

TOWN OF REDWATER

LAND USE BYLAW

BYLAW NO. 811

TABLE OF CONTENTS

PART 1.0 – GENERAL	8
1.1 Title	8
1.2 Purpose	8
1.3 Interpretation	8
1.4 Metric and Imperial Measurements	51
1.5 Date of Receipt	51
1.6 Establishment of Districts	51
1.7 Non-applicability of Bylaw	53
PART 2.0 – AGENCIES	54
2.1 Development Authority	54
2.2 Development Authority Officer	54
2.3 Municipal Planning Commission	54
2.4 Subdivision Authority	55
2.5 Council	55
2.6 Subdivision and Development Appeal Board	55
PART 3.0 – DEVELOPMENT PERMITS, RULES AND PROCEDURES	56
3.1 Control of Development	56
3.2 Development Not Requiring a Development Permit	56
3.3 Non-Conforming Buildings and Uses	59
3.4 Development Permit Applications	60
3.5 Permission for Demolition	65
3.6 Referral of Applications	67
3.6(a) Notice of Complete or Incomplete Application	67
3.7 Decision Process and Re-Application	68
3.8 Development Permits and Notices	74

TOWN OF REDWATER

Land Use Bylaw – September 17, 2013

PART 4.0 – APPEALS	76
4.1 Appeal Procedure	76
4.2 Appeal Hearing	76
4.3 Appeal Decision	77
PART 5.0 – ENFORCEMENT	78
5.1 Contravention	78
PART 6.0 – ADMINISTRATION	80
6.1 Application to Amend Bylaw	80
6.2 Form of Application	80
6.3 Amending Bylaws	83
6.4 Public Hearing	83
6.5 Severability Provision	83
6.6 Attached Figures	84
6.7 LAND USE DISTRICT MAP – located at end of this Bylaw.	84
PART 7.0 – GENERAL PROVISIONS	85
7.1 Amenity Areas	85
7.2 Building Exteriors	86
7.3 Corner Sites and Double Fronting Sites	86
7.4 Development of a Project	87
7.5 Dwelling Units on a Lot	87
7.6 Environmental Screening	87
7.7 Fences	88
7.8 Hazardous Materials	89
7.9 Landscaping	90
7.10 Noise	92
7.11 Nuisance	93

7.12	Objects Prohibited or Restricted in Yards	93
7.13	On-Site and Off-Site Services and Improvements	94
7.14	Parking and Loading Provisions	95
7.15	Projection into Yards	103
7.16	Relocation of Buildings	104
7.17	Site Grading and Drainage	105
7.18	Site Line Protection	105
7.19	Sour Gas Facilities	106
7.20	Subdivision of Land	107
7.21	Substandard Lots	108
7.22	Utility Easements	108
PART 8.0 – SPECIAL USE REGULATIONS		109
8.1	Accessory Buildings in Districts Other Than Residential Districts	109
8.2	Accessory Buildings in Residential Districts, including Garages, Tented Structures, Sheds, Detached Decks, etc.	109
8.3	Accessory Use Regulations	110
8.4	Animal Care and Related Uses	111
8.5	Animal Hospital	111
8.6	Animal/Bird Regulations	112
8.7	Bed and Breakfast Establishments	114
8.7(a)	Cannabis Production and Distribution Facilities	114
8.7(b)	Cannabis Retail Sales Establishments	116
8.8	Car Washes	118
8.9	Conversion of Single Family Dwellings to Other Uses	118
8.10	Day Use and Picnic Areas	119
8.11	Drive-In Businesses	119
8.12	Garage Suites	122

TOWN OF REDWATER

Land Use Bylaw – September 17, 2013

8.13	Group Homes, Day Homes and Child Care Facilities	123
8.14	Home Occupations	124
8.14(a)	Industrial Hemp Production and Distribution Facility	126
8.15	In-law Suites	128
8.16	Manufactured Home Parks	129
8.17	Manufactured Homes	130
8.18	Motels	131
8.19	Natural Resource Extraction	131
8.20	Neighbourhood Commercial Developments	132
8.21	Places of Worship	133
8.22	Private Swimming Pools and Hot Tubs	134
8.23	Recreational Vehicles	134
8.24	Recreational Vehicle Campgrounds	135
8.25	Recreational Vehicle Campground, Workcamps	136
8.26	Recreational Vehicles Located in Recreational Vehicle Campgrounds, Recreational Vehicle Campgrounds-Seasonal and Recreational Vehicle Campgrounds-Workcamp	140
8.27	Sea Cans	140
8.28	Secondary Suites	141
8.29	Shopping Centres	142
8.30	Show Homes	142
8.31	Sidewalk Cafes	143
8.32	Signs	149
8.33	Small Animal Breeding and Boarding Establishments and Kennels	160
8.34	Small Radio Communications Towers	161
8.35	Solar Energy Collection System	162
8.36	Surveillance Suites	163
8.37	Veterinary Clinic – Large Animal	163

TOWN OF REDWATER

Land Use Bylaw – September 17, 2013

8.38	Wind Energy Conversion Systems, Large	164
8.39	Wind Energy Conversion Systems, Micro	166
8.40	Wind Energy Conversion Systems, Small	166
8.41	Wireless Communications Facilities	169
8.42	Workcamps	171
PART 9.0 - DISTRICT PROVISIONS		174
9.1	Single Family Residential (R-1) District	174
9.2	Single Family Large Dwelling and Large Lot Residential (R-2) District	178
9.3	Single Family Compact Lot Residential (R-3) District	182
9.3A	Single Family Small Lot Residential (R-3A) District	186
9.4	Two Family Residential (R-4) District	191
9.5	Medium Density Residential (R-5) District	195
9.6	High Density Residential (R-6) District	199
9.7	Manufactured Home Subdivision Residential (R-MHS) District	202
9.8	Manufactured Home Park Residential (R-MHP) District	205
9.9	Direct Control Residential (DC-1) District	211
9.10	Primary Commercial (C-1) District	215
9.11	General Commercial (C-2) District	219
9.12	Highway Commercial (C-3) District	224
9.13	Industrial (M1) District	227
9.13(a)	Industrial (M2) District	231
9.14	Semi-Public (SP) District	235
9.15	Urban Reserve (UR) District	237
PART 10 – COMING INTO FORCE		240
10.1	Repealing Existing Controls	240
10.2	Coming Into Force	240
PART 11 – LAND USE BYLAW AMENDMENTS		241

TOWN OF REDWATER

Land Use Bylaw – September 17, 2013

TABLE OF FIGURES

Figure 1: Adjacent Land Example in an Urban Area	10
Figure 2: Building Height	14
Figure 3: Double Fronting Lot	19
Figure 4: Ground-orientated multiple unit dwelling - Row Housing	21
Figure 5: Single Family Dwelling.....	22
Figure 6: Duplex, side-by-side.....	22
Figure 7: Duplex, up-down	22
Figure 8: Example of a Sea Can	40
Figure 9: Setback Definition Diagram A	41
Figure 10: Setback Definition Diagram B	41
Figure 11: Sight Line Triangle.....	42
Figure 12: Canopy Signs.....	43
Figure 13: Freestanding Sign	43
Figure 14: Inflatable Sign	44
Figure 15: Projecting Sign	44
Figure 16: Roof Sign.....	44
Figure 17: Temporary/Portable Sign	45
Figure 18: Fascia Sign	45
Figure 19: Surveillance Suite.....	48
Figure 20: Side Yard Setback on a Corner Site	87
Figure 21: Fence, Wall and Hedge Height in Yards	88
Figure 22: Definitions of Column Headings for Parking Space Dimensions	99
Figure 23: Off Street Parking Requirements	97
Figure 24: Corner Site Setback	101
Figure 25: Commercial Lot with a Corner Site Setback.....	102
Figure 26: Commercial Lot with No Corner Site Setback.....	102
Figure 27: ERCB Sour Gas Setback Requirements.....	103
Figure 28: Example of a Neighbourhood Commercial Building.....	123
Figure 29: Sidewalk Café Seating Example - Location and Alignment.....	138
Figure 30: A-frame Sign Height and Area Requirements	143
Figure 31: Fascia Sign placement on a one storey building	146
Figure 32: Example of a Parapet Wall and Eaves.....	147
Figure 33: Fascia Sign placement on a two storey building	148
Figure 34: Minimum Row Housing Requirements.....	188

BYLAW NO. 811

LAND USE BYLAW

Pursuant to the Municipal Government Act, 2000, as amended, the Council of the Town of Redwater duly assembled, hereby enacts as follows:

PART 1.0 – GENERAL

1.1 Title

The title of this Bylaw shall be the Land Use Bylaw of the Town of Redwater.

1.2 Purpose

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

- (1) to divide the municipality into districts;
- (2) to prescribe and regulate for each district the purposes for which land and buildings may be used;
- (3) to establish a method of making decisions on applications for development permits including the issuing of development permits;
- (4) to provide the manner in which notice of the issuance of a development permit is to be given; and
- (5) to establish the number of dwelling units permitted on a parcel of land.

1.3 Interpretation

In this Bylaw:

- (1) **"abut"** or **"abutting"** means immediately contiguous 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 property line or boundary line with it;
- (2) **"accessory building"** means a temporary or a permanent building which is separate and subordinate to the principal building, the use of which is incidental to

that of the principal building and located on the same parcel of land. Accessory buildings include private garages, portable garages, or sheds;

- (3) **"accessory use"** means a use customarily incidental and subordinate to the principal use or building and located in the same parcel of land with such principal use or building;
- (4) **"Act"** means the Municipal Government Act, 2000, as amended, and any Regulations made pursuant thereto;
- (5) **"adjacent land"** means land that is contiguous to a particular parcel of land and includes:
 - (a) land that would be contiguous if not for a highway, road, river or stream, and
 - (b) any other land identified in this Bylaw as adjacent for the purpose of satisfying **Section 3.8(4)** of this Bylaw;

Figure 1 provides an example of adjacent land in an urban area.

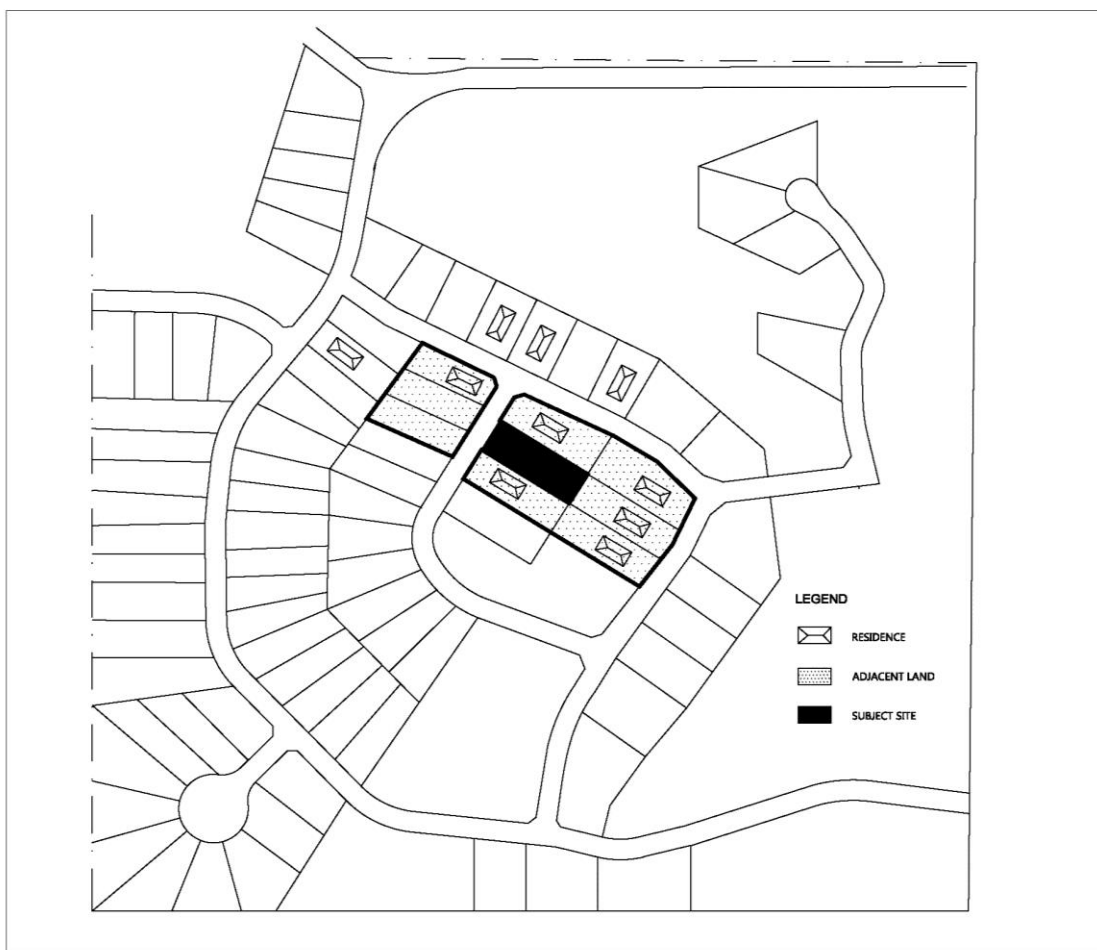


Figure 1: Adjacent Land Example in an Urban Area

- (6) **"adult entertainment"** means an establishment which provides live entertainment for its patrons, which includes the display of nudity;
- (7) **"adult use"** means any of the following: Adult Bookstore, Adult Motion Picture Theater, Adult Paraphernalia Store, Adult Video Store, and Live Nudity Establishment or any other business or establishment characterized by an emphasis depicting, describing or related to sexual conduct or excitement. For the purposes of this definition an adult use is any use or combination of uses which either have greater than twenty-five percent (25%) of the subject establishment's inventory stock; or twenty-five percent (25%) of the subject premise's gross floor area, or 18.6 m² (200 ft.²), whichever is greater devoted to materials for sale or rent distinguished by or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement;
- (8) **"agricultural industry"** means an industrial activity involving the processing, cleaning, packing or storage of agricultural products. Agricultural industry includes, but is not restricted to, seed cleaning and/or processing plants, and grain elevators, but does not include: the manufacture of processed foods from agricultural products or abattoirs or cannabis production and distribution facilities, industrial hemp production and distribution facilities.
- (9) **"agricultural operation"** means an agricultural operation as defined in the Agricultural Operation Practices Act;
- (10) **"agriculture, extensive"** means the use of land or buildings, including the first dwelling or manufactured home, for an agricultural operation which requires large tracts of land (usually in the order of 32.4 ha (80.0 ac. or more), but not including intensive agriculture, confined feeding operations, or a cannabis production and distribution facility or industrial hemp production and distribution facilities;
- (11) **"agriculture, intensive"** means an agricultural operation which raises crops on a land-intensive basis. Intensive agriculture includes greenhouses, silviculture and sod farms, but does not include confined feeding operations or a cannabis production and distribution facility or industrial hemp production and distribution facilities;
- (12) **"alcohol retail sales"** means an establishment or that part of an establishment possessing a Class D liquor license which is used for the retail sales of any and all types of alcoholic beverages to the public for consumption off premises. This use may include as well as the sale of alcohol the retail sales of related products such as soft drinks and snack foods. This does not include cannabis retail sales establishments;

- (13) **"amenity area"** means an area which is developed for the active or passive recreation and enjoyment of the occupants of a dwelling or dwellings. Such area may be for either private or communal use and may be under either individual or common ownership. Amenity areas may include: landscaped areas, patios, balconies, communal lounges, swimming pools, play areas and similar uses but does not include any area occupied at grade by a building's service areas, parking lots, aisles or access driveways;
- (14) **"amenity area, communal"** means an amenity area which shall be provided in accordance with the regulations in this Bylaw but which must be developed for the active or passive recreation and enjoyment of all occupants of a building. Such area must be for communal use and accessible by all occupants of a building it is intended to serve. Amenity areas may include: landscaped areas, patios, balconies, communal lounges, swimming pools, play areas and similar uses but does not include any area occupied at grade by a building's service areas, parking lots, aisles or access driveways;
- (15) **"amenity area, private outdoor"** means an amenity area which shall be provided in accordance with the regulations in this Bylaw but which must be developed for the active or passive recreation and enjoyment of the residents of a specific dwelling unit and which is immediately adjacent to and directly accessible from the dwelling unit it is intended to serve. Amenity areas may include: landscaped areas, patios, balconies, communal lounges, swimming pools, play areas and similar uses but does not include any area occupied at grade by a building's service areas, parking lots, aisles or access driveways;
- (16) **"amusement establishment, indoor"** means a development providing recreational facilities inside an enclosed building with table games and/or electronic games played by patrons for entertainment. Indoor amusement establishments include billiard parlours and electronic games arcades with tables and/or games and bowling alleys;
- (17) **"amusement establishment, outdoor"** means a development providing recreational facilities outdoors played by patrons for entertainment. Outdoor amusement establishments include amusement parks, go-cart tracks, and miniature golf courses. However, outdoor amusement establishments do not include drive-in motion picture theatres, carnivals or circuses;
- (18) **"animal hospital"** means a development where livestock as well as domestic pets are cared for and treated. Animal hospitals primarily involve out-patient care, but may include medical procedures involving hospitalisation for more than four (4) days. All animals shall be kept within an enclosed building. Animal hospitals are distinct from veterinary clinics (which serve only domestic pets) and do not include small animal breeding and boarding establishments;

- (19) **"animal services facility"** means a development for the purpose of the treatment of animals and includes retail sales of associated products. This may include such uses as veterinary clinics and large animal veterinary clinics, impounding and quarantining facilities, but does not include the sale of animals;
- (20) **"apartment"** means a dwelling containing three (3) or more dwelling units, but shall not mean ground-oriented multiple unit dwellings (row housing). Apartments include, but are not limited to, dwellings commonly referred to as triplexes, four-plexes, six-plexes, and the like;
- (21) **"area of a sign"** means the total surface area within the outer edge of a sign, and, in the case of a sign comprised of individual letters, numerals, or symbols, shall be the area of a rectangle enclosing the letters, numerals, or symbols. Frames and structural members not bearing advertising matter shall not be included in the computation of the area of a sign;
- (22) **"arterial road"** means a road used primarily for through traffic;
- (23) **"auctioneering establishment"** means a development specifically intended for the auctioning of goods and equipment, including the temporary storage of such goods and equipment. Auctioneering establishments do not include flea markets;
- (24) **"automotive and equipment repair shop, heavy"** means a development where automobiles, motorcycles, snowmobiles and similar vehicles are serviced or mechanically repaired and where related accessories and parts are sold and/or installed. Heavy Automotive and equipment repair shops include transmission shops, muffler shops, tire shops, automotive glass shops, and upholstery shops, (but not body repair or paint shops) which provide services to vehicles and equipment with a gross vehicle weight rating equal to or greater than 4000.0 kg (8,818.5 lbs.), or a length equal to or greater than 6.7 m (22.0 ft.);
- (25) **"automotive and equipment repair shop, light"** means a development where automobiles, motorcycles, snowmobiles and similar vehicles are serviced or mechanically repaired and where related accessories and parts are sold and/or installed. Light Automotive and equipment repair shops include transmission shops, muffler shops, tire shops, automotive glass shops, and upholstery shops, (but not body repair or paint shops) which provide services to vehicles and equipment with a gross vehicle weight rating less than 4000.0 kg (8,818.5 lbs.), or a length less than 6.7 m (22.0 ft.);
- (26) **"automotive and recreational vehicles sales/rental establishment, heavy"** means a development where new or used automobiles, light trucks, motorcycles, snowmobiles, tent trailers, boats, travel trailers, or similar light recreational vehicles or craft are sold or rented together with incidental maintenance services and sale of parts. Heavy automotive and recreational vehicle sales/rental establishments include automobile dealerships, car rental agencies and motorcycle

dealerships, and dealerships for the sale of trucks with a gross vehicle weight rating equal to or greater than 4000.0 kg (8,818.5 lbs.), or for the sale of recreational vehicles with either a gross vehicle weight rating equal to or greater than 6000.0 kg (13,227.7 lbs.) or a length equal to or greater than 6.7 m (22.0 ft.);

- (27) **"automotive and recreational vehicles sales/rental establishment, light "** means a development where new or used automobiles, light trucks, motorcycles, snowmobiles, tent trailers, boats, travel trailers, or similar light recreational vehicles or craft are sold or rented, together with incidental maintenance services and sale of parts. Light automotive and minor recreational vehicle sales/rental establishments include automobile dealerships, car rental agencies and motorcycle dealerships, and includes dealerships for the sale of trucks with a gross vehicle weight rating less than 4000.0 kg (8818.5 lbs.), or the sale of recreational vehicles with either a gross vehicle weight rating less than 6000.0 kg (13,227.7 lbs.) or a length less than 6.7 m (22.0 ft.);
- (28) **"basement"** means the portion of a building which is wholly or partially below grade, having above grade no more than 1.8 m (5.9 ft.) of its clear height which lies below the finished level of the floor directly above;
- (29) **"bed and breakfast establishment"** means a development within a dwelling which possesses a dwelling unit, where temporary sleeping accommodations, up to a maximum of four (4) bedrooms, with or without meals, are provided for remuneration to members of the public;
- (30) **"boarding and lodging house"** means a development, with or without a dwelling unit, where temporary sleeping accommodations of three (3) or more bedrooms, with or without meals, are provided for remuneration to members of the public. Boarding and lodging houses may include student co-operative housing, and lodges for senior citizens, but not group homes;
- (31) **"building"** means anything constructed or placed on, in, over, or under land, but does not include a highway or road or a bridge forming part of a highway or road;
- (32) **"building area"** means the greatest horizontal area of a building above grade within the glassline of exterior walls, or within the glassline of exterior walls and the centreline of fire walls;
- (33) **"building height"** means the vertical distance measured from the grade immediately adjacent to the subject building to the highest point of the building, exclusive of any accessory roof construction such as a mechanical housing, an elevator housing, a ventilating fan, a skylight, a smokestack, a flagpole, a fire wall, a parapet wall, a chimney, a steeple, an antenna, or a similar device (see **Figure 2**);

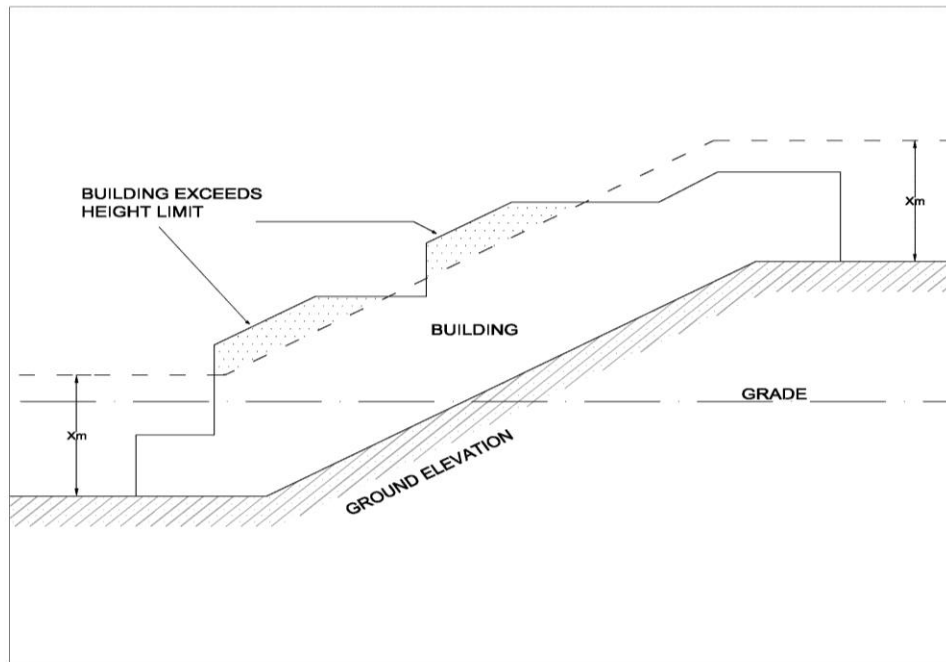


Figure 2: Building Height

- (34) **"bus depot"** means a development where scheduled intermunicipal buses drop off or pick up either passengers or cargo but does not include staging areas;
- (35) **"business frontage"** means
 - (a) any side of a lot or building which abuts a road, or
 - (b) in the case of individual business or tenants within a building, any business which has separate access to a road;
- (36) **"business support services establishment"** means a development providing support services to businesses. Business support services establishments are characterized by one or more of the following features: the use of minor mechanical equipment for printing, duplicating, binding or photographic processing; the provision of office maintenance or custodial services; the provision of office security; or the sale, rental, repair or servicing of office equipment, furniture and machines. Business support services establishments include printing establishments, film processing establishments, janitorial firms, and office equipment sales and repair establishments;
- (37) **"cannabis"** means cannabis as defined in the *Cannabis Act*, S.C. 2018, c. 16, or other relevant federal legislation.
 - (a) Cannabis includes:
 - (i) any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;

- (ii) any substance or mixture of substances that contains or has on it any part of such a plant;
 - (iii) any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.
- (b) Cannabis does not include:
 - (a) a non-viable seed of a cannabis plant;
 - (b) a mature stalk (without leaves, flowers, seeds, or branches) of a cannabis plant;
 - (c) fibre derived from a stalk;
 - (d) the root or any part of the root of a cannabis plant; and
 - (e) industrial hemp.
- (38) **“cannabis accessory”** means a thing that is commonly used in the consumption or production of cannabis. A Cannabis Accessory includes, but is not limited to, rolling papers or wraps, holders, pipes, water pipes, bongs and vaporizers.
- (39) **“cannabis lounge”** means a development where the primary purpose of the facility is the sale of cannabis to the eligible public, for the consumption within the premises that is authorized by provincial or federal legislation. This use does not include cannabis production and distribution facilities;
- (40) **“cannabis, medical”** means cannabis that is obtained for medical purposes in accordance with applicable federal law;
- (41) **“cannabis production and distribution facility”** means a development used principally for one or more of the following activities relating to cannabis:
 - (a) the production, cultivation, and growth of cannabis;
 - (b) the processing of raw materials;
 - (c) the making, testing, manufacturing, assembling, or in any way altering the chemical or physical properties of semi-finished or finished cannabis goods or products;
 - (d) the storage or shipping of materials, goods, or products;
- (42) **“cannabis retail sales establishment”** means a development used for the retail sales of cannabis that is authorized by provincial or federal legislation. This Use may include retail sales of cannabis accessories, as defined in the *Cannabis Act*, S.C. 2018, c. 16. This use does not include cannabis production and distribution facilities;
- (43) **“canopy”** means a projection extending from the outside wall of a building normally for the purpose of shielding a part of the building from the sun;

- (44) **"carport"** means a roofed structure used for storing or parking not more than two (2) vehicles and which has not less than forty percent (40%) of its total perimeter open and unobstructed;
- (45) **"cemetery"** means a development for the entombment of the deceased, which may include the following accessory developments: crematorium, columbarium, and mausoleums. Cemeteries may include memorial parks, burial grounds, chapels, and gardens of remembrance;
- (46) **"chattel"** means a movable item of personal property;
- (47) **"child care facility"** means a provincially licensed development providing daytime personal care, maintenance and supervision to seven (7) or more children under the age of eleven (11) years, by persons unrelated to the children by blood or marriage and does not include overnight accommodation. Child care facilities include day care centres, day nurseries, kindergartens, nursery school, and play schools and after school or baby-sitting programs which satisfy this definition. Child care facilities shall not include a day home, a family care facility, a group care facility, or a school operated by a School Division;
- (48) **"clubhouse"** means the building, room, or other facility used for the activities of a group organized for a common purpose, especially a group that meets regularly. A clubhouse may include change rooms, showers, lockers, and a common area where food and non-alcoholic or alcoholic drinks are consumed. **This use does not include cannabis lounges;**
- (49) **"cluster development"** means a development technique that locates buildings in limited areas on a site to allow the remaining land to be used for a variety of open space purposes;
- (50) **"collector road"** means a road used primarily for collecting traffic from local roads and channelling it to arterial roads;
- (51) **"commercial school"** means a development where training and instruction in a specific trade, skill or service is provided for the financial gain of the individual or company owning the school. Commercial schools do not include schools operated by a School Division, but include secretarial, business, hairdressing, beauty culture, dancing, or music schools;
- (52) **"commercial uses"** means both general commercial uses and highway commercial uses;
- (53) **"community recreation service"** means a development without fixed seats and with an occupancy capacity of less than five hundred (500) persons, primarily intended for local community purposes, where recreational, social, or multi-

purpose activities occur. Community recreation services include community halls, community centres, and community league buildings operated by a local residents' organization;

- (54) **"confined feeding operation"** means a confined feeding operation as defined in the Agricultural Operation Practices Act;
- (55) **"corner site"** means a site with boundary lines on two separate roads which intersect at an angle of less than one hundred and thirty five (135) degrees, or a single road that curves such that the arc of the inside boundary of the road is less than 45.0 m (147.6 ft.) in radius over an angle of more than one hundred and thirty-five (135) degrees at the subject site. For the purposes of this definition, a road shall not include a lane;
- (56) **"Council"** means the Council of the Town of Redwater;
- (57) **"curb cut"** means the lowering of a curb, sidewalk and/or boulevard to provide vehicular and/or pedestrian access to a site;
- (58) **"day home"** means a provincially licensed child care facility operated from a residence supplying supervision of a maximum of six (6) children under the age of eleven (11) years including any resident children. A day home shall supply an outside play space that is both fenced and gated, and shall meet all fire regulations and health regulations;
- (59) **"deck"** means any open structure attached to a building having a height greater than 0.6 m (2.0 ft.) above grade, and thereby requiring stairs and railings as outlined in regulations approved under the Safety Codes Act. A deck shall not have walls higher than 1.25 m (4.1 ft.) or a roof. If the structure has a roof, it shall be considered to be part of the principal building and not a deck. Decks do not include patios;
- (60) **"density"** means a measure of the average number of persons or dwelling units per unit of area;
- (61) **"developer"** means an owner, agent or any person, firm or company required to obtain or having obtained a development permit;
- (62) **"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 of any of them in, on, over or under land, 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 or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building;

and includes:

- (e) any increase in the number of households occupying and living in any building or on any site, and any construction or alterations or additions which would provide for an increase in the number of households which could occupy and live in any building or on any site, including any increase in the number of dwelling units in a building or on a site, or
 - (f) the placing of refuse or waste material on any land, or
 - (g) the use of land for the storage or repair of motor vehicles or other machinery or equipment, or
 - (h) the continued use of land or of a building for any purpose for which it is being used unlawfully when this Bylaw comes into effect, or
 - (i) the demolition or removal of a building, or
 - (j) the placement of an already constructed or a partially constructed building on a parcel of land, or
 - (k) the use of land for the parking of trailers, bunk houses, portable dwellings, skid shacks, or any other type of portable building whatsoever, whether or not the same has been placed or affixed to the land in any way, or
 - (l) the removal of topsoil.
- (63) **"Development Authority"** means the Development Authority established pursuant to the Act through the municipality's Development Authority Bylaw;
 - (64) **"Development Authority Officer"** means the Development Authority Officer established and appointed pursuant to the Act through the municipality's Development Authority Bylaw;
 - (65) **"development permit"** means a document issued pursuant to this Bylaw authorizing a development;

- (66) **"discontinued"** means the time at which, in the opinion of the Development Authority, substantial construction activity or use, whether conforming or not conforming to this Bylaw, has ceased;
- (67) **"discretionary use"** means the use of land or a building provided for in this Bylaw for which a development permit may be issued, with or without conditions, upon an application having been made, at the discretion of the Development Authority;
- (68) **"domestic pet"** means an animal which is normally kept inside a dwelling. Domestic pets include dogs, cats, parrots, and similar-sized animals, but does not include livestock;
- (69) **"double fronting lot"** means a lot which abuts two roads (except alleys as defined in the Traffic Safety Act, R.S.A. 2000, as amended), which are parallel or nearly parallel where abutting the lot, but does not include a corner lot (see **Figure 3**);

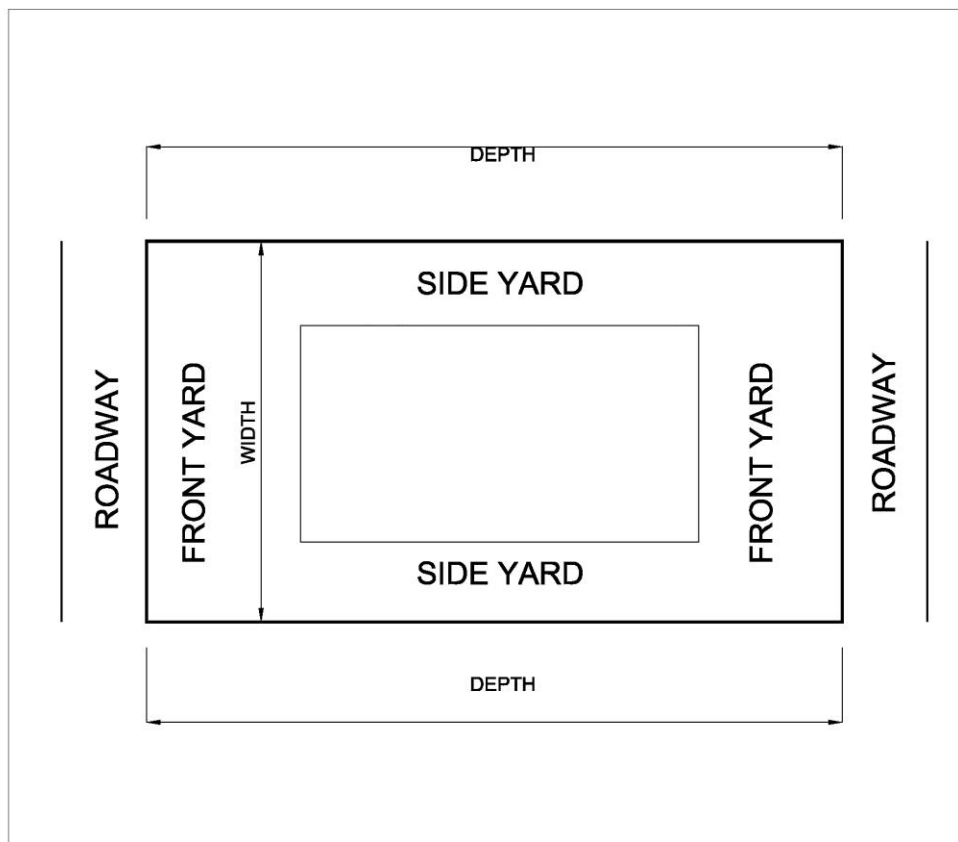


Figure 3: Double Fronting Lot

- (70) **"drinking establishment"** means a development possessing a Class A Minors Prohibited liquor license, where the sale and consumption of liquor on site occurs

and where liquor is the primary source of business. This use does not include cannabis lounges;

- (71) **"drive-in business"** means a development which serves customers travelling in motor vehicles driven onto the site where such business is carried on, where normally the customer either remains in the vehicle for service, or parks the vehicle for a short period for the purpose of doing business at the premises. Drive-in businesses include service stations, gas bars, drive-in restaurants, and drive-through vehicle service establishments such as lubrication shops, recycling depots, and car washes;
- (72) **"drive-in restaurant"** means an eating and drinking establishment which is designed as a drive-in business. Drive-in restaurants may have one or more of the following features: car attendant services, drive through food pickup services, or parking primarily intended to allow for the on-site consumption of food within a motor vehicle;
- (73) **"duplex, side-by-side"** means a dwelling containing two (2) dwelling units which share a common wall, and which are located one entirely beside the other. A duplex may be on one (1) lot or may be split along the common wall onto two (2) lots;
- (74) **"duplex, up-down"** means a dwelling containing two (2) dwelling units which are located at least in part one above the other, and which may share a common wall, with each dwelling unit having separate entrances;
- (75) **"dwelling"** means any building used exclusively for human habitation and which is supported on a permanent foundation or base extending below ground level. Dwellings include single family dwellings, duplexes, ground-oriented multiple unit dwellings (row housing), apartments, modular homes, and manufactured homes;
- (76) **"dwelling unit"** means a self-contained portion of a dwelling, or a set or suite of rooms, which contains sleeping, cooking, living and separated or shared toilet facilities, intended for domestic use, and used or intended to be used permanently or semi-permanently as a residence for one (1) household, and which, except for a secondary suite, is not separated from direct access to the outside by another separate dwelling unit;

Examples of dwelling types



Figure 4: Ground-orientated multiple unit dwelling - Row Housing



Figure 5: Single Family Dwelling



Figure 6: Duplex, side-by-side



Figure 7: Duplex, up-down

- (77) **"eating and drinking establishment"** means a development, which is not a drive-in restaurant, where food and/or beverages are prepared and offered for sale to the public for consumption within the premises, at an accessory outdoor seating area on the site, or off the site. Eating and drinking establishments include neighbourhood pubs, licensed restaurants, cafes, delicatessens, tea rooms, lunch rooms, refreshment stands and take-out restaurants, but shall not include drive-in restaurants. Eating and drinking establishments shall not contain within them an entertainment establishment unless otherwise provided for in an approved development permit;

- (78) **"entertainment establishment"** means a development where persons may be entertained by music, theatre, or the like. An entertainment establishment includes theatre, dancing or cabaret entertainment, whether recorded or live. An eating and drinking establishment may contain within it an entertainment establishment, but only if specifically provided for in an approved development permit. An adult entertainment establishment is not considered an entertainment establishment for the purposes of this Bylaw;
- (79) **"equipment rental establishment"** means a development where tools, appliances, recreation craft, office machines, furniture, light construction equipment, or similar items are rented and/or serviced. Equipment rental establishments do not include developments where motor vehicles or industrial equipment are rented and/or serviced;
- (80) **"excavation"** means any breaking of ground, except common household gardening and ground care;
- (81) **"exhibition and convention facility"** means a development which provides permanent facilities for meetings, seminars and conventions; product and trade fairs; carnivals and other exhibitions. Exhibition and convention facilities include exhibition grounds and convention centres;
- (82) **"extended medical treatment facility"** means a development which provides room, board and surgical or other medical treatment for the sick, injured, or infirm, and which may include out-patient services and accessory staff residences. Extended medical treatment facilities include hospitals, sanatoriums, nursing homes, convalescent homes, isolation facilities, psychiatric hospitals, auxiliary hospitals, and detoxification centres;
- (83) **"exterior wall"** means the outermost point of a building projection, including, but not limited to, bay windows, oval windows, bow windows, chimneys and verandas, but not including roof overhangs less than 0.6 m (2.0 ft.);
- (84) **"family care facility"** means a development which provides resident care service in a dwelling unit to six (6) or fewer individuals. These individuals may be handicapped, aged, disabled, or in need of adult supervision and are provided services and supervision in accordance with their individual needs. Family care facilities include foster or boarding homes for children, but do not include group homes;
- (85) **"farmstead"** means the dwelling and other improvements used in connection with extensive or intensive agriculture or a confined feeding operation, situated on a parcel of land used in connection with such farming operation. A farmstead's dwelling may be a single family dwelling, a manufactured home, a modular home, or a duplex. In exceptional circumstances, at the discretion of the Subdivision Authority, a farmstead may be the former site of a dwelling;

- (86) **"fence"** means a vertical physical barrier constructed to try to reduce sound or visual intrusion or to limit unauthorized access;
- (87) **"flanking site"** means a corner site on which a side line abuts a road;
- (88) **"fleet services"** means a development which administers a number of vehicles which deliver people, goods, or services, and where such vehicles are not available for sale or long term lease. Fleet services may include the storage and servicing of administered vehicles. Fleet services may include ambulance services, taxi services, bus lines, and messenger and courier services, but do not include moving or cartage firms involving vehicles with a gross vehicle weight of more than 3000.0 kg (6,613.9 lbs.);
- (89) **"floor area"** means the total area of all floors of a building above grade within the outside surface of exterior walls or within the glassline of exterior walls and the centreline of fire walls, but not including the floor area of basements, attached garages, sheds, open porches or breezeways, except that all dwelling units in and apartment shall be included in the calculation of floor area;
- (90) **"foundation"** means the lower portion of a building, usually concrete or masonry, but may include wood, and includes the footings, which transfer the weight and loads of a building to the ground;
- (91) **"fragmented parcel"** means a parcel of land that is separated from the balance of the parcel of land by a natural barrier such as a river, a permanent naturally-occurring water body, a railroad, or a road, but not an undeveloped road on a Road Plan, or a barrier to the crossing of cultivation equipment created by substantial topography, such as a ravine, gulley or small, possibly intermittent, watercourse. The determination that such a topographic barrier is a fragmenting feature for the purpose of subdivision shall be at the discretion of the Subdivision Authority;
- (92) **"front line"** means the boundary line of a site lying adjacent to a road. In the case of a corner site, the shorter of the two boundary lines adjacent to the road shall be considered the front line. In the case of a double fronting site, both boundary lines adjacent to the roads shall be considered front lines;
- (93) **"front yard"** means a yard extending across the full width of a site from the front line to the nearest exterior wall of the principal building situated on the site, measured at right angles to the front line. In the case of a curved front line, the front yard will also form a curve;
- (94) **"frontage"** means the length of the front line. On double fronting sites, all front lines shall be considered frontage;

- (95) **"funeral service"** means a development where the dead are prepared for burial or cremation and where funeral services may be held. Funeral services include funeral homes and undertaking establishments;
- (96) **"garage"** means an accessory building or that part of a principal building which is designed and/or used primarily for the storage of motor vehicles and includes a carport;
- (97) **"garage suite"** means a self-contained dwelling unit located above a detached garage which is located in a rear yard and which is accessory to a single family dwelling. Garage suites have an entrance which is separated from the vehicle entrance to the detached garage, either from a common indoor landing or directly from the exterior of the building;
- (98) **"garden suite"** means a temporary, portable detached dwelling unit, located on a lot containing an existing single family dwelling ;
- (99) **"gas bar"** means a development where gasoline, lubricating oils, and other automotive fluids and automobile accessories are bought and sold. Gas bars do not include facilities for the servicing or repairing of motor vehicles and do not include service stations and includes car washes;
- (100) **"general advertising"** means advertising which relates to goods or services other than those produced, offered for sale, or obtainable at the site on which the sign is displayed;
- (101) **"general commercial use"** means a development through which products or services are available to consumers but does not include the manufacturing of products, secondary commercial uses, or highway commercial uses;
- (102) **"general contractor service"** means a development used for the provision of building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature, which may 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 use only;
- (103) **"general retail establishment"** means a development where groceries, beverages, household goods, furniture, appliances, home improvement supplies, hardware, printed matter, confectionary, tobacco, pharmaceutical, personal care items, automotive parts and accessories, electronic equipment, recordings, office equipment, stationary, second hand goods, and similar goods are bought, rented, and/or sold from within a building. Minor public services, such as postal services

and film processing depots may also be provided. General retail establishments include convenience retail stores but does not include warehouse sales establishments, or developments where gasoline, new or used motor vehicles, alcohol, cannabis, heavy agricultural and/or industrial equipment are sold or rented;

- (104) **"government services"** means a development where municipal, provincial, or federal government services are provided directly to the public. Government services do not include protective and emergency services, major and minor utility services, and public education facilities. Government services may include government administration offices, courthouses, postal distribution offices, manpower and employment offices and social services offices;
- (105) **"grade"** means the ground level adjacent to the exterior walls of a building. If the ground is not entirely level, the grade shall be the average of the elevation of the ground around the perimeter of the building;
- (106) **"greenhouse and plant nursery"** means a development where bedding, household and ornamental plants are raised, stored and sold, together with incidental accessories such as garden equipment, and fertilizers and garden care products. This does not include cannabis retail sales or cannabis production and distribution facility or industrial hemp production and distribution facilities;
- (107) **"gross leasable area"** means the floor area of a building, plus the horizontal area contained within the exterior of the basement walls, excluding the floor areas of mechanical and utility rooms, public washrooms, stairwells, and elevators;
- (108) **"ground floor area"** means the total area of the first floor of a building above grade within the outside surface of exterior walls or within the glassline of exterior walls and the centreline of fire walls, including covered porches and verandas, but excluding open decks, patios, steps, cornices, eaves and similar projections. Ground floor area shall include air wells, and all other space within a building except inner or outer courts;
- (109) **"ground-oriented multiple unit dwelling"**, also known as **"row housing"** means a dwelling or a number of dwellings, each of which consists of at least three (3) dwelling units with each unit having direct access at grade to the outside, but shall not mean "apartment";
- (110) **"group care facility"** means a development which provides resident care services to seven (7) or more individuals. These individuals may be handicapped, aged, or disabled, and undergoing rehabilitation, and are provided services and supervision in accordance with their individual needs. Group care facilities include supervised uses such as halfway houses, resident schools, resident facilities, foster or boarding homes, and psychiatric care facilities, but not major institutional care facilities such as hospitals or group homes;

- (111) **"group home"** means a building or portion of a building used for the care or rehabilitation of children, adolescents or adults which is not predominantly related to age or a physical disability or the care or rehabilitation of the aged or the physically disabled. Group homes include halfway houses, addiction rehabilitation centres, care which is an alternative to legal incarceration, or treatment for mental illness or mental instability;
- (112) **"guest ranches"** means a development of a private owner-occupied ranch house which includes sleeping facilities, which are rented on a daily basis to registered guests and meals are prepared in a residential kitchen;
- (113) **"half storey"** means that part of any dwelling, wholly or partly within the framing of the roof, where the habitable floor area is not more than seventy percent (70%) of that of the ground floor;
- (114) **"head shop"** means a retail outlet which specializes in the sale of cannabis accessories, drug paraphernalia related to consumption of cannabis, other recreational drugs, and new age herbs, as well as counterculture art, magazines, music, clothing and home décor. This does not include cannabis retail sales establishments or a cannabis production and distribution facility;
- (115) **"health service"** means a development where physical or mental health services are provided on an out-patient basis. Such services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counselling nature. Health services include medical, chiropractic, and dental offices, health clinics, medical cannabis clinics, and counselling services;
- (116) **"highway"** means a highway or proposed highway that is designated as a highway pursuant to the Public Highways Development Act;
- (117) **"highway commercial use"** means a commercial use serving the travelling public which relies on a highly visible location in proximity to a highway or an arterial road. Highway commercial uses may include eating and drinking establishments, service stations, gas bars, convenience retail stores, hotels, motels, commercial with warehousing, drive-in businesses and personal service shops. This does not include a cannabis retail sales establishment;
- (118) **"home occupation, major"** means a business, occupation, trade, profession, or craft carried on by an occupant of a dwelling unit as a use secondary to the residential use of the dwelling, and which does not change the character of the building in which it is located or have any exterior evidence of such secondary use other than a small sign as provided for in **Section 8.14(5)(g)** of this Bylaw. A major home occupation may have up to one (1) employee, other than those resident in the dwelling unit working on site at any time. A major home occupation may also have more than five (5) client visits per week, and a limited amount of outdoor storage of goods. A major

home occupation may include, but is not restricted to, hairdressing and cutting, dressmaking, millinery and similar domestic crafts, stamp and coin sales, music and/or dance instruction, minor repairs to household equipment and tutoring. A major home occupation does not include cannabis retail sales or cannabis production and distribution facility. The distinctions between major home occupations and minor home occupations are more fully described in **Section 8.14** of this Bylaw;

- (119) **"home occupation, minor"** means any business, occupation, trade, profession, or craft carried on by an occupant of a dwelling unit as a use secondary to the residential use of the dwelling, and which does not change the character of the building in which it is located or have any exterior evidence of such secondary use. A minor home occupation will have no employees, other than those residing in the dwelling unit, and no more than five (5) client visits per week, and no outdoor storage of any goods. A minor home occupation may include, but is not restricted to, offices of accountants, doctors, business and professional consultants, contractors, lawyers, bookkeepers, architects, catalogue sales, and minor repair shops, but does not include any development that may, in the opinion of the Development Authority, be considered to be a major home occupation. A minor home occupation does not include cannabis retail sales or cannabis production and distribution. The distinctions between minor home occupations and major home occupations are more fully described in **Section 8.14** of this Bylaw;
- (120) **"hotel"** means a development where members of the travelling public are lodged for brief periods of time, normally not exceeding seven (7) days, in rentable units, where access to the rentable units is from a common entranceway. A hotel may include eating and drinking establishments, meeting rooms, personal services shops, convenience retail stores, and alcohol retail sales, but shall not include any entertainment establishment where there is a dance floor larger than 5 m² (5 ft.²) unless specifically approved by the Development Authority;
- (121) **"household"** means:
- (a) a person, or
 - (b) two (2) or more persons related by blood, marriage, a common law relationship, or adoption, or
 - (c) a group of not more than five (5) persons who are not related by blood, marriage, or adoption,
- all living together as a single housekeeping group and using cooking facilities shared in common. A household may also include bona fide servants, up to two (2) boarders or lodgers, or up to four (4) foster children;
- (122) **"household repair service"** means a development where goods, equipment and appliances normally found within a dwelling unit may be repaired. Household repair services include radio, television, appliance and electronics repair shops, and furniture refinishing and upholstery shops, but not personal service shops. Household repair services do not have any outdoor storage;

- (123) **“industrial hemp”** means a cannabis plant — or any part of that plant — in which the concentration of THC is 0.3% w/w or less in the flowering heads and leaves, in accordance with the *Industrial Hemp Regulations*, SOR/2018-145, as amended;
- (124) **“industrial hemp production and distribution facility”** means the use of land, buildings, or structures licensed and/or authorized to process, sell, provide, ship, deliver, transport, destroy, produce, export and/or import industrial hemp, including related research, under the *Industrial Hemp Regulations*, SOR/2018-145, as amended, or any subsequent legislation that may be enacted in substitution. This does not include cannabis retail sales or cannabis production and distribution facility, or the cultivation of industrial hemp;
- (125) **"industrial use, heavy"** means a development which would be considered to be a light industrial use except that, in the opinion of the Development Authority, the development may not be able to co-exist compatibly in proximity to other uses or population concentrations due to: the potential for an adverse environmental impact beyond the immediate site of the medium industrial use; the potential for significant toxic or noxious by-products such as air or water-born emissions; or the potential to emit significant noise, smoke, dust, odour, vibration, etc., which may be offensive or hazardous to human health, safety or well-being. Heavy industrial uses also include: the storage of toxic, flammable or explosive products in significant quantities; rendering plants; natural resource or agricultural product processing plants or large-scale outdoor storage that is unsightly or visually offensive. Heavy industrial uses do not include heavy petrochemical industrial uses or cannabis production and distribution facilities or industrial hemp production and distribution facilities;
- (126) **"industrial use, heavy petrochemical"** means a development involved in the processing and manufacturing of petrochemicals, including oil and gas refining, which, in the opinion of the Development Authority, may emit a significant level of noise, smoke, dust, odour, vibration, etc., and which may not be compatible with the surrounding land use. This use does not include cannabis production and distribution facilities or industrial hemp production and distribution facilities;
- (127) **"industrial use, light"** means a development which, in the opinion of the Development Authority, may be able to co-exist compatibly in proximity to other uses or population concentrations. Light industrial uses are usually less capital intensive than heavy industrial uses, and may be more consumer-oriented than business-oriented. Light industrial uses often require only a small amount of raw materials, area and power.

For further clarification, light industrial uses include developments where:

- (a) raw materials are processed, and/or
- (b) semi-finished or finished goods, products or equipment are manufactured and/or assembled, and/or

- (c) materials, goods and equipment normally associated with industrial or commercial business are cleaned, serviced, repaired, salvaged, and/or tested, and/or
- (d) goods and equipment associated with personal or household use are cleaned, serviced, and/or repaired, and/or
- (e) materials, goods and equipment are stored and/or transhipped, and/or
- (f) materials, goods and equipment are distributed and/or sold to institutions and/or industrial and commercial businesses for their direct use and/or to general retail establishments and/or other retail establishments for resale to individual customers, and/or
- (g) personnel are trained in all industrial operations,

in such a manner, in the opinion of the Development Authority, that an adverse environmental impact is not created beyond the immediate site of the light industrial use, which does not produce significant toxic or noxious by-products, and which is compatible with other industrial and commercial uses in a concentrated setting. Light industrial uses include motor vehicle body and paint shops, but do not include the preparation of food and/or beverages for direct sale to the public.

Any indoor display, office, technical or administrative support areas or any retail sale operations shall be accessory and subordinate to the light industrial use activities identified above. The floor area devoted to such accessory activities shall not exceed a total of thirty-three percent (33%) of the total floor area of the building or buildings devoted to the light industrial use, except that this restriction shall not apply where, in the opinion of the Development Authority, a significant portion of the industrial activity naturally and normally takes place out of doors. This use does not include cannabis production and distribution facilities or industrial hemp production and distribution facilities;

- (128) **"industrial vehicle and equipment sales/rental establishment"** means a development where new or used heavy vehicles, machinery or mechanical equipment typically used in building, roadway, pipeline, oilfield, and mining construction, manufacturing, assembling, and processing operations and/or agricultural operations are sold or rented, together with incidental maintenance services and sale of parts. Industrial vehicle and equipment sales/rental establishments do not include truck and recreational vehicle sales/rental establishments or automotive and minor recreational vehicles sales/rental establishments;
- (129) **"in-law suite"** means an additional dwelling unit intended for the sole occupancy of one (1) or two (2) adult persons, which has access to the adjoining dwelling unit. The floor area of the in-law suite shall not exceed 30 percent of the existing living area of the primary dwelling unit or 80.0 m² (861.1 ft.²) in floor area on a residential lot, whichever is the lesser;

- (130) **"institutional use"** means a development of governmental, religious, social, health care, or cultural facilities serving the municipality, area, or region;
- (131) **"internal site"** means a site which is bordered by only one (1) road;
- (132) **"kennel"** means a development in which more than three (3) dogs are maintained, boarded, bred, trained, cared for, or kept for purposes of sale or in which more than three (3) dogs not owned by the resident of the lot on which the kennel is located are kept or cared for;
- (133) **"landfill"** means a disposal site employing an engineering method of disposing of solid wastes in a manner that minimizes environmental hazards. A landfill shall be owned by either a municipal corporation or by a municipally-owned corporation;
- (134) **"landscaping"** means lawns, trees, shrubs, ornamental plantings, fences, walks, or other structures and materials used in modern landscape architecture;
- (135) **"lane"** means a right-of-way on which motorized vehicles are normally allowed to operate, which is 10.0 m (32.8 ft.) or less, and 6.0 m (19.7 ft.) or more in width, or an alley as defined in the Traffic Safety Act, as amended;
- (136) **"leading wall"** means the outermost part of a wall, including any bay window or cantilevered section of wall, the outer wall of a fireplace chase, etc.;
- (137) **"libraries and cultural exhibit"** means a development where literary, artistic, municipal and/or similar reference materials in the form of books, manuscripts, recordings and films are stored, collected, and distributed for public use, viewing, or enjoyment; or a development where works or objects of historical, scientific or artistic value are collected, preserved and exhibited to the public. Libraries and cultural exhibits includes libraries, museums, and art galleries;
- (138) **"limited contractor service"** means a development where electrical, plumbing, heating, painting and similar contractor services are provided, primarily to individual households, and where goods normally associated with the contractor service may be sold, where all materials are kept within an enclosed building, and where there are no accessory manufacturing activities or fleet storage of more than four (4) vehicles;
- (139) **"livestock"** means livestock as defined in the Agricultural Operation Practices Act. This includes, but is not limited to poultry, horses, cattle, sheep, swine, goats, bison, and fur-bearing animals;

- (140) **"living area"** means the developed area within a dwelling often measured by exterior walls but does not include basement, garage or carport, patio, or atrium
- (141) **"lot"** means:
- (a) a quarter section, or
 - (b) a part of a parcel of land described in a certificate of title if the boundaries of the part are separately described in the certificate of title other than by reference to a legal subdivision, or
 - (c) a part of a parcel of land described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision;
- (142) **"maintenance"** means the upkeep of the physical form of any building, which upkeep does not require a permit pursuant to the Safety Codes Act. Maintenance will include painting, replacing flooring, replacing roofing materials, and repair of any facility related to a development, but will not include any activity that will change the habitable floor area of any dwelling unit or the internal volume of any building;
- (143) **"manufactured home"** means a dwelling that is designed to be transported on its own wheels or by other means, and upon arriving at the site for location is, apart from incidental operations such as placement of foundation supports and connections of utilities, ready for year round use as a single dwelling unit. This definition shall not include a dwelling that would be considered to be a single family dwelling or a modular home if the roof pitch were equal to or greater than 1:4, if the depth of eaves were equal to or greater than 30.4 cm (1.0 ft.), or if the ratio of depth vs. width (or width vs. depth) were less than 3:1. If the roof pitch is less than 1:4, if the eaves is less than 30.4 cm (1.0 ft.), or if the ratio noted above is more than 3:1, the building shall be considered to be a manufactured home. A manufactured home is sometimes referred to as a trailer or mobile home;
- (144) **"manufactured home park"** means any site on which two (2) or more occupied manufactured homes are harboured or are permitted to be harboured without regard to whether a fee or charge is paid or made, and shall include any building, structure, tent, vehicle or enclosure used or intended for use as a part of the equipment of such manufactured home park;
- (145) **"manure storage facility"** means a manure storage facility as defined in the Agricultural Operation Practices Act;
- (146) **"may"** is an operative word meaning a choice is available with no particular direction or guidance intended;

- (147) **"medical cannabis clinic"** means any business or enterprise whether or not operated for profit intended to serve as a means of distributing or providing cannabis for medical purposes as defined by provincial or federal legislation;
- (148) **"minor repair shop"** means a development where small-scale products and appliances are repaired or reconditioned and where no outdoor storage exists;
- (149) **"modular home"** means a dwelling containing one (1) dwelling unit, and, if the provisions of this Bylaw allow, a secondary suite or an in-law suite, which is constructed in large sections, away from the site on which the modular home is to be placed, and under controlled conditions. Modular homes do not include manufactured homes. A modular home is sometimes referred to as an RTM (ready-to-move);
- (150) **"motel"** means a development where members of the travelling public are lodged for brief periods of time, normally not exceeding seven (7) days, in rentable units, and where access to each of the rentable units is individually available either at grade or via stairways or escalator. A motel may include eating and drinking establishments and convenience retail stores, but shall not include alcohol retail sales, or an entertainment establishment;
- (151) **"multi-family dwelling"** means apartment, duplexes and/or ground-oriented multiple unit dwellings;
- (152) **"multi-use development"** means a development with planned integration of some combination of retail, office, residential, hotel, recreation or other uses. A multi-use development is pedestrian-oriented and contains elements of a live-work-play environment, maximizes space usage, has amenities and architectural expression, tends to mitigate traffic and sprawl, and may include one (1) or more buildings;
- (153) **"Municipal Planning Commission"** means the Municipal Planning Commission established by the Council by the Municipal Planning Commission Bylaw adopted pursuant to the Act;
- (154) **"municipality"** means the Town of Redwater;
- (155) **"neighbourhood commercial development"** means a development where goods and services required by area residents or employees on a day to day basis are provided, bought or sold. The gross leasable area of a neighbourhood commercial development shall not exceed 275.0 m² (2,960 ft²). Neighbourhood commercial developments include small food stores, drug stores, and variety stores selling confectionary, tobacco, groceries, beverages, pharmaceutical and personal care

items, hardware, and/or printed matter as well as small personal service shops. This use does not include alcohol retail sales or cannabis retail sales.

- (156) **"natural resource extraction industry"** means the surface or sub-surface mining of metallic or non-metallic minerals;
- (157) **"non-conforming building"** means a building:
- (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw or any amendment thereof affecting the building or the land on which the building is situated becomes effective, and
 - (b) that on the date the land use bylaw becomes effective does not, or when constructed will not, comply with the land use bylaw;
- (158) **"non-conforming use"** means a lawful specific use:
- (a) being made of land or a building or intended to be made of a building lawfully under construction at the date a land use bylaw affecting the land or building becomes effective, and
 - (b) that on the date the land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with the land use bylaw;
- (159) **"nuisance"** means any act or deed, or omission, or thing, which is or could reasonably be expected to be annoying, or troublesome, or destructive or harmful, or inconvenient, or injurious to another person and/or their property, or anything troublesome or bothersome to other people for which complaints are received either by the municipality or the Royal Canadian Mounted Police, whether or not such act or deed or omission or thing constitutes nuisance at common law.
- (160) **"obnoxious"** means a development which by its nature, or from the manner of carrying on the same, may, in the opinion of the Development Authority, create noise, vibration, smoke, dust or other particulate matter, odour, toxic or non-toxic matter, radiation, fire, or explosive hazard, heat, humidity, or glare, or unsightly storage of goods, materials, salvage, junk, waste or other materials, a condition which, in the opinion of the Development Authority, may be or may become a nuisance, or which adversely affects the amenities of the neighbourhood, or which may interfere with the normal enjoyment of any land or building;
- (161) **"occupancy"** means the use or intended use of a building or part thereof for the shelter or support of persons or property;
- (162) **"occupant"** means any person occupying or having control over the condition of any property and the activities conducted on the property, and includes the owner, lessee, tenant or agent of the owner;

- (163) **"off-grid"** refers to a stand-alone power generating system not connected to or in any way dependent on the utility power grid;
- (164) **"off-site sign"** means a sign that advertises goods, products, services or facilities located on a site which is in a different location from where the sign is located or which directs persons to a different site;
- (165) **"off-street parking lot"** means a parking area which is located on a parcel of land not adjacent to or not accessory to a particular use or development;
- (166) **"offensive"** means a development which by its nature, or from the manner of carrying on the same, creates or is liable to create by reason of noise, vibration, smoke, dust or other particulate matter, odour, toxic or non-toxic matter, radiation, fire, or explosive hazard, heat, humidity, or glare, or unsightly storage of goods, materials, salvage, junk, waste or other materials, a condition which, in the opinion of the Development Authority, may be or may become hazardous or injurious to health or safety, or which adversely affects the amenities of the neighbourhood, or interferes with or may interfere with the normal enjoyment of any land or building;
- (167) **"office use"** means a development where government, professional, management, administrative, consulting, and financial services may be provided. Office uses include the offices of lawyers, accountants, engineers, architects, and realtors. Office uses also include insurance firms; clerical, secretarial, employment and telephone answering and similar office support services; banks, credit unions, loan offices and similar financial institutions; and the offices of governmental and public agencies;
- (168) **"outdoor storage"** means a development where, in the opinion of the Development Authority, goods, materials, or equipment are or may be placed outside of a building on a more or less permanent or continuous basis;
- (169) **"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, the person shown as the owner of a parcel of land on the municipality's assessment roll prepared under the Act;
- (170) **"parcel of land"** means the aggregate of the one 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;

(171) **"park model"** means a temporary or recreational unit. There are two types of park models which are recognized by the industry. They are:

- (a) **Park Model Trailer 102** is a unit designed to be towed by a heavy-duty tow vehicle (auto, van, pick-up truck, etc.) but is of restricted size and weight so that it does not require a special highway movement permit. The maximum width when being towed is 2.6 m (8.5 ft.). These units are designed for infrequent towing, and are **not** fitted with a 12-volt system for fixtures and appliances. Once on site in the set-up mode it must be connected to the local utilities.

