



# LAND USE BYLAW

(DRAFT)



October 2022

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## **PART A ENACTMENT AND AUTHORITIES**

### **A1 Enactment**

#### **A1.1 Title**

- (1) This Bylaw may be cited as the “Town of Valleyview Land Use Bylaw”.

#### **A1.2 Purpose**

- (1) The purpose of this Bylaw is to regulate the use and development of land and buildings within the Town.

#### **A1.3 Application of Bylaw**

- (1) The provisions of this Bylaw apply to all land and buildings within the boundaries of the Town.

#### **A1.4 Effective Date**

- (1) This Bylaw shall come into effect upon the date of Third Reading by Council.

#### **A1.5 Conformity with Bylaw**

- (1) No person shall commence any development unless it is in accordance with the terms and conditions of this Bylaw.
- (2) This Bylaw does not prevent the continued use of a lot, building, or structure for a purpose not permitted by this Bylaw if such lot, building, or structure was lawfully used for such purpose on the effective date of this Bylaw provided it continues for that purpose on an uninterrupted basis.

#### **A1.6 Additional Requirements**

- (1) In addition to meeting the requirements of this Bylaw, it is the responsibility of the Applicant to obtain other such permits, approvals or licenses that may be required by the Town or other government departments or agencies.

#### **A1.7 Transition**

- (1) An application for a development permit that is received in its complete and final form prior to the effective date of this Bylaw shall be processed in accordance with Bylaw No. 2016-08 as amended.

#### **A1.8 Severability**

- (1) In the event any portion of this Bylaw is found invalid or is overturned by a Court of Law, the validity of the remaining portions of this Bylaw shall not be affected.

#### **A1.9 Rules of Interpretation**

- (1) The words “shall”, “will” and “must” require mandatory compliance except where a variance has been granted pursuant to the Act or this bylaw.
- (2) In the event of a conflict between the text of this Bylaw and the Act, the Act shall take precedence.
- (3) In the case of a conflict between the text of this Bylaw and any maps or drawings used to illustrate any aspect of this bylaw, the text shall take precedence.
- (4) In the case of a conflict between a Land Use District requirement and the Regulations in Part C, the Land Use District requirement shall take precedence.

- (5) Metric values shall be used for the purpose of determining correct dimensions used in this Bylaw. The imperial measurement is included for convenience only. Where metric and imperial measurements conflict, the metric value shall take precedence.
- (6) The contents of Schedule B (Valleyview Design Guidelines), Schedule C (Forms) and Schedule D (Process Charts) may be replaced or revised at the discretion of the Town without an amendment to this Bylaw.

## **A2 Development Authorities**

### **A2.1 Development Officer**

- (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.
- (2) The Development Officer is authorized to act as a Development Authority pursuant to the Act.
- (3) The Development Officer shall:
  - a) Receive and process all development permit applications,
  - b) Receive and process all subdivision applications,
  - c) 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,
  - d) Keep a register of all development permit applications, including the decisions therein and the reasons therefore, for a minimum period of seven (7) years,
  - e) Receive and decide on applications for development permits for those uses listed as Permitted Uses in the subject Land Use District,
  - f) Refer to the Municipal Planning Commission (MPC) for a decision:
    - (i) development permit applications for those uses listed as Discretionary Uses in the subject Land Use District,
    - (ii) development permit applications for those uses not listed either as a Permitted Use or Discretionary Use in the subject Land Use District,
    - (iii) development permit applications requiring a variance in accordance with Section D1.9(2), and
    - (iv) development permit applications for those uses listed as Permitted Uses that the Development Officer may wish to refer.
- (4) For the purpose of entering and inspecting land or buildings as described in the Act, the Development Officer and the Town's Community Peace Officer are hereby declared to be "Designated Officers".

### **A2.2 Municipal Planning Commission (MPC)**

- (1) The MPC is hereby authorized to act as a Development Authority in accordance with the *Development Authority Bylaw*.
- (2) The MPC shall decide upon all applications for Discretionary Uses and any other applications for Permitted Uses referred to it by the Development Officer.

### **A2.3 Council**

- (1) Council shall serve as the Development Authority as it relates to decisions respecting a Direct Control District.

### **A2.4 Subdivision Authority**

- (1) The Town's Chief Administrative Officer or designate shall serve as the Subdivision Authority as specified in the *Subdivision Authority Bylaw*.

## **A2.5 Subdivision and Development Appeal Board**

- (1) The Board shall perform such duties and follow such procedures as specified in the *Act* and the *Subdivision and Development Appeal Board Bylaw*.

## PART B LAND USE DISTRICTS

### B1 Establishment of Districts

- (1) For the purpose of this Bylaw, lands within the Town are divided into the following Land Use Districts:

<u>Land Use District</u>	<u>Symbol</u>
Restricted Residential	RR
General Residential	RG
Manufactured Home Residential	RMH
Multi-Unit Residential	RMU
Large Lot Residential	RL
Downtown Commercial	CD
Gateway Commercial	CG
Service Commercial	CS
Highway Commercial	CH
General Industrial	IG
Public Services	PS
Urban Reserve	UR
Direct Control District	DC

- (2) 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 subsection (1).

### B2 Land Use District Map

- (1) The Land Use District Map, as may be amended or replaced from time to time, is that map located in Schedule A attached to and forming part of this Bylaw.

### B3 Land Use District Boundaries

- (1) Where uncertainty exists as to the boundaries of districts as delineated in the Land Use District Map, the following rules shall apply:
- Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line.
  - In circumstances not covered by subsection (a), the location of the Land Use District boundary shall be determined:
    - Where dimensions are set out on the Land Use District Map, by the dimensions so set; or
    - Where dimensions are not set out on the Land Use District Map with respect to such boundary, by measurement of and use of the scale shown on the Land Use District Map.
- (2) Where a Land Use District has been established in accordance with a proposed subdivision of land, the Land Use District shall be understood to conform to the instrument that is registered in a land titles office. Prior to such registration, the Land Use District boundary shall be determined by the scale of the map.
- (3) The Land Use District standards of this bylaw do not apply to highways, public roads, or lanes.
- (4) Notwithstanding subsection (4), if a portion of highway, public road or lane is closed by bylaw, the Land Use District(s) that apply to the lands abutting the closure area shall be applied to the closure area. Should the entire width of a highway, public road, or lane be closed, and two or more Land Use Districts apply on opposite sides of the closure area, the boundary between the different Land Use Districts shall follow the theoretical centre line of the closure area between those Land Use Districts.



## B4 Land Use Districts

### B4.1 Restricted Residential (RR) District

(1) Purpose

The purpose of this Land Use District is to provide for low density residential development in the form of Single Detached Dwellings with provisions for Duplex dwellings and complementary uses.

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> <li>• <u>Accessory Building or Use to a Permitted Use</u></li> <li>• <u>Home-Based Business, Minor</u></li> <li>• <u>Single Detached Dwelling</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>Accessory Building or Use to a Discretionary Use</u></li> <li>• <u>Bed and Breakfast</u></li> <li>• <u>Duplex</u></li> <li>• <u>Family Day Home</u></li> <li>• <u>Home-Based Business, Major</u></li> <li>• <u>Solar Collector</u></li> </ul>

(2) Site Provisions

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

a) <u>Lot Area</u> (Minimum)	465 m <sup>2</sup> (5,000 ft <sup>2</sup> )
b) <u>Lot Width</u> (Minimum)	15 m (50 ft)
c) <u>Front Yard Setback</u> (Minimum)	6.1 m (20 ft)
d) <u>Rear Yard Setback</u> (Minimum)	4.6 m (15 ft)
e) <u>Side Yard Setback, Exterior</u> (Minimum)	3 m (10 ft)
f) <u>Side Yard Setback, Interior</u> (Minimum)	1.5 m (5 ft) In a <u>subdivision</u> with no lane, one (1) <u>side yard</u> shall be a minimum of 3 m (10 ft) to provide for vehicular access to <u>rear yard</u> unless attached <u>Garage</u> provided.
g) <u>Building Height</u> (Maximum)	<u>Principal Building</u> : 8.2 m (27 ft) <u>Accessory Building</u> : 4.6 m (15 ft)
h) <u>Lot Coverage</u> (Maximum)	35 percent

## B4.2 General Residential (RG) District

(1) Purpose

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

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> <li>• <u>Accessory Building or Use to a Permitted Use</u></li> <li>• <u>Duplex</u></li> <li>• <u>Home-Based Business, Minor</u></li> <li>• <u>Single Detached Dwelling</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>Accessory Building or Use to a Discretionary Use</u></li> <li>• <u>Bed and Breakfast</u></li> <li>• <u>Family Day Home</u></li> <li>• <u>Home-Based Business, Major</u></li> <li>• <u>Manufactured Home, Single or Multi-section</u></li> <li>• <u>Pet Care Service</u></li> <li>• <u>Solar Collector</u></li> </ul>

(2) Site Provisions

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

a) <u>Lot Area</u> (Minimum):	Side-Side <u>Duplex</u> : 325 m <sup>2</sup> (3,500 ft <sup>2</sup> ) per unit All Other <u>Uses</u> : 418 m <sup>2</sup> (4,500 ft <sup>2</sup> )
b) <u>Lot Width</u> (Minimum):	Side-Side <u>Duplex</u> : 6.1 m (20 ft) per unit All Other <u>Uses</u> : 13.7 m (45 ft)
c) <u>Front Yard Setback</u> (Minimum):	6.1 m (20 ft)
d) <u>Rear Yard Setback</u> (Minimum):	4.6 m (15 ft)
e) <u>Side Yard Setback, Exterior</u> (Minimum):	2 m (6.5 ft)
f) <u>Side Yard Setback, Interior</u> (Minimum):	1.2 m (4 ft) In a <u>subdivision</u> with no <u>lane</u> , one (1) <u>side yard</u> shall be a minimum of 3 m (10 ft) to provide for vehicular access to <u>rear yard</u> unless attached <u>Garage</u> provided.
g) <u>Building Height</u> (Maximum):	<u>Principal Building</u> : 8.2 m (27 ft) <u>Accessory Building</u> : 4.6 m (15 ft)
h) <u>Lot Coverage</u> (maximum):	35 percent

### B4.3 Manufactured Home Residential (RMH) District

(1) Purpose

The purpose of this Land Use District is to provide for Manufactured Home Parks, and subdivisions where manufactured housing is the predominant housing form.

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> <li>• <u>Accessory Building or Use to a Permitted Use</u></li> <li>• <u>Home-Based Business, Minor</u></li> <li>• <u>Manufactured Home, Single or Multi-section</u></li> <li>• <u>Manufactured Home Park</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>Accessory Building or Use to a Discretionary Use</u></li> <li>• <u>Bed and Breakfast</u></li> <li>• <u>Duplex</u></li> <li>• <u>Family Day Home</u></li> <li>• <u>Home-Based Business, Major</u></li> <li>• <u>Kindergarten or Nursery School</u></li> <li>• <u>Public Use</u></li> <li>• <u>Single Detached Dwelling</u></li> <li>• <u>Solar Collector</u></li> </ul>

(2) Site Provisions

In addition to the Regulations contained in Part C, the following standards shall apply to every development in this district:

	Subdivision	Manufactured Home Park
a) <u>Lot/Dwelling Site Area</u> (Minimum)	Side-Side <u>Duplex</u> : 325 m <sup>2</sup> (3,500 ft <sup>2</sup> ) per unit All Other <u>Uses</u> : 418 m <sup>2</sup> (4,500 ft <sup>2</sup> )	Single Section: 325 m <sup>2</sup> (3,500 ft <sup>2</sup> ) Multi-Section: 380 m <sup>2</sup> (4,090 ft <sup>2</sup> )
b) <u>Lot/Dwelling Site Width</u> (Minimum)	Side-Side <u>Duplex</u> : 6.1 m (20 ft) per unit <u>Manufactured Home</u> : 12.2 m (40 ft) All Other <u>Uses</u> : 13.7 m (45 ft)	Single Section: 10.4 m (34 ft) Multi-Section: 12.2 m (40 ft)
c) <u>Front Yard Setback</u> (Minimum)	6.1 m (20 ft)	4.6 m (15 ft)
d) <u>Rear Yard Setback</u> (Minimum)	4.6 m (15 ft)	1.5 m (5 ft)
e) <u>Side Yard Setback, Exterior</u> (Minimum)	1.5 m (5 ft)	1.5 m (5 ft)
f) <u>Side Yard Setback, Interior</u> (Minimum)	1.5 m (5 ft)	1.5 m (5 ft)

(3) Additional Requirements: Manufactured Home Parks

- a) Every Manufactured Home Park shall provide, to the satisfaction of the Development Authority:
  - (i) a lighted storage area of 9.3 m<sup>2</sup> (100 ft<sup>2</sup>) for each Manufactured Home Dwelling Site,
  - (ii) ten percent (10%) of the gross area to landscaped open space with playground equipment,
  - (iii) municipal services, a paved private road system, and street lighting,
  - (iv) method of garbage collection and disposal,
  - (v) direct access to a major public road, and
  - (vi) a surface water drainage system.
- b) All Manufactured Home Park Dwelling Sites shall front on to a private internal road, and be clearly marked by means of stakes, fences, hedges, or other means satisfactory to the Development Authority.
- c) A minimum of one (1) off-street parking stall shall be provided per Dwelling Site, plus one (1) off-

- street parking stall per four (4) Dwelling Sites for visitor parking.
- d) All Manufactured Home Parks shall maintain on the perimeter of the property a landscaped buffer of a width to be determined by the Development Authority.
  - e) 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.

#### B4.4 Multi-Unit Residential (RMU) District

(1) Purpose

The purpose of this Land Use District is to provide for medium and high-density residential development.

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> <li>• <u>Accessory Building or Use to a Permitted Use</u></li> <li>• <u>Apartment Building</u></li> <li>• <u>Duplex</u></li> <li>• <u>Multi-Unit Dwelling</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>Accessory Building or Use to a Discretionary Use</u></li> <li>• <u>Family Day Home</u></li> <li>• <u>Home-Based Business, Minor</u></li> <li>• <u>Supportive Living Accommodation</u></li> <li>• <u>Transitional Housing</u></li> <li>• <u>Solar Collector</u></li> </ul>

(2) Site Provisions

In addition to the Regulations contained in Part C, the following standards shall apply to every development in this district:

a) <u>Lot Area</u> (Minimum):	Multi-Unit Dwelling: 149 m <sup>2</sup> (1,600 ft <sup>2</sup> ) per unit Side-Side Duplex: 325 m <sup>2</sup> (3,500 ft <sup>2</sup> ) per unit All Other <u>Uses</u> : 604 m <sup>2</sup> (6,500 ft <sup>2</sup> )
b) <u>Lot Width</u> (Minimum):	Multi-Unit Dwelling: 3.7 m (12 ft) per unit Side-Side Duplex: 6.1 m (20 ft) per unit All Other <u>Uses</u> : 15.2 m (50 ft)
c) <u>Front Yard Setback</u> (Minimum):	6.1 m (20 ft)
d) <u>Rear Yard Setback</u> (Minimum):	Apartment Building: 7.6 m (25 ft) All Other <u>Uses</u> : 4.6 m (15 ft)
e) <u>Side Yard Setback, Exterior</u> (Minimum):	Apartment Building: 4.6 m (15 ft) All Other <u>Uses</u> : 1.5 m (5 ft)
f) <u>Side Yard Setback, Interior</u> (Minimum):	Apartment Building: 4.6 m (15 ft) All Other <u>Uses</u> : 1.5 m (5 ft) This <u>side yard</u> requirement does not apply to multi-unit developments where a <u>common wall</u> corresponds to a property line.
g) <u>Building Height</u> (Maximum):	Principal Building: Three (3) <u>storeys</u> Accessory Building: 4.6 m (15 ft)
h) <u>Lot Coverage</u> (Maximum):	45 percent

(3) Additional Requirements: Multi-Unit Developments and Apartment Buildings

- a) For complexes in excess of ten (10) units, a minimum of ten percent (10%) of the site shall be devoted to landscaped open space.
- b) All developments shall provide, to the satisfaction of the Development Authority:
  - (i) access to garbage storage and disposal facilities,
  - (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.

- c) Areas surrounding off-street parking stalls shall be landscaped to the satisfaction of the Development Authority and shall consider Crime Prevention Through Environmental Design principles.

## B4.5 Large Lot Residential (RL) District

(1) Purpose

The purpose of this Land Use District is to provide for low density residential development on properties which are larger than conventional residential lots.

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> <li>• <u>Accessory Building or Use to a Permitted Use</u></li> <li>• <u>Home-Based Business, Minor</u></li> <li>• <u>Single Detached Dwelling</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>Accessory Building or Use to a Discretionary Use</u></li> <li>• <u>Bed and Breakfast</u></li> <li>• <u>Family Day Home</u></li> <li>• <u>Home-Based Business, Major</u></li> <li>• <u>Manufactured Home, Multi-section</u></li> <li>• <u>Pet Care Service</u></li> <li>• <u>Solar Collector</u></li> </ul>

(2) Site Provisions

In addition to the Regulations contained in Part C, except where indicated, the following standards shall apply to every development in this district:

a) <u>Lot Area</u> :	Minimum: 0.12 ha (0.3 acre) Maximum: 1 ha (2.5 acre)
b) <u>Lot Width</u> (Minimum):	30 m (98 ft)
c) <u>Front Yard Setback</u> (Minimum):	7.6 m (25 ft)
d) <u>Rear Yard Setback</u> (Minimum):	9.1 m (30 ft)
e) <u>Side Yard Setback</u> (Minimum):	3.3 m (10 ft)
f) <u>Building Height</u> (Maximum):	<u>Principal Building</u> : 10.6 m (35 ft) <u>Accessory Building</u> : 7.6 m (25 ft)
g) <u>Principal Building Size</u> (Minimum):	111 m <sup>2</sup> (1,200 ft <sup>2</sup> )
h) <u>Lot Coverage</u> (Maximum)	Single <u>Accessory Building</u> : 6% to maximum of 270 m <sup>2</sup> (3,000 ft <sup>2</sup> ) Total <u>Accessory Buildings</u> : 8% to maximum of 339 m <sup>2</sup> (3,650 ft <sup>2</sup> )

(3) Additional Requirements

- a) Notwithstanding Sections C2.1(6) and (8), the side and rear yard requirements of this Land Use District shall apply to Accessory Buildings.

## B4.6 Downtown Commercial (CD) District

### (1) Purpose

The purpose of this Land Use 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.

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> <li>• <u>Accessory Building or Use to a Permitted Use</u></li> <li>• <u>Clinic</u></li> <li>• <u>Eating and Drinking Establishment</u></li> <li>• <u>Financial Institution</u></li> <li>• <u>Hotel</u></li> <li>• <u>Mixed-Use Development</u></li> <li>• <u>Personal Services Establishment</u></li> <li>• <u>Professional and Business Support Service</u></li> <li>• <u>Public Use</u></li> <li>• <u>Retail Outlet</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>Accessory Building or Use to a Discretionary Use</u></li> <li>• <u>Amusement Establishment, Indoor</u></li> <li>• <u>Bed and Breakfast</u></li> <li>• <u>Bus Depot</u></li> <li>• <u>Cannabis Retail Store</u></li> <li>• <u>Child Care Facility</u></li> <li>• <u>Community Hall</u></li> <li>• <u>Contractor, Limited</u></li> <li>• <u>Manufactured Home</u> established prior to the adoption of this Bylaw</li> <li>• <u>Participant Recreation, Indoor</u></li> <li>• <u>Pet Care Service</u></li> <li>• <u>Single Detached Dwelling</u> established prior to the adoption of this Bylaw</li> <li>• <u>Spectator Entertainment</u></li> </ul>

### (2) Site Provisions

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

a) <u>Lot Width</u> (Minimum):	4.6 m (15 ft)
b) <u>Front Yard Setback</u> (Maximum):	3.3 m (10 ft)
c) <u>Rear Yard Setback</u> (Minimum):	7.0 m (23 ft)
d) <u>Side Yard Setback</u> (Minimum):	3.3 m (10 ft) if <u>adjacent</u> to a residential district. None for all other locations if fire rated wall provided.
e) <u>Building Height</u> (Maximum):	4 <u>storeys</u>

### (3) Additional Requirements

- a) The design, construction and architectural appearance of buildings shall be in accordance with the Downtown Commercial Design Guidelines located in Schedule B.
- b) Blank walls facing public roads are not permitted.
- c) With the exception of Manufactured Homes established prior to the adoption of this Bylaw” and “Single Detached Dwellings established prior to the adoption of this Bylaw”, residential development in this district shall be limited to the residential component of a Mixed-Use Development.
- d) Any portion of a building higher than 3 storeys must be set back 3.3 m (10 ft) from the front façade of the building.
- e) Outdoor Storage Yards shall only be:
  - (i) located in a rear yard and shall be fenced in accordance with *Section C1.10*, and
  - (ii) permitted as an accessory use to a permitted use or discretionary use for which a development permit has been issued on the same lot or site.



## B4.7 Gateway Commercial (CG) District

- (1) Purpose  
The purpose of this Land Use 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.

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> <li>• <u>Accessory Building or Use to a Permitted Use</u></li> <li>• <u>Eating and Drinking Establishment</u></li> <li>• <u>Hotel</u></li> <li>• <u>Mixed-Use Development</u></li> <li>• <u>Motel</u></li> <li>• <u>Office</u></li> <li>• <u>Public Use</u></li> <li>• <u>Retail Outlet</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>Accessory Building or Use to a Discretionary Use</u></li> <li>• <u>Amusement Establishment, Indoor</u></li> <li>• <u>Autobody or Paint Shop</u></li> <li>• <u>Bus Depot</u></li> <li>• <u>Cannabis Retail Store</u></li> <li>• <u>Child Care Facility</u></li> <li>• <u>Community Hall</u></li> <li>• <u>Contractor, Limited</u></li> <li>• <u>Gas Bar</u></li> <li>• <u>Manufactured Home</u> established prior to the adoption of this Bylaw</li> <li>• <u>Participant Recreation, Indoor</u></li> <li>• <u>Pet Care Service</u></li> <li>• <u>Service Station</u></li> <li>• <u>Single Detached Dwelling</u> established prior to the adoption of this Bylaw</li> <li>• <u>Vehicle or Equipment Repair</u></li> <li>• <u>Vehicle Wash</u></li> </ul>

- (2) Site Provisions  
In addition to the Regulations contained in Part C, the following standards shall apply to every development in this district.

a) <u>Lot Width</u> (Minimum):	4.6 m (15 ft)
b) <u>Front Yard Setback</u> (Minimum):	3.3 m (10 ft)
c) <u>Rear Yard Setback</u> (Minimum):	0.9 m (3 ft)
d) <u>Side Yard Setback</u> (Minimum):	3.3 m (10 ft) if <u>adjacent</u> to a residential district. None for all other locations if fire rated wall provided.
e) <u>Building Height</u> (Maximum):	3 <u>storeys</u>

- (3) Additional Requirements
- The design, construction and architectural appearance of buildings shall be in accordance with the Downtown Commercial Design Guidelines located in Schedule B.
  - With the exception of Manufactured Homes established prior to the adoption of this Bylaw” and “Single Detached Dwellings established prior to the adoption of this Bylaw”, residential development in this district shall be limited to the residential component of a Mixed-Use Development.

## B4.8 Service Commercial (CS) District

### (1) Purpose

The purpose of this Land Use 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.

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> <li>• <u>Accessory Building or Use to a Permitted Use</u></li> <li>• <u>Bulk Fuel Outlet or Cardlock</u></li> <li>• <u>Contractor, Limited</u></li> <li>• <u>Dealership</u></li> <li>• <u>Fleet Service</u></li> <li>• <u>Public Use</u></li> <li>• <u>Vehicle or Equipment Repair</u></li> <li>• <u>Vehicle Wash</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>Accessory Building or Use to a Discretionary Use</u></li> <li>• <u>Amusement Establishment, Outdoor</u></li> <li>• <u>Auto Body or Paint Shop</u></li> <li>• <u>Cannabis Retail Store</u></li> <li>• <u>Communication Tower</u></li> <li>• <u>Drive-Through Vehicle Service</u></li> <li>• <u>Greenhouse</u></li> <li>• <u>Mini-Storage Facility</u></li> <li>• <u>Participant Recreation, Indoor</u></li> <li>• <u>Pet Care Service</u></li> <li>• <u>Storage Yard</u></li> <li>• <u>Trucking Operation</u></li> <li>• <u>Veterinary Services</u></li> <li>• <u>Warehouse</u></li> </ul>

### (2) Site Provisions

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

a) <u>Front Yard Setback</u> (Minimum):	9.1 m (30 ft)
b) <u>Rear Yard Setback</u> (Minimum):	1.5 m (4 ft)
c) <u>Side Yard Setback</u> (Minimum):	3.3 m (10 ft)
d) <u>Building Height</u> (Maximum):	2 storeys

## B4.9 Highway Commercial (CH) District

- (1) Purpose  
The purpose of this Land Use 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.

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> <li>• <u>Accessory Building or Use to a Permitted Use</u></li> <li>• <u>Bulk Fuel Outlet or Cardlock</u></li> <li>• <u>Bus Depot</u></li> <li>• <u>Dealership</u></li> <li>• <u>Drive-Through Vehicle Service</u></li> <li>• <u>Eating and Drinking Establishment</u></li> <li>• <u>Fleet Service</u></li> <li>• <u>Gas Bar</u></li> <li>• <u>Hotel</u></li> <li>• <u>Motel</u></li> <li>• <u>Public Use</u></li> <li>• <u>Service Station</u></li> <li>• <u>Vehicle or Equipment Repair</u></li> <li>• <u>Vehicle Wash</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>Accessory Building or Use to a Discretionary Use</u></li> <li>• <u>Amusement Establishment, Indoor</u></li> <li>• <u>Amusement Establishment, Outdoor</u></li> <li>• <u>Cannabis Retail Store</u></li> <li>• <u>Campground</u></li> <li>• <u>Mini-Storage Facility</u></li> <li>• <u>Retail Outlet</u></li> <li>• <u>Veterinary Services</u></li> </ul>

- (2) Site Provisions  
In addition to the Regulations contained in Part C, the following standards shall apply to every development in this district.

a) <u>Front Yard Setback</u> (Minimum):	9.1 m (30 ft)
b) <u>Rear Yard Setback</u> (Minimum):	Shall be at the discretion of the <u>Development Authority</u> based upon requirements for staff parking, storage, and loading.
c) <u>Side Yard Setback</u> (Minimum):	3.3 m (10 ft). The <u>Development Authority</u> may reduce the <u>side yard</u> requirements if the <u>development</u> conforms to fire protection regulations.
d) <u>Building Height</u> (Maximum):	3 <u>storeys</u>

- (3) Additional Requirements  
a) All new development shall be in accordance with the Highway Commercial Design Guidelines contained in the Valleyview Development Guidelines located in Schedule B.

## B4.10 General Industrial (IG) District

(1) Purpose

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

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> <li>• <u>Accessory Building or Use to a Permitted Use</u></li> <li>• <u>Auto Body or Paint Shop</u></li> <li>• <u>Bulk Fuel Outlet or Cardlock</u></li> <li>• <u>Contractor, General</u></li> <li>• <u>Contractor, Limited</u></li> <li>• <u>Fleet Service</u></li> <li>• <u>Oilfield Support Industry</u></li> <li>• <u>Public Use</u></li> <li>• <u>Storage Yard</u></li> <li>• <u>Trucking Operation</u></li> <li>• <u>Vehicle or Equipment Repair</u></li> <li>• <u>Vehicle Wash</u></li> <li>• <u>Warehouse</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>Abattoir</u></li> <li>• <u>Accessory Building or Use to a Discretionary Use</u></li> <li>• <u>Auto Wrecker or Salvage Yard</u></li> <li>• <u>Cannabis Micro-Processing</u></li> <li>• <u>Cannabis Retail Store</u></li> <li>• <u>Communication Tower</u></li> <li>• <u>Greenhouse</u></li> <li>• <u>Manufacturing Plant</u></li> <li>• <u>Mini-Storage Facility</u></li> <li>• <u>Recycling Depot</u></li> <li>• <u>Veterinary Services</u></li> </ul>

(2) Site Provisions

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

a) <u>Front Yard Setback</u> (Minimum):	9.1 m (30 ft)
b) <u>Rear Yard Setback</u> (Minimum):	Shall be at the discretion of the <u>Development Authority</u> based upon requirements for staff parking, storage, and loading.
c) <u>Side Yard Setback</u> (Minimum):	3.3 m (10 ft). The <u>Development Authority</u> may reduce the <u>side yard</u> requirements if the <u>development</u> conforms to fire protection regulations.
d) <u>Building Height</u> (Maximum):	At the discretion of the <u>Development Authority</u>

## B4.11 Public Services District (PS)

(1) Purpose

The purpose of this Land Use District is to provide for the development of public services, community uses, and recreational facilities.

<b>Permitted Uses</b>	<b>Discretionary Uses</b>
<ul style="list-style-type: none"> <li>• <u>Accessory Building or Use to a Permitted Use</u></li> <li>• <u>Amusement Facility, Indoor</u></li> <li>• <u>Child Care Facility</u></li> <li>• <u>Clinic</u></li> <li>• <u>Community Hall</u></li> <li>• <u>Emergency Services</u></li> <li>• <u>Park</u></li> <li>• <u>Public Use</u></li> <li>• <u>School</u></li> <li>• <u>Solar Collector</u></li> <li>• <u>Spectator Entertainment</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>Accessory Building or Use to a Discretionary Use</u></li> <li>• <u>Amusement Facility, Outdoor</u></li> <li>• <u>Campground</u></li> <li>• <u>Communication Tower</u></li> <li>• <u>Exhibition Grounds</u></li> <li>• <u>Farmer's Market</u></li> <li>• <u>Hospital</u></li> <li>• <u>Museum</u></li> <li>• <u>Parking Area</u></li> <li>• <u>Participant Recreation, Indoor</u></li> <li>• <u>Participant Recreation, Outdoor</u></li> <li>• <u>Religious Assembly</u></li> </ul>

(2) Site Provisions

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

a) <u>Front Yard Setback</u> (Minimum):	<u>Exhibition Grounds</u> : At the discretion of <u>Development Authority</u> <u>All Other Uses</u> : 7.6 m (25 ft)
b) <u>Side Yard Setback</u> (Minimum):	4.6 m (15 ft)
c) <u>Rear Yard Setback</u> (Minimum):	4.6 m (15 ft)
d) <u>Building Height</u> (Maximum):	At the discretion of the <u>Development Authority</u>

## B4.12 Urban Reserve District (UR)

(1) Purpose

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

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> <li>• <u>Accessory Building or Use to a Permitted Use</u></li> <li>• <u>Agriculture, Extensive</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>Accessory Building or Use to a Discretionary Use</u></li> <li>• <u>Communication Tower</u></li> <li>• <u>Greenhouse</u></li> <li>• <u>Manufactured Home</u></li> <li>• <u>Market Garden</u></li> <li>• <u>Natural Resource Extraction Industry</u></li> <li>• <u>Participant Recreation, Outdoor</u></li> <li>• <u>Public Use</u></li> <li>• <u>Public Utility</u></li> <li>• <u>Single Detached Dwelling</u></li> </ul>

(2) Site Provisions

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

a) <u>Lot Area</u> (Minimum):	At the discretion of the <u>Development Authority</u>
b) <u>Front Yard Setback</u> (Minimum):	7.6 m (25 ft)
c) <u>Side Yard Setback</u> (Minimum):	4.6 m (15 ft)
d) <u>Rear Yard Setback</u> (Minimum):	4.6 m (15 ft)
e) <u>Building Height</u> (Maximum):	At the discretion of the <u>Development Authority</u>

#### **B4.13 Direct Control District (DC)**

- (1) Purpose  
The purpose of this district is to provide for 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.
- (2) Development Regulations
  - a) All land uses and regulations contained in a Direct Control District shall be determined by Council based on the requirements of the development that is the subject of the Direct Control District.
  - b) All development shall conform to the provisions of the Municipal Development Plan.
  - c) All regulations of this Bylaw shall apply unless such regulations are specifically excluded or modified in the Direct Control District.
- (3) Administration Provisions
  - a) This District shall only be applied where the following conditions are met:
    - (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.
  - b) In addition to the information required by this Bylaw for an amendment application, the Applicant shall also provide the following information:
    - (i) A rationale explaining why the district is desirable for the site, having regard to the conditions of application set out in subsection (a),
    - (ii) A list of uses proposed for the site,
    - (iii) A statement documenting the opinions and concerns of surrounding registered 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.
  - c) Council shall make all decisions on development permit applications in a Direct Control District, except where Council delegates such responsibility to the Development Authority.
  - d) In accordance with the Act, there is no appeal to the Board for decisions made on applications on lands in a Direct Control District except in cases where a decision is made by the Development Authority that does not follow the direction of Council.
- (4) Site-Specific Direct Control Districts

***Placeholder for future use.***

**B4.14 Valleyview Design Guideline Overlay**

- (1) Any development located wholly or partially within the Design Guideline Overlay area as shown on the Land Use District Map shall comply with the design guidelines contained in Schedule B to the satisfaction of the Development Authority.



