



TOWN OF
PEACE RIVER
ALBERTA

Office Consolidation of Bylaw No. 1891

Consolidated as of August 25, 2021

TOWN OF PEACE RIVER LAND USE BYLAW

Adopted October 9, 2012

As Amended By:

Bylaw No. 1916	Adopted March 25, 2013	Bylaw No. 2004	Adopted September 11, 2017
Bylaw No. 1924	Adopted April 22, 2013	Bylaw No. 2005	Adopted October 10, 2017
Bylaw No. 1936	Adopted November 4, 2013	Bylaw No. 2011	Adopted September 11, 2017
Bylaw No. 1942	Adopted December 2, 2013	Bylaw No. 2012	Adopted September 11, 2017
Bylaw No. 1944	Adopted January 6, 2014	Bylaw No. 2014	Adopted November 27, 2017
Bylaw No. 1938	Adopted March 24, 2014	Bylaw No. 2007	Adopted December 11, 2017
Bylaw No. 1948	Adopted June 9, 2014	Bylaw No. 2019	Adopted March 26, 2018
Bylaw No. 1957	Adopted April 7, 2015	Bylaw No. 2032	Adopted June 25, 2018
Bylaw No. 1959	Adopted May 11, 2015	Bylaw No. 2016	Adopted July 23, 2018
Bylaw No. 1967	Adopted August 31, 2015	Bylaw No. 2038	Adopted August 13, 2018
Bylaw No. 1983	Adopted September 12, 2016	Bylaw No. 2067	Adopted February 10, 2020
Bylaw No. 1984	Adopted September 12, 2016	Bylaw No. 2072	Adopted June 8, 2020
Bylaw No. 1994	Adopted February 27, 2017	Bylaw No. 2077	Adopted September 28, 2020
Bylaw No. 1995	Adopted February 27, 2017	Bylaw No. 2079	Adopted December 14, 2020
Bylaw No. 1998	Adopted May 23, 2017	Bylaw No. 2090	Adopted April 12, 2021
Bylaw No. 1999	Adopted June 12, 2017	Bylaw No. 2106	Adopted August 9, 2021
Bylaw No. 2003	Adopted July 17, 2017		

This consolidation is not an official bylaw. It is prepared by the Town Office to provide easier access to this bylaw and its amendments. While every attempt is made to ensure accuracy, if there is a discrepancy between this document and the bylaws listed above, the bylaws are deemed correct.

This consolidation is authorized pursuant to Bylaw No. 1971.

**TOWN OF PEACE RIVER
BYLAW NO. 1891**

A BYLAW TO REGULATE AND CONTROL THE USE AND DEVELOPMENT
OF LAND AND BUILDINGS IN THE TOWN OF PEACE RIVER, BEING THE
TOWN OF PEACE RIVER LAND USE BYLAW

WHEREAS the Municipal Government Act, Chapter M-26 of the Revised Statutes of Alberta 2000, and amendments thereto, authorize the Council of a Municipality to enact a Land Use Bylaw to prohibit or regulate and control the use and development of land and buildings within the Municipality;

WHEREAS the Council of the Town of Peace River deems it advisable to adopt a new Land Use Bylaw to conform to the Town's Municipal Development Plan;

NOW THEREFORE the Council of the Town of Peace River, duly assembled, hereby ENACTS as follows:

TITLE

1. This bylaw may be cited as the "Town of Peace River Land Use Bylaw".

SEVERABILITY

2. If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion shall be severed and the remainder of the bylaw is deemed valid.

APPENDICES

3. Appendix "A" forms part of this bylaw.

REPEAL

4. Bylaw No. 1731, and any amendments thereto, are hereby repealed.

EFFECTIVE DATE

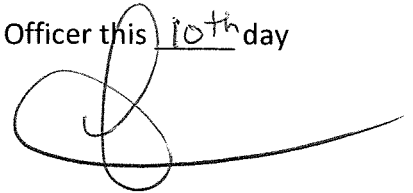
5. This bylaw shall come into force and have effect on the date of third and final reading.

READ a first time this 27th day of February, 2012.

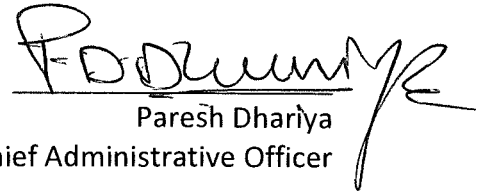
READ a second time this 9 day of OCTOBER, 2012.

READ a third and final time this 9 day of OCTOBER,
2012.

SIGNED by the Mayor and Chief Administrative Officer this 10th day
of October, 2012.



Lorne Mann
Mayor



Paresb Dhariya
Acting Chief Administrative Officer



TOWN OF
PEACE RIVER
ALBERTA

Appendix “A”
LAND USE BYLAW
No. 1891

Updated to August 25, 2021

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SECTION 1 GENERAL

(1) SHORT TITLE

The Town of Peace River Land Use Bylaw may be cited in this document as the "Bylaw".

(2) PURPOSE

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

- a) to divide the Town into districts;
- b) to prescribe and regulate for each district the purpose for which land and buildings may be used;
- c) to establish the office of a Development Officer;
- d) to establish a method of making decisions on applications for development permits, including the issuance of permits; and
- e) to provide the manner in which notice of the issuance of a development permit is to be given.

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SECTION 2 DEFINITIONS

(1) IN THIS BYLAW:

“ABATTOIR” means the use of land or a building for the slaughter of animals (livestock) and may include the processing, packing, treating, storing and sale of the meat produced.

“ABSOLUTE CONTROL” means the act of ownership of a property.

“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 BUILDING / STRUCTURE” means a building or structure, the use of which is incidental or subordinate to the use of the principle building which is located on the same parcel.

“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.

“ACT” means the *Municipal Government Act of Alberta R.S.A. 2000* and amendments thereto.

“AGRICULTURAL OPERATION” means an agricultural activity conducted on agricultural land for gain or reward or in the hope or expectation of gain or reward, and includes:

- (i) the cultivation of land,
- (ii) the raising of livestock, including game production animals within the meaning of the Livestock Industry Diversification Act and poultry,
- (iii) the raising of fur bearing animals, pheasants or fish,
- (iv) the production of agricultural field crops,
- (v) the production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops,
- (vi) the production of eggs and milk,
- (vii) the production of honey,
- (viii) the operation of agricultural machinery and equipment, including irrigation pumps, and
- (ix) the application of fertilizers, manure, insecticides, pesticides, fungicides and herbicides, including application by ground and aerial spraying for agricultural purposes.

“AGRICULTURAL USE, EXTENSIVE” means any method used to raise crops or rear livestock either separately or in conjunction with one another in unified operation

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but does not include an intensive agricultural use such as a feedlot or intensive livestock operation, beekeeping, intensive poultry or fowl operations.

“AGRICULTURE, INTENSIVE” means the commercial use of parcels for uses such as greenhouses, market gardens, nurseries and tree farms.

“AIRPORT” means:

- (i) any area of land or water, including the frozen surfaces thereof, or other supporting surface used or intended to be used, either in whole or in part, for the arrival and departure or servicing of aircraft, and
- (ii) any building, installation or equipment in connection therewith, for which an airport license has been issued by the Ministry of Transport.

“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.

“AMUSEMENT FACILITY” means a building that is used for amusement type activities and may include, but is not limited to, pool tables, video games, bowling alleys, roller-skating, and other similar activities. This definition includes a facility where four or more of any combination of mechanical games, electronic games and/or pool tables is kept for the purpose of furnishing entertainment to the public for a fee.

“ANIMAL HOSPITAL OR SHELTER” means development used for the temporary accommodation and care or impoundment of small animals within an enclosed building with associated yard area. This use class does not include small animal breeding and/or boarding establishments.

“APARTMENT BUILDING” means a building designed and built to contain three or more separate dwelling units that are arranged in any horizontal or vertical configuration, each of which has an independent entrance either directly from outside the building or through a common vestibule and which does not conform to the definition of any other residential use (this definition includes buildings referred to as fourplexes, sixplexes and the like).

“AREA REDEVELOPMENT PLAN” means a statutory plan, prepared pursuant to the Act that addresses the redevelopment or rehabilitation of established areas or neighbourhoods.

“AREA STRUCTURE PLAN” means a statutory plan adopted by a Council, in accordance with the requirements of Section 633 of the Municipal Government Act, RSA, 2000, for the purpose of providing a framework for subsequent subdivision and development of an area of land in a municipality that addresses the future development of large areas of land at a conceptual level of detail.

“AUCTION FACILITY” means a building or land that is intended for the auctioning of goods and equipment, including the temporary storage of such goods and equipment.

“AUTO BODY AND REPAIR SHOP” means a use where the primary activity is the repairing and maintaining of vehicles and trucks, including auto bodywork.

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

“AUTOMOBILE, FARM EQUIPMENT AND RECREATIONAL EQUIPMENT SALES AND SERVICES” means a use where the primary activity is the display and sale of automobile, farm or recreational equipment and may also include ancillary vehicle or equipment service.

“BASEMENT” means the area of a building where the floor level is 1 metre (3.3 ft.) or more below the finished grade and the total ceiling height exceeds 2 metres (6.5 ft.).

“BED AND BREAKFAST” 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.

“BOULEVARD” means:

- (i) 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
- (ii) 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.

“BREWERY, WINERY AND/OR DISTILLERY” means a use where an alcoholic beverage(s) is manufactured, packaged and sold on-site. The development is licensed by the Alberta Gaming and Liquor Commission (AGLC). This use does not include developments that have a “Class E Licence - Manufacturer” from the AGLC. Developments with a “Class E Licence - Manufacturer” from the AGLC may be considered under the General Industrial use of this bylaw.

“BUFFER” means a row of trees, shrubs, or berming to provide visual screening and separation between sites or districts (refer to the diagram on the next page).

“BUILDING” includes any structure having a roof supported by columns or walls and intended for shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or material of any kind.

“BUILDING HEIGHT” 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 smoke stack, a firewall or a parapet wall, or a flagpole or similar device not structurally essential to the building (refer to the diagram on the next page).

“BUILDING MATERIAL AND SUPPLY OUTLET” means wholesale or retail buildings or yards catering primarily to general contractors and sub-trades including,

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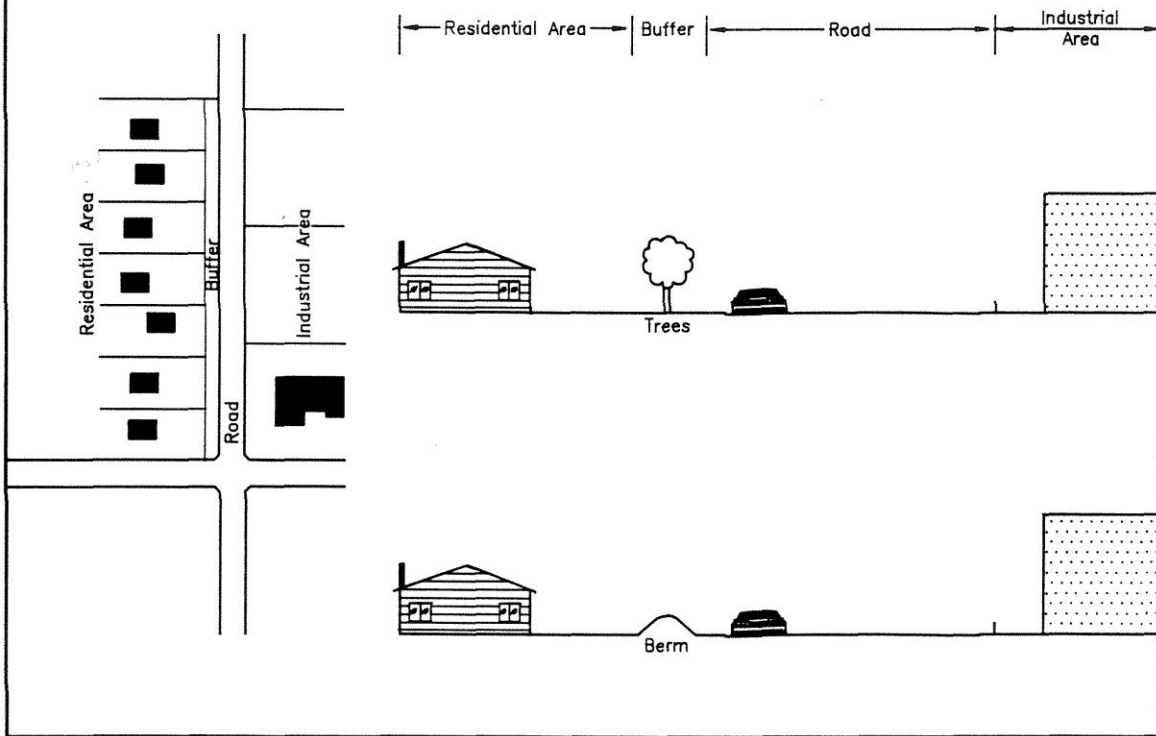
but not limited to, building construction, electrical, plumbing, heating, painting and welding. This use class does not include D.I.Y. (Do-it-Yourself) stores, which are intended to cater primarily to homeowners, which would be classed as retail stores.

“BULK FUEL SALES” means a facility used for the bulk storage and sale of oil and fuel products but does not include a service station or gas bar.

Explanation Notes

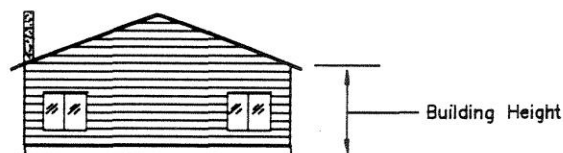
Buffer

“BUFFER” means a row of trees, shrubs or berming to provide visual screening and separation between sites or districts.



Building Height

“BUILDING HEIGHT” 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 smoke stack, a firewall or a parapet wall, or a flagpole or similar device not structurally essential to the building.



“BUSINESS SUPPORT SERVICES” means development used to provide support services to businesses which are characterized by one or more of the following features: the use of minor mechanical equipment for printing, duplicating, binding or photographic processing; the provision of office maintenance or custodial service; the provision of office security; and the repair or servicing of office equipment and machines. Typical uses include printing establishments, film processing establishments, janitorial firms, and business equipment repair shops.

“CANNABIS” means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the Cannabis Act and its regulations, as amended from time to time.

“CANNABIS RETAIL SALES” means a retail store licensed by the Alberta Liquor and Gaming Commission (AGLC) where cannabis and cannabis accessories are sold to individuals who attend at the premises.

“CANNABIS PRODUCTION FACILITY” means a premise used for growing, producing, testing, destroying, storing, or distribution of cannabis authorized by a license issued by Health Canada.

“CAR WASH” means a use where the primary function is the washing of vehicles and trucks.

“CARNIVAL” means temporary development providing a variety of patron-participant shows, games, and amusement rides, in excess of five (5) days but for a period of less than thirty (30) days.

“CARPORT” means an accessory structure designed and used for the storage of motor vehicles, consisting of a roof supported on posts or columns, and which is not enclosed on more than two sides whether separate from, or attached to, the principal building on a site.

“CASINO AND OTHER GAMING ESTABLISHMENTS” means development providing facilities for patrons to participate in gaming opportunities as the principal use. Typical uses include bingos and casinos.

“CEMETERY” means a parcel of land that is used as a burial ground and is licensed by the appropriate provincial government departments.

“CHILD CARE FACILITY” means a building or portion thereof used for the provision of care and supervision of more than seven (7) children and where some form of compensation is charged for such service. Such facilities shall be licensed by the Province and typically includes daycare centres, nurseries, kindergartens and after-school programs or play schools.

“CHURCH” refer to **RELIGIOUS USE FACILITY**.

“COMBAT GAMES” means commercially organized imitation combat games played for entertainment, employing various types of imitation or toy weapons that enable the simulation of one person eliminating another person from further play.

“COMMERCIAL ENTERTAINMENT FACILITY” means an enclosed facility in which a fee is charged to the public for the provision of a performance, or a minimum fee is charged for admission to the facility or sale of any item, food, or beverage therein, which includes the provision of a performance and without limiting the foregoing, may include facilities for movies and live theatres, but does not include a casino or bingo hall.

“COMMERCIAL SCHOOL” 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.

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

“COMMUNITY SERVICE FACILITY” means a development for use by the public or public groups for cultural or community activities. Typical uses include public and private clubs.

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

- (i) any preliminary operation such as excavation, filling or draining;
- (ii) altering an existing building or structure by an addition, enlargement, extension or other structural change; and
- (iii) any work which requires a building permit issued under the Provincial Statutes to be issued by the Town of Peace River.

“CONVENIENCE STORE” means a development used for the retail sale of those goods required by area residents on a day-to-day basis. Typical uses include small food stores, drug stores and variety stores selling confectionary, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware or printed matter.

“CORNER LOT” means a lot at the intersection of two or more abutting streets (refer to the diagram on page 15).

“COUNCIL” means the Council of the Town of Peace River.

“COUNTRY RESIDENTIAL” means the use of land for residential purposes in an agricultural-urban reserve district.

“CULTURAL EXHIBITS” means development for the collection of literary, artistic, musical, and similar reference materials in the form of books, manuscripts, recordings, and films for public viewing.

“CURB CUT” means the lowering of a curb, sidewalk, or boulevard to provide vehicular and/or pedestrian access to a site.

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“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.

- (i) Low Level Deck: means a deck being less than .6m (2ft) in height.
- (ii) Raised Deck: means a deck being equal to or more than .6m (2ft) 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.

“DERELICT VEHICLE” means any motor vehicle which has no license plate attached and has no registration certificate affiliated to the vehicle for the current year or; has been rendered inoperable by the removal of parts or equipment.

“DEVELOPMENT” means:

- (i) an excavation or stockpile and the creation of either of them, or
- (ii) a building or an addition to, or replacement or repair of a building and the construction or placing in, on, over or under land of any of them, or
- (iii) 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
- (iv) 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 the Development Officer, Municipal Planning Commission or, in the case of Direct Control Districts, Council.

“DEVELOPMENT OFFICER” means the person appointed by a resolution of Council to the office of Development Officer.

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

“DISCRETIONARY USE” means the use of land or of a building which is listed in the column captioned “Discretionary Uses” under land use districts in this Bylaw, and for which, subject to the provisions of this Bylaw, a development permit may be issued.

“DRINKING ESTABLISHMENT” means a facility licensed by the Alberta Gaming and Liquor Commission where alcoholic beverages are served for consumption on the premises and any preparation or serving of food is accessory thereto. This definition shall include, but not be limited to, nightclubs, pubs, and bars.

“DRIVE THROUGH VEHICLE SERVICES” means development providing rapid cleaning, lubrication, maintenance or repair services to motor vehicles, where the customer typically remains within his vehicle or waits on the premises. Typical uses include automatic coin operated car washes, rapid lubrication shops, or specialty repair establishments.

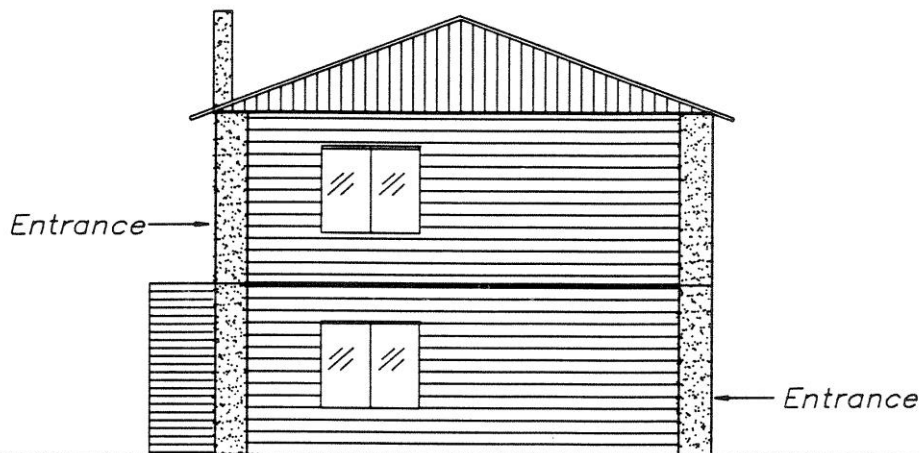
“DRIVE-THRU RESTAURANT” means a business offering food for sale to the public and designed on the basis that consumption will take place either off the site or within a building located on the site.

“DUPLEX” means a building containing two (2) dwelling units, one above the other, each of which has an independent entrance directly from outside the building or through a common vestibule.

Explanation Notes

Duplex

“DUPLEX” means a building containing two (2) dwelling units, one above the other, each of which has an independent entrance directly from outside the building or through a common vestibule.



“DWELLING GROUP” means three (3) or more dwelling units located on a site or a number of adjoining sites where all buildings, recreational areas, vehicle areas, landscaping and all other features have been planned as an integrated development and where each dwelling unit has a separate principal entrance accessible directly from ground level.

“DWELLING UNIT” means one (1) or more rooms for the use by one (1) or more persons as a housekeeping unit and includes the housekeeping equipment thereof, whether or not the same contains cooking and bathroom or toilet facilities.

“DWELLING UNIT, CARETAKER” means a dwelling that is accessory to a non-residential use, building or structure, for the purposes of providing security and/or

maintenance of the principal use on the same parcel by the occupant(s) (such as an owner, operator, manager or caretaker).

“EATING ESTABLISHMENT” means development where prepared foods and beverages are offered for sale to the public, for consumption within the premises or off the site. This use class includes, but not limited to, licensed restaurants, cafes, delicatessens, tearooms, lunchrooms, refreshment stands and takeout restaurants.

“EMERGENCY SHELTER” means a development operated by a government or not-for-profit organization for the primary purpose of providing temporary, emergency accommodation for persons requiring immediate shelter and assistance. This use may include, but is not limited to, accessory office functions and the provision of related programs and services. Typical uses include a women’s shelter and a youth emergency shelter.

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

- (i) if there are any hazardous substances above, on or below the surface of the subject property that may pose a threat to the environment and/or the health of humans, wildlife and/or vegetation;
- (ii) if there are any breaches of federal, provincial and/or municipal environmental standards;
- (iii) the level of risk that a contaminated site poses to the environmental and/or health of humans, wildlife and/or vegetation; and
- (iv) what remedial actions may be required to reduce the level of risk posed by a contaminated site to an acceptable level.

“ENVIRONMENTAL AUDIT REPORT” means a written document containing the results of an Environmental Audit.

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

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

“ENVIRONMENTAL IMPACT ASSESSMENT REPORT” means a written document containing the results of an Environmental Impact Assessment.

“ENVIRONMENTALLY SENSITIVE AREAS” means an area with one or more of the following characteristics:

- (i) slopes in excess of twenty (20) percent;
- (ii) lands subject to flooding;
- (iii) soils classified as having a high water table;
- (iv) soils subject to erosion;
- (v) mature stands of native vegetation;

or any other lands deemed to be unstable.

“EQUIPMENT RENTALS FACILITY” means the use of a building and/or land for the renting of equipment, usually on a commercial basis.

“FINANCIAL BUILDING” means a building used primarily for the banking or lending of money such as banks, credit unions, loan offices, and similar financial uses.

“FLOOD PLAIN” means the area of land along a river, stream, or creek that is potentially at risk of flooding from time to time.

“FLOOR AREA” means the total of the floor areas of every room and passageway contained in a building but not including the floor areas of basements, attached garages, sheds, open porches, or breezeways (refer to diagram on next page).

“FOOD CATERING SERVICES” means a business which prepares food for large groups of people, conventions, and large gatherings.

“FRONT YARD” means a yard extending across the full width of a parcel measured perpendicularly from the front boundary of the parcel to the front wall(s) of the main building situated on the parcel.

“FRONT YARD DEPTH” means the least horizontal dimension between the front lot line of the lot and the nearest part of any building or structure.

“FRONTAGE” means the width of a lot or a site where it abuts a street.

“FUNERAL SERVICES” means a development used for the preparation of the dead for burial, the purification and/or reduction of the human body by heat, and may include the holding of associated services. Typical uses include Funeral Homes and Crematoriums.

“GARAGE” means an accessory building or a part of the principal building, designed and/or used primarily for the storage of motor vehicles.

- (i) Attached Garage: means a portion of the principle building that shares at least one (1) common wall and a continuous roofline with the principal building.
- (ii) Detached Garage: means an accessory building that is apart and separate from the principle building, that has no common wall, continuous roofline, or open or enclosed structure connecting it with the principal building.
- (iii) Attached-Detached Garage: means an accessory building connected to the principle building by an open or enclosed structure such as a breezeway or deck, and/or a continuous roofline, or a common wall but not both.

“GARAGE/GARDEN SUITE” means a use where a second self-contained Dwelling Unit, either in the form of the conversion of an existing detached garage or the creation of an additional unit above an existing detached garage, is used for purposes secondary to the main use of the property as a private dwelling. Typical uses include “granny” suites. A Garage/Garden Suite shall not be legally separated from the principal dwelling through a condominium conversion or subdivision.

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Garage/Garden Suites are not permitted with Apartments, Row Dwellings, or Dwelling Groups.

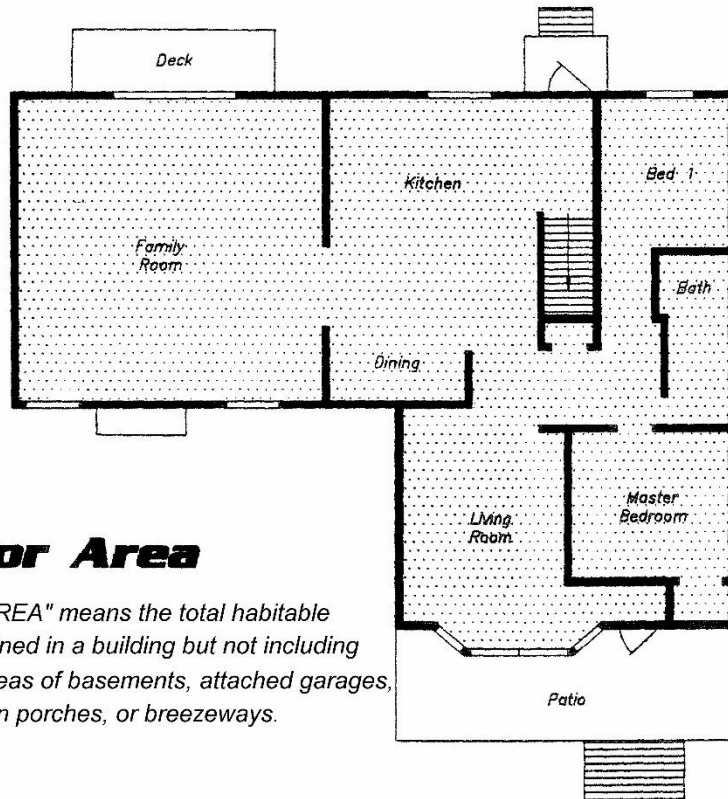
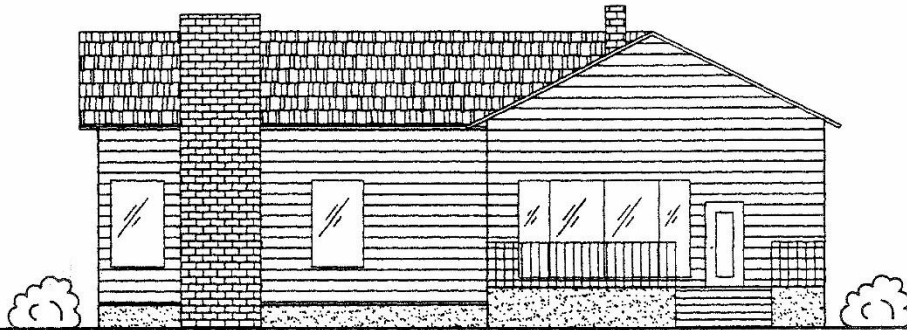
“GAS BAR” means development used for the retail sale of gasoline, other petroleum products, and incidental accessories for the traveling public.

“GENERAL INDUSTRIAL” means the following activities:

- (i) the processing of raw or finished materials;
- (ii) the manufacturing or assembly of goods, products or equipment;
- (iii) the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses;
- (iv) the storage or transshipping of materials, goods or equipment; or
- (v) the training of personnel in general industrial operations.

“GREEN HOUSE AND PLANT NURSERY” means a development used for the growing, (either in a greenhouse or garden), storage, basic processing, and sale of vegetables, landscaping plants and their products or by-products, and for the storage and sale of related gardening and nursery goods and equipment and landscaping supplies and materials.

Explanation Notes



Floor Area

"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.

“GROSS LEASABLE AREA” means the total gross floor area within a shopping centre which is occupied exclusively by the individual tenants and upon which the tenants pay rent.

“GROUP CARE FACILITY” 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, 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 and/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.

“HABITABLE AREA” means any area in a dwelling intended primarily for human occupancy.

“HARDSURFACE” means a durable, dust free, all-weather surface constructed of concrete, asphalt, or similar pavement.

“HIGHWAY OR ROAD” means:

- (i) land used or surveyed for use as a public highway or road; and
- (ii) includes a bridge forming part of a public highway or road and any structure incidental to the public highway or road or bridge.

“HOME OCCUPATION” means a home business carried on by an occupant of a residential building as a use secondary to the residential use and which does not significantly change the character or outside appearance of the building, and is subject to the requirements as set out in Section 12(2) of the Bylaw.

“HOT TUB” refer to SWIMMING POOL.

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

“HOUSEHOLD” means:

- (i) one (1) person occupying a dwelling unit; or
- (ii) two (2) or more persons related by blood or marriage occupying a dwelling unit, living together; or
- (iii) not more than five (5) unrelated persons occupying a dwelling unit, living together.

“INDOOR PARTICIPANT RECREATION SERVICES” means development providing facilities within an enclosed building for sports and active recreation where patrons are predominantly participants and any spectators are incidental and attend on a non-recurring basis. Typical uses include soccer arenas; athletic clubs; health and fitness clubs; curling, roller skating and hockey rinks; swimming pools; rifle and pistol ranges; and racquet clubs.

“INDOOR/OUTDOOR DISPLAY AREAS” means the mass display of goods and services such as boat shows, garden centres, automotive displays, and other such uses.

“INTERMUNICIPAL DEVELOPMENT PLAN” means the Peace River Inter-Municipal Development Plan adopted by the Councils of the Town of Peace River, the County of Northern Lights, the Municipal District of Peace No. 135, and Northern Sunrise County, and any amendments thereto.

“LANDSCAPING” means the modification and enhancement of land through the use of any, or all of the following elements:

- (i) “soft landscaping” consisting of vegetation such as trees, shrubs, hedges, grass and ground cover;
- (ii) “hard landscaping” consisting of non-vegetative materials such as brick, stone, concrete, tile and wood.

“LANE” means a public roadway not exceeding 9.14 metres (30 feet) in right-of-way width, which provides a secondary means of access to a lot.

“LIQUOR STORE” means a building, or part of a building licensed by the Alberta Gaming and Liquor Commission, in which alcoholic beverages are sold to the public and are intended to be consumed off the premises. Retail liquor stores may include the sale of ancillary complementary products.

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

“LOT” means:

- (i) a quarter section;
- (ii) a river lot or settlement lot shown on an official plan referred to in Section 33 of the Surveys Act or amendments thereto that is filed or lodged in a Land Titles Office;
- (iii) a part of a parcel where the boundaries of the part are separately described in a Certificate of Title other than by reference to a legal subdivision; or
- (iv) a part of a parcel where the boundaries of the part are described in a Certificate of Title by reference to a plan of subdivision.

“LOT COVERAGE” means that percentage of the area of any lot which is covered by all buildings and accessory buildings on the lot excluding balconies, decks, canopies and the like (refer to the diagram on the next page).

Explanation Notes

Lot Definitions

“CORNER LOT” means a lot at the intersection of two or more abutting streets.

“LOT COVERAGE” means that percentage of the area of any lot which is covered by all buildings on the lot excluding balconies, decks, canopies and the like.

“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.

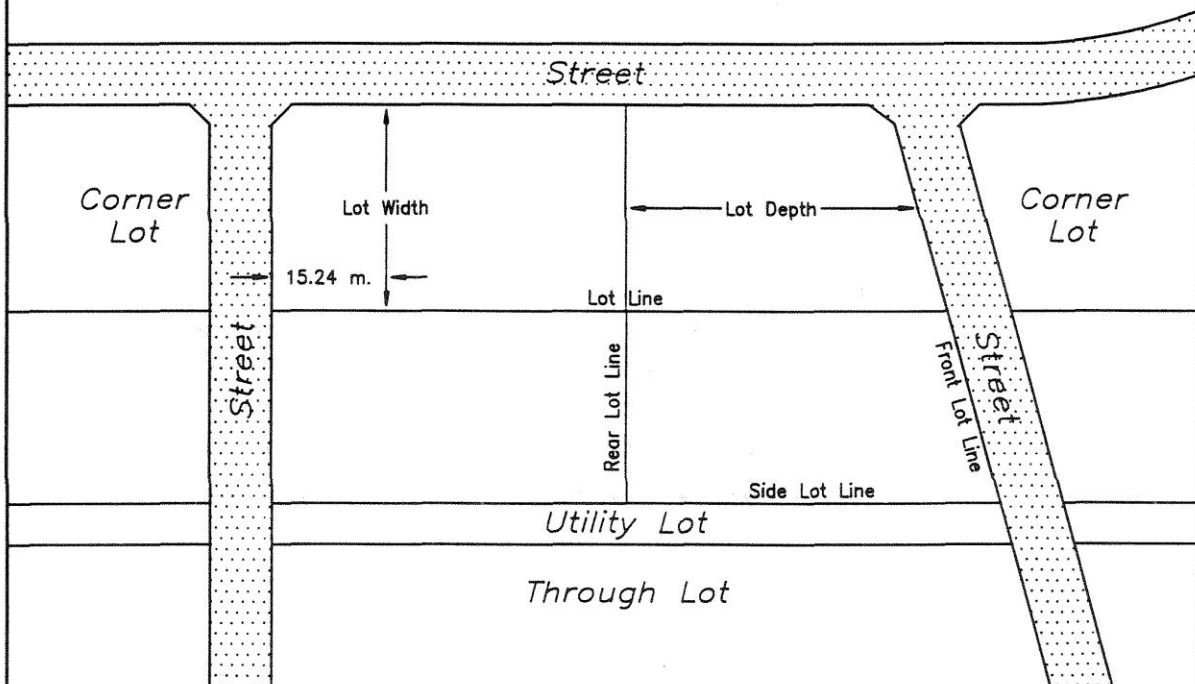
“LOT LINE, FRONT” means the boundary dividing the lot from an abutting street.

“LOT LINE, REAR” means the lot line of a lot which is located at the rear of the lot directly opposite to the front lot line.

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

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

“LOT WIDTH” means the horizontal measurement between the side lot lines. In the case of an irregular shaped lot, the width of the lot shall be defined by 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.



“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 (refer to the diagram on the previous page).

“LOT LINE” means a legally defined limit of any lot (refer to the diagram on the previous page).

“LOT LINE, FRONT” means the boundary dividing the lot from an abutting street (refer to the diagram on the previous page).

“LOT LINE, REAR” means the lot line of a lot which is located at the rear of the lot directly opposite to the front lot line (refer to the diagram on the previous page).

“LOT LINE, SIDE” means any lot line other than a front or rear lot line (refer to the diagram on the previous page).

“LOT, THROUGH” means any lot other than a corner lot having access on two streets (refer to the diagram on the previous page).

“LOT WIDTH” means the horizontal measurement between the side lot lines. In the case of an irregular shaped lot, the width of the lot shall be defined by 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 (refer to the diagram on the previous page).

“LUMBER YARD” means a retail outlet used for the storage and selling of wood-related products.

“MANUFACTURED (MOBILE) 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 definition applies to both single section and multi-section models, but does not apply to modular homes, recreational vehicles or industrial camp trailers.

“MANUFACTURED (MOBILE) HOME PARK” means a lot under single ownership which is managed by a manufactured (mobile) home park operator and which has been designed for the placement of manufactured (mobile) home site lots for non-transient use.

“MANUFACTURED (MOBILE) HOME PARK LOT” means that leasable or rentable portion of land within a manufactured (mobile) home park which has been reserved for the placement of a manufactured (mobile) home.

“MANUFACTURING, ARTISANAL OR CUSTOM” means development providing for small-scale on-site indoor production of finished products or parts primarily involving hand-tools, mechanical tools, or electronic tools, or with restricted levels of automation, producing little to no adverse impacts beyond the building, such as vibration, noise, or fumes. The processes involved may include design, processing, fabrication, assembly, treatment, or packaging of products.

Typical uses include but are not limited to the manufacture of specialty food or beverage products, toys or musical instruments, electronic goods, textiles, leather

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products; jewelry and clothing/apparel; printmaking; metal work; furniture; glass or ceramic production; paper manufacturing. This use may include innovation and incubation spaces. This use may include accessory retail sales, educational programming, or product sampling.

“MIXED USE DEVELOPMENT” means a development that is designed to accommodate more than one type of use on a single site.

“MODULAR HOME” means a factory-fabricated residential unit built in sections, suitable for permanent occupation, designed to be transported on a truck and assembled on site, anchored to a permanent foundation, and has a CSA label to show that it was built in a certified factory.

“MODULAR BUILDING” means finished section(s) of a complete building built in a factory for transport to the site for installation. For the purpose of this bylaw, modular construction includes single or multiple dwellings, including single, semi-detached, rows, townhouses, duplexes, apartments, but not mobile homes and can include commercial, industrial and institutional buildings.

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

“MOVED IN BUILDING” means any residential, industrial, commercial or accessory building previously constructed and occupied on a site, that is to be relocated from that site, or placed on another site. This definition does not include modular or manufactured (mobile) homes.

“MUNICIPAL DEVELOPMENT PLAN” means the Town of Peace River Municipal Development Plan, being Bylaw No. 1874 and any amendments thereto.

“MUNICIPAL PLANNING COMMISSION” means a municipal planning commission established by bylaw, pursuant to Section 626 of the Act and any amendments thereto.

“MUNICIPALITY” means the Town of Peace River or any board or commission authorized to perform the duties specified in this Land Use Bylaw.

“NATURAL RESOURCE EXTRACTION INDUSTRY” means an industry engaged in the extraction of natural resources such as timber, clay, sand and gravel, limestone, shale, coal and other minerals including petroleum and natural gas.

“NET HECTARE (ACRE)” means an area of land upon which the principal building is located including required off-street parking and open space areas but not including public highway rights-of-way, utility lots or lanes.

“NIGHTCLUB” means development where the primary purpose of the facility is the sale of alcoholic beverages to the public. This use typically has a limited menu from a partially equipped kitchen/preparation area and prohibits minors from lawfully utilizing the facility. Typical uses include dance clubs, cabarets, nightclubs, and lounges.

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“NON-CONFORMING USE” means a use which was lawful prior to the adoption, revision or amendment of this Bylaw.

“OFFICE COMPLEX” means a group of offices planned, developed, owned and managed as a unit and located on a common parcel of land.

“OUTDOOR AMUSEMENT ESTABLISHMENT” means permanent development providing facilities for entertainment and amusement activities which primarily take place outdoors. Typical uses include amusement parks, go-cart tracks, and miniature golf establishments.

“OUTDOOR STORAGE” means the storing, stockpiling or accumulating of goods, equipment or material in an area that is open or exposed to the natural elements, but does not include vehicles, waste materials, debris or garbage. This use does not include storage associated with a commercial or industrial development, where the storage is ancillary to the primary use of the land or building.

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

“PARK OR PLAYGROUND” means an area of land that is used for recreation purposes and usually includes such facilities as slides, swings and other playground type equipment.

“PARKING FACILITY” means the area or structure set aside for the storage and parking of vehicles and includes parking stalls, loading spaces, aisles, entrances and exits to the area and traffic islands where they are part of the parking facility.

“PERMITTED USE” means the use of land or of a building which is listed in the column captioned “Permitted Uses” under land use districts in this Bylaw.

“PERSONAL SERVICE FACILITY” means development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the repair of personal effects. This use class includes barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, and dry cleaning establishments and laundromats. This use class does not include health services.

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

“PRIVATE CLUB” means development used for the meeting, social or recreational activities of members of a non-profit philanthropic, social service, athletic, business, or fraternal organization, without on-site residences. Private Clubs may include rooms for eating, drinking, and assembly.

“PROFESSIONAL AND OFFICE SERVICES” means development primarily used for the provision of professional, management, administrative and consulting services, but does not include health services or government services. Typical uses include, but are not limited to: the offices of lawyers, accountants, engineers, surveyors, photographic studios and architects; offices for real estate and insurance firms; clerical, secretarial, employment, and telephone answering services.

“PUBLIC HIGHWAY” means the right-of-way of all or any of the following:

- (i) a local road;
- (ii) a service road;
- (iii) a street;

- (iv) an avenue; or
- (v) a lane;

that is publicly used or intended for public use.

“PUBLIC USE” means a building, structure or lot used for public services by the Town of Peace River, by any local board or agency of the Town, by any government agency, by any railway company authorized under the Railway Act or amendments thereto, for any public utility, or any use or organization that has the express purpose of providing public services to the community. Such uses include, but are not limited to: administration buildings and yards; emergency service buildings; hospitals; dentists; medical clinics; post offices; libraries; museums; art galleries; bus depots; arenas; water treatment plants; sewage lift stations; tourist information centers, schools, colleges, community centers, or halls, etc. In respect of hospitals, schools and colleges the development may also include associated on-site residential accommodation, such as, but not limited to: nurses residence, dormitories and child care facilities, provided that any such development is accessory to the primary use of the property for public services and would not result in a separate, unrelated form of development.

“PUBLIC UTILITY” means any municipal revenue earning work or utility, and includes the municipal:

- (i) telephone system;
- (ii) waterworks system;
- (iii) bus lines or other transportation system;
- (iv) irrigation system;
- (v) systems for the distribution of gas, whether natural or artificial;
- (vi) electrical generating plants, artificial light or electric power systems;
- (vii) heating systems; and
- (viii) sewage system;

and the service or commodity supplied by any public utility.

“RADIO BROADCASTING STUDIO” means a facility for the production or broadcasting of audio programming associated with radio.

“REAL PROPERTY REPORT” means a codified legal standard report adopted by the Alberta Land Surveyors’ Association which contains pertinent information on a parcel and the development which exists on the property and clearly illustrates the location of significant visible improvements relative to property boundaries.

“REAR YARD” means a yard extending across the full width of a parcel from the rear wall of the main building situated on the parcel to the rear line of the parcel.

“REAR YARD DEPTH” means the least horizontal dimension between the rear lot line of the lot and the nearest part of the principal building.

“RECREATIONAL USE, EXTENSIVE” means a recreation development conducted on a unified basis on a single site in the rural area where the prime reason for locating in the rural area is to take advantage of the natural physical features including the availability of large tracts of land to provide for non-facility recreational activities such as skiing, hiking, trail riding, golf courses and other similar activities.

“RECREATIONAL USE, INTENSIVE” means high density recreational activities such as campgrounds, picnic grounds, fishing lodges, beach areas, marinas, riding stables, race tracks, sports fields, arenas, swimming pools, tennis courts, and other similar activities.

“RECREATIONAL VEHICLE” means a vehicle or portable structure designed to be carried on a motor vehicle, towed behind a motor vehicle, or designed and built to be transported on its own wheels, to provide temporary living accommodation for travel and/or recreational purposes. This includes such vehicles as motor homes, fifth wheel trailers and holiday trailers, but does not include manufactured (mobile) homes.

“RECYCLING DEPOT” means development used for the buying and temporary storage of bottles, cans, newspapers and similar household goods for reuse where all storage is contained within an enclosed building.

“REGISTERED OWNER” means:

- (i) in the case of land owned by the Crown in Right of Alberta, or the Crown in Right of Canada, the Minister of the Crown having the administration of the land, or
- (ii) in the case of any other land,
 - A. 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
 - B. in the absence of a person described in (i) above, the person registered under the Province of Alberta Land Titles Act as the owner of the fee simple estate in the land.

“RELIGIOUS USE FACILITY” means a building or structure primarily intended for the conducting of organized religious services, and may include as accessory uses social, recreational and community activities such as group meetings, banquets and child care.

“RESERVE LAND” means a municipal, school, municipal/school or environmental reserve that has been dedicated in accordance with the Act.

“RESIDENTIAL CARE FACILITY” means a private or publicly funded seniors lodge, nursing home, extended or congregate care facility, or a group care facility with five (5) or more occupants. GROUP CARE FACILITY IS DEFINED AS FOUR (4) OR LESS RESIDENTS.

