

**BYLAW 623/17**

**THE LAND USE BYLAW  
OF THE VILLAGE OF BAWLF**

Including amendments up to and including Bylaw 613/16, 2016

Pursuant to Part 17 of the Municipal Government Act, the Council of the Village of Bawlf, in the Province of Alberta, duly assembled, hereby enacts as follows:

**1. PURPOSE**

The purpose of this bylaw is to regulate and control the use and development of land and buildings within the municipality to achieve the orderly and economic development of land, and for that purpose, among other things,

to divide the municipality into districts;

to prescribe and regulate for each district the purposes for which land and buildings may be used;

to establish the office of Development Authority;

to establish a method of making decisions on applications for development permits including the issuing of development permits;

to prescribe a procedure to notify owners of land likely to be affected by the issue of a development permit; and

to establish a procedure for appeals against the decisions of the Development Authority.

**2. DEFINITIONS**

In this bylaw:

*Abut or abutting* means immediately contiguous to or physically touching, and when used in respect of a lot, means that the two abutting lots share a property line.

*Accessory building* means a building separate and subordinate to the main building, the use of which is incidental to that main building and is located on the same lot. A garage attached to a main building it is deemed to be part of the main building.

*Accessory use* means a use customarily incidental and subordinate to the main use or building and located on the same lot with such main use or building.

*Act* means the Municipal Government Act and the regulations pursuant thereto.

*Apartment building* means a building containing at least three separate dwellings which share a common entrance from outside the building.

*Applicant* means an owner, agent or any person, firm, or company required to obtain or having obtained a development permit.

*Bed and breakfast establishment* means a business operated in a private house in which up to three rooms are made available for rent to short-term paying guests.

*Billboard* means a freestanding sign attached permanently and securely to the ground, engineered and maintained to the satisfaction of the Development Authority.

*Building permit* means a permit authorizing construction and issued under the Safety Codes Act.

*Church* means a place of worship of any faith.

*Council* means the Council of the Village of Bawlf.

*Detached house* means a building which contains one dwelling unit and which may also contain one "granny" or "nanny" or basement suite.

*Discretionary use* means the use of land or a building provided for in this bylaw for which a development permit *may* be issued upon an application having been made.

*Duplex* means a building containing two dwelling units side by side, sharing a common wall, with separate outside entrances for each dwelling unit. It does *not* mean one dwelling unit above another.

*Dwelling* means a self-contained living premises with cooking, eating, living, sleeping, and sanitary facilities for domestic use of one or more individuals.

*Easement* means a right to use land, generally for access to other property, or as a right-of-way for a public utility.

*Family day home* means a day care business operated by an individual in her own home, which has been approved by Camrose and District Support Services.

*Front* means, in the case of a corner lot, the shorter side.

*Front yard* means that portion of the site extending across the full width of the lot from the front property boundary of the lot to the nearest portion of the exterior wall of the building, and shall be measured at right angles to the front property boundary. Where a lot fronts on two or more streets, the Development Authority may designate one or more streets as the front of the lot.

*Grade* means the average elevation of the corners of a lot.

*Granny or nanny suite* means a self contained suite within a detached residence, intended for use by a dependent or servant of the owner or occupier of the detached residence, and not rented or leased.

*Group home* means a facility which provides accommodation for people who require assistance in daily living on account of age or disability, or who are undergoing rehabilitation, and where qualified staff are present at all times.

*Height* (of a building) means the vertical distance from grade level to the highest point on the roof of the building, but excluding chimneys and aerials.

*Home business* means a business, trade, craft occupation, storage activity, or other commercial operation on a residential lot on a scale greater than a home office.

*Home office* means an office in a dwelling which

is not visited by a significant number of clients,  
does not change the external appearance or residential character of the dwelling, and  
is carried on only by the residents of that dwelling,

and includes child care for up to three children who do not live at that place.

*Lot* means an individual lot or parcel (including a condominium lot) for which a title has been issued under the Land Titles Act, or, where two or more lots are "tied" for assessment purposes, or are included in a single title, the area encompassed by the two or more lots.

*Main building* means a building in which is conducted the main or principal use of the lot on which it is erected.

*Manufactured home* means a new residential building containing one dwelling unit, built in a factory and transported in one or more sections to a suitable site, and does not include *mobile home* or *modular home*. Manufactured homes have replaced mobile homes, which are no longer built in Alberta.

*Modular home* means a new residential building containing one dwelling unit, built in a factory and transported to a site to be permanently installed on a foundation, and which appears indistinguishable in design and finish from a stick-built house, and does not include *manufactured home* or *mobile home*.

*Mobile home* means a detached dwelling unit built in a factory in one or two sections and designed to be readily relocatable, and does not include *manufactured home* or *modular home*. Mobile homes, at one time commonly referred to as trailers, are no longer built in Alberta.

*Municipality* means the Village of Bawlf.

*Owner* means, in addition to the meanings set out in the Act, a purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the Certificate of Title of the land, and any assignee of the purchaser's interest that is the subject of a caveat registered against the Certificate of Title.

*Parking stall* means an indoor or outdoor area at least 6 metres in length and 3 metres in width, reserved for the parking of motor vehicles, with a surface of concrete, paving, or gravel.

*Permitted use* means the use of land or a building provided for in this bylaw, and for which, if it complies in every way with this bylaw, a development permit *shall* be issued with or without conditions as provided for in this bylaw.

*Rear yard* means that portion of the site extending across the full width of the lot from the rear property boundary of the lot to the nearest portion of the exterior wall of the building, and shall be measured at right angles to the rear property line.

*Residence* means any building or structure used exclusively or primarily for human habitation and includes multiple dwellings, apartments, lodging, and boarding houses, and (unless more

closely defined for the purposes of one section of the bylaw) includes manufactured and modular houses and also residential suites in non-residential buildings.

*Road* means the entire width of the right-of-way of a road or lane shown on a township plan, road plan, or plan of subdivision, and not only the built travelling surface.

*Service station* means a business selling motor fuels to the public, and includes freestanding service stations, gas bars, and the fuel sales component of any automobile supply or repair business.

*Setback* means the distance between the closest part of the foundations of a building and the front, side, or rear property line of the lot, measured at right angles to that property line.

*Side yard* means that portion of the site extending from the front yard to the rear yard and lying between the side property boundary of the lot and the nearest portion of the exterior wall of the building, and shall be measured at right angles to the side property boundary.

*Sign* means an object or device primarily intended to advertise or call attention to any person, matter, thing, or event.

*Suite* means an area within a residence which provides a self contained living area with its own cooking and bathroom facilities.

*Use* means a use of land or a building as determined by the Development Authority, or on appeal by the Subdivision and Development Appeal Board.

*Utility building* means a building in which the proprietor of a utility company maintains his office(s) and/or maintains or houses any equipment used in connection with the utility.

*Yard* means the open space between the outside wall of the main building on a lot and the boundaries of that lot.

### **3. INTERPRETATION**

- 3.1. Any doubt as to the meaning of a word, or the boundaries of a land use district shown on Schedule C, shall be settled by a resolution of Council.
- 3.2. In accordance with Alberta Land Titles practice, all areas and distances in this bylaw are in metric measure. Imperial equivalents are given as a convenience but may not be exact. In case of conflict, the metric measure shall govern.
- 3.3. The words *he*, *him*, and *his* are to be read as *she*, *her*, and *hers*, and the singular is to be read as the plural, as the case requires.
- 3.4. Where the boundary of a lot is also the boundary between two land use districts, and the lot boundary is then changed through subdivision, the land use classification follows the new boundary.
- 3.5. Where a road is closed and added to an adjacent parcel, the added area takes the land use classification of the parcel to which it is added.
- 3.6. Building setbacks are measured from the footings of the building, not from overhangs.

