

## **PART 6 – GENERAL REGULATIONS**

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The General Regulations set forth in Part 6 shall apply to Development in all Districts, and may be amended in the same manner as any other Part or Section of this Bylaw.

### **SECTION 27 ADDRESS NUMBER**

- (1) Every Dwelling and business shall have its address number clearly displayed near the front door of the main entrance.
- (2) Address numbers shall be a minimum of 10.0 cm tall, visible from the Street, and be installed prior to occupancy.
- (3) Where a Building is developed with an Alley, Buildings shall also have their address clearly displayed in the Alley, with both the house number and Street name.

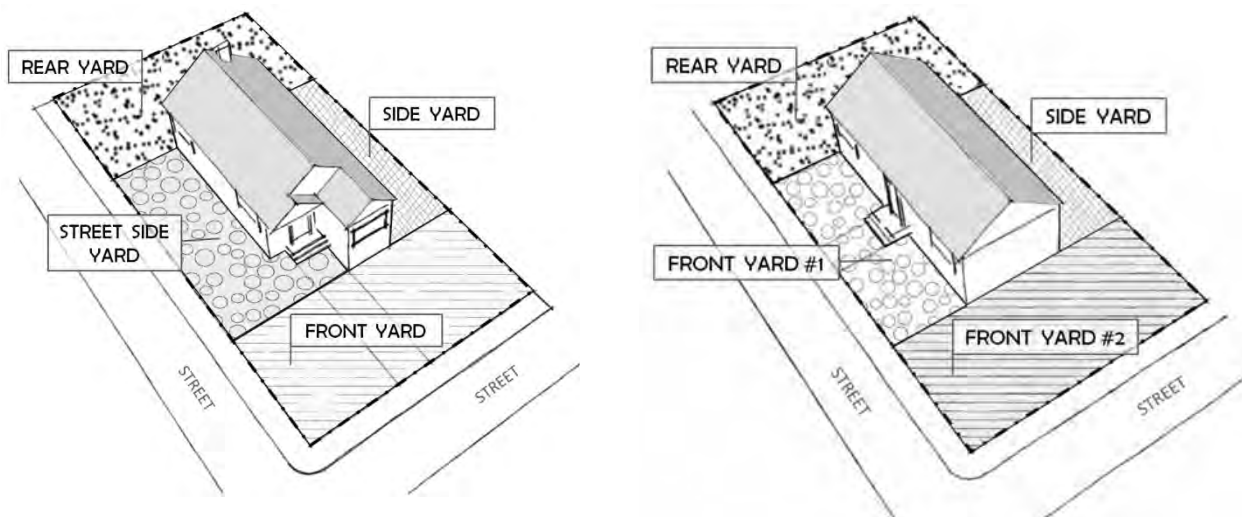
### **SECTION 28 BUILDING HEIGHT**

- (1) The Height of a Building shall be determined by calculating the vertical distance between Grade (or design Grade for Development that is not built) and the highest point of the Building.
- (2) In determining the highest point of a Building, elements that are not essential to the structure of the Building shall not be considered, including but not limited to the following:
  - (a) Elevator housing;
  - (b) Mechanical housing;
  - (c) Roof entrances;
  - (d) Ventilation fans;
  - (e) Skylights;
  - (f) Solar panels;
  - (g) Wind turbines;
  - (h) Steeples;
  - (i) Smokestacks or chimneys;
  - (j) Fire walls;

- (k) Parapet walls; or
- (l) Flagpoles.

**SECTION 29 CORNER SITES**

- (1) In residential areas a Site abutting two or more Streets shall have either two Front Yards or one Front Yard and one Street Side Yard, as determined by the Development Officer.
- (2) In all cases the location of Buildings on a Corner Site shall be subject to approval by the Development Officer who shall account for the location of existing Buildings on adjacent Sites or permitted Setbacks on adjacent Sites.



