

## **Part 5 – Specific Use Regulations**

### **5.1 Animal Service Facility, Minor and Major**

- 5.1.1 Animal Service facilities shall be designed to adequately suppress noise from adjacent properties.
- 5.1.2 A separate air extractor system shall be provided for animal holding areas where heating, cooling, and air circulation systems are shared with other businesses. <sup>[[1]]</sup><sub>SEP</sub>
- 5.1.3 Facilities permitted to board animals overnight shall be equipped with indoor exercise runs, and the permit application shall demonstrate that the number of runs provided is sufficient to meet the needs of the animals being boarded. <sup>[[1]]</sup><sub>SEP</sub>
- 5.1.4 Animal Service Facility, Major shall not be permitted within 150.0 m of a residential district. <sup>[[1]]</sup><sub>SEP</sub>
- 5.1.5 All exterior exercise areas, such as runs, shall be enclosed with a fence acceptable to the Development Authority with a minimum height of 1.85 m. <sup>[[1]]</sup><sub>SEP</sub>
- 5.1.6 Additional screening from adjacent sites may be required at the discretion of the Development Authority. <sup>[[1]]</sup><sub>SEP</sub>
- 5.1.7 The Town’s Animal Control Bylaw shall apply to all developments under this Section.

### **5.2 Bed and Breakfast**

- 5.2.1 A Bed and Breakfast shall be an accessory use to the principal use of a single, detached dwelling only.
- 5.2.2 A maximum of three (3) guest rooms may be provided within the residential dwelling.
- 5.2.3 A bed and breakfast shall be operated in a manner that ensures the privacy and enjoyment of adjacent residents is preserved and the amenities of the neighborhoods are maintained at all times to the satisfaction of the Development Authority.
- 5.2.4 A bed and breakfast shall not be approved on a site or within a building where a development permit has been issued for the following:
  - a) Home Business, Major

- b) Group Home, Major
- c) Group Home, Minor
- d) Secondary Suite
- e) Family Day Home
- f) Backyard Suite

5.2.5 The principal character and appearance of the residential use shall not be altered by the development of a Bed and Breakfast. [SEP]

5.2.6 One additional on-site parking stall is required for each guest room.

5.2.7 No kitchen facilities shall be available in guest rooms. [SEP]

### **5.3 Campground**

5.3.1 Where a campground is proposed and is located on a parcel greater than 8 ha, a master plan or conceptual plan for the development of the entire tract of land shall be submitted and approved by the Development Authority prior to submitting a development permit application for any site specific development. The master plan or conceptual plan shall include detailed plans and specifications (e.g. servicing, traffic, environmental considerations, landscaping, park areas, etc.) for the initial stage, as well as any subsequent stages of development.

5.3.2 Campgrounds, containing campsites and cabins, are considered to be temporary, seasonal occupancies, commencing in the spring and ceasing in the fall each year.

5.3.3 Campgrounds may allow year round occupancy, at the discretion of the Development Authority, subject to the provision of full municipal services to the individual campsites.

### **5.4 Cannabis Retail Sales**

5.4.1 Cannabis retail sales shall not be located within 100 metres of a provincial health care facility; a school or a parcel of land designated as school reserve or as amended from time to time by the Province of Alberta.

5.4.2 Cannabis retail sales shall not be permitted to co-locate with retail outlets dealing with pharmaceuticals, tobacco or alcohol, or as amended from time to time by the Province of Alberta.

5.4.3 Cannabis retail sales located adjacent to any site being used for outdoor or indoor recreation shall be required to install uniform

fencing around the perimeter of the site, with no pedestrian or vehicular access permitted between the sites.

- 5.4.4 The hours of operation shall not extend beyond 10:00 am – 2:00 am, or as amended from time to time by the Province of Alberta.
- 5.4.5 The number of parking spaces required shall be in accordance with Section 6.6.1.
- 5.4.6 The Development Authority must not issue a development permit if the proposed development does not comply with the applicable requirements of regulations under the Gaming, Liquor and Cannabis Act, respecting the location of premises described in a cannabis licence and distances between those premises and other premises.
- 5.4.7 The separation distance between Cannabis retail sales and any of the uses identified in 5.4.1 above shall be measured from the closest point of the exterior wall of the building in which the proposed Cannabis retail sales use is located to the closest point of the exterior wall of the building in which the other use is located. The separation distance shall not be measured from district boundaries.

