



TOWN OF
PEACE RIVER
ALBERTA



LAND USE BYLAW

Adopted XXXX/XX

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BYLAW PAGE

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USER GUIDE

The “User Guide” is intended for information and clarity purposes only and is not a section of the Land Use Bylaw.

The Land Use Bylaw establishes rules and regulations for the use of land and buildings. It regulates location, intensity, type of land use, buildings, and details the process for land use redesignations and the application process for permits to develop property.

Alignment with existing policies is a key component of the rules and regulations outlined in the Land Use Bylaw. This Land Use Bylaw is intended to reflect the Municipal Development Plan and bylaws, regulations and Acts of the Town and governments of Alberta and Canada. Wherever possible, these are referenced in the Land Use Bylaw, but the onus is on the individual landowner, developer or applicant to ensure that relevant laws are complied with. The Land Use Bylaw is subject to change. Applicants are encouraged to review their proposed development with the Town prior to submitting an application.

This Bylaw is written in metric. To convert metres to feet, multiply the number of metres by 3.28 to get the approximate dimension in feet. To convert square metres to square feet, multiply the number of square metres by 10.764 to get the number of square feet.

$$m \times 3.28 = ft$$

$$m^2 \times 10.764 = ft^2$$

To convert metres squared to acres multiply the number of metres squared by 0.000247 or divide the number of metres squared by 4047 to get the approximate dimension in acres. To convert hectares to acres, multiply the number of hectares by 2.471 to get the approximate dimension in acres.

$$m^2 \times 0.000247 = acres \quad \text{or} \quad ha \times 2.471 = acres \quad \text{acres} / 2.471 = ha$$

$$m^2 / 4047 = acres$$

Metres	Feet		Metres ²	Feet ²	acres
0.5	1.64		1.5	16.15	-
.0	3.28		7.5	80.79	-
2.0	6.56		310.0	3336.81	0.08
3.0	9.84		570.0	6135.43	0.14
4.0	13.12		850.0	9149.32	0.21
5.0	16.40		1300.0	13993.08	0.32
6.0	19.69		4046.9	43560	1.00
			8000.0	86112.28	1.98

As a reference document, the Land Use Bylaw’s Table of Contents is an important index. The six (6) parts are as follows:

PART I GENERAL		
Section 1	General	This section establishes the purpose of the Bylaw, and how it is to be used and administered on its effective date.
Section 2	Approving Authorities	This section addresses the roles of the authorities in the Land Use Bylaw, subdivision and development permit approval process. It also outlines the roles of authorities in the subdivision and development permit appeal process.
Section 3	Exemptions & Non-Conforming Uses	This section establishes what is exempt from requiring a development permit, as well as the regulations around non-conforming Uses.
PART II OVERLAYS AND LAND USE DISTRICTS		
Section 4	Overlays and Land Use Districts	This section establishes the land use districts that specify what uses are enabled within each area of the Town, site requirements specific to the districts, and the overlays.
Section 5	Overlays	This section establishes overlays that provide a means to alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate districts in areas of significant interest to the Town. Where there appears to be conflict between the provisions of the overlay and those of the underlying district, the provisions of the overlay take precedence.
Section 6	Land Use Districts	This section establishes districts that categorize areas based on specific regulations and land use objectives. Each district typically defines permissible land uses, such as residential, commercial, industrial, or mixed use, and sets out corresponding development regulations regarding factors like building height, setbacks, lot coverage, and parking requirements. By delineating different districts, the Bylaw aims to promote orderly development, manage growth, and ensure compatibility between land Uses.
PART III OTHER LAND USE REGULATIONS		
Section 7	General Land Use Regulations	This section outlines the general regulations applied throughout the Town regardless of what district the land is designated. Each land use district and development permit application is subject to the general regulations of this part and district specific regulations. These regulations are consolidated in this part to make the Land Use Bylaw more compact and avoid repetition in the individual districts. While lands are subject to district specific regulations, this part must also be referenced for applicable regulations.
Section 8	Specific Land Use Regulations	This section contains additional regulations for particular land uses that may occur in various districts. The regulations may include additional application requirements and conditions of a permit.
Section 9	Signs	This section contains regulations and requirements for signage in accordance with the Bylaw.

Section 10	Parking and Loading Regulations	This section contains the regulations and requirements for parking and loading facilities in accordance with the Bylaw.
PART IV ADMINISTRATION		
Section 11	General Development Considerations	This section discusses how variances and Discretionary Uses are assessed and evaluated.
Section 12	Procedure for Development	This section outlines the procedure for obtaining a development permit, including the required application contents and the process for determining application completeness. This includes the conditions that may be imposed on a development permit, the validity and extension of permits, and the possibility of permit revisions or reapplication in case of refusal.
Section 13	Issuance of Development Permits and Notices	This section outlines the procedures for notifying applicants of decisions regarding development permits, conditions under which permits are issued, extended, or canceled, and the responsibilities of the Development Authority in these processes.
Section 14	Procedure for Subdivision	This section outlines the procedure for subdivision applications, emphasizing the necessary documentation and deadlines involved. This section of the Bylaw covers decision-making criteria, timeframes for decisions, and provisions for extensions in certain circumstances for subdivisions.
Section 15	Appeal Process	This section outlines the appeal process for development and subdivision decisions. This includes the grounds for suspension or cancellation of a development permit and the procedures for appeals, including who may be heard at a hearing and the factors the Appeal Authority must consider in its decision-making process.
Section 16	Enforcement and Penalties	This section outlines the procedures for enforcing the provisions outlined in this Bylaw in accordance with the provisions of the <i>Act</i> . This section of the Bylaw outlines the consequences and procedures for non-compliance for landowners in the Town as well as the appeal process for land Use and development applications.
Section 17	Bylaw Amendments	This section outlines the procedure and regulations for Land Use Bylaw amendments including public notification requirements, application requirements and timing for re-submission.
PART V DEFINITIONS		
Section 18	Terms and Words	This section establishes the definitions of terms used in this Bylaw.
PART VI SCHEDULES		
Section 19	Schedule 'A' – District Maps	This schedule includes the maps described in this Bylaw.
	Schedule 'B' – Assessment Criteria	This schedule includes assessment criteria used to assess and make decisions on Discretionary Uses and variance applications

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PART 1 | GENERAL

PART I | GENERAL

Section 1 GENERAL

1.1 TITLE

1.1.1. This Bylaw may be cited as the “Town of Peace River Land Use Bylaw” or the “Bylaw”

1.2 PURPOSE

1.2.1. The purpose of this Bylaw is to:

- a) provide direction for the orderly, economical, and beneficial development, use of land and patterns of human settlement for the residents of the Town of Peace River; and
- b) regulate and control development or, where necessary, prohibit development without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest.

1.2.2. This Bylaw:

- a) implements the policies of the Town’s Municipal Development Plan and other Statutory Plans;
- b) creates land use districts in the Town;
- c) outlines Permitted and Discretionary Uses for each land use district;
- d) prescribes the subdivision and development regulations for each land use district, generally and specifically;
- e) outlines the number of dwelling units allowed on a parcel of land;
- f) establishes criteria for the Development Authority to make decisions on applications for development permits, including the issuing of development permits;
- g) sets out the method to appeal a decision made by the Development Authority in regard to this Bylaw;
- h) identifies the manner that the notice of the issuance of a development permit is given and to whom; and
- i) describes the procedure to make amendments to this Bylaw.

1.2.3. This Bylaw shall be used in conjunction with the Guidelines, Standards, Policies, and Procedures as established and amended by Council.

1.3 REPEAL

- 1.3.1. Bylaw No. 1891, and amendments thereto, are hereby repealed.

1.4 PERMITS AND ADDITIONAL REQUIREMENTS

- 1.4.1. Except as permitted in this Bylaw, no person shall commence a development unless a development permit for that development has been issued and the appeal period has expired, or in those instances where a development permit is not required.
- 1.4.2. In addition to meeting the requirements of this Bylaw, it is the responsibility of the applicant to obtain other such permits, approvals or licenses that may be required by the municipality or other provincial or federal government departments and agencies. A person(s) who applies for, or is in possession of a valid Development Permit is responsible for complying with or carrying out development in accordance with:
- a) Provincial or federal legislation including but not limited to the provisions of the *Safety Codes Act, R.S.A. 2000, c S-1*, *Environmental Protection and Enhancement Act, R.S.A. 2000 Chapter E-12*, the *Highways Development and Protection Act, SA 2004, c H-8.5*, the *Public Health Act, R.S.A. 2000 Chapter P-37*, the *Alberta Land Stewardship Act*, the *Alberta Agricultural Operations Practices Act* and the *Municipal Government Act*.
 - b) the conditions of any caveat, covenant, easement, instrument or agreement affecting the land or building;
 - c) the requirements of other applicable Town bylaws, policies and procedures as adopted by the Town from time to time; and
 - d) any successor or replacement legislation or regulation which may be enacted in substitution thereof.

1.5 CONFORMITY WITH BYLAW

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

1.6 SEVERABILITY

- 1.6.1. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion shall be severed, while every other provision of this Bylaw will continue in force and effect.

1.7 APPLICATIONS IN PROCESS

- 1.7.1. All applications for redistricting, subdivision and development which are received and deemed complete but not yet approved prior to the effective date of this Bylaw shall require alignment or compliance with this Bylaw and the provisions of this Bylaw shall be applicable to all decisions on these applications.

1.8 INTERPRETATION OF THIS BYLAW

- 1.8.1. Compliance with the regulations in this Bylaw shall be interpreted and applied as follows:
 - a) **“MAY”** is a discretionary term, meaning the regulation in question can be enforced by the Town if it chooses to do so, dependent on the circumstances of the site or application.
 - b) **“MUST”** is a directive term that indicates that the actions outlined are mandatory and therefore must be complied with, without discretion, by Administration, the developer, and the Development Authority.
 - c) **“SHALL”** is a directive term that indicates that the regulation is mandatory and must be complied with, without discretion, by Administration, the developer, and the Development Authority.
 - d) **“SHOULD”** means compliance in principle to the regulation but is subject to the discretion of the Development Authority where compliance is impracticable or undesirable because of relevant planning principles or circumstances unique to a specific application.
 - e) When a regulation or district involves two (2) or more conditions, provisions or events connected by a conjunction, the following definitions shall apply:
 - i. **“And”** means all the connected items shall apply in combination; and
 - ii. **“Or”** indicates that the connected items may apply singularly or in combination.
- 1.8.2. Words used in the singular include the plural and vice-versa. In the case of any conflict between the text of this Bylaw and any maps, drawings or the land use summary table, used to illustrate any aspect of this Bylaw, the text shall govern.
- 1.8.3. When a word is used in masculine or feminine terminology, it shall be deemed to be referring to either gender.
- 1.8.4. The system of measurement used in this document is the metric system, in the case of any conflict between information expressed in metric units and in imperial units, the metric units shall govern imperial conversions of metric measurements are provided in brackets but shall not be used in lieu of metric measurements.
- 1.8.5. Reference to any statute, regulation, or bylaw in this Bylaw means that statute, regulation, or bylaw as amended or replaced from time to time.

Section 2 APPROVING AUTHORITIES

2.1 DEVELOPMENT AUTHORITY'S DECISIONS AND DISCRETION

DEVELOPMENT PERMITS

- 2.1.1. A development permit application for a use which is not listed as a Permitted Use or a Discretionary Use in the subject district shall be refused subject to subsections 2.1.5 and 2.1.6. However, if a proposed use of land is not listed as a Permitted Use or Discretionary Use in the Bylaw, the Development Officer may determine that such a use is similar in character and purpose to a use listed under that land use district. In such a case, the use shall be considered a Discretionary Use level 2, whether or not the use class is listed as Permitted or Discretionary within the applicable district, and the application shall be referred to the Municipal Planning Commission for decision.
- 2.1.2. In reviewing a development permit application for a Discretionary Use, the Development Officer or Municipal Planning Commission shall have regard for:
- a) the purpose and intent of the *Act*;
 - b) any statutory plans adopted by the Town; and
 - c) the circumstances and merits of the application, shall have regard to the Assessment Criteria, found in Schedule 'B' and could include:
 - i. impact of such nuisance factors as smoke, airborne emissions, odors and noise on nearby properties;
 - ii. impact arising from traffic;
 - iii. the design, character and appearance of the development shall be compatible with and complementary to the surrounding area;
 - iv. the servicing requirements for the proposed development and its impact on municipal infrastructure; and
 - v. any other impacts.
- 2.1.3. When reviewing a development permit application for a Discretionary Use, the Development Officer or Municipal Planning Commission may have regard for any relevant non-statutory plans pertaining to the Town.
- 2.1.4. Subject to Sections 2 and 11, the Development Authority may approve an application for a Development Permit notwithstanding that the proposed development does not comply with this Bylaw if, in the opinion of the Development Authority:
- a) the proposed development would not:
 - i. unduly interfere with the amenities of the neighbourhood; or
 - ii. materially interfere with or affect the use, enjoyment or value of neighbouring properties.
 - b) the proposed development conforms with the use prescribed for the land or building in this Bylaw;

- c) the proposed impact is minor in nature and would not alter the spirit and intent of this Bylaw; and
- d) the proposed variance, if not granted, would cause undue hardship to the applicant characterized by location, use and character of the land or building.

PERMITTED USES

- 2.1.5. When making a decision on an application for a Permitted Use, the Development Officer shall:
- a) approve with or without conditions, an application for a development permit where the proposed development conforms with this Bylaw; or
 - b) refuse an application for a development permit if the proposed development does not conform to the Bylaw.

DISCRETIONARY USES

- 2.1.6. When making a decision on an application for a Discretionary Use, the Development Officer or Municipal Planning Commission:
- a) may approve, either permanently or for a limited period of time, a development permit application which meets the requirements of this Bylaw, with or without conditions;
 - b) may refuse a development permit application even though it meets the requirements of this Bylaw;
 - c) shall refuse a development permit application if the proposed development does not conform with this Bylaw and a variance was not approved; or
 - d) shall refuse a development permit where a significant impact is identified that cannot be avoided, remedied or mitigated.
- 2.1.7. Notwithstanding any provisions or requirements set out in the Bylaw, the Municipal Planning Commission may establish a more stringent standard for uses listed under the Discretionary Uses column when it is deemed necessary to do so.

VARIANCES

- 2.1.8. The Development Officer may allow a variance of less than or equal to 10% of any or all of the numerical regulations subject to Section 11.1.
- 2.1.9. The Municipal Planning Commission may allow a variance of greater than 10% of any or all of the numerical regulations and may allow a variance to text regulations subject to Section 11.1.
- 2.1.10. A variance will not be allowed if the granting of the variance results in a development which does not meet the requirements of the Subdivision and Development Regulation.
- 2.1.11. In the event that a variance is granted pursuant to Section 11.1, the Development Authority shall indicate in the decision the type and extent of any variance granted to any development permit approval.

2.2 COUNCIL

- 2.2.1. Council has authority in accordance with the *Act*.
- 2.2.2. Applications which shall be referred to Council for consideration and decision include:
- a) any amendment to this Bylaw; and
 - b) any applications relating to amending a Direct Control District unless otherwise specified within the Direct Control District.

2.3 DEVELOPMENT OFFICER

- 2.3.1. The Development Officer for the Town is established by separate bylaw in accordance with Section 623 of the *Act*.
- 2.3.2. The Development Officer shall:
- a) keep and maintain for inspection of the public during office hours, a copy of this Bylaw and all amendments thereto;
 - b) keep a register of all applications for development, including the decisions therein and the reasons therefore, for a minimum period of seven (7) years;
 - c) receive, consider and decide on development permit applications for those uses listed as “Permitted Uses”;
 - d) receive, consider and decide on development permit applications for those uses listed as “Discretionary Uses”; and
 - e) refer development permit applications and an associated evaluation to the Municipal Planning Commission for those uses:
 - i. listed as “Discretionary Uses Level 2”;
 - ii. deemed to be the same or similar to a listed use pursuant to subsection 2.1.1 of this Bylaw;
 - iii. requiring a variance pursuant to subsection 2.1.9; and
 - iv. which the Development Officer chooses to refer to the Municipal Planning Commission.

2.4 MUNICIPAL PLANNING COMMISSION

- 2.4.1. The Municipal Planning Commission for the Town is established by separate Bylaw in accordance with Section 625 of the *Act*.
- 2.4.2. The Municipal Planning Commission shall:
- a) issue decisions for development permit applications for those uses listed as Discretionary Uses under the authority of the Municipal Planning Commission in the subject land use district and may direct the method of notification;

- b) issue decisions for those uses which the Development Officer refers to the Municipal Planning Commission; and
- c) perform such other duties as described in this Bylaw or as may be assigned to it by Council.

2.5 SUBDIVISION AND DEVELOPMENT APPEAL BOARD

- 2.5.1. The Subdivision and Development Appeal Board for the Town is established by separate bylaw in accordance with Section 627 of the *Act*.
- 2.5.2. The Subdivision and Development Appeal Board for the Town shall perform such duties as are specified in the *Act*.

Section 3 EXEMPTIONS & NON-CONFORMING USES

3.1 CONTROL OF DEVELOPMENT

- 3.1.1. No development other than those outlined in Section 3.2 shall be undertaken in the Town unless a development permit application for it has been approved and a development permit has been issued.

3.2 DEVELOPMENT PERMIT EXEMPTIONS

- 3.2.1. The following developments, structures, or land uses shall not require a development permit provided that the proposed development complies with the applicable regulations of this Bylaw and in accordance with all other applicable legislation, regulations, and bylaws:

ACTIVITIES/ USES	NARRATIVE OF ACTIVITIES AND USES THAT DO NOT REQUIRE A DEVELOPMENT PERMIT
ACCESSORY TO A PRINCIPLE BUILDING OR USE	<p>Accessory uses that meet the setback and site coverage requirements of this Bylaw:</p> <ul style="list-style-type: none"> ▪ Air conditioning unit. ▪ Day homes that are approved by the Province of Alberta. ▪ Decks or patios that are less than 0.6 m above the ground at every point and do not contain a roof or walls. ▪ Decorative pond or water feature 0.6 m or less in depth, unless within the Lands with Sensitive Slope and Soil Conditions Overlay. ▪ Minor development not exceeding 2.0 m in height, where there is an existing dwelling. This includes, but is not limited to, a barbeque, composting bin, garbage enclosure, lawn sculpture, privacy screen or bird feeder. ▪ Non-permanent sun shelters over a deck or a patio. ▪ Outdoor recreation amenities that are devoted to the use of residents living on the same lot, including but not limited to, an above ground pool, hot tub, backyard skating rink, putting green, or tennis court. ▪ Pergola less than 4.5 m in height. ▪ Propane tanks and fuel tanks provided it meets all district setback regulations and complies with the requirements of the <i>Alberta Building Code</i> and <i>Alberta Fire Code</i>.

ACTIVITIES/ USES	NARRATIVE OF ACTIVITIES AND USES THAT DO NOT REQUIRE A DEVELOPMENT PERMIT
	<ul style="list-style-type: none"> ▪ Satellite dish less than 1.2 m in diameter. ▪ Seasonal holiday decorations. ▪ Sheds that are secondary to a principle building or use, which are less than 10.0 m² in floor area. ▪ Unenclosed steps, landings, or stairs (at grade).
<p>AGRICULTURAL OPERATIONS, PRIMARY</p>	<p>Primary agricultural operations and accessory agricultural buildings such as a granary, silo, or three (3)-sided hay or livestock shelter, except where the following situations apply, then a development permit shall be required:</p> <ul style="list-style-type: none"> ▪ when the proposed development involves a building or structure larger than 46.2 m², including barns, not exempt as part of this subsection; or ▪ when the proposed use or development falls within the setback area.
<p>CHANGE OF USE WITHIN A COMMERCIAL OR INDUSTRIAL BUILDING</p>	<p>A change of use within an existing commercial or industrial building where the change of use is from a Permitted or Discretionary Use to a Permitted Use in the land use district applicable to the site; and when no specific use regulations apply.</p>
<p>COMPLETION OF A DEVELOPMENT</p>	<p>The completion of a development or building that was lawfully under construction prior to the effective date of this Bylaw, provided that the development is completed within a period of twelve (12) months from the date this Bylaw comes into effect, unless an extension to this period has been granted by the Development Authority.</p>
<p>CONTINUATION OF A USE</p>	<p>The continuation of a use that was initiated in accordance with a lawful development permit issued before the effective date of this Bylaw.</p>
<p>DEMOLITION</p>	<p>Any development that did not require an approved development permit is exempt from requiring a development permit for demolition, unless the structure is attached to servicing infrastructure.</p>
<p>FIRE PITS</p>	<p>Fire pits that are compliant with all district setback regulations and the Fire Services Bylaw as amended or replaced.</p>
<p>FLAGPOLES AND LIGHTNING RODS</p>	<p>Freestanding flagpoles and lightning rods not exceeding 6.1 m in height.</p>
<p>GATES, FENCES, AND WALLS</p>	<p>The erection, construction, or maintenance, improvement or alteration of gates, fences or walls or other means of enclosure:</p> <ul style="list-style-type: none"> ▪ in Industrial Districts, less than or equal to 1.9 m.

ACTIVITIES/ USES	NARRATIVE OF ACTIVITIES AND USES THAT DO NOT REQUIRE A DEVELOPMENT PERMIT
	<ul style="list-style-type: none"> ▪ in all other districts, less than or equal to 1.0 m in height in front yards or side yards abutting a highway or road, and less than or equal to 1.9 m in rear yards or in other side yards.
HEAVY TRUCK AND EQUIPMENT STORAGE, PERSONAL	Heavy truck and equipment storage that is for personal use and not for commercial purposes.
HOME-BASED BUSINESS, HOME OFFICE	Where the accessory use of a dwelling to operate a business out of a home-office by a person who resides in the dwelling and does not create any impacts, including business-related visits to the dwelling, outside of the dwelling where the occupation is conducted.
HOME-BASED BUSINESS, MINOR	Where the accessory use of a dwelling by an occupant of the residential dwelling to conduct a business activity that may generate daily business-related visits. This use class includes but is not limited to the operations of a massage therapist, or hair stylist, or home-based childcare up to six (6) children. This use class does not include a retail store.
IRRIGATION WORKS	Any irrigation works as defined in the <i>Irrigation Districts Act, RSA 2000, Chapter I-11</i> , unless a setback relaxation from the centre of the road allowance is required.
KEEPING OF DOMESTIC ANIMALS	In all districts, the maximum number of animals shall be set by the Animal Control Bylaw as amended or replaced.
MGA EXEMPTIONS OR REGULATED BY OTHER JURISDICTIONS	<p>Those uses and developments exempt under Sections 618, 619 and 620 of the <i>Act</i> and regulations thereto.</p> <p>Those uses or development exempted by provincial or federal legislation.</p>
MUNICIPAL IMPROVEMENTS/ CONSTRUCTION	Municipal improvements that have been approved as part of a Development Agreement in conjunction with a development or subdivision permit, or located within a public right-of-way, utility easement, municipally owned building, or municipally owned land, including but not limited to reservoirs, lift stations, pump houses, stormwater management facilities, and similar infrastructure.
PATIO	A patio accessory to a commercial use that meets the Outdoor Patio Policy and any applicable <i>Alberta Safety Code</i> standard
PRIVATE PLAY STRUCTURE	A private play structure, as long as it meets the district setback requirements in this Bylaw and any applicable <i>Alberta Safety Code</i> standard.
PUBLIC WORKS, SERVICES, AND UTILITIES	The maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial, or municipal authorities on land that is publicly owned or controlled.

ACTIVITIES/ USES	NARRATIVE OF ACTIVITIES AND USES THAT DO NOT REQUIRE A DEVELOPMENT PERMIT
RECREATIONAL VEHICLES	<p>Provided it meets the regulations in Section 8.16, the maximum number of recreational vehicles stored on a parcel or lot, and conform to the setbacks of the district, that do not require development permit, are indicated below:</p> <ul style="list-style-type: none"> ▪ Residential Districts – maximum of two (2) recreational vehicles. ▪ Commercial Districts – maximum of three (3) recreational vehicles. ▪ Industrial Districts – maximum of five (5) recreational vehicles. ▪ Institutional Districts – maximum of two (2) recreational vehicles. ▪ Future Development District – maximum of five (5) recreational vehicles.
ROUTINE MAINTENANCE AND REPAIRS	<p>The routine maintenance work or minor repairs to any building, if the work or repair does not include structural alterations or major renovations for a change of use or an increase in intensity of use.</p>
SHELTER BELTS, HEDGES, RESERVOIRS, DUGOUTS AND ASSOCIATED FILL, WELLS, SEWAGE DISPOSAL FIELDS	<p>Shelter belts, hedges, reservoirs, dugouts and associated fill, wells, sewage disposal fields if it meets all district setback regulations and complies with the requirements of the <i>Alberta Building Code</i> and provincial or federal regulation.</p>
SIGNS	<p>See Section 9.2.</p>
SOLAR ENERGY, BUILDING MOUNTED	<p>Solar energy, e.g. roof top solar panels, if it meets the setback requirements in this Bylaw and complies with the <i>Alberta Safety Code Act</i> and <i>Alberta Building Code</i>. Solar collector(s) may be mounted to a roof or a wall of a building.</p>
SPECIAL EVENTS	<p>Special events, such as weddings, birthday parties, family reunions, religious celebrations, and funerals, that occur irregularly and last less than thirty-six (36) hours; and special event on lands owned and controlled by a local school board or the Town.</p>
SPECIFIC USES	<p>The following specific uses, that conform to the setbacks of the district, do not require a development permit:</p> <ul style="list-style-type: none"> ▪ The temporary use of a building, in connection with a federal, provincial, or municipal election, referendum or census. ▪ Containers used for temporary storage during the process of renovating or moving, provided it complies with the provisions of this Bylaw, or

ACTIVITIES/ USES	NARRATIVE OF ACTIVITIES AND USES THAT DO NOT REQUIRE A DEVELOPMENT PERMIT
	<p>containers used for temporary accessory storage purposes on any private industrial property.</p> <ul style="list-style-type: none"> ▪ Temporary/transient sales which are located on a lot within a commercial district where there is a principal building. This includes but is not limited to food product sales, Christmas tree sales, flower sales, or windshield repair. ▪ Clock towers, monuments, sculptures or federal, provincial, or municipal flags and their support structures, as well as other similar aesthetic enhancements. ▪ Where a development permit has been issued for a principal use on a property, the erection, construction, or maintenance of a temporary building necessary only for the construction, alteration, maintenance of development provided it is removed within thirty (30) days of project completion. This does not include a residential sales centre.
SWIMMING POOLS AND HOT TUBS	Temporary above ground swimming pools and above ground hot tubs, if it meets the district setback, and site coverage requirements in this Bylaw, complies with the <i>Alberta Building Code</i> , and is temporary/seasonal in nature.
TEMPORARY BUILDINGS/ STRUCTURES	The erection, construction or maintenance of a temporary building or structure which is necessary only for the construction, alternation, renovation, maintenance, or marketing of a building or development that a development permit has been issued.

3.3 NON-CONFORMING BUILDINGS, USES AND LOTS

- 3.3.1. Non-conforming buildings and uses will be governed in accordance with Section 643 of the *Act*.
- 3.3.2. A non-conforming use of land or a use of building may be continued, but if that use is discontinued for a period of six (6) consecutive months or more, any future use of land or use of building must conform with this Bylaw.

BUILDINGS

- 3.3.3. A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt, or structurally altered except:
- a) to make it a conforming building;
 - b) for the routine maintenance of the building if the Development Authority considers it necessary; or
 - c) in accordance with the variance powers of the Development Authority.

3.3.4. If a non-conforming building is damaged or destroyed by more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with the regulations in this Bylaw.

USES

3.3.5. A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made to its interior or exterior.

3.3.6. A non-conforming use of part of a lot may not be exceeded or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed within the lot while the non-conforming use continues.

3.3.7. The land use or the building use is not affected by a change of ownership, tenancy, or occupancy of the land or building.

LOTS

3.3.8. Development on existing, substandard lots (lots that do not comply with this Bylaw) will be considered by the Development Authority as a Discretionary Use. Compliance with the *Alberta Safety Codes Act* and any applicable provincial board of health regulations shall be required.

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PART 2 | OVERLAYS & LAND USE DISTRICTS

PART II | OVERLAYS AND LAND USE DISTRICTS

Section 4 ESTABLISHING OVERLAYS AND LAND USE DISTRICTS

4.1 ESTABLISHMENT OF LAND USE DISTRICTS

4.1.1. For the purpose of this Bylaw, all lands within the Town are created into land use districts and are classified as follows:

DISTRICT	SYMBOL
RESIDENTIAL 1 DISTRICT	R-1
RESIDENTIAL 2 DISTRICT	R-2
RESIDENTIAL 3 DISTRICT	R-3
RESIDENTIAL 4 DISTRICT	R-4
RESIDENTIAL 5 DISTRICT	R-5
RESIDENTIAL 6 DISTRICT	R-6
COMMERCIAL 1 DISTRICT	C-1
COMMERCIAL 2 DISTRICT	C-2
COMMERCIAL NEIGHBOURHOOD DISTRICT	C-N
COMMERCIAL RESIDENTIAL DISTRICT	C-R
RIVERFRONT DEVELOPMENT DISTRICT	R-D
INDUSTRIAL 1 DISTRICT	M-1
INDUSTRIAL 2 DISTRICT	M-2
INDUSTRIAL 3 DISTRICT	M-3
INSTITUTIONAL-RECREATIONAL DISTRICT	I-R
FUTURE DEVELOPMENT DISTRICT	F-D
NATURAL ENVIRONMENT DISTRICT	N-E
DIRECT CONTROL DISTRICT	D-C

- 4.1.2. Throughout this Bylaw and any amendments thereto, a district may be referred to either by its full name or by its symbol as set out in this section of this Bylaw.
- 4.1.3. Provisions covering all general and specific regulations, as listed in Part 3 of this Bylaw shall govern any Permitted and Discretionary Uses listed in a land use district.
- 4.1.4. The rules and regulations of the Bylaw do not apply to planning and development activities on Crown lands carried out by the Crown or its agents. However, it would apply to planning and development activities on Crown lands carried out by a third party unless the use, development, activity or party is otherwise exempt from complying with the Land Use Bylaw.

4.2 ESTABLISHMENT OF OVERLAYS

- 4.2.1. Overlays provide a means to alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate districts in areas of significant interest to the Town. For the purpose of this Bylaw, overlays apply to specific lands within the Town and are classified as follows:
 - a) Main Street Overlay;
 - b) Lower West Peace Overlay;
 - c) Proximity to Rail Overlay;
 - d) River Adjacent Lands Overlay; and
 - e) Historic Significance Overlay.
- 4.2.2. Overlays shall only be applied to specific areas outlined in this Bylaw and identified on the Land Use Bylaw Overlay Map.
- 4.2.3. Where there appears to be conflict between the provisions of the overlay and those of the underlying district, the provisions of the overlay shall take precedence and effect.

4.3 SUMMARY TABLE

4.3.1. The land use summary table below provides an overview of the Permitted and Discretionary Uses in each district. If there are discrepancies between this table and those uses outlined in the districts, the uses outlined in the districts shall prevail. For definitions on the uses, refer to Section 17.2.

Uses	Districts																
	Residential						Commercial					Industrial			Other		
	R-1	R-2	R-3	R-4	R-5	R-6	C-1	C-2	C-N	C-R	R-D	M-1	M-2	M-3	I-R	F-D	N-E
Residential Use Class																	
Accessory Dwelling Unit	P	P	P	D	D	P				P						D	
Communal Living						D*				P							
Dwelling, Apartment			D	P			D		D	P	P						
Dwelling, Caretaker's Residence										D		D	D	D	D		
Dwelling, Group Care	D	D	D	D	D	P				D							
Dwelling, Manufactured Home					P												
Dwelling, Row Housing/Townhouse	D	P	P	D						P							
Dwelling, Semi-Detached	P	P	P	D		D*				P						D*	
Dwelling, Single Detached	P	P	P			P				P							
Dwelling, Triplex	D	P	P	D						P							
Manufactured Home Park					P												
Supportive Housing	P	P	P	P			D			D							
Commercial Use Class																	
Artisanal Workshop	D	D	D	D	D	D	P	P	P	P	P	P	P				
Business Support Services							P	P	P	P	P	P	P	P			
Casino							P	P		P							
Childcare Facility	D*	D*	D*	D*	D*		P	D	P	D	D				P		
Commercial, General							D	D	D	D	P	D	D				
Commercial, Greenhouses								D				D	D			D	
Contractor Services							P	P	D*	P		P	P	P			
Domestic Animal Care Services							P	P	P	P		P	P				
Establishment, Bars and Pubs							P	P	D*	D*	P						
Establishment, Brewery, Winery and Distillery							P	P	D*	D*	P	D*	D*			D*	
Establishment, Restaurant				D*			P	P	P	P	P						
Farmers Market				D*			P	P	P	P	D	D			P	D	
Funeral and Related Services							D*	D*		D*	D	D*	D				

Uses	Districts																
	Residential						Commercial					Industrial			Other		
	R-1	R-2	R-3	R-4	R-5	R-6	C-1	C-2	C-N	C-R	R-D	M-1	M-2	M-3	I-R	F-D	N-E
Gas Station							D	D	D				D				
Media Studio							P	P	D	D	P	D	D				
Performance and Event Venue							D	P	D*	D*	P				D*		
Professional Office							P	P	P	P	P	D					
Personal Service Shops							P	P	P	P	P	D					
Retail, Cannabis or Liquor Store							P	P	D*	D*	P						
Retail, Convenience Store			D*	D*	D*		P	P	P	P	P	D		D			
Retail, Shopping Centre							P	P			P						
Retail, Store							P	P	P	P	P	P					
Truck Stop								P					D				
Veterinary Services							P	P	D*	D*		P	D				
Visitor Accommodation							P	P		P	P						
Warehouse Sales and Storage Facilities							D	D				P	P	D			
Industrial Use Class																	
Auctioneering Services												D	D	D			
Automotive Electrical Services								D	D	D	D	P	P	P			
Automotive, Equipment and Recreational Vehicle Sales and Service							D	P				D	P				
Auto Wrecking and Salvage Yards													D	D			
Building Material and Supply Outlet								P				P		P			
Bulk Fuel Sales													D				
Cannabis Cultivation, Processing and Distribution								D*				D*	D*	D*			
Fleet Services							D	P	D*	D*		P	P				
Heavy Truck and Equipment Storage and Sales								D				D	P	P			
Industrial, Heavy														D*			
Industrial, Light												P	P	P			
Natural Resource Extraction Industry														D*			
Railway Services												D	D	D			
Recreational Vehicle Storage Facility								D*				D	P	P		D*	

2 | OVERLAYS & LAND USE DISTRICTS

Uses	Districts																
	Residential						Commercial					Industrial			Other		
	R-1	R-2	R-3	R-4	R-5	R-6	C-1	C-2	C-N	C-R	R-D	M-1	M-2	M-3	I-R	F-D	N-E
Recycling Depot							D*	P	D*			P	P	P			
Accessory Use Class																	
Accessory Building or Structure	P/D	P/D	P/D	P/D	P/D	P/D	P/D	P/D	P/D	P/D	P/D	P/D	P/D	P/D	P/D	P/D	P/D
Bed and Breakfast	D*	D	D	D	D	D				D	P						D
Home-Based Business, Home Office	P	P	P	P	P	P	P		P	P		P	P	P	P		P
Home-Based Business, Major	D	D	D	D	D	D	D		D	D							D
Home-Based Business, Minor	P	P	P	P	P	P	P		P	P							P
Live-Work Unit									D*	D*							
Small Animal Breeding/Boarding Services						D*		D		D*		D*					
Public Use Class																	
Cemetery																	D
Community Garden	D*	D*	D*	D*	D*	D*	P	P	D	D*	D						
Community Cultural Facility							P	P	P	P	P						P
Government Services							P	P	D	P		D	D				P
Health and Medical Services							P	D	D*	P							P
Hospital								D*									P
Park	P	P	P	P	P	P	D	D	D	P	P	D	D	D	P	D	P
Public Utilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Recreation, Indoor							D	D	D*	D*	P	D*	D*				D
Recreation, Outdoor								D*		D*	D*						D
Religious Assembly	D	D	D	D	D		D	D	P	P	D	D					P
School, Commercial							P	P		P		D					
School, Industrial								D				P	P	P			
School, Private							D			D							D
School, Public							D			D							P
Waste Management Facility												D	D				
Other Uses																	
Aerodrome												D	D	D			D
Agricultural Operations, Extensive																	P
Agricultural Operations, Intensive																	D*
Agriculture, Urban							D	D	D	D		D	D	D			
Campground																	D
Emergency Shelter																	D*
Parking Facility							D	D		D	P						

Uses	Districts																
	Residential						Commercial					Industrial			Other		
	R-1	R-2	R-3	R-4	R-5	R-6	C-1	C-2	C-N	C-R	R-D	M-1	M-2	M-3	I-R	F-D	N-E
Recreational Accommodations															D	D	
Recreational Vehicle Park															D	D	
Shooting Range, Indoor							D*					D*					
Shooting Range, Outdoor																D*	
Solar Energy, Commercial													D*	D*		D*	
Solar Energy, Personal Use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Stripping, Filling, Excavation and Grading	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	

Section 5 OVERLAYS

5.1 OVERLAY MAPS

- 5.1.1. The Overlay Maps may be amended or replaced by Bylaw from time to time, those maps attached and forming part of this Bylaw as Schedule A.
- 5.1.2. If a dispute arises over the boundary of any overlay as shown on the Overlay Maps, the Municipal Planning Commission shall decide upon the location of the boundary.

5.2 MAIN STREET OVERLAY

PURPOSE

- 5.2.1. The purpose of this overlay is to ensure that development and redevelopment of lands along 100th Street within the Downtown is characterized by a walkable, human-scale environment, and quality urban-design. When considering a change of use development permit application within an existing building, these regulations would not apply.

BUILDING STANDARDS

- 5.2.2. The Enhancing Downtown Renewal Report as amended or replaced provides additional information to assist in interpreting the regulations below.

GENERAL STANDARDS		
Building Height	A	Two (2) Storeys Minimum or
	B	One and a half (1.5) Storey Facade
Front and Side Setbacks	C	0.0 m maximum
	D	Applicants may propose a greater setback than 0.0 m with the intent of enhancing the activity of the street. Applicants will be required to demonstrate, to the satisfaction of the Development Authority, how the proposed setback will contribute to the interface with the streetscape as a whole, and how the break in building line will not detract from the appearance of the streetscape. Crime Prevention Through Environmental Design (CPTED) will need to be assessed when changing the facade setback.

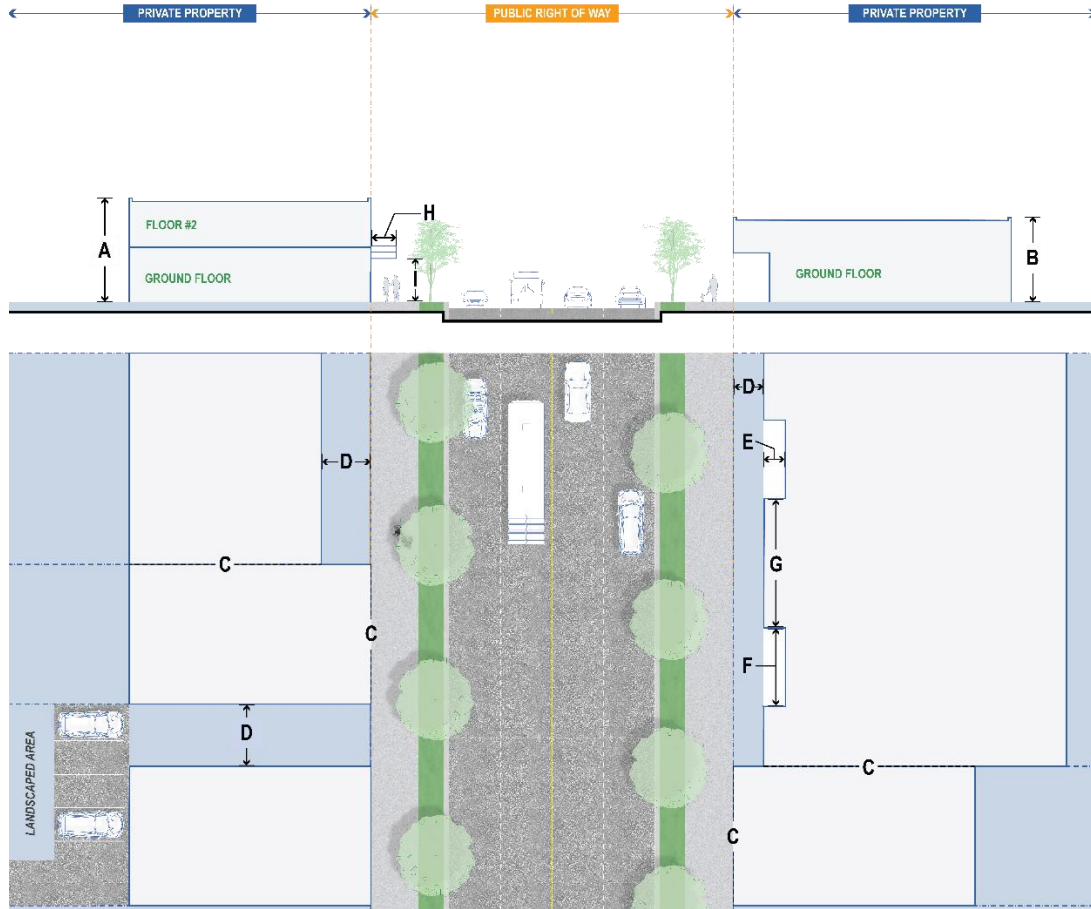
*Letters refer to diagram following subsection 5.2.3.

BUILDING FRONTAGE - SHOPFRONT

5.2.3. The Shopfront Frontage Type is a frontage type where the main façade of the building is placed at or near the frontage line with an at-grade entrance oriented towards the public right-of-way. This frontage type is intended for buildings with ground-floor commercial, office, and retail uses, and has substantial glazing at the sidewalk level. This frontage may include an awning, cantilevered signage or similar projecting entrance feature that projects over the entrance, and at times, into the public right-of-way.

RECESSED ENTRIES		
Depth of recessed entries	E	1.5 m minimum
		2.5 m maximum
Width of recessed entries	F	2.0 m minimum
		3.0 m maximum
Interval of entries	G	7.5 m minimum
PROJECTING ENTRANCE FEATURES		
Projection	H	0.9 m minimum, measured perpendicularly from the building façade.
		1.5 m maximum, measured perpendicularly from the building façade.
Ground floor height clearance	I	2.8 m minimum, measured from the top of the sidewalk to the bottom of the valance.

*Letters refer to diagram following subsection 5.2.3.



MISCELLANEOUS

- 5.2.4. A minimum of 50% of ground floor commercial, office and retail facades fronting onto a public right-of-way, other than a rear lane, shall have clear glazing. Glazing is not permitted to be tinted.
- 5.2.5. Decorative details of the façade should establish horizontal features or continue the continuous, horizontal features of neighbouring buildings, where they exist.
- 5.2.6. The façade of an infill building wider than 15.0 m, should introduce vertical architectural features at approximately 9.1 m intervals to maintain and enhance the traditional vertical pattern of building facades.
- 5.2.7. On corner lots, the façade treatment shall wrap around the building to provide a consistent and contiguous frontage.
- 5.2.8. Hardscaping shall be contiguous and seamlessly integrated with the public sidewalk.
- 5.2.9. When a shopfront frontage type is setback from a primary or secondary frontage, hardscaping shall be provided that extends from the entrance(s) to the building to the public right-of-way for seamless

integration to the pedestrian network. Areas not hardscaped that fall within the setback area shall be landscaped to the satisfaction of the Development Authority.

- 5.2.10. All development using Shopfront Frontage Type should be universally accessible.

PARKING

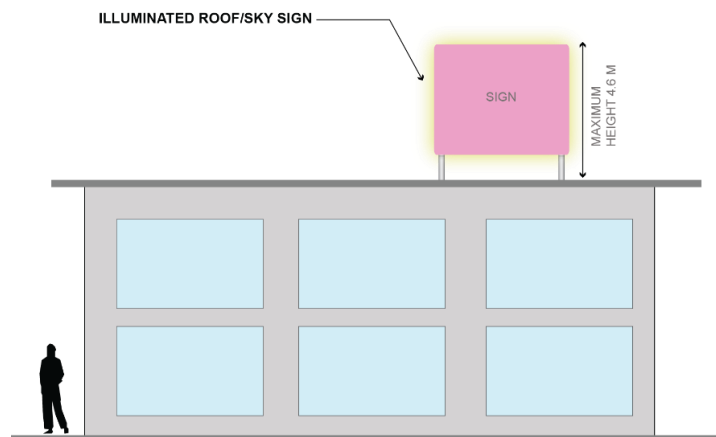
- 5.2.11. No off-street parking shall be permitted within the front yard.
- 5.2.12. Parking lots in the side and rear yard should be framed by fences or vegetation and utilize Crime Prevention Through Environmental Design techniques to act as a barrier to deter unauthorized access.

SIGNS

- 5.2.13. Internally illuminated projecting signs shall not be permitted.



- 5.2.14. Internally illuminated **roof signs** are permitted to a maximum height of 4.5 m.



- 5.2.15. Internally illuminated **fascia signs** should be located above the storefront windows and should extend only to the storefront piers.
- 5.2.16. **Fascia signs** should be located above the storefront windows.

AWNINGS

- 5.2.17. Traditional profile, fixed or retractable awnings, with a valance and utilizing high quality canvas or woven acrylic of solid or striped material, are recommended to enhance the historic character of the historic area.
- 5.2.18. Vinyl, backlit or bubble awnings, and awnings of less than 0.9 m in depth, which function as signs only, are not permitted.
- 5.2.19. Awnings should be located within the outside piers of the building façade on individual storefronts.
- 5.2.20. In cases where façades are wider than 9.1 m, consideration should be given to using two (2) or more smaller awnings.
- 5.2.21. Awnings should be mounted to extend no lower than 2.4 m from the sidewalk to the bottom of the valance and, at full extension, no further than 0.3 m from the inside edge of the curb.



5.3 LOWER WEST PEACE OVERLAY

PURPOSE

- 5.3.1. The purpose of this overlay is to limit the impact of the water table on dwellings and other development within the area.

APPLICATION OF OVERLAY

- 5.3.2. No habitable portion of a new building, including a basement, shall be below the natural or existing ground elevation.

5.4 PROXIMITY TO RAIL OVERLAY

PURPOSE

- 5.4.1. The purpose of this overlay is to manage the interface of subdivision and development in proximity to the railway line and provide the authority to the Development Authority to consider the proximity of the rail line in the review of subdivision and development permit applications.

NEW DEVELOPMENT AND SUBDIVISION

- 5.4.2. Where a subdivision application for new residential development is received within 30.0 m from a rail line right-of-way, a railway risk assessment, prepared by a qualified professional, should be required. Any mitigations identified in the risk assessment should be incorporated into the approval decision to the satisfaction of the Development Authority.
- 5.4.3. Where a development permit application or subdivision application is received for new multi-unit residential development or other sensitive land use development adjacent to the rail yard or uncontrolled intersection, a noise impact assessment, prepared by a qualified professional, may be required. Any mitigation measures identified in the noise impact assessment should be incorporated in the approval decision to the satisfaction of the Development Authority.
- 5.4.4. Notwithstanding other parts of this Bylaw, the Development Authority may require additional setbacks, studies, information or risk, noise, and vibration mitigation methods to be implemented for lands in close proximity to rail lines, as identified in the Federation of Canadian Municipalities (FCM) Guidelines for New Development in Proximity to Railway Operations.

RAIL LINE OPERATOR REFERRAL

- 5.4.5. Referrals may be provided to rail line operators when a development or subdivision application is in close proximity to rail facilities that, in the opinion of the Development Authority, may impact the rail line operations.

5.5 RIVER ADJACENT LANDS OVERLAY

PURPOSE

- 5.5.1. The purpose of this overlay is to regulate developments in areas adjacent to the Peace River banks that are potentially subject to riverbank erosion.

OVERLAY REGULATIONS

- 5.5.2. Any subdivision or development permit applications in the Shaftesbury Estates and Rosedale neighbourhoods, the detailed geotechnical assessment prepared by Thurber Consultants in 1986 should be referenced.
- 5.5.3. A new geotechnical assessment should be required for a new subdivision or development permit application.

SERVICING

- 5.5.4. No sewage disposal fields are permitted within the overlay.
- 5.5.5. Suitable arrangements for disposal of sewage off the property must be made to the satisfaction of the Development Authority.

SETBACK ZONE

- 5.5.6. In the restricted development zone between the setback line, and the river, the following restrictions on development shall apply:
 - a) no placement of permanent structures is allowed;
 - b) no development within the riverbank area is allowed;
 - c) no clearing of vegetation between the top-of-bank and the river;
 - d) changes in relief are limited to a maximum of 1.0 m except for the zone within 10.0 m of the top-of-bank where no fill at all shall be placed; and
 - e) any other restriction identified in the geotechnical report.

CONDITIONS OF APPROVAL

- 5.5.7. Pursuant to Section 651.1 of the Act, the Development or Subdivision Authority may require the registration of a restrictive covenant on each lot in the form and content acceptable to the Town to ensure the restrictions on development run with the land.

5.6 HISTORICAL SIGNIFICANCE OVERLAY

PURPOSE

- 5.6.1. The purpose of this overlay is to provide the Development Authority the discretion to consider and limit the impact of (re)development on a local historic resource. This overlay applies to all lands designated as a Municipal Heritage Site through a Bylaw.

OVERLAY REGULATIONS

- 5.6.2. The carrying out of works of improvement, maintenance or renovation to any building designated as a Municipal Heritage Site, including structural alterations and works of renovation shall require a development permit, and shall be assessed by the Development Authority to determine if the historical significance of the site is not undermined using the Standards and Guidelines for the Conservation of Historic Places in Canada and is in alignment with the conditions in the designating Bylaw.
- 5.6.3. The development permit applications must include architectural drawings or a conceptual improvement plan or a description showing the extent and substance of the proposed changes to the satisfaction of the Development Officer, indicating how the proposed alterations are in alignment with the designating Bylaw.

- 5.6.4. Development permit applications will be forwarded to the Peace River Museum, Archives and Mackenzie Center for review and input prior to a decision. The Peace River Museum, Archives and Mackenzie Center may provide a review of the historical significance of the Municipal Heritage Site and recommendations for the Development Authority's decision.

Section 6 LAND USE DISTRICTS

6.1 DISTRICT MAPS

- 6.1.1. The Maps may be amended or replaced by Bylaw from time to time, those maps attached and forming part of this Bylaw as Schedule 'A'.
- 6.1.2. If a dispute arises over the boundary of any district as shown on the District Maps, the Municipal Planning Commission shall decide on the interpretation of the location of the boundary.

6.2 RESIDENTIAL 1 DISTRICT (R-1)

- 6.2.1. The purpose of this district is to facilitate the development of residential neighbourhoods characterized by low density housing.
- 6.2.2. The following uses shall be Permitted or Discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

PERMITTED USES	DISCRETIONARY USES
<p>RESIDENTIAL USE CLASS</p> <ul style="list-style-type: none"> • Accessory Dwelling Unit • Dwelling, Semi-Detached • Dwelling, Single Detached • Supportive Housing 	<p>RESIDENTIAL USE CLASS</p> <ul style="list-style-type: none"> • Dwelling, Group Care • Dwelling, Row Housing/Townhouse • Dwelling, Triplex
<p>ACCESSORY USE CLASS</p> <ul style="list-style-type: none"> • Accessory Building or Structure** • Home-Based Business, Home Office • Home-Based Business, Minor 	<p>I THINK COMMERCIAL USE CLASS</p> <ul style="list-style-type: none"> • Artisanal Workshop • Childcare Facility*
<p>PUBLIC USE CLASS</p> <ul style="list-style-type: none"> • Park • Public Utilities 	<p>ACCESSORY USE CLASS</p> <ul style="list-style-type: none"> • Accessory Building or Structure** • Bed and Breakfast* • Home-Based Business, Major
<p>OTHER USES</p> <ul style="list-style-type: none"> • Solar Energy, Personal Use 	<p>PUBLIC USE CLASS</p> <ul style="list-style-type: none"> • Community Garden* • Religious Assembly
	<p>OTHER USES</p> <ul style="list-style-type: none"> • Stripping, Filling, Excavation and Grading

* Uses indicated to be Discretionary Use level 2, which are at the discretion of the MPC
 **If the Use is Permitted, the Accessory Building or Structure is Permitted. If the use is Discretionary, the Accessory Building or Structure is Discretionary.