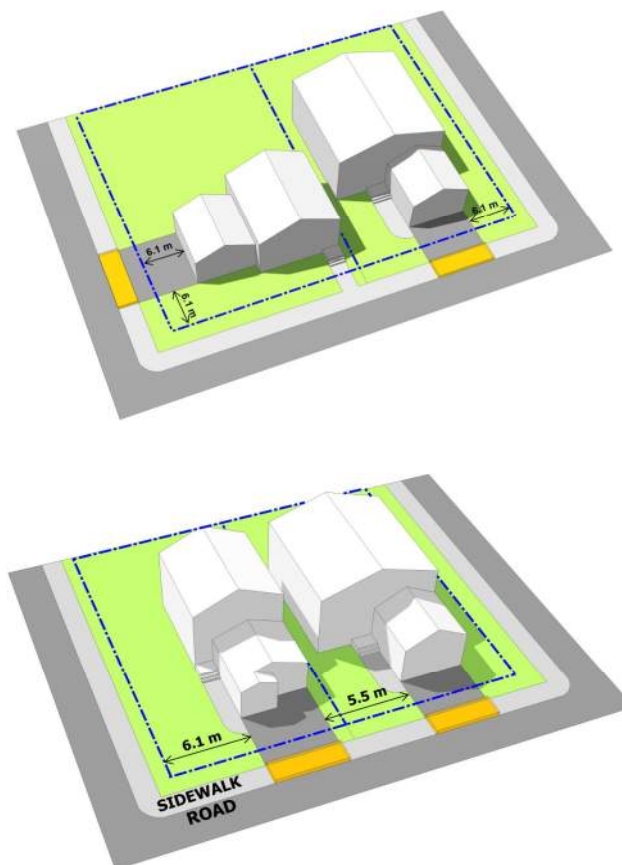
## PART C REGULATIONS

### C1 General Regulations

#### C1.1 Approaches and Driveways

- (1) All development shall have legal and physical access to a public road to the satisfaction of the Town.
- (2) The regulations in this section shall only apply to that portion of the driveway which falls within the road right-of-way.
- (3) Driveways shall provide:
  - a) A minimum setback of 6.1 m (20 ft) between the edge of the driveway and the intersection of the front and exterior side lot lines on a corner lot, and
  - b) A minimum separation of 5.5 m (18 ft) between one edge of the driveway and the nearest edge of the next adjacent driveway (*Figure C1.1*).
- (4) The maximum width of an approach to a driveway shall be 10.5 m (35 ft).
- (5) If vehicles exceeding 9.1 m (30 ft) in length are entering onto public roads from a lot or site, the Applicant may be required to provide evidence, in the form of diagrams, that appropriate entrance and circulation geometrics have been incorporated into the design of the development to the satisfaction of the Development Authority.

Figure C1.1: Driveways



#### C1.2 Barrier Free Design

- (1) All new development shall meet the requirements of the *Alberta Building Code* and the *Barrier Free Design Guide* for barrier free access.

#### C1.3 Berms and Retaining Walls

- (1) A development permit application for a development that consists of, or includes, a retaining wall or a berm shall require a lot grading plan.
- (2) All retaining walls exceeding 0.6 m (2 ft) in height or that are required to support a structure shall comply with the *Alberta Safety Codes Act* and require engineered drawings signed by a registered engineer with a permit to practice in Alberta.
- (3) No berms or retaining walls required for development on private lands shall be constructed on abutting Town-owned lands.

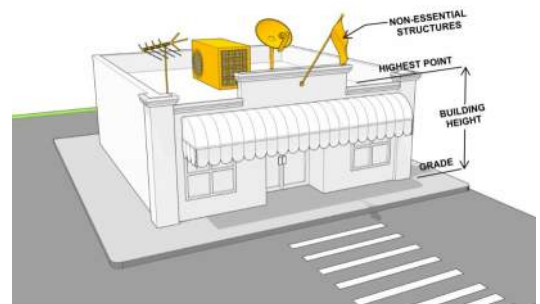
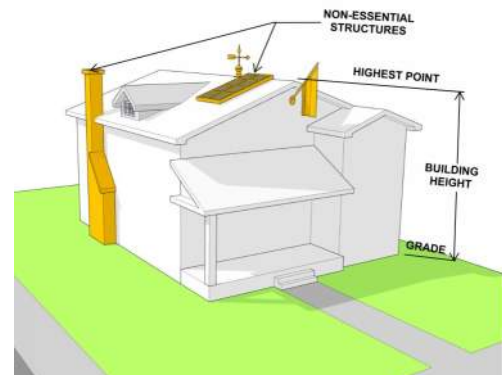
### C1.4 Building Orientation and Design

- (1) All buildings, Accessory Buildings, 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.
- (2) The design, character and appearance of a building shall be compatible with and complementary to the surrounding area.
- (3) All new development shall be designed in accordance with the *Town of Valleyview Development Guidelines*, located in Schedule B.

### C1.5 Building Height

- (1) In determining the highest point of a building or structure, elements that are not essential to the structure of the building or structure shall not be considered, including but not limited to the following (*Figure C1.2*):
  - a) Elevator housing,
  - b) Mechanical housing,
  - c) Roof entrances,
  - d) Ventilation fans,
  - e) Skylights,
  - f) Solar Collectors,
  - g) Steeples,
  - h) Antennas,
  - i) Smokestacks or chimneys,
  - j) Fire walls,
  - k) Parapet walls, and
  - l) Flagpoles.
- (2) The maximum height requirement specified in a Land Use District may be exceeded provided that the required side yard setbacks are increased by 0.3 m (1 ft) for every 0.3 m (1 ft) of additional building height.

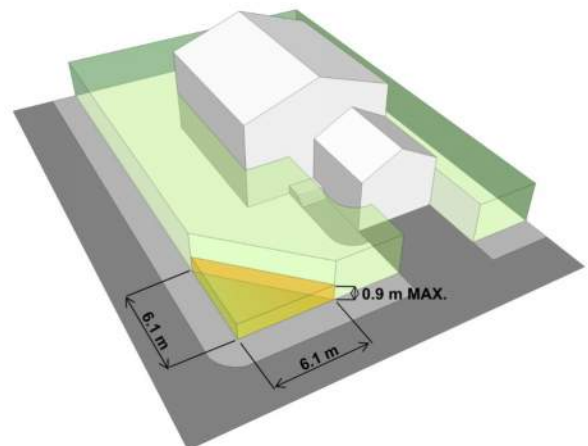
Figure C1.2: Building Height



### C1.6 Corner and Through Lots

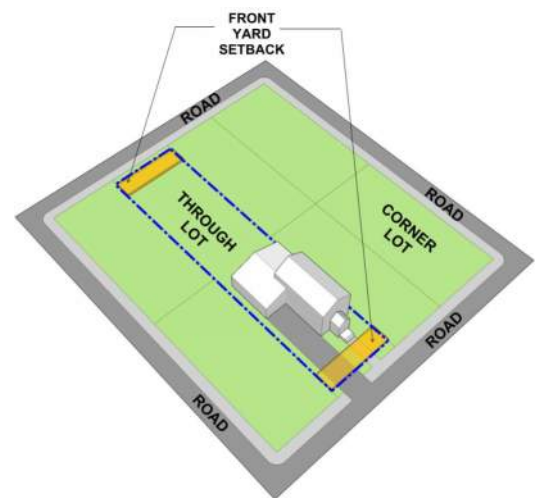
- (1) No person shall place or maintain any object, structure, fence, hedge, shrub, or tree that exceeds 0.9 m (3 ft) above the established grade within a corner sight triangle.
- (2) A corner sight triangle consists of that portion of a lot that is 6.1 m (20 ft) in length along the front and exterior side lot lines, measured from the intersection of those lot lines (*Figure C1.3*).
- (3) Notwithstanding subsection (1) no person shall place or maintain any object, structure, fence, hedge, shrub, or tree within a corner sight triangle if, in the opinion of the Development Authority, such objects or structures interfere with traffic safety.

Figure C1.3: Corner Sight Triangle



- (4) The front lot line of a corner lot shall be the narrower of the lot lines abutting a road, excluding a lane, except where the lot lines of a corner lot are equal, in which case the Development Authority shall determine the location of the front lot line.
- (5) A through lot shall have a front yard setback on each parallel road in accordance with the front yard setback requirements of the applicable district (*Figure C1.4*).

Figure C1.4: Through Lot



### C1.7 Development Along Highways

- (1) All development located adjacent to a highway shall be required to meet the requirements of Alberta Transportation and shall be referred to Alberta Transportation for a Roadside Development permit in accordance with the *Highways Development and Protection Act*.

### C1.8 Dwellings per Lot

- (1) No person in the Town shall construct or cause to be constructed more than one (1) Dwelling Unit per lot.
- (2) Subsection (1) does not apply to:
- Duplex (Up-Down) dwellings,
  - Dwellings containing Secondary Suites,
  - Apartment Buildings and Multi-Unit Dwellings, and
  - Dwellings that are located within a Manufactured Home Park.

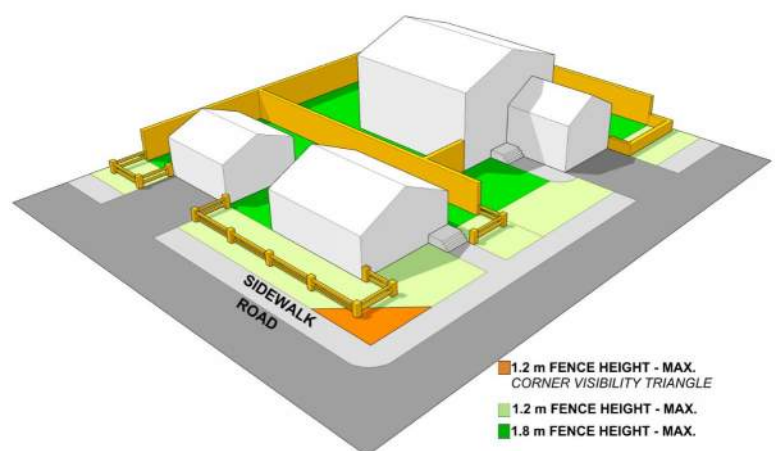
### C1.9 Easements and Municipal Lands

- (1) No building or structure shall encroach on or be erected on a utility easement or right-of-way unless:
- The structure does not restrict access to the utility easement or right-of-way for the purpose of installation or maintenance of the subject utility, and
  - The registered owner of the encroaching building or structure has obtained written consent from the utility company to which the easement has been granted.
- (2) No structure shall encroach or be erected on a public utility lot, road right-of-way, or other Town-owned land unless the registered owner has first entered into an encroachment agreement or has obtained a letter of consent with the Town.

### C1.10 Fencing and Screening

- (1) The height of a fence in a residential district shall not exceed:
- 1.8 m (6 ft) in height along a side or rear yard,
  - 1.2 m (4 ft) in height
    - In front yards,
    - Within 6.1 m (20 ft) of the right-of-way of a public road, or
    - In a corner sight triangle in accordance with *Section C1.6* (*Figure C1.5*).
- (2) For the purpose of determining fence height under subsection (1), the measurement shall be taken from the finished grade of the subject lot at the lot

Figure C1.5: Fence Height



line. For a fence located on a shared lot line where the finished grades of the subject lots vary, the measurement shall be taken from the average of the finished grade of the subject lots at the lot line.

- (3) The height of a fence in non-residential districts shall be at the discretion of the Development Authority.
- (4) Notwithstanding subsection (1), the Development Authority may consider as a Discretionary Use a fence that exceeds the height specified if the Development Authority is satisfied that the use and enjoyment of neighbouring lots will not be adversely affected, and the proposed fence would not visually detract from the area.
- (5) Where fencing is required, either on a permanent or a temporary basis:
  - a) In residential and commercial districts, fencing materials consisting of steel, aluminum, vinyl coated chain link, wood or vinyl may be used,
  - b) In the CD District, chain link fencing shall consist of powder coated posts and vinyl coated mesh in either black, white, brown, or green and privacy slats of the same colour as the fencing are required,
  - c) Galvanized chain link fencing is only permitted in industrial districts and the CS district, and
  - d) Applicants shall meet the submission requirements in Section D1.4(4).
- (6) Barbed wire may only be incorporated into fences in the IG and UR districts.
- (7) The electrification of fences is not permitted.

### **C1.11 Landscaping**

- (1) All new development or significant expansion or change to an existing development requires landscaping in accordance with this section.
- (2) Any portion of a site not occupied by buildings, vehicle and pedestrian circulation or parking and storage areas shall be landscaped or maintained in its natural state (if the natural portion of the site consists of a wetland, ravine, coulee, natural drainage course, or similar environmental feature).
- (3) 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.
- (4) Landscape plans will be approved at the discretion of the Development Authority and should reflect the requirements of the Town's Downtown Commercial Guidelines and Highway Commercial Guidelines as provided in Schedule B, or other respective/relevant guidelines.
- (5) Landscaping shall be completed in accordance with the landscaping plan within one (1) year of completion of the development. The registered owner shall be responsible for landscaping of the site and maintenance or vegetation replacement for two (2) years from the date of substantial completion of the work.
- (6) All plant materials shall comply with the requirements of Zone 3b in accordance with Agriculture and Agri Food Canada's *Plant Hardiness Zones in Canada* and the Canadian Nursery Landscape Association's *Canadian Standards for Nursery Stock*. Plant material shall be planted in the zone specified and in locations appropriate for its species.
- (7) All plant materials shall comply with the following requirements to optimize plant survival:
  - a) That they be free of disease, insects, defects, or injuries and structurally sound with strong fibrous root system,
  - b) Trees shall have straight stems unless that would be uncharacteristic to the tree species,
  - c) Clump or multi-stem trees shall have three (3) or more stems originating from a common base,
  - d) Shrubs shall have natural form typical of the species with a minimum of four (4) cane,
  - e) Vines shall have at least four (4) runners, and

- f) Plants used for ground cover shall have well developed tops and be of a size that is proportionate to the developed roots typical of the species.
- (8) 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.
- (9) New development shall minimize the removal of existing significant mature trees or other native vegetation. Where tree or vegetation removal is necessary, it shall be replaced with new trees, vegetation or seeding within one (1) year of occupancy. Trees should be replaced at a one-to-one ratio.
- (10) 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 (2) properties of different land uses.
- (11) 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.
- (12) Parking areas of twenty (20) or more stalls should be broken into smaller areas and divided by landscaped strips or bays to enhance aesthetics and improve pedestrian circulation. As a guideline, the Parking Lot design should provide for one (1) tree per six (6) parking stalls. Rain gardens and bioswales are strongly encouraged to absorb storm water runoff and reduce irrigation needs.

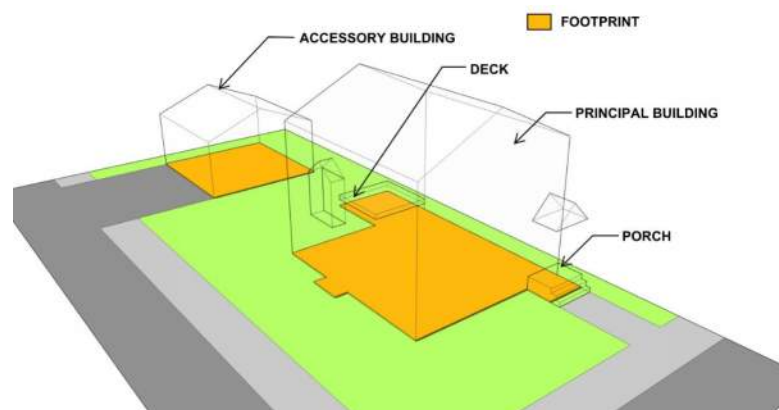
## C1.12 Lighting

- (1) 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.

## C1.13 Lot Coverage

- (1) Lot coverage shall be calculated as a percentage by dividing the total amount of building footprint on a lot or site by the total lot or site area.
- (2) For the purposes of calculating lot coverage, the building footprint shall include (Figure C1.6):
  - a) The Principal Building,
  - b) Accessory Buildings constructed on a permanent foundation,
  - c) Carports,
  - d) Porches,
  - e) Any portion of an upper storey that projects beyond the perimeter of the main floor area, and
  - f) Raised decks.
- (3) For the purposes of calculating lot coverage, the building footprint shall not include hard surfaced areas such as patios and driveways.

Figure C1.6: Lot Coverage

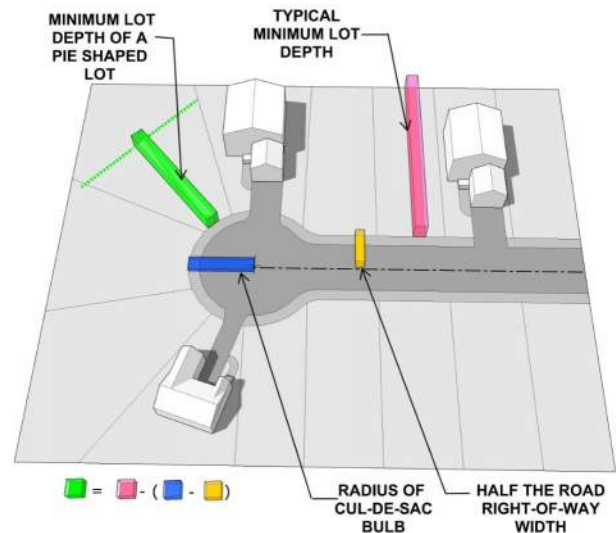




### C1.14 Lot Depth

- (1) The minimum depth of a pie-shaped lot fronting on the bulb of a cul-de-sac or the bulb of a corner lot shall be equal to the radius of the cul-de-sac bulb minus one half of the road right-of-way width, subtracted from the typical minimum lot length (*Figure C1.7*).

Figure C1.7: Lot Depth



### C1.15 Objects Prohibited or Restricted in Yards

- (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) An Accessory Building in the front yard of a residential or commercial Land Use District,
  - c) A vehicle or trailer in the front yard if it extends over a sidewalk or public road,
  - d) Any excavation, building, or storage of material upon a site during the construction stage of a development unless all safety requirements are complied with and the registered owner and the Developer of any such site assumes full responsibility for on-site safety measures,
  - e) In a residential district, any commercial vehicle or construction equipment unless required to operate an approved major Home-Based Business in accordance with *Section C2.9*,
  - f) Any excavation, equipment, or construction materials to remain on a site over a period longer than is reasonably necessary to complete construction.

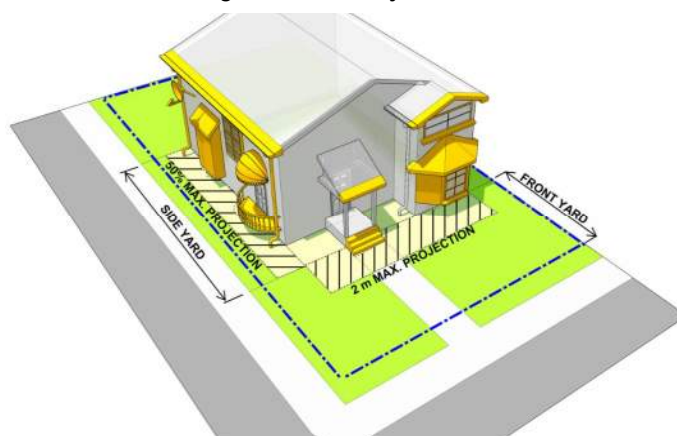
### C1.16 Outdoor Storage

- (1) Outdoor Storage Yards, whether as a Principal Use or Accessory Use on a lot shall:
  - a) Be screened from view by a solid fence or wall on any side that is adjacent to a residential district,
  - b) Have a fence that is a minimum of 1.8 m (6 ft) in height,
  - c) In an industrial district, be hard surfaced in the front yard and exterior side yard if the abutting road is paved, and
  - d) Unless in an industrial district, not be used for the storage of derelict vehicles or derelict equipment unless the derelict vehicles or equipment are screened from view to the satisfaction of the Development Authority.
- (2) Outdoor Storage Yards shall not:
  - a) Be approved as the Principal Use on a lot in the CD or CG Districts,
  - b) If approved as an Accessory Use, not be located within the front yard or exterior side yard of a lot in the CD or CG Districts,
  - c) Outdoor Storage Yards that are accessory to a Principal Use on a lot shall be located to the side or rear of the Principal Building. At no time shall a Storage Yard be located within a front yard or occupy any required parking stalls.

### C1.17 Permitted Encroachments

- (1) Unenclosed steps, box outs, canopies, chimneys, awnings, roof eaves, gutters, sills, cornices, leaders, pilasters, belt courses, bay windows, balconies, wall mounted satellite dish antennas, wall mounted Solar Collectors, or any other similar feature, may project:
  - a) Into a required side yard of 1.2 m (4 ft) or greater, provided such projection does not exceed 50% of the required side yard width (*Figure C1.8*), or
  - b) A maximum of 1.8 m (6 ft) into a required front yard and 3.1 m (10 ft) into a required rear yard.

Figure C1.8: Projections



- (2) The projections allowed under subsection (1) shall not apply:
- Where a side yard of 3.1 m (10 ft) is required in a district for vehicular passage,
  - If the proposed encroachment is into an easement,
  - If the encroachment conflicts with the requirements of the *Alberta Building Code* or *Alberta Fire Code*.

### C1.18 Principal Buildings

- (1) No person shall erect more than one (1) Principal Building on a lot except:
- In an industrial or commercial district, provided it is done in such a manner that, if there is future subdivision of the land, each building will be on a separate lot having its own access (or shared access agreement) and yards, all in compliance with this Bylaw, and,
  - In a residential district if it complies with *Section C1.9*.

### C1.19 Property Lines

- (1) The Development Officer may require that the boundaries of a lot on which a proposed development is to occur be clearly identified by appropriate markers or pins.

### C1.20 Relocation of Buildings

- (1) No person shall move a building greater than 9.3 m<sup>2</sup> (100 ft<sup>2</sup>) in size or a Manufactured Home within or, into the Town unless a Development permit has first been obtained.
- (2) The Development Authority may refuse to issue a permit for the moving of a building or Manufactured Home if:
- 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 Town have been made for payment of such taxes or other charges, or
  - The building does not conform to the requirements of the District into which it is proposed the building be moved, or
  - The building is not compatible with surrounding land use and buildings in terms of scale, condition, external finish, or form.
- (3) The Development Authority or Council may impose conditions as to the time and the manner that the building may be moved 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.
- (4) Where a development permit has been granted for the relocation of a building, the Development Authority may require the Applicant to provide an engineer's certificate to confirm that the building is structurally sound.
- (5) Renovations shall be completed within one (1) year of the issuance of a development permit.

### C1.21 Site Grading, Stripping and Drainage

- (1) Unless required for the preparation of a site for which a development permit has been issued, the stripping, excavation or grading of land shall require a development permit.

- (2) 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 finished grade.
- (3) All site grading shall meet or exceed the requirements of the *Alberta Building Code* and the Town's Municipal Servicing and Engineering Standards as applicable.
- (4) 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.

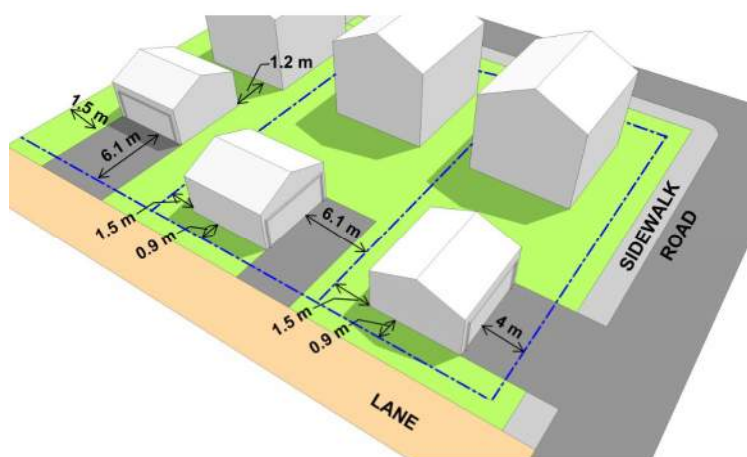


## C2 Special Land Use Regulations

### C2.1 Accessory Buildings and Uses

- (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 for the purpose of calculating setbacks and lot coverage.
- (2) An Accessory Building shall be located a minimum of 1.2 m (4 ft) from a Principal Building.
- (3) Any Accessory Building erected on a site shall not be used as a dwelling unless approved as a Secondary Suite.
- (4) The total combined lot coverage of all Accessory Buildings shall not exceed ten (10) percent of the lot area.
- (5) The minimum front yard setback shall be the same as for a Principal Building in the applicable Land Use District.
- (6) The minimum interior side yard setback shall be 1.5 m (5 ft) (*Figure C2.1*). 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.
- (7) In the case of a Garage on a corner lot with the vehicle entrance facing an exterior lot line, the entrance to the Garage shall have a minimum setback of 4 m (13 ft) from the exterior side lot line.
- (8) The minimum rear yard setback shall be 0.9 m (3 ft), except in the case of a Garage with the vehicle entrance facing a rear lane, in which case the Garage shall have a minimum rear yard setback of 6.1 m (20 ft).
- (9) In cases where the vehicle entrance to a Garage faces an interior side lot line, the entrance to the Garage shall have a minimum setback of 6.1 m (20 ft) from the subject side lot line. This setback may be increased at the discretion of the Development Authority to ensure that vehicles may manoeuvre adequately to enter and leave the site.
- (10) With the exception of a Garage Suite meeting the requirements of *Section C2.12*, an Accessory Building in a residential or commercial Land Use District shall not exceed one (1) storey, and unless otherwise approved at the discretion of the Development Authority, shall not exceed the height of the Principal Building.

Figure C2.1: Accessory Buildings



### C2.2 Bed and Breakfasts

- (1) A Bed and Breakfast shall only be developed within a Single Detached Dwelling.
- (2) A Bed and Breakfast shall not be developed within the same dwelling containing a Home-Based Business or a Secondary Suite.

- (3) Interior or exterior alterations and additions or renovations to permit a Single Detached Dwelling to be used as a Bed and Breakfast may be allowed if such alterations, additions, or renovations comply with the Safety Codes Act.
- (4) The operator of the Bed and Breakfast shall be a permanent resident of the dwelling in which it is located.
- (5) One (1) on-site parking stall for each guest room shall be provided in addition to any other parking stalls required to serve the Principal Building.
- (6) One (1) unlit Sign with a maximum size of 900 cm<sup>2</sup> (140 in<sup>2</sup>) shall be permitted.

## C2.3 Cannabis

- (1) A Cannabis Retail Store shall not be located:
  - a) Within 100 m (328 ft) of the boundary of a parcel on which any of the following are located:
    - (i) A provincial health care facility as defined in the Hospitals Act,
    - (ii) Any building containing a School as defined in the School Act,
    - (iii) Any lot designated as School reserve or municipal and School reserve,
    - (iv) Any lot containing a public park, public recreation facility or library,
    - (v) A Child Care Facility.
  - b) Within the same location where alcohol, tobacco, pharmaceuticals, or other things are sold, except Cannabis unless the other things sold are Cannabis accessories or prescribed things.
- (2) A Cannabis Retail Store must:
  - a) Be located in a building in which the Cannabis Retail Store is the only business, or
  - b) If located in a building containing other businesses:
    - (i) Have its own entrance and exit separate from the entrance and exit for any other business,
    - (ii) Have a common wall between the area to be occupied by the Cannabis Retail Store and the area occupied by or to be occupied by any other business that is a solid floor to ceiling wall constructed of materials other than glass or transparent materials,
    - (iii) Have a receiving and storage area that is separate from that of any other business, and
    - (iv) Have signage at each point of entry prohibiting minors from entering.
- (3) There must not be access between any part of a Cannabis Retail Store premises (including its public, receiving, and storage areas) and any part of any other business's premises.
- (4) A Cannabis Retail Store shall not have a drive-through window.
- (5) A Cannabis Retail Store must provide translucent or opaque window coverings on all exterior windows for the entire width and to a height that negates visibility into the store by passersby, to the satisfaction of the Development Authority.
- (6) Signage for a Cannabis Retail Store shall:
  - a) Prominently display the business name at all public access points to the premises,
  - b) Not use the terms "Alberta" or "AGLC" in a store name,
  - c) Not promote intoxication, or include graphics which appeal to minors, show Cannabis use, display intoxication, display a price or price advantage, identify a Cannabis product or accessory, or display any sporting event or cultural activity, depict a lifestyle, endorsement, person, animal, make claims regarding beneficial health effects, or make statements regarding increased potency or concentration,
  - d) Not include the use of any term, symbol or graphic normally associated with medicine, health, or pharmaceuticals.

## C2.4 Child Care Facilities

- (1) A child care facility shall comply with the provisions of the *Child Care Licensing Act* and the Child Care Licensing Regulation concerning site requirements, development standards, and licensing.

## C2.5 Communication Towers

Note: Industry Canada is responsible for regulating radio communication in Canada and for authorizing the location and height of radio communication facilities, including radio, television, and microwave transmission facilities. In making its decision regarding transmission, communication and related facilities, Industry Canada considers the following:

- The input provided by the Town,
- Compliance with Transport Canada's painting and lighting requirements for aeronautical safety,
- Health Canada's safety guidelines respecting limits of exposure to radio frequency fields, and
- An environmental assessment may be required to comply with the federal *Environmental Assessment Act*.

- (1) Unless a proposal meets Industry Canada's criteria for exclusion, the erection of a Communication Tower requires a development permit.
- (2) Industry Canada criteria for exclusion from the requirement to consult with the Town and the public should be applied in consideration of local circumstances, as individual circumstances vary with each antenna system installation and modification. It may be prudent for proponents to consult the Town and the public, even though the proposal meets the criteria for exclusion, as defined by Industry Canada. When applying for either a development permit, or the criteria for exclusion, the Development Officer and proponents should consider such things as:
- a) The antenna system's physical dimensions, including the antenna, mast, and tower, compared to local surroundings,
  - b) The location of the proposed antenna system on the property and its proximity to neighboring residents,
  - c) The likelihood of an area being a community-sensitive location, and
  - d) Transport Canada marking and lighting requirements for the proposed structure.
- (3) Unless demonstrated to be impractical, transmission antennae shall be encouraged to be mounted on existing structures (including buildings or towers).
- (4) Sites for commercial Communication Towers should be fenced with suitable protective anti-climb fencing as required by the Development Authority.
- (5) Where new Communication Tower installations are proposed, the Town will encourage the use of monopole design to reduce the visual impact of the structure and will support any form of camouflage techniques that will assist to blend the tower into the environment.
- (6) The Development Officer shall submit a letter of concurrence to Industry Canada upon completion of a processed application detailing:
- a) Its opinion as to whether the location of the Communication Tower is appropriate from the Town's land use perspective,
  - b) Whether or not, in the Town's opinion, adequate public consultation has been conducted by the Applicant, and
  - c) The degree to which the Applicant has met the requirements of this section as they relate to location, design, and visual impact.
- (7) Communication Towers and antennas not requiring Industry Canada approval shall:
- a) Conform to the setback requirements for Accessory Buildings,
  - b) Be screened or "stealth" designed, to the satisfaction of the Development Officer,
  - c) Not exceed the height requirement for Principal Buildings unless the Applicant demonstrates to the Development Authority that the additional height is required for reception purposes.

## **C2.6 Decks**

- (1) A deck may encroach up to 1.5 m (5 ft) into a required front yard setback provided that the deck is uncovered and unenclosed by walls, lattice, or other similar material.
- (2) Decks that are covered and/or enclosed from above shall be considered an addition to the Principal Building. A covered and/or enclosed deck is required to meet the setback requirements for the Principal Building and is included in the lot coverage calculation.
- (3) Decks that are attached to a side-side Duplex or a Multi-Unit Dwelling may extend to the common lot line between units if the deck is provided with a privacy wall.
- (4) At the discretion of the Development Officer, a deck may encroach into any required yard where the deck is designed to accommodate access to a dwelling for a person with a mobility disability.
- (5) A ground level deck may be built within 15 cm (0.5 ft) of an interior side lot line and up to a rear lot line.
- (6) A raised deck shall be set back a minimum of 1.5 m (5 ft) from a side lot line and 4.6 m (15 ft) from a rear lot line.

## **C2.7 Drive-Through Businesses**

- (1) All points of entrance and exit shall be located as required by the Development Authority.
- (2) In addition to the parking and loading requirements required under Section C3, a drive-through business shall provide a minimum of:
  - a) Eight (8) vehicle stacking spaces per order window for a restaurant, or
  - b) Four (4) vehicle stacking spaces for a cash dispenser, car wash, or other service offered by a drive-through business,for the purpose of queuing motor vehicles.
- (3) All vehicle stacking spaces shall have a minimum length of 5.5 m (18 ft).
- (4) Vehicle queuing lanes shall be designed as to not interfere with traffic movement and parking on the subject lot. They shall be designed to be separate from parking areas and be designed to prevent vehicles from queuing on abutting public roads.
- (5) A drive-through business may have outdoor speakers provided the speakers are located a minimum of 20 m (65 ft) of a lot line that abuts a residential district, unless the speakers are separated from the residential district by a building.
- (6) Pedestrian access to the Principal Building shall not be permitted to cross a drive-through queuing lane.
- (7) Where adjacent to a residential district, drive-through aisles shall be screened to the satisfaction of the Development Authority.
- (8) A drive-through aisle shall not be located within a front, side, or rear yard setback area.

## **C2.8 Gas Bars, Service Stations and Bulk Fuel**

- (1) No part of a Service Station or gas station building or of any gasoline pump or other accessory shall be within 6.1 m (20 ft) of a side or rear lot line.
- (2) Notwithstanding the applicable district regulations, Service Stations shall have a minimum front yard setback of 12.2 m (40 ft) and gasoline pumps shall be set back a minimum of 6.1 m (20 ft) from a front lot line.

- (3) Underground storage tanks shall be set back from adjacent buildings in accordance with the *Fire Prevention Act*.
- (4) Where required by the Development Authority, a fence with a minimum height of 1.8 m (6 ft) shall be provided.
- (5) Removal of Fuel Tanks:
  - a) A development permit is required for the removal of fuel tanks.
  - b) After removal of fuel tanks, the site shall be reclaimed and landscaped, as required by the Development Authority.
  - c) The Town requires that all contaminants be removed from the site and that the site conform to provincial regulations. If tanks are removed and contamination is discovered, documentation from the relevant provincial agency is required to show that appropriate reclamation of the site has been completed.