This style of recreational vehicle is built on a single chassis mounted on wheels. It usually has one or more slide-outs, but when in set-up mode the gross trailer area does not exceed 37.2 m² (400.0 ft.²). It conforms to the **CSA Z-240** Standard for recreational vehicles.

- (b) **Park Model Recreational Unit** is built on a single chassis mounted on wheels, which may be removed and returned to the factory. The unit is designed to facilitate occasional relocation, with living quarters for a temporary residence or seasonal use, and must be connected to those utilities necessary for the operation of installed fixtures and appliances. It has a gross floor area, including lofts, not exceeding 50.0 m² (538.2 ft.²) in the set-up mode and has a width greater than 2.6 m (8.5 ft.) in the transit mode.

Park Model Recreational Units always require a special tow vehicle and a special permit to move on the road as the width of the unit is greater than 2.6 m (8.5 ft.). It conforms to the **CSA Z-241** Standard for recreational vehicles;

(172) **"parking area"** means the area set aside for the storage and/or parking of vehicles. Components of parking areas include parking spaces, loading spaces, aisles, entrances and exits to the parking area, and traffic islands where they are part of the parking area. A parking area may be within a building, and, if so, is commonly referred to as a parkade;

(173) **"parking space"** means an area set aside for the parking of one (1) vehicle;

(174) **"patio"** means any developed surface adjacent to a building on a site which is equal to or less than 0.6 m (2.0 ft.) above grade and is not covered or enclosed;

(175) **"permitted use"** means the use of land or a building provided for in this Bylaw for which a development permit shall be issued, with or without conditions, upon an application having been made provided that the proposed development complies in all respects with this Bylaw;

- (176) **"personal service shop"** means a development where personal services related to the care and appearance of the body, or the cleaning and repair of personal effects are provided to persons. Personal service shops include barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, dry cleaning establishments, and laundromats, but not health services;
- (177) **"place of worship"** means a development where worship and related religious, philanthropic, and social activities occur. Accessory developments include rectories, manses, classrooms and dormitories. Places of worship include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries;
- (178) **"pod"** means a temporary, portable storage unit that is 4.9 m (16 ft.) in length or less. A pod, also referred to as a cube, does not include a sea can;
- (179) **"principal building"** means a building which:
- (a) occupies the major or central portion of a site;
 - (b) is the chief or main building among one or more buildings on the site, or
 - (c) constitutes by reason of its use the primary purpose for which the site is used.
- (180) **"principal use"** means the primary purpose or purposes for which a building or site is used;
- (181) **"private club"** means a development used for the meeting, social or recreational activities of members of a non-profit philanthropic, social service, athletic, business or fraternal organization, with neither on-site dwellings nor rentable units. Private clubs may include eating and drinking establishments and rooms for assembly. This use does not include cannabis lounges;
- (182) **"protective and emergency services"** means a development where the administration of the protection of persons and property from injury, harm or damage takes place, and where the equipment necessary for such activities is stored, maintained, and supplied. Protective and emergency services include police stations, detention centres, fire stations, and ancillary training facilities and accommodation facilities associated therewith;
- (183) **"public education facility"** means a development where educational, training, or instruction occurs under the auspices of a School Division or under the auspices of an organization authorized by the Province to provide education similar to that which would be provided by a School Division. Public education facilities include the administration offices, storage, and maintenance operations of the School Division. Public education facilities include public and separate schools, community colleges, universities, technical and vocational schools, and private

academies or “charter schools”, and their administrative offices and maintenance facilities;

- (184) **"public park"** means a development designed or reserved for active or passive recreational use, including all natural and man-made open space and landscaping, facilities, playing fields, and buildings that are consistent with the general purposes of recreation, whether or not such recreational facilities are public operated or operated by other organizations pursuant to arrangements with the public authority owning the public park. Public parks include tot lots, band shells, picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds, water features, baseball diamonds, football fields, soccer pitches, and similar outdoor sports fields;
- (185) **"public use"** means a development where public services are provided by the municipality, by any local board or agency of the municipality, by any department, commission or agency of the Government of Alberta or of Canada, or by any public utility. However, public uses shall not include office uses, protective and emergency services, and major and minor utility services;
- (186) **"public utility"** means the right-of-way and facilities for one or more of the following: sanitary and stormwater sewerage, telecommunications systems (excluding telecommunications towers), water works systems, irrigation systems, systems for the distribution of gas, whether natural or artificial, systems for the distribution of artificial light or electric power and heating systems;
- (187) **"public utility building"** means a building in which the proprietor of the public utility maintains its office or offices and/or maintains or houses any equipment used in conjunction with the public utility;
- (188) **"rear line"** means the boundary line of a site lying opposite to the front line of the site and/or farthest from a road;
- (189) **"rear yard"** means a yard extending across the full width of a site from the rear line to the nearest exterior wall of the principal building situated on the site, measured at right angles to the rear line. In the case of a curved rear line, the rear yard will also form a curve;
- (190) **"recreational use"** means a recreational development conducted on a unified basis on a single site where the prime reason for location is to take advantage of natural physical features including the availability of large areas of land to provide day-to-day sporting and athletic facilities and the structures incidental thereto. This includes ski slopes, golf courses, archery, trap and rifle ranges, race tracks, boating, riding, picnicking, and sports grounds, swimming pools, community halls, bowling alleys, skating and curling rinks, drop-in centres, and similar uses, and may include a refreshment stand incidental to the primary use;

- (191) **"recreational vehicle"** means a vehicle or a trailer that is designed, constructed and equipped, either temporarily or permanently, as a temporary accommodation for travel, vacation or recreational use and includes duly licensed trailers, motorized homes, slide in campers, chassis mounted campers, and tent trailers;
- (192) **"recreational vehicle campground"** means a development consisting of stalls or sites for the location of more than three (3) recreational vehicles, for not normally more than twenty (20) days in a year, and may include sites for the erection of tents for similar time frames;
- (193) **"recreational vehicle campground, seasonal"** means a development consisting of stalls or sites for the location of more than three (3) recreational vehicles, normally for no longer than an entire season operating between April to October;
- (194) **"recreational vehicle campground, workcamp"** means a development consisting of stalls or sites for the location of more than three (3) recreational vehicles, used to house camp workers by various contracting firms. The units may be dismantled and removed from the site from time to time.
- (195) **"recreational vehicle storage"** means a commercial development which provides fenced or indoor, secure, onsite storage of more than three (3) recreational vehicles, boats and all-terrain vehicles;
- (196) **"recycling depot"** means a development where bottles, cans, newspapers, and similar non-hazardous household goods are bought, sold, and temporarily stored for reuse and where all storage is contained within an enclosed building or an enclosed compound;
- (197) **"relocated building"** means a building that was constructed off site in one piece or in pieces and relocated to another site but does not include manufactured homes or modular homes;
- (198) **"renovation"** means an addition to, deletion from, or change to any building which does not require a permit pursuant to the Safety Codes Act other than a plumbing permit or an electrical permit;
- (199) **"rentable unit"** means a separate unit of a hotel or motel used or intended to be used for the temporary accommodation of one or more persons;
- (200) **"road"** means a right-of-way on which motorized vehicles are normally allowed to operate, or a road as defined in the Act and includes a highway, but does not include a lane;
- (201) **"roof"** means the top of any enclosure, above or within the vertical walls of a

building;

- (202) **"sea can"** means a pre-built metal container or structure originally designed and/or constructed for the purpose of cargo storage;



Figure 8: Example of a Sea Can

- (203) **"secondary commercial use"** means a commercial use, which is subordinate in nature to the principal use of a lot. A secondary commercial use is not limited to uses which are similar to the principal use of the lot;
- (204) **"secondary suite"** means a subordinate self-contained dwelling unit, located within a dwelling which has separate cooking, sleeping and bathing facilities. Secondary suites must have a separate entrance from the dwelling, either from a common indoor landing or directly from the exterior of the dwelling. They include the conversion of basement space to a dwelling, or the addition of new floor space to an existing single family dwelling. Garden suites, garage suites, and bunkhouses are not considered secondary suites;
- (205) **"self-service storage facility"** means a development where varying sizes of individual, compartmentalized, and controlled access lockers are provided within a fenced compound or within a building for the storage of a customer's goods or wares. The maximum height of lockers shall be 3.0 m (9.8 ft.). Self-service storage facilities do not include any outdoor storage;
- (206) **"senior citizens' home"** means an apartment, a ground-oriented multiple unit dwelling, or an extended medical treatment facility geared to and occupied by senior citizens. A senior citizens' home provides resident care services and supervision to aged individuals in accordance with their individual;
- (207) **"service station"** means a development where gasoline, lubricating oils, and other automotive fluids and accessories for motor vehicles are bought and sold. Service stations may also include facilities for the servicing or repairing of motor vehicles, and a towing service dispatch point, but do not include body repair or paint shops;
- (208) **"setback"** means the minimum horizontal distance between a lot boundary and the nearest point on the exterior wall of a building on the lot (see **Figures 9 and 10**);

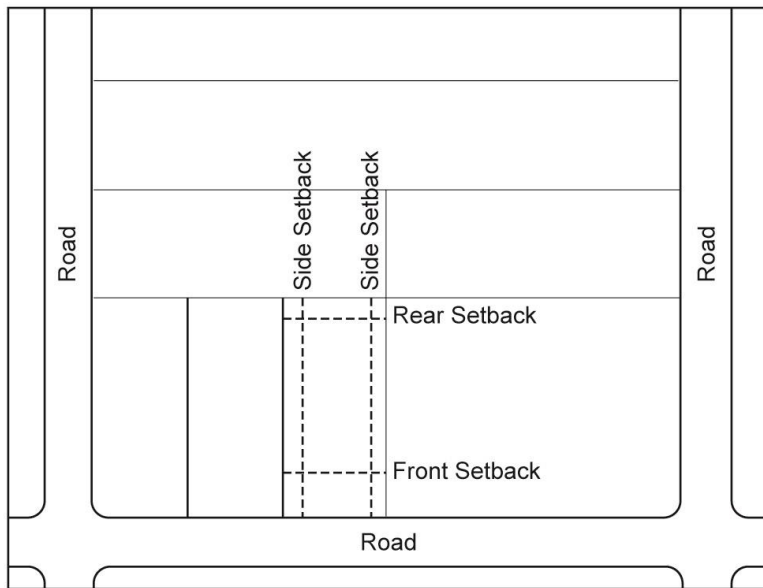


Figure 9: Setback Definition Diagram A

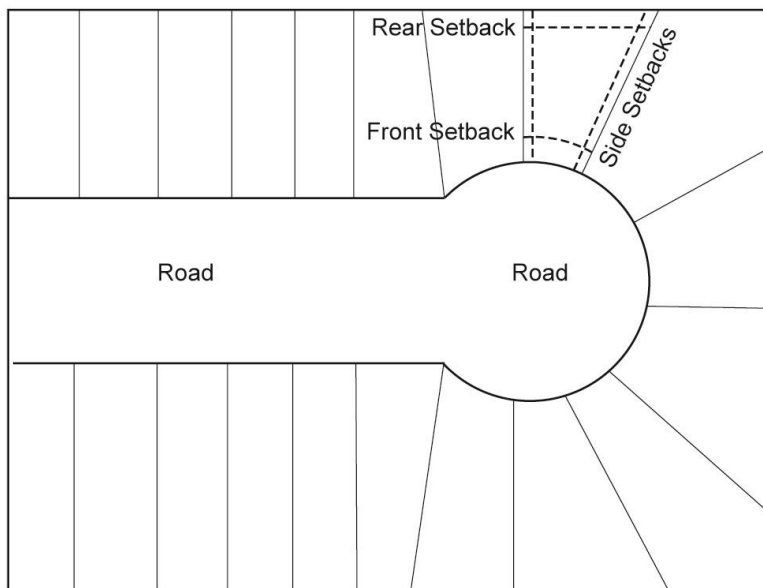


Figure 10: Setback Definition Diagram B

- (209) **"shall"** is an operative word, which means the action is obligatory;
- (210) **"shopping centre"** means a development consisting of a building or a group of buildings, comprising general retail stores, personal service shops, office uses, and similar uses, with shared off-street parking facilities, and which may be managed as a single unit;

- (211) **"should"** means that in order to achieve local goals and objectives it is strongly advised that action be taken;
- (212) **"show home"** means a dwelling unit which is used temporarily for the purpose of illustrating to the public the type and character of dwelling units to be constructed in other parts of a neighbourhood or development in which the show home is located. Show homes may contain offices for the sale of other lots or dwelling units in the municipality and must be located within a dwelling which is either a permitted or a discretionary use in the District in which they are located;
- (213) **"side line"** means the boundary line of a site lying between a front line and a rear line of a site. In the case of a corner site, the longer of the two boundary lines adjacent to the road shall be considered a side line;
- (214) **"side yard"** means a yard extending from the side line to the nearest exterior wall of the principal building situated on the site, and lying between the front and rear yards on the site, measured at right angles to the side line. In the case of a curved side line, the side yard will also form a curve;
- (215) **"sidewalk café"** means a temporary outdoor area located and maintained by an adjoining eating and drinking establishment for the sale and consumption of food and beverages;
- (216) **"sight line triangle"** means the triangular area formed by a line drawn between two (2) points on the curbs of intersecting roads 6 m (19.7 ft.) from the point where the curbs would meet if extended or 5 m (16.4 ft.) from that point in the case of an intersecting lane and road or driveway and road;

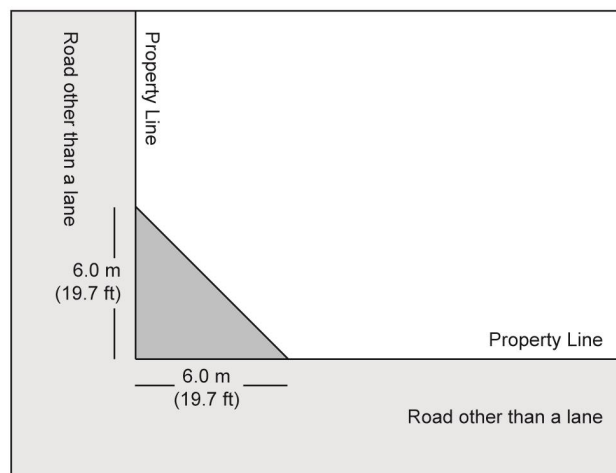


Figure 11: Sight Line Triangle

- (217) **"sign"** means any visual medium, including its structure and other component parts, illuminated or not illuminated, which is used or capable of being used, on a permanent or temporary basis, to identify or convey information, or to advertise or attract attention to a product, service, place, activity, person, institution or business. Without limiting the generality of the foregoing, signs shall include banners, placards, and painted messages, but not national flags, interior window displays of merchandise, or signs painted on or attached to a motor vehicle intended for use on a road;
- (218) **"sign, canopy"** means a sign which is part of or attached to the outside edge of a canopy but which does not extend below the bottom edge or surface of the canopy (see **Figure 12**);

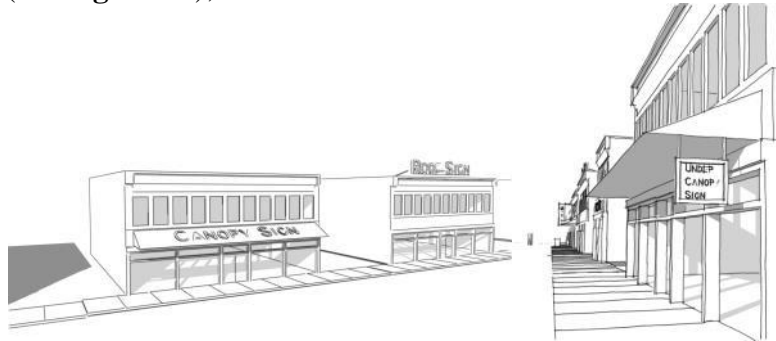


Figure 12: Canopy Signs

- (219) **"sign, freestanding"** means a sign supported by one or more uprights, braces or pylons, and stands independently of another structure (see **Figure 13**);



Figure 13: Freestanding Sign

- (220) **"sign, inflatable"** means a sign made of flexible material or fabric that is made to take on a three-dimensional shape (to blow up like a balloon) when filled with a sufficient volume of air or gas. Inflatable signs are commonly used as a temporary sign for special events or promotions;



Figure 14: Inflatable Sign

- (221) **"sign, off site"** means a sign that advertises goods, products, services or facilities not available on the site where the sign is located, and which may also direct persons to another location;
- (222) **"sign, projecting"** means a sign affixed to a building or part thereof and extending beyond the building by more than 0.3 m (1.0 ft.). This does not include a sign attached to the ground (see **Figure 15**);



Figure 15: Projecting Sign

- (223) **"sign, roof"** means a sign erected upon, against or directly above the roof of a building or the top of a parapet wall (see **Figure 16**);

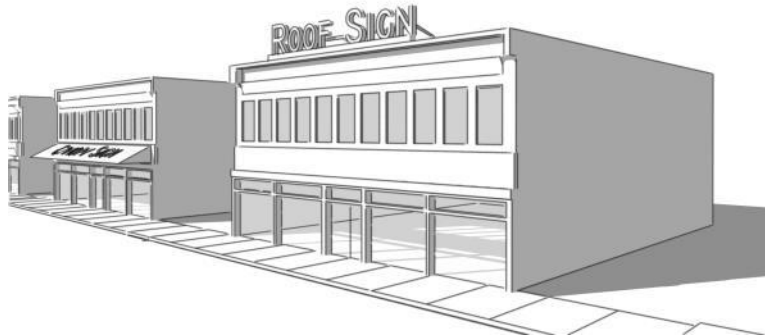


Figure 16: Roof Sign

- (224) **"sign, temporary/portable"** means a sign on a standard or column fixed to its own self-contained base and capable of being moved manually (see **Figure 16**);

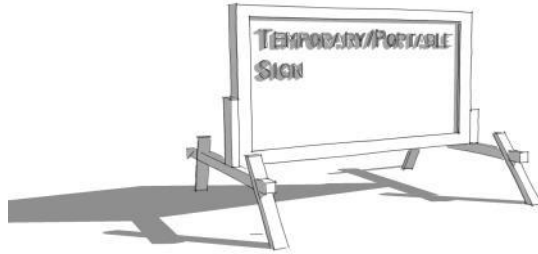


Figure 17: Temporary/Portable Sign

- (225) **"sign, under canopy"** means a sign which is attached to the bottom surface or edge of a canopy;
- (226) **"sign, fascia"** means a sign attached to or placed flat against an exterior vertical surface of a building, and projects no more than 0.3 m (12.0 in.) from the surface of the building, and does not project above the roof or parapet. Fascia signs are also called wall signs (see **Figure 18**);



Figure 18: Fascia Sign

- (227) **"similar use"** means a use which, in the opinion of the Development Authority, closely resembles another specified use with respect to the type of activity, structure and its compatibility with the surrounding environment;
- (228) **"single family dwelling"** means a dwelling consisting of one (1) dwelling unit, and, if the provisions of this Bylaw allow, a secondary suite or an in-law suite. A single family dwelling is a dwelling normally constructed on-site. Single family

dwellings do not include: semi-detached dwellings, duplexes, ground oriented multiple unit dwellings (row housing), apartments, modular home units and manufactured home units;

- (229) **"site"** means a lot, a part of a lot, or a number of abutting lots or parts of lots which are considered for a single use or a mixture of uses, which is owned or managed as a single unit;
- (230) **"site area"** means the total area of a site;
- (231) **"site boundaries"** means the boundaries of a site which enclose the site at its perimeter;
- (232) **"site built"** means a building that is constructed primarily on its site. Although some components may be prefabricated off-site, the building is erected, framed, and finished by workers on location using stock materials;
- (233) **"site coverage"** means the sum of the ground floor areas of all buildings on a site, divided by the area of the site, usually expressed as a percentage;
- (234) **"site depth"** means the average horizontal distance between the front and rear lines of a site measured either perpendicular to the front line, or perpendicular to the tangent on a curve from the midpoint of a curved front line;
- (235) **"site width"**, unless otherwise defined in this Bylaw, means the average horizontal distance between the side lines or, where the site width would be shorter, the distance between the side lines at either the minimum required front yard distance or the minimum required rear yard distance, whichever distance is the shorter, measured parallel to the front line or parallel to the tangent on a curve from the midpoint of a curved front line;
- (236) **"small animal breeding and boarding establishment"** means a development where domestic pets are bred, boarded, or trained. Small animal breeding and boarding establishments include kennels but do not include animal hospitals or veterinary clinics;
- (237) **"small radio communications tower"** means a development that is intended for transmitting or receiving radio communications signals from devices such as ham radios, fleet dispatch systems, or private communications systems. Typical small radio communications towers are short, usually no more than 3 m (9.8 ft.) taller than the adjacent buildings;
- (238) **"solar energy collection system"** means a system of one or more buildings or appurtenances to buildings designed to convert solar energy into mechanical or

electrical energy and includes solar array, solar panels, free standing, ground and roof mounted.

- (239) **"solar array"** means multiple solar panels use in conjunction to produce electricity.
- (240) **"solar panel, free standing/ground mounted"** means a device which is used to convert energy contained within the sun's rays into electricity, which is not mounted or attached to any other structure for support.
- (241) **"solar panels, roof mounted"** means a device which is used to convert energy contained within the sun's rays into electricity, which is located, mounted, or attached to the roof of a structure.
- (242) **"staging area"** means a location where people, vehicles, equipment or material are assembled for the purpose of transporting the assembled group, vehicles or equipment to another location;
- (243) **"stall"** means an area of land upon which a manufactured home is to be located within a manufactured home park, and which is reserved for the exclusive use of the residents of that particular manufactured home;
- (244) **"storey"** means the space between one floor of a multi-storey building and the next floor above it. The upper limit of the top storey shall be the ceiling above the topmost floor. A basement shall not be considered a storey;
- (245) **"structural alteration"** means an addition to, deletion from, or change to any building which requires a permit other than a plumbing permit or an electrical permit pursuant to the Safety Codes Act;
- (246) **"Subdivision and Development Appeal Board"** means the Subdivision and Development Appeal Board established pursuant to the Act through the municipality's Subdivision and Development Appeal Board Bylaw;
- (247) **"Subdivision Authority"** means the Subdivision Authority established pursuant to the Act through the municipality's Subdivision Authority Bylaw;
- (248) **"substandard lot"** means any lot which is smaller, in area or in any dimension, than the minimum area or dimension stipulated in the regulations of the District in which the lot is located;
- (249) **"supportive living facility"** means a licenced facility providing permanent accommodation to four (4) or more adults in which the operator provides or arranges for services related to safety and security of the residents, and provides at least one meal a day or housekeeping services. Residents in a supportive living

setting can range from seniors who require support services due to age, chronic conditions and frailty to young adults with mental health or physical disabilities;

- (250) **"surveillance suite"** means a dwelling unit used to accommodate a person or persons whose function is to provide surveillance for the maintenance and safety of the development;



Figure 19: Surveillance Suite

- (251) **"temporary building"** means a building that has been allowed to be located and/or used for a limited time only. Temporary buildings include construction shacks used for administrative and/or storage purposes during construction of a large-scale development;
- (252) **"temporary use"** means a use that has been allowed to be located and/or operate for a limited time only. Temporary uses include pipe, vehicle, or heavy equipment storage compounds, or special events such as circuses, carnivals and rodeos;
- (253) **"tented structure"** means a building that uses masts or poles and tensile membrane (e.g., fabric or animal skin) to create an enclosure. Portable garages and reception tents are examples of tented structures;
- (254) **"truck and recreational vehicle sales/rental establishment"** means a development where new or used trucks with a gross vehicle weight rating of 4000 kg (8,818.5 lbs.) or greater, motor homes, and recreational vehicles with a gross vehicle weight rating of 6000.0 kg (13,227.7 lbs.) or greater or a length greater than 6.7 m (22.0 ft.) are sold or rented, together with incidental maintenance services and sale of parts. Truck and recreational vehicle sales/rental establishments include truck dealerships, recreational vehicle dealerships, and truck and recreational vehicle rental agencies, and may include refuelling and/or washing facilities as an integral part of the operation;
- (255) **"trucking and cartage establishment"** means a development where goods shipped by truck are transferred from one truck to another, or where trucks are dispatched to pick up and/or deliver goods. Trucking and cartage establishments may include dispatch offices or storage compounds for the temporary storage of

goods, and include moving or cartage firms involving vehicles with a gross vehicle weight of more than 3000.0 kg (6,613.9 lbs.);

- (256) **"unrestricted country residential development"** means a collection of permanent dwellings situated outside of an urban centre and having more than eight (8) permanent dwellings per quarter section and a maximum of fifty (50) permanent dwellings per quarter section;
- (257) **"use"** means the purpose or activity for which a site, a parcel of land, or a lot and any buildings located on it are designed, arranged, developed, or intended, or for which it is occupied or maintained;
- (258) **"utility services, major"** means a development of a public utility or a public utility building or a government service function. Major utility services include sanitary land fill sites, sewage treatment plants, sewage lagoons, sludge disposal beds, garbage transfer and compacting stations, power generating stations, cooling plants, incinerators, waste recycling plants, vehicle, equipment and material storage yards for utilities and services; snow dumping sites; surface reservoirs; water towers, water treatment plants; power terminal and distributing substations; communication towers; and gate stations for natural gas distribution;
- (259) **"vacant parcel"** means a parcel of land either subdivided or to be subdivided for residential purposes on which a dwelling is not located. A vacant parcel can be on land that is or is not used for agriculture;
- (260) **"veterinary clinic"** means a development where domestic pets are cared for and treated. Veterinary clinics primarily involve out-patient care and minor medical procedures involving hospitalisation for fewer than four (4) days. All animals shall be kept within an enclosed building. Veterinary clinics do not include animal hospitals or small animal breeding and boarding establishments;
- (261) **"veterinary clinic, large animal"** means a development where large animals, including livestock, are cared for and treated. Large animal veterinary clinics primarily involve out-patient care and minor medical procedures involving hospitalisation for fewer than four (4) days. Large animal veterinary clinics do not include animal hospitals or small animal breeding and boarding establishments;
- (262) **"warehouse sales establishment"** means a development where bulky goods are sold from within an enclosed building where the size and nature of the principal goods being sold typically require large floor areas for direct display to the purchaser or consumer. Warehouse sales establishments include furniture stores, carpet stores, major appliance stores, and building materials stores;

- (263) **"wind energy conversion system, large"** means a system of one or more buildings designed to convert wind energy into mechanical or electrical energy and which has a rated capacity equal to or greater than 300 kW;
- (264) **"wind energy conversion system, micro"** means a system of one or more buildings designed to convert wind energy into mechanical or electrical energy which has a rated capacity of less than 0.5 kW. Micro wind energy conversion systems are small in height and diameter and may be installed on the roof of a building;
- (265) **"wind energy conversion system, small"** means a system of one or more buildings designed to convert wind energy into mechanical or electrical energy which has a rated capacity of not more than 300 kW, and which is intended to provide electrical power for use on-site (either behind the meter or off-grid) and is not intended or used to produce power for resale;
- (266) **"wind turbine tower"** means the guyed or freestanding structure that supports a wind turbine generator;
- (267) **"wind turbine tower height"** means the height above grade of the fixed portion of the wind turbine tower, excluding the wind turbine and rotor;
- (268) **"wireless communications facility"** means a development that is intended for transmitting or receiving television, radio, or telephone communications signals;
- (269) **"work camp"** means a residential complex used to house camp workers for a contracting firm or project. The camp is usually made up of a number of manufactured units, clustered in such fashion as to provide sleeping, eating, recreation and other basic living facilities;
- (270) **"work camp, short term"** means a residential complex used to house camp workers by various contracting firms on a temporary basis, and without restricting the generality of the above, the camp is usually made up of a number of manufactured units, clustered in such fashion as to provide sleeping, eating, recreation, and other basic living facilities. The units may be dismantled and removed from the site from time to time. For the purposes of this definition, temporary means for a period of up to six (6) months in total duration either consecutively or non-consecutively;
- (271) **"yard"** means a part of a site which is unoccupied and unobstructed by any building or portion of a building above the ground level, unless otherwise allowed by this Bylaw;

and all other words and expressions have the meanings respectively assigned to them in the Act or in other Acts of the Legislature or in common law.

1.4 Metric and Imperial Measurements

Within this Bylaw, both Metric and Imperial measures are normally provided, the Imperial measures within brackets. However, the Imperial measures are approximate, and are provided only for information and in order to provide some comparison for persons who are unfamiliar with Metric measures. As a result, the metric measurement shall take precedence for the purposes of interpretation of this Bylaw.

1.5 Date of Receipt

Where a subdivision or development permit approval or refusal, subdivision or development appeal notice, notice to reclassify lands or notice of appeal hearing is sent, given or served by mail, and the document is properly addressed and sent by prepaid regular mail, unless the contrary is proven, the service shall be presumed to be effected five (5) days from the date of mailing if the document is mailed in Alberta to an address in Alberta.

In the event of a dispute, the Interpretation Act, as amended, shall apply.

1.6 Establishment of Districts

- (1) For the purpose of this Bylaw, the Town of Redwater is divided into the following Districts:

District Name	Symbol
Single Family Residential District	R-1
Single Family Large Dwelling & Large Lot Residential District	R-2
Single Family Compact Lot Residential District	R-3
Single Family Small Lot Residential District	R-3A
Two Family Residential District	R-4
Medium Density Residential District	R-5
High Density Residential District	R-6
Manufactured Home Subdivision Residential District	R-MHS
Manufactured Home Park Residential District	R-MHP
Direct Control Residential District	DC-1
Primary Commercial District	C-1

General Commercial District	C-2
Highway Commercial District	C-3
Industrial District	M1
Semi-Public District	SP
Urban Reserve District	UR

- (2) For the purposes of this Bylaw, the R-1, R-2, R-3, R-3A, R-4, R-5, R-6, DC-1, R-MHS, and R-MHP Districts shall be considered to be Residential Districts, and the C-1, C-2, and C-3 Districts shall be considered to be Commercial Districts.
- (3) The boundaries of the Districts listed in subsection (1) are as delineated on the Land Use District Map, contained in **Section 6.7** of this Bylaw.
- (4) Where uncertainty exists as to the boundaries of Districts as shown on the Land Use District Map, the following rules shall apply:
 - (a) Where District boundaries are shown to approximate the following, they shall be deemed to be:
 - (i) the lot boundaries, or
 - (ii) the municipal boundaries, or
 - (iii) the centre lines of railway rights-of-way, or

the centre lines of the right-of-way of a road or lane.
 - (b) In circumstances not covered by Subsection (a), the location of the boundary shall be determined:
 - (i) where dimensions are set out on the Land Use District Map, by the dimensions so set, or
 - (ii) where no dimensions are 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.
- (5) Where Districts have been established in accordance with a proposed subdivision of land, the boundaries of the District shall be understood to conform to the boundaries of the certificate of title or as shown on the Plan of Survey or Descriptive Plan when it is registered in a Land Titles Office. Prior to the registration, the District boundaries shall be determined on the basis of the dimensions stated in the proposed plan of subdivision or on the scale of the Land Use District Map where dimensions are not provided.
- (6) Where the application of the above rules does not determine the exact location of the boundary of a District, the Council either on its motion or upon written

application being made to it by any person requesting the determination of the exact location of the boundary shall fix the portion of the District boundary in doubt or dispute in a manner consistent with the provisions of this Bylaw and the degree of detail as to measurements and directions as the circumstances may require.

- (7) After the Council has fixed a District boundary pursuant to the provisions of **Subsection (6)** above, the portion of the boundary so fixed shall not be thereafter altered except by an amendment of this Bylaw.
- (8) The Development Authority shall maintain a list of Council's decisions with respect to boundaries or portions thereof fixed by Council.
- (9) **Subsections (3) to (8)** above also apply to the overlay regulatory areas and their boundaries shown on the Land Use District Map.

1.7 Non-applicability of Bylaw

This Bylaw does not apply to roads or lanes.

PART 2.0 – AGENCIES

2.1 Development Authority

- (1) The Development Authority of the Town of Redwater shall be as established by the municipality's Development Authority Bylaw.
- (2) If the Municipal Planning Commission is to be making the decision on a development permit application, the term "Development Authority", when used in this Bylaw, shall be the Municipal Planning Commission.
- (3) In all instances other than those indicated in **Subsection (2)** above, when used in this Bylaw, the term "Development Authority" shall be the Development Authority Officer.

2.2 Development Authority Officer

- (1) The Development Authority Officer shall be appointed by resolution of Council.
- (2) The Development Authority Officer shall perform such duties that are specified in this Bylaw.
- (3) The Development Authority Officer may sign, on behalf of the Development Authority, any order, decision, approval, notice or other thing made or given by the Development Authority or by the Development Authority Officer.
- (4) The Development Authority Officer shall keep and maintain for the inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto, and keep a register of all applications for development, including the decisions thereon.
- (5) For the purposes of Section 542 of the Act, the Development Authority Officer is hereby declared to be the designated officer.

2.3 Municipal Planning Commission

- (1) The Municipal Planning Commission shall decide upon all development permit applications referred to it by the Development Authority Officer.
- (2) The Municipal Planning Commission may:
 - (a) provide recommendations for subdivision proposals to the Subdivision Authority; and
 - (b) perform such other duties as described or implied in this Bylaw or as may be assigned to it by Council.

2.4 Subdivision Authority

- (1) The Subdivision Authority of the Town of Redwater shall be as established by the municipality's Subdivision Authority Bylaw.
- (2) The Subdivision Authority shall be appointed by resolution of Council.
- (3) The Subdivision Authority shall perform such duties that are specified in this Bylaw and the Subdivision Authority Bylaw.

2.5 Council

The Council shall perform such duties that are specified for it in this Bylaw.

2.6 Subdivision and Development Appeal Board

The Subdivision and Development Appeal Board shall perform such duties as are specified in **Part 4.0** of this Bylaw.

PART 3.0 – DEVELOPMENT PERMITS, RULES AND PROCEDURES

3.1 Control of Development

No development other than that indicated in **Section 3.2** of this Bylaw shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.

3.2 Development Not Requiring a Development Permit

The following development shall not require a development permit:

- (1) the carrying out of works of maintenance or renovation to any building, provided that such works do not include structural alterations;
- (2) the completion of a building which was lawfully under construction at the date of approval of this Bylaw, provided that the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which such permit was granted, and provided also that the building, whether or not a permit was granted in respect of it, is completed within a period of twelve (12) months from the said date of said approval;
- (3) the use of any such buildings as referred to in **Subsection (2)** above for the purpose for which construction was commenced;
- (4) the construction, completion, alteration, maintenance, or repair of public works, public services, and public utilities carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled;
- (5) the construction, completion, alteration, maintenance or repair of a road, lane or utility, undertaken upon a road right-of-way, utility easement or other lands or undertaken to connect the same with any lawful use of buildings or land;
- (6) the erection or placement of a temporary building, dumpster, pod or sign, the sole purpose of which is incidental to the erection, demolition or alteration of a building, for which a permit has been issued under this Bylaw, provided the temporary building, dumpster, pod or sign is removed within thirty (30) days of substantial completion or as determined by the Development Authority;
- (7) the erection of campaign signs for federal, provincial, municipal or school board elections on privately-owned lots for no more than thirty (30) days, or such time as regulated under provincial or federal legislation provided that:

- (a) such signs are removed within seven (7) days after the election date,
 - (b) such signs do not obstruct or impair vision or traffic,
 - (c) such signs are not attached to fences, trees, or utility poles; and
 - (d) such signs indicate the name and address of the sponsor and the person responsible for removal;
- (8) the storage or use of up to a maximum of 43.3 kg (95.0 lbs.) of propane on a residential parcel for residential use. Of the 43.3 kg (95.0 lbs.) no tank larger than 15.9 kg (35.0 lbs.) will be allowed without a development permit. The placement of more than 43.3 kg (95.0 lbs.) of propane on a residential parcel requires a development permit;
- (9) the temporary placement of signs in the right-of-way of local roads, on privately owned lots, or on publically owned lots for the purpose of advertising events held or hosted by local not-for-profit organizations or for advertising local garage sales provided that:
 - (a) the duration of sign placement is not greater than ten (10) consecutive days,
 - (b) the sign is removed within three (3) days of the event,
 - (c) the sign does not obstruct or impair vision, or pedestrian or vehicular mobility,
 - (d) the sign indicates the name and/or address of the event sponsor responsible for removal of the sign, and
 - (e) the dimensions of the sign are no larger than 0.61 m x 0.61 m (2 ft. x 2 ft.).
- (10) the placement of one (1) sign on internal sites, or two (2) signs on corner sites advertising a residential property for sale or rent displayed on the property to which it (or they) pertain(s) during the time the property is being offered for sale, with removal to be within one (1) month after the sale or rental agreement has been entered into, provided that such signs are a maximum of 0.6 m² (6.5 ft.²) in area and provided further that such signs are placed or erected no closer than 3.0 m (9.8 ft.) to a road right-of-way;
- (11) the placement of signs in Commercial or Industrial Districts provided they are inside the window or inside the building;
- (12) the construction of a fence less than 0.914 m (3.0 ft.) in height, or the maintenance, improvement or alteration of gates, fences, walls or other means of enclosure, unless the gate, fence, wall, etc. exceeds the regulations indicated in **Section 7.7** of this Bylaw; and/or the maintenance, improvement or alteration of a fence which affects no more than 20% of a single side of the fence, wall, gate, or enclosure;

- (13) hard-surfacing of any yard area in a Residential District for the purpose of providing vehicular access from a road to an on-site parking space, provided that such hard-surfacing does not exceed 8.0 m (26.0 ft.) in width;
- (14) accessory buildings which are accessory to a dwelling and entirely portable, and which are less than 11.15 m² (120.0 ft.²) in size, unless the accessory building does not meet the minimum distance requirements outlined in **Section 8.2** of this Bylaw. If the accessory building is larger than 11.15 m² (120.0 ft.²) in size or the accessory building is a sea can, then a development permit is required;
- (15) notwithstanding **Subsection (14)** above, accessory buildings for farm or agricultural use will not require a development permit on parcel over 8.08 ha (20.0 ac.) in size located within the Urban Reserve District. However, the foregoing shall not apply to any building or structure, other than a fence, to be erected within 38.1 m (125.0 ft.) of the boundary line of any surveyed municipal road right-of-way or closer than the setback requirements established in **Section 7.3** of this Bylaw nor to the development of any dwelling, shop, or garage;
- (16) notwithstanding **Subsection (15)** above, the placement of up to a maximum of two (2) sea cans on a lot within the Urban Reserve (UR) District will not require a development permit. If more than two (2) sea cans are to be located on the parcel or the sea cans do not conform with the provisions in **Section 8.27** of this Bylaw, then a development permit will be required;
- (17) a patio, as defined in this land use bylaw, in a Residential District that meets the required setbacks of this bylaw.
- (18) boarding and foster care within a dwelling unit, provided the primary use, in the opinion of the Development Authority, is not a boarding and lodging house, a day home, a child care facility, a group home, a family care facility, or a group care facility;
- (19) extensive agriculture on lots 8.08 ha (20.0 ac.) or more in area in the Urban Reserve (UR) District;
- (20) landscaping where the proposed grades will not adversely affect the subject or adjacent properties, except where landscaping forms part of a development which requires a development permit; and
- (21) television satellite dishes;
- (22) an existing or proposed minor home occupation, as defined in this Bylaw, but not including an existing or proposed bed and breakfast operation, also as defined in this Bylaw, if the existing or proposed home occupation, in the opinion of the Development Authority Officer, complies with all provisions and requirements of **Section 8.14** of this Bylaw;

- (23) the construction and maintenance of utility services, primary infrastructure and private utilities associated with a principal residential use of land, not including a waste transfer station, landfill, wireless tower facility or municipal sewage lagoon;
- (24) the construction and maintenance of internal road networks, constructed in accordance with current public works standards to the satisfaction of the Development Authority or Council;
- (25) market gardens and nurseries on parcels of land greater than 8.08 ha (20.0 ac.) in area that are not connected to municipal services, and do not include an onsite commercial use;
- (26) the demolition or removal of any building or structure for the erection of which a development permit would not be required pursuant to **Subsections (4) through (25)** above, both inclusive;
- (27) the demolition or removal of fences;
- (28) above ground pools and hot tubs; however, all private swimming pools and hot tubs equal to or great than 60.96 cm (24.0”) do require building and safety code approval(s).

3.3 Non-Conforming Buildings and Uses

- (1) If a development permit has been issued on or before the day on which this Land Use bylaw or an amendment thereto comes into effect, and the Bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of the Bylaw or the amendment.
- (2) 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 must conform with this Bylaw.
- (3) 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 may be made thereto or therein.
- (4) A non-conforming use of part of a lot or site may not be exceeded or transferred in whole or in part to any other part of the lot or site and no additional buildings may be constructed upon the lot or site while the non-conforming use continues.

- (5) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except:
 - (a) to make it a conforming building,
 - (b) for the routine maintenance of the building, if the Development Authority considers it necessary, or
 - (c) in accordance with the powers possessed by the Development Authority pursuant to the Act and **Section 3.7(3)** of this Bylaw to approve a development permit notwithstanding any non-compliance with the regulations of this Bylaw.
- (6) If a non-conforming building is damaged or destroyed to the extent of more than 75 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.
- (7) Except as noted in **Section 8.14(4)(g)** of this Bylaw, the land use or the use of a building is not affected by a change of ownership, tenancy, or occupancy of the land or building.

3.4 Development Permit Applications

- (1) An application for a development permit shall be made to the Development Authority Officer in writing, in the form required by the Development Authority Officer, and shall be accompanied by:
 - (a) a properly dimensioned site plan in duplicate showing, with all appropriate dimensions:
 - (i) the boundaries of the site including any lots that may make up the site,
 - (ii) all of the existing and proposed buildings on the site,
 - (iii) the existing and proposed front, rear, and side yards, if any,
 - (iv) any provision for off-street loading, vehicle standing, and parking areas,
 - (v) access and egress points to the site,
 - (vi) all underground utilities, above ground utilities and utilities rights-of-way, and
 - (vii) where required by the Development Authority, a copy of a completed Alberta-one-call sketch including proof of detection in order to verify the utility locations;
 - (b) an indication of the proposed uses;
 - (c) an indication of the ownership of the land and the interest of the applicant therein; and

- (d) for a relocated building or a manufactured home, pictures of the exterior of the building.
- (2) Each application for a development permit shall be accompanied by a fee as established by Council.
- (3) The Development Authority Officer may also require additional information in order to assess the conformity of a proposed development with this Bylaw before consideration of the development permit application shall commence. Such information may include:
 - (a) the location of existing and proposed municipal and private storm and sanitary sewage collection and disposal, and water supply and distribution utilities, landscaped areas and buffering and screening;
 - (b) the height and horizontal dimensions of all existing and proposed buildings;
 - (c) outlines of roof overhangs on all buildings;
 - (d) existing and proposed elevations on the site and on adjacent sites, roads and lanes;
 - (e) post construction site and building elevations;
 - (f) floor plans, elevations and sections of any proposed buildings, including the lowest floor elevation in either the basement or on the main floor in the principal and accessory buildings;
 - (g) landscaping plans, including the location of existing and proposed trees, shrubs, grassed areas, fences, screenings, and outdoor furniture on the site and on adjacent boulevards within road rights-of-way;
 - (h) drainage plans;
 - (i) in a Residential District, the suggested location for a future driveway and garage or carport, if the application itself does not include such buildings as part of the proposal;
 - (j) future development plans for a site which is to be partially developed through the applicable development permit;
 - (k) in the case of a proposed home occupation, information concerning the number of employees, the location of any goods to be kept or stored, and

an estimate of the number of client visits to be expected to the site each week;

- (l) in the case of the placement of an already constructed or partially constructed building on a site, including a manufactured home, information relating to the age and condition of the building and its compatibility with the District in which it is to be located, including photographs of the building;
 - (m) any other information or tests required by the Development Authority, at their discretion, respecting the site or adjacent lands, including an environmental screening of the site;
 - (n) a statutory declaration indicating that the information supplied is accurate; and
 - (o) a Real Property Report, signed by an Alberta Land Surveyor, along with a signed authorization form or letter from the Alberta Land Surveyor stating that the Development Authority may utilize the Surveyor's Real Property Report for evaluating the compliance of the proposed and existing development against all land use regulations relating to the use and building(s) that is (are) the subject of the development permit application. The Real Property Report will not be accepted if it is dated earlier than 6 months unless it is accompanied by an Affidavit, signed by legal counsel or an Alberta Land Surveyor, stating the Real Property Report accurately represents the existing developments on the lands.
- (4) In addition to the information requirements indicated in above, each application for industrial development may be requested, at the discretion of the Development Authority, to be accompanied by the following information:
- (a) type of industry,
 - (b) estimated number of employees,
 - (c) estimated water demand and anticipated source,
 - (d) estimated gas demand and anticipated source,
 - (e) type of effluent and method of treatment,
 - (f) type of air emissions and method of abatement,
 - (g) estimated noise generated by the development and method of abatement,
 - (h) estimated light generated by the development and (if necessary) method of abatement,
 - (i) transportation routes to be used and estimated traffic impact,
 - (j) reason for specific location,
 - (k) means of solid waste disposal,
 - (l) any accessory works required (pipeline, railway spurs, power lines, etc.),
 - (m) anticipated residence location of employees,
 - (n) municipal servicing costs associated with the development,

- (o) physical suitability of site with respect to soils, slopes and drainage,
- (p) if a subdivision is involved, the size and number of parcels and proposed phasing (if any),
- (q) servicing requirements and provisions for meeting them, and
- (r) costs associated with providing new or upgraded municipal services associated with the development,

and/or any other information as may be reasonably required by the Development Authority.

- (5) In addition to the information requirements indicated in **Section 3.4 (1)** and **(4)** above, the Development Authority may require for a proposed industrial use the provision of environmental assessment information and a risk assessment to assist the Town in assessing the effect of the proposed development in relation to the natural and human environments, and indicate both if and how any negative matters can be mitigated.
- (6) In addition to any or all of the information required under **Section 3.4 (1)** of this Bylaw, each application for a commercial or recreational development may be required, at the discretion of the Development Authority, to be accompanied by the following information:
 - (a) physical suitability of site with respect to soils, slopes and drainage,
 - (b) the size and number of parcels and proposed phasing (if any),
 - (c) servicing requirements and provisions for meeting them,
 - (d) estimated water demand and anticipated source,
 - (e) estimated gas demand and anticipated source,
 - (f) type of effluent and method of treatment,
 - (g) type of air emissions and method of abatement,
 - (h) estimated noise generated by the development and method of abatement,
 - (i) estimated light generated by the development and (if necessary) method of abatement,
 - (j) costs associated with providing new or upgraded municipal services associated with the development,
 - (k) the requirements and provisions for employee and customer parking and for site access,
 - (l) a landscaping plan,
 - (m) cross-sections and elevations for each building,
 - (n) a list of proposed uses, and
 - (o) transportation routes and estimated traffic impact.
- (7) In addition to the information requirements indicated in **Section 3.4 (1)** above, where not required to do so by the Province, the proponent of a natural resource extraction industry may be required, at the discretion of the Development Authority, to submit a reclamation plan.

- (8) In addition to the information requirements indicated in Section 3.4 (1) above, an application for a development permit for the excavation, stripping or grading of land that is proposed without any other development on the same land, may be required, at the discretion of the Development Authority, to include with the application, the following information:
- (a) location and area of the site where the excavation is to take place,
 - (b) existing land use and vegetation,
 - (c) the type and dimensions including average depth of the excavation to be done, and the potential, if any, to affect existing drainage patterns on and off the site,
 - (d) the depth and variation in depth of groundwater encountered in test holes,
 - (e) identification of potential for outdoor noise and the discharge of substances into the air,
 - (f) the condition in which the site is to be left when the operation is complete, including the action which is to be taken for restoring the condition of the surface of the land to be affected, and for preventing, controlling or lessening erosion or dust from the site,
 - (g) an indication of all municipal servicing costs associated with the development, and
 - (h) the proposed haul route, dust control plan and expected hours of operation.
- (9) In addition to the information requirements indicated in Section 3.4(1) and Section 3.4(4), an application for a development permit for cannabis retail sales establishments, shall be required to include with the application the following information:
- (a) a map identifying the distance from the proposed development to all property boundaries of:
 - (i) buildings containing a school or a boundary of a parcel of land on which the building is located;
 - (ii) parcels of land that are designated as school reserve or municipal and school reserve under the Municipal Government Act, R.S.A. 2000, c. M-26, as amended;
 - (iii) provincial health care facilities or the boundary of a parcel of land on which the facilities are located;
 - (iv) any other development or land use required by the Alberta Gaming, Liquor, and Cannabis Commission; and
 - (v) parks and playgrounds within the Town of Redwater.
- (10) In addition to the information requirements indicated in Section 3.4(1) and Section 3.4(4), an application for a development permit for an industrial hemp production and distribution facility or a cannabis production and distribution facility, may be required to include with the application, the following information:

- (a) Waste Management Plan;
 - (b) Environment Site Assessment;
 - (c) Traffic Impact Assessment
 - (d) Water / Wastewater report;
 - (e) Storm Water Management Plan;
 - (f) The separation distance, shown on a map, between the proposed facility and the property boundary of a school, or any other public place usually frequented by persons under the age of 18 years shall be determined by measuring a straight line from the closest point on the lot line of the lot on which the proposed facility is located to the closest point on the lot line of the lot on which the other specified use is located. The separation distance shall not be measured from district boundaries or walls of buildings;
 - (g) any other information as may be reasonably required by the Development Authority.
- (11) In addition to the information requirements indicated in **Section 3.4(1)** above, each application for a sign may be accompanied by additional information at the discretion of the Development Authority.
- (12) Notwithstanding any other provisions of this Bylaw to the contrary, the Development Authority may refuse to accept an application for a development permit where, in their opinion, the information supplied by the applicant in accordance with **Subsections (1) to (9)** above is insufficient or of insufficient quality to properly evaluate the application. If this is the case, the Development Authority shall notify the applicant in writing of any deficiencies in the application. The time period for consideration of a development permit application shall not commence until the Development Authority is satisfied, in their opinion, that the development permit application is complete.
- (13) Notwithstanding any other provisions of this Bylaw to the contrary, the Development Authority may make a decision on a development permit application without all of the information required by **Subsections (1) to (9)** above or where, in their opinion, the information supplied by the applicant is sufficient to properly evaluate the application.

3.5 Permission for Demolition

- (1) The demolition of any structure must be done in accordance with the Alberta Building Code and Canadian Standards Association Standard S350-M1980, “Code of Practice for Safety in Demolition of Structures” and/or any subsequent Alberta Building Code or Canadian Standards Association Standards.

- (2) In addition to the requirements of **Section 3.4** of this Bylaw, an application for a development permit for the demolition of a building shall include the following information:
- (a) the value of the building,
 - (b) the alternatives to demolition if the building is of historic or architectural value,
 - (c) the purpose of the building demolition and the type of structure to replace the demolished building, if applicable,
 - (d) a work schedule of the demolition and site cleanup (the sequence of demolition must be such that at no time will a wall or a portion of a wall be left standing unsupported in an unstable condition or in danger of accidental collapse),
 - (e) the destination of debris materials,
 - (f) where redevelopment of the site is proposed, the length of time before the site is to be redeveloped and treatment of the site after demolition but prior to development (if materials are to be stored on site, a site plan will be required indicating the location of such materials in relation to property lines and other buildings),
 - (g) a copy of the original development approval including building permits where applicable,
 - (h) the form of demolition to be used (heavy equipment or by hand),
 - (i) the method whereby public safety is to be protected (normally a fence that is at least 1.8 m (5.9 ft.) in height is required around the excavation or structure to be demolished),
 - (j) an indication that all utility services to the site and/or the building have been disconnected to the satisfaction of the Development Authority,
 - (k) an indication that buildings on adjoining properties have been considered to ensure that damage will not occur to them or their foundations from the demolition,
 - (l) where a fire safety plan is required, an indication that the local Fire Chief has been consulted for determining the fire safety plan required, and
 - (m) an indication that any tanks containing flammable or combustible liquids will be removed before demolition begins and be purged of inert materials to the satisfaction of the Development Authority and any other applicable provincial agencies.
- (3) Before consideration of a development permit application for demolition, the Development Authority may also require the applicant to complete:
- (a) a Hazardous Materials Assessment Report, and/or
 - (b) any phase of an environmental site assessment in order to determine whether the site is contaminated and the mitigative measures necessary to eliminate such contamination.

- (4) As a condition of approving a development permit for the demolition of a building, the Development Authority may, in addition to other requirements, require that the applicant undertake any and all actions the Development Authority deems necessary to ensure the complete and safe demolition of the building, disposal of materials and debris, and site cleanup.

3.6 Referral of Applications

- (1) Historical Resources
 - (a) Historical or archaeological sites identified pursuant to the Alberta Historical Resources Act shall be protected in accordance with Provincial legislation and regulations.
 - (b) In addition to any sites identified in **Subsection (a)** above, an application for a development permit which may impact on any historical or archaeological site identified pursuant to **Subsection (a)** above within the Town should be submitted to Alberta Culture and Community Spirit for comment prior to a development permit being issued.
- (2) Development permit applications within 305.0 m (1,000.0 ft.) of the right-of-way of a highway may, at the discretion of the Development Authority, be referred to Alberta Transportation for comments prior to a development permit being issued.
- (3) Adjacent Municipalities

All subdivision proposals and all applications for discretionary development permits which are, in the opinion of the Development Authority, significant, within 1.6 km (1.0 mi.) of adjacent municipalities shall be referred to the adjacent municipality for comment prior to a development permit being issued or a subdivision being approved.
- (4) Prior to making a decision, the Development Authority may, at its discretion, refer any development permit application to any municipal department or other external agency for comment.

3.6(a) Notice of Complete or Incomplete Application

- (1) The Development Authority Officer shall, within 20 days of the receipt of an application for a development permit, determine whether the application is complete.
- (2) The time period referred to in Section 3.6(a)(1) may be extended by an agreement in writing between the applicant and the Development Authority Officer.
- (3) An application is complete if,

- a. in the opinion of the Development Authority Officer, the application contains the documents and other information necessary to review the application; or
 - b. the Development Authority does not make a determination within 20 days after receipt of an application for a development permit
- (4) If a Development Authority Officer determines that the application is complete, the Development Authority Officer shall issue to the applicant, by means of posted letter or electronic notification, an acknowledgment that the application is complete.
- (5) If the Development Authority Officer determines that the application is incomplete, the Development Authority Officer shall issue, to the applicant a notice, in writing or electronically, that the application is incomplete. This notice shall list any outstanding documents and information required to review the application, and provide a date by which the documents or information must be submitted in order for the application to be considered complete.
- (6) If the applicant fails to submit all the outstanding information and documents on or before the date referred to in Section 3.6(a)(5), the Development Authority Officer must deem the application to be refused.
- (7) Despite that the Development Authority Officer has issued an acknowledgment under Section 3.6(a)(4) or Section 3.6(a)(5), in the course of reviewing the application, the Development Authority Officer may request additional information or documentation from the applicant that the Development Authority Officer considers necessary to review the application.

3.7 Decision Process and Re-Application

(1) Permitted Use Applications

- (a) Upon receipt of a completed application for a development permit for a permitted use, the Development Authority Officer shall approve, with or without conditions, an application for a permitted use where the proposed development conforms to this Bylaw and may:
 - (i) require as a condition of issuing a development permit, that the applicant provide at appropriate stages of the construction of the development, a Real Property Report, signed by an Alberta Land Surveyor, along with a signed authorization form or letter from the Alberta Land Surveyor stating that the municipality may utilize the Surveyor's Real Property Report for evaluating the compliance of the development against all land use regulations and conditions of approval;
 - (ii) require, as a condition of issuing a development permit, that the applicant enter into a development agreement with the Town of Redwater 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, or both;
 - (C) to install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the development;
 - (D) to construct or pay for the construction of off-street or other parking facilities, and loading and unloading facilities;
 - (E) to pay an off-site levy or redevelopment levy;
 - (F) to give security to ensure that the terms of the agreement under this section are carried out;
- (iii) refuse to issue a development permit in the case where satisfactory arrangements have not been made by a developer for a proposed building on any parcel, where it would otherwise be permitted by the Bylaw, for the supply of water, electric power, sewerage and road access, or any of them, including payment of the costs of installing or constructing any such utility by the developer; and/or
 - (iv) issue a temporary development permit where, in the opinion of the Development Authority Officer, the proposed use is of a temporary nature. When issuing a temporary development permit, the expiry date for the permit shall be clearly indicated on the notice of decision.
- (b) A person to whom a development permit has been issued shall obtain from the appropriate authority, where applicable, permits relating to building, grades, sewers, water mains, electricity and highways, and all other permits required in connection with the proposed development.
 - (c) The applicant shall be financially responsible during construction for any damage by the applicant, his servants, his suppliers, agents or contractors to any public or private property.

- (d) The applicant shall prevent excess soil or debris from being spilled on public roads, lanes and sidewalks, and shall not place soil or any other materials on an adjacent parcel without permission in writing from the adjacent property owners.
 - (e) **Sections 3.7(1)(c) and 3.7(1)(d)** above may be enforced pursuant to **PART 5.0** of this Bylaw. Any costs incurred as a result of neglect to public property may be collected where financial guarantees have been required pursuant to **Section 3.7(1)(a)(ii)(F)** of this Bylaw.
 - (f) No building or use shall be used or occupied and no change in the existing occupancy classification of a building shall be made until the developer, proposed user or proposed occupant of said building or use demonstrates that substantial completion, as determined by the Development Authority Officer, has been undertaken.
 - (g) Notwithstanding **Subsection (a)** above, upon receipt of a completed application for a development permit for a permitted use, the Development Authority Officer may refer to the Municipal Planning Commission those applications for development specified in the list of permitted uses that, in the opinion of the Development Authority Officer, should be decided by the Municipal Planning Commission.
 - (h) Where development permit applications for permitted uses are referred to the Municipal Planning Commission pursuant to **Section 3.7(1)(g)** above, the Municipal Planning Commission shall be subject to the same provisions that apply and are available to the Development Authority Officer as prescribed in **Section 3.7(1), Subsections (a) to (f)** of this Bylaw.
- (2) Discretionary Use Applications
- (a) Upon receipt of a completed application for a development permit for a discretionary use, the Development Authority Officer shall review the application and refer the application with the Development Authority Officer's recommendations to the Municipal Planning Commission for decision.
 - (b) The Municipal Planning Commission may, prior to making a decision, refer any application for a discretionary use to any municipal department or external agency for comment.
 - (c) The Municipal Planning Commission shall approve, with or without conditions, or refuse the application, giving reasons for the refusal.

- (d) The Municipal Planning Commission may require, as a condition of issuing a development permit, that:
 - (i) the applicant enter into an agreement with the municipality 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, or both;
 - (C) to install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the development;
 - (D) to construct or pay for the construction of off-street or other parking facilities, and loading and unloading facilities;
 - (E) to pay an off-site levy or redevelopment levy;
 - (F) to give security to ensure that the terms of the agreement under this section are carried out;
 - (G) any other requirements as determined by the Development Authority.
 - (ii) the applicant provide a Real Property Report, signed by an Alberta Land Surveyor, along with a signed authorization form or letter from the Alberta Land Surveyor stating that the municipality may utilize the Surveyor's Real Property Report for evaluating the compliance of the development against all land use regulations and conditions of approval.
- (e) A person to whom a development permit has been issued shall obtain from the appropriate authority, where applicable, permits relating to building, grades, sewers, water mains, electricity and highways, and all other permits required in connection with the proposed development.