**SECTION 30 DESIGN AND APPEARANCE OF BUILDINGS**

- (1) The design and appearance of all Buildings must be compatible with the Land Use District and with surrounding Sites, unless the Building is setting a higher standard of design for the Land Use District or neighborhood.
- (2) The massing, size and shape of Buildings shall consider the existing streetscape and the impact of the Development on adjacent Buildings and Sites, and shall not have a negative impact on either.
- (3) The external finish of Principal and Accessory Buildings shall be reviewed for consistency with Adjacent Buildings and Sites with respect to color, finish and texture, to the satisfaction of the Development Officer.
- (4) Any non-residential Building that has exterior wall length greater than 25.0 m shall incorporate architectural features in an effort to minimize the Building’s mass to the satisfaction of the Development Officer. Such architectural features could include the use of:

- (a) Multiple colours,
- (b) Differing, but complementary finishes and textures,
- (c) Landscaping;
- (d) Recessing portions of the visible Frontage,
- (e) Awnings, and
- (f) Varying roof lines.

(Bylaw C-942-15, Jan. 29, 2016)

- (5) The City may require that a Developer register a restrictive covenant against a Site or Development area in order to ensure ongoing conformance with architectural controls or guidelines.

### **SECTION 31 DEVELOPMENT ON OR NEAR SLOPES**

- (1) For the purpose of this section, “top of bank” is determined by the Development Officer.
- (2) A Development on or near a slope must include a geotechnical assessment conducted by a professional engineer licensed in the Province of Alberta as part of the Development Permit application. The report must demonstrate defined flood hazard areas, bank stability, safe building elevations, and mitigation of the potential for flood damage or erosion of the bank, to the satisfaction of the Development Officer.
- (6) No permanent Building shall be permitted within 20.0 m of the top of bank of any water body, or the top or bottom of a slope that exceeds a 15% Grade.
- (7) No permanent Building shall be permitted within a 1:100 year floodplain, unless the Developer is able to demonstrate adequate flood proofing.
- (5) The Development Officer may require a greater or lesser Setback based on the geotechnical assessment.
- (6) Where the Development Officer has granted a Setback less than 20.0 m in accordance to (4) above, the applicant shall enter into a Development agreement, including security in favour of the City relieving the City of responsibility for damage or loss due to flooding, subsidence or erosion.
- (7) There shall be no infill of materials within the floodplain of drainage courses that are not protected by City storm water management on the north side of Highway 16, as per the *Big Lake Basin Study*.

## **SECTION 32 DWELLING UNITS PER SITE**

- (1) One Dwelling shall be permitted per Site unless otherwise specified in the District regulations.

## **SECTION 33 EASEMENTS AND RIGHTS OF WAY**

- (1) No Building except a Fence shall be placed on a Utility Easement or right-of-way unless:
  - (a) Written consent from the Utility provider or party whose interest is registered on the right-of-way has been obtained; and
  - (b) The proposed Building does not restrict access to the Easement or right of way for the purpose of installation and maintenance of the Utility, in the opinion of the Development Officer.

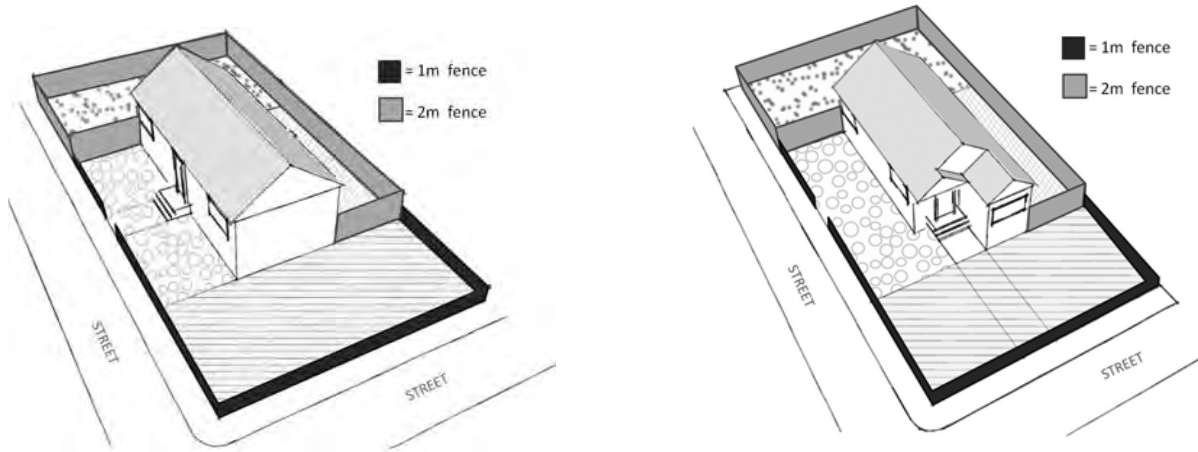
This regulation is subject to the specific conditions of a Utility Easement.

