

# TOWN OF IRRICANA



## 2023 Irricana Land Use Bylaw Schedule 'A'

**August 2023**

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Document Purpose:

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Schedule 'A' of the 2023 Town of Irricana Land Use Bylaw regulates and controls the use and development of land and buildings within the municipality, in accordance with Division 5 (Land Use) of the Municipal Government Act.

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Document Revision(s):

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## **1. PART 1 Interpretation**

### **1.1 Compliance with Legislation**

- 1.1.1 A person commencing development is responsible for complying with the provisions of this Bylaw, and any other municipal bylaw or statutory plan applicable to the proposed development, any relevant Federal and Provincial statutes or regulations, and any easement, covenant, agreement or contract affecting the subject lands.

### **1.2 Severability**

- 1.2.1 If any part of this Bylaw is held to be invalid by a decision of a court of competent jurisdiction, that decision will not affect the validity of the remaining parts of this Bylaw.

### **1.3 Application of this Bylaw**

- 1.3.1 The provisions of this Bylaw shall apply to all lands and development within the boundaries of the Town of Irricana, being all lands contained within its corporate boundaries.

### **1.4 Rules of Interpretation**

- 1.4.1 Unless otherwise required by the context, words used in the present tense include the future tense; words used in the singular include the plural; and the word person includes a corporation as well as an individual. The *Alberta Interpretation Act* shall be used in interpretation. Words have the same meaning whether they are capitalized or not.
- 1.4.2 The written regulations take precedence over any diagrams if there is a perceived conflict.
- 1.4.3 The Land Use District Map takes precedence over any diagram in the district regulations if there is an apparent conflict.

### **1.5 Similar Use Interpretation**

- 1.5.1 Where a use is applied for which is not specifically considered in any land use district or defined elsewhere in this Bylaw, but is similar in character and purpose to another use that is permitted or discretionary in the land use district in which such use is proposed, the following process shall apply:
- (a) The matter shall be referred by the Development Officer to the Municipal Planning Commission;
  - (b) The Municipal Planning Commission shall determine and make a ruling on the proposed use as to its similarity to a Permitted Use or Discretionary Use in the district;
  - (c) If the use is deemed similar, the proposed use shall be reviewed by the Development Authority as a Discretionary Use for the land use district; and

- (d) A decision issued in accordance with this Bylaw.

## **1.6 Land Use District Boundaries**

- 1.6.1 The boundaries on the land use districts delineated on the Land Use District Map in Part 7 of this Bylaw shall be interpreted as follows:
  - (a) Where a boundary follows a public roadway, lane, railway, pipeline, powerline, utility right-of-way, or easement, it follows the centre line, unless otherwise clearly indicated on the Land Use District Map.
  - (b) Where a boundary is shown as approximately following the Municipal boundary, it follows the Municipal boundary.
  - (c) Where a boundary is shown as approximately following a property line, it follows the property line.
  - (d) Where a boundary is shown as approximately following a topographic contour line or a top-of-bank line, it follows that line. In the event of change of the topographic line, it shall move with that line.
  - (e) Where a boundary is shown as being parallel to or as an extension of any of the features listed above, it shall be so.
- 1.6.2 When any public roadway is closed, the roadway lands have the same land use district as the abutting land. When different land use districts govern abutting lands, the centre of roadway is the land use district boundary unless the land use district boundary is shown clearly following the edge of the roadway. If the roadway is consolidated with an adjoining parcel, the parcel's land use district designation applies to affected portions of the roadway.

## **1.7 Units of Measure**

- 1.7.1 All units of measurement contained within this Bylaw are metric (SI) standards. Imperial measurements and conversions are provided for information only. In case of any discrepancy, metric units shall govern.

## **2. PART 2 Administration**

### **2.1 Development Authority**

- 2.1.1 The Development Authority is established by bylaw pursuant to Part 17, Division 3 of the *Municipal Government Act*.
- 2.1.2 The Development Authority shall exercise development powers and duties on behalf of the Municipality.
- 2.1.3 The Development Authority shall keep and maintain for the inspection of the public during office hours, a copy of this Bylaw and all amendments thereto, and ensure that copies are available at a reasonable charge as prescribed by Council.
- 2.1.4 The Development Authority shall keep and maintain for inspection of the public during office hours, a register of all applications for development, including decisions thereon and the reasons therefore, and all orders.

### **2.2 Development Officer**

- 2.2.1 In accordance with Section 623 of the Municipal Government Act, the office of Development Officer is hereby established and authorized to act as a Development Authority and shall be filled by a person or persons approved by the Council of the Town of Irricana. The Development Officer is authorized to act on behalf of the Municipality on those matters delegated to it by this Bylaw, under the office of the Chief Administrative Officer who may further delegate the position.
- 2.2.2 The Development Officer is hereby declared a Designated Officer for the purposes of this Bylaw and right of entry.
- 2.2.3 The Development Officer shall:
  - (a) consider and decide on applications for a Development Permit, and be governed in the consideration and decision on the application by the Bylaw, and the amendments thereto;
  - (b) receive, consider and decide on applications for a Development Permit for:
    - (i) Permitted Uses;
    - (ii) Permitted Uses or Discretionary Uses that constitute a Change of Use (e.g. to occupy a building or bay for which a Development Permit has been issued for the construction of the building shell);
  - (c) receive and consider and decide on requests for time extensions for Development Permits which the Development Officer has issued, to a maximum of 2 extensions of 1 year each;

- (d) receive and refer with a report to the Municipal Planning Commission for its consideration and decision:
  - (i) Discretionary Use Development Permit Applications;
  - (ii) Subdivision Applications;
  - (iii) Permitted Use Development Permit Applications where the application requests a variance exceeding 15% of a measurable standard or requests more than two variances to the standards of this Bylaw;
  - (iv) any application at the discretion of the Development Officer; and
  - (v) all other applications as required to be reviewed by the Municipal Planning Commission in this Bylaw.
- (e) refer for comment applications for Development Permits to those authorities and agencies prescribed within the *Subdivision and Development Regulation* and this Bylaw;
- (f) advise the applicant of an application for a use which is not listed as a Permitted Use or Discretionary Use in the district in which the building or land is situated, of their option of applying to Council for an amendment to this Bylaw; and
- (g) sign and issue all Development Permits.

- 2.2.4 Within 20 days of receiving a development permit application, the Development Officer shall review the application for completeness and provide a letter to the applicant stating whether the application is complete or incomplete. If the application is deemed to be incomplete the letter shall specify the outstanding information required from the applicant to make the application complete.
- 2.2.5 When, in the opinion of the Development Officer, sufficient details of the proposed development have not been included with the application for a Development Permit, as set out in Section 3.3, the Development Officer may request additional information required to make a decision on the application from the applicant.
- 2.2.6 After thirty (30) days from the date of referral to authorities or agencies, the Development Officer may proceed with deciding on the application, whether or not comments have been received.
- 2.2.7 All development approvals granted by the Development Officer shall be summarized and filed with the Municipal Planning Commission at their next regularly scheduled meeting.

## **2.3 Decisions on Applications**

- 2.3.1 Upon receipt of a Development Permit application the Development Authority shall within 20 days review the application for completeness and provide a letter to the applicant stating whether the application is complete or incomplete. If the application is deemed to be incomplete the letter shall specify the outstanding information required from the applicant to make the application complete.
- 2.3.2 Upon receipt of a complete application for a Permitted Use that conforms in all respects to the provisions of this Bylaw the Development Authority shall:
- (a) Approve the application without conditions, or
  - (b) Approve the application with conditions.
- 2.3.3 Upon receipt of a complete application for a Discretionary Use, the Development Authority may:
- (a) approve the application;
  - (b) approve the application subject to conditions;
  - (c) refuse the application with reasons.
- 2.3.4 The Development Authority shall not allow the use of land or a building not listed as a Permitted Use or Discretionary Use in the district in which the building or land is situated.
- 2.3.5 The Development Authority shall not approve an application for a Development Permit that is not in conformity with Town of Irricana Statutory Plans.
- 2.3.6 The Development Officer shall not issue a permit for a development which is to be serviced by private sewer and water systems until the systems have been approved by the appropriate Municipal and Provincial departments.
- 2.3.7 The Development Authority shall consider and decide on applications for Development Permits within forty (40) days of the receipt of the application in its complete and final form or within such time as granted by the applicant.

## **2.4 Municipal Planning Commission**

- 2.4.1 The Municipal Planning Commission shall consider and decide on all applications for a Development Permit, which:
- (a) are listed as Discretionary Uses in this Bylaw
  - (b) have been referred to it by the Development Officer; or
  - (c) are for a temporary use (as defined by this Bylaw and subject to Section 2.4.3 below) and which are not listed as either a Permitted



Use or Discretionary Use in the district in which the development is to occur.

- 2.4.2 An application for a Development Permit for a *Temporary Use* which is granted by the Municipal Planning Commission shall be limited to a period of time not exceeding sixty (60) days. Applications for the renewal of a *Temporary Use* shall be limited to one renewal and such renewal shall be limited to a period of time not exceeding sixty (60) days.
- 2.4.3 The Municipal Planning Commission shall receive, consider and decide on applications for subdivision approval.
- 2.4.4 The Municipal Planning Commission shall consider and decide on requests for time extensions to Development Permits, which have been referred by the Development Officer.

## **2.5 Subdivision Officer**

- 2.5.1 In accordance with Section 623 of the *Municipal Government Act*, the office of Subdivision Officer is hereby established and authorized to act as a Subdivision Authority and shall be filled by a person or persons approved by the Council of the Town of Irricana. The Subdivision Officer is authorized to act on behalf of the Municipality on those matters delegated to it by this Bylaw.
- 2.5.2 The Subdivision Officer shall:
- (a) keep and maintain for the inspection of the public during office hours, copies of all decisions and ensure that copies of same are available to the public at a reasonable charge as prescribed by Council.
  - (b) keep a register of all applications for subdivision, including the decisions thereon and the reasons therefore;
  - (c) refer for comment applications for subdivision to those authorities and agencies prescribed within the Subdivision and Development Regulations and this Bylaw;
  - (d) solicit comments from adjacent property owners on applications for subdivision;
  - (e) refer for comment an application for subdivision to an adjacent municipality when the site is within 60 metres (196.85 feet) of the Municipal boundaries or as specified within an Intermunicipal Development Plan;
  - (f) shall prepare, sign, and transmit all notices of decision and the application for subdivision;

- (g) shall review instruments for Land Titles registration for conformity with the Subdivision Officer or Municipal Planning Commission's decision; and
  - (h) may endorse Land Titles instruments in order to affect the registration of the subdivision of land.
- 2.5.3 The Subdivision Officer shall forward the application for subdivision together with a report and recommendation to the Municipal Planning Commission for decision.
- 2.5.4 After thirty (30) days from the date of referral to authorities, agencies, or landowners, the Subdivision Officer may process the application, whether or not comments have been received.
- 2.5.5 In the preparation of the report and recommendations, the Subdivision Officer shall give due consideration to the comments received from any authority or agency.
- 2.5.6 The Subdivision Officer shall advise the applicant of an application for subdivision for a use which is not listed as a Permitted Use or Discretionary Use or the lot does not meet the requirements of the district in which the land is situated, of their option of applying to Council for an amendment to this Bylaw.
- 2.5.7 Upon receipt of a subdivision application, the Subdivision Officer shall review whether the application is complete as set out in Section 3.5 of this Bylaw. Within 20 days of receipt of the application the Subdivision Officer shall issue a letter to the applicant stating whether the application is complete or incomplete. If the application is deemed incomplete the letter shall specify the outstanding information required.
- 2.5.8 The Subdivision Officer shall advise the Council, Municipal Planning Commission and Subdivision and Development Appeal Board on matters relating to the subdivision of land.
- 2.5.9 The Subdivision Officer shall appear before and represent the Municipal Planning Commission at appeal hearings on decisions on applications for subdivision.

## **2.6 Appeals**

- 2.6.1 Where the Development Authority or Subdivision Authority:
  - (a) refuses an application for a Development Permit, or a subdivision; or
  - (b) fails to issue or render a decision on an application for a Development Permit or subdivision; or
  - (c) approves an application for a Development Permit or subdivision, with or without conditions; or

- (d) issues an order under Section 3.13 of this Bylaw;

an appeal may be made to the appropriate Appeal Body in accordance with the *Municipal Government Act*.

2.6.2 Pursuant to the provisions of the *Municipal Government Act* an appeal must be filed with the appropriate Appeal Body within 21 days of the date the decision, notice, or order was transmitted, advertised, or issued.

2.6.3 The following persons may appeal to the appropriate Appeal Body:

- (a) The applicant for development or subdivision approval;
- (b) Any person affected by an order, or decision on a Development Permit;
- (c) An adjacent landowner that was given notice pursuant to Section 3.4.2 on a decision to issue a Development Permit;
- (d) A school authority with respect to the allocation of municipal school reserve on a decision to approve an application for subdivision; and
- (e) Those authorities and agencies to which the application for Development Permit or subdivision was referred and are entitled to appeal, pursuant to the provisions of the *Municipal Government Act*.

2.6.4 Notwithstanding other sections of this Bylaw, where the Development Authority issues a Development Permit for a Permitted Use in which the development complies in all respects of this Bylaw and the approval does not contain conditions any appeal is limited to procedural matters.

2.6.5 The appeal hearing must be held in accordance with the *Municipal Government Act*.

## **2.7 Variance Authority**

2.7.1 Notwithstanding Section 2.3 (Decisions on Applications) the Development Authority may approve an application for a development permit for a development that is a Permitted or Discretionary Use, but that does not otherwise comply with the provisions of this Bylaw, if in the opinion of the Development Authority:

- (a) The proposed development would not unduly interfere with the amenities of the neighbourhood or adjacent lands; and
- (b) The proposed development conforms with the use prescribed for that land or building in this Bylaw.

2.7.2 In addition to the considerations provided in 2.7.1 above, a variance may only be granted if, in the opinion of the Development Authority:

- (a) The variance requested maintains the intent and purpose of this Bylaw; and

- (b) The variance is desirable for the appropriate and orderly development or use of the land.
- 2.7.3 All requests for a variance shall be accompanied by a letter from the applicant clearly stating the reasons and rationale for the variance.
- 2.7.4 The Development Officer has the following authority to grant variances on development permit applications:
  - (a) A maximum variance may be granted up to 15% of a measurable standard within the Bylaw; and
  - (b) A maximum of two measurable standards may be varied by the Development Officer (e.g. site coverage and one setback).
- 2.7.5 The Municipal Planning Commission has the authority to grant variances on development permit applications as needed in accordance with this Bylaw.

## **2.8 Non-Conforming Uses and Non-Conforming Buildings**

- 2.8.1 A non-conforming building may continue to be used for the use(s) in operation at the time the building was determined to be non-conforming.
- 2.8.2 The building shall not be enlarged, added to, rebuilt or structurally altered, except:
  - (a) as or may be necessary to make it a conforming building; or
  - (b) as may be deemed necessary by the Development Officer for the routine maintenance of the building.
- 2.8.3 If a non-conforming building is damaged or destroyed by fire or other causes to an extent of more than 75 percent of the value of the building, above its foundation, the building may not be repaired or rebuilt, except in conformity with the provisions of this Bylaw.
- 2.8.4 A non-conforming use of land or a building may be continued, but if that use is discontinued for a period of six (6) consecutive months, or more, any future use shall conform to the provisions of this Bylaw.
- 2.8.5 The use of land or of a building is not affected by reason only of change of ownership, tenancy or occupancy of the land or building.
- 2.8.6 A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non- conforming building, shall not be enlarged or added to, and no structural alternations shall be made thereto or therein.
- 2.8.7 When a building is a non-conforming building solely by reason of its encroachment into a required front, side or rear yard, or inadequate parking, the Development Officer or Municipal Planning Commission, at its discretion, may allow an extension of, or an addition to the building, if such

extension or such addition will not in itself constitute an encroachment into any required yard, and if such extension or addition complies with the provisions of this Bylaw.

## **2.9 Forms, Notices and Fees**

- 2.9.1 For the purposes of administering the provisions of this Bylaw, Council, by Resolution, may authorize the preparation and the use of such forms, notices and fee schedules as in its discretion it may deem necessary. Any such forms, notices or fees are deemed to have the full force and effect of this Bylaw in execution of the purpose for which they were designed, authorized, and issued.
- 2.9.2 The forms, notices, and fee schedules authorized by Council pursuant to this Bylaw may be posted, issued, mailed, served or delivered in the course of the Development Officer's or Subdivision Officer's duties.

### **3. PART 3 Development and Subdivision**

#### **3.1 Development Requiring Permits**

- 3.1.1 Any use or development of lands, buildings or signs in the Municipality requires a valid Development Permit unless it is specifically exempted from requiring a Development Permit by this Bylaw or by Federal or Provincial legislation.

#### **3.2 Development Permit Not Required**

- 3.2.1 The following developments do not require a Development Permit:
- (a) Any use or development exempted under Section 618(1) of the *Municipal Government Act*;
  - (b) Any use or development exempted by the Lieutenant Governor in Council pursuant to Section 618(4) of the *Municipal Government Act*;
  - (c) Telecommunication antenna systems that are regulated by Industry Canada (see Appendix A for Telecommunication Protocols);
  - (d) The completion of a building which was lawfully under construction at the date this Bylaw came into effect provided the building is completed in accordance with the terms and conditions of any development permit(s) granted;
  - (e) The completion of a building that did not require a development permit under the previous land use bylaw and which was lawfully under construction provided the building is completed within 12 months from the date this Bylaw came into effect;
  - (f) An official notice, sign, placard or bulletin required to be displayed pursuant to provisions of Federal, Provincial or Municipal Legislation; and
  - (g) The use of a building or part thereof for a Federal, Provincial, or Municipal election, referendum or plebiscite.
- 3.2.2 A Development Permit shall not be required for the following developments, but must otherwise comply with all relevant provisions of this Bylaw:
- (a) Those signs exempted from requiring a permit specified in Section 6.2 - Signs Not Requiring a Development Permit of this Bylaw.
  - (b) A Home Occupation 1 – Phone and Desk;
  - (c) A change of occupancy within the same Use Class Definition, if in the opinion of the Development Officer, such a change of occupancy does not change the intensity of the use of the structure and where the structure has not been unoccupied for a time period exceeding 120 days.

- (d) A change of use within a building located in a commercial or industrial district where:
  - (i) The requirements of the Development Permit for the existing building have been fulfilled to the satisfaction of the Development Officer;
  - (ii) The change in use is from a Permitted Use or Discretionary Use to a Permitted Use in the land use district applicable to the site; and
  - (iii) The change is to a use where the number of required parking stalls is no greater (less or the same) than the use it is replacing.
- (e) Works of maintenance, repair or alteration, on a structure, both internal and external, if in the opinion of the Development Officer, such work is performed in accordance with obligatory legislation or other government regulations and does not:
  - (i) include structural alterations;
  - (ii) increase the footprint of the building;
  - (iii) impact any setback distances from property lines; and
  - (iv) change the use or intensity of the use of the structure.
- (f) The erection or installation of machinery needed in connection with operations for which a Development Permit has been issued, for the period of the construction.
- (g) The placement of a construction trailer during the construction, alteration, or maintenance of a building for a term not to exceed one (1) year provided the trailer is removed upon occupancy or issuance of an occupancy permit, whichever occurs first and there shall be no residential occupancy of the construction trailer at any time.
- (h) Temporary dumpsters for waste and storage may be located on a site, and may be located in the front yard, front driveway but may remain no longer than four (4) months. No dumpster shall be placed on any public roadway.
- (i) The installation, maintenance and repair of public works, services, utilities or buildings carried out by or on behalf of Federal, Provincial or municipal authorities on land which is owned or controlled by the Town.
- (j) The use by the Town of land which the Town is the legal or equitable owner for a purpose approved by a simple majority vote of Council in connection with any public utility carried out by the Municipality.

- (k) The construction, maintenance and repair of private walkways, private pathways, private driveways and similar works.
- (l) Removal or stockpiling of soil when a development agreement has been signed as a condition of subdivision approval.
- (m) The placement or construction of garden sheds, storage sheds or any other Accessory Building which is ancillary to residential uses, that is not more than 9.3 square metres (100 square feet) in area and less than 3.0 metres (9.84 feet) in height, so long as the building is in compliance with the maximum number of Accessory Buildings and total coverage area requirements of each district and is not located in the front yard of a residence.
- (n) The construction of a patio or deck that is under 0.67 metres (2.2 feet) in height which is attached to a dwelling and does not encroach into any of the yard setbacks as specific for the particular land use district in which the dwelling is located.
- (o) The construction or placement of a fence, gate, or wall no more than 2.0 metres (6.6 feet) in height.
- (p) Antenna structures, satellite dishes and other forms of communication structures on roofs for private use.
- (q) An outdoor above-ground private swimming pool in accordance with Sections 5.1 and 5.8 of this Bylaw and with the following:
  - (i) located in a side or rear yard;
  - (ii) having a total area not exceeding 15% of the site area; and
  - (iii) that does not have any part of the above grade component, including a deck, walkway, supporting member, heater or mechanical equipment, located within 1.2 metres (3.94 feet) of any side or rear property line.
- (r) Seasonal or holiday decorations.
- (s) The use of a building or a portion of a building on land designated as Public Service District for a community hall.
- (t) The installation of a decorative pond no deeper than 0.6 metres (2 feet) in depth.

### **3.3 Development Application Requirements**

- 3.3.1 An application for a Development Permit shall not be processed until the Development Officer considers the application to be deemed complete.
- 3.3.2 A complete application will include the appropriate Town forms completed, accompanied by the application fee, as set out in the Town of Irricana



Master Rates Bylaw, and any additional information required pursuant to this Bylaw.

3.3.3 The following information shall be provided by the applicant for any development permit application:

- (a) A site plan in duplicate, drawn to scale and legibly produced (strongly preferred with a computer/digital), which shows the following:
  - (i) Legal description of the site with north arrow;
  - (ii) All property lines clearly shown;
  - (iii) Area and dimensions of the land to be developed;
  - (iv) Measured setbacks from the proposed building(s) to all property lines (e.g. front yard, rear yard & side yards);
  - (v) Area and external dimensions, including the height of all buildings and structures proposed to be developed;
  - (vi) Location and dimensions of off-street parking and loading;
  - (vii) All site access points;
  - (viii) Rights-of-way and easements;
  - (ix) The location of all existing buildings, roads, water bodies, trees or other physical features on the site;
- (b) Statement of the proposed use(s) for the site;
- (c) Statement of ownership of land and the interest of the applicant therein;
- (d) Estimated commencement and completion dates;
- (e) Floor plans, elevations and sections and an indication of the exterior finishing materials and colour of any proposed building(s);
- (f) The development permit fee as prescribed;
- (g) Written agreement of the registered land owner(s) of the property with regard to the proposed development; and
- (h) Lot grading and/or storm water management plans for all industrial and commercial applications.

3.3.4 The following information may be required, at the discretion of the Development Authority, for any development permit application:

- (a) A Surveyor's Certificate or Real Property Report;
- (b) Lot grading, drainage and/or storm water management plan;
- (c) A groundwater and/or geotechnical analysis;

- (d) A private sewage disposal system site evaluation to determine site suitability and potential private sewage disposal system acceptable for the site; and
  - (e) Any other reasonable information the Development Authority deems is necessary to render a decision on the application.
- 3.3.5 Where an application for a Development Permit is determined to contain incorrect information, no Development Permit shall be issued until such information is corrected by the applicant.
- 3.3.6 An application for a Development Permit that demonstrates a change of use or intensity shall be made to the Development Officer providing all of the information required for a Development Permit and any relevant information to demonstrate the impact of the proposed use will not create any undue negative impacts on the adjacent uses, along with any additional information required by the Development Officer.

### **3.4 Issuance of Permits and Notice of Decision**

- 3.4.1 A Development Permit issued pursuant to this Bylaw is not a Building Permit and, notwithstanding that plans and specifications for buildings may have been submitted as part of an application for a Development Permit, work or construction shall neither commence nor proceed until a Building Permit has been issued pursuant to applicable bylaws and regulations.
- 3.4.2 When an application for a Development Permit is approved for:
  - (a) a Permitted Use that complies in all respects to the provisions of this Bylaw and without conditions, the Notice of Decision shall be issued in accordance with the *Municipal Government Act*; or
  - (b) a Permitted Use that requires a variance of a requirement of this Bylaw or has been approved with conditions or the approval is for a Discretionary Use, the Development Officer shall:
    - (i) send a Notice of Decision to the applicant; and
    - (ii) publish a Notice of Decision stating the legal description of the property, civic address and the nature of the use or development in a newspaper circulating in the municipality; and/or
    - (iii) circulate the Notice of Decision by ordinary mail to adjacent landowners; and/or
    - (iv) publish the Notice of Decision on the Municipality's website; and/or
    - (v) post the Notice of Decision conspicuously on the property.

- 3.4.3 When an application for a Development Permit is refused, the Notice of Decision shall be sent to the applicant.
- 3.4.4 For purposes of this Bylaw, Notice of Decision of the Development Officer or Municipal Planning Commission on an application for a Development Permit is deemed to have been given and to have been received:
- (a) in the case of a decision of refusal on an application for a Development Permit, five (5) days from the date that Notice of Decision is sent by ordinary mail to the applicant; or
  - (b) in all other cases, when Notice of Decision is advertised in the local newspaper.
- 3.4.5 Except for a Development Permit, which has been approved without conditions for a Permitted Use, a Development Permit for all other approved uses does not come into effect until it is determined that no notice of appeal has been served to the relevant Appeal Body within the 21 day appeal period after the Notice of Decision has been given pursuant to this Bylaw.
- 3.4.6 An application for a Development Permit shall, at the option of the applicant, to be deemed to be refused when a decision thereon is not made within forty (40) days after the receipt of the application in its complete and final form by the Development Officer. The applicant may appeal in writing pursuant to the provisions of the *Municipal Government Act* as though they had received a decision of refusal.
- 3.4.7 Notwithstanding the preceding clause, the applicant may enter into an agreement with the Municipality to extend the forty (40) day period for making a decision on a Development Permit application.
- 3.4.8 When an application for a Development Permit has been refused pursuant to this Bylaw or ultimately after appeal pursuant to the provisions of the *Municipal Government Act*, the submission of another application for Development Permit on the same parcel of land for the same or for a similar use of the land by the same or any other applicant need not be accepted by the Development Officer for at least six (6) months after the date of refusal.
- 3.4.9 If the development authorized by a Development Permit is not commenced within twelve (12) months from the date of its issue, the permit is deemed to be cancelled, unless an extension to this period is granted by the Development Authority.
- 3.4.10 If the development authorized by a Development Permit is not completed within 24 months or as otherwise stated in the conditions of the Development Permit the permit is deemed to be cancelled unless an extension to this period is granted by the Development Authority.

### **3.5 Subdivision Application Requirements**

- 3.5.1 An application for subdivision approval shall be made to the Subdivision Officer and shall include all information requirements as outlined on the application form, signed by the owner or their agent and accompanied by the following:
- (a) The location, dimensions and boundaries of the parcel to be subdivided;
  - (b) The proposed lot(s) and the balance parcel (if applicable);
  - (c) The location, dimensions and boundaries of each new lot to be created, and any reserve land;
  - (d) existing rights-of-way of each public utility, or any other rights- of-way for roads, pipelines, access easements etc.;
  - (e) The location, use and dimensions of buildings on the parcel that is the subject of the application and specifying those buildings that are proposed to be demolished or moved;
  - (f) The location and boundaries of the bed and shore of any river, stream, watercourse, lake or other body of water that is contained within or bounds the proposed parcel of land;
  - (g) The location of any existing or proposed wells, any private sewage disposal systems and the distance from these to existing or proposed buildings and existing or proposed lot lines; and
  - (h) Existing and proposed access and egress to the proposed lot(s) and the remainder of the parcel.
  - (i) copy of the current title, obtained within thirty (30) days of making the application, including copies of all registered instruments on the land proposed for subdivision;
  - (j) a "Real Property Report" if the parcel contains existing buildings that will remain; and
  - (k) a power and street lighting design acceptable to the utility company and the Town.
- 3.5.2 Proposed plans of subdivision shall be accompanied by the following unless specifically not requested by the Subdivision Officer:
- (a) A Site Grading Plan showing: all grades, existing and proposed, for the area proposed for subdivision; cut and fill areas for the area proposed for subdivision; maximum and minimum bottom of footing elevations for developments within the area proposed for subdivision; final elevations for all corners of lots proposed for subdivision; and

final elevations adjacent to all walls for developments within the area proposed for subdivision;

- (b) A geotechnical and groundwater assessment, prepared by a qualified professional, on the subsurface characteristics of the site's suitability;
- (c) Proposed Municipal Reserve or cash in lieu options and any identified Environmental Reserve;
- (d) A Stormwater Management Report, accompanied by a Storm Pond if applicable and a Master Drainage Plan;
- (e) Private Sewage Disposal Study, if the proposed development is not intended to tie into the Town piped sanitary sewage system;
- (f) Wetland and Biophysical Impact Assessment and approval from Alberta Environment and Parks as to the protection, mitigation or compensation strategy for any identified wetlands;
- (g) A market value appraisal of the land in accordance with s. 666 and s.667 of the Municipal Government Act as it pertains to the determination of cash in lieu value for Municipal Reserve;
- (h) A Historical Resources Impact Assessment and Provincial Clearance on lands to be subdivided;
- (i) A plan identifying all rights-of-way, easements and/or public utility lots that may be required to implement the approved stormwater plan; and
- (j) A tentative power and street lighting design which details the requirements for utility rights-of-way, easements and/or public utility lots.