- (f) The applicant shall be financially responsible during construction for any damage by the applicant, his servants, his suppliers, agents or contractors to any public or private property.
 - (g) The applicant shall prevent excess soil or debris from being spilled on public roads, lanes and sidewalks, and shall not place soil or any other materials on an adjacent parcel without permission in writing from the adjacent property owners.
 - (h) **Sections 3.7(2)(f) and 3.7(2)(g) above may be enforced pursuant to PART 5.0 of this Bylaw. Any costs incurred as a result of neglect to public property may be collected where financial guarantees have been required pursuant to Section 3.7(2)(d)(i)(F) of this Bylaw.**
 - (i) No building or use shall be used or occupied and no change in the existing occupancy classification of a building shall be made until the developer, proposed user or proposed occupant of said building or use demonstrates that substantial completion, as determined by the Development Authority Officer, has been undertaken.
 - (j) The Municipal Planning Commission may issue a temporary development permit where the Municipal Planning Commission is of the opinion that the discretionary use is of a temporary nature. When issuing a temporary development permit, the expiry date for the permit shall be clearly indicated on the notice of decision.
 - (k) Where any use is proposed which is not specifically shown in any land use district but is, in the opinion of the Municipal Planning Commission, similar in character, intent and purpose to other uses of land and buildings provided by the Bylaw in the land use district in which such use is proposed, the Municipal Planning Commission may, if requested by the applicant, rule that the proposed use is a discretionary use in the land use district in which such use is proposed.
 - (l) The Municipal Planning Commission may refuse, or approve with conditions, any development if, in the opinion of the Municipal Planning Commission, the proposed development will detract from the character or appearance of the general development in the area.
- (3) Variance Provisions
- (a) The Municipal Planning Commission may approve or conditionally approve a discretionary use or a permitted use referred to the Municipal Planning Commission that does not comply with this Bylaw if, in the

opinion of the Development Authority Officer or Municipal Planning Commission, as the case may be:

- (i) the proposed development would not:
 - (A) unduly interfere with the amenities of the neighbourhood, or,
 - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and

the proposed development conforms with the use prescribed for that land or building in this Bylaw.

- (b) Notwithstanding Section 3.7(1) of this Bylaw and Section 3.7(3)(a) above, the Development Authority Officer may, in deciding upon an application for a permitted or discretionary use, allow for a total minor variance to a maximum of 50% (fifty percent) of any or all of the following requirements:
 - (i) setback regulations of front, side or rear yards,
 - (ii) heights of buildings
 - (iii) floor area or site coverage or parking stalls.
- (c) Notwithstanding Section 3.7(1) of this Bylaw and Section 3.7(3)(a) and (b) above, the Development Authority Officer may, in deciding upon an application for a permitted or discretionary use, allow for any variance of any or all of the following requirements:
 - (i) signs, sheds, decks, and fences.

(4) Additional Provisions

The Development Authority may impose such conditions on the approval of an application that are considered necessary by the Development Authority to:

- (a) uphold the intent and objectives of any statutory plan or land use regulation as adopted or amended from time to time; and
- (b) ensure the orderly and economic development of land within the municipality.

- (5) Where an application for a use which is neither a permitted nor a discretionary use is received by the Development Authority Officer, the Development Authority Officer shall refuse the application stating reasons for the decision
- (6) A completed application for a development permit shall, at the option of the applicant, be deemed to be refused when a decision thereon is not made by the Development Authority within forty (40) days after receipt of the application by the Development Authority unless the applicant has entered into a written agreement with the Development Authority to extend the forty (40) day period.

The person claiming to be affected may appeal in writing as provided for in **PART 4.0** of this Bylaw as though they have received a refusal at the end of the forty (40) day period or any agreed-to extension thereof as specified in this Subsection.

- (7) In the case where an application for a development permit has been refused pursuant to this Part or ultimately after appeal pursuant to **PART 4.0** of this Bylaw, at its discretion, the Development Authority may or may not accept the submission of another application for a permit on the same parcel of land and for the same or similar use by the same or any other applicant for six (6) months after the date of the refusal.
- (8) Notwithstanding any other provisions of this Bylaw to the contrary, if the Development Authority discovers that a decision made by him/her on a development permit application was either:
 - (a) incorrect, that is, not in compliance with the provisions and requirements of this Bylaw, or
 - (b) based on information which was subsequently determined to be incorrect or misunderstood by the Development Authority,

the Development Authority may rescind the approval of the development permit. In such a circumstance, the appeal period provided for under **Part 4.0** of this Bylaw begins from the date the applicant is advised that the permit approval has been rescinded.

- (9) If the development authorized by a permit is not commenced within twelve (12) months from the date of the issue of the development permit, and carried out with reasonable diligence, the permit is deemed to be void, unless an extension to this period is granted in writing by the Development Authority.

3.8 Development Permits and Notices

- (1) A decision issued pursuant to this Part must be given or sent to the applicant on the same day the decision is made. A permit granted pursuant to this Section does not come into effect until twenty-one (21) days after the date of the decision on a development permit as described in Subsection (3) hereof. Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant
- (2) Where an appeal is made pursuant to **PART 4.0** of this Bylaw, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit has been confirmed, modified or nullified thereby.

- (3) When a development permit has been issued for a discretionary use as provided for in **Section 3.7(2)**, or for a permitted use where a variance to a regulation has been granted as provided for by **Section 3.7(3)** of this Bylaw, the Development Authority will publish a notice of the decision in a newspaper circulating in the municipality and may:
- (a) mail a notice in writing to all owners of land within 60 m (197 ft.) of the subject site, and to those other owners of land who, in the opinion of the Development Authority, may be affected,
 - (b) conspicuously post a notice of the decision in the Town office, and/or
 - (c) post a notice of the decision on the Town website;
- (4) The notice indicated in Subsections (3) and (4) shall state:
- (a) the legal description and the street address of the site of the proposed development,
 - (b) the uses proposed for the subject development,
 - (c) any discretion that was granted in the approval of the development, whether by use or by interpretation of this Bylaw, and any variation or relaxation in regulation that was made by the Development Authority when the development permit was approved,
 - (d) the date the development permit was issued, and
 - (e) how an appeal might be made to the Subdivision and Development Appeal Board and the deadline for such appeal.
- (5) The decision of the Development Authority on an application for a development permit shall be given in writing and a copy of it sent to the applicant.
- (6) When the Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal.

PART 4.0 – APPEALS

4.1 Appeal Procedure

- (1) An appeal may be made to the Subdivision and Development Appeal Board (the Board) where a Development Authority:
 - (a) refuses or fails to issue a development permit to a person, or
 - (b) issues a development permit subject to conditions, or
 - (c) issues an order under **Section 5.1** of this Bylaw.
 - (d) does not receive the outstanding information and documents on or before the date referred to in subsection 3.7(5) and Section 683.1(8) of the Act.
- (2) Notwithstanding **Subsection (1)** above, no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of this Bylaw were relaxed, varied or misinterpreted.
- (3) The person applying for the permit or affected by the order, under Subsection (1), or any other person affected by an order, decision or development permit of a Development Authority may appeal to the Board.
- (4) An appeal shall be made by serving a written notice of appeal to the Secretary of the Board within twenty-one (21) days after:
 - (a) the date a notice of the decision or permit issued by the Development Authority was given in accordance with Section 3.9 of this Bylaw, or
 - (b) the date an order was given in accordance with Section 5.1(1) of this Bylaw, or
 - (c) the forty (40) day period or any extension referred to in Section 3.8(6) of this Bylaw has expired.
 - (d) the date by which the application was deemed refused in accordance with Section 683.1(8) of the Act.

4.2 Appeal Hearing

- (1) Within thirty (30) days of receipt of a notice of appeal, the Board shall hold an appeal hearing respecting the appeal.
- (2) The Board shall give at least five (5) days notice in writing of the appeal hearing to:
 - (a) the appellant,
 - (b) the Development Authority from whose order, decision or development permit the appeal is made,
 - (c) those land owners who were notified under **Section 3.8(4)** of this Bylaw and any other person that the Board considers to be affected by the order, decision or permit, and

- (d) such other persons as the Board specifies.
- (3) The Board shall make available for public inspection before the commencement of the appeal hearing all relevant documents and materials respecting the appeal including:
 - (a) the application for the development permit, its refusal and the appeal therefrom, or
 - (b) the order of the Development Authority under **Section 5.1(1)** of this Bylaw, as the case may be.
- (4) At the appeal hearing referred to in **Subsection (1)** above, the Board shall hear:
 - (a) the appellant or any other person acting on his behalf,
 - (b) the Development Authority from whose order, decision or development permit the appeal is made, or if a person is designated to act on behalf of the Development Authority, that person,
 - (c) any other person who was served with notice of the hearing and who wishes to be heard or a person acting on his behalf, and
 - (d) any other person who claims to be affected by the order, decision or permit and that the Board agrees to hear or a person acting on his behalf.

4.3 Appeal Decision

- (1) The Board shall give its decision in writing together with reasons for the decision within fifteen (15) days of the conclusion of the hearing.
- (2) A decision made under this part of the Bylaw is final and binding on all parties and all persons subject only to an appeal upon a question of jurisdiction or law pursuant to the Act. An application for leave to the Court of Appeal shall be made:
 - (a) to a judge of the Court of Appeal, and
 - (b) within thirty (30) days after the issuance of the order, decision, permit or approval sought to be appealed.

PART 5.0 – ENFORCEMENT

5.1 Contravention

- (1) Where a Development Authority finds that a development or use of land or buildings is not in accordance with:
 - (a) the Act or the regulations made thereunder, or
 - (b) a development permit or subdivision approval, or
 - (c) this Bylaw,

the Development Authority may, by notice in writing, order the owner, the person in possession of the land or buildings, or the person responsible for the contravention, or all or any of them to:

- (i) stop the development or use of the land or buildings in whole or in part as directed by the notice, and/or
 - (ii) demolish, remove or replace the development, and/or
 - (iii) take such other measures as are specified in the notice so that the development or use of the land or buildings is in accordance with the Act, the regulations made thereunder, a development permit, subdivision approval or this Bylaw, as the case may be.
- (2) Where a person fails or refuses to comply with an order directed to him under subsection (1) or an order of the Subdivision and Development Appeal Board within the time specified, the Development Authority may, in accordance with Section 542 of the Act, enter upon the land or building and take such action as is necessary to carry out the order.
- (3) A person found guilty of an offence is liable to a fine of not more than \$10,000.00 or to imprisonment for not more than one (1) year, or to both fine and imprisonment, pursuant to Section 566 of the Act.
- (4) Where the Development Authority carries out an order, the Council shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned, and that amount shall be collected in the same manner as taxes on land.
- (5) In addition to the process and penalties described above, the Development Authority or any other person identified as a designated officer by the Council for the purposes of this Section, shall be authorized to issue violation tickets in respect to any contravention of this Bylaw.
- (6) Violation Tickets
 - (a) The Development Authority or any other person identified as a designated officer by the Council for the purposes of this Section, may issue a

violation ticket to any person alleged to have breached any provision of this Bylaw.

- (b) The violation ticket shall specify the alleged offence committed by the person to whom the violation ticket is issued and require payment, within 21 days from the date of issue of the violation ticket, of a fine to the municipality.
- (c) Persons contravening any provision of this Bylaw to whom violation tickets are issued shall be liable for a penalty of \$50.00 for a first offence and \$100.00 for a second or subsequent offence. Each day that a breach of the Bylaw has occurred may be considered to be a separate offence.
- (d) The violation ticket shall be served upon the alleged offender personally or by single registered mail. If payment is made within the time limit, then such payment shall be accepted in lieu of prosecution for the offence.
- (e) If a person who has been served with a violation ticket fails to pay the fine specified therein, then the right of the alleged offender to settle the alleged offence without a court appearance shall no longer apply and prosecution for the alleged offence shall proceed.
- (f) If the person who was served with the violation ticket is thereafter prosecuted and convicted of the offence specified in the violation ticket, the fine imposed shall not be less than \$125.00, plus court costs, for each offence.

PART 6.0 – ADMINISTRATION

6.1 Application to Amend Bylaw

(1) Application:

Subject to the provisions of the Act a person may apply to have this Bylaw amended, by applying in writing to the municipality, in care of the Development Authority, furnishing reasons in support of the application and paying the fee therefore required under **Section 6.2(1)(a)** of this Bylaw.

(2) Proposed Amendments May Originate From the Development Authority:

The Municipal Planning Commission may, at any time on its own motion, present for the consideration of Council any proposed amendment to this Bylaw, and the proposed amendment shall be accompanied by the report and recommendation of the Municipal Planning Commission and the report and recommendation of the Development Authority Officer.

(3) Amendments Proposed in Council:

Council may, at any time, initiate an amendment to this Bylaw, but prior to first reading of any proposed amendment the proposal shall be referred to the Municipal Planning Commission and to the Development Authority Officer for their reports and recommendations.

(4) Technical Amendments:

Proposed bylaw amendments which are deemed not to result in a shift of direction of the Land Use Bylaw, meet the spirit and intent of the Land Use Bylaw, and are of a clerical nature (clarification, typo correction, etc.) may be processed as a technical amendment and not require a formal public hearing at the discretion of Council.

6.2 Form of Application

(1) All applications for amendment to this Bylaw shall be made on the form as determined by the Development Authority, and shall be accompanied by:

- (a) an application fee as established by Council for each application,
- (b) a recent title search of the land affected or other documents satisfactory to the Development Authority showing the applicant's interest in the said land,

- (c) drawings showing the subject site, the proposed District and the proposed use and development to be proposed on the site, if applicable;;
 - (d) where the applicant is an agent acting for the owner, a letter from the owner(s) authorizing the agent to make the application, and
 - (e) any other information deemed necessary by the Development Authority or by Council.
- (2) Where the amendment is to change the District applicable to a site, the Development Authority may require that the applicant undertake and provide an environmental screening of the site as part of the amendment application.
- (3) Referral of Applications
 - (a) In order to prepare the proposed Bylaw amendment for Council, the Development Authority Officer may refer the application to such agencies as they considers necessary for comment.
 - (b) During consideration and deliberation of the proposed Bylaw amendment, Council may refer the application to such agencies as it considers necessary for comment.
- (4) Additional Information

Council may request such information as it considers necessary in order to reach a decision on the proposed amendment.
- (5) Payment and Undertaking

A person making an application to amend this Bylaw for a purpose other than the clarification of an existing provision of this Bylaw shall:

 - (a) pay the municipality an application fee as set by resolution of Council;
 - (b) undertake in writing on a form provided by the municipality to be liable for, and pay on demand, all expenses made necessary by the processing of the proposed amendment which the municipality may incur, whether it be enacted or not, including but not limited to map printing and reproduction costs, surveys and advertising charges;
 - (c) provide the Development Authority with all additionally requested information in a reasonable time frame. Additional information may include: an Area Structure Plan or Outline Plan, geophysical or hydrological report, traffic impact assessment, etc.; and

- (d) sign a certificate authorizing the right of entry by the Development Authority to such lands or buildings as may be required for investigation of the proposed amendment.

(6) Consideration by Council

An application for an amendment to this Bylaw may be referred to the Development Authority for a recommendation. The recommendations of both the Development Authority Officer and the Municipal Planning Commission may be presented to Council prior to Council's decision on the proposed amendment.

(7) Investigation by Development Authority Officer

Upon receipt of an application to amend the Land Use Bylaw, the Development Authority Officer shall:

- (a) initiate or carry out any necessary investigation or analysis of the problems involved in or related to the amendment, including circulating the application to such agencies as s/he considers necessary for comment;
- (b) prepare a detailed report for the Council on the proposed amendment; and
- (c) submit a copy of the report, maps and all material relevant thereto to the Council.

(8) Preliminary Examination

The Development Authority shall:

- (a) examine the proposed amendment for content; and
- (b) advise the applicant that:
 - (i) they are prepared to recommend the amendment to the Council without further investigations, or
 - (ii) they are prepared to recommend an alternative amendment either at once or after due investigation, or
 - (iii) they are not prepared to recommend the amendment with reasons provided.

(9) Procedure by Applicant

Upon receiving the preliminary advice of the Development Authority Officer or an agent thereof, the applicant shall advise the Municipal Planning Commission if:

- (a) they wish the Council to proceed with the amendment as submitted by the person, or
- (b) an alternative amendment proposed by the Municipal Planning Commission; or
- (c) s/he wishes to withdraw his application for an amendment.

(10) Decision by Council

As soon as reasonably convenient and regardless of its recommendation, the Development Authority may submit the proposed amendment as originally applied for, or as alternatively chosen by the applicant, as the case may be, to the Council, accompanied by the recommendation of the Municipal Planning Commission, the report of the Development Authority Officer and other relevant material, if any, and the Council shall then consider the proposed amendment.

(11) Limit on Frequency of Applications

Notwithstanding anything in this **Part 6.0**, a proposed amendment which has been refused by Council within the previous six (6) months may not be reconsidered unless Council otherwise directs.

(12) Proposed amendments to this Bylaw are subject to those requirements and procedures set out in the Act regarding enactment of Bylaws.

(13) Prior to third reading of a proposed amendment, Council may require the applicant to apply for a development permit and negotiate a development agreement for the proposal which initiated said proposed amendment.

6.3 Amending Bylaws

- (1) All amendments to this Bylaw shall be made by Council by Bylaw and in conformity with the requirements of the Act and regarding the notification and holding of a public hearing.

6.4 Public Hearing

- (1) All amendments to this Bylaw shall be made by Council by bylaw and in conformity with the Act and regarding the notification and holding of a public hearing.

6.5 Severability Provision

- (1) It is the intention of the Council that each separate provision of this Bylaw shall be deemed independent of all other provisions, and it is further the intention of Council that if any provision of this Bylaw be declared invalid, that provision shall be deemed to be severed and all other provisions of the Bylaw shall remain in force and effect.

6.6 Attached Figures

- (1) Various Figures are included within this Bylaw for information purposes, but they do not form part of this Bylaw unless specifically referenced in the text of the Bylaw.

6.7 LAND USE DISTRICT MAP – located at end of this Bylaw.

PART 7.0 – GENERAL PROVISIONS

Notwithstanding the District Regulations in effect on a site, the following regulations shall also apply:

7.1 Amenity Areas

Where required in any District, private outdoor and/or communal amenity areas shall be provided in accordance with the following:

- (1) Private outdoor amenity areas shall be designed for the occupants of an individual dwelling unit and shall:
 - (a) be located immediately adjacent to land with direct access from the dwelling it is intended to serve,
 - (b) be located in a yard other than a front yard,
 - (c) be landscaped and surfaced for convenient use for outdoor activities,
 - (d) be of a width and length of at least 4.0 m (13.2 ft.), and
 - (e) be developed as open space unencumbered by any accessory buildings or future additions.
- (2) Notwithstanding **Subsection (1)(d)** above, balconies may be considered private outdoor amenity areas provided they are unenclosed and have a minimum depth of 2.0 m (6.6 ft.).
- (3) Communal amenity areas shall be designed for the recreational use of all residents of the development or for the use and enjoyment of the public in the case of a non-residential development. The area shall be indoor or outdoor space, or a combination thereof, including but not limited to landscaped courtyards, public seating areas, swimming pools, fitness rooms, party rooms, games rooms, and children's play areas complete with equipment.
- (4) In multi-family dwelling developments of fifteen (15) dwelling units or more, a minimum communal amenity area of 2.5 m² (26.9 ft.²) per dwelling unit shall be provided and be developed as children's play space or other communal recreation space, and be aggregated into areas of not less than 50.0 m² (528.2 ft.²).
- (5) In multi-family dwelling developments, at least ten percent (10%) of the amenity area required on the site shall be provided for recreational purposes; and in multi-family dwelling developments of fifteen (15) units or more, recreational equipment shall be provided on this area to the satisfaction of the Development Authority. This requirement may be relaxed at the discretion of the Development Authority where indoor recreational facilities are provided.

7.2 Building Exteriors

- (1) The exterior finish on all buildings shall be of a permanent material, and be of a character and quality satisfactory to the Development Authority.
- (2) The design, character, and appearance of all buildings shall:
 - (a) be compatible with other buildings in the vicinity unless the building is setting a new standard for the District in which it is located,
 - (b) be suited to the purpose of the District in which it is located, and
 - (c) comply with the provision of any statutory plan applicable to the design, character or appearance of the building.
- (3) Unless forming part of a single project which has been designed and approved under one development application, no single family dwellings of identical or, in the opinion of the Development Authority, similar roof or front elevations and fronting on either side of a road shall be located adjacent to each other.

7.3 Corner Sites and Double Fronting Sites

- (1) In the case of double fronting sites, the front yard shall be that portion of the site abutting the road on which the front yards of adjacent lots face. If adjacent lots have front yards facing both roads, front yards shall be considered to be on both roads and the lot may thus have no rear yard.
- (2) Notwithstanding any other provision of this Bylaw to the contrary, the Development Authority may require that a development on a corner site or on a double fronting site provide two minimum required front yards, after having regard to the orientation of adjacent lots and to the location of accesses to the development.
- (3) Notwithstanding any other provision of this Bylaw to the contrary, where a second minimum front yard is not required on a corner site, the minimum required side yard on the side adjacent to the road shall not be less than 3.8 m (12.6 ft.).
- (4) Notwithstanding **Subsection (3)** above, features under 0.5 m (1.65 ft.) above grade may project to the side line where a second minimum front yard is not required on a corner site.

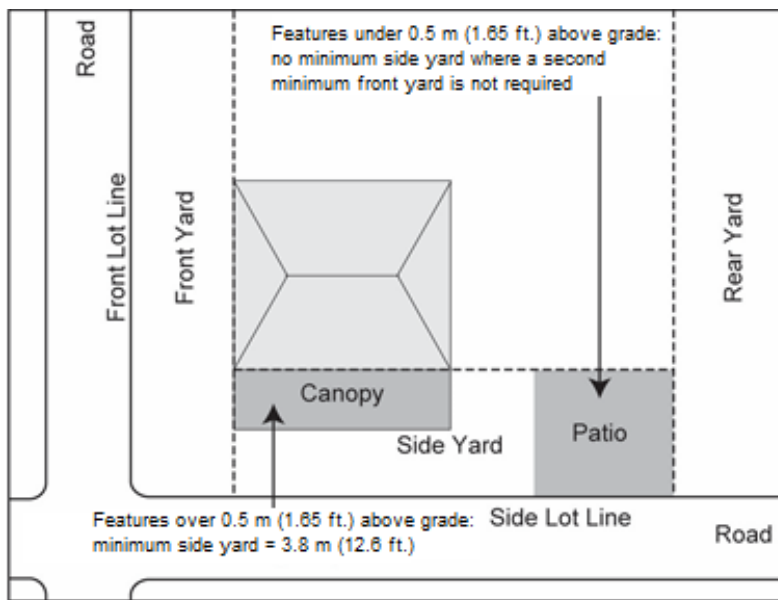


Figure 20: Side Yard Setback on a Corner Site

7.4 Development of a Project

- (1) Prior to the granting of approval of a multi-lot subdivision application or a development permit for a large project, as the case may be, the developer shall provide the municipality with a proposed site development and landscaping plan and enter into an agreement with the municipality specifying the respective obligations of the developer and the municipality.

7.5 Dwelling Units on a Lot

- (1) In the R-1 District, the R-2 District, the R-3 District, the R-3A District, the R-MHP District and the R-MHS District, no permit shall be granted for the erection of more than one (1) dwelling unit on a single lot, unless a duplex, secondary suite, in-law suite or garage suite is approved on the lot where provided for in this Bylaw, then, no more than two (2) dwelling units including the duplex, secondary suite, in-law suite or garage suite shall be allowed on a single lot.

7.6 Environmental Screening

Where the potential for prior contamination of a site exists, the Development Authority may require that a Phase 1 Environmental Site Assessment be conducted according to applicable provincial requirements and/or guidelines prior to a development permit being issued. Should the Phase 1 Assessment indicate that a Phase 2 Assessment should be undertaken, the Development Authority may require that a Phase 2 Assessment be conducted and submitted prior to consideration of the development permit application. Any follow-up assessment or remedies that may be required may be incorporated into conditions for the approval of the development permit.

7.7 Fences

- (1) Notwithstanding any regulation respecting required minimum yard to the contrary in this Bylaw, a fence or hedge may be constructed along a boundary line of a site.
- (2) Unless otherwise provided in this Bylaw, no fence, wall or hedge shall be:
 - (a) higher than 1.8 m (6.0 ft.) above grade in side yards and rear yards; or
 - (b) higher than 1.0 m (3.3 ft.) above grade in front yards; or
 - (c) higher than 1.0 m (3.3 ft.) above grade within 6.0 m (19.7 ft.) of the intersection of two roads; or
 - (d) higher than 1.0 m (3.3 ft.) above grade within 3.0 m (9.8 ft.) of the intersection of a road and a lane or the intersection of two lanes; or
 - (e) higher than 1.0 m (3.3 ft.) above grade in a side yard on a corner lot within 3.8 m (12.6 ft.) of the side line on the side adjacent to the road.

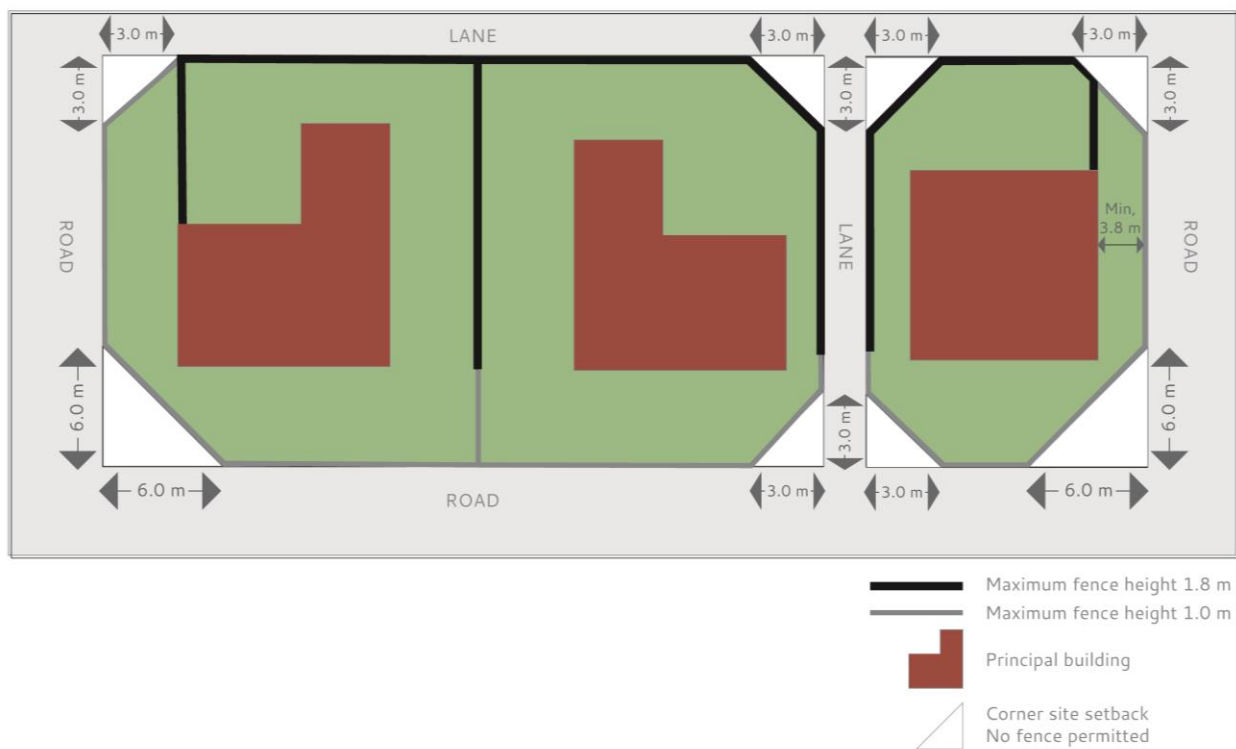


Figure 21: Fence, Wall and Hedge Height in Yards

- (3) Notwithstanding **Subsection (2)** above, the height of a fence in an Industrial District or in an Urban Reserve District shall be as determined by the Development Authority.

- (4) No fences comprised of barbed wire shall be allowed, except, at the discretion of the Development Authority, in the Industrial District and in the Urban Reserve District. If barbed wire is allowed, it shall not be allowed below a height of 1.8 m (6.0 ft.) unless the Development Authority, at their discretion, allows barbed wire at a lower height where, in their opinion, dwellings would not be in proximity to the fence proposed.
- (5) No electrification of fences shall be allowed except, at the discretion of the Development Authority, in the Urban Reserve District where the developer has demonstrated, to the satisfaction of the Development Authority that the fence is necessary for an agricultural operation and that dwellings will not be in close proximity to the fence proposed.
- (6) The Development Authority may require that a fence or other screen be provided to a height of at least 1.5 m (5.0 ft.) surrounding the following where they would be visible from a road or from an adjacent dwelling:
 - (a) outdoor storage areas,
 - (b) garbage collection areas, and
 - (c) loading or vehicle service areas.
- (7) Outside storage areas shall be screened from adjacent sites and roads to the satisfaction of the Development Authority. Such screening may include fences and/or landscaping.

7.8 Hazardous Materials

- (1) No anhydrous ammonia storage shall be allowed within the municipality.
- (2) Liquefied petroleum gas tanks with a storage capacity exceeding 2000 lbs may only be allowed within the Industrial District at the discretion of the Development Authority.
- (3) All developments which store, manufacture or utilize materials or products which may be hazardous due to their flammable or explosive characteristics will comply with Provincial and Federal legislation and regulations.
- (4) No development in any District shall emit air or water contaminants in excess of the standards prescribed Provincial and Federal legislation and regulations.
- (5) All commercial or industrial developments involving the following hazardous materials shall submit a written description of the materials and operations being undertaken on the site to the Development Authority for review prior to development approval at the time of development permit application, or at the time the operation begins using the material:

- (a) poisonous and infectious agents,
 - (b) pesticides,
 - (c) corrosives and explosives,
 - (d) flammable and combustible liquids,
 - (e) manures, and
 - (f) radiation.
- (6) No development shall create or discharge toxic materials in amounts or quantities that exceed the levels prescribed by Provincial and Federal legislation and regulations.
- (7) No development shall discharge toxic or noxious materials:
 - (a) across the boundaries of a site,
 - (b) through infiltration into the soil,
 - (c) into the municipal sewage disposal system, or
 - (d) into a water body, any surface water channel, or any below surface water course.

7.9 Landscaping

- (1) Landscaping in all developments shall be to the satisfaction of the Development Authority and in accordance with the municipality's landscaping standards as stated in **Subsection (9)** hereof. Where a landscaping plan is required with an application for a development permit, no landscaping shall commence prior to the plan being approved by the Development Authority.
- (2) A landscaping deposit fee as established by Council may be required with the submission of Development Permit applications for residential, commercial and industrial development. The deposit will be fully refundable upon inspection and approval by the Town if the landscaping conforms to the approved landscaping plan, or in the absence of a landscaping plan, meets with the satisfaction of the Development Authority, and is completed within one year of the date the development becomes ready for use.
- (3) Landscaping plans shall include the following information which adheres to the following standards:
 - (a) the final grading of the area and the placing and spreading of topsoil. In particular:
 - (i) the cross slope across boulevards shall be a minimum of two percent (2%), and
 - (ii) all areas to be landscaped shall be graded to drain to the road, into catch basins, or into adjacent drainage easements. Under no

circumstances shall an area be designed, built, or landscaped to drain from public property onto private property, or from private property onto adjacent private property without appropriate easements;

- (b) all physical features, both existing and proposed, including: shrubs and trees identified by their common name, their botanical name, and their size; grassed areas; flower beds; berms showing contours; walls; fences; outdoor furniture; surface utilities; water features; and decorative paving; and
 - (c) playground equipment and public seating areas if the area forms part of a communal amenity area.
- (4) The areas to be landscaped shall include all boulevards, buffer strips, drainage easements, retention and detention ponds, walkways, and playgrounds.
- (5) When the implementation of landscaping plans is a condition of the approval of a development permit, all such landscaping and planting must be carried out, to the satisfaction of the Development Authority, within one (1) year from the time the development is available for the occupancy or the commencement of operation of the proposed development.
- (6) The developer shall be responsible for proper maintenance of the landscaping on public lands associated with the development. If plant material does not survive a two (2) year maintenance period, commencing when the Development Authority determines that the landscaping has been completed in accordance with approved plans, it must be replaced with plant material of similar type and size, at no cost to the municipality.
- (7) When a commercial or industrial use is proposed adjacent to a Residential District, a landscaped buffer shall be provided and maintained on the site of the commercial or industrial land user between the commercial or industrial use and the Residential District. The buffer may be comprised of any or all of the following: landscaped green space, closed or privacy fencing, trees, and/or earth berming. All details of the buffer, including its size, width, and components, shall be to the satisfaction of the Development Authority.
- (8) Trees shall be planted on all buffers unless otherwise specified by the Development Authority.
- (9) Unless otherwise specified, plant material required in a landscape plan must meet the following landscaping standards:

- (a) the plant material must be hardy to the municipality and the proposed site. The Horticultural Standards of the Canadian Nursery Trades Association may be used as a reference guide in selecting plants);
 - (b) the proportion of deciduous to coniferous trees shall be approximately 60:40, unless the landscaping plan is prepared by a professional landscape architect;
 - (c) deciduous trees must have a minimum calliper width of 5.0 cm (1.9 in.) measured 10.0 cm (3.9 in.) above the root ball;
 - (d) coniferous trees must be a minimum height of 2.0 m (6.6 ft.) at the time of planting; and
 - (e) shrub material, if deciduous, must have a minimum height of 60.0 cm (23.6 in.) when planted and, if coniferous, must have a minimum spread of 40.0 cm (15.7 in.) when planted.
- (10) Where trees are required within a parking lot, they shall be provided in a ratio of one (1) tree per five (5) parking spaces (single row parking) or one (1) tree per ten (10) parking spaces (double row parking), and planted in landscaped islands.
- (11) Landscaped islands must be:
- (a) designed to protect all plant material from damage,
 - (b) raised at least 15.0 cm (5.9 in.) above finished grade, and
 - (c) finished with tree grates, ground cover vegetation, and/or hard landscaping.
- (12) Landscaping must be consistent with the approved tree species list as established by Council.
- (13) Tree species not currently on the municipality's approved tree species list may be allowed at the discretion of the Development Authority.
- (14) Landscaping must be located so that it will not have a negative impact on above or below ground utilities.

7.10 Noise

No use or operation shall create noise levels which exceed those measures prescribed in municipal bylaws.

7.11 Nuisance

- (1) No activity may be undertaken which, in the opinion of the Development Authority, constitutes a nuisance on a private or public site by reason of the generation of vibration, heat, humidity, glare, smoke, dust, other particulate matter, or odour.
- (2) Sites and buildings in all Districts shall be maintained in a clean and tidy condition, free from all rubbish and debris.
- (3) Garbage shall be stored in weather-proof and animal-proof containers, shall be placed in a location or screened from adjacent sites and roads in a manner that is to the satisfaction of the Development Authority, and shall be in a location easily accessible for pick-up.
- (4) Further provisions relating to the control of nuisances may be found in the municipality's Community Standards Bylaw.

7.12 Objects Prohibited or Restricted in Yards

- (1) No person shall keep or permit in any part of any yard in any Residential District:
 - (a) any object or chattel which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the District in which it is located;
 - (b) any excavation, storage or piling up of materials required during construction unless all necessary safety measures are taken, and the owner of such materials or excavation assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work; or
 - (c) any vehicle, loaded or unloaded, excluding recreational vehicles, of a gross vehicle weight in excess of 4800.0 kg (10,560 lbs.) for longer than is reasonably necessary to load or unload the vehicle.
- (2) No person shall keep or permit in any part of a residential yard, on a recreational vehicle site or in a recreational vehicle stall either:
 - (a) a propane tank that is larger than 15.8 kg (35.0 lbs.),
 - (b) more than four (4) propane tanks, or
 - (c) any number of propane tanks with a total capacity which exceeds 43.3 kg (95.0 lbs.) without first obtaining a development permit.
- (3) Notwithstanding **Subsection (2)** above, on residential lots which are:
 - (a) greater than 1.2 ha (3 ac.) in area, and

- (b) where the proponent can prove to the satisfaction of the Development Authority that the location and use of the propane tanks meets acceptable fire code and safety standards,

the Development Authority may, at its discretion, allow more than four (4) propane tanks or any number of propane tanks with a capacity which exceeds 91.0 kg (200.0 lbs.) to be located on a residential lot.

- (4) Notwithstanding **Subsection (2)** above, in a Commercial District, Semi Public District and in the Urban Reserve District, where the applicant for a development permit can prove to the satisfaction of the Development Authority that the location and use of the proposed propane tanks meets acceptable fire code and safety standards as well as emergency response requirements, the Development Authority may, at its discretion, allow more than four (4) propane tanks or any number of propane tanks with a total capacity which exceeds 91.0 kg (200.0 lbs.) to be located either;
 - (a) within an individual lot, or
 - (b) within a recreational vehicle stall located in an approved recreational vehicle campground and recreational vehicle campground, seasonal.
- (5) All development applications to allow more than four (4) propane tanks, or any number of propane tanks with a total capacity which exceeds 63.5 kg (140.0 lbs.), to be located within individual stalls in approved recreational vehicle campgrounds will be required to include an Emergency Response Plan, prepared by the developer, at no cost to the municipality. The Emergency Response Plan will be circulated to the municipality's Fire Department for approval prior to the issuance of a development permit.

7.13 On-Site and Off-Site Services and Improvements

- (1) Where any on-site services or improvements, or any off-site local improvements are required to service a proposed development, a developer shall not begin the excavation for the foundation nor commence the development until the Development Authority is satisfied that such services or improvements will be undertaken. In order to satisfy the Development Authority the developer may be required to enter into a development agreement with the municipality as a condition of development permit approval.
- (2) No development permit shall be issued for a development to be serviced by private sewer and water systems unless, as a condition of approval of the permit, the systems must be approved by the appropriate agency.
- (3) All future development areas must be serviced to the satisfaction of the Development Authority and be consistent with the municipality's Municipal Development Plan and Master Services Plan.

7.14 Parking and Loading Provisions

Notwithstanding the District Regulations in effect on a site, the following regulations shall also apply:

(1) Parking Areas

- (a) Unless otherwise approved by the Development Authority, each development shall provide on its site a parking area containing, at a minimum, the number of parking spaces as calculated from the following table.

USE OF BUILDING OR SITE	MINIMUM NUMBER OF PARKING SPACES
RESIDENTIAL USES	
Apartments	
dwelling units with 1 or fewer bedrooms	1.7 per dwelling unit
dwelling units with 2 bedrooms	2 per dwelling unit
dwelling units with 3 or more bedrooms	2 per dwelling unit
Visitor parking	1 per 7 dwelling units
Seniors' apartments	2 per 3 dwelling units
Boarding house, lodging houses, and bed and breakfast establishments	1 per sleeping unit in addition to the parking requirements for the primary dwelling
Senior citizens' homes	1.5 per 3 dwelling units
Secondary Suites, garage suites and inlaw suites	1 per dwelling unit
All other dwellings (single family, duplex, row housing)	2 per dwelling unit
Manufactured home parks	2 per manufactured home plus 1 visitor parking space per 7 manufactured homes
COMMERCIAL USES	
Office uses and government services	1 per 40.0 m ² (430.0 ft. ²) of gross leasable area
Health Services	1 per 30.0 m ² (325.0 ft. ²) of gross leasable area or 3 for each full time or part-time professional whichever is greater

Eating and drinking establishments	
Eating and drinking establishments (except those as noted below)	1 per 4 seating spaces or 1 per 3 employees, whichever is greater
Restaurants	1 per 13.0 m ² (140.0 ft. ²) of gross leasable area plus 1 per 3 employees on maximum shift
Nightclubs	1 per 13.0 m ² (140.0 ft. ²) of gross leasable area plus 1 per 3 employees on maximum shift
Bars and neighbourhood pubs	1 per 13.0 m ² (140.0 ft. ²) of gross leasable area plus 1 per 3 employees on maximum shift
Drive-in restaurants	1 per 3.0 m ² (32.3 ft. ²) of gross leasable area or 1 per 5 seating spaces, whichever is greater
Other drive-in businesses	8
Hotels and motels	1 per rentable unit plus 1 per 3 employees on maximum shift
Workcamps	1 per rentable unit plus 1 per 3 employees on maximum shift
Bed and breakfast establishments	1 per sleeping unit in addition to the parking requirements for the primary dwelling
Major home occupations	1 in addition to the requirements for the residential use
Child care facilities	1 per employee for first 2 employees plus an additional 0.5 per each additional staff member plus 1 per 15 children
All other commercial uses	
Less than 4,500 m ² (48,437.5 ft. ²) of gross leasable area	2.5 per 100.0 m ² (1,076.4 ft. ²) of floor area
4,500 m ² (48,437.5 ft. ²) to 9,000 m ² (96,872.2 ft. ²) of gross leasable area	3 per 100.0 m ² (1,076.4 ft. ²) of floor area
9,000 m ² (96,872.2 ft. ²) to 28,000 m ² (301,386.5 ft. ²) of gross leasable area	3.5 per 100.0 m ² (1,076.4 ft. ²) of floor area
Greater than 28,000 m ² (301,386.5 ft. ²) of gross leasable area	4 per 100.0 m ² (1,076.4 ft. ²) of floor area
PLACES OF PUBLIC ASSEMBLY	

TOWN OF REDWATER

Land Use Bylaw – September 17, 2013

Auditoriums, halls, clubs, theatres and other recreation places	1 per 5 seats
Places of worship	1 per 4 seats
Spectator entertainment establishments	1 per 5 seats
Spectator sports establishments	1 per 5 seats
Outdoor amusement establishments and recreational uses	1 per 3 employees plus the requirements for any accessory uses plus any additional requirements at the discretion of the Development Authority
Golf Courses	8 per hole plus 1 per 3 employees plus the requirements for any accessory uses
Indoor amusement establishments	1 per 5 seats
Bowling alleys	4 per lane plus the requirements for accessory uses
Curling rinks	8 per sheet plus the requirements for accessory uses
Health and fitness clubs	1 per 10.0 m ² (107.6 ft. ²) of floor area
Hockey rinks and swimming pools	1 per 5 seats
Racket sports facilities	2 per court plus the requirements for accessory uses
SCHOOLS	
Elementary and junior high schools	1 per school employee during regular school hours plus 8
High Schools	4 per 10 students
Commercial Schools	1 per on-site student
INDUSTRIAL USES	
All industrial uses	1 per employee on maximum shift
HOSPITALS AND SIMILAR USES	
Health Centres and Hospitals	1 per 100.0 m ² (1,076.4 ft. ²) of gross floor area or 1 per 4 beds, whichever is greater, plus 1 per 2 employees on maximum shift
Extended medical treatment (sanatoriums, convalescent homes, group care facilities, etc.)	1.5 per 3 dwelling units plus 1 per employee on maximum shift

TOWN OF REDWATER

Land Use Bylaw – September 17, 2013

Nursing homes/Long term care facilities/Supportive living facility	1 per 3 beds plus 1 per employee on maximum shift
Auxiliary Hospitals	1 per 3 beds plus 1 per employee on maximum shift

- (b) In the case of a use not specifically listed in **Subsection (a)** above, the required number of on-site parking spaces shall be the same as for a similar use as determined by the Development Authority.
- (c) Where a development contains more than one use as listed, the required number of parking spaces shall be the sum of the requirements for each of the uses listed.
- (d) Where a fractional number of parking spaces are required, the next highest *whole* number of spaces shall be provided.
- (e) If the Development Authority approves, one or more developments or uses may pool their minimum required parking spaces within one or more communal parking areas and may thereby collectively fulfil the requirements of this Bylaw.
- (f) The Development Authority may allow an applicant to provide a lesser number of spaces by up to fifteen percent (15%) if it can be shown to the satisfaction of the Development Authority that the standard is not applicable to the project due to
 - (i) the relationship of the development to other parking areas,
 - (ii) differing hours of demand for parking, or
 - (iii) the scale and character of the development.
- (g) Notwithstanding **Subsection (a)** above, in the Primary Commercial (C-1) District, the following provisions shall apply:
 - (i) in the case of major renovations and architectural modifications to an existing building, no parking spaces in addition to those existing prior to undertaking the renovations or modifications shall be required;
 - (ii) in the case of expansion to the floor area of an existing building, additional parking spaces shall be required based on the size and use of the expansion only; and
 - (iii) in the case of a change in the use of an existing building, no parking spaces in addition to those existing prior to the change in

use shall be required provided that no alteration to the floor area of the building occurs.

- (h) At the discretion of the Development Authority, a developer may pay money to the municipality in lieu of providing parking spaces. The amount of money will be determined by the Council and be based on the amount of money needed to acquire land and to develop the required number of parking spaces on adjacent lands.
- (i) Surfacing and Drainage
 - (i) All parking areas shall be clearly marked, hard surfaced, landscaped, adequately lit with lighting directed away from adjacent sites, adequately graded and drained to dispose of all storm water run-off, and contain the necessary curb cuts.
 - (ii) Notwithstanding **Subsection (i)** above, where the access to or egress from a parking area is from a gravelled road, or where the development involves the expansion of an existing building on a site where the existing parking area is not hard surfaced, the parking area may, at the discretion of the Development Authority, be gravelled to the satisfaction of the Development Authority.
 - (iii) Drainage shall only be allowed to cross sidewalks if approved by the Development Authority.
- (j) All parking spaces shall be clear of any access driveways, aisles, ramps, columns, signs or other similar obstructions and shall conform to the requirements shown in Table 1.

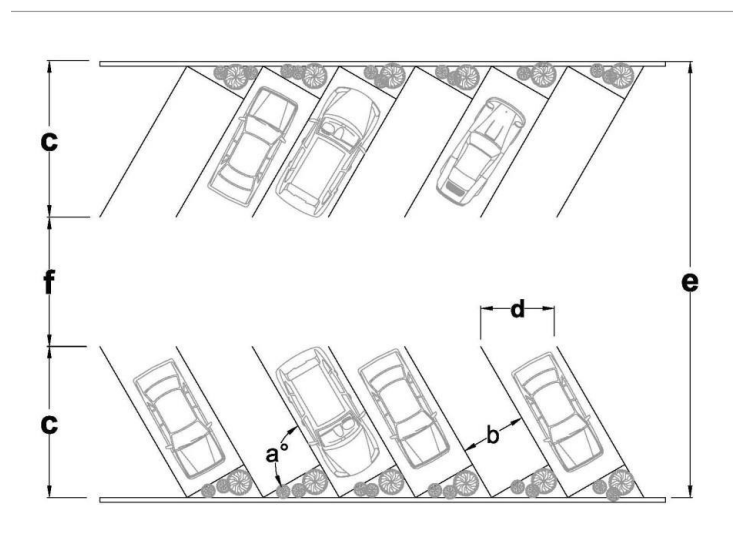


Figure 22: Diagram depicting column headings for Table 1: Parking Requirements

Table 1: Parking Requirements

Parking Angle in Degrees	Width of Space	Depth of Space Perpendicular to Manoeuvring Aisle	Width of Space Parallel to Manoeuvring Aisle	Overall Depth	Width of Manoeuvring Aisle (one-way)	Width of Manoeuvring Aisle (two-way)
a	b	c	d	e	f	
0	3.0 m (9.84 ft.)	3.0 m (9.84 ft.)	7.0 m (22.97 ft.)	9.1 m (29.86 ft.)	3.6 m (11.81 ft.)	6.7 m (21.98 ft.)
30	3.0 m (9.84 ft.)	5.2 m (17.06 ft.)	5.5 m (45.87 ft.)	14.0 m (45.93 ft.)	3.6 m (11.81 ft.)	7.3 m (23.95 ft.)
45	3.0 m (9.84 ft.)	5.8 m (19.03 ft.)	4.0 m (13.12 ft.)	15.2 m (49.87 ft.)	3.6 m (11.81 ft.)	6.7 m (21.98 ft.)
60	3.0 m (9.84 ft.)	6.1 m (20.01 ft.)	3.1 m (10.17 ft.)	18.2 m (59.71 ft.)	6.0 m (19.69 ft.)	7.3 m (23.95 ft.)
90	3.0 m (9.84 ft.)	6.1 m (20.01 ft.)	3.0 m (9.84 ft.)	19.5 m (63.98 ft.)	7.3 m (23.95 ft.)	7.3 m (23.95 ft.)

- (k) In addition to the parking requirements identified above, where required, disabled parking stalls shall be a minimum of 3.7 m (12. 1 ft.) wide by 7.5 m (24.6 ft.) long.

<p>90° one way, single row</p>	<p>90° one way, two rows</p>	<p>90° two way, two rows</p>
<p>60° one way, single row</p>	<p>60° one way, two rows</p>	<p>60° two way, two rows</p>
<p>45° one way, single row</p>	<p>45° one way, two rows</p>	<p>45° two way, two rows</p>
<p>30° one way, single row</p>	<p>30° one way, two rows</p>	<p>30° two way, two rows</p>

Figure 23: Off Street Parking Requirements

(2) Off-Street Loading Areas

- (a) Where a proposed development will, in the opinion of the Development Authority, require pick-up or delivery of commodities, adequate space for the loading and unloading of same shall be provided and maintained on the site.
- (b) When required by the Development Authority, loading spaces shall:
 - (i) have dimensions of not less than:

Width	4.0 m (13.1 ft.),
Length	8.0 m (26.2 ft.),
Height above grade	4.3 m (14.1 ft.);
 - (ii) have vehicular ingress to, and egress from, a road or lane either directly or by a clearly defined traffic aisle;
 - (iii) be sited at an elevation or elevations convenient to a major floor level in the building or to a utility elevator serving each major floor level;
 - (iv) be so graded and drained as to dispose of all storm water runoff. Surface drainage across sidewalks will not be allowed;
 - (v) be paved or hard surfaced where a parking area is required to be paved or hard surfaced;
 - (vi) have adequate lighting to the satisfaction of the Development Authority; and
 - (vii) be screened on each side adjoining any Residential District by a wall, fence, earth berm or hedge of not less than 1.5 m (4.9 ft.) and not more than 2.0 m (6.6 ft.) in height.
- (c) The number of loading spaces required to be provided in a development shall be as follows:

USE OF BUILDING OR SITE	MINIMUM NUMBER OF LOADING SPACES
NON RESIDENTIAL USES	
Non-residential uses	
Less than 1,000.0 m ² (10,764.0 ft. ²) of gross leasable area	1 space
The next 1,000.0 m ² (10,764.0 ft. ²) of gross leasable area or a fraction thereof in a development	1 space
Each additional 2,000.0 m ² (21,528.0 ft. ²) of gross leasable area or a fraction thereof in a development.	1 space
RESIDENTIAL USES	
Multi-family dwellings	
All	1 per 30 dwelling units

- (d) Any other building or use shall provide loading spaces as required by the Development Authority.
- (e) Where a fractional number of loading spaces are required, the next highest number of spaces shall be provided.

7.15 Projection into Yards

- (1) Except as provided in this Section and **Section 7.3** of this Bylaw, and except for fences as noted in **Section 7.7(1)** of this Bylaw, no portion of a building shall be located or project into a required minimum yard.
- (2) **Required Minimum Front Yards**
The following features may project into a required minimum front yard:
 - (a) steps, eaves, gutters, sills, and chimneys, or other similar projections, with the amount of the projection to be as allowed by the Development Authority;
 - (b) canopies over entrances to buildings, provided such projections are cantilevered and do not encroach more than 1.0 m (3.3 ft.) in the required front yard;
 - (c) exterior balconies on apartments provided that:

- (i) they are cantilevered and not enclosed, and designed as an integral part of the building, and
 - (ii) they do not project more than 2.0 m (6.6 ft.) into the required minimum front yard; and
 - (d) any other features which, in the opinion of the Development Authority, are similar to the foregoing.
- (3) Required Minimum Side Yards

The following features may project into a required minimum side yard; except where a side yard of 3 m (9.8 ft.) is required for vehicular passage:

- (a) steps and chimneys, provided such projection does not exceed fifty percent (50%) of the width of the required minimum side yard;
- (b) patios, which can project to the side line;
- (c) eaves, gutters, sills, bay or oval windows, or other similar projections, provided such projections do not encroach more than 0.6 m (2.0 ft.) into the required side yard;
- (d) canopies over entrances to buildings, provided such projections are cantilevered and do not exceed 1.0 m (3.3 ft.);
- (e) exterior balconies on apartments provided that:
 - (i) they are cantilevered and not enclosed, and designed as an integral part of the building, and
 - (ii) they do not project more than 1.0 m (3 ft.) into a required side yard and in no case are closer than 2.0 m (6.6 ft.) to a side line; and
- (f) any other features which, in the opinion of the Development Authority, are similar to the foregoing.

7.16 Relocation of Buildings

- (1) The relocation of an already constructed building or a partially constructed building on a new site requires approval from the Development Authority.
- (2) In making its decision on a development permit application to relocate an already constructed or partially constructed building, the Development Authority shall consider whether the building is compatible with the character of the neighbourhood in which it is proposed to be located, and may refuse a development permit if the building, in their opinion, is or will be incompatible with the neighbourhood.

7.17 Site Grading and Drainage

In all cases, site grades shall be established to not allow one site to drain onto an adjacent site except where drainage conforms to an acceptable local or subdivision drainage plan. Further provisions relating to site grading and drainage may be found in the municipality's Community Standards Bylaw.

7.18 Site Line Protection

- (1) On corner sites, no fence, wall, tree, bush, structure or thing more than 1.0 m (3.3 ft.) in height shall be erected, placed or maintained within the triangular area formed by the intersecting road right-of-way lines (or their projections) and a straight line joining points on the road right-of-way lines 6.0 m (19.7 ft.) from their intersection

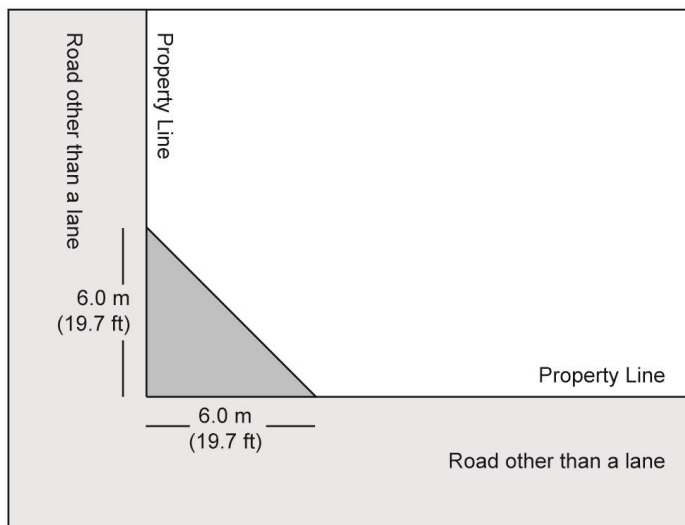


Figure 24: Corner Site Setback

- (2) At the intersection of roads and lanes, no fence, wall, tree, bush, structure or thing more than 1.0 m (3.3 ft.) in height shall be erected, placed or maintained within the triangular area formed by the intersecting road or lane right-of-way lines and a straight line joining points on the road or lane right-of-way lines 3.0 m (9.8 ft.) from their intersection.
- (3) **Subsection (2)** above does not apply in the C-1 District.



Figure 25: Commercial Lot with a Corner Site Setback



Figure 26: Commercial Lot with No Corner Site Setback

- (4) Notwithstanding any other provision of this Bylaw to the contrary, no sign shall be located within the areas defined in Subsections (1) and (2) such that any part of the sign is between the heights of 1.0 m (3.3 ft.) and 4.0 m (13.1 ft.) above grade.
- (5) No structure, vegetation or thing will be erected, placed or maintained in any location where it may adversely affect site lines or jeopardize traffic or pedestrian safety.

7.19 Sour Gas Facilities

- (1) No development shall be permitted within 100.0 m (330.0 ft.) of a Level 1 sour gas facility (consisting of a well) as determined by the Energy Resources Conservation Board (ERCB).
- (2) No development shall be permitted within 500.0 m (1,640.0 ft.) of a Level 2 sour gas facility as determined by the ERCB.
- (3) No dwelling or unrestricted country development shall be permitted within 100.0 m (330.0 ft.) of a Level 3 or Level 4 sour gas facility (consisting of a well) as determined by the ERCB.
- (4) No development, other than a dwelling or an unrestricted country residential development shall be permitted within 1,500.0 m (4,920.0 ft.) of a Level 3 or Level 4 sour gas facility as determined by the ERCB.

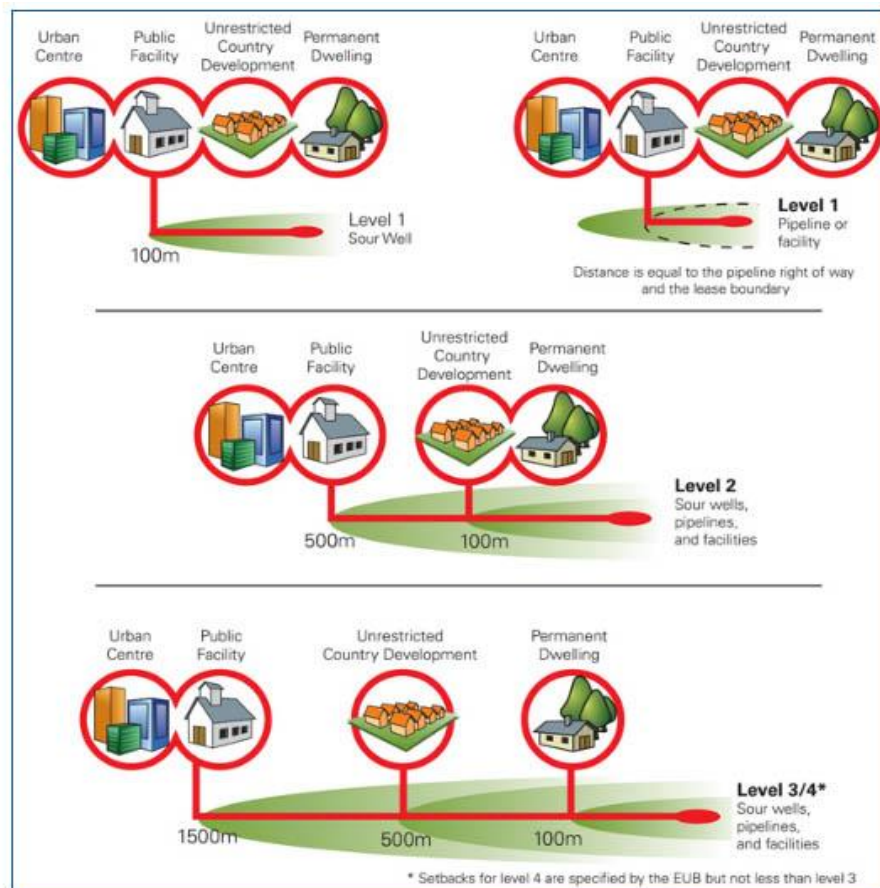


Figure 27: ERCB Sour Gas Setback Requirements¹

7.20 Subdivision of Land

- (1) Where the development of land involves a subdivision of land, no development permit shall be issued until the subdivision has been registered at the Land Titles Office.
- (2) Subject to **Subsection (3)** below, any application to subdivide land in the municipality shall conform with the Act, regulations made pursuant to the Act, and this Bylaw.
- (3) The Subdivision Authority may approve an application for subdivision or a bare land condominium plan even though the proposed subdivision or bare land condominium plan does not comply with the regulations of this Bylaw if, in the opinion of the Subdivision Authority:

¹ 2009. March. EnerFAQs Explaining ERCB Setbacks. Retrieved from: http://www.ercb.ca/portal/server.pt/gateway/PTARGS_0_0_302_0_0_43/http%3B/ercbContent/publishedcontent/publish/ercb_home/public_zone/ercb_process/enerfaqs/enerfaqs5.aspx On: 14 May 2010

- (a) the proposed subdivision or bareland condominium plan would not:
 - (i) unduly interfere with the amenities of the neighbourhood, or
 - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and
- (b) the proposed subdivision or bareland condominium plan conforms with the use prescribed for that land or building in this Bylaw.

7.21 Substandard Lots

With the approval of the Development Authority, the minimum site area, site depth, and site width may be less in the case of existing substandard lots which are held in separate title from abutting substandard lots as of the date of the approval of this Bylaw.

7.22 Utility Easements

No development other than landscaping or a fence shall be constructed or placed on a utility easement unless, in the opinion of the Development Authority, the development does not restrict access to the utility easement for the purpose of installation and maintenance of the utility.

PART 8.0 – SPECIAL USE REGULATIONS

Notwithstanding the District Regulations in effect on a site, the following regulations shall also apply:

8.1 Accessory Buildings in Districts Other Than Residential Districts

- (1) In Districts other than Residential Districts, regulations governing the development of accessory buildings shall be at the discretion of the Development Authority, unless otherwise indicated in this Bylaw.
- (2) At the discretion of the Development Authority, a development permit may be issued for the temporary erection of a fabric-covered, soft-covered or otherwise tented structure for use as an accessory building provided that the following additional conditions are met:
 - (i) the development permit approval shall not be for a period of more than one (1) year,
 - (ii) if an extension to the one (1) year period is desired by the applicant, the applicant must submit a written extension request to locate the building for a further six (6) months.

