

Land Use Bylaw **2060-15**



The Town of **Stettler**



Bylaw No. 2060-15 adopted February 17, 2015

Current as of:

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 - Amending Bylaw 2067-15 adopted August 18, 2015
 - Amending Bylaw 2082-16 adopted March 15, 2016
 - Amending Bylaw 2083-16 adopted June 7, 2016
 - Amending Bylaw 2104-18 adopted May 22, 2018
 - Amending Bylaw 2109-18 adopted September 4, 2018
 - Amending Bylaw 2108-18 adopted October 2, 2018
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ONE: Enactment and Administration

Section 1: Title

This Bylaw is entitled the **Town of Stettler Land Use Bylaw**.

Section 2: Purpose

The purpose of this Bylaw is to regulate the use and development of land and buildings in the Town of Stettler pursuant to Part 17 of the Municipal Government Act.

Section 3: Application

The provisions of this Bylaw apply to all lands and buildings within the boundaries of the Town, pursuant to Part 17 of the Municipal Government Act.

No person shall commence any development within the Town except in compliance with this Bylaw.

Section 4: Effective Date

This Bylaw comes into force and takes effect upon the date of its third reading.

Land Use Bylaw 2018-11 as amended is hereby repealed.

Section 5: Other Legislative Requirements

Compliance with the requirements of this Bylaw does not exempt any person from the requirements of any statutory plan.

Nothing in this Bylaw exempts a person to obtain a development permit as required by this Bylaw or to obtain any other permit, license or other authorization required by this or any other Bylaw.

In addition to the requirements of this Bylaw, a person is required to comply with all federal, provincial and other municipal legislation.

Section 6: Transition

An application submitted and accepted prior to the approval of this Bylaw shall be considered under the provisions of Land Use Bylaw 2018-11, as amended.

TWO: Interpretation

Section 7: Units of Measurement

All measurements in this Bylaw are metric.

Section 8: Rules of Interpretation

Words used in the present tense include the other tenses and derivative forms. Words used in the singular include the plural and vice versa. Words have the same meaning whether they are capitalized or not.

The words *shall* and *must* require mandatory compliance except where a variance has been granted pursuant to the Act or this Bylaw.

Words, phrases, and terms not defined in this part may be given their definition in existing legislation and regulations, such as the Act or the Alberta Building Code. Other words shall be given their usual and customary meaning.

Where a regulation involves two or more conditions or provisions connected by the conjunction *and* means all the connected items shall apply in combination; *or* indicates that the connected items may apply singly or in combination; and *and/or* indicates the items shall apply singly or in combination.

Metric Conversions to be utilized by the reader are as follows:

- ◆ 1.0 metre = 3.281 feet
- ◆ 1.0 square metre = 10.8 square feet
- ◆ 1 hectare = 2.47 acres
- ◆ 1.0 kilogram = 2.2 lbs.
- ◆ 1.0 cubic metre = 220 gallons

Imperial conversions are provided for the convenience of the reader. For interpretation of the Bylaw, the metric values indicated in the Bylaw shall prevail.

Section 9: Definitions

The following definitions shall be used in this Land Use Bylaw:

“ABANDONED VEHICLE” – means the whole or any part of any motor vehicle that is in a rusted, wrecked, partly wrecked, dismantled, partly dismantled or inoperative condition.

“ABATTOIR” means the use of land or buildings as a facility for the slaughtering of animals and the processing of meat products.

“ACCESSORY BUILDING” means a building or structure, which, in the opinion of the Development Authority, is incidental, subordinate and exclusively devoted to the principal use or building and is located on the same parcel. Examples include, but are not limited to, garages, decks, sheds and carports. An accessory building or structure does not include extensions that are physically attached to the principal building.

“ACCESSORY USE” means a use customarily incidental and subordinate to the main use or building and is located on the same parcel of land with such main use or building.

“ACT” means the Municipal Government Act, 2000, and amendments thereto and its successors.

“ADJACENT” means land that is contiguous to the lot that is the subject of an application for subdivision, re-designation or development and includes land or a portion of land that would be contiguous if not for a public road, railway, reserve land, utility right-of-way, river or stream.

“ADJOINING” means a piece of land that is next and joined with another, the common property line creates the adjoining border.

“AGGREGATE STOCKPILING” means the use of land for the storage of processed aggregates or other raw materials for future sale.

“AGGREGATE STOCKPILING, TEMPORARY” means the temporary use of land for the storage of processed aggregates or other raw materials for a particular project or contract of road construction.

“AGGREGATE STORAGE AREA” means the use of land for the temporary storage of aggregates for sale or use in the production of cement or asphalt.

“AIRPORT” means Stettler Airport.

“ANIMAL SERVICES” means the treatment, boarding, training, or grooming of animals and includes retail sales of associated products. This may include such uses as veterinary clinics, pet grooming salons, boarding and breeding kennels, impounding and quarantining facilities, and animal shelters, but does not include the sale of animals as a principal use.

“APARTMENT BUILDING” means a building with five or more dwelling units and which share a common entrance, and which does not conform to the definition of any other residential use. All dwelling units must adhere to the provisions of the Alberta Safety Codes Act.

“ASPHALT PLANT, PORTABLE” means a temporary asphalt processing facility for a Provincial or Municipal road project.

“ASPHALT PROCESSING AND STORAGE” means an operation that produces asphalt, or asphalt products used in building and construction and includes facilities for the administration and management of the

business, the stockpiling of bulk materials used in the production process or a finished product on the premises and the storage and maintenance of required equipment.

“ASSISTED LIVING FACILITY” means a building, or a portion of a building operated for the purpose of providing live in accommodation for six or more persons with chronic or declining conditions requiring professional care or supervision or ongoing medical care, nursing or home making services or for persons generally requiring specialized care. All dwelling units must adhere to the provisions of the Alberta Safety Codes Act.

“AUCTION MART” means a development used for the auctioning and related temporary storage of goods.

“AUTOBODY AND REPAIR SHOP” means a use where the primary activity is the repairing and maintaining of vehicles, including auto body repair.

“AUTOMOBILE AND RECREATION VEHICLE SALES AND RENTAL” means a development used for the retail sale or rental of new or used automobiles, recreational vehicles, motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar light vehicles or crafts, together with incidental maintenance services and sale of parts. It includes automobile dealerships, car and truck rental agencies, and motorcycle dealerships, but does not include dealerships for the sale of manufactured homes, trucks, or heavy equipment with a gross vehicle weighting greater than 4,000 kg. See “Heavy Equipment Sales, Service, Storage and Rentals” for dealerships of vehicles and equipment over 4,000 kg.

“AUTOMOBILE REPAIR GARAGE” means an establishment for the repair or replacement of parts in a motor vehicle but does not offer vehicle fuels for retail sale. This definition does

not include an auto body shop, an automotive service station, or a gas bar. For the purposes of this definition, vehicles may include motorized construction equipment and tractor trailers. This includes a “Tire Shop”.

“AUTOMOBILE SERVICE STATION” means a use, building, or part of a building, where vehicle fuels, lubricants, and accessories are offered for retail sale and which contains facilities for the repair and maintenance of vehicles excluding body work.

“AUTOMOBILE SUPPLY STORE” means a use, building, or part of a building where equipment and parts used to repair, service, or customize motor vehicles are available for retail sale. This does not include any installations or repairs.

“AUTO WRECKER” means a use where the primary activity is the storage and wrecking of vehicles, usually for parts of scrap metal re-sale.

“BALCONY” means a platform, attached to and projecting from the face of a building above the first storey, normally surrounded by a railing and used as an outdoor porch or sundeck with access only from within the building.

“BANK/FINANCIAL INSTITUTION” means a development, use, or building that is primarily for the banking or lending of money and other related services. It includes a trust company, chartered bank and credit union or Province of Alberta Treasury Branch.

“BASEMENT” means a storey or storeys of a building located below the first storey

“BASEMENT SUITE” – means a basement developed as a dwelling unit within a Single Family Dwelling and approved by the Development Authority All dwelling units must adhere to the provisions of the Alberta Safety Codes Act.

“BED AND BREAKFAST FACILITY” means a dwelling unit in which the occupant rents or leases a room or a suite of rooms on a temporary basis to vacationers or tourists, and which may include the provision of meals as part of and in addition to the rental paid for the room or a suite of rooms. This does not include a hotel, motel, boarding or lodging house, or restaurant, as defined herein.

“BERM” means a landscaped mound of earth.

“BOARD” means the Town’s Subdivision and Development Appeal Board.

“BOARDING FACILITY” means a building containing sleeping rooms without cooking facilities, where lodging and/or meals for persons is provided for compensation but does not include a hotel.

“BOTTLED GAS, SALES AND STORAGE” means a facility where compressed gas is stored in pressurized portable tanks.

“BUFFER” means an area where development is restricted to a row of trees, shrubs, fencing, or other similar means to provide visual screening and separation between sites, incompatible land uses, roadways or districts.

“BUILDING” includes anything constructed or placed on, in, over or under land but does not include a highway or a public roadway or a bridge forming part of a highway or public roadway

“BUILDING DEMOLITION” – means the pulling down, tearing down or razing of a building.

“BUILDING GRADE” means a ground elevation established for regulating the number of storeys and the height of a building. The building grade shall mean the lowest level of finished ground elevation adjoining a building at any exterior wall.

“BUILDING HEIGHT” means the vertical distance between the grade and the highest point of a building; excluding an elevator housing, a mechanical skylight, a steeple, a chimney, a smoke stack, a fire wall, a parapet wall, a flagpole, tower, leg or similar device on a building.

“BUILDING SEPARATION” means the minimum distance between two buildings as regulated by the Alberta Building Code.

“BULK CHEMICAL STORAGE” means a development where liquid or solid chemical is stored, and includes the storage of dangerous/hazardous substances, as defined by the Dangerous Goods Transportation and Handling Act and the Major Industrial Accidents Council of Canada. The development may include facilities for cleaning, blending, or packaging of chemicals, but does not include manufacture of these-products.

“BULK FUEL STATION” means a development for handling petroleum products in bulk quantities, and includes supplementary tanker vehicle storage. Key-lock and card-lock pumps and retail fuel sales may be incorporated as an accessory use. This includes “Bulk Fuel Distributor”.

“BYLAW ENFORCEMENT OFFICER” – means a person employed by the Town or authorized under the contract with the Town to enforce the provisions of this Bylaw and any other person designated as such by the Town.

“CAMPGROUND” means any land or part thereof, which may levy fees for the locating of

tents or recreational vehicles and shall include any facilities or amenities secondary to the primary use, and may also include a Recreation Vehicle Park and Public Campground.

Temporary or seasonal storage of recreation vehicles may be permitted as an accessory use, at the discretion of the Development Authority.

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

“CANNABIS ACCESSORY” means cannabis accessory as defined in the Cannabis Act (Canada) and its regulations, as amended from time to time.

“CANNABIS MEDICAL CLINIC/DISPENSARY” means a clinic or dispensary licensed by the Federal Government of Canada where Cannabis and Cannabis Accessories are sold to individuals for medical purposes.

“CANNABIS PRODUCTION FACILITY” means a facility used for the production of Cannabis licensed by the Federal Government of Canada where Cannabis and Cannabis products are produced for Medical and/or Retail uses.

“CANNABIS RETAIL SALES” means a retail store licensed by the Province of Alberta where Cannabis and Cannabis Accessories are sold to individuals who attend at the premises for recreational purposes.

“CARPORT” means a roofed structure used for storing or parking of not more than two private vehicles, which has not less than 40% of its total perimeter open and unobstructed.

“CATERER” means an establishment in which food and beverages are prepared for the consumption off premises, and are not served to customers on the premises or for takeout.

“CEMETERY” means a parcel of land used as a burial ground and is licensed by the appropriate provincial government departments, and may include accessory facilities such as crematories, cinerarium, columbarium, mausoleums, memorial parks and gardens of remembrance.

“CLINIC” means a building or part of a building intended for use by any or all of the following: physicians, dentist, drugless practitioners, opticians, optometrists, chiropractors, their staff and patients, for the purpose of consultation, diagnosis and office treatment.

“CLUB” means a development used for the assembly of members of charitable, social service, athletic, business or fraternal organizations, and may incorporate eating, drinking, entertainment, sports, recreation and amusement facilities as accessory uses.

“COMMUNICATION TOWER” means a structure that is used to convey communication, radio, or television signals and may include other structures necessary for carrying out this function.

“COMMUNITY HALL” means the use of land and building for community activities and generally not used for commercial purposes, and the control of which is vested in the Town of Stettler, a local board or agent thereof.

“CONCRETE MANUFACTURING / PLANT” means an operation that produces concrete or concrete products use in building or construction and includes facilities for the administration and management of the business, the stockpiling of bulk materials used in the production process or a finished product

manufactured on the premise, and the storage of the materials and equipment required to manufacture concrete. It may also include the manufacture and storage of concrete products and supplies and maintenance of required equipment. It does not include the retail sale of finished concrete.

“CONDOMINIUM UNIT” means:

- i. In the case of a building, a space that is situated within a building and described as a unit in a condominium plan by reference to floors, wall and ceilings in a building,
- ii. In the case other than that of a building, land that is situated within a lot described as a unit of condominium plan by reference to boundaries governed by monuments pursuant to the provisions of the Surveys Act respecting subdivision surveys.

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

- i. Any preliminary operation such as excavation, filling or draining;
- ii. Altering an existing building or structure by an addition, enlargement, extension or other structural change; and
- iii. Any work which requires a Building Permit.

“CONSTRUCTION YARD” means the use of land or buildings for a construction operation such as building construction, oilfield construction or other similar type of construction operation.

“CONTRACTING SERVICES, MAJOR” means a development used for commercial and industrial service support and construction. Typical uses include oilfield support services, laboratories, cleaning and maintenance contractors, building construction, surveying, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road

construction, sewer or similar services of a construction nature which require on-site storage space for materials, mobile equipment or vehicles normally associated with the contractor service. Any sales, display, office or technical support service areas shall be necessary to the principal general contractor use.

“CONTRACTING SERVICES, MINOR” means a development used for the provision of electrical, plumbing, heating, painting, catering other contractor services and the accessory sales of goods normally associated with contractor services where all materials are kept within an enclosed building, and no fleet storage of more than four vehicles or pieces of mobile equipment.

“CONVENIENCE FOOD STORE” means a retail operation that specializes in convenience type items such as groceries, soft drinks and other similar goods.

“COUNCIL” means the Council of the Town of Stettler.

“CROWN LAND” means land of the Crown in right of Alberta that includes the bed and shores of all permanent and naturally occurring water bodies and watercourses.

“DAY CARE FACILITY” means a development licensed by the Province to provide personal care, maintenance, supervision or education for seven or more children at one time for more than three but less than 24 hours in a day. This includes day care centers, nurseries, kindergartens, nursery schools, play schools, and other similar uses.

“DECK” means an unenclosed amenity area or platform that may be attached to a dwelling and is intended for the purpose of outdoor dining, lounging and other similar accessory residential use.

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

“DEVELOPMENT AUTHORITY” means a development authority established pursuant to the Act and may include one or more of the following: a Designated Officer, a municipal planning commission, an inter-municipal planning commission, or any other person or organization that has been authorized to exercise development powers on behalf of the municipality.

“DEVELOPMENT OFFICER” means a person appointed as Development Officer pursuant to the Land Use Bylaw.

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

“DISCRETIONARY USE” means the use of land, building or structure that is listed in the columns captioned “Discretionary Uses” in all districts of this Bylaw, and for which, subject to the provisions of this Bylaw a development permit MAY be issued by the development authority (MPC) after due consideration is given to the impact of that use upon neighbouring land.

“DISTRICT” means Land Use District.

“DRIVEWAY” means a vehicle access route on the parcel which provides access to a Public Roadway.

“DRY CLEANING AND LAUNDRY

DEPOT/PLANT means a building where the cleaning of clothing is carried on and/or used for the purpose of receiving articles of clothing to the cleaned elsewhere.

“DWELLING” means a complete building or self contained portion of a building used or designed to be used by a household, containing independent and separate sleeping,

cooking and sanitary facilities intended as a permanent residence and having an independent entrance either directly from the outside of the building or through a common area inside the building.

“DWELLING – ABOVE GROUND FLOOR BUSINESS” – means a self-contained portion of a building that is above a ground floor commercial business used or designed to be used by a household, containing independent and separate sleeping, cooking and sanitary facilities intended as a permanent residence and having an independent entrance either directly from the outside of the building or through a common area inside the building.

“DWELLING, DUPLEX” means a building containing two dwelling units, either one above the other or side by side, each of which has an independent entrance, either directly from outside the building or through a common vestibule. All dwelling units must adhere to the provisions of the Alberta Safety Codes Act.

“DWELLING, FOURPLEX” means a building containing four dwelling units each with direct access to the outside grade, but not all the units are required to have separate frontage onto a public or private road. Units may have common side and rear walls and may also be separated by a common ceiling/floor assembly. This shall not mean row housing dwelling or duplex dwelling. All dwelling units must adhere to the provisions of the Alberta Safety Codes Act.

“DWELLING, ROW HOUSING” means a building on a lot or lots that consist of at least three dwelling units with each unit having direct access to the outside grade, but shall not mean “apartment” or “four-plex”. Units are attached at the side walls, each having frontage onto a public or private condominium road. A row house dwelling unit may be located on a

separate lot if the lot is registered after construction of the row house dwelling.

“DWELLING, SINGLE DETACHED” means a residential building containing one dwelling unit intended as a permanent residence. Single detached dwellings must be of new construction and feature the following criteria:

- i. shall include single detached dwellings constructed off-site;
- ii. All exterior walls of the floor area must be dimensioned at less than or equal to 3:1 length to width ratio; and
- iii. All roof pitches must be a minimum of 3:12 ratio (3 feet of rise for 12 feet of run).

All dwelling units must adhere to the provisions of the Alberta Safety Codes Act.

“DWELLING, TRIPLEX” means a building containing three dwelling units each with direct access to the outside grade, but not all units may have separate frontage onto a public or private road. Units may have common side and rear walls and may also be separated by a common ceiling/floor assembly. All dwelling units must adhere to the provisions of the Alberta Safety Codes Act.

“EAVELINE” means the horizontal line that marks farthest projection of the roof overhang beyond the wall of the building.

“ENVIRONMENTAL AUDIT” means a comprehensive site analysis to determine:

- i. If there are any hazardous substances above, on or below the surface of the subject property that may pose a threat to the environment and/or health of humans, wildlife and/or vegetation;
- ii. If there are any breaches of federal, provincial, and/or municipal environmental standards;
- iii. The level of risk that a contaminated site poses to the environment and/or health of humans, wildlife, and/or vegetation; and

- iv. What remedial actions may be required to reduce the level of risk posed by a contaminated site to an acceptable level.

“ENVIRONMENTAL IMPACT ASSESSMENT” means a comprehensive site analysis to determine:

- i. The potential impact of the proposed development on the site;
- ii. The potential environmental impact of the proposed development upon adjacent properties or land uses; and
- iii. The potential environmental impact of the proposed development upon the future land use potential of the property.

“FAÇADE” means the principal face of the building on the shortest side of the lot abutting the street or avenue.

“FARMING” means the raising or production of crops, or animals, and includes a single residence for the farmer, but does not include a “Confined Feeding Operation as defined by the Natural Resources Conservation Board.

“FARM SUPPLY STORE” means establishments which sell their products to the farm industry, and general public.

“FEED MILLS AND GRAIN ELEVATORS” mean buildings in which animal feeds and grain are stored during shipment to or from farms and in which agricultural products may be prepared or sold.

“FENCE” means a vertical physical barrier constructed to prevent visual intrusions, unauthorized access, or to provide sound abatement.

“FLOOD FRINGE” means the land along the edges of the flood hazard area that would likely experience relatively shallow water (less than one metre deep) during a flood event, with lower velocities (less than 1m/s), as determined

by an elevation set by Alberta Environment and Sustainable Resource Development. The flood fringe is identified through a flood hazard identification study in accordance with the Flood Hazard Identification Program Guideline published by the Department of Environment and Sustainable Resource Development (ESRD)

“FLOOD PROOFING” means the rendering safe from damage arising from a one in one hundred year return flood, as determined by Alberta Environment and Sustainable Resource Development, through all or any of the following means;

- i. The raising of the level of land to a minimum of 0.3 metres above the flood level; or
- ii. The construction and use of buildings with the lowest water entry point 0.3 metres above that flood level; or
- iii. Any other such means as may be considered appropriate by the Development Authority in consultation with Alberta Environment and Sustainable Resource Development.

“FLOODWAY” means the land adjacent to a lake, river or stream inundated by a one in one hundred year return flood as determined by an elevation set by Alberta Environment and Sustainable Resource Development. The floodway is identified through a flood hazard identification study in accordance with the Flood Hazard Identification Program Guideline published by the Department of Environment and Sustainable Resource Development (ESRD)

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

“FLORIST SHOP” means a retail store devoted to the sale of flowers, indoor plants and arrangements thereof.

“FOOD AND/OR BEVERAGE SERVICE FACILITY” means a building or portion thereof, in which food and/or beverages are prepared to be sold for consumption on the premises or for take-out, and without limiting the generality of the foregoing, may include such facilities as restaurants, drive-in food establishments, taverns, bars, cocktail lounges and catering services. These uses are subject to passing Alberta Health Inspections as well as obtaining appropriate licensing for Alberta Liquor and Gaming Commission.

“FUNERAL HOME” means a place where funerals are held and/or the deceased are kept until they are released for burial or cremation.

“GAMING OR GAMBLING ESTABLISHMENT” means a building or structure, or any portion thereof, which is used or intended for use for the purpose of dealing, operating, maintaining or conducting any game played with cards, dice, or any mechanical device for money, property or item of value.

“GARAGE” means an accessory building or portion thereof which is designed and used for the storage, parking, or the maintenance of personal vehicles.

“GARDEN SUITE” means a portable, self-contained dwelling without a basement used as a temporary additional dwelling for sole occupancy by dependent or partly dependent parents, grandparents or handicapped adult children of the occupants of the primary dwelling on the same parcel. It may include a “Park Model” which meets the size requirements of this land use bylaw.

“GAS BAR” means a retail outlet that is limited to the sale of gasoline and related automotive

products, and may include a “Convenience Food Store”.

“**GOLF COURSE**” means a golf playing area and accessory buildings and uses related to the playing of the game of golf and without restricting the generality of the foregoing includes pro shop, club house, restaurant, licensed dining area or lounge, driving range, parking lot and picnic area.

“**GROUP CARE FACILITY**” means a facility which provides residential accommodation for up to six persons, most or all of which are handicapped, aged, disabled, or in need of adult assistance and who are provided service or supervision, excluding foster homes. All dwelling units must adhere to the provisions of the Alberta Safety Codes Act.

“**HANDICRAFT BUSINESS**” means the production and selling of handicrafts on a commercial basis.

“**HARD LANDSCAPING**” means the use of non-vegetative material, other than concrete, asphalt or gravel, as a part of the landscaped area.

“**HOME OCCUPATION**” means any occupation, trade, profession or craft carried on by an occupant of a residential building as a use secondary to the residential use of the building.

“**HOTEL**” means a building designed for the accommodation of the traveling and vacationing public containing guestrooms served by a common entrance as well as general kitchen and dining or other public rooms.

“**INDUSTRY – HAZARDOUS**” means an industry that by reason of emissions, noise or the manufacturing process or storage of goods and materials create a situation which is

offensive or hazardous to human health, safety and well being. These industries must be located in isolation from concentrations of population. If allowed in Stettler, they must be approved within a Direct Control District.

“**INDUSTRY/MANUFACTURING – LARGE SCALE**” means an industry engaged in any or all of the following activities; the assembly, processing, manufacture, cleaning, testing, repairing, storage or distribution of raw materials into a new product and which is not defined elsewhere in the Bylaw. The industry may exhibit most or all of the following characteristics:

- i. Requires a large parcel of land;
- ii. Involves the development of either large buildings or structures;
- iii. Requires large areas of open space;
- iv. Emits noise which is audible beyond the parcel boundary;
- v. Involve the emission of smoke, dust, flying ash, or other particulate matter;
- vi. May emit an odour or gas;
- vii. Involve the use of toxic gases or substances in the manufacture process;
- viii. Produce heat beyond the parcel boundary;
- ix. Store goods or products which may be hazardous or offensive; and
- x. Produce waste materials that may be hazardous or offensive.

“**INDUSTRY/MANUFACTURING – SMALL SCALE**” means an industry engaged in the assembly, processing, manufacture, cleaning, testing, repairing, storage or distribution of various materials into a new product. The industry may exhibit most or all of the following characteristics:

- i. Can be developed on smaller parcels of land;
- ii. Is suitable for industrial parks;
- iii. Most of the activities are confined to the building;
- iv. Does not require large areas for outdoor storage; and

- v. Does not produce emissions which are obnoxious or hazardous-

“INDUSTRY – PETROCHEMICAL” means a facility or industry that processes or refines gas, oil, or any other petrochemical product from its raw state into a more refined state suitable for transport to market.

“INTERNAL SUBDIVISION ROAD” means a public roadway, excluding a primary highway, secondary highway, or municipal road, constructed solely for access, egress, and internal circulation within a commercial, industrial or residential development.

“LABORATORY” means the use of a building, or part of a building, used for scientific, medical and/or dental testing, experimentation and/or research.

“LAGOON” means any pond, natural or artificial, receiving raw or partially treated sewage or waste, in which stabilization occurs due to sunlight, air and micro-organisms.

“LANDFILL OPERATION” means, for the purposes of this Bylaw, a waste sorting site, a waste transfer station, a modified sanitary landfill, hazardous waste management facility or dry waste site.

“LANDSCAPED AREA” means an open area of land, which is:

- i. Unoccupied by any building or structure;
- ii. Situated on ground level on a lot;
- iii. Used or intended to be used for the growth and maintenance of grass, flowers, shrubs, bushes, trees and other vegetation, and for the provision of other landscaping features including, but not restricted to, planting strips, facilities for outdoor recreation, ornamental ponds, play areas, surfaced walks, and patios.

“LANDSCAPING” means to preserve or change the natural features of a site by adding

lawns, trees, shrubs, ornamental plantings, ornamental ponds, fencing, walks, driveways, or other structure and materials as used in landscape architecture.

“LANE” means a public right-of-way not exceeding 10.0 metres (32.3 feet) in width which provides secondary access to a lot and which is registered at the Land Titles Office.

“LAUNDROMAT” means a self-serve clothes-washing establishment containing one or more washing and drying, ironing, finishing or other incidental equipment.

“LEGAL NON CONFORMING BUILDING”

means a building:

- i. That was lawfully constructed or lawfully under construction at the date a land use bylaw affecting the building or the land on which the building is situated became effective; and
- ii. That on the date the new land use bylaw becomes effective does not, or when constructed will not, comply with the land use bylaw, unless a variance has been approved by the Town of Stettler’s Municipal Planning Commission.

