



# Town of Hanna



## Land Use Bylaw

**TOWN OF HANNA  
PROVINCE OF ALBERTA  
BY-LAW NO. 967-2012**

A BYLAW OF THE TOWN OF HANNA, IN THE PROVINCE OF ALBERTA, TO REGULATE THE DEVELOPMENT AND USE OF LAND IN THE TOWN OF HANNA

**WHEREAS:** pursuant to the provisions of Section 639(1) of the Municipal Government Act, as amended, the Council of the Town of Hanna must, by Bylaw in accordance with Section 692 of the Municipal Government Act, adopt a plan to be known as:

"THE TOWN OF HANNA LAND USE BYLAW"

**AND WHEREAS:** a Public Hearing was held on \_\_\_\_\_, 2012, as required by Section 230 of the Municipal Government Act.

**NOW THEREFORE:** THE COUNCIL OF THE TOWN OF HANNA IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as "The Town of Hanna Land Use Bylaw".
2. Bylaw No. 903-2002 being the "Town of Hanna Land Use Bylaw" currently in effect is hereby repealed including all amendments thereto and replaced by Bylaw No. 967-2012.
3. Council adopts as the Land Use Bylaw for those lands contained within its civic boundaries, "The Town of Hanna Land Use Bylaw."
4. Council adopts as "The Town of Hanna Land Use Bylaw" this text and the accompanying Schedules.
5. This Bylaw takes effect on the date of the third and final reading.

READ A FIRST TIME this \_\_\_<sup>st</sup> day of \_\_\_\_\_, 2012.

READ A SECOND TIME this \_\_\_<sup>th</sup> day of \_\_\_\_\_, 2012.

READ A THIRD TIME AND FINALLY PASSED this \_\_\_<sup>th</sup> day of \_\_\_\_\_, 2012

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER



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**PART I**

**Purpose & Definitions**

**1. Purpose**

The purpose of this Bylaw is to regulate and control the use and development of land and buildings within the Town of Hanna to achieve the orderly land use and economic development of the Town of Hanna.

**2. Definitions**

In this Bylaw:

**“Accessory Building or Structure”** means:

- (a) A structure separate and subordinate to the principal building, the use of which is incidental to that of the principal building and is located on the same parcel of land (i.e. detached garage, shed, workshop in a residential land use district);
- (b) all accessory buildings shall adhere to the requirements of **Part VII Section 6.**

**“Accessory Building – Fabric Covered”** means:

- (a) A **temporary** structure separate and subordinate to the principal building, the use of which is incidental to that of the principal building and is located on the same parcel of land;
- (b) the building is designed by virtue of easy assembly and dismantling;
- (c) Pre-engineered and commercially constructed of metal or synthetic tube and fabric, plastic or similar materials, and covered with waterproof sheeting, synthetic sheeting or plastic film;
- (d) Shall require the necessary building permits to meet all the requirements of the Alberta Safety Code to ensure foundation, anchoring and location/ placement are in accordance with the Alberta Safety Codes;
- (e) all fabric covered accessory buildings shall adhere to the requirements of **Part VII Section 6a.**

**“Accessory Use”** means a use customarily incidental and subordinate to the principal use or building and is located on the same parcel of land with the principal use or building.

**“Adult Entertainment Facility”** means

- (a) adult mini theatres which are any premises wherein live performances, motion pictures, video tapes, digital video discs, slides or similar electronic or photographic reproductions, the main feature of which is the nudity or partial nudity of any person, are performed or shown as a principal use or an

- accessory to some other business activity which is conducted on the premises;
- (b) erotic dance clubs which are any premises other than adult minitheatres wherein live performances, the main feature of which is the nudity or partial nudity of any person, are performed as a principal use or an accessory to some other business activity which is conducted on the premises;
  - (c) adult video stores which are businesses where the main feature of more than 50% of the inventory of the business is used to sell, rent, lease and/or loan "X"-rated Adult video tapes, digital video discs or other similar electronic or photographic reproductions, is the main features of which are the depiction of sexual activities and the display of persons in states of nudity or partial nudity;
  - (d) love boutiques/shops which are retail or wholesale businesses where the main feature of more than 50% of the inventory of the business is used to which the principal activity is the display and sale of nonclothing merchandise and/or products intended to be used for sexual pleasure;
  - (e) Massage Service establishment (for adult use only) that is distinguished or characterized by its emphasis on sexually oriented materials or entertainment depicting and/or describing, conduct or acts of a sexually explicit nature. For example, to provide live entertainment for its patrons which includes the display of nudity.

**"Act"** means the Municipal Government Act R.S.A. c. M-26.1, as amended.

**"Adjacent"** means land that is contiguous to a parcel of land and includes land that would be contiguous if not for a highway, road, river, stream or railway.

**"Airport"** means a site used or intended to be used either in whole or in part for the arrival and departure or servicing of aircraft, and includes any building, installation or equipment in connection, for which an airport license has been issued by the Ministry of Transport.

**"Auto Body and Paint Shop"** means a use where motor vehicle bodies are repaired or painted within a building;

**"Automotive Repair & Service"** means a use for the servicing and repair of motor vehicles within a building, excluding an auto body and paint shop, and includes such facilities as alignment shops, muffler shops, transmission repair shops, rust-proofing, brake shops and other similar uses;

**"Automotive Vehicle Sales"** means a use:

- (a) where motor vehicles are sold or leased;
- (b) may only store or display vehicles on portions of the parcel approved exclusively for storage or display; and
- (c) that may have a building for administrative functions associated with the use.

**"Auto Wrecker"** means a use:

- (a) where dilapidated vehicles are stored, dismantled or crushed;
- (b) where motor vehicle parts may be sold;
- (c) where motor vehicles in their complete and operable state are not displayed or sold;



- (d) that may have equipment used for crushing, dismantling or moving motor
- (e) that may have a building for administrative functions associated with the use;
- (f) that does not involve the manufacture or assembly of any goods.

**"Bed & Breakfast Establishment"** means accommodation facilities within an owner-occupied dwelling comprising up to four (4) guest rooms but no cooking facilities in guest rooms.

**"Boarding or Lodging House"** means a detached dwelling converted for gain or profit containing rooms for two or more persons where meals may or may not be served, not including the occupant and his or her immediate family, but does not include a hotel, motel, restaurant, café, coffee shop, drive-in refreshment stand or other similar use.

**"Building"** includes anything constructed or placed on, in, over, or under land, but does not include a primary highway or a public roadway.

**"Bulk Fuel Sales Depot"** means a use where fuel for motor vehicles is sold either with or without an attendant.

**"Campground"** means a use:

- (a) where spaces are provided for temporary accommodation of recreational vehicles or tents;
- (b) that may include a building for the administration of the use;
- (c) that may include laundry facilities for the occupants of the use; and;
- (d) that may include a dwelling unit for a manager.

**"Cannabis"** means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the Cannabis Act (Canada) and its regulations, as amended from time to time and includes edible products that contain cannabis.

**"Cannabis Accessory"** means cannabis accessory as defined in the Cannabis Act (Canada) and its regulations, as amended from time to time

**"Cannabis Cafe"** means a development where the primary purpose of the facility is the sale of Cannabis to the public, for consumption within the premises and which is authorized by provincial and federal legislation.

**"Cannabis Retail Sales"** means a retail store licensed by the Province of Alberta where Cannabis and Cannabis Accessories are sold to individuals who attend the premises.

**"Car Wash"** means a use where motor vehicles are washed and may contain one or more wash bays where each wash bay is capable of washing one motor vehicle at a time and must provide at least two (2) vehicle stacking spaces for each wash bay entrance door.

"**Clinic**" means an establishment in which medical, dental or other professional healing treatment is given to human beings.

"**Communication Tower**" means a structure designed to support antennas for telecommunications and broadcasting and may include television, cellular phone, or wireless internet or radio signals. Communication Towers are regulated by Industry Canada however municipal consultation is required and considerations respected.

"**Confined Feeding Operation**" means an activity on land that is fenced or enclosed or within buildings where livestock is confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing and requires registration or approval under the conditions set forth in the Agricultural Operations Practices Act (AOPA) through the Natural Resources Conservation Board (NRCB).

"**Contractor's Shop**" means a use:

- (a) where people with specific skills in the building or construction trades enter into contracts to do work off of the premises;
- (b) where all of the functions associated with the use are entirely within a building;
- (c) where products relevant to the trade may be made or partially assembled for installation off-site;
- (d) where an area, contained within the building, may be used for product display and sales associated with the use;
- (e) that may have an area to keep supplies related to the trade;
- (f) that may have the administrative functions associated with the use; and
- (g) where the outdoor storage of equipment, tractors, skid-steer, dump trucks, mechanized lift buckets, cranes, or other equipment is considered as a separate use defined as **storage yard**.

"**Corner Site**" means a site at the intersection of two or more streets.

"**Council**" means the Municipal Council of the Town of Hanna.

"**Daytime Child Care Services**" means a development licensed by the Province of Alberta to provide daytime personal care and education to children, but does not include overnight accommodation. Typical uses include day care centres, day nurseries, kindergartens, nursery schools, and play schools.

"**Development**" means:

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

"**Development Authority**" means

- (a) a person (or persons) appointed as Development Officer by Bylaw,
- (b) the Municipal Planning Commission appointed by Bylaw.

**"Development Commencement"** means the moment construction is started on site (i.e. Excavation) or the land use has begun for the purposes of the development permit application.

**"Development Completion"** means the moment the required building/development permit conditions and requirements have been met for the purposes of the development permit application and/ or the final inspection reports have been received (as required for the project).

**"Development Officer"** means an official of the Town of Hanna authorized to administer this Bylaw and to decide upon applications for development permits in accordance with the provisions of this Bylaw.

**"Development Permit"** means a document issued pursuant to this land use bylaw authorizing a development.

**"Discretionary Use"** means a use of land or a building, provided for in this land use bylaw that is considered on its individual merits and circumstances and for which a development permit may be issued at the discretion of the development authority having jurisdiction upon an application having been made.