- 3.7 Where this bylaw allows an exercise of discretion or judgement, the discretion or judgement is that of the Development Authority, or an appeal that of the Subdivision and Development Appeal Board.

#### **4. DEVELOPMENT AUTHORITY**

- 4.1. The office of Development Authority is hereby established and shall be filled by a person appointed by resolution of Council.
- 4.2. The Development Authority shall:
- 4.2.1. maintain a copy of this bylaw as amended, and make it available to any person on a cost recovery basis;
  - 4.2.2. maintain a register of all applications, the decisions made on them, and the reasons for those decisions, and make it available to any person at no charge;
  - 4.2.3. review and process all applications for a development permit, and make and issue a decision in accordance with this bylaw;
  - 4.2.4. enforce this bylaw in conformance with the Act; and
  - 4.2.5. carry out the other duties imposed on him by this bylaw and the Act.
- 4.3. For the purposes of Section 542 of the Act, the Development Authority is an authorized person of the municipality.
- 4.4. The Development Authority may also be referred to as the Development Officer.

#### **5. SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

The Subdivision and Development Appeal Board established by bylaw shall hear and decide upon appeals against the decision (or lack of decision) of the Development Authority.

#### **6. DEVELOPMENT PERMIT REQUIRED**

No development other than that listed in Section 7 shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.

#### **7. DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT**

The following development shall not require a development permit:

- 7.1 Those uses of land or a building which are *exempt* under Section 618 or 619 of the Act or under regulations pursuant to those sections;
- 7.2 The *completion and use* of a building which was lawfully under construction at the date of adoption of this bylaw;

- 7.3 The use of a building or property which was authorized under a *previous bylaw*;
- 7.4 The *maintenance* of or repair to any building, provided that such works do not include structural alterations or major works of renovation;
- 7.5 Internal *alterations* to a building, provided these alterations do not result in an increase in the number of dwelling units in the building (but a permit under the Safety Codes Act may still be required);
- 7.6 The construction of *gates, fences, walls*, or other means of enclosure (other than on corner lots or where abutting on a road used by vehicular traffic) less than 1 metre in height in front yards and less than 1.75 metres in side and rear yards, and subject to Section 4 of Schedule A;
- 7.7 *Landscaping and paving*, provided that grades and water flows are not substantially altered;
- 7.8 The construction or maintenance of any utility, work, or improvement undertaken by the municipality or a utility in a *street or utility lot*;
- 7.9 The construction and maintenance of a *railway line*,
- 7.10 A *temporary* building or sign, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit has been issued under this bylaw;
- 7.11 A *change of use* of land or building where the new use is permitted in that land use district and conforms in every way with this bylaw;
- 7.12 New single storey buildings, not on permanent foundation, under 15 square metres (160 sq ft) in size which are accessory to a residential use. These buildings are bound by yard and setback rules.

## **8. NON-CONFORMING BUILDINGS AND USES**

If a building or land use is not allowed in this bylaw, but was legally in existence at the date of passage of this bylaw, it may continue legally as a non-conforming use and be maintained, pursuant to Section 643 of the Act, but it may not be enlarged or replaced except pursuant to Section 11.6 of this bylaw.

## **9. APPLICATION FOR A DEVELOPMENT PERMIT**

- 9.1. An application for a development permit shall be made to the Development Authority in writing on the appropriate form, signed by the owner or his authorized agent, and shall be accompanied by
  - 9.1.1. a statement of the former, present, and proposed use of a lot and any buildings on it;
  - 9.1.2. the legal description and municipal address;

- 9.1.3. a site plan drawn to scale and showing the boundaries of the lot, the locations of existing and proposed buildings, any front, rear, and side yards, any provision for off-street loading and vehicle parking, and access and egress points to the site;
  - 9.1.4. all easements and utilities, and the proposed connections to utilities;
  - 9.1.5. a map of the site showing
    - (a) elevations of the highest point on the lot, the lot corners, nearby ditches and gutters, and the proposed building, and
    - (b) the planned drainage flows
  - 9.1.6. the estimated commencement and completion dates of any construction;
  - 9.1.7. the estimated cost of the project or contract price; and
  - 9.1.8. the appropriate fee.
- 9.2. The Development Authority may also request
- 9.2.1. details of the proposed finish of the building and the landscaping of the lot;
  - 9.2.2. a real property report drawn by an Alberta Land Surveyor, if there is any doubt as to the boundaries of the lot;
  - 9.2.3. engineering and other reports to prove the safety and suitability of the site for the purpose intended, including a declaration that the site is free from contamination; and
  - 9.2.4. a copy of the current title to the lot.
- 9.3. In the case where an application for a development permit has been refused initially or on appeal, the Development Authority may refuse to accept another application for a permit on the same property, and for the same or similar use of the land by the same or any other applicant for six months after the date of previous refusal, unless the circumstances have changed sufficiently to warrant otherwise.

## **10. PUBLIC CONSULTATION PRIOR TO DECISION**

Before deciding on an application for a development permit for a discretionary use, or before relaxing or waiving or interpreting any part of the bylaw, the Development Authority may at his discretion consult the owners of nearby land by mail or by advertising in the local newspaper, and if the neighbouring landowners reply within 14 days, the Development Authority shall consider their comments and recommendations before issuing a development permit.

## **11. DECISION BY THE DEVELOPMENT AUTHORITY**

- 11.1. Except in a Direct Control district, the Development Authority shall decide on all applications for a development permit.

- 11.2. The Development Authority shall decide upon an application for a development permit within 40 days of receiving a complete application.
- 11.3. An applicant for a development permit may authorize the Development Authority, in writing, to take a longer period of time to make a decision.
- 11.4. An application for a development permit may, at the option of the applicant, be deemed to be refused when a decision is not made on it by the Development Authority within 40 days after receipt of the application by the Development Authority, and the applicant may appeal as if the application had been refused.
- 11.5. In the case where a proposed specific use of land or a building is not provided for in any district in this bylaw, the Development Authority may determine that such use is similar in character and purpose to a permitted or discretionary use prescribed for that district in Schedule B, and approve it.
- 11.6. The Development Authority may approve an application for a development permit, notwithstanding that the proposed development does not comply with this bylaw, if, in his opinion,
  - 11.6.1. the proposed development would not
    - 11.6.1.1. unduly interfere with the amenities of the neighbourhood, or
    - 11.6.1.2. materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land, and
  - 11.6.2. the proposed development conforms with the use prescribed for the land or building in this bylaw,

and this power extends to nonconforming buildings pursuant to Section 643(5)(c) of the Act.
- 11.7. In making a decision, the Development Authority may approve the application unconditionally, or impose conditions considered appropriate, permanently, or for a limited period of time, or refuse the application.
- 11.8. When the Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal.
- 11.9. The Development Authority may issue a development permit subject to the condition that the applicant:
  - 11.9.1 amends the proposal to conform with this or other bylaws;
  - 11.9.2 pays an off-site levy or redevelopment levy imposed by bylaw;
  - 11.9.3 enters into an agreement pursuant to Section 650 of the Act concerning servicing of the site;
  - 11.9.4 registers an easement to protect a utility line;
  - 11.9.5 repairs any municipal improvements that may be damaged as a result of the development;



- 11.9.6 finishes a building, or landscapes or paves a lot within a stated time;
  - 11.9.7 grades a lot to the satisfaction of the municipality;
  - 11.9.8 supplies parking to meet the requirements of the bylaw;
  - 11.9.9 deposits a letter of credit or performance bond guaranteeing that any of the above conditions are met.
- 11.10 A development permit may be issued subject to the condition that after the footings have been installed, but before flooring or framing work has been done, or any building is moved on to the site, the developer must submit a certificate by an Alberta Land Surveyor, certifying that the building under construction meets the setback requirements of this bylaw, and that the lot grading and drainage meet the requirements of the development permit.