DISCRETIONARY ASSESSMENT CRITERIA FOR RESIDENTIAL 1 DISTRICT (R-1)

- 6.2.3. The following uses shall be discretionary and shall be evaluated for their appropriateness based off the criteria indicated. When carrying out the assessment, the Development Authority will identify if the impact is greater than a permitted activity and if so, whether the impact can be mitigated, remedied, or avoided. If it cannot, the application should be declined. Any uses not described in this Bylaw shall be considered discretionary and may only be considered by the Town if they are reasonably compatible with uses that are permitted and meet the intent of the district and policies of the MDP. Such uses will be subject to all assessment criteria, and may have additional evaluation criteria applied, at the discretion of the Development Authority. The Development Authority may request certain technical reports to accompany a development permit application to assess the impacts, as referenced in Section 12.3. Refer to Schedule B for more information on the assessment criteria.

DISCRETIONARY USE	POSSIBLE ASSESSMENT CRITERIA												
	VISUAL APPEARANCE	TRAFFIC/ ACCESS	NOISE	ODOUR	LIGHT	DUST	VIBRATION	ENVIRONMENTAL	MUNICIPAL INFRASTRUCTURE	FISCAL	CUMULATIVE	SAFETY	COMPATIBILITY WITH ADJACENT LAND USES
Residential Use Class													
Dwelling, Group Care		X							X		X	X	
Dwelling, Row Housing/Townhouse	X								X		X	X	
Dwelling, Triplex	X								X		X	X	
Commercial Use Class													
Artisanal Workshop	X		X	X	X	X	X		X		X	X	X
Childcare Facility		X	X		X						X	X	X
Accessory Use Class													
Accessory Building or Structure	X										X	X	
Bed and Breakfast		X									X	X	
Home-Based Business, Major	X	X	X	X	X	X					X	X	X
Public Use Class													
Community Garden	X					X					X	X	
Religious Assembly		X							X		X	X	X
Other Use Class													
Stripping, Filling, Excavation and Grading	X	X	X			X	X	X			X	X	X

DEVELOPMENT REGULATIONS FOR RESIDENTIAL 1 DISTRICT (R-1)

6.2.4. Development in the Residential 1 District (R-1) must comply with the following regulations:

SITE DEVELOPMENT				
		Use Type		
		Dwelling, Single Detached, Manufactured Home	Dwelling, Semi-Detached, Triplex, Row Housing/Townhouse	All Other Uses
Minimum Lot Width	Interior Lot	15.0 m	5.0 m / dwelling unit	15.0 m
	Corner Lot	16.8 m	6.8 m / dwelling unit	16.8 m
	<i>On irregularly shaped lots, the minimum is measured 3.0 m back from the front lot line.</i>			
Minimum Lot Depth	30.5 m			
Minimum Lot Area	Interior Lot	510.9 m ²	152.5 m ²	510.9 m ²
	Corner Lot	576.0 m ²	207.4 m ²	576.0 m ²

Maximum Site Coverage	55%	
PRINCIPAL BUILDING		
Maximum Building Height	10.5 m	
Minimum Front Yard Setback	With a Lane	6.1 m
Minimum Rear Yard Setback	7.6 m	
Minimum Side Yard Setback	Abutting a Lot	1.2 m
	Abutting a Road	3.6 m
	Without a Lane	At least one side yard must be 3.1 metres, unless the principal dwelling includes an attached garage, and all servicing is from the front.
ACCESSORY BUILDING		
Minimum Front Yard Setback	No Accessory Buildings are allowed in the front yard.	
Minimum Rear Yard Setback	With a Lane	1.2 m
	Without a Lane	1.0 m
Minimum Side Yard Setback	Abutting a Lot	1.2 m
	Abutting a Road	No Accessory Buildings are permitted within a side yard flanking a roadway.
ACCESSORY DWELLING UNITS		
The maximum number of accessory dwelling units on a lot abutting a functional rear lane is two (2).		
The maximum number of accessory dwelling units on a lot not abutting a functional rear lane is one (1).		

- 6.2.5. In addition to the regulations listed above, Permitted and Discretionary Uses are subject to the applicable regulations, provisions and requirements contained within the other sections of this Bylaw.

6.3 RESIDENTIAL 2 DISTRICT (R-2)

- 6.3.1. The purpose of this land use district is to provide for the development of small lot single detached housing, serviced by a public roadway that provides the opportunity for the more efficient utilization of land in developing neighbourhoods, while maintaining the privacy and independence provided by Single Detached housing forms.
- 6.3.2. The following uses shall be Permitted or Discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

PERMITTED USES	DISCRETIONARY USES
RESIDENTIAL USE CLASS	RESIDENTIAL USE CLASS
<ul style="list-style-type: none"> • Accessory Dwelling Unit • Dwelling, Row Housing/Townhouse • Dwelling, Semi-Detached • Dwelling, Single Detached • Dwelling, Triplex • Supportive Housing 	<ul style="list-style-type: none"> • Dwelling, Group Care
ACCESSORY USE CLASS	COMMERCIAL USE CLASS
<ul style="list-style-type: none"> • Accessory Building or Structure** • Home-Based Business, Home Office • Home-Based Business, Minor 	<ul style="list-style-type: none"> • Artisanal Workshop • Childcare Facility*
PUBLIC USE CLASS	ACCESSORY USE CLASS
<ul style="list-style-type: none"> • Park • Public Utilities 	<ul style="list-style-type: none"> • Accessory Building or Structure** • Bed and Breakfast • Home-Based Business, Major
OTHER USES	PUBLIC USE CLASS
<ul style="list-style-type: none"> • Solar Energy, Personal Use 	<ul style="list-style-type: none"> • Community Garden* • Religious Assembly
	OTHER USES
	<ul style="list-style-type: none"> • Stripping, Filling, Excavation and Grading

* Uses indicated to be Discretionary Use level 2, which are at the discretion of the MPC
 **If the Use is Permitted, the Accessory Building or Structure is Permitted. If the use is Discretionary, the Accessory Building or Structure is Discretionary.

DISCRETIONARY ASSESSMENT CRITERIA FOR RESIDENTIAL 2 DISTRICT (R-2)

- 6.3.3. The following uses shall be discretionary and shall be evaluated for their appropriateness based off the criteria indicated. When carrying out the assessment, the Development Authority will identify if the impact is greater than a permitted activity and if so, whether the impact can be mitigated, remedied, or avoided. If it cannot, the application should be declined. Any uses not described in this Bylaw shall be considered discretionary and may only be considered by the Town if they are reasonably compatible with uses that are permitted and meet the intent of the district and policies of the MDP. Such uses will be subject to all assessment criteria, and may have additional evaluation criteria applied, at the discretion of the Development Authority. The Development Authority may request certain technical reports to accompany a development permit application to assess the impacts, as referenced in Section 12.3. Refer to Schedule B for more information on the assessment criteria.

DISCRETIONARY USE	POSSIBLE ASSESSMENT CRITERIA												
	VISUAL APPEARANCE	TRAFFIC/ ACCESS	NOISE	ODOUR	LIGHT	DUST	VIBRATION	ENVIRONMENTAL	MUNICIPAL INFRASTRUCTURE	FISCAL	CUMULATIVE	SAFETY	COMPATIBILITY WITH ADJACENT LAND USES
Residential Use Class													
Dwelling, Group Care		X							X		X	X	
Commercial Use Class													
Artisanal Workshop	X		X	X	X	X	X		X		X	X	X
Childcare Facility		X	X		X						X	X	X
Accessory Use Class													
Accessory Building or Structure	X										X	X	
Bed and Breakfast		X									X	X	
Home-Based Business, Major	X	X	X	X	X	X					X	X	X
Public Use Class													
Community Garden	X					X					X	X	
Religious Assembly		X							X		X	X	X
Other Use Class													
Stripping, Filling, Excavation and Grading	X	X	X			X	X	X			X	X	X

DEVELOPMENT REGULATIONS IN THE RESIDENTIAL 2 DISTRICT (R-2)

6.3.4. Development in the Residential 2 District (R-2) must comply with the following regulations:

SITE DEVELOPMENT				
		Use Type		
		Dwelling, Single Detached, Manufactured Home	Dwelling, Semi-Detached, Triplex, Row Housing/Townhouse	All Other Uses
Minimum Lot Width	Interior Lot	7.5 m	5.0 m / dwelling unit	7.5 m
	Corner Lot	9.3 m	6.8 m / dwelling unit	9.3 m
	<i>On irregularly shaped lots, the minimum is measured 3.0 m back from the front lot line.</i>			
Minimum Lot Depth	30.5 m			

Minimum Lot Area	Interior Lot	228.7 m ²	152.5 m ²	228.7 m ²
	Corner Lot	283.6 m ²	207.4 m ²	283.6 m ²
Maximum Site Coverage	55%			
PRINCIPAL BUILDING				
Maximum Building Height	10.5 m			
Minimum Front Yard Setback	6.0 m			
Minimum Rear Yard Setback	7.6 m			
Minimum Side Yard Setback	Abutting a Lot	1.2 m	One (1) side yard setback may be reduced to 0.0 m, subject to subsection 6.3.5.	
	Abutting a Road	3.6 m		
	Without a Lane	At least one side yard must be 3.1 metres, unless the principal dwelling includes an attached garage, and all servicing is from the front.		
ACCESSORY BUILDING				
Minimum Front Yard Setback	No Accessory Buildings are allowed in the front yard.			
Minimum Rear Yard Setback	With a Lane	0.31 m		
	Without a Lane	1.0 m		
Minimum Side Yard Setback	Abutting a Lot	1.2 m		
	Abutting a Road	No Accessory Buildings are permitted within a side yard flanking a roadway.		
ACCESSORY DWELLING UNITS				
The maximum number of accessory dwelling units on a lot abutting a functional rear lane is two (2).				
The maximum number of accessory dwelling units on a lot not abutting a functional rear lane is one (1).				

- 6.3.5. For developments with a zero-lot line, the following additional regulations apply:
- a) The other side yard shall be a minimum 3.0 m.
 - b) An easement is registered against the adjacent lot to allow access for maintenance on the zero-yard side, that includes:
 - i. a 1.5 m private maintenance easement;
 - ii. a 0.3 m eave encroachment easement with the requirement that the eaves must not be closer than 0.9 m to the eaves on the adjacent building; and

- iii. a 0.6 m footing encroachment easement.
- 6.3.6. No zero-lot line shall be permitted in a yard that abuts a road.
- 6.3.7. In addition to the regulations listed above, Permitted and Discretionary Uses are subject to the applicable regulations, provisions and requirements contained within the other sections of this Bylaw.

6.4 RESIDENTIAL 3 DISTRICT (R-3)

- 6.4.1. The purpose of this district is to facilitate the development of residential neighbourhoods characterized by medium density housing, including **dwelling, semi-detached, dwelling and dwellings, row housing/townhouse**. Single detached dwellings and **accessory dwelling units** may also be included within the neighbourhood.
- 6.4.2. The following uses shall be Permitted or Discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

PERMITTED USES	DISCRETIONARY USES
<p>RESIDENTIAL USE CLASS</p> <ul style="list-style-type: none"> • Accessory Dwelling Unit • Dwelling, Row Housing/Townhouse • Dwelling, Semi-Detached • Dwelling, Single Detached • Dwelling, Triplex • Supportive Housing <p>ACCESSORY USE CLASS</p> <ul style="list-style-type: none"> • Accessory Building or Structure** • Home-Based Business, Home Office • Home-Based Business, Minor <p>PUBLIC USE CLASS</p> <ul style="list-style-type: none"> • Park • Public Utilities <p>OTHER USES</p> <ul style="list-style-type: none"> • Solar Energy, Personal Use 	<p>RESIDENTIAL USE CLASS</p> <ul style="list-style-type: none"> • Dwelling, Apartment • Dwelling, Group Care <p>COMMERCIAL USE CLASS</p> <ul style="list-style-type: none"> • Artisanal Workshop • Childcare Facility* • Retail, Convenience Store* <p>ACCESSORY USE CLASS</p> <ul style="list-style-type: none"> • Accessory Building or Structure** • Bed and Breakfast • Home-Based Business, Major <p>PUBLIC USE CLASS</p> <ul style="list-style-type: none"> • Community Garden* • Religious Assembly <p>OTHER USES</p> <ul style="list-style-type: none"> • Stripping, Filling, Excavation and Grading

* Uses indicated to be Discretionary Use level 2, which are at the discretion of the MPC

**If the Use is Permitted, the Accessory Building or Structure is Permitted. If the use is Discretionary, the Accessory Building or Structure is Discretionary.

DISCRETIONARY ASSESSMENT CRITERIA FOR RESIDENTIAL 3 DISTRICT (R-3)

- 6.4.3. The following uses shall be discretionary and shall be evaluated for their appropriateness based off the criteria indicated. When carrying out the assessment, the Development Authority will identify if the impact is greater than a permitted activity and if so, whether the impact can be mitigated, remedied, or avoided. If it cannot, the application should be declined. Any uses not described in this Bylaw shall be considered discretionary and may only be considered by the Town if they are reasonably compatible with uses that are permitted and meet the intent of the district and policies of the MDP. Such uses will be subject to all assessment criteria, and may have additional evaluation criteria applied, at the discretion of the Development Authority. The Development Authority may request certain technical

reports to accompany a development permit application to assess the impacts, as referenced in Section 12.3. Refer to Schedule B for more information on the assessment criteria.

DISCRETIONARY USE	POSSIBLE ASSESSMENT CRITERIA												
	VISUAL APPEARANCE	TRAFFIC/ ACCESS	NOISE	ODOUR	LIGHT	DUST	VIBRATION	ENVIRONMENTAL	MUNICIPAL INFRASTRUCTURE	FISCAL	CUMULATIVE	SAFETY	COMPATIBILITY WITH ADJACENT LAND USES
<i>Residential Use Class</i>													
Dwelling, Apartment	X	X							X		X	X	
Dwelling, Group Care		X							X		X	X	
<i>Commercial Use Class</i>													
Artisanal Workshop	X		X	X	X	X	X		X		X	X	X
Childcare Facility		X	X		X						X	X	X
Retail, Convenience Store	X	X			X				X		X	X	X
<i>Accessory Use Class</i>													
Accessory Building or Structure	X										X	X	
Bed and Breakfast		X									X	X	
Home-Based Business, Major	X	X	X	X	X	X					X	X	X
<i>Public Use Class</i>													
Community Garden	X					X					X	X	
Religious Assembly		X							X		X	X	X
<i>Other Use Class</i>													
Stripping, Filling, Excavation and Grading	X	X	X			X	X	X			X	X	X

DEVELOPMENT REGULATIONS IN THE RESIDENTIAL 3 DISTRICT (R-3)

6.4.4. For development regulations related to **dwelling, single detached, dwelling, dwelling manufactured home, dwelling, semi-detached, dwelling triplex, and dwelling row housing/ townhouse**, please refer to Section 6.3 Residential 2 District (R-2).

6.4.5. For all other uses, development in the Residential 3 District (R-3) must comply with the following regulations:

SITE DEVELOPMENT				
		Use Type		
		Dwelling, Apartment	Commercial Uses	All Other Uses
Minimum Lot Width	Interior Lot	20.0 m	7.5 m	7.5 m
	Corner Lot	20.0 m	9.3 m	9.3 m
	<i>On irregularly shaped lots, the minimum is measured 3.0 m back from the front lot line.</i>			
Minimum Lot Depth	30.5 m			
Minimum Lot Area	Interior Lot	640.0 m ²	228.7 m ²	228.7 m ²
	Corner Lot	640.0 m ²	283.6 m ²	283.6 m ²
Maximum Site Coverage	65%			
PRINCIPAL BUILDING				
Maximum Building Height		16.0 m	10.5 m	10.5 m
Minimum Front Yard Setback	With a Lane	6.0 m	3.0 m	3.0 m
	Without a Lane		6.0 m	6.0 m
Minimum Rear Yard Setback	7.6 m			
Minimum Side Yard Setback	Abutting a Lot	2.0 m	1.2 m	1.2 m
	Abutting a Road	3.6 m	3.6 m	3.6 m
	Without a Lane	At least one side yard must be 3.1 metres, unless the principal dwelling includes an attached garage, and all servicing is from the front.		
ACCESSORY BUILDING				
Minimum Front Yard Setback	No Accessory Buildings are allowed in the front yard.			
Minimum Rear Yard Setback	With a Lane	1.2 m		
	Without a Lane	1.0 m		
Minimum Side Yard Setback	Abutting a Lot	1.2 m		
	Abutting a Road	No Accessory Buildings are permitted within a side yard flanking a roadway.		
ACCESSORY DWELLING UNITS				
The maximum number of accessory dwelling units on a lot abutting a functional rear lane is two (2).				
The maximum number of dwelling units on a lot not abutting a functional rear lane is one (1).				

- 6.4.6. In addition to the regulations listed above, Permitted and Discretionary Uses are subject to the applicable regulations, provisions and requirements contained within the other sections of this Bylaw.

6.5 RESIDENTIAL 4 DISTRICT (R-4)

- 6.5.1. The purpose of this district is to facilitate the development of residential neighbourhoods characterized by a variety of high-density housing.
- 6.5.2. The following uses shall be Permitted or Discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

PERMITTED USES	DISCRETIONARY USES
<p>RESIDENTIAL USE CLASS</p> <ul style="list-style-type: none"> Dwelling, Apartment Supportive Housing <p>ACCESSORY USE CLASS</p> <ul style="list-style-type: none"> Accessory Building or Structure** Home-Based Business, Home Office Home-Based Business, Minor <p>PUBLIC USE CLASS</p> <ul style="list-style-type: none"> Park Public Utilities <p>OTHER USES</p> <ul style="list-style-type: none"> Solar Energy, Personal Use 	<p>RESIDENTIAL USE CLASS</p> <ul style="list-style-type: none"> Accessory Dwelling Unit Dwelling, Group Care Dwelling, Row Housing/Townhouse Dwelling, Semi-Detached Dwelling, Triplex <p>COMMERCIAL USE CLASS</p> <ul style="list-style-type: none"> Artisanal Workshop Childcare Facility* Establishment, Restaurant* Farmers Market* Retail, Convenience Store* <p>ACCESSORY USE CLASS</p> <ul style="list-style-type: none"> Accessory Building or Structure** Bed and Breakfast Home-Based Business, Major <p>PUBLIC USE CLASS</p> <ul style="list-style-type: none"> Community Garden* Religious Assembly <p>OTHER USES</p> <ul style="list-style-type: none"> Stripping, Filling, Excavation and Grading

* Uses indicated to be Discretionary Use level 2, which are at the discretion of the MPC

**If the Use is Permitted, the Accessory Building or Structure is Permitted. If the use is Discretionary, the Accessory Building or Structure is Discretionary.

DISCRETIONARY ASSESSMENT CRITERIA FOR RESIDENTIAL 4 DISTRICT (R-4)

- 6.5.3. The following uses shall be discretionary and shall be evaluated for their appropriateness based off the criteria indicated. When carrying out the assessment, the Development Authority will identify if the impact is greater than a permitted activity and if so, whether the impact can be mitigated, remedied, or avoided. If it cannot, the application should be declined. Any uses not described in this Bylaw shall be considered discretionary and may only be considered by the Town if they are reasonably compatible with uses that are permitted and meet the intent of the district and policies of the MDP. Such uses will

be subject to all assessment criteria, and may have additional evaluation criteria applied, at the discretion of the Development Authority. The Development Authority may request certain technical reports to accompany a development permit application to assess the impacts, as referenced in Section 12.3. Refer to Schedule B for more information on the assessment criteria.

DISCRETIONARY USE	POSSIBLE ASSESSMENT CRITERIA												
	VISUAL APPEARANCE	TRAFFIC/ ACCESS	NOISE	ODOUR	LIGHT	DUST	VIBRATION	ENVIRONMENTAL	MUNICIPAL INFRASTRUCTURE	FISCAL	CUMULATIVE	SAFETY	COMPATIBILITY WITH ADJACENT LAND USES
Residential Use Class													
Accessory Dwelling Unit	X									X	X	X	
Dwelling, Group Care											X	X	
Dwelling, Row Housing/Townhouse										X	X	X	
Dwelling, Semi-Detached										X	X	X	
Dwelling, Triplex										X	X	X	
Commercial Use Class													
Artisanal Workshop	X		X	X	X	X	X		X		X	X	X
Childcare Facility		X	X		X						X	X	X
Establishment, Restaurant	X	X			X				X		X	X	X
Farmers Market		X	X								X	X	
Retail, Convenience Store	X	X			X				X		X	X	X
Accessory Use Class													
Accessory Building or Structure	X										X	X	
Bed and Breakfast		X									X	X	
Home-Based Business, Major	X	X	X	X	X	X					X	X	X
Public Use Class													
Community Garden	X					X					X	X	
Religious Assembly		X							X		X	X	X
Other Use Class													
Stripping, Filling, Excavation and Grading	X	X	X			X	X	X			X	X	X

DEVELOPMENT REGULATIONS IN THE RESIDENTIAL 4 DISTRICT (R-4)

- 6.5.4. For development regulations related to dwelling, single detached, dwelling, dwelling manufactured home, dwelling, semi-detached, dwelling triplex, and dwelling row housing/ townhouse, please refer to Section 6.3 Residential 2 District (R-2).
- 6.5.5. For all other uses, development in the Residential 4 District (R-4) must comply with the following regulations:

SITE DEVELOPMENT				
		Use Type		
		Dwelling, Apartment	Commercial Uses	All Other Uses
Minimum Lot Width	Interior Lot	30.0 m	7.5 m	7.5 m
	Corner Lot	30.0 m	9.3 m	9.3 m
	<i>On irregularly shaped lots, the minimum is measured 3.0 m back from the front lot line.</i>			
Minimum Lot Depth	30.5 m			
Minimum Lot Area	Interior Lot	915.0 m ²	228.7 m ²	228.7 m ²
	Corner Lot	915.0 m ²	283.6 m ²	283.6 m ²
Maximum Site Coverage	70%			
PRINCIPAL BUILDING				
Maximum Building Height	23.0 m		10.5 m	10.5 m
Minimum Front Yard Setback	With a Lane	6.0 m	3.0 m	3.0 m
	Without a Lane		6.0 m	6.0 m
Minimum Rear Yard Setback	7.6 m			
Minimum Side Yard Setback	Abutting a Lot	6.0 m	1.2 m	1.2 m
	Abutting a Road	6.0 m	3.6 m	3.6 m
	Without a Lane	At least one side yard must be 3.1 metres, unless the principal dwelling includes an attached garage, and all servicing is from the front.		
ACCESSORY BUILDING				
Minimum Front Yard Setback	No Accessory Buildings are allowed in the front yard.			
Minimum Rear Yard Setback	With a Lane	1.2 m		
	Without a Lane	1.0 m		
	Abutting a Lot	1.2 m		

Minimum Side Yard Setback	Abutting a Road	No Accessory Buildings are permitted within a side yard flanking a roadway.
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- 6.5.6. A minimum of 10% of a lot containing an **apartment building** shall be devoted to landscaped open space.
- 6.5.7. All off-street parking shall be surrounded by a landscaped area of not less than 0.9 m in width.
- 6.5.8. In addition to the regulations listed above, Permitted and Discretionary Uses are subject to the applicable regulations, provisions and requirements contained within the other sections of this Bylaw.

6.6 RESIDENTIAL 5 DISTRICT (R-5)

- 6.6.1. The purpose of this district is to facilitate the development of residential neighbourhoods characterized by **dwelling, manufactured homes**, as either a subdivision or **manufactured home park**.
- 6.6.2. The following uses shall be Permitted or Discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

PERMITTED USES	DISCRETIONARY USES
<p>RESIDENTIAL USE CLASS</p> <ul style="list-style-type: none"> Dwelling, Manufactured Home Manufactured Home Park 	<p>RESIDENTIAL USE CLASS</p> <ul style="list-style-type: none"> Accessory Dwelling Unit Dwelling, Group Care
<p>ACCESSORY USE CLASS</p> <ul style="list-style-type: none"> Accessory Building or Structure** Home-Based Business, Home Office Home-Based Business, Minor 	<p>COMMERCIAL USE CLASS</p> <ul style="list-style-type: none"> Artisanal Workshop Childcare Facility* Retail, Convenience Store*
<p>PUBLIC USE CLASS</p> <ul style="list-style-type: none"> Park Public Utilities 	<p>ACCESSORY USE CLASS</p> <ul style="list-style-type: none"> Accessory Building or Structure** Bed and Breakfast Home-Based Business, Major
<p>OTHER USES</p> <ul style="list-style-type: none"> Solar Energy, Personal Use 	<p>PUBLIC USE CLASS</p> <ul style="list-style-type: none"> Community Garden* Religious Assembly
	<p>OTHER USES</p> <ul style="list-style-type: none"> Stripping, Filling, Excavation and Grading

* Uses indicated to be Discretionary Use level 2, which are at the discretion of the MPC
 **If the Use is Permitted, the Accessory Building or Structure is Permitted. If the use is Discretionary, the Accessory Building or Structure is Discretionary.

DISCRETIONARY ASSESSMENT CRITERIA FOR RESIDENTIAL 5 DISTRICT (R-5)

- 6.6.3. The following uses shall be discretionary and shall be evaluated for their appropriateness based off the criteria indicated. When carrying out the assessment, the Development Authority will identify if the impact is greater than a permitted activity and if so, whether the impact can be mitigated, remedied, or avoided. If it cannot, the application should be declined. Any uses not described in this Bylaw shall be considered discretionary and may only be considered by the Town if they are reasonably compatible with uses that are permitted and meet the intent of the district and policies of the MDP. Such uses will be subject to all assessment criteria, and may have additional evaluation criteria applied, at the discretion of the Development Authority. The Development Authority may request certain technical reports to accompany a development permit application to assess the impacts, as referenced in Section 12.3. Refer to Schedule B for more information on the assessment criteria.

DISCRETIONARY USE	POSSIBLE ASSESSMENT CRITERIA												
	VISUAL APPEARANCE	TRAFFIC/ ACCESS	NOISE	ODOUR	LIGHT	DUST	VIBRATION	ENVIRONMENTAL	MUNICIPAL INFRASTRUCTURE	FISCAL	CUMULATIVE	SAFETY	COMPATIBILITY WITH ADJACENT LAND USES
<i>Residential Use Class</i>													
Accessory Dwelling Unit	X										X	X	
Dwelling, Group Care											X	X	
<i>Commercial Use Class</i>													
Artisanal Workshop	X		X	X	X	X	X		X		X	X	X
Childcare Facility		X	X		X						X	X	X
Retail, Convenience Store	X	X			X				X		X	X	X
<i>Accessory Use Class</i>													
Accessory Building or Structure	X										X	X	
Bed and Breakfast		X									X	X	
Home-Based Business, Major	X	X	X	X	X	X					X	X	X
<i>Public Use Class</i>													
Community Garden	X					X					X	X	
Religious Assembly		X							X		X	X	X
<i>Other Use Class</i>													
Stripping, Filling, Excavation and Grading	X	X	X			X	X	X			X	X	X

DEVELOPMENT REGULATIONS IN THE RESIDENTIAL 5 DISTRICT (R-5)

6.6.4. Development in the Residential 5 District (R-5) must comply with the following regulations:

SITE DEVELOPMENT				
		Use Type		
		Home Park	Dwelling, manufactured home	All Other Uses
Minimum Lot Width	Interior Lot	12.0 m	9.1 m	7.5 m
	Corner Lot	15.0 m	15.0 m	9.3 m
	<i>On irregularly shaped lots, the minimum is measured 3.0 m back from the front lot line.</i>			
Minimum Lot Depth		50.0 m	n/a	30.5 m
Minimum Lot Area	Interior Lot	1.6 ha	375.0 m ²	228.7 m ²
	Corner Lot		375.0 m ²	283.6 m ²
Maximum Site Coverage	55%			
PRINCIPAL BUILDING				
Maximum Building Height		n/a	9.0 m	10.5 m
Minimum Front Yard Setback	From internal road	n/a	3.0 m	3.0 m
	From external road		4.5 m	4.5 m
Minimum Rear Yard Setback		3.0 m	3.0	7.6 m
Minimum Side Yard Setback	Abutting a Lot	3.0 m	1.2 m	1.2 m
	Abutting a Road	3.6 m	3.6 m	3.6 m
	Without a Lane	At least one side yard must be 3.1 metres, unless the principal dwelling includes an attached garage, and all servicing is from the front.		
ACCESSORY BUILDING				
Minimum Front Yard Setback	No Accessory Buildings are allowed in the front yard.			
Minimum Rear Yard Setback	With a Lane	1.2 m		
	Without a Lane	1.0 m		
Minimum Side Yard Setback	Abutting a Lot	1.2 m		
	Abutting a Road	No Accessory Buildings are permitted within a side yard flanking a roadway.		

- 6.6.5. Every **manufactured home park** is required to:
- a) have a lighted storage area of 9.29 m² per manufactured home lot;
 - b) devote 5% of the gross site area to landscaped open space and the open space shall contain playground equipment;
 - c) provide and maintain municipal services to the satisfaction of the Development Authority;
 - d) provide and maintain a paved private road system to the satisfaction of the Development Authority and the Town Engineer;
 - e) provide and maintain street lighting to the satisfaction of the Development Authority and the Town Engineer;
 - f) provide a method of garbage collection and disposal to the satisfaction of the Development Authority;
 - g) provide direct access to a major public road; and
 - h) provide a surface water drainage system to the satisfaction of the Development Authority and the Town Engineer.
- 6.6.6. Every manufactured home park lot shall:
- a) front onto a private road with a minimum carriageway of 12.19 m;
 - b) be clearly marked by means of stakes, fences, hedges or other means satisfactory to the Development Officer;
 - c) have at least two (2) off-street parking spaces plus one (1) off-street visitor parking space per four (4) **manufactured home park** lots; and
 - d) be hard surfaced to the satisfaction of the Development Authority.
- 6.6.7. Manufactured home park buffer:
- a) Every **manufactured home park** shall maintain on its own property a screen or buffer of a width to be determined by the Development Authority; and
 - b) The screen or buffer shall be at least 4.57 m wide, except when abutting a public roadway, when the minimum width shall be 7.62 m.
- 6.6.8. For **manufactured home parks** containing over fifty (50) park lots, two (2) separate means of access shall be provided. In **manufactured home parks** under one hundred (100) units, this may be in the form of a boulevard road with a central dividing strip, so that in the event of blockage of one (1) side, the other side is available for two (2) way emergency traffic.
- 6.6.9. In addition to the regulations listed above, Permitted and Discretionary Uses are subject to the applicable regulations, provisions and requirements contained within the other sections of this Bylaw.

6.7 RESIDENTIAL 6 DISTRICT (R-6)

- 6.7.1. The purpose of this district is to provide for the residential development of lands where the topography of the area does not readily support urban densities. Development within this district may be serviced by onsite services. This district is intended to accommodate **dwelling, single detached** developments on large parcels where minimal urban services are provided. This district makes provision for accessory uses which are clearly subordinate to the principal residential use of the parcel, compatible with adjacent uses, and limited in size and intensity.
- 6.7.2. The following uses shall be Permitted or Discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

PERMITTED USES	DISCRETIONARY USES
<p>RESIDENTIAL USE CLASS</p> <ul style="list-style-type: none"> • Accessory Dwelling Unit • Dwelling, Group Care • Dwelling, Single Detached <p>ACCESSORY USE CLASS</p> <ul style="list-style-type: none"> • Accessory Building or Structure** • Home-Based Business, Home Office • Home-Based Business, Minor <p>PUBLIC USE CLASS</p> <ul style="list-style-type: none"> • Park • Public Utilities <p>OTHER USES</p> <ul style="list-style-type: none"> • Solar Energy, Personal Use 	<p>RESIDENTIAL USE CLASS</p> <ul style="list-style-type: none"> • Communal Living* • Dwelling, Semi-Detached* <p>COMMERCIAL USE CLASS</p> <ul style="list-style-type: none"> • Artisanal Workshop <p>ACCESSORY USE CLASS</p> <ul style="list-style-type: none"> • Accessory Building or Structure** • Bed and Breakfast • Home-Based Business, Major • Small Animal Breeding/Boarding Services* <p>PUBLIC USE CLASS</p> <ul style="list-style-type: none"> • Community Garden* <p>OTHER USES</p> <ul style="list-style-type: none"> • Stripping, Filling, Excavation and Grading

* Uses indicated to be Discretionary Use level 2, which are at the discretion of the MPC
 **If the Use is Permitted, the Accessory Building or Structure is Permitted. If the use is Discretionary, the Accessory Building or Structure is Discretionary.

DISCRETIONARY ASSESSMENT CRITERIA FOR RESIDENTIAL 6 DISTRICT (R-6)

- 6.7.3. The following uses shall be discretionary and shall be evaluated for their appropriateness based off the criteria indicated. When carrying out the assessment, the Development Authority will identify if the impact is greater than a permitted activity and if so, whether the impact can be mitigated, remedied, or avoided. If it cannot, the application should be declined. Any uses not described in this Bylaw shall be considered discretionary and may only be considered by the Town if they are reasonably compatible with uses that are permitted and meet the intent of the district and policies of the MDP. Such uses will be subject to all assessment criteria, and may have additional evaluation criteria applied, at the discretion of the Development Authority. The Development Authority may request certain technical reports to accompany a development permit application to assess the impacts, as referenced in Section 12.3. Refer to Schedule B for more information on the assessment criteria.

DISCRETIONARY USE	POSSIBLE ASSESSMENT CRITERIA												
	VISUAL APPEARANCE	TRAFFIC/ ACCESS	NOISE	ODOUR	LIGHT	DUST	VIBRATION	ENVIRONMENTAL	MUNICIPAL INFRASTRUCTURE	FISCAL	CUMULATIVE	SAFETY	COMPATIBILITY WITH ADJACENT LAND USES
<i>Residential Use Class</i>													
Communal Living		X							X		X	X	
Dwelling, Manufactured Home									X		X	X	
Dwelling, Semi-Detached									X		X	X	
<i>Commercial Use Class</i>													
Artisanal Workshop	X		X	X	X	X	X		X		X	X	X
<i>Accessory Use Class</i>													
Accessory Building or Structure	X										X	X	
Bed and Breakfast		X									X	X	
Home-Based Business, Major	X	X	X	X	X	X					X	X	X
Small Animal Breeding/Boarding Services	X	X	X	X							X	X	X
<i>Public Use Class</i>													
Community Garden	X					X					X	X	
<i>Other Use Class</i>													
Stripping, Filling, Excavation and Grading	X	X	X			X	X	X			X	X	X

DEVELOPMENT REGULATIONS IN THE RESIDENTIAL 6 DISTRICT (R-6)

6.7.4. Development in the Residential 6 District (R-6) is required to comply with the following regulations:

SITE DEVELOPMENT				
		Use Type		
		Dwelling, Single Detached, Manufactured Home	Dwelling, Semi-Detached	All Other Uses
Minimum Lot Width	Interior Lot	15.0 m /dwelling unit	7.5 m / dwelling unit	15.0 m
	Corner Lot	16.8 m /dwelling unit	9.3 m /dwelling unit	16.8 m
	<i>On irregularly shaped lots, the minimum is measured 3.0 m back from the front lot line.</i>			
Minimum Lot Depth	30.5 m			
Minimum Lot Area	Interior Lot	510.9 m ²	230.7 m ²	510.9 m ²
	Corner Lot	576.0 m ²	283.7 m ²	576.0 m ²
Maximum Site Coverage	55%			
PRINCIPAL BUILDING				
Maximum Building Height	10.5 m			
Minimum Front Yard Setback	With a Lane	3.0 m		
	Without a Lane	7.6 m		
Minimum Rear Yard Setback	7.6 m			
Minimum Side Yard Setback	Abutting a Lot	1.2 m		
	Abutting a Road	3.6 m		
	Without a Lane	At least one side yard must be 3.1 metres, unless the principal dwelling includes an attached garage, and all servicing is from the front.		
ACCESSORY BUILDING				
Minimum Front Yard Setback	No Accessory Buildings are allowed in the front yard.			
Minimum Rear Yard Setback	With a Lane	1.2 m		
	Without a Lane	1.0 m		
Minimum Side Yard Setback	Abutting a Lot	1.2 m		
	Abutting a Road	No Accessory Buildings are permitted within a side yard flanking a roadway.		

ACCESSORY DWELLING UNITS
The maximum number of accessory dwelling units on a lot abutting a functional rear lane is two (2).
The maximum number of dwelling units on a lot not abutting a functional rear lane is one (1).

- 6.7.5. Water supply and sewage disposal shall be provided in accordance with the *Public Health Act* regulations and the *Safety Codes Act*.
- 6.7.6. In addition to the regulations listed above, Permitted and Discretionary Uses are subject to the applicable regulations, provisions and requirements contained within the other sections of this Bylaw.

6.8 COMMERCIAL 1 DISTRICT (C-1)

- 6.8.1. The purpose of this district is to provide for the development of the Town’s downtown with a wide variety of retail, office, and service-oriented commercial outlets, and reinforce the downtown as the central business district. The regulations of this district are also intended to restrict uses that may be considered obnoxious or involve excessive outside storage of materials, goods and equipment.
- 6.8.2. The following uses shall be Permitted or Discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

PERMITTED USES	DISCRETIONARY USES
<p>COMMERCIAL USE CLASS</p> <ul style="list-style-type: none"> Artisanal Workshop Business Support Services Casino Childcare Facility Contractor Services Domestic Animal Care Services Establishment, Bars and Pubs Establishment, Brewery, Winery and Distillery Establishment, Restaurant Farmers Market Media Studio Professional Office Personal Service Shops Retail, Cannabis or Liquor Store Retail, Convenience Store Retail, Shopping Centre Retail, Store Veterinary Services Visitor Accommodation <p>ACCESSORY USE CLASS</p> <ul style="list-style-type: none"> Accessory Building or Structure** Home-Based Business, Home Office Home-Based Business, Minor <p>PUBLIC USE CLASS</p> <ul style="list-style-type: none"> Community Garden Community Cultural Facility Government Services Health and Medical Services Public Utilities School, Commercial 	<p>RESIDENTIAL USE CLASS</p> <ul style="list-style-type: none"> Dwelling, Apartment Supportive Housing <p>COMMERCIAL USE CLASS</p> <ul style="list-style-type: none"> Commercial, General Funeral and Related Services* Gas Station Performance and Event Venue Warehouse Sales and Storage Facilities <p>INDUSTRIAL USE CLASS</p> <ul style="list-style-type: none"> Automotive, Equipment and Recreational Vehicle Sales and Service Fleet Services Recycling Depot* <p>ACCESSORY USE CLASS</p> <ul style="list-style-type: none"> Accessory Building or Structure** Home-Based Business, Major <p>PUBLIC USE CLASS</p> <ul style="list-style-type: none"> Park Recreation, Indoor Religious Assembly School, Private School, Public <p>OTHER USES</p> <ul style="list-style-type: none"> Agriculture, Urban Parking Facility Stripping, Filling, Excavation and Grading

PERMITTED USES	DISCRETIONARY USES
OTHER USES <ul style="list-style-type: none"> Solar Energy, Personal Use 	

* Uses indicated to be Discretionary Use level 2, which are at the discretion of the MPC
 **If the Use is Permitted, the Accessory Building or Structure is Permitted. If the use is Discretionary, the Accessory Building or Structure is Discretionary.

DISCRETIONARY ASSESSMENT CRITERIA FOR COMMERCIAL 1 DISTRICT (C-1)

6.8.3. The following uses shall be discretionary and shall be evaluated for their appropriateness based off the criteria indicated. When carrying out the assessment, the Development Authority will identify if the impact is greater than a permitted activity and if so, whether the impact can be mitigated, remedied, or avoided. If it cannot, the application should be declined. Any uses not described in this Bylaw shall be considered discretionary and may only be considered by the Town if they are reasonably compatible with uses that are permitted and meet the intent of the district and policies of the MDP. Such uses will be subject to all assessment criteria, and may have additional evaluation criteria applied, at the discretion of the Development Authority. The Development Authority may request certain technical reports to accompany a development permit application to assess the impacts, as referenced in Section 12.3. Refer to Schedule B for more information on the assessment criteria.

DISCRETIONARY USE	POSSIBLE ASSESSMENT CRITERIA												
	VISUAL APPEARANCE	TRAFFIC/ ACCESS	NOISE	ODOUR	LIGHT	DUST	VIBRATION	ENVIRONMENTAL	MUNICIPAL INFRASTRUCTURE	FISCAL	CUMULATIVE	SAFETY	COMPATIBILITY WITH ADJACENT LAND USES
Residential Use Class													
Dwelling, Apartment		X									X	X	X
Supportive Housing		X									X	X	X
Commercial Use Class													
Commercial, General	X	X	X	X	X	X	X	X	X	X	X	X	X
Funeral and Related Services		X		X		X		X	X		X	X	
Gas Station	X	X		X			X	X	X	X	X	X	X
Performance and Event Venue		X									X	X	
Warehouse Sales and Storage Facilities	X										X	X	X
Industrial Use Class													
Automotive, Equipment and Recreational Vehicle Sales and Service	X	X									X	X	X

DISCRETIONARY USE	POSSIBLE ASSESSMENT CRITERIA												
	VISUAL APPEARANCE	TRAFFIC/ ACCESS	NOISE	ODOUR	LIGHT	DUST	VIBRATION	ENVIRONMENTAL	MUNICIPAL INFRASTRUCTURE	FISCAL	CUMULATIVE	SAFETY	COMPATIBILITY WITH ADJACENT LAND USES
Fleet Services	X	X									X	X	X
Recycling Depot	X			X		X					X	X	X
<i>Accessory Use Class</i>													
Accessory Building or Structure	X										X	X	
Home-Based Business, Major	X	X	X	X	X	X					X	X	X
<i>Public Use Class</i>													
Park											X	X	X
Recreation, Indoor	X	X	X						X		X	X	X
Religious Assembly											X	X	
School, Private		X									X	X	
School, Public		X									X	X	
<i>Other Uses</i>													
Agriculture, Urban	X		X	X	X	X	X	X	X	X	X	X	X
Parking Facility	X	X					X	X			X	X	
Stripping, Filling, Excavation and Grading	X	X	X			X	X	X			X	X	X

DEVELOPMENT REGULATIONS IN THE COMMERCIAL 1 DISTRICT (C-1)

6.8.4. Development in the Commercial 1 District (C-1) is required to comply with the following regulations:

SITE DEVELOPMENT			
	Use Type		
	Dwelling, Apartment; Supportive Housing	Commercial Uses (including mixed use developments)	All Other Uses
Minimum Lot Width	30.0 m	9.1 m	9.1 m
Minimum Lot Depth	30.5 m		
Minimum Lot Area	915.0 m ²	228.7 m ²	228.7 m ²
Maximum Site Coverage	70%	100 %	75%
ALL BUILDINGS			
Maximum Building Height	16.0 m		
Minimum Front Yard Setback	0.0 m	3.0 m	At the discretion of the Development Authority.
Minimum Rear Yard Setback	3.0 m	0.0 m	
Minimum Side Yard Setback	0.0 m	0.0 m	

6.8.5. Screening and Fencing:

- a) All sites abutting a residential parcel shall be screened from the view of the residential parcel to the satisfaction of the Development Authority.
- b) All apparatus on the roof of any building shall be screened to the satisfaction of the Development Authority.
- c) Outside storage areas shall be screened from adjacent sites and public thoroughfares to the satisfaction of the Development Authority.

6.8.6. Residential Development:

- a) Residential development, beyond an entrance to the lobby, shall not be allowed at street level on property fronting onto 100th (Main) Street.
- b) Residential uses shall have direct access to the outside street level.
- c) With the exception of an entrance, residential dwellings shall not front onto a public road at ground level.

6.8.7. In addition to the regulations listed above, Permitted and Discretionary Uses are subject to the applicable regulations, provisions and requirements contained within the other sections of this Bylaw.

6.9 COMMERCIAL 2 DISTRICT (C-2)

- 6.9.1. The purpose of this land use district is to provide for a wide variety of retail and service commercial developments requiring larger tracts of land for outside storage and the display of goods, and for lands along highways to serve the traveling and local public.
- 6.9.2. The following uses shall be Permitted or Discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

PERMITTED USES	DISCRETIONARY USES
<p>COMMERCIAL USE CLASS</p> <ul style="list-style-type: none"> • Artisanal Workshop • Business Support Services • Casino • Contractor Services • Domestic Animal Care Services • Establishment, Bars and Pubs • Establishment, Brewery, Winery and Distillery • Establishment, Restaurant • Farmers Market • Media Studio • Performance and Event Venue • Professional Office • Personal Service Shops • Retail, Cannabis or Liquor Store • Retail, Convenience Store • Retail, Shopping Centre • Retail, Store • Truck Stop • Veterinary Services • Visitor Accommodation 	<p>COMMERCIAL USE CLASS</p> <ul style="list-style-type: none"> • Childcare Facility • Commercial, General • Commercial, Greenhouses • Funeral and Related Services* • Gas Station • Warehouse Sales and Storage Facilities
<p>INDUSTRIAL USE CLASS</p> <ul style="list-style-type: none"> • Automotive, Equipment and Recreational Vehicle Sales and Service • Building Material and Supply Outlet • Fleet Services • Recycling Depot 	<p>INDUSTRIAL USE CLASS</p> <ul style="list-style-type: none"> • Automotive Electrical Services • Cannabis Cultivation, Processing and Distribution* • Heavy Truck and Equipment Storage and Sales • Recreational Vehicle Storage Facility*
<p>ACCESSORY USE CLASS</p> <ul style="list-style-type: none"> • Accessory Building or Structure** 	<p>ACCESSORY USE CLASS</p> <ul style="list-style-type: none"> • Accessory Building or Structure** • Small Animal Breeding/Boarding Services*
<p>PUBLIC USE CLASS</p> <ul style="list-style-type: none"> • Community Cultural Facility 	<p>PUBLIC USE CLASS</p> <ul style="list-style-type: none"> • Health and Medical Services • Hospital* • Park • Recreation, Indoor • Recreation, Outdoor* • Religious Assembly • School, Industrial
	<p>OTHER USES</p> <ul style="list-style-type: none"> • Agriculture, Urban • Parking Facility • Shooting Range, Indoor* • Stripping, Filling, Excavation and Grading

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> Community Garden Government Services Public Utilities School, Commercial 	
OTHER USES	
<ul style="list-style-type: none"> Solar Energy, Personal Use 	

* Uses indicated to be Discretionary Use level 2, which are at the discretion of the MPC
 **If the Use is Permitted, the Accessory Building or Structure is Permitted. If the use is Discretionary, the Accessory Building or Structure is Discretionary.

DISCRETIONARY ASSESSMENT CRITERIA FOR COMMERCIAL 2 DISTRICT (C-2)

6.9.3. The following uses shall be discretionary and shall be evaluated for their appropriateness based off the criteria indicated. When carrying out the assessment, the Development Authority will identify if the impact is greater than a permitted activity and if so, whether the impact can be mitigated, remedied, or avoided. If it cannot, the application should be declined. Any uses not described in this Bylaw shall be considered discretionary and may only be considered by the Town if they are reasonably compatible with uses that are permitted and meet the intent of the district and policies of the MDP. Such uses will be subject to all assessment criteria, and may have additional evaluation criteria applied, at the discretion of the Development Authority. The Development Authority may request certain technical reports to accompany a development permit application to assess the impacts, as referenced in Section 12.3. Refer to Schedule B for more information on the assessment criteria.

DISCRETIONARY USE	POSSIBLE ASSESSMENT CRITERIA												
	VISUAL APPEARANCE	TRAFFIC/ ACCESS	NOISE	ODOUR	LIGHT	DUST	VIBRATION	ENVIRONMENTAL	MUNICIPAL INFRASTRUCTURE	FISCAL	CUMULATIVE	SAFETY	COMPATIBILITY WITH ADJACENT LAND USES
<i>Commercial Use Class</i>													
Childcare Facility		X	X		X						X	X	X
Commercial, General	X	X	X	X	X	X	X	X	X	X	X	X	X
Commercial, Greenhouses			X	X		X					X	X	
Funeral and Related Services		X		X		X		X	X		X	X	
Gas Station	X	X		X			X	X	X	X	X	X	X
Warehouse Sales and Storage Facilities	X										X	X	X
<i>Industrial Use Class</i>													

DISCRETIONARY USE	POSSIBLE ASSESSMENT CRITERIA												
	VISUAL APPEARANCE	TRAFFIC/ ACCESS	NOISE	ODOUR	LIGHT	DUST	VIBRATION	ENVIRONMENTAL	MUNICIPAL INFRASTRUCTURE	FISCAL	CUMULATIVE	SAFETY	COMPATIBILITY WITH ADJACENT LAND USES
Automotive Electrical Services	X	X	X								X	X	
Cannabis Cultivation, Processing and Distribution	X		X	X	X	X	X	X			X	X	X
Heavy Truck and Equipment Storage and Sales	X	X	X	X	X	X					X	X	
Recreational Vehicle Storage Facility	X	X			X	X					X	X	X
<i>Accessory Use Class</i>													
Accessory Building or Structure	X										X	X	
Small Animal Breeding/Boarding Services	X		X	X							X	X	X
<i>Public Use Class</i>													
Health and Medical Services		X									X	X	
Hospital		X							X	X	X	X	X
Park											X	X	X
Recreation, Indoor	X	X	X						X		X	X	X
Religious Assembly		X							X	X	X	X	X
School, Industrial		X	X	X	X	X	X				X	X	
<i>Other Uses</i>													
Agriculture, Urban	X		X	X	X	X	X	X	X	X	X	X	X
Parking Facility	X	X					X	X			X	X	
Shooting Range, Indoor		X									X	X	X
Stripping, Filling, Excavation and Grading	X	X				X	X	X			X	X	X

DEVELOPMENT REGULATIONS IN THE COMMERCIAL 2 DISTRICT (C-2)

6.9.4. Development in the Commercial 2 District (C-2) is required to comply with the following regulations:

SITE DEVELOPMENT	
Minimum Lot Width	30.0 m
Minimum Lot Depth	30.5 m
Minimum Lot Area	915.0 m ²
Maximum Site Coverage	65 %
ALL BUILDINGS	
Maximum Building Height	16.0 m
Minimum Front Yard Setback	6.0 m
Minimum Rear Yard Setback	3.0 m
Minimum Side Yard Setback	3.0 m

6.9.5. In addition to the regulations listed above, Permitted and Discretionary Uses are subject to the applicable regulations, provisions and requirements contained within the other sections of this Bylaw.

6.10 COMMERCIAL NEIGHBOURHOOD DISTRICT (C-N)

- 6.10.1. The purpose of this district is to provide for local retail and service outlets to provide a variety of goods and services to adjacent residential neighbourhoods.
- 6.10.2. The following uses shall be Permitted or Discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

PERMITTED USES	DISCRETIONARY USES
<p>COMMERCIAL USE CLASS</p> <ul style="list-style-type: none"> Artisanal Workshop Business Support Services Childcare Facility Domestic Animal Care Services Establishment, Restaurant Farmers Market Professional Office Personal Service Shops Retail, Convenience Store Retail, Store 	<p>RESIDENTIAL USE CLASS</p> <ul style="list-style-type: none"> Dwelling, Apartment
<p>ACCESSORY USE CLASS</p> <ul style="list-style-type: none"> Accessory Building or Structure** Home-Based Business, Home Office Home-Based Business, Minor 	<p>COMMERCIAL USE CLASS</p> <ul style="list-style-type: none"> Commercial, General Contractor Services* Establishment, Bars and Pubs* Establishment, Brewery, Winery and Distillery* Gas Station Media Studio Performance and Event Venue* Retail, Cannabis or Liquor Store* Veterinary Services*
<p>PUBLIC USE CLASS</p> <ul style="list-style-type: none"> Community Cultural Facility Public Utilities Religious Assembly 	<p>INDUSTRIAL USE CLASS</p> <ul style="list-style-type: none"> Fleet Services* Recycling Depot*
<p>OTHER USES</p> <ul style="list-style-type: none"> Solar Energy, Personal Use 	<p>ACCESSORY USE CLASS</p> <ul style="list-style-type: none"> Accessory Building or Structure** Home-Based Business, Major Live-Work Unit*
	<p>PUBLIC USE CLASS</p> <ul style="list-style-type: none"> Community Garden Government Services Health and Medical Services* Park Recreation, Indoor*
	<p>OTHER USES</p> <ul style="list-style-type: none"> Agriculture, Urban Stripping, Filling, Excavation and Grading

* Uses indicated to be Discretionary Use level 2, which are at the discretion of the MPC

**If the Use is Permitted, the Accessory Building or Structure is Permitted. If the use is Discretionary, the Accessory Building or Structure is Discretionary.