**"Dwelling"** means any building or structure used exclusively for human habitation and which is supported on a permanent foundation as required by the Alberta Building Code and includes the following types:

- (a) **"Apartment"** means a residential building designed and built to contain three or more dwelling units with shared services, facilities and outside entrances.
- (b) **"Attached Housing"** means a building designed and built to contain three or more dwelling units separated from each other by a fire wall with each unit having separate entrances from grade level. (For the purposes of this Bylaw, garden, linked, row, townhouses, four-plex, five-plex, and six-plex units which meet these criteria are considered to be attached houses.)
- (c) **"Detached"** means a conventional built-on-site residential building, not including manufactured or modular homes, that contains one dwelling unit.
- (d) **"Duplex"** means a single residential building containing two dwelling units divided horizontally, each of which is completely separated from the other by an unpierced ceiling and floor extending from exterior wall to exterior wall, and may contain a common stairwell to access both dwellings.
- (e) **"Garden Suite"** means a *temporary* moveable dwelling which is the second dwelling unit on the lot and accessory to a *single detached dwelling*. Garden suites may be occupied by elderly relatives of the

owner of the principal residence, or other relatives needing care, and the unit is removed when it is no longer required.

- (f) **"Manufactured Home"** means a built off-site transportable, single or multiple section single detached dwelling unit conforming to CAN/CSA Z240 MH Series certified standards at time of manufacture. It is ready for residential occupancy upon completion of set-up in accordance with required factory recommended installation instructions and the Alberta Building Code and shall meet the requirements of **Part VII Section 54**.
- (g) **"Modular Home"** means a prefabricated or factory built frame or shell which comprises the wall or siding of a proposed dwelling. More specifically, a modular home represents only a section of the dwelling and such a unit has neither chassis, running gear, nor its own wheels, but units may be stacked side-by-side or vertically, and completed to form one or more complete dwelling unit(s) for year-round occupancy. Modular homes shall be constructed to the CSA A-277 Standard and are not to be considered as manufactured homes under this Bylaw and will be congruent in appearance to existing surrounding buildings.
- (h) **"Moved On"** means a structure used at a previous location that has now been relocated to a new parcel for use as a dwelling.
- (i) **"Park Model"** means a recreational vehicle conforming to CAN-CSA series Z241 that may be used as a permanent or semi-permanent dwelling. The minimum allowable size of a park model is 29.74m<sup>2</sup> (320 sq.ft.);
- (j) **"Ready-to-move (RTM)"** means a newly constructed single detached dwelling that is constructed in an off-site location in accordance with the Alberta Building Code and moved to the site to be set on a permanent foundation to be similar in function and appearance to a conventional built-on-site single-detached dwelling. This definition does not include modular or manufactured homes.
- (k) **"Semi-detached"** means development consisting of two dwellings, each accommodating one household, situated side by side and sharing a vertical common wall. Each dwelling shall have separate, individual and direct access to grade, with no interior access connections, and no common means of access with other dwellings.

**"Dwelling Unit"** means a building or a self-contained portion of a building for the residential use of one or more people living as a single housekeeping unit with sleeping, cooking and sanitation facilities, and intended as a permanent residence.

**"Easement"** means a right to use land generally for access to other property or as a right-of-way for a public utility.

**"Existing"** means existing as of the effective date of passage of this Bylaw.

**"Extensive Agricultural"** means systems of tillage and animal husbandry through which one may gain livelihood from large areas of land by the raising of crops or the rearing of livestock either separately or in conjunction with one another in unified operations and includes buildings and other structures

incidental to the operation but does not include feedlots, intensified hog operations or poultry farms.

**"Fabric Covered Building"** means a steel-framed, fabric-membrane pre-engineered building for temporary & permanent industrial, commercial & agricultural applications including warehouses, equipment storage, manufacturing facilities, barns, stables, arenas & event centers. All fabric covered buildings shall require the appropriate building permits to ensure all aspects of the development is in accordance with the Alberta Safety Codes including appropriate foundation construction and building anchoring.

**"Fence"** means a vertical physical barrier used to prevent or restrict passage, to provide visual screening, sound attenuation, yard décor, protection from dust or the elements, or to mark a boundary and shall be constructed out of typical building materials.

**"Front Lot Line"** means the boundary dividing the lot from an abutting street. In the case of a corner lot, the shorter boundary shall be deemed to be the front lot line.

**"Front Yard"** means a yard extending across the full width of a parcel from the front lot line of the parcel to the front foundation of the main building situated on the parcel.

**"Funeral Home"** means a business establishment where the bodies of the dead are prepared for burial or cremation, and where funeral services may be held.

**"Grade Level"** means the elevation of the finished ground surface. Where grade level is varied on the site the average elevation of finished ground surface calculated at the corners of the development shall determine grade level.

**"Greenhouse"** means a building designated and used for the growing of vegetables, flowers and other plants for commercial purposes, transplanting or for sale.

**"Gross Floor Area"** means the total area of all floors of a building, excluding the area of basement floors, EXCEPT THAT basement suites in apartment buildings shall be included in the calculation of gross floor area.

**"Group Care Facility"** means a development that includes both residential care and either health services, rehabilitation, counseling or treatment, including addiction treatment for a maximum of eight (8) individuals or, the development may provide for residential care including meals, sleeping accommodation and limited incidental care supplied by care-givers or staff wherein the maximum number of permitted residents plus staff may not exceed eight (8).

**"Group Home"** means a building or portion of a building where social, physical or mental care or rehabilitation is provided to children, adolescents or adults living full time in the facility. A group home shall meet the requirements of the applicable Provincial regulations for the use.

**"Heavy Equipment Assembly, Sales and Service"** means the assembly, sales, rental and service of any heavy vehicle or equipment used in commercial, industrial or agricultural activities.

**"Heavy Manufacturing"** means the manufacture of products, the process of which generates fumes, gases, smoke, vapours, vibrations, noise or glare, or similar nuisances that may cause adverse effects on users of adjacent land.

**"Height"** means, when used with reference to a building or structure, the vertical distance from grade level to the highest point of the roof.

**"Home Occupation"** means any occupation, trade, profession, or craft carried on by an occupant of a residential building or a use secondary to the residential use of the building, and which does not change the residential nature of the building. A home occupation shall not include the outside storage of materials, goods or equipment.

**"Hotel/Motel"** means a development providing temporary sleeping accommodation in rooms or suites and which may incorporate eating, drinking, entertainment, convention, sports, recreation, personal service, office and retail facilities that are related to the principal use.

**"Impound Lot"** means a secure storage area for vehicles that have been stolen, abandoned, or parked illegally or have been involved in an accident or crime. The Impound Lot operations are regulated under the Traffic Safety Act, Vehicle Seizure and Removal Regulation, and any amendments made thereto.

**"Kennel"** means any place where three or more dogs and/or 5 or more cats over the age of 90 days are cared for, maintained, boarded, bred, or trained whether or not the owner receives compensation for such activities.

**"Lane"** means a public thoroughfare which provides a secondary means of access to a site or sites.

**"Landscaping"** means to change or modify the natural features of a site so as to make it more attractive by adding lawns, trees, shrubs, ornamental plantings, fencing, walks, drives, or other structures and materials.

**"Licensed Beverage Establishment"** means an establishment licensed by the Province of Alberta, in which alcoholic beverages are served for consumption on the premises and any preparation or serving of food is accessory thereto. This term includes but is not limited to bars, taverns, pubs and lounges.

**"Light Manufacturing"** means the assembly or packaging of articles from previously prepared materials, but does not include uses which may be obnoxious by reason or emission of odors, dust, noise, smoke or vibrations.

**"Liquor Store"** means a use where alcoholic beverages are sold for consumption off the retail outlet premises that has been licensed by the Alberta Gaming and Liquor Commission;

**"Livestock"** means cattle, horses, sheep, goats, and other types of farm animals in accordance with **Part VII Section 66 Animal Units**.

**"Loading Space"** means a space for parking a commercial vehicle while it is being loaded or unloaded.

Amended:  
Bylaw # 982-2016  
Nov 8, 2016

**"Manufactured Home Park"** means a parcel of land under one title which has been planned and divided into manufactured home sites and improved for placement of manufactured homes for permanent residential use.

**"Manufactured Home Subdivision"** means an area subdivided by registered plan, containing lots for manufactured homes for free-hold or leasehold tenure.

**"Municipality"** means the area of land contained within the boundaries of the Town of Hanna's corporate limits.

**"Municipal Planning Commission" or (M.P.C.)** means the Hanna Municipal Planning Commission established by Council pursuant to the Act.

**"Neighbourhood Convenience Store"** means a retail commercial establishment supplying groceries and other daily household necessities to the immediate surrounding area, and may include a single residential unit within the same building.

**"Non-conforming Building"** means a building lawfully constructed or lawfully under construction at the date this Bylaw becomes effective, as required by the Act, and which does not or will not comply with the requirements of this Bylaw.

**"Non-conforming Use"** means a lawful specific use being made of land or a building or intended to be made of a building lawfully under construction at the date this Bylaw becomes effective, as required by the Act, and which does not or will not comply with the requirements of this Bylaw.

**"Parcel"** means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office.

**"Parking Lot"** means an area, usually divided into individual spaces, intended for parking motor vehicles. The facility may be publically or privately owned.

**"Permitted Use"** means the use of land or of a building for which a development permit shall be issued provided it otherwise conforms to the Regulations and all other standards of this Bylaw.

**"Personal Service Establishment"** means a development used for the provision of personal services to an individual which are related to the care and appearance of the body. Or the cleaning and repair of personal effects including barbershops, hairdresser, beauty salons, tanning salons, tailors, dressmakers, shoe repair shops and other similar uses.

**"Principal Building"** means a building in which is conducted the main or dominant use of the site on which it is erected.

**"Public or Quasi-public Building, Facilities and Installations"** includes any building which is used by the public for the purpose of assembly, instruction, culture or enlightenment or for a communal activity, but does not include a church, school, or place of public entertainment for which an admission fee is customarily charged. In addition, it includes a building as defined in the Municipal Government Act in which the proprietor of the public utility maintains its office or offices or maintains or houses any equipment used in connection with the public utility.