8.2 Accessory Buildings in Residential Districts, including Garages, Tented Structures, Sheds, Detached Decks, etc.

- (1) Unless otherwise provided, in Residential Districts:
 - (a) an accessory building shall not exceed one (1) storey or 4.5 m (14.8 ft.) in height, whichever is the lesser; and
 - (b) notwithstanding **Subsection (a)** above, the Development Authority may allow a garage which exceeds 4.5 m (14.8 ft.) in height. This maximum height can under no circumstances exceed the height of the principal dwelling; and
 - (c) where a carport is attached to a dwelling, the minimum required side yard may, at the discretion of the Development Authority, be reduced to 1.2 m (3.9 ft.).
- (2) Accessory buildings in Residential Districts shall be located:
 - (a) a minimum of 2.0 m (6.6 ft.) from the dwelling;

- (b) no closer to the front line than the front of the principal building except in the case of double fronting or corner sites, in which case the minimum required yard may be reduced to 7.5 m (24.6 ft.) from one front line, and the minimum required yard adjacent to the second front line may be reduced to 4.5 m (14.76 ft.) where, in the opinion of the Development Authority, any adjacent developments would not be adversely affected;
 - (c) no closer than 1.2 m (3.9 ft.) to the rear line, providing there is no encroachment of any part of the building beyond the rear line, except that where the vehicle doors of a garage face a lane abutting the site, the garage shall be no closer than 5.0 m (16.4 ft.) from the rear line;
 - (d) no closer than 1.2 m (3.9 ft.) from the side line, excepting where a fire wall is constructed along the boundary line between two garages located within one building, or where both garages have appropriate fire walls. In such cases, accessory buildings may be built within 1.0 m (3.3 ft.) of the side line;
 - (e) such that no roof overhang is located within 0.45 m (1.2 ft.) of a side or rear line.
- (3) All decks and verandas in Residential Districts must be located such that they do not project into minimum required yards as established in **Section 7.15** of this Bylaw.
 - (4) Notwithstanding **Subsection (3)** above, any deck or veranda which the Development Authority allows, at their discretion, to project into a minimum required front yard in a Residential District, may be roofed but shall not be enclosed.

8.3 Accessory Use Regulations

- (1) All accessory buildings and uses shall comply with all relevant provisions of this Bylaw.
- (2) No person shall use, or permit an accessory building to be used as a dwelling unit, except as a surveillance suite or garage suite where allowed pursuant to this Bylaw.
- (3) Accessory buildings shall be constructed either simultaneously with, or after, the construction of the principal building on a site or the commencement of the principal use on a site, and not before the principal building is constructed or the principal use commences, except in the Urban Reserve District.

- (4) Where a building is attached to a principal building by a breezeway, a roofed passage or an open or enclosed structure above grade, it is to be considered a part of the principal building and not an accessory building, and all the minimum yard requirements of the principal building shall apply. For the purposes of determining the site coverage percentage, buildings which are attached to a principal building will be considered part of the principal building.
- (5) No person shall construct or permit the construction of an accessory building, or group of accessory buildings, such that, individually or collectively, the gross floor area of the accessory building or buildings would:
 - (i) along with the principal building, exceed the maximum site coverage allowed on the site,
 - (ii) exceed the floor area of the principal building on the site, or
 - (iii) exceed twelve percent (12%) of the site area unless otherwise indicated within the District Provisions.
- (6) Accessory buildings shall not be located in a front yard.
- (7) Accessory buildings shall not be located on an easement or a utility right-of-way.

8.4 Animal Care and Related Uses

- (1) These regulations shall apply to all animal care and related uses, including: animal hospitals and veterinary clinics.
- (2) The Development Authority shall require that development of these uses pay particular attention to **Sections 7.8, 7.10, and 7.11** (Hazardous Materials and Noise, Nuisance) of this Bylaw, specifically noise and odour which may cause nuisance or negative external impact. Pens, rooms, and runs shall be adequately soundproofed.
- (3) Facilities which house animals overnight shall be equipped with an adequate number of indoor exercise runs relative to the maximum number of animals that can be housed.
- (4) A separate air extractor system shall be provided in the animal holding area where heating and air conditioning is shared with other developments

8.5 Animal Hospital

- (1) An animal hospital which is to be located closer than 305.0 m (1,000.0 ft) to a dwelling which is not related to the proposed development shall be considered a discretionary use notwithstanding the use provisions contained within this Bylaw.

- (2) Pens, rooms, exercise runs and holding stalls may be required to be soundproofed to the satisfaction of the Development Authority.
- (3) All development permit applications may be referred to the local Health Authority or animal control agency for comment.
- (4) No facility or exterior exercise runs that are used to accommodate the animals may be located within 6.1 m (20.0 ft.) of any property line adjacent to a dwelling or residential property.
- (5) All exterior exercise areas (runs) may be required to be enclosed with a fence acceptable to the Development Authority.
- (6) All dog facilities, including buildings and exterior exercise areas, may be required to be sited to the satisfaction of the Development Authority.
- (7) The Development Authority may regulate the hours that dogs are allowed outdoors.
- (8) Facilities which house animals overnight shall be equipped with an adequate number of indoor exercise runs relative to the maximum number of animals that can be housed.
- (9) A separate air extractor system shall be provided in the animal holding area where heating and air conditioning is shared with other developments

8.6 Animal/Bird Regulations

- (1) On any non-residential parcel in any District, no more than three (3) adult dogs shall be allowed unless a permit for a small animal breeding and boarding establishment or a kennel has been granted pursuant to of this Bylaw.
- (2) On any residential parcel in any District other than the Urban Reserve District, no more than four (4) household pets, not to include more than three (3) dogs, shall be allowed unless a permit for a small animal breeding and boarding establishment or a kennel has been granted pursuant to of this Bylaw.
- (3) On parcels larger than 0.81 ha (2.0 ac) in size in the Urban Reserve and Industrial Districts, the following animal units shall be allowed in addition to domestic pets in accordance to the following chart:

Residential Parcel Size		Allowable Number of Animal Units
0.81 - 1.21 ha	(2.0 - 2.99 ac.)	1
1.22 - 1.61 ha	(3.0 - 3.99 ac.)	2
1.62 - 2.02 ha	(4.0 - 4.99 ac.)	3
2.03 - 2.42 ha	(5.0 - 5.99 ac.)	4
2.43 - 4.04 ha	(6.0 - 9.99 ac.)	5
4.05 ha or greater	(10.0 ac. or greater)	5*

*plus - the number of animal units permitted for that portion of the parcel in excess of 4.05 ha (10.0 ac.).

Example: 5.26 ha (13.0 ac.) = 5+2=7 total animal units.

- (4) The keeping of additional animals shall only be allowed upon development permit approval, in those circumstances considered exceptional or unique by the Development Authority.
- (5) For the purposes of this Section, “one animal unit” means the following:
 - (a) 1 horse, donkey, mule or ass (over one year old), or
 - (b) 2 colts up to one year old, or
 - (c) 1 llama, alpaca, or
 - (d) 2 ostrich, emu, or other ratite, or
 - (e) 1 cow or steer (over one year old), or
 - (f) 2 calves up to one year old, or
 - (g) 3 pigs, or
 - (h) 15 chickens, or
 - (i) 10 ducks, turkeys, pheasants, geese or other similar fowl, or
 - (j) 3 sheep or goats, or
 - (k) 20 rabbits or other similar rodents
- (6) The Development Authority will have the absolute authority to determine the number of animal units applicable to any animals not listed in **Subsection (5)** above.
- (7) Notwithstanding **Subsection (3)** above, no animal units except domestic pets will be allowed in the following locations:
 - (a) Pt. SE 25-57-22-4,
 - (b) Lot 85, Plan 9923089.

8.7 Bed and Breakfast Establishments

- (1) A bed and breakfast establishment shall only be developed as an accessory use to a dwelling.
- (2) A bed and breakfast establishment shall not change the principal character or external appearance of the dwelling involved, and shall have a maximum of four (4) sleeping bedrooms, not including bedrooms used by the owners of the property and of accommodations for staff.
- (3) Cooking facilities shall not be located within the sleeping units.
- (4) In addition to the above, a bed and breakfast establishment shall comply with all of the requirements for a major home occupation described in this Bylaw.
- (5) Notwithstanding **Section 7.14** of this Bylaw, a bed and breakfast establishment may not have more than eight (8) guests or four (4) customer vehicles parked on site at any one given time.

8.7(a) Cannabis Production and Distribution Facilities

Regulations within this section apply to the production and distribution of cannabis for medical and non-medical purposes.

- (1) No Cannabis production and distribution facility shall be allowed unless all applicable licensing and approvals have been provided for by the provincial and federal governments.
- (2) A Cannabis production and distribution facility must comply with the following requirements, in addition to any other municipal, provincial or federal regulations or requirements:
 - (a) only facilities licensed by Health Canada under the *Cannabis Regulations*, SOR/2018-144, or as amended or replaced, will be permitted
- (3) A copy of the current license(s) for the Cannabis production and distribution facility as issued by the provincial and/or federal government shall be provided to the Development Authority at time of application or provided as a condition of development permit approval.
- (4) A Cannabis production and distribution facilities must include suitable landscaping and parking requirements, as determined by the Development Authority. Parking and landscaping requirements shall comply with regulations relating to industrial uses within this Bylaw and meet all servicing standards of the municipality.

- (5) A Cannabis production and distribution facility shall meet security and premises requirements as required under applicable provincial or federal Acts or Regulations.
- (6) The development shall be designed and located to minimize any impacts on the natural environment.
- (7) The development shall be designed to minimize any exposure or disturbance to the surrounding area including, but not limited to, dust, pollution, noise, odour, or any other related land use nuisance effects.
- (8) No outdoor storage of goods, material, or supplies shall be permitted.
- (9) All activities related to Cannabis production and distribution facilities shall occur within fully enclosed stand-alone building(s), including but not limited to loading, receiving, and shipping of cannabis and any other goods, materials, and supplies.
- (10) Hours of operation may be restricted as a condition of the development permit issued by the Development Authority.
- (11) A cannabis production and distribution facility's exterior lighting and noise levels shall satisfy the following requirements:
 - (a) the illumination of parking areas, walkways, signs, and other structures associated with cannabis production and distribution development shall be arranged to meet any requirements the Land Use Bylaw or any other bylaw and/or policy approved by the municipality and any other provincial or federal Acts or Regulations.
 - (b) noise from facilities shall not exceed that allowed under the Land Use Bylaw or any other bylaw and/or policy of the municipality and any other provincial or federal Acts or Regulations.
- (12) The minimum setback from any watercourse or water body shall be 30.0 m (98.4 ft.).
- (13) The maximum lot coverage shall be at the discretion of the Development Authority.
- (14) A building or structure used for security purposes for a cannabis production and distribution facility may be located in the front yard and must comply with the required minimum setbacks within the district.
- (15) On site buffering measures shall be required for all cannabis production and distribution facilities. Buffers may include a combination of space separation, vegetation, and fencing to mitigate the impacts on adjacent lots.

- (16) A site, building, or structure established, operated, or maintained as a cannabis production and distribution facility shall comply with the provisions made for in any applicable municipal, provincial and federal regulations as per this Bylaw.
- (17) Garbage containers and waste material shall be contained within an enclosed and locked building.
- (18) Solid waste material shall be secured in accordance with provincial and federal regulations until destroyed.
- (19) Further to subsection (18) solid waste material must be disposed of in accordance with the *Cannabis Act*, S.C. 2018, c. 16, and the *Cannabis Regulations*, SOR/2018-144, as amended, or any subsequent legislation that may be enacted in substitution.
- (20) These regulations are not exclusive and shall not prevent the municipality from exercising any other remedy available under the law, nor shall the provisions of this section prohibit or restrict other Federal or Provincial law or regulation to be enacted.
- (21) Applications for subdivision of land for this use shall include the information required by the Development Authority in **Section 3.4**.

8.7(b) Cannabis Retail Sales Establishments

- (1) Any cannabis retail sales establishment must comply with the following requirements, in addition to any other municipal or provincial regulations or requirements:
 - (a) only facilities licensed by the provincial or federal governments will be permitted; and
 - (b) a copy of the license(s) for the cannabis retail sales establishment as issued by the provincial government shall be provided to the Development Authority.
- (2) Cannabis retail sales establishments must include suitable landscaping and parking requirements, as determined by the Development Authority. Parking shall comply with regulations of this Bylaw for a commercial use and meet all servicing standards of the municipality.
- (3) The design of the buildings and the landscaping on the site shall be consistent with the characteristics and appearance of the surrounding neighbourhood.
- (4) No outdoor storage of goods, materials, or supplies shall be permitted.

- (5) Cannabis retail sales establishments shall meet security and premises requirements as required under applicable provincial and federal legislation.
- (6) Solid waste material shall be secured in accordance with provincial and federal regulations until destroyed.
- (7) Further to subsection (6), solid waste material must be disposed of in accordance with *Cannabis Act*, S.C., 2018, c.16 and the *Cannabis Regulations* SOR/2018-144, as amended, or replaced.
- (8) Hours of operation may be restricted as a condition of the development permit issued by the Development Authority.
- (9) A cannabis retail sales establishment's exterior lighting levels shall satisfy the following requirements:
 - (a) The illumination of parking areas, walkways, signs, and other structures associated with cannabis retail sale development shall be arranged to meet the requirements under municipal, provincial, and federal regulations.
- (10) Cannabis retail sales establishments as defined in this Bylaw shall be prohibited from locating near the following uses:
 - (a) within 100.0 m (328.1 ft.) of a provincial health care facility (or a boundary of the parcel of land on which the facility is located), and
 - (b) within 100.0 m (328.1 ft.) of a parcel designated as School Reserve or Municipal and School Reserve, (or a boundary of the parcel of land on which the facility is located), or a building containing a school (or a boundary of a parcel of land on which the building is located), and
 - (c) within 100.0 m (328.1 ft.) of a parcel which contains a public park or playground excluding Devonian Park and the Town campground.
- (11) The separation distance between the cannabis retail sales establishment and the uses listed in **PART 8.7(b) (8)** shall be determined by measuring a straight line from the outer wall of the proposed cannabis retail sales establishment to the closest point on the lot containing the uses identified in **subsection (8)**.
- (12) A site, building or structure established, operated, or maintained as a cannabis retail sales establishment shall comply with the provisions made for in any applicable municipal, provincial, and federal regulations as per this Bylaw.
- (13) These regulations are not exclusive and shall not prevent the municipality from exercising any other remedy available under the law, nor shall the provisions of

this section prohibit or restrict other Federal or Provincial law or policy to be enacted upon.

- (14) Applications for subdivision of land for this use shall be required to include the information required by the Development Authority in Section 3.4

8.8 Car Washes

- (1) In addition to those locations allowed pursuant to this Bylaw, a car wash may be allowed as a discretionary use as part of a shopping centre if the Development Authority is satisfied that it will not adversely affect an adjoining land use or traffic circulation within and adjacent to the shopping centre.
- (2) The minimum site area shall be 560.0 m² (6,028.0 ft.²) and shall contain space for 4 per inbound service bays and one (1) space per outbound service bays for vehicles to wait or be parked prior to their entry into any part of the cleaning process for which they are bound. In the case of service stations or gas bars including car washes, minimum site area shall be 1110.0 m² (11,948.0 ft.²).
- (3) All site and building requirements pertaining to drive-in businesses shall also apply to car washes.
- (4) If a car wash is located on a site which abuts a residential use or a Residential District, noise attenuation shall be provided to the satisfaction of the Development Authority.

8.9 Conversion of Single Family Dwellings to Other Uses

- (1) In considering any application for the conversion of a single family dwelling into another use, the Development Authority shall ensure that the Development complies with the following requirements:
 - (a) The use shall be listed as a permitted or a discretionary use in the District in which the single family dwelling is located.
 - (b) Parking shall be provided in accordance with this Bylaw, except that on-street parking may be taken into account and the number of available on-street parking spaces may be subtracted from the number of off-street parking spaces required, at the discretion of the Development Authority.
 - (c) Where the conversion involves exterior renovation, such renovation shall be of a nature which maintains height, exterior finish, design and coverage to the satisfaction of the Development Authority.

- (d) Existing healthy vegetation should be retained whenever possible and to the satisfaction of the Development Authority.
- (e) All signs shall be in keeping with **Section 8.32** of this Bylaw.

8.10 Day Use and Picnic Areas

- (1) A sufficient number of picnic tables, fire pits and garbage cans shall be provided to accommodate the design capacity of the site. Exact numbers shall be at the discretion of the Development Authority.
- (2) The facility shall be designed and landscaped in order to minimize disturbance to the natural environment and to protect heavy use areas from damage.
- (3) Where the day use area directly adjoins a residential development, adequate screening or fencing, to the satisfaction of the Development Authority, will be required between the uses.
- (4) Parking areas should be physically separated from the rest of the day use or picnic areas.

8.11 Drive-In Businesses

- (1) Location
 - (a) A drive-in business may be located only where it can be shown, to the satisfaction of the Development Authority, that the development would not:
 - (i) impede safe traffic movement entering and exiting the site,
 - (ii) interfere with the functioning of surrounding roads or the enjoyment of any neighbouring residential uses, and
 - (iii) create unsafe traffic circulation on the site.
 - (b) A drive-in business may be located in a shopping centre or other multiple use development at the discretion of the Development Authority.
- (2) Site Area and Coverage
 - (a) Except as provided in **Subsection (b)** hereof or Table 2, the minimum site area shall be 600.0 m² (6,458.0 ft.²), the minimum frontage shall be 30.0 m (98.4 ft.), and the maximum floor area of buildings shall be 90.0 m² (969.0 ft.²).

Table 2: Site Area and Site Coverage Requirements for Drive-in Businesses		
Type of Business	Site Area (Minimum)	Site Coverage (Maximum)
Drive-in Restaurants	600.0 m ² (6,458.0 ft. ²)	20%
Gas Bars (not associated with other developments)	60.0 m ² (646.0 ft. ²) for each fuel pump not including the area covered by buildings	15%
Service Stations	1110.0 m ² (11,948.0 ft. ²)	20% including pump islands
Car Washes	560.0 m ² (6,028.0 ft. ²)	20%
Service Station & Car Wash together	1110.0 m ² (11,948.0 ft. ²)	20%
Other Drive-in Businesses	600.0 m ² (6,458.0 ft. ²)	20%

- (b) Where a drive-in business forms part of a shopping centre or multi-use development, the minimum site area, maximum site coverage, and maximum building floor area may be varied at the discretion of the Development Authority.

(3) Curb Cuts

- (a) The minimum distance between a property line and a curb cut on an adjacent road shall be not less than 8.0 m (26.2 ft.).
- (b) The maximum width of a curb cut shall be 10.0 m (32.8 ft.).
- (c) The minimum distance between curb cuts on the same property line shall be 6.0 m (19.7 ft.). The Development Authority may increase this minimum distance for situations where, in their opinion, public safety or convenience would be improved.

- (4) The minimum required distances between property lines and any building shall be:
 - (a) 9.5 m (31.2 ft.) from the property line to that part of the principal building used as a drive-through building or as part of a drive-through;
 - (b) 6.0 m (19.7 ft.) from any property line or parking areas to all pump islands;
 - (c) 3.0 m (9.8 ft.) from any property line to canopies over pump islands or drive-through aisles; and
 - (d) for a drive-through development adjacent to a residential use or Residential District:
 - (i) 10.0 m (32.8 ft.), or

TOWN OF REDWATER

Land Use Bylaw – September 17, 2013

- (ii) in the case of a car wash, 25.0 m (82.0 ft.), or
- (iii) such greater distance that the Development Authority deems necessary in order to buffer the residential use or District from noise, traffic or other impacts of the drive-through development.

(5) Queuing Space

- (a) Queuing space and traffic circulation shall be provided in accordance with the following:

Queuing Space Requirements for Drive-in Businesses		
Type of Business	Inbound Queuing Space Requirements	Outbound Queuing Space Requirements
Those that Serve People	3 per service window	1 per service window
Those that Service Vehicles	4 per service bay	1 per service bay
Full Service Car Washes	4 per service bay, or any such number as required by the Development Authority taking into consideration the number of wash bays	1 per service bay, or any such number as required by the Development Authority taking into consideration the number of wash bays
All other Drive-in Businesses	3 per service point	1 per service point

- (b) Queuing spaces must allow for vehicle turning and manoeuvring.
- (c) Pump islands must be located to allow a through traffic lane with a minimum width of 6.0 m (19.7 ft.).
- (d) With the exception of a drive-through restaurant, a queuing space does not include any space occupied by a motor vehicle during the provision of service.

(6) Site and Building Requirements

- (a) All parts of the site to which vehicles may have access shall be hard surfaced and drained to the satisfaction of the Development Authority.
- (b) The site and all improvements thereon shall be maintained in clean and tidy condition, free from rubbish and debris.
- (c) Receptacles for the purpose of disposing of rubbish and debris shall be provided as required by the Development Authority.

- (d) A minimum of ten percent (10%) of the site area of a drive-in business shall be landscaped to the satisfaction of the Development Authority.
- (e) In addition to the fencing, landscaping, and environmental protection requirements indicated in **Part 7.0** of this Bylaw, a berm and/ or fence shall be erected and maintained by the developer of a drive-in business along any property lines abutting or across a lane or walkway from a Residential District.
- (f) If a drive-in business is located on a site which abuts a residential use or a Residential District, noise attenuation shall be provided to the satisfaction of the Development Authority.

8.12 Garage Suites

- (1) A garage suite shall be restricted to a site occupied by a single family dwelling.
- (2) A garage suite is prohibited from being constructed on a lot with a duplex, or ground-oriented multiple unit dwelling.
- (3) Notwithstanding Subsections (1) and (2), a garage suite may be allowed at the discretion of the Development Authority, in the DC-1 District.
- (4) A maximum of one garage suite is allowed on any lot on which a single family dwelling is located.
- (5) A garage suite shall remain accessory to and subordinate to the principal dwelling and shall not exceed 80.0 m² (860.0 ft.²) in floor area.
- (6) A garage suite shall remain accessory to and subordinate to the use of the garage=
- (7) The minimum floor area for a garage suite is 30.0 m² (322.9 ft.²).
- (8) Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the garage suite.
- (9) A garage suite includes, but not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove or provision of 220 volt wiring and toilet with bathing facilities.
- (10) A garage suite shall have an entrance separate from the entrance to the garage, either from a common indoor landing or directly from the exterior of the structure.
- (11) At grade garage suites shall have a maximum height of 4.5 m (14.8 ft.).

- (12) Above grade garage suites shall have a maximum height of 5.5 m (18.0 ft.) for suites with a flat roof, and 6.5 m (21.3 ft.) for suites with a sloped roof, provided that the maximum height of the accessory building in which the garage suite is located is not higher than the height of the principal dwelling.
- (13) A minimum of three (3) onsite parking spaces are required. Tandem parking may be allowed at the discretion of the Development Authority.
- (14) A maximum of one (1) garage suite will be allowed on a site occupied by a single family dwelling.

8.13 Group Homes, Day Homes and Child Care Facilities

- (1) All group homes, day homes, and child care facilities shall conform to regulations under the Safety Codes Act and any other relevant Provincial legislation and regulations.
- (2) In making a decision on a development permit for a group home, a day home, or a child care facility, the Development Authority shall consider, among other matters, if the development would be suitable for the location proposed, taking into account: potential traffic generation, proximity to park or other open or recreation areas, isolation of the proposed location from other residential uses, buffering or other techniques designed to limit any interference with other uses or the peaceful enjoyment of their properties by nearby residents, and consistency in terms of intensity of use with other development in the area.
- (3) In addition to all other regulations of this Bylaw, a group home development shall comply with the following regulations:
 - (a) The maximum number of residents shall be established by the Development Authority who shall have regard for the nature of the group home and the density of the District in which it is located.
 - (b) The group home shall not generate pedestrian or vehicular traffic or parking in excess of that which is characteristic of the District in which it is located.
- (4) In addition to all other regulations of this Bylaw, a child care facility development and a day home development shall comply with the following regulations:
 - (a) The maximum number of children for which care may be provided in a child care facility shall be established by the Development Authority who shall have regard for the nature of the facility, the density of the District in which it is located, potential increases in traffic, and the location of the use in relation to other uses in the area of the development.

- (b) The maximum number of children for which care may be provided in a day home shall be established by the Development Authority who shall have regard for the nature of the day home, the density of the District in which it is located, potential increases in traffic, and the location of the use in relation to other uses in the area of the development.
- (c) Notwithstanding Subsection (4)(b) above, the number of children within a day home established within a dwelling unit in any Residential District shall not exceed six (6).
- (d) A child care facility shall not normally be the principal use of a building within any Residential District.
- (e) A child care facility in any non-residential District shall be in a separate facility, either within the principal building on the lot or in an accessory building, with a separate access to ground level and an adjacent playground area.

8.14 Home Occupations

- (1) Home occupations shall not be allowed on a site unless a dwelling unit is located on the site on which the home occupation is to be located.
- (2) All development permits issued for home occupations shall be revocable at any time by the Development Authority, if, in his opinion, the home occupation is or has become detrimental to the amenities of the neighbourhood in which it is located or if there is any change or intensification of the home occupation as originally approved.
- (3) The Development Authority may, in their discretion, place time limits on the period for which a development permit for a home occupation is valid.
- (4) All home occupations shall comply with the following requirements:
 - (a) no home occupation shall change the principal character or external appearance of the dwelling unit involved or of any accessory buildings;
 - (b) home occupations shall be incidental and subordinate to the principal use of the dwelling unit;
 - (c) no more than twenty percent (20%) or 30.0 m² (323.0 ft.²), whichever is less, of the dwelling unit shall be occupied by the home occupation;

- (d) there shall be no outdoor business activity, or outdoor storage of material or equipment associated with the home occupation allowed on the site;
 - (e) the home occupation shall not create any nuisance by way of noise, dust, odour, or smoke, or anything of an offensive or objectionable nature;
 - (f) there shall be no mechanical or electrical equipment used which creates external noise, or visible or audible interference with home electronics or computer equipment in adjacent dwelling units;
 - (g) when a development permit is issued for a home occupation, such permit shall be terminated should the applicant vacate the property for which the permit has been issued;
 - (h) pedestrian or vehicular traffic or parking, shall not, in the opinion of the Development Authority, be generated in excess of that which is characteristic of the District in which the home occupation is located;
 - (i) only one (1) commercial vehicle, of a capacity not exceeding 1.0 tonne (2400 lbs), shall be used in conjunction with the home occupation, or parked or maintained on the site or on the road in proximity to the site. Truck trailers or vehicle accessories or equipment shall not be allowed;
 - (j) home occupations shall not involve:
 - (i) activities that use or store hazardous material in quantities exceeding those found in a normal household; or
 - (ii) any use that would, in the opinion of the Development Authority, materially interfere with or affect the use, enjoyment, or value of neighbouring properties.
- (5) A major home occupation shall also comply with the following regulations:
- (a) there may be a limited volume of on-premises sales; however, no commodity other than the product of the business shall be sold on the premises;
 - (b) pedestrian or vehicular traffic or parking, shall not, in the opinion of the Development Authority, be generated in excess of that which is characteristic of the District in which the major home occupation is located;
 - (c) the number of non-resident employees or business partners working on-site shall not exceed one (1) at any time;

- (d) the number of clients or customers on-site shall not exceed six (6) at any time;
 - (e) storage related to the business activity and the business activity itself may be allowed in either the dwelling or accessory buildings;
 - (f) the major home occupation shall not be allowed if, in the opinion of the Development Authority, such use would be more appropriately located in a Commercial or an Industrial District, having regard for the overall compatibility of the use with the residential character of the area; and
 - (g) the dwelling unit in which a major home occupation is located may have one fascia sign placed on the dwelling, providing that the sign does not exceed 0.4 m² (4.0 ft.²) in area, or one (1) sign, not larger than 0.2 m² (2.0 ft.²) in the window of the dwelling unit.
- (6) A minor home occupation shall also comply with the following regulations. If the minor home occupation complies with all bylaw requirements for a minor home occupation then a development permit is not required. If the minor home occupation does not comply with all applicable regulations then it shall be considered to be a major home occupation and an approved development permit will be necessary to operate:
- (a) all sales relating to the minor home occupation shall occur off the premises;
 - (b) no person shall be employed on-site other than a resident of the dwelling unit;
 - (c) there shall be no more than five (5) client or customer visits to the minor home occupation per week;
 - (d) storage related to the business activity and the business activity itself shall only be allowed inside the dwelling unit and not in an accessory building or outside on the site. A minor home occupation does not involve the display of goods in the interior of the dwelling unit; and
 - (f) there may not be a sign relating to a minor home occupation.

8.14(a) Industrial Hemp Production and Distribution Facility

Regulations within this section apply to the production and distribution of industrial hemp.

- (1) No industrial hemp production and distribution facility shall be allowed unless all applicable licensing and approvals have been provided for by the provincial and federal governments.
- (2) An industrial hemp production and distribution facility must comply with the following requirements, in addition to any other municipal or provincial regulations or requirements:
 - (a) only facilities licensed by Health Canada under the Industrial Hemp Regulations, SOR/2018-145, or as amended or replaced, will be permitted.
- (3) A copy of the current license(s) for the industrial hemp production and distribution facility as issued by the federal government shall be provided to the Development Authority at time of application or provided as a condition of development permit approval.
- (4) An industrial hemp production and distribution facility must include suitable landscaping and parking requirements, as determined by the Development Authority. Parking and landscaping requirement shall comply with regulations relating to industrial uses within this Bylaw and meet all applicable servicing standards of the municipality.
- (5) An industrial hemp production and distribution facility shall meet security and premises requirements as listed under applicable provincial or federal Acts or Regulations.
- (6) The development shall be designed and located to minimize any impacts on the natural environment.
- (7) The development shall be designed to minimize any exposure or disturbance to the surrounding area including, but not limited to, dust, pollution, noise, odour, or any other related land use nuisance effects.
- (8) No outdoor storage of goods, material or supplies shall be permitted.
- (9) All activities related to the industrial hemp production and distribution facility shall occur within a fully enclosed stand-alone building, including but not limited to loading, receiving, and shipping of industrial hemp and any other goods, materials, and supplies.
- (10) Hours of operation may be restricted as a condition of the development permit issued by Development Authority.
- (11) An industrial hemp production and distribution facility's exterior lighting and noise levels shall satisfy the following requirements:

- (a) the illumination of parking areas, walkways, signs, and other structures associated with industrial hemp production and distribution facility shall be arranged to meet any requirements the Land Use Bylaw or any other bylaw and/or policy approved by the municipality and any other provincial or federal Acts or Regulations.
 - (b) noise from facilities shall not exceed that allowed under the Land Use Bylaw or any other bylaw and/or policy of the municipality and any other provincial or federal Acts or Regulations.
- (12) The minimum setback from any watercourse or water body shall be 30.0 m (98.4 ft.).
- (13) The maximum lot coverage shall be at the discretion of the Development Authority.
- (14) A building or structure used for security purposes for industrial hemp production and distribution facilities may be located in the front yard and must comply with the required minimum setbacks within the district.
- (15) On site buffering measures shall be required for all industrial hemp production and distribution facilities. Buffers may include a combination of space separation, vegetation, and fencing to mitigate the impacts on adjacent lots.
- (16) A site, building or structure established, operated, or maintained as an industrial hemp production and distribution facility shall comply with the provisions made for in any applicable municipal, provincial and federal regulations as per this Bylaw
- (17) Solid waste material shall be secured in accordance with provincial and federal regulations until destroyed.
- (18) These regulations are not exclusive and shall not prevent the municipality from exercising any other remedy available under the law, nor shall the provisions of this section prohibit or restrict other Federal or Provincial law or regulations to be enacted.
- (19) Applications for subdivision of land for this use shall include the information required by the Development Authority in PART 3.4.

8.15 In-law Suites

- (1) An in-law suite shall be restricted to a site occupied by a single family dwelling or a duplex dwelling.

- (2) An in-law suite is prohibited from being constructed within a ground-oriented multiple unit dwelling.
- (3) A maximum of one in-law suite is allowed on any lot on which a single family dwelling or duplex is located.
- (4) An in-law suite shall remain accessory to and subordinate to the principal dwelling and shall not exceed 80.0 m² (860.0 ft.²) in floor space.
- (5) Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the in-law suite.
- (6) An in-law suite includes, but not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove or provision of 220 volt wiring and toilet with bathing facilities.
- (7) An in-law suite does not have an entrance separate from the entrance to the principal dwelling.
- (8) The minimum floor area for an in-law suite is 30.0 m² (322.9 ft.²).

8.16 Manufactured Home Parks

- (1) The following regulations also apply to manufactured home parks:
 - (a) manufactured home stalls shall be located at least 3.0 m (10.0 ft.) from a property line. This 3.0 m (10.0 ft.) wide strip shall be landscaped and/or fenced to the satisfaction of the Development Authority;
 - (b) all roadways shall be constructed and maintained to the satisfaction of the Development Authority. Minimum right-of-way width shall be 9.1 m (30.0 ft.);
 - (c) a safe, convenient, all season pedestrian walkway of at least 0.9 m (3.0 ft.) in width shall be provided for access between individual manufactured homes, the park roadways, and all community facilities provided for park residents;
 - (d) Visitor parking shall be provided as per **Section 7.14** of this Bylaw. The visitor parking shall be located at convenient locations throughout the manufactured home park, and shall not be used for the storage of boats, trailers, etc.;

- (e) the design of manufactured home parks shall be to the satisfaction of the Development Authority;
- (f) all utilities shall be provided underground to stalls;
- (g) a minimum of ten percent (10%) of the gross lot area shall be devoted to recreational use;
- (h) all areas not occupied by manufactured homes and their additions, internal roadways, footpaths, driveways, permanent buildings and any other developed facilities shall be fully landscaped to the satisfaction of the Development Authority. Screen fences or walls shall be erected where deemed necessary by the Development Authority around maintenance yards, refuse collection points and playgrounds;
- (i) no part of the park shall be used for non-residential purposes except for home occupations and such uses as are required for the direct servicing and well being of the park residents and for the management and maintenance of the park;
- (j) each stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges;
- (k) street lighting shall be to the same standard as that in a conventional residential neighbourhood;
- (l) the maximum permissible density for a manufactured home park shall be fifteen (15) manufactured homes per net developable ha (6 per ac.) of the lot being developed at each stage of development; and
- (m) the minimum area for a manufactured home stall shall be 371.6 m² (4000 ft.²).

8.17 Manufactured Homes

- (1) Manufactured homes shall have Canadian Standards Association Z-240 Certification.
- (2) All accessory structures, such as patios, porches, additions and skirtings, shall be:
 - (a) designed and erected as to harmonize with the manufactured homes,
 - (b) considered as part of the principal building, and
 - (c) erected only after obtaining a Development Permit.
- (3) A manufactured home shall be skirted from the floor level to the ground level. The skirting shall match the external finish of the manufactured home.

- (4) The maximum allowed floor area of porches and additions shall not exceed the floor area of the manufactured home.
- (5) No accessory building or use, other than parking spaces, shall be located in the front yard of a manufactured home stall or a lot on which a manufactured home is located.
- (6) The storage of any furniture, domestic equipment, or seasonally used equipment shall be adequately covered or screened, either individually on the mobile home stall or communally, and said storage shall conform to the Safety Codes Act.
- (7) The following regulations apply to manufactured homes located in all subdivisions:
 - (a) the hitch and wheels are to be removed from the manufactured home;
 - (b) all manufactured homes shall be placed on a foundation or base. The manufactured home is to be attached by means of bolting or otherwise to the foundation or base pursuant to the Alberta Building Code; and
 - (c) the lot is to be fully landscaped within one (1) year from the date the development is available for occupancy or use.

8.18 Motels

- (1) Notwithstanding the provisions of the District in which it is located, a motel shall have a minimum required front yard of 6.0 m (19.7 ft.).
- (2) Notwithstanding any other provisions of this Bylaw to the contrary, a minimum of 10% of the site area of a motel development shall be landscaped in accordance with **Section 7.9** of this Bylaw and to the satisfaction of the Development Authority.

8.19 Natural Resource Extraction

- (1) A development permit shall not be issued for a sand, gravel, clay, coal, limestone, gypsum, granite, salt or mineral extraction operation until any necessary reclamation plan and permit/license is approved by the Provincial Government.
- (2) Where not required to do so by Provincial agencies, the proponent of a natural resource extraction industry shall be required to submit a reclamation plan to the Development Authority for its approval prior to the issuance of a development permit.

- (3) Where not required to do so by Provincial agencies, the proponent of a natural resource extraction industry will, at the discretion of the Development Authority, be required to post with the municipality security in the form of an irrevocable letter of credit or cash to ensure that reclamation will be completed.
- (4) A disturbed area shall be reclaimed to:
 - (a) at least its former state, or
 - (b) any other use, which the Development Authority feels, will be beneficial to the municipality.
- (5) The following conditions of approval may be included when processing an application for a natural resource extraction industry:
 - (a) limitation of hours of operation;
 - (b) requirement to enter into a Road Use Agreement with the municipality for the provision of dust control and maintenance/upgrading of roads used in direct relation to the operation;
 - (c) posting of adequate signage, including company name and emergency telephone numbers, to warn of possible site or operational hazards and dangers;
 - (d) methods of minimizing noise in relation to the activities of the operation; and
 - (e) payment of an aggregate levy to the municipality as outlined by bylaw.
- (6) Extraction operations, such as sand, gravel and other mineral resource workings shall be allowed to proceed only after the issuance of proper licenses that indicate compliance with the appropriate Provincial legislation and regulations.
- (7) Council shall urge the Province to comply with the policies of this section and the overall intent of the Bylaw when developing natural resource extraction activities that are exempt from control under the Act.
- (8) Resource processing should be handled as a form of industrial development, and be subject to the appropriate industrial regulations of this Bylaw.

8.20 Neighbourhood Commercial Developments

- (1) Neighbourhood commercial developments located entirely within a standalone building or located within a building that also contains residential use may be allowed to locate in the R-1, R-2, R-3, R-3A, R-4, R-5, R-6, C-1, C-2 and DC-1

Districts provided the development meets all of the other regulations of this Bylaw and, further, that the development:

- (a) does not include as part of its operation a gas bar or vehicular servicing component, and/or
 - (b) is situated on a corner lot with safe access to a collector road.
- (2) The façade of a building containing a neighbourhood commercial development that is located in a Residential District must be integrated with the surrounding residential area.
 - (3) The height of a building containing a neighbourhood commercial development in a Residential District may not exceed twice the height and massing of adjacent buildings.



Figure 28: Example of a Neighbourhood Commercial Building

8.21 Places of Worship

- (1) The site on which a place of worship is situated shall have a frontage of not less than 30.0 m (98.4 ft.) and an area of not less than 900.0 m² (9,688.0 ft.²) except in the case where a building for a clergyman's residence is to be erected on the same site. The combined area of the site in this case shall not be less than 1440.0 m² (15,500.0 ft.²).
- (2) Minimum front, side and rear yards shall be those required within the District in which the place of worship is located.
- (3) A place of worship may be located in any District if it is an accessory use to a permitted or discretionary use in that District.
- (4) Notwithstanding any other provision of this Bylaw to the contrary, a portion of the required minimum number of parking spaces may be located on a site other than that of the subject place of worship if it is demonstrated to the satisfaction of

the Development Authority that such off-site parking spaces are available for the use of the patrons of the place of worship.

- (5) All places of worship shall abut a road which is designated an arterial road or a major collector road in the municipality's Municipal Development Plan, or an arterial road, a major collector road or a minor collector road in an Area Structure Plan.

8.22 Private Swimming Pools and Hot Tubs

- (1) Notwithstanding any other provision of this Bylaw to the contrary, a development permit is required prior to the commencement of the installation or construction of a private in ground swimming pool or hot tub.
- (2) Private swimming pools and hot tubs shall not be located within any required minimum front yard.
- (3) Every private swimming pool or hot tub shall be secured against entry by the public other than owners, tenants, or their guests.
- (4) No private swimming pool or hot tub may be constructed except within an enclosed building unless it is entirely fenced, except that a wall of a building may be considered to replace any part of the required fence provided that the wall is a minimum of 1.8 m (6.0 ft.) in height for the length that it replaces the fence.
- (5) Every fence enclosing a private swimming pool or a hot tub constructed outside of an enclosed building shall be 1.8 m (6.0 ft.) in height or, at the discretion of the Development Authority, higher, and shall be of appropriate design to limit the ability of persons to use the fence parts to climb the fence or to crawl through or under the fence. Gates shall be equipped with a self-latching device and a lock mechanism located on the inside of the gate.
- (6) No barbed wire or electrification of any part of a fence or gate enclosing a swimming pool or hot tub shall be allowed.
- (7) All private swimming pools and hot tubs equal to or greater than 60.96 cm (24.0") require building and safety code approval.

8.23 Recreational Vehicles

- (1) Notwithstanding any other provision of this Bylaw to the contrary, no person may occupy a recreational vehicle for a period longer than 14 consecutive days in a calendar year on any lot unless a development permit has been received for the placement and use of the recreational vehicle:

- (a) If the intention of the placement of a recreational vehicle on a parcel is to rent the recreational vehicle for any consideration (whether for money or for goods or service in kind), a development permit for a recreational vehicle campground must be approved. Such a permit may only be approved in Districts where recreational vehicle campgrounds are listed as a permitted or a discretionary use.
- (b) No more than one (1) recreational vehicle temporarily occupied by person or persons for a period of up to but not exceeding 14 days in a calendar year, but not have any arrangement for any consideration as described in Subsection (a) above shall be allowed on any lot less than 0.5 acres in area.
- (c) If the intention is to store an unoccupied recreational vehicle, unless a development permit has been issued for Outdoor Storage which includes recreational vehicles, no more than one (1) recreational vehicle shall be allowed on any lot less than 0.5 ac. in area. No development permit shall be required for the storage of one (1) unoccupied recreational vehicle on a lot.

8.24 Recreational Vehicle Campgrounds

- (1) Provisions in this section apply to both recreational vehicle campgrounds and recreational vehicle campgrounds-seasonal.
- (2) Each recreational vehicle parking space shall have a minimum width of 10.0 m (32.8 ft.) and a minimum area of 250.0 m² (2,691.0 ft.²).
- (3) As a condition of approval, the Development Authority shall require the developer to obtain any necessary permits and approvals from all regulatory authorities and agencies having jurisdiction, including any necessary approvals pursuant to the Safety Codes Act that may be applicable.
- (4) As a condition of approval, the Development Authority may require that the developer construct, upgrade, or pay to construct or upgrade any necessary municipal infrastructure to service to the development.
- (5) All internal roads shall be the responsibility of the Developer for both construction and future maintenance. Also, internal roads shall have a minimum of a 6.0 m (20.0 ft.) usable top, except for one-way roads, which shall have a minimum of a 3.65 m (12.0 ft.) usable top.
- (6) The developer shall provide on-site potable water supply which meets all applicable Provincial water requirements.
- (7) The developer shall provide sewage disposal facilities which all applicable Provincial regulations.

- (8) All spaces for recreational vehicles designated for year round use must have on-site connections to municipal sewer and water systems.
- (9) As a condition of approval, the Development Authority shall require the developer to obtain any necessary permits and approvals from all regulatory authorities and agencies having jurisdiction over this type of development.
- (10) The developer shall be required to enter into a development agreement with the municipality as a condition of development approval. The development agreement will include provisions requiring the developer to construct, upgrade, or pay to construct or upgrade the necessary municipal roads to access the development when determined necessary by the Development Authority.
- (11) The developer shall designate an area equivalent to ten percent (10%) of the total recreational vehicle campground area as a playground or recreational area. This area is to be clearly marked and free from all traffic hazards.
- (12) All spaces for recreational vehicles or tents shall maintain a minimum set back of 30.0 m (98.4 ft.) from the shoreline of any body of water.
- (13) The maximum number of recreational vehicles allowed per space shall be one (1).
- (14) A site plan detailing the protection of existing treed areas and site topography is required prior to issuance of a development permit.
- (15) Spaces for day use, picnicking and similar activities shall be suitably organized, clearly marked and constructed to the satisfaction of the Development Authority.
- (16) All other site requirements shall be as required by the Development Authority.
- (17) Minimum Yard Setbacks:

Front, side, corner and rear yard setbacks on the site shall be 7.6 m (25.0 ft.) or 10% of the lot width, whichever is lesser.
- (18) Developers will be encouraged to include on their site plan an overflow area which provides that may be used temporarily, on an overflow basis, for a maximum of four (4) consecutive nights to accommodate recreational events which may result in a need for temporary additional tenting or recreational vehicle spaces.

8.25 Recreational Vehicle Campground, Workcamps

- (1) Provisions in this section apply to recreational vehicle campground, workcamps.

TOWN OF REDWATER

Land Use Bylaw – September 17, 2013

- (2) Each space for a recreational vehicle shall have a minimum width of 10.0 m (32.8 ft.) and a minimum area of 250.0 m² (2,691.0 ft.²),
- (3) All spaces for recreational vehicles shall maintain a minimum setback of 30.0 m (98.4 ft.) from the shoreline of any body of water.
- (4) Minimum Yard Setbacks:

Front, side, corner and rear yard setbacks on the site shall be 7.6 m (25.0 ft.).
- (5) The maximum number of recreational vehicles allowed per space shall be one (1).
- (6) All recreational vehicle campground, workcamps may be considered temporary developments.
- (7) All recreational vehicle campground workcamps require a development permit and the Development Authority shall give due regard to the need, location and type of camp, prior to rendering its decision.
- (8) A development permit for a recreational vehicle campground workcamp may be issued for a temporary period of time at the discretion of the Development Authority.
- (9) The Development Authority may establish whatever conditions for the approval of a recreational vehicle campground, workcamp that it, at its discretion, deems reasonable.
- (10) If all of the conditions of the development permit have not been fulfilled to the satisfaction of the Development Authority then the permit will not be considered valid.
- (11) In addition to the requirements of **Section 3.4** of the Bylaw, an application for a development permit for a recreational vehicle campground workcamp must provide the following information:
 - (a) the location, type and purpose of the camp,
 - (b) adjacent land uses,
 - (c) the method for connecting the proposed development to municipal water, sewage, waste disposal and storm water systems,
 - (d) the number of persons proposed to live in the camp,
 - (e) the start date for the development, date of occupancy by residents, and removal date for the camp, and
 - (f) reclamation measures to be completed once the camp is no longer needed to the satisfaction of the Development Authority.

- (12) As a condition of approval, the Development Authority shall require the developer to obtain any necessary permits and approvals from all regulatory authorities and agencies having jurisdiction, including any necessary approvals pursuant to the Safety Codes Act that may be applicable.
- (13) As a condition of approval, the Development Authority may require that the developer construct, upgrade, or pay to construct or upgrade any necessary municipal infrastructure to service to the development.
- (14) All internal roads shall be the responsibility of the Developer for both construction and future maintenance. Also, internal roads shall have a minimum of a 6.0 m (20.0 ft.) usable top, except for one-way roads, which shall have a minimum of a 3.65 m (12.0 ft.) usable top.
- (15) The developer shall provide on-site potable water supply in accordance with the municipality's Master Services Plan as well as all applicable Provincial regulations.
- (16) The developer shall provide sewage disposal facilities in accordance with the municipality's Master Services Plan as well as all applicable Provincial regulations.
- (17) All stalls designated for year round use must have on-site connections to municipal sewer and water systems.
- (18) The developer shall be required to enter into a development agreement with the municipality as a condition of development approval. The development agreement will include provisions requiring the developer to construct, upgrade, or pay to construct or upgrade the necessary municipal roads to access the development when determined necessary by the Development Authority.
- (19) A site plan detailing the protection of existing treed areas and site topography is required prior to issuance of a development permit.
- (20) All other site requirements shall be as required by the Development Authority.
- (21) All recreational vehicle campground, workcamps must:
 - (a) ensure that all required access, including internal roadways and intersection improvements, are provided to the satisfaction of the Development Authority at the sole cost to the developer;
 - (b) be designed so that all points of access and egress are located to the satisfaction of the Development Authority and when required, Alberta Transportation;

- (c) be able to accommodate a minimum of twenty (20) persons and a maximum of five hundred (500) persons;
 - (d) be secured by the installation of appropriate security and buffering measures such as berms, fences and landscaping. The form of the buffering will be determined by and to the satisfaction of the Development Authority;
 - (e) if required by the development authority, provide on-site security staff to the satisfaction of the Development Authority;
 - (f) provide and develop all parking on the lot to the satisfaction of the Development Authority. Normally, on site parking for private vehicles will adhere to the same standard as parking for a hotel or motel;
 - (g) post security with the municipality sufficient to ensure removal of the development and/or reclamation of the site if needed after the recreational vehicle campground, workcamp has been removed from the site; and
 - (h) be separated from adjacent land uses.
- (22) Maximum site coverage shall be such that space is available for all the parking on the site, together with the applicable setbacks and required landscaping as determined by the Development Authority.
- (23) Screening and fencing of storage areas shall be to the satisfaction of the Development Authority.
- (24) The development must comply with current Building and Fire Code requirements as amended from time to time.
- (25) Because of the number of temporary workers and related traffic impacts the applicant will also be required to provide a report which details the following:
- (a) discussions with and impact on the local RCMP,
 - (b) discussions with and impact on the local Emergency Medical Services,
 - (c) discussions with and impact on the local Fire Department, and
 - (d) discussions with and impact on the local road system including a Traffic Impact Assessment.
- (26) Any other conditions required to the satisfaction of the Development Authority.

8.26 Recreational Vehicles Located in Recreational Vehicle Campgrounds, Recreational Vehicle Campgrounds-Seasonal and Recreational Vehicle Campgrounds-Workcamp

- (1) No recreational vehicle, whether located within a recreational vehicle campground or on a lot, may have associated with it any more than two (2) accessory structures or buildings, in addition to fences, benches, fire pits, and picnic tables. The two (2) accessory structures may include a small shed with a maximum size of 18.58 m² (200.0 ft.²), and a screened or roofed patio around or beside the recreational vehicle.
- (2) No structure accessory to a recreational vehicle shall be used as sleeping quarters.
- (3) The total gross floor area or ground area covered by all accessory structures and buildings or recreational vehicles shall not exceed fifty percent (50%) of the size of the lot on which the recreational vehicle campground is located.

8.27 Sea Cans

- (1) A maximum of one (1) sea can may be allowed, at the discretion of the Development Authority on residential parcels under 0.4 ha (1.0 ac.) in size.
- (2) The maximum number of sea cans that may be placed on a lot in the C-2, C-3 or M-1 District is at the discretion of the Development Authority.
- (3) The placement of a sea can on any lot in the municipality requires a development permit.
- (4) Notwithstanding any other provision in this Bylaw, in the Urban Reserve District a maximum of two (2) sea cans may be placed on a lot without a development permit.
- (5) If a temporary development permit for a sea can has been approved by the Development Authority, then the sea can will be allowed to be placed on a site for a period of 6 months. After that period has expired the developer will be required to apply to the Town for an extension for the permit. Extensions may be issued for up to six (6) month intervals at the discretion of the Development Authority.
- (6) Sea cans may not be stacked. The maximum height for a sea can allowed on a parcel is 3.0 m (10.0 ft).
- (7) Sea cans located in a Residential District and in the Primary Commercial (C-1) District may be a maximum of 6.0 m (20.0 ft.) in length.

- (8) The exterior finish of a sea can sited within a Commercial or Residential District must be consistent with the finish of the primary building.
- (9) Sea cans cannot be used as a dwelling, bunk house or a guest house within the municipality.
- (10) No human or animal habitation will be allowed within a sea can.

8.28 Secondary Suites

- (1) A secondary suite shall be restricted to a site occupied by a single family dwelling or a duplex.
- (2) A secondary suite is prohibited from being constructed within a ground-oriented multiple unit dwelling.
- (3) A maximum of one secondary suite or in-law suite is permitted on a site occupied by any single family dwelling or duplex.
- (4) A maximum of one garage suite is permitted on a site occupied by any single family dwelling lot.
- (5) A secondary suite shall remain accessory to and subordinate to the principal dwelling and shall not exceed 80.0 m² (860.0 ft.²) in floor area.
- (6) Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the secondary suite.
- (7) A secondary suite includes, but not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove or provision of 220 volt wiring and toilet with bathing facilities.
- (8) A secondary suite has an entrance separate from the entrance to the principal dwelling, either from a common indoor landing or directly from the exterior of the building
- (9) A secondary suite may include the conversion of a portion of existing space in the principal dwelling, the addition of new floor space to an existing dwelling.
- (10) The minimum lot size for a secondary suite is 360.0 m² (3,875.0 ft.²).
- (11) The minimum floor area for a secondary suite is 38.0 m² (400.0 ft.²).

- (12) Prior to development permit approval, the developer must submit, along with an application for a development permit, a parking plan that indicates the location and size of the onsite parking spaces.
- (13) One on-site parking stall shall be provided for the secondary suite, in addition to the parking requirements for the principal dwelling pursuant to **Section 7.14** of this Bylaw. Tandem parking may be permitted at the discretion of the Development Authority.

8.29 Shopping Centres

- (1) The maximum building height shall be 10.7 m (35.1 ft.) or two (2) storeys, whichever is greater.
- (2) The maximum floor area shall be equal to the site area; however, all other regulations of this Bylaw, such as required yards, parking and loading requirements, etc. shall be adhered to.
- (3) **Section 8.32** of this Bylaw contains additional provisions relating to shopping centre signs.
- (4) All shopping centres shall satisfy the Development Authority as to:
 - (a) the orientation, exterior design, and architectural appearance of buildings,
 - (b) the location of development in relation to adjacent land uses,
 - (c) vehicular traffic flow patterns within and access to and from the site,
 - (d) safe pedestrian access and egress within the site and from any pedestrian way, and
 - (e) the location of exterior signs.
- (5) A shopping centre shall only contain those uses listed as permitted or discretionary uses within the District in which the shopping centre is located.
- (6) The Development Authority may require any other matters, regulations, or conditions relating to the development as, in his opinion, are necessary, having regard to the nature of the proposed shopping centre development and adjacent land uses.

8.30 Show Homes

- (1) In addition to the requirements of **Section 3.4** of this Bylaw, a development permit application for a show home shall be accompanied by information indicating:
 - (a) the location and area intended as the site for the show home,
 - (b) proposed parking, exterior lighting and signs.

- (2) Development permits shall be issued for a maximum of one (1) year only, and if the operator wishes to continue the use, must be renewed on an annual basis.
- (3) The appearance of the building shall, in the opinion of the Development Authority, be compatible with the character of other buildings in the vicinity.

8.31 Sidewalk Cafes

- (1) A sidewalk café permit is valid from the date of issuance for one (1) year and may be renewed annually. In order to renew the permit, the developer must provide the municipality with a request indicating that there will be no changes to the sidewalk café. If any changes are required, the developer must make application for a new permit.
- (2) If the applicant is not the owner of the property, authorization and written permission of the property owner is required and must accompany the application.
- (3) A development permit will authorize only the consumption of food within the sidewalk seating area and not liquor.
 - (a) A permit holder who intends to serve alcohol inside any temporary sidewalk seating area requires a separate license from the Alberta Gaming and Liquor Commission. A copy of that license is to be provided to the municipality.
 - (b) A copy of any approval from any involved Health Authority is to be provided to the municipality.
- (4) The area designated for the sidewalk café shall be considered an extension of the principal building and business; therefore, the location of the sidewalk café must be directly in front of the building.
- (5) The following information must be provided with the application:
 - (a) details of the proposed furniture or manufacturers' brochures,
 - (b) site plan showing all existing buildings, proposed café area and setbacks,
 - (c) layout of the furniture including signage, tables, chairs, placement and number of planters and all other accessories,
 - (d) location, structure and dimensions of any portable walls/barriers,
 - (e) location of all doorways, windows and service openings,
 - (f) length of restaurant/café frontage,
 - (g) distance from property line to curb,
 - (h) proposed width and length of sidewalk seating/café, and
 - (i) proposed total area of sidewalk seating/café.

(6) Furniture

- (a) Applicants are encouraged to select furniture that is compatible with the outdoor environment. The furniture should be strong, durable, waterproof and weather resistant, designed for commercial outdoor use.
- (b) The furniture must fold or stack for storage, and if located on public right-of-way, be readily removed and stored within the associated indoor premises during non business hours.
- (c) The number of tables and chairs placed within a sidewalk area must allow unobstructed access and circulation for patrons and staff. (See **Figure 29**)
- (d) The permit holder is responsible for ensuring that all furniture remains within the approved sidewalk seating area. No fixed tables or chairs may be used. Developers of sidewalk cafes shall be mindful of the rights of pedestrians travelling past their sidewalk café at all times during the operation of the sidewalk café. In order to ensure this, a sidewalk café is required to maintain a clear path of at least 1.5 m. (5.0 ft.) minimum at all times. In areas of higher pedestrian traffic or activity or in conditions that suggest the need for additional clearance, a clear pedestrian path greater than 1.5 m. (5 ft.) may be required by the Development Authority.

(7) Use of Umbrellas

- (a) Umbrellas should be secured to ensure that they can withstand the effects of wind.
- (b) Umbrellas shall be removed or closed in extremely windy conditions and be removed when the outdoor seating area is not in use (off season).
- (c) Umbrellas shall not be attached to railings.
- (d) Umbrellas shall not encroach on, or interfere with pedestrian movement, and at least 2.0 m (6.6 ft.) in height.
- (e) Umbrellas shall be manufactured from fire retardant material.
- (f) Umbrellas shall be market style (not beach umbrellas),

(8) Lighting

- (a) Lighting for sidewalk cafes may be utilized if approved by the Development Authority. Any such lighting shall compliment the exiting

building and sidewalk café design and shall not cause a glare to passing pedestrians or vehicles.

(9) Outdoor Heaters

- (a) Outdoor heaters may be utilized upon the approval of the Development Authority.

(10) Limitations on use

- (a) No portion of a sidewalk seating/café area may be used for any purpose other than seating, dining or circulation.
- (b) No portion of a sidewalk seating/café area may be used for the storage of and sale of merchandise or objects other than those intended for seating, dining or circulation.
- (c) The permit holder will bear all financial responsibility for any and all improvements necessary to the public space, both within and surrounding the sidewalk seating area.
- (d) **Smoking is prohibited at all sidewalk/café locations.** The Tobacco Reduction Act, 2008 requires that managers or owners strictly enforce this requirement or be liable to fines.

(11) Operations

- (a) Hours of operation of an outdoor sidewalk seating area/café are 8:00 a.m. to 10:00 p.m. or as stated in the approved Development Permit.
- (b) Sidewalk seating areas must conform to noise regulations of the current municipal Bylaw and shall be prohibited from playing amplified music, whether live or recorded.

(12) Business Licensing

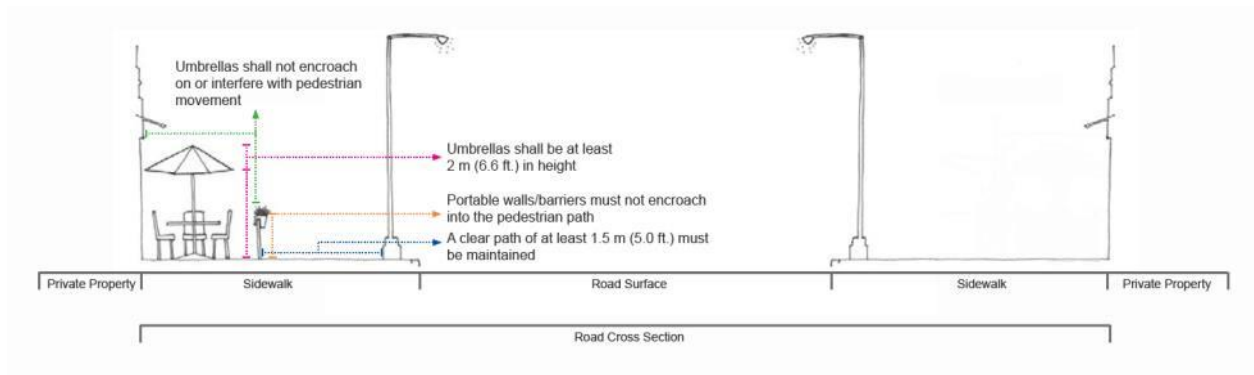
- (a) The principal establishment for each approved sidewalk seating area shall have a valid municipal Business License.

(13) Waste Management

- (a) The permit holder will ensure sidewalk seating areas are maintained in a clean and hygienic state at all times and the following requirements will apply:

- (i) Tables and chairs shall be kept clean and litter shall be removed from in and around the seating area and disposed of within the commercial garbage provisions on site.
 - (ii) Furniture, barriers and/or planters shall be clean, in good order and well presented.
 - (iii) Sidewalk seating debris must not be swept or allowed to enter into gutters, parking or traffic lanes, storm-water, catch-basins or pedestrian walkways.
- (14) Reinstatement of a Public Place
 - (a) Every sidewalk seating area shall be temporary in nature and designed so that the entire structure including chairs, tables, fencing, and planters can be easily removed during periods of non-use.
- (15) Insurance Requirements
 - (a) The permit holder will be required to hold valid comprehensive general liability insurance to the satisfaction of the municipality but the limit shall not be less than \$1,000,000 per occurrence, \$1,000,000 in the aggregate combined single limit, for bodily injury, personal injury and property damage liability.
 - (b) The municipality shall be named as an additional insured for any liability arising directly or indirectly from the operation of a sidewalk café located on a public right-of-way.
- (16) Renewals and Amendments
 - (a) Development permits must be renewed annually. The permit holder shall submit their request for renewal in writing.
 - (b) A permit holder will be required to submit an application in writing to the Development Authority for any amendment to their existing sidewalk seating plan.
- (17) Approval of a sidewalk café permit will require, as a conditional of approval, that the Development Authority and the Fire Chief conduct a site inspection of the approved sidewalk café and all elements placed therein after construction to ensure that the sidewalk café and all sidewalk café elements are in compliance with the approved permit and that the developer is in compliance with all other requirements of the permit before any use of the sidewalk café may commence.

