 - (viii) wetland reports,
 - (ix) environmental impact assessments,
 - (x) utility and servicing information, and/or
 - (xi) the preparation of a conceptual design scheme or an area structure plan may be required from the applicant prior to a decision being rendered on a subdivision application to determine the suitability of the land for the proposed use.

- (g) The consent to authorize the Subdivision Authority or its designate to carry out a site inspection on the subject land as authorized in accordance with the *Municipal Government Act (MGA)* unless determined not to be needed by the Subdivision Authority.

46.2 In accordance with *MGA*, the Subdivision Authority or those authorized to act on its behalf, shall provide notification to a subdivision applicant within the 20-day prescribed time period, on whether a submitted application is deemed complete, or if it is determined to be deficient, what information is required to be submitted by a specified time period, by sending notification in the following manner:

- (a) For an application deemed complete, the applicant shall be notified in writing as part of the formal subdivision application circulation referral letter, or through electronic communication (email), or both.
- (b) For an application determined to be incomplete, written notification shall be given to the applicant which may be in the form of a letter sent by regular mail to the applicant, or sent by electronic means, or both, or by any other method as may be agreed to between the applicant and Subdivision Authority.
- (c) In respect of subsection 46.2(b) for a subdivision application determined to be incomplete, the applicant will be advised in writing as part of the Notice of Incompleteness what the outstanding or required information items that must be submitted by the time specified in the notice.

46.3 Notwithstanding Section 46.2, the applicant and Subdivision Authority may agree and sign a time extension agreement in writing in accordance with Section 653.1(3) of the *MGA* to extend the 20-day decision time period to determine whether the subdivision application and support information submitted is complete.

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- 46.4 A determination made by the Subdivision Authority that an application is complete for processing does not preclude the ability for the Subdivision Authority to request other information or studies to be submitted by the applicant during the review and processing period, prior to a decision being rendered, or as condition of subdivision approval.

SECTION 47 INCOMPLETE SUBDIVISION APPLICATIONS

- 47.1 The Subdivision Authority may refuse to accept and process a subdivision application where the information required under Section 46.1 and/or as described in a Notification of Incompleteness has not been submitted, is determined to be deficient, is still incomplete, or in the opinion of the Subdivision Authority the quality of the material supplied is inadequate to properly evaluate the application.
- 47.2 If the Subdivision Authority makes a determination that the application is refused due to incompleteness, the applicant shall be notified in writing with reasons in the manner as described in subsection 46.2(b).
- 47.3 The notification provided for in subsection (b) shall include for the applicant the required information on the filing of an appeal and to which appeal board body the appeal lies, either the local appeal board or provincial Municipal Government Board, in accordance with the parameters of the *MGA*.

SECTION 48 SUBDIVISION APPLICATION NOTIFICATIONS

- 48.1 On receipt of a complete application for subdivision approval, the Planning Advisor must refer a notice and copy of the application to
- (a) the Government departments, agencies, persons and local authorities required by the subdivision and development regulations; and
 - (b) owners of land located adjacent and contiguous to the land that is the subject of the application.
- 48.2 The notice under subsection 48.1 must describe the nature of the application, the method of obtaining further information about the application and the manner in which and time within which written submissions may be made to the Subdivision Authority.

SECTION 49 SUBDIVISION DECISIONS

- 49.1 The Subdivision Authority must make a decision on an application for subdivision within:
- (a) 21 days from the date of receipt of a completed application under subsection 45.2; or
 - (b) 60 days from the date of receipt of all other applications;
- unless an agreement to extend the time has been entered into with the Subdivision Authority.

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- 49.2 If an applicant refuses to enter into a time extension agreement, the application may be deemed to be refused if no decision is made within the time prescribed, and the applicant may file an appeal with the Appeal Board to render a decision.
- 49.3 A Subdivision Authority when considering an application under this Section,
- (a) must consider the written submissions of those persons and local authorities to whom an application for subdivision approval or notice of application was given in accordance with this Section but is not bound by the submissions unless required by the *Subdivision and Development Regulations*; and
 - (b) is not required to hold a hearing.
- 49.4 A Notice of Decision with Reasons must be provided to the applicant, and those Government departments, agencies, and local authorities originally notified.

SECTION 50 CONDITIONS OF SUBDIVISION APPROVAL

- 50.1 The Subdivision Authority may impose conditions to ensure that the requirements of the MGA, the regulations, the statutory plans, and the bylaw are complied with.
- 50.2 The Subdivision Authority may impose a condition requiring the applicant to enter into a Development Agreement with the Town for:
- (a) construction of a public roadway required to give access to the development; or
 - (b) construction of a public pedestrian walkway; or
 - (c) the installation of utilities necessary to serve the development; or
 - (d) an off-site levy or redevelopment levy under the MGA; or
 - (e) to provide a financial security in a form acceptable to the Town to ensure the terms of the agreement are carried out.
- 50.3 The Development Agreement pursuant to subsection 50.2 may, at the option of the Town, be registered in the Land Titles Office in the form of a caveat against the certificate of title for the land that is the subject of the development agreement.
- 50.4 A caveat registered pursuant to subsection 50.3 shall be discharged by the Town when the requirements and conditions of the agreement have been met.

SECTION 51 SUBDIVISION ENDORSEMENT OF FINAL PLANS AND DOCUMENTS

- 51.1 An applicant for subdivision approval must submit to the planning advisor or other Subdivision Authority designate the plan of subdivision or other instrument that effects the subdivision within one year of the latest of the following dates:
- (a) the date on which the subdivision approval is given to the application;
 - (b) if there is an appeal to the Appeal Board or the LPRT, the date of that board's decision or the date on which the appeal is discontinued;

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- (c) if there is an appeal to the Court of Appeal under the Act, the date on which the judgment of the Court is entered or the date on which the appeal is discontinued.

51.2 On being satisfied that a plan of subdivision or other instrument complies with a subdivision approval and that any conditions imposed have been met or will be met, the Planning Advisor or designate must endorse the plan or other instrument in accordance with the subdivision and development regulations.

SECTION 52 VALIDITY OF SUBDIVISION APPROVALS

52.1 If the plan of subdivision or other instrument is not submitted to the Subdivision Authority within the time prescribed by Section 51.1 or any longer period authorized by the Council, the subdivision approval is void.

52.2 If the plan of subdivision or other instrument is not registered in Land Titles office within one year after the date on which it is endorsed pursuant to this Section or within the extended period prescribed under subsection 52.3, the subdivision approval of the plan or instrument and the endorsement are void and the plan or instrument may not be accepted by a Registrar for registration.

52.3 Town Council may, at its discretion, extend the periods referred to in subsection 51.1.

SECTION 53 APPEALS OF SUBDIVISION

53.1 In accordance with Section 37 of the bylaw, an appeal of a subdivision decision may be filed with the appropriate appeal body within 21 days of the date of the Notice of Subdivision Decision.

53.2 Only the applicant, municipality, or government departments as stipulated in the MGA have the right to file an appeal. Adjacent or affected landowners have no right to appeal.

DEVELOPMENT IN GENERAL

SECTION 54 LAND USE DISTRICTS

54.1 The Town of Bow Island is divided into those Land Use Districts shown in Part 4 on the Land Use Districts Map.

54.2 The one or more uses of land or buildings that are:

- (a) permitted uses in each district, with or without conditions; or
 - (b) discretionary uses in each district, with or without conditions; or
 - (c) those specifically prohibited;
- are described in Part 4.

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- 54.3 A land use that is not listed as a permitted or discretionary use but which is reasonably similar in character and purpose to a permitted or discretionary use in that district may be deemed a similar use by the Development Authority in accordance with Section 25 (Similar Use).
- 54.4 A land use not listed as a permitted or discretionary use or not deemed a similar use, in a district is a prohibited use, even if not specifically described or listed, and shall be refused.

SECTION 55 SUITABILITY OF SITES

- 55.1 Notwithstanding that a use of land may be permitted or discretionary or considered similar in nature to a permitted or discretionary use in a Land Use District, the Development Authority, as applicable, may refuse to approve a subdivision or issue a development permit if the Development Authority is made aware of or if in their opinion, the site of the proposed building or use is not safe or suitable based on the following:
- (a) does not have safe legal and physical access to a maintained road in accordance with the Land Use Bylaw, other municipal requirements or those of Alberta Transportation if within 300.0 m (984 ft) of a provincial highway or 800.0 m (2,625 ft) from the centre point of an intersection of a controlled highway and a public road;
 - (b) has a high-water table or soil conditions which make the site unsuitable for foundations and/or sewage disposal systems in accordance with the provincial regulations;
 - (c) is situated on an unstable slope;
 - (d) consists of unconsolidated material unsuitable for building;
 - (e) does not comply with the requirements of the *Alberta Land Stewardship Act*, South Saskatchewan Regional Plan, Subdivision and Development Regulation or any other applicable statutory plans;
 - (f) is situated over an active or oil or gas well or pipeline;
 - (g) is unsafe due to contamination by previous land uses;
 - (h) does not meet the minimum setback requirements from bulk fuel and chemical storage facility;
 - (i) does not have adequate water and sewer provisions;
 - (j) does not meet the lot size and/or setback requirements or any other applicable standards or requirements of the Town of Bow Island Land Use Bylaw;
 - (k) does not meet the industry recommended development guidelines in proximity to railway operations;
 - (l) does not meet Transport Canada Aerodrome Standards and Recommended Practices in proximity to airport operations;

(m) is subject to any easement, caveat, restrictive covenant or other registered encumbrance which makes it impossible to build on the site.

55.2 Nothing in this Section shall prevent the Development Officer or Municipal Planning Commission, as applicable, from issuing a development permit if the Development Authority is satisfied that there is no risk to persons or property or that these concerns will be met by appropriate engineering measures or other mitigating measures and approvals from provincial and/or federal agencies have been obtained, as applicable.

SECTION 56 NUMBER OF DWELLING UNITS ON A PARCEL

56.1 No person shall construct, locate or cause to be constructed more than one dwelling unit a parcel:

- (a) except as provided for in the Land Use District for which the application is made (e.g., two-unit dwellings, multi-unit dwellings, secondary suite, or as permitted in the applicable Land Use District); or
- (b) the second dwelling unit is located on a parcel located within the Urban Reserve District and is to be occupied by a person who is engaged on a full-time basis for at least 6 months each year in an agricultural pursuit; or
- (c) forms part of a comprehensively planned condominium development; or
- (d) the second or additional dwelling unit is a mobile or manufactured home forming part of a park for mobile/manufactured home park; or
- (e) as otherwise provided for in this bylaw.

SECTION 57 NON-CONFORMING BUILDINGS AND USES

57.1 A non-conforming building or use may only be continued in accordance with the conditions detailed in Section 643 of the *MGA*.

57.2 A non-conforming use of land or a building may be continued, but if that use is discontinued for a period of 6 consecutive months or more, any future use of the land or buildings shall conform with the provisions of this Bylaw.

57.3 A non-conforming use of part of a lot shall not be extended or transferred to other parts of the lot and no additional buildings shall be erected upon the lot while the non-conforming use continues.

57.4 A non-conforming use of part of a building may be extended throughout the building, whether the building is non-conforming or not; however, the building shall not be enlarged or structurally altered except:

- (a) as may be necessary to make it a conforming building; or

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- (b) as the Development Officer or the Municipal Planning Commission, as the case may be, considers necessary for the routine maintenance of the building; or
 - (c) as the Municipal Planning Commission approves minor alterations up to a maximum of 10% of the value of the building.

57.5 If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building shall not be repaired or rebuilt except in accordance with this Bylaw.

57.6 The use of land or a building is not affected by a change of ownership, tenancy, or occupancy of the land or building.

SECTION 58 DEVELOPMENT ON NON-CONFORMING SIZED LOTS

58.1 Development on an existing registered non-conforming sized lot that does not meet the minimum requirements for lot length, width or area specified in the applicable Land Use District in Part 4 may be permitted at the discretion of the Municipal Planning Commission.

58.2 The Development Officer is authorized to permit development on existing registered non-conforming sized lots for permitted uses where the Municipal Planning Commission issued a variance(s) to the minimum requirements for lot length, width and/or area as part of a subdivision approval.

SECTION 59 NON-CONFORMING VARIANCES

59.1 The Municipal Planning Commission is authorized to exercise minor variance powers with respect to non-conforming buildings pursuant to Section 643(5)(c) of the *MGA*.

59.2 In respect of subsection 59.1, the Municipal Planning Commission minor variance powers may allow that the building may undergo structure alterations to address a safety issue if the building is currently habitable, windows and doors may be upgraded or changed, and a new porch, steps, landing or deck may be added to the building.

SECTION 60 DEVELOPMENT AGREEMENTS

60.1 The Development Officer or Municipal Planning Commission may require, with respect to a development that as a condition of issuing a development permit, the applicant enter into an agreement with the municipality, pursuant to Section 650(1) of the *MGA*, to do any or all of the following:

- (a) to construct or pay for the construction of a road required to give access to the development;
- (b) to construct or pay for the construction of a pedestrian walkway system to serve the development and/or connect with existing or proposed pedestrian walkway systems that serve adjacent development;

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- (c) to install or pay for the installation of public utilities, other than telecommunication systems or works, that are necessary to serve the development;
 - (d) to construct or pay for the construction of off-street, or other parking facilities and/or loading and unloading facilities;
 - (e) to pay an off-site levy or redevelopment levy;
 - (f) to give financial security to ensure that the terms of the agreement under this Section are carried out.
- 60.2 The Subdivision Authority may require that as a condition of issuing an approval for a subdivision the applicant enter into an agreement with the municipality, pursuant to Section 655(1)(b) of the *MGA*.
- 60.3 An agreement referred to in this Section may require the applicant for a development permit or subdivision approval to oversize improvements in accordance with Section 651 of the *MGA*.
- 60.4 A municipality may register a caveat under the *Land Titles Act* with respect to an agreement under this Section against the certificate of title for the land that is the subject of the development, or for the parcel of land that is the subject of the subdivision.
- 60.5 If a municipality registers a caveat under this Section, the municipality must discharge the caveat when the terms, conditions and requirements of the agreement have been complied with.
- 60.6 As a condition of subdivision approval, all development agreements may be registered concurrently by caveat onto individual lots being created.

OTHER LAND USE STANDARDS

Refer to **Part 5** and **Part 6** - for other **General Municipal Standards** and **Use Specific Standards** of Development.



PART 2

DEVELOPMENT NOT REQUIRING A PERMIT

PART 2

DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

The following listed developments and land uses **are exempted** from the requirement of obtaining a development permit provided the requirements of the bylaw are met.

- 1.1 No development permit is required for any development that is specifically exempt by virtue of its inclusion in an exemption regulation by provincial or federal government.
- 1.2 No development permit is required for the maintenance and repair of public works, roads, services and utilities carried out by or on behalf of federal, provincial, municipal or public authorities on land which is publicly owned, managed or controlled.
- 1.3 No development permit is required for the construction, installation, or maintenance of that part of a public utility placed in or upon municipal public property, a public utility easement or right-of-way.
- 1.4 No development permit is required for the use of a building or part thereof as a temporary election 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.
- 1.5 No development permit is required for the following, but they must otherwise comply with the requirements and prescribed standards of this bylaw:
 - (a) the carrying out of works of routine maintenance or repair to any building (e.g., painting, reshingling, residing, window or door replacement, etc.) if such works do not include structural alterations or enlarge the footprint of the building;
 - (b) the completion of a building which was lawfully under construction at the date of the first publication of the official notice required by Section 692 of the *MGA*, provided that:
 - (i) the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which that permit was granted; and
 - (ii) the building, whether or not a permit was granted in respect of it, is completed within a period of 12 months from the date of the first publication of the official notice;and the use of any building referred to in Sections 1.5(b)(i) and (ii) above for the purpose for which construction was commenced.
 - (c) the placement of a temporary construction trailer during the construction, alteration, or maintenance of a building for a term not to exceed 12 months providing the trailer is removed

upon occupancy or issuance of an occupancy permit, whichever occurs first and there shall be no residential occupancy of the construction trailer at any time;

- (d) interior renovations to an existing building which do not:
 - (i) increase the square footage or building footprint,
 - (ii) increase parking requirements,
 - (iii) result in the change of use of a building, or
 - (iv) create another dwelling unit;
- (e) exterior renovations that change the exterior finish (material and color) or roofing material of a building unless it is required as a condition of an authorized development permit;
- (f) the erection, construction or the maintenance of property gates, fences, walls, hedges or other means of yard enclosure which comply with the standards and height limitations of this Bylaw; - refer to Part 5 – (General Standards of Development).
- (g) the erection or placement of up to two accessory buildings or structures, such as a shed, that is portable, detached and located in a rear yard and is 9.3 m² (100. sq. ft.) or less in area providing that it otherwise complies with this Bylaw and the applicable site lot coverage is not exceeded (a third or more additional accessory building or structure placed on the parcel or any that exceed 9.3 m² (100. sq. ft.) in size will require a development permit);
- (h) uncovered stairs/steps provided they do not project more than the allowed distance into required setbacks – refer to Part 5, Section 19;
- (i) landscaping, decorative ponds, fountains, ornaments, flagpoles (less than 4.88 metres (16 ft.) in height), garden/flower boxes, or other similar landscaping features;
- (j) ground level decks/patios or decks less than 0.61 metres (2 ft.) in height provided they are in the rear yard and meet the minimum setback requirements for accessory structures;
- (k) any residential sidewalk, hard surfaced driveway, gravel driveway, or parking pads not supporting a garage or carport, and/or paving stones provided it meets the requirements of this bylaw and which was not addressed as part of the original development permit;
- (l) internet, satellite or cable television dishes less than 0.91 metres (3 ft.) in diameter provided installation meets all requirements within the Land Use District pertaining to the development;
- (m) temporary, above ground portable swimming pools and hot tubs 11.15 m² (120 sq. ft.) or less in size but they are subject to Safety Codes and may require a building permit. (Any private swimming pool with a design depth greater than 0.61 metre (2 ft.) shall be constructed and fenced in accordance with Safety Codes requirements.) – refer to Part 6, Section 17 for other Swimming Pool standards;
- (n) the placement or installation of air conditioner units provided they do not project more than the allowed distance into required setbacks – refer to Part 5, Section 19;
- (o) the temporary operation of a display Show Home acting as a sales office for new residential home construction provided the dwelling unit was issued an approved development permit for

the dwelling construction and the use as a sales centre does not exceed 12 months (for a period to exceed 12 months, a discretionary development permit is required);

- (p) Temporary Shipping Containers A (less than 6 months/emergency) placed temporarily on a property in the case of an emergency to temporarily accommodate the storage of goods where a dwelling or building has been damaged in a fire or flood in conjunction with salvation and renovation work being done to a building, do not need a development permit subject to Part 6, Use Specific Standards of Development.

1.6. No development permit is required for certain signs as outlined in Part 7 – Sign Regulations, Section 3 (Signs Not Requiring A Permit). Typically, real estate signs, election signs, garage sale signs, municipal addresses, etc. will not require a development permit.

1.7. A development permit is not required for demolition:

- (a) if a development permit has been approved for development on the same site and demolition is implicit in that permit; or
- (b) for accessory buildings or structures of less than 18.58 m² (200 sq. ft.) in area.

All other demolition requires a development permit.

1.8. Although the previous listed items may eliminate the necessity of a Development Permit, the applicant is still responsible for adhering to all applicable Safety Codes, obtaining any required building permit and/or adhering to any other applicable legislation or municipal bylaw.

1.9. If there is any doubt as to whether a development permit is required, the matter shall be referred to the Development Officer or Municipal Planning Commission for a determination of whether a development permit is required.



PART 3

LAND USE DEFINITIONS

PART 3

DEFINITIONS

ADMINISTRATIVE AND LAND USE DEFINITIONS

The following definitions shall apply to the entire bylaw.

A

ABATTOIR means the use of land or buildings as a facility for the confinement and slaughter of animals and may include the processing of meat products.

ACCESSORY BUILDING means any building that is physically separate from the principal building on the lot on which both are located, and which is subordinate and incidental to that of the principal building. The use is subordinate and incidental to that of the principal use of the site on which it is located, and examples of a typical accessory building are a private garage or shed. No accessory building shall be used for human habitation. Ancillary building has the same meaning.

ACCESSORY STRUCTURE means a structure that is detached from the principal building. It is ancillary, incidental, and subordinate to the principal building or use. Typical accessory structures include flagpoles, swimming pools, storage tanks, and satellite dishes. When a structure is attached to the principal building by a roof, a floor, a wall, or a foundation, either above or below grade, it is considered part of the principal building. No accessory structure shall be used for human habitation. Ancillary structure has the same meaning.

ACCESSORY USE means a use or development customarily incidental and subordinate to the principal use or building and is located on the same parcel as such principal use or building. A principal use must be legally established or approved before an accessory use can be approved. Ancillary use has the same meaning.

ADDITION means construction that increases the footprint of an existing building or structure on the parcel of land. Typically, there will be a common connection from the existing building to the addition that includes a foundation of some type beneath the addition.

ADJACENT LAND or ADJACENT means land that is contiguous to a parcel of land proposed for development, subdivision or redesignation and includes land that would be contiguous if not for a road, railway, walkway, watercourse, water body, utility lot, right-of-way, reserve land or other similar feature.

AGRICULTURAL EQUIPMENT SALES AND SERVICE means the use of land or buildings for the sale, service and/or rental of agricultural implements, vehicles over 5,900 kg (13,000 lbs.) tare weight and heavy machinery used in the production, operation and maintenance of agricultural uses related to the cultivation, harvesting, seeding, ploughing, or irrigating of land for crop, food or forage production and its associated uses. Cleaning, repairing and sale of parts and accessories may be allowed as part of the principal use or as accessory uses.

AGLC means *Alberta Gaming, Liquor and Cannabis Commission*.

AIRPORT FACILITY means a development as recognized by Transport Canada that includes aviation related structures and buildings necessary for navigation, maintenance and storage.

ALBERTA LAND STEWARDSHIP ACT (ALSA) means the *Alberta Land Stewardship Act, Statutes of Alberta, 2009, Chapter A-26.8*. The Act and its Regulation are the legislated legal basis for regional land-use planning in Alberta which, for the Town of Bow Island, is the South Saskatchewan Regional Plan.

ALTER or ALTERATION means any structural change to a building that results in an increase or decrease in the area or volume of the building; any change in the area frontage, depth, or width of a lot that affects the required yard, landscaped open space, or parking requirements of this bylaw; structural change to a sign; and to discontinue or change the principal use of the site or building with a use defined as being distinct from the discontinued use.

ALTERNATIVE ENERGY, INDIVIDUAL SOLAR means a structure that collects energy derived from the sun and is for the sole or primary consumption of the landowner, resident or occupant and will produce less than 1MW of power and is typically mounted to the exterior wall or roof of the building or dwelling.

ALTERNATIVE ENERGY, INDIVIDUAL SWEC means a Small Wind Energy Conversion system which is a structure, typically a blade or rotor, that collects energy derived from the wind and is for the sole or primary consumption of the landowner, resident or occupant and will produce less than 1MW of power.

AMENITY AREA means an area(s) within the boundaries of a development intended for recreational purposes. These may include landscaped areas, patios, balconies, swimming pools, beaches, and other similar items that are intended for public use.

AMUSEMENT FACILITY means a commercial development for entertainment and amusement pastimes and may incorporate eating facilities as an accessory use. Such uses may include but are not limited to, amusement arcades, billiard parlours, games rooms, bingo halls, bowling alleys, video gaming rooms, escape rooms, and indoor mini putting, for the purpose of furnishing entertainment or amusement to the public for a fee.

ANHYDROUS AMMONIA STORAGE means a development of a building and/or containment facility used for the safe storage of ammonia and ammonia products normally associated with use for agricultural purposes.

ANIMAL CARE SERVICE – See VETERINARY CLINIC

APARTMENT BUILDING means a multi-unit higher density residential development with several self-contained dwelling units (see definition of dwelling unit), each of which occupies a portion of the same building. Such a building will typically consist of several storeys (floors) and five or more apartments for rent or lease includes an area for tenant and visitor parking and have a common entrance.

APPROVED USE means a legal use of land and/or building for which a development permit has been issued by the Development Officer, Municipal planning Commission, or the Subdivision and Development Appeal Board.

AREA REDEVELOPMENT PLAN means a statutory plan, prepared in accordance with Sections 634 and 635 of the *Municipal Government Act* for the purpose of all or any of the following:

- (a) preserving or improving land and buildings in the area;
- (b) rehabilitating buildings in the area;
- (c) removing buildings from the area;
- (d) constructing or replacing buildings in the area;
- (e) establishing, improving or relocating public roadways, public utilities or other services in the area;
- (f) any other development in the area.

AREA STRUCTURE PLAN means a statutory plan prepared for the purpose of providing a framework for subsequent subdivision and development of a defined area of land (*Municipal Government Act*, Section 633) and that may be adopted by a Council by bylaw.

AQUACULTURE means a development of an agricultural operation, also known as aqua-farming or cultured fish, where the use of land or building produces aquatic organisms such as fish, crustaceans, mollusks and aquatic plants. Aquaculture involves cultivating freshwater and saltwater populations under controlled conditions. This use must comply with all regulations and permitting of Alberta Agriculture.

AQUAPONICS means development of an agricultural operation where the use of land or building combines conventional aquaculture with hydroponics (cultivating plants in water) in a symbiotic environment for food production. This use must comply with all regulations and permitting of Alberta Agriculture.

ASSISTED LIVING means a development with a special combination of housing, supportive services, personalized assistance, and health care designed to respond to the individual needs of those who need help with activities of daily living. The facility may include a central or private kitchen, dining, recreational, and other facilities, with separate dwelling units or living quarters, where the emphasis of the facility remains residential. Senior citizen housing or assisted living facilities are separate uses in this bylaw.

ATTACHED GARAGE means a building or portion of a building that is used for the storage of motor vehicles, which is attached to the principal building by sharing a common wall with the dwelling, and usually contains an access doorway into the principal building. For the purpose of calculating setbacks and site coverage requirements, an attached garage is deemed to be part of the principal building.

AUCTION FACILITY means a development where household items, antiques, goods, vehicles, equipment, or animals are regularly bought, displayed, sold, or traded to the highest bidder at a public sale. The facility may include viewing areas, transport facilities, spectator seating, and administrative offices. An Auction Facility Livestock development may also include holding pens for animals. For the purpose of administering this bylaw, Auction Facility Non-livestock is a distinct and separate use from Auction Facility Livestock. This definition does not apply to individual sales of animals or goods by private owners.

AUTO BODY AND PAINT SHOP means a development of a building where motor vehicles are repaired and also where motor vehicle bodies and parts, and other metal machines, components, or objects may be painted. Painting of this type shall not be done outdoors but must be set up in a properly ventilated building. This use may also include an outdoor storage area, towing and impound yard and an office component.

AUTOMOTIVE REPAIR means a development primarily engaged in the repair or maintenance of motor vehicles, trailers, and similar mechanical equipment, including brake, muffler, upholstery work, tire repair and change, lubrication, tune ups and transmission work, provided it is conducted within a completely enclosed building. Outdoor storage is a separate use.

AUTOMOTIVE SALES AND SERVICE means a development for the retail sale, lease, or rental of new or used automobiles and/or recreational vehicles and/or a facility for the repair and servicing of automobiles and/or recreational vehicles including, but not limited to, mufflers, oil changes, transmissions, engine replacement, glass repair, auto detailing. Such facilities do not include the sale of gas but may include towing services as an accessory use.

AUTO WRECKAGE means a development or operation specifically intended for the dismantling of automotive vehicles and the sale of those parts to the general public. Such a facility may include an administrative office, work areas, towing and impound yard, and outdoor storage. The parcel of land on which the facility exists must be completely fenced according to Town standards.

B

BAKERY means a retail development of a small-scale, on-site production of baked food products, typically breads and pastries, that may include retail sales, display, storage and eating facilities.

BALCONY means a platform, attached to and projecting from the face of a principal building with or without a supporting structure above the first storey, where the projecting platform is elevated greater than 0.6 m (2 ft) from grade and normally surrounded by a baluster railing and used as an outdoor porch or sundeck with access only from within the building. It may be cantilevered from the building or supported from below.



BASEMENT means the portion of a building or structure which is partially or wholly below grade and having its floor below grade by a distance greater than one-half the distance from floor to ceiling.

BASEMENT SUITE – SEE SECONDARY SUITE

BED AND BREAKFAST means a development of an accessory use carried out in an owner-occupied residential dwelling where temporary accommodation is provided to non-residents of the dwelling for remuneration, and where meals, if provided for guests, are prepared in the common kitchen of the principal residence.

BERM means a barrier, typically constructed of mounded earth, used to separate incompatible areas, uses, or functions, or to protect a site or development from noise.

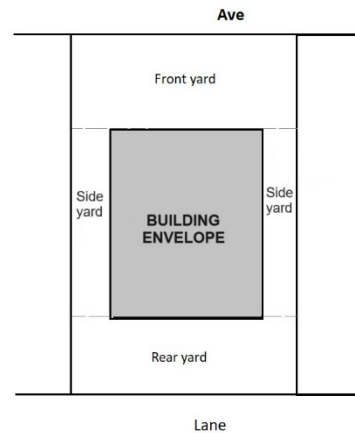
BOARDING HOUSE means a commercial residential development of a private dwelling in which lodgers rent room(s) for one night or even more extended periods of weeks or months. The common parts of the house, such as bathroom(s), kitchen, and living areas, are maintained by the private owner. Meals, laundry, or cleaning may be provided as part of the lodging agreement.

BREEZEWAY means a roofed often open passage connecting two buildings (such as a house and garage) or halves of a building that allows sheltered passage and is an architectural feature similar to a hallway that allows the passage of a breeze between structures to accommodate high winds, allow aeration, or provide aesthetic design variation; sometimes it can be much more like a tunnel with windows on either side.



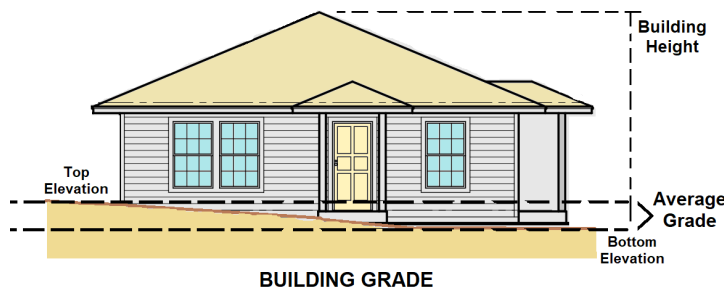
BUFFER means open spaces, landscaped areas, fences, walls, hedges, trees, shrubs, berms, or other similar features used to physically and/or visually separate incompatible uses, areas, functions, sites, buildings, roadways, districts, etc.

BUILDING has the meaning defined in the *Municipal Government Act* and includes anything constructed or placed on, in, over or under land, but does not include a highway or road or a bridge that forms part of a highway or road.



BUILDING ENVELOPE means the space created on a lot or parcel within which a building may be constructed once the setback requirements for a specific Land Use District have been considered.

BUILDING GRADE (as applied to the determination of building height) means the average elevation of the finished ground adjacent to the building.



BUILDING HEIGHT means the vertical distance between grade and the highest point of a building excluding a roof stairway entrance, elevator housing, a ventilating fan, a skylight, a steeple, a chimney, a smokestack, a fire wall or a parapet wall and a flagpole or similar device not structurally essential to the building.

BUILDING INSPECTOR means the accredited person or persons hired or contracted to be the chief building inspector or building inspectors in and for the Town of Bow Island.

BUILDING PERMIT means a certificate or document issued by the Safety Codes Officer pursuant to provincial legislation authorizing commencement of construction.

BUILDING SETBACK means the closest or shortest distance between the exterior foundation wall of the building and the nearest lot line. Depending on the Land Use District, the minimum setback will vary.

BUILDING WIDTH, MINIMUM means the minimum horizontal distance of the building's living space measured parallel to the shortest exterior wall of the building and perpendicular to the longest exterior wall of the building and excludes porches, decks, patios, balconies, carports, garages, unheated storage space, porte-cochere and other similar architectural features.

BUILDING SUPPLY OUTLET means an industrial premise used for storage, milling, and wholesale sales of a broad range of building materials and tools, and which may include a retail operation. This use includes lumber yards, carpet flooring shops, supply shops, and plumbing, heating, sheet metal, electrical supply shops. It may also include fire and safety supplies, paint stores, and hardware and tool stores.

BULK FUEL STORAGE AND SALES means development where refined or crude oil, fuel, or liquid or solid chemical is stored or sold, and includes the storage of dangerous/hazardous substances, as defined by the *Alberta Dangerous Goods Transportation and Handling Act* and the Major Industrial Accidents Council of Canada (MAICC). The development may include facilities for cleaning, blending, or packaging of bulk oil, fuel or chemicals, but does not include manufacture of any of these products. This use includes supplementary tanker vehicle storage and card lock or key lock fuel distribution facilities but does not include a service station/gas bar.

BULK STORAGE AND SALES means a building, warehouse or facility used for the storing and sorting of relatively large quantities of commercial goods or products. Usually, products are stored in original containers without any packaging for faster access for sales and the shipping of products.

BUSINESS means a commercial, merchandising, or industrial activity or undertaking, a profession, trade, occupation, calling or employment or an activity providing goods or services, whether or not for profit and however organized or formed, including a cooperative or association of persons.

BUSINESS SUPPORT SERVICE means a development primarily engaged in providing services for other business establishments such as advertising, copying, equipment, financial services, employment services, and other similar services.

BYLAW means the Land Use Bylaw of the Town of Bow Island.

C

CAMPGROUND means a development intended for seasonal occupancy by holiday or tent trailers, recreation vehicles, tents and similar equipment and which may include supplementary bathroom and recreational facilities, eating shelters, convenience retail, laundry facilities, and dwelling accommodations for the operator.

CANNABIS means cannabis as defined by the *Federal Cannabis Act*.

CANNABIS ACCESSORIES means accessories that promote the responsible and legal consumption and storage of cannabis.

CANNABIS PRODUCT means a product that contains cannabis.

CANNABIS PRODUCTION FACILITY means development where medical marihuana is grown, processed, packaged, tested, destroyed, stored, or loaded for shipping.

CAR WASH means a commercial development providing for the washing and cleaning of motor vehicles but does not include SERVICE STATIONS/GAS BARS.

CARPORT means a partially enclosed accessory structure intended for the shelter of one or more motor vehicles with at least 40 percent (40%) of the total perimeter open and unobstructed.

CEMETERY AND INTERMENT SERVICES means a development by a municipality or religious organization in accordance with the provincial *Cemeteries Act* for the entombment of the deceased and may include such facilities as crematories, cinerarium, columbarium, mausoleums, memorial parks, burial grounds, cemeteries and gardens of remembrance. See PUBLIC AND INSTITUTIONAL.



CERTIFICATE OF COMPLIANCE means a document signed by the Development Authority, certifying that a development complies with this bylaw with respect to yard requirements and insofar as represented on an Alberta Land Surveyors' Real Property Report.

CHANGE OF USE means the conversion of land or building, or portion thereof from one land use activity to another in accordance with the permitted or discretionary uses as listed in each Land Use District.

CHILD CARE FACILITY means a development used for the provision of care, maintenance and supervision of seven or more children, for periods not exceeding 24 consecutive hours and includes all child-care centres, day cares, nurseries and after-school or baby-sitting programs which meet the conditions of this definition, and which are subject to provincial licensing. Day homes are separate home occupation uses.

CHURCH means a development whose primary purpose is to facilitate meetings of a group of people for public worship or religious services. See RELIGIOUS ASSEMBLY.

CLUSTER OR COTTAGE HOUSING means a type of preplanned residential development that feature a cluster – often between four and twelve – of smaller dwelling units built around a common open space, on either a single parcel of land or on a site in such manner that the units may be individually titled through a condominium plan. Typically, each cottage or dwelling unit is around 500 to 1,000 square feet.



CLUSTER HOUSING

CLUB OR FRATERNAL ORGANIZATION means a development for the assembly of members of non-profit clubs or organizations, including charitable, social service, ethnic, athletic, business or fraternal organizations. This use may include eating, drinking, entertainment, sports, recreation, and amusement facilities as accessory uses but “Campground” is a separate use.

COMMERCIAL RECREATION means a for-profit development for recreational activities that charges a fee and is not operated by a public body such as the municipality. Such uses include, but are not limited to, gymnasiums, athletic/sport fields, bowling alleys, climbing walls, shooting ranges, paintball, go-cart tracks, golf courses and driving ranges, outdoor min-golf, recreation centres, indoor/outdoor ice rinks, campgrounds retreats and country clubs. Fitness facility is a separate use.

COMMON WALL means a vertical separation completely dividing a portion of a building from the remainder of the building and creating in effect a building which, from its roof to its lowest level, is separate and complete unto itself for its intended purpose, such wall being owned by one party but jointly used by two parties, one or both of whom is entitled to such use by prior arrangement or jointly owned by both parties.

COMMUNITY ASSOCIATION BUILDING or COMMUNITY HALL means a development whose primary purpose is to accommodate use by community group(s). The building may include such features as meeting rooms, kitchen, stage and open floor area, bar/liquor area, multi-purpose rooms, washrooms, coat room, storage room(s) and administrative offices. Exterior uses may include parking, playground areas, outdoor shelters, and sitting areas.

CONTRACTOR, GENERAL means development used for industrial service support and construction. Typical uses include cleaning and maintenance contractors, building construction, landscaping, concrete, electrical, excavation, drilling heating, plumbing, paving, road construction, 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 use.

CONTRACTOR, LIMITED means a development used for the provision of electrical, plumbing, heating, painting, catering and similar contractor services primarily to individual household and the accessory sales of goods normally associated with the contractor services where all material are kept within an enclosed building, and there are no accessory manufacture activities or fleet storage of more than four vehicles.

CONVENIENCE STORE means a small retail development that sells a limited line of groceries, snack foods, beverages, lottery tickets, and minor household goods for the convenience of the neighbourhood or local area.

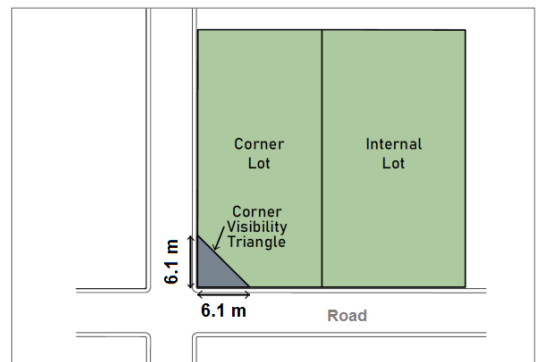
CONCEPTUAL DESIGN SCHEME means a professionally drawn detailed site layout plan for a parcel of land which typically addresses the same requirements as an Area Structure Plan, but which is not adopted by bylaw which:

- (a) shows the location of any existing or proposed buildings; and
- (b) describes the potential effect and/or relationship of the proposed development on the surrounding area and the municipality as a whole; and
- (c) provides for access roads, water, sewer, power and other services to the satisfaction of the Municipal Planning Commission or Council.

CONDOMINIUM means a building or structure where there exists a type of title ownership of individual units, generally in a multi-unit development or project where the owner possesses an interest as a tenant in common with other owners in accordance with the provisions of the *Condominium Property Act*. This may consist of residential units or commercial/industrial units.

CONDOMINIUM PLAN means a plan of survey registered at a Land Titles Office prepared in accordance with the provisions of the *Condominium Property Act*, Revised Statutes of Alberta 2000, Chapter C-22, as amended to depict units of ownership.

CORNER VISIBILITY OR CLEAR VISION TRIANGLES means a triangular area on a corner lot that is comprised of two sides which are measured from the intersection corner for a distance specified in this bylaw. The third side of the triangle is a line joining the ends of the other two sides. Where the lot lines at intersections have rounded corners, the lot lines will be extended in a straight line to a point of intersection.



COUNCIL means Council of the Town of Bow Island.

COUNTY means County of Forty Mile.

D

DAY HOME means a development within a private residence where care, development and supervision are provided for a maximum of six children between the ages of 0-12 years, including children under the age of 12 who reside in the home, for periods not exceeding 24 consecutive hours.

DECK means a wooden, or other similar hard-surfaced platform, with or without a roof, walls or railings intended for outdoor living space or amenity area and which is generally attached to a building, or if

unattached to a building is considered an accessory structure. Other specific deck meanings include the following:

- (a) A **raised deck** means a horizontal structure with a surface height 0.6 metre (2 ft.) or greater above grade at any point, but generally no higher than the first storey floor level and is intended for use as a private outdoor amenity space.
- (b) A **ground level deck** means an unenclosed (no roof or walls) amenity area of wood, or other similar hard-surface material, that is constructed less than 0.6 metre (2 ft.) above grade and is typically attached to a dwelling.
- (c) A **ground level patio** means an unenclosed (no roof or walls) amenity area of concrete, brick, stone, wood, or other material that is constructed at grade and may or may not be or attached to a dwelling.



DELI or delicatessen means a commercial retail or boutique food store where ready-to-eat food products (such as cooked meats, prepared salads, pickles, spreads, preserves, dips and breads) are prepared, packaged and sold for take-out, but the use may include a small seating or counter area for patrons to eat on the premises.

DEMOLITION means the pulling down, tearing down, or razing of a building or structure.

DENSITY means the number of dwelling or accommodation units on a site expressed in units per acre or hectare, or alternatively as the site area required per dwelling unit.

DETACHED GARAGE means an accessory building designed and used primarily for the storage of motor vehicles that is not physically attached or is separate from the principal dwelling or building.

DEVELOPER means a person or an owner of land in accordance with the Statutes of the Province of Alberta or authorized person who wishes to alter the title to the property, or build upon the property, and change the use of the property from its existing use or vacant state.

DEVELOPMENT in accordance with the *Municipal Government Act* means:

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

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

DEVELOPMENT AGREEMENT means a contractual agreement completed between the municipality and an applicant for a development permit or subdivision approval which specifies the roadways, walkways, public utilities, and other services to be provided by the applicant as a condition of a development permit or subdivision approval, in accordance with the *Municipal Government Act*.

DEVELOPMENT AUTHORITY means the body established by bylaw to act as the municipal development authority in accordance with Section 624 of the *Municipal Government Act*.

DEVELOPMENT OFFICER means a person(s) authorized by Council to act as a development authority pursuant to Section 624 of the *Municipal Government Act* and in accordance with the Municipal Planning Commission Bylaw.

DEVELOPMENT PERMIT means a municipal permit issued with or without conditions pursuant to this bylaw authorizing a development. A development permit does not constitute a building permit.

DISCRETIONARY USE means the use of land or building(s) provided for in the Land Use Bylaw for which a development permit may be issued, following receipt by the Development Officer of a completed application with appropriate details and fees.

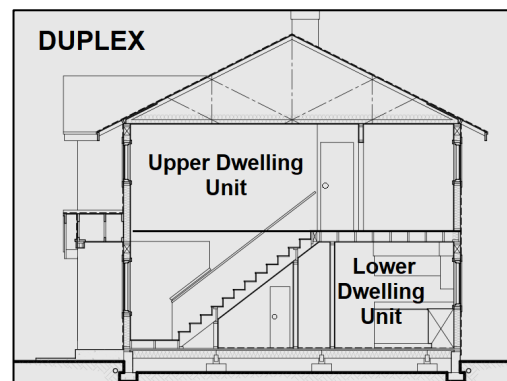
DISTRICT – See LAND USE DISTRICT

DRIVE-IN/DRIVE-THROUGH RESTAURANT - See RESTAURANT and DRIVE-THRU RESTAURANT.

DRIVEWAY means a private drive on land individually or freehold simple titled providing vehicular access to a lot, parcel, parking area, garage, dwelling or other building, use or facility in conformance with the Land Use Bylaw, and may be utilized for the off-street parking of vehicles when designed to accommodate such.

DUPLEX DWELLING means a residential development that contains two separate dwelling units connected by a common floor/ceiling between units. A semi-detached dwelling is a separate use.

DWELLING means a development designed for human habitation and which is intended to be used as a residence for one or more individuals but does not include travel trailers, motor homes, recreational vehicles, or other mobile living units, hotel, motel, dormitory, boarding house, or other similar accommodation. Dwelling includes the following:



Single-unit dwelling means a development containing a single dwelling unit which is to be constructed on site and is to be placed on a basement or permanent slab foundation and includes a single-detached. See SINGLE-DETACHED.

