

## PART 7 – SPECIAL REGULATIONS

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### SECTION 53 ACCESSORY BUILDINGS

- (1) Where a Building is attached to the Principal Building on a Site by a roof, an open or enclosed structure and/or a floor or a foundation, it is to be considered a part of the Principal Building and not as an Accessory Building and shall adhere to the Setback requirements for Principal Buildings as specified in the applicable District regulations.
- (2) An Accessory Building shall not be used as a Dwelling, except where it contains a Garage Suite or Garden Suite in accordance with Section 67.  
(Bylaw C-942-15, Jan. 29, 2016)
- (3) Unless otherwise provided in this Bylaw, Accessory Buildings shall be located:
  - (a) A minimum of 1.0 m from the Principal Building;  
(Bylaw C-1104-19, May 29, 2020)
  - (b) Not in the Front Yard;
  - (c) No closer than 1.0 m to the rear property line;
  - (d) No closer than 1.0 m to the side property line;
  - (e) Side facing detached Garages will only be permitted on Sites which meet the following criteria:
    - (i) There must be workable vehicle access, in the opinion of the Development Officer, into the Garage; and
    - (ii) The minimum distance between the Garage vehicle door(s) and the side property line which they face shall be 6.0 m from the opposite side boundary.  
(Bylaw C-865-13, Feb. 10, 2014)
- (4) Accessory Buildings in residential Districts may include, but are not limited to Garages, carports, sheds, storage buildings, gazebos, decks, sundecks, permanently installed private swimming pools and hot tubs. Fabric covered buildings, used for storage purposes, are prohibited in all residential districts.  
(Bylaw C-942-15, Jan. 29, 2016)
- (5) Notwithstanding (3) a Deck;
  - (a) May be attached to the Principal Building;
  - (b) May extend beyond the front line of the Principal Building;

(c) May extend into the required Front Yard of the Principal Building in accordance with Section 42 of this Bylaw; and

(d) May extend into the required Rear Yard of the Principal Building in accordance with Section 43 of this Bylaw.

(Bylaw C-865-13, Feb. 10, 2014)

(6) Notwithstanding (3), open roof structures, hot tubs and private swimming pools may be located closer than 2.0 m to the Principal Building at the discretion of the Development Officer.

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

(7) The maximum Height of an Accessory Building that is a Garage shall be 4.5 m unless it contains a Garage Suite, where the Height of the Garage shall conform to Section 67 of this Bylaw.

(8) Notwithstanding subsection (7) above, in any residential District, the maximum Height of an Accessory Building shall be 4.5 m.

(Bylaw C-900-15, Feb. 23, 2015)

(9) Notwithstanding Section 53(3)(c) and (d), an Accessory Building shall not be located on an Easement or Utility right-of-way unless allowed by the easement holder through an amending agreement.

(Bylaw C-1025-17, March 5, 2018)

(10) Accessory Buildings, at the discretion of the Development Officer, may be constructed on a Zero Side Yard Setback, provided they are located on the same Zero Side Yard as the Principal Building, and adhere to the provisions under Section 53.

(11) The exterior finish of an Accessory Building shall be consistent or compatible with the exterior finish of the Principal Building with respect to colour, finish, materials and texture.

(12) Unless otherwise provided for in this Bylaw, the provisions for Accessory Buildings will be at the discretion of the Development Officer.

(13) Notwithstanding (1), where an unenclosed Building is attached to the front of the Principal Building by a roof, and is an open structure, it shall meet the minimum required side yard setback of an Accessory Use.

(Bylaw C-1104-19, May 29, 2020)

## **SECTION 54 ACCESSORY USES**

1) A Use shall be considered Accessory to a Permitted or Discretionary Use which is a Principal Use on a Site only if such a Use complies with the definition of Accessory Use contained in this Bylaw.

2) A Development Permit for an Accessory Use or Building is permitted where the Accessory Use is listed as a Permitted Use in the applicable District.

- 3) A Development Permit for an Accessory Use or Building may be approved on a discretionary basis where:
  - (a) The Accessory Use or Building is listed as a Discretionary Use in the applicable District; or,
  - (b) The Accessory Use or Building is not listed as a Permitted Use or Discretionary Use in the applicable District and the Development Officer deems that the Accessory Use is compatible with the other Uses and the purpose of the District.
- 4) Notwithstanding the foregoing, no Sign may be approved as an Accessory Use. Signs may only be approved as a Use only if they are listed as a Sign allowable in a District as determined in Part 10 of this Bylaw.

## **SECTION 55 ADULT ENTERTAINMENT**

- (1) Any Site containing an Adult Entertainment business shall be located at least:
  - (a) 300.0 m from the boundary of the nearest residential district; and
  - (b) 150.0 m from any Site which contains an existing Religious Assembly facility, School, Recreational Establishment (Indoor or Outdoor, not Commercial), Child Care Facility, or public park.

## **SECTION 56 ALCOHOL SALES**

- (1) Alcohol Sales shall not be located closer than 100.0 m from the Site boundary of any Site that includes community or public recreational activities, a public park or a School.