DISCRETIONARY ASSESSMENT CRITERIA FOR COMMERCIAL-NEIGHBOURHOOD DISTRICT (C-N)

6.10.3. The following uses shall be discretionary and shall be evaluated for their appropriateness based off the criteria indicated. When carrying out the assessment, the Development Authority will identify if the impact is greater than a permitted activity and if so, whether the impact can be mitigated, remedied, or avoided. If it cannot, the application should be declined. Any uses not described in this Bylaw shall be considered discretionary and may only be considered by the Town if they are reasonably compatible with uses that are permitted and meet the intent of the district and policies of the MDP. Such uses will be subject to all assessment criteria, and may have additional evaluation criteria applied, at the discretion of the Development Authority. The Development Authority may request certain technical reports to accompany a development permit application to assess the impacts, as referenced in Section 12.3. Refer to Schedule B for more information on the assessment criteria.

DISCRETIONARY USE	POSSIBLE ASSESSMENT CRITERIA												
	VISUAL APPEARANCE	TRAFFIC / ACCESS	NOISE	ODOUR	LIGHT	DUST	VIBRATION	ENVIRONMENTAL	MUNICIPAL INFRASTRUCTURE	FISCAL	CUMULATIVE	SAFETY	COMPATIBILITY WITH ADJACENT LAND USES
<i>Residential Use Class</i>													
Dwelling, Apartment	X	X									X	X	X
<i>Commercial Use Class</i>													
Commercial, General	X	X	X	X	X	X	X	X	X	X	X	X	X
Contractor Services	X	X	X	X	X	X	X		X		X	X	X
Establishment, Bars and Pubs		X	X	X							X	X	X
Establishment, Brewery, Winery and Distillery		X	X	X					X		X	X	X
Media Studio			X								X	X	X
Performance and Event Venue	X	X	X								X	X	
Retail, Liquor or Cannabis Store											X	X	X
Veterinary Services				X							X	X	X
<i>Industrial Use Class</i>													
Fleet Services	X	X									X	X	
Recycling Depot	X			X		X					X	X	X
<i>Accessory Use Class</i>													

DISCRETIONARY USE	POSSIBLE ASSESSMENT CRITERIA												
	VISUAL APPEARANCE	TRAFFIC/ ACCESS	NOISE	ODOUR	LIGHT	DUST	VIBRATION	ENVIRONMENTAL	MUNICIPAL INFRASTRUCTURE	FISCAL	CUMULATIVE	SAFETY	COMPATIBILITY WITH ADJACENT LAND USES
Accessory Building or Structure	X										X	X	
Home-Based Business, Major	X	X	X	X	X	X					X	X	X
Live-Work Unit	X	X	X	X	X	X					X	X	X
<i>Public Use Class</i>													
Community Garden	X					X					X	X	
Government Services		X									X	X	X
Health and Medical Services		X									X	X	X
Park											X	X	X
Recreation, Indoor	X	X	X						X		X	X	X
<i>Other Use Class</i>													
Agriculture, Urban	X		X	X	X	X	X	X	X	X	X	X	X
Stripping, Filling, Excavation and Grading	X	X	X			X	X	X			X	X	X

DEVELOPMENT REGULATIONS IN THE COMMERCIAL-NEIGHBOURHOOD DISTRICT (C-N)

6.10.4. Development in the Commercial Neighbourhood District (C-N) is required to comply with the following regulations:

SITE DEVELOPMENT	
Minimum Lot Width	15.0 m
Minimum Lot Depth	30.5 m
Minimum Lot Area	457.5 m ²
Maximum Lot Area	2,500.0 m ²
Maximum Site Coverage	65 %
ALL BUILDINGS	
Maximum Building Height	16.0 m
Minimum Front Yard Setback	6.0 m
Minimum Rear Yard Setback	3.0 m
Minimum Side Yard Setback	3.0 m

6.10.5. In addition to the regulations listed above, Permitted and Discretionary Uses are subject to the applicable regulations, provisions and requirements contained within the other sections of this Bylaw.

6.12 COMMERCIAL RESIDENTIAL DISTRICT (C-R)

- 6.12.1. The purpose of this district is to provide for the commercial and residential development of areas adjacent to the Town's central business district. An intermixing of commercial and residential use is intended to strengthen the role of the downtown area as the business and cultural center of Peace River.
- 6.12.2. The following uses shall be Permitted or Discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

PERMITTED USES	DISCRETIONARY USES
RESIDENTIAL USE CLASS	RESIDENTIAL USE CLASS
<ul style="list-style-type: none"> • Accessory Dwelling Unit • Communal Living • Dwelling, Apartment • Dwelling, Row Housing/Townhouse • Dwelling, Semi-Detached • Dwelling, Single Detached • Dwelling, Triplex 	<ul style="list-style-type: none"> • Dwelling, Caretaker's Residence • Dwelling, Group Care • Supportive Housing
COMMERCIAL USE CLASS	COMMERCIAL USE CLASS
<ul style="list-style-type: none"> • Artisanal Workshop • Business Support Services • Contractor Services • Domestic Animal Care Services • Establishment, Restaurant • Farmers Market • Media Studio • Professional Office • Personal Service Shops • Retail, Convenience Store • Retail, Store • Visitor Accommodation 	<ul style="list-style-type: none"> • Childcare Facility • Commercial, General • Establishment, Bars and Pubs* • Establishment, Brewery, Winery and Distillery* • Funeral and Related Services* • Media Studio • Performance and Event Venue* • Retail, Cannabis or Liquor Store* • Veterinary Services*
ACCESSORY USE CLASS	INDUSTRIAL USE CLASS
<ul style="list-style-type: none"> • Accessory Building or Structure** • Home-Based Business, Home Office • Home-Based Business, Minor 	<ul style="list-style-type: none"> • Automotive Electrical Services • Fleet Services*
PUBLIC USE CLASS	ACCESSORY USE CLASS
<ul style="list-style-type: none"> • Community Cultural Facility • Government Services • Health and Medical Services • Park • Public Utilities • Religious Assembly 	<ul style="list-style-type: none"> • Accessory Building or Structure* • Bed and Breakfast • Home-Based Business, Major • Live-Work Unit* • Small Animal Breeding/Boarding Services*
	PUBLIC USE CLASS
	<ul style="list-style-type: none"> • Community Garden* • Recreation, Indoor* • Recreation, Outdoor* • School, Private • School, Public
	OTHER USES

- | | |
|---|--|
| <ul style="list-style-type: none"> School, Commercial | <ul style="list-style-type: none"> Agriculture, Urban Parking Facility Stripping, Filling, Excavation and Grading |
| <p>OTHER USES</p> <ul style="list-style-type: none"> Solar Energy, Personal Use | |

* Uses indicated to be Discretionary Use level 2, which are at the discretion of the MPC

**If the Use is Permitted, the Accessory Building or Structure is Permitted. If the use is Discretionary, the Accessory Building or Structure is Discretionary.

DISCRETIONARY ASSESSMENT CRITERIA FOR COMMERCIAL RESIDENTIAL DISTRICT (C-R)

6.12.3. The following uses shall be discretionary and shall be evaluated for their appropriateness based off the criteria indicated. When carrying out the assessment, the Development Authority will be identifying if the impact is greater than a permitted activity and if so, whether the impact can be mitigated, remedied, or avoided. If it cannot, the application should be declined. Any uses not described in this Bylaw shall be considered discretionary and may only be considered by the Town if they are reasonably compatible with uses that are permitted and meet the intent of the district and policies of the MDP. Such uses will be subject to all assessment criteria, and may have additional evaluation criteria applied, at the discretion of the Development Authority. The Development Authority may request certain technical reports to accompany a development permit application to assess the impacts, as referenced in Section 12.3. Refer to Schedule B for more information on the assessment criteria.

DISCRETIONARY USE	POSSIBLE ASSESSMENT CRITERIA												
	VISUAL APPEARANCE	TRAFFIC / ACCESS	NOISE	ODOUR	LIGHT	DUST	VIBRATION	ENVIRONMENTAL	MUNICIPAL INFRASTRUCTURE	FISCAL	CUMULATIVE	SAFETY	COMPATIBILITY WITH ADJACENT LAND USES
<i>Residential Use Class</i>													
Dwelling, Caretaker's Residence											X	X	X
Dwelling, Group Care											X	X	
Supportive Housing		X									X	X	X
<i>Commercial Use Class</i>													
Childcare Facility		X	X								X	X	X
Commercial, General	X	X	X	X	X	X	X	X	X	X	X	X	X
Establishment, Bars and Pubs		X	X	X							X	X	X
Establishment, Brewery, Winery and Distillery		X	X	X					X		X	X	X
Funeral and Related Services		X		X		X		X	X		X	X	
Media Studio			X								X	X	X

DISCRETIONARY USE	POSSIBLE ASSESSMENT CRITERIA												
	VISUAL APPEARANCE	TRAFFIC/ ACCESS	NOISE	ODOUR	LIGHT	DUST	VIBRATION	ENVIRONMENTAL	MUNICIPAL INFRASTRUCTURE	FISCAL	CUMULATIVE	SAFETY	COMPATIBILITY WITH ADJACENT LAND USES
Performance and Event Venue		X							X		X	X	X
Retail, Cannabis or Liquor Store											X	X	X
Veterinary Services				X							X	X	X
Industrial Use Class													
Automotive Electrical Services	X	X	X								X	X	X
Fleet Services	X	X									X	X	X
Accessory Use Class													
Accessory Building or Structure	X										X	X	
Bed and Breakfast		X									X	X	
Home-Based Business, Major	X	X	X	X	X	X					X	X	X
Live-Work Unit	X	X	X	X	X	X					X	X	X
Small Animal Breeding/Boarding Services	X		X	X							X	X	X
Public Use Class													
Community Garden	X					X					X	X	
Recreation, Indoor	X	X	X						X		X	X	
Recreation, Outdoor	X	X	X	X	X	X	X		X		X	X	X
School, Private		X	X						X		X	X	X
School, Public		X	X						X		X	X	X
Other Uses													
Agriculture, Urban	X		X	X	X	X	X	X	X	X	X	X	X
Parking Facility	X	X					X	X			X	X	
Stripping, Filling, Excavation and Grading	X	X	X			X	X	X			X	X	X

DEVELOPMENT REGULATIONS IN THE COMMERCIAL RESIDENTIAL DISTRICT (C-R)

- 6.12.4. For development regulations related to **dwelling, single detached, dwelling, semi-detached, dwelling triplex, and dwelling row housing/ townhouse**, please refer to Section 6.3 Residential 2 District (R-2).
- 6.12.5. Development in the Commercial Residential District (C-R) is required to comply with the following regulations:

SITE DEVELOPMENT			
	Use Type		
	Dwelling, Apartment; Supportive Housing	Commercial and Public Uses	All Other Uses
Minimum Lot Width	30.0 m	9.1 m	9.1 m
Minimum Lot Depth	30.5 m		
Minimum Lot Area	915.0 m ²	228.7 m ²	228.7 m ²
Maximum Site Coverage	70%	100 %	75%
ALL BUILDINGS			
Maximum Building Height	16.0 m		
Minimum Front Yard Setback	0.0 m	3.0 m	At the discretion of the Development Authority.
Minimum Rear Yard Setback	3.0 m	0.0 m	
Minimum Side Yard Setback	0.0 m	0.0 m	
ACCESSORY DWELLING UNITS			
The maximum number of accessory dwelling units on a lot abutting a rear lane is two (2).			
The maximum number of accessory dwelling units on a lot not abutting a rear lane is one (1).			

- 6.12.6. In respect of **dwelling, apartment** buildings, the Development Authority would normally require that a suitable and conveniently located area of usable amenity space be provided, adequate to accommodate the demands for passive recreation generated by the development. However, given the location of public amenity areas within this district, such as Riverfront Park and the dike walkway system, the Development Authority may allow a **dwelling, apartment** without any private usable amenity space.
- 6.12.7. Commercial and public developments located adjacent to **dwelling, apartment** buildings or adjacent to a Residential Districts shall be designed and screened to mitigate their impact upon adjacent residential properties.
- 6.12.8. External storage areas for equipment, materials, machinery, etc. shall not be permitted within the Commercial Residential District unless the external storage area is screened from view to the satisfaction of the Development Authority.
- 6.12.9. Design techniques may be required for new buildings on corner sites or sites bounded by two (2) or more public highways (including the dike walkway system). Attention may need to be paid to the visual appearance of each façade fronting a highway in order to promote visually appealing streetscapes.

- 6.12.10. In addition to the regulations listed above, Permitted and Discretionary Uses are subject to the applicable regulations, provisions and requirements contained within the other sections of this Bylaw.

6.13 RIVERFRONT DEVELOPMENT DISTRICT (R-D)

- 6.13.1. The purpose of this land use district is to provide for appropriate land uses that respect the intended function of the downtown riverfront area for residential, appropriate commercial, and tourism opportunities.
- 6.13.2. The following uses shall be Permitted or Discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

PERMITTED USES	DISCRETIONARY USES
RESIDENTIAL USE CLASS <ul style="list-style-type: none"> • Dwelling, Apartment 	COMMERCIAL USE CLASS <ul style="list-style-type: none"> • Childcare Facility • Farmers Market • Funeral and Related Services
COMMERCIAL USE CLASS <ul style="list-style-type: none"> • Artisanal Workshop • Business Support Services • Casino • Commercial, General • Establishment, Bars and Pubs • Establishment, Brewery, Winery, and Distillery • Establishment, Restaurant • Media Studio • Performance and Event Venue • Professional Office • Personal Service Shops • Retail, Cannabis or Liquor Store • Retail, Convenience Store • Retail, Shopping Centre • Retail, Store • Visitor Accommodations 	INDUSTRIAL USE CLASS <ul style="list-style-type: none"> • Automotive Electrical Services
ACCESSORY USE CLASS <ul style="list-style-type: none"> • Accessory Building or Structure** • Bed and Breakfast 	ACCESSORY USE CLASS <ul style="list-style-type: none"> • Accessory Building or Structure**
PUBLIC USE CLASS <ul style="list-style-type: none"> • Community Cultural Facility • Park • Public Utilities • Recreation, Indoor 	PUBLIC USE CLASS <ul style="list-style-type: none"> • Community Garden • Recreation, Outdoor • Religious Assembly
OTHER USES <ul style="list-style-type: none"> • Parking Facility • Solar Energy, Personal Use 	OTHER USES <ul style="list-style-type: none"> • Stripping, Filling, Excavation and Grading

* Uses indicated to be Discretionary Use level 2, which are at the discretion of the MPC

***If the Use is Permitted, the Accessory Building or Structure is Permitted. If the use is Discretionary, the Accessory Building or Structure is Discretionary.*

DISCRETIONARY ASSESSMENT CRITERIA FOR THE RIVERFRONT DEVELOPMENT DISTRICT (R-D)

6.13.3. The following uses shall be discretionary and shall be evaluated for their appropriateness based off the criteria indicated. When carrying out the assessment, the Development Authority will identify if the impact is greater than a permitted activity and if so, whether the impact can be mitigated, remedied, or avoided. If it cannot, the application should be declined. Any uses not described in this Bylaw shall be considered discretionary and may only be considered by the Town if they are reasonably compatible with uses that are permitted and meet the intent of the district and policies of the MDP. Such uses will be subject to all assessment criteria, and may have additional evaluation criteria applied, at the discretion of the Development Authority. The Development Authority may request certain technical reports to accompany a development permit application to assess the impact, as referenced in Section 12.3. Refer to Schedule B for more information on the assessment criteria.

DISCRETIONARY USE	POSSIBLE ASSESSMENT CRITERIA												
	VISUAL APPEARANCE	TRAFFIC/ ACCESS	NOISE	ODOUR	LIGHT	DUST	VIBRATION	ENVIRONMENTAL	MUNICIPAL INFRASTRUCTURE	FISCAL	CUMULATIVE	SAFETY	COMPATIBILITY WITH ADJACENT LAND USES
Commercial Use Class													
Childcare Facility		X	X								X	X	X
Farmers Market	X	X	X	X		X		X	X		X	X	
Funeral and Related Services	X	X	X	X		X		X	X		X	X	X
Performance and Event Venue	X	X	X	X		X		X	X		X	X	X
Industrial Use Class													
Automotive Electrical Services	X	X	X								X	X	X
Accessory Use Class													
Accessory Building or Structure	X	X	X	X	X	X	X	X	X	X	X	X	X
Public Use Class													
Community Garden	X	X	X	X		X		X			X	X	
Recreation, Outdoor	X	X	X	X	X	X		X	X		X	X	X
Religious Assembly	X	X	X	X		X		X			X	X	

2 | OVERLAYS & LAND USE DISTRICTS

DISCRETIONARY USE	POSSIBLE ASSESSMENT CRITERIA												
	VISUAL APPEARANCE	TRAFFIC/ ACCESS	NOISE	ODOUR	LIGHT	DUST	VIBRATION	ENVIRONMENTAL	MUNICIPAL INFRASTRUCTURE	FISCAL	CUMULATIVE	SAFETY	COMPATIBILITY WITH ADJACENT LAND USES
<i>Other Uses</i>													
Stripping, Filling, Excavation and Grading	X	X	X	X	X	X	X	X			X	X	

DEVELOPMENT REGULATIONS FOR THE RIVERFRONT DEVELOPMENT DISTRICT (R-D)

6.13.4. Development in the Riverfront Development District (R-D) is required to comply with the following regulations:

SITE DEVELOPMENT		
Minimum Lot Width	At the discretion of the Development Authority	
Minimum Lot Depth	At the discretion of the Development Authority	
Minimum Lot Area	At the discretion of the Development Authority	
Maximum Site Coverage	100%, subject to provision being made for any required parking, loading, storage, and garbage enclosures	
ALL BUILDINGS		
Maximum Building Height	At the discretion of the Development Authority	
Minimum Front Yard Setback	None, unless required at the discretion of the Development Authority	
Minimum Rear Yard Setback	For an apartment development	None, unless required at the discretion of the Development Authority
	Abutting any other Use class	6.1 m
Minimum Side Yard Setback	Abutting a Residential Use class	3.05 m
	Abutting any other use class	At the discretion of the Development Authority

ADDITIONAL REQUIREMENTS

6.13.5. In respect of **apartment buildings**, the Development Officer or Municipal Planning Commission would normally require that a suitable and conveniently located area of usable amenity space be provided,

adequate to accommodate the demands for passive recreation generated by the development. However, given the location of public amenity areas within this District, such as Riverfront Park and the dike walkway system, the Development Officer or Municipal Planning Commission may allow apartment development without any private usable amenity space.

- 6.13.6. Commercial developments located adjacent to apartment buildings within this District or adjacent to other residential districts shall be designed and screened in order to mitigate their impact upon adjacent residential properties, to the satisfaction of the Development Officer or Municipal Planning Commission.
- 6.13.7. Commercial developments directly adjacent to the Town dike walkway system, should, wherever possible incorporate pedestrian walkway links to connect with the dike system and promote increased pedestrian flows, provided that any work involved would not adversely affect the stability or integrity of the dike system.
- 6.13.8. As part of the development permit process, details will be required with regard to proposed external storage provision for garbage. Garbage should not be stored in direct public view and in order to preserve the visual appeal of the streetscape, the Development Officer or Municipal Planning Commission may require external storage enclosures to be constructed to screen garbage storage areas from adjoining sites and public highways.
- 6.13.9. For areas of a parcel not covered by buildings, parking or driveways, the developer shall be encouraged to provide landscaping in the form of trees, shrubs, grassed areas to enhance the visual appeal of the parcel and the streetscape.
- 6.13.10. External storage areas for equipment, materials, machinery, etc. shall not be permitted within a Riverfront Development District. If items are required to be stored outside of the principal building, the Development Officer or Municipal Planning Commission will give consideration to the use of accessory buildings or structures to accommodate such storage requirements.
- 6.13.11. Design techniques may be required for new buildings on corner sites or sites bounded by two (2) or more public highways (including the dike walkway system). Attention may need to be paid to the visual appearance of each façade fronting a highway in order to promote visually appealing streetscapes.
- 6.13.12. In making a decision on the location of a proposed development, the Development Officer or the Municipal Planning Commission shall refer to the policies contained in the Peace River Municipal Development Plan and any other applicable statutory document.
- 6.13.13. The Development Officer or the Municipal Planning Commission may decide on such other requirements as are necessary having regard to the nature of a proposed development and the intent of this district.

6.14 INDUSTRIAL 1 DISTRICT (M-1)

- 6.14.1. The purpose of this district is to provide for a wide variety of light industrial developments, and those commercial uses which provide service to industrial uses. The uses do not create nuisance conditions beyond the site.
- 6.14.2. The following uses shall be Permitted or Discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

PERMITTED USES	DISCRETIONARY USES
<p>COMMERCIAL USE CLASS</p> <ul style="list-style-type: none"> Artisanal Workshop Business Support Services Contractor Services Domestic Animal Care Services Retail, Store Veterinary Services Warehouse Sales and Storage Facilities 	<p>RESIDENTIAL USE CLASS</p> <ul style="list-style-type: none"> Dwelling, Caretaker’s Residence
<p>INDUSTRIAL USE CLASS</p> <ul style="list-style-type: none"> Automotive Electrical Services Building Material and Supply Outlet Fleet Services Industrial, Light Recycling Depot 	<p>COMMERCIAL USE CLASS</p> <ul style="list-style-type: none"> Commercial, General Commercial, Greenhouses Establishment, Brewery, Winery and Distillery* Farmers Market Funeral and Related Services* Media Studio Professional Office Personal Service Shops Retail, Convenience Store
<p>ACCESSORY USE CLASS</p> <ul style="list-style-type: none"> Accessory Building or Structure** Home-based Business, Home Office 	<p>INDUSTRIAL USE CLASS</p> <ul style="list-style-type: none"> Auctioneering Services Automotive, Equipment and Recreational Vehicle Sales and Service Cannabis Cultivation, Processing and Distribution* Heavy Truck and Equipment Storage and Sales Railway Services Recreational Vehicle Storage Facility
<p>PUBLIC USE CLASS</p> <ul style="list-style-type: none"> Public Utilities School, Industrial 	<p>ACCESSORY USE CLASS</p> <ul style="list-style-type: none"> Accessory Building or Structure** Small Animal Breeding/Boarding Services*
<p>OTHER USES</p> <ul style="list-style-type: none"> Solar Energy, Personal Use 	<p>PUBLIC USE CLASS</p> <ul style="list-style-type: none"> Government Services Park Recreation, Indoor*

PERMITTED USES	DISCRETIONARY USES
	<ul style="list-style-type: none"> Religious Assembly School, Commercial
	<p>OTHER USES</p> <ul style="list-style-type: none"> Aerodrome Agriculture, Urban Shooting Range, Indoor* Shooting Range, Outdoor* Stripping, Filling, Excavation and Grading

* Uses indicated to be Discretionary Use level 2, which are at the discretion of the MPC
 **If the Use is Permitted, the Accessory Building or Structure is Permitted. If the use is Discretionary, the Accessory Building or Structure is Discretionary.

DISCRETIONARY ASSESSMENT CRITERIA FOR INDUSTRIAL 1 DISTRICT (M-1)

6.14.3. The following uses shall be discretionary and shall be evaluated for their appropriateness based off the criteria indicated. When carrying out the assessment, the Development Authority will identify if the impact is greater than a permitted activity and if so, whether the impact can be mitigated, remedied, or avoided. If it cannot, the application should be declined. Any uses not described in this Bylaw shall be considered discretionary and may only be considered by the Town if they are reasonably compatible with uses that are permitted and meet the intent of the district and policies of the MDP. Such uses will be subject to all assessment criteria, and may have additional evaluation criteria applied, at the discretion of the Development Authority. The Development Authority may request certain technical reports to accompany a development permit application to assess the impacts, as referenced in Section 12.3. Refer to Schedule B for more information on the assessment criteria.

DISCRETIONARY USE	POSSIBLE ASSESSMENT CRITERIA												
	VISUAL APPEARANCE	TRAFFIC/ ACCESS	NOISE	ODOUR	LIGHT	DUST	VIBRATION	ENVIRONMENTAL	MUNICIPAL INFRASTRUCTURE	FISCAL	CUMULATIVE	SAFETY	COMPATIBILITY WITH ADJACENT LAND USES
Residential Use Class													
Dwelling, Caretaker's Residence											X	X	X
Commercial Use Class													
Commercial, General	X	X	X	X	X	X	X	X	X	X	X	X	X
Commercial, Greenhouses			X	X		X					X	X	
Establishment, Brewery, Winery and Distillery		X	X	X					X		X	X	X
Farmers Market		X									X	X	X

DISCRETIONARY USE	POSSIBLE ASSESSMENT CRITERIA												
	VISUAL APPEARANCE	TRAFFIC/ ACCESS	NOISE	ODOUR	LIGHT	DUST	VIBRATION	ENVIRONMENTAL	MUNICIPAL INFRASTRUCTURE	FISCAL	CUMULATIVE	SAFETY	COMPATIBILITY WITH ADJACENT LAND USES
Funeral and Related Services		X		X		X		X	X		X	X	
Media Studio			X								X	X	X
Professional Office											X	X	X
Personal Service Shops											X	X	X
Retail, Convenience Store											X	X	X
Industrial Use Class													
Auctioneering Services		X	X		X	X					X	X	X
Automotive, Equipment and Recreational Vehicle Sales and Service	X	X									X	X	
Cannabis Cultivation, Processing and Distribution				X	X						X	X	X
Heavy Truck and Equipment Storage and Sales	X	X	X	X	X	X					X	X	
Railway Services	X	X	X			X	X				X	X	X
Recreational Vehicle Storage Facility		X			X	X					X	X	X
Accessory Use Class													
Accessory Building or Structure	X										X	X	
Small Animal Breeding/Boarding Services	X		X	X							X	X	X
Public Use Class													
Government Services											X	X	X
Park											X	X	X
Recreation, Indoor	X	X	X						X		X	X	X
Religious Assembly		X									X	X	X
Commercial School											X	X	X
Other Uses													
Aerodrome		X	X	X							X	X	X
Agriculture, Urban	X		X	X	X	X	X	X	X	X	X	X	X

DISCRETIONARY USE	POSSIBLE ASSESSMENT CRITERIA												
	VISUAL APPEARANCE	TRAFFIC/ ACCESS	NOISE	ODOUR	LIGHT	DUST	VIBRATION	ENVIRONMENTAL	MUNICIPAL INFRASTRUCTURE	FISCAL	CUMULATIVE	SAFETY	COMPATIBILITY WITH ADJACENT LAND USES
Shooting Range, Indoor		X									X	X	X
Shooting Range, Outdoor		X	X	X		X					X	X	X
Stripping, Filling, Excavation and Grading	X	X	X			X	X	X			X	X	X

DEVELOPMENT REGULATIONS FOR THE INDUSTRIAL 1 DISTRICT (M-1)

6.14.4. Development in the Industrial 1 District (M-1) is required to comply with the following regulations:

SITE DEVELOPMENT		
Minimum Lot Width	20.0 m	
Minimum Lot Depth	30.5 m	
Minimum Lot Area	610.0 m ²	
Maximum Site Coverage	60 %	
ALL BUILDINGS		
Maximum Building Height	12.0 m	
Minimum Front Yard Setback	6.0 m	
Minimum Rear Yard Setback	Abutting an Industrial or Commercial Use class	3.0 m
	Abutting any other Use class	6.0 m
Minimum Side Yard Setback	Abutting an Industrial or Commercial Use class	4.5 m
	Abutting a road	6.0 m
	Abutting any other use class	10.0 m

6.14.5. Storage Areas:

- a) Storage areas should be placed at the rear of buildings.
- a) Outside display and storage areas should be kept in a clean and tidy appearance, to the satisfaction of the Development Authority.
- b) All outside storage areas shall be screened from public highways by the use of solid screening, berms, walls or additional landscaping to the satisfaction of the Development Authority.

- 6.14.6. In addition to the regulations listed above, Permitted and Discretionary Uses are subject to the applicable regulations, provisions and requirements contained within the other sections of this Bylaw.

6.15 INDUSTRIAL 2 DISTRICT (M-2)

- 6.15.1. The purpose of this land use district is to provide for the development of industrial uses that may carry out a portion of their operations outdoors or require large outdoor storage areas, such that no nuisance is created or apparent beyond the site. Developments shall not create nuisance factors outside an enclosed building and operate in such a manner that commercial uses are limited or accessory to a principal use. Loading, service, and storage areas should be screened from the view of the public beyond the boundary of the site.
- 6.15.2. The following uses shall be Permitted or Discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

PERMITTED USES	DISCRETIONARY USES
<p>COMMERCIAL USE CLASS</p> <ul style="list-style-type: none"> Artisanal Workshop Warehouse Sales and Storage Facilities 	<p>RESIDENTIAL USE CLASS</p> <ul style="list-style-type: none"> Dwelling, Caretaker’s Residence
<p>INDUSTRIAL USE CLASS</p> <ul style="list-style-type: none"> Automotive Electrical Services Automotive, Equipment and Recreational Vehicle Sales and Service Building Material and Supply Outlet Business Support Services Contractor Services Domestic Animal Care Services Fleet Services Heavy Truck and Equipment Storage and Sales Industrial, Light Recreational Vehicle Storage Facility Recycling Depot 	<p>COMMERCIAL USE CLASS</p> <ul style="list-style-type: none"> Commercial, General Commercial, Greenhouses Establishment, Brewery, Winery and Distillery* Funeral and Related Services Gas Station Media Studio Truck Stop Veterinary Services
<p>ACCESSORY USE CLASS</p> <ul style="list-style-type: none"> Accessory Building or Structure** Home-based Business, Home Office 	<p>INDUSTRIAL USE CLASS</p> <ul style="list-style-type: none"> Auctioneering Services Auto Wrecking and Salvage Yards Bulk Fuel Sales Cannabis Cultivation, Processing and Distribution* Railway Services
<p>PUBLIC USE CLASS</p> <ul style="list-style-type: none"> Public Utilities School, Industrial 	<p>ACCESSORY USE CLASS</p> <ul style="list-style-type: none"> Accessory Building or Structure** Small Animal Breeding/Boarding Services*
<p>OTHER USES</p> <ul style="list-style-type: none"> Solar Energy, Personal Use 	<p>PUBLIC USE CLASS</p> <ul style="list-style-type: none"> Government Services Park Recreation, Indoor* Waste Management Facility
	<p>OTHER USES</p>

- Aerodrome
- Agriculture, Urban
- Solar Energy, Commercial*
- Stripping, Filling, Excavation and Grading

* Uses indicated to be Discretionary Use level 2, which are at the discretion of the MPC

**If the Use is Permitted, the Accessory Building or Structure is Permitted. If the use is Discretionary, the Accessory Building or Structure is Discretionary.

DISCRETIONARY ASSESSMENT CRITERIA FOR INDUSTRIAL 2 DISTRICT (M-2)

6.15.3. The following uses shall be discretionary and shall be evaluated for their appropriateness based off the criteria indicated. When carrying out the assessment, the Development Authority will identify if the impact is greater than a permitted activity and if so, whether the impact can be mitigated, remedied, or avoided. If it cannot, the application should be declined. Any uses not described in this Bylaw shall be considered discretionary and may only be considered by the Town if they are reasonably compatible with uses that are permitted and meet the intent of the district and policies of the MDP. Such uses will be subject to all assessment criteria, and may have additional evaluation criteria applied, at the discretion of the Development Authority. The Development Authority may request certain technical reports to accompany a development permit application to assess the impacts, as referenced in Section 12.3. Refer to Schedule B for more information on the assessment criteria.

DISCRETIONARY USE	POSSIBLE ASSESSMENT CRITERIA												
	VISUAL APPEARANCE	TRAFFIC/ ACCESS	NOISE	ODOUR	LIGHT	DUST	VIBRATION	ENVIRONMENTAL	MUNICIPAL INFRASTRUCTURE	FISCAL	CUMULATIVE	SAFETY	COMPATIBILITY WITH ADJACENT LAND USES
Residential Use Class													
Dwelling, Caretaker's Residence											X	X	X
Commercial Use Class													
Commercial, General	X	X	X	X		X		X			X	X	
Commercial, Greenhouses			X	X		X		X			X	X	
Funeral and Related Services		X		X		X		X	X		X	X	
Truck Stop		X						X			X	X	
Veterinary Services				X							X	X	X
Industrial Use Class													
Auctioneering Services		X	X		X	X					X	X	X
Auto Wrecking and Salvage Yards			X								X	X	X
Cannabis Cultivation, Processing and Distribution				X	X						X	X	X

DISCRETIONARY USE	POSSIBLE ASSESSMENT CRITERIA												
	VISUAL APPEARANCE	TRAFFIC/ ACCESS	NOISE	ODOUR	LIGHT	DUST	VIBRATION	ENVIRONMENTAL	MUNICIPAL INFRASTRUCTURE	FISCAL	CUMULATIVE	SAFETY	COMPATIBILITY WITH ADJACENT LAND USES
Railway Services	X	X	X			X	X				X	X	X
<i>Accessory Use Class</i>													
Accessory Building or Structure	X										X	X	
Small Animal Breeding/Boarding Services	X	X	X	X							X	X	X
<i>Public Use Class</i>													
Government Services											X	X	X
Park											X	X	X
Recreation, Indoor	X	X	X						X		X	X	
Waste Management Facility	X	X	X	X	X	X	X	X			X	X	X
<i>Other Uses</i>													
Aerodrome		X	X	X							X	X	X
Agriculture, Urban	X		X	X	X	X	X	X	X	X	X	X	X
Solar Energy, Commercial	X				X						X	X	X
Stripping, Filling, Excavation and Grading	X	X	X			X	X	X			X	X	X

DEVELOPMENT REGULATIONS IN THE INDUSTRIAL 2 DISTRICT (M-2)

6.15.4. Development in the Industrial 2 District (M-2) is required to comply with the following regulations:

SITE DEVELOPMENT		
Minimum Lot Width	20.0 m	
Minimum Lot Depth	30.5 m	
Minimum Lot Area	930.0 m ²	
Maximum Site Coverage	60 %	
ALL BUILDINGS		
Maximum Building Height	20.0 m	
Minimum Front Yard Setback	6.0 m	
Minimum Rear Yard Setback	Abutting an Industrial or Commercial Use class	6.0 m
	Abutting a Railroad Right of Way	0.0 m
	Abutting any other use class	7.6 m
Minimum Side Yard Setback	Abutting an Industrial or Commercial Use class	4.5 m
	Abutting a Railroad Right of Way	0.0 m
	Abutting a road	6.0 m
	Abutting any other use class	6.0 m

6.15.5. Screening and Fencing:

- a) All sites abutting a Residential District shall be screened from the view of the Residential District to the satisfaction of the Development Authority.
- b) All apparatus on the roof of any building shall be screened to the satisfaction of the Development Authority.
- c) Outside storage areas shall be screened from adjacent sites and public highways to the satisfaction of the Development Authority.
- d) External storage shall not be permitted within the front or side yards of sites fronting 94th Street (River Road) or on sites prominently visible from the riverfront if, in the opinion of the Development Authority, such proposals will detract from the aesthetic quality and image of the riverfront.

6.15.6. In addition to the regulations listed above, Permitted and Discretionary Uses are subject to the applicable regulations, provisions and requirements contained within the other sections of this Bylaw.

6.16 INDUSTRIAL 3 DISTRICT (M-3)

- 6.16.1. The purpose of this district is to provide for larger-scale industrial land uses that may have adverse impacts beyond the boundaries of the site. Mitigation of any potential off-site impacts will be a requirement of any future development proposals.
- 6.16.2. The following uses shall be Permitted or Discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

PERMITTED USES	DISCRETIONARY USES
<p>COMMERCIAL USE CLASS</p> <ul style="list-style-type: none"> • Business Support Services 	<p>RESIDENTIAL USE CLASS</p> <ul style="list-style-type: none"> • Dwelling, Caretaker’s Residence
<p>INDUSTRIAL USE CLASS</p> <ul style="list-style-type: none"> • Automotive Electrical Services • Building Material and Supply Outlet • Contractor Services • Heavy Truck and Equipment Storage and Sales • Industrial, Light • Recreational Vehicle Storage Facility • Recycling Depot 	<p>COMMERCIAL USE CLASS</p> <ul style="list-style-type: none"> • Retail, Convenience Store • Warehouse Sales and Storage Facilities
<p>ACCESSORY USE CLASS</p> <ul style="list-style-type: none"> • Accessory Building or Structure** • Home-based Business, Home Office 	<p>INDUSTRIAL USE CLASS</p> <ul style="list-style-type: none"> • Auctioneering Services • Auto Wrecking and Salvage Yards • Cannabis Cultivation, Processing and Distribution* • Industrial, Heavy* • Natural Resource Extraction Industry* • Railway Services
<p>PUBLIC USE CLASS</p> <ul style="list-style-type: none"> • Public Utilities • School, Industrial 	<p>ACCESSORY USE CLASS</p> <ul style="list-style-type: none"> • Accessory Building or Structure**
<p>OTHER USES</p> <ul style="list-style-type: none"> • Solar Energy, Personal Use 	<p>PUBLIC USE CLASS</p> <ul style="list-style-type: none"> • Park • Waste Management Facility
	<p>OTHER USES</p> <ul style="list-style-type: none"> • Aerodrome • Agriculture, Urban • Solar Energy, Commercial* • Stripping, Filling, Excavation and Grading

* Uses indicated to be Discretionary Use level 2, which are at the discretion of the MPC
 **If the Use is Permitted, the Accessory Building or Structure is Permitted. If the use is Discretionary, the Accessory Building or Structure is Discretionary.

DISCRETIONARY ASSESSMENT CRITERIA FOR INDUSTRIAL 3 DISTRICT (M-3)

- 6.16.3. The following uses shall be discretionary and shall be evaluated for their appropriateness based off the criteria indicated. When carrying out the assessment, the Development Authority will be identifying if

the impact is greater than a permitted activity and if so, whether the impact can be mitigated, remedied, or avoided. If it cannot, the application should be declined. Any uses not described in this Bylaw shall be considered discretionary and may only be considered by the Town if they are reasonably compatible with uses that are permitted and meet the intent of the district and policies of the MDP. Such uses will be subject to all assessment criteria, and may have additional evaluation criteria applied, at the discretion of the Development Authority. The Development Authority may request certain technical reports to accompany a development permit application to assess the impacts, as referenced in Section 12.3. Refer to Schedule B for more information on the assessment criteria.

DISCRETIONARY USE	POSSIBLE ASSESSMENT CRITERIA												
	VISUAL APPEARANCE	TRAFFIC/ ACCESS	NOISE	ODOUR	LIGHT	DUST	VIBRATION	ENVIRONMENTAL	MUNICIPAL INFRASTRUCTURE	FISCAL	CUMULATIVE	SAFETY	COMPATIBILITY WITH ADJACENT LAND USES
<i>Residential Use Class</i>													
Dwelling, Caretaker's Residence											X	X	X
<i>Commercial Use Class</i>													
Commercial, General	X	X	X	X	X	X	X	X	X	X	X	X	X
Retail, Convenience Store											X	X	X
Warehouse Sales and Storage Facilities	X										X	X	X
<i>Industrial Use Class</i>													
Auctioneering Services		X	X		X	X					X	X	X
Auto Wrecking and Salvage Yards			X								X	X	X
Cannabis Cultivation, Processing and Distribution				X	X						X	X	X
Industrial, Heavy	X	X	X	X	X	X	X	X	X	X	X	X	X
Natural Resource Extraction Industry	X	X	X		X	X	X	X	X		X	X	X
Railway Services	X	X	X			X	X				X	X	X
<i>Accessory Use Class</i>													
Accessory Building or Structure	X										X	X	
<i>Public Use Class</i>													
Park											X	X	X
Waste Management Facility	X	X	X	X	X	X	X	X			X	X	X
<i>Other Uses</i>													

DISCRETIONARY USE	POSSIBLE ASSESSMENT CRITERIA												
	VISUAL APPEARANCE	TRAFFIC/ ACCESS	NOISE	ODOUR	LIGHT	DUST	VIBRATION	ENVIRONMENTAL	MUNICIPAL INFRASTRUCTURE	FISCAL	CUMULATIVE	SAFETY	COMPATIBILITY WITH ADJACENT LAND USES
Aerodrome		X	X	X							X	X	X
Agriculture, Urban	X		X	X	X	X	X	X	X	X	X	X	X
Solar Energy, Commercial	X				X						X	X	X
Stripping, Filling, Excavation and Grading	X	X	X			X	X	X			X	X	X

DEVELOPMENT REGULATIONS IN THE INDUSTRIAL 3 DISTRICT (M-3)

6.16.4. Development in the Industrial 3 District (M-3) is required to comply with the following regulations:

SITE DEVELOPMENT		
Minimum Lot Area	1.0 ha	
Maximum Site Coverage	60 %	
ALL BUILDINGS		
Maximum Building Height	20.0 m	
Minimum Front Yard Setback	8.0 m	
Minimum Rear Yard Setback	Abutting an Industrial or Commercial Use Class	6.0 m
	Abutting a Railroad Right of Way	0.0 m
	Abutting any other use class	10.0 m
Minimum Side Yard Setback	Abutting an Industrial or Commercial Use Class	4.5 m
	Abutting a Railroad Right of Way	0.0 m
	Abutting a road	8.0 m
	Abutting any other use class	10.0 m

6.16.5. Screening and Fencing:

- a) All sites abutting a Residential District shall be screened from the view of the Residential District to the satisfaction of the Development Authority.
- b) All apparatus on the roof of any building shall be screened to the satisfaction of the Development Authority.
- c) Outside storage areas shall be screened from adjacent sites and public highways to the satisfaction of the Development Authority.

6.16.6. Storage Areas:

- a) Storage areas should be placed at the rear of buildings.
- b) Outside display and storage areas should be kept in a clean and tidy appearance, to the satisfaction of the Development Authority.
- c) All outside storage areas shall be screened from public highways by the use of solid screening, berms, walls or additional landscaping to the satisfaction of the Development Authority.

6.16.7. In addition to the regulations listed above, Permitted and Discretionary Uses are subject to the applicable regulations, provisions and requirements contained within the other sections of this Bylaw.

6.17 INSTITUTIONAL-RECREATIONAL DISTRICT (I-R)

- 6.17.1. This district provides for the development of public **parks**, passive recreational areas, and publicly and privately owned facilities of an institutional or community service nature at the local, neighbourhood and community level to serve the residents of the Town and the region.
- 6.17.2. The following uses shall be Permitted or Discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

PERMITTED USES	DISCRETIONARY USES
<p>COMMERCIAL USE CLASS</p> <ul style="list-style-type: none"> • Childcare Facility • Farmers Market 	<p>RESIDENTIAL USE CLASS</p> <ul style="list-style-type: none"> • Dwelling, Caretaker’s Residence
<p>ACCESSORY USE CLASS</p> <ul style="list-style-type: none"> • Accessory Building or Structure** • Home-based Business, Home Office 	<p>COMMERCIAL USE CLASS</p> <ul style="list-style-type: none"> • Performance and Event Venue*
<p>PUBLIC USE CLASS</p> <ul style="list-style-type: none"> • Community Cultural Facility • Government Services • Health and Medical Services • Hospital • Park • Public Utilities • Religious Assembly • School, Public 	<p>PUBLIC USE CLASS</p> <ul style="list-style-type: none"> • Cemetery • Recreation, Indoor • Recreation, Outdoor • School, Private
<p>OTHER USES</p> <ul style="list-style-type: none"> • Solar Energy, Personal Use 	<p>OTHER USES</p> <ul style="list-style-type: none"> • Campground • Emergency Shelter* • Recreational Accommodations • Recreational Vehicle Park • Stripping, Filling, Excavation and Grading

* Uses indicated to be Discretionary Use level 2, which are at the discretion of the MPC
 **If the Use is Permitted, the Accessory Building or Structure is Permitted. If the use is Discretionary, the Accessory Building or Structure is Discretionary.

DISCRETIONARY ASSESSMENT CRITERIA FOR INSTITUTIONAL-RECREATION DISTRICT (I-R)

- 6.17.3. The following uses shall be discretionary and shall be evaluated for their appropriateness based off the criteria indicated. When carrying out the assessment, the Development Authority will identify if the impact is greater than a permitted activity and if so, whether the impact can be mitigated, remedied, or avoided. If it cannot, the application should be declined. Any uses not described in this Bylaw shall be considered discretionary and may only be considered by the Town if they are reasonably compatible with uses that are permitted and meet the intent of the district and policies of the MDP. Such uses will be subject to all assessment criteria, and may have additional evaluation criteria applied, at the discretion of the Development Authority. The Development Authority may request certain technical

reports to accompany a development permit application to assess the impacts, as referenced in Section 12.3. Refer to Schedule B for more information on the assessment criteria.

DISCRETIONARY USE	POSSIBLE ASSESSMENT CRITERIA												
	VISUAL APPEARANCE	TRAFFIC / ACCESS	NOISE	ODOUR	LIGHT	DUST	VIBRATION	ENVIRONMENTAL	MUNICIPAL INFRASTRUCTURE	FISCAL	CUMULATIVE	SAFETY	COMPATIBILITY WITH ADJACENT LAND USES
<i>Residential Use Class</i>													
Dwelling, Caretaker's Residence											X	X	X
<i>Commercial Use Class</i>													
Performance and Event Venue		X							X		X	X	X
<i>Accessory Use Class</i>													
Accessory Building or Structure	X										X	X	
<i>Public Use Class</i>													
Cemetery	X										X	X	X
Recreation, Indoor		X	X					X			X	X	
Recreation, Outdoor	X	X	X	X	X	X	X	X	X		X	X	X
School, Private		X	X						X		X	X	X
<i>Other Uses</i>													
Campground	X	X				X			X		X	X	X
Emergency Shelter											X	X	
Recreational Accommodations	X	X				X			X		X	X	X
Recreational Vehicle Park	X	X				X			X		X	X	X
Stripping, Filling, Excavation and Grading	X	X	X			X	X	X			X	X	X

DEVELOPMENT REGULATIONS IN THE INSTITUTIONAL-RECREATION DISTRICT (I-R)

6.17.4. Development in the Institutional-Recreational District (I-R) is required to comply with the following regulations:

SITE DEVELOPMENT		
Minimum Lot Width	30.0 m	
Minimum Lot Depth	30.5 m	
Minimum Lot Area	915.0 m ²	
Maximum Site Coverage	60 %	
ALL BUILDINGS		
Maximum Building Height	16.0 m	
Minimum Front Yard Setback	6.0 m	
Minimum Rear Yard Setback	Abutting a Residential Use class	6.0 m
	Abutting any other use class	3.0 m
Minimum Side Yard Setback	Abutting a Residential Use class	4.5 m
	Abutting a road	6.0 m
	Abutting any other use class	1.5 m

6.17.5. In addition to the regulations listed above, Permitted and Discretionary Uses are subject to the applicable regulations, provisions and requirements contained within the other sections of this Bylaw.

6.18 FUTURE DEVELOPMENT DISTRICT (F-D)

- 6.18.1. This district is intended to reserve those areas of the Town of Peace River which are rural in character or land use for urban development until such time as a subdivision plan has been accepted in principle or approved for other specific uses not permitted in this district. The reclassification of land to other land use districts will normally occur after the acceptance of an Area Structure Plan where one is required by Council, and before the approval of a subdivision.
- 6.18.2. The following uses shall be permitted or discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

PERMITTED USES	DISCRETIONARY USES
<p>ACCESSORY USE CLASS</p> <ul style="list-style-type: none"> • Accessory Building or Structure** • Home-based Business, Home Office • Home-based Business, Minor <p>PUBLIC USE CLASS</p> <ul style="list-style-type: none"> • Public Utilities <p>OTHER USES</p> <ul style="list-style-type: none"> • Agricultural Operations, Extensive • Solar Energy, Personal Use 	<p>RESIDENTIAL USE CLASS</p> <ul style="list-style-type: none"> • Accessory Dwelling Unit • Dwelling, Semi Detached <p>COMMERCIAL USE CLASS</p> <ul style="list-style-type: none"> • Commercial, Greenhouses • Establishment, Brewery, Winery and Distillery* • Farmers Market <p>INDUSTRIAL USE CLASS</p> <ul style="list-style-type: none"> • Recreational Vehicle Storage Facility* <p>ACCESSORY USE CLASS</p> <ul style="list-style-type: none"> • Accessory Building or Structure** • Bed and Breakfast • Home-Based Business, Major <p>PUBLIC USE CLASS</p> <ul style="list-style-type: none"> • Park • Recreation, Outdoor <p>OTHER USES</p> <ul style="list-style-type: none"> • Aerodrome • Agricultural Operations, Intensive* • Campground • Recreational Accommodations • Recreational Vehicle Park • Shooting Range, Outdoor* • Solar Energy, Commercial* • Stripping, Filling, Excavation and Grading

* Uses indicated to be Discretionary Use level 2, which are at the discretion of the MPC

**If the Use is Permitted, the Accessory Building or Structure is Permitted. If the use is Discretionary, the Accessory Building or Structure is Discretionary.

DISCRETIONARY ASSESSMENT CRITERIA FOR FUTURE DEVELOPMENT DISTRICT (F-D)

6.18.3. The following uses shall be discretionary and shall be evaluated for their appropriateness based off the criteria indicated. When carrying out the assessment, the Development Authority will identify if the impact is greater than a permitted activity and if so, whether the impact can be mitigated, remedied, or avoided. If it cannot, the application should be declined. Any uses not described in this Bylaw shall be considered discretionary and may only be considered by the Town if they are reasonably compatible with uses that are permitted and meet the intent of the district and policies of the MDP. Such uses will be subject to all assessment criteria, and may have additional evaluation criteria applied, at the discretion of the Development Authority. The Development Authority may request certain technical reports to accompany a development permit application to assess the impacts, as referenced in Section 12.3. Refer to Schedule B for more information on the assessment criteria.

DISCRETIONARY USE	POSSIBLE ASSESSMENT CRITERIA												
	VISUAL APPEARANCE	TRAFFIC/ ACCESS	NOISE	ODOUR	LIGHT	DUST	VIBRATION	ENVIRONMENTAL	MUNICIPAL INFRASTRUCTURE	FISCAL	CUMULATIVE	SAFETY	COMPATIBILITY WITH ADJACENT LAND USES
Residential Use Class													
Accessory Dwelling Unit		X							X		X	X	
Dwelling, Semi-Detached											X	X	X
Commercial Use Class													
Commercial, Greenhouses			X	X		X					X	X	
Establishment, Brewery, Winery and Distillery		X	X	X					X		X	X	X
Farmers Market		X									X	X	X
Industrial Use Class													
Recreational Vehicle Storage Facility	X	X			X	X					X	X	X
Accessory Use Class													
Accessory Building or Structure	X										X	X	
Bed and Breakfast		X									X	X	
Home-Based Business, Major	X	X	X	X	X	X					X	X	X
Public Use Class													
Park											X	X	X
Recreation, Outdoor	X	X	X						X		X	X	X
Other Uses													
Aerodrome		X	X	X							X	X	X

DISCRETIONARY USE	POSSIBLE ASSESSMENT CRITERIA												
	VISUAL APPEARANCE	TRAFFIC/ ACCESS	NOISE	ODOUR	LIGHT	DUST	VIBRATION	ENVIRONMENTAL	MUNICIPAL INFRASTRUCTURE	FISCAL	CUMULATIVE	SAFETY	COMPATIBILITY WITH ADJACENT LAND USES
Agricultural Operations, Intensive	X		X	X		X					X	X	X
Campground	X	X				X			X		X	X	X
Recreational Accommodations	X	X				X			X		X	X	X
Recreational Vehicle Park	X	X				X			X		X	X	X
Shooting Range, Outdoor		X	X	X		X					X	X	X
Solar Energy, Commercial	X				X						X		X
Stripping, Filling, Excavation and Grading	X	X	X			X	X	X			X	X	X

DEVELOPMENT REGULATIONS FOR THE FUTURE DEVELOPMENT DISTRICT (F-D)

6.18.4. Development in the Future Development District (F-D) is required to comply with the following regulations:

SITE DEVELOPMENT	
Minimum Lot Width	At the discretion of the Development Authority.
Minimum Lot Depth	At the discretion of the Development Authority.
Minimum Lot Area	At the discretion of the Development Authority.
Maximum Site Coverage	At the discretion of the Development Authority.
ALL BUILDINGS	
Maximum Building Height	At the discretion of the Development Authority.
Minimum Front Yard Setback	6.0 m
Minimum Rear Yard Setback	At the discretion of the Development Authority.
Minimum Side Yard Setback	At the discretion of the Development Authority.
ACCESSORY DWELLING UNITS	
The maximum number of dwelling units on a lot abutting a rear lane is three (3).	
The maximum number of dwelling unites on a lot not abutting a rear lane is two (2).	

