

**VILLAGE OF DUCHESS
IN THE PROVINCE OF ALBERTA**

BYLAW NO. 486-20

BEING a bylaw of the Village of Duchess in the Province of Alberta, to amend Bylaw No. 482-19, being the municipal Land Use Bylaw.

WHEREAS the Village Council wishes to address several errors and omissions that occurred when the new Land Use Bylaw was adopted;

AND WHEREAS the purpose of proposed Bylaw No. 486-20 is to undertake a series of amendments, as shown in the attached Schedule A, specifically to address accessory building setbacks within the Residential – R district, add “outdoor storage as a use in non-residential districts and add a definition for “parking stall”;

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a public hearing;

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta, Chapter M-26, 2000, as amended, the Council of the Village of Duchess in the Province of Alberta duly assembled does hereby enact the following:

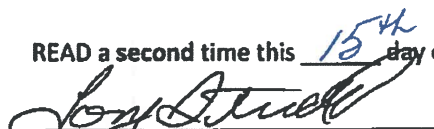
1. That Schedule 2 of Land Use Bylaw 482-19, is amended as indicated in attached Schedule A by adding setbacks for detached garages and adding “outdoor storage” as a discretionary use in the General Commercial -GC, Business Industrial –BI and Public and Institutional-PI Land Use Districts.
2. That Schedule 6 of Land Use Bylaw 482-19 is amended to add a definition of “Parking Stall” as indicated in attached Schedule A;
3. This bylaw shall come into effect upon third and final reading hereof.
4. Bylaw No. 483-19 is hereby amended and consolidated.

READ a first time this 20th day of April, 2020.


Mayor – Tony Steidel

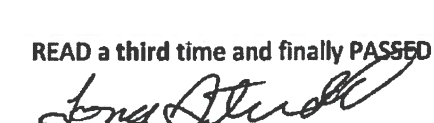

Chief Administrative Officer – Yvonne Cosh

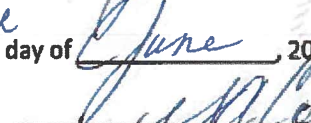
READ a second time this 15th day of June, 2020.

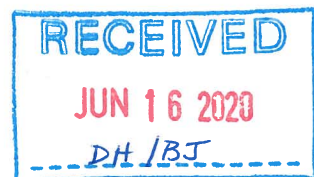

Mayor – Tony Steidel


Chief Administrative Officer – Yvonne Cosh

READ a third time and finally PASSED this 15th day of June, 2020.


Mayor – Tony Steidel


Chief Administrative Officer – Yvonne Cosh



SCHEDULE A

Amendments to Schedule 2

1. Amend the following in **RESIDENTIAL – R Land Use District** by adding setback requirements for a detached garage when the lot has access to a lane or is laneless. The strikethrough text is to be removed and the text in red is to be added:

SECTION 6 MINIMUM SETBACKS – PRINCIPAL AND ACCESSORY

6.1 Minimum setbacks are as follows:

Use	Front Yard		Side Yard		Secondary Front (Corner Lots)		Rear Yard	
	m	ft	m	ft	m	ft	m	ft
One Unit:	7.6	25	1.5	5	3.5	11.5	4.5	15
Two-unit	7.6	25	1.5	5	3.5	11.5	7.6	25
Multi-unit	7.6	25	4.6	15	3.5	11.5	7.6	25
Row or town houses:	7.6	25	3.0	10	3.5	11.5	7.6	25
Accessory building (including detached garage)	Same as principal building		1.5	5	3.5	11.5	0.6	2
Detached garage:								
- Lot with Lane	Same as principal building		1.5	5	3.5	11.5	3.0	10
- Laneless Lot	Same as principal building		1.5	5	3.5	11.5	1.5	5
All other uses	As required by the Municipal Planning Commission							

2. Add **OUTDOOR STORAGE** as a discretionary use to General Commercial, Business Industrial and Public and Institutional Land Use Districts.

3. Add the following definition to Schedule 10: Definitions:

PARKING STALL means a clearly marked and identifiable stall which is accessible on a continuous basis for the parking of one motor vehicle, either by the general public or employees, and shall not be used for storage or any other purpose which detracts from the intended use or the accessibility of the stall.

**VILLAGE OF DUCHESS
IN THE PROVINCE OF ALBERTA**

BYLAW NO. 500-22

BEING a bylaw of the Village of Duchess in the Province of Alberta, to amend Bylaw No. 482-19, being the municipal Land Use Bylaw.

WHEREAS the Village Council wishes to update the Land Use Bylaw with minor changes to definitions, accessory building standards, development standards for cryptocurrency mining and redesignate one multi-use parcel.

AND WHEREAS the purpose of proposed Bylaw No. 500-22 is to undertake a series of amendments, as shown in the attached Schedule A and B, and summarized as follows:

- add criteria which prohibits fabric accessory buildings and structures and curved sidewalls on accessory buildings within the Residential – R Land Use District, Section 10.2;
- add a definition for *Funeral Facility* and *Cryptocurrency Mining Operation* to Schedule 6;
- delete the current definition and add new definition for the use *Campground* to Schedule 6;
- add *Funeral Facility* and *Campground* as discretionary uses and *Cryptocurrency Mining Operation* as a prohibited use to the Business Industrial Land Use Districts in Schedule 2;
- redesignate Lot 1, Block 16, Plan 001 1682 be redesignated from “Residential – R” to “Business Industrial - BI”.