- (2) No Principal Building or building containing a Garden or Garage Suite shall be sited closer than 7.0 m from the boundary of any Pipeline right-of-way.
- (3) No Building shall be located closer than 5.0 m to a railway right-of-way.
- (4) Any Development or Landscaping authorized by a Development Permit shall be done at the applicant's risk and should removal be required, the cost shall be the responsibility of the Registered Owner.

## **SECTION 34 FENCES AND SCREENING**

- (1) For internal Sites the maximum height of a Fence shall be:
  - (a) 2.0 m for the portion of the Fence that does not extend into the Front Yard; and
  - (b) 1.0 m for the portion of the Fence that extends into the Front Yard.
- (2) For Corner Sites the maximum height of a Fence shall be:
  - (a) 1.0 m for the portion of the Fence which extends into the Front Yard(s) and/or the Street Side Yard; and
  - (b) 2.0 m for the portion of the Fence located in the Rear Yard or Side Yard.
- (3) The Development Officer may issue a variance to a Fence height for a Street Side Yard or Front Yard on a Corner Site as it applies to subsection 2(a) above, taking into consideration the Development on adjacent Sites.

- (4) Where a Site has both its Front Yard and Rear Yards facing onto a Street, a Development Permit is required for a Fence. The height and specifications for a Fence in such a case shall conform to the surrounding neighborhood context.



- (5) In the industrial and urban reserve Districts the maximum Height and location of Fences and screening shall be determined by the Development Officer.
- (6) Barbed wire shall only be permitted in the industrial District when it is placed on top of a Fence that is 2.0 m or higher.
- (7) No electric Fencing or razor wire is permitted under any circumstances.
- (8) When attached to a Single Detached Dwelling, a privacy wall on a deck must not exceed 2.0 m in height when measured from the surface of the deck.
- (9) When attached to a Semi-Detached Dwelling or a Street Oriented Row House, a privacy wall shall be a minimum of 2.0 m but not more than 3.0 m in height when measured from the surface of the deck.
- (10) A privacy wall on a patio is considered a fence and must meet the fence requirements. (Bylaw C-981-16, Jan. 25, 2017)
- (11) Within the GPL – Greenbury Planned Lot district, for any Zero Side Yard Development, there shall be no fencing located in the front yard, no fencing between the principal buildings, and no fencing closer than the furthest rear façade in the rear yard. (Bylaw C-1000-17, June 27, 2017)

## SECTION 35 FIRE HYDRANTS

- (1) Fences, Landscaping and other obstructions shall be located a minimum of 1.5 m from any fire hydrant.

- (2) Property owners are responsible for ensuring that fire hydrants abutting their property are kept clear of debris and are visible at all times.

## **SECTION 36 GARBAGE AND CONTAINMENT AREAS**

- (1) Garbage, recycling and other containment areas shall be evaluated as part of a Development Permit where required by the Development Officer.
- (2) All Garbage, recycling and other containment areas shall be landscaped in accordance with Section 89(9) of this Bylaw.
- (3) All refuse materials shall be stored in weatherproof containers and screened to the same Height as the container on all sides from adjacent Sites and Streets, by a freestanding enclosure. The enclosure shall be constructed of materials that are consistent or compatible with the exterior finish of the Principal Building.
- (4) Garbage and containment areas shall be in a location easily accessible for pickup.

## **SECTION 37 LIGHTING**

- (1) A Development Permit for non-residential uses adjacent to residential uses may require a lighting plan as part of the application, at the discretion of the Development Officer.
- (2) The lighting plan shall depict where any lights are located, their Height and demonstrate the limits of their casting at 2 LUX.
- (3) Any outdoor lighting for any Development shall be located and arranged so that:
  - (a) No direct rays of light are directed at any adjoining properties;
  - (b) Indirect rays of light do not adversely affect an adjacent site; and
  - (c) Direct and indirect rays of light do not interfere with the effectiveness of any traffic control devices.
- (4) Within a Site, lighting shall be of a consistent design that minimizes the amount of light pollution directed skyward.