- (18) The issuance of a sidewalk café permit is a privilege granted by the municipality. The municipality requires compliance with all rules and regulations as well as to have respect for the community in which the café is located. The Development Authority and Bylaw Enforcement Officer will monitor the operation of the sidewalk café and are empowered to issue citations for bylaw violations and may also result in the revocation of the development permit.



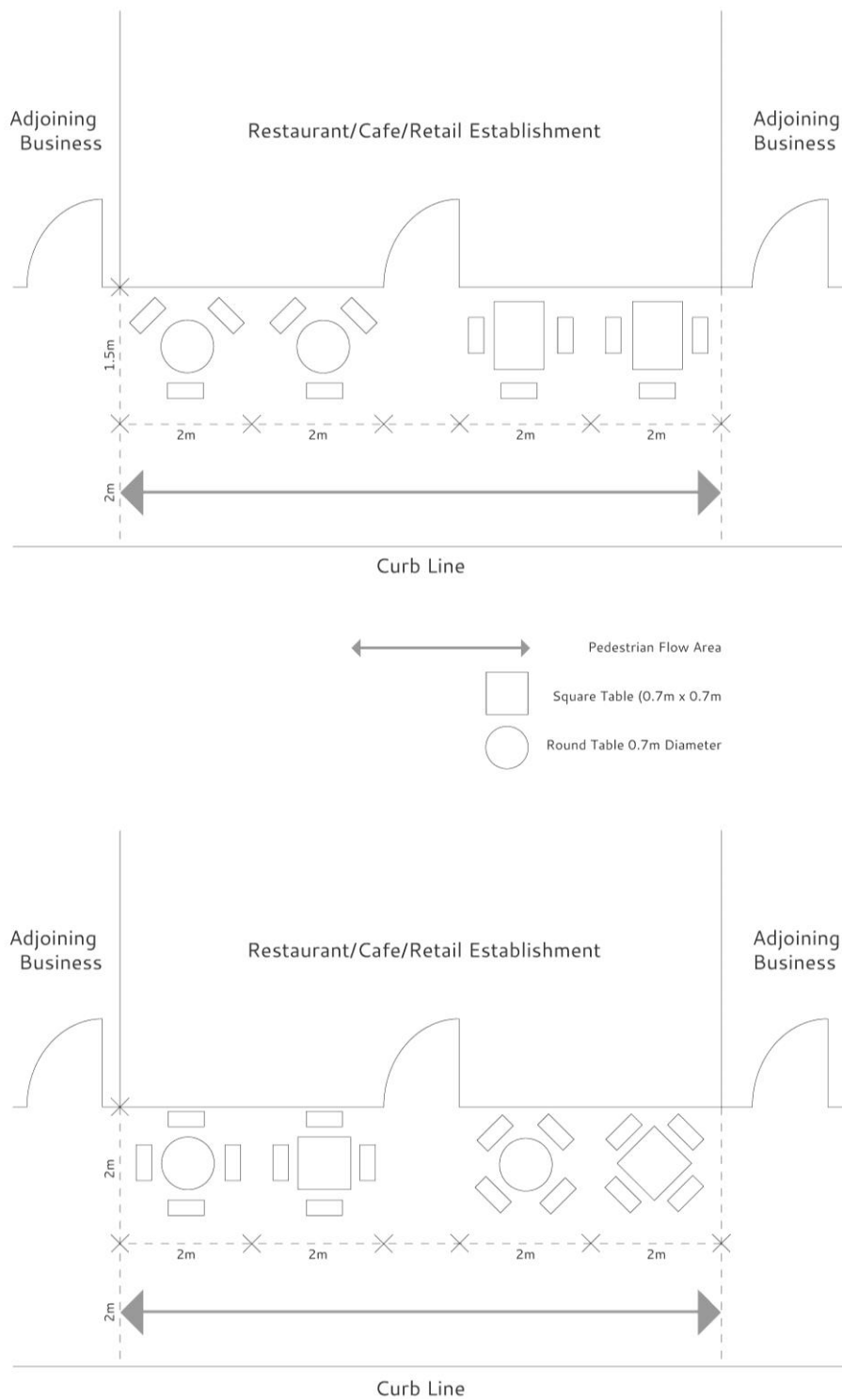


Figure 29: Sidewalk Café Seating Example - Location and Alignment

8.32 Signs

In addition to the other regulations of this Bylaw, the following additional regulations shall apply to signs:

(1) Limitations

- (a) Except as provided in **Section 3.2** of this Bylaw, no person shall erect, relocate or structurally alter or enlarge any sign, including an election sign, unless they have complied with the requirements of this Schedule and any other relevant provisions of this Bylaw, and has been issued a development permit in respect thereof.
- (b) The Development Authority may issue a development permit for a sign as part of the development permit for the use or the building to which the sign pertains, provided the development permit application indicates that there is to be a sign and provided further that all information requirements for a development permit application for a sign are met to the satisfaction of the Development Authority.
- (c) Provisions for election signs, property for sale or rent signs, garage sale signs, and signs for events of not-for-profit organizations are provided in **Section 3.2** of this Bylaw.
- (d) No sign shall be located in such a manner that it obstructs the regular use of required on or off site parking stalls.

(2) Information Requirements for a Development Permit for a Sign

In addition to the requirements of **Sections 3.4(1) and 3.4(3)** of this Bylaw, a development permit application for a sign shall include the following information:

- (a) a letter of consent from the property owner,
- (b) two copies of colour drawings, drawn to scale, showing the sign, any structural supports, and the dimensions, thickness, area, and colours, of the sign,
- (c) an indication of any proposed animation, moving copy, or other moving features of the sign, if applicable,
- (d) method of illumination, if applicable,
- (e) mounting details,
- (f) the location and size of all other existing and proposed signs on the building façade or site,
- (g) mounting heights and clearances to grade, and
- (h) the amount of projection of the sign from a building, if any.

(3) Signs as Permitted or Discretionary Uses

- (a) No sign, other than an off-site sign in the Districts indicated in **Subsection (b)** below, or a sign which is otherwise exempted from the requirement of obtaining a development permit as indicated in **Section 3.2** of this Bylaw, shall be allowed unless it is accessory to an existing use.
- (b) Notwithstanding any other provision of this Bylaw to the contrary, except as otherwise indicated in this section, off-site signs shall be considered to be discretionary uses in the Primary Commercial (C-1) District, in the General Commercial (C-2) District, in the Highway Commercial (C-3) District, in the Industrial (M1) District, and in the Urban Reserve (UR) District.

(4) Procedures for the Consideration of Development Permit Applications for Signs

All development permit applications for signs shall follow the process outlined in **Section 3.7** of this Bylaw and be subject to appeal if applicable in accordance with **Part 4.0** of this Bylaw.

(5) General Sign Regulations

- (a) A sign shall not be erected, operated, used or maintained if, in the opinion of the Development Authority:
 - (i) its position, size, shape, colour, format or illumination obstructs the view of, or may be confused with, an official traffic sign, signal or device or other official sign, or otherwise poses a potential hazard to traffic,
 - (ii) it displays lights which may be mistaken for the flashing lights customarily associated with danger or with those used by police, fire, or other emergency vehicles, or
 - (iii) it would be situated within a sight line protection area as defined in **Section 7.18** of this Bylaw.
- (b) A sign shall be integrated with the building on which it is to be located and compatible with the general architectural lines and forms of the nearby buildings or of adjoining developments.
- (c) Where possible, signs shall not cover architectural details such as arches, sills, mouldings, cornices and transom windows.

- (d) A sign or sign structure shall be set back a minimum of 0.5 m (1.6 ft.) from any property line and no part of a sign may encroach onto the adjacent site or a road or lane.
 - (e) Except as otherwise specified in this Bylaw, the maximum area of any sign shall be 18.0 m² (193.6 ft.²).
 - (f) At the discretion of the Development Authority a maximum of five (5) signs may be allowed on a site, including temporary signs and portable signs.
 - (g) Signs will not be allowed on fences in Residential Districts or in Commercial Districts.
- (6) Care and Maintenance of Signs
- (a) All signs shall be maintained in good and safe structural condition and shall be periodically repainted.
 - (b) Where the Development Authority determines that a sign is abandoned or in an overall state of disrepair, they may, by notice in writing to the owner of the land on which the sign is located and, if it is indicated on the sign, the owner or operator of the sign, order the owner of the land and the owner or operator of the sign to:
 - (i) remove the sign and all related structural components within what the Development Authority deems to be a reasonable period of time, or
 - (ii) take such measures as they may specify in the notice to alter and/or refurbish and/or repair the sign.
 - (c) Failure to remove the sign or to comply with the measures specified in the notice described in **Subsection (b)** above may result in the issuance of a violation ticket as described in **Section 5.1(6)** of this Bylaw.
 - (d) The notice described in **Subsection (b)** above shall be considered to be a stop order for the purposes of **Subsections (1) to (5)**, both inclusive, of **Section 5.1** of this Bylaw.
- (7) Type of Signs
- (a) A-Frame Signs
 - (i) Except as provided in **Section 3.2** of this Bylaw, A-frame signs shall be allowed only in Commercial Districts.

- (ii) The maximum area of each A-frame sign face which is located on a sidewalk shall be 0.7 m² (7.5 ft.²). **Figure 30** illustrates area and height requirements for A-frame signs.
- (iii) The maximum area of each A-frame sign face located in another location, approved by the Development Authority, shall be 1.5 m² (16.0 ft.²)
- (iv) The maximum height of an A-frame sign which is located on a sidewalk shall be 1.0 m (3.3 ft.).
- (v) No A-frame sign shall be located on a sidewalk in such a manner so as to obstruct pedestrian flow.
- (vi) The maximum height of an A-frame sign placed in other locations shall be 1.8 m (6 ft.), measured perpendicular from the ground to the highest point of the sign when set up.
- (vii) No more than one (1) A-frame sign shall be allowed per business frontage.
- (viii) Where the back of an A-frame sign is visible, it shall be suitably painted or otherwise covered to present a neat and clean appearance. Angle iron shall not be open to public view unless finished in an aesthetically pleasing manner to the satisfaction of the Development Authority.
- (ix) The area around an A-frame sign shall be kept clean. All vegetation shall be cleared away to a distance of at least 1.5 m (4.9 ft.) around the A-frame sign.
- (x) A-frame signs are not to be used in conjunction with projecting signs at grade level.

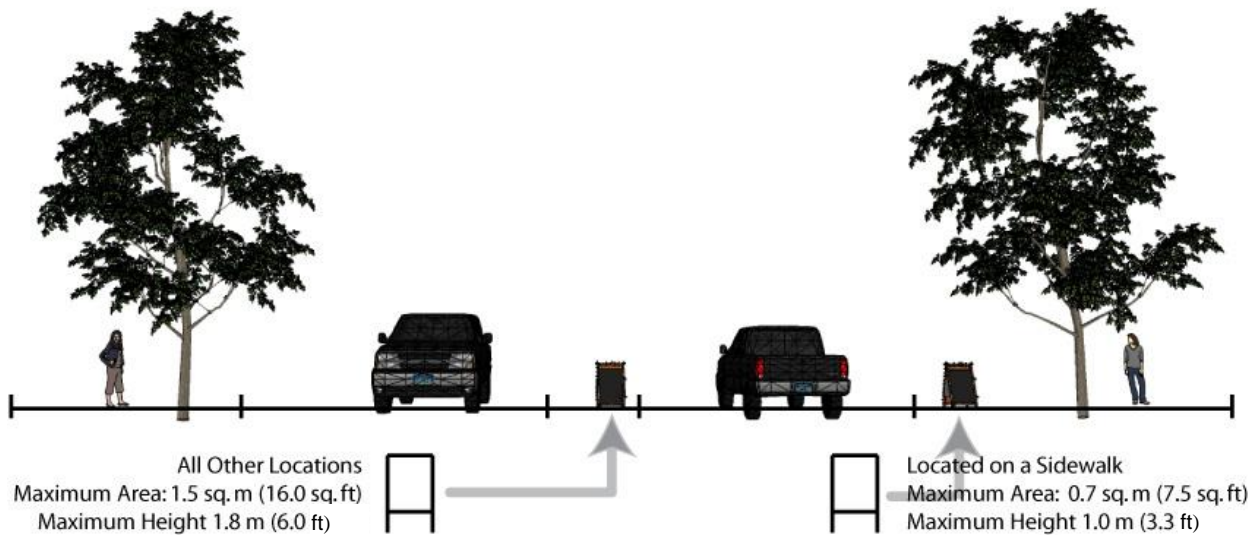


Figure 30: A-frame Sign Height and Area Requirements

(b) Canopy Signs

Where a canopy is constructed solely as a support structure for a sign, the following regulations shall be adhered to:

- (i) the maximum area of all canopy signs on one face of a canopy shall not exceed 50% of the area of the face of the canopy,
- (ii) the bottom of the canopy shall be not less than 2.5 m (8.2 ft.) above grade,
- (iii) no part of the canopy shall project over a road or lane,
- (iv) unless otherwise approved by the Development Authority, the vertical dimension of the canopy shall not exceed 1.5 m (4.9 ft.),
- (v) signs suspended under a canopy shall have a vertical clearance of a minimum of 2.5 m (8.2 ft.) from grade,
- (vi) each tenant of a building shall be allowed one (1) under-canopy sign of no more than 0.5 m² (5.4 ft.²) in area, and
- (vii) all canopy signs shall be erected in such a manner that the structural support elements are designed to appear as an integral

part of the overall sign design and concealed such that no angle iron bracing, guy wires or similar support elements are visible from a road or lane.

(c) Freestanding Signs

- (i) The sign area for a single or multi-faceted freestanding sign shall be the average of the total area of all freestanding sign faces.
- (ii) One (1) freestanding sign per business frontage may be erected on a site having a minimum business frontage of 15.0 m (49.2 ft.) at road level.
- (iii) Notwithstanding **Subsection (ii)** above, a maximum of one (1) freestanding sign may be allowed per site except:
 - (A) where a site has more than a 90.0 m (295.3 ft.) frontage, one (1) additional freestanding sign may be erected at the discretion of the Development Authority,
 - (B) where a site is considered by the Development Authority to be a double fronting site, each frontage may have freestanding signs providing that the freestanding signs are at least 90.0 m (295.3 ft.) apart, and
 - (C) additional signs may be allowed at the discretion of the Development Authority.
- (iv) The total sign area of all freestanding signs on a site shall not exceed 0.3 m^2 (3.2 ft.²) in area for each lineal metre of frontage, to a maximum of 12.0 m^2 (129.2 ft.²).
- (v) The maximum height of a freestanding sign shall be 7.0 m (23.0 ft.).
- (vi) Where a freestanding sign and a projecting sign are located along the same frontage of a site, a minimum distance of 10.0 m (32.8 ft.) shall be maintained between the signs.
- (vii) Any support structure for a freestanding sign shall be set back a minimum of 0.3 m (1.0 ft.) from any property line and no part of the freestanding sign itself shall encroach onto or overhang an adjacent site, road or lane.

(d) Portable Signs

- (i) Any support structure for a portable sign shall be set back a minimum of 0.5 m (1.6 ft.) from any property line and no part of a portable sign shall encroach onto or overhang an adjacent site, road or lane.
- (ii) No more than one (1) portable sign shall be located on a site.
- (iii) Notwithstanding **Subsection (ii)** above, one (1) portable sign may be allowed for each business in a multiple-occupancy development provided that no portable sign is located closer to another than 15.0 m (49.2 ft.).
- (iv) All portable signs shall be double-faced.
- (v) No portable sign shall exceed a height of 2.5 m (8.2 ft.) above grade.
- (vi) Portable signs shall not be placed on a site so as to conflict with or take up space for parking, loading, or walkways.
- (vii) Notwithstanding any other provision of this Bylaw to the contrary, portable signs shall not be allowed in any Residential District.

(e) Projecting Signs

- (i) No projecting sign shall project over another site, a road, or a lane.
- (ii) A projecting sign shall have a vertical clearance of a minimum of 2.5 m (8.2 ft.) from grade.
- (iii) No more than one (1) projecting sign of 0.5 m² (5.4 ft.²) in size shall be allowed for each frontage of a commercial or industrial use.
- (iv) All projecting signs shall be erected in such a manner that the structural support elements are designed to appear as an integral part of the overall sign design and concealed such that no angle iron bracing, guy wires, or similar support elements are visible from a road.

(f) Roof Signs

- (i) Roof signs must be manufactured and erected in such a way that they appear as an architectural feature and they shall be finished in such a manner that the visual appearance from all sides makes them appear to be part of the building itself.
- (ii) No supporting structure for a roof sign shall be visible to the public unless finished in an aesthetically pleasing manner to the satisfaction of the Development Authority.
- (iii) All roof signs shall be set back a minimum of 1.0 m (3.3 ft.) from the edge of the building on which the roof sign is located.

(g) Fascia Signs

- (i) The portion of a wall which can be used for or which can be covered by a fascia sign on the front of a building shall be the space defined by the following lower and upper limits:
 - (a) the lower limit of the portion shall be the lower limit of the lintel or the window head of the first storey, but in no case lower than 2.4 m (7.9 ft.) above grade,

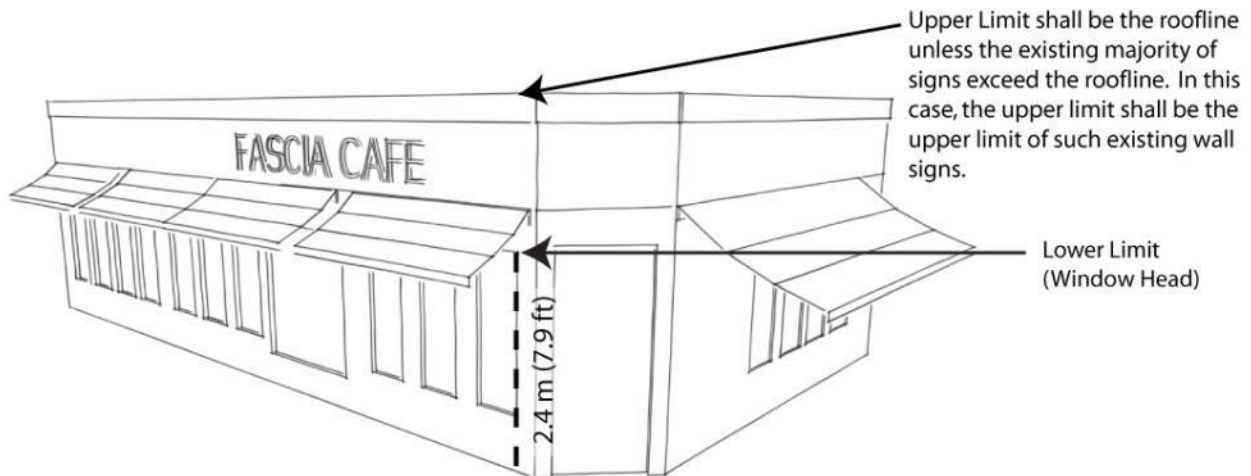


Figure 31: Fascia Sign placement on a one storey building

- (b) in the case of a one storey building, the upper limit of the portion shall be either:

- (A) the roofline of a flat-roofed building, or, where there is an existing majority of fascia signs which exceed the roofline, the upper limit of such existing wall signs, or
- (B) a maximum of 0.8 m (31.5 in.) above the line of the eaves, if there is a parapet wall, provided that the sign does not project above the upper edge of the parapet, or

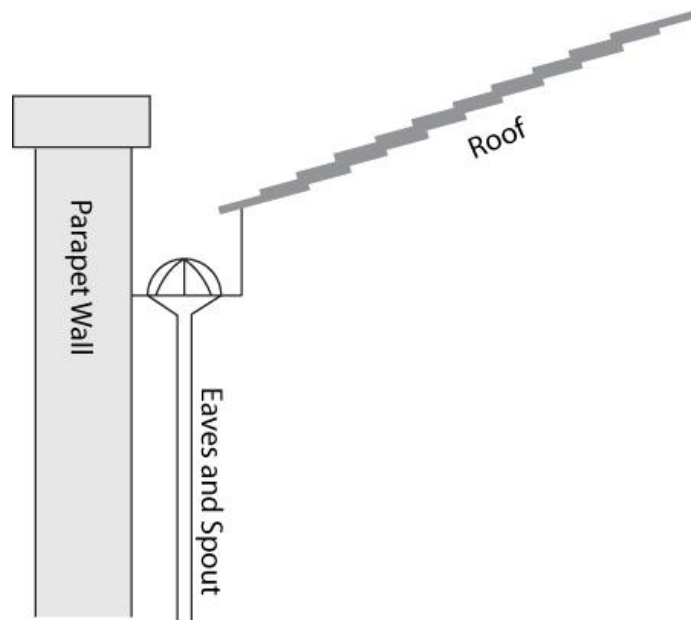


Figure 32: Example of a Parapet Wall and Eaves

- (C) the line of the eaves,
- (c) in the case of a building that is not a one storey building, the upper limit of the portion shall be the window sill of the second storey or, in the absence of any windows on the second storey, 0.8 m (31.5 in.) above the floor elevation of the second storey.

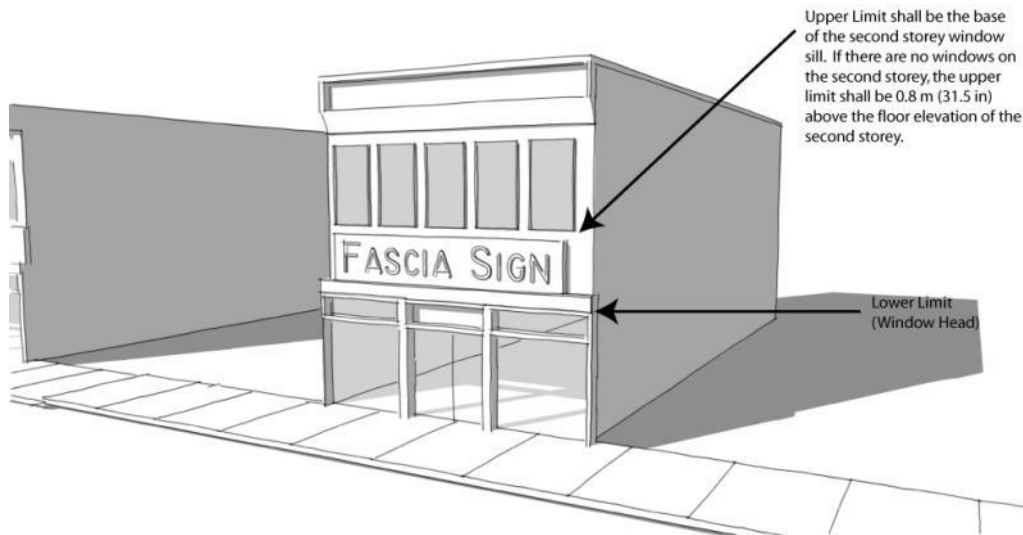


Figure 33: Fascia Sign placement on a two storey building

(ii) Notwithstanding **Subsection (i)** above, a fascia sign may be located:

- (a) below the area defined in **Subsection (i)** above, provided:
 - (A) the sign consists of individual letters, symbols, or logos that are directly attached to the building face,
 - (B) the sign states no more than the name of the building or the principal tenant of the building, and
 - (C) the sign area does not exceed 20% of the building face below the area defined in **Subsection (i)** above,
- (b) between the second storey window lintel and the third storey window sill, or, in the case of a two storey building, between the second storey window lintel and the roof or parapet, provided:
 - (A) the sign states no more than the name of the building or the principal tenant of the building, and
 - (B) the sign area does not exceed 2.5 m² (26.9 ft.²), or
- (c) above the third storey window sill, provided:

- (A) the sign states no more than the name of the building or principal tenant of the building, and
 - (B) there is no more than one (1) sign per building face above the third storey.
- (iii) A fascia sign may be allowed on the side wall of a building facing a road where a development is located on a corner site provided that the sign is integrated with the other signage on the building and is of the same height and width.
- (iv) Any other location for a fascia sign shall be at the discretion of the Development Authority, who shall have consideration for the aesthetic quality and compatibility of the proposed fascia sign with adjacent developments.
- (h) Inflatable Signs
 - (i) An inflatable sign can be placed on an approved temporary sign location, and does not require a development permit, provided it is no larger than 5.5 m² (59.2 ft.²) in area when inflated.
 - (ii) Larger inflatable signs require a development permit be obtained before installation.
 - (iii) One inflatable sign may be located on a site and must be tethered or anchored so that it is touching the ground surface to which it is anchored.
 - (iv) The maximum height of an inflatable sign shall be the allowed height of a freestanding sign for the site.
 - (v) An inflatable sign can only be located on a site twice in a calendar year and not for longer than thirty (30) consecutive days.

(8) Signs In or Adjacent to Residential Districts

- (a) Except as provided in **Subsections (b) and (c)** below, no sign shall be permitted in Residential Districts except for places of worship, public education facilities, public uses, or institutional uses.
- (b) An approved major home occupation may display a sign, not larger than 0.2 m² (2.0 ft.²) in the window of the dwelling or a fascia sign placed on

the dwelling, providing that the sign does not exceed 0.4 m² (4.0 ft.²) in area.

- (c) An approved bed and breakfast establishment may display a sign, not larger than 0.2 m² (2.0 ft.²). If outside, the sign shall be placed in a location that is satisfactory to the Development Authority. Alternatively, the sign may be displayed from the inside a window of the dwelling.
- (d) One (1) freestanding sign per site may be allowed for the purpose of identifying the name of a multi-family dwelling, a manufactured home park, a neighbourhood, or a subdivision, provided:
 - (i) the sign area does not exceed 5.0 m² (53.8 ft.²),
 - (ii) the height of the sign does not exceed 2.0 m (6.6.ft.), and
 - (iii) the sign is not internally illuminated, though it may be lit from the front.
- (e) Name or number signs shall have a surface area of no more than 0.3 m² (3.0 ft.²).
- (f) When an illuminated sign is located in a District adjacent to a Residential District, the illumination from that sign shall be deflected away from the Residential District.
- (g) When, in the opinion of the Development Authority, a proposed sign in any District adjacent to a Residential District might be objectionable to a resident in the Residential District, the Development Authority may impose such other requirements as they deem necessary, to protect the amenities of the Residential District.

(9) Signs Relating to Institutional Uses

In any District where a place of worship or a public education facility, public use or institutional use is allowed, one (1) sign of not more than 5.0 m² (53.8 ft.²) in area shall be allowed to be erected on the site occupied by the place of worship, public education facility, public use, or institutional use.

8.33 Small Animal Breeding and Boarding Establishments and Kennels

- (1) A small animal breeding and boarding establishment or kennel which is to be located closer than 305.0 m (1,000 ft.) from a dwelling which is not related to the proposed development shall be considered a discretionary use notwithstanding the use provisions contained within this Bylaw.

- (2) No small animal breeding or boarding establishment for dogs shall be permitted on a residential parcel less than 2.02 ha (5.0 ac.) in area.
- (3) Pens, rooms, exercise runs and holding stalls may be required to be soundproofed to the satisfaction of the Development Authority.
- (4) All development permit applications may be referred to the appropriate Health Authority or animal control agency for comment prior to the Development Authority making a decision.
- (5) No building, use, or exterior exercise areas or runs that are used to accommodate the animals may be located within 6.1 m (20.0 ft.) of any property line adjacent to a dwelling or a residential parcel.
- (6) All exterior exercise areas or runs may be required to be enclosed with a fence acceptable to the Development Authority.
- (7) All dog facilities, including buildings and exterior exercise areas or runs, may be required to be sited to the satisfaction of the Development Authority.
- (8) The Development Authority may regulate the hours that dogs are allowed outdoors.
- (9) The Development Authority may regulate the number of animals based on size and type of animals, size of parcel and proximity to dwellings. Pups under six (6) months shall not be included in the number.
- (10) Developments which house animals overnight shall be equipped with an adequate number of indoor exercise runs relative to the maximum number of animals that can be housed.
- (11) A separate air extractor system shall be provided in the animal holding area where heating and air conditioning is shared with other developments

8.34 Small Radio Communications Towers

- (1) Small radio communication towers, where allowed as a discretionary use under this Bylaw, shall require an application for a Development Permit and may be approved provided that the structure and apparatus:
 - (a) have Industry Canada approval;
 - (b) are camouflaged and, as far as possible, have the appearance and aesthetic of other buildings allowed in the District;

TOWN OF REDWATER

Land Use Bylaw – September 17, 2013

- (c) meet the setback requirements of the District or meets setback requirements that are satisfactory to the Development Authority;
 - (d) be limited to a maximum height of 18.0 m (59.0 ft.) at its highest point. The height of a ground-mounted antenna and support structure shall be determined by measurement from the point at which the support structure enters the typical ground surface to the top of the antenna at its highest position;
 - (e) be a free-standing, ground-mounted unit;
 - (f) notwithstanding **Subsection (e)** above, be a roof-mounted unit where the applicant can demonstrate that a ground-mounted unit would prohibit adequate transmission or reception of radio signals. The antenna and support structure of a roof-mounted unit shall be installed on the roof of a building to a maximum combined height of 18.0 m (59.0 ft.) from the typical ground surface to its highest point;
 - (g) be located in a rear yard only;
 - (h) not be illuminated, nor have attached to it any advertising, graphics, flags or other elements unrelated to its function as a component of a radio signal transmitting and receiving device;
 - (i) be landscaped to screen the base of the antenna and reduce negative visual impact on adjacent properties. The Development Officer may require screening and landscaping around the lower portion of the support structure where, in the opinion of the Development Officer, such measures would reduce potential negative visual impact of the structure on adjacent properties.
- (2) All small radio communications towers shall have landscaping that reflects the typical landscaping in the District.
 - (3) The development of all small radio communications towers shall follow the regulations of Industry Canada including public consultation as required.

8.35 Solar Energy Collection System

- (1) Location

Ground mounted solar energy collection systems shall be located in a side or rear yard only.

8.36 Surveillance Suites

- (1) Surveillance suites shall not be allowed on a site unless specifically listed as a permitted or as a discretionary use within the District in which the site is located.
- (2) A surveillance suite which is not attached to or within the principal building shall be located:
 - (a) a minimum of 2.0 m (6.6 ft.) from any buildings,
 - (b) a minimum of 3.0 m (9.8 ft.) from the rear and side lines, and
 - (c) no closer to the front line than the principal building.
- (3) A surveillance suite may be a manufactured unit. Where it is a manufactured unit, the manufactured unit shall be secured to a foundation and properly skirted to the satisfaction of the Development Authority.
- (4) The maximum floor area of a surveillance suite shall be 32.6 m² (351.0 ft.²).
- (5) The design and quality of the exterior treatment of the surveillance suite shall be compatible with any other buildings existing on the property and shall be to the satisfaction of the Development Authority.

8.37 Veterinary Clinic – Large Animal

- (1) A large animal veterinary clinic which is to be located closer than 305.0 m (1000 ft) from a dwelling which is not related to the proposed development shall be considered a discretionary use notwithstanding the use provisions contained within this Bylaw.
- (2) Pens, rooms, exercise runs and holding areas may be required to be soundproofed to the satisfaction of the Development Authority.
- (3) All development permit applications may be referred to the appropriate Health Authority or animal control agency for comment prior to the Development Authority making a decision.
- (4) No building or exterior exercise areas or runs that are used to accommodate the animals may be located within 6.1 m (20.0 ft.) of any property line if the clinic is to be sited adjacent to a dwelling or a residential parcel.
- (5) All exterior exercise areas or runs may be required to be enclosed with a fence acceptable to the Development Authority.

- (6) The Development Authority may regulate the hours that animals are allowed outdoors.
- (7) Developments which house animals overnight shall be equipped with an adequate number of indoor exercise runs relative to the maximum number of animals that can be housed.
- (8) A separate air extractor system shall be provided in the animal holding area where heating and air conditioning is shared with other developments.

8.38 Wind Energy Conversion Systems, Large

- (1) Prior to making a decision on an application for a development permit for a large wind energy conversion system, the Development Authority shall consider input from:
 - (a) any adjacent municipality should the proposed development be located within 2.0 km (1.2 mi.) of the municipality, and
 - (b) landowners within 2.0 km (1.2 mi.) of the proposed development.
- (2) Should a large wind energy conversion system discontinue producing power for a minimum of two (2) years, the system operator shall be required to provide a status report to the Development Authority. The Development Authority may then require that the system be decommissioned. Failure to comply with a decommissioning requirement shall be considered to be a breach of this Bylaw, and subject to the enforcement provisions of **Section 5.1** of this Bylaw.
- (3) Property line setbacks
 - (a) A large wind energy conversion system shall comply with all the setbacks related to roads and highways that govern the principal use in the District in which it is located.
 - (b) Where, in the opinion of the Development Authority, the setbacks referred to in **Subsection (a)** above are not sufficient to reduce the impact of a large wind energy conversion system from a road or highway, the Development Authority may increase the required setback.
 - (c) The turbine base shall be no closer to the property line than four times the height of the wind turbine tower. Where in the opinion of the Development Authority the setback from the property line should be varied, the Development Authority may require an acoustical study to establish appropriate setbacks.

(4) Minimum Vertical Blade Clearance

The minimum vertical blade clearance from grade shall be 7.4 m (24.6 ft.) for a wind energy conversion system employing a horizontal axis rotor unless otherwise required by the Development Authority.

(5) Public Safety Requirements

To ensure public safety, the Development Authority may require that:

- (a) a secure fence not less than 1.8 m (5.9 ft.) in height with a lockable gate surround a large wind energy conversion system tower if the tower is climbable or subject to vandalism that could threaten tower integrity;
- (b) no ladder or permanent tower access device be located less than 3.7 m (12.1 ft.) from grade;
- (c) a locked device be installed on the tower to preclude access to the top of the tower; and
- (d) such additional safety mechanisms or procedures be provided as the Development Authority may consider reasonable and appropriate.

The use of tubular towers, with locked door access, may, at the discretion of the Development Authority, make the above requirements unnecessary.

(6) All power lines on the site of a large wind energy conversion system to the power grid or a power substation will be underground except where the Development Authority specifically approves overhead or above grade installations.

(7) Appearance

- (a) Unless otherwise required by the Development Authority, a large wind energy conversion system shall be finished in a non-reflective matte and in a colour which minimizes the obtrusive impact of a system to the requirements of the Development Authority.
- (b) No lettering, advertising or other symbol shall appear on the towers or blades. On other parts of the large wind energy conversion system, the only lettering or symbol allowed will be the manufacturer's and/or owner's identification or symbol and then, only upon the approval of and at the discretion of the Development Authority.

- (8) The Development Authority may approve a large wind energy conversion system on a case-by-case basis having regard for:
- (a) information provided in the application,
 - (b) the proximity of the proposed development to other land uses,
 - (c) the cumulative effect of all wind energy conversion systems approved or proposed in the area,
 - (d) underlying utilities, and
 - (e) information received from the circulation of the application and from the public.
- (9) Compliance With Traffic Safety Regulations

Large wind energy conversion systems must comply with applicable air traffic safety regulations. A statement of compliance by the applicant is sufficient. Transport Canada must be notified of the location (latitude and longitude) and height of all wind turbine installations through the aeronautical clearance application process. Wind turbine towers shall not be artificially lit except as required by Navigation Canada.

8.39 Wind Energy Conversion Systems, Micro

- (1) Notwithstanding any other provisions in this Bylaw, micro wind energy conversion systems, which are systems with a rated capacity of less than 0.5 KW, may only be roof mounted or ground mounted within a side or rear yard.
- (2) Micro wind energy conversion systems shall be required to conform to set back requirements for accessory buildings.
- (3) Maximum height shall be the maximum height provisions that apply within the District in which the micro wind energy conversion system is located.
- (4) Number per lot

One micro wind energy conversion system is allowed per lot. A second system may be allowed at the discretion of the Development Authority if the applicant can demonstrate that there is adequate room on the site.

8.40 Wind Energy Conversion Systems, Small

- (1) Wind Turbine Tower Height

For property sizes between 0.1 ha (0.25 acre) and 0.2 ha (0.5 ac.) the wind turbine tower height shall be limited to 25.0 m (80.0 ft.). For property sizes of 0.2 ha (0.5

ac.) or more, there is no limitation on wind turbine tower height, subject to the setback requirements below, and provided that the application includes evidence that the proposed height does not exceed the height recommended by the manufacturer or any distributor of the system.

(2) Property Line Setbacks in the Urban Reserve District

The turbine base shall be no closer to the property line than the height of the wind turbine tower, and no part of the system structure, including guy wire anchors, may extend closer than 3.0 m (10.0 ft.) to the property boundaries of the installation site. Additionally, the outer and innermost guy wires must be marked and clearly visible to a height of 2.0 m (6.0 ft.) above the guy wire anchors. The Development Authority may waive setback requirements from adjacent properties if such adjacent property owner agrees to grant an easement binding on current and future owners.

(3) Property Line Setbacks in the Commercial and Semi-Public Districts

(a) The turbine base shall be no closer to the property line than the height of the wind turbine tower, and no part of the system structure may extend closer than (3.0) m (10.0 ft.) to the property boundaries of the installation site. The Development Authority may waive setback requirements from adjacent properties if such adjacent property owner agrees to grant an easement binding on current and future owners.

(b) **Mounting using guy wires shall be allowed in:**

- (i) the Industrial (M1) District, and
- (ii) the Urban Reserve (UR) District.

(c) The applicant will be required to provide the Development Authority with information regarding the proposed means of mounting the turbine prior to development approval.

(4) Noise

The mean value of the sound pressure level from small wind energy conversion systems shall not exceed more than 6.0 decibels (dBA) above background sound, as measured at the exterior of the closest neighbouring inhabited dwelling (at the time of installation or during operation), for wind speeds below 10 m/s (22.0 mph) and except during short-term events such as utility outages and/or severe wind storms.

(5) Compliance with Building Code

Development permit applications for small wind energy conversion systems shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, footings, and anchoring method, all drawn to scale. An engineering analysis of the wind turbine tower showing compliance with the International Building Code and certified by a licensed professional mechanical, structural, or civil engineer shall also be submitted. Documentation of this analysis supplied by the manufacturer shall be accepted.

(6) Compliance with Air Traffic Safety Regulations

Small wind energy conversion systems must comply with applicable air traffic safety regulations. A statement of compliance by the applicant is sufficient. Transport Canada must be notified of the location (latitude and longitude) and height of all wind turbine installations through the aeronautical clearance application process. Wind turbine towers shall not be artificially lit except as required by Navigation Canada.

(7) Compliance with Existing Electric Codes

Building permit applications for small wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to existing electrical codes. This information is frequently supplied by the manufacturer.

(8) Utility Notification

No small wind energy conversion system that is tied into a grid shall be installed until evidence has been given that the power utility has been informed of the customer's intent to install an interconnected customer-owner generator. A copy of a letter to the applicant's power utility is sufficient. No response or evidence of approval from the power utility is required. Off-grid systems and grid-tied systems that are not capable of feeding onto the grid with advanced control grid fault protection and disconnect switches covered under the electrical code shall be exempt from the requirement.

(9) Number per Lot

One small wind energy conversion system is allowed per lot. A second system may be allowed at the discretion of the Development Authority if the applicant can demonstrate that there is adequate room on the site.

8.41 Wireless Communications Facilities

- (1) The municipality will encourage developers of wireless communications facilities to demonstrate good planning and design with foremost regard to safety of the general public; adherence to established construction standards in industry; minimizing impacts to the natural environment; minimizing the visual impacts on nearby residents; and ensuring public consultation in the early development stages. A letter of support will be provided to licensing and approving authorities for applications meeting these criteria. A letter of non-support will be provided to licensing and approving authorities for applications not meeting these criteria.
- (2) Developers of a wireless communications facility that plan for the facility and can accommodate other wireless operators on the site will be given priority status.
- (3) The application for development of a wireless communications facility is encouraged to engage existing owner/operators of these structures for co-location opportunities. Existing operators are encouraged to participate in the process by charging reasonable rates for this privilege.
- (4) Applications for development of structures outside of the Alberta Building Code such as lattice towers shall include a document from authoritative sources demonstrating structural adequacy of the specified structure for the location and loading defined in the application. Such authorities include: the Canadian Standards Association and qualified structural engineers. Stamps and Seals of approval shall accompany the documentation.
- (5) Guyed-tower structures are to be located on properties so as to allow for a distance from the base to boundary setbacks that is no less than equal to the final structure height. In all cases, base and anchor structures must be designed for the soil conditions present. A professionally engineered design with supporting soil profiles must accompany the application for development. Precise location (Latitude and Longitude) of the base and anchors must be revealed.

Self-supporting towers are to be located respecting Provincial and federal building and safety codes. In all cases the base structures must be designed for the soil conditions present. A professionally engineered design with supporting soil profiles must accompany the application for development.
- (6) Multiple tower structures will require individual development permit applications.
- (7) Applications for the development of wireless facilities must include in the development application letters from the following authorities:

- (a) Transport Canada, governing painting and lighting of the applicant's tower for aeronautical safety,
 - (b) NavCanada, governing aircraft communication and instrumentation immunity from the applicant's tower transmissions, and
 - (c) Industry Canada, governing the frequency of operations and public safety from non-ionized radiation in accordance with Safety Code 6. Licensed exempt operators must provide a stamped letter from a licensed professional radio frequency engineer guaranteeing these conditions will be met.
- (8) Appropriate fencing around the base, anchors and site limiting public access to the tower and exposure to high radio frequency energy fields must be provided with consideration of community aesthetics.
- (9) The application for development must include consideration to minimizing environmental damage through the following measures:
 - (a) Consultation with Federal and Provincial environmental agencies to ensure the site selected and the resultant construction does not impact upon sensitive ecologies nor interfere with migrating birds or animals. Confirming letters from these agencies must accompany the application for development.
 - (b) The application for development shall include a signed letter from the applicant detailing corrective action(s) to remediate any environmental damages.
- (10) As a condition of obtaining a development permit the applicant agrees to the following:
 - (a) The site will be reclaimed within six (6) months of cessation of operation.
 - (b) The site reclamation will comply with Provincial legislation, regulations, and policy.
- (11) Applicants for development of a wireless communications facility within 0.5 miles (0.8 km) of a residential area must demonstrate attention to community aesthetics in their choice of structure.
- (12) A public consultative process shall commence with an advertisement of the intent to establish a wireless communications facility in the local newspapers and a letter to the neighbouring property owners 120 days prior to the anticipated date of construction. The applicant will be required to submit a copy of their public consultation program for approval by the Development Authority.

8.42 Workcamps

- (1) All workcamps may be considered temporary developments.
- (2) At no time shall the total number of all workcamps within the municipality accommodate more than 500 persons.
- (3) All workcamps require a development permit and the Development Authority shall give due regard to the need, location and type of camp, prior to rendering its decision.
- (4) A development permit for a workcamp may be issued for a temporary period of time at the discretion of the Development Authority.
- (5) The Development Authority may establish whatever conditions for the approval of a workcamp that it, at its discretion, deems reasonable.
- (6) If all of the conditions of the development permit have not been fulfilled to the satisfaction of the Development Authority then the permit will not be considered valid.
- (7) In addition to the requirements of **Section 3.4** of this Bylaw, an application for a development permit for workcamp must provide the following information:
 - (a) the location, type and purpose of the camp,
 - (b) adjacent land uses,
 - (c) the method for connecting the proposed development to municipal water, sewage, waste disposal and storm water systems,
 - (d) the number of persons proposed to live in the camp,
 - (e) the start date for the development, date of occupancy by residents, and removal date for the camp, and
 - (f) reclamation measures to be completed once the camp is no longer needed to the satisfaction of the Development Authority.
- (8) As a condition of approval, the Development Authority shall require the developer to obtain any necessary permits and approvals from all regulatory authorities and agencies having jurisdiction, including any necessary approvals pursuant to the Safety Codes Act that may be applicable.
- (9) As a condition of approval, the Development Authority may require that the developer construct, upgrade, or pay to construct or upgrade any necessary municipal infrastructure to service to the development.
- (10) All internal roads shall be the responsibility of the Developer for both construction and future maintenance.

- (11) The developer shall provide on-site potable water supply in accordance with the municipality's Master Services Plan as well as all applicable Provincial regulations.
- (12) The developer shall provide sewage disposal facilities in accordance with the municipality's Master Services Plan as well as all applicable Provincial regulations.
- (13) The developer shall provide natural gas facilities in accordance with the municipality's requirements as well as all applicable Provincial regulations.
- (14) The developer shall be required to enter into a development agreement with the municipality as a condition of development approval. The development agreement will include provisions requiring the developer to construct, upgrade, or pay to construct or upgrade the necessary municipal roads to access the development when determined necessary by the Development Authority.
- (15) All work camps must:
 - (a) ensure that all required access, including internal roadways and intersection improvements, are provided to the satisfaction of the Development Authority at the sole cost to the developer;
 - (b) be designed so that all points of access and egress are located to the satisfaction of the Development Authority and, when required, Alberta Transportation, and/or adjacent municipality;
 - (c) be able to accommodate a minimum of fifty (50) persons;
 - (d) be secured by the installation of appropriate security and buffering measures such as berms, fences and landscaping. The form of the buffering will be determined by and to the satisfaction of the Development Authority;
 - (e) provide on-site security staff to the satisfaction of the Development Authority;
 - (f) all parking must be provided on the lot and areas for parking developed to the satisfaction of the Development Authority. Normally, on-site parking for private vehicles will adhere to the same standard as parking for a hotel or motel;

- (g) post security with the municipality sufficient to remove and/or reclaim the site if the workcamp remains on site after the project is either completed or if the work has stopped to the extent that the municipality no longer feels that the workcamp is necessary to the project, or to reclaim the site if needed after the workcamp has been removed from the site; and
 - (h) be separated from adjacent land uses.
- (16) Maximum site coverage shall be such that space is available for all the parking on the lot, together with the applicable setbacks and required landscaping as determined by the Development Authority.
- (17) Adjacent buildings in workcamps shall be located sufficient distance from each other as required for fire protection purposes as determined by the Safety Codes Act and by the Development Authority.
- (18) Screening and fencing of storage areas shall be to the satisfaction of the Development Authority.
- (19) The development must comply with current Building and Fire Code requirements as amended from time to time.
- (20) Because of the number of temporary workers and related traffic impacts the applicant will also be required to provide a report which details the following:
 - (a) discussions with and impact on the local RCMP,
 - (b) discussions with and impact on the local Emergency Medical Services,
 - (c) discussions with and impact on the local Fire Department, and
 - (d) discussions with and impact on the local road system including a Traffic Impact Assessment.
- (21) The development must comply with any other conditions required to the satisfaction of the Development Authority.

PART 9.0 - DISTRICT PROVISIONS

9.1 Single Family Residential (R-1) District

(1) Purpose

The purpose of this District is to provide for residential development in the form of low density single family housing on a variety of lot sizes.

(2) Permitted and Discretionary Uses

(a) Permitted Uses

- (1) Day homes
- (2) In-law suites
- (3) Minor home occupations
- (4) Modular homes
- (5) Public parks
- (6) Secondary suites
- (7) Single family dwellings
- (8) Solar energy collection systems
- (9) Wind energy conversion systems, micro
- (10) Buildings and uses accessory to permitted uses

(b) Discretionary Uses

- (1) Bed and breakfast establishments
- (2) Child care facilities
- (3) Duplex, up-down and side-by-side
- (4) Family care facilities
- (5) Garage suites
- (6) Group homes
- (7) Major home occupations
- (8) Neighbourhood commercial development
- (9) Places of worship
- (10) Public utilities that have no office or workshop as a part of the development
- (11) Relocated buildings
- (12) Sea cans
- (13) Show homes
- (14) Small radio communications towers
- (15) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (16) Buildings and uses accessory to discretionary uses

TOWN OF REDWATER

Land Use Bylaw – September 17, 2013

(3) Subdivision Regulations

- (a) Minimum site depth
 - (i) In the case of road and lane systems – 30.5 m (100 ft.)
 - (ii) In the case of laneless systems – 33.5 m (110 ft.)
- (b) Minimum site width
 - (i) internal sites – 15.2 m (50.0 ft.)
 - (ii) corner sites – 16.75 m (55.0 ft.)
- (c) Minimum site area
 - (i) in the case of road and lane systems**
 - (A) internal sites – $30.5\text{m} \times 15.2\text{m} = 463.60 \text{ m}^2$ $100 \times 50 = 5000 \text{ ft.}^2$
 - (B) corner sites- $30.5\text{m} \times 16.75\text{m} = 510.87 \text{ m}^2$ $100 \times 55 = 5500 \text{ sq. ft.}^2$
 - (ii) in the case of laneless systems**
 - (A) internal sites- $33.5\text{m} \times 15.2\text{m} = 509.2 \text{ m}^2$ $110 \times 50 = 5500 \text{ sq. ft.}$
 - (B) corner site- $33.5\text{m} \times 16.75\text{m} = 561.12 \text{ m}^2$ $110 \times 55 = 6050 \text{ sq. ft.}$

(4) Duplex Subdivision Regulations

- a) Minimum site depth for duplexes
 - (i) In the case of road and lane systems – 30.5 m (100 ft.)
 - (ii) In the case of laneless systems – 33.5 m (110 ft.)
- (b) Minimum site width for each duplex -per duplex unit

(A site for an up-down duplex (which has 2 dwelling units within it) must be the same width as a site for a side-by-side duplex (which has 2 dwelling units within it).)

 - (i) In the case of road and lane systems
 - (A) internal sites – 7.62 m (25.0 ft.) per duplex
 - (B) corner sites – 8.38 m (27.5 ft.) per dwelling unit
 - (ii) In the case of laneless systems
 - (A) internal sites – 7.62 m (25.0 ft.) per duplex unit
 - (B) corner sites – 8.38 m (27.5 ft.) per dwelling unit
- (c) Minimum site area for each duplex containing 2 dwelling units

(A site for an up-down duplex (which has 2 dwelling units within it) must be the same area as a site for a side-by-side duplex (which has 2 dwelling units within it).)

- (i) In the case of road and lane systems
 - (A) internal sites –232.4 m² (2500 ft. ²) per dwelling unit
 - (B) corner sites –255.6 m² (2750.0 ft. ²) per dwelling unit
- (ii) In the case of laneless systems
 - (A) internal sites –255.3 m² (2750.0 ft.²) per dwelling unit
 - (B) corner sites –280.7 m² (3025.0 ft. ²) per dwelling unit

(5) Development Regulations

- (a) Maximum Site Coverage – 45%.

Of the 45% site coverage, a maximum of 15% of the total site may be covered by accessory buildings.

- (b) Minimum Required Front Yard

The minimum required front yard shall be at the discretion of the Development Authority, who shall have regard for the amenities of the neighbourhood in which the site is located; however, in no case shall the Development Authority allow a front yard of less than 6.0 m (19.7 ft.).

- (c) Minimum Required Side Yard

- (i) The minimum required side yards on each site shall be a minimum of 1.5 m (4.9 ft.) on each side.
- (ii) Notwithstanding **Subsection (i)** above, where a site has vehicular access from the front only and no attached garage or carport is provided with access to the front, one side yard of at least 3.0 m (9.8 ft.) shall be provided.
- (iii) Corner and double fronting sites shall provide side yards as provided pursuant **Section 7.3** of this Bylaw.
- (iv) On corner sites, site lines shall be protected pursuant to **Section 7.18** of this Bylaw.

(d) Minimum Required Rear Yard

The minimum required rear yard shall be 7.5 m (24.6 ft.), except in the case of a corner site, where the rear yard next to a lane may be a minimum of 4.5 m (14.8 ft.).

(e) Maximum Height – 9.0 m (29.5 ft.)

(f) Minimum Floor Area

(i) Single family dwellings

(A) 1 storey – 80.0 m² (861.1 ft.²)

(B) 1½ storey and split level – upper floor – 37.0 m² (398.3 ft.²)
– lower floors – 70.0 m² (753.5 ft.²)

(C) 2 storey – each floor – 61.0 m² (656.6 ft.²)

(ii) Other uses - at the discretion of the Development Authority

(g) Parking

(i) Site design shall be such that a garage, either attached or detached, may be built to comply with the minimum requirements of this Bylaw.

(6) Additional Regulations

(a) Fences shall be developed in accordance with **Section 7.7** of this Bylaw.

(b) Landscaping shall be provided in accordance with **Section 7.9** of this Bylaw.

(c) Grading and drainage of the site shall be provided in accordance with **Section 7.17** of this Bylaw.

(d) Accessory buildings shall be developed in accordance with **Section 8.2** of this Bylaw.

(e) Private swimming pools and hot tubs shall be developed in accordance with **Section 8.22** of this Bylaw.

(f) No signs shall be allowed in the R-1 District except as provided for in **Section 8.32** of this Bylaw.

9.2 Single Family Large Dwelling and Large Lot Residential (R-2) District

(1) Purpose

The purpose of this District is to provide for residential development in the form of large, low density single family housing on large lots.

(2) Permitted and Discretionary Uses

(a) Permitted Uses

- (1) Day homes
- (2) In-law suites
- (3) Minor home occupations
- (4) Modular homes
- (5) Public parks
- (6) Secondary suites
- (7) Single family dwelling
- (8) Solar Energy Collection Systems
- (9) Wind energy conversion systems, micro
- (10) Buildings and uses accessory to permitted uses

(b) Discretionary Uses

- (1) Bed and breakfast establishments
- (2) Child care facilities
- (3) Duplex, up-down and side-by-side
- (4) Family care facilities
- (5) Garage suites
- (6) Group care facilities
- (7) Group homes
- (8) Kennels
- (9) Major home occupations
- (10) Neighbourhood commercial development
- (11) Places of worship
- (12) Public utilities that have no office or workshop as a part of the development
- (13) Relocated buildings
- (14) Sea cans
- (15) Show homes
- (16) Small radio communications towers
- (17) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (18) Buildings and uses accessory to discretionary uses

(3) Subdivision Regulations

- (a) Minimum site depth
 - (i) In the case of road and lane systems – 36.5 m (119.75 ft.)
 - (ii) In the case of laneless systems – 39.5 m (129.5 ft.)

- (b) Minimum site width
 - (i) internal sites – 19.8 m (65.0 ft.)
 - (ii) corner sites – 21.0 m (68.9 ft.)

- (c) Minimum site area

(i) in the case of road and lane systems

(A) internal sites- $36.5\text{m} \times 19.8\text{m} = 722.70\text{m}^2$

$119.75 \times 65 = 7783.75 \text{ ft.}^2$

(B) corner sites – $36.5\text{m} \times 21.0 = 766.5 \text{ m}^2$

$119.75 \times 68.9 = 8250.77 \text{ ft.}^2$

(ii) in the case of laneless Systems

(A) internal sites – $39.5\text{m} \times 19.8\text{m} = 782.10 \text{ m}^2$

$129.5 \times 65 = 8417.50 \text{ ft.}^2$

(B) corner sites– $39.5\text{m} \times 21.0\text{m} = 829.50 \text{ m}^2$

$129.5 \times 68.9 = 8922.5 \text{ ft.}^2$

(4) Duplex Subdivision Regulations

- a) Minimum site depth for duplexes
 - (i) In the case of road and lane systems – 30.5 m (100 ft.)
 - (ii) In the case of laneless systems – 33.5 m (110 ft.)

- (b) Minimum site width for each duplex (per duplex unit)

(A site for an up-down duplex (which has 2 dwelling units within it) must be the same width as a site for a side-by-side duplex (which has 2 dwelling units within it).)

- (i) In the case of road and lane systems
 - (A) internal sites – 7.62 m (25.0 ft.) per duplex
 - (B) corner sites – 8.38 m (27.5 ft.) per dwelling unit
- (ii) In the case of laneless systems
 - (A) internal sites – 7.62 m (25.0 ft.) per duplex unit
 - (B) corner sites – 8.38 m (27.5 ft.) per dwelling unit

- (c) Minimum site area for each duplex containing 2 dwelling units

(A site for an up-down duplex (which has 2 dwelling units within it) must be the same area as a site for a side-by-side duplex (which has 2 dwelling units within it).)

- (i) In the case of road and lane systems

(A) internal sites –232.4 m² (2500 ft. ²) per dwelling unit

(B) corner sites –255.6 m² (2750.0 ft. ²) per dwelling unit

- (ii) In the case of laneless systems

(A) internal sites –255.3 m² (2750.0 ft. ²) per dwelling unit

(B) corner sites –280.7 m² (3025.0 ft. ²) per dwelling unit

(5) Development Regulations

- (a) Maximum Site Coverage – 45%

Of the 45% site coverage, a maximum of 12% of the total site may be covered by accessory buildings.

- (b) Minimum Required Front Yard

The minimum required front yard shall be at the discretion of the Development Authority, who shall have regard for the amenities of the neighbourhood in which the site is located; however, in no case shall the Development Authority allow a front yard of less than 6.0 m (19.7 ft.).

- (c) Minimum Required Side Yard

- (i) The minimum required side yards on each site shall be a minimum of 1.5 m (4.9 ft.) on each side.

- (ii) Notwithstanding **subsection (i)** above, where a site has vehicular access from the front only and no attached garage or carport is provided with access to the front, one side yard of at least 3.0 m (9.8 ft.) shall be provided.

- (iii) Corner and double fronting sites shall provide side yards as provided pursuant to **Section 7.3** of this Bylaw.

- (iv) On corner sites, site lines shall be protected pursuant to **Section 7.18** of this Bylaw

(d) Minimum Required Rear Yard

The minimum required rear yard shall be 7.5 m (24.6 ft.), except in the case of a corner site, where the rear yard next to a lane may be a minimum of 4.5 m (14.8 ft.).

(e) Maximum Height – 9.0 m (29.5 ft.)

(f) Minimum Floor Area

(i) Single detached dwellings

(A) 1 storey – 139.0 m² (1,496.2 ft.²)

(B) 1½ storey and split level – upper floor – 56.0 m² (602.8 ft.²)
- lower floors – 112.0 m² (1,205.6 ft.²)

(C) 2 storey – upper floor – 61.0 m² (656.6 ft.²)
- lower floors – 93.0 m² (1,001.0 ft.²)

(ii) Other uses - at the discretion of the Development Authority

(g) Parking

(i) Site design shall be such that a garage, either attached or detached, may be built to comply with the minimum requirements of this Bylaw.

(6) Additional Regulations

(a) Fences shall be developed in accordance with **Section 7.7** of this Bylaw.

(b) Landscaping shall be provided in accordance with **Section 7.9** of this Bylaw.

(c) Grading and drainage of the site shall be provided in accordance with **Section 7.17** of this Bylaw.

(d) Accessory buildings shall be developed in accordance with **Section 8.2** of this Bylaw.

(e) Private swimming pools and hot tubs shall be developed in accordance with **Section 8.22** of this Bylaw.

(f) No signs shall be allowed in the R-2 District except as provided for in **Section 8.32** of this Bylaw.

9.3 Single Family Compact Lot Residential (R-3) District

(1) Purpose

The purpose of this District is to provide for residential development in the form of low density single family housing on small lots.

(2) Permitted and Discretionary Uses

(a) Permitted Uses

- (1) Day homes
- (2) In-law suites
- (3) Minor home occupations
- (4) Modular homes
- (5) Public parks
- (6) Secondary suites
- (7) Single family dwellings
- (8) Solar energy collection systems
- (9) Wind energy conversion systems, micro
- (10) Buildings and uses accessory to permitted uses

(b) Discretionary Uses

- (1) Bed and breakfast establishments
- (2) Child care facilities
- (3) Duplex, up-down and side-by-side
- (4) Family care facilities
- (5) Garage suites
- (6) Group care facilities
- (7) Group homes
- (8) Major home occupations
- (9) Neighbourhood commercial development
- (10) Places of worship
- (11) Public utilities that have no office or workshop as a part of the development
- (12) Relocated buildings
- (13) Sea cans
- (14) Show homes
- (15) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (16) Buildings and uses accessory to discretionary uses

(3) Subdivision Regulations

- (a) Minimum site depth
 - (i) In the case of road and lane systems – 30.5 m (100 ft.)
 - (ii) In the case of laneless systems – 33.5 m (110 ft.)
- (b) Minimum site width
 - (i) In the case of road and lane systems
 - (A) internal sites – 12.2 m (40.0 ft.)
 - (B) corner sites – 13.7 m (45.0 ft.)
 - (ii) In the case of laneless systems
 - (A) internal sites – 13.7 m (45.0 ft.)
 - (B) corner sites – 15.0 m (49.2 ft.)
- (c) Minimum site area
 - (i) In the case of road and lane systems
 - (A) internal sites – 372.0 m² (4,004.2 ft.²)
 - (B) corner sites – 418.0 m² (4,499.3 ft.²)
 - (ii) In the case of laneless systems
 - (A) internal sites – 459.0 m² (4,940.6 ft.²)
 - (B) corner sites – 503.0 m² (5,414.2 ft.²)

(4) Duplex Subdivision Regulations

- a) Minimum site depth for duplexes
 - (i) In the case of road and lane systems – 30.5 m (100 ft.)
 - (ii) In the case of laneless systems – 33.5 m (110 ft.)
- (b) Minimum site width for each duplex (per duplex unit)

(A site for an up-down duplex (which has 2 dwelling units within it) must be the same width as a site for a side-by-side duplex (which has 2 dwelling units within it).)