“LEGAL NON CONFORMING USE” means a lawful specific use:

- i. Being made of land or building or intended to be made of a building lawfully under construction at the date a land use bylaw affecting the land or building became effective; and
- ii. That on the date the new land use bylaw becomes effective does not comply with the land use bylaw, unless a variance has been approved by the Town of Stettler’s Municipal Planning Commission.

“LIGHT EQUIPMENT REPAIR/RENTAL”

means a development, use or building for the rental and/or repair of tools, appliances, recreational craft, office machines, furniture,

home appliances, or similar items, but does not include the rental or repair of motor vehicles or industrial equipment.

“LIVESTOCK AUCTION MART” means a facility where agricultural related items including livestock are sold.

“LOT” as defined under Part 17 of the Municipal Government Act, means:

- i. A quarter section;
- ii. A river lot shown on an official plan, as defined in the Surveys Act that is filed or lodged in a land titles office;
- iii. A settlement lot shown on an official plan, as defined in the Surveys Act that is filed or lodged in a land titles office;
- iv. A part of a parcel described in a certificate of title if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision; and
- v. Part of a parcel of land described in a certificate of title if the boundaries of the part are described in the certificate of title by reference to a plan of subdivision.

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

“LOT – CORNER” means a lot at the intersection of two public roadways.

“LOT DEPTH” means the length of a straight line joining the middle of the front lot line with the middle of the rear lot line. If there is no rear lot line, lot depth shall be measured from the middle of the front lot line to the intersection of the two other lot lines.

“LOT LINE” means a legally defined limit of any lot.

“MINIMUM STANDARDS” means those minimum standards relating to lot area, floor

area, yards, landscaping design, character and appearance of buildings, etc. for the permitted uses of land or buildings or the discretionary uses of land or buildings, or both, listed in this Bylaw and, where these are not specified, as determined by the Municipal Planning Commission.

“MOBILE HOME” means a residential unit that may be constructed with a heavy transport chassis that allows for permanent or temporary attachment of a hitch and wheel assembly to enable the relocation of the dwelling. A mobile home may be a single structure (single-wide) or two parts which are put together to comprise a complete dwelling (double-wide). Mobile Homes shall feature the following criteria:

- i. Minimum roof pitch of 5 cm (2 inches) of vertical rise for every 30.5 cm (12 inches) of run; and
- ii. A minimum floor area length to width ratio of 3:1.

A mobile home does not include a single detached dwelling.

“MOBILE HOME PARK” means a parcel comprehensively designed, developed, operated and maintained to provide sites and facilities for the placement and occupancy of mobile homes on either a short or a long-term basis.

“MOBILE HOME SUBDIVISION” means privately owned parcels of land for the purpose of locating mobile homes on a permanent basis.

“MOTEL” means a building or a group of buildings designed for the accommodation of the traveling or vacationing public containing guestrooms.

“MOTOR VEHICLE” – means a vehicle propelled by any power other than muscular power or a moped.

“MUNICIPALITY” means the Town of Stettler.

“MUNICIPAL ROAD” means a public roadway subject to the direction, control and management of the Town but not including an internal subdivision road.

“MUNICIPAL SHOP AND STORAGE YARD” means a facility used by the municipality for the storage of materials used in fulfilling its various functions and the housing and repair of its equipment,

“MUSEUM” means a use of a building, or part of a building for the preservation and presentation of works of art, or cultural, historical, or scientific objects and information and open to the recreation and education of the public.

“NEIGHBOURHOOD CONVENIENCE STORE” means a commercial establishment with off-street parking established on the same site which serves the convenience shopping needs of the immediate neighbourhood only.

“NOISE EXPOSURE PROJECTION AREA” means an area of land near the airport in which the effects of the airport’s operation on noise levels and safety is the same for all intents and purposes. See “Airport Overlay District”.

“NURSING HOME” means an institution or a distinct part of an institution which is licensed and approved to provide health care and social support for 24 or more consecutive hours for 2 or more patients who require such care on a daily basis and who are not related to the governing authority or its members by marriage, blood or adoption.

“OFFICE BUILDING” means a facility providing for the administration of business or government, or the provision of professional services.

“OILFIELD SUPPORT SERVICES” means a development that provides cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with the oil and gas industry and may include the storage of shipping of such materials, goods and equipment, including petrochemical products and supplies, providing such storage does not exceed 5,000 cubic metres (1,100,000 imperial gallons) for all organic or inorganic chemicals and 10,000 cubic metres (2,200,000 imperial gallons) for all petroleum products and that such storage is in accordance with all applicable provincial and federal statutes. This definition applies to oil and gas industry support operations and includes, but is not limited to, seismic and surveying, well servicing, oilfield haulers, pipeline contractors and welding operations.

“OPEN OR OUTDOOR STORAGE AREA” means an area of land used for outdoor storage purposes.

“OTHER RELATED IMPROVEMENTS” means utilities (power, gas, well or septic system) and/or mature shelterbelts.

“OUTDOOR DISPLAY” means land that is used to show, exhibit or make visible products, good, or equipment for the purpose of sale or promotion.

“PARCEL” means the aggregate of one or more areas of land described in a title or described in a certificate of title by reference to a plan filed in a land titles office.

“PARK” means a development of public land specifically designed or reserved for the general public for active or passive recreational use and includes all natural and manmade landscaping, facilities, playing fields, buildings and other structures that are consistent with the general purposes of public parkland, whether or not such recreational facilities are publicly

operated or operated by other organizations pursuant to arrangements with the public authority owning the park. Typical uses include tot lots, band shells, picnic grounds, pedestrian trails, landscaped buffers, playgrounds and water features.

“PARK MODEL” means a recreation vehicle conforming to CAN-CSA Series Z241.

“PARKING FACILITY” means an area of land providing for the parking of motor vehicles. When identified as a specific use in a land use district, this use is contemplated as an exclusive use of a land parcel. Otherwise, parking lots are to be developed in association with other permitted and discretionary uses and in accordance with the regulations found in Part 8 of this Bylaw.

“PARKING STALL” means that portion of a parking lot that accommodates a parked vehicle.

“PATHWAY” – means a pedestrian walkway in the form of asphalt or gravel constructed trail system.

“PERMITTED USE” means the use of land or of a building that is listed in the column captioned “Permitted Uses” in Land Use Districts appearing in this Bylaw.

“PERSONAL SERVICE SHOP” means a use of a building or part of a building in which services are provided and administered to the individual and personal needs of persons, and without limiting the generality of the foregoing, includes a barber shop, hairdressing establishment, beautician, beauty parlor, shoe repair and shoe shining shop, formal rental shop, tailor shop, bake shops, depots for collection and delivery of dry cleaning and laundry, self-serve laundry establishments and pet grooming facilities. The sale of

merchandise shall be permitted as an accessory use to the personal service provided.

“PETROLEUM FACILITY” means petroleum infrastructure such as oil and gas pipelines, well battery, compressor station, and metering station.

“PHARMACY” means a retail store that dispenses prescription drugs and sells, among other things, non-prescription medicines, health and beauty products, and associated sundry items.

“PLANTING STRIP” means a landscaped area located immediately adjacent to a lot line or portion thereof, on which is situated one or more of the following screening devices:

- i. A continuous row of trees;
- ii. A continuous hedgerow of evergreens or shrubs;
- iii. A berm;
- iv. A wall;
- v. An opaque fence; and
- vi. Arranged in a way as to form a dense or opaque screen.

“POINT OF SALE ADVERTISING” means material, which relates to the name of the occupier or firm, the nature of the business conducted and/or goods produced, and/or the main product sold on the premises to which an advertisement is attached.

“PRIMARY HIGHWAY” means a highway or proposed highway designated as a primary highway under the Highway Traffic Act.

“PROPANE TRANSFER FACILITY” means a facility at a fixed location having not more than one storage container and such container shall not have an aggregate propane storage capacity in excess of 50,000 litres

“PUBLIC ASSEMBLY” means a development including any meeting halls used for spiritual

worship and related religious, charitable, educational or social activities, but does not include a school. It may include a minister's residence, manse, parsonage, or rectory, provided it is accessory to the principal use. It also means church or place of worship.

"PUBLIC ROADWAY" means a highway, local road, service road, street, avenue or lane which is registered as a public right-of-way in a land titles office.

"PUBLIC USE" means a building, structure or lot used for public services by the Town or County except sanitary landfill sites and sewage lagoons, or by any local board or agency of the Town, or by any department, commission or agency of the Province of Alberta or Government of Canada.

"RAILWAY USE" means a use of land or a building directly related to the building or operation of a railroad system.

"REAL PROPERTY REPORT" means a legal document prepared by an Alberta Land Surveyor that illustrates the location of all relevant visible public and private improvements relative to property boundaries. It is in the form of a plan or illustration of the various physical features of the property including a written statement detailing the surveyors opinions or concerns. It is relied upon by the municipality as an accurate representation of the improvements to property.

"RECREATIONAL AMUSEMENT PARK" means a commercial recreation facility with or without permanent buildings or structures where rides, games of chance, entertainment, exhibitions, and the sale of food, beverages, toys and souvenirs constitute the main use.

"RECREATION FACILITY" means development that provides facilities for sports and active recreation. Typical facilities would

include athletic clubs, bicycle/pedestrian trails, billiard or pool halls, bowling alleys, campsites, driving ranges, golf courses, health and fitness clubs, curling, indoor golf facilities, indoor soccer facilities, roller-skating and hockey rinks, rifle and pistol ranges, sports fields, tennis courts and swimming pools. The intended application is for both private and public facilities.

"RECREATION VEHICLE" means a portable structure designed and built to be carried on a vehicle or to be transported on its own wheels and which is intended to provide temporary living accommodation for travel and recreation purposes. It does not need any special license or permit to travel on the public road systems other than a usual trailer or vehicle license, and without limiting the generality of the foregoing, includes such vehicles as a motor home, a camper, a travel trailer or a tent trailer. It does not include a portable industrial trailer, mobile home, manufactured home, or any vehicle or trailer over eight feet in width while being transported.

"RECYCLING DEPOT" means a building or land in which is used material separated and processed prior to shipment for repeated use or to others who will use those materials to manufacture new products, and may include the handling of hazardous materials.

"REGISTERED OWNER" means

- i. 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
- ii. In the case of other land,
- iii. The purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the certificate of title in the land and any assignee of the purchasers interest that is the subject of a caveat registered against the certificate of title or

iv. In the absence of a person described above, the person registered under the Land Titles Act as the owner of the fee simple estate in the land.

“RESEARCH FACILITY” means a building or portion thereof, or group of buildings in which facilities for scientific research, investigation, and testing are located.

“RESTAURANT” means a food establishment where food is sold or distributed in state ready for immediate consumption and that has: seating or standing room designed for food consumption by patrons; or parking space under the control of the owner provided so that a patron may consume food in a vehicle, and includes a canteen, cafeteria, dining room or similar facility provided for employees, staff or students.

“RESTAURANT – DRIVETHRU” means a place in which food is prepared and sold to the general public and consumed on the premises inside or outside of an automobile and includes an exterior method of ordering and picking up food.

“RESTAURANT – TAKEOUT/DELIVERY” means an establishment primarily engaged in primarily specialty foods in bulk and in providing customers with a takeout and/or delivery service, which may or may not be consumed on or off the premises.

“RETAIL STORE” means a development used for the retail sale of consumer goods, from within an enclosed building and/or an outdoor facility.

“RETIREMENT HOME” means a place of residence for persons in or entering retirement where an independent lifestyle is maintained with little to no assistance required and that may include additional services such as but not

limited to entertainment rooms, kitchens, libraries, and administrative offices.

“SALVAGE YARD” means land or buildings where motor vehicles, tires and parts are disassembled, repaired, stored, resold or recycled.

“SEED CLEANING PLANT” means a building used for the storage and preparation of seed used in agriculture.

“SERVICED” means that approved development uses municipal water and sewer services, including treatment, where such services have been installed and are operating in accordance with municipal requirements. Serviced shall also mean those private utilities as deemed necessary by the development authority.

“SETBACK” means the minimum horizontal distance required between a property line of a lot and the nearest part of any building, structure, development, excavation or use on the lot.

“SHOPPING CENTRE” means one or more buildings, or part thereof, containing a group of separate permitted (or approved discretionary) commercial uses which is maintained as a single comprehensive unit and located on a single lot, such lot being held and maintained under one ownership or under condominium ownership.

“SIGHT TRIANGLE” means an area at the intersection of roadways or roadways and railways in which all buildings, fences, vegetation and finished ground elevations shall be less than one (1) metre (3.3 feet) in height above the average elevation of the road/lane/rail, in order that vehicle operators may see approaching vehicles in time to avoid collision.

“SIGN” means an object, structure or device used for the purpose of identification or advertising or to call attention to any person, matter, thing or event or to give direction.

“SIGN – AWNING” means a sign attached to a non-retractable structure completely enclosed overhead, which is intended to be used for business identification and protection against the weather.

“SIGN – BILLBOARD” means a sign structure designed and intended to provide a leasable advertising copy area. The copy area can be periodically replaced, typically by the use of pre-printed copy pasted or otherwise mounted onto the copy area.

“SIGN – FASCIA” means a sign placed flat and parallel to the face of the building so that no part projects more than 0.3 m from the building.

“SIGN – FREESTANDING” means a sign on a standard or column permanently attached to the ground and which is not connected in any way to any building or other structure.

“SIGN – PORTABLE” means any sign or advertising device that can be carried or transported from one site to another, which does not rely on a building or a fixed concrete foundation for its structural support and includes signs, temporary signs, inflatable signs, or devices or banners, whether tethered to a building or no, vehicles placed in a location for advertising purposes, but does not include an A-Board or real estate sign or signage permanently attached and forming part of motor vehicles use in the day to day conduct of business.

“SIGN – PROJECTING” means a sign which projects from a structure or a building face.

“SIMILAR USE” means a development that is similar, in the opinion of the Municipal Planning Commission Any use that is similar to either a listed permitted and discretionary use within a Land Use District.

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

“SITE COVERAGE” means that percentage of lot area which is covered by all buildings on that lot, including a porch, veranda, covered deck and accessory buildings, but excluding patios.

“SOCIAL CARE FACILITY” means:

- i. Places of care for persons who are aged or who require special care;
- ii. A hostel or other establishment operated to provide accommodation and maintenance for unemployed or indigent persons.

“STORAGE – INDOOR” means a self-contained building or group of buildings available for the storage of goods. This use includes mini-storage, private storage facilities, and warehouse.

“STORAGE – OUTDOOR” means a site or a portion of a site designed for the storage of goods, materials and/or equipment, or the display and sale of goods and materials, including vehicles for hire and sale, located outside permanent buildings or structures on the site. This use includes lumber storage and lumber yard.

“STRUCTURE” means anything constructed or erected, the use of which requires location on the ground or attachment to something located on the ground not including pavement, curbs, walks, open air surfaces and movable vehicles.

“SUBDIVISION” means the division of a parcel of land into one or more smaller parcels by a plan of subdivision or other instrument.

“SUBDIVISION AUTHORITY”, as established pursuant the Act, means that person(s) or body defined by the Subdivision Authority Bylaw of the Town of Stettler.

“TANKER TRUCK WASHING FACILITY” means a commercial building for cleaning and inspecting the tanks of tanker trucks.

“TAXI/BUS DEPOT” means a use, site or building used as a dispatch office for taxis, limousines or buses and may include an area, site or location intended for the parking of taxis, limousines or buses or for loading and unloading of passengers.

“TEMPORARY” For the purpose of this Bylaw means such time limit as set by the Development Authority.

“TEMPORARY MOBILE COMMERCIAL SALES” means the sale of goods from a vehicle or stand for a period not exceeding 180 days per year in the Central Commercial and Highway Commercial Districts.

“TEMPORARY STRUCTURE” means a structure without any foundation or footings and which is removed when the designated time, activity or use for which the temporary structure was erected has ceased.

“THEATRE” means a building, or part thereof, used for the presentation of performing arts.

“THEATRE – MOVIE” means a building, or part thereof, used for the showing or viewing of motion pictures for a fee.

“TOP SOIL” means that depth of soil containing the major portion of organic matter, generally the depth that the land is tilled.

“TRADE/COMMERCIAL SCHOOL” means a building, structure or land that provides for technical instruction to students for profit.

“TRAILER” – means a vehicle so designed that it may be attached or drawn by a motor vehicle and intended to transport property, persons or animals..

“TRANSPORT/TRUCK OPERATION” means a development involving the storing, parking, servicing and dispatching of trucks. This use may also involve the transfer of goods primarily involving loading and unloading of freight carrying trucks.

“TRUCK DEPOT” means any building, or land or portion thereof, in which or upon a business, service or industry involving the maintenance, servicing, storage or repair of commercial vehicles and/or transport trailers is conducted or rendered. This includes the dispensing of motor fuel or petroleum products directly into motor vehicles, the sale of accessories or equipment for trucks and similar commercial vehicles.

“TRUCK AND MOBILE HOME SALES AND RENTAL” means a development used for the retail sale or rental of new or used trucks exceeding 4,000 kg, recreational vehicles and trailers, and mobile homes together with incidental maintenance services and the sale of parts and accessories.

“TRUCK STOP” means a use that contains a “convenience food store”, “eating establishment”, “gas bar”, “truck depot”, and “automotive service station” or combination thereof in order to cater both to the traveling public and commercial truck traffic.

“UNDERGROUND WASTE STORAGE TANKS” means tanks used for the temporary storage of wastewater, sludge and solids.

“UNDERSIZED LOT” means a lot that does not meet the minimum length, width or area

requirements or combination thereof of the district in which it is located.

“URBAN RESERVE” means lands presently within the Town, which are intended for future development in order to accommodate the Town’s long-term industrial, commercial or residential land requirements.

“USE” means the functioning activities therein or thereon a building or an area of land.

“UTILITIES” means the right of way and/or use of the land or buildings for one or more of the following:

- i. Telecommunication systems;
- ii. Waterworks systems;
- iii. Irrigation systems;
- iv. Systems for the distribution of gas;
- v. Systems for the distribution of electric power;
- vi. Storm water management systems;
- vii. Heating systems; and
- viii. Sewage systems.

“UTILITY BUILDING” or “UTILITY USE” means a building or land, or portion thereof, as defined in the Act in which the proprietor of the public utility maintains its office or offices and/or maintains or houses any equipment used in connection with any public utility building.

“VEHICLE WASH” means a use, building or structure where facilities are specifically used or intended to be used for washing vehicles either by production line methods employing mechanical devices or by hand.

“VETERINARY CLINIC” means the use of land and building for the medical care and treatment of animals.

“WATER BODY” means:

- i. The bed and shore of a lake, lagoon, swamp, marsh, or any other natural body of water; or

- ii. Reservoir or other man-made surface feature, whether it contains water continuously or intermittently.

“WATERCOURSE” means:

- i. The bed and shore of a river, stream, creek or other natural body of water, or
- ii. A canal ditch or other man-made surface feature whether it contains water continuously or intermittently.

“YARD” means a part of a lot upon or over which no building or structure other than a boundary fence is erected, except for specifically permitted accessory buildings.

“YARD – FRONT” means a yard extending across the full width of a lot and situated between the front lot line and the nearest exterior wall of the principal building. The minimum front yard depth is the shortest horizontal distance permitted between the front lot line of such lot and the nearest part of the principal building.

“YARD – REAR” means a yard extending across the full width of a lot and situated between the rear lot line and the nearest exterior wall of the principal building. The minimum rear yard is the shortest horizontal distance permitted between the rear lot line of such lot and the situated between the side lot line and the nearest exterior wall of the principal building.

“YARD –SIDE” means the yard extending from the front yard to the rear yard between the side boundary of the parcel and the nearest exterior wall of the principal building.

“ZERO LOT LINE PLACEMENT” means the placement of a building on a lot in such a manner that the building abuts one or more of the lot lines of the lot.

THREE: Development Authority

Section 10: Designated Officer

- 10.1 The office of designated officer is hereby established and such office shall be filled by a person or persons to be appointed by resolution of Council.
- 10.2 The Designated 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 and subsequent decisions.
- 10.3 For the purposes of this Bylaw the Designated Officer serving as the Development Authority shall be titled as "Development Officer".

Section 11: Municipal Planning Commission

- 11.1 The Municipal Planning Commission established by Bylaw No. 251 shall perform such duties as specified in Part 4 of this Bylaw as well as the Municipal Government Act, Subdivision and Development Regulation.

Section 12: Subdivision and Development Appeal Board

- 12.1 The Subdivision and Development Appeal Board (SDAB) established by Council shall perform such duties as are specified in the Act.
- 12.2 At the appeal hearing the SDAB shall hear all those persons that it is required to hear under the Act.
- 12.3 At the hearing of the appeal, should the SDAB desire legal or technical opinions, it may adjourn the hearing pending receipt of such information, opinions or other assistance he Subdivision and Development Appeal Board is established by this Bylaw.
- 12.4 The Chairperson shall be responsible with respect to all things required to be carried out by the Board under the Act to see that they are carried out in accordance with the provisions of the Act, and;
- 12.5 Is empowered to rule that evidence presented is irrelevant to the matter in issue and to direct the members to disregard the evidence;
- 12.6 May limit a submission if he determines it repetitious; and
- 12.7 When a hearing is adjourned, but the time and place for the continuation of the hearing is not fixed, shall announce that notice of continuation of the meeting will be sent to those persons leaving their name and address with the Secretary. Thereafter, only those persons leaving their name and address shall be entitled to notice of the continuation of the hearing.

- 12.8 After hearing all submissions, the SDAB may deliberate and reach its decision in private. In arriving at a decision the majority vote of those members present shall constitute the decision of the SDAB. If the vote results in a tie, the appeal is lost.
- 12.9 The Secretary or Chairperson may make a verbal announcement of the SDAB's decision at the conclusion of the hearing of an appeal, but the verbal decision is neither final or binding on the SDAB, and no rights are conferred upon any party by the SDAB's verbal decision until written notice of the decision has been given in accordance with the Act.
- 12.10 The SDAB shall give its decision and reasons in accordance with the Act to the applicant, the appellant, and those affected persons who gave their name and address to the Secretary during the hearing.
- 12.10.1 The Secretary shall, under the direction of the SDAB:
- (a) Notify members of the meetings of the SDAB;
 - (b) Keep available for public inspection before the commencement of the public hearing all relevant documents and materials respecting an appeal under the Act, including the application for the development permit or subdivision, and the appeal therefore, or the order of a Development Officer under Section 645 of the Act, as the case may be;
 - (c) Make and keep a written record of the proceedings of the SDAB which shall include: a summary of the evidence presented at the hearing; the decision of the development approving authority; the notice of Appeal and Hearing of the Appeal; the SDAB's decision, including reasons, for each appeal.
 - (d) Keep a list of names and addresses of persons who leave their names and addresses with the Secretary; and
 - (e) Keep a record of all business coming before the SDAB and after the adoption of the minutes of each meeting of the SDAB, transmit a copy of the minutes to Council.

FOUR: Development Permits

Section 13: Control of Development

- 13.1 No development other than that designated in Section 15 shall be undertaken within the Municipality unless an application for it has been approved and a development permit has been issued.

Section 14: Fees

- 14.1 The fees to be charged by the Town on all applications and other matters arising under this Bylaw are set forth via Town policy. Council may at anytime by resolution revise any fee or any other matter arising under this Bylaw.

Section 15: When a Development Permit is Not Required

- 15.1 A Development Permit is not required for the following developments provided that the proposed development complies with all applicable regulations of this Bylaw:
- 15.1.1 Altering, maintaining or repairing any building, provided that the work does not include structural alterations or does not result in an increase in the number of dwelling units;
 - 15.1.2 The completion of any development which has lawfully commenced before the passage of the Land Use Bylaw or any amendment thereof, provided that the development is completed in accordance with the terms of any permit granted in respect of it, and provided that it has commenced within 12 months of the date of commencement;
 - 15.1.3 The use of any such development as is referred to in subsection (15.1.2) for the purpose for which the development was commenced;
 - 15.1.4 The construction or maintenance of gates, fences, walls or other means of enclosure less than 1.22 m (4 ft.) in height in front yards and less than 2.0 m (6.56 FT.) in height in side and rear yards, except where corner lot restrictions apply;
 - 15.1.5 The temporary erection, installation or use of machinery, structures or buildings such as a construction trailer, that is incidental to the erection or alteration of a permanent development for which a permit has been issued under this Bylaw. This does not include a real estate sales office, show home or similar facility;
 - 15.1.6 The temporary use of a parcel not exceeding six months per year for the sole purpose of mobile commercial sales, providing a business license is obtained from the municipality and the location of the business is to the satisfaction of the Development Officer;
 - 15.1.7 The maintenance and repair of public works, services or utilities carried out by or on behalf of federal, provincial or municipal authorities;
 - 15.1.8 Development specified in Section 618 of the Municipal Government Act;
 - 15.1.9 Any development carried out by or on behalf of the municipality provided that such development complies with all applicable provisions of this Land Use Bylaw;
 - 15.1.10 The construction or installation of an accessory building that does not exceed 9.5 m²

- in area and 2.5 m in height, provided that the structure is portable and not fixed on a permanent foundation or concrete pad; and construction of an unenclosed deck that does not exceed 15 m² in area and does not exceed 0.76 m in height.
- 15.1.11 Any development carried out by or on behalf of the Crown but not including that carried out by or on behalf of a Crown Corporation;
 - 15.1.12 The erection of an on-site sign offering for sale, lease or rent any land or building pursuant to the regulations contained in this Bylaw;
 - 15.1.13 The erection of one unilluminated sign for non-residential uses of the following nature and size for use within a building or on a parcel, provided such signs do not resemble traffic signs: a fascia sign for the purpose of identification, direction and warning not exceeding 0.2 m²; a fascia sign relating to a person, partnership or company carrying on a profession, business or trade not exceeding 0.3 m²; and a fascia or freestanding sign relating to a religious, educational, cultural, recreational or similar institution, or to an apartment not exceeding 1.0 m²;
 - 15.1.14 Demolition of buildings with a floor area less than 56 square metres;
 - 15.1.15 Erection of towers, flagpoles and other poles not exceeding 4.5 m in height from grade in any Residential District;
 - 15.1.16 Landscaping where the proposed grades will not adversely affect the subject or adjacent properties, except where a Development Permit allows for such landscaping;
 - 15.1.17 The installation of a satellite dish antenna less than 1.0 m in diameter, if it is attached to an existing structure in a Residential District; and
 - 15.1.18 Stripping, site grading or excavation that is part of a development for which a Development Permit has been issued;
 - 15.1.19 For the growth/cultivation of personal use cannabis plants not exceeding 4 plants per dwelling and the growth/cultivation of such must be contained indoors.

Section 16: Non-Conforming Buildings and Uses

- 16.1 Developments which are considered to be a non-conforming building or use shall be dealt with as provided for under the Municipal Government Act.