Amended:  
Bylaw # 982-2016  
Nov 8, 2016

**"Rear Yard"** means a yard extending across the full width of a parcel from the rear foundation of the main building situated on the parcel to the rear boundary of the parcel.

**"Recycling Facility"** means a use where recyclable materials are collected, sorted, stored and or processed and packaged for future reuse or appropriate disposal. Product may also be transported to other facilities for further preparation for reuse or appropriate disposal. This use does not apply to auto wreckers.

**"Renewable Energy System"** means a use:

- (a) that produces electrical power to be used for the on-site consumption requirements by alternative means such as, but not limited to, active and passive solar collectors, photovoltaic solar panels, or geothermal energy but not including wind energy towers;
- (b) may be connected or disconnected from the electrical grid in accordance with the requirements of the power line company;
- (c) may provide residual power to the grid but is not intended to produce power primarily for resale;
- (d) a Renewable Energy System shall be in accordance with **Part VII Section 62**.

**"Restaurant"** means a use

- (a) where food is prepared and sold for consumption on the premises and may include the sale of prepared food for consumption off the premises;
- (b) that may be licensed for the sale of liquor by the Alberta Gaming and Liquor Commission; and
- (c) that may contain a drive-through as a separate use.

**"Retail Store"** means a building where goods, wares, merchandise, substances, articles or things are stored, offered or kept for sale and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles or things, sufficient only to service such a store. This definition does not include Cannabis Retail Sales.

**"Reversed Corner Lot"** means a residential lot where the front façade of the dwelling is oriented toward the flankage side of the lot, rather than the front lot line on a corner site.

**"Secondary Suite"** means an accessory dwelling unit that is located as part of the same building as a single detached dwelling that is owner occupied and which meets the requirements of this bylaw and any other applicable requirements or regulations and shall only be approved as one of the following:

- (a) Secondary Suite – Attached Above Grade: where the secondary suite is located above the first storey of a single detached dwelling;
- (b) Secondary Suite – Attached At Grade: Where the Secondary Suite is located at grade and is attached to the side or rear of a single detached dwelling;

Amended:  
Bylaw # 997-2018  
July 10, 2018



- (c) Secondary Suite – Attached Below Grade: where the Secondary Suite is located below the first storey of a single detached dwelling;
- (d) Secondary Suite – Accessory building: where the Secondary Suite is a separate building or as a part of an accessory building and located on the same parcel as a single detached dwelling.

**"Self-Storage Facility"** means a use:

- (a) where goods are stored in a building;
- (b) where the building is made up of separate compartments and each compartment has separate access;
- (c) that may be available to the general public for the storage of personal items;
- (d) that may include the administrative functions associated with the use; and
- (e) that may incorporate security or custodial quarters for the facility.

**"Senior Citizens Housing"** means any multiple unit dwelling used as a residence for elderly persons that may or may not require medical care. Senior Citizen Housing may include assisted living, seniors lodge or supportive living in accordance with the applicable Provincial regulations and requirements.

**"Shopping Centre"** means a group of commercial establishments planned, developed, owned, and managed as a unit with off-street parking provided on the site.

**"Side yard"** means a yard extending from the front wall of the main building situated on a parcel to the rear wall of the main building and lying between the side boundary of the parcel and the side foundation of the main building.

**"Sign"** means a device or structure for providing direction or providing information or calling attention to such things as a development, business, product, service, location, object, event or person, but does not include traffic control devices. All sign applications shall meet the general regulation requirements of this Bylaw. (For the purposes of issuing development permits pursuant to this Bylaw, a "sign" includes the sign supporting structure or structures.)

- (a) **"Area of Sign"** means the total surface area within the outer periphery of the said sign, and, in the case of a sign comprised of individual letters or symbols, shall be calculated as the area of a rectangle enclosing the letters or symbols. Frames and structural members not bearing advertising matter shall not be included in computation of surface area.
- (b) **"Billboard"** means a self-supporting sign to which advertising is posted, glued or otherwise fastened to permit its periodic replacement, the subject matter of which is not necessarily related to the use or ownership of the property on which the structure is located;
- (c) **"Fascia Sign"** means a sign placed flat and parallel to the face of the building so that no part projects more than one foot from the building;

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- (d) **“Free-standing Sign”** means a sign on a standard or column permanently attached to the ground and which is not connected in any way to any building or other structure;
- (e) **“Projecting Sign”** means a sign which is attached to a building or structure so that part of the sign projects more than one foot from the face of the building or structure;
- (f) **“Roof Sign”** means any sign placed on or over a roof;
- (g) **“Sandwich Board”** means a portable sign placed on the ground surface only within the frontage area of the business which is advertised;
- (h) **“Portable Sign”** means a *temporary* sign mounted on a stand or similar support and which together with the support can be relocated to another location on or off a site and may include copy that can be changed manually through the use of attachable characters. Such signs are typically operated by a business which leases these signs to other businesses
- (i) **“Bench Sign”** means any sign which is placed or erected on an immobile seat;
- (j) **“Community Information Sign”** means any sign intended to display information related to community organizations, events or not-for-profit groups.
- (k) **“Illuminated Sign”** means any sign that uses internal or exposed illumination including, but not limited to, electric lamps, neon tubing, light emitting diodes. etc. Illuminated Signs shall not employ the use of strobe lighting and shall be in accordance with the applicable general regulations;
- (l) **“Digital Sign”** means any Sign that is remotely changed on or off Site and has a Message Duration time established. Digital Signs incorporate a technology or method allowing the Sign to change Copy without having to physically or mechanically replace the Sign face or its components;
- (m) **“Banner Sign”** means a sign that is constructed of non-rigid material capable of being displayed without the use of a flag pole.
- (m) **Wall Sign** means a sign that:
- (i) indicates, by name or symbol, the occupant, business or site upon which the *sign* is displayed; and
  - (ii) Is painted directly onto an exterior wall of a building;

**"Site"** means a lot or parcel of land on which a development exists or occurs or for which an application for a development permit is made.

**"Site Coverage"** means the ratio of all principal and accessory buildings or structures (including verandas, porches, enclosed/ covered/ decks) on a site to the total lot area. Such buildings and structures do not include steps, eaves, cornices and open decks.

**"Small Animal Care Centre"** means a use:

- (a) where small animals are washed, groomed, trained or boarded;
- (b) where the animals must not be boarded overnight; and
- (c) that may have the incidental sale of products relating to the services provided by the use; and
- (d) must not have any outside enclosures, pens or exercise areas.

**"Small Wind Energy System"** means a wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity in accordance with the Alberta Utilities Commission regulations, and which is intended to primarily provide electrical power for the on-site consumption requirements, either on or off-grid, and may provide residual power to the grid but is not intended to produce power primarily for resale. A SWES shall be in accordance with **Part VII Section 61**.

**"Storage Structure"** means a structure that does not meet the definition of an accessory building and is used for the storage of goods or equipment. A storage structure may be in the form of a shipping container (sea can), trailer or other structure **Part VII Section 63**.

**"Storage Yard"** means a use:

- (a) where goods, motor vehicles or equipment used in road construction, building construction, oilfield services and similar industries are stored when they are not being used are stored outdoors;
- (b) where the vehicles and equipment stored may also be serviced, cleaned or repaired;
- (c) that may involve the storage of construction material such oil and gas pipeline materials;
- (d) that does not involve the storage of any derelict vehicles or derelict equipment;
- (e) that does not involve the production or sale of goods as part of the use; and
- (f) that may have a building for the administrative functions associated with the use.

**"Subdivision and Development Appeal Board"** means the Hanna Subdivision and Development Appeal Board established by Council pursuant to the Act.

**"Temporary Assembly"** means a use where people gather for ceremonies, religious services or social events. Even on a temporary or occasional basis, any structures on the subject property must meet minimum Safety Code standards for occupancy and must adhere to all Provincial legislation.

**"Temporary Development"** refers to a proposed development, where the intent is to operate the use or structure for a specified period of time, not to

exceed one (1) year from the effective date of the permit issued in relation to the temporary development unless otherwise approved by the development authority in consideration of a land use that is temporary but has longer term requirements due to the specific use or project. Any temporary development permit will state a date on which the development will cease. Temporary Development shall be considered a discretionary use in all land use districts.

**"Utilities"** means any one or more of the following:

- (a) systems for the distribution of gas, whether artificial or natural;
- (b) facilities for the storage, transmission, treatment, distribution or supply of water;
- (c) facilities for the collection, treatment, movement, or disposal of sanitary sewage;
- (d) storm sewer drainage facilities;
- (e) systems for electrical distribution and lighting;
- (f) systems for telephone & cable television distribution.

**"Warehousing"** means a use:

- (a) where goods are stored and packaged inside a building;
- (b) where goods are transported to and shipped from the use;
- (c) where the building has loading docks and overhead doors;
- (d) that does not accommodate the manufacture of any goods;
- (e) that does not accommodate any display or sales area; and
- (f) that may have administrative functions associated with the use.

**"Work Camp"** means a residential complex used to house employees by various contracting firms on a temporary basis, and without restricting the generality of the above, the camp is usually made up of a number of mobile units, clustered in such fashion as to provide sleeping, eating, recreation, and other basic living facilities. The units may be dismantled and removed from the site from time to time. A Work Camp may contain accessory uses such as temporary offices and storage areas.

**"Worship Facility"** means any facility used for the primary purpose of spiritual worship. Examples may include, but are not limited to, churches, temples, mosques, and synagogues.

**All other words and expressions have the meanings respectively assigned to them in the Municipal Government Act.**

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**PART II****Administrative Agencies****1. Development Authority - Agencies**

The Development Authority shall exercise development powers and perform duties on behalf of the municipality in accordance with **Section 642** of the Municipal Government Act and may include:

**(a) Development Officer**

- (i) The office of the Development Officer is hereby established, by resolution, to act on behalf of Council in those matters delegated by the Bylaw and in such matters as Council may instruct from time to time.
- (ii) The Development Officer must make available for inspection, during office hours, all applications and decisions for development permits, subject to any legislation in force restricting availability.

