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**TOWN OF SEXSMITH**

**LAND USE BYLAW NO. 1048**

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**Approved by Council April 19, 2022**

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## **SCHEDULE A – LAND USE BYLAW FORMS**

FORM A	DEVELOPMENT PERMIT APPLICATION FORM
FORM B	NOTICE OF DEVELOPMENT PERMIT DECISION
FORM C	DEVELOPMENT PERMIT COMPLETION FORM
FORM D	INCOMPLETE DEVELOPMENT PERMIT FORM
FORM E	DEVELOPMENT PERMIT TIME EXTENSION FORM
FORM F	DEVELOPMENT APPEAL BOARD HEARING
FORM G	NOTIFICATION OF SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING
FORM H	NOTICE OF DECISION OF SUBDIVISION AND DEVELOPMENT APPEAL BOARD
FORM I	STOP WORK ORDER
FORM J	MUNICIPAL DEVELOPMENT PLAN/LAND USE BYLAW AMENDMENT APPLICATION FORM
FORM K	SUBDIVISION COMPLETION FORM
FORM L	INCOMPLETE SUBDIVISION COMPLETION FORM
FORM M	SUBDIVISION TIME EXTENSION FORM

## **SECTION 1 GENERAL**

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### **1.1 TITLE**

This Bylaw may be cited as the "Town of Sexsmith Land Use Bylaw".

### **1.2 PURPOSE**

The purpose of this Bylaw is to regulate the use and development of land and buildings within the Town of Sexsmith.

### **1.3 APPLICATION OF BYLAW**

The provisions of this Bylaw apply to all land and buildings within the corporate boundaries of the Town of Sexsmith.

### **1.4 CONFORMITY WITH BYLAW**

- 1.4.1 No person shall commence any development unless it is in accordance with the terms and conditions of a Development Permit issued pursuant to this Bylaw, where such a permit is required.
- 1.4.2 Nothing in this Bylaw prevents the use of any lot, building or structure for any purpose not permitted by this Bylaw if such lot, building or structure was lawfully used for such purpose on the date of passing this Bylaw provided it is used for that purpose on a continuous, uninterrupted basis (see Section 4.3).

### **1.5 ADDITIONAL REQUIREMENTS**

- 1.5.1 In addition to meeting the requirements of this Bylaw, it is the responsibility of the applicant to obtain other such approvals that may be required by the Town or other Provincial Government departments or agencies.
- 1.5.2 The issuance of a development permit under this Bylaw does not entitle the applicant to carry on a business or construct a building. Businesses are also governed by the Business License Bylaw and may require a license under that Bylaw. Similarly, a building permit may be required under the Alberta Building Code and Alberta Safety Codes Act.

## **SECTION 2 DEFINITIONS**

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### **2.1 In this Bylaw:**

**“ACCESSORY”** when used to describe a use or building means a use or building which, in the opinion of the Development Authority, is incidental, subordinate and exclusively devoted to the principal use or building and located on the same site.

**“ACT”** means the Municipal Government Act, SA 2000 as amended.

**“ADJACENT”** means land that is contiguous to another site, or would be contiguous if not for a stream, road, pipeline right-of-way, power line, or railway.

**“AMUSEMENT FACILITY”** means an area, structure or part of a structure open to the public that contains mechanical or electronic games and/or pool tables for the purpose of providing entertainment for a fee.

**“APARTMENT BUILDING”** means a building designed and built to contain more than four separate dwelling units, each of which has an independent entrance either directly from outside the building or through a common vestibule.

**“AUTO BODY AND PAINT SHOP”** means an establishment primarily intended for the repair and/or painting of motor vehicles.

**“BASEMENT SUITE”** means that a portion of basement (60% of the basement to a maximum size of 600 square feet) of a dwelling unit that is developed as a self-contained accessory residential use and is intended for permanent occupancy and the entrance to the suite is through the primary entrance to the dwelling.

**“BERM”** means a landscaped earth mound that is utilized as a visual separation or as a noise attenuation measure between incompatible land uses.

**“BOARD”** means the Intermunicipal Subdivision and Development Appeal Board established by separate Bylaw.

**“BUFFER”** means a berm, row of trees or shrubs, hedge, fence, or distance separation that provides a barrier between incompatible sites, uses or districts.

**“BUILDING”** means anything constructed or placed on, in, over or under land but does not include a highway or road or a bridge forming part of a highway or road.

**“BUILDING HEIGHT”** means the vertical distance between the average grade and the highest point of a building that is not a: roof stairway entrance, ventilating fan, skylight, steeple, chimney, smokestack, firewall, parapet wall, flagpole, or similar device not structurally essential to the building.

**“CAMPGROUND”** means land on which a person is commonly permitted to erect tents, or park recreational vehicles for the purpose of overnight camping, and includes any

building, structure, tent, vehicle, or enclosure that is located on the land and is used as part of the facility.

**"CANNABIS"** means a cannabis plant, fresh cannabis, dried cannabis, cannabis oil, cannabis plant seeds and any other substance defined as cannabis in the *Cannabis Act* (Canada) and its regulations, as amended from time to time, and includes edible products that contain cannabis.

**"CANNABIS COUNSELLING"** means a development or use of land where counselling on cannabis is provided by persons who are not medical professional, and where the consumption of cannabis must not occur. Cannabis Counselling may include the ancillary retail sale or rental of merchandise but does not include Cannabis Retail or Cannabis Production and Distribution.

**"CANNABIS PRODUCTION AND DISTRIBUTION"** means a development or use involving any one or more of the following as it relates to Cannabis:

- (a) the production, cultivation or growth of Cannabis;
- (b) the processing of raw materials;
- (c) the making, testing, manufacturing, assembling or in any way altering the chemical or physical properties of semi-finished or finished goods and products;
- (d) the packing, storage or transportation of materials, goods or products, or;
- (e) the distribution or sale of materials, goods and product to Cannabis Retail Stores or to individual customers

Cannabis Production and Distribution is not an agricultural purpose for which a development permit is not required pursuant to Section 4.2 of the Land Use Bylaw.

**"CANNABIS RETAIL"** means a retail store licensed by the Province of Alberta where Cannabis is sold and where the consumption of Cannabis must not occur. This use may include the ancillary retail sale or rental of merchandise but does not include Cannabis Production and Distribution.

**"CAR AND TRUCK WASH"** means a facility for the washing, cleaning or polishing of motor vehicles.

**"CARPORT"** means a building, designed and used for the storage of private motor vehicles, and consists of a roof supported on posts or columns and not enclosed on more than two sides whether separate from or attached to the principal building on a site.

**"CHILD CARE FACILITY"** means a development licensed by the province to provide personal care, maintenance, supervision or education, without overnight accommodation, for seven or more children at one time for more than three but less than 24 consecutive hours in a day. This includes daycare centre, nurseries, kindergartens, nursery schools and play schools and other similar uses.

**"CLERK"** means the Clerk of the Intermunicipal Subdivision and Development Appeal Board.

**“CONSTRUCT”** means to build, reconstruct, or relocate, and without limiting the generality of the word, also includes:

- (a) any preliminary operation such as excavation, filling or draining; and
- (b) altering an existing building or structure by an addition, enlargement, extension or other structural change.

**“COUNCIL”** means the Municipal Council of Town of Sexsmith.

**“DEVELOPMENT”** means

- (a) an excavation or stockpile and the creation of either of them; or
- (b) the construction, relocation, alteration or structural repair of any building; or
- (c) an act done in relation to land or a building that changes or is likely to change the use or intensity of use of the land or building.

**“DEVELOPMENT AUTHORITY”** means the Development Officer, or Municipal Planning Commission of the Town of Sexsmith, as the case may be.

**“DEVELOPMENT OFFICER”** means the person appointed by a resolution of Council to the office established by Section 3.1 of this Bylaw.

**“DISCRETIONARY USE”** means the use of land or a building which is listed in the column captioned “Discretionary Uses” in a table of uses for certain districts in this Bylaw, and for which, subject to the provisions of this Bylaw a development permit may be issued.

**“DORMITORY RESIDENCE”** means a building, located on the site of an educational institution, that contains one or more dwelling units for the accommodation of students attending an educational institution on a temporary basis and includes a single detached dwelling, a semi-detached dwelling, a duplex, or a multiple unit dwelling with associated cafeteria facilities.

**“DRIVE-IN RESTAURANT”** means a business offering food for sale to the public and designed on the basis that consumption will take place either within a motor vehicle parked in a permitted parking stall on the site or within a building located on the site.

**“DUPLEX”** means a building containing two dwelling units, one above the other, each of which has an independent entrance either directly from outside the building or through a common vestibule.

**“DWELLING UNIT”** means one or more rooms used as or designed to be used as a residence and containing cooking, eating, living, sleeping and sanitary facilities and with an independent entrance either directly from outside a building or through a common hallway inside a building but does not include a recreation vehicle.

**“ELECTRONIC DISPLAY”** means a sign or component of a sign that is combined with or takes the form of a billboard sign, fascia sign, or free-standing sign and may display words, symbols, figures, or images that can be electronically changed by remote or automatic means.



**“FIRST STOREY”** means the uppermost storey having its floor level not more than 2 meters above grade.

**“FLOOR AREA”** means the total of the floor areas of every room and passageway contained in a building but not including the floor areas of basements, attached garages, sheds, open porches or breezeways.

**“FOURPLEX”** means a residential building consisting of four dwellings, apartments, divisions, or floors.

**“GARAGE”** means an accessory building or part of the principal building designed and used primarily for the storage of non-commercial motor vehicles.

**“GAS BAR”** means premises used for the retail sale of gasoline, lubricating oils and associated petroleum products and may include the sale of automotive parts, a car wash, towing service or a retail food store.

**“GROUP HOME”** means a development using a dwelling unit as a facility which is authorized, licensed or certified by a provincial authority to provide room and board for foster children or for physically, mentally, socially, developmentally or behaviorally challenged persons and which may be for the personal rehabilitation of its residents either through self-help or professional care, guidance and supervision. The residential character of the development shall be maintained with the occupants living together as a single housekeeping group using shared kitchen facilities and sleeping accommodations for not more than 6 persons. A group home may incorporate accommodations for resident staff as an accessory use. Group homes may be allowed in single-detached residential districts or general residential districts as a discretionary use.

**“HOME OCCUPATION-MINOR”** means the use of a portion of a residential building or lot to conduct a business or commercial enterprise that is generally incidental and subordinate to the principle use of the building and meets the special requirements of this Bylaw.

**“HOME OCCUPATION-MAJOR”** means the use of a portion of a lot and or dwelling within a Country Residential (CR) district that is used to conduct a business or commercial enterprise that is generally incidental and subordinate to the principle use of the lot for residential purposes. Such uses may include larger accessory buildings (shops) and the outdoor storage of goods and equipment as determined by the Approving Authority.

**“HORIZONTAL EXIT”** means an exit from one building to another by means of a doorway, vestibule, walkway, bridge or balcony.

**“INN”** means a building providing accommodation for the travelling public containing guest rooms that are served by either a common entrance or individual entrances directly from outside the building, and may include a restaurant, tavern, and meeting rooms. For the purpose of this definition, this includes hotels, motels, motor hotels, motor inns, and similar uses.

**“LANDSCAPING”** means the modification and enhancement of a site through the use of any or all of the following elements:

- (a) “soft landscaping” consisting of vegetation such as trees, shrubs, hedges, grass and ground cover;
- (b) “hard landscaping” consisting of non-vegetative materials such as brick, stone, concrete, tile, and wood, excluding monolithic concrete and asphalt.

**“LOADING SPACE”** means a space for parking a commercial vehicle while being loaded or unloaded.

**“LOT”** means a “lot” as defined in the Act.

**“LOT, CORNER”** means a lot at the intersection of two abutting roads.

**“LOT COVERAGE”** means the percentage of the area of any lot which is covered by all buildings on the lot excluding driveways, parking areas and sidewalks.

**“LOT DEPTH”** means the length of a straight line joining the middle of the front lot line with the middle of the rear lot line.

**“LOT LINE, FRONT”** means the property line dividing the lot from an abutting road. In the case of a corner lot the shorter lot line shall be the front lot line.

**“LOT LINE, REAR”** means the property line which is directly opposite to the front lot line.

**“LOT LINE, SIDE”** means any property line other than the front or rear lot line

**“LOT, THROUGH”** means any lot other than a corner lot having access on two abutting roads.

**“LOT WIDTH”** means the distance between the side lot lines at a point midway between the front and rear of the lot and approximately parallel to the street line.

**“MANUFACTURED HOME”** means a prefabricated detached dwelling unit that meets Canadian Standards Association (CSA) Z240 and A277 standards, and meets the requirements of the Alberta Building Code. This definition applies to both single section and multiple section models, but does not apply to recreational vehicles, industrial camp trailers, or modular homes.

**“MANUFACTURED HOME DWELLING SITE”** means that portion of manufactured home park which has been reserved for the placement of a manufactured home and related accessory buildings.

**“MANUFACTURED HOME PARK”** means a development on a lot under single ownership and managed by a park operator that is designed to accommodate numerous manufactured homes on leased sites in a community setting.

**“MANUFACTURED HOME SUBDIVISION”** means a development consisting of a

number of manufactured homes, each of which is located on a privately owned lot.

**“MEDICAL FACILITY”** means a development of offices (spaces) operated by licensed professionals of the province for the health care of patients.

**“MINI STORAGE COMPLEX”** means a development that provides indoor or covered storage space on a commercial basis.

**“MODULAR HOME”** means a dwelling unit that is constructed from prefabricated components that are assembled on site, is similar in appearance and profile to a conventional stick-built dwelling, and conforms to the Alberta Building Code, but does not include a manufactured home.

**“MOTOR VEHICLE DEALERSHIP”** means premises for the display and sale of new or used motor vehicles, including passenger vehicles and purpose-built recreational vehicles, but excluding farm implements and heavy equipment designed for authorized purposes.

**“MUNICIPAL PLANNING COMMISSION”** means the body appointed by Council to exercise the duties required by this Bylaw.

**“RETAIL SALES, GENERAL”** means a development used for the retail sales of consumer goods entirely within an enclosed building. Typical uses include small food stores, liquor stores, drug stores, video sales and rentals and variety stores selling confectionery, tobacco, groceries, beverages, pharmaceutical and person care items, hardware or printed matter but does not include an adult entertainment facility.

**“PARKING LOT or STRUCTURE”** means an area of land or a structure providing for the parking of motor vehicles.

**“PERMITTED USE”** means the use of land or of a building which is listed in the column captioned “Permitted Uses” in a table of uses for the land use districts appearing in this Bylaw and for which, subject to the provisions of this Bylaw, a development permit shall be issued.

**“PERSONAL SERVICE ESTABLISHMENT”** means a development used for the provision of services to an individual which are related to the care and appearance of the person, or the cleaning and repair of personal effects. This includes, but is not limited to, barber shops, hairdressers, beauty salons, tailors, clothing rentals, diaper services, dress makers, shoe repair shops, dry cleaning establishments, carpet and upholstery cleaning, authorized, and funeral services.

**“PRIMARY DWELLING UNIT”** means the main residential single detached building on a lot containing cooking, eating, living, sleeping and sanitary facilities and measuring more than 1000 square feet in size, unless specifically approved by the Development Board.

**“PRINCIPAL BUILDING OR USE”** means the main purpose for which, in the opinion of the Development Authority, a building or site is ordinarily used.

**“PRIVATE SWIMMING POOL”** means a swimming pool that is constructed for the use of a single detached dwelling unit by the Owners and their guests.

**“PUBLIC USE”** means the authorized of any facility for public services by a department, agency, commission or corporation of a Municipal, Provincial or Federal Government, or by any public utility or by a railway company authorized under the Railway Act.

**“PUBLIC UTILITY”** means a public utility as defined in the Act.

**“RESIDENTIAL OCCUPANCY”** means the occupancy or use of a building or part thereof by persons for whom sleeping accommodation is provided but who are not harbored or detained to receive medical care or treatment or are not involuntarily detained. Convalescent homes are permitted to be classified as residential occupancies provided that occupants are ambulatory and live as a single housekeeping unit in a dwelling unit with sleeping accommodation for not more than 10 persons.

**“RETAIL SALES, GENERAL”** means a development used for the retail sales of consumer goods entirely within an enclosed building. Typical uses include small food stores, liquor stores, drug stores, video sales and rentals and variety stores selling confectionery, tobacco, groceries, beverages, pharmaceutical and person care items, hardware or printed matter but does not include an adult entertainment facility.

**“ROAD”** means a road as defined in the Act.

**“SATELLITE DISH ANTENNA”** means a combination of antenna or dish antenna whose purpose is to receive signals from orbiting satellites.

**“SECONDARY SUITE”** means a self-contained accessory dwelling unit located within a single detached dwelling. A secondary suite has cooking facilities, food preparation, sleeping and sanitary facilities which are physically separate from those of principal dwelling within the structure. A secondary suite also has a separate and distinct entrance from the entrance of the principal dwelling located either to the side or rear of the principal dwelling. This does not include: Duplex or Semi-detached Dwelling units or apartments, Boarding or Lodging House or Row Housing.

**“SCREENING”** means a fence, berm or hedge used to visually separate areas or functions.

**“SEMI-DETACHED DWELLING”** means two attached dwelling units that share a common wall.

**“SERVICE STATION”** means a facility for the servicing, repair, towing and washing of motor vehicles (including trucks), the sale of gasoline, lubricating oils, and vehicle parts and accessories, and which may contain a restaurant and (in the case of a truck stop) an inn; and further may include a building or site or part of a site where petroleum products are delivered into containers, tanks, vessels or cylinders.

**“SIGHT TRIANGLE”** means that triangle formed by a straight line drawn between two points on the exterior lot lines of a corner lot 7.5 m (25 ft.) from the point where they intersect.

