

Town of Valleyview

Land Use Bylaw

Bylaw No. 2016-08

December 12, 2016



[Page left intentionally blank]

Table of Contents

1.0	General.....	2
2.0	Definitions.....	3
3.0	Duties of Development Authorities	10
4.0	Need for a Development Permit.....	12
5.0	Development Permit Applications	14
6.0	Processing a Development Permit	16
7.0	Appealing a Decision.....	20
8.0	Amending The Bylaw.....	21
9.0	General Regulations	23
10.0	Establishment of Districts.....	36
11.0	District Rules	38
12.0	Adoption of Bylaw.....	61
	Schedule A: Land Use Bylaw Forms	62

1.0 General

1.1 Title

This Bylaw may be cited as the “Town of Valleyview 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 Valleyview.

1.3 Application of Bylaw

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

1.4 Conformity with Bylaw

No person shall commence any development unless it is in accordance with the terms and conditions of this Land Use Bylaw.

1.5 Additional Requirements

In addition to meeting the requirements of this Bylaw, it is the responsibility of the applicant to obtain other such approvals or licenses that may be required by other Provincial Government departments or agencies.

2.0 Definitions

“ACCESSORY BUILDING OR USE” means a building or use which, in the opinion of the Development Authority, are subordinate to, exclusively devoted to, and located on the same site as the principal building or use.

“ACT” means the *Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26*, and regulations thereunder as amended.

“APARTMENT” means a residential building containing three or more separate dwelling units, each with an entrance either directly from the outside or through a common vestibule.

“AUTO BODY AND PAINT SHOP” means an establishment for the repair and/or painting of motor vehicle bodies but does not include facilities for the sale of fuels, lubricants, or automotive accessories, or for mechanical or electrical repairs.

“AUTOMOBILE DEALERSHIP” means premises for the display and sale of motor vehicles excluding farm equipment, heavy equipment designed for specialized purposes, and purpose built recreational vehicles.

“BASEMENT” means the area of a building where the floor level is a minimum of 1 m (3.3 ft.) below the finished grade and having a ceiling height of at least 2 m (6.5 ft.)

“BED AND BREAKFAST” means an establishment that provides breakfast together with the short-term (less than one month) rental of up to 3 bedrooms and the bath facilities of a private single detached dwelling that is permanently occupied by the owner of the establishment.

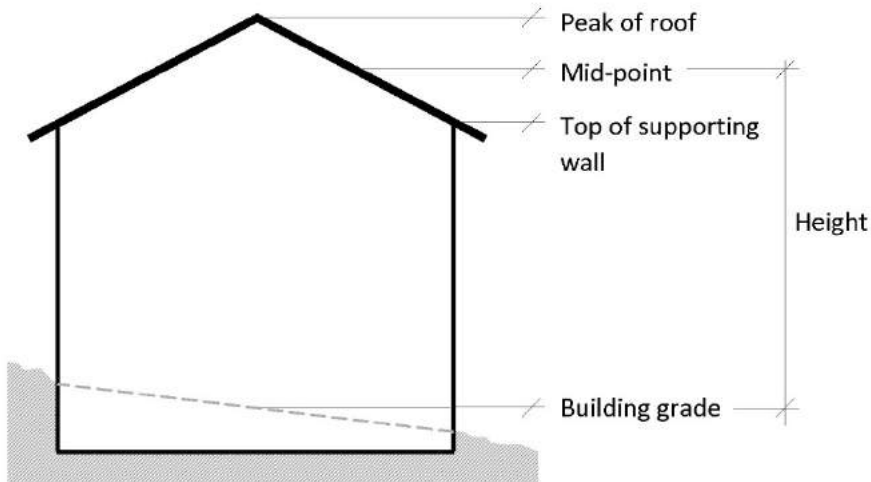
“BOARD” means the Subdivision and Development Appeal Board established by Bylaw.

“BOARDING HOUSE” means a dwelling or part thereof in which lodging is provided by the owner or operator to individuals, other than family members, for remuneration.

“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, smoke stack, firewall, parapet wall, flag pole, wind turbine, solar photovoltaic array, or similar device not structurally essential to the building.

Figure 1: Building Height



“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 the use of a building or portion thereof for the provision of care, maintenance, and supervision of children under the age of 13 years, by persons other than one related by blood or marriage, for periods not exceeding 24 consecutive hours and includes day-care centres, nurseries and after-school or baby-sitting programs.

“CONSTRUCT” means to build, reconstruct, or relocate and without limiting the generality of the work, 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 the Town of Valleyview.

“COMMUNICATIONS ANTENNA SYSTEM means an exterior transmitting device – or group of devices – used to receive and/or to transmit radio-frequency (RF) signals, microwave signals, or other federally-licensed communications energy transmitted from, or to be received by, other antennas. Antenna Systems include the antenna, and may include a supporting tower, mast or other supporting structure, and an equipment shelter. There are two types of Antenna Systems:

- Freestanding Antenna System: a structure (e.g. tower or mast) built from the ground for the express purpose of hosting an Antenna System or Antenna Systems;

- Building/Structure-Mounted Antenna System: an Antenna System mounted on an existing structure, which could include a building wall or rooftop, a light standard, water tower, utility pole or other structure.

“CORNER LOT” means a lot having a frontage on two or more streets at their intersection or junction.

“DEVELOPMENT” means any development as defined in the Act.

“DEVELOPMENT AUTHORITY” means the Development Officer, or Municipal Planning Commission of the Town of Valleyview, 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.

“DEVELOPMENT PERMIT” means a document authorizing development pursuant to this Land Use Bylaw.

“DISCRETIONARY USE” means the use of land or of a building which is listed as a “discretionary” use in a land use or direct control district in this Bylaw. Issuance of a development permit for these uses is up to the discretion of the Development Authority.

“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 space 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 entrance.

“DWELLING UNIT” means one or more rooms used as or designed to be used as a residence and containing sleeping, cooking and sanitary facilities and with an independent entrance either directly from outside a building or from a common hallway inside a building.

“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.

“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 or intended to be used for the 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.

“HOME OCCUPATION” means the use of portion of a residential building to conduct a business or commercial enterprise that is incidental or subordinate to the residential function of the building.

“HOTEL” means a building providing accommodation for the public containing guest rooms served by a common entrance as well as general kitchen and dining or other public rooms.

“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 AREA” means the area contained within the boundaries of a lot shown on a plan of subdivision or described in a Certificate of Title.

“LOT COVERAGE” means the percentage of the area of any lot which is covered by buildings or structures excepting 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” means a legally defined limit of any lot.

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

“LOT LINE, REAR” means the lot line of a lot that is directly opposite to the front line.

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

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

“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 fully prefabricated detached dwelling unit that meets Canadian Standards Association (CSA) Z240 standards, meets the requirements of the Alberta Building Code, and is permanently affixed to a foundation. This definition applies to both single section and multi-section models. It includes mobile homes, but does not include recreational vehicles, relocatable industrial accommodation, modular homes and single detached dwellings.

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

“MODULAR HOME” is a fully or partially factory-constructed building, containing only one principal dwelling unit and up to one secondary suite, whose factory-constructed portions are certified under the CSA A277 standard. It must be constructed to meet Alberta Building Code requirements and is permanently placed on a foundation. A modular home is different from a mobile home.

“MOTEL” means a building or group of buildings designed for the accommodation of the public containing guest rooms, each of which has a separate entrance directly from outside the building.

“MUNICIPALITY” means the Town of Valleyview.

“MUNICIPAL PLANNING COMMISSION” means a municipal planning commission established by Bylaw.

“PARCEL” means a parcel of land as defined in the Act.

“PERMITTED USE” means the use of land or of a building which is listed as a “permitted” use in a land use or direct control district in this Bylaw.

“PERSONAL SERVICES ESTABLISHMENT” means a development used for the provision of services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects. For purposes of clarification this includes barber shops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, dry cleaners, and similar uses.

“PORTABLE SIGN” means any sign or advertising device that can be carried or transported from one site to another, is intended to be used or erected on such sites for purposes of advertising or promotion and includes electric or exchangeable copy signs.

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

“PUBLIC USE” means a building, structure, or site used for public administration and services by the Municipality, by any board or agency of the Municipality, by any department, commission or agency of the Government of Alberta or Canada, by a public utility, or by a non-profit organization registered under the Societies Act.

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

“ROW HOUSING” means a residential use where a building or buildings on a lot consist of at least three side-by-side dwelling units with each unit having direct access to the outside grade, but shall not mean “apartment”.

“SATELLITE DISH ANTENNA” means a combination of an antenna or dish antenna whose purpose is to receive signals from orbiting satellites, a low noise amplifier (LNA) situated at the focal point of the receiving component and whose purpose is to magnify and transfer signals, a cable whose purpose is to transmit signals, and other associated components.

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

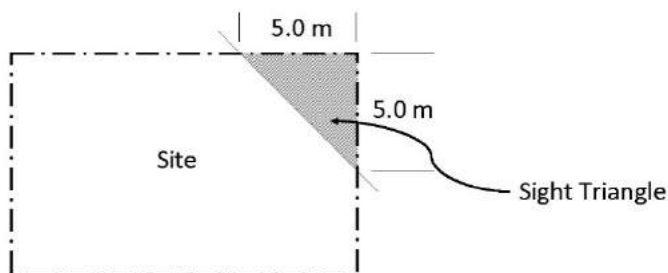
“SECRETARY” means the Secretary to the Subdivision and Development Appeal Board.

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

“SERVICE STATION” means a facility for the service and repair of motor vehicles and for the retail sale of gasoline, lubricants, automotive accessories and associated petroleum products, and may provide a towing service, 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 boundaries of a site, 5.0 m (16 ft.) from the point where they intersect, as shown in Figure 2.

Figure 2: Sight Triangle



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

“SINGLE DETACHED DWELLING” means a residential use in which the principal building is a permanent building constructed on-site to Alberta Building Code requirements, used for one dwelling unit and that may contain one secondary suite, 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.

“TEMPORARY WORK CAMP” means use of land within a district for the temporary residential accommodation of personnel. This use may include accommodation in the form of mobile homes, trailers, tent trailers, tents.

“YARD” means a part of a lot that lies between the principal or accessory building or buildings and the nearest lot 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.

3.0 Duties of Development Authorities

3.1 Establishment of Development 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 Bylaw, is hereby authorized to act as a “Development Authority”.

3.2 Duties and Powers of Development Authorities

3.2.1 The Development Officer shall:

- a) receive and process all applications for development permits; and
- b) keep and maintain for inspection of the public during office hours, a copy of this Bylaw and all amendments 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 therein and the reasons therefore, for a minimum period of seven (7) years.

3.2.2 The Development Officer shall:

- a) for those uses listed as “Permitted Uses” in the subject land use district, either issue decisions for development permit applications, or refer them to the Municipal Planning Commission for a decision;
- b) for those uses listed as “Discretionary Uses” in the subject land use district, refer all applications to the Municipal Planning Commission for a decision;
- c) for those uses not listed either as a “Permitted Use” or “Discretionary Use” in the subject land use district:
 - (i) refuse to issue a permit; or
 - (ii) refer the decision to the Municipal Planning Commission.

3.2.3 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.

3.2.4 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.