**(b) Municipal Planning Commission**

The Municipal Planning Commission (MPC) established by Bylaw shall perform such duties as are specified in Part III of this Bylaw.

**(c) Subdivision and Development Appeal Board**

The Subdivision and Development Appeal Board, established by Bylaw in accordance with the Municipal Government Act, shall perform such duties as are specified in Part IV of this Bylaw.

**2. Subdivision Authority**

The Subdivision Authority, as established by Council, shall perform duties on behalf of the municipality in accordance with the Municipal Government Act, the Land Use Bylaw and all relevant planning documents.

**3. Development Authority – Powers and Duties**

- (a) The Development Authority must administer this Bylaw and decide upon all development permit applications.
- (b) The types of development permit applications a development authority may consider in accordance with Part III, Section 10 are a development permit for:
  - (i) a permitted use that complies with all requirements of this Bylaw;
  - (ii) a permitted use that does not comply with all requirements of this Bylaw;
  - (iii) a discretionary use that complies with requirements of this Bylaw;
  - (iv) a discretionary use that does not comply with all requirements of this Bylaw.
- (c) Unless otherwise referenced in **Section 11**, the Development Authority must not approve a development permit for an addition or structural alteration to a non-conforming building.

- (d) The Development Officer must collect fees according to the schedule approved by resolution of Council.
- (e) The Development Authority may refuse to accept a development permit application where:
  - (i) the information required by **Part III Section 9** is not provided;
  - (ii) the quality of the information provided is inadequate to properly evaluate the application; or
  - (iii) the fee for a development permit application has not been paid.

#### 4. Subdivision Authority – Powers and Duties

The Subdivision Authority shall:

- (a) keep and maintain for the inspection of the public copies of all decisions and ensure that copies of same are available to the public at a reasonable charge;
- (b) keep a register of all applications for subdivision, including the decisions therein and the reasons therefore;
- (c) receive all complete applications for subdivision including the required application fees and decide upon all applications in accordance with the Subdivision and Development Regulation and Land Use Bylaw with consideration of all comments received through circulation and the recommendations of the Municipal Planning Commission;
- (d) On receipt of an application for subdivision, review to ensure sufficient information is provided to adequately evaluate the application in accordance with Part 1 of the Subdivision and Development Regulation;
- (e) Excepting subdivision applications not requiring circulation under the Municipal Government Act to circulate applications for subdivision for comments to those authorities and agencies as prescribed within the Subdivision and Development Regulation and this Land Use Bylaw and all comments to be added to the subdivision report;
- (f) Excepting subdivision applications not requiring circulation under the Municipal Government Act to circulate applications for subdivision for comments to the Special Areas when the original parcel boundaries are adjacent to the municipal boundary or at the discretion of the subdivision authority, where a subdivision application is not adjacent to the municipal boundary but has potential for land use impacts within Special Areas;
- (g) Excepting subdivision applications not requiring circulation under the Municipal Government Act, the Subdivision Authority may proceed with processing of the application after thirty (30) days from the date of referral to authorities, agencies or landowners whether or not comments have been received;
- (h) prepare a subdivision report including all relevant information to the application, recommendations and any comments received from circulated agencies and review with the Municipal Planning Commission for municipal recommendations;
- (i) prepare, sign and transmit all notices of decision to the relevant agencies in accordance with the Subdivision and Development Regulation;
- (j) ensure all conditions are complied with prior to endorsement to the satisfaction of the municipality;
- (k) endorse Land Titles instruments to effect the registration of the subdivision of land.

- (l) advise the Council, Municipal Planning Commission and Subdivision and Development Appeal Board on matters relating to the subdivision of land;
- (m) appear before the Subdivision and Development Appeal Board or Municipal Government Board where appeals are made on subdivision application decisions.

**PART III****Development Permit Application****1. Control of Development**

- (1) No development other than those designated in **Section 9** shall be undertaken within the Municipality unless an application for it has been approved and a development permit has been issued.

**2. Development Permit Not Required**

It shall not be necessary to obtain a development permit prior to commencement of the following developments provided the development otherwise complies with the provisions of this Bylaw.

- (1) The carrying out of works of maintenance or repair to a building provided that such works:
- (a) do not include changes that would affect any of the regulations in this land use bylaw (i.e. Building footprint, setbacks, height, etc);
  - (b) do not change the use, or intensity of use, of the structure and;
  - (c) any structural alterations shall require the appropriate safety codes permits.
- (2) The completion of a building which could be prohibited by this Bylaw, but was lawfully begun on or before the date of passage of this Bylaw provided that the building:
- (a) is completed within 12 months of the date of commencement; and
  - (b) complies with any development permit issued for it.
- (3) The use of any such building as is referred to in subsection (2) for the purpose for which construction was commenced.
- (4) The erection or construction or replacement of one (1) accessory building per site, which does not exceed 9.3 m<sup>2</sup> (100 sq. ft.) in floor area and is not placed on a permanent foundation or connected to any utilities. Additional accessory buildings shall require a development permit application.
- (5) A temporary construction site building, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit was issued under this Bylaw and which is removed from the site upon completion of construction/alteration.
- (6) The maintenance or repair of public works, services or utilities carried out by or on behalf of Federal, Provincial and Municipal public authorities on land which is publicly owned or controlled.
- (7) The use of a building or part thereof as a temporary polling station for a Federal, Provincial, or Municipal election, referendum or plebiscite.



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- (8) The construction, maintenance and repair of private walkways, pathways, driveways and similar works.
  - (9) The placement of signs that:
    - (a) are for the purpose of identification, direction and warning, not exceeding 1 m<sup>2</sup> (10 sq. ft.) and limited to one sign per parcel;
    - (b) relate to a Home Occupation or Bed and Breakfast Establishment and which do not exceed 0.3 m<sup>2</sup> (3 ft<sup>2</sup>), are fixed to the principle or accessory building, and limited to one sign per parcel; and
    - (c) related to the function of Local Authorities and Utilities Boards.
  - (10) An official notice, sign, placard or bulletin required to be displayed pursuant to provisions of Federal, Provincial or Municipal Legislation.

### **3. Application for a Development Permit**

- (1) Any owner of a parcel, an authorized agent, or other persons having legal or equitable interest in the parcel may make application for a development permit to the Development Officer using the approved form and shall be accompanied by information as may be required by the Development Authority to evaluate the application including, but not limited to:
  - (a) a site plan in duplicate, drawn to scale, which shows the following:
    - (i) legal description of the site with north arrow;
    - (ii) area and dimensions of the land to be developed including the front, rear and side yards if any;
    - (iii) area and external dimensions including the heights of all buildings and structures to be erected on the land;
    - (iv) any provisions for off-street loading and vehicle parking, including all access and exit points to the site; and
    - (v) the position and distances of any existing building, roads, water bodies, trees or other physical features on the land to be developed.
  - (b) floor plans, elevations, sections in duplicate and an indication of the exterior finishing materials and colour if required by the Development Authority;
  - (c) pictures of the interior and exterior of an existing building that is proposed to be moved on to a parcel within the Municipality;
  - (d) a statement of the proposed use or uses;
  - (e) a statement of ownership of land and the interest of the applicant therein;

- (f) the estimated commencement and completion dates;
- (g) the estimated cost of the project or contract price;
- (h) the development permit fee as prescribed by Council;
- (i) a surveyor's certificate or real property report if required by the Development Officer;
- (j) professionally prepared grading and drainage plans to the satisfaction of the development officer to ensure grade level is sufficiently considered with regard to adjacent properties and infrastructure requirements;
- (k) written agreement of the registered land owner(s) of the property with regard to the proposed development;
- (l) Damage Deposits:
  - (i) A damage deposit per lot at the discretion of the Development Officer with the amount determined in consideration of the potential for damage to public infrastructure shall be paid upon receipt of a development permit. This requirement may be waived if, in the opinion of the Development Officer, there are no improvements abutting the property that could sustain damage during construction.
  - (ii) The damage deposit shall be used by the Municipality to repair or replace damaged curb stops, valve boxes, manhole cover, catch-basins, culverts, pipelines, sidewalks, curbs and gutters, lanes, roads and any surface or underground improvement on or abutting the land which is covered by the construction or demolition activity.
  - (iii) It is the owner's or agent's responsibility to ensure, prior to commencement of construction or demolition, there is no previous damage. If there is existing damage, it shall be reported to the Municipal office before the work commences.
  - (iv) Rough landscaping (spreading of topsoil) must be completed before the damage deposit is refunded.
  - (v) The property owner or agent is responsible to have the necessary improvement cleared and visible for the initial and final inspection by the Municipality.
  - (vi) The property owner or agent shall apply to the Public Works Department for the refund of the damage deposit.

- (vii) When an application is made, the Public Works Department shall inspect the site for damage.
  - (viii) If no damage has occurred, the deposit shall be refunded in full.
  - (ix) If damage has occurred, the deposit shall be used to cover the cost and any outstanding amount shall be directed to the property owner.
  - (x) Damage deposits cannot be transferred to another property.
- (2) The Development Authority may require additional copies of the application plans or specifications as well as such additional information as deemed necessary to sufficiently evaluate the application.
- (3) The Development Authority shall issue a notice of "Complete" or "Incomplete" application, within 20 days of the submission in accordance with the requirements of the Act.