**“SIGN”** means anything that serves to indicate the presence or the existence of something, including but not limited to a lettered board, a structure, or a trademark displayed, erected or otherwise developed and used or serving or intended to serve to identify, to advertise, or to give direction.

**“SIGN, “A” BOARD”** means a sign composed of two hinged or otherwise joined boards that are placed on the sidewalk in front of a business during normal business hours.

**“SIGN, BILLBOARD”** means a sign that is attached to the ground by one or more columns or pylons, and intended to provide leasable advertising space for businesses, services, products, or events that are located, conducted or produced at locations outside of where the sign is located.

**“SIGN, FASCIA”** means a flat sign, plain or illuminated, running parallel for its whole length to the face of the building to which it is attached.

**“SIGN, FREE-STANDING”** means a sign that is attached to the ground by one or more columns, uprights, pylons or braces , stands independent of any building or other structure, and displays content respecting the business or businesses located on the site.

**“SINGLE DETACHED DWELLING”** means a stick-built residential building or modular home containing only one dwelling unit but does not include a manufactured home.

**“SITE”** means a lot or group of lots used for or proposed to be used for the undertaking of a single development.

**“SWIMMING POOL”** means a structure, basin or tank containing an artificially created pool of water that is greater than 600 mm in depth at any point and is used for swimming, recreation, bathing, diving, wading, healing or therapy, religious rituals or other purposes and includes all building, equipment and facilities used in connection with it. Note: includes hot tubs.

**“TEMPORARY”** means a development or the use of land or a building which occurs for a maximum of six (6) months but may be extended upon approval of the Development Authority.

**“TOWN”** means the Town of Sexsmith.

**“TOWNHOUSE”** means one of three or more dwelling units which are constructed in a row and divided vertically and each of which has private open space at grade and a separate rear and front entrance accessible directly from outside at ground level.

**“TRIPLEX”** means a residential building consisting of three dwellings, apartments, divisions, or floors.

**“YARD”** means a part of a lot that lies between the principle or accessory building or buildings and the nearest property line.

**“YARD, EXTERIOR SIDE”** means a side yard immediately adjoining a road.

**“YARD, FRONT”** means a yard extending across the full width of a lot and situated between the front lot line and nearest exterior wall of the principal building.

**“YARD, INTERIOR SIDE”** means a side yard other than an exterior side yard.

**“YARD, REAR”** means a yard extending across the full width of a lot and situated between the rear lot line and the nearest exterior wall of the principal building.

**“YARD, SIDE”** means a yard extending from the front yard to the rear yard and situated between the side lot line and the nearest exterior wall of the principal building.

## **SECTION 3 DUTIES OF DEVELOPMENT AUTHORITIES**

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### **3.1 ESTABLISHMENT OF APPROVING AUTHORITIES**

- 3.1.1 The office of the Development Officer is hereby established and such office shall be filled by a person or persons to be appointed by resolution of Council, and is authorized to act as a "Development Authority".
- 3.1.2 The Municipal Planning Commission, as established by separate Bylaw, is authorized to act as a "Development Authority".
- 3.1.3 The Development Officer shall:
  - (a) receive and process all applications for development permits;
  - (b) keep and maintain for inspection by the public during office hours, a copy of this Bylaw and all amendments and resolutions thereto and ensure that copies are available to the public at a reasonable charge; and
  - (c) keep a register of all applications for development, including the decisions thereon and the reasons therefore, for a minimum period of seven (7) years.
- 3.1.4 The Development Officer:
  - (a) shall issue decisions for development permit applications for those uses listed as "Permitted Uses" in the subject land use district;
  - (b) shall refer all applications for "Discretionary Uses" to the Municipal Planning Commission;
  - (c) may refer development permit applications to the Municipal Planning Commission, at his discretion, for:
    - (i) those uses not listed either as "Permitted Uses" or "Discretionary Uses" in the subject land use district, and
    - (ii) those uses listed as "Permitted Uses" which the Development Officer wishes to refer to the Municipal Planning Commission.
- 3.1.5 The Municipal Planning Commission shall decide upon all applications for "Discretionary Uses" and any other applications for "Permitted Uses" referred to it by the Development Officer.

- 3.1.6 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 form. If a decision is not made within forty (40) days, the application shall at the option of the applicant be deemed refused.
- 3.1.7 If a decision is not made within the forty (40) days as specified in subsection (a), the applicant may enter into an agreement with the Development Authority to extend the forty (40) day period using the prescribed form.

### **3.2 DEVELOPMENT AUTHORITY'S DISCRETION**

- 3.2.1 A development permit application for a use that is not listed as a "Permitted Use" or a "Discretionary Use" in the subject district shall be refused unless otherwise enabled by this bylaw, Section 3.3.4.
- 3.2.2 In making a decision on an application for a use listed under the "Permitted Uses" column in a respective district, the Development Authority:
- (a) shall approve with or without conditions an application for a development permit where the proposed development conforms with this Bylaw; or
  - (b) may approve an application if the proposed development does not conform with this Bylaw subject to conditions necessary to ensure conformity; or
  - (c) may refuse an application for a development permit if the proposed development does not conform with this Bylaw.
- 3.2.3 In making a decision on an application for a use listed under the "Discretionary Uses" column in a particular district, the Development Authority:
- (a) may approve, either permanently or for a limited period of time, an application for a development permit which meets the requirements of this Bylaw, with or without conditions based on the merits of the application including any approved statutory plan or approved policy affecting the site; or
  - (b) may refuse an application for a development permit on its merits even though it meets the requirements of this Bylaw; or
  - (c) shall refuse an application for a development permit if it does not meet the requirements of this Bylaw unless an appropriate variance has been granted.
- 3.2.4 Notwithstanding any provisions or requirements of this Bylaw, the Development Authority may establish a more stringent standard for "Discretionary Uses" when deemed necessary to do so.



### **3.3 VARIANCES**

- 3.31 When approving development permit applications, the Development Authority may allow a variance not exceeding ten percent (10%) of the lot width, lot area, building height, lot coverage or development setback where in the Development Authority's opinion such a variance does not unduly affect the amenities, use, or enjoyment of the site or the neighbouring properties.
- 3.3.2 When approving subdivision applications, the Development Authority may allow a variance to district requirements as noted in Section 3.3.1 if it is satisfied that the variance will not unduly affect the amenities, use, or enjoyment of the lot or neighbouring properties.
- 3.3.3 In established residential districts, the Development Authority may allow front yard setbacks for infill housing development to be varied to coincide with the average setback on the block face being developed.
- 3.3.4 Notwithstanding Section 3.2.1, if a proposed use of land or a building is not listed as a "Permitted Use" or "Discretionary Use" in the Bylaw, the Municipal Planning Commission may determine that such a use is similar in character and purpose to a use listed under that land use district and may issue a development permit.
- 3.3.5 In the event that a variance is granted pursuant to Section 3.3.1, the Development Authority shall specify the nature of the approved variance in a development permit.
- 3.3.6 A variance for developments in any un-serviced areas of the Town may exceed the 10% variance requirement of Section 3.3.1.

## **SECTION 4 NEED FOR A DEVELOPMENT PERMIT**

### **4.1 DEVELOPMENT PERMITS REQUIRED**

Except as provided in Section 4.2, no person shall undertake any development unless:

- (a) a development permit has first been issued pursuant to this Bylaw;

and

- (b) it is in accordance with the terms and conditions of a development permit issued pursuant to this Bylaw.

### **4.2 DEVELOPMENT PERMITS NOT REQUIRED**

A development permit is not required for the following developments but they shall otherwise comply with the provisions of this Bylaw, the Alberta Safety Codes Act and the Alberta Building Code:

- (a) works of maintenance or repair to any building provided that such works do not include structural alterations or major works of renovation. Structural alterations are those which, in the opinion of the Development Authority, would result in substantial changes to the roof, foundation, or exterior walls of a structure, or alterations that result in an expansion of the usable floor area of a structure or serve to reduce existing setback distances;
- (b) A change in the business or the occupancy of an existing building which, in the opinion of the Development Authority, is consistent with the list of permitted and discretionary uses for that district;
- (c) the completion of a building which is lawfully under construction at the date this Bylaw comes into full force and effect, provided that:
  - (i) the building is completed in accordance with the terms of any permit granted in respect of it, subject to the conditions of that permit, and
  - (ii) the building is completed within a period of twenty four (24) months from the date this Bylaw comes into full force and effect;
- (d) the use of any building referred to in Section 4.2(c) for the purpose for which construction was commenced;
- (e) the construction and maintenance of gates, fences, walls or other means of enclosure less than 1 m (3.3 ft) in height in front yards and less than 2 m (6.5 ft) in height in side and rear yards;

- (f) a temporary building or the installation of machinery, the sole purpose of which is incidental to the erection or alteration of a permanent building, for which a development permit has been issued;
- (g) public works, services and utilities carried out by or on behalf of Federal, Provincial or Municipal authorities on land which is publicly owned or controlled;
- (h) the use of a building or part thereof as a temporary polling station for a Federal, Provincial or Municipal election or referendum;
- (i) an official notice, sign, placard, or bulletin required to be displayed pursuant to the provisions of Federal, Provincial, or Municipal legislation;
- (j) one (1) temporary, on-site sign which does not exceed 1.1 m<sup>2</sup> (12 ft<sup>2</sup>) in area nor 1.2 m (4 ft) in height and is intended for:
  - (i) advertising the sale or lease of a dwelling unit, or property, or
  - (ii) identifying a construction or demolition project for which a development permit has been issued for such a project, or
  - (iii) identifying a political campaign. Such a sign may be displayed for 30 days prior to an election or referendum and must be removed within 7 days following the election or referendum, or
  - (iv) advertising a campaign or drive which has been approved by Council. Such a sign may be posted for a maximum period of 14 days;
- (k) the construction, maintenance and repair of private walkways, private pathways, private driveways, and similar works unless the work involves the creation or expansion of a curb cut;
- (l) accessory buildings that do not exceed 14 m<sup>2</sup> (150 ft<sup>2</sup>) in size;
- (m) fascia signs that are to be affixed to a building or structure for which a development permit has been issued; and
- (n) satellite dish antennas that are less than 0.9 m (3 ft) in diameter.
- (o) Buildings or structures used for agricultural purposes where the land is currently used for extensive agricultural purposes such as the raising of crops but shall not include the raising of livestock.
- (p) Fascia signs without an electronic display, and "A" Board signs in commercial and industrial districts.

### **4.3 NON-CONFORMING BUILDINGS AND USES**

Developments that are considered as a non-conforming building or use and do not meet the requirements of Section 1.4.2 shall be dealt with as provided for under the Act. For convenience, the following extracts are provided:

- (a) A non-conforming use of land or building may be continued but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building shall conform with the provisions of this Bylaw;
- (b) 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, may not be enlarged or added to and no structural alterations shall be made to it or in it;
- (c) A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.
- (d) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except
  - (i) to make it a conforming building, or
  - (ii) for routine maintenance of the building, if the Development Authority considers it necessary;
- (e) If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw;
- (f) The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

## **SECTION 5 DEVELOPMENT PERMIT APPLICATIONS**

### **5.1 FORMS AND NOTICES**

- 5.1.1 An application for a development permit shall be made to the Development Officer in writing in the prescribed form, and shall be signed by the landowner or his authorized agent.
- 5.1.2 For the purpose of administering the provisions of this Bylaw, Council, by resolution, may authorize the preparation and use of such forms and notices as in its discretion it may deem necessary. Such forms or notices, contained in Schedule "A" herein, 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.

### **5.2 CONTENTS OF A DEVELOPMENT PERMIT APPLICATION**

- 5.2.1 An application for a development permit shall be made to the Development Officer in writing on the prescribed form, and shall be signed by the applicant or his agent. The Development Officer may require any of the following information with the application:
- (a) a site plan showing the legal description and front, rear and side yards, if any, and any provision for off-street loading, on- site parking, and site access;
  - (b) a floor plan and elevations;
  - (c) a statement of use;
  - (d) a statement of ownership of land and interest of the applicant therein;
  - (e) the estimated commencement and completion dates;
  - (f) the extent of existing treed areas shall be indicated together with an indication of the trees which are proposed for removal;
  - (g) utilities, site drainage, grade elevations for the lot and parking areas, existing and finished lot grades, the grades of the streets and the location of proposed sewer and water lines;
  - (h) provisions for all signage to be constructed for commercial and industrial uses, and
  - (i) any other additional information as the Development Officer may require.

It will be accompanied by a non-refundable processing fee, the amount of which shall be determined from time to time by resolution of Council. When, in the opinion of the Development Authority, sufficient details have not been included with the application, it may be returned to the applicant for further details. The application so returned shall be deemed not to have been in its complete and final form until all required details have been submitted.

### **5.3 COMPLETENESS OF APPLICATIONS**

- 5.3.1 Within twenty (20) days of receipt of a development permit application pursuant to 5.2.1, the Development Authority shall determine whether an application is complete, unless an agreement is reached between the Development Authority and the applicant to extend the twenty (20) day period. If the Development Authority fails to determine that the application is complete within the prescribed time, the application shall be deemed to be complete.
- 5.3.2 When, in the opinion of the Development Authority an application is deemed to be incomplete, the applicant shall be advised in writing that the application is incomplete, and that the application will not be processed until the required information is provided. The written notice shall include a description of the information required for the application to be considered complete and the deadline by which the required information is to be submitted. Failure to submit the required information in accordance with the notice shall result in the application being deemed refused and may be appealed in accordance with Section 7.
- 5.3.3 Once an application is deemed to be complete in accordance with 5.3.1, the applicant shall be notified in writing that the application is complete, and the Development Authority shall process the application.
- 5.3.4 Notwithstanding 5.3.1 - 5.3.3, the Development Authority may decide on a development permit application without all the required information, if the Development Authority determines that a decision can be properly made without such information.

## **SECTION 6 PROCESSING A DEVELOPMENT PERMIT**

### **6.1 PROCESSING A DEVELOPMENT PERMIT APPLICATION**

- 6.1.1 The Development Officer may refer any application to any agency, Government Department or other municipality in order to receive comment and advice.
- 6.1.2 An application for a permitted use does not need to be circulated unless said application requires a variance to the district standards.
- 6.1.3 The Development Officer may refer any application for a discretionary use or any use listed in 6.1.2 to all landowners within 46 m (150 ft.) of the subject property.

### **6.2 CONDITIONS OF A DEVELOPMENT PERMIT**

- 6.2.1 The Development Authority may require with respect to a development that as a condition of issuing a development permit, may require that the applicant enter into an agreement with the Town to do any or all of the following:
  - (a) to construct or pay for the construction of a road required to give access to the development;
  - (b) to construct or pay for the construction of a pedestrian walkway system to serve the development, or pedestrian walkways to connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development;
  - (c) to install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the development;
  - (d) to construct or pay for the construction of off-street or other parking facilities and loading and unloading facilities; and
  - (e) to pay an off-site levy or redevelopment levy imposed by Bylaw.

The Town may register a caveat pursuant to the provisions of the Act and the Land Titles Act in respect of an agreement under this Section against the Certificate of Title for the land that is the subject of the development. Said caveat shall be discharged when the agreement has been complied with.

- 6.2.2 A development permit lapses and is automatically void if construction is not commenced to the satisfaction of the Development Officer within twenty four (24) months from the date of issuing the permit, or within such longer periods not exceeding six (6) months as may be approved by the Development Officer.
- 6.2.3 A development permit comes into effect twenty-one (21) days after Notice of Decision has been issued unless an appeal has been lodged with the Board. No development shall be commenced pursuant to the development permit until all appeals are finally determined and the issuance of the development permit has been upheld.

- 6.2.4 For the purposes of this Bylaw, issuance of the Notice of Decision is deemed to have been given on the day when the Notice of Decision has been published in the newspaper or three (3) days after the notice has been stamped and mailed to the applicant.
- 6.2.5 When an application for a development permit has been refused pursuant to this Bylaw or ultimately after appeal, the submission of another application for a development permit on the same parcel of land for the same or similar use shall not be accepted by the Development Officer for at least six (6) months after the date of the refusal.
- 6.2.6 When, in the opinion of the Development Authority, satisfactory arrangements have not been made by an applicant for the supply of water, electrical power, sewage, or access, including payment of the costs of installation or construction, the Development Authority shall not issue a development permit. Satisfactory arrangements may include the provision of on- site sewage and water systems where allowed in the Town.

### **6.3 NOTIFICATION OF PERMIT APPROVAL OR REFUSAL**

- 6.3.1 When an application for a development permit is approved for a permitted use, the Development Officer or designate shall:
  - (a) mail a notice of decision to the applicant or his agent; and
- 6.3.2 Upon the approval of an application for a development permit for a Permitted Use involving a variance, or a Discretionary Use, the Development Officer shall:
  - (a) mail a notice of decision to the applicant or his agent; and
  - (b) mail a notification of the approval to all landowners within a 46 m (150 ft) radius of the proposed development; and
  - (c) post a copy of the decision in the Town Office and publish a notice on the Town's website.
- 6.3.3 When an application for a development permit is refused, the Development Officer shall mail a notice of decision to the applicant or his agent stating the reasons for the refusal.



## **6.4 CONTRAVENTION**

- 6.4.1 Where the Development Officer finds that a development or use of land is not in accordance with the Act, this Bylaw, or a development permit, the Development Officer may, by written notice, order the registered owner, the person in possession of the land or buildings, or the person responsible for the contravention, or all or any of them to:
- (a) stop the development or use of the land or building in whole or in part as directed by the notice; or
  - (b) demolish, remove or replace the development; or
  - (c) carry out any other actions required by the notice so that the development or use of the land or building complies with the Act, a development permit or a subdivision approval, or this Bylaw as the case may be, within the time set out in the notice.
- 6.4.2 If a person fails or refuses to comply with an order directed to him under Section 6.4.1 or an order of the Board under the Act, Council or a person appointed by Council may, in accordance with the Act, enter upon the land or building and take such action as is necessary to carry out the order.
- 6.4.3 When Council or a person appointed by it carries out an order, Council shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned and that amount shall be collected in the same manner as taxes on land.
- 6.4.4 For the purpose of entering and inspecting land or buildings as described in the Act, the Development Officer is hereby declared to be a "designated officer".