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a public hearing;

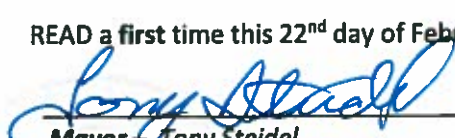
NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta, Chapter M-26, 2000, as amended, the Council of the Village of Duchess in the Province of Alberta duly assembled does hereby enact the following:

1. That Schedule 2, Residential – R Land Use District, Section 10 of Land Use Bylaw 482-19 is amended as indicated in attached Schedule A to adding criteria for accessory buildings and structures
2. That Schedule 2, Business Industrial –BI Land Use District of Land Use Bylaw 482-19 is amended by adding “Funeral Facility”, “Campground” as discretionary uses in Section 2.2 and “Cryptocurrency mining operation” as a prohibited use to Section 2.3.
3. That Schedule 6 of Land Use Bylaw 482-19 is amended by deleting the current definition of “Funeral Home” and adding a new definition for “Funeral Facility” as indicated in attached Schedule A.
4. That Schedule 6 of Land Use Bylaw 482-19 is amended by deleting the current definition of Campground and add a new definition for “Campground” as indicated in attached Schedule A.
5. That Schedule 6 of Land Use Bylaw 482-19 is amended by a new definition for “Cryptocurrency mining operation” as indicated in attached Schedule A.



6. That Lot 1, Block 16, Plan 001 1682 be redesignated from "Residential – R" to "Business Industrial - BI".
7. This bylaw shall come into effect upon third and final reading hereof.
8. Bylaw No. 483-19 is hereby amended and consolidated.

READ a first time this 22nd day of February, 2022.

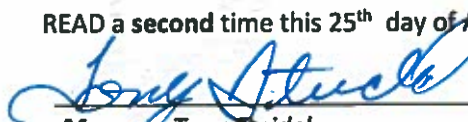


Mayor – Tony Steidel




Chief Administrative Officer – Yvonne Cosh

READ a second time this 25th day of April , 2022.



Mayor – Tony Steidel

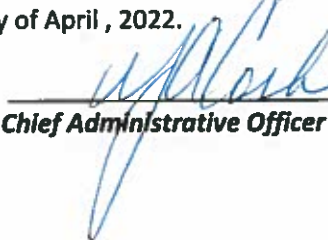


Chief Administrative Officer – Yvonne Cosh

READ a third time and finally PASSED this 25th day of April , 2022.



Mayor – Tony Steidel



Chief Administrative Officer – Yvonne Cosh

SCHEDULE A

Amendments

1. That *Schedule 2, RESIDENTIAL – R Land Use District, Section 10: Accessory Buildings and Structures* be amended as with the following (shown in red) to be added:

SECTION 10 ACCESSORY BUILDINGS AND STRUCTURES

- 10.1 Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or foundation, it is to be considered a part of the principal building and is not an accessory structure.
- 10.2 No accessory building, structure or use shall be allowed:
- (a) on a lot without an approved principal dwelling or use;
 - (b) to be located in the front yard of the principal structure;
 - (c) that is constructed in part or in whole of fabric, canvas or like material; and
 - (d) that is not constructed with straight side walls. Curved walled buildings are prohibited.
- 10.3 The first accessory building, which is 9.2 m² (100 ft²) or less in area, placed on a lot does not require a development permit, but any second or subsequent accessory building shall require a development permit and the Development Authority may limit the number of accessory buildings on a lot. No more than three accessory buildings shall be permitted on a lot.
- 10.4 Accessory buildings, structures and uses that are not specifically included within a development permit require a separate development permit application.
- 10.5 No accessory building shall occupy more than 2/3 of the width of the rear yard.
- 10.6 Detached garages shall have a minimum separation of 1.5 m (5 ft) from the foundation of any dwellings or buildings and a minimum of 0.6 m (2 ft) from the roof overhang of a dwelling or structure.
- 10.7 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.
- 10.8 As a condition of a permit, if a development approval is required, the Development Authority may stipulate specific requirements for the type of foundation, fastening or tie-down system, finish, colour, roof pitch, and materials to be applied to the accessory building or structure to be compatible with the main dwelling in terms of materials and design.

Side wall height is a maximum of 9ft.



2. That Schedule 2, *Business Industrial – BI Land Use District, Section 2.2: Discretionary Uses* be amended to add the following in Red:

2.2 ***Discretionary Uses***

Campground

Funeral Facility

Moved-in building

Outdoor storage

Restaurant

Utility

3. That Schedule 2, *Business Industrial – BI Land Use District, Section 2.3: Prohibited Uses* be amended to add the following in Red:

2.3 ***Prohibited Uses***

Cryptocurrency mining operation

Noxious or hazardous use

Auto wreckage and salvage yard

4. Amend Schedule 6: Definitions by deleting the definition of “Funeral Home” (shown in strikethrough) and adding a definition for Funeral Facility and Cryptocurrency Mining Operation (shown in red) as follows:

~~**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.~~

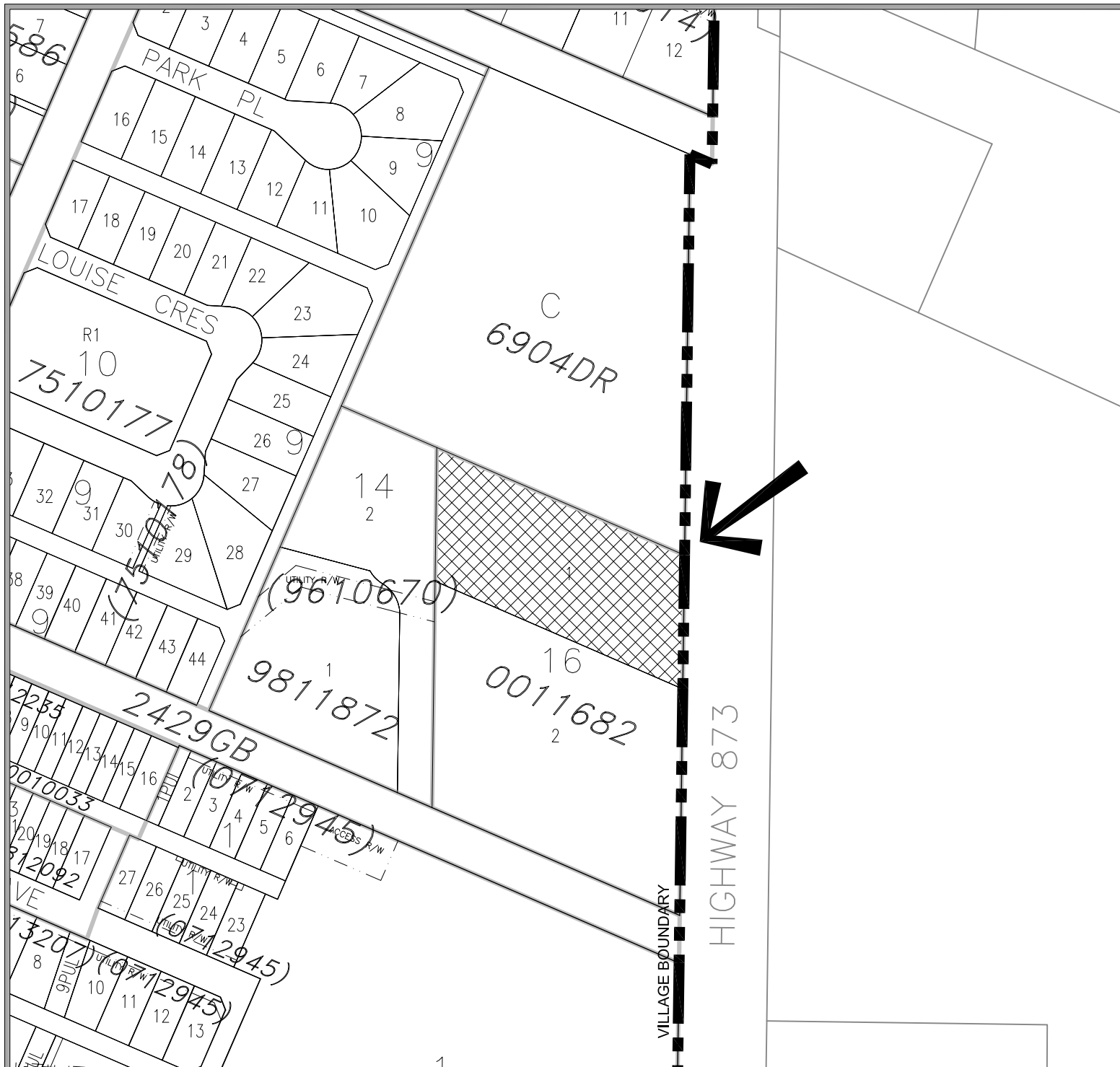
FUNERAL FACILITY means a commercial operation for the preparation of the deceased for burial or cremation, and for holding funeral services and may incorporate a crematorium and/or a columbarium within the building.

CRYPTOCURRENCY MINING OPERATION means a heavy industrial facility consisting of a building or group of buildings housing powerful, highly specialized computers that are used to verify digital transactions and require 24/7 climate control. This use may include an on-site power plant.

5. Amend Schedule 6: Definitions by deleting the current definition of “Campground” (shown in strikethrough) and adding a new definition for Campground (shown in red) as follows:

~~**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.~~

CAMPGROUND means a use where Recreational Vehicles, tents or similar short-term accommodations, are used for recreation, and is not normally used as year-round vehicle storage or as permanent dwellings.



LAND USE DISTRICT REDESIGNATION SCHEDULE 'B'



FROM: Residential - R
TO: Business Industrial - BI

LOT 1, BLOCK 16, PLAN 0011682
WITHIN NE 1/4 SEC 29, TWP 20, RGE 14, W 4 M
MUNICIPALITY: VILLAGE OF DUCHESS
DATE: JANUARY 7, 2022

Bylaw #: 500-22
Date: April 25, 2022



MAP PREPARED BY:
OLDMAN RIVER REGIONAL SERVICES COMMISSION
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8
TEL. 403-329-1344
"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"

VILLAGE OF DUCHESS IN THE PROVINCE OF ALBERTA

BYLAW NO. 522-24

BEING a bylaw of the Village of Duchess in the Province of Alberta, to amend Bylaw No. 482-19, being the municipal Land Use Bylaw.

WHEREAS the purpose of the proposed amendments for housing is to remove the application fee for residential housing units, add categories of additional dwelling units and add those specific uses into the Residential Land Use District.

AND WHEREAS the purpose of the proposed amendments for renewable energy is to define distinct categories of solar development based on where the development is located on a parcel and add the uses to the appropriate land use district as permitted or discretionary uses.

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Statutes of Alberta, Chapter M-26, 2000, as amended, the Council of the Village of Duchess in the Province of Alberta duly assembled does hereby enact the following:

1. That Administrative Section 30 Development Permit Applications subsection (b) be amended to add ***"or as per policy approved by Council which exempts specific development fees"***.
2. That Schedule 2, Land Use District Regulation be amended to delete the use ***"Alternative energy solar"*** and ***"Alternative Energy, Individual"*** and ***"Alternative energy, SWEC"*** and ***"Secondary suites"*** and ***"Dwelling group"*** as a use in all Land Use Districts in which the use is listed.
3. That Schedule 2, Land Use District, be amended to add ***"Accessory dwelling unit"*** and ***"Clustered / Cottage housing / Dwelling Group"*** as discretionary uses to the *Residential - R* Land Use Districts.
3. That Schedule 2, Land Use Districts, be amended to add ***"Solar energy system, individual – roof or wall mounted"*** as a permitted use to the *Residential - R*, *General Commercial – GC*, *Business Industrial – BI*, *Public and Institutional – PI*, *Parks and Open Space - PO*, and *Urban Reserve – UR* Land Use Districts.
4. That Schedule 2, Land Use Districts, be amended to add ***"Solar energy system, individual – ground mounted"*** as a discretionary use to the *Business Industrial – BI*, *Public and Institutional – PI*, *Parks and Open Space – PO* and *Urban Reserve – UR* Land Use Districts.
5. That Schedule 2, Land Use Districts, be amended to add ***"Small wind energy system"*** as a discretionary use to the *General Commercial – GC*, *Business Industrial – BI*, *Public and Institutional – PI*, and *Urban Reserve – UR* Land Use Districts.