3.3 Development Authority’s Discretion

3.3.1 In making a decision on an application for a “Permitted Use”, the Development Authority:

- a) shall approve with or without conditions a development permit application where the proposed development conforms with this Bylaw; or
 - b) may refuse a development permit application if the proposed development does not conform with this Bylaw.
- 3.3.2 In making a decision on an application for a “Discretionary Use”, the Municipal Planning Commission:
- a) may approve, either permanently or for a limited period of time, a development permit application 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 a development permit application even though it meets the requirements of this Bylaw.
- 3.3.3 In reviewing a development permit application for a “Discretionary Use”, the Municipal Planning Commission shall have regard to:
- a) the circumstances and merits of the application, including but not limited to:
 - (iii) the impact of such nuisance factors as smoke, airborne emissions, odours and noise on nearby properties,
 - (iv) the design, character and appearance of the development being compatible with and complementary to the surrounding properties, and
 - (v) the servicing requirements for the proposed development;
 - b) the purpose and intent of any statutory plans adopted by the Town.
- 3.3.4 Notwithstanding any provisions or requirements of this Bylaw, the Development Authority may establish a more stringent standard for “Discretionary Uses”, having regard to the nature of a proposed development and the intent of the district in question when deemed necessary to do so.
- 3.3.5 In addition to the standards outlined in each land use district, the Development Authority may decide on such other requirements for discretionary uses as are necessary having regard to the nature of a proposed development and the intent of the district in question.
- 3.3.6 The Development Authority may allow a variance to any front yard, side yard or rear yard setback, or lot area requirement, if in the opinion of the Development Authority:
- a) the proposed variance would not result in a development that will
 - (i) unduly interfere with the amenities of the neighbourhood, or
 - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
 - b) the proposed development conforms with the use prescribed for the land or building in this Bylaw.
- 3.3.7 In the event that a variance is granted pursuant to Section 3.3.6, the Development Authority shall specify the nature of the approved variance in a development permit.

4.0 Need for a Development Permit

4.1 When Development Permits Are Required

- 4.1.1 Except as provided in Section 4.2, no person shall undertake any development in the Town unless a development permit has first been issued pursuant to this Bylaw, and the development is in accordance with the terms and conditions of a development permit issued pursuant to this Bylaw. For clarity, development includes permanent signs, and façade changes in the downtown commercial district.
- 4.1.2 A development permit for a temporary project accommodation may be issued for up to one (1) year, after which a new development permit approval is required if the use is to continue.
- 4.1.3 A development permit for a shipping container used for storage may be issued for up to one (1) year, after which a new development permit approval is required if the use is to continue.

4.2 When Development Permits Are Not Required

- 4.2.1 A development permit is not required for the following developments provided they comply with the requirements of this Bylaw:
 - a) Works of maintenance or repair to any building. Such works do not include structural alterations or major works of renovation. Structural alterations being 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 to serve to reduce existing setback distances;
 - b) the completion of a building which is lawfully under construction at the date this Bylaw comes into effect provided that the building is completed in accordance with the terms of any permit granted in respect of it, subject to the conditions of that permit;
 - c) the construction and maintenance of gates, fences, walls or other means of enclosure less than 1.2 m (4 ft.) in height in front yards, and less than 1.8 m (6 ft.) in height in side and rear yards;
 - d) a temporary building or structure, the sole purpose of which is incidental to the erection or alteration of a permanent building or structure, for which a development permit has been issued;
 - e) public works, services and utilities carried out by or for government authorities on land which is publicly owned or controlled;
 - f) an official notice, sign, placard, or bulletin required to be displayed pursuant to the provisions of Federal, Provincial, or Municipal legislation;
 - g) routine maintenance and repair, changing the copy, or reducing the copy area of a legally existing sign;
 - h) one on-site sign which does not exceed 1 m² (11 ft²) in area nor 1.2 m (3.9 ft.) in height that is erected for a duration of three (3) months or less;
 - i) 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; and
 - j) accessory buildings that do not exceed 9.3 m² (100 ft²) in size, except where they have a slab foundation.

4.3 Non-Conforming Buildings and Uses

Developments which are considered as a non-conforming building or use shall be dealt with as provided for under the *Alberta Municipal Government Act, 2000*. The following extracts are provided for convenience but do not form part of this Bylaw and have no regulatory force:

- a) A non-conforming use of land or a building may be continued but if that use is discontinued for a period of six (6) consecutive months or more, any future use 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
- e) to make it a conforming building, or
- f) for routine maintenance of the building, if the Development Authority considers it necessary;
- g) 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;
- h) The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

5.0 Development Permit Applications

5.1 Forms and Notices

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 as contained in Schedule "A" 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 A development permit 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 or all of the following information with the application:

- a) a statement of ownership of land and interest of the applicant therein;
- b) the estimated commencement and completion dates;
- c) the estimated construction value (based on market value of construction materials and labour and associated costs) of the proposed development;
- d) a statement of use, with a diagram showing location of different classes of use for a mixed-use building;
- e) a dimensioned site plan showing the legal description and front, rear and side yards, if any, and any provision for off-street loading, parking, and access;
- f) a dimensioned site plan showing the extent of existing treed areas together with a landscape plan showing which trees are proposed for removal and illustrating trees, other vegetation, fencing, and hard landscaping to be added;
- g) dimensioned floor plans for all floors of all buildings, including exterior decks;
- h) exterior elevations for all building faces facing public streets or public access points, including exterior decks and fences;
- i) diagrams and/or plans illustrating utilities, site drainage, grade elevations, existing and finished lot grades, the grades of the streets and the location of proposed sewer and water lines; and
- j) a phase one and/or phase two environmental site assessment, conducted according to Canadian Standards Association (CSA) guidelines, to determine potential contamination and mitigation.

5.2.2 In addition to the requirements of Section 5.2.1, an application for a development permit for a portable work camp must include the following information:

- a) The number of persons proposed to live in the camp;
- b) the MLL (miscellaneous lease) number issued by Alberta Environmental Protection;
- c) the start date for development, date of occupancy by residents, and removal date for the camp; and
- d) proposed reclamation measures once the camp is no longer needed.

5.2.3 Each development permit application shall be accompanied by a non-refundable processing fee, the amount of which shall be determined from time to time by resolution of Council.

5.2.4 When, in the opinion of the Development Authority, sufficient details have not been included with a development permit 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.

6.0 Processing a Development Permit

6.1 Decisions on Development Permit Applications

- 6.1.1 The Development Authority shall consider and decide on applications for permits within forty (40) days of the receipt of the application in its complete form.
- a) If a decision is not made within forty (40) days, the application shall at the option of the applicant be deemed refused.
 - b) If a decision is not made within the forty (40) days specified in 6.1.1a)above, the applicant may enter into an agreement with the Development Authority to extend the forty (40) day period using Form D, contained in Schedule A.

6.2 Referral of Applications

- 6.2.1 The Development Officer may refer a development permit application to any agency in order to receive comment and advice.
- 6.2.2 Upon receipt of an application for a development permit for a development listed as a “Discretionary Use”, the Development Officer shall mail a notice (Form B) to all landowners within a 30 m (100 ft.) radius of the proposed development. Such notification shall apply to those discretionary uses that involve new construction, a change in the use or intensity of use of land or a building, and any other application at the discretion of the Development Officer.
- 6.2.3 In addition to the requirement outlined in Section 6.2.2, the Development Officer may also post a notice on the site of the development in question, containing the same information as in the written notice.

6.3 Conditions of a Development Permit

- 6.3.1 The Development Authority may require that as a condition of issuing a development permit, 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 enhance or pay for enhancement of abutting boulevards through hard and soft landscaping;
 - d) to install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the development;
 - e) to construct or pay for the construction of off-street or other parking facilities and loading and unloading facilities;
 - f) to pay an off-site levy or redevelopment levy imposed by Bylaw;
 - g) in the case of a building to be moved, to complete renovations and alterations necessary to protect public safety; and

h) payment of outstanding taxes.

6.3.2 The Town may register a caveat pursuant to the provisions of the Act and the Land Titles Act in respect of an agreement under Section 6.3.1 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.

6.3.3 The Development Officer may require an applicant to post a performance bond that shall be held to ensure any conditions of the Development Permit are met.

6.3.4 A development permit lapses and is automatically void if the development authorized is not commenced within twelve (12) months or completed to the satisfaction of the Development Officer within eighteen (18) months from the date of issuing the permit.

6.3.5 When a development permit application 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 until six (6) months after the date of the refusal.

6.4 Moved Buildings

6.4.1 No person shall move a building, structure or manufactured home larger than 9.3 m² (100 sq. ft.) within, into or out of the municipality unless a Development Permit has been obtained.

6.4.2 The Development Officer may refuse to issue a permit for the moving of a building, structure or manufactured home if:

- a) there are any taxes or other charges due to the Town with respect to the building or the lot on which it is situated, unless arrangements satisfactory to the Chief Administrative Officer have been made for payment of such taxes or other charges; or
- b) the building does not conform to the requirements of the District into which it is proposed the building be moved; or
- c) the building is not compatible with surrounding land use and buildings in terms of scale, condition, external finish or form.

6.4.3 The Development Officer or Council may make conditions as to the time and the manner in which the building may be moved so as to avoid or minimize damage to streets and power or telephone lines, and to ensure the safe and expedient flow of traffic while moving operations are in progress.

6.5 Relocation of Buildings

6.5.1 Where a development permit has been granted for the relocation of a building, the Development Authority may 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.

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

6.6 Notification of Permit Approval or Refusal

6.6.1 When a development permit application is approved, the Development Officer or designate shall:

- a) mail a notice of decision to the applicant or his agent; and
- b) publish a notice in the local newspaper stating the location and address of the property for which the application has been made, the nature of the approval, and the decision of the Development Authority;

6.6.2 When a development permit application is refused, the Development Officer shall mail a notice of decision to the applicant or his agent stating the reasons for the refusal.

6.6.3 For the purposes of this Bylaw, issuance of the notice of the decision of the Development Authority 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 of decision has been stamped and mailed to the applicant.

6.6.4 A development permit comes into effect fourteen (14) days after its issuance. Where an appeal has been lodged with the Appeal 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.

6.7 Contravention

6.7.1 Where the Development Officer finds that a development or use of land is not in accordance with the Act, this Bylaw, or an issued development permit, the Development Officer may, by written notice, order the 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;
- 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.

- 6.7.2 If a person fails or refuses to comply with an order directed to him under Section 6.7.1 or an order of a Board under the Act, Council or a person appointed by it may, in accordance with the Act, enter upon the land or building and take such action as is necessary to carry out the order.
- 6.7.3 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.
- 6.7.4 For the purpose of entering and inspecting land or buildings as described in the Act, the Development Officer and the Community Peace Officer is hereby declared to be a “designated officer”.

7.0 Appealing a Decision

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 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 to the Secretary within fourteen (14) days of the date on the Notice of Decision.

7.2 The Appeal Process

- 7.2.1 The Secretary shall ensure that a notice of appeal is given to all persons required to be notified under the provisions of the Subdivision and Development Appeal Board Bylaw.
- 7.2.2 When a notice has been served on the Secretary 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 Secretary 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 application 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.

8.0 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 indicating the affected site, and its relationship to existing land uses within a 90 m (300 ft.) radius of the boundaries of the site;
- b) a statement of the reasons for the request to amend the Bylaw;
- c) a non-refundable fee of \$500.00; and
- d) such additional information as the Development Officer may require.