## **12. DEVELOPMENT PERMITS**

- 12.1. A development permit does not come into effect until 14 days after the date of issue, and if a person starts construction prior to that, he does so at his own risk because the permit may be overturned on appeal.
- 12.2 If a valid appeal is made pursuant to this bylaw, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit may be modified or nullified thereby.
- 12.3 A decision of the Development Authority on an application for a development permit shall be given in writing and a copy of it sent to the applicant and to any person who has expressed an interest in the matter.

## **13. SUSPENSION OR CANCELLATION OF A DEVELOPMENT PERMIT**

- 13.1. If the development authorized by a permit is not commenced within 12 months from the date of issuance, or carried out with reasonable diligence, the permit is void, unless an extension has previously been granted by the Development Authority.
- 13.2. If a Development Permit was issued in error or was obtained through misrepresentation, the Development Authority may revoke it by sending a notice to the applicant by double registered mail.

## **14. NOTICE OF DECISION**

When a permit has been granted for a discretionary use, or pursuant to Subsections 11.5 or 11.6 of this bylaw, the Development Authority

- 14.1. shall immediately mail a notice in writing to the registered owners of all land within 50 metres (165 feet) and to any other person who may, in his opinion, be affected; and
- 14.2. may immediately publish in a newspaper circulating in the municipality a notice stating the location of the property for which the application has been made and the use approved; and

- 14.3. may post a notice of the decision conspicuously on the property for which the application has been made,  
  
and the notice shall set out the rights of persons to appeal against the issuance of the Development Permit.

**15. APPEAL PROCEDURE**

- 15.1. An appeal against a decision of the Development Authority shall be launched by filing notice, with the appropriate fee, with the Secretary of the Subdivision and Development Appeal Board.
- 15.2. The procedure for hearing and determining appeals against a decision of the Development Authority shall be as set out in Sections 684 to 687 of the Act.
- 15.3. No appeal lies against a development permit for a permitted use unless the bylaw was relaxed, varied, or misinterpreted.
- 15.4. In making its decision, the Board *is bound* by the uses of land set out in this bylaw, and *shall have regard* for all other parts of this bylaw and all statutory plans, as required by section 680(2) of the Act.

**16. JUDICIAL REVIEW**

A decision of the Subdivision and Development Appeal Board is final and binding on all persons subject only to an appeal upon a question of jurisdiction or law pursuant to Section 688 of the Act.

**17. CONTRAVENTION**

- 17.1. If the Development Authority finds that a development or use of land or buildings is not in accordance with:
  - 17.1.1. the Act or Regulations, or
  - 17.1.2. a development permit or subdivision approval, or
  - 17.1.3. this bylaw,he may proceed in accordance with Sections 541 to 556 and/or Sections 645 and 646 of the Act.
- 17.2. Contravention of this bylaw is an offence and is subject to a fine not more than \$500.00 under Section 566 of the Act.
- 17.3. If a person, knowing that a development permit is required, starts construction before obtaining such a permit, the fee for the development permit shall be doubled.

**18. AMENDMENT**

- 18.1 A person may apply to have this bylaw amended, by applying in writing, giving reasons in support of the application, and paying the appropriate fee.
- 18.2 An application to change the district of any land may be initiated only by the owner of that land, or by Council.
- 18.3 A proposal to amend the bylaw must be advertised in the same way as a Notice of Decision as set out in Section 14.

**19. FORMS AND FEES**

Forms and fees in force under the previous bylaw continue in effect until amended by resolution of Council.

**20. CONTINUATION OF CONTROLS**

A condition attached to a development permit issued under a former bylaw continues under this bylaw.

**21. REQUIREMENTS OF OTHER AUTHORITIES**

- 21.1. A development authorized under this bylaw is subject to provincial and federal law, other bylaws, statutory plans, inter-municipal agreements, and any easements, caveats, covenants, and other encumbrances on the title to the land in question.
- 21.2. Nothing in this bylaw removes the obligation of a person to obtain other permits, licences, or approvals under other legislation.

**22. LAND USE DISTRICTS AND REGULATIONS**

22.1. For the purposes of this bylaw the municipality is divided into the following districts:

R1	Low density residential
R2	Medium density residential
R3	High density residential
RM	Manufactured housing subdivision
RMP	Manufactured housing park
C1	Downtown commercial
C2	General commercial
M	Industrial
P	Park
I	Institutional
UX	Urban expansion
DC	Direct Control

- 22.2. In all districts, development is regulated as set out in Schedule A.
- 22.3. Within individual districts, development is regulated as set out in Schedule B.

- 22.4. The boundaries of land use districts are as set out in Schedule C.
- 22.5. Schedules A, B, and C contained herein form part of and have full force in this bylaw.
- 22.6. Roads and other land to which no title has been issued are not included in any land use district.
- 22.7. Where a lot boundary is the boundary of a land use district, and the boundary of that lot is changed, and the land classification is adjusted to conform with the new lot boundary.

**23. REPEAL OF EXISTING BYLAWS**

Bylaw 613/16 is repealed.

**Effective Date**

- 1. This bylaw shall take effect on the day of the final passing thereof.

Read a first time this 21<sup>st</sup> day of June, 2017.

Read a second time this 21<sup>st</sup> day of June, 2017.

Read a third time and finally passed this 21<sup>st</sup> day of June, 2017.

"original signed by"

"original signed by"

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Mayor

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CAO

## **SCHEDULE A GENERAL REGULATIONS**

### **1. CONTAMINATED SITES**

If it appears to the Development Authority that the site may be contaminated as a result of the former use, or if an application for a development permit indicates that the site was previously used for another purpose, the Development Authority may require the applicant to supply evidence that the site is free of contamination and suitable for the proposed use, and lacking such information, the Development Authority may refuse the application.

### **2. DESIGN, CONSTRUCTION, AND TREATMENT OF BUILDINGS**

The Development Authority may refuse to issue a development permit for a building if the size, design, construction, or treatment is, in his opinion, incompatible with the neighbouring buildings.