## **SECTION 57 ANIMAL SERVICE FACILITIES, MINOR AND MAJOR**

- (1) Uses pursuant to this Section shall be designed to adequately suppress noise from neighboring Uses.
- (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.
- (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 for the needs of the animals to be met.
- (4) Animal Service Facilities, Major shall not be permitted within 150.0 m of a residential District.

- (5) All exterior exercise areas, such as runs, shall be enclosed with a Fence acceptable to the Development Officer with a minimum Height of 1.8 m.
- (6) Additional screening from adjacent Sites may be required at the discretion of the Development Officer.
- (7) The City's Dog and Domestic Animal Control Bylaw shall apply to all Developments under this Section.

## **SECTION 58 BED AND BREAKFAST**

- (1) A Bed and Breakfast shall be an Accessory Use, with the Principal Use as the Dwelling.
- (2) The principal character and appearance of the residential Use shall not be altered by the Development of a Bed and Breakfast.
- (3) One additional On Site Parking Stall is required for each guest room.
- (4) No kitchen facilities shall be available in guest rooms.

## **SECTION 59 BOARDING AND LODGING HOUSE**

- (1) For the purpose of calculating the Density of this Use Class, a sleeping unit shall be considered to be a Dwelling. The same shall apply to any other Use Class for which the residential component is, by definition, a Boarding and Lodging House.
- (2) No sleeping units shall contain kitchen facilities.

## **SECTION 60 CAMPGROUNDS**

- (1) For the purpose of calculating the Density of this Use Class, a Campsite shall be considered to be a Dwelling.
- (2) In addition to the information outlined in Section 12, a Development Permit application for a Campground shall include the additional information:
  - (a) Land Uses on Adjacent Sites;
  - (b) Site topography and proposed changes in Grade on the Site;
  - (c) Location of all Campsites and the Density of the Development;
  - (d) Location of all Accessory Buildings;

- (e) Location of open space;
  - (f) Proposed servicing as applicable;
  - (g) Location of waste collection and recycling receptacles;
  - (h) Site access and internal roadways;
  - (i) Pedestrian walkways and circulation paths;
  - (j) Landscaping plan;
  - (k) Buffering between the Campground and adjacent Uses, if applicable;
  - (l) Street lighting; and
  - (m) A traffic impact assessment.
- (3) A minimum of 30% of Campsites shall be reserved for short-term use which shall not exceed fourteen days.
- (4) Fires are only permitted in fire pits, barbeques, wood burning stoves or other facilities approved by Fire Services. Any cooking facilities shall be located, constructed, maintained and used to minimize fire hazard and smoke nuisance.
- (5) A permanent Campground map shall be placed at the entrance to each Campground area, clearly identifying roadways, Campsite numbers, parking areas, Accessory Buildings and any other amenities. The Sign shall be kept current by the Registered Owner.
- (6) Pedestrian walkways shall be provided to Accessory Buildings and amenities, with a minimum width of 1.2 m, and drained, lit and surfaced to a standard compatible with the surrounding natural environment, to the satisfaction of the Development Officer.
- (7) Each Campsite number shall be clearly marked at the Campsite.
- (8) Each Campsite shall include an individual amenity space running the length of the Campsite a minimum of 3.0 m in width. The amenity space shall contain a picnic table, be landscaped with sod and contain a minimum of one tree.
- (9) Notwithstanding the above, amenity space for group Campsites shall be designed to the satisfaction of the Development Officer.
- (10) Each Campsite shall have a minimum 5.0 m Setback from a natural area, Accessory Building, walkway or playground.
- (11) All roadways shall be designed and maintained to accommodate emergency vehicles.

- (12) All roadways shall have directional signage to direct users and emergency vehicles to Campsites or other facilities.
- (13) The roadway system shall be designed with regard to the topography and environmental characteristics of the Site.
- (14) Each Campsite shall be large enough to accommodate one vehicle.
- (15) A minimum of one visitor parking stall for every twenty campsites shall be provided within a designated area, unless special circumstances permit the Development Officer to issue a variance.
- (16) Parking shall not be permitted on roadways, but must be accessed from an internal roadway.
- (17) Vehicles must use designated Parking Stalls when parked, and all Parking Stalls shall have an acceptable form of surfacing or ground cover to prevent erosion to the satisfaction of the Development Officer.
- (18) A minimum of 5% of the total area of the Campground shall be set aside as a common Amenity Area.
- (19) The common Amenity Area must contain a fire pit, cook hut, benches and picnic tables.
- (20) Campsites and other facilities or uses are not permitted in the Amenity Area.
- (21) A Campground with more than 10 campsites for Recreational Vehicles must provide a play structure in the Amenity Area.
- (22) A minimum of one water supply outlet for filling portable water storage tanks shall be provided On-Site.
- (23) A water supply outlet shall be located within 100.0 m of each Campsite.
- (24) A garbage collection facility shall be located within 100.0 m of each Campsite. In addition, an animal-proof garbage can shall be provided for each tent Campsite.
- (25) There shall be one toilet provided for each gender for every thirty Campsites. In addition, there shall be one toilet provided for every ten tent Campsites.
- (26) All toilets shall be connected to municipal services.
- (27) A Campground shall include a sanitary dumping station, designed, maintained and located to the satisfaction of the Development Officer.