## **SECTION 7 APPEALING A DECISION**

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### **7.1 METHOD OF APPEAL**

- 7.1.1 The Board shall perform such duties and follow such procedures as specified in the Act and the Intermunicipal Subdivision and Development Appeal Board Bylaw.
- 7.1.2 A decision on a development permit application may be appealed by serving a written notice of appeal on the Clerk within twenty-one (21) days of the Notice of Decision.

### **7.2 THE APPEAL PROCESS**

- 7.2.1 The Clerk shall ensure that a notice of appeal is given to all persons required to be notified under the provisions of the Intermunicipal Subdivision and Development Appeal Board Bylaw.
- 7.2.2 When a notice has been served with respect to a decision to approve a development permit application, the development permit shall not be effective before:
  - (a) the decision on the permit has been upheld by the Board; or
  - (b) the Clerk has received written notification from the appellant that the appeal has been abandoned.
- 7.2.3 If the decision to approve a development permit application is reversed by the Board, the development permit shall be null and void.
- 7.2.4 If the decision to refuse a development permit is reversed by the Board, the Board shall direct the Development Officer to issue a development permit forthwith in accordance with the decision of the Board.
- 7.2.5 If the decision to approve a development permit application is varied by the Board, the Board shall direct the Development Officer to issue a development permit forthwith in accordance with the terms of the decision of the Board.

## **SECTION 8 AMENDING THE BYLAW**

### **8.1 CONTENTS OF AN AMENDMENT APPLICATION**

- 8.1.1 A Land Use Bylaw amendment application shall be made to the Development Officer in writing on the prescribed form, and shall be signed by the applicant or his agent. The Development Officer may require any of the following information to accompany an application to amend this Bylaw:
- (a) if the amendment involves the re-designation of land to a different land use district,
    - (i) a copy of the Certificate of Title for the lands affected, or any other documentation satisfactory to the Development Officer verifying that the applicant has a legal interest in the land,
    - (ii) where the applicant is an agent acting for the owner, a letter from the owner verifying the agent's authority to make the application, and
    - (iii) a properly dimensioned map of appropriate scale indicating the site to be amended, and its relationship to existing land uses within a 90 m (295 ft) radius of the boundaries of the site;
  - (b) a statement of the reasons for the request to amend the Bylaw; and
  - (c) such additional information as the Development Officer may require.
- 8.1.2 Each application for an amendment to this Bylaw shall be accompanied by a non-refundable processing fee, the amount of which shall be determined from time to time by resolution of Council.
- 8.1.3 The Development Officer may refuse to process an application to amend this Bylaw if the information has not been supplied or if, in his opinion, it is of inadequate quality to properly evaluate the application.
- 8.1.4 Council, on its own initiative, may proceed to undertake an amendment to this Bylaw by directing the Development Officer to initiate an application.

### **8.2 THE AMENDMENT PROCESS**

- 8.2.1 Upon receipt of a complete application in accordance with Section 8.1, the Development Officer shall refer the application to Council for first reading and to establish a date for a public hearing to be held prior to second reading.
- 8.2.2 The application may be referred to any agency or Government Department as deemed necessary for comment and advice.

8.2.3 A notice of the application shall be published in two (2) consecutive issues of the local newspaper. This notice shall contain:

- (a) the purpose of the proposed amendment;
- (b) the one or more places where a copy of the proposed amending Bylaw may be inspected by the public during reasonable hours;
- (c) the date, place, and time that Council will hold a public hearing on the proposed amendment;
- (d) an outline of the procedures to be followed by anyone wishing to be heard at the public hearing;
- (e) an outline of the procedures by which the public hearing will be conducted; and
- (f) if the amendment involves the re-designation of land to a different land use district, the municipal address, if any, and the legal description of the land.

8.2.4 If the proposed amendment involves the re-designation of land to a different land use district, the Development Officer shall, in addition to Section 8.2.3:

- (a) mail a notice containing the information outlined in Section 8.2.3 to all landowners within a 46 m (150 ft) radius of the subject land; and
- (b) post a notice on the subject land containing the information outlined in Section 8.2.3.

8.2.5 Council, after considering

- (a) any representations made at the public hearing; and
- (b) any municipal development plan, area structure plan, and area redevelopment plan affecting the application and the provisions of this Bylaw may
  - (i) make such changes as it considers necessary to the proposed amendment, if any, and proceed to pass the proposed amendment, or
  - (ii) defeat the proposed amendment.

8.2.6 Where an application for an amendment has been refused by Council or withdrawn by the applicant after advertisement of the proposed amendment, the Development Officer shall refuse to accept another application on the same land for the same or similar purpose until six (6) months have passed from the date of such refusal, or six months after the date that the applicant's letter of withdrawal is received by the Development Officer.

## **SECTION 9      GENERAL REGULATIONS**

### **9.1      ACCESSORY BUILDINGS AND USES**

- 9.1.1 For the purpose of calculating yard setbacks and site coverage requirements as provided for in this Bylaw, when an accessory building is attached to the principal building on a site by a roof, an open or enclosed structure, a floor, or a foundation, it is to be considered a part of the principal building.
- 9.1.2 An accessory building shall be located at least 1.8 m (6 ft) from any principal building.
- 9.1.3 The minimum side yard setback shall be 1.5 m (5 ft). However, no side yard is required for any accessory building in a residential or industrial district where a mutual wall is erected on a common property line and is constructed of brick, stone, or equivalent fire resistant material. There will be no overhang of eaves and all drainage shall be confined to the site.
- 9.1.4 The minimum rear yard setback shall be 0.9 m (3 ft). However, where primary access to a private garage is obtained via a rear lane, and the vehicle entrance doors face the lane, the minimum rear yard setback shall be 4.6 m (15 ft).
- 9.1.5 The total combined area of all accessory buildings shall not exceed ten percent (10%) of the site area.
- 9.1.6 In the Central Commercial (C1) District, accessory buildings or uses shall only be located in the rear yard.
- 9.1.7 No accessory building or use shall be located in the front yard of a site.
- 9.1.8 No accessory building erected on a site in a residential district shall be used as a dwelling unit nor shall an accessory building be constructed unless the principal building has been constructed first.
- 9.1.9 The quality and construction of accessory buildings shall exceed or be comparable to the principal building to the satisfaction of the Development Authority.

### **9.2      CORNER SITE RESTRICTIONS**

- 9.2.1 Notwithstanding any other provision contained in this Bylaw, no person shall place or maintain any object, structure, fence, hedge, shrub, or tree in or on that part of a sight triangle if, in the opinion of the Development Authority, such objects or structures interfere with traffic safety. A sight triangle is formed by a straight line drawn between two points on the exterior lot lines of a corner lot 7.5 m (25 ft) from the point where they intersect.
- 9.2.2 On any corner site, no finished grade shall exceed the general elevation of the road by more than 0.6 m (2 ft) within a sight triangle.

### **9.3 HOME OCCUPATIONS-MINOR**

- 9.3.1 Home occupations shall be limited to those uses which are approved by the Development Authority. Those uses shall not interfere with the rights of other residents to the quiet enjoyment of a residential neighbourhood.
- 9.3.2 Home occupations shall be a subordinate use to the principal residential use, shall be restricted to the dwelling unit, and shall not:
- (a) employ any person other than a resident of the dwelling unit unless specifically approved by the approving authority;
  - (b) require alterations to the principal building unless the alterations are approved as part of a development permit application;
  - (c) create a nuisance by way of dust, noise, smell, smoke or traffic generation;
  - (d) have outside storage of materials, goods and equipment; and
  - (e) display any form of commercial advertising, wares or products discernible from the outside of the building but may display an unlighted sign placed in a window or attached to the exterior of the dwelling which is a maximum of 900 cm<sup>2</sup> (140 in<sup>2</sup>) in area.
- 9.3.3 Development permits for home occupations shall be valid for a period of one (1) year. If no conflicts have arisen in that time, no additional development permits shall be required.

### **9.4 HOME OCCUPATIONS – Major**

- 9.4.1 Home occupations shall be limited to those uses which are approved by the Development Authority.
- 9.4.2 Home occupations shall be a subordinate use to the principal residential use of the site: and
- (a) Shall not employ any person other than a resident of the dwelling unit unless specifically approved by the approving authority;
  - (b) Shall not create a nuisance by way of dust, noise, smell, smoke or traffic generation;
  - (c) Shall limit the outside storage of materials, goods and equipment as approved by the Approving Authority; and
  - (d) Shall provide screening or fencing with adjoining properties as required by the Approving Authority.

- (e) All displays of wares and products and advertising shall be approved by the Approving Authority.

9.4.3 Development permits for home occupations shall be valid for a period of one (1) year. If no conflicts have arisen in that time, no additional development permits shall be required.

## **9.5 OBJECTS PROHIBITED IN RESIDENTIAL DISTRICTS**

9.5.1 No person shall be allowed to keep or maintain:

- (a) a commercial vehicle with a gross vehicle weight (G.V.W.) rating in excess of 4,536 kilograms (10,000 lbs) to remain on a street in a residential district for longer than is reasonably necessary to load or unload the vehicle;
- (b) a dismantled or derelict vehicle on a site in a residential district for more than 48 hours;
- (c) any excavation, building, or storage of material upon a site during the construction stage of any development unless all safety requirements are complied with and the owner and developer of any such site shall assume full responsibility for on-site safety measures;
- (d) any excavation, equipment, or construction materials to remain on a site over a period longer than is reasonably necessary to complete construction; and
- (e) any object or chattel which is unsightly or tends to adversely affect the amenities of the district.

## **9.6 RELOCATION OF BUILDINGS**

9.6.1 Where a development permit has been granted for the relocation of a building, the Development Authority shall require the applicant to provide:

- (a) a performance bond of such amount to ensure completion of any renovations set out as a condition of approval; and
- (b) an engineer's certificate to confirm that the building is structurally sound.

9.6.2 Renovations shall be completed within one (1) year of the issuance of a development permit.

## 9.7 LANDSCAPING AND SCREENING

- 9.7.1 In commercial and industrial districts, all areas not used for vehicular circulation, storage or a structure shall be loamed or grassed.
- 9.7.2 Any area requiring landscaping shall be landscaped so that the finished surface contours do not direct surface drainage onto an adjoining site.
- 9.7.3 Any area required to be landscaped may, at the discretion of the Development Authority, be left in its natural state or be loamed and planted with grass, trees, shrubs and/or flowers, or similar materials or a combination thereof, which enhance the appearance of the site and which complement the development thereon.
- 9.7.4 The Development Authority shall require screening to be provided in order to visually separate areas which are determined to detract from the surrounding neighbourhood.
- 9.7.5 Any lighting proposed to illuminate areas in any district shall be located and arranged so that all direct rays of light are directed upon the area to be illuminated and not on any adjoining properties.

## 9.8 PARKING AND LOADING FACILITIES

- 9.8.1 Off-street parking shall be provided in accordance with the following table:

<u>Residential Uses</u>	<u>Minimum Parking Requirements</u>
Apartment Buildings, Townhouses	1.5 stalls/dwelling unit
All Other Residential Uses	2 stalls/dwelling unit
<u>Commercial Uses</u>	
Business, Administrative and Offices, Banks	1 stall/46 m <sup>2</sup> (500 ft <sup>2</sup> ) of gross Professional floor area.
Retail Shops, Personal Service Establishments	1 stall/28 m <sup>2</sup> (300 ft <sup>2</sup> ) of gross floor area.
Restaurants	1 stall/4 seats
Drive-in Restaurants	1 stall/ 18.5 m <sup>2</sup> (200 ft <sup>2</sup> ) of gross floor area.
Inns	1 stall/guest unit plus 1 stall/2 employees.



Drinking Establishments	1 stall/4 seats
Where an inn and/or restaurant and/or drinking establishment are grouped in any combination within one building.	Required number of stalls may be reduced at the discretion of the Development Authority to 75% of The combined total of all

uses. Other Non-Residential Uses

Public Assembly Auditoria, Theatres, Convention Halls, Gymnasias, Private Clubs	1 stall/3.5 seats or 1 stall/3.3 m <sup>2</sup> (35 ft <sup>2</sup> ) of floor area used by patrons, whichever is greater.
Churches	1 stall/5 seating spaces
Hospitals or Clinics	1 stall/93 m <sup>2</sup> (1,000 ft <sup>2</sup> ) of gross floor area.
Elementary Schools	1 stall/classroom
Junior (and Senior High) Schools	2 stalls/classroom
Senior High Schools	4 stalls/classroom
Manufacturing and Industrial Plants, Warehousing, Wholesale And Storage Buildings and Yards, Servicing and Repair Establishments, Public Utility Buildings	1 stall/3 employees on a maximum working shift.
All Other Uses	1 stall/37 m <sup>2</sup> (400 ft <sup>2</sup> ) of gross Floor area.

9.8.2 When more than one use is proposed for development on a site, the parking requirement shall be the sum of the parking requirements for each use as listed in Section 9.8.1.

9.8.3 When a building is altered or changed in use, in such a manner as to cause an intensification of the use of that building, provision shall be made for the additional parking stalls required. The required parking shall be based only on the number of additional parking stalls required because of the enlargement, change in use, or intensification of the use of the building.

9.8.4 A parking stall shall be located on the same site as the building or the use in respect of which it is required and shall be designed, located and constructed so that it is accessible and properly maintained. In residential districts, parking spaces shall not be located in that portion of the front yard such that the parking space is in front of the dwelling unit.

9.8.5 Notwithstanding Section 9.8.4, the Development Authority may allow for the required

number of parking stalls to be fulfilled in commercial and industrial districts by accepting a payment in lieu of the number of deficient stalls. The payment shall be based on the amount of money Council by resolution considers reasonable for the provision for new parking stalls or the upgrading of the equivalent number of existing stalls in the district.

- 9.8.6 A parking stall shall not be less than 18 m<sup>2</sup> (194 ft<sup>2</sup>) in area or 2.9 m (9.5 ft) in width.
- 9.8.7 A loading space shall have at least 28 m<sup>2</sup> (300 ft<sup>2</sup>) of area, be at least 3.5 m (11.5 ft) in width, and have at least 4 m (13 ft) of overhead clearance.
- 9.8.8 All parking and loading spaces shall be developed and surfaced to the satisfaction of the Development Authority.
- 9.8.9 (a) On commercial and industrial sites, all parking lot access points shall be surfaced to the same standard as the road abutting the site from which access to the site is obtained. In cases where the abutting road is paved, on-site paving shall extend from the access points for a minimum distance of 18.3 m (60 ft).
- (b) If at the time of development the abutting road is not paved, the applicant shall enter into an agreement with the Town to pave his required areas as identified in subsection (a) at such time that the abutting road is paved. This agreement shall be registered by caveat against the property as provided in Section 6.2.1.
- 9.8.10 Adequate curbs, concrete bumpers, or fences shall be provided to the satisfaction of the Development Authority if it is or becomes necessary to protect adjacent fences, walls, boulevards, landscaped areas, or buildings on the site, or an abutting site from contact with vehicles using such parking space or area.
- 9.8.11 Off-street parking shall be identified on the development permit application and shall be provided in accordance with the approved development permit. The entire parking area must be graded so as to ensure that drainage is disposed of in a manner satisfactory to the Development Authority and attached as a condition of the development permit approval.
- 9.8.12 Parking in residential districts shall be limited to designated parking areas only. Parking on the landscaped areas of the front yard is prohibited.

## **9.9 BUILDING ORIENTATION AND DESIGN**

- 9.9.1 All buildings, accessory buildings, enclosed verandas, porches and balconies erected or placed on a parcel shall be designed and sited such that, in the opinion of the Development Authority the development will not cause any material loss of privacy, sunlight, or daylight enjoyed by the users of adjacent buildings or parcels.
- 9.9.2 The design, character and appearance of a building shall be compatible with and complementary to the surrounding area.

## **9.10 SIGN CONTROL**

- 9.10.1 No sign of an advertising, directional or information nature shall be erected on land or affixed to any exterior surface of any building or structure unless a development permit application has been approved. It is expected that signage requirements be included with the application for a development permit for a building or use and can be approved as part of that approval. Any additional signage requirements over and above the original application will require a separate and new development permit.
- 9.10.2 Signs shall comply with the setback requirements for principal buildings in the district in which the sign is located unless otherwise allowed by the Development Authority.
- 9.10.3 In considering a development application for a sign, the Development Authority shall have due regard to the amenities of the district in which the sign is located and to the design of the proposed signs.
- 9.10.4 An application for a sign shall not be approved if, in the opinion of the Development Authority, the sign would
- (a) unduly interfere with the amenities of the area; or
  - (b) materially interfere with or affect the use, enjoyment, or value of neighbouring properties.
- 9.10.5 On industrial sites, signs may be allowed subject to the following limitations:
- (a) no sign shall project more than 1.5 m (5 ft) above the top of any main wall or parapet to which it is affixed, unless it has been designed as an integral part of the building; and
  - (b) no sign shall be illuminated unless the source of light is steady and suitably shielded.
- 9.10.6 No sign, other than one providing a public service and deemed appropriate by the Development Authority shall be permitted to locate on a public right-of-way or reserve.
- 9.10.7 On sites located in the C-1, C-2, C-3 and CL districts, signs may be allowed subject to the following:
- (a) no more than two fascia signs shall be permitted for each business conducted on the premises;
  - (b) no sign shall be illuminated unless the source of light is suitably shielded; and
  - (c) signs shall not protrude more than 0.9 m (3 ft) from the face of a building.
- 9.10.8 Canopy and Awning Signs
- (a) Canopy or awning signs may be allowed in non-residential areas to advertise businesses operating from the premises.