2-unit dwelling means a development that contains two separate dwelling units connected either by a common floor/ceiling, or by a common wall (party wall) between units and includes a duplex or semi-detached.

3-unit dwelling means a development comprised of three dwelling units, each unit having a separate, direct entrance from grade or a landscaped area. Each dwelling unit will be connected either by a common floor/ceiling, or by a common wall (party wall) between units. See TOWNHOUSE or ROW DWELLING.

4-unit dwelling means a development comprised of four dwelling units, each unit having a separate, direct entrance from grade or a landscaped area. Each dwelling unit will be connected either by a common floor/ceiling, or by a common wall (party wall) between units and may include a four-plex and a row dwelling or townhouse. See FOUR-PLEX DWELLING.

Row dwelling means development consisting of a building containing a row of four or more dwelling units each sharing a common wall extending from the first floor to the roof, at the side only with no dwelling being placed over another in whole or in part. Each dwelling unit shall have separate, individual, and direct access to the building at grade.

DWELLING UNIT means a building or portion thereof designated or used exclusively as the habitable living quarters (construed as including sleeping, cooking and toilet facilities) for one family.

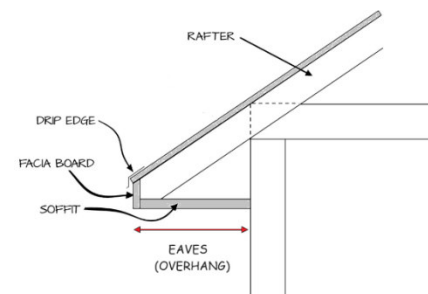
E

EATING ESTABLISHMENT means a development where food is prepared and served on the premises for sale to the public in accordance with *Alberta Health* standards and may include supplementary on- or off-premises catering services. This term includes restaurants, cafes, lunch and tea rooms, ice cream parlours, banquet facilities, take-out restaurants, and other uses similar in character and nature. See RESTAURANT.

EDUCATIONAL FACILITY means a development intended for instructional learning and offering continuing education or specialized courses of study. Included in the category may be public, private, and commercial institutions. See SCHOOL.

EASEMENT means a legal right pertaining to land held by one party in land owned by another, typically for access or to accommodate a public utility or to allow access.

EAVE means the overhang or extension of a roof line beyond the vertical wall of a building.



EXCAVATION means the process of altering the natural elevation of the ground by grading, cutting, digging, stripping, filling or breaking of ground, but does not include common household gardening and ground care, excavation made for the building of basements, structures, landscaping, or parking for which a development permit has been issued, or extensive agriculture. Gravel pit, mineral extraction and any other similar extractive use are not classified as excavation and are a separate use.

ENTERTAINMENT ESTABLISHMENT means a development such as a theatre, auditorium, concert hall, lounge or cabaret providing dramatic, musical, or other entertainment indoors or outdoors and may include facilities for supplementary food and beverage consumption.

EQUIPMENT SALES, RENTAL AND SERVICE means a development for the retail sale, wholesale distribution, rental and/or service of hand tools, small construction, farming, gardening and automotive equipment, small machinery parts and office machinery and equipment. AGRICULTURAL SALES, RENTAL AND SERVICE is a separate use.

EXTENSIVE AGRICULTURE means a development for the production of crops or livestock or both by expansive cultivation or open grazing only. Barns, Quonsets, and other similar buildings associated with extensive agriculture are classified as accessory structures. This use does not include agricultural-related industry buildings or uses such as packaging plants, processing plants, agricultural support services or any other similar uses or structures.

F

FABRIC BUILDING means a structure, truss, or tube-frame building system, which is covered with fabric, generally of canvas, vinyl, plastic, or cotton material, which is typically used as an accessory building, garage or for storage. For use purposes these may be considered as an **Accessory building**.



FARMER'S MARKET means a development where fresh farm or garden produce is sold in a retail or wholesale setting and where goods are typically displayed in bulk bins or stalls for customer selection. This use includes vendors of fruit, vegetables, meat products, baked goods, dry goods, spices and non-food products such as handicrafts, provided that the sale of fresh food products remains the primary function. The market may be permanent in a building or a seasonal or temporary use.

FARM SUPPLIES AND SERVICE means a development for the sale, storage and distribution of grain (including grain bins), livestock feed, fertilizer and chemicals used in agriculture.

FENCE means an accessory structure usually made of wood, rails, bricks, aluminum, or wire intended to mark parcel boundaries, provide enclosure, and provide yard privacy or security.

FERTILIZER FACILITY/DEALER means a building, property or facility where a business is operating a commercial development that is engaged in the distribution and sale of agricultural fertilizer products. This use does not include anhydrous ammonia storage or sales.

FINANCIAL INSTITUTION means a development primarily for providing the service of banking or lending money, such as a bank, savings and loan institution, or credit union.

FITNESS FACILITY means a development where space, equipment or instruction is provided for people to pursue physical fitness or skills relating to physical activities and may include the incidental sale of products relating to the service provided. See **PERSONAL SERVICE**.

FLANKAGE means the same as a yard’s secondary front. See **SECONDARY FRONT**.

FLOOR AREA means the sum of the gross horizontal area of the several floors and passageways of a building, but not including cellars, attached garages and open porches. All dimensions shall be outside dimensions. Basement floor areas shall be included only where the building contains a basement suite.

FLOOR AREA RATIO means the net floor area divided by the gross lot area.

FOURPLEX DWELLING means a form of grouped housing containing four attached dwelling units, where:

- (a) each unit has two contiguous or abutting walls which provide fire separation from the adjacent dwelling units;
- (b) two of the dwelling units ordinarily face the front yard, and two dwelling units ordinarily face the rear yard; and
- (c) each unit is provided with its own separate primary access to the outdoors.

FOUNDATION means the supporting base structure of a building or structure that is engineered to support the designed load and is constructed to all Building Code requirements.

FOOD PROCESSING PLANT means a development, other than a restaurant or catering establishment, in which agricultural food products are prepared, processed, preserved, graded or stored for eventual commercial sale and human consumption, and includes a flour mill, a dairy, an industrial bakery, or an egg grading station, but does not include an abattoir or any premises used for the slaughtering of animals or the boiling of blood, tripe or bones.

FRONT YARD means a yard extending across the full width of a lot and situated between the front lot line and the nearest portion of the principal building. For *Secondary Front or Flankage yard* refer to [Part 4, Standards of Development](#).

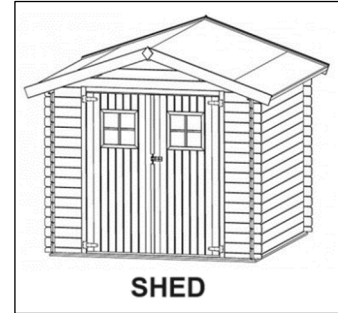
FRONTAGE means the front lot line and the side of a lot abutting a public roadway. Frontage does not include any side of a lot abutting a lane unless the lane is the only means of physical access.

FUNERAL HOME means a development used for the arrangement of funerals, the preparation of the deceased for burial or cremation, and the holding of funeral services.

G

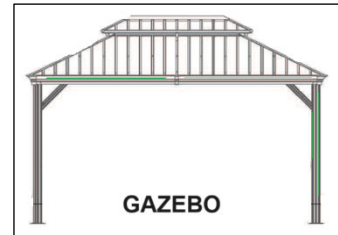
GARAGE means an accessory detached private building or part of the principal building (attached), designed and used primarily for the storage of motor vehicles.

GARDEN CENTRE means a commercial retail development for the supply and sale of goods associated with house, yard and garden work, such as tools, products, plants, and equipment on the premises and may also involve an associated greenhouse for the growing and sale of vegetables, flowers, trees or other plants for transplanting or sale. See GREENHOUSE.



GARDEN SHED means an accessory structure to store household and garden equipment and supplies, typically portable and not on a permanent foundation.

GAZEBO means a type of accessory outdoor structure consisting of posts or columns that support a roofing grid of rafters and the roofing grid is typically covered with solid material or fabric so as to create an area sheltered from the natural elements.



GENERAL WAREHOUSING AND STORAGE means a development for the storage of goods, equipment, and/or merchandise. The building may include administrative offices, loading areas, parking areas, storage rooms and the retail sale of goods stored in the warehouse. No outdoor storage is permitted with this use.

GOLF COURSE means a recreational development of varying size where the land is developed primarily to accommodate the game of golf. Accessory uses include a pro shop, driving range, practice putting area, food service, and other commercial uses typically associated with a golf course clubhouse facility.

GRAIN ELEVATOR means a development for the collection, grading, sorting, cleaning, storage, and transshipment of various agricultural crop seeds and grains. This definition also includes 'inland grain terminal'.

GREENHOUSE means a building specially designed and used for the growing of vegetables, flowers or other plants for transplanting or sale. This use does not include Cannabis Production Facility which is a separate use. See GARDEN MARKET.

GROSS FLOOR AREA means the sum of the areas of all floors of a building measured to the outside surface of the exterior walls or, where buildings are separated by firewalls, to the centre line of the common firewalls and includes all floors totally or partially above the finished ground surface excluding an artificial embankment but including all mechanical equipment areas.

GROUP CARE FACILITY means a development which provides residential accommodation and rehabilitative services to four or more persons who are handicapped, disabled or undergoing rehabilitation and are provided assistance or care to meet their needs. Persons are typically referred to a group care facility by hospitals, courts, government agencies or recognized social service agencies or health professionals but may also voluntarily request care. This use includes supervised uses such as group homes, half-way houses, and convalescent homes. This use does not include child care facility, senior citizen housing or assisted living which are separate uses in this bylaw.

GROUP CARE MINOR means a group care facility development where the home or facility is limited to eight or less clients on the premises at any one time who are handicapped, disabled or undergoing rehabilitation and are provided care to meet their needs. See GROUP CARE FACILITY.

GEOTECHNICAL REPORT means a comprehensive land site analysis and report prepared by a qualified and registered professional with the Association of Professional Engineers, Geologists, and Geophysicists of Alberta (APEGGA).

GRADE, LANDSCAPED (as applied to the determination of height of balconies, decks and architectural features and landscape structures) means the average level of finished landscaped ground under the four principal corners of the balcony, deck, architectural feature or landscape structure. For buildings see BUILDING GRADE.

H

HABITABLE BUILDING or STRUCTURE means any building or structure used, or intended for use, on a day-to-day basis by people for residential purposes, or for purposes of conducting a commercial or industrial business, or for purposes of a similar nature, which meet minimum health and safety standards.

HEDGE means a row of closely planted vegetation, shrubs, bushes, or any kind of plant forming a uniform boundary, enclosure, or fence.

HOLIDAY TRAILER – see RECREATIONAL VEHICLE

HOME OCCUPATION means an occupation, trade, profession, or craft carried on by a resident or occupant of a residential dwelling unit as a use secondary and incidental to the residential use of the dwelling and lot, and which does not change the character thereof or have any exterior evidence of such secondary use, or negatively affect adjacent landowners.

HOSPITAL means a healthcare development operated by provincial health authorities providing medical treatment on both an in-patient and out-patient basis and may include provision for outdoor amenity areas, laundry facilities, maintenance buildings and air transport facilities.

HOTEL/MOTEL means a commercial development primarily for offering temporary sleeping accommodation and ancillary services provided in rooms or suites of rooms which may contain kitchen facilities. Hotels typically have rooms that are accessed from within the building along common hallways whereas a motel will typically have accommodation rooms entered from outside individual exterior doors. The building may also contain commercial or other uses and may offer such additional services as parking facilities or lounge, dining room, room service, health/leisure services, or public convention facilities. An associated restaurant is categorized as a separate use.

I

ILLUMINATED SIGN means any sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed towards the sign.

IMPROVEMENT means any installation or physical change made to a property or building with a view to increasing its value, utility or beauty.

INDOOR STORAGE means a building or portion of a building or indoor area within which goods, products, equipment or materials are allowed to be stored, sorted, dispensed, used, or handled with or without building attendants present and is similar to a warehouse. For the purposes of this bylaw, this definition is limited to those uses that require minimal on-site improvements, service and public amenities or facilities and does not include those goods or materials which are hazardous.

INTENSIVE HORTICULTURAL OPERATION means a development used for the intensive production of plants or plant material for the high yield production and/or sale of specialty plants or crops and located within a building or facility where typically artificial lights or containers are used. The use includes the storage and packing of produce and plants grown on the subject site.

K

KENNEL means a commercial development where dogs or cats or other domestic pets are maintained, boarded, bred, trained or cared for or kept for the purposes of sale but excludes an Animal Care Service or Veterinary Clinic.

L

LAUNDROMAT means a commercial establishment equipped with washing machines and dryers for public use for the cleaning of clothing or other textiles, usually by self-service and card or coin operated.

LANDOWNER – see REGISTERED OWNER

LANDSCAPING means the modification, beautification and enhancement of a site or development through the use of the following elements:

- (a) natural landscaping consisting of vegetation such as trees, shrubs, hedges, grass, flowers and other ground cover or materials;
- (b) hard landscaping consisting of non-vegetative materials such as brick, stone, concrete, tile and wood, excluding monolithic concrete and asphalt; and
- (c) excludes all areas utilized for driveways and parking.

LANDSCAPING MATERIALS SALES AND SERVICE means a commercial establishment primarily engaged in providing landscape materials and products, such as sod, gravel, stone, brick, pavers, yard ornaments, along with care and maintenance services and/or installing trees, shrubs, plants, lawns or gardens, and walkways, retaining walls, decks, fences, ponds, and similar structures.

LAND USE DISTRICT means a specifically identified and delineated area or zone within which the development standards of this bylaw govern the use, placement, spacing, and size of land and buildings. All Land Use Districts referred to in this bylaw are shown on the Land Use District Map found in [Part 4 to this bylaw](#).

LANE or LANEWAY means a public thoroughfare, which provides a secondary means of access to a lot or lots, typically at the rear of the parcel or lot(s).

LIGHT FABRICATION SHOPS means an industrial development including the assembly of metal parts, such as blacksmith and welding shops, sheet metal shops, machine shops, and boiler shops, that produce metal duct work, tanks, towers, cabinets and enclosures, metal doors and gates, and similar products.

LIGHT INDUSTRIAL means a development used for processing, assembly, production or packaging of goods or products, as well as administrative offices and warehousing and wholesale distribution uses which are accessory uses to the above, provided that the use does not generate any detrimental impact, potential health or safety hazard or any nuisance beyond the boundaries of the developed portion of the site or lot upon which it is situated.

LIQUOR STORE means a development licensed under provincial authority for the sale of any or all of, alcoholic beer, wine, or spirits for consumption off premises. Full walls must physically separate the premises from any other business.

LICENSED LOUNGE / BAR / DRINKING ESTABLISHMENT means a development, licensed by the Alberta Gaming Liquor Cannabis commission, in which alcoholic beverages are served for a fee for consumption on the premises, and any preparation or serving of food is accessory thereto, and includes a licensed lounge that is ancillary to a restaurant.

LIGHT MANUFACTURING means an industrial development for manufacturing, assembling or fabricating activities on a small or large scale, as well as administrative offices and warehousing and wholesale distribution uses which are accessory uses to the above, provided that the use does not generate any detrimental impact, potential health or safety hazard or any nuisance beyond the boundaries of the site or lot upon which it is situated.

LOADING AREA OR SPACE means an open area used to provide free, unencumbered access for vehicles and transport trucks to a loading door, platform or bay of a commercial, industrial or institutional building or facility.

LODGING HOUSE – See BOARDING HOUSE

LOT means a lot as defined in the *Municipal Government Act* and shall include a bare land condominium unit.

LOT AREA means the total horizontal area of a lot as defined by the property boundaries.

LOT, CORNER means a lot located at the intersection or junction of two or more streets.

LOT DEPTH means the average horizontal distance between the front and rear lot boundaries.

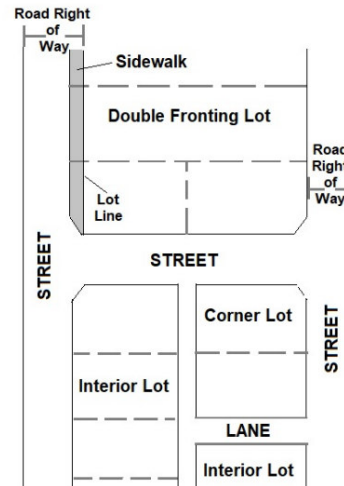
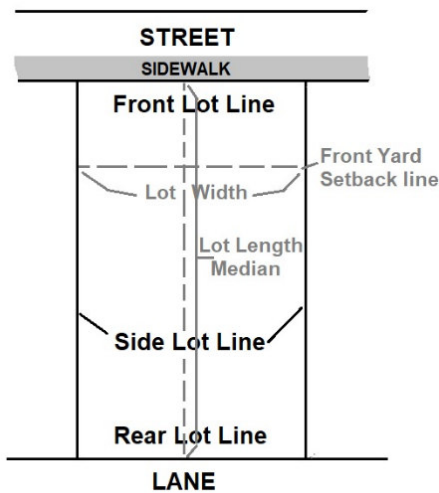
LOT, DOUBLE FRONTAGE means a site abutting two parallel or approximately parallel streets.

LOT, INTERIOR means any lot other than a corner lot.

LOT, LENGTH means the horizontal distance between the front and rear lot lines vertically projected and measured along the median between the side lot lines.

LOT LINE means the legally defined limits of any lot, referred to as the property line.

LOT, WIDTH means the horizontal measurement between the side lot lines measured at a point where the building front setback line is established at a perpendicular distance from the front boundary of the lot.



LUMBER YARD AND BUILDING SUPPLIES means a commercial development where lumber, building and construction materials and supplies, and other building-related goods are stored, displayed, and sold. See BUILDING SUPPLY OUTLET.

M

MACHINERY SALES, RENTAL AND SERVICE means a development where the land and buildings are used for the sale, service and rental of machinery, equipment, vehicles, and heavy machinery used in the operation, construction or maintenance of buildings, roadways, pipelines, oil fields, mining, or forestry operations, and in freight hauling operations. Cleaning, repairing and sale of parts and accessories may be allowed as part of the principal use. Such a facility may include an administrative office, ancillary structures, outdoor work areas, parking, and outdoor storage areas.

MAINTENANCE means the upkeep or repair of a building or property that does not involve structural change, the change of use, or the change of intensity of use.

MANUFACTURED HOME means a completely self-contained residential dwelling unit, designed and constructed entirely within a factory setting to current CSA standards. Typically, it is transported to a site in not more than one piece on its own chassis and wheel system or on a flatbed truck. For the purposes of this bylaw, a manufactured home does not include Prefabricated dwellings.



MANUFACTURED HOME COMMUNITY or PARK means a comprehensively planned residential development intended for the placement of multiple manufactured/mobile homes on a single parcel or title of land so that each home site is not individually subdivided onto a separate titled lot.

MANUFACTURING AND FABRICATION means a development where the land and buildings are used for the manufacture or fabrication of products or parts, and also the retail sale of such products or parts to the general public. Such a facility may include an administrative office, ancillary structures, outdoor work areas, parking, and outdoor storage areas.

MARKET GARDEN means a development for the growing of vegetables or fruit for commercial purposes. This use includes an area for the display and sale of goods or produce grown or raised on site.

MASS WASTING means a general term describing a variety of processes including, but not limited to slumping, sloughing, fall and flow, by which earth materials are moved by gravity.

MEDICAL CANNABIS means a substance used for medical purposes authorized by a license issued under the federal government's Marihuana for Medical Purposes Regulations (MMPR) or any subsequent legislation which may be enacted in substitution.

MEDICAL/DENTAL/HEALTH FACILITY means a development for the provision of human health services without overnight accommodation for patients and may include associated office space. Typical uses include physiotherapy, registered massage therapy, doctor, dentist, orthodontist, optometrist, and chiropractic offices.

MINI-STORAGE means a development with compartmentalized buildings, a series of enclosed storage bays or lockers, or a designated site set up for the storage of equipment, household or business materials, or vehicles, but excludes storage of hazardous goods or materials. Accessory to this use is the exterior screened storage of recreational vehicles, boats, trailers, and similar items.

MINOR BUILDING ADDITIONS OR RENOVATIONS to existing residential structures means changes to a structure or part thereof that the exterior, size, or appearance of a building and/or increases the net floor area of the building but are cosmetic, minor in nature, or do not generally exceed 10% of the net floor area.

MIXED-USE COMMERCIAL/RESIDENTIAL means a development where a building is used partly for residential and partly for commercial use within the same building.

MOBILE HOME means a factory-built dwelling used or constructed in such a manner that enables it to be conveyed upon public streets or highways notwithstanding that its running gear may be removed or that it may be placed on a temporary or permanent foundation. It does not meet the year 2000 manufactured housing industry standards (or either the CSA Z241 or CSA A277 standard) and does include Prefabricated or Sectional dwellings. The term mobile home includes “Double-wide” and “Single-wide” mobile homes, as defined, but the term does not include motor homes, travel trailers, recreation vehicles and any similar vehicles that are neither intended for permanent residential habitation nor subject to the current provincial building requirements. For the purposes of this bylaw mobile homes and manufactured homes are deemed to be the same use. See MANUFACTURED HOME.



DOUBLE-WIDE MOBILE HOME means a “Mobile home” (as defined) that is permanently fixed to two chassis or is permanently fixed to one chassis and has a section which can be expanded or telescoped from the mobile home for additional floor area. Double-wide mobile homes are typically not less than 6.1 metres (20 ft.) in width.

SINGLE-WIDE MOBILE HOME means a “Mobile home” which is:

- (a) typically not greater than 4.9 metres (16 ft.) in width; and
- (b) permanently fixed to a single chassis; and
- (c) not intended to be expanded, telescoped or twinned for additional floorspace. “Double-wide mobile home” is a separate use.

MODULAR means a prefabricated dwelling unit consisting of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. See PREFABRICATED DWELLING.

MOVED-IN BUILDING means a previously used or existing, established and working non-residential building, which is removed from a site, and then transported and re-established on another site.

MUNICIPAL DEVELOPMENT PLAN means a municipal statutory plan adopted by bylaw in accordance with Section 632 of the *Municipal Government Act*.

MUNICIPAL GOVERNMENT ACT (MGA) means the *Municipal Government Act*, Revised Statutes of Alberta, 2000, Chapter M-26, as amended.

MUNICIPAL PLANNING COMMISSION (MPC) means the committee authorized by Council to act as the Subdivision Authority pursuant to Section 623 of the *Municipal Government Act* and Development Authority pursuant to Section 624 of the *Municipal Government Act*, and in accordance with the municipal Development Authority Bylaw and Municipal Planning Commission Bylaw.

MUNICIPAL/SCHOOL RESERVE means the land specified to be municipal and school reserve by the Subdivision Authority pursuant to Section 666 of the *Municipal Government Act*.

MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB) means the committee established, by bylaw, to act as the municipal appeal body for subdivision and development applications.

MUSEUM means a development used for the preservation, collection, restoration, display or demonstration of articles of historical significance and may include archival records of a geographic area or of a time period. See INSTITUTIONAL.

N

NON-COMPLIANCE means a development constructed or use undertaken after the adoption of the current Land Use Bylaw and does not comply with the current Land Use Bylaw and the Bylaw standards.

NON-CONFORMING BUILDING means a building:

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

NON-CONFORMING USE means a lawful specific use:

- (a) being made of land or a building or intended to be made of a building lawfully under construction, at the date of a Land Use Bylaw or any amendment thereof affecting the land or building becomes effective; and
- (b) that on the date the Land Use Bylaw or any amendment thereof becomes effective does not, or in the case of a building under construction, will not comply with the Land Use Bylaw.

NON-SERVICED means, in respect to a lot or parcel, that neither a municipal potable water system nor a municipal sewage waste system service the property or development.

NUISANCE means any use, prevailing condition or activity which has a detrimental or negative effect on standard living or working conditions.

NURSERIES - see GREENHOUSE.

O

OCCUPANCY PERMIT means a permit issued by the municipality that authorizes the right to occupy or use a building or structure for its intended use.

OFF-SITE LEVY means the rate established by the municipal Council that will be imposed upon owners and/or developers who are increasing the use of utility services, traffic services, and other services directly attributable to the changes that are proposed to the personal property. The revenues from the off-site

levies will be collected by the municipality and used to offset the future capital costs for expanding utility services, transportation network, and other services that have to be expanded in order to service the needs that are proposed for the change in use of the property.

OFFICE means a development primarily for the provision of professional, management, administrative, consulting, or financial services in an office setting. Typical uses include but are not limited to the offices of lawyers, accountants, travel agents, real estate and insurance firms, planners, clerical and secretarial agencies. This excludes public and institutional uses, the servicing and repair of goods, the sale of goods to the customer on the site, and the manufacturing or handling of a product.

OFF-STREET LOADING SPACE means an open, unencumbered area, not exceeding 9.1 m (30 ft) in width, typically located in the rear yard space, designed expressly on a lot for the parking of haulage vehicles while loading or unloading. See **LOADING SPACE** or **BAY**.

OFF-STREET PARKING means a lot or portion thereof (on-site), excluding a public roadway, which is used or intended to be used as a parking area for motor vehicles.

OFF-STREET PARKING SPACE means an off-street area available for the parking of one motor vehicle, and may typically include a driveway, a parking pad, a garage, or the space under a carport. Every off-street parking space shall be accessible from a street, lane, or other public roadway.

ORIENTATION means the arranging or facing of a building or other structure with respect to the points of the compass.

OUTDOOR STORAGE means a development of land with or without attendant buildings for the open, outdoor storage of equipment, materials, or vehicles, or processed or unprocessed resources or materials. For the purposes of this bylaw, this definition is limited to those uses that require minimal on-site improvements, service and public amenities or facilities and does not include those goods or materials which are hazardous.

P

PACKING AND PROCESSING means an industrial development within a building or warehouse facility involved in the business of storing, sorting, assembly and packaging of goods and products to protect them and ship them to facilitate marketing and distribution to manufacturers, distributors, and consumers. Mechanical equipment, automation AI-robotics, may be involved in carrying out the packaging processes of picking, placing, palletizing, inspection, and packaging. This use may be an accessory use to other principal industrial developments.

PANELIZED DWELLING means a prefabricated dwelling unit consisting of factory-built wall panels which are assembled on site. All service systems and connections must comply with Alberta Safety Codes. See **PREFABRICATED DWELLING**.

PARCEL means an area of land described in a certificate of title either directly or by reference to a plan and registered with the Alberta Land Titles Office.

PARKING FACILITY means a development including parking areas, parking spaces and parking structures which are defined as follows:

- (a) **Parking lot** means a development set aside for and capable of providing space for the parking of a number of motor vehicles at grade;
- (b) **Parking space** means a development of a space set aside for and capable of being used for the parking of one motor vehicle; or
- (c) **Parking structure** means a development designed for parking automobiles in tiers on a number of levels above each other whether or not above or below the ground.

PARK MODEL TRAILER means a recreational vehicle that is either:

- (a) built on a single chassis mounted on wheels designed for infrequent towing by a heavy-duty tow vehicle but is restricted in size and weight so that it does not require a special highway movement permit and conforms to the CSA-Z-240 standard for recreational vehicles; or
- (b) a recreational vehicle intended for temporary residence or seasonal use built on a single chassis mounted on wheels, which may be removed and returned to the factory, requiring a special tow vehicle and highway permit to move on the road and conforms to the CSA Z-241 standard for recreational vehicles.

PATIO means an outdoor area of a lot developed and used for leisure or recreation purposes.

PERGOLA means a type of accessory outdoor structure consisting of columns that support a roofing grid of beams and rafters. This roofing grid is typically left open but may be covered so as to create an area sheltered from the elements.



PERMITTED USE means the use of land or building(s) which is permitted in a district for which a development permit shall be issued if the standards of the bylaw are met, following receipt by the Development Officer of a completed application with appropriate details and fees.

PERSONAL SERVICE means a development that provides services to an individual that are related to the care and appearance of the body or the cleaning and repair of personal effects. Typical uses include, but are not limited to, barber shops, beauty salons, hairdressers, manicurists, aestheticians, fitness facility, tailors, dress makers, shoe repair shops, dry cleaning establishments, and laundries but does not include health services.

PLAN OF SUBDIVISION means a plan of survey prepared by a certified Alberta Land Surveyor in accordance with the relevant provisions of the *Land Titles Act* for the purpose of effecting subdivision.

PLANNING ADVISOR means the person or persons, or organization appointed or retained by the Town of Bow Island pursuant to the requirements of this bylaw to provide development and land use planning-related advice and services.

PORCH means a covered, open accessory structure (unenclosed) that is attached to the exterior of a building, often forming a covered entrance to a doorway. The structure does not have solid walls but may be screened.

PREFABRICATED DWELLING means a development where a dwelling unit or portions of a dwelling unit that is built in a factory or portions of dwelling units that are built in a factory or location other than on the lot intended for occupancy and includes modular, ready-to-move and panelized dwellings. The dwelling is a factory built structure that is manufactured in accordance with CSA and the Alberta Building Code, is transportable in one or more Sections, and is used as a place for human habitation; but which is not constructed with a permanent hitch, chassis or other device allowing transport of the unit other than for the purpose of delivery to a permanent site. This definition does not include manufactured or mobile homes, park model recreational units, park model trailers or travel trailers.



PREVIOUSLY OCCUPIED DWELLING means a conventional previously or currently occupied house or dwelling that has been physically removed from one site, transported and re-established on another approved site. This use does not include manufactured homes, prefabricated dwelling, motor home, travel trailer, recreation vehicle and any similar vehicles that are neither intended for permanent residential habitation nor subject to the current provincial building requirements.

PRINCIPAL BUILDING means a building which:

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

PRINCIPAL USE means the main purpose, in the opinion of the Development Officer or Municipal Planning Commission, for which a lot is used.

PROHIBITED USE means a development that is not listed as permitted or discretionary, or is not considered similar, within a Land Use District and is therefore not allowed.

PUBLIC AND INSTITUTIONAL buildings or uses means a development for any of the following public or semi-public developments:

- (a) tourist information centre;
- (b) library;
- (c) museum;
- (d) government and municipal offices, including post office;

-
- (e) courthouses;
 - (f) exhibition ground;
 - (g) incubator business;
 - (h) protective services, including fire hall, police station, and ambulance service; and
 - (i) cemetery and interment services.

PUBLIC OPEN SPACE means parkland, greenspace, open space, or municipal public areas of land which is not in private ownership and is open to use by the public.

PUBLIC RECREATION FACILITIES means the use, facilities or areas such as a public park, playground, indoor or outdoor rink, gymnasium, sports field, leisure centre, swimming pool, historic or archaeological site or any similar facility or use of land or building that is owned or administered by any level of government or not-for-profit organization.

PUBLIC OR PRIVATE UTILITY means a development that includes any one or more of the following:

- (a) systems for the distribution of gas, whether artificial or natural;
- (b) facilities for the storage, transmission, treatment, distribution or supply of water;
- (c) facilities for the collection, treatment, movement or disposal of sanitary sewage;
- (d) storm sewage drainage facilities;
- (e) systems for the distribution of artificial light or electric power;
- (f) facilities used for the storage of telephone, cable, remote weather stations or internet infrastructure;
- (g) any other things prescribed by the Lieutenant Governor in Council by regulation.

PUBLIC PARK means a development for public recreational activities that do not require major buildings or facilities, and includes picnic areas, playgrounds, pedestrian and bicycle paths, passive greenspace, landscaped areas and associated public washrooms. This may include public open space, which is not in private ownership and is open to use by the public.

PUBLISHING, PRINTING, BROADCASTING OR RECORDING ESTABLISHMENT means a development, building or use for the creation, preparation, and publication/or transmission of printed material and/or audio or visual material or programming.

PUBLIC ROADWAY means land shown as a road on a plan of survey that has been filed or registered in a land titles office, or used as a public road, or any municipal controlled road allowance in the municipality whether developed or undeveloped and includes a bridge forming part of a public road and any structure incidental to a public road. Once registered as a road it is a right-of-way maintained by the Town and is open to the public for the purpose of vehicular traffic.

Q

QUEUING AISLE means an area of a lot designed to accommodate vehicles waiting in line at a vehicle-oriented facility.

QUEUING SPACE means the part of a queuing aisle need to accommodate a single vehicle.

QUONSET means an accessory building made from metal having a semicircular roof and/or cross section and end walls typically used for agricultural related use or storage.

R

RAILWAY AND RAILWAY RELATES USES related uses means a transportation railway line and any use connected with the direct operation or maintenance of a railway system and also includes any loading or unloading facilities but excludes seed cleaning plants or bulk oil depots which are separate uses.

READY-TO-MOVE (RTM) DWELLING means a dwelling unit that would normally be constructed on the site intended for occupancy, but for various reasons, is constructed at an off-site manufacturing facility, construction site, plant site or building yard. It is then loaded and transported as one unit onto the proper moving equipment and delivered to the site intended for occupancy and placed on a concrete slab or basement or other approved foundation. See PREFABRICATED DWELLING.

REAL PROPERTY REPORT (RPR) means a legal document that illustrates in detail the location of all relevant, visible public and private improvements relative to property boundaries prepared by a registered Alberta Land Surveyor.

RECREATIONAL FACILITIES means buildings or structures associated with accommodating recreational uses used exclusively for those recreational pursuits which require physical alteration to the area in which they are performed, or those facilities used exclusively for the preparation, maintenance, and storage of equipment used in recreational activities. Play apparatus such as swing sets and slides, sandboxes, poles for nets, unoccupied boats and trailers, picnic tables, benches, barbecue stands, and similar equipment or structures, business operations and non-residential shelter facilities for persons engaged in said activities; for example, trailers housing field offices for recreation rental equipment companies, may also be included.

RECREATIONAL VEHICLE / HOLIDAY TRAILER means a transportable living unit, designed to be moved on its own wheels or by other means (including units permanently mounted on trucks), designed or constructed to be used for sleeping or living purposes on a short-term, temporary basis. Such living units are subject to highway safety standards rather than housing standards. Typical units include, but are not limited to, motor homes, campers, holiday trailers, travel trailers, fifth wheel trailers, tent trailers and park model trailers. These units are not permitted as either temporary or permanent dwellings.

RECREATIONAL VEHICLE STORAGE – see OUTDOOR STORAGE

RECYCLING FACILITY means a development for the purchasing, receiving and/or temporary storage of discarded articles, provided that the use does not generate a detrimental effect or nuisance beyond the

parcel or lot upon which it is situated. This use may involve supplementary production of by-products or materials and includes bottle, can, and paper recycling depots.

REGISTERED OWNER means:

- (a) in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land; or
- (b) in the case of any other land:
 - (i) the purchase of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the certificate of title in the land, and any assignee of the purchaser's interest that is the subject of a caveat registered against the certificate of title; or
 - (ii) in the absence of a person described in paragraph (i), the person registered under the *Land Titles Act* as the owner of the fee simple estate in the land.

RELIGIOUS ASSEMBLY means a development used for public meetings, worship and related religious or social activities, and includes accessory rectories, manses, meeting rooms and classrooms. Typical uses would include churches, chapels, temples, mosques, synagogues, parish halls and convents, community, or civic halls/clubs.

RESTAURANT means a development where food and beverages are prepared and served. The development may include supplementary alcoholic beverage service and catering services. This term will include restaurants, cafes, diners, lunch and tea rooms, ice cream parlors, banquet facilities, take-out restaurants and such other uses as the Municipal Planning Commission considers similar in character and nature to any one of these uses. Restaurant Drive-thru is considered a separate use.

RESTAURANT DRIVE-THRU means a development where food and beverages are prepared and served on the premises for sale to the public and includes pick-up or car attendant and/or drive-through window service with outside order boards and queuing-aisle lanes for vehicles and may or may not include dining inside the restaurant building. See RESTAURANT.

RETAIL means a development where goods, merchandise, substances, articles, and other materials, are offered for sale to the general public and includes limited on-site storage or limited seasonal outdoor sales to support that store's operations. Typical uses include but are not limited to grocery, bakery, hardware, pharmaceutical, appliance, clothing, and sporting goods stores. These uses exclude warehouse sales and the sale of gasoline, heavy agricultural and industrial equipment, alcoholic beverages, retail stores requiring outdoor storage and retail cannabis stores. Minor government services, such as postal services, are permitted within general retail stores. This use does not include RETAIL CANNABIS STORE which is a separate use.

RETAIL CANNABIS LICENCE means a licence under the *Gaming, Liquor and Cannabis Act* that authorizes the purchase, sale, transport, possession, and storage of cannabis.

RETAIL CANNABIS STORE means a use where recreational cannabis can be legally sold and has been licensed by the AGLC. All cannabis that is offered for sale or sold must be from a federally approved and

licensed producer. No consumption shall be on premises. This may include ancillary retail sale or rental of cannabis accessories, and where counselling on cannabis may be provided.

RIGHT-OF-WAY means an area of land that contains a legal right, established by usage or grant, to pass along a specific route through grounds or property belonging to another, and that is dedicated for public or private use to accommodate a transportation system and necessary public utility infrastructure (including but not limited to water lines, sewer lines, storm water drainage pipes, electrical power lines, gas lines and other shallow utilities).

ROAD – see PUBLIC ROADWAY

S

SAFETY CODES means a government code, regulations, standard, or body of rules regulating things such as building, electrical systems, elevating devices, gas systems, plumbing or private sewage disposal systems, pressure equipment, fire protection systems and equipment, barrier free design and access in accordance with the *Safety Codes Act*, RSA 2000, Chapter S-1, as amended.

SALVAGE, WRECKING AND RECYCLING YARD means the use of land or buildings for the receiving, dismantling, resale or transportation of inoperable motor vehicles, machinery, equipment, parts metals, construction material or other similar materials. Such uses include, but are not limited to, junkyards, auto wreckers, and salvage and scrap yards.

SAND & GRAVEL STORAGE AND CLEANING means the processing and cleaning of aggregates used in the manufacture of bricks, mortar, cement, concrete, plasters, paving materials, and other construction applications, in an industrial yard with the sand and gravel products being stored for sale and distribution in bags, totes or bulk shipment.

SCHOOL means a development of instruction offering courses of educational study. Included in the category are public, private, and separate schools.

SCREENING means a fence, wall, berm, or hedge used to visually separate areas or functions that detract from the street or neighbouring land uses.

SECONDARY FRONT means a side yard on a corner lot adjacent to the side street, extending from the front wall of the principal building or dwelling to the rear wall of the building lying between the side street and the building.

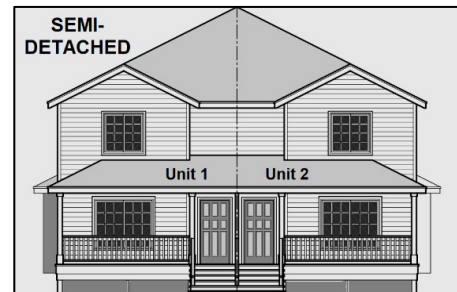
SECONDARY SUITE means a secondary or accessory residential development containing cooking facilities, food preparation area, sleeping and sanitary facilities, which is physically separate from those of the principal dwelling within the structure and is smaller in size or scale than the principal dwelling. It may be inside an existing dwelling (such as a basement suite), a separate standalone unit (such as a garden suite) or located above a garage either attached or detached (carriage house). A secondary suite shall also have an entrance separate from the entrance to the principal dwelling, either from a common indoor landing

or directly from the side or rear of the structure and is constructed to provincial codes. A Secondary Suite may also commonly be referred to as a Secondary Dwelling Unit or an Accessory Dwelling Unit.

SEED CLEANING – See AGRICULTURAL CROP (SEED) CLEANING, STORAGE AND PACKING.

SEED CLEANING, STORAGE AND PACKING means an agri-industrial development consisting of a building or facility where grains or seeds are brought after threshing, to process and clean the grains (or shells, in the case of groundnuts) which are contaminated by impurities (earth, small pebbles, plant and insect waste, seed cases, etc.) "Cleaning" means the phase or phases of the post-harvest system during which the impurities mixed with the grain mass are eliminated. This operation, which may be accompanied by sorting and packaging of the products according to quality for distribution or sale.

SEMI-DETACHED DWELLING means a building containing two separate dwelling units, side by side, connected by a common wall, with separate exterior access to each unit. For the purposes of this Bylaw, this term excludes a duplex which means a building containing two separate dwelling units connected by a common floor or ceiling.



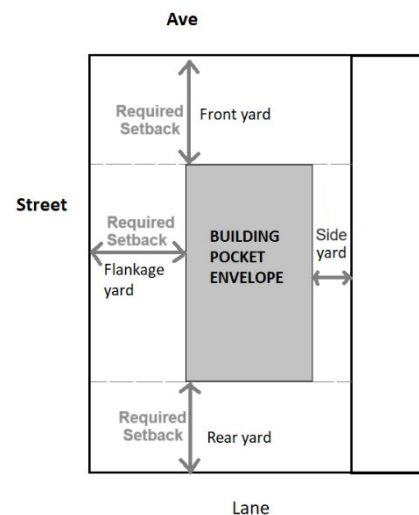
SENIOR CITIZENS HOUSING means a housing development sponsored and administered by any public agency or any non-profit organization, either of which obtains its financial assistance from Federal, Provincial, or Municipal Governments or agencies or public subscriptions or donation or any combinations thereof. Senior citizen accommodation may include lounge, dining, health care, and recreation facilities. Also see ASSISTED LIVING.

SENIOR RESIDENTIAL CARE HOME (private) means a type of residential dwelling that provides housing accommodation and care to small groups of adults, usually typically age 60 or older, with the homes having 6 or fewer residents and several care staff may assist on site with meal preparation and personal care. Residential care homes are typically located amongst the regular residential neighbourhoods based on the allowances and standards of the applicable Land Use District. These uses may also be known as a board and care home or personal care home.

SERVICE STATION or GAS BAR means a development for the retail sale of motor accessories, gasoline or other fuels and the supply of washing, greasing, cleaning, and minor repair services for motor vehicles. As opposed to a gas bar, a service station may include full attendant service and/or a component to repair or service vehicles whereas the gas bar does not.

SETBACK means the minimum distance required between a property line of a lot and the nearest part of any building foundation, structure, development, excavation or use on the lot and is measured at a right angle to the lot line.

SETBACKS



SHEET METAL WORKS means an industrial development typically consisting of a building used to fabricate ferrous and non-ferrous metals which are designed, shaped, and cut to size, as the sheet metal is formed into thin, flat pieces, usually by an industrial process. The use may involve associated machining, welding and fabricating.

SHIPPING CONTAINER means any container that is or was used for transport of goods by means of rail, truck or by sea. These are generally referred to as a C-Container, sea cargo container, sea can or cargo container. Such containers are typically rectangular in shape and are generally made of metal. For the purposes of this bylaw, when such a container is used for any purpose other than transporting freight, it will be considered as a structure, must conform to these regulations and may require a permit.



SHOPPING CENTRE means a development of two or more commercial establishments planned, developed, owned and managed as a unit, having internal access or external access, or both, to any or all establishments and provided with off-street parking and loading facilities on the site. The term SHOPPING MALL shall have the same meaning as the term SHOPPING CENTRE.

SIGN means any object, structure, fixture, placard, device and components, or portion thereof, which is used to advertise, identify, communicate, display, direct or attract attention to an object, matter, thing, person, institution, organization, business, product, service, event or location by any means. Refer to Part 7 for all other individual sign definitions.

SIMILAR USE means a use of land or building(s) for a purpose that is not specifically provided in any district designated in this Bylaw but is deemed by the Development Officer or Municipal Planning Commission to be similar in character and purpose to another use of land or buildings that is included within the list of uses prescribed for that district.

SINGLE-DETACHED DWELLING means a residential building constructed to all applicable safety codes and intended for human occupancy containing a single dwelling unit, which is not attached to any other dwelling by any means, and typically will consist of a site-built dwelling of stick-framed construction.

SITE means that part of a parcel or a group of parcels on which a development exists or which an application for a development permit is being made.

SITE COVERAGE means the percentage of the lot area which is covered by all buildings and structures on the lot.

SITE COVERAGE, PRINCIPAL means the percentage of the lot area which is covered by the principal building including any structure attached to the principal building by an open or enclosed roofed structure, including but not limited to attached garages, carports, verandas, covered balconies, covered decks, and porches.

SITE COVERAGE, ACCESSORY means the percentage of the lot area which is covered by the combined area of all accessory buildings and structures and includes uncovered decks.