Section 17: Application for Development Permit

- 17.1 A Development Permit application shall be made to the Development Officer on the prescribed form and shall be signed by the applicant or his agent.
- 17.2 Each application for a development permit shall be accompanied by a fee as established by Section 14 of this Bylaw.
- 17.3 In addition to the completed application form, the following may be required:
 - 17.3.1 Duplicate site plans at a scale of 1:100, unless otherwise acceptable to the Development Officer, showing:
 - (a) North arrow;
 - (b) Scale of plan;
 - (c) Legal description of property;

- (d) Municipal address;
 - (e) Lot lines shown with dimensions;
 - (f) Proposed front, side and rear yards shown with dimensions;
 - (g) Location of existing and proposed municipal and private local improvements, principal building and other structures including accessory building, garages, carports, parking spaces, fences, driveways, paved areas, exterior lighting and major landscaped areas including buffering and screening areas where provided;
 - (h) The grades of adjacent streets, lanes and sewers servicing the property;
 - (i) Development density, site coverage calculations, height by metres and number of storeys according to the definitions of this Bylaw
 - (j) Dimension layout of existing and proposed parking areas, entrances and exits abutting roads shown and labelled;
 - (k) Site topography, drainage patterns, grades and special conditions; and
 - (l) Location of all registered utility easements and rights-of-way.
- 17.3.2 A copy of the Certificate of Title indicating ownership; and
- 17.3.3 A signed consent form allowing right-of-entry on the property by the Development Officer.
- 17.4 In addition, the Development Officer may also require any of the following:
- 17.4.1 Photographic prints or slides showing the site in its existing state;
 - 17.4.2 A Plan of Survey prepared by an Alberta Land Surveyor showing the site to be developed;
 - 17.4.3 A geotechnical or floodplain study prepared by a qualified engineer recognized by APEGGA if in the opinion of the Development Officer the site is potentially hazardous or unstable;
 - 17.4.4 A reclamation plan for aggregate extraction or other major surface disturbance;
 - 17.4.5 A Phase 1 Environmental Site Assessment, conducted according to Canadian Standards Association (CSA) guidelines, to determine potential contamination and mitigation;
 - 17.4.6 An Environmental Impact Review prepared by a qualified professional if the proposed development may, in the opinion of the Development Officer, result in potentially significant environmental effects;
 - 17.4.7 Detailed studies regarding the potential impact and approach to dealing with traffic, utilities and storm drainage prepared by a qualified engineer or engineering technologist recognized by APEGGA;
 - 17.4.8 Elevations of any signs proposed for the development;
 - 17.4.9 A letter of security and/or performance bond for the cost of construction of certain elements of the development such as municipal infrastructure (servicing, access construction, road work and etc.) and on site infrastructure (pavement, curb, drainage, landscaping and etc.) to ensure satisfactory completion of the development; and
 - 17.4.10 Such other information that is deemed necessary by the Development Officer and/or Municipal Planning Commission.
- 17.5 The Development Officer may deal with an application without all of the required information if, in the opinion of the Development Officer, a decision can be properly made on the application without that information.

Section 18: Application for Demolition

- 18.1 Notwithstanding Section 15 and in addition to the requirements of Section 15, an application for a development permit for the demolition of a non-residential building shall include the following information:
- 18.1.1 The purpose for the building demolition and the type of structure to replace the demolished building;
 - 18.1.2 A work schedule of the demolition and site cleanup;
 - 18.1.3 The destination of debris materials; and
 - 18.1.4 The length of time before the site is to be redeveloped and the treatment of the site after demolition is completed prior to development.
 - 18.1.5 Verification that all services have been deactivated and properly removed prior to demolition including removal of the Town's water meter.
- 18.2 The building to be demolished must be inspected by the Town's Building Inspector prior to demolition.

Section 19: Decision

- 19.1 The Development Officer and/or Municipal Planning Commission may issue a development permit with any condition deemed necessary to ensure that the development complies with the Municipal Government Act, this bylaw and any or all statutory plans.
- 19.2 In making a decision on a Development Permit application for a Permitted Use, the Development Officer:
- 19.2.1 Shall approve, with or without conditions, the application if the proposed development conforms with this Bylaw; and
 - 19.2.2 May require security from the applicant to secure performance of any of the conditions of a development permit; and
 - 19.2.3 May require as a condition of issuing the development permit, that the applicant enter into an agreement with Council to construct or pay for the construction of public roadways, pedestrian walkways, parking and loading facilities, and any off-site levy or redevelopment levy imposed by Bylaw. To ensure compliance with the conditions in the agreement, the Town may register a caveat against the said lands in favour of the Town; or
 - 19.2.4 Refer to the Municipal Planning Commission those applications for development specified in the list of permitted uses, but which in the opinion of the Development Officer, should be directed to the Municipal Planning Commission; or
 - 19.2.5 Shall refuse the application if the proposed development does not conform to this Bylaw.
- 19.3 In making a decision on a Development Permit application for a Discretionary Use, the Municipal Planning Commission:

- 19.3.1 May approve the application if it meets the requirements of this Bylaw, with or without conditions, based on the merits of the application including any approved statutory plan or approved policy affecting the site; or,
 - 19.3.2 May refuse the application even though it meets the requirements of this Bylaw; or,
 - 19.3.3 Shall refuse the application if the proposed development does not conform to this Bylaw.
- 19.4 In reviewing a development permit application for a Discretionary Use, the Municipal Planning Commission shall have regard to:
- 19.4.1 The circumstances and merits of the application, including but not limited to:
 - (a) The impact on properties in the vicinity of such nuisance factors as smoke, airborne emissions, odours and noise;
 - (b) The design, character and appearance of the proposed development and in particular whether it is compatible with the surrounding properties; and,
 - (c) The servicing requirements for the proposed development.
 - (d) The purpose and intent of any statutory plan adopted by the Town; and,
 - (e) The purpose and intent of any non-statutory plan or pertinent policy adopted by the Town.
- 19.5 Notwithstanding any provisions or requirements of this Bylaw, the Municipal Planning Commission may establish a more stringent standard for a Discretionary Use when the Municipal Planning Commission deems it necessary to do so.
- 19.6 The Municipal Planning Commission shall refuse a development permit for a use or development that is not listed as a Permitted or Discretionary Use.
- 19.7 Only one development permit application shall be allowed for any one use on a site at any one time.
- 19.8 An application for a development permit shall be deemed to be refused when a decision is not made by the Development authority within forty (40) days after receipt of the application by the Development Officer, unless an agreement to extend the forty (40) day period is established between the applicant(s) and the Development Officer and/or Municipal Planning Commission.

Section 20: Temporary Permits

- 20.1 A development permit may be issued on a temporary basis and the Development Officer and/or Municipal Planning Commission may specify the length of time that the permit remains in effect.
- 20.2 Where a temporary permit is issued, the Development Officer and/or Municipal Planning Commission shall:
 - 20.2.1 Require that the use be stopped or the temporary development removed once the permit expires;

- 20.2.2 Impose a condition that the Town is not liable for any costs incurred in removing the development.
- 20.3 The Development Officer and/or Municipal Planning Commission may require that the applicant enter into an agreement with the Town guaranteeing the removal of the temporary development when the intended use is changed or discontinued. The agreement may require the applicant to post a security guaranteeing the removal of the development.
- 20.4 Upon expiry of a temporary development permit, a new application is required. Such application shall be considered as a first application and the Development Officer and/or Municipal Planning Commission is not obliged to approve it on the basis that a previous permit was issued.

Section 21: Variance Authority

- 21.1 The Municipal Planning Commission may allow a variance of any standard prescribed in this bylaw provided the variance complies with the requirements of the Alberta Building Code, and the variance does not:
 - 21.1.1 unduly affect the neighbourhood which includes variances for non-conforming buildings.
 - 21.1.2 materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and
 - 21.1.3 the proposed development conforms to the use prescribed for the land in this bylaw.
- 21.2 In considering a variance the Municipal Planning Commission shall:
 - 21.2.1 Not grant a variance which would infringe the Airport zoning regulations; and
 - 21.2.2 Not grant a variance which would infringe the floodway/flood fringe regulations; and
 - 21.2.3 Have regard to the purpose and intent of the district and the nature and value of developments on adjacent properties.
- 21.3 Pursuant to section 21.1 and 21.2 the Development Officer may allow a variance of any minimum and maximum development standard in this Bylaw less than 10% of the stated standard.
- 21.4 If a variance is granted, the Development Authority shall specify its nature in the development permit approval.

Section 22: Notice of a Proposed Development

- 22.1 The Development Officer may refer a development permit application to any Town department and to any external agency for comment, advice, and further information.

- 22.2 On receipt of a complete application for a development permit for a development listed as a Discretionary Use or a development permit that requires a Variance, the Development Officer may send a written notice to adjacent property owners indicating the location and nature of the proposed development, and ask for comment.
- 22.3 After 30 days from the date of referral to any Town department or any external agency, the Development Officer and/or Municipal Planning Commission may deal with the application whether or not comments have been provided.

Section 23: Notice and Validity of Decision

- 23.1 A decision of the Development Officer and/or Municipal Planning Commission on an application for a development permit shall be given in writing and sent by regular mail to the applicant.
- 23.2 Where a development permit application is refused, the reason(s) for the refusal shall be stated in the decision letter.
- 23.3 When a development permit is approved, the Development Officer shall publicize a notice of decision in any or all of the forms as described as follows:
 - 23.3.1 Mail a notice of the decision to all persons whose use, enjoyment or value of the property may, in the opinion of the Development Officer, be affected; and/or
 - 23.3.2 Post a notice of the decision conspicuously on the property for which the application has been made; and/or
 - 23.3.3 Publish in a newspaper circulating in the municipality a notice of the decision.
- 23.4 A permit does not come into effect until 14 days after the date the approval is published in the newspaper. If an appeal is lodged with the SDAB, no development shall be commenced until the appeal is finally determined and the issuance of the development permit is upheld.
- 23.5 A development permit issued is not valid until all the conditions of the permit, except those of a continuing nature, have been met and no notice of appeal has been filed with the Subdivision and Development Appeal Board within the appeal period.
- 23.6 If the development authorized by a permit is not commenced within twelve (12) months from the date of its issue, or carried out with reasonable diligence, the permit is deemed to be void, unless an extension to this period has previously been granted by the Development authority. The maximum extension period shall be one year.

- 23.7 If an application for a development permit has been refused, by the Development Officer, Municipal Planning Commission or by a decision of the Subdivision and Development Appeal Board, another application for a permit may not be submitted on the same property, for the same or similar use of the land, by the same or any other applicant, for six (6) months after the date of the previous refusal or appeal decision, unless in the opinion of the Development Officer / Municipal Planning Commission the reasons for refusal have been adequately addressed or the circumstances of the application have changed significantly.

Section 24: Cancellation

- 24.1 The Municipal Planning Commission and/or Development Officer may cancel a development permit if: the permit was issued in error; or the permit was issued on the basis of incorrect information.

Section 25: Appealing a Decision

- 25.1 The applicant for a development permit may appeal to the Board if the Development Officer and/or Municipal Planning Commission:
- 25.1.1 Refuses or fails to make a decision on a development permit within 40 days of receipt of a completed application; or
 - 25.1.2 Issues a development permit subject to conditions.
- 25.2 In addition to the applicant, any person affected by a development permit or the decision on it, may appeal to the Board.
- 25.3 Notwithstanding 25.1 and 25.2 no appeal lies in respect of the issuance of a development permit for a Permitted Use unless the provisions of this Bylaw are relaxed, varied, or misinterpreted.
- 25.4 An appeal by an applicant must be commenced within 14 days of the notification of the decision or when the 40 day period or any time extension expires. An appeal by any other affected person must be made within 14 days of the notice of the issuance of the permit was given.
- 25.5 A decision on a development application within a Direct Control District may be appealed only if the Development Officer and/or Municipal Planning Commission did not follow the directions of Council. If the Board finds that the Development Officer and/or Municipal Planning Commission did not follow Council's directions, it may, in accordance with Council's directions, substitute its decision for that of the Development Officer and/or Municipal Planning Commission.

Section 26: The Appeal Process

- 26.1 The Subdivision and Development Appeal Board shall consider and make decisions on appeals pursuant to the provisions of the Municipal Government Act.

- 26.2 If a notice of appeal of a decision on a development permit application is served on the Secretary of the Subdivision and Development Appeal Board, the permit shall not be effective until:
- 26.2.1 The decision to approve the permit is upheld by the Subdivision and Development Appeal Board; or,
 - 26.2.2 The Secretary of the Subdivision and Development Appeal Board receives written notice from the appellant withdrawing the appeal.
- 26.3 If a decision to approve a development permit is reversed by the Board, the development permit shall be null and void.
- 26.4 If a decision to refuse a development permit application is reversed by the Board, the Board shall direct the Development Officer to issue a development permit in accordance with its decision.
- 26.5 If a decision to approve a development permit application is varied by the Board, the Board shall direct the Development Officer to issue a development permit in accordance with its decision.
- 26.6 The decision of the Board is binding except on a question of jurisdiction or law, in which case the appellant may appeal to the Court of Appeal as provided in the Act.

FIVE: Amending the Bylaw

Section 27: Bylaw Amendments

- 27.1 Town Council may amend this Bylaw pursuant to the provisions of the Municipal Government Act.
- 27.2 Any person may apply to amend this Bylaw pursuant to the provisions of the Municipal Government Act and the requirements of the Land Use Bylaw.

Section 28: Contents of an Amendment Application

- 28.1 An application to amend this Bylaw shall be made to the Town on the prescribed form, and shall be signed by the applicant or his agent authorized in writing. The following information and documents will accompany the application:
- 28.1.1 A written statement of the reason for the request to amend the Bylaw including a statement describing the implications of the amendment;
 - 28.1.2 The required application fee.
 - 28.1.3 If the amendment involves the rezoning of land to a different land use district, the following is also required:
 - (a) A copy of the current Certificate of Title for the lands affected, or any other documentation satisfactory to the Development Authority verifying that the applicant has a legal interest in the land;
 - (b) If the applicant is an agent of the landowner, a letter from the landowner verifying the agent's authority to make the application;
 - (c) Permission for right of entry by the Development Officer or a designated officer of the Town; and
 - (d) A properly dimensioned map indicating the affected site and its relationship to existing land uses on adjacent properties;
 - 28.1.4 Such additional information as the Development Officer may require to properly evaluate and to make recommendations to Council concerning the proposed amendment.
- 28.2 Council may require, prior to considering a proposed amendment to this Bylaw, that a developer prepare an Area Structure Plan in accordance with the Municipal Government Act or an Outline Plan in accordance with the Municipal Development Plan.

Section 29: The Amendment Process

- 29.1 The amendment application may be referred by the Development Officer to:
- 29.1.1 Any Town Department for review and comment:
 - (a) Any external agency for comment and advice;
 - (b) The Municipal Planning Commission for consideration and recommendation to Council; and
 - (c) Council for first reading and to establish a date for a public hearing to be held prior to second reading.
- 29.2 In accordance with the Municipal Government Act, and after the date for a public hearing has been set by Council, a notice of the application shall be published once a week for two consecutive weeks in a newspaper circulating in the Town. This notice shall contain:
- 29.2.1 The legal description of the land;
 - 29.2.2 The purpose of the proposed amendment;
 - 29.2.3 The one or more places where a copy of the proposed amendment may be inspected by the public during reasonable hours;
 - 29.2.4 The date, place, and time that Council will hold a public hearing on the proposed amendment;
 - 29.2.5 An outline of the procedures to be followed by anyone wishing to be heard at the public hearing; and
 - 29.2.6 An outline of the procedures by which the public hearing will be conducted.
- 29.3 If the amendment involves the rezoning of land to a different land use district, a notice shall also be communicated in writing to the owner(s) of the subject land, and to all adjacent landowners.
- 29.4 Council, after considering: any representations made at the public hearing; and the Municipal Development Plan, and any area structure plan or area redevelopment plan affecting the application and the provisions of this Bylaw; may make such changes as it considers necessary to the proposed amendment, if any, and proceed to pass the proposed amendment, or defeat the proposed amendment.
- 29.5 Where an application for an amendment has been refused by Council, the Town shall refuse to accept another application on the same land for the same or similar purpose until six (6) months have passed from the date of such refusal.
- 29.6 If deemed necessary, the Town may initiate an amendment to this Bylaw without the landowner's consent.

SIX: Contravention and Enforcement

Section 30: Contravention

- 30.1 No person shall contravene this Bylaw by commencing or undertaking a development, use, or sign that is not permitted under this Bylaw.
- 30.2 No person shall authorize or do any development that is at variance with the description, specifications or plans that were the basis for issuing a development permit under this Bylaw.
- 30.3 No person shall contravene a condition of a permit issued under this Bylaw.
- 30.4 A Bylaw Enforcement Officer or the Development Officer may enforce the provisions of this Bylaw, the Municipal Government Act and its regulations, the conditions of a development permit or subdivision approval.

Section 31: Stop Order

- 31.1 If the Development Officer finds that a development, land use or use of a building is not in accordance with the Act, this Bylaw, a development permit or subdivision approval, the Development Officer and/or Bylaw Enforcement Officer may issue a written Stop Order to the owner, the person in possession of the land or building, or other person responsible for the contravention, or all or any of them to:
 - 31.1.1 Stop the development or use of the land or building in whole or part as directed by the notice;
 - 31.1.2 Demolish, remove or replace the development; or
 - 31.1.3 Carry out any other actions required by the notice so that the development or use of the land or building complies with the Municipal Government Act or this Bylaw, a development permit or a subdivision approval within the time set out in the notice.
- 31.2 A person may appeal a Stop Order to the Subdivision and Development Appeal Board.
- 31.3 If a person fails or refuses to comply with a Stop Order, the Town may, in accordance with Section 542 of the Municipal Government Act, enter upon the land or building and take such action as is necessary to carry out the order.
- 31.4 The Town may register a caveat with respect to the Stop Order in the Land Titles Office.

Section 32: Offences and Penalties

- 32.1 A person who contravenes or fails to comply with any provision of this Bylaw is guilty of an offence and is liable upon summary conviction to a fine of not less than \$250.00 and not more than \$10,000.00.
- 32.2 Where a Bylaw Enforcement Officer reasonably believes that a person has contravened any provision of this Bylaw, the Bylaw Enforcement Officer may, in addition to any other remedy at law, serve upon the person a violation ticket, in the form provided under the Provincial Offences Procedures Act, allowing payment of the specified penalty for the particular offence, and the recording of such payment by the Provincial Court of Alberta shall constitute acceptance of a guilty plea and the imposition of a fine in the amount of the specified penalty.
- 32.3 This section shall not prevent any Bylaw Enforcement Officer from issuing a violation ticket requiring a court appearance of the defendant, pursuant to the provisions of the Provincial Offences Procedures Act.
- 32.4 A Bylaw Enforcement Officer who believes on reasonable grounds that a sign is not authorized pursuant to the Bylaw may remove and impound the sign:
- 32.4.1 In the case of a sign for which a permit is issued, after 7 days notice to the sign permit holder, delivered to the address shown on the sign permit; or
 - 32.4.2 In the case of a sign for which no permit has been issued, without prior notice to any person.
- 32.5 Notwithstanding Section 32.5, Bylaw Enforcement Officer may not remove a sign which is located in or upon or which is affixed to a building without either the consent of the owner of the building, the consent of the owner of the sign or a court order.
- 32.6 Following the impounding and removal of a sign, the Development Officer and/or Bylaw Enforcement Officer shall cause a notice to be sent to the owner of the sign (if known) or to the owner of the premises from which the sign is removed, advising of the removal. The owner of the sign may secure its release from impound upon payment in full of all applicable impounding and storage charges and fines.
- 32.7 An impounded sign which has not been redeemed within 60 days of the date of service of notice may be disposed of by the Town without further notice to any person and without any liability to compensate the owner of the sign.

SEVEN: General Regulations

Section 33: Applicability

33.1 This Part shall apply to all Land Use Districts under this Bylaw.

Section 34: Accessory Buildings and Structures

34.1 General Conditions:

- 34.1.1 All Accessory Buildings must meet the provisions of the Alberta Safety Codes Act.
- 34.1.2 Where an accessory building is attached to the principal building on a parcel by a roof or an open or enclosed structure, except carports where vehicular access to the rear yard is not obstructed, said building is to be considered part of the principal building and not as an accessory building and shall, therefore, adhere to the setback requirements for the principal buildings as specified in the land use districts.
- 34.1.3 An accessory building or structure on a corner lot or double fronting lot, in any District, shall be subject to the front yard requirements for the lot as determined by Section 40 of this Bylaw, and the Land Use District in which the lot is situated.
- 34.1.4 Accessory buildings shall not be used as dwellings,
- 34.1.5 There shall be no more than two accessory buildings per site.

34.2 Residential Districts:

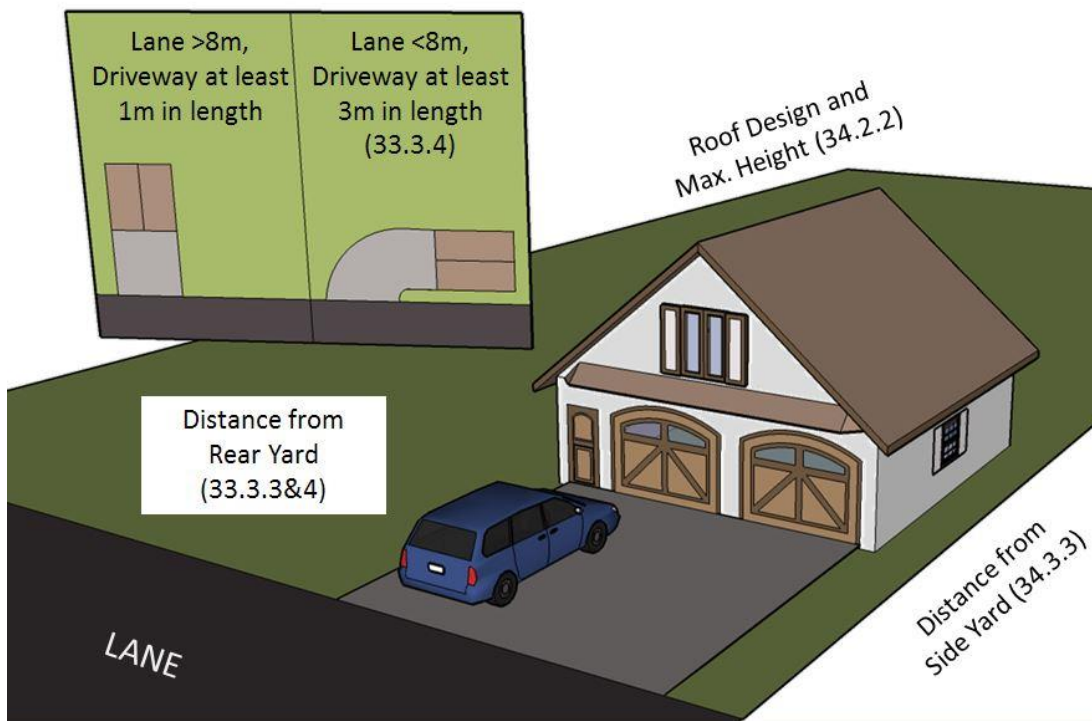
- 34.2.1 Accessory buildings and structures include garages, carports, shed, storage buildings, decks, covered patios or covered balconies, permanently installed private swimming pools and hot tubs, garden suites and other accessory structures such as television and radio antennas, poles, satellite dishes and towers.
- 34.2.2 An accessory building shall not exceed 6.5 m, or the height of the principal dwelling, whichever is less. In mobile home districts an accessory building must not exceed 4.5 m in height.
- 34.2.3 In no case shall the floor area or combined floor area of accessory buildings on a property exceed the main floor area of the principal dwelling.
- 34.2.4 In no case shall the floor area or combined floor area of accessory buildings and principal dwelling result in the site coverage of the parcel exceeding the requirements of the District.

34.3 Siting of Detached Garages:

- 34.3.1 When a detached garage is proposed to be 2.0 m or closer from the dwelling, the Development Officer shall ensure that the buildings will meet the requirements of the Alberta Safety Codes Act.
- 34.3.2 Not in a front yard;

- 34.3.3 No closer than 0.6 m to the side and rear property line (plumb line of the eaves is not less than 0.3 m (except where an agreement exists between the owners of adjoining properties to build their garages centered on the property line, in which case a fire wall shall be constructed to the standards of the Alberta Safety Codes Act, and regulations pursuant thereto, and any amendments made from time to time);
- 34.3.4 A garage which accesses a lane shall have a driveway on a parcel of at least 1.0 m in length where a driveway enters a 8.0 m or larger lane in width; all lanes under 8.0 m in width shall have a minimum driveway of 3.0 m in length.
- 34.3.5 Garages that access a lane must have the driveway and/or garage ramps and/or aprons entirely contained within the property lines and cannot extend into the Town of Stettler Lane Right of Way.
- 34.3.6 A garage which accesses a street shall have a driveway on the parcel which is equal to or greater than the minimum front yard requirement of the building.
- 34.3.7 All work on public property pertaining to garage driveway improvements and access must be undertaken under direct supervision of the Director of Operational Services.

Figure 34-1: Detached Garages



34.4 Accessory Buildings in Non-residential Districts:

- 34.4.1 In any District other than a Residential District, an accessory building or structure is subject to the development regulations for that District;
- 34.4.2 An accessory building or structure on a site in a non-residential district which abuts a site in a residential district shall not be less than 1.5 m from the boundary line of the site in the residential district.

Section 35: Basement Suites

- 35.1 Basement suites shall be restricted to single detached dwellings.
- 35.2 A maximum of two (2) bedrooms may be permitted per basement suite.
- 35.3 A basement suite shall comply with the Safety Codes Act or its successor.
- 35.4 One on-site parking stall shall be provided for each bedroom to a maximum of two stalls. The maximum number of vehicles for basement suite occupants cannot exceed onsite parking stalls provided for the suite.
- 35.5 A basement suite has an entrance separate from the entrance to the primary dwelling unit, either from a common indoor landing or directly from the exterior of the structure. Exterior access to the basement suite shall be subordinate in both size and appearance to the access of the primary dwelling unit.

Section 36: Bed and Breakfast Facility

- 36.1 A bed and breakfast facility is an accessory use to a principal residential use. All persons operating bed and breakfast facilities require a Business License and must provide evidence of compliance with municipal, provincial and/or federal regulations in regard to their operation.
- 36.2 The Municipal Planning Commission may permit a bed and breakfast only if, in their opinion, it complies with the following regulations:
 - 36.2.1 The privacy and enjoyment of adjacent residences shall be preserved and the amenities of the neighbourhood maintained at all times;
 - 36.2.2 Interior or exterior alterations, additions or renovations to accommodate a bed and breakfast may be allowed provided such alterations, additions or renovations maintain the principal residential appearance or character of the dwelling and comply with this Bylaw, the Safety Codes Act, and any other Town bylaws;
 - 36.2.3 A bed and breakfast shall be operated only by the permanent resident(s) of the principal dwelling and one (1) non-resident employee on site;
 - 36.2.4 One on-site parking stall shall be provided for each bedroom provided for compensation; and
 - 36.2.5 A bed and breakfast shall meet the signage requirements.