### **3.6 Issuance of Notice of Decision for Subdivision**

- 3.6.1 A decision on an application for subdivision approval is not an approval to develop, construct or build on the land. Site grading, earthwork, or any other construction shall not commence nor proceed other applicable permits or approvals have been issued (e.g. development agreement, development permit, and/or building permit).
- 3.6.2 When an application for a subdivision is approved, with or without conditions, or refused, the Notice of Decision shall be issued to the applicant and those persons and authorities that are required to be given a copy of the application under the *Subdivision and Development Regulation*.
- 3.6.3 For purposes of this Bylaw, the date of Notice of Decision of the Municipal Planning Commission on an application for subdivision is the date the decision was transmitted to the applicant and those persons required to be notified by the preceding clause.

- 3.6.4 The applicant or those government agencies to which the application for subdivision was referred may appeal the decision in accordance with the *Municipal Government Act* and *Subdivision and Development Regulation* as applicable.
- 3.6.5 An application for a subdivision approval shall, at the option of the applicant, be deemed to be refused when a decision thereon is not made within twenty-one (21) days for an application pursuant to the provisions of the *Municipal Government Act*, and sixty (60) days in all other cases after the receipt of the application in complete and final form by the Subdivision Officer. The applicant may appeal in writing as provided in the *Municipal Government Act* as though the applicant had received a decision of refusal
- 3.6.6 Notwithstanding the preceding clause, the applicant may enter into an agreement with the municipality to extend the time period for making a decision on an application for subdivision.

### **3.7 Conditions of Development Permit or Subdivision Approval**

- 3.7.1 In their decision to approve an application for subdivision or development, the Development Authority or Subdivision Authority may apply conditions to ensure compliance with the provisions of the *Municipal Government Act*, *Subdivision and Development Regulation*, applicable statutory plans of the Municipality and this Bylaw, and ensure the orderly development of land within the Municipality. These may include any or all of the following conditions to:
- (a) construct or pay for the construction or improvement of:
    - (i) a public roadway required to give access to the development or subdivision;
    - (ii) a pedestrian walkway system to serve the development or subdivision, an adjacent development or subdivision, or both;
    - (iii) off-street or other parking facilities;
    - (iv) loading or unloading facilities; and
    - (v) garbage and recycling loading and unloading facilities.
  - (b) install or pay for the installation of services necessary for the development or subdivision, which shall meet municipal standards, including:
    - (i) public utilities, other than telecommunications systems or works;
    - (ii) stormwater management works; and
    - (iii) utilities, roadways, and improvements with an excess capacity.

- (c) pay an off-site levy or redevelopment levy;
- (d) give security to ensure that the terms of the agreement under this section are carried out;
- (e) enter into a service agreement or make satisfactory arrangements for the supply of gas, water, electric power, telephone, sewer service, vehicular and pedestrian access, any other utility, service, or facility, including payment of installation or construction costs by the applicant;
- (f) repair or reinstate, or to pay for the repair or reinstatement, to original condition any roads, municipal signage, curbing, sidewalk, Boulevard landscaping and tree planting which may be damaged, destroyed, or otherwise harmed during construction of the development or subdivision;
- (g) specify the location, standard, and number of vehicular and pedestrian access locations to a site from public roadways;
- (h) provide security in the form of an irrevocable and unconditional letter of credit to carry out the terms of an agreement or any other works associated with:
  - (i) the installation and construction of streets, utilities and landscaping or replacement of same for the development of the lot and adjacent public roadways during and after its development;
  - (ii) completing any renovations as set out as a condition of approval of a Development Permit for the relocation of a building either on the same lot or from another lot; and
  - (iii) security provided shall be the amount of 125 percent (%) of the estimated dollar amount of the work, based upon an independent quotation of the value of the work covered by the agreement or such other amount as the Development Officer, Municipal Planning Commission or Council may determine. The security is to be paid to the Municipality for its use in completing the terms of the agreement or works in the event of a breach of the terms of the agreement by the applicant.
- (i) conditions respecting the time within which a development or subdivision or any part of it is to be completed;
- (j) conditions limiting the length of time that a Development Permit may continue in effect;
- (k) the phasing of development or subdivision;

- (l) the maximum density of dwelling units or other objects regulated by this Bylaw which may be allowed to occupy a lot; and
- (m) the placement of objects, building, structures, material or any other chattel mechanism or device used in or for the operation of the development.

3.7.2 Endorsement of a subdivision to allow registration of the lots will not be approved until all of the conditions of a subdivision approval have been completed to the satisfaction of the Town.

### **3.8 Enforcement**

- 3.8.1 No person shall commence development or take any action that is contrary to the provisions of this Bylaw or to any permit or order issued under it.
- 3.8.2 A Development Authority may enforce the provisions of this Bylaw, and any permit or order issued under it.
- 3.8.3 After serving reasonable notice, a Designated Officer may enter a property to verify a contravention exists or that an action required under this Bylaw has been completed.
- 3.8.4 If a person fails to comply with an order issued under this Bylaw, a Designated Officer may take whatever lawful action is necessary to ensure compliance.
- 3.8.5 Compliance with the requirements of this Bylaw or the issuance of a Development Permit or an approval of a subdivision pursuant to this Bylaw does not afford relief from compliance with the provisions of the Municipal Government Act, other Federal or Provincial Government legislation, or other bylaws and regulations affecting the development or subdivision in question. It is the applicant's responsibility to ensure that all required permits, licenses and authorizations from affected authorities are in place prior to the commencement of the development.

### **3.9 Right of Entry**

- 3.9.1 Enforcement of Municipal Law and "right of entry" procedures are governed by the provisions of the Municipal Government Act and must be consulted for full details. The following extract of Section 542 (1) is provided for information purposes only:

*"542 (1) If this or any other enactment or a bylaw authorizes or requires anything to be inspected, remedied, enforced or done by a municipality, a designated officer of the municipality may, after giving reasonable notice to the owner or occupier of land or the structure to be entered to carry out the inspection, remedy, enforcement or action, enter such land or structure at any reasonable time, and carry out the inspection, enforcement or action authorized or required by the enactment or bylaw, request anything be produced to assist in*



*the inspection, remedy, enforcement or action, and make copies of anything related to the inspection, remedy, enforcement or action. The designated officer must display or produce on request identification showing that the person is authorized to make the entry;*

*In an emergency or in extraordinary circumstances the designated officer need not give reasonable notice or enter at a reasonable hour and may do the things in subsection (1)(a) and (c) without the consent of the owner or occupant. "*

- 3.9.2 The Development Officer, Subdivision Officer, or such other designated person, is a "designated person" for the purposes of this Section.

### **3.10 Suspension of a Development Permit**

- 3.10.1 The Development Officer may suspend or cancel a Development Permit by notice in writing to the holder of the Development Permit stating the reasons for any suspension or cancellation if, after a Development Permit has been issued, the Development Officer becomes aware that:

- (a) the application for the Development Permit contained misrepresentations;
- (b) facts concerning the application or the development that were not disclosed, and which should have been disclosed at the time the application was considered, have subsequently become known; or
- (c) the Development Permit was issued in error.

- 3.10.2 If a Development Permit is suspended, the applicant may appeal to the appropriate Appeal Body.

### **3.11 Stop Orders**

- 3.11.1 If a development, land use, building or sign is found to contravene a provision(s) of this Bylaw or conditions of a permit or order issued under this Bylaw, a Development Authority may serve the landowner, occupant, or other person responsible with an order to:

- (a) stop development or the use of the land or building in whole or in part as directed by the notice;
- (b) demolish, remove, or replace the development; or
- (c) carry out any other action required by the notice to ensure compliance with this Bylaw or the conditions of a permit or order issued under this Bylaw.

### 3.12 Enforcement of Stop Orders

- 3.12.1 The Municipality may register a caveat against the Certificate of Title for land that is the subject of an order under this Bylaw. The caveat shall be discharged upon achieving compliance with the order.
- 3.12.2 Costs to the Municipality resulting from enforcement actions taken to achieve compliance with an order under this Bylaw may be added to the tax roll of lands subject to the order.

### 3.13 Bylaw Contravention and Fees

- 3.13.1 This Bylaw shall be enforced, and contravention of any provision contained herein will be acted upon within the legal authority of the Council and potentially the Court of Queen's Bench of Alberta. The authority regarding offences and penalties of this Bylaw is governed by Part 13, Division 4 and 5 of the *Municipal Government Act*.
- 3.13.2 A person who contravenes or fails to comply with provisions of this Bylaw and any decision, condition or order made under it, or who obstructs or hinders any person in the administration of enforcement of this Bylaw, is guilty of an offence under the *Municipal Government Act*.
- 3.13.3 A person who:
  - (a) contravenes this Bylaw;
  - (b) contravenes an Order under this Bylaw;
  - (c) contravenes a Development Permit or subdivision approval or a condition attached thereto; or
  - (d) obstructs or hinders any person in the exercise or performance of their powers or duties under this Bylaw or the regulations under this Bylaw;Is guilty of an offence and is liable to the penalties described in this Bylaw or any other Bylaw for the Municipality.
- 3.13.4 Any person who commits the following offences under this Bylaw shall be liable for the prescribed penalties and fines set out below:
  - (a) Commencing excavation of development site prior to issuance of Development Permit: **Double the Standard Development Fees.**
  - (b) Commencing any development prior to issuance of a Development Permit: **Double the Standard Development Fees.**
  - (c) Offences regarding Off-street Parking of Recreational and Commercial Vehicles and Motor Vehicles **As Set by Resolution or Policy of Council.**

- (d) Any offence under the Sign section of this Bylaw: **As Set by Resolution or Policy of Council.**

3.13.5 Any written notice, or Order, or decision that is required under any provision of this Bylaw to be provided to any person shall be deemed to have been so provided if it is:

- (a) delivered personally to the person or their agent it is directed to;
- (b) mailed by registered mail to the last known address of the person it is directed to; or
- (c) left with any agent or employee or resident at the last known address of the person to whom it is directed.

3.13.6 Paying a penalty or pleading guilty does not constitute an approval to continue the activity in violation of the Land Use Bylaw.

3.13.7 A person who receives an order may appeal to the appropriate Appeal Board pursuant to this Bylaw and the provisions of the *Municipal Government Act*.

### **3.14 Amendments**

3.14.1 Town of Irricana Council may initiate amendment to the text, schedule or land use district maps within this Bylaw, in accordance with the *Municipal Government Act*.

3.14.2 Any municipal resident, landowner or their representative may apply to amend this Bylaw by submitting a written request to Council.

3.14.3 If Council initiates an amendment to re-designate lands, all landowners within the area being re-designated shall be notified in accordance with the *Municipal Government Act*.

### **3.15 Bylaw Amendment Application Requirements**

3.15.1 All applications for a Bylaw amendment shall be made to Council through the Development Officer and shall include the following:

- (a) A completed application for and the application fee for each application in accordance with the fee schedule as prescribed by Council;
- (b) A statement of the purpose and reasons for the proposed amendments;
- (c) A Certificate of Title and copies of all instruments attached to the title, pulled less than thirty (30) days prior to making the application;
- (d) A letter from the landowner identifying the agent for the land use re-designation application (if applicable);

- (e) Any drawing(s) required to be submitted shall be drawn to scale and accurately dimensioned to the satisfaction of the Development Officer; and
  - (f) Authorization for right of entry onto the land by Designated Officers.
- 3.15.2 In addition to the information provided in this Section, the Council may request the preparation of a Concept Plan or Area Structure Plan for:
  - (a) applications over 5 acres in size; or
  - (b) applications for a Direct Control in accordance with Section 7.13 of this Bylaw.

### **3.16 Bylaw Amendment Procedure**

- 3.16.1 Prior to giving a proposed bylaw to amend or repeal this Bylaw second reading, the Council shall hold a public hearing in accordance with the provisions of the *Municipal Government Act*.
- 3.16.2 Council may refer the application to any municipal, Federal, Provincial authority, or to any other agency or body it deems appropriate for information and comment.
- 3.16.3 Where an amendment proposes to change the land use designation of a parcel of land, Council shall, in accordance with *Section 692(4) of the Municipal Government Act*, provide written notice of the proposed changes to the owner of the affected land and to each owner of adjacent land as defined by the *Municipal Government Act* or any other land owner that Council deems affected.
- 3.16.4 Where an application for an amendment to this Bylaw has been refused by Council, another application for the same, or substantially the same, amendment shall not be considered within six (6) months of the date of the refusal unless Council otherwise directs.
- 3.16.5 Where an application for an amendment to this Bylaw does not receive first reading by Council, the applicant may be refunded up to 100% of their application fees.

### **3.17 Concept Plan or Area Structure Plan Requirements**

- 3.17.1 In addition to any requirements for an Area Structure Plan stated in the *Act*, an application for a Concept Plan or Area Structure Plan in the Town of Irricana shall contain the following:
  - (a) A description of all lands contained within the plan area;
  - (b) The prospect use of lands within the plan area;
  - (c) Proposed parcel size and density of the plan area;
  - (d) The proposed internal road pattern;

- (e) An open space scheme identifying pedestrian pathways, linkages to the greater community open space network, the location and distribution of the municipal and environmental reserve;
- (f) A servicing proposal including, but not limited to, public and private utilities for the concept plan area;
- (g) A stormwater management scheme identifying key elements of the scheme, the distribution of these elements within the concept plan area and (where or considered necessary by the municipality) their integration with other stormwater systems operating within the Town;
- (h) An architectural and massing scheme for any residential development;
- (i) A Crime Prevention through Environmental Design (CPED) strategy that anticipates problematic places and situations where crime can occur within the plan and establishes design guidelines for the evaluation and mitigation of this potential;
- (j) Shall evaluate and address any off-site development issues, which may result from development within the plan area;
- (k) Ensure that the transition between adjacent land uses and the proposed land use in the plan area are compatible or any anticipated conflicts are mitigated;
- (l) Evaluation of any on-site hazards and appropriate mitigation or avoidance measures, including but not limited to, railroad tracks and fire protection;
- (m) An evaluation of on-site geotechnical features, the scope of which shall be determined by the Town of Irricana's engineer;
- (n) An evaluation of on-site environmental conditions, including but not limited to, a wetlands and biophysical inventory, and requirements on the dedication of Environmental Reserve for a floodplain and coulee;
- (o) An evaluation of any on-site hydrological conditions;
- (p) An evaluation of on-site servicing proposal with respect to the provisions or upgrading of off-site distribution, treatment or disposal facilities;
- (q) A Traffic Impact Analysis/Assessment, the scope of which shall be determined by the Town of Irricana's engineer;
- (r) A Historical Resources Overview and/or an Archeological Impact Assessment; and
- (s) Such other information as deemed necessary by Council.

### **3.18 Intermunicipal Referrals**

- 3.18.1 In addition to any circulation requirements within an adopted Intermunicipal Development Plan, the Town shall circulate applications to Rocky View County for the following:
- (a) Road closure applications that are judged by Town staff to have an impact on Rocky View County;
  - (b) Municipal Development Plan amendments;
  - (c) Area Structure Plan, Concept Plans and Area Redevelopment Plan adoption or amendment; and
  - (d) Draft land use policies and developments which may create local access issues for all residents of the County and all other major applications or policies at the discretion of the Town or at the request of the County.
- 3.18.2 The Town will consider comments received from Rocky View County within thirty (30) days of the circulation date. If no response is received within this time, the response may be considered as "no objection".

## **4. PART 4 General Land Use Regulations**

### **4.1 Applicability**

- 4.1.1 The General Land Use Regulations in this part of the Bylaw apply to all land use districts in the Municipality unless specifically excluded or modified by provisions elsewhere in this Bylaw.

### **4.2 Crime Prevention through Environmental Design (CPTED)**

- 4.2.1 All development in the Municipality should consider Crime Prevention through Environmental Design (CPTED) principles to create development for a safe pedestrian friendly community. A site CPTED Strategy may be required by the Development Authority as a condition of development approval. CPTED principles include:

- (a) ensuring clear sight lines;
- (b) providing adequate lighting;
- (c) minimizing concealed and isolated routes;
- (d) avoiding entrapment;
- (e) reducing isolation;
- (f) promoting land use mix;
- (g) using activity generators;
- (h) creating a sense of ownership through maintenance and management;
- (i) providing signs and information; and
- (j) improving overall design of the built environment.

### **4.3 Design and Appearance of Development**

- 4.3.1 All new development shall present a high standard of site development and architectural character that enhances or complements existing development.
- 4.3.2 The design, character, and appearance of any building, structure, or sign, proposed to be erected or located in any district, must be acceptable to the Development Officer or the Municipal Planning Commission, having due regard to the amenities and the character of existing development in the district, as well as to its effect on adjacent properties in other districts.

### **4.4 Drainage**

- 4.4.1 At the discretion of the Development Authority, the applicant shall be required to grade a parcel in such a manner that all surface water will drain from the building site to the back lane, and/or front street or as detailed in a Drainage or Stormwater Management Plan approved by the Town.

- 4.4.2 In no case shall any part of any structure encroach or cause runoff on an adjoining property.
- 4.4.3 Any area requiring landscaping or regrading, the reconstruction shall be landscaped or reconstructed so that the finished surface contours do not direct surface drainage onto an adjoining site.
- 4.4.4 Roof drainage from all buildings and structures shall be directed by means of eavestroughs, drain-spouts, or such other suitable means, onto the same property where the building or structure is located.
- 4.4.5 At the discretion of the Development Authority, the applicant may be required to submit a Stormwater Management Plan or Drainage Plan, indicating how drainage will be managed on the site.
- 4.4.6 All development shall follow any approved Stormwater or Drainage Master Plan in place.
- 4.4.7 At the discretion of the Development Authority, the applicant may be required to install a catch basin or similar storm water management works on site if deemed necessary by the Development Authority.
- 4.4.8 Where retaining walls are necessary or proposed in any development, such walls shall be developed with professional quality and shall not negatively affect adjacent parcels due to site elevation or drainage.

#### **4.5 Emergency Servicing**

- 4.5.1 Development shall be designed to provide access for emergency vehicles (i.e., fire, ambulance and police).
- 4.5.2 The Development Authority or Subdivision Authority may refer any application to emergency services providers (fire, EMS, police) for comment prior to a decision.

#### **4.6 Environmental Considerations**

- 4.6.1 Development on land that is subject to flooding or subsidence or is marshy or unstable is not permitted and shall be considered for designation at the time of subdivision as Environmental Reserve or Environmental Reserve Easement in accordance with the *Municipal Government Act*.
- 4.6.2 The Development Authority may, as a condition of issuing a Development Permit for a Discretionary or Permitted Use, require the completion of a Phase I Environmental Site Assessment to determine if there are any environmental or contamination concerns on the site being developed.
- 4.6.3 If a Phase I Environmental Site Assessment identifies potential contamination issues and recommends a Phase II ESA and remediation occurs, this work must be completed to the satisfaction of the Town



Engineer and Provincial agencies prior to any development occurring on the site.

- 4.6.4 Should development be proposed on lands with environmental concerns, the developer/ owner shall provide a report prepared by a professional registered engineer demonstrating how the development may occur in a safe manner, and the developer/owner shall hold the Municipality harmless from any damage to or loss of the development.

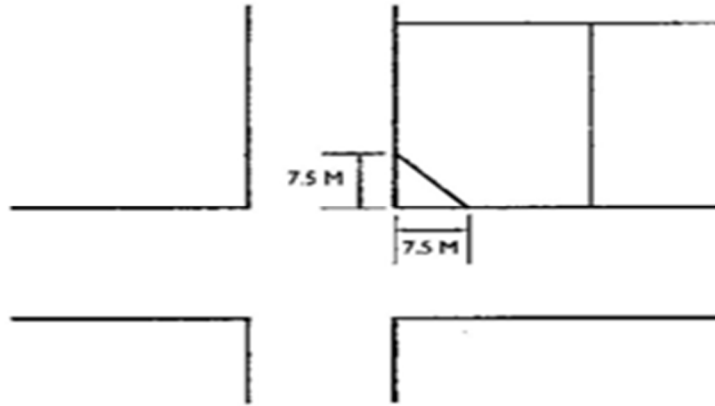
#### **4.7 Height of Buildings**

- 4.7.1 The base from which to measure the height of a building shall be the average elevation of the finished ground level adjoining all exterior walls of a building.
- 4.7.2 The height of buildings as specified in the regulations of this Bylaw shall not apply to antenna structures, utility poles, flagpoles or other similar devices considered not structurally essential to the building by the Development Authority

#### **4.8 Landscaping and Fencing**

- 4.8.1 All new development shall enhance and complement existing streetscapes by providing appropriate high-quality landscaping, site and building design.
- 4.8.2 Where a landscaped area is required pursuant to the provisions of a land use district, it shall be provided in accordance with a landscaping plan satisfactory to the Development Officer or the Municipal Planning Commission and in conformity with the following rules:
- (a) All portions of a site not covered by structures or vehicular circulation areas shall be landscaped.
  - (b) Parking lots accommodating more than six (6) vehicle parking spaces must be landscaped.
  - (c) All landscaped areas shall be designed to facilitate effective surface drainage and to minimize surface runoff.
  - (d) The landscaping standards established on an approved landscaping plan shall be the minimum standard which is to be maintained on a site.
  - (e) Any trees or shrubs which die must be replaced during the next planting season on a continuing basis.
  - (f) All plant material shall be of a species capable of healthy growth in the Town of Irricana area and conforming to the standards of the Canadian Nursery Trades Association and shall be drought resistant.
- 4.8.3 Notwithstanding any other provision contained in this Bylaw, no object, structure, fence, hedge, shrub, or tree above a height of 1 meter (3.28 feet)

shall be placed in or on that part of a corner site located within an Urban Reserve, Industrial or Residential District which lies within a triangle formed by a straight line drawn between two points on the exterior boundaries of said site, 7.5 metres (24.61 feet) from the point where they intersect as indicated on the following diagram.



- 4.8.4 Fences in any district shall be built on private property only. Fences shall not encroach onto any public property.
- 4.8.5 Fence materials and design shall be to the satisfaction of the Development Authority.
- 4.8.6 Except as hereinafter provided, no fence in any district, shall exceed:
  - (a) 1.0 meter (3.28 feet) in the front yard;
  - (b) 1.22 metres (4 feet) on any yard adjacent to a Town park, trail, open space or recreational property; or
  - (c) 2.0 metres (6.56 feet) in the side or rear yard.
- 4.8.7 A fence in a Business, Industrial or Urban Reserve District may exceed height restrictions at the discretion of the Development Officer or Municipal Planning Commission.
- 4.8.8 No fencing within the Town boundaries shall include barbed wire construction below a height of 2 metres (6.56 feet).
- 4.8.9 Fences built in accordance with agreements made with developers or builders which are bounded on one side by Town owned lands shall be constructed entirely within private property and shall become the property of the lot or lots upon which it is situated. All maintenance or replacement of a fence built according to this clause shall be the sole responsibility of the private landowner(s).
- 4.8.10 A pedestrian gate may be permitted to be built through a fence built according to the above noted clause as long as the access does not

constitute a reasonably foreseeable hazard to public safety. Said gate must open in towards the private lands.

4.8.11 The Development Authority may require a landscaping plan for a commercial development to be completed by a professional Landscape Architect or a person qualified to perform such work. No Development Permit shall be issued prior to the approval by the Municipality of the Landscaping Plan.

4.8.12 A Landscaping Plan shall include the following:

- (a) Boundaries, elevations and dimensions of the subject site;
- (b) Location of all the buildings, parking areas, driveways and entrances;
- (c) Location of all exterior lights on the site and their projected light patterns in relation to adjacent public roadways and developments;
- (d) Location of existing plant materials to be retained;
- (e) Location of new plant materials;
- (f) Plant material list identifying the name, quantity and size of plant material;
- (g) All other physical features, existing or proposed, including berms, slopes, screening, walls, fences, outdoor furniture, lighting, decorative paving, open space systems, play equipment, benches and picnic tables, and pedestrian circulation patterns;
- (h) A location plan showing the proposed development and landscaping relative to the landscaping and improvements on adjacent properties;
- (i) The layout and type of soft and hard landscaped areas; and
- (j) Details of the irrigation system.

4.8.13 A Landscaping Plan is encouraged to have xeriscaping and drought tolerant vegetation incorporated into the landscaping design.

## **4.9 Lighting**

4.9.1 All proposed development shall provide appropriate site lighting in accordance with the provisions of this Bylaw and in accordance with the Town of Irricana engineering design standards and shall follow Dark Sky principles. The Dark Sky concept is intended to provide exterior lighting for commercial, industrial, and multi-unit residential development that allow for safe and secure development but minimize the off-site light pollution and focus the lighting on the structure, while conserving energy and resources. This approach creates exterior lighting that does not negatively impact the quality of life for adjacent neighbours.

4.9.2 Site lighting should adhere to the following principles:

- (a) Minimize the amount of illumination by reducing the number of light fixtures;
- (b) Minimize the area of illumination by aiming the light only where it is needed, reduce glare, and ensure that little or no unwanted light falls directly onto adjacent properties;
- (c) Minimize the duration of illumination; and
- (d) Minimize the amount of "cold" wavelength illumination in favour of the "warm" end of the light spectrum to reduce impact on the natural environment.

#### **4.10 Lot Requirements**

- 4.10.1 No permit shall be issued for any development on a lot, the area or width of which is less than the minimum prescribed for the district in which the site is located. However, a lot of separate record in the Land Titles Office, containing less than the required minimum area or width, may be used subject to the discretion of the Development Officer or the Municipal Planning Commission, if all other requirements of this Bylaw and amendments hereto are observed.

#### **4.11 Objects Prohibited or Restricted in a Commercial District**

- 4.11.1 The placement of any prefabricated metal storage unit that is not classified as an Accessory Building, in any front yard, without a temporary Development Permit is prohibited.