 - (i) In the case of road and lane systems
 - (A) internal sites – 7.62 m (25.0 ft.) per duplex
 - (B) corner sites – 8.38 m (27.5 ft.) per dwelling unit
 - (ii) In the case of laneless systems

TOWN OF REDWATER

Land Use Bylaw – September 17, 2013

- (A) internal sites –7.62 m (25.0 ft.) per duplex unit
- (B) corner sites –8.38 m (27.5 ft.) per dwelling unit

(c) Minimum site area for each duplex containing 2 dwelling units

(A site for an up-down duplex (which has 2 dwelling units within it) must be the same area as a site for a side-by-side duplex (which has 2 dwelling units within it).)

- (i) In the case of road and lane systems
 - (A) internal sites –232.4 m² (2500 ft. ²) per dwelling unit
 - (B) corner sites –255.6 m² (2750.0 ft. ²) per dwelling unit

- (ii) In the case of laneless systems
 - (A) internal sites –255.3 m² (2750.0 ft. ²) per dwelling unit
 - (B) corner sites –280.7 m² (3025.0 ft. ²) per dwelling unit

(5) Development Regulations

(a) Maximum Site Coverage - 50%

Of the 50% site coverage, a maximum of 12% total site coverage may be covered by accessory buildings.

(b) Minimum Required Front Yard

The minimum required front yard shall be at the discretion of the Development Authority, who shall have regard for the amenities of the neighbourhood in which the site is located; however, in no case shall the Development Authority allow a front yard of less than 6.0 m (19.7 ft.).

(c) Minimum Required Side Yard

- (i) The minimum required side yards on each site shall be a minimum of 1.5 m (5 ft.) on each side.
- (ii) Notwithstanding subsection (i) above, where a site has vehicular access from the front only and no attached garage or carport is provided with access to the front, one side yard of at least 3.0 m (9.8 ft.) shall be provided.
- (iii) Corner and double fronting sites shall provide side yards as provided pursuant to **Section 7.3** of this Bylaw.

- (iv) On corner sites, site lines shall be protected pursuant to **Section 7.18** of this Bylaw.
- (d) Minimum Required Rear Yard

The minimum required rear yard shall be 7.5 m (24.6 ft.), except in the case of a corner site, where the rear yard next to a lane may be a minimum of 4.5 m (14.8 ft.).
- (e) Maximum Height – 9.0 m (29.5 ft.)
- (f) Minimum Floor Area
 - (i) Single detached dwellings
 - (A) 1 storey – 80.0 m² (860.0 ft.²)
 - (B) 1½ storey and split level – upper floor – 32.5 m² (349.8 ft.²)
– lower floors – 51.0 m² (549.0 ft.²)
 - (C) 2 storey – upper floor – 46.5 m² (500.5 ft.²)
– lower floors – 55.5 m² (597.4 ft.²)
 - (ii) Other uses - at the discretion of the Development Authority
- (g) Parking
 - (i) Site design shall be such that a garage, either attached or detached, may be built to comply with the minimum requirements of this Bylaw.

(6) Additional Regulations

- (a) Fences shall be developed in accordance with **Section 7.7** of this Bylaw.
- (b) Landscaping shall be provided in accordance with **Section 7.9** of this Bylaw.
- (c) Grading and drainage of the site shall be provided in accordance with **Section 7.17** of this Bylaw.
- (d) Accessory buildings shall be developed in accordance with **Section 8.2** of this Bylaw.
- (e) Private swimming pools and hot tubs shall be developed in accordance with **Section 8.22** of this Bylaw.
- (f) No signs shall be allowed in the R-3 District except as provided for in **Section 8.32** of this Bylaw.

TOWN OF REDWATER

Land Use Bylaw – September 17, 2013

9.3A Single Family Small Lot Residential (R-3A) District

(1) Purpose

The purpose of this District is to provide for residential development in the form of single family housing on small lots to allow for the efficient use of land.

(2) Permitted and Discretionary Uses

(a) Permitted Uses

- (1) Day homes
- (2) In-law suites
- (3) Minor home occupations
- (4) Modular Homes
- (5) Public parks
- (6) Secondary suites
- (7) Single family dwellings
- (8) Solar Energy Collection Systems
- (9) Buildings and uses accessory to permitted uses

(b) Discretionary Uses

- (1) Bed and breakfast establishments
- (2) Child care facilities
- (3) Duplex, up-down and side-by-side
- (4) Family care facilities
- (5) Garage suites
- (6) Group care facilities
- (7) Group homes
- (8) Major home occupations
- (9) Neighbourhood commercial development
- (10) Places of worship
- (11) Public utilities that have no office or workshop as a part of the development
- (12) Relocated buildings
- (13) Sea cans (for temporary construction use only)
- (14) Show homes
- (15) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (16) Buildings and uses accessory to discretionary uses

(3) Subdivision Regulations

- (a) Minimum site depth
 - (i) In the case of road and lane systems – 30.5 m (100 ft.)
 - (ii) In the case of laneless systems – 33.5 m (110 ft.)
- (b) Minimum site width
 - (i) In the case of road and lane systems
 - (A) internal sites – 11.3 m (37.0 ft.)
 - (B) corner sites – 12.5 m (41.0 ft.)
 - (ii) In the case of laneless systems
 - (A) internal sites – 11.3 m (37.0 ft.)
 - (B) corner sites – 12.5 m (41.0 ft.)
- (c) Minimum site area
 - (i) In the case of road and lane systems
 - (A) internal sites – 344.7 m² (3710.3 ft. ²)
 - (B) corner sites – 381.2 m² (4103.2 ft. ²)
 - (ii) In the case of laneless systems
 - (A) internal sites – 378.6 m² (4075.2 ft. ²)
 - (B) corner sites – 418.7 m² (4506.8 ft. ²)

(4) Development Regulations

- (a) Maximum Site Coverage – 50%

Of the 50% site coverage, a maximum of 12% total site coverage may be covered by accessory buildings.

- (b) Minimum Required Front Yard

The minimum required front yard shall be at the discretion of the Development Authority, who shall have regard for the amenities of the neighbourhood in which the site is located; however, in no case shall the Development Authority allow a front yard of less than 6.0 m (19.7 ft.).

- (c) Minimum Required Side Yard

TOWN OF REDWATER

Land Use Bylaw – September 17, 2013

- (i) The minimum required side yards on each site shall be a minimum of 1.5 m (4.9 ft.) on each side.
 - (ii) Notwithstanding subsection (i) above, where a site has vehicular access from the front only and no attached garage or carport is provided with access to the front, one side yard of at least 3.0 m (9.8 ft.) shall be provided.
 - (iii) Corner and double fronting sites shall provide side yards as provided pursuant to **Section 7.3** of this Bylaw.
 - (iv) On corner sites, site lines shall be protected pursuant to **Section 7.18** of this Bylaw.
- (d) Minimum Required Rear Yard

The minimum required rear yard shall be 7.5 m (24.6 ft.), except in the case of a corner site, where the rear yard next to a lane may be a minimum of 4.5 m (14.8 ft.).

- (e) Maximum Height – 9.0 m (29.5 ft.)

- (f) Minimum Floor Area

- (i) Single detached dwellings
 - (A) 1 storey – 80 sq. m (860 ft. ²)
 - (B) 1½ storey and split level – upper floor – 32.5 m² (349.8 ft. ²)
 - lower floors – 51 m² (549 ft. ²)
 - (C) 2 storey – upper floor – 46.5 m² (500.5 ft. ²)
 - lower floors – 55.5 m² (597.4 ft. ²)
- (ii) Other uses - at the discretion of the Development Authority

- (g) Parking

- (i) Site design shall be such that a garage, either attached or detached, may be built to comply with the minimum requirements of this Bylaw.

(5) Duplex Subdivision Regulations

- a) Minimum site depth for duplexes

- (i) In the case of road and lane systems – 30.5 m (100 ft.)

TOWN OF REDWATER

Land Use Bylaw – September 17, 2013

- (ii) In the case of laneless systems – 33.5 m (110 ft.)
- (b) Minimum site width for each duplex (per duplex unit)

(A site for an up-down duplex (which has 2 dwelling units within it) must be the same width as a site for a side-by-side duplex (which has 2 dwelling units within it).)

 - (i) In the case of road and lane systems
 - (A) internal sites – 7.62 m (25.0 ft.) per duplex
 - (B) corner sites – 8.38 m (27.5 ft.) per dwelling unit
 - (ii) In the case of laneless systems
 - (A) internal sites – 7.62 m (25.0 ft.) per duplex unit
 - (B) corner sites – 8.38 m (27.5 ft.) per dwelling unit
- (c) Minimum site area for each duplex containing 2 dwelling units

(A site for an up-down duplex (which has 2 dwelling units within it) must be the same area as a site for a side-by-side duplex (which has 2 dwelling units within it).)

 - (i) In the case of road and lane systems
 - (A) internal sites – 232.4 m² (2500 ft.²) per dwelling unit
 - (B) corner sites – 255.6 m² (2750.0 ft.²) per dwelling unit
 - (ii) In the case of laneless systems
 - (A) internal sites – 255.3 m² (2750.0 ft.²) per dwelling unit
 - (B) corner sites – 280.7 m² (3025.0 ft.²) per dwelling unit

(6) Additional Regulations

- (a) Fences shall be developed in accordance with **Section 7.7** of this Bylaw.
- (b) Landscaping shall be provided in accordance with **Section 7.9** of this Bylaw.
- (c) Grading and drainage of the site shall be provided in accordance with **Section 7.17** of this Bylaw.
- (d) Accessory buildings shall be developed in accordance with **Section 8.2** of this Bylaw.
- (e) Private swimming pools and hot tubs shall be developed in accordance with **Section 8.22** of this Bylaw.

- (f) No signs shall be allowed in the R-3A District except as provided for in **Section 8.32** of this Bylaw.

9.4 Two Family Residential (R-4) District

(1) Purpose

The purpose of this District is to provide for residential development in the form of duplex housing.

(2) Permitted and Discretionary Uses

(a) Permitted Uses

- (1) Day homes
- (2) Duplexes, up down
- (3) Duplexes, side by side
- (4) In-law suites
- (5) Minor home occupations
- (6) Public parks
- (7) Secondary suites
- (8) Solar energy collection systems
- (9) Wind energy conversion systems, micro
- (10) Buildings and uses accessory to permitted uses

(b) Discretionary Uses

- (1) Bed and breakfast establishments
- (2) Child care facilities
- (3) Family care facilities
- (4) Group care facilities
- (5) Group homes
- (6) Major home occupations
- (7) Modular homes
- (8) Neighbourhood commercial development
- (9) Places of worship
- (10) Public utilities that have no office or workshop as a part of the development
- (11) Sea cans (for temporary construction use only)
- (12) Single family dwellings
- (13) Show homes
- (14) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (15) Buildings and uses accessory to discretionary uses

(3) Subdivision Regulations

(a) Minimum site depth for duplexes

- (i) In the case of road and lane systems – 30.5 m (100 ft.)
- (ii) In the case of laneless systems – 33.5 m (110 ft.)

(b) Minimum site width for each duplex (per duplex unit)

(A site for an up-down duplex (which has 2 dwelling units within it) must be the same width as a site for a side-by-side duplex (which has 2 dwelling units within it).)

- (i) In the case of road and lane systems
 - (A) internal sites – 7.62 m (25.0 ft.) per duplex
 - (B) corner sites – 8.38 m (27.5 ft.) per dwelling unit
- (ii) In the case of laneless systems
 - (A) internal sites – 7.62 m (25.0 ft.) per duplex unit
 - (B) corner sites – 8.38 m (27.5 ft.) per dwelling unit

(c) Minimum site area for each duplex containing 2 dwelling units

(A site for an up-down duplex (which has 2 dwelling units within it) must be the same area as a site for a side-by-side duplex (which has 2 dwelling units within it).)

- (i) In the case of road and lane systems
 - (A) internal sites – 232.4 m² (2500 ft. ²) per dwelling unit
 - (B) corner sites – 255.6 m² (2750.0 ft. ²) per dwelling unit
- (ii) In the case of laneless systems
 - (A) internal sites – 255.3 m² (2750.0 ft. ²) per dwelling unit
 - (B) corner sites – 280.7 m² (3025.0 ft. ²) per dwelling unit

(c) Minimum site width and site area requirements for single family dwellings and modular homes – in accordance with the requirements of the R-1 District

(4) Development Regulations

(a) Maximum Site Coverage - 50%.

Of the 50% site coverage, a maximum of 12% of the total site coverage may be covered by accessory buildings.

TOWN OF REDWATER

Land Use Bylaw – September 17, 2013

(b) Minimum Required Front Yard

The minimum required front yard shall be at the discretion of the Development Authority, who shall have regard for the amenities of the neighbourhood in which the site is located; however, in no case shall the Development Authority allow a front yard of less than 6.0 m (19.7 ft.).

(c) Minimum Required Side Yard

- (i) The minimum required side yards on each site shall be a minimum of 1.5m (4.9 ft.) on each side.
- (ii) Notwithstanding subsection (i) above, where a site has vehicular access from the front only and no attached garage or carport is provided, one side yard of at least 3.0 m (9.8 ft.) shall be provided.
- (iii) Corner and double fronting sites shall provide side yards as provided pursuant to **Section 7.3** of this Bylaw.
- (iv) On corner sites, site lines shall be protected pursuant to **Section 7.18** of this Bylaw.

(d) Minimum Required Rear Yard

The minimum required rear yard shall be 8.0 m (26.2 ft.), except in the case of a corner site, where the rear yard next to a lane may be a minimum of 5.0 m (16.4 ft.).

(e) Maximum Height – 9.0 m (29.5 ft.)

(f) Minimum Floor Area

- (i) per dwelling unit
 - (A) 1 storey – 80 sq. m (860 ft. ²)
 - (B) 1½ storey and split level – upper floor – 32.5 m² (349.8 ft. ²)
- lower floors – 51 m² (549 ft. ²)
 - (C) 2 storey – upper floor – 46.5 m² (500.5 ft. ²)
- lower floors – 55.5 m² (597.4 ft. ²)
- (ii) Other uses - at the discretion of the Development Authority

- (f) Parking
 - (i) Site design shall be such that a garage, either attached or detached, may be built to comply with the minimum requirements of this Bylaw.

(5) Additional Regulations

- (a) Fences shall be developed in accordance with **Section 7.7** of this Bylaw.
- (b) Landscaping shall be provided in accordance with **Section 7.9** of this Bylaw.
- (c) Grading and drainage of the site shall be provided in accordance with **Section 7.17** of this Bylaw.
- (d) Accessory buildings shall be developed in accordance with **Section 8.2** of this Bylaw.
- (e) Private swimming pools and hot tubs shall be developed in accordance with **Section 8.22** of this Bylaw.
- (f) No signs shall be allowed in the R-4 District except as provided for in **Section 8.32** of this Bylaw.

9.5 Medium Density Residential (R-5) District

(1) Purpose

The purpose of this District is to provide for residential development, predominantly in the form of medium density, ground oriented, multiple dwelling developments, but with the possibility of some apartment density at fairly low densities for apartments.

(2) Permitted and Discretionary Uses

(a) Permitted Uses

- (1) Duplex, side-by-side and up-down
- (2) Ground-oriented multiple unit dwellings (Row housing)
- (3) Minor home occupations
- (4) Public parks
- (5) Solar energy collection systems
- (6) Wind energy conversion systems, micro
- (7) Buildings and uses accessory to permitted uses

(b) Discretionary Uses

- (1) Apartments
- (2) Bed and breakfast establishments
- (3) Boarding and lodging houses
- (4) Child care facilities
- (5) Day homes
- (6) Family care facilities
- (7) Group care facilities
- (8) Group homes
- (9) In-law suites
- (10) Major home occupations
- (11) Neighbourhood commercial development
- (12) Places of worship
- (13) Public utilities that have no office or workshop as a part of the development
- (14) Sea cans (for temporary construction use only)
- (15) Secondary suites
- (16) Senior citizens' homes
- (17) Show homes
- (18) Supportive living facility
- (19) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (20) Buildings and uses accessory to discretionary uses

TOWN OF REDWATER

Land Use Bylaw – September 17, 2013

(3) Subdivision Regulations for Ground-Oriented Multiple Unit Dwellings (Row Housing)

- (a) Minimum site depth – 36.5 m (119.75 ft.)
- (b) Minimum site width – 21.0 m (68.9 ft.)
- (c) Minimum site area – 766.5 m² (8,250.7 ft.²)

(4) Subdivision and Development Regulations for Duplexes and Triplexes

The subdivision and development regulations for duplexes triplexes shall be the same as for duplexes within the R-4 District, except that, at the discretion of the Development Authority, the minimum site width for the centre unit of a triplex may be reduced to 6.0 m (19.7 ft.) and the maximum site coverage percentage increased accordingly, where there are no side yards on a centre unit that is on its own lot.

(5) Subdivision and Development Regulations for Apartments

The subdivision and development regulations for apartments shall be the same as for apartments within the R-6 District.

(6) Development Regulations for Ground-Oriented Multiple Unit Dwellings (Row Housing) and Other Uses

- (a) Maximum Site Coverage – 40%

Of the 40% maximum site coverage, a maximum of 12% of the total site coverage may be covered by accessory buildings.

- (b) Minimum Required Front Yard

The minimum required front yard shall be at the discretion of the Development Authority, who shall have regard for the amenities of the neighbourhood in which the site is located; however, a minimum front yard of not less than 7.6 m (24.9 ft.) shall normally be required. The Development Authority may allow a smaller front yard setback if the parking is in the rear.

- (c) Minimum Required Side Yard

- (i) The minimum required side yard shall be at the discretion of the Development Authority, who shall have regard for the amenities of the neighbourhood in which the site is located; however, in no case shall the

Development Authority allow a side yard setback of less than 8.0 m (26.2 ft.) for row housing or apartment developments higher than two (2) stories.

- (ii) Corner and double fronting sites shall provide side yards as provided pursuant to **Section 7.3** of this Bylaw.
- (iii) On corner sites, site lines shall be protected pursuant to **Section 7.18** of this Bylaw.

(d) Minimum Required Rear Yard

The minimum required rear yard shall be at the discretion of the Development Authority, who shall have regard for the amenities of the neighbourhood in which the site is located; however, in no case shall the Development Authority allow a rear yard setback of less than 7.6 m (24.9 ft.).

- (e) Maximum Height - 11.0 m (36.1 ft.) or 3 storeys, whichever is the lesser
- (f) Maximum Density - 50 dwelling units per net residential ha (20.2 units per net residential ac.)

(g) Minimum Floor Area

- (A) 1 storey – 80 sq. m (860 ft. ²)
- (B) 1½ storey and split level – upper floor – 32.5 m² (349.8 ft. ²)
- lower floors – 51 m² (549 ft. ²)
- (C) 2 storey – upper floor – 46.5 m² (500.5 ft. ²)
- lower floors – 55.5 m² (597.4 ft. ²)
- (D) 3 storey – upper floors – 46.5 m² (500.5 ft. ²)
- lower floors – 55.5 m² (597.4 ft. ²)

- (i) In apartments, per dwelling unit – 51.0 m² (549.0 ft.²)
- (ii) In senior citizens' homes, per dwelling unit – 42.0 m² (452.0 ft.²)
- (ii) Other uses - at the discretion of the Development Authority

(h) Minimum Proportion of Site Covered in Landscaping – 35%

(i) Parking

- (i) A parking area shall be provided for each development in a location satisfactory to the Development Authority.
- (ii) Site design shall be such that a garage, either attached or detached, may be built to comply with the minimum requirements of this Bylaw.

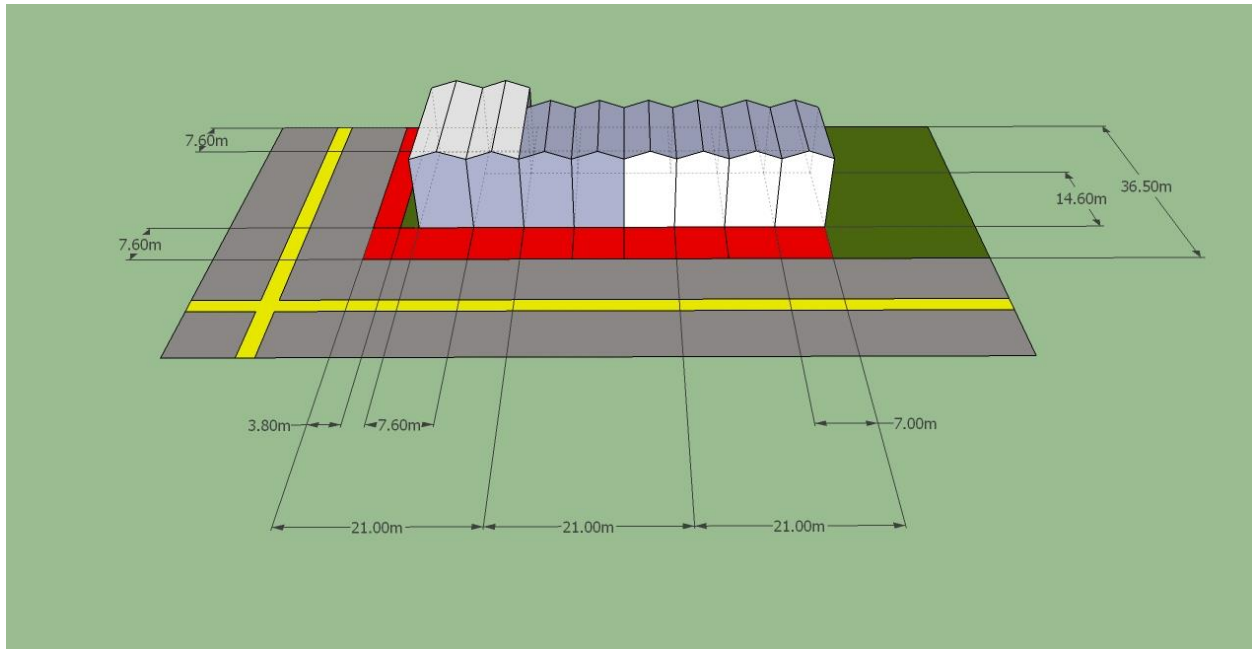


Figure 34: Minimum Row Housing Requirements

(7) Additional Regulations

- (a) Fences shall be developed in accordance with **Section 7.7** of this Bylaw.
- (b) Landscaping shall be provided in accordance with **Section 7.9** of this Bylaw.
- (c) Grading and drainage of the site shall be provided in accordance with **Section 7.17** of this Bylaw.
- (d) Accessory buildings shall be developed in accordance with **Section 8.2** of this Bylaw.
- (e) Private swimming pools and hot tubs shall be developed in accordance with **Section 8.22** of this Bylaw.
- (f) No signs shall be allowed in the R-5 District except as provided for in **Section 8.32** of this Bylaw.

9.6 High Density Residential (R-6) District

(1) Purpose

The purpose of this District is to provide for residential development in the form of high density dwelling developments, with the possibility of incorporating some minor, convenience types of retailing to serve the occupants of the development and the immediate neighbourhood.

(2) Permitted and Discretionary Uses

(a) Permitted Uses

- (1) Apartments
- (2) Ground-oriented multiple unit dwellings (Row housing)
- (3) Minor home occupations
- (4) Public parks
- (5) Solar energy collection systems
- (6) Wind energy conversion systems, micro
- (7) Buildings and uses accessory to permitted uses

(b) Discretionary Uses

- (1) Boarding and lodging houses
- (2) Child care facilities
- (3) Day homes
- (4) Family care facilities
- (5) Group care facilities
- (6) Major home occupations
- (7) Neighbourhood commercial development
- (8) Places of worship
- (9) Public utilities that have no office or workshop as a part of the development
- (10) Sea cans (for temporary construction use only)
- (11) Senior citizens' homes
- (12) Show homes
- (13) Supportive living facility
- (14) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (15) Buildings and uses accessory to discretionary uses

(3) Subdivision Regulations

- (a) Minimum site area – 880.0 m² (9,472.2 ft.²)

(4) Development Regulations for Ground-Oriented Multiple Unit Dwellings (Row Housing)

The development regulations for ground-oriented multiple unit dwellings (row housing) shall be the same as for ground-oriented multiple unit dwellings (row housing) within the R-5 District.

(5) Development Regulations for Other Uses

- (a) Maximum Site Coverage – 30%
- (b) Maximum Height
 - (i) 11.0 m (36.1 ft.) or 3 storeys, whichever is the lesser
 - (ii) Notwithstanding **Subsection (i)** above, a maximum of 4 storeys may be allowed at the discretion of the Development Authority if:
 - (A) the building includes sprinklers, and
 - (B) the municipality's Fire Chief, Public Works Foreman and engineer are satisfied that fire suppression requirements can be satisfied.
 - (iii) Notwithstanding **Subsection (ii)** above, the maximum height shall not exceed 11.0 m (36.1 ft.)
- (c) Maximum Density – 100 dwelling units per net residential ha (40.4 dwelling units per net residential ac.)
- (d) Minimum Floor Area
 - (i) Dwelling unit – 51.1 m² (550.0 ft.²)
 - (ii) Other uses – at the discretion of the Development Authority
- (e) Minimum Required Yards
 - (i) Front:
 - (A) For 1 and 2 storey buildings – 7.6 m (24.9 ft.)
 - (B) For 3 storey buildings – 9.0 m (29.5 ft.)
 - (ii) Side – one-half the height of the building or 15% of the total site width, whichever is the greater

- (iii) Rear – one-half the height of the building or 7.6 m (24.9 ft.), whichever is the greater
- (iv) Notwithstanding the above, corner and double fronting sites shall provide side yards as provided pursuant to **Section 7.3** of this Bylaw.
- (v) On corner sites, site lines shall be protected pursuant to **Section 7.18** of this Bylaw.
- (f) Minimum Proportion of Site Covered in Landscaping – 35%
- (g) Parking
 - (i) A parking area shall be provided for each development in a location satisfactory to the Development Authority.
 - (ii) Site design shall be such that a garage, either attached or detached, may be built to comply with the minimum requirements of this Bylaw.
- (h) In addition to the above, all development shall take place to the satisfaction of the Development Authority with respect to:
 - (i) provision of storage of garbage, and access thereto,
 - (ii) access for fire fighting purposes,
 - (iii) light between buildings,
 - (iv) privacy for dwelling units within and adjacent to the development,
 - (v) orientation of the buildings and the general appearance of the development, and
 - (vi) pedestrian access to and from the road adjacent to the development.

(6) Additional Regulations

- (a) Fences shall be developed in accordance with **Section 7.7** of this Bylaw.
- (b) Landscaping shall be provided in accordance with **Section 7.9** of this Bylaw.
- (c) Grading and drainage of the site shall be provided in accordance with **Section 7.17** of this Bylaw.
- (d) Accessory buildings shall be developed in accordance with **Section 8.2** of this Bylaw.
- (e) Private swimming pools and hot tubs shall be developed in accordance with **Section 8.22** of this Bylaw.
- (f) No signs shall be allowed in the R-6 District except as provided for in **Section 8.32** of this Bylaw.

9.7 Manufactured Home Subdivision Residential (R-MHS) District

(1) Purpose

The purpose of this District is to provide for residential development in the form of manufactured home units.

(2) Permitted and Discretionary Uses

(a) Permitted Uses

- (1) Day homes
- (2) Manufactured home
- (3) Minor home occupations
- (4) Modular homes
- (5) Public parks
- (6) Solar energy collection systems
- (7) Wind energy conversion systems, micro
- (8) Buildings and uses accessory to permitted uses

(b) Discretionary Uses

- (1) Child care facilities
- (2) In-law suites
- (3) Major home occupations
- (4) Neighbourhood commercial development
- (5) Places of worship
- (6) Public utilities that have no office or workshop as a part of the development
- (7) Sea cans
- (8) Secondary suites
- (9) Show homes
- (10) Single family dwellings
- (11) Small radio communications towers
- (12) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (13) Buildings and uses accessory to discretionary uses

(3) Subdivision Regulations

- (a) Maximum density – 20 lots/net ha (8.1 per net ac.)
- (b) Minimum site width – 15.0 m (49.2 ft.)

TOWN OF REDWATER

Land Use Bylaw – September 17, 2013

- (c) Minimum site depth – 34.0 m (111.5 ft.)
- (d) Minimum site area – 510.0 m² (5,485.80 ft.²)

(4) Development Regulations

(a) Minimum Required Front Yard

- (i) The minimum required front yard shall be at the discretion of the Development Authority; however, in no case shall the Development Authority allow a front yard of less than 6.0 m (19.7 ft.).

(b) Minimum Required Side Yard

- (i) The minimum required side yards on each site shall be 1.5 m (4.9 ft.) on each side.
- (ii) Notwithstanding subsection (i) above, where a site has vehicular access from the front only and no attached garage or carport is provided with access to the front, one side yard of at least 3.0 m (9.8 ft.) shall be provided.
- (iii) Corner and double fronting sites shall provide side yards as provided pursuant to **Section 7.3** of this Bylaw.
- (iv) On corner sites, site lines shall be protected pursuant to **Section 7.18** of this Bylaw.
- (v) Notwithstanding the above, the minimum distance separating manufactured homes shall be 4.6 m (15.0 ft.).

(c) Minimum Required Rear Yard

- (i) The minimum required rear yard shall be 3.2 m (10.5 ft.).

(d) Minimum Floor Area

- (i) Single-wide manufactured homes – 66.9 m² (720.0 ft.²)
- (ii) Double-wide manufactured homes – 83.6 m² (900.0 ft.²)
- (iii) Other uses – at the discretion of the Development Authority

(g) Maximum Site Coverage – 50%

- (i) Of the maximum 50% site coverage, a maximum of 12% of the total site coverage may be covered by accessory buildings.

TOWN OF REDWATER

Land Use Bylaw – September 17, 2013

- (f) Parking
 - (i) Site design shall be such that a garage, either attached or detached, may be built to comply with the minimum requirements of this Bylaw.
- (g) Each manufactured home must be attached to the ground in a manner that satisfies current Building and Safety Code requirements.
- (h) The undercarriage of each manufactured home shall be enclosed from view by skirting or another means in a manner satisfactory to the Development Authority. Axles, wheels and trailer hitches shall be removed where they are not part of the frame.
- (i) Notwithstanding any other provision of this Bylaw to the contrary, where a manufactured home is to be on a site abutting any Residential District other than the R-MHS District or the R-MHP District, that manufactured home shall be a double-wide unit and not a single-wide unit.
- (j) Notwithstanding any other provision of this Bylaw to the contrary, the Development Authority may refuse an application for a development permit to allow the placement of a manufactured home if, in their opinion, the proposed manufactured home will not:
 - (i) meet the Z-240 industry standards,
 - (ii) be of a suitable quality, age, or condition, matching the quality, age or condition of adjacent manufactured home units, or
 - (iii) meet current Building and Safety Code requirements

(5) Additional Regulations

- (a) Fences shall be developed in accordance with **Section 7.7** of this Bylaw.
- (b) Landscaping shall be provided in accordance with **Section 7.9** of this Bylaw.
- (c) Grading and drainage of the site shall be provided in accordance with **Section 7.17** of this Bylaw.
- (d) Accessory buildings shall be developed in accordance with **Section 8.2** of this Bylaw.
- (e) Private swimming pools and hot tubs shall be developed in accordance with **Section 8.22** of this Bylaw.
- (f) No signs shall be allowed in the R-MHS District except as provided for in **Section 8.32** of this Bylaw.

TOWN OF REDWATER

Land Use Bylaw – September 17, 2013

9.8 Manufactured Home Park Residential (R-MHP) District

(1) Purpose

The purpose of this District is to provide for residential development in the form of a manufactured home park.

(2) Permitted and Discretionary Uses

(a) Permitted Uses

- (1) Manufactured homes in a manufactured home park for which a development permit has been issued
- (2) Minor home occupations
- (3) Public parks
- (4) Solar energy collection systems
- (5) Wind energy conversion systems, micro
- (6) Buildings and uses accessory to permitted uses

(b) Discretionary Uses

- (1) Child care facilities
- (2) Day homes
- (3) Major home occupations
- (4) Manufactured home parks
- (5) Neighbourhood commercial development
- (6) Places of worship
- (7) Public utilities that have no office or workshop as a part of the development
- (8) Show homes
- (9) Small radio communications towers
- (10) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (11) Buildings and uses accessory to discretionary uses

(3) Subdivision Regulations

- (a) Minimum site area - 0.4 ha (1.0 ac.)

(4) Development Regulations

- (a) For a Manufactured Home Park:

TOWN OF REDWATER

Land Use Bylaw – September 17, 2013

- (i) Maximum Density – 15 manufactured homes per net ha (6 per net ac.)
- (ii) Minimum required front yard - 7.6 m (24.9 ft.)
- (iii) Minimum required side and rear yards - 4.6 m (15.1 ft.)
- (iv) A storage area shall be established for the storage of any furniture, domestic equipment, or seasonally used equipment which is not stored inside manufactured homes. This area shall be set aside and screened to the satisfaction of the Development Authority.
- (v) All roadways within a manufactured home park shall be paved and maintained to the satisfaction of the Development Authority. Minimum right-of-way width shall be 9.1 m (30.0 ft.).
- (vi) A safe, convenient, all season pedestrian walkway of at least 0.9 m (3.0 ft.) in width shall be provided for access between individual manufactured homes, the park roadways, and all community facilities provided for park residents.
- (vii) The visitor parking shall be located at convenient locations throughout the manufactured home park, and shall not be used for the storage of boats, trailers, etc.
- (viii) The design of manufactured home parks shall be to the satisfaction of the Development Authority.
- (ix) All municipal utilities shall be provided underground to stalls.
- (x) A minimum of five percent (5%) of the gross site area shall be devoted to recreational use
- (xi) All areas not occupied by a manufactured homes and their additions, internal roadways, footpaths, driveways, permanent buildings and any other developed facilities shall be fully landscaped to the satisfaction of the Development Authority within one (1) year from the date of issuance of the development permit for a manufactured home park. Screen fences or walls shall be erected where deemed necessary by the Development Authority around maintenance yards, refuse collection points and playgrounds.
- (xii) No part of the park shall be used for non-residential purposes except such uses as are required for a convenience retail store and for the management and maintenance of the park.

- (xiii) Each stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges.
- (xiv) Street lighting shall be to the same standard as that in a conventional residential neighbourhood.
- (xv) Sign requirements
 - (A) Only one main, free-standing, identification sign of residential character and appearance shall be erected at the entrance to a manufactured home park, unless the Development Authority is of the opinion that a second and similar sign shall be allowed under exceptional circumstances relating to the layout, location and size of the park in relation to surrounding areas. The sign or signs shall be of a size, type and construction acceptable to the Development Authority.
 - (B) Directional signs within the manufactured home park must be integrated in design and appearance, be kept in scale with the immediate surroundings and constructed of durable material.
- (xvi) As a condition of approval of a development permit for a manufactured home park, all of the above noted matters may be required to be implemented to the satisfaction of the Development Authority.
- (xvii) The Development Authority may establish time parameters for the implementation of any of the conditions of approval that may be established.
- (xviii) The Development Authority may provide for phasing of a manufactured home park development, implementation of a development permit, or the completion of the conditions under which a development permit may be approved.
- (xix) Minimum proportion of site covered in landscaping - 30%
- (b) For a Manufactured Home Stall:
 - (i) Minimum Stall Area – 371.0 m² (4,000.0 ft.²)
 - (ii) Maximum Stall Coverage – 40%
 - (iii) Minimum Floor Area of a Manufactured Home

- (A) Single-wide manufactured home – 66.9 m² (720.0 ft.²)
 - (B) Double-wide manufactured home – 83.6 m² (900.0 ft.²)
- (iv) Minimum Required Yards within Stalls
 - (A) Front - 3.0 m (9.8 ft.)
 - (B) Side - 1.2 m (3.9 ft.)
 - (C) Rear - 3.0 m (9.8 ft.)
- (v) Minimum Distance Between Manufactured Homes– 4.6 m (15.1 ft.)
- (vi) All accessory structures, such as patios, porches, additions and skirtings, shall be:
 - (A) factory-prefabricated units or the equivalent thereof, and so designed and erected as to harmonize with the manufactured homes,
 - (B) considered as part of the principal building, and
 - (C) erected only after obtaining a development permit.
- (vii) A manufactured home shall be skirted from the floor level to the ground level. The skirting shall match the external finish of the manufactured home, or suitable parking constructed to the satisfaction of the Development Authority.
- (viii) The maximum permitted floor area of porches and additions shall be proportionate to the floor area of the manufactured home, and this relationship shall be determined by the Development Authority.
- (ix) No accessory building or use, other than parking spaces, shall be located in the front yard of a manufactured home stall.
- (x) The hitch and wheels are to be removed from the manufactured home.
- (xi) All manufactured homes shall be placed on a foundation or base as required by the Development Authority. The manufactured home is to be attached by means of bolting or otherwise to the foundation or base.
- (xii) All parts of a manufactured home stall which are not occupied by a manufactured home, accessory buildings, parking areas or driveways shall be fully landscaped to the satisfaction of the Development Authority

within one (1) year of the date of the issuance of the development permit for the placement of a manufactured home.

- (xiii) Notwithstanding any other regulation of this Bylaw to the contrary, no manufactured home shall be allowed within the R-MHP District which:
 - (A) is more than ten (10) years old at the time of development permit application, OR
 - (B) does not meet current industry standards.
- (xiv) Notwithstanding any other regulation of this Bylaw to the contrary, no manufactured home shall be allowed in the R-MHP District which is less than 4.87 m (16.0 ft.) in width.
- (xv) As a condition of the approval of any development permit for a manufactured home park, all the above noted matters shall be required to be implemented to the satisfaction of the Development Authority.
- (xvi) The Development Authority may establish time parameters for the implementation of any of the conditions of approval that may be established.
- (c) In addition to the above, all development shall take place to the satisfaction of the Development Authority with respect to:
 - (i) provision of storage of garbage, and access thereto,
 - (ii) access for fire fighting purposes,
 - (iii) light between buildings,
 - (iv) privacy for dwelling units within and adjacent to the development,
 - (v) orientation of the buildings and the general appearance of the development, and
 - (vi) pedestrian access to and from the road adjacent to the development.

(5) Additional Regulations

- (a) Secondary suites, in-law suites and garage suites shall not be allowed in the R-MHP District.
- (b) Fences shall be developed in accordance with **Section 7.7** of this Bylaw.
- (c) Landscaping shall be provided in accordance with **Section 7.9** of this Bylaw.
- (d) Grading and drainage of the site shall be provided in accordance with **Section 7.17** of this Bylaw.

- (e) Accessory buildings shall be developed in accordance with **Section 8.2** of this Bylaw.
- (f) No accessory buildings shall have a height which is greater than the height of the manufactured home to which it is accessory.
- (g) Private swimming pools and hot tubs shall be developed in accordance with **Section 8.22** of this Bylaw.
- (h) No signs shall be allowed in the R-MHS District except as provided for in **Section 8.32** of this Bylaw.
- (i) No development permit for an individual manufactured home may be issued by the Development Authority until a development permit has been issued for the manufactured home park in which the manufactured home is to be located and any conditions associated with the permit have been substantially implemented to the satisfaction of the Development Authority.
- (j) Amenity areas shall be provided for all manufactured home parks in accordance with **Section 7.1** of this Bylaw.

9.9 Direct Control Residential (DC-1) District

(1) Purpose

The purpose of this District is to provide for residential development adjacent to 51 St. lying between 53 and 55 Avenue within the municipality.

(2) Uses

- (1) Day homes
- (2) Minor home occupations
- (3) Modular Homes
- (4) Public parks
- (5) Single family dwellings
- (6) Solar Energy Collection Systems
- (7) Buildings and uses accessory to permitted uses
- (8) Duplex, side by side and up-down
- (9) Bed and breakfast establishments
- (10) Family care facilities
- (11) Garage suites
- (12) Group care facilities
- (13) Group homes
- (14) In-law suites
- (15) Major home occupations
- (16) Neighbourhood commercial development
- (17) Places of worship
- (18) Public utilities that have no office or workshop as a part of the development
- (19) Relocated buildings
- (20) Sea cans (for temporary construction use only)
- (21) Secondary suites
- (22) Show homes
- (23) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (24) Buildings and uses accessory to discretionary uses

(3) Subdivision Regulations

- (a) Minimum site depth
 - (i) In the case of road and lane systems – 30.5 m (100 ft.)

- (b) Minimum site width
 - (i) In the case of road and lane systems
 - (A) internal sites – 10.6 m (34.8 ft.)
 - (B) corner sites – 12.4 m (40.7 ft.)
- (c) Minimum site area
 - (i) In the case of road and lane systems
 - (A) internal sites – 390.1m² (4199.0 ft. ²)
 - (B) corner sites – 456.3 m² (4911.6 ft. ²)

(4) Duplex Subdivision Regulations

- a) Minimum site depth for duplexes
 - (i) In the case of road and lane systems – 30.5 m (100 ft.)
 - (ii) In the case of laneless systems – 33.5 m (110 ft.)
- (b) Minimum site width for each duplex (per duplex unit)

(A site for an up-down duplex (which has 2 dwelling units within it) must be the same width as a site for a side-by-side duplex (which has 2 dwelling units within it).)

 - (i) In the case of road and lane systems
 - (A) internal sites – 7.62 m (25.0 ft.) per duplex
 - (B) corner sites – 8.38 m (27.5 ft.) per dwelling unit
 - (ii) In the case of laneless systems
 - (A) internal sites –7.62 m (25.0 ft.) per duplex unit
 - (B) corner sites –8.38 m (27.5 ft.) per dwelling unit
- (c) Minimum site area for each duplex containing 2 dwelling units

(A site for an up-down duplex (which has 2 dwelling units within it) must be the same area as a site for a side-by-side duplex (which has 2 dwelling units within it).)

 - (i) In the case of road and lane systems
 - (A) internal sites –232.4 m² (2500 ft. ²) per dwelling unit
 - (B) corner sites –255.6 m² (2750.0 ft. ²) per dwelling unit
 - (ii) In the case of laneless systems

- (A) internal sites –255.3 m² (2750.0 ft.²) per dwelling unit
- (B) corner sites –280.7 m² (3025.0 ft. ²) per dwelling unit

(5) Development Regulations

(a) Maximum Site Coverage – 50%

Of the 50% site coverage, a maximum of 12% total site coverage may be covered by accessory buildings.

(b) Minimum Required Front Yard

The minimum required front yard shall be at the discretion of the Development Authority, who shall have regard for the amenities of the neighbourhood in which the site is located; however, in no case shall the Development Authority allow a front yard of less than 6.0 m (19.7 ft.).

(c) Minimum Required Side Yard

- (i) The minimum required side yards on each site shall be a minimum of 1.5 m (4.9 ft.) on each side.
- (ii) Corner and double fronting sites shall provide side yards as provided pursuant to **Section 7.3** of this Bylaw.
- (iii) On corner sites, site lines shall be protected pursuant to **Section 7.18** of this Bylaw.

(d) Minimum Required Rear Yard

The minimum required rear yard shall be 7.5 m (24.6 ft.), except in the case of a corner site, where the rear yard next to a lane may be a minimum of 4.5 m (14.8 ft.).

(e) Minimum Floor Area

- (i) Single detached dwellings
 - (A) 1 storey – 80 sq. m (860 ft. ²)
 - (B) 1½ storey and split level – upper floor – 32.5 m² (349.8 ft. ²)

TOWN OF REDWATER

Land Use Bylaw – September 17, 2013

- lower floors – 51 m² (549 ft. ²)
- (C) 2 storey – upper floor – 46.5 m² (500.5 ft. ²)
 - lower floors – 55.5 m² (597.4 ft. ²)

(ii) Other uses - at the discretion of the Development Authority

(f) Parking

- (i) Site design shall be such that a garage, either attached or detached, may be built to comply with the minimum requirements of this Bylaw.

(6) Additional Regulations

- (a) Fences shall be developed in accordance with **Section 7.7** of this Bylaw.
- (b) Landscaping shall be provided in accordance with **Section 7.9** of this Bylaw.
- (c) Grading and drainage of the site shall be provided in accordance with **Section 7.17** of this Bylaw.
- (d) Accessory buildings shall be developed in accordance with **Section 8.2** of this Bylaw.
- (e) Private swimming pools and hot tubs shall be developed in accordance with **Section 8.22** of this Bylaw.
- (f) No signs shall be allowed in the DC-1 District except as provided for in **Section 8.32** of this Bylaw.

9.10 Primary Commercial (C-1) District

(1) Purpose

The purpose of this District is to provide all residents of the community and trading area with access to a wide variety of retail and service establishments, predominantly in storefront developments in the downtown core of the Town

(2) Permitted and Discretionary Uses

(a) Permitted Uses

- (1) Amusement establishments, indoor
- (2) Business support services establishments
- (3) Commercial schools
- (4) Eating and drinking establishments
- (5) General retail establishments
- (6) Government services
- (7) Health services
- (8) Hotels
- (9) Household repair services
- (10) Libraries and cultural exhibits
- (11) Neighbourhood commercial development
- (12) Office uses
- (13) Off-street parking lots
- (14) Personal service shops
- (15) Public parks
- (16) Public uses
- (17) Public utilities
- (18) Solar energy collection systems
- (19) Veterinary clinics
- (20) Wind energy conversion systems, micro
- (21) Buildings and uses accessory to permitted uses

(b) Discretionary Uses

- (1) Alcohol retail sales
- (2) Auctioneering establishments
- (2) Automotive and equipment repair shops, light
- (3) Automotive and recreation vehicle sales/rental establishments, light
- (4) Bed and breakfast establishments
- (5) Cannabis retail sales establishments
- (6) Child care facilities
- (7) Community recreation services

TOWN OF REDWATER

Land Use Bylaw – September 17, 2013

- (8) Drinking establishments
- (9) Entertainment establishments
- (10) Equipment rental establishments
- (11) Exhibition and convention facility
- (12) Fleet services
- (13) Funeral services
- (14) General commercial use
- (15) Head Shops
- (16) Limited contractor services
- (17) Minor repair shops
- (18) Motels
- (19) Multi-use developments
- (20) Places of worship
- (21) Private clubs
- (22) Public utility buildings
- (23) Sea cans
- (24) Shopping centres
- (25) Sidewalk cafés
- (26) Small radio communications towers
- (27) Surveillance suites
- (28) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (29) Buildings and uses accessory to discretionary uses

(3) Subdivision Regulations

- (a) Minimum site depth – 30.0 m (98.4 ft.)
- (b) Minimum site width – 5.0 m (16.4 ft.)
- (c) Minimum site area – 150.0 m² (1,613.76 ft.²)

(4) Development Regulations

- (a) The design, siting, external finish, architectural appearance and landscaping of all developments, including any accessory buildings and signs and any reconstruction shall be to the satisfaction of the Development Authority in order that there shall be general conformity in such matters with adjacent buildings and that there may be adequate protection afforded to the amenities of any adjacent residential uses.
- (b) Where groups of buildings are built, or buildings which are to accommodate a number of individual establishments on one site, development requirements shall be determined by the Development Authority having in mind the overall development and the parking requirements of this Bylaw.

TOWN OF REDWATER

Land Use Bylaw – September 17, 2013

- (c) Maximum Site Coverage - 100%, provided that adequate provision *is made*, in the opinion of the Development Authority, for access, parking, loading and garbage facilities.
- (d) Minimum Required Front Yard – None
- (e) Minimum Required Side Yard – None, unless the site abuts a Residential District, in which case the minimum required side yard shall be 2.5 m (8.2 ft.) or one-half the height of the building, whichever is the greater.
- (f) Minimum Required Rear Yard – None, except as required to provide loading, parking, or garbage facilities.
- (g) Maximum Height – 11.0 m (36.1 ft.), or, at the discretion of the Development Authority, the maximum height of a more restrictive abutting District.
- (h) Access, Parking and Loading
 - (i) Each site shall have direct access to a lane at one side or at the rear.
- (i) Outdoor Storage

No outdoor storage shall be allowed in the C-1 District, even as an accessory use to a permitted or a discretionary use which is allowed.
- (j) Dwelling Units

The following regulations shall apply to dwelling units within the C-1 District:

- (i) Dwelling units shall be allowed only in buildings where at least part of the first storey is used for commercial purposes. Dwelling must be secondary or subservant to the commercial use.
- (ii) Dwelling units shall have access at grade which is separate from any access for any commercial use.
- (iii) Dwelling units shall meet the requirements for dwelling units in the High Density Residential (R-6) District, except for minimum site area, minimum required yards, and maximum site coverage, which shall all be at the discretion of the Development Authority.

- (iv) Where more than two (2) dwelling units are to be provided, a minimum of 7.5 m² (80.7 ft.²) of amenity area per dwelling unit shall be provided in accordance with the regulations of this Bylaw.

(5) Additional Regulations

- (a) Fences shall be developed in accordance with **Section 7.7** of this Bylaw.
- (b) Landscaping shall be provided in accordance with **Section 7.9** of this Bylaw.
- (c) Grading and drainage of the site shall be provided in accordance **with Section 7.17** of this Bylaw.
- (d) Accessory buildings shall be developed in accordance with **Section 8.1** of this Bylaw.
- (e) No signs shall be allowed in the C-1 District except as provided for in **Section 8.32** this Bylaw.

9.11 General Commercial (C-2) District

(1) Purpose

The purpose of this District is to allow for a wider range of retail and service establishments to serve residents of the community and the trading area, including those uses which generally require larger land sites.

(2) Permitted and Discretionary Uses

(a) Permitted Uses

- (1) Amusement establishments, indoor
- (2) Automotive and equipment repair shops, light
- (3) Automotive and recreational vehicle sales/rentals establishments, light
- (4) Business support services establishments
- (5) Commercial schools
- (6) Eating and drinking establishments
- (7) Gas bars
- (8) General retail establishments
- (9) Government services
- (10) Health services
- (11) Hotels
- (12) Household repair services
- (13) Libraries and cultural exhibits
- (14) Motels
- (15) Neighbourhood commercial development
- (16) Off street parking lots
- (17) Office use
- (18) Personal service shops
- (19) Public parks
- (20) Public uses
- (21) Public utilities
- (22) Solar energy collection systems
- (23) Warehouse sales establishments
- (24) Wind energy conversion systems, micro
- (25) Buildings and uses accessory to permitted uses

(b) Discretionary Uses

- (1) Alcohol retail sales
- (2) Amusement establishments, outdoor
- (3) Animal hospitals
- (4) Auctioneering establishments
- (5) Automotive and equipment repair shops, heavy

- (6) Automotive and recreational vehicle sales/rentals establishments, heavy
- (7) Bed and breakfast establishments
- (8) Bus depots
- (9) Cannabis retail sales establishments
- (10) Child care facilities
- (11) Community recreation services
- (12) Drinking establishments
- (13) Drive-in businesses
- (14) Entertainment establishments
- (15) Equipment rental establishments
- (16) Exhibition and convention facility
- (17) Fleet services
- (18) Funeral services
- (19) General commercial use
- (20) General contractor services
- (21) General retail establishments
- (22) Head Shops
- (23) Industrial vehicle and equipment sales/rental establishments
- (24) Limited contractor services
- (25) Minor repair shops
- (26) Multi-use developments
- (27) Places of worship
- (28) Private clubs
- (29) Public utility buildings
- (30) Sea cans
- (31) Self-service storage facilities
- (32) Service stations
- (33) Shopping centres
- (34) Sidewalk cafés
- (35) Small radio communications towers
- (36) Surveillance suites
- (37) Truck and recreational vehicle sales/rental establishments
- (38) Trucking and cartage establishments
- (39) Veterinary clinics
- (40) Veterinary clinics, large animal
- (41) Wind energy conversion systems, small
- (42) Wireless communications facilities
- (43) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (44) Buildings and uses accessory to discretionary uses

(3) **Subdivision Regulations**

- (a) Minimum site area shall be sufficient, in the opinion of the Subdivision Authority, to accommodate the proposed use.

TOWN OF REDWATER

Land Use Bylaw – September 17, 2013

(4) Development Regulations

- (a) The siting and architectural appearance of all developments and the landscaping of the site shall be to the satisfaction of the Development Authority in order that there shall be general conformity in such matters with adjacent developments and that there may be adequate protection afforded to the amenities of any adjacent residential uses.
- (b) Maximum Site Coverage – 50%, provided that adequate provision is made, in the opinion of the Development Authority, for access, parking, loading and garbage facilities.
- (c) Minimum Required Front, Side and Rear Yards
 - (i) Minimum front yard - 15.0 m (49.8 ft.), except that the Development Authority may increase or decrease this requirement, at their discretion, depending on the site and use characteristics and whether parking and loading requirements are to be met on site. If no parking in the front yard is provided, a minimum front yard of 7.6 m (24.9 ft.) will be provided or if fronting a provincial highway, as required by Alberta Transportation.
 - (iii) Minimum rear yard - 6.0 m (19.7 ft.), except that upper levels of the building may extend to the rear line, and further excepting that the minimum rear yard on any lot adjacent to a Residential District shall be 7.5 m (24.6 ft.) at all levels. If no parking in the rear yard is provided, a minimum rear yard of 7.6 m (24.9 ft.) when adjacent to a Residential District; otherwise, 6.0 m (19.7 ft.) at the level of the first story of the development. Upper storeys of a development may extend to the rear line except in a site abutting a Residential District. Where not adjacent to a Residential District, the minimum required rear yard may be reduced to 1.5 m (4.9 ft.) provided, in the opinion of the Development Authority, the location of the buildings and the appearance of the site would be improved.
 - (iv) Minimum side yard – None, unless the lot is adjacent to a Residential District, in which case a minimum side yard of 2.5 m (8.2 ft.) or one-half the height of the highest building on the lot, whichever is the greater, shall be required. If no side yard is provided the minimum required side yard shall be 10% of the width of the site or 4.0 m (13.1 ft.), whichever is the less. The minimum required side yard may be reduced to 1.5 m (4.9 ft.) provided, in the opinion of the Development Authority, the location of buildings and the appearance of the site would be improved.

- (iv) Corner and double fronting sites shall provide side yards as provided pursuant to **Section 7.3** of this Bylaw.
 - (v) On corner sites, site lines shall be protected pursuant to **Section 7.18** of this Bylaw.
- (d) Regulations Where No Yard is Provided
- (i) Where developments are proposed which are allowed to have no yard, the other regulations of the District in which the development is proposed shall apply.
 - (ii) Prior to the approval of any development with no yard, in addition to the submission requirements of **Section 3.4** of this Bylaw, plans showing grading and drainage on adjacent sites must be submitted and must be deemed acceptable to the Development Authority
 - (iii) Easements Required
- Where no yard is permitted, an easement shall be provided on the lot abutting that yard for the maintenance of all principal and accessory buildings and for any overhang of principal or accessory buildings onto that adjacent lot. The Development Authority may require that an easement be registered against the title of the affected lot.
- (e) Maximum Height – 11.0 m (36.1 ft.)
- (f) Outdoor Storage
- Outdoor storage shall be allowed in the C-2 District, but only as an accessory use to a permitted or a discretionary use which is allowed.
- 1. Outside storage areas shall be screened for adjacent sites and roads to the satisfaction of the Development Authority. Such screening may include fences and/or landscaping.
 - 2. A fence or other screen is to be provided to a height of at least 1.5 m (5.0 ft.) surrounding the outdoor storage where it would be visible from a road or from an adjacent building.

(5) Additional Regulations

- (a) Fences shall be developed in accordance with **Section 7.7** of this Bylaw.
- (b) Landscaping shall be provided in accordance with **Section 7.9** of this Bylaw.

- (c) Grading and drainage of the site shall be provided in accordance with **Section 7.17** of this Bylaw.
- (d) Accessory buildings shall be developed in accordance with **Section 8.1** of this Bylaw.
- (e) Signs shall be allowed in the C-2 District as provided for in **Section 8.32** of this Bylaw.

9.12 Highway Commercial (C-3) District

(1) Purpose

The purpose of this District is to provide a variety of goods and services, predominantly those which are travel-oriented, to the community and the surrounding region.

(2) Permitted and Discretionary Uses

(a) Permitted Uses

- (1) Automotive and equipment repair shops, light
- (2) Automotive and recreational vehicles sales/rental establishments, light
- (3) Convenience retail stores
- (4) Drive-in businesses
- (5) Eating and drinking establishments
- (6) Fleet services
- (7) Gas bars
- (8) General retail establishments
- (9) Highway commercial uses
- (10) Hotels
- (11) Motels
- (12) Office uses
- (13) Private clubs
- (14) Personal Service Shops
- (15) Public Parks
- (16) Public Utilities
- (17) Service Stations
- (18) Solar energy collection systems
- (19) Veterinary clinics
- (20) Wind energy conversion systems, micro
- (21) Buildings and uses accessory to permitted uses

(b) Discretionary Uses

- (1) Alcohol retail sales
- (2) Amusement establishments, indoor
- (3) Amusement establishments, outdoor
- (4) Automotive and equipment repair shops, heavy
- (5) Animal hospitals
- (6) Automotive and recreational vehicle sales/rental establishments, heavy
- (7) Bus depots
- (8) Cannabis retail sales establishments
- (9) Entertainment establishments

TOWN OF REDWATER

Land Use Bylaw – September 17, 2013

- (10) Head shops
- (11) Institutional uses
- (12) Places of worship
- (13) Public uses
- (14) Recreational vehicle campgrounds
- (15) Recreational vehicle campgrounds, seasonal
- (16) Recreation vehicle storage facilities
- (17) Sea cans
- (18) Small radio communications towers
- (19) Truck and recreational vehicle sales/rental establishments
- (20) Veterinary clinics, large animal
- (21) Wind energy conversion systems, small
- (22) Wireless communications facilities
- (23) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (24) Buildings and uses accessory to discretionary uses

(3) Subdivision Regulations

- (a) Minimum site area shall be sufficient, in the opinion of the Subdivision Authority, to allow for the clustering of a variety of uses in a compact area.

(4) Development Regulations

- (a) The siting and architectural appearance of all developments and the landscaping of the site shall be to the satisfaction of the Development Authority in order that there shall be general conformity in such matters with adjacent developments and that there may be adequate protection afforded to the amenities of any adjacent residential uses.
- (b) Maximum Site Coverage – 50%, provided that adequate provision is made, in the opinion of the Development Authority, for access, parking, loading and garbage facilities.
- (c) Minimum Required Front Yard – 7.6 m (24.9 ft.) or if fronting a provincial highway, as required by Alberta Transportation.
- (d) Minimum Required Side Yard
 - (i) The minimum required side yard shall be 10% of the width of the site or 4.0 m (13.1 ft.), whichever is the less. The minimum required side yard may be reduced to 1.5 m (4.9 ft.) provided, in the opinion of the Development Authority, the location of buildings and the appearance of the site would be improved.

TOWN OF REDWATER

Land Use Bylaw – September 17, 2013

- (ii) Corner and double fronting sites shall provide side yards as provided pursuant to **Section 7.3** of this Bylaw.
- (iii) On corner sites, site lines shall be protected pursuant to **Section 7.18** of this Bylaw.
- (e) Minimum Required Rear Yard – 7.6 m (24.9 ft.) when adjacent to a Residential District; otherwise, 6.0 m (19.7 ft.) at the level of the first storey of the development. Upper storeys of a development may extend to the rear line except in a site abutting a Residential District. Where not adjacent to a Residential District, the minimum required rear yard may be reduced to 1.5 m (4.9 ft.) provided, in the opinion of the Development Authority, the location of the buildings and the appearance of the site would be improved.
- (f) Maximum Height – 11.0 m (36.1 ft.)
- (g) Outdoor storage shall not normally be allowed in C-3 district unless approved by the Development Authority, and subject to the following conditions:
 - 1. Accessory to a permitted or discretionary use which is allowed.
 - 2. Outside storage areas shall be screened from adjacent sites and roads to the satisfaction of the Development Authority. Such screening may include fences and/or landscaping.
 - 3. A fence or other screen is to be provided to a height of at least 1.5 m (5.0 ft.) surrounding the outdoor storage where it would be visible from a road or from an adjacent building.

(5) Additional Regulations

- (a) Fences shall be developed in accordance with **Section 7.7** of this Bylaw.
- (b) Landscaping shall be provided in accordance with **Section 7.9** of this Bylaw.
- (c) Grading and drainage of the site shall be provided in accordance with **Section 7.17** of this Bylaw.
- (d) Accessory buildings shall be developed in accordance with **Section 8.1** of this Bylaw.
- (e) Signs shall be allowed in the C-3 District as provided for in **Section 8.32** of this Bylaw.

9.13 Industrial (M1) District

(1) Purpose

The purpose of this District is to provide for business and industrial uses which create little or no nuisance or hazard beyond the site upon which they are located, but which, by their nature, are better suited to locations away from concentrations of population.