- 6.18.5. The Development Authority shall not approve Discretionary Uses that, in their opinion, would undermine future urban land use development.
- 6.18.6. The Development Authority may specify the length of time a use is permitted in this district, having regard to the intent of subsection 6.17.4, above, and the staging of servicing and general development of the subject land.
- 6.18.7. In addition to the regulations listed above, Permitted and Discretionary Uses are subject to the applicable regulations, provisions and requirements contained within the other sections of this Bylaw.

6.19 NATURAL ENVIRONMENT DISTRICT (N-E)

- 6.19.1. The purpose of this district is to conserve, preserve and restore natural areas, features and ecological processes.
- 6.19.2. The following uses shall be Permitted or Discretionary, with or without conditions, provided the application complies with the regulations in this district and this Bylaw:

PERMITTED USES	DISCRETIONARY USES
<p>ACCESSORY USE CLASS</p> <ul style="list-style-type: none"> • Accessory Building or Structure** 	<p>ACCESSORY USE CLASS</p> <ul style="list-style-type: none"> • Accessory Building or Structure**
<p style="background-color: #92D050; color: white; padding: 2px;">PUBLIC USE CLASS</p> <ul style="list-style-type: none"> • Park • Public Utilities 	<p style="background-color: #92D050; color: white; padding: 2px;">PUBLIC USE CLASS</p> <ul style="list-style-type: none"> • Recreation, Outdoor
	<p style="background-color: #D9D9D9; color: black; padding: 2px;">OTHER USES</p> <ul style="list-style-type: none"> • Agricultural Operations, Extensive • Agricultural Operations, Intensive* • Campground

** Uses indicated to be Discretionary Use level 2, which are at the discretion of the MPC*

***If the Use is Permitted, the Accessory Building or Structure is Permitted. If the use is Discretionary, the Accessory Building or Structure is Discretionary.*

DISCRETIONARY ASSESSMENT CRITERIA FOR NATURAL ENVIRONMENT DISTRICT (N-E)

- 6.19.3. The following uses shall be discretionary and shall be evaluated for their appropriateness based off the criteria indicated. When carrying out the assessment, the Development Authority will be identifying if the impact is greater than a permitted activity and if so, whether the impact can be mitigated, remedied, or avoided. If it cannot, the application should be declined. Any uses not described in this Bylaw shall be considered discretionary and may only be considered by the Town if they are reasonably compatible with uses that are permitted and meet the intent of the district and policies of the MDP. Such uses will be subject to all assessment criteria, and may have additional evaluation criteria applied, at the discretion of the Development Authority. The Development Authority may request certain technical reports to accompany a development permit application to assess the impacts, as referenced in Section 12.3. Refer to Schedule B for more information on the assessment criteria.

DISCRETIONARY USE	POSSIBLE ASSESSMENT CRITERIA												
	VISUAL APPEARANCE	TRAFFIC/ ACCESS	NOISE	ODOUR	LIGHT	DUST	VIBRATION	ENVIRONMENTAL	MUNICIPAL INFRASTRUCTURE	FISCAL	CUMULATIVE	SAFETY	COMPATIBILITY WITH ADJACENT LAND USES
<i>Accessory Use Class</i>													
Accessory Building or Structure	X	X	X	X	X	X	X	X	X	X	X	X	X
<i>Public Use Class</i>													
Recreation, Outdoor	X	X	X					X	X		X	X	X
<i>Other Uses</i>													
Agricultural Operations, Extensive	X	X	X	X		X		X			X	X	X
Agricultural Operations, Intensive	X	X	X	X		X		X			X	X	X
Campground	X	X				X		X	X		X	X	X

DEVELOPMENT REGULATIONS IN THE NATURAL ENVIRONMENT DISTRICT (N-E)

6.19.4. All development in the Natural Environment District (N-E) is at the discretion of the Development Authority.

6.20 DIRECT CONTROL DISTRICT (D-C)

- 6.20.1. The purpose of this District is “to provide Council with direct control over a specific site where unique characteristics of the proposed development or land make it inappropriate to apply a standard District.
- 6.20.2. The District shall only be applied to a site to regulate a specific development where Council has determined a proposed development is appropriate for the site, having regard for the goals, objectives, and policies of the Municipal Development Plan and other applicable statutory or non-statutory plans and policies, and if:
 - a) The proposed development would not meet the requirements of any existing District;
 - b) The proposed development requires specific/comprehensive regulations to minimize land use conflicts with neighbouring properties;
 - c) The site or the proposed development has unique characteristics that require specific development regulations; or
 - d) The ongoing operation of the proposed development requires specific development regulations.
- 6.20.3. The applicant shall provide a proposed Direct Control District that must contain the following:
 - a) The legal description of the site to which the proposed District shall apply;
 - b) Uses; and
 - c) Site specific development regulations.
- 6.20.4. The applicant shall submit a site plan that shall be appended to the Bylaw that adopts the Direct Control District, and all development in the District shall be in accordance with the site plan. Building elevations may also be required. The site plan is required to illustrate:
 - a) The location on the site of specific uses, including any accessory uses and activities;
 - b) Details or elements necessary to better achieve land use compatibility, such as urban design and architectural treatment of structures, increased separation spaces, landscaping, and the like; and
 - c) Any staging of the development.
- 6.20.5. Applicants must follow the Town of Peace River’s Direct Control Districts Guidelines for structure and format when drafting the Direct Control District.
- 6.20.6. All applicable regulations in the Land Use Bylaw shall apply to development in the Direct Control District unless such regulations are specifically excluded or modified in a Direct Control District.
- 6.20.7. In addition to the requirements of Section 12.3, the applicant shall:
 - a) Submit the proposed Direct Control District;
 - b) Submit a narrative explaining why the Direct Control District is warranted, having regard for the criteria specified in the Town of Peace River’s Direct Control Districts Guidelines;

- c) Contact the affected parties, being each assessed owner of land wholly or partly located within 60.0 m of the site of the proposed development at least twenty-one (21) days prior to submission of a land use amendment application;
- d) Outline to the affected parties, the details of the application and solicit their comments on the application;
- e) Document any opinions or concerns, expressed by the affected parties, and what modifications were made to address their concerns; and
- f) Submit the documentation as part of the land use amendment application.

6.20.8. The purpose of this district is to provide Council with decision making powers for the development and subdivision of lands in areas of unique character or circumstance which are inappropriate for control by traditional land use districts, consistent with Section 641(1) of the Act.



PART 3 | OTHER LAND USE REGULATIONS

PART III | OTHER LAND USE REGULATIONS

Section 7 GENERAL LAND USE REGULATIONS

7.1 ACCESS TO PROPERTY AND APPROACHES

- 7.1.1. Every application for development or subdivision shall have direct legal and physical access to a public road or provincial highway to the satisfaction of the Development Authority or Subdivision Authority, or Alberta Transportation. If a parcel does not have access to a public road or provincial highway, the applicant shall develop a road to Town Standards to provide access within the public road right of way.
- 7.1.2. The Development Authority may determine the most suitable access and egress point(s) onto a public road for any new access in consultation with Town Departments. If the access is off a provincial highway, Alberta Transportation shall be consulted to determine the most suitable access and egress point(s).
- 7.1.3. As a condition of subdivision or development approval, the Subdivision Authority or Development Authority may require the construction of new approaches, upgrading of existing approaches or removal of approaches to achieve the desired long-term planning and transportation objectives of the Town.
- 7.1.4. Easements as a form of access shall be discouraged by the Town. The Town should not support easement agreements unless all other access options are determined to be unfeasible. As a condition of subdivision or development approval, the Subdivision Authority or Development Authority shall require the agreement be registered on title by the landowner.

7.2 ACCESSIBILITY

- 7.2.1. The Development Authority shall review the site plan for any multi-unit residential development greater than two (2) units, commercial development, or public development using the Barrier Free Design Guide by the Safety Codes Council, as amended or replaced.
- 7.2.2. The site of a multi-unit residential development greater than two (2) units, commercial development, or public development should be consistent with the Barrier Free Design Guide by the Safety Codes Council, as amended or replaced, unless varied by the Chief Building Administrator.

7.3 DRAINAGE

- 7.3.1. All sites shall be graded to direct surface drainage to reserves, boulevards, ditches, or roads, in accordance with the grade plan approved by the municipality. Where drainage along property lines is

provided within or outside of easements (lots backing onto each other), the design grades shall be maintained and drainage courses not obstructed.

- 7.3.2. The building grade (garage entry/top of fill) shall be set at the minimum setback from front and side property lines. Ground level shall slope down to the side property line from these points at a minimum 2%. The slope of ground along the property line to the design corner elevations shall be continuous, without breaks or changes in slope.
- 7.3.3. If it is not possible for an owner to meet the designed grades, or the owner chooses to deviate from the design grading, it is the owner's responsibility to ensure the changes are made within their property, subject to the approval of the Development Authority and without adversely affecting abutting property. Retaining walls or special sloping are the responsibility of the party deviating from design grade.
- 7.3.4. All multiple dwelling unit developments, commercial, and industrial lots must be designed to release storm water at pre-development rates unless pre-engineered at the subdivision stage.

7.4 DRIVE-THROUGH DEVELOPMENTS

- 7.4.1. A business with a drive-through shall not be located on parcels which, in the opinion of the Development Authority, would be considered unsafe in terms of vehicle circulation or access to/egress from the parcel.
- 7.4.2. The minimum front yard setback shall be 3.0 m for the drive-through portion of the development.
- 7.4.3. The minimum side and rear yard setbacks shall be at the discretion of the Development Authority and must be sufficient to make provision for queuing spaces, on-parcel traffic circulation, turning and maneuvering for the drive-through portion of the development.
- 7.4.4. Where a business with a drive-through is located adjacent to a Residential District, screening shall be provided to the satisfaction of the Development Authority and should be between 1.5 m and 2.1 m in height.
- 7.4.5. All drive-through queuing spaces shall be a minimum of 6.5 m long and 3.0 m wide.
- 7.4.6. For a drive-through with food services, a minimum of one (1) queuing lane with a minimum of five (5) inbound queuing spaces and one (1) outbound queuing space must be provided for vehicles approaching the service window.
- 7.4.7. For a business with a drive-through without food services, one (1) queuing lane with a minimum of three (3) stacking spaces and one (1) outbound queuing space must be provided for vehicles approaching the service window.
- 7.4.8. Notwithstanding the above, where the parking area is accessed by driving through the queuing spaces, a further three (3) inbound queuing spaces are required.

- 7.4.9. The on-parcel layout of vehicle circulation patterns shall be to the satisfaction of the Development Authority.
- 7.4.10. All parts of the parcel to which vehicles have access shall be hard surfaced.
- 7.4.11. On-site waste bins shall be stored in weather-proof containers in a location easily accessible for pickup and be screened to the satisfaction of the Development Authority.
- 7.4.12. The Development Authority should require that signage types and locations be specified on the site plan as required to ensure safe vehicle movement and delineate distinct parking stalls, such as but not limited to persons with a disability parking, small car parking and staff parking.

7.5 DWELLING UNITS PER LOT

- 7.5.1. No person in the Town shall construct or cause to be constructed more than one (1) dwelling unit per lot, except:
 - a) **Dwelling, Apartment;**
 - b) **Dwelling, Group Care;**
 - c) **Dwelling, Row Housing/Townhouse;**
 - d) **Dwelling, Semi-Detached;**
 - e) **Dwelling, Triplex;**
 - f) Dwellings that are located within a **manufactured home park;**
 - g) **Supportive Housing;** and
 - h) A building as defined in the *Condominium Property Act* that is the subject of a condominium plan to be registered in a Land Titles Office under the *Act* and has been approved by the Town.
- 7.5.2. Notwithstanding 7.5.1, **accessory dwelling units** may be approved in districts where they are a listed use, in numbers as provided for in each district.

7.6 EASEMENTS

- 7.6.1. Subject to the conditions of a utility easement, no permanent structure other than a fence shall be constructed or placed on a utility easement unless:
 - a) the structure does not restrict access to the utility easement for the purpose of installation and maintenance of the utility; and
 - b) written consent has been obtained from the person for whose use the easement has been granted.

7.7 ENVIRONMENTALLY SIGNIFICANT AREAS

- 7.7.1. An applicant for development in or near an area deemed to be environmentally significant by the Development Authority may be required to submit an environmental impact assessment or biophysical assessment as part of a land use amendment, subdivision or Development Permit application.
- 7.7.2. When considering development involving land in or near an environmentally significant area, the Development Authority may refer the application to federal and provincial departments and other relevant environmental agencies for comments prior to reaching a decision. The Development Authority may also consider municipal mapping that denotes environmentally significant areas within the Town.
- 7.7.3. A Development Permit issued for a Permitted or Discretionary Use within an environmentally significant area may include conditions for meeting specific environmental objectives determined by the Development Authority. Such conditions may include, but are not limited to, restrictions on site clearing and grading, additional setback requirements, retention of shelterbelts, fencing, siting and standards of buildings, emission controls, and buffering requirements.
- 7.7.4. Removal of natural vegetation and alterations to the natural drainage of lands within or adjacent to an environmentally significant area may be permitted, at the discretion of the Development Authority.

7.8 HEIGHT AND GRADE

- 7.8.1. On sloped grades, the height of the building will be calculated as the average between the high and low points of the grade. $\text{Sum of height} = X \text{ (being the highest point)} + Y \text{ (being the lowest point)} / 2 = \text{height average.}$
- 7.8.2. Where a district regulation provides an alternative height limit, such as number of storeys, or a specific height in metres, the more restrictive shall apply.
- 7.8.3. Building height means the vertical distance between any grade-point, as defined in this Bylaw, and the highest point of a building excluding a ventilating fan, skylight, steeple, chimney, smokestack, exterior firewall, parapet wall, flagpole, antenna, or similar device not structurally essential to the building.
- 7.8.4. Grade means the elevation of the existing ground in an undisturbed natural state, or an approved design grade as described in a development grading plan approved by the Town of Peace River.
- 7.8.5. Grade-point means the point(s) on a site which are used to measure the maximum permitted height of a building from grade. Where grade points have not been established as part of an approved comprehensive grading plan, the location of grade points shall be determined by the Development Authority.

7.9 LANDSCAPING AND SCREENING

GENERAL PROVISIONS

- 7.9.1. The Development Authority may require a landscaping plan to be prepared by a licensed landscape architect, technologist or an arborist as part of a development permit application for commercial, public or industrial uses.
- 7.9.2. The provision of site landscaping is a permanent obligation of a development permit and landscaping must be installed and maintained to no less than the standard set by the approved landscaping plan.
- 7.9.3. All required landscaping and planting must be carried out to the satisfaction of the Development Authority within one (1) year of building completion or occupancy, whichever occurs first.
- 7.9.4. Any portion of a site area not occupied by buildings, parking or storage areas shall be landscaped. Landscaping may consist of hard landscaping or natural landscaping, or some combination of them.
- 7.9.5. Minimum landscaping requirements for public developments shall be established at the discretion of the Development Authority.
- 7.9.6. All planting shall be installed to the finished grade. Where this is not practical in the opinion of the Development Authority, planters may be used. Such planters shall be of adequate design, having sufficient soil capacity and insulation to promote healthy growth.
- 7.9.7. Landscaping that extends onto municipal property shall be to the satisfaction of the Development Authority.

SCREENING

- 7.9.8. In commercial and industrial districts where the subject parcel is adjacent to a residential district, landscaping or screening should be required sufficient to minimize the impact and provide a buffer between uses. Special attention shall be given to proposals which are visible from public roads. The construction and materials of the screen shall be of a quality to the satisfaction of the Development Authority.
- 7.9.9. Where a non-residential development abuts a residential district, screening in the form of perimeter fencing, hedges, landscaped areas, or berms, with a minimum height of 1.9 m should be provided along the common lot line to the satisfaction of the Development Authority.
- 7.9.10. Outdoor storage area in industrial districts should be appropriately screened from public roadways using a variety of techniques such as building orientation, landscape or architectural elements.
- 7.9.11. Garbage should not be stored in direct public view and to preserve the visual appeal of the streetscape, the Development Authority should require external storage enclosures to be constructed to screen garbage storage areas from adjoining sites and public roadways.

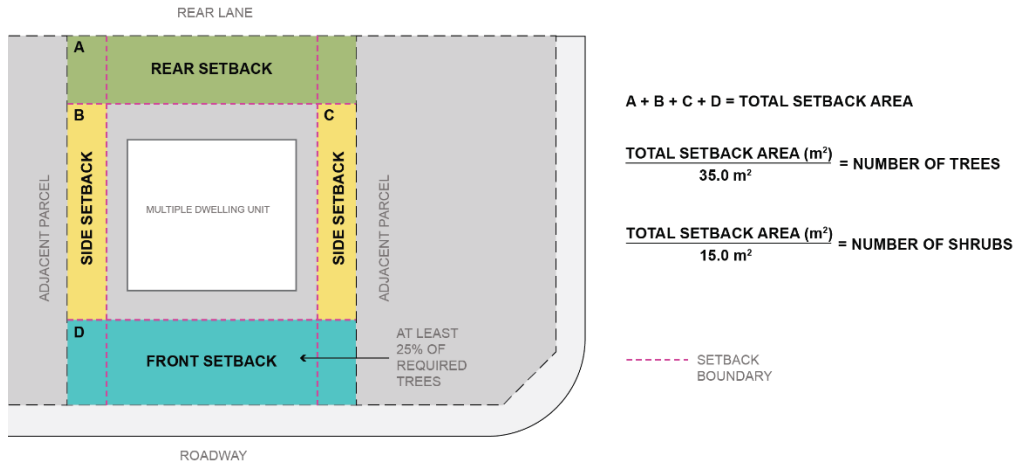
LANDSCAPING

- 7.9.12. Where landscaping is required, the applicant shall provide landscaping details on the site plan or a landscaping plan.
- 7.9.13. The landscaping details should include:
- a) common names of trees and shrubs;
 - b) location of trees and shrubs;
 - c) number of trees and shrubs;
 - d) landscape details specifying the mixture of coniferous and deciduous trees and shrubs designed to provide landscape enhancement for year-round effect;
 - e) landscaped areas not covered by seed/sod which may include, in combination with trees and shrubs, the following:
 - i. mulch beds consisting of landscaping fabric and mulch with a minimum depth of 5.0 cm;
 - ii. “rip-rap” rock beds consisting of landscaping fabric and rock with a diameter of not less than 10.0 cm;
 - iii. “crushed rock” consisting of landscaping fabric and rock with a diameter of 2.5 cm or less;
 - iv. paving stones or stamped asphalt or concrete for walkways or outdoor eating areas may be considered for up to 50% of the required landscaped area; or
 - v. raised planters constructed with concrete, concrete blocks or wood with a height of not less than 0.6 m or flower boxes attached to the building/structure; and
- 7.9.14. If a landscaped screening buffer is required abutting a residential use, the landscaped buffer:
- a) shall be a minimum of 3.0 m in width;
 - b) shall include a mix of deciduous and coniferous trees with at least 60% of these trees being coniferous;
 - c) shall include trees which are at least 6.0 m high at maturity; and
 - d) may include shrubs in addition to trees provided that the shrubs are at least 1.8 m high at maturity.

MINIMUM LANDSCAPING REQUIREMENTS

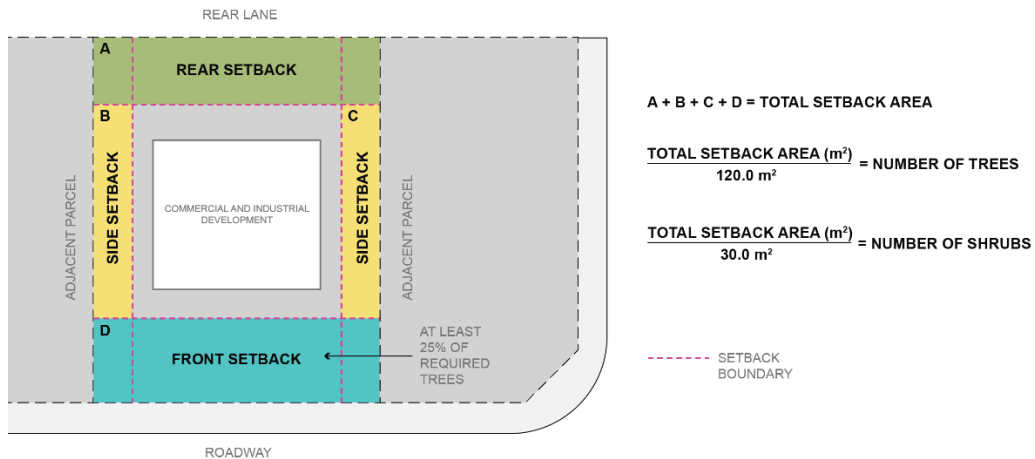
- 7.9.15. Residential lots with a **dwelling, single detached, dwelling, semi-detached, or dwelling, manufactured home** shall have at least one (1) tree located within the front setback. This requirement does not apply to manufactured home parks.
- 7.9.16. Residential lots with **dwelling, triplex** or **dwelling, row housing/townhouse** shall have at least one (1) tree per two dwelling units located within the front setback.
- 7.9.17. Minimum landscape requirements for **dwelling, row housing/townhouse** are:
- a) one (1) tree for each 35.0 m² and one (1) shrub for each 15.0 m² of required setback area at grade;

- b) the number of required trees may be reduced, up to 50%, by replacing each tree with two (2) shrubs;
- c) at least 25% of required trees shall be within the front setback area and these trees shall not be replaced by shrubs;
- d) any parking lot that has eight (8) or more parking stalls and is visible from an adjoining site, should have planting around its perimeter, within the property..



7.9.18. Minimum landscape requirements for multiple unit **dwelling, apartment** developments, commercial and industrial developments are as follows:

- a) one (1) tree for each 120.0 m² and one (1) shrub for each 30.0 m² of required setback at grade;
- b) the number of required trees may be reduced, up to 50%, by replacing each tree with two (2) shrubs;
- c) at least 25% of required trees should be within the front setback and these trees shall not be replaced by shrubs;
- d) any parking lot that has twenty (20) or more parking stalls and is visible from an adjoining site, should have planting around its perimeter, within the property.



- 7.9.19. Minimum landscape requirements may be waived for change of use or change of intensity development permit applications.

SPECIES SELECTIONS

- 7.9.20. All tree and shrub plantings shall be hardy to the Town of Peace River region's climate conditions and to the location on the site where they are planted. The Canadian Landscape Standard of the Canadian Nursery Landscape Association may be used as a reference for plant selection.
- 7.9.21. Any area required to be landscaped may, at the discretion of the Development Authority, be left in its natural state or be loamed and planted with grass, trees, shrubs or flowers, or similar materials or a combination thereof, which enhance the appearance of the site.
- 7.9.22. Existing vegetation should be preserved and protected unless removal is necessary or desirable to efficiently accommodate the proposed development. Trees and shrubs preserved on the site should, at the discretion of the Development Authority, be credited to the total landscaping requirements.

LANDSCAPING SECURITIES

- 7.9.23. Further to subsection 7.9.13, Landscaping Plans prepared by a qualified professional shall be accompanied by a quote indicating the cost to implement the Landscaping Plan in Commercial, Industrial, and Public Districts.
- 7.9.24. As a condition of Development Permit approval and in alignment with subsection 7.16, the Development Authority shall require the applicant to provide a landscaping security. This landscaping security may be in the form of an irrevocable letter of credit or bank draft/certified cheque from a recognized Canadian financial institution, with a value equivalent to one hundred (100%) of the established costs to implement the Landscaping Plan. This security must be provided to the Town within thirty (30) days of the Development Permit being issued. The security may be released subject to the following conditions:
- a) The release of security will be dependent on plant material being alive, thriving, and having been consistently maintained over the previous two (2) growing seasons;
 - b) Securities may be held in full if the landscaping is not provided and installed in accordance with the approved Landscape Plan, or if there are noted deficiencies as determined by the Development Authority;
 - c) Securities may be released in full if the landscaping is provided and installed in accordance with the approved Landscaping Plan, and there are no deficiencies as determined by the Development Authority;
 - d) Securities may be released down to ten percent (10%) of the accepted securities if all the landscaping is provided and installed but there are noted deficiencies, at the discretion of the Development Authority. The developer/owner will have one growing season from the date of the initial inspection to complete the required landscaping and ensure the landscaping is in healthy condition. Upon approval of the finished landscaping, the Town shall release the remaining securities; and
 - e) In the event the developer/owner does not complete the required landscaping or fails to maintain the landscaping in a healthy condition, the Town will draw on the securities provided by the developer/owner to complete the required work. If the securities are insufficient to complete the

required work, the developer/owner shall pay such deficiency to the Town immediately upon being invoiced.

- 7.9.25. The amount of the Landscaping Securities shall include the cost of the following, where applicable based on the approved Landscape Plan:
 - a) Rough grading of the landscaped area;
 - b) A minimum of 150.0 mm of topsoil and sod or seed;
 - c) Trees, shrubs, and other landscape materials; and
 - d) Concrete work separating landscaped areas and parking areas.
- 7.9.26. Upon receipt of a written request from an applicant, an inspection of finished landscaping may be scheduled by the Development Authority.
- 7.9.27. Landscaping inspections shall be:
 - a) Conducted only during the normal growing season, approximately May 15th through October 15th; and
 - b) Performed within thirty (30) days of receipt of the inspection request, subject to (a) above.
- 7.9.28. One hundred percent (100%) of the Landscaping Securities, as identified in subsection 8.3.2, will be returned when satisfactory completion of the landscaping is confirmed with an inspection by the Development Authority.

7.10 LANDS WITH SENSITIVE SLOPES AND SOIL CONDITIONS

- 7.10.1. Where a parcel of land borders on or contains a coulee, ravine or valley, without a watercourse, the minimum required setback of a building from the top of physical bank of the coulee, ravine or valley should be 7.5 m or three (3) times the depth of the coulee, ravine or valley as defined by a registered surveyor, whichever is the greater distance, unless the Town is satisfied through the submission of a detailed geotechnical engineering study from a registered engineer that a lesser setback is appropriate.
- 7.10.2. Development should not be allowed on unstable slopes or land characterized by soil instability unless it can be demonstrated to the satisfaction of the Town by a registered engineer that the development is safe for construction.
- 7.10.3. The Development Authority should increase any minimum yard or setback requirement for lands within close proximity to unstable or steep slopes based on the outcomes of a geotechnical report.
- 7.10.4. A minimum setback of 30.0 m should be provided for all buildings from the top of the physical bank, defined by a registered surveyor, of any watercourse, or from the top of the ravine or other topographical feature in which a watercourse is located, or from any water body unless the Town is satisfied, through the submission of a detailed geotechnical engineering study from a registered engineer, that a lesser setback is warranted. This requirement shall not apply to fences which may be allowed within this area.

- 7.10.5. Land within the setback areas defined in subsection 7.10.1 and subsection 7.10.4 above shall be kept in its natural state. Existing vegetation or tree removal shall not be permitted unless the Town is satisfied, through the submission of a detailed geotechnical engineering study from a registered engineer, that the removal of the vegetation or trees will not have an adverse effect on the integrity of the slope. As permitted by Section 651 of the Act, a restrictive covenant should be required to be registered against the certificate of title for the subject property to prevent future removal or damage of the vegetation.
- 7.10.6. The Town may increase any minimum yard or setback requirement, where any permitted or Discretionary Use or accessory development may be detrimental to the preservation of shoreland or be adversely affected by reason of such use being in a floodplain.
- 7.10.7. The following accessory developments are prohibited on steep slopes or unstable soils unless a detailed geotechnical engineering study from a registered engineer supports the proposed development:
- a) swimming pool,
 - b) automated underground lawn sprinkler system,
 - c) ornamental pool,
 - d) water retention facilities, and
 - e) other similar developments.

7.11 LIGHTING

- 7.11.1. The Development Authority may require that the site plan show the placement and type of proposed lighting as part of a development permit application for multiple dwelling unit developments, commercial, public or industrial uses.
- 7.11.2. A lighting plan should depict where lights are located, their height and the extent of their casting at two (2) LUX.
- 7.11.3. All outdoor lighting for any development shall be located and arranged so that no direct rays of light:
- a) are directed at adjoining properties;
 - b) interfere with the use and enjoyment of neighbouring lands;
 - c) are directed upward; and
 - d) interfere with the effectiveness of any traffic control devices or the vision and safety of motorists.
- 7.11.4. For commercial and industrial developments lighting practices and systems should minimize light pollution, glare and light trespass onto adjacent properties, while maintaining night-time, onsite safety and security and allow for product display during evening operating hours to ensure that light fixtures maximize security while minimizing the nuisance effect on adjacent landowners.

7.12 MODULAR BUILDINGS

- 7.12.1. Regulations within this section do not apply to the development of a **dwelling, manufactured home**.
- 7.12.2. Notwithstanding subsection 7.17.1, the use may be listed as a Permitted Use within the district, except for farm buildings, any development with a modular building is discretionary.
- 7.12.3. A modular building shall be manufactured no later than twenty (20) days prior to the date of the application.
- 7.12.4. A modular building shall be attached to a permanent foundation.

7.13 MULTIPLE LAND USES ON A SITE

- 7.13.1. Subject to the other regulations of this Bylaw, the uses enabled within a district, and the density limitations of the districts, multiple uses may be developed on a single site.

7.14 PUBLIC LANDS AND TOWN BOULEVARDS

- 7.14.1. Notwithstanding subsection 7.9.7, the owner of a lot shall develop the boulevard abutting the lot by excavating, backfilling, leveling or consolidating to final grade, and seed or perform other works that may be necessary to develop a turf boulevard, with all work entirely at the owner’s expense.

7.15 RELOCATION OF BUILDINGS

- 7.15.1. Regulations within this subsection do not apply to the development of a dwelling unit, **dwelling, manufactured home** or a modular building.
- 7.15.2. Notwithstanding subsection 7.15.1, the use may be listed as a Permitted Use within the district, with the exception of farm buildings, any development with a relocated building is discretionary.
- 7.15.3. Where a development permit issued for the relocation of an existing building on the same site or from another site, the Development Officer may require that the applicant provide as part of the development permit application:
 - a) a colour photograph of the building, accurately depicting the building and its general condition;
 - b) a statement of any proposed improvements to the building, including a description of the colour, texture or finish applied to exterior surfaces, and a description of proposed landscaped areas;
 - c) a statement of the present location of the building;
 - d) a notification of the relocation route;
 - e) a statement or drawings of the proposed foundation;
 - f) a complete site plan showing all buildings located or to be located on the site; and

- g) any other information deemed necessary by the Development Officer.
- 7.15.4. All development permits for moved-in buildings shall be reviewed by the Municipal Planning Commission, based on the following criteria:
- a) age of the building to be moved;
 - b) age of the surrounding buildings;
 - c) building condition/building materials;
 - d) the compatibility of the proposed building to the neighbourhood and adjacent properties;
 - e) the proposed location with the Town;
 - f) aesthetics of the neighbourhood;
 - g) the compatibility of the building with the proposed future development of the area; and
 - h) any other planning considerations as deemed relevant by the Development Authorities.
- 7.15.5. Where a development permit issued for the relocation of an existing building on the same site or from another site, the Development Authority may require as a condition of the permit that the applicant provide:
- a) a security of such amount to ensure completion of any renovations set out as a condition of approval of a development permit; and
 - b) an engineer's certificate to confirm that the building is structurally sound.
- 7.15.6. Any exterior renovations shall be completed within one (1) year of the issuance of a development permit.
- 7.15.7. Relocated buildings should be compatible in form and character with the predominant form and character of the structures and developments in the area which the building is moved to.
- 7.15.8. Any renovations or improvements required to ensure that the relocated Building or Structure complies with this Bylaw shall be listed as conditions of the Development Permit.
- 7.15.9. In addition to the standard development permit Notice of Decision process, for a relocated building development approval, all landowners within a distance as determined to be appropriate by the Municipal Planning Commission on a case-by-case basis shall be notified of the decision in writing.
- 7.15.10. In determining the distance for landowner notification, the Municipal Planning Commission shall consider:
- a) the number of buildings proposed to be moved into the area;
 - b) the topography of the area;
 - c) the transportation routes to and through the area;
 - d) the stage of development of the neighbourhood (new versus established neighbourhoods);
 - e) the number of existing houses in the neighbourhood; and
 - f) the potential impact of the particular building being moved.

7.16 SECURITIES FOR ON-SITE IMPROVEMENTS

7.16.1. The Town may require the applicant to provide security in the form of an Irrevocable Letter of Credit or a bank draft or certified cheque from a recognized Canadian Financial Institution, to ensure completion of work in association with the conditions of a Development Permit, a development agreement, or any other case where the Development Authority deems security is required to ensure the work is carried out in a timely manner and to the satisfaction of the Development Authority. Where security is required in connection with conditions of a Development Permit or a development agreement:

- a) The security shall be of a value equivalent to one hundred percent (100%) of the cost of the applicable landscaping, site grading, paving, onsite and offsite infrastructure necessary for development.
b) The applicant must provide a quote from a contractor constructing the works or a registered professional who prepared the construction plans, which is subject to review and verification by the Development Authority, and quoted costs shall be valid for the required work.
c) The security may be used by the Town to undertake completion of any work not completed within one (1) year of the date of building completion or building occupancy, whichever comes first, or such other time as provided for in a development agreement.
d) The applicant may provide a written request to reduce the amount of security for onsite or offsite infrastructure based on a revised cost estimate of the remaining works to be completed and any remaining deficiencies. The security may be reduced to ten percent (10%) of the outstanding work at the discretion of the Development Authority.
e) The security shall be released to the applicant, upon written request, once an inspection of the site demonstrates to the satisfaction of the Development Authority that all works in the agreement have been completed. The inspection shall take place within two (2) weeks of the date of the written request.
f) The terms and conditions pertaining to security may be modified by a development agreement.

7.16.2. The Town may register a caveat under the Land Titles Act in respect of a development agreement against the certificate of title for the land that is the subject of the development.

7.16.3. Where the Town registers a caveat with respect to a development agreement, the Town will discharge the caveat when the agreement has been complied with.

7.16.4. Notwithstanding subsections 7.16.1 – 7.16.3, refer to subsection 8.19 ‘Stripping, Filling, Excavation and Grading’ and subsection 7.9 ‘Landscaping’ for specific requirements related specifically to landscaping.

7.17 SERVICING REQUIREMENTS

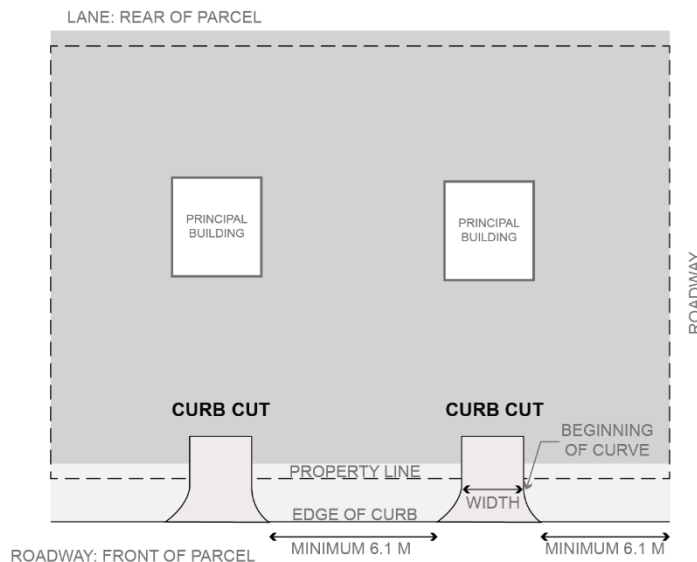
7.17.1. When, in the opinion of the Development Authority, satisfactory arrangements have not been made by a developer for the supply of water, electrical power, sewage, and street access or a combination here of, including payment of the costs of installation or construction, the Development Officer shall refuse to issue a development permit.

7.18 SETBACK REQUIREMENTS

- 7.18.1. Where more than one (1) minimum setback distance is applicable under this Bylaw, the greater distance shall prevail.
- 7.18.2. Development should occur in a manner so that there is no infringement onto roadways or pedestrian networks. It will also be located such that it does not impede visibility or safety on municipal roadways.
- 7.18.3. Notwithstanding side yard setback requirements in each district, the side yard setbacks will not apply to the common wall side of a **dwelling, semi-detached** or a **dwelling, row housing/townhouse**, where the development has a common wall on a property line.

7.19 SITE ENTRANCES AND EXITS

- 7.19.1. Curb cuts shall be set back a minimum distance of 6.1 m from the intersection on corner lots.



- 7.19.2. Notwithstanding subsection 7.19.1, the setback distance for curb cuts may be increased where, in the opinion of the Development Officer, such increase is necessary for reasons of public safety and convenience.
- 7.19.3. The width of the curb cut shall be between 7.5 m and 10.7 m, measured from the beginning of the curve and from the face of the curb.
- 7.19.4. The sides of driveway approaches crossing sidewalks or boulevards may be constructed on an angle with the curb line, but the angle extended between the curb and the edge of the driveway shall in no case be less than thirty (30) degrees nor more than sixty (60) degrees.

7.19.5. The minimum distance between curb cuts shall not be less than 6.1 m from each other, measured at the property line. The Development Authority may increase the minimum distance in any case where, because of width of adjacent sidewalks or boulevards or traffic conditions, such increase is necessary for reasons of public safety and convenience.

7.20 SITE, CORNER

7.20.1. On any corner site, the finished grade shall not exceed the general elevation of the street line by more than 0.6 m within the area defined as a sight triangle unless, in the opinion of the Development Authority it would not interfere with traffic safety.

7.20.2. Notwithstanding any other provision contained in this Bylaw, no person shall place or maintain any object, structure, fence, hedge, shrub or tree in or on that part of a sight triangle, if such objects or structures, in the opinion of the Development Authority, interfere with traffic safety.

7.20.3. Notwithstanding subsections 7.20.1 and 7.20.2, these requirements may be varied for a commercial building in the Commercial 1 District (C-1) and the Commercial-Residential District (C-R).

7.21 SOIL REMEDIATION

7.21.1. Soil remediation may be required as a condition of subdivision or development approval on parcels where an environmental site assessment (ESA) has established the presence of site contamination.

7.21.2. Remediation, may include, but is not limited to, physical removal of contaminated groundwater or soil, natural attenuation, source removal, degradation by micro-organisms or neutralization with chemicals that react with the contaminants to form benign substances.

7.22 SOLID WASTE MANAGEMENT

7.22.1. On a multiunit residential, commercial, industrial or public site the site plan should provide for solid waste management.

7.23 SUBDIVISION, BARE LAND CONDOMINIUMS

7.23.1. Bare land condominiums may be approved where the proposed development fully complies with the regulations of the district, pursuant to the regulations in this section.

7.23.2. Development of land within a bare land condominium shall be considered the same as the development of land within a fee simple subdivision, with each condominium unit treated as an individual lot.

7.23.3. Improvements that are required to service bare land condominium development should be in accordance with Town standards.

- 7.23.4. A bare land condominium project shall ensure that each proposed condominium unit is accessed by a public roadway, condominium common property, or a unit characterizing condominium common property.
- 7.23.5. The Condominium Association or registered landowner in a condominium development shall be responsible for ensuring all conditions of the approved Development Permit are completed to the satisfaction of the Town and remain unaltered. This Bylaw takes precedence over all condominium bylaws or architectural controls. The Town has no legal ability to enforce condominium association bylaws.

7.24 SUBDIVISION, BUILDABLE AREA FOR PARCELS

- 7.24.1. All proposed subdivisions must include a suitable buildable area, which is the minimum area required for a building site, subject to the following:
- a) the buildable area is not subject to the development restrictions such as those created by sour gas or other **natural resource extraction industry**, flooding, hazardous lands, landfills, transfer stations, sewage lagoons or other restrictions as indicated by the *Act*;
 - b) the buildable area contains a water table and soil suitable for the construction of a building site and the proposed wastewater disposal system;
 - c) the buildable area does not exceed 15% in slope unless a report has been submitted to the satisfaction of the Municipality, prepared by a Qualified Professional which indicates that the developable area is suitable for construction;
 - d) the buildable area is sufficient to accommodate all buildings within the applicable setback requirements for the land use district;
 - e) the buildable area is considered developable by the Subdivision Authority; and
 - f) Notwithstanding that minimum setback requirements for the land use districts do not apply to well locations and septic systems, the minimum size of the buildable area must meet the above criteria and shall also allow for:
 - i. the required setbacks from the well to all property lines; and
 - ii. separation distances for septic tanks and fields and package sewage treatment plants, to both property lines, water sources, and buildings in accordance with the provincial standard such as those currently required in the *Alberta Private Sewage Systems Standard of Practice*.

Section 8 SPECIFIC LAND USE REGULATIONS

8.1 ACCESSORY BUILDING OR STRUCTURE

- 8.1.1. An attached garage is part of the principal building and is not an accessory building.
- 8.1.2. Accessory buildings and structures shall be a Permitted Use when accessory to a Permitted Use, and a Discretionary Use when accessory to a Discretionary Use.
- 8.1.3. An accessory building shall not be used as a dwelling unit, except as **accessory dwelling units**, as defined and allowed for in this Bylaw.
- 8.1.4. No side yard is required for any accessory building where a mutual wall is erected on a common property line and is constructed of brick, stone or equivalent fire-resistant material; there will be no overhang of eaves; and all drainage is confined to the site. A party wall agreement satisfactory to the Development Officer must be signed by both owners and registered against both properties at the Land Titles Office.
- 8.1.5. The total combined area of all accessory buildings shall not exceed 20% of the site area.
- 8.1.6. An accessory building shall not exceed 4.6 m in height unless a garage suite exists above the garage.
- 8.1.7. On a residential lot, no accessory building shall be located in the front yard or exterior side yard of the principal building.
- 8.1.8. In districts other than a Residential District, an accessory building may be located in the front yard or exterior side yard of a principal building provided that the Development Authority determines that such a placement is compatible with the aesthetic character of the neighbourhood and does not impede the function of the site. All accessory buildings proposed to be located within the front yard shall be a Discretionary Use.
- 8.1.9. An accessory building shall not be developed prior to and without a principal building or use.
- 8.1.10. An **accessory building or structure** cannot be located on or over an easement or utility right-of-way unless a written encroachment agreement is signed and registered on title.
- 8.1.11. An accessory building must be standalone and cannot be attached or connected to any other building.
- 8.1.12. All accessory buildings must meet *Alberta Building Code, Fire Code & Standards* and Safety Code regulations where applicable.
- 8.1.13. Where a lane flanks the side of a site, no **accessory building or structure** shall be located closer than 1.5 m from the side lot line and 3.1 m from the rear lot line.

DECKS

- 8.1.14. The following applies to all decks:
- a) in a laneless subdivision, a deck cannot extend into the side yard that provides access to the rear yard unless the deck's design maintains access to the rear yard, unless the house has an attached garage, and all services come from the front property line;
 - b) the setbacks shall be measured from the outermost edges of the surface of the deck;
 - c) decks may encroach up to 1.5 m into a required front yard setback provided that the deck shall remain uncovered and unenclosed by walls, lattice or other similar material;
 - d) decks that are covered or enclosed shall be considered an addition to the principal building and are required to meet the district requirements for the principal building, and are included in the site coverage calculation;
 - e) decks attached to a semi-detached dwelling or a rowhouse may extend up to the common lot line between units if the deck is provided with a privacy wall. The privacy wall must extend the full depth of the deck and be a minimum of 2.0 m high as measured from the surface of the deck to the top of the privacy wall; and
 - f) at the discretion of the Development Authority, a deck may encroach onto any required yard where the deck is designed to accommodate access to a dwelling unit for a person with a mobility disability.
- 8.1.15. The following applies to all Low-Level Decks:
- a) low-level decks may be built within 15.0 cm of the side property line and up to the rear property line.
- 8.1.16. The following applies to all Raised Decks:
- a) raised decks on corner lots shall not encroach into the sight triangle area; and
 - b) Raised Decks that are uncovered and unenclosed shall be setback 1.2 m from the side property line and 4.6 m from the rear property line.

GATES, FENCES AND WALLS (NOT INCLUDING RETAINING WALLS)

- 8.1.17. A development permit application is required for fences, gates and walls:
- a) in Industrial Districts, fences, gates and walls that are greater than or equal to 1.9 m; and
 - b) in all other districts fences, gates and walls that are greater than 1.0 m in height in front yards or inside yards abutting a highway or road, and greater than or equal to 1.9 m in rear yards or in other side yards.
- 8.1.18. Where a development permit is required for a fence, gate or wall, the decision is a discretionary decision of the Development Officer and may be refused if the design or type of fence is inconsistent with the character of neighbourhood or may reduce the natural surveillance of the neighbourhood.
- 8.1.19. Applications for fences greater than 1.0 m in the front yard must specify the type and material of the fence.

8.1.20. Chain link fences greater than 1.3 m may not be located in the front yard of Residential Districts or Commercial Districts.

8.1.21. Where a fence is constructed on top of a berm, or retaining wall, the height shall be calculated from grade to the highest part of the fence with the height of the berm, or retaining wall included in the height calculation.

GARAGES

8.1.22. Notwithstanding subsection 8.1.14, where a garage is located within an exterior yard on a residential lot, it shall not be closer than 6.1 m from the property line.

STORAGE CONTAINERS

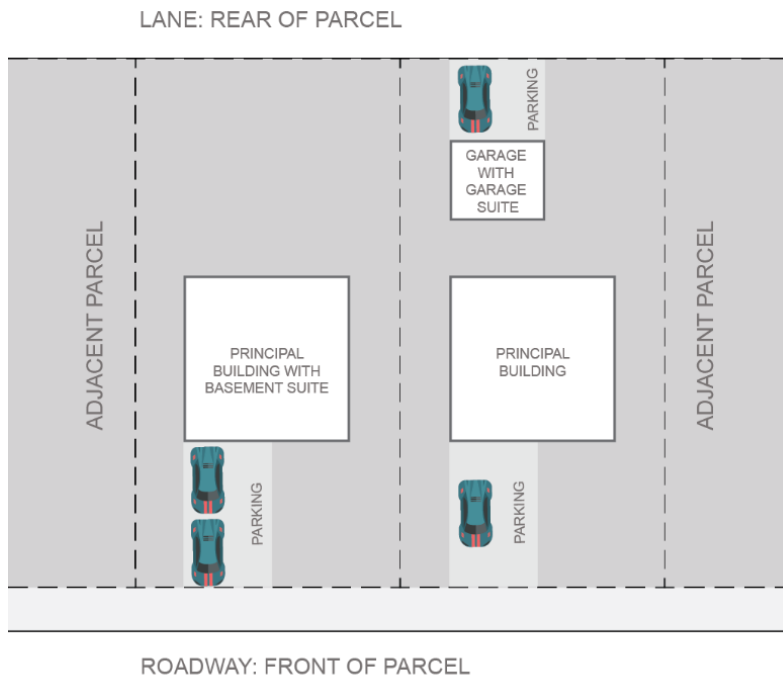
8.1.23. When a storage container, also referred to as a shipping container, is used as an accessory building it is subject to the following additional regulations:

- a) A shipping container shall not be located on a lot where there is no principal use.
- b) Shipping containers are not permitted on a residential lot except as allowed in 8.1.24(g) below.
- c) The maximum number of shipping containers that may be placed on a commercial, public use, industrial or future development lot is at the discretion of the Development Authority. Notwithstanding the above, the maximum number of shipping containers should not exceed two (2) in the Primary Commercial (C-1) District, in the Riverfront Development (R-D) District, or in the Commercial-Residential (C-R) District.
- d) Shipping containers shall not be stacked, except as part of a storage area in an industrial district where shipping containers may be stacked up to 24.0 m high.
- e) Shipping containers shall not be placed in the front yard of a lot or between the principal building and the street.
- f) Shipping containers must be well-maintained and in good condition or must be adequately buffered to the satisfaction of the Development Authority.
- g) A maximum of one (1) shipping container may be allowed, at the discretion of the Development Authority, for a temporary period not exceeding six (6) months during the construction of the principal dwelling on a lot.
- h) The exterior finish of a shipping container sited within a commercial district must be consistent with or complimentary to the finish of the principal building.
- i) As a condition of a development permit, the Development Authority:
 - i. should prohibit the storage of combustible materials within a shipping container;
 - ii. may require that a shipping container be given a fresh coat of paint; and
 - iii. should prohibit the stacking of shipping containers.

8.2 ACCESSORY DWELLING UNITS

ACCESSORY DWELLING UNITS

- 8.2.1. The following regulations apply to all **accessory dwelling units**:
- Accessory dwelling units** are only permitted on lots containing a **dwelling, single detached, dwelling, or dwelling, semi-detached**.
 - As permitted by Section 651 of the *Act*, a restrictive covenant should be required to be registered against the certificate of title for the subject property to ensure that the **accessory dwelling units** shall not be subject to separation from the principal dwelling through condominium conversion or subdivision.
 - A maximum of one (1) garden suite or garage suite per principal dwelling may be allowed.
 - A maximum of one (1) secondary suite per principal dwelling unit may be allowed.
 - The parking shall not be accommodated on the street and shall not be at the expense of the soft landscaping requirement of this Bylaw. Parking may be allowed in tandem, provided that the parking for the principal residence does not block the parking for the **accessory dwelling unit** and vice versa.
 - An additional driveway may be allowed where a property has access from the front street and a rear lane, or where a parcel is double fronting or has a frontage width in excess of 20.0 m, subject to traffic safety considerations.



- Accessory dwelling units** must have an amenity space that is a minimum area of 7.6 m² with no dimension less than 1.5 m. A private amenity space may be provided in the form of a balcony, deck, patio or dedicated yard space.

ACCESSORY DWELLING UNIT, GARDEN SUITE AND GARAGE SUITE

- 8.2.2. Consistent with subsection 8.1.5, the total combined area of all accessory buildings, **including accessory dwelling units**, shall not exceed 20% of the site area.
- 8.2.3. The minimum Side Setback shall be the same as for the principal dwelling.
- 8.2.4. The minimum distance between a detached garage containing a garage suite or a garden suite, and the principal Dwelling on the same Site, shall be 4.0 m.
- 8.2.5. Windows within the garage suite or the garden suite shall be placed and sized such that they minimize overlook into yards and windows of abutting properties, through one or more of the following:
 - a) off-setting window placement to limit direct views of abutting rear or side yard amenity areas, or direct view into a garage suite or garden suite window on an abutting Site;
 - b) strategic placement of windows in conjunction with landscaping or the placement of other accessory buildings; and
 - c) placing larger windows such as living room windows, to face a lane, a flanking street, or the larger of any side yard abutting another property.
- 8.2.6. When considering a Development Permit application for a garage suite or a garden suite, the Development Authority may exercise discretion having regard for:
 - a) any policies for garage suites or garden suites contained in a statutory plan for the area;
 - a) compatibility of the suite with the siting, grade elevations, height, roof slopes and building types and materials characteristic of surrounding residential development;
 - b) the effects on the privacy of adjacent properties; and
 - c) the cumulative impact of the application with other existing or approved **accessory dwelling units** within the neighbourhood.
- 8.2.7. Balconies off of a above grade Garage Suite must face the lane or a flanking roadway.

DWELLING UNIT, SECONDARY SUITE

- 8.2.8. A secondary suite shall be developed in such a manner that the exterior of the principal building containing the secondary suite shall appear as a single dwelling.

8.3 BED AND BREAKFAST

- 8.3.1. The maximum onsite size of a sign advertising a **bed and breakfast** location shall be 0.3 m².
- 8.3.2. No food preparation shall be conducted within any bedroom made available for rent.
- 8.3.3. One onsite parking stall is required for each **bed and breakfast** unit.

- 8.3.4. Where the **bed and breakfast** utilizes the entirety of the residential dwelling, with no permanent resident, a development permit shall be issued for no more than three (3) years. To continue operations, the developer must reapply for a new development permit. Second, third, and so on development permit applications for the same property by the same applicant for a **bed and breakfast** operation shall not be required to pay an application fee.