### **3. DECKS**

For the purpose of establishing yards and setbacks,

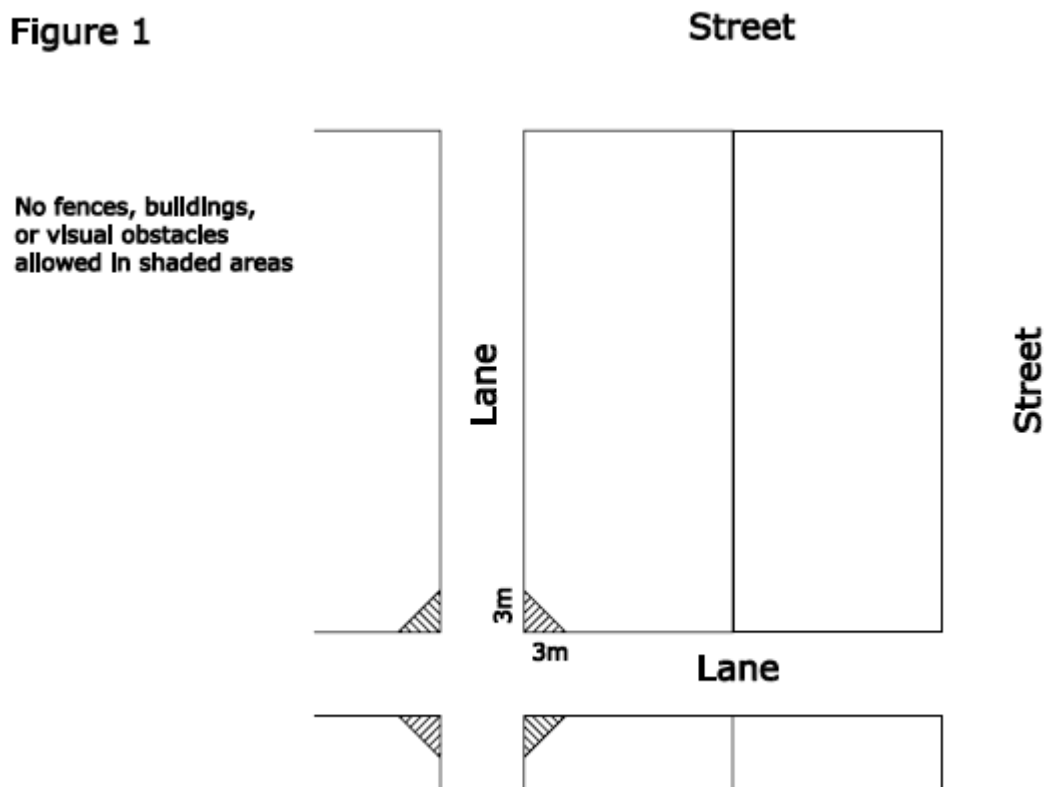
- 3.1. a deck which is attached to a main building, and which has a walking surface 60 cm (2 feet) or more above ground, is deemed to be part of the main building; and
- 3.2. a deck which has a walking surface less than 60 cm (2 feet) above ground is not bound by yard and setback requirements.

### **4. FENCES**

- 4.1. In residential districts, no fence shall be higher than 1.75 metres (6 feet) in side and rear yards and no higher than 1 metres (3 feet) in front yards.
- 4.2. The height limits for front yard apply to any side of a lot facing or flanking a street.
- 4.3. The maximum fence heights allowed in this section do not apply to swimming pools, which are governed by the Alberta Building Code.
- 4.4. Barbed wire may be used only
  - 4.4.1. for fences surrounding land on which the grazing of livestock is allowed, and
  - 4.4.2. as the top strand of a fence in a commercial or industrial district, and provided the top strand is at least 1.75 metres (6 feet) above ground level.
- 4.5. No electric fence shall be constructed except as an internal cross-fence on land on which grazing of livestock is allowed.

- 4.6. A fence in the rear of a lot shall be set back at least 0.3 metres (one foot) inside the property line. (Bylaw 554/08)
- 4.7. No fence or other obstruction to visibility shall be constructed within 3 metres (10 feet) of the intersection of two lanes, as shown in the diagram below. (Bylaw 554/08)

**Figure 1**



- 4.8. Subject to the foregoing, no development permit is required for fences or gates.

**5. PRIVATE SWIMMING POOLS**

- 5.1. All private swimming pools and hot tubs, both above and below ground, having a depth greater than 0.61m (2ft) or water surface area greater than 9.29m<sup>2</sup>(100ft<sup>2</sup>) must follow the regulations in Schedule C of this Bylaw.
- 5.2. Private swimming pools or hot tubs shall not be located in the front yard.
- 5.3. Private swimming pools shall be located a minimum of 3.05m (10ft) from a structure or the property line.

## **6. GARAGES**

In front of the vehicle doors of every garage there shall be a parking area entirely located on the lot, as shown in Figure 1.

## **7. GRADING OF LOTS**

- 7.1. No land shall be filled or raised, and no grading or drainage shall be undertaken, unless a development permit has been issued for the work.
- 7.2. In no case shall the water from one lot drain on to another lot unless this is explicitly allowed in a development permit AND the person whose lot is being drained has the written permission of the person whose land will receive the water.
- 7.3. An application for a development permit application for a new building shall include a lot grading and drainage plan showing existing and proposed ground levels on the lot in question and on neighbouring lots, roads, and lanes, and shall normally provide for a minimum 4% slope away from buildings.

## **8. MOVED IN BUILDINGS**

- 8.1 Existing buildings may be moved on to a lot in the municipality where this is explicitly allowed in the regulations for the particular land use district.
- 8.2 A person wishing to move an existing building on to a lot shall make an application for a development permit in the usual way and shall also provide:
  - 8.2.1. photographs showing all sides of the building;
  - 8.2.2 a statement of the type of construction, condition, and age of the building; and
  - 8.2.3 a statement of proposed improvements with an estimate of costs.
- 8.3 The Development Authority may inspect the building which is proposed to be moved in, or have another qualified person do so, and in either case the expenses of such inspection, including the inspector's time, shall be paid by the applicant before any development permit is issued.
- 8.4 The Development Authority shall consider whether the building is compatible with the character of the neighbourhood in which it is proposed to be set, and may refuse a development permit if, in his opinion, the building is unsuitable.
- 8.5 The Development Authority may issue a development permit subject to such conditions as he believes necessary to bring the building up to a suitable standard within 12 months from the date of issuance of the development permit.
- 8.6 The Development Authority may also require a performance bond under Section 11.9 of the Bylaw.
- 8.7 This section does not apply to new storage sheds, or to temporary buildings authorized under Section 7.9 of the bylaw, or to new manufactured houses being moved in to a district where they are a permitted or discretionary use.

## **9. OVERHANGS AND ENCROACHMENTS WITHIN A LOT**

9.1 Balconies and decks may encroach into yards by the following distances:

9.1.1. 1.5 metres (5 feet) into yards of 4 metres (13 feet) or more, and

9.1.2. 60 cm (2 feet) into yards of less than 4 metres (13 feet).

9.2. Other features attached to a building such as bay windows, chimneys, eaves, open steps, and sills may encroach into the yards required by Schedule B by the following distances:

9.2.1. 60 cm (2 feet) into yards of 1.5 metres (5 feet) or more, and

9.2.2. 45 cm (18 inches) into yards of less than 1.5 metres (5 feet).

## **10. PROHIBITED OBJECTS IN YARDS**

10.1 In a residential district, no person shall keep a vehicle weighing greater than 4500 kg for longer than is reasonably necessary to unload the vehicle.

10.2 Despite section 10.1, a motor home or other recreational vehicle may be stored on a lot.

10.3 In a residential district, no person shall keep visible any wrecked or partially dismantled vehicle, or any other object which in the opinion of the Development Authority is unsightly or offensive.

10.4 Radio and TV receiving dishes, antennas, and aerials, larger than 1 metre in diameter, shall not be located in a front yard of a residential district.

10.5 Garbage shall be contained in weatherproof and animal-proof containers.

## **11. SIGNS**

### **11.1. Exemptions**

No permit is required for a sign which:

- o is not visible from a public road or park, or
- o is erected by a government or school authority, or
- o concerns an election, or
- o identifies the address or function of a building or parcel on which the sign stands, or
- o advertises a sale or event taking place that day, or
- o offers for sale or rent the parcel on which it stands, or
- o advertises a business or activity taking place on that parcel, or
- o advertises a product, service, or commodity offered for sale or rent on that parcel,



provided the size, style, number, and location of the sign meets the requirements of this bylaw.