(2) Permitted and Discretionary Uses

(a) Permitted Uses

- (1) Automotive and equipment repair shops, heavy
- (2) Automotive and equipment repair shops, light
- (3) Automotive and recreational vehicles sales/rental establishments, heavy
- (4) Automotive and recreational vehicles sales/rental establishments, light
- (5) Business support services establishments
- (6) Drive-in businesses, but only if they are drive-through vehicle service establishments
- (7) Equipment rental establishments
- (8) Extensive agriculture
- (9) Fleet services
- (10) General contractor services
- (11) Greenhouses and plant nurseries
- (12) Industrial vehicle and equipment sales/rental establishments
- (13) Light industrial uses
- (14) Limited contractor services
- (15) Outdoor storage
- (16) Public parks
- (17) Public uses
- (18) Public utilities
- (19) Recycling depots
- (20) Sea cans
- (21) Self-service storage facilities
- (22) Service stations
- (23) Solar energy collection systems
- (24) Trucking and cartage establishments
- (25) Truck and recreational vehicle sales/rental establishments
- (26) Veterinary clinics
- (27) Wind energy conversion systems, micro
- (28) Buildings and uses accessory to permitted uses

- (b) Discretionary Uses
 - (1) Agricultural industry
 - (2) Amusement establishments, outdoor
 - (3) Animal hospitals
 - (4) Auctioneering establishments
 - (5) Eating and drinking establishments
 - (6) Heavy industrial uses
 - (7) Large animal veterinary clinics
 - (8) Large wind energy conversion systems
 - (9) Major utility services
 - (10) Recreational vehicle campgrounds, seasonal
 - (11) Recreational vehicle campgrounds, workcamp
 - (12) Recreational vehicle storage
 - (13) Small animal breeding and boarding establishments
 - (14) Small radio communications towers
 - (15) Wind energy conversion systems, small
 - (16) Surveillance suites
 - (17) Staging area
 - (18) Wireless communications facilities
 - (19) Workcamps
 - (20) Workcamps, short term
 - (21) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
 - (22) Buildings and uses accessory to discretionary uses

(3) Subdivision Regulations

- (a) Minimum site area – 650.0 m² (6,996.5 ft.²)

(4) Development Regulations

- (a) Maximum Site Coverage – 60%
- (b) A fire protection and emergency response plan may be required with a development permit application. It will be submitted to the municipality's Fire Chief for consideration prior to the Development Authority's consideration of approval. Its implementation will be a condition of any approval by the Development Authority.
- (c) Minimum Required Front Yard – 6.0 m (19.7 ft.), unless a greater yard is deemed necessary by the Development Authority. No loading, parking, or storage area shall be allowed within the required minimum front yard.

(d) Minimum Required Side Yard

- (i) The minimum required side yard shall be 6.0 m (19.7 ft.) on one side and 1.5 m (4.9 ft.) on the other for a building up to a height of 4.5 m (14.8 ft.). For a building over 4.5 m (14.8 ft.) the minimum required side yard shall be increased by 0.3 m (1 ft.) for every 1.0 m (3.3 ft.) of height up to a maximum requirement of 6.0 m (19.7 ft.).
- (ii) Corner and double fronting sites shall provide side yards as provided pursuant to **Section 7.3** of this Bylaw.
- (iii) On corner sites, site lines shall be protected pursuant to **Section 7.18** of this Bylaw.

(e) Minimum Required Rear Yard – at the discretion of the Development Authority, except that where the rear yard is adjacent to a Residential District, the minimum required rear yard shall be 5.0 m (16.4 ft.).

(f) Maximum Height – at the sole discretion of the Development Authority

(g) Setbacks from Pipeline Rights-of-Way

No building shall be located closer than 15.0 m (49.2 ft.) to the centreline of a pipeline right-of-way or the centreline of a pipeline within a pipeline right-of-way, whichever distance is the lesser.

(h) Access

- (i) Each site shall have direct access to a road designed and constructed to have regard for continuity of traffic flow, safety of vehicles, and avoidance of dangerous intersections, all in the opinion of the Development Authority.

(i) Outdoor Storage

All outdoor storage shall be screened to the height considered necessary by the Development Authority.

(j) Landscaping

All yards shall be landscaped with trees, shrubs and planted ground cover in accordance with plans approved by the Development Authority. In this regard,

when adjacent to Residential Districts, particular reference will be made to **Section 7.9(7)** of this Bylaw.

(k) Upkeep of Site

The entire site and all buildings shall be maintained in a neat and tidy manner to the satisfaction of the Development Authority. This shall include the trimming and upkeep of landscaped areas and the removal of debris and unsightly objects.

(5) Additional Regulations

- (a) Fences shall be developed in accordance with **Section 7.7** of this Bylaw.
- (b) Landscaping shall be provided in accordance with **Section 7.9** of this Bylaw.
- (c) Grading and drainage of the site shall be provided in accordance with **Section 7.17** of this Bylaw.
- (d) Accessory buildings shall be developed in accordance with **Section 8.1** of this Bylaw.
- (e) No signs shall be allowed in the M1 District except as provided for in **Section 8.32** of this Bylaw.

9.13(a) Industrial (M2) District

(1) Purpose

The purpose of this District is to provide for business and industrial uses, including Cannabis Production and Distribution Facilities and Industrial Hemp Production and Distribution Facilities, which create little or no nuisance or hazard beyond the site upon which they are located, but which, by their nature, are better suited to locations away from concentrations of population.

(2) Permitted and Discretionary Uses

(a) Permitted Uses

- (1) Automotive and equipment repair shops, heavy
- (2) Automotive and equipment repair shops, light
- (3) Automotive and recreational vehicles sales/rental establishments, heavy
- (4) Automotive and recreational vehicles sales/rental establishments, light
- (5) Business support services establishments
- (6) Cannabis production and distribution facilities
- (7) Drive-in businesses, but only if they are drive-through vehicle service establishments
- (8) Equipment rental establishments
- (9) Extensive agriculture
- (10) Fleet services
- (11) General contractor services
- (12) Greenhouses and plant nurseries
- (13) Industrial hemp production and distribution facilities
- (14) Industrial vehicle and equipment sales/rental establishments
- (15) Light industrial uses
- (16) Limited contractor services
- (17) Outdoor storage
- (18) Public parks
- (19) Public uses
- (20) Public utilities
- (21) Recycling depots
- (22) Sea cans
- (23) Self-service storage facilities
- (24) Service stations
- (25) Solar energy collection systems
- (26) Trucking and cartage establishments
- (27) Truck and recreational vehicle sales/rental establishments
- (28) Veterinary clinics
- (29) Wind energy conversion systems, micro

(30) Buildings and uses accessory to permitted uses

(b) Discretionary Uses

- (1) Agricultural industry
- (2) Amusement establishments, outdoor
- (3) Animal hospitals
- (4) Auctioneering establishments
- (5) Eating and drinking establishments
- (6) Heavy industrial uses
- (7) Heavy petrochemical industrial uses
- (8) Large animal veterinary clinics
- (9) Large wind energy conversion systems
- (10) Major utility services
- (11) Recreational vehicle campgrounds, seasonal
- (12) Recreational vehicle campgrounds, workcamp
- (13) Recreational vehicle storage
- (14) Small animal breeding and boarding establishments
- (15) Small radio communications towers
- (16) Wind energy conversion systems, small
- (17) Surveillance suites
- (18) Staging area
- (19) Wireless communications facilities
- (20) Workcamps
- (21) Workcamps, short term
- (22) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (23) Buildings and uses accessory to discretionary uses

(3) Subdivision Regulations

- (a) Minimum site area – 650.0 m² (6,996.5 ft.²)

(4) Development Regulations

- (a) Maximum Site Coverage – 60%
- (b) A fire protection and emergency response plan may be required with a development permit application. It will be submitted to the municipality's Fire Chief for consideration prior to the Development Authority's consideration of approval. Its implementation will be a condition of any approval by the Development Authority.

- (c) Minimum Required Front Yard – 6.0 m (19.7 ft.), unless a greater yard is deemed necessary by the Development Authority. No loading, parking, or storage area shall be allowed within the required minimum front yard.
- (d) Heavy petrochemical development will only be allowed on SE 29-57-21-W4; however, any development at that location will be at the complete and sole discretion of the Development Authority.
- (e) Minimum Required Side Yard
 - (i) The minimum required side yard shall be 6.0 m (19.7 ft.) on one side and 1.5 m (4.9 ft.) on the other for a building up to a height of 4.5 m (14.8 ft.). For a building over 4.5 m (14.8 ft.) the minimum required side yard shall be increased by 0.3 m (1 ft.) for every 1.0 m (3.3 ft.) of height up to a maximum requirement of 6.0 m (19.7 ft.).
 - (ii) Corner and double fronting sites shall provide side yards as provided pursuant to Section 7.3 of this Bylaw.
 - (iii) On corner sites, site lines shall be protected pursuant to Section 7.18 of this Bylaw.
- (f) Minimum Required Rear Yard – at the discretion of the Development Authority, except that where the rear yard is adjacent to a Residential District, the minimum required rear yard shall be 5.0 m (16.4 ft.).
- (g) Maximum Height – at the sole discretion of the Development Authority
- (h) Setbacks from Pipeline Rights-of-Way
 - (i) No building shall be located closer than 15.0 m (49.2 ft.) to the centreline of a pipeline right-of-way or the centreline of a pipeline within a pipeline right-of-way, whichever distance is the lesser.
- (i) Access
 - (i) Each site shall have direct access to a road designed and constructed to have regard for continuity of traffic flow, safety of vehicles, and avoidance of dangerous intersections, all in the opinion of the Development Authority.
- (j) Outdoor Storage

All outdoor storage shall be screened to the height considered necessary by the Development Authority.

(k) Landscaping

All yards shall be landscaped with trees, shrubs and planted ground cover in accordance with plans approved by the Development Authority. In this regard, when adjacent to Residential Districts, particular reference will be made to Section 7.9(7) of this Bylaw.

(l) Upkeep of Site

The entire site and all buildings shall be maintained in a neat and tidy manner to the satisfaction of the Development Authority. This shall include the trimming and upkeep of landscaped areas and the removal of debris and unsightly objects.

(5) Additional Regulations

- (a) Fences shall be developed in accordance with Section 7.7 of this Bylaw.
- (b) Landscaping shall be provided in accordance with Section 7.9 of this Bylaw.
- (c) Grading and drainage of the site shall be provided in accordance with Section 7.17 of this Bylaw.
- (d) Accessory buildings shall be developed in accordance with Section 8.1 of this Bylaw.
- (e) No signs shall be allowed in the M2 District except as provided for in Section 8.32 of this Bylaw.

9.14 Semi-Public (SP) District

(1) Purpose

The purpose of this District is to provide for development of a public service, social service, heritage, or cultural nature, or other uses which are supportive to such uses, whether operated for profit or not-for-profit.

(2) Permitted and Discretionary Uses

(a) Permitted Uses

- (1) Institutional uses
- (2) Places of worship
- (3) Public education facilities
- (4) Public parks
- (5) Public utilities
- (6) Solar energy collection systems
- (7) Wind energy conversion systems, micro
- (8) Buildings and uses accessory to permitted uses

(b) Discretionary Uses

- (1) Cemeteries
- (2) Child care facilities
- (3) Exhibition and convention facilities
- (4) Extended medical treatment facilities
- (5) Government services
- (6) Group care facilities
- (7) Health services
- (8) Libraries and cultural exhibits
- (9) Private clubs
- (10) Protective and emergency services
- (11) Public uses
- (12) Recreational uses
- (13) Recreational vehicle campgrounds
- (14) Recreational vehicle campgrounds, seasonal
- (15) Senior citizens homes
- (16) Supportive living facility
- (17) Small radio communications towers
- (18) Wind energy conversion systems, small
- (19) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (20) Buildings and uses accessory to discretionary uses

(3) Subdivision Regulations

- (a) Minimum site area shall be sufficient, in the opinion of the Subdivision Authority, to accommodate the proposed use.

(4) Development Regulations

- (a) All site regulations shall be at the discretion of the Development Authority.
- (b) The Development Authority shall require that the design, siting, landscaping, screening and buffering of any development minimize and compensate for any objectionable aspects or potential incompatibility with development in abutting Districts.
- (c) In considering whether or not to approve a development application for a discretionary use, the Development Authority shall evaluate the proposal in terms of its scale and the extent to which it is, in its opinion, consistent with, and not prejudicial to, the overall purpose of this District.

(5) Additional Regulations

- (a) Fences shall be developed in accordance with **Section 7.7** of this Bylaw.
- (b) Landscaping shall be provided in accordance with **Section 7.9** of this Bylaw.
- (c) Grading and drainage of the site shall be provided in accordance with **Section 7.17** of this Bylaw.
- (d) Accessory buildings shall be developed in accordance with **Section 8.1** of this Bylaw.
- (e) No signs shall be allowed in the SP District except as provided for in **Section 8.32** of this Bylaw.

9.15 Urban Reserve (UR) District

(1) Purpose

The purpose of this District is to protect significant tracts of predominantly vacant land for future urban development, and to allow a limited range of low intensity uses which are consistent with that intent.

(2) Permitted and Discretionary Uses

(a) Permitted Uses

- (1) Extensive agriculture
- (2) Major home occupations
- (3) Minor home occupations
- (4) Public utilities
- (5) Sea cans
- (6) Single detached dwellings
- (7) Solar energy collection systems
- (8) Wind energy conversion systems, micro
- (9) Buildings and uses accessory to permitted uses

(b) Discretionary Uses

- (1) Agricultural industry
- (2) Animal hospitals
- (3) Animal services facilities
- (4) Garage suites
- (5) Greenhouses and plant nurseries
- (6) Group care facility
- (7) Group home
- (8) Guest ranches
- (9) In-law suites
- (10) Intensive agriculture
- (11) Kennels
- (12) Large animal veterinary clinics
- (13) Major utility services
- (14) Recreational use
- (15) Park models
- (16) Places of worship
- (17) Public parks
- (18) Public uses
- (19) Private clubs
- (20) Recreational vehicle campgrounds

TOWN OF REDWATER

Land Use Bylaw – September 17, 2013

- (21) Recreational vehicle campgrounds, seasonal
- (22) Secondary suites
- (23) Small animal breeding and boarding establishments
- (24) Small radio communications towers
- (25) Staging area
- (26) Temporary uses which, in the opinion of the Development Authority, will not prejudice the possibility of conveniently and economically subdividing or developing the site in the future
- (27) Wind energy conversion systems, small
- (28) Wireless Communications Facilities
- (29) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (30) Buildings and uses accessory to discretionary uses

(3) Subdivision Regulations

- (a) Only one of the following two subdivision options shall be allowed in the UR District:
 - (i) the subdivision of a quarter section of land into two equal-sized lots of a minimum of 30.0 ha (74.1 ac.) more or less, or
 - (ii) the subdivision of a lot of between 1.0 ha (2.47 ac.) and 4.04 ha (10 ac.) in size from a quarter section of land to accommodate a single family dwelling and accessory use. Only one such lot shall be allowed on a quarter section.
 - (iii) At the discretion of the Subdivision Authority the minimum parcel size for a residential use may be expanded to accommodate existing farmstead structures.
- (b) Notwithstanding Subsection (a) above, the following additional subdivisions may be allowed in this District:
 - (i) the subdivision of a lot when the lot is physically severed from the balance of the title area by a permanent man-made or natural feature, or
 - (ii) the subdivision of a lot to accommodate a public use, a public park, a public utility, or a major utility service.

(4) Development Regulations

- (a) Maximum Height – 11.0 m (36.1 ft.), except in the case of buildings which are part of or accessory to extensive agriculture other than a dwelling.

- (b) All other site regulations shall be at the discretion of the Development Authority however, no building shall be erected within thirty (30) meters of any surveyed municipal road right-of-way.
- (c) The Development Authority may specify the length of time any use is approved in this District, having regard to the servicing and future development of the subject area.

(5) **Additional Regulations**

- (a) Fences shall be developed in accordance with **Section 7.7** of this Bylaw.
- (b) Landscaping shall be provided in accordance with **Section 7.9** of this Bylaw.
- (c) Grading and drainage of the site shall be provided in accordance with **Section 7.17** of this Bylaw.
- (d) Accessory buildings shall be developed in accordance with **Section 8.1** of this Bylaw.
- (h) Private swimming pools and hot tubs shall be developed in accordance with **Section 8.22** of this Bylaw.
- (i) No signs shall be allowed in the UR District except as provided for in **Section 8.32** of the Bylaw.

PART 10 – COMING INTO FORCE

10.1 Repealing Existing Controls

- (1) Bylaw #766 and any and all amendments thereto are hereby repealed upon the final passing of this Bylaw.

10.2 Coming Into Force

- (1) This Bylaw shall come into full force and effect upon the day it receives third and final reading by Council.

READ A FIRST TIME this 20th day of August, 2013.

READ A SECOND TIME this 10th day of September, 2013.

READ A THIRD TIME AND FINALLY PASSED this 17th day of September 2013.



Mayor



CAO

PART 11 – LAND USE BYLAW AMENDMENTS

11.1 Bylaw 817 – February 18, 2014

11.2 Bylaw 823 – October 7, 2014

11.3 Bylaw 829 – March 17, 2015

11.4 Bylaw 834 – February 2, 2016

11.5 Bylaw 836 – April 4, 2016

11.6 Bylaw 840 – July 5, 2016

11.7 Bylaw 849 – May 2, 2017

11.8 Bylaw 851 – September 5, 2017

11.9 Bylaw 858 – October 2, 2018

11.10 Bylaw 860 – December 4, 2018

Town of Redwater

Schedule B

Land Use District Map

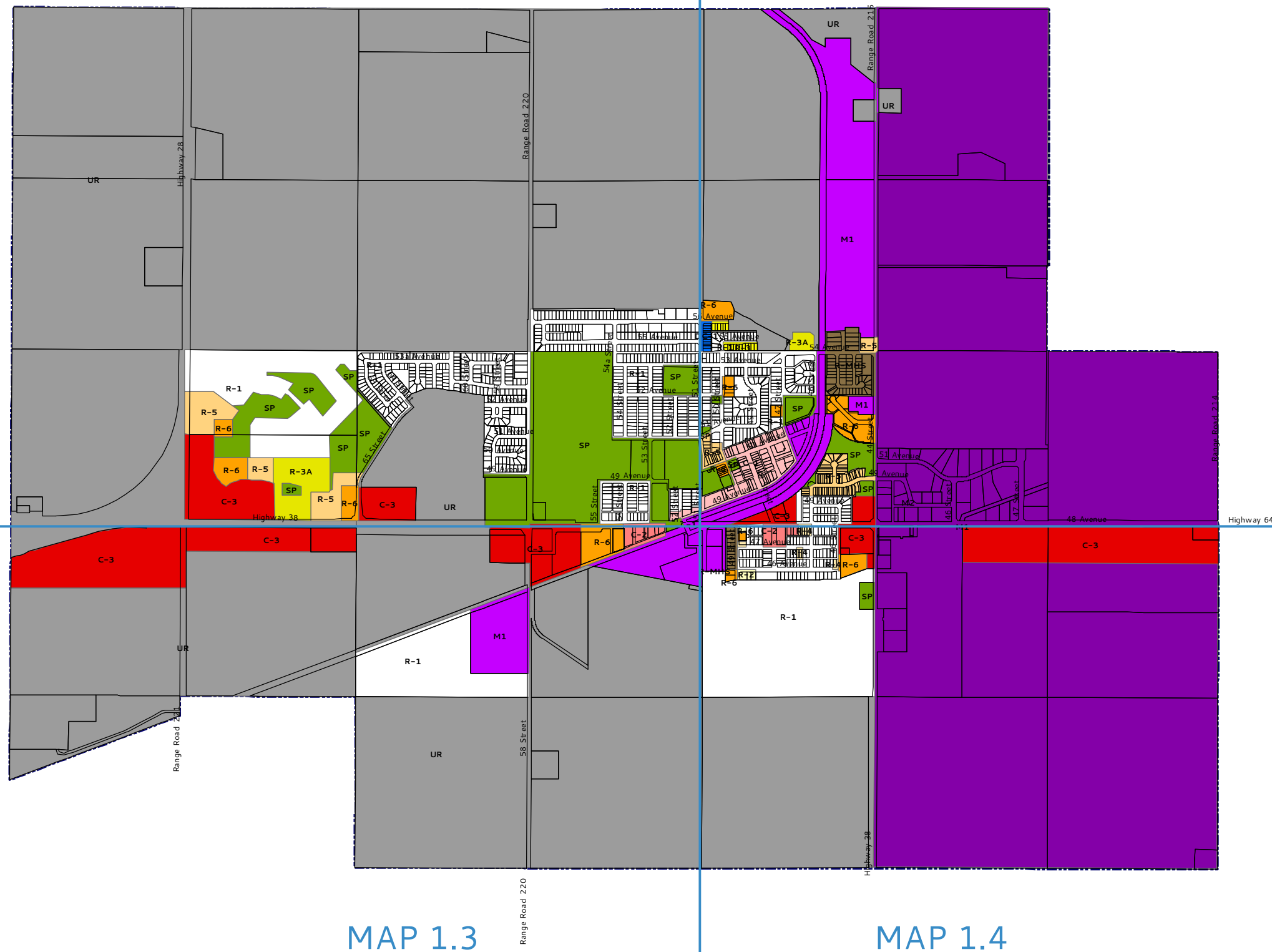


MAP 1.1

MAP 1.2

MAP 1.3

MAP 1.4



- R-1 Single Family Residential
- R-2 Single Family Large Dwelling & Large Lot Residential
- R-3 Single Family Compact Lot Residential
- R-3A Single Family Small Lot Residential
- R-4 Two Family Residential
- R-5 Medium Density Residential
- R-6 High Density Residential
- R-MHP Manufactured Home Park Residential
- R-MHS Manufactured Home Subdivision Residential
- C-1 Primary Commercial
- C-2 General Commercial
- C-3 Highway Commercial
- M1 Industrial
- M2 Industrial
- SP Semi-Public
- UR Urban Reserve
- DC-1 Direct Control Residential

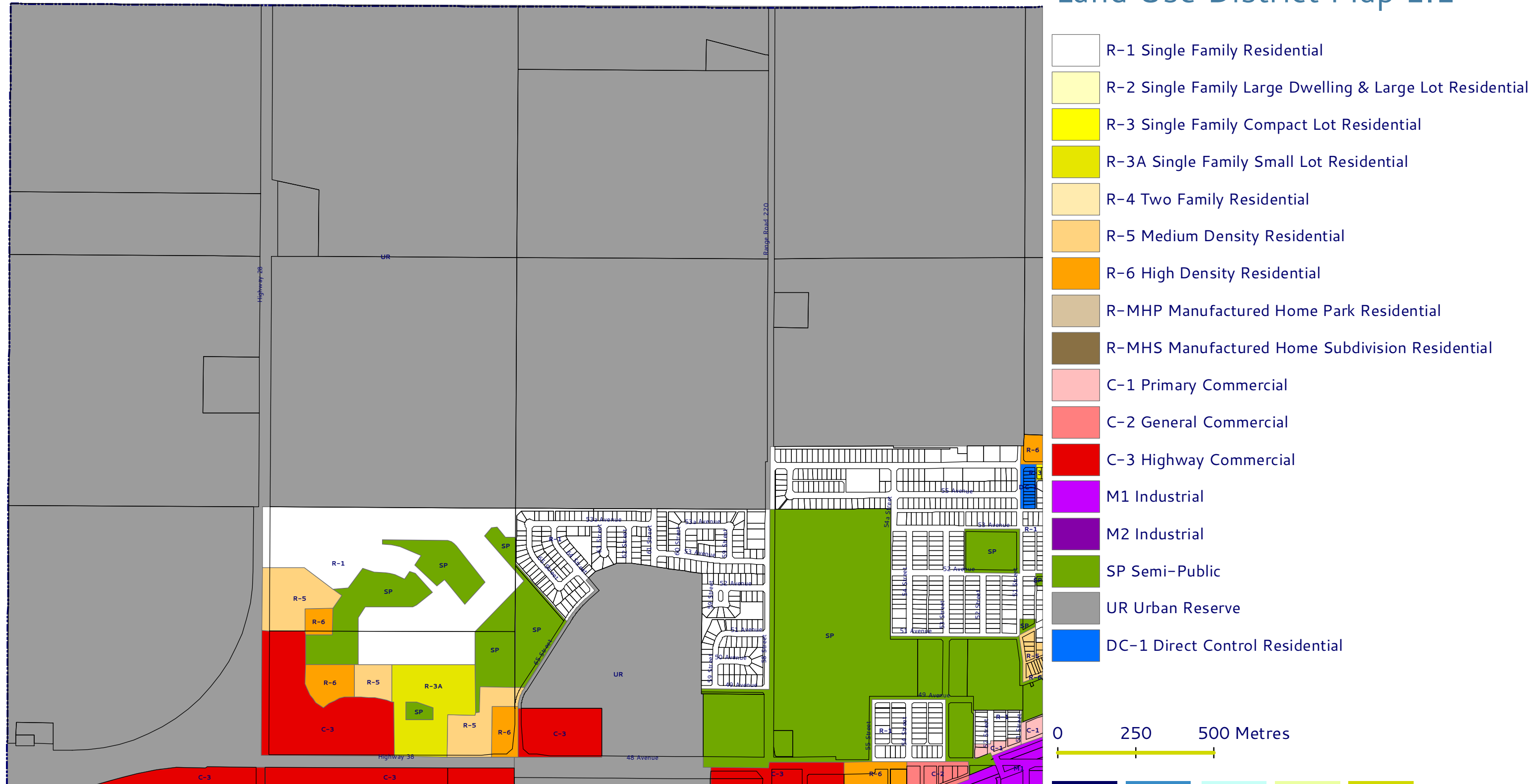
0 0.5 Kilometre





Town of Redwater

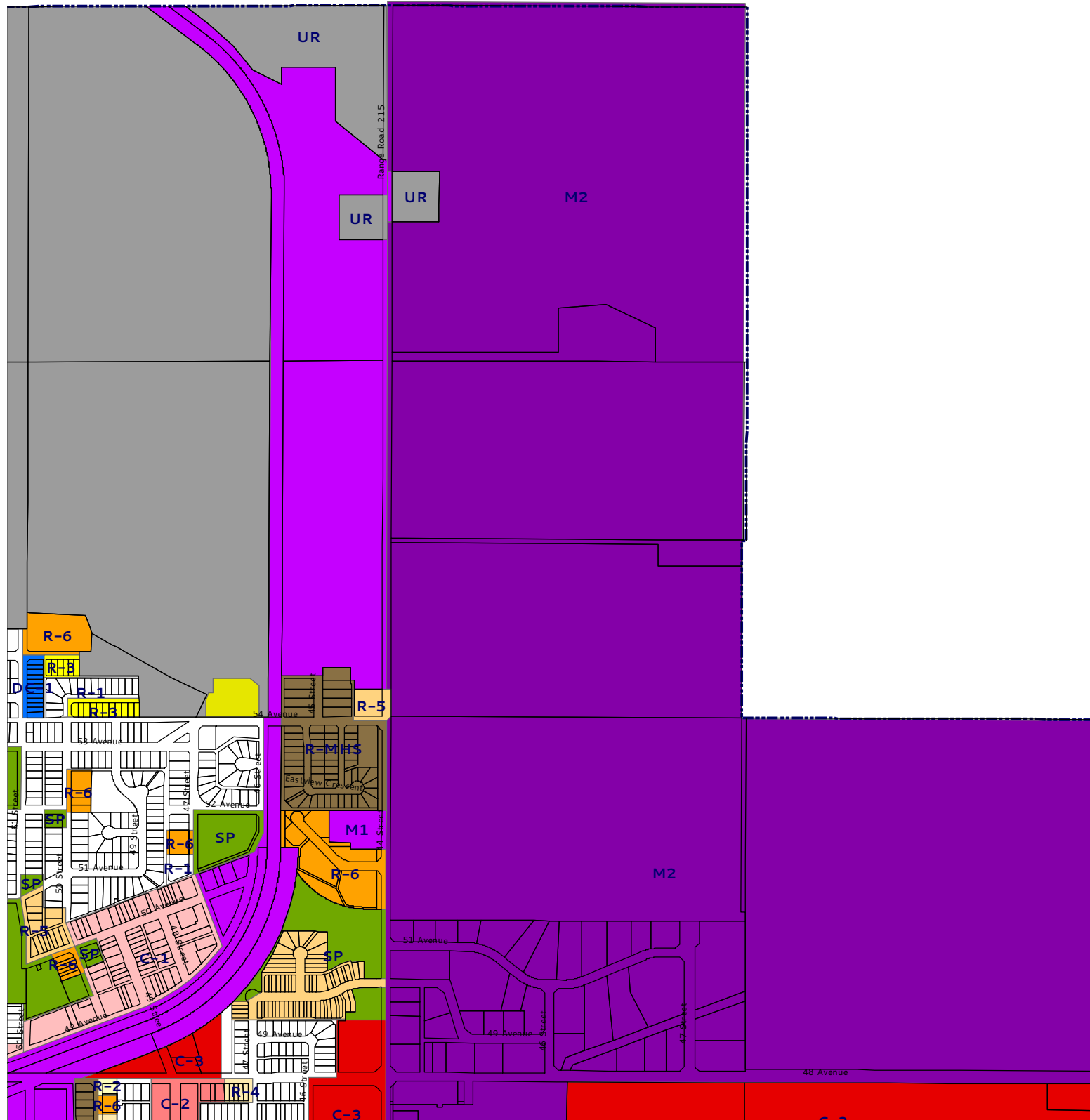
Land Use District Map 1.1





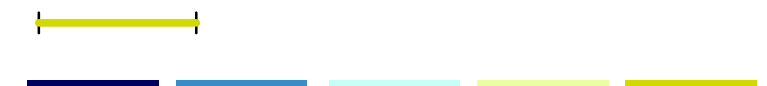
Town of Redwater

Land Use District Map 1.2



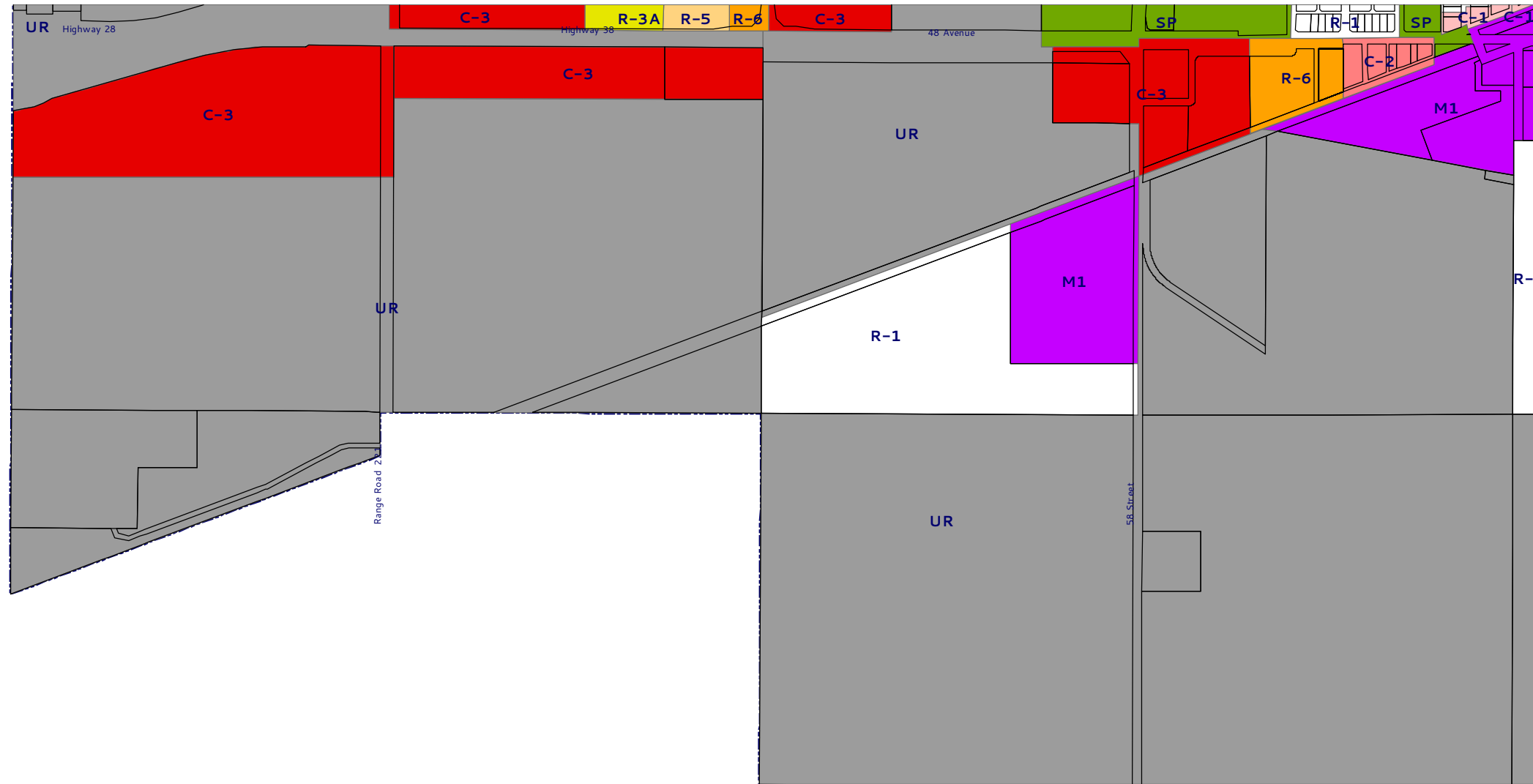
- R-1 Single Family Residential
- R-2 Single Family Large Dwelling & Large Lot Residential
- R-3 Single Family Compact Lot Residential
- R-3A Single Family Small Lot Residential
- R-4 Two Family Residential
- R-5 Medium Density Residential
- R-6 High Density Residential
- R-MHP Manufactured Home Park Residential
- R-MHS Manufactured Home Subdivision Residential
- C-1 Primary Commercial
- C-2 General Commercial
- C-3 Highway Commercial
- M1 Industrial
- M2 Industrial
- SP Semi-Public
- UR Urban Reserve
- DC-1 Direct Control Residential


















0 250 Metres

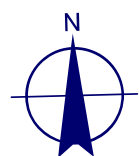


Town of Redwater

Land Use District Map 1.3



-  R-1 Single Family Residential
-  R-2 Single Family Large Dwelling & Large Lot Residential
-  R-3 Single Family Compact Lot Residential
-  R-3A Single Family Small Lot Residential
-  R-4 Two Family Residential
-  R-5 Medium Density Residential
-  R-6 High Density Residential
-  R-MHP Manufactured Home Park Residential
-  R-MHS Manufactured Home Subdivision Residential
-  C-1 Primary Commercial
-  C-2 General Commercial
-  C-3 Highway Commercial
-  M1 Industrial
-  M2 Industrial
-  SP Semi-Public
-  UR Urban Reserve
-  DC-1 Direct Control Residential

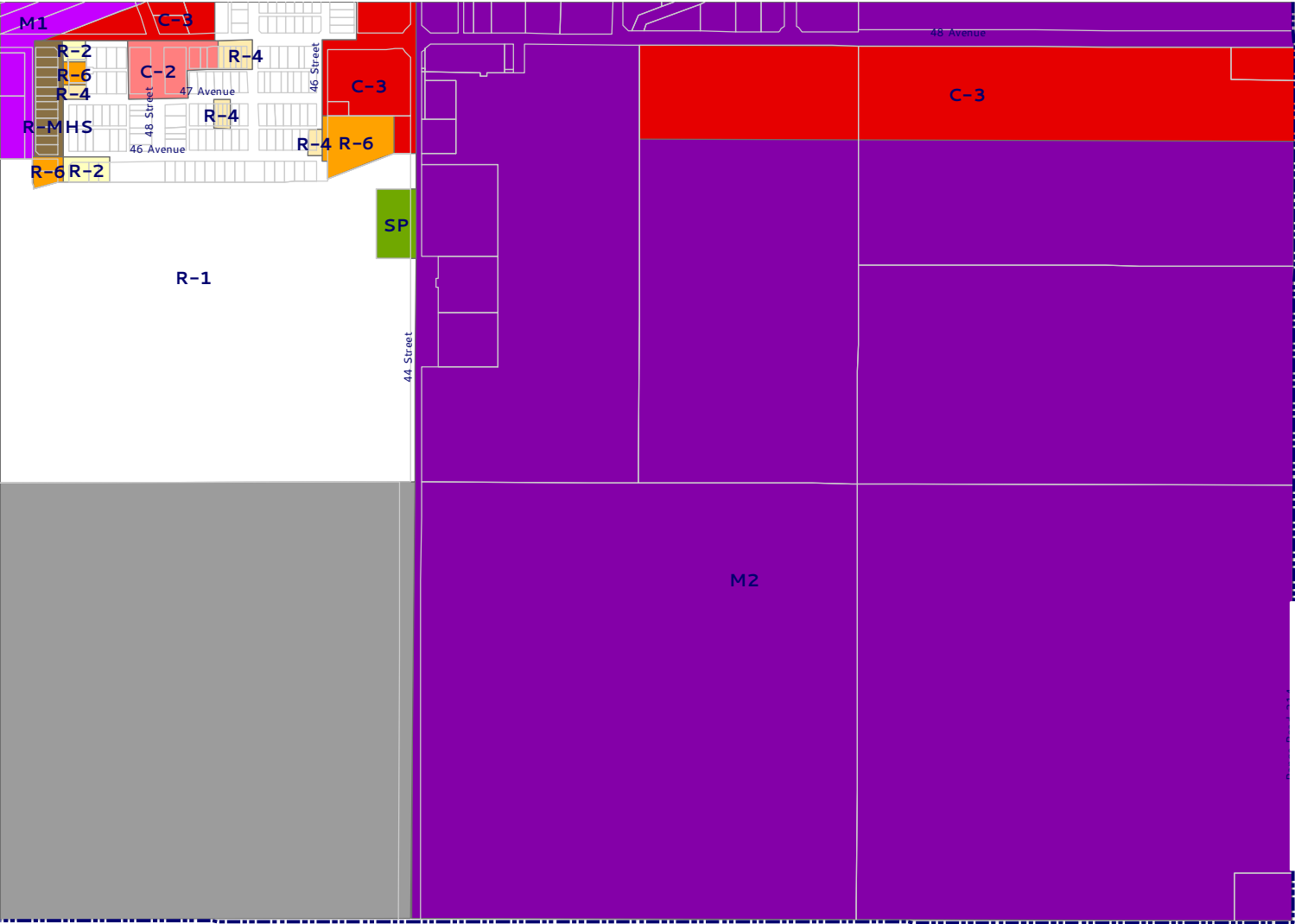


0 250 500 Metres



Town of Redwater

Land Use District Map 1.4



- R-1 Single Family Residential
- R-2 Single Family Large Dwelling & Large Lot Residential
- R-3 Single Family Compact Lot Residential
- R-3A Single Family Small Lot Residential
- R-4 Two Family Residential
- R-5 Medium Density Residential
- R-6 High Density Residential
- R-MHP Manufactured Home Park Residential
- R-MHS Manufactured Home Subdivision Residential
- C-1 Primary Commercial
- C-2 General Commercial
- C-3 Highway Commercial
- M1 Industrial
- M2 Industrial
- SP Semi-Public
- UR Urban Reserve
- DC-1 Direct Control Residential

BYLAW 817**BEING A BYLAW OF THE TOWN OF REDWATER IN THE PROVINCE OF
ALBERTA TO AMEND LAND USE BYLAW 811**

WHEREAS the Municipal Government Act, R.S.A 2000, as amended provides that a Municipal Council may amend its Land Use Bylaw.

AND WHEREAS the Council of the Town of Redwater wishes to amend its Land Use Bylaw 811 as it affects certain lands.

NOW THEREFORE the Council of the Town of Redwater, duly assembled, enacts the following:

1. Bylaw 811, the Land Use Bylaw of the Town of Redwater is hereby amended as follows:

A. The Land Use District Map is amended by redistricting 3.95 ha of land located within Part of Block B, Plan 882HW from R1 Single Family Residential and SP Semi – Public to R-5 Medium Density Residential District:

i) The 3.95 ha of land within of Block B, Plan 882HW effected by the Bylaw are shown on the attached Schedule “A”.

B. The Land Use District Map is further amended by redistricting 0.19 ha of Block B, Plan 882HW from R1 Single Family Residential to SP Semi – Public District:


i) The 0.19 ha of land within of Block B, Plan 882HW effected by the bylaw are shown on the attached Schedule “A”.

Read a first time this 21st day of January, 2014.

Read a second time this 18th day of February, 2014.

Read a third time and finally passed this 18th day of February, 2014.


Mayor


Town Manager

BYLAW 823**BEING A BYLAW OF THE TOWN OF REDWATER IN THE PROVINCE OF
ALBERTA TO AMEND LAND USE BYLAW 811**

WHEREAS the Municipal Government Act, R.S.A 2000, as amended provides that a Municipal Council may amend its Land Use Bylaw.

AND WHEREAS the Council of the Town of Redwater wishes to amend its Land Use Bylaw 811 as it affects certain lands.

NOW THEREFORE the Council of the Town of Redwater, duly assembled, enacts the following:

1. Bylaw 811, the Land Use Bylaw of the Town of Redwater is hereby amended as follows:
 - A. The Land Use District Map is amended by redistricting 3.85 ha within SE 25-57-22-W4, legally described as Block B, Plan 772 1573 from Urban Reserve (UR) District to Highway Commercial (C-3) District, as shown on Schedule A attached.

Read a first time this 2nd day of September, 2014.

Read a second time this 7th day of October, 2014.

Read a third time and finally passed this 7th day of October, 2014.

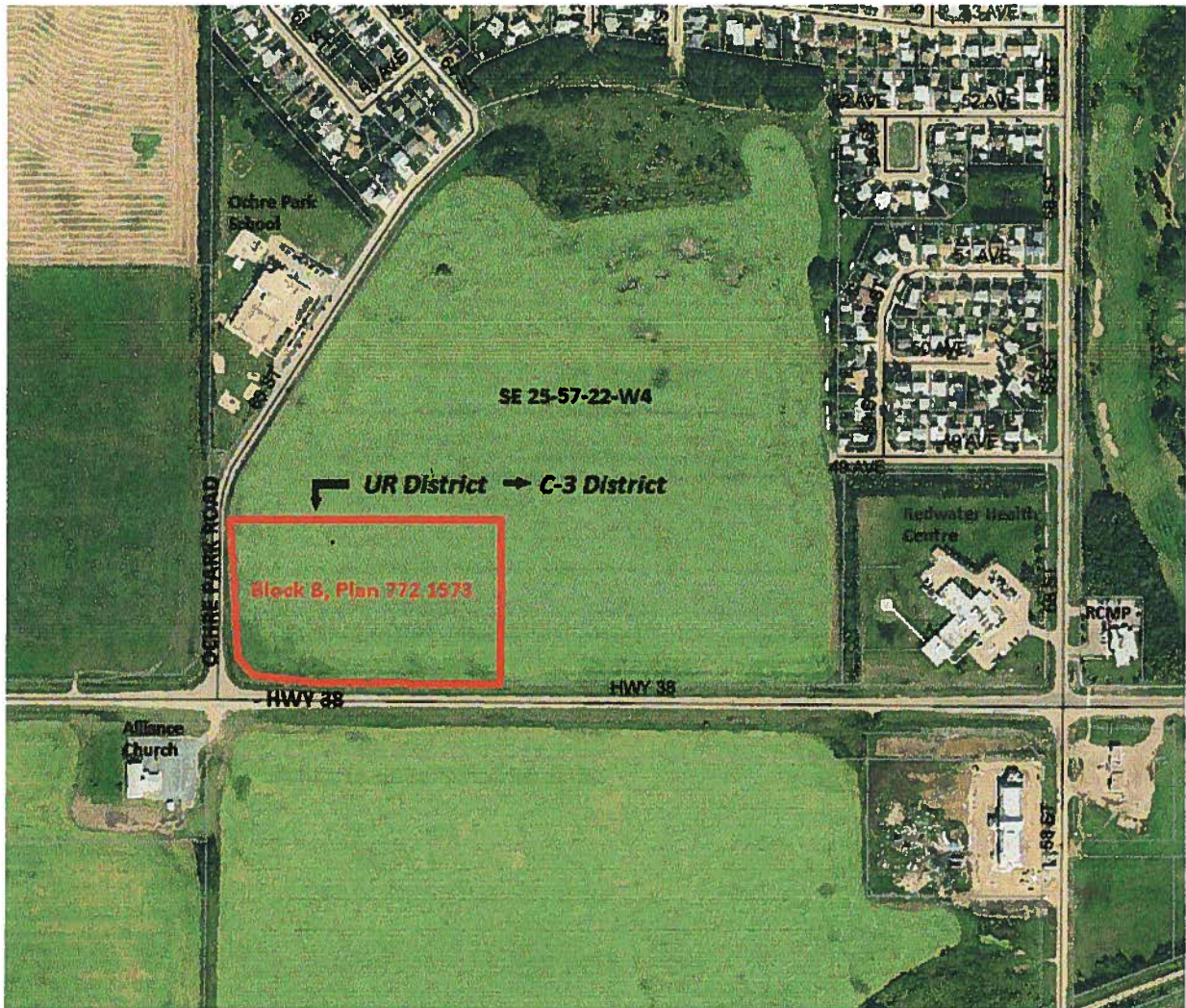


Mayor



Town Manager

Schedule A



Urban Reserve (UR) District to Highway Commercial (C-3) District

BYLAW 829**BEING A BYLAW OF THE TOWN OF REDWATER IN THE PROVINCE OF ALBERTA TO
AMEND LAND USE BYLAW 811**

WHEREAS the Municipal Government Act, R.S.A 2000, as amended provides that a Municipal Council may amend its Land Use Bylaw.

AND WHEREAS the Council of the Town of Redwater wishes to amend its Land Use Bylaw 811 as it affects certain lands.

NOW THEREFORE the Council of the Town of Redwater, duly assembled, enacts the following:

1. Bylaw 811, the Land Use Bylaw of the Town of Redwater is hereby amended as follows:

A. The Land Use District Map is amended by redistricting 1.0 ha (2.47 ac) of land within the parcel legally described as:

MERIDIAN 4 RANGE 21 TOWNSHIP 57

SECTION 30

QUARTER NORTH EAST

CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS

EXCEPTING THEREOUT:


		HECTARES	(ACRES)	MORE OR LESS
A) PLAN 371BV	RAILWAY	2.43	6.00	
B) PLAN 6799ET	ROAD	0.380	0.94	
C) PLAN 2943HW	SUBDIVISION	1.45	3.59	
D) PLAN 0224651	SUBDIVISION	0.173	0.43	
E) PLAN 0829725	SUBDIVISION	6.41	15.84	
EXCEPTING THEREOUT ALL MINES AND MINERALS				

from Urban Reserve (UR) District to Single Family Small Lot Residential (R-3A) District, as shown on Schedule A attached.


Read a first time this 17th day of February, 2015.

Read a second time this 17th day of March, 2015.

Read a third time and finally passed this 17th day of March, 2015.

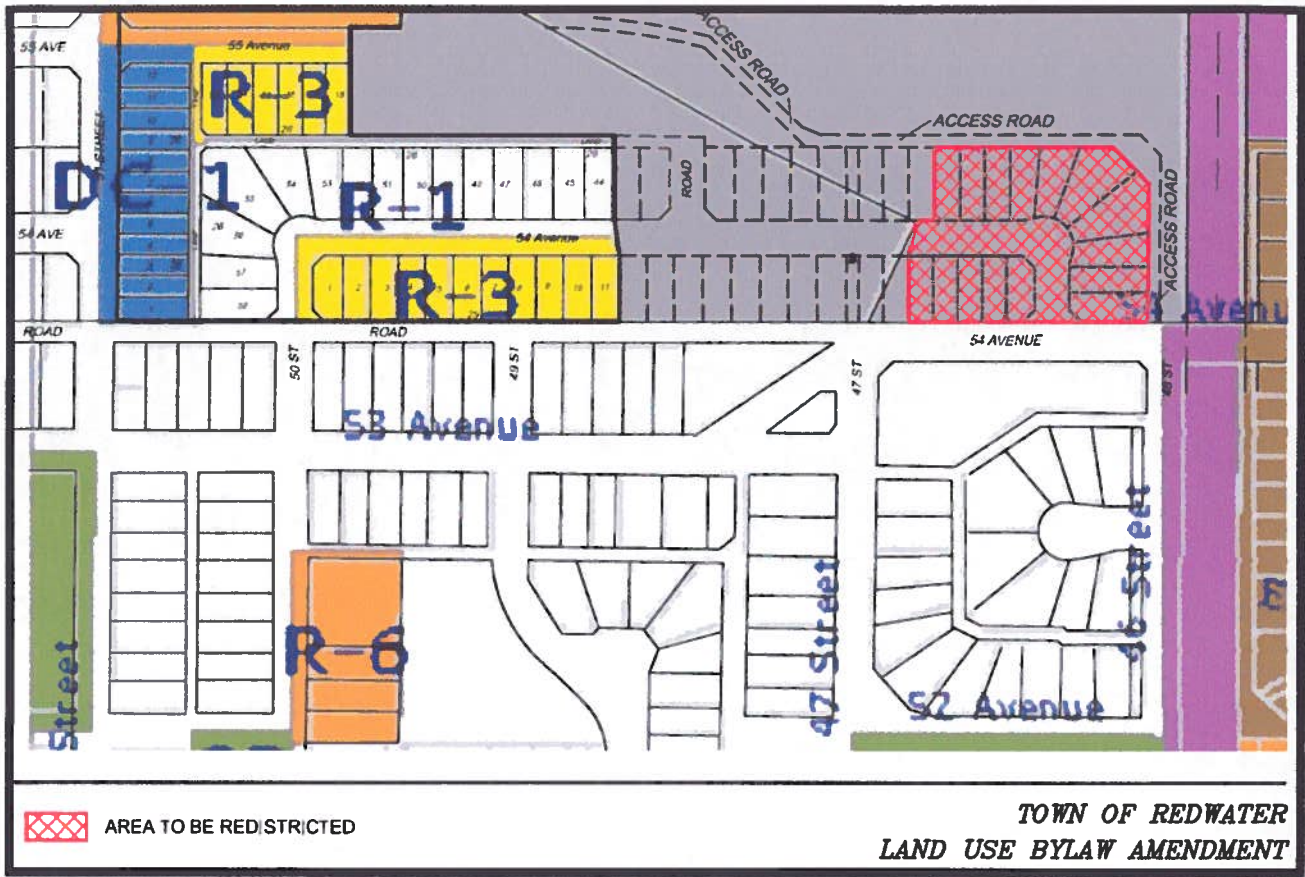


Mayor



Town Manager

Bylaw 829
Schedule A



Urban Reserve (UR) District to Single Family Small Lot Residential (R-3A) District

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TOWN OF REDWATER**BYLAW NO. 834****LAND USE BYLAW AMENDMENT****BEING A BYLAW OF THE TOWN OF REDWATER, IN THE PROVINCE OF ALBERTA, TO AMEND THE LAND USE BYLAW OF THE TOWN OF REDWATER**

WHEREAS the Municipal Government Act, R.S.A. 2000, as amended ("the Act") provides that a Municipal Council may amend its Land Use Bylaw.

WHEREAS the Council of the Town of Redwater wishes to amend its Land Use Bylaw.

NOW THEREFORE the Council of the Town of Redwater, duly assembled, enacts as follows.

1. Bylaw No. 811, the Land Use Bylaw of the Town of Redwater, as amended, is hereby further amended as follows:

A. That Section 1.3 Interpretation be amended as follows:

1. Subsection (183) be amended by removing the phrase "on a temporary basis" as follows:

"recreational vehicle campground, workcamp" means a development consisting of stalls or sites for the location of more than three (3) recreational vehicles, used to house camp workers by various contracting firms. The units may be dismantled and removed from the site from time to time.

2. Subsection (258) be amended by removing the word "temporary" and the phrase "on a temporary basis of more than six (6) months and up to three (3) years" as follows:

"workcamp" means a residential complex used to house camp workers for a contracting firm or project. The camp is usually made up of a number of manufactured units, clustered in such fashion as to provide sleeping, eating, recreation and other basic living facilities.

B. That Section 8.25 Recreational Vehicle Campground, Workcamps be amended as follows:

1. Subsection (6) be deleted and replaced with the following:

Recreational vehicle campground workcamps may be considered temporary developments.

2. Subsection (8) be deleted and replaced with the following:

A development permit for a recreational vehicle campground workcamp may be issued for a temporary period of time at the discretion of the Development Authority.

3. Subsection (9) be deleted and replaced with the following:

The Development Authority may establish whatever conditions for the approval of a recreational vehicle campground workcamp that it, at its discretion, deems reasonable.

- C. That Section 8.42 Workcamps be amended as follows:

1. Subsection (1) be deleted and replaced with the following:

Workcamps may be considered temporary developments.

2. Subsection (4) be deleted and replaced with the following:

A development permit for a work camp may be issued for a temporary period of time at the discretion of the Development Authority.

3. Subsection (5) be deleted and replaced with the following:

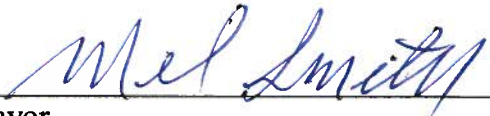
The Development Authority may establish whatever conditions for the approval of a work camp that it, at its discretion, deems reasonable.

This Bylaw comes into full force and effect upon the day it receives third and final reading.

Read a first time this 5th day of January, 2016.

Read a second time this 2nd day of February, 2016.

Read a third time and finally passed this 2nd day of February, 2016.



Mayor



Town Manager

TOWN OF REDWATER**BYLAW NO. 836****LAND USE BYLAW AMENDMENT**

BEING A BYLAW OF THE TOWN OF REDWATER, IN THE PROVINCE OF ALBERTA, TO AMEND THE LAND USE BYLAW OF THE TOWN OF REDWATER

WHEREAS the Municipal Government Act, R.S.A. 2000, as amended ("the Act") provides that a Municipal Council may amend its Land Use Bylaw.

WHEREAS the Council of the Town of Redwater wishes to amend its Land Use Bylaw.

NOW THEREFORE the Council of the Town of Redwater, duly assembled, enacts as follows.

1. Bylaw No. 811, the Land Use Bylaw of the Town of Redwater, as amended, is hereby further amended as follows:

- A. That Section 8.27 Sea Cans be amended as follows:

Subsection (7) be amended by adding the phrase "and in the Primary Commercial (C-1) District" as follows:

- (7) **Sea cans located in a Residential District and in the Primary Commercial (C-1) District may be a maximum of 6.0 m (20.0 ft.) in length.**

- B. That Section 9.10 Primary Commercial (C-1) District be amended as follows:

Subsection (2)(b) be amended by inserting the following as a Discretionary Use:

- (21) **Sea cans**

And re-number the remaining provisions in this section to provide for this insertion.

This Bylaw comes into full force and effect upon the day it receives third and final reading.

Read a first time this 15th day of March, 2016.

Read a second time this 4th day of April, 2016.

Read a third time and finally passed 4th day of April, 2016.



Mayor

Town Manager

BYLAW 840**BEING A BYLAW OF THE TOWN OF REDWATER IN THE PROVINCE OF
ALBERTA TO AMEND LAND USE BYLAW 811**

WHEREAS the Municipal Government Act, R.S.A 2000, as amended provides that a Municipal Council may amend its Land Use Bylaw.

AND WHEREAS the Council of the Town of Redwater wishes to amend its Land Use Bylaw 811 as it affects certain lands.

NOW THEREFORE the Council of the Town of Redwater, duly assembled, enacts the following:

1. Bylaw 811, the Land Use Bylaw of the Town of Redwater is hereby amended as follows:
 - A. The Land Use District Map is amended by redistricting 49.8 acres within NE 23-57-22-W4 from Urban Reserve (UR) District to Highway Commercial (C-3) District, as shown on Schedule A attached.


Read a first time this 7th day of June, 2016.

Read a second time this 5th day of July, 2016.

Read a third time and finally passed this 5th day of July, 2016.

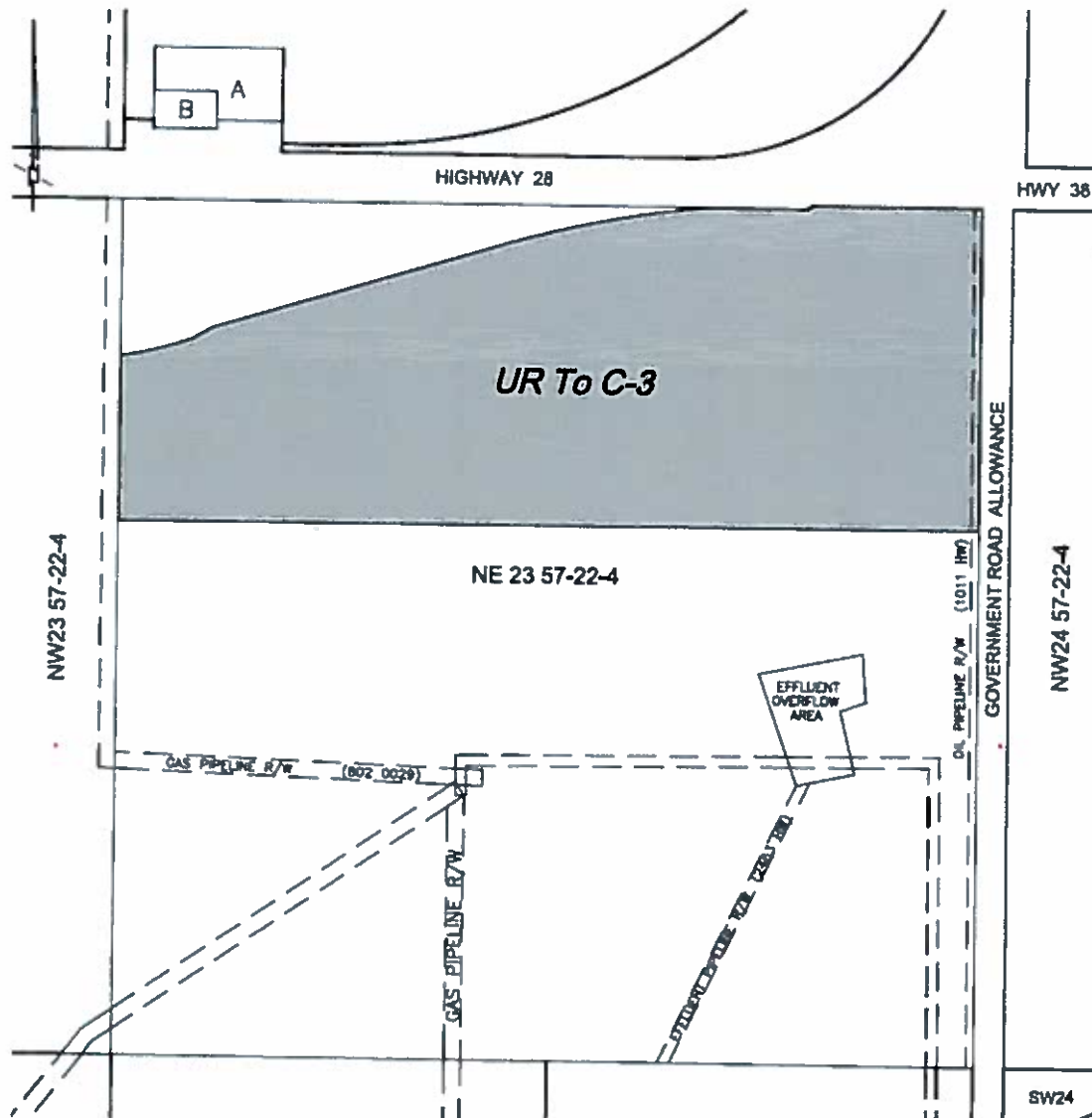


Mayor



Town Manager

Schedule A



AREA TO BE REDISTRICTED (APPROX. 49.8 ACRES)

TOWN OF REDWATER REDISTRICTING
NE 1/4 23-57-22-W4M



From UR (Urban Reserve)
To C-3 (Highway Commercial)

N:\161-07719-00 Red Water Commercial\3 Planning\Drawings\161-07719-00-RD-V1.dwg

BYLAW 849

**BEING A BYLAW OF THE TOWN OF REDWATER IN THE PROVINCE OF
ALBERTA TO AMEND LAND USE BYLAW 811**

WHEREAS the Municipal Government Act, R.S.A 2000, as amended provides that a Municipal Council may amend its Land Use Bylaw.

AND WHEREAS the Council of the Town of Redwater wishes to amend its Land Use Bylaw 811 as it affects certain lands.

NOW THEREFORE the Council of the Town of Redwater, duly assembled, enacts the following:

1. Bylaw 811, the Land Use Bylaw of the Town of Redwater is hereby amended as follows:

A. The Land Use District Map is amended by redistricting 5 parcels of land, in total, containing 0.21 ha more or less, legally described as:

PLAN 886HW

BLOCK 4

LOTS 14 - 18

EXCEPTING THEREOUT ALL MINES AND MINERALS

from Two Family Residential (R-4) District to Highway Commercial (C-3) District, as shown on Schedule A attached.

Read a first time this 3rd day of April, 2017.

Read a second time this 2nd day of May, 2017.

Read a third time and finally passed this 2nd day of May, 2017.