8.4 BREWERY, WINERY OR DISTILLERY

- 8.4.1. The development must have licence from the Alberta Gaming Liquor Commission.
- 8.4.2. In the Commercial 1 District (C-1), Commercial 2 District (C-2), Commercial Neighbourhood District (C-N) and Commercial Residential District (C-R):
- a) a **brewery, winery or distillery** must include a store front for the sale of the product to the general public; and
 - b) a **brewery, winery or distillery** may be developed in conjunction with a related use. The related or accessory use must be applied for separately. The Development Authority may approve or refuse any or all accessory or related uses.
- 8.4.3. Uses related to a **brewery, winery or distillery** may include but are not limited to a retail store, an eating or drinking establishment, or a liquor store, provided the use(s) is listed in the relevant district and the proposal meets the regulations for that use.
- 8.4.4. In the Industrial 1 District (M-1):
- a) the **brewery, winery or distillery** may include a store front for the sale of the product to the general public; and
 - b) the **brewery, winery or distillery** shall not be developed in conjunction with another accessory or related use that will result in traffic from general public, such as but not limited to a retail store, an eating or drinking establishment, or a liquor store.
- 8.4.5. In the Future Development District (F-D):
- a) the **brewery, winery or distillery** shall be accessory to the extensive agricultural use of the parcel;
 - b) the **brewery, winery or distillery** may include a store front for the sale of the product to the general public;
 - c) the **brewery, winery or distillery** may be developed in conjunction with a related use. The related or accessory use must be applied for separately. The Development Authority may approve or refuse any or all accessory or related uses; and
 - d) the Development Authority may consider an eating or drinking establishment, a liquor store, or a retail store as part of an application for a **brewery, winery or distillery**, despite these uses not being listed as a use within the Future Development District (F-D), provided the total square metre of the unlisted, accessory uses is limited to no more than 50.0 m² to ensure these uses remain accessory to the principal use.
- 8.4.6. A Development Permit application for a **brewery, winery or distillery** must include the following information:

- a) a description of the manufacturing process, including inputs, outputs and by-products (such as heat, noise, or smell) of the process;
- b) a site plan showing the portion of the development site dedicated to the manufacture and packaging of the product, and the portion of the development dedicated to the store front;
- c) the proposed water source;
- d) the proposed wastewater plan; and
- e) the estimated quality and quantity of wastewater effluent (m³/day and m³/year).

8.4.7. A Development Permit application for a **brewery, winery or distillery** may be required to include the following information:

- a) if the development proposes to tie into the municipal water system, a written analysis by a professional engineer, identifying whether the Town’s water system has the capacity to supply the development, having regard to the maximum daily demand and fire-flow capacity and requirements of the water system;
- b) where the Development Authority determines that the pre-treatment effluent significantly exceeds acceptable toxicity limits for the town’s infrastructure, a pre-treatment plan, to the satisfaction of the Development Authority; or
- c) a noise, odour, traffic, or any other impact assessment deemed to be necessary. Any assessment should identify the mitigative measures which may be undertaken to reduce impact on neighbouring properties.

8.4.8. The Development Authority may set conditions through the development permit to mitigate any impacts or set appropriate standards for the **brewery, winery or distillery**.

8.4.9. The minimum off-street parking requirements for a **brewery, winery or distillery** are provided for in Section 10. Each related or accessory use must also meet its off-street parking requirements.

8.5 CANNABIS CULTIVATION, PROCESSING AND DISTRIBUTION FACILITY

8.5.1. The owner or applicant must provide as a condition of development a copy of the current license for all activities associated with the **cannabis cultivation, processing and distribution facility** as issued by the federal government.

8.5.2. The owner or applicant of a **cannabis cultivation, processing and distribution facility** must obtain any other approval, permit, authorization, consent or license that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.

8.5.3. The **cannabis cultivation, processing and distribution facility** must be done in a manner where all the processes and functions are fully enclosed within a stand-alone building including all loading stalls and docks, and garbage containers and waste material.

8.5.4. The **cannabis cultivation, processing and distribution facility** shall not include an outdoor area for storage of goods, materials or supplies.

- 8.5.5. The **cannabis cultivation, processing and distribution facility** shall not operate in conjunction with another approved use.
- 8.5.6. The **cannabis cultivation, processing and distribution facility** must include equipment designed and intended to remove odours from the air where it is discharged from the building as part of a ventilation system.
- 8.5.7. The Development Officer may require, as a condition of a development permit for a **cannabis cultivation, processing and distribution facility**, a waste management plan, completed by a qualified professional, which includes but is not limited to, details on:
- a) the incineration of waste products and airborne emissions, including smell;
 - b) the quantity and characteristics of liquid and waste material discharged by the facility; and
 - c) the method and location of collection and disposal of liquid and waste material discharged by the facility.
- 8.5.8. Parking for a **cannabis cultivation, processing and distribution facility** shall be provided in accordance with the minimum requirements under Section 8.16.
- 8.5.9. The Development Authority shall impose a condition on any development permit issued for **cannabis cultivation, processing and distribution facility** that the development shall not commence until authorized by, and compliant with, any superior legislation including any provincial and federal statutes.

8.6 CHILD CARE FACILITY

- 8.6.1. All **childcare facilities** must be licensed by the appropriate provincial agency and meet the requirements of the local health authority and Peace River Fire Department, as a condition of a development permit approval.
- 8.6.2. On-site outdoor play spaces for **childcare facilities** must comply with the following:
- a) play spaces must be designed, located, landscaped, and screened to enhance safety and mitigate a nuisance from other on-site uses, waste collection areas, parking lots, outdoor storage areas, queuing spaces, loading spaces, rail lines, Streets, Alleys, mechanical equipment and exhaust systems;
 - b) play spaces must be located a minimum of 2.0 m away from mechanical equipment and exhaust systems;
 - c) play spaces at ground level must be fenced on all sides and all gates must be self-latching; and
 - d) play spaces above ground level must have secure perimeter railings or walls with a minimum Height of 1.8 m.

8.7 COMMUNICATION TOWER

8.7.1. Under the Radiocommunication Act, Industry Canada has sole authority to approve and license the location of Communication Towers. Prior to proceeding with the installation of a **communication tower**, applicants are required to submit to the Town proof that approval and licenseship has been obtained.

8.7.2. All **communication tower** facilities should comply with federal legislations or regulations of federal and provincial agencies responsible for Health, Environment and Transportation Safety.

8.7.3. The Development Officer shall receive applications for the siting of Communication Towers.

8.7.4. The Development Officer is the Development Authority for decisions related to Communication Towers and has the authority to issue a statement of concurrence or non-concurrence as per the intent of this Bylaw with regards to siting and land use compatibility based on the following criteria:

- a) Siting of Communication Towers:
 - i. Explore opportunities to co-locate on an existing structure, modify or replace a structure if necessary;
 - ii. Locate, analyze, and attempt to use any feasible infrastructure such as rooftops, water towers, utility poles or light standards.
 - iii. The siting of new communication towers is should only be considered if co-location is determined to be unfeasible.
 - iv. New facilities should be built to a standard to accommodate multiple devices.
 - v. Aircraft lighting on communication towers shall not illuminate downwards and impacts residential communities.
 - vi. Whether or not the communication tower unduly interferes with the amenities of the areas which may include but shall not be limited to the natural environment; residential communities; and recreational opportunities.
- b) Public consultation
 - i. A pre-consultation meeting with the Development Authority is required before the application to site the Communication Tower is received to identify preliminary issues of concern and requirements for public consultation. The Town will determine if the public consultation is necessary for the proposed facility with regard to the following:
 - a. Public consultation is required for all Communication Towers that is proposed in or in close proximity to a residential area to provide an opportunity to address concerns and feedback from local communities regardless of height.
 - b. The Town will request public consultation for all Communication Towers greater than 15.0 m in height for all adjacent landowners or dwellings or both within a distance of three (3) times the tower height.
 - c. The Town may request a public consultation for facilities proposed to be located on top of buildings that would exceed 25% of the height of building.

- d. Telecommunication service provider is responsible for all the costs associated with organizing public notification, public consultation and any other public meetings.
 - e. Pre-consultation, public notification and public consultation processes should be in accordance with the procedures established by the Industry of Canada.
 - f. The Town will request referrals to adjacent municipalities for all Communication Towers proposed within the Plan Areas defined by the Intermunicipal Development Plans of the Town pursuant to Section 631 of the *Act*, as amended or replaced.
- 8.7.5. All Communication Tower facilities should comply with federal legislations or regulations of federal and provincial agencies responsible for Health, Environment and Transportation Safety.
- 8.7.6. Exemptions from public consultation within the Town are limited to situations where:
- a) the communication tower is not greater than 15.0 m above ground except where required by the Development Officer;
 - b) there are addition or modifications to existing tower. The Development Officer shall have the discretion to make amendments based on a site-by-site basis;
 - c) there is maintenance of existing facilities;
 - d) there is the installation of temporary facilities that is used for special events or in an event of emergency.
- 8.7.7. The applicant shall prioritize the siting of Communication Towers in the following areas:
- a) Industrial Districts; and
 - b) If located on rooftops or as side-mounted antenna on buildings greater than 12.0 m in height.
- 8.7.8. The Town discourages Communication Towers from being sited in the following locations:
- a) Natural Environment District (N-E);
 - b) Environmentally Sensitive areas and any associated buffers;
 - c) Historical Significance Overlay areas;
 - d) Top of bank; and
 - e) Riparian areas.
- 8.7.9. If a Communication Tower is proposed within these areas, the Town shall request that an environmental assessment or geo-technical assessment report be completed.

APPLICATION SUBMISSION REQUIREMENTS

- 8.7.10. In addition to those application requirements found in Section 12, applications for Communication Towers shall be required to submit the following to the Development Authority:
- a) Report indicating the proposed site, and investigation of co-location opportunities;

- b) Specifications of the proposed facility and ancillary buildings or shelters;
- c) Site Plan;
- d) Map showing the boundaries of the proposed site and all properties located within the prescribed distance;
- e) Letter from the landowners where the Communication Tower is proposed to be sited that authorizes their interest and collaboration;
- f) Proof that shows how the proposed facility meets Health, Environment and Transportation safety protocols; and
- g) Any other documentation that was identified by the Town during the initial meeting.

8.8 DWELLING, APARTMENT

- 8.8.1. Any apartment development shall satisfy the Development Officer as to:
- a) provision of garbage storage;
 - b) access for firefighting purposes;
 - c) light glare between buildings;
 - d) privacy for dwelling units in and adjacent to the development;
 - e) orientation of buildings and general appearance of project; and
 - f) safe pedestrian access to and from the public sidewalk fronting the building.

8.9 DWELLING, CARETAKER'S RESIDENCE

- 8.9.1. **Dwelling, caretaker's residence** may only be developed on a site with a principal non-residential use, building or structure.
- 8.9.2. Not more than one (1) **dwelling, caretaker's residence** is allowed per lot.
- 8.9.3. As permitted by Section 651 of the *Act*, a restrictive covenant may be required to be registered against the certificate of title for the subject property to ensure that the **dwelling, caretaker's residence** shall not be subject to separation from the principal dwelling through condominium conversion or subdivision.
- 8.9.4. The parking stall provided for the **dwelling, caretaker's residence** shall not be accommodated on the street. Parking may be allowed in tandem, provided that the parking for the principal use, building or structure does not block the parking for the **dwelling, caretaker's residence** and vice versa.

8.10 DWELLING, MANUFACTURED HOME

- 8.10.1. The undercarriage of a **dwelling, manufactured home** shall be completely screened from view by fireproof skirting or by such other means satisfactory to the Development Authority.

- 8.10.2. Axles, wheels, running gear and towing tongue shall be removed prior to final installation of the **dwelling, manufactured home** being securely placed or anchored on piers or foundation.
- 8.10.3. All accessory structures, additions, porches and skirting shall be of a quality, design and appearance equivalent to the **dwelling, manufactured home**.
- 8.10.4. In the event of oil being used for heating purposes, an oil receptacle and tank stand shall be required to be screened with material that is compatible with the **dwelling, manufactured home** and that is non-combustible.

8.11 EMERGENCY SHELTER

- 8.11.1. As part of an **emergency shelter** development permit application, the Development Authority should require the developer to provide:
- a) proposed hours of operations;
 - b) proposed security measures;
 - c) proposed services being operated on site; and
 - d) an Operations Plan.
- 8.11.2. An **emergency shelter** may provide a food preparation, kitchen or eating area for the staff or population the use serves.
- 8.11.3. An **emergency shelter** must be developed within a permanent building.

8.12 FLEET SERVICES

- 8.12.1. On-site storage for **fleet services** must comply with all development regulations for the district in which it is located.

RESIDENTIAL DISTRICTS

- 8.12.2. A maximum of two fleet vehicles may be stored at a **home-based business** location.
- 8.12.3. Fleet vehicles must be parked in the driveway or a designated parking area and not on public streets.
- 8.12.4. Larger fleet vehicles (e.g., those over 10,000 kg GVWR) are prohibited from being stored in Residential Districts.
- 8.12.5. Fleet vehicles should be screened from view from adjacent properties and streets using fencing, landscaping, or other approved methods.

COMMERCIAL AND INDUSTRIAL DISTRICTS

- 8.12.6. **Fleet services** must provide dedicated on-site parking for all fleet vehicles in addition to any other parking requirements on the site.
- 8.12.7. Fleet vehicles should be screened from public view using fencing, walls, or landscaping when bordering a Residential district.

8.13 GAS STATIONS

- 8.13.1. In addition to the regulations below, the drive-through development regulations shall apply to a **gas station** development with or without a car wash.
- 8.13.2. Any fuel pump island for a **gas station** must be located at least 6.0 m from any boundary of the site, a parking area on the site, or any laneway intended to control traffic circulation on the site; a canopy over a pump island may extend to within 3.0 m of the boundary of the site.
- 8.13.3. A **gas station** shall be located at the intersection of two (2) or more public roadways, being a street or avenue, but not including a lane, or between intersections where there is a service road or a centre dividing strip, or on part of a **retail, shopping centre** development.

8.14 HOME-BASED BUSINESS

- 8.14.1. **Home-based businesses** shall be limited to those uses which are approved by the Development Authority. Those uses shall not interfere with the rights of other residents to the quiet enjoyment of their properties, or create a nuisance by way of dust, noise, smell, and smoke or traffic generation.
- 8.14.2. A letter from the registered owner of the dwelling, allowing a renter to establish a **home-based business** on the premises shall be required where the applicant is not the owner of the dwelling.
- 8.14.3. A **home-based business** shall not store materials, goods or equipment outdoors.
- 8.14.4. A **home-based business** shall not involve the retail sale of goods within the dwelling or display of goods upon the premises, but goods may be stored subject to the approval of the Development Authority, provided the storage of such shall not affect the character and appearance of the property as a residential dwelling.
- 8.14.5. A **home-based business** shall not require alterations to any building unless the alterations are approved by the Development Authority.
- 8.14.6. An approved **home-based business** development permit shall be in effect for the period of time the property is occupied by the applicant for whom the **home-based business** was approved.
- 8.14.7. The following conditions shall be attached to all development permits issued for a **home-based business**:

- a) this permit may be revoked at any time if in the opinion of the Development Authority, the use is, or has become, detrimental to the amenities of the neighbourhood; and
 - b) this permit will expire when the applicant for whom the **home-based business** was approved ceases to occupy the dwelling.
- 8.14.8. **Home-based business** proposals respecting such uses as personal service establishments, food preparation, home-based childcare, and **bed and breakfast** establishments are required to conform to the standards administered by the applicable Health Authority and to obtain all necessary licenses required under the applicable legislation.
- 8.14.9. **Home-based business, minor** shall be restricted to the dwelling unit. In addition, such home-based businesses shall:
- a) Have no more than 1 non-resident employee or business partner working on-site at any one time.
 - b) not store materials, goods or equipment outside the dwelling;
 - c) limit on-site advertising to one (1) unlighted sign not exceeding 1.0 m², located in a window, or affixed to the exterior of the building or fence;
 - d) provide sufficient on-site parking, where off-street parking is not available; and
 - e) not park a commercial vehicle.
- 8.14.10. **Home-based business, major** shall be restricted to the residence and residential accessory buildings. In addition, such **home-based businesses** shall:
- a) limit on-site advertising to one (1) unlighted sign not to exceed 1.0 m² located in a window, or affixed to the exterior of the building or fence, or located in a yard;
 - b) have no more than 2 non-resident employees or business partners working on-site at any one time.
 - c) park no more than one (1) commercial vehicle, which must be parked on site in the rear yard or on a driveway; and
 - d) provide sufficient on-site parking, where on-street parking is not available.

8.15 INDUSTRIAL USE CLASS

- 8.15.1. Any proposed development that is within the industrial uses defined in this Bylaw, including the production, processing, cleaning, testing, repair, storage or distribution of any material, shall conform to the following standards:
- a) Obvious toxic and noxious materials or dust or ash shall not be released or permitted to escape to the atmosphere at such a rate as to interfere with the use and enjoyment of property or to endanger the health or safety of the public.
 - a) No industrial operation shall be carried out which would result in the projection of glare or heat onto adjacent properties.

b) Waste products shall not be discharged into any sewer or private sewage disposal system if the nature of such waste products, or the manner of their discharge, would exceed the design standards for the sewer or sewage disposal system.

8.15.2. To evaluate the impact of hazardous materials risk, development proposals that have the potential to cause off-site impacts during the release of a hazardous material may be required to include a Hazardous Materials Impact Analysis (HMIA) at the discretion of the Development Authority.

8.15.3. This HMIA analysis shall provide basic information on the project (including Site layout and proposed hazardous materials use), describe likely incident scenarios, describe mitigation actions designed to limit the potential for off-site impacts on adjacent land uses or environment and describe emergency response measures in the event of a spill. Based on the information provided in the impact analysis, recommendations will be made by the Fire Authority to the relevant decision maker to protect against off-site impacts.

8.15.4. In the case of proposals for industrial development, the Development Officer or Subdivision Authority may consult with the Public Health Officer, Alberta Environment, Alberta Labour, or any other qualified department or agency prior to making a decision on a subdivision application or an application for a development permit.

8.15.5. Where a proposed industrial use will be located on a site adjacent to a non-industrial use or district, the Development Authority may require mitigation of potential Development impacts on the Adjacent lands, including:

- a) provision of noise attenuation walls;
- b) increased landscaping, including a landscaped buffer;
- c) relocation of parking areas, walkways, business entrances or other high activity areas away from residential property lines;
- d) screening or relocating on-site lighting to avoid spillage onto residential properties;
- e) restricting the location of outdoor speakers; and
- f) changing the proposed structure to mitigate noise, light or glare impacts.

8.16 RECREATIONAL VEHICLE(S)

RECREATIONAL UNIT PARKING IN RESIDENTIAL DISTRICTS

8.16.1. A maximum of two (2) **recreational vehicles** may be parked or stored in the rear yard, side yard or on a driveway at a time on a lot.

8.16.2. A **recreational vehicle** parked or stored in a Residential District shall:

- a) not occupy or obstruct access to any required parking stalls; and
- b) be located wholly within the site and be setback a minimum of 0.6 m from the rear property line where there is a rear lane or 0.6 m from the interior edge of the sidewalk or curb where there is a sidewalk or curb.

8.17 RETAIL, CANNABIS OR LIQUOR STORE

- 8.17.1. The owner or applicant must obtain any other approval, permit, authorization, consent or license that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
- 8.17.2. **Retail, cannabis stores or liquor store** shall not be located within 100.0 m from:
- a) a **school, private** or **school, public**;
 - b) a provincial health care facility; or
 - c) a public **park**.
- 8.17.3. For the purposes of subsection 8.17.2 only, a variance up to 10.0 m on the separation distance may be granted by the Municipal Planning Commission where the subject site includes a building with multiple units and the subject unit is not within the prescribed setback or where the building on the site is not within the setback.
- 8.17.4. The separation distance established in 8.17.2 above and 8.17.5 below between uses shall be measured from lot line to lot line.
- 8.17.5. Where a proposed **retail, cannabis store** use is within 100.0 m of an existing **retail, cannabis store** use the potential cumulative impact of the uses on development within the area must be considered by the Development Authority in evaluating the application.
- 8.17.6. The development shall not operate in conjunction with another approved use.
- 8.17.7. Customer access to the store is limited to a storefront that is visible from the street. Mall access shall allow for clear visibility from the interior.
- 8.17.8. When an application for a **retail, cannabis store** as a Discretionary Use is received or an associated variance application is received, the Development Authority shall notify all landowners within a 50.0 m radius, measured from property line to property line to ensure that neighbouring landowners can provide comment on the application prior to the decision being made.
- a) The notification must contain notice of the time and date of the Municipal Planning Commission meeting and a method to provide written feedback.
 - b) The notification must be received a minimum of three (3) working days prior to the application being presented at a Municipal Planning Commission meeting.
 - c) Mail is considered served seven (7) days from the date of mailing if mailed to an address in Alberta or fourteen (14) days if mailed to an address outside of Alberta.

8.18 SOLAR ENERGY

- 8.18.1. All Solar Energy Systems shall:
- a) be certified by the Canadian Standards Association (CSA);
 - b) meet all electrical and building permit requirements; and

- c) not exceed the building height on site, or the height regulations of the applicable land use district;
- 8.18.2. In addition to the information required in Section 8.18.1, ground and pole mounted solar systems in Residential Districts shall:
 - a) not exceed 3.0 m in height;
 - b) have a minimum rear yard setback of 3.0 m;
 - c) have a minimum side yard setback of 3.0 m;
 - d) not be located in front yards; and
 - e) be supported by an engineering study that demonstrates the project is structurally sound.
- 8.18.3. Notwithstanding Section 8.18.2, roof mounted solar systems shall not extend by more than 2.0 m above the top of the roof peak.

8.19 STRIPPING, FILLING, EXCAVATION AND GRADING

- 8.19.1. The regulations contained within this section are intended to apply primarily to those situations where **stripping, filling, excavation or grading** activities are proposed independent of, or prior to other development occurring on the same lot or site.
- 8.19.2. Where a proposed **stripping, filling, excavation or grading** operation is not part of the overall development of a site for which a development permit has been approved or is not required as a condition of a development agreement with the Town, a development permit for the operation shall be required.
- 8.19.3. In addition to the requirements of Section 12, the Development Authority may require the following information with the application:
 - a) site plans showing the location and dimensions of proposed **stripping, filling, excavation, and grading**, including details of edge conditions or back sloping requirements, and details regarding any stockpiles;
 - b) a description of the proposed source of any materials being brought to the site;
 - c) the effect on drainage patterns or storm water management plans;
 - d) a description of the proposed site end condition and site restoration plans;
 - e) proposals for preventing nuisance, including but not limited to dust, noise, and visual impacts;
 - f) proposed access, haul routes and haul activities; and
 - g) proposed timing and phasing of activities.
- 8.19.4. Where site plans, drainage plans, storm water management plans or geotechnical soils plans are required for **stripping, filling, excavation, and grading**, they will be authenticated by a Professional Engineer, Professional Geoscientist or a Provisional Licensee (Engineering) registered with the Association Professional Engineers and Geoscientists of Alberta.

- 8.19.5. The Development Authority may set conditions of approval with respect to a **stripping, filling, excavation and grading** development permit requiring the applicant enters in an agreement with Municipality to address any issues arising from the development permit application, including but not limited to:
- a) limiting the impact on drainage patterns;
 - b) setting a site end condition, such as seeding and loaming the development area;
 - c) limiting the impact of nuisance, including but not limited to dust, noise, and visual impacts;
 - d) setting access, haul routes and haul activities standards; and
 - e) defining the timing and phasing of activities.
- 8.19.6. The Development Authority may require an Irrevocable Letter of Credit, bank draft or certified cheque from a recognized Canadian Financial Institution to the value of the estimated cost of all or any proposed work/activities, including final grading and landscaping, to ensure that such work is carried out with reasonable diligence.
- 8.19.7. A temporary fence shall be erected around all excavations, which in the opinion of the Development Authority may be hazardous to the public.
- 8.19.8. Where finished ground elevations are established, all grading shall comply therewith.
- 8.19.9. All parcels shall be graded and all drainage directed as per the approved storm water management plan.
- 8.19.10. All topsoil should be retained on the parcel, except where it must be removed for building purposes, where the topsoil should be moved to a safe place.

Section 9 SIGNS

9.1 GENERAL SIGN REGULATIONS

- 9.1.1. In addition to all other provisions and regulations in this Bylaw, the regulations in this section shall apply to signs.
- 9.1.2. No signs shall be erected on land or affixed to any exterior surface of any building or structure unless a development permit has been issued by the Development Authority, except in those circumstances described in Section 9.2.
- 9.1.3. Development permit applications that are not in compliance with the regulations in this section shall be referred to the Municipal Planning Commission for approval. The Municipal Planning Commission should assess the application based on the following criteria:
 - a) the scale of the proposed sign in relation to the regulations outlined; and
 - b) the impact of the sign on the character of the surrounding community.
- 9.1.4. In considering an application for a development permit for a sign, the Development Authority shall have regard to:
 - a) the appearance of the district in which the sign is to be located;
 - b) the quality, style, finish and construction of the sign;
 - c) the safe movement of traffic; and
 - d) the size and proposed location of the sign, together with method of illumination.
- 9.1.5. No sign shall be located or placed in such a manner that it will create a potential hazard or conflict with rights-of-way, easements or the routing of any public utility, and will not create a traffic hazard or obstruct the public's view of any other signage.
- 9.1.6. Changes to an existing sign, including but not limited to changes in size, shape, type, illumination, and sign projection style are required to obtain a development permit unless otherwise exempted by this Bylaw. This requirement does not include routine maintenance, painting or change in face, content or lettering.
- 9.1.7. In addition to the information required for a development permit application, the following information shall be required in support of the development permit application:
 - a) a drawing of the proposed signage, showing:
 - i. the sign design;
 - ii. the type of sign;
 - iii. the size (width, depth and height) of the sign;
 - iv. the percent of sign coverage of the building face (if applicable);

- v. the siting of proposed signage on the property, including setbacks from property lines;
 - vi. a description of and dimensions of any support structure;
 - vii. the height of the sign from ground level;
 - viii. the projection of the sign (if applicable);
 - ix. a description of the proposed signage materials; and
 - x. a description of any proposed illumination.
- b) the length of time the sign is to be located at the site, if applicable;
 - c) letter of authorization from the registered landowner (if applicant is other than owner);
 - d) in the case of a sign identifying a business, the Town of Peace River business license number of that business; and
 - e) a certificate of insurance co-insuring the Town of Peace River for a sign on public property or projecting over public property (if applicable).
- 9.1.8. All signs and advertisements must be maintained in a safe, clean, and tidy condition.
- 9.1.9. Subject to the requirements of the business licensing bylaw, a business being advertised on a sign in the Town must maintain a Town of Peace River Business License.

9.2 EXEMPTIONS FROM SIGN DEVELOPMENT PERMITS

- 9.2.1. The following signs shall be exempted from the provisions of these sign regulations and shall not require a sign development permit:
- a) signs displayed on enclosed land parcels where they are not readily visible to the public;
 - b) signs displayed within a building; and
 - c) signs displayed on door plates, door boards, or kick plates.
- 9.2.2. The following signs shall not require a sign development permit provided that the proposed sign is compliant with the applicable regulations of this Bylaw and in accordance with all other applicable legislation, regulations, and bylaws:

SIGN TYPE	NARRATIVE OF SIGN TYPES THAT DO NOT REQUIRE A DEVELOPMENT PERMIT	REGULATIONS
Banner Signs	Temporary signs made of flexible material, such as fabric or vinyl, typically affixed to a structure or frame.	<ul style="list-style-type: none"> » Displayed for a maximum of thirty (30) consecutive days to a maximum of ninety (90) days in a calendar year. » One (1) sign is allowed per building. » If placed over a public roadway, the sign must be 4.5 m above the roadway surface.

SIGN TYPE	NARRATIVE OF SIGN TYPES THAT DO NOT REQUIRE A DEVELOPMENT PERMIT	REGULATIONS
Building Contractor Signs	Signs of building contractors relating to construction work in progress on the land on which signs are placed.	<ul style="list-style-type: none"> » Maximum Sign Area: 3 m² (32.3 ft²) » Must be removed within fourteen (14) days of occupancy. » Limit of one (1) sign on each side of the property facing a road.
Election Signs	Signs placed during an election period.	<ul style="list-style-type: none"> » Must be removed seven (7) days after the election. » Must comply with relevant provincial or federal regulations.
Free Standing Portable Signs including A-Board signs		<ul style="list-style-type: none"> » Maximum Sign Area: 1.1 m² (12 ft²) » Maximum Sign Height: 1.5 m (5 ft) above ground. » Signs must be entirely located within the lot lines.
Identification Signs	Notices of identification in respect to the land or buildings on which they are displayed, and professional business and trade name plates relating to the occupants of the land or buildings on which they are displayed.	<ul style="list-style-type: none"> » Maximum Sign Area: 0.2 m² (2.2 ft²). » Limit of one (1) sign for each occupant, firm, or company in the building at each entrance facing a road.
Local Authorities, Provincial Authorities, Royal Canadian Mounted Police, Utility Board(s) and Other Public or Quasi Public Bodies	Statutory and official notices. Functional advertisements. Traffic and directional signs authorized by the Development Authority and provincial authorities.	<ul style="list-style-type: none"> » N/A
Merchandising Aids	Ads that are freestanding such as sandwich boards.	<ul style="list-style-type: none"> » Maximum Sign Area: 1.1 m² (12 ft²) » Maximum Height: 1.83 m (6.0 ft) above ground. » Signs must be entirely located within the lot lines.

SIGN TYPE	NARRATIVE OF SIGN TYPES THAT DO NOT REQUIRE A DEVELOPMENT PERMIT	REGULATIONS
Profession, Business or Trade Signs	<p>Signs for the purpose of identification, direction and warning or relating to a person, partnership or company carrying on a profession, business, or trade, or relating to an institution of a religious, educational, cultural, recreational, or similar character or to a residential hotel, apartment block, club, or similar institution.</p> <p>This does not include signs for home-based businesses.</p>	<ul style="list-style-type: none"> » Maximum Sign Area: 1.1 m² (12 ft²). » Limit of one (1) sign per business.
Religious, Educational, Cultural Recreational, Medical and Similar	<p>Notices of land or buildings used for religious, educational, cultural, recreational, medical, or similar public or quasi-public purposes,</p>	<ul style="list-style-type: none"> » Maximum Sign Area: 1.1 m² (12 ft²). » Limit of one (1) sign or notice on each side of the land or building(s) facing a road.
Sale, Lease or Rental Signs	<p>Notices relating to the sale, lease or rental of the buildings, or land to which they are attached.</p>	<ul style="list-style-type: none"> » Maximum Sign Area: 0.5 m² (5.4 ft²). » Signs cannot be illuminated. » Limit of one (1) sign or notice on each side of the land or building(s) facing a road.
Temporary Advertisements	<p>Temporary advertisement relating to the sale or letting of land, the sale of goods or livestock, the carrying out of building or similar work, announcement of any local event of a religious, educational, cultural, political, or similar character.</p>	<ul style="list-style-type: none"> » Maximum Sign Area: 1.9 m² (20 ft²). » Can only be displayed for thirty (30) days prior to the start of the event or work. » Must be removed within fifteen (15) days of the event or work ending.
Temporary Sale Signs	<p>Temporary signs referring to sales which are displayed upon the premises upon or within which such sales will be or are being conducted.</p>	<ul style="list-style-type: none"> » Signs cannot be illuminated. » Material Permitted: paper, blackboard, canvas, cardboard, painted on glass, or other light material. » Can only be displayed for seven (7) days prior to the start of the sale. » Must be removed within eight (8) days of the sale ending. » Can only be displayed for fifteen (15) consecutive days.

9.3 SIGNAGE – PROHIBITED

- 9.3.1. No sign shall be erected on or affixed to public property or placed within a road allowance without prior consent from the Development Authority.
- 9.3.2. No sign shall be erected or affixed anywhere that obstructs the free and clear vision of vehicular traffic or be any form of traffic hazard.
- 9.3.3. No sign or advertisement shall resemble or conflict with a traffic sign, signal, or device.
- 9.3.4. All signs and advertisements must be maintained in a safe, clean, and tidy condition, or notice will be served to perform the necessary repairs or remove the sign(s) within thirty (30) days.
- 9.3.5. Notwithstanding any other provision in this section, no person shall place a motor vehicle, a trailer, or any other object, building or structure whatsoever displaying an off-site sign for advertisement on a site visible from a provincial highway or local road. For purposes of this clause, “trailer” shall not include a trailer that is designed exclusively for the purpose of displaying and transporting a **portable sign**.

9.4 SIGNAGE SUMMARY TABLE

9.4.1. Permitted and discretionary signs in each district shall be as follows:

P: Permitted Use D: Discretionary Use D*: Discretionary Use level 2 (MPC or Council)	Districts																	
	Residential						Commercial					Industrial			Other			
	R-1	R-2	R-3	R-4	R-5	R-6	C-1	C-2	C-N	C-R	R-D	M-1	M-2	M-3	I-R	F-D	N-E	
Signs																		
Canopy Sign	D*	D	D	D	D	D	P	P	P	P	P	P	P	P	P	D	D	
Fascia Sign	D*	D	D	D	D	D	P	P	P	P	P	P	P	P	P	D	D	
Freestanding Sign							D	P	P	D	D	P	P	P	P	D	P	
Billboard Sign							D*	D				D*	D	P		P		
Inflatable Sign							P	P	P	P	P	P	P	P	P	D		
Portable Sign							D	P	P	D	D	P	P	P	P	P	P	
Projecting Sign							P	P	P	P	P	P	P	P	D	D	D	
Revolving Sign							P	P	D	D	D	P	P	P				
Roof Sign							D	D	D*	D*	D*	D	D	P				

9.5 A-BOARD SIGN

- 9.5.1. **A-Board signs** shall be a maximum size of 0.6 m wide and 0.9 m high.
- 9.5.2. A maximum of one (1) **A-Board sign** per business or per building entrance, whichever is more may be placed directly in front of the business.
- 9.5.3. Notwithstanding subsection 9.5.1 and 9.5.2, in the case of a building containing two (2) or more businesses, one (1) **A-Board sign** per business may be permitted at the discretion of the Development

Officer having regard to the total number of **A-Board signs** to be displayed and whether the **A-Board signs** may form a cluttered appearance or interfere with pedestrian or traffic safety.

- 9.5.4. **A-Board signs** shall be placed on the outside of the sidewalk in line with light poles.
- 9.5.5. **A-Board signs** shall not impede the sightlines and flow of pedestrians or street traffic.
- 9.5.6. **A-Board signs** shall only be allowed during the hours when the business is open to the public.
- 9.5.7. **A-Board signs** cannot be placed on medians within the roadway.
- 9.5.8. Any debris collected by the **A-Board sign** shall be removed by the business.
- 9.5.9. In the event of conflicts or unforeseen problems, the Town may require the removal of an offending **A-Board sign**.

9.6 ABANDONED SIGNS

- 9.6.1. Where the Development Authority finds a sign to be abandoned or in a state of disrepair, they shall, by notice in writing, order the registered owner, the person in possession of the land or building or the person responsible for the abandoned sign to:
 - a) remove the sign and all related structural components within thirty (30) days, or as outlined in the written notice; or
 - b) take such measures as are specified in the written notice to alter and refurbish the sign.
- 9.6.2. In the case where an existing sign is causing a public safety problem or is in an unacceptable state of repair or appearance and the person has not responded to the official written notice issued under 9.6.1.a) above, the Town of Peace River has the authority to enter onto the subject property to remedy the situation and may charge the invoice against the owner's tax roll and the debt shall be collectible and recoverable in a like manner as Municipal Taxes.

9.7 BILLBOARD SIGN

- 9.7.1. The maximum sign area of a **billboard sign** is 35.0 m².
- 9.7.2. The maximum height of a **billboard sign** is 12.0 m.
- 9.7.3. **Billboard signs** shall be a minimum of 90 m from any other **billboard sign**.
- 9.7.4. **Billboard signs** shall be setback a minimum of 5 m from a lot line.
- 9.7.5. **Billboard signs** shall be setback a minimum of 100 m from an intersection and 30 m from a property access.
- 9.7.6. The clearance from ground level to the bottom of a **billboard sign** must be a minimum of 2.4 m.

9.8 BUSINESS LICENCES

9.8.1. Subject to the requirements of the business licencing bylaw, a business being advertised on a sign in the Town must maintain a Town of Peace River Business Licence.

9.9 CANOPY SIGN

9.9.1. The clearance from sidewalk or ground level to the bottom of a **canopy sign** must be a minimum of 3.1 m.

9.9.2. The maximum projection of a **canopy sign** from a building over a public sidewalk is 2.1 m.

9.9.3. The maximum number of **canopy sign** per site is one (1) per frontage or one (1) per business, whichever is more.

9.9.4. No **canopy sign** shall be permitted where the canopy obstructs the movement of pedestrians or vehicles, or repairs to overhead utility lines.

9.9.5. **Canopy signs** shall be designed in such a manner that they complement the appearance of the building to which it will be affixed and shall be constructed to conform to the Province of Alberta's safety codes legislation.

9.10 FASCIA SIGN

9.10.1. The maximum building face coverage of a **fascia sign** is 30% or, where the sign is an off-site sign, the maximum size is 18.6 m².

9.10.2. The maximum extension of a **fascia sign** above the roof is 30.5 cm.

9.10.3. The maximum extension of a **fascia sign** beyond a wall face is 40.6 cm.

9.10.4. The maximum number of on-site **fascia sign** is two (2) per building face or up to 30% coverage of the building face. The maximum number of off-site **fascia signs** is one (1) per building face or up to 30% coverage of the building face.

9.10.5. Notwithstanding subsections 9.11.1 to 9.11.4, in the case of a building containing more than one (1) business, two (2) **fascia signs** may be permitted for each business operating within the building, up to a maximum of 30% coverage of the building face for all signs displayed on that face of the building.

9.11 FREESTANDING SIGN

9.11.1. The maximum size of a **freestanding sign** is 0.1 m² in area for each 30.5 cm of street frontage of a site to a maximum of 23.2 m², or at the discretion of the Development Officer or Municipal Planning Commission.

- 9.11.2. The maximum height of a **freestanding sign** is 4.6 m above the roof of an on-site building.
- 9.11.3. The maximum number of **freestanding signs**, including both on and off-site signs, is one (1) per site or one (1) per fronting street or two (2) if the site is more than 182.9 m frontage. The maximum number of off-site **freestanding signs** is one (1) per site.
- 9.11.4. Where two (2) or more **freestanding signs** are located on the same business premise or site or along the same frontage, a minimum horizontal distance of 30.5 m shall be provided between the signs.
- 9.11.5. The foundation of a **freestanding sign** shall be setback a minimum of 0.9 m from the property line.

9.12 ILLUMINATION

- 9.12.1. Any sign may be considered illuminated if it is lighted by or exposed to artificial lighting either by lights on or in the sign or directed toward the sign.
- 9.12.2. No sign shall be illuminated unless the source of light does:
 - a) not adversely affect neighbouring properties;
 - b) not cause confusion with traffic lights or traffic signs; and
 - c) not endanger the progress of traffic.
- 9.12.3. The light source must be steady and where possible, should be shielded to prevent light trespass and to direct it to the area intended to be illuminated.
- 9.12.4. Digital Signs must use automatic light level controls to adjust light levels under darkened outdoor conditions to reduce light pollution, in compliance with the following:
 - a) Ambient light monitors must automatically adjust the brightness level of the Digital Copy area based on ambient light conditions. The level of ambient light must not be increased by more than 32 nits above ambient light conditions when measured from the Sign face at its maximum brightness, between sunset and sunrise, at those times determined by the Sunrise/Sunset calculator from the National Research Council of Canada.
 - b) Brightness level of the Sign must not exceed 400 nits when measured from the Sign face at its maximum brightness, between sunset and sunrise, at those times determined by the Sunrise/Sunset calculator from the National Research Council of Canada. All digital displays shall be equipped with ambient light monitors that automatically adjust the brightness of sign illumination based on ambient light conditions.
- 9.12.5. Static images must have a display duration of at least six (6) seconds.

9.13 INFLATABLE SIGN

- 9.13.1. An **inflatable sign** shall not be installed or displayed within 150.0 m of any other inflatable sign.
- 9.13.2. When located at grade, **inflatable signs** shall be set back from any property line by an amount equal to the height of the sign when inflated.
- 9.13.3. When located at grade, no **inflatable sign** shall be located within 3.0 m of any access/egress to or from a property or within 10.0 m of any intersection.
- 9.13.4. When located on a roof, an **inflatable sign** shall not extend or project over the edge of the building.
- 9.13.5. **Inflatable signs** shall be tethered or anchored and shall be touching the surface to which it is tethered or anchored.
- 9.13.6. **Inflatable signs** shall not be displayed for more than sixty (60) consecutive days and the premises shall remain free of an **inflatable sign** for a minimum of thirty (30) consecutive days thereafter.
- 9.13.7. An **inflatable sign** may be illuminated, provided the sign is not within 30.0 m of a Residential District.
- 9.13.8. An **inflatable sign** may only be animated by the movement of air through it.

9.14 PORTABLE SIGN

- 9.14.1. The maximum width of a **portable sign** is 3.7 m.
- 9.14.2. The maximum height of a **portable sign** is 2.4 m.
- 9.14.3. Multiple **portable signs** on a parcel shall be separated by a minimum distance of 20.0 m from each other.
- 9.14.4. **Portable signs** must be setback a minimum of 0.9 m from any property line with a public roadway or a public right of way and 5.0 m from the boundary of another site.
- 9.14.5. A development permit for a **portable sign** shall be a temporary permit. The Development Authority shall specify on the development permit for a **portable sign** the length of time that the permit remains in effect, to a maximum of six (6) months. The **portable sign** must be removed on or before the expiry date specified. Up to a three (3) month extension may be granted upon written request.
- 9.14.6. **Portable signs** that are painted or placed on a semi-trailer or are placed in a truck-bed shall not be allowed when:
 - a) in the opinion of the Development Authority, the primary purpose of the semi-trailer or truck-bed sign is a sign; and
 - b) the semi-trailer or truck-bed sign has been parked in a location for a period of fourteen (14) days or more.

9.15 PROJECTING SIGN

- 9.15.1. The maximum size of a **projecting sign** is 9.3 m².
- 9.15.2. The maximum projection of a **projecting sign** above the roof line (flat roofs) or the eave line (all others) is 0.6 m.
- 9.15.3. **Projecting signs** must have a 3.1 m clearance above the ground level.
- 9.15.4. The maximum projection of a **projecting sign** from a building is 1.5 m over onto a public sidewalk.
- 9.15.5. The maximum number of **projecting signs** per site is one (1) per business frontage.
- 9.15.6. In the case of a building containing two (2) or more businesses, one (1) **projecting sign** per business may be allowed.
- 9.15.7. Except in the case of a corner **projecting sign**, a **projecting sign** shall be placed at right angles to the building face to which it is attached.

9.16 REVOLVING SIGN

- 9.16.1. The location, size, design and character of a **revolving sign** shall respect the scale and character of the surrounding area and meets in all respects the requirements for **freestanding signs**.
- 9.16.2. A **revolving sign** shall not project over any property line, over public property and over any utility right-of-way or easement.
- 9.16.3. **Revolving signs** shall not be located within 30.0 m of any residential area, from the edge of a **revolving sign** to the edge of the nearest residential parcel.

9.17 ROOF SIGN

- 9.17.1. The maximum size of a **roof sign** is 23.2 m².
- 9.17.2. The maximum height of a **roof sign** is 4.6 m (including support structure).
- 9.17.3. The maximum number of one (1) **roof signs** per site.
- 9.17.4. A **roof sign** shall be finished in such a manner as to compliment the appearance of the building, including the support structure, to the satisfaction of the Development Authority.
- 9.17.5. **Roof signs** shall not project beyond the exterior walls of a building.

9.18 SIGNS ON MUNICIPAL LAND

- 9.18.1. The Development Authority may consider allowing the placement of a private sign on public property, subject to the following:
- a) The sign owner entering into an encroachment agreement with the Town pursuant to the Policy on Encroachments.
 - b) Signs shall not conflict with the general character of the surrounding neighbourhood.
 - c) Signs shall not interfere with the movement of pedestrian or vehicular traffic.
 - d) Signs shall not be placed on traffic medians, dividers or in a roundabout.
 - e) Signs shall not be placed on any traffic control device or street refuse container.
 - f) Signs shall not be placed within 5.0 m of any intersection.
 - g) Signs shall be removed within thirty (30) days of the date when the use of the land or building to which the sign refers is discontinued.

Section 10 SPECIFIC PARKING AND LOADING REGULATIONS

10.1 GENERAL PROVISIONS

- 10.1.1. The requirements of this section shall apply to all parking and loading facilities required by this Bylaw. In the event of a conflict between the requirements of this section and a land use district, the land use district requirements shall prevail.
- 10.1.2. If the vehicles entering public roads from a development typically are longer than 9.0 m, the Development Officer may require the submission of diagrams demonstrating that the entrance and circulation geometrics are adequate.
- 10.1.3. Where any development is proposed, parking shall be provided and maintained by the owner in accordance with the requirements of this Bylaw.
- 10.1.4. Parking stalls and loading spaces shall be clearly marked and maintained to ensure legibility, to the satisfaction of the Development Authority.
- 10.1.5. Barrier-free parking stalls are intended for use by mobility-reduced persons and shall be included in the calculation of the applicable minimum parking requirement.
- 10.1.6. Where the provision of off-street parking or loading space is required by this Bylaw, a plan of the proposed site layout should be included with the Development Permit application.
- 10.1.7. Parking stalls shall have a minimum vertical clearance of 2.0 m.
- 10.1.8. For any new construction, expansion, or change of use of a building that requires additional parking or loading spaces, the building owner must provide these spaces as specified in this Bylaw before the development is completed or the building is occupied, whichever comes first, unless a variance is granted.
- 10.1.9. Pedestrian Network Design
- a) The development should include pedestrian pathways connecting the building to an existing sidewalk network.
 - b) Parking lots should include a 2.0 m wide sidewalk to facilitate pedestrian movement. These walkways should intersect the parking lot in multiple directions and align with building entrances.
 - c) For drive-through developments with more than twenty-five (25) parking stalls, pedestrian circulation routes must be provided that are clearly marked and integrated with vehicular pathways. Pedestrian routes can be delineated using raised crossings, signage, distinct paving, painted markings, bollards, landscaping, or any other suitable method.
 - d) Parking and loading spaces should be designed and located without disruptions to pedestrian pathways and nearby roads.

- 10.1.10. A professional engineer's assessment of parking and loading demands may be required to determine appropriate requirements or when a variance is sought.
- 10.1.11. On-site snow storage
 - a) Surplus parking stalls, beyond those mandated by this Bylaw, may serve as designated snow storage areas.
 - b) Stored snow shall not present hazards to vehicular or pedestrian traffic.
 - c) Snow storage shall be prohibited within the Sight Triangle of a lot.

10.2 PARKING REQUIREMENTS

- 10.2.1. A property shall not be used unless the parking requirements are met or a variance is granted.
- 10.2.2. A parking space(s) shall be located on the same site as the building or the use in respect of which it is required.
- 10.2.3. All parking spaces shall be designed, located, constructed, and maintained so that:
 - a) they are reasonably accessible to the vehicles intended to be accommodated;
 - b) they may be properly maintained; and
 - c) they are satisfactory to the Development Officer in size, shape, location and construction.
- 10.2.4. Where there is a fractional number of parking spaces required by this Bylaw, the next whole number of stalls shall be provided.
- 10.2.5. Where a development on a parcel falls within more than one (1) use of a building or land, the required number of stalls should be the sum of the requirements for each of the uses as specified by subsection 10.2.7.
- 10.2.6. All parts of the site to which vehicles may have access shall be developed to provide a durable dust free surface.

MINIMUM PARKING SPACE REQUIREMENTS

- 10.2.7. The minimum number of off-street parking spaces required for each use shall be as set out in the following except as otherwise allowed for in this Bylaw:
 - a) Residential Uses

USE	MINIMUM REQUIREMENT
Accessory Dwelling Unit	1 per 2 bedrooms
Dwelling, Manufactured Home	2 per unit
Dwelling, Row House/Townhouse	1 per unit
Dwelling, Semi-Detached	2 per unit

USE	MINIMUM REQUIREMENT
Dwelling, Single-Detached	2 per unit
Dwelling, Triplex	1 per unit
Manufactured Home Park	1 per unit
Supportive Housing	1 per 250.0 m ² gross floor area

b) Commercial Uses

USE	MINIMUM REQUIREMENT
Business Support Services	1.5 per 100.0 m ² gross floor area
Childcare Facility	1 per 250.0 m ² gross floor area
Commercial, General	1.5 per 100.0 m ² gross floor area
Commercial, Greenhouses	1.5 per 100.0 m ² gross floor area
Contractor Services	1.5 per 200.0 m ² gross floor area
Domestic Animal Care Services	1 per 250.0 m ² gross floor area
Establishment, Bars and Pubs	1 per 4 seats or 1 per 3.0 m ² of gross floor area, whichever is greater
Establishment, Brewery, Winery and Distillery	1 per 100.0 m ² gross floor area
Performance and Event Venue	1 per 3.5 seats
Professional Office	1.5 per 100.0 m ² gross floor area
Personal Service Shops	1.5 per 100.0 m ² gross floor area
Retail, Cannabis or Liquor Store	1.5 per 100.0 m ² gross floor area
Retail, Convenience Store	1.5 per 100.0 m ² gross floor area
Retail, Shopping Centre	1.5 per 100.0 m ² gross floor area
Retail, Store	3 per 100.0 m ² gross floor area, minimum 2 stalls
Truck Stop	2 per 100.0 m ² gross floor area
Veterinary Services	1.5 per 100.0 m ² gross floor area
Visitor Accommodation	1 per guest room and 1 space per 2 employees
Warehouse Sales and Storage Facilities	1 per 100.0 m ² gross floor area and 1 stall per employee on shift

c) Industrial Uses

USE	MINIMUM REQUIREMENT
Auctioneering Services	1 per 100.0 m ² gross floor area and 1 stall per employee on shift
Automotive Electrical Services	1.5 per 100.0 m ² gross floor area
Automotive, Equipment and Recreational Vehicle Sales and Service	1.5 per 100.0 m ² gross floor area
Auto Wrecking and Salvage Yards	1 per 100.0 m ² gross floor area and 1 stall per employee on shift
Building Material and Supply Outlet	1 per 100.0 m ² gross floor area and 1 stall per employee on shift
Bulk Fuel Sales	0.5 per 100.0 m ² gross floor area (minimum of 2)
Cannabis Cultivation, Processing and Distribution	1 per employee on shift
Fleet Services	1 per Fleet Vehicle and 1 stall per employee on shift
Heavy Truck and Equipment Storage and Sales	1.5 per 100.0 m ² gross floor area
Industrial, Heavy	1.5 per 100.0 m ² gross floor area
Industrial, Light	1.5 per 100.0 m ² gross floor area
Natural Resource Extraction Industry	At the discretion of the development authority
Railway Services	1 per 100.0 m ² gross floor area
Recreational Vehicle Storage Facility	1.5 per 100.0 m ² gross floor area
Recycling Depot	1 per 100.0 m ² gross floor area and 1 stall per employee on shift

d) Public Uses

USE	MINIMUM REQUIREMENT
Cemetery	10 per hectare
Community Garden	n/a
Government Services	1.5 per 100.0 m ² gross floor area
Health and Medical Services	2 per 100.0 m ² gross floor area
Hospital	At the discretion of the development authority
Park	At the discretion of the development authority
Public Utilities	At the discretion of the development authority

USE	MINIMUM REQUIREMENT
Recreation, Indoor	1 per 3.5 seats or 31 per 100 m ² gross floor area used by patrons, or 4 per lane, or 8 per sheet, or 1 per 10 m ² gross floor area, or 1 per 3.5 seats or 1 per 5 m ² of playing/water surface, or 2 per court, whichever is greater
Religious Assembly	1 per 4 seats, or 20 per 100 m ² of floor area used for assembly, recreation, or other accessory uses
School, Commercial	At the discretion of the development authority
School, Industrial	At the discretion of the development authority
School, Private	At the discretion of the development authority
School, Public	At the discretion of the development authority
Small Animal Breeding/Boarding Services	2 and a minimum of 1 per 2 employees
Waste Management Facility	At the discretion of the development authority

e) Other Uses

USE	MINIMUM REQUIREMENT
Aerodrome	At the discretion of the development authority
Agricultural Operations, Extensive	n/a
Agricultural Operations, Intensive	n/a
Agriculture, Urban	n/a
Campground	0.25 per stall
Emergency Shelter	At the discretion of the development authority
Parking Facility	n/a
Recreational Accommodations	1 per guest room and 1 space per 2 employees
Recreational Vehicle Park	1.25 per stall
Shooting Range, Indoor	1.5 per bay and 1 space per 2 employees
Shooting Range, Outdoor	1.5 per bay and 1 space per 2 employees

10.2.8. Applicants may submit a report to demonstrate lessening or removing the minimums. Parking requirements may be altered at the discretion of the Development Authority.