## **SECTION 38 MUNICIPAL LAND**

- (1) All Development on land owned by the City shall require a Development Permit as specified in this Bylaw.

- (2) If a Development Permit is not required for a Development, written authorization from the City to proceed with the Development is required.
- (3) No Development by anyone other than the City shall take place on a Public Utility Lot, unless the Site in question is the subject of a licensing agreement with the City. Such Development shall conform to the Public Utility Lot License of Occupation Policy.
- (4) Any Development or Landscaping authorized by a Development Permit shall be done at the applicant's risk and any damage to municipal lands caused by the Development or Landscaping shall be the responsibility of the applicant.

### **SECTION 39 MUNICIPAL SERVICING**

- (1) Services shall be provided as outlined in the *Municipal Utility Services Bylaw*.
- (2) No Development shall commence until the Development Officer is satisfied that the appropriate Site servicing and improvements, including any Off-Site local improvements, will be provided to the Development.
- (3) Private sewer and/or water systems shall not be permitted. The exception shall be for renovations or Accessory Buildings on sites where private sewer and/or water systems already exist, provided that the private systems do not require expansion.

### **SECTION 40 OUTDOOR STORAGE AND DISPLAY**

- (1) Outdoor storage and display is not permitted in residential districts.
- (2) Outdoor storage of goods and materials shall be kept in a clean and orderly manner at all times and shall be screened from Streets and adjacent residential uses to the satisfaction of the Development Officer.
- (3) Outdoor storage is not permitted within the required Front Yard Setback of a Development.
- (4) Outdoor display of goods and materials shall normally be temporary and shall be arranged and maintained in a clean and orderly manner. The location of an outdoor display shall be to the satisfaction of the Development Officer.
- (5) Any outdoor storage or display must not unduly interfere with the amenities of the district or materially interfere with the use, enjoyment or value of neighboring Sites.
- (6) Any outdoor storage or display must not interfere with pedestrian or vehicular circulation or use any required Parking Stalls.

## **SECTION 41 PROJECTIONS**

- (1) No portion of the Principal Building on a site shall project over or onto a required Front, Side or Rear Yard Setback, unless otherwise specified in this Bylaw.
- (2) The non-architectural features of a Principal Building, such as dryer vents, window wells and gas meters, shall not be considered a Projection.
- (3) Notwithstanding any other section of this Bylaw, the eaves of an Accessory Building shall not project more than 0.6 m into a required Setback.

## **SECTION 42 PROJECTIONS INTO FRONT YARDS (PRINCIPAL BUILDINGS)**

- (1) An eave, Canopy, cornice, Balcony, stairs or uncovered Deck may project up to 1.5 m into the required Front Yard Setback. (Bylaw C-981-16, Jan. 25, 2017)
- (2) A chimney, bay or bow window, or cantilevered wall section may project up to 0.6 m into the required Front Yard Setback, provided the Projection does not exceed 2.5 m in width.

## **SECTION 43 PROJECTIONS INTO REAR YARDS (PRINCIPAL BUILDINGS)**

- (1) A chimney, bay or bow window, Balcony, eave or cantilevered wall section may project up to 1.2 m into the required Rear Yard Setback.
- (2) Unenclosed stairs, either below Grade or not more than 3.0 m above Grade, may project up to 1.5 m into the required Rear Yard Setback.
- (3) Where a Site backs onto a public park, Natural Area or stormwater pond, a Covered Deck that is attached to the Principal Building may project to within 1.0 m of the rear Site line, at the discretion of the Development Officer, who shall base the decision on the location and condition of the Site. Such a Projection shall only be permitted where the impact on neighboring properties is minimal.

## **SECTION 44 PROJECTIONS INTO SIDE YARDS (PRINCIPAL BUILDINGS)**

- (1) An eave, Canopy, cornice, or Balcony may project up to 0.6 m into the required Side Yard Setback.
- (2) A chimney, bay or bow window, or cantilevered wall section may project up to 0.6 m into the required Side Yard Setback, provided the Projection does not exceed 2.5 m in width and the Projection is no closer than 0.9 m from the Site line.
- (3) An eave may project an additional 0.6 m into the Street Side Yard where it is part of a bay or bow window, or a cantilevered wall section.