- (28) Each sanitary dumping station shall provide a water outlet with the necessary appurtenances connected to the water supply system to permit periodic wash down of the immediate flushing and cleaning area.
- (29) A sanitary dumping station shall be easily accessible and located a minimum of 20.0 m from any Campsite or Amenity Area.
- (30) Fire hydrants shall be provided and located to the satisfaction of Fire Services.
- (31) The natural habitat should be conserved for the benefit of the users of the Campground. Trees and natural vegetation shall be retained as per Part 9 of this Bylaw.
- (32) Campgrounds designed for year-round use shall demonstrate the following:
  - (a) Internal roadways designed to accommodate snow removal;
  - (b) An On Site area for snow storage;
  - (c) Servicing for year-round use; and
  - (d) Use of Campsites is restricted to Recreational Vehicles between October 31 and May 1.

## **SECTION 61 CAR WASHES**

- (1) A Car Wash shall not have any vehicle exiting doors located within 23.0 m of a residential District, when measured to the nearest Site line of a Site designated as a residential District.
- (2) The Development Officer 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.
- (3) A minimum of four in-bound queuing spaces shall be provided, and one out-bound queuing space for each main entrance into the Car Wash facility. The Development Officer may require a greater number of in-bound spaces. In addition a variance may be issued to the minimum required queuing spaces where the design of the Development and number of entries warrants a reduction.

## **SECTION 62 CHILD CARE FACILITIES**

- (1) Child Care Facilities shall be in a separate facility, either within the Principal Building on the Site or in an Accessory Building, with a separate access to ground level.
- (2) The Development Officer shall, when deciding whether to approve or refuse a Child Care Facility in a commercial District, take into account, among other matters, traffic,

noise and proximity to hazardous uses to ensure the proposed Child Care Facility is in an appropriate location.

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

- (3) No portion of a Child Care Facility Use, including the Building or bay of the Building and, where provided, On Site outdoor play space, shall be located within 50.0 m of a Service Station or a Gas Bar. This distance shall be measured from the pump island, fill pipes, vent pipes, or Service Station or Gas Bar Building, depending on whichever is closest to the Child Care Facility.
- (4) Where On Site outdoor play space is provided, pursuant to the Provincial Child Care Licensing Regulation, it shall comply with the following regulations:
  - (a) Noisy, noxious or hazardous Adjacent Uses such as, but not limited to, Loading Spaces, garbage bins, large parking lots, Arterial Roads, passenger drop-off areas, rail lines, or stormwater lakes should either be avoided or their effects mitigated through Landscaping, buffering, Fencing, or other means.
  - (b) Outdoor play space shall be located at ground level. If no reasonable opportunity exists for outdoor play space at ground level, the Development Officer may approve an above grade outdoor play space provided that the following conditions are met:
    - (i) Secure perimeter Fencing is provided that is at least 1.8 m in Height and is located a reasonable distance from the edge of the Building; and
    - (ii) Roof top mechanical equipment is located a reasonable distance away from the play space to avoid sources of noise and fumes unless the mechanical equipment is designed so that it does not create adverse effects related to noise and fumes and can be integrated into the play area.
  - (c) Outdoor play space shall be securely enclosed on all sides with the exception of developments proposed in the PS – Public Service Institutional District and P1 – Parks and Recreation District where existing play fields are proposed as outdoor play space.
  - (d) In a residential District, outdoor play space may be allowed in any Yard, providing it is designed to limit any interference with other Uses, or the peaceful enjoyment of the properties of nearby residents, through Fencing, Landscaping, buffering and the placement of fixed play equipment.
  - (e) In any non-residential District, the outdoor play space shall not be located in any Yard that Abuts a Street unless the design, size and other characteristics of the proposed play space mitigate the potential impact from the Street traffic upon children using the play space.
- (5) All Development Permit applications for Child Care Facilities shall include:



- (a) Plans that show all elevations;
- (b) Floor plans that show indoor play and rest areas, including the location of windows; and
- (c) A Site Plan that shows the required On-Site Parking, drop-off facilities, and, where provided, On-Site outdoor play areas, including the location and type of fixed play equipment, as well as Fencing, Landscaping and any buffering to be provided.

## **SECTION 63 COMMUNICATION TOWERS**

- (1) In all cases, regulations and procedures set out by Industry Canada in regard to radio communication and broadcasting antenna systems shall take precedence over this Bylaw.
- (2) An applicant for a Communication Tower must apply for a radio communication and broadcasting antenna systems application from the Planning and Development Department.
- (3) Any new applications shall provide a co-location analysis to explore the option of using existing communication structures, towers or rooftops rather than Sites that would locate the tower at grade level. The applicant's preferred location shall include technical details to demonstrate the reason that it is the best fit over other locations.
- (4) Proof of a lease agreement must be demonstrated at the time of Development Permit application, or copy of the certificate of title for the subject property, issued within fifteen business days prior to the application date showing the applicant as the Registered Owner.
- (5) The Development Permit application shall demonstrate how the structures are designed, screened, and situated on the Site in such a way as to minimize any potential detrimental effects of the neighbourhoods or area within which they are proposed.