SITE PLAN means a plan drawn to scale illustrating the locations of all proposed and existing development prepared in accordance with the requirements of this Bylaw.

SMALL WIND ENERGY CONVERSION SYSTEM (SWECS) means a development that generates electricity from a wind turbine, either building or tower mounted, including associated control and conversion electronics and tower guy wires, which has a limited generation capacity to be used primarily for the applicant's own use and which will be used primarily to reduce onsite consumption of utility power and is CSA approved. See ALTERNATIVE ENERGY, INDIVIDUAL SWECS.

SOLAR COLLECTOR means a device or structure that is capable of collecting and distributing solar energy for the purpose of transforming it into thermal, chemical or electrical energy.

SOUTH SASKATCHEWAN REGIONAL PLAN means the regional plan and regulations established by order of the Lieutenant Governor in Council pursuant to the *Alberta Land Stewardship Act*.

SPECIALTY FOOD MARKET means a retail commercial outlet that specializes in the sale of unique and high-value food items, both fresh and prepackaged, made in small quantities from high-quality ingredients, artisan foods, ethnic, international, or special food items such as sales of cheese and plant-based cheese, spices, preserves, non-RTD cocoa and coffee, refrigerated and frozen poultry/seafood/meat, yogurt, candy, pretzels/snacks/chips, bread & baked goods, and other specialty foods.

SPECIALTY MANUFACTURING means development for small scale on-site production of goods in a building not exceeding 510 m² (5,490 ft²) gross floor area, including retail sales, display and storage areas. Typical uses include, but are not limited to, breweries, distilleries, pottery or sculpture studios, furniture makers, coffee roasters and specialty food production.

STOCKPILE means the temporary storage of materials on or off of a hard surface. Materials stored may include: soil, gravel, sand, rocks & stone, forage crop or machinery.

STOP ORDER means an order issued by the Development Officer or Municipal Planning Commission pursuant to Section 645 of the *Municipal Government Act*.

STORAGE DISPLAY AREA means a limited or defined area on a commercial or industrial lot which provides examples of equipment, products, vehicles or items sold by the business use and located on the subject site containing the display area, but not located within any required setback, or located on any required and approved landscaping area unless approved by the Development Authority.

STOREY means the space between the top of any floor and the top of the next floor above it and if there is no floor above it, the portion between the top of the floor and the ceiling above it but does not include a basement.

STREET means a public thoroughfare which is used or intended to be used for passage or travel of motor vehicles and pedestrians and includes the sidewalks and land on each side of and contiguous to the prepared surface of the thoroughfare. It does not include lanes.

STRUCTURE means anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. Among other things, structures include buildings, walls, fences, poles, billboards and poster panels.

SUBDIVISION AND DEVELOPMENT REGULATION means regulations established by order of the Lieutenant Governor in Council pursuant to Section 694 of the *Municipal Government Act* and is officially established as *Matters Related to Subdivision and Development Regulation*.

SUBDIVISION AUTHORITY means the body established by bylaw to act as the subdivision authority in accordance with Section 623 of the *Municipal Government Act*.

SUBDIVISION OR SUBDIVIDE means the division of a parcel by an instrument. Subdivision is the dividing of a single parcel of land into two or more parcels, each to be given a separate title and is also used for existing lot line adjustments.

SUBSIDENCE means a localized downward settling or sinking of a land surface.

SUCH AS means an example of what it includes but is not limited to the list of items provided.

SURVEILLANCE SUITE means a building containing a living area not exceeding 50.0 m² (538 sq ft) in size, that may contain an office, kitchen, sleeping and washroom facilities, but is not intended for permanent occupation and is not a dwelling. A Surveillance suite is an accessory use that is developed in conjunction with a principal use, and which is intended to be used solely to accommodate a person or persons, whose function is to provide surveillance, maintenance and/or security, typically on a construction, commercial or industrial site use that must be in operation while the suite is located on the lot.

T

TAKE OFF/APPROACH SURFACE means an imaginary surface, prescribed by the Ministry of Transport, consisting of an inclined plan sloping upward and outward from the end of the basic strip of an airport runway, under which the height of buildings is regulated.

TELECOMMUNICATION (ANTENNA) TOWERS means a structure and any associated system, including all masts, towers and other antenna supporting structures that is used for the transmission, emission or reception of television, radio or telecommunications.

TEMPORARY DEVELOPMENT or USE means a development for which a development permit has been issued (unless otherwise exempted) for a limited time period, typically for 6 to 12 months maximum, upon which the expiry of the permit the use will cease operations.

TOURIST INFORMATION CENTRE means a development intended to provide information to the travelling public and may include washroom and picnic facilities and accessory retail sales. See PUBLIC AND INSTITUTIONAL.

TOWN means the Town of Bow Island.

TOWNHOUSE means a form of attached residential dwelling which is a type of terraced housing that is usually multi-story and has at least two floors that share a wall with another house. Unlike duplexes or fourplexes, however, each townhouse is individually owned. The primary difference between townhouses and row houses is in how they may be arranged. Row houses are typically lined up all in a row, while townhouses can often be configured differently such as alternating or staggered frontages.

TRANSITIONAL SURFACE means an imaginary surface, prescribed by the Ministry of Transport, consisting of an inclined plan sloping upward and outward from the end of the basic strip of an airport runway, under which the height of buildings is regulated.

TRANSPORTATION/DELIVERY SERVICE means development involving the use of one or more vehicles to transport people, mail, currency, documents, packages, and articles for compensation such as a mobile catering service, the rental or lease of vans and trucks, taxi service, limousine or bus service and may include limited storage and repair of the vehicles used. This use does not include towing operations.

TRANSPORTATION DISPATCH/DEPOT means a development for the purpose of storing and/or dispatching trucks, buses, fleet vehicles, and transport vehicles and may include towing operations. The use may also involve the transfer of goods primarily involving the loading and unloading of freight-carrying trucks.

TRAVEL TRAILER – see RECREATIONAL VEHICLE / HOLIDAY TRAILER.

TRUCK STOP means a commercial development which a business, service or industry involved in the maintenance, servicing, support, storage or repair of commercial vehicles is conducted or rendered including the dispensing of fuel products, the sale of accessories and/or equipment for trucks and similar commercial vehicles. A truck stop may also include convenience stores, restaurant facilities, and may include overnight accommodation facilities solely for the use of truck crews.

TRUCK WASH means a development of a commercial vehicle washing facility associated with large vehicles such as transport trucks, tractor, or semi-trailers.

U

USE means the purposes for which land or a building is arranged or intended, or for which either land, a building or a structure is, or may be, occupied and maintained.

UTILITIES – see PUBLIC OR PRIVATE UTILITY

USE means the purposes for which land or a building is arranged or intended, or for which either land, a building or a structure is, or may be, occupied and maintained.

UTILITIES means any one or more of the following:

- (a) systems for the distribution of gas, whether artificial or natural;
- (b) facilities for the storage, transmission, treatment, distribution or supply of water or electricity;

-
- (c) facilities for the collection, treatment, movement or disposal of sanitary sewage;
 - (d) storm water drainage facilities;
 - (e) any other things prescribed by the Lieutenant Governor in Council by regulation;

but does not include those systems or facilities referred to in clauses (a) to (d) that are exempted by the Lieutenant Governor in Council by regulation.

V

VARIANCE means a relaxation of measurable standards of the Land Use Bylaw.

VETERINARY CLINIC, LARGE ANIMAL means any development maintained and operated by a licensed veterinarian for the on-site or off-site treatment of larger animals such as horses or livestock. The development may also be used for on-site boarding, breeding or training of animals and livestock. The facility may also include outside buildings and pens associated with the service and the supplementary sale of associated animal care products. Typically, this use will include veterinary offices or hospitals, animal shelters, and facilities for impounding and quarantining animals.

VETERINARY CLINIC, SMALL ANIMAL means a development for the on-site treatment and/or grooming of small animals such as household pets (cats, dogs, rabbits), where on-site accommodation may be provided and where all care and confinement facilities are enclosed within one particular building. This use may also include the supplementary sale of associated animal products. Typically, this use will include pet grooming salons, pet clinics and veterinary offices.

W

WAIVER means the relaxation of a development standard as established in this bylaw. For the purpose of this bylaw, only the Development Officer in accordance with the authorized powers, Municipal Planning Commission or, on appeal, the Subdivision and Development Appeal Board can waive provisions of the Land Use Bylaw.

WAREHOUSE means a commercial or industrial building used for the storage of goods, products, materials or equipment for use by a business or company.

WASTE MANAGEMENT SITES means a development for the commercial receiving of spent materials, provided that no detrimental effects or nuisances are generated beyond the parcel upon which it is situated. This use includes a dry waste site, a hazardous waste management facility, salvage or scrap yard, and a waste sorting station. This use does not include a Recycling facility or Auto wreckage.

WATER TREATMENT PLANT means a utility development that treats raw water, so that it is safe for human consumption, and then distributes it for human use as potable water.

WELDING AND METAL FABRICATION means an industrial operation engaged in the fabrication, assembly or structural repair of machinery, equipment or vehicles by welding. Such a facility may include offices and a general area for the repair and servicing of machinery, equipment or vehicles and storage of parts and equipment related to the operations of the business.

WHOLESALE OUTLETS means a development for the retail sale of a limited range of bulky goods the size and nature of which typically require large floor areas for direct display to the purchaser, and include, but are not limited to, such bulky goods as furniture, carpets and floor coverings, major appliances, paints and wall coverings, light fixtures, plumbing fixtures and building materials and equipment, food, clothing, or other personal goods, wares, substances, articles or things.

WIND ENERGY CONVERSION SYTSEM (WECS) means one or more structures designed to convert wind energy into mechanical or electrical energy.

Y

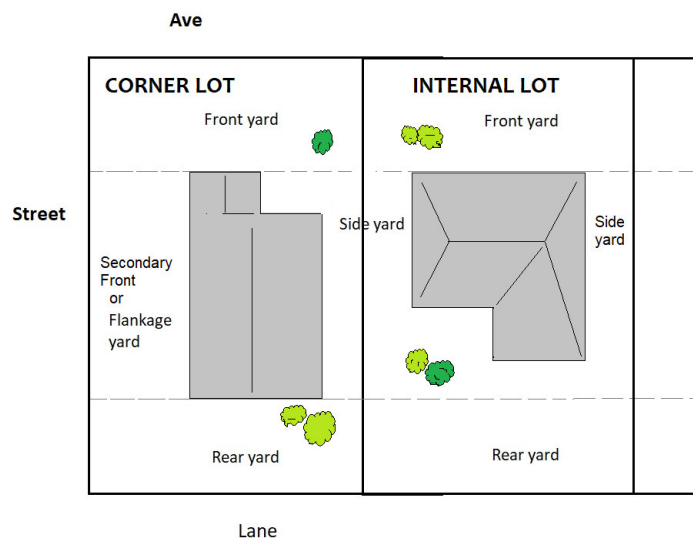
YARD means outdoor space as a part of a lot upon or over which no building or structure other than a boundary fence is erected, unless otherwise hereinafter permitted.

YARD, FRONT means a yard extending across the full width of a lot and situated between the street and the first lot line and the nearest portion of the principal building.

YARD, REAR means a yard extending across the full width of a lot and situated between the rear lot line and the nearest portion of the principal building. If there is a rear lane to the property it will be situated between the principal building and the lane.

YARD, SIDE means a yard extending from (or between) the front yard to the rear yard and situated between the side lot lines and the nearest portion of the principal building.

YARD, SECONDARY FRONT means a yard on a corner lot with street frontage, but which is not the principal frontage where the main entrance to the dwelling or building is oriented or is the yard which is designated the secondary front by the Development Authority. It is the side yard on a corner lot adjacent to the side street, extending from the front wall of the principal building or dwelling to the rear wall of the building, lying between the side street and the building. Sometimes referred to as the flankage yard.



Z

ZERISCAPE means a landscaping method developed especially for arid or semi-arid climates that utilizes water-conserving techniques but excludes hard landscaping such as concrete, paving bricks or stones, and compacted gravel that creates impermeable surfaces.

ZONING – see LAND USE DISTRICT.

All other words and expressions not otherwise defined in this Land Use Bylaw have the meaning assigned to them in the *Municipal Government Act*.



PART 4

LAND USE DISTRICTS

PART 4

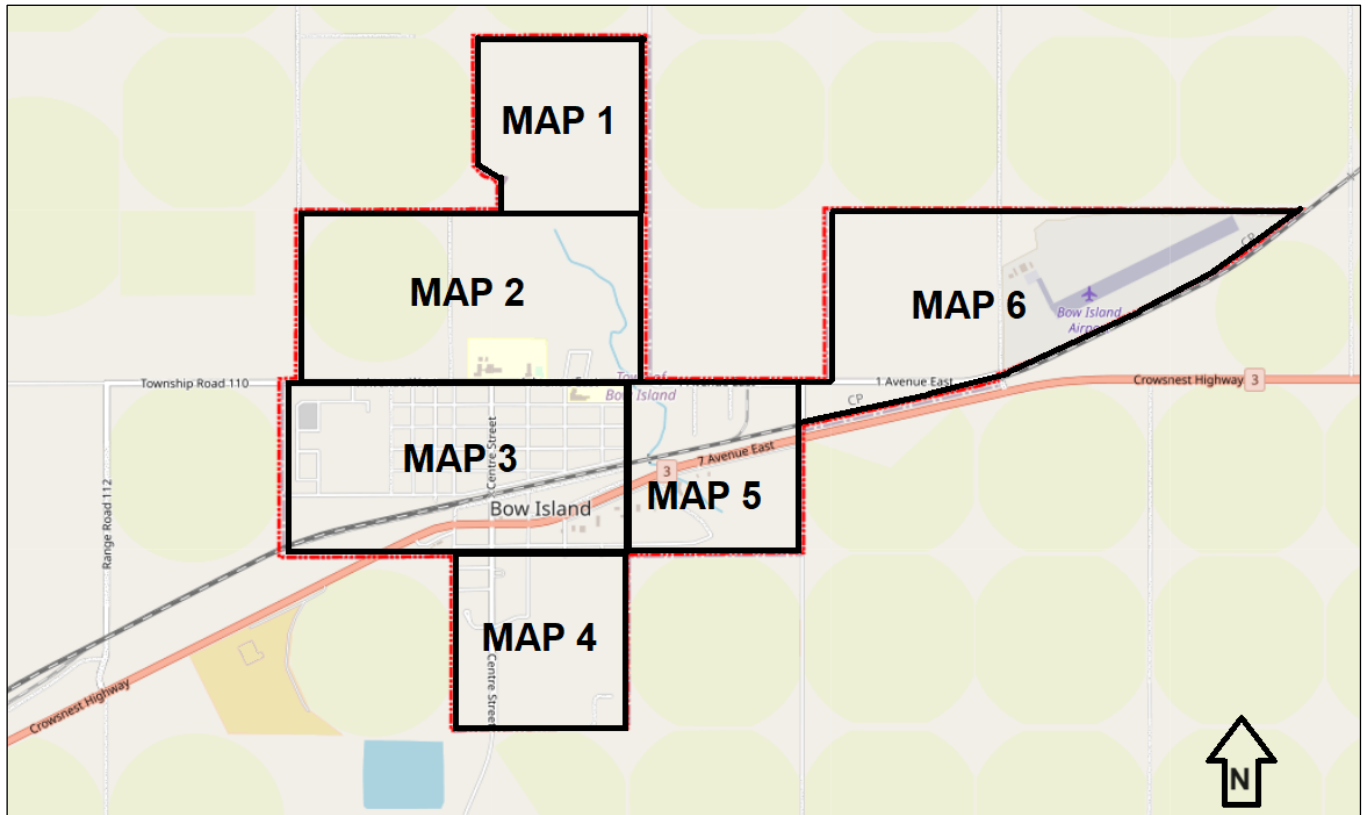
LAND USE DISTRICTS

SECTION 1 DIVISION OF MUNICIPALITY

- 1.1 The municipality is divided into those districts shown on the Land Use Districts Map of this Part.

- 1.2 Each district shown on the map referred to in Section 1 of this Part shall be known by the following identifying names and abbreviation symbols:

RESIDENTIAL DISTRICT	– R-1
RESIDENTIAL GENERAL DISTRICT	– R-2
RESIDENTIAL MEDIUM-DENSITY DISTRICT	– R-3
MANUFACTURED/MOBILE HOME PARK DISTRICT	– R-4
COUNTRY RESIDENTIAL DISTRICT	– CR
INSTITUTIONAL DISTRICT	– I
DOWNTOWN COMMERCIAL DISTRICT	– C-1
COMMERCIAL DISTRICT	– C-2
HIGHWAY TRANSITIONAL DISTRICT	– HT
AIRPORT DISTRICT	– M-1
INDUSTRIAL DISTRICT	– M-2
RAILWAY INDUSTRIAL DISTRICT	– M-3
URBAN RESERVE DISTRICT	– UR
DIRECT CONTROL DISTRICT	– DC



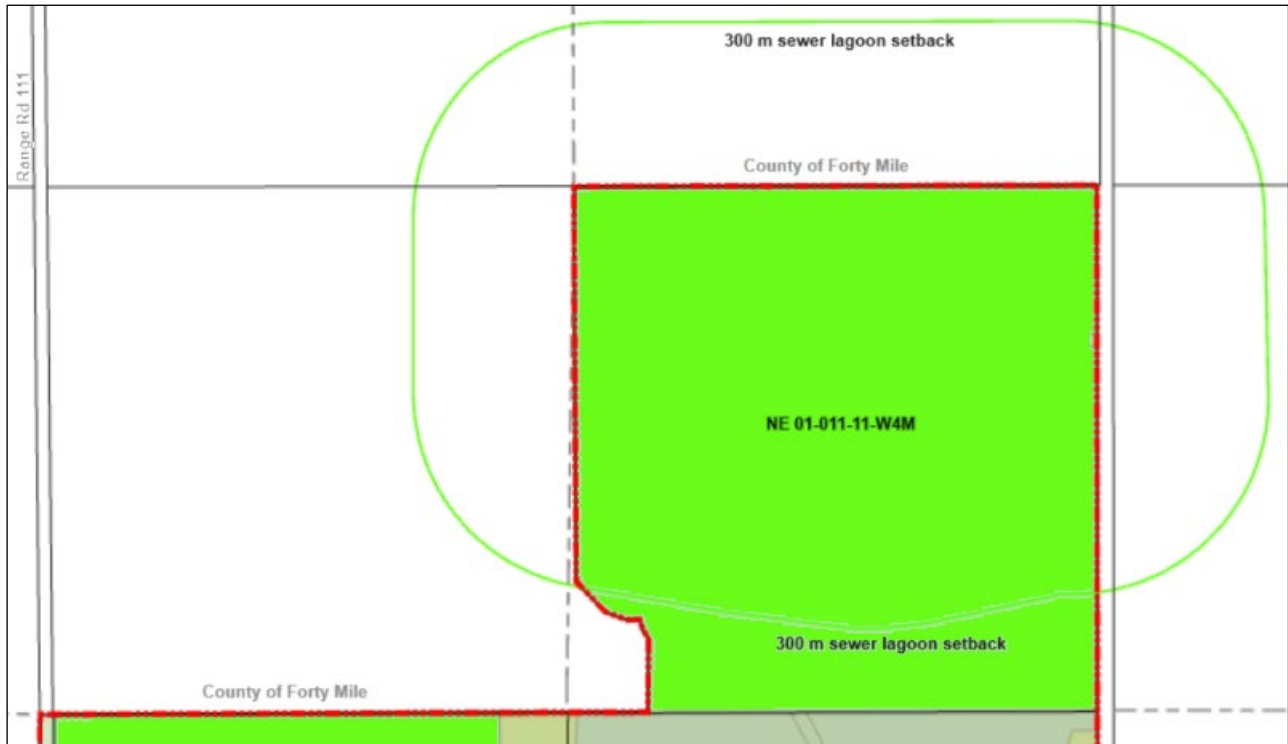
Town of Bow Island

LAND USE BYLAW NO. 2024:07

Land Use Districts Map

DISTRICT MAP GUIDE

* Refer to individual maps for areas as illustrated
(Maps 1 to 6)


















Town of Bow Island

LAND USE BYLAW NO. 2024:07

Land Use Districts Map

MAP 1

2024

-  Residential District - R-1
-  Residential General District - R-2
-  Residential Medium Density District - R-3
-  Manufactured / Mobile Home Park District - MMHP
-  Institutional District - I-1
-  Downtown Commercial District - C-1
-  Commercial District - C-2
-  Highway Transitional District - HT
-  Airport District - M-1
-  Industrial District - M-2
-  Railway Industrial District - M-3
-  Country Residential District - CR
-  Urban Reserve District - UR
-  Direct Control District - DC
-  No Land Use designation



Town of Bow Island

LAND USE BYLAW NO. 2024:07

Land Use Districts Map

MAP 2

2024

- Residential District - R-1
- Residential General District - R-2
- Residential Medium Density District - R-3
- Manufactured / Mobile Home Park District - MMHP
- Institutional District - I-1
- Downtown Commercial District - C-1
- Commercial District - C-2
- Highway Transitional District - HT
- Airport District - M-1
- Industrial District - M-2
- Railway Industrial District - M-3
- Country Residential District - CR
- Urban Reserve District - UR
- Direct Control District - DC
- No Land Use designation



Town of Bow Island

LAND USE BYLAW NO. 2024:07

Land Use Districts Map

MAP 3

2024

- Residential District - R-1
- Residential General District - R-2
- Residential Medium Density District - R-3
- Manufactured / Mobile Home Park District - MMHP
- Institutional District - I-1
- Downtown Commercial District - C-1
- Commercial District - C-2
- Highway Transitional District - HT
- Airport District - M-1
- Industrial District - M-2
- Railway Industrial District - M-3
- Country Residential District - CR
- Urban Reserve District - UR
- Direct Control District - DC
- No Land Use designation



Town of Bow Island

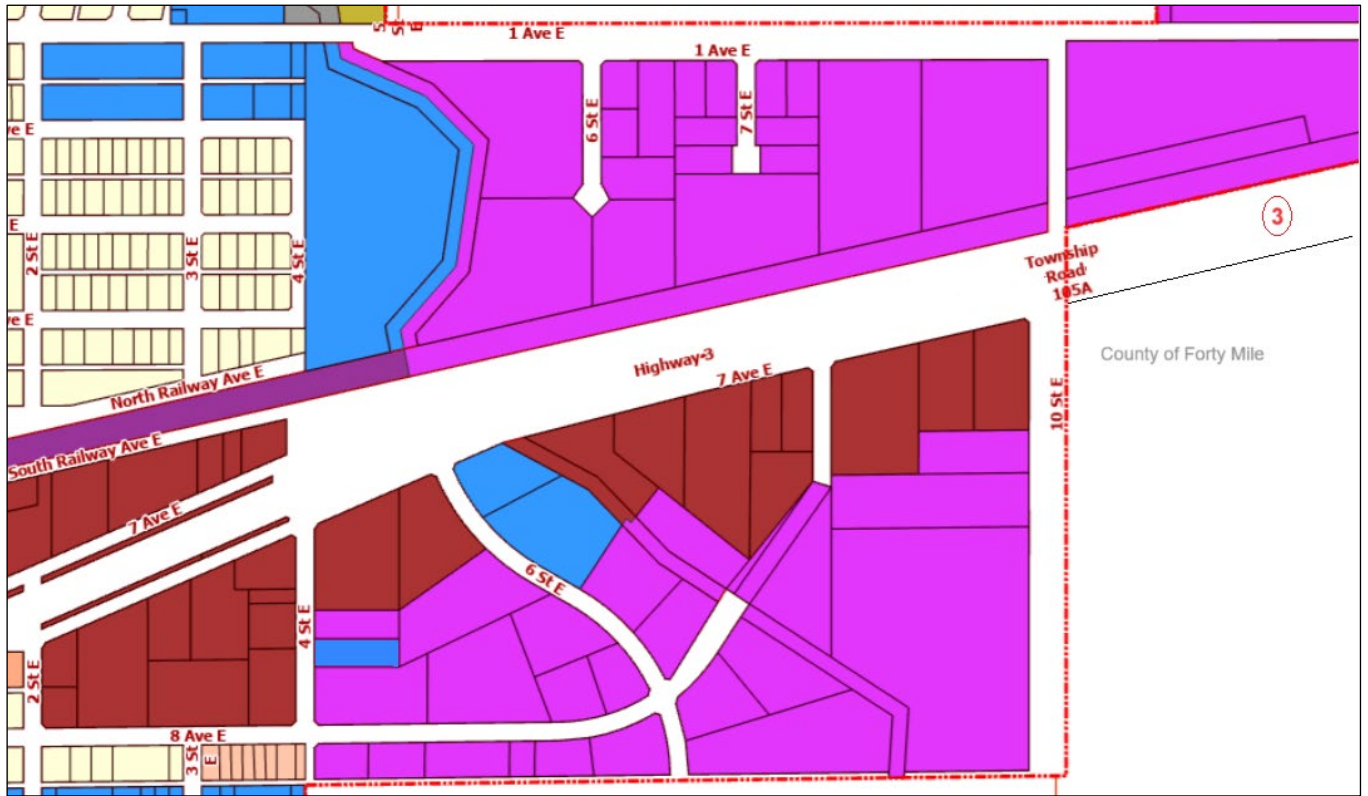
LAND USE BYLAW NO. 2024:07

Land Use Districts Map

MAP 4

2024

- Residential District - R-1
- Residential General District - R-2
- Residential Medium Density District - R-3
- Manufactured / Mobile Home Park District - MMHP
- Institutional District - I-1
- Downtown Commercial District - C-1
- Commercial District - C-2
- Highway Transitional District - HT
- Airport District - M-1
- Industrial District - M-2
- Railway Industrial District - M-3
- Country Residential District - CR
- Urban Reserve District - UR
- Direct Control District - DC
- No Land Use designation



Town of Bow Island

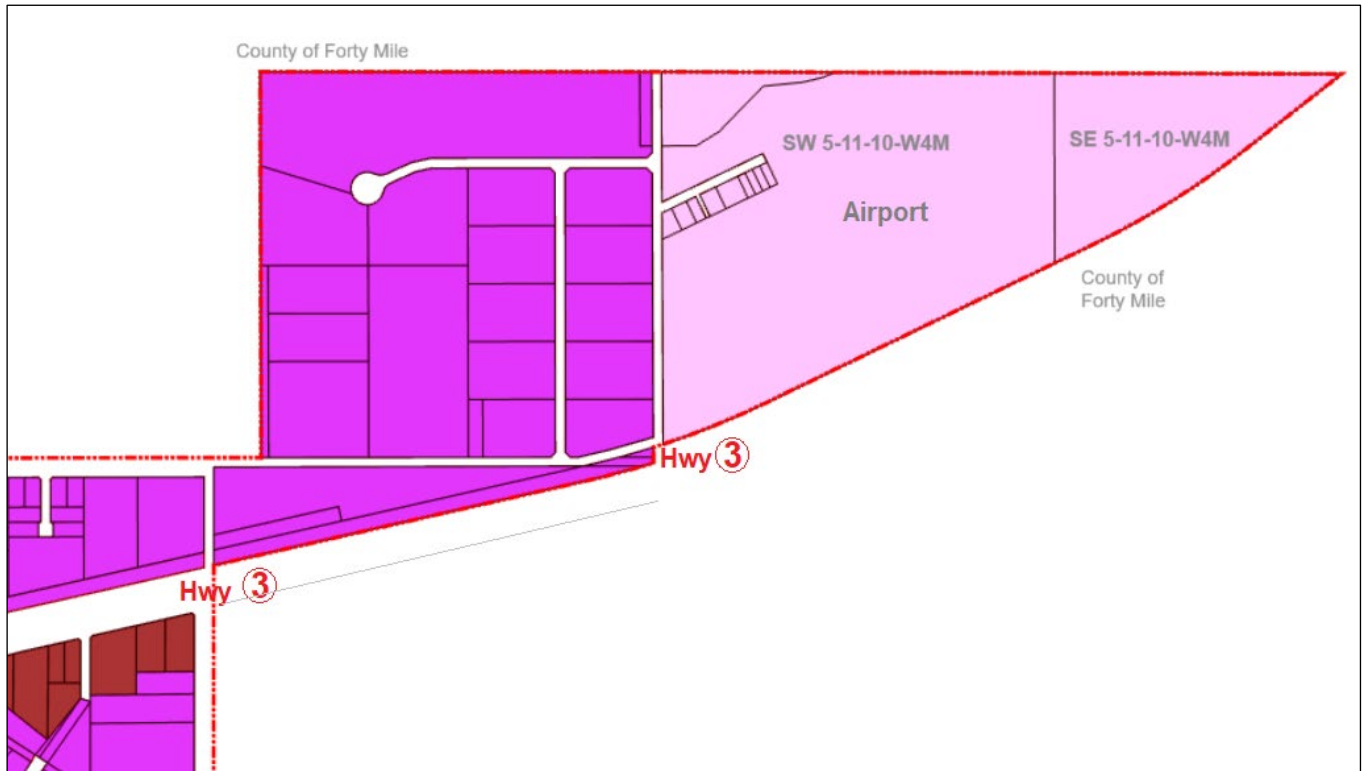
LAND USE BYLAW NO. 2024:07

Land Use Districts Map
















MAP 5

2024

- Residential District - R-1
- Residential General District - R-2
- Residential Medium Density District - R-3
- Manufactured / Mobile Home Park District - MMHP
- Institutional District - I-1
- Downtown Commercial District - C-1
- Commercial District - C-2
- Highway Transitional District - HT
- Airport District - M-1
- Industrial District - M-2
- Railway Industrial District - M-3
- Country Residential District - CR
- Urban Reserve District - UR
- Direct Control District - DC
- No Land Use designation



Town of Bow Island
 LAND USE BYLAW NO. 2024:07
Land Use Districts Map
MAP 6
 2024

-  Residential District - R-1
-  Residential General District - R-2
-  Residential Medium Density District - R-3
-  Manufactured / Mobile Home Park District - MMHP
-  Institutional District - I-1
-  Downtown Commercial District - C-1
-  Commercial District - C-2
-  Highway Transitional District - HT
-  Airport District - M-1
-  Industrial District - M-2
-  Railway Industrial District - M-3
-  Country Residential District - CR
-  Urban Reserve District - UR
-  Direct Control District - DC
-  No Land Use designation

RESIDENTIAL DISTRICT – R-1

INTENT: This district is the main residential district and is intended to primarily accommodate single-detached residential development with some limited other dwelling types, on serviced lots in an orderly, economical, and attractive manner, while allowing some minor land uses compatible to the residential character of the district.

1. PERMITTED USES

Accessory Buildings, Structures & Uses
 Alternative Energy, Individual Solar
 Day Home
 Dwellings:
 - Single-detached dwelling
 - Prefabricated dwelling (Modular/ Panelized)
 Home Occupation 1
 Public or Private Utility
 Sign (Fascia, Window for home occupation)
 Temporary Shipping Container A (less than 6 months)

DISCRETIONARY USES

Bed and Breakfast
 Community Buildings & Facilities
 Convenience Stores & Services
 Dwellings:
 - Semi-detached, Duplex or 2-unit
 Group Care Minor/Child Care Facility
 Home Occupation 2
 Moved-in Dwellings and Buildings
 Parks & Playgrounds
 Secondary Suite (contained within single-detached dwelling)
 Secondary Suite (detached garage)
 Secondary Suite (other as per Part 6)
 Signs (associated with a discretionary use)
 Temporary Shipping Container B
 Temporary Uses

PROHIBITED USES

Keeping of Livestock - subject to compliance with municipal Animal Control, Urban Hen or similar purpose bylaw.
 Recreational Vehicles as Residences
 Shipping Container (permanent)
 * Any use not listed as a permitted or discretionary use, or deemed to be a similar use to the prescribed uses, is a prohibited use in the district.

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft	m	ft	m ²	sq. ft
Single-unit and two-unit dwelling						
- Interior lot	15	49	35	115	525	5,635
- Corner lot	18	59	35	115	630	6,785
All Other uses	As required by the Development Authority					

Note: The overall lot area and width are the most important of the measurements and take paramountcy over length.

3. MINIMUM SETBACK & YARD REQUIREMENTS

Use	Front Yard ¹		Secondary Front		Side Yard		Rear Yard	
	m	ft	m	ft	m	ft	m	ft
Single-detached & Modular single-unit dwellings	7.5	25	4.5	15	1.5	5	4.5	15
2-unit dwelling	7.5	25	4.0	13	1.5	5	4.5	15
Accessory building, structure in rear yard (no lane)	N/A		N/A		1.0	3.3	1.0	3.3
Accessory building, structure in rear yard (with rear lane)	N/A		N/A		1.0	3.3	2.0	6.5
All other uses	As required by the Development Authority							

NOTE: ¹ The Municipal Planning Commission may reduce the front yard setback to a minimum of 5 metres, having regard to the location and dimensions of the sidewalk, boulevard, street, and right-of-way and the adjacent buildings.

NOTE: ² A garage attached to a dwelling is considered part of the principal building and principal building setbacks and maximum site coverage shall apply.

4. MAXIMUM SITE COVERAGE

PERMITTED USES:

LOTS LESS THAN 743 m² (8,000 sq. ft.) in size

Principal building: 40%

Accessory buildings/structures: 15%

- If a dwelling has an attached garage the principal building site coverage may be allowed up to 55% but then any associated accessory building/structure site coverage shall be decreased accordingly to not exceed the total combined coverage.

TOTAL Combined Coverage of all principal and accessory buildings: 55%

LOTS 743 m² (8,000 sq. ft.) to 1,486 m² (16,000 sq. ft.)

Principal building: maximum floor area as required by the Development Authority

Accessory building/structures: maximum floor area **per building**: 10% or 100 m² (1,076 sq. ft) whichever is less

Accessory building/structures: maximum all buildings **combined**: 15% or 223 m² (2,400 sq. ft) whichever is less

LOTS GREATER THAN 1,486 m² (16,000 sq. ft.)

Principal building: maximum floor area as required by the Development Authority

Accessory building/structures: maximum floor area **per building**: 10% or 223 m² (2,400 sq. ft) whichever is less.

Accessory building/structures: maximum all buildings **combined**: 10% or 223 m² (2,400 sq. ft) whichever is less.

DISCRETIONARY USES:

As required by the Development Authority

5. MINIMUM FLOOR AREA

LOTS UP TO 743 m² (8,000 sq. ft.) in size

Single-unit dwelling: 79 m² (850 sq. ft)

All others: As required by the Development Authority

LOTS 743 m² (8,000 sq. ft.) or greater in size

Single-unit dwellings: 74.3 m² (900 sq. ft.)

All other uses: As required by the Development Authority

6. MAXIMUM BUILDING HEIGHT

Accessory buildings: 5.5 m (18 ft)

Accessory building: detached garage with secondary suite above 7.62 m (25 ft)

Single-unit dwelling: 9.75 m (32 ft)

All others: As required by the Development Authority

7. MINIMUM WIDTH OF PREFABRICATED DWELLINGS

Prefabricated dwelling: 7.31 m (24 ft)

8. EXEMPTIONS

The Municipal Planning Commission may approve a development on an existing registered lot the minimum dimensions or area of which are less than those specified in this district provided, however, provided that the minimum area is at least 270 m² (2,906 sq. ft).

The following Part and Sections are provided for reference only. Other Sections of this bylaw may apply to an application; please consult the bylaw and Development Officer for details.

9. GENERAL AND USE SPECIFIC STANDARDS OF DEVELOPMENT – Parts 5 & 6

Parking – Part 5, Sections 13 & 14

Alternative energy – Part 6, Section 1

Shipping Containers – Part 6, Section 21

10. RESIDENTIAL STANDARDS OF DEVELOPMENT – Parts 5 & 6

Accessory buildings – Part 5, Section 15

Fences – Part 5, Section 17

Decks – Part 5, Section 19

Home Occupations – Part 6, Section 10

Manufactured/Mobile dwelling – Part 6, Section 11

Moved-in (previously occupied) building or dwelling – Part 6, Section 14

Prefabricated dwelling – Part 6, Section 16

Secondary suite – Part 6, Section 20

Show home – Part 6, Section 23

11. SIGN REGULATIONS – Part 7

RESIDENTIAL GENERAL DISTRICT – R-2

INTENT: This district is intended to provide an area for primarily prefabricated dwellings along with a variety of other home types, such as smaller or starter single-detached dwellings, on smaller sized residential lots while also allowing for limited multi-unit dwelling opportunities and to regulate the development and use of land for them and other listed uses. Existing manufactured/mobile homes may continue.

1. PERMITTED USES

Accessory Buildings, Structures & Uses
 Alternative Energy, Individual Solar
 Home Occupation 1
 Day Home
 Dwellings:
 - Single-detached dwelling
 - Semi-detached, duplex or 2-unit dwelling
 - Manufactured/Mobile Home dwelling (pre-existing on 4th St.)**
 - Prefabricated dwelling (Modular/Panelized)
 Public or Private Utility
 Sign (Fascia, Window for home occupation)
 Temporary Shipping Container A (less than 6 months)

DISCRETIONARY USES

Community Buildings & Facilities
 Dwellings:
 - 3 or 4-unit dwelling
 - Moved-in dwelling
 Group Care Minor/ Child Care Facility
 Home Occupation 2
 Secondary Suite (contained within single-detached)
 Signs (associated with a discretionary use)
 Temporary Shipping Container B
 Temporary Uses

PROHIBITED USES

Keeping of Livestock - subject to compliance with municipal Animal Control, Urban Hen or similar purpose bylaw.
 Recreational Vehicles as Residences
 Shipping Container (permanent)

* Any use not listed as a permitted or discretionary use, or deemed to be a similar use to the prescribed uses, is a prohibited use in the district.

** Manufactured/Mobile Homes as defined in this bylaw are not permitted with the exception of pre-existing manufactured/mobile homes located on 4th St. that are allowed and may be replaced with newer manufactured/mobile homes sited in compliance with the bylaw.

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft	m	ft	m ²	sq ft
Single-unit and two-unit dwelling						
- Interior lot	13.5	44.5	32.0	105	432	4,650
- Corner lot	14.5	47.5	32.0	105	464	4,990
All Other uses	As required by the MPC					

3. MINIMUM SETBACK & YARD REQUIREMENTS

Use	Front Yard*		Secondary Front		Side Yard		Rear Yard	
	m	ft	m	ft	m	ft	m	ft
Dwelling units – Permitted Use	7.5	25	4.5	15	1.5	5	4.5	15
Accessory building, structure in rear yard (no lane)	N/A		N/A		1.0	3.3	1.0	3.3
Accessory building, structure in rear yard (with rear lane)	N/A		N/A		1.0	3.3	2.0	6.5
All other uses	As required by the MPC							

* NOTE: The Municipal Planning Commission may reduce the front yard setback to a minimum of 5 metres, having regard to the location and dimensions of the sidewalk, boulevard, street, and right-of-way and the adjacent buildings.

4. MAXIMUM SITE COVERAGE

PERMITTED USES:

Principal building: 40%

Accessory buildings/structures: 12%

- If a dwelling has an attached garage the principal building site coverage may be allowed up to 52% but then any associated accessory building/structure site coverage shall be decreased accordingly to not exceed the total combined coverage.

TOTAL Combined Coverage of all principal and accessory buildings: 52%

DISCRETIONARY USES:

As required by the Development Authority

5. MINIMUM FLOOR AREA

Single-unit dwelling: 67 m² (720 sq. ft)

All others: As required by the Development Authority

6. MAXIMUM BUILDING HEIGHT

Accessory buildings: 5.5 m (18 ft)

Single unit dwelling: 9.75 m (32 ft)

All others: 15 m (49 ft) or as required by the Development Authority

7. SPECIAL REQUIREMENTS & STANDARDS

Manufactured/Mobile Homes:

- All manufactured/mobile homes permitted in this district shall be constructed – 2006 or later
- Manufactured/mobile homes are to be placed upon a foundation in accordance with the Alberta Building Code.

-
- (c) Manufactured/mobile Homes shall be skirted to ground level with fireproof material of similar design to the mobile home exterior. Wheels and hitches shall be removed from the mobile home, unless otherwise approved by the Development Authority.

The following Part and Sections are provided for reference only. Other Sections of this bylaw may apply to an application; please consult the bylaw and Development Officer for details.

8. GENERAL AND USE SPECIFIC STANDARDS OF DEVELOPMENT – Parts 5 & 6

- Parking – Part 5, Sections 13 & 14
- Alternative energy – Part 6, Section 1
- Shipping Containers – Part 6, Section 21

9. RESIDENTIAL STANDARDS OF DEVELOPMENT – Parts 5 & 6

- Accessory buildings – Part 5, Section 15
- Fences – Part 5, Section 17
- Decks – Part 5, Section 19
- Home Occupations – Part 6, Section 10
- Manufactured/Mobile dwelling – Part 6, Section 11
- Moved-in (previously occupied) building or dwelling – Part 6, Section 14
- Prefabricated dwelling – Part 6, Section 16
- Secondary suite – Part 6, Section 20
- Show home – Part 6, Section 23

10. SIGN REGULATIONS – Part 7

RESIDENTIAL MEDIUM DENSITY DISTRICT – R-3

INTENT: This district is intended for only a limited area of the municipality, primarily on major streets, to provide for higher-density, multi-unit dwelling opportunities (e.g., apartments, condominiums, 6-plex, row housing), and very limited residential uses on smaller sized lots at a higher density or as clustered housing, as deemed appropriate for the area, street and parcel.

1. PERMITTED USES

Accessory Building, Structures or Uses
 Alternative Energy, Individual Solar
 Day Home
 Dwellings:
 - Semi-detached, duplex or 2-unit dwelling
 - Multi-unit dwelling (3-unit, fourplex or 4-unit)
 Home Occupation 1
 Public or Private Utility
 Sign (Fascia or window for home occupation)
 Temporary Shipping Container A (less than 6 months)

DISCRETIONARY USES

Community Buildings & Facilities
 Dwellings:
 - Apartments
 - Cluster or Cottage Housing
 - Multi-unit dwelling (5 or more units)
 - Moved-in dwelling
 - Single-detached dwelling
 Group Care Minor / Child Care facility
 Home Occupation 2
 Lodging or Boarding House
 Moved-in building
 Secondary Suite (contained within single-detached)
 Secondary Suite (detached garage)
 Senior Residential Care Home (private)
 Signs (associated with a discretionary use)
 Temporary Shipping Container B
 Temporary Uses

PROHIBITED USES

Keeping of Livestock - subject to compliance with municipal Animal Control, Urban Hen or similar purpose bylaw.
 Recreational Vehicles as Residences
 Shipping Container (permanent)
 * Any use not listed as a permitted or discretionary use, or deemed to be a similar use to the prescribed uses, is a prohibited use in the district.

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft	m	ft	m ²	sq ft
Single-unit dwelling						
- Interior lot	12.0	39.5	35.0	115	420	4,543
- Corner lot	14.0	46	35.0	115	490	5,290
Semi-detached and two-unit dwelling						
- Interior lot	15.0	49	35.0	115	525	5,635
- Corner lot	18.0	59	35.0	115	630	6,785
Semi-detached each side (each unit)	Half the required lot size (for subdivided lots on party wall)					

Use	Width		Length		Area	
	m	ft	m	ft	m ²	sq ft
Multi-unit Townhouse / Row dwelling						
- Interior lot (each unit)	8.0	26	30.5	100	248	2,600
- Outer lot (each unit)	10.0	32	30.5	100	310	3,200
Fourplex or 4-unit dwelling						
- Interior lot	18.3	60	30.5	100	557.4	6,000
- Corner lot	22.9	75	30.5	100	696.8	7,500
Apartment Buildings and all other Multi-unit higher density uses	As required by the Municipal Planning Commission Sufficient to meet all development requirements, to a maximum density of 100 units per hectare (40 units per acre) of the parcel site upon which the development is proposed.					
All other uses	As required by the Municipal Planning Commission					

3. MINIMUM SETBACK & YARD REQUIREMENTS

Use	Front Yard ¹		Secondary Front		Side Yard ²		Rear Yard	
	m	ft	m	ft	m	ft	m	ft
Single-unit & 2-unit dwellings	7.5	25	4.5	15	1.5	5	7.5	12
Town/Rowhouse dwelling	7.5	25	4.0	13	1.5	5	6.1	20
Accessory building, structure in rear yard (no lane)	N/A		N/A		1.0	3.3	1.0	3.3
Accessory building, structure in rear yard (with rear lane)	N/A		N/A		1.0	3.3	2.0	6.5
All other uses	As required by the Development Authority							

NOTE: ¹ The Municipal Planning Commission may reduce the front yard setback to a minimum of 5 metres, having regard to the location and dimensions of the sidewalk, boulevard, street, right-of-way and adjacent buildings.