Section 37: Boarding Facility

- 37.1 A boarding facility may only be permitted in a single detached dwelling.
- 37.2 One on-site parking stall shall be provided for each bedroom provided for compensation.
- 37.3 A boarding facility shall be operated only by the permanent resident(s) of the principal dwelling.

- 37.4 No rooms for rent are permitted to have separate kitchen facilities from the principal dwelling.

Section 38: Building Design, Character, Orientation and Appearance

- 38.1 The design, character, location, external finish, architectural appearance and landscaping of all buildings, including accessory buildings or structures shall be to the satisfaction of the Development Officer/Municipal Planning Commission. Where applicable, buildings shall comply with any architectural/design guidelines in an Area Structure Plan.
- 38.2 The exterior finish of a building in all residential districts shall be completed by October 31st of the year following the year in which the development permit is issued unless otherwise stipulated in the development permit.
- 38.3 The undercarriage of a mobile home shall be screened from view by skirting or such other means satisfactory to the Development Officer/Municipal Planning Commission.
- 38.4 All accessory structures to a mobile home such as patios, porches, additions, skirting and storage facilities shall be fabricated so that the appearance complements the mobile home to the satisfaction of the Development Officer/Municipal Planning Commission.
- 38.5 The exterior finish of commercial structures shall be of wood, prefabricated materials, stone, brick, architecturally finished block or concrete, stucco or other durable aesthetically pleasing material that is appropriate to the development style and to the satisfaction of the Development Authority.
- 38.6 Roof lines and building facades within commercial districts shall be articulated and varied to reduce perceived mass and linear appearance of large buildings.
- 38.7 The orientation of buildings within a cul-de-sac shall be placed in a fashion that is conducive to the streetscape as a whole. The orientation shall not adversely affect the access, sightlines, or amenities of an adjacent parcel including daylight, sunlight and privacy. The orientation of buildings within a cul-de-sac shall be subject to the approval of the development officer.

Section 39: Cannabis Retail Sales and Production

- 39.1 A Cannabis Retail Sales or Production Facility must comply to provisions of the Gaming, Liquor and Cannabis Act.
- 39.2 Owners/Applicants must obtain and submit a copy of the Retail Cannabis Store License from the Province of Alberta.

39.3 The Development Authority may permit a Cannabis Retail Sales or Production Facility only if, in their opinion it complies with the following regulations:

39.3.1 As Described in the Gaming, Liquor and Cannabis Act:

39.3.1.1 A premises described in a Cannabis License may not have any part of an exterior wall that is located within 100 meters of:

- a) A provincial health care facility or a boundary of the parcel of land on which the facility is located,
- b) A building containing a school or a boundary of a parcel of land on which the building is located, or
- c) A boundary of a parcel of land that is designated as school reserve or municipal reserve under the Municipal Government Act.

39.4 The Development Authority shall consider the following matters as part of the decision making process for an application for a Cannabis Retail Sales or Production Facility:

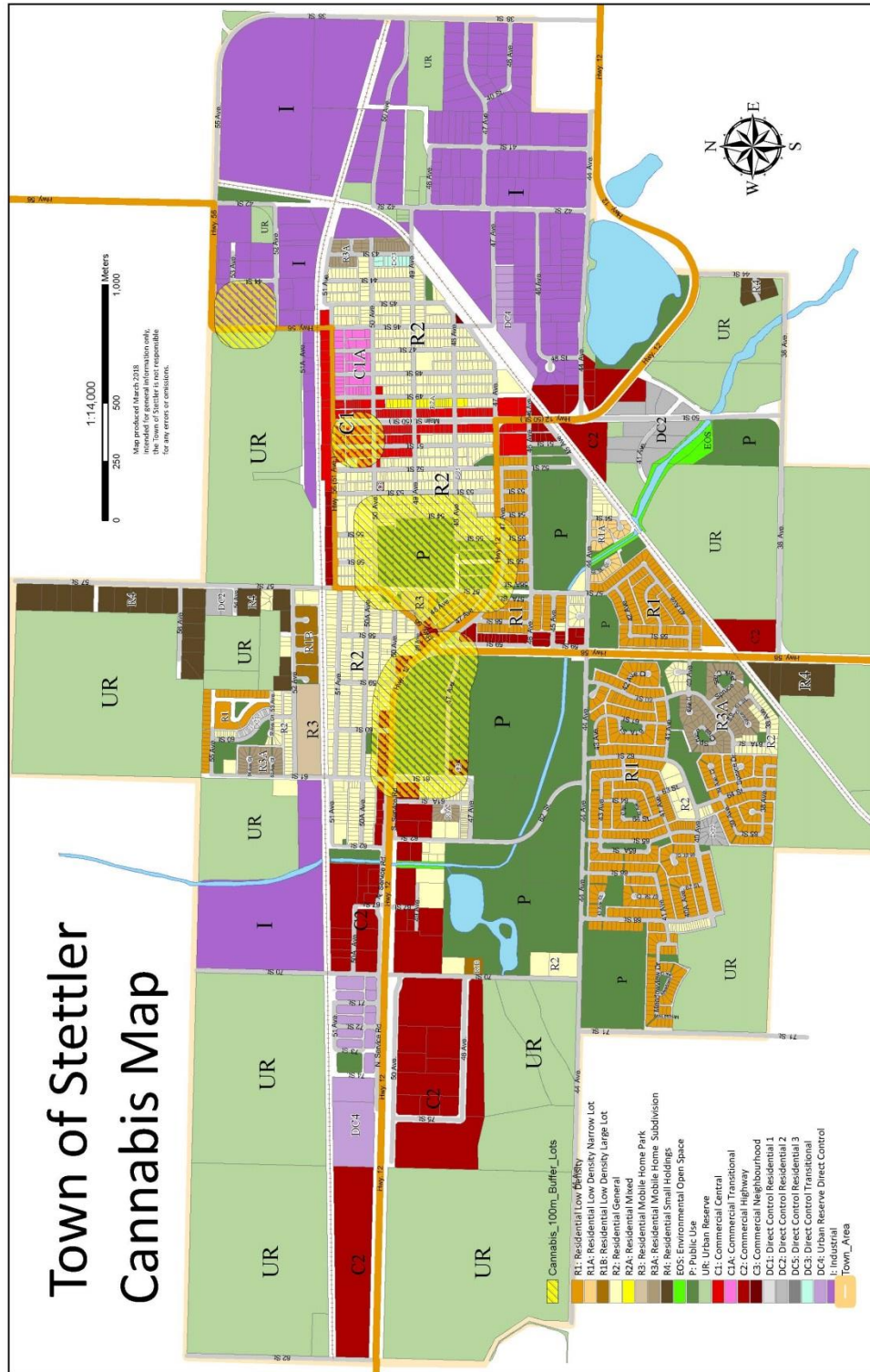
39.4.1 Proximity and relevance of impact to facilities frequented by Children and Youth, including but not limited to:

- a) Day Care Facilities
- b) Parent Link Centers
- c) Parks
- d) Recreation Facilities
- e) Youth Centers

39.4.2 Day Homes and Home Schools do not require a separation distance from a Cannabis Retail Sales Use.

39.4.3 Compatibility of the use in relation to the site, surrounding development and the potential effect of the development on the adjacent properties.

Figure 39-1: Cannabis Retail Sales and Production Facility Setbacks



Section 40: Communication Towers

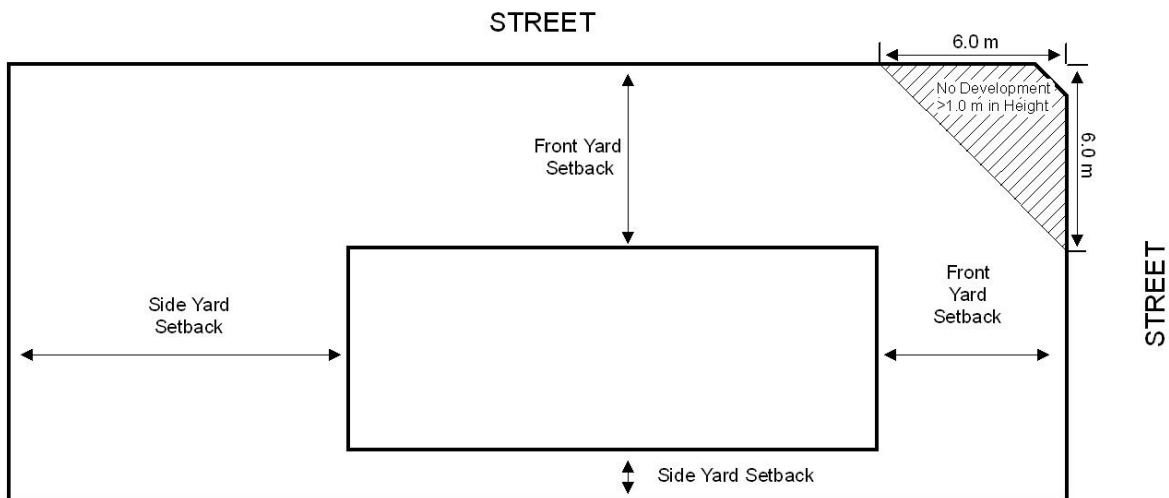
- 40.1 Industry Canada is responsible for regulating radio communication in Canada and for authorizing the location of radio communication facilities, including communication towers. In making its decision regarding the communication tower and related facilities Industry Canada considers the following:
- 40.1.1 The input provided by the land-use authority;
 - 40.1.2 Compliance with Transport Canada's painting and lighting requirements for aeronautical safety;
 - 40.1.3 Health Canada's safety guidelines respecting limits of exposure to radio frequency fields; and
 - 40.1.4 An environmental assessment may be required in order to comply with the Canadian Environmental Assessment Act.
- 40.2 The participation of the Town in the consultation process does not transfer any federal decision-making authority, nor does it confer a right of veto in the location of the radio communication facility.
- 40.3 An antenna and supporting structure for the following uses are subject to Industry Canada requirements:
- 40.3.1 Ham radio;
 - 40.3.2 Citizen band radio; and
 - 40.3.3 A telecommunication device that only receives signals (e.g. satellite dishes).
- 40.4 An antenna and supporting structure for the following uses are discretionary in all districts:
- 40.4.1 Radio and television transmission;
 - 40.4.2 Two-way radio;
 - 40.4.3 Common carriers;
 - 40.4.4 Land-mobile systems; and
 - 40.4.5 Fixed point microwave.
- 40.5 Unless demonstrated to be impractical, transmission antennae shall be mounted on existing structures (including buildings or towers) or within transportation and utility corridors.
- 40.6 The tower base shall be setback from abutting parcels and roadways by a distance of 20 percent of the tower height or the distance between the tower base and guy wire anchors, whichever is greater.
- 40.7 Guy wire anchors shall be setback at least 1.0 m from the property line.
- 40.8 Transmission towers must have the least practical adverse visual effect on the environment. This may be mitigated through landscaping and/or fencing, etc.
- 40.9 Sites for commercial communication towers shall be fenced with suitable protective anticlimb fencing as required by the Town.

- 40.10 Communication antennae and structures to be located in all allowable districts shall obtain a development permit where they exceed 4.6 m in height from grade.
- 40.11 An application for a development permit shall include a site plan drawn to scale and identifying the site boundary; tower; guy wire anchors; existing and proposed structures; vehicular parking and access; existing vegetation to be retained, removed, or replaced; and uses and structures on the site and abutting properties.

Section 41: Corner / Double Fronting Lot Restrictions

- 41.1 No person on a corner lot in any District shall erect, place or maintain, within a triangle formed by the boundaries of the site common with the streets abutting them and a straight line connecting points on each of the said boundaries a distance of six metres from the point where they intersect, a wall, fence, shrub, trees, hedge or any object over one metre in height above the lowest street grade adjacent to the intersection.
- 41.2 In all districts, a site abutting two streets or more shall have a front yard on each street and two side yards in accordance with the setback requirements of the Bylaw.
- 41.3 Notwithstanding Section 40.2, one front yard setback may be reduced to 3.0 m taking into account the location of existing adjacent buildings or the permitted setback on adjacent sites where a building does not exist, and having regard for the variances allowed.

Figure 41-1: Restrictions on Corner/Double Fronting Lot



Section 42: Dwelling Units on a Parcel

- 42.1 The number of dwelling units permitted on a parcel shall be one, except where additional dwellings are:

- 42.1.1 Contained in a building designed for, or divided into, two or more dwelling units and is located in a land use district which permits multiple units;
- 42.1.2 A mobile home forming part of a mobile home park for which a development permit has been issued; or
- 42.1.3 A building as defined in the Condominium Property Act that is the subject of an approved condominium plan registered with Alberta Registries.

Section 43: Easements

- 43.1 A development permit shall not be issued for a development, other than a fence, that encroaches in or over a utility easement or right-of-way without the written consent of the person whom the easement is registered to or the person whose utility line is located in the easement.

Section 44: Environmental Policy

- 44.1 Within developing areas, existing trees and shrubs should be conserved to the maximum extent possible.
- 44.2 The following areas shall be retained in their natural state:
 - 44.2.1 Swamps, gullies and natural drainage courses;
 - 44.2.2 Unstable land;
 - 44.2.4 Land with a natural gradient of 15% or greater; and
 - 44.2.5 Any lands designated as Environmental Reserve.
- 44.3 Development within the 1:100 year flood areas shall be limited to:
 - 44.3.1 Non obstructive development within the floodway may be permitted in accordance with Alberta Environment and Sustainable Resource Development Legislation. Non obstructive development may include, green space or parkland, golf courses, parking facilities, open structures such as gazebos, and other non-obstructive development that in the opinion of the development authority does not change the elevation of the flood way and does not negatively impact the natural flow of water.
 - 44.3.2 Development within the Flood Fringe that is subject to flood proofing measures and may require preventative engineering and construction methods recommended by a qualified professional as part of the development permit application process.

Section 45: Farming

- 45.1 The Municipal Planning Commission shall consider the following matters as part of the decision-making process for an application for farming use:
 - 45.1.1 The impact of nuisance to neighboring properties;
 - 45.1.2 The space provided for the number of animals requested;

45.2 Any person who has the care or control of animals shall:

- 45.2.1 Ensure manure management techniques are in place that:
 - minimize runoff onto or into adjacent properties, riparian areas, ground water and water courses
 - minimize excess odors
- 45.2.2 Ensure animals are contained in a matter that prevents them from escaping the persons property and/or entering onto another person’s property;
- 45.2.3 Ensure animals are not causing a disturbance in the neighborhood as per Town of Stettler Noise and Nuisance Bylaws;
- 45.2.4 Ensure animals have sufficient space to move in accordance with industry best practices;
- 45.2.5 Ensure any deceased animals are removed from the property or properly managed to reduce attraction to predators and scavengers;

45.3 No person shall keep any farm animals except in the DC4: Direct Control Urban Reserve District and UR: Urban Reserve District and in conformity with the following:

- 45.3.1 Combinations of different animals are allowed provided the maximum number of animal units is not exceeded;
- 45.3.2 Animal units shall be limited based on lot areas as follows:
 - More than 0 ha (0 acres) and less than or equal to 0.405 ha (1 acre) = One (1) animal units (max)
 - More than 0.405 ha (1 acres) and less than or equal to 1.214 ha (3 acres) = Two (2) animal units (max)
 - More than 1.214 ha (3 acres) and less than or equal to 1.619 ha (4 acres) = Three (3) animal units (max)
 - More than 1.619 ha (4.1 acres) and less than or equal to 4.856 ha (12 acres) = Four (4) animal units (max)
- 45.3.3 Animal Units shall be calculated as follows:

Table 45-1: Animal Units

Type of Animal	Number of Animals Deemed to Equal One Animal Unit
Horse (Plus foal under 6 months)	1
Sheep/Goats (Plus lambs under 6 months)	2
Chickens *	4
All Others	At the discretion of Municipal Planning Commission

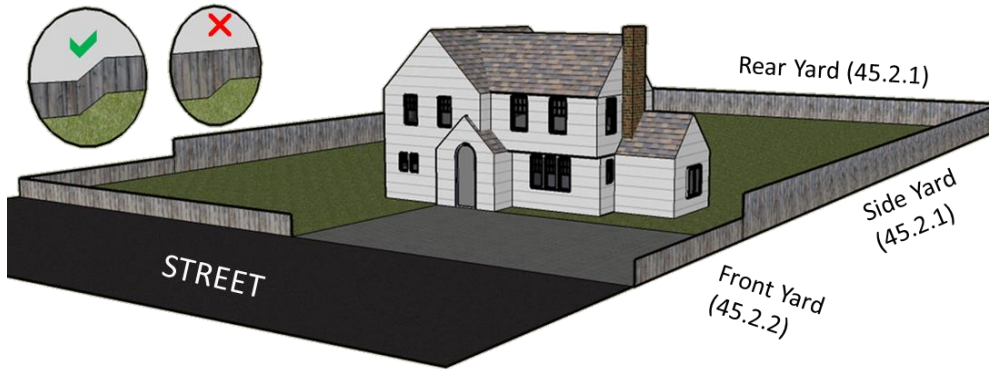
*Roosters and prohibited

Section 46: Fencing and Screening

- 46.1 Fences shall complement the character and quality of the principal building.
- 46.2 The maximum height of a fence as measured from grade shall be:
 - 46.2.1 2.0 m for that portion of the fence which does not extend beyond the most forward portion of the principal building on the lot;
 - 46.2.2 1.2 m for that portion of the fence which extends beyond the most forward portion of the principal building on the lot; and
 - 46.2.3 In the case of corner lots pursuant to Section 41.
- 46.3 Fence construction in all districts must be confined to the property line and shall not encroach onto any adjoining property including road and lane rights-of-way, utility easements or rights-of-way, environmental or municipal reserves, or any other public or private lands excepting only where such encroachments, are expressly approved by the Development Officer.
- 46.4 Commercial buildings adjacent to residential areas must be screened by a fence of not less than 2.0 m in height on those sides of the commercial lot adjacent to residential area or would be adjacent if not for a railway, road, utility right of way, or reserve land.
- 46.5 In the case of drive-in businesses, car washing establishments, service stations and gas bars, landscaping shall be provided and maintained to the satisfaction of the Development Officer. Solid fences shall be provided at least 2.0 m in height adjacent to residential areas.
- 46.6 Notwithstanding 46.2, a higher fence or a fence with barbed or other security features may be approved for public safety, security, privacy or buffering purposes within the industrial and highway commercial land use districts.
- 46.7 No barbed wire fences shall be permitted within residential areas.
- 46.8 The electrification of any fences within Stettler shall not be permitted.
- 46.9 Unless required as part of the sale, promotion or display of the vehicle, equipment or product, all outdoor storage of vehicles, equipment, or products shall be screened from public view to the satisfaction of the Development Officer/Municipal Planning Commission.
- 46.10 Screening in the form of fences, hedges, landscaped berms or other means is required along the property lines of all commercial and industrial lots where such lines share the same boundary with a residential property line or are adjacent to lanes that abut a neighbouring residential property. Such screening shall be at least 2.0 m high. Length and width of the screening shall be at the discretion of the Development Officer/Municipal Planning Commission.

- 46.11 For bulk outdoor storage, including but not limited to auto wrecking, lumber yards, pipe storage and similar uses, where because of height of materials stored, a screen planting would not be sufficient, a fence, earth berm or combination thereof to the satisfaction of the Development Officer/Municipal Planning Commission, shall be required.

Figure 46-1: Constructing a Fence



Section 47: Garden Suites

- 47.1 A garden suite means a separate secondary dwelling unit located on the same site and serviced by the same utilities as a single detached dwelling.
- 47.2 The Municipal Planning Commission shall consider the following matters as part of the decision making process for an application for a garden suite:
- 47.2.1 Compatibility of the use in relation to the site, grade elevations, height, building types and materials characteristic of surrounding development;
 - 47.2.2 The potential effect of the development on the privacy of adjacent properties; and
 - 47.2.3 The on-site and neighbourhood impacts on parking and traffic.
- 47.3 Where approved, garden suites shall be developed and operated in accordance with the following regulations:
- 47.3.1 All garden suites must meet the requirements of the Alberta Safety Codes Act;
 - 47.3.2 Shall not be located in the front yard;
 - 47.3.3 The resident owner shall submit and sign a statutory declaration stating that he/she is the principal resident of the principal dwelling and occupancy of the principal dwelling by the owner shall be a condition of the development permit;
 - 47.3.4 A minimum of one on-site parking space shall be provided for a garden suite;
 - 47.3.5 The number of persons occupying a garden suite shall not exceed two;
 - 47.3.6 A minimum floor area of 44.0 square metres (480 square feet) and a maximum floor area of 65 square metres (700 square feet), providing that the combination of the principal dwelling, garden suite and other accessory buildings does not result in the site coverage of the parcel exceeding the requirements of the District.

Section 48: Home Occupations

- 48.1 Any persons wishing to operate a home occupation from their residence shall be required to apply for a development permit, and must meet all the criteria in Sections 48.2 and 48.3.
- 48.2 All home businesses shall comply with the following general regulations:
- 48.2.1 All home businesses shall be operated as a secondary use only and shall not change the principal character and external appearance of the dwelling in which it is located.
 - 48.2.2 One professionally non-illuminated fascia sign or nameplate to identify a home occupation not greater than 0.275 square metres in an area placed within the dwelling unit or any accessory building is permitted.
 - 48.2.3 The applicant shall obtain a business license after to the issuance of a development permit.
 - 48.2.4 A home occupation, whether or not a development permit has been issued, shall be reviewed by the Town, when complaints are registered against a home occupation by an affected landowner. A permit issued for a home occupation is liable to recall on the basis of non-compliance on 60 days notice.
- 48.3 Home businesses shall meet all the requirements of 48.2 above and shall comply with the following regulations:
- 48.3.1 The home business shall be operated by the permanent resident(s) of the principal dwelling and may employ one non-resident on-site employee.
 - 48.3.2 The home business shall not occupy more than 30% of the gross floor area of the principal dwelling.
 - 48.3.3 Any storage of materials or goods related to the minor home business must be located within the principal dwelling and/or accessory structure and no exterior storage is permitted.
 - 48.3.4 The home business shall have no more than two (2) home business vehicles used in conjunction with the home business, parked and maintained on the site. There shall be no heavy vehicles (as defined in the traffic bylaw) used in conjunction with a minor home business.

Section 49: Landscaping

- 49.1 Except in the C1, R1, R2, R3A and R4 Districts, landscaping shall be provided in accordance with the following:
- 49.1.1 A minimum of 5 percent of the site area, or a 3 m strip of land adjacent to a public roadway, whichever is greater, shall be landscaped.
 - 49.1.2 All boulevards adjacent to the development site shall be seeded or sodded, excepting those ditch areas required for drainage. Any surface treatment other than grass or any tree planting on the boulevards shall receive prior approval. All boulevard landscaping shall be in accordance with the standards of the Town.

- 49.1.3 Trees shall be provided at the rate of one tree for every 45 m² of the required landscaped area. All plant material shall be of a species capable of healthy growing in the Stettler area.
 - 49.1.4 Minimum tree height specifications shall be: coniferous - 1 m high; and deciduous - 1.5 m high.
 - 49.1.5 All landscaping shall be protected by concrete curbs or other approved barriers having a minimum height of 150 mm or separated from the street or parking area by a paved, curbed sidewalk.
 - 49.1.6 Landscaping is to be completed to the satisfaction of the Development Officer or the MPC by the end of the first full growing season following completion of construction of the use.
- 49.2 In the case of the R1, R2, R3A and R4 Districts, landscaping shall be completed to the satisfaction of the Development Officer or Municipal Planning Commission by the end of the first full growing season following completion of construction or the commencement of the use, whichever occurs first. All landscaping shall be of a type and quality that is satisfactory to the Development Officer or Municipal Planning Commission.
- 49.2.1 A maximum of 50 percent of the required landscaped area may be hard landscaped.
- 49.3 The Commercial and Industrial Site and Building Design Guidelines”, contained within the “Highways Overlay District”, set standards for appearance and quality of building design and landscaping for lands adjacent to Highway 12 and Highway 56.
- 49.4 The Meadowlands by the Park Overlay District, sets additional landscaping standards for lands contained within Meadowlands by the Park.

Section 50: Laneless Subdivisions

- 50.1 In a laneless subdivision in a residential district, one side yard shall not be less than 3.0 m. This does not apply to an accessory building where it is located to the rear of the main building and separated a minimum distance of 6.0 m.
- 50.2 In a laneless subdivision in a commercial or industrial district one side yard shall not be less than 6.0 m. This does not apply to an accessory building where such building is located to the rear of the main building and separated by a minimum distance of 12.0 m.

Section 51: Lighting

- 51.1 Appropriate lighting of multi-attached residential, commercial, industrial and institutional development shall be required to provide security and add visual interest.
- 51.2 Lighting standards and fixtures shall be of consistent design and complement the architectural theme of the buildings located on the site.
- 51.3 Outdoor lighting shall be located so that rays of light:

- 51.3.1 Are not directed at an adjacent site or skyward;
- 51.3.2 Do not adversely affect an adjacent site;
- 51.3.3 Do not adversely affect traffic safety.

Section 52: Lot Grading, Storm Water Management and Drainage

- 52.1 The Development Officer/Municipal Planning Commission may require, as a condition of a development permit, that a developer submit a storm water management plan or lot grading plan to the Town for approval.
- 52.2 The grading of a lot associated with an approved development shall conform to the storm water management plan or lot grading plan approved by the Town.
- 52.3 No on-site drainage, including from overland, a sump pump, roof or high water, shall flow to the sanitary sewer system, either directly or through pumping (including downspouts).
- 52.4 On-site drainage, including drainage from overland, a sump pump, roof or high water, shall not be permitted to flow onto an adjoining private property or onto Town sidewalks or onto a lane or street, except in accordance with an approved grading plan. The land owner shall direct on-site drainage, including drainage from a sump pump, roof or high water onto the yards of their property and eventually to a street or lane. Suitable methods of on-site retention shall be in accordance with the Town's Engineering Design Guidelines and subject to the approval of Director of Operational Services.
- 52.5 All landscaping, topographic reconstruction, retaining walls, or site grading shall be confined to the property and shall not encroach onto any adjoining property including road and lane rights-of-way, utility easements or rights-of-way, environmental or municipal reserves, or any other public or private lands excepting only where such encroachments, are expressly approved by the Development Officer.
- 52.6 All finished landscaped lot elevations shall be a minimum of 2 inches above the elevation of the lane to ensure positive drainage.
- 52.7 If a person alters lot drainage on a site so that water drains onto adjacent parcels, that person shall be responsible for corrective drainage structures, including retaining walls, to divert water from neighbouring properties.
- 52.8 Any retaining wall over 1.0 m in height must be designed and inspected after construction by a professional engineer. The land owner shall provide to the municipality the design and inspection report, both bearing the seal and signature of a professional engineer.
- 52.9 A temporary fence shall be erected around all excavations which in the opinion of the Development Officer/Municipal Planning Commission may be hazardous to the public.

- 52.10 Where storm water systems exist, any paved areas used for vehicle, engine, equipment, appliance and vessel construction or repairs must have appropriate and maintained drainage and catchment mechanisms, such as oil-water separators. Any unpaved areas used for vehicle, engine, equipment, appliance and vessel construction or repairs must be protected by an impervious barrier or container to prevent any spill onto or contamination of the unpaved area.