The following should be considered in 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.
- (b) Design and colour sensitive to the style of architecture in the neighbourhood to encourage unobtrusive, inconspicuous appearance.
- (c) Massing – situate as near as possible to similarly-scaled structures.

- (d) Lighting of the facilities is prohibited unless required by Navigation Canada.
  - (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.
  - (f) Access to facilities should be possible without unduly interfering with traffic flow or without unduly creating safety hazards.
- (6) Communications Towers are not permitted in residential Districts or in Natural Areas.
  - (7) An open house shall be held subsequent to the receipt of a complete application. Notices shall be sent to Registered Owners at a radius seven times the Height of the proposed Communication Tower. In addition to which the applicant shall advertise the open house in two consecutive editions of the local newspaper.
  - (8) Notwithstanding (7) above, where an application is made in the M1 – General Industrial District, the notification area will be at the discretion of the Development Officer, and dependent on the Height of the proposed structure.
  - (9) The City will submit a letter to Industry Canada upon completion of a processed application detailing:
    - (a) Its opinion as to whether the location of a new telecommunications facility is appropriate from the City’s land use perspective;
    - (b) Whether or not, in the City’s opinion, adequate public consultation has been conducted by the carrier; and
    - (c) The degree to which the carrier has met the regulations in Section 63 of this Bylaw as they relate to location, design and visual impact.

**SECTION 64 DENSITY BONUSING**

- (1) Density bonusing offer Developments the opportunity to surpass the level of Density as determined by the district applied to the Site. Density bonusing:
  - (a) is available for Row Housing and Multi-Unit Dwelling Developments only; and
  - (b) any Dwelling developed as Affordable Housing, as defined by this Bylaw, does not apply to the calculation of Density for the Development.
- (2) Any Affordable Housing Dwellings developed under this Section must remain available as Affordable Housing for a period of fifteen years.

## **SECTION 65 DRIVE THROUGH BUSINESSES**

- (1) A Drive Through Business shall not be located on a Site which is considered unsafe in terms of vehicle circulation and access, in the opinion of the Development Officer.
- (2) No drive through aisles are permitted in the Setback area. The Development Officer may require greater Setbacks than those established in the applicable District when considering Adjacent land Uses and vehicle circulation and access.
- (3) For Sites where the principal access to the Drive Through Business is from an Arterial Road, a minimum of twelve On Site queuing spaces shall be provided from the order window (first window to serve customers). For all other Drive Through Businesses, the minimum number of On Site queuing spaces required is nine.
- (4) Queuing spaces shall be a minimum of 6.0 m long and 2.8 m wide.
- (5) The queuing space must not overlap with any Parking Stalls or drive aisles.
- (6) Drive lanes shall have a sufficient turning radius to accommodate vehicle entrance to the drive through aisle.
- (7) No pedestrian access into the premises shall cross the drive through aisle.
- (8) Where the drive aisle is Adjacent to a residential District, screening shall be provided in accordance to Part 9 of this Bylaw.

## **SECTION 65A FOOD TRUCKS**

- (1) Pursuant to Section 11, subsection (1)(p), a Food Truck participating in a City sanctioned special event held on municipal property does not require a Development Permit.
- (2) A Development Permit application for a Food Truck must be for a specified site. The addition or substitution of a site, or location within a site, shall require a new Development Permit.
- (3) A Development Permit application shall include:
  - (a) A valid food handling permit issued by Alberta Health Services;
  - (b) Fire inspection approval;
  - (c) A waste disposal plan for disposal of garbage, grease, grey water and recycling; and
  - (d) Provision for water and power, if applicable; if a generator is required for power, it shall be quiet and not cause a disturbance.

- (4) A Food Truck shall not be left unattended unless the unit is closed and secured.
- (5) The area around the Food Truck shall be kept clean with a temporary garbage receptacle and a temporary recycling bin provided within 0.5 m of the Food Truck.
- (6) A Food Truck shall not:
  - (a) Take up required on-site parking stalls; or
  - (b) Damage or interfere with any required landscaping.
- (7) A Food Truck may be allowed one A-Board sign, in addition to any signs already approved for the site. The sign shall be in place only during hours of operation.  
(Bylaw C-891-14, May 25, 2015)

## **SECTION 66 FAMILY DAY HOMES**

- (1) A Family Day Home:
  - (a) Shall not be located in a Dwelling containing a Home Occupation;
  - (b) May require privacy screening that prevents visual intrusion into any outdoor play areas;
  - (c) May require Provincial or Family Day Home Agency approval.  
(Bylaw C-942-15, Jan. 29, 2016)