- (b) Such signs shall have a minimum clearance of 2.5 m (8 ft) above finished grade and shall project out a maximum distance of 0.9 m (3 ft).
- (c) Signs may be suspended from the underside of a canopy provided that they are located entirely under the canopy and have a minimum clearance of 2.5 m (8 ft) above finished grade.

#### 9.10.9 Free-Standing Signs

- (a) A maximum of two (2) free-standing signs may be allowed on a site.
- (b) No free-standing sign shall be located on or project over a public right-of-way.
- (c) Free-standing signs shall conform to the setback requirements for principal buildings in the district in which the sign is located unless, in the opinion of the Development Authority, the sign would be compatible with surrounding land uses and would not compromise traffic safety. For the purpose of this section, setback distances shall be measured from the outermost edge of the sign and/or support structure, whichever is closest to the lotline.

#### 9.10.10 "A" Board Signs

- (a) In the Central Commercial (C1) District, "A" Board signs may be allowed provided they
  - (i) do not exceed 1.5 m<sup>2</sup> (16 ft<sup>2</sup>) in area;
  - (ii) do not exceed 1.2 m (4 ft) in height; and
  - (iii) are not fastened to the ground or employ any flashing lights or mechanical device to provide motion to the sign.

#### 9.10.11 Electronic Display

- (a) All electronic displays shall require a development permit.
  - (b) An electronic display may be incorporated into a freestanding sign, fascia sign, or billboard sign subject to meeting the requirements of this section.
  - (c) Electronic displays shall be designed and placed such that they do not face or project into a residential district.
- or
- (c) Electronic displays shall not be located within 30 m of a lot line in a residential district. A lesser distance may be considered if, between the hours of 11:00 pm and 6:00 am, the electronic sign does not operate or only has a black screen.
  - (d) Notwithstanding any other provision of this Bylaw, an electronic display shall be spaced a minimum of 50 m from another electronic display.

- (e) All electronic displays must include a dimming feature that will automatically reduce the brightness level to adapt to the ambient light level.
- (f) Electronic displays shall only present static images. No animation, flashing, or similar visual effects shall be permitted.
- (g) Static images shall be programmed to displayed for a minimum duration of six (6) seconds each, and the transition between static images shall be a maximum of one (1) second.
- (h) In the case of a one-sided electronic display, or where the rear of the display is visible to the public, it shall be finished with a material suitable to the Development Authority.

#### 9.10.12 Billboard Signs

- (a) A minimum distance of 100 m (328 ft) shall be maintained between:
  - (i) billboard signs that are located on the same side of a road, or
  - (ii) a billboard sign and the centre point of an intersection.
- (b) Where a billboard sign is listed as a "Discretionary Use" in a land use district, it shall only be considered on sites or lots that are adjacent to Highway 2, and
- (c) Billboard signs shall be referred to Alberta Transportation for comment and, if applicable, approval.

### 9.11 SETBACK ENCROACHMENTS

The following fixtures may project into a front, side or rear yard of a development:

- (a) verandas, porches, eaves, shade projections, windows, unenclosed steps, chimneys, sills, or any other similar feature provided that the total projection does not exceed 0.9 m (3 ft);
- (b) balconies, provided they do not project more than 1.5 m (5 ft);
- (c) an open, hard surfaced and uncovered terrace, patio, or deck in a residential district if same is enclosed except for a guard rail or parapet.

### 9.12 CAR AND TRUCK WASHES

The minimum site area shall be 743 m<sup>2</sup> (8,000 ft<sup>2</sup>) and shall contain storage space for three vehicles per wash bay prior to their entry into any part of the cleaning process. In the case of service stations that have car washes installed, the minimum site area shall be 1,115 m<sup>2</sup> (12,000 ft<sup>2</sup>).

### 9.13 CHURCHES

- 9.13.1 Maximum height requirements may be exceeded only if an extra 0.3 m (1 ft) of side yard is provided for every 0.3 m (1 ft) of additional height.

- 9.13.2 The site upon which a church is situated shall have a frontage of not less than 30m (98.5 ft) and an area of not less than 930 m<sup>2</sup> (10,010 ft<sup>2</sup>).
- (a) In the case where a manse, rectory, parsonage or other building for a minister's residence is to be erected on the same site as the church, the combined area of the site shall not be less than 1,390 m<sup>2</sup> (14,962 ft<sup>2</sup>).

#### **9.14 MANUFACTURED HOMES**

- 9.14.1 Manufactured homes shall be of sound construction and appearance to the satisfaction of the Development Authority, and meet Canadian Standards Association (CSA) Z240 MH Series standards.
- 9.14.2 Notwithstanding Section 9.13.1, manufactured homes will not be permitted if greater than ten (10) years old at the time of application.
- 9.14.3 The undercarriage of a manufactured home shall be completely screened from view by the foundation, by fireproof skirting that is the same as the siding used on the manufactured home, or by such other means satisfactory to the Development Authority.
- 9.14.4 Axles, wheels, running gear, and towing tongue shall be removed prior to final installation of the manufactured home. The owner shall place the manufactured home on and attach it to a cement foundation or other permanent foundation conforming to the requirements of the Alberta Building Code.
- 9.14.5 All manufactured homes shall be connected to municipal services prior to their occupation.
- 9.14.6 All accessory structures, additions, porches, and skirting shall be of a quality and appearance equivalent to the manufactured home.

#### **9.15 SERVICE STATIONS AND GAS BARS**

- 9.15.1 The minimum site area shall be 557 m<sup>2</sup> (5,995 ft<sup>2</sup>) and the maximum building coverage shall be fifteen percent (15%) of the site area.
- 9.15.2 No activity shall be carried on which constitutes a nuisance or annoyance to persons occupying land in the immediate vicinity of the site by reason of dust, noises, gases, odors, smoke, or vibration.
- 9.15.3 The site of the building shall be maintained in a clean and tidy condition and free from all rubbish and debris.
- 9.15.4 Landscaping shall be provided and maintained to the satisfaction of the Development Authority.
- 9.15.5 Screening of not less than 1.5 m (5 ft) in height shall be provided along the boundary of a site where it abuts a residential district or abuts a lane that separates the site from

a residential district.

## **9.16 SATELLITE DISH ANTENNAS**

- 9.16.1 A satellite dish antenna shall only be allowed to be located on a roof top if it is installed on:
- (a) apartment buildings three (3) stories or greater in height; or
  - (b) buildings in non-residential districts; or
  - (c) below the highest point of the roof line of a dwelling unit.
- 9.16.2 A satellite dish antenna shall conform to the site requirements for accessory buildings (Section 9.1).
- 9.16.3 The satellite dish antenna shall be located on the same site as the intended signal user.
- 9.16.4 Sections 9.16.2 and 9.16.3 may be waived where the applicant can demonstrate, to the satisfaction of the Development Authority, that compliance would prevent signal reception.
- 9.16.5 If a signal cannot be received in a location other than a front yard, the minimum front yard setback shall be 3.3 m (10ft).
- 9.16.6 A maximum of two (2) satellite dish antennas may be allowed per dwelling unit.

## **9.17 DEVELOPMENT ALONG WATERCOURSE**

- 9.17.1 Notwithstanding other provisions in this Bylaw, new development occurring adjacent to a watercourse shall be set back a minimum of 9.1 m (30 ft) from the top of bank.
- 9.17.2 Development requiring disturbance or modification of the bank of the watercourse shall not be permitted.
- 9.17.3 The natural flow of the watercourse shall not be altered and the removal of bank vegetation shall not be permitted.

## **9.18 DWELLING UNITS PER LOT**

- 9.18.1 No person in the Town shall construct or cause to be constructed more than one dwelling unit per lot.
- 9.18.2 Section 9.18.1 does not apply to:
- (a) semi-detached dwellings;
  - (b) duplexes;

- (c) dwellings containing basement suites;
- (d) triplexes and fourplexes;
- (e) townhouses;
- (f) apartment buildings;
- (g) dwellings that are located within an approved manufactured home park; and
- (h) dormitory residences.

## **9.19 REQUIREMENTS FOR PRIVATE SWIMMING POOLS**

- 9.19.1 The definition of a Private Swimming Pool is “A swimming pool that is constructed for the use of a single detached dwelling by the Owners and their guests.”
- 9.19.2 The definition of a Swimming Pool is “A structure, basin or tank containing an artificially created pool of water that is greater than 600mm in depth at any point and is used swimming, recreation, bathing, diving, wading, healing or therapy, religious rituals or other purposes, and includes all buildings, equipment and facilities used in connection with it. Note: Includes Hot Tubs
- 9.19.3 The Safety Codes Act requires Building Permits be issued for all Pools with a depth greater than 600mm.
- 9.19.4 Except for a pre-manufactured private pool that is entirely above ground, plans shall be submitted and shall include the following information:
  - (a) Site plan
  - (b) Details of pool construction
  - (c) Schematics for the pool mechanics, including line sizes and inlets and outlets
  - (d) Water supply source and waste water disposal
  - (e) Pool data including surface area, circulation rate, turnover rate filter size/type and model, # of inlets, number of skimmers and drains
- 9.19.5 Article 7.3.2.3 of the Alberta Building Code requires the entire area of an outdoor Pool be protected by a fence, building wall or enclosure that can prevent access by unauthorized persons and its height above the outside ground level shall be not less than 1.8 m for private pools. Gates that have been installed are required to have a self-closing device and be lockable from the inside.
- 9.19.5 An exception to this is if the widest portion of the pool or the hot tub does not exceed 2.4 m or 8 ft. and a cover is provided that has the structural capacity to support the weight of an adult across the top of it when it is in the closed position. Also, the cover is provided with lockable devices to prevent access to the water by unauthorized persons. The cover is in place and locked at all times when the pool or hot tub is not in use.
- 9.19.6 Local Health Authority shall be contacted for all pools except for the pre-manufactured pools that are entirely above ground.
- 9.19.7 Building Safety Officer shall be contacted prior to the installation of a pool or hot tub.



## **SECTION 10 ESTABLISHMENT OF DISTRICTS**

### **10.1 DISTRICT CLASSIFICATION**

For the purpose of this Bylaw, all lands within the Town are divided into the following districts:

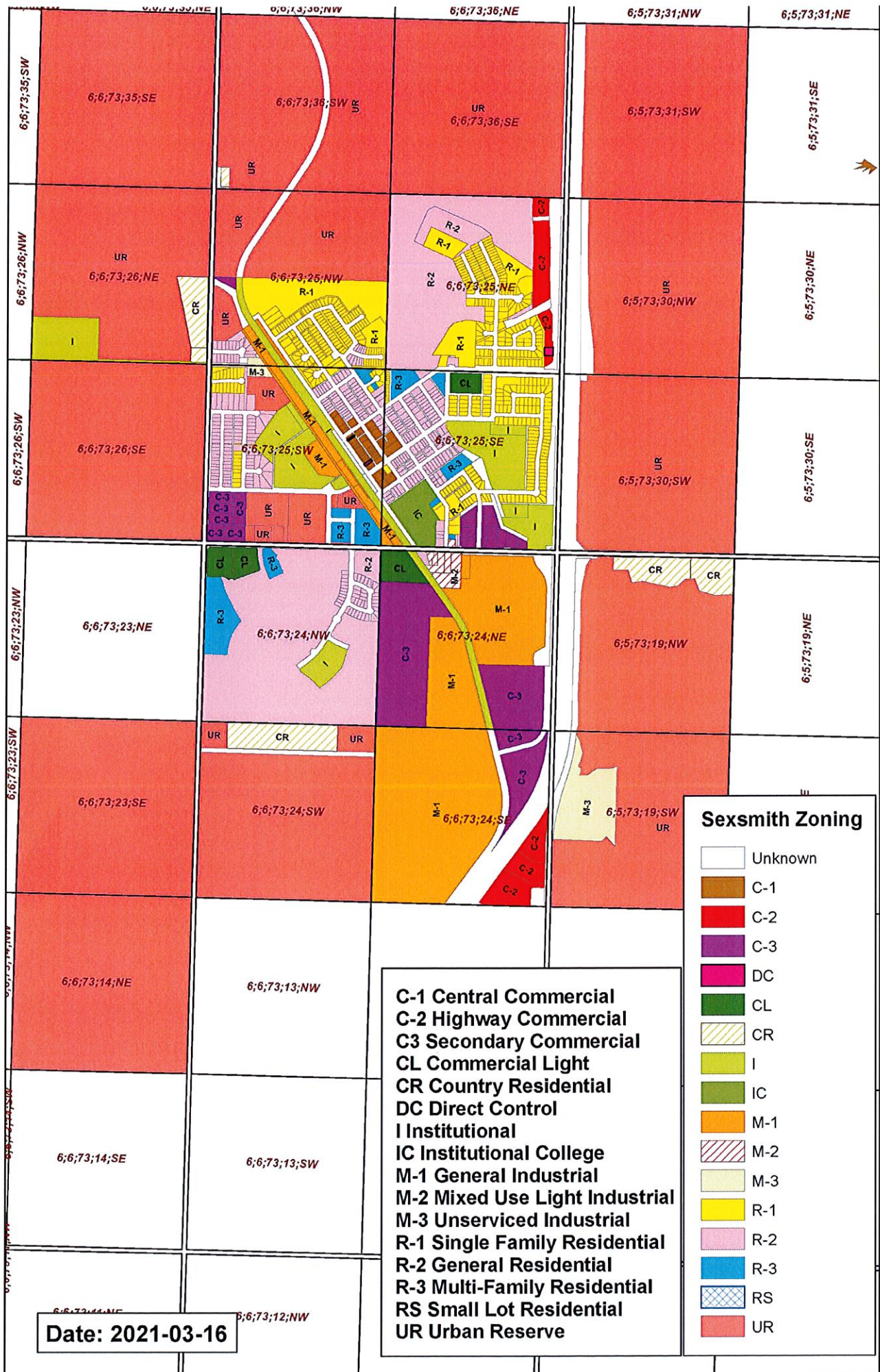
<u>District</u>	<u>Symbol</u>
Single Detached Residential	R1
General Residential	R2
Multi-Unit Residential	R3
Manufactured (Mobile) Home Park	MHP
Manufactured (Mobile) Home Subdivision	MHS
Central Commercial	C1
Highway Commercial	C2
Secondary Commercial	C3
Commercial Light District	CL
Country Residential	CR
General Industrial	M1
General Industrial limited Area	M1A
Mixed Use Light Industrial	M2
Un-serviced Industrial	M3
Institutional	I
Institutional College	IC
Urban Reserve	UR
Small Lot Residential	RS
Direct Control	DC

### **10.2 DISTRICT SYMBOLS**

Throughout this Bylaw and any amendments thereto, a district may be referred to either by its full name or by its symbol as set out in Section 10.1.

### **10.3 DISTRICT MAP**

- 10.3.1 The District Map, as may be amended or replaced by Bylaw from time to time, is that map attached to and forming part of this Bylaw and bears the identification "District Map" and "Section 10.3 of Bylaw 974 1048".
- 10.3.2 In the event that a dispute arises over the precise location of a boundary of any district as shown on the District Map, Council may request planning advice and shall decide thereon.



## SECTION 11 DISTRICT RULES

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### 11.1 SINGLE DETACHED RESIDENTIAL (R1) DISTRICT

#### 11.1.1 Purpose

The purpose of this District is to provide for low density residential development in the form of single detached dwellings with provisions for complementary uses.

##### (a) Permitted Uses

- accessory buildings and uses
- parks and playgrounds
- satellite dish antennas
- single detached dwellings

##### (b) Discretionary Uses

- churches
- home occupations-minor
- public uses and utilities
- Child Care Facility

#### 11.1.2 Site Provisions

In addition to the Regulations contained in Section 9, the following standards shall apply to every development in this district.

(a)	Lot Area (minimum):	418 m <sup>2</sup> (4,500 ft <sup>2</sup> )
(b)	Lot Width (minimum):	12.2 m (40 ft)
(c)	Front Yard (minimum):	6.1 m (20 ft)
(d)	Rear Yard (minimum):	7.6 m (25 ft)
(e)	Side Yard (minimum):	3.3 m (10 ft) for corner site, street side 1.5 m (5 ft) for all other sites
(f)	Floor Area (minimum):	93 m <sup>2</sup> (1,000 ft <sup>2</sup> ) for single detached dwelling
(g)	Building Height (maximum):	8.5 m (28 ft) for principal building 4.3 m (14 ft) for accessory building
(h)	Lot Coverage (maximum):	40 percent

### 11.1.3 Additional Requirements

- (a) The relocation of existing residences shall not be allowed in this district.
- (b) In the case of a lane less subdivision the Development Authority shall ensure that lot widths and side yard setbacks are sufficient to accommodate front drive garages.
- (c) The Development Authority may decide on such other requirements as are necessary having regard to the nature of a proposed development and the intent of this district.
- (d) Required landscaped areas not covered by seed/sod may include in combination with shrubs/flowers, any or all of the following:
  - (i) Mulch beds consisting of landscaping fabric and mulch with a minimum depth of 5 cm (1.97 in).
  - (ii) Rip-Rap Rock Beds consisting of landscaping fabric and rock with a diameter of not less than 10 cm. (3.94 in).
  - (iii) Crushed Rock consisting of landscaping fabric and rock with a diameter of 2.5 cm (.98 in) or less;
  - (iv) Paving Stones/Stamped Asphalt or Concrete for walkways, outdoor eating areas, parking lots may be considered for up to 50% of the required landscaped area or
  - (v) Raised Planters constructed with concrete, concrete blocks or wood with a height of not less of .61 cm (2 ft) or flower boxes attached to the building structure.
- (e) No permanent trees, shrubs or structures may be placed within 10 feet of the curb of the street to allow for snow plowing and snow storage.
- (f) All residential parking lots must be constructed of concrete, asphalt or paving stones within one year of occupancy.
- (g) A minimum of 50% of the front yard shall be landscaped.

