



PART 6

USE SPECIFIC STANDARDS OF DEVELOPMENT

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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.

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- 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

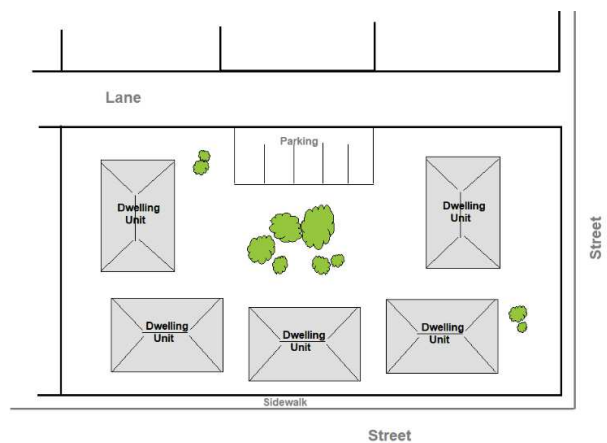
Mixed-Use

- 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

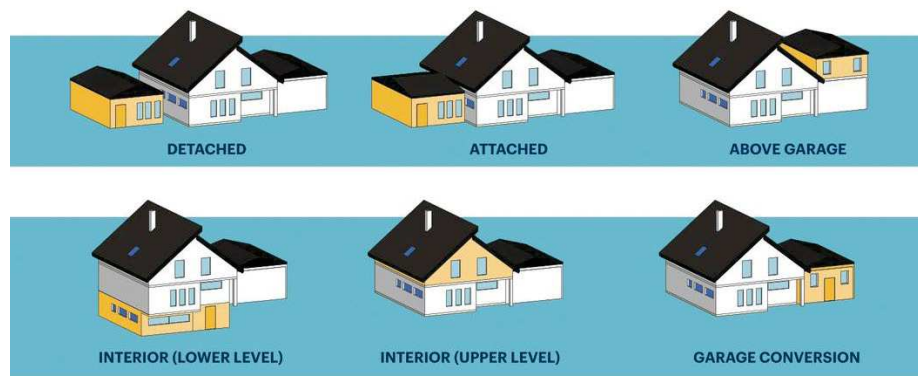
- 18.1 A retail cannabis store is a distinct and separate use from a retail store and the development of such shall be in accordance with the *Gaming, Liquor, and Cannabis Act* as well as any other applicable regulation.
- 18.2 A retail cannabis store shall have no other use. The premises must operate 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.