

NANTON



Land Use Bylaw No. 1246/13

June 17, 2013

Consolidated to Bylaw No. 1375/23, October 2023



Prepared for the Town of Nanton



By the



OLDMAN RIVER REGIONAL SERVICES COMMISSION

**BYLAW NO. 1246/13
OF THE
TOWN OF NANTON**

**A BYLAW OF THE MUNICIPALITY OF THE TOWN OF NANTON IN THE PROVINCE OF ALBERTA
TO ADOPT A NEW LAND USE BYLAW FOR THE MUNICIPALITY.**

1. PURPOSE:

- 1.1 WHEREAS, Section 639 of the Municipal Government Act of the Province of Alberta requires that every municipality must pass a land use bylaw; and
- 1.2 WHEREAS, Council has held a public hearing in accordance with the requirements of the Municipal Government Act;
- 2.1 NOW THEREFORE, the Council of the Municipality of the Town of Nanton in the Province of Alberta duly assembled enacts as follows:

2. ENACTMENT:

- 2.1 Bylaw No. 1246/13, attached as per Schedule "A", is hereby adopted.

3. INTERPRETATION:

- 3.1 This Bylaw will be cited as the "Town of Nanton Land Use Bylaw";

4. EFFECTIVE DATE AND READINGS:

- 4.1 Bylaw No. 1151/04, being the former Land Use Bylaw, and amendment Bylaw Nos. 1167, 1170, 1173, 1174, 1176, 1178, 1182, 1186, 1188, 1190, 1201, 1203, 1206, 1211, 1215, 1222 and 1239 are hereby repealed.
- 4.2 This Bylaw comes into effect upon date of final reading and signing thereof.
- 4.3 READ a first time this 1st day of April, 2013.

TOWN OF NANTON


CHIEF ELECTED OFFICIAL


CHIEF ADMINISTRATIVE OFFICER

4.3 READ a second time this 3rd day of June, 2013.

TOWN OF NANTON



CHIEF ELECTED OFFICIAL



CHIEF ADMINISTRATIVE OFFICER

4.4 READ a third time and finally PASSED this 17th day of June, 2013

TOWN OF NANTON



CHIEF ELECTED OFFICIAL



CHIEF ADMINISTRATIVE OFFICER

Town of Nanton Land Use Bylaw No. 1246/13 – Amendments

Bylaw No.	Amendment Description	Legal Description	Passed
1250/13	Revisions to correct clerical, technical, grammatical or typographical errors		16-Sep-2013
1264/15	“Single Detached Residential – R1” to “Two-Unit Residential – R2”	Lots 14-18 & portion of Lot 13, Block 84, Plan 0715724; and Lots 21-25, Block 84, Plan 0715728 all within SE 16-16-28-W4M	1-Feb-2016
1267/16	“Retail/General Commercial – C1” to “Single Detached Residential – R1”	Lot 3, Block 6, Plan 959J	Defeated at first reading
1268/16	“Direct Control – DC1” to “Multiple Residential – R3”	Lot 16, Block 82, Plan 0810414 within SE 16-16-28-W4M	6-Jun-2016
1271/16	“Retail/General Commercial – C1” to “Single Detached Residential – R1”	Lot 18, Block 6, Plan 959J	18-Jul-2016
1277/16	“Highway Commercial – C2” to “Public Institutional – PI”; No zoning to “Public Institutional – PI”; No zoning to “Highway Commercial – C2”; Add “Public or private utility” as a permitted use in Schedule 1, Section 2.10 and the Schedule 2 Use Table 2.2.1	Portion of Lot 8, Block 1, Plan 8810219; Portion of Service Road, Plan 7710010; Portion of Service Road, Plan 7710010	19-Sep-2016
1279/16	“Retail/General Commercial – C1” to “Residential Mixed-Use – R5” Add a new “Residential Mixed-Use – R5” district and other related text amendments	Portion of Lot 12 & Lots 13-23, Block 1, Lots 11-15 & 20-24, Block 2 and Lots 20 & 22-24, Block 3 all within Plan 43621 Lot 18 & a portion of Lot 17, Block 5, Plan 959J and Lots 3, 8 & 9, Block 6, Plan 959J within Sec 15, Twp. 16, Rge. 28, W4M	6-Mar-2017
1291/17	“Retail/General Commercial – C1” to “Residential Mixed-Use – R5” Revise several dwelling definitions in Schedule 2 and Table 3.4.1: Floor Area, Site Coverage and Building Height in Schedule 3	Lot 21, Block 3 within Plan 43621 within Sec. 15, Twp. 16, Rge. 28 W4M	19-Jun-2017
1296/17	“Retail - General Commercial – C-1” to “Industrial – IN”	W½ of Lot 12 and all of Lot 13, Block 37, Plan 6864FU	2-Oct-2017
1297/17	“Retail – General Commercial – C1” to “Highway Commercial – C2”	Lots 1-4 and the south 16 feet throughout of Lot 5, Block 1, Plan 43621	6-Nov-2017
1301/18	“Retail – General Commercial – C1” to “Highway Commercial – C2”	SW 7 ft. throughout of Lot 16 and all of Lot 17, Block 37, Plan 6864FU	23-Apr-2018
1305/18	Various text amendments to accommodate cannabis related uses in the bylaw in accordance with Federal and Provincial legislation		4-Sep-2018
1308/18	“Single Detached Residential – R1” to “Industrial – IN”	Portion of NW 15-16-28-W4M	5-Nov-2018
1309/18	Text amendments to incorporate changes related to the Modernized Municipal Government Act, amending legislation to the Municipal Government Act		5-Nov-2018
1330/19	“Public Institutional – PI” to “Industrial – IN”	Portion of SE 15-16-28-W4M	18-Nov-2019
1338/20	Various text amendments to broaden the current list of allowable uses in the C1, C2, C3, IN, PI and AT districts		4-May-2020

Bylaw No.	Amendment Description	Legal Description	Passed
1348/21	"Single Detached Residential - R1" to "Residential-Mixed Use - R5". Uses specific to 1613 26 Avenue.	Ptn. Parcel C, Plan 26981C within NE 16-16-28 W4M	21-June-2021
1359/21	Addition of Moved-in dwelling as a discretionary use within the Residential Mixed-Use - R5, Land Use District		6-Dec-2021
1361/22	Amend Schedule 1, Section 2.8 Neighbourhood Commercial – C3 Land Use Districts Intent and Use Listing. Amend Table 2.2.1 to amend uses in the C3 Land Use District column and move "Medical/Health Facility" from Commercial – Retail Sales and Services to Public – Community Service.		17-Oct-2022
1375/23	"Public Institutional – PI" to "Agricultural Transitional – AT" and "Multiple Residential – R3" to "Agricultural Transitional – AT"	NE ¼ 16-16-28-W4M	2-Oct-2023

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Subdivision and Development Authority Bylaw 1248/13

TOWN OF NANTON

LAND USE BYLAW NO. 1246/13

ADMINISTRATION

GENERAL

SECTION 1 TITLE

- 1.1 This bylaw may be cited as the “Town of Nanton Land Use Bylaw.”

SECTION 2 PURPOSE

- 2.1 The purpose of this bylaw is to, amongst other things:
- (a) divide the municipality into districts;
 - (b) prescribe and regulate the use(s) for each district;
 - (c) establish a method for making decisions on applications for development permits and issuing development permits for a development;
 - (d) provide the manner in which notice of the issuance of a development permit is to be given; and
 - (e) implement the Town of Nanton Municipal Development Plan and other statutory plans of the municipality, as may be developed.

SECTION 3 EFFECTIVE DATE

- 3.1 This bylaw shall come into effect upon third and final reading thereof.

SECTION 4 REPEAL OF FORMER BYLAW

- 4.1 Town of Nanton Land Use Bylaw No. 1151/04 and amendments thereto are hereby repealed.

SECTION 5 SEVERABILITY

- 5.1 If any provision of this bylaw is held to be invalid by a decision of a court of competent jurisdiction, that decision will not affect the validity of the remaining portions.

SECTION 6 COMPLIANCE WITH THE LAND USE BYLAW

- 6.1 No development, other than those designated in Schedule 4 of this bylaw (Development Not Requiring a Development Permit), shall be undertaken within the Town unless a development application has been approved and a development permit has been issued.

- 6.2 Notwithstanding subsection 6.1, while a development permit may not be required pursuant to Schedule 4, development shall comply with all regulations of this bylaw.

SECTION 7 COMPLIANCE WITH OTHER LEGISLATION

- 7.1 Compliance with the requirements of this bylaw does not exempt any person undertaking a development from complying with all applicable municipal, provincial or federal legislation, and respecting any easements, covenants, agreements or other contracts affecting the land or the development.

SECTION 8 RULES OF INTERPRETATION

- 8.1 Unless otherwise required by the context, words used in the present tense include the future tense; words used in the singular include the plural; and the word person includes a corporation as well as an individual. The *Interpretation Act, Chapter I-8, RSA 2000 as amended*, shall be used in the interpretation of this bylaw. Words have the same meaning whether they are capitalized or not.
- 8.2 The written regulations of this bylaw take precedence over any graphic or diagram if there is a perceived conflict.
- 8.3 The Land Use Districts Map takes precedence over any graphic or diagram in the district regulations if there is a perceived conflict.
- 8.4 All references to engineering requirements shall be prepared by an engineer registered with The Association of Professional Engineers and Geoscientists of Alberta (APEGA).

SECTION 9 MEASUREMENTS AND STANDARDS

- 9.1 All units of measure contained within this bylaw are metric (SI) standards. Imperial measurements and conversions are provided for information only.

SECTION 10 FORMS, FEES AND NOTICES

- 10.1 For the purposes of administering the provisions of this bylaw, Council may authorize by separate resolution or bylaw as may be applicable, the preparation and use of such fee schedules, forms or notices as in its discretion it may deem necessary. Any such fee schedules, forms or notices are deemed to have the full force and effect of this bylaw in execution of the purpose for which they are designed, authorized and issued.
- 10.2 Application forms, fees and notices are included in Appendix A.
- 10.3 Refund of application fees requires approval of the Town Council.
- 10.4 In any case, where the required fee is not listed in the fee schedule, such fee shall be determined by the Development Officer or Municipal Planning Commission and shall be consistent with those fees listed in the schedule for similar developments.

- 10.5 If development is commenced without a valid development permit an additional fee, in the amount prescribed under the fee schedule, shall be payable upon application for the development permit.

SECTION 11 APPENDICES

- 11.1 Appendix A and B attached hereto are for information purposes only and may be amended from time to time as they do not form part of the Town of Nanton Land Use Bylaw.

APPROVING AUTHORITIES

SECTION 12 DEVELOPMENT AUTHORITY

- 12.1 The Development Authority is established in accordance with the Town of Nanton Subdivision and Development Authority Bylaw.
- 12.2 In the absence of the Development Officer, the following are authorized to act in the capacity of Development Officer:
- (a) Municipal Planning Commission;
 - (b) Chief Administrative Officer; or
 - (c) a designate(s) in accordance with the *Municipal Government Act (Act)*.
- 12.3 The Development Officer is an authorized person in accordance with Section 624 of the *Act*.
- 12.4 The Development Authority shall perform such powers and duties as are specified:
- (a) in the Town of Nanton Municipal Subdivision and Development Authority Bylaw;
 - (b) in this bylaw;
 - (c) in the *Act*;
 - (d) where applicable, by resolution of Council.
- 12.5 Council shall be the decision maker within any Direct Control District, unless specifically delegated by bylaw to the Municipal Planning Commission or the Designated Officer acting in the capacity of Development Officer, or another designate(s).

SECTION 13 SUBDIVISION AUTHORITY

- 13.1 The Subdivision Authority is authorized to make decisions on applications for subdivisions pursuant to the Subdivision Authority Bylaw, and may exercise only such powers and duties as are specified:
- (a) in the municipality's Subdivision and Development Authority Bylaw;
 - (b) in this bylaw; or

(c) by resolution of Council.

13.2 The Subdivision Authority may delegate, through any of the methods described in subsection 13.1 above, to any individual, municipal staff, or a regional services commission, any of its required functions or duties in the processing of subdivision applications. In respect of this:

- (a) the delegation of duties by the Subdivision Authority may include the authorized entity being responsible for determining the completeness of a submitted subdivision application;
- (b) the Subdivision Authority delegate is authorized to carrying out the application process with subdivision applicants as described in the Subdivision Application Rules and Procedures section of the bylaw, including the task of sending all required notifications to applicants as stipulated.

SECTION 14 DEVELOPMENT OFFICER – POWERS AND DUTIES

14.1 The office of the Development Officer is hereby established and such office shall be filled by one or more persons as appointed by resolution of Council.

14.2 The Development Officer:

- (a) shall receive and process all applications for development permits and determine whether a development permit application is complete in accordance with Section 28;
- (b) shall maintain for the inspection of the public during office hours, a copy of this bylaw and all amendments thereto and ensure that copies of the same are available for public purchase;
- (c) shall also establish and maintain a register in which shall be recorded the application made for a development permit and the decision made on the application, and contain any such other information as the Municipal Planning Commission considers necessary;
- (d) shall consider and decide on applications for a development permit for:
 - (i) permitted uses that comply with this Land Use Bylaw;
 - (ii) permitted uses that request one (1) variance of a measurable standard not to exceed twenty-five percent (25%) excluding height;
 - (iii) permitted uses on existing registered lots where the Municipal Planning Commission granted a variance(s) to the minimum lot width, length or area requirements as part of a subdivision approval;
 - (iv) discretionary uses identified under “Discretionary Uses Development Officer” in the applicable land use district;
 - (v) discretionary uses identified under “Discretionary Uses Development Officer” that request one limited variance of a measurable standard not to exceed twenty-five percent (25%) excluding height;
 - (vi) landscaping;
 - (vii) fences, walls or other types of enclosures; and

- (viii) demolition;
- (e) shall refer to the Municipal Planning Commission all development permit applications for which decision making authority has not been assigned to the Development Officer;
- (f) may refer any development application to the Municipal Planning Commission for a decision and may refer any other planning or development matter to the Municipal Planning Commission for its review, comment or advice;
- (g) shall notify adjacent landowners and any persons who are likely to be affected by a proposed development in accordance with Section 35 of this bylaw;
- (h) shall receive, review, and refer any applications to amend this bylaw to Council;
- (i) shall issue the written notice of decision and where approved the development permit on all development permit applications and any other notices, decisions or orders in accordance with this bylaw;
- (j) may receive and consider and decide on requests for time extensions for Development Permits which the Development Officer has approved and shall refer to the Municipal Planning Commission those requests which the Municipal Planning Commission has approved;
- (k) shall provide a regular report to the Municipal Planning Commission summarizing the applications made for a development permit and the decision made on the applications, and any other information as the Municipal Planning Commission considers necessary;
- (l) shall perform any other powers and duties as are specified in this bylaw, the Municipal Planning Commission Bylaw, the *Act* or by resolution of Council; and
- (m) shall refer all development applications in a Direct Control District to Council for a decision, unless Council has specifically delegated approval authority to the Development Officer or the Municipal Planning Commission.

SECTION 15 MUNICIPAL PLANNING COMMISSION

- 15.1 The Municipal Planning Commission may exercise only such powers and duties as are specified in the *Act*, the Municipal Planning Commission Bylaw, this bylaw, or by resolution of Council.
- 15.2 The Municipal Planning Commission shall be responsible for:
 - (a) considering and deciding upon development permit applications referred to it by the Development Officer;
 - (b) providing recommendations on planning and development matters referred to it by the Development Officer or Council;
 - (c) considering and deciding upon requests for time extensions on development permit applications referred to it by the Development Officer;
 - (d) considering and deciding upon applications for subdivision approval;
 - (e) processing condominium certificates; and

- (f) any other powers and duties as are specified in this bylaw, the Municipal Planning Commission Bylaw, the *Act* or by resolution of Council.

SECTION 16 COUNCIL

- 16.1 Council shall be responsible for considering and deciding upon requests for time extensions on subdivision approvals in accordance with Section 657 of the *Act*.
- 16.2 Council shall be responsible for considering development permit applications within any Direct Control District, except where the decision making authority has been delegated to the Municipal Planning Commission or the Development Officer.
- 16.3 Council shall be responsible for considering all proposed amendments to this bylaw as outlined in Sections 49 and 51.

SECTION 17 SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB)

- 17.1 The SDAB is established by separate bylaw pursuant to the *Act*, and may exercise such powers and duties as are specified in this bylaw, the *Act* and the Subdivision and Development Appeal Board Bylaw.

DEVELOPMENT IN GENERAL

SECTION 18 LAND USE DISTRICTS

- 18.1 The Town of Nanton is divided into those land use districts described in Schedule 1 and shown on the Land Use District Map.
- 18.2 The one or more uses of land or buildings that are:
 - (a) permitted uses in each district; or
 - (b) discretionary uses in each district;are described in Schedule 2 – Use Table 2.2.1.
- 18.3 A land use that is not listed as a permitted or discretionary use but which is reasonably similar in character and purpose to a permitted or discretionary use in that district may be deemed a similar use by the Development Authority in accordance with Section 32 Similar Use.
- 18.4 A land use not listed as a permitted or discretionary use or not deemed a similar use in a district is a prohibited use and shall be refused.

SECTION 19 SUITABILITY OF SITES

- 19.1 Notwithstanding that a use of land may be permitted or discretionary or considered similar in nature to a permitted or discretionary use in a land use district, the Development Authority, as applicable, may refuse to approve a subdivision or issue a

development permit if the Development Authority is made aware of or if in their opinion, the site of the proposed building or use is not safe or suitable based on the following:

- (a) does not have safe legal and physical access to a maintained road in accordance with the Land Use Bylaw, other municipal requirements or those of Alberta Transportation if within 300.0 m (984 ft) of a provincial highway or 800.0 m (2,625 ft) from the centre point of an intersection of a controlled highway and a public road;
- (b) has a high water table or soil conditions which make the site unsuitable for foundations or sewage disposal systems in accordance with the provincial regulations;
- (c) is situated on an unstable slope;
- (d) consists of unconsolidated material unsuitable for building;
- (e) does not comply with the requirements of the Provincial Land Use Policies, Regional Plan, Subdivision and Development Regulation or any other applicable Statutory Plans;
- (f) is situated over an active or abandoned coal mine or oil or gas well or pipeline;
- (g) is unsafe due to contamination by previous land uses;
- (h) does not meet the minimum setback requirements from a sour gas well or bulk ammonia storage facility;
- (i) does not have adequate water and sewer provisions;
- (j) does not meet the lot size or setback requirements or other applicable standards or requirements of the Town of Nanton Land Use Bylaw;
- (k) is subject to any easement, caveat, restrictive covenant or other registered encumbrance which makes it impossible to build on the site.

- 19.2 Nothing in this section shall prevent the Development Officer or Municipal Planning Commission, as applicable, from issuing a development permit if the Development Officer or Municipal Planning Commission is satisfied that there is no risk to persons or property or that these concerns will be met by appropriate engineering measures or other mitigating measures and approvals from provincial or federal agencies have been obtained, as applicable.

SECTION 20 NUMBER OF DWELLING UNITS ON A PARCEL

- 20.1 No more than one dwelling unit shall be constructed or located or caused to be constructed or located on a parcel except as provided for in the land use district for which the application is made (e.g. accessory dwelling, 2-unit dwellings, multi-unit dwellings, manufactured home park, secondary suite, as permitted in the applicable land use district).

SECTION 21 NON-CONFORMING BUILDINGS AND USES

- 21.1 A non-conforming building or use may only be continued in accordance with the conditions detailed in Section 643 of the Act.

SECTION 22 DEVELOPMENT ON NON-CONFORMING SIZED LOTS

- 22.1 Development on an existing registered non-conforming sized lot that does not meet the minimum requirements for lot length, width or area specified in the applicable land use district in Schedule 2 may be permitted at the discretion of the Municipal Planning Commission.
- 22.2 The Development Officer is authorized to permit development on existing registered non-conforming sized lots for permitted uses where the Municipal Planning Commission issued a variance(s) to the minimum requirements for lot length, width or area as part of a subdivision approval.

SECTION 23 NON-CONFORMING VARIANCES

- 23.1 The Municipal Planning Commission is authorized to exercise minor variance powers with respect to non-conforming buildings pursuant to Section 643(5)(c) of the *Act*.

SECTION 24 DEVELOPMENT AGREEMENTS

- 24.1 The Development Authority may require, with respect to a development that as a condition of issuing a development permit, the applicant enter into an agreement with the municipality, pursuant to Section 650(1) of the *Act*, to do any or all of the following:
- (a) to construct or pay for the construction of a road required to give access to the development;
 - (b) to construct or pay for the construction of a pedestrian walkway system to serve the development and connect with existing or proposed pedestrian walkway systems that serve adjacent development;
 - (c) to install or pay for the installation of public utilities, other than telecommunication systems or works, that are necessary to serve the development;
 - (d) to construct or pay for the construction of off-street, or other parking facilities and loading facilities;
 - (e) to pay an off-site levy or redevelopment levy;
 - (f) to give security to ensure that the terms of the agreement under this section are carried out.
- 24.2 The Subdivision Authority may require, with respect to a subdivision that as a condition of issuing an approval for a subdivision, the applicant enter into an agreement with the municipality, pursuant to Section 655(1)(b) of the *Act*.
- 24.3 An agreement referred to in this section may require the applicant for a development permit or subdivision approval to oversize improvements in accordance with Section 651 of the *Act*.
- 24.4 A municipality may register a caveat under the *Land Titles Act* with respect to an agreement under this section against the certificate of title for the land that is the subject of the development, or for the parcel of land that is the subject of the subdivision.

- 24.5 If a municipality registers a caveat under this section, the municipality must discharge the caveat when the agreement has been complied with.
- 24.6 As a condition of subdivision approval, all agreements may be registered concurrently by caveat onto individual lots being created.
- 24.7 The Developer shall be responsible for and within thirty (30) days of the presentation of an account, pay to the Town all legal and engineering costs, fees, expenses and disbursements incurred by the Town through its solicitors and engineers for all services rendered in connection with the preparation, fulfillment, execution and enforcement of the agreement.

DEVELOPMENT PERMIT RULES AND PROCEDURES

SECTION 25 DEVELOPMENT PERMIT – WHEN REQUIRED

- 25.1 Except as otherwise provided for in Schedule 4 (Development Not Requiring a Development Permit), all development shall be required to obtain a development permit.
- 25.2 In addition to meeting the requirements of this bylaw, it is the responsibility of the applicant to ascertain, obtain and comply with all other approvals and licenses that may be required by other federal, provincial or municipal regulatory departments or agencies.

SECTION 26 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

- 26.1 This subsection does not negate the requirement of obtaining all required permits, as applicable, under the *Safety Codes Act* and any other Provincial or Federal statute.
- 26.2 This subsection does not negate the requirement of obtaining a business license where required.
- 26.3 Developments not requiring a municipal development permit are listed in Schedule 4.
- 26.4 Signs not requiring a municipal development permit are listed in Schedule 8 Section 4.
- 26.5 If there is a question as to whether a development permit is required for a particular use, the matter shall be referred to the Municipal Planning Commission for a determination.

SECTION 27 DEVELOPMENT PERMIT APPLICATION

- 27.1 An application for a development permit shall be made to the Development Officer by submitting:
- (a) a completed development permit application, signed by the registered owner(s) or authorized by the owner pursuant to subsection 27.2;
 - (b) the prescribed fee;

- (c) a description of the existing and proposed use of the land, building(s) and structures and whether it is a new development, an alteration/addition, relocation or change of use and whether the use is temporary in nature;
- (d) a site plan acceptable to the Development Officer indicating:
 - (i) the location of all existing and proposed buildings and structures (including roof overhangs) and registered easements or rights-of-way, dimensioned to property lines and drawn to a satisfactory scale;
 - (ii) existing and proposed parking and loading areas, driveways, abutting streets, avenues and lanes, and egress and ingress;
 - (iii) where applicable, the location of existing and proposed utilities, wells, septic tanks, disposal fields, culverts and surface drainage patterns;
 - (iv) any additional information as may be stipulated in the standards of development;
 - (v) any such other information as may be required by the Development Officer or Municipal Planning Commission to evaluate an application including but not limited to: conceptual design schemes, landscaping plans, building plans, drainage plans, servicing and infrastructure plans, soil analysis, geotechnical reports or other reports regarding site suitability, Real Property Report, or a surveyors sketch;
- (e) a copy of the approval letter from the appropriate authority stating that the proposal complies with the architectural controls caveat;
- (f) color renderings or facsimile acceptable to the Development Authority showing the exterior elevations including height, horizontal dimensions and finishing materials of all buildings, existing and proposed;
- (g) documentation from the Alberta Energy Regulator (AER) identifying the presence or absence of abandoned oil and gas wells as required by the Subdivision and Development Regulation.

27.2 An application for a development permit must be made by the registered owner(s) of the land on which the development is proposed. An application may be made by a person who is not the registered owner of the land only with written consent of the owner(s). The Development Officer may request a current title documenting ownership and copies of any registered encumbrance, lien or interest registered on title.

SECTION 28 DETERMINATION OF COMPLETE DEVELOPMENT PERMIT APPLICATION

- 28.1 A Development Officer shall, within 20 days after the receipt of an application in accordance with Section 27 for a development permit, determine whether the application is complete.
- 28.2 An application is complete if, in the opinion of the Development Officer, the application contains the documents and other information necessary to review the application.

- 28.3 The time period referred to in subsection 28.1 may be extended by an agreement in writing between the applicant and the Development Officer.
- 28.4 If the Development Officer does not make a determination referred to in subsection 28.1 within the time required under subsection 28.1 or 28.3, the application is deemed to be complete.
- 28.5 If a Development Officer determines that the application is complete, the Development Officer shall issue to the applicant a written Notice of Completeness acknowledging that the application is complete, delivered by hand, mail or electronic means.
- 28.6 If the Development Officer determines that the application is incomplete, the Development Officer shall issue to the applicant a written notice indicating that the application is incomplete and specifying the outstanding documents and information to be provided, including but not limited to those required by Section 27. A submittal deadline for the outstanding documents and information shall be set out in the notice. A later date may be agreed on between the applicant and the Development Officer in writing to extend the deadline.
- 28.7 When the Development Officer determines that the information and documents required to be submitted under subsection 28.6 are complete, the Development Officer shall issue to the applicant a written Notice of Completeness acknowledging that the application is complete, delivered by hand, mail or electronic means.
- 28.8 If the required documents and information under subsection 28.6 have not been submitted to the Development Officer within the timeframe prescribed in the notice issued under subsection 28.6, the Development Officer shall return the application to the applicant accompanied by a written Notice of Refusal stating the application is deemed refused and the reasons for refusal.
- 28.9 Despite issuance of a Notice of Completeness under subsection 28.5 or 28.7, the Development Authority in the course of reviewing the application may request additional information or documentation from the applicant that the Development Authority considers necessary to review the application.

SECTION 29 PERMITTED USE APPLICATIONS

- 29.1 Upon receipt of a completed application for a development permit for a permitted use that conforms with this bylaw, the Development Officer:
- (a) shall approve a development permit with or without conditions; or
 - (b) may refer the application to the Municipal Planning Commission for a decision.
- 29.2 Upon receipt of a completed application for a permitted use that requests a limited variance not to exceed twenty-five percent (25%) of one measurable standard of this bylaw, the Development Officer:
- (a) may grant the limited variance not to exceed twenty-five percent (25%) of one measurable standard of this bylaw excluding height and approve the development

permit with or without conditions if in the opinion of the Development Officer, the variance would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; or

- (b) may refer the development application involving a request for a limited variance not to exceed twenty-five percent (25%) of one measurable standard of this bylaw to the Municipal Planning Commission for a decision; and
- (c) is not required to notify adjacent landowners or persons likely to be affected prior to issuance of a decision on a development permit granting a limited variance under this section.

29.3 Upon receipt of a completed application for a permitted use that requests more than one limited variance, a variance(s) exceeding twenty-five percent (25%) of any measurable standard of this bylaw, or a variance of any other bylaw provision the Development Officer shall refer the application to the Municipal Planning Commission for a decision pursuant to Section 34 (Applications Requesting Variance of Bylaw Provisions).

29.4 The Development Officer or the Municipal Planning Commission may place any of the following conditions on a development permit for a permitted use:

- (a) requirement for applicant to enter into a development agreement or deferred servicing agreement;
- (b) payment of any applicable off-site levy or redevelopment levy;
- (c) geotechnical investigation to ensure that the site is suitable in terms of topography, soil characteristics, flooding, subsidence, mass wasting and erosion;
- (d) alteration of a structure or building size or location to ensure any setback requirements of this Land Use Bylaw or the Subdivision and Development Regulation can be met;
- (e) any measures to ensure compliance with the requirements of this Land Use Bylaw or any other statutory plan adopted by the Town of Nanton;
- (f) easements and encroachment agreements;
- (g) provision of public utilities, other than telecommunications systems or works, and vehicular and pedestrian access;
- (h) repairs or reinstatement of original condition of any street furniture, curbing, sidewalk, boulevard landscaping and tree planting which may be damaged or destroyed or otherwise altered by development or building operations upon the site, to the satisfaction of the Development Officer or the Municipal Planning Commission;
- (i) to give security to ensure the terms of the permit approval under this section are carried out;
- (j) time periods stipulating completion of development;
- (k) requirement for a lot or construction stakeout conducted by an approved surveyor or agent;

- (l) any measures to ensure compliance with applicable federal, provincial or other municipal legislation and approvals;
- (m) the submission of an Environmental Impact Assessment;
- (n) obtain any other approval, permit, authorization, consent or license that may be required to develop or service the affected land.

SECTION 30 DISCRETIONARY USE APPLICATIONS

- 30.1 Upon receipt of a completed application for a development permit for a discretionary use for which the Development Officer is authorized to decide upon (listed as Discretionary Uses Development Officer in Schedule 1 and 2), and which complies with this bylaw, the Development Officer:
- (a) shall notify adjacent landowners and other persons likely to be affected in accordance with Section 35 (Notification of Adjacent Landowners and Persons Likely Affected); and
 - (b) may approve a development permit with or without conditions; or
 - (c) may refuse to approve the development permit, stating reasons; or
 - (d) may refer the application to the Municipal Planning Commission for a decision.
- 30.2 Upon receipt of a completed application for a development permit for a discretionary use for which the Development Officer is authorized to decide upon (listed as Discretionary Uses Development Officer in Schedule 1 and 2), that requests a limited variance not to exceed twenty-five percent (25%) of one measurable standard of this bylaw, the Development Officer:
- (a) may grant the limited variance not to exceed twenty-five percent (25%) of one measurable standard excluding height of this bylaw and approve the development permit with or without conditions if in the opinion of the Development Officer, the variance would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; or
 - (b) may refer the development application involving a request for a limited variance not to exceed twenty-five percent (25%) of one measurable standard of this bylaw to the Municipal Planning Commission for a decision.
- 30.3 Upon receipt of a completed application for a development permit for a discretionary use for which the Development Officer is authorized to decide upon that requests more than one limited variance, a variance(s) exceeding twenty-five percent (25%) of any measurable standard of this bylaw, or a variance of any other bylaw provision, the Development Officer shall refer the application to the Municipal Planning Commission for a decision pursuant to Section 34 (Applications Requesting Variance of Bylaw Provisions).
- 30.4 Upon receipt of a completed application for a development permit for a discretionary use or a permitted use that requests more than one variance, a variance(s) exceeding twenty-five percent (25%) of any measurable standard of this bylaw, or a variance of any other bylaw provision, the Development Officer shall:

- (a) refer the application to the Municipal Planning Commission for a decision;
- (b) notify adjacent landowners and other persons likely to be affected in accordance with Section 35 (Notification of Adjacent Landowners and Persons Likely Affected).

30.5 After consideration of any response to the notifications of adjacent landowners and other persons likely to be affected, including the Municipal District of Willow Creek, government departments and referral agencies as applicable, compatibility and suitability of the proposed use, and any other matters, the Municipal Planning Commission may:

- (a) approve a development permit with or without conditions; or
- (b) refuse to approve the development permit, stating reasons.

30.6 The Municipal Planning Commission may place any of the conditions stipulated in subsection 29.4 (Permitted Use Applications) on a development permit for a discretionary use in any land use district, in addition to any other conditions necessary to ensure the quality, suitability and compatibility of a development with other existing and approved uses in the area.

SECTION 31 DIRECT CONTROL DISTRICTS

31.1 Upon receipt of a completed application for a development permit in a Direct Control District, the Development Officer shall:

- (a) refer the application to Council for a decision, except where the decision making authority has been delegated to the Municipal Planning Commission or the Development Officer; and
- (b) notify adjacent landowners and other persons likely to be affected in accordance with Section 35 (Notification of Adjacent Landowners and Persons Likely Affected).

31.2 After considering any response to notifications issued under Section 36, Council or the delegated decision making authority may:

- (a) approve a development permit with or without conditions; or
- (b) refuse to approve the development permit, stating reasons.

31.3 In accordance with Section 641(4)(a) of the *Act*, there is no appeal to the Subdivision and Development Appeal Board for a decision on an application for a development permit in a Direct Control District.

SECTION 32 SIMILAR USE

32.1 Upon receipt of an application for a development permit for a use that is not specifically listed in any land use district, but which may be similar in character and purpose to other uses listed in the land use district in which such use is proposed, the Development Officer may classify the use as either similar to a permitted use or similar to a discretionary use.

- 32.2 Where a use has been classified similar to a permitted use, the Development Officer may process the application accordingly as a permitted use or refer the application to the Municipal Planning Commission for a decision. The notice of the decision shall be subject to subsection 36.2.
- 32.3 Where a use has been classified similar to a permitted use and requests more than one limited variance, a variance(s) exceeding twenty-five percent (25%) of any measurable standard of this bylaw, or a variance of any other bylaw provision, the Development Officer shall:
- (a) refer the application to the Municipal Planning Commission for a decision; and
 - (b) notify adjacent landowners and other persons likely to be affected in accordance with Section 35 (Notification of Adjacent Landowners and Persons Likely Affected).
- 32.4 Where a use has been classified similar to a discretionary use the Development Officer shall:
- (a) refer the application to the Municipal Planning Commission for a decision; and
 - (b) notify adjacent landowners and other persons likely to be affected in accordance with Section 35 (Notification of Adjacent Landowners and Persons Likely Affected).
- 32.5 Upon referral of an application by the Development Officer for a use that may be similar in character and purpose to a permitted or discretionary use, the Municipal Planning Commission:
- (a) shall rule whether or not the proposed use is similar to a use in the land use district in which it is proposed;
 - (b) if the proposed use is deemed similar to a use in the land use district in which it is proposed, the application shall be reviewed as a discretionary use application;
 - (c) if the proposed use is not deemed similar to a use in the land use district in which it is proposed, the development permit shall be refused.

SECTION 33 TEMPORARY USE

- 33.1 Where in the opinion of the Development Authority, a proposed use is of a temporary nature, it may approve a temporary development permit valid for a period of up to one year for a use, provided the use is listed as a permitted use, discretionary use or deemed similar to a permitted or discretionary use in the applicable land use district.
- 33.2 Temporary use applications shall be subject to the following conditions:
- (a) the applicant or developer is liable for any costs involved in the cessation or removal of any development at the expiration of the permitted period;
 - (b) the Development Authority may require the applicant to submit an acceptable form of security guaranteeing the cessation or removal of the temporary use; and
 - (c) any other conditions as deemed necessary.

SECTION 34 APPLICATIONS REQUESTING VARIANCE OF BYLAW PROVISIONS

- 34.1 Upon receipt of an application for a development permit that does not comply with this bylaw but in respect of which the Municipal Planning Commission is requested to exercise discretion under subsection 34.3, the Development Officer shall:
- (a) refer the application to the Municipal Planning Commission for a decision; and
 - (b) notify adjacent landowners and other persons likely to be affected, including the Municipal District of Willow Creek, government departments and any other referral agency in accordance with Section 35.
- 34.2 The Development Officer is authorized to exercise discretion for a permitted use where a limited variance to one applicable measurable standard, excluding height, not to exceed twenty-five percent (25%) is requested, in accordance with subsection 29.2.
- 34.3 The Municipal Planning Commission is authorized to decide upon an application for a development permit notwithstanding that the proposed development does not comply with this bylaw, if in the opinion of the Municipal Planning Commission, the proposed development would not:
- (a) unduly interfere with the amenities of the neighbourhood; or
 - (b) materially interfere with or affect the use, enjoyment or value of neighbouring properties;
 - (c) and the proposed development conforms with the use prescribed for that land or building within Schedule 2 – Use Regulation.

SECTION 35 NOTIFICATION OF ADJACENT LANDOWNERS AND PERSONS LIKELY AFFECTED

- 35.1 Where notification of adjacent landowners and other persons likely to be affected is required under Sections 30 to 34, the Development Officer shall:
- (a) mail (postal service or electronic) written notice of the application at least ten (10) days before the meeting of the Municipal Planning Commission or the decision of the Development Officer to:
 - (i) adjacent landowners and other persons likely to be affected by the issuance of a development permit;
 - (ii) the Municipal District of Willow Creek if in the opinion of the Development Officer or the Municipal Planning Commission, the proposed development could have an impact upon land uses in the Municipal District or is adjacent to the Municipal District boundary; and
 - (iii) any other persons, government departments or referral agency that is deemed to be affected; or
 - (b) hand deliver written notice of the application at least five (5) days before the meeting of the Municipal Planning Commission or the decision of the Development Officer to the persons and agencies specified in subsection 35.1(a); or

- (c) publish a notice of the application in a newspaper circulating in the municipality or the Town newsletter at least ten (10) days before the meeting of the Municipal Planning Commission or the decision of the Development Officer; or
- (d) post a notice of the application in a conspicuous place on the property at least five (5) days before the meeting of the Municipal Planning Commission or the decision of the Development Officer; or
- (e) post a notice on the municipal website and official social media as authorized through an advertising bylaw approved by Council in accordance with Section 606.1 of the *Act* at least ten (10) days before the meeting of the Municipal Planning Commission or the decision of the Development Officer; or
- (f) a combination of the above that satisfies the requirements of the *Act*.

35.2 In all cases, notification shall:

- (a) describe the nature and location of the proposed use or development;
- (b) state the place and time where the Municipal Planning Commission will meet to consider the application, and state how and when written or oral submissions on the application will be received and considered; and
- (c) specify the location at which the application can be inspected.

SECTION 36 NOTICE OF DECISION

36.1 Upon the decision on a development application for a permitted use that complies with the Land Use Bylaw, the Development Officer shall:

- (a) mail (postal service or electronic mail) or hand deliver a written notice of decision to the applicant; and
- (b) post a copy of the decision in a prominent place in the Town Office for at least 21 days; or
- (c) publish a notice of the decision on the municipal website, in a newspaper or the municipal newsletter circulated within the municipality.

36.2 Upon the decision on all other development permit applications, the Development Officer shall:

- (a) mail (postal service or electronic mail) or hand deliver a written notice of decision to the applicant; and
- (b) mail a copy of the decision to those originally notified of the development permit application, those that made written submissions, and any other person, government department or agency that may, in the opinion of the Development Officer, likely be affected; or
- (c) publish a notice of the decision on the municipal website, in a newspaper or the municipal newsletter circulated within the municipality.

SECTION 37 COMMENCEMENT OF DEVELOPMENT

37.1 Despite the issuance of a development permit, no development is authorized to commence until the appeal period has expired in compliance with the following:

Permitted Uses:

- (a) where the notice of decision is posted in the Town Office, development shall not commence until 21 days after the notice was posted; or
- (b) where the notice of decision is mailed (postal service or electronic mail) or hand delivered, development shall not commence until at least 21 days from the date the date the decision was mailed;

Discretionary Uses or Applications for Variances:

- (c) where the notice of decision is mailed to adjacent landowners and other persons likely to be affected, development shall not commence until at least 21 days from the date the decision was mailed;
- (d) where the notice of decision is published in the newspaper or the municipal newsletter, development shall not commence until at least 21 days from the date of publication.

37.2 If an appeal is made, no development is authorized pending the outcome of the appeal.

37.3 Any development occurring prior to the dates determined under subsection 37.1 and 37.2 is at the risk of the applicant.

SECTION 38 DEVELOPMENT PERMIT VALIDITY

38.1 Unless a development permit is suspended or cancelled, the development must be commenced and carried out with reasonable diligence in the opinion of the Development Officer or the Municipal Planning Commission within 12 months from the date of issuance of the permit or within 24 months with an extension pursuant to subsection 38.3, otherwise the permit is no longer valid.

38.2 An application to extend the validity of a development permit may be made at any time prior to the expiration of the approved permit in accordance with subsection 38.3.

38.3 Upon receipt of a request to extend the validity of a development permit, the validity of a development permit may be extended once for up to a period of one year by:

- (a) the Development Officer or the Municipal Planning Commission if the permit was issued by the Development Officer;
- (b) the Municipal Planning Commission if the permit was issued by the Municipal Planning Commission or approved on appeal by the Subdivision and Development Appeal Board.