“RESIDENTIAL SUPPORT HOME TYPE 1” means a development within a dwelling unit authorized, licensed or certified by a public authority where support staff provides care, guidance or supervision for four (4) or fewer persons with mental or physical disabilities in a residential setting. This use is not a boarding house, group care facility or half-way house.

“RESIDENTIAL SUPPORT HOME TYPE 2” means a development within a dwelling unit authorized, licensed or certified by a public authority where support staff provides care, guidance or supervision for five (5) or more persons with mental or physical disabilities in a residential setting. This use is not a boarding house, group care facility or half-way house.

“RETAIL STORE” means the use of a building or portion thereof where goods, wares, merchandise, substances, articles or things are stored, offered or kept for sale or rent and includes storage within the premises of quantities sufficient to service such store, but does not include a warehouse or distribution sales.

“RETAIL STORE (LARGE)” means a retail store requiring larger tracts of land for floor space and/or vehicle parking.

“ROW DWELLING” means one (1) of three (3) or more dwelling units which are constructed in a row and divided vertically and each of which has a separate front and rear entrance.

“SATELLITE DISH ANTENNA” means a combination of:

- (i) antennae or dish antennae whose purpose is to receive communication or other signals from orbiting satellites; or
- (ii) a low noise amplifier which is situated at the focal point to the receiving component and whose purpose is to magnify and transfer signals.

“SCREENING” means a fence, berm, hedge, or other form of solid screening used to visually separate areas or functions, which in the opinion of the Development Officer, detract from the street or neighbouring land uses.

“SEA / SHIPPING CONTAINER” means a structure placed either temporarily or permanently within a property for the purpose 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. These

containers were originally designed for use as a means of storing and transporting cargo via ship, rail or truck and are considered an accessory structure when used as storage.

“SECONDARY SUITE” means a Dwelling unit located within and Accessory to a Single Detached Dwelling. A Secondary Suite must be a self-contained unit including separate cooking, food preparation, sleeping, and bathing/toilet/washing facilities. A Secondary Suite also has an entrance separate from the entrance to the principal dwelling, either from a common indoor landing or directly from the side or rear of the structure. A Secondary Suite could include the conversion of a basement, the addition of an additional floor, or an additional suite to the principal building at grade. A Secondary Suite does not include Duplexes, Semi-Detached Dwellings or Apartments and does not include Garage/Garden Suites or Boarding and Lodging Houses.

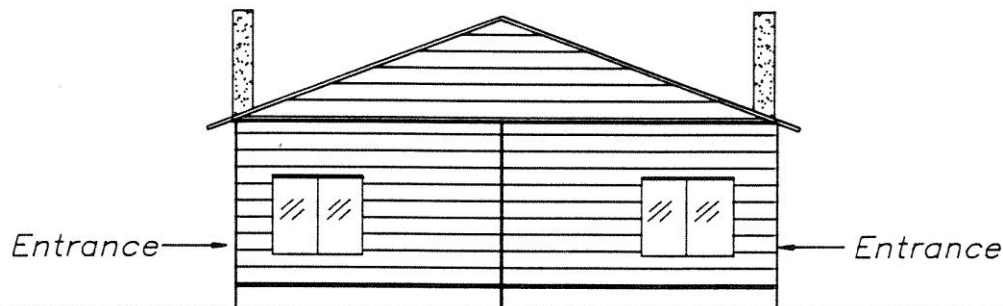
“SEMI-DETACHED DWELLING” means one (1) of a pair or two single-family dwellings, attached along a common wall (refer to the diagram on the next page).

“SERVICE STATION” means an establishment used for the retail sale of gasoline, propane or other automotive fuels and ancillary uses for the traveling public and may include facilities for the servicing and maintenance of vehicles.

Explanation Notes

Semi-Detached

“SEMI-DETACHED DWELLING” means one (1) of a pair or two single-family dwellings, attached along a common wall.



“SETBACK” means the distance that a development or a specified portion of it, must be set back from a property line. The setback shall be measured from the building foundation to front, side or rear property lines.

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“SHOPPING CENTRE” means a group of commercial establishments planned, developed, owned and managed as a unit and located on a common parcel of land. A shopping centre may include an associated child care facility.

“SIDE YARD” means a yard extending from the front wall of the main building situated on a parcel to the rear wall of the main building and lying between the side property line of the parcel and the side wall of the main building.

“SIDE YARD WIDTH” means the least horizontal dimension between the side lot line of the lot and the nearest part of the principal building.

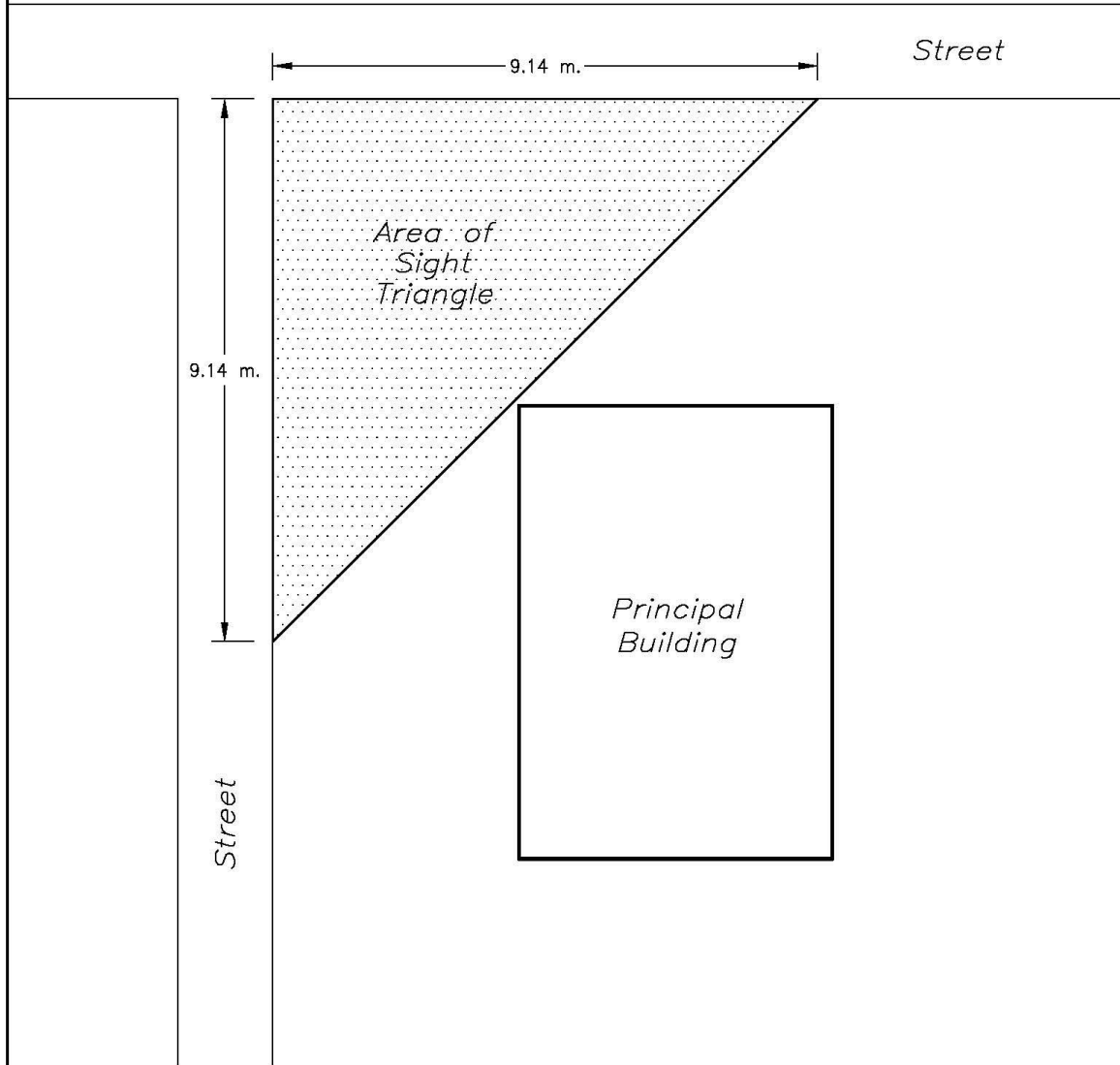
“SIGHT TRIANGLE” means that triangle formed by a straight line drawn between two points on the exterior boundaries of the said site 9.14 metres (30 feet) from the point where they intersect (refer to the diagram on the next page).

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

“SINGLE DETACHED DWELLING” means a building over 4.27 metres (14 feet) in width containing one (1) dwelling unit which is completely separated on all sides from any other dwelling or structure and, except as otherwise allowed by the Bylaw, used for no other purpose.

Explanation Notes

Sight Triangle



"SIGHT TRIANGLE" means that triangle formed by a straight line drawn between two points on the exterior boundaries of the said site 9.14 m. (thirty (30) feet) from the point where they intersect.

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

“SOLAR ELECTRIC PANEL” means a group of photovoltaic cells that are enclosed to keep the cells safe and so that the voltage obtained from each cell can be combined. Solar electric panels can convert solar energy into usable direct current electricity that can then be distributed through an inverter to the electrical grid.

“SPECTATOR SPORTS ESTABLISHMENTS” means development providing facilities intended for sports and athletic events which are held primarily for public entertainment, where patrons attend on a recurring basis. This use class does not include Indoor Participant Recreation Services. Typical uses include coliseums, stadia, arenas, animal racing tracks and vehicle racing tracks.

“STRIPPING, FILLING, EXCAVATION AND GRADING” 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 top soil, 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.

“STORAGE FACILITY” means a facility that is used to store goods, products or equipment and is usually associated with a commercial and/or industrial operation.

“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 1.83 metres (6 feet) 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 for a fixed location on the ground and includes buildings, walls, fences, billboards, and poster panels.

“SUBDIVISION AND DEVELOPMENT APPEAL BOARD” means a subdivision and development appeal board established by bylaw by Council pursuant to the Act.

“SWIMMING POOL” means either an in-ground, above ground or on-ground pool with a water design depth greater than 600mm, regardless of the pool's surface area and regardless of whether the pool has a water circulation system. Hot tubs and spas are viewed as special purpose pools and have similar requirements to protect people from drowning. Hot tubs and spas must have a strong lockable cover if the yard is not fenced. Fence and gate requirements apply to these swimming pools. Alberta Building Code requirements are applicable even if a private swimming pool is an on-ground swimming pool.

“TOURIST CAMPSITE” means a facility that has been planned and improved for the seasonal short term use of holiday trailers, motor homes, tents, campers and similar recreational vehicles and is not used as a year round storage, or accommodation for

residential use. Typical uses include tourist trailer parks, campsites and tenting grounds.

“TRUCKING OR CARTAGE FIRM” means a facility for the purpose of storing and dispatching trucks and tractor trailers for transporting goods.

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

“USE, CHANGE OF” means the conversion of land or buildings, or portion thereof, from one land use activity to another, in accordance with the permitted or discretionary uses as listed in each land use district.

“USE, INTENSITY OF” means the degree or scale of operation of use or activity in relation to the amount of land and buildings associated with the use, amount of parking facilities required for the particular land use activity, etc.

“VARIANCE” means an alteration or change to a standard prescribed by this Bylaw that is authorized by the Development Officer or Municipal Planning Commission.

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

“WAREHOUSE AND DISTRIBUTION SALES” means development used for the wholesale or retail sale of a limited range of bulky goods from within an enclosed building where the warehouse or storage component occupies at least fifty (50) percent of the gross floor area. Typical uses include furniture, carpet, appliance warehouses, electronic equipment, and building materials sales.

“WASTE MANAGEMENT” means a site used primarily for the storage, processing, treatment and disposal of solid or liquid wastes, which may have an adverse impact on sites either adjacent or in the vicinity by virtue of potential emissions and appearance. Typical uses include sanitary landfills, garbage transfer and compacting stations, incinerators and similar uses.

“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 (refer to the diagram on the next page).

“YARD, EXTERIOR SIDE” means a side yard immediately adjoining a street (refer to the diagram on the next page).

“YARD, FRONT” means a yard extending across the full width of a lot and situated between the front lot line and the nearest portion of the principal building (refer to the diagram on the next page).

“YARD, REAR” means a yard extending across the full width of a lot and situated between the rear lot line and the nearest portion of the principal building (refer to the diagram on the next page).

“YARD, SIDE” means a yard extending from the front yard to the rear yard and situated between the side lot line and the nearest part of the principal building (refer to the diagram on the next page).

Explanation Notes

Yard Definitions

“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, EXTERIOR SIDE” means a side yard immediately adjoining a street.

“YARD, FRONT” means a yard extending across the full width of a lot and situated between the front lot line and the nearest portion of the principal building.

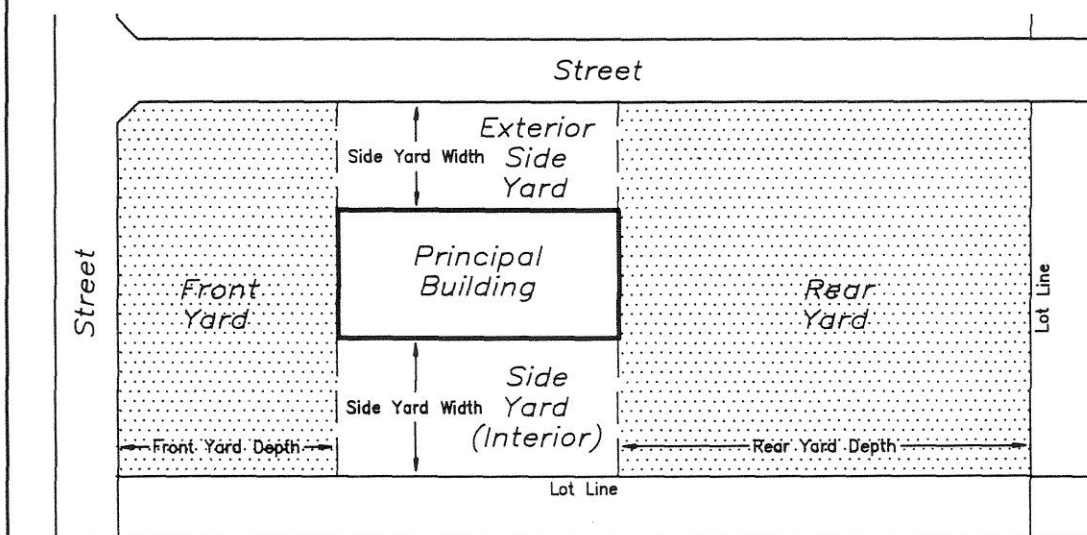
“YARD, REAR” means a yard extending across the full width of a lot and situated between the rear lot line and the nearest portion of the principal building.

“YARD, SIDE” means a yard extending from the front yard to the rear yard and situated between the side lot line and the nearest 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 WIDTH, 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 (refer to the diagram on the previous page).

“YARD DEPTH, REAR” means the least horizontal dimension between the rear lot line of the lot and the nearest part of the principal building (refer to the diagram on the previous page).

“YARD WIDTH, SIDE” means the least horizontal dimension between the side lot line of the lot and the nearest part of the principal building (refer to the diagram on the previous page).

All other words and expressions have the meaning respectively assigned to them in the Act.

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SECTION 3 ADMINISTRATIVE AGENCIES

(1) DEVELOPMENT OFFICER

- (a) The office of Development Officer is hereby established and the Development Officer shall be appointed by a resolution of Council.
- (b) The Development Officer is hereby considered to be an “authorized person”.

(2) MUNICIPAL PLANNING COMMISSION

The Municipal Planning Commission as established by separate bylaw is hereby authorized to perform the duties as specified in this Land Use Bylaw.

(3) THE DIRECTOR OF THE MACKENZIE MUNICIPAL SERVICES AGENCY

The Director or his/her representative may serve as an advisor to Council and its agencies.

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SECTION 4

DUTIES AND RESPONSIBILITIES OF ADMINISTRATIVE AGENCIES

(1) DEVELOPMENT OFFICER

(a) The Development Officer shall:

- (i) receive, consider and decide upon applications for a development permit;
- (ii) keep and maintain for inspection by the public during office hours, a copy of this Bylaw and all amendments and resolutions thereto and ensure that copies are available to the public at reasonable charge;
- (iii) keep a register of all applications for development, including the decisions thereon and the reasons thereof, for a minimum period of seven (7) years;
- (iv) consider and decide on applications for a development permit for a use listed under the "Permitted Uses" column in a land use district; and
- (v) refer, with his/her report, to the Municipal Planning Commission for its consideration and decision a development permit application for a use:
 - A. listed under the "Discretionary Uses" column of a land use district, or
 - B. neither listed under the "Discretionary Uses" nor "Permitted Uses" columns in the District for which the application was made but which is a similar use as per Section 13(4) of this Bylaw, or
 - C. which the Development Officer, at his/her sole discretion, wishes to refer to the Municipal Planning Commission.
- (vi) Notwithstanding that it may be listed as a discretionary use under certain land use districts, the Development Officer may decide on a development permit application for:
 - A. an accessory building or structure;
 - B. a home occupation;
 - C. stripping, filling, excavation and grading;
 - D. a sign; or
 - E. other such building or development that may be designated from time to time by the Municipal Planning Commission.

(2) MUNICIPAL PLANNING COMMISSION

- (a) The Municipal Planning Commission shall consider and decide on applications for development permits that have been referred to it by the Development Officer.
 - (i) The Municipal Planning Commission may refuse a development permit for a use or development that is not listed as a Permitted or Discretionary use.
- (b) The Municipal Planning Commission may approve an application for a development permit notwithstanding that the proposed development does not comply with the Land Use Bylaw, if, in the opinion of the Municipal Planning Commission:
 - (i) the proposed development would not:
 - A. unduly interfere with the amenities of the neighbourhood, or

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- B. materially interfere with or affect the use, enjoyment or value of neighbouring properties, and
- (ii) the proposed development does not conflict with the use prescribed for the land or building in the Bylaw.
- (c) 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.

(3) GENERAL DUTIES AND RESPONSIBILITIES

- (a) When, in the opinion of the Development Officer or the Municipal Planning Commission, sufficient details of a proposed development have not been included with the application for a development permit, the Development Officer or the Municipal Planning Commission may return the application to the applicant for further details. The application so returned shall be deemed not to have been in its complete and final form until all required details have been submitted to the satisfaction of the Development Officer or the Municipal Planning Commission.
- (b) In making a decision, the Development Officer or the Municipal Planning Commission shall:
 - (i) approve an application unconditionally; or
 - (ii) approve an application subject to conditions; or
 - (iii) refuse an application.
- (c) In making a decision on an application for a use listed under the “Permitted Uses” column in a land use district the Development Officer or the Municipal Planning Commission:
 - (i) Shall approve the application upon the use conforming to the Bylaw.
 - (ii) May approve the application where the use does not conform to the Bylaw subject to conditions necessary to ensure conformity.
- (d) Notwithstanding Section 4(3)(c) above, the Development Officer may allow a minor variance of any or all of the following requirements where, in the Development Officer’s discretion, such variance does not unduly affect the amenities, use or enjoyment of the site or the neighbouring properties:
 - (i) development setback requirements - 0.31 metre (1 foot) variance;
 - (ii) height of buildings - 0.31 metre (1 foot) variance;
 - (iii) site width - 0.31 metre (1 foot) variance;
 - (iv) site area – 9.29 square metres (100 square feet) variance;
- (e) The Development Officer or the Municipal Planning Commission may require with respect to a development that, as a condition of issuing a development permit, the applicant enters into an agreement with the Municipality to do any or all of the following:

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- (i) to construct or pay for the construction of a public roadway required to give access to the development;
 - (ii) to install or pay for the installation of utilities that are necessary to serve the development;
 - (iii) to construct or pay for the construction of:
 - A. off-street or other parking areas; and
 - B. loading and unloading areas;
 - (iv) to apply an off-site levy or redevelopment levy imposed by bylaw;
 - (v) 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.
 - (vi) provide security to ensure compliance with this Bylaw, a development permit, an agreement under this clause and/or a statutory plan, which security may include, but is not limited to, an irrevocable letter of credit or change against the title to the site.
- (f) The Development Officer or the Municipal Planning Commission shall consider and decide on applications for development permits within forty (40) days of the receipt of the application in its complete and final form.
- (g) An application for a development permit shall, at the option of the applicant, be deemed to be refused when the decision of the Development Officer or Municipal Planning Commission is not made within forty (40) days of receipt of the application unless the applicant has entered into an agreement with the Development Officer to extend the forty (40) day period.
- (h) When, in the opinion of the Development Officer or the Municipal Planning Commission, satisfactory arrangements have not been made by a developer for the supply of water, electrical power, sewage, and street access (or any of these), including payment of the costs of installation or construction, the Development Officer shall refuse to issue a development permit.
- (i) The Development Officer or the Municipal Planning Commission may refer any application to:
 - (i) the Mackenzie Municipal Services Agency;
 - (ii) adjacent municipalities for development applications proposed for lands adjacent to a municipal boundary; or
 - (iii) any other agency in order to receive comment and advice.
- (j) If after the issuance of a development permit, information becomes available to the Development Officer that:
 - (i) A decision was based on misunderstanding information within the application;
 - (ii) A decision was based on misrepresentation of information within the application;
 - (iii) A decision was based on relevant facts that were withheld within the application; or

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- (iv) The development permit was issued in error;
The development permit may be rescinded by the Development Officer through a notice in writing to the applicant at the address provided in the development permit application.

(4) GENERAL DEVELOPMENT CONSIDERATIONS

Notwithstanding any other land use provision contained within this Bylaw, the Development Officer and Municipal Planning Commission shall apply the following considerations to all development (where applicable).

(a) Design, Character and Appearance of Buildings:

- (i) The quality of exterior treatment and design of all buildings shall be to the satisfaction of the Development Officer and/or the Municipal Planning Commission.
- (ii) The design, character and appearance of a building must:
 - A. be compatible with any other building existing in the vicinity, unless the building is setting a new standard of design, character and appearance for the land use district or a particular locality of it;
 - B. be consistent with the purpose of the land use district in which the building is located; and
 - C. comply with any provision of a statutory plan applicable to the design, character and appearance of the building.
- (iii) A plan outlining the development proposal, complete with drawings, renderings and/or other supporting documents that show the site's visual character may be required for approval. This shall apply to plans for subdivision and for development, to ensure that proper architectural control is exercised throughout the development.
- (iv) Additions to the principal building and any accessory buildings shall be constructed and finished using compatible materials with the principal building.

(5) SUBDIVISION STANDARDS

- (a) Notwithstanding any subdivision standards in any land use district for lot width, lot depth, and minimum lot size, Council may recommend a variance to the standard in the following cases, where such a variance does not unduly affect the amenities, use or enjoyment of the site or the neighbouring properties:
 - (i) Residential Subdivisions prior to 1950, containing two separate dwellings on a single title:
 - Site Width: A width not less than 9.14 metres (30 feet) may be permitted.
 - Site Area: An area not less than 278.7 square metres (3,000 square feet) may be permitted.

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- (ii) Residential Subdivisions General:
 - Site Width: A variance up to a maximum of 0.91 metre (3 feet) may be permitted.
 - Site Area: A variance up to a maximum of ten (10) percent of the minimum lot area may be permitted.
 - (iii) Commercial Subdivisions:
 - Site Width: A variance of up to a maximum of 0.61 metre (2 feet) may be permitted.
 - Site Area: A variance up to a maximum of ten (10) percent of the minimum lot area may be permitted.
 - (iv) Industrial Subdivisions:
 - Site Width: A variance up to a maximum of 0.91 metre (3 feet) may be permitted.
 - Site Area: A variance up to a maximum of ten (10) percent of the minimum lot area may be permitted.
- (b) Notwithstanding the above guidelines, Council may grant a further variance after considering the following: existing development, servicing, site plans, topography, adjacent development and other matters related to the merits of the subdivision application.
 - (c) Upon recommendation from Council on the above, the Subdivision Approving Authority may approve a subdivision application.
 - (d) As part of an application for subdivision approval, Council may charge a fee, as established by a resolution of Council, for survey monument maintenance.

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SECTION 5 DEVELOPMENT PERMITS

(1) DEVELOPMENT PERMITS REQUIRED

Except as provided in Section 5(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. In the event that 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 Municipal Government 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 Municipal Government Act and amendments thereto or any caveat, covenant or easement that may be attached to the site.

(2) DEVELOPMENT PERMITS NOT REQUIRED

A development permit is not required for the following developments but they shall otherwise comply with the provisions of this Bylaw:

- (a) Works of maintenance, repair or alterations, on a structure, both internal and external, if in the opinion of the Development Officer or the Municipal Planning Commission such work:
 - (i) does not include structural alterations as determined by the Town's Safety Codes Officer;
 - (ii) does not change the use or intensity of the use of the structure; and
 - (iii) is performed in accordance with obligatory legislation or other government regulations.
- (b) The completion of a building which was lawfully under construction at the date this Bylaw comes into full force and effect, provided that:
 - (i) the building is completed in accordance with the terms of any permit granted by the Municipality, subject to the conditions of that permit; and
 - (ii) the building, whether or not a permit was granted in respect of it, is completed within a period of twelve (12) months from the date this Bylaw comes into full force and effect.
- (c) The use of any building referred to in Section 5(2)(b) for the purpose for which construction was commenced.
- (d) The erection, construction, or the maintenance of gates, fences, walls or other means of enclosure 1.83 metres (6 feet) or less in height for the portion that does not extend beyond the foremost portion of the principal building abutting a front yard; or

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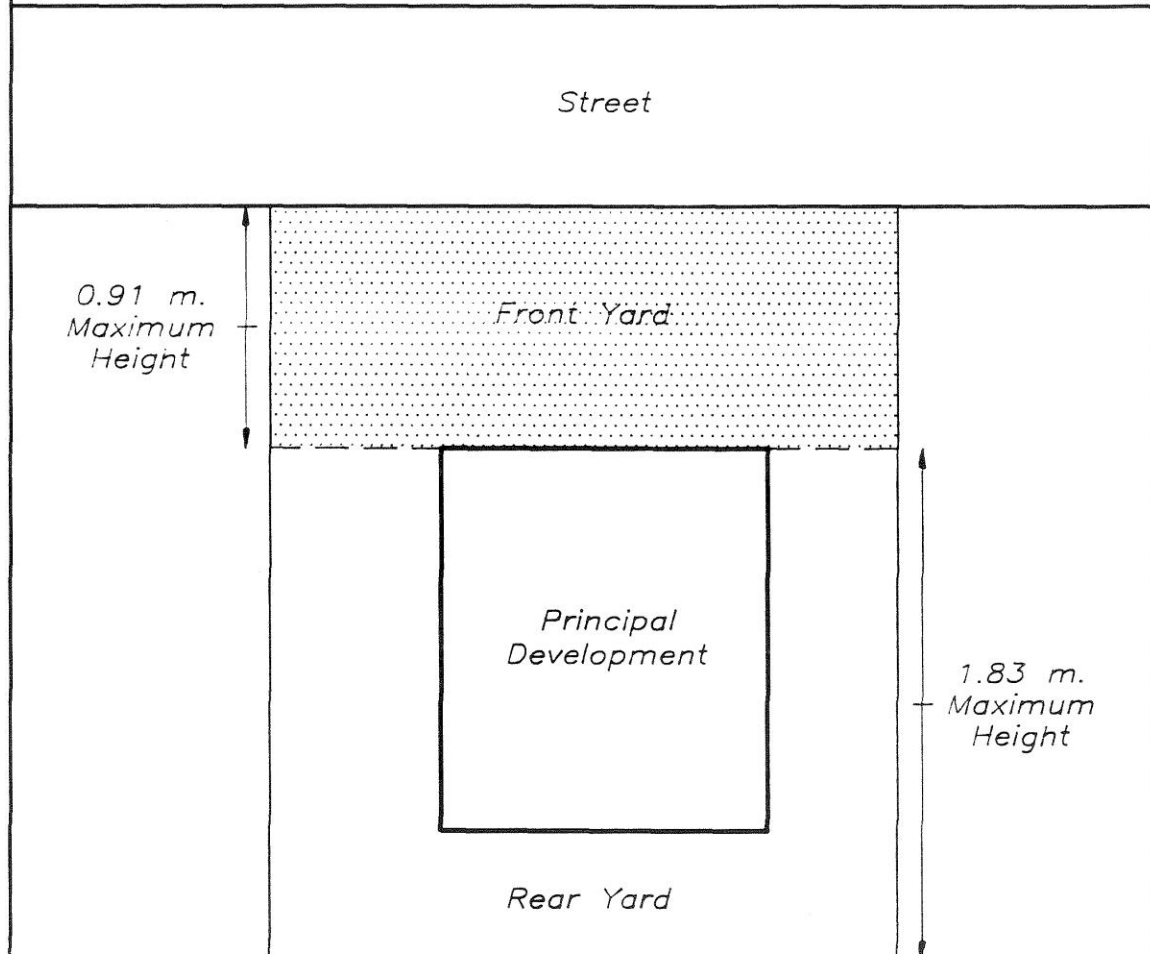
The erection, construction or the maintenance of gates, fences, walls or other means of enclosure 0.91 metre (3 feet) or less in height for the portion that does extend beyond the foremost portion of the principal building abutting a front yard (refer to the diagram on next page).

Other means of enclosure does not include accessory buildings.

- (e) The erection or installation of machinery needed in connection with operations for which a development permit has been issued, for the period of those operations.
- (f) The construction and maintenance of that part of a public utility placed in or upon a public thoroughfare or public utility easement.
- (g) The use by the Municipality of land of which the Municipality is the legal or equitable owner.
- (h) The use of a building or part thereof as a temporary polling station for a Federal, Provincial or Municipal election or referendum.
- (i) An official notice, sign, placard, or bulletin required to be displayed pursuant to the provisions of Federal, Provincial or Municipal legislation.
- (j) One (1) temporary, on-site sign which does not exceed 1.11 square metres (12 square feet) in area nor 1.22 metres (4 feet) in height and is intended for:
 - (i) advertising the sale or lease of a dwelling unit, or property for which a development permit has been issued for the development on the said property;
 - (ii) identifying a construction or demolition project for which a development permit has been issued for such a project;
 - (iii) identifying a political campaign: such a sign may be displayed for thirty (30) days prior to an election or referendum and must be removed within seven (7) days following the election or referendum;
 - (iv) advertising a campaign or drive which has been approved by Council: such a sign may be posted for a maximum period of fourteen (14) days; or
 - (v) a development permit notice board.
- (k) The erection and placement of a satellite dish antenna when it complies with the provisions of this Bylaw.
- (l) The demolition of a building or structure where a development permit has been issued for a new development on the same site, and the demolition of the existing building or structure is implicit in that permit.

Explanation Notes

Development Permits Not Required for Gates and Fences



The erection, construction, or the maintenance of gates, fences, walls or other means of enclosure 1.83 metres (6 feet) or less in height for the portion that does not extend beyond the foremost portion of the principal building abutting a front yard; or

The erection, construction or the maintenance of gates, fences, walls or other means of enclosure less than 0.91 metre (3 feet) or less in height for the portion that does extend beyond the foremost portion of the principal building abutting a front yard.

Refer to Section 11(5) for restrictions on corner sites.

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- (m) The development of an uncovered and unenclosed Low Level Deck which is located entirely in the side and/or rear yard and which is accessory to a residential structure.
- (n) The use of land for a carnival providing a variety of shows, games and amusement rides, for a period of less than five (5) days.
- (o) Accessory structures less than 3.66 metres by 3.66 metres (12 feet by 12 feet). Accessory structures must be located in the side or rear yard, have a height of less than 4.57 metres (15 feet), comply with all setback requirements, and be below maximum site coverage.
- (p) Stripping, filling, excavation and grading of land,
 - (i) when such operations are performed in accordance with a valid Development Permit or Development Agreement, or
 - (ii) on a developed lot, when undertaking normal soft or hard landscaping activities, such as but not limited to loaming and seeding yard areas, planting trees or shrubs, gardening, where these activities do not affect the swale of surface water or may cause exiting surface soils to slough onto adjacent properties.

(3) APPLICATION FOR A DEVELOPMENT PERMIT

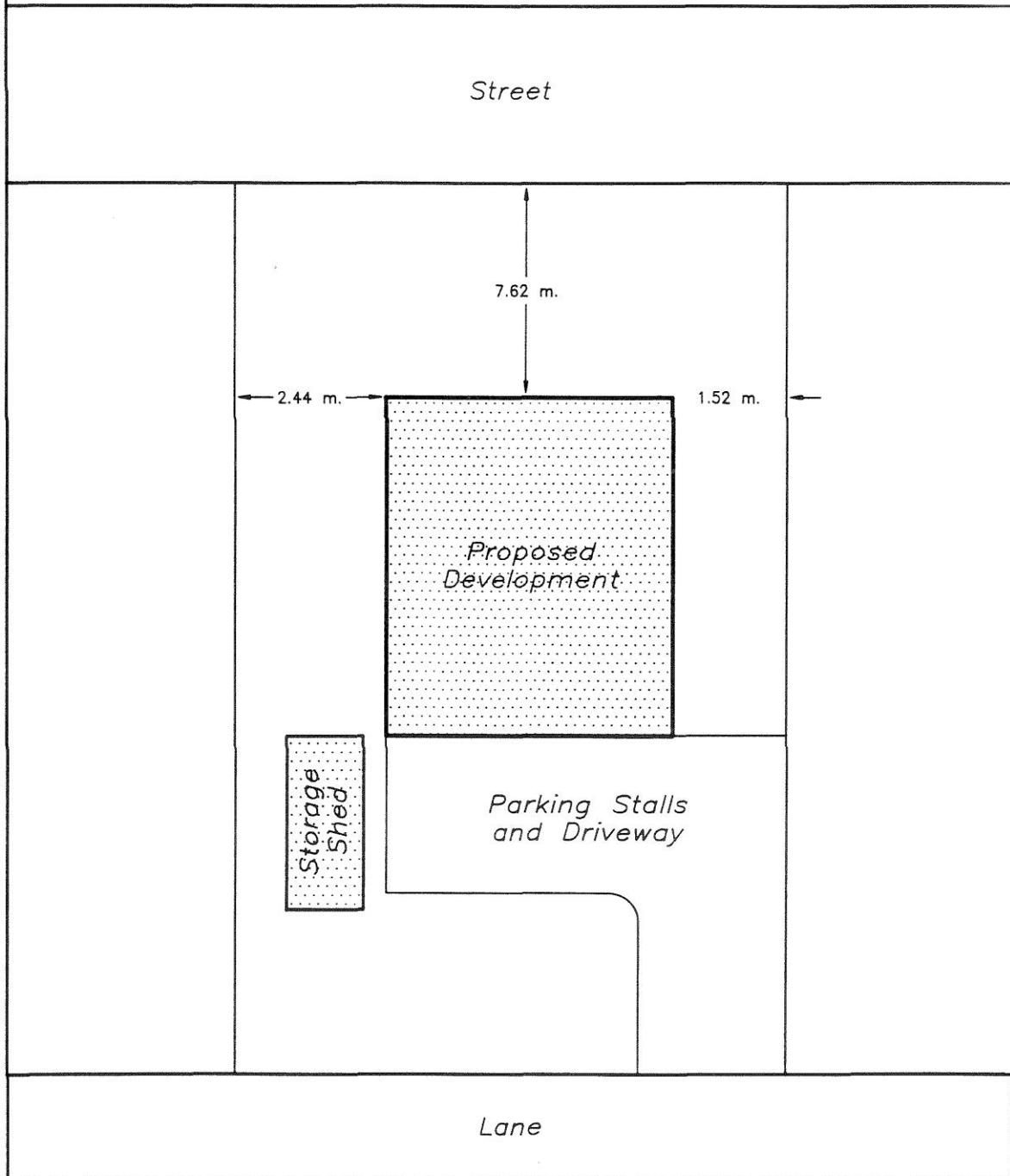
- (a) An application for a development permit shall be made to the Development Officer in writing in the prescribed form, and shall be signed by the registered owner of the land on which the development is proposed, or by another person who has the written consent of the registered owner or his/her agent.
- (b) The Development Officer or the Municipal Planning Commission may require any of the following information with the application:
 - (i) building plans showing:
 - A. floor plans,
 - B. elevations,
 - C. exterior finishing materials,
 - D. any other related information as deemed necessary by the Development Officer or the Municipal Planning Commission;
 - (ii) a site plan drafted by an accredited Alberta Land Surveyor or other similar qualified person showing:
 - A. the legal description and municipal address,
 - B. dimensions of the site,
 - C. utilities, site drainage, grade elevations, existing and finished lot grades, the grades of the streets and the location of proposed sewer and water lines,
 - D. the height, dimensions, and relationship to property lines of all existing and proposed buildings and structures including retaining walls, trees, landscaping, other features and location of fencing if deemed necessary by the Development Officer,

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- E. on applications for multiple-family, commercial, industrial, recreational and community development uses:
 - loading and parking provisions,
 - access locations to and from the site,
 - garbage and storage areas and the fencing and screening proposed for same,
 - location and approximate dimensions of existing and proposed culverts and crossings;
 - (iii) a statement of ownership of land and interest of the applicant therein;
 - (iv) the estimated commencement and completion dates;
 - (v) all drawings required to be submitted shall be drawn to scale on standard drafting material to the satisfaction of the municipality and shall be fully dimensioned, accurately figured, explicit and complete.
 - (vi) such additional information as deemed necessary.
- (c) The application fee for a development permit shall be as established by a resolution of Council.
 - (d) An application is incomplete until the information required by the Development Officer under subsection (b) is submitted to the Development Officer.
 - (e) 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.
 - (f) In the event of a discrepancy between any written description or measurement and the drawings, the written description or measurement shall prevail.
 - (g) Where an application for a development permit is determined to contain incorrect information, the development permit shall not be issued until such information is corrected by the applicant.
 - (h) The applicant shall sign a certificate authorizing the right of entry by the Development Authority to such lands or buildings as may be required for investigation of the proposed development.
 - (i) Any development permit issued on the basis of incorrect information contained in the application shall be invalid.
 - (j) Notwithstanding the provisions of this Section, the Development Officer or Municipal Planning Commission may consider an application if, the development is of such a nature as to enable a decision to be made on the application without all of the information required in this Section.

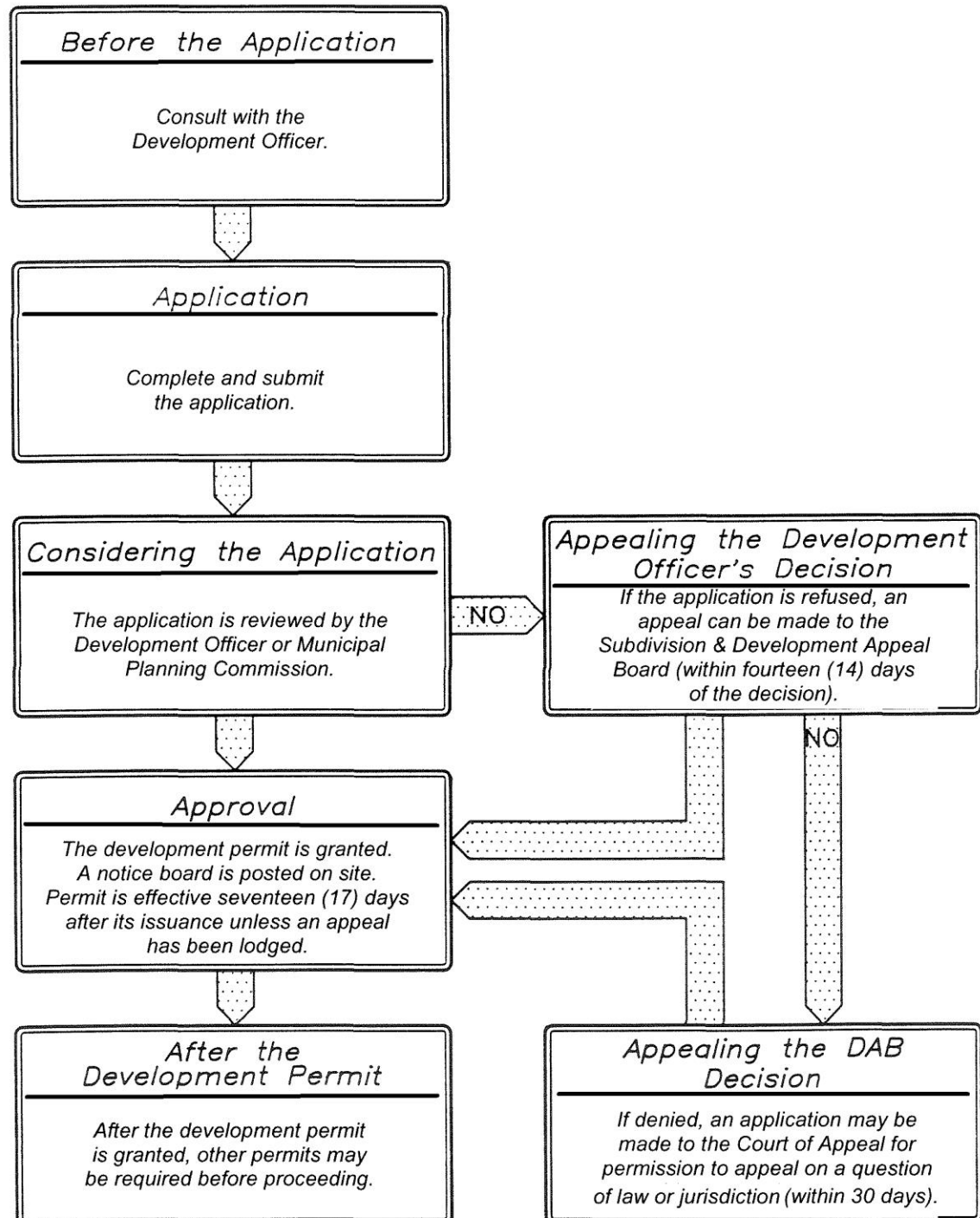
Explanation Notes

A Typical Site Plan for Development Permit Applications



Explanation Notes

Development Process



(4) ENVIRONMENTAL AUDITS

- (a) Town Council, the Development Officer or the Municipal Planning Commission may require an applicant to conduct an environmental audit and submit an environmental audit report as part of a development permit application, an application to amend this Bylaw, an application for subdivision approval or an application to adopt or amend a statutory plan.
- (b) The environmental audit report shall include:
 - (i) a history of the subject property's ownership and use;
 - (ii) a description of the natural environment and social environment surrounding the subject property which may be sensitive to contamination;
 - (iii) an inventory of all hazardous materials that may have been handled or stored on the subject property, including a review of on- and off-site disposal operations and facilities;
 - (iv) a documentation of the existence, location and use of above- and underground storage tanks and other related facilities;
 - (v) a history of environmental regulatory activity affecting the subject property;
 - (vi) a review of the condition and uses of adjoining properties;
 - (vii) a completed sampling program to determine type and level of contamination of soil, ground and surface water, site facilities, etc.;
 - (viii) a determination of the extent of contamination; and
 - (ix) a comprehensive site and areas maps noting the locations of natural and built features and other elements of the site audit as noted above.
- (c) The environmental audit shall be conducted by a qualified professional(s) under Provincial legislation.
- (d) The environmental audit report shall be referred to Alberta Environment for comment.
- (e) The Town may use the recommendations of the environmental audit report as:
 - (i) reasons for issuing a development permit with or without conditions;
 - (ii) reasons to refuse to issue a development permit;
 - (iii) reasons to amend this Bylaw;
 - (iv) reasons to refuse to amend this Bylaw;
 - (v) reasons for comments to the Subdivision Approving Authority in recommending to approve, approve with conditions, or refuse an application for subdivision;
 - (vi) reasons to approve an application to adopt or amend a statutory plan; and
 - (vii) reasons to refuse an application to adopt or amend a statutory plan.

SECTION 6

ISSUANCE OF DEVELOPMENT PERMITS AND NOTICES

(1) DEVELOPMENT PERMIT NOTIFICATION

- (a) When an application for a development permit is approved an official of the Municipality shall post a notice of the decision conspicuously on the property for which the application has been made.
- (b) When an application for a development permit is refused, an official of the Municipality shall mail a notice of decision, in writing, by mail, to the applicant or his/her agent stating the reasons for refusal. As per the Interpretation Act R.S.A. 2000 Section 23(1) and any amendments thereto, 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, but within Canada.
- (c) In addition the procedures outlined in subsections (a) and (b) above, the Municipality may also advertise a development permit decision in the newspaper, on the Town of Peace River website and/or by individual notifications to affected persons, where deemed necessary.
- (d) For the purposes of this Bylaw, notice of the decision of the Development Officer or the Municipal Planning Commission is deemed to have been given on the day when Notice of Decision has been posted on the site, and upon a decision of refusal, mailed to the applicant.
- (e) For notifications relating to agricultural operations, refer to General Land Use Provisions, Section 11(13) of this Bylaw.