11.2. A development permit is required for all signs other than those listed above.

11.3. Signs on Roads

11.3.1. No sign shall be placed on the right of way of a road without the approval of the municipality.

11.3.2. Notwithstanding 11.2 and 11.3.1 above,

11.3.2.1. temporary signs protected by Section 2(b) of the Constitution Act, 1982 (Canada), and

11.3.2.2. signs advertising auctions and garage sales taking place that day, do not require a development permit, and may be placed on a road provided that the signs

11.3.2.3. are not a danger to public safety, and

11.3.2.4. are removed promptly after the election or event which is the subject of the sign.

11.4. Signs Overhanging Roads

11.4.1. The Development Authority shall require that a sign overhanging municipal property be constructed and maintained to such a standard that it is not a hazard to people, traffic, or property.

11.4.2. A sign may overhang a road only if the owner of the sign has entered into a written agreement with the village under which he accepts all liability.

11.4.3. The preceding section does not apply to fascia signs which encroach less than 15 cm (6 inches) over the road.

11.5. Signs in Residential Districts

In residential districts:

11.5.1. Signs shall not exceed 1 square metre (10 square feet), or 3 square metres (32 square feet) on church property, and shall not be internally illuminated, fluorescent, or moving.

11.5.2. Signs advertising a home occupation or home office shall be attached to the wall of the building in which the office or occupation is carried on.

11.5.3. Signs advertising garage and auction sales are permitted one day before and on the actual date of the sale.

11.5.4. Signs shall be in good taste and compatible with the character of the neighbourhood.

11.5.5. No more than one sign for each of the purposes listed in Subsection 11.1 shall be erected on a residential parcel, except where the parcel abuts two or more roads, a sign may be erected facing each road.

11.5.6. Signs advertising commercial activities off site are not permitted.

11.6. Signs on Undeveloped Land Adjacent to Highways

11.6.1. No advertising other than

11.6.1.1. signs exempted by Section 11.1, and

11.6.1.2. billboards as defined elsewhere in this bylaw

shall be placed within 100 metres of a provincial highway unless the approval of Alberta Transportation has first been obtained in writing.

11.6.2. Billboards on each side of a highway shall be separated by at least 200 metres.

11.6.3. For the purposes of this bylaw, vehicles or trailers parked for more than seven days on a private parcel adjacent to a highway, and bearing advertising material, are deemed to be signs but not billboards.

11.7. Portable Signs

11.7.1. A portable sign is a sign which is not permanently or securely attached to the ground or to a building, or which is intended to be moved from place to place.

11.7.2. The Development Authority must not issue a development permit for a portable sign unless the sign is owned by

11.7.2.1. the owner or lessee of the land on which it stands, or

11.7.2.2. a person holding a current business licence.

11.7.3. No more than one portable sign may be placed on a lot for each 100 metres of frontage.

11.7.4. Portable signs are not permitted in residential districts.

11.7.5. Council may by resolution set an annual fee to be paid in respect of every portable sign displayed in the municipality.

11.8. Aesthetics

Signs shall be designed, constructed, and maintained at the discretion of the Development Authority so they are compatible with the quality of the neighbourhood.

11.9. Public Safety

11.9.1. A sign which is not attached to a building shall be set back from a road or lane the same distance as if it were a building, unless the Development Authority is satisfied that it will not interfere with sight lines for drivers.

11.9.2. Notwithstanding any other part of this bylaw, the Development Authority may refuse to issue a development permit for any sign which in his opinion would be a danger to traffic, property, or public safety.

11.9.3. If in the opinion of the Development Authority a sign is a danger to traffic, property, or public safety, he may demand the immediate removal of the sign, and if he is unable to identify the person responsible for the sign, he may obtain right of entry under Section 542 of the Act, and remove the sign.

11.10. Situations Not Covered by This Bylaw

Where this bylaw provides no regulations governing the size, style, number, purpose, content, or location of sign, a permit may be issued by the Development Authority, but the use shall be deemed a discretionary use, and may be appealed to the Subdivision and Development Appeal Board, which may confirm, amend, or revoke the permit.

**12. UTILITY BUILDINGS AND EQUIPMENT**

The Development Authority may waive or relax siting and yard regulations where this is necessary for the efficient operation of a public utility system.

**13. YARDS AND SETBACKS**

13.1. Where a lot abuts two or more roads, the Development Authority may require that front yard setbacks be observed from more than one road.

13.2. Where land is likely to be re-subdivided in future, the Development Authority may require that any new building be located as if the subdivision was already in effect.

**SCHEDULE B  
REGULATIONS FOR LAND USE DISTRICTS**

**1. R1 Low Density Residential**

**1.1 Purpose**

The purpose of the R1 district is to provide land for detached residences and other uses which are compatible with a high quality residential area.

**1.2 Permitted uses**

The following uses are permitted:

- New single detached houses of conventional construction, but excluding manufactured houses.
- New modular houses
- Home offices
- Parks
- Unattended utility installations
- New buildings and uses accessory to the above

**1.3 Discretionary uses**

The following uses may be allowed at the discretion of the Development Authority:

- Basement, granny and nanny suites in residences
- Bed and breakfast establishments
- Churches
- Family day homes
- Home businesses
- Buildings and uses accessory to the above

**1.4 Density of development**

Only one residence and one suite shall be built on each lot.

**1.5 Lot area**

Residential lots shall have an area of at least 500 square metres (5,382 sq ft).

Other lots shall have an area to the satisfaction of the Development Authority.

**1.6 Lot width**

Residential lots shall have a width of at least 15 metres (50 feet)

**1.7 Site coverage**

No more than 40% of the area of a lot shall be covered by buildings.

**1.8 Maximum height of buildings**

No building height shall exceed 10 metres (33 feet) from grade to roof peak.

#### 1.9 **Front setback**

The main building shall be set back at least 6 metres (20 feet) from the front boundary of the lot, and no accessory buildings shall be constructed in the front yard.

Where a lot abuts two or more roads, the Development Authority may require that front yard setbacks be observed from more than one road.

#### 1.10 **Rear setback**

The main building shall be set back at least 6 metres (20 feet) from the rear boundary of the lot.

Accessory buildings shall be set back at least 1 metre (3 feet) from the rear boundary of the lot.

Despite the above, garages may be located as shown in Figure 1.

#### 1.11 **Side setback**

Main buildings shall be set back at least 1.5 metres (5 feet) from the side property line

On a lot which is not served by a lane or flanking street, one side yard shall be at least 3.0m (10 feet).

Accessory buildings shall be set back at least 1 metre (3 feet) from the side property line.

See also 1.9 above regarding flanking streets.

#### 1.12 **Parking**

Each residence shall have 2 off-street parking stalls.

A suite within a residence shall have one off-street parking stall in addition to the two required above.

Non-residential land uses shall have sufficient parking to the satisfaction of the Development Authority, using the numbers set out in Table 1.

## **2. R2 Medium Density Residential**

### **2.1 Purpose**

The purpose of the R2 district is to provide land for a mixture of detached and duplex houses and other activities which are compatible with those uses.

### **2.2 Permitted uses**

The following uses are permitted:

- New single family detached houses of conventional construction,  
but excluding manufactured houses
- New modular houses
- New duplex dwellings
- Home offices
- Parks
- Unattended utility installations
- New buildings and uses accessory to the above

### **2.3 Discretionary uses**

The following uses may be allowed at the discretion of the Development Authority:

- Basement, granny and nanny suites in single detached residences
- New manufactured homes
- Moved-in buildings
- Bed and breakfast establishments
- Churches
- Family day homes
- Home businesses
- Buildings and uses accessory to the above

### **2.4 Density of development**

Only one detached residence and one granny, nanny, or basement suite shall be built on a lot.