#### 4. Deciding on Development Permit Applications

- (1) The Development Officer shall:
- (a) receive, consider and decide on an application for a development permit for those uses listed as **Permitted** for the relevant land use district and that comply with the minimum standards for that district;
  - (b) receive, consider and decide on applications for Home Occupations and fencing;
  - (c) refer, at his/her discretion, any permit application for a development to those authorities (provincial and regional) whose interest or jurisdiction may be affected, for comments on the proposed development;
  - (d) refer with recommendations, to the Municipal Planning Commission for its consideration and decision, applications for a development permit for **Permitted Uses** where the development standards of this Bylaw are varied or relaxed;
  - (e) refer with recommendations, to the Municipal Planning Commission for its consideration and decision, applications for a development permit for **Discretionary Uses** and those uses which have been assigned to it for consideration and decision; and
  - (f) refer to the Municipal Planning Commission any application which in his or her opinion should be decided by the Municipal Planning Commission.
- (2) The Municipal Planning Commission shall:
- (a) decide on applications for a development permit for those uses listed as **discretionary uses** for the relevant land use district (excepting applications for Home Occupations);

- (b) approve the application unconditionally or impose conditions considered appropriate, either permanently or for a limited period of time, or refuse the application;
  - (c) When making a decision on a development permit application for a **discretionary use** the Municipal Planning Commission shall take into account:
    - (i) any plans and policies affecting the parcel;
    - (ii) the purpose statements in the applicable land use district;
    - (iii) the appropriateness of the location and parcel for the proposed development;
    - (iv) the compatibility and impact of the proposed development with respect to adjacent development and the neighbourhood;
    - (v) the merits of the proposed development;
    - (vi) the servicing requirements;
    - (vii) access and transportation requirements;
    - (viii) vehicle and pedestrian circulation within the parcel;
    - (ix) sound planning principles.
- (3) An application may be approved where the proposed development does not comply with the specific requirements of any district in this Bylaw if, at the discretion of the Municipal Planning Commission, the proposed development is in accordance with **Part III 5. Application for relaxation of Bylaw Requirements** and all other bylaw requirements.
- (4) In the case where a proposed specific use of land or a building is not provided for in a district in the Bylaw, the Municipal Planning Commission may determine that such a use is similar in character and purpose to a **permitted or discretionary use** prescribed for that district.
- (5) The Development Authority may, with respect to any use:
- (a) require the applicant to make satisfactory arrangements for the supply of utilities including, but not limited to natural gas, cable, water, electric power, sewer service, vehicular and pedestrian access, or any one or more of them including payment of the cost of installation or construction of any such utility or facility by the applicant;
  - (b) require that an applicant enter into an agreement or interim agreement, which shall form part of such development permit, to do any or all of the following:
    - (i) construct, or pay for all the construction of, a public roadway required to give access to the development;
    - (ii) construct, or pay for the construction of:
      - (a) a pedestrian walkway system to serve the development;
      - (b) pedestrian walkways that will connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development, or both;

- (iii) install or pay for the installation of, utilities that are necessary to service the development;
  - (iv) pay an off-site levy, redevelopment levy or both, imposed by Bylaw, unless otherwise stated in the Bylaw;
  - (v) specify the location and number of vehicular and pedestrian access points to the development from public roadways;
  - (vi) construct or pay for the construction of off-street or off-site parking facilities or loading or unloading facilities;
  - (vii) repair, reinstate or pay for the repair or reinstatement to original condition of any street furniture, curbing, sidewalk, boulevard landscaping and tree planting which may be damaged or destroyed or otherwise harmed by development or building operations upon the site;
  - (viii) install or construct or pay for the installation or construction of landscaping berming and fencing on the development, public roadways and public lands adjacent to the development; and
  - (ix) re-establish or restore all survey monuments including Alberta Survey Control monuments which may be damaged or destroyed or otherwise harmed by development or building operations upon the site;
- (c) require that the applicant provide security to ensure the applicant complies with this Bylaw, a development permit, an agreement under this clause or a statutory plan enacted by the Town which security may include, but is not limited to an irrevocable letter or charge against the title to the site; and
- (d) require the applicant to obtain or maintain insurance coverage naming the Town as an additional insured under terms and with carriers as required by the Development Authority including but not limited to comprehensive general liability coverage and automotive accident coverage.
- (6) The Development Authority may require that an agreement entered into under subsection (5) be registered by caveat against title to the land at the Land Titles Office.
- (7) The agreement under subsection (5) may include provisions contemplated by the Act in respect of oversize improvements.
- (8) In addition to subsection (5) the Development Officer may, with respect to a Permitted Use, impose such conditions as are required to ensure compliance with this Bylaw or the Act.
- (9) Compliance with the provisions of this Bylaw shall not in any way relieve a person from the responsibility of complying with the provisions of any other Bylaw of the Town of Hanna, any federal or provincial legislation or any encumbrance, instrument, covenant, or agreement affecting the development or subdivision.

- (10) In addition to subsection (5) the Development Authority, with respect to a Discretionary Use, may impose such conditions as deemed appropriate, having regard to the regulations of this Bylaw and the provisions of any statutory plan including, but not limited to the following conditions:
- (a) limiting hours of operation;
  - (b) limiting number of patrons;
  - (c) establishing landscaping requirements;
  - (d) requiring noise attenuation;
  - (e) requiring special provisions be made for parking;
  - (f) regarding the location, character and appearance of a building;
  - (g) regarding the grading of a site or such other procedures as is necessary to protect the site from other developments or to protect other developments from the site;
  - (h) establishing the period of time during which a development may continue;
  - (i) ensuring the development is compatible with surrounding development.
- (12) If a development permit application is refused, the Development Authority need not accept another application for the same or similar use on the same parcel for six months from the date of the refusal or appeal decision, whichever is the latter.
- (13) If a decision is not made on a development permit application within 40 days after its receipt by the Development Authority, the applicant may deem it to be refused when a decision thereon is not made within forty (40) days after the receipt of the application in its complete and final form by the Development Officer. This clause shall not apply if an applicant for a development permit enters into an agreement with the Development Officer to extend the 40 day time period.
- (14) The Development Authority may issue a permit for a **Temporary Development** for a period not exceeding one year unless a longer term is required in consideration of a specific use or project that is temporary but requires a longer time frame.

## 5. Application for Relaxation of Bylaw Requirements

- (1) Where a development permit application is for a permitted or discretionary use in a building or on a parcel and the proposed development does not conform to all applicable requirements and rules of the Bylaw, the Development Authority may, in accordance with the following standards:
- (a) refuse to approve the development permit application; or
  - (b) approve the development permit application and grant a relaxation of the requirement or rule to which the proposed use does not conform.
- (2) The development officer, at its discretion, may relax the development standards within residential land use districts of **up to 10%** of the Land Use Bylaw requirement or defer a decision on a relaxation request to the Municipal Planning Commission;
- (3) The **Municipal Planning Commission or Subdivision Authority** at its discretion may relax the development standards in any land use district **up to 20%**;

- (4) Notwithstanding Subsection (3) above, the Municipal Planning Commission or Subdivision Authority at its discretion, may relax the development standards **beyond 20%** in accordance with the ***test for relaxation criteria*** as follows:
- (a) the proposed development would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
  - (b) the proposed development conforms with a use prescribed by this Bylaw for that land or building;
  - (c) conformance to the purpose and intent of the Land Use District;
  - (d) whether granting the relaxation would make the proposed development incompatible with existing developments or uses;
  - (e) take into consideration the future land uses of the parcel and surrounding area as depicted in ***Figure 1 – Future Land Use Map*** as part of the ***Municipal Development Plan***.
- (5) The Development Authority may, as a condition of approving a development permit that does not comply with all of the applicable requirements and rules of this Bylaw require the applicant to conform to a higher standard than required by the applicable rules if, in the opinion of the Development Authority, conformance to a higher standard will off-set any impact of granting the relaxation.

## 6. **Applications the Development Authority Must Refuse**

- (1) The Development Authority ***must refuse*** a development permit application when the proposed development:
- (a) is for a use that is not listed as either a permitted or discretionary use in the governing land use district and where the application is not for a similar use to those listed in the district;
  - (b) is for a use containing a restriction in its definition that is not met by the proposed use.

## 7. **Development Permit Referrals & Notices**

### (1) **Development Permit Application Referrals**

- (a) Upon receipt of a complete application for development for a use listed as a ***Discretionary Use*** or that requires a ***relaxation***, the Development Authority may at their discretion provide written notice to all adjacent landowners or a greater circulation area if potential for conflict is deemed to be probable;
- (b) Refer at their discretion, a permit application for a development for comments to any officer, individual, group, department, agency, (provincial and regional) or adjacent municipality whose intent or jurisdiction may be affected;
- (c) The notice shall indicate the location and nature of the development proposal, the time and date a decision will be rendered on the

application, copies of relevant drawings and a contact and a final date to submit comments;

- (d) After a minimum 14 days from the date of referral to any department/individual and/or to any other provincial, federal, or external agency, the Development Officer may present the application to the Municipal Planning Commission whether or not comments or recommendations have been received;
- (e) The Development Officer shall disclose to the Municipal Planning Commission whether a circulation was performed in regards to a development application for a **discretionary use** or an application that requires a **relaxation** and the extent of the circulation area;
- (f) In cases where the Development Officer has rendered a decision, this decision shall be circulated to the Municipal Planning Commission for their information.