NOTE: ² The side setback requirement does not preclude the building of multi-unit dwelling row dwelling where each dwelling is separated by a party wall and on a separate title.

4. MAXIMUM SITE COVERAGE

Principal (and accessory buildings): 50% of the site area

(Principal may cover 50% with no associated accessory)

Accessory buildings/structures: 10% Maximum, may be less*

- If a dwelling has an attached garage the principal building site coverage may be allowed up to 50% but then any associated accessory building/structure site coverage shall be decreased accordingly to not exceed the total combined coverage.*

TOTAL Principal Building and Accessory Buildings combined: 50% total

5. MAXIMUM BUILDING HEIGHT

Principal Building: 15 m (49 ft)

Accessory Buildings: 5.5 m (18 ft)

Accessory Building: detached garage with secondary suite above 7.62 m (25 ft)

6. MINIMUM FLOOR AREA

Single-unit dwelling: 67 m² (720 sq. ft)

All others: As required by the Development Authority

7. HIGHER DENSITY RESIDENTIAL

When deciding on proposals for discretionary use higher density residential development in existing developed neighbourhoods, the following may be considered by the MPC to determine suitability:

- (a) compatibility with the general height, building design and nature of adjacent existing dwellings;
- (b) the ability of municipal utilities to accommodate the proposed density of development;
- (c) adequate off-street parking provisions as outlined in this bylaw;
- (d) suitable landscaping and on-site amenities such as outdoor space, playground equipment, etc.; and
- (e) possible impact on future land uses and the public road system.

The following Part and Sections are provided for reference only. Other Sections of this bylaw may apply to an application; please consult the bylaw and Development Officer for details.

8. GENERAL AND USE SPECIFIC STANDARDS OF DEVELOPMENT – Parts 5 & 6

Parking – Part 5, Sections 13 & 14

Alternative energy – Part 6, Section 1

Shipping Containers – Part 6, Section 21

9. RESIDENTIAL STANDARDS OF DEVELOPMENT – Parts 5 & 6

Accessory buildings – Part 5, Section 15

Fences – Part 5, Section 17

Decks – Part 5, Section 19

Home Occupations – Part 6, Section 10

Manufactured/Mobile dwelling – Part 6, Section 11

Moved-in (previously occupied) building or dwelling – Part 6, Section 14

Prefabricated dwelling – Part 6, Section 16

Secondary suite – Part 6, Section 20

Show home – Part 6, Section 23

10. SIGN REGULATIONS – Part 7

MANUFACTURED/MOBILE HOME PARK DISTRICT – MMHP

INTENT: This district is intended to provide a designated area for clustered or grouped manufactured/mobile homes in an orderly, efficient manner, which may be sited on subdivided individually titled lots adjacent to one another or on a single parcel of land comprehensively planned as a manufactured home residential community under the same ownership (where sites are leased).

1. PERMITTED USES

- Accessory Buildings, Structures & Uses
- Alternative Energy, Individual Solar
- Home Occupation 1
- Day Home
- Dwellings:
 - Manufactured Home dwelling
 - Single Wide Mobile
 - Double Wide Mobile
 - Prefabricated dwelling (Modular/ Panelized)
- Public or Private Utility
- Sign (fascia, window for home occupation)
- Temporary Shipping Container A (less than 6 months)

DISCRETIONARY USES

- Community Buildings & Facilities
- Dwellings:
 - Single-detached (existing dwelling)
 - Moved-in dwelling
- Group Care Minor/ Child Care Facility
- Home Occupation 2
- Moved-in Building
- Mobile Park Maintenance/Storage uses
- Parks, Playgrounds & Open Space
- Secondary Suite (contained within prefabricated)
- Signs (associated with a discretionary use)
- Temporary Shipping Container B
- Temporary Uses

PROHIBITED USES

- Keeping of Livestock - subject to compliance with municipal Animal Control, Urban Hen or similar purpose bylaw.
- Park Model Trailer
- Recreational Vehicles as Residences
- Shipping Container (permanent)
- * Any use not listed as a permitted or discretionary use, or deemed to be a similar use to the prescribed uses, is a prohibited use in the district.

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft	m	ft	m ²	sq ft
Manufactured / Mobile dwelling*						
- Single wide mobile lot	10.0	32	30.5	100	305	3,200
- Double wide mobile lot	12.0	39	30.5	100	366	3,900
Prefabricated / Modular (panelized)	12.0	39	30.5	100	366	3,900
All Other uses	As required by the MPC					

* Note: Minimum lot widths may be required to be increased to accommodate the dwelling width of a proposed use. Approved mobile homes shall be in consideration of minimum width of lot and sited accordingly to meet setbacks unless a variance is authorized by the approving Development Authority.

3. MINIMUM SETBACK & YARD REQUIREMENTS

Use	Front Yard		Side A ¹		Side B		Rear Yard	
	m	ft	m	ft	m	ft	m	ft
Single wide & double wide manufactured/mobile dwelling ²	4.5	15	4.5	15	1.5	5	4.5	15
Prefabricated/Modular (panelized)	6.1*	20	1.5	5	1.5	5	6.1	20
Accessory building, structure in rear yard (no lane)	N/A		1.0	3.3	1.0	3.3	1.0	3.3
Accessory building, structure in rear yard (with rear lane)	N/A		1.0	3.3	1.0	3.3	2.0	6.5
All other uses	As required by the MPC							

NOTE 1: Side A refers to the side opposite the main entrance(s) to the manufactured/mobile dwelling.

NOTE 2: The defined setbacks are to be applied to a freehold title legal property line, or to a unit site in a comprehensively planned park. In all other cases, such as multiple lease sites on a single parcel, there must be a minimum separation distance of 6.1 m between dwelling units.

NOTE 3:* The Development Authority may reduce the front yard setback to a minimum of 5 metres, having regard to the location and dimensions of the sidewalk, boulevard, street, and right-of-way and the adjacent buildings.

4. MAXIMUM SITE COVERAGE

PERMITTED USES:

Principal building: 40%

Accessory buildings/structures: 15%

- If a dwelling has an attached garage the principal building site coverage may be allowed up to 55% but then any associated accessory building/structure site coverage shall be decreased accordingly to not exceed the total combined coverage.

TOTAL Combined Coverage of all principal and accessory buildings: 55%

DISCRETIONARY USES:

As required by the Municipal Planning Commission

5. MINIMUM FLOOR AREA

Single-wide manufactured/mobile homes: 65.0 m² (700 sq. ft.)

Double-wide manufactured/mobile homes: 72.0 m² (775 sq. ft.)

Other Single-unit dwelling: 67 m² (720 sq. ft.)

All others: As required by the Development Authority

6. MAXIMUM BUILDING HEIGHT

Principal Building: 8.5 m (28 ft)

Accessory Building: 5.5 m (18 ft)

All others: as required by the Development Authority

7. SPECIAL REQUIREMENTS & STANDARDS

Eligible Manufactured/Mobile Homes:

- (a) New factory-built manufactured/mobile homes built to current CSA (Canadian Standards Association) certified.
- (b) Used factory-built manufactured/mobile homes, in a state of good condition or repair to the satisfaction of the Development Authority, constructed 2006 or after.
- (c) Existing manufacture/mobile homes constructed prior to 2006 that were legally approved and are sited on lots at the time this bylaw came into effect, are deemed to be legal non-conforming.

Standards and Requirements:

- (d) Any application for a development permit to locate a used manufactured/mobile home on a manufactured/mobile home lot shall include recent colour photographs of the manufactured /mobile home.
- (e) A Safety Codes inspection (at the expense of the applicant) of a used manufactured/mobile home proposed to be located on a manufactured/mobile home lot may be required by the Development Authority, in order to determine if such a home is suitable.
- (f) A development permit may be denied at the discretion of the Development Authority, if the Development Authority, is of the opinion that the manufactured/mobile home is in a state of poor disrepair, unsuitable, or constructed prior to 2006.
- (g) If required by the Development authority, all manufactured/mobile dwellings may be required to be registered with the Provincial Personal Property Registration. The CSA model number, serial number, and Alberta Personal Property Registration number shall be provided at the time of submission of a development permit application and are required to be registered with the town.
- (h) Manufactured/mobile homes are to be placed upon a foundation in accordance with the National Building Code, Alberta Edition.
- (i) Manufactured/mobile homes shall be skirted to ground level with fireproof material of similar design to the mobile home exterior. Wheels and hitches shall be removed from the mobile home, unless otherwise approved by the Development Authority.

General Appearance:

In order to maintain the residential character of the development:

- (j) The wheels and hitches shall be removed from a manufactured/mobile home within 90 days after placement of the home on its foundation. The foundation and skirting shall be in place within 90 days of placement.
- (k) The underside of manufactured/mobile homes which are not provided with a basement, shall be within 0.6 metre (2 ft.) of the finished grade.
- (l) Every entrance/exit into a manufactured/mobile home must be furnished with a landing and/or set of stairs.

(m) Any proposed addition to a manufactured/mobile home shall require a development permit. The colours and finish of any addition shall be of a quality, style, and design which, in the opinion of the Development Authority, matches or complements the existing building.

The following Part and Sections are provided for reference only. Other Sections of this bylaw may apply to an application; please consult the bylaw and Development Officer for details.

8. GENERAL AND USE SPECIFIC STANDARDS OF DEVELOPMENT – Parts 5 & 6

Parking – Part 5, Sections 13 & 14
Alternative energy – Part 6, Section 1
Shipping Containers – Part 6, Section 21

9. RESIDENTIAL STANDARDS OF DEVELOPMENT – Parts 5 & 6

Accessory buildings – Part 5, Section 15
Fences – Part 5, Section 17
Decks – Part 5, Section 19
Home Occupations – Part 6, Section 10
Manufactured/Mobile dwelling – Part 6, Section 11
Moved-in (previously occupied) building or dwelling – Part 6, Section 14
Prefabricated dwelling – Part 6, Section 16
Secondary suite – Part 6, Section 20
Show home – Part 6, Section 23

10. SIGN REGULATIONS – Part 7

COUNTRY RESIDENTIAL DISTRICT – CR

INTENT: This district is intended to regulate and allow for the development of larger acreage lots in limited areas on the periphery area of the municipality where municipal services may be limited or unavailable, and where the primary purpose of residential single-unit dwellings is supported by secondary uses.

1. PERMITTED USES

Accessory Building, Structures and Uses
 Alternative Energy, Individual Solar
 Day Home
 Dwelling:
 - Single-detached
 - Semi-detached
 Home Occupation 1
 Public or Private Utility
 Sign (fascia for home occupation)
 Temporary Shipping Container A (less than 6 months)

DISCRETIONARY USES

Dwelling:
 - Moved-in Dwelling
 - Prefabricated dwelling (Modular/ Panelized)
 Group Care Minor/ Child Care Facility
 Home Occupation 2
 Moved-in Building
 Parks, Playgrounds & Open Space
 Recreational Facilities (Public & Private)
 Secondary Suite (contained within single-detached
 Secondary Suite (detached garage)
 Secondary Suite (other as per Part 6)
 Signs (associated with a discretionary use)
 Telecommunication Towers/Structure
 Temporary Shipping Container B
 Temporary Uses

PROHIBITED USES

Park Model Trailers
 Recreational Vehicles as Residences
 Shipping Container (permanent)

* Any use not listed as a permitted or discretionary use, or deemed to be a similar use to the prescribed uses, is a prohibited use in the district.

2. MINIMUM AND MAXIMUM LOT SIZE

Use and servicing provisions	Min. Width		Min. Length		Min. Area	
	m	ft	m	ft	m ²	sq ft
Municipal water but no sanitary sewage system (minimum size) - All residential and associated accessory residential uses	30	98.5	30	98.5	1,850*	19,914
All other uses	As required by the MPC					
All uses - Maximum lot size	2 hectares (5 acres) overall area Maximum					

* Overall lot area and minimum width take precedence over length dimension

3. MINIMUM SETBACK & YARD REQUIREMENTS

Use	Front Yard		Secondary Front		Side Yard		Rear Yard	
	m	ft	m	ft	m	ft	m	ft
All uses including accessory building, uses & structures	10	32.8	10	32.8	3	9.8	5	16.4

NOTE 1: Minimum yard setback distances are from subdivision internal streets or service roads only. Setbacks from County roads shall be 40 metres (130 ft.) from the centre line of a local road. Any parcel fronting or adjacent to a provincial highway the development setback shall be in compliance with the Highway Development Act or as otherwise authorized by Alberta Transportation.

NOTE 2: All development including tree shelter belts, dugouts and private sewage systems shall comply with minimum yard requirements.

4. BUILDING RESTRICTIONS AND MAXIMUM FLOOR AREA

Principal building - maximum floor area as required by the Development Authority

Accessory building - maximum floor area **per building:** 100 m² (1,076 sq. ft)

Accessory building - maximum floor area all buildings **combined:** 300 m² (3,228 sq. ft)

Accessory buildings - maximum number per lot: 3

Required minimum building separation: 1.5 metres (4.9 ft)

5. MINIMUM FLOOR AREA

Single-unit dwellings: 74.3 m² (900 sq. ft.)

All other uses: As required by the Municipal Planning Commission

6. MAXIMUM BUILDING HEIGHT

Principal Building: 8.5 m (28 ft)

Accessory Building: 5.5 m (18 ft)

Accessory Building – detached garage with secondary suite above: 7.62 m (25 ft)

7. SPECIAL SERVICING DEVELOPMENT STANDARDS

- (a) All private on-site sewage septic systems shall be appropriately sized to meet the needs of the building and use it is associated with and shall be installed to conform to the current *Alberta Private Sewage Systems Standards of Practice*. Open discharge or lagoon systems are prohibited within the Town.
- (b) Individual private wells are not permitted to be drilled or used as a source of water supply for country residential parcels within Town limits.
- (c) Water distribution and sewage collection systems shall be provided as determined necessary by the Development Officer or Municipal Planning Commission.

8. USES OR OBJECTS PROHIBITED OR RESTRICTED

Storage

- (a) The storage of recreational vehicles (holiday campers, trailers) shall be in compliance with any municipal Traffic and Parking bylaw. In the absence of such a bylaw, not more than two recreational vehicles shall be stored or parked on the lot.

Keeping of Pets and Livestock

- (b) The keeping of animals and pets shall be in compliance with any municipal Animal Control (or similar) purpose bylaw.
- (c) Not more than two dogs, excluding unweaned pups, shall be kept on a parcel unless a kennel permit has been issued. Any off-spring over the age of six months shall be considered to be weaned.
- (d) Within this district, the number of livestock permitted without a development permit shall not exceed 2 hooved animals or 25 hens. Adequate containment facilities must be constructed a minimum of 15 metres (50 ft.) from any property line. If there is any discrepancy between these standards and an adopted municipal Animal Control bylaw, the later shall prevail.

The following Part and Sections are provided for reference only. Other Sections of this bylaw may apply to an application; please consult the bylaw and Development Officer for details.

9. GENERAL AND USE SPECIFIC STANDARDS OF DEVELOPMENT – Parts 5 & 6

Parking – Part 5, Sections 13 & 14

Alternative energy – Part 6, Section 1

Shipping Containers – Part 6, Section 21

10. RESIDENTIAL STANDARDS OF DEVELOPMENT – Parts 5 & 6

Accessory buildings – Part 5, Section 15

Fences – Part 5, Section 17

Decks – Part 5, Section 19

Home Occupations – Part 6, Section 10

Manufactured/Mobile dwelling – Part 6, Section 11

Moved-in (previously occupied) building or dwelling – Part 6, Section 14

Prefabricated dwelling – Part 6, Section 16

Secondary suite – Part 6, Section 20

Show home – Part 6, Section 23

11. SIGN REGULATIONS – Part 7

INSTITUTIONAL DISTRICT – I

INTENT: This district is intended to provide for institutional, government, public and semi-public uses along with both private and public land for outdoor recreation and parks which are compatible and complimentary with adjacent land uses.

1. PERMITTED USES

- Accessory Buildings, Structures & Uses
- Alternative Energy, Individual Solar
- Child Care Facility
- Public & Institutional Buildings & Uses
- Public Park / Playgrounds
- Public (Municipal) Recreation Facilities
- Public or Private Utility
- Signs
- Temporary Shipping Container A (less than 6 months) & B

DISCRETIONARY USES

- Alternative Energy, SWECS
- Assisted Living
- Cemetery
- Club or Fraternal Organization
- Commercial Recreation
- Community Association Building or Community Hall
- Golf Course
- Group Care Facility
- Hospital
- Medical Health Facility
- Moved-in Buildings
- Museums
- Outdoor Storage
- Quasi-Public Buildings & Uses
- Religious Assembly (churches)
- Rodeo & Exhibition Facilities
- Schools
- Senior Residential Care Home (private)
- Shipping Container (permanent)
- Telecommunication Towers/Antenna Structure
- Temporary Uses

PROHIBITED USES

Recreational Vehicles as Residences

* Any use not listed as a permitted or discretionary use, or deemed to be a similar use to the prescribed uses, is a prohibited use in the district.

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft	m	ft	m ²	sq ft
Permitted Uses ¹	15	50	--	--	557	5,995
Discretionary Uses ²	As required by the Municipal Planning Commission					

NOTE: ¹ The minimum lot size for parks, buffer strips, and playgrounds shall be at the discretion of the Development Officer or Municipal Planning Commission as determined necessary.

NOTE: ² The minimum lot size required shall have consideration for the minimum parking requirements to be provided in relation to the intended use.

3. MINIMUM SETBACK & YARD REQUIREMENTS

Use	Front Yard		Secondary Front		Side Yard		Rear Yard	
	m	ft	m	ft	m	ft	m	ft
Permitted Use - Principal	7.5	25	7.5	25	1.5	5	4.5	15
Permitted Use - Accessory ¹	7.5	25	7.5	25	1.5	5	1.5 ²	5
Discretionary Uses	As Required by the Municipal Planning Commission							

NOTE: ¹ An accessory building must be separated from the Principal Building by 1.5 metres or the Principal Building setbacks will apply.

NOTE: ² The rear yard setback shall be 2.5 metres if a vehicular entrance is located adjacent to the rear lot line.

4. MAXIMUM SITE COVERAGE

PERMITTED USES:

Principal Building: 50%

Accessory Buildings/structures: 10%

- For residential uses - If a dwelling has an attached garage the principal building site coverage may be allowed up to 60% but any associated accessory building/structure site coverage shall be decreased accordingly to not exceed the total combined coverage.

TOTAL Combined Coverage of all principal and accessory buildings: 60%

DISCRETIONARY USES:

As required by the Municipal Planning Commission

5. MAXIMUM BUILDING HEIGHT

Principal Buildings: 15 m (50 ft)

Accessory Buildings: 5.5 m (18 ft)

6. SPECIAL DEVELOPMENT STANDARDS

The Municipal Planning Commission shall consider discretionary uses based on the lot size, servicing needs, and development standards to be applied in relation to the development needs, and may approve a development permit subject to conditions to address such matters or to mitigate potential impacts to neighbouring developments or uses.

The following Parts and Sections are provided for reference only. Other Sections of this bylaw may apply to an application; please consult the bylaw and the Development Officer for details.

7. GENERAL AND USE SPECIFIC STANDARDS OF DEVELOPMENT – Parts 5 & 6

Accessory Buildings – Part 5, Section 20

Alternative energy – Part 6, Section 1

Fences – Part 5, Section 20

Landscaping – Part 5, Section 13
Moved-in building – Part 6, Section 14
Parking & Loading – Part 5, Sections 13 & 14
Shipping containers Part 6, Section 21
Storage & Screening – Part 5, Section 22

8. SIGN REGULATIONS – Part 7

9. TELECOMMUNICATION ANTENNA SITING PROTOCOL – Part 9

DOWNTOWN COMMERCIAL DISTRICT – C-1

INTENT: This district is the main core commercial district and is intended to provide an area suited to retail, financial and personal service uses and commercial businesses, including the redevelopment of existing buildings or uses, which cater to providing convenient and accessible services to the public, while being a centre activity hub for the community.

1. PERMITTED USES

Accessory Buildings or Structures
Alternative Energy, Individual Solar
Bakery
Convenience Store
Deli / Specialty Food Market
Financial Institution
Public & Institutional
Office (Business or Professional)
Parking Lots / Facility
Personal Services
Post Office
Publishing, Printing, Broadcasting or
Recording Establishment
Retail & Commercial Uses
Signs
Temporary Shipping Container A (less than 6
months)
Temporary Shipping Container B

DISCRETIONARY USES

Accessory Uses
Amusement Facility
Animal Care Service, small
Child Care Facility
Community Buildings & Facilities
Dwellings:
- Apartments
- Multi-unit (2 or more units)
Entertainment Establishment
Farmers' / Community Market
Fitness Facility
Funeral Home
Hotel / Motel
Laundromat
Liquor Store
Licensed Lounge/Bar
Medical/Dental/Health Facility
Mixed-use Commercial / Residential
Moved-in Building
Outdoor Storage
Restaurants (Food Establishments)
Retail Cannabis store
Service Station
Shipping Container (permanent)
Specialty Manufacturing
Telecommunication Towers/Antenna Structure
Temporary Uses

PROHIBITED USES

Recreational Vehicles as Residences
Shipping Containers (permanent)

* Any use not listed as a permitted or discretionary use, or deemed to be a similar use to the prescribed uses, is a prohibited use in the district.

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft	m	ft	m ²	sq ft
Permitted Uses	7.5	25	30.5	100	229	2,500
Discretionary Uses	As required by the Municipal Planning Commission					

3. MINIMUM SETBACK & YARD REQUIREMENTS

Use	Front Yard		Secondary Front		Side Yard		Rear Yard	
	m	ft	m	ft	m	ft	m	ft
Apartments, Multi-unit dwelling (4 or more units)	1.5	5	4.5	15	7.5	25	7.5	25
All Commercial buildings, including accessory buildings, uses & structures	1.5 ²	5	0.0 ¹	0.0	0.0 ¹	0.0	6	20

NOTE 1: Where a commercial building abuts a residential district without an intervening street or lane, the principal building for the commercial parcel shall have a setback for that yard (or those yards) equal to or greater than the side yard required for the residential parcel.

NOTE 2: All existing commercial buildings that have a front yard zero lot line at the time of this bylaw coming into force are deemed to be in compliance with the bylaw. Those buildings or uses may be extended within the building or property and may make additions and structural alterations as required provided a development permit is approved by the Development Authority.

4. MAXIMUM SITE COVERAGE

All Buildings and Structures (combined): 80%

5. MAXIMUM BUILDING HEIGHT

Principal Buildings: 15 m (50 ft)

Accessory Buildings: 5.5 m (18 ft)

6. EXEMPTIONS

The Municipal Planning Commission may approve a development on an existing registered lot, the minimum dimensions or area of which are less than those specified in this district provided that the minimum area is at least 139.4 m² (1,500 sq ft).

7. SPECIAL DEVELOPMENT STANDARDS

- (a) Storage- No on-site outdoor storage or sale of goods shall be permitted within this Land Use District unless expressly approved in a development permit as a discretionary use.
- (b) Screening – outside storage areas and garbage containers shall be screened from adjacent sites and front public thoroughfares.

The following Parts and Sections are provided for reference only. Other Sections of this bylaw may apply to an application; please consult the bylaw and the Development Officer for details.

8. GENERAL AND USE SPECIFIC STANDARDS OF DEVELOPMENT – Parts 5 & 6

- Accessory Buildings – Part 5, Section 20
- Alternative energy – Part 6, Section 1
- Fences – Part 5, Section 20
- Landscaping – Part 5, Section 13
- Mix-use residential – Part 6, Section 13
- Moved-in building – Part 6, Section 14
- Parking & Loading – Part 5, Sections 13 & 14
- Shipping containers Part 6, Section 21
- Storage & Screening – Part 5, Section 22

9. SIGN REGULATIONS – Part 7

10. TELECOMMUNICATION ANTENNA SITING PROTOCOL – Part 9

COMMERCIAL DISTRICT – C-2

INTENT: This district is intended to designate commercial parcels that are easily accessible or are in proximity to the highway, for commercial uses that cater to vehicle traffic or the travelling public and may benefit from higher visibility along major transportation roads or may require more lot area. These commercial parcels will typically be located outside the core downtown.

1. PERMITTED USES

Accessory Structures
 Accessory Building or Use [not exceeding 139.4 m² (1,500 sq ft)]
 Alternative Energy, Individual Solar
 Automotive Sales & Service
 Contractor, limited
 Convenience store
 Hotel / Motel
 Office (Business or Professional)
 Public or Private Utility
 Retail & Commercial Uses
 Restaurant (Food Establishment)
 Restaurant Drive-thru
 RV Sales & Service
 Shipping Container (permanent)
 Signs
 Temporary Shipping Container A (less than 6 months) & B
 Tourist Information

DISCRETIONARY USES

Accessory Building or Use [exceeding 139.4 m² (1,500 sq ft)]
 Agricultural Equipment Sales & Service
 Ancillary Residence
 Bulk Fuel and Chemical Storage
 Car or Truck wash
 Contractor, general
 Farmers' / Community Market
 Funeral Home
 Liquor Store
 Machinery Sales Rental and Service
 Moved-in Building
 Outdoor Storage
 Public & Institutional
 Retail Cannabis store
 Service Station or Gas Bar
 Shopping Centre
 Specialty Manufacturing
 Telecommunication Tower / Antenna Structures
 Temporary Uses
 Truck Stop
 Wholesale Outlet

PROHIBITED USES

Recreational Vehicles as Residences

* Any use not listed as a permitted or discretionary use, or deemed to be a similar use to the prescribed uses, is a prohibited use in the district.

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft	m	ft	m ²	sq ft
Permitted Uses	30	98.5	30	98.5	925	9,956
Discretionary Uses	As Required by the Municipal Planning Commission					

3. MINIMUM SETBACK & YARD REQUIREMENTS

Use	Front Yard		Secondary Front		Side Yard		Rear Yard	
	m	ft	m	ft	m	ft	m	ft
Permitted Use - Principal	7.5	25	4.5	15	3.0	10	4.5	15
Permitted Use - Accessory	7.5	25	4.5	15	1.5	5	1.5 ¹	5
Discretionary Uses	As Required by the Municipal Planning Commission							

NOTE¹: The rear yard setback shall be increased to 2.5 metres if a vehicular entrance is located adjacent to the rear lot line.

4. MAXIMUM SITE COVERAGE

PERMITTED USES:

Principal building: 50%

Accessory buildings: 10%

Total Combined Coverage of all principal and accessory buildings: 60%

DISCRETIONARY USES:

As required by the Municipal Planning Commission

5. MAXIMUM BUILDING HEIGHT

Principal Buildings: 15 m (50 ft)

Accessory Buildings: 5.5 (18 ft)

6. EXEMPTIONS

The Municipal Planning Commission may approve a development on an existing registered lot, the minimum dimensions or area of which are less than those specified in this district provided that the minimum area is at least 925 m² (9,956 sq ft).

7. SPECIAL DEVELOPMENT STANDARDS

- (a) All sites abutting a residential district shall be screened from the view of the residential district to the satisfaction of the Municipal Planning Commission.
- (b) All outdoor storage and garbage containers shall be screened from adjacent sites and public thoroughfares.

The following Parts and Sections are provided for reference only. Other Sections of this bylaw may apply to an application; please consult the Development Officer for details.

8. GENERAL AND USE SPECIFIC STANDARDS OF DEVELOPMENT – Parts 5 & 6

Parking – Section 7

Alternative energy – Section 12

Shipping container – Section 14

The following Parts and Sections are provided for reference only. Other Sections of this bylaw may apply to an application; please consult the bylaw and the Development Officer for details.

9. GENERAL AND USE SPECIFIC STANDARDS OF DEVELOPMENT – Parts 5 & 6

- Accessory Buildings – Part 5, Section 20
- Alternative energy – Part 6, Section 1
- Fences – Part 5, Section 20
- Landscaping – Part 5, Section 13
- Mixed-use – Part 6, Section 13
- Moved-in building – Part 6, Section 14
- Parking & Loading – Part 5, Sections 13 & 14
- Service station or gas bar – Part 6, Section 14
- Shipping containers Part 6, Section 21
- Storage & Screening – Part 5, Section 22

10. SIGN REGULATIONS – Part 7

11. TELECOMMUNICATION ANTENNA SITING PROTOCOL – Part 9

HIGHWAY TRANSITIONAL DISTRICT – HT

INTENT: This district to be applied to a limited area on the municipality where lands in proximity to Highway 3 are intended to be used in the long-term for highway commercial uses, but in the interim allow for existing non-commercial related land uses, such as historically established residential, to continue until such time they are approved to be converted for commercial use.

1. PERMITTED USES

Accessory Structures
 Accessory Building or Use [not exceeding 139.4 m² (1,500 sq ft)]
 Alternative Energy, Individual Solar
 Community Buildings & Facilities
 Convenience store
 Dwellings:
 - Single-detached - Existing
 - Multi-unit (2 to 4 units) - Existing
 Hotel / Motel
 Public Buildings, Facilities & Uses
 Public or Private Utility
 Retail & Commercial Uses
 Restaurant (Food Establishment)
 Signs
 Temporary Shipping Container A (less than 6 months)
 Tourist Information

DISCRETIONARY USES

Accessory Building or Use [exceeding 139.4 m² (1,500 sq ft)]
 Automotive Sales & Service
 Dwellings:
 - Single-detached
 - Multi-unit (2 to 4 units)
 - Multi-unit (more than 4 units)
 Farmers' / Community Market
 Liquor Store
 Moved-in Building
 Restaurant Drive-thru
 Retail Cannabis store
 Secondary Suites (all types as per Part 6)
 Service Station or Gas Bar
 Shipping Containers (permanent)
 Temporary Shipping Container B
 Temporary Uses
 Wholesale Outlet

PROHIBITED USES

Recreational Vehicles as Residences

* Any use not listed as a permitted or discretionary use, or deemed to be a similar use to the prescribed uses, is a prohibited use in the district.

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft	m	ft	m ²	sq ft
Residential Uses ¹	15	50	35	115	550	5,750
Retail & Commercial Uses	30	98.5	30	98.5	925	9,956
All Other Uses	As Required by the Municipal Planning Commission					

NOTE: ¹ The minimum residential lot size excludes the south 50 feet and the north 75 feet of Lots 18-20, Block 24, Plan 186AA which are as existing.

3. MINIMUM SETBACK & YARD REQUIREMENTS

Use	Front Yard		Secondary Front		Side Yard		Rear Yard	
	m	ft	m	ft	m	ft	m	ft
Permitted Use - Principal	10	33	4.5	15	3.0	10	4.5	15
Accessory Buildings	10	33	4.5	15	1.5	5	1.5 ¹	5
Discretionary Uses	As Required by the Municipal Planning Commission							

NOTE:¹ The rear yard setback shall be increased to 2.5 metres if a vehicular entrance is located adjacent to the rear lot line.

4. MAXIMUM SITE COVERAGE

PERMITTED USES - COMMERCIAL:

Principal Building: 50%

Accessory Buildings: 10%

Total Combined Coverage of all principal and accessory buildings: 60%

DISCRETIONARY USES - COMMERCIAL:

As required by the Municipal Planning Commission

RESIDENTIAL USES:

Principal Building: 40%

Accessory Buildings: 10%

- If a dwelling has an attached garage the principal building site coverage may be allowed up to 50% but then any associated accessory building/structure site coverage shall be decreased accordingly to not exceed the total combined coverage.

5. MAXIMUM BUILDING HEIGHT

Principal Buildings: 15 m (50 ft)

Accessory Buildings: 5.5 (18 ft)

6. EXEMPTIONS

The Municipal Planning Commission may approve a development on an existing registered lot, the minimum dimensions or area of which are less than those specified in this district provided that the minimum area is at least 278 m² (3,000 sq ft).

7. SPECIAL DEVELOPMENT STANDARDS

- (a) No new direct access from residential lots to Highway 3 is permitted, unless otherwise approved by both the Development Authority and Alberta Transportation.
- (b) The Development Authority may allow development rear access by a lane in some circumstances if there is no reasonable alternative. Any such access will be determined on a case-by-case basis having regard for site specific conditions.

-
- (c) All commercial sites abutting a residential use or district shall be screened from the view of the residential use to the satisfaction of the Municipal Planning Commission.
 - (d) All outdoor storage and garbage containers shall be screened from adjacent sites and public thoroughfares.
 - (e) Parking standards and loading bay requirements as required for the intended use must be provided on-site as per Part 4.

The following Parts and Sections are provided for reference only. Other Sections of this bylaw may apply to an application; please consult the bylaw and the Development Officer for details.

8. GENERAL AND USE SPECIFIC STANDARDS OF DEVELOPMENT – Parts 5 & 6

- Accessory Buildings – Part 5, Section 20
- Alternative energy – Part 6, Section 1
- Fences – Part 5, Section 20
- Landscaping – Part 5, Section 13
- Moved-in building – Part 6, Section 14
- Parking & Loading – Part 5, Sections 13 & 14
- Service station or gas bar – Part 6, Section 14
- Shipping containers Part 6, Section 21
- Storage & Screening – Part 5, Section 22

9. SIGN REGULATIONS – Part 7

10. TELECOMMUNICATION ANTENNA SITING PROTOCOL – Part 9

AIRPORT DISTRICT – M-1

INTENT: This district is intended to support the orderly development of land for airport related and industrial type uses in a manner compatible with airport operations and consistent with federal legislation relating to airports, air traffic and height restrictions.

1. PERMITTED USES

Accessory Building, Structure & Uses
 Airports & Airstrips
 Hangars & Airport Related Uses
 Public or Private Utility
 Repair & Machine Shops
 Temporary Shipping Containers A & B
 Shipping Container (permanent)
 Signs

DISCRETIONARY USES

Alternative Energy, Individual Solar
 Bulk Fuel & Chemical Storage
 Industrial Equipment Sales & Service
 Institutional Buildings & Uses
 Light Industrial
 Light Fabricating Shops
 Mini Storage
 Moved-in Building
 Surveillance Suite
 Temporary Uses
 Warehouse

PROHIBITED USES

Anhydrous Ammonia Storage
 Recreational Vehicles as Residences

* Any use not listed as a permitted or discretionary use, or deemed to be a similar use to the prescribed uses, is a prohibited use in the district.

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft	m	ft	m ²	sq ft
Permitted Uses	15	49.3	As Required by Development Authority		465	5,005
Discretionary Uses	As Required by the Municipal Planning Commission					

3. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard		Secondary Front		Side Yard		Rear Yard	
	m	ft	m	ft	m	ft	m	ft
Permitted Use - Principal	4.0	13	1.5	5	1.5	5	1.5	5
Discretionary Uses	4.0	13	4.5	15	1.5	5	4.5	15
Accessory Uses	4.0	13	4.5	15	1.5	5	1.5	5

4. MAXIMUM SITE COVERAGE

All Buildings combined: 70% (on subdivided titles)

Airstrip Parcel: Overall maximum site coverage, on the principal parcel reserved for airport operations and the airstrip, shall be limited as determined necessary by the Development Authority.

5. MAXIMUM BUILDING HEIGHT

Principal Buildings: 10 m (33 ft) unless otherwise determined necessary by the Development Authority with respect to the Airport Protection Area and Transport Canada Guidelines.¹

NOTE:¹ Building heights shall be restricted if they are determined to interfere with the take-off/approach surface or transitional surface of the airport.

Accessory Buildings: 5.5 m (18 ft)

6. SPECIAL DEVELOPMENT STANDARDS

- (a) Any development applications in the M-1 district may be referred to Transport Canada and Nav Canada. When required by Nav Canada or federal regulations, an applicant shall submit an application to the federal agency and comply with any building siting or height restrictions. If there is a conflict in an approval or condition between the Town's issued development permit and a requirement or restriction issued by a federal department, the latter shall prevail.
- (b) The Development Authority may refuse to approve any use it determines may negatively impact the safe and efficient operation of the airport lands and airstrip.
- (c) All outdoor storage or garbage containers shall be screened and securely fastened so materials and refuse cannot leave the site or container especially in blustery wind conditions.
- (d) Fencing on subdivided lots is only allowed at the discretion of the Development Authority and if permitted, shall be limited to chain link fence and limited to storage areas only.

The following Parts and Sections are provided for reference only. Other Sections of this bylaw may apply to an application; please consult the bylaw and the Development Officer for details.

7. GENERAL AND USE SPECIFIC STANDARDS OF DEVELOPMENT – Parts 5 & 6

Accessory Buildings – Part 5, Section 20

Alternative energy – Part 6, Section 1

Fences – Part 5, Section 20

Landscaping – Part 5, Section 13

Parking & Loading – Part 5, Sections 13 & 14

Bulk Fuel, Service station or gas bar – Part 6, Section 14

Shipping containers Part 6, Section 21

Storage & Screening – Part 5, Section 22

8. SIGN REGULATIONS – Part 7

9. TELECOMMUNICATION ANTENNA SITING PROTOCOL – Part 9

INDUSTRIAL DISTRICT – M-2

INTENT: To encourage orderly development of industrial land in a manner compatible with other land uses and to provide for a wide variety of economic opportunities and industrial uses to occur.

1. PERMITTED USES

Accessory Buildings, Structures & Uses
 Agricultural Equipment Sales & Service
 Alternative Energy, Individual Solar
 Auction Facility - Non-livestock
 Automotive Repair & Service
 Bulk Storage and Sales
 Contractor, both general & limited
 Lumber Yards & Building Supplies
 Manufacturing & Fabrication
 Mechanical Sales & Service
 Mini Storage
 Office (Business)
 Public or Private Utility
 Sheet Metal Works
 Signs
 Shipping Container (permanent)
 Storage, Indoor & Outdoor
 Taxidermy
 Temporary Shipping Containers A & B
 Transportation Facilities & Uses
 Veterinary Clinics, small animal
 Warehousing
 Wholesale Outlet

DISCRETIONARY USES

Alternative Energy, Individual SWECS
 Aquaculture/Aquaponics
 Auction Facility - Livestock, Holding & Processing
 Automotive Paint Shop
 Bulk Fuel Storage & Sales
 Cannabis Production Facility
 Food Processing Plant
 Grain Elevators / Seed Cleaning
 Greenhouses / Nurseries
 Kennels
 Landscaping Materials Sales & Service
 Machinery Sales, Rental and Service
 Moved-in Building
 Packing & Processing
 Retail & Commercial Establishments
 Salvage, Wrecking & Recycling Yard
 Sand & Gravel Storage & Cleaning
 Specialty Manufacturing
 Surveillance Suite
 Telecommunication Tower / Antenna Structures
 Temporary Uses
 Truck wash
 Veterinary Clinics, large animal
 Waste Management Site
 Welding and Metal Fabrication

PROHIBITED USES

Recreational Vehicles as Residences

* Any use not listed as a permitted or discretionary use, or deemed to be a similar use to the prescribed uses, is a prohibited use in the district.

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft	m	ft	m ²	sq ft
Permitted Uses ¹	30	98.5	30	98.5	900	9,688
Discretionary Uses	As Required by the Municipal Planning Commission					

NOTE:¹ Existing designated industrial lots less than the required size at the time of this bylaw adoption are deemed to meet the minimum size requirements.

3. MINIMUM SETBACK & YARD REQUIREMENTS

Use	Front Yard		Secondary Front		Side Yard		Rear Yard	
	m	ft	m	ft	m	ft	m	ft
Permitted Use - Principal	7.5	25	4.5	15	1.5	5	4.5	15
Permitted Use - Accessory	7.5	25	4.5	15	1.5	5	1.5 ¹	5
Discretionary Uses	As Required by the Municipal Planning Commission							

NOTE¹: The rear yard setback shall be increased to 3.0 metres if a vehicular entrance is located adjacent to the rear lot line.

4. MAXIMUM SITE COVERAGE

PERMITTED USES:

Principal Building: 50%

Accessory Buildings: 10%

Total Combined Coverage of all principal and accessory buildings: 60%

DISCRETIONARY USES:

As required by the Municipal Planning Commission.

5. MAXIMUM BUILDING HEIGHT

Principal Buildings: 15 m (50 ft), unless within the Airport Protection Overlay area where the Approach Slope Height Restrictions shall apply or where Transport Canada stipulates otherwise.

Accessory Buildings: 5.5 m (18 ft)

6. EXEMPTIONS

The Municipal Planning Commission may approve a development on an existing registered lot, the minimum dimensions or area of which are less than those specified in this district provided that the minimum area is at least 450 m² (4,844 sq ft).

7. SPECIAL DEVELOPMENT STANDARDS

- (a) All sites abutting a residential district shall be screened from the view of the residential district to the satisfaction of the Municipal Planning Commission.
- (b) All outdoor storage and garbage containers shall be screened from adjacent sites and public thoroughfares.
- (c) In consideration of Section 5, Maximum Building Height, the heights of buildings within the airport vicinity may be restricted to protect runway approaches and flight paths. (see Part 9)
- (d) All development applications in the M-2 district within 804 m (½-mile) of the airport may be referred to Transport Canada and Nav Canada. An applicant shall be responsible for submitting an application to Nav Canada when required and complying with any building siting or height restrictions.

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- (e) Accessory buildings or structures in excess of 9.3 m² (100 sq. ft.) shall be setback a minimum 1.2 metres (4 ft.) from the principal building or and all other buildings or structures on the same lot.
 - (f) Where it appears that greater side yard setbacks may be necessary, the Development Authority may impose such a requirement as a condition of a development permit.
 - (g) On parcels located adjacent to provincial highways, any storage of goods, products, raw materials, etc. shall be effectively screened from view by buildings, solid fences, landscaped features, or combinations thereof and be maintained in good repair.
 - (h) Landscaping, fencing, screening and siting or setback restrictions may be imposed as a condition of a development permit, with consideration for Section 8 and 9 below, and Part 5, Section 17.
 - (i) No operation or activity associated with any use in this District shall be permitted which would create a nuisance factor from noise, odour, earthborn vibrations, heat, intense light sources or dust, beyond the boundaries of the property.
 - (j) Loading docks (above level grade) shall be built 139.7 cm (55 inches) above grade level to accommodate most delivery trucks.
 - (k) Any use that is determined to be high volume water user will be reviewed and considered in relation to the Towns' water capacity and flow rates for the area and lot subject to a development application proposal.
 - (l) **Greenhouses, Nurseries, Landscaping Sales, and Lumber Yard Special Standards:**
 - (i) No building doors are permitted in the rear yard which do not open completely within the boundaries of the site (property line).
 - (ii) No outdoor storage is permitted in the front yard and secondary front (flankage) yard unless it is screened form the public view to the satisfaction of the Development Authority.
 - (iii) Adequate provisions to manage surface water run-off must be provided, to the satisfaction of the Development Authority.
 - (iv) Adequate on-site provisions must be provided for vehicular parking and loading and unloading of material related to such operations.

The following Parts and Sections are provided for reference only. Other Sections of this bylaw may apply to an application; please consult the bylaw and the Development Officer for details.

8. GENERAL AND USE SPECIFIC STANDARDS OF DEVELOPMENT – Parts 5 & 6

- Accessory Buildings – Part 5, Section 20
- Alternative energy – Part 6, Section 1
- Fences – Part 5, Section 20
- Landscaping – Part 5, Section 13
- Mixed-use – Part 6, Section 13
- Moved-in building – Part 6, Section 14
- Parking & Loading – Part 5, Sections 13 & 14
- Service station or gas bar – Part 6, Section 14

Shipping containers Part 6, Section 21
Storage & Screening – Part 5, Section 22

9. SIGN REGULATIONS – Part 7

10. TELECOMMUNICATION ANTENNA SITING PROTOCOL – Part 9

RAILWAY INDUSTRIAL DISTRICT – M-3

INTENT: This district is intended to apply to specific lands adjacent to the rail line to enable such properties to be used for industrial and railway related uses for development complementary and compatible to railway operations.