Two duplex units forming a single building may be built on a lot.

### **2.5 Lot area**

A lot for a single detached residence shall have an area of at least 500 square metres (5,382 sq ft).

A lot for a duplex shall have an area of at least 250 square metres for each half of the duplex.

Other lots shall have an area to the satisfaction of the Development Authority.

### **2.6 Lot width**

A lot for a detached residence shall have a width of at least 15 metres (50 feet).

A lot for a duplex shall have a width of at least 7.5 metres (25 feet) for each half of the duplex. Other lots shall have a width as required by the Development Authority.

#### 2.7 **Site coverage**

No more than 40% of the area of a lot shall be covered by buildings.

#### 2.8 **Maximum height of buildings**

No building height shall exceed 10 metres (33 feet) from grade to roof peak.

#### 2.9 **Front setback**

The main building shall be set back at least 6 metres (20 feet) from the front boundary of the lot, and no accessory buildings shall be constructed in the front yard.

Where a lot abuts two or more roads, the Development Authority may require that front yard setbacks be observed from more than one road.

#### 2.10 **Rear setback**

Accessory buildings shall be set back at least 1 metre (3 feet) from the rear boundary of the lot.

Despite the above, garages may be located as shown in Figure 1.

#### 2.11 **Side setback**

Main buildings shall be set back at least 1.5 metres (5 feet) from the side property line

On a lot which is not served by a lane or flanking street, one side yard shall be at least 3.0m (10 feet).

Accessory buildings shall be set back at least 1 metre (3 feet) from the side property line.

See also 2.9 above regarding flanking streets.

#### 2.12 **Parking**

A detached residence shall have 2 off-street parking stalls.

Each half of a duplex shall have two off-street parking stalls.

A suite within a residence shall have one off-street parking stall in addition to the two required above.

Other land uses shall have sufficient parking to the satisfaction of the Development Authority, using the numbers set out in Table 1.

### **3. R3 High Density Residential**

#### **3.1 Purpose**

The purpose of the R3 district is to provide land for higher density residential uses including apartments and row houses. Lower density housing is also allowed.

#### **3.2 Permitted uses**

The following uses are permitted:

- New single family detached houses of conventional construction,  
but excluding manufactured houses
- New modular houses
- New duplex dwellings
- Apartment buildings
- New triplex and fourplex residences
- New row and town houses
- Bread and breakfast establishments
- Home offices
- Parks
- Unattended utility installations
- New buildings and uses accessory to the above

#### **3.3 Discretionary uses**

The following uses may be allowed at the discretion of the Development Authority:

- Manufactured houses
- Basement, granny, and nanny suites in single detached residences
- Churches
- Family day homes
- Home businesses
- Moved-in buildings in accordance with section 8 of Schedule A
- Buildings and uses accessory to the above

#### **3.4 Density of development**

Only one detached residence and one granny, nanny, or basement suite shall be built on a lot.

Multiple residences (duplex, triplex, fourplex, row or town houses) forming a single building may be built on a lot.

#### **3.5 Lot area**

A lot for a single detached residence shall have an area of at least 500 square metres (5,382 sq ft).

A lot for a duplex shall have an area of at least 250 square metres for each half of the duplex.

Other lots shall have an area to the satisfaction of the Development Authority.



### 3.6 **Lot width**

A lot for a detached residence shall have a width of at least 15 metres (50 feet).

A lot for a duplex shall have a width of at least 7.5 metres (25 feet) for each half of the duplex.

Other lots shall have a width as required by the Development Authority.

### 3.7 **Site coverage**

All buildings combined shall not cover more than 40% of the area of the lot.

### 3.8 **Maximum height of buildings**

No building height shall exceed 11 metres (36 feet) from grade to roof peak.

### 3.9 **Front setback**

An apartment building shall be set back at least 8 metres (26 feet) from the front property line.

Main buildings other than apartments shall be set back at least 6 metres (20 feet) from the front property line.

Where a lot abuts two or more roads, the Development Authority may require that front yard setbacks be observed from more than one road.

### 3.10 **Rear setback**

The main building shall be set back at least 6 metres (20 feet) from the rear boundary of the lot.

Accessory buildings shall be set back at least 1 metre (3 feet) from the rear boundary of the lot.

Despite the above, garages may be located as shown in Figure 1.

### 3.11 **Side setback**

Main buildings of two storeys or less shall be set back at least 1.5 metres (5 feet) from the side property line.

Main buildings which exceed two storeys shall be set back at least 4.5 metres (15 feet) from the side property line.

Accessory buildings shall be set back at least 1 metre (3 feet) from the side property line.

See also 3.9 above regarding flanking streets.

### 3.12 **Parking**

A detached residence, each half of a duplex, and each dwelling unit or suite in a row house, town house, triplex, or fourplex shall have two off-street parking stalls.

A basement, granny, or nanny suite within a single detached residence shall have one off-street parking stall in addition to the two required above.

Apartments shall have 1.5 off-street parking stalls for each suite.

Other land uses shall have sufficient parking to the satisfaction of the Development Authority, using the numbers set out in Table 1.

#### **4. RM Manufactured Housing Subdivision**

##### **4.1 Purpose**

The purpose of the RM district is to provide land where manufactured houses, formerly known as mobile homes, may be placed on individually owned, subdivided lots. Conventionally built houses are also allowed.

##### **4.2 Permitted uses**

The following uses are permitted:

- New manufactured houses on permanent foundations
- New single family detached houses of conventional construction
- New modular houses
- New duplex dwellings
- Home offices
- Parks
- Unattended utility installations
- New buildings and uses accessory to the above

##### **4.3 Discretionary uses**

The following uses may be allowed at the discretion of the Development Authority:

- Basement, granny, and nanny suites in single detached residences
- Family day homes
- Home businesses
- Buildings and uses accessory to the above

##### **4.4 Density of development**

Only one detached residence and one granny, nanny, or basement suite shall be placed on a lot.

Two duplex units forming a single building may be built on a lot.

##### **4.5 Lot area**

A lot for a single detached residence shall have an area of at least 500 square metres (5,382 sq ft).

A lot for a duplex shall have an area of at least 250 square metres for each half of the duplex.

Other lots shall have an area to the satisfaction of the Development Authority.

##### **4.6 Lot width**

A lot for a detached residence shall have a width of at least 15 metres (50 feet).

A lot for a duplex shall have a width of at least 7.5 metres (25 feet) for each half of the duplex.

Other lots shall have a width as required by the Development Authority.

4.7 **Site coverage**

No more than 40% of the area of a lot shall be covered by buildings.

4.8 **Maximum height**

No building height shall exceed 10 metres (33 feet) from grade to roof peak.

4.9 **Front setback**

The main building shall be set back at least 6 metres (20 feet) from the front boundary of the lot, and no accessory buildings shall be constructed in the front yard.

Where a lot abuts two or more roads, the Development Authority may require that front yard setbacks be observed from more than one road.

4.10 **Rear setback**

Accessory buildings shall be set back at least 1 metre (3 feet) from the rear boundary of the lot.

Despite the above, garages may be located as shown in Figure 1.

4.11 **Side setback**

Main buildings shall be set back at least 1.5 metres (5 feet) from the side property line

On a lot which is not served by a lane or flanking street, one side yard shall be at least 3.0m (10 feet)

Accessory buildings shall be set back at least 1 metre (3 feet) from the side property line.

See also 4.9 above regarding flanking streets.

4.12 **Parking**

A detached residence shall have 2 off-street parking stalls.

Each half of a duplex shall have two off-street parking stalls.

A basement suite shall have one off-street parking stall.