## **SECTION 67 GARAGE AND GARDEN SUITES**

- (1) A Garage Suite shall be developed as an integral part of a detached Garage which faces an Alley where the Principal Dwelling is a Single Detached Dwelling.
- (2) Only one of a Secondary Suite, Garage Suite or Garden Suite may be developed in conjunction with a Principal Dwelling on a Site.
- (3) A Garage Suite shall have an entrance separate from the vehicle entrance to the detached Garage, either from a common indoor landing or directly from the exterior of the structure.
- (4) The minimum Site width for a Site with a Garage Suite or a Garden Suite shall be 12.0 m.
- (5) The maximum Height of a Garage Suite shall be 6.5 m, or the Height of the Principal Dwelling, whichever is the lesser.
- (6) The maximum Height of a Garden Suite shall be 4.5 m.
- (7) The maximum Floor Area for Garage and Garden Suites shall be 60.0 m<sup>2</sup>.

- (8) The minimum Floor Area of a Garage Suite or Garden Suite shall be 30.0 m<sup>2</sup>.
- (9) The minimum Side Yard Setback shall be:
  - (a) For that portion of a detached Garage that contains a Garage Suite, the same as that for the Principal Dwelling in the applicable District.
  - (b) For a Garden Suite, the same as that for the Principal Dwelling in the applicable District.
  - (c) On a Corner Site where a Garage Suite or Garden Suite abuts a flanking Street, other than an Alley, the minimum Street Side Yard Setback shall not be less than that provided for the Principal Building.
- (10) The minimum distance between a detached Garage containing a Garage Suite, or Garden Suite and the Principal Dwelling on the same Site shall be 4.0 m.
- (11) A minimum of one Parking Stall shall be provided in addition to the required number of Parking Stalls for the principal Dwelling.
- (12) No Decks on Garage Suite or Garden Suite roofs shall be allowed.
- (13) Balconies shall be allowed as part of a Garage Suite developed above a detached Garage only where the Balcony faces the Alley or a flanking Street.
- (14) Windows contained within the Garage Suite portion of the detached Garage shall be placed and sized such that they minimize overlook into Yards and windows of abutting properties through one or more of the following:
  - (a) Off-setting window placement to limit direct views of abutting Rear or Side Yard amenity areas, or direct view into a Garage Suite or Garden Suite window on an abutting Site;
  - (b) Strategic placement of windows in conjunction with Landscaping or the placement of other Accessory Buildings; and
  - (c) Placing larger windows such as living room windows, to face an Alley, a flanking Street, or the larger of any Side Yard abutting another property.
- (15) A Garage Suite or Garden Suite shall not be allowed within the same Site containing a Secondary Suite, Group Care Facility or Limited Group Home, or Home Occupation.
- (16) Where Garage Suites are Discretionary within the applicable District, the Development Officer may exercise discretion in considering a Garage Suite having regard to:

- (a) Compatibility of the Use with the siting, Grade elevations, Height, roof slopes and Building types and materials characteristic of surrounding low density ground-oriented housing and Development;
  - (b) The effect on the privacy of adjacent Sites; and
  - (c) The policies and guidelines for Garage Suites contained in a Statutory Plan for the area.
- (17) Garage Suites shall not be subject to separation from the Principal Dwelling through a condominium conversion or subdivision.
- (18) All Garage and Garden suites shall be serviced from the main service curb cock and shall not be serviced through a separate service connection.

(Bylaw c-1025-17, March 5, 2018)

## **SECTION 68      GAS BARS AND SERVICE STATIONS**

- (1) The maximum Site Coverage for all Buildings on a Site under this section shall be 25% of the Site area.
- (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.
- (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.
- (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 Officer.
- (5) All fuel pumps shall be located a minimum of 6.0 m from the Site boundary.
- (6) A canopy over a fuel pump may extend to within 3.0 m of the Site boundary.
- (7) Where Gas Bars or Service Stations are adjacent to a Site to which a residential District is applied, or separated from them by an Alley, or are directly visible to residential Uses across a Street, the Development Officer shall consider the design, finishing, lighting and siting of 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 Adjacent Streets.
- (8) No part of the pump island, fill pipes, vent pipes, or Service Station or Gas Bar Building, depending on whichever is closest to the Child Care Facility, shall be located within 50.0 m of a Child Care Facility Use, including the Building or bay of the Building and, where provided, On Site outdoor play space.

(Bylaw C-1057-18, March 18, 2019)

## **SECTION 69 GROUP CARE FACILITIES AND LIMITED GROUP HOMES**

- (1) The Development Officer shall establish the maximum number of residents allowed in a Group Care Facility or Limited Group Home, on a case specific basis with attention given to the District in which the Use is located and the type of facility seeking approval.
- (2) Pedestrian and vehicular traffic shall not be generated in excess of what is characteristic for the area.
- (3) A Site containing a Group Care Facility or Limited Group Home shall not contain a Secondary Suite, Garage Suite or Garden Suite.