## 11.2 GENERAL RESIDENTIAL (R2) DISTRICT

### 11.2.1 Purpose

The purpose of this District is to provide for a mixture of residential development types with provisions for complementary uses.

#### (a) Permitted Uses

- accessory buildings and uses
- parks and playgrounds
- satellite dish antennas
- single detached dwellings

#### (b) Discretionary Uses

- basement suites
- child care facilities
- churches
- community halls
- duplexes
- fourplexes
- home occupations-minor
- public uses and utilities
- semi-detached dwellings
- secondary suites
- triplexes
- Child Care Facility

### 11.2.2 Site Provisions

In addition to the Regulations contained in Section 9, the following standards shall apply to every development in this district.

(a)	Lot Area (minimum):	743 m <sup>2</sup> (8,000 ft <sup>2</sup> ) for triplex and fourplex 279 m <sup>2</sup> (3,000 ft <sup>2</sup> ) for semi-detached (interior) 325 m <sup>2</sup> (3,500 ft <sup>2</sup> ) for semi-detached (exterior) 418 m <sup>2</sup> (4,500 ft <sup>2</sup> ) for all other uses
(b)	Lot Width (minimum):	24 m (80 ft) for triplex and fourplex 9.1 m (30 ft) for semi-detached (interior) 10.7 m (35 ft) for semi-detached (exterior)

		12.2 m (40 ft) for all other uses
(c)	Front Yard (minimum):	6.1 m (20 ft)
(d)	Rear Yard (minimum):	7.6 m (25 ft)
(e)	Side Yard (minimum):	3.3 m (10 ft) for corner site, street side 1.5 m (5 ft) for all other sites
(f)	Building Height (maximum):	8.5 m (28 ft) for principal building 4.3 m (14 ft) for accessory building
(g)	Lot Coverage (maximum):	40 percent

### 11.2.3 Additional Requirements

- (a) The relocation of any residence into this district shall be to the satisfaction of the Development Authority as to the appearance and structural character. (A performance bond shall be posted to ensure compliance with development conditions of approval.)
- (b) The Development Authority may decide on such other requirement as are necessary having regard to the nature of a proposed development and the intent of this district
- (c) Elk Meadows- duplex units - dwelling unit minimum 900sq.ft. (no further variance) without special SDB authority. (Bylaw No. 766 - August, 1999).
- (d) Required landscaped areas not covered by seed/sod may include in combination with shrubs/flowers, any or all of the following:
  - (i) Mulch beds consisting of landscaping fabric and mulch with a minimum depth of 5 cm (1.97 in).
  - (ii) Rip-Rap Rock Beds consisting of landscaping fabric and rock with a diameter of not less than 10 cm. (3.94 in).
  - (iii) Crushed Rock consisting of landscaping fabric and rock with a diameter of
    - i. 2.5 cm (.98 in) or less;
  - (iv) Paving Stones/Stamped Asphalt or Concrete for walkways, outdoor eating areas, parking lots may be considered for up to 50% of the required landscaped area or
  - (v) Raised Planters constructed with concrete, concrete blocks or wood with a height of not less of .61 cm (2 ft) or flower boxes attached to the building structure.
- (e) No permanent trees, shrubs or structures may be placed within 10 feet of the curb of the street to allow for snow plowing and snow storage.
- (f) All residential parking lots must be constructed of concrete, asphalt or paving stones within one year of occupancy.
- (g) A minimum of 50% of the front yard shall be landscaped.



### 11.3 MULTI-UNIT RESIDENTIAL (R3) DISTRICT

#### 11.3.1 Purpose

The purpose of this District is to provide for higher density residential dwelling units.

- a) Permitted Uses
  - accessory buildings and uses
  - parks and playgrounds
  - satellite dish antennas
- (b) Discretionary Uses
  - apartment buildings
  - home occupations-minor
  - public uses and utilities
  - senior citizen homes
  - townhouses
  - churches
  - basement suites
  - child care facilities
  - community halls
  - duplexes
  - fourplexes
  - semi-detached dwellings
  - secondary suites
  - triplexes
  - Single detached dwelling
  - Child Care Facility

#### 11.3.2 Site Provisions

In addition to the Regulations contained in Section 9, the following standards shall apply to every development in this district.

(a)	Lot Area (minimum):	930 m <sup>2</sup> (10,000 ft <sup>2</sup> ) for apartment building 743 m <sup>2</sup> (8,000 ft <sup>2</sup> ) for triplex and fourplex (Bylaw 792 Feb. 4, 2002) 279 m <sup>2</sup> (3,000 ft <sup>2</sup> ) for semi-detached (interior) (Bylaw 792 Feb. 4, 2002) 325 m <sup>2</sup> (3,500 ft <sup>2</sup> ) for semi-detached (exterior) (Bylaw 792 Feb. 4, 2002) 743 m <sup>2</sup> (8,000 ft <sup>2</sup> ) for all other uses
(b)	Lot Width (minimum):	30 m (100 ft) for apartment building 24 m (80 ft) for triplex and

	Lot Width (minimum) Cont'd:	fourplex 9.1 m (30 ft) for semi-detached (interior) (Bylaw 792 Feb. 4, 2002) 10.7 m (35 ft) for semi-detached (exterior) (Bylaw 792 Feb. 4, 2002) 24 m (80 ft) for all other uses
(c)	Front Yard (minimum):	6.1 m (20 ft)
(d)	Rear Yard (minimum):	7.6 m (25 ft)
(e)	Side Yard (minimum):	4.6 m (15 ft) for corner site, street side 3 m (10 ft) for all other sites (R-2/R-1)
(f)	Building Height (maximum):	11 m (36 ft) for principal building 4.9 m (16 ft) for accessory building 8.5 m (28 ft) for principal building (Bylaw 792 Feb. 4, 2002) 4.3 m (14 ft) for accessory building (Bylaw 792 Feb. 4, 2002)
(g)	Lot Coverage (maximum):	40 percent
(h)	Floor Area (minimum):	51 m <sup>2</sup> (550 ft <sup>2</sup> ) per unit for apartments 74 m <sup>2</sup> (800 ft <sup>2</sup> ) per unit for all other uses

### 11.3.3 Additional Requirements

- (a) A minimum of thirty percent (30%) of a site to be used for an apartment building shall be required for recreational and landscaping purposes to the satisfaction of the Development Authority. The areas of balconies and recreational facilities within the building including patios, swimming pools and communal lounges for the free use of tenants may, at the discretion of the Development Authority, be used in the calculation of the total requirement for recreational and landscaping areas.
- (b) In addition to the above, apartment developments shall satisfy the Development Authority as to parking design, building design and location, garbage storage provisions, safety of access, and amenity or leisure space.
- (c) The Development Authority may decide on such other requirements as are necessary having regard to the nature of the development and the intent of the district
- (d) Required landscaped areas not covered by seed/sod may include in combination with shrubs/flowers, any or all of the following:



- (i) Mulch beds consisting of landscaping fabric and mulch with a minimum depth of 5 cm (1.97 in).
- (ii) Rip-Rap Rock Beds consisting of landscaping fabric and rock with a diameter of not less than 10 cm. (3.94 in).
- (iii) Crushed Rock consisting of landscaping fabric and rock with a diameter of 2.5 cm (.98 in) or less;
- (iv) Paving Stones/Stamped Asphalt or Concrete for walkways, outdoor eating areas, parking lots may be considered for up to 50% of the required landscaped area or
- (v) Raised Planters constructed with concrete, concrete blocks or wood with a height of not less of .61 cm (2 ft) or flower boxes attached to the building structure.

## 11.4 MANUFACTURED HOME PARK (MHP) DISTRICT

### 11.4.1 Purpose

The purpose of this District is to provide for the development of serviced manufactured homes located on leased or rented sites.

#### (a) Permitted Uses

- accessory buildings and uses
- multiple section manufactured homes
- parks and playgrounds
- satellite dish antennas
- single section manufactured mobile homes

#### (b) Discretionary Uses

- child care facilities
- convenience retail stores that specifically serve the manufactured home park
- home occupations-minor
- laundromats
- parking areas
- public uses and utilities
- Child Care Facility

### 11.4.2 Site Provisions

In addition to the Regulations contained in Section 9, the following standards shall apply to every development in this district.

(a)	Dwelling Site Area (minimum):	437 m <sup>2</sup> (4,700 ft <sup>2</sup> ) for multiple section home 400 m <sup>2</sup> (4,300 ft <sup>2</sup> ) for single section home
(b)	Dwelling Site Width (minimum):	12 m (38 ft)
(c)	Front Yard (minimum):	6.1 m (20 ft)
(d)	Rear Yard (minimum):	6.1 m (20 ft)
(e)	Side Yard (minimum):	1.5 m (5 ft)

#### 11.4.3 Additional Requirements

- (a) For the purpose of this district, it is recognized that dwelling sites in manufactured home parks are not legal lots for the purpose of subdivision or transfer of title. Rather, lots are intended to indicate the proposed location, front yards, etc. of manufactured homes as identified in a concept plan.
- (b) A plan for the manufactured home park must be approved by the Development Authority and shall include the following:
  - (i) access, road system, walkway system, and lot layout showing dimensions;
  - (ii) guidelines governing design and materials for carports, patios, accessory buildings, skirting, fences, fuel storage, and other attached structures;
  - (iii) provision for on-site contained garbage collection;
  - (iv) ten percent (10%) of the total plan area be designated for recreation and/or playground use;
  - (v) in addition to (iv) above, a buffer of 12 m (38 ft) or greater between any manufactured home and the property line bounding the manufactured home park;
  - (vi) provision for screening and buffers on those sides of the manufactured home park that abut roads and non-residential uses;
  - (vii) provision for outdoor lighting;
  - (viii) identification and directional signage;
  - (ix) location of concrete pads for each proposed lot;
  - (x) proposed landscaping of individual lots and throughout the park; and
  - (xi) screened storage compound for trucks, recreational vehicles, boats, etc.
- (c) A manufactured home dwelling site shall not be occupied by more than one manufactured home.
- (d) The park owner shall ensure that each manufactured home is levelled, blocked and skirted and the hitch removed within thirty (30) days of being sited on a lot.
- (e) The park owner shall be responsible for the removal of snow on all internal pedestrian walkways and roads, but not individual parking spaces.

- (f) Two (2) off-street parking stalls shall be provided on or adjacent to each manufactured home lot and shall be hard surfaced to the satisfaction of the Development Authority.
- (g) Electricity shall be either individually metered for each manufactured home or supplied in bulk to the park owner who shall include the cost thereof as part of the rent charged for the use of the space.
- (h) Each manufactured home dwelling site is to be connected to municipal services. All utility services, wiring, and conduits shall be installed underground and shall comply with existing regulations for underground installations.

## 11.5 MANUFACTURED HOME SUBDIVISION (MHS) DISTRICT

### 11.5.1 Purpose

The purpose of this District is to provide for a residential neighborhood composed of manufactured homes which are accommodated on individual lots with permanent foundations and individual service connections.

#### (a) Permitted Uses

- accessory buildings and uses
- multiple section manufactured homes
- parks and playgrounds
- satellite dish antennas
- single section manufactured homes

#### (b) Discretionary Uses

- child care facilities
- churches
- home occupations-minor
- public uses and utilities
- Child Care Facility

### 11.5.2 Site Provisions

In addition to the Regulations contained in Section 9, the following standards shall apply to every development in this district.

(a)	Lot Area (minimum):	418 m <sup>2</sup> (4,500 ft <sup>2</sup> )
(b)	Lot Width (minimum):	12.2 m (40 ft)
(c)	Front Yard (minimum):	6.1 m (20 ft)
(d)	Rear Yard (minimum):	7.6 m (25 ft)
(e)	Side Yard (minimum):	3.3 m (10 ft) for corner site, street side 1.5 m (5 ft) for all other sites
(f)	Lot Coverage (maximum):	40 percent

### 11.5.3 Additional Requirements

- (a) A plan for the proposed development must first be reviewed and approved by the authority having jurisdiction prior to considering a subdivision or a development permit application for this district. This plan shall contain the same information as identified in Section 11.4.3.
- (b) No propane is to be used for the heating of a dwelling in a manufactured home subdivision.

## **11.6 CENTRAL COMMERCIAL (C1) DISTRICT**

### **11.6.1 Purpose**

The purpose of this district is to provide for office and retail commercial developments and other compatible uses generally intended to locate in the central business area of the Town.

#### **(a) Permitted Uses**

- none

#### **(b) Discretionary Uses**

- accessory buildings and uses
- amusement facilities
- automobile repair shops
- bakery shops
- business, administration, and professional offices
- canopy and awning signs
- community facilities or service clubs
- drive-in restaurants
- financial institutions
- freestanding signs
- historical buildings
- inns
- laundromats
- machine shops
- motor vehicle dealerships
- parking lots
- personal service establishments
- public recreational facilities
- public uses and utilities
- residential dwelling unit(s) above or as accessory use to a commercial use
- restaurants
- retail outlets
- satellite dish antennas
- welding shops
- Used vehicle sales
- Child Care Facility
- medical facility

### 11.6.2 Site Provisions

In addition to the Regulations contained in Section 9, the following standards shall apply to every development in this district.

(a)	Lot Area (minimum):	139 m <sup>2</sup> (1,500 ft <sup>2</sup> )
(b)	Lot Width (minimum):	4.6 m (15 ft)
(c)	Front Yard (minimum):	None required, except where deemed necessary by the Development Authority
(d)	Rear Yard (minimum):	6.1 m (20 ft)
(e)	Side Yard (minimum):	3.3 m (10 ft) if adjacent to residential district 1.5 m (5 ft) for all other locations, but may be reduced to zero if a fire rated wall is provided
(f)	Building Height (maximum):	10.7 m (35 ft)

### 11.6.3 Additional Requirements

- (a) The design, construction and architectural appearance of any building shall be compatible with the surrounding properties to the satisfaction of the Development Authority and the Downtown Historic Area Design Guidelines.
- (b) All commercial signs shall be compatible with the surrounding properties and designed to the satisfaction of the Development Authority.
- (c) Residential dwelling accommodation in this district shall:
  - (i) only be located above the main floor of a building, or on the main floor to the rear of the principal use of a building;
  - (ii) have direct access to the outside street level, that access being independent of the main entrance for the principal use of the building.
- (d) The Development Authority may decide on such other requirements as are necessary having regard to the nature of the proposed development and the intent of this district.



## **11.7 HIGHWAY COMMERCIAL (C2) DISTRICT**

### **11.7.1 Purpose**

The purpose of this district is to provide for those commercial uses which are generally intended to service the travelling public, have extensive land and/or outside storage requirements, and are located on heavily travelled roads.

#### **(a) Permitted Uses**

- accessory buildings and uses
- bus depots
- canopy and awning signs
- drive-in restaurants
- freestanding signs
- gas bars or service stations
- inns
- motor vehicle dealerships
- restaurants
- satellite dish antennas
- vehicle and equipment repair shops

#### **(b) Discretionary Uses**

- automotive supplies outlets
- automotive repair
- billboard signs
- bulk fuel outlets
- car and truck washes
- commercial card locks
- dwelling unit(s)
- farm implement dealerships
- lumber yards
- manufactured home dealerships
- plumbing or electrical shops
- public uses and utilities
- recreational vehicle and equipment sales
- 
- storage yards
- tire vulcanizing
- travel trailer parks and campgrounds
- warehouses
- Child Care Facility
- medical facility
- retail sales
- office services

### **11.7.2 Site Provisions**

In addition to the Regulations contained in Section 9, the following standards shall apply to every development in this district.

(a)	Lot Area (minimum):	1,115 m <sup>2</sup> (12,000 ft <sup>2</sup> )
(b)	Lot Width (minimum):	30.5 m (100 ft)
(c)	Front Yard (minimum):	9.1 m (30 ft)
(d)	Rear Yard (minimum):	6.1 m (20 ft)
(e)	Side Yard (minimum):	3.3 m (10 ft)
(f)	Building Height (maximum):	10.7 m (35 ft)
(g)	Minimum Landscaped Area	5% (as per Res. No. 225-09-05)

### 11.7.3 Additional Requirements

- (a) The design, construction and architectural appearance of any building shall be subject to the satisfaction of the Development Authority. The removal of the requirement in CL (Commercial Light) and C2 (Highway Commercial) Districts to construct using the 1920's – 30's historical façade. However, historical design is recommended.
- (b) Provision for adequate vehicular circulation shall be provided on all sites to the satisfaction of the Development Authority.
- (c) All sites abutting a residential district shall provide a buffer and screening to the satisfaction of the Development Authority.

#### Special Requirements: Landscaping

Landscaping shall comply with the general landscaping requirements of this Bylaw as well as the more specific requirements found in this section. The focus of the landscaping shall be the front yard but additional landscaping may be required in other yards to separate uses or to provide buffers or screening from other uses or roads. In addition, all areas not covered by buildings and parking shall be landscaped. Barriers with a minimum height of 15cm (6 inches) shall be used to protect the landscaping areas. All landscaping shall be identified on the site plan.

#### Special Requirement: Building Location and Front Yard

Notwithstanding any other provision in this Bylaw, the yard of any lot abutting a highway shall be deemed to be the front yard. The front of all buildings should face the front yard. Where, in the opinion of the Development Authority, this is not possible or practical for the effective development of a site, those exterior walls of buildings that must face the highway shall have special façade treatment. This treatment shall be to the satisfaction of the Development Authority.

#### Special Requirement: Storage Areas

- (a) All outdoor storage areas shall be appropriately fenced or screened and should be concealed from view from the street by the fence or other suitable screening. All sites abutting residential districts shall be screened from view of the residential district to the satisfaction of the Development Authority.

- (b) All outdoor storage shall be located only to the rear of the main building and shall not be located in the front or exterior side yard.
- (c) All outdoor storage shall be accessory to the main use of the land or main building on the site.