Other land uses shall have sufficient parking to the satisfaction of the Development Authority, using the numbers set out in Table 1.

4.13 **Other controls**

Manufactured houses shall have the wheels and undercarriage removed prior to occupation.

## 5. C1 Downtown Commercial

### 5.1 Purpose

The purpose of the C1 district is to provide land for high density commercial activities in the downtown area.

### 5.2 Permitted uses

The following uses are permitted:

- Retail stores except those listed below as discretionary
- Professional, financial, and service businesses except those listed below as discretionary
- Clubs, associations, churches, and lodges, except those listed below as discretionary
- Government buildings
- Residences above the main floor
- Buildings and uses accessory to the above

### 5.3 Discretionary uses

The following uses may be allowed at the discretion of the Development Authority:

- Establishments selling or dispensing alcohol for consumption on or off the premises
- Establishments providing 'adult' entertainment or selling 'adult' products
- Gambling establishments
- Amusement arcades
- Pawnbrokers
- Businesses which sell gasoline or auto parts, or sell or repair motor vehicles. Rules for these businesses shall be the same as if they were located in the C2 district.
- Businesses selling lumber or other flammable products
- Drive-in businesses
- Day care and group care facilities
- Residences at street level
- Hotels and motels
- Buildings and uses accessory to the above

Note: auto wreckers are neither a permitted nor a discretionary use in the C1 district.

### 5.4 Lot width

A lot for a commercial use shall have a width of at least 5 metres (16 feet)

A lot for residential use shall have a width of at least 10 metres (33 feet)

### 5.7 Site coverage

Commercial buildings may cover 100% of the lot.

Allowable site coverage for residential buildings shall be set by the Development Authority in each case.

### 5.8 Maximum height of buildings

The maximum allowable building height shall be determined by the Development Authority bearing in mind the requirements of the Alberta Building Code and the recommendations of the fire department.

#### 5.9 **Front setback**

Residences shall be set back at least 6 metres from the front property line.

No front setback is required for other buildings.

#### 5.10 **Rear setback**

Residences shall be set back at least 6 metres from the rear property line.

No rear setback is required for other buildings.

#### 5.11 **Side setback**

If the walls of a building are constructed of concrete block or other incombustible material, no side setback is required by this bylaw, but the Alberta Building Code shall govern.

If the walls of a building are constructed of combustible material, the building shall be set back at least 1.5 metres (5 feet) from the side property line.

#### 5.12 **Parking**

New non-residential buildings shall be provided with parking as set out in Table 1.

Residences shall be provided with one off street parking stall per suite or unit.

Where an existing building is to continue in that use, or to be converted to another use, and is not to be enlarged, no parking is required in addition to that previously provided.

#### 5.13 **Loading**

Where a business or a facility is likely to receive large quantities of goods, or frequent deliveries, the Development Authority may require that an off-street loading dock be provided, adequate to accommodate the expected traffic without disrupting the flow of vehicles on adjacent streets.

## 6. C2 General Commercial

### 6.1 Purpose

The purpose of the C2 district is to provide land for commercial operations where customers normally drive on to the site.

### 6.2 Permitted uses

The following uses are permitted:

- Retail stores except those listed below as discretionary
- Professional, financial, and service businesses except those listed below as discretionary
- Clubs, associations, churches, and lodges except those listed below as discretionary
- Trade workshops
- Gas stations
- Automobile, truck, and farm implement dealerships
- Boat and recreational vehicle sales and service
- Lumber yards
- Government buildings
- Residences above the main floor
- Buildings and uses accessory to the above

### 6.3 Discretionary uses

The following uses may be allowed at the discretion of the Development Authority:

- Establishments selling or dispensing alcohol for consumption on or off the premises
- Establishments providing 'adult' entertainment or selling 'adult' products
- Gambling establishments
- Amusement arcades
- Pawnbrokers
- Businesses selling lumber or other flammable products
- Car and truck washing establishments
- Auto body shops
- Drive-in businesses
- Veterinary clinics
- Day care and group care facilities
- Residences at street level
- Hotels and motels
- Buildings and uses accessory to the above

Note: a development permit for a service station does not allow auto body work or auto wrecking unless this is specifically written in the development permit.

### 6.4 Density of development

Only one residence may be placed on a lot

### 6.5 Lot width

Except as noted below, all lots shall have a width of at least 15 metres (50 feet) (but see section 6.14 regarding flammable materials).

No minimum lot width is required for unattended utility installations.

#### 6.6 **Site coverage**

All buildings combined shall not cover more than 75% of the area of the lot.

#### 6.7 **Maximum height of buildings**

The maximum allowable building height shall be determined by the Development Authority bearing in mind the requirements of the Alberta Building Code and the recommendations of the fire department.

#### 6.8 **Front setback**

All buildings shall be set back at least 6 metres (20 feet) from the front property line (but see 6.14 concerning flammable materials).

#### 6.9 **Rear setback**

Where a lot backs on to a lot classified as commercial or industrial, no rear yard setback is required (but see 6.14 concerning flammable materials).

In all other cases, all buildings must be set back at least 6 metres from the rear property line.

#### 6.11 **Side setback**

Where a lot is adjacent to a lot classified as commercial or industrial, no side yard is required (but see 6.14 concerning flammable materials).

In all other cases, all buildings must be set back at least 2.5 metres from the side property line.

#### 6.12 **Parking**

New non-residential buildings shall be provided with parking as set out in Table 1.

Residences shall be provided with one off street parking stall per suite or unit.

Where an existing building is to continue in that use, or to be converted to another use, and is not to be enlarged, no parking is required in addition to that previously provided.

#### 6.13 **Loading**

Where a business or a facility is likely to receive large quantities of goods, or frequent deliveries, the Development Authority may require that an off-street loading dock be provided, adequate to accommodate the expected traffic without disrupting the flow of vehicles on adjacent streets.

#### 6.14 **Flammable materials**



Where flammable or explosive materials are stored on site, the Development Authority shall consult the fire department may increase the required lot size, building setbacks, or other requirements to minimize the danger to the public.

**6.15 Drive-in businesses**

Drive in businesses shall be permitted only where passing traffic will not be impeded, and traffic entering the business will not endanger pedestrians.

Curb cuts shall be situated at a location approved by the Development Authority.

The lot shall be large enough to accommodate all necessary parking, and provide room for vehicles awaiting service so that they do not back up into the adjacent street.

**7. M Industrial**

**7.1 Purpose**

The purpose of the Industrial district is to provide land for manufacturing, warehousing, storage, where this will not deleteriously affect nearby residences.

**7.2 Permitted uses**

The following uses are permitted (but see note below):

- Manufacturing
- Processing
- Fabrication
- Services to agriculture
- Warehousing and storage
- Automobile, truck, and farm implement sales and service
- Car and truck washing establishments
- Transportation, communications, and utilities industries
- Veterinary clinics
- Auction markets
- Government operations
- Buildings and uses accessory to the above

Note: Any of the above uses which, in the opinion of the Development Authority, will unreasonably disturb nearby residences through excessive noise or traffic, are deemed to be discretionary uses and their approval is thus subject to appeal.

**7.3 Discretionary uses**

The following uses may be allowed at the discretion of the Development Authority:

- Auto body and paint shops
- Auto wreckers
- Bulk fuel sales
- Recycling industries
- Other commercial and industrial activities which in the opinion of the Development Authority are compatible with the purpose of the district and the surrounding land uses
- Residences
- Buildings and uses accessory to the above

**7.4 Density of development**

Only one residence or suite may be developed on one lot.