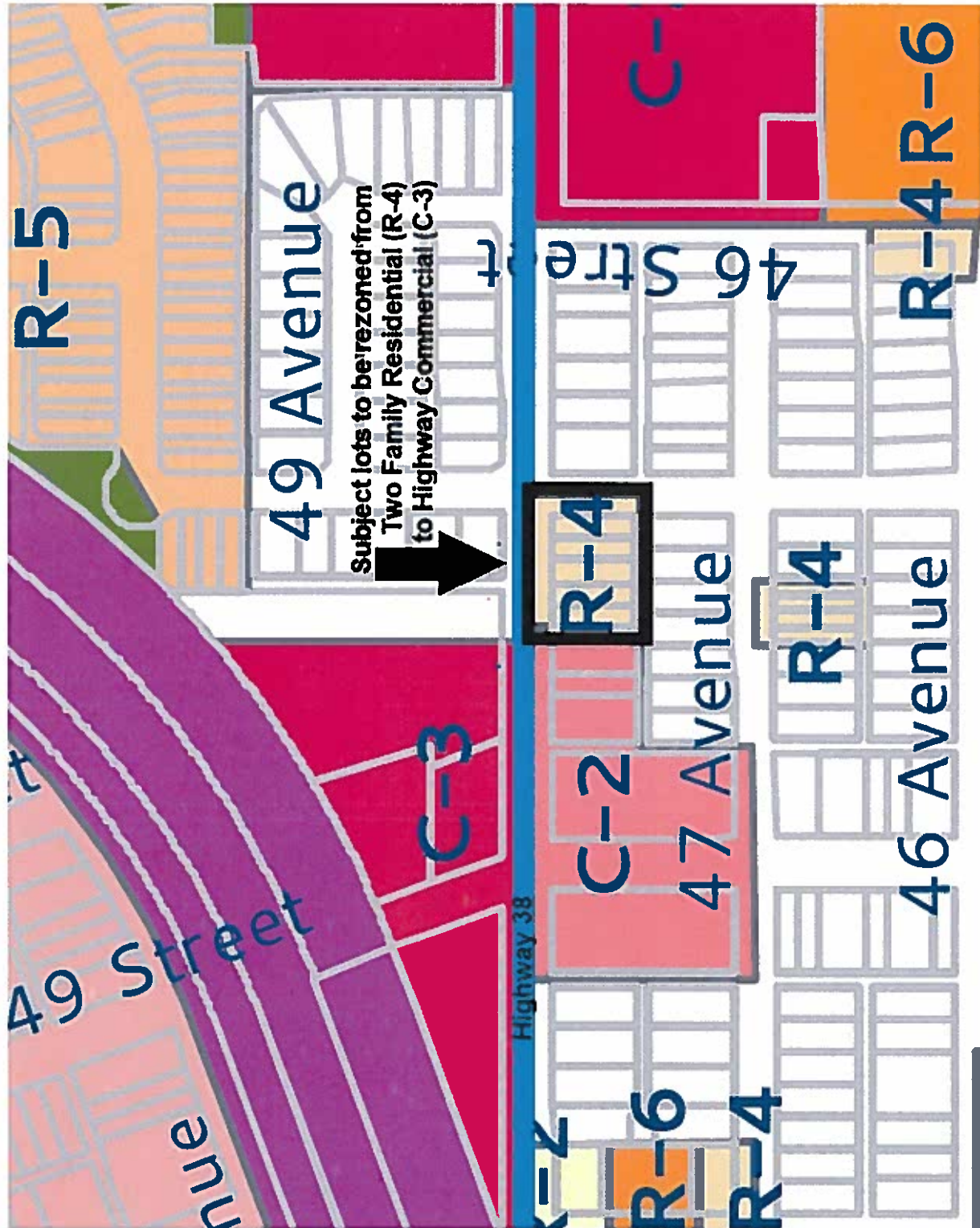


Mayor



Town Manager

Schedule A



TOWN OF REDWATER

BYLAW NO. 851

LAND USE BYLAW AMENDMENT

BEING A BYLAW OF THE TOWN OF REDWATER, IN THE PROVINCE OF ALBERTA, TO AMEND THE LAND USE BYLAW OF THE TOWN OF REDWATER

WHEREAS the Municipal Government Act, R.S.A. 2000, as amended ("the Act") provides that a Municipal Council may amend its Land Use Bylaw.

WHEREAS the Council of the Town of Redwater wishes to amend its Land Use Bylaw.

NOW THEREFORE the Council of the Town of Redwater, duly assembled, enacts as follows.

1. Bylaw No. 811, the Land Use Bylaw of the Town of Redwater, as amended, is hereby further amended as follows:
 - A. That Section 1.3 be amended as follows:
 - i) Subsection (52) be amended by adding "A structure 0.6 m (2.0 ft.) in height and under is to be considered a patio" as follows:
(52) "deck" means any open structure attached to a building having a height greater than 0.6 m (2.0 ft.) above grade, and thereby requiring stairs and railings as outlined in regulations approved under the Safety Codes Act. A deck shall not have walls higher than 1.25 m (4.1 ft.) or a roof. If the structure has a roof, it shall be considered to be part of the principal building and not a deck. Decks do not include patios;
 - ii) Subsection (133) be amended by adding "A manufactured home is sometimes referred to as a trailer or mobile home" as follows:
(133) "manufactured home" means a dwelling that is designed to be transported on its own wheels or by other means, and upon arriving at the site for location is, apart from incidental operations such as placement of foundation supports and connections of utilities, ready for year round use as a single dwelling unit. This definition shall not include a dwelling that would be considered a single family dwelling or a modular home if the roof pitch were equal to or greater than 1:4, if the depth of eaves were equal to or greater than 30.4 cm (1.0 ft.), or if the ratio of depth vs. width (or width vs. depth) were less than 3:1. If the roof pitch is less than 1:4, if the eaves is less than 30.4 cm (1.0 ft.), or if the ratio noted above is more than 3:1, the building shall be considered to be a manufactured home. A manufactured home is sometimes referred to as a trailer or mobile home;
 - iii) Subsection (138) be amended by adding "A modular home is sometimes referred to as an RTM (ready-to-move)" as follows:

(138) “modular home” means a dwelling containing one (1) dwelling unit, and, if the provisions of this Bylaw allow, a secondary suite or in-law suite, which is constructed in large sections, away from the site on which the modular home is to be placed, and under controlled conditions. Modular homes do not include manufactured homes. A modular home is sometimes referred to as an RTM (ready-to-move);

iv) Subsection (163) be deleted and replaced with the following:

(163) “patio means any developed surface adjacent to a building on a site which is equal to or less than 0.6 m (2.0 ft.) above grade and is not covered or enclosed;

v) A definition for “pod” be inserted as follows and the remaining provisions in this section be re-numbered:

(167) “pod” means a temporary, portable storage unit that is 4.9 m (16 ft.) in length or less. A pod, also referred to as a cube, does not include a sea can;

vi) Subsection (170) be deleted and the remaining provisions in this section be re-numbered.

vii) Subsection (224) be amended by replacing the phrase “at right angles” with the word “parallel” as follows:

(224) “site width”, unless otherwise defined in the Bylaw, means the average horizontal distance between the side lines or, where the site width would be shorter, the distance between the side lines at either the minimum required front yard distance or the minimum required rear yard distance, whichever distance is the shorter, measured parallel to the front line or parallel to the tangent on a curve from the midpoint of a curved front line;

viii) That all of the remaining Subsections be renumbered as required.

B. That Section 1.5 be amended as follows:

i) The word “addresses” in the first paragraph be replaced with the word “addressed”.

C. That Section 3.2 be amended as follows:

i) Subsection (6) be amended by adding the words “dumpster”, “pod” and “demolition” as follows:

(6) the erection or placement of a temporary building, dumpster, pod or sign, the sole purpose of which is incidental to the erection, demolition or alteration of a building, for which a permit has been issued under this Bylaw, provided the temporary building, dumpster, pod or sign is removed within thirty (30) days of substantial completion or as determined by the Development Authority;

- ii) Subsection (9)(b) be amended by replacing the word “with” by the word “within”.
- D. That Section 3.7 be amended as follows:
 - i) Subsection (3)(b) be amended by adding the phrase “or site coverage” as follows:
 - (iii) **floor area or site coverage**
 - ii) Subsection (3)(b) be amended by adding:
 - (iv) **parking stalls.**
- E. That Section 3.8 be amended as follows:
 - i) That Subsection (3) be deleted and the remaining provisions in this section be renumbered.
- F. That Section 7.3 be amended as follows:
 - i) In Figure 20, that the phrase:
 - Features under 0.5 m (1.65 ft.) above grade: minimum Side Yard = 3.8 m (12.6 ft.)**
 be replaced with:
 - Features under 0.5 m (1.65 ft.) above grade: no minimum Side Yard where a second minimum Front Yard is not required**
- G. That Section 7.5 be amended as follows:
 - i) That Section 7.5 be deleted and replaced with the following:
 - 7.5 Dwelling Units on a Lot**
 - (1) In the R-1 District, the R-2 District, the R-3 District, the R-3A District, the R-MHP District and the R-MHS District, no permit shall be granted for the erection of more than one (1) dwelling unit on a single lot, unless a duplex, secondary suite, in-law suite or garage suite is approved on the lot where provided for in this Bylaw, then, no more than two (2) dwelling units including the duplex, secondary suite, in-law suite or garage suite shall be allowed on a single lot.**
 - (2) Notwithstanding Subsection (1) the number of dwelling units allowed on a single lot in the DC-1 District shall be at the discretion of Council.**
- H. That Section 7.7 be amended as follows:
 - i) That Subsection (2)(c) be deleted and replaced with the following:
 - (c) **higher than 1.0 m (3.3 ft.) above grade within 6.0 m (19.7 ft.) of the intersection of two (2) roads; or**

- ii) That Subsection (2) be amended by adding the following:
 - (d) **higher than 1.0 m (3.3 ft.) above grade within 3.0 m (9.8 ft.) of the intersection of a road and a lane or the intersection of two lanes.**
- iii) That Subsection (2) be amended by adding the following:
 - (e) **higher than 1.0 m (3.3 ft.) above grade in a side yard on a corner lot within 3.8 m (12.6 ft.) of the side line on the side adjacent to the road.**

I. That Section 7.9 be amended as follows:

- i) That Subsection (2) be deleted and replaced with the following:
 - (2) **A landscaping deposit fee as established by Council may be required with the submission of Development Permit applications for residential, commercial and industrial development. The deposit will be fully refundable upon inspection and approval by the Town if the landscaping conforms to the approved landscaping plan, or in the absence of a landscaping plan, meets with the satisfaction of the Development Authority, and is completed within one year of the date the development becomes ready for use.**

J. That Section 7.12 be amended as follows:

- i) That Subsection (2) be amended by adding the word “residential” and removing the phrase “adjacent to a dwelling” as follows:
 - (2) **No person shall keep or permit in any part of a residential yard, on a recreational vehicle site or in a recreational vehicle stall either:**
 - (a) **a propane tank that is larger than 15.8 kg (35.0 lbs.),**
 - (b) **more than four (4) propane tanks, or**
 - (c) **any number of propane tanks with a total capacity which exceeds 43.3 kg (95.0 lbs.) without first obtaining a development permit.**

K. That Section 7.14 be amended as follows:

- i) That the table in Subsection (1)(a) be amended by adding the following under the Residential Uses section:
Bed and breakfast establishment - 1 per sleeping unit
- ii) That Table 1: Parking Requirements be amended to fit on one page.
- iii) That Subsection (1) be renumbered since there are two Subsections numbered (1)(j).

L. That Section 7.18 be amended as follows:

- i) That Subsection (2) be deleted and replaced with the following:

(2) **At the intersection of roads and lanes, no fence, wall, bush structure or thing more than 1.0 m (3.3 ft.) in height shall be erected, placed or maintained within the triangular area formed by the intersecting road or right-of-way lines and a straight line joining points on the road or right-of-way lines 3.0 m (9.8 ft.) from their intersection.**

ii) That Subsection and additional Subsection (5) be added as follows:

(5) **No structure, vegetation or thing will be erected, placed or maintained in any location where it may adversely affect site lines or jeopardize traffic or pedestrian safety.**

M. That Section 8.1 be amended as follows:

i) That Subsection (2) be amended by replacing the phrase “factory-manufactured building or” with the phrase “fabric-covered, soft-covered or otherwise” as follows:

(2) **At the discretion of the Development Authority, a development permit may be issued for the temporary erection of a fabric-covered, soft-covered or otherwise tented structure for use as an accessory building provided that the following additional conditions are met:**

- (i) **the development permit approval shall not be for a period of more than one (1) year,**
- (ii) **if an extension to the one (1) year period is desired by the applicant, the applicant must submit a written extension request to locate the building for a further six (6) months.**

N. That Section 8.2 be amended as follows:

i) That Subsection (2)(b) be replaced as follows:

(b) **no closer to the front line than the front of the principal building except in the case of double fronting or corner sites, in which case the minimum required yard may be reduced to 7.5 m (24.6 ft.) from one front line, and the minimum required yard adjacent to the second front line may be reduced to 4.5 m (14.76 ft.) where, in the opinion of the Development Authority, any adjacent developments would not be adversely affected;**

ii) That Subsection (3) be amended by replacing the word “may” with the word “must”.

O. That Section 8.12 be amended as follows:

i) That Subsection (2) be amended by replacing the phrase “multi-family dwelling” with the phrase “ground-oriented multiple unit dwelling”.

ii) That a new Subsection (3) be inserted as follows and the rest of the Subsections be renumbered:

(3) Notwithstanding Subsections (1) and (2), a garage suite may be allowed at the discretion of the Development Authority, in the DC-1 District.

P. That Section 8.15 be amended as follows:

- i) That Subsection (2) be amended by replacing the phrase “multi-family dwelling” with the phrase “ground-oriented multiple unit dwelling”.

Q. That Section 8.22 be amended as follows:

- i) That Subsection (1) be amended by removing the second sentence, which is repeated in Subsection (7), so that Subsection (1) reads as follows:
(1) Notwithstanding any other provision of this Bylaw to the contrary, a development permit is required prior to the commencement of the installation or construction of a private in ground swimming pool or hot tub.
- ii) That Subsection (7) be amended by replacing the word “great” with the word “greater”.

R. That Section 8.28 be amended as follows:

- i) That Subsection (2) be amended by replacing the phrase “multi-family dwelling” with the phrase “ground-oriented multiple unit dwelling”.

S. That Section 9.1 be amended as follows:

- i) That Subsection (5) be amended by adding a new Subsection (5)(e) as follows:
(e) Maximum height – 9.0 m (29.5 ft.)
and renumbering the rest of the Subsections.

T. That Section 9.2 be amended as follows:

- i) That Subsection (5) be amended by adding a new Subsection (5)(e) as follows:
(e) Maximum height – 9.0 m (29.5 ft.)
and renumbering the rest of the Subsections.

U. That Section 9.3 be amended as follows:

- i) That Subsection (5) be amended by adding a new Subsection (5)(e) as follows:
(e) Maximum height – 9.0 m (29.5 ft.)
and renumbering the rest of the Subsections.

V. That Section 9.3A be amended as follows:

- i) That Subsection (4) be amended by adding a new Subsection (4)(e) as follows:

(e) **Maximum height – 9.0 m (29.5 ft.)**
and renumbering the rest of the Subsections.

W. That Section 9.4 be amended as follows:

i) That Subsection (4) be amended by adding a new Subsection (4)(e) as follows:

(e) **Maximum height – 9.0 m (29.5 ft.)**
and renumbering the rest of the Subsections.

X. That Section 9.5 be amended as follows:

i) That Subsection (4) be renamed and replaced with the following:

(4) **Subdivision and Development Regulations for Duplexes and Triplexes**

The subdivision and development regulations for duplexes and triplexes shall be the same as for duplexes within the R-4 District, except that, at the discretion of the Development Authority, the minimum site width for the centre unit of a triplex may be reduced to 6.0 m (19.7 ft.) and the maximum site coverage percentage increased accordingly, where there are no side yards on a centre unit that is on its own lot.

Y. That Section 9.9 be amended as follows:

i) That Subsection (3)(a)(i) be replaced with the following:

(i) **In the case of road and lane systems – 30.5 m (100 ft.)**

This Bylaw comes into full force and effect upon the day it receives third and final reading.

Read a first time this 4th day of July, 2017.

Read a second time this 5th day of September, 2017.

Read a third time and finally passed this 5th day of September, 2017.



Mayor



Town Manager

BYLAW NO. 858

**A BYLAW OF THE TOWN OF REDWATER
TO AMEND THE LAND USE BYLAW OF THE TOWN OF REDWATER**

WHEREAS the Municipal Government Act, R.S.A. 2000, c. M-26, as amended ("the Act") provides that a Municipal Council may amend its Land Use Bylaw;

AND WHEREAS the Council of the Redwater wishes to amend its Land Use Bylaw 811 as it affects certain lands;

NOW THEREFORE the Council of the Town of Redwater, duly assembled, enacts as follows.

1. Bylaw No. 811, the Town of Redwater Land Use Bylaw, as amended, is hereby further amended as follows:

a. The following definitions are inserted in Section 1.3 – Interpretation in alphabetical order, and Section 1.3 – Interpretation is renumbered accordingly:

(1) **"cannabis"** means cannabis as defined in the *Cannabis Act*, S.C. 2018, c. 16, or other relevant federal legislation.

(a) Cannabis includes:

- (i) any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
- (ii) any substance or mixture of substances that contains or has on it any part of such a plant;
- (iii) any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.

(b) Cannabis does not include:

- (i) a non-viable seed of a cannabis plant;
- (ii) a mature stalk (without leaves, flowers, seeds, or branches) of a cannabis plant;
- (iii) fibre derived from a stalk;
- (iv) the root or any part of the root of a cannabis plant; and
- (v) industrial hemp.

(2) **"cannabis accessory"** means a thing that is commonly used in the consumption or production of cannabis. A Cannabis Accessory includes, but is not limited to, rolling papers or wraps, holders, pipes, water pipes, bongs and vaporizers.

(3) **"cannabis lounge"** means a development where the primary purpose of the facility is the sale of cannabis to the eligible public, for the consumption within the premises that is authorized by provincial or federal legislation. This use does not include cannabis production and distribution facilities;

- (4) **“cannabis, medical”** means cannabis that is obtained for medical purposes in accordance with applicable federal law;
- (5) **“cannabis production and distribution facility”** means a development used principally for one or more of the following activities relating to cannabis:
- (a) the production, cultivation, and growth of cannabis;
 - (b) the processing of raw materials;
 - (c) the making, testing, manufacturing, assembling, or in any way altering the chemical or physical properties of semi-finished or finished cannabis goods or products;
 - (d) the storage or shipping of materials, goods, or products, or;
- (6) **“cannabis retail sales establishment”** means a development used for the retail sales of cannabis that is authorized by provincial or federal legislation. This Use may include retail sales of cannabis accessories, as defined in the *Cannabis Act*, S.C. 2018, c. 16. This use does not include cannabis production and distribution facilities;
- (7) **“clubhouse”** means the building, room, or other facility used for the activities of a group organized for a common purpose, especially a group that meets regularly. A clubhouse may include change rooms, showers, lockers, and a common area where food and non-alcoholic or alcoholic drinks are consumed. **This use does not include cannabis lounges;**
- (8) **“head shop”** means a retail outlet which specializes in the sale of cannabis accessories, drug paraphernalia related to consumption of cannabis, other recreational drugs, and new age herbs, as well as counterculture art, magazines, music, clothing and home décor. This does not include cannabis retail sales establishments or a cannabis production and distribution facility;
- (9) **“industrial hemp”** means a cannabis plant — or any part of that plant — in which the concentration of THC is 0.3% w/w or less in the flowering heads and leaves, in accordance with the *Industrial Hemp Regulations*, SOR/2018-145, as amended;
- (10) **“industrial hemp production and distribution facility”** means the use of land, buildings, or structures licensed and/or authorized to process, sell, provide, ship, deliver, transport, destroy, produce, export and/or import industrial hemp, including related research, under the *Industrial Hemp Regulations*, SOR/2018-145, as amended, or any subsequent legislation that may be enacted in substitution. This does not include cannabis retail sales or cannabis production and distribution facility, or the cultivation of industrial hemp;
- (11) **“medical cannabis clinic”** means any business or enterprise whether or not operated for profit intended to serve as a means of distributing or providing cannabis for medical purposes as defined by provincial or federal legislation;



b. The following definitions in Section 1.3 – Interpretation are revised as follows:

- (1) **“agricultural industry”** means an industrial activity involving the processing, cleaning, packing or storage of agricultural products. Agricultural industry includes, but is not restricted to, seed cleaning and/or processing plants, and grain elevators, but does not include: the manufacture of processed foods from agricultural products or abattoirs or cannabis production and distribution facilities, industrial hemp production and distribution facilities.
- (2) **“agriculture, extensive”** means the use of land or buildings, including the first dwelling or manufactured home, for an agricultural operation which requires large tracts of land (usually in the order of 32.4 ha (80.0 ac. or more), but not including intensive agriculture, confined feeding operations, or a cannabis production and distribution facility or industrial hemp production and distribution facilities;
- (3) **“agriculture, intensive”** means an agricultural operation which raises crops on a land-intensive basis. Intensive agriculture includes greenhouses, silviculture and sod farms, but does not include confined feeding operations or a cannabis production and distribution facility or industrial hemp production and distribution facilities;
- (4) **“alcohol retail sales”** means an establishment or that part of an establishment possessing a Class D liquor license which is used for the retail sales of any and all types of alcoholic beverages to the public for consumption off premises. This use may include as well as the sale of alcohol the retail sales of related products such as soft drinks and snack foods. This does not include cannabis retail sales establishments;
- (5) **“drinking establishment”** means a development possessing a Class A Minors Prohibited liquor license, where the sale and consumption of liquor on site occurs and where liquor is the primary source of business. This use does not include cannabis lounges;
- (6) **“general retail establishment”** means a development where groceries, beverages, household goods, furniture, appliances, home improvement supplies, hardware, printed matter, confectionary, tobacco, pharmaceutical, personal care items, automotive parts and accessories, electronic equipment, recordings, office equipment, stationary, second hand goods, and similar goods are bought, rented, and/or sold from within a building. Minor public services, such as postal services and film processing depots may also be provided. General retail establishments include convenience retail stores but does not include warehouse sales establishments, or developments where gasoline, new or used motor vehicles, alcohol, cannabis, heavy agricultural and/or industrial equipment are sold or rented;
- (7) **“greenhouse and plant nursery”** means a development where bedding, household and ornamental plants are raised, stored and sold, together with incidental accessories such as garden equipment, and fertilizers and garden care products. This

- does not include cannabis retail sales or cannabis production and distribution facility or industrial hemp production and distribution facilities;
- (8) **“health services”** means a development where physical or mental health services are provided on an out-patient basis. Such services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counselling nature. Health services include medical, chiropractic, and dental offices, health clinics, medical cannabis clinics, and counselling services;
- (9) **“highway commercial use”** means a commercial use serving the travelling public which relies on a highly visible location in proximity to a highway or an arterial road. Highway commercial uses may include eating and drinking establishments, service stations, gas bars, convenience retail stores, hotels, motels, commercial with warehousing, drive-in businesses and personal service shops. This does not include a cannabis retail sales establishment;
- (10) **“home occupation, major”** means a business, occupation, trade, profession, or craft carried on by an occupant of a dwelling unit as a use secondary to the residential use of the dwelling, and which does not change the character of the building in which it is located or have any exterior evidence of such secondary use other than a small sign as provided for in **Section 8.14(5)(g)** of this Bylaw. A major home occupation may have up to one (1) employee, other than those resident in the dwelling unit working on site at any time. A major home occupation may also have more than five (5) client visits per week, and a limited amount of outdoor storage of goods. A major home occupation may include, but is not restricted to, hairdressing and cutting, dressmaking, millinery and similar domestic crafts, stamp and coin sales, music and/or dance instruction, minor repairs to household equipment and tutoring. A major home occupation does not include cannabis retail sales or cannabis production and distribution facility. The distinctions between major home occupations and minor home occupations are more fully described in **Section 8.14** of this Bylaw;
- (11) **“home occupation, minor”** means any business, occupation, trade, profession, or craft carried on by an occupant of a dwelling unit as a use secondary to the residential use of the dwelling, and which does not change the character of the building in which it is located or have any exterior evidence of such secondary use. A minor home occupation will have no employees, other than those residing in the dwelling unit, and no more than five (5) client visits per week, and no outdoor storage of any goods. A minor home occupation may include, but is not restricted to, offices of accountants, doctors, business and professional consultants, contractors, lawyers, bookkeepers, architects, catalogue sales, and minor repair shops, but does not include any development that may, in the opinion of the Development Authority, be considered to be a major home occupation. A minor home occupation does not include cannabis retail sales or cannabis production and distribution. The distinctions between minor home occupations and major home occupations are more fully described in **Section 8.14** of this Bylaw;
- (12) **“industrial use, heavy”** means a development which would be considered to be a light industrial use except that, in the opinion of the Development Authority, the development may not be able to co-exist compatibly in proximity to other uses or

population concentrations due to: the potential for an adverse environmental impact beyond the immediate site of the medium industrial use; the potential for significant toxic or noxious by-products such as air or water-born emissions; or the potential to emit significant noise, smoke, dust, odour, vibration, etc., which may be offensive or hazardous to human health, safety or well-being. Heavy industrial uses also include: the storage of toxic, flammable or explosive products in significant quantities; rendering plants; natural resource or agricultural product processing plants or large-scale outdoor storage that is unsightly or visually offensive. Heavy industrial uses do not include heavy petrochemical industrial uses or cannabis production and distribution facilities or industrial hemp production and distribution facilities;

- (13) "**industrial use, heavy petrochemical**" means a development involved in the processing and manufacturing of petrochemicals, including oil and gas refining, which, in the opinion of the Development Authority, may emit a significant level of noise, smoke, dust, odour, vibration, etc., and which may not be compatible with the surrounding land use. This use does not include cannabis production and distribution facilities or industrial hemp production and distribution facilities;
- (14) "**industrial use, light**" means a development which, in the opinion of the Development Authority, may be able to co-exist compatibly in proximity to other uses or population concentrations. Light industrial uses are usually less capital intensive than heavy industrial uses, and may be more consumer-oriented than business-oriented. Light industrial uses often require only a small amount of raw materials, area and power.

For further clarification, light industrial uses include developments where:

- (a) raw materials are processed, and/or
- (b) semi-finished or finished goods, products or equipment are manufactured and/or assembled, and/or
- (c) materials, goods and equipment normally associated with industrial or commercial business are cleaned, serviced, repaired, salvaged, and/or tested, and/or
- (d) goods and equipment associated with personal or household use are cleaned, serviced, and/or repaired, and/or
- (e) materials, goods and equipment are stored and/or transhipped, and/or
- (f) materials, goods and equipment are distributed and/or sold to institutions and/or industrial and commercial businesses for their direct use and/or to general retail establishments and/or other retail establishments for resale to individual customers, and/or
- (g) personnel are trained in all industrial operations,

in such a manner, in the opinion of the Development Authority, that an adverse environmental impact is not created beyond the immediate site of the light industrial use, which does not produce significant toxic or noxious by-products, and which is compatible with other industrial and commercial uses in a concentrated setting. Light industrial uses include motor vehicle body and paint shops, but do not include the preparation of food and/or beverages for direct sale to the public.

Any indoor display, office, technical or administrative support areas or any retail sale operations shall be accessory and subordinate to the light industrial use activities identified above. The floor area devoted to such accessory activities shall not exceed a total of thirty-three percent (33%) of the total floor area of the building or buildings devoted to the light industrial use, except that this restriction shall not apply where, in the opinion of the Development Authority, a significant portion of the industrial activity naturally and normally takes place out of doors. This use does not include cannabis production and distribution facilities or industrial hemp production and distribution facilities;

(15) **“neighbourhood commercial development”** means a development where goods and services required by area residents or employees on a day to day basis are provided, bought or sold. The gross leasable area of a neighbourhood commercial development shall not exceed 275.0 m² (2,960 ft²). Neighbourhood commercial developments include small food stores, drug stores, and variety stores selling confectionary, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware, and/or printed matter as well as small personal service shops. This use does not include alcohol retail sales or cannabis retail sales.

(16) **“private club”** means a development used for the meeting, social or recreational activities of members of a non-profit philanthropic, social service, athletic, business or fraternal organization, with neither on-site dwellings nor rentable units. Private clubs may include eating and drinking establishments and rooms for assembly. This use does not include cannabis lounges;

c. Section 3.4 Development Permit Applications, is amended by adding the following after Section 3.4.8, and renumbering the Part accordingly.

(9) In addition to the information requirements indicated in Section 3.4(1) and Section 3.4(4), an application for a development permit for cannabis retail sales establishments, shall be required to include with the application the following information:

(a) a map identifying the distance from the proposed development to all property boundaries of:

- (i) buildings containing a school or a boundary of a parcel of land on which the building is located;
- (ii) parcels of land that are designated as school reserve or municipal and school reserve under the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended;
- (iii) provincial health care facilities or the boundary of a parcel of land on which the facilities are located;

(iv) any other development or land use required by the Alberta Gaming, Liquor, and Cannabis Commission; and

(v) parks and playgrounds within the Town of Redwater.

(10) In addition to the information requirements indicated in Section 3.4(1) and Section 3.4(4), an application for a development permit for an industrial hemp production and distribution facility or a cannabis production and distribution facility, may be required to include with the application, the following information:

(a) Waste Management Plan;

(b) Environment Site Assessment;

(c) Traffic Impact Assessment;

(d) Water / Wastewater report;

(e) Storm Water Management Plan;

(f) The separation distance, shown on a map, between the proposed facility and the property boundary of a school, or any other public place usually frequented by persons under the age of 18 years shall be determined by measuring a straight line from the closest point on the lot line of the lot on which the proposed facility is located to the closest point on the lot line of the lot on which the other specified use is located. The separation distance shall not be measured from district boundaries or walls of buildings;

(g) any other information as may be reasonably required by the Development Authority.

d. Section 3.7 Decision Process and Re-Application, is amended in accordance with the changes identified in *Schedule A* of this Bylaw.

e. Section 3.8 Development Permits and Notices, is amended in accordance with the changes identified in *Schedule A* of this Bylaw.

f. Section 4.1 Appeal Procedure, is amended in accordance with the changes identified in *Schedule A* of this Bylaw.

g. Part 8 Special Use Regulations, is amended by adding the following Sections after Section 8.7 Bed and Breakfast Establishments:



8.7(a) Cannabis Production and Distribution Facilities

Regulations within this section apply to the production and distribution of cannabis for medical and non-medical purposes.

- (1) No Cannabis production and distribution facility shall be allowed unless all applicable licensing and approvals have been provided for by the provincial and federal governments.
- (2) A Cannabis production and distribution facility must comply with the following requirements, in addition to any other municipal, provincial or federal regulations or requirements:
 - (a) only facilities licensed by Health Canada under the *Cannabis Regulations*, SOR/2018-144, or as amended or replaced, will be permitted
- (3) A copy of the current license(s) for the Cannabis production and distribution facility as issued by the provincial and/or federal government shall be provided to the Development Authority at time of application or provided as a condition of development permit approval.
- (4) A Cannabis production and distribution facilities must include suitable landscaping and parking requirements, as determined by the Development Authority. Parking and landscaping requirements shall comply with regulations relating to industrial uses within this Bylaw and meet all servicing standards of the municipality.
- (5) A Cannabis production and distribution facility shall meet security and premises requirements as required under applicable provincial or federal Acts or Regulations.
- (6) The development shall be designed and located to minimize any impacts on the natural environment.
- (7) The development shall be designed to minimize any exposure or disturbance to the surrounding area including, but not limited to, dust, pollution, noise, odour, or any other related land use nuisance effects.
- (8) No outdoor storage of goods, material, or supplies shall be permitted.
- (9) All activities related to Cannabis production and distribution facilities shall occur within fully enclosed stand-alone building(s), including but not limited to loading, receiving, and shipping of cannabis and any other goods, materials, and supplies.
- (10) Hours of operation may be restricted as a condition of the development permit issued by the Development Authority.



- (11) A cannabis production and distribution facility's exterior lighting and noise levels shall satisfy the following requirements:
- (a) the illumination of parking areas, walkways, signs, and other structures associated with cannabis production and distribution development shall be arranged to meet any requirements the Land Use Bylaw or any other bylaw and/or policy approved by the municipality and any other provincial or federal Acts or Regulations.
 - (b) noise from facilities shall not exceed that allowed under the Land Use Bylaw or any other bylaw and/or policy of the municipality and any other provincial or federal Acts or Regulations.
- (12) The minimum setback from any watercourse or water body shall be 30.0 m (98.4 ft.).
- (13) The maximum lot coverage shall be at the discretion of the Development Authority.
- (14) A building or structure used for security purposes for a cannabis production and distribution facility may be located in the front yard and must comply with the required minimum setbacks within the district.
- (15) On site buffering measures shall be required for all cannabis production and distribution facilities. Buffers may include a combination of space separation, vegetation, and fencing to mitigate the impacts on adjacent lots.
- (16) A site, building, or structure established, operated, or maintained as a cannabis production and distribution facility shall comply with the provisions made for in any applicable municipal, provincial and federal regulations as per this Bylaw..
- (17) Garbage containers and waste material shall be contained within an enclosed and locked building.
- (18) Solid waste material shall be secured in accordance with provincial and federal regulations until destroyed.
- (19) Further to subsection (18) solid waste material must be disposed of in accordance with the *Cannabis Act*, S.C. 2018, c. 16, and the *Cannabis Regulations*, SOR/2018-144, as amended, or any subsequent legislation that may be enacted in substitution.
- (20) These regulations are not exclusive and shall not prevent the municipality from exercising any other remedy available under the law, nor shall the provisions of this section prohibit or restrict other Federal or Provincial law or regulation to be enacted.
- (21) Applications for subdivision of land for this use shall include the information required by the Development Authority in **Section 3.4**.



8.7(b) Cannabis Retail Sales Establishments

- (1) Any cannabis retail sales establishment must comply with the following requirements, in addition to any other municipal or provincial regulations or requirements:
 - (a) only facilities licensed by the provincial or federal governments will be permitted; and
 - (b) a copy of the license(s) for the cannabis retail sales establishment as issued by the provincial government shall be provided to the Development Authority.
- (2) Cannabis retail sales establishments must include suitable landscaping and parking requirements, as determined by the Development Authority. Parking shall comply with regulations of this Bylaw for a commercial use and meet all servicing standards of the municipality.
- (3) The design of the buildings and the landscaping on the site shall be consistent with the characteristics and appearance of the surrounding neighbourhood.
- (4) No outdoor storage of goods, materials, or supplies shall be permitted.
- (5) Cannabis retail sales establishments shall meet security and premises requirements as required under applicable provincial and federal legislation.
- (6) Solid waste material shall be secured in accordance with provincial and federal regulations until destroyed.
- (7) Further to subsection (6), solid waste material must be disposed of in accordance with *Cannabis Act*, S.C., 2018, c.16 and the *Cannabis Regulations* SOR/2018-144, as amended, or replaced.
- (8) Hours of operation may be restricted as a condition of the development permit issued by the Development Authority.
- (9) A cannabis retail sales establishment's exterior lighting levels shall satisfy the following requirements:
 - (a) The illumination of parking areas, walkways, signs, and other structures associated with cannabis retail sale development shall be arranged to meet the requirements under municipal, provincial, and federal regulations.
- (10) Cannabis retail sales establishments as defined in this Bylaw shall be prohibited from locating near the following uses:



- (a) within 100.0 m (328.1 ft.) of a provincial health care facility (or a boundary of the parcel of land on which the facility is located), and
 - (b) within 100.0 m (328.1 ft.) of a parcel designated as School Reserve or Municipal and School Reserve, (or a boundary of the parcel of land on which the facility is located), or a building containing a school (or a boundary of a parcel of land on which the building is located), and
 - (c) within 100.0 m (328.1 ft.) of a parcel which contains a public park or playground excluding Devonian Park and the Town campground.
- (11) The separation distance between the cannabis retail sales establishment and the uses listed in **PART 8.7(b) (8)** shall be determined by measuring a straight line from the outer wall of the proposed cannabis retail sales establishment to the closest point on the lot containing the uses identified in **subsection (8)**.
- (12) A site, building or structure established, operated, or maintained as a cannabis retail sales establishment shall comply with the provisions made for in any applicable municipal, provincial, and federal regulations as per this Bylaw.
- (13) These regulations are not exclusive and shall not prevent the municipality from exercising any other remedy available under the law, nor shall the provisions of this section prohibit or restrict other Federal or Provincial law or policy to be enacted upon.
- (14) Applications for subdivision of land for this use shall be required to include the information required by the Development Authority in **Section 3.4**
- h. Part 8 Special Use Regulations is further amended by adding the following Section after Section 8.13 Home Occupations:**

8.13(a) Industrial Hemp Production and Distribution Facility

Regulations within this section apply to the production and distribution of industrial hemp.

- (1) No industrial hemp production and distribution facility shall be allowed unless all applicable licensing and approvals have been provided for by the provincial and federal governments.
- (2) An industrial hemp production and distribution facility must comply with the following requirements, in addition to any other municipal or provincial regulations or requirements:
 - (a) only facilities licensed by Health Canada under the *Industrial Hemp Regulations*, SOR/2018-145, or as amended or replaced, will be permitted.

- (3) A copy of the current license(s) for the industrial hemp production and distribution facility as issued by the federal government shall be provided to the Development Authority at time of application or provided as a condition of development permit approval.
- (4) An industrial hemp production and distribution facility must include suitable landscaping and parking requirements, as determined by the Development Authority. Parking and landscaping requirement shall comply with regulations relating to industrial uses within this Bylaw and meet all applicable servicing standards of the municipality.
- (5) An industrial hemp production and distribution facility shall meet security and premises requirements as listed under applicable provincial or federal Acts or Regulations.
- (6) The development shall be designed and located to minimize any impacts on the natural environment.
- (7) The development shall be designed to minimize any exposure or disturbance to the surrounding area including, but not limited to, dust, pollution, noise, odour, or any other related land use nuisance effects.
- (8) No outdoor storage of goods, material or supplies shall be permitted.
- (9) All activities related to the industrial hemp production and distribution facility shall occur within a fully enclosed stand-alone building, including but not limited to loading, receiving, and shipping of industrial hemp and any other goods, materials, and supplies.
- (10) Hours of operation may be restricted as a condition of the development permit issued by Development Authority.
- (11) An industrial hemp production and distribution facility's exterior lighting and noise levels shall satisfy the following requirements:
 - (a) the illumination of parking areas, walkways, signs, and other structures associated with industrial hemp production and distribution facility shall be arranged to meet any requirements the Land Use Bylaw or any other bylaw and/or policy approved by the municipality and any other provincial or federal Acts or Regulations.
 - (b) noise from facilities shall not exceed that allowed under the Land Use Bylaw or any other bylaw and/or policy of the municipality and any other provincial or federal Acts or Regulations.
- (12) The minimum setback from any watercourse or water body shall be 30.0 m (98.4 ft.).



- (13) The maximum lot coverage shall be at the discretion of the Development Authority.
- (14) A building or structure used for security purposes for industrial hemp production and distribution facilities may be located in the front yard and must comply with the required minimum setbacks within the district.
- (15) On site buffering measures shall be required for all industrial hemp production and distribution facilities. Buffers may include a combination of space separation, vegetation, and fencing to mitigate the impacts on adjacent lots.
- (16) A site, building or structure established, operated, or maintained as an industrial hemp production and distribution facility shall comply with the provisions made for in any applicable municipal, provincial and federal regulations as per this Bylaw
- (17) Solid waste material shall be secured in accordance with provincial and federal regulations until destroyed.
- (18) These regulations are not exclusive and shall not prevent the municipality from exercising any other remedy available under the law, nor shall the provisions of this section prohibit or restrict other Federal or Provincial law or regulations to be enacted.
- (19) Applications for subdivision of land for this use shall include the information required by the Development Authority in **PART 3.4.**
- i. **PART 8.0 – SPECIAL USE REGULATIONS is renumbered to reflect the above noted insertions.**
- j. **Part 9.10(2)(b) Primary Commercial (C-1) District is revised to add “Alcohol retail sales” “Cannabis retail sales establishments” and “Head Shops” to the list of Discretionary Uses, in alphabetical order, and the Part is renumbered accordingly.**
- k. **Part 9.11(2)(b) General Commercial (C-2) District is revised to add “Alcohol retail sales” “Cannabis retail sales establishments” and “Head Shops” to the list of Discretionary Uses, in alphabetical order, and the Part is renumbered accordingly.**
- l. **Part 9.12(2)(b) Highway Commercial (C-3) District is revised to add “Alcohol retail sales,” “Head shops,” and “Cannabis Retail Sales Establishments” to the list of Discretionary Uses, in alphabetical order, and the Part is renumbered accordingly.**
- m. **Part 9.13(2)(b) Industrial (M1) District is revised to Delete “Heavy Petrochemical Industrial Uses” from the discretionary uses in M1 and to further delete subsection 9.13 (4)(d).**

- n. The following new land use district is added to PART 9.0 – District Provisions after Part 9.13 Industrial (M1) District:

9.13(a) Industrial (M2) District

(1) Purpose

The purpose of this District is to provide for business and industrial uses, including Cannabis Production and Distribution Facilities and Industrial Hemp Production and Distribution Facilities, which create little or no nuisance or hazard beyond the site upon which they are located, but which, by their nature, are better suited to locations away from concentrations of population.

(2) Permitted and Discretionary Uses

(a) Permitted Uses

- (1) Automotive and equipment repair shops, heavy
- (2) Automotive and equipment repair shops, light
- (3) Automotive and recreational vehicles sales/rental establishments, heavy
- (4) Automotive and recreational vehicles sales/rental establishments, light
- (5) Business support services establishments
- (6) Cannabis production and distribution facilities
- (7) Drive-in businesses, but only if they are drive-through vehicle service establishments
- (8) Equipment rental establishments
- (9) Extensive agriculture
- (10) Fleet services
- (11) General contractor services
- (12) Greenhouses and plant nurseries
- (13) Industrial hemp production and distribution facilities
- (14) Industrial vehicle and equipment sales/rental establishments
- (15) Light industrial uses
- (16) Limited contractor services
- (17) Outdoor storage
- (18) Public parks
- (19) Public uses
- (20) Public utilities
- (21) Recycling depots
- (22) Sea cans
- (23) Self-service storage facilities
- (24) Service stations
- (25) Solar energy collection systems
- (26) Trucking and cartage establishments
- (27) Truck and recreational vehicle sales/rental establishments
- (28) Veterinary clinics
- (29) Wind energy conversion systems, micro
- (30) Buildings and uses accessory to permitted uses



(b) Discretionary Uses

- (1) Agricultural industry
- (2) Amusement establishments, outdoor
- (3) Animal hospitals
- (4) Auctioneering establishments
- (5) Eating and drinking establishments
- (6) Heavy industrial uses
- (7) Heavy petrochemical industrial uses
- (8) Large animal veterinary clinics
- (9) Large wind energy conversion systems
- (10) Major utility services
- (11) Recreational vehicle campgrounds, seasonal
- (12) Recreational vehicle campgrounds, workcamp
- (13) Recreational vehicle storage
- (14) Small animal breeding and boarding establishments
- (15) Small radio communications towers
- (16) Wind energy conversion systems, small
- (17) Surveillance suites
- (18) Staging area
- (19) Wireless communications facilities
- (20) Workcamps
- (21) Workcamps, short term
- (22) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (23) Buildings and uses accessory to discretionary uses

(3) Subdivision Regulations

- (a) Minimum site area – 650.0 m² (6,996.5 ft.²)

(4) Development Regulations

- (a) Maximum Site Coverage – 60%
- (b) A fire protection and emergency response plan may be required with a development permit application. It will be submitted to the municipality's Fire Chief for consideration prior to the Development Authority's consideration of approval. Its implementation will be a condition of any approval by the Development Authority.
- (c) Minimum Required Front Yard – 6.0 m (19.7 ft.), unless a greater yard is deemed necessary by the Development Authority. No loading, parking, or storage area shall be allowed within the required minimum front yard.
- (d) Heavy petrochemical development will only be allowed on SE 29-57-21-W4; however, any development at that location will be at the complete and sole discretion of the Development Authority.



(e) Minimum Required Side Yard

- (i) The minimum required side yard shall be 6.0 m (19.7 ft.) on one side and 1.5 m (4.9 ft.) on the other for a building up to a height of 4.5 m (14.8 ft.). For a building over 4.5 m (14.8 ft.) the minimum required side yard shall be increased by 0.3 m (1 ft.) for every 1.0 m (3.3 ft.) of height up to a maximum requirement of 6.0 m (19.7 ft.).
- (ii) Corner and double fronting sites shall provide side yards as provided pursuant to Section 7.3 of this Bylaw.
- (iii) On corner sites, site lines shall be protected pursuant to Section 7.18 of this Bylaw.

(f) Minimum Required Rear Yard – at the discretion of the Development Authority, except that where the rear yard is adjacent to a Residential District, the minimum required rear yard shall be 5.0 m (16.4 ft.).

(g) Maximum Height – at the sole discretion of the Development Authority

(h) Setbacks from Pipeline Rights-of-Way

- (i) No building shall be located closer than 15.0 m (49.2 ft.) to the centreline of a pipeline right-of-way or the centreline of a pipeline within a pipeline right-of-way, whichever distance is the lesser.

(i) Access

- (i) Each site shall have direct access to a road designed and constructed to have regard for continuity of traffic flow, safety of vehicles, and avoidance of dangerous intersections, all in the opinion of the Development Authority.

(j) Outdoor Storage

All outdoor storage shall be screened to the height considered necessary by the Development Authority.

(k) Landscaping

All yards shall be landscaped with trees, shrubs and planted ground cover in accordance with plans approved by the Development Authority. In this regard, when adjacent to Residential Districts, particular reference will be made to Section 7.9(7) of this Bylaw.

(l) Upkeep of Site

The entire site and all buildings shall be maintained in a neat and tidy manner to the satisfaction of the Development Authority. This shall include the trimming and upkeep of landscaped areas and the removal of debris and unsightly objects.

(5) Additional Regulations

- (a) Fences shall be developed in accordance with Section 7.7 of this Bylaw.
 - (b) Landscaping shall be provided in accordance with Section 7.9 of this Bylaw.
 - (c) Grading and drainage of the site shall be provided in accordance with Section 7.17 of this Bylaw.
 - (d) Accessory buildings shall be developed in accordance with Section 8.1 of this Bylaw.
 - (e) No signs shall be allowed in the M2 District except as provided for in Section 8.32 of this Bylaw.
- o. The Town of Redwater Land Use District Map is hereby amended by redistricting the lands shown on **Schedule B**, which are currently within the Industrial (M1) District to Industrial (M2) District. The area is legally described as follows:
- 57 RW 708TR, Parcel A;2206HW, C;1;2353KS, OT;2353KS, Parcel B;2667MC, Parcel B;2679HW, N1/2 A; 3190HW, S 1/2 A;3190HW, B;3190HW, C;3190HW, D;3190HW, D;3190HW, E;3190HW, F;3190HW, G;3190HW, H;3190HW, C;5943KS, Nuisance Grounds 3448HW, 1;7622341, 2;7622341, A;8021984, 1;1;8122910, 2;1;8122910, 3;1;8122910, 4;1;8122910, 5;1;8122910, 19PUL;1;8122910, 7;2;8122910, 8A;2;8122910, 10;2;8122910, 11;2;8122910, 12;2;8122910, 18PUL;2;8122910, 13;3;8122910, 14;3;8122910, 15;3;8122910, 16;3;8122910, 17;3;8122910, 18;3;8221694, 19;3;8221694, 20A;3;8221694, 22;3;8221694, 23;3;8221694, 24;3;8221694, 25;3;8221694, 26;4;8221694, 27;4;8221694, 28;4;8221694, 29;4;8221694, 30;4;8221694, 31;4;8221694, 32;4;8221694, 33;5;8221694, 34;4;8221694, 2;8521895, 3;8521895, 4;8521895, 13;2;9621303, 14;2;9621303, 15;2;9621303, 16;2;9621303, 1;1;0823542, N.E.1/4-20-57-21-4, Pt. N.E.1/4-20-57-21-4, Pt. N.W.1/4-20-57-21-4, Pt.S.E.1/4-20-57-21-4, S.W.1/4-20-57-21-4, N.W.1/4-29-57-21-4, Pt. S.W.1/4-29-57-21-4, S.E.1/4-29-57-21-4, Pt. S.W.1/4-32-57-21-4,
- p. The entire Land Use Bylaw is revised to correct minor formatting, spelling and grammatical errors, where the correction will not impact the interpretation or intent of the regulations therein;
- q. The table of contents and internal references to specific sections throughout the Land Use Bylaw are updated to reflect the insertions and deletions described herein.


- r. It is the intention of the Town Council that each separate provision of this Bylaw shall be deemed independent of all other provisions, and it is further the intention of Town Council that if any provision of this Bylaw be declared invalid, that provision shall be deemed to be severed and all other provisions of the Bylaw shall remain in force and effect.

This Bylaw shall come into full force and effect upon the final passing thereof.

Read a first time this 4th day of September, 2018

Read a second time this 2nd day of October, 2018

Read a third time and finally passed this 2nd day of October, 2018



Mayor



Town Manager



SCHEDULE A

- 1) Insert the following new Section between Section 3.6 and Section 3.7:

3.6(a) Notice of Complete or Incomplete Application

- (1) The Development Authority Officer shall, within 20 days of the receipt of an application for a development permit, determine whether the application is complete.
- (2) The time period referred to in Section 3.6(a)(1) may be extended by an agreement in writing between the applicant and the Development Authority Officer.
- (3) An application is complete if,
 - a. in the opinion of the Development Authority Officer, the application contains the documents and other information necessary to review the application; or
 - b. the Development Authority does not make a determination within 20 days after receipt of an application for a development permit
- (4) If a Development Authority Officer determines that the application is complete, the Development Authority Officer shall issue to the applicant, by means of posted letter or electronic notification, an acknowledgment that the application is complete.
- (5) If the Development Authority Officer determines that the application is incomplete, the Development Authority Officer shall issue, to the applicant a notice, in writing or electronically, that the application is incomplete. This notice shall list any outstanding documents and information required to review the application, and provide a date by which the documents or information must be submitted in order for the application to be considered complete.
- (6) If the applicant fails to submit all the outstanding information and documents on or before the date referred to in Section 3.6(a)(5), the Development Authority Officer must deem the application to be refused.
- (7) Despite that the Development Authority Officer has issued an acknowledgment under Section 3.6(a)(4) or Section 3.6(a)(5), in the course of reviewing the application, the Development Authority Officer may request additional information or documentation from the applicant that the Development Authority Officer considers necessary to review the application.

- 2) Section 3.7(3)(b) is deleted in its entirety and replaced with the following:

- (b) Notwithstanding Section 3.7(1) of this Bylaw and Section 3.7(3)(a) above, the Development Authority Officer may, in deciding upon an application for a permitted or discretionary use, allow for a total minor variance to a maximum of 50% (fifty percent) of any or all of the following requirements:
 - (i) setback regulations of front, side or rear yards,
 - (ii) heights of buildings
 - (iii) floor area or site coverage or parking stalls.

(c) Notwithstanding Section 3.7(1) of this Bylaw and Section 3.7(3)(a) and (b) above, the Development Authority Officer may, in deciding upon an application for a permitted or discretionary use, allow for any variance of any or all of the following requirements:

(i) signs, sheds, decks, and fences.

3) Section 3.8(1) is deleted in its entirety and replaced with the following:

(1) A decision issued pursuant to this Part must be given or sent to the applicant on the same day the decision is made. A permit granted pursuant to this Section does not come into effect until twenty-one (21) days after the date of the decision on a development permit as described in Subsection (3) hereof. Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant

4) Renumber the sections in PART 3.0 and update section references throughout the document which may change as a result of renumbering the sections in PART 3.0.

5) Section 4.1(1) is revised by adding the following subsection:

(d) does not receive the outstanding information and documents on or before the date referred to in subsection 3.7(5) and Section 683.1(8) of the Act.

6) Section 4.1(4) is deleted in its entirety and replaced with the following:

(4) An appeal shall be made by serving a written notice of appeal to the Secretary of the Board within twenty-one (21) days after:

- (a) the date a notice of the decision or permit issued by the Development Authority was given in accordance with Section 3.9 of this Bylaw, or
- (b) the date an order was given in accordance with Section 5.1(1) of this Bylaw, or
- (c) the forty (40) day period or any extension referred to in Section 3.8(6) of this Bylaw has expired.
- (d) the date by which the application was deemed refused in accordance with Section 683.1(8) of the Act.

Town of Redwater

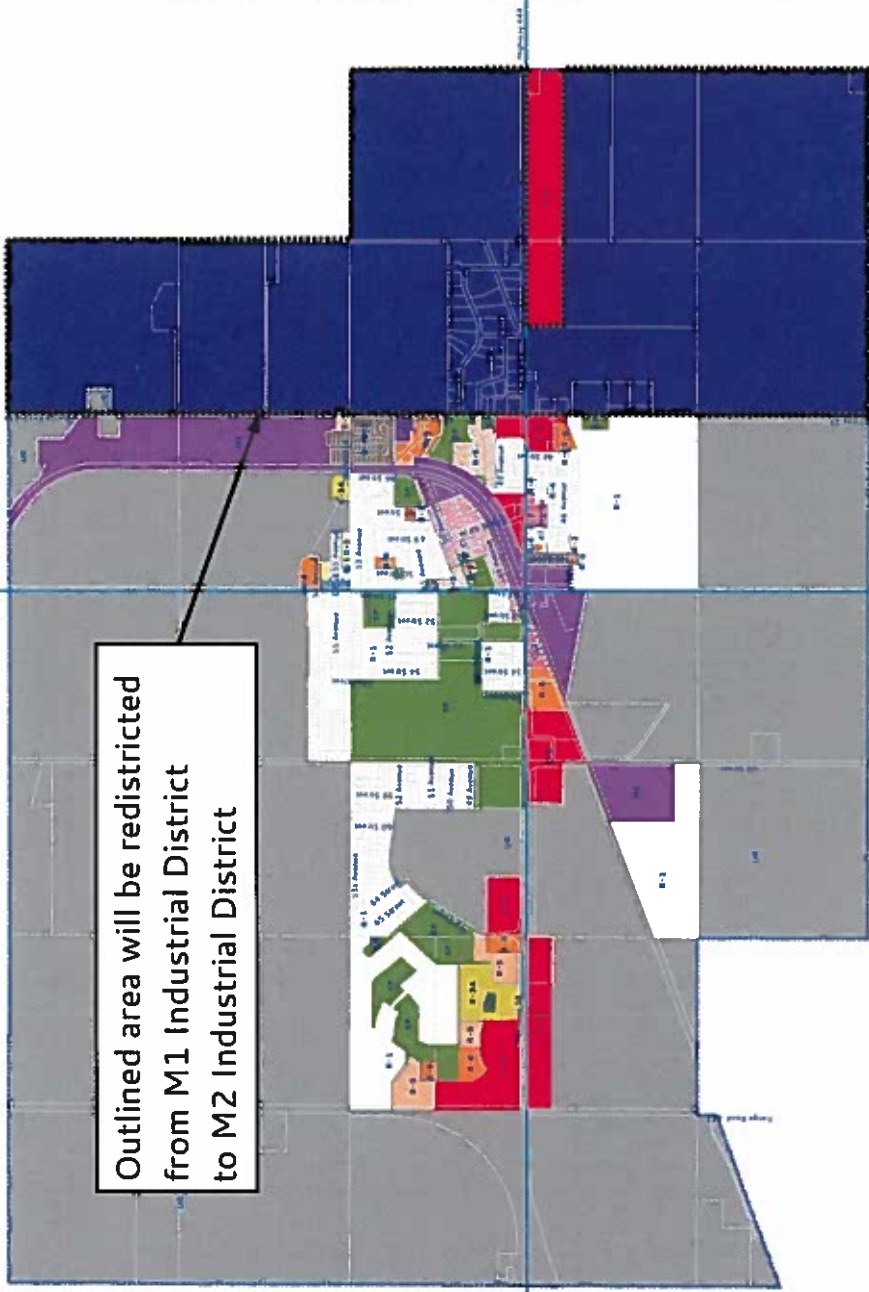
Schedule B

Land Use District Map

MAP 1.2

MAP 1.1

Outlined area will be redistricted
from M1 Industrial District
to M2 Industrial District



- R-1 Single Family Residential
- R-2 Single Family Large Dwelling & Large Lot Residential
- R-3 Single Family Compact Lot Residential
- R-3A Single Family Small Lot Residential
- R-4 Two Family Residential
- R-5 Medium Density Residential
- R-6 High Density Residential
- R-MHP Manufactured Home Park Residential
- R-MHS Manufactured Home Subdivision Residential
- C-1 Primary Commercial
- C-2 General Commercial
- C-3 Highway Commercial
- M1 Industrial
- M2 Industrial (NEW!)
- SP Semi-Public
- UR Urban Reserve
- DC-1 Direct Control Residential

0 0.5 Kilometre

MAP 1.4

MAP 1.3

[Handwritten signature]

BYLAW 860

**BEING A BYLAW OF THE TOWN OF REDWATER IN THE PROVINCE OF
ALBERTA TO AMEND LAND USE BYLAW 811**

WHEREAS the Municipal Government Act, R.S.A 2000, as amended provides that a Municipal Council may amend its Land Use Bylaw.

AND WHEREAS the Council of the Town of Redwater wishes to amend its Land Use Bylaw 811 as it affects certain lands.

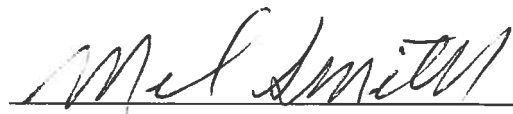
NOW THEREFORE the Council of the Town of Redwater, duly assembled, enacts the following:

1. Bylaw 811, the Land Use Bylaw of the Town of Redwater is hereby amended as follows:
 - A. The Land Use District Map is amended by redistricting Lots 2 & 3, Block 19, Plan 1473HW from Single Family Residential (R-1) District to Medium Density Residential (R-5) District, as shown on Schedule A attached.

Read a first time this 6th day of November, 2018.

Read a second time this 4th day of December, 2018.

Read a third time and finally passed this 4th day of December, 2018.

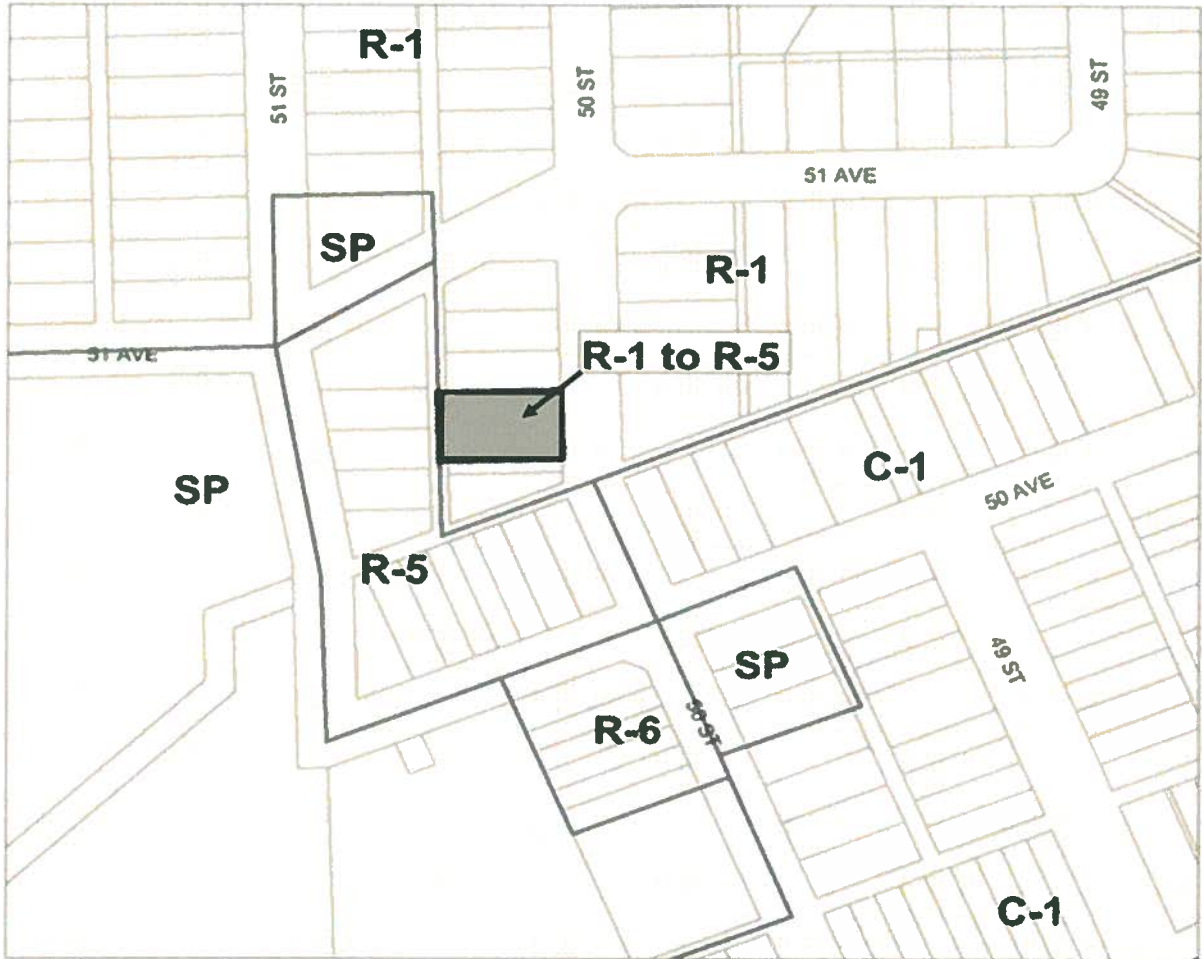


Mayor



Town Manager

Schedule A



**Land Use Bylaw Amendment Map
5020 - 50 Street, Redwater**

 From (R-1) Single Family Residential District
To (R-5) Medium Density Residential District

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