8.1.2 The Development Officer may refuse to process a Land Use Bylaw amendment application if the information required has not been supplied or if, in his opinion, it is of inadequate quality to properly evaluate the application.

8.2 The Amendment Process

8.2.1 Upon receipt of a complete application, it shall be referred to:

- a) Town administration for the drafting of a proposed Land Use Bylaw amendment;
- b) Council for first reading and to establish a date for a public hearing to be held prior to second reading; and
- c) the Municipal Planning Commission for consideration and recommendation to be made at the Public Hearing.

8.2.2 The Development Officer may refer an amendment application to any agency in order to receive comment and advice.

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

- a) the purpose of the proposed amendment;
- b) the one or more places where a copy of the proposed amending order 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 redesignation 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 redesignation of land to a different land use district, the Development Officer shall mail a notice containing the information outlined in 8.2.3 to the owner(s) of the land in question, and to all landowners within a 30 m (100 ft.) radius of the land in question.

8.2.5 Council, after considering

- a) any representations made at First, Second, and Third readings and 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:

- a) make such changes as it considers necessary to the proposed amendment, if any, and proceed to pass the proposed amendment; or
- b) defeat the proposed amendment.

8.2.6 Where an application for an amendment has been refused by Council, 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.

9.0 General Regulations

9.1 Dwellings per lot and principal buildings / uses per lot

9.1.1 No person in the Town shall construct or cause to be constructed more than one dwelling unit per lot.

9.1.2 Section 9.1.1 does not apply to:

- Semidetached dwellings;
- Dwellings containing suites;
- Apartment buildings; and
- Dwellings that are located within a manufactured home park

9.2 Accessory Buildings

9.2.1 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.

9.2.2 An accessory building shall be located at least 1.2 m (4 ft.) from any principal building.

9.2.3 Any accessory building erected on a site shall not be used as a dwelling.

9.2.4 The total combined site coverage of all accessory buildings shall not exceed ten (10) percent of the site area.

9.2.5 The minimum front yard setback shall be the same as for a Principal building in the applicable District.

9.2.6 The minimum side yard setback shall be 1.5 m (5 ft.). However, no side yard setback is required for any accessory building 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 beyond the property line, and all drainage is confined to the site.

9.2.7 The minimum rear yard setback shall be 1.0 m (3.3 ft.).

9.2.8 An accessory building shall not exceed the height of the principal building, unless approved at the discretion of the Development Authority.

9.3 Corner Sight Restrictions

No person shall place or maintain any object, structure, fence, hedge, shrub, or tree between the heights of 1.0 m and 3.0 m above the established grade of streets in or on the area within a sight triangle.

9.4 Home Occupations

- a) A resident who intends to operate a home occupation, where permitted under this bylaw, shall make an application for:
- b) a development permit that shall be in effect for the period the home occupation is operated; and
- c) a business license that shall be in effect for the period of one calendar year, requiring annual renewal to continue the home occupation.

9.4.1 Home occupations shall comply with the following provisions:

- a) the business activity shall be restricted to the dwelling unit;
- b) adequate parking shall be provided;
- c) the business shall not employ any person other than a resident of the dwelling unit;
- d) the building shall not require alterations to the principal building unless the alterations are approved as part of a development permit application;
- e) the occupation shall not create a nuisance by way of dust, noise, smell, smoke or traffic generation;
- f) the business activity shall not include outside storage of materials, goods and equipment; and
- g) the building shall not display any form of commercial advertising, wares or products discernible from the outside of the building but may display an unlighted sign which is a maximum of 2000 cm² (approx. 2 sq. ft.) in area; and
- h) the storage of dangerous goods or products shall not be permitted in this district.

9.4.2 Home Occupations (Major) shall comply with the following provisions:

- a) the business activity shall be restricted to the dwelling unit;
- b) adequate parking shall be provided;
- c) the business shall not employ any person other than a resident of the dwelling unit;
- d) the building shall not require alterations to the principal building unless the alterations are approved as part of a development permit application;
- e) the occupation shall not create a nuisance by way of dust, noise, smell, smoke or traffic generation;
- f) the building shall not display any form of commercial advertising, wares or products discernible from the outside of the building but may display an unlighted sign which is a maximum of 2000 cm² (approx. 2 sq. ft.) in area;
- g) small trucking operations and the minor storage of related equipment is permitted; and
- h) the outside storage of materials, goods and equipment is permitted, providing that all outside storage other than operational vehicles shall be screened from view in a manner satisfactory to the Development Authority; and
- i) the storage of dangerous goods or products shall not be permitted in this district.

9.5 Bed & Breakfasts

All Bed and Breakfast establishments are required to conform to the standards administered by the local Health Authority, and to obtain all necessary licenses required under the applicable legislation and:

- a) apply for a development permit;
- b) be limited to serving one meal per day to registered guests, with this meal being prepared in one common kitchen and served in one common room.

9.6 Objects Prohibited in Districts

9.6.1 No person shall be allowed to keep or maintain:

- a) a dismantled or derelict vehicle on a site in a residential district for more than fourteen (14) consecutive days;
- b) a shed or similar permanent storage structure in the front yard;
- c) a recreational vehicle or large truck in the front yard if it interferes with the public sidewalk;
- d) 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; and
- e) any excavation, equipment, or construction materials to remain on a site over a period longer than is reasonably necessary to complete construction.

9.7 Landscaping and Screening

9.7.1 All new development or significant expansion or change to an existing development requires landscaping in accordance with this section. Landscaping shall be completed within 1 year of completion of the development, which is taken to be the date of installation of a water meter for the property.

9.7.2 For commercial, industrial, public and multi-unit residential uses, a landscape plan prepared by a registered Landscape Architect who is a member in good standing with the Alberta Association of Landscape Architects may be required at the discretion of the Development Authority.

- a) Landscaping shall be completed in accordance with the landscaping plan within 1 year of completion of the development. The Registered Owner shall be responsible for landscaping of the site and maintenance or vegetation replacement for 2 years from the date of substantial completion of the work.
- b) Landscape plans will be approved at the discretion of the Development Authority, and should respond to Town's Downtown Commercial Guidelines and Highway Commercial Guidelines, or other respective/relevant guidelines.

9.7.3 In commercial and industrial districts, any portion of the site not occupied by buildings, vehicle and pedestrian circulation or parking and storage areas shall be landscaped.

- 9.7.4 Any area required to be landscaped may be left in its natural state if native to the region and deemed acceptable by the Development Authority, 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. Landscaping should be substantially complete within 1 year of completion of the development, which is taken to be the date of installation of a water meter for the property.
- 9.7.5 New development shall minimize the removal of existing significant mature trees or other native vegetation. Where tree or vegetation removal is necessary, it should be replaced with new trees, vegetation or seeding within 1 year post occupancy. Trees should be replaced at a one-to-one ratio, for existing trees are over 8 cm diameter at 1.4 m above grade.
- 9.7.6 A landscaped strip composed of shrubs, trees, berm or combination of these is required along the property edge next to roadways, between parking areas and buildings, and along the property edge as a buffer between two properties of different land uses.
- 9.7.7 In all Commercial and Industrial districts, landscaping is required to screen all loading bays, waste and recycling areas and outdoor storage from public view. This may include hedging, planting or a combination of walls or fencing with landscaping.
- 9.7.8 Parking areas in excess of 10 spaces should be broken into smaller areas and divided by landscaped strips or bays to enhance aesthetics, reduce heat generation from hardscape in the summer and add to pedestrian comfort. As a guideline, the parking lot design should provide for one tree per six parking spots. Rain gardens and bioswales are strongly encouraged to absorb storm water runoff and reduce irrigation needs.
- 9.7.9 Any lighting proposed to illuminate areas in any district shall be located and arranged so that no direct rays of light are directed to any adjoining properties. "Dark Sky" compliant lighting designs are preferred.
- 9.7.10 Where fencing is required, use transparent and decorative fencing that maintains sight lines between the sidewalk and main building entrance. Steel, aluminum, galvanized metal, wood or vinyl are possible materials.
- 9.7.11 Chain-link, barbed wire or razor wire fences are not permitted in residential districts nor in the downtown commercial district, and are permitted elsewhere only at the discretion of the Development Officer , except in industrial and service commercial districts.
- 9.7.12 Fence heights of 4'0" should not be exceeded at the building frontage. 6'0" is permissible at the back and in side yards of properties.
- 9.7.13 Vacant lots should be kept clean, clear and grassed (where appropriate) and consider temporary seasonal uses.

9.8 Site Grading and Drainage

- 9.8.1 No building or structure shall be erected in any District without first obtaining the approval of the Building Inspector and Development Officer as to the proposed building grade.
- 9.8.2 All site grading shall meet or exceed the requirements of the Alberta Building Code and Municipal Servicing and Engineering Standards (if applicable).
- 9.8.3 The proposed site grading shall to the extent possible, not interfere with natural drainage patterns, minimize the necessity to use retaining walls and ensure positive drainage away from abutting properties.

9.9 Parking and Loading Facilities

- 9.9.1 Off-street parking shall be provided in accordance with Table 1, except that the requirements may be reduced at the discretion of the Development Authority.

Table 1: Minimum Parking Requirements

Uses	Minimum Parking Requirements
Residential Uses	
Apartment Building, Row Houses	1 spaces/dwelling unit
Boarding House	1 space/2 beds
Single detached Dwellings, Manufactured Homes, Other Residential Uses	1 space/dwelling unit
Commercial Uses	
Business, Administrative and Professional Offices, Banks	1 space/46 m ² (500 ft ²) of gross floor area
Retail Shops, Personal Service Establishments	1 space/28 m ² (300 ft ²) of gross floor area
Restaurants, Drinking Establishments	1 space/4 seats
Hotels and Motels	1 space/guest unit plus 1 space/2 employees
Other Non-Residential Uses	
Public Assembly Auditoria, Theatres, Convention Halls, Gymnasias, Clubs, Ball Parks	1 space/3.5 seats or 1 space/3.3 m ² (35 ft ²) of Private floor area used by patrons, whichever is greater
Churches	1 space/5 seating spaces
Elementary Schools	1 space/classroom
Junior and Senior High Schools	4 spaces/classroom
Manufacturing and Industrial Plants, Warehousing, Wholesale and Storage Buildings and Yards, Servicing and Repair Establishments, Public Utility Buildings	1 space/3 employees on a maximum working shift
All Other Uses	1 space/37 m ² (400 ft ²) of gross floor area

- 9.9.2 Off-street parking requirements shown in Table 1 may be reduced for two or more commercial uses on a single parcel or on two adjacent parcels where:

- a) the maximum demand for such parking areas by the individual uses occurs at different periods of the day; and
- b) the reduction in parking requirements is substantiated by a parking demand study that is prepared by a registered professional engineer and approved by the Town.

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

9.9.4 All parking spaces shall be located on the same site as the building or use for which it is required and shall be designed, located and constructed so that it is easily accessible and can be properly maintained.

9.9.5 Notwithstanding Section 9.9.4, the Development Authority may allow for the required number of parking spaces to be fulfilled by accepting a payment in lieu on the number of deficient spaces. The payment shall be based on the amount of money Council by resolution considers reasonable in return for the equivalent parking space to be provided in the area.