- 38.4 When any use has been discontinued for a period of 12 months or more, any development permit that may have been issued is no longer valid and said use may not be recommenced until a new application for a development permit has been made and a new development permit issued. This section does not apply to non-conforming uses which are regulated under Section 643 of the Act.

SECTION 39 TRANSFERABILITY OF DEVELOPMENT PERMIT

- 39.1 A home occupation permit is non-transferable.
- 39.2 Any other valid development permit is transferable where the use remains unchanged and the development is affected only by a change of ownership, tenancy, or occupancy. This provision does not apply to a home occupation permit, which is non-transferable.

SECTION 40 OCCUPANCY PERMITS

- 40.1 The Development Officer or the Municipal Planning Commission, or in a Direct Control District the Council, may require that the holder of a development permit obtain an occupancy permit before a building or use that was the subject of a development permit is occupied or the approved use initiated.

SECTION 41 FAILURE TO MAKE A DECISION – DEEMED REFUSAL

- 41.1 In accordance with Section 684 of the *Municipal Government Act*, 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 the Municipal Planning Commission, as the case may be, is not made within 40 days of an application being deemed complete under Section 28.5 or 28.7 unless the applicant has entered into an agreement with the Development Officer or the Municipal Planning Commission to extend the 40-day decision period.

SECTION 42 REAPPLICATION FOR A DEVELOPMENT PERMIT

- 42.1 If an application for a development permit is refused by the Development Officer, the Municipal Planning Commission or, on appeal the Subdivision and Development Appeal Board, the submission of another application for a development permit on the same parcel of land for the same or for a similar use of the land may not be accepted by the Development Officer for at least six months after the date of refusal.
- 42.2 If an application was refused solely because it did not comply with the standards of this bylaw, the Development Officer may accept another application on the same parcel of land for the same or similar use before the time period referred to in subsection 41.1 has lapsed, provided the application has been modified to comply with this bylaw.

SECTION 43 SUSPENSION OR CANCELLATION OF A PERMIT

- 43.1 If after a development permit has been issued, the Development Officer or the Municipal Planning Commission determines that:
- (a) the application contained a misrepresentation;
 - (b) facts were not disclosed which should have been at the time of consideration of the application for the development permit;
 - (c) the development permit was issued in error; or
 - (d) the applicant withdrew the application by way of written notice;
- the Development Officer or the Municipal Planning Commission may suspend or cancel the development permit by notice in writing to the holder of it stating the reasons for any suspension or cancellation.
- 43.2 Upon receipt of the written notification of suspension or cancellation, the applicant must cease all development and activities to which the development permit relates.
- 43.3 A person whose development permit is suspended or cancelled under this section may appeal within 21 days of the date the notice of cancellation or suspension is received to the Subdivision and Development Appeal Board.
- 43.4 If a development permit is suspended or cancelled, the Subdivision and Development Appeal Board shall review the application if an appeal is filed by the applicant and either:
- (a) reinstate the development permit; or
 - (b) cancel the development permit if the Development Officer or the Municipal Planning Commission would not have issued the development permit if the facts subsequently disclosed had been known during the consideration of the application; or
 - (c) reinstate the development permit and may impose such other conditions as are considered necessary to ensure that this bylaw or any statutory plan is complied with.

SECTION 44 DEVELOPMENT APPEALS

- 44.1 Any person applying for a development permit or any other person affected by an order, decision or development permit made or issued by the Development Officer or the Municipal Planning Commission may appeal such an order or decision to the Subdivision and Development Appeal Board in accordance with the procedures described in the *Act*.
- 44.2 An appeal to the Subdivision and Development Appeal Board shall be commenced by serving a written notice of the appeal with reasons to the Subdivision and Development Appeal Board and shall be accompanied by the applicable fees.

ENFORCEMENT

SECTION 45 GENERAL PROVISIONS

- 45.1 A designated officer may enforce the provisions of the *Municipal Government Act* and its regulations, the conditions of a permit or subdivision approval, and this bylaw. Enforcement may be by notice of violation, stop orders, or any other authorized action to ensure compliance.

Right of Entry

- 45.2 After reasonable notice (generally to mean 48 hours notice) to the owner or occupant in accordance with the *Municipal Government Act*, a designated officer may enter property at reasonable times (generally to mean 7:30 AM to 10:00 PM) to ascertain if Bylaw requirements are being met.
- 45.3 A person shall not prevent or obstruct a designated officer from carrying out any official duty under this bylaw. If consent is not given, the Town of Nanton may apply for an authorizing order.

Contravention of Bylaw

- 45.4 Any owner, lessee, tenant or occupant of land, a building, a structure or a sign thereon, who, with respect to such land, building, structure:
- (a) contravenes; or
 - (b) causes, allows or permits a contravention of any provision of this bylaw;
- commits an offence.
- 45.5 It is an offence for any person to:
- (a) construct a building or structure;
 - (b) make an addition or alteration thereto; or
 - (c) place a Sign on land;
- for which a Development Permit is required but has not been issued or is not valid under this bylaw.
- 45.6 If the corrective measures described in a Violation Notice issued pursuant to subsection 46 are not completed within the time specified by the Violation Notice, the person to whom the Violation Notice was issued is guilty of an offence and shall pay the penalty amount specified in Appendix A: Fees.
- 45.7 If development continues after a Permit has been revoked or suspended, the person to whom the Permit was issued or the person continuing the development is guilty of an offence and shall pay the penalty amount specified in Appendix A: Fees.
- 45.8 It is an offence to display a Temporary Sign without a valid Development Permit.

- 45.9 It is an offence to have a sign in an abandoned state or state of disrepair.
- 45.10 It is an offence to use residential, agricultural, public, commercial or industrial property without a valid Development Permit where the Use is listed as a Permitted or Discretionary Use in the land use district.
- 45.11 It is an offence to use residential, agricultural, public, commercial or industrial property without a valid Development Permit where the Use is not listed as a Permitted or Discretionary Use in the land use district.
- 45.12 It is an offence to commence any construction which requires a Development Permit in a residential, agricultural, public, commercial or industrial District without a valid Development Permit.

Warning Notice

- 45.13 A designated officer may issue a warning notice outlining the nature of the violation, corrective measures that may be taken, and the deadline for corrective measures.

SECTION 46 VIOLATION NOTICE

- 46.1 Once the Town has found a violation of this bylaw, a designated officer may notify either the owner of the land, the building or the structure, the person in possession of the land, building or structure, the person responsible for the violation or any or all of them, of the contravention of this bylaw, by:
- (a) delivering a Violation Notice delivered either in person or by ordinary mail to:
 - (i) the owner of the land, building or structure at the address listed on the tax roll for the land in question; or
 - (ii) the owner of the Sign, at a location where the owner carries on business; or
 - (b) verbal notification, in the case of Temporary Signs, to the Sign owner or by delivering a Violation Notice in person to the Sign owner or by ordinary mail or by facsimile to an address where the Sign owner carries on business.
- 46.2 Such notice shall state the following:
- (a) nature of the violation of this bylaw;
 - (b) corrective measures required to comply with this bylaw; and
 - (c) time within which such corrective measures must be performed.
- 46.3 The appearance of the name of an individual, organization, corporation or ownership on a Sign is prima facie proof that the individual, organization, corporation or owner named thereon caused, suffered or permitted the Sign to be placed on land, and is responsible for any contravention of the provisions of this bylaw.
- 46.4 The Town is not required to issue a Violation Notice before commencing any other enforcement action under the *Municipal Government Act*, or this bylaw, or at all.

SECTION 47 STOP ORDERS

- 47.1 The Development Authority is authorized to issue an Order under Section 645 of the *Act*.
- 47.2 A person who receives a written Order under subsection 47.1 may by written notice within 21 days from when the written Order is made, appeal to the Subdivision and Development Appeal Board pursuant to Section 685 of the *Act*.
- 47.3 The costs and expenses incurred in carrying out an Order shall be placed on the tax roll. The amount so placed shall be deemed for all purposes to be a tax imposed pursuant to the *Municipal Government Act*, from the date it was added to the tax roll and forms a special lien against the parcel of land in favour of the municipality from the date it was added to the tax roll.

SECTION 48 SIGN IMPOUNDMENT

- 48.1 Where a temporary or portable sign contravenes this bylaw, a designated officer may, without notice, remove and impound the sign if it is located on lands under the control of the Town of Nanton or the Town of Nanton has the consent of the registered owner of the land where the sign is located.
- 48.2 The owner of an impounded sign may claim the sign by payment of the impoundment fee described in Appendix A: Fees.
- 48.3 If the sign is not claimed within 30 days, it may be treated as unclaimed property pursuant to the Town policy.

AMENDMENTS

SECTION 49 AMENDMENTS TO THE LAND USE BYLAW

- 49.1 Any person or the Town may initiate amendments to the Town of Nanton Land Use Bylaw by submitting an application to the Development Officer.
- 49.2 All applications for amendment shall be submitted using the applicable form in Appendix A, and be accompanied by any additional information, as deemed necessary by the Development Officer to process the application.
- 49.3 The Development Officer may refuse to accept an application if, in his/her opinion, the information supplied is not sufficient to make a proper evaluation of the proposed amendment.
- 49.4 Council or the Development Officer may refer the application to the Municipal Planning Commission for their recommendation.
- 49.5 The Development Officer shall forward an application to Council for consideration when satisfied that sufficient information has been provided with the application.

- 49.6 Public hearing and notification requirements shall be in accordance with Section 692 of the Act.
- 49.7 Where an application for an amendment to the Town of Nanton Land Use Bylaw has been refused by Council, another application that is the same or similar in nature shall not be accepted until at least twelve (12) months after the date of refusal.
- 49.8 Where an application has been significantly changed, Town Council may accept an application prior to the end of the twelve (12) month period specified in subsection 49.7.

SECTION 50 LAND USE REDESIGNATION APPLICATION REQUIREMENTS

- 50.1 A request for redesignation from one land use district to another shall be accompanied by:
- (a) a completed application form and the applicable fee;
 - (b) a copy of the Certificate of Title for the lands, dated not more than sixty (60) days prior to the date on which the application was made;
 - (c) a narrative describing the:
 - (i) proposed designation and future uses(s);
 - (ii) consistency with the applicable statutory plans;
 - (iii) compatibility of the proposal with surrounding uses and zoning;
 - (iv) development potential/suitability of the site, including identification of any constraints or hazard areas (e.g. easements, soil conditions, topography, drainage, floodplain, steep slopes, etc.);
 - (v) availability of facilities and services (sewage disposal, domestic water, gas, electricity, fire and police protection, schools, etc.) to serve the subject property while maintaining adequate levels of service to existing development;
 - (vi) any potential impacts on public roads; and
 - (vii) any other information deemed necessary by the Development Officer or Council to properly evaluate the proposal.
 - (d) conceptual lot design, if applicable;
 - (e) a geotechnical report addressing the following but not limited to:
 - (i) slope stability,
 - (ii) groundwater,
 - (iii) sewage,
 - (iv) water table, and
 - (v) flood plain analysis,if deemed necessary by the Development Officer, or Council;
 - (f) an evaluation of surface drainage which may include adjacent properties if deemed necessary by the Development Officer, or Council; and
 - (g) any other information deemed necessary by the Development Officer, or Council to properly evaluate the application.

- 50.2 An Area Structure Plan or Conceptual Design Scheme shall be required in conjunction with a redesignation application when:
- (a) redesignating land from Agricultural Transitional – AT to another district;
 - (b) redesignating annexed land to a district other than Agricultural Transitional – AT, except where an approved Area Structure Plan or Conceptual Design Scheme defines land use designation(s) for the proposed development area, or unless determined otherwise by Council.
- 50.3 An Area Structure Plan or Conceptual Design Scheme may be required in conjunction with a redesignation application involving:
- (a) industrial development;
 - (b) large-scale commercial development;
 - (c) manufactured home park;
 - (d) multi-lot residential development resulting in the creation of more than five lots or which has the potential to trigger capacity upgrades or expansion of infrastructure; or
 - (e) as required by Council.

SECTION 51 REDESIGNATION CRITERIA

- 51.1 When redesignating land from one land use district to another, Council considerations shall include the following:
- (a) compliance with applicable standards and provisions of the Town of Nanton Land Use Bylaw;
 - (b) consistency with the Municipal Development Plan and any other adopted statutory plans;
 - (c) compatibility with adjacent uses;
 - (d) development potential/suitability of the site;
 - (e) availability of facilities and services (sewage disposal, domestic water, gas, electricity, police and fire protection, schools, etc.) to serve the subject property and any potential impacts to levels of service to existing and future developments;
 - (f) cumulative impact to the Town;
 - (g) potential impacts on public roads;
 - (h) setback distances contained in the Subdivision and Development Regulation;
 - (i) supply of suitably designated land;
 - (j) public comment and any applicable review agency comments; and
 - (k) any other matters deemed pertinent.

SUBDIVISION RULES AND PROCEDURES

SECTION 52 SUBDIVISION APPLICATIONS

- 52.1 An applicant applying for subdivision shall provide the required material and information as requested by the Subdivision Authority or its designate. A completed application shall consist of:
- (a) an official application, in the manner and form prescribed, clearly and legibly completed with all the required information and signatures provided as requested on the form; and
 - (b) the applicable fees paid; and
 - (c) an up-to-date and current copy of the Certificate of Title to the subject land; and
 - (d) a surveyor's sketch or tentative subdivision plan with dimensions, structures, location of private sewage disposal system, professionally prepared; and
 - (e) provincial abandoned gas well information; and
 - (f) for vacant parcels, a soils analysis which indicates the ability of the proposed parcel to be privately serviced; and
 - (g) any such other information as may be required at the discretion of the Subdivision Authority in order to accurately evaluate the application and determine compliance with the land use bylaw or other government regulations. This may include but is not limited to the provision of geotechnical information, soil analysis reports, water reports, soil or slope stability analysis, drainage information, contours and elevations of the land, engineering studies or reports, wetland reports, environmental impact assessments, utility and servicing information, and/or the preparation of a conceptual design scheme or an area structure plan may be required from the applicant prior to a decision being rendered on a subdivision application to determine the suitability of the land for the proposed use; and
 - (h) The consent to authorize the Subdivision Authority or its designate to carry out a site inspection on the subject land as authorized in accordance with the Municipal Government Act (MGA) must also be provided on the submitted application form unless determined not to be needed by the Subdivision Authority.
- 52.2 In accordance with the *Municipal Government Act*, the Subdivision Authority or those authorized to act on its behalf, shall provide notification to a subdivision applicant within the 20-day prescribed time period, on whether a submitted application is deemed complete, or if it is determined to be deficient what information is required to be submitted by a specified time period, by sending notification in the following manner:
- (a) for an application deemed complete, the applicant shall be notified in writing as part of the formal subdivision application circulation referral letter.
 - (b) for an application determined to be incomplete, written notification shall be given to the applicant which may be in the form of a letter sent by regular mail to the applicant, or sent by electronic means, or both, or by any other method as may be agreed to between the applicant and Subdivision Authority.

(c) in respect of subsection (b) for a subdivision application determined to be incomplete, the applicant will be advised in writing as part of the Notice of Incomplete Subdivision Application what the outstanding or required information items are that must be submitted by the time specified in the notice.

52.3 Notwithstanding subsection 52.2, the applicant and Subdivision Authority may agree and sign a time extension agreement in writing in accordance with Section 653.1(3) of the *MGA* to extend the 20-day decision time period to determine whether the subdivision application and support information submitted is complete.

52.4 A determination made by the Subdivision Authority that an application is complete for processing does not preclude the ability for the Subdivision Authority to request other information or studies to be submitted by the applicant during the review and processing period, prior to a decision being rendered, or as condition of subdivision approval.

SECTION 53 INCOMPLETE SUBDIVISION APPLICATIONS

53.1 The Subdivision Authority may refuse to accept and process a subdivision application where the information required under Section 52 and/or as described in a Notice of Incomplete Subdivision Application has not been submitted, is determined to be deficient, is still incomplete, or in the opinion of the Subdivision Authority the quality of the material supplied is inadequate to properly evaluate the application.

53.2 If the Subdivision Authority makes a determination that the application is refused due to incompleteness, the applicant shall be notified in writing with reasons in the manner as described in subsection 52.2.

53.3 The notification provided for in subsection 52.2(b) shall include for the applicant the required information on the filing of an appeal and to which appeal board body the appeal lies, either the local appeal board or provincial Municipal Government Board, in accordance with the parameters of the *MGA*.

SECTION 54 SUBDIVISION DECISION

54.1 All applications for subdivision approval shall be evaluated by the Town in accordance with the following criteria:

- (a) compliance with statutory plans, bylaws, and regulations;
- (b) adequacy of road access;
- (c) provision of municipal services and utilities, including a storm water drainage plan;
- (d) compatibility with adjacent land uses;
- (e) accessibility to emergency services;
- (f) site suitability in terms of minimum dimensional standards for lots and all other criterion in this bylaw as specified in the applicable land use district in Schedule 2.
- (g) any other matters the Town may consider necessary.

- 54.2 For the purpose of infill development, an application which proposes to subdivide an accessory structure onto a separate lot may be considered by the Subdivision Authority where:
- (a) the proposed lots meet the provisions of Schedule 3 (Dimensional Standards and Setbacks);
 - (b) the existing and proposed buildings meet the provisions of Schedule 3 (Dimensional Standards and Setbacks) based on the lot proposed layout;
 - (c) the access of each lot is provided from a public roadway not a lane or laneway;
 - (d) all lots are serviceable to the satisfaction of the municipality.
- 54.3 At the time of subdivision and as a condition of approval, ten percent (10%) of the lands to be subdivided shall be dedicated as municipal or school reserve in accordance with the provisions of the *Municipal Government Act*. The Town may take municipal or school reserve in one or a combination of the following methods:
- (a) land,
 - (b) land similar in quality to the land being proposed to be subdivided,
 - (c) money in lieu, or
 - (d) deferral to the balance of the subject property.
- 54.4 Money-in-lieu of municipal reserve shall be placed in a special reserve fund, administered by the Town, to be used for recreation area and facility construction and improvement.
- 54.5 The Town will coordinate the location of new schools and the allocation of school reserves in the Municipality with the local school divisions.
- 54.6 In residential areas, the Town may allocate municipal or school reserve for the purpose of developing parks, playgrounds, trail systems, recreation facilities, schools and similar uses.
- 54.7 In commercial or industrial areas, the Town may allocate municipal reserve for the purpose of providing a buffer between incompatible land uses or to augment the parks and trails system.
- 54.8 In addition to Municipal Reserve, land that is deemed to be protected may be left in its natural state and allocated as environmental reserve or environmental reserve easement in accordance with the provisions of the *Municipal Government Act*.

SECTION 55 LOT DESIGN

- 55.1 Through lots or double frontage lots, shall be avoided except where essential to separate residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. In such cases, access will be allowed only on the lower classification street.

- 55.2 Flag lots are prohibited in the single-family and multi-family development categories. Flag lots or parcels may be permitted in lots exceeding 0.2 ha (0.5 acre) under the following conditions:
- (a) the flag lot directly accesses a local or residential street;
 - (b) the aggregate width of the pole, or poles for two (2) adjacent flag lots, is a minimum of 12.1 m (40 ft) in width with minimum pole width 6.1 m (20 ft).
- 55.3 All rectangular lots and, so far as practical all other lots, shall have side lot lines at right angles to straight street lines or radial side lot lines to curved street lines. Unusual or odd shaped lots having boundary lines that intersect at extreme angles shall be avoided.
- 55.4 The lot line common to the street right-of-way line shall be the front line. All lots shall face the front line and a similar lot across the street. Wherever feasible, lots shall be arranged so that the rear line does not abut the side line of an adjacent lot.

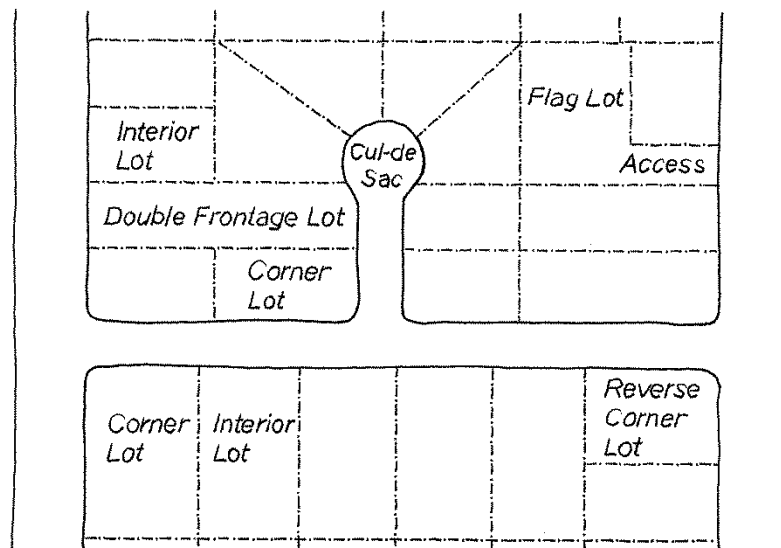


Figure 52.1

- 55.5 No lot or parcel shall be created which does not provide for a buildable area as defined by the applicable land use district, except pursuant to an area structure plan.
- 55.6 The length and width of blocks shall be sufficient to accommodate two (2) tiers of lots with minimum standards specified by the applicable land use district and this chapter, except where a single row of lots back up to an arterial street. When reviewing proposed lot and block arrangements, the subdivision authority shall consider the following factors:
- (a) Adequate Building Sites Required: Provisions of adequate building sites suitable to the special needs of the type of land use (residential, commercial or other) proposed for development shall be provided, taking into consideration topographical and drainage features;

- (b) Minimum Lot Sizes Established: Minimum land use district and lot requirements defining lot sizes and dimensions shall be accommodated without creating unusable lot remnants;
- (c) Safe Access Required: Block layout shall enable development to meet all Town engineering requirements for convenient access, circulation, control and safety of street traffic.

55.7 At the time of subdivision, all corner lots and interior laneway corner lots shall dedicate clear vision triangles as right-of-way.

SECTION 56 SUBDIVISION APPEALS

56.1 In accordance with the *Municipal Government Act*, any land owner who applied for subdivision and was refused an approval or had conditions attached to the approval, may appeal the decision within 21 days from the decision date to the Subdivision and Development Appeal Board, or the Municipal Government Board (where the Subdivision and Development Regulation requires it). Adjacent or affected land owners have no right to appeal under the MGA.

ADMINISTRATION DEFINITIONS

SECTION 57 ADMINISTRATION DEFINITIONS

The following definitions shall apply to the entire bylaw.

A

ACT means the *Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26*, as amended.

ADDITION means construction that increases the footprint of an existing building or structure on the parcel of land. Typically there will be a common connection from the existing building to the addition that includes a foundation of some type beneath the addition.

ADJACENT LAND OR ADJACENT means land that is contiguous to a parcel of land proposed for development, subdivision or redesignation and includes land that would be contiguous if not for a road, railway, walkway, watercourse, water body, utility lot, right-of-way, reserve land or other similar feature.

ALTER or ALTERATION means any structural change to a building that results in an increase or decrease in the area or the volume of the building; any change in the area frontage, depth, or width of a lot that affects the required yard, landscaped open space, or parking requirements of this bylaw; structural change to a sign; and to discontinue or change the principal use of the site or building with a use defined as being distinct from the discontinued use.

AMENITY AREA means an area(s) within the boundaries of a development intended for recreational purposes. These may include landscaped areas, patios, balconies, swimming pools, beaches, and other similar items that are intended for public use.

APPROVED USE means a use of land or building or both for which a development permit has been issued by the Development Authority or the Subdivision and Development Appeal Board.

AREA REDEVELOPMENT PLAN means a statutory plan, prepared in accordance with Sections 634 and 635 of the *Act* for the purpose of all or any of the following:

- (a) preserving or improving land and buildings in the area;
- (b) rehabilitating buildings in the area;
- (c) removing buildings from the area;
- (d) constructing or replacing buildings in the area;
- (e) establishing, improving or relocating public roadways, public utilities or other services in the area;
- (f) any other development in the area.

AREA STRUCTURE PLAN means a statutory plan prepared for the purpose of providing a framework for subsequent subdivision and development of an area of land (*Act*, Section 633) and that may be adopted by a Council by bylaw.

B

BALCONY means a platform, attached to and projecting from the face of a principal building with or without a supporting structure above the first storey, normally surrounded by a baluster railing and used as an outdoor porch or sundeck with access only from within the building.

BASEMENT means the portion of a building or structure, which is partially or wholly below grade and having its floor below grade by a distance greater than one-half the distance from floor to ceiling.

BERM means a barrier, typically constructed of mounded earth, used to separate incompatible areas, uses, or functions, or to protect a site or development from noise.

BUFFER means open spaces, landscaped areas, fences, walls, hedges, trees, shrubs, berms or other similar features used to physically or visually separate incompatible uses, areas, functions, sites, buildings, roadways, districts, or other separation deemed necessary by the Development Authority.

BUILDING has the meaning defined in the *Act* and includes anything constructed or placed on, in, over or under land, but does not include a highway or road or a bridge that forms part of a highway or road.

BUILDING ENVELOPE means the space created on a lot or parcel within which a building may be constructed once the setback requirements for a specific land use district have been considered.

BUILDING GRADE (as applied to the determination of building height) means the average level of finished ground adjoining the main front wall of a building (not including an attached garage), except that localized depressions such as for vehicle or pedestrian entrances need not be considered in the determination of average levels of finished ground.

BUILDING HEIGHT means the vertical distance between grade and the highest point of a building excluding a roof stairway entrance, elevator housing, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, a fire wall or a parapet wall and a flagpole or similar device not structurally essential to the building.

BUILDING INSPECTOR means the person or persons hired to be the chief building inspector or building inspectors in and for the Town of Nanton.

BUILDING PERMIT means a certificate or document issued by the Safety Codes Officer pursuant to provincial legislation authorizing commencement of construction.

BUILDING WIDTH, MINIMUM means the minimum horizontal distance of the building's living space measured parallel to the shortest exterior wall of the building and perpendicular to the longest exterior wall of the building and excludes porches, decks, patios, balconies, carports, garages, unheated storage space, porte-cochere and other similar architectural features.

BUSINESS means a commercial, merchandising, or industrial activity or undertaking, a profession, trade, occupation, calling or employment or an activity providing goods or services, whether or not for profit and however organized or formed, including a cooperative or association of persons.

BYLAW means the Land Use Bylaw of the Town of Nanton.

C

CERTIFICATE OF COMPLIANCE means a document signed by the Development Authority, certifying that a development complies with this bylaw with respect to yard requirements and insofar as represented on an Alberta Land Surveyors' Real Property Report.

CHANGE OF USE means the conversion of land or building, 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.

COMMON WALL means a vertical separation completely dividing a portion of a building from the remainder of the building and creating in effect a building which, from its roof to its lowest level, is separate and complete unto itself for its intended purpose, such wall being owned by one (1) party but jointly used by two (2) parties, one or both of whom is entitled to such use by prior arrangement.

CONCEPTUAL DESIGN SCHEME means a detailed site layout plan for a parcel of land which typically addresses the same requirements of an Area Structure Plan but which is not adopted by bylaw which:

- (a) shows the location of any existing or proposed buildings; and
- (b) describes the potential effect or relationship of the proposed development on the surrounding area and the municipality as a whole; and
- (c) provides for access roads, water, sewer, power and other services to the satisfaction of the Subdivision Authority or Council.

CONDOMINIUM means a building or structure where there exists a type of ownership of individual units, generally in a multi-unit development or project where the owner possesses an interest as a tenant in common with other owners in accordance with the provisions of the *Condominium Property Act*.

CONDOMINIUM PLAN means a plan of survey registered at a Land Titles Office prepared in accordance with the provisions of the *Condominium Property Act, Revised Statutes of Alberta 2000, Chapter C-22*, as amended.

CORNER VISIBILITY OR CLEAR VISION TRIANGLES means a triangular area on a corner lot that is comprised of two sides which are measured from the intersection corner for a distance specified in this bylaw. The third side of the triangle is a line joining the ends of the other two sides. Where the lot lines at intersections have rounded corners, the lot lines will be extended in a straight line to a point of intersection.

COUNCIL means Council of the Town of Nanton.

D

DEFERRED SERVICING AGREEMENT means an agreement made in consideration of Sections 650 or 654 of the *Municipal Government Act*, between the municipality an applicant for the provision of services to serve the development, whereby the municipality may agree to have the applicant delay or defer the requirements to provide or construct those services at a later date (as defined in the agreement); or, to require the applicant to tie-in to major municipal infrastructure at any time in the future whereby it may be installed to or past the property line of the parcel or development project, when the services were not initially installed or available in the location of where the development occurred.

DEMOLITION means the pulling down, tearing down or razing of a building or structure.

DEVELOPER means a person or an owner of land in accordance with the Statutes of the Province of Alberta who wishes to alter the title to the property and change the use of the property from its existing use.

DEVELOPMENT in accordance with the *Act* means:

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

DEVELOPMENT AGREEMENT means a contractual agreement completed between the municipality and an applicant for a development permit or subdivision approval which specifies the roadways, walkways, public utilities, and other services to be provided by the applicant as a condition of a development permit or subdivision approval, in accordance with the *Act*.

DEVELOPMENT AUTHORITY means the body established by bylaw to act as the Development Authority in accordance with Section 624 of the *Act*.

DEVELOPMENT OFFICER means a person(s) authorized by Council to act as a development authority pursuant to Section 624 of the *Municipal Government Act* and in accordance with the Municipal Planning Commission Bylaw.

DEVELOPMENT PERMIT means a permit issued with or without conditions pursuant to this bylaw authorizing a development. A development permit does not constitute a building permit.

DISCRETIONARY USE means the use of land or building(s) provided for in the Land Use Bylaw for which a development permit may be issued, following receipt by the Development Officer of a completed application with appropriate details and fees.

DISTRICT – see LAND USE DISTRICT

E

EASEMENT means a right held by one part in land owned by another.

EAVE means the overhang or extension of a roof line beyond the vertical wall of a building.

EXCAVATION means the process of altering the natural elevation of the ground by grading, cutting, stripping, filling or breaking of ground, but does not include common household gardening and ground care, excavation made for the building of basements, structures, landscaping, or parking for which a development permit has been issued, or extensive agriculture. Gravel pit, mineral extraction and any other similar extractive use are not classified as excavation and are a separate use.

F

FLOOD ELEVATION, 1:100 YEAR means the water level reached during a 1:100 year flood as determined in accordance with the technical criteria established by Alberta Environment.

FLOOD RISK AREA means the area of land bordering a water course or water body that would be inundated by 1:100 year flood (i.e. a flood that has a one percent (1%) chance of occurring every year) as determined by Alberta Environment in consultation with the Town and may include both flood fringe and floodway.

FLOOR AREA means the sum of the gross horizontal area of the several floors and passageways of a building, but not including cellars, attached garages and open porches. All dimensions shall be outside dimensions. Basement floor areas shall be included only where the building contains a basement suite.

FLOOR AREA RATIO means the net floor area divided by the gross lot area.

FOUNDATION means the supporting base structure of a building.

G

GEOTECHNICAL REPORT means a comprehensive site analysis and report prepared by a qualified and registered professional with The Association of Professional Engineers, Geologists, and Geophysicists of Alberta (APEGGA).

GRADE, LANDSCAPED (as applied to the determination of height of balconies, decks and architectural features and landscape structures) means the average level of finished landscaped ground under the four principal corners of the balcony, deck, architectural feature or landscape structure. For buildings see BUILDING GRADE.

L

LANDOWNER – see REGISTERED OWNER

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

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

LAND USE DISTRICT means a specifically delineated area or zone within which the development standards of this bylaw govern the use, placement, spacing, and size of land and buildings. All land use districts referred to in this bylaw are shown on the Land Use District Map found in Schedule 1 to this bylaw.

LANE or LANEWAY means a public thoroughfare, which provides a secondary means of access to a lot or lots.

LOT means a lot as defined in the *Act* and shall include a bare land condominium unit.

M

MAINTENANCE means the upkeep of a building or property that does not involve structural change, the change of use, or the change of intensity of use.

MASS WASTING means a general term describing a variety of processes, including but not limited to slumping, sloughing, fall and flow, by which earth materials are moved by gravity.

MUNICIPAL DEVELOPMENT PLAN means a Statutory Plan, formerly known as a General Municipal Plan, adopted by Bylaw in accordance with Section 632 of the *Act*.

MUNICIPAL GOVERNMENT ACT means the *Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26*, as amended.

MUNICIPAL/SCHOOL RESERVE means the land specified to be municipal and school reserve by the subdivision authority pursuant to Section 666 of the Act.

MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB) means the committee established, by bylaw, to act as the municipal appeal body for subdivision and development applications.

MUNICIPAL PLANNING COMMISSION (MPC) means the committee authorized by Council to act as the Subdivision Authority pursuant to Section 623 of the Act and Development Authority pursuant to Section 624 of the Act, and in accordance with the Municipal Planning Commission Bylaw.

N

NON-COMPLIANCE means a development constructed, or use undertaken after the adoption of the current Land Use Bylaw and does not comply with the current Land Use Bylaw.

NON-CONFORMING BUILDING means a building:

- (a) that is lawfully constructed or lawfully under construction at the date of a Land Use Bylaw or any amendment thereof affecting the building or land on which the building is situated becomes effective; and
- (b) that on the date the Land Use Bylaw or any amendment thereof becomes effective does not, or when constructed will not, comply with the Land Use Bylaw.

NON-CONFORMING USE means a lawful specific use:

- (a) being made of land or a building or intended to be made of a building lawfully under construction, at the date of a Land Use Bylaw or any amendment thereof affecting the land or building becomes effective; and
- (b) that on the date the Land Use Bylaw or any amendment thereof becomes effective does not, or in the case of a building under construction, will not comply with the Land Use Bylaw.

NON-SERVICED means in respect to a lot or parcel that neither a municipal water system nor a municipal sewage system services it.

NUISANCE means any use, prevailing condition or activity which has a detrimental effect on living or working conditions.

O

OCCUPANCY PERMIT means a permit issued by the municipality that authorizes the right to occupy or use a building or structure for its intended use.

OFF-SITE LEVY means the rate established by the municipal Council that will be imposed upon owners or developers who are increasing the use of utility services, traffic services, and other services directly attributable to the changes that are proposed to the personal property. The revenues from the off-site levies will be collected by the municipality and used to offset the future capital costs for expanding utility

services, transportation network, and other services that have to be expanded in order to service the needs that are proposed for the change in use of the property.

OFF-STREET LOADING SPACE means an open area, not exceeding 9.1m (30 ft) in width, located in the rear yard space, designed expressly for the parking of haulage vehicles while loading or unloading.

OFF-STREET PARKING means a lot or portion thereof, excluding a public roadway which is used or intended to be used as a parking area for motor vehicles.

OFF-STREET PARKING SPACE means an off-street area available for the parking of one motor vehicle. Every off-street parking space shall be accessible from a street, lane or other public roadway.

ORIENTATION means the arranging or facing of a building or other structure with respect to the points of the compass.

P

PARCEL means an area of land described in a Certificate of Title either directly or by reference to a plan and registered with the Alberta Land Titles Office.

PARTIALLY SERVICED LOT means a lot that is provided water or sewer serviced by either:

- (a) a municipal water line or a municipal sewer line; or
- (b) an incorporated organization or co-operative, recognized by the municipality, that is operating a provincially approved water or sewer system.

PERMITTED USE means:

- (a) the one or more uses of land or buildings that are stated in Schedule 1 and 2 as permitted uses; and
- (b) uses which, in accordance with and subject to the *Act*, shall be issued a development permit with or without conditions (unless the use is exempted from requiring a development permit) if the proposed development conforms with this bylaw.

PLAN OF SUBDIVISION means a plan of survey prepared in accordance with the relevant provisions of the *Land Titles Act* for the purpose of effecting subdivision.

PRINCIPAL BUILDING means a building which:

- (a) occupies the major or central portion of a lot;
- (b) is the chief or main building on a lot; or
- (c) constitutes, by reason of its use, the primary purpose for which the lot is used.

PRINCIPAL USE means the main purpose, in the opinion of the Development Officer or Municipal Planning Commission, for which a lot is used.

PROHIBITED USE means a development that is not listed as permitted or discretionary, or is not considered similar within a land use district.

PROVINCIAL LAND USE POLICIES means policies established by order of the Lieutenant Governor pursuant to Section 622 of the Act.

PUBLIC ROADWAY means a right-of-way maintained by the Town and is open to the public for the purpose of vehicular traffic.

PUBLIC OPEN SPACE means land, which is not in private ownership and is open to use by the public.

R

REAL PROPERTY REPORT (RPR) means a legal document that illustrates in detail the location of all relevant, visible public and private improvements relative to property boundaries prepared by a registered Alberta Land Surveyor.

REGISTERED OWNER means:

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

RIGHT-OF-WAY means an area of land not on a lot that is dedicated for public or private use to accommodate a transportation system and necessary public utility infrastructure (including but not limited to water lines, sewer lines, power lines, and gas lines).

ROAD – see PUBLIC ROADWAY

S

SAFETY CODES means a code, regulations, standard, or body of rules regulating things such as building, electrical systems, elevating devices, gas systems, plumbing or private sewage disposal systems, pressure equipment, fire protection systems and equipment, barrier free design and access in accordance with the *Safety Codes Act, RSA 2000, Chapter S-1*, as amended.

SCREENING means a fence, wall, berm or hedge used to visually separate areas or functions that detract from the street or neighbouring land uses.

SETBACK means the minimum distance required between a property line of a lot and the nearest part of any building, structure, development, excavation or use on the lot and is measured at a right angle to the lot line.

SIMILAR USE means a use of land or building(s) for a purpose that is not provided in any district designated in this bylaw, but is deemed by the Development Officer or Municipal Planning Commission to be similar in character and purpose to another use of land or buildings that is included within the list of uses prescribed for that district.

SITE means that part of a parcel or a group of parcels on which a development exists or which an application for a development permit is being made.

SITE PLAN means a plan drawn to scale illustrating the proposed and existing development prepared in accordance with the requirements of this bylaw.

STOP ORDER means an order issued by the Development Officer or Municipal Planning Commission pursuant to Section 645 of the Act.

STOREY means the space between the top of any floor and the top of the next floor above it and if there is no floor above it, the portion between the top of the floor and the ceiling above it, but does not include a basement.

STREET means a thoroughfare which is used or intended to be used for passage or travel of motor vehicles and includes the sidewalks and land on each side of and contiguous to the prepared surface of the thoroughfare. It does not include lanes.

STRUCTURE means anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. Among other things, structures include buildings, walls, fences, billboards and poster panels.

SUBDIVISION AND DEVELOPMENT REGULATION means regulations established by order of the Lieutenant Governor in Council pursuant to Section 694 of the Act.

SUBDIVISION AUTHORITY means the body established by bylaw to act as the subdivision authority in accordance with Section 623 of the Act.

SUBDIVISION OR SUBDIVIDE means the division of a parcel by an instrument.

SUBSIDENCE means a localized downward settling or sinking of a land surface.

SUCH AS means includes, but is not limited to the list of items provided.

T

TEMPORARY DEVELOPMENT means a development for which a development permit has been issued for a limited time period.

TOWN means the Town of Nanton.

U

USE means the purposes for which land or a building is arranged or intended, or for which either land, a building or a structure is, or may be, occupied and maintained.

UTILITIES means any one or more of the following:

- (a) systems for the distribution of gas, whether artificial or natural;
- (b) facilities for the storage, transmission, treatment, distribution or supply of water or electricity;
- (c) facilities for the collection, treatment, movement or disposal of sanitary sewage;
- (d) storm water drainage facilities;
- (e) any other things prescribed by the Lieutenant Governor in Council by regulation;

but does not include those systems or facilities referred to in sub-clauses (a) to (d) that are exempted by the Lieutenant Governor in Council by regulation.

V

VARIANCE means a relaxation of a measurable standard of this bylaw.

W

WAIVER means the relaxation of a development standard as established in this bylaw.

Z

ZONING – see LAND USE DISTRICT

All other words and expressions not otherwise defined in this Land Use Bylaw have the meaning assigned to them in the Act.

Schedule 1

LAND USE DISTRICTS

LAND USE DISTRICTS

SECTION 1 DIVISION OF MUNICIPALITY

1.1 The municipality is divided into those districts shown on the Land Use District Map of this schedule.

1.2 Each district shown on the map referred to in Section 1 of this schedule shall be known by the following identifying names and symbols:

SINGLE DETACHED RESIDENTIAL	– R1
TWO-UNIT RESIDENTIAL	– R2
MULTIPLE RESIDENTIAL	– R3
MANUFACTURED HOME RESIDENTIAL	– R4
RESIDENTIAL MIXED-USE	– R5
RETAIL / GENERAL COMMERCIAL	– C1
HIGHWAY COMMERCIAL	– C2
NEIGHBOURHOOD COMMERCIAL	– C3
INDUSTRIAL	– IN
DIRECT CONTROL	– DC
PUBLIC INSTITUTIONAL	– PI
AGRICULTURAL TRANSITIONAL	– AT

SECTION 2 LAND USE DISTRICTS INTENT AND USE LISTING

2.1 Single Detached Residential – R1

This district is intended to provide for a high quality residential environment with the development of primarily single detached dwellings on standard size lots and other compatible uses.