(2) CONDITIONS OF A DEVELOPMENT PERMIT

- (a) 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.

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.

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.

- (b) A development permit is automatically effective twenty one (21) calendar days after its issuance unless an appeal is lodged with the Subdivision and Development Appeal Board.

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- (c) 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.
- (d) 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.
- (e) 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 and/or during the construction of the building foundation, or siting in the case of mobile and/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.

(3) DEVELOPMENT PERMITS - PAYMENT OF TAXES, OFFSITE/DEVELOPMENT LEVIES

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.

(4) FORMS AND NOTICES

- (a) For the purpose of administering this Land Use Bylaw, the development authority shall prepare such forms and notices as he or she may deem necessary.

(5) CANCELLATION OF PERMIT

- (a) In accordance with the provisions of Section 545 of the Municipal Government 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.
- (b) 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.
- (c) 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.
- (d) All developments continuing after the development permit has been revoked shall be deemed to be developments occurring without a development permit under this Section.
- (e) The Development Officer may cancel a development permit where required fees have not been received.

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SECTION 7 APPEAL PROCEDURE

- (1) An appeal may be made to the Subdivision and Development Appeal Board where the Development Officer, Municipal Planning Commission or Subdivision Authority:
 - (a) refuses or fails to approve a development permit or subdivision application within the prescribed time in accordance with the Municipal Government Act and amendments thereto and the Subdivision and Development Regulations and amendments thereto;
 - (b) approves a development permit or subdivision application subject to conditions;
 - (c) issues an order under Section 8 of this Bylaw.
- (2) Any applicant for a development permit or a subdivision may appeal to the Subdivision and Development Appeal Board in accordance with the Bylaw.
- (3) A person affected by an order or decision, made or issued, may appeal to the Subdivision and Development Appeal Board in accordance with this Section and the Municipal Government Act and amendments thereto.
- (4) An appeal to the Subdivision and Development Appeal Board shall be commenced by serving a written notice of the appeal to the Secretary of the Subdivision and Development Appeal Board within fourteen (14) days after:
 - (a) in the case of an appeal made pursuant to subsections (1) and (2), the date on which:
 - (i) the person is notified of the order or decision or the issuance of a development permit, or
 - (ii) if no decision is made, with respect to the application for a development permit or subdivision application, within the legislated decision limit in accordance with the Municipal Government Act and amendments thereto and the Subdivision and Development Regulations and amendments thereto;or
 - (b) in the case of an appeal made by a person referred to in subsection (3), the date on which the notice of the issuance of the permit was given in accordance with Section 6 of this Bylaw.
- (5) No appeal shall be accepted by the Secretary of the Subdivision and Development Appeal Board without the submission of the appeal fee prescribed by resolution of Council.

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- (6) The appeal shall be conducted pursuant to the Bylaw establishing the Subdivision and Development Appeal Board.

SECTION 8 ENFORCEMENT AND PENALTIES

- (1) Where the Development Officer or any other persons or agency authorized by Council to perform bylaw enforcement, finds that a development or use of land or buildings is in contravention with:

- (a) the Municipal Government Act or any amendments thereto;
- (b) a development permit;
- (c) an order or decision of the Subdivision and Development Appeal Board; or
- (d) this Land Use Bylaw;

the Development Officer or any other persons or agency authorized by Council to perform bylaw enforcement may, by written notice, hereto order the registered owner, the person in possession of the land or buildings, or the person responsible for the contravention, or all of them to:

- (e) stop the development or use of the land or buildings in whole or in part as directed by the notice;
 - (f) demolish, remove or replace the development; or
 - (g) take such other measures as are specified in the notice so that the development or use of the land or buildings is in accordance with the Act and regulations thereto, development permit, subdivision approval, order or decision of the Subdivision and Development Appeal Board or this Bylaw within the time frame specified in the notice.
- (2) A person who receives a notice pursuant to subsection (1), other than a notice of an order or decision of the Subdivision and Development Appeal Board, may appeal to the Subdivision and Development Appeal Board.
- (3) Where a person fails or refuses to comply with an order pursuant to subsection (1), the municipality may:
- (a) apply to the courts to enter upon the land or building and take such action as is necessary to effect such works as are required by the order and all of the costs incurred in so doing may be placed on the tax roll against the property concerned and shall be collected in the same manner as taxes;
 - (b) instruct the Development Officer or any other persons or agency authorized by Council to perform bylaw enforcement, to have an application made to the Court of Queen's Bench of Alberta for an injunction restraining the non-compliance; or

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- (c) apply to the Court of Queen's Bench to have a charge laid for an offence under this Bylaw.
- (4) Contravention of any provision of this Bylaw constitutes an offence and any person convicted thereof may be liable to a penalty in the amount of:
 - (a) a fine of \$500.00 for a first offence, \$1000.00 for a second offence, and \$2,500.00 for a third or subsequent offence; and
 - (b) a fine of not more than \$500.00 or as otherwise established by resolution of Council for every day the contravention continues, following notification of the conviction; and
 - (c) shall be subject to the costs and expenses pursuant to subsections (3) and (4).
- (5)
 - (a) Where a person is found guilty of an offence pursuant to this Section, the municipality may, in addition to any other penalty imposed, order the person to comply with the Act and any regulations thereto, a development permit, a subdivision approval, an order or decision of the Subdivision and Development Appeal Board, or this Bylaw.
 - (b) The above offenses and penalties are supplementary to Sections 557, and 565 to 569 inclusive of the Municipal Government Act and amendments thereto, under which any person who commences a development and fails or neglects to obtain a development permit or comply with a condition of a permit, is guilty of an offence.
- (6)
 - (a) A person applying for, or in possession of a valid development permit is not relieved from full responsibility for complying with development in accordance with:
 - (i) The requirements of the Safety Codes Act, and regulations including the Alberta Building Code and the Alberta Fire Code, Environmental Protection and Enhancement Act;
 - (ii) The requirements of any federal, provincial or municipal enactment or any other law; and
 - (iii) The conditions of any caveat, covenant, easement or other instrument affecting a building or land.
 - (b) The Town is not responsible for, nor does the Town have any obligation whatsoever to determine what other legislation may apply to a development, nor monitor or enforce compliance with such legislation.

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(7) Pursuant to the Municipal Government Act, a designated officer may only enter land or a building if:

- (a) The owner or person in possession of it gives their consent to the entry; or
- (b) The entry is authorized by an Order of the court of Queen's Bench of Alberta;

And then, only for the purpose of ensuring compliance with the Municipal Government Act and the Regulations thereunder, or this Bylaw.

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SECTION 9 AMENDMENTS

(1) AMENDMENT PROCEDURE

- (a) All applications for amendment to this Bylaw shall be made to Council on the form hereto contained in Schedule A and shall be accompanied by the following:
 - (i) a fee for each application, as established by a resolution of Council;
 - (ii) the certificate of title for the land affected or other documents satisfactory to the Development Officer verifying the applicant's legal interest in the said land; and
 - (iii) a property plan detailing the subject property and any other drawings that may be required to support the Bylaw amendment request.
 - (iv) if the applicant is an agent of the landowner, a letter from the landowner verifying the agent's authority to make the application, and,
- (b) All drawings required to be submitted shall be drawn on standard drafting material to the satisfaction of the Development Officer and shall be fully dimensioned, accurately figured, explicit and complete.
- (c) All amendments to this Bylaw shall be made to Council by bylaw in conformance with the Act and recorded in Schedule C.
- (d) All applications to amend this Bylaw shall be referred to the Municipal Planning Commission for comments and/or recommendations
- (e) Where an amendment to change this Land Use Bylaw is refused another application with respect to the same lot, for a change in land use designation may not be submitted until at least six (6) months after the date of refusal, unless otherwise directed by Council pursuant to Section 640(5) of the Municipal Government Act.
- (f) The applicant shall sign a certificate authorizing the right of entry by the Development Authority to such lands or buildings as may be required for investigation of the proposed amendment.
- (g) If it appears that the proposed amendment is one which is applicable to and for the benefit of the Town at large, or most of the persons affected in one area, or in one District, then the Council may direct that the application fee be returned to the applicant and that the Town pay the expense which the applicant has agreed to pay.
- (h) Upon receipt of an application to amend the Land Use Bylaw, the Development Officer shall:
 - (i) initiate or carry out any necessary investigation or analysis of the problems involved in or related to the amendment;
 - (ii) circulate the amendment to all relevant referral agencies for comment or advice; and

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- (iii) circulate the amendment to the adjacent municipality if the proposed amendment is located adjacent to a municipal boundary.
- (i) The Municipal Planning Commission may, at any time, on its own motion, present for the consideration of Council any proposed amendment to this Bylaw, and the proposed amendment shall be accompanied by the report and recommendation of the Development Officer.
- (j) Council, on its own initiative, may proceed to undertake an amendment to this Bylaw by directing the Development Officer to initiate an application. A notice of the application shall be published in the local newspaper for two consecutive weeks. This notice shall contain:
 - (i) the legal description of the land;
 - (ii) the purpose of the proposed amendment;
 - (iii) the one or more places where a copy of the proposed amending order may be inspected by the public during reasonable hours;
 - (iv) the date, place, and time that Council will hold a public hearing on the proposed amendment;
- (k) Council, after considering any representations made at the public hearing, and any municipal development plan, area structure plan, and area redevelopment plan affecting the application and the provisions of this Bylaw, may:
 - (i) make such changes as it considers necessary to the proposed amendment, if any, and proceed to pass the proposed amendment, or
 - (ii) defeat the proposed amendment.

SECTION 10 COMPLIANCE CERTIFICATES

- (1) Any interested party may apply, in writing, to the Development Officer for a compliance certificate, upon payment of an application fee as prescribed by resolution of Council for each property for which a letter of compliance is required.
- (2) The applicant for a compliance certificate shall, in respect to each property, provide the Development Officer with a Real Property Report, or other documentation satisfactory to the Development Officer, which shows the location of all building(s) and structures within or on boundaries of the property.
- (3) The applicant for a compliance certificate shall in respect to each property, provide the Development Officer with a written statement describing all uses of the land and building(s) within the property, if not indicated on the Real Property Report or other documentation satisfactory to the Development Officer.
- (4) If the Real Property Report, or other documentation is dated more than thirty (30) days from the application for a compliance certificate, accompanying the Real Property Report shall be an Affidavit or Statutory Declaration indicating any and/or no changes, additions, or alterations to the land and/or building(s).
- (5) Where all information required to be supplied by the applicant for a compliance certificate is received by the Development Officer, and the property is in compliance with the provisions of the Land Use Bylaw, the Development Officer shall issue to the applicant a Compliance Certificate.
- (6) Where a property is not in compliance with either the uses or standards prescribed under the Land Use Bylaw, the Development Officer shall issue a Certificate of Non-Compliance for the property advising the applicant, in writing, of the particulars of the non-compliance and/or non-conformance and any enforcement proceedings the Town may deem necessary.
- (7) The Development Officer shall issue a compliance certificate within five (5) business days from receipt of the request, or two (2) business days in response to an urgent request from the applicant, or such other time period as agreed by resolution of Town Council and subject to the payment of the necessary application fee.

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SECTION 11

GENERAL LAND USE PROVISIONS

Notwithstanding any other land use provisions contained in the Bylaw the following General Land Use Provisions shall apply to all development.

(1) ACCESSORY BUILDINGS/STRUCTURES

- (a) For calculating yard setbacks and site coverage requirements as provided in the Bylaw, when an accessory building is an attached garage it is a part of the principal building and not an accessory building.
- (b) An accessory building shall not be used as a dwelling unit, except as otherwise allowed for in this bylaw.
- (c) No side yard is required for any accessory building in a residential district or an industrial district 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 shall be signed by both owners and registered against both properties at the Land Titles Office.
- (d) The total combined area of all accessory buildings shall not exceed twenty (20) percent of the site area, unless otherwise agreed by the Development Officer and/or Municipal Planning Commission, having regard to the potential impact upon the occupiers of neighbouring properties.
- (e) An accessory building shall not exceed 4.57 metres (15 feet) in height, unless otherwise approved by the Municipal Planning Commission, having regard to the impact of the development on the occupiers of neighbouring properties or the general appearance of the neighbourhood.
- (f) All accessory buildings shall be set back at least 0.31 metre (1 foot) from all lot lines, including building overhangs.
- (g) Accessory buildings shall not encroach onto adjacent properties.
- (h) No accessory building or structure shall be located in a front yard.
- (i) No accessory building or structure shall be built, placed or located over an easement.
- (j) Where a lane flanks the side of a site, no accessory building or structure shall be located closer than 1.52 metres (5 feet) from the side lot line and 3.05 metres (10 feet) from the rear lot line.
- (k) In the case of a separate detached garage, there shall be a minimum setback distance of 6.1 metres (20 feet) from the rear or side lot lines to the entrance of the garage.

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- (l) The distance from the entrance of the garage to the front property line shall be not less than the front yard setback for the principal building, but in no case shall be less than 7.62 metres (25 feet).
- (m) Where the principal building with an attached garage flanks a utility lot, the minimum side yard shall be 1.52 metres (5 feet).
- (n) Carports are permitted in side yards, provided that no part of the structure is less than 0.91 metre (3 feet) from the side lot line.

(2) COVERAGE OF SITE

The maximum area of a site that may be covered with either principal buildings or accessory buildings, or both, shall not be greater than the maximum limits prescribed for the land use district in which the site is located, unless otherwise varied by the Municipal Planning Commission, having regard to the character and appearance of the neighbourhood.

(3) FRONT, SIDE AND REAR YARD SETBACKS

On each site there shall be established and maintained front, side and rear yards of such dimensions as will meet the minimum requirements of this Bylaw, unless otherwise varied by the Municipal Planning Commission, having regard to the merits of the application and the character of the surrounding area.

(4) IRREGULAR SHAPED LOTS

In the case of an irregular shaped lot, the width of the lot shall be defined by 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.

(5) RESTRICTIONS ON CORNER SITES

- (a) On any corner site, no finished grade shall exceed the general elevation of the street line by more than 0.61 metre (2 feet) within the area defined as a sight triangle unless, in the opinion of the Development Officer or Municipal Planning Commission it would not interfere with traffic safety.
- (b) 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

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part of a sight triangle (refer to diagram on next page), if such objects or structures, in the opinion of the Development Officer or Municipal Planning Commission, interfere with traffic safety.

(6) ILLUMINATION

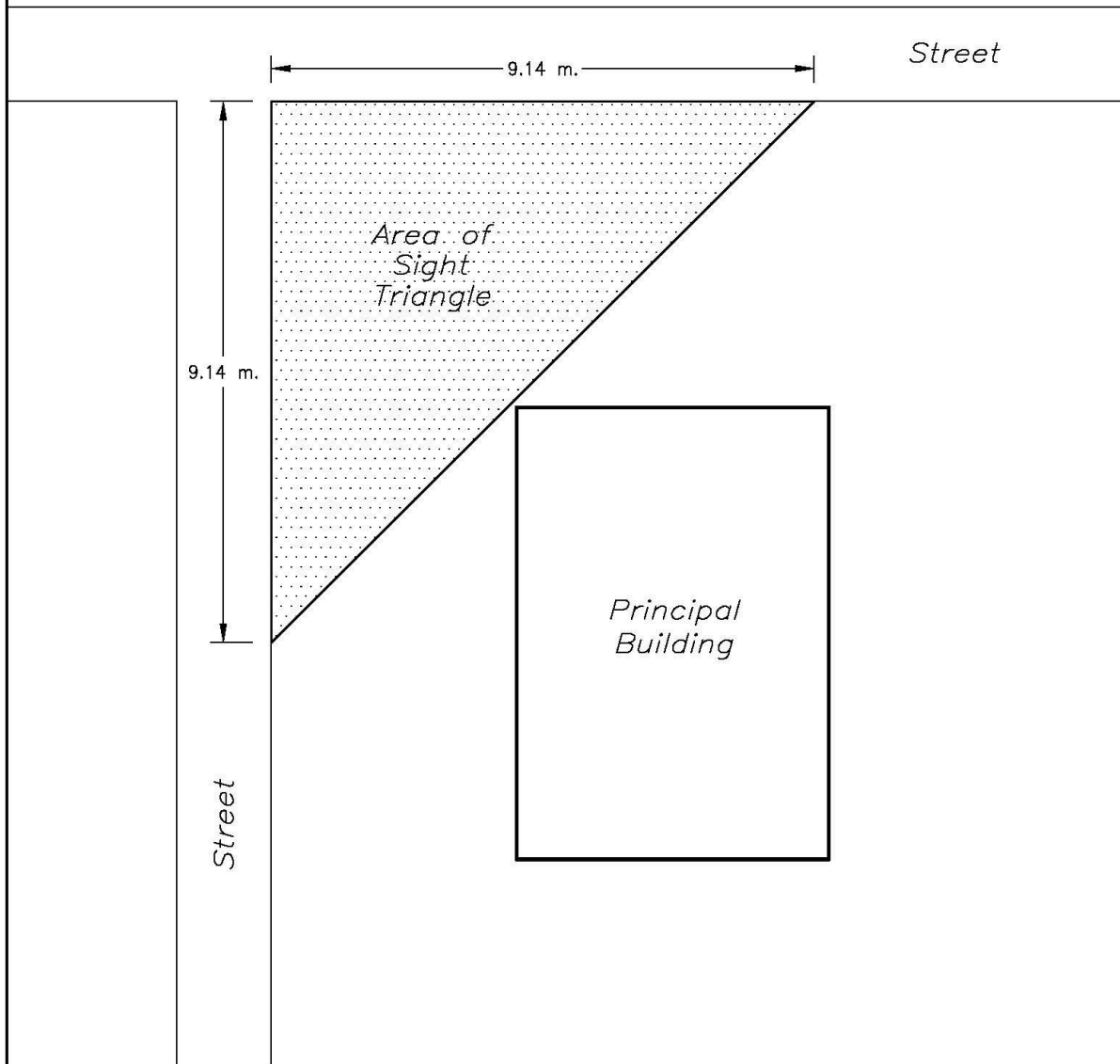
Any lighting proposed to illuminate areas in any land use district shall be located and arranged to the satisfaction of the Development Officer or the Municipal Planning Commission so that all direct rays of light are directed upon the area to be illuminated and not on any adjoining properties.

(7) INDUSTRIAL STANDARDS

- (a) Any industrial operation including production, processing, cleaning, testing, repair, storage or distribution of any material shall conform to the following standards:
 - (i) 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.
 - (ii) No industrial operation shall be carried out which would result in the projection of glare or heat onto adjacent properties.
 - (iii) 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.
- (b) In the case of proposals for industrial development, the Development Officer may consult with the Public Health Officer, Alberta Environment, Alberta Labour - General Safety Services Division, or any other qualified department or agency prior to making a decision on a subdivision request or an application for a development permit.

Explanation Notes

Sight Triangle



"SIGHT TRIANGLE" means that triangle formed by a straight line drawn between two points on the exterior boundaries of the said site 9.14 m. (thirty (30) feet) from the point where they intersect.

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(8) LANDSCAPING AND SCREENING

- (a) Any area required to be landscaped may, at the discretion of the Development Officer or the Municipal Planning Commission, be left in its natural state or be loamed and planted with grass, trees, shrubs and/or flowers, or similar materials or a combination thereof, which enhance the appearance of the site and which compliment the development on the site.
- (b) Any area requiring landscaping or topographic reconstruction shall be landscaped so that the finished surface contours do not direct surface drainage onto an adjoining site.

(9) PARKING AND LOADING FACILITIES

- (a) Off-street parking shall be provided in accordance with the following table:

(i) TYPE OF USE

<u>Residential Uses</u>	<u>Minimum Parking Requirements</u>
Apartments, Row Housing	1.5 spaces/dwelling unit
Dwelling Unit, Caretaker Residence	1 space/dwelling unit
Manufactured (Mobile) Home Park	2 spaces/park lot
Other Residential Uses	2 spaces/dwelling unit

<u>Commercial Uses</u>	<u>Minimum Parking Requirements</u>
Business, Administrative and Professional Offices or Banks and Personal Service Facility	3 spaces/92.9 square metres (1000 square feet) of gross floor area
Retail Shops	1 space/46.45 square metres (500 square feet) of gross floor area
Drive-In Restaurants and Eating Establishments	1 space/4 seats
Hotels	1 space/1 guest room plus 1 space/2 employees
Motels	1 space/1 guest room plus 1 space/2 employees
Drinking Establishments	1 space/4 seats

Where a hotel or motel has or develops an eating establishment and drinking establishment, the parking requirements for the eating establishment and drinking establishment shall be based on a combined factor of 1 space/4 seats.

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<u>Other Non-Residential Uses</u>	<u>Minimum Parking Requirements</u>
Public Assembly Auditoriums, Theatres, Convention Halls, Gymnasiums, Private Clubs, Ball Parks	1 space/3.5 seats or 1 space/10.67 square metres (35 square feet) of floor area used by patrons, whichever is greater
Religious Use Facility	1 space/5 seating spaces

<u>Schools</u> (depends on the number of maintenance staff/administration plus teaching staff)	<u>Minimum Parking Requirements</u>
Elementary	1 space/classroom
Junior High	1 space/classroom
Senior High	5 spaces/classroom

<u>Industrial</u>	<u>Minimum Parking Requirements</u>
Manufacturing and Industrial Plants, Warehousing, Wholesale and Storage Buildings and Yards, Servicing and Repair Establishments and Public Utility Building	1 space/3 employees on a maximum working shift or 1 space/139.35 square metres (1,500 square feet) floor area, whichever is greater
brewery, winery and/or distillery; manufacturing, artisanal or custom	1 space/ 139.35 square metres (1,500 square feet) of floor area dedicated to manufacturing and packaging, and 2 spaces/store front, with a minimum of 4 spaces.

	<u>Minimum Parking Requirements</u>
<u>Any Other Uses</u>	1 space/ 37.16 square metres (400 square feet) of gross floor area

(ii) **SUPPLEMENTARY CONSIDERATIONS**

A. **Allowance for “On Street” Parking in Primary Commercial District & Mixed Commercial-Residential District**

In the Primary Commercial District & Mixed Commercial-Residential District credit for “on street” parking may be given providing such parking stalls about the development and provided the use of the said stalls have not been pre-empted by a fire hydrant, yellow curb line, loading zone, entrance or some obstruction which prevents the use of the said stalls for public parking.

B. **Second Storey Credit**

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In the Primary Commercial District & Mixed Commercial-Residential District, a credit of up to three (3) stalls per 92.9 square metres (1,000 square feet), up to the actual second storey requirement, may be allowed providing that in every case there shall be at least one-and-a-half (1.5) parking stalls provided for each residential dwelling unit in the building.

- (b) Where the calculation of parking requirements results in a fractional number of spaces the next higher whole number shall be the number of parking spaces required.
- (c) A parking space(s) shall be located on the same site as the building or the use in respect of which it is required and shall be designed, located and constructed so that:
 - (i) it is reasonably accessible to the vehicle intended to be accommodated there;
 - (ii) it can be properly maintained; and
 - (iii) it is satisfactory to the Development Officer in size, shape, location and construction.
- (d) Notwithstanding subsections (a), (b), and (c) above, should the Development Officer or the Municipal Planning Commission deem it advisable, he/she/they may:
 - (i) Accept payment in lieu of the number of off-street parking spaces deficient, which payment shall be based on the amount of money Council considers reasonable (taking into consideration the current market value of land and current construction costs) in return for the equivalent parking space to be provided by the Municipality elsewhere in the district in which the development is proposed.
 - (ii) Require the developer to provide the required off-street parking on land other than that to be developed provided that:
 - A. the alternate parking site is within 100 metres (328 feet) of the site where the principal building is located or where the approved use is carried on;
 - B. the person wishing to use an alternate parking site must have absolute control of it for a length of time equal to the life of the approved use of the building or site, and will use that site for no other purpose than to provide alternate parking;
 - C. the absolute control is established to the satisfaction of the Development Officer or Municipal Planning Commission;
 - D. should the alternate parking site cease to be available, another parking site must be provided which meets the above criteria or the approved use of the building or the site may be required to be discontinued;
 - E. 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.

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- F. Notwithstanding the above provisions, the Municipal Planning Commission can 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.
- (e) A parking space shall not be less than 16.72 square metres (180 square feet) in area.
- (f) Any loading space shall have at least 27.87 square metres (300 square feet) of area, 3.05 metres (10 feet) width and 4.27 metres (14 feet) of overhead clearance.
- (g) Any parking space or any loading space provided shall be developed and surfaced to the satisfaction of the Development Officer within twelve (12) months of the completion of the development for which the development permit was issued.
- (h) 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 hardsurfaced if the access thereto is from a street or land that is hardsurfaced.
- (i) 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 permit applies shall be hardsurfaced, if the number of parking spaces exceeds two (2) and if the access thereto is from a public roadway.
- (j) 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 hardsurfaced 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 hardsurfaced but shall be of such a surface as will minimize the carrying of dirt or foreign matter onto the highway.
- (k) When a building is enlarged, altered, or changed in use, in such a manner as to cause an intensification of the use of that building, provision may be required for the additional parking spaces required under the parking provisions of this Bylaw. The required parking shall be based only on the number of additional parking spaces required because of the enlargement, change in use, or intensification of the use of the building. In such cases, the Municipal Planning Commission shall determine the need for additional spaces, having regard to the location of the premises and any potential impact on traffic safety.
- (l) Adequate curbs or concrete bumpers or fences shall be provided to the satisfaction of the Development Officer or Municipal Planning Commission if, in their opinion, it is or becomes necessary to protect adjacent fences, walls,

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boulevards, landscaped areas or buildings on the site, an abutting site, or public land from contact with vehicles using such parking space or area.

- (m) Off-street parking shall be provided in the manner shown on the approved site plan with the entire area to be graded so as to ensure that drainage will be confined to the site and disposed of in a manner satisfactory to the Development Officer or the Municipal Planning Commission.
- (n) At the discretion of the Development Officer or the Municipal Planning Commission the parking requirements may be reduced up to fifty (50) percent for churches, theatres, community halls, and other similar land uses which can be shown to have an overlapping use with nearby landowners providing that the following criteria are met:
 - (i) that the establishment is located in a commercial area where, in the opinion of the Development Officer or the Municipal Planning Commission, there is sufficient public parking available within 125 metres (410 feet), during off hours in which the establishment operates its primary business to accommodate the patron parking for which relaxation of the parking requirements is requested; and
 - (ii) the developer is not deficient in parking requirements for the staff, customers or patrons, in any other portion of a related operation in the same or associated development on the development site.
- (o) Parking facilities may be required to be developed with adequate lighting to the satisfaction of the Town.
- (p) Handicap parking requirements are mandated under Alberta Safety Codes Act.

(10) RELOCATION OF BUILDINGS

- (a) All moved-in buildings shall be considered to be discretionary uses under this Bylaw. For the purpose of this Section, modular and manufactured (mobile) homes are not considered to be moved-in buildings.
- (b) All buildings proposed to be moved into or within the Town of Peace River shall require a development permit, and be subject to fees as established by Council.

All applicants for a development permit will be required to submit, with their application, the following additional information (to the information normally required within this Bylaw) prior to processing of the permit:

- (i) colour photographs of the building proposed to be moved-in, accurately depicting the building and general condition of the building;
- (ii) complete site plan showing how the proposed building would be located on the proposed lot;
- (iii) foundation proposals;
- (iv) floor plans of the building;

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- (v) consent to entry by owner and all successors in title until such time as the building has complied with all the requirements of the development permit; and
 - (vi) any other information that may be deemed necessary by the Development Officer or Municipal Planning Commission.
- (c) All development permits for moved-in buildings shall be reviewed by the Municipal Planning Commission, based on the following criteria:
- (i) age of the building to be moved;
 - (ii) age of the surrounding buildings;
 - (iii) building condition/building materials;
 - (iv) the compatibility of the proposed building to the neighbourhood and adjacent properties;
 - (v) the proposed location with the Town;
 - (vi) aesthetics of the neighbourhood;
 - (vii) the compatibility of the building with the proposed future development of the area; and
 - (viii) any other planning considerations as determined by the Development Officer or Municipal Planning Commission.

In the case of a dwelling to be relocated, it shall, in the opinion of the Municipal Planning Commission, be compatible, with respect to age and appearance, with the houses in the receiving neighbourhood, prior to the permit being issued.

- (d) Each individual landowner shall post a performance bond or letter of credit in the amount of 100% of the cost of the project upon which the Town may draw to bring the building into compliance with the Town's requirements.
- (e) No dwelling will be relocated to the Town of Peace River which is known to be substandard or has known defects which would not have been known defects at the time of construction (such as urea-formaldehyde insulation, sprayed asbestos insulation, etc.).
- (f) Any building receiving approval to be relocated shall be brought up to all existing standards, ordinances, rules, regulations and bylaws, including the Alberta Safety Codes Act.
- (g) All renovations and any conditions imposed by the Municipal Planning Commission to a moved-in building shall be completed within one (1) year of the issuance of a development permit. Non-compliance shall result in the forfeiture of the performance bond or letter of credit.
- (h) Each completed building and foundation shall be inspected, at the applicant's expense, by a professional engineer and/or Canada Mortgage and Housing Corporation Inspector who will provide the Town with written certification that all codes, ordinances, bylaws and regulations have been complied with. The performance bond or letter of credit shall be released after a professional engineer's and/or Canada Mortgage and Housing Corporation Inspector's certificate has been issued.

- (i) For all moved-in buildings, public notification will be given to surrounding landowners in the following manner:
 - (i) all development permit approvals shall be posted on the property as normally outlined in this Bylaw;
 - (ii) all development permit approvals shall be advertised in the local newspaper;
 - (iii) all landowners within such distance as determined to be appropriate by the Municipal Planning Commission on a case-by-case basis, shall be notified in writing of the intention of moving in the building.

In determining the radius for landowner notification, the Municipal Planning Commission shall consider:

- the number of homes proposed to be moved into the area;
- the stage of development of the neighbourhood (new versus established neighbourhoods);
- the number of existing houses in the neighbourhood; and
- the potential impact of the particular unit being moved.

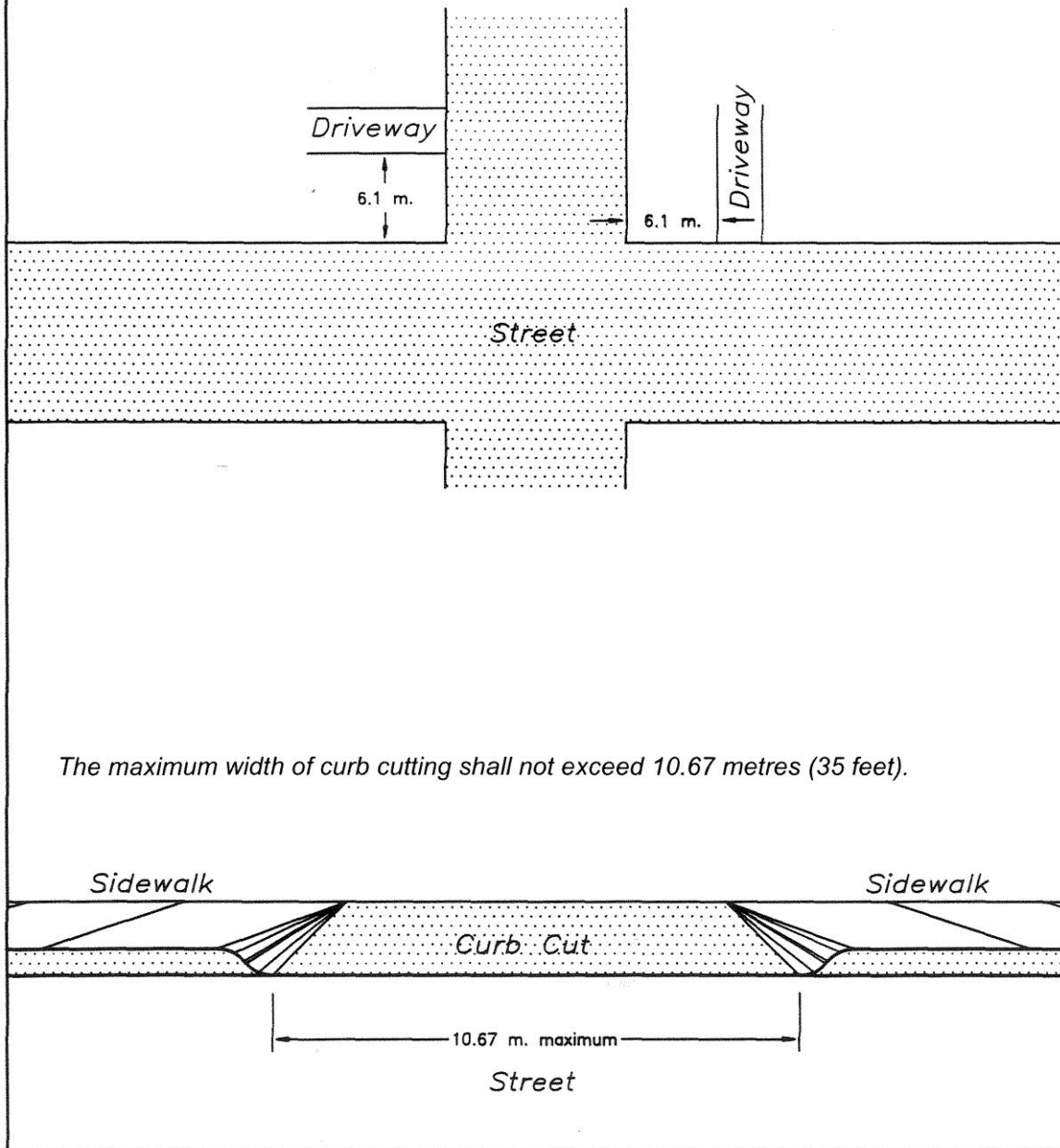
(11) ENTRANCES AND EXITS

- (a) Curb cuts shall be set back a minimum distance of 6.1 metres (20 feet) from the intersection of site boundaries on corner lots (refer to the diagram on the next page).
- (b) Notwithstanding subsection (a) above, the setback distance for curb cuts may be increased where, in the opinion of the Development Officer or the Municipal Planning Commission, such increase is necessary for reasons of public safety and convenience.
- (c) The maximum width of curb cutting shall not exceed 10.67 metres (35 feet) (refer to the diagram on the next page).
- (d) 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.
- (e) The minimum distance between curb cuts shall be not less than a distance of 6.1 metres (20 feet) from each other, measured at the property line. The Development Officer or the Municipal Planning Commission may increase said minimum clear 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.
- (f) All parts of the site to which vehicles may have access shall be developed so as to provide a durable dust free surface.

Explanation Notes

Entrances and Exits

Curb cuts shall be set back a minimum distance of 6.1 metres (20 feet) from the intersection of site boundaries on corner lots.



(12) DEVELOPMENT ON ENVIRONMENTALLY SENSITIVE LANDS

(a) Application

- (i) The provisions of this Section of the Bylaw shall apply to lands identified as environmentally sensitive by the Town of Peace River Municipal Development Plan or the Town of Peace River Environmentally Sensitive Lands Zoning Overlay Schedule D that is part of this Bylaw.
- (ii) Other lands, not identified as environmentally sensitive by the Town of Peace River Municipal Development Plan or the Town of Peace River Environmentally Sensitive Lands Zoning Overlay Schedule, that is part of this Bylaw, but are known to have geo-technical problems, may also be subject to the provisions of this Section of the Bylaw at the discretion of the Development Officer and/or the Municipal Planning Commission.

(b) Accessory Uses

The following accessory uses shall be prohibited on lands that are identified as environmentally sensitive, unless a geo-technical study signed by a registered professional engineer recognized by the Association of Professional Engineers, Geologists, and Geophysicists of Alberta as one specializing in geo-technical engineering is submitted as part of the development permit application containing information to the satisfaction of the Town:

- (i) swimming pools;
- (ii) automated underground lawn sprinkler systems;
- (iii) ornamental pools;
- (iv) outdoor water retention facilities; and
- (v) other, similar developments.

(c) Information Requirements

On lands identified as environmentally sensitive, Town Council, the Development Officer and/or the Municipal Planning Commission, or the Subdivision and Development Appeal Board may require the following information to be submitted as part of a development permit application, an application to amend this Bylaw, an application for subdivision approval, an application to amend a statutory plan, or an appeal:

- (i) a geo-technical study, prepared by a registered professional engineer recognized by the Association of Professional Engineers, Geologists, and Geophysicists of Alberta as one specializing in geo-technical engineering, addressing the proposed development. The geo-technical study will establish building setbacks from property lines based on the land characteristics of the subject property;
- (ii) a certificate from a registered professional engineer recognized by the Association of Professional Engineers, Geologists, and Geophysicists of Alberta as one specializing in geo-technical engineering certifying that the design of the proposed development was undertaken with full knowledge of the soil and slope conditions of the subject property; and

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- (iii) a certificate from a registered professional engineer recognized by the Association of Professional Engineers, Geologists, and Geophysicists of Alberta as one specializing in geo-technical engineering when the proposed development includes cut and/or fill sections on slopes, including the addition of fill to the subject property.
- (d) Development Considerations
 - (i) Storm drainage shall be designed in such a manner that there will be minimal infiltration into area slopes, the subject property and adjacent lands.
 - (ii) Roof drains and drainage tiles shall be directly connected to the storm sewer system, where applicable, or the sanitary sewer system upon special approval from the Town.
 - (iii) Any water and sewer lines required by the development shall be constructed with watertight joints.
 - (iv) When reviewing a development permit application, the Development Officer and/or the Municipal Planning Commission shall take the following factors into consideration:
 - A. the effect of the proposed development on the surrounding area;
 - B. the soil and slope conditions of the area surrounding the subject property; and
 - C. any information on the past history of the subject property from a geo-technical perspective.
- (e) The Town may require the landowner and/or developer to register a restrictive covenant against the certificate of title for the subject property related to the development approved for the subject property.
- (f) The Town shall have the right to enter upon private land to carry out such improvements and repairs to the subject property to maintain the stability of the subject property which, if not corrected, could adversely affect other private and/or public lands and such right-of-entry shall be contained in an easement registered against the certificate of title for the subject property.

(13) NOTIFICATION OF AGRICULTURAL OPERATIONS

In accordance with the requirements of the Farm Practices Protection Statutes Act 1999 or as amended, the Town is required to incorporate policies in its Municipal Development Plan and Land Use Bylaw respecting the protection of agricultural operations, including, but not limited to, the need for written notice to be provided to the owners of land situated adjacent, or in the vicinity of agricultural operations.

The following provisions shall apply in respect of agricultural operations:

(a) Proposed Agricultural Operations

- (i) All development permit notices shall be posted conspicuously on the property as normally outlined in this Bylaw. In the event that there are two (2) or more public highways abutting the subject property, a development permit notice shall be posted conspicuously on each highway frontage.
- (ii) All landowners abutting the subject property shall be notified individually, in writing, of the permit approval. The individual notifications may be extended beyond the landowners abutting the subject property, as determined by the Municipal Planning Commission, taking into account the location of the subject property, nature of the agricultural operation and density of development within the surrounding area.
- (iii) An advertisement shall be placed in the local newspaper for two (2) consecutive weeks, giving notice of the permit approval.
- (iv) The neighbouring municipality(ies) shall be notified in writing of the permit approval, in accordance with the provisions of the Peace River Inter-Municipal Development Plan.

(b) Continuous Notification Procedure

In respect of notifying the community of existing agricultural operations and to ensure that persons buying property are aware of existing operations in the community and surrounding municipalities, the Town will make its best efforts to comply with the requirements of the Farm Practices Protection Statutes Act 1999 or as amended, such as:

- (i) to prepare a general information brochure to be available at the Town Office and sent to local realtors, relating to agricultural operations; and
- (ii) to generate additional regulations for continuous notification, as deemed necessary.

(14) SIGNS

- (a) No sign of an advertising, directional, or information nature, shall be erected or placed on land or affixed to any exterior on any building or structure unless an application for a development permit for this purpose has been approved by the Development Officer or the Municipal Planning Commission.
- (b) Notwithstanding subsection 14(a), the following signs shall not require a development permit:
 - (i) statutory or official notices of government authorities;
 - (ii) traffic, public information and directional signs authorized by Council;
 - (iii) temporary signs for the sale of real estate, related to construction work on a site, event/fund-raising campaign signs or other, similar temporary signs;
 - (iv) signs for traffic control devices;
 - (v) name and number signs on residential properties;
 - (vi) signs displayed within a building;

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- (vii) notices of garage sales or public events for no more than two (2) days prior to the commencement of the sale or event. Such signs must be removed no later than two (2) days after the completion of the sale or event;
 - (viii) posters or signboards relating specifically to a pending election, provided that such posters or signs do not cause confusion or obscure traffic lights or traffic signs and do not endanger the progress of traffic. Such posters or signs shall be removed within seventy-two (72) hours after the election and shall comply with any relevant provincial or federal legislation; and
 - (ix) signs related to construction work in progress on a site provided that such signs are removed within fourteen (14) days after occupancy.
- (c) No person shall erect or place a sign on public property without prior approval from Council and subject to the issuance of a development permit.
- (i) Signs shall not conflict with the general character of the surrounding neighbourhood.
 - (ii) Signs shall not interfere with the movement of pedestrian or vehicular traffic.
 - (iii) Signs shall not be placed on traffic medians, dividers or in the 100th St. roundabout.
 - (iv) Signs shall not be placed on any traffic control device or street refuse container.
 - (v) Signs shall not be placed within 5 metres of any intersection.
 - (vi) Signs shall be removed within 30 days of the date when the use of the land or building to which the sign refers is discontinued.
- (d) No private sign shall project over public property, without approval from the Development Officer and/or the Municipal Planning Commission, or across titled boundaries, without written permission from the landowner in question.
- (e) Development permit approval for a sign on public property or projecting over public property shall not be issued until a certificate of insurance co-insuring the Town of Peace River to amounts satisfactory to Council has been filed with the Town of Peace River. In the event that the owner of the sign does not obtain, or maintain such insurance or allows such insurance to lapse without renewal thereof, the permit issued for such sign shall be deemed to be revoked and the owner shall forthwith remove, take down, or demolish the sign.
- (f) Illumination: No sign shall be illuminated unless the source of light is suitably shielded to:
- (i) not adversely affect neighbouring properties;
 - (ii) not cause confusion with traffic lights or traffic signs; and
 - (iii) not endanger the progress of traffic.
- (g) In considering an application for a development permit for a sign, the Development Officer or the Municipal Planning Commission shall have regard to:
- (i) the appearance of the district in which the sign is to be located;
 - (ii) the quality, style, finish and construction of the sign;
 - (iii) the safe movement of traffic;

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- (iv) the size and proposed location of the sign, together with method of illumination.

(h) Off-Site Signs

The owner of the building/property where the off-site sign is to be located shall provide written permission to the Town of Peace River for the use of the building/property.

Off-site advertising signs may be allowed, at the discretion of the Development Officer or the Municipal Planning Commission, subject to:

- (i) The location of the sign having good exposure to vehicular and pedestrian routes.
 - (ii) Signs shall be of high quality of appearance, construction and finish.
 - (iii) The area around the base of the sign being kept clean by the owner of the sign.
 - (iv) Owners of signs are responsible for their maintenance, appearance, construction and correcting any damage as a result of vandalism.
- (i) Where the Development Officer or the Municipal Planning Commission finds a sign to be abandoned or in a state of disrepair, the Development Officer or the Municipal Planning Commission 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:
- (i) remove the sign and all related structural components within 30 days, or as outlined in the written notice; or
 - (ii) take such measures as are specified in the written notice to alter and refurbish the sign.
- (j) 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 subsection (i) 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.
- (k) Notwithstanding any regulation related to signs in this Bylaw, the Development Officer or the Municipal Planning Commission may vary any of the following setback or size requirements for a sign, having regard to the provisions of subsections (f), (g) and (h) above together with the particular characteristics of the application. If considered necessary, the Development Officer or the Municipal Planning Commission may also place more stringent standards on the development of any sign.
- (l) In respect of business signs, on-site or off-site signs may be displayed by any business holding a valid Town of Peace River Business License and subject to compliance with the signage section of this Bylaw.

(m) Wall Signs

“WALL 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 said wall (refer to the diagram at the end of this Section).