6. That Schedule 6, Land Use Districts, be amended to delete the definition of "**Alternative energy system, individual**" and add definitions for "**Solar energy system, individual – roof or wall mounted**", "**Solar energy system, individual – ground mounted**" and "**Wind energy conversion system, individual**" as follows:


Solar Energy System, roof or wall mounted means a photovoltaic system using solar panels to collect solar energy from the sun and convert it to electrical, mechanical, thermal, or chemical energy that is primarily intended for sole use and consumption on-site by the landowner, resident or occupant attached to the roof or wall of a dwelling or accessory building.

Solar Energy System, ground mounted means a photovoltaic system using solar panels to collect solar energy from the sun and convert it to electrical, mechanical, thermal, or chemical energy that is ground-mounted using a self-supporting racking or supporting system that may or may not be connected to the interconnected electric system for on-site use or selling into the market.


Small Wind Energy Conversion System means a wind energy conversion system consisting of a single system, either mounted on a roof or placed on a self-supporting structure, with the capacity to generate electricity primarily for the property owner's use on the site it is located but may supply power to the grid.

7. That Schedule 5, Use Specific Standards of Development is to be replaced by the amended Schedule 5, Use Specific Standards of Development as attached in Schedule A of this bylaw.
7. That Bylaw No. 482-19 being the municipal Land Use Bylaw, is hereby amended and a consolidated version of Bylaw No. 482-19 reflecting the amendment is authorized to be prepared, including formatting, page numbering, table of contents, and any necessary section numbering throughout
8. This bylaw shall come into effect upon third and final reading hereof

READ a first time this 26 day of November, 2024.

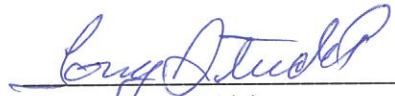


Mayor – Tony Steidel




Chief Administrative Officer – Yvonne Cosh

READ a second time this 24th day of February, 2025.

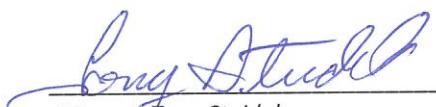


Mayor – Tony Steidel




Chief Administrative Officer – Yvonne Cosh

READ a third time and finally PASSED this 24th day of February, 2025.



Mayor – Tony Steidel



Chief Administrative Officer – Yvonne Cosh

Schedule A

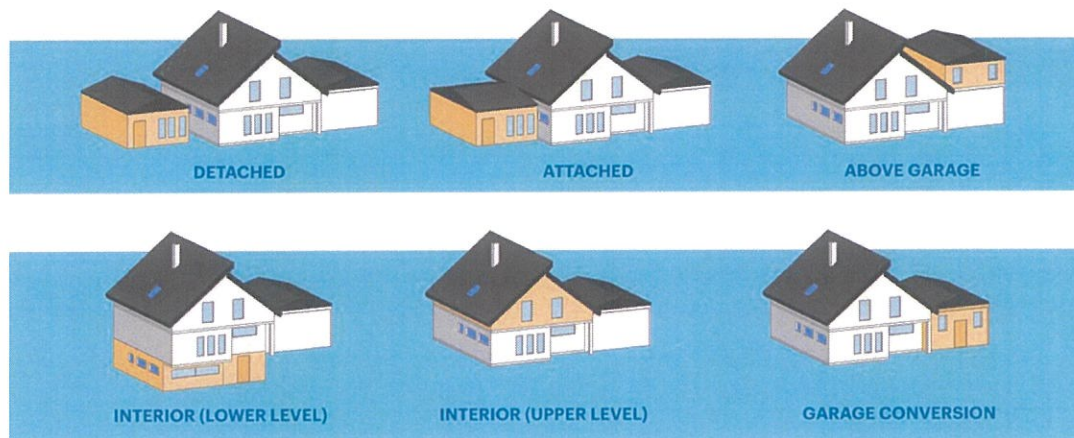
Schedule 5

USE SPECIFIC STANDARDS OF DEVELOPMENT

The standards in this schedule establish additional requirements for specific uses or structures. The General Standards of Development in Schedule 4 and the requirements of the applicable land use district also apply unless otherwise stated.

SECTION 1 ACCESSORY DWELLING UNITS STANDARDS

- 1.1 An Accessory Dwelling Unit (ADU), in accordance with the applicable land use district, may be inside an existing dwelling (such as a basement suite or loft suite), attached to a dwelling addition unit, a separate standalone unit (such as a garden suite), converted from a detached or attached garage or carport, or located above a garage either attached or detached (carriage or laneway house). This use does not include a two-unit dwelling (semi-detached/duplex), multi-unit dwelling, or rowhouse.



Accessory Dwelling Units (ADUs) come in many shapes and styles. Illustrations by RPA, based on AARP's ABC's of ADU's Guide.

- 1.2 Accessory Dwelling Unit (ADU) shall have cooking facilities including a stove, food preparation area, sleeping and sanitary facilities, which are contained in an area 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.
- 1.3 Only one accessory dwelling unit (ADU) per lot may be developed in conjunction with a principal single-unit residential dwelling.
- 1.4 A detached accessory dwelling unit (ADU) is subject to the maximum area site coverage requirements for an accessory building of the applicable land use district of the bylaw.