9.9.6 Minimum off-street parking space dimensions shall be consistent with Table 2. Parking spaces for single residential uses shall be consistent with 90° Parking Angle requirements.

Table 2: Minimum Off-Street Parking Dimensions

Type of Vehicle	Parking Angle	Stall Width (m)	Stall Length (m)	Aisle Width (m)	Vertical Clearance (m)
Standard	90°	2.7	5.5	7.5 (one- or two-way traffic)	2.1
Small Car		2.5	5.0		2.1
Disabled		4.1	5.5		2.1
Bus or RV		4.3	12.2		3.7
Standard	60°	2.7	6.2	5.5 (one-way traffic) 6.1 (two-way traffic)	2.1
Small Car		2.5	4.9		2.1
Disabled		4.1	6.2		2.1
Bus or RV		4.3	12.2		3.7
Standard	45°	2.7	5.8	4.0 (one-way traffic) 6.1 (two-way traffic)	2.1
Small Car		2.5	5.0		2.1
Disabled		4.1	5.8		2.1
Bus or RV		4.3	12.2		3.7
Standard	30°	2.7	5.5	4.0 (one-way traffic) 6.1 (two-way traffic)	2.1
Small Car		2.5	5.1		2.1
Disabled		4.1	5.5		2.1
Bus or RV		4.3	12.2		3.7
Standard	Parallel	2.7	6.7	3.8 (one-way traffic) 6.0 (two-way traffic)	2.1
Small Car		2.5	6.7		2.1
Disabled		4.1	5.5		2.1
Bus or RV		4.3	12.2		3.7

- 9.9.7 Any loading space shall have at least 28 m² (301 ft²) of area, be at least 3.5 m (11.5 ft.) in width, and have at least 4 m (13 ft.) of overhead clearance.
- 9.9.8 All off-street parking and loading spaces shall be developed to the satisfaction of the Development Authority. They must be hard-surfaced if accessed from a street, but may be gravel surfaced if accessed only from a lane.
- 9.9.9 If vehicular access to a lot is available from a lane, access to parking on the lot must be from the lane, and may not be from an abutting street.
- 9.9.10 Every off-street parking space provided or required in any commercial district and the access thereto, including the whole area contained within the municipal land to which the curb crossing applies, shall be hard-surfaced if the access thereto is from a street or lane which is hard-surfaced.
- 9.9.11 Adequate curbs, pre-cast barrier curbs, 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 on an abutting site from contact with vehicles using such parking space or area.
- 9.9.12 Off-street parking shall be provided in the manner shown on the approved site plan with the entire area to be graded so as to ensure that drainage will be disposed of in a manner satisfactory to the Development Authority.
- 9.9.13 For all commercial, public and recreational uses, at least one parking space nearest the main entry to the principal building shall be designated and designed for use by the handicapped to the satisfaction of the Development Authority.
- 9.9.14 Bicycle parking will be required at a ratio of 0.2 bicycle parking spaces per vehicle parking space for all businesses in the Downtown Commercial District. Bicycle parking must consist of a secure, purpose-built bicycle rack located in a convenient, publicly accessible location.

9.10 Building Orientation and Design

- 9.10.1 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.
- 9.10.2 The design, character and appearance of a building shall be compatible with and complementary to the surrounding area.

9.11 Signs

- 9.11.1 Except where provided in Section 4.2, no sign of an advertising, directional or information nature shall be erected on land or affixed to any building or structure unless approved by the Development Authority.
- 9.11.2 In cases where multiple signs are proposed for a development, a comprehensive and detailed sign proposal that encompasses all signs must be provided for the Development Permit.
- 9.11.3 All applications for development permits shall be accompanied by the fee as per current policy for development permits for all signs, including portable signs.
- 9.11.4 Permitted signs include the following listed, in accordance with general sign regulations and those applicable to specific districts. Signs that are not expressly permitted in this Bylaw are prohibited.

Sign Type	Description	Districts Permitted and Requirements
Animated Sign	A projection style sign where action or motion is used to project sign content, including lighting changes, effects.	Permitted in Highway Commercial, Service Commercial and Industrial districts. Not permitted in residential districts, Downtown Commercial, or Gateway Commercial.
Banner	A temporary sign made of lightweight material intended to be secured to the flat surface of a building or structure at the top and the bottom on all corners.	All districts.
Billboard	A primarily self-supporting sign, permanently fixed to the ground greater than 30m ²	Permitted in Highway Commercial, Service Commercial and Industrial districts. Not permitted in residential districts, Downtown Commercial, or Gateway Commercial. A minimum distance of 30 m from the next nearest billboard must be maintained.
Canopy and Awning Signs	a light, detachable structure of fabric, sheet metal or other flexible material supported from the building by a frame (fixed or retractable) to offer shelter from sun, rain, or snow and used for advertising.	Permitted in commercial and industrial districts. Not permitted in residential districts. Signs shall have a minimum clearance of 2.5 m (8 ft.) above finished grade, and shall not project more than 2 m (6.6 ft.) from the building.
Construction Sign	A temporary sign which is placed on the site to advertise items such as the provision of labour, services materials	All districts. Signage must be removed within 14 days of the completion of a project.

Sign Type	Description	Districts Permitted and Requirements
	or financing of a construction project.	
Direction / Informational Sign	A sign which is limited to providing direction or guidance	All districts. Has a maximum area of 0.5 m ² .
Flush Mounted / Fascia Sign	A sign placed flat and parallel to the face of a building	All districts. Must be designed so that no part projects more than 0.3 m horizontally from the exterior of the building wall, 1.0 m in height and up to 4.0 m ² in maximum area.
Freestanding / Pylon Sign	A sign which stands independently of a building and that only advertises businesses which are at the property on the which the sign is located.	Permitted in Highway Commercial, Service Commercial and Industrial districts. Not permitted in residential districts, Downtown Commercial, or Gateway Commercial. Must have an area of 30 m ² or less, and a maximum height of 3.0 m.
Identification Sign	A sign which contains no advertising, but is limited to the name and address or number of the building institution or person or the activity carried out by that person at that location.	All districts. 0.5 m ² maximum area.
Portable Sign	A sign on a standard, column or A-frame boards fixed to its own self-contained base and capable of being moved manually, which is not attached to a building or to the ground, or mounted on a vehicle, trailer or wagon and is easily and readily moved.	All districts. Portable signs shall be located entirely upon the site of the building, business or land use to which the advertising on the sign refers. The Town may remove, without prior notice, any portable sign which has been placed in contravention of sign regulations. The costs associated with such removal and any storage shall be paid by the permit holder. The use of flashing lights for illumination shall not be allowed on portable signs.
Projection Sign	A sign other than a canopy sign or fascia sign which is attached to and projects horizontally from a structure or building face.	All districts. These signs must project no more than 0.30 m (1.0 ft.) horizontally from a structure or building face and must not exceed 3.5m ² area.
Real Estate Sign	A temporary sign advertising real estate (i.e. property) that is for sale, for lease, or for rent.	All districts.
Sandwich Board	A temporary sign set on the ground, built on two similar pieces of material and attached at the top by hinges so it is self-supporting	All districts. Must be less than 0.5m height
Temporary Sign	A sign other than a portable sign which is not permanently attached to a	All districts.

Sign Type	Description	Districts Permitted and Requirements
	supporting structure or building and is in place for less than 30 days.	
Vehicle Sign	A sign mounted, painted, placed on, attached or affixed to a trailer, freight trailer, watercraft, truck, automobile, or other form of motor vehicle, that are not normally used in the daily activity of the business and that is visible from a road as a means of advertising.	Permitted in Highway Commercial, Service Commercial and Industrial districts. Not permitted in residential districts, Downtown Commercial, or Gateway Commercial.
Window Sign	A sign painted on, attached to or installed on a window intended to be viewed from outside the premises.	All districts, but signage may not cover more than 25% of any individual window.

General Sign Regulations

- 9.11.5 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.
- 9.11.6 Signage will be permitted at the discretion of the Development Authority based on the sign design and whether it is appropriate to the context in which the sign is located.
- 9.11.7 All signage shall be constructed of appropriate materials for its use and estimated lifespan and be located or mounted such that there are no safety or visibility concerns to both the car or pedestrian traffic. All signs shall at all times be maintained in a neat, clean manner to the satisfaction of the Development Authority.
- 9.11.8 No sign shall be placed in a public right of way or sited in a manner that the sign causes confusion with or obstructs the vision of any information sign or a traffic control sign, signal or other traffic devices.
- 9.11.9 All illuminated signs shall ensure the source of light is steady and suitably shielded.
- 9.11.10 Signs shall not project more than 1.5 m (5ft.) 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.
- 9.11.11 No portable sign shall be located on any Town-owned property, street rights-of-way, or lots not owned by the sign owner unless prior consent has been obtained from Town Council.

Downtown Commercial District Sign Regulations

- 9.11.12 Signs should be scaled to the pedestrian, clearly identify the use of shops and services and identify the building address at all entrances.
- 9.11.13 To reduce visual clutter, each establishment is limited to 1 permanent sign, 1 temporary and one window sign. Additional signs will be approved at the discretion of the Development Authority.

9.11.14 A single external sign band may be applied to each façade at the first storey and should not exceed 1.0m in height along any length.

9.11.15 Signage should be externally lit. Signage within shop front glazing may be backlit, but should not exceed 0.5m in height and 2m in length.

9.11.16 A minimum clearance of 2.3m above grade should be maintained for signs projecting over the sidewalk or other public space.

9.11.17 The following are preferred or acceptable types of signage in the downtown, and are permitted:

- Projecting two-dimensional or blade signs suspended from canopies and awning (fitting within a 92cm x 153cm (36'x60') horizontal rectangle
- Flush mounted fascia signs
- Externally lit signs
- Small vertical banners and signs.
- Individual cut-out or silhouette letter signs mounted on storefronts. Individual letters should not exceed 45cm (18') in any dimension.
- Sandwich board signs

9.11.18 The following types of signage should be avoided in the downtown and are permitted only at the discretion of the Development Officer:

- Internally lit plastic box signs
- Awnings as signs / sign as awnings
- Pylon (stand-alone) signs
- Rooftop signs
- Changeable copy signs

9.12 Car and Truck Washes

The minimum site area shall be 743 m² (8,000 ft²) and should contain storage space for four (4) vehicles 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 m² (12,000 ft²).

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 30 m (98.5 ft.) and an area of not less than 930 m² (10,010 ft²).

9.13.3 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 m² (14,962 ft²).

9.14 Manufactured Homes

9.14.1 All manufactured homes shall in all cases:

- a) be of sound construction and appearance to the satisfaction of the Development Authority;
- b) meet or exceed the provisions of CSA Z240;
- c) be placed on permanent foundations and footings as specified in the Alberta Building Code;
- d) meet all safety and fire regulations as required by the municipality;
- e) be connected to municipal services prior to their occupation; and
- f) have skirtings to completely screen the undercarriage from view by the foundation.

9.14.2 Axles, wheels, running gear, and towing tongue shall be removed before the manufactured home is attached to a permanent foundation conforming to the requirements of the Alberta Building Code.

9.14.3 All accessory buildings, 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 Site Area and Coverage:

- The minimum site area shall be 557 m² (6,000 ft²) and the maximum building coverage shall be fifteen (15) percent of the site area.
- Where a service station forms part of a shopping centre development, the minimum site area and maximum building coverage may be varied at the discretion of the Development Authority.