#### **4.12 Parking and Loading Facilities**

- 4.12.1 All parking shall be designed in a manner that complements the defined development, provides clear and easy access to the street system and discourages "overspill parking" into adjacent areas and street.
- 4.12.2 All new proposed developments shall provide adequate on-site parking that is accessible and convenient to users.
- 4.12.3 None of the off-street parking facilities as required in this Bylaw shall be required for any existing building in the Central Business District (CBD) which are not conforming to these parking requirements unless such building shall be expanded, in which case the provisions of this Bylaw shall apply only to that portion of the building or use so expanded.
- 4.12.4 Parking and loading spaces shall be calculated on the basis of gross leasable floor area, unless otherwise stated. The required number of spaces shall be rounded up to the next whole number when a fractional number of 0.5 or greater occurs and rounded down when a fractional number of 0.49 or less occurs.
- 4.12.5 Parking and loading spaces shall be provided on-site in accordance with the following table:

**TABLE 1: PARKING AND LOADING REQUIREMENTS**

| <b>Use of Building or lot</b>   | <b>Parking (on-site)</b>   | <b>Loading</b> |
|---|--|----------------|
| <b>Residential</b>  |  |                |
| Apartments – 1 bedroom  | 1 space per dwelling unit  |                |
| Apartments – 2 or more bedrooms   | 1 space per dwelling unit  |                |
| Bed and Breakfast   | 1 space per guest room   |                |
| Day care services   | As per single family residence   |                |
| One- and two-family dwelling units                                      | 1 space per dwelling unit  |                |
| Multi dwelling units  | 1 space per dwelling unit plus 1 visitor space per 4 dwelling units.                             |                |
| Senior Citizen Accommodation (Assisted or Supportive living)            | 1 space per 2 units  |                |
| Senior Citizen Accommodation (Independent living – lodge or equivalent) | 1 space per unit   |                |
| Senior Citizen Accommodation (Independent living – all others)          | 1 space per 1-bedroom unit,<br>1.5 spaces for a 2-bedroom unit,<br>2 spaces for a 3-bedroom unit |                |
| <b>Commercial</b>   |  |                |
| Administrative Business and Professional Office                         | 1 space per 65 m <sup>2</sup> of floor area  |                |
| Adult Entertainment Establishment                                       | 1 space for 3 patron seats; 1 space for 37 m <sup>2</sup> of retail floor area                   |                |
| Agricultural, Commercial  | 1 space per 60 m <sup>2</sup> of retail floor area   |                |

| Use of Building or lot                                    | Parking (on-site)   | Loading                         |
|---|---|---------------------------------|
| Amusement Center  | 1 space per 29 m <sup>2</sup>   |                                 |
| Auctioneering Establishment                               | 1 space per 37 m <sup>2</sup> of retail floor area  |                                 |
| Community Buildings                                       | 0.25 spaces per person based on fire capacity   | 1 space                         |
| Day Care Center   | Minimum 2 spaces and 1 space per shift staff member   |                                 |
| Drive Through Restaurant                                  | Minimum vehicle stacking at the drive through window of 6 spaces, and 1 space per 4 seats of indoor dining                                |                                 |
| Financial Institution                                     | 1 space per 65 m <sup>2</sup> of floor area   |                                 |
| Funeral Services  | 1 space per 3 seats   | 1 space                         |
| Motels, Hotels  | 1 space per guest unit and 2 spaces for the office  |                                 |
| Restaurants _ food service only and restaurant - licensed | 1 space per 4 seats   |                                 |
| Retail Store and personal service shops                   | 1 space per 37 m <sup>2</sup> of retail sales area  |                                 |
| Shopping Centers  | 4 spaces per 93 m <sup>2</sup> gross leasable area  |                                 |
| Theaters  | 1 space per 4 seats   |                                 |
| <b>Light Industrial</b>                                   |   |                                 |
| Industrial and Railway                                    | All uses – space for every 100 m <sup>2</sup> of floor area, or 1 space for every 3 employees, whichever is greater – minimum of 2 spaces | 1 space per 2000 M <sup>2</sup> |
| Industrial – Storage Facility or Yard                     | 4 spaces per 1 hectare (2.47 acers) of site area  | 1 space per 2000 M <sup>2</sup> |

| Use of Building or lot                                   | Parking (on-site)   | Loading   |
|--|---|---|
|  | plus 1 space per 37 M <sup>2</sup> of retail store area   | minimum 1 of space                                    |
| Industrial – Storage and Distribution Center or facility | 1 space per 100 m <sup>2</sup>  | 1 space per 2000 M <sup>2</sup><br>minimum 1 of space |
| Industrial - General                                     | 1 space per 60 m <sup>2</sup>   | 1 space per 2000 M <sup>2</sup><br>minimum 1 of space |
| Public & Quasi-Public                                    |   |   |
| Arenas   | 1 space per 9 m <sup>2</sup>  |   |
| Medical and Health                                       | 2 spaces per examining room and 1 per staff   |   |
| Libraries  | 1 space per 37 m <sup>2</sup>   |   |
| Police Stations  | 1 space per 37 m <sup>2</sup>   |   |
| Public Assembly Halls                                    | 1 space per 4 seats   |   |
| Recreational Facility                                    | 1 space per 10 seats,<br>2.5 spaces per alley (Bowling alley), 6 spaces per sheet of ice (curling rink) | 2 spaces  |
| Religious Institute                                      | 1 space per 4 seats   |   |
| Use of Building or Lot                                   | Parking (on-site)   | Loading   |
| School – Kindergarten / Nursery school                   | 1 space per staff member  |   |
| School Elementary  | 1 space per classroom plus 4 spaces for administrative staff  |   |
| School – Junior High                                     | 1 space per classroom plus 6 spaces for Administrative Staff  |   |
| School – Senior High                                     | 1 space per classroom plus 10 spaces for Administrative Staff   | 1 space   |

- 4.12.6 In addition to the parking requirements as set out in Table 1: Parking and Loading Requirements this Bylaw, parking stalls shall be provided for persons with physical disabilities as outlined in the Alberta Building Code. The following is a summary of these requirements. In the case of any discrepancy between these requirements and those of the Alberta Building

| <b>Total Number of Accessible Parking Stalls Required</b> | <b>Number of Additional Designated Stalls for Persons with Disabilities</b> |
|---|---|
| 1 to 10   | 1 which may be reduced by the <i>Development Officer</i>                    |
| 1 to 25   | 1   |
| 26 to 50  | 2   |
| 51 to 100   | 3   |
| For each increment of 100 or part thereof                 | 1 additional stall  |

Code, the Alberta Building Code shall take precedence.

- 4.12.7 Residential parking spaces may be provided in a front driveway or may be provided along the side yard or rear yard of a property, unless otherwise allowed by the Development Authority.

- 4.12.8 Notwithstanding the stated parking requirements in Table 1: Parking and Loading Requirements of this Bylaw, the Development Officer or the Municipal Planning Commission may:

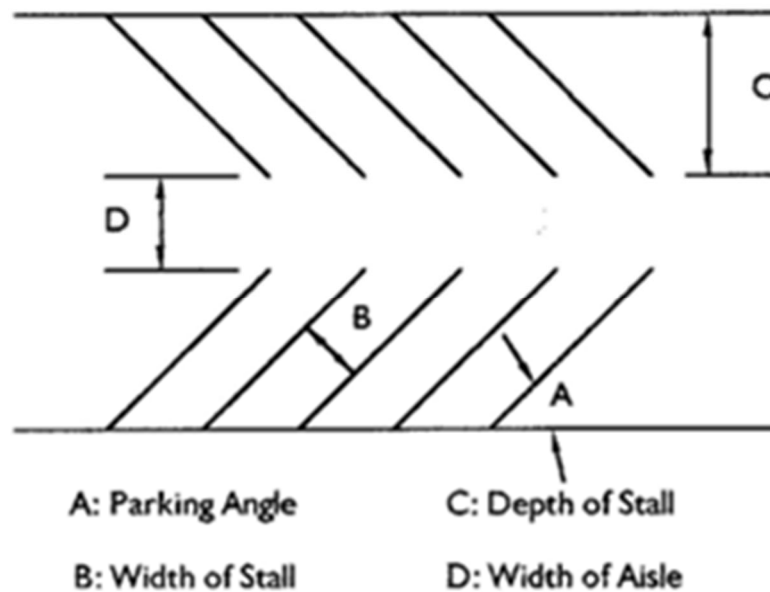
- (a) in an Industrial or Business District, permit the developer to provide the required off-street parking on land other than that to be developed provided that:
  - (i) the alternate parking site is within 122 metres (400.26 feet) of the site where the principal building is located or where the approved use is carried on and within the same district and the owner of the land agrees to place a caveat on the property to protect the land for parking in the future; and
  - (ii) should the developer or their successor to the principal development seek the consent of the Town to discontinue the use of an approved alternate parking site, they shall provide a substitute parking site that conforms to the criteria required for an on-site parking space.



- 4.12.9 Any parking or loading space shall be designed, located, and constructed so that it:
- (a) is easily accessible to the vehicle intended to be accommodated there;
  - (b) is in conformity with the requirements as outlined in this Bylaw and the stall width, angle, and depth, along with the aisle width, are indicated on the site plan;
  - (c) is satisfactory to the Development Authority in size, shape, location, grading, and construction;
  - (d) can be maintained; and
  - (e) is developed and surfaced to Town standards.
- 4.12.10 All parking areas for new development shall be graded and hard surfaced so as to ensure that drainage will be confined to the relevant site or otherwise disposed of in a manner acceptable to the Development Authority.
- 4.12.11 Developments requiring eight (8) or more parking spaces, and which are adjacent to a Residential District or a public roadway other than a lane, shall have appropriate landscaped screening, comprised of fencing and planting, to the satisfaction of the Approving Authority.
- 4.12.12 A loading space shall have an area of not less than 23 square metres (247.58 square feet) in area, 3.5 metres (11.48 feet) in width, and 3.5 metres (11.48 feet) overhead clearance.
- 4.12.13 When a building is enlarged, altered, or a change in the use occurs in such a manner as to cause a more intensive use of that building, provision shall be made for the additional parking and loading spaces required under the parking provisions of this Bylaw.
- 4.12.14 Adequate curbs or concrete bumpers or fences, shall be provided to the satisfaction of the Development Authority.
- 4.12.15 The on-site parking shall be provided in the manner shown on the approved site plan, with the entire area to be graded and surfaced so as to ensure that drainage will be confined to the site and disposed of in a manner satisfactory to the Development Authority.
- 4.12.16 Parking spaces shall be designed and provided in accordance with the following Table 2: Parking Stall Dimensions and Figure 1: Parking Stall Configurations:

**TABLE 2: PARKING STALL DIMENSIONS**

| Angle of Parking | Width of Stall |      | Width of Aisle |       | Depth of Stall Perpendicular to Aisle |      |
|------------------|----------------|------|----------------|-------|---------------------------------------|------|
|                  | Metres         | Feet | Metres         | Feet  | Metres                                | Feet |
| 30               | 2.5            | 8.2  | 3.5            | 11.48 | 5.1                                   | 16.7 |
| 45               | 2.5            | 8.2  | 3.5            | 11.48 | 6.0                                   | 19.7 |
| 60               | 2.5            | 8.2  | 3.5            | 18.05 | 6.4                                   | 21.0 |
| 90               | 2.5            | 8.2  | 3.5            | 22.97 | 6.0                                   | 19.7 |



**FIGURE 1: PARKING STALL CONFIGURATIONS**

4.12.17 Parking spaces for compact cars shall be designed and provided in accordance with the following table:

**TABLE 3: PARKING STALL DIMENSIONS - COMPACT CARS**

| Angle of Parking | Width of Stall |      | Width of Aisle |       | Depth of Stall Perpendicular to Aisle |       |
|------------------|----------------|------|----------------|-------|---------------------------------------|-------|
| Degrees          | Metres         | Feet | Metres         | Feet  | Metres                                | Feet  |
| 30               | 2.3            | 7.55 | 2.8            | 9.19  | 4.4                                   | 14.44 |
| 45               | 2.3            | 7.55 | 3.1            | 10.17 | 5.1                                   | 16.73 |
| 60               | 2.3            | 7.55 | 5.3            | 17.39 | 5.4                                   | 17.72 |
| 90               | 2.3            | 7.55 | 7.0            | 22.97 | 4.9                                   | 16.08 |

4.12.18 At the discretion of the Development Authority, a development requiring more than ten (10) parking stalls may apply to include compact car parking in accordance with Table 3: Parking Stall Dimensions - Compact Cars for up to 10% of the total parking requirement.

#### **4.13 Principal Buildings on a Residential Lot**

4.13.1 No more than one principal building shall be erected on a lot in any Residential District unless otherwise authorized by this Bylaw.

#### **4.14 Screening Outside Storage Areas and Garage Storage**

4.14.1 To the satisfaction of the Development Authority, the following shall be enclosed from view, or screened to soften the visual impact on adjacent or proximal sites, roadways, and public thoroughfares:

- (a) Outside storage areas (including any prefabricated metal storage units that are not classified as an Accessory Building);
- (b) Garbage and recycling bins in commercial, industrial and multi-unit residential developments; and
- (c) Storage of dilapidated vehicles in Commercial or Industrial Districts.

4.14.2 Such screening shall be maintained to mitigate the visual impact from the ground to a minimum height of 2.0 metres (6.6 feet.), or as may be stipulated as a condition of Development Permit.

#### **4.15 Site Leveling, Filling and Grading**

4.15.1 Unless otherwise specified in a Development Agreement or Servicing Agreement, where a final grading plan is required, the developer will submit

"grade verification" to the Development Authority. Grade verification shall be prepared by an Alberta Land Surveyor and verify that the elevations at the bottom of footing and main floor are in compliance with finished grades identified in the final grading plan.

#### **4.16 Special Setback Requirements**

- 4.16.1 The minimum distances required for yards do not apply to construction wholly beneath the surface of the ground.
- 4.16.2 Where the site is to be developed for semi-detached or row housing complexes, the following exceptions apply:
  - (a) Where each half of a semi-detached house is to be contained on a separate lot or title, no side yard shall be required on the side of the dwelling unit which abuts the adjacent dwelling unit by means of a fire separation.
  - (b) Where the dwelling units of a row house building are to be contained on separate lots or titles, no side yards shall be required on either side in the case of an internal dwelling unit. No side yard shall be required on the interior side of the end dwelling unit.
- 4.16.3 Notwithstanding any other setback provision in this Bylaw, all buildings or structures adjacent to water courses shall be sited a minimum of 15 metres (49.2 feet) from the said water course unless the wetland and riparian studies identify a larger setback.
- 4.16.4 Notwithstanding any other setback provision in this Bylaw, all residential buildings adjacent to Provincial Highway No. 9 and railway lines shall be sited a minimum distance of 27 metres (88.58 feet) from the boundary of the right-of-way.
- 4.16.5 Fuel storage facilities shall be setback in accordance with all Provincial or Federal legislation relating to dangerous / hazardous substances and *Alberta Safety Codes*.

#### **4.17 Stormwater Management Requirements**

- 4.17.1 The Development Authority may require an applicant to prepare a Stormwater Management Plan Report and the plan shall be prepared by a professional engineer qualified to complete such studies.
- 4.17.2 The design of stormwater management systems necessary to manage, control and treat stormwater flows may comprise a range of engineering works, and shall not exceed off site flows that exceed pre-development rates.
- 4.17.3 All stormwater plans must be approved by Alberta Environment. Where an underground piped stormwater system is proposed, the design of the

system shall be designed on the principle of a maximum of 300 metres (984.25 feet) of overland flows before interception by a storm sewer.

#### **4.18 Utilities**

- 4.18.1 For all new development, the developer is responsible for the design and construction of utilities including potable water, sanitary sewer, stormwater, natural gas, electrical power, cable, telephone and broad band or fiber optic internet service.
- 4.18.2 All electrical power, cable, telephone and broad band or fibre optic internet service shall be installed underground.
- 4.18.3 Sewer, water, and gas utility lines shall be located within the public right-of-way.

#### **4.19 Wetlands and Riparian Areas**

- 4.19.1 The Development Authority or Subdivision Authority shall require the preparation of a Biophysical Impact Assessment and a Wetland Assessment for all bareland (i.e. greenfield) development.
  - (a) At the discretion of the Development Authority or Subdivision Authority the requirements stated in 4.19.1 above may be waived if a similar study has been completed within the last five years for the subject lands.

## **5. PART 5 Specific Use Regulations**

This Section of the Land Use Bylaw contains regulations for specific land uses.

Regulations for the following list of land uses can be found in this section:

QUICKLINKS ([click on the below links to jump to each section](#)):

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|             |  |
|-------------|--|
| <b>5.1</b>  | Accessory Buildings  |
| <b>5.2</b>  | Bed and Breakfast Accommodation  |
| <b>5.3</b>  | Drive Through Restaurants  |
| <b>5.4</b>  | Home Occupations   |
| <b>5.5</b>  | Manufactured / Modular / Ready-to-Move Homes                             |
| <b>5.6</b>  | Moved-in or Relocated Buildings  |
| <b>5.7</b>  | Multiple Use or Mixed-Use Development                                    |
| <b>5.8</b>  | Private Swimming Pools, Hot Tubs and Water Features in Residential Areas |
| <b>5.9</b>  | Recreational Vehicles  |
| <b>5.10</b> | Secondary Suites   |
| <b>5.11</b> | Show Homes   |
| <b>5.12</b> | Shipping Containers  |

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## **5.1 Accessory Buildings**

- 5.1.1 All Accessory buildings shall be located at least 2.4 metres (7.87 feet) from any principal building.
- 5.1.2 When a building used or proposed to be used as an Accessory Building is located or proposed to be located closer to a principal building than 2.4 metres (7.87 feet) it shall be connected to that principal building by a structural element including for purpose of example but not limited to: common foundation, common roof, common wall.
- 5.1.3 For the purpose of calculating yard setbacks and site coverage requirements as provided in this Bylaw, when an Accessory Building is to be attached to the principal building it shall be deemed to be part of the principal building.
- 5.1.4 An Accessory Building erected on a site in any residential district shall not be used as a dwelling unless a permit has been issued for its use as a dwelling in accordance with this Bylaw
- 5.1.5 When a residential site abuts a lane, which is 6.1 metres (20.0 feet) or less in width, the Development Officer or the Municipal Planning Commission may require a rear yard setback for a private garage greater than the prescribed minimum.
- 5.1.6 Accessory Buildings shall not be situated within the front yard setback of a principal building.
- 5.1.7 The Development Authority shall require an Accessory Building or structure on a Double Fronting Site to provide a front yard on each public roadway, other than a lane, in accordance with the front yard requirements of the district in which the site is located.
- 5.1.8 Accessory Buildings shall be constructed with exterior building materials compatible with those of the principal building.

## **5.2 Bed and Breakfast Accommodation**

- 5.2.1 Bed and Breakfast accommodation shall not interfere with the rights of other residents to quiet enjoyment of a residential neighbourhood. Bed and Breakfast accommodation shall be an incidental and subordinate use to the principal residential use, shall be restricted to the dwelling unit and shall not:
  - (a) Require any alterations to the principal building that would change the principal character or external appearance of the dwelling unless the alterations are approved by the Development Authority;
  - (b) Create a nuisance by way of noise, parking or traffic generation;
  - (c) Allow for stays exceeding 21 days;

- (d) Utilize more than three (3) rooms in addition to those of the family of the owner; and
  - (e) Display any form of advertising, other than an identification sign, relating to the Bed and Breakfast operation on-site.
- 5.2.2 A Development Permit for a Bed and Breakfast does not exempt compliance with health regulations or any other permit requirements or municipal, Provincial, or Federal regulations.
- 5.2.3 One (1) on-site parking stall shall be provided for each guest room.
- 5.2.4 A Bed and Breakfast permit may be issued for up to a five (5) year period.
- 5.2.5 No food preparation or cooking for or by guests shall be conducted within any guestroom.
- 5.2.6 The Development Permit pertaining to a Bed and Breakfast accommodation issued under this Bylaw shall only be valid for the period of time the dwelling unit is occupied by the applicant.
- 5.2.7 Within 90 days of a permit's expiration, the operator may apply to renew the Development Permit for a period of up to five (5) years. In considering a renewal, the Development Officer may:
  - (a) Request additional information in support of making a determination on the renewal application;
  - (b) Refuse a renewal application if there is indication that the use has been detrimental to the amenity of the neighbourhood.

### **5.3 Drive Through Restaurants**

- 5.3.1 Outdoor speakers may not be located within twenty (20) metres (65.62 feet) of a property line of any parcel designated as a residential district, unless they are separated from a residential district by a building.
- 5.3.2 Drive through restaurants must screen any drive through aisles that are adjacent to a residential district and must not have any drive through aisles in a setback area.
- 5.3.3 The operation must fence any drive through aisles, where necessary, to prevent access to a lane or street.
- 5.3.4 The drive through operation must have space on-site for three (3) motor vehicles and parking for the restaurant as per the parking guidelines of this Bylaw, along with a minimum of bicycle parking for a minimum of four (4) bicycles.



## **5.4 Home Occupations**

- 5.4.1 The purpose of a home occupation is to provide the opportunity for a small self-contained business in a residential area that has limited or no impacts on the.
- 5.4.2 For the purposes of this Bylaw home occupations are defined into three distinct categories:
- (a) Home Occupation 1 – Phone and Desk means a home occupation within a principal building intended for home offices or similar desk workspaces whereby the workspace consists mainly of a desk, phone, printer, computer and related equipment; there are no customer visits to the site, and there are no on-premise sales;
  - (b) Home Occupation 2 – Minor means a home occupation within a principal dwelling or accessory building whereby:
    - (i) On-premise sales or customer visits total less than 10 per week,
    - (ii) There are no indoor display of goods,
    - (iii) No food is being prepared and/or sold,
    - (iv) There are no off-site employees,
    - (v) No outdoor storage, and
    - (vi) The total floor area for the home occupation is less than 30% of the total floor area of the principal dwelling on the property.
  - (c) Home Occupation 3 – Major means a home occupation within a principal dwelling or accessory building whereby:
    - (i) On-premise sales or customer visits may total 10 or more per week, but do not exceed 20,
    - (ii) May include indoor display of goods,
    - (iii) food may be prepared and/or sold,
    - (iv) off-site employees may be present up to a maximum of three (3),
    - (v) outdoor storage may be present, and the total floor area for the home occupation may exceed 30% of the total floor area of the principal dwelling on the property, but does not exceed 45% of the principal dwelling.
- 5.4.3 As per Section 3.2 Development Permit Not Required, a Home Occupation 1– Phone & Desk whereby no customers visit the site and there are no on-premise sales does not require a development permit. A business license may be required.

- 5.4.4 The Development Authority may issue a temporary development permit for a home occupation for a period not exceeding one year. An applicant may seek renewal for a home occupation permit each year.
- 5.4.5 Where the applicant for the home occupation is not the registered owner of the dwelling unit proposed to be used for the home occupation, the applicant shall provide to the Development Authority written authorization from the registered owner(s).
- 5.4.6 All home occupations shall comply with the following:
- (a) The home occupation use shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, or refuse matter considered offensive or excessive by the Development Authority. At all times the privacy of the adjacent residential dwellings shall be preserved, and the home occupation shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents;
  - (b) There shall not be any form of advertising, other than an identification sign, related to the occupation discernible from the outside of the building as permitted in this Bylaw;
  - (c) The home occupation use shall not generate vehicular traffic in excess of that which is characteristic of the Residential District in which it is located;
  - (d) Alterations to the principal and Accessory Buildings may be permitted at the discretion of the Development Authority; and
  - (e) The home occupation use shall be operated as a secondary use only and shall not change the principal character or external appearance of the dwelling involved.

## **5.5 Manufactured / Modular / Ready-to-Move Homes**

- 5.5.1 Eligible manufactured / modular / ready-to-move homes include:
- (a) new factory-built units; and
  - (b) used factory-built units and in a good state of repair (to the satisfaction of the Development Authority).
- 5.5.2 All Manufactured, Modular and Ready-to-Move homes must be approved by the CSA and Alberta Building Code, whose regulations may change from time to time.
- 5.5.3 All Manufactured, Modular and Ready-to-Move homes must comply with all Alberta and National Building Code and ensure electrical and plumbing is inspected and meets standards.

- 5.5.4 All Manufactured, Modular and Ready-to-Move homes must be fixed to a permanent foundation or blocked and anchored on the parcel, have hitches removed, and be skirted in a complimentary fashion to the satisfaction of the Development Authority.

## **5.6 Moved-in or Relocated Buildings**

- 5.6.1 All developments involving a moved-in or relocated building shall comply with the following:
- (a) The Development Authority may inspect the proposed building, at the developer's expense, prior to being relocated into Town;
  - (b) All development applications involving a moved-in building must be accompanied by a recent colour photograph showing each elevation of the structure;
  - (c) Where a Development Permit has been granted for the relocation of a building either on the same site or from another site, the Development Authority shall require the applicant to provide a letter of credit in such an amount to ensure completion of any renovations set out as a condition of approval of a permit;
  - (d) Where a Development Permit has been granted for the relocation of a building either on the site, or from another site, the Development Officer shall require the applicant to indemnify the Municipality against any damages that may occur to public or quasi-public utilities as a result of the relocation in the form of insurance;
  - (e) All exterior and structural renovations to a relocated building are to be completed within one (1) year of the issuance of the Development Permit.

## **5.7 Multiple Use or Mixed-Use Development**

- 5.7.1 A mixed-use development includes a structure including commercial, office, light industrial, residential and institutional uses in the same structure.
- 5.7.2 Dwelling accommodation included in a commercial building should be located on the second floor or above and must have separate entrance, distinct from the non-residential use access, to the residential area. This requirement may be relaxed at the discretion of the Development Authority.
- 5.7.3 A multiple use building is permitted only one (1) servicing connection per utility.
- 5.7.4 On-site parking requirements shall be provided at one (1) stall per residential unit, dedicated and reserved for the residential unit.

## **5.8 Private Swimming Pools, Hot Tubs and Water Features in Residential Areas**

- 5.8.1 A private swimming pool shall be enclosed with 1.8 metres (6 feet) high fence constructed of chain link, metal, wood, stone or other material having an equivalent degree of strength, designed to reasonably deter children from climbing it to gain access to the fenced in area.
- 5.8.2 A hot tub shall be secured against entry by individuals other than the owner or tenant and their guests.
- 5.8.3 All private swimming pools shall be connected to the Town's water and sanitary sewer system in accordance with Provincial requirements.
- 5.8.4 A lighting system installed in conjunction with a swimming pool shall be arranged in such a manner that it does not interfere with the amenities of the adjacent properties.

## **5.9 Recreational Vehicles**

- 5.9.1 On a parcel containing a dwelling, recreational vehicles can be stored outside year-round.
- 5.9.2 Vehicles that are stored or parked in the side yard shall not extend into the front yard past the principal building and the area used for storage must be gravel or paved
- 5.9.3 A recreational vehicle shall not be used as a residence, a commercial building, an accessory building, or a sign in any residential or commercial district.

## **5.10 Secondary Suites**

- 5.10.1 A secondary suite means:
  - (a) a second self-contained accessory dwelling unit that can be either:
    - (i) within the existing principal dwelling;
    - (ii) within a self-contained detached accessory dwelling (i.e. garden suite), or
    - (iii) over a detached garage (i.e. a carriage suite), and
  - (b) must meet all relevant Provincial regulations, and
  - (c) shall not exceed the floor area of the principal dwelling.
- 5.10.2 A secondary suite shall be subordinate to the principal dwelling.
- 5.10.3 The subdivision of a secondary suite is not permitted.
- 5.10.4 The secondary suite must have a separate entrance and access.

- 5.10.5 If the secondary suite is detached from the principal dwelling (e.g. garden unit or a carriage house) it shall be designed to match or complement the existing principal dwelling in design and exterior finishing materials.
- 5.10.6 A detached secondary suite shall take into consideration the potential effect of the development on the privacy of adjacent properties in regard to such potential issues as window placement, landings for entrances, outdoor amenity area and height.
- 5.10.7 Any detached secondary suite must be constructed in the rear yard of the principal dwelling.
- 5.10.8 On a lot where a secondary suite is to be located, only one (1) servicing connection per utility will be permitted.
- 5.10.9 No part of the garage below a carriage suite may be used as part of the suite and may only be used for vehicle garage.
- 5.10.10 The maximum site coverage for a garden suite shall not exceed 15%.
- 5.10.11 A building capable of accommodating a carriage suite and private garage shall be a maximum of 100% of the height of the existing principal building or 10 metres (32.81 feet) in height whichever is lesser.
- 5.10.12 A building capable of accommodating a carriage suite over a detached garage shall be located a minimum of 5 metres (16.40 feet) from the principal building.
- 5.10.13 All lots with a carriage or garden suite must have a driveway or rear lane that provides access to the secondary suite.
- 5.10.14 Outdoor Amenity Area for a carriage or garden suite shall be a minimum area of 25 square metres (269.10 square feet) and shall be provided between the rear of the principal building and the garage and may include balcony, terrace or patio space.

## **5.11 Show Homes**

- 5.11.1 The construction and use of an unoccupied dwelling unit for the purpose of a show home for the sale of other dwellings by the same builder of other dwelling units within the same approved subdivision requires a Development Permit.
- 5.11.2 The conditions of the Development Permit for the show home(s) may require the developer to provide information on the advertising signs and features. All advertising signs and features shall be removed immediately upon the cessation of use of the building as a show home.

## **5.12 Shipping Containers**

- 5.12.1 A Shipping Container is considered an Accessory Building and in addition to the regulations stated in this section of the Bylaw, shall comply with all

regulations in the applicable land use district pertaining to accessory buildings.

5.12.2 A Shipping Container may be used for temporary storage subject to the following conditions:

- (a) The Shipping Container is only used during the construction of a building or development;
- (b) All required permits have been obtained for construction of the building or development on the site; and
- (c) The Shipping Container is removed within 15 days of the end of the construction period.

5.12.3 A Shipping Container used for permanent storage shall be subject to the following:

- (a) the *Alberta Safety Codes* and all legislation applicable to electrical and fire safety;
- (b) the Shipping Container shall not be used for the housing of animals, storage of refuse, or for contaminated or hazardous material;
- (c) the Shipping Container shall not be used as fencing, screening, or for advertising;
- (d) the Shipping Container(s) shall not be stacked or otherwise raised on a structure;
- (e) the Shipping Container shall not occupy required Off-Street Parking and/or Loading Spaces or interfere with the circulation of vehicle or pedestrians; and
- (f) Within any residential "R" district the shipping container shall:
  - (i) be limited to a maximum of one per lot;
  - (ii) have a peaked roof with a minimum pitch of 3/12; and
  - (iii) be covered in a suitable material and colour that matches or complements adjacent buildings.

## 6. **PART 6 Signs**

### **Note to reader:**

The following sign regulations are based on a fundamental understanding of the 3 components of a sign as described below:

1. **Sign Copy Content:** This means the message on a sign and can be divided into two categories.
  - a. Off-premise copy content
  - b. On-premise copy content
2. **Sign Copy Display Types:** Further – the copy can be displayed using various techniques which is separated into two categories.
  - a. Hard Copy / Fixed
  - b. Animated / Digital
3. **Sign Structure or Sign Type:** This means the structure on which the sign copy is displayed (e.g. freestanding, canopy, window).