- 1.5 An accessory dwelling unit (ADU) shall not be developed within the same principal dwelling containing a Home Occupation B, unless it is demonstrated to the satisfaction of the Development Authority that the amount of traffic generated is limited and adequate parking is available for all combined uses without adversely affecting the neighbourhood.
- 1.6 The maximum floor area of the accessory dwelling unit (ADU) shall be as follows:
- (a) in the case of a unit located completely below the first storey of a single-unit dwelling (other than stairways or a common landing), the floor area (excluding the area covered by stairways) shall not exceed the floor area of the first storey of the associated principal dwelling;
 - (b) in the case of a unit developed completely or partially above grade, the floor area (excluding the area covered by stairways) shall not exceed 40 percent (40%) of the total floor area above grade of the building containing the associated principal dwelling.
- 1.7 The minimum floor area for an accessory dwelling unit (ADU) shall be not less than 46.4 m² (500 sq ft).
- 1.8 Variances or waivers of yard setbacks shall not exceed 10% to be granted to develop a secondary suite.
- 1.9 The approval of an accessory dwelling unit (ADU) is subject to the availability and ability to obtain municipal services. The unit shall have full utility services through service connections from the principal dwelling unit and all metering and utility billing shall be to the principal owner.
- (a) The approval of a suite may be denied if the municipal servicing plan is not deemed suitable by the Development Authority or is determined to be unfeasible.
 - (b) The applicant/developer is responsible for the full costs of providing and connecting to the municipal services and utility meters required to service the secondary suite.
- 1.10 Development of an accessory dwelling unit (ADU) shall meet all Fire and Safety Codes requirements and adhere to the *National Building Code – Alberta Edition* as a condition of approval.
- 1.11 The accessory dwelling unit (ADU) shall not be permitted to legally separate from the principal residential dwelling through a condominium conversion or subdivision process to create separate titles.
- 1.12 An accessory dwelling unit (ADU) developed above a detached garage is subject to the height and site coverage restrictions of the applicable residential land use district.
- 1.13 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.

(carriage house / laneway house)



Image source: behmdesign

SECTION 2 ALTERNATIVE ENERGY SOLAR

- 1.1 A solar collector attached a roof of a building in any residential district may be permitted subject to the following:
- (a) may project a maximum of 0.5 m (20 inches) from the surface of the roof and shall not exceed the maximum height requirements of the applicable land use district; and
 - (b) must not extend beyond the outermost edge of the roof.
- 1.2 A free-standing solar collector or a solar collector mounted to any structure other than a roof or wall of a building shall following the setbacks for an accessory use subject to the applicable land use district and the following additional standards:
- (a) must be located such that it does not create undue glare on neighbouring property or public roadways; and
 - (b) must not exceed 1.8 m (6 ft) in height above existing grade.

SECTION 3 CANNABIS RETAIL STORE

- 2.1 A cannabis retail store shall not be approved if any portion of an exterior wall of the store is located within 100 m (328 ft) of:
- (a) the boundary of a parcel of land on which a provincial health care facility is located;
 - (b) the boundary of a parcel of land containing a school and school grounds/sports fields (public or private);
 - (c) the boundary of a parcel of land that is Development as school reserve (SR) or municipal and school reserve (MSR) under the *Municipal Government Act*; or
 - (d) the boundary of a parcel of land developed for a playground on lands not Development as municipal reserve but owned by the municipality.
- 2.2 A cannabis retail store shall not be approved if any portion of the exterior wall of the store is located within 150 m (492 ft) of another cannabis retail store (measured to the exterior wall).

SECTION 4 CHILD CARE FACILITY

- 3.1 If determined by the Development Officer, prior to the Municipal Planning Commission meeting, the applicant for a child care facility may be required to meet and consult with all adjacent land owners in the vicinity of where the use is proposed.
- 3.2 In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.
- 3.3 Signage for child care facilities must comply with the following:
- (a) a maximum of one sign;
 - (b) sign must be no greater than 0.7 m² (8 ft²) in size; and
 - (c) sign must be located in the structure window.
- Request for more than one sign or a sign greater than 0.7 m² (8 ft²) requires a separate development permit application.
- 3.4 The use shall not generate traffic problems within the district.

- 3.5 The use requires a minimum of one on-site parking space per employee at any given time and a minimum of one on-site pick-up and drop-off space for every 10 children. The location of passenger loading zones for child care facilities may be specified by condition of a development permit.
- 3.6 Any outdoor play areas must have screening to the satisfaction of the Municipal Planning Commission.
- 3.7 All applications for child care facilities shall, as a condition of approval, obtain the necessary approvals required from regulatory agencies.

SECTION 5 CLUSTERED/COTTAGE HOUSING/DWELLING GROUP

- 5.1 The Development Authority may approve cluster or cottage housing as a preplanned residential development that features a cluster of smaller dwelling units built around a common open space, on either a single parcel of land or on a site in such manner that the units may be individually titled through a condominium plan, subject to the following:

- (a) The use must be listed as either permitted or discretionary in the Land Use District.
- (b) The minimum dwelling unit size of each unit shall be 46.5 m² (500 sq ft) in size.
- (c) There must be a minimum of 232 m² (2,500 sq ft) of lot area provided for each individual dwelling unit to form the combined total lot size. (Example: A lot 1394 m² (15,000 sq ft) in size could accommodate 6 dwelling units sited on the title.)



- (d) The use must be determined to be compatible with the general height, building design and nature of adjacent existing dwellings.
- (e) The types of dwellings that can be used for cluster housing developments may consist of stick-built, manufactured or prefabricated (modular/panelized) dwellings.
- (f) The site must be able to be adequately serviced with municipal utilities to accommodate the proposed density of development and stormwater drainage must be addressed.

- 5.1 A conceptual design scheme or comprehensive site plan being submitted to and approved by the Development Authority, illustrating the location and sizes of different residential dwellings, accessory buildings or uses, garbage/refuse bin area, required parking areas, landscaping, and access/egress from the site.

SECTION 6 GROUP CARE FACILITIES

- 6.1 A group care facility must be compatible with the character of the surrounding neighbourhood.

- 6.2 A landscaping plan shall be submitted with the development permit application. The Development Authority may require that a landscaping plan be prepared by a professional. An irrigation plan may also be required.
- 6.3 Minimum common open space requirements shall be as required by the Development Authority.
- 6.4 A minimum 1.5 m (5 ft) wide landscaped buffer strip is required between the parking lot and an adjacent residential lot. The Development Authority, depending on the intensity of the development, may increase the minimum required width of the landscaped buffer strip.
- 6.5 A landscaped buffer strip between a group care facility and an adjacent residential lot may be required at the discretion of the Development Authority.
- 6.6 The Development Authority may regulate the maximum density of group care facilities within a block or subdivision based on consideration of:
- (a) density of existing development within the block;
 - (b) adequacy and proximity of community facilities such as schools, shopping, recreational facilities and open space;
 - (c) adequacy of utilities to accommodate the proposed use;
 - (d) impacts on future land uses and the street system; and
 - (e) any other matters deemed pertinent by the Development Authority.
- 6.7 The applicant shall be responsible for complying with applicable provincial standards and obtaining all necessary approvals required from regulatory agencies.
- 6.8 The issuance of a development permit in no way exempts the applicant from obtaining a business license from the Village and any other Provincial approvals that may be required.