## C2.9 Home-Based Business

- (1) Home-Based Businesses shall be limited to those uses which do not interfere with the rights of other residents to the quiet enjoyment of the neighbourhood.
- (2) Home-Based Businesses shall be evaluated in accordance with the requirements outlined in Table C2.1.

**Table C2.1: Home-Based Business Development Requirements**

	Minor <u>Home-Based Business</u>	Major <u>Home-Based Business</u>
a) Location	Restricted to the <u>Dwelling Unit</u> .	May be located in dwelling or <u>Accessory Building</u> . Equipment storage may be permitted with <u>rear yard</u> .
b) Employees	No person other than a resident of the <u>Dwelling Unit</u> .	
c) External Impacts	Shall not create a <u>nuisance</u> by way of dust, noise, smell, smoke, or traffic generation.	
d) Outdoor Storage	None	Must be screened from view.
e) Advertising	One (1) unlit identification maximum of 1858 cm <sup>2</sup> (2 ft <sup>2</sup> ) in size.	
f) Vehicles and Equipment	One (1) business-related vehicle or utility trailer.	Maximum two (2) business-related vehicles.
g) Customer Parking	None allowed.	One (1) dedicated parking stall.

- (3) The Development Authority may, at any time, revoke a development permit issued for a Home-Based Business if, in the opinion of the Development Authority, the Home-Based Business conflicts with its attending regulations or becomes a detriment to the adjacent properties or neighbourhood.
- (4) A development permit for a Home-Based Business may be issued on a temporary basis and may be subject to annual review/reissuance.

## C2.10 Manufactured Homes

- (1) Manufactured Homes shall in all cases:
  - a) Be of sound construction and appearance to the satisfaction of the Development Authority,
  - b) Meet *Canadian Standards Association* CSA Z240 standards,
  - c) Be placed on a permanent foundation meeting the requirements of the *Alberta Building Code*,
  - d) Meet all safety and fire regulations as required by the Town,

- e) Be connected to municipal services prior to their occupation, and
  - f) Have skirtings to completely screen the undercarriage and foundation from view.
- (2) Manufactured Homes that are greater than ten (10) years old at the time of adoption of this Bylaw shall not be permitted unless the Applicant provides evidence to the satisfaction of the Development Authority that the subject Manufactured Home is structurally sound and of good appearance. The Development Authority reserves the right to refuse a development permit for a Manufactured Home that is of poor appearance or condition.
- (3) All Accessory Buildings, additions, porches, and skirting shall be of a quality and appearance equivalent to the Manufactured Home.
- (4) In order to meet the requirements of subsection (1)(b), the Applicant shall provide proof that the subject Manufactured Home meets *Canadian Standards Association* requirements. If a particular Manufactured Home has been damaged or structurally altered, the development permit application shall include certification from a qualified Building Inspector that the dwelling is safe for occupation.
- (5) All skirting required under subsection (1)(f) shall match the existing exterior finish of the Manufactured Home. Skirting shall be installed within sixty (60) days of the date the Manufactured Home is placed on the site to the satisfaction of the Development Authority.

## **C2.11 Multiple Uses**

- (1) When any site or building is used for more than one (1) purpose, the provisions of this Bylaw relating to each use shall be satisfied. If there are conflicts between standards for individual uses, the more stringent standards shall prevail.

## **C2.12 Secondary Suites**

- (1) A Secondary Suite may only be developed within a Single Detached Dwelling (in the form of a loft or Basement Suite) or on the same lot as a Single Detached Dwelling (in the form of a Garden Suite or Garage Suite).
- (2) A Secondary Suite shall only be accessory to an existing Single Detached Dwelling and shall not exceed forty percent (40%) of the main floor area of the principal dwelling.
- (3) A maximum of one (1) Secondary Suite is permitted on a lot.
- (4) In reviewing an application for a Secondary Suite, the Development Authority shall be satisfied that it:
- a) Will not interfere with, or affect the use and enjoyment of adjacent properties,
  - b) Is compatible in appearance and design to the Principal Building on the lot,
  - c) Will not result in excessive demand on local infrastructure,
  - d) Will not cause a building to become a Duplex, Multi-Unit Dwelling, or an Apartment Building.
- (5) The appearance and design of a Garden Suite or Garage Suite on a lot shall be compatible with the appearance and design of the principal dwelling, to the satisfaction of the Development Authority.
- (6) A Secondary Suite shall remain accessory to and subordinate to the principal dwelling on the lot, and the subject lot shall not be subdivided to create a separate lot for the Secondary Suite.
- (7) A Garage Suite or Garden Suite shall have full utility services through service connection from the principal residence on the parcel.
- (8) The development of a loft suite or Basement Suite shall not result in exterior changes to the front elevation of the dwelling so as to appear as anything other than a Single Detached Dwelling.

- (9) A Secondary Suite shall not be developed within the same dwelling or on the same lot containing a Bed and Breakfast or Supportive Living Accommodation.
- (10) With the exception of the RL District, a Garden Suite or Garage Suite shall only be located on a corner lot or on a lot that is served by a rear lane.
- (11) Garage Suites and Garden Suites shall meet the location and setback requirements for Accessory Buildings under *Section C2.1*.

### **C2.13 Shipping Containers**

- (1) Shipping Containers shall not be located:
  - a) On a lot in a residential district, or
  - b) In the front yard of a lot in a non-residential district.
- (2) 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.
- (3) Notwithstanding subsection (1)(a), the placement of a shipping container on a residential lot may be permitted:
  - a) if required for on-site storage while a dwelling is being renovated or constructed, or
  - b) if required to store contents during a household move, and the shipping container shall be removed at such time as construction or renovation of the dwelling or household move is completed, or
  - c) if, when utilized for storage purposes as an accessory building, the exterior finish shall be wrapped or clad in wood, metal, brick, siding, or stucco of a similar appearance to that of a shed.
- (4) Shipping Containers shall not be placed on landscaped areas or designated parking and loading/unloading areas and shall not restrict lot drainage.
- (5) Shipping Containers shall not be stacked one upon the other.
- (6) Shipping Containers, unless required for temporary storage in accordance with subsection (3) or located in an industrial district, shall be screened from public view to the satisfaction of the Development Officer, shall be painted or finished to match the Principal Building on the subject lot, and shall be free of logos and shipping labels.
- (7) With the exception of logos of the company supplying the Shipping Container, Shipping Containers shall not display advertising, company logos, names, or other marketing without an approved development permit for a Sign, which may be applied for as part of the development permit application for the Shipping Container.

### **C2.14 Solar Collectors**

- (1) Solar Collectors may be affixed to a building or structure wall, mounted to the roof of a building or structure, or mounted to the ground as a freestanding structure. The maximum number of Solar Collectors per lot and location shall be at the discretion of the Development Authority.
- (2) Solar Collectors must be located such that they do not direct glare on neighbouring lots or public roads.
- (3) Solar Collectors mounted on the roof of a building or structure shall not extend beyond the outermost edge of the roof.
- (4) The maximum projection of Solar Collectors affixed to the wall of a building or structure in a residential Land Use District shall be:
  - a) 1.5 m (5 ft) from the surface of a wall that faces a rear lot line, and
  - b) In all other cases, 0.6 m (2 ft) from the surface of that wall.

- (5) Freestanding Solar Collectors shall be subject to the setback requirements for Accessory Buildings.
- (6) The maximum height of a freestanding Solar Collector shall not exceed the height requirement for Accessory Buildings in the subject Land Use District.

## **C2.15 Supportive Living Accommodation**

- (1) In addition to the requirements of *Section D1.4*, a development permit application for a Supportive Living Accommodation shall include:
  - a) The type of clients served,
  - b) The number of clients to be accommodated,
  - c) The number of staff to be employed, and
  - d) Information as to how communication with neighbours will be undertaken and how any neighbourhood compatibility issues are to be addressed.
- (2) The maximum number of occupants shall be established by the Development Authority, having regard to the nature of the Supportive Living Accommodation and the character of the subject neighbourhood.
- (3) The Supportive Living Accommodation shall not generate pedestrian or vehicular traffic or parking demands in excess of that which is characteristic of the Land Use District within which it is proposed to be located.



## C3 Parking and Loading Facilities

### C3.1 General Provisions

- (1) The requirements of this Part shall apply to all parking and loading facilities required by this Bylaw. In the event of a conflict between the requirements of this section and a Land Use District, the Land Use District requirements shall prevail.
- (2) All provisions of this section are applicable at the discretion of the Development Authority.
- (3) For the construction of a new building, or the enlargement or change of use of an existing building which generates the need for new or additional parking stalls or loading spaces, the Developer shall provide the required parking stalls or loading spaces in a hard surfaced, finished condition with adequate drainage, that is satisfactory to the Development Authority as required in this Bylaw, prior to the completion of development or first occupancy of the building, whichever is sooner.
- (4) In the event seasonal weather conditions prohibit the completion of lot surfacing, the lot shall be compacted and maintained in a manner to allow access by emergency vehicles, and all hard surfacing shall be completed within one (1) year.
- (5) The Applicant may be required to provide security acceptable to the Development Authority to guarantee completion of the lot surfacing.
- (6) Parking areas which are intended for public use shall only be used for the temporary parking of motor vehicles and shall not be used for the storage of motor vehicles for extended periods.
- (7) Parking areas and loading spaces shall be designed, located, and integrated with the pedestrian network to minimize any disruption to the continuity of the pedestrian network and adjacent public roads.
- (8) To determine parking and loading requirements, a parking study prepared by a qualified professional engineer may be required.
- (9) The Development Authority may refuse to grant a development permit to an Applicant not fully complying with parking or loading requirements.

### C3.2 Parking Requirements

- (1) Off-street parking shall be provided in accordance with *Tables C3.1, C3.2 and C3.3*, unless varied at the discretion of the Development Authority under *Section D1.9(2)*.

**Table C3.1: Parking Requirements - Residential**

Land Use	Minimum Requirement
<u>Apartment Building</u> <u>Multi-Unit Dwelling</u>	1 stall per <u>Dwelling Unit</u> + 0.25 stalls per <u>Dwelling Unit</u> for visitor parking
<u>Duplex</u> <u>Manufactured Home</u> <u>Single Detached Dwelling</u>	2 stalls per <u>Dwelling Unit</u>
<u>Other Residential Uses</u>	1 stall per <u>Dwelling Unit</u>

- (2) Off-street parking requirements shown in *Table C3.2* may be reduced for two (2) or more commercial uses on a single parcel or on two (2) adjacent or abutting 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 study that is prepared by a

registered professional engineer and approved by the Town.

**Table C3.2: Parking Requirements – Commercial/Industrial**

Land Use	Minimum Requirement
<u>Abattoir</u> <u>Amusement Establishment, Outdoor</u> <u>Participant Recreation, Indoor</u> <u>Participant Recreation, Outdoor</u>	Parking Study required
<u>Cannabis Micro-Processing</u> <u>Recycling Depot</u>	1 stall per employee on shift
<u>Amusement Establishment, Indoor</u>	3 stalls per 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ) <u>GFA</u>
<u>Autobody or Paint Shop</u> <u>Bulk Fuel Outlet or Cardlock</u> <u>Cannabis Retail Store</u> <u>Contractor, Limited</u> <u>Dealership</u> <u>Gas Bar</u> <u>Personal Services Establishment</u> <u>Pet Care Service</u> <u>Retail Outlet</u> <u>Service Station</u> <u>Vehicle or Equipment Repair</u>	2 stalls per 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ) <u>GFA</u> + 1 stall/employee on shift
<u>Bed and Breakfast</u> <u>Hotel</u> <u>Motel</u>	1 stall per guest unit + 1 stall per 2 employees
<u>Child Care Facility</u>	1 stall per staff on duty + 0.2 stall per child
<u>Clinic</u>	4 stalls per 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ) <u>GFA</u>
<u>Eating and Drinking Establishment</u>	1 stall per 4 seats
<u>Financial Institution</u> <u>Professional and Business Support Service</u>	1 stall per 46 m <sup>2</sup> (500 ft <sup>2</sup> ) <u>GFA</u>
<u>Manufacturing Plant</u> <u>Public Use</u> <u>Storage Yard</u> <u>Warehouse</u>	1 stall per 3 employees on shift
<u>Mini-Storage Facility</u>	1 stall per employee on shift + 1 stall per 100 units for customers
<u>Mixed-Use Development</u>	Combine residential and commercial requirements specific to development
<u>Spectator Entertainment</u>	5.3 stalls per 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ) <u>GFA</u>
<u>Vehicle Wash</u>	1 stall per employee on shift + 1 stall per 4 wash bays
<u>Veterinary Services</u>	3 stalls per 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ) <u>GFA</u>

**Table C3.3: Parking Requirements - Other**

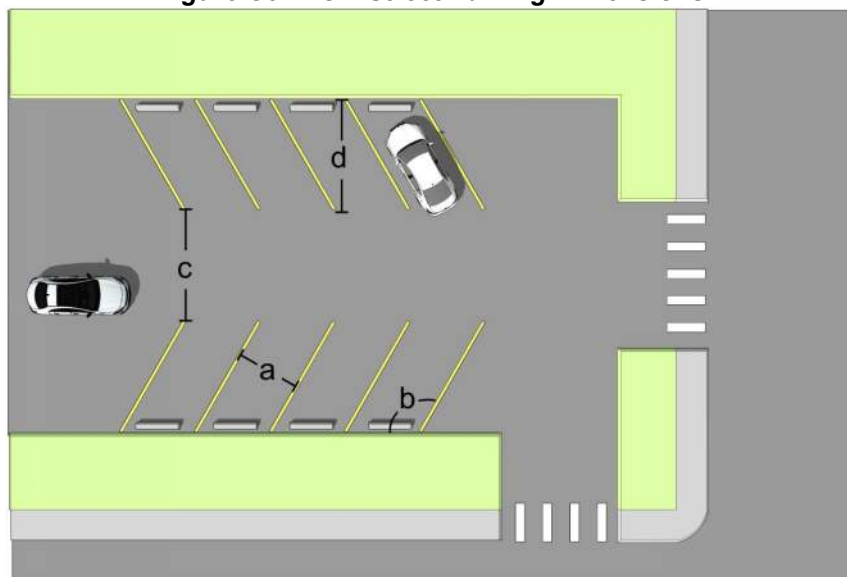
Land Use	Minimum Requirement
<u>Community Hall</u> <u>Museum</u>	1 stall per 3.5 seats or 1 stall per 3.3 m <sup>2</sup> (35 ft <sup>2</sup> ) or <u>floor area</u> used by patrons, whichever is greater
<u>Emergency Services</u>	1 stall per employee on shift
<u>Hospital</u>	4 stalls per 100 m <sup>2</sup> (1,076 ft <sup>2</sup> ) <u>GFA</u>
<u>Elementary School</u> <u>Kindergarten</u> <u>Nursery School</u>	1 stall per staff member
<u>Junior and Senior High School</u>	4 stalls per classroom
<u>Religious Assembly</u>	1 stall per 4 seats
<u>Other Use not Listed</u>	As required by the <u>Development Authority</u>

- (3) When a building is altered or changed in use, in such a manner as to cause an increase in intensity of use, provision shall be made for the additional parking stalls required. The required parking shall be based only on the number of additional parking stalls required because of the enlargement, change in use, or intensification of the use of the building.
- (4) All parking stalls 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. In the event that a development is unable to provide the required parking stalls due to site constraints, the required parking may be provided on another site within 100 m (328 ft) of the site on which the parking stalls are located.
- (5) In order to secure arrangements made under subsections (2) or (4), an agreement satisfactory to the Development Authority shall be signed between the registered owners of the sites that are sharing the parking stalls, with the Town named as third party, and the agreement shall be registered on the titles of the properties that are subject to the agreement.
- (6) Notwithstanding subsection (4), the Development Authority may allow for the required number of parking stalls to be fulfilled by accepting a payment in lieu of the number of deficient stalls. The payment shall be based on the amount of money that Council by resolution considers reasonable in return for the equivalent parking stalls to be provided in the area.
- (7) Minimum off-street parking stall dimensions shall be consistent with *Table C3.4* and *Figure C3.1*. Parking stalls for Single Detached Dwellings shall comply with the 90° Parking Angle requirements.
- (8) All off-street parking stalls 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) 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 road.
- (10) Every off-street parking stall 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.

**Table C3.4: Minimum Off-Street Parking Dimensions**

Type of Vehicle	Stall Width (a)	Parking Angle (b)	Aisle Width (c)	Stall Depth (d)
Standard	2.7 m (9 ft)	90°	7.5 m (24.5 ft) (one- or two-way traffic)	5.5 m (18 ft)
Small Car	2.5 m (8 ft)			5.0 m (16.5 ft)
Disabled	4.1 m (13.5 ft)			5.5 m (18 ft)
Bus or RV	4.3 m (14 ft)			12.2 m (40 ft)
Standard	2.7 m (9 ft)	60°	5.5 m (18 ft) (one-way traffic) 6.1 m (20 ft) (two-way traffic)	6.2 m (20 ft)
Small Car	2.5 m (8 ft)			4.9 m (16 ft)
Disabled	4.1 m (13.5 ft)			6.2 m (20 ft)
Bus or RV	4.3 m (14 ft)			12.2 m (40 ft)
Standard	2.7 m (9 ft)	45°	4.1 m (13.5 ft) (one-way traffic) 6.1 m (20 ft) (two-way traffic)	5.8 m (19 ft)
Small Car	2.5 m (8 ft)			5.0 m (16.5 ft)
Disabled	4.1 m (13.5 ft)			5.8 m (19 ft)
Bus or RV	4.3 m (14 ft)			12.2 m (40 ft)
Standard	2.7 m (9 ft)	30°	6.1 m (20 ft) (two-way traffic)	5.5 m (18 ft)
Small Car	2.5 m (8 ft)			5.0 m (16.5 ft)
Disabled	4.1 m (13.5 ft)			5.5 m (18 ft)
Bus or RV	4.3 m (14 ft)			12.2 m (40 ft)
Standard	2.7 m (9 ft)	Parallel	3.8 m (12.5 ft) (one-way traffic) 6.1 m (20 ft) (two-way traffic)	6.7 m (22 ft)
Small Car	2.5 m (8 ft)			6.7 m (22 ft)
Disabled	4.1 m (13.5 ft)			5.5 m (18 ft)
Bus or RV	4.3 m (14 ft)			12.2 m (40 ft)

**Figure C3.1: Off-Street Parking Dimensions**



- (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 stall or area.
- (12) Off-street parking shall be provided in the manner shown on the approved site plan with the entire area to be graded to ensure that drainage will be disposed of in a manner satisfactory to the Development Authority.
- (13) For all commercial, public, and recreational uses, at least one (1) parking stall 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.
- (14) Bicycle parking will be required at a ratio of 0.2 bicycle parking stalls per vehicle parking stall for all businesses in the CD District. Bicycle parking must consist of a secure, purpose-built bicycle rack located in a convenient, publicly accessible location.
- (15) The design of barrier free parking stalls and loading zones shall conform to the requirements of the *Barrier-Free Design Guidelines* of the *Alberta Building Code* and shall be included as part of and not in addition to, the applicable minimum parking requirement.

### C3.3 Loading Requirements

- (1) Loading spaces shall be provided in accordance with *Table C3.5*, unless varied at the discretion of the Development Authority under *Section D1.9(2)*.

***Table C3.5: Required Number of Loading spaces***

Land Use	Minimum Requirement
Multi-Unit Dwelling	1 space for a <u>building</u> of 20 units or greater
<u>Eating and Drinking Establishment</u> <u>Hotel</u> <u>Spectator Entertainment</u>	1 space per 9000 m <sup>2</sup> (96,875 ft <sup>2</sup> ) <u>GFA</u>
<u>Warehouse</u>	
All Other <u>Uses</u>	<u>As required by the Development Authority</u>

- (2) Any loading space shall have a minimum area of 28 m<sup>2</sup> (301 ft<sup>2</sup>), a minimum width of 3.5 m (11.5 ft) in width, and a minimum overhead clearance of 4 m (13 ft).
- (3) The Development Authority, having regard to the types of vehicles that are likely to use the loading space, may change minimum loading space dimensions.
- (4) Loading space requirements for uses other than those set out in *Table C3.5* shall be determined by the Development Authority, having regard to similar uses for which specific loading facility requirements are set. Alternatively loading requirements for uses other than those set out in this section may be determined through a loading study completed by a professional engineer acceptable to the Development Authority.

## C4 Signs

### C4.1 Sign Permits

- (1) An application for a Sign permit shall include the following:
  - a) A certified copy of the title to the satisfaction of the Development Officer,
  - b) The name and address of:
    - (i) The Sign company responsible for the Sign, and
    - (ii) The owner of the Sign, and
    - (iii) The registered owner of the land or premises upon which the Sign is to be erected,
  - c) A site plan designating location and setback requirements,
  - d) A plan showing the following construction details:
    - (i) A rendering/illustration of the proposed Sign,
    - (ii) The dimensions of the Sign and the total copy area,
    - (iii) The amount of projection from the face of the building, where applicable,
    - (iv) The amount of projection over Town property, where applicable, the height of the top and the bottom of the Sign above the average ground level at the face of the building or Sign, and
    - (v) The distance to aerial power lines from Freestanding Signs.
  - e) Non-refundable application fees as determined from time to time by resolution of Council.

### C4.2 Sign Permits Not Required

- (1) A permit is not required for the following Signs, provided they otherwise comply with the provisions of this Bylaw:
  - a) An official notice, Sign, placard, or bulletin required to be displayed pursuant to the provisions of federal, provincial, or municipal legislation.
  - b) Routine maintenance and repair, changing the copy, or reducing the copy area of an approved legally existing Sign.
  - c) Temporary on-site Signs that do not exceed 1 m<sup>2</sup> (11 ft<sup>2</sup>) in area nor 1.2 m (4 ft) in height and are intended for
    - (i) Advertising the sale or lease of a Dwelling Unit, or property, or
    - (ii) Identifying a construction or demolition project for which a development permit has been issued, or
    - (iii) Identifying a political or charitable campaign, or
    - (iv) Advertising a campaign or drive which has been approved by Council.
  - d) Signs indicating building addresses.
  - e) Election Signs.
  - f) A Sandwich Board Sign if located on private property,
  - g) Construction Signs.
  - h) Garage sale Signs.

### C4.3 General Provisions

- (1) Except where provided in Section C4.2, 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.
- (2) No person shall:
  - a) Erect or maintain any Sign that is in contravention of this or any other Town bylaw,
  - b) Erect a Sign or its structure on any exterior stairway, fire escape, fire tower or balcony serving as a horizontal exit, or,
  - c) Erect a Sign so that any portion of the surface or supports will interfere in any way with any of the following:
    - (i) Any opening necessary for a standpipe, required light, ventilation or exit from the premises,
    - (ii) The free use of any window above the first storey, or
    - (iii) The free passage from one part of a roof to another part of the same roof,

- d) Erect, construct or maintain any Sign which makes use of the words, “STOP”, “LOOK”, and “DANGER” or any other word, phrase, symbol, or character in such a manner as to interfere with, mislead or confuse traffic.
- (3) Unless otherwise stated in this section, Signs shall comply with the setback requirements for Accessory Buildings in the district in which the Sign is located.
- (4) The types of Signs allowed in each district shall be as indicated in *Table C4.1*.

**Table C4.1: Signs by Land Use District**

District	Sign Type									
	<u>Billboard</u>	<u>Canopy/Awning</u>	<u>Construction</u>	<u>Electronic Display</u>	<u>Fascia</u>	<u>Freestanding</u>	<u>Projecting</u>	<u>Sandwich Board</u>	<u>Vehicle</u>	<u>Window</u>
RR			P							P
RG			P							P
RMD			P							P
RMH			P							P
RL			P							P
CD		P	P		P			P		P
CG		P	P		P		P	P		P
CS	D	P	P	P	P	P	P	P	P	P
CH	D	P	P	P	P	P	P	P	P	P
IG	D	P	P	P	P	P	P	P	P	P
PS			P		P		P	P		
UR	D		P		P		P	P	D	

P = Permitted D = Discretionary

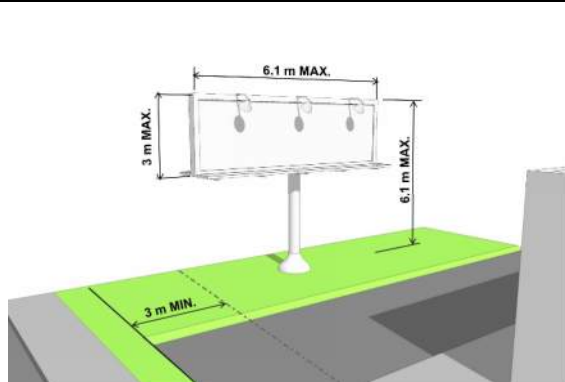

- (5) All signage shall be constructed of appropriate materials for its use and estimated lifespan and be located or mounted such that there are no safety or visibility concerns to both the car or pedestrian traffic. All Signs shall at all times be maintained in a neat, clean manner to the satisfaction of the Development Authority. The Development Authority may, by notice in writing, direct the owner to correct the condition of any Sign or remove any offending Sign within thirty (30) days of receipt of the notice where, in the opinion of the Development Authority, the condition of the Sign constitutes a violation of this Bylaw or any permit hereunder and/or has become unsightly or is unsafe.
- (6) 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.
- (7) All illuminated Signs shall ensure the source of light is steady and suitably shielded. All back-lit Signs must have opaque backgrounds with illumination only visible through the text.
- (8) No Sign shall be erected, operated, used, or maintained that due to its position, shape, colour, format, or illumination:
- (a) Displays lights resembling the flashing lights usually associated with danger or those used by police, fire, ambulance, and other emergency vehicles; or

- (b) Uses spot or reflector lights directed at on-coming traffic or displays travelling or flashing messages that create a hazard to traffic on a public roadway from which the Sign is visible.
- (9) Signs in residential districts must not be internally illuminated but may be illuminated indirectly in a manner that prevents the trespass of light onto adjacent parcels.
- (10) No Sign shall be placed or project within a public road or highway right-of-way or be attached to any object in a public road or highway right-of-way except as may be allowed by Alberta Transportation or the Town.
- (11) Signs shall not project more than 1.5 m (5 ft) above the top of any main wall or parapet to which it is affixed unless it has been designed as an integral part of the building.
- (12) No Sign or any part of a Sign shall be within 3.1 m (10 ft) of overhead power and service lines.




#### C4.4 Regulations by Sign Type



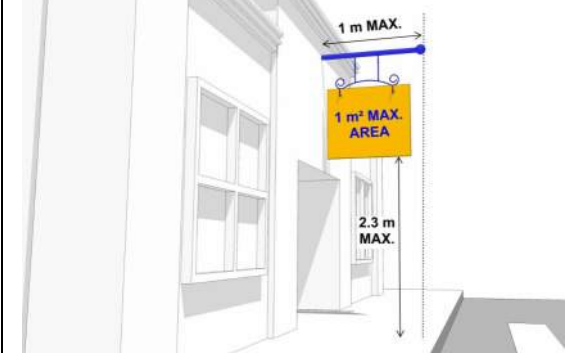
- (1) The installation of Signs shall be in accordance with the requirements of Table C4.2.




**Table C4.2: Regulations by Sign Type**

Sign Type	Requirements	
a) <u>Billboard Sign</u>		
A <u>Sign structure</u> designed and intended to provide a leasable advertising <u>copy area</u> for third party advertising, and where the copy can be periodically replaced, typically by using pre-printed copy mounted onto the <u>copy area</u> , or with <u>Electronic Display</u> .	<ul style="list-style-type: none"><li>• 100 m (328 ft) minimum separation distance from another billboard</li><li>• 3 m (10 ft) maximum <u>copy area</u> height</li><li>• 6.1 m (20 ft) maximum <u>copy area</u> width</li><li>• 6.1 m (20 ft) maximum <u>Sign</u> height above <u>grade</u></li><li>• 3 m (10 ft) minimum <u>setback</u> from <u>lot line</u></li></ul>	
b) <u>Canopy / Awning Sign</u>		
A light, detachable <u>structure</u> of fabric, sheet metal or other flexible material supported from the <u>building</u> by a frame (fixed or retractable) to offer shelter from sun, rain, or snow and used for advertising.	<ul style="list-style-type: none"><li>• 2.5 m (8 ft) minimum clearance above <u>finished grade</u></li><li>• 2 m (6.5 ft) maximum <u>projection</u> from the <u>building</u>.</li></ul>	



<p>c) <u>Construction Sign</u></p> <p>A <u>temporary Sign</u> which is placed on the <u>site</u> to advertise items such as the provision of labour, services, materials, or financing of a construction project.</p>	<ul style="list-style-type: none"> <li>• Signage must be removed within fourteen (14) days of the <u>completion</u> of a project.</li> <li>• Maximum of four (4) <u>Signs</u> per <u>site</u>.</li> </ul>	
<p>d) <u>Electronic Display</u></p> <p>A <u>Sign</u> or component of a <u>Sign</u> that is combined with or takes the form of a <u>Billboard Sign</u>, <u>Fascia Sign</u>, or <u>Freestanding Sign</u> and may display words, symbols, figures, or images that can be electronically changed by remote or automatic means.</p>	<ul style="list-style-type: none"> <li>• Minimum separation distance between <u>Signs</u>: <ul style="list-style-type: none"> <li>○ 100 m (328 ft) if less than 2.3 m<sup>2</sup> (25 ft<sup>2</sup>) in size</li> <li>○ 200 m (656 ft) if 2.3 m<sup>2</sup> or greater in size</li> </ul> </li> <li>• 30 m (100 ft) separation distance from Residential District</li> <li>• Minimum six (6) second message duration</li> <li>• Maximum one (1) second transition time between messages</li> <li>• Must include dimming feature to automatically reduce brightness level to ambient light level.</li> <li>• Shall not negatively impact traffic safety due to illumination levels, location or any other safety factor as determined by the <u>Town</u> or Alberta Transportation, where applicable.</li> </ul>	
<p>e) <u>Fascia Sign</u></p> <p>A <u>Sign</u> placed flat and parallel to the face of a <u>building</u></p>	<ul style="list-style-type: none"> <li>• 0.3 m (1 ft) maximum horizontal <u>projection</u> from surface of <u>building wall</u></li> <li>• 0.9 m (3 ft) maximum <u>copy area</u> height</li> <li>• 4 m<sup>2</sup> (43 ft<sup>2</sup>) maximum <u>copy area</u>.</li> </ul>	

<p>f) <u>Freestanding Sign</u></p> <p>A <u>Sign</u> which stands independently of a <u>building</u> and that only advertises businesses which are at the property on the which the <u>Sign</u> is located.</p>	<ul style="list-style-type: none"> <li>• 30 m<sup>2</sup> (323 ft<sup>2</sup>) maximum area</li> <li>• 9.1 m (30 ft) maximum height</li> <li>• 3.6 m (12 ft) minimum clearance between bottom of <u>Sign</u> and <u>grade</u></li> <li>• 0.3 m (1 ft) minimum <u>setback</u> from <u>lot line</u></li> </ul>	
<p>g) <u>Portable Sign</u></p> <p>A <u>Sign</u> 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 <u>building</u> or to the ground, or mounted on a vehicle, trailer or wagon and is easily and readily moved.</p>	<ul style="list-style-type: none"> <li>• Shall be located entirely upon the <u>site</u> of the <u>building</u>, business, or land <u>use</u> to which the advertising on the <u>Sign</u> refers.</li> <li>• <u>Town</u> may remove, without prior notice, any <u>Portable Sign</u> placed in contravention of <u>Sign</u> regulations. The costs associated with removal and storage shall be paid by the permit holder.</li> <li>• No flashing lights for illumination.</li> <li>• Not located on <u>Town</u>-owned property, road rights-of-way unless prior consent obtained from the <u>Town</u>.</li> </ul>	
<p>h) <u>Projecting Sign</u></p> <p>A <u>Sign</u> other than a <u>Canopy Sign</u> or <u>Fascia Sign</u> which is attached to and projects horizontally from a <u>structure</u> or <u>building face</u>.</p>	<ul style="list-style-type: none"> <li>• 1 m (3 ft) maximum horizontal <u>projection</u> from surface of <u>building wall</u></li> <li>• 1 m<sup>2</sup> (10 ft<sup>2</sup>) minimum <u>copy area</u>.</li> <li>• 2.3 m (7.5 ft) maximum <u>height</u> above <u>grade</u>.</li> </ul>	

<p>i) <u>Sandwich Board</u></p> <p>A <u>temporary Sign</u> set on the ground, built on two similar pieces of material, and attached at the top by hinges so it is self-supporting</p>	<ul style="list-style-type: none"> <li>• 0.6 m (2 ft) maximum height</li> </ul>	
<p>j) <u>Vehicle Sign</u></p> <p>A <u>Sign</u> attached to or painted on a <u>Shipping Container</u> or a licensed or un-licensed vehicle or trailer placed or parked for the purpose of communicating a message or advertising.</p>	<ul style="list-style-type: none"> <li>• 3 m (10 ft) maximum <u>copy area</u> height</li> <li>• 6.1 m (20 ft) maximum <u>copy area</u> width</li> </ul>	
<p>k) <u>Window Sign</u></p> <p>A <u>Sign</u> painted on, attached to, or installed in a window intended to be viewed from outside the premises.</p>	<ul style="list-style-type: none"> <li>• Twenty-five (25%) maximum coverage of window.</li> </ul>	

#### C4.5 Downtown Commercial (CD) District Sign Regulations

- (1) To reduce visual clutter, all businesses shall be limited to one (1) permanent Sign, one (1) temporary sign, and one window sign.
- (2) The copy area of fascia signs shall be limited to the façade of the first storey of the subject building.