## **SECTION 70 HOME OCCUPATIONS**

- (1) A Home Occupation shall not be allowed in a residence if, in the opinion of the Development Officer, it would be more appropriately located in a Commercial or Industrial District.
- (2) A resident who intends to carry out a Home Occupation, where allowed as a Discretionary Use, shall make application for a Development Permit and shall, if given approval, comply with the following provisions:
  - (a) The Home Occupation shall be operated as a secondary Use only and shall not change the principal character or external appearance of the Dwelling involved.
  - (b) There shall be no outside display or storage of materials, commodities, or finished products.
  - (c) There shall be no mechanical or electrical equipment used which creates visual, audible or electrical interference with radio or television reception.
  - (d) No commodity other than the product or service of the Home Occupation shall be sold on the premises.
  - (e) No employee of a Home Occupation, other than a resident of the Dwelling, shall undertake any work at the Dwelling, including parking of their motor vehicle.

(Bylaw C-942-15, Jan. 29, 2016)
  - (f) If, at any time, any of the requirements for Home Occupations have not been complied with, the Development Officer may suspend or cancel the Development Permit.
  - (g) A Home Occupation that attracts clients, customers, or students to the premises shall be limited to a maximum of six persons in attendance at any one time.

(h) A Site containing a Home Occupation shall not contain a Secondary Suite, Garage Suite or Garden Suite.

(i) Not more than one business related vehicle, no heavier than 5,000 kg, shall be parked on the property at any time.

(Bylaw C-1057-18, March 18, 2019)

(j) A utility trailer parked on the property associated with the business shall not exceed 6.0 m in length.

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

## **SECTION 71 PRIVATE OUTDOOR SWIMMING POOLS**

(1) Private outdoor swimming pools shall be sited in accordance with Section 53.

## **SECTION 72 RECYCLING TRANSFER DEPOT**

(1) The location and siting of a Recycling Transfer Depot is subject to Section 13 of the Subdivision and Development Regulation (A.R. 43/2002).

(2) Where the Recycling Transfer Depot is the Principal Use of a Building, the Site shall be fenced with a Fence of 2.0 m in height.

(3) The Site shall have two gates suitable for vehicular access and egress.

(3) A Recycling Transfer Depot as an Accessory Use shall not be placed on the required On-Site Parking Stalls pursuant to Part 8 of this Bylaw.

## **SECTION 73 RELIGIOUS ASSEMBLY**

(1) The Site for a Religious Assembly shall have a minimum front Site line of 30.0 m and a minimum Site area of 930.0 m<sup>2</sup>.

(2) Where living quarters for religious officials are part of the Development, the minimum Site area shall be 1300.0 m<sup>2</sup>. In such cases, the Development shall not be located within the C2 - Vehicle Oriented Commercial District.

## **SECTION 74 SALES CENTRES**

(1) Sites containing Residential Sales Centres shall be located and developed such that their impacts on local Streets and surrounding residential Development are minimized. In deciding upon an application, the Development Officer shall take into consideration the scale of the Residential Sales Centre, its proximity to Arterial Roads or Collector Roads, and to occupied residential Development.



- (2) The applicant shall demonstrate that sufficient parking is available on or Adjacent to the Site so that parking congestion shall not develop on the portion of Streets serving existing Development in the vicinity of the Sales Centre.
- (3) The siting and Development of Residential Sales Centre Buildings shall comply with the regulations of the Land Use District applying to the Site.
- (4) A Sales Centre shall not operate for a period greater than twenty-four months, unless the Developer applies for and receives an extension from the Development Officer.
- (5) A Sales Centre shall be maintained in an orderly manner and shall have hard surface access for pedestrians.

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

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

## **SECTION 75 SECONDARY SUITES**

- (1) A Secondary Suite shall be operated as an Accessory Use only and shall not change the residential character of the Principal Dwelling.
- (2) A Secondary Suite shall be considered within the Principal Dwelling only.
- (3) In the case of a Secondary Suite located completely below the first Storey of a Single Detached 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.
- (4) The minimum Floor Area for a Secondary Suite shall be not less than 30.0 m<sup>2</sup>.
- (5) A Secondary Suite shall not be allowed within the same Site containing a Group Care Facility, Limited Group Home, Home Occupation, Garden Suite or Garage Suite.
- (6) A minimum of one on-site Parking Stall shall be provided in addition to the required number of Parking Stalls for the Principal Dwelling.
- (7) A Secondary Suite shall be serviced from the main service valve and shall not be serviced through a separate service connection.

(Bylaw C-1104-19, May 29, 2020)

## **SECTION 76 SHOW HOMES**

- (1) In addition to the information requirements in Section 12, a Development Permit application for a Show Home shall include the following information:
  - (a) The location of any exterior lighting; and

- (b) The size and location of any permitted Signs in accordance with a valid development agreement.
- (2) A Show Home shall not operate for a period greater than twenty-four months, unless the Developer applies for and receives an extension from the Development Officer.
- (3) Any exterior lighting shall be developed in accordance with Section 37 of this Bylaw.
- (4) When a Show Home use ceases, a Development Permit is required to convert the Development to a Dwelling for residential occupancy.
- (5) A Show Home shall be compatible in appearance with the character of the other Buildings in the area.