CREDIT FOR ON-STREET PARKING

- 10.2.9. For commercial and public uses, where on-street parking abuts the frontage of the property the on-street parking may be counted as part of the parking spaces available to the development, provided the use of the land for public parking is not prevented or limited by a fire hydrant, yellow curb line, loading zone, entrance or other obstruction.
- 10.2.10. A pedestrian pathway from the building entrance to the on-street parking should be provided as part of the development.

PARKING DESIGNATED FOR PERSONS WITH DISABILITIES

- 10.2.11. The minimum number of parking stalls required to be designated for persons with disabilities shall be as prescribed in the *Alberta Building Code* based on the number of on-site parking stalls being provided, or greater as determined by the Development Authority where it may be reasonable to expect a greater number of persons with disabilities to attend the intended use.

PARKING MINIMUM REQUIREMENTS DISCRETION

- 10.2.12. Notwithstanding subsection 10.2.7, should the Development Authority determine it to be advisable, they may:
 - a) allow a reduction in the parking facilities required if, in the opinion of the Municipal Planning Commission, the proposal would not create an unacceptable demand for on-street parking and would not interfere with traffic safety; or
 - b) require the developer to provide the required off-street parking on land other than that to be developed provided that:
 - i. the alternate parking site is within 100.0 m of the development site;
 - ii. the developer has absolute control of the alternate site for a length of time equal to the life of the approved use, and will use that site to provide the required alternate parking;
 - iii. the absolute control is established to the satisfaction of the Development Authority;
 - iv. if the alternate parking site cease to be available, another parking site must be provided which meets the above criteria or the approved use may be required to be discontinued; and
 - v. the person wishing to use an alternate site shall agree with the Municipality in writing under seal, which document shall be in such form that it can be protected by registration of a caveat under the *Land Titles Act*, that the site on which the alternate parking site is located shall be used for such purpose as long as it is required by this part.

NO PARKING REQUIRED ON MAIN STREET

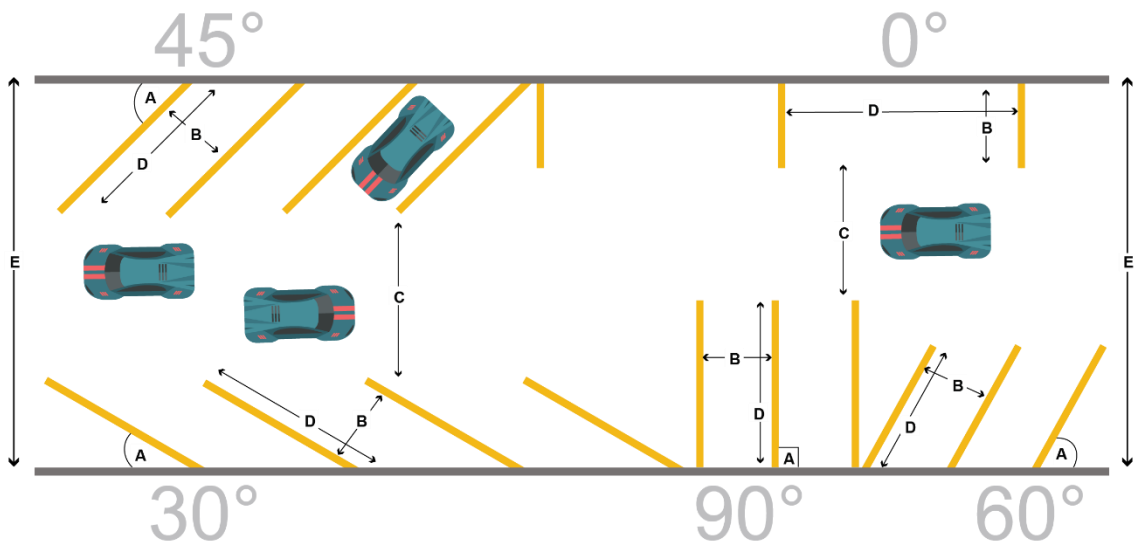
- 10.2.13. Excepting for the development of a dwelling unit, or a **visitor accommodation**, no off-street parking is required on along the following roads with on-street parking where the principal entrance to the development is facing:
 - a) 100th Street between 102 Avenue and 96 Avenue.
 - b) 102 Avenue between 101 Street and 1006 Street.
 - c) 101 Street between 102 Avenue and 100 Avenue.

- d) 99 Street between 102 Avenue and 100 Avenue.

10.3 PARKING SPACE DIMENSIONS & DESIGN

10.3.1. The minimum dimensions of maneuvering aisles and parking stalls shall be in accordance with:

PARKING ANGLE (A)	STALL WIDTH (B)	AISLE WIDTH (C)		STALL DEPTH PERPENDICULAR TO AISLE (D)		PARKING UNIT DEPTH (E)
		One-Way	Two-Way	One-Way	Two-Way	
0	7.0 m	3.4 m	7.0 m	3.0 m	9.0 m	13.0 m
30	3.0 m	3.1 m	7.0 m	5.4 m	10.8 m	17.8 m
45	3.0 m	3.6 m	7.0 m	6.1 m	12.2 m	19.2 m
60	3.0 m	6.0 m	7.0 m	6.4 m	12.8 m	19.8 m
90	3.0 m	7.0 m	7.0 m	6.0 m	12.0 m	19.0 m



TIMING

10.3.2. Any parking space or loading space provided shall be developed and surfaced within twelve (12) months of the completion of the development for which the development permit was issued.

PARKING SPACE SURFACING AND MARKING

10.3.3. Every off-street parking space provided or required in any Commercial District and the access thereto, including the whole area contained within the municipal land to which the curb crossing applies, shall be hard surfaced if the access thereto is from a street or land that is hard surfaced. This regulation may be varied for a change of occupancy permit or accessory building development permit.

- 10.3.4. Every off-street parking space provided or required in a Residential District and the access thereto, including the whole area contained within the municipal land to which the curb crossing applies shall be hard surfaced and if the access thereto is from a public roadway that is hard surfaced. This regulation may be varied for a change of occupancy permit or accessory building development permit.
- 10.3.5. Every off-street parking space provided or required in an Industrial District and access thereto, including the whole area contained within the municipal land to which the curb crossing permit applies, shall be hard surfaced if such area lies in front of the principal building. Any area at the rear or side of the principal building provided or required for off-street parking need not be hard surfaced but shall be of such a surface as will minimize the carrying of dirt or foreign matter onto the roadway. This regulation may be varied for a change of occupancy permit or accessory building development permit.
- 10.3.6. Every off-street parking or loading space and access thereto serving a **dwelling, apartment**, row house or commercial development shall have a perimeter curb of cast-in-place concrete or other material satisfactory to the Development Authority.
- 10.3.7. Every off-street parking or loading space as described in 10.3.6 shall be delineated with white or yellow paint.
- 10.3.8. Where applicable, "Guest Parking", "Staff Parking", "Disabled Parking", "No Parking", and "Loading Zone" areas shall be clearly marked.

10.4 LOADING AREAS

- 10.4.1. Any loading space shall have at least 27.8 m² of area, 3.1 m width and 4.3 m of overhead clearance.

10.5 BICYCLE PARKING LOCATION AND DESIGN STANDARDS

- 10.5.1. A bicycle parking space shall be located on the same site as the building or the use for which it is required and shall be designed, located and constructed so that:
- a) it meets the needs of the intended parking purpose, addressing either class A, class B or both bicycle parking needs as the site requires;
 - b) the bicycle racks are as close to an entrance as possible without impeding pedestrian access to the building or use;
 - c) the bicycle parking racks are provided in a convenient, well-lit location that provides visual surveillance by occupants of the building the racks are intended to serve. If the racks are not readily visible to visitors to a site, directional signage to the racks shall be provided;
 - d) the racks provide a minimum width of 0.3 m and 1.8 m length for each bicycle;
 - e) bicycle parking is separated from vehicular parking by a physical barrier or a minimum 1.5 m of open space; and
 - f) bicycle parking spaces and accesses are located on a hard surface area.

- 10.5.2. Bicycle parking racks must be constructed of sturdy theft-resistant material and shall have secure theft-resistant anchoring to a fixed structure or the ground.
- 10.5.3. The bicycle rack shall support the bicycle frame above the centre of gravity, shall provide two (2) points of contact with the frame, at least 0.2 m apart horizontally, and shall enable the bicycle frame and front wheel to be locked with a U-style lock.

BICYCLE PARKING REQUIREMENTS

- 10.5.4. For a **dwelling, apartment** with four or more dwellings, the minimum number of bicycle parking spaces shall be one (1) bicycle parking space per four (4) dwellings. An apartment with less than four (4) dwellings does not require a parking space. Bicycle parking is not required for any other residential use.
- 10.5.5. For commercial and public use classes, where on-site vehicle parking is provided, bicycle parking shall be required at a ratio of one bike parking space per twenty (20) vehicle parking stalls. The minimum number of bike parking spaces required should be two (2).
- 10.5.6. No bicycle parking is required in the Industrial 2 District (M-2) and the Industrial 3 District (M-3).
- 10.5.7. At least 10% of bicycle parking spaces should be Class A spaces.

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PART 4 | ADMINISTRATION

PART IV | ADMINISTRATION

Section 11 GENERAL DEVELOPMENT CONSIDERATIONS

11.1 VARIANCE

11.1.1. A variance applies to the development regulations governing property dimensions, building placement, size limits, and related requirements. Development regulations in this Bylaw may not always apply the same way to different properties based on natural or human-made features.

11.1.2. Fundamentally, and in accordance with Section 640(6) of the *Act*, the Development Authority shall assess variances and determine if the proposed development would not:

- a) unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and
- b) the proposed development conforms with the use prescribed for that land or building in the Land Use Bylaw.

11.1.3. Further to subsection 11.1.2, the Development Authority shall consider the following when assessing a development permit application or subdivision approval application that includes a variance:

- a) whether the variance contradicts the MDP or any other Statutory Plan;
- b) whether the change significantly impacts the character of the surrounding built form;
- c) whether the change significantly impacts the safety and enjoyment that may be expected by an adjoining land owner;
- d) whether the variance is essential to enabling the development to proceed;
- a) whether the variance undermines the intent of the control; and
- e) whether the variance results in an impact on municipal infrastructure.

11.1.4. Should a variance be approved, the Development Authority may place conditions on the approval.

11.1.5. The Development Officer shall be able to make a decision on a variance that does not exceed 10% of the regulation. Any variance more than 10% would proceed to MPC for a decision.

11.2 DISCRETIONARY USES

11.2.1. A Discretionary Use application shall be assessed by the Development Authority based on the potential impact it may have on adjoining lands, the greater community, the environment, infrastructure, economy, society, etc., prior to making a decision. When carrying out an assessment, the Town will be

assessing to determine if the impact on the community would be greater than a Permitted Use and whether the impact can be remedied, mitigated, or avoided. The criteria may require the applicant to pay for technical studies to demonstrate to the Town that there is no, or little, impact related to the proposed use.

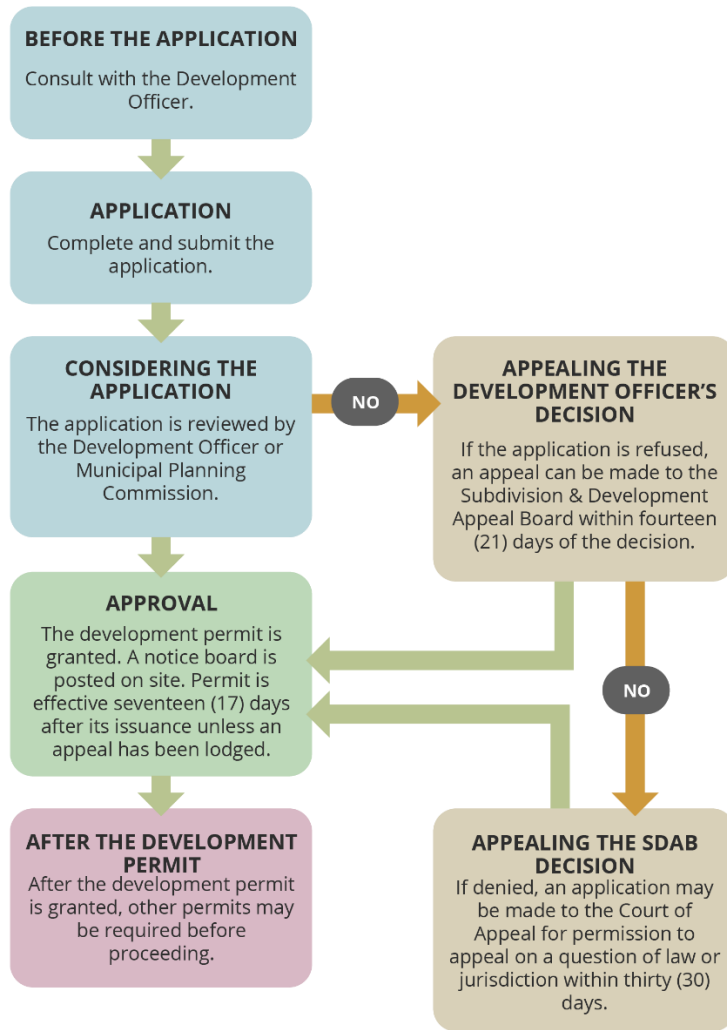
- 11.2.2. If the process identifies there is a potential significant impact that cannot be remedied, mitigated, or avoided, the Development Authority should decline the development permit.
- 11.2.3. The Development Authority may assess Discretionary Use applications based on the following potential impacts:
 - a) Visual Appearance;
 - b) Traffic;
 - c) Noise;
 - d) Odour;
 - e) Light;
 - f) Dust;
 - g) Vibration;
 - h) Environmental;
 - i) Municipal Infrastructure;
 - j) Fiscal;
 - k) Cumulative;
 - l) Safety;
 - m) Land Loss; and
 - n) Compatibility.
- 11.2.4. Schedule B: Assessment Criteria describes the potential impacts and evaluation criteria in greater detail and outlines the documentation the Development Authority may request from prospective developers or landowners to submit alongside the standard development permit and subdivision applications.
- 11.2.5. Prospective developers or landowners are recommended to contact the Town to determine if specific information or studies are needed prior to submitting an application.

Section 12 PROCEDURE FOR DEVELOPMENT

12.1 DEVELOPMENT PERMITS REQUIRED

12.1.1. Except as provided in Section 3 and subsection 9.2 of this Bylaw, no person shall undertake any development unless it is in accordance with the terms and conditions of a Development Permit issued pursuant to this Bylaw, unless otherwise stated. If development is undertaken without a Development Permit, the Municipality may require, by written order, that the contravention be remedied in accordance with the provisions of Section 545 of the *Act* and amendments thereto.

An approved development permit means that the proposed development has been reviewed against the provisions of this Bylaw. It does not remove obligations to conform with other legislation, bylaws or land title instruments such as the *Act* and amendments thereto or any caveat, covenant or easement that may be attached to the site.



12.2 DEVELOPMENT PERMIT APPLICATIONS

12.2.1. A development permit application shall be made by submitting the following to the Development Officer:

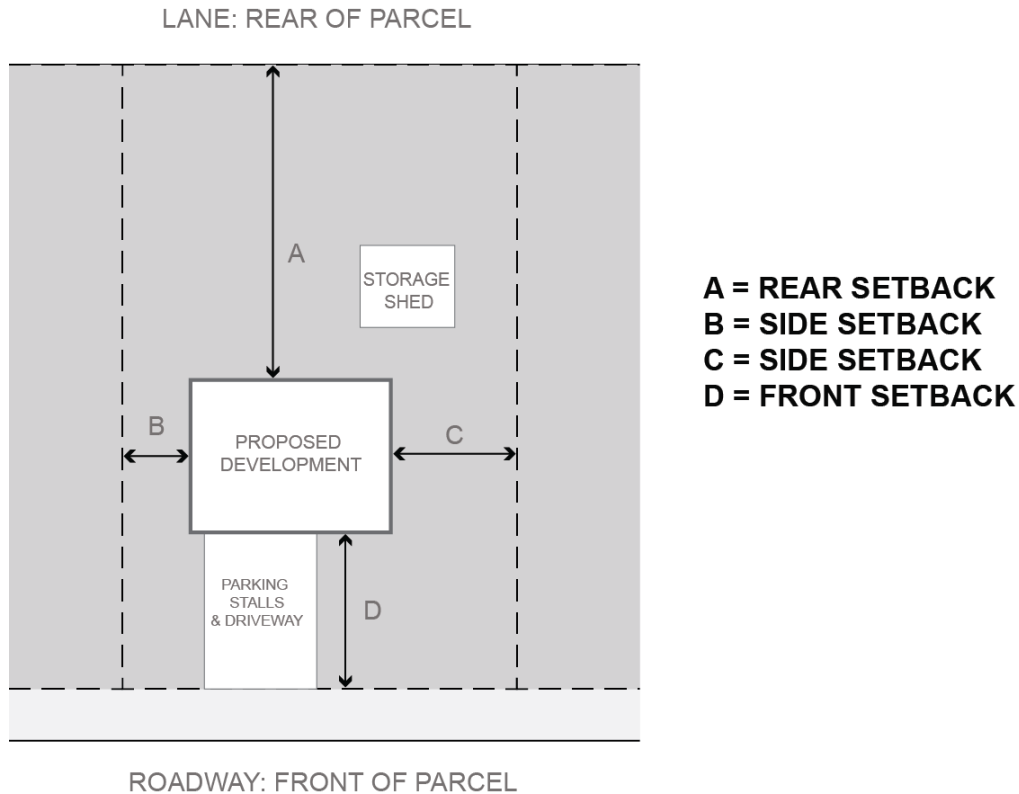
- a) a completed development permit application signed by the registered owner on the certificate of title or their agent;
- b) the application fee as prescribed by the Town’s Fees Bylaw;
- c) any applicable development levies as prescribed by a Town Bylaw; and
- d) property tax payment as required so that the tax payments are current.

12.3 DEVELOPMENT PERMIT APPLICATION CONTENTS

12.3.1. The Development Officer may require the following information, as deemed necessary, with the application:

- a) a site plan identifying:
 - i. existing and proposed buildings and structures,
 - ii. off-street loading and parking areas,
 - iii. landscaped areas,
 - iv. garbage and storage areas,
 - v. access and egress to the site,
 - vi. location of culverts and crossings,
 - vii. site and height dimensions for the above and the front, rear, and side yards; and
 - viii. the location and dimensions of any temporary building or structure to be placed on site during the construction phase of a development;
 - ix. utilities, site drainage, grade elevations, existing and finished lot grades, the grades of the streets and the location of proposed sewer and water lines;
 - x. the legal description and municipal address;
- b) a landscaping plan;
- c) a lighting plan;
- d) a building floor plan and elevations;
- e) a statement of uses;
- f) a statement of ownership of land and interest of the applicant therein;
- g) the estimated commencement and completion dates;
- h) the estimated cost of the project or contract price;
- i) approvals from other authorities.
- j) any additional information that may be required to evaluate the application, including but not limited to: water testing, soil testing, a geotechnical report, a traffic impact assessment, a stormwater management plan, a biophysical assessment, an environmental impact assessment, a hydrological study, site topography and drainage patterns and survey information including elevations.

TYPICAL SITE PLAN FOR DEVELOPMENT PERMIT APPLICATIONS



12.4 COMPLETE APPLICATIONS

- 12.4.1. The Development Authority shall, within twenty (20) days after receipt of a development permit application, determine whether the application is complete or incomplete.
- 12.4.2. Notwithstanding subsection 12.4.1, the Development Authority can extend the period for determining the completeness of a development permit application, based on a written agreement between the Development Authority and the applicant.
- 12.4.3. When, in the opinion of the Development Authority
- sufficient details of a proposed development have been included with the application for a development permit, the Development Officer shall issue a notice of complete application to the applicant within the period provided for in subsection 12.4.1.
 - sufficient details of a proposed development have not been included with the application for a development permit, the Development Officer shall issue a notice of incomplete application to the

applicant within the period provided for in subsection 12.4.1. The notice shall outline any outstanding information or documents that must be provided by the applicant for the application to be considered complete by a date stated in the notice or as agreed upon between the Development Authority and the applicant.

- 12.4.4. If the Development Authority does not make a determination on the completeness within twenty (20) days of the receipt of the application, or the alternative time period as agreed upon in subsection 12.4.2, the application is deemed to be complete by the Development Authority.
- 12.4.5. If an applicant who has been issued a notice of incomplete application under subsection 12.4.1:
 - a) submits all the required information and or documents by the date given subsection 12.4.2, the Development Officer shall, in a form and manner appropriate, issue a notice of complete application to the applicant, if satisfied that the application is now complete; or
 - b) fails to submit all the required information and documents by the date given in subsection 12.4.2, the application shall be deemed refused by the Development Authority.

12.5 INCOMPLETE APPLICATIONS

- 12.5.1. Where an application for a development permit is determined to contain incorrect information, the development permit shall not be issued until the information is corrected by the applicant.
- 12.5.2. The approval of any application, drawing, or the issuing of a development permit shall not prevent the Development Officer from thereafter requiring the correction of errors, nor from prohibiting the development being carried out when the same is in violation of this Bylaw.
- 12.5.3. In the event of a discrepancy between any written description or measurement and the drawings, the written description or measurement shall prevail.
- 12.5.4. When a permit for a temporary use expires, a new application is required. Such application shall be dealt with as a new application and there shall be no obligation to approve it on the basis that a previous permit has been issued.

12.6 APPLICATION REFERRALS

- 12.6.1. The Development Authority may refer a development permit application to any agency or department in order to receive comment and advice.
- 12.6.2. The Development Officer shall refer development permit applications to neighbouring municipalities pursuant to and consistent with the applicable Intermunicipal Development Plan.

12.7 DEVELOPMENT PERMIT DECISIONS

- 12.7.1. For the purpose of administrating this Land Use Bylaw, the Development Authority shall prepare such forms and notices as he or she may deem necessary.

- 12.7.2. The Development Authority shall consider and decide on development permit applications within forty (40) days of the receipt of the application in its complete and final form. If a decision is not made within forty (40) days of receipt of the application shall, at the option of the applicant, be deemed refused.
- 12.7.3. If a decision is not made within the forty (40) days specified in subsection 12.7.2, the applicant may enter into an agreement with the Development Authority to extend the forty (40) day period.

12.8 DEVELOPMENT PERMITS AND NOTICES

- 12.8.1. The Development Authority shall provide the following public notices of a Development Permit Application:

	PRIOR TO DECISION		AFTER DECISION
APPROVAL OF A:	TO SURROUNDING LANDOWNERS	PUBLISHED ON TOWN'S WEBSITE	PUBLISHED ON TOWN'S WEBSITE
Permitted Use	No	No	Yes
Variance	Yes	Yes	Yes
Discretionary Use	Yes	Yes	Yes
Application in a Direct Control District	Yes	Yes	Yes

- 12.8.2. Notification of a development permit for a Permitted Use or a use in a direct control district shall be provided as follows:
 - a) on the same day a Development Permit application is approved, the Development Officer must send a notice to the applicant.
 - b) within seven (7) days of a Development Permit being issued, the Development Officer must ensure the permit information is published on a publicly accessible web page.
- 12.8.3. Notification of a development permit for a Discretionary Use or a development permit with an approved variance shall be provided as follows:
 - a) on the same day a Development Permit application is approved, the Development Officer must send a notice to the applicant.
 - b) within two (2) days of a development permit being issued, notice shall be mailed out by ordinary mail to the municipal address and the address of property owners that are adjacent to the site; and
 - c) within two (2) days of a Development Permit being issued, the Development Officer must ensure the permit information is published on a publicly accessible web page.

12.8.4. When an application for a development permit is refused, the Development Officer the Development Officer must send a notice to the applicant that includes a statement of the reasons for refusal.

12.8.5. A Notice shall specify:

- a) the municipal and legal address of the property;
- b) a description of the development;
- c) the decision of the Development Authority;
- d) the date of the decision; and
- e) the right to appeal any conditions of that decision.

12.8.6. In addition to the notification procedures outlined above, the Development Officer may also publish a Notice of Decision as deemed necessary:

- a) in the newspaper;
- b) on any of the Town’s official social media sites;
- c) by individual notifications to affected persons;
- d) conspicuously on the site; or
- e) any combination thereof.

12.8.7. For the purposes of this Bylaw, notice of the decision of the Development Authority is deemed to have been given on the day when the Notice of Decision was mailed electronically, or seven (7) days after the Notice of Decision was mailed to the applicant, whichever is sooner.

12.9 CONDITIONS OF A DEVELOPMENT PERMIT

12.9.1. The Development Authority may impose conditions to a Development Permit for either a Permitted or a Discretionary Use, including but not limited to the following considerations:

- a) conformance to the recommendations arising from any testing, assessment, plan or report required as part of the permit application.
- b) As a condition of development permit approval, the Development Officer or the Municipal Planning Commission shall require the applicant to make the necessary arrangements to ensure that all property taxes and offsite/development levies are paid in full at the time of development permit approval to the satisfaction of the Town.
- c) In the case of new construction of a principal building, the Development Officer or the Municipal Planning Commission may require, as a condition of approval, that a Real Property Report, signed by an Alberta Land Surveyor, along with a signed authorization form or letter from the Alberta Land Surveyor stating that the municipality can utilize the Surveyor’s Real Property Report for evaluating the compliance of the building(s) that is (are) the subject of the development permit application, be submitted by the owner/developer prior to or during the construction of the building foundation, or siting in the case of mobile or portable units on permanent foundations, and prior to

commencement of framing or further structural construction, to ensure that the building(s) is (are) sited according to the provisions of the development permit and this Bylaw.

- d) conformance to recommendations from any professional studies required as part of the permit application, relating but not limited to matters such as slope, stability, soil, traffic, noise, lighting, flood plain, hydrology, topography, environment, traffic, utilities, storm water;
- e) that the Developer enters into a development agreement;
- f) the Developer commit to repair or reinstate, or to pay for the repair or reinstatement to original condition, any street furniture, curbing, sidewalk, boulevard landscaping and tree planting which may be damaged or destroyed or otherwise harmed by development or building operations upon the site.
- g) ensuring that the development is constructed and maintained in accordance with the approved plans;
- h) ensuring that the development is constructed and maintained in accordance with the Town's Servicing Standards;
- i) the implementation of landscaping;
- j) lighting;
- k) measures to reduce noise, odour, dust, smoke or other nuisances;
- l) the compatibility of proposed traffic patterns and characteristics with those existing in the affected neighbourhood;
- m) natural vegetation;
- n) environmental contamination;
- o) public safety;
- p) existing structures;
- q) easement(s), back sloping, road acquisition, road use and encroachment agreements;
- r) any measures to ensure compliance with applicable federal, provincial or other Town legislation approvals;
- s) the timing of completion of any part of the proposed development;
- t) parking;
- u) the provision and standard of accesses or approaches to the parcel in accordance to Town standards;
- v) repairs or reinstatement of original condition of road, streets or approaches which may be destroyed or otherwise altered by development or building operations upon site, to the satisfaction of the Development Officer;
- w) the size, location, orientation, appearance and character of a building or other structure;
- x) hours of operation including hours of the day, days of the week, or parts of the year;

- y) the number of patrons;
- z) site grading;
- aa) to provide security in the form of an irrevocable letter of credit or cash to ensure the terms of the permit approval are carried out;
- bb) security deposit for completion of exterior finishes on moved on structures;
- cc) the consolidation of parcels;
- dd) completion of detailed plans and construction drawings illustrating the site layout, landscaping, parking and building elevations, signs, stormwater management or utility servicing;
- ee) the provision of a current Real Property Report (within two (2) years);
- ff) enter into an agreement for temporary residency during construction of a primary dwelling;
- gg) the temporary building or structure must be removed from a property within one (1) month after an occupancy permit has been granted for the site; or
- hh) and any other condition to ensure the proposed development is compatible with surrounding land uses.

- 12.9.2. The Development Authority may require, as a condition of a Development Permit approval, a guaranteed security to ensure that all the required conditions are met. The security shall be in the form of an irrevocable letter of credit or cash having the value equivalent to 100% of the established cost of the condition.
- 12.9.3. As a condition of development permit approval, the Development Officer or the Municipal Planning Commission shall require the applicant to make the necessary arrangements to ensure that all property taxes and offsite/development levies are paid in full at the time of development permit approval to the satisfaction of the Town.
- 12.9.4. The Development Authority may require a developer to provide a performance security in a form and amount satisfactory to the Town to ensure completion of any requirement for onsite improvements or conditions of approval of a development permit.
- 12.9.5. The Development Authority may approve a time-limited Development Permit for a specified limited time period where it is the opinion of the Development Authority that the use is of a temporary nature or should only be approved on a temporary basis.
- 12.9.6. The Town may register a caveat pursuant to the provisions of the *Act* and the *Land Titles Act* in respect of an agreement under this section against the Certificate of Title for the land that is the subject of the development. Said caveat shall be discharged when the agreement has been complied with.
- 12.9.7. All development is to be commenced within one (1) year of receiving a development permit and completed within two (2) years of receiving a development permit unless an extension has been granted.
- 12.9.1. In the case of new construction of a principal building, the Development Officer or the Municipal Planning Commission may require, as a condition of approval, that a Real Property Report, signed by an

Alberta Land Surveyor, along with a signed authorization form or letter from the Alberta Land Surveyor stating that the municipality can utilize the Surveyor's Real Property Report for evaluating the compliance of the building(s) that is (are) the subject of the development permit application, be submitted by the owner/developer prior to or during the construction of the building foundation, or siting in the case of mobile or portable units on permanent foundations, and prior to commencement of framing or further structural construction, to ensure that the building(s) is (are) sited according to the provisions of the development permit and this Bylaw.

12.10 VALIDITY OF DEVELOPMENT PERMIT

- 12.10.1. A development permit comes into effect twenty-one (21) days after its issuance unless an appeal is lodged with the Subdivision and Development Appeal Board. Where an appeal has been filed with the Appeal Board, no development shall commence pursuant to the development permit until all appeals are determined and the issuance of the development permit has been upheld.
- 12.10.2. When an appeal has been made in respect to a development permit that has been approved, the permit which has been issued shall not come into effect until the appeal has been determined, at which time the permit may be modified or nullified thereby.
- 12.10.3. If the development authorized by a permit is not commenced within one (1) year from the effective date or carried out with reasonable diligence, the permit approval ceases and the permit itself is deemed null and void, expired and without effect, unless an extension to this time period has been granted by the Development Authority.
- 12.10.4. If the development authorized by a permit is not completed within twenty-four (24) months from the effective date or carried out with reasonable diligence, the permit approval ceases and the permit itself is deemed null and void, expired and without effect, unless an extension to this time period has been granted by the Development Authority.
- 12.10.5. It is the responsibility of the applicant to request, in writing, an extension to the development permit prior to the expiration of the original development permit.
- 12.10.6. If a use that is the result of a Development Permit ceases to operate for a period of twelve (12) consecutive months, it shall be considered void. A new application would be required by the Applicant for the use.

12.11 DEVELOPMENT PERMIT EXTENSIONS

- 12.11.1. A development permit lapses and is automatically void if the development authorized is not commenced within twelve (12) months from the date of issuing the permit, or within such longer periods not exceeding twelve (12) months as may be approved by the Development Officer or Municipal Planning Commission, who signed the original permit.
- 12.11.2. A permit will only be extended providing all conditions remain the same. Should any condition have changed from those of the original permit, a new permit must be applied for.

- 12.11.3. It is the responsibility of the applicant to request, in writing, an extension to the development permit prior to the expiration of the original development permit.
- 12.11.4. When an appeal is made with respect to a development permit approved by the Development Officer or Municipal Planning Commission, the development permit that has been issued shall not come into effect until the appeal has been determined, at which time the permit may be modified or nullified thereby.
- 12.11.5. When an application for a development permit has been refused pursuant to this Bylaw or ultimately after appeal, the submission of another application for a development permit on the same parcel of land and for a similar use of the land by the same or any other applicant shall not be accepted by the Development Officer for at least six (6) months after the date of the refusal, unless the Development Officer or the Municipal Planning Commission accepts the submission of an application for a development permit with a substantive change within a lesser time frame.
- 12.11.6. Council delegates the power to the Development Authority to extend periods of time related to development permit approvals as follows:
 - a) development permit approval for a use which remains compatible with adjacent land uses and which continues to conform to the Bylaw may be extended, in six (6) month increments, to a maximum of two (2) years from the original approval date;
 - b) a development permit approval extension may be granted one (1) time without the review of conditions and there may be not more than two (2) additional extensions that are subject to the applicant showing substantial completion of the majority of the conditions. The Development Authority may grant three (3) extensions, but after the third extension the applicants are subject to any amended regulations;
 - c) a development permit approval where the use that would result from the development coming into conflict with adjacent land uses or which no longer conforms to the Bylaw must not be extended; and
 - d) a development permit approval granted two (2) years from the date of the extended approvals may not be extended.

12.12 SUSPENSION OR CANCELLATION OF A DEVELOPMENT PERMIT

- 12.12.1. If, after a Development Permit has been issued, the Development Officer or Municipal Planning Commission becomes aware that:
 - a) the application for the Development Permit contained a material misrepresentation;
 - b) facts concerning the application, or the development were not disclosed, and which should have been disclosed at the time the application was considered, have subsequently become known;
 - c) a Development Permit was issued in error;
 - d) the applicant withdrew the application by way of written notice;
 - e) the condition(s) imposed in the Development Permit have not been complied with; or
 - f) the Development ceases operation for twelve (12) or more months;

Then, the Development Officer or Municipal Planning Commission may suspend or cancel the Development Permit by notice in writing to the holder.

- 12.12.2. This Bylaw may be enforced, and the contravention of any provisions contained herein restrained, by the Alberta Court of Appeal upon action brought by Council, whether any penalty has been imposed for the contravention.
- 12.12.3. A person who:
- a) contravenes any provision of the *Act* or the regulations under the *Act*;
 - b) contravenes this Bylaw;
 - c) contravenes a development permit or subdivision approval or a condition attached thereto; or
 - d) obstructs or hinders any person in the exercise or performance of his powers or duties under the *Act*, the regulations under the *Act* or this Bylaw;
- is guilty of an offense and is liable to a fine prescribed in the *Act*.
- 12.12.4. If a person is found guilty of an offense under this Bylaw or the *Act*, the court may, in addition to any other penalty imposed, order the person to comply with:
- a) the *Act* and the regulations under the *Act*;
 - b) this Bylaw; and
 - c) a development permit or subdivision approval or a condition attached to a development permit or subdivision approval.
- 12.12.5. Any written notice, order, or decision that is required to be provided to any person, by any provision of this Bylaw, shall be deemed to have been so provided if it is:
- a) delivered personally to the person or their agent it is directed to;
 - b) delivered by registered mail to the last known address of the person it is directed to; or
 - c) left with any agent or employee or resident at the last known address of the person to whom it is directed.
- 12.12.6. Where a person fails or refuses to comply with an order directed to him or her pursuant to this Bylaw or an order of the Subdivision and Development Appeal Board under the *Act* within the time specified, Council or a person appointed by it may, in accordance with the *Act*, enter upon the land or building and take such action as is necessary to carry out the order. Where an order has not been complied with, Council may register a caveat against the title of the subject property related to the order. Costs and expenses incurred in carrying out the order may be placed on the tax roll for the subject property and shall be collected in the same manner as property taxes.
- 12.12.7. In accordance with the provisions of Section 545 of the *Act* and amendments thereto, the Development Officer may revoke a development permit where any person undertakes or causes or permits any development on a site contrary to a development permit.

- 12.12.8. The Development Officer shall notify, by mail, the development permit holder and the owner of the land, building, structure or sign (if not the same) of the cancellation of the development permit.
- 12.12.9. Any person who undertakes, causes or allows any development after a development permit has been revoked, shall discontinue such development forthwith and shall not resume such development unless a new development permit has been issued.
- 12.12.10. All developments continuing after the development permit has been revoked shall be deemed to be developments occurring without a development permit under this section.
- 12.12.11. The Development Officer may cancel a development permit where required fees have not been received.

12.13 REAPPLICATION FOR A DEVELOPMENT PERMIT

- 12.13.1. When an application for a development permit has been refused pursuant to this Bylaw or ultimately after appeal, another application for a development permit on the same parcel of land for the same or similar use of the land should not be accepted by the Development Officer until six (6) months after the date of the refusal.
- 12.13.2. The Development Officer may accept the submission of an application for a development permit with a substantive change within a lesser time frame.

12.14 DEVELOPMENT AGREEMENT

- 12.14.1. Pursuant to Section 650 (1) of the *Act*, the Development Authority may require that as a condition of issuing a development permit, the applicant enter into a development agreement with the Town to do any or all of the following:
 - a) to construct or pay for the construction of a road required to give access to the development;
 - b) to construct or pay for the construction of
 - i. a pedestrian walkway system to serve the development, or
 - ii. pedestrian walkways to connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development, or both;
 - c) to install or pay for the installation of a public utility, that is necessary to serve the development, whether or not the public utility is, or will be, located on the land that is the subject of the development;
 - d) to construct or pay for the construction of
 - i. off-street or other parking facilities, and
 - ii. loading and unloading facilities;
 - e) to pay an off-site levy or redevelopment levy imposed by bylaw;

- f) to carry out landscaping in accordance with an approved landscape plan;
- g) to give security to ensure that the terms of the agreement under this section are carried out.

Section 13 PROCEDURE FOR SUBDIVISION

13.1 SUBDIVISION APPLICATIONS

13.1.1. Subdivision applications shall be completed and submitted to the Subdivision Authority in writing or electronically for any proposed subdivision, using the subdivision application form.

13.1.2. All subdivision applications should include the following mandatory subdivision application requirements:

- a) a complete subdivision application form with the signature of the landowner(s) or an agent authorized by the landowner(s) to prepare and submit the application;
- b) permission for reasonable right-of-entry by Town staff for site inspection;
- c) current Certificate of Title dated within thirty (30) days prior to the application date;
- d) location of existing and abandoned well and battery sites, or a declaration stating that there are not present;
- e) a site plan, to scale and in metres, indicating the location, dimensions, and boundaries of the parcel to be subdivided;
- f) the proposed lot(s) to be registered in a Land Titles Office;
- g) a site plan indicating the location, dimensions, and boundaries of:
 - i. every new lot to be created,
 - ii. municipal and environmental reserves,
 - iii. easements and utility rights-of-way,
 - iv. internal roadways,
 - v. land uses,
 - vi. water and wastewater servicing,
 - vii. stormwater servicing,
 - viii. location of buildings and their support infrastructure (e.g. **accessory building or structure**), if applicable; and
- h) all applicable fees.

13.1.3. The Subdivision Authority, at its discretion, may also request other information as deemed necessary.

13.2 COMPLETE SUBDIVISION APPLICATIONS

- 13.2.1. The Subdivision Authority shall receive all subdivision applications and determine within twenty (20) days after the receipt of the application whether it is complete in accordance with the information requirements of this Bylaw, in accordance with Section 653.1 of the *Act*.
- 13.2.2. If the Subdivision Authority does not make a decision within twenty (20) days, and a time extension has not been agreed between the applicant and the Subdivision Authority, the subdivision application shall be deemed complete.
- 13.2.3. The Subdivision Authority shall inform the applicant by electronic, or standard mail, within twenty (20) days after the receipt of a subdivision application that the application is considered complete.

13.3 INCOMPLETE SUBDIVISION APPLICATIONS

- 13.3.1. If an application is found incomplete, the Subdivision Authority shall inform the applicant by electronic, or standard mail of the outstanding documents and information to be submitted within a specified timeframe to be considered a complete application.
- 13.3.2. If the applicant refuses to submit all information within the specified timeframe, the application will be refused.
- 13.3.3. After the outstanding documents and information are submitted and reviewed to determine if the application is complete, the Subdivision Authority shall inform the applicant by electronic, or standard mail to confirm the application is complete.
- 13.3.4. In accordance with the *Act*, additional information or documentation necessary to review a subdivision application may be required from the applicant during a file review.
- 13.3.5. If a subdivision application is deemed incomplete because the applicant/landowner fails to provide the information within the agreed timeframe, the application shall be refused with reasons by the Subdivision Authority unless the applicant had previously expressed, in writing, to have the subdivision application withdrawn or agree to an extension in writing.

13.4 SUBDIVISION APPLICATION REFERRALS

- 13.4.1. The Subdivision Authority shall refer subdivision application in alignment with subsection 13.1.2 and the Subdivision and Development Regulation.
- 13.4.2. After fourteen (14) days from the date of referral to authorities, agencies, or landowners, the Subdivision Authority may make a decision on the subdivision application, whether or not comments have been received.

13.5 SUBDIVISION DECISION TIME PERIOD

- 13.5.1. If the Subdivision Authority fails to make a decision on an application for subdivision within sixty (60) days of the date on which the application was accepted, the applicant may, within fourteen (14) days after the sixty (60) day period has expired:
 - a) Enter into an agreement with the Subdivision Authority to extend the period beyond sixty (60) days; or
 - b) Treat the application as "deemed refused" and file an appeal.
- 13.5.2. If the subdivision application is refused, the Subdivision Authority shall not accept an application for subdivision from the applicant in respect of the same lands for six (6) months following the decision.

13.6 SUBDIVISION APPLICATION DECISIONS

- 13.6.1. The Subdivision Authority for the Town must receive, consider, and make decisions on all subdivision applications.
- 13.6.2. The Subdivision Authority shall assess subdivision applications based on the *Act*, *the Regulation*, the statutory plans and the policies of the Town, and the regulations in this Bylaw.
- 13.6.3. In their decision, the Subdivision Authority may:
 - a) approve an application with conditions;
 - b) refuse the application; or
 - c) if the applicant fails to submit all the outstanding information and documents on or before the date referred in notification to the applicant of an incomplete application, the application is deemed to be refused.
- 13.6.4. If the Subdivision Authority refuses an application, reasons for the Subdivision Authority's decision must be provided in writing.
- 13.6.5. The Subdivision Authority may impose conditions considered appropriate for the development and as provided for in the *Act*, the *Regulation* or in this Bylaw on a subdivision approval.
- 13.6.6. A subdivision application that creates a new lot or boundary adjustment where an existing dwelling or other activity requires on-site servicing shall not be approved unless the Subdivision Authority is satisfied that that sanitary servicing can be adequately provided on-site.
- 13.6.7. A subdivision application that creates a new lot or boundary adjustment where an existing dwelling or other activity requires on site water supplies of sufficient quality and quantity shall not be approved unless the Subdivision Authority is satisfied that on-site water is available to support the existing and proposed future development on the new lot, which may also include on-site water storage to meet the development's fire suppression requirements.

- 13.6.8. A subdivision application shall not be approved unless the Subdivision Authority is satisfied with the management of stormwater and the subdivision can meet the Town of Peace River's General Municipal Servicing Standards.
- 13.6.9. New subdivision(s) shall not be permitted on land that is within the regulated setback areas for wastewater, sewage lagoon, or sour gas facilities where a dwelling, **school, hospital**, or food establishment could not be developed on the lot because of the setback regulation, unless a caveat is registered against the title prohibiting these uses.

13.7 APPROVED SUBDIVISION ENDORSEMENT TIME PERIOD

- 13.7.1. The plan of subdivision or instrument must be submitted to the Subdivision Authority for endorsement within one (1) year of the subdivision's approval date or by the time prescribed by the Subdivision Authority beyond one (1) year; otherwise, the subdivision approval is void.
- 13.7.2. The plan of subdivision or instrument must be submitted to the Land Titles office for registration within one (1) year from the time of endorsement or by the time prescribed by Council beyond one (1) year; otherwise, the subdivision approval of the plan or instrument and the endorsement is void.
- 13.7.3. The Subdivision Approval Authority may grant not more than one (1) extension, to a maximum of five (5) years of the period referred to in Section 14.

13.8 SUBDIVISION APPROVAL TIME EXTENSIONS

- 13.8.1. Pursuant to Section 625(4) of the *Act*, Council delegates the power to the Subdivision Authority to extend periods of time related to subdivision approvals as follows:
- a) a subdivision approval for a use which remains compatible with adjacent land uses and which continues to conform to the Bylaw may be extended, in one (1) year increments, to a maximum of five (5) years from the original approval date;
 - b) a subdivision approval extension may be granted one (1) time without the review of conditions and there may be not more than three (3) additional extensions that are subject to the applicant showing substantial completion of the majority of the conditions. The Subdivision Authority may grant three (3) extensions, but after the third extension the applicants are subject to any amended policies;
 - c) a subdivision approval where the use that would result from the subdivision coming into conflict with adjacent land uses or which no longer conforms to the Bylaw must not be extended; and
 - d) a subdivision approval granted five (5) years from the date of the extended approvals may not be extended.

13.9 SUBDIVISION APPROVAL SERVICING

- 13.9.1. All approved subdivisions must enter into a Deferred Services Agreement as a condition of approval providing that if municipal servicing becomes available to a particular subdivision, the landowner(s) will be required to connect to the municipal service.

Section 14 APPEAL PROCESS

14.1 APPEAL AUTHORITY

- 14.1.1. The Appeal Board shall perform such duties and follow such procedures as specified in the *Act* and the *Subdivision and Development Appeal Board Bylaw*.
- 14.1.2. A decision on a development permit application may be appealed by serving a written notice of appeal to the Clerk within twenty-one (21) days from the date the decision on the subdivision or development permit has been advertised pursuant to this Bylaw.
- 14.1.3. No appeal shall be accepted by the Clerk without the submission of the appeal fee.

14.2 PROCEDURE FOR DEVELOPMENT PERMIT APPEALS

- 14.2.1. When a notice has been served to the Clerk with respect to a decision to approve an application for a development permit, the development permit shall not be effective before:
- a) the decision on the development permit has been made by the Appeal Board; or
 - b) the Clerk to the Development Appeal Board has received written notification from the appellant that the appeal has been abandoned.
- 14.2.2. If the decision to approve a development permit application is reversed by the Appeal Board, the development permit shall be null and void.
- 14.2.3. If the Appeal Board reverses the decision of the Development Authority to refuse a development permit application, the Development Officer shall issue a development permit in accordance with the board's decision.
- 14.2.4. If the decision to approve a development permit application is varied by the Appeal Board, the Development Officer shall issue a development permit in accordance with the terms of the decision of the Board.

14.3 PERSONS TO BE HEARD AT THE HEARING

- 14.3.1. At the hearing of a development permit appeal, the Appeal Authority must hear:
- a) the appellant or any person acting on behalf of the appellant;
 - b) a municipality or any of those to whom the application was referred to in accordance with this Bylaw and the *Act*;
 - c) the Development Authority from whose order, decision or development permit the appeal is made, or the person acting on their behalf; and

- d) any other person who claims to be affected and that the Subdivision and Development Appeal Board agrees to hear or someone acting on that person’s behalf.

14.4 APPEAL DECISION

- 14.4.1. In determining a development permit appeal, the Appeal Authority:
- a) shall comply with the provincial land use policies;
 - b) shall comply with applicable land use policies and statutory plans (subject to Section 638(1) of the Act);
 - c) shall comply with any land use policies and bylaw in effect (subject to Section 687(3) clauses (a.1) and (a.3) of the Act);
 - d) shall comply with the applicable requirements of the regulations under the *Gaming, Liquor and Cannabis Act* (Section 687(3) clause (a.4)) respecting the location of premises described in a cannabis license and distances between those premises and other premises;
 - e) may confirm, revoke, or vary the order, decision or development permit or any condition attached to it or may make or substitute an order, decision, or development permit of its own; and
 - f) may make an order or decision or issue or confirm the issuance of a development permit even though the proposed development does not comply with this Bylaw if, in its opinion, the proposed development conforms with the prescribed use for the land or building as defined in this Bylaw, and would not:
 - i. unduly interfere with or affect the use, enjoyment, or value of neighbouring properties; and
 - ii. materially interfere with or affect the use, enjoyment of neighbouring properties.
- 14.4.2. The Appeal Authority must give its decision in writing together with reasons for the decision within fifteen (15) days of concluding the hearing.

14.5 COURT OF APPEAL

- 14.5.1. In accordance with Section 688(1) of the Act, an appeal lies to the Court of Appeal on a question of jurisdiction or law with respect to a decision of the Appeal Authority.
- 14.5.2. An application for permission to appeal in accordance with subsection 14.4.1 must be filed and served within thirty (30) days after the issuance of the decision sought to be appealed, and notice of the application must be given to:
- a) the Town;
 - b) the Subdivision and Development Appeal Board; and
 - c) any other person(s) that the judge directs.

Section 15 ENFORCEMENT AND PENALTIES

15.1 ENFORCEMENT

15.1.1. In accordance with Section 645 of the *Act*, the Development Authority may enforce provisions of the *Act* and the *Subdivision and Development Regulation*, the conditions of a development permit, subdivision approval, and this Bylaw. Enforcement may be made by written notice of contravention, written stop order notice, or any other authorized action to ensure compliance.

15.2 PROHIBITIONS AND CONTRAVENTIONS

15.2.1. No person shall:

- a) Undertake or authorize any development or use not permitted by this Bylaw.
- b) Develop in a manner that deviates from approved development permit and subdivision applications, descriptions, specifications, or plans.
- c) Contravene any conditions of permits or approvals under this Bylaw.

15.3 PERMIT CONDITIONS AND VARIATIONS

15.3.1. No person shall:

- a) Permit contraventions on property they own or occupy.
- b) Modify approved descriptions, specifications, or plans without approval.
- c) Develop signs that do not comply with sign regulations, except as exempt in Section 9.2.

15.4 PERMIT CANCELLATION, SUSPENSION, OR MODIFICATION

15.4.1. The Development Authority may cancel, suspend, or modify a permit if:

- a) There is a misrepresentation in the application.
- b) Relevant facts were not disclosed during the application process.
- c) The permit was issued in error.
- d) The applicant withdraws the application in writing.
- e) Conditions of the permit are not complied with.

15.4.2. Affected persons may appeal to the Appeal Authority as per Section 14.

15.5 PROPERTY INSPECTION AND ENFORCEMENT

- 15.5.1. A Designated Officer may inspect properties based on reasonable grounds, such as complaints or observations of excessive traffic, parking issues, or accumulated debris.
- 15.5.2. The Town may enforce this Bylaw, government regulations, subdivision approvals, and permit conditions through written notices, stop orders, financial penalties, or other authorized actions.

15.6 OFFENCES AND PENALTIES

- 15.6.1. Violations of this Bylaw are offences, punishable by fines up to \$5,000. Specified penalties are:
 - a) 1st Offence: \$1,000
 - b) 2nd Offence: \$2,000
 - c) 3rd and subsequent Offence: \$5,000
- 15.6.2. Penalties are cumulative for multiple offences and are carried out per the *Act*.
- 15.6.3. Officers may issue violation tickets for penalty payment, accepted in lieu of prosecution.
- 15.6.4. Payment of penalties does not absolve noncompliance; further fines may be issued until compliance is achieved.

15.7 STOP ORDERS

- 15.7.1. If a development or use of land does not comply with the *Act*, Bylaw, subdivision approval, or permit, the Development Authority may issue a written stop order to:
 - a) Halt development or use.
 - b) Demolish, remove, or replace the development.
 - c) Take other required actions to ensure compliance.
- 15.7.2. Stop Orders must state:
 - a) The contravention and relevant provisions.
 - b) Steps to correct the contravention.
 - c) A compliance deadline.
 - d) The right to appeal to the Subdivision and Development Appeal Board.
- 15.7.3. Costs for carrying out orders may be added to the property tax roll and collected as land taxes.