- (4) Unenclosed stairs and landings required for access to the main floor or lower floor of the Principal Building may project into the required Side Yard Setback up to 0.6 m from any property line.

(Bylaw C-942-15, Jan. 29, 2016)

- (5) Notwithstanding subsections (2) and (3) above, where a driveway is required on the Side Yard to provide access to a parking area, no Projection is permitted within 3.0 m of the Site line.

- (6) Notwithstanding subsection (2) above, the Development Officer may relax the 2.5 m width restriction on a Street Side Yard.

- (7) Where there is more than one Projection into a required Side Yard, the portion of the Building from which a Projection is permitted to project is 33% of the total length of the side wall of the Principal Building, excluding the wall of an attached garage, covered deck and veranda.

(Bylaw C-981-16, Jan. 25, 2017)

- (8) Notwithstanding the above, for all Zero Side Yard Development within the GPL – Greenbury Planned Lot District, the only projection allowed into the required Side Yard Setback is an eave up to 0.30 m.

(Bylaw C-1000-17, June 27, 2017)

## **SECTION 45 PUBLIC UTILITY BUILDINGS**

- (1) Public Utility Buildings that do not include offices are permitted in any District, unless specified elsewhere in this Bylaw.
- (2) Notwithstanding the above, the location of a Public Utility Building on a Site is subject to Setbacks which are satisfactory to the Development Officer. This shall also apply to any equipment placed on a Site.

## **SECTION 46 RELOCATION OF BUILDINGS**

- (1) A Development Permit is required when a Building is moved to a new location, either within a Site, or from one Site to another.
- (2) A Development Permit for the removal of a Building from a Site requires proof of service disconnection for all applicable Utilities.
- (3) Any Foundation remaining on a Site that is not demolished subsequent to the removal of a Building must be secured by fencing or other means in order to prevent unauthorized access.
- (4) In order to receive Development Permit approval for an existing Building to be moved, the proposed location of the Building must meet the District regulations and all other requirements of this Bylaw.

## **SECTION 47 RESTRICTED OBJECTS IN YARDS**

- (1) All Buildings and Sites shall comply with the Nuisances, Unsightly and Untidy Premises Bylaw and the Construction Site Cleanliness Bylaw.  
(Bylaw C-942-15, Jan. 29, 2016)
- (2) A Recreational Vehicle shall not be permitted in a Side or Front Yard or the driveway of a Site in any residential District except from May 1 to October 31 in any year.

## **SECTION 48 SITE CONSOLIDATION**

- (1) A Development Permit application that proposes to use two or more Sites shall require that the two or more Sites be consolidated into a single lot by a plan of subdivision prior to approval, unless approved by the City as a plan of survey.
- (2) The consolidation of Sites for Development of Single Detached Dwellings is not permitted unless such a consolidation will allow for Development of a Dwelling that is in keeping with the neighborhood character, to the satisfaction of the Development Officer.

## **SECTION 49 STRIPPING AND GRADING**

- (1) With the exception of those lands governed by a valid Development agreement, Stripping and grading activities are considered a Discretionary Use in all Districts and require a Development Permit. Grading shall conform to the Lot Grading Bylaw where applicable.
- (2) An application for a Development Permit under this Section shall contain the following information, in addition to the requirements described in Section 12 of this Bylaw:
  - (a) The area of the Site on which the Excavation and/or Stripping will take place, including dimensions of the operation or area, location of any stockpiled materials, and the depth of soil removal;
  - (b) The purpose of the proposed activity;
  - (c) The surrounding land Uses;
  - (d) The location of natural features, including trees, water bodies, slopes, etc. and details on how these features are to be retained and protected;
  - (e) Alberta Environment approval if the Excavation is to take place on the same Site or adjacent to a Site with a water body;
  - (f) Existing Grades of the land relative to adjacent Sites and Streets, as well as any natural features or drainage courses; and