## **5.5 Car Wash**

- 5.5.1 A Car Wash shall not have any vehicle exiting doors located within 20.0 m of a residential district, when measured from the edge of the building to the nearest property line. <sup>[1]</sup><sub>[SEP]</sub>
- 5.5.2 The Development Authority shall consider the location of on-site activities, such as vehicle queuing and vacuum cleaning, that may adversely affect adjacent properties and may require additional screening or yard setbacks. <sup>[1]</sup><sub>[SEP]</sub>
- 5.5.3 Queuing spaces shall be in accordance with Section 4.17.

## **5.6 Child Care Services**

- 5.6.1 A Child Care Services facility shall, in addition to the regulations of this Land Use Bylaw, also be subject to Provincial Child Care Licensing Regulations, as amended.
- 5.6.2 A Child Care Services facility shall be located in a separate, self-contained space, either within the principal building on the site or in an accessory building, with separate access to ground level. <sup>[1]</sup><sub>[SEP]</sub>

## 5.7 Communication Tower

- 5.7.1 Subject to the following regulations, the Town shall follow the Default Public Consultation Process set out by Industry Canada in regard to Radio Communication and Broadcasting Antenna Systems, as amended.
- 5.7.2 To initiate the Public Consultation process, and for tracking purposes, the applicant shall submit a complete Development Permit application to the Town, in accordance with Section 3.6. The following should be considered in the design and siting of both tower and antenna structures as well as auxiliary buildings:
- a) Screening of facilities by using existing vegetation, landscaping, fencing, or other means in order to blend with the built and natural environments. <sup>[[1]]</sup><sub>SEP</sub>
  - b) Design and color sensitive to the style of architecture in the neighbourhood to encourage unobtrusive, inconspicuous appearance. <sup>[[1]]</sup><sub>SEP</sub>
  - c) Massing – situate as near as possible to similarly scaled structures. <sup>[[1]]</sup><sub>SEP</sub>
  - d) Lighting of the facilities is prohibited unless required by Navigation Canada. <sup>[[1]]</sup><sub>SEP</sub>
  - e) Stealth and/or monopole structures with flush mounted antennas should be used to better integrate form with the existing built environment. Where co-location on a single structure is desired, opportunities to design equipment within a single structure should be investigated. <sup>[[1]]</sup><sub>SEP</sub>
  - f) Access to facilities should be possible without unduly interfering with traffic flow or without unduly creating safety hazards.
- 5.7.3 Communications Towers are not permitted in residential districts. <sup>[[1]]</sup><sub>SEP</sub>
- 5.7.4 Upon completion of the Public Consultation Process the Town shall provide a letter of support or non-support to Industry Canada detailing: <sup>[[1]]</sup><sub>SEP</sub>
- a) its' reasons for support or non-support of the proposed facility from the Town's land use perspective, and;
  - b) whether the carrier had adequately carried out the public consultation process established by Industry Canada.

## **5.8 Dwelling, Backyard Suite**

- 5.8.1 A backyard suite contains two or more rooms used or designed to be used as a residence by one or more persons.
- 5.8.2 Contains kitchen, living, sleeping and sanitary facilities.
- 5.8.3 Is located in a detached accessory building located behind the front façade of the principal dwelling.
- 5.8.4 May be attached to an accessory building.
- 5.8.5 Is considered accessory and secondary to the principal use of a single detached dwelling.
- 5.8.6 Must be located on the same parcel as a single detached dwelling.
- 5.8.7 A backyard suite and a secondary suite shall not be located on the same parcel.
- 5.8.8 A backyard suite shall provide one (1) gravelled parking space on-site which shall be accessed from the rear lane.
- 5.8.9 A dwelling, backyard suite shall only be allowed on a lot with rear lane access.