Section 16 BYLAW AMENDMENTS

16.1 AMENDMENTS TO THIS BYLAW

16.1.1. The Town on its own initiative may choose to undertake an amendment to this Bylaw.

16.2 CONTENTS OF AN AMENDMENT APPLICATION

16.2.1. All applications for amendment to this Land Use Bylaw shall be made to the Development Officer in writing on the prescribed form, and shall be accompanied by the following:

- a) if the amendment involves the re-designation of land to a different land use district:
 - i. a copy of the certificate of title for the lands affected, or any other document satisfactory to the Development Officer verifying that the applicant has a legal interest in the land; or
 - ii. where the applicant is an agent acting for the owner, written confirmation from the owner(s) in a format acceptable to the Development Officer must be provided verifying the agent's authority to make the application;
- b) a statement of the rationale for the proposal to amend the Bylaw;
- c) such additional information as the Development Officer may require; and
- d) a signed certificate, by the applicant, authorizing the right-of-entry by the Development Authority to such lands or buildings as may be required for investigation of the proposed amendment.

16.2.2. Each amendment application shall be accompanied by a non-refundable application fee.

16.2.3. The Development Officer may refuse to process an application to amend the Bylaw if the information required has not been supplied or if, in their opinion, it is of inadequate quality to properly evaluate the application.

16.3 AMENDMENT PROCEDURE

16.3.1. Upon receipt of a complete bylaw amendment application, it should be:

- a) Referred to the Municipal Planning Commission for consideration and recommendation to be made at the Public Hearing;
- b) Circulated internally for comment from the Town administration; and
- c) Presented to the Council for first reading.

16.3.2. The application may be referred as deemed necessary for comment and advice.

16.3.3. A notice of the proposed amendment shall be made in compliance with Section 606 of the *Act*, and the Town's Advertising Bylaw, as amended or replaced. The notice shall contain:

- a) the legal description of the land, if applicable;
- b) the purpose of the proposed amending Bylaw;
- c) the location where a copy of the proposed amending Bylaw may be inspected by the public;
- d) the one (1) or more dates, places and time that the Council will hold a public hearing on the proposed amending Bylaw; and
- e) an outline of the procedures to be followed by anyone wishing to be heard at the public hearing.

16.3.4. Council, after considering:

- a) any representations made at the public hearing; and
- b) any intermunicipal development plan, municipal development plan, 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.

16.4 REAPPLICATION FOR A LAND USE BYLAW AMENDMENT

- 16.4.1. If an application for a Land Use Amendment is refused, another application for a Land Use Amendment on the same parcel and same or similar use should not be accepted for a period of six (6) months from the date of refusal.

16.5 APPLICATION FEE REIMBURSEMENT

- 16.5.1. If a proposed amendment is one that is applicable to and for the benefit of the Town at large, most of the persons affected in one area, or most of the persons affected in one district, then the Council may direct that the application fee be returned to the applicant and that the Town pay application and process related costs that the applicant had been required to pay.



PART 5 | DEFINITIONS

PART V: DEFINITIONS

Section 17 TERMS AND WORDS

17.1 GENERAL

- 17.1.1. Use class categories, as set out in this section, group use classes with common functional or physical impact characteristics. A use class groups individual land uses with common functional or physical impact characteristics. The use classes of this section are used to define the range of uses which are Permitted or Discretionary within the various districts of this Bylaw. The following guidelines shall be applied in interpreting the use class definitions:
- a) the typical uses, which may be listed in the definitions, are not intended to be exclusive or restrictive. Reference should be made to the definition of the use class in determining whether or not a use is included within a particular use class;
 - a) where a specific use does not conform to the wording of any use class definition or generally conforms to the wording of two (2) or more use class definitions, the Development Officer may, in their discretion pursuant to subsection 2.1.1, deem that the use conforms to and is included in that use class which they consider to be the most appropriate in character and purpose; and
 - b) the use class headings such as residential or commercial do not mean that the use classes listed under these headings are permitted only in Residential or Commercial Districts of this Bylaw. Reference must be made to the lists of Permitted and Discretionary Use classes within each district.

17.2 USE DEFINITIONS

RESIDENTIAL USES

ACCESSORY DWELLING UNIT

means a self-contained dwelling unit, that is located within or on the same titled parcel and is accessory and clearly secondary to a principal dwelling that meets the *Alberta Building Code* or *CSA A277*. **Accessory dwelling units** include garden suites, garage suites, and secondary suites.

COMMUNAL LIVING

means an arrangement of dwellings as an integral part of cooperative living, enabling innovative housing options, or operated by a recognized communal organization.

DWELLING, APARTMENT

means development consisting of one or more dwellings contained within a building in which the dwellings are arranged in any horizontal or vertical configuration, which does not conform to the definition of any other residential use class.

DWELLING, CARETAKER'S RESIDENCE

means a dwelling that is secondary or accessory to the principal industrial, commercial or public use, located on the same lot and is used for the purpose of providing living accommodation for the individual who is primarily responsible for the maintenance and security of the principal use on that lot. A caretaker dwelling unit shall not be subject to separation from the principal development through a plan of subdivision.

DWELLING, GROUP CARE

means the use of a dwelling unit as a facility that is authorized, licensed or certified by a provincial authority to provide living accommodation for four (4) residents or fewer, exclusive of staff, and to provide for the personal rehabilitation of its residents either through self-help or professional care, guidance and supervision. This includes supervised facilities such as group homes, halfway houses for persons under jurisdiction of the federal or provincial justice system, resident schools, resident facilities, boarding homes, and psychiatric care facilities, but does not include foster homes. A group care facility may provide professional care, rehabilitation, guidance or supervision for physically, mentally, socially or behaviourally challenged persons on a permanent or temporary basis, depending on need. The residential character of the development shall be maintained with the occupants living together as a single housekeeping group using shared kitchen facilities. A group care facility may incorporate accommodation for resident staff as an accessory use.

DWELLING, MANUFACTURED HOME

means a prefabricated detached dwelling unit that meets *Canadian Standards Association (CSA) Z240 and A277* standards and meets the requirements of the *Alberta Building Code*. This residential building contains one (1) dwelling unit and is constructed on a permanent undercarriage or chassis, designed with the capability of being transported. This definition applies to both single section and multi-section models, but does not apply to modular homes, or recreational vehicles.

DWELLING, ROW HOUSING/TOWNHOUSE

means a development consisting of a residential building designed and built to contain four (4) or more dwelling units with a separate exterior entrance at grade that shares no more than two (2) party walls with adjacent dwelling units and intended as a permanent residence. No part of a dwelling unit is placed over another in part or in whole and every dwelling unit shall have separate, individual direct access to grade.

DWELLING, SEMI-DETACHED

means development consisting of only two (2) dwellings, each accommodating one (1) household, situated side by side and sharing a common wall. Each dwelling shall have a separate, individual, and direct access to grade, with no interior access connections, and no common means of access with other dwellings.

DWELLING, SINGLE DETACHED

means a building containing one (1) primary dwelling unit which is separate from any other primary dwelling unit or building on a property. Single detached dwellings include any other building/ structure that meets the *Alberta Building Code* or *CSA A277* for permanent occupancy (such as tiny homes and modular homes).

DWELLING, TRIPLEX

means a development consisting of a residential Building containing three (3) dwelling units located immediately adjacent to each other and sharing a common wall and each having a separate entrance to grade.

MANUFACTURED HOME PARK

means a development for multiple dwellings or recreational vehicles that do not have a registered plan for subdivision. This includes, but is not limited to, dwellings that are used for rental purposes, long term leases, or bareland condominiums.

SUPPORTIVE HOUSING

means a residential development for elderly, disabled persons or persons that require additional care, with on-site or off-site supports to ensure their daily needs are met. This includes but is not limited to seniors' housing, independent living, supportive living, long-term care facilities, and complex care.

COMMERCIAL USES

ARTISANAL WORKSHOP	means the use of a premises for the creation and production of arts or crafts for sale to the general public and includes but is not limited to the small scale production of pottery, sculpture, painting, garment makers, tailors, jewelers, shoe repair, soap or candle production and similar arts and crafts which do not include the use of toxic or hazardous materials, result in excessive noise or require the outdoor storage of materials.
BUSINESS SUPPORT SERVICES	means a development that provides support services to businesses. This includes but is not limited to print services; janitorial services; and office equipment repairs and sales.
CANNABIS LOUNGE	means a development where the primary purpose of the facility is the sale of cannabis to the public, for the consumption of within the premises that is authorized by provincial or federal legislation. This does not include cannabis production and distribution .
CASINO	means a development where gambling and gaming are the primary activities.
CHILDCARE FACILITY	means a development licensed by the province to provide care, education and supervision to children. This includes but is not limited to day care centres; play schools; and nursery schools. This does not include home-based childcare intended to provide temporary care for up to six (6) non-resident children.
COMMERCIAL, GENERAL	means a development where products or services are sold to consumers, that is not included in any other use category of this bylaw and where the development authority determines that the proposed business may be considered without an amendment to the Land Use Bylaw.
COMMERICAL, GREENHOUSES	means a development where vegetables, flowers and other plants are grown for sale as plants or seeds. This includes but is not limited to plant nurseries; garden centres; and market gardens.
CONTRACTOR SERVICES	means a development used for providing building construction, landscaping, concrete, electrical, plumbing, heating, drain cleaning, woodworking, and similar services of a construction nature which require on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service. Any sales, display, or office area shall be accessory to the principal general contractor services use. These developments typically require on-site storage for materials, equipment and vehicles associated with the service.
DOMESTIC ANIMAL CARE SERVICES	means a development that provides for the care or training of domestic animals but does not include overnight care of the animal. This includes but is not limited to dog and cat day care services and grooming services.
ESTABLISHMENT, BARS AND PUBS	means a development licensed to serve alcoholic beverages for consumption on the premises as regulated by the <i>Alberta Gaming, Liquor and Cannabis (AGLC)</i> where patrons may be limited based off their age

<p>ESTABLISHMENT, BREWERY, WINERY AND DISTILLERY</p>	<p>means a use where an alcoholic beverage(s) is manufactured, packaged and served on-site. The development is licensed by the <i>Alberta Gaming, Liquor and Cannabis (AGLC)</i>. This use does not include developments that are classed as “large manufacturer” from the AGLC. Developments that are classed as “large manufacturer” may be considered under the General Industrial use of this Bylaw.</p>
<p>ESTABLISHMENT, RESTAURANT</p>	<p>means a development used for the sale of prepared food and beverages to the public for on-site or off-site consumption. This includes but is not limited to fast food establishments, cafes and restaurants.</p>
<p>FARMERS MARKET</p>	<p>means a market primarily used for selling goods produced in agricultural operations, and operates on a permanent basis but temporary occurrence, and can include the use of a building, structure, or lot for the purpose of selling various produce, meat, seafood, crafts, and may include concession sales, or restaurants.</p>
<p>FUNERAL AND RELATED SERVICES</p>	<p>means a development that prepares the deceased for burial, the purification and reduction of the human body by heat or the keeping of bodies other than in a cemetery and the holding of associated services. This includes but is not limited to funeral homes, mausoleums, cinerarium, and columbarium.</p>
<p>GAS STATION</p>	<p>means a commercial establishment for the sale of automotive fuels, lubricating oils and associated automotive products for vehicles. Accessory uses may include a car wash, convenience store, towing service, the sale of automotive accessories. This use includes gas bars.</p>
<p>MEDIA STUDIO</p>	<p>means a development used for the creation, rehearsal, or production of audio or visual materials that are broadcasted or otherwise communicated through technological means to an off-site consumer. Typical uses include internet content providers and radio, television, and motion picture studios.</p>
<p>PERFORMANCE AND EVENT VENUE</p>	<p>means a location where either a performance or event occurs that involves bringing in outside performers to entertain an audience by means of singing or playing music, acting, dancing, comedy, reciting poetry, or other types of oral presentations.</p>
<p>PROFESSIONAL OFFICE</p>	<p>means a development that provides professional, management, administrative, consulting, and financial services to consumers. This includes, but is not limited to accountants, architects, engineers, lawyers, banks, insurance companies, and real estate firms.</p>
<p>PERSONAL SERVICE SHOPS</p>	<p>means a development that provides personal services to an individual. This includes, but is not limited to barbershops, hairdressers, esthetics, beauty salons, tailors, dry cleaning establishments and laundromats.</p>
<p>RETAIL, CANNABIS OR LIQUOR STORE</p>	<p>means a building used or primarily used for the retail sale of cannabis or alcoholic beverages for off-site consumption that is authorized by provincial or federal legislation. This may include the retail sale of cannabis accessories as approved by <i>Alberta Gaming, Liquor & Cannabis (AGLC)</i>.</p>
<p>RETAIL, CONVENIENCE STORE</p>	<p>means a development used for the retail sale of goods and services. This includes, but is not limited to small grocery stores, drug stores, and convenience stores.</p>

<p>RETAIL, SHOPPING CENTRE</p>	<p>means a development comprised of a unified group of buildings or uses within a building with more than one (1) commercial use primarily being retail and personal services and, on a site, comprehensively planned, developed and managed as a single commercial operating unit with shared on-site parking where the intended uses comply with the subject district.</p>
<p>RETAIL, STORE</p>	<p>means a building where goods, wares, merchandise, substances, articles, or things are stored, offered or kept for sale at retail prices and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles or things sufficient only to service the store but does not include any retail outlet otherwise listed or defined in this Bylaw.</p>
<p>TRUCK STOP</p>	<p>means the provision of facilities including a gas station and restaurant for the temporary parking of licensed tractor/ trailer units. A truck stop may also include a convenience store and restaurant facilities and may include overnight accommodation facilities solely for the use of truck crews.</p>
<p>VETERINARY SERVICES</p>	<p>means a development such as a hospital or shelter used for the temporary accommodation, care, treatment, or impoundment of animals. This includes, but is not limited to animal veterinary clinics, animal hospitals, shelters, and veterinary offices. This use does not include boarding and breeding facilities.</p>
<p>VISITOR ACCOMMODATION</p>	<p>means a building or group of buildings not intended for residential use where sleeping facilities are provided for persons on a temporary basis and includes hotels and motels. Visitor accommodation may also contain recreational facilities, commercial uses and additional facilities including but not limited to eating establishments, drinking establishments, room service, personal services, meeting rooms, public convention rooms, and laundry service. This does not include bed and breakfast establishments.</p>
<p>WAREHOUSE SALES AND STORAGE FACILITIES</p>	<p>means a development used for the wholesale, retail sale or storage of bulky goods, typically within an enclosed building, although there may be some instances where products are located outside. This includes, but is not limited to furniture, appliance, and building material sales.</p>
<p>INDUSTRIAL USES</p>	
<p>AUCTIONEERING SERVICES</p>	<p>means a building or land used for the storage of goods, equipment, livestock or other animals, which are to be sold on the premises by auction and for the sale of the said goods, equipment, livestock or other animals, by auction on a regular basis.</p>
<p>AUTOMOTIVE ELECTRICAL SERVICES</p>	<p>means a use where the primary activity is specialty motor vehicle services that specialize in the installation of aftermarket electrical accessories such as remote starters, anti-theft systems, stereo and audio-visual systems, and ignition interlocks. This use shall not include the mechanical repairing of motor vehicles that typically occurs at a vehicle garage, service station or autobody shop.</p>
<p>AUTOMOTIVE, EQUIPMENT AND RECREATIONAL VEHICLE SALES AND SERVICE</p>	<p>means development used for the rental, lease, sale, storage, service, restoration, inspection or mechanical repair of automobiles, trucks, trailers, motorcycles, snowmobiles, motor homes, tent trailers, boats, travel trailers or similar light recreational vehicles. Accessory uses may include transmission shops, muffler shops, autobody paint and repair facilities.</p>

AUTO WRECKING AND SALVAGE YARDS	means a development where decommissioned vehicles and other equipment are brought for dismantling, with their useable parts are sold for use in operable vehicles and equipment, and their unusable parts are sold for metal recycling purposes. Auto wrecking and salvage yards are not to be considered landfills for waste.
BUILDING MATERIAL AND SUPPLY OUTLET	means wholesale or retail buildings or yards catering primarily to general contractors and sub-trades. This does not include stores intended to cater primarily homeowners, which would be classed as general retail.
BULK FUEL SALES	means lands, buildings, and structures for the bulk storage and distribution of petroleum products. This does not include gas stations .
CANNABIS CULTIVATION, PROCESSING AND DISTRIBUTION	means the cultivation, processing or distribution of cannabis products for commercial purposes and requiring licensing from provincial or federal authorities.
FLEET SERVICES	means development using a fleet of vehicles for the delivery of people, goods or services, where such vehicles are not available for sale or long-term lease. This use class includes ambulance services, taxi services, bus lines, messenger and courier services. This use does not include moving or cartage firms involving trucks with a gross vehicle weight of more than 3 000 kg.
HEAVY TRUCK AND EQUIPMENT STORAGE AND SALES	means means development used for the rental, lease, sale, or on-site storage of heavy trucks and equipment, including farm equipment.

means the use of land, buildings or structures for an industrial activity including but not limited to:

- a) the processing of raw or finished materials;
- b) the manufacturing or assembly of goods, products or equipment;
- c) the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses;
- d) the storage or transshipping of materials, goods or equipment; or
- e) the training of personnel in general industrial operations;

INDUSTRIAL, HEAVY

that creates significant adverse impacts beyond the boundaries of the site for which the associated activity takes place due to appearance, emission of contaminants, noise, odor, traffic volume, fire, explosive hazards or dangerous goods. Characteristics of **Industrial, Heavy** may include:

- a) outdoor storage or stockpiling of raw materials, vehicles and machinery that may be partly or wholly visible off the site, and may impact the soil;
- b) significant noise in the general operations of the use;
- c) potential exposure of the environment to chemicals and other forms of pollution from the general operations of the use; or
- d) hazardous industry.

<p>INDUSTRIAL, LIGHT</p>	<p>means the use of land, buildings or structures for an industrial activity including but not limited to:</p> <ul style="list-style-type: none"> a) the processing of raw or finished materials; b) the manufacturing or assembly of goods, products or equipment; c) the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses; d) the storage or transshipping of materials, goods or equipment; or e) the training of personnel in general industrial operations; <p>that creates no adverse impacts beyond the boundaries of the site for which the associated activity takes place due to appearance, emission of contaminants, noise, traffic volume, odor and fire. The activities and uses are carried on within an enclosed building. Characteristics of Industrial, Light may include:</p> <ul style="list-style-type: none"> a) outdoor storage which does not impact adjacent properties or the soil; b) may have a retail or wholesale component that is subordinate to the principal use; c) nuisance factors do not extend outside of an enclosed building; and d) no hazardous industry present.
<p>NATURAL RESOURCE EXTRACTION INDUSTRY</p>	<p>means development for the purpose of the removal, extraction, excavation, stockpiling, processing and transmission of raw materials off of the subject property. Resources and raw materials may include peat, sand, silt, shale, gravel, clay, marl, limestone, gypsum, other minerals precious or semi-precious, timber and coal. Facilities and uses that would be typical include gravel pits (and associated crushing operations), sand pits, clay or peat extraction, stripping of topsoil, sawmills and related timber/wood processing.</p>
<p>RAILWAY SERVICES</p>	<p>means those uses integral to the passenger and freight operations of a railway such as railway lines, marshalling yards, sidings, shunting yards, train stations, offices for railway administration, and terminals. This use includes only those storage uses directly related to railway operations.</p>
<p>RECREATIONAL VEHICLE STORAGE FACILITY</p>	<p>means development of a yard for the outdoor storage of more than five (5) recreational vehicles or recreational equipment or combination thereof. This use does not include the sale, service, restoration, inspection or mechanical repair of the recreational units.</p>

<p>RECYCLING DEPOT</p>	<p>means development used for the buying and temporary storage of bottles, cans, tetra-packs, newspapers, and similar household goods for reuse, where all storage is contained within an enclosed building. This may include eco-stations.</p>
<p>SMALL ANIMAL BREEDING/BOARDING SERVICES</p>	<p>means development used for the breeding, boarding, caring, or training of small animals, including dogs, normally considered household pets. Typical facilities include pet boarding and pet training establishments and uses associated with the shelter and care of small animals such as grooming, training and exercising, whether by the owner or for remuneration.</p>
<p>ACCESSORY USES</p>	
<p>ACCESSORY BUILDING OR STRUCTURE</p>	<p>means a non-residential building or structure that is subordinate and customarily incidental to the main building on the same lot. It supports the principal use of the property but is not the primary structure.</p>
<p>BED AND BREAKFAST</p>	<p>means the use of a part of a residential dwelling for over-night accommodation, where breakfast is usually served as part of the accommodation service. This may include the use of the entire residential dwelling.</p>
<p>HOME-BASED BUSINESS, HOME OFFICE</p>	<p>means the accessory use of a dwelling to operate a business out of a home-office by a person who resides in the dwelling and does not create any impacts, including business-related visits to the dwelling, outside of the dwelling where the occupation is conducted.</p>
<p>HOME-BASED BUSINESS, MAJOR</p>	<p>means the accessory use of a dwelling and its accessory buildings by an occupant of the residential dwelling to conduct a business activity whose impacts may extend beyond the dwelling, such as the parking of one commercial vehicle, or daily business-related visits but does not include outdoor storage. This use class does not include a retail store.</p>
<p>HOME-BASED BUSINESS, MINOR</p>	<p>means the accessory use of a dwelling by an occupant of the residential dwelling to conduct a business activity that may generate daily business-related visits. This use class includes but is not limited to the operations of a massage therapist, or hair stylist, or home-based childcare up to six (6) children. This use class does not include a retail store.</p>
<p>LIVE-WORK UNIT</p>	<p>means a dwelling unit that includes working space accessible from the living area, reserved for and regularly used by one or more residents of the dwelling unit, but does not include home-based businesses. Working space may be used for retail sales, personal services, or studio space for artists/ dancers/ designers/ musicians/ photographers.</p>
<p>PUBLIC USES</p>	
<p>CEMETERY</p>	<p>means the use of land for the burial of the deceased and may include accessory developments such as columbarium’s, mausoleums, memorial parks and the like.</p>
<p>COMMUNITY GARDEN</p>	<p>means the growing and raising of food in a shared garden space and not for monetary purposes.</p>

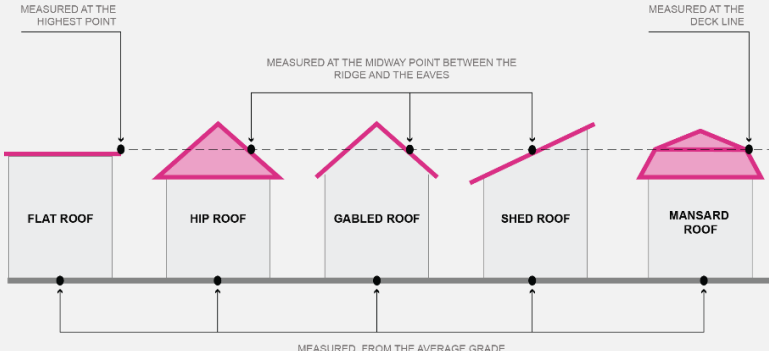
<p>COMMUNITY CULTURAL FACILITY</p>	<p>means a public or private development which includes a collection of literary, artistic, musical, and similar reference materials, such as books, manuscripts, recordings, art, films and informational brochures or pamphlets for public viewing. Typical developments include a library, museum, art gallery, and tourist information centre.</p>
<p>GOVERNMENT SERVICES</p>	<p>means a development providing municipal, provincial, or federal government services directly to the public or the community at large. This includes, but is not limited to municipal, provincial, or federal buildings; fire stations, police stations; post offices and distributions centres; and social services offices.</p>
<p>HEALTH AND MEDICAL SERVICES</p>	<p>means a development where physical or mental health services are provided on an out-patient basis. Such services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counseling nature. This includes, but is not limited to medical, chiropractic, and dental offices, health clinics, physiotherapy, and counseling services. An accessory use to this development includes drugs stores, medical supply stores, and pharmacies.</p>
<p>HOSPITAL</p>	<p>means a public institutional development used to provide in-patient and out-patient healthcare to the public. Typical developments may include a community health center, accommodation for overnight care of patients, eating establishments, offices and any other uses which are accessory to the principal use.</p>
<p>PARK</p>	<p>means a development of land for the general public for active or passive recreational use and includes all natural and man-made landscaping, facilities, playing fields, buildings and other structures that are consistent with the general purposes of public park land, 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 and paths, landscaped buffers, playgrounds, skate parks and water features.</p>
<p>PUBLIC UTILITIES</p>	<p>means development for public or private utility infrastructure purposes which are to the development of a municipality and has relatively minor impact on the environment or adjacent land uses by virtue of their emissions, effect, or appearance. Typical facilities would include sewage or water treatment plants, power generating stations, cooling plants, and incinerators, natural gas lines and regulating stations, telephone exchanges and lines, water and sewer lines, public roadways, local electrical transmission, and distribution facilities, and television cable lines. This includes buildings and structures associated with the public utility or use.</p>
<p>RECREATION, INDOOR</p>	<p>means a development providing recreational facilities within enclosed structures such as health and fitness clubs, gymnasiums, athletic clubs, swimming pools, racquet courts, rock climbing structures, rifle and pistol ranges, bowling alleys, and arenas. Accessory uses may include eating and drinking establishments, and related retail stores, conference rooms, electronic entertainment areas.</p>

RECREATION, OUTDOOR	means a development primarily designed to take advantage of natural outdoor settings or provide outdoor recreational activities, such as campgrounds, camp facilities, sports fields, golf courses, mini-golf, boat launches, and ski hills. Accessory uses may include equipment rental operations, eating establishments, and convenience retail services.
RELIGIOUS ASSEMBLY	means a development used for religious related uses, philanthropic or social activities. This includes, but is not limited to churches, chapels, mosques, temples, synagogues, parish halls, convents, and monasteries. These developments may include accessory uses such as meeting rooms, food preparation facilities, and classrooms.
SCHOOL, COMMERCIAL	means development used for training and instruction in a specific trade, skill, or service for the financial gain of the individual or company owning the school. Typical uses include secretarial, business, hairdressing, beauty culture, dancing, or music schools.
SCHOOL, INDUSTRIAL	means a development for training in an industrial trade, skill or services for the financial gain of the individual or company owning the school. Typical uses include industrial training schools that require the use of heavy equipment, machinery and large vehicle parking areas for their training facility.
SCHOOL, PRIVATE	means development for instruction and education which is not maintained at public expense, and which may or may not offer courses of study equivalent to those offered in a public school or private instruction as a home-based business . This use class includes dormitory and accessory buildings. This use class does not include commercial schools, industrial schools, public schools or the provision of home education.
SCHOOL, PUBLIC	means development which is publicly supported or subsidized involving public assembly for educational, training or instruction purposes, and includes the administration offices required for the provision of such services on the same site. This use class includes public and separate schools, community colleges, universities, and technical and vocational schools, and their administrative offices. This use class does not include commercial schools, industrial schools or private schools.
WASTE MANAGEMENT FACILITY	means a waste management facility where waste is disposed of by placing it on or in the land, but does not include a land treatment facility, a surface impoundment, a salt cavern, or a disposal well.
OTHER USES	
AERODROME	means an area of land used for the arrival and departure of aircraft for which aerodrome certification has been given by Transport Canada, and includes any building, installation, or equipment in connection therewith.
AGRICULTURAL OPERATIONS, EXTENSIVE	means the use of land for a commercial agricultural operation , other than a confined feeding operation, involving the raising or production of any cultivated crops, livestock or dairy products which utilizes relatively large areas of land and in which the use of buildings and confinement areas is accessory to the use of the land itself.
AGRICULTURAL OPERATIONS, INTENSIVE	means the use of land for a commercial agricultural operation , other than a confined feeding operation, which require relatively small areas of land because of the concentrated nature of the operation.

AGRICULTURE, URBAN	<p>means a development that involves growing fruits, vegetables, plants, or raising chickens or bees in urban areas for use beyond personal consumption. This activity may include the sale of agricultural products raised or grown on-Site. This Use does not include a cannabis production facility.</p> <p>Typical examples include hydroponic or aquaponic systems, and vertical farms.</p>
CAMPGROUND	<p>means a development where tents are erected, or recreational vehicles are parked for the purpose of overnight or short-term camping. A campground development may include other recreational uses, passive recreation, eating and drinking establishments, and convenience retail as accessory uses and is not used as year-round storage, or accommodation for residential use.</p>
EMERGENCY SHELTER	<p>means a facility that provides temporary accommodation and essential services for individuals or families who are experiencing homelessness or are in crisis situations.</p>
PARKING FACILITY	<p>means the area or structure set aside for the short-term storage and parking of vehicles, above or below grade, and includes parking stalls, loading spaces, aisles, entrances and exits to the area, and traffic islands where they are part of the parking facility.</p>
RECREATIONAL ACCOMMODATIONS	<p>means accommodations that do not meet the requirements of the <i>Alberta Building Code</i> or <i>CSA</i> for a permanent dwelling and instead is meant to provide accommodation seasonally or for temporary purposes. This includes park models, cabins, etc.</p>
RECREATIONAL VEHICLE PARK	<p>means a development where three (3) or more recreational vehicles are placed as part of a comprehensive development for seasonal use. These developments may include convenience retail stores and other amenities.</p>
SHOOTING RANGE, OUTDOOR	<p>means a development that is used for the purpose of organized shooting events or practice using any instrument designed for that purpose, including but not limited to, archery, rifles, shotguns, and pistols in an outdoor setting.</p>
SOLAR ENERGY, COMMERCIAL	<p>means solar energy collection system that is designed exclusively to provide for the commercial distribution of electricity.</p>
SOLAR ENERGY, PERSONAL USE	<p>means solar energy collection system intended for personal, on-site use.</p>
STRIPPING, FILLING, EXCAVATION, AND GRADING	<p>means any work, operation, or activity using motorized equipment that results in a disturbance of the earth including, but not limited to the removal of topsoil, creation of a stockpile, berming, excavating, trenching, backfilling, re-contouring, and grading in excess of normal landscaping activities. This use does not include earth works for the purpose of natural resource extraction.</p>

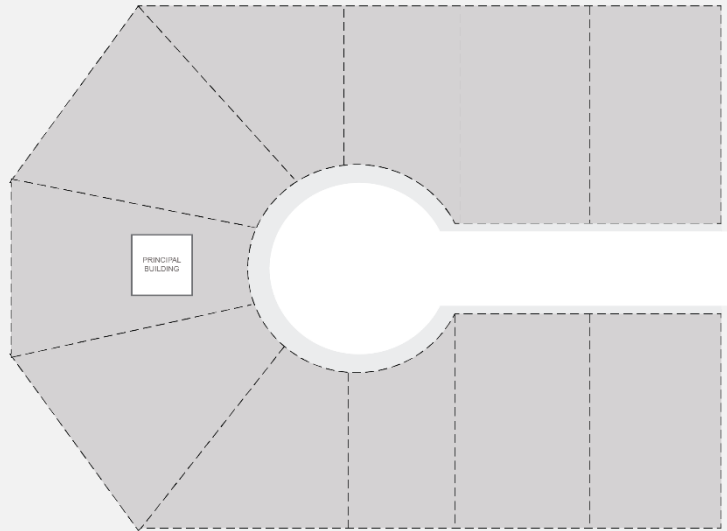
17.3 GENERAL DEFINITIONS

ABUT OR ABUTTING	means immediately contiguous to, or physically touching, and when used with respect to a lot or site, means that the lot or site physically touches upon another lot, site, or piece of land, and shares a property line, or boundary line with it.
ACCESSORY USE	means a use that is coincidentally or normally incidental, subordinate and exclusively devoted to the principal use or building on a parcel and located on the same parcel.
AGRICULTURAL OPERATION	means an agricultural operation as defined in the <i>Agricultural Operation Practices Act (AOPA)</i> .
AREA REDEVELOPMENT PLAN	means a statutory plan prepared pursuant to the <i>Act</i> that addresses the redevelopment or rehabilitation of established areas or neighbourhoods.
AREA STRUCTURE PLAN	means a statutory plan prepared pursuant to the <i>Act</i> that provides a framework for subsequent subdivision and development of an area of land.
ACT	means the <i>Municipal Government Act R.S.A. 2000 Chapter M-26</i> , as amended.
ADJACENT	means land that is contiguous to the lot that is the subject of an application for subdivision, redesignation or development. It 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.
AMENITY	means an aesthetic or other physical characteristics or facility that enhances the desirability of an environment. Amenity may include recreational or cultural facilities, a unified building design, a unified site design, views, landscaping, tree preservation or attractive site design.
AMENITY AREA	means an area within the site which has been designed to serve as a useful area for passive or active recreation and may include patios, decks, landscaped areas, balconies, recreation facilities, or communal lounges.
BALCONY	means a platform, attached to and projecting from the face of a building, with or without a supporting structure above the first storey, normally surrounded by a balustrade or railing with access only from within the building.
BASEMENT	means the area of a building where the floor level is 1.0 m or more below the finished grade and the total ceiling height exceeds 2.0 m.
BOULEVARD	means: <ul style="list-style-type: none"> a) that portion of the right-of-way of a public highway lying between the curb line of the highway and the abutting fronting property line, excepting that portion occupied by a sidewalk; or b) where there is no curb, that portion of the right-of-way lying between the edge of the highway ordinarily used by vehicles and the abutting property line, excepting that portion occupied by a sidewalk.
BUFFER	means a row of trees, shrubs, or berming to provide visual screening and separation between sites or districts.

<p>BUILDING HEIGHT</p>	<p>means the vertical distance between grade and the highest point of a building that is not: a roof stairway entrance, a ventilating fan, a skylight, a steeple, a chimney, a smokestack, a firewall or a parapet wall, or a flagpole or similar device not structurally essential to the building.</p> 
<p>CANNABIS</p>	<p>means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis by the federal government in the <i>Cannabis Act</i> and its regulations, as amended from time to time.</p>
<p>CHATTLE</p>	<p>means a moveable item of personal property.</p>
<p>COLLECTOR ROAD</p>	<p>means a roadway so designated in a statutory plan and constructed to the standards of the day.</p>
<p>COMMERCIAL VEHICLE</p>	<p>means a motor-driven vehicle used for commercial purposes on public roads, including for the transportation of goods, wares and other merchandise, motor coaches carrying passengers, and trailers and semi-trailers and tractors when used in combination with trailers and semi-trailers.</p>
<p>COMPATIBLE</p>	<p>means developments that can exist together without significant conflict, nuisance, or interference.</p>
<p>CONSISTENT</p>	<p>means development that is of the same nature, style, or quality.</p>
<p>CONDOMINIUM</p>	<p>means units as defined in the <i>Condominium Property Act</i>.</p>
<p>CONSTRUCT</p>	<p>means to build, reconstruct, or relocate, and without limiting the generality of the word, also includes:</p> <ul style="list-style-type: none"> a) any preliminary operation such as excavation, filling or draining; b) altering an existing building or structure by an addition, enlargement, extension or other structural change; and c) any work which requires a building permit issued under the provincial statutes to be issued by the Town of Peace River.
<p>COUNCIL</p>	<p>means the Council of the Town of Peace River.</p>

CUL-DE-SAC

means a public road, as defined in this Bylaw, that “dead ends” or terminates at one (1) end resulting in public road access to and public road egress from an area occurring on or being located at the same point.



CURB CUT

means the lowering of a curb, sidewalk, or boulevard to provide vehicular or pedestrian access to a site.



DANGEROUS OR HAZARDOUS GOODS

means a product, substance, or organism listed in the *Dangerous Goods Transportation and Handling Act*.

DECK

means an accessory structure that is a platform built of concrete, brick, wood or other materials and constructed on piers or a foundation above grade that may be attached to a dwelling or located on the roof, and is intended for the purpose of outdoor dining, lounging, and other similar accessory uses.

- a) Low Level Deck: means a deck being less than 0.6 m in height.
- b) Raised Deck: means a deck being equal to or more than 0.6 m in height.

DENSITY

means, when used in reference to residential and residential-related development, the number of dwellings on a site expressed as dwellings per hectare.

DEVELOPABLE AREA	means the area of land within a parcel that is suitable for development based on setbacks, overlay regulations, and any other regulations contained within this Land Use Bylaw.
DEVELOPER	means an owner, agent or any person, firm, or company responsible for a development.
DEVELOPMENT	is defined in accordance with the Act and means: <ul style="list-style-type: none"> a) an excavation or stockpile and the creation of either of them; b) a building or an addition to or replacement or repair of a building and the construction or placing of any of them on, in, over or under land; c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building; or d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.
DEVELOPMENT AUTHORITY	means a Development Authority established pursuant to division 3 of part 17 of the Act;
DOUBLE FRONTING SITE	means a site which abuts two (2) public streets (except lanes as defined in the <i>Highway Traffic Act, 2000</i>) which are parallel or nearly parallel were abutting the site. It may also refer to a corner lot which has site frontage onto two (2) public roads.
DEVELOPMENT OFFICER	means the person(s) authorized to act as the Development Officer for the Town pursuant the Development Authority Bylaw.
DEVELOPMENT PERMIT	means a document that is issued under this Bylaw and authorizes a development.
DEVELOPMENT, PERMANENT	is a development where the activities associated with the use occur an ongoing basis and includes recurring or seasonal development where due to the nature of the development the activities associated with that development desist for a period of time and then recommence. A seasonal development does not require a new development permit at the time of activity recommencement.
DEVELOPMENT, TEMPORARY	is a development that is intended to take place for and approved for a defined period of time. A further development permit is required if the activities or structures subject to a temporary permit are extended beyond the defined period of time.
DISCONTINUED	means the time at which, in the opinion of the Development Authority, substantial construction activity, a non-conforming use, or conforming use has ceased.

DISCRETIONARY USE

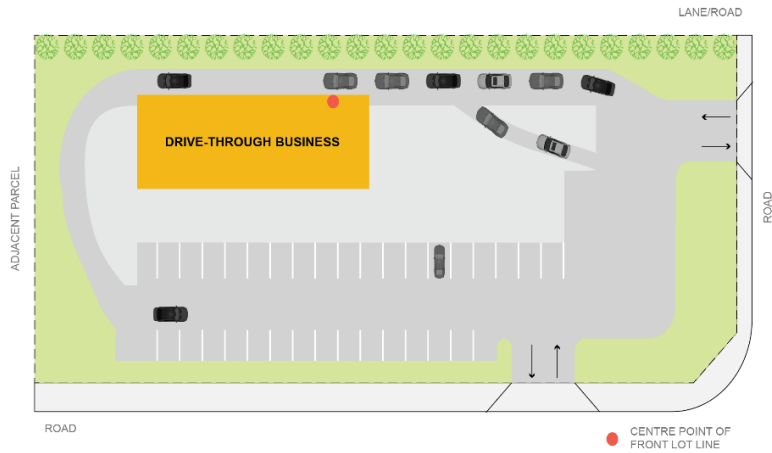
means the use of the land or buildings which is not a permitted use in terms of this Bylaw but for which there is provision for the Development Authority to exercise discretion in granting a development permit.

DISCRETIONARY USE LEVEL 2

means the use of the land or buildings which is not a permitted use in terms of this Bylaw but for which there is provision for the Municipal Planning Commission to exercise its discretion in granting a development permit.

DRIVE-THROUGH

means a characteristic of a development which services customers travelling in motor vehicles driven onto the site and where the service provided to customers is provided with the customer normally remaining in the vehicle. The drive-through may be a secondary characteristic of the development on a site. Typical drive-through developments include but are not limited to an eating establishment, a car wash, vehicle services, a bank.



DRIVEWAY

means a private road that provides vehicle access for an individual lot or site to a public road.

DWELLING UNIT

means a self-contained unit comprised of one (1) or more rooms accommodating sitting, sleeping, sanitary facilities, and a principal kitchen for food preparation, cooking, and serving. A dwelling is used permanently or semi-permanently as a residence for a single household.

EASEMENT

means a right to use land, generally for access to other property or for a public utility.

ENVIRONMENTAL IMPACT ASSESSMENT

means an investigation and subsequent report in relation to land to determine the environmental condition of property consistent with the standards established by the *Environmental Protection and Enhancement Act* and regulations.

ENVIRONMENTAL RESERVE

is determined in accordance with the *Act*. Land that is undevelopable because of its natural features or location, such as unstable slopes or flood-prone characteristics. It may contain environmentally sensitive aspects such as a gully, ravine or coulee; or a strip of land abutting the bed and shore of a body of water or watercourse that a developer may be required to dedicate at the time of subdivision. Environmental Reserve must be maintained in its natural state or used as a park.

ENVIRONMENTAL RESERVE EASEMENT

is determined in accordance with the *Act* and is created under Division 8 of the *Act*. An environmental reserve easement allows lands to remain in their natural state while the title to the easement lands remains with landowner, but the Town’s easement interest is registered against title and binds present and future landowners.

ENVIRONMENTALLY SENSITIVE AREA

means those lands which because of their environmental sensitivity cannot withstand intensive development without specific accommodation. Without restricting the generality of the foregoing, this shall include steep slopes excess of 20%, unstable soils, lands subject to flooding, soils classified as having a high-water table, certain wildlife habitats and wetlands, and lands that are unique natural environments.

ENVIRONMENTALLY SIGNIFICANT AREA

means an area important to the long-term maintenance of biological diversity, soil, water, or other natural processes, at multiple spatial scales. Environmentally significant areas contain rare or unique elements or include elements that may require special management consideration due to their conservation need, including:

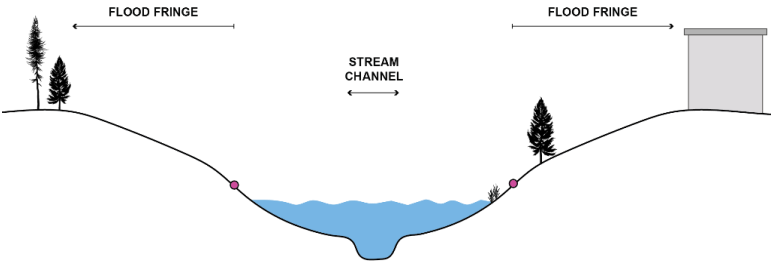
- a) areas which perform a vital environmental, ecological or hydrological function such as aquifer recharge;
- b) areas which contain a unique geological or physiographic feature(s);
- c) areas which contain significant, rare or endangered species;
- d) areas which are unique habitats with limited representation in the region or a small remnant of once large habitats which have virtually disappeared;
- e) areas which contain large and relatively undisturbed habitats and provide shelter habitat for species which are intolerant of human disturbance as determined by studies prepared by a qualified professional;
- f) areas which contain plants, animals, or landforms which are unusual or of regional, provincial or national significance; or
- g) areas which provide an important linking function and permit the movement of wildlife over considerable distance.

FENCE

means an accessory structure that is a physical barrier constructed to prevent unauthorized access, provide sound abatement, control animal movements or minimize sightlines.

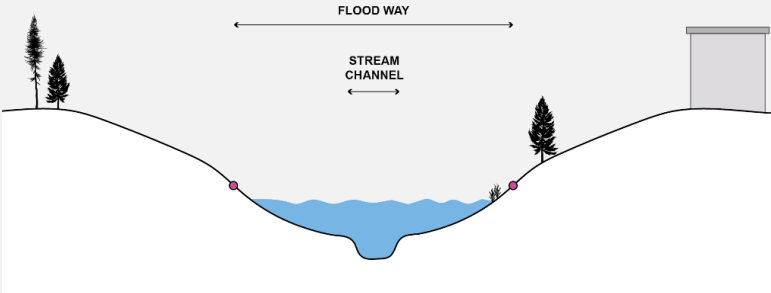
FLOOD FRINGE

means the portion of the flood hazard areas outside the floodway. Water in the flood fringe is generally shallower and slower moving compared to the floodway.



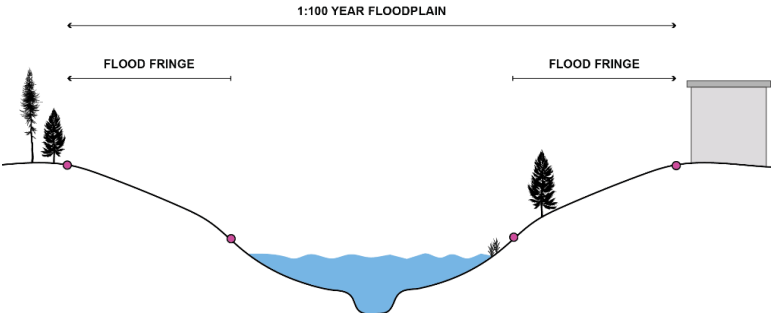
FLOOD WAY

means the portion of the flood hazard area where flows are deepest, fastest and most destructive. The flood way typically includes the main channel of the stream and a portion of the adjacent overbank area.



FLOOD HAZARD AREA

means the area of land that will be flooded during the 1:100 design flood. The flood hazard area is typically divided into two (2) zones, the floodway and the flood fringe.



FLOOR AREA

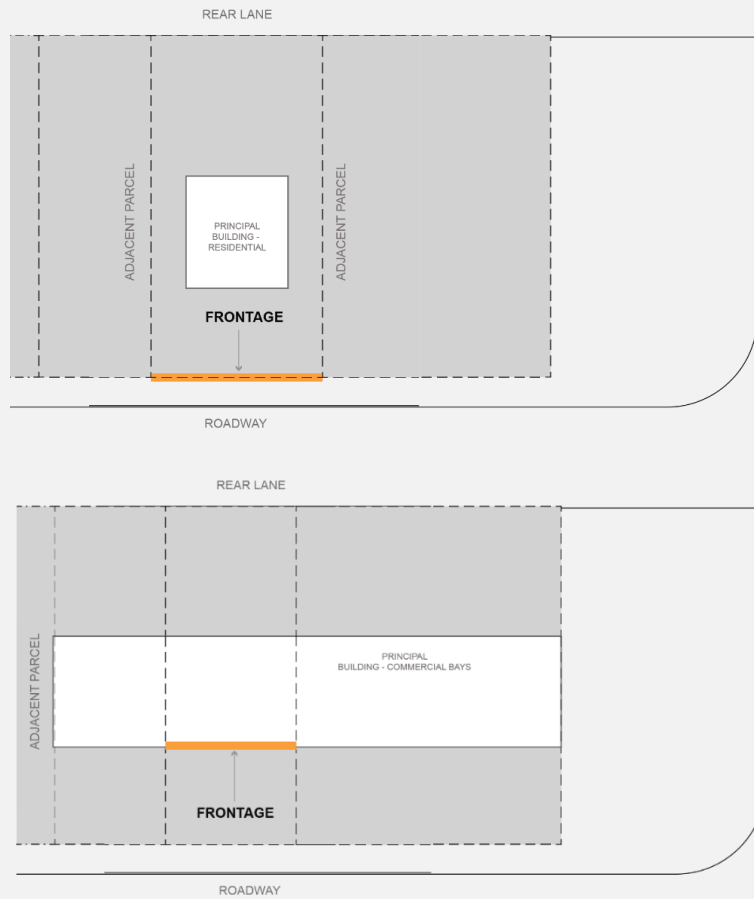
means the total habitable area contained in a building but not including the floor areas of basements, attached garages, sheds, open porches, or breezeways.

FOUNDATION

means a system through which the loads from a building are transferred to supporting soil or rock. A permanent foundation means a foundation made of solid materials such as concrete or treated wood and extended below the ground surface through the frost zone, or other depths as required by the Town. Pilings shall not be accepted as permanent foundation.

FRONTAGE

means, where used with reference to residential development, the lineal distance measured along the front lot line; and when used with reference to non-residential development, the length of the property line of any side of a separate development which is parallel to, and abuts, a public roadway, not including a lane, which is directly accessible from the development. The frontage of an individual premises in a multiple occupancy development shall be considered as the total width of the bays occupied by that premises which have exposure parallel to any frontage of the multiple occupancy development.



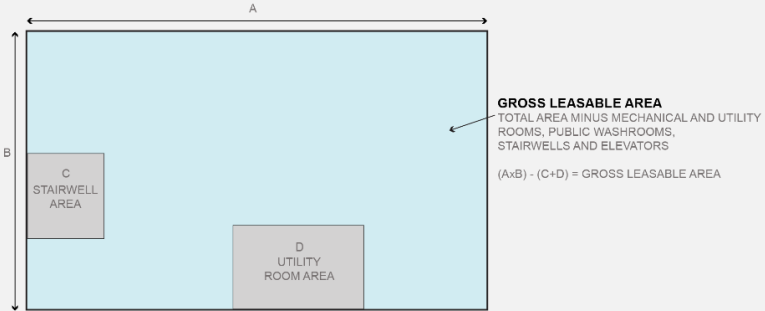
GARAGE

means an accessory building or a part of the principal building, designed or used primarily for the storage of vehicles and includes carports.

Attached Garage: means a portion of the principal building that shares at least one (1) common wall and a continuous roofline with the principal building.

Detached Garage: means an accessory building that is apart and separate from the principal building, that has no common wall, continuous roofline, or open or enclosed structure connecting it with the principal building.

Attached-Detached Garage: means an accessory building connected to the principal building by an open or enclosed structure such as a breezeway or deck, or a continuous roofline, or a common wall but not both.

GARAGE SUITE	means an accessory dwelling unit that is located above a detached Garage or attached to the side or rear of a detached garage. A garage suite has an entrance separate from the vehicle entrance to the detached garage, either from a common indoor landing or directly from the exterior of the structure.
GARDEN SUITE	means an accessory dwelling unit that is located in the rear yard of a site.
GROSS LEASABLE AREA	<p>means the total floor area of a building contained within the outside surface of the exterior and basement walls and includes enclosed and heated malls but excludes mechanical and utility rooms, public washrooms, stairwells and elevators.</p> 
HABITABLE AREA	means any area in a dwelling intended primarily for human occupancy.
HARD SURFACE	means a durable, dust free, all-weather surface constructed of concrete, asphalt, or similar pavement.
HIGHWAY	means a provincial highway under the <i>Highways Development and Protection Act</i> .
HOUSEHOLD	<p>means:</p> <ul style="list-style-type: none"> a) One (1) or more persons related by blood, adoption, foster care, marriage relationship; or b) A maximum of five (5) unrelated persons; <p>all living together as a single social and economic housekeeping group and using shared cooking facilities.</p> <p>For the purposes of this definition, two (2) people living together in an adult interdependence relationship shall be deemed to be in a marriage relationship and each of the relatives of the parties to an adult interdependence relationship shall be related to the partners and to the other relatives thereof. One (1) domestic worker or one (1) boarder may be deemed the equivalent of a blood relative.</p>
INTERMUNICIPAL DEVELOPMENT PLAN	means a statutory plan adopted by the Council of the Town of Peace River and a neighbouring municipality, as an intermunicipal development plan in accordance with Section 631 of the <i>Act</i> .
LAND AND PROPERTY RIGHTS TRIBUNAL	means the provincial body that hears and decides upon matters brought before it, pursuant to the <i>Act</i> .

LANDSCAPING means the modification, beautification and enhancement of a site or development through the use of the following elements:

- a) natural landscaping consisting of vegetation such as trees, shrubs, hedges, grass, flowers and other ground cover or materials and this may include xeriscaping or xeriscaping;
- b) hard landscaping consisting of non-vegetative materials such as brick, rock, stone, decorative concrete, tile and wood, excluding monolithic concrete and asphalt;
- c) and excludes all areas utilized for driveways and parking.

LANE means a public roadway that provides a secondary means of access to a lot and building, typically from the rear.

LOADING SPACE means a space for temporarily parking a vehicle while it is being loaded or unloaded.

LOT is defined in accordance with the Act and means:

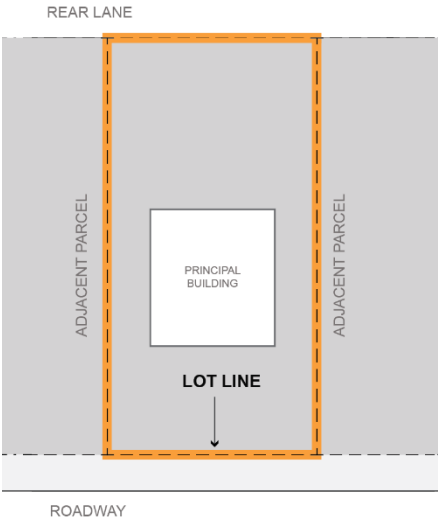
- a) a quarter section;
- b) a river lot shown on an official plan, as defined in the *Surveys Act*, that is filed or lodged in a land titles office;
- c) a settlement lot shown on an official plan, as defined in the *Surveys Act*, that is filed or lodged in a land titles office;
- d) a part of a parcel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

LOT AREA means the total surface area of a lot.