Site Provisions:

- (i) Maximum Size:
Sign coverage on any building face should not exceed thirty (30) percent.
Off-site sign: 18.58 square metres (200 square feet).
- (ii) Maximum Extension Above Roof:
30.48 centimetres (12 inches).
- (iii) Maximum Extension Beyond Wall:
40.64 centimetres (16 inches).
- (iv) Maximum Number Per Site:
Two (2) per building face or up to thirty (30) percent coverage of the building face (on-site).
One (1) per building face (off-site).
- (v) Notwithstanding the provisions of subsection (iv) above, in the case of a building containing more than one business, two (2) wall signs may be permitted for each business operating within the building, up to a maximum of thirty (30) percent coverage of the building face for all signs displayed on that face of the building.
- (vi) Buildings which have double or more frontages may apply for a sign permit for wall signs on each fronting building face.

(n) Freestanding (Ground) Signs

“FREESTANDING (GROUND) SIGN” 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 (refer to the diagram at the end of this Section).

Site Provisions:

- (i) Maximum Size:
On-site sign: One (1) square foot in area for each linear foot of street frontage of a site to a maximum of 23.23 square metres (250 square feet), or at the discretion of the Development Officer or Municipal Planning Commission.
Off-site sign: 0.93 square metre (10 square feet).
- (ii) Maximum Height:
4.57 metres (15 feet) above the roof of an on-site building or at the discretion of the Development Officer or the Municipal Planning Commission.
- (iii) Maximum Number Per Site:
One (1) per site or one (1) per fronting street or two (2) if the site is in excess of 182.88 metres (600 feet) frontage (total on-site/off-site signs).
Off-site sign: One (1) per site.

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(iv) Separation Distance:

Where two (2) or more signs are located on the same business premise or site or along the same frontage, a minimum horizontal distance of 30.48 metres (100 feet) shall be provided between the signs.

(v) Setback:

Minimum 0.91 metre (3 feet) from property line.

(o) Roof Signs

“ROOF SIGN” means a sign which is erected upon or above the roof or parapet of a building (refer to the diagram at the end of this Section).

Site Provisions:

(i) Maximum Size:

23.23 square metres (250 square feet).

(ii) Maximum Height of Sign:

4.57 metres (15 feet) (including support structure).

(iii) Maximum Number Per Site:

One (1) per site.

Special Provisions:

(i) 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 Officer or the Municipal Planning Commission.

(ii) Roof signs shall not project beyond the exterior walls of any building.

(p) Projecting Signs

“PROJECTING SIGN” means a sign, except a canopy sign, which is supported by an exterior building wall and projects outward from the building wall at a right angle (refer to the diagram at the end of this Section).

Site Provisions:

(i) Maximum Size:

9.29 square metres (100 square feet).

(ii) Maximum Projection Above Roof Line (flat roofs) or Eaves Line (all others):

0.61 metre (2 feet).

(iii) Clearance from Ground Level:

3.05 metres (10 feet).

(iv) Maximum Projection from Building:

1.52 metres (5 feet) over onto public sidewalks.

(v) Maximum Number Per Site:

One (1) per business frontage.

In the case of a building containing two (2) or more businesses, one (1) sign per business will be permitted.

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Special Provisions:

- (i) 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.

(q) Canopy Signs

“CANOPY SIGN” means a sign attached to, or forming part of, a permanent building projection or fixed structural framework which extends outward from the exterior wall of a building and which may be roofed or covered to provide protection over the entrance to a building. Canopy signs include awnings and marquees (refer to the diagram at the end of this Section).

Site Provisions:

- (i) Maximum Size:
At the discretion of the Development Officer or the Municipal Planning Commission.
- (ii) Clearance from Sidewalk of Ground Level:
3.05 metres (10 feet).
- (iii) Maximum Projection From Building:
2.13 metres (7 feet) over onto public sidewalks.
- (iv) Maximum Number Per Site:
One (1) per frontage.
In the case of a building containing two (2) or more businesses, one (1) sign per business will be permitted.

Special Provisions:

- (i) No canopy signs shall be permitted where, in the opinion of the Development Officer or the Municipal Planning Commission, the canopy obstructs the movement of pedestrians and/or vehicles or repairs to overhead utility lines.
- (ii) Canopy signs shall be designed in such a manner that they compliment 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.

(r) Portable Signs

“PORTABLE SIGN” means a sign which is mounted on an “A” frame or on a trailer, stand or similar support and which together with the support can be relocated to another location.

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Site Provisions:

- (i) Maximum Size:
3.66 metres (12 feet) horizontal width and 1.83 to 2.43 metres (6 to 8 feet) vertical height.
- (ii) Number Per Site:
Portable signs on each parcel shall be separated by a minimum distance of 20 metres (66 feet) from each other.
- (iii) Setback:
Minimum of 0.91 metre (3 feet) from any property line with a public roadway or a public right of way and 5.0 metres (16 feet 6 inches) from the boundary of another site.

Special Provisions:

- (i) As a condition to the issuance of the development permit, the Development Officer or the Municipal Planning Commission shall specify the length of time that a development permit remains in effect for a portable sign, to a maximum of six (6) months, and the sign shall be removed on or before the expiry date specified. A three (3) month extension may be granted upon written request.
 - (ii) 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. the municipal address and legal description of the land or building where the portable sign is to be located;
 - B. an indication of where the sign is to be located on the site;
 - C. the length of time the sign is to be located at the site;
 - D. where applicable, a letter from the owner or the owner's agent authorizing the placement of the sign on the subject property; and
 - E. the size, height, design, including materials, and the nature of the sign.
 - (iii) Signs that are painted and/or placed on a semi-trailer or are placed in a truck-bed shall not be permitted when:
 - A. in the opinion of the Development Officer or the Municipal Planning Commission, for all intents and purposes the primary purpose of the semi-trailer or truck-bed sign is a sign;
 - B. the semi-trailer or truck-bed sign has been parked in a location for a period of fourteen (14) days or more.
- (s) Portable Signs on Town Sidewalks

Site Provisions:

- (i) Maximum Size:
Signs shall be a maximum size of 0.61 metre (2 feet) wide and 0.91 metre (3 feet) high or as otherwise approved by the Development Officer and/or Municipal Planning Commission.
- (ii) Maximum Number Per Site:
One (1) sign per business to be placed directly in front of the business.

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In the case of a building containing two (2) or more businesses, one (1) sign per business may be permitted at the discretion of the Development Officer or Municipal Planning Commission having regard to the total number of signs to be displayed and whether the signs may form a cluttered appearance or interfere with pedestrian or highway safety.

Special Provisions:

- (i) Signs shall be placed on the outside of the sidewalk in line with light poles.
- (ii) Signs shall not impede the view of pedestrians or street traffic.
- (iii) Signs shall only be allowed on sidewalks during hours when the business is open to the public.
- (iv) Signs cannot be placed on center meridians.
- (v) Any debris collected by the sign shall be removed.
- (vi) In the event of conflicts or unforeseen problems, the Town reserves the right to request the removal of an offending sign.
- (vii) No person shall place a sign on a sidewalk without development permit approval.
- (viii) No development permit for a sign on a sidewalk shall be issued until a certificate co-insuring the Town of Peace River to amounts satisfactory to Council has been filed with the Town's Municipal Secretary, together with a guarantee that the insurance policy will not expire while the sign is in use.

(t) Community Entrance Signs

"COMMUNITY ENTRANCE SIGN" means a freestanding (ground) sign located along one of the primary highway entrances into the Town of Peace River and used for business promotion purposes.

Site Provisions:

- (i) Maximum Size:
23.23 square metres (250 square feet).
- (ii) Maximum Height:
At the discretion of the Municipal Planning Commission.
- (iii) Spacing Between Signs:
152.4 metres (500 feet).
- (iv) Setback:
9.14 metres (30 feet) from traveling surface or greater when, in the opinion of the Municipal Planning Commission, it may cause traffic movement problems.

Special Provisions:

- (i) Decision-making: The Municipal Planning Commission shall decide on all applications for development permits for community entrance signs.
- (ii) Application Fees: Notwithstanding any other provision of this Bylaw, an application for a development permit for a community entrance sign shall be accompanied by a fee as set by a resolution of Council that shall be

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refundable to the applicant if the development permit is refused, at the discretion of the Municipal Planning Commission.

- (iii) Contents: All community entrance signs shall include the logos and names of a maximum of six (6) businesses.
- (iv) When considering an application for a development permit for a community entrance sign, the Municipal Planning Commission shall take the following factors into consideration:
 - A. the design, appearance, construction and finish of the community entrance sign; and
 - B. the proposed location of the community entrance sign in relation to the site's topography, adjacent land uses and relationship to the highway.
- (v) Agreement: As a condition to the issuance of a development permit for a community entrance sign, the applicant will enter into an agreement with the Town of Peace River regarding the installation of the sign to the Town of Peace River's standards and the on-going fees and maintenance of the sign.
- (vi) Any person or company proposing a sign along one of the primary highway entrances into the Town of Peace River shall also be referred to Alberta Transportation for any necessary permit approvals.
- (vii) The area around the base of a sign shall be finished to the satisfaction of the Municipal Planning Commission (i.e. railway ties and red shale stones) and shall be kept neat and clean to the satisfaction of the Municipal Planning Commission.

(u) Home Occupation Signs

Home Occupation signs may be permitted within residential districts, provided that:

- (i) any sign should not be of a size greater than 0.28 square metres (3 square feet) unless otherwise agreed by the Development Officer or Municipal Planning Commission, having regard to the location of the proposed sign and potential impact upon the character of the neighbourhood;
- (ii) only one (1) sign is permitted on a residential property;
- (iii) the sign shall be affixed to the residence or placed in a window in which the home occupation is located, or located within the front yard as agreed by the Development Officer or Municipal Planning Commission;
- (iv) the sign shall not be illuminated; and
- (v) the sign shall be of a high quality appearance, construction and finish.

(v) Cloth or Banner Signs

The Development Officer shall not issue a sign permit for a cloth sign that is proposed to cross a public roadway unless the sign will be located at least 6.5 metres (21 feet) above the public roadway and subject to the applicant obtaining all other necessary permits, such as from Alberta Transportation, prior to the erection of the sign.

(w) Revolving Signs

- (i) Revolving signs may be located only in commercial or industrial districts.
- (ii) The location, size, design and character of the sign shall respect the scale and character of the surrounding area, and meets in all respects the requirements for free standing signs.
- (iii) The sign shall not project over any property line, over public property and over any utility right-of-way or easement.
- (iv) Revolving signs shall not be located within 300 metres of any residential area.

(x) Billboard Signs

- (i) The maximum size of a billboard sign shall be 3.1 metres high and 8.0 metres wide. A sign shall not exceed 24.8 m² in sign area.
- (ii) The maximum height of a sign structure shall be 6.0 metres from finished grade.
- (iii) No part of a billboard sign shall be located on, or project over, municipal property, utility right-of-way or easement.
- (iv) No part of a billboard, except supports, shall be less than 2.4 metres above grade.
- (v) No billboard shall employ flashing lights. All power sources shall be located underground.
- (vi) No billboard shall be erected within 100 metres of any intersection or within 30 metres of any existing access to or egress from a property.

(y) Temporary Signs

Real Estate Signs

- (i) The maximum allowable area of a real estate sign in a residential zone is 0.9 m².
- (ii) The maximum allowable height of a real estate sign is 2.4 metres.
- (iii) The maximum allowable area of a real estate sign in a commercial or industrial zone is 2.97 m², unless a billboard sign is requested, in which case the requirements for a billboard sign shall apply.
- (iv) A real estate sign shall only be located on the property that is for sale.
- (v) Only one real estate sign shall be permitted on a property, except where the property is the location of an “open house”, in which case one temporary open house sign is also permitted. Two temporary signs associated with that open house may also be placed in the road right-of-way within the neighborhood of the open house, provided they are not placed on a median, do not obstruct a line of sight for traffic, and they are removed immediately following the end of the open house. Temporary open house signs are not to be placed within five (5) metres from a major intersection (The five (5) metre distance will be calculated from the outer edge of the intersection, not the center).
- (vi) Subdivision marketing signs shall be situated wholly within the site within the original subdivision.
- (vii) A subdivision marketing sign shall be removed from the site once 90% of the lots within the subdivision have been sold.

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- (viii) Only one subdivision marketing sign may be allowed per subdivision. The size, design, construction and location of a subdivision marketing sign shall be subject to the discretion of the Development Authority, having due regard to the safe movement of traffic.
- (z) Event/Fund Raising Campaign Signs
 - (i) Signs for “single day” events may be erected no more than one month before the event, and shall be removed no later than three days after the event is concluded. An extension to these timeframes may be granted at the discretion of the Development Officer.
 - (ii) Poster type signs shall not be affixed to traffic control devices or signs, lamp posts or street refuse containers.
 - (iii) Signs are not permitted on any median or in the 100th St. roundabout.
 - (iv) Signs shall conform in all respects to the requirements for various types of signs regulated by this bylaw.
- (aa) Inflatable Signs
 - (i) An inflatable sign shall not be installed or displayed within 150 metres of any other inflatable sign.
 - (ii) 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.
 - (iii) When located at grade, no inflatable sign shall be located within 3.0 metres of any access/egress to or from a property or within 10.0 metres of any intersection.
 - (iv) When located on a roof, an inflatable sign shall not extend or project over the edge of the building.
 - (v) Inflatable signs shall be tethered or anchored and shall be touching the surface to which it is tethered or anchored.
 - (vi) Inflatable signs shall not be displayed for more than 60 consecutive days and the premises shall remain free of an inflatable sign for a minimum of 30 consecutive days thereafter.
 - (vii) An inflatable sign may be illuminated, provided the sign is not within 30.0 metres of a residential district.
 - (viii) An inflatable sign may only be animated by the movement of air through it.

Explanation Notes

Signs

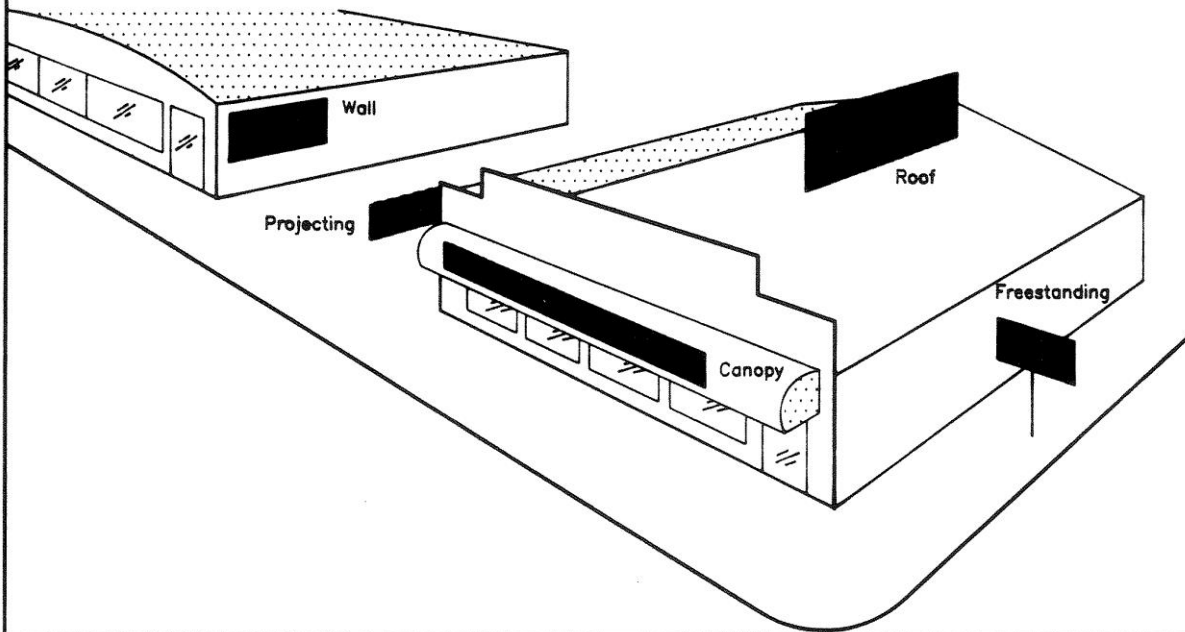
“WALL SIGN” means a sign attached to, or erected, or placed against the wall of a building or structure, with the exposed face of the sign in a plane parallel to the plane of the said wall.

“FREESTANDING (GROUND) SIGN” 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.

“ROOF SIGN” means a sign which is erected upon or above the roof or parapet of a building.

“PROJECTING SIGN” means a sign, except a canopy sign, which is supported by an exterior building wall and projects outward from the building wall at a right angle.

“CANOPY SIGN” means a sign attached to, or forming part of, a permanent building projection or fixed structural framework which extends outward from the exterior wall of a building and which may be roofed or covered to provide protection over the entrance to a building. Canopy signs include awnings and marquees.



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(15) NUMBER OF DWELLING UNITS PERMITTED ON A LOT

- (a) No person in the Town shall construct or cause to be constructed more than one dwelling unit per lot.
- (b) Section 11(15)(a) does not apply to:
 - (i) Apartment building;
 - (ii) Duplex;
 - (iii) Dwelling Group;
 - (iv) Residential Care facility;
 - (v) Row Dwelling;
 - (vi) Semi-detached Dwellings;
 - (vii) Dwellings that are located within a manufactured home park
- (c) Despite section 11(15)(a), one Garage/Garden Suite or one Secondary Suite may be approved in a district in which the Garage/Garden Suite or the Secondary Suite is either a permitted or discretionary use.

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SECTION 12

SPECIAL LAND USE PROVISIONS

Notwithstanding any other land use provisions contained in this Bylaw the following Special Land Use Provisions shall apply to all development.

(1) DRIVE-THRU RESTAURANTS

(a) Setbacks

The minimum side yard width shall be 3.05 metres (10 feet) or greater. These setback requirements may be increased at the discretion of the Development Officer or the Municipal Planning Commission.

(b) Site and Building Requirements

- (i) Exits and entrances shall be approved by the Development Officer or the Municipal Planning Commission and circulation of traffic on the site should be one-directional and adequately signed.
- (ii) All parts of the site to which vehicles may have access shall be hardsurfaced and drained to the satisfaction of the Development Officer or the Municipal Planning Commission.
- (iii) Receptacles for the purpose of depositing garbage, rubbish or debris, shall be provided in sufficient number as the Development Officer or the Municipal Planning Commission may require.

(c) Screening

Side and rear boundaries abutting residential areas, shall be screened by a fence, wall, or other means of screening acceptable to the Development Officer or Municipal Planning Commission, of at least 1.52 metres (5 feet) in height but no higher than 2.13 metres (7 feet).

(2) HOME OCCUPATIONS

- (a) Home occupations shall be limited to those uses which do not interfere with the rights of other residents to the quiet enjoyment of a residential neighbourhood. Home occupations shall be no more than supplementary uses to the principal residential building and shall not:

- (i) have outside storage of materials, goods or equipment on or adjoining the site;
- (ii) create a nuisance by way of dust, noise, smell, smoke, heat or glare or traffic generation;
- (iii) involve the sale or external display of goods upon the premises, but goods may be stored subject to the approval of the Development Officer or Municipal Planning Commission, provided the storage of such shall not be exposed to the public view, nor shall it affect the character and appearance of the property as a residential dwelling;

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- (iv) require alterations to any building unless the alterations are approved by the Development Officer or the Municipal Planning Commission;
 - (v) employ any more than one (1) person other than the occupants of the principal residential building in which the use takes place.
- (b) The permissible use (home occupation) shall only be applicable for the period of time the property is occupied by the applicant for whom the home occupation was approved.
- (c) The Town shall require a letter from the registered owner of the property allowing a renter to establish a home occupation on the premises.
- (d) All permits issued for home occupations shall be subject to the condition that the permit may be revoked at any time if in the opinion of the Development Officer or the Municipal Planning Commission the use is, or has become, detrimental to the amenities of the neighbourhood.
- (e) Where a professional person desires to use his/her house for an office or a consulting room, such activities shall be limited to an individual practice with the only staff to be employed as is necessary for the practice. At all times, the privacy of the adjacent dwellings shall be preserved and the use of the house as a professional office shall not unduly offend the surrounding residents by way of excessive lighting, an unreasonable number of calling clients, noise, traffic congestion, etc.

(3) MANUFACTURED (MOBILE) HOMES

- (a) Manufactured (mobile) homes shall be of sound construction and appearance to the satisfaction of the Development Officer or the Municipal Planning Commission.
- (b) The undercarriage of a manufactured (mobile) home shall be completely screened from view by fireproof skirting or by such other means satisfactory to the Development Officer or the Municipal Planning Commission.
- (c) Axles, wheels, running gear and towing tongue shall be removed prior to final installation of the manufactured (mobile) home being securely placed or anchored on piers or foundation.
- (d) All accessory structures, additions, porches and skirting shall be of a quality, design and appearance equivalent to the manufactured (mobile) home.
- (e) 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 manufactured (mobile) home and that is non-combustible.

(4) SERVICE STATIONS AND GAS BARS

(a) Location

- (i) A service station or gas bar shall be located at the intersection of two (2) or more public roadways, being a street or avenue, but not including a lane.
- (ii) Notwithstanding the provisions of subsection (i) above, the site may be located between intersections where there is a service road or a centre dividing strip if the Development Officer or the Municipal Planning Commission approves the site.
- (iii) Service stations and gas bars may be located on part of a shopping centre development.

(b) Site Requirements

- (i) All parts of the site to which vehicles may have access shall be hardsurfaced and drained to the satisfaction of the Development Officer or the Municipal Planning Commission.
- (ii) No activity may be carried on which constitutes a nuisance or annoyance to persons occupying land in the immediate vicinity of the site, by reason of dust, noise, gases, odours, smoke or vibration.
- (iii) Landscaping and/or other forms of screening shall be provided and maintained to the satisfaction of the Development Officer or the Municipal Planning Commission.

(c) Fencing

A dividing structure of at least 1.52 metres (5 feet) in height but no higher than 2.13 metres (7 feet), using a form of screening to the satisfaction of the Development Officer and/or Municipal Planning Commission, shall be provided along the boundary of a site where it abuts a residential district.

(5) BUS DEPOTS

(a) Location

- (i) A bus depot shall be located on or in the immediate vicinity of major roadways so that buses use collectors and arterial roads to the greatest extent possible.
- (ii) The location shall be to the satisfaction of the Development Officer or the Municipal Planning Commission considering surrounding developments and future plans for the area.

(b) Site Requirements

- (i) Entrances and exits shall be approved by the Development Officer or the Municipal Planning Commission and shall be located so as to minimize hazards and impact on the surrounding road network.

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- (ii) All parts of the site to which vehicles may have access shall be hard surfaced and drained to the satisfaction of the Development Officer or the Municipal Planning Commission.
- (iii) No activity may be carried on which constitutes any unreasonable nuisance or unreasonable annoyance to persons occupying land in the immediate vicinity of the site, by reason of dust, noise, gases, odours, smoke, or vibration.
- (iv) Landscaping and/or buffering shall be provided and maintained to the satisfaction of the Development Officer or the Municipal Planning Commission.
- (v) The Development Officer or the Municipal Planning Commission may decide on such other requirements as deemed necessary having regard to the nature of the proposed depot and its location.

(6) CHILD CARE FACILITIES

- (a) All child care facilities, as defined by this Bylaw 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.
- (b) In deciding whether to approve or refuse a child care facility, the Development Officer or the Municipal Planning Commission shall take into account the following:
 - (i) provision of adequate parking for staff members;
 - (ii) provision of an adequate loading/unloading area for children which will not interfere with the normal traffic flow;
 - (iii) buffering or other techniques designed to limit interference from or to neighbouring properties;
 - (iv) density of the district;
 - (v) adequacy of the facility to accommodate the use proposed in terms of the number of children, play areas and other such requirements;
 - (vi) surrounding land uses; and
 - (vii) other such matters as deemed necessary by the Development Officer or the Municipal Planning Commission.

(7) COMBAT GAMES

When considering an application for an activity generally recognized and known as combat games, the Development Officer or the Municipal Planning Commission shall have regard to:

- (a) the impact the combat games will have on the neighbourhood in which the combat games will take place;
- (b) the effect of the combat games on existing and future surrounding land uses; and

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- (c) the need to place, as a condition of development permit approval, the times when the combat games will be allowed to operate.

(8) DWELLING UNIT, CARETAKER

- (a) Caretaker dwelling units may only be developed on a site with a principal non-residential use, building or structure.
- (b) Not more than one caretaker dwelling unit is allowed per lot.
- (c) A caretaker dwelling unit shall not be subject to separation from the principle development through a plan of subdivision.
 - (i) 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 caretaker dwelling unit shall not be subject to separation from the principle dwelling through condominium conversion or subdivision.
- (d) A caretaker dwelling unit shall require one additional on-site parking stall. Additional parking stalls 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 principle use, building or structure does not block the parking for the caretaker dwelling unit and vice versa.

(9) SATELLITE DISH ANTENNAS

The following provisions shall apply to the erection and placement of satellite dish antennas:

- (a) satellite dish antennas shall not be allowed in the front yard or side yard of any lot unless otherwise approved by the Development Officer or the Municipal Planning Commission;
- (b) satellite dish antennas shall be structurally sound and properly anchored;
- (c) no advertising shall be allowed on a satellite dish antenna; and
- (d) the illumination of a satellite dish antenna is prohibited.

(10) BED AND BREAKFAST

The following provisions shall apply to the development of bed and breakfast accommodation:

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- (a) interior or exterior alterations and additions or renovations to permit an existing dwelling to be used as a bed and breakfast establishment may be allowed if such alterations, additions, or renovations comply with the Safety Codes Act and any other applicable bylaw or legislation;
- (b) the maximum size of a sign advertising a bed and breakfast location shall be 0.28 square metre (3 square feet); and
- (c) one (1) on-site parking stall shall be provided for each bed and breakfast unit, unless otherwise approved by the Development Officer or the Municipal Planning Commission.

(11) STORAGE OF TOXIC CHEMICALS

- (a) When reviewing a development permit application for the storage of toxic chemicals, the Municipal Planning Commission and/or the Development Officer shall take the following factors into consideration:
 - (i) the location of the storage facility in relation to buildings located and people working in the area;
 - (ii) compatibility to adjacent land uses;
 - (iii) the need for enclosed storage facilities;
 - (iv) the location of sewer lines, drainage systems and utility lines on the subject property and adjacent properties; and
 - (v) the need for fire protection devices, such as a sprinkler system.
- (b) There shall be clear access to storage facilities for fire-fighting purposes.
- (c) The Town of Peace River Fire Chief shall review all development permit applications for the storage of toxic chemicals in accordance with the Alberta Fire Code, the Environmental Protection and Enhancement Act, together with the Dangerous Goods Transportation and Handling Acts, and any amendments thereto.

(12) LOWER WEST PEACE AREA

No habitable portion of a building, including a basement, shall be below the natural and/or existing ground elevation.

(13) SOLAR ELECTRIC PANELS

- (a) A development, building and electrical permit shall be required for the installation of a solar-electric system in residential neighbourhoods, unless the system is a part of the design of a new building for which a permit is required.

- (b) A site plan will be required showing.
 - (i) the location of the solar electric panels within the property boundaries;
 - (ii) a north arrow to indicate which direction is north;
 - (iii) the nearest street and avenue;
 - (iv) the dimensions of the site and property lines;
 - (v) the distance that the solar electric panels extend beyond the wall, if it is mounted on a wall; and
 - (vi) a list of any and all caveats, covenants, and easements shown on the title of the property.
 - (vii) the site plan may be hand drawn or computer drawn. A photo from Google Earth can be used as the basis of the site plan, and the solar electric panels can be shown on it, along with the information required in the above list. The dimensions do not have to be from a legal survey.
- (c) Prepare an elevation plan.
 - (i) The elevation plan shall show:
 - A. a side view of the building and what it will look like with the solar electric panels mounted on it; and
 - B. the total height of the building if the solar electric panels extend beyond the roof line.
 - C. The plan may be a photograph of the building showing the solar electric panels drawn on it.
- (d) Prepare a construction detail plan.
 - (i) The construction detail plan shall clearly show the construction details of the solar electric panels and their mounting, including:
 - A. the cross-section of the roof or wall structure to which it is attached, showing all materials used in the roof or wall;
 - B. details of how the solar electric panels are attached to the roof or wall;
 - C. details of the solar electric panels and any of its tilt and mounting brackets and hardware; and
 - D. how any penetrations of the building's roof or walls will be sealed to prevent moisture infiltration.
 - E. The applicant shall ensure that the existing roof or wall is able to support the additional weight of the solar electric panels.

(14) GARAGE/GARDEN SUITE

- (a) The developer of a Garage/Garden Suite shall obtain all permits required and meet all the requirements under the Safety Codes Act. Copies of the permits as well as final inspection reports must be submitted to the Town.
- (b) Only one Garage/Garden Suite per parcel shall be allowed.
- (c) Garage/Garden Suites shall only be located in specified land use districts.

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- (d) A development permit application for a Garage/Garden Suite shall be circulated to property owners within a 30.5 metres (100 feet) radius of the property in which the Garage/Garden Suite is proposed.
- (e) For a Garage/Garden Suite, the minimum building setback from any side property line is 0.304 metres for that portion of the building used as a private garage.
- (f) A Garage/Garden Suite shall require one additional on-site parking stall. Additional parking stalls 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 Garage/Garden Suite and vice versa.
- (g) An additional driveway for a Garage/Garden Suite 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 metres, subject to traffic safety considerations.
- (h) A Garage/Garden Suite must have a separate and direct access to grade.
- (i) The maximum building height for a Garage/Garden Suite is 7.62 metres (25 feet).
- (j) A Garage/Garden suite must have an amenity space that is a minimum area of 7.62 square metres (25 square feet) with no dimension less than 1.5 metres. A private amenity space may be provided in the form of a balcony, deck or patio.
- (k) A minimum separation of 3.0 metres is required between the closest façade of the principal dwelling and the closest façade of the Garage/Garden Suite.
- (l) The maximum gross floor area of a Garage/Garden Suite is 70.0 square metres (753.47 square feet), not including the area covered by stairways, balconies and decks.
- (m) The minimum parcel width for a parcel containing a Garage/Garden Suite shall be 10.0 metres (33 feet).
- (n) The minimum parcel area for a parcel containing a Garage/Garden suite shall be 367 square metres (3950 square feet).
- (o) A Garage/Garden Suite shall not be subject to separation from the principal dwelling through a condominium conversion or subdivision.
- (p) A Garage/Garden Suite shall not be developed within the same parcel containing a Child Care Facility or a Group Care Facility.

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(15) SECONDARY SUITE

- (a) The developer of a Secondary Suite shall obtain all permits required and meet all the requirements under the Safety Codes Act. Copies of the permits as well as final inspection reports must be submitted to the Town.
- (b) Only one Secondary Suite per parcel shall be allowed.
- (c) Secondary Suites shall only be located in specified land use districts.
- (d) A development permit application for a Secondary Suite shall be circulated to property owners within a 30.5 metres (100 feet) radius of the property in which the Secondary Suite is proposed.
- (e) A Secondary Suite shall require one additional on-site parking stall. Additional parking stalls 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 Secondary Suite and vice versa.
- (f) An additional driveway for a Secondary Suite 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 metres, subject to traffic safety considerations.
- (g) A Secondary Suite must have a separate and direct access to grade.
- (h) The maximum gross floor area of a Secondary Suite is 70.0 square metres (753.47 square feet), not including the area covered by stairways, balconies and decks.
- (i) A Secondary Suite must have an amenity space that is a minimum area of 7.62 square metres (25 square feet) with no dimension less than 1.5 metres. A private amenity space may be provided in the form of a balcony, deck or patio.
- (j) A Secondary Suite that is attached at, below or above grade shall meet the same setback requirements as a Single Detached Dwelling within the respective District.
- (k) The minimum parcel width for a parcel containing a Secondary Suite shall be 10.0 metres (33 feet).
- (l) The minimum parcel area for a parcel containing a Secondary Suite shall be 367 square metres (3950 square feet).
- (m) For Secondary Suites that are to be located only in single detached housing or an accessory building, no structural alterations or additions shall be undertaken that alters the existing low density residential character and form of the existing development.

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- (n) A Secondary Suite shall not be subject to separation from the principal dwelling through a condominium conversion or subdivision.
- (o) A Secondary Suite shall not be developed within the same principal dwelling containing a Child Care Facility or a Group Care Facility.

(16) DOWNTOWN MAIN STREET OVERLAY DISTRICT

Design Guidelines

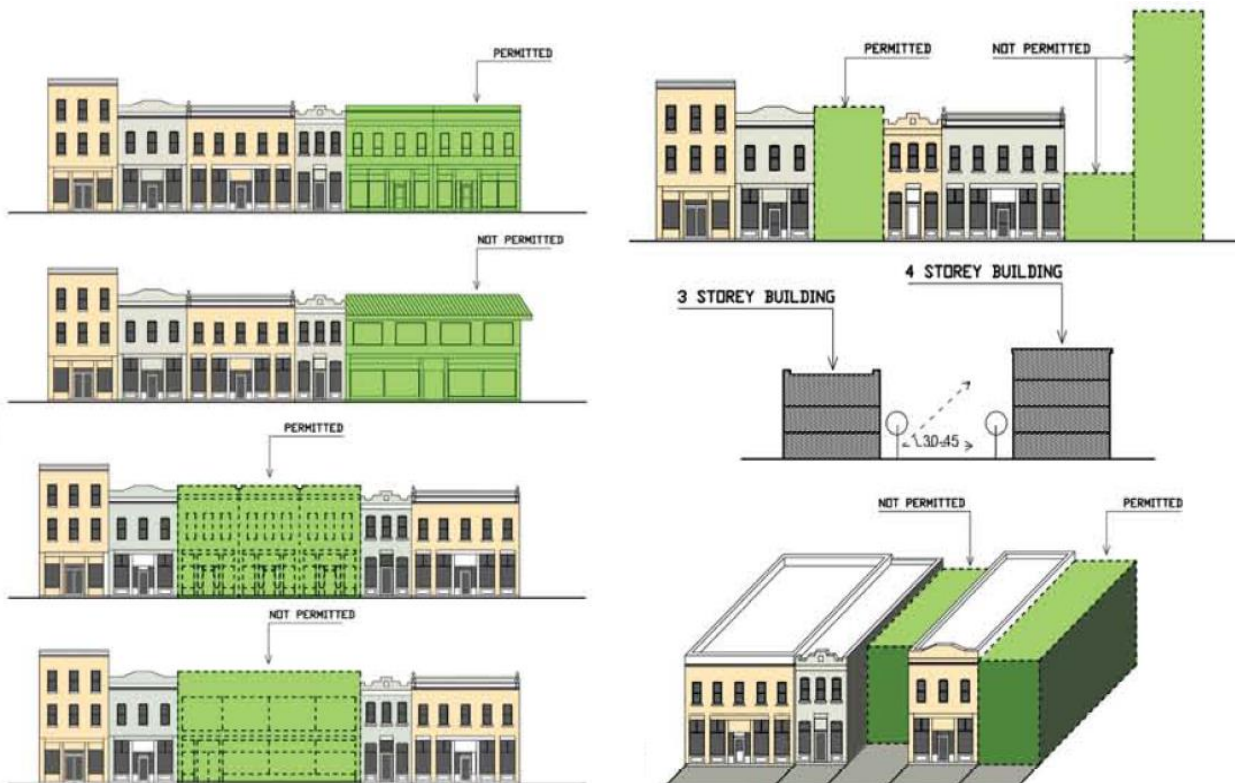
Purpose

The following guidelines apply to all new development within the Downtown Main Street Overlay District. The purpose of this overlay district is to provide guidelines to maintain and enhance the unique style of commercial environment that currently exists along main street Peace River.

Guidelines for New Buildings

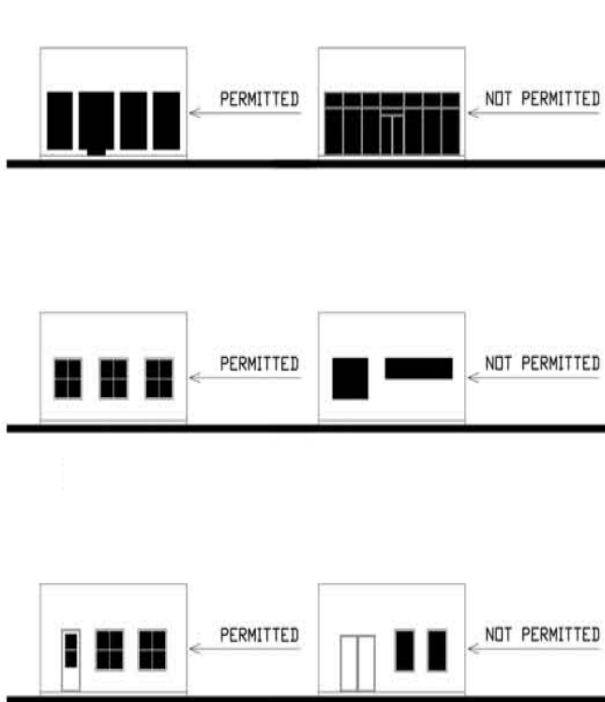
The purpose of the Downtown Main Street Overlay District is to assist developers and designers during the planning process. New development on main street Peace River shall conform to the existing style and character of the downtown core. In 2009 the Town of Peace River adopted a non-statutory plan to promote downtown revitalization and tourism in the Town. Elements from that plan have been used and have now been incorporated into the Land Use Bylaw.

The following guidelines are intended to direct buildings and building designs to ensure compatibility with the character of the main street area. New buildings should use up-to-date materials and technologies as long as their designs respect the parameters that follow, which have been developed to maintain and enhance the visual continuity of the streetscape.



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(a) Alignment and Setbacks



- (i) Construction of new buildings should be to property lines.
- (ii) Buildings should be constructed to the side property lines.
- (iii) New buildings should align with adjacent existing buildings and developments.
- (iv) Store entrances should be set at approximately 25 to 30 foot intervals.
- (v) Store entrances should be recessed no less than 5 feet from the face of the storefront.
- (vi) No Front or Side Yard Setbacks are permitted and should be considered only in exceptional circumstances, where the use of the setback will significantly enhance the activity of the street and where the break in the building line does not detract from the appearance of the streetscape.

(b) Horizontal and Vertical Alignments

- (i) New façade should respect the rhythm and proportion of adjacent buildings. Oversized display windows and tinted glass are not permitted
- (ii) Large infill façade should be divided into equal size structural bays and respect width of adjacent buildings.
- (iii) Decorative details and façade must continue continuous, horizontal features of neighbouring buildings.
- (iv) Signs, storefront windows, canopies and awnings should be aligned with similar features on neighbouring buildings.
- (v) Major vertical elements should be introduced into the front of the buildings exceeding 50 foot widths at approximately 30 foot intervals to maintain the traditional vertical pattern of building façade design.

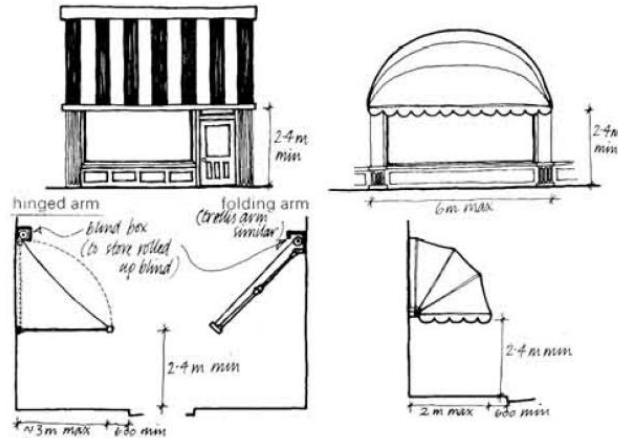
Second floor windows should align with those on neighbouring buildings. Second floor windows should be of “punched” design and vertically proportioned. Horizontal strip windows are not recommended.

- (vi) Display windows should be as large as practical with minimum partitioning at eye level. Window sills should be between 1.5 and 2.5 feet above the level of the sidewalk, allowing for a bulkhead panel below.
- (vii) Upper windows should reflect the repetitive, varied pattern along the street.

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Permitted signable area



(c) Building Height

- (i) New buildings should be of a height consistent with their neighbours. Roof line variations are acceptable to allow one, two or three-storey buildings to be constructed side by side.
- (ii) New infill buildings must have a height of a minimum two (2) storeys and preferably three (3) storeys.
- (iii) Building height must stand between 30 and 45 degrees when measured from the furthest point of the opposing sidewalk.

(d) The Details of Building Façade Design

- (i) Materials: Buildings should maintain the existing predominant building façade materials for new buildings: brick, stucco or painted wood.
- (ii) New building façade design should incorporate up-to-date building technologies and current building materials which meet the objectives of these guidelines.
- (iii) Colours for new building façades should respect the traditional range of colours that have been used in the district.
- (iv) Terra cotta, river red brick along with stucco with earth tones is recommended on the ground floor.
- (v) Upper floor cladding material can be stucco, siding or bricks all using earth tone only.

(e) Façade Accessories - Signs and Awnings

- (i) Projecting Signs: Signs may be permitted to project over the sidewalk no more than five feet and should be no closer to the sidewalk than eight feet from the bottom of the sign.
- (ii) Projecting signs should be no larger than six square feet to a maximum of three feet in any direction. Illuminated projecting signs should be lit from an external source. Internally illuminated projecting signs are not recommended.
- (iii) Three dimensional symbolic signs are encouraged.
- (iv) Fascia Signs should be located above the storefront windows.
- (v) Internally illuminated fascia signs should be located above the storefront windows and should extend only to the storefront piers.

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- (vi) The background of internally illuminated signs should be darker than the logo or letters identifying the business. Maximum vertical height should be 20 inches.
 - (vii) 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.
 - (viii) Vinyl, back-lit or bubble awnings, and awnings of less than 3 feet in depth, which function as signs only, are not permitted.
 - (ix) Awnings should be located within the outside piers of the building façade on individual storefronts.
 - (x) In cases where façades are wider than 30 feet, consideration should be given to using two or more smaller awnings.
 - (xi) Awnings should be mounted to extend no lower than 8 feet (2.43 metres) from the sidewalk to the bottom of the valance and, at full extension, no further than one foot from the inside edge of the curb.
- (f) Screening Parking and Vacant Lots
- (i) Avoid large parking lots at the front of the building in the area as this will erode the pedestrian ambiance of the street.
 - (ii) Parking lots or vacant lots should be framed by fences or screening vegetation.

(17) HISTORICAL SIGNIFICANCE BUILDINGS

- (a) 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.
- (b) Buildings that are designated as a Municipal Heritage Site are subject to the provisions and regulations specified within this Bylaw and the Municipal Heritage Policy.
- (c) All development permits will be assessed for the significance of the architectural style within the streetscape and any other matter deemed relevant under the Municipal Heritage Policy.
- (d) The applicant shall provide a conceptual re-development scheme, architectural drawings, and/or statement to the satisfaction of the Development Officer.

(18) SHIPPING CONTAINERS AS ACCESSORY BUILDINGS

- (a) In the Agricultural and Industrial Districts, or in conjunction with a recreational use, shipping containers may be used as accessory buildings only pursuant to applicable requirements for accessory buildings, and applicable District standards.

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- (b) In the Agricultural and Industrial Districts, a development permit will not be required for the placement of up to two shipping containers but will be required for the placement of three or more shipping containers as an accessory use.
- (c) In Commercial districts, only one (1) shipping container will be allowed per site on a temporary basis as part of a construction/renovation project, with written permission from the Development Officer. Containers must be removed within 30 days after the completion of the construction project.
- (d) Shipping containers may not be used as accessory buildings in Residential Districts.
- (e) Shipping containers may not be placed in the front or flanking yard of any lot, or between the main building and any street.
- (f) Where a shipping container is to be placed on an Agricultural or Industrial property which abuts a residential, park, or institutional zone, the shipping container shall be fully screened from view from any such property through the use of landscaping, opaque fencing or a combination of fencing and landscaping.
- (g) No shipping container may be used in any zone as a dwelling or other form of accommodation, including offices.
- (h) The placement of the shipping container must comply with all other aspects of this Bylaw, including the minimum setback distances from the various property lines which would be required for an accessory building in that District.
- (i) The Development Officer or Municipal Planning Commission may impose the following conditions among others, upon the issuance of a development permit as follows;
 - (i) where more than one shipping container is allowed, the containers shall not be stacked on top of each other.
 - (ii) the exterior finish of the shipping container shall match or complement the exterior finish of the principal building, or must be screened from view to the satisfaction of the Development Officer.