SECTION 7 HOME OCCUPATIONS

- 7.1 The intent of this schedule is to provide regulations respecting home occupations in accordance with the following objectives:
- (a) to protect residential areas and districts from incompatible non-residential land uses;
 - (b) to ensure that commercial and industrial uses are located in appropriate commercial or industrial districts;
 - (c) to facilitate, where appropriate, the establishment of suitable home occupations as a means to foster small-scale business, while ensuring such businesses are relocated to suitable commercial or industrial districts when they become incompatible with a residential area or become unsuitable as a home occupation.
- 7.2 Home Occupation A – a home-based occupation that involves the establishment of a small-scale business incidental to the primary use of the residence and which does not involve:
- (a) outdoor storage and/or display of goods;
 - (b) non-resident employees; and/or
 - (c) customer/client visits to the residence.

7.3 Home Occupation B – a home-based occupation involving the establishment of a small-scale business incidental to the primary use of the residence that does not meet the criteria for a Home Occupation A and which may involve:

- (a) the use of an accessory building;
- (b) outdoor storage and/or display of goods within the residence or accessory building;
- (c) one non-resident employee; and/or
- (d) customer visits.

Note: Bed and breakfast operations and home-based day care providing care and supervision for periods of less than 24 consecutive hours to not more than seven children may be classified as a Home Occupation B in compliance with the applicable standards.

6.4 The following standards apply to Home Occupations A and B:

- (a) The business operator must be a full-time resident of the home.
- (b) No variation in the residential character and appearance of the dwelling, accessory building, or land shall be permitted.
- (c) The use shall not generate more vehicular or pedestrian traffic and vehicular parking than normal within the district.
- (d) No commercial vehicle of a capacity greater than 681 kg (¾ ton) shall be parked or maintained on a public road right-of-way or lane.
- (e) No offensive noise, vibration, electrical interference, smoke, dust, odours, heat or glare shall be produced by the use.
- (f) 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.
- (g) No use requiring electrical or mechanical equipment shall cause a fire rating change in the structure or the district in which the home occupation is located.
- (h) The approved use shall be valid only for the period of time the property is occupied by the applicant for such approved use.
- (i) All permits issued for home occupations shall be subject to the conditions that the permit may be revoked at any time, if, in the opinion of the Municipal Planning Commission, the use is or has become detrimental to the residential character or the amenities of the neighbourhood.
- (j) Home occupations shall not include:
 - (i) activities that use or store hazardous materials;
 - (ii) any use that would, in the opinion of the Municipal Planning Commission, materially interfere with or affect the use, enjoyment or value of neighbouring properties;
 - (iii) any use declared by resolution of Council to be undesirable as a home occupation.
- (k) Only one home occupation shall be permitted per dwelling.
- (l) Signage advertising a Home Occupation A is limited to one sign located in the structure window up to a maximum of 0.4 m² (4 ft²) in size. Signage advertising a Home Occupation B shall be as approved by the Municipal Planning Commission.
- (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.

- 7.5 In addition to the general standards, the following standards shall apply to Home Occupation B permits:
- (a) A maximum of one non-resident employee is allowed. For the purposes of this provision, a non-resident employee is someone who does not live at the home.
 - (b) Outdoor storage shall be screened from adjacent properties and the public view.
 - (c) Customer and employee parking, in addition to the parking requirements for residential use, may be required.
 - (d) The number of customer visits and hours of operation may be limited by the Municipal Planning Commission to minimize impacts on surrounding residential uses.
 - (e) The home occupation shall not be permitted if, in the opinion of the Municipal Planning Commission, the use would be more appropriately located within a commercial or industrial district.

SECTION 8 MANUFACTURED HOMES

Standards and Requirements Applicable to Manufactured Homes

- 8.1 Standards of Development – Schedule 4.
- 8.2 Any special manufactured home development standards adopted by Council.
- 8.3 Except where noted, all standards, requirements and guidelines shall apply to both single-wide and double-wide units located in manufactured home parks.
- 8.4 The Development Officer or Subdivision and Development Authority may require a bond or irrevocable letter of credit of a minimum \$5000.00 to a maximum value of up to 50 percent of the assessed value of the building to ensure the conditions of the development permit for a principal building are met.

Eligible Manufactured Homes

- 8.5 New factory-built units.
- 8.6 Used factory-built units in a good state of repair (to the satisfaction of the Municipal Planning Commission). Any application for a development permit to locate a used manufactured home:
 - (a) shall include recent colour photographs of all elevations including additions; and
 - (b) may require a personal inspection by the Development Officer to determine the unit's suitability.
- 8.7 Canadian Standards Association (CSA) certified units or units bearing the Alberta Building Label (CSA A-277 or Z-240 building labels).
- 8.8 Manufactured homes bearing the original home certification.

Foundations, roof lines and additions

- 8.9 All single-wide manufactured homes shall be skirted with compatible materials and satisfactorily enclosed to the satisfaction of the Development Officer.

- 8.10 All double-wide units shall be placed on concrete block foundations capable of supporting the maximum anticipated load in conformity with the provincial building requirements and Canada Mortgage and Housing regulations.
- 8.11 Any portion of a concrete block foundation above grade shall be parged unless otherwise finished with an approved material.
- 8.12 The maximum height of the exposed portion of a concrete block foundation shall be not more than 0.6 m (2 ft) above the average finished grade level of the surrounding ground.
- 8.13 To ensure compatibility of housing types, the variation of roof lines between double-wide manufactured homes and conventional homes may be limited. Generally, the double-wide unit should not be more than 0.6 m (2 ft) higher or lower than an adjacent home, whether conventional or double-wide. Generally, single-wide units shall not be encouraged to locate adjacent to or among conventional dwellings.
- 8.14 All manufactured home additions shall be of a design and finish which will complement the unit.