## (2) Development Permit Notification of Decision

- (a) A development permit granted pursuant to this Bylaw does not come into effect until it is determined that no notice of appeal has been served on the Subdivision and Development Appeal Board within the 14 day appeal period for a **discretionary use** or a permitted use where a **relaxation** of bylaw requirements has been applied. The appeal period is deemed to be an additional 5 days if the decision is mailed. Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
- (b) Notwithstanding subsection (a), a development permit granted pursuant to this Bylaw, for a **permitted use**, where the provisions of this Bylaw have not been relaxed or varied, comes into effect on the date that the decision is made.
- (c) Where an **appeal** is made pursuant to **Part IV** of this Bylaw, a development permit which has been granted shall not come into effect until the appeal has been determined. The Subdivision and Development Appeal Board may approve or refuse the permit application in accordance with the **Municipal Government Act** and **Part IV** of this Bylaw.
- (d) When a Development Permit has been granted, the following **notification procedures** shall be followed:
  - (i) in the case of a permit issued for a **permitted use** where the provisions of this Bylaw have not been relaxed or varied, the Development Officer is not required to notify adjacent or affected land owners;
  - (ii) for all **Home Occupation** permit applications, a notice in writing shall be immediately mailed to all adjacent landowners who, in the opinion of the Development Officer, may be affected;
  - (iii) in all other circumstances, a notice shall immediately be posted conspicuously on the property for which the Development Permit application has been made; and/or
  - (iv) a notice, in writing, shall be immediately mailed to all adjacent landowners and to all registered owners of land whom, in the opinion of the Developer Officer, may be affected; and/or



- (v) a notice shall be immediately published in a newspaper circulating in the municipality stating the location of the property for which the application has been made and the use approved.
- (e) A decision by the Development Authority on an application for a development permit shall be given in writing and a copy of it sent to the applicant.
- (f) When the Development Authority **refuses** an application for a development permit, the decision shall contain the reasons for the refusal.
- (g) If after the issuance of a development permit it becomes known to the Development Authority that:
  - (i) the application for a development permit contains a misrepresentation;
  - (ii) relevant facts which should have been disclosed at the time of consideration of the application for the development permit were not mentioned; or
  - (iii) the development permit was issued in error; or
  - (iv) the requirements or conditions of the development permit have not been complied with; or
  - (v) the applicant requests, by way of written notice to the Development Authority, the cancellation of the development permit, provided that commencement of the use, development or construction has not occurred.

the development permit may be **suspended or cancelled** by notice in writing, issued by the Development Authority to the applicant at the address given in the development permit application. Upon receipt of the written notice of suspension or cancellation, the applicant must cease all development and activities to which the development permit relates.

#### 8. Development Permit Commencement and Completion

- (1) If the development authorized by a permit is not **commenced** within 12 months from the date of its issue, the permit is deemed to be void, unless an extension to this period has previously been granted by the Development Authority. **Development completion** shall be determined by the completion date referenced on the Development Permit application or a completion date may be added as a development permit condition.

#### 9. Direct Control Districts and Applications

- (1) Direct Control Districts are used to manage special, one-of-a-kind use situations. These zones or districts have unique characteristics and have specific regulations created for the specific site and use(s).

- (2) Upon receipt of a completed application for a development permit pursuant to a Direct Control District, the Council may, prior to making a decision, refer the application to the Development Authority, any municipal department or external agency for comment.
  
- (3) At some point as determined by Council, prior to deciding upon the development permit application before it, the Council may provide public notice through means and to whom it considers necessary, that a decision on a development permit pursuant to a Direct Control District is to be made and that Council may afford an opportunity to any interested person to make representation on the application and shall take into account any such representations made when giving final consideration to the said application.
  
- (4) The Council may approve, with or without conditions, or refuse the application, giving reasons for the refusal.

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**PART IV****Appeals****1. Appeal Procedure**

- (1) An appeal may be made to the ***Subdivision and Development Appeal Board*** where the Development or Subdivision Authority as the case may be:
  - (a) refuses or fails to issue a development permit to a person within 40 days of receipt of the application. If the applicant has entered into an agreement with the Development Authority to extend the 40 day time period this clause comes into effect at the time the extension expires;
  - (b) issues a development permit subject to conditions;
  - (c) issues an order pursuant to this Bylaw; or
  - (d) cancels or suspends a development permit pursuant to this Bylaw.
  - (e) refuses or fails to approve a subdivision application within 21 or 60 days (whichever period is applicable) of receipt of a complete application, unless the applicant has entered into an agreement with the subdivision authority to extend the 21 or 60 day time period, as the case may be;
  - (f) where a Development Permit is issued within a ***Direct Control District*** by Council, there is no appeal available to the Subdivision and Appeal Board in accordance with the Municipal Government Act;
  - (g) where a Development Permit is issued within a ***Direct Control District*** by the Development Authority, the appeal that can be made to the Board is limited to the question of whether the Development Authority followed the direction of Council;
  - (h) If the Board finds that the Development Authority did not follow Council's directions, it may, in accordance with Council's directions, substitute its decision for that of the Development Authority.
- (2) The person applying for a Development Permit or any other person complying with the appeal requirements as set out in the Act may appeal the decision of the Development Authority to the Subdivision and Development Appeal Board.
- (3) Notwithstanding Subsections (1) and (2), no appeals are allowed in respect of the issuance of a development permit for a Permitted Use listed in a Land Use District, unless the provisions of this Bylaw were relaxed, varied or misinterpreted. The SDAB may be required to determine the jurisdiction for appeal as part of a pre-hearing.
- (4) An appeal shall be made by serving a written notice of appeal, stating the reasons for the appeal, to the Secretary of the Subdivision and Development Appeal Board within 21 days after the notice of the order, decision or permit issued by the Development Authority was either:

- (a) first published in a newspaper circulating in the area; or
  - (b) posted on the property which is the subject of the application; or
  - (c) received by the applicant, whichever of these occur first.
- (5) Each appeal made to the Subdivision and Development Appeal Board shall be accompanied by a processing fee, the amount of which shall be set from time-to-time by resolution of Council.
- (6) For the purpose of Subsection 4(c), the date of receipt of the decision is deemed to be five (5) days from the date the decision is mailed.

## **2. Public Hearing**

- (1) Within 30 days of receipt of a notice of appeal, the Subdivision and Development Appeal Board shall hold a public hearing respecting the appeal.
- (2) The Subdivision and Development Appeal Board shall give at least 5 days' notice in writing of the public hearing to:
- (a) the appellant;
  - (b) the Development or Subdivision Authority from whose order, decision or development permit the appeal is made;
  - (c) those land owners adjacent to the affected land and all other registered owners of land in the municipality who were notified pursuant to this Bylaw and any other person who in the opinion of the Subdivision and Development Appeal Board, is affected by the order, decision or permit;
  - (d) Palliser Regional Municipal Services;
  - (e) such other persons as the Subdivision and Development Appeal Board specifies.
- (3) The Subdivision and Development Appeal Board shall make available for public inspection before the commencement of the public hearing, a copy of all relevant documents and materials respecting the appeal, as they become available, subject to the Act, including:
- (a) the application for the development permit or subdivision, its refusal and the appeal therefrom; or
  - (b) the order of the Development Officer, as the case may be.
- (4) At the public hearing referred to in subsection (1), the Board shall hear:
- (a) the appellant or any person acting on his behalf;
  - (b) the Development Authority from whose order, decision or development permit the appeal is made, or if a person is designated to act on behalf of the Development Officer, that person;

- (c) any other person who was served with notice of the hearing and who wishes to be heard or a person acting on his behalf; and
- (d) any other person who claims to be affected by the order, decision or permit and that the Subdivision and Development Appeal Board agrees to hear or a person acting on his behalf.

### 3. **Subdivision Appeal**

- (1) The decision of the Subdivision Authority on an application for subdivision approval may be appealed by:
  - (a) the applicant for approval;
  - (b) a Government department if the application was required to be referred to that department in accordance with the Subdivision and Development Regulation;
  - (c) Council or the Municipal Planning Commission;
  - (d) a school authority with respect to school reserves.
- (2) An appeal shall be made by filing a notice of appeal within 14 days of receipt of the written decision of the Subdivision Authority with:
  - (a) the Municipal Government Board, when required in accordance with the Subdivision and Development Regulation, or
  - (b) the Secretary of the Town of Hanna Subdivision and Development Appeal Board.
- (3) For the purpose of Subsection (2), the date of receipt of the decision is deemed to be five (5) days from the date that the decision is mailed.
- (4) The Subdivision and Development Appeal Board hearing and decision shall be in accordance with the Act.

### 4. **Decision**

- (1) The Subdivision and Development Appeal Board shall give a written decision together with reasons for the decision within 15 days of the conclusion of the hearing.
- (2) A decision made under this part of the Bylaw is final and binding on all parties and all persons subject only to an appeal upon a question of jurisdiction or law pursuant to **Section 688 of the Municipal Government Act**. An application for leave to appeal to the Court of Appeal shall be made:
  - (a) to a judge of the Court of Appeal; and
  - (b) within 30 days after the issue of the order, decision, permit, or approval sought to be appealed.

## PART V

Enforcement & Administration1. Orders of Compliance / Stop Order

(1) Where the Development Officer finds a development or use of land or buildings is not in accordance with:

- (a) **Part 17 of the Act** or the regulations under that part of the Act;
- (b) a development permit or subdivision approval;
- (c) this Bylaw; or
- (d) an order, decision or permit of the **Subdivision and Development Appeal Board** or **Municipal Government Board**;

the Development Officer may, by notice in writing, order the registered owner, the person in possession of the land or buildings or the person responsible for the contravention or all or any of them to:

- (i) stop the development or use of the land or buildings in whole or in part as directed by the notice; or
- (ii) demolish, remove or replace the development; or
- (iii) take such other measures specified in the notice so that the development or use of the land or buildings is in accordance with **Part 17 of the Municipal Government Act**, the regulations, under Part 17, a development permit, subdivision approval or this Bylaw, as the case may be, within the time period set out in the notice.

(2) A person who receives an order referred to in Subsection (1) may appeal to the Subdivision and Development Appeal Board in accordance with this Bylaw.

2. Enforcement

(1) Where a person fails or refuses to comply with an order directed to him pursuant to this Bylaw, or an order of the **Subdivision and Development Appeal Board** pursuant to the **Act**, within the time specified, the Council or a person appointed by it may, in accordance with the **Municipal Government Act**, enter upon the land or building and take such action as is necessary to carry out the order.

(2) Where the Council, or a person appointed by it, carries out an order pursuant to this Bylaw, the Council shall cause the costs and expenses incurred in carrying out the order to be added to the tax roll of the parcel of land and the amount:

- (a) is deemed for all purposes to be a tax imposed under the Act from the date it was added to the tax roll; and
- (b) it forms a special lien against the parcel of land in favour of the Municipality from the date it was added to the tax roll.

- (3) A person who contravenes or fails to comply with a development permit or a condition attached thereto is guilty of an offense and is liable on summary conviction to a fine as per a schedule adopted by Council.