(19) LIQUOR STORES

- (a) The development of retail liquor stores or sale outlets shall be in accordance with the Alberta Gaming & Liquor Act as well as any other applicable regulations and bylaws.
- (b) The Development Authority may require that a traffic impact study be conducted for a liquor store and sales outlet as part of the development permit application if it appears that traffic volumes or vehicular turnover may create a significant negative impact on surrounding development. This traffic impact study shall be prepared to the satisfaction of the municipality.

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- (c) A liquor store or sales outlet shall not be located closer than 150.0 metres (492 feet) to any site being actively used for community or recreation activities, public parks, or public or private education at the time of the development permit application. For the purpose of this section, the following applies:
 - (i) The 150.0 metres (492 feet) separation distance shall be measured from the closest point of the subject site boundary to the closest point of another site boundary and shall not be measured from a district boundary or from the edges of structures.
 - (ii) The term “community or recreation activities” includes community oriented buildings and facilities and children’s playgrounds and play areas. The term does not include arenas or other public assembly uses, public libraries or religious use facilities.
 - (iii) The term “public or private education facilities” is limited to elementary through to high schools inclusive only and does not include dance schools, driving schools or other commercial schools; and
 - (iv) The term “public parks” is limited to park sites appropriately zoned as such.
- (d) Where a proposed liquor store or outlet is within 150.0 metres (492 feet) radial distance of an existing liquor store, any cumulative impacts of the facilities on existing development within the area must be considered in evaluating the application.
- (e) The Development Authority shall consider Crime Prevention Through Environmental Design Criteria by ensuring:
 - (i) The exterior of all stores have ample glazing from the street to allow natural surveillance;
 - (ii) Exterior lighting should be in accordance with the minimum safety standards prescribed by the Illuminating Engineers Society;
 - (iii) Any landscaping around the facilities be low-growing shrubs or deciduous trees with a high canopy at maturity and that all foliage be kept trimmed back to prevent loss of natural surveillance;
 - (iv) No customer parking is in behind a facility and that all parking areas in front of the building be well lit; and
 - (v) Customer access to the store is limited to a store-front that is visible from the street, shopping centre parking lot or a mall access that allows visibility from the interior.
- (f) A liquor store and sales site should be of sufficient size to accommodate loading and manoeuvring within the site and any loading space or area used for loading should be oriented so as to minimize impacts on adjacent uses, including uses on the same site.

(20) STRIPPING, FILLING, EXCAVATION AND GRADING

- (a) The regulations contained within this Section are intended to apply primarily to those situations where stripping, filling, excavation or grading activities are

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proposed independent of, or prior to other development occurring on the same lot or site.

- (b) 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.
- (c) In addition to the information requirements of Section 5 (3), the Development Authority may require the following information with the application:
 - (i) a site plans showing the location and dimensions of proposed stripping, filling, excavation, and grading, including details of edge conditions and/or back sloping requirements, and details regarding any stockpiles;
 - (ii) a description of the proposed source of any materials being brought to the site;
 - (iii) the effect on drainage patterns or storm water management plans;
 - (iv) a description of the proposed site end condition and site restoration plans;
 - (v) proposals for preventing nuisance, including but not limited to dust, noise, and visual impacts;
 - (vi) proposed access, haul routes and haul activities; and
 - (vii) proposed timing and phasing of activities.
- (d) Where site plans, drainage plans, storm water management plans or geotechnical soils plans are required, 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.
- (e) Notwithstanding Section 4 (3) (e) 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:
 - (i) limiting the impact on drainage patterns;
 - (ii) setting a site end condition, such as seeding and loaming the development area;
 - (iii) limiting the impact of nuisance, including but not limited to dust, noise, and visual impacts;
 - (iv) setting access, haul routes and haul activities standards; and
 - (v) defining the timing and phasing of activities.
- (f) A temporary fence shall be erected around all excavations, which in the opinion of the Development Authority may be hazardous to the public.
- (g) Where finished ground elevations are established, all grading shall comply therewith.
- (h) All parcels shall be graded and all drainage directed as per the approved storm water management plan.

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- (i) All topsoil shall be retained on the parcel, except where it must be removed for building purposes.

(21) BREWERY, WINERY AND/OR DISTILLERY

- (a) The development must have a Class E Licence for a Small Manufacturer, a Cottage Winery and/or Packaging, from the Alberta Gaming Liquor Commission.

A development with a Class E Licence for a Manufacturer from the Alberta Gaming Liquor Commission must not be considered under this use class.

- (b) In the C-1, C-2, C-3, R-D, and C-R land use districts:
 - (i) the development must include a store for the sale of the product to the general public;
 - (ii) the development 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.

The related uses may include but are not limited to a retail store, an eating or drinking establishment, and/or a liquor store, provided the use(s) is listed in the relevant district and the proposal meets the regulations for that use.

- (c) In the M-IB land use district:
 - (i) the development may include a store front for the sale of the product to the general public.
 - (ii) The development 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, and eating or drinking establishment, and/or a liquor store.
- (d) In the A-UR land use district:
 - (i) The development shall be accessory to the extensive agricultural use of the parcel
 - (ii) The development may include a store front for the sale of the product to the general public;
 - (iii) the development 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;
 - (iv) the Development Authority may consider an eating or drinking establishment, a liquor store, and/or a retail store as part of an application, despite these uses not being listed as a use within the A-UR district, provided the total square footage of the unlisted, accessory uses is limited to no more than 50m² to ensure these uses remain accessory to the principal use.
- (e) A Development Permit Application must include the following information:
 - (i) A description of the manufacturing process, including inputs, outputs and byproducts (such as heat, noise, or smell) of the process;

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- (ii) 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 storefront;
 - (iii) the proposed water source;
 - (iv) The proposed water plan;
 - (v) The estimated quality and quantity of waste water effluent (m³ /day and m³/year);
- (f) A Development Permit Application may be required to include the following information:
 - (i) 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;
 - (ii) 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;
 - (iii) A noise, odour, traffic, and/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.
- (g) The Development Authority may set conditions through the development permit to mitigate any impacts and/or set appropriate standards for the development.
- (h) The Development Authority may consider and apply the development separation distance requirements established by Section 12(19)(c) when making a decision on a development permit application for a "brewery, winery and/or distillery".
- (i) The minimum off-street parking requirements for a "brewery, winery and/or distillery" are provided for in Section 11 (9)(a). Each related or accessory use must also meet its off-street parking requirements.

(22) DECKS

- (a) The following applies to all decks:
 - (i) No decks shall be located on or over any utility right-of-way or easement or any drainage right-of-way or easement;
 - (ii) In a laneless subdivision, no deck shall encroach on a side yard providing access to the rear yard unless the design of the deck maintains access to the rear yard, or the principle dwelling includes an attached garage and all servicing of the property is from the front property line;
 - (iii) The setbacks shall be measured from the outermost edges of the surface of the deck;
 - (iv) 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;

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- (v) Decks that are covered and/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;
 - (vi) 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 (6.56 feet) high as measured from the surface of the deck to the top of the privacy wall; and
 - (vii) 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.
- (b) The following applies to all Low Level Decks:
- (i) Low Level Decks may be built within 15cm of the side property line and up to the rear property line except in accordance with Section 22(a).
- (c) The following applies to all Raised Decks:
- (i) Raised decks on corner lots shall not encroach into the sight triangle area; and
 - (ii) Raised Decks that are uncovered and unenclosed shall be setback 1.2m (4ft) from the side property line and 4.6m (15ft) from the rear property line.

(23) CANNABIS RETAIL SALES

- (a) The owner or applicant must obtain any other approval, permit, authorization, consent or licence that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
- (b) Cannabis Retail Sales shall not be located within 100 metres from:
 - i. a private or public school; or
 - ii. a provincial health care facility; or
 - iii. a public playground.
- (c) For the purposes of subsection 12(21)(b) only, a variance up to 10 metres 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.
- (d) The separation distance established in (21)(b) above and (21)(e) below between uses shall be measured from lot line to lot line.
- (e) Where a proposed Cannabis Retail Sales use is within 100 metres of an existing Cannabis Retail Sales use the potential cumulative impact of the uses on development within the area must be considered by the Development Authority in evaluating the application.

- (f) The development shall not operate in conjunction with another approved use.
- (g) Customer access to the store is limited to a store-front that is visible from the street. Mall access shall allow for clear visibility from the interior.
- (h) No customer parking shall be located at the rear of the Retail Sales building.
- (i) All parking areas in front of the building shall be well lit to the satisfaction of the Development Officer during operating hours.
- (j) Parking shall be provided in accordance with the minimum requirements under Section 11(9) Commercial Uses: Retail Shops.
- (k) When an application for a Cannabis Retail Sales as a discretionary use is received and/or an associated variance application is received, the Development Authority shall notify all landowners within a 50 metre radius, measured from property line to property line to ensure that neighbouring landowners have the opportunity to provide comment on the application prior to the decision being made.
 - i. The notification must contain notice of the time and date of the Municipal Planning Commission meeting and a method to provide written feedback.
 - ii. Notification must be received a minimum of 3 working days prior to the application being presented at a Municipal Planning Commission meeting.
 - iii. 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.
- (l) The Development Authority having jurisdiction shall impose a condition on any Development Permit issued for Cannabis Retail Sales that the development shall not commence until authorized by, and compliant with, any superior legislation including any Provincial and Federal Statutes.

(24) CANNABIS PRODUCTION FACILITY

- (a) The owner or applicant must provide as a condition of development a copy of the current licence for all activities associated with cannabis production as issued by the Federal Government.
- (b) The owner or applicant must obtain any other approval, permit, authorization, consent or licence that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
- (c) The development must be done in a manner where all of the processes and functions are fully enclosed within a stand-alone building including all loading stalls and docks, and garbage containers and waste material.
- (d) The development shall not include an outdoor area for storage of goods, materials or supplies.

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- (e) The development shall not operate in conjunction with another approved use.
- (f) The development 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.
- (g) The Development Officer may require, as a condition of a development permit, a waste management plan, completed by a qualified professional, which includes but is not limited to, details on:
 - i. the incineration of waste products and airborne emissions, including smell;
 - ii. the quantity and characteristics of liquid and waste material discharged by the facility; and
 - iii. the method and location of collection and disposal of liquid and waste material discharged by the facility.
- (h) Parking shall be provided in accordance with the minimum requirements under Section 11(9) Industrial: Manufacturing and Industrial Plants, Warehousing, Wholesale and Storage Buildings and Yards, Servicing and Repair Establishments and Public Utility Building
- (i) The Development Authority having jurisdiction shall impose a condition on any Development Permit issued for Cannabis Production Facility that the development shall not commence until authorized by, and compliant with, any superior legislation including any Provincial and Federal Statutes.

(25) MANUFACTURING, ARTISANAL OR CUSTOM

- (a) In the C-1, R-D, and C-R land use districts:
 - (i) the development must include a store front being manufactured for the sale of the product to the general public.
 - (ii) the development 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.
 - (iii) The related uses may include but are not limited to a retail store, an eating or drinking establishment, and/or a liquor store, provided the use(s) is listed in the relevant district and the proposal meets the regulations for that use.
 - (iv) The development should not require or should minimize the impact of exterior changes to the building that increase the "industrial" nature of the building.
- (b) In the M-1, and M-18 land use district:
 - (i) the development may include a store front for the sale of the product(s) being manufactured to the general public provided the store front is limited to no more than twenty-five percent of the square footage of the

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- manufacturing operation, to ensure that the store front remains accessory to the principal manufacturing use.
- (ii) the development 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 an eating or drinking establishment, and/or a liquor store.
- (c) A Development Permit application must include the following information:
 - (i) A description of the manufacturing process, including inputs, outputs and by-products (such as heat, noise, or smell) of the process.
 - (ii) 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.
- (d) A Development Permit application may be required to include an emissions, noise, odour, traffic, and/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.
- (e) The Development Authority may set conditions through the development permit to mitigate any impacts or set appropriate standards for the development.
- (f) The minimum off-street parking requirements for a "manufacturing, artisanal or custom" development is provided for in Section 11 (9)(a). Each related or accessory use must also meet its off-street parking requirements.

SECTION 13 ESTABLISHMENT OF DISTRICTS

(1) DISTRICT CLASSIFICATION

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

District
Symbol

Residential 1-A
R-1A

Residential 1-A(20)
R-1A(20)

Residential 1-B
R-1B

Residential 1-C
R-1C

Residential 1-D
R-1D

Residential 1-E
R-1E

Residential 1-F
R-1F

Residential-Two Family
R-2

Residential-Medium Density
R-3

Residential-High Density
R-4

Residential-Mixed High Density
R-4A

Residential-Manufactured (Mobile) Home Subdivision
R-MHS

Residential-Manufactured (Mobile) Home Park
R-MHP

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Residential-Village Estate
R-VE

Primary Commercial
C-1

Highway Commercial
C-2

Commercial-Shopping Centre
C-3

Neighbourhood Commercial
C-N

Mixed Commercial-Residential
C-R

Riverfront Development
R-D

Light Industrial
M-1

Light Industrial
M-1A

Mixed Industrial-Business
M-IB

Community Development
COM

Agricultural-Urban Reserve
A-UR

Direct Control
DIR-C

(2) DISTRICT SYMBOLS

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 Section 13 of this Bylaw.

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(3) DISTRICT MAP

- (a) The District Map, as may be amended or replaced by bylaw from time to time, is that map attached to and forming part of this Bylaw.
- (b) In the event that a dispute arises over the precise location of a boundary of any land use district as shown on the Land Use Bylaw District Map, Council, the Municipal Planning Commission or the Development Officer may request planning advice and shall decide thereon.

(4) SAME AND/OR SIMILAR USES

The uses that are listed in the permitted uses and discretionary uses columns under the land use districts are not intended to be exclusive or restrictive. Where a specific use does not conform to the wording of any definition, the Municipal Planning Commission may, in their discretion, deem that the use conforms to and is included in that definition and/or land use district.

Notwithstanding the above, the Development Authority having jurisdiction shall not deem that a use conforms to, and is included in, a definition if the proposed use is separately listed as a use in another district or is defined in the Definitions section of this bylaw

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SECTION 14 RESIDENTIAL 1-A DISTRICT (R-1A)

(1) PURPOSE

The purpose of this land use district is to provide for the development of low density single detached residential dwellings.

(2) USES

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses

- accessory building or structure
- park or playground
- residential support home type 1
- single detached dwelling

(b) Discretionary Uses

- bed and breakfast
- child care facility
- group care facility
- home occupation
- modular home
- moved in building
- public use
- religious use facility
- residential support home type 2
- sign
- stripping, filling, excavation and grading

(3) SITE PROVISIONS

The following regulations shall apply to every development in this area.

(a) Area of Site (minimum):

<u>Use</u>	<u>Width - metres</u>	<u>Area - square metres</u>
Single Detached Dwelling	15.24 (50 feet)	510.95 (5,500 sq. feet)

(b) Notwithstanding subsection 3(a):

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- (i) The minimum lot width for a corner site shall not be less than 16.76 metres (55 feet) for a single detached dwelling.
 - (ii) In the case of an irregular shaped lot, the width of the lot shall be defined by 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.
- (c) Front Yard Depth (minimum):
7.62 metres (25 feet).
- (d) Rear Yard Depth (minimum):
7.62 metres (25 feet).
- (e) Side Yard Width (minimum):
 - (i) Interior Side Yard Width: 1.22 metres (4 feet).
 - (ii) Exterior Side Yard Width: 3.66 metres (12 feet).
- (f) Notwithstanding subsection 3(e), in a laneless subdivision, at least one side yard shall be a minimum of 3.05 metres (10 feet) in width, UNLESS
 - (i) the design of the principal residence includes an attached garage as an integral part of the building; and
 - (ii) all servicing of the property is from the front property boundary,in which case the minimum side yard shall be 1.22 metres (4 feet) on both sides.
- (g) *Deleted by Bylaw No. 1938.*
- (h) Building Height (maximum):
Two (2) storeys or 10.67 metres (35 feet), whichever is greater.
- (i) Site Coverage (maximum):
Thirty-five (35) percent.
- (j) Density (maximum):
Six (6) dwelling units per net 0.404 hectare (1 acre).

(4) ADDITIONAL REQUIREMENTS

(a) Peace River Municipal Development Plan

In making a decision on the location of a proposed development, the Development Officer or the Municipal Planning Commission shall refer to the

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policies contained in the Peace River Municipal Development Plan and any other applicable statutory document.

- (b) 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.

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SECTION 15 RESIDENTIAL 1-A(20) DISTRICT (R-1A(20))

(1) PURPOSE

The purpose of this land use district is to provide for the development of low density single detached residential dwellings, with larger floor areas and reduced front yard setbacks than provided in the Residential 1-A District (R-1A).

(2) USES

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses

- accessory building or structure
- park or playground
- residential support home type 1
- single detached dwelling

(b) Discretionary Uses

- bed and breakfast
- child care facility
- group care facility
- home occupation
- modular home
- moved in building
- public use
- religious use facility
- residential support home type 2
- sign
- stripping, filling, excavation and grading

(3) SITE PROVISIONS

The following regulations shall apply to every development in this area.

(a) Area of Site (minimum):

<u>Use</u>	<u>Width - metres</u>	<u>Area - square metres</u>
Single Detached Dwelling	15.24 (50 feet)	510.95 (5,500 sq. feet)

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(b) Notwithstanding subsection 3(a):

- (i) The minimum lot width for a corner site shall not be less than 16.76 metres (55 feet) for a single detached dwelling.
- (ii) In the case of an irregular shaped lot, the width of the lot shall be defined by 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.

(c) Front Yard Depth (minimum):

6.1 metres (20 feet).

(d) Rear Yard Depth (minimum):

7.62 metres (25 feet).

(e) Side Yard Width (minimum):

- (i) Interior Side Yard Width: 1.22 metres (4 feet).
- (ii) Exterior Side Yard Width: 3.66 metres (12 feet).

(f) Notwithstanding subsection 3(e), in a laneless subdivision, at least one side yard shall be a minimum of 3.05 metres (10 feet) in width, UNLESS

- (i) the design of the principal residence includes an attached garage as an integral part of the building; and(ii) all servicing of the property is from the front property boundary,

in which case the minimum side yard shall be 1.22 metres (4 feet) on both sides.

(g) *Deleted by Bylaw No. 1938.*

(h) Building Height (maximum):

Two (2) storeys or 10.67 metres (35 feet), whichever is greater.

(i) Site Coverage (maximum):

Thirty-five (35) percent.

(j) Density (maximum):

Six (6) dwelling units per net 0.404 hectare (1 acre).

(4) ADDITIONAL REQUIREMENTS

(a) Peace River Municipal Development Plan

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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.

- (b) 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.

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SECTION 16 RESIDENTIAL 1-B DISTRICT (R-1B)

(1) PURPOSE

The purpose of this land use district is to provide for the development of low density single detached residential dwellings on larger lots compared to the R-1A and R-1A(20) Districts.

(2) USES

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses

- accessory building or structure
- park or playground
- residential support home type 1
- single detached dwelling

(b) Discretionary Uses

- bed and breakfast
- child care facility
- group care facility
- home occupation
- modular home
- moved in building
- public use
- religious use facility
- residential support home type 2
- sign
- stripping, filling, excavation and grading

(3) SITE PROVISIONS

The following regulations shall apply to every development in this area.

(a) Area of Site (minimum):

Use	Width - metres	Area - square metres
Single Detached Dwelling	16.76 (55 feet)	557.4 (6,000 sq. feet)

(b) Notwithstanding subsection 3(a):

- (i) The minimum lot width for a corner site shall not be less than 18.29 metres (60 feet) for a single detached dwelling.

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(ii) In the case of an irregular shaped lot, the width of the lot shall be defined by 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.

(c) Front Yard Depth (minimum):

7.62 metres (25 feet).

(d) Rear Yard Depth (minimum):

7.62 metres (25 feet).

(e) Side Yard Width (minimum):

(i) Interior Side Yard Width: 1.22 metres (4 feet).

(ii) Exterior Side Yard Width: 3.66 metres (12 feet).

(f) Notwithstanding subsection 3(e), in a laneless subdivision, at least one side yard shall be a minimum of 3.05 metres (10 feet) in width, UNLESS

(i) the design of the principal residence includes an attached garage as an integral part of the building; and(ii) all servicing of the property is from the front property boundary,

in which case the minimum side yard shall be 1.22 metres (4 feet) on both sides.

(g) *Deleted by Bylaw No. 1938.*

(h) Building Height (maximum):

Two (2) storeys or 10.67 metres (35 feet), whichever is greater.

(i) Site Coverage (maximum):

Thirty-five (35) percent.

(j) Density (maximum):

Six (6) dwelling units per net 0.404 hectare (1 acre).

(4) ADDITIONAL REQUIREMENTS

(a) Peace River Municipal Development Plan

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.

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- (b) 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.

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SECTION 17 RESIDENTIAL 1-C DISTRICT (R-1C)

(1) PURPOSE

The purpose of this land use district is to provide for the development of low density single detached residential dwellings with larger floor areas and lot size compared to the R-1A, R-1A(20) and R-1B Districts.

(2) USES

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses

- accessory building or structure
- park or playground
- residential support home type 1
- single detached dwelling

(b) Discretionary Uses

- bed and breakfast
- child care facility
- group care facility
- home occupation
- modular home
- moved in building
- public use
- religious use facility
- residential support home type 2
- sign
- stripping, filling, excavation and grading

(3) SITE PROVISIONS

The following regulations shall apply to every development in this area.

(a) Area of Site (minimum):

<u>Use</u>	<u>Width - metres</u>	<u>Area - square metres</u>
Single Detached Dwelling	18.29 (60 feet)	650.3 (7,000 sq. feet)

(b) Notwithstanding subsection 3(a):

- (i) The minimum lot width for a corner site shall not be less than 18.29 metres (60 feet) for a single detached dwelling.

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(ii) In the case of an irregular shaped lot, the width of the lot shall be defined by 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.

(c) Front Yard Depth (minimum):

7.62 metres (25 feet).

(d) Rear Yard Depth (minimum):

7.62 metres (25 feet).

(e) Side Yard Width (minimum):

(i) Interior Side Yard Width: 1.52 metres (5 feet).

(ii) Exterior Side Yard Width: 4.57 metres (15 feet).

(f) Notwithstanding subsection 3(e), in a laneless subdivision, at least one side yard shall be a minimum of 3.05 metres (10 feet) in width, UNLESS

(i) the design of the principal residence includes an attached garage as an integral part of the building; and

(ii) all servicing of the property is from the front property boundary,

in which case the minimum side yard shall be 1.22 metres (4 feet) on both sides.

(g) *Deleted by Bylaw No. 1938.*

(h) Building Height (maximum):

Two (2) storeys or 10.67 metres (35 feet), whichever is greater.

(i) Site Coverage (maximum):

Thirty-five (35) percent.

(j) Density (maximum):

Six (6) dwelling units per net 0.404 hectare (1 acre).

(4) ADDITIONAL REQUIREMENTS

(a) Peace River Municipal Development Plan

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.

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- (b) 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.

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SECTION 18 RESIDENTIAL 1-D DISTRICT (R-1D)

(1) PURPOSE

The purpose of this district is to accommodate developments in areas adjacent to the Peace River banks that are potentially subject to riverbank erosion. In dealing with any subdivision or development applications in this area the Detailed Geotechnical Assessment prepared by Thurber Consultants in 1986 shall be referred to.

(2) USES

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses

- accessory building or structure
- park or playground
- residential support home type 1
- single detached dwelling

(b) Discretionary Uses

- bed and breakfast
- child care facility
- group care facility
- home occupation
- modular home
- moved in building
- public use
- religious use facility
- residential support home type 2
- sign
- stripping, filling, excavation and grading

(3) SITE PROVISIONS

The following regulations shall apply to every development in this area.

(a) Area of Site (minimum):

650.3 square metres (7,000 square feet).

(b) Minimum Lot Width:

21.35 metres (70 feet).

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In the case of an irregular shaped lot, the width of the lot shall be defined by 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.

(c) Front Yard Depth (minimum):

7.62 metres (25 feet).

(d) Rear Yard Depth (minimum):

The development setback line as outlined in the "Detailed Geotechnical Assessment" prepared by Thurber Consultants (1986).

(e) Side Yard Width (minimum):

- (i) Interior Side Yard Width: 1.22 metres (4 feet).
- (ii) Exterior Side Yard Width: 3.66 metres (12 feet).

(f) Notwithstanding subsection 3(e), in a laneless subdivision, at least one side yard shall be a minimum of 3.05 metres (10 feet) in width, UNLESS

- (i) the design of the principal residence includes an attached garage as an integral part of the building; and
- (ii) all servicing of the property is from the front property boundary,

in which case the minimum side yard shall be 1.22 metres (4 feet) on both sides.

(g) *Deleted by Bylaw No. 1938.*

(h) Building Height (maximum):

Two (2) storeys or 10.67 metres (35 feet), whichever is greater.

(i) Site Coverage (maximum):

Thirty-five (35) percent.

(4) SPECIAL PROVISIONS

- (a) Development on Environmentally Sensitive Lands: Due to the nature of the lands in question, all developments must conform to the provisions of Section 11(12) of this Land Use Bylaw.
- (b) Servicing: No sewage disposal fields are to be permitted in this district. Suitable arrangements for disposal of sewage off the property must be made, to the satisfaction of the Development Officer or Municipal Planning Commission.

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- (c) Setback Zone: In the restricted development zone between the setback line identified in the Thurber report, and the river, the following restrictions on development shall apply:
 - (i) no placement of permanent structures shall be allowed;
 - (ii) no development of the river bank area to take place;
 - (iii) no clearing of vegetation between the top-of-bank and the river; and
 - (iv) changes in relief are limited to a maximum of 1 metre (3.28 feet) except for the zone within 10 metres (32.8 feet) of the top-of-bank where no fill at all shall be placed.
- (d) Conditions of Subdivision Approval: Where deemed necessary by Council, the developer shall register a restrictive covenant on each lot in form and content acceptable to the Town.

(5) ADDITIONAL REQUIREMENTS

(a) Peace River Municipal Development Plan

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.

- (b) 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.

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SECTION 19 RESIDENTIAL 1-E DISTRICT (R-1E)

(1) PURPOSE

The purpose of this land use district is to provide for the development of residential dwellings and, in certain situations, manufactured (mobile) homes.

(2) USES

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses

- accessory building or structure
- park or playground
- residential support home type 1
- single detached dwelling

(b) Discretionary Uses

- bed and breakfast
- child care facility
- group care facility
- home occupation
- manufactured (mobile) home
- modular home
- moved in building
- public use
- religious use facility
- residential support home type 2
- sign
- stripping, filling, excavation and grading

(3) SITE PROVISIONS

The following provisions shall apply to every development in this district.

(a) Area of Site:

At the discretion of the Development Officer or the Municipal Planning Commission and based on the type of servicing system.

(b) Width of Site (minimum):

At the discretion of the Development Officer or the Municipal Planning Commission.

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(c) Length of Site (minimum):

At the discretion of the Development Officer or the Municipal Planning Commission.

(d) Front Yard Depth (minimum):

At the discretion of the Development Officer or the Municipal Planning Commission.

(e) Rear Yard Depth (minimum):

At the discretion of the Development Officer or the Municipal Planning Commission.

(f) Side Yard Width (minimum):

At the discretion of the Development Officer or the Municipal Planning Commission.

(g) Density (maximum):

At the discretion of the Development Officer or the Municipal Planning Commission.

(h) Building Height (maximum):

Two (2) storeys or 10.67 metres (35 feet), whichever is greater.

(4) ADDITIONAL REQUIREMENTS

(a) Peace River Municipal Development Plan

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.

(b) 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.

(c) In making a decision, the Development Officer or the Municipal Planning Commission may consider such matters as:

- (i) the provisions, operations and maintenance of private sewer and water facilities;

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- (ii) the provision of power and heat; and
- (iii) the collection and disposal of refuse.

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SECTION 20 RESIDENTIAL 1-F DISTRICT (R-1F)

(1) PURPOSE

The purpose of this land use district is to provide for the development of low density single detached residential dwellings and in certain instances, commercial schools.

(2) USES

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses

- accessory building or structure
- park or playground
- residential support home type 1
- single detached dwelling

(b) Discretionary Uses

- bed and breakfast
- child care facility
- commercial school
- group care facility
- home occupation
- modular home
- moved in building
- public use
- religious use facility
- residential support home type 2
- sign
- stripping, filling, excavation and grading

(3) SITE PROVISIONS

The following regulations shall apply to every development in this area.

(a) Area of Site (minimum):

Use	Width - metres	Area – sq. metres
Single Detached Dwelling	15.24 (50 feet)	510.95 (5,500 sq. feet)

(b) Notwithstanding subsection 3(a):

- (i) The minimum lot width for a corner site shall not be less than 16.76 metres (55 feet) for a single detached dwelling.

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(ii) In the case of an irregular shaped lot, the width of the lot shall be defined by 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.

(c) Front Yard Depth (minimum):

7.62 metres (25 feet).

(d) Rear Yard Depth (minimum):

7.62 metres (25 feet).

(e) Side Yard Width (minimum):

(i) Interior Side Yard Width: 1.22 metres (4 feet).

(ii) Exterior Side Yard Width: 3.66 metres (12 feet).

(f) Notwithstanding subsection 3(e), in a laneless subdivision, at least one side yard shall be a minimum of 3.05 metres (10 feet) in width, UNLESS

(i) the design of the principal residence includes an attached garage as an integral part of the building; and

(ii) all servicing of the property is from the front property boundary,

in which case the minimum side yard shall be 1.22 metres (4 feet) on both sides.

(g) *Deleted by Bylaw No. 1938.*

(h) Building Height (maximum):

Two (2) storeys or 10.67 metres (35 feet), whichever is greater.

(i) Site Coverage (maximum):

Thirty-five (35) percent.

(j) Density (maximum):

Six (6) dwelling units per net 0.404 hectare (1 acre).

(4) ADDITIONAL REQUIREMENTS

(a) Peace River Municipal Development Plan

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.

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- (b) 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.

- (c) Commercial School:

The following conditions shall apply to a commercial school:

- (i) That there be provided on the land in question, a parking lot allowing for parking provision to comply with the requirements of this Bylaw.
- (ii) That the use be limited to that which does not interfere with the rights of other residents to quiet enjoyment of a residential neighbourhood, and shall not:
 - A. have outside storage of materials, goods or equipment on or adjoining the site;
 - B. have internal or external storage of hazardous or dangerous goods, nor involve any activity either on-site or in the vicinity of the site that involves hazardous or dangerous goods;
 - C. involve any training associated with the school outside of the building;
 - D. create a nuisance by way of dust, noise, smell, smoke, heat or glare, traffic generation or any other nuisance factor.
- (iii) As required by this Bylaw, any proposed signage shall be subject to development permit approval and signage schemes shall not detract from the visual amenities of the locality and the amenities enjoyed by the occupiers of nearby residential properties.
- (iv) A development permit issued for a commercial school may be revoked at any time if, in the opinion of the Development Officer and/or Municipal Planning Commission, the conditions of the development permit have not, or are not being complied with.

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SECTION 21 RESIDENTIAL TWO FAMILY DISTRICT (R-2)

(1) PURPOSE

The purpose of this land use district is to provide for the development of single and double and certain multi-unit residential dwellings.

(2) USES

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses

- accessory building or structure
- duplex
- park or playground
- residential support home type 1
- semi-detached dwelling
- single detached dwelling

(b) Discretionary Uses

- bed and breakfast
- child care facility
- dwelling group
- garage/garden suite
- group care facility
- home occupation
- modular home
- moved in building
- public use
- religious use facility
- residential support home type 2
- row dwelling
- secondary suite
- sign
- stripping, filling, excavation and grading

(3) SITE PROVISIONS

The following regulations shall apply to every development in this area.

(a) Area of Site (minimum):

Single Detached Dwelling Unit: 510.95 square metres (5,500 square feet).

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Duplex: 557.7 square metres (6,000 square feet).
Semi-detached Dwelling Unit: 325.15 square metres (3,500 square feet).
Row Dwelling: Interior-185 square metres (2,000 square feet).
Row Dwelling: Exterior-222.96 square metres (2400 square feet).
Dwelling Group: At the discretion of the Development Officer or the Municipal Planning Commission.

(b) Width of Site (minimum):

Single Detached Dwelling Unit: 15.24 metres (50 feet).
Duplex: 18.29 metres (60 feet).
Semi-detached Dwelling Unit: 8.38 metres (27.5 feet) per unit.
Row Dwelling: 6.1 metres (20 feet).
Dwelling Group: At the discretion of the Development Officer or the Municipal Planning Commission.

(c) Notwithstanding subsection 3(b):

- (i) The minimum lot width for a corner site shall not be less than 16.76 metres (55 feet) for a single detached dwelling.
- (ii) Except on a corner site, the minimum lot width requirement for a subdivision may be reduced by the Municipal Planning Commission for a duplex but shall not be less than 15.24 metres (50 feet).
- (iii) In the case of an irregular shaped lot, the width of the lot shall be defined by 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.

(d) Front Yard Depth (minimum):

7.62 metres (25 feet).

(e) Rear Yard Depth (minimum):

7.62 metres (25 feet).
A row dwelling, a dwelling group, a group care facility: 13.72 metres (45 feet).

(f) Side Yard Width (minimum):

- (i) Exterior Side Yard Width: 3.66 metres (12 feet).
A row dwelling, a dwelling group, a group care facility: 4.57 metres (15 feet).
- (ii) Interior Side Yard Width: 1.22 metres (4 feet).
A row dwelling, a dwelling group, a group care facility: 4.57 metres (15 feet).

(g) Notwithstanding subsection 3(f), in a laneless subdivision, at least one side yard shall be a minimum of 3.05 metres (10 feet) in width, UNLESS

- (i) the design of the principal residence includes an attached garage as an integral part of the building; and
- (ii) all servicing of the property is from the front property boundary,

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in which case the minimum side yard shall be 1.22 metres (4 feet) on both sides.

(h) Building Height (maximum):

- (i) Single detached dwelling, semi-detached dwelling and duplex: Two (2) storeys or 10.67 metres (35 feet), whichever is greater.
- (ii) Row Dwelling: At the discretion of the Development Officer or the Municipal Planning Commission, having regard to the height and pattern of development in the locality, to ensure that the row dwelling would not detract from the character and appearance of the street scene.

(i) Site Coverage (maximum):

Thirty-five (35) percent.

(j) Density (maximum):

Twelve (12) dwelling units per net 0.404 hectare (1 acre).

(4) ADDITIONAL REQUIREMENTS

- (a) The distance between two (2) row dwelling units located on a single parcel facing each other shall be a minimum of 27.43 metres (90 feet).
- (b) The distance between two (2) row dwelling units located on a single parcel backing onto each other shall be a minimum of 33.53 metres (110 feet).
- (c) A minimum of ten (10) percent of a lot containing a row dwelling shall be devoted to landscaped open space.
- (d) On at least two (2) sides of any building used as a row dwelling and exceeding two (2) storeys in height (one side of which shall be the longest face of the building), there shall be firm level areas accessible from the road for firefighting equipment for at least seventy-five (75) percent of the length of each of the two sides of the building. Such areas shall not be less than 4.27 metres (14 feet) in width and not more than 3.05 metres (10 feet) from the building and no building or other obstruction shall be sited therein.
- (e) In the case of a row dwelling or a dwelling group development, a minimum of ten (10) percent of the lot shall be devoted to landscaped open space. A minimum of fifty (50) percent of this landscaped open space shall contain recreational and playground equipment.
- (f) Peace River Municipal Development Plan

In making a decision on the location of a proposed development, the Development Officer or the Municipal Planning Commission shall refer to the

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policies contained in the Peace River Municipal Development Plan and any other applicable statutory document.

- (g) 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.

SECTION 22 RESIDENTIAL 2-A DISTRICT (R-2A)

(1) PURPOSE

The purpose of this land use district is to provide for the development of single, double and certain multi-unit residential dwellings, which may include apartment buildings.

(2) USES

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses

- accessory building or structure
- duplex
- park or playground
- residential support home type 1
- semi-detached dwelling
- single detached dwelling

(b) Discretionary Uses

- apartment
- bed and breakfast
- child care facility
- dwelling group
- garage/garden suite
- group care facility
- home occupation
- modular home
- moved in building
- public use
- religious use facility
- residential support home type 2
- row dwelling
- secondary suite
- sign
- stripping, filling, excavation and grading

(3) SITE PROVISIONS

The following regulations shall apply to every development in this area.

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(a) Area of Site (minimum):

Single Detached Dwelling Unit: 510.95 square metres (5,500 square feet).
Duplex: 557.7 square metres (6,000 square feet).
Semi-detached Dwelling Unit: 325.15 square metres (3,500 square feet).
Row Dwelling: Interior-185 square metres (2,000 square feet).
Row Dwelling: Exterior-222.96 square metres (2400 square feet).
Apartment: 882.55 square metres (9,500 square feet).

(b) Width of Site (minimum):

Single Detached Dwelling Unit: 15.24 metres (50 feet).
Duplex: 18.29 metres (60 feet).
Semi-detached Dwelling Unit: 8.38 metres (27.5 feet) per unit.
Row Dwelling: 6.1 metres (20 feet).
Apartment: 24.38 metres (80 feet).

(c) Notwithstanding subsection 3(b):

- (i) The minimum lot width for a corner site shall not be less than 16.76 metres (55 feet) for a single detached dwelling.
- (ii) Except on a corner site, the minimum lot width requirement for a subdivision may be reduced by the Municipal Planning Commission for a duplex but shall not be less than 15.24 metres (50 feet).
- (iii) In the case of an irregular shaped lot, the width of the lot shall be defined by 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.

(d) Front Yard Depth All Dwellings (minimum):

7.62 metres (25 feet).

(e) Rear Yard Depth (minimum):

7.62 metres (25 feet).
A row dwelling, a dwelling group, a group care facility: 13.72 metres (45 feet).
Apartment: 13.72 metres (45 feet).

(f) Side Yard Width (minimum):

- (i) Exterior Side Yard Width: 3.66 metres (12 feet).
A row dwelling, a dwelling group, a group care facility: 4.57 metres (15 feet).
- (ii) Interior Side Yard Width: 1.22 metres (4 feet).
A row dwelling, a dwelling group, a group care facility: 4.57 metres (15 feet).
- (iii) Apartment: Minimum Interior and Exterior Side Yard Width: 4.57 metres (15 feet).

(g) Notwithstanding subsection 3(f)(i) and (ii), in a laneless subdivision, at least one side yard shall be a minimum of 3.05 metres (10 feet) in width, UNLESS

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- (i) the design of the principal residence includes an attached garage as an integral part of the building; and
- (ii) all servicing of the property is from the front property boundary,

in which case the minimum side yard shall be 1.22 metres (4 feet) on both sides (not including apartments).

(h) Building Height (maximum):

- (i) Single detached dwelling, semi-detached dwelling and duplex: Two (2) storeys or 10.67 metres (35 feet), whichever is greater.
- (ii) Row Dwelling: At the discretion of the Development Officer or the Municipal Planning Commission, having regard to the height and pattern of development in the locality, to ensure that the row dwelling would not detract from the character and appearance of the street scene.
- (iii) Apartment: Three storeys.

(i) Site Coverage (maximum):

Thirty-five (35) percent.
Apartment: Fifty (50) percent.

(j) Density (maximum):

Twelve (12) dwelling units per net 0.404 hectare (1 acre).
Apartment: Eighteen (18) dwelling units per net 0.404 hectares (1 acre).

(4) ADDITIONAL REQUIREMENTS

- (a) No accessory building or structure shall be located in any yard other than an interior side yard or rear yard.
- (b) The distance between two (2) row dwelling units or apartments located on a single parcel facing each other shall be a minimum of 27.43 metres (90 feet).
- (c) The distance between two (2) row dwelling units or apartments located on a single parcel backing onto each other shall be a minimum of 33.53 metres (110 feet).
- (d) A minimum of ten (10) percent of a lot containing a row dwelling, dwelling group, or apartment shall be devoted to landscaped open space. In respect of a dwelling group, or apartment, a minimum of fifty (50) percent of this landscaped open space shall contain recreational and playground equipment.
- (e) On at least two (2) sides of any building used as a row dwelling or apartment and exceeding two (2) storeys in height (one side of which shall be the longest face of the building), there shall be firm level areas accessible from the road for firefighting equipment for at least seventy-five (75) percent of the length of each

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of the two sides of the building. Such areas shall not be less than 4.27 metres (14 feet) in width and not more than 3.05 metres (10 feet) from the building and no building or other obstruction shall be sited therein.

- (f) Notwithstanding the aforementioned provisions, any apartment projects shall satisfy the Development Officer and/or Municipal Planning Commission as to:
 - (i) provision for an access to garbage storage;
 - (ii) access for firefighting purposes;
 - (iii) light between buildings;
 - (iv) privacy for dwelling units in and adjacent to the development;
 - (v) orientation of buildings and general appearance of project; and
 - (vi) safe pedestrian access to and from the public sidewalk fronting the building.
- (g) Peace River Municipal Development Plan

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.
- (h) 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.

SECTION 23

RESIDENTIAL MEDIUM DENSITY DISTRICT (R-3)

- (1) The purpose of this land use district is to provide for the development of medium density residential dwellings.

(2) USES

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses

- accessory building or structure
- apartment building
- park or playground
- row dwelling

(b) Discretionary Uses

- bed and breakfast
- child care facility
- duplex
- dwelling group
- garage/garden suite
- group care facility
- home occupation
- modular home
- moved in building
- parking facility
- public use
- residential care facility
- residential support home type 2
- secondary suite
- semi-detached dwelling
- sign
- single detached dwelling
- stripping, filling, excavation and grading

(3) SITE PROVISIONS

The following regulations shall apply to every development in this area. For single detached dwellings, semi-detached dwellings and a duplex, the district requirements in the R-2 District shall apply.

(a) Lot Area (minimum):

Row Dwelling: Interior: 185.8 square metres (2,000 square feet).

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Row Dwelling: Exterior: 222.96 square metres (2,400 square feet).
Apartment: 882.55 square metres (9,500 square feet).

(b) Front Yard Depth (minimum):

All Residential Dwellings: 7.62 metres (25 feet).

(c) Rear Yard Depth (minimum):

An apartment building, a row dwelling, a dwelling group, a group care facility:
13.72 metres (45 feet).

(d) Exterior Side Yard Width (minimum):

An apartment building, a row dwelling, a dwelling group, a group care facility:
4.57 metres (15 feet).

(e) Interior Side Yard Width (minimum)

An apartment building, a row dwelling, a dwelling group, a group care facility:
forty (40) percent of building height but not less than 4.57 metres (15 feet).

(f) Coverage of Site (maximum):

- (i) An apartment building: forty (40) percent.
- (ii) All other residential dwellings: thirty-five (35) percent.

(g) Building Height (maximum):

Three-and-one-half (3½) storeys.

(h) Density (maximum):

Twenty-four (24) dwelling units per net 0.404 hectare (1 acre).

(i) Lot Width (minimum):

- (i) Row Dwelling: 6.1 metres (20 feet).
- (ii) Apartment: 24.38 metres (80 feet).

(4) ADDITIONAL REQUIREMENTS

- (a) The distance between two (2) row dwelling units or apartments facing each other shall be a minimum of 27.43 metres (90 feet).
- (b) The distance between two (2) row dwelling units, or apartments backing onto each other shall be a minimum of 33.53 metres (110 feet).

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- (c) A minimum of ten (10) percent of a lot containing an apartment building or row dwelling shall be devoted to landscaped open space. A minimum of fifty (50) percent of this landscaped open space shall contain recreation and playground equipment.
- (d) Notwithstanding the aforementioned provisions, any apartment projects shall satisfy the Development Officer and/or Municipal Planning Commission as to:
 - (i) provision for an access to garbage storage;
 - (ii) access for firefighting purposes;
 - (iii) light between buildings;
 - (iv) privacy for dwelling units in and adjacent to the development;
 - (v) orientation of buildings and general appearance of project; and
 - (vi) safe pedestrian access to and from the public sidewalk fronting the building.
- (e) On at least two (2) sides of any building used as an apartment and exceeding two (2) storeys in height (one side of which shall be longest face of the building), there shall be firm level areas accessible from the road for firefighting equipment for at least seventy-five (75) percent of the length of each of the two sides of the building. Such areas shall not be less than 4.27 metres (14 feet) in width and not more than 3.05 metres (10 feet) from the building and no building or other obstruction shall be sited therein.
- (f) All off-street parking should be surrounded by a landscaped area of not less than 0.91 metre (3 feet) in width and a wall or hedge of not less than five (5) feet in height and not more than 2.13 metres (7 feet) in height.
- (g) Peace River Municipal Development Plan

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.
- (h) 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.