### **6.1 Signs - Development Application Requirements**

- 6.1.1 No one shall erect, place, alter or commence any sign development within the Municipality without having first obtained a Development Permit in accordance with the provisions of this Bylaw unless the Bylaw exempts the sign from requiring a development permit.
- 6.1.2 Whereby its nature and/or location a sign may be defined as more than one type of sign the Development Authority shall make a determination as to the applicable sign type and subsequently the applicable sign regulations within the Bylaw.
- 6.1.3 An application for a Development Permit for a sign shall be made to the Development Officer using the prescribed form, signed by the registered owner or their agent and accompanied by:
  - (a) the municipal address of the land or building where the sign is to be erected;
  - (b) the legal description of the land on which the proposed sign is to be erected;
  - (c) the name of the business or development where the sign is to be erected;
  - (d) the applicant's name, address and telephone number and where the applicant is not the owner of the sign or land, the name, address and telephone number of the sign or landowner;
  - (e) for portable signs, the length of time the sign is to be displayed at the location address, and a site plan showing the location of the sign on

the site in relation to property lines, existing buildings and public roads; and

- (f) a drawing, sketch or manufacturers illustration for the proposed sign showing:
  - (i) the overall dimensions;
  - (ii) the method of illumination, if any;
  - (iii) the materials from which the sign is to be constructed;
  - (iv) the copy/text on the sign and the method to display the copy (e.g. fixed lettering/graphics, digital/animated, rotating letters, or changeable letters);
  - (v) method used to support the sign including type of wall construction if the sign is anchored to a building or the size and depth of all concrete footings for freestanding signs;
  - (vi) where applicable, the location of the sign on the building;
  - (vii) relationship and height of the sign to any sidewalks or pedestrian passageways that the proposed sign will extend over;
  - (viii) the total height of the sign above grade;
  - (ix) the clearance from grade of the lowest portion of the sign;
  - (x) the maximum extension of the sign above the building roof or parapet wall; and
  - (xi) for canopy signs or awnings on commercial buildings, a drawing, sketch or manufacturers illustration showing the dimensions, the projection, the sidewalk relationship and any copy or text proposed on the awning or canopy.

## **6.2 Signs - Not Requiring a Development Permit**

6.2.1 Signs Not Requiring a Development Permit provided all such signs are suitably maintained to the satisfaction of the Development Authority and otherwise comply with this Bylaw, no sign permit is required for the following types of signs:

- (a) Construction signs provided such signs are removed within fourteen (14) days of the completion of construction;
- (b) Memorial signs;
- (c) Window signs;
- (d) Political posters placed forty-five (45) days prior to an election day or plebiscite provided all such signs are removed within forty-eight (48)



hours after the completion of the relevant election or plebiscite, and comply with the following requirements;

- (i) Signs shall not be permitted on public property;
  - (ii) Signs cannot emit sounds, use video features or be illuminated;
  - (iii) Signs shall be maintained in a condition that is neat and shall not be unsightly or dangerous;
  - (iv) Signs shall not interfere with or be confused with traffic control devices;
  - (v) Signs shall not interfere with the safe and orderly movement of pedestrians or vehicles, or restrict the sight lines for pedestrians or drivers;
  - (vi) Signs shall be a minimum of 3 metres (9.84 feet) from any access, sidewalk, or pathway, and at least 5 metres (16.40 feet) from any intersection;
  - (vii) Signs shall not exceed 1.1 square metres (11.84 square feet) in area, 1.2 metres (3.94 feet) in height, and shall be self-supporting;
- (e) Real estate signs provided all such signs are removed within thirty (30) days after the sale or lease of the premises upon which the sign is located;
  - (f) Residency identification signs provided the sign is no greater than 0.37 square metres (4 square feet) in area;
  - (g) Garage sale signs provided the owner of the property upon which the sign is located has approved its placement and that the sign is removed immediately upon the conclusion of the sale;
  - (h) Sandwich Board (A-Board) signs where the owner of the sign submits to the approving authority written authorization from the owner of land where the sign is to be located and where the sign is removed from that location on a daily basis;
  - (i) Informational Signs with on-premises sign copy content and incidental signs 0.19 square metres (2 square feet) or less in area;
  - (j) Signs, notices, placards or bulletins required or approved to be displayed:
    - (i) pursuant to the provisions of Federal, Provincial or municipal legislation;
    - (ii) by or on behalf of the Federal, Provincial or municipal government; or

- (iii) on behalf of a department, a commission, a board, a committee or an official of the Federal, Provincial or municipal government.
- (k) Municipal road signs used for street name identification or traffic direction and control;
- (l) Residential subdivision entrance signs that have been included on subdivision drawings;
- (m) Developer direction signs placed within a new development area;
- (n) The name or address of a building when it is sculptured or formed out of or in the fabric of the building face;
- (o) Street numbers or letters displayed on a premise where together the total copy area is less than 1.2 square metres (13 square feet);
- (p) Signs displayed on enclosed land where they are not readily visible to the public, i.e.: golf course, rodeo grounds, campgrounds; and
- (q) Business Roadway Signage administered by the Town of Irricana.

### **6.3 Signs – General Regulations**

- 6.3.1 All signs shall be maintained in a safe and tidy manner to the satisfaction of the Development Authority.
- 6.3.2 No sign shall be relocated or substantially repaired or altered unless authorized by a Development Permit; however, no Development Permit is required to clean, repaint or otherwise maintain any sign.
- 6.3.3 All signs shall, in the opinion of the Development Authority, be of quality construction and of a design suitable for public display.
- 6.3.4 The Development Authority shall give due consideration to any sign guidelines that may be adopted by resolution of Council.
- 6.3.5 The color, design and shape of all signs shall be to the satisfaction of the Development Authority.
- 6.3.6 No sign shall be placed in a public place or sited in such a manner that, in the opinion of the Development Authority, causes confusion with or obstructs the vision of any information or traffic control sign, signal, light or other device, or obstructs vehicular or pedestrian traffic.
- 6.3.7 No sign shall be located or placed in such a manner that, in the opinion of the Development Authority, will create a potential hazard or conflict with the routing of any public utility.
- 6.3.8 A sign shall not be attached to a light standard or utility pole unless a permit has been granted by the Development Authority.

- 6.3.9 Any sign located on, erected on or attached to public property without authorization from the Town, may be removed without notice.
- 6.3.10 Non-compliance with any regulation of this Bylaw may result in the Town removing a sign without notice and any cost associated with its removal may be charged to the sign owner.
- 6.3.11 Any sign removed by the Town may be held for thirty (30) days after removal.
- 6.3.12 In the event a sign has been vandalized, the owner of the sign shall remedy the sign within forty-eight (48) hours. If the owner fails to remedy the sign in the prescribed time, the Town is authorized to remedy the sign with or without notice and any cost associated with the remedy may be charged to the sign owner.
- 6.3.13 The source of light for any illuminated sign shall be steady and suitably shielded to the satisfaction of the Development Authority.
- 6.3.14 Banner signs may be permitted as temporary signs only.

#### **6.4 Signs – Maximum Number of Primary Signs**

- 6.4.1 For the purposes of this Bylaw, Primary signs shall be defined as any combination of the following types of signs:
  - (a) Freestanding;
  - (b) Projecting and overhanging;
  - (c) Fascia and wall;
  - (d) Canopy; and
  - (e) Roof.
- 6.4.2 Unless otherwise specified in this Bylaw, the maximum number of primary signs permitted on a lot shall be in accordance with the following:
  - (a) For any lot with single frontage the maximum is three (3).
  - (b) For any lot with two (2) or more frontages the maximum number of signs permitted is four (4).

#### **6.5 Signs – Maximum Sign Area for Primary Signs**

- 6.5.1 Unless otherwise specified in this Bylaw, the maximum sign area of all primary signs on a lot shall be in accordance with the following:
  - (a) For any lot with single frontage the maximum is 14 square metres (150 square feet); and
  - (b) For any lot with two (2) or more frontages the maximum is 18.5 square metres (200 square feet).

## 6.6 Sign Types – Specific Regulations

### 6.6.1 Sign Type 1 - Freestanding Signs

**Freestanding Sign:** means any sign or display supported by a freestanding column or structure.

- (a) No more than one (1) freestanding sign per frontage or a total of two (2) freestanding signs shall be located on a single lot or premises
- (b) No freestanding sign shall exceed 7.6 metres (25 feet) in height.
- (c) All freestanding signs shall be completely located on the same lot as the use being advertised, with the exception of direction off-premises and billboard signs approved in accordance with the provisions of this Bylaw.
- (d) With the exception of billboards, the sign area of a freestanding sign shall not exceed 6.5 square metres (70 square feet) per face.
- (e) With the exception of directional off-premises signs, no part of a freestanding sign located in the proximity of traffic shall be less than 2.7 metres (8.86 feet) above ground or sidewalk grade.

### 6.6.2 Sign Type 2 - Projecting Signs

**Projecting Sign:** means a sign that is wholly or partly dependent upon a building for support and which projects more than 0.3 metres (1 foot) from such building.

- (a) Any projecting sign that is allowed to project over public property shall have minimum clearance above ground or sidewalk grade of at least 2.7 metres (8.86 feet).
- (b) The sign area of a projecting sign shall not exceed 1.5 square metres (16 square feet) per face.
- (c) All projecting signs shall be securely fastened to the building or structure to the satisfaction of the Development Authority.
- (d) No part of a projecting sign shall project horizontally more than 1.5 metres (5 feet) over any public place or extend within 1.5 metres (5 feet) of the edge of a curb or a roadway.
- (e) No projecting sign may be located within 0.5 metres (1.6 feet) of the top of a parapet or a roofline.

### 6.6.3 Sign Type 3 - Facia and Wall Signs

**Fascia Sign:** means a sign attached across the face of a building, located approximately parallel thereto, in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign, which does not project more than 0.3 metres (1 foot) from the building or structure supporting said sign.

**Wall Sign:** means a sign fastened to or painted on the wall of a building.

- (a) Fascia signs and wall signs are permitted only in conjunction with a conforming commercial, industrial, railway and public and quasi-public land use in accordance with the provisions of this Bylaw.
- (b) No more than one (1) fascia or wall sign per frontage or where there are two (2) or more frontages, a total of two (2) such signs may be located on a single lot or premises and shall be completely located on the same site as the use being advertised.
- (c) The sign area of a fascia or wall sign for a commercial or industrial use shall not exceed the lesser of 6.5 square metres (70 square feet) or 20% of the exterior wall unit on which it is attached or located.
- (d) Whenever there is an identifiable sign band, fascia and wall signs should be of a consistent size and located near the same level as other similar signs on the premises and adjacent buildings.
- (e) No fascia or wall sign may be located within 0.5 metres (1.6 feet) of the top of a parapet or a roofline.

### 6.6.4 Sign Type 4 - Canopy Signs

**Canopy Sign:** means a sign that is mounted, painted or otherwise attached to an awning, canopy or marquee.

- (a) The copy area of a canopy sign shall not exceed the lesser of 9.3 square metres (100 square feet) or 30% of the area of each side of the awning, canopy or marquee to which it is mounted, painted on or otherwise attached.
- (b) No more than one (1) canopy sign per frontage or where there are two (2) or more frontages, a total of two (2) such signs may be located on a single lot or premise.
- (c) No part of a canopy sign, exclusive of any supports, shall be less than 2.7 metres (9 feet) above ground or sidewalk grade.
- (d) No part of a canopy sign shall project more than 1.5 metres (5 feet) over any public place or extend within 0.9 metres (3 feet) of the edge

of a curb or a roadway without the approval of the Development Authority.

- (e) No canopy sign shall be located within 0.5 metres (1.6 feet) of the top of a parapet or a roofline.

#### **6.6.5 Sign Type 5 - Portable Signs**

**Portable Sign:** means a sign that is not permanently affixed to a building, structure or the ground and is supported on a structure allowing it to be readily moved from one location to another.

- (a) The sign area of a portable sign shall not exceed 4.5 square metres (48 square feet).
- (b) No more than one (1) portable sign per frontage or where there are more than two (2) frontages, a total of two (2) portable signs may be located on a single lot or premise.
- (c) No portable sign shall extend or project into any public place or beyond the boundaries of the lot or premises upon which it is sited without the approval of the Development Authority.
- (d) Each portable sign permit issued shall be valid for a maximum of thirty (30) days.

#### **6.6.6 Sign Type 6 - Sandwich Board (A-Board) Signs**

**Sandwich Board Sign** means a self-supporting A-shaped sign or sandwich board which is set upon the ground and has no external supporting structure.

- (a) Shall not exceed 1 meter (3.28 feet) in width and 1 meter (3.28 feet) in height.
- (b) Shall not impede the safe movement of pedestrian and vehicular traffic.
- (c) Shall be removed from its location on a daily basis.
- (d) Shall not exceed one (1) sign per site.
- (e) Shall be produced in a professional manner, be neat and clean and be maintained as such.

#### **6.6.7 Sign Type 7 - Informational Signs**

**Informational Sign:** means a sign the message of which is limited to providing directions and information necessary or convenient for persons coming onto the property, including signs marking entrances, exits, parking areas, circulation direction, rest rooms, and pick-up and delivery areas.

- (a) Any informational sign greater than 0.19 square metres (2 square feet) in area and that is not erected by the Town of Irricana, the Alberta or Federal Government, requires a Development Permit.
- (b) Informational signs are not included in the computation of any limits of this Bylaw that may restrict the number of signs that may be located on a single lot or premises.
- (c) Where Informational Signs contain sign copy that is Directional Off-Premise in nature the sign must comply with Directional Off-premises Sign guidelines.

#### **6.6.8 Sign Type 8 - Temporary Signs**

**Sign: Temporary** means a sign permitted, designed or intended to be displayed for a short period of time.

- (a) A maximum of one (1) temporary sign may be permitted on a single lot or premises provided that the sign will not create a traffic or safety hazard or obstruct the public's view of any other sign.
- (b) For the purposes of this Bylaw, all merchandising aids and banner signs shall be considered as temporary signs.
- (c) No temporary sign is to remain on the premises for longer than a total accumulation of thirty (30) days per calendar year.
- (d) All temporary signs shall be in compliance with all other provisions of this Bylaw unless specifically exempted.

#### **6.6.9 Sign Type 9 - Secondary Signs**

**Secondary Sign:** means any sign advertising or otherwise related to an occupation or use that is not the primary use of the premises.

- (a) A maximum of one (1) secondary sign per use may be approved by the Development Authority.
- (b) The sign area of all secondary signs located on a single lot or premises shall not exceed 20% of the maximum allowable sign area for the principal occupant's sign(s).
- (c) The sign area of a secondary sign for each use in a multi-tenant building having individual frontages for each use, shall not exceed 15% of the total area of the frontage of each use.
- (d) Secondary signs may be located only above a window or doorway or overhanging a doorway and shall comply with all other provisions of this Bylaw unless specifically exempted.

- (e) Secondary signs are not included in the computation of any limits of this Bylaw that may restrict the number of signs that may be located on a single lot or premises.

#### **6.6.10 Sign Type 10 - Multiple Listing Signs**

**Multiple Listing or Multi-tenant Sign:** means a sign that contains within one (1) structural frame two (2) or more smaller signs, each of which identifies or advertises a different business, organization or facility.

- (a) No more than one (1) multiple listing sign per frontage or a total of two (2) multiple listing signs shall be located on a single lot or premise.
- (b) All multiple listing signs shall be completely located on the same lot as the use being advertised, with the exception of directional off-premises and Town billboard signs approved in accordance with the provisions of this Bylaw.
- (c) Each component sign, panel or advertisement comprising a multiple listing sign shall be manufactured of the same materials, confined in the same frame and be of a design acceptable to the owner of the entire sign.
- (d) All multiple listing signs shall be in compliance with all other provisions of this Bylaw unless specifically exempted.

#### **6.6.11 Sign Type 11 - Directional Off-premises Signs**

**Directional-off Premises Sign:** means any sign which advertises, directs or otherwise identifies a service, facility, product or activity to be found at a location other than the premises on which the sign is located.

- (a) Directional off-premises signs and locations shall be approved by the Municipal Planning Commission.
- (b) All directional off-premises signs shall be located on Town-owned, Town-sponsored or Town-approved sign structures.
- (c) Directional off-premises signs may be located at the discretion of the Municipal Planning Commission in any area of the Town including a public place, with the exception of:
  - (i) an area designated as residential pursuant to this Bylaw;
  - (ii) a sign-clutter area; or
  - (iii) a Boulevard, unless any residents or landowners of property adjacent to the Boulevard have not objected to the placement of the proposed sign.



- (d) Spot illumination may be used in directional off-premises signs, provided they meet all Provincial traffic safety standards.
- (e) All permits for directional off-premises sign structures are valid for a period of five (5) years.
- (f) All directional off-premises signs shall comply with all other provisions of this Bylaw unless specifically exempted.

#### **6.6.12 Sign Type 12 – Billboards**

**Billboard Sign:** means a sign structure designed and intended to provide a leasable advertising copy area of not less than 18.5 M<sup>2</sup> (200 ft<sup>2</sup>) and not more than 40.1 square metres (432 square feet) where the copy can be periodically replaced.

- (a) Billboards may be located at the discretion of the Municipal Planning Commission on land adjacent to Highway 9 within the Town, including a public place provided that there shall be no more than one (1) billboard every 800 metres (0.5 miles).
- (b) Any billboard approved by the Municipal Planning Commission shall also conform to Alberta Transportation and Infrastructure setbacks and demonstrate an approved Roadside Permit from Alberta Transportation.
- (c) The total area for a billboard shall not exceed 40.1 square metres (432 square feet).
- (d) All billboards shall be located on Town approved structures
- (e) All billboards shall comply with all other provisions of this Bylaw unless specifically exempted.

#### **6.6.13 Sign Type 13 - Home Occupation Signs**

- (a) An approved Home Occupation may have one (1) sign that does not exceed 1,000 square centimetres (155.0 square inches) and may only include the name of the business.

## **7. PART 7 Land Use Districts**

### **7.1 Districts**

7.1.1 For the purpose of this Bylaw, the land within the boundaries of the Municipality shall be divided into one or more of the following districts:

- (a) Residential Single Detached District (R-1)
- (b) Residential Two-Dwelling District (R-2)
- (c) Residential Multi Unit District (R-MU)
- (d) Residential Manufactured Home District (R-MH)
- (e) Central Business District (CBD)
- (f) Light Industrial District (I-L)
- (g) Public Park, School and Recreation District (PSR)
- (h) Urban Reserve District (UR)
- (i) Direct Control Districts (DC)

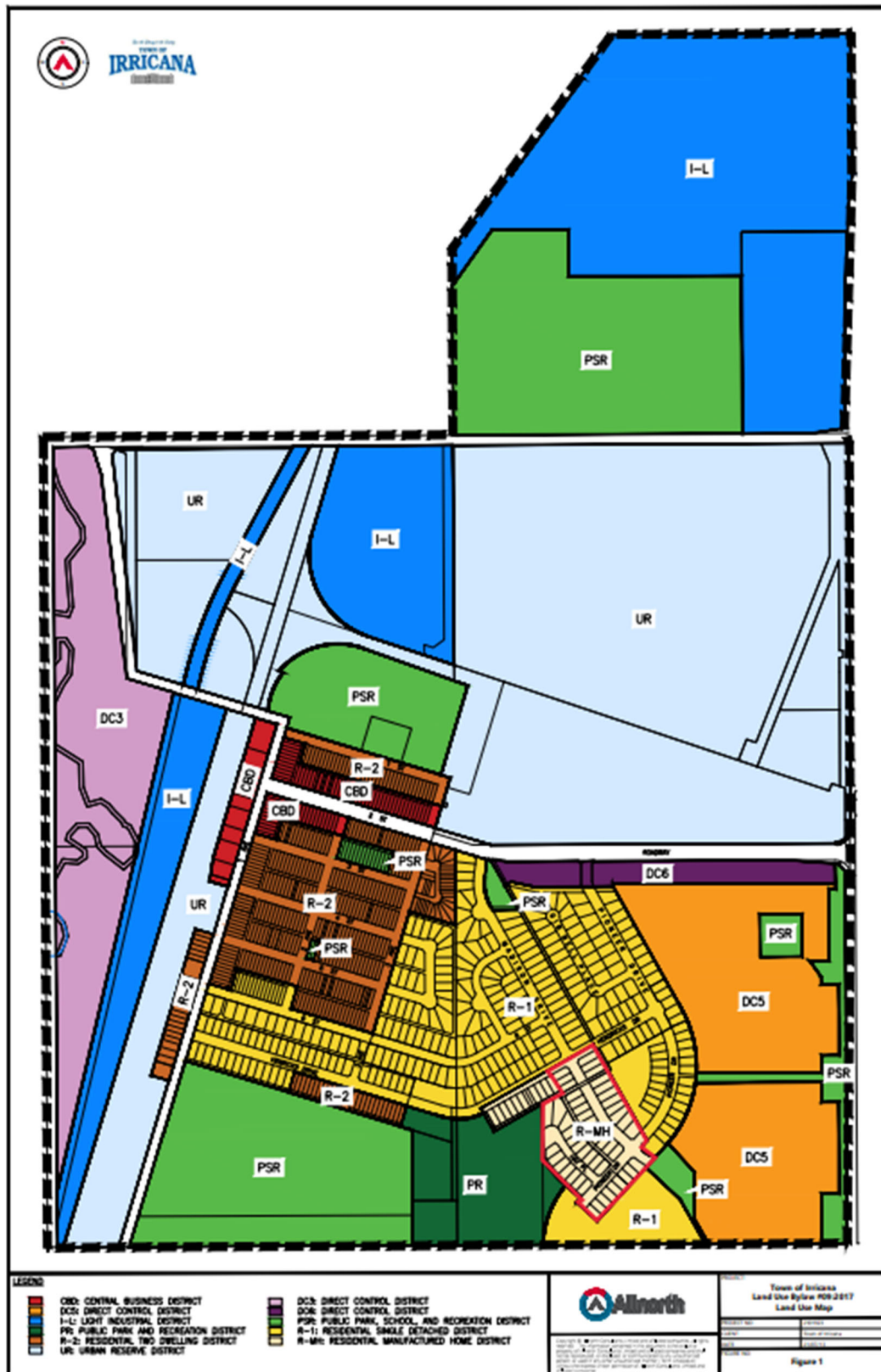
7.1.2 Throughout this Bylaw and amendments thereto a district may be referred to either by its full name or its abbreviation as set out in this Section.

### **7.2 Land Use Map**

7.2.1 The Municipality is hereby divided into districts and their boundaries are delineated on Map 1, which is known as the Land Use Map.

7.2.2 The Land Use Map is that Map attached to and forming part of this Bylaw.

## Map 1 Land Use Map



### **7.3 Residential Single Detached District (R-1)**

- 7.3.1 The purpose of this district is to provide for residential development in the form of single detached dwellings.
- 7.3.2 Development Not Requiring a Permit
  - (a) See Section 3.2 Development Permit Not Required
  - (b) See Section 6.3 Signs – Not Requiring a Development Permit
- 7.3.3 Permitted Uses:
  - (a) Accessory Buildings
  - (b) Dwelling, Single Detached;
  - (c) Home Occupation 2 - Minor
  - (d) Utilities
- 7.3.4 Discretionary Uses:
  - (a) Bed and Breakfast Accommodation
  - (b) Day Care Facility
  - (c) Dwellings Duplex;
  - (d) Dwellings Semi-Detached;
  - (e) Group Care Facility
  - (f) Home Occupation 3 - Major
  - (g) Nursery School
  - (h) Private Swimming Pools
  - (i) Religious Institution
  - (j) Secondary Suite
  - (k) Senior Citizen Accommodation
  - (l) Show Home
  - (m) Signs:
    - (i) Sign Type 5 – Portable
    - (ii) Sign Type 6 – Sandwich Board
    - (iii) Sign Type 7 – Informational
    - (iv) Sign Type 8 – Temporary
    - (v) Sign Type 9 - Secondary
    - (vi) Sign Type 11 – Directional Off-premises Sign
- 7.3.5 In addition to the General Land Use Rules contained in Part 4, the following provisions, as contained within this section shall apply to every development in this district.
- 7.3.6 Special Requirements:
  - (a) Landscaping is required and shall be provided in accordance with the landscaping and fencing requirements in Section 4.8
- 7.3.7 Minimum Lot Area Requirements shall be in accordance with the following:

|                                       |  |
|---------------------------------------|--|
| (a) <b>Dwellings, Single-Detached</b> | 400m <sup>2</sup> (4,305.57 ft <sup>2</sup> )  |
| (b) <b>Dwellings, Semi-Detached</b>   | (i) 279 m <sup>2</sup> (3003.13 ft <sup>2</sup> ) each dwelling unit<br>(ii) 326 m <sup>2</sup> (3509.03 ft <sup>2</sup> ) for each dwelling unit with a side yard abutting a street |
| (c) <b>Duplexes</b>                   | 464 m <sup>2</sup> (4,994.6 ft <sup>2</sup> )  |

7.3.8 Minimum Lot Width Requirements shall be in accordance with the following:

|                                       |  |
|---------------------------------------|--|
| (a) <b>Dwellings, Single-Detached</b> | 13 metres (42.65 ft)   |
| (b) <b>Dwellings, Semi-Detached</b>   | (i) 9 metres (29.53 ft) for each dwelling unit<br>(ii) 10.5 metres (34.5 ft) for each dwelling unit with a side yard abutting a street |
| (c) <b>Duplexes</b>                   | 15 metres (49.21 ft)   |

7.3.9 Minimum Front Yard Requirements shall be in accordance with the following:

|                          |                       |
|--------------------------|-----------------------|
| Minimum Front Yard Depth | 6.0 metres (19.68 ft) |
|--------------------------|-----------------------|

7.3.10 Minimum Side Yard (laned lot) Requirements shall be in accordance with the following:

|                                 |  |                               |
|---------------------------------|--|-------------------------------|
| (a) <b>Principal Buildings:</b> | (i) <b>Street side of a corner site:</b> | 3.0 metres (9.84 ft) in depth |
|                                 | (ii) <b>All other sites:</b>             | 1.5 metres (4.92 ft) in depth |
|                                 |  |                               |
| (b) <b>Accessory Buildings</b>  | (i) <b>Street side of a corner lot:</b>  | 3.0 metres (9.84 ft) in depth |

|  |                              |   |
|--|------------------------------|---|
|  | (ii) <b>All other sides:</b> | 1.5 metres (4.92 ft) in depth except where a larger setback is required by Alberta Building Code. |
|--|------------------------------|---|

7.3.11 Minimum Side Yard (laneless lot) Requirements shall be in accordance with the following:

|                                 |  |   |
|---------------------------------|--|---|
| <b>(a) Principal Buildings:</b> | (i) <b>With attached garages:</b>          | 1.5 metres (4.92 ft) in depth   |
|                                 | (ii) <b>Without attached Garages:</b>      | one unobstructed side yard 3 metres (9.84 ft.) in depth, the remaining side yard 1.5 Metres (4.92 ft.) in depth |
|                                 | (iii) <b>Street side of a corner site:</b> | 3.0 metres (9.84 ft.) in depth  |
|                                 |  |   |
| <b>(b) Accessory Buildings</b>  | (i) <b>Street Side of a corner site:</b>   | 3.0 metres (9.84 ft.) in depth  |
|                                 | (ii) <b>All Other Lots:</b>                | 1 metre (3.28 ft.) except where a larger setback is required by Alberta Building Code.                          |

7.3.12 Minimum Rear Yard Requirements shall be in accordance with the following:

|                                |  |                                |
|--------------------------------|--|--------------------------------|
| <b>(a) Principal Building</b>  | 8 metres (26.25 ft.)                                 |                                |
| <b>(b) Accessory Buildings</b> | (i) Accessory buildings with a 61 cm (24 inch) eave: | 1.5 metres (4.94 ft.) in depth |

|  |                                     |  |
|--|-------------------------------------|--|
|  | (ii) All other Accessory Buildings: | 1 meter (3.28 ft.) 1.5 except where a larger setback is required by Alberta Building Code. |
|--|-------------------------------------|--|

7.3.13 Minimum habitable floor area per dwelling shall be in accordance with the following:

|                                      |   |
|--------------------------------------|---|
| (a) <b>Dwelling Single-Detached:</b> | 93 m <sup>2</sup> (1001 ft <sup>2</sup> )   |
| (b) <b>Semi-Detached Dwellings:</b>  | 74 m <sup>2</sup> (796.56 ft <sup>2</sup> ) |
| (c) <b>Duplexes:</b>                 | 62 m <sup>2</sup> (699.65 ft <sup>2</sup> ) |

7.3.14 Maximum Building Height shall be in accordance with the following:

|                                       |  |
|---------------------------------------|--|
| (a) <b>Principal Buildings</b>        | 10 metres (32.81 ft.)  |
| (b) <b>Accessory Buildings</b>        | 5 metres (16.4 ft.)  |
| (c) <b>Secondary Suite (Carriage)</b> | 100% of principal building or 10 metres (32.81 ft.) whichever is lesser. |

7.3.15 Maximum Lot Coverage shall be in accordance with the following:

|  |                      |
|--|----------------------|
| <b>(a) All Buildings including Accessory Buildings</b> | 50% of the lot area  |
| <b>(b) All Accessory Buildings</b>                     | 15 % of the lot area |