## PART D ADMINISTRATION

### D1 Applications

#### D1.1 Development Permits Required

- (1) Except as provided in *Section D1.2*, no person shall undertake any development 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.

#### D1.2 Development Permits Not Required

- (1) A development permit is not required for the following developments provided they comply with the requirements of this Bylaw:
- a) Works of maintenance, structural alteration, or repair to a building or structure provided such works do not, in the opinion of the Development Authority change the use or intensity of use of the building or structure.
  - 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 by the Town.
  - c) The construction and maintenance of gates, fences, walls, or other means of enclosure less than 1.2 m (4 ft) in height in a front yard, and less than 1.8 m (6 ft) in height in a side yard and rear yard.
  - 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 utilities carried out by or for government authorities on land which is owned or controlled by the Town.
  - f) The construction, maintenance and repair of private walkways, private pathways, private driveways, and similar works.
  - g) Accessory Buildings that do not exceed 9.3 m<sup>2</sup> (100 ft<sup>2</sup>) in size in a residential Land Use District, or 37 m<sup>2</sup> (400 ft<sup>2</sup>) in a non-residential Land Use District unless installed on a permanent foundation.
  - h) Developments that are exempted from municipal regulations under the Act.
  - i) Decks that are a maximum of 0.6 m (2 ft) in height.
  - j) Shipping Containers located on a lot in the General Industrial (IG) District.
  - k) The temporary placement of Shipping Containers on private or public land that are required for the construction of a building or use for which a development permit has been issued.
  - l) Lot stripping, grading, or filling, or tree clearing on private land required to construct a development for which a development permit has been issued.
  - m) A change in the business or the occupancy of a building or portion of a building by a Permitted Use which, in the opinion of the Development Authority, does not constitute a change in the type of use or result in an increase to on-site parking requirements.
  - n) Roof-mounted Solar Collectors.
  - o) Trellises, gazebos and similar structures that do not require a building permit in accordance with the Safety Codes Act, or do not exceed 3.6 m (12 ft) in height.

#### D1.3 Forms

- (1) The forms required to administer this Bylaw are contained in Schedule C and may be replaced or revised at the discretion of the Town without an amendment to this Bylaw.

#### D1.4 Development Permit Applications

- (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 Development,
  - e) A dimensioned site plan showing the legal description and front, rear, and side yard setbacks, 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 decks,
  - h) Exterior elevations for all building faces facing public streets or public access points, including decks and fences,
  - i) Diagrams and/or plans illustrating utilities, site drainage, grades, existing and finished lot grades, the grades of the streets and the location of proposed sewer and water lines, and
  - j) Abandoned well information obtained from the *Alberta Energy Regulator*.
- (2) In addition to the requirements outlined in subsection (1), the Development Authority may require any of the following additional information to be provided:
- a) Topographical elevations and plans showing engineered slope stability protection measures,
  - b) Supporting technical studies including environmental site assessment, geotechnical study, or traffic impact assessment,
  - c) Petroleum Tank Management Association of Alberta (PTMAA) approval, where applicable,
  - d) Plans for the provision of water and sewer services and franchise utilities for the development according to the *Town's Municipal Engineering Development and Servicing Standards*,
  - e) Detailed plans including drainage plans for all retaining walls showing engineered flood protection measures,
  - f) Landscaping plan prepared in accordance with *Section C1.11*,
  - g) The number of employees and the proposed hours of operation, and
  - h) Floor plans, sections, and elevations of any proposed buildings, including a description of the exterior finishing materials,
- (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.
- (4) Notwithstanding Section D1.2(1)(c), prior to the construction of a fence, the applicant shall submit a plan of the proposed fence for review by the Development Officer to confirm compliance with the height, materials, and location requirements of Section C1.10.

### **D1.5 Subdivision Applications**

- (1) A subdivision application shall be made to the Development Officer in writing on the prescribed form and shall be signed by the registered owner or an authorized agent.
- (2) The Development Officer shall require the following information to be considered a complete subdivision application:
- a) The application form,
  - b) A right of entry form signed by the registered owner,
  - c) A tentative plan prepared by an Alberta Land Surveyor (ALS),
  - d) A copy of the Certificate of Title dated within thirty (30) days of the application,
  - e) A map illustrating the land uses on all adjacent lands,
  - f) Information respecting existing and proposed sources of water and methods of sewage disposal, and
  - g) The prescribed non-refundable application fee, the amount of which shall be established by resolution of Council from time to time.

- (3) In addition to the requirements of subsection (2), other information may be required by the Subdivision Authority to review a subdivision application, including soil testing, geotechnical reports, and site topography.

#### **D1.6 Completeness of Applications**

- (1) Within twenty (20) days of receipt of a subdivision or development permit application pursuant to *Sections D1.4(2) or D1.5(2)*, the Development Officer shall determine whether an application is complete, unless an agreement is reached between the Development Officer and the Applicant to extend the twenty (20) day period. If the Development Officer fails to determine that the application is complete within the prescribed time period, the application shall be deemed to be complete.
- (2) When, in the opinion of the Development Officer an application is deemed to be incomplete, the Applicant shall be advised in writing that the application is incomplete, and that the application will not be processed until all of the required information is provided. The written notice shall include a description of the information required for the application to be considered complete and the deadline by which the required information is to be submitted. The failure to submit the required information in accordance with the notice shall result in the application being deemed refused and may be appealed in accordance with *Section D2*.
- (3) Once an application is deemed to be complete in accordance with subsection (1) or (2), the Applicant shall be notified in writing that the application is complete, and the Development Officer shall process the application.
- (4) The requirements of this section do not apply to the optional information identified in *Sections D1.4(3) and D1.5(3)*, but if required shall be provided by the Applicant to the Approving Authority prior to a decision being made.

#### **D1.7 Referrals**

- (1) The Development Officer may refer a development permit application to any agency in order to receive comment and advice.
- (2) Upon receipt of an application for a development permit for a Permitted Use requiring a variance or a Discretionary Use, the Development Officer shall send a written notice to the registered owner(s) of all lots located within a 30 m radius measured from the lot line, that includes:
  - a) the location and nature of the proposed development, and
  - b) the method and date to submit comments, and
  - c) a copy of the application.
- (3) The Development Officer shall circulate an application for subdivision to the registered owner(s) of adjacent lots, and all agencies required under the *Regulation* for review and comment. A subdivision application may also be circulated to any person or agency with a registered encumbrance on the subject land.

#### **D1.8 Decisions**

- (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 forty (40) days, the Applicant may enter into an agreement with the Development Authority to extend the forty (40) day period using the prescribed form.
- (2) 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) Shall refuse a development permit application if the proposed development does not meet the

requirements of this Bylaw unless a variance is granted in accordance with *Section D1.9*.

- (3) In making a decision on an application for a Discretionary Use, the MPC:
  - 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, or
  - b) May refuse a development permit application even though it meets the requirements of this Bylaw.
  - c) Shall refuse a development permit application if the proposed development does not meet the requirements of this Bylaw unless a variance is granted in accordance with *Section D1.9*.
- (4) In reviewing a development permit application for a Discretionary Use, the MPC shall have regard to:
  - a) The purpose and intent of the Act, as well as any statutory plans adopted by the Town, and
  - b) The circumstances and merits of the application, including but not limited to:
    - (i) the impact of such nuisance factors as smoke, airborne emissions, odours and noise on nearby properties,
    - (ii) the design, character and appearance of the development being compatible with and complementary to the surrounding properties, and
    - (iii) the servicing requirements for the proposed development.
- (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.
- (6) 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 for the same or similar use shall not be accepted by the Development Officer until six (6) months after the date of the refusal.
- (7) A development permit comes into effect twenty-one (21) days after its issuance. Where an appeal has been lodged with the Board, no development shall be commenced pursuant to the development permit until all appeals are finally determined and the issuance of the development permit has been upheld.

## **D1.9 Development Authority Discretion**

- (1) The Development Officer, at its discretion may allow a variance up to a maximum of twenty percent (20%) to any front yard, side yard or rear yard setback, lot area, lot coverage or building height requirement, if in the opinion of the Development Officer:
  - 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.
- (2) The MPC, at its discretion, may allow a variance to any standard or regulation contained in this Bylaw subject to the requirements outlined in subsection (1).
- (3) In the event that a variance is granted pursuant to subsections (1) or (2), the Development Authority shall specify the nature of the approved variance in a development permit.
- (4) If a proposed use of land or a building is not listed as a Permitted Use or Discretionary Use in the Bylaw, the MPC 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.
- (5) Notwithstanding any provisions or requirements of this Bylaw, the MPC 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.

## **D1.10 Conditions**

- (1) The Approving Authority may require that as a condition of issuing a subdivision approval or 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) To provide security to ensure the terms of the agreement are carried out, and
  - h) Any other requirements the Town deems necessary.
- (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 subsection (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.
- (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.

#### **D1.11 Development Commencement and Completion**

- (1) A development permit lapses and is automatically void if the development authorized is not commenced within twelve (12) months unless an extension to this period has been applied for and granted by the Development Authority.
- (2) A development shall be completed to municipal standards and to the satisfaction of the Development Officer within eighteen (18) months from the date of issuing the permit unless an extension to this period has been granted by the Development Authority.
- (3) Notwithstanding subsection (2), the Development Authority may, in the conditions of approval, specify time limits for the completion of specific conditions.

#### **D1.12 Notice of Decision**

- (1) When a development permit or subdivision application is approved, the Development Officer or designate shall issue a notice of decision in writing to the Applicant or his agent by email or letter mail.
- (2) All development permit approvals shall be posted on the Town's website.
- (3) When an application for a development permit for a Permitted Use requiring a variance, or a Discretionary Use is approved, the Development Officer shall send a written notice to the registered landowner(s) of all adjacent lands and publish a notice on the Town's website 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.
- (4) When a development permit or subdivision application is refused, the Development Officer shall issue a notice of decision in writing to the Applicant or his agent by email or letter mail stating the reasons for the refusal.
- (5) 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 posted on the Town's website or emailed to the Applicant, or three (3) days after the notice of decision has been sent by letter mail to the Applicant.



## **D2 Appeals**

### **D2.1 Appealing a Decision**

- (1) The Board shall perform such duties and follow such procedures as specified in the *Act* and the *Subdivision and Development Appeal Board Bylaw*, as amended.
- (2) A decision on a development permit or a subdivision may be appealed:
  - a) By the Applicant by serving a written notice of appeal on the Clerk within twenty-one (21) days after notice of the decision or issuance of the development permit or fourteen (14) days after notice of the decision of subdivision was given, or
  - b) By an affected person within twenty-one (21) days after the date on which notice of issuance of the development permit was given.
  - c) For the purposes of this Bylaw, *Section D1.12(5)* establishes the date a notice of decision is deemed to have been given.
- (3) If a development permit application refused by the Development Officer is approved by the Board, the subsequent issuance of the development permit by the Development Officer shall not require further advertising.

### **D2.2 The Appeal Process**

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

## **D3 Amending the Bylaw**

### **D3.1 Amendment Applications**

- (1) An application to amend this Bylaw 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 registered owner, a letter from the registered 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 on adjacent lands,
  - b) A statement of the reasons for the request to amend the Bylaw,
  - c) Such additional information as the Development Officer may require.
- (2) Each amendment 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.
- (3) The Development Officer may refuse to process an 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.
- (4) Council, on its own initiative, may proceed to undertake an amendment to this Bylaw by directing the Development Officer to initiate an application.

### **D3.2 The Amendment Process**

- (1) Upon receipt of a complete application in accordance with *Section D3.1(1)*, the Development Officer shall be referred to:
  - a) Council for first reading and to establish a date for a public hearing to be held prior to second reading, and
  - b) The Municipal Planning Commission for consideration and recommendation to be made at the public hearing.
- (2) The Development Officer may refer an amendment application to any agency in order to receive comment and advice.
- (3) A notice of the application shall be posted on the Town's website for two (2) consecutive weeks preceding the date of the public hearing. This notice shall contain:
  - a) The purpose of the proposed amendment,
  - b) The one (1) or more places where a copy of the proposed amendment 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.
- (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 *Section D3.1(1)* to the registered owner(s) of the land in question, and to the registered landowners of the adjacent lands.
- (5) Council, after considering
  - a) Any representations made at the Public Hearing, and
  - b) Any statutory plan affecting the application and the provisions of this Bylaw, may:

- (i) make such changes as it considers necessary to the proposed amendment, if any, and proceed to pass the proposed amendment, or
  - (ii) defeat the proposed amendment.
- (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.

## **D4 Compliance and Enforcement**

### **D4.1 Non-Conforming Buildings and Uses**

- (1) A development that is considered as a non-conforming building or use shall be dealt with as provided for under the *Act*. 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
    - (i) to make it a conforming building, or
    - (ii) for routine maintenance of the building if the Development Authority considers it necessary.
  - e) If a non-conforming building is damaged or destroyed to the extent of more than seventy five percent (75%) of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.
  - f) The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

### **D4.2 Enforcing the Bylaw**

- (1) The Development Officer or a Designated Officer may enforce the provisions of the Bylaw, or the conditions of a development permit pursuant to the *Act* and the *Provincial Offences Procedure Act (POPA)*, as amended.
- (2) Enforcement may be by violation ticket pursuant to *POPA*, notice of violation, or any other authorized action to ensure compliance.
- (3) The enforcement powers granted to the Development Officer under this Bylaw are in addition to any enforcement powers that the Town or any of its Designated Officers may have under *POPA*, and the Development Officer may exercise all such powers concurrently.

### **D4.3 Entry and Inspection**

- (1) Pursuant to the *Act*, the Development Officer or other Designated Officer may, after giving twenty-four (24) hours notice to the owner or occupier of land or the structure to be entered:
- a) Enter on that land or structure at any reasonable time, and carry out any inspection, enforcement or action required to assess or enforce compliance with this Bylaw,
  - b) Request anything to be produced to assist in the inspection, remedy, enforcement, or action, and
  - c) Make copies of anything related to the inspection, remedy, enforcement, or action.

### **D4.4 Contravention**

- (1) If it appears that:
- a) A development permit has been obtained by fraud or misrepresentation,
  - b) Facts that might affect consideration of the development permit application or the Developer were not disclosed at the time of application,
  - c) The development permit was issued in error,
  - d) The application was withdrawn by way of written notice from the Applicant, or

- e) A development for which a development permit has been issued is not being carried out or completed to the extent or in the manner originally approved, the Town may cancel, suspend, revoke, or modify the development permit.
- (2) 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 ("Stop Order"), order the registered owner, the person in possession of the land or buildings, or the person responsible for the contravention, or all or any of them to:
- a) Stop the development or use of the land or building in whole or in part as directed by the notice,
  - 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.
- (3) If a person fails or refuses to comply with a Stop Order directed to them under subsection (2) 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.
- (4) A person receiving a Stop Order under subsection (2) or whose development permit is cancelled, suspended, revoked, or modified under subsection (1) may appeal that decision to the Board in accordance with *Section D2* and the *Act*.
- (5) In the event that a Stop Order is not complied with or appealed to the Board by the stated deadline, the Town may elect to take further action.
- (6) The Town may register a caveat under the *Land Titles Act* against the Certificate of Title for the land that is the subject to a stop order, and if so, the Town must discharge the caveat when the stop order has been complied with.
- (7) When an order is carried out under subsection (2), the Town 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.

#### **D4.5 Penalties**

- (1) A person who contravenes this Bylaw or obstructs or hinders any person in performance of these powers or duties under this Bylaw, is guilty of an offence and is liable to a minimum fine of \$250.00 and a maximum of \$10,000.00 or to imprisonment of a minimum of six (6) months to a maximum of one (1) year, or to both fine and imprisonment in accordance with the *Act*.
- (2) A person who continues to contravene this Bylaw after conviction for that contravention is guilty of a further offence and is liable to a fine not exceeding \$2,500.00 for every day that the offence continues after conviction, exclusive of costs for such continuing contravention of this Bylaw, and upon failure to pay such a fine and costs, imprisonment for a period not exceeding one (1) year unless such a fine and costs are sooner paid.
- (3) Pursuant to *POPA* the fine amounts in *Table D4.1* are established for use on notices of violation and violation tickets.
- (4) Noted fines for additional offences are for when the offence has occurred within a twelve (12) month period of the previous offence.
- (5) Payment of a fine does not release the offender from the requirement to comply with the requirements of this Bylaw.

**Table D4.1: Fines**

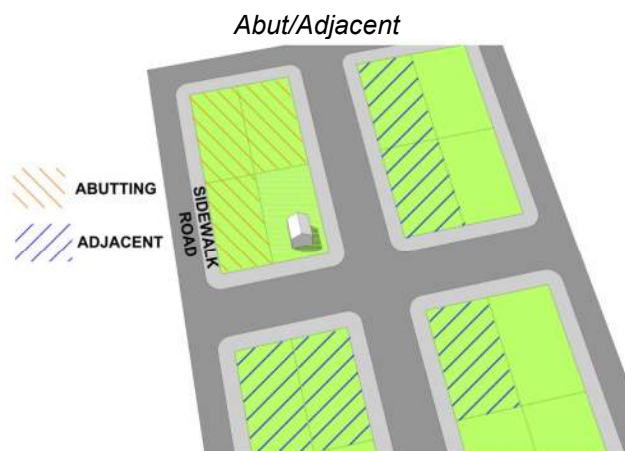
Offense	First Offense	Second Offense	Third Offense
Failure to obtain a <u>development permit</u>	Double Applicable Permit Fee(s)	Triple Applicable Permit Fee(s)	Quadruple Applicable Permit Fee(s)
Failure to comply with <u>development permit</u> conditions	\$500	\$750	\$1,250
Failure to comply with district regulations	\$1,000	\$1,500	\$2,000
Failure to comply with any other requirement of the Bylaw	\$1,000	\$1,500	\$2,000

## PART E DEFINITIONS

- (1) For purpose of this Bylaw the words, terms, and phrases, wherever they occur in this Bylaw, shall have the meaning assigned to them in this Part. All other words and expressions used in this Bylaw shall have the meanings assigned to them in the *Act*.

**ABATTOIR** means the use of land, or a building for the slaughter of livestock or poultry and may include the packing, treating, storing and sale of the meat produced.

**ABUT/ABUTTING** means contiguous to or physically touching, and when used with respect to a lot or site, means that the lot or site physically touches upon another lot or site and shares a boundary with it.



**ACCESSORY BUILDING OR USE** means a building, structure or use which is 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* as amended.

**ADJACENT** means land that is contiguous to another parcel, or would be contiguous if not for a river, stream, railway, road, or utility right of way or reserve land.

**AGRICULTURE, EXTENSIVE** means the raising or production of any cultivated crops, livestock or dairy products that utilize relatively large areas of land and in which the use of buildings and confinement areas is auxiliary to the use of the land itself. This constitutes an “agricultural operation” pursuant to the requirements of the *Agricultural Operation Practices Act*.

**AMUSEMENT ESTABLISHMENT, INDOOR** means facilities within any building, room or area having table games, electronic games, similar games played by patrons for entertainment.

**AMUSEMENT ESTABLISHMENT, OUTDOOR** means development providing facilities for entertainment and amusement activities which primarily take place out-of-doors, where patrons are primarily participants. Typical uses include amusement parks, go-cart tracks, miniature golf and motor cross establishments. This use does not include Participant Recreation, Outdoor, or special events

**APARTMENT** means a multi-storey residential building containing five (5) or more separate Dwelling Units, each with an entrance either directly from the outside or through a common vestibule.

**APPLICANT** means a registered owner or representative of a registered owner that submits a development permit or subdivision application to the Town for approval.

**APPROVING AUTHORITY** means the Development Authority or Subdivision Authority, whichever is applicable.

**AUTO BODY OR PAINT SHOP** means an establishment for the repair and/or painting of motor vehicle bodies but does not include Auto Wrecker or Salvage Yard, Dealership, Gas Bar, Service Station, or Vehicle or Equipment Repair.

**AUTO WRECKER OR SALVAGE YARD** means a development consisting of the storage, dismantling, and wrecking of vehicles, not in running condition, or parts of them.

**AWNING OR CANOPY** means an outward projection from the facade of a building, primarily designed to provide protection from climatic elements.

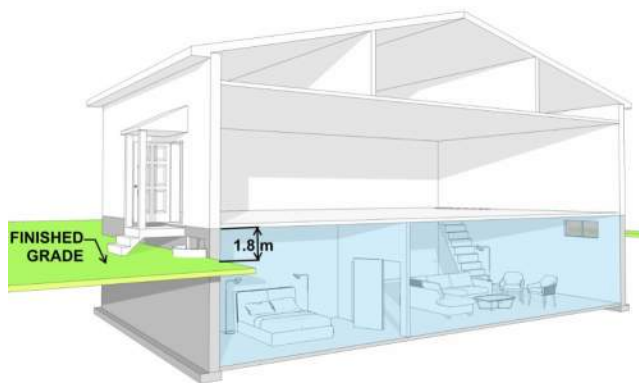
**BALCONY** means a platform, attached to and projecting from the face of a building, with or without a supporting structure above the first storey, typically surrounded by a balustrade or railing, and used as

an outdoor amenity space, with access only from within the building.

**BARRIER FREE** means the incorporation and utilization of design principles to construct an environment that is functional, safe, and convenient for all users, including those with any type of disability.

**BASEMENT** means that portion of a building that is located wholly or partially below the finished grade, the ceiling of which does not extend more than 1.8 m (6 ft) above grade.

Basement



**BED AND BREAKFAST** means an establishment that provides breakfast together with the short-term (less than one month) rental of up to three (3) bedrooms and the bath facilities of a private Single Detached Dwelling that is permanently occupied by the registered owner of the establishment.

**BERM** means a landscaped earth barrier that is designed to separate incompatible land uses, confine drainage to a site, or to serve as a buffer or screening function for a site.

**BOARD** means the Subdivision and Development Appeal Board established by bylaw.

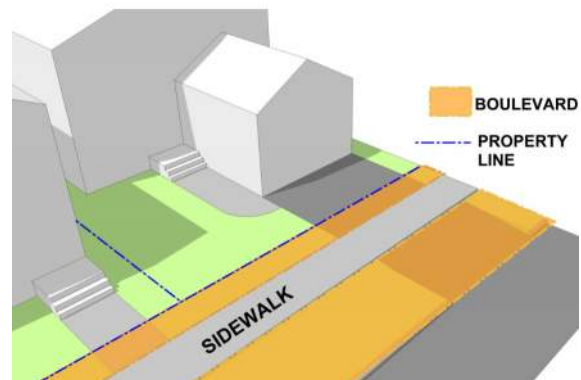
**BODY ART SHOP** means an establishment where body piercing and/or tattooing is conducted.

**BOULEVARD** means:

- That portion of the right-of-way of a road lying between the curb line of the road and the abutting lot line, excepting that portion occupied by a sidewalk; or
- Where there is no curb, that portion of the right-of-way lying between the edge of the road ordinarily used by vehicles and the abutting lot

line, excepting that portion occupied by a sidewalk.

Boulevard



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

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

**BUILDING INSPECTOR** means a person authorized by the Town to enforce the requirements of the Alberta Building Code.

**BULK FUEL OUTLET OR CARDLOCK** means a development for handling petroleum products in bulk quantities and includes supplementary tanker vehicle storage. Key-lock pumps and retail fuel sales may be incorporated as an Accessory Use. This use does not include Gas Bars or Service Stations.

**CAMPGROUND** means a facility which has been planned and improved for the seasonal short-term use of holiday trailers, motor homes, tents, campers, and similar recreational vehicles and is not intended for year-round storage, or accommodation for residential use. Related facilities that are accessory to and support the campsite, such as an administration office, laundromat, picnic areas, and playgrounds may be included on-site.

**CANNABIS** means Cannabis plant, fresh Cannabis, dried Cannabis, Cannabis oil and Cannabis plant seeds, and any other substance defined as Cannabis in the Cannabis Act (Canada) and its



regulations, as amended from time to time and includes edible products that contain Cannabis.

**CANNABIS MICRO-PROCESSING** means a development used for processing, packaging, or shipping of Cannabis by a federal government licensed commercial producer in accordance with a micro-processing license as defined by Health Canada per the *Cannabis Act* and its regulations. This use does not include the growing of Cannabis on-site, or a Cannabis Retail Store.

**CANNABIS RETAIL STORE** means a development used for the retail sale of cannabis authorized by provincial or federal legislation. This use includes the sale of Cannabis-related accessories but does not include the sale of liquor, tobacco, or pharmaceuticals. This use does not include Cannabis Micro-Processing, Retail, Convenience, or a Retail Outlet.

**CARPORT** means a residential parking structure designed and used for the storage of motor vehicles and consists of a roof supported on posts or columns and not enclosed three (3) or fewer sides whether separate from or attached to the Principal Building on a site.

**CERTIFICATE OF TITLE** means a certificate issued by the Land Titles Office identifying the owner(s) of a particular parcel.

**CHANGE OF USE** means a change in the use of a site, structure or building from one use to another use, or the introduction of additional uses beyond those already lawfully present.

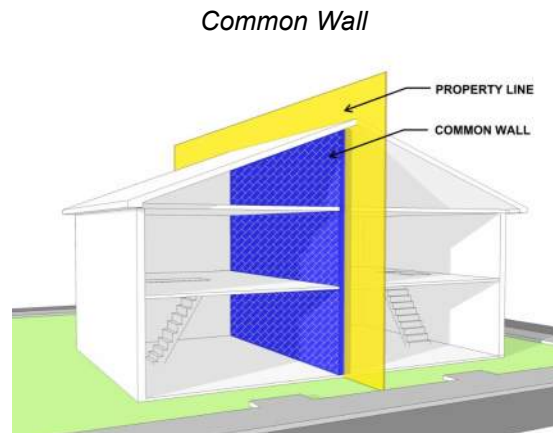
**CHILD CARE FACILITY** means a provincially regulated facility used for the provision of care, instruction, maintenance, or supervision of children, but does not include a Family Day Home or supportive housing.

**CLERK** means the Clerk to the Subdivision and Development Appeal Board.

**CLINIC** means a facility that provides physical and mental health services on an outpatient basis. Services may be of a preventive, diagnostic, treatment, therapeutic, rehabilitative, or counselling nature. Typical uses include medical and dental offices, health clinics, acupuncture clinics, massage, and counselling services, but does not include Emergency Services or a Hospital.

**COMMENCEMENT** means the initiation of a development pursuant to an approved development permit, including the excavation of a site and/or the construction of the foundation of a building or structure.

**COMMON WALL** means a wall jointly owned and jointly used by two parties under easement agreement, or by right in law, and erected at or upon a line separating two lots, each of which is, or is capable of being, a separate real estate entity.



**COMMUNICATION TOWER** means a federally regulated structure for supporting equipment for transmitting or receiving television, radio, telephone, or other electronic communications.

**COMMUNITY HALL** means a privately or publicly owned and operated facility to provide space for functions and social events and includes a service club.

**COMPLETE APPLICATION** means a development permit or subdivision application that contains all the information required in order for the Approving Authority to make a decision.

**COMPLETION** means the point at which a development has been finished to the satisfaction of the Development Authority.

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

- d) Any preliminary operation such as excavation, filling or draining, and
- e) Altering an existing building or structure by an addition, enlargement, extension, or other structural change.

**COPY AREA** means the total surface area within the outer periphery of a sign, and, in the case of a sign comprised of individual letters or symbols shall be the area of a theoretical rectangle enclosing the letters or symbols. Frames and structural members not bearing advertising matter shall not be included in the computation of copy area.

**COUNCIL** means the Municipal Council of the Town of Valleyview.

**CONTRACTOR, GENERAL** means the provision of building construction, oil field servicing, landscaping, concrete, electrical, excavation, drilling, heating, paving, road construction, sewer or similar services of a construction nature which require on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service. Any sales, display, office, or technical support service areas shall be accessory to the principal general contractor use only.

**CONTRACTOR, LIMITED** means the provision of electrical, plumbing, heating, painting, refrigeration, carpet cleaning, catering, small equipment repair, and similar services primarily to individual households and the accessory sale of goods normally associated with the contractor services where all materials are kept within an enclosed building.

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

**CORNER SIGHT TRIANGLE** means that triangle formed by a straight line drawn between two points on the lot lines of a site measured 6.1 m (20 ft) from the point where the lot lines intersect.

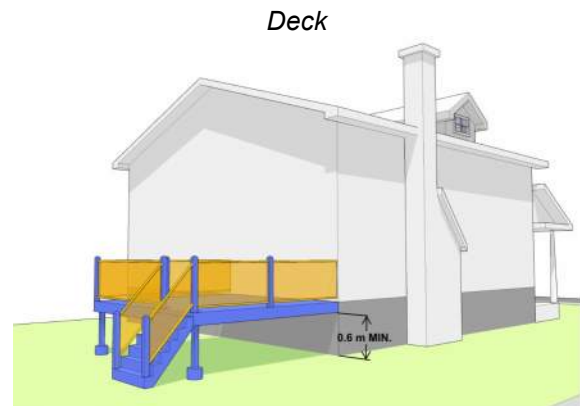
**CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)** means design and use of the built environment that leads to a reduction in the fear and incidence of crime and an overall improvement of quality of life.

**CUL-DE-SAC** means a public road that consists of a closed bulb at one end.

**DEALERSHIP** means premises for the retail sale, service, or rental of new or used automobiles, motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar recreational vehicles, Manufactured Homes, farm equipment, industrial equipment, or construction equipment together with incidental maintenance services and sale of parts.

**DECK** means an unenclosed amenity area that is attached to a dwelling. This includes:

- d) Ground Level Decks with a finished floor height of less than 0.6 m (2 ft), or
- e) Raised Decks that have a finished floor height of 0.6 m (2 ft) or greater above grade at any point.



**DESIGNATED OFFICER** means a person appointed by the Town that is authorized to enter and inspect land or buildings for the purpose of enforcing the provisions of this Bylaw.

**DEVELOPER** means a registered owner, agent or any person, firm, or company responsible for a development.

**DEVELOPMENT** means

- a) An excavation or stockpile and the creation of either of them, or
- b) A building or an addition to, or replacement or repair of a building and the construction or placing in, on, over or under any of them, or
- c) A change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
- d) A change in the intensity of use of land or a building that results in or is likely to result in the intensity of use of the land or building.

**DEVELOPMENT AUTHORITY** means the Development Officer, or Municipal Planning Commission, as the case may be.

**DEVELOPMENT OFFICER** means the person appointed by a resolution of Council to the office established by Section A2.1 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 District in this Bylaw for which, a development permit may be issued at the discretion of the Development Authority.

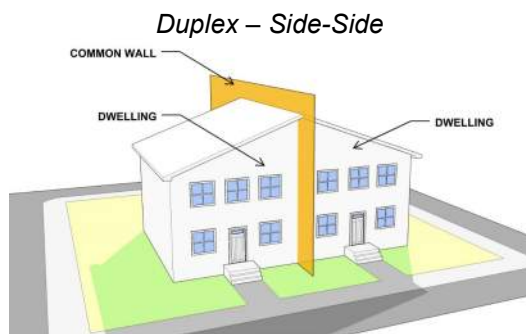
**DRIVE-THROUGH** means that portion of a development used provide customer service to patrons within a vehicle, and typically but not exclusively associated with Eating and Drinking Establishments and Financial Institutions.

**DRIVE-THROUGH VEHICLE SERVICE** means rapid cleaning, lubrication, maintenance, or repair services to motor vehicles, where the customer typically remains within the vehicle or waits on the premises. Typical uses include Vehicle Washes, rapid lubrication shops and specialty repair establishments, but excludes Eating and Drinking Establishments that have an accessory drive-through service.

**DRIVEWAY** means a private road that provides vehicle access from a lot of site to a public or private road.

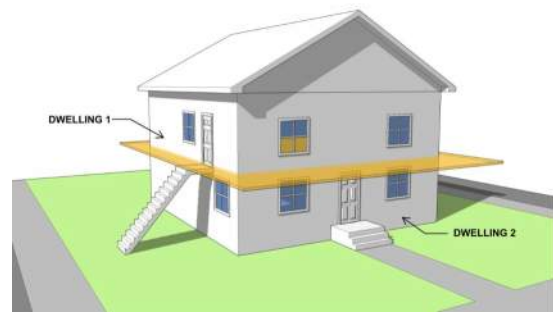
**DUPLEX** means a residential building containing two (2) Dwelling Units, each of which has an independent entrance either directly from outside the building or through a common entrance, and may take either of the following forms:

- "Side-Side" where the dwellings share a common wall, or
- "Up-Down" where one (1) Dwelling Unit is located above the other.



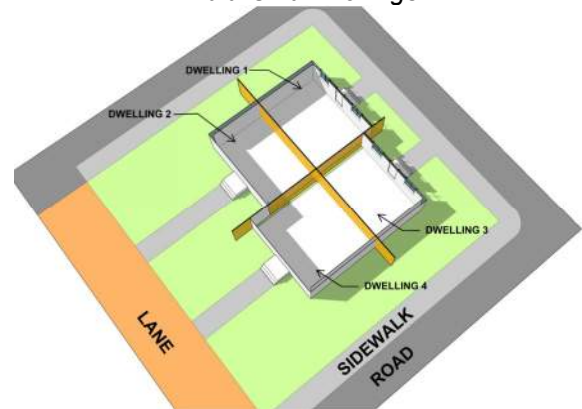
**DWELLING UNIT** means a building or portion of a building containing one (1) or more rooms used as or designed to be used as a residence and containing sleeping, cooking and sanitary facilities and intended as a permanent residence.

*Duplex – Up-Down*



**DWELLING, MULTI-UNIT** means a building containing three (3) or more Dwelling Units located immediately adjacent to each other and sharing a common wall or with dwellings placed over the others (up-down) in whole, or in part and each having a separate entrance to grade. This use does not include an Apartment Building.