PERMITTED USES

- Dwelling, single-unit
- Home occupation 1
- Prefabricated dwelling

DISCRETIONARY USES

DEVELOPMENT OFFICER

- Accessory structure
- Accessory building
- Day home
- Signs

DISCRETIONARY USES

- Accessory use
- Alternative energy, solar
- Bed and breakfast establishments
- Home occupation 2
- Moved-in building
- Moved-in dwelling
- Secondary suite
- Show home

2.2 Two-Unit Residential – R2

This district is intended to provide a residential area which will accommodate medium density housing within the community.

PERMITTED USES

- Dwelling, 2-unit
- Home occupation 1
- Prefabricated dwelling

DISCRETIONARY USES

DEVELOPMENT OFFICER

- Accessory structure
- Accessory building
- Day home
- Signs

DISCRETIONARY USES

- Accessory use
- Alternative energy, solar
- Bed and breakfast establishments
- Dwelling, single-unit
- Home occupation 2
- Moved-in building
- Moved-in dwelling
- Secondary suite
- Show home

2.3 Multiple Residential – R3

This district is intended to provide high-quality multi-family dwelling environments, integrated into either existing or proposed residential neighbourhoods.

PERMITTED USES

- Dwelling, 3-unit, 4-unit
- Home occupation 1

DISCRETIONARY USES

DEVELOPMENT OFFICER

- Accessory structure
- Accessory building
- Day home
- Signs

DISCRETIONARY USES

- Accessory use
- Alternative energy, solar
- Apartment building
- Boarding or lodging house
- Dwelling, Row (more than 4 units)
- Home occupation 2

2.4 **Manufactured Home Residential – R4**

This district is intended to establish a land use district which accommodates alternative forms of housing such as manufactured and modular homes and thus provide access to a variety of housing types for residents of the community.

PERMITTED USES

- Manufactured home
- Home occupation 1

DISCRETIONARY USES

DEVELOPMENT OFFICER

- Accessory structure
- Accessory building
- Day home
- Signs

DISCRETIONARY USES

- Accessory use
- Alternative energy, solar
- Home occupation 2
- Manufacture home community
- Prefabricated dwelling

2.5 **Residential Mixed-Use – R5**

The purpose of this district is to provide low-intensity development accommodating a mix of residential and commercial uses which are compatible with each other and with adjoining uses and can accommodate both public accessibility and parking requirements.

PERMITTED USES

- Business support service
- Club or fraternal organization
- Dwelling, single-unit
- Home occupation 1
- Medical/health facility
- Office
- Personal services
- Retail

DISCRETIONARY USES

DEVELOPMENT OFFICER

- Accessory building
- Accessory structure
- Day home
- Dwelling, live-work unit
- Home occupation 2
- Signs

DISCRETIONARY USES

- Accessory use
- Alternative energy, solar
- Bed and breakfast establishments
- Child care facility
- Community association building
- Contractor, limited
- Dwelling, two-unit
- Dwelling, mixed-use
- Moved-in building
- Moved-in dwelling
- Parking facility
- Public or private recreation
- Public or private utility
- Secondary suite

2.5.1 **Residential Mixed-Use – R5 (1613 26 Avenue)**

PERMITTED USES

Dwelling, single-unit
Home occupation 1
Prefabricated dwelling

DISCRETIONARY USES

DEVELOPMENT OFFICER

Accessory building
Accessory structure
Day home
Dwelling, live-work unit
Home occupation 2
Signs

DISCRETIONARY USES

Accessory use
Alternative energy, solar
Child care facility
Dwelling, mixed-use
Moved-in building
Moved-in dwelling
Secondary suite

PROHIBITED USES

Bed and breakfast establishments
Business support service
Club or fraternal organization
Community association building
Contractor, limited
Dwelling, two-unit
Medical/health facility
Office
Parking facility
Personal services
Public or private recreation
Public or private utility
Retail

2.6 **Retail/General Commercial – C1**

This district is intended to provide an area suited for commercial uses which will both maintain a strong central business district.

PERMITTED USES

Arts and crafts studio
Business support service
Club or fraternal organization
Financial institution
Medical/health facility
Office
Personal services
Retail
Tourist information

DISCRETIONARY USES

DEVELOPMENT OFFICER

Accessory structure
Accessory building
Dwelling, live-work unit
Mobile business unit
Shipping container, temporary
Signs

DISCRETIONARY USES

Accessory use
Alternative energy, solar
Alternative energy, wind
Amusement facility
Animal care service, small
Auto sales and service
Brewery, distillery, winery
Child care facility
Community association building
Convenience store
Contractor, limited
Dwelling, mixed-use
Entertainment establishment
Equipment sales, rental and service
Funeral home
Garden centre or greenhouse
General warehousing and storage
Government services
Hotel/motel
Liquor store
Lounge, beverage room
Market
Moved-in building
Outdoor storage
Parking facility
Public or private recreation
Public or private utility
Repair and service shop
Restaurant
Retail cannabis store
Service station or gas bar
Shipping container, permanent
Wholesale outlet

2.7 Highway Commercial – C2

This district is intended to manage development of commercial uses which require both high visibility and ready access to designated highways for the benefit of the travelling public.

PERMITTED USES

- Auto sales and service
- Contractor, limited
- Club or fraternal organization
- Equipment sales, rental and service
- Hotel/motel
- Personal services
- Public or private utility
- Retail
- Service station or gas bar
- Tourist information

DISCRETIONARY USES

DEVELOPMENT OFFICER

- Accessory structure
- Accessory building
- Mobile business unit
- Shipping container, temporary
- Signs

DISCRETIONARY USES

- Accessory use
- Alternative energy, solar
- Alternative energy, wind
- Animal care service, small
- Auto body and paint shop
- Auto repair shop
- Brewery, distillery, winery
- Car wash
- Child care facility
- Community association building
- Convenience store
- Contractor, general
- Dwelling, mixed-use
- Entertainment establishment
- Funeral home
- Garden centre or greenhouse
- General warehousing and storage
- Government services
- Liquor store
- Lounge, beverage room
- Lumber yard
- Market
- Moved-in building
- Office
- Outdoor storage
- Parking facility
- Public or private recreation
- Recycling facility
- Repair and service shop
- Restaurant
- Retail cannabis store
- Shipping container, permanent
- Surveillance suite
- Truck stop
- Wholesale outlet

2.8 **Neighbourhood Commercial – C3**

This district is intended to provide an area suited for commercial uses which will compliment neighbourhood livability.

PERMITTED USES

- Alternative energy, solar
- Child care facility
- Dwelling, mixed-use
- Medical/health facility
- Office
- Personal services

DISCRETIONARY USES

DEVELOPMENT OFFICER

- Accessory structure
- Accessory use
- Signs

2.9 Industrial – IN

This district is intended to provide for a broad range of industrial and storage uses. The location of individual uses will have regard to both the effect on adjacent uses and the ability to provide adequate services to the site.

PERMITTED USES

- Animal care service, small
- Auto sales and service
- Contractor, general
- Contractor, limited
- Equipment sales, rental and service
- General warehousing and storage
- Light fabrication shops
- Light industrial
- Lumber yard
- Manufacturing and fabrication
- Mini storage
- Recycling facility
- Transportation delivery service
- Truck dispatch / depot

DISCRETIONARY USES

DEVELOPMENT OFFICER

- Accessory structure
- Accessory building
- Outdoor storage
- Shipping container, temporary
- Signs

DISCRETIONARY USES

- Accessory use
- Alternative energy, solar
- Alternative energy, wind
- Animal care service, large
- Auctioneering facility
- Auto body and paint shop
- Auto wreckage and salvage yard
- Brewery, distillery, winery
- Cannabis production facility
- Car wash
- Funeral home
- Grain elevator
- Intensive horticultural operation
- Kennel
- Market
- Moved-in building
- Natural resource extractive use
- Office
- Private or public recreation
- Personal services
- Seed cleaning plant
- Service station or gas bar
- Shipping container, permanent
- Surveillance suite
- Waste management transfer station
- Wholesale outlet

2.10 **Direct Control – DC**

This district is intended to provide a means whereby Council may exercise particular control over the use and development of land or building within an area of the municipality; and to provide a means whereby Council may regulate and control the use or development of land or building in any manner it considers necessary.

2.11 **Public Institutional – PI**

This district is intended to provide for institutional, public and semi-public uses which are compatible with each other and with adjoining uses.

PERMITTED USES

Cemetery and interment services
Child care facility
Community association building
Government services
Institutional
Parks and playgrounds
Public or private utility
Religious assembly
Schools / educational facilities
Senior citizens housing
Tourist information
Wastewater treatment plant
Water treatment plant

DISCRETIONARY USES

DEVELOPMENT OFFICER

Accessory structure
Accessory building
Mobile business unit
Shipping container, temporary
Signs

DISCRETIONARY USES

Accessory use
Alternative energy, solar
Alternative energy, wind
Assisted living
Campground
Club or fraternal organization
Community garden
Golf course
Group care facility
Hospital
Market
Moved-in building
Parking facility
Recreation, private
Recreation, public
Shipping container, permanent
Waste transfer site

2.12 **Agricultural Transitional – AT**

This district is intended to ensure lots typically on the periphery of existing developments are allowed limited uses and maintain parcels of larger sizes to give maximum flexibility for use and development when the land is required for urban development.

PERMITTED USES

- Dwelling, single-unit
- Home occupation 1
- Intensive horticultural operation

DISCRETIONARY USES

DEVELOPMENT OFFICER

- Accessory structure
- Accessory building
- Shipping container, temporary
- Signs

DISCRETIONARY USES

- Accessory use
- Alternative energy, solar
- Alternative energy, wind
- Community garden
- Campground
- Day home
- Extensive agriculture
- Home occupation 2
- Manufactured home
- Moved-in building
- Moved-in dwelling
- Prefabricated dwelling
- Secondary suite
- Shipping container, permanent

Schedule 2

USE REGULATION

USE REGULATION

SECTION 1 USE CATEGORIES AND SPECIFIC USES

- 1.1 The uses allowed within the land use districts are identified in Table 2.2.1. The land use districts are referenced by their two letter abbreviations.
- 1.2 All of the Specific Use types listed in the second column of Table 2.2.1 are defined in Section 3 of this schedule.
- 1.3 A “P” indicates that the listed use is allowed by right within the respective land use district after review and approval by the Development Officer in accordance with *Section 29 Permitted Uses* in the Administrative section. PERMITTED USES are subject to all other applicable standards of the Land Use Bylaw.
- 1.4 A “DO” indicates that the listed use is allowed within the respective land use district after discretionary review and approval by the Development Officer in accordance with *Section 30 Discretionary Uses* in the Administrative section. DISCRETIONARY USES DEVELOPMENT OFFICER are subject to all other applicable standards of the Land Use Bylaw.
- 1.5 A “D” indicates that the listed use is allowed within in the respective land use district only after review and approval by the Municipal Planning Commission, in accordance with *Section 30 Discretionary Uses* in the Administrative section. DISCRETIONARY USES are subject to all other applicable standards of the Land Use Bylaw.
- 1.6 A blank cell (one without a “P”, “DO” or “D”) indicates that the listed use type is not allowed within the respective land use district.
- 1.7 A use that is not specifically listed in the Specific Use Type column of Table 2.2.1, but which may be similar in character and purpose to other uses of land and structures in the land use district in which such use is proposed, the Development Officer may classify the use as either similar to a permitted use or similar to a discretionary use in accordance with *Section 32 Similar Uses* in the Administrative section.
- 1.8 The provisions of Schedule 3 Dimensional Standards and Setbacks apply to all uses in this section.
- 1.9 Developments not requiring a municipal development permit are listed in Schedule 4.
- 1.10 The provisions of Schedule 5 General and Use Specific Standards of Development apply to the uses in this section.

SECTION 2 USE TABLE: Table 2.2.1

Use Category	Specific Use Type	Land Use Districts											Development Standard
		R1	R2	R3	R4	R5	C1	C2	C3	IN	PI	AT	
General													
	Accessory building	DO	DO	DO	DO	DO	DO	DO		DO	DO	DO	Sch 6 Sec 1 ^{1 2 3}
	Accessory structure	DO	DO	DO	DO	DO	DO	DO	DO	DO	DO	DO	1 ^{2 3}
	Accessory use	D	D	D	D	D	D	D	DO	D	D	D	1 ^{2 3}
	Alternative energy, solar	D	D	D	D	D	D	D	P	D	D	D	Sch 5 Sec 12 ^{1 2 3}
	Alternative energy, wind						D	D		D	D	D	Sch 5 Sec 12 ^{1 2 3}
	Moved-in building	D	D			D	D	D		D	D	D	Sch 6 Sec 14 ^{1 2 3} Sch 7 Sec 9 ^{1 2 3}
	Shipping container, permanent						D	D		D	D	D	Sch 5 Sec 14 ^{1 2 3}
	Shipping container, temporary	DO	DO	DO	DO		DO	DO		DO	DO	DO	Sch 5 Sec 14 ^{1 2 3}
	Signs	DO	DO	DO	DO	DO	DO	DO	DO	DO	DO	DO	Sch 8
	Telecommunication antenna	Sch 9											
Residential													
	Apartment building			D									Sch 6 ^{1 2 3}
	Assisted living			D							D		1 ^{2 3}
	Dwelling, live-work					DO	DO						Sch 6 Sec 19 ^{1 2 3}
	Dwelling, mixed-use					D	D	D	P				Sch 7 ^{1 2 3}
	Dwelling single-unit	P	D			P						P	Sch 6 ^{1 2 3}
	Dwelling 2 unit,		P			D							Sch 6 ^{1 2 3}
	Dwelling 3-unit, 4-unit			P									Sch 6 ^{1 2 3}
	Dwelling row (more than 4 units)			D									Sch 6 ^{1 2 3}
	Home occupation 1	P	P	P	P	P						P	Sch 6 Sec 11 ^{1 2 3}
	Home occupation 2	D	D	D	D	DO						D	Sch 6 Sec 11 ^{1 2 3}
	Manufactured home				P							D	Sch 6 Sec 13 ^{1 2 3}
	Manufactured home community				D								Sch 6 Sec 15 ^{1 2 3}
	Moved-in dwelling	D	D			D						D	Sch 6 Sec 14 ^{1 2 3}
	Prefabricated dwelling	P	P		D							D	Sch 6 Sec 12 ^{1 2 3}
	Secondary suite	D	D			D						D	Sch 6 Sec 16 ^{1 2 3}
	Senior citizen housing			D									1 ^{2 3}
	Show home	D	D										Sch 5 Sec 15 ^{1 2 3}
	Surveillance suite							D		D			Sch 7 Sec 10 ^{1 2 3}

Note: ¹ Sections of Schedule 6 or 7 may be applicable to the use listed in the table.
² Sections of Schedule 3 apply to the use listed in the table.
³ Sections of Schedule 5 may be applicable to the use listed in the table.

SECTION 2 USE TABLE: Table 2.2.1 (continued)

Use Category	Specific Use Type	Land Use Districts											Development Standard
		R1	R2	R3	R4	R5	C1	C2	C3	IN	PI	AT	
Public													
Community Service	Club or fraternal organization					P	P	P		P	D		1 2 3
	Community association building					D	D	D			P		1 2 3
	Government services						D				P		1 2 3
	Group care facility										D		1 2 3
	Hospital										D		1 2 3
	Institutional										P		1 2 3
	Medical/health facility								P				Sch 7 ^{1 2 3}
	Parking facility					D	D	D			D		1 2 3
	Religious assembly						D	D			P		1 2 3
	Schools / educational facilities										P		1 2 3
	Senior citizens housing										P		1 2 3
Tourist information						P	P		P	P		1 2 3	
Child Care	Day home	DO	DO	DO	DO	DO						DO	Sch 6 Sec 17 ^{1 2 3}
	Child care facility					D	D	D	P		P		1 2 3
Utility	Public or private utility					D	D	P		P	P		1 2 3
	Waste management transfer station									D	D		1 2 3
	Wastewater treatment plant										P		1 2 3
	Water treatment plant										P		1 2 3
Parks and Open Space	Cemetery and interment services										P		1 2 3
	Community garden										D	P	1 2 3
	Campground										D	D	1 2 3
	Golf course										D		1 2 3
	Parks and playgrounds										P		1 2 3

Note: ¹ Sections of Schedule 6 or 7 may be applicable to the use listed in the table.

² Sections of Schedule 3 apply to the use listed in the table.

³ Sections of Schedule 5 may be applicable to the use listed in the table.

SECTION 2 USE TABLE: Table 2.2.1 (continued)

Use Category	Specific Use Type	Land Use Districts											Development Standard		
		R1	R2	R3	R4	R5	C1	C2	C3	IN	PI	AT			
Industrial															
Manufacturing	Light fabrication shops										P			Sch 7 ^{1 2 3}	
	Light industrial										P			Sch 7 ^{1 2 3}	
	Manufacturing and fabrication										P			Sch 7 ^{1 2 3}	
Warehousing	Bulk fuel station										D			Sch 7 Sec 11 ^{1 2 3}	
	Mini storage										P			Sch 7 ^{1 2 3}	
	General warehousing and storage							D	D		P			Sch 7 ^{1 2 3}	
	Outdoor storage							D	D		DO			Sch 7 ^{1 2 3}	
Truck Transport	Transportation/delivery service										P			Sch 7 ^{1 2 3}	
	Truck dispatch/depot										P			Sch 7 ^{1 2 3}	
	Truck stop									D	D			Sch 7 ^{1 2 3}	
	Truck wash										D			Sch 7 ^{1 2 3}	
Construction	Contractor, general									D	P			Sch 7 ^{1 2 3}	
	Contractor, limited						D	D	P		P			Sch 7 ^{1 2 3}	
	Lumber yard									D	P			Sch 7 ^{1 2 3}	
Other	Animal care service, small							D	P		P			Sch 7 ^{1 2 3}	
	Animal care service, large										D			Sch 7 ^{1 2 3}	
	Auctioneering facility										D			Sch 7 ^{1 2 3}	
	Auto wreckage and salvage yard										D			Sch 7 ^{1 2 3}	
	Brewery, distillery, winery							D	D		D			Sch 7 Sec 14 ^{1 2 3}	
	Cannabis production facility										D			Sch 7 Sec 13 ^{1 2 3}	
	Extensive agriculture												D	1 2 3	
	Grain elevator											D			1 2 3
	Intensive horticultural operations											D	p		1 2 3
	Kennel											D			Sch 7 ^{1 2 3}
	Natural resource extractive uses											D			Sch 7 ^{1 2 3}
	Recycling facility											D	P		1 2 3
	Seed cleaning plant											D			1 2 3

Note: ¹ Sections of Schedule 6 or 7 may be applicable to the use listed in the table.

² Sections of Schedule 3 apply to the use listed in the table.

³ Sections of Schedule 5 may be applicable to the use listed in the table.

SECTION 2 USE TABLE: Table 2.2.1 (continued)

Use Category	Specific Use Type	Land Use Districts											Development Standard	
		R1	R2	R3	R4	R5	C1	C2	C3	IN	PI	AT		
Commercial														
Lodging and Residential	Bed and breakfast	D	D			D								Sch 6 Sec 18 ^{1 2 3}
	Boarding or lodging house			D										Sch 7 ^{1 2 3}
	Hotel/motel						P	P						Sch 7 ^{1 2 3}
	Mixed-use residential						D	D						Sch 7 ^{1 2 3}
Offices	Business support service					P	P			D				Sch 7 ^{1 2 3}
	Financial institutions						P							Sch 7 ^{1 2 3}
	Office					P	P	D	P	D				Sch 7 ^{1 2 3}
Recreation and Entertainment	Amusement facility						D							Sch 7 ^{1 2 3}
	Entertainment establishment						D	D						Sch 7 ^{1 2 3}
	Lounge, beverage room						D	D						Sch 7 ^{1 2 3}
	Public or private, recreation					D	D	D		D	D			Sch 7 ^{1 2 3}
Retail Sales and Service	Arts and crafts studio						P							Sch 7 ^{1 2 3}
	Convenience store						D	P						Sch 7 ^{1 2 3}
	Equipment sales, rental and service						D	P		P				Sch 7 ^{1 2 3}
	Market						D	D		D	D			Sch 7 ^{1 2 3}
	Funeral home						D	D		D				Sch 7 ^{1 2 3}
	Garden centre or greenhouse						D	D		D				Sch 7 ^{1 2 3}
	Liquor store						D	D						Sch 7 ^{1 2 3}
	Mobile business unit						DO	DO		DO				Sch 7 Sec 15 ^{1 2 3}
	Personal services					P	P	P	P	D				Sch 7 ^{1 2 3}
	Repair and service shop						D	D						Sch 7 ^{1 2 3}
	Restaurant						D	D						Sch 7 ^{1 2 3}
	Retail					P	P	P						Sch 7 ^{1 2 3}
	Retail cannabis store						D	D						Sch 7 Sec 13 ^{1 2 3}
	Service station or gas bar						D	P		D				Sch 7 Sec 11 ^{1 2 3}
Wholesale outlets						D	D		D				Sch 7 ^{1 2 3}	
Automotive Related	Auto body and paint shop							D		D				Sch 7 ^{1 2 3}
	Auto repair shop							D						Sch 7 ^{1 2 3}
	Auto sales and service						D	P		P				Sch 7 ^{1 2 3}
	Car wash							D		D				Sch 7 ^{1 2 3}

Note: ¹ Sections of Schedule 6 or 7 may be applicable to the use listed in the table.

² Sections of Schedule 3 apply to the use listed in the table.

³ Sections of Schedule 5 may be applicable to the use listed in the table.

SECTION 3 LAND USE DEFINITIONS

A

ACCESSORY BUILDING means any building that is physically separate from the principal building on the lot on which both are located and which is subordinate and incidental to that of the principal building. The use is subordinate and incidental to that of the principal use of the site on which it is located and examples of a typical accessory building is a private garage or shed. No accessory building shall be used for human habitation.

ACCESSORY STRUCTURE means a structure that is detached from the principal building. It is ancillary, incidental, and subordinate to the principal building or use. Typical accessory structures include flagpoles, swimming pools, storage tanks and satellite dishes. When a structure is attached to the principal building by a roof, a floor, a wall, or a foundation, either above or below grade, it is considered part of the principal building. No accessory structure shall be used for human habitation.

ACCESSORY USE means a use or development customarily incidental and subordinate to the principal use or building and is located on the same parcel as such principal use or building. A principal use must be legally established or approved before an accessory use can be approved.

ADULT ESTABLISHMENT means commercial establishments in which a significant portion of the business is to:

- (a) display, sell, have in their possession for sale, offer for view, publish, disseminate, give, lease, or otherwise deal in any written or printed matter, pictures, films, sound recordings, machines, mechanical devices, models, facsimiles, or other material and paraphernalia depicting sexual conduct or nudity and which exclude minors by reason of age;
- (b) which display for viewing any film or pictures depicting sexual conduct or nudity and which exclude minors by reason of age; and
- (c) in which any person appears or performs in a manner depicting sexual conduct or involving nudity and from which minors are excluded by reason of age.

ALTERNATIVE ENERGY, SOLAR means a structure that collects energy derived from the sun and is for the sole consumption of the landowner, resident or occupant.

ALTERNATIVE ENERGY, WIND means a structure that collects energy derived from the wind and is for the sole consumption of the landowner, resident or occupant.

AMMONIA STORAGE means a building and containment facility used for the safe storage of ammonia and ammonia products normally associated with use for agricultural purposes.

AMUSEMENT FACILITY means development for amusement pastimes, and may incorporate eating facilities as an accessory use. Such uses may include but are not limited to, amusement arcades, billiard parlours, bingo halls, bowling alleys and indoor mini-golf.

ANIMAL CARE SERVICE, LARGE means any establishment maintained and operated by a licensed veterinarian for the on-site or off-site treatment of animals. The development may also be used for on-site boarding, breeding or training of animals and livestock. The facility may also include outside buildings and pens associated with the service and the supplementary sale of associated animal care products. Typically, this use will include veterinary offices or hospitals, animal shelters, and facilities for impounding and quarantining animals.

ANIMAL CARE SERVICE, SMALL means development for the on-site treatment of small animals such as household pets, where on-site accommodation may be provided and where all care and confinement facilities are enclosed within one particular building. This use may also include the supplementary sale of associated animal products. Typically, this use will include pet grooming salons, pet clinics and veterinary offices.

APARTMENT BUILDING means a structure with several self-contained dwelling units (see definition of dwelling unit), each of which occupies a portion of the same building. Such a building will typically consist of five (5) or more apartments for rent and may include an area for tenant and visitor parking and may have a common entrance.

ARTS AND CRAFTS STUDIO means development used for the purpose of small scale, on-site, production of goods by hand manufacturing primarily involving the use of hand tools. Typical uses include pottery, ceramic, jewelry, woodworking shops, and sculpture and artist studios.

ASSISTED LIVING means a special combination of housing, supportive services, personalized assistance, and health care designed to respond to the individual needs of those who need help with activities of daily living. The facility may include a central or private kitchen, dining, recreational, and other facilities, with separate dwelling units or living quarters, where the emphasis of the facility remains residential.

AUTO BODY AND PAINT SHOP means a building where motor vehicles are repaired and also where motor vehicle bodies and parts, and other metal machines, components, or objects may be painted. Painting of this type shall not be done outdoors, but must be set up in a properly ventilated building. This use may also include an outdoor storage area or impound area, towing service and an office component.

AUTO REPAIR SHOP means a development used for the servicing and mechanical repair of automobiles, motorcycles, snowmobiles and similar vehicles or the sale, installation or servicing of related accessories and parts, including transmission shops, muffler shops, tire shops, automotive glass shops and upholstery shops.

AUTO SALES AND SERVICE means the retail sale, lease, or rental of new or used automobiles or recreational vehicles and may include a facility for the repair and servicing of automobiles and recreational vehicles, including but not limited to, mufflers, oil changes, transmissions, engine replacement, glass repair, auto detailing. Such facilities do not include the sale of gas but may include towing services as an accessory use.

AUCTIONEERING FACILITY means any facility where animals or goods are regularly bought, sold, or traded to the highest bidder. The facility may also include holding pens and viewing areas, transport facilities, spectator seating, and administrative offices. This definition does not apply to individual sales of animals or goods by private owners.

AUTO WRECKAGE AND SALVAGE YARD means a facility or operation specifically intended for the dismantling of automotive vehicles and the sale of those parts to the general public. Such a facility may include an administrative office, work areas, towing and impound yard, and outdoor storage. The parcel of land on which the facility exists must be completely fenced according to Town standards.

B

BALCONY means an accessory structure where the projecting platform is elevated greater than 0.6 m (2 ft) from grade and usually surrounded by a railing. The platform is attached to or extending horizontally from one or more main walls of a building with one side greater than 1 m (3 ft) in width open to the elements. It may be cantilevered from the building or supported from below.

BED AND BREAKFAST means an accessory use carried out in an owner-occupied dwelling where temporary accommodation is provided to non-residents of the dwelling for remuneration, and where meals, if provided for guests, are prepared in the common kitchen of the principal residence.

BOARDING OR LODGING HOUSE means a private dwelling in which lodgers rent room(s) for one night or even more extended periods of weeks or months. The common parts of the house, such as bathroom(s), kitchen, and living areas, are maintained by the private owner. Meals, laundry or cleaning may be provided as part of the lodging agreement.

BREWERIES, DISTILLERIES AND WINERIES means a development that manufactures beer, wine, spirits or other alcoholic beverages. This Use may include the sale of alcoholic beverages to the public for consumption within the premises. Retail sales of alcoholic beverages for consumption off site shall only be manufactured within the premises. Accessory activities may include the preparation and sale of food, and storage, packaging, bottling, canning and shipping of products manufactured within the premises. This use may have a private non-sale hospitality area where products manufactured within the premises are provided to private individuals or groups for tasting and sampling.

BUILDING AND TRADE CONTRACTORS means a facility for the provision of electrical, plumbing, heating, painting and similar contractor services primarily to individual households and the accessory sale of goods normally associated with such contractor services where all materials are kept within an enclosed building, and where there are no associated manufacturing activities.

BULK FUEL STATION means a use of land or buildings for storing and distributing petroleum products in bulk quantities. This use includes supplementary tanker vehicle storage and card lock or key lock fuel distribution facilities.

BUSINESS means a commercial, merchandising, or industrial activity or undertaking, a profession, trade, occupation, calling or employment or an activity providing goods or services, whether or not for profit and however organized or formed, including a cooperative or association of persons.

BUSINESS SUPPORT SERVICE means an establishment primarily engaged in providing services for other business establishments such as advertising, copying, equipment, financial services, employment services, and other similar services.

C

CAMPGROUND means a use of land or buildings intended for seasonal occupancy by holiday or tent trailers, recreation vehicles, tents and similar equipment and which may include supplementary bathroom and recreational facilities, eating shelters, convenience retail, laundry facilities and dwelling accommodations for the operator.

CANNABIS means a cannabis plant and is as defined in the Government of Canada *Cannabis Act*.

CANNABIS ACCESSORY refers to the products used in the consumption of cannabis and is as defined in the Government of Canada *Cannabis Act*.

CANNABIS PRODUCTION FACILITY means a development where cannabis is grown, processed, packaged, tested, destroyed, stored or loaded for shipping.

CAR WASH means the use of a structure or area providing for the cleaning of motor vehicles but does not include SERVICE STATIONS/GAS BARS.

CARPORT means a partially enclosed accessory structure intended for the shelter of one of more motor vehicles with at least forty percent (40%) of the total perimeter open and unobstructed.

CEMETERY AND INTERMENT SERVICES means a development for the entombment of the deceased and may include such facilities as crematories, cinerarium, columbarium, mausoleums, memorial parks, burial grounds, cemeteries and gardens of remembrance.

CHILD CARE FACILITY means a building or portion thereof used for the provision of care, maintenance and supervision of seven (7) or more children, by persons unrelated to the children by blood or marriage, for periods not exceeding 24 consecutive hours and includes all child-care centres, day cares, nurseries and after-school or baby-sitting programs which meet the conditions of this definition. Group homes and day homes are separate uses.

CHURCH means a building or facility whose primary purpose is to facilitate meetings of a group of people for public worship or religious services. See RELIGIOUS ASSEMBLY.

CLUB OR FRATERNAL ORGANIZATION means a development for the assembly of members of non-profit clubs or organizations, including charitable, social service, ethnic, athletic, business or fraternal organizations. This use may include eating, drinking, entertainment, sports, recreation, and amusement facilities as accessory uses but "Campground" is a separate use.

COMMUNITY ASSOCIATION BUILDING or COMMUNITY HALL means a facility or building whose primary purpose is to accommodate use by community group(s). The structure may include such features as meeting rooms, kitchen, stage and open floor area, bar/liquor area, multi-purpose rooms, washrooms, coat room, storage room(s) and administrative offices. Exterior uses may include parking, playground areas, outdoor shelters, and sitting areas.

COMMUNITY GARDEN means a public facility for cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person or family.

CONTRACTOR, GENERAL means development used for industrial service support and construction. Typical uses include cleaning and maintenance contractors, building construction, landscaping, concrete, electrical, excavation, drilling heating, plumbing, paving, road construction, sewer or similar services of a construction nature which require on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service. Any sales, display, office or technical support service areas shall be accessory to the principal general contractor use.

CONTRACTOR, LIMITED means a development used for the provision of electrical, plumbing, heating, painting, catering and similar contractor services primarily to individual household and the accessory sales of goods normally associated with the contractor services where all material are kept within an enclosed building, and there are no accessory manufacture activities or fleet storage of more than four vehicles.

CONVENIENCE STORE means a retail store that sells a limited line of groceries and household goods for the convenience of the neighbourhood.

D

DAY HOME means a private residence where care, development and supervision are provided for a maximum of six children between the ages of 0-12 years, by persons unrelated to the children by blood or marriage, including children under the age of 12 who reside in the home, for periods not exceeding 24 consecutive hours.

DECK means an accessory structure consisting of a paved, wooden, or other hard-surfaced area generally adjoining a principal building intended for outdoor living space that is 0.6 m (2 ft) or greater above grade.

DETACHED GARAGE means an accessory building designed and use primarily for the storage of motor vehicles that is not attached or is separate from the principal building.

DRIVE-IN/DRIVE-THROUGH RESTAURANT means an establishment where food is prepared and served on the premise for sale to the public and includes car attendant or drive-through pick-up service. See RESTAURANT.

DWELLING means a building or portion thereof designed for human habitation and which is intended to be used as a residence for one or more individuals but does not include travel trailers, motor homes, recreational vehicles, or other mobile living units, hotel, motel, dormitory, boarding house, or other similar accommodation. Dwelling includes the following:

Dwelling, 2 unit means a residential building that contains two separate dwelling units connected either by a common floor/ceiling, or by a common wall (party wall) between units.

Dwelling, 3 unit means a residential building comprised of three dwelling units, each unit having a separate, direct entrance from grade or a landscaped area. Each dwelling unit will be connected either by a common floor/ceiling, or by a common wall (party wall) between units.

Dwelling, 4 unit means a residential building comprised of four dwelling units, each unit having a separate, direct entrance from grade or a landscaped area. Each dwelling unit will be connected either by a common floor/ceiling, or by a common wall (party wall) between units.

Dwelling, Live-work unit means a development that shall include a detached dwelling unit as the principal use and may contain an accessory commercial establishment.

Dwelling, Mixed-use means a separate dwelling unit located within a commercial building.

Dwelling, Row means development consisting of a building containing a row of three or more dwelling units each sharing a common wall extending from the first floor to the roof, at the side only with no dwelling being placed over another in whole or in part. Each dwelling unit shall have separate, individual, and direct access to the building at grade.

Dwelling, Single-unit means a residential building containing only one dwelling unit which is to be constructed on site and is to be placed on a basement or permanent slab foundation.

E

EATING ESTABLISHMENT means an establishment where food is prepared and served on the premises for sale to the public and may include supplementary on or off-premises catering services. This term includes restaurants, cafes, lunch and tea rooms, ice cream parlours, banquet facilities, take-out restaurants and other uses similar in character and nature. See RESTURANT.

EDUCATIONAL FACILITY means a place of instruction offering continuing education or specialized courses of study. Included in the category may be public, private, and commercial institutions.

ENTERTAINMENT ESTABLISHMENT means an establishment such as a theatre, auditorium, lounge or cabaret providing dramatic, musical or other entertainment indoors or outdoors and may include facilities for supplementary food and beverage consumption.

EQUIPMENT SALES, RENTAL AND SERVICE means the use of land or buildings for the retail sale, wholesale distribution, rental and may include service of: hand tools, small construction, farming, gardening and automotive equipment, small machinery parts and office machinery and equipment.

EXTENSIVE AGRICULTURE means the production of crops by expansive cultivation as the principal use of the site. Buildings associated with extensive agriculture are classified as accessory structures. This use does not include agricultural-related industry buildings or uses such as packaging plants, processing plants, agricultural support services or any other similar uses or structures.

F

FENCE means an accessory structure usually made of wood, rails, bricks or wire intended to mark parcel boundaries and provide yard privacy.

FINANCIAL INSTITUTION means a development or use primarily for providing the service of banking or lending money, such as a bank, savings and loan institution, or credit union.

FITNESS FACILITY means a development where space, equipment or instruction is provided for people to pursue physical fitness or skills relating to physical activities and may include the incidental sale of products relating to the service provided. See Personal services.

FUNERAL HOME means a development used for the arrangement of funerals, the preparation of the deceased for burial or cremation, and the holding of funeral services.

G

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

GARDEN CENTRE OR GREENHOUSE means a building specially designed and used for the commercial growing of vegetables, flowers or other plants for transplanting or sale. The use may include accessory retail uses on the premises.

GARDEN SHED means an accessory structure to store household and garden equipment and supplies.

GENERAL STORE means a retail establishment which deals primarily with the display and sale of food and other household goods required by residents of the immediate vicinity to meet their day-to-day household needs.

GENERAL WAREHOUSING AND STORAGE means a building used for the storage of goods, equipment, or merchandise. The building may include administrative offices, loading areas, parking areas, storage rooms and the retail sale of goods stored in the warehouse. No outside storage is permitted with this use.

GOLF COURSE means an outdoor use/establishment of varying size where the land is developed primarily to accommodate the game of golf. Accessory uses include a pro shop, driving range, food service, and other commercial uses typically associated with a golf course clubhouse facility.

GOVERNMENT SERVICES means development providing municipal, provincial, or federal government services directly to the public or the community at large, and includes development required for the public protection of persons or property.

GRAIN ELEVATOR/SEED CLEANING means a facility for the collection, grading, sorting, storage, and transshipment of grains. This definition also includes 'inland grain terminals'.

GROUP CARE FACILITY means a development which provides residential accommodation and rehabilitative services to persons who are handicapped, disabled or undergoing rehabilitation and are provided care to meet their needs. Persons are typically referred to a group care facility by hospitals, courts, government agencies or recognized social service agencies or health professionals but may also voluntarily request care. This use includes supervised uses such as group homes, half-way houses, and convalescent homes. This use does not include senior housing or assisted living, which are separate uses in this bylaw.

H

HOLIDAY TRAILER – see RECREATIONAL VEHICLE

HOME OCCUPATION means an occupation, trade, profession or craft carried on by an occupant of a dwelling unit as a use secondary to the residential use of the lot, and which does not change the character thereof or have any exterior evidence of such secondary use.

HOSPITAL means a building providing medical treatment on both an in-patient and out-patient basis and may include provision for outdoor amenity areas, laundry facilities, maintenance buildings and air transport facilities.

HOTEL means the use of a building for sleeping accommodations provided for a fee on a daily basis, accessible only through a central lobby with onsite parking; the building may also contain accessory commercial, and food and beverage service uses.

I

INSTITUTIONAL means a use by or for an organization or society for public or social purposes and, without restricting the generality of the term includes museums, libraries, and government buildings.

INTENSIVE HORTICULTURAL OPERATIONS means a use of land or buildings for the high yield production of specialty crops and may include on-site sales. This use includes greenhouses, nurseries, hydroponic or market gardens, tree, mushroom and sod farms.

K

KENNEL means a commercial operation means a facility where dogs or cats or other domestic pets are maintained, boarded, bred, trained or cared for or kept for the purposes of sale but excludes an Animal Care Service.

L

LIGHT FABRICATION SHOPS means the assembly of metal parts, including blacksmith and welding shops, sheet metal shops, machine shops, and boiler shops, that produce metal duct work, tanks, towers, cabinets and enclosures, metal doors and gates, and similar products.

LIGHT INDUSTRIAL means development used for processing, assembly, production or packaging of goods or products, as well as administrative offices and warehousing and wholesale distribution uses which are accessory uses to the above, provided that the use does not generate any detrimental impact, potential health or safety hazard or any nuisance beyond the boundaries of the developed portion of the site or lot upon which it is situated.

LIQUOR STORE means a retail establishment licensed under provincial authority for the sale of any or all of beer, wine, or spirits for consumption off premises. Full walls must physically separate the premises from any other business.

LOUNGE / BEVERAGE ROOM / DRINKING ESTABLISHMENT means an establishment, licensed by the Alberta Gaming and Liquor Commission, in which alcoholic beverages are served for a fee for consumption on the premises, and any preparation or serving of food is accessory thereto, and includes a licensed lounge that is ancillary to a restaurant.

LUMBER YARD means a commercial operation where lumber, building materials and supplies, and other building-related goods are stored, displayed and sold.

M

MACHINERY AND EQUIPMENT SALES, RENTAL, AND SERVICE means a commercial operation where the land and buildings are used for the sale, service and rental of machinery, vehicles and heavy machinery used in the operation, construction or maintenance of buildings, roadways, pipelines, oil fields, mining or forestry operations, and in freight hauling operations. Cleaning, repairing and sale of parts and accessories may be allowed as part of the principal use. Such a facility may include an administrative office, ancillary structures, outdoor work areas, parking, and outdoor storage areas.

MANUFACTURED HOME means a completely self-contained dwelling unit, designed and constructed entirely within a factory setting. Typically it is transported to a site in not more than one piece on its own chassis and wheel system or on a flatbed truck. For the purposes of this bylaw, a manufactured home does not include a “modular home” or “ready-to-move home”.

MANUFACTURED HOME COMMUNITY means a comprehensively planned residential development intended for the placement of manufactured homes on sites or pads. Such a community may also include amenity areas or facilities for the use of the community’s residents.

MANUFACTURING AND FABRICATION means a commercial operation where the land and buildings are used for the manufacture or fabrication of products or parts, and also the retail sale of such products or parts to the general public. Such a facility may include an administrative office, ancillary structures, outdoor work areas, parking, and outdoor storage areas.