Section 53: Objects Prohibited or Restricted in Yards

- 53.1 No person shall keep or permit in any yard in any district any object or chattel which, in the opinion of the Development Authority is unsafe, unsightly or adversely affects the amenities of the district. This includes abandoned motor vehicles, building materials, and any excavation, stockpiling or storage of materials, explosives, flammable liquids, toxic chemicals, and diesel fuel and gasoline products.
- 53.2 The outdoor storage of materials, products, equipment or machinery shall not be permitted in the required front yard of commercial districts unless required as part of the sale, promotion or display of merchandise as determined by the Development Officer.
- 53.3 No occupant of a principal dwelling in a residential district shall permit a recreational vehicle to be used for living or sleeping accommodation for longer than a 14 continuous day period.
- 53.4 A motor vehicle, recreation vehicle, trailer or watercraft shall not be parked in a front yard except on a driveway or approved parking pad.

Section 54: Permitted Projections

- 54.1 Projections into the required front, side and rear yard setbacks in land use districts may be permitted for: canopies; balconies; eaves; box-outs; chimneys; gutters; sills; air conditioning units, wheelchair ramps and steps/stairs. Cantilevers may be permitted to encroach into the front and rear yards only.
- 54.2 Front Yard Projections:
- 54.2.1 2.0 m for balconies; and
 - 54.2.2 1.0 m for cantilevers, eaves, gutters, landings, wheelchair ramps and window sills.
- 54.3 Rear Yard Projections:
- 54.3.1 2.0 m for balconies; and
 - 54.3.2 1.0 m for box-outs, cantilevers, eaves, gutters, landings, air conditioning units, wheelchair ramps and window sills.
- 54.4 Side Yard (Interior) Projections:
- 54.4.1 0.6 m for box-outs, eaves, gutters, landings; air conditioning units, wheelchair ramps

and window sills.

54.5 Side Yard (Exterior) Projections:

54.5.1 1.0 m for balconies, air conditioning units; and

54.5.2 0.6 m for box-outs, cantilevers, eaves, gutters, landings; wheelchair ramps and window sills.

54.6 For multi-attached dwellings, balconies and decks may be extended to the lot line or common wall, provided that the common wall is extended for separation/privacy.

54.7 No projection will be permitted if, in the opinion of the Development Officer/Municipal Planning Commission, it may interfere with a loading space, parking area, driveway, or other vehicle or pedestrian circulation or access.

54.8 No projections will be permitted into the side yard required for vehicular access to the rear yard, unless a minimum vertical height of 3.0 m from finished grade to the lowest point of the projection encroachment is maintained.

54.9 The projection length limitations are as follows:

54.9.1 The individual encroachment maximum length shall not exceed 3.0 m; and

54.9.2 The sum of all encroachments maximum length shall not exceed one-third (1/3) of the length of the building wall (not including the garage walls). This does not apply to front or rear yards.

Figure 54-1: Permitted Projections - Front and Interior Side Yard Setbacks

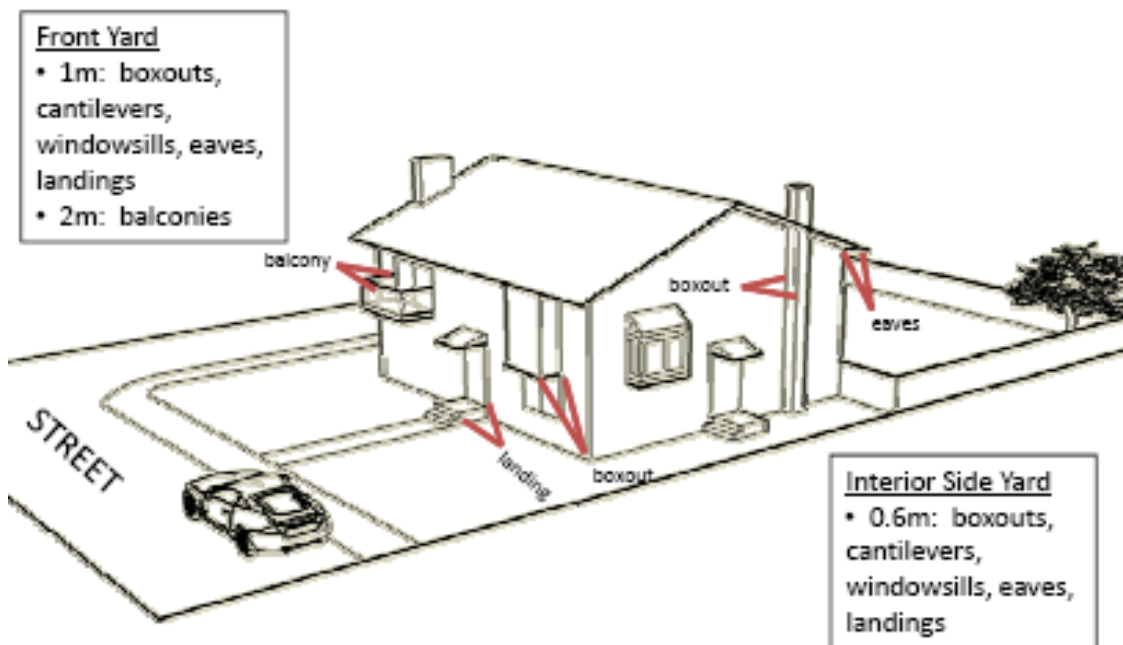
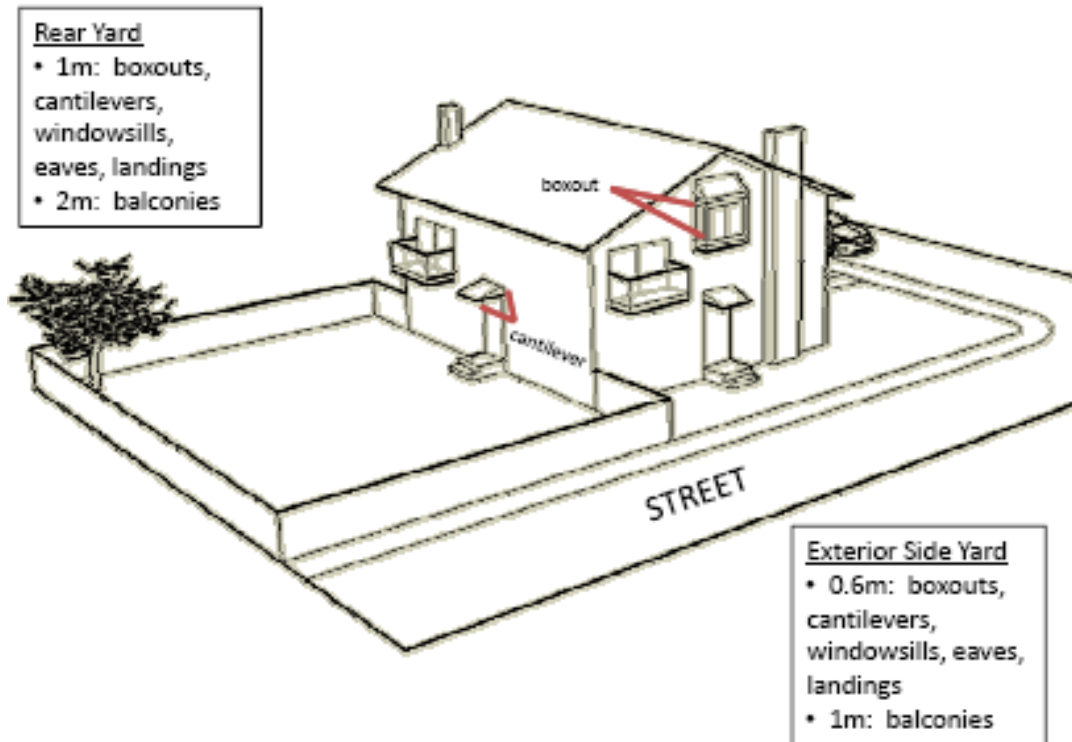


Figure 54-2: Permitted Projections - Rear and Exterior Side Yard Setbacks



Section 55: Satellite Dish and Amateur Radio Antennas

- 55.1 All satellite dish and amateur radio antennas shall be located on the same site as the intended signal user.
- 55.2 Satellite dishes that conform to all other provisions of the Land Use Bylaw do not require a development permit.
- 55.3 No satellite dish antenna which is accessory to the principal use of a site shall be located in, or encroach onto, a front or side yard in any residential district.
- 55.4 A satellite dish antenna larger than 1.0 m in diameter shall not be located on a roof top except for apartment buildings and buildings in non-residential districts.
- 55.5 Where any portion of a satellite dish antenna is more than 3.0 m above grade, it shall be screened and located to the satisfaction of the Development Officer/Municipal Planning Commission.
- 55.6 Location restrictions for satellite dish antennas may be waived where the applicant can demonstrate, to the satisfaction of the Development Authority that compliance would interfere with signal reception.

- 55.7 An applicant for a development permit for an amateur radio antenna shall notify and provide comments of all landowners located within 75 m from the boundary of the property.
- 55.8 An amateur radio antenna shall conform to the site regulations respecting accessory buildings and uses as per Section 34 of this Bylaw.
- 55.9 The maximum height of an amateur radio antenna in residential districts shall be 19.0 m.
- 55.10 Antennas shall not be illuminated unless required by Transport Canada regulations, and except for a manufacturer's logo shall not exhibit or display any advertising.

Section 56: Stripping, Filling, Excavation and Grading

- 56.1 Where, in the process of development, areas require levelling, filling or grading, the topsoil shall be removed before work commences, stockpiled and replaced following the completion of the work.
- 56.2 Developments involving the construction of artificial water bodies or dugouts may require as a condition of development approval, that it shall be the sole responsibility of the developer to ensure that such signs, fences and boarding are put in place as the developer shall consider necessary to protect the public generally and the residents of the area in particular from any danger arising as a result of the construction or installation of the artificial water body or dugout on the developer's property.
- 56.3 The placing of fill or the storage of fill may be allowed, in any land use district providing:
 - 56.3.1 A Development Permit has been issued for that use; and
 - 56.3.2 The fill does not contain construction rubble or any hazardous substances.
- 56.4 Section 56.3 does not apply for developments less than 1 acre, providing there is no negative impact on water flows to or from adjacent lands to:
 - 56.4.1 The placing of clean topsoil for landscaping purposes; and
 - 56.4.2 The placing of up to 0.6 m of fill adjacent to or within 15.0 m of a building under construction that has a valid building permit.
- 56.5 Providing there is no negative impact on water flows to or from adjacent lands, Section 56.3 does not apply:
 - 56.5.1 To the placing of clean topsoil for agricultural purposes;
 - 56.5.2 To the placing of up to 1.0 m of fill including topsoil providing topsoil is stripped and stockpiled prior to placing of fill, and then replaced;
 - 56.5.3 When the topsoil is seeded to natural grass or agricultural crop within the same growing season; and
 - 56.5.4 When no fill is placed in natural wetlands or drainage courses.

Section 57: Temporary Structures

- 57.1 A temporary structure may not be erected without permission of the Municipal Planning Commission which may be granted as follows:
- 57.1.1 Any district other than a residential district subject to the owner agreeing to remove such a building in accordance with the terms and conditions stipulated by the Municipal Planning Commission;
 - 57.1.2 A residential district provided that:
 - (a) No such temporary building shall have a floor area of 20.0 square metres, be more than 3.0 metres in height or set back less than 1.2 metres from the side and rear property lines; and
 - (b) The owner enters into an agreement to remove such a building in accordance with the terms and conditions stipulated by the Municipal Planning Commission;
 - (c) There shall be no more than one temporary structure per site;
 - (d) A temporary building being used as a garage must be placed in the rear yard only;
 - (e) In the case of a pre-manufactured temporary building, the elevations shall be subject to approval of the Municipal Planning Commission; and
 - (f) The building is completed in accordance with the terms stipulated by the Development Authority, provided that the temporary building permit shall expire at the end of 24 months, unless renewed by the Development Officer for a further term, and that such building will comply with this Bylaw.
- 57.2 Metal freight/cargo storage containers shall only be permitted in Industrial Land Use Districts.
- 57.3 If an owner fails to comply with the terms and conditions of a temporary building development permit, the Development Officer/Municipal Planning Commission may remove or cause to be removed such building as the case may be, the costs of which shall be charged against the lands upon which the temporary building is situated and shall be payable by the owner to the Town on demand.
- 57.4 A temporary structure shall not be used as a dwelling.

EIGHT: Transportation Facilities

Section 58: Parking

58.1 General Regulations:

- 58.1.1 All off-street parking facilities shall be separated from streets by a landscaped area of at least 1.0 m in width.
- 58.1.2 All off-street parking facilities shall be so constructed that:
 - (a) Necessary curb cuts are located and flared to the satisfaction of the Director of Operational Services;
 - (b) Every off-street parking space provided, and the access thereto shall be hard surfaced if the access is from a street or lane that is hard surfaced;
 - (c) Parking facilities used at night shall have adequate lighting for the entire parking facility. Such lighting shall be directed away from adjacent or other properties;
 - (d) Grades and drainage shall dispose of surface water. In no case shall grades be established that would permit surface drainage to cross any sidewalk or site boundary without the approval of the Development Officer/Municipal Planning Commission in consultation with the Director of Operational Services; and
 - (e) Parking for the physically handicapped shall be provided as provincial regulations require and shall be considered as part of total number of stalls required for the project. A maximum of 5% of the total number of stalls required may be required to be provided for the handicapped by the M.P.C., provided that a maximum of three stalls may be required for any project, unless exceptional circumstances due to the magnitude of the development would warrant more than three stalls.

58.2 Parking Location – Residential Uses:

- 58.2.1 All parking stalls and loading spaces required by this Bylaw shall be located on the same site as the use requiring them, subject to setback and yard requirements.
- 58.2.2 For any residential dwelling with required parking which accesses a paved street or land, the required parking stalls shall be surfaced with asphalt, concrete or a similar material within one year of occupancy of the development. In the event seasonal conditions prohibit the completion of lot surfacing, the lot shall be compacted and maintained in a manner to allow access by emergency vehicles and all surfacing shall be completed prior to July 1st of the following year.
- 58.2.3 The applicant may be required to provide an irrevocable Letter of Credit or other form of security acceptable to the Development Officer/Municipal Planning Commission to guarantee completion of the lot surfacing.
- 58.2.4 To ensure compliance, and if the Development Officer/Municipal Planning Commission deems it appropriate, the Town may register a caveat under the Land Titles Act against the property being developed. This caveat shall be discharged when the Development Officer/Municipal Planning Commission accepts the lot surfacing as complete.

58.3 Parking Requirements:

- 58.3.1 All parking spaces, loading spaces, manoeuvring aisles and driveways shall be surfaced and maintained to the satisfaction of the Development Officer/Municipal Planning Commission.
- 58.3.2 All parking spaces, loading spaces, manoeuvring aisles and driveways shall be marked to the satisfaction of the Development Officer/Municipal Planning Commission.
- 58.3.3 A parking lot shall be designed, located and constructed so that it:
- Is accessible to and appropriate for types of motor vehicles using it and the frequency of use;
 - Is appropriately surfaced and drained as required by the Development Officer/Municipal Planning Commission; and
 - Does not interfere with pedestrian or traffic safety.
- 58.3.4 Size of Parking Stalls and Drive Aisles:
- Parking angles may have a value of 90 degrees or range from 90 degrees to 45 degrees;
 - Unless otherwise allowed by the Development Officer/Municipal Planning Commission, the minimum dimensions for the design of parking facilities shall be as set out in Figure 58-1 and Table 58-1;
 - Parking dimensions for parking angles between 90 degrees and 45 degrees shall be calculated using a straight-line interpolation between dimensions;
 - For parallel parking, the length of the parking spaces shall be 7.0 m, except that an end space with an open end shall be a minimum of 5.5 m;
 - Manoeuvring aisles and driveways serving as fire lanes shall be at least 7.0 m wide;
 - Parking stalls shall be clear of all obstructions, other than wheel stops; and
 - The maximum grade of a parking stall shall not exceed 4% in any direction.

Figure 58-1: Illustration of Parking Standard Dimensions

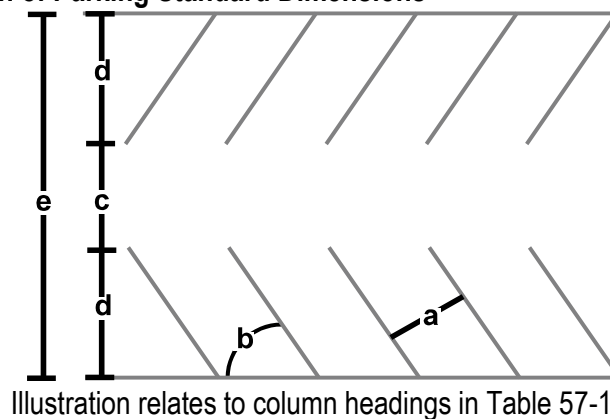


Table 58-1: Parking Stall Design Standards

Stall Width (a)	Parking Angle (in Degrees) (b)	Aisle Width (c)	Stall Depth Perpendicular to Aisle (d)	Parking Unit Depth (e)
7.0 m	0	3.5 m	3.0 m	13.0 m
3.0 m	45	4.0 m	6.0 m	16.0 m
3.0 m	60	5.5 m	6.5 m	18.5 m
3.0 m	90	7.0 m	6.0 m	19.0 m

- 58.3.5 The portion or portions of a parking lot used for parking must:
 - (a) Be marked off or physically divided to delineate clearly each parking stall, loading space or drive aisle; and
 - (b) Have suitable barriers to prevent motor vehicles from encroaching onto landscaped areas and to protect fences, walls or buildings.

58.3.6 Wheel stops shall not exceed 0.1 m in height above the parking stall surface and shall be placed perpendicular to the parking stall depth, 0.6 m from the front of the parking stall.

58.4 Number of Stalls Required:

- 58.4.1 Where the calculation of the required number of parking stalls or loading spaces results in a fraction number of parking spaces, the next higher number shall be taken.
- 58.4.2 Where a development falls within two or more of the categories listed in this Section, it shall comply with all parking regulations applicable to all of the categories. The highest requirement shall be used.
- 58.4.3 Parking stall requirements for uses other than those set out in this Section shall be determined by the Development Officer/Municipal Planning Commission, having regard to similar uses for which specific parking stall requirements are set.
- 58.4.4 Unless otherwise allowed by the Development Officer/Municipal Planning Commission, the required number of vehicle parking stalls for a use shall be as set forth in the following table (note GFA = Gross Floor Area).

Table 58-2: Parking Requirements

Land Use	Minimum Parking Standard
Abattoir	1 stall/100 m ² GFA
Apartment - Bachelor/1 Bedroom	1 stall/dwelling unit plus 0.15 stalls/dwelling unit designated as visitor parking
Apartment - 2 Bedroom	1.5 stalls/dwelling unit plus 0.15 stalls/dwelling unit designated as visitor parking
Apartment - 3 or more Bedroom	2 stalls/dwelling unit plus 0.15 stalls/dwelling unit designated as visitor parking
Assisted Living Facility	0.5 stalls/dwelling unit + 1 stall/staff on duty
Auction Mart	1 stall/50 m ² GFA
Autobody and Repair Shop	6 stalls/bay
Automobile Repair Garage	6 stalls/bay
Automobile Supply Store	1 stall/50 m ² GFA
Bank / Financial Institution	2 stalls/100 m ² GFA and a minimum of 5 stalls for staff
Basement Suite	1 stall/bedroom
Bed and Breakfast Facility	1 stall/rented room in addition to spaces required for dwelling unit
Boarding Facility	1 stall/rented room in addition to spaces required for dwelling unit
Bottled Gas Sales and Storage	1 stall/100 m ² GFA
Bulk Chemical Storage	1 stall/100 m ² GFA
Bulk Fuel Station	1 stall/100 m ² GFA
Caterer	1 stall/100 m ² GFA
Clinic	1 stall/50 m ² GFA
Club	Discretion of Development Authority
Community Hall	Discretion of Development Authority
Contracting Services - Major	1 stall/50 m ² GFA for office space and 1 stall/100 m ² GFA for other buildings
Contracting Services – Minor	1 stall/50 m ² GFA for office space and 1 stall/100 m ² GFA for other buildings
Convenience Food Store	1 stall/25 m ² GFA
Day Care Facility	1 stall/staff on duty plus 0.2 stalls/child (design capacity)
Drinking Establishment (Adult Entertainment Prohibited)	1 stall/4 seats
Drinking Establishment (Adult Entertainment Permitted)	1 stall/4 seats
Dry Cleaning and Laundry Depot / Plant	1 stall/100 m ² GFA
Dwelling - Duplex	2 stalls/dwelling unit
Dwelling - Fourplex	2 stalls/dwelling unit
Dwelling - Rowhouse	2 stalls/dwelling unit
Dwelling – Single Detached	2 stalls

Land Use	Minimum Parking Standard
Dwelling - Triplex	2 stalls/dwelling unit
Farm Supply Store	1 stall/25 m ² GFA
Feed Mills and Grain Elevators	1 stall/100 m ² GFA
Florist Shop	1 stall/25 m ² GFA
Food and Beverage Service Facility	1 stall/4 seats
Funeral Home	1 stall/5 seats
Gaming or Gambling Establishment	1 stall/3 seats
Gas Bar	3 stalls + 1 stall/25 m ² GFA
Group Care Facility	0.5 stall/dwelling unit + 1 stall/staff on duty
Handicraft Business	1 stall/100 m ² GFA
Heavy Equipment Sales, Service, Storage and Rentals	1 stall/100 m ² GFA
Hotel	1 stall/guest room plus 1 stall/staff on duty
Industry / Manufacturing – Large Scale	1 stall/100 m ² GFA
Industry / Manufacturing – Small Scale	1 stall/100 m ² GFA
Industry Petrochemical	1 stall/100 m ² GFA
Laboratory	1 stall/50 m ² GFA
Laundromat	1 stall/50 m ² GFA
Light Equipment Repair / Rental	1 stall/100 m ² GFA
Livestock Auction Mart	1 stall/50 m ² GFA
Mobile Home	2 stalls
Motel	1 stall/guest room plus 1 stall/staff on duty
Museum	2 stalls/100 m ² GFA
Nursing Home	1 stall/4 beds
Office Building	1 stall/50 m ² GFA
Oilfield Support Services	1 stall/100 m ² GFA
Personal Service Shop	1 stall/50 m ² GFA
Pharmacy	1 stall/50 m ² GFA
Public Assembly	1 stall/50 m ² GFA
Recreation Facility	Discretion of Development Authority
Recreational Amusement Park	Discretion of Development Authority
Restaurant	1 stall/6 seats
Restaurant – Drive Thru	1 stall/6 seats
Restaurant – Takeout/Delivery	3 stalls
Retail Store	1 stall/50 m ² GFA
School – Elementary and Middle School	At the discretion of the Development Authority
School – High School	At the discretion of the Development Authority
Seed Cleaning Plant	1 stall/100 m ² GFA
Senior Citizen Self Contained Units	2 stalls/dwelling unit plus 1 stall/staff on duty
Shopping Centre	1 stall/50 m ² GFA
Taxi and Bus Depot	1 stall/50 m ² GFA

Land Use	Minimum Parking Standard
Theatre	1 stall/10 seats
Theatre - Movie	1 stall/10 seats
Trade / Commercial School	1 stall/3 students (design capacity)
Transport / Truck Operation	1 stall/100 m ² GFA
Truck and Mobile Home Sales and Rental	1 stall/100 m ² GFA
Vehicle Wash	3 stalls
Veterinary Clinic	1 stall/50 m ² GFA

58.5 Multi Use or Mixed Use Developments:

- 58.5.1 Developments containing or providing for more than one use shall provide parking stalls and loading spaces equal to the sum of the requirements of individual uses, unless the applicant can otherwise demonstrate to the Development Officer/Municipal Planning Commission that there is a complementary or overlapping use of the parking facilities which would warrant a reduction in the parking requirements.
- 58.5.2 Use within a shopping mall shall not be calculated on a separate basis. The shopping mall parking space requirement shall determine the number of spaces.

58.6 Combined or Shared Parking:

- 58.6.1 The Development Officer/Municipal Planning Commission may allow two or more developments to share parking spaces. Up to 20% of the required parking may be combined or shared parking.
- 58.6.2 Permission to share parking spaces may only be granted by the Development Officer/Municipal Planning Commission in the following circumstances:
- The developments are in close proximity to each other and within 50 m of the site on which the parking spaces are located;
 - The demand for parking spaces for each development is not likely to occur at the same time;
 - The Development Officer/Municipal Planning Commission is satisfied that the arrangement between the owners of the developments for the sharing of parking spaces is to be permanent unless an alternative permanent arrangement is made that is satisfactory to the Development Officer/Municipal Planning Commission;
 - An agreement acceptable to the Development Officer/Municipal Planning Commission is provided; and
 - Loading spaces shall be required for all non-residential developments and apartments.

Section 59: On-Site Loading Requirements

- 59.1 Loading spaces shall be required for all non-residential developments.
- 59.2 A loading space shall be designed and located so that all vehicles using that space can be parked and manoeuvred entirely within the bounds of the site without backing to or from adjacent streets, except as deemed appropriate by the Development Authority.

- 59.3 A loading space situated within a setback distance from a street or lane shall not be counted for the purposes of this Section.
- 59.4 A loading space shall be a minimum width of 3.5 m and a minimum depth of 8.0 m and maintain a minimum overhead clearance of 4.6 m.
- 59.5 The Development Officer/Municipal Planning Commission, having regard to the types of vehicles that are likely to use the loading space, may change minimum loading space dimensions.
- 59.6 For apartment or multiple-family developments with more than twenty (20) units, adequate loading space shall be provided to the satisfaction of the Development Officer/Municipal Planning Commission.
- 59.7 Loading space requirements for uses other than those set out in this Section shall be determined by the Development Officer/Municipal Planning Commission, having regard to similar uses for which specific loading facility requirements are set.
- 59.8 Unless otherwise allowed by the Development Officer/Municipal Planning Commission, the required on-site loading space for any use shall be as follows: one space except for Industry – Large Scale and Warehouses which will require one space per 2000 m² of GFA.