## **SECTION 77 SOLAR COLLECTORS**

- (1) A Solar Collector may be located on the roof or wall of a Building.
- (2) A Solar Collector mounted on a roof with a pitch of less than 4:12, may project:
  - (a) A maximum of 0.5 m from the surface of a roof, when the Solar Collector is located 5.0 m or less from a side Site Line, measured directly due south from any point along the side Site Line; and
  - (b) In all other cases, a maximum of 1.3 m above the maximum Height permitted in the District applied to the site.
- (3) A Solar Collector mounted on a roof with a pitch of 4:12 or greater, may project a maximum of 1.3 m above the maximum Height permitted in the District applied to the site.
- (4) A Solar Collector mounted on a roof shall not extend beyond the outermost edge of the roof.
- (5) A Solar Collector that is mounted on a wall:
  - (a) Must be located a minimum of 2.4 m above Grade; and
  - (b) May project a maximum of:
    - (i) 1.5 m from the surface of that wall, when the wall is facing a Rear Site Line; and
    - (ii) In all other cases, 0.6 m from the surface of that wall.
- (6) A Solar Collector mounted on a structure must meet Yard Setback regulations of the applied District.

(Bylaw C-1025-17, March 5, 2018)

- (7) A Solar Collector shall be mounted in such a way as to not produce glare to neighbouring properties and Streets.

## **SECTION 78 SURVEILLANCE SUITES**

- (1) A maximum of one Surveillance Suite shall be permitted on any single Site.
- (2) A Surveillance Suite shall not be used as a Principal Dwelling.
- (3) The Development Permit for a Surveillance Suite is considered void if the Use or Development with which the Surveillance Suite is associated ceases or is removed.
- (4) The maximum Floor Area of a Surveillance Suite shall be 80.0 m<sup>2</sup>.
- (5) Where a Surveillance Suite is not part of the Principal Building, it shall be sited in accordance with the following:
  - (a) A minimum of 2.0 m from any Buildings;
  - (b) A minimum of 2.0 m from rear and side Site boundaries; and
  - (c) No closer to the front Site boundary than the front line of the Principal Building.
- (6) When the Surveillance Suite is a Manufactured Home, the unit shall have CSA certification, with proof submitted as part of the application. The Manufactured Home shall be secured to a foundation and properly skirted to the satisfaction of the Development Officer. The exterior treatment shall be compatible with other Buildings on the Site and adjacent Sites.

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

## **SECTION 79 TRANSIT CENTRES**

- (1) Transit Centres provide convenient focal points for several bus routes to connect and allow transfer activities by passengers. Transit centres can be standalone facilities, or can include Park and Ride Facilities, or can be integrated into higher density land uses to access the higher ridership potential.

## **SECTION 80 WIND ENERGY SYSTEMS (SMALL) (SWES)**

- (1) A Development Permit for a Wind Energy System is an Accessory Use and shall be considered Discretionary and subject to the provisions of Section 54 of this Bylaw.
- (2) Definitions:

For the purpose of this Section the following definitions shall apply, in addition to those contained in Part 2 of this Bylaw:

#### BLADE

An element of a Wind Energy System rotor, which acts as a single airfoil, thereby extracting kinetic energy directly from the wind.

#### ROTOR'S ARC

The largest circumferential path travelled by a blade.

#### TOTAL HEIGHT

The height from the Grade at the base of the Building on which a SWES is mounted to the highest vertical extension of a SWES. In the case of a SWES with a horizontal axis rotor, total height includes the distance from Grade to the top of the tower, plus the distance from the top of the tower to the highest point of the rotor's arc.

#### TOWER

The structure which supports the rotor.

- (3) A Small Wind Energy System may only be located on the roof of a Building, with the exception of vertical axis turbines designed to capture updrafts.
- (4) In addition to the requirements of Section 12 of this Bylaw, applications for Small Wind Energy Systems shall include the following information where applicable:
  - (a) The manufacturer's specifications indicating:
    - (i) The SWES rated output in kilowatts;
    - (ii) Safety features and sound characteristics;
    - (iii) Type of material used in tower, blade, and/or rotor construction; and
    - (iv) Canadian Standards Association approval.
  - (b) Potential for electromagnetic interference;
  - (c) Nature and function of over speed controls which are provided;
  - (d) Specifications on the foundations and/or anchor design, including location and anchoring of any guy wires; and the