1. PERMITTED USES

Accessory Building, Structure & Uses
 All Uses and Buildings required in the Operation of the Railway
 Office (Business)
 Light Industrial Retail
 Light Manufacturing
 Institutional Buildings & Uses
 Public or Private Utilities
 Shipping Container (permanent)
 Signs
 Temporary Shipping Containers A & B
 Warehousing

DISCRETIONARY USES

Seed Cleaning, Storage & Packing
 Alternative Energy, Individual Solar
 Alternative Energy, Individual SWECS
 Bulk Fuel & Oil Sales & Storage
 Fertilizer Facility/Dealers
 Grain Bins
 Grain Elevators
 Industrial Equipment Sales & Service
 Outdoor Storage
 Railway
 Retail & Commercial Uses
 Telecommunication Tower / Antenna Structures
 Temporary Uses

PROHIBITED USES

Anhydrous Ammonia Storage
 Recreational Vehicles as Residences

* Any use not listed as a permitted or discretionary use, or deemed to be a similar use to the prescribed uses, is a prohibited use in the district.

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft	m	ft	m ²	sq ft
Permitted Uses ¹	30	98.5	--	--	900	9,688
Discretionary Uses	As required by the Municipal Planning Commission					

NOTE:¹ Uses may be approved on lots less than the specified minimum width and lot area size at the discretion of the Development Authority based on the location and intended use (see Section 5 Exemptions).

3. MINIMUM SETBACK & YARD REQUIREMENTS

Use	Front Yard		Secondary Front		Side Yard		Rear Yard	
	m	ft	m	ft	m	ft	m	ft
Permitted Use – Principal & Accessory Buildings	7.5	25	4.5	15	3.0	10	3.0	10
Discretionary Uses	As Required by the Municipal Planning Commission							

4. MAXIMUM SITE COVERAGE

TOTAL: 60% all buildings combined, or as required by the Development Officer or Municipal Planning Commission.

5. MAXIMUM BUILDING HEIGHT

Principal Building: 15 m (50 ft)

Accessory Building: 5.5 m (18 ft)

6. EXEMPTIONS

The Municipal Planning Commission may approve a development on an existing registered lot, the minimum dimensions or area of which are less than those specified in this district provided that the minimum area is at least 400 m² (4,305 sq ft).

7. SPECIAL DEVELOPMENT STANDARDS

- (a) All sites abutting a residential district shall be screened from the view of the residential district to the satisfaction of the Development Authority.
- (b) All outdoor storage and garbage containers shall be screened from adjacent sites and public thoroughfares.
- (c) On parcels located adjacent to provincial highways, any storage of goods, products, raw materials, etc. may be required to be effectively screened from view by buildings, solid fences, landscaped features, or combinations thereof and be maintained in good repair.
- (d) As a condition of approval, the Development Authority, at its discretion, may place other conditions on a development permit including the requirement that the developer install a chain link fence along the common property line of the railway, address drainage issues, or other such matters it considers necessary.
- (e) Portable fabric covered storage buildings or structures are to be considered as permanent accessory buildings or structures and must meet the required setbacks, maximum height, maximum site coverage and other applicable standards of the bylaw.
- (f) Any development or use that is determined by the Development Authority to negatively impact or interfere with the efficient and safe operation of the adjacent rail line may be denied approval or may be imposed any conditions that the Development Authority determines reasonable to address or mitigate the identified issue.
- (g) Where it appears that greater rear yard setbacks to the railway right-of-way may be necessary, the Development Authority may impose such a requirement as a condition of a development permit.

The following Parts and Sections are provided for reference only. Other Sections of this bylaw may apply to an application; please consult the bylaw and the Development Officer for details.

8. GENERAL AND USE SPECIFIC STANDARDS OF DEVELOPMENT – Parts 5 & 6

- Accessory Buildings – Part 5, Section 20
- Alternative energy – Part 6, Section 1
- Fences – Part 5, Section 20
- Landscaping – Part 5, Section 13
- Mix-use residential – Part 6, Section 13
- Moved-in building – Part 6, Section 14
- Parking & Loading – Part 5, Sections 13 & 14
- Service station or gas bar – Part 6, Section 14
- Shipping containers Part 6, Section 21
- Storage & Screening – Part 5, Section 22

9. SIGN REGULATIONS – Part 7

10. TELECOMMUNICATION ANTENNA SITING PROTOCOL – Part 9

URBAN RESERVE DISTRICT – UR

INTENT: This district is intended to manage and limit development in areas along the community’s fringe to uses which will not hinder more intensive urban development in the future.

1. PERMITTED USES

Accessory Building, Structures & Uses
 Agricultural Buildings & Structures
 Agriculture, Extensive
 Alternative Energy, Individual Solar Dwelling:
 - Single-detached
 - Prefabricated dwelling (Modular/ Panelized)
 Home Occupation 1
 Public or Private Utilities
 Sign (Fascia, Window for home occupation)
 Temporary Shipping Container A (less than 6 months)

DISCRETIONARY USES

Alternative Energy, Individual SWECS
 Home Occupation 2
 Kennels
 Moved-in Building
 Shipping Container (permanent)
 Telecommunication Tower / Antenna Structures
 Temporary Shipping Container B
 Temporary Uses

PROHIBITED USES

Recreational Vehicles as Residences
 Shipping Containers (permanent)
 * Any use not listed as a permitted or discretionary use, or deemed to be a similar use to the prescribed uses, is a prohibited use in the district.

2. MINIMUM LOT SIZE

4.05 ha (10 acres) unless otherwise required by the Development Authority.

3. MINIMUM SETBACK & YARD REQUIREMENTS

Use	Front Yard		Secondary Front		Side Yard		Rear Yard	
	m	ft	m	ft	m	ft	m	ft
Permitted Use – Principal & Accessory Buildings	7.5	25	4.5	15	7.5	25	7.5	25
Discretionary Uses	As Required by the Municipal Planning Commission							

4. MAXIMUM SITE COVERAGE

As required by the Development Officer or Municipal Planning Commission.

5. MAXIMUM BUILDING HEIGHT

Principal Building: 8.5 m (28 ft)

Accessory Building: 6 m (20 ft)

6. SPECIAL DEVELOPMENT STANDARDS & REQUIREMENTS

- (a) The Municipal Planning Commission may require that a discretionary use may only be approved when an area structure plan for the site has been adopted by Council.

7. USES OR OBJECTS PROHIBITED OR RESTRICTED

Storage

- (a) The storage of recreational vehicles (holiday campers, trailers) shall be in compliance with any municipal Traffic and/or Parking (or similar) bylaw. In the absence of such a bylaw or specific regulations pertaining to RV storage, not more than two recreational vehicles shall be stored or parked on the lot.

Keeping of Pets and Livestock

- (b) The keeping of animals and pets shall be in compliance with any municipal Animal Control (or similar) purpose bylaw.
- (c) Not more than two dogs, excluding unweaned pups, shall be kept on a parcel unless a kennel permit has been issued. Any off-spring over the age of six months shall be considered to be weaned.
- (d) Within this district, the number of livestock permitted without a development permit shall not exceed 2 hooved animals or 25 chickens. Adequate containment facilities must be constructed a minimum of 15 metres (50 ft.) from any property line. If there is any discrepancy between these standards and an adopted municipal Animal Control bylaw, the later shall prevail.

The following Parts and Sections are provided for reference only. Other Sections of this bylaw may apply to an application; please consult the Development Officer for details.

8. GENERAL AND USE SPECIFIC STANDARDS OF DEVELOPMENT – Parts 5 & 6

Alternative energy – Part 5, Section 1

Shipping container – Part 6, Section 21

9. RESIDENTIAL STANDARDS OF DEVELOPMENT – Part 5

Accessory buildings – Part 5, Section 15

Fences – Part 5, Section 17

Decks – Part 5, Section 19

Home occupations – Part 6, Section 10

Secondary suites – Part 6, Section 20

10. TELECOMMUNICATION ANTENNA SITING PROTOCOL – Part 9

DIRECT CONTROL – DC

INTENT: The purpose of this district is to enable Council to exercise particular control over the use and development of land or buildings within a specific area of the municipality. On parcels designated as Direct Control, Council may in accordance with the Municipal Development Plan and the MGA, regulate and control the use or development of land or building in any manner it considers necessary.

1. PARAMETERS FOR ADOPTION OF A DIRECT CONTROL DISTRICT

The Council may by bylaw establish such parameters for development and land uses as it considers necessary in respect of any site within this District, and in so doing may vary or waive any development regulation or any servicing standards or issue any directions to the Development Authority it considers appropriate on a Development Permit application. In developing the parameters for a new specific bylaw Council may consider the following:

(a) **Permitted and Discretionary Uses**

Any use Council considers appropriate.

(b) **Minimum Lot Size**

At the discretion of Council.

(c) **Minimum Setback Requirements**

At the discretion of Council.

(d) **Standards of Development**

A detailed development narrative, site plan and/or concept plan shall be submitted with the application to the satisfaction of Council. Council may impose and standard it deems necessary as a condition of a development permit approval.

(e) **Other Standards**

As required by Council.

2. DEVELOPMENT APPROVAL PROCESS

See Administration Section 24.

(a) Before Council considers an application for a use in the Direct Control district, they shall:

- (i) cause notice to be issued by the Development Officer in accordance with Part 1, Section 28;
- (ii) hear any persons who claim to be affected by a decision on the application.

(b) Council may then approve the application with or without conditions or refuse the application.

-
- (c) Council may subdelegate powers and duties to the Development Officer if specified in the adopting bylaw for Direct Control.

3. BYLAW TRACKING

All adopted direct control bylaws will be listed in below for tracking purposes and recorded on the Land Use District map for reference.

4. DIRECT CONTROL DISTRICTS AND ADOPTING BYLAWS

- (a) Any parcel designated as Direct Control as illustrated on the Land Use Districts Map is designated for that purpose.
- (b) The following is a reference list of redesignation bylaws adopted by Town of Bow Island Council which designated the specified parcels of land to a Direct Control – DC Land Use District. This list will be updated on an ongoing basis and displays the amending bylaws to the most recent date of the Land Use Bylaw being consolidated (updated). The amending bylaws follow this Section.

BYLAW NO.	LEGAL DESCRIPTION	DATE OF ADOPTION



PART 5

GENERAL STANDARDS OF DEVELOPMENT

PART 5

GENERAL STANDARDS OF DEVELOPMENT

A. GENERAL STANDARDS OF DEVELOPMENT

The following standards apply to all uses in all districts except for more specific or alternative standards as may be set forth within the more detailed Residential Standards or Industrial/Commercial standards found in Part 4.

SECTION 1 GENERAL PROVISIONS

- 1.1 Where the phrase "as required by the Municipal Planning Commission" or "as required by the Development Authority" appears in this bylaw including the Land Use District Regulations Schedule, the Municipal Planning Commission or Development Authority, prior to making its decision, shall take into consideration the Subdivision and Development Regulation and the *Municipal Government Act* and may also refer the matter to the planning advisor for comment.
- 1.2 **Statutory Plans** - Where the policies, rules or procedures indicated in a statutory plan vary, supplement, reduce, replace or qualify the requirements of this Bylaw for a particular district or districts, the policies, rules or procedures indicated in the statutory plan shall take precedence.
- 1.3 **Discretionary Uses** – In considering an application for a discretionary use, the Municipal Planning Commission shall give due regard to:
 - (a) the circumstances and merits of the application and to the purpose, scope and intent of any municipal development plan, area structure plan or area redevelopment plan that is under preparation or adopted; and
 - (b) the purpose of the land use bylaw which is to develop an orderly and economical land use pattern in the municipality; and
 - (c) if or how the proposed use may impact or affect neighboring parcels of land.

SECTION 2 USE OF LAND

- 2.1 On receipt of a development permit a person may develop land for the purposes approved subject to meeting the regulations and any conditions imposed and shall not develop land otherwise.
- 2.2 **Minimum lot size** - In each district established by this Bylaw, no building shall be erected, placed or relocated onto a parcel with an area less than the minimum parcel size specified

in Part 4, except where so authorized by the Development Officer or Municipal Planning Commission.

- 2.3 **Minimum setbacks** - Minimum setbacks shall be in accordance with the stipulations of the applicable Land Use District or as required by the Development Officer or the Municipal Planning Commission or as per a variance that may be granted.
- 2.4 **Hazard lands** - If, in the opinion of the Development Authority, land upon which development is proposed is subject to subsidence, mass wasting, flooding or undermining the Development Authority may require the applicant to submit a structural building plan prepared and sealed by an engineer, and/or a slope stability analysis, and/or geotechnical report, and/or flood mapping prepared by an engineer demonstrating that any potential hazards can be mitigated.

SECTION 3 PLANS AND BUILDING RESTRICTIONS

- 3.1 **Site Plans** - In accordance with Section 20 of the Administration part of this Bylaw, the Development Officer may require a professionally prepared detailed comprehensive site plan as part of the development permit application to illustrate existing and proposed buildings, structures, roads and access points, setbacks, landscaping, parking, and utility easements.
- 3.2 **Architectural Controls** - Developments must comply with any approved architectural controls if required as part of an area structure plan, development permit or subdivision approval. Proof of compliance with the applicable architectural controls is required at the time of submission of a development permit application. The Town is not responsible for ensuring compliance with architectural controls not required by the municipality and that were privately registered on title by individual landowners.
- 3.3 **Grading and Stormwater Management**
- (a) The Development Authority may require as a condition of development approval:
 - (i) engineered grading and drainage plans for the development and legal survey demonstrating that engineered grades have been met;
 - (ii) grading and other measures, as appropriate, to control surface drainage, reduce or eliminate grade difference between adjacent lots, and minimize erosion or slope instability;
 - (iii) where the final grades of the development are required to be established, the final grades must be approved by the Development Authority prior to the application for a building permit, unless otherwise stipulated by the Development Authority;
 - (iv) the applicant is responsible for ensuring adherence to final grades.
 - (b) The construction of a retaining wall may be required whenever, in the opinion of the Development Authority, significant differences in grade exist or will exist between the lot being developed and any adjacent lot or roadway. Where a retaining wall is

required, the applicant shall submit to the Development Officer plans identifying the design and specifications of development for review and approval by the accredited Safety Codes Officer.

- (c) Roof and surface drainage shall be directed either to the public roadway fronting the property, or as approved by the Development Authority to a rear or side property boundary or as approved in an engineered stormwater management plan.

SECTION 4 DESIGN, CHARACTER AND APPEARANCE

- 4.1 The design, character and appearance of buildings, structures or signs should be consistent with the intent of the Land Use District in which the building is located and compatible with other buildings in the vicinity unless it is setting a new standard of design, character and appearance for the Land Use District or a particular locality of it.
- 4.2 The Development Officer or Municipal Planning Commission may regulate and require that specific exterior finishing materials and colour tones be utilized to improve the quality of any proposed development within any Land Use District or maintain the compatibility of any:
- (a) proposed development with surrounding or adjacent developments,
 - (b) proposed additions or ancillary structures with existing buildings on the same lot.
- 4.3 The maximum allowable height above the average finished surface level of the surrounding ground of the exposed portion of a concrete or block foundation may be limited by the Development Authority.
- 4.4 Subject to the requirements of the Safety Codes, the Development Authority may require that buildings be physically accessible to disabled persons.
- 4.5 If a building is to be located on a lot with more than one street frontage or on a lot with potential for further subdivision, the Development Authority may regulate the orientation and location of the building as a condition of development approval.
- 4.6 The Development Officer or Municipal Planning Commission may impose conditions on a development permit to ensure the above standards are met.

SECTION 5 USES OR OBJECTS PROHIBITED OR RESTRICTED

- 5.1 Except for provided herein:
- (a) no motor vehicle (non-recreational) other than a passenger vehicle shall be parked on a lot in a residential district for longer than necessary to load and unload the same, unless otherwise specified in a Traffic and Parking bylaw; and
 - (b) an exception to subsection (a) above is allowed to enable one commercial vehicle not more than 1 tonne capacity to be parked on a lot in any residential district.

-
- 5.2 In a residential district the storage of recreational vehicles (holiday campers, trailers, motor homes) shall be in compliance with any municipal Traffic and Parking bylaw. In the absence of such a bylaw, not more than one personal recreational vehicle shall be stored or parked on the lot with the exception of the CR district where no more than two are permitted. Recreational vehicles on a residential lot shall not be used for permanent living or sleeping accommodation.
 - 5.3 No dismantled or wrecked motor vehicles, recreational vehicles, or trailers may be stored on a lot in a residential district for more than 14 consecutive days, unless otherwise specified in a Traffic and Parking bylaw.
 - 5.4 A permanent shipping storage container (c-container, sea container) is not permitted in a residential Land Use District. The only types of shipping storage containers allowed are temporary containers used in specific situations on a temporary basis as outlined in the Part 6 Specific Use Standards. SEE PART 6, SECTION 21 SHIPPING CONTAINERS.
 - 5.5 The keeping of animals and pets shall be in compliance with any municipal Animal Control (or similar) purpose bylaw. Where livestock may be permitted within the CR and UR districts, adequate shelter and containment facilities must be located a minimum of 15 metres (50 ft.) from any property line.

SECTION 6 DEMOLITION OR REMOVAL OF BUILDINGS OR STRUCTURES

- 6.1 No person shall commence or cause to be commenced the demolition or removal of any building or structure, or portion thereof, until all necessary permits have been obtained.
- 6.2 A development permit must be obtained for the demolition or removal of any building or structure greater than 18.58 m² (200 sq ft) in size.
- 6.3 The applicant shall be responsible for obtaining all necessary Safety Codes approvals and utility service disconnections before demolition or removal of buildings or structures.
- 6.4 It shall be a condition of the permit for the demolition or removal of a building that the lot shall be cleared, with all debris removed, and left in a graded condition upon completion of the demolition or removal to the satisfaction of the Development Authority. All demolition materials shall be deposited in an approved waste disposal site.
- 6.5 When a demolition permit is approved, the Development Authority may require the applicant to provide a cash deposit, irrevocable letter of credit or other acceptable form of security in such amount as to cover the costs of reclamation to any public utility or Town property.
- 6.6 Whenever a demolition or removal of a building or structure is carried out, the property owner shall, at his own expense, protect any wall, structure, sidewalk or roadway that may be affected by such demolition or removal, including those on neighbouring properties, from damage or displacement. Further, the property owner shall ensure that adequate measures are taken by way of fencing to ensure public safety.

SECTION 7 ACCESS

- 7.1 Each lot or parcel of land subject to a development permit or subdivision application shall have at least one means of legal and physical access to a municipal public roadway.
- 7.2 Location of the access to each development from a public roadway should be shown on the plot plan submitted with the application for a development permit and is subject to the approval of the Development Officer or Municipal Planning Commission. The Development Authority may limit the number of vehicular access points to any parcel or lot and may specify their locations. SEE SECTION 18 DRIVEWAYS
- 7.3 Laneways are considered a secondary means of access to a lot or parcel and shall not be the sole method of providing access. In the Highway Transitional - HT district access by rear lane may be permitted at the discretion of the Development Authority based on the circumstances and any restrictions required by Alberta Transportation.

SECTION 8 EASEMENTS

- 8.1 All permanent buildings and structures shall not encroach into and must be located off an easement registered for the protection of municipal water mains and sewer mains or any other infrastructure, as determined by the municipality.
- 8.2 A property owner is responsible to ensure no buildings or structures are located within a registered private utility easement.
- 8.3 Landowner/developers are responsible to contact the local one-call centre (Utility Safety Partners) to locate any utility easement lines prior to commencement of a development where excavation or construction of a building or structure is involved, which may be imposed as a condition on a development permit approval.

SECTION 9 SERVICING

- 9.1 All development shall be required to connect to both the municipal water supply and sewerage system where the municipal services are, in the opinion of the Development Officer or Municipal Planning Commission, reasonably available. Exceptions may be permitted by the Development Authority where it is determined the use does not require servicing, such as storage yards, mini-storage, parking lots, seed cleaning plants.
- 9.2 In a Land Use District where no municipal servicing is reasonably available, such as the CR and UR districts, other servicing options may be permitted by the Development Authority provided the development approval can comply with Regional Health Authority and Alberta Safety Codes standards for unserviced parcels. Prior to development approval, the applicant may be required to submit a soils analysis and report to demonstrate the suitability of the site for on-site septic.
- 9.3 All private on-site sewage septic systems shall be appropriately sized to meet the needs of the building and use it is associated with and shall be installed to conform to the current

Alberta Private Sewage Systems Standards of Practice. Open discharge or lagoon systems are prohibited within the Town.

- 9.4 Individual private water wells are not permitted to be drilled or used as a source of water supply for any 2 parcels within Town limits.

SECTION 10 REFUSE COLLECTION AND STORAGE

- 10.1 Refuse and garbage are to be kept in a municipal approved refuse container of a suitable size or placed in an approved enclosure until removed for disposal, for each use within each Land Use District.
- 10.2 Non-residential land uses may have special screening requirements for refuse areas imposed as a condition of a development permit approval.

SECTION 11 LOT LAYOUTS

- 11.1 When considering the subdivision of land, the Subdivision Authority may require that:
- (a) No lot or parcel shall be subdivided and created which does not provide for an adequate buildable area as defined by the applicable Land Use District, except pursuant to an area structure plan outlining a specific use to be accommodated or for parks or utility use.
 - (b) The lot line common to the street right-of-way line shall be the front line. All lots shall face the front line and a similar lot across the street. Wherever feasible, lots should be arranged so that the rear line does not abut the side line of an adjacent lot.
 - (c) The length and width of blocks shall be sufficient to accommodate two tiers of lots with minimum standards specified by the applicable Land Use District and this Section, except where a single row of lots back onto an arterial street, park space or institutional use.
 - (d) All block layouts shall enable development to meet all Town engineering requirements for convenient access, circulation, control and safety of street traffic.
- 11.2 At the time of new subdivision plans, all corner lots shall dedicate clear vision triangles as right-of-way. (refer to Figure 16.2)

SECTION 12 SITE LIGHTING

- 12.1 Site lighting may be required as a condition of development, particularly for institutional or commercial developments, and any required lighting shall be located, oriented and shielded so it does not adversely affect adjacent properties.
- 12.2 As a condition of a development permit approval, the applicable Development Authority may require shielded lighting, specify lower lamp wattages, minimize a development's

number of exterior fixtures, or require fixtures to be downcast to prevent sky glow, and avoid casting light onto adjacent properties to reduce light trespass.

SECTION 13 OFF-STREET PARKING AND LOADING REQUIREMENTS

- 13.1 The off-street parking and loading requirements and design standards apply to:
- (a) all new buildings and uses; and
 - (b) the expansion or enlargement of existing buildings or uses.
- 13.2 Parking spaces shall be located on the same lot or site as the building or the use for which they are intended to serve and shall be located and constructed to conform this Bylaw standards.
- 13.3 In the case of expansion or enlargement of an existing building or use, additional off-street parking spaces will be required to serve the expanded or enlarged area.
- 13.4 In consideration of 13.3 above, when a building is enlarged or the use of the building is altered in such a manner that additional parking spaces are required, the Development Authority may require that provision shall be made for the total number of parking spaces required by the Bylaw.
- 13.5 Adequate curbs, bollards, or fences shall be provided to the satisfaction of the Development Authority if in its opinion, it becomes necessary to protect adjacent fences, walls, boulevards, landscaped areas or buildings on the site, or an abutting site, from contact with vehicles using such parking space or area.

Residential Parking Requirements

- 13.6 Parking areas are to be accessible, designed and delineated in a manner which will provide for orderly parking.
- 13.7 Parking areas are to be constructed in a manner which will permit adequate drainage, snow removal, and maintenance.
- 13.8 Unless the development permit for a new residence also includes a garage, the Municipal Planning Commission may require the required parking spaces be hard surfaced with a material limited to concrete, asphalt or paving stones and installed prior to occupancy.
- 13.9 The following is to be used to calculate the off-street parking spaces required for a proposed development:

Table 13.1: Residential Minimum Required Off-street Parking

RESIDENTIAL	
Bed and breakfast	1 space per guest room plus the 1 space per dwelling unit
Boarding or lodging home	1 space per sleeping unit
Child care facility	1 pick-up/drop-off space per 10 children plus 1 parking space per 10 children
Dwellings:	
- All Single-unit dwellings ^(a)	1 space per dwelling unit
- 2 unit, 3-unit, 4-unit	1.5 spaces per dwelling unit
- Row (more than 4 units) or 5-units or more	1.5 spaces per dwelling unit plus 1 visitor parking space for every 3 dwelling units
Secondary suite	1 space (in addition to the 1 space per dwelling unit)
All Other uses	As required by the Municipal Planning Commission

(a) For the purpose of this table, Single unit dwellings include:

Site Stick-built dwelling

Ready-to-move dwelling

Modular dwelling

Manufactured/mobile home

Prefabricated dwelling

Previously occupied dwelling

Non-Residential Parking Requirements

Table 13.2: Non-Residential Minimum Required Off-Street Parking

NON-RESIDENTIAL USE	MINIMUM PARKING SPACES
Assembly Hall	1 space per 10 m ² (107.6 ft ²) of GFA
Automotive uses	1 space per 46.5 m ² (500 ft ²) of GFA
Bulk fuel/fertilizer storage and sales	1 space per 46.5 m ² (500 ft ²) of GFA
Car/Truck wash	1 space plus 1 space for any vacuum/cleaning area
Clubs or fraternal organization	1 space per 5.1 m ² (55 ft ²) of patron use area
Community building	1 space per 30 m ²
Convenience store	1 space per 27.9 m ² (300 ft ²) of GFA
Cultural facility	1 space per 6 seating spaces plus 10% additional spaces
Drive in/Drive thru use	2 spaces plus 1 space per 5.1 m ² (55 ft ²) of seating area
Elementary & Jr High School	2 spaces per classroom plus 1 space for every 18.58 m ² (200 ft ²) of assembly area in an auditorium, plus adequate bus loading facilities
Entertainment establishment	1 space per 5.5 m ² (60 sq ft) of patron use area
Highschool	4 spaces per classroom plus 1 space for every 18.58 m ² (200 ft ²) of assembly area in an auditorium, plus adequate bus loading facilities
Financial Institution / Banks	1 space per 50 m ² (538 ft ²) of GFA
Funeral home	1 space per 5 seating spaces plus additional 10%
Grain elevator /seed cleaning plant	1 space plus 1 space per 5.1 m ² (55 ft ²) of office area
Garden centre or greenhouse	1 space per 65 m ² (700 sq ft) of GFA
General warehousing and storage	1 space per 75 m ² (800 sq ft) of GFA
Group care facility	1 space per 20.0 m ² (215 ft ²) of client rooms plus 2 for visitors
Hospitals / Nursing Homes	1.5 spaces per bed
Hotel/Motel	2 spaces plus 1 per each guest room

Licensed premises/Lounges/Pubs	1 space per 5.5 m ² (60 sq ft) of patron use area
Liquor store	1 space per 37.2 m ² (400 sq ft) of GFA
Light industrial / light fabrication	1 space per 37.2 m ² (400 ft ²) of GFA
Manufacturing Plants, Mills, Shops	1 space per 55 m ² (590 ft ²) of GFA
Medical/Dental/health facility	1 space per 23.23 m ² (250 ft ²) of GFA
Office, Business support service	1 space per 46.5 m ² (500 ft ²) of GFA
Personal service	1 space per 37.2 m ² (400 ft ²) of GFA
Religious assembly / churches	1 space per 6 patron seats
Restaurant	2 spaces plus 1 space per 5.5 m ² (60 ft ²) of dining area
Retail	1 space per 46.5 m ² (500 ft ²) of GFA
Service station, Gas bar	2 spaces for each service bay plus 1 space for each 23.23 (250 ft ²) of GFA
Theatres	1 space per 4.65 m ² (50 sq ft) of gross assembly area
All other uses	As required by the Development Authority in accordance with Part 6, subsection 14.6.

Note: GFA is defined as Gross Floor Area.

Where there a multiple mixed uses on site, then the parking space requirements are to be combined (e.g., a convenience store and a service station requires both parking stipulations combined together).

Barrier-Free Off-Street Parking Spaces

- 13.10 Barrier-free parking spaces shall be in accordance with Safety Codes requirements.
- 13.11 Barrier-free parking stalls shall be marked and clearly identifiable in accordance with Safety Codes.

Loading Space Requirements

- 13.12 One loading (cargo) space shall be provided for each loading door per building in the I, C-1, C-2, H-T, M-1, M-2 and M-3 Land Use Districts.
- 13.13 The minimum dimensions for a loading space are to be 3.5 m (11.5 ft) by 8.5 m (28 ft) for an overall area of 30 m² (323 ft²) with an overhead clearance of 3.5 m (11.5 ft).
- 13.14 Each loading space shall provide a doorway into the building sufficient to meet the needs of the use within the building.
- 13.15 Each loading space shall be designed in such a manner that it will not interfere with convenient and safe pedestrian movement, traffic flow or parking.
- 13.16 The Development Authority may require additional loading areas or doors if, in the Development Authority's opinion, such additional areas or doors are deemed necessary.
- 13.17 The Development Authority may consider a joint loading area for two or more uses (such as in a multi-use building or strip-mall) if, in the Development Authority's opinion, such a loading area would facilitate orderly development or relieve congestion in the immediate area.

-
- 13.18 Loading docks (above level grade) shall be built 139.7 cm (55 inches) above grade level to accommodate most delivery trucks.

Stacking Lane Spaces for Drive-through Uses

- 13.19 In addition to the off-street parking requirements, a drive-through use is required to provide the following minimum vehicle stacking lane (que aisle) length spaces:
- (a) Restaurant use: 24.5 m (80 ft) from order box to pick-up window and 12.2 m (40 ft) from order box to entrance or lot line
 - (b) Gas station: 9.1 m (30 ft) from each end of pump island to entrance or lot line
 - (c) Bank machine: 22.9 m (75 ft) from bank machine window to entrance or lot line
 - (d) Car wash: 15.2 m (50 ft) from car wash bay entrance to entrance or lot line
 - (e) Other: As determined by the Development Authority
- 13.20 A stacking lane shall have a minimum width of 3.0 m (9.8 ft.) and have no obstructions by intersecting traffic, abutting parking, or loading spaces.
- 13.21 All stacking spaces must be located entirely within the boundaries of the property and must not be situated over any required parking stalls or block access/egress in and out of the lot or site.
- 13.22 The minimum stacking space requirements in subsection 13.19 may be varied by the Development Authority depending upon the intensity of the proposed development.

SECTION 14 OFF-STREET PARKING DESIGN STANDARDS

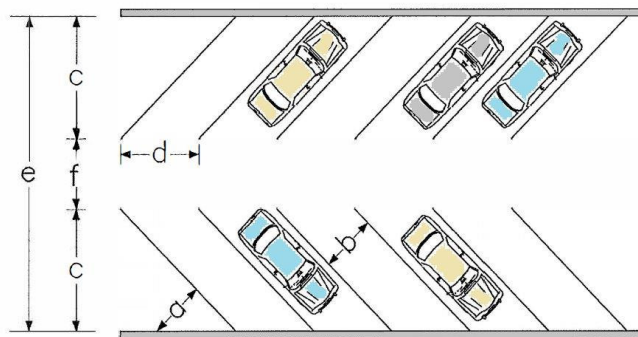
- 14.1 Off-street parking areas are to be accessible and designed in a manner which will provide for orderly parking in accordance with the minimum parking space dimensions as found in Table 14.1 and Figure 14.1.
- 14.2 Parking space designs proposing tandem (stacked) parking to a maximum of two vehicles per stall may be approved by the Development Authority provided the spaces are for employee parking only.
- 14.3 Where a use or development may need to accommodate over-sized vehicles such as tractor-trailers, large recreational vehicles, buses or other similar vehicles, the Development Authority may require larger parking space and aisle dimensions.
- 14.4 The off-street parking shall be provided in the manner shown on an approved site plan with the entire area to be graded so as to ensure that drainage will be confined to the site and directed in a manner satisfactory to the Development Authority.
- 14.5 Off-street parking spaces adjacent to a road right-of-way are to provide bumper blocks, curbing or other similar protective features to ensure public safety and prevent vehicle overhang.

14.6 Any parking space or any loading area space that is provided shall be developed and finished surfaced to the satisfaction of the Development Authority. The Development Authority may require that off-street parking areas or portions thereof be paved as a condition of approval.

Table 14.1: Minimum Parking Stall Dimensions

A: Parking Angle	B: Stall Width		C: Width of Aisle		D: Depth of Stall Perpendicular to Aisle	
	m	ft	m	ft	m	ft
0 (Parallel)	2.5 m for residential use, 2.7 m for all other uses	8.0 ft for residential use, 10 ft for all other uses	3.5	11.5	7.0	23
30			3.5	11.5	5.1	16.8
45			3.7	12	6.0	19.8
60			5.5	18	6.4	21
90			7.0	23	6.0	19.8

Figure 14.1 Minimum Parking Space Dimensions



B. RESIDENTIAL STANDARDS OF DEVELOPMENT

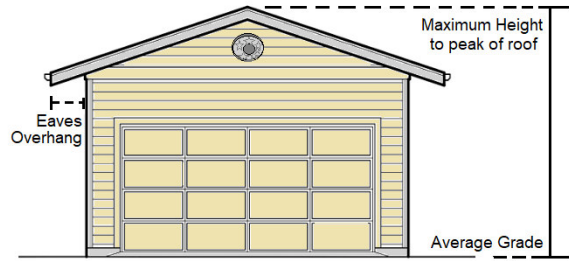
In addition to the General Standards, the following are specific standards that are applicable to all residential development in the various residential Land Use Districts.

SECTION 15 ACCESSORY BUILDINGS

15.1 Accessory buildings or uses shall not be established, constructed or placed on a lot until such time that the lot has a principal building or structure in place on the lot.

15.2 The maximum height of an accessory building or structure shall be as provided for in the applicable Land Use District.

15.3 Accessory buildings shall be located a separation distance of at least 2 m (6.5 ft) away from the principal building.



15.4 Accessory buildings on a corner lot shall be located so that the secondary (flankage) yard abutting the street is not less than the secondary yard of the principal building.

15.5 Accessory buildings or structures, excepting a fence in accordance with this bylaw, shall not to be located in the front or secondary front yard in relation to the principal building.

15.6 Unless otherwise specified in a Land Use District, an accessory building must be located at least 1 m (3.3 ft.) from the property lines, except where a garage vehicular entrance is located on the rear lane, in which case the garage minimum distance shall be 2 m (6.5 ft.) from the rear property line.

15.7 Accessory buildings shall be constructed such that eaves shall be no closer than 0.6 m (2 ft) from a side lot line or rear lot line and all drainage is conducted to the appropriate storm drain via the applicant's own property.

15.8 Carports attached to a principal dwelling or building are deemed to form part of the principal dwelling or building and shall comply with the provisions for principal dwelling or building. Carports attached to an accessory building shall comply with the provisions for accessory buildings.

15.9 The maximum size of a residential accessory building shall not exceed the gross floor area of the first floor of the principal building and in no instance shall exceed a maximum of 75.0 m² (807 sq ft) gross floor area.

15.10 Quonsets, Quonset-style buildings or semicircular metal structures shall not be permitted as accessory buildings in the residential R-1, R-2, R-3, MHP Land Use District.

15.11 A residential accessory building shall have a residential character and facade that, in the opinion of the Development Authority, is compatible with that of the principal building.

15.12 All moved-in accessory buildings shall be subject to the provisions of this Section and the provisions of Part 6, Section 14, Moved-in Building Standards.

15.13 Each residential lot within the residential R-1, R-2, R-3, MHP and CR districts shall be limited to three (3) accessory buildings and only one of which may be a garage, and must comply with the maximum site coverage allocations for the applicable district.

- 15.14 A residential accessory building shall not be used for sleeping or living accommodation, with the exception of accessory buildings approved as residential secondary suites and the units comply with the criteria and standards for such a use in this Bylaw.

FIGURE 15.1

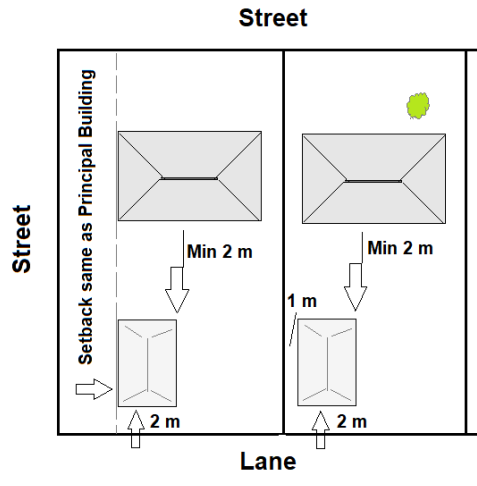
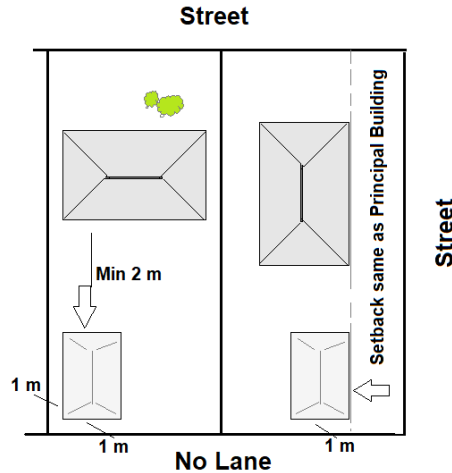


FIGURE 15.2



SECTION 16 CORNER VISIBILITY

16.1 Street Corner Visibility

On a corner lot, nothing shall be erected, placed, planted or allowed to grow in a manner which may restrict traffic visibility at street intersections, between 0.9 m (3 ft) and 3.0 m (10 ft) above the centre line grades of the intersecting streets in the area bounded by the property lines of such corner lots and a line joining points along the said property line 6.1 m (20 ft) from the point of intersection (see Figures 16.1 and 16.2 where Dimension = 6.1 m along each property line).

FIGURE 16.1

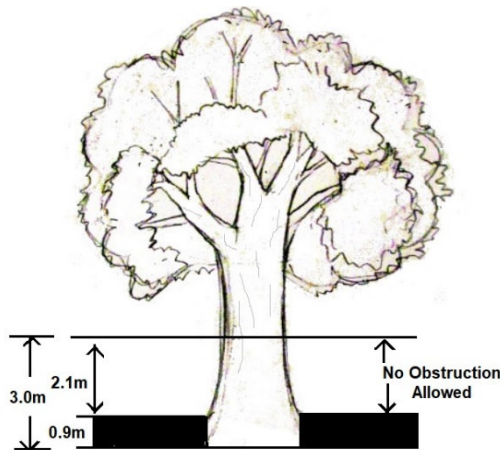
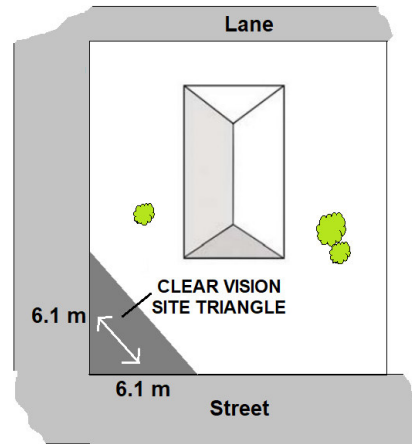


FIGURE 16.2



16.2 Rear Lane Visibility

The Municipal Planning Commission may, where deemed warranted, impose conditions on a development to ensure that adequate visibility and safety of both pedestrians and vehicles is maintained for vehicles entering and exiting rear laneways.

SECTION 17 LANDSCAPING AND FENCES

- 17.1 Any portion of a residential lot not used for buildings, structures, parking or driveways shall be properly developed and maintained as a landscaped area, and such areas shall not be less than that may be prescribed by the Land Use District regulations.
- 17.2 All residential lots required to be landscaped shall be landscaped or xeriscaped and planted with appropriate grass, trees, shrubs, plants and other organic and natural materials, which enhance the appearance of the site and more amenable to water (drainage) absorption.
- 17.3 All lots required to be landscaped shall be landscaped so that the finished surface contours do not direct surface drainage onto an adjoining lot.
- 17.4 No continuous fence, wall, hedge, vegetation or any combination thereof which may restrict vision shall extend more than 0.9 m (3 ft) above the ground in any front yard area, as illustrated in Figure 16.2 without a development permit approved by the Municipal Planning Commission. Ornamental trees arranged in a single mass not exceeding 5 m (16 ft) in width or individual trees spaced a minimum of 5 m (16 ft) apart are not subject to this requirement but are subject to the requirements of subsection 16.1. A corner lot with a rear lane is subject to the requirements of subsection 16.3.
- 17.5 Fences in the secondary front, rear and side yards shall be limited to 1.8 m (6 ft) in height or less (see Figure 17.1).
- 17.6 Fence height shall be measured as the vertical distance from average grade to the highest portion of the fence. Average grade is defined as the average of the highest and lowest grades adjacent to the portion of the lot where the fence will be placed.
- 17.7 Where a permit is required, the Municipal Planning Commission may regulate the types of materials and colours used for a fence utilized to improve the quality of any proposed development within any Land Use District or maintain the compatibility of any proposed development with surrounding or adjacent developments.

FIGURE 17.1

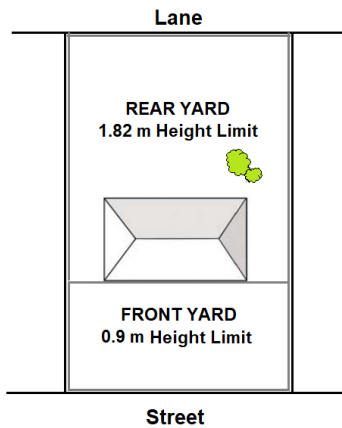
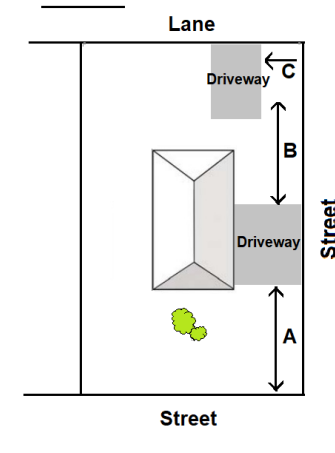


FIGURE 17.2



SECTION 18 DRIVEWAYS, OFF-STREET PARKING STANDARDS

- 18.1 Vehicular access for corner lots shall generally be limited to locations along a minor street or cul-de-sac where feasible.
- 18.2 In residential districts one driveway or off-street parking pad may be permitted in the front yard to a maximum of 7.6 m (25 ft) in width.
- 18.3 Driveways shall be a minimum of 3.0 m (10 ft) and a maximum of 7.6 m (25 ft) in width, unless otherwise approved by the Municipal Planning Commission on the basis of merit.
- 18.4 Driveways shall be located a minimum 4.6 m (15 ft) from the intersection of two public roadways (see Figure 17.2 Dimension A), a minimum of 3.0 m (10 ft) from the entrance to a lane (Dimension B), and minimum of 3.0 m (10 ft) from the intersection of a lane and a public roadway (Dimension C).
- 18.5 Driveways, parking pads or hard surfaced areas (e.g., paving stones, ground patios sidewalks) that cover more than 25 percent (25%) of the total lot area require a development permit.

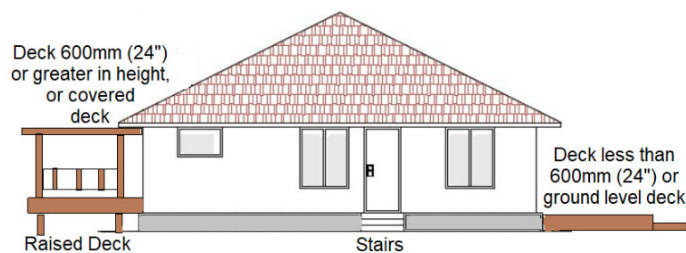
SECTION 19 DECKS AND PROJECTIONS OVER YARDS

Decks

- 19.1 A development permit is required for the construction of a deck if it will be 0.6 m (2 ft) or greater in height (see Figure 19.1). Decks 0.6 m or higher are also subject to building code requirements that the applicant shall be responsible for complying with.
- 19.2 All decks covered or enclosed (roof or walls), regardless of the height, require a development permit.

- 19.3 For the purposes of calculating site coverage requirements, where a deck structure is attached to the principal building, it shall be deemed part of the principal building and subject to principal building requirements.
- 19.4 Decks must be located in a manner such as to preserve the privacy of adjacent properties as much as possible.
- 19.5 A privacy wall/screen shall be no greater than 2.44 m (8 ft.) above the finished deck floor elevation (finished board on top of joist or stone patio surface) of a balcony, deck or patio.
- 19.6 A privacy wall/screen shall be restricted to side and rear yards only, and to the width of the deck, patio, or balcony.
- 19.7 Any open or closed porch or veranda shall be considered part of the principal building for the purposes of calculating floor area, site coverage, and setback requirements.