MARKET means a development indoors or outdoors which provides to vendors, stalls or other similarly restricted areas for the demonstration of products and services, disposal and sale of goods, wares or merchandise to the public, at a single location or premises, including but not limited to Farmers Markets, Flea Markets, Craft Shows or Trade Fairs.

MARKET GARDEN means the growing of vegetables or fruit for commercial purposes. This use includes an area for the display and sale of goods or produce grown or raised on site.

MEDICAL/HEALTH FACILITY means a facility for the provision of human health services without overnight accommodation for patients and may include associated office space. Typical uses include physiotherapy, registered massage therapy, doctor, dentist, optometrist, and chiropractic offices.

MINI STORAGE means the use of land with compartmentalized buildings or a designated site set up for the storage of equipment, household or business materials, or vehicles, but excludes storage of hazardous goods or materials. Accessory to this use is the exterior screened storage of recreational vehicles, boats, trailers and similar items.

MOBILE BUSINESS UNIT means a development that uses a motorized vehicle, temporary structure or display or stand from which business is carried on and which is not permanently in a fixed location.

MOBILE HOME – see MANUFACTURED HOME

MODULAR means a prefabricated dwelling unit consisting of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. See PREFABRICATED DWELLING.

MOTEL means a building or group of buildings on a site designed and operated to provide temporary accommodation for transient motorists and contains separate sleeping units, each of which is provided with an adjoining conveniently located parking stall. The building may also include accessory eating and drinking establishments and personal service shops.

MOVED-IN BUILDING means a previously used non-residential building, which is removed from a site, and then transported and re-established on another site.

MOVED-IN DWELLING means a previously existing, established and occupied dwelling, which is removed from one site and then transported and re-established on another site. For the purposes of this bylaw, a moved-in dwelling does not include a “manufactured home”, “modular home”, “ready-to-move home”, motor home, travel trailer, recreation vehicle and any similar vehicles that are neither intended for permanent residential habitation nor subject to the current provincial building requirements.

MUSEUM means a building or site used for the preservation, collection, restoration, display or demonstration of articles of historical significance and may include archival records of a geographic area or of a time period. See Institutional.

N

Natural resource extractive uses means those uses of land or buildings which are governed by the location of a natural resource and which involve the extraction or on-site processing and storage of a natural resource, except those industries which are noxious or hazardous industries. Natural resource extractive uses include the following:

- (a) cement and concrete batching plants;
- (b) sand and gravel operations; and
- (c) logging and forestry operations, including sawmills.

O

OFFICE means development primarily for the provision of professional, management, administrative, consulting, or financial services in an office setting. Typical uses include but are not limited to the offices of lawyers, accountants, travel agents, real estate and insurance firms, planners, clerical and secretarial agencies. This excludes government services, the servicing and repair of goods, the sale of goods to the customer on the site, and the manufacturing or handling of a product.

OUTDOOR DISPLAY means the temporary display of goods, products or materials, typically not in a fixed position and which are removed or sold off during a short period of time. This use does not include Outdoor Storage.

OUTDOOR STORAGE means the use of land with or without attendant buildings for the open, outdoor storage of equipment, materials or vehicles, or processed or unprocessed resources or materials. For the purposes of this bylaw, this definition is limited to those uses that require minimal on-site improvements, service and public amenities or facilities and does not include those goods or materials which are hazardous.

P

PANELIZED DWELLING means a prefabricated dwelling unit consisting of factory built wall panels which are assembled on site. All service systems and connections must comply with Alberta Safety Codes. See Prefabricated Dwelling.

PARKING FACILITY includes parking areas, parking spaces and parking structures which are defined as follows:

- (a) **Parking area** means a portion of land or a building or a combination of both, set aside for and capable of providing space for the parking of a number of motor vehicles.
- (b) **Parking space** means a space set aside for and capable of being used for the parking of one motor vehicle.
- (c) **Parking structure** means a building or other structure designed for parking automobiles in tiers on a number of levels above each other whether above or below the ground.

PARK MODEL TRAILER means a recreational vehicle that is either:

- (a) built on a single chassis mounted on wheels designed for infrequent towing by a heavy-duty tow vehicle but is restricted in size and weight so that it does not require a special highway movement permit and conforms to the CSA-Z-240 standard for recreational vehicles; or
- (b) a recreational vehicle intended for temporary residence or seasonal use built on a single chassis mounted on wheels, which may be removed and returned to the factory, requiring a special tow vehicle and highway permit to move on the road and conforms to the CSA Z-241 standard for recreational vehicles.

PARKS AND PLAYGROUNDS means land developed for public recreational activities that do not require major buildings or facilities, and includes picnic areas, playgrounds, pedestrian and bicycle paths, landscaped areas and associated public washrooms. This may include public open space, which is not in private ownership and is open to use by the public.

PATIO means an outdoor area of a lot developed and used for leisure or recreation purposes.

PERSONAL SERVICES means uses that provide personal services to an individual that are related to the care and appearance of the body or the cleaning and repair of personal effects. Typical uses include but are not limited to barber shops, beauty salons, hairdressers, manicurists, aestheticians, fitness facility, tailors, dress makers, shoe repair shops, dry cleaning establishments, and laundries but does not include health services.

PORCH means a covered, open accessory structure (unenclosed) that is attached to the exterior of a building, often forming a covered entrance to a doorway. The structure does not have solid walls, but may be screened.

PREFABRICATED DWELLING means a dwelling unit or portions of a dwelling unit that is built in a factory or portions of dwelling units that are built in a factory or location other than on the lot intended for occupancy and includes modular, ready-to-move and panelized dwellings. The dwelling is factory built structure that is manufactured in accordance with CSA and the Alberta Building Code, is transportable in one or more sections, and is used as a place for human habitation; but which is not constructed with a permanent hitch, chassis or other device allowing transport of the unit other than for the purpose of delivery to a permanent site. This definition does not include manufactured homes, park model recreational units, park model trailers or travel trailers.

PUBLIC OR PRIVATE UTILITY means any one or more of the following:

- (a) systems for the distribution of gas, whether artificial or natural;
- (b) facilities for the storage, transmission, treatment, distribution or supply of water;
- (c) facilities for the collection, treatment, movement or disposal of sanitary sewage;
- (d) storm sewage drainage facilities;
- (e) telecommunications systems;
- (f) systems for the distribution of artificial light or electric power;
- (g) facilities used for the storage of telephone, cable, remote weather stations or internet infrastructure;
- (h) any other things prescribed by the Lieutenant Governor in Council by regulation.

Q

QUONSET means an accessory building made from metal having a semicircular roof or cross section and end walls.

R

READY-TO-MOVE (RTM) DWELLING means a dwelling unit that would normally be constructed on the site intended for occupancy, but for various reasons, is constructed at an off-site manufacturing facility, construction site, plant site or building yard. It is then loaded and transported as one unit onto the proper moving equipment and delivered to the site intended for occupancy and placed on a concrete slab or basement or other approved foundation.

RECREATION, PRIVATE means sports or recreational or retreat activities, use, facilities including associated eating and retail areas, provided by commercial for-profit and non-profit businesses where the public is admitted for a fee or where admission is limited to members of an organization or limited group. Such uses include, but are not limited to, gymnasiums, athletic/sport fields, shooting ranges, paint-ball, go-cart tracks, golf courses and ranges, outdoor min-golf, recreation centres, indoor/outdoor ice rinks, campgrounds retreats and country clubs.

RECREATION, PUBLIC means sports or recreational or retreat activities, uses or facilities, including associated eating and retail areas, for public use which are public-owned or operated (i.e. municipal, provincial, or federal including local boards, agencies or commissions of the Town). Such uses include, but are not limited to, gymnasiums, athletic/sports fields shooting ranges, paint-ball, go-cart tracks, golf courses and ranges, outdoor min-golf, recreation centres, rodeo grounds, indoor/outdoor ice rinks, campground, retreats, and country clubs.

RECREATIONAL VEHICLE / HOLIDAY TRAILER means a transportable living unit, designed to be moved on its own wheels or by other means (including units permanently mounted on trucks), designed or constructed to be used for sleeping or living purposes on a short-term, temporary basis. Such living units are subject to highway safety standards rather than housing standards. Typical units include, but are not limited to motor homes, campers, holiday trailers, travel trailers, fifth wheel trailers, tent trailers and park model trailers. These units are not permitted as either temporary or permanent dwellings.

RECREATIONAL VEHICLE STORAGE – see OUTDOOR STORAGE

RECYCLING FACILITY means a development for the purchasing, receiving and temporary storage of discarded articles, provided that the use does not generate a detrimental effect or nuisance beyond the parcel or lot upon which it is situated. This use may involve supplementary production of by-products or materials and includes bottle, can, and paper recycling depots.

RELIGIOUS ASSEMBLY means a use or development used for public meetings, worship and related religious or social activities, and includes accessory rectories, manses, meeting rooms and classrooms. Typical uses would include community or civic halls/clubs, churches, chapels, temples, mosques, synagogues, parish halls and convents.

REPAIR AND SERVICE SHOP means a development offering the repair of, or service of, goods, equipment or products. Sales of repair or service goods, equipment or products and limited sales of related goods, equipment or products are permitted as an ancillary part of this land use.

RESTAURANT means a commercial development where food and beverages are prepared and served. The development may include supplementary alcoholic beverage service and catering services. This term will include restaurants, cafes, diners, lunch and tea rooms, ice cream parlors, banquet facilities, take-out

restaurants and such other uses as the Municipal Planning Commission considers similar in character and nature to any one of these uses.

RETAIL means a commercial premise where goods, merchandise, substances, articles, and other materials, are offered for sale to the general public and includes limited on-site storage or limited seasonal outdoor sales to support that store's operations. Typical uses include but are not limited to grocery, bakery, hardware, pharmaceutical, appliance, clothing, and sporting goods stores. These uses exclude warehouse sales and the sale of gasoline, heavy agricultural and industrial equipment, alcoholic beverages, Retail Cannabis Store or retail stores requiring outdoor storage. Minor government services, such as postal services, are permitted within general retail stores.

RETAIL CANNABIS STORE means a development for the retail sale of cannabis and cannabis accessories. This use does not include Cannabis Production Facility, or Retail.

S

SALVAGE OR WASTE DISPOSAL FACILITY means development for purchasing, receiving or transporting of spent materials or substances which may generate a detrimental impact or nuisance beyond the boundaries of the lot or parcel on which it is situated. This term includes uses such as auto wreckers, salvage and scrap yards, garbage container services, and effluence tanker services.

SANDBLASTING FACILITIES means a business where the major source of activity involves the large scale sandblasting of agricultural, industrial or other equipment/items. Sandblasting facilities may also include welding and painting facilities on-site.

SCHOOL means a place of instruction offering courses of study. Included in the category are public, private, and separate schools.

SECONDARY SUITE means a facility containing cooking facilities, food preparation area, sleeping and sanitary facilities, which is physically separate from those of the principal dwelling within the structure. A secondary suite shall also have 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.

SENIOR CITIZENS HOUSING means a dwelling unit or accommodation sponsored and administered by any public agency or any non-profit organization, either of which obtains its financial assistance from Federal, Provincial, or Municipal Governments or agencies or public subscriptions or donation or any combinations thereof. Senior citizen accommodation may include lounge, dining, health care, and recreation facilities. Also see ASSISTED LIVING.

SERVICE STATION or GAS BAR means any lot or building used for the retail sale of motor accessories, gasoline or other fuels and the supply of washing, greasing, cleaning and minor repair services for motor vehicles.

SHIPPING CONTAINER means any container that is or was used for transport of goods by means of rail, truck or by sea. These are generally referred to as a C-Container, sea cargo container, sea can or cargo container. Such containers are typically rectangular in shape and are generally made of metal. For the purposes of this bylaw, when such a container is used for any purpose other than transporting freight, it will be considered as a structure, must conform to these regulations and may require a permit.

SHOW HOME means a finished dwelling unit which has been staged with appliances, furniture, and decorations for the viewing public as a sales tool. A show home may or may not contain a sales office for the development.

SIGN means any object, structure, fixture, placard, device and components, or portion thereof, which is used to advertise, identify, communicate, display, direct or attract attention to an object, matter, thing, person, institution, organization, business, product, service, event or location by any means. Refer to Schedule 8 for more sign definitions.

SMALL WIND ENERGY CONVERSION SYSTEM (SWECS) means a development that generates electricity from a wind turbine, either building or tower mounted, including associated control and conversion electronics and tower guy wires, which has a limited generation capacity to be used primarily for the applicants own use. See ALTERNATIVE ENERGY.

STICK BUILT means structures or buildings that are built on site with one piece of lumber at a time.

SURVEILLANCE SUITE means a dwelling unit or sleeping unit, not exceeding 46.5 m² (500 ft²) in size, that is developed in conjunction with a principal use so that the dwelling is a supplementary use to the principal use, and which is used solely to accommodate a person or persons, whose function is to provide surveillance, maintenance and security.

T

TELECOMMUNICATION ANTENNA means a structure and any associated system, including all masts, towers and other antenna supporting structures that is used for the transmission, emission or reception of television, radio or telecommunications.

TOURIST INFORMATION means a development intended to provide information to the travelling public and may include washroom and picnic facilities and accessory retail sales.

TRANSPORTATION/DELIVERY SERVICE means development involving the use of one or more vehicles to transport people, mail, currency, documents, packages and articles for compensation such as a mobile catering service, the rental or lease of vans and trucks, taxi service, limousine or bus service and may include limited storage and repair of the vehicles used. This use does not include towing operations.

TRANSPORTATION DISPATCH/DEPOT means a facility for the purpose of storing and dispatching trucks, buses, fleet vehicles, and transport vehicles and may include towing operations. The use may also involve the transfer of goods primarily involving the loading and unloading of freight-carrying trucks.

TRAVEL TRAILER – see RECREATIONAL VEHICLE

TRUCK STOP means a building, premise or land in which or upon which a business, service or industry involved in the maintenance, servicing, storage or report of commercial vehicles is conducted or rendered including the dispensing of fuel products, the sale of accessories or equipment for trucks and similar commercial vehicles. A truck stop may also include convenience stores and restaurant facilities, and may include overnight accommodation facilities solely for the use of truck crews.

TRUCK WASH means a commercial vehicle washing facility associated with large vehicles such as tractor trailers.

U

USE means the purposes for which land or a building is arranged or intended, or for which either land, a building or a structure is, or may be, occupied and maintained.

UTILITIES – see PUBLIC OR PRIVATE UTILITY

V

VETERINARY CLINIC – see ANIMAL CARE SERVICE

W

WAREHOUSE means a facility for the storage of goods, materials or equipment for use by a company.

WASTE MANAGEMENT SITES means a development for the receiving of spent materials. This use includes a dry waste site, a hazardous waste management facility and a waste sorting station. This use does not include a RECYCLING FACILITY.

WASTE MANAGEMENT TRANSFER STATION means a facility for the collection and temporary holding of solid waste in a transferable storage container.

WASTEWATER TREATMENT PLANT has the same meaning as referred to in the Subdivision and Development Regulation and as in the *Environmental Protection and Enhancement Act*. This definition also includes a wastewater treatment stabilization plant.

WATER TREATMENT PLANT means a facility that treats raw water so that it is safe for human consumption and then distributes it for human use.

WHOLESALE OUTLETS means the use of a building for the retail sale of a limited range of bulky goods the size and nature of which typically require large floor areas for direct display to the purchaser, and include, but are not limited to, such bulky goods as furniture, carpets and floor coverings, major appliances, paints and wall coverings, light fixtures, plumbing fixtures and building materials and equipment, but does not include the sale of food, clothing, or other personal goods, wares, substances, articles or things.

All other words and expressions not otherwise defined in this Land Use Bylaw
have the meaning assigned to them in the Act.

Schedule 3

DIMENSIONAL STANDARDS AND SETBACKS

DIMENSIONAL STANDARDS AND SETBACKS

SECTION 1 DIMENSIONAL STANDARDS AND MINIMUM SETBACKS

- 1.1 Tables 3.2.1, 3.3.1 and 3.4.1 list the dimensional standards and setback requirements that apply to specific uses within each of the land use districts.

SECTION 2 MINIMUM LOT SIZE

Table 3.2.1: Minimum Lot Size

Land Use Districts	Specific Use	Minimum Lot Size					
		Width		Length		Area	
		m	ft	m	ft	m ²	ft ²
R1	Single unit, dwelling ^(a)	14.0	46	31.0	102	434.0	4,672
	Accessory or Moved-in building	Same as principal use					
	All other uses	As required by the MPC					
R2	Single unit, dwelling ^(a)	14.0	46	31.0	102	434.0	4,672
	2 unit, dwelling (side by side lots)	7.6	25	31.0	102	235.6	2,536
	(up and down units)	14.0	46	31.0	102	434.0	4,672
	Accessory or Moved-in building	Same as principal use					
	All other uses	As required by the MPC					
R3	Apartment	As required by the MPC					
	3 & 4-unit, dwelling (interior lot)	18.3	60	30.5	100	557.4	6,000
	3 & 4-unit, dwelling (corner)	22.9	75	30.5	100	696.8	7,500
	Row, dwelling (interior lot)	6.1	20	31.0	102	189.1	2,035
	Row, dwelling (corner)	9.1	30	31.0	102	282.1	3,036
	Accessory or Moved-in building	Same as principal use					
	All other uses	As required by the MPC					
R4	Manufactured home	12.2	40	36.6	120	445.9	4,800
	Manufactured home community					20,235	
	Modular Dwelling	14.0	46	31.0	102	434.0	4,672
	Accessory or Moved-in building	Same as principal use					
	All other uses	As required by the MPC					
R5							
		As required by the MPC					

(a) For the purpose of this table, Single unit, dwellings include:

- Stick built dwelling
- Modular dwelling
- Prefabricated dwelling
- Ready-to-move dwelling and
- Moved-in dwelling.

Land Use Districts	Specific Use	Minimum Lot Size		
		Width	Length	Area
C1				
	All uses	As required by the Development Authority		
	Bulk fuel, service station, gas bar	See Schedule 7 Section 11		
C2				
	All uses	As required by the Development Authority		
	Bulk fuel, service station, gas bar	See Schedule 7 Section 11		
IN				
	All uses	As required by the Development Authority		
	Bulk fuel, service station, gas bar	See Schedule 7 Section 11		
PI				
	All uses	As required by the Development Authority		
AT				
	All uses	Existing Titles or per an approved Area Structure Plan or conceptual design scheme		

2.1 Minimum Dimensions Table

Table 3.2.1 lists the dimensional requirements that apply to specific uses within each of the land use districts.

2.2 The following definitions apply:

- (a) **LOT** in accordance with the *Act*, means:
 - (i) a quarter section;
 - (ii) a river lot shown on an official plan, as defined in the *Surveys Act*, that is filed or lodged in a land titles office;
 - (iii) a settlement lot shown on an official plan as defined in the *Surveys Act*, that is filed or lodged in a land titles office;
 - (iv) a part of a parcel where the boundaries of the parcel are separately described in the certificate of title other than by reference to a legal subdivision;
 - (v) a part of a parcel of land described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision;
 - (vi) where a certificate of title contains one or more lots described in a plan of subdivision that was registered in a land titles office before July 1, 1950, lot means parcel.
- (b) **LOT WIDTH** means the horizontal distance between the side lot lines measured at a point perpendicular to the front property line (see Figure 3.2.1).
- (c) **LOT LENGTH** means the horizontal distance between the front and the rear lot lines measure along the median between the side lot lines (see Figure 3.2.1).
- (d) **LOT AREA** means the total area of a lot.
- (e) **CORNER LOT** means a lot located at the intersection of two or more streets.

- (f) **INTERIOR LOT** means a lot situated between two lots or another lot and a lane and having access to not more than one street.

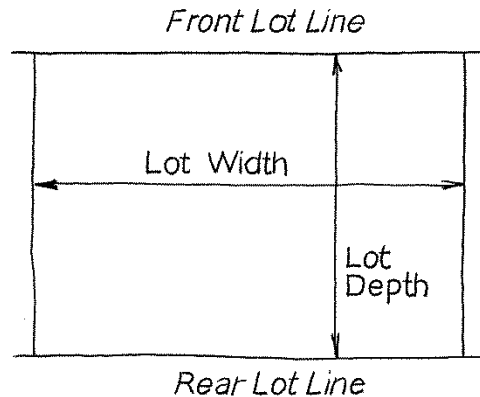


Figure 3.2.1

- (g) **LOT FRONTAGE** means the front lot line or that side of a lot abutting a public roadway, but does not include any side abutting a lane, unless said lane is the only means of physical access to a lot.
- (h) **LOT LINE** means a legally defined boundary of any lot. The term property line and boundary line have the corresponding meaning.

SECTION 3 MINIMUM SETBACKS

3.1 Minimum Setback Table

Table 3.3.1 lists the setback requirements that apply to specific uses within each of the land use districts.

3.2 The following definitions apply:

- (a) **YARD** means the area between a lot line and the nearest part of any building, structure, development, excavation or use on the lot.
- (b) **FRONT YARD** means a yard extending across the full width of a lot and situated between the front lot line and the principal building (see Figure 3.3.1). Front yard is determined by the majority of developed lots with the narrowest width in a block. An entrance to a building does not determine a front yard.
- (c) **SIDE YARD** means a yard extending from the front yard to the rear yard and situated between the side lot lines and the nearest portion of the principal building (see Figure 3.3.1).
- (d) **REAR YARD** means a yard extending across the full width of a lot and situated between the rear lot lines and the nearest portion of the principal building (see Figure 3.3.1).

Table 3.3.1: Minimum Setbacks

Land Use Districts	Specific Use	Minimum Setbacks							
		Front		Secondary Front		Side		Rear	
		m	ft	m	ft	m	ft	m	ft
R1	Single unit, dwelling ^(a)	6.1	20	3.0	10	1.5	5	6.1	20
	Accessory	6.1	20	3.0	10	1.5	5	0.6	2
	Garages or moved-in building	6.1	20	3.0	10	1.5	5	1.5	5
	All other uses	As required by the Development Authority							
R2	Single unit, dwelling ^(a)	6.1	20	3.0	10	1.5	5	6.1	20
	2 unit, dwelling	6.1	20	3.0	10	1.5	5	6.1	20
	Accessory	6.1	20	3.0	10	1.5	5	0.6	2
	Garages or moved-in building	6.1	20	3.0	10	1.5	5	1.5	5
	All other uses	As required by the Development Authority							
R3	Apartment	6.1	20	3.0	10	1.5 ^(b)	5 ^(b)	6.1	20
	3-unit & 4-unit, dwelling	7.6	25	3.8	12.5	3.0	10	7.6	25
	Row dwelling (interior unit)	7.6	25	n/a		common wall		7.6	25
	(end unit)	7.6	25	3.8	12.5	3.0	10	7.6	25
	Senior citizen housing	7.6	25	3.8	12.5	3.0	10	7.6	25
	All other uses	As required by the Development Authority							
R4	Manufactured home	6.1	20	3.0	10	1.5	5	6.1	20
	Manufactured home community	As required by the Development Authority							
	Modular home	6.1	20	3.0	10	1.5	5	6.1	20
	Garages	6.1	20	3.0	10	1.5	5	1.5	5
	Accessory or moved-in building	6.1	20	3.0	10	0.6	2	0.6	2
	All other uses	As required by the Development Authority							
R5	Dwelling, single-unit	6.1	20	3.0	10	1.5	5	6.1	20
	Accessory	6.1	20	3.0	10	1.5	5	0.6	2
	Garages or moved-in buildings	6.1	20	3.0	10	1.5	5	1.5	5
	All other uses	As required by the Development Authority							
C1	All uses	0	0	0	0	0	0	7.6	25
	Where adjacent to R, PI districts	0	0	0	0	6.1	20	7.6	25
	Bulk fuel, service station, gas bar	See Schedule 7 Section 11							
C2	All uses	7.6	25	7.6	25	3.0	10	7.6	25
	Where adjacent to R districts, PI	7.6	25	7.6	25	6.1	20	7.6	25
	Bulk fuel, service station, gas bar	See Schedule 7 Section 11							
IN	All uses	7.6	25	7.6	25	3.0	10	7.6	25
	Where adjacent to R, PI districts	7.6	25	7.6	25	6.1	20	7.6	25
	Bulk fuel, service station, gas bar	See Schedule 7 Section 11							
PI	All uses	7.6	25	3.8	12.5	3.0	10	7.6	25
	Where adjacent to C1	0	0	0	0	0	0	7.6	25

Land Use Districts	Specific Use	Minimum Setbacks							
		Front		Secondary Front		Side		Rear	
AT									
	Single unit, dwelling ^(a)	7.6	25	3.8	12.5	1.5	5	7.6	25
	Accessory building	7.6	25	3.8	12.5	1.5	5	1.5	5
	All other uses	As required by the Development Authority							

(a) For the purpose of this table, Single unit, dwellings include:

- Stick built dwelling
- Modular dwelling
- Prefabricated dwelling
- Ready-to-move dwelling
- Manufactured home
- Moved-in dwelling

(b) For the each additional 1 m (3 ft) over 7.5 m (25 ft) add an additional 0.3 m (1 ft) of side setback.

(e) **SECONDARY FRONT YARD** means the area on a corner lot that abuts a street, but is not considered the front yard (see Figure 3.3.1 for secondary front yard setbacks).

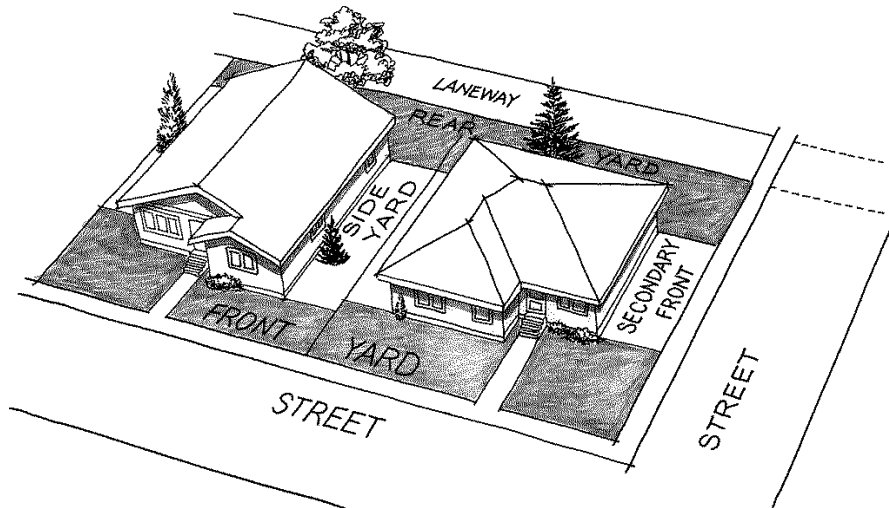


Figure 3.3.1

3.3 Structures that are attached to a principal building are subject to the principal setbacks excepting the permitted projections in Section 3.5.

3.4 The following features may, subject to the relevant provisions of Safety Codes, project into the required setbacks under this bylaw:

- (a) unenclosed steps or unenclosed fire escapes;
- (b) a wheelchair ramp at the discretion of the Development Authority;
- (c) fences or walls to the property line in accordance with the applicable land use district;
- (d) driveways, curbs and sidewalks;
- (e) off-street parking;

- (f) cooling units not to exceed 0.9 m (3 ft);
- (g) mailboxes;
- (h) landscaping, fish ponds, ornaments, flagpoles [less than 4.6 m (15 ft) in height], or other similar landscaping features;
- (i) temporary swimming pools in accordance with the applicable land use district; and
- (j) signs in accordance with Schedule 8.

3.5 The portions of and attachments to a principal building which may project over a setback are as follows:

- (a) eaves, fireplaces, belt courses, bay windows, cornices, sills or other similar architectural features may project over a side setback as permitted under the relevant provisions of Safety Codes and over a front or rear setback a distance not to exceed 1.2 m (4 ft);
- (b) an uncovered balcony, cantilever, or other similar feature may project over a side or rear setback a distance not to exceed one-half of the width of the smallest setback required for the site;
- (c) a chimney which is not more than 1.2 m (4 ft) wide and projects not more than 0.3 m (1 ft) into a rear or side setback.

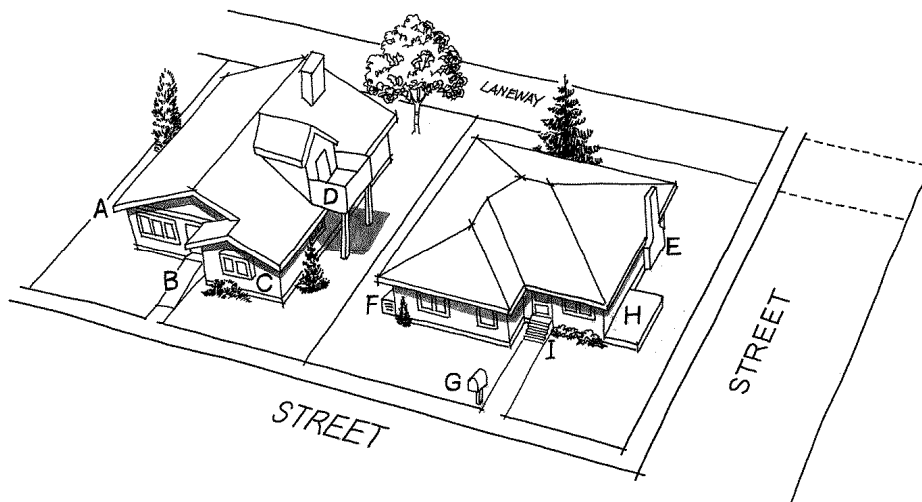


Figure 3.3.2

- | | | |
|-----------------------------|-------------------------|--------------------|
| <i>A – Eaves</i> | <i>D – Balcony</i> | <i>G – Mailbox</i> |
| <i>B – Wheel chair ramp</i> | <i>E – Chimney</i> | <i>H – Deck</i> |
| <i>C – Bay window</i> | <i>F – Cooling unit</i> | <i>I – Steps</i> |

3.6 The Development Authority may require increased building setbacks (other than those listed in Table 3.3.1) if such setbacks would:

- (a) help avoid land use conflict; or
- (b) enhance the appearance of the area.

SECTION 4 FLOOR AREA, SITE COVERAGE AND BUILDING HEIGHT

4.1 Table 3.4.1 lists the standards for floor area, site coverage and building height that apply to specific uses within each of the land use districts.

Table 3.4.1: Floor Area, Site Coverage and Building Height

Land Use Districts	Specific Use	Minimum Floor Area (per unit)		Maximum Site Coverage	Maximum Building Height	
		m ²	ft ²		%	m
R1	Single unit, dwelling ^(a)	92.9	1000	40	9.5	31
	Accessory or moved-in building	n/a		15 ^(c)	4.9	16
	All other uses	As required by the Development Authority				
R2	Single unit, dwelling ^(a)	92.9	1000	40	9.5	31
	2 unit, dwelling	74.3	800	40	9.5	31
	Accessory or moved-in building	n/a		15 ^(c)	4.9	16
	All other uses	As required by the Development Authority				
R3	Apartment	46.5	500	50	11.0	36
	3-unit & 4-unit, dwelling	74.3	800	50	9.5	31
	Row dwelling	74.3	800	50	9.5	31
	Senior citizen housing	As required by the MPC		50	As required by the MPC	
	Accessory or moved-in building	n/a		15 ^(c)	4.9	16
R4	Manufactured home	89.2	960	35	9.5	31
	Manufactured home community	As required by the Development Authority				
	Modular home	89.2	960	35	9.5	31
	Accessory or moved-in building	n/a		15 ^(c)	4.9	16
R5	Dwelling, single-unit	92.9	1000	40	9.5	31
	Accessory or moved-in building	n/a		15 ^(c)	4.9	16
	All other uses	As required by the Development Authority				
C1	All uses	n/a		80 ^(b)	10.7	35
	Bulk fuel, service station, gas bar	n/a		25	10.7	35
C2	All uses	n/a		80 ^(b)	10.7	35
	Bulk fuel, service station, gas bar	n/a		25	10.7	35
IN	All uses	n/a		60 ^(b)	10.7	35
	Bulk fuel, service station, gas bar	n/a		25	10.7	35
PI	All uses	n/a		50 ^(b)		
AT	Single unit, dwelling ^(a)	92.9	1000	40	9.5	31
	Accessory building	n/a		15	4.9	16
	All other uses	As required by the Development Authority				

(a) For the purpose of this table, Single unit, dwellings include:
 Stick Built dwelling
 Modular dwelling
 Prefabricated dwelling
 Ready-to-move dwelling

Manufactured home
Moved-in dwelling

- (b) Combined site coverage of principal and accessory buildings
- (c) The maximum allowable site coverage is 75 m² (807 ft²)

4.3 The following definitions apply to floor area, site coverage and building height:

- (a) **SITE COVERAGE** means the percentage of the lot area which is covered by all buildings and structures on the lot.
- (b) **SITE COVERAGE, PRINCIPAL** means the percentage of the lot area which is covered by the principal building including any structure attached to the principal building by an open or enclosed roofed structure, including but not limited to attached garages, carports, verandas, covered balconies, covered decks, and porches.
- (c) **SITE COVERAGE, ACCESSORY** means the percentage of the lot area which is covered by the combined area of all accessory buildings and structures and includes uncovered decks.
- (d) **BUILDING GRADE** (as applied to the determination of building height) means the average level of finished ground adjoining the main front wall of a building (not including an attached garage), except that localized depressions such as for vehicle or pedestrian entrances need not be considered in the determination of average levels of finished ground (see Figure 3.4.1).
- (e) **BUILDING HEIGHT** means the vertical distance between grade and the highest point of a building excluding a roof stairway entrance, elevator housing, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, a fire wall or a parapet wall and a flagpole or similar device not structurally essential to the building (see Figure 3.4.1 Dimension A).
- (f) **FLOOR AREA** means the sum of the gross horizontal area of the several floors and passageways of a building not including basements, attached garages and open porches.

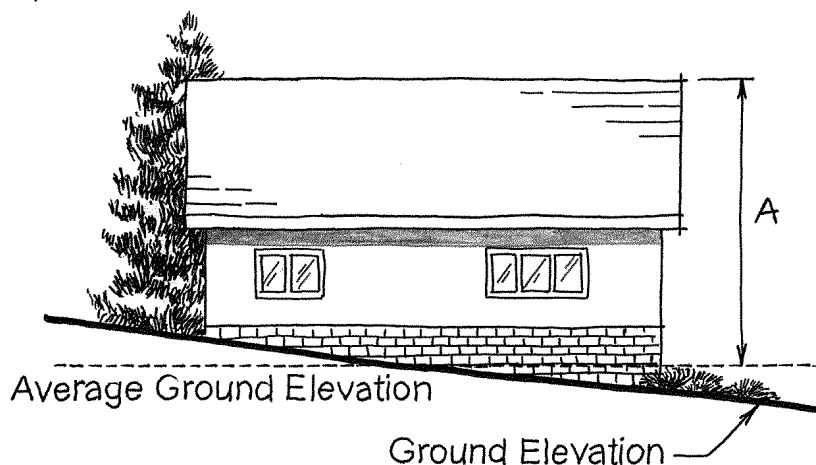


Figure 3.4.1

Schedule 4

DEVELOPMENT NOT REQUIRING A PERMIT

DEVELOPMENT NOT REQUIRING A PERMIT

SECTION 1 DEVELOPMENT NOT REQUIRING A PERMIT

- 1.1 The following developments shall not require a development permit:
- (a) any use or development exempted under Section 618(1) of the *Act*;
 - (b) any use or development exempted by the Lieutenant Governor in Council pursuant to Section 618(4) of the *Act*;
 - (c) telecommunication antenna systems that are regulated by Industry Canada subject to Schedule 9 – Telecommunication Antenna Siting Protocol;
 - (d) the completion of a building which was lawfully under construction at the date this bylaw came into effect provided that the building is completed in accordance with the terms and conditions of any development permit granted;
 - (e) the completion of a building that did not require a development permit under the previous Land Use Bylaw and which was lawfully under construction provided the building is completed within 12 months from the date this bylaw came into effect.
- 1.2 The following developments shall not require a development permit, but must **otherwise comply with all other provisions of this bylaw**:
- (a) the maintenance or repair of any building provided that the work does not include structural alterations or additions;
 - (b) interior renovations (including basement development) to a building which do not:
 - (i) create another dwelling unit;
 - (ii) increase parking requirements; or
 - (iii) result in the change of use of a building.
 - (c) the temporary placement or construction of works, plants or machinery (not including shipping containers) needed to construct a development for which a development permit has been issued for the period of those operations;
 - (d) the maintenance or repair of public works, services and utilities on publicly owned or administered land carried out by or on behalf of federal, provincial, municipal or public authorities;
 - (e) any structure placed on a lot which is 11.1 m² (120 ft²) or less in area that is not on a permanent foundation or soft covered / tarpaulin structures having an area not more than 18.58 m² (200 ft²);
 - (f) in all districts the erection, maintenance or alteration of a fence, gate, wall, hedge or other means of enclosure;

- (g) in the Industrial land use district, the erection, maintenance or alteration of a fence, gate, wall hedge, or other means of enclosure that does not exceed 2.4 m (8 ft) in height in any rear or side yard;
- (h) landscaping that was not required as part of the original development permit;
- (i) any sign listed in Schedule 8 Section 4;
- (j) any satellite dish less than 0.9 m (3 ft) in diameter;
- (k) temporary outdoor swimming pools and above ground hot tubs;
- (l) the installation of cement or other hard surface material that is not to be covered or partially covered by a roof or other shelter;
- (m) excavation, grading, stripping, or stockpile provided it is part of a development for which a development permit has been issued or is addressed in a signed Development Agreement with the Town of Nanton;
- (n) the construction of uncovered decks or patios less than 0.6 m (2 ft) to ground level; and
- (o) temporary outdoor display of goods, materials, and equipment for advertising and sale purposes may be permitted in the front yard provided the display is not located within any required landscape area or buffer.

If there is a doubt to whether a development is of a kind listed above, the matter shall be decided by the Municipal Planning Commission.

Schedule 5

**GENERAL AND USE SPECIFIC
STANDARDS OF DEVELOPMENT**

GENERAL AND USE SPECIFIC STANDARDS OF DEVELOPMENT

Except for more specific, alternative, or contradictory standards as may be set forth within the Residential Standards found in Schedule 6 or the Commercial / Industrial Standards found in Schedule 7 the following standards apply to all uses in all districts.

SECTION 1 STATUTORY PLANS

- 1.1 Where the policies, rules or procedures indicated in a statutory plan vary, supplement, reduce, replace or qualify the requirements of this bylaw for a particular district or districts, the policies, rules or procedures indicated in the statutory plan shall take precedence.

SECTION 2 APPROVAL OF ACCESS

- 2.1 Location of the access to each development from a public roadway should be shown on the plot plan submitted with the application for a development permit and is subject to the approval of the Development Officer or Municipal Planning Commission.

SECTION 3 DEMOLITION OR REMOVAL OF BUILDINGS OR STRUCTURES

- 3.1 No person shall commence or cause to be commenced the demolition or removal of any building or structure, or portion thereof, until all necessary permits have been obtained.
- 3.2 A development permit must be obtained for the demolition or removal of any building or structure greater than 11.1 m² (120 ft²) in size.
- 3.3 Whenever a development permit is issued for the demolition or removal of a building or structure, it shall be a condition of the permit that the lot shall be cleared, with all debris removed, and left in a graded condition upon completion of the demolition or removal to the satisfaction of the Development Authority.
- 3.4 When a development permit is to be approved for the demolition or removal of a building or structure, the Development Authority may require the applicant to provide a cash deposit, irrevocable letter of credit or other acceptable form of security in such amount as to cover the costs of reclamation to any public utility or Town property.
- 3.5 Whenever a demolition or removal of a building or structure is carried out, the property owner shall, at his own expense, protect any wall, structure, sidewalk or roadway liable to be affected by such demolition or removal, including those on neighbouring properties, from damage or displacement. Further, the property owner shall ensure that adequate measures are taken by way of fencing and screening to ensure public safety.
- 3.6 The applicant shall be responsible for obtaining all necessary Safety Codes approvals and utility service disconnections before demolition or removal of buildings or structures.

- 3.7 All demolition materials shall be deposited in an approved waste disposal site.

SECTION 4 DESIGN AND ORIENTATION OF BUILDINGS, STRUCTURES AND SIGNS

- 4.1 The design, character and appearance of buildings, structures or signs shall be consistent with the intent of the land use district in which the building is located and compatible with other buildings in the vicinity.
- 4.2 The Development Authority may regulate the exterior finish of buildings, structures or signs to improve the quality of any proposed development within any land use district.
- 4.3 The maximum allowable height above the average finished surface level of the surrounding ground of the exposed portion of a concrete or block foundation may be limited by the Development Authority.
- 4.4 Subject to the requirements of the Safety Codes, the Development Authority may require that buildings be physically accessible to disabled persons.
- 4.5 If a building is to be located on a lot with more than one street frontage or on a lot with potential for further subdivision, the Development Authority may regulate the orientation and location of the building as a condition of development approval.