Special requirement: Storage of Hazardous Goods and Materials

The storage of hazardous goods and materials may be allowed within the district. The storage of any hazardous material must be within a wholly enclosed building. All applications for development permits shall clearly indicate if any hazardous material is to be stored on site. The nature and quantity of the hazardous material must be identified. The Development Authority may establish special conditions to govern the safe storage of hazardous materials.

Special requirement: Un-serviced commercial development

The Town may allow for un-serviced commercial development where the cost of extending municipal water and sanitary services is cost prohibitive. On-site sanitary sewer and water systems shall be provided to the satisfaction of the Approving Authority.

Special Requirement—Dwelling Unit(s)

- (a) Dwelling Unit(s) may be allowed within the main or principal commercial building on a lot provided all dwelling units conform to the Alberta Building Code and that the occupancy shall be limited to employees and their immediate families of the business.

## 11.8 SECONDARY COMMERCIAL (C3) DISTRICT

### 11.8.1 Purpose

The purpose of this district is to provide for low impact secondary commercial uses that require large areas for storage and/or outdoor operations.

#### (a) Permitted Uses

- none

#### (b) Discretionary Uses

- accessory buildings and uses
- auto body and paint shops
- billboard signs
- bulk fuel outlets
- canopy and awning signs
- car and truck washes
- commercial card locks
- dwelling unit(s)
- equipment repair and storage shops
- farm implement dealerships
- freestanding signs
- mini storage complex
- motor vehicle dealerships
- public uses and utilities
- satellite dish antennas
- storage and repair yards
- trucking firms
- warehouses
- welding shops
- Child Care Facility
- medical facility

### 11.8.2 Site Provisions

In addition to the Regulations contained in Section 9, the following standards shall apply to every development in this district.

(a)	Lot Area (minimum):	743 m <sup>2</sup> (8,000 ft <sup>2</sup> )
(b)	Lot Width (minimum):	18.3 m (60 ft)
(c)	Front Yard (minimum):	9.1 m (30 ft)
(d)	Rear Yard (minimum):	6.1 m (20 ft)
(e)	Side Yard (minimum):	3.3 m (10 ft)

(f)	Building Height (maximum):	12.2 m (40 ft) (as per Res. No. 212-09-05)
(g)	Minimum Landscaped Area	For Secondary Commercial (C-3) district, the minimum landscaped area is 5%

### 11.8.3 Additional Requirements

Further to the landscape requirements as above, landscaping shall be determined as follows:

- (a) A buffer strip of 30 meters shall be provided along any boundary of this district that is immediately adjacent to a primary or secondary highway or watercourse as well as any Land Use District other than commercial or industrial. This buffer strip shall be provided on private lands unless an alternative has been provided as part of the subdivision review process and is acceptable to the Development Authority.
- (b) The minimum landscaped area shall be concentrated in the front yards, but additional landscaping may be required in other yards to separate uses or to provide buffers or screening from other uses or roads. All landscaping shall be identified on the site plan.
- (c) Any additional landscaping requirements shall be to the satisfaction of the Development Authority.
- (d) All buildings that face the Town of Sexsmith's Streets or Avenues on main roads have a historical façade in keeping with the Town's 1920's-30's theme.
- (e) Provision for adequate vehicular circulation shall be provided on all sites to the satisfaction of the Development Authority.
- (f) All sites abutting a residential district shall provide a buffer and screening to the satisfaction of the Development Authority.

#### Special Requirement – Building Separation

- (a) There shall be a minimum distance of 45 metres (150 feet) between all buildings within this district.

#### Special Requirement - Outdoor Storage Requirements

- (a) All outdoor areas shall be appropriately fenced and should be concealed from view from the street by the fence or other suitable screening to the satisfaction of the Development Authority.

- (b) All storage sites abutting residential districts shall be screened from the view of the residential district to the satisfaction of the Development Authority.
- (c) All outdoor storage shall be located only to the rear of the main building and shall not be located in the front or exterior side yard.
- (d) All outdoor storage shall be accessory to the main use of the land or main building on the site and shall comply with the yard and setback requirements of this section.

Special Requirement – Dwelling Unit(s)

- (a) Dwelling Unit(s) may be allowed within the main or principal commercial building on a lot provided all dwelling units conform to the Alberta Building Code and that the occupancy shall be limited to employees and their immediate families of the business.

## 11.8A COMMERCIAL LIGHT (CL) DISTRICT

### 11.8.A.1 Purpose

The purpose of this district is to provide for the development of low impact commercial uses outside of the Town's central business area.

#### (a) Permitted Uses

- none

#### (b) Discretionary Uses

- accessory buildings and uses
- amusement facilities
- bakery shops
- business, administration, and professional offices
- canopy and awning signs
- community facilities or service clubs
- drive-in restaurants
- financial institutions
- freestanding signs
- inns
- laundromats
- motor vehicle dealerships
- parking lots
- personal service establishments
- public recreational facilities
- public uses and utilities
- restaurants
- retail outlets
- satellite dish antennas
- used vehicle sales
- Child Care Facility
- medical facility

### 11.8.A.2 Site Provisions

In addition to the Regulations contained in Section 9, the following standards shall apply to every development in this district.

(a)	Lot Area (minimum):	1,115 m <sup>2</sup> (12,000 ft <sup>2</sup> )
(b)	Lot Width (minimum):	30 m (100 ft)
(c)	Front Yard (minimum):	15.24 m (50 ft)
(d)	Rear Yard (minimum):	6.1 m (20 ft)
(e)	Side Yard (minimum):	3.05 m (10 ft)

(f)	Building Height (maximum):	10.7 m (35 ft)
(g)	Percentage of Area for Landscaping	5% (as per Res. No. 212-09-05)

#### 11.8.A.3 Additional Requirements

All commercial signs shall be compatible with the surrounding properties and designed to the satisfaction of the Development Authority.

- (a) Fencing & screening to the satisfaction of the Development Officer may be required.
- (b) The Development Authority may decide on such other requirements as are necessary having regard to the nature of the proposed development and the intent of this district.

#### Special Requirement – Building Separation (As per Resolution No. 212-09-05)

- (a) There shall be a minimum distance of 45 metres (150 feet) between all buildings within this district.

#### Special Requirements: Landscaping

Further to the landscape requirements as above, landscaping shall be determined as follows:

- (a) A buffer strip of 30 meters shall be provided along any boundary of this district that is immediately adjacent to a primary or secondary highway or watercourse as well as any Land Use District other than commercial or industrial. This buffer strip shall be provided on private lands unless an alternative has been provided as part of the subdivision review process and is acceptable to the Development Authority.
- (b) The minimum landscaped area shall be concentrated in the front yards, but additional landscaping may be required in other yards to separate uses or to provide buffers or screening from other uses or roads. All landscaping shall be identified on the site plan.
- (c) Any additional landscaping requirements shall be to the satisfaction of the Development Authority.
- (e) Provision for adequate vehicular circulation shall be provided on all sites to the satisfaction of the Development Authority.
- (f) All sites abutting a residential district shall provide a buffer and screening to the satisfaction of the Development Authority.



Special Requirement - Outdoor Storage Requirements

- (a) All outdoor areas shall be appropriately fenced and should be concealed from view from the street by the fence or other suitable screening to the satisfaction of the Development Authority.
- (b) All storage sites abutting residential districts shall be screened from the view of the residential district to the satisfaction of the Development Authority.
- (c) All outdoor storage shall be located only to the rear of the main building and shall not be located in the front or exterior side yard.
- (d) All outdoor storage shall be accessory to the main use of the land or main building on the site and shall comply with the yard and setback requirements of this section.

## 11.8.B COUNTRY RESIDENTIAL (CR) DISTRICT

### 11.8. B.1 Purpose

The purpose of this district is to provide a residential district in which major home-based businesses will co-exist with residential uses on larger parcels of land and which will not be serviced by municipal water and sewer services, but by private systems until such time that these services are available at the property line.

#### (a) Permitted Uses

- Primary dwelling unit (one per lot)
- Garage (one per lot, attached)
- Utilities (conforming to any existing Municipal, Provincial or Federal regulations)

#### (b) Discretionary Uses

- Bed & Breakfast
- Home occupations, major
- Home occupations, minor
- Manufactured home
- Modular home
- One accessory building or structure equal to or less than 464.52 m<sup>2</sup> (5,000 sq.ft.)
- Second accessory building equal to or less than 27.87 m<sup>2</sup> (300 sq.ft)
- Park
- Public use
- Light commercial operations

### 11.8. B.2 Site Provisions

In addition to the Regulations contained in Section 9, the following standards shall apply to every development in this district.

(a)	Lot Area (minimum):	08 ha (2 acres)
(b)	Lot Width (minimum):	60 m (196.85 ft)
(c)	Front Yard & Exterior Side Yard (minimum):	7.0 m (22.96 ft)
(d)	Rear Yard (minimum):	7.0 m (22.96 ft)
(e)	Interior Side Yard (minimum):	3.0 m (9.84 ft)
(f)	Building Height (maximum):	10.5 m (34.44 ft)
(g)	Minimum Landscaped Area	30%

#### 11.8. B.3 Additional Requirements

- (a) District requirements shall be at the discretion of the Development Authority.

##### Special Requirements:

- (a) No person shall keep any livestock.
- (b) All sewage disposal systems must comply with Alberta Private Systems Standard of Practice.
- (c) The system must be permitted with an Alberta Labour, Authorized Accredited Agency, and have a satisfactory inspection report showing it meets the Regulations, at the owners expense.
- (d) A permit for a private sewage disposal system must be obtained from Alberta Labour prior to the issuance of a development permit.
- (e) A statement outlining the anticipated total number of employees and residents
- (f) All sites abutting a residential R-1, R-2 or R-3 district with a major home based business or light commercial use shall provide a buffer and screening at the discretion of and to the satisfaction of the Development Authority.

## **11.9 GENERAL INDUSTRIAL (M1) DISTRICT**

### **11.9.1 Purpose**

The purpose of this district is to provide for manufacturing, processing, assembly, distribution, service, and repair uses.

#### **(a) Permitted Uses**

- accessory buildings and uses
- freestanding signs
- public uses and utilities
- satellite dish antennas

#### **(b) Discretionary Uses**

- abattoirs
- auto body and paint shops
- auto wreckers
- billboard signs
- bottle depots/recycling centre
- building supplies
- bulk fuel outlets and chemical storage
- car and truck washes
- equipment dealerships
- equipment repair and storage
- farm implement dealerships
- fertilizer plants
- grain elevators
- manufacturing plants engaged in secondary processing, assembly and/or packaging
- seed cleaning plants
- trucking firms
- warehousing and wholesaling
- welding shops
- medical facility
- agricultural processing
- automotive/recreation vehicle sales and service and storage
- automobile repair facility
- bottled gas sales and storage
- communication tower
- contracting services
- drive through restaurant
- dry cleaning and laundry plants
- electrical production
- feed mills
- food or beverage service facility
- food processing plant
- gas bar

- grain elevators
- heavy equipment sales and storage
- greenhouses
- kennels
- laboratory
- oilfield support services
- printing establishments
- storage, indoor and outdoor except pipeyards
- veterinary clinics
- warehouse
- office and office buildings
- railroad related activities including intermodal activities
- frac sand facilities

#### 11.9.2 Site Provisions

In addition to the Regulations contained in Section 9, the following standards shall apply to every development in this district.

(a)	Lot Area (minimum):	604 m <sup>2</sup> (6,500 ft <sup>2</sup> )
(b)	Lot Width (minimum):	15 m (50 ft)
(c)	Front Yard (minimum):	7.6 m (25 ft)
(d)	Rear Yard (minimum):	6.1 m (20 ft)
(e)	Side Yard (minimum):	3.3 m (10 ft)
(f)	Building Height (maximum):	45.7 m (150 ft)
(g)	Minimum Landscaped Area	5% (as per Res. No. 212-09-05)

#### 11.9.3 Additional Requirements

Any industrial operation including production, processing, cleaning, testing, repair, storage or distribution of any material shall conform to the following standards:

- (a) Toxic or noxious materials or dust or ash shall not be released or permitted to escape to the atmosphere at such a rate as to interfere with the use and enjoyment of property or to endanger the health or safety of the public.
- (b) No industrial operation shall be carried out which would result in the projection of glare or heat onto adjacent properties.
- (c) Waste products shall not be discharged into any sewer or private sewage disposal system if the nature of such waste products, or the manner of their discharge, would exceed the design standards for the sewer or sewage disposal system.
- (d) Industrial freight and storage yards, repair areas and facilities shall be enclosed by a screen no less than 2 m (6.5 ft) in height if the aforementioned areas are within sight of a public roadway or on a site within 30 m (98.4 ft) of any residential development.

Additional Requirements - Landscaping (as per Resolution No. 212-09-05)

Further to the landscape requirements as above, landscaping shall be determined as follows:

- (a) A buffer strip of 30 meters shall be provided along any boundary of this district that is immediately adjacent to a primary or secondary highway or watercourse as well as any Land Use District other than commercial or industrial. This buffer strip shall be provided on private lands unless an alternative has been provided as part of the subdivision review process and is acceptable to the Development Authority.
- (b) The minimum landscaped area shall be concentrated in the front yards, but additional landscaping may be required in other yards to separate uses or to provide buffers or screening from other uses or roads. All landscaping shall be identified on the site plan.
- (c) Any additional landscaping requirements shall be to the satisfaction of the Development Authority.
- (d) Provision for adequate vehicular circulation shall be provided on all sites to the satisfaction of the Development Authority.
- (e) All sites abutting a residential district shall provide a buffer and screening to the satisfaction of the Development Authority.

Special Requirement - Outdoor Storage

- (a) All outdoor areas shall be appropriately fenced and should be concealed from view from the street by the fence or other suitable screening to the satisfaction of the Development Authority.
- (b) All storage sites abutting residential districts shall be screened from the view of the residential district to the satisfaction of the Development Authority.
- (c) All outdoor storage shall be located only to the rear of the main building and shall not be located in the front or exterior side yard.
- (d) All outdoor storage shall be accessory to the main use of the land or main building on the site and shall comply with the yard and setback requirements of this section.

## 11.9.A GENERAL INDUSTRIAL (M1-A) LIMITED AREA DISTRICT

### 11.9.A.1 Purpose

The purpose of this district is to provide for manufacturing, processing, assembly, distribution, service, and repair uses on commercial lots in close proximity to residential. (eg. Along 95 Avenue)

#### (a) Permitted Uses

- accessory buildings and uses
- freestanding signs
- public uses and utilities

#### (b) Discretionary Uses

- bottle depots/recycling centre
- building supplies
- car and truck washes
- equipment dealerships
- warehousing and wholesaling
- Child Care Facility
- medical facility
- office and office buildings
- veterinary clinics
- restaurants
- vehicle wash

### 11.9.A.2 Site Provisions

In addition to the Regulations contained in Section 9, the following standards shall apply to every development in this district.

(a)	Lot Area (minimum):	604 m <sup>2</sup> (6,500 ft <sup>2</sup> )
(b)	Lot Width (minimum):	15 m (50 ft)
(c)	Front Yard (minimum):	7.6 m (25 ft)
(d)	Rear Yard (minimum):	6.1 m (20 ft)
(e)	Side Yard (minimum):	3.3 m (10 ft)
(f)	Building Height (maximum):	45.7 m (150 ft)
(h)	Minimum landscaped area:	5% (as per Res. No. 212-09-05)

### 11.9.A.3 Additional Requirements

Any industrial operation including production, processing, cleaning, testing, repair, storage or distribution of any material shall conform to the following standards:

- (a) Toxic or noxious materials or dust or ash shall not be released or permitted to escape to the atmosphere at such a rate as to interfere with the use and enjoyment of property or to endanger the health or safety of the public.
- (b) No industrial operation shall be carried out which would result in the projection of glare or heat onto adjacent properties.
- (c) Waste products shall not be discharged into any sewer or private sewage disposal system if the nature of such waste products, or the manner of their discharge, would exceed the design standards for the sewer or sewage disposal system.
- (d) Industrial freight and storage yards, repair areas and facilities shall be enclosed by a screen no less than 2 m (6.5 ft) in height if the aforementioned areas are within sight of a public roadway or on a site within 30 m (98.4 ft) of any residential development.

#### Additional Requirements - Landscaping

Further to the landscape requirements as above, landscaping shall be determined as follows:

- (a) A buffer strip of 30 meters shall be provided along any boundary of this district that is immediately adjacent to a primary or secondary highway or watercourse as well as any Land Use District other than commercial or industrial. This buffer strip shall be provided on private lands unless an alternative has been provided as part of the subdivision review process and is acceptable to the Development Authority.
- (b) The minimum landscaped area shall be concentrated in the front yards, but additional landscaping may be required in other yards to separate uses or to provide buffers or screening from other uses or roads. All landscaping shall be identified on the site plan.
- (c) Any additional landscaping requirements shall be to the satisfaction of the Development Authority.
- (d) Provision for adequate vehicular circulation shall be provided on all sites to the satisfaction of the Development Authority.
- (e) All sites abutting a residential district shall provide a buffer and screening to the satisfaction of the Development Authority.



#### Special Requirement - Outdoor Storage

- (a) All outdoor areas shall be appropriately fenced and should be concealed from view from the street by the fence or other suitable screening to the satisfaction of the Development Authority. from view from the street by the fence or other suitable screening to the satisfaction of the Development Authority.
- (b) All storage sites abutting residential districts shall be screened from the view of the residential district to the satisfaction of the Development Authority.
- (c) All outdoor storage shall be located only to the rear of the main building and shall not be located in the front or exterior side yard.
- (d) All outdoor storage shall be accessory to the main use of the land or main building on the site and shall comply with the yard and setback requirements of this section.

#### Special Requirement - Limited Area

Lots directly across from residences on north side of 95 Avenue

## 11.10 MIXED USE LIGHT INDUSTRIAL (M2) DISTRICT

### 11.10.1 Purpose

The purpose of this district is to provide for the integration of existing residential and light industrial uses on a site.