9.15.2 Site and Building Requirements:

- a) The entire site to which vehicles have access shall be hard-surfaced and drained to the satisfaction of the Development Authority. Pollution prevention elements shall be incorporated into the site design and grading.
- b) No activity may 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, odours, smoke, or vibration.
- c) The site shall be maintained in a clean and tidy condition and free from all rubbish and debris.

9.16 Communications Antennas, Satellite Dishes and Shipping Containers

9.16.1 Freestanding communications antennas and building/structure-mounted antennas and satellite dishes shall conform to the site regulations respecting accessory buildings and uses (Section 9.2).

9.16.2 Building/structure mounted antennas must be screened or “stealth” designed, to the satisfaction of the Development Officer.

9.16.3 Anyone proposing to install a new freestanding communications antenna or modify an existing one must provide the following information to the Town, as part of a Development Permit Application:

- a) The proposed location, including its address and location on the lot or structure;
- b) A short summary of the proposed Antenna System including a preliminary set of drawings or visual rendering of the proposed system; and
- c) A description of how the proposal meets one of the exclusion criteria defined by Industry Canada.

9.16.4 Anyone proposing to install a new Building/Structure-mounted antenna or modify an existing one must provide the following information to the Town, as part of a Development Permit Application:

- d) The location of the Antenna System (address, name of building, rooftop or wall mounted, etc.);
- e) Description of proposed screening or stealth design measures with respect to the measures used by existing systems on that site;
- f) The height of the Antenna System;
- g) The height of any modifications to existing systems.

9.16.5 Shipping containers used for storage are not permitted in residential districts.

10.0 Establishment of Districts

10.1 Land Use Districts

For the purpose of this Bylaw, lands within the boundaries of the Town of Valleyview shall be divided into the following districts:

Table 3: Land Use Districts

District	Symbol
Restricted Residential	R1
General Residential	R2
Manufactured Home Residential	R3
Multi-Unit Residential	R4
Large Lot Residential	RL
Downtown Commercial	C1
Gateway Commercial	C2
Service Commercial	SC
Highway Development	HD
Industrial	M1
Institutional, Parks and Recreation	I
Urban Reserve	UR
Direct Control District	DC

10.2 District Symbols

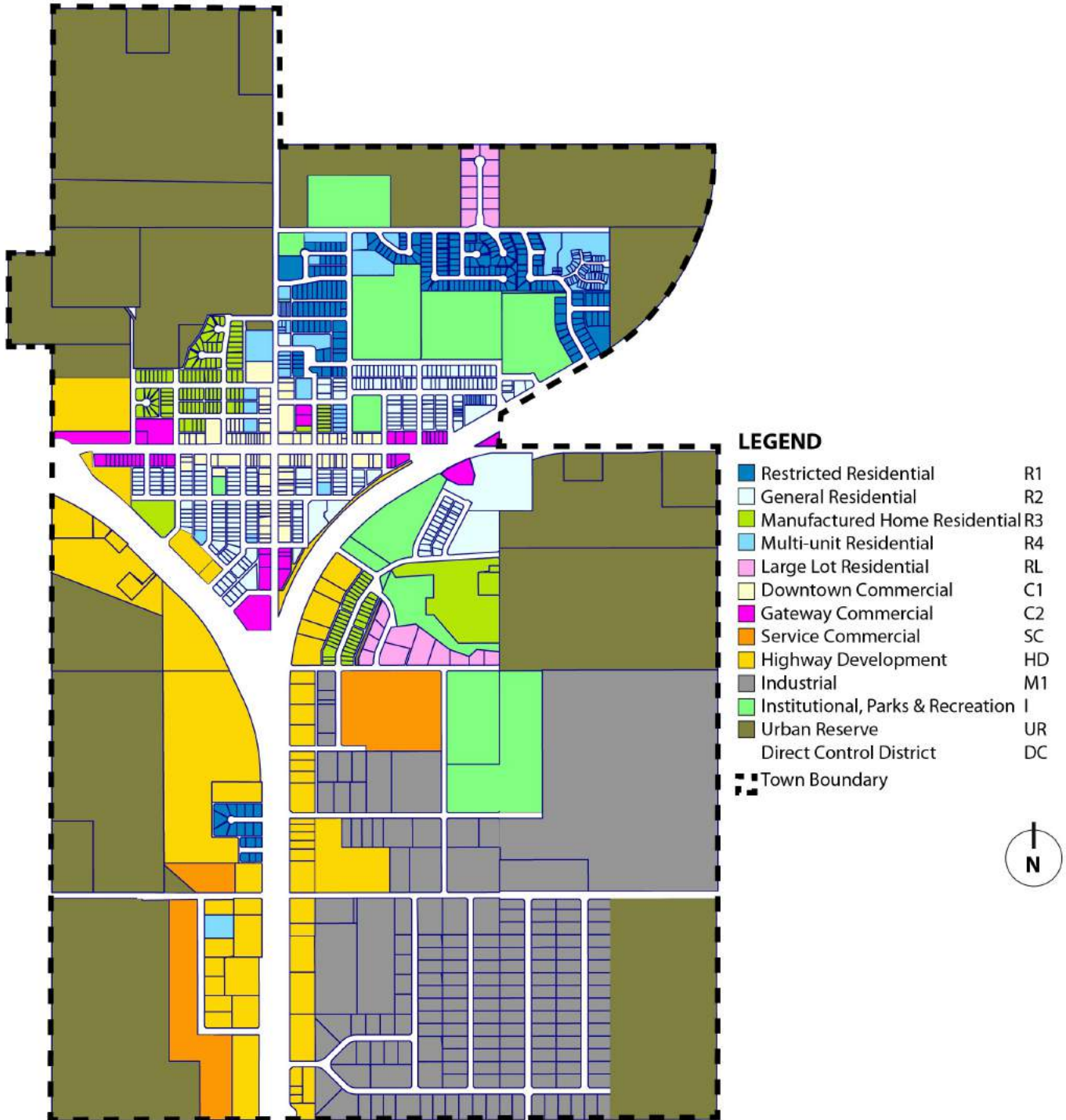
Throughout this Bylaw, or any amendments to it, a district may be referred to either its full name or by its symbol as set out in Section 10.1.

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 “Town of Valleyview District Map”.

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.

Town of Valleyview District Map



Disclaimer: Do not rely on this map as it may not be up to date. Please refer to the Town of Valleyview GIS mapping for the latest version.

11.0 District Rules

This section provides regulations specific to the following individual Districts:

- Restricted Residential (R1) District
- General Residential (R2) District
- Manufactured Home Residential (R3) District
- Multi-Unit Residential (R4) District
- Large Lot Residential (RL) District
- Downtown Commercial (C1) District
- Gateway Commercial (C2) District
- Service Commercial (SC) District
- Highway Development (HD) District
- Industrial (M1) District
- Institutional, Parks and Recreation District (I)
- Direct Control District (DC)
- Urban Reserve District (UR)

11.1 Restricted 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 duplex dwellings and complementary uses.
11.1.2 Uses	
a) Permitted Uses	<ul style="list-style-type: none"> • single detached dwelling • accessory building or use • park or playground • satellite dish antenna
b) Discretionary Uses	<ul style="list-style-type: none"> • semi-detached dwelling • duplex dwelling • modular homes • bed and breakfast • church • home occupation • public use
11.1.3 Site Provisions	In addition to the General Regulations contained in Section 9.0, the following standards shall apply to every development in this district.
Lot Area (minimum):	465 m ² (5,000 ft ²)
Lot Width (minimum):	15 m (50 ft.)
Front Yard (minimum):	6.1 m (20 ft.)
Rear Yard (minimum):	4.6 m (15 ft.)
Side Yard (minimum):	2.0 m (6.6 ft.), which may be reduced to 1.5 m (5 ft.) if walls are adequately fire protected In a lane less subdivision, at least one (1) side yard shall be a minimum of 3.3 m (10 ft.) to provide for vehicular access, unless an attached garage is present, in which case the side yard shall be 1.5 m (5 ft.).
Building Height (maximum):	8.5 m (27 ft.) for principal building 4.6 m (15 ft.) for accessory building
Site Coverage (maximum):	35 percent
11.1.4 Other Regulations	Refer to General Regulations contained in Section 9.0 for other requirements that may apply.

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.
11.2.2 Uses	
a) Permitted Uses	<ul style="list-style-type: none"> • single detached dwelling • duplex dwelling • semi-detached dwelling • accessory building or use • park or playground • satellite dish antenna
b) Discretionary Uses	<ul style="list-style-type: none"> • manufactured home (single or multi-section) that is 10 years old or less • manufactured home (single or multi-section) established prior to the adoption of this Bylaw • modular home • bed and breakfast • church • community hall • home occupation • kindergarten or nursery school • public use
11.2.3 Site Provisions	In addition to the General Regulations contained in Section 9.0, the following standards shall apply to every development in this district:
Lot Area (minimum):	325 m ² (3,500 ft ²) for semi-detached dwelling 418 m ² (4,500 ft ²) for other uses
Lot Width (minimum):	10.8 m (35 ft.) for semi-detached dwelling 13.7 m (45 ft.) for other uses
Front Yard (minimum):	6.1 m (20 ft.)
Rear Yard (minimum):	4.6 m (15 ft.)
Side Yard (minimum):	2.0 m (6.6 ft.), which may be reduced to 1.2 m (4 ft.) if walls are adequately fire protected In a laneless subdivision, at least one (1) side yard shall be a minimum of 3.3 m (10 ft.) to provide to vehicular access. (This side yard requirement does not apply to semi-detached dwellings where a common wall corresponds to a property line.)
Building Height (maximum):	8.5 m (27 ft.) for principal building 4.6 m (15 ft.) for accessory building
Site Coverage (maximum):	35 percent

11.2.4 Other Regulations	Refer to General Regulations contained in Section 9.0 for other requirements that may apply.
--------------------------	--

11.3 Manufactured Home Residential (R3) District

11.3.1 Purpose	The purpose of this District is to provide for manufactured home parks, and subdivisions where manufactured housing is the predominant housing form.
11.3.2 Uses	
a) Permitted Uses	<ul style="list-style-type: none"> • modular home • manufactured home (single or multi-section) that is 10 years old or less • accessory building or use • park or playground • satellite dish antenna • single detached dwelling
b) Discretionary Uses	<ul style="list-style-type: none"> • manufactured home (single or multi-section) that is more than 10 years old • manufactured home park • bed and breakfast • church • duplex dwelling • home occupation • kindergarten or nursery school • public use
11.3.3 Site Provisions	In addition to the General Regulations contained in Section 9.0, the following standards shall apply to every development in this district:
Lot Area (minimum):	325 m ² (3,500 ft ²) for semi-detached dwelling 418 m ² (4,500 ft ²) for other uses
Lot Width (minimum):	6.0 m (19.7 ft.) for semi-detached dwelling 12.2 m (40 ft.) for manufactured home 13.7 m (45 ft.) for other uses
Manufactured Home Park Dwelling Site Area (minimum):	325 m ² (3,500 ft ²) for single section 418 m ² (4,500 ft ²) for multi-section
Front Yard (minimum):	6.1 m (20 ft.)
Rear Yard (minimum):	4.6 m (15 ft.)
Side Yard (minimum):	1.5 m (5 ft.)
11.3.4 Additional Requirements	<p>Every manufactured home park shall provide, to the satisfaction of the Development Authority:</p> <ul style="list-style-type: none"> a) a lighted storage area of 9.3 m² (100 ft²) for each manufactured home dwelling site, b) ten (10) percent of the gross area to landscaped open space with playground equipment, c) municipal services, a paved private road system, and street lighting,

	<ul style="list-style-type: none"> (i) a method of garbage collection and disposal, (ii) direct access to a major public road, and (iii) a surface water drainage system. <p>d) Every manufactured home park dwelling site shall front on to a private road, and be clearly marked by means of stakes, fences, hedges or other means satisfactory to the Development Authority.</p> <p>e) Every manufactured home park shall provide one (1) off-street parking space per dwelling site, plus one (1) off-street parking space per four (4) dwelling sites.</p> <p>f) Every manufactured home park shall maintain on its own property a treed buffer of width to be determined by the Development Authority.</p> <p>g) For manufactured home parks containing more than fifty (50) dwelling sites, two (2) separate means of access shall be provided. For parks in excess of one hundred (100) dwelling sites, this may be in the form of a boulevard road with a central dividing strip so that in the event of blockage on one side, the other side is available for two-way emergency traffic.</p>
11.3.5 Other Regulations	Refer to General Regulations contained in Section 9.0 for other requirements that may apply.