- (g) The expected Grades and condition of the land on completion of the activity.
- (3) As a condition of approval under this section, the Development Officer may require any or all of the following:
- (a) That precautions are taken for the prevention and control of dust, noise or any other nuisance caused by the proposed operation;
  - (b) That Fencing or other screening is put in place to buffer the Use from adjacent lands;
  - (c) Measures that serve to protect any natural features on the Site or on adjacent Sites;
  - (d) Steps that must be taken to promote the reclamation of the Site if required, including restorative Landscaping; and
  - (e) Any other measures deemed necessary by the Development Officer in order to shield adjacent lands from the activity on the Site.
- (4) Where significant Excavation and fill is proposed as part of a Development, the Development Officer may require an engineered plan bearing the seal and signature of a professional engineer in the Province of Alberta.
- (5) In all cases, Site Grades shall be established with regard to preventing drainage from one Site to another, unless cross-site drainage conforms to a plan approved by the City's Engineering Department.
- (6) The Development Officer may require a grading certificate as part of a Development Permit application, indicating the final elevations of the Corners of the Site and the elevations around the perimeter of any Buildings.
- (7) As a condition of a Development Permit, the Development Officer may require security up to the estimated value of any proposed grading activities to ensure the work is carried out with reasonable diligence.

## **SECTION 50 TRAFFIC SIGHT LINES AT INTERSECTIONS**

- (1) A sight triangle shall be maintained at all Street intersections. A sight triangle may include:
- (a) A Corner cut which is part of the Site boundary;
  - (b) A straight line drawn between two points on the exterior boundaries of the subject Site 3.0 m from the point where they intersect at an Alley; or

- (c) A straight line drawn between two points on the exterior boundaries of the subject Site 6.0 m from the point where they intersect at a Street.
- (2) No fencing, Landscaping or other screening shall obstruct sight lines at intersections.

## **SECTION 51 UNDERGROUND TANKS**

- (1) A Development Permit is required for installation or removal of underground tanks.
- (2) Any underground tank removal or installation must be referred to the City's Fire Department.
- (3) All applicable petroleum tanks shall be registered with the Petroleum Tank Management Association of Alberta, and comply with the requirements of the Alberta Fire Code 2006, as amended.
- (4) After the removal of tanks, the owner must reclaim the Site in accordance with the Alberta Environmental Protection and Enhancement Act.

## **SECTION 52 ZERO SIDE YARD DEVELOPMENTS**

- (1) Where a Development is permitted to have a Zero Side Yard, the regulations of this Section and those of the District in which the Development is located shall apply.
- (2) Where there is a Zero Side Yard, an Easement shall be registered by the Developer on the Site abutting that Side Yard for the purpose of maintenance of the existing Principal and Accessory Buildings, and to the extent that any future Development could take place.
- (3) Prior to the approval of any Zero Side Yard Development, plans showing grading and drainage on Abutting Sites must be submitted and shall demonstrate compliance with Section 49 of this Bylaw, the Lot Grading Bylaw, and be deemed acceptable to the Development Officer.
- (4) Side Yard Setbacks shall be:
  - (a) Zero for one Side Yard, unless the Site abuts a Development which is not a Zero Side Yard Development, in which case the Side Yard Setback shall be the same as the required Setback for the adjacent Development.
  - (b) In any District except the GPL – Greenbury Planned Lot District, 3.0 m for the other Side Yard, unless that Side Yard is required for vehicle parking or vehicle access to a parking area, in which case the Side Yard Setback shall be 3.5 m.

(Bylaw C-1000-17, June 27, 2017)

- (5) A Party Wall Agreement shall be required between the owners of adjoining units with separate certificate of title, of Semi-detached Dwellings, Row Housing, Street-Oriented Row Housing, Stacked Row Housing, Row Housing Development and Multi-Unit Dwellings to address such matters as encroachment by either party, maintenance and repair, and rebuilding if necessary. A Party Wall Agreement is required for all adjoining buildings (e.g. Principal Building and attached or detached garages).

## **SECTION 52A CONTROL OF NUISANCES**

- (1) In any land use district, no storage or activity may be undertaken that would, in the opinion of the Development Officer:
  - (a) Unduly interfere with the amenities of the district, or
  - (b) Materially interfere with or affect the use, enjoyment or value of adjacent or nearby properties, or
  - (c) Constitutes a danger or annoyance to persons on the Site, on a public property or on a Site in the vicinity to it.

(Bylaw C-942-15, Jan. 29, 2016)