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

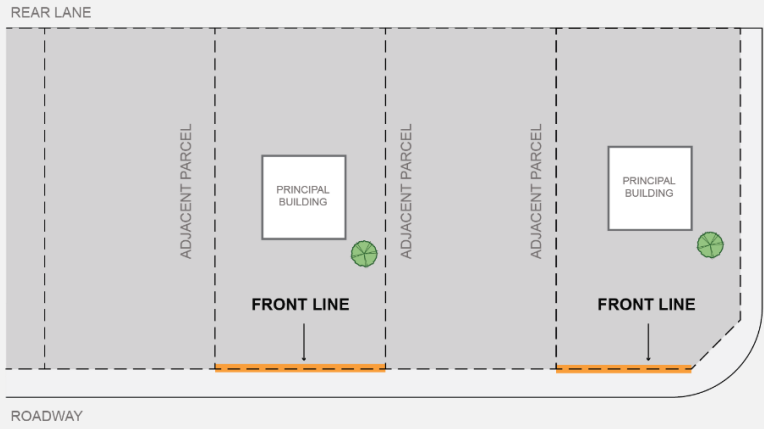
LOT LINE

means a legally defined limit of any lot.



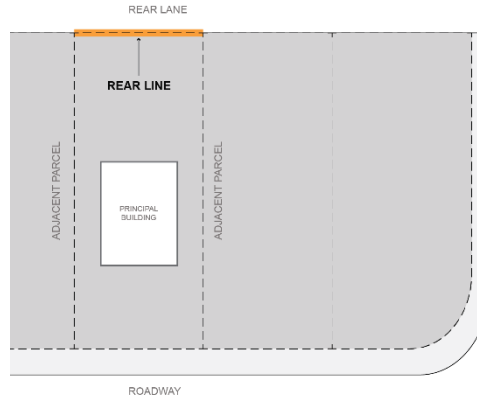
LOT LINE, FRONT

means the boundary dividing the lot from an abutting public roadway, not including a lane. In the case of a corner lot the shorter lot line shall be the front lot line. In the case of a corner lot formed by a curved corner, the front lot line shall be the shorter of the two (2) segments of the property line lying between the point determined to be the actual corner and the two (2) points at the extremities of that property line.



LOT LINE, REAR

means the lot line of a lot that is directly opposite to the front line.



LOT LINE, SIDE

means any lot line other than the front or rear lot line.



LOT, MANUFACTURED HOME

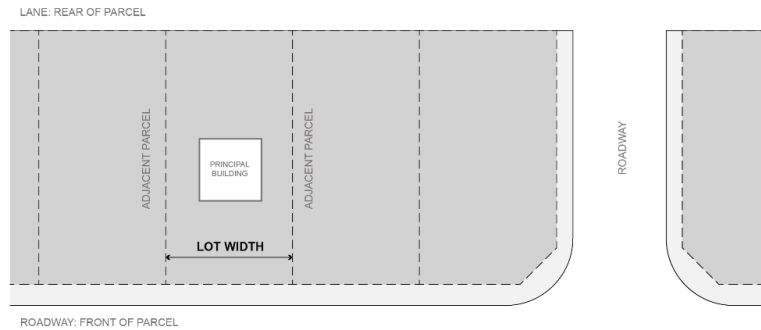
means a lot within a managed **manufactured home park** that has been designed for the placement of a manufactured home.

LOT, THROUGH

means any lot other than a corner lot having access on two (2) public roadways.

LOT WIDTH

means the distance between the side lot lines at a point midway between the front and rear of the lot and approximately parallel to the street line. In the case of an irregularly shaped lot, the width of the lot shall be the distance between side lot lines at a point midway between the front and rear of the lot and approximately parallel to the street line, to the satisfaction of the Development Officer.



MANUFACTURED HOME PARK

means a site designated for manufacture homes under this Bylaw which contains spots designated for leasehold tenure, which has not been subdivided by plan of survey.

MANUFACTURED HOME SUBDIVISION

means a subdivision of lots specifically for the placement of manufactured homes.

MIXED USE

means, within the context of this Bylaw, a building designed for one (1) or more land use types, a parcel of land with more than one (1) type of land use, and within a district more than one (1) type of land use. The different land use types include but are not limited to residential, commercial, industrial, institutional, and public.

MINOR

means a small-scale variance, relaxation, or development that has minimal impact on surrounding properties and conforms to the general intent of district regulations. Minor changes may include slight adjustments to setbacks, building height, or site coverage, subject to Development Authority approval.

MODULAR BUILDING

means a construction type where a building is built in a factory in multiple sections and transported to the site for installation. For this Bylaw, a modular building includes residential, commercial, industrial and institutional developments but does not include a **dwelling, manufactured home**.

MUNICIPAL DEVELOPMENT PLAN

means a statutory plan adopted by the Council of the Town of Peace River as a municipal development plan in accordance with Section 632 of the Act.

MUNICIPAL GOVERNMENT ACT (MGA)

means the *Municipal Government Act* as adopted by the Province of Alberta. May be referred to as the *Act* throughout this document.

MUNICIPAL PLANNING COMMISSION

means a municipal planning commission established by bylaw pursuant to Section 626 of the Act.

MUNICIPALITY	means the Town of Peace River and any board or commission authorized to perform duties specified in this Bylaw.
NON-CONFORMING USE	means a non-conforming use as described in Section 643 of the Act.
NUISANCE	means anything that is obnoxious, offensive or interferes with the use or enjoyment of property, endangers personal health and safety, or is offensive to the senses. This could include that which creates or is liable to create a nuisance through emission of noise, smoke, dust, odour, heat, light, fumes, vibration, fire or explosive hazard; results in the unsightly or unsafe storage of goods, salvage junk, waste or other material; or poses a hazard to health and safety.
OFF-SITE LEVIES	means the off-site levies established bylaw, pursuant to the Act.
PARAPET WALL	means that part of any wall extending above the roof line, or a wall that serves as a guard at the edge of a balcony or roof.
PARCEL	means a parcel of land as defined by the Act.
PARKING, BICYCLE	means a rack, railing, locker, or other structurally sound device which is designed for the securing of one (1) or more bicycles in an orderly fashion.
BICYCLE PARKING CLASS A	means a bicycle space primarily designed to provide long-term parking for employees or residents of the building.
BICYCLE PARKING CLASS B	means a bicycle space primarily designed to provide short-term transient parking for persons who are not residents or employees of the building
PARKING, VEHICLE	means a space for parking a vehicle for an extended period.
PARKING, TANDEM	means two (2) parking spaces, one (1) behind the other, with a common or shared point of access to the maneuvering aisle.
PARTY WALL	means either: <ul style="list-style-type: none"> a) a wall erected at, or upon, a line separating two (2) parcels of land, each of which is, or is capable of being, a separate legal Parcel subdivided under the Act; or b) a wall separating two (2) Dwellings, each of which is, or is capable of being, a separate legal Parcel divided under the <i>Condominium Property Act</i>.
PERGOLA	means an open structure consisting of vertical posts or columns that support crossbeams or an open lattice roof. A pergola is typically used to provide shade, define outdoor space, or support climbing plants and does not include a solid roof, enclosed walls, or flooring. It may be attached to a principal building or accessory structure or be freestanding, provided it complies with the applicable regulations regarding size, height, and placement in the yard.

PERMITTED USE	means a use designated in the Bylaw as a permitted use and for which the Development Authority shall issue a development permit with or without conditions providing all other provisions relating to the application for a development permit have been complied with.
PORCH	means an entrance structure typically attached to the front or sides of a building at the ground floor entry level, consisting of a roof and floor, where the front and sides of the structure may be enclosed by solid walls or windows or unenclosed where the front or sides remain open to the elements.
PRINCIPAL BUILDING OR USE	means the main purpose for which, in the opinion of the Development Authority, a building or site is ordinarily used.
PROFESSIONAL ENGINEER	means a professional engineer licensed by the Association of Professional Engineers and Geoscientists of Alberta (GA).
REAL PROPERTY REPORT	means a legal document prepared by a qualified professional Surveyor that illustrates the location of significant visible improvements relative to property boundaries that takes the form of a plan or illustration of the various physical features of the property, including a written statement detailing the surveyor's opinion or concerns.
RECREATIONAL VEHICLE	means a vehicular product, typically constructed in accordance with <i>CSA Z249 RV series</i> , to provide seasonal accommodation for travel and recreational purposes. It includes vehicles such as a motor home, a camper, a travel trailer or a tent trailer, but does not include a mobile home, sea-can or any vehicle or trailer over 2.4 m (not including slide outs) in width. this includes park model trailers constructed in accordance with <i>CSA Z2421</i> .
REGISTERED OWNER	means: <ul style="list-style-type: none"> a) in the case of land owned by the crown in right of Alberta, or the crown in right of Canada, the minister of the crown having the administration of the land, or b) in the case of any other land, <ul style="list-style-type: none"> i. the purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the certificate of title in the land and any assignee of the purchaser's interest that is the subject of a caveat registered against the certificate of title; or ii. in the absence of a person described in (a) above, the person registered under the province of Alberta <i>Land Titles Act</i> as the owner of the fee simple estate in the land.
RELOCATED BUILDINGS	means an existing building located on a site that is proposed to be moved and placed on a new site or in a new location on the same site. Relocated buildings are subject to the general regulations outlined in Section 7.15 of this Bylaw. This definition does not include dwelling, manufactured home or modular buildings.

RESIDENTIAL SUPPORT HOME

means a development within a dwelling unit authorized, licensed or certified by a public authority where support staff provides care, guidance or supervision for persons with mental or physical disabilities in a residential setting. The maximum number of occupants shall not exceed the number of bedrooms within the dwelling unit, to the satisfaction of the Development Authority, while also providing a staff area separate from the main living space of the dwelling. This use is not a group care facility or halfway house for persons under jurisdiction of the federal or provincial justice system.

ROAD

means a road as defined in the Act.

SCREENING

means a fence, berm, hedge, trees or other form of solid screening used to visually separate areas or functions.

SECONDARY SUITE

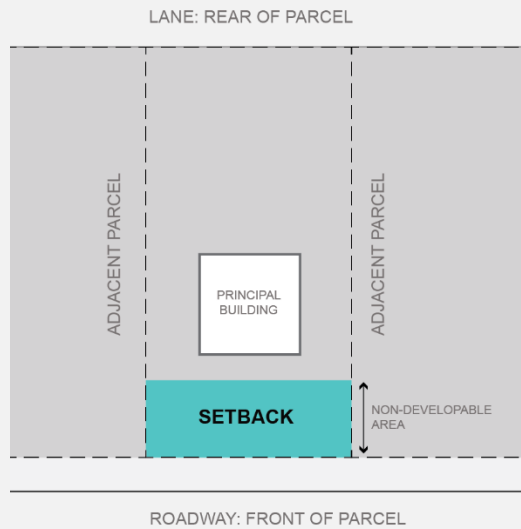
means an **accessory dwelling unit** that is located within the principle dwelling on a site. A secondary suite has a separate entrance from the principal Dwelling, either from a common indoor landing or directly from outside the building. A secondary suite has less floor area than the principal dwelling. A secondary suite is not separated from the principal dwelling by a condominium conversion or subdivision.

SENSITIVE LAND USE

means a land use sensitive to emissions from industry and infrastructure. Sensitive land uses include but are not limited to **residential uses, public uses, and visitor accommodations**. Some commercial, institutional and industrial land uses which require high levels of amenity or are sensitive to emissions may also be considered sensitive land uses.

SETBACK

means the distance that a development or a specified portion of it, must be set back from a lot line.

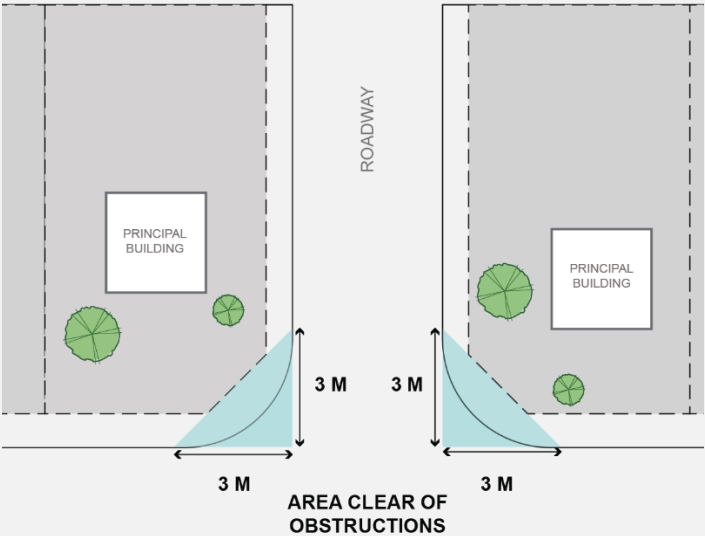


SHIPPING CONTAINER

means a container intended for the transport of goods by means of rail, truck or sea. These containers are rectangular in shape and are generally made of metal. They are also referred to as a sea cargo container, a sea-can, or a cargo container. A shipping container is considered an accessory structure when used for storage.

SIGHT TRIANGLE

means that triangle formed by a straight line drawn between two (2) points on the exterior boundaries of a lot, a specified distance from the point where they intersect. The sight triangle is formed by a straight line drawn between two (2) points on the exterior boundaries of a site a specified distance from the point where they intersect. The specified distance is 9.1 m for an exterior corner on a public road and 3.0 m for an exterior corner on a laneway.

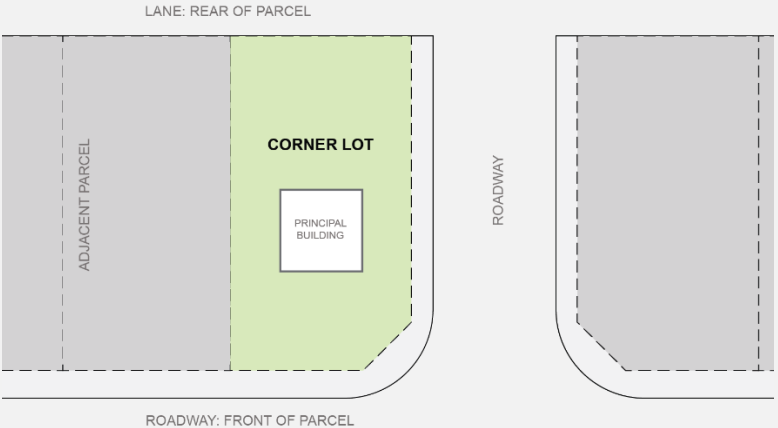


SITE

means an area of land consisting of one (1) or more abutting lots under single ownership or control used for or proposed to be used for a development.

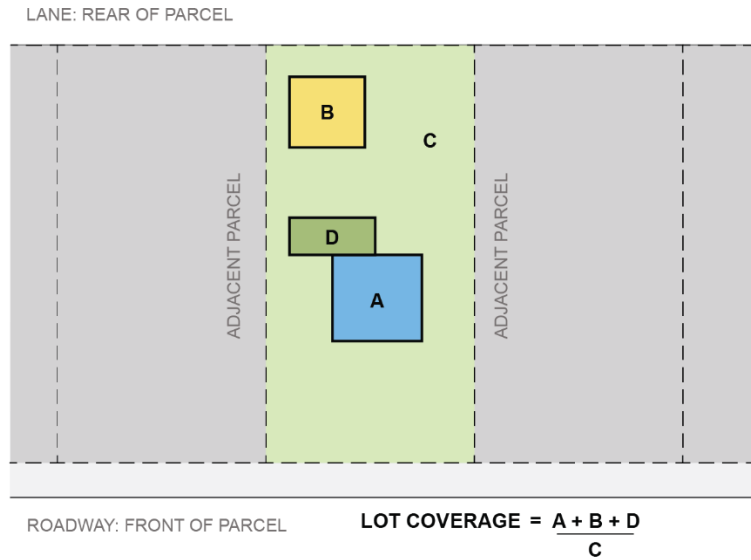
SITE, CORNER

means a site having a frontage on two (2) or more streets at the intersection or junction. Or means a site at the intersection of two (2) abutting streets provided that the intersection of the two (2) streets is less than one-hundred-thirty-five (135) degrees. A site abutting upon a curved street or streets shall be considered a corner site if the arc of the inside boundary of the street is less than 45.0 m in radius over an angle of more than one-hundred-thirty-five (135) degrees.



SITE COVERAGE

means that percentage of the area of any site which is covered by all buildings and accessory buildings on the lot excluding balconies, decks, canopies and the like.



SITE PLAN	means a plan showing the boundaries of the site, the location and use(s) or proposed use(s) of all existing and proposed buildings upon the site, the use(s) or the intended use(s) of the portions of the site on which no buildings are situated, and showing drainage, fencing, screening, grassed areas, any fixtures and any other significant features located on the site and abutting public roadways, sidewalks and above-grade public utilities .
STORAGE CONTAINER	means a structure placed either temporarily or permanently within a property for the purposes of storing, holding, or providing protection for various items, products, belongings, and equipment, and includes, but is not limited to metal or steel shipping containers, refrigerated shipping containers, and wooden crates and boxes, but does not include office unit containers.
STOREY	means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost storey shall be that portion of a building included between the upper surface of the topmost floor and the ceiling above. If the finished floor level directly above grade is more than 1.8 m above such grade, then the portion of the building below finished floor level shall be considered a storey in calculating the height of any building.
STRUCTURE	means anything constructed or erected that requires location on the ground or is attached to something having a location on the ground.
SUBDIVISION	means a subdivision pursuant to the <i>Act</i> .
SUBDIVISION AUTHORITY	means the authority established by Council by bylaw to make decisions on subdivision applications and other subdivision-related matters in accordance with the <i>Act</i> .

SUBDIVISION AND DEVELOPMENT APPEAL BOARD	means a subdivision and development appeal board established by bylaw by Council pursuant to the <i>Act</i> .
TEMPORARY	means, when referring to a development, a development that is not intended to be permanent and may have an anticipated end date.
TOP OF BANK	means the point closest to the boundary of the bed and shore of a water body where a break in the slope of the land occurs such that the grade beyond the break is flatter than 3:1 at any point for a minimum distance of 15 m measured perpendicularly from the break.
USE	means the function or activities of a building or an area of land which are regulated by this Bylaw.
USE, PERMITTED	means the use of land or a building provided for in this Bylaw for which a Development Permit shall be issued with or without conditions by the Development Authority, unless exempt under this Bylaw.
USE, CHANGE OF	means the alteration of the use of land or buildings, or portion thereof, from one (1) activity to another, and which shall require a development permit, in accordance with the Permitted or Discretionary Uses as listed in each land use district, unless exempt under this Bylaw.
USE, DISCRETIONARY	means a use of land or buildings provided for in this Bylaw, for which a development permit may or may not be issued by the Development Authority subject to the provision of this Bylaw, with or without conditions.
USE, CHANGE OF INTENSITY OF	means an alteration in the degree or scale of an activity compared to what was previously approved, and which shall require a development permit in accordance this Bylaw.
VARIANCE	means an alteration or change to a standard prescribed by this Bylaw that is authorized by the Development Officer or Municipal Planning Commission.
VIOLATION TICKET	means a ticket issued pursuant to the <i>Provincial Offences Procedure Act</i> , and any regulations thereunder.
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.

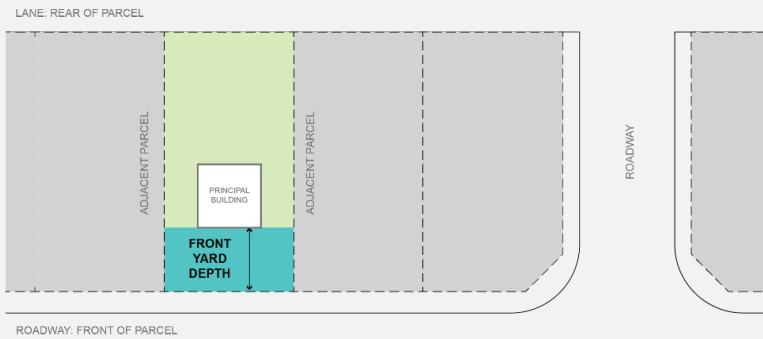
YARD DEPTH, SIDE

means the least horizontal dimension between the side lot line of the lot and the nearest part of the principal building.



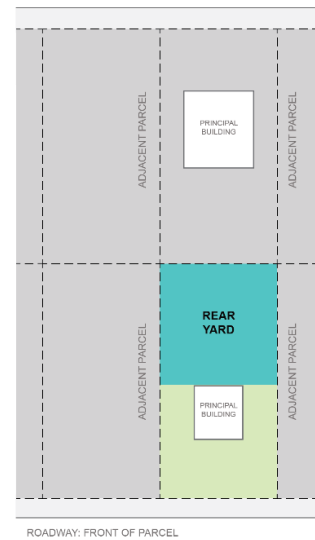
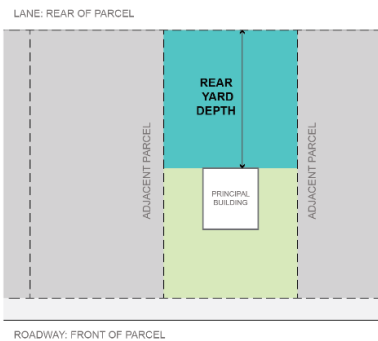
YARD DEPTH, FRONT

means the least horizontal dimension between the front lot line of the lot and the nearest part of any building or structure.



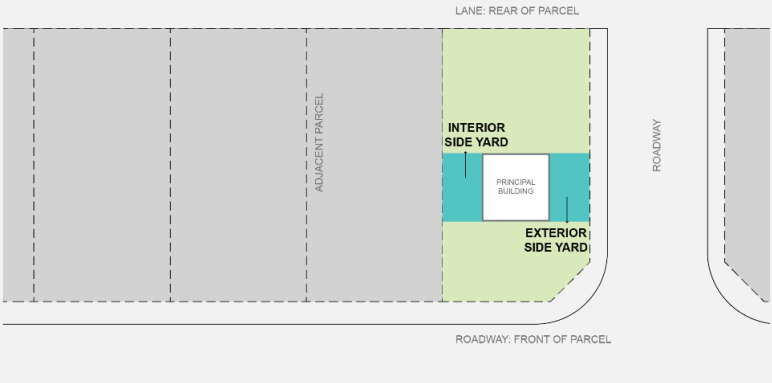
YARD DEPTH, REAR

means the least horizontal dimension between the rear lot line of the lot and the nearest part of the principal building.



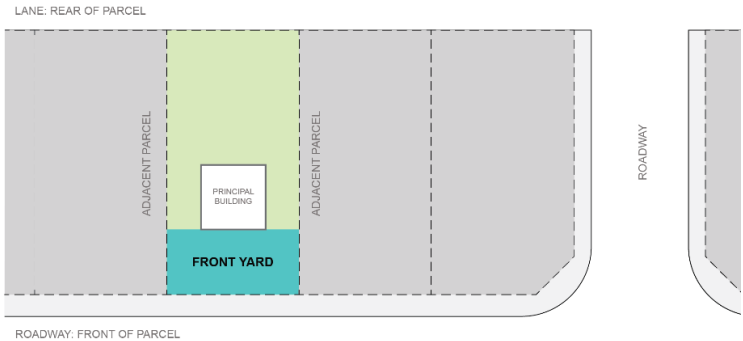
YARD, EXTERIOR SIDE

means a side yard on the street side of the lot, immediately adjoining the lot.



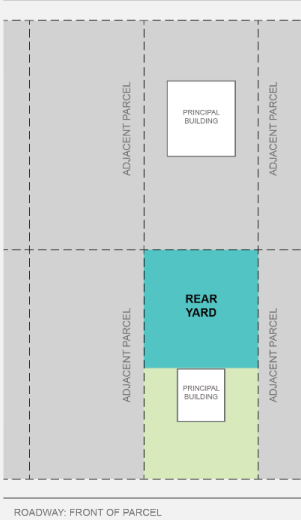
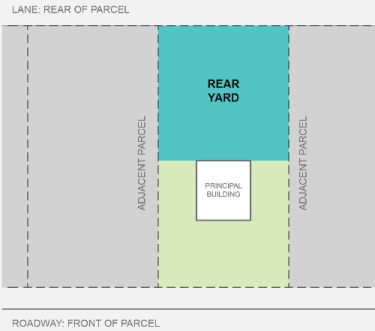
YARD, FRONT

means the portion of a Site abutting the Front Lot Line extending across the full width of the Site, situated between the Front Lot Line and the nearest wall of the principal building, not including projections.



YARD, REAR

means the portion of a site abutting the rear lot line extending across the full width of the site, situated between the rear lot line and the nearest wall of the principal building, not including projections.



YARD, SIDE

means that portion of a site abutting a side lot line extending from the front yard to the rear yard. The side yard is situated between the side lot line and the nearest wall of principal building, not including projections.



17.4 SIGN DEFINITIONS

SIGN DEFINITIONS

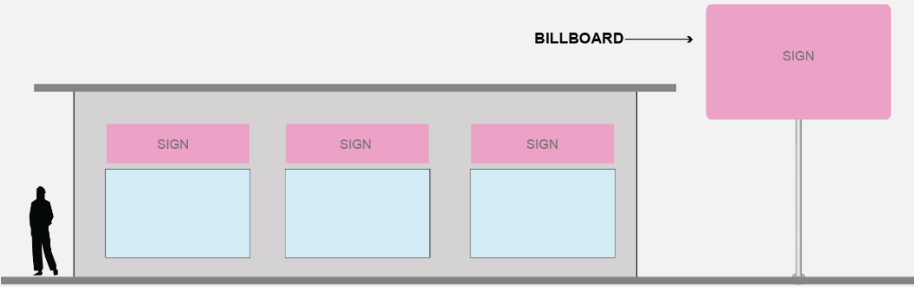
SIGN CONTENT	means the wording/lettering, message, graphics or content displayed on a sign.
CONTENT AREA	means the area within a single straight line geometric figure or a combination of squares or rectangles that will enclose the extreme limits of the advertising message or announcement including decorations related to the specific nature of the advertising message or announcement.
SIGN TYPE	means the type of structure of a sign used to convey sign content. Each sign type is subject to the respective regulations of this section.

SIGN TYPES

A-BOARD SIGN	means a self-supporting temporary sign comprised of two (2) panels that are attached at the top, typically by a hinge(s), stand independent of a building, and designed to be easily carried by one (1) person. Also known as a sandwich board sign.
BANNER SIGN	means a temporary sign that is made of lightweight material. A banner sign is typically intended to be secured to the flat surface of a building or structure, at the top and the bottom on all corners. This sign type does not include official flags and emblems.
BENCH SIGN	means a sign attached to a public bench, whether installed on public or private land. This does not include memorial plaques.

means a sub-type of **freestanding sign** constructed to provide a medium for advertising where the subject matter is not necessarily related to a use at or around the parcel on which the billboard is located and where the copy can be periodically replaced.

BILLBOARD SIGN

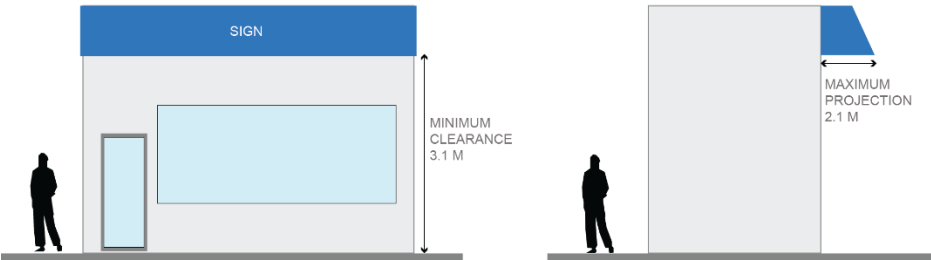


means a sign that is mounted, painted or otherwise attached to an awning, canopy or marquee.

CANOPY SIGN

THE MAXIMUM NUMBER OF CANOPY SIGNS PER SITE IS ONE (1) PER FRONTAGE OR IN THE CASE OF A BUILDING CONTAINING TWO (2) OR MORE BUSINESSES, ONE (1) CANOPY SIGN PER BUSINESS.

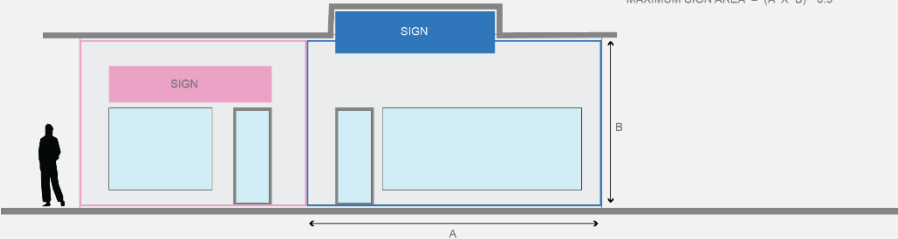
CANOPY SIGN



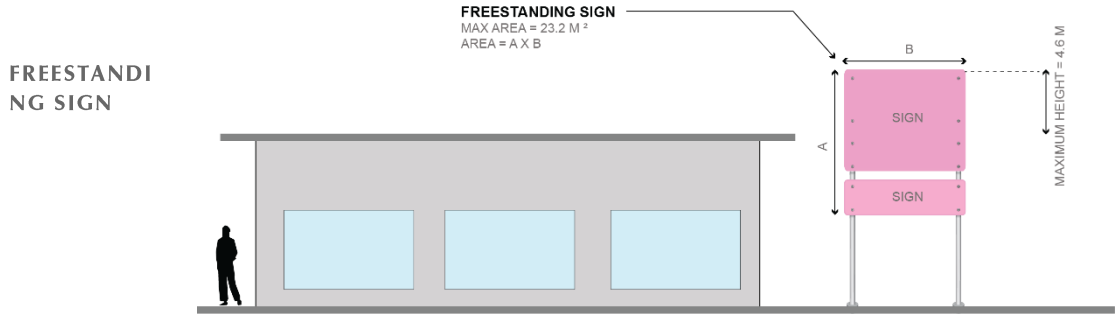
means a sign attached to, or erected, or placed against the wall of a building or structure, with the exposed face of the sign in a plane parallel to the plane of the wall. This includes a Mural Sign where a decorative work is applied to and made integral with an outside wall surface of building for the purpose of advertising a business or product but does not include artwork with no advertising purpose. Also known as a wall sign.

FASCIA SIGN

FASCIA SIGN
MAXIMUM SIGN AREA: 30% OF STOREFRONT
MAXIMUM SIGN AREA = (A X B) * 0.3

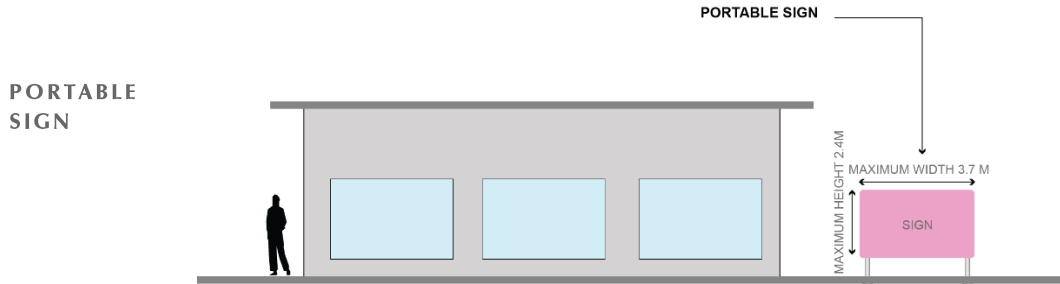


means a sign which is supported by one (1) or more poles, uprights or braces, independent of a building and permanently fixed to the ground.

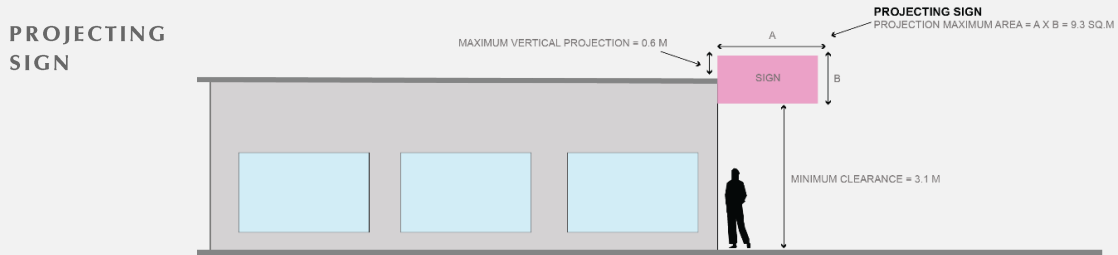


INFLATABLE SIGN means any inflatable device used or employed as a sign, that is anchored to the ground or to a building or structure.

means a sign which is mounted on a trailer, stand or similar support and which together with the support can be relocated to another location.

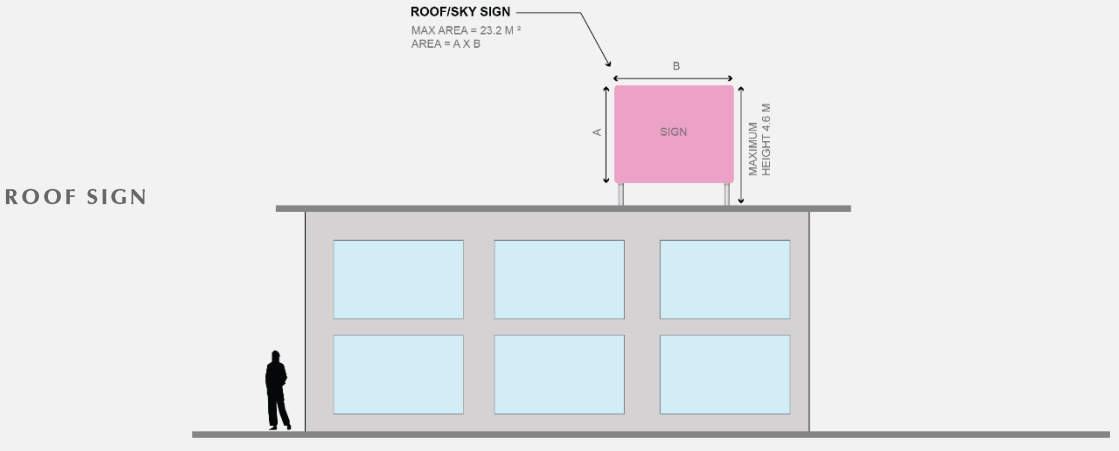


means a sign which is supported by an exterior building wall and projects outwards from that wall at a right angle. **Projecting signs** includes shingle signs that are suspended from a mounting attached directly to the building wall and are generally placed perpendicular to the face of a building, and under **canopy signs** that are suspended from or below the ceiling or roof of an awning, canopy or marquee.



REVOLVING SIGN means a sign or portion of a sign which moves in a revolving manner.

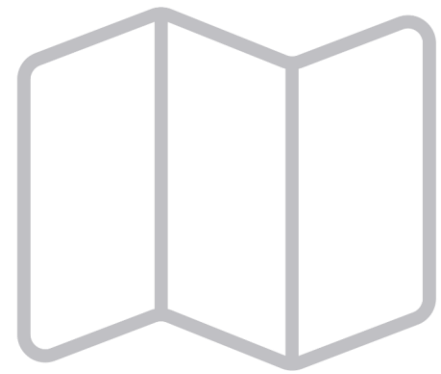
means a sign which is erected upon or above the roof or parapet of a building.



TEMPORARY SIGN

means any sign permitted, designed or intended to be displayed for a short or defined period of time, not including **portable signs**, however including balloon signs, developer marketing signs, land use classification signs, construction signs, political poster signs, window signs, **banner signs**, **A-board signs** or any other sign that is not permanently attached to a building, structure or the ground.

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PART 6 |
SCHEDULES

PART VI: SCHEDULES

Section 18 SCHEDULE A: DISTRICT MAPS

18.1 DISTRICT MAPS

Section 19 SCHEDULE B: ASSESSMENT CRITERIA

This document provides proposed assessment criteria that could be used by the Town when determining if a Discretionary Use or variance application should be approved. It provides parameters that make it easier for developers and applicants to understand what could be assessed and what impacts they may need to address or mitigate, and it provides the Development Authority with a “check list” to assess the applications with.

19.1 IMPACT: VISUAL APPEARANCE

Sometimes, buildings/ structures are designed where they do not fit with the surrounding form or landscape and become unappealing or diminish the surrounding community. Regulating the design of buildings can be challenging in balancing an individual’s freedoms and being part of a community. To balance this challenge, applications may be required to provide information to understand how a building will fit within its surrounding neighbourhood.

WHAT INFORMATION MIGHT THE TOWN REQUEST FROM APPLICANTS?

- Elevation drawings.
- Exterior material information, including colours.
- Pictures of the properties surrounding the site.
- A photomontage.
- Proposed mitigation measures to limit the potential impact on the surrounding community.

VISUAL APPEARANCE REQUIREMENTS

Elevations facing a public road or public space shall, at a minimum:

- not consist of blank walls;
- use trim around all doors and windows with variations in colour, material or depth to make the façade visually interesting;
- be broken up through the use of variations in depth of the façade, use of trim and use of colours/tactile materials; and
- elevations facing a public road or space consist of at least 10% windows disbursed over the façade.

HOW WILL THE TOWN ASSESS THE IMPACT THE VISUAL APPEARANCE HAS ON THE SURROUNDING COMMUNITY?

- How the scale of the building fits into the overall community.
- How the façade of the building interfaces with the public realm.
- How the building elements are used to break up the form and bulk of the structure.

19.2 IMPACT: TRAFFIC/ACCESS

Regardless of the type or form of development, any development will inevitably result in an increase in traffic and may impact safety and the existing road infrastructure. An increase in traffic has two main consequences: first, it impacts the movement of goods, services, and people, and second, it can necessitate changes to roadway design (and subsequent cost) if the roads predominantly used weren't built to a standard to handle the increase in, or vehicle type, of traffic. Owners also have a responsibility to provide safe loading areas on-site to avoid stopping or slowing the flow of traffic and to address safety concerns.

Access to a site should also accommodate active transportation by providing safe and functional pathways for pedestrians and cyclists. This helps reduce conflicts between motorized and non-motorized traffic while supporting diverse and sustainable travel modes.

It is important to balance the site-specific and broader potential impacts related to how access is provided to a site.

WHAT INFORMATION MIGHT THE TOWN REQUEST FROM APPLICANTS?

- Intensity of the proposed development (i.e. number of on-site employees, frequency and number of visitors, frequency and number of deliveries, the types of vehicles being used, etc.).
- Information on access locations and widths to assess the safety of vehicular movement to and from, and within the site in relation to the road and neighbouring properties.
- A plan showing the location and layout of on-site vehicles and bicycle parking or loading area in context to existing buildings on the site, and on adjacent properties.
- The material used for parking surfaces.
- A Traffic Impact Assessment (TIA) prepared by a registered engineer that identifies the impact traffic has on the service level of the road network, and the design of access and safety of egress and ingress to and from a site where the traffic is being generated.

TRAFFIC REQUIREMENTS

- The increase in traffic shall not cause significant safety concerns to the surrounding community.
- The increase in traffic should not significantly impact the overall road function based on the design level of service.
- The increase of traffic should not unduly undermine the structure or integrity of existing bridges, culverts, and roads.

HOW WILL THE TOWN ASSESS THE IMPACT TRAFFIC HAS ON THE COMMUNITY?

- Disruption to existing traffic patterns and the scale of parking in relationship to established residential dwellings.
- Based on the recommendations regarding safety and capacity of the roading network by a professional registered engineer in the profession of transportation.
- Potential long-term impacts on the structural integrity of the overall road infrastructure.

19.3 IMPACT: NOISE

Various land uses can generate noise that can be of nuisance to adjacent lands or even extend into the wider community beyond what might be anticipated. Example: A 24/7 industrial operation next to a campground. The industrial operation is very noisy, and campers quickly catch on resulting in fewer visitors.

WHAT INFORMATION MIGHT THE TOWN REQUEST FROM APPLICANTS?

- Noise Assessment (acoustical analysis)

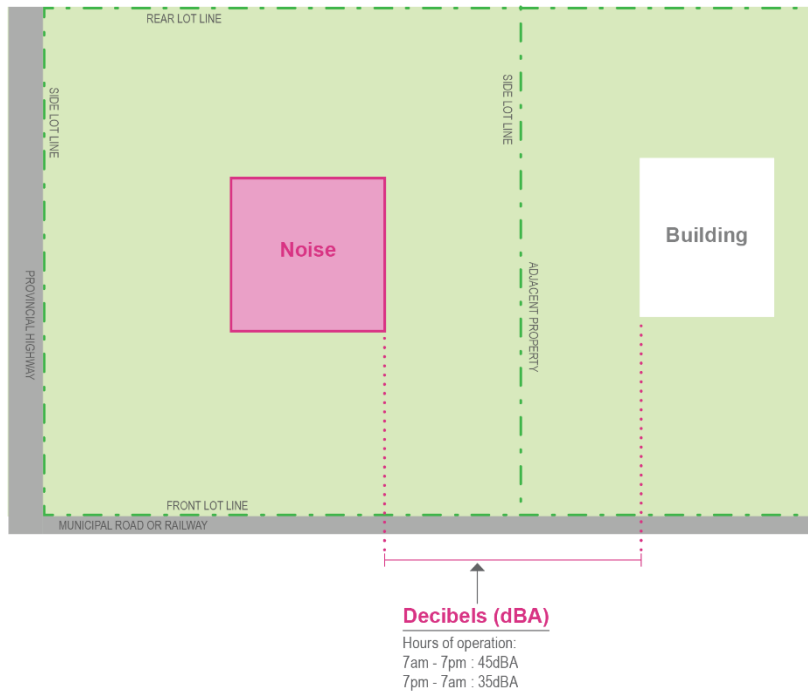
NOISE REQUIREMENTS

- Any noise generated shall not cause significant safety concerns to the surrounding community.
- Any noise generated shall not cause people’s sleep to be disrupted on a continuous basis.
- Any noise generated shall not disrupt neighbouring activities on a continuous basis.

HOW WILL THE TOWN ASSESS THE IMPACT NOISE HAS ON THE COMMUNITY?

- Measurement of noise generated by a potential use when received from a dwelling on an adjoining property.
- As a guideline the following noise levels should not be exceeded when measured from the exterior to a residential dwelling, hospital or school:

Hours of Operation	Decibel Levels (dBA)
7am – 7pm	45dBA
7pm – 7am	35dBA



19.4 IMPACT: ODOUR

Land uses that generate toxic odours, such as landfills and confined feeding lots, are often regulated by provincial bodies - and aren't managed through a Land Use Bylaw. However, unassuming uses, such as waste receptacles areas, breweries, or even restaurants can generate undesirable odours. While not overly concerning for those passing by, it can be of nuisance for adjacent landowners, especially if the odour is consistent.

WHAT INFORMATION MIGHT THE TOWN REQUEST FROM APPLICANTS?

- Information regarding venting location and type of venting/ air filtration to address potential odours.
- Demonstration of how they will limit or eliminate odours to the surrounding community.
- An odour/ volatile organic compounds (VOC) analysis.

ODOUR CONTROL REQUIREMENTS

- Exterior air vents should be placed in areas that do not immediately face buildings or amenity areas on adjacent lands.
- Proximity to residential dwellings, outdoor recreational spaces, and other populated areas.
- Nature of enclosures to mitigate odours.

HOW WILL THE TOWN ASSESS THE IMPACT ODOUR HAS ON THE COMMUNITY?

- Through reviewing case studies and where possible visiting other uses to understand the nature of the odour to assist in determining the impact on adjoining properties.
- Recommendations arising from a technical odour analysis completed by a professional in the field of odours should such a study be required.

19.5 IMPACT: LIGHT

Light pollution is a consequence of human-made sources of light - whether it be from a building, a vehicle, streetlights, etc. - that can have a disruptive effect on the surrounding environment. This could impact residential homes, change the natural landscape or affect the ability to view the stars. Conversely, adequate lighting supports the safe movement of vehicles and people and supports safety and security.

WHAT INFORMATION MIGHT THE TOWN REQUEST FROM APPLICANTS?

Illumination plan showing the location and direction of exterior lights, including showing the lux levels of the lighting.

- The time of day and duration that the exterior lighting is anticipated to be illuminated.
- Information on the lighting product type.

LIGHTING REQUIREMENTS

- Exterior lighting shall not have an adverse impact on adjacent lands. Applicants are required to outline proposed mitigation methods used to limit the impact on adjacent lands and the wider community.

HOW WILL THE TOWN ASSESS THE IMPACT LIGHTING HAS ON THE COMMUNITY?

- The impact lighting spill has or glow within the context of the wider community where the illumination is established based on the lux levels.
- Impact of light spill on adjoining properties based on the lux levels.
- The scale of the area being illuminated in relationship to the overall community.

19.6 IMPACT: DUST

During summer/ dry periods, vehicles driving on unpaved roads can generate dust that can be a nuisance to homeowners, businesses and the general public. Natural resource extraction and other industrial operations can also generate dust whether along roads or on the site itself, which can also be a nuisance.

WHAT INFORMATION MIGHT THE TOWN REQUEST FROM APPLICANTS?

- The location of ungravelled or non-vegetated areas in relationship to neighbouring residential areas.
- Any materials that may be placed on the ungravelled or non-vegetated areas, if any.
- Potential traffic volumes.
- Direction of prevailing winds.
- Methods to control dust e.g. watering during dry periods.

DUST REQUIREMENTS

- Dust generated by a proposed use should not have an adverse impact on adjacent lands that would be greater than what is permitted under the district. Applicants are required to outline proposed mitigation methods used to limit the impact on adjacent lands and the wider community.

HOW WILL THE TOWN ASSESS THE IMPACT DUST HAS ON THE COMMUNITY?

- Identify the potential location where dust could be generated and where it may travel and its effect on adjoining properties.

19.7 IMPACT: VIBRATION

Some industrial operations can cause ground vibration that can be felt kilometres away. Apart from feeling like the world is constantly rumbling, vibrations can have detrimental effects that can cause foundations to crack on buildings and infrastructure, which typically have a costly price tag to fix. Heavy trucks can create vibration, which depending on the community in which it occurs, can have an impact on the community and their infrastructure. Vibration can also have an impact on the natural environment that can affect wildlife, and their habitats.

WHAT INFORMATION MIGHT THE TOWN REQUEST FROM APPLICANTS?

A Vibration Analysis prepared by a registered engineer to gauge the potential impact on the following:

- Infrastructure within the vicinity of the vibration (roads, water, power, telecommunications, oil and gas pipelines, etc.).
- Foundations and the structural integrity of any buildings within the vicinity of the vibration.
- The level of vibration that may be experienced by a residential dwelling within proximity to the use.
- The potential impact on the natural landscape, such as slopes within the vicinity of the vibration.

VIBRATION REQUIREMENTS

- Vibrations generated by a proposed use shall not have an adverse impact on adjacent lands or on the wider community. Applicants are required to outline proposed mitigation methods to limit the impact of vibration.

HOW WILL THE TOWN ASSESS THE IMPACT VIBRATION HAS ON THE COMMUNITY?

- Based on the recommendations of a technical report prepared by a professional engineer.

19.8 IMPACT: ENVIRONMENTAL

It is widely understood that land uses and development of various types and forms can have an impact on the natural environment. Understanding what that impact is and its magnitude is critical when weighing the impact against the economic and social benefits.

WHAT INFORMATION MIGHT THE TOWN REQUEST FROM APPLICANTS?

- Biophysical and Wetland Assessment.
- Hydrological Analysis.
- Geotechnical Analysis.
- Slope Analysis.
- Flood Plain Analysis.
- Water Catchment Analysis.
- Environmental Impact Assessment – Phase 1, 2, 3 or 4, if applicable.

ENVIRONMENTAL REQUIREMENTS

- A proposed use should not have an adverse impact on the environment. Applicants are required to outline proposed mitigation methods to limit impacts on the environment.

HOW WILL THE TOWN ASSESS THE ENVIRONMENTAL IMPACT?

- The site characteristics and nature of the development occurring will determine what level of technical report could be required. It is important to carry out a pre-application meeting with municipal administration to establish what would be expected.
- Based on the recommendations of technical reports and analysis mentioned above carried out by a qualified professional.

19.9 IMPACT: MUNICIPAL INFRASTRUCTURE

New/ additional development may trigger an influx of pressure on existing municipal services (water, sewer/sanitary, roads and storm), that could require infrastructure upgrades, or even expansions.

Similarly, new/ additional development may trigger the creation of new roadways or the upgrading of existing roadways.

WHAT INFORMATION MIGHT THE TOWN REQUEST FROM APPLICANTS?

- Stormwater Analysis.
- Water Analysis.
- Sanitary Analysis.
- Concept plan showing the layout of public or private roadways, with dimensions and connections to the surrounding road network and the nature of vehicles and number being used for the development/use.
- Roadway cross-section.

MUNICIPAL INFRASTRUCTURE REQUIREMENTS

A proposed use should not have an adverse impact on the municipal servicing infrastructure. Applicants are required to outline proposed mitigation methods that limit the impact the proposed use has on municipal infrastructure.

HOW WILL THE TOWN ASSESS THE IMPACT ON MUNICIPAL INFRASTRUCTURE?

- Capacity of system to accommodate the increase, taking account of other planning development that the infrastructure was planned to accommodate.
- Meeting the engineering design standards/requirements.
- Determining what fiscal contributions may be required to compensate for the impact on the infrastructure.

19.10 IMPACT: FISCAL

Residential development is typically subsidized, on average, of 3 to 1 by the non-residential tax base (industrial and commercial development). Understanding where tax dollars are invested and who they are servicing is a part of the development “go-or-no-go” equation. If a new development requires a significant amount of municipal dollars to service, but only yields a minimal tax return, is it money well spent?

The municipality has a responsibility in managing services to the community in a responsibly fiscal manner. In some circumstances an applicant may need to carry out a fiscal impact assessment for the Town to understand the impact services they inherit from the development and their fiscal capacity to maintain, operate and eventually replace in context to the tax rates generated by the development.

WHAT INFORMATION MIGHT THE TOWN REQUEST FROM APPLICANTS?

- Fiscal Impact Assessment that assesses the fiscal impact on the municipality and its taxpayers.

FISCAL REQUIREMENTS

- A proposed use should not have an adverse impact on the municipal servicing infrastructure.
- Applicants are required to outline proposed mitigation methods that limit the impact the proposed use has on municipal infrastructure.

HOW WILL THE TOWN ASSESS THE FISCAL IMPACT ON THE COMMUNITY?

- Based on the recommendations of an assessment to determine the impact to the taxes and operating costs of the overall development carried out by a qualified economist experienced with fiscal impacts assessments.

19.11 IMPACT: CUMULATIVE

The cumulative impact is the incremental increase over time of uses that when combined have a significant impact on a community.

HOW WILL THE TOWN ASSESS THE CUMULATIVE IMPACT ON THE COMMUNITY?

- When assessing an application, the Town shall take into account how the use/development, when combined with other same or similar use(s)/development(s), may be generating an overall significant impact on the community. This may result in the application being declined and subsequent amendment to the Land Use Bylaw and Municipal Development Plan to potentially prohibit the use in certain areas of the Town.

19.12 IMPACT: SAFETY

How a development is designed may affect people’s safety and increase the risk of personal injury of those in the wider community. The design of any development will need to consider ways to mitigate the risk of injury arising from the nature of the use and the design/layout of the development. This could include utilizing principles of Crime Prevention Through Environmental Design (CPTED).

WHAT INFORMATION MIGHT THE TOWN REQUEST FROM APPLICANTS?

- Plans showing the design and site layout of the use, including accesses.
- Information on the nature, scale and intensity of the use.

SAFETY REQUIREMENTS

- Identifying where potential safety risks are, and how they are being remedied, avoided or mitigated.

HOW WILL THE TOWN ASSESS THE IMPACT SAFETY HAS ON THE COMMUNITY?

- When assessing the application, the Town shall identify potential areas of risk and how they are being managed to avoid the risk from occurring.

19.13 IMPACT: LAND LOSS

Districting of lands serves to identify and allocate areas for specific purposes, particularly when certain uses are incompatible with others or when the land provides essential services to the community and economy. These lands are effectively designated as resources for specific uses, and introducing too many unintended uses can undermine their intended purpose and result in a loss of functional land. It is crucial to assess the extent of land lost to unintended uses and evaluate its impact on the district's intended role and significance to the community.

WHAT INFORMATION MIGHT THE TOWN REQUEST FROM APPLICANTS?

- Land area being lost from the proposed use or subdivision.
- Why the use could not be located in another district more suitably aligned for its purpose.
- Location of utilities: corridors of placements, height of powerlines.

HOW WILL THE TOWN ASSESS THE IMPACT LAND LOSS HAS ON THE COMMUNITY?

- When assessing the application, the Town shall assess the activity and the significance of loss of the land related to the value of the purpose for which the district was established for. When carrying out this assessment the Town will need to consider the precedence it sets that could lead to other applicants wanting to carry out the same use/ subdivision.

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