## **7.4 Residential Two Dwelling Restricted District (R-2)**

- 7.4.1 The purpose of this district is to provide for greater housing choice and more efficient use of land in the form of duplex, semi-detached, and single detached residential development.
- 7.4.2 Development Not Requiring a Permit
- (a) See Section 3.2 Development Permit Not Required
  - (b) See Section 6.3 Signs – Not Requiring a Development Permit
- 7.4.3 Permitted Uses:
- (a) Accessory Building.
  - (b) Dwellings Duplex;
  - (c) Dwellings Semi-Detached;
  - (d) Dwelling Single Detached;
  - (e) Home Occupation 2 - Minor
  - (f) Secondary Suite on a parcel with a Single Detached Dwelling
  - (g) Utilities;
- 7.4.4 Discretionary Uses:
- (a) Bed and Breakfast Accommodation
  - (b) Day Care Facility
  - (c) Group Home Facility
  - (d) Home Occupation 3 - Major
  - (e) Manufactured Home
  - (f) Modular Home
  - (g) Nursery School
  - (h) Private Swimming Pools
  - (i) Religious Institution
  - (j) Secondary Suite
  - (k) Senior Citizen Accommodation
  - (l) Show home
  - (m) Signs:
    - (i) Sign Type 5 – Portable
    - (ii) Sign Type 6 – Sandwich Board
    - (iii) Sign Type 7 – Informational
    - (iv) Sign Type 8 – Temporary
    - (v) Sign Type 9 - Secondary
    - (vi) Sign Type 11 – Directional Off-premises Sign
- 7.4.5 In addition to the General Land Use Rules contained in Part 4, the following provisions, as contained within this section shall apply to every development in this district:



7.4.6 Minimum Lot Area Requirements shall be in accordance with the following:

|                                       |  |
|---------------------------------------|--|
| (a) <b>Dwellings, Single-Detached</b> | 400 m <sup>2</sup> (4,305.57 ft <sup>2</sup> )   |
| (b) <b>Dwellings, Semi-Detached</b>   | (i) 279 m <sup>2</sup> (3003.13 ft <sup>2</sup> ) each dwelling unit<br>(ii) 326 m <sup>2</sup> (3509.03 ft <sup>2</sup> ) for each dwelling unit with a side yard abutting a street |
| (c) <b>Duplexes</b>                   | 464 m <sup>2</sup> (4,994.6 ft <sup>2</sup> )  |

7.4.7 Minimum Lot Width Requirements shall be in accordance with the following:

|                                       |  |
|---------------------------------------|--|
| (a) <b>Dwellings, Single-Detached</b> | 13 metres (42.65 ft)   |
| (b) <b>Dwellings, Semi-Detached</b>   | (i) 9 metres (29.53 ft) for each dwelling unit<br>(ii) 10.5 metres (34.5 ft) for each dwelling unit with a side yard abutting a street |
| (c) <b>Duplexes</b>                   | 15 metres (49.21 ft)   |

7.4.8 Minimum Front Yard Requirements shall be in accordance with the following:

|                                 |                       |
|---------------------------------|-----------------------|
| <b>Minimum Front Yard Depth</b> | 6.0 metres (19.69 ft) |
|---------------------------------|-----------------------|

7.4.9 Minimum Side Yard (laned lot) Requirements shall be in accordance with the following:

|                                 |  |                               |
|---------------------------------|--|-------------------------------|
| (a) <b>Principal Buildings:</b> | (i) <b>Street side of a corner site:</b> | 3.0 metres (9.84 ft) in depth |
|                                 | (ii) <b>All other sites:</b>             | 1.5 metres (4.92 ft) in depth |
|                                 |  |                               |
| (b) <b>Accessory Buildings</b>  | (i) <b>Street side of a corner lot:</b>  | 3.0 metres (9.84 ft) in depth |

|  |                              |   |
|--|------------------------------|---|
|  | <b>(ii) All other sides:</b> | 1.5 metres (4.92 ft) in depth except where a larger setback is required by Alberta Building Code. |
|--|------------------------------|---|

7.4.10 Minimum Side Yard (laneless lot) Requirements shall be in accordance with the following:

|                                 |  |   |
|---------------------------------|--|---|
| <b>(a) Principal Buildings:</b> | <b>(i) With attached garages:</b>          | 1.5 metres (4.92 ft) in depth   |
|                                 | <b>(ii) Without attached Garages:</b>      | one unobstructed side yard 3 metres (9.84 ft.) in depth, the remaining side yard 1.5 Metres (4.92 ft.) in depth |
|                                 | <b>(iiI) Street side of a corner site:</b> | 3.0 metres (9.84 ft.) in depth  |
|                                 |  |   |
| <b>(b) Accessory Buildings</b>  | <b>(i) Street Side of a corner site:</b>   | 3.0 metres (9.84 ft.) in depth  |
|                                 | <b>(ii) All Other Lots:</b>                | 1 metre (3.28 ft.) except where a larger setback is required by Alberta Building Code.                          |

7.4.11 Minimum Rear Yard Requirements shall be in accordance with the following:

|                                |  |
|--------------------------------|--|
| <b>(a) Principal Building</b>  | 8 metres (26.25 ft.)   |
| <b>(b) Accessory Buildings</b> | <p>(i) Accessory buildings with a 61 cm (24 inch) eave: 1.5 metres (4.94 ft.) in depth</p> <p>(ii) <u>All other Accessory Buildings</u>: 1 meter (3.28 FT) except where a larger setback is required by Alberta Building Code.</p> |

7.4.12 Minimum habitable floor area per dwelling shall be in accordance with the following:

|                                      |   |
|--------------------------------------|---|
| (a) <b>Dwelling Single-Detached:</b> | 93 m <sup>2</sup> (1001 ft <sup>2</sup> )   |
| (b) <b>Manufactured Homes:</b>       | 74 m <sup>2</sup> (796.56 ft <sup>2</sup> ) |
| (c) <b>Semi-Detached Dwellings:</b>  | 74 m <sup>2</sup> (796.56 ft <sup>2</sup> ) |
| (d) <b>Duplexes:</b>                 | 62 m <sup>2</sup> (699.65 ft <sup>2</sup> ) |

7.4.13 Maximum Building Height shall be in accordance with the following:

|                                       |  |
|---------------------------------------|--|
| (a) <b>Principal Buildings</b>        | 10 metres (32.81 ft.)  |
| (b) <b>Accessory Buildings</b>        | 5 metres (16.4 ft.)  |
| (c) <b>Secondary Suite (Carriage)</b> | 100% of principal building or 10 metres (32.81 ft.) whichever is lesser. |

7.4.14 Maximum Lot Coverage shall be in accordance with the following:

|  |                      |
|--|----------------------|
| (a) <b>All Buildings including Accessory Buildings</b> | 50% of the lot area  |
| (b) <b>All Accessory Buildings</b>                     | 15 % of the lot area |

## 7.5 Residential Multi-Unit District (R-3)

- 7.5.1 The purpose is to allow for greater housing choice and efficient use of land in the form of multi-unit residential developments such as apartments, townhouses, and related land uses.
- 7.5.2 Development Not Requiring a Permit
- (a) See Section 3.2 Development Permit Not Required
  - (b) See Section 6.3 Signs – Not Requiring a Development Permit
- 7.5.3 Permitted Uses:
- (a) Accessory Buildings
  - (b) Apartment Buildings
  - (c) Home Occupation 2 - Minor
  - (d) Townhouses
  - (e) Utilities
- 7.5.4 Discretionary Uses:
- (a) Bed and Breakfast Accommodation
  - (b) Day Care Facility
  - (c) Group Care Facility
  - (d) Nursery School
  - (e) Public or Quasi-Public Uses and Facilities
  - (f) Religious Institutions
  - (g) Senior Citizens Accommodation
  - (h) Show home
  - (i) Signs:
    - (i) Sign Type 5 – Portable
    - (ii) Sign Type 6 – Sandwich Board
    - (iii) Sign Type 7 – Informational
    - (iv) Sign Type 8 – Temporary
    - (v) Sign Type 9 - Secondary
    - (vi) Sign Type 11 – Directional Off-premises Sign
- 7.5.5 In addition to the General Land Use Rules contained in Part 4, the following provisions, as contained within this section shall apply to developments in this district:
- 7.5.6 Lot Area Requirements shall be in accordance with the following:

|  |  |
|--|--|
| (a) <b>Minimum Lot Area – All Uses</b> | 929 m <sup>2</sup> (10,000 ft <sup>2</sup> )   |
| (b) <b>Maximum Lot Area – All Uses</b> | 4,000 m <sup>2</sup> (43,056 ft <sup>2</sup> ) |

7.5.7 Minimum Lot Width Requirements shall be in accordance with the following:

|                                     |   |
|-------------------------------------|---|
| (a) <b>Apartments</b>               | 30 metres (98.43 ft.)   |
| (b) <b>Attached Homes</b>           | (i) 6 metres (19.69 ft.) for each internal dwelling unit in a building<br>(ii) 7.5 metres (24.61 ft.) for each end dwelling unit in a building<br>(iii) 9 metres (29.53 ft.) for each dwelling unit with a side yard abutting a street. |
| (c) <b>Dwellings, Semi-Detached</b> | (i) 9 metres (29.53 ft.) for each dwelling unit without a side yard abutting a street.<br>(ii) 10.5 metres (34.45 ft.) for each dwelling unit with a side yard abutting a street.   |

7.5.8 Minimum Front Yard Requirements shall be in accordance with the following:

|  |   |
|--|---|
| <b>(a) Minimum Front Yard Depth – All Lots</b> | 6.0 metres (19.69 ft)   |
| <b>(b) Lots Served by Rear Lane:</b>           | Notwithstanding 7.5.1(a) above, the Development Authority may reduce the minimum front yard requirement to 4.0 metres (13.12 ft.) where the lot is served by a rear lane. |

7.5.9 Minimum Side Yard Requirements shall be in accordance with the following:

|                                 |   |   |
|---------------------------------|---|---|
| <b>(a) Principal Buildings:</b> | (a) if 9.0 metres (29.52 ft.) <u>or less</u> in height at the eave: | 1.5 metres (4.92 ft.) from the side property line shared with an internal lot |
|                                 | (b) if 9.0 metres (29.52 ft.) <u>or more</u> in height at the eave: | 3.0 metres (9.84 ft.) from the side property line shared with an internal lot |

7.5.10 Minimum Rear Yard Requirements shall be in accordance with the following:

|                                 |                     |
|---------------------------------|---------------------|
| <b>(a) Principal Buildings:</b> | 7.0 metres (23 ft.) |
|---------------------------------|---------------------|

7.5.11 Minimum habitable floor area per dwelling shall be in accordance with the following:

|                                     |   |
|-------------------------------------|---|
| (a) <b>Attached Dwelling Unit:</b>  | 80.0 m <sup>2</sup> (861.11 ft <sup>2</sup> ) |
| (b) <b>Apartment Dwelling Unit:</b> | 40.0 m <sup>2</sup> (430.56 ft <sup>2</sup> ) |

7.5.12 Maximum Building Height shall be in accordance with the following:

|  |   |
|--|---|
| (a) <b>Duplex &amp; Semi-Detached Dwelling Units</b> | 10.0 metres (32.81 ft.)                   |
| (b) <b>Attached Housing</b>                          | 12.0 metres (39.37 ft.)                   |
| (c) <b>Apartment Buildings</b>                       | 14 metres (45.93 ft), or four (4) storeys |
| (d) <b>Accessory Buildings</b>                       | 5.0 metres (16.4 ft)                      |

7.5.13 Maximum Lot Coverage shall be in accordance with the following:

|  |  |
|--|--|
| <b>(a) All Buildings including Accessory Buildings</b> | 70%, includes all buildings, inclusive of all principal building(s), accessory buildings and detached garages. |
|--|--|

7.5.14 Parking and Landscaping Requirements:

- (a) Parking – All parking spaces on a site in the Residential Multi Unit district shall be hard surfaced.
- (b) Landscaping
  - (i) A minimum of 10% of the site area shall be landscaped; and
  - (ii) A landscape and site plan shall be prepared by a professional landscape architect as part of any development permit application in this District.

7.5.15 Neighbourhood Form & Character

- (a) In considering a discretionary use in this district:
  - (i) the Development Authority shall give due consideration to the compatibility of a proposed development in this District to existing uses on or near the site, including the form and character of the neighbourhood (e.g. similar building height, setbacks, architectural style, roof styles and landscaping); and
  - (ii) the Development Authority may place conditions on any approval to ensure compatibility of a proposed development with the character of the neighbourhood.

## 7.6 Residential – Manufactured Home District (R-MH)

7.6.1 The purpose of this district is to provide for a Manufactured Home residential neighborhood in which single-wide and double-wide manufactured homes are accommodated on an individual site basis with permanent foundations and individual service connections.

7.6.2 Development Not Requiring a Permit

- (a) See Section 3.2 Development Permit Not Required
- (b) See Section 6.3 Signs – Not Requiring a Development Permit

7.6.3 Permitted Uses:

- (a) Accessory Buildings
- (b) Detached garages
- (c) Home Occupation 2 – Minor
- (d) Manufactured dwelling
- (e) Modular dwelling (new – not previously occupied)
- (f) Utilities

7.6.4 Discretionary Uses:

- (a) Day Care Facility
- (b) Modular dwelling (previously occupied)
- (c) Nursery school
- (d) Public or Quasi-Public Uses and Facilities
- (e) Show home
- (f) Signs:
  - (i) Sign Type 5 – Portable
  - (ii) Sign Type 6 – Sandwich Board
  - (iii) Sign Type 7 – Informational
  - (iv) Sign Type 8 – Temporary
  - (v) Sign Type 9 – Secondary
  - (vi) Sign Type 11 – Directional Off-premises Sign

7.6.5 In addition to the General Land Use Rules contained in Part 4, the following provisions, as contained within this section shall apply to every development in this district:

7.6.6 Minimum Lot Dimension Requirements shall be in accordance with the following:

|  | Lot Area  | Lot Width                     |
|--|---|-------------------------------|
| (a) <b>Single-wide manufactured / modular dwelling</b> | (i) 372 m <sup>2</sup><br>(4,004.17 ft <sup>2</sup> ) | (ii) 12 metres<br>(39.37 ft.) |

|  |   |   |
|--|---|---|
| <b>(b) Double-wide manufactured / modular dwelling</b> | <b>(i) 418 m<sup>2</sup><br/>(4,499.3 ft<sup>2</sup>)</b> | <b>(ii) 13.5 metres<br/>(44.29 ft.)</b> |
|--|---|---|

7.6.7 Minimum Front Yard Requirements shall be in accordance with the following:

|                                     |                              |
|-------------------------------------|------------------------------|
| <b>(a) Minimum Front Yard Depth</b> | <b>6.0 metres (19.68 ft)</b> |
|-------------------------------------|------------------------------|

7.6.8 Minimum Side Yard Requirements shall be in accordance with the following:

|                                 |   |  |
|---------------------------------|---|--|
| <b>(a) Principal Buildings:</b> | <b>(i) On the side of the dwelling containing the front entrance, or living room window</b> | a minimum side yard of 6 metres (19.68 ft) shall be provided, and the other side yard shall be a minimum of 1.5 metres (4.92 ft) |
|                                 | <b>(ii) Street side of a corner site:</b>   | 3.0 metres (9.84 ft) in depth  |
|                                 | <b>(iii) All other lots</b>   | 1 meter (3.28 ft)  |
|                                 |   |  |
| <b>(b) Accessory Buildings</b>  | <b>(i) Street side of a corner lot:</b>   | 3.0 metres (9.84 ft) in depth  |
|                                 | <b>(ii) All other sides:</b>  | 1.5 metres (4.92 ft) in depth except where a larger setback is required by Alberta Building Code.                                |

7.6.9 Minimum habitable floor area per dwelling shall be in accordance with the following:

|                                |   |
|--------------------------------|---|
| <b>(a) Principal Dwellings</b> | <b>67 m<sup>2</sup> (721.18 ft<sup>2</sup>)</b> |
|--------------------------------|---|



7.6.10 Maximum Building Height shall be in accordance with the following:

|                                |                       |
|--------------------------------|-----------------------|
| (a) <b>Principal Buildings</b> | 10 metres (32.81 ft.) |
| (b) <b>Accessory Buildings</b> | 5 metres (16.4 ft.)   |

7.6.11 Maximum Lot Coverage shall be in accordance with the following:

|  |                      |
|--|----------------------|
| <b>(a) All Buildings including Accessory Buildings</b> | 50% of the lot area  |
| <b>(b) All Accessory Buildings</b>                     | 15 % of the lot area |

7.6.12 Special Requirements

- (a) Landscaping is required and shall be provided in accordance with the landscaping and fencing requirements of Section 4.8.
- (b) Each dwelling unit in this district shall be located on a lot, which is registered in the Land Titles Office.
- (c) All manufactured homes and modular homes within this district shall be certified as complying with Canadian Standards Association Regulation CAN/CSA-A277-08.
- (d) All dwelling units must meet the requirements of the Alberta Safety Code and Regulations, and shall be:
  - (i) placed upon a foundation of concrete; or
  - (ii) supported by and permanently affixed to piers located at strategic locations beneath the frame unit. The piers shall be of poured concrete to a depth below frost level and shall be positioned in accordance with the requirements of the individual home manufacturer. In addition, the base of the home shall be completed skirted with a fireproof skirting of similar design to the home exterior.
- (e) All trailer hardware, including axles, wheels and hitches, shall be removed from manufactured homes upon being permanently placed or affixed to foundation or piers.
- (f) All dwelling units shall have a pitched roof. The minimum roof pitch for modular homes shall be 2 in 12.
- (g) All accessory structures, additions, porches, skirting and storage facilities shall be of a quality and appearance equivalent to the home.
- (h) Each dwelling unit shall be connected to and serviced by the Town of Irricana sanitary treatment system, storm sewer system and water

supply. The service provider providing these services within the Town of Irricana shall provide electric power, telephone systems and natural gas.

## **7.7 Central Business District (CBD)**

7.7.1 The purpose of this District is to provide for business and retail developments serving the Town and the surrounding rural areas, within an urban context.

7.7.2 Development Not Requiring a Permit

- (a) See Section 3.2 Development Permit Not Required
- (b) See Section 6.3 Signs – Not Requiring a Development Permit

7.7.3 Permitted Uses:

- (a) Alternative Health Care Service
- (b) Child Care Facilities
- (c) Day Care Facility
- (d) Financial Institutes
- (e) Food and/or Beverage Service Facility
- (f) Food Services
- (g) Hair Care business
- (h) Health Care Services
- (i) Professional Offices
- (j) Public Parks
- (k) Public or Quasi-Public Uses and Facilities
- (l) Signs:
  - (i) Sign Type 3 – Fascia
  - (ii) Sign Type 4 – Canopy
  - (iii) Sign Type 5 – Portable
  - (iv) Sign Type 7 – Informational
- (m) Support Services

7.7.4 Discretionary Uses

- (a) Auto Body Repair Shop
- (b) Automotive Repair Shop
- (c) Cannabis Sales
- (d) Dwelling Unit(s) in a commercial or mixed-use building
- (e) Gas Station
- (f) Home Occupation 2 – Minor (in an existing dwelling)
- (g) Home Occupation 3 – Major (in an existing dwelling)
- (h) Hotel/Motel
- (i) Liquor Sales
- (j) Parking Lot
- (k) Pet Care Services

- (l) Retail Sales business
- (m) Senior Citizen Accommodation
- (n) Service Station
- (o) Signs:
  - (i) Sign Type 1 – Freestanding
  - (ii) Sign Type 2 – Projecting
  - (iii) Sign Type 8 – Temporary
  - (iv) Sign Type 9 – Secondary
  - (v) Sign Type 10 – Multiple Listing
  - (vi) Sign Type 11 – Directional Off-premises
- (p) Theater
- (q) Utilities

7.7.5 In addition to the General Land Use Rules contained in Part 4, the following provisions, as contained within this section shall apply to every development in this district:

7.7.6 Minimum Lot Area Requirements shall be in accordance with the following:

|                            |   |
|----------------------------|---|
| (a) <b>Hotels / Motels</b> | 1,115 m <sup>2</sup> (12,002.15 ft <sup>2</sup> ) |
| (b) <b>Gas Bars</b>        | 929 m <sup>2</sup> (10,000 ft <sup>2</sup> )      |
| (c) <b>Service Station</b> | 1858 m <sup>2</sup> (20,000 ft <sup>2</sup> )     |
| (d) <b>All other uses</b>  | 267.68 m <sup>2</sup> (731.95 ft <sup>2</sup> )   |

7.7.7 Minimum Lot Width Requirements shall be in accordance with the following:

|                            |                        |
|----------------------------|------------------------|
| (a) <b>Hotels / Motels</b> | 31 metres (101.71 ft.) |
| (b) <b>Gas Bars</b>        | 30 metres (98.43 ft.)  |
| (c) <b>Service Station</b> | 61 metres (200.31 ft.) |
| (d) <b>All other uses</b>  | 7.5 metres (24.61 ft.) |

7.7.8 Minimum Yard Requirements shall be in accordance with the following:

|                               |   |                       |
|-------------------------------|---|-----------------------|
| (a) <b>Minimum Front Yard</b> | 0.0m  |                       |
| (b) <b>Minimum Side Yard</b>  |   |                       |
|                               | <b>(i) adjacent to a residential district</b> | 3.0 metres (9.84 ft.) |

|                              |  |  |
|------------------------------|--|--|
|                              | <b>(ii) all other locations (not adjacent to a residential district)</b> | None required, but if a yard is provided it shall be a minimum of 1 meter (3.28 ft.) |
| <b>(c) Minimum Rear Yard</b> | 0.0m   |  |

7.7.9 Maximum Building Height shall be in accordance with the following:

|                      |                       |
|----------------------|-----------------------|
| <b>All buildings</b> | 11 metres (36.08 ft.) |
|----------------------|-----------------------|

7.7.10 Special Requirements:

(a) Screening

- (i) All lots abutting a Residential District shall be screened from the view of a Residential District to the satisfaction of the Development Authority.
- (ii) Garbage bin locations, screening and access shall be to the satisfaction of the Development Authority.
- (iii) All apparatus on the roof shall be screened to the satisfaction of the Municipal Planning Commission.

(b) Landscaping

- (i) A minimum of 5% of the lot area must be landscaped according to a landscape plan considered appropriate by the Municipal Planning Commission or Development Officer. The Municipal Planning Commission or Development Officer as part of the 5% landscaping requirement may consider fixtures to buildings, internal atriums or other attractive features.
- (ii) All landscaping shall conform to the landscaping and fencing requirements of Section 4.8.

(c) Non-Residential Land Use and Adjacent Residential Land Use:

- (i) In order to limit the potential impact of non-residential activities within the CBD on adjacent residential areas, development and redevelopment of lands within the CBD should accommodate non-residential uses that are oriented to 2nd Street and not toward adjacent residential areas or local residential streets.
- (ii) The use, building form, height, materials and orientation of new non-residential development within the CBD should be generally compatible with the character and scale of adjacent residential areas. The privacy and amenity value of adjacent

residential lands should be respected by encouraging non-residential development, which minimizes overlooking and overshadowing of adjacent residential lands.

- (iii) The transition between non-residential land use in the CBD and adjacent residential land uses should be addressed through building design, building scale and site landscaping in order to mitigate potential land use conflicts.
- (iv) All non-residential servicing areas such as loading areas and service entrances shall be screened from adjacent residential areas.

## **7.8 Light Industrial District (I-L)**

7.8.1 The purpose of this District is to provide for a range of light industrial uses of a manufacturing, processing, assembling, or distributing nature, which carry on a portion of their operation outdoors, or require outdoor storage.

7.8.2 Development Not Requiring a Permit

- (a) See Section 3.2 Development Permit Not Required
- (b) See Section 6.3 Signs – Not Requiring a Development Permit

7.8.3 Permitted Uses:

- (a) Agricultural Equipment Sales and Service
- (b) Auctioneering Establishment
- (c) Bottle Depot
- (d) Distribution Center
- (e) Equipment Rental, sales and service (light)
- (f) Fitness Center
- (g) General Industrial Uses, Minor Impact
- (h) Parking Lot
- (i) Public or Quasi-Public Uses and Facilities
- (j) Retail Sales
- (k) Signs:
  - (i) Sign Type 3 – Fascia
  - (ii) Sign Type 4 – Canopy
  - (iii) Sign Type 7 – Informational
  - (iv) Sign Type 8 – Temporary
  - (v) Sign Type 9 – Secondary
- (l) Storage Facility
- (m) Veterinary Clinic
- (n) Warehouse

7.8.4 Discretionary Uses:

- (a) Adult entertainment Establishment
- (b) Auto Salvage Yard.
- (c) Auto Body Repair
- (d) Automotive or Equipment Repair Shop
- (e) Agri-Plex
- (f) Equipment Rental, sales and service (heavy)
- (g) Farmers Market
- (h) Food and/or Beverage Service Facility
- (i) Garden Plots
- (j) Garden Center
- (k) General Industrial Uses, Major Impact
- (l) Manufacturing Establishments

- (m) Private Club or Organization
- (n) Service Stations
- (o) Signs:
  - (i) Sign Type 1 - Freestanding
  - (ii) Sign Type 2 - Projecting
  - (iii) Sign Type 5 – Portable
  - (iv) Sign Type 10 – Multiple Listing
  - (v) Sign Type 11 – Directional Off-premises
  - (vi) Sign Type 12 - Billboard

7.8.5 In addition to the General Land Use Rules contained in Part 4, the following provisions, as contained within this section shall apply to every development in this district:

7.8.6 Minimum Lot Dimensions Requirements shall be in accordance with the following:

|                              |  |
|------------------------------|--|
| (a) <b>Minimum Lot Area</b>  | 929 m <sup>2</sup> (10,000 ft <sup>2</sup> ) |
| (b) <b>Minimum Lot Width</b> | 30 metres (98.43 ft)                         |

7.8.7 Minimum Front Yard Requirements shall be in accordance with the following:

|   |  |
|---|--|
| <b>(a) All uses:</b>  | 7.5 metres (24.61 ft.) unless a greater setback is required as per subsection (b).                         |
| <b>(b) Adjacent to a highway without a service road</b>   | 28 metres (91.86 ft.) from the nearest limit of the right of way of the nearest secondary or primary road. |
| <b>(c) The front yard requirements stated in (a) and (b) above shall not apply to gas pumps, free standing or projecting signs or billboards.</b> |  |

7.8.8 Minimum Side Yard Requirements shall be in accordance with the following:

|   |  |
|---|--|
| <b>(a) All uses:</b>                            | 1.5 metres (24.61 ft.) unless a greater or lesser setback is permitted as per subsection (b), (c), or (d) below.                                 |
| <b>(b) Where a fire rated wall is provided:</b> | No side yard is required   |
| <b>(c) Laneless lot:</b>                        | One unobstructed side yard shall be a minimum of 6.0 metres (19.69 ft) in width excluding corner sites with alternate rear access. This does not |

|  |  |
|--|--|
|  | include the accessory building when the accessory building is located to the rear of the principal building by a distance of 12 metres (39.37 ft) measured parallel to the side property line. |
| <b>(d) Where the lot abuts a residential district:</b> | 6.0 metres (19.69 ft.)   |

7.8.9 Minimum Rear Yard Requirements shall be in accordance with the following:

|                          |  |
|--------------------------|--|
| <b>(a) All uses:</b>     | There shall be no required rear yard setback other than where loading doors abut a street or lane, in which case, the requirements for loading and parking, as contained in Section 4.12 of this Bylaw will apply. |
| <b>(c) Laneless lot:</b> | If a rear yard is provided for a laneless lot it shall be a minimum of 1.0 metre (3.28 ft.)  |

7.8.10 Maximum Building Height shall be in accordance with the following:

|                      |                       |
|----------------------|-----------------------|
| <b>All buildings</b> | 13 metres (39.37 ft.) |
|----------------------|-----------------------|

7.8.11 Special Requirements

(a) Landscaping:

- (i) The boulevard (if present) and a minimum of ten (10) per cent (%) of the lot area must be landscaped in accordance with the plan approved by the Development Officer.
- (ii) Any trees or shrubs that die must be replaced during the next planting season.

(b) Screening:

- (i) All sites abutting a residential district shall be screened from the view of the residential district to the satisfaction of the Development Authority.
- (ii) All apparatus on the roof shall be screened to the satisfaction of the Development Authority.