11.4 Multi-Unit Residential (R4) District

11.4.1 Purpose	The purpose of this District is to provide for medium and high density residential development.
11.4.2 Uses	
a) Permitted Uses	<ul style="list-style-type: none"> • apartment building • single detached dwelling • duplex housing • semi-detached housing • row housing • accessory building or use • satellite dish antenna • park or playground • daycare
b) Discretionary Uses	<ul style="list-style-type: none"> • boarding house • home occupation • supportive housing such as group homes and seniors assisted living • transitional housing • public use
11.4.3 Site Provisions	In addition to the General Regulations contained in Section 9.0, the following standards shall apply to every development in this district:
Lot Area (minimum):	149 m ² (1,600 ft ²) for row housing 604 m ² (6,500 ft ²) for other uses
Lot Width (minimum):	3.7 m (12 ft.) for row housing 15.2 m (50 ft.) for other uses
Front Yard (minimum):	6.1 m (20 ft.)
Rear Yard (minimum):	7.6 m (25 ft.) for apartment buildings 4.6 m (15 ft.) for other uses
Side Yard (minimum):	4.6 m (15 ft.) for apartment buildings 1.5 m (5 ft.) for other uses This side yard requirement does not apply to row housing developments where a common wall corresponds to a property line.
Building Height (maximum):	Three (3) stories for principal building 4.6 m (15 ft.) for accessory building
Site Coverage (maximum):	35 percent
11.4.4 Additional Requirements for Apartments and Row Housing	<ul style="list-style-type: none"> a) For complexes in excess of ten (10) units, a minimum of ten (10) percent of the site shall be devoted to landscaped open space. b) All developments shall provide, to the satisfaction of the Development Authority: <ul style="list-style-type: none"> (i) access to garbage storage and disposal facilities,

	<ul style="list-style-type: none"> (ii) access to the building for firefighting purposes, (iii) lighting between principal buildings, (iv) privacy for dwelling units in and adjacent to the development, (v) convenient pedestrian entry points that are prominent from the street, and (vi) safe pedestrian access to and from the public sidewalk fronting the building. <p>c) Areas surrounding off-street parking spaces shall be landscaped to the satisfaction of the Development Authority and shall consider Crime Prevention Through Environmental Design principles.</p> <p>d) All developments shall be designed by a registered Architect, who shall provide the Town with a Design Concept and Rationale linking the architectural style to contextual elements in the Town, referencing any applicable guidelines. Once accepted, the building construction must adhere to the Design Concept.</p>
11.4.5 Other Regulations	Refer to General Regulations contained in Section 9.0 for other requirements that may apply.

11.5 Large Lot Residential (RL) District

11.5.1 Purpose	The purpose of this district is to provide for low density residential development on properties which are larger than conventional residential lots.
11.5.2 Uses	
a) Permitted Uses	<ul style="list-style-type: none"> • satellite dish antenna • single detached dwelling
b) Discretionary Uses	<ul style="list-style-type: none"> • accessory building or use • bed and breakfast • home occupation • home occupation (major) • manufactured home (multi-section) • public use
11.5.3 Site Provisions	In addition to the General Regulations contained in Section 9.0, except where indicated, the following standards shall apply to every development in this district:
Lot Area:	0.135 ha (0.33 acre) minimum 1.0 ha (2.5 acre) maximum
Lot Width (minimum):	30 m (98 ft.)
Front Yard (minimum):	7.6 m (25 ft.)
Rear Yard (minimum):	9.1 m (30 ft.)
Side Yard (minimum):	3.3 m (10 ft.). For any structure that exceeds 7.6 m (25 ft.) in height, the side yard shall be increased 0.3 m (1 ft.) for every 0.3 m (1 ft.) of additional height.
Building Height (maximum):	10.6 m (35 ft.) for principal building 7.6 m (25 ft.) for accessory building
Building Size:	111 m ² (1,200 ft ²) minimum for dwelling
11.5.4 Additional Requirements	<ul style="list-style-type: none"> • Manufactured Homes <ul style="list-style-type: none"> (i) Notwithstanding Section 9.14.1, no multi-section manufactured home will be permitted that is greater than ten (10) years old at the time of application (ii) Manufactured homes shall be installed on cement foundations or other permanent foundation satisfactory to the Development Authority. • Accessory Buildings <ul style="list-style-type: none"> (i) Notwithstanding Sections 9.2.6 and 9.2.7, the side and rear yard requirements of this district shall apply to accessory buildings. (ii) Notwithstanding Section 9.1, the size of an accessory building shall not exceed six (6) percent of the lot area to a maximum of 270 m² (3,000 ft²), and the total area of all accessory buildings shall not exceed eight (8) percent of the lot area to a maximum of 339 m² (3,650 ft²).

11.5.5 Other Regulations	Refer to General Regulations contained in Section 9.0 for other requirements that may apply.
--------------------------	--

11.6 Downtown Commercial (C1) District

11.6.1 Purpose	The purpose of this district is to provide for mixed use developments containing retail or office at grade and residential above, generally located in the central business area of Town.
11.6.2 Uses	
a) Permitted Uses	<ul style="list-style-type: none"> • accessory building or use • public use • business, administration, and professional office • dwelling unit(s) as accessory use to a commercial use, located on the 2nd or higher floor • financial institution • hotel • personal service establishment • restaurant, except drive-in or drive-through restaurants • retail outlet
b) Discretionary Uses	<ul style="list-style-type: none"> • bed and breakfast • bus depot • child care facility • commercial recreation or entertainment facility • community hall • parking lot • service club • small equipment repair shop
11.6.3 Site Provisions	In addition to the General Regulations contained in Section 9.0, the following standards shall apply to every development in this district.
Lot Width (minimum):	4.6 m (15 ft.)
Front Yard (maximum):	3.3 m (10 ft.)
Rear Yard (minimum):	7.0 m (23 ft.)
Side Yard (minimum):	3.3 m (10 ft.) if adjacent to a residential district. None for all other locations if fire rated wall provided.
Building Height (maximum):	4 storeys
11.6.4 Additional Requirements	<ul style="list-style-type: none"> • The design, construction and architectural appearance of any building shall be to the satisfaction of the Development Authority. The design should respond to the Town's Downtown Commercial Guidelines. • Blank walls facing public streets are not permitted. • With the exception of "single detached dwellings and manufactured homes established prior to the adoption of this Bylaw", residential development in this district shall:

	<ul style="list-style-type: none"> (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) if the residence is located on the main floor, only be occupied by the owner of the principal use of the building, or as a caretaker's residence for that same principal use, and (iii) have direct access to the outside street level, that access being independent of the main entrance for the principal use of the building. d) Any portion of a building above 3 storeys must be set back 3.3m (10 feet) from the front façade of the building.
11.6.5 Other Regulations	Refer to General Regulations contained in Section 9.0 for other requirements that may apply.

11.7 Gateway Commercial (C2) District

11.7.1 Purpose	The purpose of this district is to provide for commercial activity that transitions from the highway to the downtown area, allowing a mix of auto- and pedestrian-oriented development.
11.7.2 Uses	
a) Permitted Uses	<ul style="list-style-type: none"> • accessory building or use • public use • business, administration, and professional office • dwelling unit(s) as accessory use to a commercial use, located on the 2nd or higher floor • hotel • motel
b) Discretionary Uses	<ul style="list-style-type: none"> • Autobody or paint shop • bed and breakfast • bus depot • car wash • child care facility • commercial recreation or entertainment facility • community hall • Gas bar or service station • parking lot • plumbing or electrical shop • restaurant, except drive-in or drive-through restaurants • retail outlet • service club • small equipment repair shop • vehicle or equipment repair
11.7.3 Site Provisions	In addition to the General Regulations contained in Section 9.0, the following standards shall apply to every development in this district.
Lot Width (minimum):	4.6 m (15 ft.)
Front Yard (minimum):	3.3 m (10 ft.)
Rear Yard (minimum):	1.0 m (3.3 ft.)
Side Yard (minimum):	3.3 m (10 ft.) if adjacent to a residential district. None for all other locations if fire rated wall provided.
Building Height (maximum):	3 storeys
11.7.4 Additional Requirements	a) The design, construction and architectural appearance of any building shall be to the satisfaction of the Development Authority. The design should respond to the Town's

	<p>Downtown Commercial Guidelines.</p> <p>b) With the exception of “single detached dwellings and manufactured homes established prior to the adoption of this Bylaw”, residential development in this district shall:</p> <ul style="list-style-type: none"> (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) if the residence is located on the main floor, only be occupied by the owner of the principal use of the building, or as a caretaker’s residence for that same principal use, and (iii) have direct access to the outside street level, that access being independent of the main entrance for the principal use of the building.
11.7.5 Other Regulations	Refer to General Regulations contained in Section 9.0 for other requirements that may apply.