FIGURE 19.1



Projections Over Yards

- 19.8 Except as provided in this part, no portion of the principal building shall project over or into the minimum setbacks as required by the Land Use District regulations.
- 19.9 Those portions of and attachments to a principal building (subject to the relevant provisions of Safety Codes) which may project over or on a yard minimum setback are:
- cornices, sills, canopies, belt course, eaves which projects for a distance not exceeding one-half of the minimum side yard requirement for the site;
 - a chimney which is not more than 1.5 m (5 ft) in width and projects 0.6 m (2 ft) or less over a yard provided that it is at least 1 m (3 ft) from the property line;
 - unenclosed, uncovered entrance stairs or steps with a landing of less than 3.7 m² (40 sq ft) if they do not project more than 2.4 m (8 ft) over a minimum front or rear yard, and not more than 0.9 m (3 ft) over a minimum side yard;
 - unenclosed porches up to 1.5 m (5 ft.) into a required front yard setback;
 - covered (i.e., roofs) steps, stairs, porches or upper landings 1.82 m (6 ft) or less in width provided the covered portion does not project into a required front yard setback more than 0.75 m (2.5 ft), and the steps 1.5 m (5 ft);

- (f) uncovered decks up to 3.0 m (9.8 ft.) into a required rear yard setback provided it does not exceed 50 percent of the width of the dwelling; and
- (g) one cantilever 1.82 m (6 ft) or less in width per building side may project 0.75 m (2.5 ft) into a side yard provided that it is at least 1 m (3 ft) from the side yard property line, and any additional cantilevers projecting from a building must meet the required side yard setbacks as stipulated.
- (h) Mechanical equipment, HVAC, and air conditioners may project into a side, rear or front setback provided they are least 0.6 m (2 ft) from the side property line.
- (i) Wheelchair ramps may project unlimited over or into a yard minimum setback as necessary with consideration for any building Safety Code requirements.

FIGURE 19.2

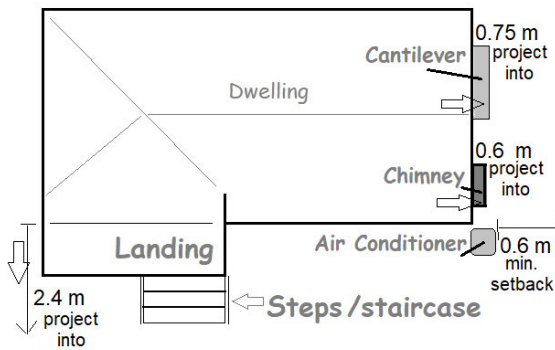
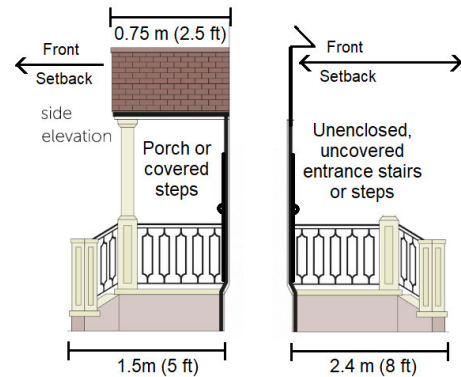


FIGURE 19.3



C. INDUSTRIAL/COMMERCIAL STANDARDS OF DEVELOPMENT

In addition to the General Standards, the following are specific standards that are applicable to all commercial/industrial development in the various non-residential Land Use Districts.

SECTION 20 NON-RESIDENTIAL LANDSCAPING AND FENCING

- 20.1 No solid fence, wall, hedge or any combination thereof shall extend more than 0.9 m (3 ft) above the ground in any non-residential front yard area, as illustrated in Section 15, without a development permit approved by the Municipal Planning Commission. Chain link fences up to a maximum of 2.4 m (8 ft) are permitted in the front yard.
- 20.2 Fences in the secondary (flankage) front, rear and side yards shall be a maximum of 2.4 m (8 ft) in height or less.
- 20.3 Fence height shall be measured as the vertical distance from average grade to the highest portion of the fence. Average grade is defined as the average of the highest and lowest grades adjacent to the portion of the lot where the fence will be placed.

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- 20.4 Where a permit is required, the Municipal Planning Commission may regulate the types of materials and colours used for a fence when deemed necessary.
- 20.5 The provision of landscaping may be imposed as a condition of a development permit.
- 20.6 If landscaping is required by the Development Authority, a landscaping plan shall be submitted with the development permit application for any principal use. The Development Authority may require that a landscaping plan be prepared by a professional. An irrigation plan may also be required.
- 20.7 Development along Highway 3 may be subject to enhanced landscaping standards to ensure consistency with the Municipal Development Plan and Intermunicipal Development Plan policies regarding entryways into the community.
- 20.8 Landscaping shall consist of any combination of the following to the satisfaction of the Development Authority:
- (a) vegetation (e.g., trees, shrubs, plants, lawn, flowers);
 - (b) ground cover (e.g., large feature rocks, bark chip, field stone, crushed rock, or other similar features);
 - (c) buffering (e.g., berming, terracing, paving stones);
 - (d) outdoor amenity areas (e.g., benches, walkways, raised planters, etc.);
 - (e) innovative landscaping features, as approved by the Development Authority.

SECTION 21 CORNER VISIBILITY

21.1 Street Corner Visibility

On a corner lot, nothing shall be erected, placed, planted or allowed to grow in a manner which may restrict traffic visibility at street intersections, between 0.9 m (3 ft) and 3.0 m (10 ft) above the centre line grades of the intersecting streets in the area bounded by the property lines of such corner lots and a line joining points along the said property line 6.1 m (20 ft) from the point of intersection (see Figure 16.1).

SECTION 22 STORAGE AND SCREENING

- 22.1 The Development Officer or Municipal Planning Commission may require that sites abutting a residential district shall be screened from the view of the residential district to the satisfaction of the Development Authority.
- 22.2 All outdoor storage, refuse and garbage containers shall be screened from adjacent sites and public thoroughfares. No outdoor storage is permitted in the front yard and secondary front (flankage) yard unless it is screened from the public view to the satisfaction of the Development Authority.
- 22.3 On parcels located adjacent to provincial highways, any storage of goods, products, raw materials, etc. shall be effectively screened from view by buildings, solid fences, landscaped features, or combinations thereof and be maintained in good repair.

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- 22.4 On industrial lots the storage of equipment, parts, wrecked or damaged motor vehicles which might be located or stockpiled on the property as part of an approved development must be effectively screened from all adjacent parcels and roadways in the vicinity.
- 22.5 The outdoor display of goods, materials or equipment solely for advertisement purposes may be allowed, unless otherwise stipulated by the Development Authority, subject to the following:
- (a) the display of goods, materials or equipment may be permitted in the front yard provided that it is restricted to examples of limited equipment, products, vehicles or items sold by the business or industrial use located on the subject site containing the display area;
 - (b) the outdoor display areas are not located within any required setback or on municipal property; and
 - (c) the display areas are not located on any required and approved landscaping area.

SECTION 23 LOADING SPACES

- 23.1 Loading docks and spaces are to be provided in accordance with Part 5, Section 13, Off-street Parking and Loading Requirements.
- 23.2 No building doors are permitted in the rear yard which do not open completely within the boundaries of the site (property line).
- 23.3 Adequate on-site provisions must be provided for vehicular parking and loading and unloading of material related to such operations.

SECTION 24 ACCESSORY BUILDINGS AND STRUCTURES

- 24.1 Accessory buildings or structures in excess of 9.3 m² (100 sq. ft.) shall be setback a minimum 2 m (6.5 ft) from the principal building or and all other buildings or structures on the same lot.
- 24.2 Where it appears that greater side yard setbacks may be necessary, the Development Authority may impose such a requirement as a condition of a development permit.
- 24.3 On lots or parcels designated for either commercial or industrial use, multiple accessory buildings or structures may be permitted provided the combined maximum lot coverage is not exceeded.
- 24.4 The maximum height of accessory buildings or structures shall be as stipulated in the applicable commercial or industrial Land Use District.
- 24.5 Unless otherwise approved by the Development Authority, approved shipping containers must be located in the rear yard only and are not to be located in a front or side yard. For specific details, the criteria and standards of development stipulated in Part 6 will apply.

SECTION 25 SPECIAL DEVELOPMENT AND BUILDING REQUIREMENTS

- 25.1 Development permit applications for mixed-use developments (buildings or parcels of land) may be considered for approval in this district if the uses conform to the list of permitted or discretionary uses. For specific details, the criteria and standards of development stipulated in Part 6 will apply.
- 25.2 The Development Authority shall require a professionally prepared site plan as part of the development permit application, for any proposed mixed-use parcel of land.
- 25.3 In consideration of Part 8, Airport Restrictions, the maximum heights of buildings within the airport vicinity may be restricted to protect runway approaches and flight paths. (See Part 8)
- 25.4 No operation or activity associated with any commercial or industrial use shall be permitted which would create a nuisance factor from noise, odour, earthborn vibrations, heat, intense light sources, smoke or dust, beyond the boundaries of the property.
- 25.5 Any use that is determined to be high volume water user will be reviewed and considered in relation to the Towns' water capacity and flow rates for the area and lot subject to a development application proposal.
- 25.6 Mechanical equipment, HVAC, and air conditioners may project up to 0.9 m (3 ft) into a side, rear or front setback. Any further distance relaxation needed to accommodate the installation of such equipment must be approved by the Development Authority.
- 25.7 The Development Authority may require that any exposed projections outside the building, such as mechanical and electrical equipment and cooling towers, be screened from view from any public roadway and adjacent sites if, in the opinion of the Development Authority, such projections are inconsistent with the character and appearance of surrounding development or adjacent to residential areas.
- 25.8 All Automotive, Service Station and Washing facilities, both new and those being renovated, will be required to provide an oil separator package or device, to the satisfaction and standards as stipulated by the municipality. This shall be a condition of any development permit approval.
- 25.9 As a condition of any development permit approval, all food and restaurant uses, both new and those being renovated, will be required to provide a commercial Fat/Oil/Grease (FOG) Interceptor to be installed at a directly accessible location on the upstream side of a Monitoring Access Point in or on the Premises that is designed and sized in accordance with CAN/CSA B481, and meets the requirements of the *National Plumbing Code of Canada* to prevent FOG from passing into the Wastewater System.
- 25.10 Developers or operators of industrial businesses that may involve the use of potential hazardous materials (e.g., heavy metals, chemical agents, poisons and pesticides, flammable, combustible and reactive materials, oxidizing materials, biohazardous materials, etc.) must disclose the material, storage, use and nature of such materials to

the Development Authority. Applicants must fully disclose and provide such information on a submitted development permit application to the municipality.

- 25.11 The Development Authority will review and consider applications involving hazardous materials in relation to the site, proposed use, safety and suitability of the proposal, and may refuse to approve a development permit if deemed to be unsuitable.
- 25.12 The Development Officer or Municipal Planning Commission may require conditions to improve the compatibility with nearby land uses of any industrial or commercial use or development including, but not limited to:
- (a) measures to control noise, vibration, smoke, dust, ash, smell, glare, heat and/or industrial waste;
 - (b) limit or specify permitted days and hours of operation;
 - (c) design, exterior building finish, siting, setbacks, paving of parking areas, and other details, as deemed appropriate;
 - (d) screen parking and traffic circulation areas abutting side or rear lot boundaries with a fence, wall or hedge to the satisfaction of the Development Authority;
 - (e) provide landscaping of a type and amount satisfactory to the Development Authority.

D. PROVINCIAL LAND USE REQUIREMENTS

SECTION 26 SETBACKS FROM ABANDONED GAS WELLS

The *Matters Related to Subdivision and Development Regulation (Alberta Regulation 84/2022)* requires municipalities to ensure that applicants include abandoned gas well information from the AER in applications for both subdivisions and development permits. The Town of Bow Island shall meet the provincial legislative requirements by applying the following policies:

- 26.1 It is the responsibility of the applicant of the proposed subdivision and/or development to take measures to identify any abandoned gas wells within that property and to apply the required setback.
- 26.2 The Subdivision or Development Authority shall not deem a subdivision or development permit application complete until the applicant has provided the required abandoned well information from the AER.
- 26.3 The applicant shall be required to provide the following information:
- (a) the AER information, including a map of the search area from the AER viewer and a statement that there are no wells in the project area or a list and map identifying the location of abandoned wells within the search area (including the surface coordinates, as provided by the viewer or AER Information Services); and
 - (b) if an abandoned well is present, a detailed site plan must be provided that accurately illustrates the actual well location (i.e., latitude, longitude) on the subject parcel as

identified in the field and the setback established in the AER Directive 079 (a minimum 5 metre radius around the well) in relation to existing or proposed building sites.

- 26.4 If there is an abandoned well located in the area of the proposed surface development, the applicant is advised to contact the well licensee of record for any additional information that may be needed or to physically locate the well, and to discuss the proposed development and abandoned well issue in more detail.
- 26.5 Notwithstanding whether a use may be a permitted use or discretionary use, surface structures on top of an abandoned gas well are not permitted and a minimum 5 metre setback radius around the well shall be maintained.

SECTION 27 SETBACKS TO PIPELINES AND UTILITY RIGHT-OF-WAYS

- 27.1 No buildings or structures may encroach into a registered pipeline or utility right-of-way unless permission is granted in writing from the right-of-way holder or owner.
- 27.2 Development setbacks from involving pipeline and/or power line transmission lines and other utility corridors shall be in accordance with appropriate Provincial Regulations or Acts and any regulations or directives established by the Alberta Energy Regulator (AER).



PART 6

USE SPECIFIC STANDARDS OF DEVELOPMENT

PART 6

USE SPECIFIC STANDARDS OF DEVELOPMENT

USE SPECIFIC STANDARDS OF DEVELOPMENT

The following specific criteria, rules and standards apply to certain individual developments and land uses as prescribed in all districts.

SECTION 1 ALTERNATIVE ENERGY SYSTEMS

- 1.1 The Development Authority is authorized to issue development permit approvals for alternative energy systems pursuant to Part 4 and if the use is permitted or discretionary in a Land Use District. In addition to the municipal Development Authority approval, developments may also be subject to provincial approvals.

- 1.2 For any development permit application made for alternative energy systems an applicant must submit information and details describing the system, manufacturer, size and dimensions, electrical power output rating, etc. to enable the Development Authority to make an informed decision on the proposal and determine compliance with the Bylaw standards.

- 1.3 All components of the alternative energy system, including any electrical components, shall comply with the Canadian National Standards and shall bear the appropriate certification marks.

- 1.4 The alternative energy system must be installed by a certified electrical contractor prior to operation.

- 1.5 Prior to the installation of an alternative energy system the applicant and/or landowner shall obtain:
 - (a) an electrical permit, and if applicable, a building permit;
 - (b) an electrical wire service provider approval for systems with a rated output of less than 10 kW that are proposed to be connected to the grid;
 - (c) all relevant federal and provincial permits and permissions; and
 - (d) Alberta Utilities Commission (AUC) approval for systems with a rate output greater than 10 kW that are proposed to be connected to the grid.

INDIVIDUAL SOLAR COLLECTOR

- 1.6 Types of individual solar collectors may be flat panel, flat plate, cell, thermal, or tube collector, and may be mounted to a building or ground mounted.
- 1.7 An individual solar collector attached to a wall or roof of a dwelling or building shall be subject to the applicable Land Use District and the following additional standards:
- (a) An individual solar collector mounted on a roof:
 - (i) may project a maximum of 1.2 m (4 ft) from the surface of the roof and shall not exceed the maximum height requirements of the applicable Land Use District; and
 - (ii) must not overhang or extend beyond the outermost edge of the roof.
 - (b) An individual solar collector mounted to a wall:
 - (i) must be located a minimum of 2.4 m (8 ft) above lot grade;
 - (ii) may project a maximum of 0.6 m (2 ft) from the surface of the wall when the wall faces the front, secondary front or side property line, subject to the setback requirements of the applicable Land Use District; and
 - (iii) may project a maximum of 1.2 m (4 ft) from the surface of the wall, when the wall faces the rear property line, subject to the setback requirements of the applicable Land Use District.
- 1.8 A free-standing individual solar collector or a solar collector mounted to any structure other than a roof or wall of a building (may be pole mounted or ground-mounted) shall be subject to the applicable Land Use District and the following additional standards:
- (a) A free-standing individual solar collector or a solar collector mounted to any structure other than a roof or wall of a building:
 - (i) must be located such that it does not create undue glare on neighbouring property or public roadways; and
 - (ii) must not exceed 1.8 m (6 ft) in height above existing lot grade in residential districts, and
 - (iii) must not exceed 2.4 m (8 ft) in height above existing lot grade in institutional, commercial or industrial districts.



Frame Mount



Roof Mount



Pole Mount

SMALL WIND ENERGY CONVERSION SYSTEMS

Information Requirements

- 1.9 An application for a development permit for a proposed individual small wind energy conversion system (SWECS) must be completed and submitted to the Development Officer accompanied by:
- (a) a site plan acceptable to the Development Officer indicating the exact location of the SWECS on the parcel and all buildings and structures, registered easements or right-of-way, and any overhead utilities, dimensioned to the property lines and drawn to a satisfactory scale;
 - (b) photographs and/or plans of the proposed SWECS indicating:
 - rated output in kilowatts;
 - turbine height;
 - safety features and noise characteristics;
 - blade diameter and rotor clearance;
 - nature and function of over speed controls which are provided; and
 - estimated mechanical/operating lifespan.
 - (c) specifications on the foundation and anchor design, including the location and anchoring of any guy wires;
 - (d) engineered plans, prepared by a professional engineer, for SWECS that are mounted or attached to any building demonstrating that the building and shear wind load can support the SWECS; and
 - (e) any security measures proposed to ensure public safety and security.



General Standards for SWECS

Any individual SWECS shall be subject to the following general standards:

- 1.10 The SWECS shall be setback from all property lines a distance equal to the height of the system.
- 1.11 The blade clearance of any SWECS shall not be less than 4.6 m (15 ft) above grade.
- 1.12 Any guy wires associated with a SWECS shall be accommodated entirely within the parcel and must be clearly visible from grade to a height of 1.8 m (6 ft).
- 1.13 The sound produced by the SWECS under normal operating conditions, as measured at the property line shall not exceed 60 dBA or 6 dBA over the background noise, whichever is greater.
- 1.14 The SWECS shall not display advertising or other marketing.

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- 1.15 The SWECS shall not be artificially illuminated except as required by a federal or provincial agency or department.
- 1.16 The Development Authority may regulate the maximum number of SWECS permitted on a lot.
- 1.17 The Development Authority may require as a condition of approval that any SWECS be:
- (a) finished in a non-reflective matte and in a colour which minimizes the obtrusive impact of the SWECS to the satisfaction of the Development Authority;
 - (b) surrounded by a security fence with a lockable gate not less than 1.8 m (6 ft) in height.
- 1.18 Where the SWECS has been inactive for more than 12 consecutive months the applicant or landowner is required to decommission and remove the system at their expense. If the SWECS is not decommissioned and removed after six months of inactivity, the Town may undertake enforcement action.

Decommissioning

- 1.19 A property owner is responsible for all activities and costs related to the removal of the SWECS and the disconnecting of the system from the electrical utilities.
- 1.20 All refuse associated with the decommissioning and dismantling of the SWECS shall be removed from the property and disposed of appropriately.
- 1.21 Upon removal of the SWECS the property shall be restored to its pre-construction condition to the satisfaction of the Development Officer.

Referrals

- 1.22 Prior to making a decision on a development permit application for a SWECS, the Development Authority may require that the application be referred to the following agencies and departments:
- (a) Transport Canada;
 - (b) NAV Canada;
 - (c) Alberta Transportation; and
 - (d) any other federal or provincial agencies or departments deemed necessary.

SECTION 2 AUTOMOTIVE SALES, SERVICE, REPAIR AND PAINT SHOPS

- 2.1 All automotive businesses, including sales, service and repair, consignment, lease, wholesale and agent or broker businesses must hold a valid AMVIC licence and provide confirmation of such when requested by the Development Authority.
- 2.2 The Development Authority shall refer to Alberta Environment development permit applications for an automotive paint shop. In addition to the municipal development permit approval, automotive paint shops are subject to the provincial *Environmental Protection and Enhancement Act* and the *Waste Control Regulation*.

SECTION 3 BED AND BREAKFAST

Bed and Breakfast Accommodation Standards

- 3.1 The use of a residential dwelling for bed and breakfast accommodation is subject to the following criteria:
- (a) shall not undertake any alterations to the principal building unless the alterations are approved by the Development Authority and Safety or Fire Codes Officer;
 - (b) the owner/operator shall be an active resident of the dwelling;
 - (c) employees working in the business shall be limited to the residents of the dwelling unit;
 - (d) the use shall not create a nuisance by way of noise, parking or noticeable traffic generation;
 - (e) shall not occupy more than 40 percent (40%) of the dwelling unit or provide for more than four guest rooms in addition to the owner and dwelling's regular permanent residents, whichever is less;
 - (f) shall not sell meals or alcoholic beverages to non-overnight guests;
 - (g) shall not include a kitchen or cooking appliance in any sleeping room rented;
 - (h) one on-site parking space per guest room may be required, however on-street parking may be accepted by the Development Authority;
 - (i) a development permit does not exempt compliance with health regulations or any other provincial and municipal requirements;
 - (j) the operator shall follow and adhere to all Alberta Health requirements and guidelines relating to accommodation and food preparation;
 - (k) is allowed limited signage in accordance with Part 7, Signs.

SECTION 4 BULK FUEL STATIONS, SERVICE STATIONS AND GAS BARS

- 4.1 Notwithstanding the regulations of an applicable Land Use District, a bulk fuel or gas service station use pursuant to this Section shall not be located on sites which, in the opinion of the Development Authority, would be considered unsuitable or unsafe in terms of vehicle circulation within the site, insufficient space for access to and around fuel pumps or tanks, topography, and access and egress from the site.
- 4.2 The lot or site must be able to accommodate at a minimum 9.1 m (30 ft) of vehicle stacking space from each end of pump island to the lot properly line.
- 4.3 In addition to the setback requirements of the applicable Land Use District, fuel storage tanks and facilities are subject to provincial setbacks and regulations and the operator is responsible for obtaining a Storage Tank System Operating permit from *Alberta Safety Codes Authority (ASCA), a division of the Safety Codes Council*.
- 4.4 **Site Area:** The following minimum lot or site areas shall be applied:
- (a) Gas Bar (including a convenience store): 1,200 m² (12,917 sq ft)

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- (b) Service Station: 1,500 m² (16,146 sq ft)
 - (c) Gas Bar or Service Station including Car Wash: 2,500 m² (26,910 sq ft)
 - (d) Bulk Fuel Station: 2,700 m² (29,063 sq ft)

SECTION 5 CANNABIS PRODUCTION FACILITY

- 5.1 The owner or applicant must obtain any other approval, permit, authorization, consent or license that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
- 5.2 The owner or applicant must provide as a condition of development a copy of the current license for all activities associated with medical cannabis production as issued by Health Canada.
- 5.3 The development must be done in a manner where all of the processes and functions are fully enclosed within a stand-alone building including all loading stalls and docks, and garbage containers and waste material.
- 5.4 The development shall not operate in conjunction with another approved use.
- 5.5 The development shall not include an outdoor area for storage of goods, materials or supplies.
- 5.6 The development must include equipment designed and intended to remove odours from the air where it is discharged from the building as part of a ventilation system.
- 5.7 The development must not be within 100 m (328 ft) of a residential or a public institutional district, measured from the building foundation containing the use to the nearest property line of a parcel designated as a residential or a public institutional district.
- 5.8 The Municipal Planning Commission may require, as a condition of a development permit, a Public Utility and Waste Management Plan, completed by a qualified professional, that includes detail on:
 - (a) the incineration of waste products and airborne emissions, including smell;
 - (b) the quantity and characteristics of liquid and waste material discharged by the facility; and
 - (c) the method and location of collection and disposal of liquid and waste material.
- 5.9 The minimum number of motor vehicle parking stalls shall be based on the parking requirements of the use found in Part 5, General Use Provisions.

SECTION 6 CAR AND TRUCK WASH FACILITIES

- 6.1 All vehicle washing activities shall occur within an enclosed building with a minimum of two operating bay doors.

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- 6.2 Vacuuming facilities or equipment may be located outside the building but shall not be in the front yard and shall not be closer than 15.2 metres (50 ft.) from the boundary of any residential Land Use District. An exception may be made, at the discretion of the Municipal Planning Commission, to consider allowing vacuuming sites in the front yard where access to the rear yard is not feasible.
 - 6.3 The building shall be located a minimum of 30.48 metres (100 ft.) from the boundary of any residential Land Use District.
 - 6.4 All off-street parking areas shall be hard-surfaced and dust-free. For parking and stacking requirements, refer to Part 5, General Use Provisions.
 - 6.6 A permanent screening fence or wall not less than 1.83 metres (6 ft.) in height shall be constructed along any site property line which abuts a residential Land Use District.
 - 6.7 A development permit approval for a car or truck wash may be denied, if in the opinion of the Development Authority, there is not sufficient municipal water or sewer service or capacity for the development.
 - 6.8 All washing facilities, both new and those being renovated, will be required to provide an oil separator package or device, to the satisfaction and standards as stipulated by the municipality. This shall be a condition of any development permit approval.

SECTION 7 CHILD CARE FACILITIES

All child care (day care) facilities may be approved subject to the following conditions and requirements:

- 7.1 In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.
- 7.2 Signage for child care facilities must comply with the following:
 - (a) a maximum of one sign;
 - (b) sign must be no greater than 0.74 m² (8 sq. ft.) in size; and
 - (c) sign must be located in the buildings window in a residential Land Use District.
 - (d) In a residential Land Use District, a request for more than one sign or a sign greater than 0.74 m² (8 sq. ft.) requires a separate development permit application. In a commercial or industrial Land Use District, one exterior building sign may be permitted in addition to a window sign.
- 7.3 The site must allow for secure storage and pick up of garbage and recycling material located away from public areas.
- 7.4 The use shall not generate traffic problems within the neighbourhood.

-
- 7.5 The use requires a minimum of one on-site pick-up and drop-off space for every 15 children/clients and the location of passenger loading zones for day care facilities may be specified by a condition of a development permit.
 - 7.6 On-site parking is required as per Part 4, General Land Use Standards, Parking and Off-loading Requirements.
 - 7.7 A child care facility/site catering to children may be required to provide screening for any outdoor play areas to the satisfaction of the Municipal Planning Commission.
 - 7.8 All applications for child care facilities shall, as a condition of approval, obtain the necessary approvals required from regulatory agencies. All child care facilities must be licensed and operate in accordance with the provincial *Child Care Licensing Act*.
 - 7.9 In considering the suitability of a building or site for a discretionary child care use, the Municipal Planning Commission may consider the appropriateness of location for child care with regard for the proximity to required services, parks, neighbourhood characteristics, traffic issues or congestion in the neighbourhood, and if the size is adequate to meet program requirements, including outdoor space, parking, and the drop-off.

SECTION 8 DAY HOME

- 8.1 The operation of a day home does not require a development permit subject to the following criteria:
 - (a) A day home shall have no more than six clients at any one time.
 - (b) A day home shall not be located within a dwelling containing another Home Occupation.
 - (c) Signage for day home facilities must comply with the following:
 - (i) a maximum of one sign;
 - (ii) sign must be no greater than 0.74 m² (8 sq. ft.) in size; and
 - (iii) sign must be located in the buildings window.
- 8.2 Notwithstanding that a development permit may not be required, all day homes shall be responsible for complying with the *Child Care Licensing Act* and obtaining all necessary approvals required from regulatory agencies. The applicant is also responsible for obtaining a business licence from the Town of Bow Island.

SECTION 9 GROUP CARE OR GROUP HOME FACILITY

- 9.1 The applicant is required as part of the development permit application, to provide information on the following:
 - (a) the purpose of the facility or type of client served,

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- (b) the number of clients to be accommodated,
 - (c) the number of staff employed and on-site at a given time, and
 - (d) the submission of a plan that describes how communication with neighbours will be carried out and how neighbourhood compatibility problems are to be resolved.

9.2 All group home facilities that may be approved are subject to the following conditions and requirements:

- (a) The total occupancy by clients and staff shall be specified for each development by condition of a development permit. The total number of clients shall not exceed more than two per bedroom in a residential District.
- (b) The Development Authority may establish the maximum number of residents allowed in a group care or group home facility on a case specific basis with attention given to the District in which the use is located and the type of facility seeking approval.
- (c) In any residential district, no exterior alterations shall be undertaken to a dwelling which would be inconsistent with the residential character of the building or property.
- (d) If the group care or home facility is operating within a dwelling, the dwelling must be located on a street with a rear lane and is not permitted to be located within cul-de-sacs or lane-less streets.
- (e) The use of accessory buildings, structures or uses not associated with the principal residential dwelling are not permitted on the property.
- (f) Site lighting must be designed not to “flood or spill” into adjacent property.
- (g) The site must allow for secure storage and pick up of garbage and recycling material located away from public areas.
- (h) The use shall not generate traffic problems within the district.
- (i) On-site parking is required in accordance with Part 5, Section 20(10).
- (j) Signage for group home facilities must comply with the following:
 - (i) a maximum of one sign,
 - (ii) sign must be no greater than 0.74 m² (8 sq. ft.) in size, and
 - (iii) sign must be located in the buildings window.
- (k) All applications for group home facilities shall, as a condition of approval, obtain the necessary approvals required from regulatory agencies and the group home shall comply with provincial standards.
- (l) If determined necessary by the Development Authority, the applicant for a group home facility shall be required to meet and consult with all adjacent land owners in the vicinity of where the use is proposed.

SECTION 10 HOME OCCUPATIONS

The intent of this Section is to provide regulations respecting home occupations to protect residential areas and districts from incompatible non-residential land uses.

10.1 Home occupations shall be subject to the following standards:

- (a) Home Occupations shall be limited to those uses which do not interfere with the rights of other residents to quiet enjoyment of a residential neighbourhood.
- (b) The nature and extent of the Home Occupation makes it uneconomical and unreasonable to locate the occupation in a commercial or light industrial area as determined by the Municipal Planning Commission.
- (c) The business operator must be a full-time resident of the home. The permit is non-transferable and shall be void if the owner as applicant ceases to live on the premises.
- (d) Home Occupations shall be no more than supplementary uses to the principal residential building.
- (d) Home Occupations shall not have outside storage of material goods or equipment on the site.
- (e) No form of commercial advertising related to the Home Occupation shall be displayed on the outside of the building except an unlighted sign to identify the use conducted on the site.
- (f) The use shall be limited to one sign and the size of the sign shall be limited to 0.56 m² (6 sq ft) and it may be placed in a window or attached to the exterior of the residence on the street side of the residence. - See Part 7 Signs
- (g) A Home Occupation shall not create a nuisance by way of dust, noise, smell or smoke, or traffic generation and no hazardous materials may be used or stored on the premises.
- (h) A Home Occupation shall not employ any more than one person other than the occupants of the principal residential building in which they take place.
- (i) A Home Occupation shall not require alterations to any building unless the alterations are approved by the Municipal Planning Commission. No variation in the residential character and appearance of the dwelling, accessory building, or land shall be permitted.
- (j) No commercial vehicles of an overall length that exceeds 6.7 metres (22 ft.) or tandem trucks for a Home Occupation 2 shall be parked or maintained on a public road right-of-way or lane.
- (k) No offensive noise, vibration, electrical interference, smoke, dust, odours, heat or glare shall be produced by the use.

10.2 The Municipal Planning Commission may issue a temporary development permit for a defined period for a Home Occupation.

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- 10.3 The hours of operation and number of customer visits for a Home Occupation 2 may be limited by the Development Authority to minimize impacts on surrounding residential uses.
- 10.4 Only one Home Occupation shall be permitted per dwelling or as otherwise approved by the Development Authority.
- 10.5 All permits issued for Home Occupations shall obtain a yearly business license from the town. The development permit is only valid as long as an issued and valid municipal business license has been approved.
- 10.6 All permits issued for Home Occupation shall be subject to the condition that the permit may be revoked at any time if, in the opinion of the Municipal Planning Commission, the use is or has become detrimental to the amenities of the neighbourhood.
- 10.7 All Home Occupations shall be categorized as either Home Occupation 1 or Home Occupation 2. (Day Homes and Bed and Breakfasts shall be categorized as their own separate use and not as a Home Occupation.)
- 10.8 **Home occupations may be approved under the following classifications** (if there is a doubt as to whether a proposed home occupation is a Home Occupation 1, then the Development Officer may refer the application to the Municipal Planning Commission for a decision):

Home Occupation 1 – a home-based occupation that involves the establishment of a small-scale business by the dwelling resident that is incidental to the primary use of the residence, any sales occur off the premises, and which does not involve:

- (a) outdoor storage and/or display of goods;
- (b) non-resident employees; and/or
- (c) customer/client visits to the residence.

Typical uses are self-employed home office use, accounting or book keeping, home based off premise sales (e.g., Tupperware, Avon, Amway, Pampered Chef, Epicure, etc.), drafting & design, online instruction, phone and digital media-based self-employment.)

Home Occupation 2 – a home-based occupation involving the establishment of a small-scale business incidental to the primary use of the residence that does not meet the criteria for a Home Occupation 1 and which may involve:

- (a) the use of an accessory building;
- (b) onsite storage of goods only within the residence or accessory building;
- (c) a maximum of one non-resident employee;
- (d) limited customer visits per day; and/or,
- (e) the use or parking of one commercial vehicle not to exceed 1 tonne.

Typical uses are self-employed massage or personal care service, music or fine art lessons, private counselling services, self-employed office use with an associated commercial work

vehicle, cottage industry craft or specialty food businesses (e.g., artisan works, preserves, baking, for on-line or off-site sales.)

SECTION 11 MANUFACTURED/MOBILE HOME DWELLINGS

Standards and Requirements

11.1 The Development Authority may require a security deposit in an amount it determines necessary to ensure the conditions of the approval of a development permit for a manufactured/mobile home are met. The deposit will only be returned, with no interest, when the Development Authority is satisfied all conditions have been met.



11.2 If required by the Development authority, all manufactured/mobile dwellings may be required to be registered with the *Provincial Personal Property Registration*. The CSA model number, serial number, and *Alberta Personal Property Registration* number shall be provided at the time of submission of a development permit application and are required to be registered with the Town of Bow Island.

11.3 Only the following shall be considered eligible **manufactured or mobile homes**:

- (a) New factory-built manufactured home units built to current Canadian Standards Association (CSA) certified units and/or to *National Building Code – Alberta Edition*.
- (b) Used factory-built units constructed after January 1, 2006, and in a good state of repair (to the satisfaction of the Development Authority). Any application for a development permit to locate a used manufactured home:
 - (i) shall include recent colour photographs of all elevations (front, side, rear) including additions, and
 - (ii) may require a personal inspection by the Development Officer or building inspector to determine the unit's suitability.
- (c) Manufactured Homes bearing the Canadian Standards Association (CSA) certified units or units bearing the Alberta Building Label (CSA A-277 or Z-240 building labels).

Foundations, Roof Lines and Additions

11.4 All Manufactured/mobile homes are to have wheels removed and be placed upon a foundation capable of supporting the maximum anticipated load in conformity with provincial legislation and CMHC regulations and in accordance with the *National Building Code, Alberta Edition*.

11.5 A basement for a manufactured home may be permitted provided the access to the basement is housed within an approved enclosure.

11.6 Manufactured units not provided with a basement shall be placed not less than 0.3 m (1 ft) and not more than 0.6 m (2 ft) higher than the average finished grade of the surrounding ground.

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- 11.7 To ensure compatibility of housing types, the variation of roof lines between double-wide manufactured homes and conventional homes may be limited.
 - 11.8 All manufactured/mobile home additions shall be of a design and finish which will complement the unit.

General Appearance

- 11.9 The wheels, hitches and other running gear shall be removed from a manufactured/mobile home immediately after the placement of the home.
- 11.10 The yard area of each lot shall be developed and landscaped when construction has been completed to the satisfaction of the Development Authority.
- 11.11 Any portion of a concrete block foundation above grade shall be parged unless otherwise finished with an approved material.
- 11.12 Manufactured/mobile homes shall be skirted to ground level with fireproof material of similar design to the mobile home exterior. Wheels and hitches shall be removed from the mobile home, unless otherwise approved by the Development Authority.

Manufactured/Mobile Home Additions

- 11.13 Any addition to a manufactured/mobile home shall be of a design and finish which will complement the existing manufactured/mobile home unit.
- 11.14 Additions shall be located to the rear or side of the manufactured/mobile home unit only, provided the finished addition can meet the applicable yard setbacks.
- 11.15 Additions shall not exceed 40 percent of manufactured/mobile home units floor area, up to the maximum principal building lot site coverage allowed in the district.

SECTION 12 MANUFACTURED HOME COMMUNITY/PARK

- 12.1 A development permit application to establish a comprehensively planned residential community development intended for the placement of multiple manufactured/mobile homes on a single parcel or title of land is subject to the provision of the following:
 - (a) A scaled **Site Plan** showing the manufactured home park and its immediate surroundings, and illustrating the dwelling assigned lots, the lot size dimensions, internal streets (if any) and pavement widths, parking stalls, location of service buildings, storage compound, playground and walkway system.
 - (b) A **Utility Plan** indicating the location of all utilities necessary for the provision of the following services to the area to be developed.
 - (c) An engineered **storm water management plan**, if deemed necessary, must be provided to the satisfaction of the Development Authority.

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- (d) A **concept layout plan** shall indicate typical arrangement of manufactured/mobile dwellings with the layout plan also indicating the parking areas and landscaping of the lot.

Servicing Requirements

- 12.2 All on-site servicing should be built to the standards and requirements of the Town of Bow Island and private utility providers.
- 12.3 Utility easements as may be required shall be provided within the site and reasonable access to these easements shall be granted to the Town of Bow Island and utility companies for the installation and maintenance of services.

Garbage Enclosures

- 12.4 Garbage enclosures shall be properly screened to the satisfaction of the Municipal Planning Commission. Common garbage receptacle areas, if provided in the comprehensive plan, must be suitably and effectively screened to the satisfaction of the Municipal Planning Commission.

Storage Compound

- 12.5 The developer of the manufactured home community may be required to provide and maintain in good repair within the park, an area to accommodate the storage of recreational vehicles such as motor boats, travel trailers, etc.
- 12.6 The storage compound may be required to be screened by fences, trees, landscape features, or a combination thereof, to the satisfaction of the MPC, and shall be maintained in good repair.

SECTION 13 MIXED-USE OR MULTI-USE BUILDINGS OR SITES

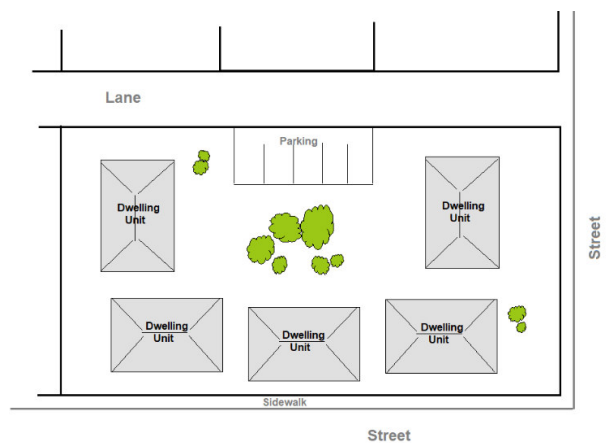
Mixed-Use

- 13.1 A building may be occupied by a combination of one or more of the uses listed for in the commercial, industrial or institutional district. Each use shall be considered as a separate use, and shall obtain a development permit. A development permit may include a number of units within a building.
- 13.2 The minimum size of a mixed-use residential dwelling unit shall be 56 m² (600 sq ft).
- 13.3 Mixed-use residential dwelling units and commercial premises should not typically be permitted on the same upper storey of a building unless a concept plan outlining such uses for the building has been approved by the Development Authority.
- 13.4 The mixed-use residential dwelling units shall have at grade access that is separate from the access for commercial premises. Direct access from a residential dwelling unit into commercial premises shall not be permitted.
- 13.5 A minimum of 4.0 m² (43 sq ft) of private amenity area (balcony, patio etc.) shall be provided for each mixed-use residential dwelling unit in the building.

- 13.6 No use or operation within a building shall cause air contaminants, visible emissions, particulate emissions of odorous matter or vapor, or create the emission of toxic matter beyond the building that contains it.
- 13.7 A parcel may be developed for a mixed-use involving a variety of different businesses subject to:
- a comprehensive site plan being submitted and approved by the Development Authority illustrating the location and sizes of different buildings or uses, garbage/refuse bin area, parking, and access/egress from the site;
 - each development must apply for and obtain its own development permit from the municipality.

Clustered/Cottage Housing

- 13.8 The Municipal Planning Commission may approve cluster or cottage housing as a preplanned residential development that features a cluster of smaller dwelling units built around a common open space, on either a single parcel of land or on a site in such manner that the units may be individually titled through a condominium plan, subject to the following:



- The use must be listed as either permitted or discretionary in the Land Use District.
 - The minimum dwelling unit size of each unit shall be 55 m² (600 sq ft) in size.
 - There must be a minimum of 232 m² (2,500 sq ft) of lot area provided for each individual dwelling unit to form the combined total lot size. (Example: A lot 1394 m² (15,000 sq ft) in size could accommodate 6 dwelling units sited on the title.)
 - The use must be determined to be compatible with the general height, building design and nature of adjacent existing dwellings.
 - The types of dwellings that can be used for cluster housing developments may consist of stick-built, manufactured or prefabricated (modular/panelized) dwellings.
 - The site must be able to be adequately serviced with municipal utilities to accommodate the proposed density of development and stormwater drainage must be addressed.
- 13.9 A conceptual design scheme or comprehensive site plan being submitted to and approved by the Development Authority, illustrating the location and sizes of different residential dwellings, accessory buildings or uses, garbage/refuse bin area, required parking areas, landscaping, and access/egress from the site.

SECTION 14 MOVED-IN BUILDINGS AND DWELLINGS

The intent of this Part is to ensure that moved-in buildings and previously lived-in dwellings, through the adherence to building conditions and regulations, do not create a land use conflict. For purposes of this Bylaw, manufactured/mobile homes or prefabricated (modular /panelized) homes shall not be considered moved-in buildings. (refer to Definition section)

All moved-in buildings and dwellings shall comply with the following:

- 14.1 Any application for a "moved-in" building is subject to all conditions and regulations specified under the appropriate district as set out in this Bylaw.
- 14.2 Prior to consideration of a development permit application, the Development Officer shall require:
 - (a) Recent colour photographs (including all exterior side elevations) of the building, dwelling or structure.
 - (b) A report by a qualified building inspector on the structural condition of the building, acceptable to the Development Authority.
 - (c) A refundable security deposit fee in addition to the permit processing fee, to ensure completion of the project. The Municipal Planning Commission may request a performance bond or an irrevocable letter of credit equal to the value of the work required as determined by a qualified contractor.
- 14.3 The Development Officer may require a report indicating the changes that are to be made to the building, both structurally and aesthetically, and an estimate of when this work will be completed.
- 14.4 The building, when completed, shall meet all requirements of the current *National Safety Codes Act – Alberta Edition* and shall comply with all provincial health and fire regulations and with all applicable municipal bylaws.
- 14.5 In the case of a moved-in dwelling, the dwelling unit when complete must be a habitable dwelling in accordance with health regulations and meet all residential dwelling Safety Code requirements.
- 14.6 The standards to which the building shall comply shall be established by the Municipal Planning Commission at the time of the approval of the application, but the standard of construction and appearance of the building after all renovations are complete shall be equal to or better than the average condition of other buildings in the area.
- 14.7 The building shall not be moved onto the lot until the expiration of the appeal period as set in this Bylaw.
- 14.8 All renovations to a "moved-in" building shall be completed within 12 months of the issuance of the development permit unless otherwise stipulated by the Municipal Planning Commission.