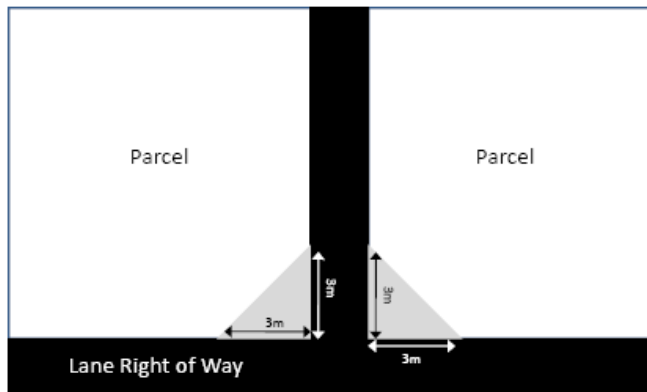
Section 60: Vehicles

- 60.1 Access to Sites:
 - 60.1.1 All access locations and curb crossings require the approval of the Director of Operational Services.
 - 60.1.2 All sites shall be designed so that backing manoeuvres necessary to access a parking stall, a loading door, a drive-through or any other area where vehicles operate, take place wholly on the site. Exceptions are single detached dwellings and individual parking stalls accessing a lane.
- 60.2 Vehicle Access to Buildings:
 - 60.2.1 Any building into which a vehicle may enter from a lane shall have a driveway on the parcel at least 1 metre in length where the driveway enters a 8 metre or larger lane in width, all lanes under 8 metres in width shall have a minimum driveway of 3 metres in length.
 - 60.2.2 Any building into which a vehicle may enter from the street shall have a driveway on the parcel which is equal to or greater than the minimum yard requirement for the building.
 - 60.2.3 All work on public property pertaining to driveway improvements and access to privately owned properties requires an approved development permit, and shall be done by Town of Stettler employees or contractors hired by the property owner under the direct supervision of the Director of Operational Services.

60.3 Sight Lines at Intersections of Roadways:

- 60.3.1 At the intersection of lanes, a 3 metre sight triangle shall be maintained.
- 60.3.2 At the intersection of other roadways, the Development Officer/Municipal Planning Commission may require the calculation of sight triangles where:
- One or more rights of way is less than 15 metres in width;
 - Regulated vehicle speed exceeds 50 kilometres per hour, or
 - One of the carriageways is not centred in its right-of-way,
 - An intersection leg is curved or skewed, or
 - An intersection leg is sloped at 2 percent or greater.
- 60.3.3 Sight triangle calculations shall be in accordance with the recommended methods of the Roads and Transportation Association of Canada regarding crossing sight distances for roadways.

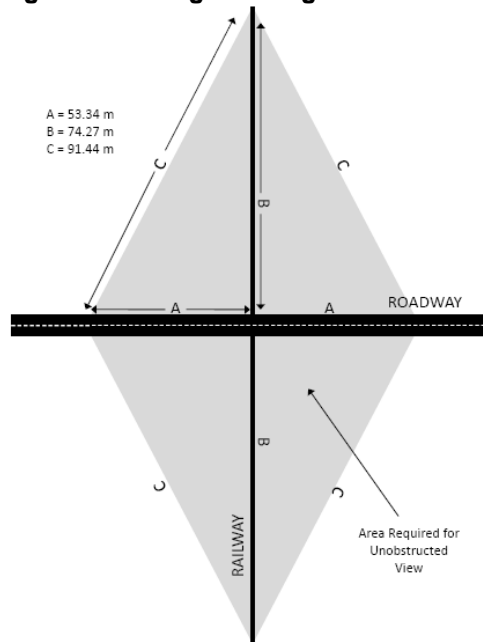
Figure 60-1: Sight Triangle at Intersection of Lanes



60.4 Sight Triangles at Road and Rail Intersections:

- 60.4.1 At the intersections of roadways and railways, which are unprotected by automatic warning signals, sight triangles shall be determined using the following figure:

Figure 60-2: Sight Triangle at Road and Rail Intersections



60.4.2 At the intersections of roadways and railways, which are protected by automatic warning signals, the Development Officer/Municipal Planning Commission may require the calculation of sight triangles where:

- (a) One or more of the rights-of-way is less than 15 metres in width, or
- (b) Regulated vehicle speed exceeds 50 kilometres per hour, or
- (c) Either the carriageway or the railway is not centred in its right-of-way, or
- (d) An intersection leg is curved or skewed, or
- (e) An intersection leg is sloped at 2 percent or greater.

60.4.3 Sight triangle calculations shall be in accordance with the recommended methods of the Roads and Transportation Association of Canada regarding crossing sight distances for roadways, with the provision that distance between the nearest rail and the front of the stopped motor vehicle between 5 metres and 15 metres as required by the Highway Traffic Act.

60.5 Driveways:

60.5.1 At street intersections, driveways shall be setback from the parcel boundaries which form the intersection not less than:

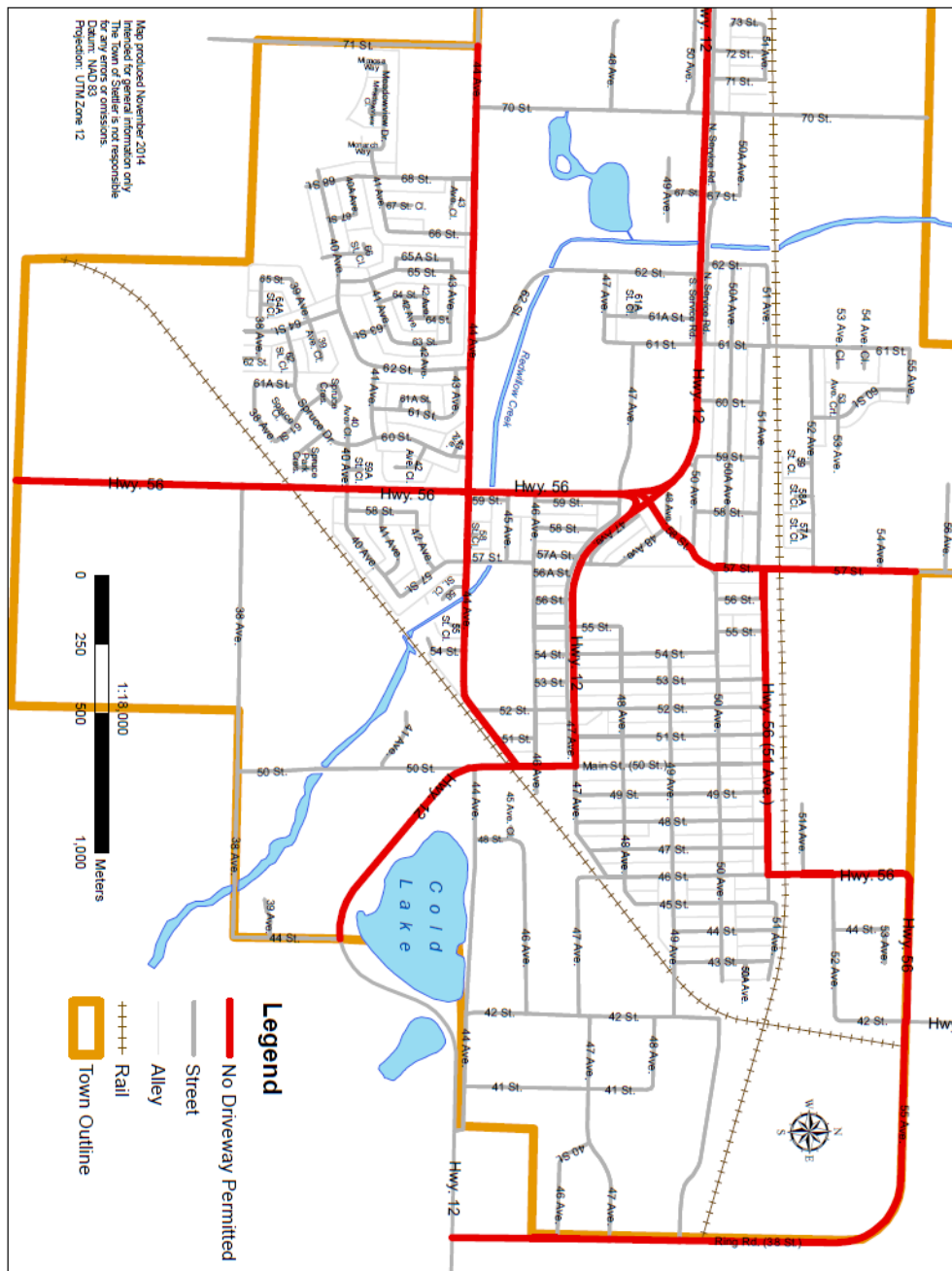
- (a) 6 metres where the driveway serves not more than 4 dwelling units, or
- (b) 15 metres for other uses, except where existing/planned traffic volumes indicate that a greater distance is needed to improve/maintain traffic safety and efficiency.

60.5.2 The maximum width of a driveway shall be 10 metres.

60.5.3 The minimum distance between driveways shall be:

- (a) Nil, where the driveways serve single dwelling units,
 - (b) 6 metres for other uses, except where existing/planned traffic volumes indicate that a greater distance is needed to improve/maintain traffic safety and efficiency.
- 60.5.4 The minimum angle for a driveway to a commercial, industrial, or high density residential use shall be 70 degrees.
- 60.5.5 Driveways are not allowed on the streets identified below, unless permission is granted by Alberta Infrastructure and Transportation:

Figure 60-3: Streets with No Front Driveway Access to Properties



NINE: Signs

Section 61: Sign Regulation Procedures

- 61.1 The Development Officer/Municipal Planning Commission may by notice in writing:
- 61.1.1 Direct the owner to correct the condition of any sign or remove any sign within 30 days of receipt of the notice where, in the opinion of the Development Officer/Municipal Planning Commission, that condition or sign constitutes a violation of this bylaw or any permit hereunder, has become unsightly or is unsafe;
 - 61.1.2 Order the owner to stop work on a sign if it is proceeding in contravention of this bylaw;
 - 61.1.3 Order the owner to stop work on a sign if a permit has not been issued.

Section 62: General Provisions

- 62.1 Signs shall only be erected on sites to which their display relates except in the case of advance directional signs which may be approved by the Development Officer/Municipal Planning Commission in locations where it considers the free and safe flow of traffic may be enhanced.
- 62.2 A sign shall not conflict with the general character of the surrounding landscape or the architecture of nearby buildings or be liable to create a cluttered appearance to the landscape.
- 62.3 A sign shall not project closer than 0.75 m to the exterior wall of the building.
- 62.4 Where a sign projects over public property, a minimum distance of 2.5 m above grade level shall be maintained.
- 62.5 Notwithstanding 62.4, where a sign is located in or projects into or over a driveway or other area of vehicle movement, a minimum clearance of 4.6 m above grade level shall be maintained.
- 62.6 A sign shall not obstruct the view of or be liable to be confused with an official traffic sign, signal or device or otherwise pose a potential hazard to traffic.
- 62.7 A sign shall not display lights which may be mistaken for the flashing lights customarily associated with danger or those used by police, fire, ambulance or other emergency vehicles.

Section 63: Sign Removal

- 63.1 Where a sign no longer fulfills its function under the terms of the approved development permit on prior approval of the Development Authority, the Development Authority may to order the removal of such a sign; and lawful owner of the sign or where applicable, the property owner, shall, upon such a resolution:

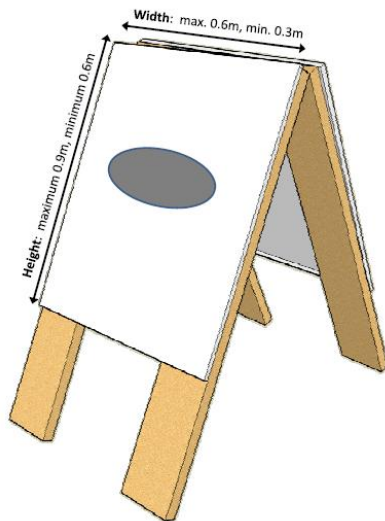
- 63.1.1 remove such a sign and all related structural components within 30 days from the date of receipt of such a removal notice,
- 63.1.2 restore the immediate area around the sign to the satisfaction of the Development Authority,
- 63.1.3 bear all the costs related to such removal and restoration.

Section 64: A-Board Signs

64.1 A-Board Signs shall:

- 64.1.1 Be of a painted finish, be neat and clean, and be maintained in such condition; and
- 64.1.2 Be of a size not exceeding 0.6 m wide by 0.9 m high and not less than 0.3 m wide by 0.6 m high.
- 64.1.3 Only to be placed on the sidewalk in front of the business being advertised and within 1.0 m from the curb.

Figure 64-1: A-Board Sign

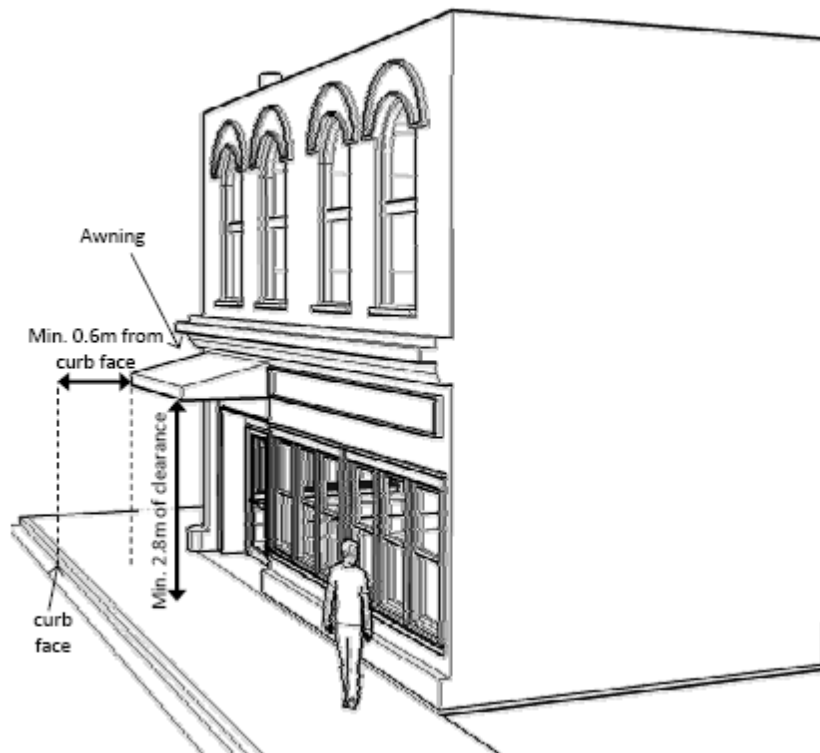


Section 65: Awning and Canopy Signs

- 65.1 Awning and canopy signs shall not project from the building to a point greater than where a perpendicular line from the front edge of the awning will intersect the sidewalk 0.6 m from the face of curb.
- 65.2 Canopy signs may be attached to the sides and front of the canopy, and such signs may extend the entire length and width of the canopy.
- 65.3 Under canopy signs may be hung from the canopy provided such signs shall not:

- 65.3.1 Extend beyond the sides or the front of such canopy; and
 - 65.3.2 Exceed a vertical dimension of 1.5 m, and have a minimum 2.5 meter clearance from the sidewalk.
- 65.4 No person shall erect an awning sign, a canopy sign or an under canopy sign unless such sign:
- 65.4.1 Is securely hung and anchored to the building to which it is attached;
 - 65.4.2 The structure and canopy/awning must be capable of resisting all stresses resulting from dead weight, snow and wind loads;
 - 65.4.3 Is at clearance of not less than 2.8 m from the average ground level at the face of the building;
 - 65.4.4 Does not project more than 3.0 m from the face of the building or structure to which it is attached.
- 65.5 Projecting signs installed over or above canopies shall not be supported by the canopy.

Figure 65-1: Awning and Canopy Signs



Section 66: Billboards

- 66.1 A development permit for a billboard shall not be issued unless:
- 66.1.1 The billboard is to be located on a lot abutting Highway 12 or Highway 56 or in the

- Highway 12 or Highway 56 right-of-way subject to the approval of Alberta Infrastructure and Transportation;
- 66.1.2 The lot referred to in 66.1.1 is located in one of the following land use districts: commercial, industrial or urban reserve land use districts.
- 66.2 A billboard sign shall not:
- 66.2.1 Be more than 3.0 m high, and not more than 6.0 m long;
 - 66.2.2 Have a maximum height above grade of more than 6.0 m;
 - 66.2.3 Have a maximum area exceeding 18 m²;
 - 66.2.4 Not be located closer than 3.0 m to any property line;
 - 66.2.5 Not be erected, constructed, altered or used anywhere within the Town except as provided by this and other bylaws of the Town.
- 66.3 The land and the sites in and about where the billboards are permitted shall be at all times maintained in a neat and clean manner, free from all loose papers and rubbish. A second face may be required on the billboard where the back of the billboard is visible to pedestrian or vehicle traffic.
- 66.4 An existing billboard may be relocated on the same site with the approval of the Development Officer/Municipal Planning Commission.

Section 67: Election Signs

- 67.1 Election signs may be placed on private or public property (with the approval of the owner/public authority).
- 67.2 Election signs are permitted on municipal property only as designated by the Development Authority.
- 67.3 No encroachment of an election sign from private property onto municipal property will be permitted unless it is at a designated location.
- 67.4 Election signs must be located at least 3.0 m from the edge of the travelling surface of a roadway.
- 67.5 Election signs on public property may not exceed 4.5 m² in size nor 3.6 m in height.
- 67.6 Candidates shall remove their election signs from public and private property within 48 hours after the close of the voting stations on Election Day and ensure that the site is cleaned up and that the holes are filled with a mixture of topsoil and grass seed;
- 67.7 If a candidate fails to remove his or her election signs within 48 hours after the voting stations close on Election Day, the Bylaw Enforcement Officers may remove them and the candidate shall be liable for the cost of removal.

- 67.8 When an election sign interferes with work being carried out by Town work crews or contractors doing work on behalf of the Town, the crews may remove and dispose of such signs.
- 67.9 Bylaw Enforcement Officers employed by the Town may remove any election signs, which have been erected, affixed, posted or placed on any Town property in contravention of this bylaw.
- 67.10 A candidate whose name appears on an election sign, which is in contravention of this bylaw, shall be guilty of an offence under this bylaw.

Section 68: Fascia Signs

- 68.1 Fascia signs shall not be located above any portion of a street, or project over public property unless there is a minimum clearance from grade of 2.5 m and a maximum projection of 0.4 m.
- 68.2 A fascia sign shall not exceed 20% of the visible area of the façade of each wall of the building on which it is located; and
- 68.3 A fascia sign may be illuminated.

Section 69: Freestanding Signs

- 69.1 A freestanding sign may be allowed in a setback area as established in the Land Use Bylaw and is subject to the condition that it be removed or relocated at the owner's expense upon 30 days written notice from the Town.
- 69.2 Freestanding signs in non-residential districts are subject to the following regulations:
 - 69.2.1 One (1) freestanding sign shall be allowed per lot frontage for the purpose of identifying the use or building on that lot;
 - 69.2.2 The sign shall be designed in a manner which is architecturally compatible with the general character of the building and/or the surrounding streetscape, as approved by the Development Officer/Municipal Planning Commission;
 - 69.2.3 The maximum area of the freestanding sign shall not exceed 0.2 square meters in area for each meter in street frontage for a developed site to maximum of 10 square meters.
 - 69.2.4 The maximum height of the freestanding sign shall not exceed 9.0 m;
 - 69.2.5 Free standing signs shall not identify any accessory tenants within the principle building;
 - 69.2.6 The sign may be illuminated, but shall not have flashing or intermittent lights or device or mechanism that creates the impression of flashing or intermittent lights. Reader board signs are however permitted.
 - 69.2.7 At the discretion of the Development Officer/Municipal Planning Commission, landscaping may be required at the base of the sign; and
 - 69.2.8 The bottom of freestanding signs shall be a minimum of 3.6 m above

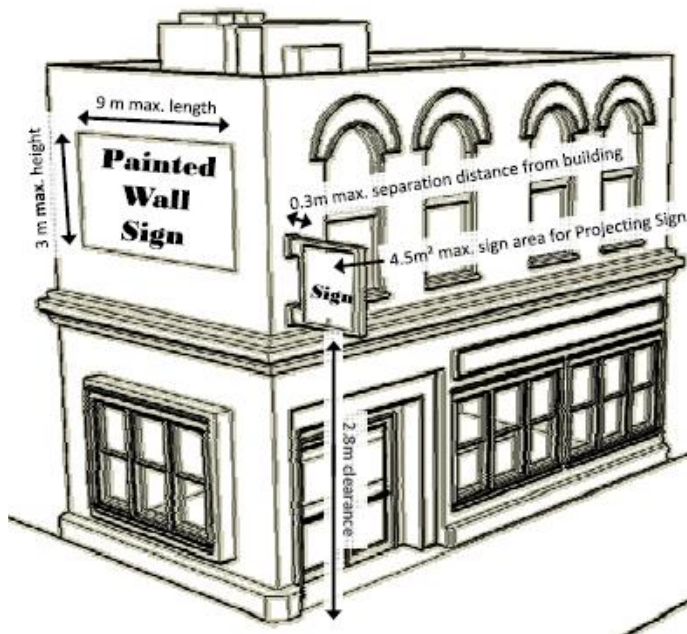
grade, unless a lesser distance is approved by the Development Officer/Municipal Planning Commission, and the space between the bottom of the sign and the grade shall be unobstructed, except for such supports as the sign may require.

- 69.3 Freestanding signs in residential districts shall be permitted under the following provisions:
- 69.3.1 One identification freestanding sign may be allowed to identify the name of an apartment, multi-family complex, mobile home park or a subdivision, and which does not: exceed 3.0 square metres in area; project within 0.6 metres from the property line; or exceed 3.5 metres in height.
 - 69.3.2 Freestanding signs identifying the name of the community, neighbourhood, or subdivision shall blend in with the architecture or development theme of the surrounding area; and
 - 69.3.3 A neighbourhood identification sign shall not contain an advertisement in any form but may contain the name or logo of the company or companies which developed the neighbourhood.
 - 69.3.4 A sign located in a residential area shall not be illuminated, animated or flashing.

Section 70: Painted Wall Signs

- 70.1 A painted wall sign shall not exceed 3.0 m in height and 9.0 m in length.
- 70.2 Only one sign per wall is permitted.
- 70.3 Notwithstanding Section 70.1, a mural may be the entire length of an exterior wall providing the design has been approved by the Development Officer/Municipal Planning Commission.

Figure 70-1: Painted Wall Signs and Projecting Signs



Section 71: Portable and Inflatable Signs

- 71.1 Portable Signs Permits will be issued in accordance with the regulations and will be valid for twelve (12) months from the date of issue.
- 71.2 Portable Sign regulations include:
- 71.2.1 No portable signs shall be located in the environmental open space or public use districts
 - 71.2.2 A portable sign shall not exceed 4.5 m² per face, nor shall any such sign exceed 3.0 m in height from grade;
 - 71.2.3 A portable sign shall be installed, serviced, removed and accessed from the property on which the sign is located;
 - 71.2.4 No portable sign shall be illuminated or employ any flashing or sequential lights or any mechanical or electronic device to produce or stimulate motion, or to be confused with traffic signs;
 - 71.2.5 A portable sign shall not interfere with pedestrian and/or vehicle traffic;
 - 71.2.6 A portable sign must be setback a minimum of 1.5 meters from any Town of Stettler pathway or sidewalk to ensure a safe and efficient distance for sweeping and snow clearing.
 - 71.2.7 A portable sign must maintain a minimum separation distance of 35 meters from another portable sign.
 - 71.2.8 A portable sign must be stabilized but shall not use unsightly or potentially hazardous methods;
 - 71.2.9 A portable sign shall be removed immediately on ceasing to be in use or becoming seasonally irrelevant; and
 - 71.2.10 A portable sign shall at all times be maintained in good condition and, specifically, shall contain lettering and signage which is secure and complete. Any damaged or missing signage must be repaired within 24 hours of knowledge of same coming to the attention of the permit holder.
 - 71.1.11 The owner/applicant of any portable sign shall indemnify and save harmless the Town of Stettler from any and all losses, costs, damages, actions, causes of action, suits, claims and demands resulting from anything done or omitted to be done by the owner/applicant in relation to a portable sign.
 - 71.2.12 All Portable Sign locations and preferences will be given to the Town of Stettler and Alberta Transportation operations. Any Portable Signs that impact Town of Stettler or Alberta Transportation operations must be removed upon 24 hours verbal or written notice at the discretion of the Development Authority and in accordance with 71.2.13.
 - 71.2.13 Where a portable sign is located on a road allowance, right-of-way or property owned by the Town of Stettler, the Development Authority may revoke a portable sign development permit on providing 24 hours verbal or written notice.
- 71.3 Portable Signs development permit application requirements include:
- 71.3.1 Municipal Address of proposed sign location
 - 71.3.2 Name and Address of sign owner
 - 71.3.3 Name and Address of the sign tenant / advertiser

71.3.4 Name, Address and Consent of the property owner or adjoining property owner

71.2 Inflatable Signs:

71.2.1 An inflatable sign shall be tethered or anchored and shall be touching the surface to which it is anchored;

71.2.2 An inflatable sign shall not exceed the maximum free standing sign height allowed (9.0 m) from the surface it is placed on;

71.2.3 There shall be a maximum of one (1) inflatable sign per site, but no inflatable sign shall be permitted on the site containing any other portable sign; and

71.2.4 An inflatable sign may be placed on a site twice within a calendar year, but not for more than 30 days at a time.

Section 72: Projecting Signs

72.1 No projecting sign shall be erected so that the bottom thereof is less than 2.8 m above the sidewalk; provided however, where traffic lights may be obscured in the opinion of the Development Officer/Municipal Planning Commission, the minimum requirement for the bottom of the projecting sign may be increased to a height of 3.6 m or more above the sidewalk.

72.2 All projecting signs shall maintain the required clearance from overhead power and service lines as required forth under The Electrical Protection Act.

72.3 The maximum area of a projecting sign shall be 4.5 m².

72.4 The nearest edge of a projecting sign shall not be set off more than 0.3 m from the building face.

Section 73: Wall Signs

73.1 Wall signs shall be securely fastened to walls and shall not be entirely supported by an unbraced parapet wall.

73.2 The maximum horizontal dimension of a wall sign shall be 6.0 m.

TEN: Land Use Districts

Section 74: Establishment of Land Use Districts

74.1 For the purposes of this Bylaw the Town of Stettler is divided into the following districts:

Residential Low Density	R1
Residential Low Density Narrow Lot	R1A
Residential Low Density Large Lot	R1B
Residential General	R2
Residential Mixed	R2A
Residential Mobile Home Park	R3
Residential Mobile Home Subdivision	R3A
Residential Small Holdings	R4
Direct Control Residential 1	DC1
Direct Control Residential 2	DC2
Commercial Central	C1
Commercial Transitional	C1A
Commercial Highway	C2
Commercial Neighbourhood	C3
Industrial	I
Direct Control Transitional	DC3
Public Use	P
Environmental Open Space	EOS
Urban Reserve	UR
Urban Reserve Direct Control	DC4
Overlay Airport	OA
Overlay Meadowlands by the Park ASP	OM

74.2 The boundaries of the districts listed in this Bylaw are as delineated in Schedule A, Land Use District Map.

74.3 Where uncertainty exists as to the boundaries of districts as delineated in the Land Use District Map, the following rules shall apply:

74.3.1 Where a boundary is shown as following a street, lane, railway or creek, it shall be deemed to follow the centre line thereof.

74.3.2 Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line.