**3. Amendments to the Bylaw**

- (1) Any person may apply to have this Bylaw amended.
- (2) The Council may initiate amendments by its own motion.
- (3) All applications for amendments of this Bylaw shall be made using the approved form, accompanied by:
  - (a) the fee determined by resolution of Council;
  - (b) a statement of the applicant's interest in the land;
  - (c) any drawings, plans or maps required by the Development Officer;  
and
  - (d) any documents as required by the Development Officer.
- (4) All amendments of this Bylaw shall be made by the Council by bylaw in conformity with the Act and the regulations.
- (5) Before second reading is given to any amending bylaw, it shall be referred to Palliser Regional Municipal Services for comment and such comments are to be read at the public hearing.
- (6) If an application for an amendment to this Bylaw has been refused by Council, then Council need not accept an application for an amendment for the same use on the same parcel for six months from the date of the refusal.

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**PART VI****Land Use Districts****1. Districts**

- (1) For the purpose of this Bylaw, the municipality is divided into the following Districts.
- RA - Residential Acreage District
  - R-1 - Single Detached Residential District
  - R-2 - General Residential District
  - R-3 - Multiple Unit Residential District
  - MH - Manufactured Home Subdivision District
  - MHP - Manufactured Home Park District
  - C-1 - Retail Commercial District
  - CT - Commercial Transition District
  - HWY-C - Highway Commercial District
  - C-2 - Commercial Industrial District
  - I - Industrial District
  - CS - Community Service District
  - UR - Urban Reserve District

**2. District Boundaries**

- (1) The locations and boundaries of the land use districts are shown on the ***Land Use District Map***, which forms Part VIII of this Bylaw.
- (2) The locations of boundaries shown on the ***Land Use District Map*** shall be governed by the following rules:
- Rule 1. Where a boundary is shown as following a street, lane, stream or canal, it shall be deemed to follow the centre line thereof.
  - Rule 2. Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line.
  - Rule 3. In circumstances not covered by Rules 1 and 2 the location of the district boundary shall be determined:
    - (a) using any dimensions given on the map; or
    - (b) where no dimensions are given, measurement using the scale shown on the map.
- (3) Where the exact location of the boundary of a land use district cannot be determined using the rules in Subsection (2), the Council, on its own motion or on a written request, shall fix the location:
- (a) in a manner consistent with the provisions of this Bylaw; and
  - (b) with the appropriate degree of detail required.



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- (4) The location of a district boundary, once fixed, shall not be altered except by an amendment of this Bylaw.
  - (5) The Council shall keep a list of its decisions fixing the locations of district boundaries.
  - (6) In addition to the provisions for development as contained under each Land Use District, the **General Land Use Regulations** listed in Part VII of the Land Use Bylaw shall apply to every development.

### 3. **Direct Control Districts**

- (1) Direct Control Districts provide for development that, due to its unique characteristics, unusual site conditions, or innovative design, requires specific regulations unavailable in other land use districts. Land uses within a Direct Control District shall be determined by Council.
- (2) Direct Control Districts may not be substituted for any other land use district if the same outcome can occur in that land use district.
- (3) Where Council deems that there are sufficient and appropriate regulations within a Direct Control Bylaw, authority to approve development within the Direct Control District may be delegated to the Development Authority by resolution of Council.
- (4) Appeals within a Direct Control District shall be in accordance with **Section 641** of the Act and this Bylaw.

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**4. RA - Residential Acreage District****(1) Purpose**

The purpose and intent of this district is to accommodate low density residential development in a semi-rural setting within the Town.

**(2) Permitted Uses**

- Accessory Building or Use
- Detached Dwelling
- RTM Dwelling
- Sign

**(3) Discretionary Uses**

- Accessory Building – Fabric Covered
- Bed and Breakfast Establishment
- Communication Tower
- Daytime Child Care Service
- Garden Suite
- Greenhouse (accessory to principal residential use)
- Home Occupation
- Manufactured Home
- Modular Home
- Moved On Dwelling
- Public and Quasi-Public Buildings and Facilities
- Renewable Energy System
- Secondary Suite
- Small Wind Energy System

**(4) Minimum Requirements**

- (a) Minimum Parcel Area:
  - (i) Residential – 0.2 ha (0.5 acres).
  - (ii) Other uses - the minimum site area shall be determined by the approving authority, with regard to the nature and size of the use.
- (b) Minimum Front Yard:
  - (i) As required by Alberta Transportation in the case of provincial highways.
  - (ii) 7 m (23 ft.) from the property line for municipal roads.
- (c) Minimum Side Yard:
  - (i) 7.5 m (25 ft.) for the principle building.
  - (ii) Accessory buildings shall be sited in accordance with the General Land Use Regulations.
- (d) Minimum Rear Yard:
  - (i) 7.5 m (25 ft.) for the principle building.
  - (ii) Accessory buildings shall be sited in accordance with the General Land Use Regulations.

- (e) Minimum Lot Width:
  - (i) 38 m (125 ft.).
- (f) Minimum Floor Area:
  - (i) 93 m<sup>2</sup> (1000 sq. ft.) for single detached dwellings and manufactured homes.
  - (ii) All other uses at the discretion of the Development Authority.

**(5) Maximum Limits**

- (a) Maximum Lot Coverage:
  - (i) 20% for the principal buildings.
  - (ii) 150 m<sup>2</sup> (1600 sq. ft.) for accessory buildings.
- (b) Maximum Building Height:
  - (i) 10 m (33 ft.) for single detached dwellings and manufactured homes.
  - (ii) 8 m (26 ft.) for accessory buildings.
  - (iii) All other uses at the discretion of the Development Authority.
- (c) Maximum Parcel Size:
  - (i) 5 acres (2.02 ha.) or as otherwise required at the discretion of the subdivision authority.

**(6) Special Requirements**

- (a) Livestock
  - (i) The keeping of livestock in this district may be permitted subject to Animal Unit requirements in ***Part VII Animal Units***.
- (b) Home Occupations
  - (i) All Home Occupations shall comply with this Bylaw, however, an industrial / commercial equipment or a motor vehicle associated with a home occupation having a G.V.W. rating of 7300 Kilograms (16000 lbs.) or more may be stored or parked on a "RA" - Residential Acreage site.

**5. R-1 – Single Detached Residential District****(1) Purpose**

The purpose and intent of this district is to provide for low-density residential development in the form of single-detached housing.

**(2) Permitted Uses**

- Accessory Building or Use
- Detached Dwelling
- Public Park
- Sign

**(3) Discretionary Uses**

- Accessory Building – Fabric Covered
- Bed and Breakfast Establishment
- Communication Tower
- Daytime Child Care Service
- Duplex & Attached Housing units in existence at the time of the passing of this Bylaw
- Garden Suite
- Home Occupation
- Modular Home
- Moved On Dwelling
- Public and Quasi-Public Buildings and Facilities
- Renewable Energy System
- RTM Dwelling
- Secondary Suite
- Worship Facility

**(4) Minimum Requirements**

- (a) Minimum Parcel Area:
  - (i) 460 m<sup>2</sup> (5,000 sq. ft.) for dwellings.
  - (ii) Other uses at the discretion of the Municipal Planning Commission.
- (b) Minimum Lot Width:
  - (i) 15 m (50 ft.) for dwellings.
  - (ii) Other uses at the discretion of the Municipal Planning Commission.
- (c) Minimum Front Yard:
  - (i) 6 m (20 ft.) for dwellings.
  - (ii) Accessory buildings shall be sited in accordance with the General Land Use Regulations.
  - (iii) Other uses at the discretion of the Municipal Planning Commission.
- (d) Minimum Side Yard:
  - (i) 1.5 m (5 ft.) for dwellings.

- (ii) Corner Lots
    - (a) 3 m (10 ft.) for dwellings abutting the flanking street on corner lots; and
    - (b) Where access to an attached garage is from the flanking street a minimum 7.3 m (24 ft.) from the street curb or 6.0 m (20 ft.) from the edge of sidewalk.
  - (iii) Accessory buildings shall be sited in accordance with the General Land Use Regulations.
  - (iv) Other uses at the discretion of the Municipal Planning Commission.
- (e) Minimum Rear Yard:
- (i) 7.5 m (25 ft.) for principal buildings.
  - (ii) Accessory buildings shall be sited in accordance with the General Land Use Regulations.
- (f) Minimum Gross Floor Area:
- (i) 90 m<sup>2</sup> (1,000 sq. ft.) for one storey and split level dwellings
  - (ii) 110 m<sup>2</sup> (1,200 sq.ft.) for 1 1/2 and 2 storey dwellings

**(5) Maximum Limits**

- (a) Maximum Height
- (i) 10 m (33 ft.) for principal buildings.
  - (ii) 4.5 m (15 ft.) for accessory buildings.
  - (iii) Other uses at the discretion of the Municipal Planning Commission
- (b) Maximum Site Coverage
- (i) 30% of the site area for dwellings.
  - (ii) 45% of the site area for dwellings that include an attached garage.
  - (iii) 15% of the site area for accessory buildings.
  - (iv) Total site coverage including all accessory buildings shall not exceed 45%.
  - (v) Other uses at the discretion of the Municipal Planning Commission.
- (c) Maximum Lot Frontage
- (i) 30.48 m (100 ft.) for residential purposes.

**6. R-2 - General Residential District****(1) Purpose**

The purpose and intent of this district is to provide for residential neighborhood in which a variety of housing types may be accommodated at lower densities than the R-3 District.

**(2) Permitted Uses**

- Accessory Building or Use
- Duplex
- Public Park
- Detached Dwelling
- Modular Home
- RTM Dwelling
- Semi-detached Dwelling
- Sign

**(3) Discretionary Uses**

- Accessory Building – Fabric Covered
- Bed and Breakfast Establishment
- Boarding or Lodging House
- Communication Tower
- Daytime Child Care Service
- Garden Suite
- Group Care Facility
- Group Home
- Home Occupation
- Manufactured Home
- Moved On Dwelling
- Neighbourhood Convenience Store
- Public and Quasi-Public Buildings and Facilities
- Renewable Energy System
- Secondary Suite
- Worship Facility

**(4) Minimum Requirements**

- (a) Minimum Parcel Area:
  - (i) 460 m<sup>2</sup> (5,000 sq.ft.) for a single detached dwelling or manufactured home.
  - (ii) 230 m<sup>2</sup> (2,500 sq. ft. ) for each unit in a duplex.
  - (iii) Other uses at the discretion of the Municipal Planning Commission.
- (b) Minimum Lot Width:
  - (i) 12 m (40 ft.) for a single detached dwelling or manufactured home.
  - (ii) 7.5 m (25 ft.) for each unit in a duplex.
  - (iii) Other uses at the discretion of the Municipal Planning Commission.