11.8 Service Commercial (SC) District

11.8.1 Purpose	The purpose of this district is to provide for commercial developments, located outside the central business area of Town, that primarily serve other businesses and/or whose customers need vehicular access because the goods sold are bulky and/or heavy.
11.8.2 Uses	
a) Permitted Uses	<ul style="list-style-type: none"> • accessory building or use • public use • auto body or paint shop • bulk fuel outlet • truck wash • vehicle and equipment repair or storage • welding shop • building supplies yard • commercial card lock • farm implement dealership • manufactured home dealership • plumbing or electrical shop • vehicle or equipment dealership
b) Discretionary Uses	<ul style="list-style-type: none"> • car wash • greenhouse • storage yard • warehouse • freestanding communications antenna system
11.8.3 Site Provisions	In addition to the General Regulations contained in Section 9.0, the following standards shall apply to every development in this district.
Front Yard (minimum):	9.1 m (30 ft.)
Rear Yard (minimum):	1.5 m (4 ft.)
Side Yard (minimum):	3.3 m (10 ft.). The Development Authority may reduce the side yard requirements if the development conforms to fire protection regulations.
Building Height (maximum):	2 storeys
11.8.4 Additional Requirements	<p>a) The design, construction and architectural appearance of any building shall be to the satisfaction of the Development Authority. The following shall guide consideration of development proposals:</p> <p>(i) The Front Façade must be designed to create interest by visually articulating the façade into a series of intervals. One or more of the following methods may be used:</p>

	<ul style="list-style-type: none"> (a) Modulating the façade - stepping back or extending forward a portion of it; (b) Using the pattern of fenestration to reinforce the façade modulation (c) Incorporating any merchandising display windows into the façade; (d) Changing materials, colours, patterns, and textures within the building plane to reinforce the articulation both horizontally and vertically; (e) Designing the building with visually distinct bottom, middle, and top. (f) As an alternative to detailing the entire front façade, less architecturally significant portions of the front facades of buildings may be set back and screened from public view by mature, dense landscaping. (ii) Blank walls facing public streets are not permitted. (iii) Express the structural system (or implied structural system) of the building through visible exterior elements. (iv) For flat roofs, distinguish the cornice from the wall by using suitable wood, metal, or stone materials, and/or by changing colour. (v) Define the entry. One or more of the following elements may be used: <ul style="list-style-type: none"> (a) Façade and structural elements such as overhangs, columns, pilasters, window placement (b) Signage (c) Extra-height lobby space, distinctive doorways, a distinctive landscaped entry area, and/or changes in paving materials, textures or colour; (d) Planting boxes. b) Provision for adequate vehicular circulation shall be provided on all sites to the satisfaction of the Development Authority.
11.8.5 Other Regulations	Refer to General Regulations contained in Section 9.0 for other requirements that may apply.

11.9 Highway Development (HD) District

11.9.1 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.
11.9.2 Uses	
a) Permitted Uses	<ul style="list-style-type: none"> • accessory building or use • public use • car wash • commercial card lock • hotel • bus depot • drive-in or drive-through restaurant • gas bar or service station • motel • motor vehicle dealership
b) Discretionary Uses	<ul style="list-style-type: none"> • single family dwelling or manufactured home established prior to the adoption of this Bylaw • vehicle or equipment dealership • restaurant, accessory to a hotel or motel • retail outlet • recreational vehicle park or campground
11.9.3 Site Provisions	In addition to the General Regulations contained in Section 9.0, the following standards shall apply to every development in this district.
Front Yard (minimum):	9.1 m (30 ft.)
Rear Yard (minimum):	Shall be at the discretion of the Development Authority based upon requirements for staff parking, storage, and loading.
Side Yard (minimum):	3.3 m (10 ft.). The Development Authority may reduce the side yard requirements if the development conforms to fire protection regulations.
Building Height (maximum):	3 storeys
11.9.4 Additional Requirements	<p>a) The design, construction and architectural appearance of any building and the site layout shall be to the satisfaction of the Development Authority. The design should respond to the Town's Highway Commercial Guidelines. In addition, it should respond to the following guidelines:</p> <p>(i) Design the front façade to create interest by visually articulating the façade into a series of intervals. One or more of the following methods may be used:</p> <p>(a) Modulating the façade - stepping back or</p>

	<ul style="list-style-type: none"> extending forward a portion of it; (b) Using the pattern of fenestration to reinforce the façade modulation (c) Incorporating any merchandising display windows into the façade; (d) Changing materials, colours, patterns, and textures within the building plane to reinforce the articulation both horizontally and vertically; (e) Designing the building with visually distinct bottom, middle, and top. (f) As an alternative to detailing the entire front façade, less architecturally significant portions of the front facades of buildings may be set back and screened from public view by mature, dense landscaping. (ii) Blank walls facing public streets are not permitted. (iii) Express the structural system (or implied structural system) of the building through visible exterior elements. (iv) For flat roofs, distinguish the cornice from the wall by using suitable wood, metal, or stone materials, and/or by changing colour. (v) Define the entry. One or more of the following elements may be used: <ul style="list-style-type: none"> (g) Façade and structural elements such as overhangs, columns, pilasters, window placement (h) Signage (i) Extra-height lobby space, distinctive doorways, a distinctive landscaped entry area, and/or changes in paving materials, textures or colour; (j) Planting boxes. b) Provision for adequate vehicular circulation shall be provided on all sites to the satisfaction of the Development Authority.
11.9.5 Other Regulations	Refer to General Regulations contained in Section 9.0 for other requirements that may apply.

11.10 Industrial (M1) District

11.10.1 Purpose	The purpose of this district is to provide for manufacturing, processing, assembly, distribution, service, and repair uses.
11.10.2 Uses	
a) Permitted Uses	<ul style="list-style-type: none"> • accessory building or use • auto body or paint shop • bulk fuel outlet • truck wash • satellite dish antenna • storage yard • public use • trucking operation or terminal • warehouse • welding shop • vehicle or equipment repair or storage
b) Discretionary Uses	<ul style="list-style-type: none"> • auto wrecker or salvage yard • portable work camps • grain elevator • greenhouse • manufacturing plant engaged in secondary processing, assembly and/or packaging • single family dwelling or manufactured home established prior to the adoption of this Bylaw • freestanding communications antenna system
11.10.3 Site Provisions	In addition to the General Regulations contained in Section 9.0, the following standards shall apply to every development in this district.
Front Yard (minimum):	9.1 m (30 ft.)
Rear Yard (minimum):	Shall be at the discretion of the Development Authority based upon requirements for staff parking, storage, and loading.
Side Yard (minimum):	3.3 m (10 ft.). The Development Authority may reduce the side yard requirements if the development conforms to fire protection regulations.
Building Height (maximum):	At discretion of the Development Authority
11.10.4 Additional Requirements	a) The standard of design and construction is expected to be typical of an industrial area. The design, construction and architectural appearance of any building shall be to the satisfaction of the Development Authority. The following shall guide consideration of development proposals:

	<ul style="list-style-type: none"> (i) Design the front façade to create interest by visually articulating the façade into a series of intervals. One or more of the following methods may be used: <ul style="list-style-type: none"> (a) Modulating the façade - stepping back or extending forward a portion of it; (b) Using the pattern of fenestration to reinforce the façade modulation (c) Incorporating any merchandising display windows into the façade; (d) Changing materials, colours, patterns, and textures within the building plane to reinforce the articulation both horizontally and vertically; (e) Designing the building with visually distinct bottom, middle, and top. (f) As an alternative to detailing the entire front façade, less architecturally significant portions of the front facades of buildings may be set back and screened from public view by mature, dense landscaping. (i) Blank walls facing public streets are not permitted. (ii) Express the structural system (or implied structural system) of the building through visible exterior elements. (iii) For flat roofs, distinguish the cornice from the wall by using suitable wood, metal, or stone materials, and/or by changing colour. (iv) Define the entry. One or more of the following elements may be used: <ul style="list-style-type: none"> (a) Façade and structural elements such as overhangs, columns, pilasters, window placement (b) Signage (c) Extra-height lobby space, distinctive doorways, a distinctive landscaped entry area, and/or changes in paving materials, textures or colour; (d) Planting boxes. b) Provision for adequate vehicular circulation shall be provided on all sites to the satisfaction of the Development Authority.
11.10.5 Other Regulations	Refer to General Regulations contained in Section 9.0 for other requirements that may apply.

11.11 Institutional, Parks and Recreation District (I)

11.11.1 Purpose	The purpose of this district is to provide for the development of public uses and recreational facilities.
11.11.2 Uses	
a) Permitted Uses	<ul style="list-style-type: none"> • parks and playgrounds • accessory building or use • public use • satellite dish antenna • sign
b) Discretionary Uses	<ul style="list-style-type: none"> • arena • church • community hall • curling rink • fairground and related facilities • health care facility • historical building • museum • parking area • school • swimming pool • freestanding communications antenna system
11.11.3 Site Provisions	In addition to the General Regulations contained in Section 9.0, the following standards shall apply to every development in this district.
Front Yard (minimum):	7.6 m (25 ft.)
Side Yard (minimum):	4.6 m (15 ft.)
Rear Yard (minimum):	4.6 m (15 ft.)
Building Height (maximum):	At discretion of the Development Authority
Other Site Provisions:	<p>a) The design, architectural appearance, height, and landscaping of any building or structure and all signs must meet with the satisfaction of the Development Authority.</p> <p>b) Notwithstanding Site Provisions in this Section (above), setback requirements for fairgrounds and related facilities shall be at the discretion of the Development Authority.</p>
11.11.4 Other Regulations	Refer to General Regulations contained in Section 9.0 for other requirements that may apply.

11.12 Direct Control District (DC)

11.12.1 Purpose	The purpose of this district is to exercise particular control over the use and development of land and buildings under unique circumstances requiring site-specific controls, where the application of conventional land use districts would be inappropriate or inadequate.
11.12.2 Uses:	In approving a Direct Control District, Council shall specify those uses that may be allowed in the District
11.12.3 Administration Provisions	<ul style="list-style-type: none"> • This District shall only be applied where the following conditions are met: <ul style="list-style-type: none"> (i) The proposed development is, in the opinion of Council, appropriate for the site, having regard to the policies and objectives of any plan and this Bylaw, and the compatibility with the scale and character of surrounding development; (ii) The use of any other district to accommodate the development would, in the opinion of Council, result in potential conflicts with existing or future surrounding development, should the full development potential of such district be utilized; and (iii) The development is of a unique form or nature not contemplated or reasonably regulated by another district. • In addition to the information required by this Bylaw for an amendment application, the applicant shall also provide the following information: <ul style="list-style-type: none"> (i) A rationale explaining why the district is desirable for the site, having regard to the conditions of application set out in (a) above; (ii) A list of uses proposed for the site; (iii) A statement documenting the opinions and concerns of surrounding property owners and residents, the response to those concerns, and the method used to obtain such input; (iv) Plans and elevations that would help to substantiate the need for the proposed development to locate in this District; and (v) Any other information as may be required by Council. • In approving this District, Council may specify which uses are to be decided upon by a Development Authority, or by Council. • In approving this District, Council shall specify those regulations, in addition to the General Regulations of this Bylaw, which shall apply to uses in this District.
11.12.4 Other Regulations	Refer to General Regulations contained in Section 9.0 for other requirements that may apply.

11.13 Urban Reserve District (UR)

11.13.1 Purpose	The purpose of this district is to provide for the continuation of existing rural pursuits and future urban expansion.
11.13.2 Uses	
a) Permitted Uses	<ul style="list-style-type: none"> • accessory building or use • agriculture (extensive) • recreational use not requiring permanent facilities • satellite dish antenna
b) Discretionary Uses	<ul style="list-style-type: none"> • farm produce outlets • market garden • natural resource extraction industry • nursery or greenhouse • public use • single detached dwelling
11.13.3 Site Provisions	In addition to the General Regulations contained in Section 9.0, the following standards shall apply to every development in this district.
Lot Area (minimum):	8 hectares (20 acres)
Front Yard (minimum):	7.6 m (25 ft.)
Side Yard (minimum):	4.6 m (15 ft.)
Rear Yard (minimum):	4.6 m (15 ft.)
Building Height (maximum):	At discretion of the Development Authority
11.13.4 Other Regulations	Refer to General Regulations contained in Section 9.0 for other requirements that may apply.