*Multi-Unit Dwellings*



**DWELLING, SINGLE DETACHED** means a stick-built residential building or Modular Home constructed to Alberta Building Code requirements and placed on a permanent foundation containing one (1) Dwelling Unit but does not include a Manufactured Home.

**EASEMENT** means, for the purposes of this Bylaw, a utility right-of-way or similar legal right to use or cross land for a Public Utility or for access to another property that is registered by caveat on a Certificate of Title.

**EATING AND DRINKING ESTABLISHMENT** means a development where prepared food and beverages are offered for sale to the public, for consumption within the premises or off the site. This includes bars, restaurants, lounges, cafes, delicatessens, take-out restaurants, and may include accessory drive-through food service.

**ELEVATION** means a graphic representation of the front rear or sides of a building or structure.

**EMERGENCY SERVICES** means a development that is required for the public protection of persons and property from injury, harm, or damage together with the incidental storage of equipment and vehicles necessary for the local distribution of utility services. Typical uses include police stations, fire stations, and ambulance stations.

**ENCROACH/ENCROACHMENT** means a situation where a use, structure, building or portion thereof extends:

- a) Across a lot line onto abutting land that is owned or controlled by another party, or
- b) Into a required setback area on a lot.

**EXCAVATION** means any breaking of ground required for the purpose of developing a lot or site.

**EXHIBITION GROUNDS** means an outdoor and/or indoor facility used to host public events, including rodeos, horse shows, and exhibitions and any necessary structure used for spectator seating or viewing.

**FAÇADE** means the front or primary face of a building.

**FAMILY DAY HOME** means a provincially monitored facility that provides day-to-day child care service in a private residence for six (6) or fewer children, under the age of 11 and including the children of the day home provider. This use does not include child care facilities or group homes.

**FARMER'S MARKET** means a retail establishment or collection of retail establishments at which local producers and artisans sell meat, produce, baked goods and craft products directly to consumers. This use does not include a flea market.

**FENCE** means a vertical physical barrier constructed for the purposes of limiting visual intrusion, sound abatement and/or to prevent unauthorized entry.

**FINANCIAL INSTITUTION** means a facility that is engaged in monetary transactions, including banks, credit unions, loan offices, mortgage brokers, and similar uses.

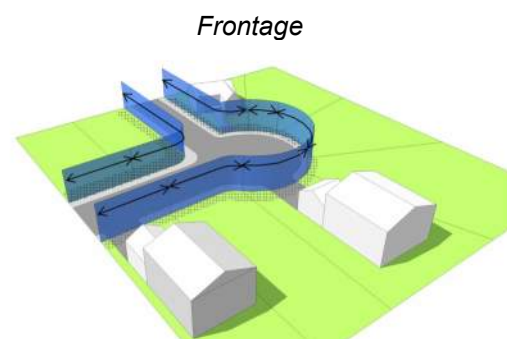
**FLEET SERVICE** means using a fleet of vehicles for the delivery of people, goods, or services where such vehicles are not available for sale or long-term lease. This includes taxi services, bus lines, and messenger services, but does not include a Trucking Operation.

**FLOOR AREA** means the gross floor area of a building or structure excluding Basements, attached Garages, sheds, open porches, or breezeways.

**FLOOR AREA, GROSS (GFA)** means the combined area of each floor of a building or structure measured from the outside surface of the exterior walls and includes all floors and Basement.

**FOUNDATION** means that portion of a building or structure located at or below grade that provides structural support to the building or structure.

**FRONTAGE** means that portion of a lot that abuts a public road.



**GARAGE** means an Accessory Building or part of a Principal Building designed and used primarily for the storage of non-commercial motor vehicles.

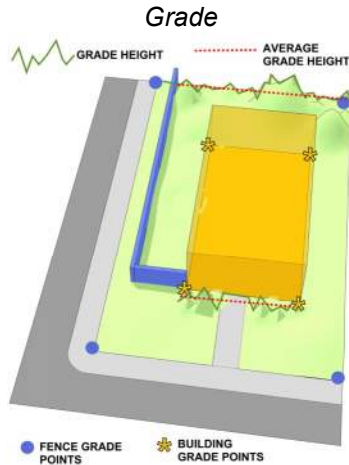
**GAS BAR** means premises used for the sale of gasoline, lubricating oils and associated petroleum products and may include the sale of automotive parts, a Vehicle Wash, towing service, or a retail food store.



**GRADE** means the normal ground elevation of a lot or site.

**GRADE, FINISHED** means:

- a) For the purposes of measuring building height, the mean level of the finished ground adjoining the building or structure at the exterior wall, and
- b) For the purposes of measuring fence or retaining wall height, the mean level of the ground calculated at the corners of the site.



**GREENHOUSE** means development used for the raising, storage and sale of produce, bedding, household and ornamental plants and related materials such as tools, soil, and fertilizers. This but does not include Cannabis Micro-Processing, or cannabis retail.

**HARD SURFACING** means a durable and dust-free ground/surface constructed of concrete, asphalt, paving stone or similar materials in accordance with Town standards. Hard surfacing does not include loose gravel.

**HIGHWAY** means a provincial highway under the *Highways Development and Protection Act*.

**HOME BASED BUSINESS** 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. This includes:

- a) Home-Based Business, Major which allows for client visits, non-resident employees, and outdoor storage, and
- b) Home-Based Business, Minor, which does not allow for client visits, non-resident employees or outdoor storage.

**HOSPITAL** means a medical facility that provides a comprehensive range of health services to the public on both an outpatient and inpatient basis, and may include a Clinic, Emergency Services, and similar Accessory Uses.

**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.

**INTENSITY OF USE** means the degree of utilization or capacity of a site or building.

**LANDSCAPING** means the modification and enhancement of a site using 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.

**LANE** means a right-of-way which provides a secondary means of access, usually to the rear of a lot.

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

**LOT** means

- a) A quarter section,
- b) A river lot or settlement lot shown on an official plan as defined in the Surveys Act that is filed or lodged in a land titles office,
- c) A part of a parcel where the boundaries of the part are separately described in a Certificate of Title other than by reference to a legal subdivision, or
- d) A part of a parcel where the boundaries of the part are described in a Certificate of Title by reference to a plan of subdivision.

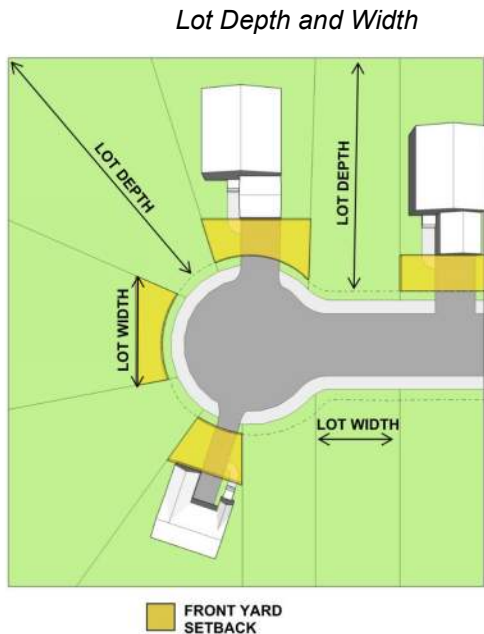
**LOT AREA** means the area contained within the boundaries of a lot shown on a plan of subdivision or described in a Certificate of Title.

**LOT, CORNER** means a lot located at the intersection of two (2) public roads, other than lanes, or a lot abutting a public road, other than a lane, which substantially changes direction at any point where it abuts the lot.

**LOT COVERAGE** means the percentage of the area of any lot which is covered by buildings or structures

excepting driveways, parking areas, sidewalks, and overhanging portions of buildings.

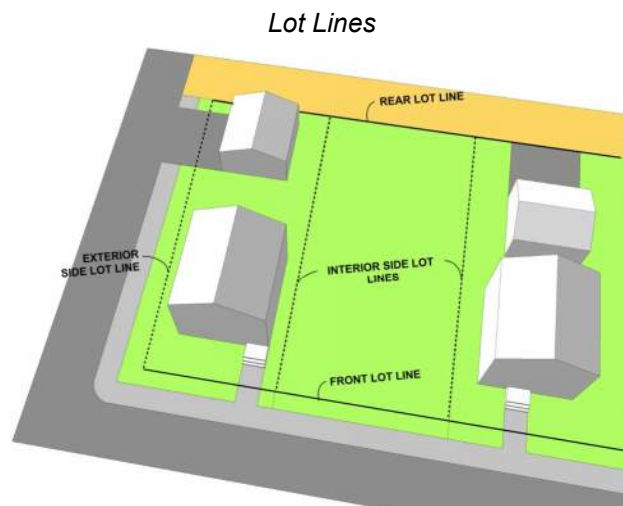
**LOT DEPTH** means the length of a straight line joining the middle of the front lot line with the middle of the rear lot line.



**LOT LINE** means a legally defined limit of any lot.

**LOT LINE, EXTERIOR SIDE** means a side lot line that abuts a public road.

**LOT LINE, FRONT** means the lot line dividing the lot from an abutting public road. In the case of a corner lot the shorter of the two (2) lot lines abutting public roads shall be the front lot line.



**LOT LINE, INTERIOR SIDE** means a side lot line that is not an exterior side lot line.

**LOT LINE, REAR** means the lot line along the rear of the lot, generally parallel to the front line.

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

**LOT, THROUGH** means a lot that abuts two (2) abutting and parallel public roads.

**LOT WIDTH** means the horizontal distance between the side lot lines measured at a distance from the front lot line equal to the minimum required front yard setback for the applicable Land Use District. The minimum width of a lot fronting the bulb of a cul-de-sac or bulb of a corner lot shall be measured at the front yard setback line.

**MANUFACTURED HOME** means a 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. A Manufactured Home does not include a recreational vehicle, a Modular Home, or a Single Detached Dwelling.

**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.

**MANUFACTURING PLANT** means an industrial use that, by reason of noise, dust, smoke, emission of odours, vibration, unsightliness, or other nuisance factors, and may be incompatible with residential, commercial, and other land uses, due to the potential generation of nuisances beyond the boundaries of the site. Such development may involve the following activities:

- a) Processing of raw materials,
- b) The manufacture or assembly of semi-finished or finished goods, products, or equipment,
- c) The storage, cleaning, servicing, repairing, or testing of materials, goods and equipment

normally associated with industrial, business or household use, or

- d) Any indoor display, office, technical, administrative support, or retail sale operation accessory to the uses listed above.

**MINI-STORAGE FACILITY** means a development that provides cubicles for rent to the public for the storage of goods. This use does not include warehousing and storage or Storage Yard.

**MIXED-USE DEVELOPMENT** means a building designed to accommodate more than one type of land use, typically consisting of retail or office uses on the main floor with residential units above.

**MODULAR HOME** means a fully or partially factory-constructed building, containing only one principal Dwelling Unit and up to one (1) Secondary Suite, whose factory-constructed portions are certified under the *Canadian Standards Association (CSA) A277* standard. It must be constructed to meet *Alberta Building Code* requirements and is permanently placed on a foundation. A Modular Home does not include a Manufactured Home.

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

**MUNICIPAL PLANNING COMMISSION (MPC)** means a municipal planning commission established by Bylaw.

**MUSEUM** means a building or place where collections of objects of artistic, scientific, or historical interest are kept and displayed for viewing by the public.

**NATURAL RESOURCE EXTRACTION INDUSTRY** means the on-site removal, extraction and primary processing of raw materials found on or under the site. Typical uses include oil and natural gas facilities, gravel pits, sandpits, and clay pits.

**NON-CONFORMING** refers to a building or use that does not comply with the provisions of this Bylaw.

**NUISANCE** means any activity that:

- a) Interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses by way of noise, smoke, dust, odour, heat, fumes, fire, or explosive hazard,

- b) Results in unsightly or unsafe storage of goods, salvage, junk, waste, or other materials; poses a hazard to health and safety, or  
c) Adversely affects the amenities of the neighbourhood or interferes with the rights of neighbours to the normal enjoyment of any land or building.

**OILFIELD SUPPORT INDUSTRY** means a development that is engaged in the sale, rental, or manufacturing of materials, equipment or supplies required for use in the petroleum industry.

**OFF-STREET PARKING** means the parking of motor vehicles on a lot or site, or the requirement for parking on a lot or site.

**PARCEL** means the aggregate of the one (1) or more areas of land described in a Certificate of Title or described in a Certificate of Title by reference to a plan filed or registered in a land titles office.

**PARK** means development specifically designed or reserved for the public for active or passive recreational use and includes all natural and man-made landscaping, facilities, playing fields, buildings and other structures that are consistent with the general purposes of public parkland, whether such recreational facilities are publicly operated or operated by other organizations pursuant to arrangements with the public authority owning the Park. Typical uses include picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds, water features and playing fields for baseball, soccer, and similar sports.

**PARKING LOT** means a site or portion of a lot or site containing parking stalls to accommodate motor vehicles located at, above, or below grade.

**PARKING STALL** means a that portion of a parking Garage or lot that is designed to accommodate the parking of one (1) vehicle.

**PARTICIPANT RECREATION, INDOOR** means development providing facilities within an enclosed building for sports and active recreation where patrons are predominately participants and any spectators are incidental and attend on a recurring basis. Typical uses include athletic clubs, health and fitness clubs, curling rinks, roller skating and hockey rinks, swimming pools, bowling alleys and soccer and racquet clubs.

**PARTICIPANT RECREATION, OUTDOOR** means development providing facilities for sports and active

recreation conducted outdoors. Typical uses include golf courses, driving ranges, ski hills, sports fields, athletic fields, equestrian trails, waterslides, recreational vehicle, rifle and pistol ranges and motor vehicle and motor bike racecourses. This use does not include Amusement Establishments, Outdoor, marinas, or temporary special events.

**PERMANENT** refers to a building or structure that is on a fixed foundation that cannot and is not designed to be moved or transported.

**PERMITTED USE** means the use of land or of a building which is listed as a Permitted Use in a Land Use District in this Bylaw and for which a development permit shall be issued if it complies with the requirements of 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, Body Art Shops, tailors, dressmakers, shoe repair shops, dry cleaners, and similar uses.

**PET CARE SERVICE** means the use of a building, or portion of a building to wash, groom and board small animals during the day and that may have the incidental sale of products related to the services provided by the use. A Pet Care Service does not have any outside enclosures, pens, runs or exercise areas. In residential Land Use Districts, Pet Care Service is included as a major Home-Based Business. This use does not include Veterinary Services.

**PORCH** means an entrance structure typically located at the front or side of a dwelling at the ground floor entry level, consisting of a roof and floor, where the front and sides of the structure remain open to the outside elements.

**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.

## **PROFESSIONAL AND BUSINESS SUPPORT**

**SERVICES** means the provision of professional, management, administrative, consulting, and financial services, Typical uses include but are not limited to the offices of lawyers, accountants, engineers, and architects, travel agencies, real estate and insurance firms, clerical, secretarial, employment, telephone answering, document printing and duplicating, binding, or photographic processing, office maintenance or custodial services, and office equipment sales, but does not include health services or government services.

**PROJECTION** means a portion or part of a building that extends horizontally above and beyond the foundation of a building, including, but not limited to chimneys, awnings, eaves, gutters, bay or bow windows and unenclosed steps.

**PUBLIC ROAD** means land shown as a road on a plan of survey that has been filed or registered in a land titles office, or used as a public road, and includes a bridge forming part of a public road and any structure incidental to a public road but does not include a highway or a lane.

**PUBLIC USE** means a building, structure, or site used for public administration and services by the Town, by any board or agency of the Town, 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, but does not include Community Hall, Exhibition Grounds, Hospital, Museum, Participant Recreation, Indoor, Participant Recreation, Outdoor, School, or Spectator Entertainment.

**PUBLIC UTILITY** means a system or works used to provide the following for public consumption or benefit:

- a) Telecommunications systems,
- b) Waterworks systems,
- c) Irrigation systems,
- d) Systems for the distribution of natural gas,
- e) Systems for the distribution of electric power,
- f) Heating systems, and
- g) Sewage systems.

**RECREATIONAL VEHICLE** means a vehicle or portable structure designed to be carried on a motor vehicle, towed behind a motor vehicle, or designed and built to be transported on its own wheels, to provide temporary living accommodation for travel and/or recreational purposes. This includes such vehicles as motor homes, fifth wheel trailers and



holiday trailers, but does not include a Manufactured Home.

**RECYCLING DEPOT** means a development for collecting, sorting, and temporarily storing recyclable materials, such as bottles, cans, paper, boxes, and small household goods, but does not include an Auto Wrecker or Salvage Yard.

**REGISTERED OWNER** means:

- a) In the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land; or
- b) In the case of any other land:
  - (i) The purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the Certificate of Title in the land and any assignee of the purchaser's interest that is the subject of a caveat registered against the Certificate of Title; or
  - (ii) In the absence of a person described in paragraph (i), the person noted under the Land Titles Act as the registered owner of the fee simple estate in the land.

**REGULATION** means the *Matters Related to Subdivision and Development Regulation (Alberta Regulation 84/2022)*.

**RELIGIOUS ASSEMBLY** means a development used by a religious organization for worship and related religious, philanthropic, or social activities and includes accessory rectories, manse, meeting rooms, classrooms, dormitories, and other buildings. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls, convents, and monasteries.

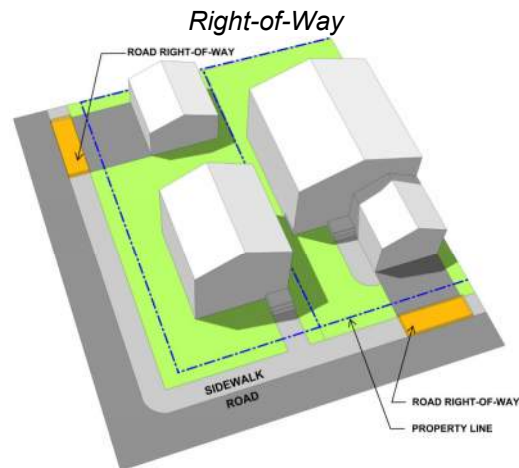
**RESERVE LAND** means municipal, School, municipal/School or environmental reserve that has been dedicated in accordance with the *Act*.

**RETAIL OUTLET** means premises where goods or merchandise are offered for sale to the public and includes limited on-site storage or limited seasonal outdoor sales that support the store's operations. Typical uses include but are not limited to grocery, hardware, pharmaceutical, appliance, pet shops, video stores and sporting good stores, but does not include a Cannabis Retail Store, Gas Bar, or Dealership.

**RETAINING WALL** means a vertical structure that serves to hold soils/fill materials in place and creates

a difference in ground elevation from one side of the face of the structure to the other.

**RIGHT-OF-WAY** means a strip of land over which the public has a right of passage, including roads, parkways, medians, sidewalks, and driveways constructed thereon.



**ROOF** means the structure forming the top enclosure, above or within the vertical walls of a building.

**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.

**SCHOOL** means a publicly funded educational institution.

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

**SECONDARY SUITE** means a self-contained accessory Dwelling Unit meeting the requirements of the *Alberta Building Code* that is contained within or located on the same lot as the principal dwelling, and providing sleeping, cooking (including stove or provision of 220-volt wiring), toilet facilities and heating and ventilation systems that are separate from those of the principal dwelling. A Secondary Suite also has an entrance separate from the entrance to the principal dwelling, either from a common indoor landing or directly from the exterior of the structure, that leads directly to the outdoors. A Secondary Suite may take the form of a:

- a) Basement Suite located within the basement of the principal dwelling,
- b) Garage Suite located either above or attached to the side of a Garage, or takes the form of conversion of an existing Garage, or
- c) Garden Suite located within the rear yard area of the principal residence.

**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. This use does not include an Auto Body or Paint Shop, Dealership, or Gas Bar.

**SETBACK** means the perpendicular distance that a development must be located from a front, side, or rear lot line as specified in a district.

**SHIPPING CONTAINER** means a standardized reusable steel Shipping Container used for the secure storage and movement of materials and products.

**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.

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

**SITE PLAN** means a plan showing the boundaries of the site, the location and use(s) or proposed use(s) of all existing and proposed buildings upon the site, the use(s) or the intended use(s) of the portions of the site on which no buildings are situated, and showing drainage, fencing, screening, grassed areas, any fixtures and any other significant features located on the site and abutting public roads, sidewalks and above grade public utilities.

**SOLAR COLLECTOR** means a device used to collect sunlight that is part of a system that converts radiant energy from the sun into thermal or electrical energy for on-site use. This use does not include a solar energy facility.

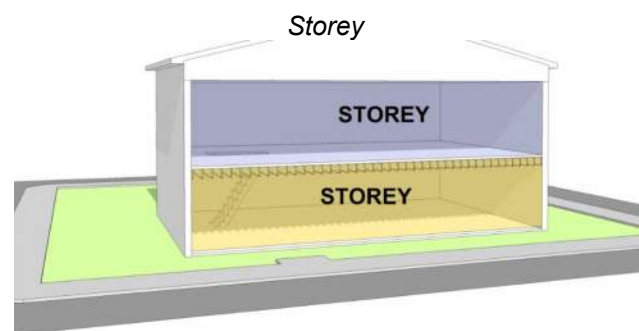
**SPECTATOR ENTERTAINMENT** means facilities within an enclosed building specifically intended for live theatrical, cultural, musical or dance performances or the showing of motion pictures. This does not include entertainment developments associated with Eating and Drinking Establishments. Typical uses include auditoriums, cinemas, and theatres.

**STATUTORY PLAN** means a municipal development plan, intermunicipal development plan, area structure plan or area redevelopment plan prepared and adopted in accordance with the *Act*.

**STORAGE YARD** means an outdoor area used for the storing, stockpiling or accumulation of goods, equipment, or materials. Typical uses include but are not limited to pipe yards or heavy equipment storage compounds.

**STOREY** means that portion of a building that is situated between the top of any floor and the top of the floor next above it. If there is no floor above, the storey is the portion of the building that is situated between the top of any floor and the ceiling above it.

**STRUCTURAL ALTERATION** means a development or construction, including a renovation or addition to a building that affects the structural integrity or access to or within a building, but does not result in an increase to the gross floor area of the building or a reduction in setback distances.



**STRUCTURE** means anything constructed or erected on the ground, or attached to something on the ground, and includes all buildings.

**SUBDIVISION** means the division of a parcel into one or more smaller lots by a plan of subdivision or other instrument.

**SUBDIVISION AUTHORITY** means the designated person or persons responsible for receiving, considering, and deciding on subdivision

applications and any other related duties pursuant to the *Act*, the *Regulation*, and this Bylaw.

**SUPPORTIVE LIVING ACCOMMODATION** means a provincially licensed and regulated facility for the accommodation and care of individuals who have physical or cognitive health issues and require some level of professional care and supervision on a permanent or temporary basis. This use does not include Transitional Housing.

**TEMPORARY** when referring to a building, structure, or use means a period not exceeding three (3) months from the date of development permit approval with allowance for one three (3) month extension by the Development Officer.

**TOWN** means the Town of Valleyview.

**TRANSITIONAL HOUSING** means sponsored, or supervised by a public authority or non-profit agency, temporary accommodation for persons requiring immediate shelter and assistance for a short period of time. This does not include Supportive Living Accommodation.

**TRUCKING OPERATION** means a development that includes facilities related to transportation-oriented business and requires a large area to accommodate the parking of large commercial vehicles including tractor/trailer units. Typical uses include oilfield hauling of materials and equipment, gravel haulers, water haulers, and heavy equipment transport.

**USE** means the purpose or activity for which a piece of land or its buildings are designed, arranged, developed, or intended, or for which it is occupied or maintained.

**VARIANCE** means an alteration or change to a standard prescribed by this Bylaw that is authorized by the Development Authority or the Board.

**VEHICLE SIGN** means a Sign mounted, painted, placed on, attached, or affixed to a trailer, watercraft, truck, automobile, or other form of motor vehicle so parked or placed so that the Sign is discernible from a public street or right-of-way as a means of communication or advertising

**VEHICLE WASH** means a facility for the washing, cleaning, or polishing of motor vehicles

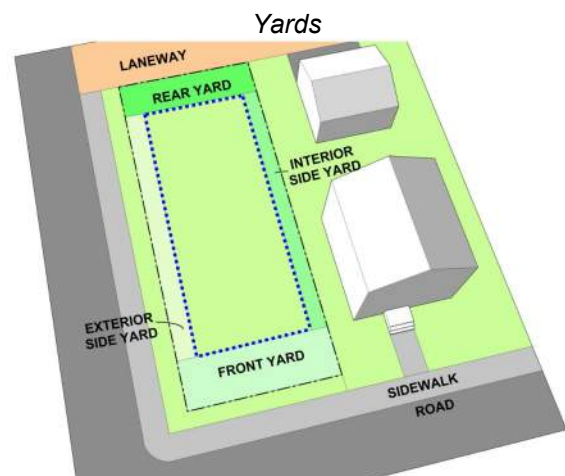
**VEHICLE OR EQUIPMENT REPAIR** means a development for the servicing and mechanical repair

of automobiles, motorcycles, snowmobiles, and similar vehicles and may include the sale, installation or servicing of related accessories and parts. This includes transmission shops, muffler shops, tire shops, automotive glass shops, and upholstery shops, but does not include Auto Body or Paint Shop, or Service Station.

**VETERINARY SERVICES** means the care and treatment of small animals where the veterinary service primarily involves out-patient care and minor medical procedures involving hospitalization for fewer than four days. Typical uses include pet clinics, small animal veterinary clinics and veterinary offices.

**WAREHOUSE** means the use of a building for the storage of goods, merchandise, and supplies intended for retail, wholesale business, or contractor purposes.

**YARD** means a part of a lot that lies between any building and the nearest lot line.



**YARD, EXTERIOR SIDE** means a yard abutting a public road that extends from the front yard to the rear yard and is situated between the side lot line and the nearest exterior wall of the Principal Building.

**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.

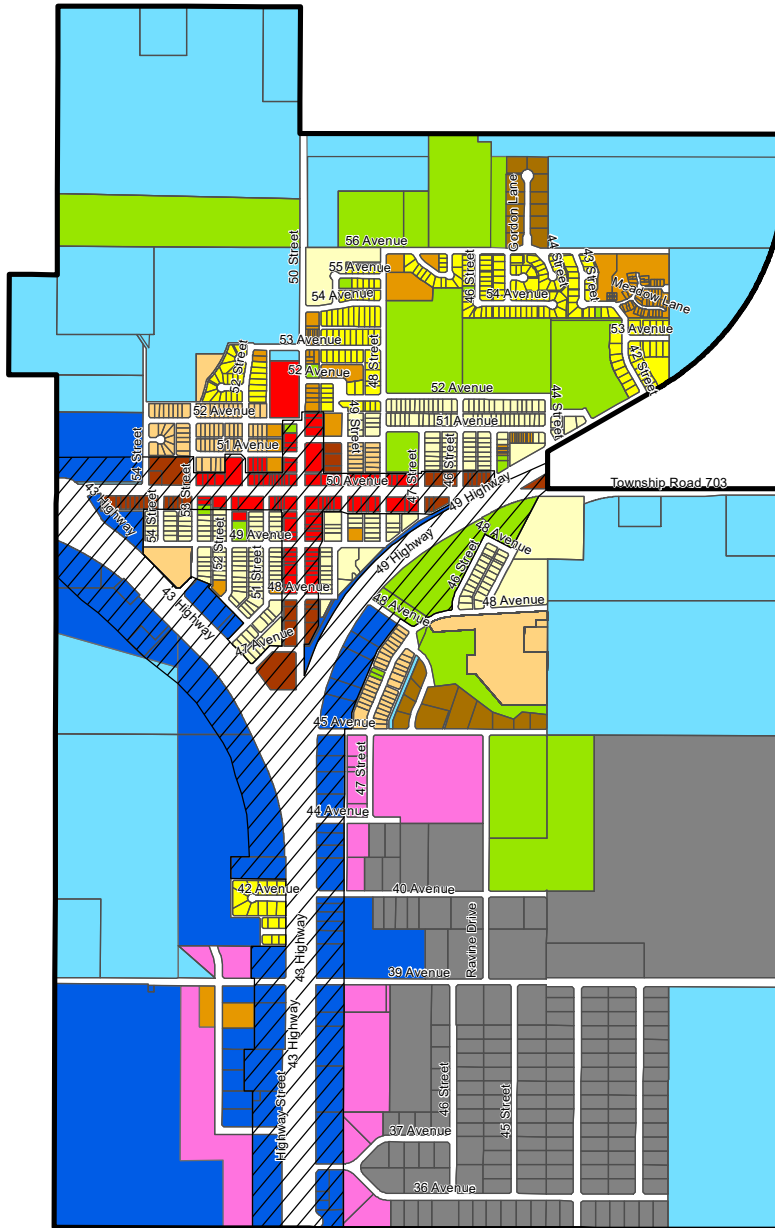
## **SCHEDULES**

**Schedule A: Land Use District Map**

**Schedule B: Valleyview Design Guidelines**

**Schedule C: Forms**

**Schedule D: Process Charts**



- |  |   |
|--|---|
| <span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black;"></span> RR - Restricted Residential         | <span style="display: inline-block; width: 15px; height: 15px; background-color: pink; border: 1px solid black;"></span> CS - Service Commercial  |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: lightyellow; border: 1px solid black;"></span> RG - General Residential       | <span style="display: inline-block; width: 15px; height: 15px; background-color: blue; border: 1px solid black;"></span> CH - Highway Commercial  |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: orange; border: 1px solid black;"></span> RMH - Manufactured Home Residential | <span style="display: inline-block; width: 15px; height: 15px; background-color: grey; border: 1px solid black;"></span> IG - General Industrial  |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: brown; border: 1px solid black;"></span> RMU - Multi-unit Residential         | <span style="display: inline-block; width: 15px; height: 15px; background-color: green; border: 1px solid black;"></span> PS - Public Services  |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: darkbrown; border: 1px solid black;"></span> RL - Large Lot Residential       | <span style="display: inline-block; width: 15px; height: 15px; background-color: lightblue; border: 1px solid black;"></span> UR - Urban Reserve  |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: red; border: 1px solid black;"></span> CD - Downtown Commercial               | <span style="display: inline-block; width: 15px; height: 15px; background-color: white; border: 1px solid black;"></span> DC - Direct Control   |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: darkred; border: 1px solid black;"></span> CG - Gateway Commercial            | <span style="display: inline-block; width: 15px; height: 15px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px); border: 1px solid black;"></span> Design Guideline Overlay |
|  | <span style="display: inline-block; width: 15px; height: 15px; border: 2px solid black;"></span> Town Boundary  |

Note: Land use districts current as of March 23, 2022



## TOWN OF VALLEYVIEW LAND USE BYLAW

### SCHEDULE A: LAND USE DISTRICT MAPS

MAP :

## **Schedule B: Valleyview Design Guidelines**



# Development Guidelines

July 26, 2016



These guidelines have been developed by the Town of Valleyview to help landowners and businesses plan for development that supports the community's vision of a small traditional town with a beautiful, walkable grid network of streets and a modern, thriving business community that is an attractive destination for visitors and workers. They include three types of guidelines:

- **Downtown Commercial Design Guidelines:** these aim to encourage design that communicates the traditional commercial and civic heart of the community, and enhances the character, pedestrian orientation and vitality of downtown and as an important community focal point.
- **Highway Commercial Design Guidelines:** these aim to encourage beautification of commercial lands on the highway, so that they have more landscape, retain unique local features, better define edges of parking lots, and maintain windows into the surrounding rural and forested landscape.
- **Subdivision Guidelines:** these aim to offer applicants guidance on the most important decisions made in developing a subdivision proposal, so that proposals create as much value for them and for the community as possible. These guidelines will help applicants create a site plan that is in alignment with the Town's Municipal Development Plan.