**7.5 Lot sizes**

Lot areas and widths shall be at the discretion of the Development Authority.

**7.6 Maximum height of buildings**

The maximum allowable building height shall be determined by the Development Authority bearing in mind the requirements of the Alberta Building Code and the recommendations of the fire department.

#### **7.7 Front setback**

All buildings shall be set back at least 6 metres (20 feet) from the front property line (but see 7.14 concerning flammable materials).

#### **7.8 Rear setback**

Where a lot backs on to a lot classified as commercial or industrial, no rear yard setback is required (but see 7.14 concerning flammable materials).

In all other cases, all buildings must be set back at least 6 metres from the rear property line.

#### **7.11 Side setback**

Where a lot is adjacent to a lot classified as commercial or industrial, no side yard is required (but see 7.14 concerning flammable materials).

In all other cases, all buildings shall be set back at least 2.5 metres from the side property line.

#### **7.12 Parking**

Each establishment shall provide sufficient off street parking to accommodate the maximum number of staff and visitors likely to be on site at any one time.

#### **7.13 Loading**

Where a business or a facility is likely to receive large quantities of goods, or frequent deliveries, the Development Authority may require that an off-street loading dock be provided, adequate to accommodate the expected traffic without disrupting the flow of vehicles on adjacent streets.

#### **7.14 Flammable materials**

Where flammable or explosive materials are stored on site, the Development Authority shall consult the fire department may increase the required lot size, building setbacks, or other requirements to minimize the danger to the public.

#### **7.15 Screening**

The Development Authority may require a lot to be fenced or landscaped if in his opinion this is needed to protect the values of nearby residences.

**8. P Park**

**8.1 Purpose**

The purpose of the Park district is to provide land for parks and publicly owned recreational facilities. It differs from the Institutional district by not allowing major buildings.

**8.2 Permitted uses**

The following uses are permitted:

- Public parks and playgrounds
- Golf courses and driving ranges
- Buffer strips and noise berms
- Buildings and uses accessory to the above

**8.3 Discretionary uses**

The following uses may be allowed at the discretion of the Development Authority:

- Concessions and small scale commercial activities which are compatible with the use of the district

**8.4 Other controls**

The Development Authority may require such controls as appear necessary to protect the public interest in park land.

## **9. I Institutional**

### **9.1 Purpose**

The purpose of the Institutional district is to provide land for schools, hospitals, and other community service facilities, both government and privately owned.

### **9.2 Permitted uses**

Parks and playgrounds  
 Athletic, sporting, and cultural facilities  
 Schools  
 Churches  
 Group homes operated by recognized social service agencies  
 Day care centres  
 Hospitals, hospices, nursing homes, and long term care facilities  
 Cemeteries and crematoria  
 Buildings and uses accessory to the above

### **9.3 Discretionary uses**

Campgrounds  
 Residences for the staff of a permitted facility  
 Buildings and uses accessory to the above

### **9.4 Maximum height of buildings**

The maximum allowable building height shall be determined by the Development Authority bearing in mind the requirements of the Alberta Building Code and the recommendations of the fire department.

### **9.5 Front setback**

All buildings shall be set back at least 6 metres (20 feet) from the front property line.

### **9.6 Rear setback**

All buildings must be set back at least 6 metres from the rear property line.

### **9.7 Side setback**

All buildings must be set back at least 2.5 metres from the side property line.

### **9.8 Parking**

Each establishment shall provide sufficient off street parking to accommodate the maximum number of staff and adult visitors likely to be on site at any one time.

### **9.9 Loading**

Where a facility is likely to receive large quantities of goods, or frequent deliveries, the Development Authority may require that an off-street loading dock be provided, adequate to accommodate the expected traffic without disrupting the flow of vehicles on adjacent streets.

**10. UX Urban Expansion**

**10.1 Purpose**

The purpose of the Urban Expansion district is to identify land which will probably be converted to urban use in the future, but which can be used for agriculture as long as the owner elects to do so.

Land classified UX cannot be subdivided, redeveloped, or reclassified until the owner has prepared a comprehensive plan for the property to the satisfaction of Council.

**10.2 Permitted uses**

Agriculture, including grazing, but excluding intensive livestock operations or the spreading of manure

**10.3 Discretionary uses**

Buildings and uses accessory to agriculture

**10.4 Locations of buildings**

Buildings, utility connections, and other improvements shall be located compatibly with the long term plans for the land as set out in a municipal development plan and any other long term plan adopted by Council.

**11. Direct Control**

Pursuant to section 641 of the Act, an application for a development permit in the Direct Control district shall be referred to council for a decision, and council may regulate and control the use and development of land or buildings in any manner it considers necessary.



**Table 1: Parking**

Where parking is required, but no actual numbers are set out in the bylaw, the following table is to be used as a guide by the Development Authority.

One stall for each member of staff present at the busiest shift, plus customer/client parking at the following rates:

<b>Type of Establishment</b>	<b>Customer Parking Recommended</b>
Retail stores, banks, offices, and service establishments	one stall per 100 square metres of gross leasable area
Places of entertainment	one stall per 5 client seats
Hotels and motels	one stall per room, plus those stalls required for any entertainment component of the business
Industrial plants	as required for the likely number of visitors

These numbers may be reduced if an establishment has the use of suitable off-site parking such as street parking, municipally-owned lots, or private arrangements for the use of other businesses' parking where peak periods differ.

## **SCHEDULE C**

### **SCHEDULE C VILLAGE OF BAWLF PRIVATE SWIMMING POOL REGULATIONS**

#### **Definition**

These regulations apply to private swimming pools which are defined as artificially created pools of water that are greater than 0.6m (2ft) in depth at any point and for the use of a single family dwelling unit by the owners or occupants and their guests.

#### **Location**

All private swimming pools and hot tubs, both above and below ground, having a depth greater than 0.61m (2ft) or water surface area greater than 9.29m<sup>2</sup> (100ft<sup>2</sup>) shall not be located in the front yard. All private swimming pools shall be located a minimum of 3.05m (10ft) from a structure or property line.

#### **Fence and Gate Design and Construction**

1. The entire area of an outdoor private swimming pool shall be protected by a fence, building wall or enclosure that can prevent access by unauthorized persons, and its height above the outside ground level shall be not less than 1.8m (6ft).
2. An opening for access through a fence around a private swimming pool shall be protected by a gate that is:
  - a. the same height as the fence,
  - b. equipped with a self-closing device,
  - c. equipped with a self latching device on the inside of the gate located not less than 1.5m (5ft) above the ground level, and
  - d. capable of being locked.
3. The fence and gate around a private swimming pool shall be constructed so that all horizontal and diagonal members are located on the swimming pool side.
4. Barbed wire shall not be used on or as a fence or gate around a private swimming pool.
5. No device shall be installed on or adjacent to a fence or gate around a private swimming pool that could cause an electric current to pass through the fence or gate.
6. A fence is not required around any portion of an outdoor private swimming pool if the top of the outside wall of the private swimming pool is not less than 1.8 m above the level of the ground outside the wall and the wall is constructed so that the only means of access to the private swimming pool is through a gate or similar facility.

### **Exception for Hot Tubs**

A fence and gate need not be provided around an exterior hot tub for a single family dwelling provided:

1. The hot tub does not exceed 2.4 m across the widest portion of the water's surface.

2. The hot tub is provided with a cover that

a. has been designed and constructed in the conformance with ASTM F1346-91,

"Standard Performance Specification for Safety Covers and Labelling Requirements for All Covers for Swimming Pools, Spas, and Hot Tubs," and

b. is provided with lockable devices to prevent access to the water by unauthorized persons.