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SECTION 24 RESIDENTIAL HIGH DENSITY DISTRICT (R-4)

(1) PURPOSE

The purpose of this land use district is to provide for a variety of high density multiple family housing units in residential neighbourhoods.

(2) USES

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses

- accessory building or structure
- apartment
- dwelling group
- park or playground
- row dwelling

(b) Discretionary Uses

- child care facility
- home occupation
- modular home
- moved in building
- parking facility
- public use
- residential care facility
- sign
- stripping, filling, excavation and grading

(3) SITE PROVISIONS

The following regulations shall apply to every development in this area.

(a) Lot Area (minimum):

Apartment: 1011.68 square metres (10,890 square feet).
Row Dwelling: Interior-185.8 square metres (2,000 square feet).
Row Dwelling: Exterior: 222.96 square metres (2,400 square feet).
Dwelling Group: At the discretion of the Development Officer or the Municipal Planning Commission.

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(b) Lot Width (minimum):

Apartment: 30.18 metres (99 feet), or at the discretion of the Municipal Planning Commission.

Row Dwelling: 6.1 metres (20 feet).

Dwelling Group: At the discretion of the Development Officer or the Municipal Planning Commission.

(c) Lot Depth (minimum):

33.53 metres (110 feet), or at the discretion of the Municipal Planning Commission.

(d) Front Yard Depth (minimum):

7.62 metres (25 feet).

(e) Side Yard Width (minimum):

Forty (40) percent of building height but not less than 4.57 metres (15 feet).

(f) Rear Yard Depth (minimum):

10.67 metres (35 feet).

(g) Building Height (minimum):

At the discretion of the Municipal Planning Commission.

(h) Density:

(i) Maximum: Thirty-six (36) units per net 0.404 hectare (1 acre).

(ii) Minimum: Twenty-four (24) units per net 0.404 hectare (1 acre).

(i) Dwelling Units per Apartment (minimum):

Eight (8) units per apartment.

(i) Coverage of Site (maximum):

Fifty (50) percent.

(4) ADDITIONAL REQUIREMENTS

- (a) A minimum of ten (10) percent of a lot containing an apartment building shall be devoted to landscaped open space. A minimum of fifty (50) percent of this landscaped open space shall contain recreational and playground equipment.

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- (b) Any apartment projects shall satisfy the Development Officer as to:
 - (i) provision for access to garbage storage;
 - (ii) access for firefighting purposes;
 - (iii) light between buildings;
 - (iv) privacy for dwelling units in and adjacent to the development;
 - (v) orientation of buildings and general appearance of project; and
 - (vi) safe pedestrian access to and from the public sidewalk fronting the building.
- (c) The distance between two (2) apartments facing each other shall be a minimum of 27.43 metres (90 feet).
- (d) The distance between two (2) apartments backing onto each other shall be a minimum of 33.53 metres (110 feet).
- (e) On at least two (2) sides of any building used as an apartment (one side of which shall be the longest face of the building), there shall be firm level areas accessible from the road for firefighting equipment for at least seventy-five (75) percent of the length of each of the two sides of the building. Such areas shall not be less than 3.05 metres (10 feet) from the building and no building or other obstruction shall be sited therein.
- (f) All off-street parking should be surrounded by a landscaped area of not less than 0.91 metre (3 feet) in width and a wall or hedge of not less than 1.52 metres (5 feet) in height and not more than 2.13 metres (7 feet) in height.
- (g) Peace River Municipal Development Plan

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.
- (h) 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.

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SECTION 25

RESIDENTIAL MIXED HIGH DENSITY DISTRICT (R-4A)

(1) PURPOSE

The purpose of this land use district is to provide for the development of multi-unit residential development, as well as one-unit and two-unit residential dwellings.

(2) USES

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses

- accessory building or structure
- apartment
- park or playground
- row dwelling

(b) Discretionary Uses

- bed and breakfast
- child care facility
- convenience store
- duplex
- dwelling group
- garage/garden suite
- group care facility
- home occupation
- modular home
- moved in building
- parking facility
- public use
- residential care facility
- residential support home type 2
- semi-detached dwelling
- secondary suite
- sign
- single detached dwelling
- stripping, filling, excavation and grading

(3) SITE PROVISIONS

The following regulations shall apply to every development in this area. For single detached dwellings, semi-detached dwellings and duplex development, the district requirements in the R-2 District shall apply.

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(a) Lot Area (minimum):

Row Dwelling: Interior: 185.8 square metres (2,000 square feet).
Row Dwelling: Exterior: 222.96 square metres (2,400 square feet).
Apartment: 1011.68 square metres (10,890 square feet).
Dwelling Group and Group Care Facility: At the discretion of the Development Officer or the Municipal Planning Commission.

(b) Lot Width (minimum):

Apartment: 30.18 metres (99 feet).
Row Dwelling: 6.1 metres (20 feet).
Dwelling Group and Group Care Facility: At the discretion of the Development Officer or the Municipal Planning Commission.

(c) Lot Depth (minimum):

33.53 metres (110 feet).

(d) Front Yard Depth (minimum):

All Residential Dwellings: 7.62 metres (25 feet).

(e) Rear Side Yard Depth (minimum):

- (i) An apartment building, a row dwelling, a dwelling group, a group care facility: 13.72 metres (45 feet).
- (ii) All other residential dwellings: 7.62 metres (25 feet).

(f) Exterior Side Yard Width (minimum):

All Residential units: 4.57 metres (15 feet).

(g) Interior Side Yard Width (minimum):

- (i) An apartment building, a row dwelling, a dwelling group, a group care facility: Forty (40) percent of building height but not less than 4.57 metres (15 feet).
- (ii) All other residential dwellings: 1.22 metres (4 feet).

(h) Coverage of Site (maximum):

- (i) An apartment building: Fifty (50) percent.
- (ii) All other residential dwellings: Thirty-five (35) percent.

(i) Building Height (maximum):

At the discretion of the Municipal Planning Commission.

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(j) Density (maximum):

Thirty-six (36) dwelling units per net 0.404 hectare (1 acre).

(4) ADDITIONAL REQUIREMENTS

- (a) The distance between two (2) row dwelling units or apartments facing each other shall be a minimum of 27.43 metres (90 feet).
- (b) The distance between two (2) row dwelling units, or apartments backing onto each other shall be a minimum of 33.53 metres (110 feet).
- (c) A minimum of ten (10) percent of a lot containing an apartment building shall be devoted to landscaped open space. A minimum of fifty (50) percent of this landscaped open space shall contain recreational and playground equipment.
- (d) Notwithstanding the aforementioned provisions, any apartment projects shall satisfy the Development Officer as to:
 - (i) provision for access to garbage storage;
 - (ii) access for firefighting purposes;
 - (iii) light between buildings;
 - (iv) privacy for dwelling units in and adjacent to the development;
 - (v) orientation of buildings and general appearance of project; and
 - (vi) safe pedestrian access to and from the public sidewalk fronting the building.
- (e) The distance between two (2) apartments facing each other shall be a minimum of 33.53 metres (110 feet).
- (f) On at least two (2) sides of any building used as an apartment and exceeding two (2) storeys in height (one side of which shall be the longest face of the building), there shall be firm level areas accessible from the road for firefighting equipment for at least seventy-five (75) percent of the length of each of the two sides of the building. Such areas shall not be less than 4.27 metres (14 feet) in width and not more than 3.05 metres (10 feet) from the building and no building or other obstruction shall be sited therein.
- (g) All off-street parking should be surrounded by a landscaped area of not less than 0.91 metre (3 feet) in width and a wall or hedge of not less than 1.52 metres (5 feet) in height and not more than 2.13 metres (7 feet) in height.
- (h) Peace River Municipal Development Plan

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.

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- (i) 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.

SECTION 26

**RESIDENTIAL MANUFACTURED (MOBILE) HOME SUBDIVISION DISTRICT
(R-MHS)**

(1) PURPOSE

The purpose of this land use district is to provide for the development of manufactured (mobile) home subdivisions.

(2) USES

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses

- accessory building or structure
- manufactured (mobile) home
- park or playground
- residential support home type 1

(b) Discretionary Uses

- child care facility
- convenience store
- home occupation
- moved in building
- parking facility
- personal service facility
- public use
- sign
- stripping, filling, excavation and grading

(3) SITE PROVISIONS

The following regulations shall apply to every development in this area.

(a) Lot Area (minimum):

Use	Width	Length	Area
Manufactured (Mobile) Home	15.24 m (50 feet)	30.48 m (100 feet)	46.45 sq. m (5,000 sq. feet)

(b) Front Yard Depth (minimum):

7.62 metres (25 feet), or at the discretion of the Municipal Planning Commission or Development Officer.

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(c) Notwithstanding subsection 3(a)

- (i) The minimum lot width for a corner site shall be 16.76 metres (55 feet).
- (ii) The minimum lot width in a laneless subdivision shall be 16.76 metres (55 feet) or 18.29 metres (60 feet) for a corner site and the minimum lot depth 33.53 metres (110 feet).
- (iii) Except for a corner site the minimum lot width for a laneless subdivision may be reduced by the Municipal Planning Commission but shall not be less than 15.24 metres (50 feet).

(d) Rear Yard Depth (minimum)

7.62 metres (25 feet).

(e) Side Yard Width (minimum):

- (i) Interior Side Yard: 1.52 metres (5 feet).
- (ii) Exterior Side Yard: 3.66 metres (12 feet).

(f) Notwithstanding subsection 3(d):

- (i) In the case where a lane forms the side of the site the minimum side yard shall be ten (10) percent of the width of the site, however such side yard need not exceed 3.05 metres (10 feet).
- (ii) In a laneless subdivision at least one side yard shall be a minimum of 3.05 metres (10 feet) in width to provide for vehicular access.

(g) Site Coverage (maximum):

Thirty-five (35) percent.

(h) Density (maximum):

Eight (8) dwelling units per 0.404 hectare (1 acre).

(i) Minimum Size of Manufactured (Mobile) Home:

74.32 square metres (800 square feet).

(4) ADDITIONAL REQUIREMENTS

(a) Peace River Municipal Development Plan

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.

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- (b) 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.

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SECTION 27 RESIDENTIAL MANUFACTURED (MOBILE) HOME PARK DISTRICT (R-MHP)

(1) PURPOSE

The purpose of this land use district is to provide for the development of manufactured (mobile) home parks.

(2) USES

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses

- accessory building or structure
- manufactured (mobile) home
- manufactured (mobile) home park
- manufactured (mobile) home park office
- park or playground
- residential support home type 1

(b) Discretionary Uses

- convenience store
- home occupation
- moved in building
- parking facility
- personal service facility
- public use
- sign
- single detached dwelling for the manufactured (mobile) home park manager
- stripping, filling, excavation and grading

(3) SITE PROVISIONS

The following regulations shall apply to every development in this area.

(a) Site Area (minimum):

1.62 hectares (4 acres).

(b) Lot Size (minimum):

334.44 square metres (3,600 square feet).

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- (c) Lot Width (minimum):
13.72 metres (45 feet).
- (d) Density (maximum):
Eight (8) manufactured (mobile) homes per net 0.404 hectare (1 acre).
- (e) Front Yard Depth (minimum):
6.1 metres (20 feet).
- (f) Rear Yard Depth (minimum):
6.1 metres (20 feet).
- (g) Side Yard Width (minimum):
1.52 metres (5 feet).
- (h) Notwithstanding subsection 3(g) every manufactured (mobile) home park lot shall have one (1) 3.05 metres (10 feet) side yard for vehicular access and there shall be a minimum distance of 4.57 metres (15 feet) between manufactured (mobile) homes.

(4) ADDITIONAL REQUIREMENTS

- (a) Every manufactured (mobile) home park should:
 - (i) have a lighted storage area of 9.29 square metres (100 square feet) per manufactured (mobile) home lot;
 - (ii) devote five (5) percent of the gross site area to landscaped open space and at least fifty (50) percent of the open space shall contain playground equipment;
 - (iii) provide and maintain municipal services to the satisfaction of the Development Officer or Municipal Planning Commission and the Town Engineer;
 - (iv) provide and maintain a paved private road system to the satisfaction of the Development Officer or Municipal Planning Commission and the Town Engineer;
 - (v) provide and maintain street lighting to the satisfaction of the Development Officer or Municipal Planning Commission and the Town Engineer;
 - (vi) provide a method of garbage collection and disposal to the satisfaction of the Development Officer or the Municipal Planning Commission;
 - (vii) provide direct access to a major public road; and
 - (viii) provide a surface water drainage system to the satisfaction of the Development Officer or Municipal Planning Commission and the Town Engineer.

(b) Every manufactured (mobile) home park lot shall:

- (i) front onto a private road with a minimum carriageway of 12.19 metres (40 feet);
- (ii) be clearly marked by means of stakes, fences, hedges or other means satisfactory to the Development Officer or the Municipal Planning Commission;
- (iii) have at least two (2) off-street parking spaces plus one (1) off-street visitor parking space per four (4) manufactured (mobile) home park lots; and
- (iv) be hardsurfaced to the satisfaction of the Development Officer or the Municipal Planning Commission.

(c) Manufactured (Mobile) Home Park Buffer

- (i) Every manufactured (mobile) home park shall maintain on its own property a screen or buffer of a width to be determined by the Development Officer or the Municipal Planning Commission.
- (ii) The screen or buffer shall not be less than 4.57 metres (15 feet) in width except when abutting a public roadway whereby the minimum width shall be 7.62 metres (25 feet).

(d) For manufactured (mobile) home parks containing over fifty (50) park lots, two (2) separate means of access shall be provided. In manufactured (mobile) 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 side, the other side is available for two-way emergency traffic.

(e) Peace River Municipal Development Plan

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.

(f) 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.

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SECTION 28

RESIDENTIAL - VILLAGE ESTATE DISTRICT (R-VE)

(1) PURPOSE

The purpose of this land use district is to provide for the development of residential dwellings. This district may be used for innovative housing proposals. Innovative housing proposals may include requirements for setback variances; mixed densities; or to accommodate different housing types.

(2) USES

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses

- accessory building or structure
- duplex
- park or playground
- residential support home type 1
- row dwelling
- semi-detached dwelling
- single detached dwelling

(b) Discretionary Uses

- apartment building
- bed and breakfast
- child care facility
- convenience store
- dwelling group
- garage/garden suite
- group care facility
- home occupation
- indoor participant recreation services
- intensive recreational use
- modular home
- moved in building
- parking facility
- public use
- religious use facility
- residential care facility
- residential support home type 2
- secondary suite
- sign
- stripping, filling, excavation and grading

(3) SITE PROVISIONS

The following provisions shall apply to every development in this district.

(a) Area of Site:

Apartment: 882.55 square metres (9,500 square feet)
Single Detached Dwelling Unit: 329.4 square metres (3,545 square feet)
Duplex: 557.7 square metres (6,000 square feet)
Dwelling Group and Group Care Facility: At the discretion of the Development Officer or Municipal Planning Commission.
Semi-detached Dwelling Unit: 201 square metres (2,163 square feet)
Row Dwelling: Interior: 165 square metres (1,776 square feet)
Row Dwelling: Exterior: 201 square metres (2,163 square feet)

(b) Width of Site (minimum):

Apartment: 30.18 metres (99 feet)
Single Detached Dwelling Unit: 10.98 metres (36 feet)
Duplex: 18.29 metres (60 feet)
Dwelling Group and Group Care Facility: At the discretion of the Development Officer or Municipal Planning Commission.
Semi-detached Dwelling Unit: 6.7 metres (22 feet)
Row Dwelling: 5.5 metres (18 feet)

(c) Length of Site (minimum):

30 metres (98.43 feet)

(d) Front Yard Depth (minimum):

6 metres (20 feet) to any building

For lot width calculation pie shaped lots will be measured at a 9 metre setback from the front property line; reverse-pie shaped lots will be measured at a 24 metre setback from the front property line.

(e) Rear Yard Depth (minimum):

Apartment building: 9.14 metres (30 feet)
All other residential dwellings: 7.62 metres (25 feet)

(f) Exterior Side Yard Width (minimum):

(i) An apartment building, a row dwelling, a dwelling group, a senior citizens home: 4.57 metres (15 feet)

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(ii) All other residential dwellings: 3 metres (10 feet)

(a) Interior Side Yard Width (minimum)

(i) An apartment building, a row dwelling, a dwelling group, a senior citizens home: Forty (40) percent of building height but not less than 4.57 metres (15 feet).

(ii) All other residential dwellings: 1.22 metres (4 feet)

(h) Density (maximum):

At the discretion of the Development Officer or the Municipal Planning Commission.

(i) Building Height (maximum):

(i) An apartment building: 4 storeys

(ii) All other residential dwellings: 3 storeys

(4) ADDITIONAL REQUIREMENTS

(a) The distance between two (2) row dwelling units or apartments on the same parcel shall be 1.5 times the building height but not less than a minimum of 9.14 metres (30 feet)

(b) A minimum of ten (10) percent of a lot containing an apartment building or row dwelling shall be devoted to landscaped open space. A minimum of fifty (50) percent of this landscaped open space shall contain recreation and playground equipment. In the case of mature/seniors housing development, recreation and playground equipment may not be required.

(c) In making a decision, the Development Officer or the Municipal Planning Commission may consider such matters as:

(i) the provisions, operations and maintenance of private sewer and water facilities;

(ii) the provision of power and heat;

(iii) the collection and disposal of refuse;

(iv) development of parks and recreation areas;

(v) light between buildings;

(vi) privacy for dwelling units in and adjacent to the development;

(vii) orientation of buildings and general appearance of project; and

(viii) safe pedestrian access to and from the public sidewalk fronting the building.

(d) On at least two (2) sides of any building used as an apartment and exceeding two (2) storeys in height (one side of which shall be longest face of the building), there shall be firm level areas accessible from the road for firefighting equipment for at least seventy-five (75) percent of the length of each of the two sides of the building. Such areas shall not be less than 4.27 metres (14 feet) in width and not

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more than 3.05 metres (10 feet) from the building and no building or other obstruction shall be sited therein.

- (e) All off-street parking should be surrounded by a landscaped area of not less than 0.91 metre (3 feet) in width and a wall or hedge of not less than 1.52 metres (5 feet) in height and not more than 2.13 metres (7 feet) in height.
- (f) Peace River Municipal Development Plan

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.

- (g) 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.

SECTION 29

PRIMARY COMMERCIAL DISTRICT (C-1)

(1) PURPOSE

The purpose of this land use district is to provide for the development of the Town of Peace River's central business district.

(2) USES

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses

- amusement facility
- auction facility
- brewery, winery and/or distillery
- business support services
- casino and other gaming establishments
- cannabis retail sales
- commercial entertainment facility
- eating or drinking establishment
- equipment rentals facility
- financial building
- hotel
- liquor store
- manufacturing, artisanal or custom
- motel
- park or playground
- parking facility
- personal service facility
- professional and office services
- radio broadcasting studio
- retail store
- shopping centre

(b) Discretionary Uses

- accessory building or structure
- apartment
- automobile, farm equipment and recreational equipment sales and service
- car wash
- carnival
- cultural exhibits
- community service facility
- funeral services
- gas bar

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- indoor participant recreation services
- moved in building
- nightclub
- outdoor amusement establishment
- private club
- public use
- residential accommodation located above a commercial or business establishment
- service station
- sign
- stripping, filling, excavation and grading
- warehouse and distribution sales

(3) SITE PROVISIONS

The following regulations shall apply to every development in this area.

(a) Site Area (minimum):

At the discretion of the Municipal Planning Commission and/or the Development Officer.

(b) Width of Site (minimum):

At the discretion of the Municipal Planning Commission and/or the Development Officer.

(c) Front Yard Depth (minimum):

None required, unless required at the discretion of the Municipal Planning Commission and/or the Development Officer.

(d) Rear Yard Depth (minimum):

A 6.1 metres (20 foot) parking or loading zone shall be provided, at the discretion of the Municipal Planning Commission and/or the Development Officer.

(e) Side Yard Width (minimum):

- (i) Side adjacent to a residential district: 3.05 metres (10 feet).
- (ii) All other locations, at the discretion of the Municipal Planning Commission and/or the Development Officer.

(f) Building Height:

- (i) Minimum: 2 storeys
- (ii) Maximum: At the discretion of the Municipal Planning Commission and/or the Development Officer

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(g) Building Requirements:

No commercial buildings of all metal construction shall be allowed.

(4) ADDITIONAL REQUIREMENTS

(a) Screening and Fencing

- (i) All sites abutting a residential district shall be screened from the view of the residential district to the satisfaction of the Development Officer or the Municipal Planning Commission or the Development Officer.
- (ii) All apparatus on the roof of any building shall be screened to the satisfaction of the Development Officer or the Municipal Planning Commission.
- (iii) Outside storage areas shall be screened from adjacent sites and public thoroughfares to the satisfaction of the Development Officer or the Municipal Planning Commission.

(b) Residential Development

- (i) Notwithstanding any other provision in the Bylaw, residential development shall not be allowed at street level on property fronting onto 100th (Main) Street.
- (ii) Residential dwellings located above a commercial or business establishment shall: have direct access to the outside street level; and not be located on the same floor as non-residential uses.
- (iii) In the case of the re-development of existing residential dwellings, such uses may be allowed at the discretion of the Municipal Planning Commission and/or the Development Officer when the following factors are taken into account: the existing, adjacent land uses; the servicing of the subject property; and the commercial development trends occurring in the area of the subject property.

(c) Peace River Municipal Development Plan

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.

- (d) 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.
- (e) For developments located within the Downtown Main Street Overlay District, refer to Section 12(16).

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SECTION 30 HIGHWAY COMMERCIAL DISTRICT (C-2)

(1) PURPOSE

The purpose of this land use district is to provide for the development of commercial uses along highways to serve the traveling public and for commercial developments requiring larger tracts of land.

(2) USES

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses

- accessory building or structure
- amusement facility
- automobile, farm equipment and recreational equipment sales and service
- car wash
- casino and other gaming establishments
- convenience store
- drive-thru restaurant
- eating or drinking establishment
- equipment rentals facility
- financial building
- gas bar
- greenhouse and plant nursery
- hotel
- indoor participant recreation services
- liquor store
- lumber yard
- manufactured (mobile) home dealership
- motel
- nightclub
- park or playground
- parking facility
- personal service facility
- radio broadcasting studio
- retail store (large)
- service station

(b) Discretionary Uses

- any use serving the traveling public that depends on its proximity to a highway for trade
- brewery, winery and/or distillery

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- bulk fuel sales
- cannabis retail sales
- carnival
- funeral services
- moved in building
- public use
- sign
- stripping, filling, excavation and grading
- tourist campsite
- veterinary clinic
- warehouse and distribution sales

(3) SITE PROVISIONS

The following regulations shall apply to every development in this area.

(a) Site Area (minimum):

At the discretion of the Development Officer and/or the Municipal Planning Commission.

(b) Site Width (minimum):

- (i) Hotels, Motels: 45.72 metres (150 feet).
- (ii) All other uses: 30.48 metres (100 feet).

(c) Front Yard Depth (minimum):

- (i) Hotels, Motels: 15.24 metres (50 feet).
- (ii) All other uses: 9.1 metres (30 feet).

(d) Rear Yard Depth (minimum):

6.1 metres (20 feet).

(e) Side Yard Depth (minimum):

3.05 metres (10 feet).

(f) The Development Officer or the Municipal Planning Commission may reduce the side yard requirements wherever there is an abutting railway line, lane or utility lot provided fire protection regulations are not violated.

(g) Building Height (maximum):

- (i) Hotels, Motels: 30.48 metres (100 feet).
- (ii) All other uses: 13.72 metres (45 feet).

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- (h) Site Coverage (maximum):

Forty (40) percent.

(4) ADDITIONAL REQUIREMENTS

- (a) In making a decision on a development permit application within the Highway Commercial District, the Development Officer or Municipal Planning Commission shall have regard to the Alberta Transportation West Peace River Hill - West Interchange layout. The Development Officer or Municipal Planning Commission may request the comments of Alberta Transportation prior to the determination of a development permit application.

- (b) Screening and Fencing

- (i) All sites abutting a residential district shall be screened from the view of the residential district to the satisfaction of the Development Officer or the Municipal Planning Commission.
- (ii) All apparatus on the roof of any building shall be screened to the satisfaction of the Development Officer or the Municipal Planning Commission.
- (iii) Outside storage areas shall be screened from adjacent sites and public thoroughfares to the satisfaction of the Development Officer or the Municipal Planning Commission.

- (c) Peace River Municipal Development Plan

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.

- (d) The Development Officer may decide on such other requirements as are necessary having regard to the nature of a proposed development and the intent of this district.
- (e) As a condition of an approval for development within the Highway Commercial District, the applicant shall be required to obtain the necessary permit approval from Alberta Transportation together with any other municipal, provincial, or federal permits or licenses.

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SECTION 31 COMMERCIAL - SHOPPING CENTRE DISTRICT (C-3)

(1) PURPOSE

The purpose of this land use district is to establish a land use district for regional shopping centre developments intended to serve the total community and the regional trade area.

(2) USES

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

(a) Permitted Uses

- amusement facility
- business support services
- car wash
- casino and other gaming establishments
- commercial entertainment facility
- commercial school
- cultural exhibits
- drive-thru restaurant
- drive through vehicle services
- eating or drinking establishments
- equipment rentals facility
- food catering services
- gas bar
- retail store (large)
- hotel
- indoor participant recreation services
- indoor/outdoor display areas
- liquor store
- motel
- nightclub
- office complex
- outdoor amusement establishment
- park or playground
- parking facility
- personal service facility
- service station
- shopping centre
- warehouse and distribution sales

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(b) Discretionary Uses

- accessory building or structure
- automobile, farm equipment and recreational equipment sales and service
- brewery, winery and/or distillery
- bulk fuel sales
- cannabis retail sales
- carnivals
- financial building
- funeral services
- greenhouse and plant nursery
- moved in building
- private club
- professional and office services
- public use
- residential accommodation located above a commercial or business establishment
- radio broadcasting studio
- spectator sports establishments
- tourist campsite
- sign
- stripping, filling, excavation and grading

(3) SITE PROVISIONS

The following regulations apply to every development in this area.

(a) Site Area (minimum)

Lot for Freestanding Unit: 3,000 square metres (32,290 square feet).

Shopping Mall Development: At the discretion of the Municipal Planning Commission and/or the Development Officer.

Hotels, Motels: At the discretion of the Municipal Planning Commission and/or the Development Officer.

(b) Lot Width (minimum):

Freestanding Unit: 36 metres (118 feet).

Shopping Mall Development: At the discretion of the Municipal Planning Commission and/or the Development Officer.

Hotels, Motels: At the discretion of the Municipal Planning Commission and/or the Development Officer.

(c) Floor Space (minimum):

Freestanding Unit: 557 square metres (6,000 square feet).

Shopping Mall Development: At the discretion of the Municipal Planning Commission and/or the Development Officer.

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Hotels, Motels: At the discretion of the Municipal Planning Commission and/or the Development Officer.

(4) BUILDING SETBACKS

- (a) Adjacent to Residential Area: 15 metres (49.2 feet) or as otherwise required by the Development Officer or Municipal Planning Commission.
- (b) Adjacent to 78th Street: 15 metres (49.2 feet) or as otherwise required by the Development Officer or Municipal Planning Commission.
- (c) Adjacent to 80th Street: 7.5 metres (24.6 feet) or as otherwise required by the Development Officer or Municipal Planning Commission.
- (d) Adjacent to Highway #2 Service Road: 7.5 metres (24.6 feet) or as otherwise required by the Development Officer or Municipal Planning Commission.
- (e) Other: All other setbacks shall be as required by the Development Officer or Municipal Planning Commission upon consultation with the Town's Engineering Staff and Alberta Transportation.
- (f) Accessory Buildings, Public Utilities and At Grade Parking Lots: The above building setbacks shall only apply to the principal buildings and not to accessory buildings, public utility structures and at grade parking lots which will require only a 5 metre (16.4 foot) setback or as otherwise required by the Development Officer or Municipal Planning Commission.
- (g) Variances: The above setbacks may be reduced if in the opinion of the Development Officer or Municipal Planning Commission the provision of landscaping, berming, facade treatment or other design features adequately protect the amenities of neighbouring residential and commercial properties.

(5) MAXIMUM HEIGHT:

The maximum building height shall be 14 metres (45.93 feet).

(6) LANDSCAPING REQUIREMENTS:

The following landscaping standards apply to the Commercial Shopping Centre District.

- (a) Soft landscaping shall be provided around the perimeter of the site to an amount and type of plant materials and density of trees to the satisfaction of the Development Officer or Municipal Planning Commission.
- (b) Soft landscaping shall be located to enhance:
 - (i) pedestrian areas,

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- (ii) building walls,
- (iii) both within and around parking areas,
- (iv) alongside vehicle access ways on the mall site, and
- (v) screen storage and loading areas,

in an amount and with types of plant materials and density of trees to the satisfaction of the Development Officer and Municipal Planning Commission.

- (c) Soft landscaping shall include grass, coniferous and deciduous trees, shrubs, etc.
- (d) The Development Officer or Municipal Planning Commission may require on behalf of the Town that a performance bond or other means of security be placed with the Town to ensure completion of the required landscaping.
- (e) The landscaping may be phased in accordance with the phasing plan of the total site.

(7) STORAGE AND LOADING AREAS:

- (a) All storage areas shall be screened from public view to a height of 1.83 metres (6 feet) by means satisfactory to the Development Officer or Municipal Planning Commission.
- (b) All loading areas shall be screened from public view by means satisfactory to the Development Officer or Municipal Planning Commission.

(8) ACCESS REQUIREMENTS:

- (a) Access requirements shall be to the satisfaction of the Development Officer and the Municipal Planning Commission including consultation where required with Alberta Transportation as required.

(9) DEVELOPMENT PHASING:

- (a) The total development will be phased according to the market demand.

(10) ADDITIONAL REQUIREMENTS

- (a) Peace River Municipal Development Plan

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.

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- (b) 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.

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SECTION 32 NEIGHBOURHOOD COMMERCIAL DISTRICT (C-N)

(1) PURPOSE

The purpose of this land use district is to provide for the development of commercial uses intended to serve residential neighbourhoods.

(2) USES

(a) Permitted Uses

- accessory building or structure
- eating or drinking establishment
- liquor store
- convenience store
- park or playground
- parking facility
- personal service facility
- retail store
- office complex

(b) Discretionary Uses

- amusement facility
- indoor participant recreation services
- gas bar
- moved in building
- public use
- residential accommodation located above a commercial or business establishment
- sign
- stripping, filling, excavation and grading

(3) SITE PROVISIONS

The following regulations shall apply to every development in this area.

(a) Area of Site (minimum):

At the discretion of the Municipal Planning Commission and/or the Development Officer.

(b) Width of Site (minimum):

At the discretion of the Municipal Planning Commission and/or the Development Officer.

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(c) Front Yard Depth (minimum):

7.62 metres (25 feet), or at the discretion of the Municipal Planning Commission and/or the Development Officer.

(d) Side Yard Depth (minimum):

- (i) Side adjacent to a residential district: 3.05 metres (10 feet).
- (ii) All other locations: Ten (10) percent of the width of the site or 4.57 metres (15 feet) whichever is lesser.

(e) Rear Yard Depth (minimum):

6.1 metres (20 feet), or at the discretion of the Municipal Planning Commission and/or the Development Officer.

(f) Site Coverage (maximum):

Sixty (60) percent.

(g) Building Height (maximum):

13.72 metres (45 feet).

(4) ADDITIONAL REQUIREMENTS

(a) Screening and Fencing

- (i) All sites abutting a residential district shall be screened from the view of the residential district to the satisfaction of the Municipal Planning Commission and/or the Development Officer.
- (ii) All apparatus on the roof of any building shall be screened to the satisfaction of the Municipal Planning and/or the Development Officer.
- (iii) Outside storage areas shall be screened from adjacent sites and public highways to the satisfaction of the Municipal Planning Commission and/or the Development Officer.

(b) Residential Dwelling Accommodation shall:

- (i) not be located below the second storey of a building;
- (ii) have direct access to the outside street level; and
- (iii) not be located on the same floor as a non-residential use.

(c) Notwithstanding any other provision in this Bylaw, parking for a convenience store shall be located on the same site as the convenience store.

(d) Peace River Municipal Development Plan

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.

(e) 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.

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SECTION 33

MIXED COMMERCIAL-RESIDENTIAL DISTRICT (C-R)

(1) PURPOSE

The purpose of this land use district is to provide for the commercial and residential development of areas adjacent to the Town of Peace River'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.

(2) USES

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses

- accessory building or structure
- business support services
- commercial entertainment facility
- eating or drinking establishment
- equipment rentals facility
- food catering services
- hotel
- office complex
- park or playground
- parking facility
- personal service facility
- professional and office services
- radio broadcasting studio
- retail store

(b) Discretionary Uses

- amusement facility
- animal hospital or shelter
- apartment building
- bed and breakfast
- brewery, winery and/or distillery
- bus depot
- cannabis retail sales
- carnival
- casino and other gaming establishments
- child care facility
- cultural exhibits
- commercial school
- community service facility
- drive-thru restaurant
- duplex

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- dwelling group
- funeral services
- garage/garden suite
- gas bar
- greenhouse and plant nursery
- group care facility
- home occupation
- indoor participant recreation services
- liquor store
- lumber yard
- manufactured (mobile) home
- manufacturing, artisanal or custom
- modular home
- motel
- moved in building
- nightclub
- outdoor amusement establishment
- private club
- public use
- recycling depot
- religious uses facility
- residential accommodation located above a commercial or business establishment
- residential care facility
- residential support home type 2
- row dwelling
- secondary suite
- semi-detached dwelling
- service station
- sign
- single detached dwelling
- stripping, filling, excavation and grading
- veterinary clinic
- warehouse and distribution sales

(3) SITE PROVISIONS

The following regulations shall apply to every development in this area.

(a) Site Area (minimum):

At the discretion of the Municipal Planning Commission and/or the Development Officer.

(b) Width of Site (minimum):

At the discretion of the Development Officer or the Municipal Planning Commission.

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(c) Front Yard Depth (minimum):

At the discretion of the Development Officer or the Municipal Planning Commission.

(d) Rear Yard Depth (minimum):

6.1 metres (20 feet) or as required by the Development Officer or the Municipal Planning Commission.

(e) Side Yard Width (minimum):

- (i) Side yard adjacent to a residential district: A minimum of 3.05 metres (10 feet).
- (ii) All other sites: At the discretion of the Development Officer or the Municipal Planning Commission but where no side yard is required a firewall shall be provided and if a side yard is required it shall be a minimum of 1.52 metres (5 feet).

(f) Building Height (maximum):

At the discretion of the Development Officer or the Municipal Planning Commission.

(g) Site Coverage (Maximum)

One hundred (100) percent, subject to provision being made for any required parking, loading, storage and garbage enclosures.

(4) ADDITIONAL REQUIREMENTS

(a) Screening and Fencing

- (i) All sites abutting a residential district shall be screened from the view of the residential district to the satisfaction of the Development Officer or the Municipal Planning Commission.
- (ii) All apparatus on the roof of any building shall be screened to the satisfaction of the Development Officer or the Municipal Planning Commission.
- (iii) Outside storage areas shall be screened from adjacent sites and public highways to the satisfaction of the Development Officer and/or the Municipal Planning Commission and may be required to consist of trees, shrubs/hedges and solid, closed fencing, or a combination of these methods of screening.

(b) Residential Uses

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In making a decision on a single detached residential use, the Development Officer or Municipal Planning Commission shall have regard to the site provisions for the Residential 1-A District (R-1A) contained in this Bylaw.

In making a decision on a semi-detached dwelling, duplex or row dwelling the Development Officer or Municipal Planning Commission shall have regard to the site provisions for the Residential Two Family District (R-2) contained in this Bylaw.

In making a decision on an apartment building, the Development Officer or Municipal Planning Commission shall have regard to the site provisions for the Residential Medium Density District (R-3) contained in this Bylaw.

(c) Peace River Municipal Development Plan

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.

(d) 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.

SECTION 34

RIVERFRONT DEVELOPMENT DISTRICT (R-D)

- (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.

(2) USES

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses

- accessory building or structure
- amusement facility
- apartment building
- brewery, winery and/or distillery
- cannabis retail sales
- casino and other gaming establishment
- commercial entertainment facility
- cultural exhibits
- eating or drinking establishment
- hotel
- indoor participant recreation services
- motel
- nightclub
- outdoor amusement establishment
- office complex
- park or playground
- parking facility
- personal service facility
- professional and office services
- retail store
- shopping centre
- theatre

(b) Discretionary Uses

- drive-thru restaurant
- funeral services
- liquor store
- manufacturing, artisanal or custom
- moved in building
- public use
- religious use facility
- residential accommodation located above a commercial or business establishment
- sign

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- stripping, filling, excavation and grading

(3) SITE PROVISIONS

The following provisions shall apply for every development in this area:

(a) Site Area (minimum):

At the discretion of the Municipal Planning Commission and/or the Development Officer.

(b) Width of Site (minimum):

At the discretion of the Municipal Planning Commission and/or the Development Officer.

(c) Front Yard Depth (minimum):

None required, unless required at the discretion of the Municipal Planning Commission and/or the Development Officer.

(d) Rear Yard Depth (minimum):

A 6.1 metres (20 feet) parking or loading zone may be required for commercial uses at the discretion of the Municipal Planning Commission and/or the Development Officer. For apartment development, no rear yard is required, unless required at the discretion of the Municipal Planning Commission and/or the Development Officer.

(e) Side Yard Width (minimum):

- (i) Commercial side yard width adjacent to a residential district or development: 3.05 metres (10 feet).
- (ii) All other locations, at the discretion of the Municipal Planning Commission and/or the Development Officer.

(f) Building Height (maximum):

At the discretion of the Municipal Planning Commission and/or the Development Officer.

(g) Site Coverage (Maximum)

One hundred (100) percent, subject to provision being made for any required parking, loading, storage and garbage enclosures.

(4) ADDITIONAL REQUIREMENTS

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- (a) In respect of apartment buildings, the Development Officer and/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 and/or Municipal Planning Commission may allow apartment development without any private usable amenity space.
- (b) 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 and/or Municipal Planning Commission.
- (c) 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.
- (d) 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 and/or Municipal Planning Commission may require external storage enclosures to be constructed to screen garbage storage areas from adjoining sites and public highways.
- (e) 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.
- (f) 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 and/or Municipal Planning Commission will give consideration to the use of accessory buildings or structures to accommodate such storage requirements.
- (g) 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.
- (h) Peace River Municipal Development Plan

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.

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- (i) 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.

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SECTION 35 LIGHT INDUSTRIAL DISTRICT (M-1)

(1) PURPOSE

The purpose of this land use district is to provide for industrial development.

(2) USES

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted uses

- auto body and repair shop
- accessory building or structure
- auction facility
- automobile, farm equipment and recreational equipment sales and ancillary service
- building material and supply outlet
- business support services
- car wash
- drive through vehicle services
- equipment repair and storage shop
- food catering services
- gas bar
- lumber yard
- manufactured (mobile) home dealership
- office complex
- offices associated with permitted uses
- outdoor storage
- park
- parking facility
- professional and office services
- repair shop
- service station
- storage facility
- storage shed or yard
- warehouse and distribution sales
- workshop (used by: carpenter/cabinet maker, decorator/painter, electrician, gas fitter, machinist, metal worker/tinsmith, plumber/steam fitter, upholsterer, welder)

(b) Discretionary Uses

- auto wrecker
- bulk fuel sales
- cannabis production facility
- dwelling unit, caretaker residence

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- funeral services
- general industrial
- greenhouse and plant nursery
- manufacturing, artisanal or custom
- manufacturing plant engaged in secondary processing, assembly and/or packaging
- moved in building
- offices associated with discretionary uses
- public use
- recycling depot
- sign
- stripping, filling, excavation and grading
- trucking or cartage firm
- waste management

(3) SITE PROVISIONS

The following regulations shall apply to every development in this area.

(a) Area of Site (minimum):

464.5 square metres (5,000 square feet).

(b) Front Yard Depth (minimum):

6.1 metres (20 feet).

(c) Rear Yard Depth (minimum):

6.1 metres (20 feet), except in the case where

- (i) the rear yard abuts a residential district the rear yard depth shall not be less than 7.62 metres (25 feet); or
- (ii) the rear boundary of the site abuts a railway right-of-way, no rear yard is required.

(d) Side Yard Width (minimum):

If a side yard is provided it shall be a minimum of 4.57 metres (15 feet) excepting that zero lot line development may be permitted on one side of the property line if a firewall is provided.

(e) The Development Officer or the Municipal Planning Commission may reduce the side yard requirements wherever there is an abutting railway line, lane or utility lot provided fire protection regulations are not violated.

(f) Areas for parking, loading or storage shall be located on a site at the discretion of the Development Officer or the Municipal Planning Commission. Setbacks for

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these areas shall be landscaped to the satisfaction of the Development Officer or the Municipal Planning Commission.

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(g) Site Coverage (maximum):

Sixty (60) percent.

(h) Building Height (maximum):

At the discretion of the Development Officer or the Municipal Planning Commission.

(4) ADDITIONAL REQUIREMENTS

(a) Screening and Fencing

- (i) All sites abutting a residential district shall be screened from the view of the residential district to the satisfaction of the Development Officer or the Municipal Planning Commission.
- (ii) All apparatus on the roof of any building shall be screened to the satisfaction of the Development Officer or the Municipal Planning Commission.
- (iii) Outside storage areas shall be screened from adjacent sites and public highways to the satisfaction of the Development Officer or the Municipal Planning Commission.

(b) No use shall be established that is or will become obnoxious by way of the following:

- (i) noise;
- (ii) odour;
- (iii) vibration;
- (iv) smoke;
- (v) heat, humidity, glare; or
- (vi) any other nuisance factors.

(c) Storage Areas

- (i) Storage areas should be placed at the rear of buildings.
- (ii) Outside display and storage areas should be kept in a clean and tidy appearance, to the satisfaction of the Development Officer and/or Municipal Planning Commission.
- (iii) All outside storage areas shall be screened from public highways by the use of solid screening, berms, walls and/or additional landscaping to the satisfaction of the Development Officer or Municipal Planning Commission.

(d) Peace River Municipal Development Plan

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.

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- (e) 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.

SECTION 36 LIGHT INDUSTRIAL DISTRICT (M-1A)

(1) PURPOSE

The purpose of this land use district is to provide for industrial development including natural resource extraction industry.

(2) USES

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted uses

- auto body and repair shop
- accessory building or structure
- auction facility
- automobile, farm equipment and recreational equipment sales and ancillary service
- building material and supply outlet
- business support services
- car wash
- drive through vehicle services
- equipment repair and storage shop
- food catering services
- gas bar
- lumber yard
- office complex
- offices associated with permitted uses
- outdoor storage
- parking facility
- professional and office services
- park
- repair shop
- service station
- storage facility
- storage shed or yard
- warehouse and distribution sales
- workshop (used by: carpenter/cabinet maker, decorator/painter, electrician, gas fitter, machinist, metal worker/tinsmith, plumber/steam fitter, upholsterer, welder)

(b) Discretionary Uses

- auto wrecker
- bulk fuel sales
- cannabis production facility
- dwelling unit, caretaker residence

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- general industrial
- manufacturing plant engaged in secondary processing, assembly and/or packaging
- manufactured (mobile) home dealership
- moved in building
- natural resource extraction industry
- offices associated with discretionary uses
- public use
- recycling depot
- sign
- stripping, filling, excavation and grading
- trucking or cartage firm
- waste management

(3) SITE PROVISIONS

The following regulations shall apply to every development in this area.

(a) Area of Site (minimum):

464.5 square metres (5,000 square feet).

(b) Front Yard Depth (minimum):

6.1 metres (20 feet).

(c) Rear Yard Depth (minimum):

6.1 metres (20 feet), except in the case where

- (i) the rear yard abuts a residential district the rear yard depth shall not be less than 7.62 metres (25 feet); or
- (ii) the rear boundary of the site abuts a railway right-of-way, no rear yard is required.

(d) Side Yard Width (minimum):

If a side yard is provided it shall be a minimum of 4.57 metres (15 feet) excepting that zero lot line development may be permitted on one side of the property line if a firewall is provided.