74.3.3 Where land use districts have been established in accord with a proposed subdivision of land, the districts shall be understood to conform to the Certificate of Title or the Plan of Survey when registered in a land title office. Prior to the registration, the district boundary shall be determined on the basis of the scale of the map.

74.4 The district standards of this Bylaw do not apply to roads, lanes, or other public thoroughfares.

Table 74-1: Residential Land Uses

P = Permitted D = Discretionary										
Land Use Type	Land Use District									
	R1	R1A	R1B	R2	R2A	R3	R3A	R4	DC1	DC2
Accessory Building	P	P	P	P	P	P	P	P	P	D
Accessory Uses	D	D	D	D	P					
Apartment Building				D	D					
Assisted Living Facility				D	D					
Basement Suites – Single Detached				D	D					
Bed and Breakfast Facility	D			D	D					
Boarding Facility				D	D					
Building Demolition	P	P	P	P	P	P	P	P	P	P
Clinic					D					
Dwelling, Duplex	D			P	P				D	P
Dwelling, Fourplex				D	P					
Dwelling, Row Housing				D	P				P	
Dwelling, Single Detached	P	P	P	P	P			P		P
Dwelling, Triplex				D	P					
Dwelling, Units Above Ground Floor					D					
Farming										
Florist Shop					D					
Funeral Home				D	D					
Garden Suite			D	D				D		
Group Care Facility				D	D					
Home Occupation	P	P	P	P	P	P	P	P	P	P
Mobile Home						P/D	P/D			
Office Building					D					
Park Models						P/D				
Personal Service Shop					D					
Public Assembly	P	P	P	P	P					
Public Use	P	P	P	P	P	P	P	P		
Sign	D		D	D	D	D	D	D		
Utility Buildings	D	D	D	D	D	D	D	D		

Table 74-2: Commercial and Industrial Land Uses

Land Use Type	Land Use District				
	C1	C1A	C2	C3	I
Abattoir					D
Accessory Building and Accessory Use	D	D	D	D	D
Aggregate Stockpiling – Temporary and Storage Area					D
Animal Services	P	P	P		
Apartment Building	D	P			
Asphalt Plant, Portable / Processing and Storage					D
Autobody and Repair Shop					P
Automobile and RV Sales and Rentals			P		D
Automobile Repair Garage	D		P		P
Automobile Service Station			P		
Automobile Supply Store	P		P		P
Auto Wrecker					D
Bank / Financial Institution	P		P		
Bottled Gas Sales and Storage					D
Building Demolition	P	P	P	P	P
Bulk Chemical Storage					D
Bulk Fuel Station					D
Caterer	P		P		D
Cannabis Production					D
Cannabis Retail Sale	P		P		P
Clinic	P	P	P	P	
Club				D	
Communication Tower	D		D		D
Concrete Manufacturing Plant					D
Construction Yard					D
Contracting Services – Major	P	D			P
Contracting Services – Minor	D	D	P		P
Convenience Food Store	P	P	P	P	
Day Care Facility	P			P	
Dry Cleaning and Laundry Depot /Plant	P		D		
Dwelling – Row Housing		P			
Dwelling Units Above Ground Floor Business	P	P	D	D	
Farm Supply Store			P		
Feed Mills and Grain Elevators					P
Florist Shop	P	P	P	P	
Food and/or Beverage Service Facility	P	P	P		
Gaming or Gambling Establishment			D		
Gas Bar			P	D	
Handicraft Business	P		P		
Hotel			P		

Land Use Type	Land Use District				
	C1	C1A	C2	C3	I
Industry/Manufacturing – Large Scale					D
Industry/Manufacturing – Small Scale					P
Industry – Petrochemical					D
Laboratory					P
Landfill Operation					D
Laundromat	P		P	D	
Light Equipment Repair / Rental	P		P		
Livestock Auction Mart					D
Motel			P		
Office Building	P	P	P		
Oilfield Support Services					D
Parking Facility	D	D	D		
Personal Service Shop	P	P	P	P	
Pharmacy	P		P	P	
Propane Transfer Facility					D
Public Assembly	D				
Public Use	P	P	P	P	D
Railway Use					D
Recreational Amusement Park			D		
Recreation Facility	D	P	D	D	
Recycling Depot	D		D		
Research Facility					
Restaurant	P	P	P	D	D
Restaurant – Drive Thru	P		P		
Restaurant – Takeout/Delivery	P		P	D	
Retail Store	P	P	P		
Salvage Yard					D
Seed Cleaning Plant					D
Shopping Centre			P		
Sign	P	P	P	D	P
Similar Use	D	D	D		D
Storage – Indoor					P
Storage – Outdoor					D
Tanker Truck Wash Facility			D		D
Taxi / Bus Depot	D		D		
Temporary Mobile Commercial Sales	D		D		
Temporary Structure					P
Theatre	P				
Theatre - Movie	P		P		
Transport / Truck Operation					P
Truck and Mobile Home Sales and Rental			P		D
Truck Stop			P		

Land Use Type	Land Use District				
	C1	C1A	C2	C3	I
Utility Building	D	D	D		P
Vehicle Wash	D		P		P
Veterinary Clinic		D	P		P

Section 75: R1 Residential Low Density District

75.1 Purpose:

To provide an area for single detached residential development.

75.2 Uses:

Permitted Uses	Discretionary Uses
Accessory Building Building Demolition Dwelling, Single Detached Home Occupation Public Assembly Public Use	Accessory Uses Bed and Breakfast Facility Dwelling, Duplex (Existing) Sign Utility Building

75.3

Site Regulations:

In addition to the Regulations contained in Parts Seven, Eight and Nine, the following regulations shall apply to every development in this district.

Site Coverage	40%
Minimum Floor Area	100 square metres
Maximum Building Height	10.0 m
Minimum Parcel Area	Interior Parcels 550 square metres Corner Parcels 600 square metres
Double Fronting Yards	A site abutting two streets or more shall have a front yard on each street and two side yards in accordance with the setback requirements of the Bylaw.
Front Yard Setback	Dwelling – 6.5 m
Side Yard Setback	Dwelling – 1.5 m except where it abuts a public roadway 3.0 m, or as required by the Alberta Building Code, whichever is greater.
Rear Yard Setback	Dwelling - 7.5 m except on corner or double fronting lots.
Landscaping	35% of Site Area.
Parking	A two car parking area shall be provided to the rear, side or front of the dwelling. Notwithstanding, in the case of a dwelling fronting onto an arterial road, the parking area shall access from the lane where one is provided.
Accessory Buildings	Section 34 of this Bylaw.

Section 76: R1A Residential Low Density Narrow Lot District

76.1 Purpose:

This district is generally intended to accommodate detached dwellings in areas where the lots and dwellings are smaller than those found in R-1 district, thereby, allowing for a broad mix of housing sizes in the community.

76.2 Uses:

Permitted Uses	Discretionary Uses
Accessory Building Building Demolition Dwelling, Single Detached Home Occupation Public Assembly Public Use	Accessory Use Utility Building

76.3

Site Regulations:

In addition to the Regulations contained in Parts Seven, Eight and Nine, the following regulations shall apply to every development in this District.

Site Coverage	40%
Minimum Floor Area	80 square metres
Maximum Building Height	10.0 m
Minimum Parcel Area	Interior Parcels 460 square metres Corner Parcels 510 square metres
Double Fronting Yards	A site abutting two streets or more shall have a front yard on each street and two side yards in accordance with the setback requirements of the Bylaw.
Front Yard Setback	Dwelling - 6.0 m
Side Yard Setback	Dwelling – 1.5 m except where it abuts a public roadway 3.0 m, or as required by the Alberta Building Code, whichever is greater.
Rear Yard Setback	Dwelling - 7.5 m except on corner or double fronting lots.
Landscaping	35% of Site Area.
Parking	A two car parking area shall be provided to the rear, side or front of the dwelling. Notwithstanding, in the case of a dwelling fronting onto an arterial road, the parking area shall access from the lane where one is provided.
Accessory Buildings	Section 34 of this Bylaw.

Section 77: R1B Residential Low Density Large Lot District

77.1 Purpose:

This district is generally intended to provide for low density residential development in the form of detached dwellings which are larger than those found in the R-1 District, thereby, allowing for a broad mix of housing sizes in the community.

77.2 Uses:

Permitted Uses	Discretionary Uses
Accessory Building Building Demolition Dwelling, Single Detached Home Occupation Public Assembly Public Use	Accessory Use Garden Suite Sign Utility Building

77.3

Site Regulations:

In addition to the Regulations contained in Parts Seven, Eight and Nine, the following regulations shall apply to every development in this District.

Site Coverage	30%
Minimum Floor Area	130 square metres
Maximum Building Height	10.0 m
Minimum Parcel Area	1,200 square metres
Double Fronting Yards	A site abutting two streets or more shall have a front yard on each street and two side yards in accordance with the setback requirements of the Bylaw.
Front Yard Setback	7.5 m.
Side Yard Setback	Dwelling – 3.0 m or as required by the Alberta Building Code, whichever is greater.
Rear Yard Setback	10.0 m except on corner or double fronting lots.
Landscaping	35% of Site Area.
Parking	A two car parking area shall be provided to the rear, side or front of the dwelling. Notwithstanding, in the case of a dwelling fronting onto an arterial road, the parking area shall access from the lane where one is provided.
Accessory Buildings	Section 34 of this Bylaw.

Section 78: R2 Residential General District

78.1 Purpose:

To provide an area for a variety of dwelling types which are compatible with a residential area.

78.2 Uses:

Permitted Uses	Discretionary Uses
Accessory Building Building Demolition Dwelling, Single Detached Dwelling, Duplex Home Occupation Public Assembly Public Use	Accessory Use Apartment Building Assisted Living Facility Basement Suite - Dwelling, Single Detached Only Bed and Breakfast Facility Boarding Facility Dwelling, Fourplex Dwelling, Rowhouse Dwelling, Triplex Funeral Home Garden Suite Group Care Facility Signs Utility Building

78.3 Site Regulations:

In addition to the Regulations contained in Parts Seven, Eight and Nine, the following regulations shall apply to every development in this district.

Site Coverage	50%
Minimum Parcel Area	Dwelling, Single Detached: - Interior Parcels 460 square metres - Corner Parcels 510 square metres Dwelling, Duplex (Per Unit): - Interior Parcels 230 square metres - Corner Parcels 255 square metres Dwelling, Triplex and Fourplex (Per Unit): - Interior Parcels 200 square metres - Corner Parcels 220 square metres Dwelling, Rowhouse (Per Unit): - Interior Parcels 185 square metres - Corner Parcels 275 square metres

Maximum Building Height	<p>Dwellings: Detached, Duplex, Fourplex, Rowhouse, Triplex and Group Care Facility – 10.0 m</p> <p>Apartment Building – A maximum of four full storeys above grade: flat roof – 15.0 m; sloped roof – 18.75 m</p>
Double Fronting Yards	A site abutting two streets or more shall have a front yard on each street and two side yards in accordance with the setback requirements of the Bylaw.
Front Yard Setback	6.0 m
Side Yard Setback	<p>Dwelling, Duplex, Fourplex, Rowhouse, Single Detached and Triplex – 1.5 m except where it abuts a public roadway 3.0 m, or as required by the Alberta Building Code, whichever is greater.</p> <p>Apartments – 3.0 m except where it abuts public roadway 6.0 m, or as required in the Alberta Building Code, whichever is greater.</p>
Rear Yard Setback	7.5 m except on corner or double fronting lots
Landscaping	25% of Site Area.
Parking	A two car parking area shall be provided to the rear, side or front of the dwelling. Notwithstanding, in the case of a dwelling fronting onto an arterial road, the parking area shall access from the lane where one is provided.
Accessory Buildings	Section 34 of this Bylaw.

Section 79: R2A Residential Mixed District

79.1 Purpose:

To provide an area for mixed residential and commercial use, with businesses offering professional and personal services which are compatible with residential activities.

79.2 Uses:

Permitted Uses	Discretionary Uses
Accessory Building Building Demolition Dwelling, Single Detached Dwelling, Duplex Dwelling - Rowhouse Dwelling, Fourplex Dwelling, Triplex Home Occupation Public Use Public Assembly	Apartment Building Assisted Living Facility Basement Suite - Dwelling, Single Detached Only Bed and Breakfast Facility Boarding Facility Clinic Dwelling Units Above Ground Floor Business Florist Shop Funeral Home Group Care Facility Office Building Personal Service Shop Signs Utility Building

79.3 Site Regulations:

In addition to the Regulations contained in Parts Seven, Eight and Nine, the following regulations shall apply to every development in this district.

Site Coverage	At the discretion of the Development Authority
Minimum Parcel Area	Dwelling, Single Detached: - Interior Parcels 460 square metres - Corner Parcels 510 square metres Dwelling, Duplex (Per Unit): - Interior Parcels 230 square metres - Corner Parcels 255 square metres Dwelling, Triplex and Fourplex (Per Unit): - Interior Parcels 200 square metres - Corner Parcels 220 square metres Dwelling, Rowhouse (Per Unit): - Interior Parcels 185 square metres - Corner Parcels 275 square metres

Maximum Building Height	<p>Dwellings: Detached, Duplex, Fourplex, Rowhouse, Triplex and Group Care Facility – 10.0 m</p> <p>Apartment Building – A maximum of four full storeys above grade: flat roof – 15.0 m; sloped roof – 18.75 m</p>
Double Fronting Yards	A site abutting two streets or more shall have a front yard on each street and two side yards in accordance with the setback requirements of the Bylaw.
Front Yard Setback	At the discretion of the Development Authority
Side Yard Setback	<p>Dwelling, Duplex, Fourplex, Rowhouse, Single Detached and Triplex – 1.5 m except where it abuts a public roadway 3.0 m, or as required by the Alberta Building Code, whichever is greater.</p> <p>Apartments – 3.0 m except where it abuts public roadway 6.0 m, or as required in the Alberta Building Code, whichever is greater.</p> <p>Commercial – Nil, or as required by the Alberta Building Code, whichever is greater.</p>
Rear Yard Setback	<p>Residential - 7.5 m except on corner or double fronting lots</p> <p>Commercial – Shall be provided for parking and loading spaces</p>
Landscaping	Residential - 25% of Site Area.
Parking	<p>Residential - A two car parking area shall be provided to the rear, side or front of the dwelling. Notwithstanding, in the case of a dwelling fronting onto an arterial road, the parking area shall access from the lane where one is provided.</p> <p>Commercial – Part 8 of this Bylaw.</p>
Accessory Buildings	Section 34 of this Bylaw.

Section 80: R3 Residential Mobile Home Park District

80.1 Purpose:

To provide an area for and to regulate the development and use of land for mobile homes, and other uses herein listed, which are compatible with a residential area and located with comprehensively designed parks wherein sites are rented or owned as part of a condominium.

80.2 Uses:

Permitted Uses	Discretionary Uses
Accessory Building Building Demolition Home Occupation Mobile Homes < Eight (8) years of age from the date of Development Permit Application Park Models < Eight (8) years of age from the date of Development Permit Application Public Use	Mobile Homes > Eight (8) years of age from the date of Development Permit Application Signs related to the Mobile Home Park Park Models > Eight (8) years of age from the date of Development Permit Application Utility Building

80.3

Site Regulations:

In addition to the Regulations contained in Parts Seven, Eight and Nine, the following regulations shall apply to every development in this district.

Minimum Park Size	2.0 hectares.
Maximum Gross Density	20 units per hectare
Site Coverage	Maximum 35%.
Roadways	Roadways shall have at least a 12.0 metre right-of-way and a carriageway of no less than 8.0 metres in width.
Minimum Floor Area	Mobile Home – 66.0 square metres Park Model – 44.0 square metres
Minimum Site Width	12.0 m
Setbacks	7.0 m from any park boundary. 3.0 m from any internal access road or common parking area. 6.0 m from any front lot line 1.5 m from any side lot line. 3.0 m from any rear lot line.
Accessory Buildings	Section 34 of this Bylaw.

<p>Additional Regulations</p>	<ol style="list-style-type: none"> 1. A site plan shall be required prior to the development of land in this district. The plan must include the following to the satisfaction of the Development Authority: access, road system, walkway system and site pattern showing dimensions and structures; provision for on-site garbage collection facilities; open space at a minimum of 5% of the park, designated for recreational and playground use, provision of a landscaped buffer of 4.6 m or greater between any mobile home/park model and the lot line bounding the manufactured home park; provisions for outdoor lighting; identification and directional signs; location of parking aprons (hard surfaced) for every proposed lot; proposed location of mobile home for every lot; proposed landscaping of the individual lots and throughout the park; screened storage compound for trucks, trailers, campers, snowmobiles, boats, etc; shall establish guidelines and standards satisfactory to the Development Authority governing design and materials of carports, patios, storage buildings, skirting, fences, fuel storage and supply facilities and other attached or detached structures; and such other information as deemed necessary by the Development Authority. 2. Within the mobile home park no mobile homes and park models, including attached structures, shall be within 3.0 m (9.8 feet) from any mobile home or park model, including any attached structures or permanent park structures that are located directly on the opposite side of a park street. 3. All mobile homes and park models shall have CSA and Alberta Building Standards (ABS) label numbers. 4. Equipment used for transportation of mobile homes shall be removed from the dwelling and finishing installed within 30 days of placement. 5. All attached or accessory structures such as room additions, porches, sun rooms, garages and garden sheds shall be a factory prefabricated units or of an equivalent quality and shall be pre-finished or painted so that the design and construction complements the principal building. 6. The roof line of any addition shall not exceed the height of the dwelling.
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	<ol style="list-style-type: none">7. A lot may be used only for the siting of one mobile home or park model8. Designated visitor parking areas shall be evenly distributed throughout the park, and each visitor parking shall include a minimum of three parking stalls:9. Pursuant to the Municipal Government Act, the owner or agent of every designated mobile home park in the Town shall notify the assessor of the Town in writing of: any mobile homes or park models locating in the park, or moving to a different site within the park, within 10 days of the changes with the following information; name and address of the owner of the mobile home or park model; make and serial number of the mobile home or park model, site location of the unit within the park; and any change of ownership or any removal of a mobile home from the park 10 days prior to change or removal.10. The storage area for vehicles, recreation vehicles, water craft and other items that cannot be stored on a mobile home lot shall, where possible, be provided with a minimum of 19 m² (205 square feet) of storage area per mobile home lot.11. A storage area shall be enclosed or screened by trees, landscape features or fences or a combination thereof to the satisfaction of the Development Authority.12. No vehicle over 4,536 kilograms (9,979 lbs.) shall be parked on a mobile home park lot or mobile home park street for longer than is reasonably required to load or unload such vehicle.13. No vehicle greater than 7.6 m (24.9 feet) in length may be parked on a mobile home lot within a mobile home park.14. No more than one recreation vehicle or trailer may be parked on a lot within a mobile home park. A licensed recreation vehicle, owned by a temporary guest of the occupants, may be parked on that lot, regardless of its size, for a period not exceeding two weeks.15. The outdoor storage of materials, products, equipment or machinery shall not be permitted in this district except in designated storage areas.16. All utility lines shall be placed underground or as may be stipulated in a development agreement.17. Mobile home parks shall be fully serviced with approved common water distribution and sewage collection systems.
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Section 81: R3A Residential Mobile Home Subdivision District

81.1 Purpose:

To provide an area for and to regulate the development and use of land for mobile homes, and other uses herein listed, which are compatible with a residential area on separately registered parcels.

81.2 Uses:

Permitted Uses	Discretionary Uses
Accessory Building Building Demolition Home Occupation Mobile Homes < Eight (8) years of age from the date of Development Permit Application Public Use	Mobile Homes > Eight (8) years of age from the date of Development Permit Application Signs related to the Mobile Home Park Utility Building

81.3 Site Regulations:

In addition to the Regulations contained in Parts Seven, Eight and Nine, the following regulations shall apply to every development in this district.

Site Coverage	35%.
Floor Area	66.0 square metres.
Minimum Parcel Area	Interior Parcels – 490 square metres. Corner Parcels – 560 square metres.
Front Yard Setback	6.0 m
Side Yard Setback	1.5 m except where it abuts a public roadway 3.0 m, or as required by the Alberta Building Code, whichever is greater. Accessory Use – 0.6 m to foundation; 0.3 m to plumb line of eaves.
Rear Yard Setback	3.0 m.
Parking	A two car parking area shall be provided to the rear, side or front of the dwelling. Notwithstanding, in the case of a dwelling fronting onto an arterial road, the parking area shall access from the lane where one is provided.
Landscaping	35% of the Site Area.
Accessory Buildings	Section 34 of this Bylaw.

Section 82: R4 Residential Small Holdings District

82.1 Purpose:

To provide an area for low density residential development in the form of detached dwellings and compatible uses, herein listed, which may be connected to the municipal water and sewer system, and which are capable of re-subdivision into residential parcels roughly equivalent to those required in the R1B District.

82.2 Uses:

Permitted Uses	Discretionary Uses
Accessory Building Building Demolition Dwellings, Single Detached Home Occupation Public Use	Garden Suite Sign Utility Building

82.3

Site Regulations:

In addition to the Regulations contained in Parts Seven, Eight and Nine, the following regulations shall apply to every development in this district.

Site Coverage	10%.
Floor Area	100 square metres.
Minimum Parcel Area	0.40 hectares
Maximum Building Height	10.0 m
Front Yard Setback	10.0 m
Side Yard Setback	1.5 m except where it abuts a public roadway 3.0 m, or as required by the Alberta Building Code, whichever is greater.
Rear Yard Setback	15.0 m.
Parking	A two car parking area shall be provided to the rear, side or front of the dwelling. Notwithstanding, in the case of a dwelling fronting onto an arterial road, the parking area shall access from the lane where one is provided.
Accessory Buildings	Section 34 of this Bylaw.
Building Orientation	Notwithstanding the foregoing regulations, all buildings shall be oriented and located to facilitate re-subdivision into residential parcels, roughly equivalent to those required in the R1 District.

Section 83: DC1 Direct Control Residential District 1

83.1 Purpose:

To provide an area for affordable residential development that enhances the area while incorporating specific building orientation and architectural design that creates an acceptable transition from adjacent residential use.

83.2 Uses:

Permitted Uses	Discretionary Uses
Accessory Building Building Demolition Dwelling, Rowhouse Home Occupation	Dwelling, Duplex

83.3

Site Regulations:

In addition to the Regulations contained in Parts Seven, Eight and Nine, the following regulations shall apply to every development in this district.

Site Coverage	45%.
Floor Area	n/a.
Minimum Parcel Depth	30.0 m.
Maximum Building Height	9.0 m.
Front Yard Setback	6.0 m.
Side Yard Setback	1.5 m except where it abuts a public roadway 3.0 m, or as required by the Alberta Building Code, whichever is greater.
Rear Yard Setback	7.5 m.
Parking	A two car parking area shall be provided to the rear of the dwelling.
Accessory Buildings	Section 34 of this Bylaw.

Section 84: DC2 Direct Control Residential District 2

84.1 Purpose:

To provide for residential development requiring acceptable structural and architectural designs that complement and enhance the existing and/or proposed physical environment of the area.

84.2 Uses:

Permitted Uses	Discretionary Uses
Building Demolition Dwelling, Single Detached Dwelling, Duplex Home Occupation	Accessory Building

84.3

Site Regulations:

In addition to the Regulations contained in Parts Seven, Eight and Nine, the following regulations shall apply to every development in this district.

Site Coverage	40%
Floor Area	As established by Council
Minimum Parcel Area	As established by Council.
Maximum Building Height	10.0 m.
Front Yard Setback	6.0 m.
Side Yard Setback	1.5 m except where it abuts a public roadway 3.0 m, or as required by the Alberta Building Code, whichever is greater.
Rear Yard Setback	7.5 m.
Parking	A two car parking area shall be provided to the rear of the dwelling.
Accessory Buildings	Section 34 of this Bylaw.

Section 85: C1 Commercial Central District

85.1 Purpose:

To provide for an area for intensive commercial use, offering a wide variety of goods and services and other uses, herein listed, which are compatible with the area, which will create an attractive environment for pedestrians, but which will be accessible to motor vehicles.

85.2 Uses:

Permitted Uses	Discretionary Uses
Animal Services Automobile Supply Store Bank / Financial Institution Building Demolition Clinic Cannabis Retail Sales Convenience Food Store Contracting Services – Minor Day Care Facility Dry Cleaning and Laundry Depot / Plant Dwelling Units Above Ground Floor Business Florist Shop Food and/or Beverage Service Facility Handicraft Business Laundromat Light Equipment Repair / Rental Office Building Personal Service Shop Pharmacy Public Use Restaurant Restaurant – Drive Thru Restaurant – Takeout / Delivery Retail Store Sign Theatre Theatre – Movie	Accessory Use Apartment Automobile Repair Garage Basement Suite - Dwelling, Single Detached Only Communication Tower Dwelling, Single Detached (Existing) Parking Facility Recreation Facility Recycling Depot Similar Use Taxi / Bus Depot Temporary Mobile Commercial Sales Vehicle Wash Utility Building

85.3 Site Regulations:

In addition to the Regulations contained in Parts Seven, Eight and Nine, the following regulations shall apply to every development in this district.

Site Coverage	100%
Floor Area	n/a
Minimum Parcel Area	n/a
Maximum Building Height	A maximum of four full storeys above grade: flat roof – 15.0 m; sloped roof – 18.75 m
Front Yard Setback	Nil.
Side Yard Setback	Nil, or as required by the Alberta Building Code, whichever is greater.
Rear Yard Setback	Shall be provided for parking and loading spaces.
Parking and Loading	Part 8 of this Bylaw.
Outdoor Storage and Display	Outdoor storage and display is not permitted except sidewalk sales. Garbage storage shall be confined to a designated area, and shall not have an adverse affect on the use or circulation on the parcel or adjacent parcels.
Dwelling Unit Entrance	Dwelling units shall have an entrance separate for the entrance to any commercial component of the building.

Section 86: C1A Commercial Transitional District

86.1 Purpose:

To provide an area for mixed residential and commercial use, with businesses offering a variety of goods and services which are compatible with residential activities, where a transition to the central commercial district is intended.

86.2 Uses:

Permitted Uses	Discretionary Uses
Animal Services	Accessory Use
Apartment	Contracting Services – Minor
Building Demolition	Contracting Services – Major
Clinic	Parking Facility
Convenience Food Store	Similar Use
Dwelling - Rowhouse	Utility Building
Dwelling Units Above Ground Floor Business	Veterinary Clinic
Food and Beverage Service Facility	
Florist Shop	
Office Building	
Personal Service Shop	
Public Use	
Recreation Facility	
Restaurant	
Retail Store	
Sign	

86.3

Site Regulations:

In addition to the Regulations contained in Parts Seven, Eight and Nine, the following regulations shall apply to every development in this district.

Site Coverage	100% provided that provision has been made for on-site parking, loading, and waste disposal to the satisfaction of the Development Officer / Municipal Planning Commission.
Minimum Parcel Area	Maximum Parcel Coverage: 100% provided that provision has been made for on-site parking, loading, and waste disposal to the satisfaction of the Development Officer / Municipal Planning Commission.
Maximum Building Height	A maximum of four full storeys above grade: flat roof – 15.0 m; sloped roof – 18.75 m
Front Yard Setback	Nil.
Side Yard Setback	Nil.

