



PART 5

GENERAL STANDARDS OF DEVELOPMENT

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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.

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- 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.

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- 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

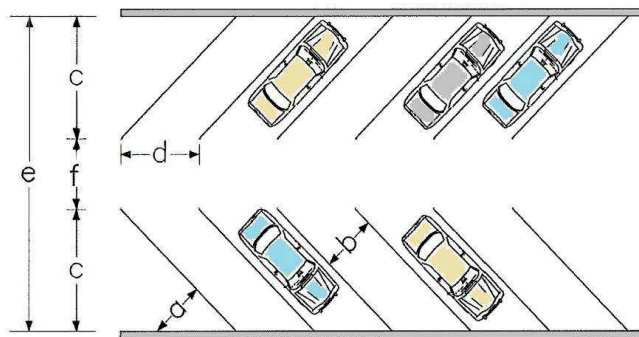
- 14.1 Off-street parking areas are to be accessible and designed in a manner which will provide for orderly parking in accordance with the minimum parking space dimensions as found in Table 14.1 and Figure 14.1.
- 14.2 Parking space designs proposing tandem (stacked) parking to a maximum of two vehicles 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, 9.0 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

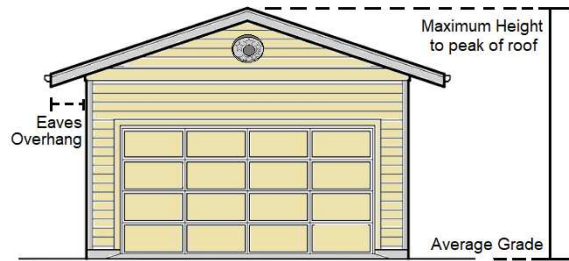
In addition to the General Standards, the following are specific standards that are applicable to all residential development in the various residential Land Use Districts.

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

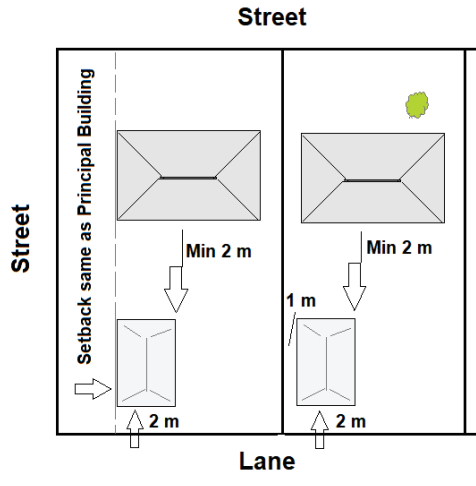
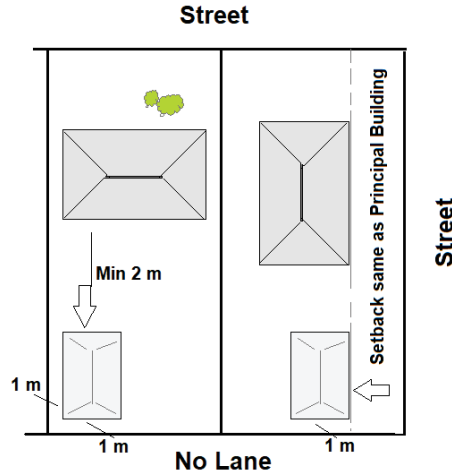