SECTION 5 DEVELOPMENT OF LANDS SUBJECT TO SUBSIDENCE, UNDERMINING OR FLOODING

- 5.1 If in the opinion of the Development Authority, land upon which development is proposed is subject to subsidence, mass wasting, flooding or undermining the Development Authority may require the applicant to submit a structural building plan, a slope stability analysis, a geotechnical report, or flood mapping prepared by an engineer demonstrating that any potential hazards can be mitigated.

SECTION 6 GRADING AND STORMWATER MANAGEMENT

- 6.1 The Development Authority may require as a condition of development approval:
- (a) engineered grading and drainage plans for the development and legal survey demonstrating that engineered grades have been met;
 - (b) grading and other measures, as appropriate, to control surface drainage, reduce or eliminate grade difference between adjacent lots, and minimize erosion or slope instability;
 - (c) the final grades of the development must be approved by the Development Authority before the issuance of a building permit.
 - (d) the applicant is responsible for ensuring adherence to final grades.
- 6.2 The construction of a retaining wall whenever, in the opinion of the Development Authority, significant differences in grade exist or will exist between the lot being developed and any adjacent lot or roadway. Where a retaining wall is required, the applicant shall submit to the Development Officer plans identifying the design and

specifications of development for review and approval by the accredited safety codes officer.

- 6.3 Roof and surface drainage shall be directed either to the public roadway fronting the property, or as approved by the Development Officer, to a rear or side property boundary or as approved in an engineered stormwater management plan.
- 6.4 When discharging, storm water connections or sump hoses must be greater than 1.8 m (6 ft) from the front property line.

SECTION 7 OFF-STREET PARKING AND LOADING REQUIREMENTS

- 7.1 The off-street parking and loading requirements and design standards apply to:
 - (a) all new buildings and uses; and
 - (b) the expansion or enlargement of existing buildings or uses.
- 7.2 In the case of expansion or enlargement of an existing building or use, additional off-street parking spaces will be required to serve the expanded or enlarged area only, not the entire building or use.

Residential Parking Requirements

- 7.3 Parking areas shall be accessible, designed and delineated in a manner which will provide for orderly parking.
- 7.4 Parking areas shall be constructed in a manner which will permit adequate drainage, snow removal, and maintenance.
- 7.5 The Municipal Planning Commission may require that parking areas or portions thereof be paved.
- 7.6 Refer to Schedule 6, Residential Standards of Development, Section 4.
- 7.7 The following table shall be used to calculate the off-street parking spaces required for a proposed development:

Table 5.7.1: Residential Minimum Required Off-street Parking

RESIDENTIAL	
Bed and breakfast	1 space per guest room
Boarding or lodging home	1 space per sleeping unit
Child care facility	1 pick-up/drop-off space per 10 children plus 1 space per employee
Dwellings:	
- Single-unit dwellings ^(a)	2 spaces per dwelling unit
- 2 unit, 3-unit, 4-unit	2 spaces per dwelling unit
- Row (more than 4 units)	2 spaces per dwelling unit plus 1 visitor parking space for every 2 dwelling units
Home occupation 2	As required by the Development Authority

Secondary suite	2 spaces per dwelling unit
All Other uses	As required by the Development Authority

(a) For the purpose of this table, Single unit dwellings include:

- Stick built dwelling*
- Modular dwelling*
- Prefabricated dwelling*
- Ready-to-move dwelling*
- Manufactured home*
- Moved-in dwelling*

Payment In Lieu Of Providing Off-Street Parking

- 7.8 The option of payment in lieu of providing off-street parking spaces shall apply to the commercial land use districts only and shall be subject to the following:
- (a) at the option of the Municipal Planning Commission a developer may, subject to the approval of council, pay the Town such amount of money on such terms as the council considers reasonable in return for the equivalent public parking space to be provided by the Town elsewhere in the land use district;
 - (b) a fund to be known as the "Off-Street Parking Fund" is hereby established;
 - (c) any money received by the Town in lieu of providing off-street parking spaces shall be paid into the "Off-Street Parking Fund", and such money shall be used for the development of off-street parking facilities in the land use district from which the funds are derived;
 - (d) the amount of money to be paid into the "Off-Street Parking Fund" shall be a per stall charge, based on the costs involved in the land acquisition, facility construction and facility maintenance. The number of stalls to be used in the calculation of a per stall charge shall be based on the parking requirements in this schedule.

Minimum Required Off-Street Parking

- 7.9 Tables 5.7.1 and 5.7.2 shall be used to calculate the minimum number of off-street parking spaces a use is required to provide.
- 7.10 Off-street parking requirements based on floor area are to be computed on the gross floor area (GFA) of the building.
- 7.11 Calculation of off-street parking requirements resulting in a fractional number of 0.5 or greater shall be rounded up and rounded down when resulting in a fractional number of 0.49 or less.
- 7.12 A multiple use development must provide parking in an amount equal to the number of spaces for all uses, except where a shared parking provision is approved by the Development Authority.
- 7.13 A shared parking provision based upon the proposed sharing of parking spaces between two or more uses must include a written agreement between the owners on record. Where such off-site parking is approved, a caveat shall be registered against the lot to guarantee the continuous use of the site for parking.

- 7.14 Where a use is not listed, minimum required off-street parking shall be provided as required by the Development Authority having regard to the listed use that is most similar to the proposed use. As an alternative, the Development Authority may require a parking study to be prepared by a qualified professional at the applicant's expense to determine the parking requirements for a use not listed in Tables 5.7.1 and 5.7.2.
- 7.15 All required parking spaces shall be provided on the same lot as the building or use, except where the Development Authority may permit off-site parking spaces to be provided on a lot within 152.4 m (500 ft) of the building or use if, in the Development Authority's opinion, it is impractical to provide parking on the same lot as the building or use. Where such off-site parking is approved, a caveat shall be registered against the lot to guarantee the continuous use of the site for parking.

Barrier-free Parking

- 7.16 The minimum number of barrier-free parking spaces to be provided for the disabled shall be a portion of the total number of off-street parking spaces required, in accordance with Table 5.7.3: Barrier-Free Parking Spaces.

Table 5.7.2: Non-Residential Minimum Required Off-Street Parking

USE	MINIMUM PARKING SPACES
PUBLIC	
Campground, public or private	As required by the Development Authority
Cemetery and interment services	As required by the Development Authority
Clubs or fraternal organization	1 space /5.1 m ² (55 ft ²) of patron use area plus 1 space per employee
Child care facility	1 space per employee
Community building	1 space/5 seating spaces plus 1 space per employee
Cultural facility	1 space/5 seating spaces plus 1 space per employee
Educational facility or School	3 spaces per classroom
Exhibition ground	As required by the Development Authority
Funeral home	1 space /46.5 m ² (500 ft ²) of GFA or 1 space / 5 seating spaces
Group care facility	1 space per employee
Institutional	1 space /46.5 m ² (500 ft ²) of GFA
Parks and playgrounds	As required by the Development Authority
Religious assembly	As required by the Development Authority

USE	MINIMUM PARKING SPACES
COMMERCIAL/INDUSTRIAL	
Accessory structures and uses	As required by the Development Authority
Amusement facility	1 space / 20 m ² (215 ft ²) of GFA
Animal care service, small and large	1 space /46.5 m ² (500 ft ²) of GFA
Auto body and paint shop	1 space /46.5 m ² (500 ft ²) of GFA
Automotive sales and service	1 space /46.5 m ² (500 ft ²) of GFA
Bed and breakfast	1 space per guest room
Bulk fuel station	1 space /46.5 m ² (500 ft ²) of GFA
Cannabis production facility	As required by the Development Authority
Car wash	1 space per employee
Contractor, general or limited	1 space /65 m ² (700 ft ²) of GFA
Convenience store	1 space /27.9 m ² (300 ft ²) of GFA
Drive-in/drive-through use	1 space /5.1 m ² (55 ft ²) of seating area plus 1 space per employee
Restaurant	1 space per 4 seats plus employee parking
Entertainment establishment	1 space /5.1 m ² (55 ft ²) of patron use area plus 1 space per employee
Equipment sales, rental and service	1 space /65 m ² (700 ft ²) of GFA
Financial institution	1 space /37.2 m ² (400 ft ²) of GFA
Funeral home	1 space/5 seating spaces plus 1 space per employee
Garden centre or greenhouse	1 space /65 m ² (700 ft ²) of GFA
Golf course	4 spaces per golf hole
Government service	1 space /46.5 m ² (500 ft ²) of GFA
Hotel/motel	1 space per guest room
Intensive horticultural service	1 space /65 m ² (700 ft ²) of GFA
Light industry/manufacturing	1 space /65 m ² (700 ft ²) of GFA
Liquor store	1 space /37.2 m ² (400 ft ²) of GFA
Lumber yard	1 space /65 m ² (700 ft ²) of GFA
Mini storage	As required by the Development Authority
Medical health facility	1 space per staff member and 1 space per examination room
Office, business support service	1 space /46.5 m ² (500 ft ²) of GFA
Outdoor storage	As required by the Development Authority
Personal service	1 space /37.2 m ² (400 ft ²) of GFA
Recreation facility	1 space /27.9 m ² (300 ft ²) of GFA
Retail	1 space /37.2 m ² (400 ft ²) of GFA
Retail cannabis store	As required by the Development Authority
Retail, grocery store	1 space /37.2 m ² (400 ft ²) of GFA
Service station/gas bar	1 space /37.2 m ² (400 ft ²) of GFA
Truck transportation/dispatch depot	1 space /65 m ² (700 ft ²) of GFA
Truck wash	1 space per employee
General warehousing and storage	1 space /65 m ² (700 ft ²) of GFA
Waste disposal facility	As required by the Development Authority

Note: GFA is defined as Gross Floor Area.

- 7.17 Each barrier-free parking space for the disabled shall be:
 - (a) at least 3.7 m (12 ft) wide;
 - (b) have a firm, slip-resistant and level surface;
 - (c) be clearly marked as being for the use of persons with disabilities only.
- 7.18 Where there are two or more adjacent barrier-free parking stalls, a 1.5 m (5 ft) wide access aisle shall be provided between the stalls.
- 7.19 Barrier-free parking stalls shall be clearly identifiable in accordance with Safety Codes.
- 7.20 There must be a well-lit, distinguishable, barrier-free path of travel from the parking areas to the building entrance.
- 7.21 It is recommended that an additional number of spaces be considered when the purpose or use of the building facilities may cause an increase in the number of seniors or persons with disabilities who require accessible parking, such as, but not limited to, medical services and restaurants.

Table 5.7.3: Barrier-Free Parking Spaces

Number of parking spaces required for a use	Number of barrier-free spaces required for a use by persons with disabilities
0-10	0*
11-25	1
26-50	2
51-100	3
for each additional increment of 100 or part thereof	one additional stall

* Development is encouraged to provide at least one barrier-free parking space for use by persons with disabilities.

Loading Space Requirements

- 7.22 One loading space shall be provided for each loading door.
- 7.23 The minimum dimensions for a loading space shall be 3.1 m (10 ft) by 9.1 m (30 ft) with an overhead clearance of 3.9 m (13 ft).
- 7.24 Each loading area shall provide a doorway into the building sufficient to meet the needs of the use within the building.
- 7.25 Each loading area shall be designed in such a manner that it will not interfere with convenient and safe pedestrian movement, traffic flow or parking.
- 7.26 The Development Authority may require additional loading areas or doors if, in the Development Authority’s opinion, such additional areas or doors are deemed necessary.

- 7.27 The Development Authority may consider a joint loading area for two or more uses if, in the Development Authority's opinion, such a loading area would facilitate orderly development or relieve congestion in the immediate area.

Stacking Spaces for Drive-through Uses

- 7.28 In addition to the off-street parking requirements, a drive-through use is required to provide the following minimum stacking spaces:
- (a) Restaurant use: 30.5 m (100 ft) from order box to pick-up window
 - (b) Gas station: 9.1 m (30 ft) from each end on pump island
 - (c) Bank machine: 22.9 m (75 ft) from bank machine window
 - (d) Car wash: 15.2 m (50 ft) from car wash entrance
 - (e) Other: As determined by the Development Authority
- 7.29 The minimum stacking space requirements in subsection 7.28 may be varied by the Development Authority depending upon the intensity of the proposed development.

SECTION 8 OFF-STREET PARKING DESIGN STANDARDS

- 8.1 Off-street parking areas shall be accessible and designed in a manner which will provide for orderly parking in accordance with the minimum parking space dimensions as found in Table 5.8.1 and Figure 5.8.1.
- 8.2 Parking space designs proposing tandem or stacked parking to a maximum of two vehicles per stall may be approved by the Development Authority provided the spaces are for employee parking only.
- 8.3 The stall width and depth requirements for an off-street parking space may be reduced by the Development Authority where spaces are designed to accommodate compact vehicle parking.
- 8.4 Where a use or development may need to accommodate over-sized vehicles such as tractor-trailers, large recreational vehicles, buses or other similar vehicles, the Development Authority may require larger parking space and aisle dimensions.
- 8.5 Off-street parking areas shall be constructed in a manner which will permit adequate drainage, snow removal, and maintenance.
- 8.6 Off-street parking spaces adjacent to a road right-of-way shall be provided with bumper blocks, curbing or other similar protective feature to ensure public safety and prevent vehicle overhang.
- 8.7 The Development Authority may require that off-street parking areas or portions thereof be paved as a condition of approval.

Table 5.8.1: Minimum Parking Space Dimensions

A: Parking Angle	B: Stall Width		C: Stall Depth		D: Aisle Width	
Degrees	m	ft	m	ft	m	ft
0	2.4	8.0	6.7	22	3.7	12
30	2.7	9.0	5.5	18	3.5	11
45	2.6	8.5	6.1	20	3.9	13
60	2.6	8.5	6.4	21	5.5	18
90	2.9	9.5	5.6	18.5	7.3	24

Minimum Parking Space Dimensions

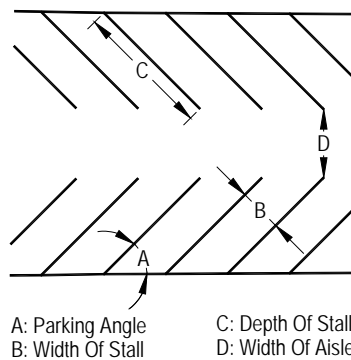


Figure 5.8.1

SECTION 9 SITE LIGHTING

9.1 Site lighting may be required as a condition of development and shall be located, oriented and shielded where it does not adversely affect adjacent properties.

SECTION 10 REFUSE COLLECTION AND STORAGE

10.1 Refuse and garbage shall be kept in a suitably-sized enclosure for each use within each land use district.

10.2 Refuse and garbage areas shall be effectively screened until such time as collection and disposal is possible.

10.3 All refuse on any construction site shall be properly screened or placed in an approved enclosure until removed for disposal.

SECTION 11 SERVICING

- 11.1 All development shall be required to connect to both the municipal water supply and sewerage system where the municipal services are, in the opinion of the Development Authority, reasonably available.
- 11.2 Where no municipal servicing is reasonably available, the Development Authority may issue a development permit for a permitted or discretionary use with the condition that temporary on-site water or sewer services or both may be permitted provided such services are constructed and installed in compliance with Alberta Health Services and Alberta Safety Codes standards, and that the development must disconnect and remove such on-site servicing and connect with municipal water and sewer when available.
- 11.3 The applicant of development permit requesting on-site water and sanitary sewer services for a development shall be required to submit a soils analysis and report demonstrating the suitability of the site for on-site servicing as part of the development permit application and prior to development approval.

SECTION 12 ALTERNATIVE ENERGY SOURCES

- 12.1 The Development Authority is authorized to issue development approvals for alternative energy sources such as, but not limited to, solar panels, heat exchange systems, generators, turbines, provided that any additional approvals or standards required at the municipal, provincial or federal levels are met or exceeded.

SOLAR COLLECTOR

- 12.2 A solar collector attached to a wall or roof of a building may be allowed as a discretionary use in any land use district subject to the following:
- (a) A solar collector mounted on a roof:
 - (i) may project a maximum of 1.3 m (4 ft) from the surface of the roof and shall not exceed the maximum height requirements of the applicable land use district; and
 - (ii) must not extend beyond the outermost edge of the roof.
 - (b) A solar collector mounted to a wall:
 - (i) must be located such that it does not create undue glare on neighbouring property or public roadways;
 - (ii) must be located a minimum of 2.4 m (8 ft) above grade;
 - (iii) may project a maximum of 1.5 m (5 ft) from the surface of the wall, when the wall faces the rear property line, subject to the setback requirements of the applicable land use district; and
 - (iv) may project a maximum of 0.6 m (2 ft) from the surface of the wall when the wall faces the front, secondary front or side property line, subject to the setback requirements of the applicable land use district.

- 12.3 A free-standing solar collector or a solar collector mounted to any structure other than a roof or wall of a building may be allowed as a discretionary use in any land use district subject to the following:
- (a) the collector must be located such that it does not create undue glare on neighbouring property or public roadways; and
 - (b) the collector must not exceed 1.8m (6 ft) in height above existing grade.

SMALL WIND ENERGY SYSTEMS

Information Requirements

- 12.4 An application for a development permit for a proposed small wind energy conversion system (SWECS) must be completed and submitted to the Development Officer accompanied by:
- (a) a site plan acceptable to the Development Officer indicating the exact location of the SWECS on the parcel and all buildings and structures, registered easements or right-of-way, and any overhead utilities, dimensioned to the property lines and drawn to a satisfactory scale;
 - (b) existing and proposed parking and loading areas, driveways, abutting streets, avenues and lanes, and surface drainage patterns;
 - (c) photographs and plans of the proposed SWECS indicating:
 - rated output in kilowatts,
 - safety features and noise characteristics,
 - turbine height,
 - blade diameter and rotor clearance,
 - nature and function of over speed controls which are provided, and
 - estimated lifespan;
 - (d) specifications on the foundation and anchor design, including the location and anchoring of any guy wires;
 - (e) engineered plans, prepared by a professional engineer, for SWECS that are mounted or attached to any building demonstrating that the building can support the SWECS; and
 - (f) any security measures proposed to ensure public safety and security.

Referrals

- 12.5 Prior to making a decision on a development permit application for a SWECS, the Development Authority may require that the application be referred to the following agencies and departments:
- (a) Transport Canada,
 - (b) NAVCanada,
 - (c) Alberta Transportation, and
 - (d) any other federal or provincial agencies or departments deemed necessary.

General Development Standards

Any SWECS shall be subject to the following general standards:

- 12.6 The SWECS may be allowed as an alternative energy, wind use which is a discretionary use in accordance with Schedule 1 and 2.
- 12.7 The SWECS shall be setback from all property lines a distance equal to the height of the system.
- 12.8 The blade clearance of any SWECS shall not be less than 4.6 m (15 ft) above grade.
- 12.9 Any climbing apparatus associated with the SWECS shall be a minimum of 4.6 m (15 ft) above grade.
- 12.10 Any guy wires associated with a SWECS shall be accommodated entirely within the parcel and must be clearly visible from grade to a height of 1.8 m (6 ft).
- 12.11 The sound produced by the SWECS under normal operating conditions, as measured at the property line shall not exceed 60 dBA or 6 dBA over the background noise, whichever is greater.
- 12.12 The SWECS shall not display advertising or other marketing.
- 12.13 The SWECS shall not be artificially illuminated except as required by a federal or provincial agency or department.
- 12.14 The manufacturer's identification, technical, warning, and emergency contact information must be affixed no lower than 0.9 m (3 ft) from the base of the tower and not higher than 1.5 m (5 ft) from the base of the tower.
- 12.15 The Development Authority may regulate the maximum number of SWECS permitted on a lot.
- 12.16 The Development Authority may require as a condition of approval that any SWECS be finished in a non-reflective matte and in a colour which minimizes the obtrusive impact of the SWECS to the satisfaction of the Development Authority.
- 12.17 The Development Authority may require as a condition of approval that any SWECS be surrounded by a security fence with a lockable gate not less than 1.8 m (6 ft) in height.
- 12.18 Prior to the installation of a SWECS the applicant or landowner shall obtain:
 - (a) all relevant federal and provincial permits and permissions;
 - (b) an electrical permit, and if applicable, a building permit;
 - (c) wire service provider approval for SWECS with a rated output of less than 10 kW that are proposed to be connected to the grid; and
 - (d) Alberta Utilities Commission approval for SWECS with a rate output greater than 10 kW that are proposed to be connected to the grid.

- 12.19 All components of the SWECS, including any electrical components, shall comply with the Canadian National Standards and shall bear the appropriate certification marks.
- 12.20 The SWECS system must be installed by a certified electrical contractor prior to operation.
- 12.21 Where the SWECS has been inactive for more than six consecutive months the applicant or landowner is required to decommission and remove the system at their expense. If the SWECS is not decommissioned and removed after six months of inactivity, the Town may undertake enforcement action.

Decommissioning

- 12.22 Prior to removal of the SWECS the applicant or landowner shall submit documentation to the Development Officer demonstrating that the system has been disconnected from any electrical utilities.
- 12.23 All refuse associated with the decommissioning and dismantling of the SWECS shall be removed from the property and disposed of appropriately.
- 12.24 Upon removal of the SWECS the property shall be restored to its pre-construction condition to the satisfaction of the Development Officer.

Review of Permits

- 12.25 Town Council shall review the impacts of Small Wind Energy Systems after the issuance of 25 development permits within the municipality.

SECTION 13 SATELLITE DISHES AND RADIO OR TELEVISION ANTENNA

- 13.1 In all residential land use districts and the Agricultural Transitional – AT district:
 - (a) satellite dishes greater than 0.9 m (3 ft) in diameter or radio or television antenna shall be classified as an accessory structure and shall be placed in the rear or side yard;
 - (b) satellite dishes greater than 0.9 m (3 ft) in diameter shall not be mounted or attached to the roof of any dwelling or accessory building and shall not be illuminated or contain advertising other than the manufacturer's trademark or logo.
- 13.2 The Development Authority may approve the installation of a satellite dish on the roof of any building or portion thereof if, in its opinion, such an installation does not:
 - (a) constitute a public safety hazard;
 - (b) compromise the structural integrity of the building; or
 - (c) may be unreasonably obtrusive.
- 13.3 Radio and television antennas, which are not regulated by Industry Canada, are classified as an accessory structure. See Schedule 9 for those regulated by Industry Canada.

SECTION 14 SHIPPING CONTAINERS

- 14.1 Shipping containers shall only be allowed in land use districts where listed as a Permitted or Discretionary Use Schedule 2. Shipping containers are prohibited in all other districts.
- 14.2 Any shipping container shall be subject to the following general standards:
- (a) An application for a development permit for a proposed shipping container must be completed and submitted to the Development Officer accompanied by the applicable application fee and a minimum of two recent colour photographs of each container (one end view and one side view).
 - (b) There shall be a legal primary use on the property where the shipping container is proposed.
 - (c) Shipping containers are permitted to be used for storage only and shall not be used as a building or a construction material.
 - (d) The Development Authority may regulate the maximum number of shipping containers permitted on a lot.
 - (e) The Development Authority may regulate the maximum height of shipping containers.
 - (f) The Development Authority may require as a condition of approval that a shipping container(s) be screened from view or landscaped to make it aesthetically pleasing.
 - (g) The Development Authority may require as a condition of approval that any shipping container be sandblasted and painted a neutral or complementary colour to match the existing building(s) on the property.
 - (h) The Development Authority may require as a condition of approval that the exterior of the shipping container be kept clean and regularly painted in a neutral or complementary colour to match the existing building(s) on the property.
 - (i) The Development Authority may regulate the time period for which a development permit for a shipping container(s) is valid through the issuance of a temporary permit.
 - (j) Removal of the shipping container(s) at the expiration of the permit shall be at the expense of the applicant or landowner. The Development Authority may require as a condition of approval the posting of a security guaranteeing the removal of the container and compliance with the conditions of the permit.
- 14.3 A permanent shipping container is subject to the following additional provisions:
- (a) the maximum lot coverage and setback requirements for accessory structures in the applicable land use district;
 - (b) the shipping container may only be permitted in the secondary front, rear, or side yard; and
 - (c) the shipping container shall not display advertising, company logos, names or other marketing without an approved sign permit.

- 14.4 A shipping container may be placed temporarily on a construction site for the period of construction, in any land use district where listed as a permitted or discretionary use with an approved development permit, subject to the following provisions:
- (a) temporary shipping containers are subject to the standards in subsection 14.2 above;
 - (b) the shipping container is needed in connection with construction of a development for which a development permit has been issued;
 - (c) the construction site is active (i.e., construction has commenced and is on-going or is about to commence within one week); placement of a shipping container on an inactive construction site is prohibited;
 - (d) setbacks for a temporary shipping container shall be as required by the Development Authority;
 - (e) the Development Authority has the authority to determine the maximum amount of time a shipping container is permitted on a lot; and
 - (f) the shipping container shall be removed immediately upon completion of construction or sooner as may be required by the Development Authority.

SECTION 15 SHOW HOMES

- 15.1 The construction of or use of a new, unoccupied dwelling unit for the purpose of a show home for the sale or marketing of other dwelling units by a builder or developer within a subdivision or development may be approved as a temporary use in all residential land use districts and the commercial land use districts.
- 15.2 A dwelling occupied as a residence shall not be used as a show home, sales office or as a facility to demonstrate a builder's construction quality or methods.
- 15.3 The show home shall not be open to the public for viewing until the road accessing the show home is developed to municipal standards.
- 15.4 There shall be a sign posted at the show home identifying it as such.
- 15.5 The advertised hours that the show home is open to the public shall not be earlier than 9:00 a.m. or later than 9:00 p.m.
- 15.6 Conditions of the permit do not limit the private showing by appointment of the show home at any time.

SECTION 16 SECURITY

The Development Authority may require an approved form of financial security to be provided to ensure the satisfactory completion of the approved development. Should security be required the following shall apply:

- 16.1 The form of security shall be to the satisfaction of the Development Authority.
- 16.2 The amount of the security required is included in Appendix A: Fees.

- 16.3 The security either in part or as a whole shall be returned to the security provider upon inspection of the completed development by the Development Officer, and depending on whether deficiencies have been identified.
- 16.4 Should it be determined that any portion of the approved development was not completed in accordance with the requirements of this bylaw, conditions of an approved permit, and/or any approved plans, the Development Authority shall withhold a part or all of the Security until the deficiencies have been rectified to the satisfaction of the Development Officer.
- 16.5 Should the identified deficiencies be outstanding two (2) years after the issue date of the approved permit, the security deposit will be considered forfeited.

Schedule 6

RESIDENTIAL STANDARDS OF DEVELOPMENT

RESIDENTIAL STANDARDS OF DEVELOPMENT

The following standards are applicable to residential development. Sections 1-16 are applicable to all residential development types. Sections 17-21 are applicable to specific residential development types.

SECTION 1 ACCESSORY BUILDINGS

- 1.1 Accessory buildings shall be located at least 1.2 m (4 ft) from the principal building.
- 1.2 Accessory buildings shall be constructed such that eaves shall be no closer than 0.6 m (2 ft) from a side lot line or rear lot line and all drainage is conducted to the appropriate storm drain via the applicant's own property.
- 1.3 Accessory buildings or structures shall not to be located in the front yard in relation to the principal building.
- 1.4 Quonsets, quonset-style buildings or semicircular metal structures shall not be permitted as accessory buildings in all residential land use districts.
- 1.5 All moved-in buildings shall be subject to the provisions of this section and the provisions of Section 19.
- 1.6 Carports attached to an accessory building shall comply with the provisions for accessory buildings. Carports attached to a principal dwelling or building shall comply with the provisions for principal dwelling or building.

SECTION 2 EASEMENTS

- 2.1 All permanent structures shall be located a minimum of 3.1 m (10 ft), or such greater distance as required by the Development Authority, from an easement registered for the protection of municipal water mains and sewer mains or any other infrastructure, as determined by the municipality.
- 2.2 No structures shall be located within a registered easement.

SECTION 3 CORNER VISIBILITY

3.1 Street Corner Visibility

On a corner lot, nothing shall be erected, placed, planted or allowed to grow in a manner which may restrict traffic visibility at street intersections, between 0.9 m (3 ft) and 3.0 m (10 ft) above the centre line grades of the intersecting streets in the area bounded by the property lines of such corner lots and a line joining points along the said property line 6.1 m (20 ft) from the point of intersection (see Figures 6.3.1 and 6.3.2 where Dimension A = 6.1 m along each property line).

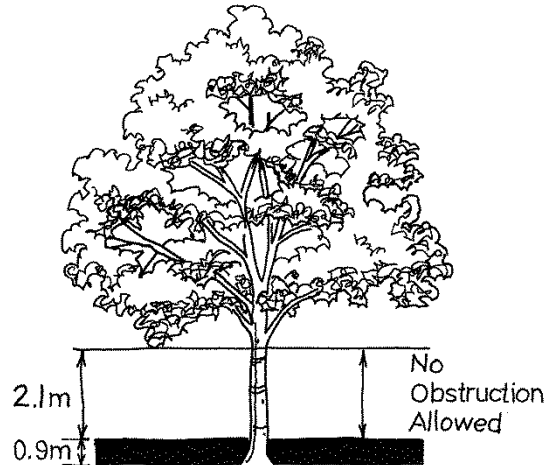


Figure 6.3.1

3.2 Rear Lane Visibility

The Municipal Planning Commission may impose conditions on a development to ensure that adequate visibility and safety of both pedestrians and vehicles is maintained for vehicles entering and exiting rear lanes.

The Municipal Planning Commission may request that a minimum 1.5 m (5 ft) clear vision triangle be provided for lots backing onto the intersection of a rear lane and public roadway (see Figure 6.3.2 where Dimension B = 1.5 m along each property line).

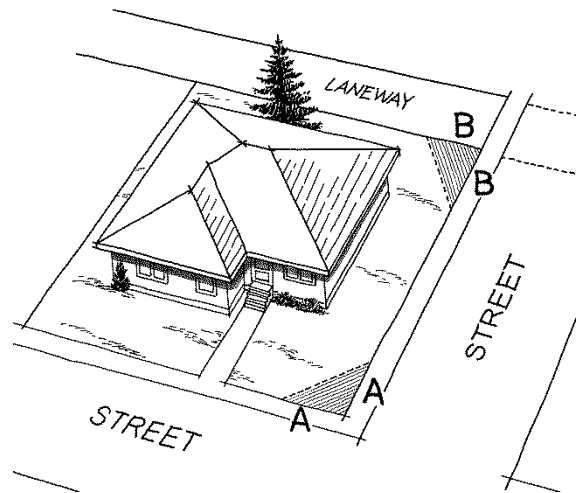


Figure 6.3.2

SECTION 4 DRIVEWAYS, OFF-STREET PARKING REQUIREMENTS AND DESIGN STANDARDS

4.1 Vehicular access for corner lots shall generally be limited to locations along a minor street or cul-de-sac.

- 4.2 In residential districts where a subject property does not provide a side yard sufficient for a driveway, then one off-street parking pad may be permitted in the front yard to a maximum of 6.1 m (20 ft) in width.
- 4.3 Only one driveway per lot should be permitted for single unit residential developments, including manufactured homes.
- 4.4 Driveways shall be a minimum of 3.0 m (10 ft) and a maximum of 6.1 m (20 ft) in width, unless otherwise approved by the Municipal Planning Commission on the basis of merit.
- 4.5 Driveways shall be a minimum of 3.0 m (10 ft) from the entrance to a lane (see Figure 6.4.1 Dimension B), and 4.6 m (15 ft) from the intersection of two public roadways (see Figure 6.4.1 Dimension A).
- 4.6 Driveways, parking pads or hard surfaced areas (e.g. paving stones, sidewalks) that cover more than twenty-five percent (25%) of the total lot area require a development permit.
- 4.7 Refer to Schedule 5, General and Use Specific Standards of Development, Section 8.

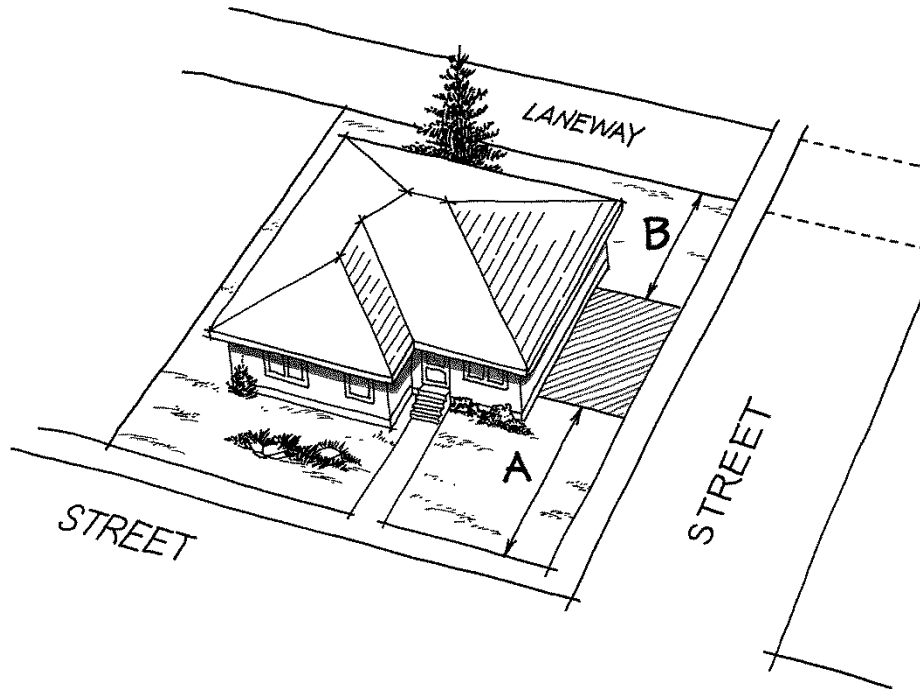


Figure 6.4.1

SECTION 5 FENCES

- 5.1 No fence, wall, hedge or any combination thereof shall extend more than 0.9 m (3 ft) above the ground in any front yard area, as illustrated in Figure 6.5.1 labeled as B, without a development permit approved by the Municipal Planning Commission.
- 5.2 Fences in the rear and side yards shall be 1.8 m (6 ft) in height or less (see Figure 6.5.1 where Dimension A = 1.8 m).

- 5.3 Where a permit is required, the Municipal Planning Commission may regulate the types of materials and colours used for a fence.

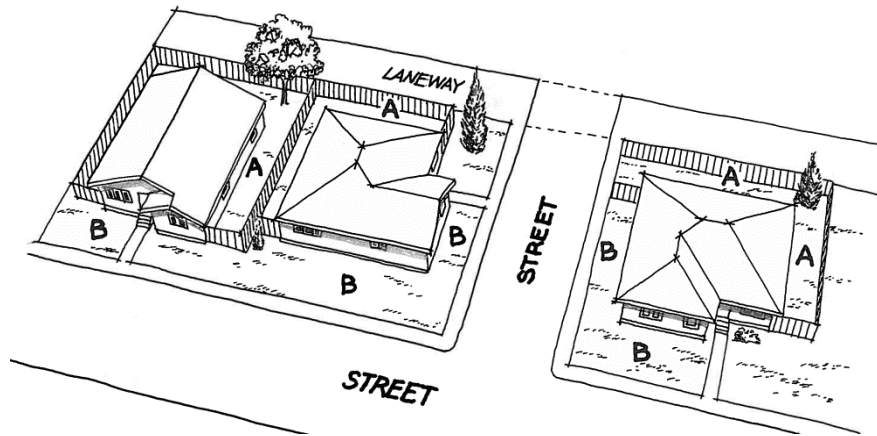


Figure 6.5.1

SECTION 6 DECKS

- 6.1 A development permit is required for the construction of a deck if it will be greater than 0.6 m (2 ft) in height (see Figure 6.6.1).
- 6.2 Uncovered decks that do not exceed 0.6 m (2 ft) in height do not require a development permit provided they meet the minimum setback requirements for a principal or accessory building.
- 6.3 All covered decks require a development permit.
- 6.4 For the purposes of calculating site coverage requirements, where a structure is attached to the principal building, it shall be deemed part of the principal building and subject to principal building requirements.
- 6.5 Decks must be located in a manner such as to preserve the privacy of adjacent properties.

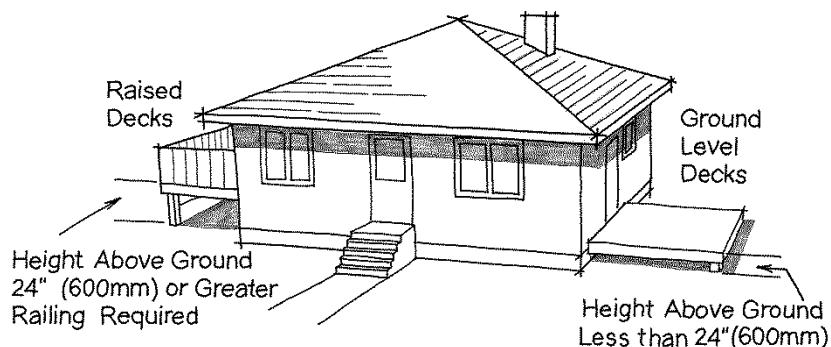


Figure 6.6.1

SECTION 7 RETAINING WALLS, GRADING AND DRAINAGE

- 7.1 The Municipal Planning Commission may require:
- (a) the construction of a retaining wall, including submittal of an engineered design as a condition of development if significant differences in grade exist or will exist between the lot to be developed and adjacent parcels;
 - (b) the provision of engineered grading and drainage plans for the development;
 - (c) special grading or paving to prevent drainage problems with neighbouring lots as a condition of a development permit.

SECTION 8 EXTERIOR BUILDING FINISHES

- 8.1 The Municipal Planning Commission may require that specific finishing materials and colour tones be utilized to maintain the compatibility of any:
- (a) proposed development with surrounding or adjacent developments;
 - (b) proposed additions or ancillary structures with existing buildings on the same lot.

SECTION 9 EXPOSED FOUNDATIONS

- 9.1 The maximum allowable height above the average finished surface level of the surrounding ground of the exposed portion of a concrete or block foundation may be regulated by the Municipal Planning Commission.

SECTION 10 PRIVATE SWIMMING POOLS

- 10.1 Private swimming pools shall be classified as an accessory structure.
- 10.2 Any private swimming pool with a design depth greater than 0.6 m (2 ft) shall be constructed and fenced in accordance with Safety Codes requirements.
- 10.3 Temporary above ground swimming pools and above ground hot tubs do not require a development permit, but are subject to Safety Codes and may require a building permit.
- 10.4 Construction of an in-ground swimming pool and swimming pools that are attached to a deck require a development permit and are subject to the following additional standards:
- (a) placement of a swimming pool shall be limited to the side and rear yard only;
 - (b) swimming pools are subject to the setback requirements for accessory structures in the applicable land use district; and
 - (c) swimming pools are subject to the maximum lot coverage requirements for accessory structures in the applicable land use district.

SECTION 11 HOME OCCUPATIONS

Home occupations shall be classified by the Development Officer in accordance with the following:

Home Occupation 1

- 11.1 A small-scale, home occupation involving:
- (a) phone and office use only;
 - (b) no outdoor storage or display of goods; and
 - (c) no more than five (5) customer/client visits per day to the residence.
- 11.2 Signage advertising a Home Occupation 1 is limited to one sign either fascia or freestanding up to a maximum of 0.37 m² (4 ft²) in size and must be approved by the Development Authority.

Home Occupation 2

- 11.3 All other home occupations shall be classified as a Home Occupation 2 and may involve:
- (a) the use of a principal structure, garage or accessory structure;
 - (b) limited outdoor storage provided that it is screened from view or the display of goods is within the residence, garage or accessory structure;
 - (c) limited volume of on-premises sales;
 - (d) a maximum of one non-resident employee; and
 - (e) limited customer/client visits.
- 11.4 Home occupations are subject to the following additional standards:
- (a) A home occupation shall be incidental and subordinate to the principal residential use of the dwelling and shall not change the external appearance or character of the dwelling. There shall be no business activities associated with the home occupation conducted on the lot outside the dwelling or accessory structure.
 - (b) Allowances for home occupations are intended to foster small-scale business. Home occupations will be required to relocate to a suitable commercial or industrial district when they become incompatible with a residential area or become unsuitable as a home occupation.
 - (c) A Home Occupation 2 shall not be permitted, if in the opinion of the Development Authority, the use would be more appropriately located within a commercial or industrial district.
 - (d) The business operator shall be a full-time resident of the dwelling.
 - (e) Unless otherwise approved by the Municipal Planning Commission, not more than one home occupation is permitted on a lot.
 - (f) The use must not generate more vehicular or pedestrian traffic and vehicular parking than normal within the district.
 - (g) No offensive noise, vibration, electrical interference, smoke, dust, odors, heat or glare shall be produced by the use.
 - (h) No use shall cause an increase in the demand placed on any one or more utilities (water, sewer, garbage, etc.) such that the combined total consumption for a

dwelling and its home occupation exceed the normal demand for residences in the area.