(e) The Development Officer or the Municipal Planning Commission may reduce the side yard requirements wherever there is an abutting railway line, lane or utility lot provided fire protection regulations are not violated.

(f) Areas for parking, loading or storage shall be located on a site at the discretion of the Development Officer or the Municipal Planning Commission. Setbacks for these areas shall be landscaped to the satisfaction of the Development Officer or the Municipal Planning Commission.

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(g) Site Coverage (maximum):

Sixty (60) percent.

(h) Building Height (maximum):

At the discretion of the Development Officer or the Municipal Planning Commission.

(4) ADDITIONAL REQUIREMENTS

(a) Screening and Fencing

- (i) All sites abutting a residential district shall be screened from the view of the residential district to the satisfaction of the Development Officer or the Municipal Planning Commission.
- (ii) All apparatus on the roof of any building shall be screened to the satisfaction of the Development Officer or the Municipal Planning Commission.
- (iii) Outside storage areas shall be screened from adjacent sites and public highways to the satisfaction of the Development Officer or the Municipal Planning Commission.

(b) No use shall be established that is or will become obnoxious by way of the following:

- (i) noise;
- (ii) odour;
- (iii) vibration;
- (iv) smoke;
- (v) heat, humidity, glare; or
- (vi) any other nuisance factors.

(c) Storage Areas

- (i) Storage areas should be placed at the rear of buildings.
- (ii) Outside display and storage areas should be kept in a clean and tidy appearance, to the satisfaction of the Development Officer and/or Municipal Planning Commission.
- (iii) All outside storage areas shall be screened from public highways by the use of solid screening, berms, walls and/or additional landscaping to the satisfaction of the Development Officer or Municipal Planning Commission.

(d) Peace River Municipal Development Plan

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.

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- (e) 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.

SECTION 37 MIXED INDUSTRIAL-BUSINESS DISTRICT (M-IB)

(1) PURPOSE

The purpose of this land use district is to provide for the development of industrial and various business 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.

(2) USES

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses

- accessory building or structure
- automobile, farm equipment, and recreational equipment sales and services
- building material and supply outlet
- business support services
- drive through vehicle services
- dry cleaning establishment
- lumber yard
- machine shop
- manufacturing, artisanal or custom
- office complex
- offices associated with permitted uses
- outdoor storage
- park
- park or playground
- parking facility
- personal service facility
- professional and office services
- recycling depot
- storage facility
- warehouse and distribution sales
- workshop (used by: carpenter/cabinet maker, decorator/painter, electrician, gas fitter, machinist, metal worker/tinsmith, plumber/steam fitter, upholsterer, welder)

(b) Discretionary Uses

- accessory building or structure
- auction facility
- auto body and repair shop
- brewery, winery and/or distillery
- cannabis production facility

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- dwelling unit, caretaker residence
- funeral services
- greenhouse and plant nursery
- moved in building
- offices associated with discretionary uses
- public use
- religious use facility
- sign
- stripping, filling, excavation and grading
- trucking or cartage firm

(3) SITE PROVISIONS

The following regulations shall apply to every development in this area.

(a) Area of Site (minimum):

464.5 square metres (5000 square feet).

(b) Front Yard Depth (minimum):

At the discretion of the Development Officer or the Municipal Planning Commission.

(c) Side Yard Depth (minimum):

1.52 metres (5 feet).

(d) Rear Yard Depth (minimum):

6.1 metres (20 feet).

(e) Building Height (maximum):

At the discretion of the Development Officer or the Municipal Planning Commission.

(4) ADDITIONAL REQUIREMENTS

(a) All development permit applications in this district shall be referred to Alberta Transportation to ensure conformity with long-term plans for a second bridge across the Peace River.

(b) No use shall be established that is or will become obnoxious by way of the following:

- (i) noise;
- (ii) odour;

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- (iii) vibration;
- (iv) smoke, dust and other kinds of particle matter;
- (v) radiation hazards;
- (vi) heat, humidity and glare; or
- (vii) any other nuisance factors.

(c) Screening and Fencing

- (i) All sites abutting a residential district shall be screened from the view of the residential district to the satisfaction of the Development Officer or the Municipal Planning Commission.
- (ii) All apparatus on the roof of any building shall be screened to the satisfaction of the Development Officer or the Municipal Planning Commission.
- (iii) Outside storage areas shall be screened from adjacent sites and public highways to the satisfaction of the Development Officer or the Municipal Planning Commission.
- (iv) 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 Officer or the Municipal Planning Commission, such proposals will detract from the aesthetic quality and image of the riverfront.

(d) Peace River Municipal Development Plan

In making a decision on a development permit application, the Development Officer or the Municipal Planning Commission shall refer to the policies contained in the Peace River Municipal Development Plan and any other statutory document.

- (e) The Development Officer or 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.

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SECTION 38

COMMUNITY DEVELOPMENT DISTRICT (COM)

(1) PURPOSE

The purpose of this land use district is to provide for the development of community uses, including institutional, cultural, recreational and open space uses.

(2) USES

(a) Permitted Uses

- park or playground

(b) Discretionary Uses

- accessory building or structure
- carnival
- cemetery
- child care facility
- commercial school
- communication tower
- community service facility
- emergency shelter
- funeral services
- group care facility
- indoor participant recreation services
- moved in building
- outdoor amusement establishment
- parking facility
- private club
- public use
- religious use facility
- spectator sports establishments
- sign
- stripping, filling, excavation and grading
- tourist campsite

(3) SITE PROVISIONS

In addition to the General and Special Land Use Provisions contained within this Bylaw, the Municipal Planning Commission and/or the Development Officer shall establish the minimum development standards to which development must conform.

(4) ADDITIONAL REQUIREMENTS

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- (a) The design, architectural appearance and landscaping of any building, structure or lot shall be to the satisfaction of the Municipal Planning Commission and/or the Development Officer.

- (b) Peace River Municipal Development Plan

In making a decision on a development permit application, the Development Officer or the Municipal Planning Commission shall refer to the policies contained in the Peace River Municipal Development Plan and any other statutory document.

- (c) The Development Officer or 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.

SECTION 39

AGRICULTURAL-URBAN RESERVE DISTRICT (A-UR)

(1) PURPOSE

The purpose of this land use district is to reserve those lands in the undeveloped areas of town for future subdivision and development, and prevent premature subdivision and development.

(2) USES

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses

- accessory building or structure
- extensive agricultural use
- extensive recreational use
- park or playground

(b) Discretionary Uses

- additional dwelling unit
- brewery, winery, and/or distillery
- cemetery
- country residential
- combat games
- communication tower
- community centre or hall
- farm produce outlet
- home occupation
- intensive agriculture (not including intensive livestock operations)
- manufactured (mobile) home
- modular home
- moved in building
- parking facility
- public use
- recreational vehicle park
- religious use facility
- sign
- single detached dwelling
- stripping, filling, excavation and grading
- tourist campsite

(3) SITE PROVISIONS

The following regulations shall apply to every development in this area.

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(a) Site Area (minimum):

At the discretion of the Development Officer or the Municipal Planning Commission.

(b) Front Yard Depth (minimum):

7.62 metres (25 feet).

(c) Rear Yard Depth (minimum):

7.62 metres (25 feet).

(d) Height of Buildings (maximum):

At the discretion of the Development Officer or Municipal Planning Commission.

(e) Minimum site area required for placement of an additional dwelling would be 4.05 hectares (10 acres).

(4) ADDITIONAL REQUIREMENTS

(a) When reviewing a development permit application for the placement of a second residence on a parcel of land, the Development Officer and/or the Municipal Planning Commission shall consider the following:

- (i) the suitability of the site for the proposed development;
- (ii) access to and from the site, including the provision of on-site parking;
- (iii) the provision of proper on-site water distribution and sewage collection services;
- (iv) the existing and future surrounding land uses; and
- (v) the future planning of the subject property and the area in general.

(b) Extensive agricultural uses that include the keeping of animals on a commercial basis (such as a horse trail riding business) shall:

- (i) require a development permit;
- (ii) not unduly interfere with the general enjoyment of adjacent properties; and
- (iii) be properly drained in a manner that does not affect surrounding properties.

(c) Peace River Municipal Development Plan

In making a decision on a development permit application, the Development Officer or the Municipal Planning Commission shall refer to the policies contained in the Peace River Municipal Development Plan and any other statutory document.

TOWN OF PEACE RIVER
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- (d) The Development Officer or 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.

SECTION 40 DIRECT CONTROL DISTRICT (DIR-C)

(1) PURPOSE

The purpose of this land use district is to provide for the direct control of development that has unique qualities, either in relation to land use, development or land based characteristics.

(2) USES

Uses will be subject to the approval of Town Council and based on the uses associated with a specific development.

(3) REQUIREMENTS

- (a) All site requirements shall be at the discretion of Town Council, based on a site plan approved with the application.
- (b) All development shall conform to the provisions of the Town of Peace River Municipal Development Plan.
- (c) Town Council may refer to other sections of this Bylaw in order to determine requirements for specific types of land uses proposed for land zoned as Direct Control District.
- (d) When deciding on an application, Town Council shall consider the following:
 - (i) the existing and future use of neighbouring lands;
 - (ii) the servicing of the subject property, including the provision of storm drainage facilities;
 - (iii) access to the subject property; and
 - (iv) any considerations that are unique to the proposed development and/or subject property.
- (e) Town Council may decide on other requirements as are necessary having regard to the nature of the proposed development.

(4) INNOVATIVE HOUSING

Town Council may use this Direct Control District for innovative housing proposals contained within the Residential - Village Estate District (R-VE). Innovative housing proposals may include proposals that will require: varying setback requirements; mixed densities; or accommodate differing housing types.

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(5) PROCESS - DIRECT CONTROL DISTRICT

- (a) Town Council will approve applications for proposed development on lands zoned as Direct Control District.
- (b) There will be no appeal allowed to the Town of Peace River Subdivision and Development Appeal Board for decisions made by Town Council on applications for proposed development on lands zoned as Direct Control District.

SCHEDULE A REMOVED BY BYLAW NO. 1983

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SCHEDULE B REMOVED BY BYLAW NO. 1983

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SCHEDULE C AMENDMENTS

DATE

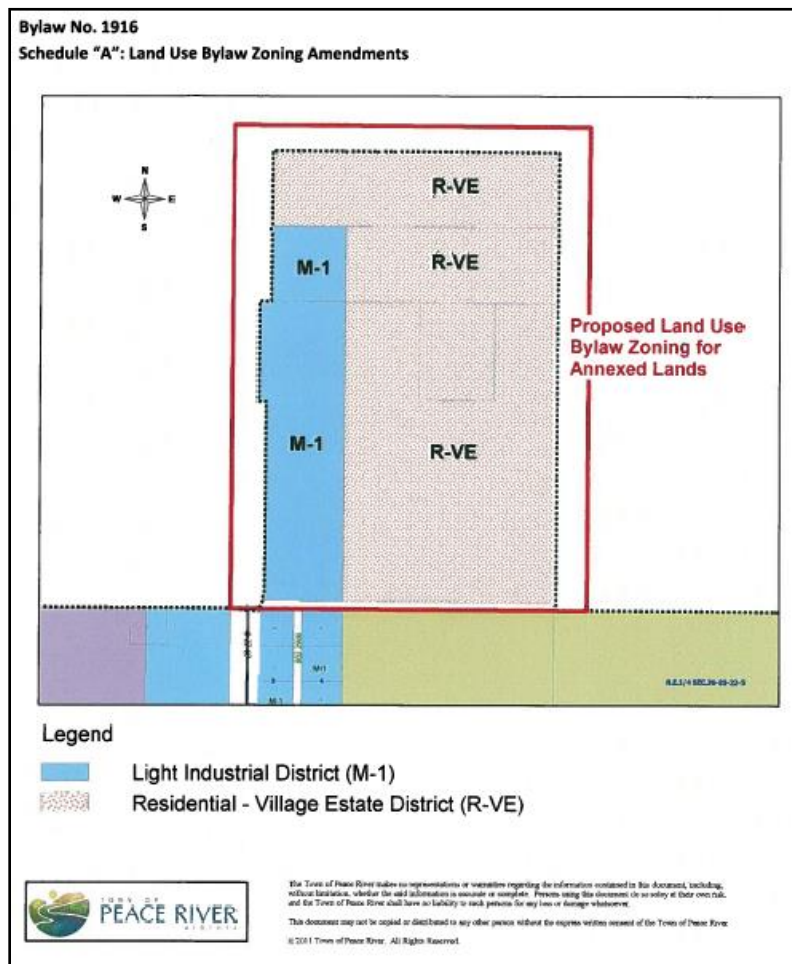
BYLAW NUMBER

PURPOSE

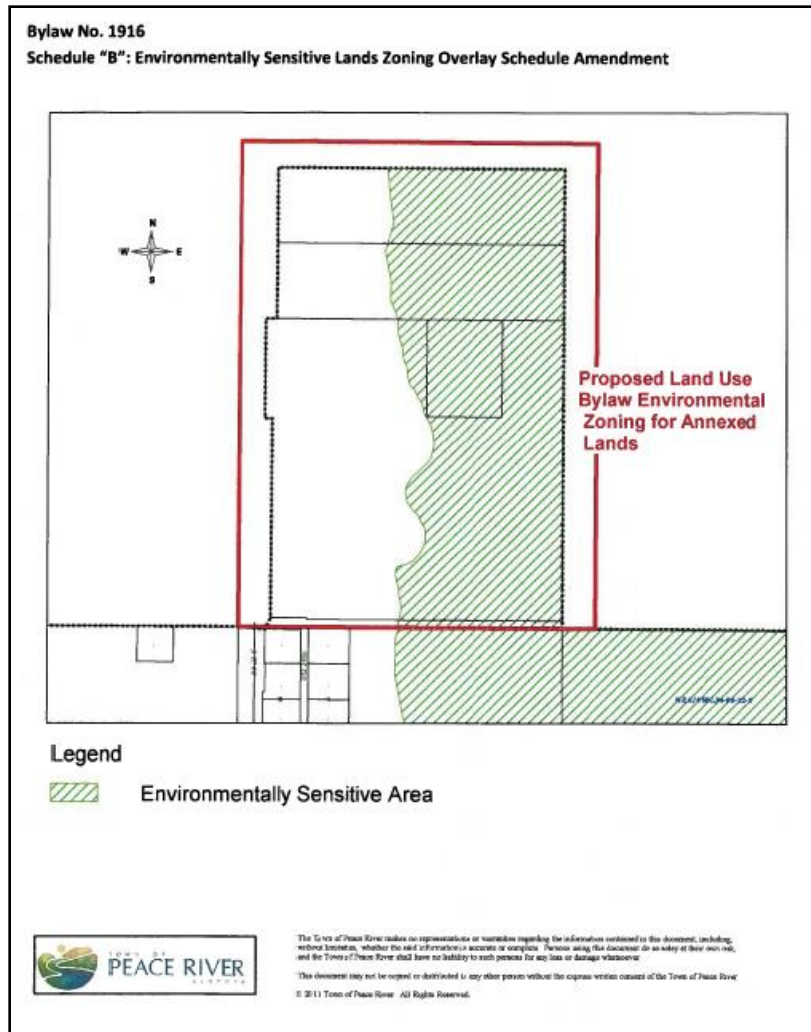
March 25, 2013

Bylaw 1916

1. That lands known as Part of Lot D Plan 1789TR and lands known as Part of SW 1-84-22-5 in the Town of Peace River be zoned Light Industrial District (M-1) as shown in the attached Schedule “A”; and;
2. That lands known as Lot C Plan 1789TR; lands known as Part of Lot D Plan 1789TR; lands known as Part of SW 1-84-22-5 and lands known as Lot 1 Block 1 Plan 942 3552 in the Town of Peace River be zoned Residential – Village Estate District (R-VE) as shown on the attached Schedule “A”, and;
3. That lands known as Part of Lot C Plan 1789TR; lands known as Part of Lot D Plan 1789TR, lands known as part of SW 1-84-22-5 and lands known as Lot 1 Block 1 Plan 942 3553 be zoned Environmentally Sensitive area on the Environmentally Sensitive Lands Zoning Overlay Schedule as shown on the attached Schedule “B”.



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April 22, 2013

Bylaw 1924

1. Add the following to the Table of Contents:
 - Section 4: (5) Subdivision Standards
 - Section 13: (1) DISTRICT CLASSIFICATION
 - (2) DISTRICT SYMBOLS
 - (3) DISTRICT MAP
 - (4) SAME AND/OR SIMILAR USES
2. Add "Modular Home" to Discretionary Uses as indicated:
 - Section 14(R-1A), Section 15(R-1A(20)), Section 16(R-1B), Section 17(R-1C), Section 18(R-1D),
 - Section 19(R-1E), Section 20(R-1F), Section 21(R-2), Section 22(R-2A), Section 23(R-3),
 - Section 24(R-4), Section 25(R-4A), Section 28(R-VE), Section 33(C-R), and Section 39(A-UR)
3. Add "Apartment Building" to Discretionary Uses in Section 33(C-R)
4. Add "Park and Playground" to Permitted Uses in Section 37(M-1B)

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5. Add "Auto body and repair shop" to Discretionary Uses in Section 37(M-1B)
6. Delete the definition for "Modular Home Construction" and replace it with a definition for "Modular Building" as follows:

"MODULAR BUILDING" means finished section(s) of a complete building built in a factory for transport to the site for installation. For the purpose of this bylaw, modular construction includes single or multiple dwellings, including single, semi-detached, rows, townhouses, duplexes, apartments, but not mobile homes and can include commercial, industrial and institutional buildings.

November 4, 2013

Bylaw 1936

1. Replace (3) SITE PROVISIONS as indicated:
 - (a) Area of Site (minimum):

Apartment: 882.55 square metres (9,500 square feet)
Single Detached Dwelling Unit: 329.4 square metres (3,545 square feet)
Duplex: 557.7 square metres (6,000 square feet)
Dwelling Group and Group Care Facility: At the discretion of the Development Officer or Municipal Planning Commission.
Semi-detached Dwelling Unit: 201 square metres (2,163 square feet)
Row Dwelling: Interior: 165 square metres (1,776 square feet)
Row Dwelling: Exterior: 201 square metres (2,163 square feet)
 - (b) Width of Site (minimum):

Apartment: 30.18 metres (99 feet)
Single Detached Dwelling Unit: 10.98 metres (36 feet)
Duplex: 18.29 metres (60 feet)
Dwelling Group and Group Care Facility: At the discretion of the Development Officer or Municipal Planning Commission.
Semi-detached Dwelling Unit: 6.7 metres (22 feet)
Row Dwelling: 5.5 metres (18 feet)
 - (c) Length of Site (minimum):

30 metres (98.43 feet)
 - (d) Front Yard Depth (minimum):

6 metres (20 feet) to any building
For lot width calculation pie shaped lots will be measured at a 9 metre setback from the front property line; reverse-pie shaped lots will be measured at a 24 metre setback from the front property line.
 - (e) Rear Yard Depth (minimum):

Apartment building: 9.14 metres (30 feet)
All other residential dwellings: 7.62 metres (25 feet)
 - (f) Exterior Side Yard Width (minimum):
 - (i) An apartment building, a row dwelling, a dwelling group, a senior citizens home: 4.57 metres (15 feet)
 - (ii) All other residential dwellings: 3 metres (10 feet)
 - (i) Building Height (maximum):
 - (i) An apartment building: 4 storeys
 - (ii) All other residential dwellings: 3 storeys

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2. Replace (4) ADDITIONAL REQUIREMENTS as indicated:
 - (a) The distance between two (2) row dwelling units or apartments on the same parcel shall be 1.5 times the building height but not less than a minimum of 9.14 metres (30 feet)Renumber the remainder (c)-(h) to (b)-(g)

December 2, 2013

Bylaw 1942

1. Amend Section 2 – Definitions (1):

Remove the following text definition:

“GROUP CARE FACILITY” means the use of a dwelling unit as a facility that is authorized, licensed or certified by a provincial authority to provide living accommodation to individuals whom are unrelated. This includes supervised facilities such as group homes, halfway houses, resident schools, resident facilities, boarding homes, and psychiatric care facilities, but does not include foster homes. A Group Care Facility is to provide professional care, rehabilitation, guidance and/or supervision for physically, mentally, socially or behaviourally challenged persons on a permanent or temporary basis, depending on need. The residential character of the facility shall be maintained with the occupants living together as a single housekeeping unit, with shared kitchen facilities. A Group Care Facility may include separate accommodations for resident staff as an accessory use.

Add the following text definitions:

“GROUP CARE FACILITY” 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, 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 and/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.

“RESIDENTIAL CARE FACILITY” means a private or publicly funded seniors lodge, nursing home, extended or congregate care facility, or a group care facility with five (5) or more occupants. GROUP CARE FACILITY IS DEFINED AS FOUR (4) OR LESS RESIDENTS.

“RESIDENTIAL SUPPORT HOME TYPE 1” means a development within a dwelling unit authorized, licensed or certified by a public authority where support staff provides care, guidance or supervision for four (4) or fewer persons with mental or physical disabilities in a residential setting. This use is not a boarding house, group care facility or half-way house.

“RESIDENTIAL SUPPORT HOME TYPE 2” means a development within a dwelling unit authorized, licensed or certified by a public authority where support staff provides care, guidance or supervision for five (5) or more persons with mental or physical disabilities in a residential setting. This use is not a boarding house, group care facility or half-way house.

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2. Amend Section 14 – Residential 1-A District (R-1A)
Permitted Use – Insert the following text: “Residential Support Home Type 1”
Discretionary Use – Insert the following text: “Group Care Facility”, “Residential Support Home Type 2”
3. Amend Section 15 – Residential 1-A(20) District (R-1A(20))
Permitted Use – Insert the following text: “Residential Support Home Type 1”
Discretionary Use – Insert the following text: “Group Care Facility”, “Residential Support Home Type 2”
4. Amend Section 16 – Residential 1-B District (R-1B)
Permitted Use – Insert the following text: “Residential Support Home Type 1”
Discretionary Use – Insert the following text: “Group Care Facility”, “Residential Support Home Type 2”
5. Amend Section 17 – Residential 1-C District (R-1C)
Permitted Use – Insert the following text: “Residential Support Home Type 1”
Discretionary Use – Insert the following text: “Group Care Facility”, “Residential Support Home Type 2”
6. Amend Section 18 – Residential 1-D Density (R-1D)
Permitted Use – Insert the following text: “Residential Support Home Type 1”
Discretionary Use – Insert the following text: “Group Care Facility”, “Residential Support Home Type 2”
7. Amend Section 19 – Residential 1-E District (R-1E)
Permitted Use – Insert the following text: “Residential Support Home Type 1”
Discretionary Use – Insert the following text: “Group Care Facility”, “Residential Support Home Type 2”
8. Amend Section 20 – Residential 1-F District (R-1F)
Permitted Use – Insert the following text: “Residential Support Home Type 1”
Discretionary Use – Insert the following text: “Group Care Facility”, “Residential Support Home Type 2”
9. Amend Section 21 – Residential Two Family District (R-2)
Permitted Use – Insert the following text: “Residential Support Home Type 1”
Discretionary Use – Insert the following text: “Residential Support Home Type 2”
10. Amend Section 22 – Residential 2-A District (R-2A)
Permitted Use – Insert the following text: “Residential Support Home Type 1”
Discretionary Use – Insert the following text: “Residential Support Home Type 2”
11. Amend Section 23 Residential Medium Density District (R-3)
Discretionary Use – Insert the following text: “Residential Care Facility”, “Residential Support Home Type 2”
12. Amend Section 24 – Residential High Density (R-4)
Discretionary Use – Insert the following text: “Residential Care Facility”
13. Amend Section 25 – Residential Mixed High Density District (R-4A)
Discretionary Use – Insert the following text: “Group Care Facility”, “Residential Care Facility”,
“Residential Support Home Type 2”
14. Amend Section 26 – Residential Manufactured (Mobile) Home Subdivision District (R-MHS)
Permitted Use – Insert the following text: “Residential Support Home Type 1”

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March 24, 2014

Bylaw 1938

1. Replace "FLOOR AREA" as indicated:

"FLOOR AREA" means the total of the floor areas of every room and passageway contained in a building but not including the floor areas of basements, attached garages, sheds, open porches, or breezeways (refer to diagram on next page).

2. Replace FLOOR AREA EXPLANATION NOTE definition as indicated:

"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.

3. Replace "HABITABLE ROOM" as indicated:

"HABITABLE AREA" means any area in a dwelling intended primarily for human occupancy.

4. Remove "NON-HABITABLE ROOM"

5. Remove "Floor Area (minimum habitable area):" from Site Provisions as follows:

Section 4(3) General Duties and Responsibilities

Section 14 – Residential 1-A District (R-1A)

Section 15 – Residential 1-A(20) District (R-1A(20))

Section 16 – Residential 1-B District (R-1B)

Section 17 – Residential 1-C District (R-1C)

Section 18 – Residential 1-D District (R-1D)

Section 20 – Residential 1-F District (R-1F)

6. Add additional Discretionary Use as indicated:

Section 37 – MIXED INDUSTRIAL-BUSINESS DISTRICT (M-IB)

(b) Discretionary Uses

- Religious use facility

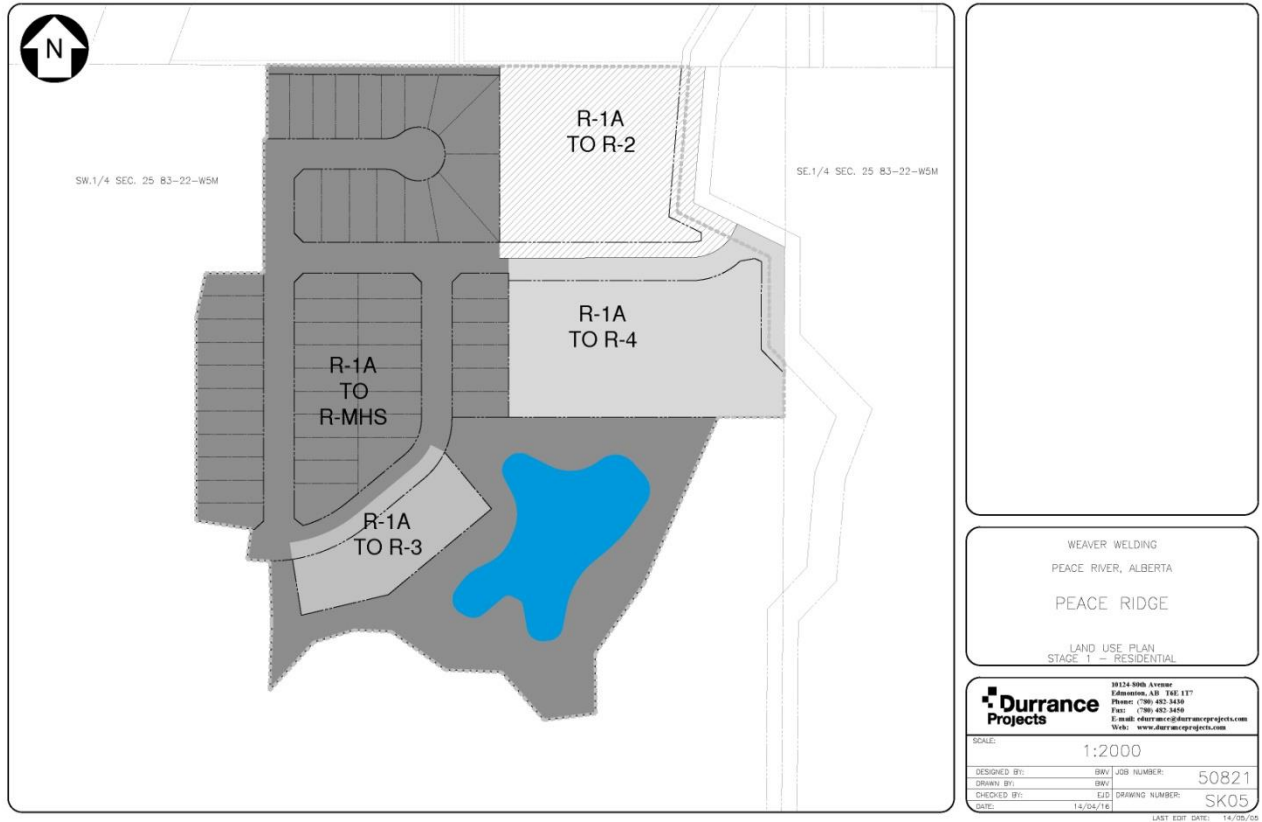
June 9, 2014

Bylaw 1948

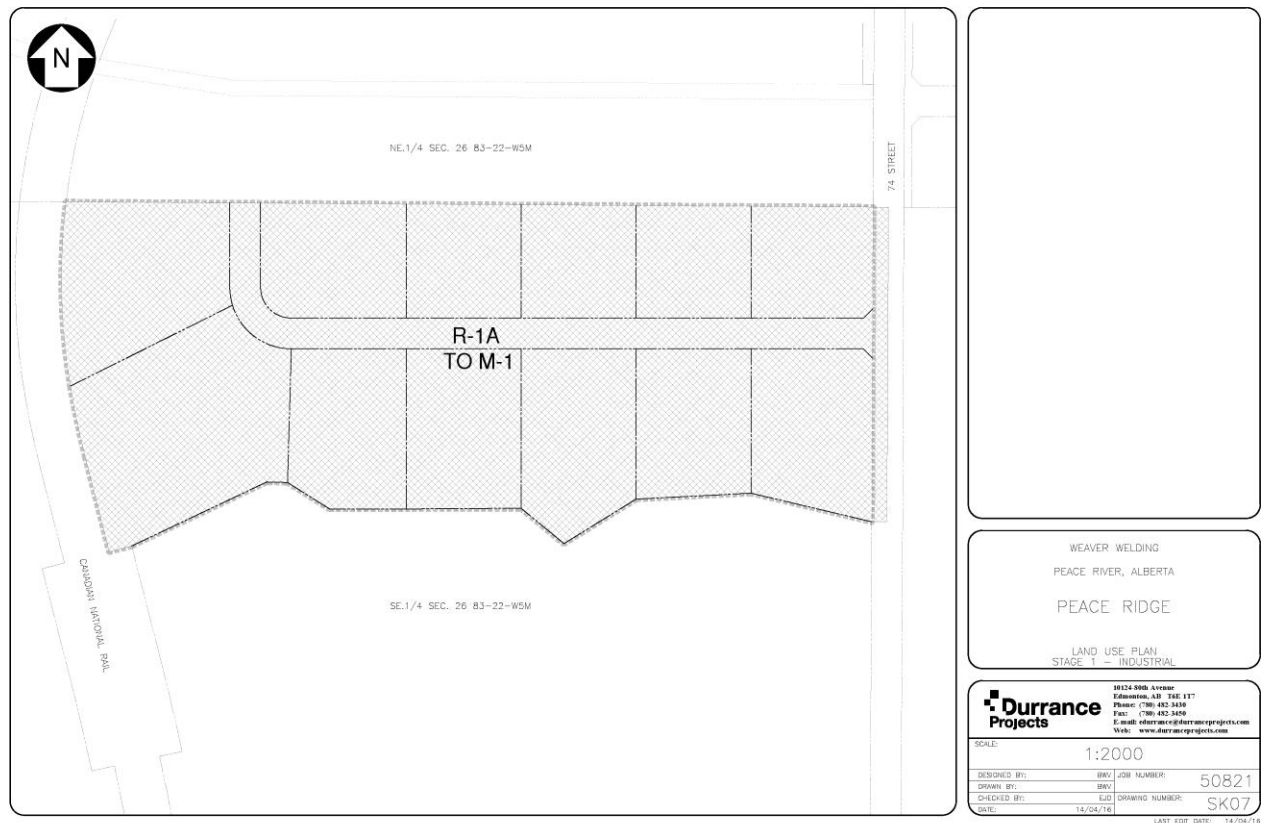
1. That a portion of SW 25-83-22-W5M within the Town of Peace River, and as shown in the attached Schedule A, be rezoned from Residential 1-A District (R-1A) to Residential Two Family District (R-2).
2. That a portion of SW 25-83-22-W5M within the Town of Peace River, and as shown in the attached Schedule A, be rezoned from Residential 1-A District (R-1A) to Residential High Density District (R-4).
3. That a portion of SW 25-83-22-W5M within the Town of Peace River, and as shown in the attached Schedule A, be rezoned from Residential 1-A District (R-1A) to Residential Medium Density District (R-3).
4. That a portion of SW 25-83-22-W5M within the Town of Peace River, and as shown in the attached Schedule A, be rezoned from Residential 1-A District (R-1A) to Residential Manufactured (Mobile) Home Subdivision District (R-MHS).

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5. That a portion of SE 26-83-22-W5M within the Town of Peace River, and as shown in the attached Schedule B, be rezoned from Residential 1-A District (R-1A) to Light Industrial District (M-1).



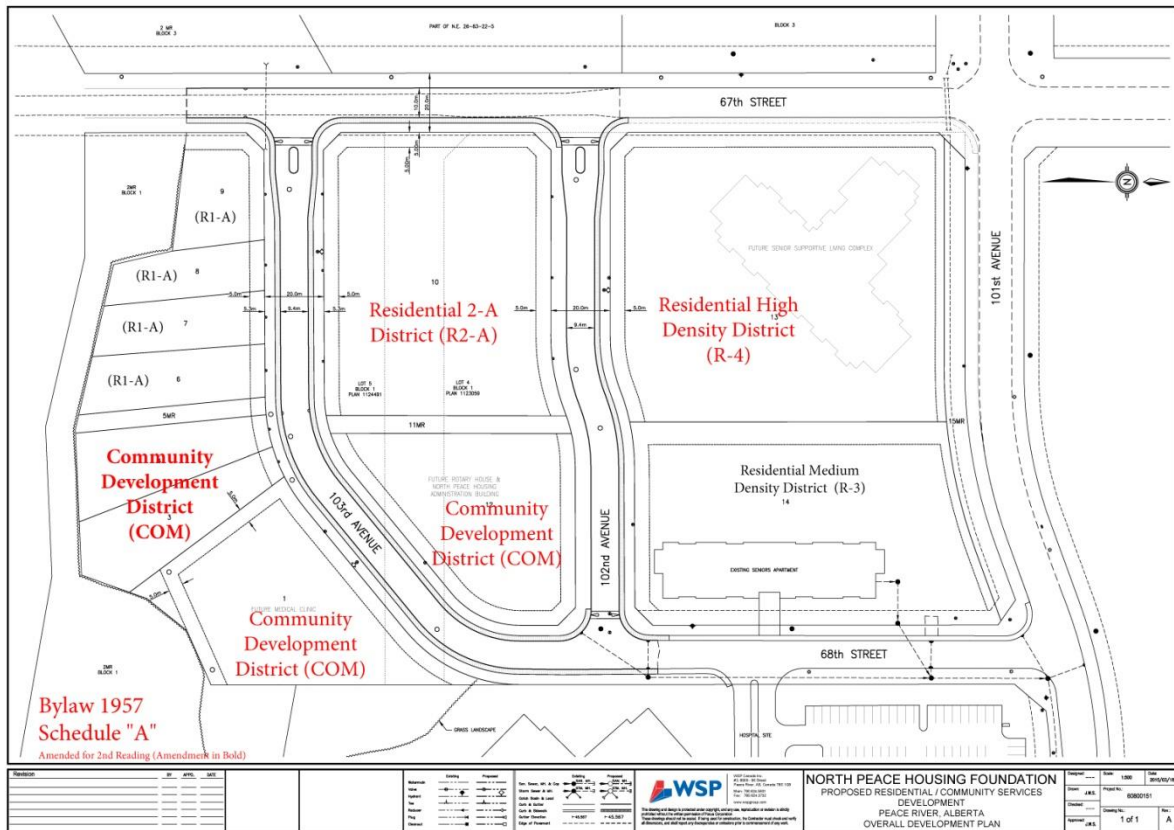
TOWN OF PEACE RIVER
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April 7, 2015
Bylaw 1957

1. That a portion of Lot 4, Block 1, Plan 1123059; Lot 5, Block, Plan 1124491; and Lot OT, Plan 9920155 within the Town of Peace River, and as shown in the attached Schedule A, be rezoned from Residential 1-A District (R-1A) to Community Development District (COM).
2. That a portion of Lot 4, Block 1, Plan 1123059; Lot 5, Block, Plan 1124491; and Lot OT, Plan 9920155 within the Town of Peace River, and as shown in the attached Schedule A, be rezoned from Residential 1-A District (R-1A) to Residential 2-A District (R2-A).
3. That a portion of Lot 4, Block 1, Plan 1123059; Lot 5, Block, Plan 1124491; and Lot OT, Plan 9920155 within the Town of Peace River, and as shown in the attached Schedule A, be rezoned from Residential Medium Density District (R-3) to Residential 2-A District (R2-A).
4. That a portion of Lot 4, Block 1, Plan 1123059; Lot 5, Block, Plan 1124491; and Lot OT, Plan 9920155 within the Town of Peace River, and as shown in the attached Schedule A, be rezoned from Residential Medium Density District (R-3) to Community Development District (COM).
5. That a portion of Lot 4, Block 1, Plan 1123059; Lot 5, Block, Plan 1124491; and Lot OT, Plan 9920155 within the Town of Peace River, and as shown in the attached Schedule A, be rezoned from Residential Medium Density District (R-3) to Residential High Density District (R-4).

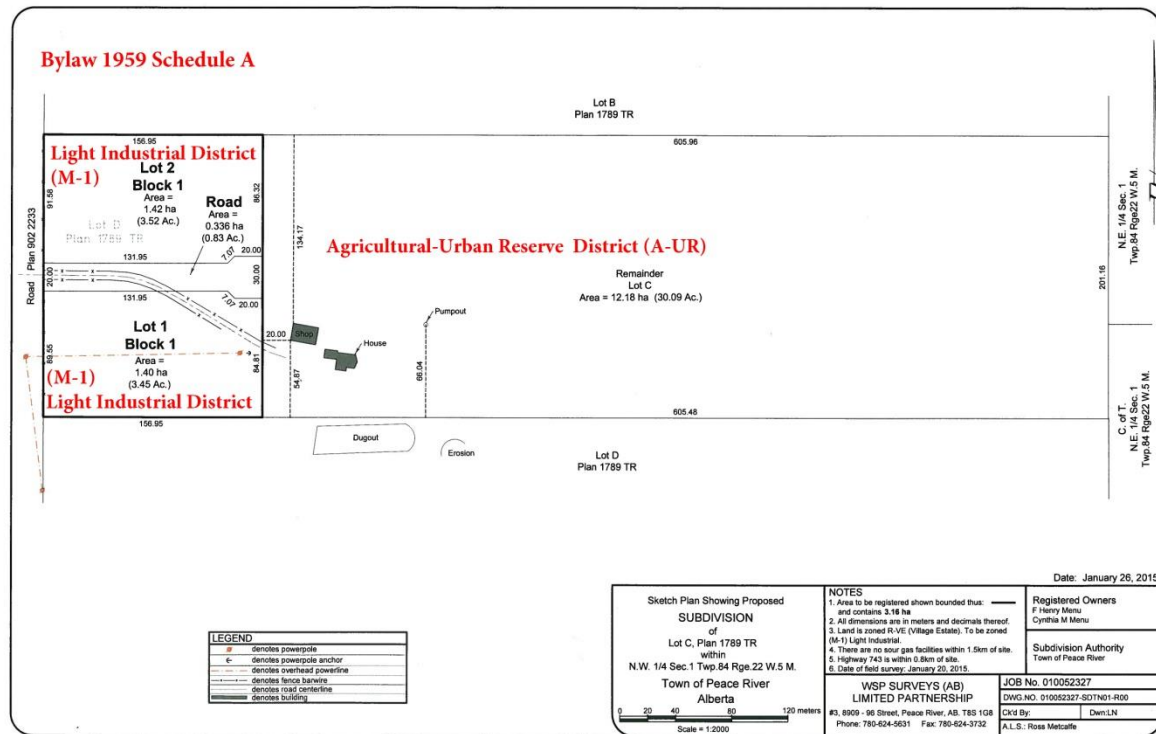
TOWN OF PEACE RIVER
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May 11, 2015
Bylaw 1959

1. That a portion of Lot C, Plan 1789TR (NW 1-84-22-W5M) within the Town of Peace River, and as shown in the attached Schedule A as Lot 1 and Lot 2, be rezoned from Residential-Village Estate District (R-VE) to Light Industrial District (M-1).
2. That a portion of Lot C, Plan 1789TR (NW 1-84-22-W5M) within the Town of Peace River, and as shown in the attached Schedule A as the remainder Lot C, be rezoned from Residential-Village Estate District (R-VE) to Agricultural-Urban Reserve District (A-UR).

**TOWN OF PEACE RIVER
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August 31, 2015

Bylaw 1967

- Add an additional Discretionary Use as indicated:
Section 33 Mixed Commercial-Residential District (C-R)
(b) Discretionary Uses
- Motel

September 12, 2016

Bylaw 1983

- Remove Schedule A Land Use Bylaw Forms.
- Replace Section 6(4) Forms and Notices with the following:
 - For the purpose of administering this Land Use Bylaw, the development authority shall prepare such forms and notices as he or she may deem necessary.
- Remove Schedule B Fees.
- Section 2 Definitions

Replace the CARETAKER OFFICE-RESIDENCE definition with the following:

DWELLING UNIT, CARETAKER means a dwelling that is accessory to a non-residential use, building or structure, for the purposes of providing security and/or maintenance of the principal use on the same parcel by the occupant(s) (such as an owner, operator, manager or caretaker).

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5. Section 9 Parking and Loading Facilities

Add the following to 9(a)(i) **Residential Uses**

Dwelling Unit, Caretaker Residence	1 space/dwelling unit
------------------------------------	-----------------------

6. Replace Section 12 (8) with the following:

(8) DWELLING UNIT, CARETAKER

- (a) Caretaker dwelling units may only be developed on a site with a principal non-residential use, building or structure.
- (b) Not more than one caretaker dwelling unit is allowed per lot.
- (c) A caretaker dwelling unit shall not be subject to separation from the principle development through a plan of subdivision.
 - (i) 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 caretaker dwelling unit shall not be subject to separation from the principle dwelling through condominium conversion or subdivision.
- (d) A caretaker dwelling unit shall require one additional on-site parking stall. Additional parking stalls 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 principle use, building or structure does not block the parking for the caretaker dwelling unit and vice versa.

7. Replace “Caretaker Office-Residence” with “Dwelling Unit, Caretaker Residence” throughout the bylaw.

September 12, 2016

Bylaw 1984

1. Add the following to SECTION 12 SPECIAL LAND USE PROVISIONS of the Table of Contents:

(19) LIQUOR STORES

(20) STRIPPING, FILLING, EXCAVATION AND GRADING

2. Add the following to SECTION 2 DEFINITIONS:

“STRIPPING, FILLING, EXCAVATION AND GRADING” 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 top soil, 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.

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3. Replace SECTION 4 (1) (vi) with the following:

- (vi) Notwithstanding that it may be listed as a discretionary use under certain land use districts, the Development Officer may decide on a development permit application for:
 - A. an accessory building or structure;
 - B. a home occupation;
 - C. stripping, filling, excavation and grading;
 - D. a sign; or
 - E. other such building or development that may be designated from time to time by the Municipal Planning Commission.

3. Add the following to Section 4 (3) GENERAL DUTIES AND RESPONSIBILITIES

- (vi) provide security to ensure compliance with this Bylaw, a development permit, an agreement under this clause and/or a statutory plan, which security may include, but is not limited to, an irrevocable letter of credit or charge against the title to the site.

4. Add the following to Section 5 (2) DEVELOPMENT PERMITS NOT REQUIRED:

- (p) stripping, filling, excavation and grading of land,
 - (i) when such operations are performed in accordance with a valid Development Permit or Development Agreement, or
 - (ii) on a developed lot, when undertaking normal soft or hard landscaping activities, such as but not limited to loaming and seeding yard areas, planting trees or shrubs, gardening, where these activities do not affect the swale of surface water or may cause existing surface soils to slough onto adjacent properties.