(c) Airborne pollutants and/or noxious odours:

- (i) As part of a development permit application, the applicant shall supply relevant information describing any noxious, dangerous, or offensive feature of the proposed development in relation to:
  - (ii) airborne pollutants or odours;



- (iii) release of any toxic, radioactive or environmentally hazardous materials;
  - (iv) flammable or explosive materials, and describing their intensity and area of impact
- (v) Applications for developments along with the information required in Subsection 7.8.5 which must be referred to Alberta Environment and Alberta Health Services for comment prior to the decision being made thereon include those which:
  - (vi) involve processing, assembly and/or packaging which may produce excessive smoke, fumes, noise, vibration, dust, and/or odours; or
  - (vii) involve the use of highly flammable chemical materials.
- (viii) A development application for a land use that poses a potential significant fire / hazard risk or employs highly flammable chemical materials shall be referred to the Town's Fire Department for comment.
- (d) Outdoor Storage:
  - (i) All exterior work areas, storage areas, and waste handling areas shall be enclosed from view from roadways and park reserves to the satisfaction of the Development Authority.
  - (ii) Storage shall not project above the height of the screening material.
  - (iii) Fencing shall not be of a barbed wire construction below a height of 2 metres (6.56 feet).
  - (iv) All sites abutting a residential district shall be screened from the view of the residential district to the satisfaction of the Development Authority .
  - (v) All apparatus on the roof shall be screened to the satisfaction of the Development Authority .
  - (vi) Wrecked or damaged vehicles, which might be located on the property, must be screened to the satisfaction of the Development Authority

## 7.9 Public Park, School and Recreational District (PSR)

7.9.1 The purpose of this district is to preserve appropriate land under public ownership for recreation, education, and conservation uses.

7.9.2 Development Not Requiring a Permit

- (a) See Section 3.2 Development Permit Not Required
- (b) See Section 6.3 Signs – Not Requiring a Development Permit

7.9.3 Permitted Uses

- (a) Community gardens
- (a) Park maintenance and storage buildings

7.9.4 Discretionary Uses

- (a) Arenas
- (b) Campgrounds
- (c) Golf course
- (d) Ice rinks
- (e) Picnic areas
- (f) Playground
- (g) Public parks
- (h) School
- (i) Signs:
  - (i) Sign Type 1 - Freestanding
  - (ii) Sign Type 2 - Projecting
  - (iii) Sign Type 3 – Fascia
  - (iv) Sign Type 4 – Canopy
  - (v) Sign Type 5 – Portable
  - (vi) Sign Type 7 – Informational
  - (vii) Sign Type 8 – Temporary
  - (viii) Sign Type 9 - Secondary
  - (ix) Sign Type 10 – Multiple Listing
  - (x) Sign Type 11 – Directional Off-premises
  - (xi) Sign Type 12 - Billboards
- (j) Sports complex
- (k) Sports field
- (l) Tennis court

7.9.5 Minimum Lot Area Requirements shall be in accordance with the following:

|  |  |
|--|--|
| <b>(a) All Uses - Permitted Uses</b>     | 185.8 m <sup>2</sup> (2,000 ft <sup>2</sup> )  |
| <b>(b) All Uses – Discretionary uses</b> | At the discretion of the Development Authority |

7.9.6 Maximum Building Height shall be in accordance with the following:

|   |  |
|---|--|
| <b>(a) All buildings - Permitted Uses</b>     | 11 metres (36.08 ft.)                          |
| <b>(b) All buildings – Discretionary uses</b> | At the discretion of the Development Authority |

7.9.7 Minimum Yard Requirements shall be in accordance with the following:

|   |  |
|---|--|
| <b>(a) All yards - Permitted Uses</b>     | 1.0 metre(3.28 ft.)                            |
| <b>(b) All yards – Discretionary uses</b> | At the discretion of the Development Authority |

## 7.10 Residential - Prairie Meadows (R-PM)

### 7.10.1 Purpose:

- (a) To provide for residential neighborhoods in the Prairie Meadows area of the Town in which a variety of residential dwelling types and densities may be permitted.

### 7.10.2 Development Not Requiring a Permit

- (a) See Section 3.2 Development Permit Not Required
- (b) See Section 6.3 Signs – Not Requiring a Development Permit

### 7.10.3 Permitted uses:

- (a) Accessory Building
- (b) Bed and Breakfast
- (c) Dwellings Semi-Detached
- (d) Dwellings Single-Detached
- (e) Dwellings Single-detached with secondary suite
- (f) Duplexes
- (g) Home Occupation - Minor
- (h) Modular Homes

### 7.10.4 Discretionary Uses:

- (a) Apartments
- (b) Churches
- (c) Day Care Centers
- (d) Dwelling Group
- (e) Dwelling, Multi-Unit
- (f) Group Care Facility
- (g) Home Occupation - Major
- (h) Public and Quasi-Public Uses
- (i) Secondary Suite
- (j) Senior Citizen Accommodation
- (k) Signs:
  - (i) Sign Type 7 – Informational
  - (ii) Sign Type 11 – Directional Off-premise

### 7.10.5 Prior to any subdivision within this district a Concept Plan or Area Structure Plan shall be established in accordance with Section 3.20 of this Bylaw.

### 7.10.6 The following Minimum Lot Area requirements shall apply:

- (a) **Apartments and dwelling Groups**

929 m<sup>2</sup> (10,000 ft<sup>2</sup>)

|  |  |
|--|--|
| (b) <b>Attached Homes</b>                                  | (i) 186 m <sup>2</sup> (2,002.15 ft <sup>2</sup> ) for each internal dwelling unit in a building               |
|  | (ii) 233 m <sup>2</sup> (2,508.07 ft <sup>2</sup> ) for each end dwelling unit in a building                   |
|  | (iii) 279 m <sup>2</sup> (3,003.22 ft <sup>2</sup> ) for each dwelling unit with a side yard abutting a street |
| (c) <b>Semi-Detached Dwellings</b>                         | (i) 233 m <sup>2</sup> (2,508.07 ft <sup>2</sup> ) for each dwelling unit                                      |
|  | (ii) 279 m <sup>2</sup> (3,003.22 ft <sup>2</sup> ) for each dwelling unit with a side yard abutting a street  |
| (d) <b>Single-detached Dwelling:</b>                       | 233 m <sup>2</sup> (2,508.07 ft <sup>2</sup> )   |
| (e) <b>Single-detached Dwelling with a Secondary Suite</b> | 363 m <sup>2</sup> (3,907.42 ft <sup>2</sup> )   |
| (f) <b>Duplexes</b>  | 372 m <sup>2</sup> (4,004.17 ft <sup>2</sup> )   |

7.10.7 Minimum Lot Width Requirements shall be in accordance with the following:

|   |   |
|---|---|
| (a) <b>Apartments and Dwelling Groups</b>                   | 30.0 metres (98.43 ft.)   |
| (b) <b>Attached Homes</b>                                   | (i) 6.0 metres (19.69 ft.) for each internal dwelling unit in a building              |
|   | (ii) 7.5 metres (24.61 ft.) for each end dwelling unit in a building                  |
|   | (iii) 9 metres (29.57 ft.) for each dwelling unit with a side yard abutting a street. |
| (c) <b>Dwellings, Semi-Detached</b>                         | (i) 7.5 metres (24.61 ft.) for each dwelling unit, except;                            |
|   | (ii) 9.0 metres (29.53 ft.) for each dwelling unit with a side yard abutting a street |
| (d) <b>Dwelling, Single-Detached</b>                        | 9 metres (29.53 ft.)  |
| (e) <b>Dwelling, Single-Detached with a Secondary Suite</b> | 11.0 metres (36.09 ft.)   |

|                     |                         |
|---------------------|-------------------------|
| (f) <b>Duplexes</b> | 12.0 metres (39.37 ft.) |
|---------------------|-------------------------|

7.10.8 The following minimum yard requirements shall apply:

|   |  |
|---|--|
| (a) <b>Minimum Front Yard</b>                 | <p>3.0 metres (9.84 ft.)</p> <p>NOTE: In a new subdivision the front yard setbacks of principal buildings shall be uniform within a street block.</p>  |
| (b) <b>Minimum Side Yard (laned sites)</b>    | <p><b>Principal Buildings</b></p> <p>(i) Street side of a corner: 3.0 metres (9.48 ft.)</p> <p>(ii) All other sides: 1.5 metres (4.92 ft.)</p> <p><b>Accessory buildings</b></p> <p>(iii) Street side of a corner: 3 metres (9.48 ft.)</p> <p>(iv) All other sides: 1.5 metres (4.92 ft.)</p>  |
| (c) <b>Minimum Side Yard (laneless sites)</b> | <p><b>Principal Buildings</b></p> <p>(i) With attached garages: 1.5 metres (4.92 ft.)</p> <p>(ii) Without attached garages: one unobstructed side yard: 3 metres (9.48 ft.), the other side 3 metres (9.48 f.t)</p> <p>(iii) Street side of a corner lot: 3.0 metres (9.48 ft.)</p> <p><b>Accessory buildings</b></p> <p>(iv) Street side of a corner lot: 3.0 metres (9.48 ft.)</p> <p>(v) All other sides: 1.5 metres (4.92 ft.)</p> |
| (d) <b>Minimum Rear Yard</b>                  | <p><b>Principal Buildings</b></p> <p>(i) 8 metres (26.25 ft.)</p> <p><b>Accessory Building</b></p> <p>(ii) Private garage or carriage suite: 1.5 metres (4.92 ft.)</p> <p>(iii) All other accessory buildings: 1.0 meter (3.29 ft.)</p>  |

7.10.9 The following habitable floor area requirements shall apply:

| <b>(a) Minimum Habitable Floor Area per Unit</b> |   |   |
|--|---|---|
|  | (i) Attached Housing:                         | 74 m <sup>2</sup> (796.56 ft <sup>2</sup> )   |
|  | (ii) Apartments:                              | 46 m <sup>2</sup> (495.16 ft <sup>2</sup> )   |
|  | (iii) Duplexes:                               | 65 m <sup>2</sup> (699.68 ft <sup>2</sup> )   |
|  | (iv) Secondary Suite/Secondary Dwelling Unit: | 54 m <sup>2</sup> (581.08 ft <sup>2</sup> )   |
| <b>(b) Habitable Ground Floor Area</b>           |   |   |
|  | (i) Semi-detached Dwelling                    | 74 m <sup>2</sup> (796.56 ft <sup>2</sup> )   |
|  | (ii) Single-detached Dwelling                 | 93 m <sup>2</sup> (1,001.08 ft <sup>2</sup> ) |

7.10.10 The following maximum building height shall apply:

|   |  |
|---|--|
| (a) Principal Buildings                       | 3 storeys not exceeding 10 metres (32.81 ft.) at any eave line   |
| (b) Multi-Family and Seniors Living Buildings | 4 storeys not exceeding 13.5 metres (44.29 ft.) at any eave line |
| (c) Accessory Buildings                       | 5 metres (16.40 ft.)   |
| (d) Accessory Buildings with Secondary Suites | 10 metres (32.81 ft.)  |

7.10.11 The following maximum site coverage shall apply:

|   |                 |
|---|-----------------|
| (a) All Buildings including accessory buildings | 45% of the site |
| (b) All accessory buildings                     | 15% of the site |

7.10.12 The following maximum density requirements shall apply:

|                                     |                 |
|-------------------------------------|-----------------|
| (a) Single- detached dwelling unit: | One (1) per lot |
|-------------------------------------|-----------------|

|   |   |
|---|---|
| (b) Single-detached dwelling units with secondary suite, Semi-detached and Duplex dwelling units: | Two (2) units per lot                       |
| (c) All other dwelling units:   | 40 Units per hectare<br>(16 units per acre) |

#### 7.10.13 Special Requirements – Dwelling Groups

- (a) Dwelling units must be separated by 9 metres (29.53 ft.) where windows facing one another relate to living rooms, dining room and bedrooms.
- (b) The principal entry for every dwelling unit must be separate and be directly accessible to ground level.
- (c) The arrangement of the buildings in a dwelling group is subject to the approval of the Development Authority.

#### 7.10.14 Special Requirements for Apartment Building and Attached Housing Complexes

- (a) When the development of an apartment building is proposed, there shall be provided on the site areas for the recreational and landscaping purposes, in addition to those areas needed for building, driveways, walkways and parking spaces.
- (b) The area of site required for recreational and landscaping purposes will vary according to the number and size of the dwelling units constructed or to be constructed thereon and the areas of balconies and recreational facilities within the building including patios, swimming pools and communal lounges for the free use of the tenants may be used in the calculation of the total requirements for recreational landscaping areas.
- (c) The minimum recreational and landscaping area required per dwelling unit in an apartment building or for an attached housing complex shall be provided in accordance with the provisions of the following table.

| Size of Unit              | Area required for Recreational & Landscaping |
|---------------------------|--|
| Bachelor Unit             | 14 m <sup>2</sup> (150.7 ft <sup>2</sup> )   |
| 1 Dwelling Unit           | 19 m <sup>2</sup> (204.52 ft <sup>2</sup> )  |
| 2 Dwelling Unit           | 54 m <sup>2</sup> (581.27 ft <sup>2</sup> )  |
| 3 Dwelling Unit           | 89 m <sup>2</sup> (958.02 ft <sup>2</sup> )  |
| 4 Dwelling units and over | 123 m <sup>2</sup> (1,324 ft <sup>2</sup> )  |



- (i) The location on the site of recreation and landscaped areas is subject to the approval of the Development Authority.

7.10.15 Carriage Suite Separation from Principal Building:

- (a) A building capable of accommodating a carriage suite above a private garage shall be located a minimum of 5.0 metres (16.40 ft.) from the principal building.

7.10.16 Outdoor Amenity Space for Secondary Suites:

- (a) Outdoor amenity space for a secondary suite above a garage (i.e. carriage suite) shall be a minimum of 25.0 m<sup>2</sup> (69.10 ft<sup>2</sup>) and shall be provided between the rear of the principal building and the garage.

## 7.11 Commercial – Prairie Meadows District (C-PM)

### 7.11.1 Purpose:

- (a) The purpose of the DC-6 District is to provide for business and retail developments serving the Town of Irricana and the surrounding rural areas, which require no outside storage. And create opportunities for commercial uses on the ground floor of buildings and residential and office uses on upper floors.

- |                           |                                |  |
|---------------------------|--------------------------------|--|
| (a) Arts Studio           | (g) Medical & Dental clinics   | (k) Post Office                        |
| (b) Fitness centre        | (h) Museum                     | (l) Retail Store                       |
| (c) Financial Institution | (i) Professional Offices       | (m) Sign Types 7 - Informational       |
| (d) Food Services         | (j) Personal Services Business | (n) Sign Type 11 - Directional         |
| (e) Library               |                                | (o) Temporary Residential Sales Center |
| (f) Liquor Store          |                                |  |

### 7.11.2 Discretionary Uses

- |  |   |
|--|---|
| (a) Accessory Building                                     | (g) Grocery Store                         |
| (b) Bus Terminal   | (h) Hotel                                 |
| (c) Child Care Facilities                                  | (i) Motel                                 |
| (d) Church   | (j) Parking Lot                           |
| (e) Dwelling Unit(s) in a commercial or mixed-use building | (k) Private Club or Organization          |
| (f) Food and/or Beverage Service Facility                  | (l) Public and Quasi-Public Uses          |
|  | (m) Recreational Facility, Private Indoor |
|  | (n) Sign Types 1, 2, 3, 4, 5, 8, 9, 10    |
|  | (o) Theatre                               |

### 7.11.3 The following Minimum Lot Dimension requirements shall apply:

| Use                            | Minimum Lot Area                                     | Minimum Lot Width     |
|--------------------------------|--|-----------------------|
| (a) <b>Hotels &amp; Motels</b> | 1,115 m <sup>2</sup><br>(12,002.15 ft <sup>2</sup> ) | 31 metres (101.71 ft) |
| (b) <b>Other Uses</b>          | 140 m <sup>2</sup> (1,507 ft <sup>2</sup> )          | 7.5 metres (24.61 ft) |

7.11.4 The following Front Yard requirements shall apply:

| Use                           | Requirement    |
|-------------------------------|----------------|
| (a) <b>Minimum Front Yard</b> | 0.00m          |
| (b) <b>Maximum Front Yard</b> | 3.0 (9.84 ft.) |

7.11.5 The following Rear and Side Yard requirements shall apply:

| Use  | Requirement   |
|--|---|
| (a) <b>Minimum Rear Yard</b>                 | 0.00m   |
| (b) <b>Maximum Side Yard</b>                 |   |
| (i) Sides adjacent to residential districts: | 3 metres (9.84 ft)  |
| (ii) All Other locations:                    | Not required but if a yard is provided it shall be at least of 1 meter (3.28 ft.) |

7.11.6 The following Maximum Building Height shall apply:

|                                       |   |
|---------------------------------------|---|
| (a) <b>Maximum Height of Building</b> | A maximum of 3 storeys not exceeding 11 metres (36.08 ft) at any eave line. |
|---------------------------------------|---|

7.11.7 Screening:

- (a) All sites abutting a residential district shall be screened from view of the residential district to the satisfaction of the Municipal Planning Commission.
- (b) All apparatus on the roof shall be screened to the satisfaction of the Municipal Planning Commission.

7.11.8 Landscaping:

- (a) Minimum of 5% of the site area must be landscaped according to a landscape plan considered appropriate by the Development Authority. The Development Authority as part of the 5% landscaping requirement may consider fixtures to buildings, internal atriums or other attractive features.

7.11.9 Dwelling Accommodation Shall:

- (a) Not be located below the second storey of a building;
- (b) Have direct access to the outside street level; and
- (c) Not be located on the same floor as non-residential use.

7.11.10 Appearance

- (a) All developments in this district must be designed to maximize the development potential and design in accordance with the Municipal Development Plan;
- (b) The exterior finishing materials of the proposed development must be those as shown on the approved plans.

7.11.11 Building Orientation

- (a) The main public entrance to the building must face either the property line shared with the street or parking lot internal to the block.

7.11.12 Vehicle Access

- (a) All vehicle access to the parcel must be from the lane or parking lot internal to the block.

## **7.12 Urban Reserve District (UR)**

7.12.1 The purpose of this district is to protect land suited for urban uses from premature subdivision and development, which may prejudice the future use of the land while providing for a limited range of rural pursuits and private recreational uses that utilize large areas of land.

7.12.2 Development Not Requiring a Permit

- (a) See Section 3.2 Development Permit Not Required
- (b) See Section 6.3 Signs – Not Requiring a Development Permit

7.12.3 Permitted Uses:

- (a) Agriculture, Extensive
- (b) Existing Dwellings (as of the adoption of this Bylaw)

7.12.4 Discretionary Uses

- (a) Accessory building
- (b) Dwelling, Single Detached
- (c) Home Occupation – Major
- (d) Home Occupation – Minor
- (e) Public utilities
- (f) Signs:
  - (i) Sign Type 1 - Freestanding
  - (ii) Sign Type 5 – Portable
  - (iii) Sign Type 7 – Informational
  - (iv) Sign Type 8 – Temporary
  - (v) Sign Type 9 - Secondary
  - (vi) Sign Type 11 – Directional Off-premises
  - (vii) Sign Type 12 - Billboards

7.12.5 In addition to the General Land Use Rules contained in Part 4, the following provisions, as contained within this section shall apply to every development in this district:

| Minimum Lot Area | Existing Lots (no subdivision permitted in this District) |
|------------------|---|
|------------------|---|

### **7.13 Direct Control Districts (DC)**

- 7.13.1 The purpose of a DC district is to allow direct control by Council over a development, due to its special nature or circumstance, pursuant to the provisions of the *Municipal Government Act*.
- 7.13.2 As stated in Section 6.2.10 of the *Municipal Development Plan*, the Town may consider accommodating innovative development and redevelopment proposals and/or a wider range of uses through the use of Direct Control Districts.
- 7.13.3 Prior to redesignation or subdivision within any Direct Control District a Concept Plan or Area Structure Plan shall be established in accordance with Section 3.17 of this Bylaw, any other requirements within an adopted Statutory Plan, any requirements stated in the *Municipal Government Act*, and
- (a) in the case of a Concept Plan, it shall be passed by resolution of Town Council, and
  - (b) in the case of an Area Structure, it shall be adopted by Bylaw in accordance with the *Act*.
- 7.13.4 In regards to Subsection 7.13.3 above, the Municipal Planning Commission shall determine whether a Concept Plan or Area Structure Plan shall be required based on the size and complexity of the proposed subdivision and/or future development on the subject site and shall provide notification to the developer of the decision.
- (a) Notwithstanding subsection 7.13.4 above, the Municipal Planning Commission may refer the issue to the Town Council for a decision.
- 7.13.5 Individual Direct Control Districts shall establish rules and regulations including, but not limited to:
- (a) Permitted and discretionary uses;
  - (b) General rules and regulations for the development of permitted and discretionary uses;
  - (c) Parking and access requirement;
  - (d) Landscape and screening requirements;
  - (e) Architectural and/or building design standards;
  - (f) The decision-making authority (e.g. Council, Development Officer, or MPC); and
  - (g) Any other matters the Municipality deems necessary.

#### 7.13.6 Procedures

- (a) In addition to the General Land Use Rules contained in Part 4 of this Bylaw, the following provisions, as contained within this section shall apply to every development in this district.
- (b) Notwithstanding the procedure established for development permit applications in Part 3 of this Bylaw, applications for development on land in Direct Control Districts shall be referred by the Development Officer to Council for its approval or refusal unless otherwise stated in the Direct Control District. The application may be referred to the Municipal Planning Commission for comment and/or recommendation prior to a decision by Council.
- (c) When an application for a development permit is received for lands that are designated Direct Control, Council shall provide opportunity for public comment on the application in accordance with the Municipal Government Act.
- (d) Council may choose to notify the public of the development application by publishing a notice in a newspaper circulating in the Municipality and/or providing electronic means of notification, stating the location of the property for which the application has been made and use proposed. A copy of the Notice shall be sent to adjacent landowners.
- (e) Where Council is the decision-making authority for a development permit application in a Direct Control District the Council may approve, with or without conditions, or may refuse an application for a development permit.
- (f) Appeal from a decision on an application for a development permit in a Direct Control District is limited in accordance with the *Act*.

## **7.14 Direct Control District (DC-3)**

- 7.14.1 Purpose: Allow for increased density to avoid urban sprawl and ensure a portion of these lands are for recreational use while protecting the creek and coulee of this environmentally sensitive area on the west side of Town as shown on the Land Use Map
- 7.14.2 Development Not Requiring a Permit
  - (a) See Section 3.2 Development Permit Not Required
  - (b) See Section 6.3 Signs – Not Requiring a Development Permit
- 7.14.3 Permitted Uses
  - (a) None
- 7.14.4 Discretionary uses
  - (a) Private Park
  - (b) Apartments that conform to “Condominiums” as defined in the *Land Use Bylaw*.
- 7.14.5 Prior to any subdivision within DC-3 a Concept Plan or Area Structure Plan shall be established in accordance with Section 7.13.3 and 7.13.4 of this Bylaw.
- 7.14.6 Decision-Making Authority
  - (a) Council is the Development Authority and shall be responsible for the issuance of all Development Permits for the Lands subject to this Bylaw
- 7.14.7 Regulations:
  - (a) All dimensions, setback, and building heights are to be approved by Council.
  - (b) Population density is to be approved by Council.



## **8. PART 8 Definitions**

### **8.1 Interpretation of Definitions**

- 8.1.1 Words and terms used in this Bylaw shall have the same meaning as given to them in the *Municipal Government Act* unless otherwise defined in this section.
- 8.1.2 Definitions and sections that have been reproduced from the *Municipal Government Act* are in italics and have been added for the convenience of the user of the Bylaw.
- 8.1.3 In this Bylaw, words used in the singular include the plural, and words using the masculine gender include the feminine gender.
- 8.1.4 When no definition is provided in the *Municipal Government Act*, the Interpretation Act, or this Bylaw, the Webster's New Collegiate Dictionary shall be used.
- 8.1.5 In this Bylaw, and any amendments made hereto, unless the content otherwise requires, the interpretation set out in the following subsections shall be used:

| <b>Term</b>                            | <b>Definition</b>   |
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| <b>A</b>                               |   |
| <b>Abut or Abutting</b>                | means immediately contiguous to or physically touching, and when used with respect to a lot or site, means that the lot or site physically touches another lot, site, or development, and shares a property line or boundary line with it.            |
| <b>Accessory Building</b>              | means a building separate and subordinate to the principal building, the use of which is incidental to that of the main building and is located on the same parcel of land but does not include a residential detached garage.                        |
| <b>Accessory Use</b>                   | means a use customarily incidental and subordinate to the principal use or building and is located on the same parcel of land with such principal use or building.  |
| <b>Act or Municipal Government Act</b> | means the Municipal Government Act, Revised Statutes of Alberta, Chapter M-26, 2000 and amendments and regulations thereto.   |
| <b>Adjacent Land</b>                   | means land that is contiguous to the parcel of land proposed for development, subdivision or re-designation and includes land that would be contiguous if not for a highway, street, road, river, stream, Municipal Reserve or Environmental Reserve. |

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| <b>Adult Entertainment Establishment</b> | means any premises or part thereof wherein live performances, motion pictures, video tapes, video discs, slides or similar electronic media or photographic reproductions, the main feature of which is the nudity or partial nudity of any persons, are performed, shown or offered for sale or rent as a principal use or an accessory to some other business activity which is conducted on the premises.   |
| <b>Agriculture, Commercial</b>           | means the use of land, structure or building for the purposes of buying and selling or the processing, storage and supply of commodities and services that support agricultural operations.  |
| <b>Agriculture, Extensive</b>            | means systems of tillage and animal husbandry through which one may gain livelihood from large areas of land by the raising of crops or the rearing of livestock, either separately or in conjunction with one another in unified operations, and includes buildings and other structures incidental to the operation. The definition does not include confined feeding operations.  |
| <b>Agri-plex</b>                         | means an agricultural center for the purpose of holding events.  |
| <b>Alternative Health Care Services</b>  | means an establishment or facility that is engaged in the furnishing of natural health care services and products which are an alternative or complimentary to health care provided by surgery, hospitalization, and drug treatments and are provided on an out-patient basis. Included in this use category, but not limited to, are acupuncture, herbology, homeopathic, exercise, massage, touch, and mechanical therapy, counselling and the sale of organic food and herb products. |
| <b>Amenity Area</b>                      | means indoor or outdoor space, provided for the active or passive recreation and enjoyment of the occupants of a development, which may be for private or communal use and owned individually or in common.  |
| <b>Amphitheatre</b>                      | means a round or oval structure, typically unroofed, with a central space for the presentation of dramatic or sporting events. Tiers of seats for spectators surround the central space.   |
| <b>Amusement Centre</b>                  | means a facility or establishment that provides amusement, entertainment or games through the use of any coin or token operated machine or device. The machine or device may be mechanical, electrical or electronic.  |
| <b>Apartment</b>                         | means a building designed and built to contain three or more dwelling units with shared services, facilities and one common entrance.  |
| <b>Appeal Body</b>                       | means the appropriate appeal body as per the Municipal Government Act which is either the local Subdivision and Development Appeal Board or the Land and Property Rights Tribunal.   |

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| <b>Area Structure Plan</b>                          | means a statutory plan prepared pursuant to Section 633 of the <i>Municipal Government Act</i> for the purpose of providing a framework for future development of an area of land.   |
| <b>Art Studio</b>                                   | means an establishment or business engaged in the creation, sale, loan, or display of art paintings, sculpture, books, or other crafts or works of art and may include retail and studio components.   |
| <b>Arterial Roadway or Street</b>                   | means a street intended to carry large volumes of all types of traffic moving at medium to high speeds, to serve the major traffic flows between principal areas of traffic generation and also connect to urban and rural arterial and collector roadways or streets. Arterial roadways or streets desirably have no direct access to development. 500 to 800 series secondary roads are included in this category. |
| <b>Auctioneering Establishment</b>                  | means development specifically intended for the auctioning of goods and equipment, including temporary storage of such goods and equipment.  |
| <b>Autobody and Paint Shop</b>                      | means premises where the bodies, but not other parts, or motor vehicles are repaired and where motor vehicle bodies and other metal machine components or articles may be painted.   |
| <b>Automotive and Equipment Repair/Service Shop</b> | means the use of a building or a portion of a building, for the servicing and/or mechanical repair of automobiles, motorcycles, snowmobiles and similar vehicles or the sale, installation or servicing of related accessories and parts, which includes transmission shops, muffler shop, tire shop, automotive glass shop, upholstery shop, and car or truck washes.   |
| <b>Automotive and/or Recreational Sales/Rentals</b> | means the use of a building, or a portion of a building, for the retail sales or rentals of new or used automobiles and motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar light recreational vehicles or crafts together with incidental maintenance services and sale of parts.  |
| <b>Automotive Salvage Yard</b>                      | means the use of a site, or the portion of a site, for the dismantling and storage of dilapidated or inoperable motor vehicles. This use does not include the sale of complete and operable motor vehicles, or the servicing and repair of motor vehicles.   |
| <b>Awning</b>                                       | means an adjustable or temporary roof-like covering fitted over windows and doors and used for shelter, advertising or decoration.   |
| <b>B</b>  |  |
| <b>Balcony</b>                                      | means a platform, attached to and projecting from the face of a building with or without a supporting structure above the first storey, normally surrounded by a balustrade or railing and used as an outdoor porch or sundeck with access only from within the building.  |