## **5.9 Dwelling, Single Detached – Modular Homes (Ready To Move)**

- 5.9.1 Modular homes must comply to the CSA A277 standard and must comply with the applicable district regulations of the Land Use Bylaw.
- 5.9.2 Modular homes must comply with the following architectural guidelines:
  - a) the height of the main floor above grade shall be consistent with the height of the main floor of dwelling units in the immediate and general area.
  - b) The roof pitch, style, and features, such as gables shall be consistent with the roofs of dwelling units in the immediate and general area.
  - c) The roof overhang/eaves shall be a minimum of 30cm from the surface of each wall.

- d) The design of each modular dwelling unit shall ensure the side facing the street on which the home fronts contains a prominently placed 'front door' and windows in quantity and size that are consistent with dwelling units in the immediate area.
- e) The foundations must comply with the same building code requirements as on-site built homes.
- f) Skirting enclosures shall be parged or finished similarly in appearance to that customarily found on basements of other detached dwellings in the immediate and general area.
- g) The modular home shall be a minimum of 20 feet in width or wider.
- h) Lots 5 & 6, Block 20, Plan 7321 BW and Lots 7 & 8, block 20, Plan 7321 BW, being 5224 and 5228 – 50 Avenue may have a modular home of less than 20 feet in width placed on the property and the entrance to the dwelling unit may be from the side of the building.

## **5.10 Dwelling, Secondary Suite**

5.10.1 The following provisions shall apply to a secondary suite:

- a) A secondary suite shall only be allowed within a single detached dwelling.
- b) A secondary suite shall not be allowed within a single dwelling containing a Group Home Major, a Group Home Minor, a Bed and Breakfast or a Backyard Suite.
- c) A secondary suite shall not exceed 40% of the gross floor area of the principal dwelling.
- d) The exterior of the principal dwelling shall appear to be a single dwelling.
- e) A minimum of one (1) on-site parking space shall be provided;
- f) A secondary suite shall contain at least two rooms in which a bedroom, cooking facilities and a bathroom are provided.
- g) Only one secondary suite per single detached dwelling shall be permitted. <sup>{1}</sup><sub>{SEP}</sub>

## **5.11 Gas Bars and Service Stations**

- 5.11.1 The maximum site coverage for all buildings on a site under this section shall be 25% of the site area. <sup>[L]</sup><sub>[SEP]</sub>
- 5.11.2 The minimum site area for a Gas Bar shall be 600.0 m<sup>2</sup>, or 1200.0 m<sup>2</sup> where a Gas Bar is part of a development with a Car Wash. <sup>[L]</sup><sub>[SEP]</sub>
- 5.11.3 The minimum site area for a Service Station shall be 1500.0 m<sup>2</sup>, or 2100.0 m<sup>2</sup> where a Service Station is part of a development with a Car Wash. <sup>[L]</sup><sub>[SEP]</sub>
- 5.11.4 Where a Service Station or a Gas Bar is an Accessory Use, the minimum site area and maximum site coverage may be varied at the discretion of the Development Authority. <sup>[L]</sup><sub>[SEP]</sub>
- 5.11.5 All fuel pumps shall be located a minimum of 6.0 m from the site boundary. <sup>[L]</sup><sub>[SEP]</sub>
- 5.11.6 A canopy over a fuel pump may extend to within 3.0 m of the site boundary. <sup>[L]</sup><sub>[SEP]</sub>
- 5.11.7 Where Gas Bars or Service Stations are adjacent to, or abut, a residential district the Development Authority shall consider the design, finishing, lighting and siting of the development, including the orientation of gas pump islands and service bays with the intent of achieving a compatible relationship with surrounding development and a high standard of appearance when viewed from the adjacent Streets. <sup>[L]</sup><sub>[SEP]</sub>

## **5.12 Group Home, Minor and Major**

- 5.12.1 Pedestrian and vehicular traffic shall not be generated in excess of what is characteristic for the area. <sup>[L]</sup><sub>[SEP]</sub>
- 5.12.2 A site containing a Group Home Major, or a Group Home Minor shall not contain a Secondary Suite.

## **5.13 Home Business, Minor and Major**

- 5.13.1 All home businesses shall comply with the following general regulations:
- a) Nuisance shall not be generated by a home business.
  - b) One vehicle of a client, customer or delivery arriving at the home business shall constitute one visit.