- (i) Home occupations shall not include any use that would, in the opinion of the Development Authority, materially interfere with or affect the use or enjoyment of neighbouring properties.
- (j) Signage advertising a Home Occupation 2 is limited to one sign either fascia or freestanding up to a maximum of 0.37 m² (4 ft²) in size and must be approved by the Development Authority.
- (k) The Development Authority may regulate the hours of operation, the number of customer visits, outdoor storage and screening and landscaping requirements for outdoor storage.
- (l) Any changes to an approved home occupation require the approval of the Development Authority.
- (m) The development permit for the use shall be valid only for the period of time the property is occupied by the applicant for such approved use and is not transferable to another location or another person.
- (n) The issuance of a development permit in no way exempts the applicant from obtaining a business license from the Town and any other Provincial approvals that may be required.
- (o) A Home Occupation 2 development permit may be issued as a temporary development permit that may be renewed annually or on a timeline specified in the approval by the Municipal Planning Commission.
- (p) A Home Occupation 2 shall not be approved where a secondary suite has been developed, unless it is proven to the satisfaction of the Development Authority that the amount of traffic generated is limited and adequate parking is available without adversely affecting the neighborhood.

SECTION 12 PREFABRICATED DWELLINGS

Prefabricated dwelling means:

- *a dwelling unit or portions of a dwelling unit that is built in a factory or portions of dwelling units that are built in a factory or location other than on the lot intended for occupancy;*
- *includes modular, ready-to-move and panelized dwellings;*
- *manufactured in accordance with CSA and the Alberta Building Code,*
- *is transportable in one or more sections;*
- *is not constructed with a permanent hitch, chassis or other device allowing transport of the unit other than for the purpose of delivery to a permanent site.*

This definition does not include manufactured homes, park model recreational units, park model trailers or travel trailers.

12.1 A prefabricated dwelling is required to meet the following criteria:

Factory built unit that meets CSA standards and building code (CSA A-277)	✓
Dwelling is securely fasten and placed on one of the following:	
Basement	✓
Concrete slab	✓
Concrete strip footing	✓
Pile or pier footing	✓
Minimum roof pitch shall not be less than 4/12	✓
Minimum floor area shall not be less than 92.9 m ² (1,000 ft ²)	✓
Minimum width of dwelling – 7.3 m (24 ft)	✓
Maximum length of dwelling – 20.1 m (66 ft)	✓
Maximum height of exposed foundation – 0.6 m (2 ft)	✓

12.2 A development permit for a prefabricated dwelling may be issued by the development authority provided that:

- (a) the design, character, and appearance (including roof lines/material and exterior finish) of prefabricated homes shall be consistent with the purpose of the district in which the building is located and shall take into account any other buildings existing in the vicinity;
- (b) to ensure compatibility of housing types, the variation of roof lines between prefabricated dwellings and conventional homes may be limited;
- (c) at the discretion of the Development Authority, the exterior finish, colour and roofing material may be stipulated as a condition of approval; and
- (d) the dwelling shall conform to any architectural controls that may apply.

12.3 As a condition of approval the Development Authority, at their discretion, may place other conditions on a development permit including the requirement that the developer provide landscaping, fencing, address drainage issues, or other such matters it considers necessary if, in his or its opinion, they would serve to improve the quality or compatibility of any proposed development.

12.4 The building and the land upon which it is to be located shall be subject to all conditions and regulations specified for the particular land use district set out in the Land Use Bylaw.

12.5 The applicant/developer must submit professional building plans illustrating in color the exterior design, floor plan, elevations and setbacks.

12.6 The quality of the completed building shall be at least equal to the quality of the other buildings in the area.

- 12.7 If there is any doubt as to the required standards being met, the Development Officer may refer the application to the Municipal Planning Commission for a decision.
- 12.8 The Development Authority may require a security guaranteeing a minimum \$5000.00 to a maximum value of up to fifty percent (50%) of the assessed value of the building to ensure the conditions of the development permit for a principal building are met.

SECTION 13 MANUFACTURED HOME

Manufactured home means a completely self-contained dwelling unit, designed and constructed entirely within a factory setting. Typically it is transported to a site in not more than one piece on its own chassis and wheel system or on a flatbed truck. For the purposes of this bylaw, a manufactured home does not include a “modular home” or “ready-to-move home”.

Standards and Requirements

- 13.1 Except where noted, all standards, requirements and guidelines of this section shall apply to both units located in conventional subdivisions or manufactured home parks.
- 13.2 The Development Officer or Municipal Planning Commission may require a security guaranteeing a minimum \$5000.00 to a maximum value of up to fifty percent (50%) of the assessed value of the building to ensure the conditions of the development permit for a principal building are met.
- 13.3 Only the following shall be considered eligible manufactured homes:
- (a) new factory-built units;
 - (b) used factory-built units in a good state of repair (to the satisfaction of the Development Authority). Any application for a development permit to locate a used manufactured home:
 - (i) shall include recent colour photographs of all elevations including additions; and
 - (ii) may require a personal inspection by the Development Officer to determine the unit's suitability;
 - (c) Canadian Standards Association (CSA) certified units or units bearing the Alberta Building Label (CSA A-277 or Z-240 building labels);
 - (d) manufactured homes bearing the original home certification.

Foundations, roof lines and additions

- 13.4 All single-wide manufactured homes shall be skirted in compatible materials and enclosed to the satisfaction of the Development Authority.
- 13.5 To ensure compatibility of housing types, the variation of roof lines between double-wide manufactured homes and conventional homes may be limited.

- 13.6 All manufactured home additions shall be of a design and finish which will complement the unit.

General Appearance

- 13.7 The wheels, hitches and other running gear shall be removed from a manufactured home immediately after the placement of the home.
- 13.8 The yard area of each lot shall be developed and landscaped to the satisfaction of the Development Authority.

SECTION 14 MOVED-IN BUILDINGS AND MOVED-IN DWELLINGS

MOVED-IN BUILDING means a previously used building, which is removed from a site, and then transported and re-established on another site.

MOVED-IN DWELLING means a previously existing, established and occupied dwelling, which is removed from one site and then transported and re-established on another site. For the purposes of this bylaw, a moved-in dwelling does not include a “manufactured home”, “modular home”, “ready-to-move home”, motor home, travel trailer, recreation vehicle and any similar vehicles that are neither intended for permanent residential habitation nor subject to the current provincial building requirements.

- 14.1 The building and the land upon which it is to be located shall be subject to all conditions and regulations specified for the particular land use district.
- 14.2 The building shall comply with all provincial and municipal health and fire regulations prior to occupancy and release of cash deposit. A report by a building inspector regarding each application shall be filed before any such application shall be considered by the Development Authority.
- 14.3 The quality of the completed building shall be at least equal to or better than the quality of the other buildings in the area.
- 14.4 The requirements of the building shall be established by the Municipal Planning Commission at the time of approval of the application and shall form a part of the conditions of the development permit.
- 14.5 A limit of the time of completion and full compliance with all stipulated requirements shall be established by the Municipal Planning Commission at the time of the approval of the application.
- 14.6 The application should be accompanied by recent colour photographs of all elevations of the moved-in building.
- 14.7 The Development Officer or safety codes officer may inspect the proposed building, at the developer's expense, prior to being relocated into town.

- 14.8 Non-permanent structures such as garden sheds and moved-in storage sheds shall be located only in rear yards and side yards.
- 14.9 The Development Officer may require a minimum of \$2,000 for moved-in buildings and a minimum \$5,000 for moved-in dwellings in cash to ensure the conditions of the development permit are met.

SECTION 15 MANUFACTURED HOME COMMUNITY

Prior to the issuance of a Development Permit for a comprehensively planned manufactured home community, the Development Authority shall receive and adopt by resolution a comprehensive plan for the community. A Comprehensive Plan shall be in accordance with, but not necessarily limited to, the following:

Parcel Size

- 15.1 The parcel subject to the development of a comprehensively planned manufactured home community shall be a minimum 2.0 ha (5 acres) and maximum 4 ha (10 acres).

Density

- 15.2 The design shall be such that the net site density of the park does not exceed 20 units per ha (8 units per acre).

General and Overall Appearance

- 15.3 The manufactured home community plan shall incorporate detailed aesthetic considerations such as:
- (a) substantial landscaping design of the entire park in general, and of individual sites in particular;
 - (b) treatment of communal areas, both indoor and outdoor;
 - (c) imaginative handling of street furniture such as lamp standards, litter bins, benches, street signs, and accessories of this nature; and
 - (d) the community design and subsequent placement of dwellings on lots shall integrate well with adjoining residential development so as not to be obtrusive.

Open Space Requirements

- 15.4 A minimum of ten percent (10%) of the manufactured home community area shall be developed for park use for the enjoyment of the inhabitants.
- 15.5 A footpath system, which may or may not be adjoined to an internal road system, must be provided within a mobile home park to provide convenient pedestrian access from the mobile home lots to the park's communal services and facilities. All footpaths must be a minimum of 0.9 m (3 ft) in width and surfaced to the satisfaction of the development authority.

Servicing Requirements

- 15.6 An engineer shall be engaged at the expense of the developer to consult with the Town and utility companies to arrive at a design for all interior servicing, including roads, drainage, grading, sewer, water, natural gas, telephone, electrical and fire protection.
- 15.7 All on-site servicing shall be built to the standards and requirements of the Town of Nanton and any applicable utility companies.
- 15.8 Utility easements as may be required shall be provided within the site, and reasonable access to these easements shall be granted to the Town Public Works Department and utility companies for the installation and maintenance of services as required.

Internal Roads

- 15.9 Internal roads shall be provided in the manufactured home community to allow access to individual manufactured home lots as well as to other facilities where access is required.
- 15.10 Internal roads shall be privately owned and maintained and form part of the common area.
- 15.11 The internal road system shall be designed to be compatible with existing municipal roads and public utility systems.
- 15.12 The internal road system shall provide convenient circulation by the use of local roads and properly located collector roads within the manufactured home park. Dead-end roads shall be discouraged; however, where design alternatives are not available, a minimum 16.8 m (55 ft) radius shall be provided for turn-around purposes.
- 15.13 If the public roadway through which access to the manufactured home community is obtained is paved, then the roads in the manufactured home community shall be paved.
- 15.14 A minimum right-of-way width of 12.2 m (40 ft) is required for all roads within the development.

Manufactured Home Additions

- 15.15 Any addition to a manufactured home shall be of a design and finish which will complement the manufactured home unit and the neighbouring units in the vicinity, as determined by the Development Authority.
- 15.16 Additions shall be located to the rear or side of the manufactured home unit only. Where any lot has more than one front yard line, the front yard requirements shall apply to one yard only and additions may be permitted in the other front yard.
- 15.17 Additions shall not exceed thirty percent (30%) of the floor area of a manufactured home unit.

Storage Compound

- 15.18 The developer of the comprehensively planned manufactured home community shall provide, within the park, an area to accommodate storage.
- 15.19 The size of this storage area shall be a percentage of the total site area as determined by the Development Authority and shall be satisfactorily screened by fences, trees, landscaped features, or combinations thereof, and be maintained in good repair.

Siting Criteria

- 15.20 The following distances must be observed in locating a structure within a designated manufactured home community:
- (a) A minimum of 1.5 m (5 ft) must separate the manufactured home from the lot lines (front, rear, and one side yard) except as provided for in a Comprehensive Plan.
 - (b) A minimum of 5.5 m (18 ft) one side yard open space must separate individual manufactured homes (driveways, carports and open porches are allowable in this space).
 - (c) The distance between a manufactured home stand and an abutting common area such as a paved street or walkway or public parking area shall be 3.7 m (12 ft).
 - (d) All open porches, carports and accessory buildings shall be set back minimum 4.6 m (15 ft) from the front lot line.
 - (e) Accessory buildings may be located 1.5 m (5 ft) from the manufactured home side lot line, provided structures on the adjoining parcel are 3.0 m (10 ft) away.
 - (f) Covered decks and porches (walls, roof, etc.) shall be considered part of the principal building and must meet the stipulated setbacks for the manufactured home.
 - (g) Any accessory building shall cover not more than fifteen percent (15%) of the surface area of the manufactured unit lot, or 55.7 m² (600 ft²), whichever is less.
 - (h) The manufactured home units shall cover not more than forty percent (40%) of the total surface area of the lot.

Drawings to be submitted by Applicants

- 15.21 The following drawings must be submitted:
- (a) A scaled site plan shall be submitted showing the manufactured home park and its immediate surroundings.
 - (b) The site plan shall indicate, among other things, the mix of single-wide and double-wide manufactured home lots, the lot size dimensions, street and pavement widths, parking stalls, location of service buildings, storage compound, playground and walkway system.
 - (c) A utility plan shall be based on the site plan and shall indicate the location of all utilities necessary for the provision of the following services to the area to be developed:

- water supply (including any proposed irrigation)
- sanitary sewer
- storm sewer
- power
- natural gas
- telephone
- cablevision
- street lighting

The sizing and specifications of all utilities to be determined in consultation with the Town's Public Works Department and the respective utility companies or agencies.

- (d) A layout plan shall indicate typical arrangement of manufactured homes as well as parking areas and landscaping of the lot.
- (e) A detailed landscaping plan shall illustrate the types of tree planting and ground cover for internal buffer strips, open space and playground areas, irrigation layout, all manufactured home lots, and entrances to the park.

SECTION 16 SECONDARY SUITE STANDARDS

- 16.1 A secondary suite shall have cooking facilities, food preparation area, sleeping and sanitary facilities, which are physically separate from those of the principal dwelling within the structure. A secondary suite shall also have 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.
- 16.2 This use does not include two-unit dwelling, row dwelling, apartment, or boarding or lodging house.
- 16.3 The minimum lot size for a single-unit, dwelling containing a secondary suite is 434.0 m² (4,672 ft²).
- 16.4 A secondary suite shall be developed in such a manner that the exterior of the principal building containing the secondary suite shall appear as a single dwelling.
- 16.5 Only one secondary suite may be developed in conjunction with a principal dwelling.
- 16.6 A secondary suite shall not be developed within the same principal dwelling containing a Home Occupation 2, unless it is proven to the satisfaction of the Development Authority that the amount of traffic generated is limited and adequate parking is available without adversely affecting the neighborhood.
- 16.7 The secondary suite shall not be subject to separation from the principal dwelling through a condominium conversion or subdivision.
- 16.8 Variances or waivers of setbacks shall not be granted to develop a secondary suite.
- 16.9 The secondary suite shall have full utility services through service connections from the principal dwelling unit.

- 16.10 Development of a secondary suite shall adhere to the Alberta Building Code and Alberta Fire Code as a condition of approval.

SECTION 17 DAY HOME

A day home shall not interfere with the rights of other residents to quiet enjoyment of a residential neighbourhood. Day homes shall be an incidental and subordinate use to the principal residential use and shall be restricted to the dwelling unit.

- 17.1 The use of a dwelling for day home is subject to the following criteria:
- (a) shall not require any alterations to the principal building unless the alterations are approved by the development authority and Safety or Fire Codes Officer;
 - (b) shall not create a nuisance by way of noise, parking or traffic generation;
 - (c) the applicant shall be responsible for complying with the *Child Care Licensing Act* and obtaining all necessary approvals required from regulatory agencies;
 - (d) the issuance of a development permit in no way exempts the applicant from obtaining a business license from the Town and any other Provincial approvals that may be required.

SECTION 18 BED AND BREAKFAST ACCOMODATION

Bed and breakfast accommodation shall not interfere with the rights of other residents to quiet enjoyment of a residential neighbourhood. Bed and breakfast accommodation shall be an incidental and subordinate use to the principal residential use and shall be restricted to the dwelling unit.

- 18.1 The use of a dwelling for bed and breakfast accommodation is subject to the following criteria:
- (a) shall not require any alterations to the principal building unless the alterations are approved by the development authority and Safety or Fire Codes Officer;
 - (b) shall not create a nuisance by way of noise, parking or traffic generation;
 - (c) shall not occupy more than thirty percent (30%) of the dwelling unit or provide for more than three (3) guest rooms in addition to the family of the owner, whichever is less;
 - (d) shall not sell meals or alcoholic beverages to non-overnight guests;
 - (e) shall not include a kitchen in any room rented;
 - (f) one onsite parking space per guest room may be required, however on street parking may be accepted by the Development Authority;
 - (g) signage advertising a bed and breakfast is limited to one sign either fascia or freestanding up to a maximum of 0.37 m² (4 ft²) in size and must be approved by the Development Authority.

SECTION 19 LIVE-WORK UNIT

- 19.1 The minimum size of a dwelling unit shall be 65 m² (700 ft²).
- 19.2 The non-residential portion of live-work units shall be limited to the permitted and discretionary uses in the appropriate land use district.
- 19.3 The business component of a live-work unit will be a minimum of twenty-five percent (25%) of the Gross Floor Area to a maximum of forty percent (40%).

Schedule 7

**COMMERCIAL / INDUSTRIAL
STANDARDS OF DEVELOPMENT**

COMMERCIAL / INDUSTRIAL STANDARDS OF DEVELOPMENT

The following standards are applicable to commercial and industrial development.

SECTION 1 EASEMENTS

- 1.1 All permanent structures shall be located a minimum of 3.1 m (10 ft), or such greater distance as required by the Development Authority, from an easement registered for the protection of municipal water mains and sewer mains or any other such infrastructure, as determined by the municipality.
- 1.2 No structures shall be located within a registered easement.

SECTION 2 CORNER VISIBILITY

2.1 Street Corner Visibility

On a corner lot, nothing shall be erected, placed, planted or allowed to grow in a manner which may restrict traffic visibility at street intersections, between 0.9 m (3 ft) and 3.0 m (10 ft) above the centre line grades of the intersecting streets in the area bounded by the property lines of such corner lots and a line joining points along the said property line 6.1 m (20 ft) from the point of intersection (see Figures 7.2.1 and 7.2.2).

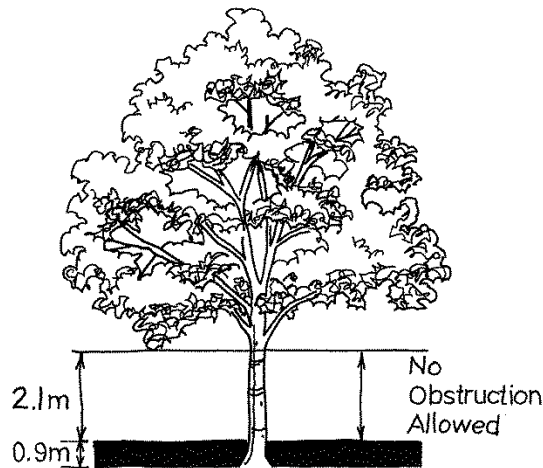


Figure 7.2.1

2.2 Rear Lane Visibility

The Municipal Planning Commission may impose conditions on a development to ensure that adequate visibility and safety of both pedestrians and vehicles is maintained for vehicles entering and exiting rear lanes.

The Municipal Planning Commission may request that a minimum 1.5 m (5 ft) clear vision triangle be provided for lots backing onto the intersection of a rear lane and public roadway.

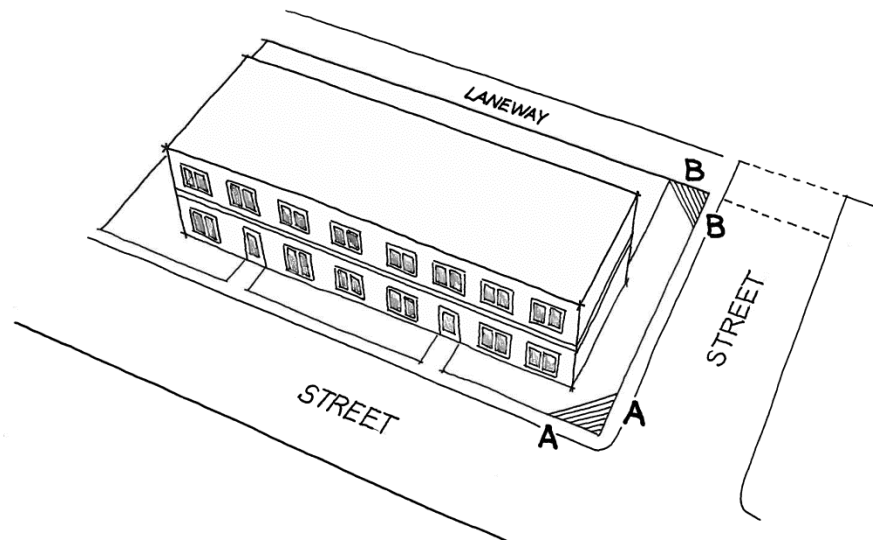


Figure 7.2.2

SECTION 3 LANDSCAPING AND SCREENING

- 3.1 A landscaping plan shall be submitted with the development permit application for any principal use. The Development Authority may require that a landscaping plan be prepared by a professional. An irrigation plan may also be required.
- 3.2 Within the front setback and secondary front setback, a minimum landscaped strip of 1.5 m (5 ft) in width along the entire lot frontage (excepting driveways, sidewalks, and walkways) is required. The strip shall be comprehensively landscaped to the satisfaction of the Development Authority.
- 3.3 The Development Authority may require the prescribed minimum 7.6 m (25 ft) setback between an industrial and residential use to be landscaped and fenced depending on the intensity of the proposed use.
- 3.4 Development along Highway 2 may be subject to enhanced landscaping standards to ensure attractive development adjacent to entryways into the community.
- 3.5 Off-street parking lots shall be landscaped or screened to the satisfaction of the Development Authority.
- 3.6 Where off-street parking is adjacent to a residential use, the Development Authority may require a minimum 3.0 m (10 ft) landscaped buffer between the property line and the adjacent use.
- 3.7 Where an industrial lot is adjacent to a residential use, all ground mounted mechanical equipment shall be concealed by fencing, landscaping or a combination of both to the satisfaction of the Development Authority.

- 3.8 Landscaping shall consist of any combination of the following to the satisfaction of the Development Authority:
- (a) vegetation (e.g. trees, shrubs, lawn, flowers);
 - (b) ground cover (e.g. large feature rocks, bark chip, field stone, crushed rock, or other similar features);
 - (c) buffering (e.g. berming, terracing, paving stones);
 - (d) outdoor amenity feature (e.g. benches, walkways, raised planters);
 - (e) innovative landscaping features, as approved by the Development Authority.
- 3.9 No cottonwood tree of any species or variety shall be planted in the municipality.

SECTION 4 FENCING

- 4.1 No fence, wall, gate, hedge or other means of enclosure shall extend more than 2.4 m (8 ft) in height in any side or rear yard. A fence, wall, gate, hedge or other means of enclosure that exceeds 0.9 m (3 ft) in height within a front yard or secondary front yard requires approval by the Development Authority.
- 4.2 The use of barbed wire below a height of 1.8 m (6 ft) is not permitted.
- 4.3 The use of razor wire is not permitted.
- 4.4 Fencing shall not be permitted to be constructed within any developed or undeveloped roadway or laneway right-of-way. Removal of such fencing will be at the property owner's expense.
- 4.5 Where a permit is required for fencing, the Development Authority may regulate the material types and colours used for the fence.
- 4.6 Refer also to Section 2, for clear vision triangle requirements.

SECTION 5 OFF-STREET PARKING REQUIREMENTS AND DESIGN STANDARDS

- 5.1 Refer to Schedule 5, General and Use Specific Standards of Development, Section 8.

SECTION 6 OUTDOOR DISPLAY AND STORAGE

- 6.1 Temporary outdoor display of goods, materials, and equipment for advertising and sale purposes may be permitted in the front yard provided the display is not located within any required landscape area or buffer.
- 6.2 The Development Authority may impose conditions related to screening, buffering or landscaping of any outdoor display areas.
- 6.3 Outdoor storage areas shall not be permitted within the front, secondary front or side setback.

- 6.4 Outdoor storage areas adjacent to a residential lot shall be effectively screened by an opaque fence of at least 1.8 m (6 ft) in height or other suitable screening to the satisfaction of the Development Authority.

SECTION 7 MITIGATION OF IMPACTS FROM NOISE, ODOR, VIBRATION AND AIR QUALITY

- 7.1 Where, in the opinion of the Development Authority, a development has the potential to create negative impacts on adjacent uses or nearby residential development in the form of noise, odor, vibration or air quality, the applicant may be required to submit a mitigation plan demonstrating how impacts will be mitigated prior to a decision being made on the application.
- 7.2 A mitigation plan may be attached as a condition of approval as well as any other measures deemed necessary by the Development Authority to mitigate impacts pursuant to subsection 7.1 above.

SECTION 8 ACCESORY BUILDINGS

- 8.1 Accessory buildings shall be located at least 1.2 m (4 ft) from the principal building.
- 8.2 Accessory buildings shall be constructed such that eaves shall be no closer than 0.6 m (2 ft) from a side lot line or rear lot line and all drainage is conducted to the appropriate storm drain via the applicant's own property.
- 8.3 Accessory buildings or structures shall not to be located in the front yard in relation to the principal building.

SECTION 9 MOVED-IN BUILDINGS

- 9.1 The building and the land upon which it is to be located shall be subject to all conditions and regulations specified for the particular land use district.
- 9.2 The building shall comply with all provincial and municipal health and fire regulations prior to occupancy and release of cash deposit. A report by a building inspector regarding each application shall be filed before any such application shall be considered by the Development Authority.
- 9.3 The quality of the completed building shall be at least equal to or better than the quality of the other buildings in the area.
- 9.4 The requirements of the building shall be established by the Municipal Planning Commission at the time of approval of the application and shall form a part of the conditions of the development permit.
- 9.5 A limit of the time of completion and full compliance with all stipulated requirements shall be established by the Municipal Planning Commission at the time of the approval of the application.

- 9.6 The application should be accompanied by recent colour photographs of all elevations of the moved-in building.
- 9.7 The Development Officer may require a minimum of \$2,000 for moved-in buildings in cash to ensure the conditions of the development permit are met.

SECTION 10 SURVEILLANCE SUITES

- 10.1 A development permit for a surveillance suite will only be issued if the surveillance suite is clearly compatible with and subordinate to the principal use of the subject parcel. Moreover, in the opinion of the Development Officer or Municipal Planning Commission, as the case may be, the placement of a surveillance suite shall be compatible with all existing, principal development/land uses on adjacent properties and shall not interfere with future principal development/land uses of adjacent properties.
- 10.2 Where a surveillance suite is attached to the building on a site by a roof, an open or enclosed structure, floor or a foundation, it is to be considered a part of the principal building.
- 10.3 The minimum and maximum floor area of any detached surveillance suite shall be 50 m² (538 ft²) and 102 m² (1098 ft²) respectively.
- 10.4 Where a surveillance suite is a manufactured home unit, the following shall apply:
- (a) the unit shall have a CSA certification or equivalent, proof of which shall accompany the development permit application;
 - (b) the unit shall be secured and skirted to the satisfaction of the Development Officer or Municipal Planning Commission, as the case may be.

SECTION 11 REGULATIONS FOR MIXED-USE BUILDINGS

- 11.1 A building may be occupied by a combination of one or more of the uses listed in a particular land use district. Each use shall be considered as a separate use, and shall obtain a Development Permit. A Development Permit may include a number of units within a building.
- 11.2 The minimum size of a mixed-use dwelling unit shall be 46.5 m² (500 ft²).
- 11.3 In a multi storey building, mixed-use dwelling units and commercial premises shall not be permitted on the same level.
- 11.4 Notwithstanding section 11.3, a mixed-use dwelling unit may be located in the rear of a non-residential use in a single storey building.
- 11.5 The mixed-use dwelling units shall have at grade access that is separate from the access for commercial premises.

- 11.6 A minimum of 4.00 m² (43.06 ft²) of private amenity area shall be provided for each mixed-use dwelling unit in the building.
- 11.7 No use or operation within a building shall cause air contaminants, visible emissions, particulate emissions of odorous matter or vapor, or create the emission of toxic matter beyond the building that contains it. The handling, storage and disposal of any toxic or hazardous materials or waste shall be in accordance with the regulations of any government authority having jurisdiction.

SECTION 12 GAS BARS, SERVICE STATIONS AND BULK FUEL STATIONS

12.1 Notwithstanding the District Regulations, a use pursuant to this Section shall not be located on sites, which, in the opinion of the Development Authority, would be considered unsafe in terms of vehicle circulation, and ingress and egress from the site.

12.2 Site Area (Minimum)

- (a) Gas Bar: 1,200 m² (12,917 ft²)
- (b) Service Station: 1,500 m² (16,146 ft²)
- (c) Gas Bar or Service Station including Car Wash: 2,700 m² (29,063 ft²)
- (d) Where a service station or gas bar forms part of a shopping centre, the area containing the service station or gas bar buildings and pump areas: 1,000 m² (10,764 ft²)
- (e) Where a service station or gas bar is combined with a convenience store: 1,200 m² (12,917 ft²)
- (f) Bulk Fuel Station: 2,700 m² (29,063 ft²)

12.3 Setback of Buildings and Structures

- (a) The Provincial Plumbing and Gas Safety Services Branch shall approve the proposed location(s) and design of all fuel storage tanks prior to application for a development permit.
- (b) Fuel storage tanks shall have the following setbacks from any property lines, abutting masonry building walls, drainage basins and ditches:

Total Tank Capacity Setback	
Up to 7,500 litres	3.0 m (10 ft)
7,501 to 19,000 litres	5.0 m (16.5 ft)
19,001 to 38,000 litres	7.6 m (25 ft)
Over 38,000 litres	10.5 m (34.5 ft)

- (i) Tanks located on property within a Flood Hazard Area shall be flood proofed to the satisfaction of the Development Authority.
- (c) The ventilation tank pipes shall have a minimum height of 3.5 m (11.5 ft) from grade, and a minimum setback of 0.9 m (3 ft) from any property line. In cases where the ventilation tank pipes are abutting to a building opening, the setback requirement shall be a minimum of 1.2 m (4 ft).

- (d) The ventilation tank pipes shall have a minimum setback of 7.6 m (25 ft) from any fuel-dispensing unit.
- (e) The minimum front yard requirements shall be as prescribed in the District in which the use is located but in no case shall be less than 3.0 m (10 ft).
- (f) The minimum side and rear yard setbacks shall be as prescribed in the District in which the use is located.
- (g) Yard setbacks shall apply to all above ground structures, including gas pump canopies.

12.4 Site and Building Requirements

- (a) All parts of the site to which vehicles may have access shall be hard-surfaced if the property is accessed from a paved public road or lane, and drained to the satisfaction of the Development Authority.
- (b) A minimum of ten percent (10%) of the site area of a Gas Bar and Service Station under this Section shall be landscaped to the satisfaction of the Development Authority.
- (c) The removal of tanks requires a demolition permit from the Development Authority.

12.5 The maximum building coverage for a use under this Section shall be twenty-five percent (25%) of the site area.

SECTION 13 CANNABIS REGULATION

RETAIL CANNABIS STORE

All retail cannabis stores shall meet the following requirements:

- 13.1 Prior to applying for a municipal development permit for a Retail Cannabis Store, the applicant is required to apply to the Alberta Gaming and Liquor Commission (AGLC) for a determination of eligibility to obtain a license and submit verification of the AGLC eligibility as part of the development application.
- 13.2 As part of the development application, the applicant shall demonstrate how the building location and design comply with all requirements under the *Alberta Gaming, Liquor and Cannabis Regulation*.
- 13.3 That the developer or applicant or owner provide copies of all approved Alberta Gaming and Liquor Commission licenses as a condition of the development permit.
- 13.4 The business must obtain and maintain a current Town of Nanton business license.
- 13.5 The use is defined by its separation from other uses as follows:
 - (a) 50.0 m from the property line of a retail cannabis store to the property line of a public school; and
 - (b) 50.0 m from the property line of a retail cannabis store to the property line of a provincial health care facility; and

- (c) 50.0 m from the property line of a retail cannabis store to the property line of Centennial Park playground and Dave Wallace Park playground.
- 13.6 The specified separation distances as described in Section 5 above are reciprocal and also apply to those described uses (e.g. public school, provincial health care facility) applying for development permit locating in proximity of established Retail Cannabis Stores.
- 13.7 The minimum number of motor vehicle parking stalls shall be based on the parking requirements under the use category Commercial/Industrial found in Schedule 5.

CANNABIS PRODUCTION FACILITY

- 13.8 The owner or applicant must provide as a condition of development a copy of the current license for all activities associated with cannabis production as issued by Health Canada.
- 13.9 The owner or applicant must obtain any other approval, permit, authorization, consent or license that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
- 13.10 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.
- 13.11 The development shall not operate in conjunction with another approved use.
- 13.12 The development shall not include an outdoor area for storage of goods, materials or supplies.
- 13.13 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.
- 13.14 The development must not be within 75.0 metres of a residential or a public institutional district, measured from the building foundation containing the use to the nearest property line of a parcel designated as a residential or a public institutional district.
- 13.15 The development authority may require, as a condition of a development permit, a public utility and waste management plan, completed by a qualified professional that includes detail on:
 - (a) the incineration of waste products and airborne emissions, including smell;
 - (b) the quantity and characteristics of liquid and waste material discharged by the facility; and
 - (c) the method and location of collection and disposal of liquid and waste material.
- 13.16 The minimum number of motor vehicle parking stalls shall be based on the parking requirements under the use category Commercial/Industrial found in Schedule 5.

SECTION 14 BREWERIES, DISTILLERIES AND WINERIES REGULATION

- 14.1 That the developer or applicant provide copies of all approved Alberta Gaming and Liquor Commission licenses as a condition of the development permit.
- 14.2 Breweries, distilleries and wineries shall not generate odour, dust, waste or delivery traffic in excess of that which is characteristic of the district in which it is located. Developer or applicant may be requested to provide a water and wastewater use analysis to determine peak water demand and whether effluent discharged complies with municipal sewer regulations and wastewater treatment plant capabilities.
- 14.3 There shall be no outdoor manufacturing activities, or unenclosed outdoor storage of material or equipment associated with the business.
- 14.4 Any public entrances, outdoor public spaces and outdoor private hospitality areas shall not be located next to an abutting residential use.

SECTION 15 MOBILE BUSINESS UNITS

- 15.1 Mobile business units shall occupy vacant or under-utilized sites, with owner or leaseholder's written consent provided at time of permit application, and conform to all of the regulations of the district in which they are located.
- 15.2 A development permit for a mobile business unit may be approved for a maximum of six (6) months, pursuant to Section 33 (Temporary Use).
- 15.3 The business must obtain and maintain a current Town of Nanton business license.
- 15.4 Signage for seasonal or mobile business units shall be subject to the same signage regulations for that land use district.

Schedule 8

SIGN REGULATIONS

SIGN REGULATIONS

Except as stated in Section 4 (Signs Not Requiring a Permit) below, no sign shall be erected on land or affixed to any exterior surface of a building or structure unless a development permit for this purpose has been issued by the Development Authority.

SECTION 1 SIGNS PERMITTED BY LAND USE DISTRICT

1.1 In the Retail/General Commercial – C1, Neighbourhood Commercial – C3 and Public Institutional – PI districts one sign fronting each street bounding the property is permitted subject to the provisions of this Schedule. Such sign may be either a business or an identification sign, and may be selected from the following types:

- (a) canopy,
- (b) fascia,
- (c) projecting, or
- (d) freestanding sign.

Temporary signs not exempted in Section 4 or mural signs must be applied for separately on a case by case basis.

1.2 In the Retail/General Commercial – C1, Neighbourhood Commercial – C3 and Public Institutional – PI districts one A-board sign per business is permitted subject to the provisions of this Schedule.

1.3 In the Retail/General Commercial – C1, Neighbourhood Commercial – C3 and Public Institutional – PI districts one Shingle sign per business is permitted subject to the provisions of this Schedule.

1.4 In the Highway Commercial – C2 and Industrial – IN districts two signs fronting each street bounding the property are permitted subject to the provisions of this Schedule. Such sign may be either a business or identification sign, and may be selected from the following types:

- (a) canopy,
- (b) fascia, or
- (c) freestanding sign.

Temporary signs not exempted in Section 4 or mural signs must be applied for separately on a case by case basis.

1.5 In all commercial and industrial districts, multi-tenant developments shall comply with the Master Sign Plan provisions of this Schedule.

- 1.6 In all commercial, public and industrial districts requests for additional signage other than allowed under Section 1.1 shall apply for the sign or signs through the Master Sign Plan provisions of this Schedule.
- 1.7 In all residential districts, the only signage allowed is defined in Section 4, section 8.7, Section 9.7 of this schedule and Schedule 6 Sections 11 and 18.

SECTION 2 PROHIBITED SIGNS

- 2.1 Signs which employ revolving, flashing or intermittent lights, or lights resembling emergency services, traffic signals, railway crossing signals, hazard warning devices or other similar lighting but does not include changeable content, sign projection styles or animation.
- 2.2 Signs which emit amplified sounds or music.
- 2.3 In any residential district, signs that employ animation or changeable content as the projection style are prohibited.
- 2.4 In any non-residential district, signs that employ changeable content, animation or pictorial scenes at a luminosity, intensity or interval which may create a public hazard or nuisance are prohibited.
- 2.5 Any signs located within the public right-of-way or on public property, except for signs approved by the Town of Nanton, which may include: canopy signs, projecting signs and temporary signs or signs approved by the Province of Alberta or Federal Government.
- 2.6 Signs that are attached to or appearing on any vehicle or trailer which is parked on a public right of way or any other public lands or on private land that is located adjacent to a public right of way with the intent/purpose of displaying the sign to motorists and the public for any period of time excepting signs for special events organized by a non-profit association, group or organization for a display time period not to exceed twenty-four (24) hours.
- 2.7 Any sign which has not obtained a development permit or any sign which has not been deemed exempt from the requirement of obtaining a development permit as per this sign schedule (see Section 4 – Signs Not Requiring a Permit).
- 2.8 Projecting signs are prohibited in all land use districts except Retail/General Commercial – C1, Neighbourhood Commercial – C3 and Public Institutional – PI.
- 2.9 Billboards are not permitted in the Town of Nanton.
- 2.10 Roof signs are not permitted in the Town of Nanton.
- 2.11 All off-premise signage except where allowed as a community sign under Section 8 and where allowed as an A-board under Section 4.

SECTION 3 GENERAL STANDARDS AND REGULATIONS FOR ALL SIGNS

- 3.1 Unless otherwise specified, a Development Permit application is required for all signs.
- 3.2 The Development Officer may refer any Development Permit application for a sign to the Municipal Planning Commission for a decision.
- 3.3 All signs shall be compatible with the general character of the surrounding streetscape and the architecture of nearby buildings.
- 3.4 All signs shall be of quality construction and of a design suitable for public display.
- 3.5 All signs shall be maintained in good repair and a safe and tidy manner.
- 3.6 No sign shall be placed in a public road or laneway or sited in such a manner that the sign causes confusion with or obstructs the vision of any information sign or a traffic control sign, signal, light or other traffic device.
- 3.7 No sign shall be located or placed in such a manner that it will create a potential hazard or conflict with rights-of-way, easements or the routing of any public utility or obstruct the public's view of any other signage.
- 3.8 The size, location, illumination and materials of all signs and outdoor advertising structures and features shall not detract from the design of existing and proposed buildings and structures and the surrounding properties.
- 3.9 Any sign which creates a traffic or pedestrian hazard either due to its design or location shall not be permitted.
- 3.10 A sign shall be located entirely within the subject lot unless prior written approval granting permission for the sign to overhang another property is submitted to the Town by the affected property owner.
- 3.11 Pursuant to Administration Section 27.2, a sign shall not be erected on any property unless permission is granted in writing from the registered property owner.
- 3.12 Sign alterations (e.g. change in size, shape, type, illumination, sign projection style, etc.) shall not be made without first obtaining the required permits or written authorization.
- 3.13 Any signs that rotate, employ animation or changeable content require approval of the Municipal Planning Commission.
- 3.14 In all cases, the required distance from overhead power and service lines, as set forth in the *Electrical Protection Act*, shall be maintained.
- 3.15 A sign shall not be attached to a public bench, light standard, utility pole or any other publicly owned structure or building without prior written authorization from the Development Authority.
- 3.16 The source of light for all sign illumination shall be steady and suitably shielded.