12.0 Adoption of Bylaw

12.1 Repeal of Existing Land Use Bylaw

The Town of Valleyview Land Use Bylaw No. 2007-02, and all subsequent amendments thereto are hereby rescinded.

12.2 Effective Date

This Bylaw comes into effect upon the date of its third reading by Council.

READ a first time the ____ day of _____, 2016.

READ a second time the ____ day of _____, 2016.

READ a third time and finally passed the ____ day of _____, 2016.

MAYOR

TOWN MANAGER

Schedule A: Land Use Bylaw Forms

FORM A	DEVELOPMENT PERMIT APPLICATION
FORM A.1	DEVELOPMENT PERMIT APPLICATION – HOME OCCUPATION AND BED & BREAKFAST USES
FORM B	NOTIFICATION OF DEVELOPMENT PERMIT APPLICATION
FORM C	DEVELOPMENT PERMIT
FORM D	DEVELOPMENT PERMIT TIME EXTENSION
FORM E	DEVELOPMENT APPEAL APPLICATION
FORM F	NOTIFICATION OF SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING
FORM G	DECISION OF THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD
FORM H	APPLICATION FOR MUNICIPAL DEVELOPMENT PLAN/LAND USE BYLAW AMENDMENT

**TOWN OF VALLEYVIEW
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.

Applicant Information

Name of Applicant: _____

Applicant Telephone: _____

Address of Applicant: _____

Name of Registered Landowner (if different from above): _____

Address of Landowner: _____

Landowner Telephone: _____

Municipal Address of Property to be Developed: _____

Legal Description of Property to be Developed: _____

Lot ____ Block ____ Plan _____ or Quarter ____ Section ____ Twp 70 Rg 22 W5M

Development Information

Existing Use of the Property: _____

Proposed Use of the Property: _____

Land Use Designation in Land Use Bylaw: _____

Lot Length	_____	Lot Width	_____	Lot Area	_____
------------	-------	--------------	-------	----------	-------

Percentage of Lot Now Occupied by Existing Building(s): _____

Percentage of Lot to be Occupied by New Building(s): _____

Total Percentage of Lot to be Occupied by Existing and New Building(s): _____

Proposed Setbacks: Front Yard _____ Rear Yard _____

Side Yard (1) _____ Side Yard (2) _____

Building Height Above Finished Grade: _____ Number of
Parking Stalls _____

If a Modular Home (constructed to CSA A277 Standard) is proposed, also complete this section, and provide a certificate from the manufacturer demonstrating adherence to the Standard

Manufacturer _____

If a Manufactured Home (mobile home¹) is proposed, also complete this section:

Make of Home	_____	Model of Home	_____
--------------	-------	------------------	-------

Serial Number	_____	Alberta Municipal Affairs Label #	_____
---------------	-------	---	-------

(n/a if label is not present)

Year built:	_____	Size (indicate sq. ft. and/or sq. m.)	_____
-------------	-------	--	-------

Value of home: \$	_____	Size of addition(s) proposed:	_____
-------------------	-------	----------------------------------	-------

¹ These homes meet the CSA Z240 certification. See also the Definitions section of the Land Use Bylaw.

PLEASE PROVIDE A SCALED DIAGRAM OR DIAGRAMS INDICATING:

- ✓ Property lines surrounding the site
- ✓ Existing roads and sidewalks
- ✓ Above ground utilities and existing direction of storm water drainage off the site
- ✓ Where relevant to the proposed development:
 - The location and dimensions of existing buildings and structures
 - The location and dimensions of proposed improvements to buildings and structures
 - The location and dimensions of proposed landscaping, fences and screening
 - Dimensioned floor plans for all floors of all proposed buildings being constructed or renovated
 - Exterior elevations for all building faces facing public streets or public access points
 - The extent of existing treed areas together with an indication of the trees which are proposed for removal
 - The location and dimensions of proposed off-street parking, loading and access points
 - diagrams and/or plans illustrating utilities, site drainage, grade elevations, existing and finished lot grades, the grades of the streets and the location of proposed sewer and water lines

For convenience, the attached sheet may be used if desired.

Estimated Commencement Date: _____

Estimated Completion Date: _____

Estimated Construction Value of Project*: _____ \$ _____

**estimate construction value based on market value of construction materials and labour and associated costs.*

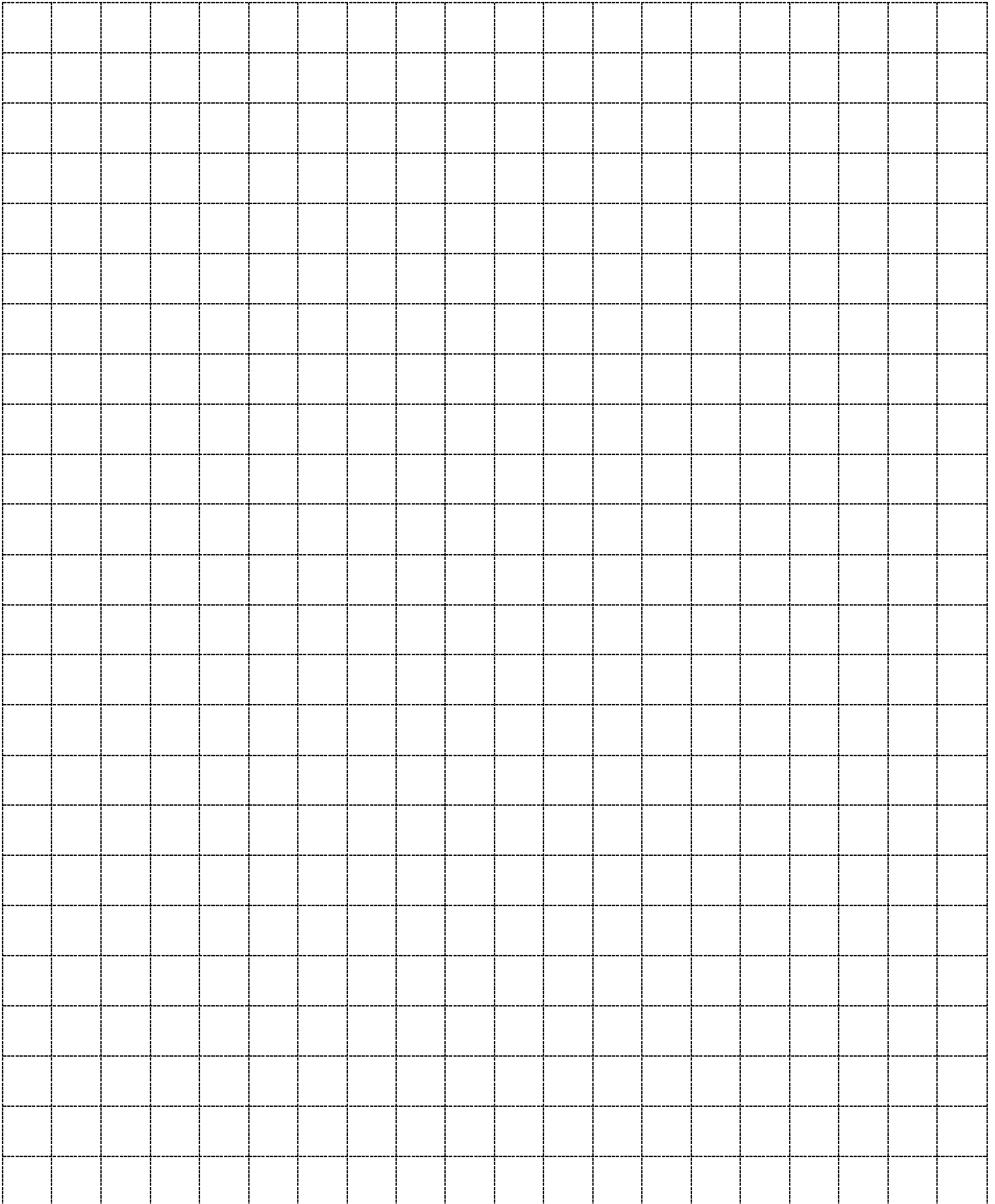
Declaration

I/We hereby declare that the above information is, to the best of my/our knowledge, factual and correct.

Signature of Applicant *Date*

Signature of Registered Landowner (If Different from Above): *Date*

Address: _____



**TOWN OF VALLEYVIEW
NOTIFICATION OF DEVELOPMENT PERMIT APPLICATION**

This is to notify you that an application for a development permit has been received by the Development Officer for the Town of Valleyview. The attached application form is provided for your examination. The location of the proposed development is illustrated on the map as follows:

If you wish to make comment for or against the application, please do so prior to _____
Date

After this date, the Municipal Planning Commission will make a decision on the application. If this application is approved, a notice indicating such shall be published in the local newspaper.

The Valleyview Land Use Bylaw provides that any person claiming to be affected by a decision of the Development Authority may appeal to the Subdivision and Development Appeal Board by serving written notice of appeal to the Secretary of the Subdivision and Development Appeal Board (Box 270, Valleyview, Alberta, T0H 3N0) within 14 days after the date indicated on the notice of decision. An application for appeal is available at the Town Office, or you may submit your appeal by letter stating the reasons for your appeal.

**TOWN OF VALLEYVIEW
DEVELOPMENT PERMIT**

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 14 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
Town of Valleyview

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 14 DAYS AFTER NOTICE OF THE DECISION IS GIVEN. Contact the Development Officer (524-5150) for a Development Appeal application form.

**TOWN OF VALLEYVIEW
DEVELOPMENT PERMIT TIME EXTENSION**

The Municipal Government Act, RSA 2000, Chapter M-26, 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 authority is not made within 40 days of receipt of the application unless the applicant has entered into an agreement with the development authority to extend the 40-day period."

Time Extension Agreement

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

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

Time Extended to: _____
Day Month Year

Signature of Applicant Date Signed

Development Officer Date Signed

Additional Time Extension Agreement

Time Extended to: _____
Day Month Year

Signature of Applicant Date Signed

Development Officer Date Signed

Form E

**TOWN OF VALLEYVIEW
DEVELOPMENT APPEAL APPLICATION**

OFFICE USE ONLY:

Date Received: _____

Appeal No.: _____

Permit No.: _____

Date of Hearing: _____

I hereby give notice of appeal to the decision of the Development Authority 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: _____

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

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

Date

Mail or deliver to:

The Secretary
Subdivision and Development Appeal Board
Town of Valleyview
Box 270
Valleyview, Alberta T0H 3N0
Telephone: (780) 524-5150

**TOWN OF VALLEYVIEW
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. _____.

- APPROVED for the following use:
- A Development Permit has been APPROVED WITH CONDITIONS for the following use:
- use:
- REFUSED for the following reasons:

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

Date of Hearing: _____

Time of Hearing: _____

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:

_____.

Secretary, Subdivision and Development Appeal Board

Date

For further information, contact:
The Secretary,
Subdivision and Development Appeal Board
Town of Valleyview
Box 270 Valleyview, Alberta T0H 3N0
(780) 524-5150 (Phone)
(780) 524-2727 (Fax)
info@valleyview.ca (Email)

Form G

Appeal No. _____

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

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 _____, 20_____, 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, RSA 2000 as amended. An application for leave to appeal to the Appellate Division of the Supreme Court of Alberta shall be made:

- a) to a judge of the Appellate Division, and
- b) within 30 days after the issue of the order, decision, permit or approval sought to be appealed.

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*