- c) Except for emergency situations, vehicle trips, deliveries and client or customer visits shall only occur:
  - i) between the hours of 8:00 a.m. and 9:00 p.m. Monday to Saturday; and
  - ii) between the hours of 10:00 a.m. and 6:00 p.m. Sundays and Statutory holidays.
- d) All parking for clients or customers, home business vehicles and non-resident employees shall be provided on-site, except for an occasional gathering such as a recital, instruction demonstration, meeting, or similar event.
- e) Signs shall be as outlined in Part 8 of this Bylaw.
- f) A development permit shall expire upon change in ownership of the property.
- g) Where the Development Authority determines that a proposed home business would be more appropriately located in a commercial or industrial district due to the proposed scale, potential traffic generation, potential off-site impact or nuisance, the Development Authority shall not approve a development permit.

5.13.2 A home business, minor is a permitted use, subject to the provisions of Section 5.13.1 and the following:

- a) storage of materials or goods related to the home business shall be limited to areas within the principal dwelling; and
- b) shall not exceed two (2) home business vehicles.

5.13.3 A home business, major is a discretionary use, subject to the provisions of Section 5.13.1, the definition in Part 9 of this Bylaw, and the following:

- a) Any storage of materials or goods related to the home business shall be located within the principal building or accessory building(s). Exterior storage on the lot shall not be allowed.
- b) There shall be:
  - i) no more than two (2) home business vehicles;
  - ii) no heavy home business vehicles parked, stored or maintained on the property;



- iii) no more than one (1) non-resident employee; and
- iv) no more than six (6) client or customer visits per day.

## **5.14 Religious Assembly**

5.14.1 A religious assembly shall:

- a) have a minimum lot frontage of 30.0m; and
- b) have a combined site area of not less than 1,300m<sup>2</sup> where a manse, rectory or other building is used for a residence related to a religious assembly on the same site.

5.14.2 Where a religious assembly is adjacent to a residential district it shall:

- a) be located on a corner lot in such a way that it would minimize the impact on adjacent development. In no instance shall a religious assembly be approved in the interior of the block unless at least one of the adjacent developments is other than residential;
- b) not exceed a total site coverage of 40%;
- c) not exceed 10.0m in height or the maximum allowable height of the district, whichever is greater;
- d) be setback a minimum of 7.5m from the front and rear lot lines to the principal building; and
- e) be setback a minimum of 6.0m from any side lot line abutting a residential district to the principal building.

5.14.3 To minimize impact on adjacent uses, the Development Authority may require that the principal building be designed to reduce the perceived massing through techniques such as:

- a) increased setbacks and landscaping;
- b) articulation of elevations and rooflines; and
- c) varying finishing materials and colors.

5.14.4 A religious assembly shall not be located within 100 metres of any site being used for Cannabis Retail Sales.

- 5.14.5 The separation distance between a Religious Assembly and a Cannabis Retail Sales site shall be measured from the closest point of the exterior wall of the building in which the proposed Cannabis retail sales use is located to the closest point of the exterior wall of the building in which the other use is located. The separation distance shall not be measured from district boundaries.

### **5.15 Retail Alcohol**

- 5.15.1 Retail Alcohol sales located adjacent to any site being used for outdoor or indoor recreation shall be required to install uniform fencing around the perimeter of the site, with no pedestrian or vehicular access permitted between the sites.

### **5.16 Surveillance Suite**

- 5.16.1 A maximum of one Surveillance Suite shall be permitted on any single site. [SEP]
- 5.16.2 A Surveillance Suite shall not be a principal use of the site. [SEP]
- 5.16.3 The Development Permit for a Surveillance Suite is considered void if the approved development with which the surveillance suite is associated ceases or is removed. [SEP]
- 5.16.4 The maximum Floor Area of a Surveillance Suite shall be 80.0 m<sup>2</sup>. [SEP]
- 5.16.5 Where a Surveillance Suite is not part of the principal building; it shall be sited in accordance with the setback regulations of the applicable district.
- 5.16.6 The form of Surveillance suite shall comply with the Alberta Building Code, with proof submitted as part of the application.

### **5.17 Wind Energy Conversion System (WECS)**

- 5.17.1 WECS, Micro shall comply with Section 3.5.12.