FIGURE 15.2



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

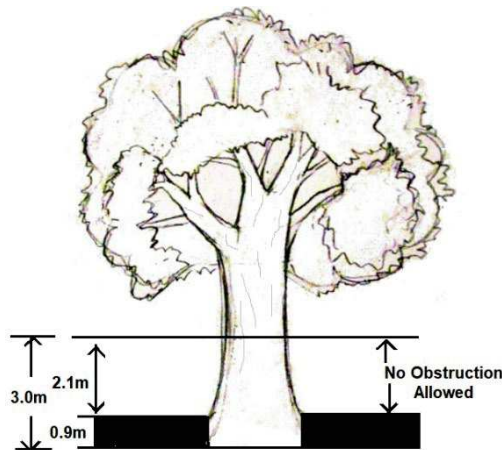
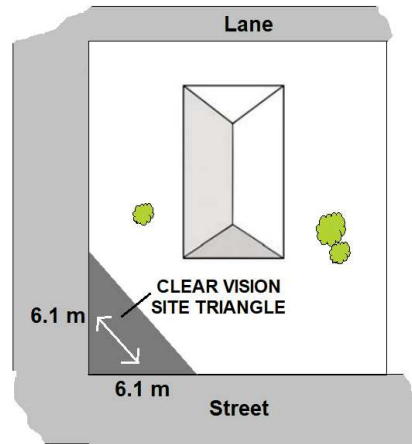


FIGURE 16.2



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

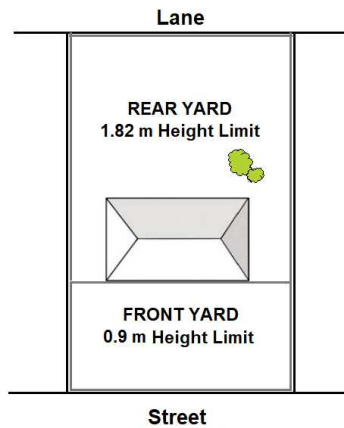
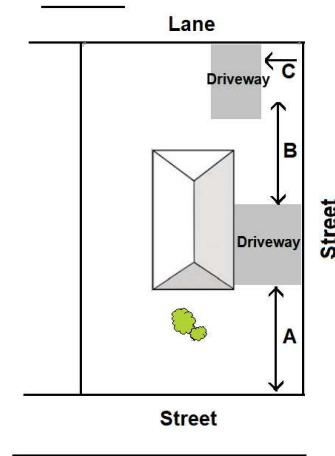


FIGURE 17.2



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.

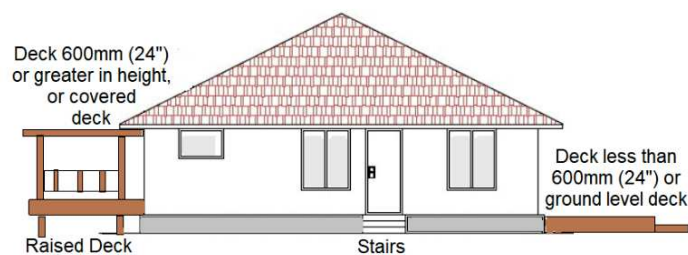
SECTION 19 DECKS AND PROJECTIONS OVER YARDS

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

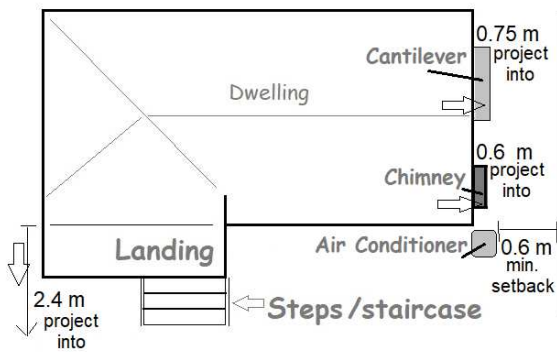
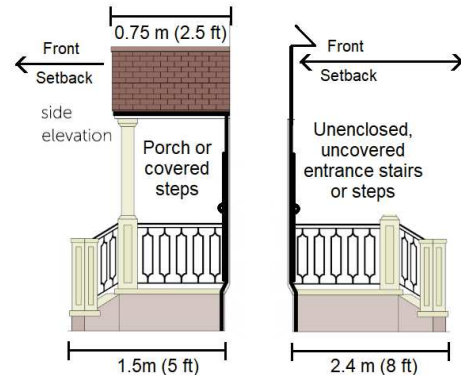


FIGURE 19.3



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).