#### (a) Permitted Uses

- accessory buildings and uses
- public uses and utilities

#### (b) Discretionary Uses

- equipment repair and storage
- freestanding signs
- home occupations-minor
- home occupations-major
- single detached dwellings
- trucking firms
- vehicle repair and restoration
- Child Care Facility
- medical facility

### 11.10.2 Site Provisions

In addition to the Regulations contained in Section 9, the following standards shall apply to every development in this district.

(a)	Front Yard (minimum):	7.6 m (25 ft)
(b)	Rear Yard (minimum):	6.1 m (20 ft)
(c)	Side Yard (minimum):	3.3 m (10 ft)
(d)	Building Height (maximum):	12.2 m (40 ft)

### 11.10.3 Additional Requirements

- The number of cars being restored or repaired at any one time shall be limited to six, and they shall be enclosed with a screen fence of a minimum 1.8 m (6 ft) in height.
- The Development Authority may decide on such other requirements as are necessary having regard to the nature of a proposed development and the intent of this district.

## 11.11 UNSERVICED INDUSTRIAL (M3) DISTRICT

### 11.11.1 Purpose

The purpose of this district is to provide for industrial developments which will not be serviced by municipal water and sewer services, but by private systems.

#### (a) Permitted Uses

- accessory buildings and uses
- freestanding signs
- public uses and utilities
- satellite dish antennas

#### (b) Discretionary Uses

- auto body and paint shops
- billboard signs
- bulk retail and wholesale outlets
- equipment repair and storage
- trucking firms
- warehousing and distribution
- used vehicle, farm and equipment sales
- Child Care Facility
- medical facility
- all uses listed as discretionary uses in the M1 district
- pipeyards
- salvage yards
- hazardous industries
- construction yards
- oilfield manufacturing and storage
- outdoor storage facilities
- frac sand storage and handling facilities
- chemical storage and handling facilities

### 11.11.2 Site Provisions

In addition to the Regulations contained in Section 9, the following standards shall apply to every development in this district.

(a)	Lot Area (minimum):	0.6 hectares (1.5 acres)
(b)	Lot Width (minimum):	46 m (150 ft)
(c)	Front Yard (minimum):	15 m (50 ft)
(d)	Rear Yard (minimum):	6.1 m (20 ft)
(e)	Side Yard (minimum):	3.3 m (10 ft)

#### 11.11.3 Additional Requirements

- (a) A permit for a private sewage disposal system must be obtained from Alberta Labour prior to the issuance of a development permit.
- (b) A statement outlining the anticipated total number of employees and total expected water consumption shall be submitted to the Development Authority prior to the issuance of a development permit. Evidence proving a sufficient water supply shall also be provided.
- (c) All sites abutting a residential district shall provide a buffer and screening to the satisfaction of the Development Authority.

## 11.12 INSTITUTIONAL (I) DISTRICT

### 11.12.1 Purpose

The purpose of this district is to provide for the development of public uses and activities.

#### (a) Permitted Uses

- accessory buildings and uses
- arenas
- freestanding signs
- libraries
- museums
- parks and playgrounds
- public uses and utilities
- recreation uses not requiring permanent facilities
- satellite dish antennas
- swimming pools
- tennis courts

#### (b) Discretionary Uses

- campgrounds
- churches
- community halls
- schools
- Child Care Facility
- medical facility

### 11.12.2 Site Provisions

In addition to the Regulations contained in Section 9, the following standards shall apply to every development in this district.

(a)	Lot Area (minimum):	929 m <sup>2</sup> (10,000 ft <sup>2</sup> )
(b)	Lot Width (minimum):	30.5 m (100 ft)
(c)	Front Yard (minimum):	7.6 m (25 ft)
(d)	Rear Yard (minimum):	4.6 m (15 ft)
(e)	Side Yard (minimum):	4.6 m (15 ft)
(f)	Building Height (maximum):	12.2 m (40 ft)

### 11.12.3 Additional Requirements

- (a) All developments in this district shall be serviced by municipal water and sewer services.
- (b) The design, architectural appearance, and landscaping of any development in this district shall be to the satisfaction of the Development Authority.

## 11.13 INSTITUTIONAL COLLEGE (IC) DISTRICT

### 11.13.1 Purpose

The purpose of this district is to provide for the development of major public and privately owned institutional facilities of an educational or religious nature on Lot 10, Block 9, Plan 792-2571.

#### (a) Permitted Uses

- accessory buildings and uses
- freestanding signs
- satellite dish antennas

#### (b) Discretionary Uses

- Apartments, multiple housing (apartments, dormitories, fourplexes, triplexes, duplexes)
- dormitory residences amended
- educational and related facilities
- mobile homes
- public uses and utilities
- single detached dwellings
- Child Care Facility
- medical facility
- Wind Energy Conservation System

### 11.13.2 Site Provisions

In addition to the Regulations contained in Section 9, the following standards shall apply to every development in this district.

(a)	Front Yard (minimum):	7.6 m (25 ft)
(b)	Rear Yard (minimum):	4.6 m (15 ft)
(c)	Side Yard (minimum):	4.6 m (15 ft)
(d)	Building Height (maximum):	12.2 m (40 ft)

### 11.13.3 Additional Requirements

- (a) Any future development shall satisfy the Development Authority regarding:
  - (i) provision for an access to garbage storage;

- (ii) access for fire fighting purposes;
  - (iii) light between buildings;
  - (iv) privacy for dwelling units in and adjacent to the development;
  - (v) orientation of buildings and general appearance of the project; and
  - (vi) safe pedestrian access to and from the public sidewalk fronting the development.
- (b) Areas surrounding off-street parking places shall be landscaped to the satisfaction of the Development Authority. The type of landscaping required shall have regard for visual screening and public safety.
- (c) The Development Authority may decide on such other requirements as are necessary having regard to the nature of this district.

#### 11.13.4 Wind Energy Regulations

- (a) The Development Authority may approve a WECS application on a case-by-case basis having regard for:
- (i) Information provided in the application;
  - (ii) Proximity to other land uses in the immediate area;
  - (iii) Consideration of the cumulative effect of all WECS approved or proposed in the immediate area;
  - (iv) Existing and proposed transmission network; and
  - (v) Information received from the circulation of the application and the public;
- (b) Applications for small scale wind energy conversion systems shall be accompanied by:
- (i) The manufacturer's information on power generation and the tower;
  - (ii) Appropriate letter of approval from Navigation Canada;
  - (iii) In land use districts where the use is discretionary, noise data indicating noise levels at the property line should not exceed 30 dB;
  - (iv) Provide evidence that the strobe/shadow effect will not affect the enjoyment of the adjoining residences;
  - (v) An accurate site plan showing and labelling the information including the exact location of each turbine (tower and rotor arc) including setbacks and building locations;
  - (vi) Other information that may be required by the Development Authority;
- (c) The Development Authority may require a public meeting prior to consideration of the permit.



- (d) All development applications for a WECS shall be accompanied by:
  - (i) The manufacturer's specifications including:
    - A) The WECS maximum rated output in kilowatts;
    - B) Safety features and sound characteristics;
    - C) Type of power;
    - D) Dimensions of tower and rotor; and
    - E) Type of material used in tower, blade and/or rotor construction;
  - (ii) An analysis of the potential for noise at:
    - A) The site of the installation; and
    - B) The boundary of the parcel containing development;
  - (iii) A report regarding any public information meetings or other process conducted by the developer.
- (e) No lettering or advertising shall appear on the towers or blades. In other parts of the WECS, the only lettering will be the manufacturers and/or owner's identification or municipal symbol upon approval by the Development Authority.
- (f) Should a WECS discontinue producing power for two years or more, the WECS operation shall provide a status report to the Development Authority. A review of the status report by the Development Authority may result in a request for the WECS to be decommissioned. Failure to comply with a decommissioning request may result in the issuance of a stop order by the designated officer in accordance with the provisions of the Municipal Government Act.

## 11.14 URBAN RESERVE (UR) DISTRICT

### 11.14.1 Purpose

The purpose of this district is to provide for the continuation of existing rural pursuits and future urban expansion.

#### (a) Permitted Uses

- accessory buildings and uses
- market gardens
- minor agricultural pursuits
- public uses and utilities
- recreational uses not requiring permanent facilities
- satellite dish antennas
- agricultural production

#### (b) Discretionary Uses

- billboard signs
- home occupations-minor
- home occupations-major
- natural resource extraction industries
- plant and tree nurseries
- single detached dwellings
- Child Care Facility
- medical facility

### 11.14.2 Site Provisions

In addition to the Regulations contained in Section 9, the following standards shall apply to every development in this district.

(a)	Lot Area (minimum):	8 hectares (20 acres)
(b)	Lot Width (minimum):	100 m (330 ft)
(c)	Front Yard (minimum):	9.1 m (30 ft)
(d)	Rear Yard (minimum):	7.6 m (25 ft)
(e)	Side Yard (minimum):	4.6 m (15 ft)

## 11.15 SMALL LOT RESIDENTIAL (RS) DISTRICT

### 11.15.1 Purpose

The purpose of this district is to provide for residential development with smaller lot areas and lot widths to accommodate affordable housing.

#### (a) Permitted Uses

- accessory buildings and uses
- single detached dwellings
- public uses and utilities
- recreational uses not requiring permanent facilities
- satellite dish antennas

#### (b) Discretionary Uses

- churches
- duplex dwellings
- home occupations-minor
- semi-detached dwellings
- secondary suites
- Child Care Facility
- medical facility

### 11.15.2 Site Provisions

In addition to the Regulations contained in Section 9, the following standards shall apply to every development in this district.

#### a) District Standards for Single Detached Dwellings:

Site Standard	Rear Lane Access Provided	No Rear Lane Access Provided
Minimum Lot Area	300m <sup>2</sup> (3230 ft <sup>2</sup> )	300 m <sup>2</sup> (3230 ft <sup>2</sup> )
Minimum Lot Width	10.4m (31.1 ft)	11.m (36 ft)
Minimum Front Yard Setback	4.6m (15 ft)	6.1m (20 ft)
Minimum Rear Yard Setback	7.6m (25 ft)	7.6m (25 ft)
Minimum Side Yard Setbacks Interior Lot Corner Lot	1.2m (both yards (4 ft) 3.0m (10 ft)	Site Standard
Maximum Lot Coverage	45%	45%
Maximum Building Height	8.5m (25 ft)	8.5m (25 ft)
Maximum Driveway Width	60% of lot width	60% of lot width
Minimum Building Size	79m <sup>2</sup> (850 ft <sup>2</sup> )	79m <sup>2</sup> (850 ft <sup>2</sup> )

b) District Standards for Duplex Dwellings:

Site Standard	Rear Lane Access Provided	No Rear Lane Access Provided
a) Lot Area	418m <sup>2</sup> (4500 ft <sup>2</sup> )	418m <sup>2</sup> (4500 ft <sup>2</sup> )
b) Minimum Lot Width	12.2m (40 ft)	12.2m (40 ft)
c) Minimum Front Yard	6.1m (20 ft)	6.1 (20 ft)
d) Minimum Rear Yard	7.6m (25 ft)	7.6m (25 ft)
e) Minimum Side Yards		
Interior lot	1.5m (5 ft)	1.5 m (5 ft)
Corner lot	3.3m (10 ft)	3.3m (10 ft)
f) Maximum Lot Coverage	45%	45%
g) Maximum Building Height	8.5m (28 ft)	8.5m (28 ft)
h) Maximum Driveway Width	60% of lot width	60% of lot width

c) District Standards for Semi-Detached Dwellings:

Site Standard	Rear Lane Access Provided	No Rear Lane Access Provided
a) Minimum Lot Area		
Interior Lot	233m <sup>2</sup> /unit (2500 ft <sup>2</sup> /unit)	233m <sup>2</sup> /unit (2500 ft <sup>2</sup> /unit)
Exterior Lot	279m <sup>2</sup> /unit (3000 ft <sup>2</sup> /unit)	279m <sup>2</sup> /unit (2500 ft <sup>2</sup> /unit)
b) Minimum Lot Width		
Interior Lot	9.1m (30 ft)	9.1m (30 ft)
Corner Lot	10.7m (35 ft)	10.7m (35 ft)
c) Minimum Front Yard	6.1m (20 ft)	6.1m (20ft)
d) Minimum Rear Yard	7.6m (25 ft)	7.6m (25 ft)
e) Minimum Side Yards		
Interior Lots	1.5m (5 ft)	1.5m (5 ft)
Corner Lots	3.3m (10 ft)	3.3m 10 ft)
f) Maximum Lot Coverage	45%	45%
g) Maximum Building Height	8.5m (28 ft)	8.5m (28 ft)
h) Maximum Driveway Width	60% of lot width	60% of lot width

11.15.3 Special Requirement: Accessory Building

No accessory building or structure shall exceed the height of the main structure. No accessory building or structure shall be erected in any yard other than the interior side yard or rear yard and shall be no closer to any lot line than 1.2m (4 feet).

11.15.4 Special Requirement: Landscaping

All lots will require a minimum of 30% landscaping per lot.

## **11.16 DIRECT CONTROL (DC) DISTRICT**

### **11.16.1 Purpose**

The purpose of this district is to provide for the production, retail sale, and distribution of cannabis products.

#### **(a) Discretionary Uses**

- Cannabis counselling
- Cannabis production and distribution
- Cannabis retail
- All uses contained in the Central Commercial (C-1) District, the Highway Commercial (C-2) District, the Secondary Commercial (C-3) District, Commercial Light (CL) District and the General Industrial (M-1) District as permitted or discretionary uses

### **11.16.2 Site Provisions**

In addition to the Regulations contained in Section 9, all other district standards shall be at the discretion of Council. Generally, the standards for the Central Commercial (C-1) shall be considered a minimum standards to be modified at the discretion of Council.

### **11.16.3 Special Requirements**

In addition to the provisions of Section 11.16.2, all uses shall conform to all Provincial regulations, statues, and guidelines concerning the retail sale, distribution and production of cannabis products and services.

There will be a minimum 150 meter distance between Cannabis Retail stores.

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**SCHEDULE A - LAND USE BYLAW FORMS**

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FORM A	DEVELOPMENT PERMIT APPLICATION FORM
FORM B	NOTICE OF DEVELOPMENT PERMIT DECISION
FORM C	DEVELOPMENT PERMIT COMPLETION FORM
FORM D	INCOMPLETE DEVELOPMENT PERMIT FORM
FORM E	DEVELOPMENT PERMIT TIME EXTENSION FORM
FORM F	DEVELOPMENT APPEAL BOARD HEARING
FORM G	NOTIFICATION OF SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING
FORM H	NOTICE OF DECISION OF SUBDIVISION AND DEVELOPMENT APPEAL BOARD
FORM I	STOP WORK ORDER
FORM J	MUNICIPAL DEVELOPMENT PLAN/LAND USE BYLAW AMENDMENT APPLICATION FORM
FORM K	SUBDIVISION COMPLETION FORM
FORM L	INCOMPLETE SUBDIVISION COMPLETION FORM
FORM M	SUBDIVISION TIME EXTENSION FORM

FORM A

Application No. \_\_\_\_\_

**TOWN OF SEXSMITH**

**DEVELOPMENT PERMIT APPLICATION**

I/We hereby make application under the provisions of the Land Use Bylaw for a Development Permit in accordance with the plans and supporting information submitted herewith and which form part of this application. I/We understand that this application will not be accepted without the appropriate application fee, and a dimensioned site plan including all details relevant to the proposed development.

-----

Name of Applicant: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email Address (by providing an email address you are authorizing the Town to contact and notify you via email) \_\_\_\_\_

Address of Applicant: \_\_\_\_\_

Name of Registered Landowner (If Different From Above): \_\_\_\_\_

Landowner Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email Address (by providing an email address you are authorizing the Town to contact and notify you via email) \_\_\_\_\_

Legal Description of Property to be Developed: \_\_\_\_\_

Municipal Address of Property to be Developed: \_\_\_\_\_

-----  
**DEVELOPMENT INFORMATION**

Existing Use of the Property: \_\_\_\_\_

Proposed Use of the Property: \_\_\_\_\_

Current Land Use Designation in Land Use Bylaw: \_\_\_\_\_

Does the Development Permit require an amendment to the Land Use Bylaw? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, has an amendment to the Land Use Bylaw been submitted? Yes \_\_\_\_\_ No \_\_\_\_\_

IF A STRUCTURE OR BUILDING IS PROPOSED:

Lot Length \_\_\_\_\_ Lot Width \_\_\_\_\_ Lot Area \_\_\_\_\_

Percentage of Lot to be Occupied by Building: \_\_\_\_\_

Proposed Setbacks: Front Yard \_\_\_\_\_ Rear Yard \_\_\_\_\_

Side Yard (1) \_\_\_\_\_ Side Yard (2) \_\_\_\_\_

Building Height Above Finished Grade: \_\_\_\_\_ Number of Parking Stalls: \_\_\_\_\_

Use of adjacent properties \_\_\_\_\_

Special Characteristics of land (agricultural, swampy, bush) \_\_\_\_\_

Provision for water services                      Municipal \_\_\_\_\_ Private well \_\_\_\_\_

Provision for sanitary sewer                      Municipal \_\_\_\_\_ Onsite system \_\_\_\_\_

ON AN ATTACHED SHEET, PLEASE PROVIDE A SCALED PLAN INDICATING THE LOCATION AND DIMENSIONS OF EXISTING AND PROPOSED IMPROVEMENTS, INCLUDING:

- Property lines surrounding the site
- Parking, roads, sidewalks
- Above ground utilities and direction of storm water drainage off the site
- Buildings and structures
- Landscaping, fences and screening

Estimated Commencement Date: \_\_\_\_\_ Completion Date: \_\_\_\_\_

Estimated Cost of Project:                      \$ \_\_\_\_\_

----- **DECLARATION**  
-----

I/We hereby declare that the above information is, to the best of my/our knowledge, factual and correct and by signing this application you are authorizing the staff from the Town of Sexsmith as designated under Section 542 of the Municipal Government Act to enter the subject land for the purpose of conducting a site inspection and evaluation in respect to this application.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

The personal information on this form is collected under the authority of Section 33 (c) of the Freedom of Information and Protection of Privacy Act, Section 642 of the Municipal Government Act and or the Safety Codes Act. The information will be used to process your application(s) and your name and or address of where the development is being proposed may be made available to the public upon request or at a public meeting. If you have questions on the collection and use of this information, please contact the Town Office.