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- 14.9 Moved-in previously occupied residential dwellings must be placed onto a basement or concrete slab, or if acceptable to the Development Authority another form of permanent foundation, and the ground floor height shall conform to the general height of developments on adjacent lots. Moved-in buildings in commercial or industrial districts are exempt from basement foundation requirements but the support foundation must comply with Safety Code requirements.
 - 14.10 A final inspection and report by the building inspector or shall be made to establish full compliance with all requirements for the issuance of an occupancy permit and for return of the applicant's deposit.

SECTION 15 OUTDOOR STORAGE AND DISPLAY

- 15.1 If deemed necessary for the development and location, the Development Authority may impose conditions related to the provision of screening, buffering, fencing, or landscaping of any outdoor display or storage areas.
- 15.2 The outdoor display of commercial goods, materials, and equipment for advertising and sale purposes may be permitted in the front yard of a lot within a commercial or industrial district provided the display is not located within any required landscape area or buffer or impedes the sightlines for safe access/egress from the property to the public roadway.
- 15.3 Permanent outdoor storage areas for commercial/industrial uses shall only be permitted within the front, secondary front (flankage) yard or side yard if it is effectively screened to the satisfaction of the Development Authority.
- 15.4 Outdoor storage areas adjacent to a residential lot shall be effectively screened by an opaque fence of at least 2.4 m (8 ft) in height or other suitable screening to the satisfaction of the Development Authority.
- 15.5 On parcels located adjacent to provincial highways, any storage of goods, products, raw materials, etc. shall be effectively screened from view by buildings, solid fences, landscaped features, or combinations thereof and be maintained in good repair.

SECTION 16 PREFABRICATED (MODULAR/ PANELIZED) DWELLINGS

The following standards shall apply to a prefabricated dwelling where portions of a dwelling unit are built in a factory or portions of dwelling units that are built in a factory or location other than on the lot intended for occupancy and this includes modular, ready-to-move and panelized dwellings. For the purposes of this Bylaw, ready-to-move dwellings are deemed to be the same as prefabricated dwellings.



- 16.1 A prefabricated dwelling is required to meet the following criteria:
 - (a) a new factory-built unit that meets CSA standards and/or Building Code;
 - (b) dwelling is securely fastened and placed on a basement, concrete slab, concrete strip footing, or pile or pier footing;

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- (c) minimum floor area shall not be less than 79 m² (850 sq. ft);
 - (d) minimum width of dwelling – 8.5 m (28 ft);
 - (e) maximum length of dwelling – 20.1 m (66 ft);
 - (f) maximum height of exposed foundation above finished grade – 0.6 m (2 ft).
- 16.2 A development permit for a prefabricated dwelling may be issued by the Development Authority provided that:
- (a) the design, character, and appearance (including roof lines/material and exterior finish) of prefabricated homes shall be consistent with the purpose of the district in which the building is located and shall take into account any other buildings existing in the vicinity;
 - (b) to ensure compatibility of housing types, the variation of roof lines between prefabricated dwellings and conventional homes may be limited;
 - (c) at the discretion of the Development Authority, the exterior finish, colour and roofing material may be stipulated as a condition of approval; and
 - (d) the basement access must be provided from within the dwelling.
- 16.3 As a condition of approval the Development Authority, at their discretion, may place other conditions on a development permit including the requirement that the developer provide landscaping, fencing, address drainage issues, or other such matters it considers necessary if, in his or its opinion, they would serve to improve the quality or compatibility of any proposed development.
- 16.4 The building and the land upon which it is to be located shall be subject to all conditions and regulations specified for the particular Land Use District set out in the Land Use Bylaw.
- 16.5 The applicant/developer must submit professional building plans illustrating in colour the exterior design, floor plan, elevations and setbacks.
- 16.6 The quality of the completed building shall be at least equal to the quality of the other buildings in the area.
- 16.7 If there is any doubt as to the required standards being met, the Development Officer may refer the application to the Municipal Planning Commission for a decision.

SECTION 17 PRIVATE SWIMMING POOLS

- 17.1 Private swimming pools in a residential yard shall be classified as an accessory structure.
- 17.2 Any private swimming pool with a design depth greater than 0.6 m (2 ft) shall be constructed and fenced in accordance with Safety Codes requirements.
- 17.3 Temporary above ground swimming pools and above ground hot tubs do not require a development permit but are subject to Safety Codes and may require a building permit.

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- 17.4 Construction of an in-ground swimming pool and swimming pools that are attached to a deck require a development permit and are subject to the following additional standards:
- (a) placement of a swimming pool shall be limited to the side and rear yard only,
 - (b) swimming pools are subject to the setback requirements for accessory structures in the applicable Land Use District, and
 - (c) swimming pools are subject to the maximum lot coverage requirements for accessory structures in the applicable Land Use District.

SECTION 18 RETAIL CANNABIS STORES

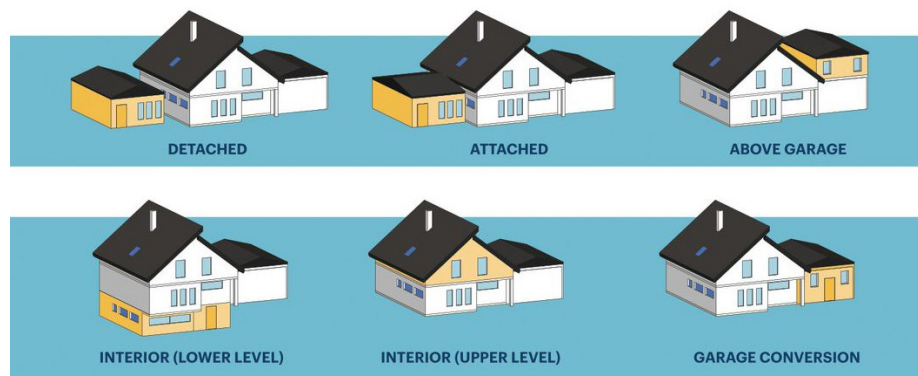
- 18.1 A retail cannabis store is a distinct and separate use from a retail store and the development of such shall be in accordance with the *Gaming, Liquor, and Cannabis Act* as well as any other applicable regulation.
- 18.2 A retail cannabis store shall have no other use. The premises must operate separately from other businesses, including providing a separate loading space when one is required.
- 18.3 The public entrance and exit to the development must be direct to the outdoors and not from another business or commercial unit.
- 18.4 Products for sale shall not be visible from outside the business premises unless otherwise permitted by the *Gaming, Liquor, and Cannabis Commission*.
- 18.11 A retail cannabis store must not be located within a 100 m (328 ft) radius from an area that contains any of the following uses or structures, when measured from the closest point of a retail cannabis store's parcel of land to any of the following:
- (a) the boundary of the parcel of land on which a hospital, as defined in this Bylaw, is located; and
 - (b) the boundary of the parcel of land designated as school reserve or containing a school, as defined in this Bylaw.
- 18.12 The specified separation distances are reciprocal and also apply to those described land uses identified in 18.11 applying for a development permit locating in close proximity of an established retail cannabis store.
- 18.13 For advertising associated with the retail cannabis store, the following shall apply:
- (a) Advertising inside the premises shall not be visible from the outside.
 - (b) Only permanent business signage shall be permitted, and the sign copy shall be restricted to the business name. Retail cannabis stores will be prohibited in the use of portable signs for advertising.
- 18.14 If a retail cannabis store is approved by the Municipal Planning Commission the developer shall provide to the Town a copy of the retail cannabis licence issued by the Alberta Gaming and Liquor Commission prior to occupancy as a condition of development permit approval.

SECTION 19 SATELLITE DISHES AND RADIO OR TELEVISION/INTERNET ANTENNA

- 19.1 Radio, internet and television antennas, which are not regulated by Industry Canada, are classified as an accessory structure. See Part 9 for those regulated by Industry Canada.
- 19.2 In accordance with Part 2, Development Not Requiring a Development Permit, internet, satellite, or cable television dishes less than 0.91 metres (3 ft.) in diameter do not require a development permit provided the standards of the Bylaw are met.
- 19.3 In all residential Land Use Districts and the Urban Reserve district:
- (a) satellite dishes greater than 0.9 m (3 ft) in diameter or radio or television antenna shall be classified as an accessory structure and are to be placed in the rear or side yard;
 - (b) satellite dishes greater than 0.9 m (3 ft) in diameter are not to be mounted or attached to the roof of any dwelling or accessory building and shall not be illuminated or contain advertising other than the manufacturer's trademark or logo.
- 19.4 The Development Authority may approve the installation of a satellite dish on the roof of any building or portion thereof if, in its opinion, such an installation does not:
- (a) constitute a public safety hazard,
 - (b) compromise the structural integrity of the building, or
 - (c) may be unreasonably obtrusive.

SECTION 20 SECONDARY SUITE (ACCESSORY DWELLING UNIT) STANDARDS

- 20.1 A secondary suite, in accordance with the applicable land use district, may be inside an existing dwelling (such as a basement suite or loft suite), attached to a dwelling addition unit, a separate standalone unit (such as a garden suite) or located above a garage either attached or detached (carriage or laneway house). This use does not include a two-unit dwelling (semi-detached/duplex), row dwelling, apartment building, or boarding house.



Accessory Dwelling Units (ADUs) come in many shapes and styles. Illustrations by RPA, based on AARP's ABCs of ADU's Guide.

- 20.2 A secondary suite shall have cooking facilities, food preparation area, sleeping and sanitary facilities, which are physically separate from those of the principal dwelling

within the structure. A secondary suite shall also have an entrance separate from the entrance to the principal dwelling, either from a common indoor landing or directly from the side or rear of the structure.

- 20.3 The minimum lot size for a single-unit dwelling to have an accessory secondary suite shall be the following:
- (a) 432 m² (4,650 sq ft) for a suite within a single-detached dwelling or above an attached garage;
 - (b) 490 m² (5,274 sq ft) for a suite above a detached garage (carriage or laneway house);
 - (c) 525 m² (5,635 sq ft) for a suite in a detached separate standalone unit (such as a garden suite).
- 20.4 The maximum floor area of the secondary suite shall be as follows:
- (a) in the case of a secondary suite located completely below the first storey of a single-unit dwelling (other than stairways or a common landing), the floor area (excluding the area covered by stairways) shall not exceed the floor area of the first storey of the associated principal dwelling;
 - (b) in the case of a secondary suite developed completely or partially above grade, the floor area (excluding the area covered by stairways) shall not exceed 40 percent (40%) of the total floor area above grade of the building containing the associated principal dwelling, or 75.0 m² (807 sq ft), whichever is the lesser.
- 20.5 The minimum floor area for a secondary suite shall be not less than 30.2 m² (325 sq ft).
- 20.6 A secondary suite shall be developed in such a manner that the exterior of the principal building containing the secondary suite shall appear as a single dwelling.
- 20.7 Only one secondary suite per lot may be developed in conjunction with a principal residential dwelling.
- 20.8 A secondary suite shall not be developed within the same principal dwelling containing a Home Occupation 2, unless it is demonstrated to the satisfaction of the Development Authority that the amount of traffic generated is limited and adequate parking is available for all combined uses without adversely affecting the neighbourhood.
- 20.9 Variances or waivers of yard setbacks shall not be granted to develop a secondary suite.
- 20.10 The approval of a secondary suite is subject to the availability and ability to obtain municipal services. The secondary suite shall have full utility services through service connections from the principal dwelling unit and all metering and utility billing shall be to the principal owner.
- 20.11 Development of a secondary suite shall meet all Safety Codes requirements and adhere to the *National Building Code – Alberta Edition* as a condition of approval.

20.12 The secondary suite shall not be permitted to legally separate from the principal residential dwelling through a condominium conversion or subdivision process.

20.13 A secondary suite developed above a detached garage is subject to the height and site coverage restrictions of the applicable residential land use district.

Secondary Suite - detached garage
(carriage house / laneway house)



Image source: behmdesign

SECTION 21 SHIPPING CONTAINERS

21.1 Shipping (c-containers or sea containers) or storage containers shall only be allowed where listed as a Permitted or Discretionary Use in Part 4, Land Use Districts. Shipping containers are prohibited in all other districts.

General Standards

21.2 An application for a development permit for a proposed shipping container(s) must be completed and submitted to the Development Officer along with the appropriate application fee. A description of the container dimensions (measurements) must be provided on the application.

21.3 A shipping container shall be considered an accessory use to the principal building or use and shall be used for storage purposes only, unless converted for a different use if so authorized through the issuance of a development permit.

21.4 Shipping containers must not be located in the front yard and the placement of the container must comply with all other aspects of this Bylaw including the minimum setback distances for an accessory building or structure in the applicable Land Use District.

21.5 A maximum of one shipping container is permitted on a lot in the C-1 and C-2 districts and for all other districts where permitted, a maximum of two containers is allowed unless otherwise authorized at the discretion of the Municipal Planning Commission.

21.6 Where multiple shipping containers are permitted on a lot, they shall not be stacked on top of each other.

21.7 The Development Officer or Municipal Planning Commission may require as a condition of approval that any shipping container shall be painted and must match the colour(s) of the principal building or be sandblasted and/or painted to the satisfaction of the Development Authority.



21.8 The exterior of all shipping containers must be kept clean and rust free.

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- 21.9 Shipping containers shall not display business advertising, company logos, names or other marketing without an approved sign permit unless otherwise exempted by the Development Officer or Municipal Planning Commission.
- 21.10 The Development Officer or Municipal Planning Commission may require as a condition of approval that any shipping container be screened from view or screened with landscaping.
- 21.11 The Development Officer or Municipal Planning Commission may require as a condition of approval the posting of a security deposit guaranteeing compliance with the conditions of the permit.
- 21.12 A development that proposes to convert shipping containers to use as a building or structure for a different purpose than storage in its original intermodal container condition may be considered by the Development Officer or Municipal Planning Commission subject to the following:
- (a) the intended use is a permitted or discretionary use in the applicable land use district in which the development is proposed;
 - (b) the shipping container conversion will be able to meet all applicable building and Safety Code requirements and must obtain the required Safety Code permits; and
 - (c) the Development Officer or Municipal Planning Commission is satisfied that the design, character and final appearance of the finished building is compatible with other buildings in the vicinity and that the design, character and appearance of the building is consistent with the purpose of the land use district in which the building is located.
 - (d) The Development Officer or Municipal Planning Commission may require engineering reports, structural engineers stamped schematic drawings, and building inspection reports in consideration of approving a development permit for a shipping container conversion.

Temporary Shipping Containers

- 21.13 The Development Officer or Municipal Planning Commission may regulate the time period for which a development permit is valid through the issuance of a temporary permit. The validity of a temporary permit shall not exceed one year.
- 21.14 Temporary shipping containers are subject to the following criteria:
- (a) Temporary shipping containers may only be placed on a property in any land use district where it is listed as a permitted or discretionary use.
 - (b) Only one Temporary shipping container shall be placed on a property in any land use district at any one time unless otherwise authorized by the Development Authority.
 - (c) The Temporary shipping container shall be removed as soon as possible, but for a period not to exceed 21 days, upon completion of remediation work or construction or as may be required by the Development Authority.

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- (d) The shipping container shall be sited entirely on the property and shall not encroach over property lines or municipal streets, lanes or sidewalks.
 - (e) No advertising, other than the logo, name or information of the shipping (intermodal) container company or business supplying the container, is permitted to be displayed on the temporary shipping container.
 - (f) The Development Officer or Municipal Planning Commission may require at their discretion the provision of a security deposit by the applicant, to ensure the conditions of the development permit are met including the removal of the container at the end of the allowed for time period.

21.15 Temporary Shipping Containers A (less than 6 months/emergency) placed temporarily on a property in the case of an emergency to temporarily accommodate the storage of goods where a dwelling or building has been damaged in a fire or flood in conjunction with salvation and renovation work being done to a building, does not need a development permit (refer to Part 2) subject to the following provisions:

- (a) Temporary shipping containers associated with situations of fire or flood remediation do not require a development permit if the time period does not exceed 6 months. If additional time is required beyond the 6-months a development permit application must be applied for and approved by the Development Authority.

21.15 Temporary Shipping Containers B (more than 6 months or non-emergency) for the temporary storage of goods related to interior renovations or construction that are not associated with an emergency situation (where a building has been damaged in a fire or flood) or is placed temporarily on a construction site for the period of construction, do require a development permit and are subject to the following provisions and standards:

- (a) The Development Authority Officer is authorized to issue a development permit for a permitted or discretionary use with a maximum time period not to exceed 12 months. If additional time is required beyond the 12 months, a development permit application must be applied for and approved by the Municipal Planning Commission (MPC). The MPC shall stipulate the maximum time period it approves the temporary shipping container to be placed on the property beyond 12 months.
- (b) The construction site must be active (i.e., construction has commenced, is ongoing, or is about to commence within 14 days), as the placement of a temporary shipping container on an inactive construction site is prohibited.

SECTION 22 SHOW HOME (SALES HOME)

22.1 In accordance with Part 2, the temporary operation of a display Show Home acting as a sales office for new residential home construction does not require a development permit provided the dwelling unit was issued an approved development permit for the dwelling construction and the use as a sales centre does not exceed 12 months (for a period to exceed 12 months, a discretionary development permit is required);

SECTION 23 SURVEILLANCE SUITES

- 23.1 The Development Authority will only issue a development permit for a surveillance suite if the surveillance suite is clearly subordinate to and compatible with the principal use of the subject parcel. The placement of a surveillance suite shall be compatible with all existing, principal development/land uses on adjacent properties and shall not interfere with future principal development/land uses of adjacent properties.
- 23.2 The minimum and maximum floor area of any detached surveillance suite shall be 40 m² (430 sq ft) and 90 m² (969 sq ft) respectively.
- 23.3 Where a surveillance suite is attached to the principal building on a parcel by a roof, an open or enclosed structure, floor or a foundation, it shall be considered a part of the principal building..
- 23.4 Where a surveillance suite is a manufactured home unit, the following shall apply:
- (a) the unit shall have a CSA certification or equivalent, proof of which shall accompany the development permit application;
 - (b) the unit shall be secured and skirted to the satisfaction of the Development Officer or Municipal Planning Commission, as the case may be.

SECTION 24 TELECOMMUNICATION ANTENNA SITING PROTOCOLS

Telecommunication, radio, and broadcast antenna systems are regulated by Industry Canada. A proposal to locate a telecommunication, radio communication or broadcast antenna system within the Town, which does not meet the exclusion criteria in Part 9 shall be subject to the Siting Protocol process. A development permit is not required from the municipality, but the Telecommunication Antenna Siting Protocol Application form and applicable fee must be submitted by the proponent to the Development Authority who will determine if the municipality grants a letter of concurrence or non-concurrence for Industry Canada.



See Part 9 – Telecommunication, Radiocommunication and Broadcasting Antenna Systems and Supporting Structures (Antenna Systems) Siting Protocol.



PART 7

SIGN REGULATIONS

PART 7

SIGN REGULATIONS

Except as provided for in Part 2, Development Not Requiring A Development Permit, and as stated in Section 2 (Signs Not Requiring a Permit) of this Part below, no sign shall be erected on land or affixed to any exterior surface of a building or structure unless a development permit for this purpose has been issued by the Development Authority.

SECTION 1 DEFINITIONS

For the purpose of this Part, certain terms or words herein shall be interpreted or defined as follows:

A-BOARD or SANDWICH BOARD SIGN means a moveable, portable sign which is set on the ground, built of two similar pieces of material and attached at the top by a hinge(s) so as to be self-supporting when the bottom edges are separated from each other and designed and built to be easily carried by one person.

ANIMATION means a projection style where action or motion is used to project sign content, including lighting changes, special effects, or pictures, but does not include changeable content.

BALLOON SIGN means any inflatable device used or employed as a sign that is anchored to the ground or to a building or structure.

BILLBOARD means a structure, primarily self-supporting, which is used for the display of general advertising, the subject matter of which is not necessarily related to the use or ownership of the property on which the structure is located.

BUSINESS FRONTAGE means:

- (a) any side of a separate property or building which abuts a public street or avenue; or
- (b) in the case of individual business or tenants within a building, any businesses which has separated access to a public street.

CHANGEABLE COPY means sign content which changes automatically through electronic and/or mechanical means and may include typical features such as an electronic message centre or time and temperature unit.

DIGITAL SIGN means sign copy displayed using electronic screens, televisions, computer video monitors, liquid crystal displays, light-emitting diode displays, or any other similar electronic technology. Electronic display signs are also commonly called electronic signs.

ELECTION or POLITICAL POSTER SIGN means a temporary sign announcing or supporting candidates or issues in any election or plebiscite.

FASCIA SIGN means a sign placed flat and parallel to the face of the building so that no part projects more than one foot from the building.

FREESTANDING SIGN means a sign on a standard or column permanently attached to the ground, and which is not connected in any way to any building or other structure.

ILLUMINATION means the lighting or exposure of a sign, while **luminosity** means the measurement of the brightness.

MARQUEE OR CANOPY means a projection outward from the face of a building, primarily designed to provide protection from climatic elements.

MARQUEE OR CANOPY SIGN means a sign attached to a marquee or canopy.

MERCHANDISING AIDS means devices used for the display of merchandise and related advertising material.

MULTI-TENANT SIGN means any freestanding sign that contains sign content that advertises more than one tenant and/or business on a property or in a building.

MURAL SIGN means any picture, scene, painting, graphic or diagram displayed on the exterior wall of a building for the primary purpose of decoration or artistic expression and not created to solely display a commercial message or depiction.

OFF-PREMISES SIGN means any type of sign that may contain sign content that advertises or otherwise identifies a service, product or activity conducted, sold, or offered at a location other than the premises on which the sign is located.

OVERHANGING means that part of a sign which projects over any part of any street, lane or other municipally owned property or right-of-way.

POINT-OF-SALE ADVERTISING means advertising which is related to the name of the occupier or firm, the nature of the business conducted and/or the goods produced, and/or the main products and services sold or obtainable at the premises on which the advertising is displayed.

PORTABLE SIGN means a sign that is not permanently affixed to a building, structure, or the ground and may be affixed to a wheeled frame or trailer. This use does not include A-Board signs as defined in this Bylaw.

PROJECTING SIGN means a sign which is attached to a building or structure, other than a canopy sign or fascia sign, so that part of the sign projects more than 0.3 m (1 ft) from the face of the building or structure. This type of sign includes shingle or hanging signs.

ROOF means the top enclosure, above or within the vertical walls of a building.

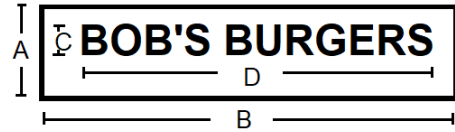
ROOF SIGN means any sign erected upon, against, or directly above a roof or on top of or above the parapet of a building but does not include a temporary inflatable sign used for special functions.

SKY SIGN means a roof sign comprising individual letters or symbols on an open framework.

SIGN AREA means the total surface area within the outer periphery of the said sign and, in the case of a sign comprised of individual letters or symbols, shall be calculated as the area of a rectangle enclosing the letters or symbols. Frames and structural members not bearing advertising matter shall not be included in computation of surface areas. See figure below.

SIGN CONTENT means the wording/lettering, message, graphics, or content displayed on a sign.

SIGN CONTENT AREA means the entire area within a single straight line geometric figure or a combination of squares or rectangles that will enclose the extreme limits of the advertising message or announcement including decorations related to the specific nature of the advertising message or announcement.

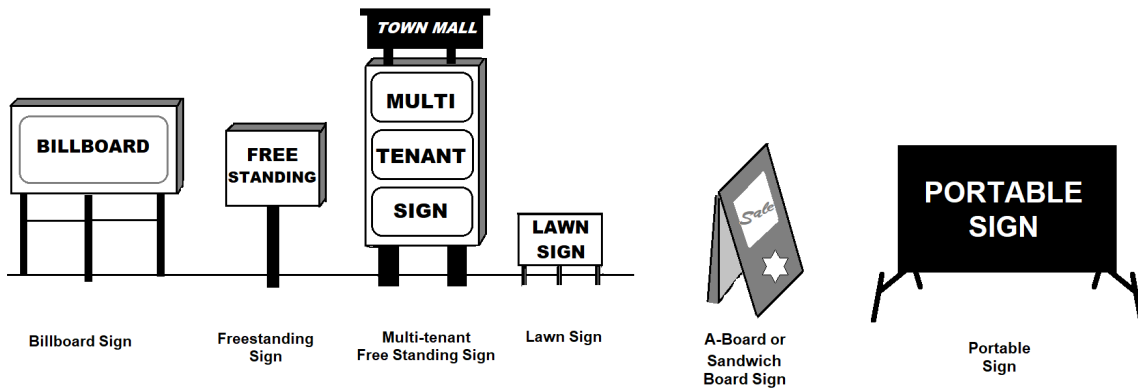


Sign area = length of A x length of B
 Sign content area = length of C x length of D

SIGN HEIGHT means the vertical distance measured from the highest point of the sign or sign structure to the finished grade.

WINDOW SIGN means a sign painted on, attached to or installed on a window intended to be viewed from outside the premises.

SIGN TYPES



SECTION 2 SIGNS NOT REQUIRING A PERMIT

2.1 The following types of signs exempt from the requirement of a development permit provided the provisions of the Bylaw are met:

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- (a) Signs posted or exhibited inside the interior a building.
 - (b) Signs posted or exhibited in or on an operating motor vehicle if the vehicle is not temporarily or permanently parked solely for the purpose of displaying the sign.
 - (c) A statutory or official notice of a function of the Town of Bow Island.
 - (d) Traffic and directional signs authorized by the Town of Bow Island and/or Alberta Provincial Authorities.
 - (e) A sign or signs posted or exhibited solely for the identification of an approved Home Occupation.
 - (f) The erection of a maximum of two on-site signs relating to the sale, lease or rental of the buildings, or land to which they are attached provided that:
 - (i) such signs for any single-unit dwelling or single-unit dwelling site does not exceed 0.46 m² (5 sq ft) in area; and
 - (ii) such signs for a multiple dwelling site, a commercial site, or an industrial site does not exceed 0.8 m (9.0 sq ft); and
 - (iii) such signs shall not be illuminated.
 - (g) Campaigns for federal, provincial, municipal or school board elections for no more than thirty (30) days, or such other time as regulated under provincial or federal legislation provided that:
 - (i) such signs are removed within fourteen (14) days after the election date;
 - (ii) the consent of the property owner or occupant is obtained;
 - (iii) such signs do not obstruct or impair vision or traffic;
 - (iv) such signs are not attached to trees or utility poles;
 - (v) such signs indicate the name and address of the sponsor and the person responsible for removal.
 - (h) Signs on land or buildings used for religious, educational, cultural, recreational, medical or similar public or quasi-public purposes, provided that:
 - (i) such signs shall not exceed 1.10 m (12.0 ft) in area; and
 - (ii) there shall be a limit of one sign for each side of the land or buildings on a different street.
 - (i) Signs of building contractors relating to construction work in progress on the land on which such signs are erected, provided that:
 - (i) such signs do not exceed 3.0 m² (32 sq ft) in area; and
 - (ii) there shall be a limit of one sign for each boundary of the property under construction which fronts onto a public street; and
 - (iii) such signs shall be removed within fourteen (14) days of occupancy.

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- (j) Signs that advertise community service clubs.
 - (k) Signs or notices of identification in respect of the land or building on which they are displayed, including signs displayed on door plates, door bars or kick plates, and professional business and trade name plates related to the occupants of the land or buildings on which they are displayed, provided that:
 - (i) each notice or name plate shall not exceed 0.18 m² (2 sq ft) in area;
 - (ii) there shall be a limit of one notice for each occupant of each firm or company represented within the building, at one entrance on each different street;
 - (l) Any permanent window sign painted on, attached to or installed on a window provided that no more than 60 percent (60%) of the subject window area is covered.
 - (m) Temporary signs referring to sales which are displayed upon the premises upon or within which such sales will be or are being conducted, provided that:
 - (i) the signs shall not be illuminated and shall be constructed of paper, canvas, cardboard, or other light materials or painted on glass and intended to be displayed for a short period of time only;
 - (ii) such signs shall not be erected more than 7 days before the commencement of the sale to which they refer and shall be removed within 7 days of the completion of the said sale;
 - (n) Signs on merchandising aids are exempted, provided that:
 - (i) any device shall be placed wholly within the property lines;
 - (ii) the overall height of any sign shall not be greater than 1.8 m (6 ft) above ground level;
 - (iii) the maximum area of any sign shall not exceed 1.1 m² (12 sq ft).
 - (o) Movable signs temporarily placed on a property that are an A-Board or Sandwich Board type or Balloon Signs.

SECTION 3 DETAILS OF APPLICATIONS FOR SIGNS

3.1 Applications for a development permit for a sign shall include the following:

- (a) the official application form be filled-out and signed;
- (b) the application supported by two sets of drawings drawn to scale and dimensioned. Where a building is involved, the scale shall not be smaller than 1:100. In the case of a plot plan, the scale shall not be smaller than 1:300;
- (c) the sign drawings shall include:
 - (i) the location of the sign by elevation drawing or plot plan;
 - (ii) the overall dimensions of the sign;
 - (iii) the proposed text and size of the letters or letter;
 - (iv) the amount of projection from the face of the building;

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- (v) the amount of projection over Town property (if any);
 - (vi) the height of the sign above the Town street or sidewalk, or the height above the average ground level at the face of the building;
 - (vii) the manner of illuminating the sign and any form of animated or intermittent lights that may be embodied in the construction;
 - (viii) the distance that the sign will be erected from the property line and a street intersection if to be sited within 30 m (100 ft) of an intersection.

- 3.2 No person shall erect or place a sign differing from or enlarging the work for which a development permit has been issued. If during the progress of the sign installation, the applicant desires to deviate in any way from the terms of the original approved development permit, the applicant shall notify the Development Officer and submit amended drawings, and if necessary, shall make application to the Development Officer for approval of the plans as amended.
- 3.3 A development permit shall not be required to clean, repair or repaint any sign.

SECTION 4 GENERAL PROVISIONS

- 4.1 No sign shall be erected which would be in view of the public from public or private property except where a permit has been granted, or where a permit for such a sign is not required pursuant to this Bylaw.
- 4.2 The Development Officer may require by written notice the removal of any sign which in his opinion is, or has become unsightly, or is in such disrepair as to constitute a hazard.
- 4.3 Quality, aesthetic character and finishing of sign construction shall be to the satisfaction of the Development Officer.
- 4.4 Where, in the opinion of the Development Officer, a proposed sign in a commercial or light industrial district might be objectionable to a resident in an adjacent residential district, the Development Officer may impose such other regulations as they feel would protect the interests of residents.
- 4.5 Flashing, animated or interiorly illuminated signs shall not be permitted in developments where in the opinion of the Development Officer they might:
 - (a) affect residents in adjacent housing, or residential districts, or
 - (b) interfere with the interpretation of traffic signs or traffic signal lights or obstruct the vision of a motor vehicle driver.
- 4.6 The area around sign structures shall be kept clean and free of overgrown vegetation, and free from refuse material.
- 4.7 The Development Officer may require an engineer-approved plan prior to the issuance of a sign permit in order to ensure the safety of a sign with respect to design and/or placement.

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- 4.8 With the exception of the special provisions relating to Billboards, all signs shall contain “point-of-sale advertising” only. All other off-premises signage applications shall be referred to the Municipal Planning Commission.
- 4.9 No sign shall be permitted which is attached to a fence, pole, tree or any object in a public street or place.
- 4.10 No sign shall be permitted which is attached to or standing on the ground in any municipal street or property unless it is a Town sign for municipal purposes.
- 4.11 No signs shall be erected so as to obstruct free and clear vision of vehicular traffic or at any location where it may interfere with, or be confused with, any authorized traffic sign, signal or device.
- 4.12 On parcels adjacent to Highway 3, the applicant is responsible for obtaining any required approval or roadside development permit from Alberta Transportation.
- 4.13 When a sign cannot be clearly categorized as one of the sign types as defined in this Bylaw, the application shall be referred to the Municipal Planning Commission who shall determine the sign type and any and all applicable controls.
- 4.14 The Development Authority shall determine the appropriate standards to apply to signage in the Institutional (I) land use district having regard for the various sign type standards outlined in this Part.
- 4.15 Unless otherwise specified in this Bylaw, the maximum number of primary signs permitted on a lot with single frontage is three and with two or more frontages, four. These primary signs may consist of the following types of signs or a combination thereof:
- (a) awning/canopy (see Section 5);
 - (b) fascia or wall (see Section 6);
 - (c) freestanding (see Section 7);
 - (d) projecting and overhanging (see Section 10);
 - (e) roof (see Section 1).

SECTION 5 AWNING, CANOPY AND MARQUEE SIGNS

- 5.1 Awning, canopy and marquee signs shall be considered as fascia signs according to the provisions of Section 6, provided that:
- (a) They shall be attached to the front edge of the awning, canopy or marquee;
 - (b) There are no supporting wires or stays visible from the street; and
 - (c) No portion of the sign shall project below the bottom edge, or more than 46.0 cm (18.0 in) above the top edge, of the awning, canopy, or marquee; and

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- (d) A sign not exceeding 0.30 m (1.0 ft) by 1.2 m (4.0 ft) in outside dimensions may be suspended below an awning, canopy or marquee provided no part of the sign shall be closer than 2.4 m (8.0 ft) to the ground or sidewalk.

SECTION 6 FASCIA AND FASCIA ROOF SIGNS

- 6.1 Fascia signs shall only be permitted in the districts defined as C1, C2, HT, M1, M2 and M3 on the Land Use District Map. All fascia signs shall correspond to the following:
 - (a) Fascia signs shall not project more than 4.6 cm (18.0 in) above the top of the vertical face of the wall to which they are attached; and
 - (b) Fascia signs shall not exceed in area 25% of the superficial area of the wall comprising the business frontage.
 - (c) Fascia signs proposed on a flank or gable wall which is not a business frontage, as defined, shall be considered by the Development Authority according to the merits of the individual application.
- 6.2 On commercial and industrial buildings which are non-conforming uses in areas designated residential, fascia signs shall be considered by the Development Authority according to the merits of the individual application.
- 6.3 Roof signs shall be considered as fascia signs according to the provisions of this Section, where the following conditions are met:
 - (a) The sign shall be attached to the front edge of the roof and must be mounted securely;
 - (b) There are no supporting wires or stays visible from the street; and
 - (c) No portion of a sign shall project more than 46.0 cm (18.0 in) above the roof.
 - (d) For roof signs that exceed these standards, refer to Section 11, Roof and Sky Signs.

SECTION 7 FREESTANDING SIGNS AND BILLBOARDS

- 7.1 Within the C1, C2, HT, M1, M2 and M3 Land Use Districts, one **freestanding sign** may be allowed per site as follows:
 - (a) The height of any freestanding sign shall not exceed 9.0 m (30.0 ft) from grade.
 - (b) The freestanding sign shall not project to within 0.6 m (2.0 ft) of a property line, or within 2.0 m (6.5 ft) of overhead utility lines.
 - (c) There shall not be more than one freestanding sign for each business frontage.
 - (d) Where multiple businesses are on a single parcel, within a building, or within a strip-mall or multi-bay building, a multi-tenant freestanding sign may be installed in accordance with the above standards.
- 7.2 **Billboards** shall be at the discretion of the Development Authority and shall be subject to the following conditions:

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- (a) The structure shall not exceed 3.6 m (12.0 ft) in height and 9.7 m (32.0 ft) in length.
 - (b) Any additional bracing shall be contained within the front and rear faces of the billboard.
 - (c) A billboard shall not project to within 0.6 m (2.0 ft) of a property line or be placed on any right-of-way.
 - (d) No billboard shall be erected within 152.0 m (500.0 ft) from any other billboard(s).
 - (e) Only indirect lighting shall be used which excludes flashing or animated lighting.
 - (f) Permits for billboards shall be temporary and shall be renewed each year, prior to the 31st day of January, accompanied by a fee to be set by Council for each renewal permit.
 - (g) A renewal permit shall not be issued for signs which have not, in the opinion of the Development Officer, been maintained in a satisfactory manner.
 - (h) Signs, for which renewal permits are refused or a development permit has not been applied for, shall be removed. The owner shall be issued a Stop Order and enforcement action taken if the sign is not removed within the period specified of the order.

SECTION 8 MURAL SIGNS

- 8.1 All mural signs require a development permit approved by the Municipal Planning Commission except those signs exempted in Section 2.
- 8.2 No more than one mural sign shall be allowed per building unless specifically authorized by the Municipal Planning Commission.
- 8.3 The location, theme, construction materials and size associated with the mural shall be to the satisfaction of the Municipal Planning Commission.
- 8.4 The mural must be a painting or other decorative work (artistic rendering/scene) and no mural shall be created to solely display a commercial message or depiction.
- 8.5 The Municipal Planning Commission may require that the mural content be reflective of the Town's history, heritage, economy, or local event.
- 8.6 Display of text, including a business name or commercial message, within a mural shall not exceed 10 percent (10%) coverage of the wall surface area, up to a maximum coverage size of 9.3 m² (100 sq ft).

SECTION 9 PORTABLE SIGNS

- 9.1 A sign development permit will be required prior to placement of all portable signs.
- 9.2 Within the C1, C2, HT, M1, M2 and M3 Land Use Districts, one portable sign may be allowed on each side of a parcel fronting a street.

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- 9.3 The maximum size of a portable sign is not to exceed 1.2 x 2.4 m (4 x 8 ft) in size.
 - 9.4 Permits for portable signs shall be issued as a temporary development not to exceed 12 months unless the Municipal Planning Commission sees merit in granting a permit for a longer period or as a permanent sign development.
 - 9.5 All placements of portable signs within the provincial referral distance of Highway 3 must obtain a roadside development permit approval from Alberta Transportation.

SECTION 10 PROJECTING SIGNS

- 10.1 Projecting signs shall only be permitted in the districts defined as C1, C2, HT, M1, M2 and M3 on the Land Use District Map. All projecting signs shall be erected so that:
 - (a) no part of the sign, excluding that portion which is used for support and which is free of advertising, shall be less than 3.0 m (10.0 ft) above the ground or sidewalk grade;
 - (b) no part of the sign shall project more than 46.0 cm (18.0 in) above the top of the vertical face of the wall to which it is attached;
 - (c) the space between the sign and supporting structure shall not be more than 0.6 m (2.0 ft);
 - (d) there shall be only one projecting sign for each business frontage, provided that, if a business frontage exceeds 15.0 m (50.0 ft), a further projecting sign shall be permitted for each additional 15.0 m (50.0 ft) or portion thereof;
 - (e) the permitted sign area and amount of projection from the face of the building, as follows:
 - (i) a maximum 1.5 m (5 ft) projection with a maximum area of 4.4 m² (48 sq ft);
 - (ii) the maximum projection over public property is 1.2 m (4 ft); and
 - (iii) the sign may be no closer than 0.6 m (2 ft) to the edge of the municipal curb or roadway.
 - (f) Support for the sign shall not be provided by an “A” frame.
- 10.2 Approval of any projecting sign under the provisions of this bylaw is conditional upon the owners and occupiers of the premises upon which said sign is located providing to the Town of Bow Island a written waiver of liability or an indemnification agreement for any injury or damage resulting from said sign.
- 10.3 Business owners whose projecting sign encroaches on public property are required to advise their liability insurance provider of the sign.
- 10.4 A sign projecting over Town of Bow Island property will not require the permission of the Town Council if approved by the Municipal Planning Commission or Development Officer.

SECTION 11 ROOF AND SKY SIGNS

- 11.1 Illuminated roof and sky signs may only be permitted in commercial zones. They shall be considered by the Approving Authority according to the merits of each individual application, provided that:
- (a) The Development Authority shall be satisfied that the purpose of the sign cannot be achieved by another type of sign.
 - (b) No part of the sign, excluding that portion which is used for support and which is free of advertising, shall be less than 1.2 m (4.0 ft) or more than 4.5 m (15.0 ft) above the level of the roof.
 - (c) The sign must refer to the principal use of the building on which it is erected.
 - (d) No more than one roof sign may be permitted per building.
 - (e) Roof signs may be illuminated.
 - (f) No part of a roof sign shall project horizontally beyond any exterior wall, parapet, or roofline of the building upon which it is located.
 - (g) Roof signs may display or communicate information on both sides of the sign.
 - (h) Roof sign area shall not exceed 9.29 m² (100 sq ft) in size.
 - (i) Roof signs shall not exceed the maximum building height defined by the Land Use District.
 - (j) All roof signs are required to be connected to the building structure and inspected by a building inspector.
 - (k) All supporting structures visible to the public shall be finished in a manner acceptable to the Development Authority.

SECTION 12 A-BOARD OR SANDWICH SIGN

- 12.1 Notwithstanding that no development permit is required in accordance with Section 2 of this Part, an A-Board sign is subject to the following:
- (a) A-Board signs shall only be allowed in the Commercial and Industrial districts.
 - (b) A-Board signs in Commercial districts shall not exceed 0.6 m (2.0 ft.) in width and 1.0 m (3.28 ft.) in height.
 - (c) A-Board signs shall not impede the safe movement of pedestrian and vehicular traffic.
 - (d) A-Board signs shall not be erected for a period exceeding 12 hours per day.

SECTION 13 BALLOON SIGNS

- 13.1 Notwithstanding that no development permit is required in accordance with Section 2 of this Part, a balloon sign shall:

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- (a) not be permitted in any residential land use district;
 - (b) be securely anchored or fastened to wind resistant ground structures or building fasteners;
 - (c) not be located within the public right-of-way, and not hinder or obstruct pedestrian or vehicle traffic;
 - (d) only be erected for a temporary period not to exceed 90 continuous days in a six-month calendar period; and
 - (e) not be located in proximity to the municipal airport where sightlines or flight paths may be hindered or impeded.

SECTION 14 HOME OCCUPATION SIGNS

- 14.1 Signage for Home Occupations shall only be allowed in conjunction with an approved Home Occupation use in accordance with Part 6, and subject to the following:
- (a) Home Occupation signs are permitted in residential areas for the identification of the business of the home occupation.
 - (b) Only one sign is permitted, and the size of the sign shall be limited to 0.56 m² (6 sq ft) and it may be placed in a window or attached to the exterior of the residence on the street side of the residence.
 - (c) No form of commercial advertising related to the Home Occupation shall be displayed on the outside of the building except an unlighted sign to identify the use conducted on the site.
 - (d) Applications for Home Occupation signs will not be considered unless the operator of the home occupation is in possession of a valid Town of Bow Island business license.

SECTION 15 ELECTRONIC OR DIGITAL DISPLAY SIGNS

- 15.1 No more than one Electronic or Digital Display sign may be permitted on a single parcel.
- 15.2 Any sign containing Electronic or Digital Display shall be prohibited from a residential land use district. An exemption to this may be considered by the Development Authority if the signage is for a community group or organization, school, or the municipality and complies with all other sign regulations.
- 15.3 Electronic or Digital Display content on fascia signs shall only be allowed in compliance with this Bylaw.
- 15.4 The sign area of a sign with Electronic or Digital Display shall not exceed 10% of the size of the total building façade on which the sign will be installed, to a maximum of 4.6 m² (50 sq ft).

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- 15.5 Signs with Electronic or Digital Display must not be on a building façade that directly faces a residential land use district.
 - 15.6 Signs with Electronic or Digital Display may only include on-premises advertising and/or off-premises advertising for businesses, charitable organizations or service clubs licensed to operate in the Town of Bow Island or are members of the Chamber of Commerce.
 - 15.7 Electronic or Digital Display content must remain in place unchanged for a minimum of 10.0 seconds before switching to new content.
 - 15.8 The maximum transition time between each different Electronic or Digital Display on a sign is 0.25 seconds.
 - 15.9 Electronic or Digital Display content must not include full motion video, movies, Moving Picture Experts Group (MPEG) or any other non-static digital format and the content must not be displayed using any visible effects, including but not limited to: action, motion, fading in or out, dissolving, blinking, intermittent or flashing light, or the illusion of such effects.
 - 15.10 A sign featuring Electronic or Digital Display must be equipped with a functioning ambient light sensor and must be set to operate so as not to exceed the following limits at all times when the Electronic or Digital Display feature is functioning, as measured from the sign face at its maximum brightness:
 - (a) A maximum of 7,500 nits from sunrise to sunset, based on the times established by the sunrise/sunset calculator of the National Research Council of Canada.
 - (b) A maximum of 500 nits from sunset to sunrise, based on the times established by the sunrise/sunset calculator of the National Research Council of Canada.
 - (c) The light levels around the Electronic Display must not at any time exceed the ambient light level by more than 5.0 LUX.
 - 15.11 If a Development Authority determines that the brightness or light level of an Electronic or Digital Display exceeds the limits set out in this Section, the Development Authority may direct the Development Permit holder to change the settings in order to bring the Electronic Display into compliance with this Bylaw.
 - 15.12 If any component of an Electronic or Digital Display fails or malfunctions such that the Electronic Display is no longer operating in compliance with this Bylaw or with the conditions of a Development Permit, the Development Permit holder must ensure that the Electronic or Digital Display is turned off until all components are fixed and operating in compliance.
 - 15.13 The Development Permit holder for a sign featuring an Electronic or Digital Display must ensure that a Development Authority is at all times in possession of the name and telephone contact information of a person(s) having access to the technology controls for the sign, who can be contacted 24 hours a day if the sign malfunctions.