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| <b>Basement</b>                       | means that portion of a building or structure which is wholly or partially below grade and has no more than 1.8 metres (5.91 feet) of its clear height above grade and lies below the finished level of the floor directly above. A basement does not constitute a storey for the purpose of this Bylaw.   |
| <b>Bay</b>                            | means a self-contained unit or part of a building or of the whole building which can be sold or leased for individual occupancy.   |
| <b>Bed and Breakfast</b>              | means a principal dwelling where sleeping accommodation with or without light meals is provided to members of the public for remuneration. A bed and breakfast home shall not include more than three (3) business accommodation rooms.  |
| <b>Bottle Depot</b>                   | means the use of a building or portion of a building, as a business for the collection of empty recyclable beverage containers regulated by the province of Alberta.   |
| <b>Boulevard</b>                      | means that portion of a public roadway that lies between the curb and the boundary of a lot or parcel.   |
| <b>Buffer</b>                         | means a row of trees, shrubs, earth berm, or fencing to provide visual screening and separation between sites and districts.   |
| <b>Building</b>                       | means a fully or partially enclosed structure having a roof supported by walls, columns, piers or other structural systems; but does not include a vehicle.  |
| <b>Building Area</b>                  | means the greatest horizontal area of a building above grade within the outside surface of exterior walls, or within the outside surface of exterior walls and the centerline of fire walls.   |
| <b>Building Height</b>                | means the vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, and to the average height between the eavline and ridge for all other roofs.  |
| <b>Building Permit</b>                | means a permit or document issued in writing by a designated Safety Codes Officer within the building discipline pursuant to the Building Permit Bylaw authorizing the commencement of a use, occupancy, relocation, construction, renovation, or demolition of any building or part there to.   |
| <b>Bulk Fuel and Chemical Storage</b> | means development where refined or crude oil, fuel, or liquid or solid chemical is stored, and includes the storage of dangerous / hazardous substances, as defined by the Dangerous Goods Transportation and Handling Act and the Major Industrial Accidents Council of Canada. The development may include facilities for cleaning, blending or packaging of bulk oil, fuel or chemicals, but does not include |

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|                                  | manufacture of any of these products. This includes a bulk oil distributor.   |
| <b>Bus Depot</b>                 | means the use of a building, or portion of a building, as a terminal for passengers or light freight for either public or private use.  |
| <b>Business Floor Area</b>       | means the gross floor area defined by the outside dimensions of the building for each floor.  |
| <b>Business Support Service</b>  | means the use of a building, or a portion of a building, for the provision of services used by the commercial sector; typical uses include printing shops, courier operations, publishing services and stenographical services.   |
| <b>C</b>                         |   |
| <b>Campground</b>                | means a recreational development for the purpose of providing short term or occasional accommodation for recreational vehicles or tents. A campground is not construed to mean a development for the purpose of accommodating long term permanent occupancy (longer than twenty-one (21) consecutive days). |
| <b>Cannabis Cultivation</b>      | means the growing and harvesting of cannabis as licensed by Health Canada.  |
| <b>Cannabis Processing</b>       | means a development, as licensed by Health Canada, where cannabis is grown, harvested, processed, tested, destroyed and/or stored on site, but does not include Cannabis Retail Store.  |
| <b>Cannabis Retail Store</b>     | means a building or a portion thereof that is licensed by the Province of Alberta for the sale of cannabis and cannabis accessories for consumption off the premises  |
| <b>Canopy</b>                    | means a permanent fixture fitted over windows and doors and used for either shelter advertising or decoration.  |
| <b>Canopy Sign</b>               | – see Sign: Canopy  |
| <b>Cantilever</b>                | means a structural portion of a building floor, excluding eaves and roof projections, bay windows and fireplace chases, which extends beyond the foundation wall and is not structurally supported from below.  |
| <b>Certificate of Compliance</b> | means a written statement, which is based upon a real property report, issued by the Designated Officer confirming that the bay, building, or structure meets the requirements of this Bylaw in all respects or is treated as a legal non-conforming bay, building or structure.                            |

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| <b>Collector Roadway or Street</b>         | means a street or roadway that collects and distributes traffic from arterial roads and streets to other collectors and local roads and streets to serve the community. Full access to adjacent properties is generally allowed on collectors.  |
| <b>Communication Tower</b>                 | means a structure that is used to convey communication, radio or television signals and may include other structures necessary for the carrying out of this function.   |
| <b>Community Buildings and Facilities</b>  | means buildings and facilities which are available for the use and enjoyment to the inhabitants of the Municipality and the rural area for the purposes of assembly, culture and recreational activity.   |
| <b>Community Garden</b>                    | means the use of a site or a portion thereof for gardening, wherein plots are rented to members of the public for a nominal annual fee. Community gardens shall not be used for for-profit business or agriculture. Community gardens shall be accessible to all interested members of the public, subject to plot availability.  |
| <b>Condominium</b>                         | means a condominium plan registered in a Land Titles Office that complies with the requirement of the Alberta Condominium Property Act.   |
| <b>Corner</b>                              | means the intersection of the side and front property lines.  |
| <b>Corner Lot</b>                          | means a lot or site located at the intersection of two public roadways, other than lanes, or a lot or site located abutting a public roadway, other than a lane which substantially changes direction at any point where it abuts the lot or site.  |
| <b>Council</b>                             | means the Council of the Town of Irricana.  |
| <b>Custom Manufacturing Establishments</b> | means development used for small scale on-site production and retail of goods by hand manufacturing, primarily involving the use of hand tools provided such developments have few production employees. Typical uses include jewelry, toy and musical instrument manufacturing, gunsmiths, pottery and sculpture studios, bakeries and butchers.   |
| <b>D</b>                                   |   |
| <b>Day Care Facility</b>                   | means the use of a building, for the provision of care, instruction, maintenance, or supervision of seven (7) or more children under the age of thirteen (13) years or adults with special needs for periods not exceeding twenty-four (24) consecutive hours and includes all day care centres, early childhood services, nurseries and after school or babysitting programs which meet this definition. |
| <b>Deck</b>                                | means an unenclosed Amenity Area or platform with a surface height greater than 0.6 metres (2 feet) above grade at any point made of concrete, brick, wood or other material that may be attached to a  |

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|                                 | dwelling and is intended for the purpose of outdoor dining, lounging and other similar accessory use.   |
| <b>Density</b>                  | means the number of dwelling units on a site expressed in units per acre or hectare.  |
| <b>Designated Officer</b>       | means a person designated by bylaw under the Municipal Government Act and for purposes of this Bylaw, are the Development Officer, Subdivision Officer and Chief Administrative Officer of the Town of Irricana.  |
| <b>Development</b>              | means: <ul style="list-style-type: none"> <li>• an excavation or stockpile and the creation of either of them;</li> <li>• a building or an addition to, or replacement or repair of a building and the construction or placing of any of them on, in, over or under land,</li> <li>• a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or</li> <li>• a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.</li> </ul> |
| <b>Development Agreement</b>    | means an agreement pursuant to either s.650 or s.655(1)(b) of the Municipal Government Act and this Bylaw.  |
| <b>Development Appeal Board</b> | means the Town of Irricana Development and Subdivision Appeal Board established by bylaw.   |
| <b>Development Authority</b>    | when used in this Bylaw is the Development Officer, the Municipal Planning Commission, the Town Council or any other person(s) or body defined by the Development Authority Bylaw of the Town of Irricana.  |
| <b>Development Officer</b>      | means the person appointed to the office of Development Officer established by bylaw.   |
| <b>Development Permit</b>       | means a document authorizing a development issued pursuant to the Land Use Bylaw of the Town of Irricana and other legislation and includes plans and conditions of approval.   |
| <b>Dilapidated Vehicle</b>      | means a vehicle that is in a state of disrepair or ruin incapable of being safely operated, partially or fully dismantled or substantially damaged or dismantled and no longer adequate for the purpose or use for which it was originally intended.  |
| <b>Discretionary</b>            | in the context of this Bylaw, means that the Approving Authority may or may not issue a permit, order or notice.  |

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| <b>Discretionary Use</b>         | means those uses of land, buildings or structures for which Development Permits may be issued only at the discretion of the Development Authority.   |
| <b>Double Fronting</b>           | means a site abutting 2 parallel or approximately parallel streets.  |
| <b>Drive Through Restaurant</b>  | means development used for eating and drinking which offer a limited menu for rapid customer service and includes one (1) or more of the following features: car attendant services; drive through pick-up service; or parking primarily intended for the on-site consumption of food within a motor vehicle.                        |
| <b>Driveway</b>                  | means that portion of a lot used to provide access from the street to a parking space or spaces and which has been graded, constructed and maintained with concrete, asphalt or other hard surface and dustless materials.   |
| <b>Dwelling, Duplex</b>          | means a building containing two (2) dwelling units, one above the other, each with a separate entrance.  |
| <b>Dwelling Group</b>            | means two (2) or more buildings each containing one (1) or more dwelling units, located on a site or a number of adjoining sites where all buildings, recreation areas, vehicular areas, landscaping and all other features have been planned as an integrated development.  |
| <b>Dwelling, Apartment</b>       | See <b>Apartment</b>   |
| <b>Dwelling, Multi Unit</b>      | means a building designed and built to contain three (3) or more dwelling units separated from each other by a fire rated wall with each unit having separate entrances from grade level. For the purposes of this Bylaw, garden, linked, row, and townhouse units, which meet these criteria, are considered to be attached houses. |
| <b>Dwelling, Secondary Suite</b> | See <b>Secondary Suite</b>   |
| <b>Dwelling, Semi-Detached</b>   | means a building designed and built for and containing two (2) side by side dwelling units separated by a firewall conforming to the <i>Alberta Safety Codes Act</i> .   |
| <b>Dwelling, Single-Detached</b> | means a building detached from any other building which is constructed on site and contains only one dwelling unit and, except as otherwise allowed in this Bylaw, is used for no other purpose.   |
| <b>Dwelling Unit</b>             | means self-contained habitable space used or intended to be used by one (1) or more persons which contains cooking, eating, living, sleeping and sanitary facilities and is accessed by a separate locked entrance or serviced by one (1) or more separate utility connections or accounts, or both.                                 |



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| <b>E</b>                                     |   |
| <b>Easement</b>                              | means a negotiated interest in the land of another which allows the easement holder specified uses or rights without actual ownership of the land.  |
| <b>Eave line</b>                             | means the horizontal line on the building that marks the extreme edge of the overhang of a roof and where there is no overhang, the eave line shall be the horizontal line at the intersection of the roof and wall.                          |
| <b>Environmental Impact Assessment</b>       | means a statement prepared in accordance with Alberta Environment legislation on the effect of development proposals and other major actions which significantly affect the environment.  |
| <b>Environmental Reserve</b>                 | means the land specified to be environmental reserve by the Development Authority in accordance with the Municipal Government Act.  |
| <b>Equipment Rental and/or Sales (Light)</b> | means the use of a building or site, or a portion of a building or site, for the rental and/or sales of equipment including but not limited to tools, appliances, office machines, furniture, light construction equipment, or similar items. |
| <b>Escarpment</b>                            | means an extended linear topographical feature of relatively steep slope and significant change in elevation.   |
| <b>Existing</b>                              | means in place as of the date of the adoption of this Bylaw or any amendments to this Bylaw.  |
| <b>F</b>                                     |   |
| <b>Facade</b>                                | means the entire front of a building including the parapet.   |
| <b>Farmers' Market</b>                       | means the use of a site or building, or a portion thereof to allow individual vendors to provide food products, produce and other consumer goods for sale directly to the public.   |
| <b>Fascia Sign</b>                           | see Sign: Fascia  |
| <b>Fence</b>                                 | means a vertical physical barrier constructed to provide visual screening or to prevent access.   |
| <b>Financial Institution</b>                 | means the use of a building or portion of a building for a full-service bank, trust company, credit union or similar banking establishment.   |
| <b>Fire Separation</b>                       | means a construction assembly that acts as a barrier against the spread of fire constructed in accordance with the current Alberta Building Code.   |

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| <b>Fire Wall</b>                             | means a type of fire separation of non-combustible construction which subdivides a building or separates adjoining buildings to resist the spread of fire and which has a fire resistance rating.  |
| <b>Fitness Centre</b>                        | means a space where equipment or instruction is provided for people to pursue physical fitness or skills relating to physical activities and that may include the incidental sale of products reliant to the service provided.   |
| <b>Floor Area</b>                            | means any finished floor area intended for human occupancy.  |
| <b>Floor Area, Gross</b>                     | means the total floor area of all buildings of each floor of a building measured from the outside surface of the exterior walls or, where buildings are separated by fire walls, to the centre line of the common fire wall and includes all floors totally or partially above grade except parking levels.  |
| <b>Floor Area, Habitable or gross usable</b> | means the total horizontal area of every enclosed floor and mezzanine used exclusively by a single use in a building, and is measured from the exterior face of the exterior wall and the centre line of an interior partition wall that separates at least two uses, but does not include elevator shafts, stairwells, crawl spaces, mechanical or electrical rooms, indoor or recycling storage, areas used for parking and loading, areas below grade used for storage and not accessible to the public, and common corridors and halls available to more than one use. |
| <b>Food Services</b>                         | means a building or portion thereof, in which food and/or non-alcoholic beverages are prepared to be sold for consumption on the premises or for take-out, and without limiting the generality of the foregoing, may include such facilities as coffee shops, bakeries, restaurants, drive- in food establishments, and catering services. This use <b><u>does not include</u></b> facilities for the sale and consumption of alcoholic beverages.   |
| <b>Food and/or Beverage Service Facility</b> | means a building or portion thereof, in which food and/or beverages are prepared to be sold for consumption on the premises or for take-out, and without limiting the generality of the foregoing, may include such facilities as restaurants, drive- in food establishments, taverns, bars, cocktail lounges and catering services. This use includes facilities for the sale and consumption of alcoholic beverages.   |
| <b>Free-standing sign</b>                    | see Sign: Free-standing  |
| <b>Frontage</b>                              | means the front lot line or that side of a lot abutting a public roadway, but does not include any side abutting a lane, unless said lane is the only means of physical access to a lot.   |
| <b>Funeral Services</b>                      | means development used for the preparation of the dead for burial or cremation, and the holding of funeral services.   |

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| <b>G</b>                                     |  |
| <b>Garage, Private</b>                       | means a freestanding or attached structure, designed with the intent for the storage or shelter of automobiles, whether or not it is so used.  |
| <b>Garden Centre</b>                         | means the use of a permanent building, or structure, for the cultivation of plants, shrubs and trees, as well as the sale of plants, shrubs, trees or similar vegetation together with gardening tools and implements which are sold from such building to the general public or wholesale.  |
| <b>Gas Bar</b>                               | means premises intended for the sale of gasoline. This may include a convenience store but does not include the servicing or minor repair of vehicles.   |
| <b>General Industrial Uses, Minor Impact</b> | <p>means development used principally for one or more of the following activities and where such activities are likely to have a negligible impact on the environment or adjacent land uses by virtue of its appearance, noise, size, smell, traffic generation or operational characteristics:</p> <ul style="list-style-type: none"> <li>• the manufacturing or assembling of semi-finished or finished goods, products, or equipment;</li> <li>• the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in non-industrial districts or adjacent to residential districts;</li> <li>• the storage or trans-shipping of materials, goods and equipment;</li> <li>• the distribution and sale of materials, goods and equipment to institutions or industrial and commercial businesses for their direct use or to Retail Stores or other sales use Classes defined in this Bylaw or resale to individual customers; or</li> <li>• the training of personnel in General Industrial operations.</li> <li>• Any indoor display, office, technical or administrative support areas or any retail sale operations shall be accessory to the activities identified above. The floor area devoted to such accessory activities shall not exceed 33% of the total gross floor area of the building devoted to the General Industrial Use, except that this restriction shall not apply where a significant portion of the industrial activity naturally and normally takes place outdoors.</li> </ul> |
| <b>General Industrial Uses, Major Impact</b> | means development used principally for one (1) or more of the following activities, where such activities are likely to have a   |

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|                      | <p>significant impact on the environment or adjacent land uses, by virtue of its potential emissions, effects or appearance:</p> <ul style="list-style-type: none"> <li>• the processing of raw materials;</li> <li>• the manufacturing or assembling of semi-finished or finished goods, products, or equipment;</li> <li>• the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in non-industrial districts or adjacent to residential districts; or</li> <li>• the storage or trans-shipping of materials, goods and equipment.</li> <li>• Any indoor display, office, technical or administrative support areas or any retail sale operations shall be accessory to the activities identified above. The floor area devoted to such accessory activities shall not exceed 33% of the total gross floor area of the building devoted to the General Industrial Use, except that this restriction shall not apply where a significant portion of the industrial activity naturally and normally takes place outdoors.</li> </ul> |
| <b>Golf Course</b>   | means a public or private area operated for the purpose of playing golf, including a club house and recreational facilities, accessory driving ranges, and similar uses.   |
| <b>Grade</b>         | <p>means</p> <ul style="list-style-type: none"> <li>• in residential districts it means the average elevation of the natural or finished level of the ground adjoining a building at all exterior walls;</li> <li>• in all other districts it means the elevation, established by the Municipal Engineer, of the crown of the abutting street. In the event that two grades are involved, the average of the two shall be used as the grade for the site.</li> </ul>   |
| <b>Gradient</b>      | means the relationship of the vertical distance of a slope to its horizontal distance.   |
| <b>Grocery Store</b> | means a full scale supermarket or neighborhood market where at least 5,000 gross interior square feet (464.5 m <sup>2</sup> ) are dedicated to products which shall include each of the following categories: fresh meat, fresh produce, fresh dairy products, baked goods, toiletries, baby food and diapers, cleaning products, paper towels and toilet paper, beverages, canned vegetables and fruits, cooking oils, flour, sugar and frozen foods  |

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| <b>Group Care Facility</b>                       | means a facility which provides resident services to seven (7) or more individuals, where services are provided services to meet their needs. This category includes supervised uses such as group homes, halfway houses, resident schools, residential facilities and foster or boarding homes.  |
| <b>H</b>   |   |
| <b>Health Services</b>                           | means the use of a building, or a portion of a building, for supplying physical and mental health services on an out-patient basis; typical uses include medical, dental, optometry offices, clinics, blood and x-ray clinics, therapy and counselling services.  |
| <b>Heavy Vehicle and Equipment Sales/Rentals</b> | means development used for the sale or rental of heavy vehicles, machinery or mechanical equipment, typically used in building, roadway, pipeline, oilfield and mining construction, manufacturing, assembling and processing operations and agricultural production.   |
| <b>Home Occupation</b>                           | means any occupation, trade, profession, or craft carried on by an occupant of a residential building or a use secondary to the residential use of the building, and which does not change the residential nature of the building nor the neighbourhood.  |
| <b>Home Occupation 1 – Phone and Desk</b>        | means a home occupation within a principal building intended for home offices or similar desk workspaces whereby the workspace consists mainly of a desk, phone, printer, computer and related equipment; there are no customer visits to the site, and there are no on-premise sales;  |
| <b>Home Occupation 2 – Minor</b>                 | means a home occupation within a principal dwelling or accessory building whereby: <ul style="list-style-type: none"> <li>• On-premise sales or customer visits total less than 10 per week,</li> <li>• There are no indoor display of goods,</li> <li>• No food is being prepared and/or sold,</li> <li>• There are no off-site employees,</li> <li>• No outdoor storage, and</li> <li>• The total floor area for the home occupation is less than 30% of the total floor area of the principal dwelling on the property.</li> </ul> |
| <b>Home Occupation 3 – Major</b>                 | means a home occupation within a principal welling or accessory building whereby: <ul style="list-style-type: none"> <li>• On-premise sales or customer visits may total 10 or more per week,</li> <li>• May include indoor display of goods,</li> </ul>  |

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|                             | <ul style="list-style-type: none"> <li>• food may be prepared and/or sold,</li> <li>• off-site employees may be present,</li> <li>• outdoor storage may be present, and the total floor area for the home occupation may exceed 30% of the total floor area of the principal dwelling on the property.</li> </ul>   |
| <b>Hotel/Motel</b>          | means a building used primarily for sleeping accommodations and ancillary services provided in rooms or suites of rooms which may contain bar/kitchen facilities; the building may also contain business or other uses and may or may not offer such additional services as party facilities, restaurant or dining room services, or public convention facilities.                                      |
| <b>I</b>                    |   |
| <b>Incidental sign</b>      | see <b>Sign: Incidental</b>   |
| <b>Illuminated sign</b>     | see <b>Sign: Illuminated</b>  |
| <b>Intensity</b>            | means the relative degree of utilization or capacity of a site or building.   |
| <b>Issuance</b>             | means the date a Development Permit, subdivision application, or an order is dated and signed by the Development Authority.   |
| <b>J</b>                    |   |
| <b>K</b>                    |   |
| <b>Kennel</b>               | means the use of a building or portion of a building, the primary purpose of which is the boarding of small animals for periods greater than twenty-four (24) hours for a fee and that may provide for the incidental sale of products relating to the services provided by the use and may include outside enclosures, pens, runs or exercise areas.   |
| <b>L</b>                    |   |
| <b>Land Use Bylaw (LUB)</b> | means the 2023 Irricana Land Use Bylaw.   |
| <b>Landscaped Area</b>      | means that portion of a site which is required to be landscaped and may not be used for parking, storage or display of items for sale.  |
| <b>Landscaping</b>          | <p>means the modification and enhancement of a site through the use of any or all of the following elements:</p> <ul style="list-style-type: none"> <li>• Soft landscaping consisting of vegetation such as trees, shrubs, hedges, grass and ground cover;</li> <li>• Hard landscaping consisting of non-vegetative materials such as brick, stone, concrete, tile and wood, or asphalt; and</li> </ul> |

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|                                  | <ul style="list-style-type: none"> <li>Architectural elements consisting of wing walls, sculpture and the like.</li> </ul>  |
| <b>Lane</b>                      | means a public through-fare typically located to the side or rear of a lot which provides a secondary means of access to a site or sites.   |
| <b>Livestock</b>                 | <p>means animals raised in captivity and is divided into two categories:</p> <ul style="list-style-type: none"> <li><b>Agricultural Livestock</b> means horses, cattle, sheep, swine, live poultry, fur-bearing animals raised in captivity, game production animals within the meaning of the Livestock Industry Diversification Act, as amended or replaced from time to time</li> <li><b>Urban Livestock</b> means laying hens, miniature goats and bees.</li> </ul> |
| <b>Loading Space</b>             | means a space for parking a business vehicle while being loaded or unloaded.  |
| <b>Local Authority</b>           | means the municipal authority, or an authority as defined in the Hospitals Act, the Public Health Act, the Regional Health Act or the School Act.   |
| <b>Local Livestock Operation</b> | means activity on land that is fenced or enclosed within buildings where livestock is kept for the purposes of growing, sustaining, finishing or breeding at numbers less than the approved thresholds of the Provincial Confined Feeding Operations.   |
| <b>Local Roadway or Street</b>   | means a street or roadway that provides unrestricted direct access to and connects with collectors and other local roadways.  |
| <b>Lodging Home</b>              | means the use of a building where accommodation is provided for remuneration, with or without means to four (4) or more persons exclusive of the occupant and their immediate family on a month to month basis.   |
| <b>Lot</b>                       | means a lot as described in Section 616 of the <i>Municipal Government Act</i> .  |
| <b>Lot Line</b>                  | means a legally defined limit of any lot. Boundary, boundary line and property line have a corresponding meaning.   |
| <b>Lot Width</b>                 | means the average horizontal distance between the side property lines of a lot (see Site, width and Sites, illustrated).  |
| <b>M</b>                         |   |
| <b>Manufactured Home</b>         | means a development consisting of a transportable single-detached dwelling which is suitable for permanent occupancy, designed to be transported on its own wheels, and which is, upon its arrival at the   |

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|  | site where it is to be located ready for occupancy, except for incidental building operations such as placement on foundation supports and connection to utilities. Manufactured homes must meet CAN/CSA A277-08 regulations and comply with current Alberta Building Codes.   |
| <b>Manufactured Home Park</b>                | means a parcel of land under one (1) title, which provides spaces for the long-term parking and occupancy of manufactured homes as defined under “manufactured home”.  |
| <b>Marquee</b>                               | means a permanent structure that projects over a public place, usually an entrance, and is permanently attached to and supported by a building.  |
| <b>May</b>                                   | means that an action is discretionary.   |
| <b>Medical Marijuana Production Facility</b> | means the use of land, buildings or structures as authorized by a licence issued under the Federal government’s Marijuana for Medical Purposes Regulations, including any amendments or substitutions to this legislation, for the purposes of such activities as growing, processing, labelling, packaging, storing, and transporting of marijuana. This does not include the retail sale of marijuana for recreational purposes.   |
| <b>Merchandising Aid</b>                     | means a device, such as statues, inflatables, and tethered balloons intended to call attention to a business or event and which may contain a name, logo, advertising message or announcement.   |
| <b>Mixed Use</b>                             | means a variety of commercial, office and residential that serves the local community and that are integrated vertically and horizontally within a comprehensively designed development area that emphasizes street-oriented, compact, and pedestrian-oriented urban development.  |
| <b>Modular Home</b>                          | means a prefabricated or factory-built frame or shell which comprises the wall or siding of a proposed dwelling. More specifically, a modular home represents only a section of the dwelling and such a unit has neither chassis, running gear, nor its own wheels, but units may be stacked side-by-side or vertically, and completed to form one (1) or more complete dwelling unit(s) for year round occupancy. Modular homes are not to be considered as manufactured homes under this Bylaw and they must meet CAN/CSA A277- 08 regulations and comply with current Alberta Building Codes. Modular homes are those units which are intended in the design to be moved only once. |
| <b>Municipal Government Act</b>              | means the Province of Alberta Municipal Government Act, RSA 2000, Chapter M-26, and subsequent amendments thereto.   |
| <b>Municipal Planning Commission</b>         | means the Town of Irricana Municipal Planning Committee as established by bylaw.   |



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| <b>Municipal Reserve</b>                    | means the land designed to be municipal reserve by condition of subdivision approval granted pursuant to the Municipal Government Act, or land designated and registered in Land Titles as "Municipal Reserve", "Reserve", "Park", "School" or "Community Reserve" under former legislation.  |
| <b>Municipality</b>                         | means the Town of Irricana.   |
| <b>N</b>                                    |   |
| <b>Natural Resource Extraction Industry</b> | means an industry engaged in the extraction of natural resources such as timber, clay, sand and gravel, limestone, shale, coal and other minerals including petroleum and natural gas which may include bringing these together with other elements such as power or water into integrated processes for the purpose of primary treatment into a marketable form of the resource being treated. |
| <b>Non-Conforming Building</b>              | means a building that is lawfully constructed or lawfully under construction at the date a land use bylaw or any amendment to the bylaw affecting the building or land on which the building is situated becomes effective, and that on the date the bylaw becomes effective does not, or when constructed will not, comply with the requirements of this Bylaw.                                |
| <b>Non-Conforming Use</b>                   | means a lawful specific use being made of land or a building or intended to be made of a building lawfully under construction, at the date this Bylaw or any amendment to this Bylaw affecting the land or building becomes effective, and that on the date this Bylaw becomes effective does not, or in the case of a building under construction will not, comply with this Bylaw.            |
| <b>O</b>                                    |   |
| <b>Outside Storage</b>                      | means the storing, stockpiling or accumulating of goods, equipment or material in an area that is open or exposed to the natural elements.  |
| <b>P</b>                                    |   |
| <b>Parapet</b>                              | means the extension of a false front wall above a roof line.  |
| <b>Patio</b>                                | means an uncovered horizontal structure with a surface height no greater than 0.6 metres (2 feet) above grade at any point and which is adjacent to a residential dwelling and intended for use as a private outdoor amenity space.   |
| <b>Parking Lot</b>                          | means a development providing vehicular parking which is not primarily intended for the use of residents, employees or clients of a particular development and is paved and may charge for the privilege of parking.  |

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| <b>Permitted Use</b>                | means the use of land or of a building for which, when it meets the applicable provisions of this Bylaw, a Development Permit shall be issued.  |
| <b>Personal Service Business</b>    | means the use of a building or portion of a building as a facility for providing a service to individuals which are related to the care and appearance of the body, or the cleaning and repair of the personal effects and includes such uses as but may not be limited to, photography studios, barber shops, salons, tailors, tanning studios, catering services, laundry/dry cleaning, spas.   |
| <b>Pet Care Service</b>             | means the use of a building or portion of a building to wash, groom, or board small animals during the day and that may have the incidental sale of products relating to the services provided by the use, and must not board animals over night.   |
| <b>Political poster</b>             | means a temporary sign announcing or supporting candidates or issues in any election or plebiscite.   |
| <b>Portable sign</b>                | see Sign: Portable  |
| <b>Principal Building</b>           | means the largest building on the site or the building which houses the primary purpose for which the site is used.   |
| <b>Principal Use</b>                | means the use of a site or of a building which constitutes the primary purpose for which the site is used.  |
| <b>Private Club or Organization</b> | means a social or service organization established under the Societies Act, which may include athletic recreational facilities and rooms for eating, drinking and assembly.   |
| <b>Professional Offices</b>         | means development primarily used for the provision of professional, management, administrative or consulting services and development used to provide support services to businesses such as printing, duplicating, binding, photographic processing, office maintenance or custodial services, office security for the sale, rental, repair or servicing of office equipment. This Class does not include Financial Services, Health Services, or Government Services.   |
| <b>Projecting sign</b>              | see <b>Sign: Projecting</b>   |
| <b>Primary sign</b>                 | see <b>Sign: Primary</b>  |
| <b>Public Parks</b>                 | means development of public land specifically designed or reserved for the general public for active or passive recreational use and includes all natural and man-made landscaping, facilities, playing fields, buildings and other structures that are consistent with the general purposes of public parkland, whether or not such recreational facilities are publicly operated or operated by other organizations pursuant to arrangement with the public authority owning the park. Parks may include picnic areas, playgrounds, playing fields and sports fields. |