FORM B

Permit No. \_\_\_\_\_

**DEVELOPMENT PERMIT DECISION**

**TOWN OF SEXSMITH**

-----  
Development Permit Application No. \_\_\_\_\_ as applied for by \_\_\_\_\_  
has been (Name of Applicant)

- ☐ APPROVED  
☐ APPROVED, subject to the following conditions:

- ☐ REFUSED for the following reasons:

If approved, you are hereby authorized to proceed with the specified development after 21 days of the issuance of this permit, provided that any stated conditions are complied with, and the development is in accordance with any approved plans and application. Should an appeal be made against this decision to the Subdivision and Development Appeal Board, this development permit shall be null and void.

\_\_\_\_\_  
Signature of Development Officer

\_\_\_\_\_  
Date of Decision

NOTE: FAILURE TO COMPLY WITH THE CONDITIONS OF THIS PERMIT WILL RESULT IN PUNITIVE ACTION BEING TAKEN BY THE DEVELOPMENT OFFICER AS AUTHORIZED BY SECTIONS 557, 566, AND 646 OF THE MUNICIPAL GOVERNMENT ACT.

-----  
**APPEAL PROCEDURE**

The Land Use Bylaw provides that any person claiming to be affected by the decision may appeal to the Secretary of the Subdivision and Development Appeal Board **WITHIN 21 DAYS AFTER NOTICE OF THE DECISION IS GIVEN**. Contact the Development Officer (780 568-3681) for a Development Appeal application form.

The personal information on this form is collected under the authority of Section 33 (c) of the Freedom of Information and Protection of Privacy Act, Section 642 of the Municipal Government Act and or the Safety Codes Act. The information will be used to process your application(s) and your name and or address of where the development is being proposed may be made available to the public upon request or at a public meeting. If you have questions on the collection and use of this information, please contact the Town Office.

FORM C

Permit No. \_\_\_\_\_

**DEVELOPMENT PERMIT COMPLETION FORM  
TOWN OF SEXSMITH**

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The Municipal Government Act, SA 2000 Section 653.1 (1) states: "A development authority must, within 20 days after the receipt of an application for development permit, determine whether the application is complete.

-----

In accordance with Section 683 (5) of the Municipal Government Act, SA 2000 as amended, the Town of Sexsmith has hereby determined that the development permit application

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has been deemed complete.

Development Officer of the Town of Sexsmith

Signed: \_\_\_\_\_  
DAY MONTH YEAR

The personal information on this form is collected under the authority of Section 33 (c) of the Freedom of Information and Protection of Privacy Act, Section 642 of the Municipal Government Act and or the Safety Codes Act. The information will be used to process your application(s) and your name and or address of where the development is being proposed may be made available to the public upon request or at a public meeting. If you have questions on the collection and use of this information, please contact the Town Office.

FORM D

Permit No. \_\_\_\_\_

**INCOMPLETE DEVELOPMENT PERMIT**

**APPLICATION**

**TOWN OF SEXSMITH**

-----

The Municipal Government Act, SA 2000, Section 684 states: "The Development Authority must make a decision on an application for a development permit within 40 days after the receipt by the applicant of an acknowledgement under Section 683.1 (5) or (7) or if applicable a land use bylaw made pursuant to section 640.1(b)" unless there is an agreement in writing between the applicant and the development authority 683(3) to extend the 40 day period..

-----

In accordance with Section 683 of the Municipal Government Act, SA 2000 as amended, the Development Authority has determined the development permit application \_\_\_\_\_ is incomplete for the following reasons:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Further the Development Authority requests that you provide the following information for the Development Authority to consider the application complete:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please complete the following consent form agreeing to extend the 40 day period within which the Development Officer of the Town of Sexsmith has to make a decision.

I, the applicant, agree that the application is incomplete and to provide to the Development Authority the information identified above and to provide said information within the time period agreed on this form.  
Email Address (by providing an email address you are authorizing the Town to contact and notify you via email)

\_\_\_\_\_

INFORMATION REQUESTED TO BE SUBMITTED BY:

\_\_\_\_\_

DAY

\_\_\_\_\_

MONTH

\_\_\_\_\_

YEAR

APPLICANT'S SIGNATURE: \_\_\_\_\_ DATE SIGNED: \_\_\_\_\_

DEVELOPMENT OFFICER: \_\_\_\_\_ DATE SIGNED: \_\_\_\_\_

FORM E

Permit No. \_\_\_\_\_

**DEVELOPMENT PERMIT TIME EXTENSION**

**TOWN OF SEXSMITH**

-----

The Municipal Government Act, SA 2000, Section 684 states: "An application for a development permit is, at the option of the applicant, deemed to be refused if the decision of a development Officer is not made within 40 days of receipt of the application unless the applicant has entered into an agreement with the development Officer to extend the 40 day period."

-----

In accordance with Section 684 of the Municipal Government Act, SA 2000 as amended, please complete the following consent form agreeing to extend the 40 day period within which the Development Officer of the Town of Sexsmith has to make a decision.

I, the applicant, agree to extend the period of time within which the Development Officer of the Town of Sexsmith has to make a decision.

TIME EXTENDED TO: \_\_\_\_\_  
DAY MONTH YEAR

APPLICANT'S SIGNATURE: \_\_\_\_\_ DATE SIGNED: \_\_\_\_\_

DEVELOPMENT OFFICER: \_\_\_\_\_ DATE SIGNED: \_\_\_\_\_

-----

**ADDITIONAL TIME EXTENSION AGREEMENT**

TIME EXTENDED TO: \_\_\_\_\_  
DAY MONTH YEAR

APPLICANT'S SIGNATURE: \_\_\_\_\_ DATE SIGNED: \_\_\_\_\_

## DEVELOPMENT APPEAL APPLICATION

### TOWN OF SEXSMITH

-----  
OFFICE USE ONLY:

Date Received: \_\_\_\_\_

Appeal \_\_\_\_\_

No.: \_\_\_\_\_

Permit No.: \_\_\_\_\_

Date of Hearing: \_\_\_\_\_  
-----

I hereby give notice of appeal to the decision of the Development Officer dated \_\_\_\_\_ on the development permit application number \_\_\_\_\_ for the following reasons (attach a separate sheet if necessary):

Name(s) of Applicant(s) for Appeal: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone: \_\_\_\_\_

Email Address (by providing an email address you are authorizing the Town to contact and notify you via email) \_\_\_\_\_  
-----

I hereby declare that all information provided by me is, to the best of my knowledge, true and correct in all respects.

\_\_\_\_\_  
Appellant(s) Signature(s)

\_\_\_\_\_  
Date

(If this appeal is being made by a Company, the President or other authorized officer should sign here.)

Mail or deliver to:

The Secretary  
Subdivision and Development Appeal Board Town of Sexsmith  
Box 420 Sexsmith, Alberta T0H 3C0

(780) 568-3681

(780) 568-2200 (Fax)

The personal information on this form is collected under the authority of Section 33 (c) of the Freedom of Information and Protection of Privacy Act, Section 642 of the Municipal Government Act and or the Safety Codes Act. The information will be used to process your application(s) and your name and or address of where the development is being proposed may be made available to the public upon request or at a public meeting. If you have questions on the collection and use of this information, please contact the Town Office.

FORM G

Application No. \_\_\_\_\_

**TOWN OF SEXSMITH**

**NOTIFICATION OF SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING**

-----

This is to notify you that an appeal has been made to the Subdivision and Development Appeal Board against a decision in respect of Development Permit No. \_\_\_\_\_.

A Development Permit has been

☐ APPROVED for the following use:  
☐ APPROVED WITH CONDITIONS for the following use:  
☐ REFUSED for the following reasons:

The above decision has been appealed for the following reason(s):

Date of Hearing: \_\_\_\_\_ Time: \_\_\_\_\_

Location of Hearing: \_\_\_\_\_

Any person affected by the proposed development has the right to present a written brief prior to the hearing and may be present and be heard at the hearing. Persons requiring to be heard at the hearing may submit written briefs to the Secretary of the Subdivision and Development Appeal Board not later than the following date:

\_\_\_\_\_

Email Address (by providing an email address you are authorizing the Town to contact and notify you via email)

\_\_\_\_\_

\_\_\_\_\_  
Secretary, Subdivision and Development Appeal Board \_\_\_\_\_ Date

For further information, contact:

The Secretary, Subdivision and Development Appeal Board Town of  
Sexsmith  
Box 420 Sexsmith,  
Alberta T0H 3C0

(780) 568-3681

(780) 568-2200 (Fax)

The personal information on this form is collected under the authority of Section 33 (c) of the Freedom of Information and Protection of Privacy Act, Section 642 of the Municipal Government Act and or the Safety Codes Act. The information will be used to process your application(s) and your name and or address of where the development is being proposed may be made available to the public upon request or at a public meeting. If you have questions on the collection and use of this information, please contact the Town Office.

FORM H

Appeal No. \_\_\_\_\_

**TOWN OF SEXSMITH**

**DECISION OF THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

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This is to notify you that an appeal against Development Permit No. \_\_\_\_\_ affecting the (Legal Description) \_\_\_\_\_ was considered by the Subdivision and Development Appeal Board on \_\_\_\_\_, 19\_\_\_\_, and the decision of the Board with regard to the appeal is as follows and for the following reasons:

\_\_\_\_\_  
Chairman, Subdivision and Development Appeal Board

\_\_\_\_\_  
Date

**NOTE:**

A decision of the Subdivision and Development Appeal Board is final and binding on all parties and persons subject only to an appeal upon a question of law or jurisdiction pursuant to Section 688 of the Municipal Government Act, SA 2000 as amended. An application for leave to appeal to the Court of Appeal shall be made:  
to a judge of the Court of Appeal, and  
within 30 days after the issue of the order, decision, permit or approval sought to be appealed.

The personal information on this form is collected under the authority of Section 33 (c) of the Freedom of Information and Protection of Privacy Act, Section 642 of the Municipal Government Act and or the Safety Codes Act. The information will be used to process your application(s) and your name and or address of where the development is being proposed may be made available to the public upon request or at a public meeting. If you have questions on the collection and use of this information, please contact the Town Office.

FORM I

**TOWN OF SEXSMITH**

**STOP ORDER**

---

Pursuant to Section 645(1) of the Municipal Government Act, SA 2000 as amended, the Development Officer of the Town of Sexsmith has identified \_\_\_\_\_ as being responsible for a development in contravention of the Town of Sexsmith Land Use Bylaw No. , on lands described as

Lot \_\_\_\_\_, Block \_\_\_\_\_, Plan \_\_\_\_\_ / C. of T. \_\_\_\_\_

located in the Town of Sexsmith.

The development in question is described as follows:

\_\_\_\_\_ is hereby ordered to stop/demolish/remove the above development directed below prior to \_\_\_\_\_.

If \_\_\_\_\_ fails to comply with this notice, action will be taken by the Development Officer to enforce this order pursuant to Section 646 of the Municipal Government Act.

\_\_\_\_\_  
DEVELOPMENT OFFICER

\_\_\_\_\_  
DATE

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**APPEAL PROCEDURE**

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The Municipal Government Act provides that any person served with a stop order may appeal to the Town of Sexsmith Subdivision and Development Appeal Board WITHIN 14 DAYS AFTER THE DATE OF ISSUANCE OF THIS ORDER.

See the Development Officer for a Development Appeal application form.



FORM J

Application No. \_\_\_\_\_

**TOWN OF SEXSMITH**

**APPLICATION FOR MUNICIPAL DEVELOPMENT PLAN/LAND USE BYLAW AMENDMENT**

Name of Applicant: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Address of Applicant: \_\_\_\_\_

Name of Registered Landowner (if different from applicant): \_\_\_\_\_  
Address: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Email Address \_\_\_\_\_  
Email Address (by providing an email address you are authorizing the Town to contact and notify you via email)

LandUseBylawAmendment

☐ Municipal Development Plan Amendment

☐

Legal Description Of Property Affected By Amendment (If Applicable):

Lot \_\_\_\_\_ Block \_\_\_\_\_ Plan \_\_\_\_\_ or Quarter \_\_\_\_\_ Section \_\_\_\_\_ Twp 73 Rg 6 W6M

If reclassifying land, details of proposed amendment:

From: \_\_\_\_\_ To: \_\_\_\_\_

If not reclassifying land, details of proposed amendment: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reasons supporting the proposed amendment: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I/We enclose the required application fee of \$ \_\_\_\_\_.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Registered Landowner (If Different from Above) Date

The personal information on this form is collected under the authority of Section 33 (c) of the Freedom of Information and Protection of Privacy Act, Section 642 of the Municipal Government Act and or the Safety Codes Act. The information will be used to process your application(s) and your name and or address of where the development is being proposed may be made available to the public upon request or at a public meeting. If you have questions on the collection and use of this information, please contact the Town Office.

FORM K

Permit No. \_\_\_\_\_

SUBDIVISION COMPLETION FORM  
TOWN OF SEXSMITH

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The Municipal Government Act, SA 2000 Section 653.1 (1) states: "A development authority must, within 20 days after the receipt of an application for a subdivision approval, determine whether the application under Section 653 (1) is complete.

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In accordance with Section 653 (5) of the Municipal Government Act, SA 2000 as amended, the Town of Sexsmith has hereby determined that the subdivision application

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has been deemed complete.

Development Officer of the Town of Sexsmith

Signed: \_\_\_\_\_  
DAY MONTH YEAR

The personal information on this form is collected under the authority of Section 33 (c) of the Freedom of Information and Protection of Privacy Act, Section 642 of the Municipal Government Act and or the Safety Codes Act. The information will be used to process your application(s) and your name and or address of where the development is being proposed may be made available to the public upon request or at a public meeting. If you have questions on the collection and use of this information, please contact the Town Office.

FORM L

Permit No. \_\_\_\_\_

**INCOMPLETE SUBDIVISION APPLICATION**

**TOWN OF SEXSMITH**

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The Municipal Government Act, SA 2000, Section 653 (1) states: "The subdivision authority, within 20 days after the receipt of an application for subdivision approval under Section 653(1) determine whether the application is complete.

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In accordance with Section 653(3) of the Municipal Government Act, SA 2000 as amended, the time period referred to in subsection (1) may be extended by agreement in writing between the applicant and the subdivision authority has determined the application for subdivision \_\_\_\_\_ is incomplete for the following reasons:

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Further the Subdivision Authority requests that you provide the following information for the Subdivision Authority to consider the application complete:

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Please complete the following consent form agreeing to extend the approval period within which the Subdivision Authority of the Town of Sexsmith has to make a decision.

I, the applicant, agree that the application is incomplete and to provide to the Subdivision Authority the information identified above and to provide said information within the time period agreed on this form.

Email Address (by providing an email address you are authorizing the Town to contact and notify you via email)

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INFORMATION REQUESTED TO BE SUBMITTED BY:

\_\_\_\_\_ DAY MONTH YEAR

APPLICANT'S SIGNATURE: \_\_\_\_\_ DATE SIGNED: \_\_\_\_\_

DEVELOPMENT OFFICER: \_\_\_\_\_ DATE SIGNED: \_\_\_\_\_

Permit No. \_\_\_\_\_

The Municipal Government Act, SA 2000, Section 681 (1)(b) allows for the subdivision authority to enter into an agreement to extend the time period prescribed in the subdivision and development regulations for making a decision on an application for subdivision.

I, the applicant, agree to extend the period of time within which the Subdivision Authority of the Town of Sexsmith has to make a decision.

SUBDIVISION APPROVING AUTHORITY: \_\_\_\_\_ DATE SIGNED: \_\_\_\_\_

APPLICANT'S SIGNATURE: \_\_\_\_\_ DATE SIGNED: \_\_\_\_\_

## Town of Sexsmith Land Use Bylaw No. 1048

**TOWN OF SEXSMITH**

**BYLAW NO. 1048**

BEING A BYLAW OF THE TOWN OF SEXSMITH IN THE PROVINCE OF ALBERTA TO ADOPT A REVISED LAND USE BYLAW.

**WHEREAS** the Municipal Council of the Town of Sexsmith, in the Town of Sexsmith, in the Province of Alberta, in accordance with the Municipal Government Act, Statutes of Alberta, 2000, Chapter M-26.1; and

**WHEREAS** the Municipal Council deems it desirable to revise the Land Use Bylaw;

**NOW THEREFORE** the Municipal Council of the Town of Sexsmith in open meeting duly assembled enacts as follows:

- 1) The document as attached be adopted as the newly revised land use Bylaw.
- 2) This Bylaw shall come into effect upon the date of final reading.
- 3) This Bylaw shall repeal Bylaw No. 971.

Read a first time on this 21<sup>st</sup> day of March, 2022

  
\_\_\_\_\_  
Kate Potter, Mayor

  
\_\_\_\_\_  
Rachel Wueschner  
Chief Administrative Officer

Read a second time on this 19<sup>th</sup> day of April, 2022.

  
\_\_\_\_\_  
Kate Potter, Mayor

\_\_\_\_\_  
Rachel Wueschner  
Chief Administrative Officer

Read a third time and finally passed on this 19<sup>th</sup> day of April, 2022.

  
\_\_\_\_\_  
Kate Potter, Mayor

\_\_\_\_\_  
Rachel Wueschner  
Chief Administrative Officer