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GUIDELINES

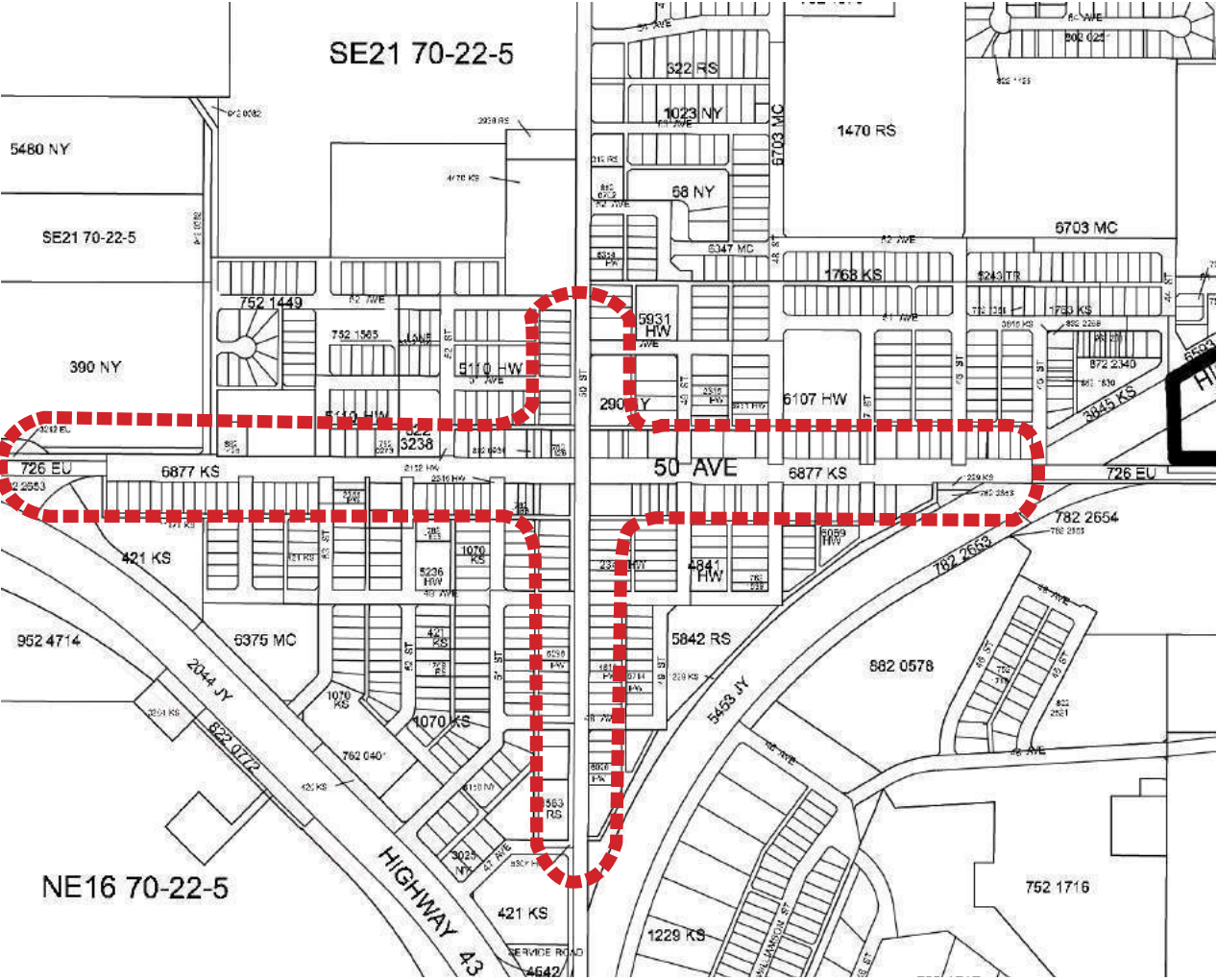
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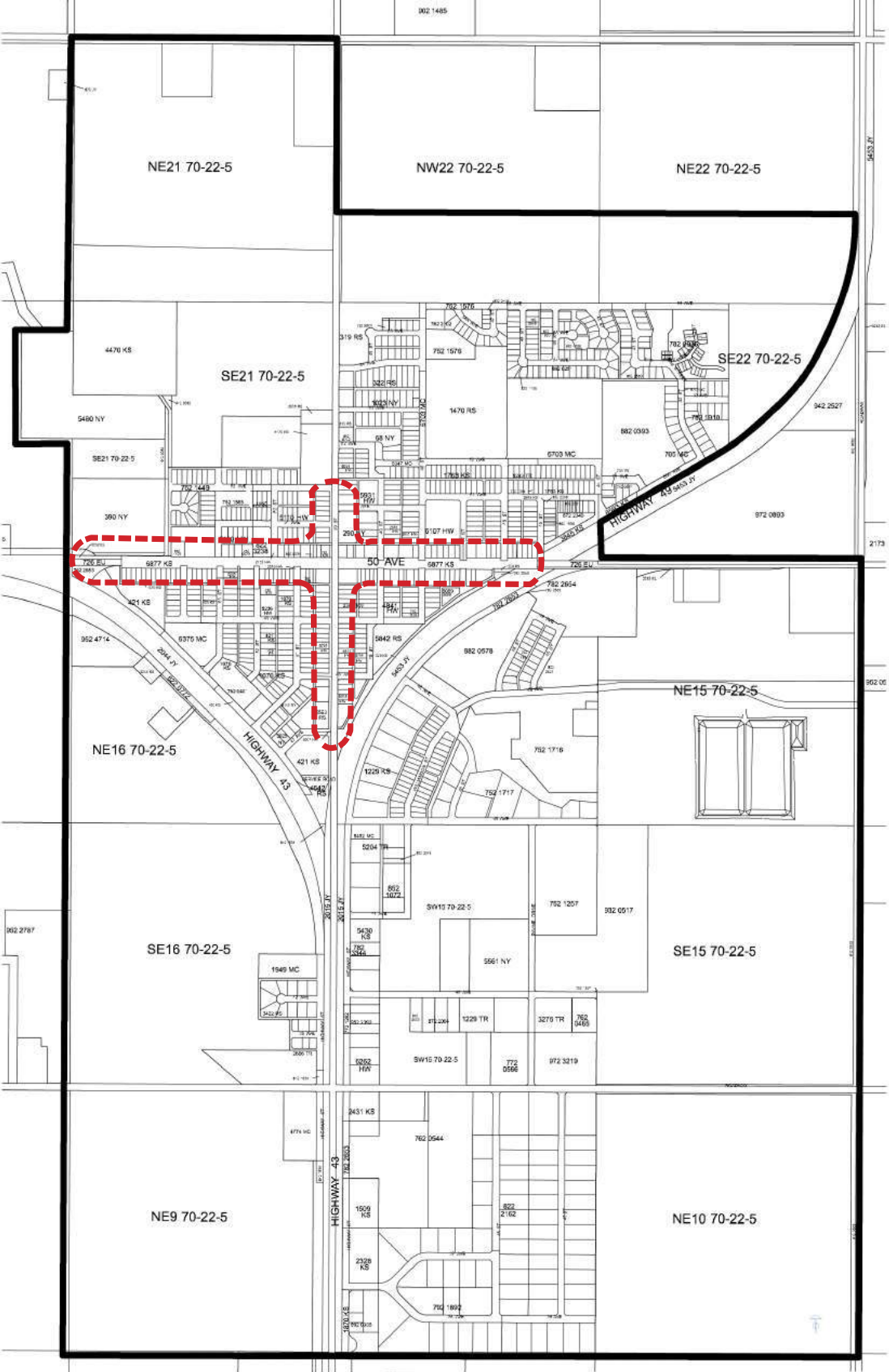
# Town of Valleyview Downtown Commercial Design Guidelines



MAPS:  
Area where the Downtown Commercial Guidelines apply



- Downtown Guidelines Area Boundary
- Town Boundary





## FACADE GUIDELINES

### Intent and Overview

The intent of the facade guidelines is to encourage facade design that emphasizes the downtown as the traditional commercial and civic heart of the community, and enhances the character, pedestrian orientation and vitality of this important community focal point.

*Specifically*, the guidelines identify a range of practical facade design elements, features and details to create richness, variation and visual interest, encourage pedestrian activity and welcome users.

These guidelines are not intended to be prescriptive, but rather to encourage innovative creative and practical design responses for individual development projects and facade improvements.



*Large shop front windows, weather protection and a range of simple facade features and details create an attractive and welcoming streetscape environment*

### Key Elements and Approaches

Many street frontage design elements help to create an interesting and welcoming streetscape. These include building materials, special ground floor design treatments, façade modulation, corner treatments, façade elements such as window treatments, building entries, and other architectural details. All of these help define the public realm as a welcoming place.

Key facade elements and approaches that can be used to enhance the pedestrian environment include:

- **Definition:** locate building facades at the sidewalk edge/property line. Do not locate off-street surface parking between the front of the building and the public sidewalk.
- **Transparency:** incorporate large areas of glazing (windows) to create visual interest and enable views into and out of businesses. A minimum 75% glazing requirement on the ground floor is desired.
- **Vitality:** Incorporate frequent entrances along the street
- **Comfort:** Incorporate functional weather protection into facades that corresponds to the placement of doors and windows.
- **Human Scale:** incorporate architectural features, details, and materials that are of human proportion and clearly oriented for pedestrian activity. A building has good human scale if its details, elements, and materials create visual interest and allow people to feel comfortable using and approaching it.
- **Substance:** Incorporate substantive, natural materials to avoid a thin veneer look

### Examples of architectural features include:

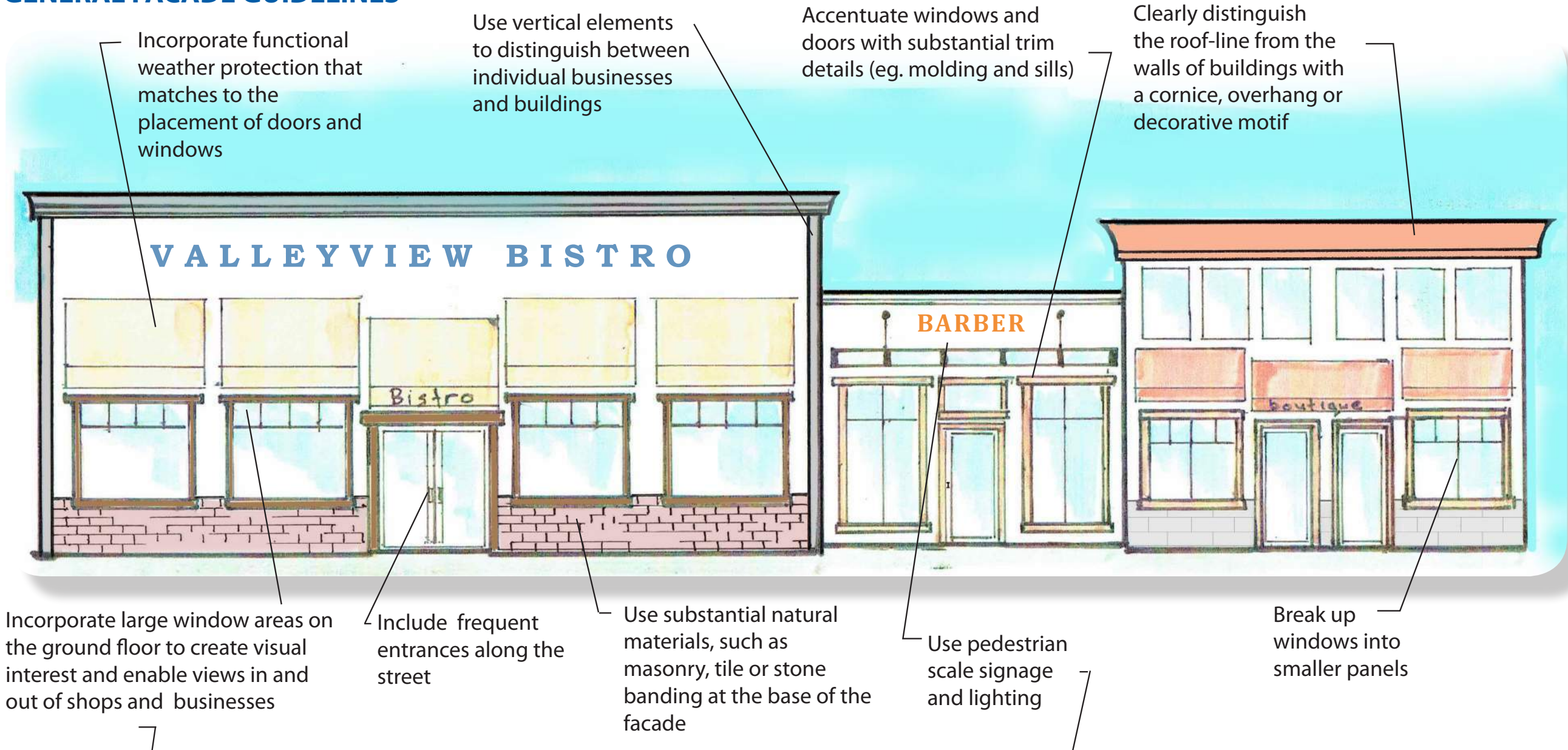
- Decorative roof-lines and cornices
- Shop-front windows and building entryways
- Awnings, canopies and overhangs
- Building articulation to accentuate building edges, corners, and entryways

### Examples of architectural details include:

- Treatment of masonry (ceramic tile, paving stones, brick patterns, etc.)
- Treatment of siding (for example, the use of score lines, textures, and different materials or patterning to distinguish between different floors)
- Use of vertical elements such as columns, piers and pilasters
- Ornamental or integrated artwork
- Integrated architectural lighting
- Detailed grilles and railings
- Substantial trim details and moldings
- Trellises and arbors



GENERAL FACADE GUIDELINES





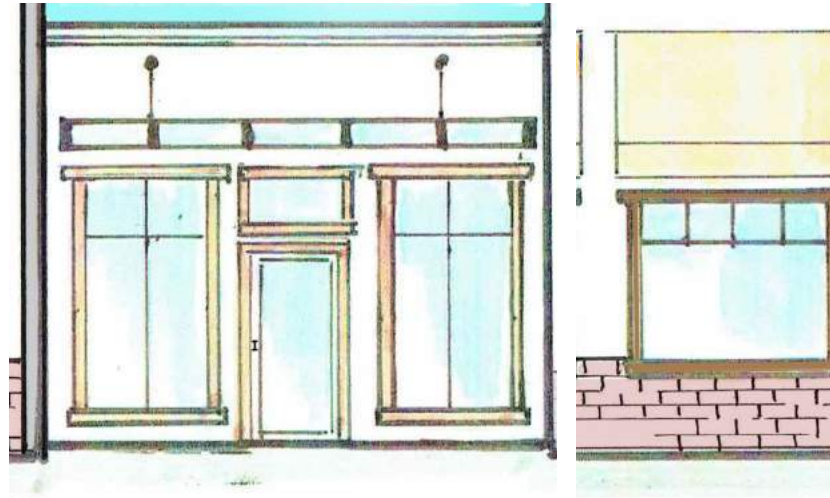
## Windows and Doors

Ground floor facade (shop-front) windows should be broken up into vertical proportions using small panes of glass, and separated from adjacent windows using moldings and jambs but grouped together to form large areas of glazing.

The use of figured or frosted glass or tinted glazing is *discouraged* for windows facing the street except for compatible use of stained glass, or where figured or frosted glass comprises a small proportion (maximum 20%) of the glazing, located above pedestrian eye level.

Upper storey windows should also be vertically proportioned and include substantial trim and molding details and be separated by adjacent windows by a strong vertical element.

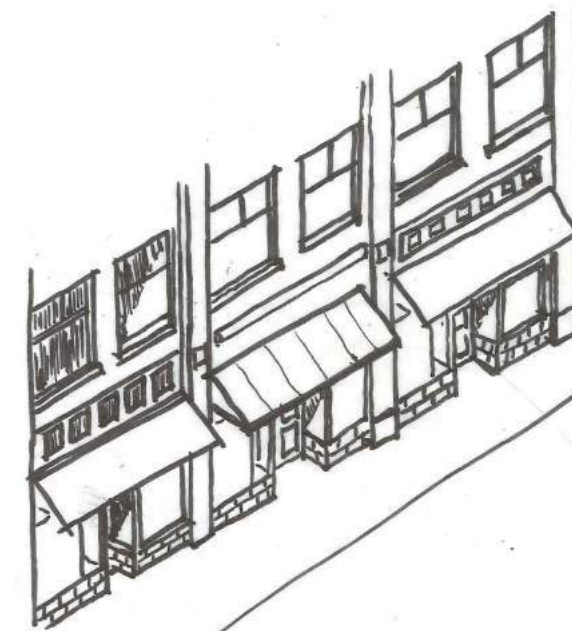
Punched windows with vertical proportions create variation and texture in the façade.



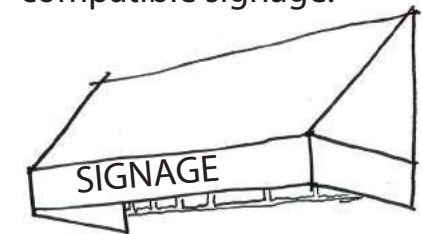
## Awnings and Canopies

An *awning* is 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 and snow.

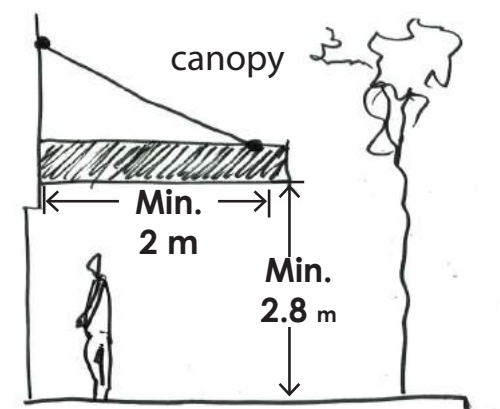
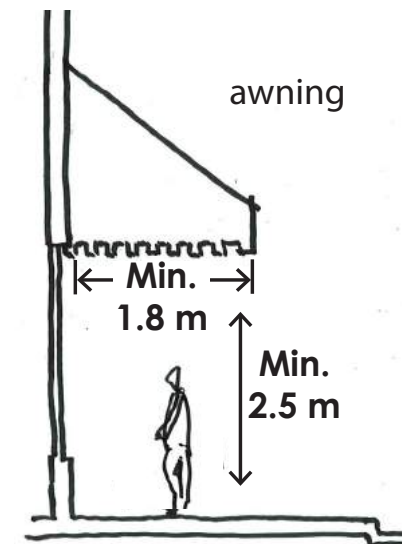
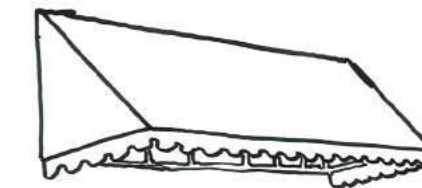
A *canopy* is a rigid structure extending out from the building face and supported entirely from the building.



4-point awning with compatible signage.



3-point awning with valance.





## Features and Details

A range of features and details can be incorporated into the facade to create variation and visual interest along the street.

### Materials

In general, natural building materials are encouraged for facades to avoid a “thin veneer” look and feel, which can be incorporated in a more traditional or compatible modern treatment. Suggested materials include:

- Natural wood materials, including:
  - » Milled and unmilled timbers
  - » Window and door trim
  - » Siding
  - » Signage
- Brick masonry
- Glazed tile
- Stone
- Concrete, painted
- Flat profile “slate” concrete tiles
- Glass and wood for window assemblies
- Pre-finished metal, non-corrugated type, emphasizing either vertical or horizontal arrangements *but not both*
- Limited amounts of stucco
- cement fiber board panels (not siding)

Vinyl siding, swirl type stucco, and vinyl for window frames are *discouraged*.

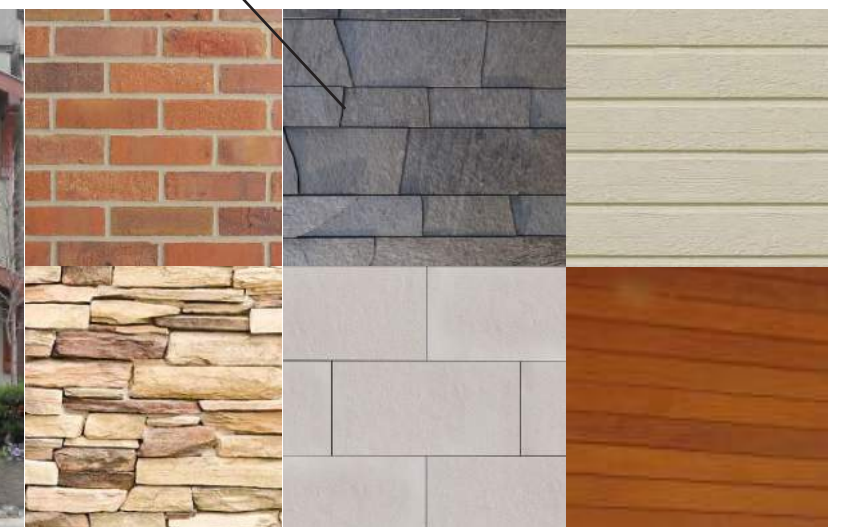
*Discourage* large homogenous treatments of any one material and vertical expanses.



Large shop-front windows broken up using substantial trim and moulding treatments



A mixture of wood, tile and stucco in Smithers, BC makes for a practical, attractive and unique facade design



A range of masonry and stone materials can contribute to an attractive facade

Painted or stained wood siding provides warmth and brightness



# SIGNAGE AND LIGHTING GUIDELINES

## Intent and Overview

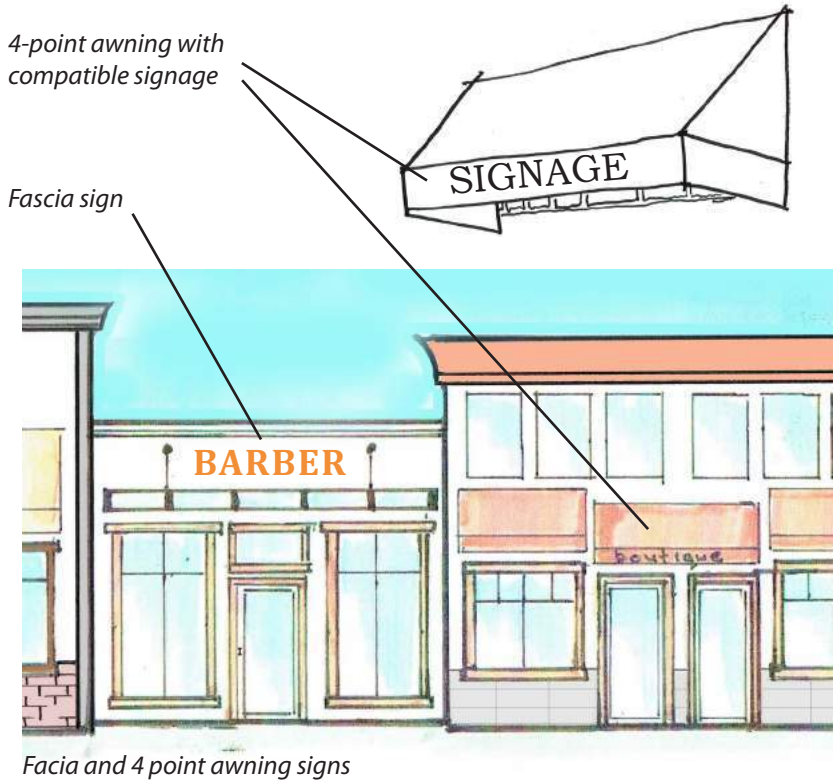
A signage and lighting program for any commercial development should be designed as a totality, with signs, lighting, and weather protection architecturally integrated from the outset. Integrated building lighting can make a positive contribution to the sense of safety and security pedestrians experience in the downtown through a combination of street, sidewalk, and architectural lighting. Business signage can contribute to the overall quality and identity of the downtown.



Blade sign suspended from canopy

## Signage

- i. Provide attractive signage on commercial buildings that clearly identifies uses and shops.
- ii. Scale signs to the pedestrian rather than the motorist.
- iii. Provide visible signage identifying the building address at all entrances.
- iv. Limit signage in number, location, and size to reduce visual clutter and make individual signs easier to see.
- v. Representational and iconic signs (for example, signs that reference Valleyview's history) are encouraged to supplement conventional text-based signs to help establish the special character of the downtown.
- vi. A single external sign band may be applied to each façade at the first storey, and should not exceed 1.0 m in height along any length.
- vii. Signage should be externally lit. Signage within shop front glazing may be backlit, but should not exceed 0.5 m in height and 2 m in length.
- viii. Flush-mounted signs and blade signs hanging from awnings and canopies are preferred to create pedestrian scale.
- ix. A minimum clearance of 2.3 metres should be maintained for signs projecting over the sidewalk or other public space.
- x. The following are preferred or acceptable types of signage in the downtown:
  - Projecting two-dimensional or blade signs suspended from canopies and awnings (fitting within a 92 cm X 153 cm (36" x 60") horizontal rectangle)
  - Flush-mounted fascia signs



Mounted individual cut-out/silhouette letter signs



- Externally lit signs
  - Small vertical banners and signs. Individual letters should not exceed 45 cm (18") in any dimension.
  - Individual cut-out or silhouette letter signs mounted on storefronts. Individual letters should not exceed 45 cm (18") in any dimension.
- xi. The following types of signage are strongly discouraged and should be avoided:
- Signs that are printed onto awnings (see below)
  - Outdoor acrylic light box signs (see below)
  - Pylon (stand alone) signs
  - Rooftop signs



*Signs as awnings - as opposed to lettering - are strongly discouraged*



*Internally lit plastic box signs are strongly discouraged*



*4-point awing signs*



*Blade signs*



*Flush-mounted fascia sign and 4-point awing signs*



## Lighting

- i. Illuminate building façades and features by providing architectural lighting on the face of buildings.
- ii. Light paths and entry areas sufficiently to ensure pedestrian comfort and security.
- iii. Provide pedestrian-scaled lighting with high-quality design detail above sidewalks for night time visibility.
- iv. Full-spectrum white light or incandescent sources are preferred in public areas.
- v. Ensure lighting is sensitive to nearby residential uses. Avoid visible, glaring light sources by using down-lights or up-lights with cut-off shields.
- vi. Gooseneck lights and sconces applied to fascias underneath weather protection elements are the preferred types of storefront lighting.
- vii. Incorporate valence lighting into canopies and uplighting to illuminate pathways.
- viii. Use of LED lighting for storefronts and street trees is encouraged.
- ix. Avoid the use of exterior fluorescent light sources.
- x. Incorporate architectural glare-free lighting into the canopy soffit that has either a low-level light source or one not directly visible to pedestrians. Fluorescent tube lights are not permitted for this use.



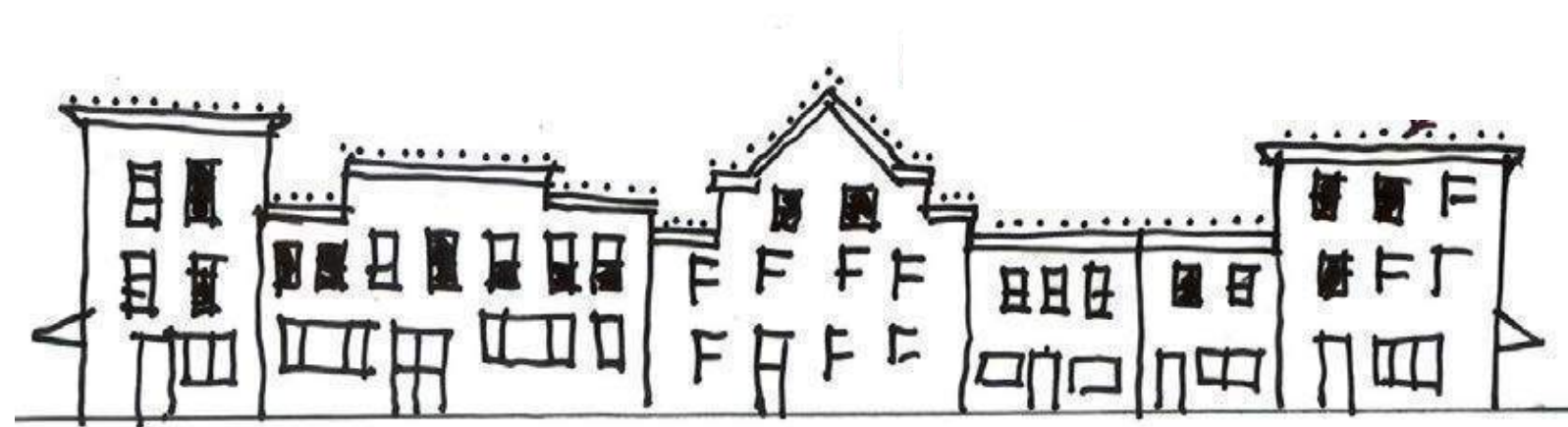
*Gooseneck lighting*



*Externally lit, individual cut letter sign*



*Gooseneck lighting under canopies*



*LED Lights along the roofline*



## FRONTAGE IMPROVEMENT GUIDELINES

### Intent & Overview

Building frontage design can positively impact the overall experience of the downtown area through a combination of improvement and access strategies. Landscaping, direct access to buildings and discouragement of undesirable uses and elements will help create definition for the frontage, which will in turn add activity and vitality to the town centre.

The location of new buildings in relation to the property line and sidewalk plays a major role in creating conditions that enhance the downtown experience.

The intent of the frontage improvement guidelines is to provide some design strategies for buildings that are set back significantly from the fronting sidewalk and/or have large expanses of blank walls.

### Typical Conditions - Existing



Buildings that are located close or at the front property line create a seamless and safe pedestrian experience



Outdoor storage and fences diminish the experience of the downtown



Fences create barriers and diminish the experience of the downtown

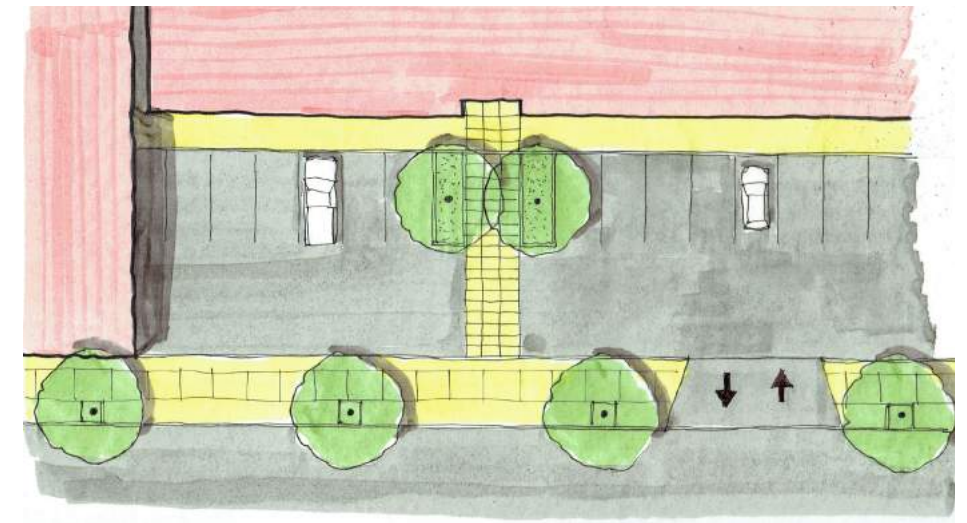
### Guidelines

- Buildings should be located at the front of the property at, or near, the sidewalk edge. Off-street surface parking should not be located between the front of the building and the public sidewalk.
- Where off-street surface parking located in front of the building cannot be avoided, a direct pedestrian connection from the public sidewalk to the building should be created and maintained.

### Existing Condition - Off-Street Surface Parking



Off-street surface parking areas between sidewalk and buildings rupture pedestrian connections



Create and maintain direct pedestrian access between sidewalk and building entrance



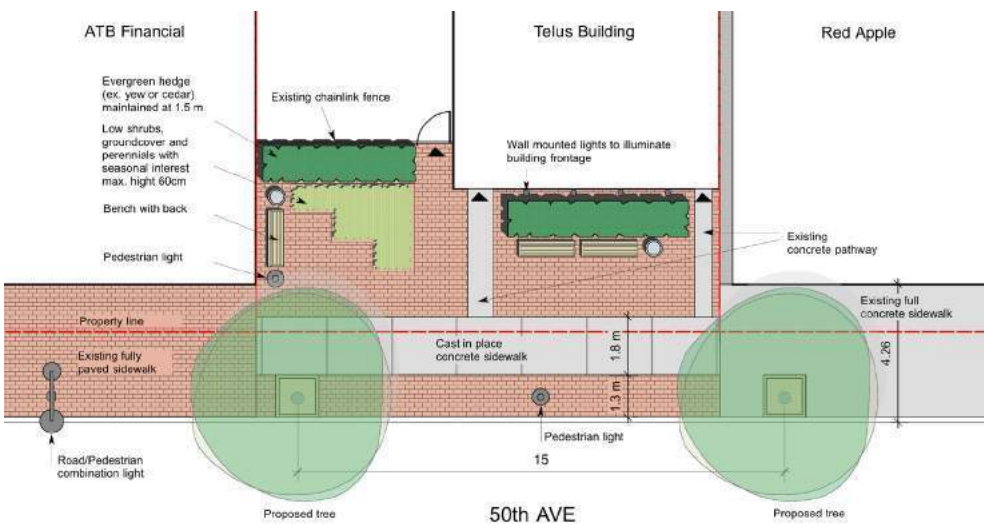
Facade and frontage improvements



# Existing Condition - Building Set Back



Buildings that are set back from the front property line create gaps and a less safe street experience



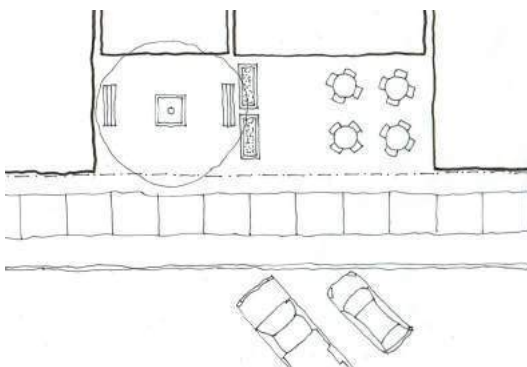
Proposal for an outdoor sitting area on 50th Avenue



Proposal for an outdoor sitting area on 50th Avenue



Benches and planters invite to dwell



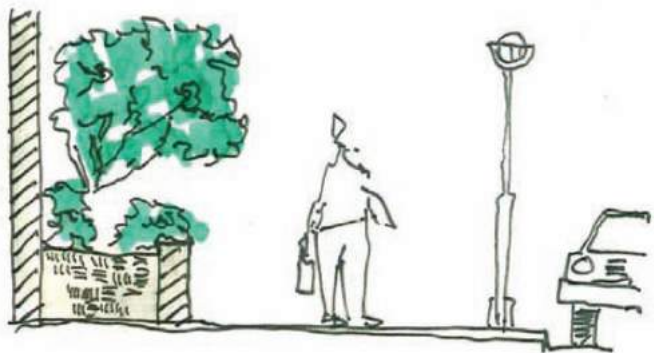
A small outdoor patio does not need much space



Lighting, trellis and climbing plants decorate blank walls

# Guidelines

- Where buildings are set back from the front of the property line:
  - » Use landscaping to create small outdoor dwelling spaces or 'pocket parks'
  - » Where possible, provide outdoor patios in relation to building use
  - » At a minimum incorporate decorative planters, benches and trees where less space is available to activate sidewalk areas
- Mitigate or break down large expanses of blank building walls by incorporating trellis structures, murals and public art



When blank walls are unavoidable, they should be screened with planting or treated with special materials



## Vacant Lots, Temporary Uses



*A summer patio and lighting can activate night time uses of empty lots*



*Make use of the gap: a decorative transparent steel fence and public art create interest and animate the walls of this outdoor patio between buildings*

## Fence Design Examples



*Low wood fence*



*Green metal fence*



*Vinyl fence*

## Guidelines

- Where fences cannot be avoided, use transparent and decorative fences that maintain sight-lines between the sidewalk and main building entrance. Steel, aluminum, wood or vinyl are possible materials.
- Chain link, barbed wire or razor wire fences are strongly discouraged.
- Fence heights of 4'0" should not be exceeded at the building frontage. 6'0" is permissible at the back and along the sides of properties.
- Keep vacant lots clean, clear and grassed, and consider temporary seasonal uses (e.g. outdoor patio, sitting area).