- 3.17 Subsequent to approval from the Development Authority, signs may be permitted to locate within the setback of a land use district or clear vision triangle requirements if it does not interfere with visibility at an intersection and complies with other requirements of this sign schedule.
- 3.18 The following rules apply to all types of signs on municipal property:
- (a) No signs shall be located on, erected on, or attached to municipal property, buildings or structures unless permission is granted in writing from the Town.
 - (b) If permission is granted for a sign to be located on, erected on, or attached to municipal property, buildings or structures, the sign type shall comply with all applicable sign regulations contained within this Land Use Bylaw.
 - (c) Any sign located on, erected on, or attached to municipal property without authorization from the Town, may be removed without notice.
- 3.19 The landowner or business owner shall be responsible for removal of the sign copy when the advertised use has been discontinued for a period of six months. After six months the sign will be deemed abandoned. If abandoned signs are not removed the Town may remove the sign at the property owner's expense.
- 3.20 Non-compliance with any regulation of this bylaw may result in the Town removing a sign without notice and any cost associated with its removal may be charged to the sign owner. A sign recovery charge as described in Appendix A: Fees will be required prior to the return of the sign to the owner.
- 3.21 The Development Authority may require the removal or alteration of any sign which in the opinion of the Development Authority is in such a state of disrepair that it is unsightly or constitutes a hazard.
- 3.22 Any signs removed by the Town may be held for 30 days after removal at the owner's risk. Should the signs not be claimed by the owner after 30 days from the date of removal, the signs will be disposed of at the discretion of the Town.
- 3.23 The Town shall not be held liable for any injury, loss or damage suffered by any person or corporate body which is caused by any sign located in the Town whether or not the sign is in accordance with the requirements of this bylaw.

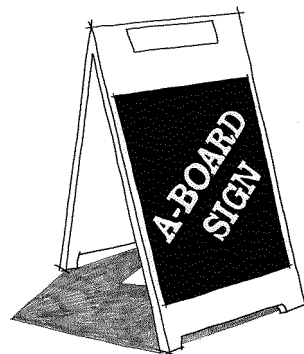
SECTION 4 SIGNS NOT REQUIRING A PERMIT

The following signs do not require a sign permit, but shall otherwise comply with this bylaw and be suitably maintained to the satisfaction of the Development Authority.

- 4.1 Construction signs which do not exceed 2.9 m² (32 ft²) in area provided such signs are removed within 14 days of the completion of construction.
- 4.2 Banner signs which are displayed for a period of time not exceeding 30 days.

- 4.3 Signs, notices, placards, or bulletins required to be displayed:
- (a) in accordance with the provisions of federal, provincial, or municipal legislation;
 - (b) by or on behalf of the federal, provincial, or municipal government;
 - (c) on behalf of a department, a commission, a board, a committee, or an official of the federal, provincial, or municipal government.
- 4.4 Any traffic or directional and informational signage erected by the Town, Province of Alberta or Federal government.
- 4.5 Municipal signs for municipal purposes (e.g. traffic or directional information signage, community service bulletin board signs, etc.).
- 4.6 Residency identification signs which state no more than the name and address of the person(s) occupying the lot, provided the sign is no greater than 0.4 m² (4 ft²) in area.
- 4.7 Vehicle signs except as prohibited in Section 2 (Prohibited Signs) above.
- 4.8 Entrance or exit signs used for the purpose of directing traffic providing:
- (a) those signs that do not display any advertising message, other than a business logo;
 - (b) the sign area does not exceed 0.9 m² (10 ft²) in area; and
 - (c) the sign height does not exceed 1.2 m (4 ft).
- 4.9 A-board signs (see Figure 8.4.1) which comply with the following requirements:
- (a) shall not exceed 0.6 m (2 ft) in width and 1 m (3.3 ft) in sign height;
 - (b) shall not impede the safe movement of pedestrian traffic or block a fire exit or doorways;
 - (c) shall be removed at the end of the business day;
 - (d) shall not be illuminated; and
 - (e) shall be located immediately in front of the business; except where the business has no street frontage and the primary entrance is in a rear lane, then the sign may be placed on the nearest street frontage.

Figure 8.4.1



- 4.10 The alteration of a sign which only includes routine maintenance, painting or change in face, content or lettering and does not include modification to the sign structure or projection style.
- 4.11 All signs for public buildings except for freestanding signs, and any signs that contain movement/motion (i.e. rotate, etc.), or employ animation or changeable content, which shall require the approval of the Municipal Planning Commission.
- 4.12 Real estate signs, provided all such signage is removed within 30 days after the sale or lease of the premises upon which the sign is located.
- 4.13 Real estate open house A-board signs provided they are removed within 24 hours of the open house.
- 4.14 On-premises directional and informational signage and incidental signs 0.4 m² (4 ft²) or less in area.
- 4.15 Any permanent window sign painted on, attached to or installed on a window provided that no more than fifty percent (50%) of the subject window area is covered.
- 4.16 Temporary notices, placards, or posters displayed in a window within commercial, public or industrial districts.
- 4.17 Political signs provided all such signage is removed within 5 days after the closing of the polling stations for the relevant election or plebiscite and comply with the following requirements:
- (a) signs cannot emit sound, use video features or be illuminated;
 - (b) signs shall be maintained in a condition that is neat and shall not be unsightly or dangerous;
 - (c) signs shall not interfere with the safe and orderly movement of pedestrians or vehicles, or restrict the sight lines for pedestrians or motorists;
 - (d) signs shall not exceed 0.9 m² (10 ft²) in area, 1.2 m (4 ft) in height, and be self supporting;
 - (e) signs shall not be posted for more than 60 days; and
 - (f) signs shall be a minimum of 3.0 m (10 ft) from any road access and a minimum of 4.6 m (15 ft) from any intersection.
- 4.18 Neon or placard signs which indicated 'Open' or 'Closed' within commercial, public or industrial districts.
- 4.19 Any sign associated with an approved Special Event permit or as exempted in a Special Event policy.
- 4.20 Shingle signs that meet the provisions of this Schedule.
- 4.21 Architectural signs as defined in this bylaw.

SECTION 5 SIGN PERMIT APPLICATION REQUIREMENTS

- 5.1 A development permit for a sign shall be made to the Development Authority by an applicant, a landowner, or someone that has been authorized by the landowner (i.e. agent) to submit a development permit application, on a completed application form.
- 5.2 An application for a development permit to erect, place, alter or relocate a sign shall also be accompanied by:
- (a) the name and address of:
 - the sign manufacturer or company, and
 - the lawful sign owner;
 - (b) a letter of authorization from the affected registered property or building owner(s) (if the applicant is not the landowner or building owner).
- 5.3 The Development Authority may require any additional information deemed necessary to evaluate a Development Permit application for a sign, but generally, an application for a permit to erect, place, alter or relocate a sign shall be made to the Development Authority and shall be accompanied by photographs and drawings, to an appropriate scale, showing where applicable:
- (a) the location of all existing and proposed sign(s);
 - (b) the size, height, and area of the proposed sign(s), including any supporting structures;
 - (c) details with respect to the sign content (i.e. wording/lettering, text, message, graphics, etc.);
 - (d) the colour and design scheme;
 - (e) material specifications;
 - (f) the location of the property boundaries of the parcel upon which the proposed sign(s) is to be located;
 - (g) all utility rights-of-way, access easements and any other related encumbrances;
 - (h) the location of existing building(s) on the site;
 - (i) the type of illumination, animation or changeable content, if any, and details with respect to the proposed luminosity intensity and interval;
 - (j) the details regarding the extent of the projection if a sign is to be attached to a building; or
 - (k) the location of all landscaping if the proposed sign is freestanding.

SECTION 6 DISPLAY STYLES AND ILLUMINATION

Display Styles

- 6.1 The content of any sign type (e.g. temporary, freestanding, etc.) may be displayed using one or a combination of more than one of the following display styles except where prohibited in Section 2.

- (a) Lettering/Logo: means the sign content contains simple wording, lettering, logo or graphics that are not animated, moving or cannot be changed automatically.
- (b) Animation: means the sign content or a portion of the sign content contains action or motion, including lighting changes, special effects or pictures, but does not mean changeable content.
- (c) Changeable content: means the sign content or a portion of the sign content changes automatically through electronic or mechanical means.
- (d) Movement/motion: means the sign, sign content or a portion of the sign conveys its message to the public through the movement or motion of its mechanical parts. Typical signs using this projection style include rotating signs.

6.2 Any change in display style requires the submission of a new development permit application.

Illumination

6.3 Any sign may be considered illuminated if it is lighted by or exposed to artificial lighting either by lights on or in the sign or directed toward the sign. Illuminated signs are regulated by the Land Use Bylaw.

SECTION 7 TEMPORARY SIGNS

7.1 All temporary signs require a development permit except those signs exempted in Section 4. Temporary signs include, but are not limited to, a banner sign, balloon sign, construction sign, political sign, portable sign (see figure 8.7.1) and a real estate sign.

7.2 A Development Permit issued by the development officer for a temporary sign will be valid for a period of no longer than 180 days. Requests for longer time periods shall be made to the Municipal Planning Commission.

7.3 Once the permit has expired for a temporary sign at a location address, re-application for another temporary sign on the same site shall not occur until 30 days has elapsed from the expiration of the previously approved permit or 30 days from the date at which the temporary sign is removed, whichever is the later of the two dates.

7.4 No temporary signs shall be suspended on or between support columns of any permanent sign such as a freestanding sign or billboard sign, notwithstanding any other sign that may be considered as permanent by the Development Authority.

7.5 No posters or signs shall be placed on any public utility such as a power pole.

7.6 No posters or signs shall be placed on municipal, provincial or federal signage.

7.7 Temporary signs shall not be projected using animation, digital or electronic changeable copy.

7.8 The Development Authority must only approve the location of the temporary sign on the premises after having given due consideration for the location of power supply, sight lines

visibility, parking pattern on the site or any other site specific development constraints that the Development Authority considers relevant.

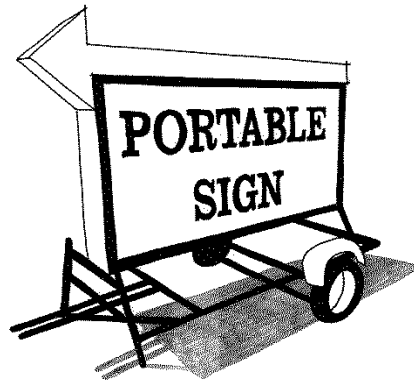


Figure 8.7.1

- 7.9 All temporary signs shall be located within the property lines of the location address shown on the development permit application.
- 7.10 At the discretion of the Municipal Planning Commission temporary signs may contain off-premises sign content as defined in Section 13.
- 7.11 The Development Authority may require the posting of a security with the Town to ensure compliance with any and all conditions of approval and the removal of the sign on or before the date of expiry of the permit.
- 7.12 Temporary signs shall not be allowed in any residential land use district unless placed on Town boulevards and permission has been obtained from the Development Authority.
- 7.13 No temporary sign (including electrical cords) shall be placed on or extend over or project into any municipal property or beyond the boundaries of the private lot or premises upon which it is sited without the written authorization of the Development Authority.
- 7.14 The copy area of a temporary sign shall not exceed 3.71 m² (40 ft²).

SECTION 8 FREESTANDING SIGNS

- 8.1 All freestanding signs require a development permit except those signs exempted in Section 4.
- 8.2 Development Permits for freestanding signs in all residential, Public Institutional and Agricultural Transitional districts shall require the approval of the Municipal Planning Commission.
- 8.3 In accordance with Section 1, no more than one freestanding sign per business frontage may be erected in the Industrial district.
- 8.4 Freestanding signs shall have a minimum separation distance of 30.0 m (98 ft) for those signs located on the same side of a roadway.

- 8.5 Freestanding signs shall not contain off-premises sign content.
- 8.6 No temporary signs shall be suspended on or between support columns of any freestanding sign.
- 8.7 In residential districts freestanding signs shall not be permitted except as monument signs for the following purposes:
- (a) community / neighbourhood / subdivision identification purposes;
 - (b) approved multi-unit residential development projects; and
 - (c) institutional projects or uses;
- and shall not exceed 1.21 m (4 ft) in height (see Figure 8.8.1 where Dimension A is the height).
- 8.8 Except for monument signs, the maximum height of a freestanding sign shall be 6.1 m (20 ft) with a minimum clearance from the bottom of the sign to the ground of 3.05 m (10 ft) (see Figure 8.7.1 where Dimension A = 6.1 m and Dimension A minus C = 3.05 m). Minimum clearance does not apply to pylon signs.
- 8.9 The total sign area for each face shall not exceed 6.96 m² (75 ft²). Sign area is depicted in Figure 8.8.1 as dimension B multiplied by dimension C.

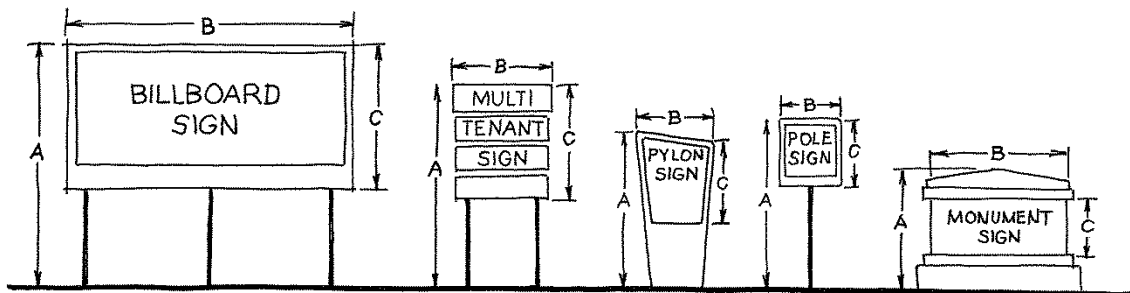


Figure 8.8.1

Community Signs

- 8.10 Community signs for the purposes of consolidating several local off-premise signs may be permitted by the Municipal Planning Commission. Advertising space within Community sign structures does not require a permit.
- 8.11 Community signs may be located at the discretion of the Municipal Planning Commission in any area adjacent to Highway 2 within the town, including a public place provided that the area is not designated as a residential district.
- 8.12 The total sign area for a community sign shall not exceed 40.13 m² (432 ft²).
- 8.13 All community signs shall be located on town-owned or town-sponsored sign structures.
- 8.14 Each component sign, panel or advertisement comprising a community sign shall be:

- (a) of modular size;
- (b) manufactured of the same materials;
- (c) confined within the same structural frame; and
- (d) be of a design acceptable to the owner of the entire billboard.

8.15 All community signs shall comply with all other provisions of this bylaw unless specifically exempted.

Billboard Signs

8.16 Billboards are not permitted in the Town of Nanton.

SECTION 9 FASCIA SIGNS

9.1 All fascia signs require a development permit except those signs exempted in Section 4.

9.2 In accordance with Section 1, no more than one fascia sign per business may be erected.

9.3 The total maximum sign area permitted for fascia signs is twenty percent (20%) of the area formed by each building face or bay. For large walls in excess of 22.86 m (75 ft) in length, no fascia sign shall exceed a maximum coverage size of 9.3 m² (100 ft²).

9.4 A fascia sign shall not project more than 0.3 m (1 ft) from the face of a building.

9.5 Whenever there is a band of several fascia signs, they should be of a consistent size and located near the same level as other similar signage on the premises and adjacent buildings.

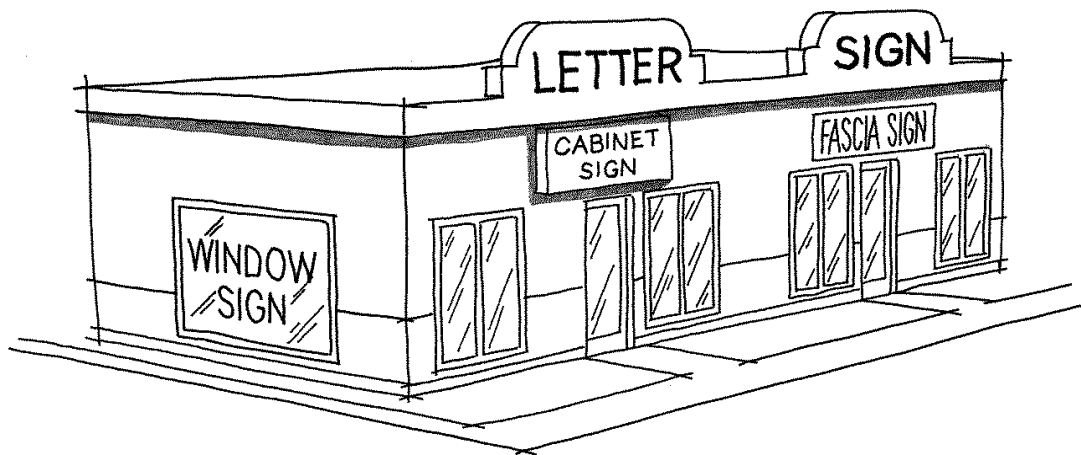


Figure 8.9.1

9.6 A fascia sign shall not be located above any portion of a street, or project over public property, unless the fascia sign maintains a minimum clearance from grade of 2.4 m (8 ft) and the maximum projection shall be no greater than 0.3 m (1 ft).

Window Signs

- 9.7 In any residential district, a maximum of one window sign per lot not to exceed 0.37 m² (4 ft²) in area may be permitted.
- 9.8 In all other districts, a permanent window sign painted on, attached to or installed on a window may cover no more than fifty percent (50%) of the subject window area and does not require a permit in accordance with Section 4.

Mural Signs

- 9.9 All mural signs require a development permit except those signs exempted in Section 4.
- 9.10 No more than one mural sign shall be allowed per building unless specifically authorized by the Municipal Planning Commission.
- 9.11 The location, theme, construction materials and size associated with the mural shall be to the satisfaction of the Development Authority.
- 9.12 The mural must be a painting or other decorative work (artistic rendering/scene) and no mural shall be created to solely display a commercial message or depiction.
- 9.13 The Development Authority may require that the mural content be reflective of the Town's history or heritage.
- 9.14 Display of text, including a business name or commercial message, within a mural shall not exceed ten percent (10%) coverage of the wall surface area, up to a maximum coverage size of 9.3 m² (100 ft²).

SECTION 10 PROJECTING SIGNS

- 10.1 All projecting signs require a development permit except those signs exempted in Section 4.
- 10.2 Projecting signs are prohibited in all land use districts except Retail/General Commercial – C1, Neighbourhood Commercial – C3 and Public Institutional – PI.
- 10.3 Projecting signs shall be placed:
- (a) at right angles to the building face to which they will be attached; or
 - (b) in the case of corner sites, placed at equal angles to the building faces that form the corner.
- 10.4 Projecting signs shall have a minimum vertical clearance of 2.4 m (8 ft) measured between the lower sign edge and grade.
- 10.5 A projecting sign shall not project more than 0.9 m (3 ft) from the surface of the building to which it is attached.

- 10.6 The maximum allowable height for a projecting sign, measured from the top of the sign to grade, shall not exceed the lesser of:
- (a) the height of the eave line or roof line;
 - (b) 6.1 m (20 ft); or
 - (b) to the satisfaction of the Development Authority.
- 10.7 In accordance with Section 1, one projecting sign per business area may be allowed in the commercial and public institutional districts provided the maximum sign area does not exceed 5.0 m² (54 ft²) in area.

Canopy Signs

- 10.8 All canopy signs require a development permit except those signs exempted in Section 4.
- 10.9 No part of a canopy sign shall project more than 1.2 m (4 ft) over a public sidewalk or within 0.9 m (3 ft) of a curb adjoining a public roadway.
- 10.10 A canopy sign shall be mounted no less than 2.4 m (8 ft) above grade.
- 10.11 A canopy sign or any physical supports for the sign shall not extend beyond the lateral or vertical dimensions of the canopy or its apron.
- 10.12 Approval of any canopy signage overhanging public land under the sign regulations is conditional upon the owners or occupiers of the premises upon which said sign is located entering into an encroachment and hold harmless agreement with the Town of Nanton. The agreement may be registered on title.

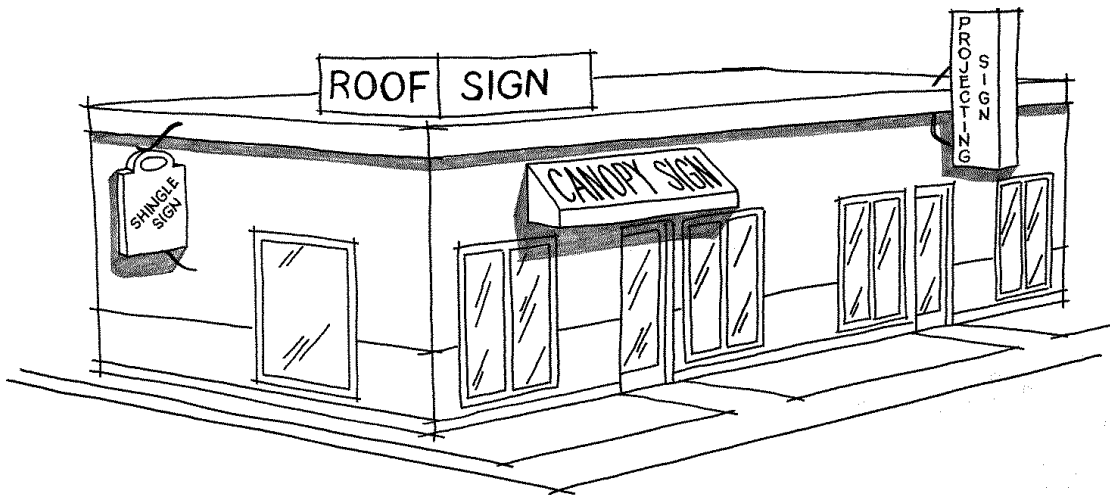


Figure 8.10.1

- 10.13 The copy area of the sign shall not exceed fifty percent (50%) of the exposed edge or face of the canopy, awning or marquee.

Shingle Signs

- 10.14 In accordance with Section 1, one projecting sign per business area may be allowed in the commercial and public institutional districts provided the maximum sign area does not exceed 0.55 m² (6 ft²) in area.
- 10.15 Shingle signs shall be limited by the following:
- (a) it may not be attached to a structure other than a building;
 - (b) it may not project more than 0.45 m² (1.5 ft²) from the surface of the building to which it is attached;
 - (c) it may not contain more than a total of 0.55 m² (6 ft²) of display surface, excluding the supporting structure;
 - (d) it may be only as high as the eave line of the building surface to which it is attached or 3.35 m (11 ft) above grade, whichever is lower;
 - (e) it may not be lower than 2.29 m (7.5 ft);
 - (f) it may not be internally illuminated;
 - (g) it may not be more than 4 inches or less than 0.5 inch thick, except as reasonably required in connection with some graphic element of the sign;
 - (h) only one shingle sign may be approved for installation on a single frontage of a business;
 - (i) no shingle sign may be approved for a premise for which a freestanding sign permit is outstanding.

Roof Signs

- 10.16 Roof signs are not permitted in the Town of Nanton.

SECTION 11 OTHER SIGNS

- 11.1 When a sign cannot be clearly categorized as one of the sign types as defined in this bylaw, the Development Authority shall determine the sign type and any and all applicable controls.

SECTION 12 MASTER SIGN PLANS

- 12.1 A Master Sign Plan is intended to promote consistency among signs within a development and enhance the compatibility of signs with the architectural and site design features.
- 12.2 A Master Sign Plan shall be required for all multi-tenant developments in the commercial or industrial districts. A Master Sign Plan shall be filed and approved prior to the erection, location or placement of any sign for such project or development.

- 12.3 A Master Sign Plan shall be required for any proposal requesting additional signage in all commercial, public and industrial districts. Upon reviewing applications in the Retail/General Commercial – C1 district, MPC shall utilize the Mainstreet Programme Sign Guidelines as a basis for their decision.
- 12.4 A Master Sign Plan is encouraged to be submitted by an owner for any other project or development not listed in subsection 2, above, but which will include multiple signs.
- 12.5 An approved Master Sign Plan shall be retained in the town office as part of the file for the development.
- 12.6 A Master Sign Plan, which accurately depicts and provides valid reasons to support the suitability of the proposed signs, shall include:
- (a) the proposed locations for freestanding signs on a lot as well as the proposed location(s) for building signs on a building façade;
 - (b) an indication of the types of all signs proposed;
 - (c) a listing of the materials and finishes proposed for all sign structures and sign surfaces;
 - (d) the maximum number and maximum size of proposed signs using calculations consistent with the requirements of this schedule;
 - (e) the proposed style and color pallet for all signs including letter colors, background colors, and text font;
 - (f) the type of illumination, if any, proposed for all signs;
 - (g) a description and drawing of any structure other than a building upon which a sign is proposed to be placed;
 - (h) a typical landscape plan for any proposed freestanding signs; and
 - (i) any such other information as may be required by the Development Officer or Municipal Planning Commission to evaluate an application including but not limited to: conceptual design schemes, landscaping plans or Real Property Report.
- 12.7 Prior to the issuance of a development permit for the placement of a sign, all proposed sign plans shall be reviewed for conformity with the Master Sign Plan and all applicable provisions of this schedule. If a proposed sign conforms to the regulations of the schedule and the guidelines of the approved Master Sign Plan, such sign shall be authorized. No sign which does not conform to the guidelines of a Master Sign Plan and this schedule shall be erected, located or placed on a property.
- 12.8 A Master Sign Plan may be amended by submitting a Revised Master Sign Plan for consideration. Upon approval of a Revised Master Sign Plan, the Revised Master Sign Plan shall have the same force and effect as an approved Master Sign Plan.
- 12.9 For multi-tenant developments which were approved or developed prior to the effective date of this bylaw, the development authority may review new applications for individual freestanding signs or building signs for consistency with other signs within the project.

SECTION 13 DEFINITIONS

13.1 For the purpose of the Land Use Bylaw and this Schedule, the following definitions apply:

A-BOARD means a moveable sign which is set on the ground, built of two similar pieces of material and attached at the top by a hinge(s) so as to be self supporting when the bottom edges are separated from each other and designed and built to be easily carried by one person.

ABANDONED SIGN means a sign which advertises or identifies an activity, business, owner, product, lessee or service which no longer exists or a sign for which no legal owner can be found.

ANIMATION means a projection style where action or motion is used to project sign content, including lighting changes, special effects or pictures, but does not include changeable content.

ARCHITECTURAL SIGN means the names of buildings, dates of erection, monumental citations, commemorative tablets and other similar signage that is a permanent historical dedication of the building and does not promote any particular business or use within the building. Examples in Nanton include the “1909 Shaw & Cooper” sign or the “W.S. Keeley” sign.

AWNING means an adjustable or temporary roof-like covering fitted over windows and doors and used for shelter, advertising or decoration. See Canopy Sign.

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

BANNER SIGN means a temporary sign that is made of lightweight material intended to be secured to the flat surface of a building or structure, at the top and the bottom on all corners, excluding official flags and emblems.

BILLBOARD SIGN means a structure constructed to provide a medium for advertising where the subject matter is not necessarily related to a use at or around the parcel on which the billboard is located and where the copy can be periodically replaced.

BUSINESS SIGN means a sign identifying the name, dealer, franchise association, primary function, product or service of the commercial activity conducted on the premises, and may include local advertising and changeable copy.

CANOPY means a permanent fixture fitted over windows and doors and used for shelter, advertising or decoration.

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

CHANGEABLE CONTENT means sign content which changes automatically through electronic or mechanical means and may include typical features such as an electronic message centre or time and temperature unit.

CONSTRUCTION SIGN means a temporary sign which is placed on a site to advertise items such as the provision of labour, services, materials or financing on a construction project.

DIRECTIONAL AND INFORMATION SIGN means a sign the message of which is limited to providing direction guidance, distance, facility or similar information and which may contain a name or logo.

FASCIA SIGN means a sign attached across the face of the building, located approximately parallel thereto, in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign.

FREESTANDING SIGN means a sign supported independently of a building, wall, or other structure by way of columns, uprights, braces, masts or poles mounted in or upon grade.

FRONTAGE means the front lot line and the side of a lot abutting a public roadway. Frontage does not include any side of a lot abutting a lane unless the lane is the only means of physical access.

HOME OCCUPATION SIGN means a sign advertising a home occupation approved under the Land Use Bylaw.

IDENTIFICATION SIGN means a sign which contains only the name and address of a building, institution or person and the activity carried on in the building or institution, but does not include any other advertising copy.

LUMINOSITY means the measurement of brightness.

MARQUEE means a permanent structure that projects over a public place, usually an entrance, and is permanently attached to and supported by a building. See Canopy Sign.

MASTER SIGN PLAN means a specific set of design standards established for the purpose of unifying a variety of signs associated with a multi-tenant or multi-use building or complex of buildings.

MULTI-TENANT SIGN means any freestanding sign that contains sign content that advertises more than one tenant or business.

MURAL SIGN means any picture, scene, graphic or diagram displayed on the exterior wall of a building for the primary purpose of decoration or artistic expression and not created to solely display a commercial message or depiction.

OFF-PREMISES SIGN means any type of sign that may contain sign content that advertises or otherwise identifies a service, product or activity conducted, sold or offered at a location other than the premises on which the sign is located.

OFF-PREMISES SIGN CONTENT means sign content which advertises or otherwise identifies a service, product or activity conducted, sold or offered at a location other than the premises on which the sign is located.

ON-PREMISES SIGN CONTENT means sign content which advertises a service, product or activity conducted, sold or offered on the property that the sign is located.

OVERHANGING means that which projects over any part of any street, lane or other municipally owned property.

PARAPET means the extension of a false front wall above a roof line.

POLITICAL SIGN means a temporary sign announcing or supporting candidates or issues in any election or plebiscite.

PORTABLE SIGN means a temporary sign that is not permanently affixed to a building, structure, or the ground. This sign type includes a portable reader board with or without changeable copy.

PROJECTING SIGN means a sign other than a canopy sign or fascia sign which is attached to and projects, more than 0.3 m (1 ft) horizontally from a structure or building face.

REAL ESTATE SIGN means a sign advertising real estate (i.e. property) that is for sale, for lease, or for rent or for real estate that has been sold.

RESIDENCY IDENTIFICATION SIGN means a sign located on a lot in a residential district that provides for the name and address of the owner or occupant of a dwelling.

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

ROOF SIGN means any sign erected upon, against, or directly above a roof or on top of or above the parapet of a building.

SHINGLE SIGN means a small projecting sign which is suspended from a mounting attached directly to the building wall. Shingle signs are generally placed perpendicular to the face of a building and are typically found in pedestrian oriented environments such as a downtown or historic district. See Projecting Signs.

SIGN means a lettered board or other public display intended for the advertising or calling attention to any person, business, matter, object or event.

SIGN ALTERATION means the structural or projection style modification of a sign but does not include the routine maintenance, painting or change in face, content, copy or lettering.

SIGN AREA means the entire area within a single continuous perimeter enclosing the extreme limits of a sign and in no case passing through or between any adjacent elements of same. However, such perimeter shall not include any structural elements lying outside the limits of such sign and not forming an integral part of the display.

SIGN CONTENT means the wording/lettering, message, graphics or content displayed on a sign.

SIGN CONTENT AREA means the entire area within a single straight line geometric figure or a combination of squares or rectangles that will enclose the extreme limits of the advertising message or announcement including decorations related to the specific nature of the advertising message or announcement.

SIGN, DISREPAIR means a sign where elements of the display area or panel are visibly cracked, broken, or discolored, where the support structure or frame members are visibly corroded, bent, broken, torn, or dented, or where the message can no longer be read under normal viewing conditions.

SIGN HEIGHT means the vertical distance measured from the highest point of the sign or sign structure to the finished grade.

SIGN ILLUMINATION means the lighting or exposure of a sign to artificial lighting either by lights on or in the sign or directed toward the sign.

SIGN DISPLAY STYLE means the method by which the sign content is conveyed to the viewer (e.g. lettering/logo, animation, changeable content, movement/motion).

SIGN TYPE means the type of structure of a sign (e.g. freestanding, projecting, temporary, etc.) used to convey sign content.

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

WINDOW SIGN means a sign painted on, attached to or installed on a window intended to be viewed from outside the premises.

Schedule 9

**TELECOMMUNICATION ANTENNA
SITING PROTOCOL**

TELECOMMUNICATION ANTENNA SITING PROTOCOL

The intent of this schedule is to guide the telecommunications industry and amateur radio operators through the process of tower siting within the municipality. This guide was developed in accordance with Industry Canada siting protocols.

SECTION 1 MUNICIPAL APPROVAL

- 1.1 Proposals for telecommunication antennas shall not be required to obtain a development permit but shall be required to make a submission to the Municipal Planning Commission including:
 - (a) the information as listed in Section 2, and
 - (b) complete the notification and public consultation process found in Section 3.
- 1.2 Concurrence with the proponent's project will be measured against the requirements of each district's requirements and criteria listed below. If all requirements are met the Town of Nanton will provide concurrence in the form of a written letter to the proponent.
- 1.3 The following are excluded from submitting information for review:
 - (a) an antenna mounted on a building that projects less than 1.8 m (6 ft) in height above the top of the building;
 - (b) commercial or Industrial designated lands which are a minimum of 150.0 m (492 ft) from residential designated lands or lands designated for public purpose.

SECTION 2 INFORMATION REQUIREMENTS

Co-utilization (Co-location)

- 2.1 All proponents for antenna structures will be requested to identify any other such structures within a radius of 500.0 m (1,640 ft) of the proposed location and to provide documentary evidence that co-utilization of the existing or new structure is not a viable alternative to a second structure.

Appearance

- 2.2 All proponents for antenna structures which are visible from residential areas may be requested to employ innovative design measures to mitigate the visual impact of these structures. The proponent shall provide stealth structure options when requested by the Municipality. Stealth structure options will be based on an evaluation of the massing, form, colour, material, and other decorative elements, that will blend the appearance of the facility into and with the surrounding lands.

Lighting and signage

- 2.3 Lighting in addition to that which is required by applicable federal agencies shall be avoided. Security lighting may be considered provided it meets the requirements of the applicable land use district.
- 2.4 Only signage that is required by applicable federal agencies is permitted. No advertising signage shall be permitted.

SECTION 3 NOTIFICATION AND PUBLIC CONSULTATION PROCESS

- 3.1 At the expense of the applicant, the municipality will notify all land owners within a distance of 500.0 m (1,640 ft) of the proposed structure.
- 3.2 With each notification, the proponent will be responsible to submit a letter providing notification of the location of the tower, physical details of the tower, the time and location of the open house, and a contact name and phone number of someone employed by the proponent who can answer questions regarding the proposal. The notifications should be sent 25 days prior to the open house.
- 3.3 The proponent shall be prepared to hold an open house regarding their development proposal and should proactively explain all aspects of the siting, technology and appearance of the proposed structure.
- 3.4 From the open house, the proponent will be responsible to provide the Municipal Planning Commission with a copy of the agenda and the minutes indicating the topics discussed, additional concerns raised with resolutions, and any outstanding issues that the proponent or landowners could not resolve.
- 3.5 Where the public process has raised unresolved concerns about public health and related effects of wireless communication technology, the Town of Nanton will request a ruling by Industry Canada prior to the issuance of a letter of concurrence.

Schedule 10

DIRECT CONTROL BYLAWS

DIRECT CONTROL BYLAWS

The following is a reference list of redesignation bylaws adopted by Town Council to designate the specified parcels of land to a Direct Control land use district. This list will be updated on an on-going basis and displays the amending bylaws to the most recent date of the Land Use Bylaw being consolidated (updated). The amending bylaws follow this page.

BYLAW NO.	LEGAL DESCRIPTION	DATE OF ADOPTION
1188/07	Lot 12, Block 82, Plan 0414328	August 7, 2007

BYLAW NO. 1188/07

OF THE

TOWN OF NANTON

**A BYLAW OF THE TOWN OF NANTON, IN THE PROVINCE OF ALBERTA AUTHORIZING AN
AMENDMENT TO LAND USE BYLAW NO. 1151/04**

1. ENACTMENT:

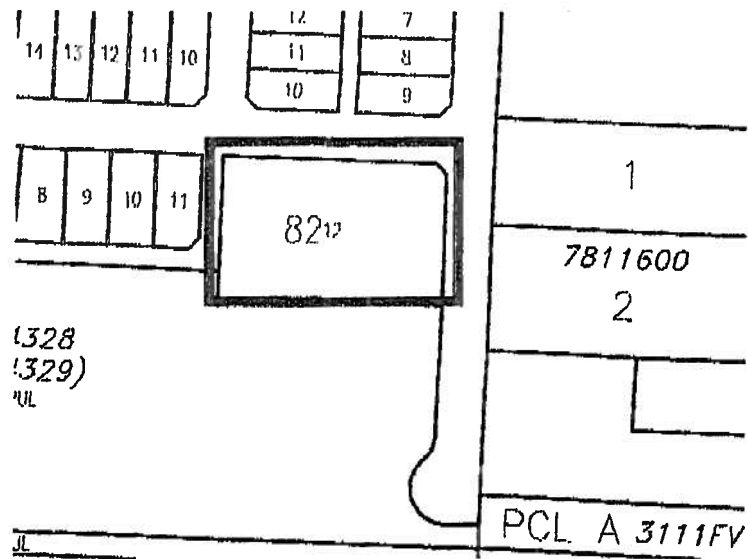
- 1.1 WHEREAS Pursuant to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000 Chapter M-26, Council of the Town of Nanton in the Province of Alberta (hereinafter called the "Council") has adopted Land Use Bylaw No. 1151/04;
- 1.2 AND WHEREAS The Council directs the Development Officer to review, verify and issue the development permit within the guidelines of this bylaw amendment, and further instruct the Development Officer to bring deviations greater than 25% of any measurable criteria as described in s. 1.5 to Council for their approval;
- 1.3 AND WHEREAS The Council deems it desirable to amend Land Use Bylaw No. 1151/04;
- 1.4 NOW THEREFORE The Council hereby enacts that Land Use Bylaw No. 1151/04 be amended as follows:
- 1.5 Schedule 2 is amended by adding the following new Subsection Direct Control 1 - DC-1:

DC-1: Legally described as Lot 12 Block 82 Plan 0414328, and/or for any lots created by subdivision of this parcel the land use rules are as follows:

- 1.5.1 The development on the afore mentioned legal description to be a bareland building which is to be used for adult living lifestyle multi-family apartment condominium use with a maximum density of 48 units within two (2) buildings (or in the case of two subdivided lots, one building per lot containing maximum of 24 units per building). The development shall comply with the Alberta Condominium Property Act.
- 1.5.2 Parking will be 1.5 stalls per unit with visitor parking equal to 0.25 stalls per unit. Design and placement of parking stalls to be included on site plan. On-site parking areas to be paved and graded to provide proper storm water run-off.
- 1.5.3 Suite floor area to be a minimum of 79 sq. m. (850 sq. ft.).
- 1.5.4 Maximum building height shall not exceed 16.2 m (53 ft.) with maximum upper floor balcony height of 9 m (30 ft.).
- 1.5.5 Front and rear yards setbacks shall be a minimum of 6 m (20 ft) and side yard setbacks to be a minimum of 4.5 m (14.7 ft).
- 1.5.6 Primary access shall be from Westview Drive.
- 1.5.7 Landscaping shall adhere to Schedule 10 requirements of a residential district and as per approved landscaping and site plan by Council. Where possible, xeriscaping should be incorporated into the landscaping nodes. Trees and shrubbery must be planted in a location as to not impede vision of vehicular and pedestrian traffic nor interfere with underground utility placement. No willows or poplars are to be planted within the development site.



- 1.5.8 All refuse shall be kept in suitable containers. All refuse storage shall be effectively screened from the public view. Use of planted screening materials, such as trees and shrubs, is preferred.
- 1.5.9 Any pathways or sidewalks within the development area are to connect to area pathway systems or sidewalk systems and be maintained by the owner and/or tenants.
- 1.5.10 Acceptable exterior finishes include:
 - i. Prefinished metal siding
 - ii. Stucco
 - iii. Vinyl siding
 - iv. Brick or Stone
- 1.5.11 Tile, metal tiles and asphalt shingles are allowed. Wooden shakes and steel roofs are not permitted.
- 1.5 Redesignating Lot 12 Block 82 Plan 0414328 and/or any lots created by subdivision of this parcel, from Direct Control (DC) to Direct Control 1 (DC-1) District on the approved land use districts map.
- 1.6 The development area is as generally outlined on the following sketch map:

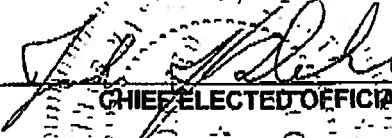



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2. EFFECTIVE DATES AND READINGS:

2.1 This bylaw comes into effect upon **THIRD** and **FINAL READING**.

2.2 **READ A FIRST TIME** THIS 3rd day OF JULY, A.D., 2007.

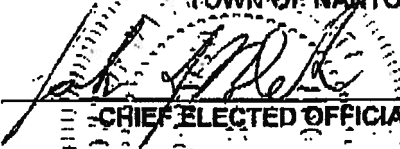
TOWN OF NANTON



CHIEF ELECTED OFFICIAL


CHIEF ADMINISTRATIVE OFFICER

2.3 **READ A SECOND TIME** this 7th day of AUGUST, A.D., 2007.

2.4 **READ A THIRD TIME** and finally passed this 7th day of AUGUST, A.D., 2007.