- (e) Location of existing Buildings or improvements.
- (5) Prior to making a decision on a Development Permit application for a Small Wind Energy System, the Development Officer may refer and consider the input of the following agencies and departments:
- (a) Public Utilities Board;
  - (b) Transport Canada; and
  - (c) Navigation Canada.
- (6) The Total Height of a Small Wind Energy System may exceed the maximum allowable Height of the applied District by a maximum of 2.0 m.
- (7) Small Wind Energy Systems shall comply with the following standards:
- (a) There shall be a limit of one Small Wind Energy system per Site.
  - (b) The system's Tower shall be located and screened by landforms, natural vegetation or other means to minimize visual impacts on neighbouring residences and Streets, public trails and other public areas.
  - (c) The system's Tower and supporting structures shall be painted a single, neutral, non-reflective, non-glossy colour (for example, earth-tones, gray, black) that, to the extent possible, visually blends the system with the surrounding natural and built environments.
  - (d) The system shall be equipped with manual and automatic over speed controls. The conformance of rotor and over speed control design and fabrication to good engineering practices shall be certified by a licensed mechanical, structural or civil engineer;
  - (e) The system shall be operated such that no electro-magnetic interference is caused.
  - (f) The system's maximum power shall not exceed 1 kW.
  - (g) Wind turbines shall not exceed 60 dB(A), or in excess of 5 dB(A) above the background noise, whichever is greater. The level, however, may be exceeded during short-term events including utility outages and severe windstorms.
  - (h) Brand names or advertising associated with the system or the system's installation shall not be visible from any public place.

## **SECTION 80A POST SECONDARY INSTITUTION**

- (1) A minimum of five percent (5%) of the Site shall be required to provide an Amenity Area which may consist of a single, distinct area or be divided into multiple areas. The Amenity Area shall include outdoor open space and include two or more of the following:
  - (a) Benches, picnic tables, or other seating;
  - (b) A gazebo or other shelter;
  - (c) A patio;
  - (d) Courtyards;
  - (e) Gardens; or
  - (f) Other amenity uses that would meet the needs of the facility for the specific Development under consideration.
- (2) Notwithstanding the regulations contained in Part 9 – Landscaping Regulations, the Development Officer may require additional Landscaping for a Site Adjacent to a residential District.

(Bylaw C-900-15, Feb. 23, 2015)

## **SECTION 80B RELIGIOUS ASSEMBLY, INCUBATION**

- (1) A Development Permit issued for this use shall include a condition requiring the landowner to grant to the City a restrictive covenant which recognizes that the use of surrounding parcels is predominantly industrial, prohibiting use on the parcel which conflicts with those industrial uses and prohibiting the use for Religious Assembly, Incubation after the expiry of the time period for which the Development Permit is issued, not to exceed three years.

(Bylaw C-939-15, Jan. 29, 2016)

## **SECTION 80C CANNABIS PRODUCTION FACILITY**

- (1) The owner or applicant shall provide as a condition of Development Permit a copy of the current licence and all subsequent licence renewals for all activities associated with Cannabis production issued by Health Canada.  
(Bylaw C-1027-17, June 13, 2018)
- (2) The owner or applicant shall obtain any other approval, permit, authorization, consent or licence that may be required to ensure compliance with applicable federal, provincial or municipal legislation.

- (3) All processes and functions of the Development shall be fully enclosed within a stand-alone Building, including but not limited to all Loading Spaces and docks, garbage containers, storage and waste material.
- (4) The Development shall be a singular Use and shall not be operated in conjunction with any other Uses.
- (5) The Development shall not be located Adjacent to an Arterial Road.
- (6) The Development shall include equipment designed and intended to remove odours from the air where it is discharged from the Building as part of a ventilation system.
- (7) The Development Site shall be located a minimum of 75.0 metres from a residential district.
- (8) The Development Authority may require, as a condition of Development Permit, a waste management plan, completed by a qualified professional, that includes details regarding:
  - (a) the incineration of waste products and airborne emissions, including smell;
  - (b) the quantity and characteristics of liquid and waste material discharged by the facility; and
  - (c) the method and location of collection and disposal of liquid and waste material.
- (9) The minimum number of Parking Stalls shall be based on the requirements for General Industrial Uses.
- (10) Fencing of the Site shall be required for security purposes, subject to the provisions of Section 34.
- (11) Notwithstanding the provisions of Section 127(2), Cannabis Production Facilities shall not be constructed with a Zero Side Yard. (Bylaw C-1027-17, June 13, 2018)
- (12) Notwithstanding the provisions of Part 10, no Sign shall be displayed on the Site that identifies the Use.
- (13) The Development may be subject to periodic inspections to ensure compliance with the Alberta Building Code, Alberta Fire Code, National Energy Code of Canada, Land Use Bylaw and approved Development Permit. (Bylaw C-999-17, Aug. 14, 2017)

## **SECTION 80D      CANNABIS SALES**

- (1) Cannabis Sales shall meet the requirements of the *Gaming, Liquor and Cannabis Act*.

- (2) A copy of the Retail Cannabis Licence issued by the Alberta Gaming and Liquor Commission shall be provided to the City prior to occupancy as a condition of development permit approval.
- (3) Cannabis Sales shall be a minimum of 25.0 m from Sites in a residential district.
- (4) In addition to the provisions of Part 10 – Sign Regulations, advertising inside the premises shall not be visible from the outside.
- (5) The premises must operate separately from other businesses, including providing a separate Loading Space when one is required.
- (6) The public entrance and exit to the Use must be direct to the outdoors.
- (7) Goods shall not be visible from outside the business premises.
- (9) A Development Officer may condition Cannabis Sales in the C1 - City Centre Land Use District to ensure visual interest is maintained on public sidewalks, Streets and walkways.

(Bylaw C-1027-17, June 13, 2018)