5. Add SECTION 12 (20) as follows:

(20) STRIPPING, FILLING, EXCAVATION AND GRADING

- (a) 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.
- (b) 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.
- (c) In addition to the information requirements of Section 5 (3), the Development Authority may require the following information with the application:
 - (i) a site plans showing the location and dimensions of proposed stripping, filling, excavation, and grading, including details of edge conditions and/or back sloping requirements, and details regarding any stockpiles;
 - (ii) a description of the proposed source of any materials being brought to the site;
 - (iii) the effect on drainage patterns or storm water management plans;
 - (iv) a description of the proposed site end condition and site restoration plans;
 - (v) proposals for preventing nuisance, including but not limited to dust, noise, and visual impacts;
 - (vi) proposed access, haul routes and haul activities; and

TOWN OF PEACE RIVER
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- (vii) proposed timing and phasing of activities.
 - (d) Where site plans, drainage plans, storm water management plans or geotechnical soils plans are required, 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.
 - (e) Notwithstanding Section 4 (3) (e) 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:
 - (i) limiting the impact on drainage patterns;
 - (ii) setting a site end condition, such as seeding and loaming the development area;
 - (iii) limiting the impact of nuisance, including but not limited to dust, noise, and visual impacts;
 - (iv) setting access, haul routes and haul activities standards; and
 - (v) defining the timing and phasing of activities.
 - (f) A temporary fence shall be erected around all excavations, which in the opinion of the Development Authority may be hazardous to the public.
 - (g) Where finished ground elevations are established, all grading shall comply therewith.
 - (h) All parcels shall be graded and all drainage directed as per the approved storm water management plan.
 - (i) All topsoil shall be retained on the parcel, except where it must be removed for building purposes.
6. Add "Stripping, Filling, Excavation and Grading" as a discretionary use to the following Districts:
- Section 14 – Residential 1-A District (R-1A)
 - Section 15 – Residential 1-A(20) District (R-1A(20))
 - Section 16 – Residential 1-B District (R-1B)
 - Section 17 – Residential 1-C District (R-1C)
 - Section 18 – Residential 1-D District (R-1D)
 - Section 19 – Residential 1-E District (R-1E)
 - Section 20 – Residential 1-F District (R-1F)
 - Section 21 – Residential Two Family District (R-2)
 - Section 22 – Residential 2-A District (R-2A)
 - Section 23 – Residential Medium Density District (R-3)
 - Section 24 – Residential High Density District (R-4)
 - Section 25 – Residential Mixed High Density District (R-4A)
 - Section 26 – Residential Manufactured (Mobile) Home Subdivision District (R-MHS)
 - Section 27 – Residential Manufactured (Mobile) Home Park District (R-MHP)
 - Section 28 – Residential - Village Estate District (R-2)
 - Section 29 – Primary Commercial District (C-1)
 - Section 30 – Highway Commercial District (C-2)
 - Section 31 – Commercial – Shopping Center District (C-2)
 - Section 32 – Neighbourhood Commercial District (C-N)
 - Section 33 – Mixed Commercial-Residential District (C-R)
 - Section 34 – Riverfront Development District (R-D)

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- Section 35 – Light Industrial District (M-1)
Section 36 – Light Industrial District (M-1A)
Section 37 – Mixed Industrial-Business District (M-1B)
Section 38 – Community Development District (COM)
Section 39 – Agricultural-Urban Reserve District (A-UR)

February 27, 2017

Bylaw 1994

1. Section 35 Light Industrial District (M1)
Add to (b) Discretionary Uses
- greenhouse and plant nursery
2. Section 37 Mixed Industrial-Business District (M-IB)
Add to (b) Discretionary Uses
- greenhouse and plant nursery
3. Section 2 Definitions
Replace the definition of “GREEN HOUSE AND PLANT NURSERY” with:

“GREENHOUSE AND PLANT NURSERY” means a development used for the growing, (either in a greenhouse or garden), storage, basic processing, and sale of vegetables, landscaping plants and their products or by-products, and for the storage and sale of related gardening and nursery goods and equipment and landscaping supplies and materials.

February 27, 2017

Bylaw 1995

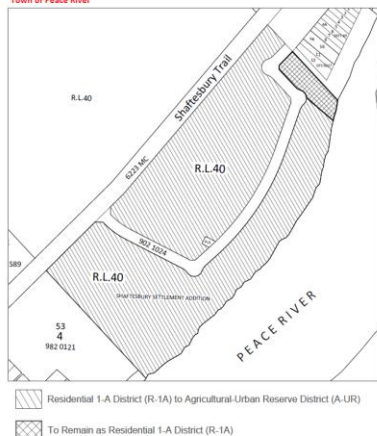
1. Rezone 10501-89 Street, Lot 10, Block 26, Plan 3176AZ from Direct Control (DC) District to Residential 4A (R-4A) District.

May 23, 2017

Bylaw 1998

1. Rezone that portion of Pt. River Lot 40 Shaftesbury Settlement from Residential-1A District to Agricultural-Urban Reserve District as shown in Schedule A.

Schedule A - Bylaw No. 1998
Town of Peace River



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June 12, 2017

Bylaw 1999

1. Section 38 Community Development District (COM)
Add to (b) Discretionary Uses
- Emergency Shelter
2. Section 2 Definitions
Add the definition of “Emergency Shelter” as follows:
“**EMERGENCY SHELTER**” means a development operated by a government or not-for-profit organization for the primary purpose of providing temporary, emergency accommodation for persons requiring immediate shelter and assistance. This use may include, but is not limited to, accessory office functions and the provision of related programs and services. Typical uses include a women’s shelter and a youth emergency shelter.

July 17, 2017

Bylaw 2003

1. Section 38 Mixed Commercial-Residential District (C-R)
Replace “funeral home” with the following under (b) Discretionary Uses:
- funeral services
2. Section 2 Definitions
Replace the definition of “Funeral Home” with the following:

“**FUNERAL SERVICES**” means a development used for the preparation of the dead for burial, the purification and/or reduction of the human body by heat, and may include the holding of associated services. Typical uses include Funeral Homes and Crematoriums.

September 11, 2017

Bylaw 2004

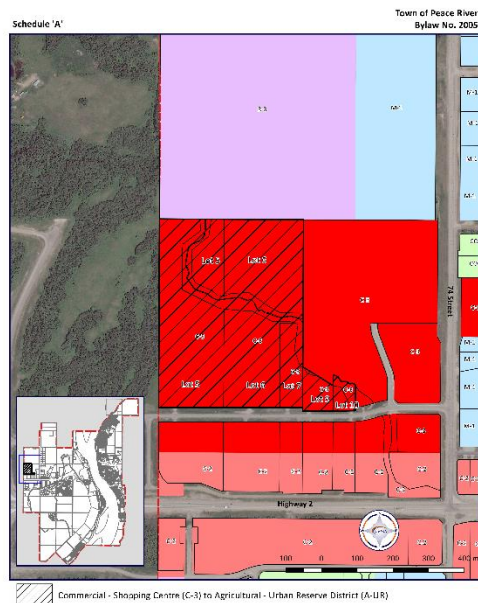
1. Rezone that portion of NE-36-83-22-5 from Residential-2 District (R-2) to Residential Manufactured (Mobile) Home Subdivision District (R-MHS) as shown in Schedule A.

October 10, 2017

Bylaw 2005

1. Rezone Plan 1623661, Block 3, Lot 5; Plan 1623661, Block 3, Lot 6; Plan 1623661, Block 3, Lot 7; Plan 1623661, Block 3, Lot 9; Plan 1623661, Block 3, Lot 10; Plan 1623661, Block 3, Lot 8ER (Environmental Reserve); Plan 1623661, Block 3, Lot 12ER (Environmental Reserve); and, Plan 1623661, Block 3, Lot 11ER (Environmental Reserve) from Commercial -Shopping Center District (C-3) to Agricultural-Urban Reserve District (A-UR) as shown in Schedule A.

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December 11, 2017

Bylaw 2007 – Amending Bylaw 2003

1. Replace Section 1 as follows:
Section 33 Mixed Commercial-Residential District (C-R)
Replace “funeral home” with the following under (b) Discretionary Uses:
 - funeral services

September 11, 2017

Bylaw 2011

1. Rezone Plan 3596KS, Block 1, Lot 1 from Residential-1A District (R-1A) to from Residential-2 District (R-2) as shown in Schedule A.



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September 11, 2017
Bylaw 2012

1. Add to SECTION 11 GENERAL LAND USE PROVISIONS:

(15) NUMBER OF DWELLING UNITS PERMITTED ON A LOT

- a. No person in the Town shall construct or cause to be constructed more than one dwelling unit per lot.
- b. Section 11(15)(a) does not apply to:
 - i. Apartment Building;
 - ii. Duplex;
 - iii. Dwelling Group;
 - iv. Residential Care Facility;
 - v. Row Dwelling;
 - vi. Semi-detached Dwellings;
 - vii. Dwellings that are located within a manufactured home park.
- c. Despite section 11(15)(a), one Garage/Garden Suite or one Secondary Suite may be approved in a district in which the Garage/Garden Suite or the Secondary Suite is either a permitted or discretionary use.

November 17, 2017
Bylaw 2014

- 1. Section 29 Primary Commercial District (C-1)
Add to (a) Permitted Uses:
 - brewery, winery and/or distillery
- 2. Section 30 Highway Commercial District (C-2)
Add to (b) Discretionary Uses:
 - brewery, winery and/or distillery
- 3. Section 31 Commercial – Shopping Centre (C-3)
Add to (b) Discretionary Uses:
 - brewery, winery and/or distillery
- 4. Section 33 Mixed Commercial-Residential District (C-R)
Add to (b) Discretionary Uses:
 - brewery, winery and/or distillery
- 5. Section 34 Riverfront Development District (R-D)
Add to (a) Permitted Uses:
 - brewery, winery and/or distillery
- 6. Section 37 Mixed Industrial-Business District (M-IB)
Add to (b) Discretionary Uses:

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- brewery, winery and/or distillery
7. Section 39 Agricultural-Urban Reserve District (A-UR)
Add to (b) Discretionary Uses:
- brewery, winery and/or distillery

8. Section 2 Definitions
Add the definition of “brewery, winery and/or distillery” with the following:

“BREWERY, WINERY AND/OR DISTILLERY” means a use where an alcoholic beverage(s) is manufactured, packaged and sold on-site. The development is licensed by the Alberta Gaming and Liquor Commission (AGLC). This use does not include developments that have a “Class E Licence - Manufacturer” from the AGLC. Developments with a “Class E Licence - Manufacturer” from the AGLC may be considered under the General Industrial use of this bylaw.

9. Section 11(9) Parking and Loading Facilities
Replace within Section 11(9)(a)(i), the Industrial Minimum Parking Requirements table, and the Any Other Uses Minimum Parking Requirements table as follows:

Industrial	Minimum Parking Requirements
Manufacturing and Industrial Plants, Warehousing, Wholesale and Storage Buildings and Yards, Servicing and Repair Establishments and Public Utility Building	1 space/ 3 employees on a maximum working shift or 1 space/ 139.35 square metres (1,500 square feet) floor area, whichever is greater
brewery, winery and/or distillery	1 space/ 139.35 square metres (1,500 square feet) of floor area dedicated to manufacturing and packaging, and 2 spaces/store front, with a minimum of 4 spaces.

	Minimum Parking Requirements
Any Other Uses	1 space/ 37.16 square metres (400 square feet) of gross floor area

10. Section 12 Special Land Use Provisions
Add (21) BREWERY, WINERY AND/OR DISTILLERY

(a) The development must have a Class E Licence for a Small Manufacturer, a Cottage Winery and/or Packaging, from the Alberta Gaming Liquor Commission.

A development with a Class E Licence for a Manufacturer from the Alberta Gaming Liquor Commission must not be considered under this use class.

- (b) In the C-1, C-2, C-3, R-D, and C-R land use districts:
- i. the development must include a store front for the sale of the product to the general public.

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- ii. the development 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.

The related uses may include but are not limited to a retail store, an eating or drinking establishment, and/or a liquor store, provided the use(s) is listed in the relevant district and the proposal meets the regulations for that use.

(c) In the M-IB land use district:

- i. the development may include a store front for the sale of the product to the general public.
- ii. the development 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, and/or a liquor store.

(d) In the A-UR land use district:

- i. the development shall be accessory to the extensive agricultural use of the parcel.
- ii. the development may include a store front for the sale of the product to the general public.
- iii. the development 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.
- iv. the Development Authority may consider an eating or drinking establishment, a liquor store, and/or a retail store as part of an application, despite these uses not being listed as a use within the A-UR district, provided the total square footage of the unlisted, accessory uses is limited to no more than 50m² to ensure these uses remain accessory to the principal use.

(e) A Development Permit Application must include the following information:

- i. A description of the manufacturing process, including inputs, outputs and byproducts (such as heat, noise, or smell) of the process.
- ii. 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.
- iii. The proposed water source;
- iv. The proposed waste water plan;
- v. The estimated quality and quantity of waste water effluent (m³/day and m³/year).

(f) A Development Permit Application may be required to include the following information:

- i. 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.
- ii. 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.
- iii. A noise, odour, traffic, and/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.

(g) The Development Authority may set conditions through the development permit to mitigate any impacts and/or set appropriate standards for the development.

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(h) The Development Authority may consider and apply the development separation distance requirements established by Section 12(19)(c) when making a decision on a development permit application for a “brewery, winery and/or distillery”.

(i) The minimum off-street parking requirements for a “brewery, winery and/or distillery” are provided for in Section 11 (9)(a). Each related or accessory use must also meet its off-street parking requirements.

July 23, 2018
Bylaw 2016

1. Replace the “ACCESSORY” definition in SECTION 2(1) DEFINITIONS as follows:

“ACCESSORY BUILDING / STRUCTURE” means a building or structure, the use of which is incidental or subordinate to the use of the principle building which is located on the same parcel.

“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.

2. Replace the “CARPORT” definition in SECTION 2(1) DEFINITIONS as follows:

“CARPORT” means an accessory structure designed and used for the storage of motor vehicles, consisting of a roof supported on posts or columns, and which is not enclosed on more than two sides whether separate from, or attached to, the principal building on a site.

3. Replace the “DECK” definition in SECTION 2(1) DEFINITIONS as follows:

“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.

- (i) Low Level Deck: means a deck being less than .6m (2ft) in height.
- (ii) Raised Deck: means a deck being equal to or more than .6m (2ft) in height.

4. Replace the “GARAGE” definition in SECTION 2 (1) DEFINITIONS as follows:

“GARAGE” means an accessory building or a part of the principal building, designed and/or used primarily for the storage of motor vehicles.

- (i) Attached Garage: means a portion of the principle building that shares at least one (1) common wall and a continuous roofline with the principal building.
- (ii) Detached Garage: means an accessory building that is apart and separate from the principle building, that has no common wall, continuous roofline, or open or enclosed structure connecting it with the principal building.
- (iii) Attached-Detached Garage: means an accessory building connected to the principle building by an open or enclosed structure such as a breezeway or deck, and/or a continuous roofline, or a common wall but not both.

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5. Remove the following definition from SECTION 2 (1):

“EXTENSION TO PRINCIPAL BUILDING OR OTHER EXISTING BUILDING” means a building or structure attached to a principal building on a site (or attached to any other existing building on a site) by a roof, an open or enclosed structure, a floor or a foundation.

6. Replace SECTION 5(2)(m) DEVELOPMENT PERMIT NOT REQUIRED as follows:

- (l) The development of an uncovered and unenclosed Low Level Deck which is located entirely in the side and/or rear yard and which is accessory to a residential structure.

7. Within SECTION 11(1) of GENERAL LAND USE PROVISIONS replace the following provisions:

(1) ACCESSORY BUILDINGS/STRUCTURES

- (a) For calculating yard setbacks and site coverage requirements as provided in the Bylaw, when an accessory building is an attached garage it is a part of the principal building and not an accessory building.
- (b) An accessory building shall not be used as a dwelling unit, except as otherwise allowed for in this bylaw.

8. Add to SECTION 12 SPECIAL LAND USE PROVISIONS:

(22) DECKS

- (a) The following applies to all decks:
- (i) No decks shall be located on or over any utility right-of-way or easement or any drainage right-of-way or easement;
- (ii) In a laneless subdivision, no deck shall encroach on a side yard providing access to the rear yard unless the design of the deck maintains access to the rear yard, or the principle dwelling includes an attached garage and all servicing of the property is from the front property line;
- (iii) The setbacks shall be measured from the outermost edges of the surface of the deck;
- (iv) 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;
- (v) Decks that are covered and/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;
- (vi) 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 (6.56 feet) high as measured from the surface of the deck to the top of the privacy wall; and
- (vii) 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.

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- (b) The following applies to all Low Level Decks:
 - (i) Low Level Decks may be built within 15cm of the side property line and up to the rear property line except in accordance with Section 22(a).
- (c) The following applies to all Raised Decks:
 - (i) Raised decks on corner lots shall not encroach into the sight triangle area; and
 - (ii) Raised Decks that are uncovered and unenclosed shall be setback 1.2m (4ft) from the side property line and 4.6m (15ft) from the rear property line.
- 9. Section 31 Commercial-Shopping Center District (C-3)
Add to (b) Discretionary Uses:
 - accessory building or structure
- 10. Section 38 Community Development District (COM)
Add to (b) Discretionary Uses:
 - accessory building or structure

March 26, 2018
Bylaw 2019

- 1. Repeal Bylaw No. 2004, which rezoned that portion of NE-36-83-22-5 from Residential-2 District (R-2) to Residential Manufactured (Mobile) Home Subdivision District (R-MHS) as shown in Schedule A.

June 25, 2018
Bylaw 2032

- 1. Section 2 Definitions
Add the definition of “Cannabis” as follows:
“CANNABIS” means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the *Cannabis Act* and its regulations, as amended from time to time.
- 2. Section 2 Definitions
Add the definition of “Cannabis Retail Sales” as follows:
“CANNABIS RETAIL SALES” means a retail store licensed by the Alberta Liquor and Gaming Commission (AGLC) where cannabis and cannabis accessories are sold to individuals who attend at the premises.
- 3. Section 2 Definitions
Add the definition of “Cannabis Production Facility” as follows:
“CANNABIS PRODUCTION FACILITY” means a premise used for growing, producing, testing, destroying, storing, or distribution of cannabis authorized by a license issued by Health Canada.
- 4. Section 13 Establishment of Districts
Update Subsection (4) Same and/or Similar Uses:
 - (4) The uses that are listed in the permitted uses and discretionary uses columns under the land use districts are not intended to be exclusive or restrictive. Where a specific use does not conform to the wording of any definition, the Municipal Planning Commission may, in their discretion, deem that the use conforms to and is included in that definition and/or land use district.

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Notwithstanding the above, the Development Authority having jurisdiction shall not deem that a use conforms to, and is included in, a definition if the proposed use is separately listed as a use in another district or is defined in the Definitions section of this bylaw

August 13, 2018
Bylaw 2038

1. Section 12 Special Land Use Provisions

Add Subsection (21) Cannabis Retail Sales as follows:

(21) Cannabis Retail Sales

- (a) The owner or applicant must obtain any other approval, permit, authorization, consent or licence that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
- (b) Cannabis Retail Sales shall not be located within 100 metres from:
 - i. a private or public school; or
 - ii. a provincial health care facility; or
 - iii. a public playground.
- (c) For the purposes of subsection 12(21)(b) only, a variance up to 10 metres 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.
- (d) The separation distance established in (21)(b) above and (21)(e) below between uses shall be measured from lot line to lot line.
- (e) Where a proposed Cannabis Retail Sales use is within 100 metres of an existing Cannabis Retail Sales use the potential cumulative impact of the uses on development within the area must be considered by the Development Authority in evaluating the application.
- (f) The development shall not operate in conjunction with another approved use.
- (g) Customer access to the store is limited to a store-front that is visible from the street. Mall access shall allow for clear visibility from the interior.
- (h) No customer parking shall be located at the rear of the Retail Sales building.
- (i) All parking areas in front of the building shall be well lit to the satisfaction of the Development Officer during operating hours.
- (j) Parking shall be provided in accordance with the minimum requirements under Section 11(9) Commercial Uses: Retail Shops.
- (k) When an application for a Cannabis Retail Sales as a discretionary use is received and/or an associated variance application is received, the Development Authority shall notify all landowners

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within a 50 metre radius, measured from property line to property line to ensure that neighbouring landowners have the opportunity to provide comment on the application prior to the decision being made.

- i. The notification must contain notice of the time and date of the Municipal Planning Commission meeting and a method to provide written feedback.
 - ii. Notification must be received a minimum of 3 working days prior to the application being presented at a Municipal Planning Commission meeting.
 - iii. 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.
- (l) The Development Authority having jurisdiction shall impose a condition on any Development Permit issued for Cannabis Retail Sales that the development shall not commence until authorized by, and compliant with, any superior legislation including any Provincial and Federal Statutes.

2. Section 12 Special Land Use Provisions

Add Subsection (22) Cannabis Production Facility as follows:

(22) Cannabis Production Facility

- (a) The owner or applicant must provide as a condition of development a copy of the current licence for all activities associated with cannabis production as issued by the Federal Government.
- (b) The owner or applicant must obtain any other approval, permit, authorization, consent or licence that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
- (c) The development must be done in a manner where all of the processes and functions are fully enclosed within a stand-alone building including all loading stalls and docks, and garbage containers and waste material.
- (d) The development shall not include an outdoor area for storage of goods, materials or supplies.
- (e) The development shall not operate in conjunction with another approved use.
- (f) The development 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.
- (g) The Development Officer may require, as a condition of a development permit, a waste management plan, completed by a qualified professional, which includes but is not limited to, details on:
 - i. the incineration of waste products and airborne emissions, including smell;
 - ii. the quantity and characteristics of liquid and waste material discharged by the facility; and
 - iii. the method and location of collection and disposal of liquid and waste material discharged by the facility.

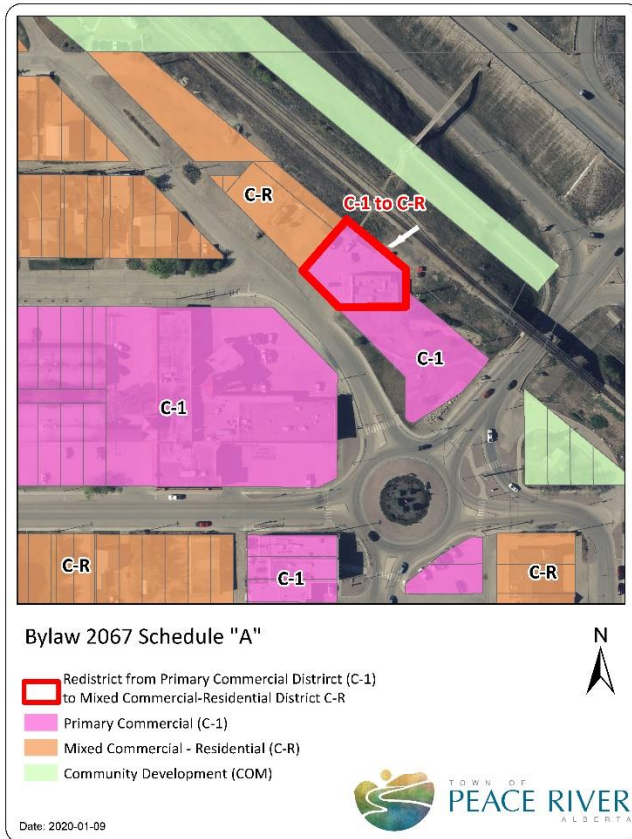
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- (h) Parking shall be provided in accordance with the minimum requirements under Section 11(9) Industrial: Manufacturing and Industrial Plants, Warehousing, Wholesale and Storage Buildings and Yards, Servicing and Repair Establishments and Public Utility Building
 - (i) The Development Authority having jurisdiction shall impose a condition on any Development Permit issued for Cannabis Production Facility that the development shall not commence until authorized by, and compliant with, any superior legislation including any Provincial and Federal Statutes.
- 3. Section 29 Primary Commercial District (C-1)
Add to (a) Permitted Uses
Cannabis Retail Sales
- 4. Section 34 Riverfront Development District (R-D)
Add to (a) Permitted Uses
Cannabis Retail Sales
- 5. Section 33 Mixed Commercial-Residential Centre District (C-R)
Add to (b) Discretionary Uses
Cannabis Retail Sales
- 6. Section 30 Highway Commercial District (C-2)
Add to (b) Discretionary Uses
Cannabis Retail Sales
- 7. Section 31 Commercial – Shopping Centre District (C-3)
Add to (b) Discretionary Uses
Cannabis Retail Sales
- 8. Section 35 Light Industrial District (M-1)
Add to (b) Discretionary Uses
Cannabis Production Facility
- 9. Section 36 Light Industrial District (M-1A)
Add to (b) Discretionary Uses
Cannabis Production Facility
- 10. Section 37 Mixed Industrial-Business District (M-IB)
Add to (b) Discretionary Uses
Cannabis Production Facility

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February 10, 2020
Bylaw 2067

1. Redistrict Plan 3585RS, Lot G from the Primary Commercial District (C-1) to the Mixed Commercial-Residential District (C-R) as shown in Schedule "A".
2. Section 33 Mixed Commercial-Residential District (C-R)
Remove "drive-thru restaurant" as a permitted use and add "drive-thru restaurant" as a discretionary use.
3. Section 34 Riverfront Development District (R-D)
Remove "drive-thru restaurant" as a permitted use and add "drive-thru restaurant" as a discretionary use.



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June 8, 2020
Bylaw 2072

1. Redistrict Plan 5255BD, Block 2, Lot 5 from the Mixed Commercial-Residential District (C-R) to the Community Development District (COM) as shown in Schedule "A".



Bylaw 2072 Schedule "A"

- Mixed Commercial-Residential District to Community District
- Community Development (COM)
- Mixed Commercial - Residential (C-R)
- Primary Commercial (C-1)
- Riverfront Development (R-D)



September 28, 2020
Bylaw 2077

1. Section 29 Primary Commercial District (C-1)
Add "funeral services" as a discretionary use.
2. Section 30 Highway Commercial (C-2)
Add "funeral services" as a discretionary use.
3. Section 31 Highway Commercial (C-3)
Add "funeral services" as a discretionary use.
4. Section 34 Riverfront Development District (R-D)
Add "funeral services" as a discretionary use.

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5. Section 35 Light Industrial District (M-1)
Add “funeral services” as a discretionary use.
6. Section 36 Mixed Industrial District (M-1B)
Add “funeral services” as a discretionary use.

December 14, 2020
Bylaw 2079

1. Redistrict Plan 7920666, Block A, Lot 4 from the Mixed Commercial-Residential District (C-R) to the Community Development District (COM) as shown in Schedule “A”.



April 12, 2021
Bylaw 2090

1. Section 2 Definitions, add:
“MANUFACTURING, ARTISANAL OR CUSTOM” means development providing for small-scale on-site indoor production of finished products or parts primarily involving hand-tools, mechanical tools, or electronic tools, or with restricted levels of automation, producing little to no adverse impacts beyond the building, such as vibration, noise, or fumes. The processes involved may include design, processing, fabrication, assembly, treatment, or packaging of products.

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Typical uses include but are not limited to the manufacture of specialty food or beverage products, toys or musical instruments, electronic goods, textiles, leather products; jewelry and clothing/apparel; printmaking; metal work; furniture; glass or ceramic production; paper manufacturing. This use may include innovation and incubation spaces. This use may include accessory retail sales, educational programming, or product sampling.

2. Add to Section (12)

(25) MANUFACTURING, ARTISANAL OR CUSTOM

- (a) In the C-1, R-D, and C-R land use districts:
 - (i) the development must include a store front being manufactured for the sale of the product to the general public.
 - (ii) the development 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.
 - (iii) The related uses may include but are not limited to a retail store, an eating or drinking establishment, and/or a liquor store, provided the use(s) is listed in the relevant district and the proposal meets the regulations for that use.
 - (iv) The development should not require or should minimize the impact of exterior changes to the building that increase the “industrial” nature of the building.
- (b) In the M-1, and M-IB land use district:
 - (i) the development may include a store front for the sale of the product(s) being manufactured to the general public provided the store front is limited to no more than twenty-five percent of the square footage of the manufacturing operation, to ensure that the store front remains accessory to the principal manufacturing use.
 - (ii) the development 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 an eating or drinking establishment, and/or a liquor store.
- (c) A Development Permit application must include the following information:
 - (i) A description of the manufacturing process, including inputs, outputs and by-products (such as heat, noise, or smell) of the process.
 - (ii) 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.
- (d) A Development Permit application may be required to include an emissions, noise, odour, traffic, and/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.
- (e) The Development Authority may set conditions through the development permit to mitigate any impacts or set appropriate standards for the development.
- (f) The minimum off-street parking requirements for a “manufacturing, artisanal or custom” development is provided for in Section 11 (9)(a). Each related or accessory use must also meet its off-street parking requirements.

TOWN OF PEACE RIVER
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3. Section 11(9)(a), list “manufacturing, artisanal or custom” with “brewery, winery and/or distillery” in the Minimum Parking Requirements table to establish a minimum parking requirement of 1 space/139.35 square metres (1,500 square feet) of floor area dedicated to manufacturing and packaging, and 2 spaces/store front, with a minimum of 4 spaces.
4. Section 29 Primary Commercial District (C-1)
Add “manufacturing, artisanal or custom” as a permitted use.
5. Section 33 Mixed Commercial-Residential District (C-R)
Add “manufacturing, artisanal or custom” as a discretionary use.
6. Section 34 Riverfront Development District (R-D)
Add “manufacturing, artisanal or custom” as a permitted use.
7. Section 35 Light Industrial District (M-1)
Add “manufacturing, artisanal or custom” as a discretionary use.
8. Section 36 Mixed Industrial District (M-1B)
Add “manufacturing, artisanal or custom” as a permitted use.
9. Section 6 (2) (b) Replace with the following:
A development permit is automatically effective twenty-one (21) calendar days after its issuance unless an appeal is lodged with the Subdivision and Development Appeal Board.
10. Section (12)
Renummer (21) CANNABIS RETAIL SALES and (22) CANNABIS PRODUCTION FACILITY as (23) and (24) respectively.

August 9, 2021
Bylaw 2106

1. Redistrict
ALL THAT PORTION OF THE FRACTIONAL NORTH EAST QUARTER OF
SECTION THIRTY (30)
TOWNSHIP EIGHTY THREE (83)
RANGE TWENTY ONE (21)
WEST OF THE FIFTH MERIDIAN, WHICH LIES TO THE WEST OF THE LEFT BANK OF THE PEACE
RIVER, AND SOUTH AND EAST OF THE RIGHT OF WAY OF THE NORTHERN ALBERTA RAILWAYS
COMPANY'S RAILWAY, AS SHOWN ON RAILWAY PLAN 1373CL AND WHICH IS NOT INCLUDED
WITHIN THE LIMIT OF THE ADDITION TO SHAFTSBURY SETTLEMENT, AS SHOWN ON A PLAN OF
SURVEY OF THE NORTH WEST QUARTER OF THE SAID TOWNSHIP SIGNED AT OTTAWA ON THE
12TH DAY OF JUNE, A.D. 1913, CONTAINING 18.5 HECTARES (45.70 ACRES) MORE OR LESS
EXCEPTING THEREOUT:

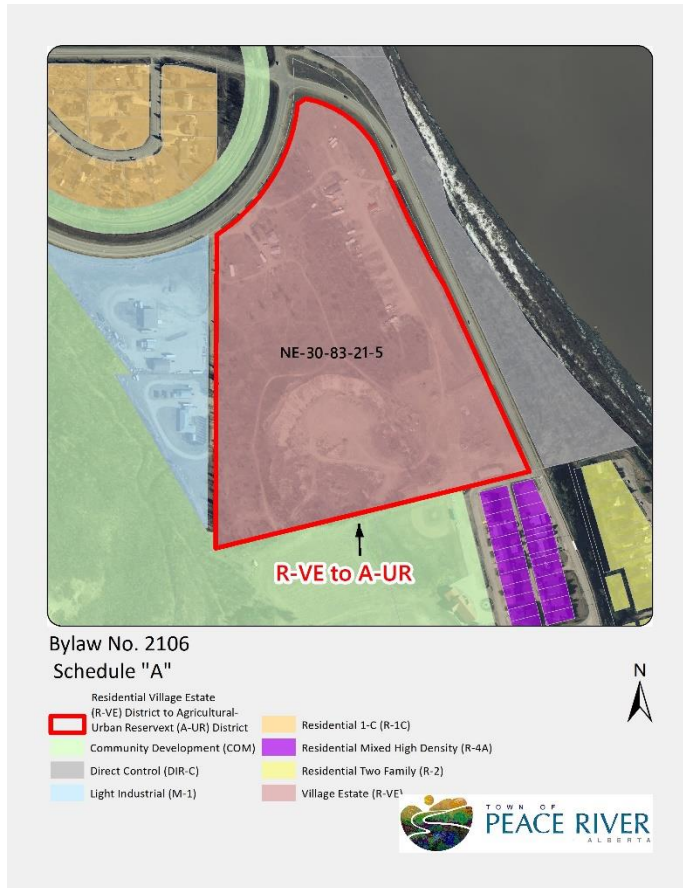
(A) 0.668 HECTARES (1.65 ACRES) MORE OR LESS, FOR ROAD, AND 1.24 HECTARES (3.07 ACRES)
MORE OR LESS, FOR CONNECTING ROAD, BOTH AS SHOWN ON ROAD PLAN 1552LX

(B) 0.609 HECTARES (1.50 ACRES) MORE OR LESS AS SHOWN ON ROAD PLAN 8320039

EXCEPTING THEREOUT ALL MINES AND MINERALS

TOWN OF PEACE RIVER
LAND USE BYLAW NO. 1891 – OFFICE CONSOLIDATION

from the Residential – Village Estate District (R-VE) to the Agricultural-Urban Reserve District (A-UR) as shown in Schedule "A"

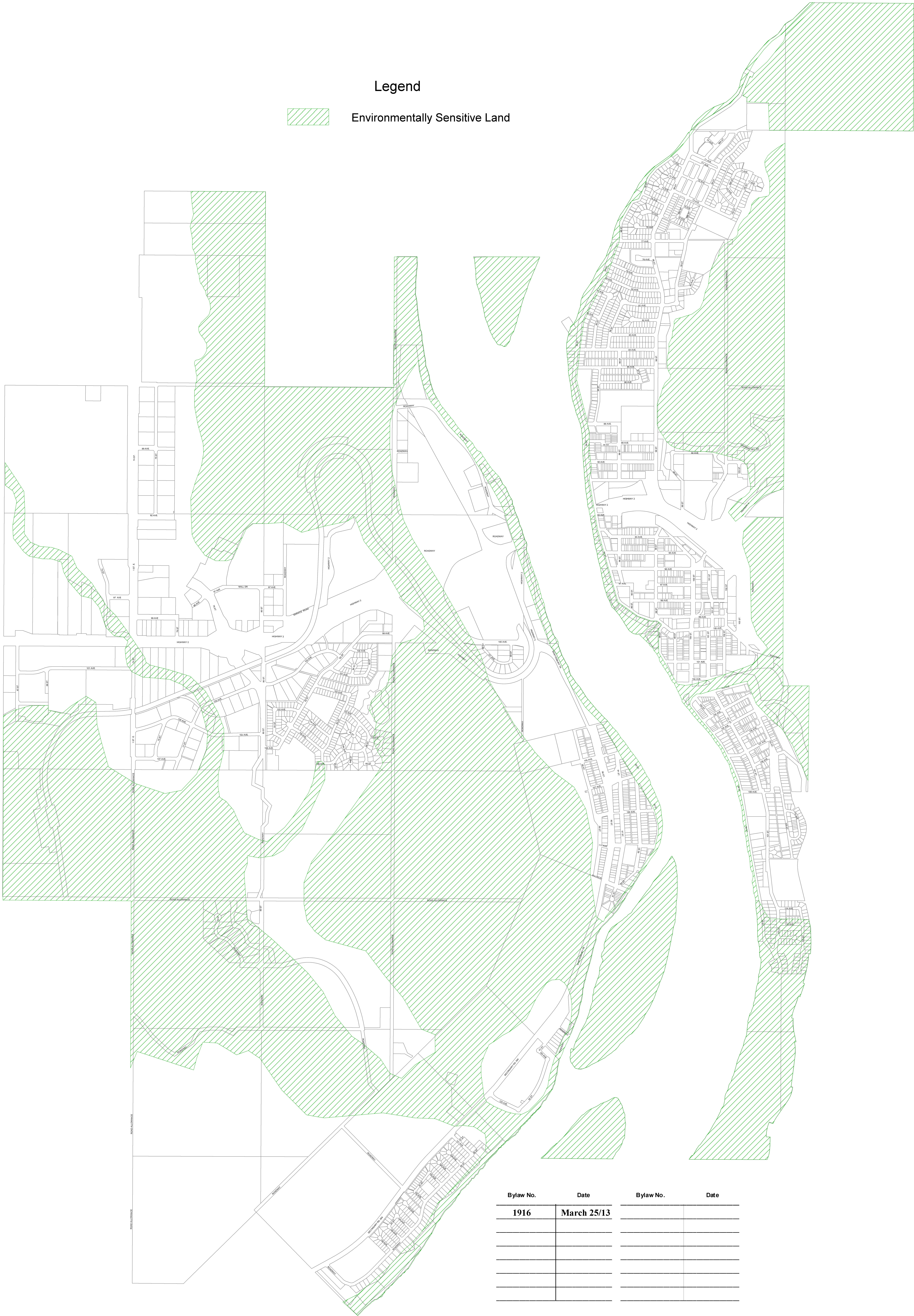


SCHEDULE D ENVIRONMENTALLY SENSITIVE LANDS ZONING OVERLAY SCHEDULE

(Map inserted behind this page)

Legend

 Environmentally Sensitive Land



Bylaw No.	Date	Bylaw No.	Date
1916	March 25/13		

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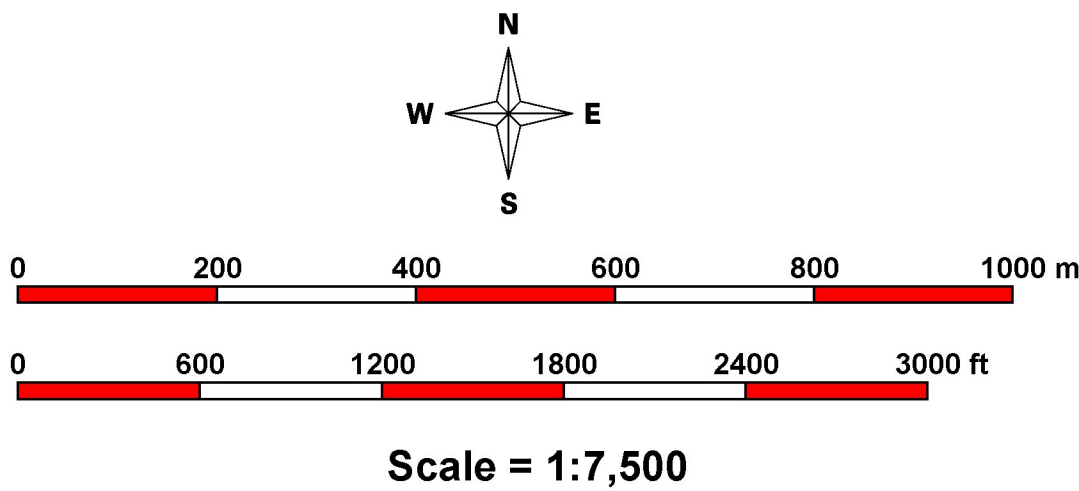
Compiled from the Rural Cadastral Digital Base April 27, 2009

NOT RESPONSIBLE FOR ERRORS OR OMISSIONS

Adopted by Council this 9th day of October, 2012

Original Signed By _____
MAYOR

Original Signed By _____
ACTING CHIEF ADMINISTRATIVE OFFICER



Land Use Bylaw No. 1891

ENVIRONMENTALLY SENSITIVE
LANDS

Projection: N83-3TM-117

9911-100 Street
Peace River, Alberta
Phone: (780) 624-2574
Fax: (780) 624-4664

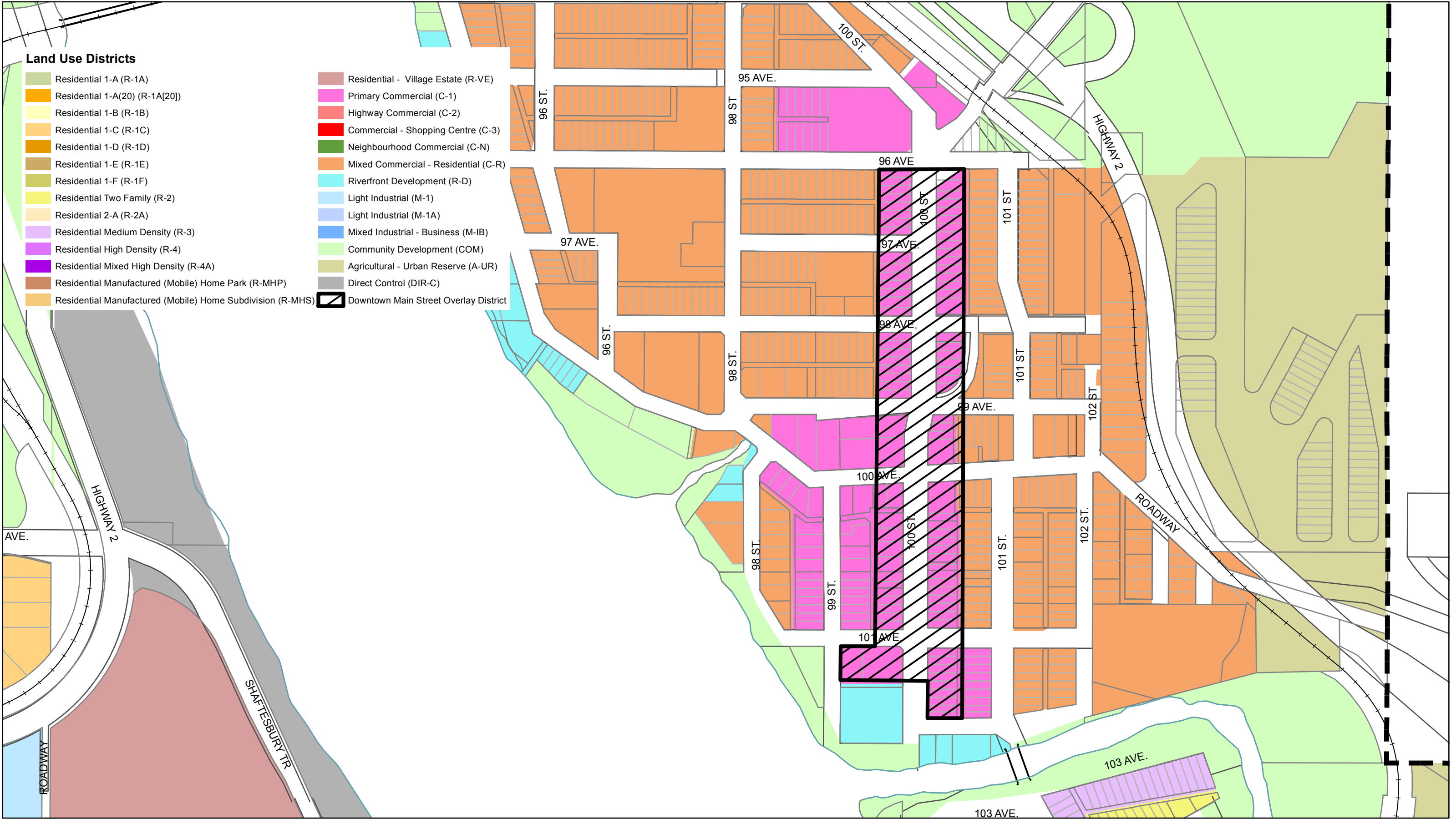
Date: October 9, 2012

SCHEDULE E

PROPOSED OVERLAY DISTRICTS

- Downtown Main Street District

(Map inserted behind this page)



SCHEDULE F

LAND USE ZONING MAP

(Map inserted behind this page)



Land Use Bylaw No. 1891

Land Use Districts Map

Adopted by Council this 9th day of October, 2012
Last Amended: August 11th, 2021

Original Signed By:
MAYOR: Tom Tarpey

Original Signed By:
CHIEF ADMINISTRATIVE OFFICER: Christopher J. Parker

Bylaw No.	Date	Bylaw No.	Date
1916	March 25, 2013	2011	September 11, 2017
1944	January 6, 2014	2005	October 10, 2017
1948	June 9, 2014	2019	March 26, 2018
1957	April 13, 2015	2067	February 10, 2020
1959	May 13, 2015	2072	June 8, 2020
1994	February 27, 2017	2079	December 16, 2021
1998	May 23, 2017	2106	August 9, 2021
2004	September 11, 2017		

9911-100 Street
Peace River, Alberta
Phone: (780) 624-2574
Fax: (780) 624-4664

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