TOWN OF NANTON


CHIEF ELECTED OFFICIAL


CHIEF ADMINISTRATIVE OFFICER

APPENDIX A

Forms, Fees and Notices

Fee Schedule - Town of Nanton Land Use Bylaw #1246/13

	2019 (Effective January 1)
Development Permits:	
Residential Development Permits	
(a) Accessory Buildings/Structures/Alternative Energy	\$ 100.00
(b) Single Detached Dwellings (new construction)	\$ 165.00
(c) Multiple Unit Dwellings (new construction)	\$ 330.00
(d) Additions/Renovations/Secondary Suites/Moved-in/Other	\$ 165.00
(e) Home Occupations, Day Homes	\$ 110.00
Non-Residential Development Permits	
(a) New Construction	\$ 220.00
(b) Additions/Renovations	\$ 165.00
(c) Accessory Buildings or Structures/Additional Uses/Changes in Use/Alternative Energy	\$ 110.00
Other Permits	
Signage	\$25.00 per sign
Demolition/Removal of buildings	\$ 110.00
Variance Request (additional fee)	\$ 50.00
Miscellaneous Fees	
Additional charge if public re-notification is required due to changes to the application	\$ 110.00
Appeal to Subdivision and Development Appeal Board	\$ 220.00
Condominium Conversions	\$50.00 per unit
Record Search or Environmental Search Requests (min. \$50.00)	\$55.00 per hour
Request for time extension (up to 12 months maximum)	\$ 110.00
Request to convene a Special Meeting of Council, Municipal Planning Commission or the Subdivision and Development Appeal Board	\$ 440.00
Request for a Certificate of Compliance	\$ 55.00
Agreements	
Preparation of an Encroachment or Amending Utility Easement Agreement – per agreement	\$ 165.00
Preparation of a Development Agreement or Deferred Servicing Agreement	\$ 330.00
<i>Note: Development Agreement legal & engineering review, and inspection fees incurred by the Town shall be invoiced to the Developer as an additional fee in accordance with the terms of the Agreement</i>	
Amendments	
Land Use Bylaw & Statutory Plan Amendments	\$ 440.00
Area Structure Plan Application	\$ 5,500.00
Performance Security Deposits	
	Minimum
(a) Single Detached Residential	\$ 1,500.00
(b) Residential renovations and additions (when structural alterations are proposed) and accessory buildings over 250 sq.ft.	\$ 500.00
(c) Industrial and Commercial renovations and additions	\$ 1,500.00
(d) Multiple Residential, Industrial and Commercial (new construction)	\$ 2,500.00
(e) Prefabricated, Manufactured, Moved-in Buildings	\$2000 to \$5000
(f) Building demolition or removal (including damage to streets, sidewalks, curbs)	as determined by the Development Authority
(g) Cessation or removal of Temporary structure or sign	as determined by the Development Authority
<i>Note: Deposits are refunded when Development Completion Certificates are issued by the Development Officer.</i>	
Penalties	
Administration s. 10.5 and 45.5 Commencing development without an approved development permit	\$ 500.00
Administration s. 45.6 Failure to complete corrective measures described in a Violation Notice	\$ 500.00
Administration s.45.7 Continuing development after Permit revoked or suspended	\$ 500.00
Administration s.45.9 Failure to remove abandoned signs or signs in state of disrepair	\$ 500.00
Administration s. 48.2 and Schedule 8 s.3.20 Sign Recovery Fee	\$ 500.00



Permit Fee: \$ _____ Security Deposit: \$ _____ Receipt # _____ Rec'd by: _____ Tax Roll: _____

DEVELOPMENT PERMIT APPLICATION

Land Use By-law No. 1246/13

Application # _____

I/We hereby make application for a Development Permit under the provisions of the **Land Use Bylaw** in accordance with the plans and supporting information submitted herewith which form part of this application. I/We understand that a 21-day appeal period follows notice of approval.

This is not a building permit; applicable building, gas, electrical, and plumbing permits must be obtained prior to commencing any renovation or new construction. Safety code permit applications and fees may be dropped off at the Town of Nanton Office for forwarding to: Superior Safety Codes Inc., Lethbridge, AB. Phone 1-877-320-0734

1.0 Applicant (Print Name): _____
Address: Box Number: _____ City/Town/Village: _____ Postal Code: _____
Tel. No. _____ Cell No: _____ e-mail: _____
 I agree to receive correspondence via electronic message related to this application.

2.0 Registered Owner of Land: (If Different from Applicant) _____
Address: Box Number: _____ City/Town/Village: _____
Postal Code: _____ Tel. No. _____ e-mail: _____
Civic Address of Property: _____
Lot(s) _____ Block _____ Plan No. (Quarter Section) _____
Existing use of Land or Building: _____ Land Use District: _____

3.0 Proposed Development or Use: (see page 3 for application requirements) _____

Setbacks: Front Yard: _____; Rear Yard: _____; N / W Side Yard: _____; S / E Side Yard: _____
Height: _____; Floor Area: _____; Percent Building Coverage: _____; Lot Area: _____
Project Cost (materials and labor): \$ _____
Estimated Commencement Date: _____ Estimated Completion Date: _____
Will there be a water connection and/or disconnection at the curb stop required? Yes No Fee \$ _____

Signatures required on page 2 of this application.

A Development Officer shall, within 20 days after the receipt of an application for a development permit, determine whether the application is complete, during which time the application may be referred to other agencies and departments. Once an application is deemed complete, the Development Authority has up to 40 days to render its decision on an application and may request additional information.

Registered Owner/Applicant Signature

The Registered Owner/Applicant represents and warrants to the Town of Nanton that the information contained in this application and the dimensions shown on the plans submitted with this application are true and correct.

I, _____ (print name) hereby certify that I am (choose one) the Registered Owner or I am the Applicant and authorized to act on behalf of the Registered Owner.

Letter of authorization attached (if Registered Owner does not sign)

Registered Owner(s) or Applicants' Signature

Date _____

Right of Entry Signature

In accordance with the *Municipal Government Act*, I hereby authorize the Designated Officers of the Town of Nanton to enter upon the land for the purpose of conducting a site inspection in connection with my development permit application.

Registered Owner(s) or Applicants' Signature

Freedom of Information

I understand that this application and accompanying information is public record that is accessible by the public. Upon request to the Town this application and file documentation will be made available for viewing.

Applicants' Signature

The personal information collected on this form is being collected under the authority of Section 33 of the Alberta Freedom of Information and Protection of Privacy Act, and Section 301.1 of the Municipal Government Act. The information will be used to process your application(s) and your name and address may be included on the reports that are available to the public. If you have any questions about the collection, use or disclosure of the personal information provided, please contact the Chief Administrative Officer at the Town of Nanton, 1907 – 21 Avenue, Box 609, Nanton, AB T0L 1R0 or phone 403-646-2029.



APPLICATION REQUIREMENTS

An application for a Development Permit shall be completed and submitted to the Development Officer on the prescribed form signed by the registered owner or applicant, and accompanied by the following minimum information (in accordance with s.27 of the Land Use Bylaw).

- (a) a completed development permit application, signed by the registered owner(s) or authorized by the owner. The Development Officer may request a current title documenting ownership and copies of any registered encumbrance, lien or interest registered on title.
- (b) the prescribed fee;
- (c) a description of the existing and proposed use of the land, building(s) and structures and whether it is a new development, an alteration/addition, relocation or change of use and whether the use is temporary in nature;
- (d) a site plan acceptable to the Development Officer indicating:
 - (i) the location of all existing and proposed buildings and structures (including roof overhangs) and registered easements or rights-of-way, dimensioned to property lines and drawn to a satisfactory scale;
 - (ii) existing and proposed parking and loading areas, driveways, abutting streets, avenues and lanes, and egress and ingress;
 - (iii) where applicable, the location of existing and proposed utilities, wells, septic tanks, disposal fields, culverts and surface drainage patterns;
 - (iv) any additional information as may be stipulated in the standards of development;
- (e) any such other information as may be required by the Development Officer or Municipal Planning Commission to evaluate an application including but not limited to: conceptual design schemes, landscaping plans, building plans, drainage plans, servicing and infrastructure plans, soil analysis, geotechnical reports or other reports regarding site suitability, Real Property Report, or a surveyors sketch;
- (f) a copy of the approval letter from the appropriate authority stating that the proposal complies with the architectural controls caveat;
- (g) color renderings or facsimile acceptable to the Development Authority showing the exterior elevations including height, horizontal dimensions and finishing materials of all buildings, existing and proposed;
- (h) documentation from the Alberta Energy Regulator (AER) identifying the presence or absence of abandoned oil and gas wells as required by the Subdivision and Development Regulation.





Permit Fee: \$ _____	Receipt # _____	Rec'd by: _____	Tax Roll: _____
Number of Signs: _____	Fee per sign \$25.00	Temporary: _____	Permanent: _____

SIGN PERMIT APPLICATION

Land Use By-law No. 1246/13

Application # _____

I/We hereby make application under the provisions of the **Municipal Land Use Bylaw** and amendments thereto, in accordance with the plans and supporting information submitted herewith which form part of this application.

1.0 Applicant (Print Name): _____

Address: Box Number: _____ City/Town/Village: _____ Postal Code: _____

Tel. No. _____ Cell No: _____ e-mail: _____

2.0 Registered Owner of Land: (If Different from Applicant) _____

Address: Box Number: _____ City/Town/Village: _____

Postal Code: _____ Tel. No. _____ e-mail: _____

Civic Address of Property: _____

Lot(s) _____ Block _____ Plan No. (or Quarter Section) _____

Existing use of Land or Building: _____ Land Use District: _____

Proposed Development or Use: _____

3.0 DESCRIPTION OF PROPOSED SIGN(S) – see back of page for application requirements

Sign Type	Sign Area Dimensions (entire area, not incl. structure)	Copy Area Dimensions (area that advertising copy is displayed)	Other display or style description (ie. illuminated, electronic, portable, changeable content etc.)

Sign Types: canopy, fascia, projecting, A-board, shingle, banner, freestanding, mural, window, other

Multi – tenant or Multi - sign Master Sign Plan applicable? Yes No

Does the sign have content which advertises a business that is not on-site? Yes No If yes, where is that business located? _____

Sign Manufacturer or Company, if not the sign owner _____ Contact: _____

4.0 Estimated start date: _____

Estimated completion date _____

A Development Officer shall, within 20 days after the receipt of an application for a development permit, determine whether the application is complete, during which time the application may be referred to other agencies and departments. Once an application is deemed complete, the Development Authority has up to 40 days to render its decision on an application and may request additional information.

Registered Owner/Applicant Signature

The Registered Owner/Applicant represents and warrants to the Town of Nanton that the information contained in this application and the dimensions shown on the plans submitted with this application are true and correct.

I, _____ (print name) hereby certify that I am (choose one) the Registered Owner or I am the Applicant and authorized to act on behalf of the Registered Owner.

Letter of authorization attached (if Registered Owner does not sign)

Date: _____

Registered Owner(s) or Applicants' Signature

Right of Entry Signature

In accordance with the *Municipal Government Act*, I hereby authorize the Designated Officers of the Town of Nanton to enter upon the land for the purpose of conducting a site inspection in connection with my development permit application.

Registered Owner(s) or Applicants' Signature

Freedom of Information

I understand that this application and accompanying information is public record that is accessible by the public. Upon request to the Town this application and file documentation will be made available for viewing.

Applicants' Signature

The personal information collected on this form is being collected under the authority of Section 33 of the Alberta Freedom of Information and Protection of Privacy Act, and Section 301.1 of the Municipal Government Act. The information will be used to process your application(s) and your name and address may be included on the reports that are available to the public. If you have any questions about the collection, use or disclosure of the personal information provided, please contact the Planning and Development Officer at the Town of Nanton, 1907 – 21 Avenue, Box 609, Nanton, AB T0L 1R0 or phone 403-646-2029.



SIGN APPLICATION REQUIREMENTS

As per the Land Use Bylaw, an application for a Sign Permit shall be completed and submitted to the Development Officer on the prescribed form signed by the owner or authorized agent, and accompanied by the follow minimum information:

1. A development permit for a sign shall be made to the Development Authority by an applicant, a landowner, or someone that has been authorized by the landowner (i.e. agent) to submit a development permit application, on a completed application form.
2. An application for a development permit to erect, place, alter or relocate a sign shall also be accompanied by:
 - (a) the name and address of:
 - the sign manufacturer or company, and
 - the lawful sign owner;
 - (b) a letter of authorization from the affected registered property or building owner(s) (if the applicant is not the landowner or building owner).
3. The Development Authority may require any additional information deemed necessary to evaluate a Development Permit application for a sign, but generally, an application for a permit to erect, place, alter or relocate a sign shall be made to the Development Authority and shall be accompanied by photographs and drawings, to an appropriate scale, showing where applicable:
 - (a) the location of all existing and proposed sign(s);
 - (b) the size, height, and area of the proposed sign(s), including any supporting structures;
 - (c) details with respect to the sign content (i.e. wording/lettering, text, message, graphics, etc.);
 - (d) the colour and design scheme;
 - (e) material specifications;
 - (f) the location of the property boundaries of the parcel upon which the proposed sign(s) is to be located;
 - (g) all utility rights-of-way, access easements and any other related encumbrances;
 - (h) the location of existing building(s) on the site;
 - (i) the type of illumination, animation or changeable content, if any, and details with respect to the proposed luminosity intensity and interval;
 - (j) the details regarding the extent of the projection if a sign is to be attached to a building; or
 - (k) the location of all landscaping if the proposed sign is freestanding.





Permit Fee: \$ _____ Security Deposit: \$ _____ Receipt # _____ Rec'd by: _____ Tax Roll: _____ Type: HOC 1__ HOC 2__

HOME OCCUPATION DEVELOPMENT PERMIT APPLICATION

Land Use By-law No. 1246/13

Application # _____

I/We hereby make application under the provisions of the Land Use Bylaw and amendments thereto, in accordance with the plans and supporting information submitted herewith which form part of this application.

1.0 APPLICANT

NAME: _____ PHONE: _____

MAILING ADDRESS: _____
(Town/city) (Postal code)

EMAIL ADDRESS: _____ I agree to receive correspondence via electronic message related to this application

REGISTERED OWNER OF PROPERTY: _____ PHONE: _____
(if different from Applicant)

MAILING ADDRESS: _____
(Town/city) (postal code)

2.0 PROPERTY TO BE DEVELOPED

CIVIC ADDRESS: _____ LAND USE DISTRICT: _____
(Current zoning)

LEGAL DESCRIPTION: Lot (s) _____ Block _____ Plan (Quarter Section) _____

3.0 DESCRIPTION OF PROPOSED BUSINESS: (please give a detailed description. Attach a separate page if there is insufficient room to write).

Hours of operation: _____ to _____ Days of week: _____

Do you live at the home associated with the home occupation? yes no

How many employees who do not live at the home will be working at the home? _____

Off-street parking available: yes no Number of spaces: _____

Commercial vehicles: yes no If yes, how many and what type? _____

Is the garage or other accessory building to be used for the business? yes no

Will goods, materials and/or equipment be stored? yes no If yes, what will be stored and where?

On average, how many weekly visits by clients, including pick-ups and deliveries? _____

Do you wish to display an exterior sign advertising the business on the premises? yes no

Bed and Breakfast Application Only: Number of guest rooms _____ % of dwelling unit _____

Registered Owner/Applicant Signature

The Registered Owner/Applicant represents and warrants to the Town of Nanton that the information contained in this application and the dimensions shown on the plans submitted with this application are true and correct.

I, _____ (print name) hereby certify that I am (choose one) the Registered Owner or I am the Applicant and authorized to act on behalf of the Registered Owner.

Letter of authorization attached (if Registered Owner does not sign)

_____ Date _____

Registered Owner(s) or Applicants' Signature

Right of Entry Signature

In accordance with the *Municipal Government Act*, I hereby authorize the Designated Officers of the Town of Nanton to enter upon the land for the purpose of conducting a site inspection in connection with my development permit application.

Registered Owner(s) or Applicants' Signature

Freedom of Information

I understand that this application and accompanying information is public record that is accessible by the public. Upon request to the Town this application and file documentation will be made available for viewing.

Applicants' Signature

The personal information collected on this form is being collected under the authority of Section 33 of the Alberta Freedom of Information and Protection of Privacy Act, and Section 301.1 of the Municipal Government Act. The information will be used to process your application(s) and your name and address may be included on the reports that are available to the public. If you have any questions about the collection, use or disclosure of the personal information provided, please contact the Planning and Development Officer at the Town of Nanton, 1907 – 21 Avenue, Box 609, Nanton, AB T0L 1R0 or phone 403-646-2029.

A Development Officer shall, within 20 days after the receipt of an application for a development permit, determine whether the application is complete, during which time the application may be referred to other agencies and departments. Once an application is deemed complete, the Development Authority has up to 40 days to render its decision on an application and may request additional information.

This is not a business license. Where required, business licenses must be obtained on an annual basis prior to commencement of an approved home occupation.



Permit Fee: \$ _____ Security Deposit: \$ _____ Receipt # _____ Rec'd by: _____ Tax Roll: _____

DEMOLITION / REMOVAL PERMIT APPLICATION

Land Use By-law No. 1246/13

Application # _____

1.0 Applicant (Print Name): _____

Address: Box Number: _____ City/Town/Village: _____ Postal Code: _____

Tel. No. _____ Cell No: _____ e-mail: _____

2.0 Registered Owner of Land: (If Different from Applicant) _____

Address: Box Number: _____ City/Town/Village: _____

Postal Code: _____ Tel. No. _____ e-mail: _____

Civic Address of Property: _____

Lot(s) _____ Block _____ Plan No. (Quarter Section) _____ Land Use District: _____

Type of Structure : _____ #Storeys: _____ Height: _____ Sq. ft. _____

Waste material to be disposed at: _____

I _____ (print name) hereby certify that I am :

Registered Owner or I am the Applicant and authorized to act on behalf of the Registered Owner.

Letter of authorization attached (if Registered Owner does not sign)

Registered Owner(s) or Applicants' Signature Date _____

APPLICANT CERTIFIES THAT THE UTILITY COMPANIES HAVE BEEN CONTACTED AND ALL UTILITIES WILL BE DISCONNECTED OR SHUT OFF.

Registered Owner(s) or Applicants' Signature Date _____

In accordance with the *Municipal Government Act*, I hereby authorize the Designated Officers of the Town of Nanton to enter upon the land for the purpose of conducting a site inspection in connection with my development permit application.

Registered Owner(s) or Applicants' Signature

The personal information collected on this form is being collected under the authority of Section 33 of the Alberta Freedom of Information and Protection of Privacy Act, and Section 301.1 of the Municipal Government Act. The information will be used to process your application(s) and your name and address may be included on the reports that are available to the public. If you have any questions about the collection, use or disclosure of the personal information provided, please contact the Planning and Development Officer at the Town of Nanton, 1907 – 21 Avenue, Box 609, Nanton, AB T0L 1R0 or phone 403-646-2029.

Conditions of Demolition or Removal

1. No person shall commence or cause to be commenced the demolition or removal of any building or structure, or portion thereof, until all necessary permits have been obtained.
2. A development permit must be obtained for the demolition or removal of any building or structure greater than 11.1 m² (120 ft²) in size.
3. Whenever a development permit is issued for the demolition or removal of a building or structure, it shall be a condition of the permit that the lot shall be cleared, with all debris removed, and left in a graded condition upon completion of the demolition or removal to the satisfaction of the Development Authority.
4. When a development permit is to be approved for the demolition or removal of a building or structure, the Development Authority may require the applicant to provide a cash deposit, irrevocable letter of credit or other acceptable form of security in such amount as to cover the costs of reclamation to any public utility or Town property.
5. Whenever a demolition or removal of a building or structure is carried out, the property owner shall, at his own expense, protect any wall, structure, sidewalk or roadway liable to be affected by such demolition or removal, including those on neighbouring properties, from damage or displacement. Further, the property owner shall ensure that adequate measures are taken by way of fencing and screening to ensure public safety.
6. The applicant shall be responsible for obtaining all necessary Safety Codes approvals and utility service disconnections before demolition or removal of buildings or structures.
7. All demolition materials shall be deposited in an approved waste disposal site.

Note: This is not a building permit; applicable building, gas, electrical, and plumbing permits must be obtained prior to commencing any renovation or new construction. Safety code permit applications and fees may be dropped off at the Town of Nanton Office for forwarding to: Superior Safety Codes Inc., Lethbridge, AB. Phone 1-877-320-0734.





Permit Fee: \$ _____ Receipt # _____ Rec'd by: _____ Tax Roll: _____

LAND USE BYLAW / STATUTORY PLAN AMENDMENT APPLICATION

Land Use By-law No. 1246/13

Application # _____

I/We hereby make application under the provisions of the **Land Use Bylaw** in accordance with the plans and supporting information submitted herewith which form part of this application. It is understood that incomplete applications will not be accepted by the Development Officer.

1.0 Applicant (Print Name): _____
Address: Box Number: _____ City/Town/Village: _____ Postal Code: _____
Tel. No. _____ Cell No: _____ e-mail: _____

2.0 Registered Owner of Land: (If Different from Applicant) _____
Address: Box Number: _____ City/Town/Village: _____
Postal Code: _____ Tel. No. _____ e-mail: _____
Civic Address of Property: _____
Lot(s) _____ Block _____ Plan No. (Quarter Section) _____
Existing use of Land or Building: _____ Land Use District: _____

3.0 Proposed Amendment: _____

4.0 Applicants Submission / Reason for Proposed Amendment: _____

PLEASE REFER TO SECTION 49 OF BYLAW 1246/13 FOR ADDITIONAL APPLICATION REQUIREMENTS.

Signatures required on page 2 of this application.

The personal information collected on this form is being collected under the authority of Section 33 of the Alberta Freedom of Information and Protection of Privacy Act, and Section 301.1 of the Municipal Government Act. The information will be used to process your application(s) and your name and address may be included on the reports that are available to the public. If you have any questions about the collection, use or disclosure of the personal information provided, please contact the Planning and Development Officer at the Town of Nanton, 1907 – 21 Avenue, Box 609, Nanton, AB T0L 1R0 or phone 403-646-2029.

Registered Owner/Applicant Signature

The Registered Owner/Applicant represents and warrants to the Town of Nanton that the information contained in this application and the dimensions shown on the plans submitted with this application are true and correct.

I, _____ (print name) hereby certify that I am (choose one) the Registered Owner or I am the Applicant and authorized to act on behalf of the Registered Owner.

Letter of authorization attached (if Registered Owner does not sign)

_____ Date _____

Registered Owner(s) or Applicants' Signature

Right of Entry Signature

In accordance with the *Municipal Government Act*, I hereby authorize the Designated Officers of the Town of Nanton to enter upon the land for the purpose of conducting a site inspection in connection with my development permit application.

_____ Registered Owner(s) or Applicants' Signature

Freedom of Information

I understand that this application and accompanying information is public record that is accessible by the public. Upon request to the Town this application and file documentation will be made available for viewing.

_____ Applicants' Signature



APPENDIX B

**Municipal Planning Commission Bylaw 1210/09
Subdivision and Development Authority Bylaw 1248/13**

amended by Bylaw # 1236/11

TOWN OF NANTON

BYLAW NO. 1210/09

A BYLAW OF THE TOWN OF NANTON IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING A MUNICIPAL PLANNING COMMISSION.

1. ENACTMENT:

- 1.1 WHEREAS the Municipal Government Act, Chapter M-26, of the Revised Statutes of Alberta 2000, as amended from time to time requires the municipality to adopt a Bylaw to establish a Municipal Planning Commission; and
- 1.2 WHEREAS the Municipal Planning Commission is authorized to make decisions on applications for subdivisions and development approval in accordance with the Provincial Land Use Policies, the Subdivision and Development Regulations, the Municipal Land Use Bylaw and Statutory Plans;
- 1.3 NOW THEREFORE the Council of the Municipal Corporation of the Town of Nanton, in the Province of Alberta, in Council assembled duly enacts as follows:

2. INTERPRETATION:

- 2.1 This Bylaw will be cited as the Town of Nanton Municipal Planning Commission Bylaw.
- 2.2 "Act" is the Municipal Government Act, Chapter M-26, 2000 as amended from time to time.
- 2.3 "CAO" is the Chief Administrative Officer of the Town of Nanton.
- 2.4 "Chairperson" is the Councillor elected by the Members of the Town of Nanton Municipal Planning Commission to preside over the Municipal Planning Commission.
- 2.5 "Council" is the Municipal Council of the Town of Nanton.
- 2.6 "Designated Officer" is a person or persons authorized to act as the designated officer for the municipality as established by Bylaw or Resolution.
- 2.7 "Member" is a member of the Municipal Planning Commission.
- 2.8 "MPC" is the Municipal Planning Commission of the Town of Nanton established by this bylaw.
- 2.9 "Municipality" is the Town of Nanton in the Province of Alberta.
- 2.10 "Municipal Planning Commission" is the board, person or persons appointed to exercise only such powers and perform duties as are specified:

[Handwritten signature]

- 2.10.1 in the Act; or
 - 2.10.2 in the Town of Nanton Land Use Bylaw; or
 - 2.10.3 in this Bylaw; or
 - 2.10.4 by resolution of Council.
- 2.11 "Secretary" is the person or persons appointed by Council to act as secretary of the Municipal Planning Commission.
- 2.12 "Town" is the municipal corporation of the Town of Nanton in the Province of Alberta.
- 2.13 All other terms used in this Bylaw shall have the meaning as is assigned to them in the Municipal Government Act, as amended from time to time.

3. MEMBER APPOINTMENTS/TERMS:

- 3.1 For the purpose of this Bylaw the MPC for the Town shall be composed of five (5) members of Council.
- 3.2 Appointments of the Members and Chairperson to the MPC shall be made by Council annually at its Organizational Meeting for a one year term.
- 3.3 The members of the Committee must elect the Chairman and Vice-Chairperson of the MPC annually in the month of November. If either of these positions is vacated during the year, an election must be held at the first meeting following this vacancy.
- 3.4 Members of the MPC shall not be members of the Subdivision and Development Appeal Board.
- 3.5 Each member of the MPC shall be entitled to such remuneration, travelling and living expenses as may be fixed from time to time by Council and the remuneration, travelling and living expenses shall be paid by the Town of Nanton.
- 3.6 When a person ceases to be a member of the Municipal Planning Commission before the expiration of his/her term the Council may, by resolution, appoint another person for the unexpired portion of that term.

4. AGENDAS FOR MUNICIPAL PLANNING COMMISSION MEETINGS:

- 4.1 The agenda for each regular and special meeting will be prepared by the Secretary and submitted together with copies of all pertinent correspondence, statements and reports to each member at least four days prior to each regular meeting.
- 4.2 Any member, town official or any other person wishing to have an item of business placed on the agenda must make written submissions to the Secretary not later than 4:00 p.m. on the Monday of the week prior to the meeting. The submission must contain adequate information to the satisfaction of the Secretary and the



Chairperson to enable the MPC to deal with the matter.

- 4.3 The order of business on the agenda will be as follows:
- 4.3.1 1. Call to Order & Adoption of the Agenda
 - 4.3.2 2. Adoption of Minutes of Previous Meetings
 - 4.3.3. 3. Public Hearing for Development Applications *amended Bylaw #1236/11*
 - 4.3.4 4. Development Applications
 - 4.3.5 5. Sign Applications
 - 4.3.6 6. Subdivision Applications
 - 4.3.7 7. Permits Issued
 - 4.3.8 8. Other Business
 - 4.3.9 9. Adjournment
- 4.4 The order of business as established in this bylaw will apply for all regular meetings unless the members present, by majority vote, agree to any change.
- 4.5 No item of business will be considered by the MPC if the item has not been placed on the agenda, unless members present by a two-thirds majority vote agree to the item being placed on the agenda. The Chairperson, any member or the Designated Officer must be given an opportunity to state why an item should receive consideration on the agenda because of its emergent nature before the motion is put to a vote.

5. GENERAL RULES AND PROCEDURE:

- 5.1 Meetings of the MPC will be held in the Council Chambers of the Town Hall on the second Monday of every month, as required, commencing at the hour of 7:00 o'clock p.m. In the event an MPC Meeting falls on a General Holiday, the meeting will be held on the following Monday. Should a Regular Meeting of Council fall on the same day as an MPC meeting, due to rescheduling for a General Holiday, the hour of commencement will be adjusted to accommodate the Regular Meeting.
- 5.2 The MPC will hold meetings at any time at the call of the Chairman. A fee, as per the current Land Use Bylaw Fee Schedule, may be charged, at the discretion of the MPC, to any applicant requesting a special meeting.
- 5.3 Three (3) of the members of the MPC shall constitute a quorum.
- 5.4 The Chairperson, or in his/her absence, the Vice-Chairperson must preside at all meetings of the MPC.
- 5.5 The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole MPC.
- 5.6 In the event of a tie vote, the motion will be defeated.
- 5.7 The MPC may make its orders (development permits and approvals), decisions and subdivision approvals and may issue notices with or without conditions.



- 5.8 The MPC may make rules to govern its meetings.
- 5.9 The MPC, when considering an application for subdivision approval, is not required to hold a hearing.
- 5.10 The authority to grant time extensions under Section 657 (6), Subdivision Registration, of the Municipal Government Act, 2000, is given to the CAO (as per Section 203 (1)).
- 5.11 The CAO may refer any application for extension to Council for a decision.
- 5.12 As soon after the hour of the meeting as there is a quorum present, the Chairperson will take the chair and call the meeting to order.
- 5.13 In case the Chairperson or Vice Chairperson is not in attendance within fifteen minutes after the hour appointed for a meeting and a quorum is present, the Secretary will call the meeting to order and a chairperson will be chosen by the members present who will preside during the meeting or until the arrival of the Chairperson or Vice Chairperson.
- 5.14 If there is no quorum present within half an hour after the time appointed for a regular meeting of council, the Secretary will record the names of the members who are present and the meeting will be absolutely adjourned until the next regular meeting unless a special meeting has been duly called in the meantime.
- 5.15 The Chairperson or presiding officer must preserve order and decorum and must decide questions of order subject to an appeal to the MPC by resolution and the decision of the presiding officer will be final unless reversed or altered by a majority vote of members present.
- 5.16 When the Chairperson or presiding officer is called on to decide a point of order or practice, he/she must do so without argument or comment and must state the rule of authority applicable to the case.
- 5.17 Every member wishing to speak to a question or motion must address the Chairperson or presiding officer.
- 5.18 The Chairperson or presiding officer has the authority to set a time limit and the number of times that a member may speak on the same question or resolution having due regard to the importance of the matter.
- 5.19 All motions will be read by the Chairperson, presiding officer or Secretary before being voted on.
- 5.20 A motion does not require a seconder.
- 5.21 When a motion has been made and is being considered by the MPC, no other motion may be made and accepted, except a motion to:
 - 5.21.1 refer the main question to some other person or group for consideration;



- 5.21.2 amend the main question;
 - 5.21.3 table the main question;
 - 5.21.4 postpone the main question to some future time;
 - 5.21.5 adjourn the meeting, provided that a motion to table shall not be debated except as to the time when the matter will again be considered.
- 5.22 Where a question under consideration contains distinct propositions, the vote upon each proposition must be taken separately when any member so requests or when the Chairperson or other presiding officer so directs.
- 5.23 After any question is finally put by the Chairperson or other presiding officer, no member will speak to the question, nor will any other motion be made until after the result of the vote has been declared. The decision of the Chairperson or the presiding officer as to whether the question has been finally put will be conclusive.
- 5.24 If a member arrives late, leaves before the meeting is adjourned, or is temporarily absent from the meeting for more than fifteen minutes, it must be recorded in the minutes.
- 5.25 The Secretary must record in the minutes each time a member excuses him/herself by reason of pecuniary interest.
- 5.26 Voting on all matters must be done by raising of the hand in such a clear manner that they may be easily counted by the presiding officer.
- 5.27 The MPC must hear all persons who wish to speak to any development application that is listed on the agenda under Section 3. Public Hearing for Development Applications, in the order in which they are placed on the agenda. The order may be changed by a majority vote of members present. All rules of this Bylaw apply to each and every person speaking under Section 3.
- 5.28 The MPC may adjourn from time to time to a fixed future date any regular or special meeting of the MPC which has been duly convened but not terminated. The object of reconvening is to finish the business which the meeting was called to transact in the first place but which has not been completed.
- 5.29 Any matter of meeting conduct which is not herein provided for must be determined in accordance with Robert's Rules of Order.
- 5.30 This Bylaw must not be repealed, amended or suspended, except so far as the terms thereof they permit, unless it is repealed, amended or suspended by a Bylaw:
- 5.30.1 unanimously passed at a regular or special meeting of the Council at which all the members thereof are present; or
 - 5.30.2 passed at a regular meeting of council, pursuant to a notice in writing given and openly announced at the next preceding meeting of the council and setting out the terms of the substantial effect of the proposed Bylaw.

*amended
Bylaw
#1236/11*

6. SECRETARY:

- 6.1 The Council may, by Resolution, appoint a secretary who shall be an employee of the municipality and shall attend all meetings of the MPC, but shall not vote on any matter before the MPC.
- 6.2 The secretary of the MPC shall attend all meetings of the MPC and shall keep the following records with respect thereto:
 - 6.2.1 the Minutes of all meetings;
 - 6.2.2 all applications;
 - 6.2.3 records of all notices of meetings and of persons to whom they were sent;
 - 6.2.4 copies of all written representations to the MPC;
 - 6.2.5 notes as to each representation;
 - 6.2.6 the names of those making representations at the meeting;
 - 6.2.7 the decision of the MPC;
 - 6.2.8 the reasons for the decision of a refusal of the MPC;
 - 6.2.9 the vote of the members of the MPC on the decision;
 - 6.2.10 records of all notices of decision and of persons to whom they were sent;
 - 6.2.11 all notices, decisions and orders made on appeal from the decision of the MPC;
 - 6.2.12 such other matters as the MPC may direct.

7. EFFECTIVE DATE AND READINGS:

- 7.1 Bylaw No. 1131/03 and 1169/05 are hereby repealed.
- 7.2 This Bylaw shall come into effect upon final reading thereof.
- 7.3 Read a first time this 1st day of June, A.D., 2009.
- 7.4 Read a second time this 1st day of June, A.D., 2009.
- 7.5 Read a third and final time, this 1st day of June, A.D., 2009.

TOWN OF NANTON



CHIEF ELECTED OFFICIAL



CHIEF ADMINISTRATIVE OFFICER

TOWN OF NANTON

BYLAW NO. 1236/11

A BYLAW OF THE TOWN OF NANTON IN THE PROVINCE OF ALBERTA TO AMEND MUNICIPAL PLANNING COMMISSION BYLAW #1210/09

1. ENACTMENT:

- 1.1 WHEREAS Section 7 of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 2000, authorizes a Council to pass bylaws;
- 1.2 NOW THEREFORE, the Council of the Municipality of the Town of Nanton, in the Province of Alberta, duly assembled, enacts as follows:

- 1.2.1 This bylaw hereby amends the Municipal Planning Commission Bylaw #1210/09, by revising Item 4.3 of the bylaw to read,

“The order of business on the agenda will be as follows:

- | | |
|-------|---|
| 4.3.1 | 1. Call to Order & Adoption of the Agenda |
| 4.3.2 | 2. Adoption of Minutes of Previous Meetings |
| 4.3.3 | 3. Development Applications |
| 4.3.4 | 4. Sign Applications |
| 4.3.5 | 5. Subdivision Applications |
| 4.3.6 | 6. Permits Issued |
| 4.3.7 | 7. Other Business |
| 4.3.8 | 8. Adjournment” |

- 1.2.2 This bylaw hereby amends the Municipal Planning Commission Bylaw #1210/09, by revising Item 5.27 of the bylaw to read,

“The MPC must hear all persons who wish to speak to any development application that is listed on the agenda under Section 4.3.3. Development Applications and Section 4.3.4. Sign Applications, in the order in which they are placed on the agenda. The order may be changed by a majority vote of members present. All rules of this Bylaw apply to each and every person speaking under these sections.”

2. INTERPRETATION:

- 2.1 This Bylaw will be cited as the Amendment to Municipal Planning Commission Bylaw #1210/09.



3. EFFECTIVE DATE AND READINGS:

- 3.1 Bylaw No. 1210/09 is hereby amended.
- 3.2 This Bylaw amendment will come into force and effect upon third and final reading thereof.

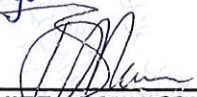


- 3.3 READ a first time this 6th day of September, A.D., 2011.
- 3.4 READ a second time this 6th day of September, A.D., 2011.
- 3.5 Upon unanimous consent of those present, read a third and final time this 6th day of September, A.D., 2011.

TOWN OF NANTON

Deputy Mayor **CHIEF ELECTED OFFICIAL**



CHIEF ADMINISTRATIVE OFFICER

BYLAW No. 1248/13

OF THE

TOWN OF NANTON

BEING A BYLAW IN THE TOWN OF NANTON IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING A SUBDIVISION AND DEVELOPMENT AUTHORITY.

1. PURPOSE:

1.1 WHEREAS, the Municipal Government Act, Revised Statutes of Alberta 2000 Chapter M-26, as amended, pursuant to Section 623, requires the municipality to adopt a bylaw to establish a municipal Subdivision Authority; and

1.2. WHEREAS, the Municipal Government Act, Revised Statutes of Alberta 2000 Chapter M-26, as amended, pursuant to Section 624, requires the municipality to adopt a bylaw to establish a municipal Development Authority; and

1.3 WHEREAS, the purpose of this bylaw is to establish the Development Authority and the Subdivision Authority for the Municipality;

1.4 NOW THEREFORE, the Council of the Town of Nanton in the Province of Alberta, duly assembled, enacts as follows:

2. ENACTMENT:

2.1 Bylaw No. 1248/13 is hereby adopted.

3. INTERPRETATION:

3.1 This bylaw may be cited as the "Town of Nanton Subdivision and Development Authority Bylaw";

3.2 Definitions:

3.2.1 **Act** means the Municipal Government Act, Revised Statutes of Alberta 2000 Chapter M-26, as amended.

3.2.2 **Authorized persons** means a person or organization authorized by council to which the municipality may delegate any of its Development Authority powers, duties or functions.

3.2.3 **Council** means the Municipal Council of the Town of Nanton.

3.2.4 **Designated officer** means a person or persons authorized to act as the designated officer for the municipality as established by bylaw.

3.2.5 **Development Authority** means the person or persons appointed, by bylaw, to exercise only such powers and perform duties as are specified:

3.2.5.1 in the Act; or

3.2.5.2 in the Town of Nanton Land Use Bylaw; or

3.2.5.3 in this bylaw; or

3.2.5.4 by resolution of council.

Handwritten signatures in black ink, appearing to be initials or names, located in the bottom right corner of the page.

- 3.2.6 **Development Officer** means a person(s) occupying the position of development officer as established under the Town of Nanton Land Use Bylaw.
- 3.2.7 **Municipal Planning Commission ("MPC")** means the Municipal Planning Commission of the Town of Nanton as established by bylaw.
- 3.2.8 **Municipality** means the Town of Nanton in the Province of Alberta.
- 3.2.9 **Subdivision Authority** means the person or persons who exercise subdivision powers and duties on behalf of the municipality.
- 3.2.10 All other terms used in this bylaw shall have the meaning as is assigned to them in the Municipal Government Act, as amended from time to time.

PART 1 – Development Authority

- 3.3 The Development Authority for the Municipality is either:
 - 3.3.1 The Development Officer, or
 - 3.3.2 The Municipal Planning Commission.

Powers and Duties

- 3.5 The Development Authority has those powers and duties as set out in the Act, regulations under the Act, the Land Use Bylaw, the Municipal Planning Commission Bylaw and this Bylaw, and any other statute, regulations or bylaws.

Appointment of Development Officer

- 3.6 Council may, by resolution, appoint a designated officer as Development Officer(s). The powers and duties of the development officer shall be outlined in the Town of Nanton Land Use Bylaw.

PART 2 – Subdivision Authority

Establishment

- 3.7 The Subdivision Authority for the Municipality is the Municipal Planning Commission for all applications for subdivision approval.

Powers and Duties

- 3.8 The Subdivision Authority has those powers and duties as set out in the Act and any regulation thereunder.

Administration

- 3.9 The signing authority for all subdivision related matters is the Chairperson of the Municipal Planning Commission or delegate.
- 3.10 When a registerable instrument is submitted for endorsement, the signing authority is authorized to accept minor modifications from that approved by the Subdivision Authority provided:
 - 3.10.1 there is no increase to the number of parcels;
 - 3.10.2 municipal, school or environmental reserves are not compromised;



- 3.10.3 municipal roads and standards are not compromised;
- 3.10.4 changes comply with municipal bylaws, with the exception that minor changes to the Land Use Bylaw standards may be included as provided in Section 654(2) of the Act.

4. EFFECTIVE DATE AND READINGS:

- 4.1 This Bylaw comes into effect upon date of final reading and signing thereof.
- 4.2 READ a first time this 3rd day of June, 2013.
- 4.3 READ a second time this 3rd day of June, 2013.
- 4.4 READ Upon unanimous consent of those present, read a third and final time this 3rd day of June, 2013.

TOWN OF NANTON



CHIEF ELECTED OFFICIAL



CHIEF ADMINISTRATIVE OFFICER