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| <b>Public place</b>   | means any location in the Town of Irricana that is for public use and includes streets, lanes, avenues, boulevards, sidewalks, parks, campgrounds, squares or rights-of-way and the space above the same.  |
| <b>Public or Quasi-Public Uses</b>                          | and Facilities means installations and facilities owned or operated by or for the Municipality, the Provincial Government, the Federal Government or a corporation under Federal or Provincial statute for the purpose of furnishing services or commodities to or for the use of the inhabitants of the Municipality.   |
| <b>Public Utility</b>                                       | means a system or works used to provide commodities or services for public consumption, benefit, convenience or use as defined in the Municipal Government Act.  |
| <b>R</b>  |  |
| <b>Real Property Report</b>                                 | means a codified standard report adopted by the Alberta Land Surveyors' Association.   |
| <b>Recreational Vehicle</b>                                 | means a portable structure designed and built to provide temporary living accommodation and to be transported on its own wheels or carried by another vehicle designed and intended to be used for recreational purposes and includes, but is not limited to, such vehicles as a motor home, a camper, a holiday or travel trailer, a tent trailer, snowmobiles, jet skis, boats or similar types of vehicles but do not include mobile homes.   |
| <b>Recreational Vehicle Storage</b>                         | means a facility where recreational vehicles are stored when not in use and are not being serviced or occupied.  |
| <b>Recreational Facility, Private Indoor</b>                | means any indoor development providing amusement, active or passive recreation and enjoyment to the citizens of a municipality and any such facility is privately owned and/or operated. Indoor typical uses include, but may not be limited to, bowling alleys, billiard halls, roller skating and similar uses.  |
| <b>Recreational Facility, Private Outdoor</b>               | means any outdoor development providing active or passive recreation and enjoyment to the citizens of a municipality and any such facility is privately owned and/or operated. Typical uses include, but may not be limited to driving ranges, go-cart tracks, amusement parks, outdoor swimming pools, bowling greens, baseball diamonds/batting cages, soccer pitches, football fields, sports fields, miniature golf courses, outdoor ice surfaces or rinks, fitness trails and other similar uses. |
| <b>Recreational Facility, Private/Public Indoor/Outdoor</b> | means any indoor or outdoor development providing amusement, active or passive recreation and enjoyment to the citizens of a municipality and any such facility is privately or publicly owned and/or operated. Indoor typical uses include, but may not be limited to, athletic clubs, health and fitness clubs, curling, roller skating and hockey rinks, swimming pools, bowling alleys, arenas, and billiard   |

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|                                       | halls. Outdoor typical uses include, but may not be limited to baseball diamonds, soccer pitches, football fields, driving ranges, sports fields, miniature golf courses, outdoor ice surfaces or rinks, go-cart tracks, amusement parks, outdoor swimming pools, bowling greens and fitness trails and other similar uses.  |
| <b>Recycling Depot</b>                | means development used for the buying and temporary storage of bottles, cans, newspapers and similar household goods for reuse where all storage is contained within an enclosed building.   |
| <b>Religious Institution</b>          | means a development owned by a religious group or organization used for worship and related religious, philanthropic or social activities including accessory rectories, manses, classrooms and auditoriums. This does not include private or public schools.  |
| <b>Restaurant – Food Service Only</b> | means a building or part of a building where food is offered for sale or sold to the public for immediate consumption or take-out, but does not include facilities for the sale and consumption of alcoholic beverages, and does not include boarding houses, lodging houses, or bed and breakfasts.   |
| <b>Restaurant – Licensed</b>          | means a building or part of a building where food is offered for sale or sold to the public for immediate consumption or take-out, including facilities for the sale and consumption of alcoholic beverages, but not including boarding houses, lodging houses, or bed and breakfasts.   |
| <b>Retail Sales</b>                   | means the use of a building, or part of a building, where goods, wares, merchandise, substances, articles, food, liquor or things are stored, offered or kept for sale at retail prices and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles, or things sufficient only to service such store but does not include any retail outlet otherwise listed or defined by this Bylaw. |
| <b>Roofline</b>                       | means the top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys, or minor similar projections.  |
| <b>School, Commercial</b>             | means the use of a building or a portion of a building for a place of instruction operated for profit and does not include public, private or separate schools under the control of the Provincial Department of Education.  |
| <b>School, Nursery</b>                | means a childcare service that provides programs for children two to five (2-5) years of age.  |
| <b>School, Private</b>                | means a school, other than a school operated by a School Board under the School Act that provides grade and secondary school instruction to pupils through courses prescribed or approved by the Minister of Education.  |

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| <b>Screening</b>                    | means the total or partial concealment of a building, structure, yard or activity by a fence, wall, berm, soft landscaping or other screening device.   |
| <b>Sea Can</b>                      | means a moved-on cargo/freight/shipping container for the purpose of storage of materials.  |
| <b>Secondary Suite</b>              | means a residential dwelling unit that is secondary to the primary residential use and may be: <ul style="list-style-type: none"> <li>• included within the primary residential unit as a basement suite;</li> <li>• be located above a detached garage as a carriage suite; or</li> <li>• located as a detached residential unit in the rear yard of the primary residential unit as a garden suite.</li> </ul>  |
| <b>Senior Citizen Accommodation</b> | means a dwelling unit or accommodation which is either private or public and may include lounge, health care and recreation facilities. The terms "Senior Citizen Homes", "Assisted or Supportive Living Accommodations", "Seniors Lodge", and "Seniors Health Care Facility (Nursing Home)" have corresponding meanings.   |
| <b>Service Station</b>              | means premises, or the portion thereof used or intended to be used for the servicing and minor repairing of motor vehicles and for sale of gasoline, lubricating oils and minor accessories for motor vehicles. This also includes gas bars with convenience stores.  |
| <b>Shall</b>                        | means that the action is mandatory.   |
| <b>Should</b>                       | means that the action is recommended.   |
| <b>Shopping Centre</b>              | means a group of business establishments planned, developed, owned and managed as a unit with off-street parking provided.  |
| <b>Sign</b>                         | means any development: <ul style="list-style-type: none"> <li>• constructed and permanently affixed directly to any building, structure, window or a parcel of land; and</li> <li>• which is used to advertise, identify or display a commercial or non-commercial activity, product, place, organization, institution, person, service, event or location, by any means, including works, letter, figures, design, symbols, fixtures, colors, illumination or projected images and in such a manner as to be visible from any public place, but does not include any real estate sign, window display, political poster, flags, graffiti, athletic scoreboards or any traffic or directional and informational sign erected by the Town of Irricana, the Provincial and Federal Governments and their agencies.</li> </ul> |
| <b>Sign Area</b>                    | means the entire face of a sign including the advertising surface and any framing, trim or molding, but not including the supporting  |

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|  | structure, with the sign area of individual letter signs being the sum total of the area of the smallest straight line geometric figure that encloses the individual letters or figures of the sign.                  |
| <b>Sign Clutter Area</b>               | means any area of the Town of Irricana that Council has declared by resolution to appear cluttered by an excessive number of signs, and therefore warranting special restrictions in order to limit the sign clutter. |
| <b>Sign Copy</b>                       | means the message on a sign in either permanent or removable form.  |
| <b>Sign Copy Area</b>                  | means the entire area within a square, rectangle, triangle or circle, or a combination of these figures, which encloses all of the copy.  |
| <b>Sign Copy Display Types:</b>        |   |
| <b>Sign Copy: Fixed</b>                | means a sign which uses hard copy printing to display the sign copy.  |
| <b>Sign Copy: Animated</b>             | means a sign which uses movement or change of lighting to depict action or to create a special effect or scene but does not include a changeable copy sign.   |
| <b>Sign Copy: Changeable</b>           | means a sign on which the copy changes automatically through electronic or mechanical means.  |
| <b>Sign Copy Content Types:</b>        |   |
| <b>Sign Copy Content – Off-Premise</b> | means any sign which advertises, directs or otherwise identifies a service, facility, product or activity to be found at a location other than the premises on which the sign is located.                             |
| <b>Sign Copy Content – On-Premise</b>  | means any sign which advertises, directs or otherwise identifies a service, facility, product or activity to be found at the location on which the sign is located.   |
| <b>Sign Types:</b>                     |   |
| <b>Sign: A-Board</b>                   | see Sandwich Board Sign   |
| <b>Sign: Abandoned</b>                 | means a sign which no longer advertises or identifies an existing activity, business, owner product, lease or service, or a sign for which no legal owner can be found.   |
| <b>Sign: Band</b>                      | means a prominent exterior display surface located horizontally between storefront windows and the cornice or roofline.   |
| <b>Sign: Banner</b>                    | means a sign made of fabric or other non-rigid material with no enclosing framework.  |

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| <b>Sign: Billboard</b>                | means a sign structure designed and intended to provide a leasable advertising copy area of not less than 18.5 M <sup>2</sup> (200 ft <sup>2</sup> ) and not more than 40.1 square metres (432 square feet) where the copy can be periodically replaced.   |
| <b>Sign: Canopy</b>                   | means a sign that is mounted, painted, or otherwise attached to an awning, canopy or marquee.  |
| <b>Sign: Community</b>                | means any sign advertising a local community organization.   |
| <b>Sign: Construction</b>             | means a temporary sign erected on a site where construction is taking place to identify the construction project and those parties having a role or interest in the construction.  |
| <b>Sign: Directional</b>              | means any sign which advertises, directs or otherwise identifies a service, facility, product or activity to be found at a location other than the premises on which the sign is located.  |
| <b>Sign: Directional-off Premises</b> | means any sign which advertises, directs or otherwise identifies a service, facility, product or activity to be found at a location other than the premises on which the sign is located.  |
| <b>Sign: Fascia</b>                   | means a sign attached across the face of a building, located approximately parallel thereto, in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign, which does not project more than 0.3 metres (1 foot) from the building or structure supporting said sign. |
| <b>Sign: Freestanding</b>             | means any sign or display supported by a freestanding column or structure.   |
| <b>Sign: Home Occupation</b>          | means a sign advertising a home occupation.  |
| <b>Sign: Identification</b>           | means a sign indicating the location a particular building, facility or individual, but not containing advertising.  |
| <b>Sign: Illuminated</b>              | means a sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed towards the sign.   |
| <b>Sign: Incidental</b>               | means a small sign, decal or emblem advertising goods, facilities, business hours or services available on the premises.   |
| <b>Sign: Informational</b>            | means a sign the message of which is limited to providing directions and information necessary or convenient for persons coming onto the property, including signs marking entrances, exits, parking areas, circulation direction, rest rooms, and pick-up and delivery areas.   |

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| <b>Sign: Marquee</b>                                 | means a permanent structure that projects over a public place, usually an entrance, and is permanently attached to and supported by a building.  |
| <b>Sign: Memorial</b>                                | means a tablet or plaque memorializing a person, event, structure or site, provided said sign is not located in conjunction with any commercial or industrial use.                             |
| <b>Sign: Merchandising Aid</b>                       | means a device, such as statues, inflatables, and tethered balloons intended to call attention to a business or event and which may contain a name, logo, advertising message or announcement. |
| <b>Sign: Multiple Listing or Multi-tenant</b>        | means a sign that contains within one (1) structural frame two (2) or more smaller signs, each of which identifies or advertises a different business, organization or facility.               |
| <b>Sign: Political Poster</b>                        | means a temporary sign announcing or supporting candidates or issues in any election or plebiscite.  |
| <b>Sign: Portable</b>                                | means a sign that is not permanently affixed to a building, structure or the ground and is supported on a structure allowing it to be readily moved from one location to another.              |
| <b>Sign: Primary</b>                                 | means a sign advertising the primary use of the premises.  |
| <b>Sign: Projecting</b>                              | means a sign that is wholly or partly dependent upon a building for support and which projects more than 0.3 metres (1 foot) from such building.   |
| <b>Sign: Real Estate</b>                             | means a sign pertaining to the sale or lease of the premises or a portion of the premises on which the sign is located.  |
| <b>Sign: Residential Identification</b>              | means a sign located on the premises, limited to providing the address and/or name of the owner or occupant of a building or premises.   |
| <b>Sign: Roof</b>                                    | means any sign which is entirely upon and above the roofline or parapet of a building.   |
| <b>Sign: Sandwich Board</b>                          | means a self-supporting A-shaped sign or sandwich board which is set upon the ground and has no external supporting structure.   |
| <b>Sign: Sandwich Board Off-premises Directional</b> | means a self-supporting A-shaped sign or sandwich board which is set upon the ground and has not external supporting structure at a location other than the premises on which the sign refers. |
| <b>Sign: Secondary</b>                               | means any sign advertising or otherwise related to an occupation or use that is not the primary use of the premises.   |



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| <b>Sign: Temporary</b>               | means a sign permitted, designed or intended to be displayed for a short period of time.   |
| <b>Sign: Third Party</b>             | means any permanent off-premises sign advertising a commercial activity not located on the same lot or parcel of land as the sign.   |
| <b>Sign: Wall</b>                    | means a sign fastened to or painted on the wall of a building.   |
| <b>Sign: Window</b>                  | means a sign permanently applied directly to the inside surface of a window and intended to be viewed from the outside.  |
| <b>Similar Use</b>                   | means a specific use of land or of a building that is not expressly mentioned in this Bylaw but which the Development Authority has determined to be similar in character and purpose to a use listed as Permitted or Discretionary in the district in which such use is proposed and where this Bylaw has expressly authorized the Development Authority to consider applications for "Similar Uses".   |
| <b>Site</b>                          | means an area of land, a lot, or parcel on which a development exists or for which an application for a Development Permit or subdivision application is made.   |
| <b>Site Area</b>                     | means the area of land contained within boundaries of a site as shown on a site plan.  |
| <b>Site Coverage or Lot Coverage</b> | means the combined area of all buildings or structures on a site, including Accessory Buildings or structures, measured at 0.6 metres (2 feet) above grade, including open or covered porches or verandas, covered terraces, and all other spaces within a building, excluding steps, eaves, cornices, and similar projections, and unenclosed inner and outer courts which are less than 0.6 metres (2 feet) above grade. Where any building or structure projects beyond the coverage of the building or structure (excluding cantilevers) measured at 0.6 metres (2 feet) above grade, the coverage shall then include such projection. |
| <b>Site, Corner or Lot, Corner</b>   | means a site when the front and side property lines abut one or more street(s) (see Figure 2).   |
| <b>Site, Reversed Corner</b>         | means a corner site, the rear of which abuts the side of the site immediately to its rear, with or without a lane or an alley intervening (see Figure 2).  |
| <b>Site, Depth</b>                   | means the mean horizontal distance between the front and the rear boundaries of the site (see Figure 2).   |
| <b>Site, Interior</b>                | means a site which is bounded by one street (see Figure 2).  |
| <b>Site, Key</b>                     | means an interior site lying immediately to the rear of a reversed corner site or corner site (see Figure 2).  |

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| <b>Site Plan</b>                       | means a plan drawn to scale showing the boundaries of the site, the location of all existing and proposed buildings upon that site, and the use or the intended use of the portions of the site on which no buildings are situated, and showing fencing, screening, grassed areas, and the location and species of all existing and proposed shrubs and trees within the development.  |
| <b>Site, Width</b>                     | means the average horizontal distance between the side boundaries of a site (see Figure 2).  |
| <b>Storey</b>                          | means the space between the top of any floor and the top of the next floor above it, and if there is no floor above it, the portion between the top floor and the ceiling above it.  |
| <b>Storage and Distribution Centre</b> | means the use of a building or portion of a building for shipping and receiving of goods and materials of an industrial nature and that may include the sale of products and/or services to the general public and may include a display area of not more than 30% of the gross floor area and does not include a storage yard.  |
| <b>Storage Facility</b>                | means the use of a building, or portion of a building, used exclusively for storage of goods and materials and does not include the sale of products and/or services on site.  |
| <b>Storage Yard</b>                    | means land used exclusively for outside storage of goods and materials where such storage of goods and materials does not involve the erection of permanent structures or the material alteration of the existing state of the land; typical uses include pipe yard and vehicle or heavy equipment storage compounds, does not include the sale of products and / or services on site. |
| <b>Swimming Pools, Private</b>         | means any privately-owned pool constructed or prefabricated primarily for swimming or bathing and is more than 0.6 metres (2 feet) in depth, and includes hot tubs.  |
| <b>T</b>                               |  |
| <b>Temporary</b>                       | means a period of up to a maximum of one (1) year.   |
| <b>Theatre</b>                         | means a building or part of a building devoted to the showing of motion pictures or presentations of live entertainment to an audience, excluding adult entertainment presentations.   |
| <b>Town</b>                            | means the Town of Irricana.  |
| <b>U</b>                               |  |
| <b>Undue</b>                           | means unwarranted or inappropriate because excessive or disproportionate.  |
| <b>V</b>                               |  |

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| <b>Veterinary Clinic</b>   | means the use of a building for a facility for the medical care and treatment of animals and includes provision for their overnight accommodation but does not include kennels, outdoor pens, runs or enclosures.  |
| <b>Veterinary Hospital</b> | means use of a building for a facility for the medical and emergency medical care and treatment of animals and includes provision for their overnight accommodation and includes provisions for their overnight accommodation and confinement in outdoor pens, runs or enclosures and typically has extended hours of operation.   |
| <b>W</b>                   |  |
| <b>X</b>                   |  |
| <b>Y</b>                   |  |
| <b>Yard, Front</b>         | means that portion of a site extending across the full width of the site and measured from the front property boundary of the site to the nearest part of the exterior wall of the principal building. On a corner site where the front entrance of the principal building is oriented towards the narrower site frontage, that frontage shall be considered and regulated as a front yard; where the front entrance of the principal building is oriented towards the longer site frontage, both street frontages shall be considered and regulated as front yards, except that the front yard along the longer frontage shall only extend the width of the principal building. |
| <b>Yard, Rear</b>          | means that area extending the full width of a site from the rear property line of the site to the rear of the principal building foundation and its depth shall be measured at right angles to the rear property line.   |
| <b>Yard, Side</b>          | means the portion of the site extending from the front yard to the rear yard between the side property line of the site and the closest side of the principal building foundation and its width shall be measured at right angles to the side property line.   |
| <b>Z</b>                   |  |

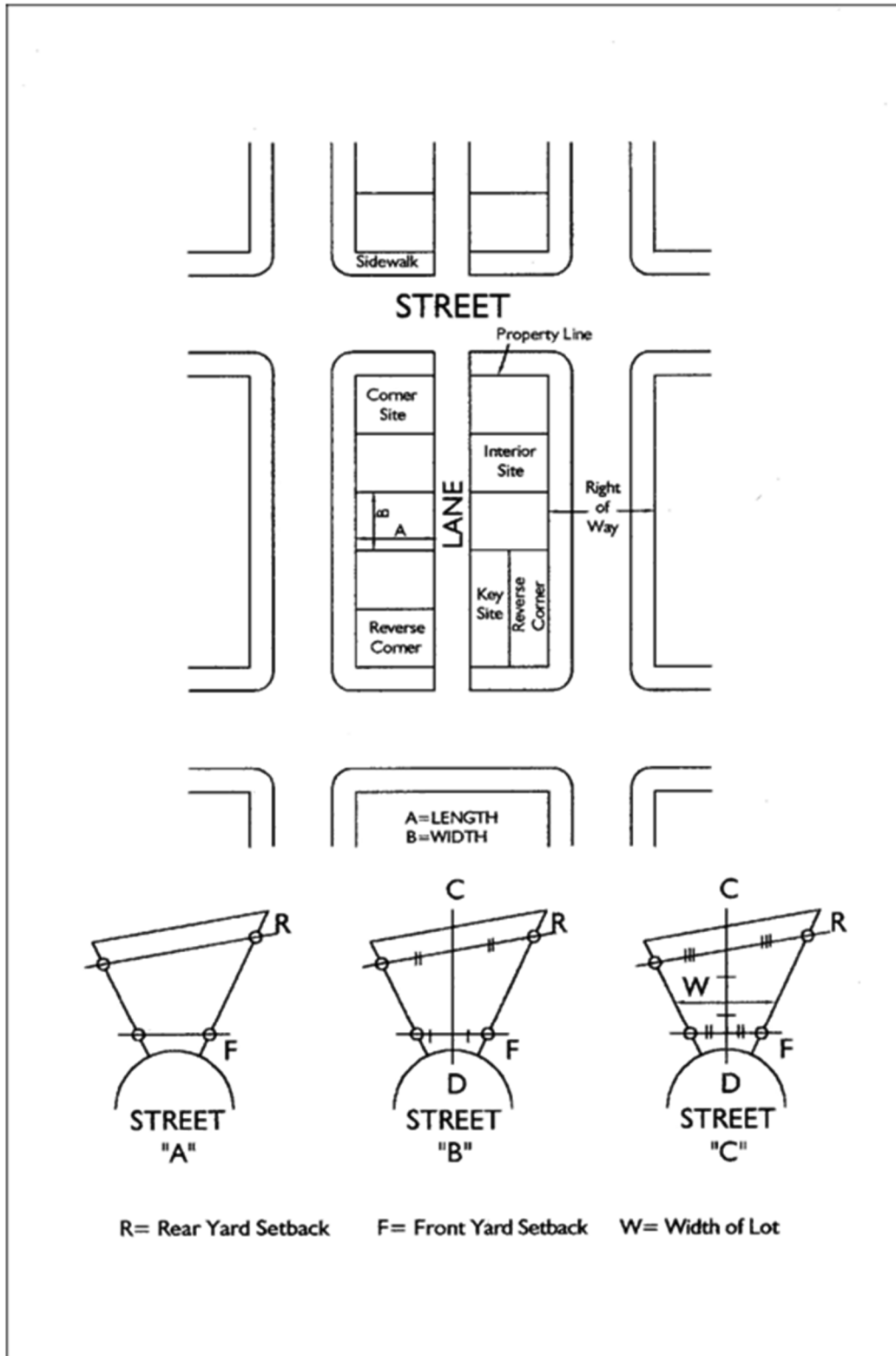


FIGURE 2: Site Types

## Appendix A: Telecommunication Protocols

This Appendix establishes the procedural standard that applies to proponents of antenna systems and identifies the Municipality's development and design standards for antenna systems and communication towers.

### Applicability

The federal Minister of Industry is the approval authority for the development and operation of antenna systems, pursuant to the *Radiocommunication Act*. Innovation, Science and Economic Development Canada recognizes the importance of considering input from local Land Use Authorities and the public regarding the installation and modification of antenna systems and encourages land use authorities to establish a local protocol to manage the process of identifying and conveying concerns, questions and preferences to the proponent of an antenna system and Innovation, Science and Economic Development Canada.

The protocol established here applies to any proposal to install or modify a telecommunication, radiocommunication or broadcast antenna system within the Municipality which is not excluded from the consultation requirements established by Innovation, Science and Economic Development Canada in Client Procedures Circular CPC-2-03 (or subsequent/amended publications). Proponents of excluded antenna systems are nevertheless encouraged to contact the Municipality to discuss the proposal and identify any potential issues or concerns and give consideration to the Municipality's development and design standards.

### Antenna Systems Siting Protocol Exclusion List

Innovation, Science and Economic Development Canada has determined that certain antenna structures are considered to have minimal impact on the local surroundings and do not require consultation with the local Land Use Authority or the public. Innovation, Science and Economic Development Canada's publication, Radiocommunication and Broadcast Antenna Systems CPC-2-0-03 lists the types of antenna installations exempted from the requirement to consult with the local Land Use Authority and the public. The installations listed in CPC-2-03 are therefore excluded from the Municipality's Telecommunication Tower Siting Protocol, which currently include:

- a) maintenance of existing radio apparatus including the antenna system, transmission line, mast, tower or other antenna-supporting structure;
- b) addition or modification of an antenna system (including improving the structural integrity of its integral mast to facilitate sharing), the transmission line, antenna-supporting structure or other radio apparatus to existing infrastructure, a building, water tower, etc. provided the addition or modification does not result in an overall height increase above the existing structure of 25 percent of the original structure's height;
- c) maintenance of an antenna system's painting or lighting in order to comply with Transport Canada's requirements;
- d) installation, for a limited duration (typically not more than 3 months), of an antenna system that is used for a special event, or one that is used to support local, provincial, territorial or national emergency operations during the emergency, and is removed within 3 months after the emergency or special

event; and

- e) new antenna systems, including masts, towers or other antenna-supporting structure, with a height of less than 15 m above ground level.

Proponents who are not certain if their proposed structure is excluded, or whether consultation may still be prudent, are advised to contact the Municipal office or Innovation, Science and Economic Development Canada for guidance.

### **Municipal Review and Issuance of Concurrence or Non-Concurrence**

The Municipal Council shall be responsible for reviewing and issuing municipal concurrence or non-concurrence for all antenna system proposals within the Municipality which are not excluded as per Section 1.2 above concurrence with a proposal will be measured against the requirements of the applicable land use district within which the antenna is proposed, the development and design standards in this **Appendix**, applicable policies in the municipality's Municipal Development Plan, and consideration of comments received during the public consultation process and any other matter deemed relevant by the Municipal Council.

- a) When a proposal is given a concurrence decision, the proponent will receive a letter of concurrence from the Municipality documenting its decision and any conditions;

When a proposal is given a non-concurrence decision, the proponent will receive a letter of non-concurrence from the Municipality describing the reasons for the decision.

Municipal concurrence does not constitute approval of uses, buildings, and structures which require issuance of a development permit under the Land Use Bylaw. A proposal which includes uses, buildings or structures in addition to the antenna system, is required to obtain development permit approval for such uses, buildings and structures in accordance with the provisions of the Land Use Bylaw.

### **Development and Design Standards**

The Municipality requests the following antenna systems development and design standards be adhered to:

- a) Co-utilization of existing antenna systems is the preferred option within the Municipality and is encouraged whenever feasible.

An antenna system (including any guy wires or similar support mechanisms) should be placed no closer than 7.62m (25 ft.) from the property line abutting the public road. Antenna structures which are visible from residential areas may be requested to employ innovative design measures to mitigate the visual impact of these structures. The proponent shall provide stealth structure options when requested by the municipality. Stealth structure options will be based on an evaluation of the massing, form, colour, material, and other decorative elements, that will blend the appearance of the facility into and with the surrounding lands.

## **Application Submittal Requirements**

The Municipality requests the following package be submitted for consideration of a proposed antenna system:

- a) Map, including legal location, and site plan of the proposed system;
- b) Description of the type and height of the proposed antenna system and any guy wires or other similar support mechanisms (e.g. support cables, lines, wires, bracing);
- c) The proposed lighting and aeronautical identification markings for the antenna and any supporting structures;
- d) Documentation regarding potential co-utilization of existing towers within 800m (0.5 miles) of the subject proposal; and
- e) Any other additional information or material deemed necessary and appropriate to properly evaluate the submission.

## **Notification and Public Consultation Process**

Proponents are required to formally notify the Municipality of their intent to make a submission to obtain a letter of concurrence regarding the siting of a telecommunication antennas within the Municipality prior to landowner notification or advertisement of the proposed project.

If required by the Municipality, the proponent shall hold a public information meeting regarding their development proposal and should proactively explain all aspects of the siting, technology and appearance of the proposed structure.

Once approval to proceed to public consultation has been given, the applicant or the municipality will notify all landowners within:

- a) 1.6km (1 mile) of the proposed structure; and
- b) All costs of the notification are borne by the applicant.

With each notification to adjacent landowners, the proponent will be responsible to submit a letter providing information regarding the location of the tower, physical details of the tower, the time and location of the public information meeting, and a contact name and phone number of someone employed by the proponent who can answer questions regarding the proposal. The notifications should be sent 14 days prior to the public meeting.

Within 14 days from the date of circulation of the notification or the date of the public information meeting, the proponent will be responsible to provide the Municipality with a summary of the meeting indicating the topics discussed, additional concerns raised with resolutions, and any outstanding issues the proponent and/or landowners could not resolve. Where the public process has raised unresolved concerns, the Municipality will request a ruling by Innovation, Science and Economic Development Canada prior to the issuance of a letter of concurrence.