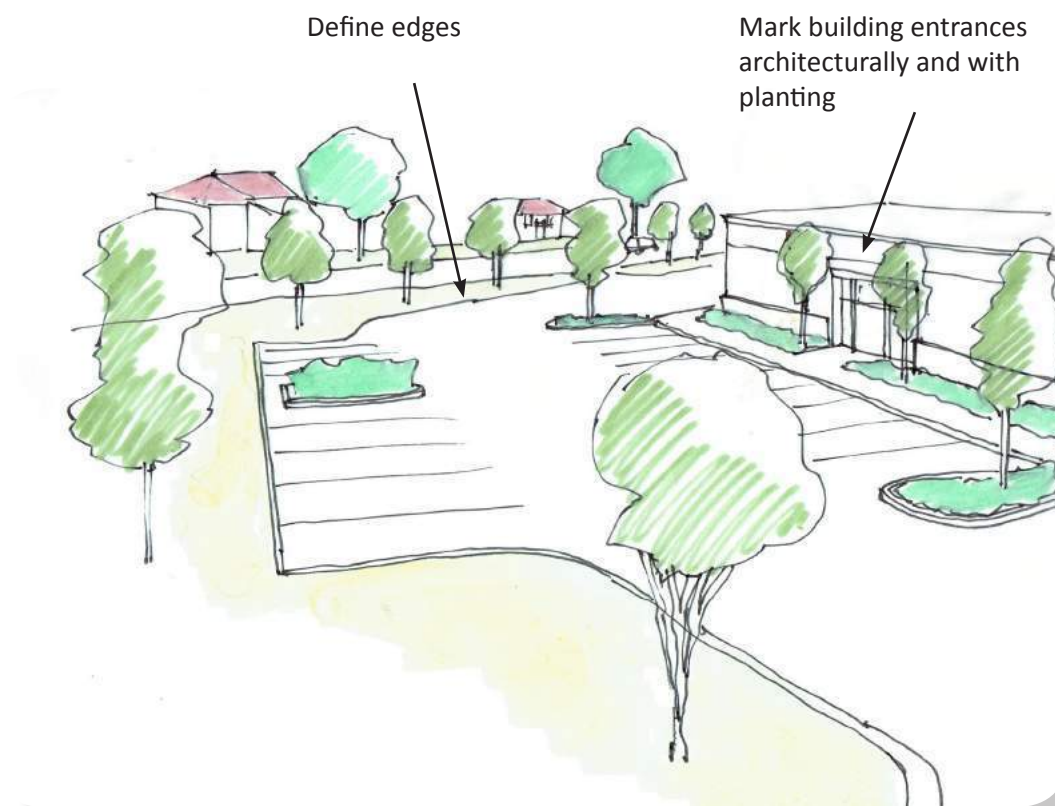
*Black steel fence*



*Galvanized commercial metal fence*



# Town of Valleyview Highway Commercial Design Guidelines





## Purpose and Intent

Highway commercial areas are by necessity oriented towards motorists, and are therefore characterized by parking areas in front of buildings, frontage roads, blank walls and very large signs. While these elements are necessary for highway commercial types of development, they can be designed in such a way as to create some visual interest and identity along the Highway. For example, the unique “retro” signage along the highway 43 corridor is a positive attribute which should be preserved and used as a template for future Highway Commercial Developments. The Highway Commercial zones will be visible from both highways 43 and 49, thus creating a first impression for visitors arriving in the Town of Valleyview. They will also be visible from the town itself, in particular from higher ground in the north-eastern areas of town.

The broad intent of these guidelines is to encourage that commercial lands on the edge of the highway have a landscaped character that retains unique local features, provides clarity and definition while maintaining windows into the surrounding rural and forested landscape.

Specifically, the guidelines provide a range of measures that can be used to create edges between properties and provide visual interest and safety for pedestrians. Landscaping also offers context for a building and enhances its relationship with the surroundings. It can also mitigate any undesirable visual impacts between residential and commercial developments.

## Key Design Elements and Approaches

A range of landscape design approaches can help create commercial developments that are more welcoming and practical for all users. These include design interventions for parking lots, road edges, spaces between developments, large blank building walls, entrances and signage. All of these help provide a commercial landscape that is welcoming, safe and part of the surrounding landscape.

Key Design Elements and Approaches include:

- **Definition:** Mark entrances to buildings architecturally, and with the help of landscaping. Use landscaping and signs to make entrances and exits to parking lots very clear. Demarcate the edges of a property.
- **Safety:** Break up large parking lots with landscaped islands that include trees, shrubs and ground cover. Create dedicated pedestrian walkways.
- **Mitigation:** Screen blank walls with the help of landscaping, such as planting beds or trellises and/or break them up using architectural facade elements. Create planted edges that act as visual buffers between residential and commercial properties
- **Preservation:** Preserve views through commercial zones into the wider landscape. Maintain older unique business signs that feature a “retro” look. Where possible, create new signage that is inspired by these vintage designs.

### Examples of Landscape Architectural Elements include:

- Groups of trees
- Lines of trees
- Landscaped islands with plants of various heights
- Sidewalks
- Trellises and Arches



Highway commercial areas are visible from higher ground in town



Unique “retro” signs are part of the auto oriented character



Landscaping defines and clarifies highway commercial developments

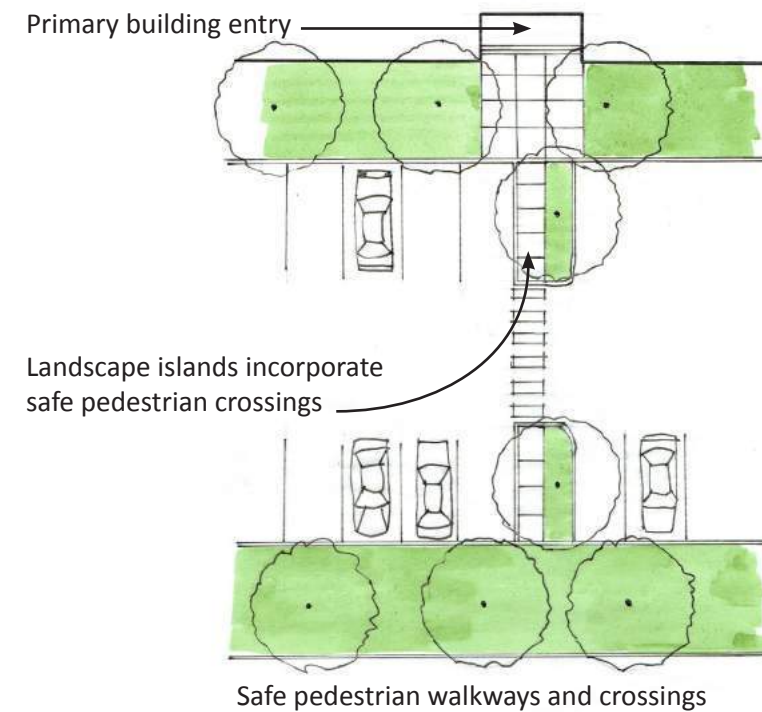


## Parking Lot Design Elements

Large parking lots should be broken up through the use of landscaping to reduce the amount of paved surface and to create safe and legible environments. Strive to connect adjacent developments using sidewalks and paths. Small plazas and picnic areas can be added to create amenity space where appropriate.

### Key measures are:

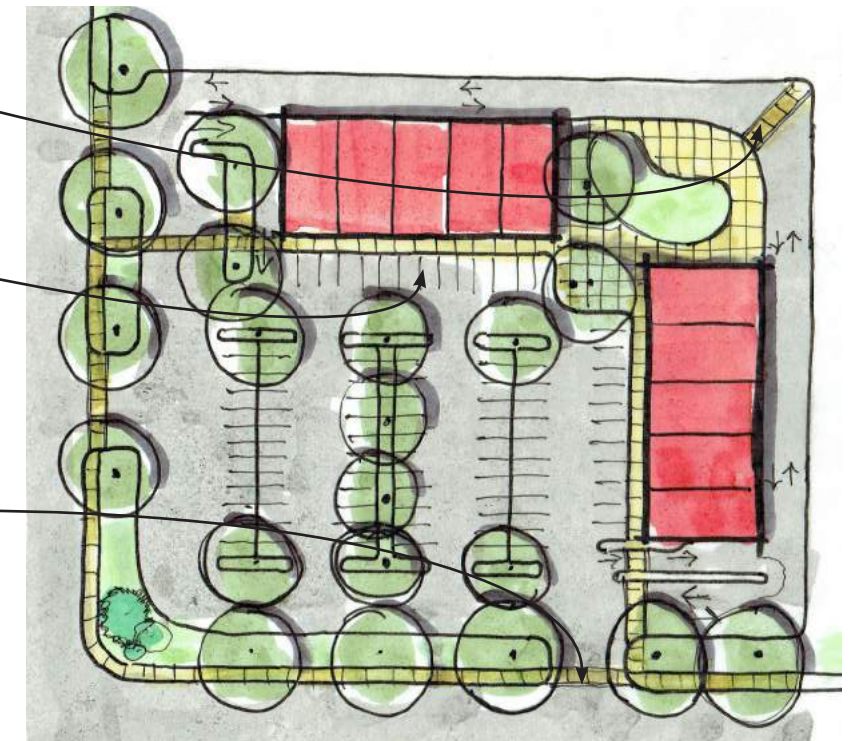
- Use of landscaped islands & perimeter planting
- Dedicated pedestrian walkways
- Clear definition of parking lot entry & exit
- Clear definition of building entrances



Pedestrian connection to adjacent development

Incorporate sidewalk path within and to connect with adjacent developments

Mark entrances with large canopy (8m) deciduous trees



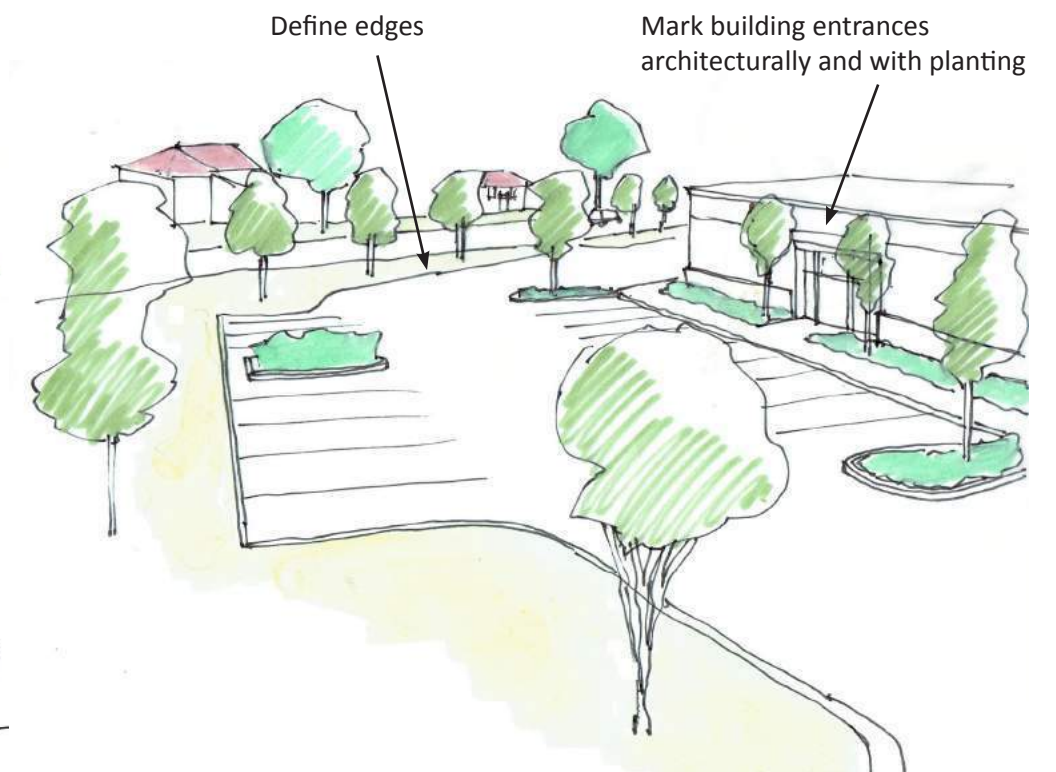
Break-up parking lots with landscaped islands/street trees



Dedicated pedestrian walkway in parking lot



Create dedicated pedestrian walkways between parking rows



Edge definition and functional clarity



## Mitigation Approaches

Several approaches can help mitigate the visual impact of commercial activity and parking lots on adjacent residential areas.

Commercial buildings with large areas of blank walls can be better integrated through the use of landscaped elements such as planting beds and trellises.

### Key Design Elements include:

- Planted buffers with multi-layered vegetation (trees, shrubs, ground cover) and seasonal interest
- Planting beds, trees or planted trellises in front of blank walls
- Groups or rows of trees along the perimeter of properties
- And, where appropriate from a visual and grading point of view, planted berms.



Plants frame buildings and provide seasonal interest



Here a perimeter row of poplars acts as visual buffer

Sitting area with bench

Multi-layered vegetation with a variety of textures break up blank walls and creates visual interest

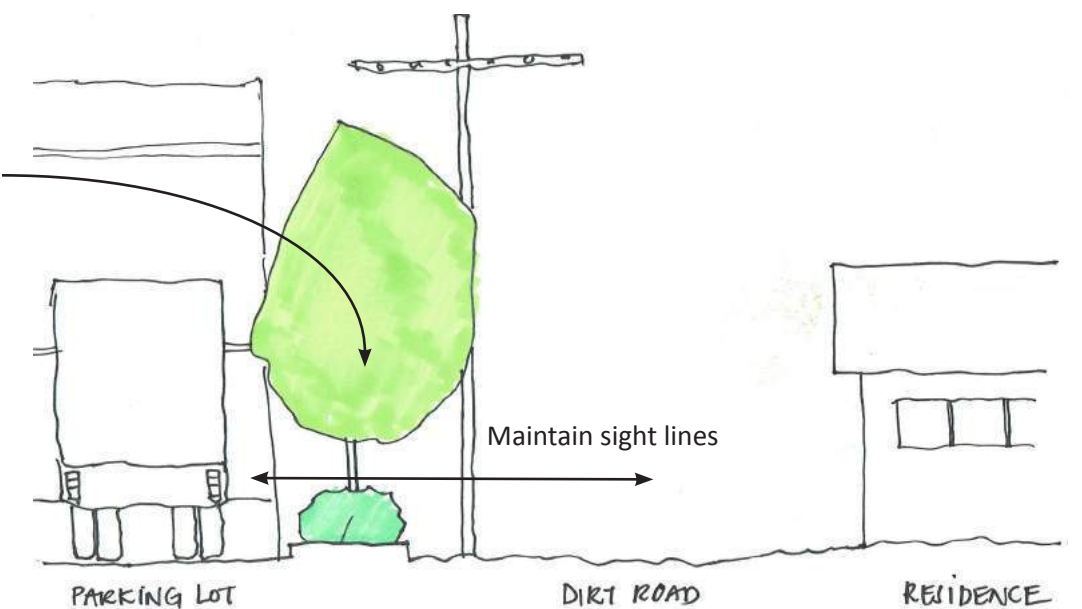
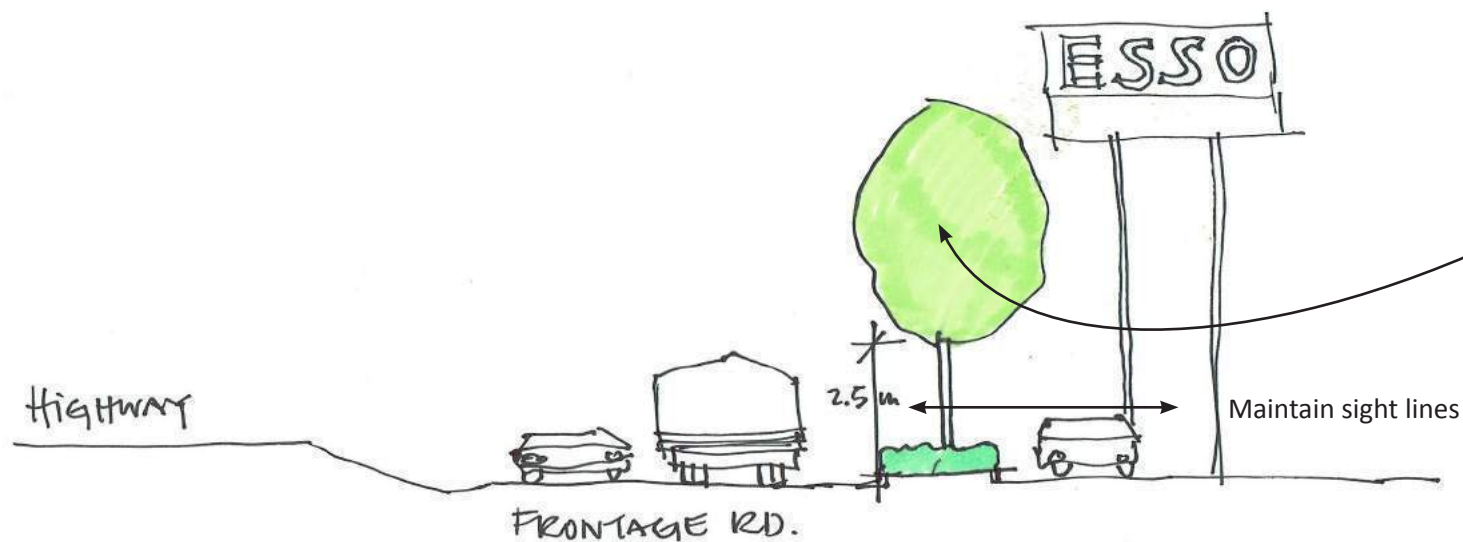
Mulch keeps weeds down



Planted buffers screen views from residential areas

Planted edges define property lines

Maintain sight lines





# Stormwater and Block Heater Elements

Landscaped swales can help manage stormwater directly on site. They also help break down large parking lots and enhance biodiversity and visual interest. Swales that are adjacent to drive aisles can act as snow storage areas during the winter months. This way, the snow finds itself in the right place to be absorbed at spring thaw.

Block engine heater plug-ins should be treated like a design element such as a bollard or electrical charging station. They can be installed along a dedicated pedestrian walkway or within a landscaped strip or island.



A central landscaped swale absorbs rainwater and adds visual interest



Plug-ins for block engine heaters can be treated like charging stations...



A stormwater swale adjacent to the parking lot drive aisle doubles as snow storage area in the winter

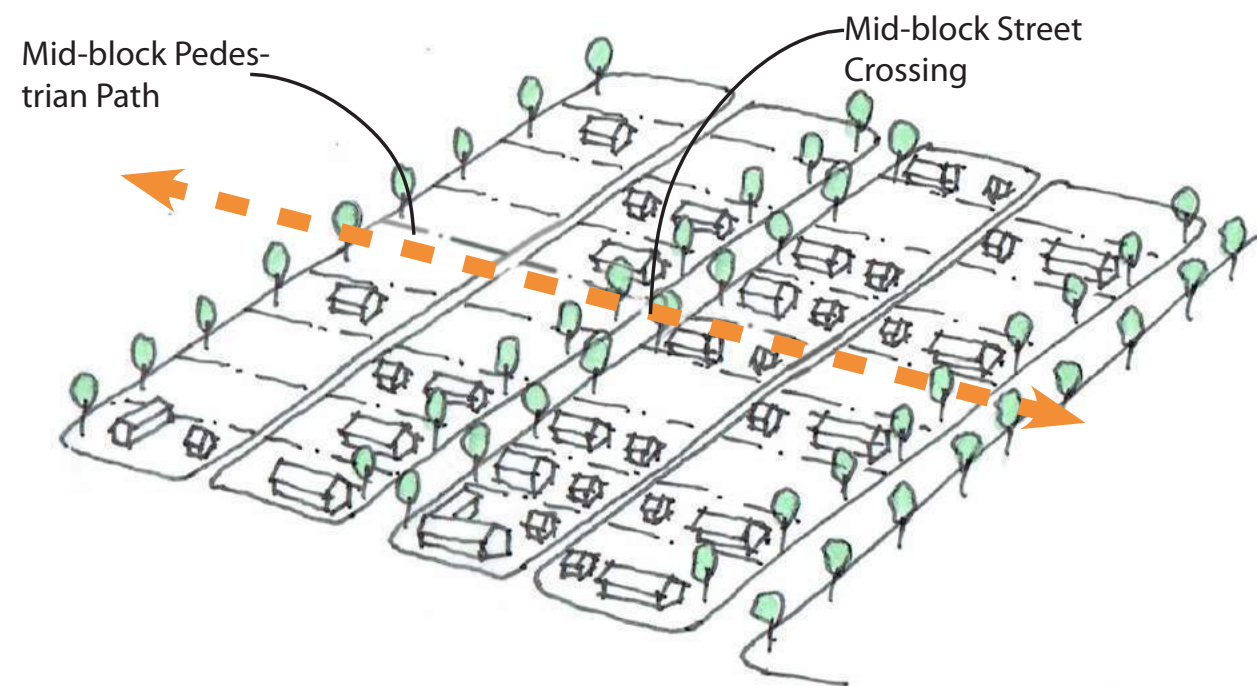


...and become part of a landscaped island



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# Town of Valleyview Subdivision Guidelines



## SUBDIVISION GUIDELINES

These guidelines apply to all subdivision applications.

### Intent and Overview

Subdivision refers to the process of dividing one parcel of land into two or more smaller parcels. It often involves locating reserve lands, rights of way for roads, easements for utilities and other infrastructure, and similar legal designations of land. The changes made to the pattern of land ownership and control at time of subdivision may be significant, affecting many aspects of a community, including health outcomes, energy use, character, local environmental impacts, financial viability, ease of access, and more.

Subdivisions come in many shapes and sizes, from division of a large residential lot on an established street into two smaller ones, to a complex plan for a quarter section.

The intent of this document is to offer applicants guidance on the most important decisions made in developing a subdivision proposal, so that proposals create as much value for them and for the Town as possible. These guidelines will help applicants create a site plan that is in alignment with the implementation chapter of the Town's Municipal Development Plan.

### Guidelines

Planning for subdivision should consider how to implement the guidelines within the subdivision, and/or how to contribute to their implementation in the subdivision's vicinity.

### Guideline 1: Identify and Plan for Valuable Site Assets

**Site analysis** - Identify key site features, which may include:

- historic sites or buildings,
- significant topography,
- water courses,
- mature trees or tree canopy,
- environmentally sensitive areas,
- hazardous lands, and
- valuable agricultural lands.

**Planning** - Protect valuable areas and plan around constraints to maximize the value to anticipated occupants of the land:

- link assets into a network of green and/or cultural spaces,
- provide access to assets where access will not create risks for sensitive habitat, and
- avoid any other constraints where possible.

Example: A site plan that preserves existing mature trees and watercourses



*Lots in subdivisions that are planned around "their use of the natural landscape as the basis for overall design... carry a price premium, are less expensive to build, and sell... in about half the time as lots in conventional subdivisions"*

*-Mohamed, The Economics of Conservation Subdivisions: Price Premiums, Improvement Costs, and Absorption Rates.*

### Guideline 2: Create Connections

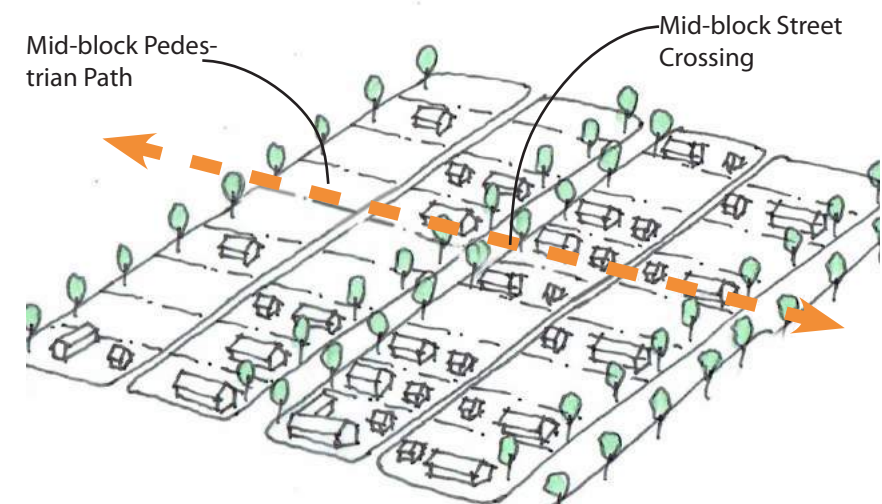
**Site analysis:** Identify important current and planned connection points between the site and neighbouring areas. These include roads, trails, watercourses and wetlands, and civil infrastructure alignments.

**External connections:** Aim to connect seamlessly with the surrounding road and trail network, providing links from them to destinations within the site, and anticipate likely future connections where there is currently no network.

**Internal connectivity:** Within the site, create an interconnected grid of roads and trails, providing easy access for occupants.

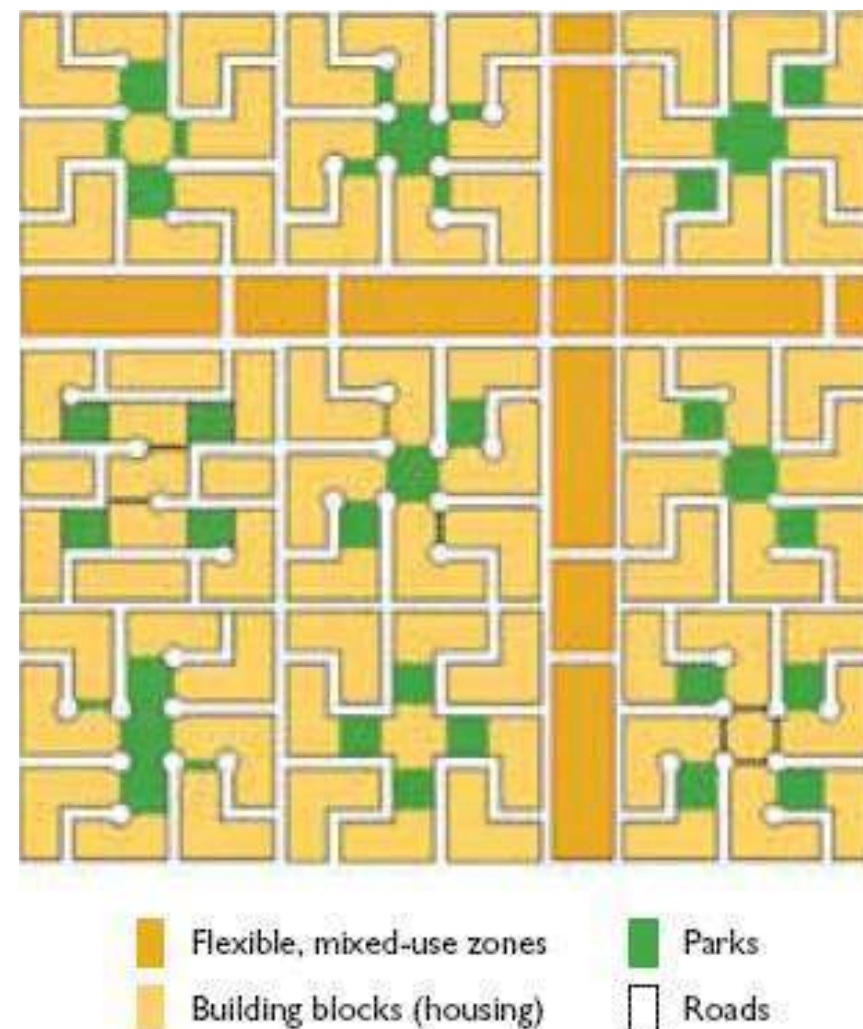
- The street grid should define blocks no larger than 90 m x 150 m except for industrial subdivisions; in industrial subdivisions, blocks should not be larger than 120 m x 200 m as a general rule.
- For larger blocks, safe, attractive pedestrian connections should be provided across the block using an easement or right of way, with matching mid-block street crossings.
- The network need not be rectilinear and should respond to topography and the pattern of valuable green spaces as well as the location of external links.

LONG blocks provide mid-block pedestrian connections





Between them, Guidelines 1 and 2 should create a coordinated network of roads, trails, and green spaces within the site and extending from it into the rest of the town. This concept is shown in the Fused Grid Street Pattern Model below.



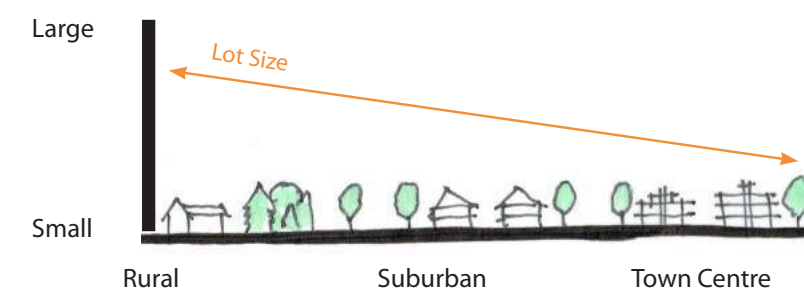
*The Fused Grid layout "...uses a continuous grid of roads for district and regional connectivity and a discontinuous grid of streets for neighbourhood safety. The latter (neighbourhood) grid is supplemented by footpaths that connect all streets, turning a neighbourhood into a fully connected pedestrian realm"*

-CMHC <http://www.cmhc.ca/en/inpr/su/sucopl/fugr/index.cfm>.

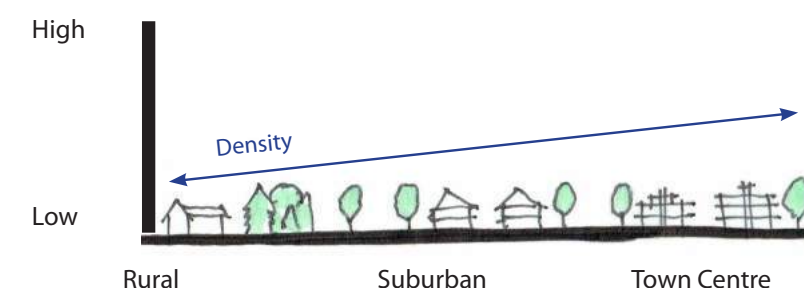
### Guideline 3: Respond to Nearby Land Use Patterns

Generally, locate smaller lots and areas planned for higher densities and taller buildings closer to the centre of Town and closer to nearby amenities. In locating areas planned for higher densities and taller buildings, make sure that they are compatible with existing neighbouring development. On very large sites, an option may be to cluster sites planned for taller and/or higher density development in order to create a walkable centre of activity.

lot size and proximity to town centre



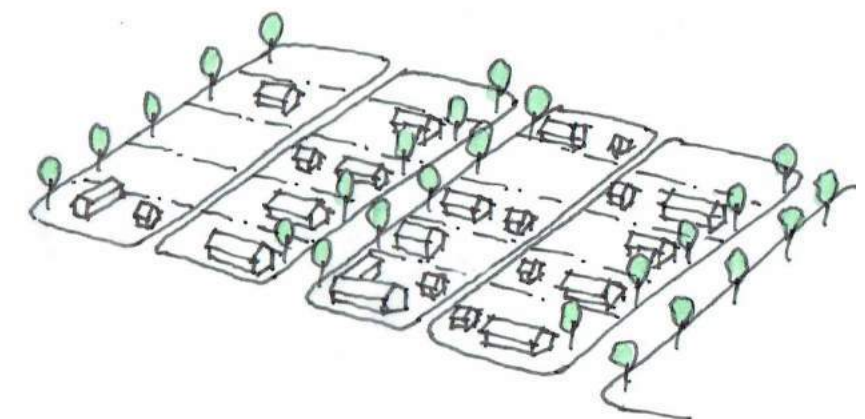
Density and proximity to town centre



### Guideline 4: Keep Streets Relatively Narrow and Provide Lane Access

Lanes are important to pedestrian comfort and safety, offer flexibility for infrastructure location, provide parking and loading access, and create more flexibility so that the use of the land can evolve over time as needs dictate. To maintain efficient land use, a combination of narrower road rights of way and lanes is preferred for most situations.