Rear Yard Setback	Shall be provided for parking and loading spaces.
Parking and Loading	Part 8 of this Bylaw.
Outdoor Storage and Display	Outdoor Storage and Display: Outdoor storage or display is not permitted, except for existing businesses as at September 1, 2006.
Dwelling Unit Entrance	Dwelling units shall have an entrance separate for the entrance to any commercial component of the building.

Section 87: C2 Commercial Highway District

87.1 Purpose:

To provide for an area for commercial uses which are compatible with the area, adjacent to a major thoroughfare, which requires large open areas for parking by clientele, for display of merchandise, or both, which will create an attractive environment, primarily accessible to motor vehicles.

87.2 Uses:

Permitted Uses	Discretionary Uses
Animal Services Automobile and RV Sales and Rental Automobile Repair Garage Automobile Service Station Automobile Supply Store Bank / Financial Institution Building Demolition Cannabis Retail Sales Caterer Clinic Convenience Food Store Contracting Services – Minor Farm Supply Store Florist Shop Food and/or Beverage Service Facility Gas Bar Handicraft Business Hotel Laundromat Light Equipment Repair / Rental Motel Office Building Personal Service Shop Pharmacy Public Use Restaurant – All Types Retail Store Shopping Centre Sign Theatre – Movie Truck and Mobile Home Sales and Rental Truck Stop Vehicle Wash Veterinary Clinic	Accessory Use All Permitted Uses within the I District Communication Tower Dry Cleaning and Laundry Plant / Depot Dwelling Units Above Ground Floor Business Gaming or Gambling Establishment Parking Facility Recreational Amusement Park Recreation Facility Recycling Depot Similar Use Tanker Truck Washing Facility Taxi / Bus Depot Temporary Mobile Commercial Sales Utility Building

87.3 Site Regulations:

In addition to the Regulations contained in Parts Seven, Eight and Nine, the following regulations shall apply to every development in this district.

Minimum Parcel Frontage	15 m adjacent to a service or local road 46 m without a service road
Maximum Building Height	A maximum of four full storeys above grade: flat roof – 15.0 m; sloped roof – 18.75 m.
Front Yard Setback	9.0 m adjacent to a service or local road
Side Yard Setback	3.0 m
Rear Yard Setback	3.0 m
Landscaping	Section 48 of this Bylaw. An average width of 3.0 m adjacent to the property line over the full length of the perimeter of the site, excluding access and egress points, shall be landscaped.
Parking and Loading	Part 8 of this Bylaw.
Outdoor Storage	All outdoor storage shall be screened All outdoor display shall be screened from residential districts. Storage is not allowed in front yard. Garbage storage shall not have an adverse impact on the use or circulation on the parcel or adjacent parcels.

Section 88: C3 Commercial Neighbourhood District

88.1 Purpose:

To provide an area for neighbourhood commercial uses which are compatible with surrounding residential land uses.

88.2 Uses:

Permitted Uses	Discretionary Uses
Building Demolition Clinic Club Convenience Food Store Day Care Facility Florist Shop Personal Service Shop Pharmacy Public Assembly Public Use	Accessory Use Dwelling Units Above Ground Floor Business Gas Bar Laundromat Recreation Facility Restaurant Restaurant – Take Out

88.3 Site Regulations:

In addition to the Regulations contained in Parts Seven, Eight and Nine, the following regulations shall apply to every development in this district.

Site Coverage	15%
Maximum Parcel Area	0.2 hectares
Maximum Building Height	10.0 m
Front Yard Setback	7.5 m
Side Yard Setback	3.0 m, or as required by the Alberta Building Code, whichever is greater
Rear Yard Setback	6.0 m
Landscaping	Section 48 of this Bylaw. An average width of 3.0 m adjacent to the property line over the full length of the perimeter of the site excluding access and egress points, shall be landscaped.
Parking and Loading	Part 8 of this Bylaw.

Section 89: I Industrial District

89.1 Purpose:

To provide an area for industrial uses and other uses herein listed, which are compatible with the area.

89.2 Uses:

Permitted Uses	Discretionary Uses
Accessory Building Autobody and Repair Shop Automobile Repair Garage Automobile Supply Store Building Demolition Cannabis Retail Sales Contracting Services – Major Contracting Services - Minor Feed Mills and Grain Elevators Industry / Manufacturing – Small Scale Laboratory Signs Storage – Indoor Temporary Structure Transport / Truck Operation Utility Building Vehicle Wash Veterinary Clinic	Abattoir Accessory Use Aggregate Stockpiling Aggregate Stockpiling – Temporary Aggregate Storage Area All those uses listed as either permitted or discretionary uses with the C1 & C2 Districts Asphalt Plant – Portable Asphalt Processing and Storage Automobile and RV Sales and Rentals Auto Wrecker Bottled Gas Sales and Storage Bulk Chemical Storage Bulk Fuel Station Cannabis Production Caterer Communication Tower Concrete Manufacturing / Plant Construction Yard Industry / Manufacturing – Large Scale Industry – Petrochemical Landfill Operation Livestock Auction Mart Oilfield Support Services Propane Transfer Facility Public Use Railway Use Restaurant Salvage Yard Seed Cleaning Plant Similar Use Storage – Outdoor Tanker Truck Wash Facility Truck and Mobile Home Sales and Rental

89.3 Site Regulations:

In addition to the Regulations contained in Parts Seven, Eight and Nine, the following regulations shall apply to every development in this district.

Minimum Parcel Frontage	15.2 m
Maximum Building Height	A maximum of four full storeys above grade: flat roof – 15.0 m; sloped roof – 18.75 m
Front Yard Setback	9.0 m
Side Yard Setback	0 m except where it abuts a public roadway or residential district – 3.0 m, or as required in the Alberta Building Code, whichever is greater.
Rear Yard Setback	0 m except where it abuts a public roadway or residential district – 3.0 m, or as required in the Alberta Building Code, whichever is greater.
Outdoor Storage and Display	All outdoor storage and display shall be screened from residential districts. Storage is not allowed in the front yard. Garbage storage shall be confined to a designated area on the parcel. Garbage storage shall not have an adverse impact on the use or circulation on the parcel or adjacent parcels.

Section 90: DC3 Direct Control Transitional District

90.1 Purpose:

To provide for a transitional area that is compatible with the general nature of the neighbourhood.

90.2 Uses:

Permitted Uses	Discretionary Uses
Such uses as deemed by Council to be compatible with the general nature of the neighbourhood.	Existing businesses at the time of final passing of this Bylaw.

90.3 Site Regulations:

In addition to the Regulations contained in Parts Seven, Eight and Nine, the following regulations shall apply to every development in this district.

Site Coverage	At Council's discretion.
Floor Area	At Council's discretion.
Minimum Parcel Area	At Council's discretion.
Maximum Building Height	At Council's discretion.
Front Yard Setback	At Council's discretion.
Side Yard Setback	At Council's discretion.
Rear Yard Setback	At Council's discretion.
Parking	At Council's discretion.
Accessory Buildings	At Council's discretion.

Section 91: P Public Use District

91.1 Purpose:

To provide for an area for the development of public land, which are compatible with the adjacent surroundings.

91.2 Uses:

Permitted Uses	Discretionary Uses
Building Demolition	Accessory Use
Campground	Cemetery
Community Hall	Communication Tower
Day Care Facility	Lagoon
Golf Course	Parking Lot (public)
Institutional Use	Recreation Facility
Museum	Trade/Commercial School
Nursing Home	Utility Building
Park	
Public Use	
Religious Assembly	
School	
Signs (Public)	

91.3

Site Regulations:

In addition to the Regulations contained in Parts Seven, Eight and Nine, the following regulations shall apply to every development in this district.

Site Coverage	40%
Floor Area	n/a
Minimum Parcel Area	n/a
Maximum Building Height	A maximum of four storeys above grade: flat roof – 15.0 m; sloped roof – 18.75 m.
Front Yard Setback	Equal to or greater than the building height.
Side Yard Setback	Equal to or greater than the building height.
Rear Yard Setback	Equal to or greater than the building height.
Accessory Buildings	Section 34 of this Bylaw.

Section 92: EOS Environmental Open Space District

92.1 Purpose:

To provide an area for either the preservation of public land in its natural state, to protect the natural flow of water defined as a floodway or flood fringe, or for its development as a park.

92.2 Uses:

Permitted Uses	Discretionary Uses
Building Demolition Natural Environmental Preservation Park Sign (public) Trails	Accessory Use Utility Building

92.3 Site Regulations:

In addition to the Regulations contained in Parts Seven, Eight and Nine, the following regulations shall apply to every development in this district.

Outdoor Storage and Display	Not Allowed. Garbage storage shall not have an adverse impact on the use or circulation on the parcel or adjacent parcels. Garbage storage shall be confined to a designated area on the parcel.
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Section 93: UR Urban Reserve District

93.1 Purpose:

To reserve land for future subdivision and development until an Area Structure Plan is prepared for and approved by Council.

93.2 Uses:

Permitted Uses	Discretionary Uses
Building Demolition Farming	Accessory Use Communication Tower Uses that will not, in the opinion of the Municipal Planning Commission: materially alter the use of the land from that existing on the date that the land was designated to this land use district; or conflict with urban expansion Signs Utility Building

93.3 Site Regulations:

In addition to the Regulations contained in Parts Seven, Eight and Nine, the following regulations shall apply to every development in this district.

Outdoor Storage and Display	Shall be screened. Garbage storage shall not have an adverse impact on the use or circulation on the parcel or adjacent parcels. Garbage storage shall be confined to a designated area on the parcel.
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Section 94: DC4 - Direct Control Urban Reserve District

94.1 Purpose:

The general purpose of this district is to provide an area that is compatible with residential and commercial and industrial land uses; while maintaining the long term plan as set forth in the Municipal Development Plan to have this area transition to commercial or Industrial land use.

94.2 Uses:

Permitted Uses	Discretionary Uses
Existing residences and accessory buildings at the time of the passage of this bylaw Such improvements necessary to existing residences as deemed by Council to be compatible with this area Such industrial uses as deemed by Council to be compatible with the area	Farming

94.3 Site Regulations:

In addition to the Regulations contained in Parts Seven, Eight and Nine, the following regulations shall apply to every development in this district.

Building Design and Landscaping	Unless otherwise specified by Council, regulations pertaining to setbacks, building design, building height, minimum yards, minimum parcel area, floor area and maximum parcel coverage shall be the same as outlined in the Land Use Bylaw for similar type developments.
Outdoor Storage and Display	Unless otherwise specified by Council, all outdoor storage shall be screened. Unless otherwise specified by Council, storage is not allowed in a minimum front yard. Unless otherwise specified by Council, garbage storage shall not have an adverse impact on the use or circulation on the parcel or adjacent parcels.
Access	As established by Council in order to safely serve both vehicular and pedestrian traffic.

Section 95: OA Overlay Airport District

95.1 Purpose:

To ensure compatibility between the airport and surrounding land uses.

95.2 Uses:

Permitted and discretionary uses with the Airport Overlay District are the same as those in the underlying district unless they are prohibited by this overlay because they will cause objectionable or dangerous conditions that would interfere with safety by reason of causing excessive:

- 95.2.1 Discharge of toxic, noxious or other particulate matter into the atmosphere;
- 95.2.2 Radiation or interference by the use of electronic equipment such as industrial x-ray, diathermy equipment, or equipment for commercial purposes that causes electrical interference with navigational signals or radio communications;
- 95.2.3 Conflicting aircraft movements from private airports;
- 95.2.4 Fire and explosive hazards;
- 95.2.5 Accumulation of any material or waste edible by or attractive to birds; or
- 95.2.6 Development that creates glare or lighting that interferes with lights necessary for aircraft landing or take-off.

95.3 Subdivision Regulations:

- 95.3.1 The subdivision regulations of the underlying district apply.

95.4 Development Regulations:

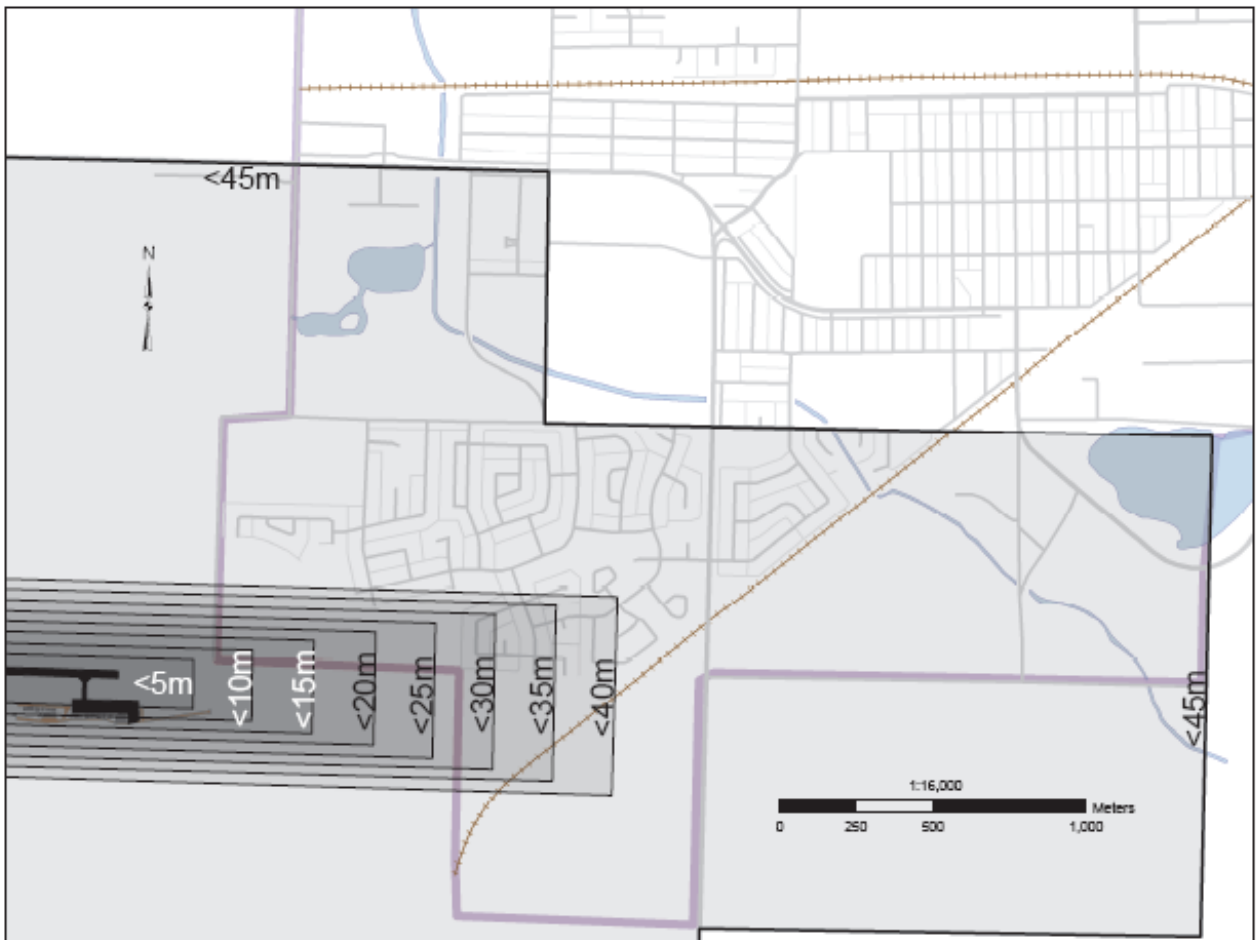
95.4.1 Height Limitations:

The outer surface of the protection area is an imaginary surface consisting of a common plane established at a constant elevation of 45 m above the airport zoning reference point elevation and extending to the outer limits of the protection area.

- (a) In considering an application for the approval of a proposed use, the Development Officer shall also review the application with regard to the location of the use with respect to the Height Limitations as shown in Figure 95-1.
- (b) The height limitations of Figure 95-1 and the height of a proposed use will both be measured from the elevation of 818 m above sea level which is deemed to be the airport's elevation.
- (c) A proposed use which is lower than the height limitations may be approved with respect to height, and may be considered for approval with respect to the underlying District and the other provisions of the Land Use Bylaw.
- (d) A proposed use which exceeds the height limitations is not allowed and shall not be issued a development permit.

- (e) Notwithstanding (c) and (d), a proposed use shall comply with the height limitations specified in the underlying District, if they are lower than the limitations in the Airport Overlay District.
- (f) The height of all railway development shall be considered 6.0 m higher than the actual elevation of the rails, and the height of all roadway development shall be considered 4.0 m higher than the elevation of the highest point of the travelled portion of the roadway.

Figure 95-1: Height Limitations Map



95.4.2 Noise Exposure Limitations:

- (a) Residential use involving continuous human occupancy – conditional approval (C1) for applications where development will be located > 25 NEF contour; and not permitted > 30 NEF contour.
 - (b) Residential use involving continuous human occupancy but comprise residential infill or replacement - conditional approval (C1) for applications where development will be located > 25 NEF contour; and not permitted > 30 NEF contour.
 - (c) Uses that involve temporary medium term human occupancy where a majority of people occupy the space for an eight hour work period (commercial, office, restaurants and hotels) – conditional approval (C1) for applications where development will be located > 30 NEF contour; and not permitted > 40 NEF contour.
 - (d) Uses that involve temporary short term occupancy where the majority of people occupy space temporarily – not permitted > 40 NEF contour.
 - (e) Uses that involve the indoor assembly of people (clubs, fraternal organizations) - conditional approval (C1) above the 30 NEF contour; and not permitted > 40 NEF contour.
 - (f) Uses that involve outdoor recreation - conditional approval (C3) > 30 NEF contour.
 - (g) Uses that involve outdoor accommodation (campground) - not permitted > 35 NEF contour.
 - (h) Uses that may attract birds or produce large quantities of smoke, dust or both – referral required (C2).
 - (i) Uses that, because of their nature, are not adversely affected by external noise due to limited or no human occupancy or sufficient internal noise generation – permitted.
 - (j) Uses that may be adversely affected by external noise but do not involve human occupancy (e.g. kennel, fur farm) – referral required (C2) > 25 contour.
- C1 Construction shall conform to the exterior acoustic insulation requirements of Part 11 of the *Alberta Building Regulation, 1985* (Alta. Reg. 186/85) for those NEF areas other than the NEF 25-Area unless otherwise stated in this Overlay. Where this condition is specified, the Development Authority shall indicate on the development permit the noise contours between which the proposed development site would be located for reference of the building Safety Codes Officer at the time the building permit application is filed.
- C2 The application must be accompanied and/or supported by data and information provided by a qualified company or individual outlining the impact of the proposal.
- C3 The development shall not include structures for the seating of spectators except as varied to allow seating that, in the opinion of the Development Authority, is of a minor nature.

Figure 95-2: Noise Exposure Frequency Limitations Map



Section 96: OM Overlay Meadowlands by the Park

96.1 Design Guideline Objective:

The objective is to provide the residents and the community with a high standard of visual appeal and a neighbourhood conducive to a sense of belonging. It is also to ensure that homes are environmentally modern as to preserve water and energy.

96.2 Architectural Concept:

Each unit, regardless of the intended buyer, should be designed to integrate into an overall look of a community village utilizing a choice of building elements combined to create a warm and welcoming atmosphere. The guidelines are designed to provide visual control for siting and color and to obtain the best possible streetscape appearance. The curb appeal desired can be obtained by utilizing design elements in whole or in part which are influenced by common styles including; ranch, Arts & Crafts, Craftsman, Georgian, Victorian, etc.

It is the responsibility of the builder/owner to become familiar with these guidelines and design their housing projects in accordance with them.

96.2.1 General Requirements:

- (a) Design Compliance - In addition to these guidelines, all buildings must comply with the Town of Stettler land use bylaws and all applicable building code regulations.
- (b) Clean Up - Builders are required to keep the lot clean and orderly both prior to and during construction. All builders are encouraged to use on-site waste bins. Builders found negligent will be back charged for clean up carried out by the Town of Stettler. Any general clean up of the subdivision can be charged pro-rata to all builders.
- (c) Excess Material - Builders must instruct subtrades to dispose of excess material appropriately. This applies particularly to concrete, excavation and landscaping material.

96.2.2 Site Guidelines:

- (a) House Style Repetition - Designs with approximately identical front elevations should be separated by at least 3 lots on the same side of the street and will not be allowed directly across the street. Similar models may be allowed at a closer spacing if changes are made to; roof lines, colours, window shapes, materials, etc.
- (b) Special Requirement Lots - All semi-detached lots onto 68th street, except for Lots 15 to 18, must incorporate a front attached garage of a minimum size of 10'X20'.
- (c) Grades - Grade information is available for each lot and can be obtained from the Town of Stettler. Lot grading is to conform to the subdivision plan. Do not grade to the lane, existing vacant lots or undeveloped land. The landscaped grade must always slope away from the house and cannot drain into adjacent lots. Any costs incurred as a result of deviation from the plan will be borne by the builder responsible.
- (d) Walkout Lots –It is important for builders to review the grade information provided for each lot to determine what the individual grades will allow.
- (e) Lowest Top of Footing - Builders are encouraged to review in detail the grade and footing elevation information provided to determine if there are any constraints with respect to house type. Under certain circumstances, a shallow LTF will impact the choice of house style.

96.2.3 Design/Materials:

- (a) Roof - For single-family, detached bungalows, bi-levels & split-levels a minimum roof pitch of 6 in 12 is required. Two story homes will require a minimum roof pitch of 5 in 12. Steeper roof slopes may be enforced on some secondary roofs or dormers to enhance the appeal of the home.
- (b) Primary Finish - Vinyl siding, stucco, brick, or stone will be allowed. All stucco must be complimented with stucco detailing & buildouts. Parging should not extend higher than 24 inches on any elevation.
- (c) Building Elevations/Detailing - The objective of having a high standard of visual appeal will be achieved primarily through the addition of sufficient architectural detail on the homes.
 - All windows and doors on high visibility facades must have a minimum of 4" trim on all sides and incorporate muntin bars.
 - A minimum of 75 square feet of brick or stone will be required on all homes. Some exceptions may be allowed if the plan incorporates sufficient detail and curb appeal.
 - All masonry should be wrapped a minimum of 24".
 - Entrance doors should be visible from the street where lot width allows and covered at a level that encloses and protects the space.
 - Gable ends and dormers are dramatic features to enhance the curb appeal of a home. Detailing within these features allows the use of multiple materials to create visual interest. At least one of the following must be incorporated into

- gable ends on the front elevation; shadow boards, shingles shakes, false trusses, brackets, vertical siding, board & batten.
- Front facades must have a variation of elevations to add visual interest. Additional trim and design features to consider could include; columns, pillars, fan windows, scales, keystones, porches/verandas, louvers, bay/box windows, turrets, rafters, ladders, use of two colours.
- (d) Chimneys/Flues - All chimneys/flues visible from the street must be boxed in and finished with brick, stone, or the same material as the house.
- Colours - All exterior colour schemes will be approved on a lot by lot basis. When approving colours, the Architectural Consultant will consider the overall look and design of the home with respect to adjacent homes and reserves the right to make changes as required. When submitting plans for approval, exact colour choices must be provided with the manufacturer and colour name.
- Garages & Driveways - Attached double garages with concrete or paving stone driveways will be required on the majority of the houses in Meadowlands by the Park. The exceptions to this will be some duplex lots fronting on 68th street; namely lots 15 to 18 inclusive. Large gables over the garage door will require additional detail to match the rest of the house.

96.2.4 Landscaping & Fencing:

- (a) Tree Planting - All builders and home owners must plant at least one (1) tree in the front yard. Arborists from the Town of Stettler will produce an appropriate selection of trees.
- (b) All homeowners are encouraged to complete the fencing and landscaping of their lot within 12 months of the completion of the home. The fence style recommended is a 6'0" (1.8m) privacy style fence in white or an alternate colour to complement the house.

Note - All plans will be reviewed in terms of their adherence to these guidelines and the objectives of the community. The Town of Stettler reserves the right to make exceptions to these guidelines where deemed appropriate.

Section 97: OH Overlay Highway Design Guidelines District

97.1 Purpose:

To ensure that development adjacent to highways within Stettler meet prescribed exterior design requirements for commercial and industrial buildings.

97.2 Commercial and Industrial Site and Building Guidelines (attached).

Section 98: DC5 Direct Control Residential District 3

98.1 Purpose:

To provide site specific regulations for the development of a child care facility within a Residential area.

98.2 Uses:

Permitted Uses	Discretionary Uses
Accessory Building Building Demolition Dwelling, Single Detached Dwelling, Duplex Home Occupation Public Assembly Public Use	Accessory Use Apartment Building Assisted Living Facility Basement Suite - Dwelling, Single Detached Only Bed and Breakfast Facility Boarding Facility Child Care Facility Dwelling, Fourplex Dwelling, Rowhouse Dwelling, Triplex Funeral Home Garden Suite Group Care Facility Signs Utility Building

98.3 Site Regulations:

In addition to the Regulations contained in Parts Seven, Eight and Nine, the following regulations shall apply to every development in this district.

Site Coverage	50%
Minimum Parcel Area	Dwelling, Single Detached: - Interior Parcels 460 square metres - Corner Parcels 510 square metres Dwelling, Duplex (Per Unit): - Interior Parcels 230 square metres - Corner Parcels 255 square metres Dwelling, Triplex and Fourplex (Per Unit): - Interior Parcels 200 square metres - Corner Parcels 220 square metres Dwelling, Rowhouse (Per Unit): - Interior Parcels 185 square metres - Corner Parcels 275 square metres

Maximum Building Height	<p>Dwellings: Detached, Duplex, Fourplex, Rowhouse, Triplex and Child/Group Care Facility – 10.0 m</p> <p>Apartment Building – A maximum of four full storeys above grade: flat roof – 15.0 m; sloped roof – 18.75 m</p>
Double Fronting Yards	A site abutting two streets or more shall have a front yard on each street and two side yards in accordance with the setback requirements of the Bylaw.
Front Yard Setback	6.0 m
Side Yard Setback	<p>Dwelling, Duplex, Fourplex, Rowhouse, Single Detached and Triplex – 1.5 m except where it abuts a public roadway 3.0 m, or as required by the Alberta Building Code, whichever is greater.</p> <p>Apartments – 3.0 m except where it abuts public roadway 6.0 m, or as required in the Alberta Building Code, whichever is greater.</p>
Rear Yard Setback	7.5 m except on corner or double fronting lots
Landscaping	25% of Site Area.
Parking	A two car parking area shall be provided to the rear, side or front of the dwelling. Notwithstanding, in the case of a dwelling fronting onto an arterial road, the parking area shall access from the lane where one is provided.
Accessory Buildings	Section 34 of this Bylaw.
Child Care Facilities	Approved child care facilities must comply with the regulations as set out in the Alberta Child Care Licensing Act and Regulation, as may be amended from time to time.

Schedule "A": Land Use District Map