General Appearance

- 8.15 The wheels, hitches and other running gear shall be removed from a manufactured home immediately after the placement of the home.
- 8.16 The yard area of each lot shall be developed and landscaped.

SECTION 9 MODULAR AND READY-TO-MOVE (RTM) HOMES

- 9.1 The approval authority shall issue a development permit for a modular or ready-to-move (RTM) home provided that:
- (a) the dwelling is a factory-built unit that meets the manufactured housing industry and CSA standards and the building code;
 - (b) the dwelling is securely fastened and placed on a basement/slab;
 - (c) the minimum roof pitch shall not be less than a 4/12 pitch;
 - (d) the minimum floor area of the principal dwelling not including attached garage shall not be less than 92.9 m² (1000 ft²);
 - (e) the dwelling shall be a minimum 7.3 m (24 ft) in width and not greater than 20.0 m (66 ft) in length;
 - (f) the unit is CSA certified (meets CSA A-277 Standards) and will meet all safety code requirements;
 - (g) the design, character, and appearance (including roof lines/material and exterior finish) of modular 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;
 - (h) at the discretion of the Development Officer or the Municipal Planning Commission, the exterior finish, colour and roofing material may be stipulated as a condition of approval;
 - (i) the dwelling shall conform to any architectural controls that may apply.
- 9.4 As a condition of approval, the Development Officer or the Municipal Planning Commission, 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.

- 9.5 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.
- 9.6 The building, when completed, shall meet or exceed provincial building requirements.
- 9.7 The applicant/developer must submit professional building plans illustrating the exterior design, floor plan, elevations and setbacks.
- 9.8 The quality of the completed building shall be at least equal to the quality of the other buildings in the area.
- 9.9 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.
- 9.10 The Development Officer or Subdivision and Development Authority may require a bond or irrevocable letter of credit of a minimum \$5000.00 to a maximum value of up to 50 percent of the assessed value of the building to ensure the conditions of the development permit for a principal building are met.

SECTION 10 MOVED-IN BUILDINGS AND MOVED-IN DWELLINGS

- 10.1 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 set out in the Land Use Bylaw.
- 10.2 The building shall comply with all provincial and municipal health and fire regulations prior to occupancy and release of cash deposit.
- 10.3 The quality of the completed building shall be at least equal to or better than the quality of the other buildings in the area.
- 10.4 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.
- 10.5 A report by a certified building inspector regarding each application may be required to be filed before any such application shall be considered.
- 10.6 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.
- 10.7 The application should be accompanied by recent colour photographs of all elevations of the moved-in building.

- 10.8 The Development Officer or Municipal Planning Commission may require a minimum of \$5,000 in cash to ensure the conditions of the development permit are met. If the cost to complete the work in the conditions of approval is greater than the cash deposit, construction may be completed by the Village and additional costs may be charged against the property taxes.
- 10.9 Return of the posted bond is contingent on the Development Officer verifying the completion of all the conditions of this schedule and the development permit.
- 10.10 The minimum roof pitch shall not be less than a 4/12 pitch.

SECTION 11 SATELLITE DISHES AND RADIO OR TELEVISION ANTENNA

- 11.1 In all residential land use districts and the transitional district:
- (a) satellite dishes greater than 1 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 1 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.
- 11.2 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.
- 11.3 Radio and television antennas, which are not regulated by Industry Canada, are classified as an accessory structure.

SECTION 12 SHIPPING CONTAINERS

TEMPORARY SHIPPING CONTAINERS

- 12.1 A shipping container may be placed temporarily on a construction site for the period of construction within a residential land use district without obtaining a development permit subject to the following provisions:
- (a) the shipping container is needed in connection with construction of a development for which a development permit has been issued;
 - (b) 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 not permitted;
 - (c) no more than one shipping container is placed on the construction site (a development permit is required for additional shipping containers on a construction site);
 - (d) the exterior of the shipping container is kept clean and does not display any advertising other than the company owner's logo or trademark;
 - (e) the shipping container shall be removed immediately upon completion of construction or sooner as may be required by the Development Authority;

- (f) the shipping container shall be placed a minimum of 3 m (10 ft) from the front property line and 1.5 m (5 ft) from the side property line. On corner lots, placement of the container shall also comply with the corner lot restrictions section 3 of this district.

PERMANENT SHIPPING CONTAINER STANDARDS

- 12.2 An application for a development permit for all permanent shipping container(s) must be completed and submitted to the Development Officer along with the appropriate application fee. At least two recent colour photographs of the container(s) (one end view and one side view) must accompany the application.
- 12.3 There shall be a primary use on the property where the shipping container is proposed.
- 12.4 The front, rear and side setback requirements shall be regulated by the Development Authority as per the accessory building requirements in the applicable land use district.
- 12.5 The maximum number of shipping containers permitted on a lot shall be regulated by the Development Authority.
- 12.6 The Development Authority may require as a condition of approval that any shipping container be sandblasted and/or painted to the satisfaction of the Development Authority.
- 12.7 The Development Authority may require as a condition of approval that any shipping container be screened from view or landscaped to make it aesthetically pleasing.
- 12.8 The exterior of all shipping containers must be kept clean and regularly painted.
- 12.9 Shipping containers shall not display advertising, company logos, names or other marketing without an approved sign permit.
- 12.10 The Development Authority may require as a condition of approval the posting of a bond or a security guaranteeing compliance with the conditions of the permit.

SECTION 13 SIGNS

- 13.1 Signs and billboards shall be prohibited except for signs advertising the principal use of the premises or the principal products offered for sale on the premises, unless otherwise approved or exempted by the Municipal Planning Commission.
- 13.2 Lawn, fascia and freestanding signs only shall be permitted subject to the following limitations:
- (a) Not more than two signs shall be permitted on the premises of a conforming use.
 - (b) No sign shall be in excess of 1.8 m² (20 ft²) in area, but the areas of the two permitted signs may be combined and the total area shall not exceed 1.8 m² (20 ft²). Each sign may be double-faced.
 - (c) No sign shall be illuminated unless the source of light is steady and suitably shielded.
 - (d) No advertisement or commercial sign shall be attached to fences, poles or trees or allowed to stand in a public place or on public property.
 - (e) The maximum height of any freestanding sign shall be 6.1 m (20 ft).
 - (f) The maximum height of any lawn sign shall be 1.5 m (5 ft).