-
- 15.14 Any sign that is illuminated, animated, or a digital and electronic message board (changeable copy) located within 300 metres (1,000 ft.) of a provincial highway right-of-way or within 800 metres (2,625 ft.) of the centreline of a highway and a public road intersection must be approved by Alberta Transportation.

SECTION 16 VARIANCES

Where there are exceptional circumstances or conditions applicable to a particular property to the extent that difficulties or inconsistencies with the general purposes of these regulations may result from their strict and literal interpretation, variances shall be considered by the Municipal Planning Commission according to the merits of the individual application.

SECTION 17 EXISTING SIGNS

These Sign Regulations shall not be applied to signs legally in existence at the date of the adoption of this Bylaw.



PART 8

AIRPORT RESTRICTIONS

PART 8

AIRPORT RESTRICTIONS

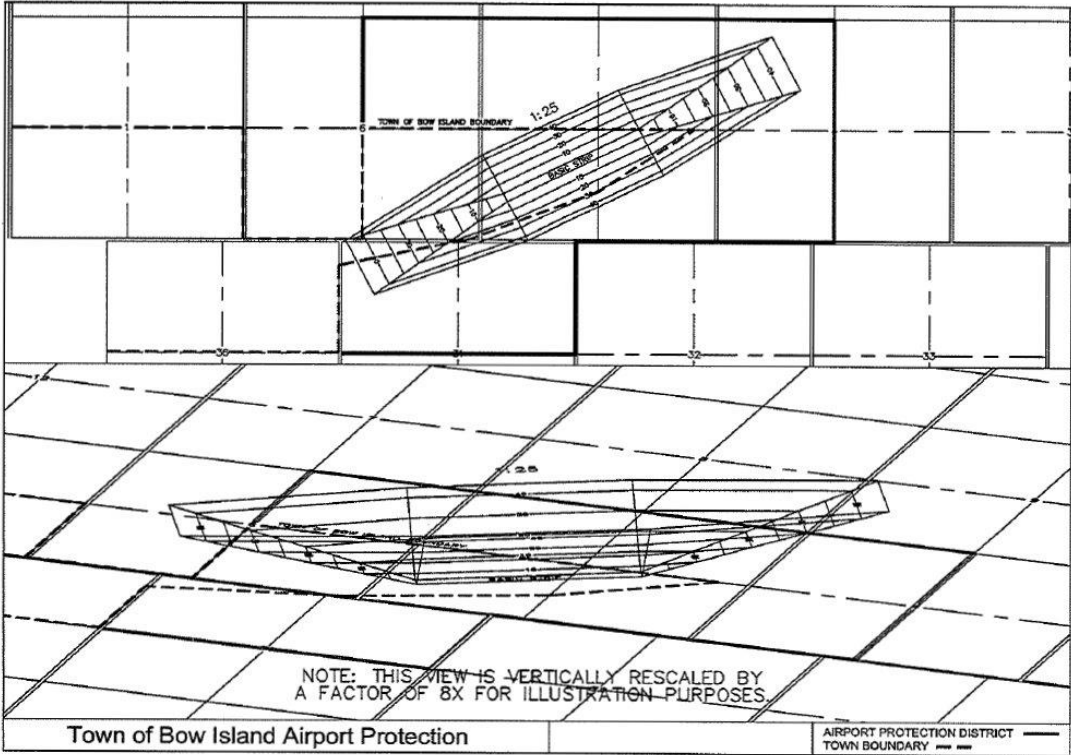
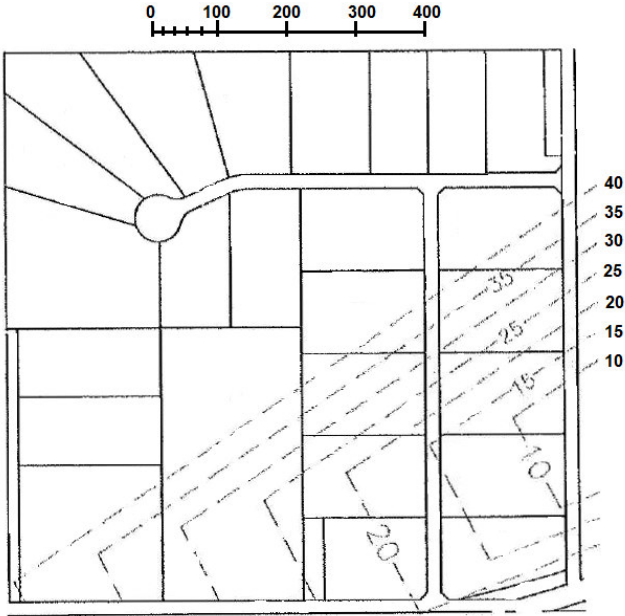
SECTION 1 AIRPORT PROTECTION

- 1.1 Development in proximity to the Bow Island Airport shall be considered with respect to the Airport Protection Area and Transport Canada Guidelines.
- 1.2 Development proposals in the vicinity of the Bow Island Airport shall be considered both in relation to potential hazards to air traffic and hazards by air traffic. Building heights shall be restricted if they are determined to interfere with the take-off/approach surface or transitional surface of the airport.
- 1.3 More specifically, Bow Island Airport shall be protected by:
 - (a) enforcing the Transport Canada guidelines which control the height of all developments on land situated in whole or in part within the take-off/approach surface or transitional surface (see attached diagram);
 - (b) ensuring that any development situated on airport lands or within the take-off/approach or transitional surfaces shall not cause excessive:
 - (i) smoke, dust, steam or
 - (ii) fire and explosive hazards, or
 - (iii) accumulation of any material or waste, edible or attractive to birds.
- 1.4 At the discretion of the Development Officer, any development application, whether for a permitted or discretionary use, to which the above provisions might apply may be referred to the MPC.
- 1.5 The above airport protection procedures shall apply to those Land Use Districts so affected and shall take precedence over all other regulations.
- 1.6 Development applications in the M-1 district may be referred to Transport Canada and Nav Canada. When required by Nav Canada or federal regulations, an applicant shall submit an application to the federal agency and comply with any building siting or height restrictions. If there is a conflict in an approval or condition between the Town’s issued development permit and a requirement or restriction issued by a federal department, the latter shall prevail.
- 1.7 The Development Authority may refuse to approve any use it determines may negatively impact the safe and efficient operation of the airport lands and airstrip. The Development

Authority may impose conditions on development permit approvals to ensure the airport operations and safety standards are not compromised.

1.8 In order to provide greater clarity, the diagram below shows the building height restrictions in metres for the lots in the industrial subdivision in the SE 6-11-10-W4.

Airport Protection Overlay - SE 6-11-10-W4
Approach Slope Height Restrictions





PART 9

TELECOMMUNICATION ANTENNA SITING PROTOCOL

PART 9

TELECOMMUNICATION, RADIOCOMMUNICATION AND BROADCAST ANTENNA SYSTEMS AND SUPPORTING STRUCTURES

SITING PROTOCOL

1. PURPOSE

This Part serves as the protocol for the installation and modification of telecommunication, radiocommunication and broadcasting antenna systems and supporting structures (antenna systems) in the Town of Bow Island. The protocol establishes the procedural standard for public participation and consultation that applies to proponents of antennas systems and identifies the Town 's preferred development and design standards.

2. APPLICABILITY

The federal Minister of *Innovation, Science and Economic Development Canada (ISED)* is the approval authority for the development and operation of antenna systems, pursuant to the *Radiocommunication Act*. Innovation, Science and Economic Development Canada (ISED) recognizes the importance of considering input from local Land Use Authorities and the public regarding the installation and modification of antenna systems and encourages Land Use Authorities to establish a local protocol to manage the process of identifying and conveying concerns, questions and preferences to the proponent of an antenna system and ISED.

The local protocol established in this Part applies to any proposal to install or modify a telecommunication, radiocommunication or broadcast antenna system and supporting structures within the Town of Bow Island which is not excluded from the consultation requirements established by ISED has determined that certain antenna structures are considered to have minimal impact on the local surroundings and do not require consultation with the local Land Use Authority or the public. ISED publication, *Radiocommunication and Broadcast Antenna Systems CPC-2-0-03* lists the types of antenna installations exempted from the requirement to consult with the local Land Use Authority and the public. The installations listed in CPC-2-0-03 are therefore excluded from the municipal Land Use Bylaw, Appendix A, Telecommunication, Radiocommunication and Broadcast Antenna Systems and Supporting Structures Siting Protocol, which currently include:

- (a) *New Antenna Systems*: where the height is less than 15 metres above ground level. This exclusion does not apply to antenna systems proposed by telecommunications carriers, broadcasting undertakings or third party tower owners;
- (b) *Existing Antenna Systems*: where modifications are made, antennas added or the tower replaced*, including to facilitate sharing, provided that the total cumulative height increase

is no greater than 25% of the height of the initial antenna system installation.** No increase in height may occur within one year of completion of the initial construction. This exclusion does not apply to antenna systems using purpose-built antenna supporting structures with a height of less than 15 metres above ground level operated by telecommunications carriers, broadcasting undertakings or third party tower owners;

- (c) *Non-Tower Structures*: antennas on buildings, water towers, lamp posts, etc. may be excluded from consultation provided that the height above ground of the non-tower structure, exclusive of appurtenances, is not increased by more than 25%; and
- (d) *Temporary Antenna Systems*: used for special events or emergency operations and must be removed within three months of the start of the emergency or special event.

No consultation is required prior to performing maintenance on an existing antenna system.

Proponents, who are not certain if their proposed structure is excluded, or whether consultation may still be prudent, are advised to contact the Town of Bow Island or ISED for guidance.

** The exclusion for the replacement of existing antenna systems applies to replacements that are similar to the original design and location.*

*** Initial antenna system installation refers to the system as it was first consulted on or installed.*

[Note: Height is measured from the lowest ground level at the base, including the foundation, to the tallest point of the antenna system. Depending on the particular installation, the tallest point may be an antenna, lightning rod, aviation obstruction lighting or some other appurtenance. Any attempt to artificially reduce the height (addition of soil, aggregate, etc.) will not be included in the calculation or measurement of the height of the antenna system.]

3. MUNICIPAL REVIEW AND ISSUANCE OF CONCURRENCE OR NON-CONCURRENCE

- (1) The Town's Development Authority (MPC) shall be responsible for reviewing and issuing municipal concurrence or non-concurrence for all antenna system proposals within the municipality which are not excluded under previous Section 2 of this Part.
- (2) Concurrence with a proposal will be measured against the requirements of the applicable land use district within which the antenna system is proposed, the development and design standards in Section 5 of this Part, applicable policies of the Town of Bow Island Municipal Development Plan, and consideration of comment received during the public consultation process (Section 7 of this Part) and any other matter deemed relevant by the Development Authority:
 - (a) when a proposal is given a concurrence decision, the proponent will receive a letter of concurrence from the Development Authority documenting its decision and any conditions;
 - (b) when a proposal is given a non-concurrence decision, the proponent will receive a letter of non-concurrence from the Development Authority describing the reasons for the decision.
- (3) Municipal concurrence does not constitute approval of uses, buildings and structures which require issuance of a development permit under the land use bylaw. A proposal which includes uses, buildings or structures in addition to the antenna system, is required to obtain development

permit approval for such uses, buildings and structures in accordance with the provisions of the land use bylaw.

4. MUNICIPAL REVIEW PROCESSING PERIOD

- (1) Except as provided in subsection 4(2), the Development Authority will issue a decision of either **concurrence** or **non-concurrence** within 60 days of receiving a complete application package.
- (2) The 60-day processing time period may be extended by the proponent or the Town through mutual consent in writing.

5. DEVELOPMENT AND DESIGN STANDARDS

Co-utilization of existing antenna systems is the preferred option within the Town of Bow Island. However, if co-utilization is not possible, the Town of Bow Island requests that the following development and design standards be adhered to:

Public Roadway Setbacks

An antenna system (including any support structures) proposed should be placed no closer than 30.0 metres (98.5 ft.) of the right-of-way of any developed or undeveloped municipal public roadway. A lesser setback may be considered at the discretion of the Development Authority on a site-specific basis.

Lighting and Signage

- (a) Proponents for antenna structures which are visible from higher density residential areas may be requested to employ innovative design measures to mitigate the visual impact of these structures. The proponent shall provide stealth structure options when requested by the Municipality. Stealth structure options will be based on an evaluation of the massing, form, colour, material, and other decorative elements, that will blend the appearance of the facility into and with the surrounding lands.
- (b) The placement of signage on antenna systems is not permitted, except where required by applicable federal agencies.

6. APPLICATION SUBMITTAL REQUIREMENTS

- (1) Proponents are encouraged to contact the Town of Bow Island in advance of making their submission to obtain information about the municipality's Antenna Systems Siting Protocol and identify any preliminary issues or concerns.
- (2) The following application package shall be submitted to the Town of Bow Island for consideration of a proposed antenna system:
 - (a) a completed Telecommunication Antenna Siting Protocol application, including site plan;
 - (b) the prescribed fee, as set in the Town of Bow Island Appendix or Development Permit Fees;
 - (c) a description of the type and height of the proposed antenna system and any supporting structures;

-
- (d) the proposed lighting and aeronautical identification markings for the antenna and any supporting structures;
 - (e) documentation regarding potential co-utilization of existing towers within 1000 metres (0.6 miles) of the subject proposal; and
 - (f) any other additional information or material the Development Authority determines to be necessary and appropriate to properly evaluate the proposed submission.
- (3) Proposals for freestanding telecommunication antennas shall not be required to obtain a development permit unless buildings or structures are also proposed in addition to the antenna system and supporting structures. For such proposals, the following shall be submitted in addition to the requirements of 6(2):
- (a) a completed development permit application;
 - (b) the prescribed fee, as set in the Town of Bow Island Schedule of Development Fees.

7. NOTIFICATION AND PUBLIC CONSULTATION PROCESS

- (1) Upon receipt of an application package, the Development Officer shall review the application for completeness and, if deemed complete, will:
- (a) schedule a date for a development public meeting to be held by the Municipal Planning Commission, at which the proposal will be reviewed, and comment received regarding the proposal;
 - (b) notify the proponent and/or representative of the antenna system of the development public meeting date;
 - (c) may be required to post a notice of the development meeting in a local newspaper circulating within the municipality or Town of Bow Island's social media sites in accordance with Section 28 of the land use bylaw, if deemed necessary; and
 - (d) notify by mail persons likely to be affected by the proposal of the development hearing date in accordance with Section 28 of the land use bylaw, including:
 - (i) landowners within 300 m (984 ft) of the proposed antenna system;
 - (ii) any review agencies deemed affected, as determined by the Development Authority;
 - (iii) any other persons deemed affected, as determined by the Development Authority.
 - (iv) The notifications must be sent 12 days prior to the public meeting date.
- (2) The proponent or a representative of the antenna system(s) proposal should attend the development hearing and be prepared to explain all aspects of the proposal including the siting, technology, and appearance of the proposed antenna system.



APPENDIX A

FEES

Appendix A

FEES FOR PERMITS, APPEALS AND AMENDMENTS TO BYLAW

1. The fees and charges payable for municipal services and permits related to this Bylaw are provided in the Town of Bow Island Municipal *Rates and Fees Bylaw*. Contact the Town Office for the most current listing or go to: www.bowisland.com
2. In any case, where the required fee is not listed in the fee Part, such fee shall be determined by the Designated Officer and shall be consistent with those fees listed in the Part for similar developments.
3. Where, pursuant to the provisions of this Bylaw, the application will require additional or special notification to affected parties or adjoining property owners, the applicant shall pay a fee in addition to that specified in the fee Part.
4. Where, in the opinion of the Designated Officer, the application is substantially revised, the applicant, prior to reconsideration of the application, shall pay, in addition to the fee specified, a fee equal to 50 percent (50%) of the initial application fee, except that such additional fee shall not be required in instances where improvements are suggested by the Development Officer, resulting in substantial revisions.
5. Where an application is made to Council for an amendment to this Bylaw:
 - (a) it shall be accompanied by an application fee for each application as specified in the fee Part,
 - (b) the cost of advertising for the public hearing on the matter shall be borne by the applicant, and
 - (c) the Council may determine that the whole or any part of the application fee be returned to the applicant.
6. Where an appeal is made to the Subdivision and Development Appeal Board of a decision made by the Development Officer or the Municipal Planning Commission, the appellant shall pay an appeal fee specified in the fee Part.



APPENDIX B

FORMS



TELECOMMUNICATION SITING PROTOCOL APPLICATION & CHECKLIST

For Office Use Only:	Date application received:	Date deemed complete:	Land Use District (zoning):	Development permit application also required (for other uses/structures):
Fee Paid:				<input type="checkbox"/> Yes <input type="checkbox"/> No Application No:

PART 1 – APPLICANT INFORMATION

Name of Applicant
(please print): _____

Phone (primary): _____

Mailing Address: _____

Phone (alternate): _____

Email: _____

Postal Code: _____

Check this box if you would like to receive documents through email.

As applicant, are you the owner of the property?

Yes

No



IF "NO" please complete box below

<p>Name of Owner: _____</p> <p>_____</p> <p>Mailing Address: _____</p> <p>_____</p> <p>_____</p> <p>Postal Code: _____</p>	<p>Phone (primary): _____</p> <p>Phone (alternate): _____</p> <p>Applicant's interest in the property:</p> <p><input type="checkbox"/> Project Agent /Land Agent</p> <p><input type="checkbox"/> Antenna proponent/developer</p> <p><input type="checkbox"/> Contractor</p> <p><input type="checkbox"/> Tenant</p> <p><input type="checkbox"/> Other _____</p>
---	---

PART 2 – PROPERTY INFORMATION

Municipal Address: _____

Legal Description:

All/Part _____ ¼ Section _____ Twp _____ Range _____ W4M

Lot(s) _____

Block _____

Plan _____

Lot size/area: _____

What is the existing use of the parcel property?



TELECOMMUNICATION SITING PROTOCOL APPLICATION & CHECKLIST

PART 3 – DETAILS OF THE PROPOSED DEVELOPMENT

What currently exists on the parcel? (i.e., buildings, structures, improvements) _____

What will the antenna / tower be used for? (cellular, 5G, one-way radio, etc.) _____

Are there any roads or approaches on the parcel? (THIS DOES NOT INCLUDE OIL/GAS FACILITY ACCESSES) _____

Are there any other antenna towers located within 1000 metres of the subject proposal? (If yes, describe what the tower is used for and who the operator is along with providing a map identifying the location.) _____

Is Co-utilization with existing antenna systems proposed? (If not, why?) _____

Describe the proposed finish/color and if lighting or any markings are proposed for the antenna. _____

TOWER HEIGHT SIZE

Overall tower height _____ m ft Commencement Date: _____

DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

APPLICANT

REGISTERED OWNER (if not the same as applicant)

Please note that all information that you provide will be treated as public information in the course of the municipality's consideration of the development application pursuant to the MGA RSA 2000 Chapter M-26 and the Land Use Bylaw. By providing this information, you are deemed to consent to its public release. Information you provide will only be used for purposes related to the evaluation and consideration of the development application. Questions about information can be directed to the FOIPPA Coordinator: Town of Bow Island 403-545-2522.

I, hereby consent to the public release and disclosure of all information contained within the application and supporting documentation as part of the approval process.

Applicant's Signature: _____

Date Signed: _____



TELECOMMUNICATION SITING PROTOCOL APPLICATION & CHECKLIST

TELECOMMUNICATION SITING PROTOCOL CHECKLIST

A COMPLETED TELECOMMUNICATION/ANTENNA APPLICATION REQUIRES:

1. A completed Telecommunication Siting Protocol application filled out, with the site plan attached.
2. Non-refundable application fee. (Note: unless otherwise stipulated and approved in a separate municipal fee bylaw, the application fee shall be \$1,200 per application.)
3. Signature of ALL landowners of the subject site property.
4. Any additional information requested by the Development Authority.
5. A letter and site location diagram to provide to area landowners within 300 m (984 ft) of the proposed antenna system explaining the project which the Town of Bow Island will distribute. This information shall also be provided to the Town of Bow Island in a digital PDF format for public posting on the Town's website or other public formats.
6. For any proposal which includes uses, buildings or structures in addition to the antenna system, is required to obtain a development permit approval for such uses, buildings and structures in accordance with the provisions of the land use bylaw. A separate development permit application must be filled out and submitted.

CHECKLIST INFORMATION:

- This Application is NOT for a Development Permit but is a Telecommunication Siting Protocol application to obtain consent to the project on the subject land through the issuance of a Letter of Concurrence by the municipality.
- Failure to complete the Application or supply the required information, plans or fees may cause delays in application processing.
- The Development Authority may refuse to accept your application if the required information has not been supplied or if the quality of the information is inadequate to properly evaluate the application.
- Once the information has been reviewed and any required public hearing held, the Town of Bow Island Development Authority shall discuss the application and will either:
 - Issue a municipal Letter of Concurrence (consent) to the applicant, or
 - Issue a Letter of Non-concurrence which outlines the municipality's concerns and/or conditions to the applicant and to Innovation, Science and Economic Development Canada (ISED).
- Safety Code permits may be required for construction of buildings/tower foundations, electrical installations and any associated plumbing, private sewage systems, and gas (as may be applicable to individual installations or accessory uses).



TOWN OF BOW ISLAND

APPLICATION FOR DEVELOPMENT PERMIT

APPENDIX B
FORM A
(Office use only)
LAND USE DISTRICT (Zoning):
DATE RECEIVED:
DATE DEEMED COMPLETE:
DEVELOPMENT APPLICATION NO.
APPLICATION/PROCESSING FEE \$

The application is made under the provisions of the Land Use Bylaw for a Development Permit in conjunction with the plans and supporting information submitted herewith and which form part of this application.

GENERAL APPLICANT INFORMATION

APPLICANT'S NAME:
MAILING ADDRESS:
PHONE NUMBER: EMAIL:
REGISTERED OWNER'S NAME (IF NOT THE APPLICANT):
ADDRESS: EMAIL:
APPLICANT'S INTEREST IF NOT THE REGISTERED OWNER:
LEGAL DESCRIPTION OF LAND: LOT(s) BLOCK PLAN
QUARTER SECTION TOWNSHIP RANGE
MUNICIPAL ADDRESS:

PREFERRED METHOD OF CORRESPONDENCE (FROM THE TOWN)

- Email: I wish to receive all official written documentation/notices for my application by email.
Letter Mail: I wish to receive all official written documentation for my application by letter mail (to the address provided above).
In-person Pickup: I wish to pickup all official written documentation for my application from the Town Office myself (applicant will be notified by phone when documents are available for pick-up).

SPECIFIC INFORMATION

IN ORDER TO PROPERLY EVALUATE AN APPLICATION, THE DEVELOPMENT OFFICER MUST BE PROVIDED WITH A COMPLETE AND CLEAR DESCRIPTION OF THE LAND; EVERYTHING WHICH IS PRESENTLY BUILT ON THE LAND, AND EVERYTHING WHICH IS TO BE BUILT ON THAT LAND.

1. TYPE of DEVELOPMENT (please check applicable box)

- Semi-detached Dwelling, e.g., site-built, prefabricated/modular
Accessory Building, e.g., garage, carport or large shed
Accessory Structure, e.g., deck, gazebo
Manufactured/mobile home Residential Dwelling
Semi-detached/ duplex Dwelling
Multi-unit Dwelling
Other Dwelling type
Moved-in Building
Waiver/Variance request
Commercial Building or use
Industrial Building or use
Change of Use
Other:
Secondary Suite
Institutional Development

* Home Occupations – use/refer to FORM B / Signs – use/refer to FORM C / Demolition – use/refer to FORM D



TOWN OF BOW ISLAND

2. Details of DEVELOPMENT SITE (Size/Area):

Describe the **lot/parcel dimensions** _____ and **lot area (m² or sq ft)/parcel acreage** _____
Indicate data on a scaled PLOT PLAN. (1" = 20' - 0-4 acres; 1" = 100' - 5-9 acres; etc.)

3. Details of EXISTING DEVELOPMENT:

Describe below the use and indicate clearly on a scaled SITE PLAN how many buildings/structures are presently located on the lot; noting the **use(s) / type(s), dimensions, floor area(s)** and which one(s) [if any] are to be removed, relocated and/or renovated. If the lot has no improvements and is presently vacant please describe as "vacant".

Indicate clearly on a scaled SITE PLAN the setbacks of all buildings from the front, rear, and side yard lot boundaries, as well as **distances** between all buildings/structures. *New dwellings, multi-unit residences, commercial/industrial developments, and institutional developments will require a professional plan, but unless otherwise stipulated, it is not necessary for accessory developments (garages, sheds, decks, gazebos, etc.) to have plans/drawings to be professionally prepared.*

4. Details of PROPOSED DEVELOPMENT:

Describe the development below and indicate clearly on the scaled SITE PLAN how many new buildings, additions and structures are to be constructed on the lot, noting the **use(s), type(s), dimension and floor area(s)** of each. Describe below any proposed outdoor storage areas, interior renovations, changes in use, or additions (if applicable).

Indicate clearly on the scaled SITE PLAN the **setbacks** of all new buildings additions or structures from front, rear and side yard lot boundaries, as well as **distances** between all existing and proposed developments. (SITE PLAN not needed for change of use development applications.)

5. For INDUSTRIAL USE provide details of the use or storage of any **hazardous materials** (e.g., chemicals, pesticides, fuels, fertilizers, flammable or combustible material, corrosive material):

N/A (CHECK BOX TO INDICATE N/A IF ITEM IS NOT APPLICABLE.)

6. Details of EXTERIOR BUILDING FINISH (for new or moved-in buildings):

Describe the **type(s)** _____ and **colour(s)** _____
of all **material** used to finish the existing and proposed structure exteriors.

Indicate same on SKETCHES of all new **structure elevations** (not necessarily scale drawings).

N/A (CHECK BOX TO INDICATE N/A IF ITEM IS NOT APPLICABLE.)

7. Details of LANDSCAPING (for new developments):

Describe generally the type of **new landscaping features** _____ **and fencing** proposed _____, and indicate **locations** _____
on a scaled SITE PLAN or LANDSCAPE PLAN.

N/A (CHECK BOX TO INDICATE N/A IF ITEM IS NOT APPLICABLE.)

8. Details of ACCESS:

Describe all existing and proposed **driveways and access locations** on-site: (the number of each and the dimensions)
Indicate locations of same on the scaled SITE PLAN or LANDSCAPE PLAN.

N/A (CHECK BOX TO INDICATE N/A IF ITEM IS NOT APPLICABLE, SUCH AS FOR ACCESSORY BUILDINGS, STRUCTURES & USES.)



TOWN OF BOW ISLAND

9. Details of PARKING (describe and provide number of on-site stalls available (existing) and proposed (new)):

[This is required for multi-unit residential, commercial/industrial & institutional developments.]

N/A (CHECK BOX TO INDICATE N/A IF ITEM IS NOT APPLICABLE, SUCH AS FOR ACCESSORY BUILDINGS, STRUCTURES & USES.)

10. Details of SITE SERVICES:

Indicate in each parenthesis as follows: A = available; R = required; N/A = not applicable.

water () sewer () septic field () internet ()
natural gas () electricity () telephone ()

N/A (CHECK BOX TO INDICATE N/A IF ITEM IS NOT APPLICABLE.)

Estimated Development Commencement date: _____

Estimated Development Completion date: _____

Additional information or clarification can be helpful in processing the application without delay. You may use the space below (and the back of this form if needed) or attach a separate sheet with such information.

ADDITIONAL INFORMATION: _____

11. ABANDONED GAS WELL INFORMATION:

Information related to abandoned gas well activity in the province is regulated by the AER and is authorized by various acts and regulations of the Province of Alberta. The AER Abandoned Well dataset represents the licence status, surface location, licensee of record, and other basic information for all abandoned wells across Alberta. Directive 079 requires the abandoned well to be located prior to development activities to ensure that a 5 metre setback from surface structures is maintained. The AER has an online AER Abandoned Well Map Viewer available to the public at: https://extmapviewer.aer.ca/AERAbandonedWells/Index.html. The Subdivision and Development Regulation requires developers/property owners applying for a subdivision or development permit to identify the location of abandoned wells and to appropriately address them in the proposed development.

By signing this form, I as the applicant, acknowledge I have read and understand the above statement and I have viewed the AER map and I certify that there are no abandoned gas wells on the land proposed for development. I further certify that, if I am not the registered owner, the registered owner of the land described above is aware of and knowledgeable of the above.

Initial: _____

12. AUTHORIZATION AND SIGNATURES

I have read and understand the terms noted below and hereby apply for permission to carry out the development described above and on the attached plans and specifications. I further certify that, if I am not the registered owner, the registered owner of the land described above is aware of, and in agreement with this application. By signing this form, I hereby authorize representatives of the Town of Bow Island to enter my land for the purpose of conducting a site inspection in connection with this application.

Signature of Applicant

Signature of Registered Owner (if not the applicant)

DATE



TOWN OF BOW ISLAND

TERMS:

1. Subject to the provisions of the Land Use Bylaw of the Town of Bow Island, the term "development" includes the undertaking of any change in the use of buildings or land.
2. Although the Designated Officer is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as official consent and is without prejudice to the decision in connection with the formal application. It must be clearly understood that any action taken by the applicant before a development permit is received and any development by the applicant within 21 days after a decision has been made on a Development Permit, is at one's own risk and is subject to fines.
3. Plans and drawings, in sufficient detail to enable adequate consideration of the application, must be submitted with this application, together with a plan sufficient to identify the land which may be in a digital format (such as PDF document). It is desirable that the plans and drawings should be on a scale appropriate to the development. However, only where stipulated is it necessary for plans and drawings to be professionally prepared.
4. **If a decision is not made within 40 days** from the date of the receipt of the application in its complete and final form, or within such longer period as the applicant may agree in writing, **the application may be deemed to be refused** and the applicant may exercise his right of appeal as a refusal at the end of the 40-day period.
5. Construction undertaken subsequent to approval of this development permit application is regulated by government legislation. The applicant/owner/developer assumes all responsibilities pertaining to construction plan submissions, approvals and inspections as may be required by the appropriate safety codes inspector for the Town of Bow Island.
6. The applicant attests they have submitted particulars concerning the completion of the proposed development and agree to comply in all respects with any conditions that may be attached to any development permit that is issued and with any other bylaws that are applicable. The applicant understands and is aware that they may be required to pay for all local improvement costs, which include drainage, road construction, sewer and water line extensions, utility connection fees and installation costs at the present established rate.

IMPORTANT: This personal information is being collected under the authority of the Town of Bow Island for development. This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the privacy provisions of the Freedom of Information and Protection of Privacy Act (FOIP). For more information contact the Town of Bow Island FOIP Coordinator at 403-545-2522.

DEVELOPMENT PERMIT APPLICATION CHECKLIST:

- Application Form Completed & Signed**
- Application Fee Paid**
- AER Abandoned Well Acknowledgment & Information**
- Site Plan Provided** (with parking spaces/stalls) - unless for a change in use, then not required
- Building Elevations Plans (if requested)
- Floor Plans of Building (if requested)
- Copy of Certificate of Title (if requested)
- Grading/Drainage or Storm Water Management Plan (if requested)
- Detailed Servicing Plan (if requested)
- Detailed Landscaping Plan (for commercial/industrial/institutional, or if requested)
- Sign Drawings with Dimensions (for SIGNS)
- OTHER Information as Requested by Development Officer



TOWN OF BOW ISLAND

APPLICATION FOR A HOME OCCUPATION

APPENDIX B FORM B <i>(Office use only)</i>	APPLICATION NO. _____ DATE RECEIVED: _____ DATE DEEMED COMPLETE: _____ Fees Submitted: _____ <input type="checkbox"/> Home Occupation 1 <input type="checkbox"/> Home Occupation 2 Land Use District: _____
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APPLICANT/ REGISTERED OWNER: _____ Home PHONE: _____

ADDRESS: _____ Cell PHONE: _____

EMAIL: _____

LEGAL DESCRIPTION: Lot(s) _____ Block _____ Plan _____

OR: Quarter _____ Section _____ Township _____ Range _____ W _____ M

DETAILS OF HOME-BASED DEVELOPMENT

Proposed Home Occupation Use Being Applied For (e.g., type of business): _____

Hours of Operation: _____ (am/pm) to _____ (am/pm)

Days of the Week: _____

Client/patron visits to residence: Yes No If Yes, indicate how many a day: _____

Will Noise be Generated: Yes No If Yes, please describe: _____

On-site (off-street) Parking Available: Yes No If Yes, indicate No. of spaces _____

Storage of Goods on Property: Yes No If Yes, indicate what is to be stored on a separate page (e.g., supplies, product, etc.).

Is there a Secondary Suite in the dwelling: Yes No

Odors or Noxious Effluents Produced: Yes No

Additional Commercial Vehicles Required: Yes No If Yes, indicate type: _____ (e.g. 1 ton)

Additional Staff Required: Yes No If Yes, provide the number of staff: _____

SIGNAGE: (Is home signage required?): Yes No

APPLICANT'S SUBMISSION: Please describe your business and state your reasons for applying for this home occupation and why it is suitable to operate out of a residence. (Attach a separate sheet if necessary.)

REGISTERED OWNER:

I certify that I am the registered owner(s) of the land described above.

DATE: _____

SIGNED: _____
Applicant(s)



TOWN OF BOW ISLAND

APPLICATION FOR A SIGN

APPENDIX B
FORM C
(Office Use Only)

APPLICATION NO.
DATE RECEIVED:
DATE DEEMED COMPLETE:
FEES Submitted \$

Type of Sign:

- Freestanding, Multi-tenant Freestanding, Canopy/awning, Fascia, Portable, Roof mounted, Projecting, Billboard, Fascia-Roof Mounted, Directional/information, Wall mural/painted, Other

APPLICANT:

ADDRESS: PHONE:

REGISTERED OWNER (If not the Applicant):

Legal Description of Land: Lot(s) Block Plan Quarter Section Township Range W4M

1. Sign dimensions:

Length: Width: Area of proposed sign:

Height from Grade/Ground to Bottom of Sign:

Height from Grade/Ground to Top of Sign:

Show the location(s) on the lot for the proposed sign(s) on a Site Plan (for non-building, such as free standing).

Show the location(s) on the building elevation plans for the proposed sign(s) (for fascia, canopy, projecting, window, etc.)

2. Will the sign be illuminated (lighted)? No Yes

NOTE: Flashing and Running signs are NOT ALLOWED

3. Will the sign include changeable copy, animation, or digital/video messages? No Yes

4. Are there any existing signs on the lot? No Yes

If yes, describe the type, size and height of each existing sign and identify their location(s) on a site plan.

Three horizontal lines for describing existing signs.

4. Please describe any other information that you think the Town needs to know regarding the approval of this sign.

Two horizontal lines for additional information.



TOWN OF BOW ISLAND

DECLARATION OF APPLICANT/LANDOWNER

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a sign. I consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

IMPORTANT: This personal information is being collected under the authority of the Town of Bow Island for development. This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the privacy provisions of the Freedom of Information and Protection of Privacy Act (FOIP). For more information contact the Town of Bow Island FOIP Coordinator at 403-545-2522.

Date: _____

Applicant Signature: _____

Registered Owner:

(Required, if different from applicant)

Print Name

Signature

Or

- Written approval has been submitted by the **registered owner** stating that the applicant is authorized to sign this application form.

Date written approval was submitted: _____

TERMS:

1. The applicant is responsible for obtaining approval and any required roadside development signage permits from Alberta Transportation within the stipulated provincial highway distances as outlined in the *Highways Development and Protection Act and Regulation*.



TOWN OF BOW ISLAND

DEMOLITION FORM

APPENDIX B
FORM D

(Office use only)

Application Received Date: _____

Application No.: _____

Date Deemed Complete: _____

Fees submitted \$: _____

Security Provided? No Yes

If Yes, amount of security: _____

APPLICANT INFORMATION

Name of Applicant: _____

Mailing Address: _____

Phone: _____

Phone (alternate): _____

Town/City: _____

Email: _____

Postal Code: _____

PROPERTY INFORMATION

Municipal Address of Development: _____

Legal Description: Lot(s) _____ Block _____ Plan _____

Land Use District: _____

What is the existing use? _____

DEMOLITION/REMOVAL INFORMATION

A development permit is required to demolish or remove a building or structure from a site. The demolition/removal permit process ensures that buildings are dismantled and removed in a safe manner and that the land will be left in a suitable state after removal. The following is not an exhaustive list and the Designated Officer may request additional information that is required to assess the application.

STRUCTURES TO BE REMOVED

Description of Building/Structure(s): _____

Removal to another site (no demolition) Demolition of building/ structure

Type of Work:
Building Size (if multiple buildings, describe below): _____ m² ft²

Height of Building: _____ m ft # of stories _____



TOWN OF BOW ISLAND

DEMOLITION PLAN

Timeframe: Expected start date: _____ Expected completion date: _____

Method of Demolition: Manual (no heavy equipment) Using heavy equipment Other – please explain _____

Dump Site Location: _____

****Note:** Construction debris should be dumped in an approved certified site whenever possible. If that is not possible, approval must be obtained from Alberta Environment. **

Name of Contractor responsible for removal/demolition: _____

DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the land and application for a Development Permit. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

By Signing this form, the applicant is acknowledging they are responsible for adhering to all municipal and provincial requirements and shall contact the Town of Bow Islands and utility agencies to disconnect all services and utilities prior to commencing any demolition work (refer to below).

APPLICANT

REGISTERED OWNER (if not the same as applicant)

Date: _____

IMPORTANT: This personal information is being collected under the authority of the Town of Bow Island for development. It is protected by the privacy provisions of the Freedom of Information and Protection of Privacy Act.

For more information contact the Town of Bow Island FOIP Coordinator at 403-545-2522.



TOWN OF BOW ISLAND

APPLICANT IS RESPONSIBLE FOR:

- Disconnection of all services** including (if applicable):

Signature from agency verifying services disconnected (or attach letter):

- Electrical power

- Natural gas

- Oil lines

- Telephone cables

- Communications cables (includes cable TV)

- Water lines

- Storm & sanitary sewer

- Private Septic) if applicable)

- On-site consultation with Public Works Director.** The applicant shall schedule a consultation with the Public Works Director a minimum of 48 hours prior to demolition or removal commencing to determine the state of affected public property.

- Final plan for property after building removed or demolished and reclamation complete.** As applicable:

- Copy of grading plans** if property will be vacant after removal or demolition.

- Complete development application for new development** where building is being replaced.

- A completed Development Application.** This form shall accompany a complete development application with the consent of the registered owner and any other required documentation.

- Application Fee and any applicable deposit or security required payable to the Town of Bow Island.**



TOWN OF BOW ISLAND

DEVELOPMENT PERMIT

APPENDIX B

PERMIT NO. _____

FORM E

(Office Use Only)

Development involving: _____

(as further described in Development Permit Application No.) on land legally described as

_____ has been APPROVED, subject to the following conditions:

You are hereby authorized to proceed with the development specified provided:

- (a) that any stated conditions are complied with;
(b) that development is in accordance with any approved plans and applications; and
(c) that a building permit is obtained if construction is involved, and all other applicable Safety Code permits (electrical, plumbing, HVAC, gas) are applied for and obtained.

Should an appeal be made against this decision to the Subdivision and Development Appeal Board, the development permit may be modified or cancelled thereby.

Date of Decision: _____

Date of Issue of Development Permit: _____

SIGNATURE – Designated Officer

NOTE:

- 1. The issuance of a development permit in accordance with the notice of decision is subject to the condition that it does not become effective until 21 days after the date of receipt of notification that an order, decision or development permit has been issued.
2. Any person claiming to be affected by a decision including the issuance of a development permit by the designated officer may appeal to the Subdivision and Development Appeal Board by serving written notice of appeal to the secretary of the Subdivision and Development Appeal Board in respect of the decision given within 14 days of the receipt of the notice of decision, including a statement of the reasons of appeal.
3. This permit is valid for a period of 12 months from the date of issue. If, at the expiry of this period, the development has not been commenced or carried out with reasonable diligence, this permit shall be null and void, unless an extension to this period has previously been granted in writing by the designated officer.
4. Notice of approval in no way removes the need to obtain any permit or approval required by any federal, provincial, or municipal legislation, order and/or regulations pertaining to the development approved.



TOWN OF BOW ISLAND

NOTICE OF REFUSAL

APPENDIX B

APPLICATION NO. _____

FORM F

(Office Use Only)

You are hereby notified that your application for a Development Permit (Application No. _____) with regard to the following:

[insert description]

on land legally described as _____

has been **REFUSED** for the following reasons:

You are further notified that you may appeal this decision to the Subdivision and Development Appeal Board in accordance with the provisions of Section 41 of this bylaw. Such an appeal shall be made in writing and shall be delivered either personally or by mail so as to reach the Secretary of the Subdivision and Development Appeal Board not later than 21 days following the date of issue of this notice. The notice of appeal shall state the reasons for the appeal.

Date of Decision: _____

Date of Notice of Decision: _____

SIGNATURE – Designated Officer



TOWN OF BOW ISLAND

NOTICE OF DECISION OF THE DEVELOPMENT AUTHORITY

APPENDIX B	APPLICATION NO. _____
FORM G	<i>(Office Use Only)</i>

This is to notify you with respect to a decision of the Development Authority whereby a Development Permit (Development Permit No. _____) has been issued authorizing the following development:

[insert]

Address of Property: _____

Lot: _____ Block: _____ Registered Plan: _____

and/or Certificate of Title: _____

Attached to this notice is a complete copy of the approved Development Permit and any conditions that it may be subject to as part of the approval.

Date of Decision: _____

<p>The Land Use Bylaw provides that any person claiming to be affected by the decision of the Development Authority may appeal to the Subdivision and Development Appeal Board by serving written notice of appeal to the Secretary of the Subdivision and Development Appeal Board within 21 days after notice of the decision is given.</p>



TOWN OF BOW ISLAND

APPLICATION FOR AMENDMENT TO THE LAND USE BYLAW

APPENDIX B
FORM H

(Office Use Only)

DATE RECEIVED: _____

AMENDING BYLAW NO. _____

I/We hereby make application to amend the Land Use Bylaw.

APPLICANT:

Name: _____ Telephone: _____

Address: _____

OWNER OF LAND:

Name: _____ Telephone: _____

Address: _____

LAND DESCRIPTION:

Lot: _____ Block: _____ Registered Plan _____

All/part of the _____ ¼ Section _____ Township _____ Range _____ West of _____ Meridian

Certificate of Title No: _____

AMENDMENT PROPOSED:

- Text or development use, criteria or standard amendment
- Land use parcel/lot redesignation (rezoning) amendment
- Other amendment

Reasons in support of application for amendment: (may attach support information and map)

I/We enclose \$ _____ being the application fee.

DATE

SIGNATURE – Applicant



TOWN OF BOW ISLAND

AGREEMENT FOR TIME EXTENSION
(Development Permit Decision)

APPENDIX B APPLICATION NO.
FORM I (associated permit file no.)
(Office Use Only)

I / We being the registered owner or person authorized to act on behalf of the registered owner with respect to:

Development Permit Application No.

For:

Located on (legal description):

Do hereby agree to a time extension of days for the Development Authority to make a decision on my/our application beyond the legislated 40-day period from the date the application was deemed complete (unless a time extension is agreed to), enabling a decision may be made up until (date).

On the understanding that if a decision has not been made by this agreed to date, I may deem the application refused and appeal to the Subdivision and Development Appeal Board in accordance with the provisions of the Municipal Government Act, RSA 2000, Chapter M-26.

Signature of Registered Owner/Person Acting on behalf of:

Signature of Witness

DATE

Signature of Development Officer, Town of Bow Island

Signature of Witness

DATE



APPENDIX C

BYLAWS