Residential blocks with lanes



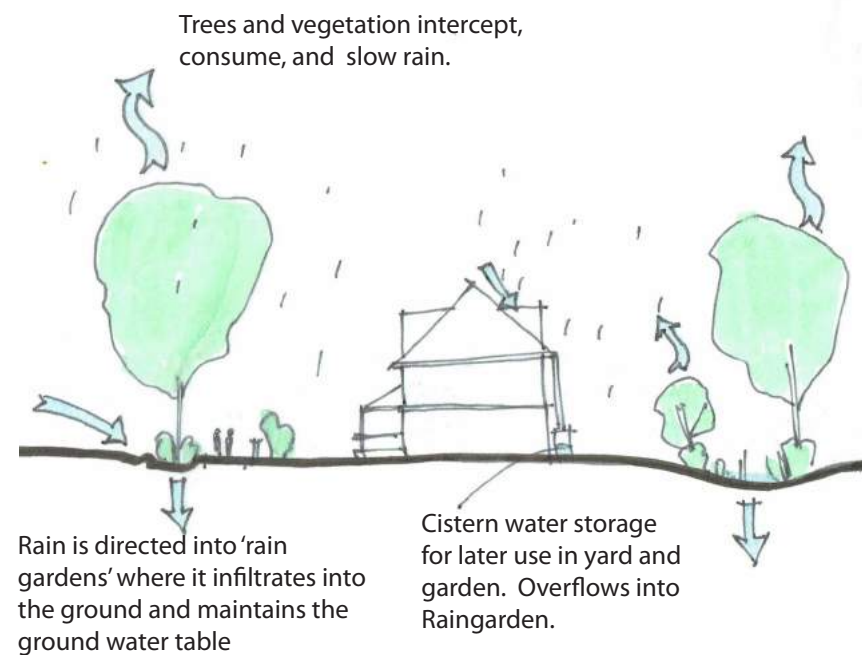


## Guideline 5: Consider Life Cycle Costs and Environmental Impacts of Infrastructure

Minimize the life cycle costs of infrastructure, and adopt materials and approaches that minimize local environmental impacts.

“Low-impact development” (LID) or “green infrastructure” approaches for stormwater management aim to mimic pre-development hydrology and manage pollutants, maintaining the health of local creeks and lakes. Techniques suited to cold-weather climates are well-established. These typically are located in and/or linked to a green space network, and can be designed to be amenities.

Example: A home and street designed for LID



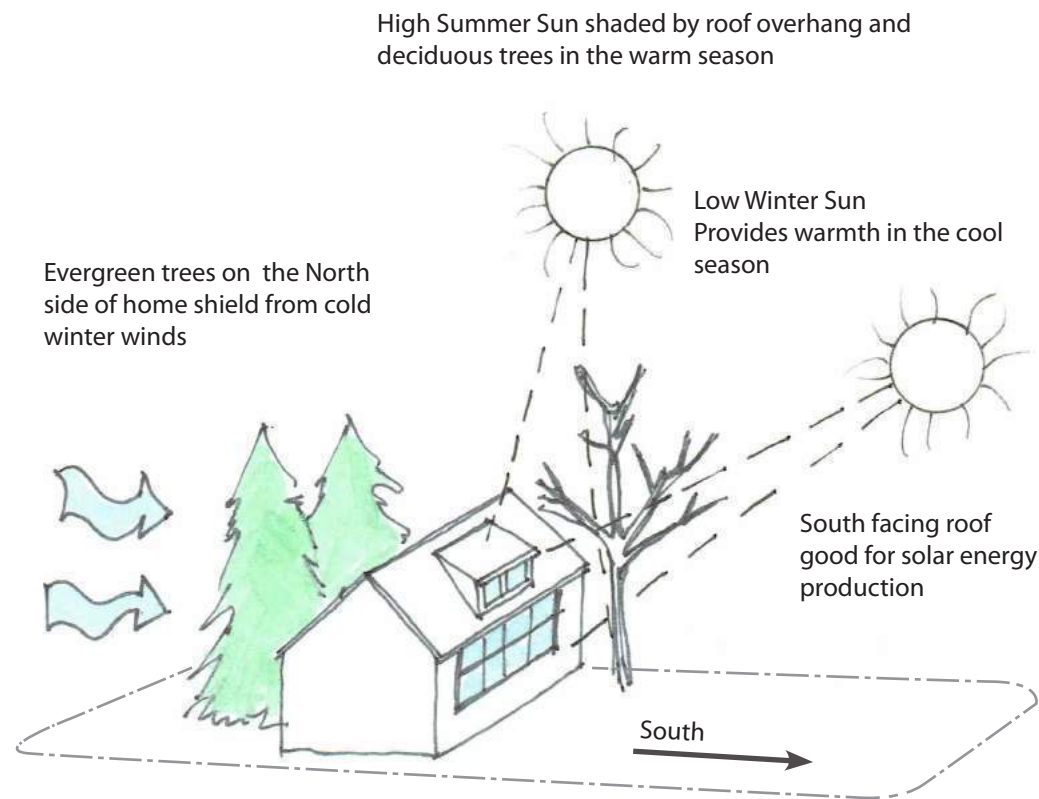
*“The integration of green infrastructure into our built environment is a viable solution for maintaining the ecological health of watersheds.”*

*-Marsh, Landscape Planning Environmental Applications.*

## Guideline 6: Lay Out Blocks and Parcels for Solar Orientation

The orientation of a building to the sun can make a big difference in the energy it uses for heating and cooling. The orientation of blocks and parcels has a big influence on building orientation, so considering solar orientation of buildings when laying out blocks is important to enable building owners to minimize energy costs through passive building design. Generally, aiming for East-West orientation of the long edge of the building is best for passive solar design. Allow flexibility in building orientation within each lot to optimize access to sun.

A Residential Lot oriented to allow for Passive Building Design



### References

Marsh, William. 2005. Landscape Planning Environmental Applications. Fourth Edition. John Wiley & Sons, Inc. P. 165-166.

Mohamed, Raymond. 2006. The Economics of Conservation Subdivisions: Price Premiums, Improvement Costs, and Absorption Rates. Urban Affairs Review 41: 376-399.

### Image sources

CMHC Fused Grid, <http://www.cmhc.ca/en/inpr/su/sucopl/fugr/index.cfm>

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# 10 Big Moves to Make a Better Downtown

## 50TH AVENUE IS FIRST

Building on improvement work that has already been undertaken, focus on transforming 50th Avenue into a pedestrian-oriented retail high street that gracefully accommodates pedestrians, personal and commercial vehicles.



## A DOWNTOWN CORE FOR PEOPLE

Create a more pedestrian-friendly environment. Improve safety, comfort, and convenience while maintaining vehicle access and circulation.



## COMMUNITY GREEN

Create a public park in the downtown - across from the new town hall - that provides green amenity space for residents and visitors. The existing/extended greenway runs through this small park.



## NEW TOWN HALL & PLAZA

A new town hall on 50th Street will present the opportunity to create a pedestrian oriented, transparent civic building that offers a south-west facing plaza with trees and sitting areas. The plaza will also connect to the existing/extended greenway that runs across the town.



## GREENWAY EXTENSION/ ENHANCEMENT

Extend and enhance a greenway connection between the pedestrian-oriented downtown core and the countryside north and south-east of town. Where suitable, the greenway will be planted with groups of trees and shrubs.



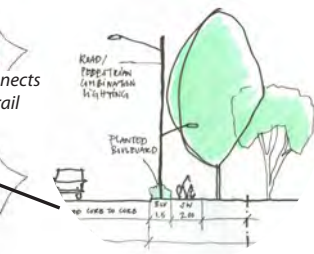
## MULTI-PURPOSE TRAIL

Enhancing the trails network by adding a dedicated tree lined multi-use trail for pedestrians and cyclists, connecting to the new Rec Centre. The trail improves pedestrian and cyclist's comfort, safety and convenience by creating a separate tree-lined pathway along the road.



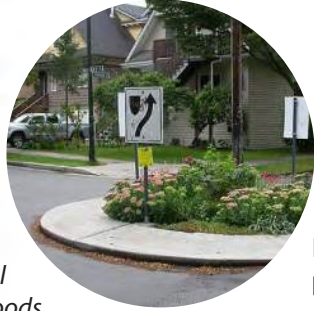
## 48 ST & 52 AVE URBAN BOULEVARD & PATH

These pedestrian spines create a strong connection between the downtown, the new Rec Centre to the north of Valleyview and future residential neighbourhoods across highway 49. The paths will tie in with the trails network.



## DOWNTOWN GATEWAYS

Downtown Gateways mark the passage to the pedestrian-oriented downtown core. They signal the entrance to the downtown core area, pace the flow of traffic and enhance the public realm.



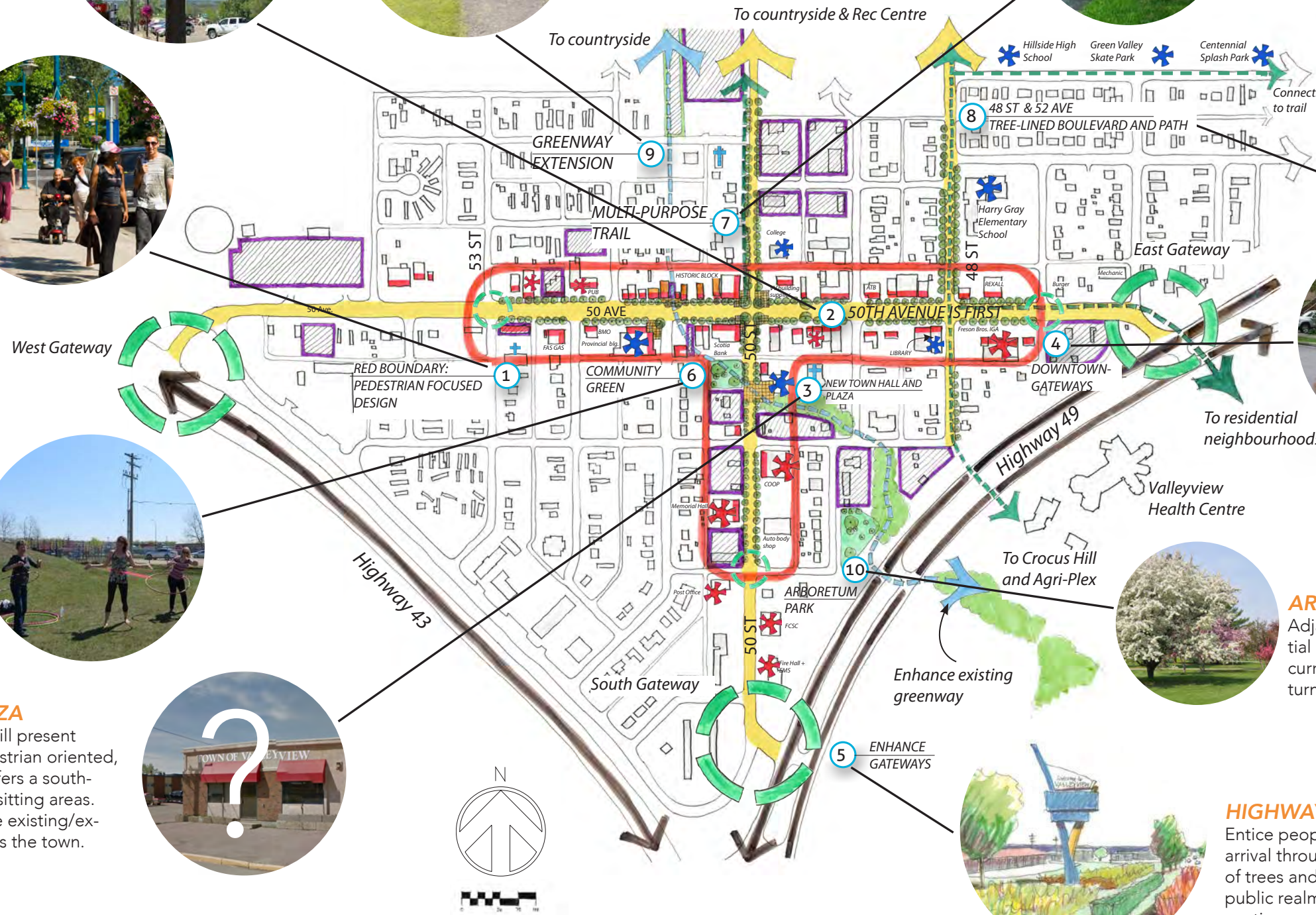
## ARBORETUM PARK

Adjacent to potential residential redevelopment sites, the current arboretum could be turned into a new park.



## HIGHWAY GATEWAYS

Entice people into the town and emphasize a sense of arrival through additional signage, significant planting of trees and shrubs with winter seasonal interest and public realm improvements such as trails network connections, pedestrian crossings and areas for stopping.





# 50 Avenue Streetscape and Public Realm Projects - 53rd to 50th Street



## DOWNTOWN GATEWAY (WEST)

This Gateway marks the entrance to the pedestrian-friendly section of 50th Ave at 53 Street with planted corner bulges and a planted median.

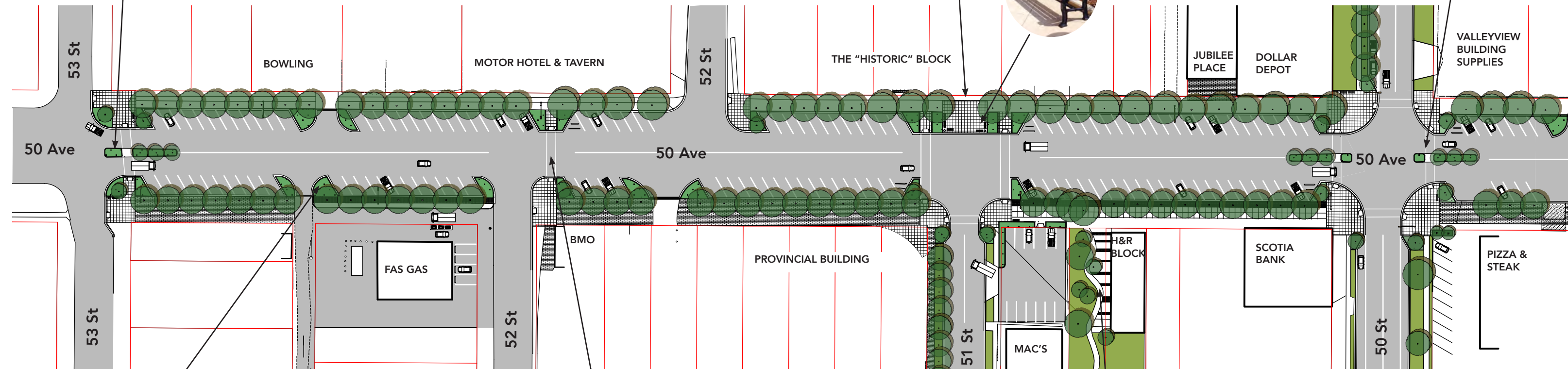
## SIDEWALK PLAZA

Sidewalk bump outs offer opportunities for small multi-functional public spaces. The goal of sidewalk plazas is to create larger areas for a variety of outdoor activities and urban amenities.



## NEW CENTRE MEDIANS & CORNER BULB OUTS

The 50 Ave & 50 St intersection features improved centre medians with a pedestrian refuge space for increased safety. They are planted with tall, narrow trees to mark the "centre" of town.



## PLANTED CURB EXTENSIONS

Planted curb extensions slow the pace of traffic down, articulate the streetscape and create visual interest by breaking up large expanses of asphalt. They also offer spaces for infiltrating rainwater.



## NEW PEDESTRIAN CROSSING

Pedestrian crossings with curb extensions improve safety by reducing the crossing distance and offer spaces for low drought-tolerant plantings with seasonal interest.



## NEW PLAZA CONNECTS TO GREENWAY

A new plaza west of the H&R block building incorporates existing trees and creates the future greenway connection across 50th Avenue.



# 50th Avenue Streetscape and Public Realm Projects - 50th to 47th Street

## WELL LIT STREET

Pedestrian or roadway/pedestrian combination lights together with street tree and building frontage lighting improve the night-time aspect and vitality of the main street. Seasonal lighting creates additional appeal during the long winter months.



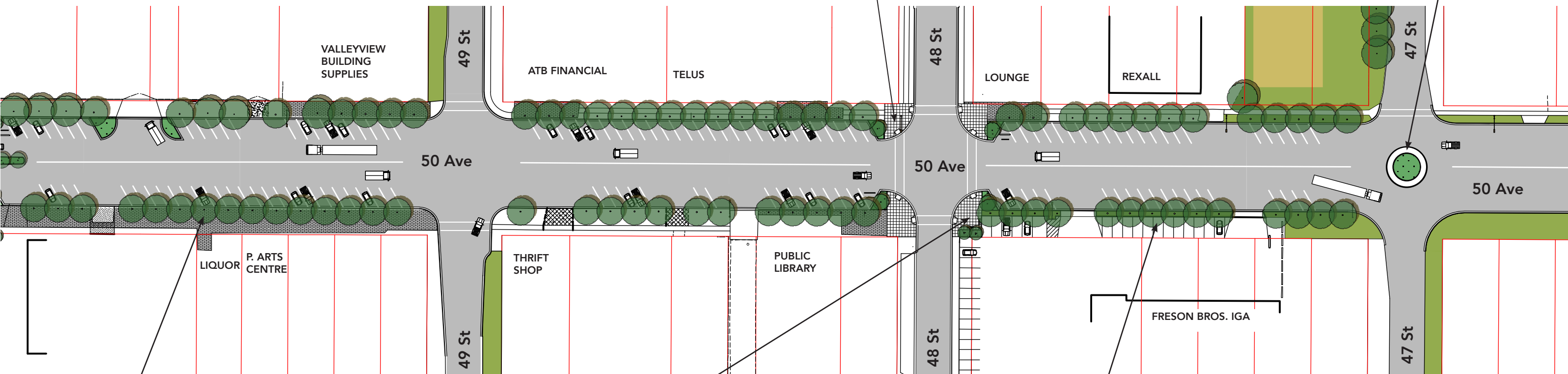
## CORNER BULB OUTS

Corner bulges reduce the pedestrian crossing distance, slow down traffic and create space for plants, benches and other street furniture. They act as mini plazas in the public realm.



## DOWNTOWN GATEWAY (EAST)

A small planted traffic circle marks the eastern entrance to the pedestrian-friendly section of the downtown and slows the pace of traffic. The plants provide winter green, fall colour and spring/summer flowers.



## TREE LINED STREET

Street trees provide shade and better the ecological environment of the downtown. A continuous planting of street trees also improves pedestrian safety by slowing vehicular traffic and physically separating pedestrian areas from roadways.



## SIDEWALK MATERIALS & FURNISHINGS

A consistent palette of strong materials, such as cast in place concrete and concrete unit pavers and durable, well designed furnishings help create a sense of place and unity.



## NEW BOULEVARD AND TREES

A new boulevard - planted with trees - frames the Freson parking lot and mitigates the visual impact of this large expanse of asphalt.

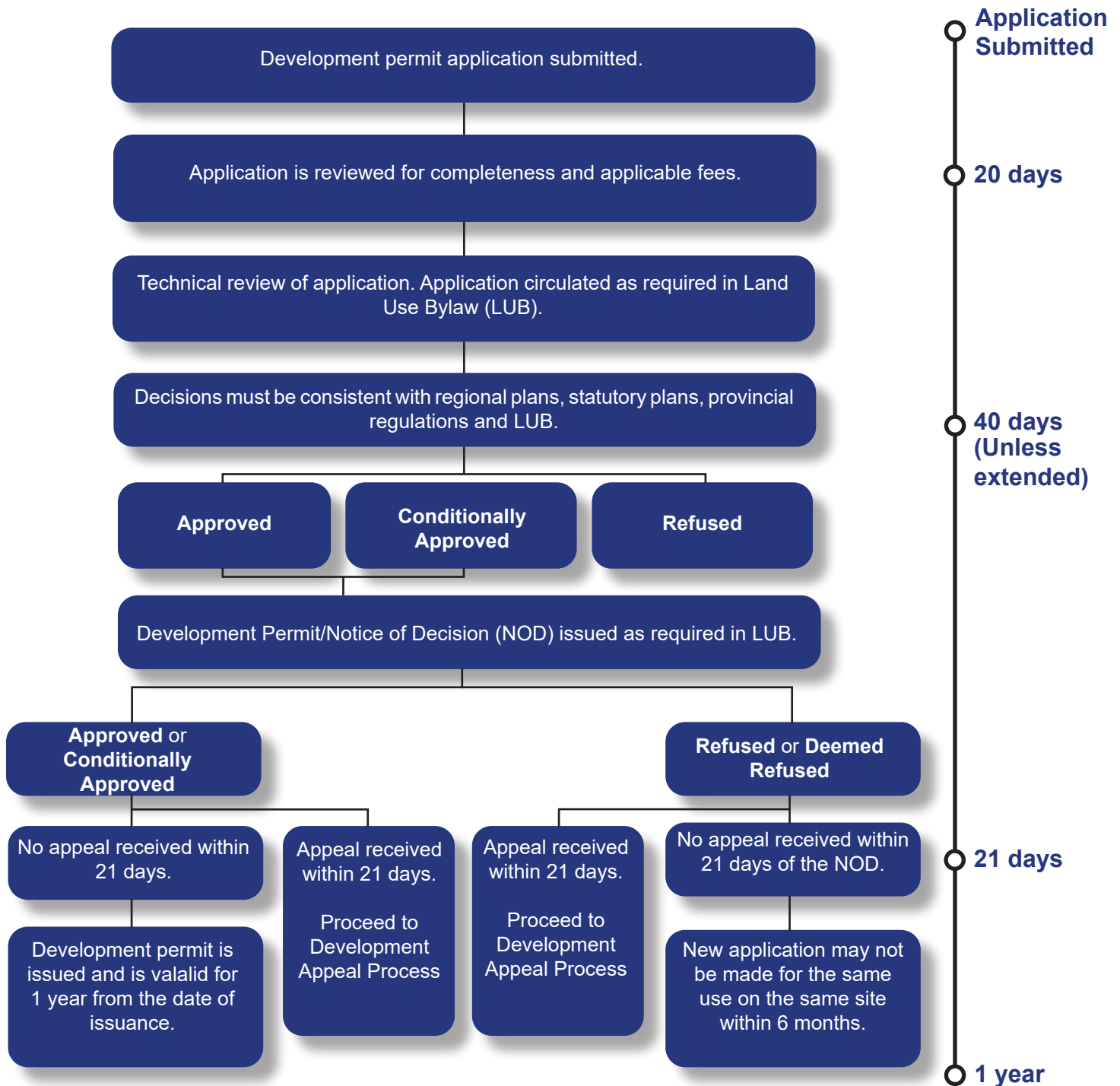


## **Schedule C: Forms**

**Content to be Added**

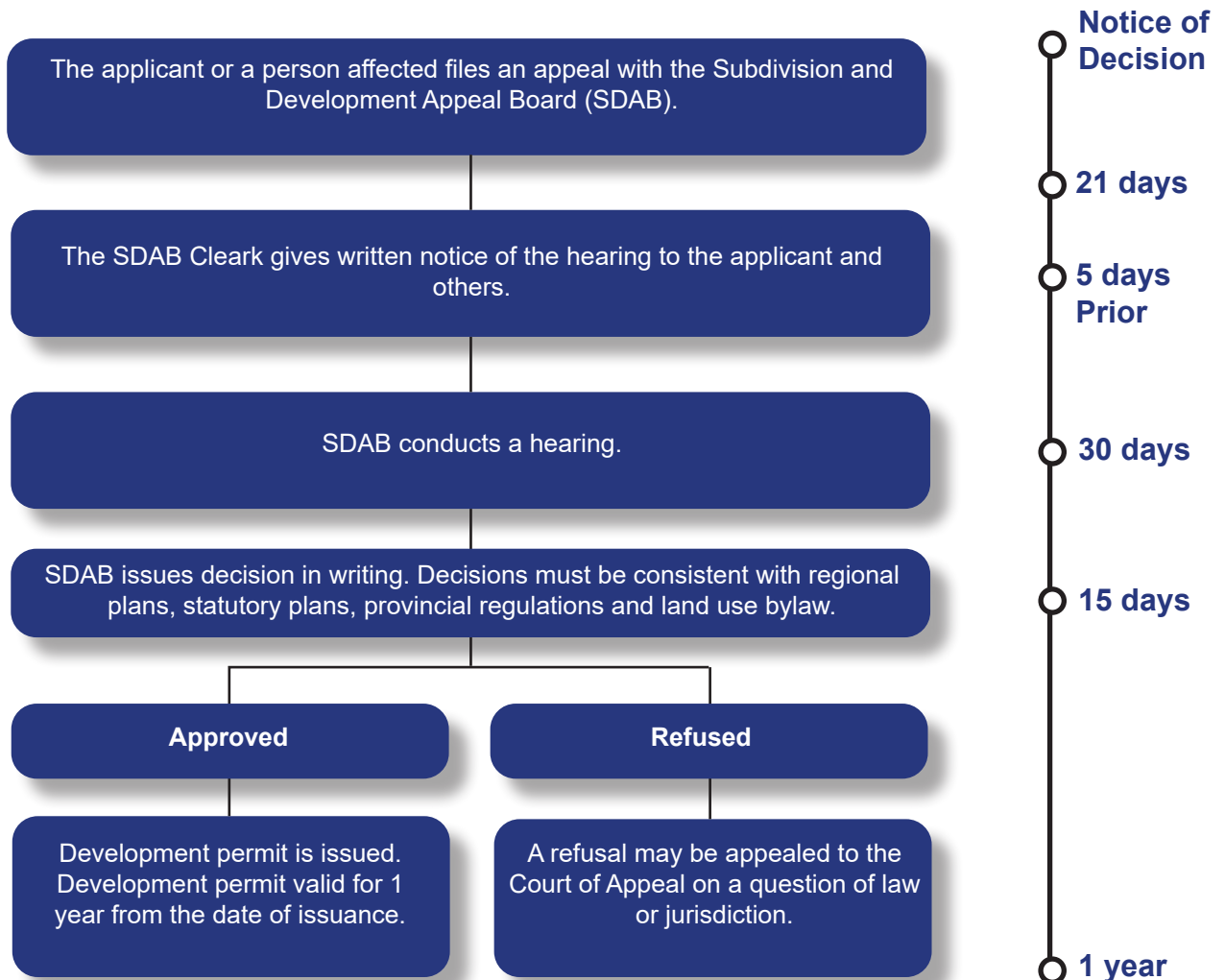
## **Schedule D: Process Charts**

# Development Process

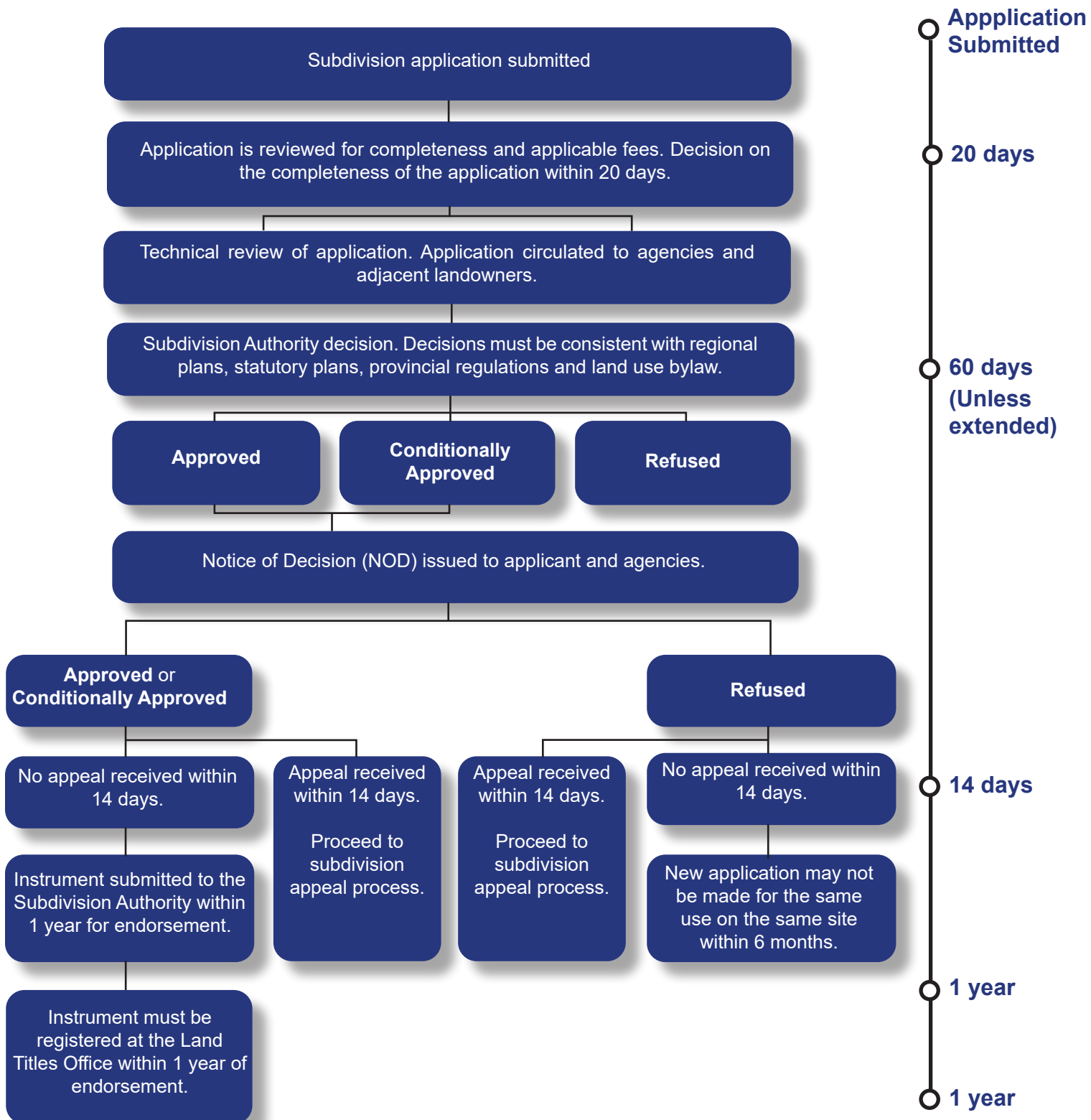




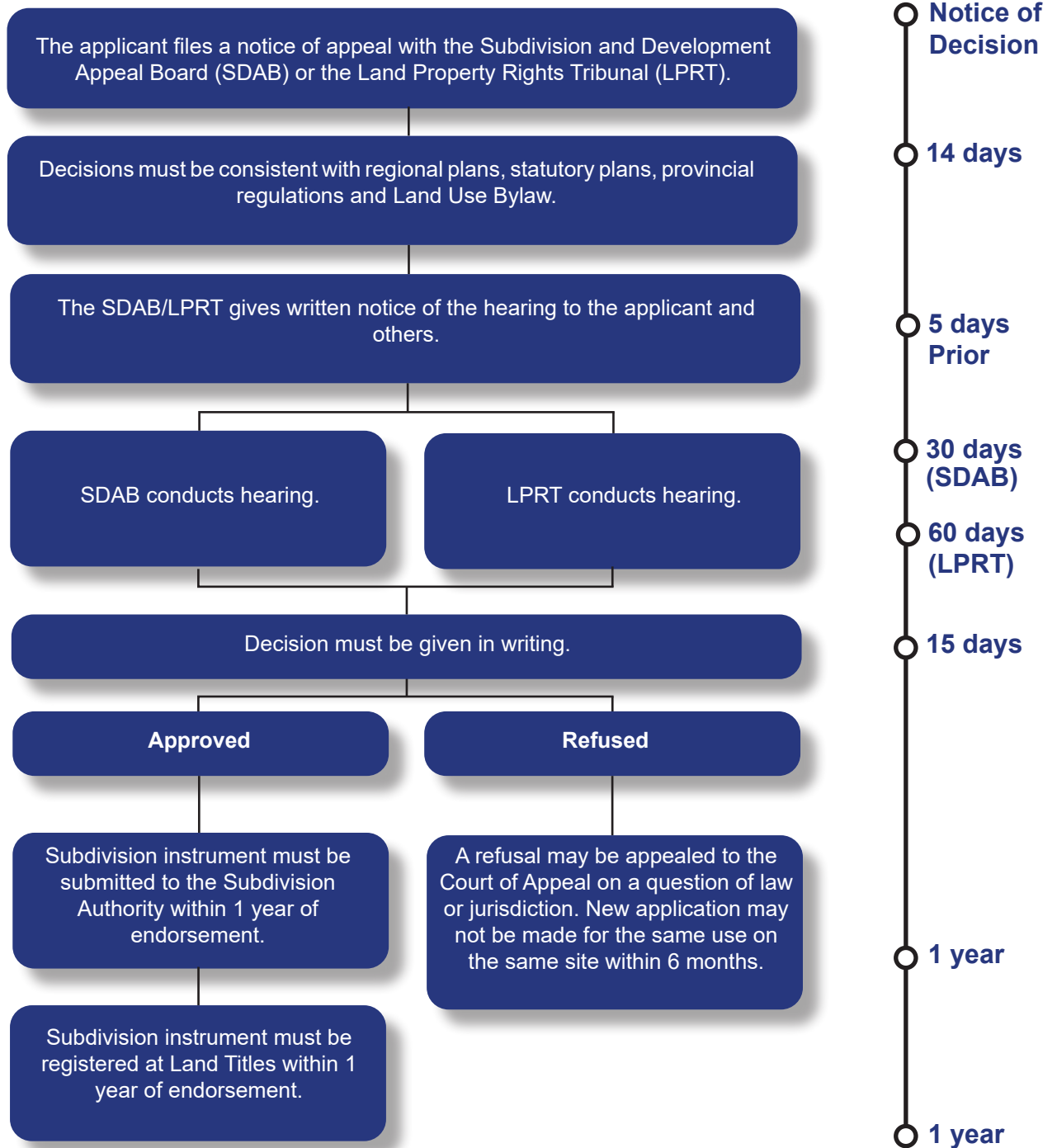
# Development Appeal Process



# Subdivision Process



# Subdivision Appeal Process



# Bylaw Amendment Process