- (g) The location of any sign shall be such that it does not become a visual obstruction to traffic (see Schedule 4) or interfere with any authorized traffic control device.

13.3 Directional and informational signs may be permitted if warranted by the merits of each case.

13.4 Variances may be considered by the Municipal Planning Commission in exceptional circumstances if warranted by the merits of each case.

13.5 All signs shall be maintained in a safe and tidy manner to the satisfaction of the Municipal Planning Commission.

13.6 Portable signs only shall be permitted subject to the following limitations:

- (a) All portable signs require a development permit but may be allowed without a permit for the announcement of special events, sales, or circumstances where a sign is needed for short specified time periods at the discretion of the Development Authority.
- (b) Portable signs projected using animation, digital or electronic changeable copy shall be at the discretion of the Municipal Planning Commission.
- (c) A development permit for a portable sign will be valid for a period of no longer than 60 days.
- (d) Once the permit has expired for a portable sign at a location address, application for another portable 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 portable sign is removed, whichever is the later of the two dates.
- (e) Portable signs shall not be allowed in any residential land use district unless placed on Village boulevards and permission has been obtained from the Development Authority.
- (f) No more than one portable sign per business frontage or where there are two (2) or more frontages, a total of two (2) portable signs may be located on a single lot or premises, except in a Development tourism signage area where more than two (2) portable signs may be located at the discretion of the Municipal Planning Commission.
- (g) No portable 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.
- (h) All portable signs shall be located within the property lines of the location address shown on the development permit application.
- (i) The proposed advertising copy and/or business shall be indicated at the time of the development permit application.
- (j) The Development Authority may require the posting of a security with the Village 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.
- (k) A portable sign shall not be allowed to locate or remain on a site without a development permit, whether the sign displays any advertising or not.
- (l) The Development Authority must only approve the location of the portable sign on the premises after having given due consideration for the location of power supply, sight lines visibility, parking pattern on the site and/or any other site specific development constraints that the Development Authority considers relevant.

SECTION 14 SMALL WIND ENERGY SYSTEMS

Permit Requirements

- 14.1 Small Wind Energy Systems shall require a development permit depending on their location, as provided in the regulations for the land use districts in which they are allowed.
- (a) **Small Wind Energy System Type A:** This use is defined as a Small Wind Energy System that is either roof mounted or has a tower which does not exceed 12.2 m (40 ft) in height.
 - (b) **Small Wind Energy System Type B:** This use is defined as a Small Wind Energy System that has a tower which is greater than 12.2 m (40 ft) in height but does not exceed 24.4 m (80 ft) in height.

Information Requirements

- 14.2 Applications for Small Wind Energy Systems shall include the following information where applicable:
- (a) all proposed Small Wind Energy Systems shall be commercially manufactured and applications shall include the manufacturers make and model number;
 - (b) the manufacturer's specifications indicating:
 - the SWES rated output in kilowatts;
 - safety features and sound characteristics;
 - type of material used in tower, blade, and/or rotor construction;
 - (c) potential for electromagnetic interference;
 - (d) nature and function of over speed controls which are provided;
 - (e) specifications on the foundations and/or anchor design, including location and anchoring of any guide wires;
 - (f) information demonstrating that the system will be used primarily to reduce on-site consumption of electricity; and
 - (g) location of existing buildings or improvements.

Referrals

- 14.3 Prior to making a decision on a development application for a Small Wind Energy System, the Municipal Planning Commission may refer and consider the input of the following agencies and departments:
- (a) Alberta Utilities Board,
 - (b) Transport Canada,
 - (c) NavCanada,
 - (d) any other federal or provincial agencies or departments deemed necessary.

Setbacks

- 14.4 A Small Wind Energy System shall comply with all the setbacks that govern the principal use in the district in which it is located.
- 14.5 No part of the wind system structure, including guy wire anchors, may extend closer than 3.0 m (10 ft) to the property boundaries of the installation site.

Development standards

- 14.6 There shall be a limit of one Small Wind Energy System per parcel.
- 14.7 The system's tower shall be set back a minimum distance equal to the height of the tower from all parcel lines, and a minimum distance of 3.0 m (10 ft) from any other structure on the parcel on which the system is located. On parcels 4.0 ha (10 acres) or more, the parcel line setback may be reduced if the applicant demonstrates that:
- (a) because of topography, strict adherence to the setback requirement would result in greater visibility of the system's tower than a reduced setback; and
 - (b) the system's tower is set back a minimum distance equal to the height of the tower from any structure on adjoining parcels.
- 14.8 The system's tower shall not exceed a maximum height of 12.2 m (40 ft) on a parcel of less than 0.4 ha (1 acre), a maximum of 19.8 m (65 ft) on a parcel of 0.4 ha (1 acre) to less than 2.0 ha (5 acres), and maximum height of 24.4 m (80 ft) on a parcel 2.0 ha (5 acres) or more.
- 14.9 The system's tower and supporting structures shall be painted a single, neutral, non-reflective, non-glossy (for example, earth-tones, grey, black) that, to the extent possible, visually blends the system with the surrounding natural and built environments. Brand names or advertising associated with the system or the system's installation shall not be visible from any public place.
- 14.10 The system shall be located in the rear or side yard and the system's utility lines shall be underground where economically practical.
- 14.11 The system's tower-climbing apparatus and blade tips shall be no closer than 4.6 m (15 ft) from ground level unless the system is enclosed by a 1.8 m (6 ft) high fence.
- 14.12 Upon abandonment or termination of the system's use, the entire facility, including the system's tower, turbine, supporting structures and all equipment, shall be removed and the site shall be restored to its pre-construction condition.