- 
- (c) Minimum Front Yard:
    - (i) 6 m (20 ft.) for dwellings and manufactured homes.
    - (ii) Other uses at the discretion of the Municipal Planning Commission.
  
  - (d) Minimum Side Yard:
    - (i) 1.2 m (4 ft.) for dwellings and manufactured homes, except for adjoining semi-detached units where no side yard is required.
    - (ii) Corner Lots
      - (a) 3 m (10 ft.) for dwellings and manufactured homes abutting the flanking street on corner lots; and
      - (b) Where access to an attached garage is from the flanking street a minimum 7.3 m (24 ft.) from the street curb or 6.0 m (20 ft.) from the edge of sidewalk.
    - (iii) Accessory buildings shall be sited in accordance with the General Land Use Regulations.
    - (iv) Other uses at the discretion of the Municipal Planning Commission.
  
  - (e) Minimum Rear Yard:
    - (i) 7.5 m (25 ft.) for principal buildings.
    - (ii) Accessory buildings shall be sited in accordance with the General Land Use Regulations.
  
  - (f) Minimum Gross Floor Area:
    - (i) 74 m<sup>2</sup> (800 sq.ft.) for one storey and split level dwellings and manufactured homes.
    - (ii) 90 m<sup>2</sup> (1,000 sq.ft.) for 1½ storey and 2 storey dwellings and manufactured homes.
    - (iii) 56 m<sup>2</sup> (600 sq.ft.) for each dwelling unit in a semi-detached or duplex dwelling.
    - (iv) Other uses at the discretion of the Municipal Planning Commission.
- (5) **Maximum Limits**
- (a) Maximum Height:
    - (i) 10 m (33 ft.) for dwellings.
    - (ii) 4.5 m (15 ft.) for accessory buildings.
    - (iii) Other uses at the discretion of the Municipal Planning Commission.
  
  - (b) Maximum Site Coverage:
    - (i) 40% for dwellings.
    - (ii) 55% of the site area for single detached dwellings which include an attached garage.
    - (iii) 15% of the site area for accessory buildings.
    - (iv) Other uses at the discretion of the Municipal Planning Commission.
  
  - (c) Maximum Lot Frontage
    - (i) 30.48 m (100 ft.) for residential purposes.

**(6) Special Requirements**

- (a) Notwithstanding the above minimum lot requirements, development on an existing parcel registered at the Land Titles Office before 1950 shall be considered as a discretionary use provided the General Land Use Regulations and minimum yard and floor area requirements are met.



**7. R-3 - Multiple Unit Residential District****(1) Purpose**

The purpose and intent of this district is to provide for residential neighbourhoods in which a variety of medium density housing types may be permitted at appropriate densities.

**(2) Permitted Uses**

- Accessory Building or Use
- Duplex
- Group Care Facility
- Group Home
- Attached Housing - up to four dwelling units
- Public Park
- Semi-detached Dwelling
- Sign

**(3) Discretionary Uses**

- Apartment
- Attached Housing – more than four dwelling units
- Bed and Breakfast Establishment
- Boarding or Lodging House
- Communication Tower
- Daytime Child Care Service
- Home Occupation
- Public and Quasi-Public Buildings and Facilities
- Renewable Energy System
- Senior Citizen Housing
- Worship Facility

**(4) Minimum Requirements**

- (a) Minimum Parcel Area:
  - (i) 185 m<sup>2</sup> (2,000 sq.ft.) for each dwelling unit in a semi-detached or duplex dwelling.
  - (ii) 275 m<sup>2</sup> (3,000 sq.ft.) for end units and 230 m<sup>2</sup> (2,500 sq.ft.) for interior units for attached housing.
  - (iii) Apartment building requirements at the discretion of the Municipal Planning Commission and shall be considered with regard to the site layout, building design, height, density and neighborhood characteristics.
  - (iv) Other uses at the discretion of the Municipal Planning Commission.
- (b) Minimum Lot Width:
  - (i) 6 m (20 ft.) for each dwelling unit in a duplex or semi-detached dwelling.
  - (ii) 9 m (30 ft.) for end units and 7.5 m (25 ft.) for interior units for attached housing.

- (iii) Apartment building requirements at the discretion of the Municipal Planning Commission and shall be considered with regard to the site layout, building design, height, density and neighborhood characteristics.
  - (iv) Other uses at the discretion of the Municipal Planning Commission.
- (c) Minimum Front Yard:
- (i) 6 m (20 ft.) for all dwellings not including apartment buildings.
  - (ii) Apartment building requirements at the discretion of the Municipal Planning Commission and shall be considered with regard to the site layout, building design, height, density and neighborhood characteristics.
- (d) Minimum Side Yard:
- (i) 1.2 m (4 ft.) for duplexes and semi-detached dwellings except for adjoining units where no side yard is required.
  - (ii) 1.5 m (5 ft.) for attached housing except for adjoining units where no side yard is required.
  - (iii) Apartment building requirements at the discretion of the Municipal Planning Commission and shall be considered with regard to the site layout, building design, height, density and neighborhood characteristics.
  - (iv) Accessory buildings shall be sited in accordance with the General Land Use Regulations.
  - (v) Other uses at the discretion of the Municipal Planning Commission.
- (e) Minimum Rear Yard:
- (i) 7.5 m (25 ft.) for all dwellings not including apartment buildings.
  - (ii) Apartment building requirements at the discretion of the Municipal Planning Commission and shall be considered with regard to the site layout, building design, height, density and neighborhood characteristics.
  - (iii) Accessory buildings shall be sited in accordance with the General Land Use Regulations.

**(5) Maximum Limits**

- (a) Maximum Height:
- (i) 10 m (33 ft.) for duplexes, semi-detached and attaching housing.
  - (ii) 4.5 m (15 ft.) for accessory buildings.
  - (iii) Apartment building requirements at the discretion of the Municipal Planning Commission and shall be considered with regard to the site layout, building design, height, density and neighborhood characteristics.
  - (iv) Other uses at the discretion of the Municipal Planning Commission.

- 
- (b) Maximum Site Coverage:
    - (i) 40% for duplexes, semi-detached and attached housing.
    - (ii) Apartment building requirements at the discretion of the Municipal Planning Commission and shall be considered with regard to the site layout, building design, height, density and neighborhood characteristics.
    - (iii) 15% of lot for accessory buildings.
    - (iv) Other uses at the discretion of the Municipal Planning Commission.

**(6) Multiple Unit Dwelling Special Requirements**

- (a) All multiple unit dwellings shall be considered with attention to the following:
  - (i) appropriate access/ egress and parking design;
  - (ii) minimum yard requirements considered in accordance with the overall site design, building height, mass, density, and any other site planning considerations to reduce land use conflicts and nuisance effects with adjacent properties and to retain neighbourhood consistency;
  - (iii) consideration for quality building and site aesthetics, design, function, landscaping, materials and site design;
  - (iv) a site with multiple buildings shall be comprehensively planned utilizing site and building design to integrate and interface with the surrounding neighbourhood context.

**8. MH - Manufactured Home Subdivision District****(1) Purpose**

The purpose and intent of this district is to provide for a residential neighborhood in which manufactured homes as well as other single and two-unit dwellings may be accommodated on an individual site basis.

**(2) Permitted Uses**

- Accessory Building or Use
- Manufactured Home
- Public Park
- Sign

**(3) Discretionary Uses**

- Accessory Building – Fabric Covered
- Detached Dwelling
- Duplex
- Semi-detached Dwelling
- Bed and Breakfast Establishment
- Boarding or Lodging House
- Communication Tower
- Daytime Child Care Service
- Garden Suite
- Group Care Facility
- Group Home
- Home Occupation
- Modular Home
- Moved On Dwelling
- Neighbourhood Convenience Store
- Public and Quasi-Public Buildings and Facilities
- Renewable Energy System
- RTM Dwelling
- Secondary Suite
- Worship Facility

**(4) Minimum Requirements**

- (a) Minimum Parcel Area:
  - (i) 460 m<sup>2</sup> (5,000 sq. ft.) for a detached dwelling or manufactured home.
  - (ii) 230 m<sup>2</sup> (2,500 sq.ft.) for each dwelling unit in a duplex or semi-detached dwelling.
  - (iii) Other uses at the discretion of the Municipal Planning Commission.
- (b) Minimum Lot Width:
  - (i) 12 m (40 ft.) for a detached dwelling or manufactured home.
  - (ii) 7.5 m (25 ft.) for each dwelling unit in a duplex or semi-detached dwelling.
  - (iii) Other uses at the discretion of the Municipal Planning Commission.

- (c) Minimum Front Yard:
- (i) 6 m (20 ft.) for a detached dwelling, semi-detached and duplex.
  - (ii) 4.6 m (15 ft.) for a manufactured home.
  - (iii) Other uses at the discretion of the Municipal Planning Commission.
- (d) Minimum Side Yard:
- (i) 1.2 m (4 ft.) for a dwelling or manufactured home.
  - (ii) Corner Lots
    - (a) 3 m (10 ft.) for dwellings and manufactured homes abutting the flanking street on corner lots; and
    - (b) Where access to an attached garage is from the flanking street a minimum 7.3 m (24 ft.) from the street curb or 6.0 m (20 ft.) from the edge of sidewalk.
  - (iii) Accessory buildings shall be sited in accordance with the General Land Use Regulations.
  - (iv) Other uses at the discretion of the Municipal Planning Commission.
- (e) Minimum Rear Yard:
- (i) 7.5 m (25 ft.) for a dwelling.
  - (ii) 4.6 m (15 ft.) for a manufactured home.
  - (iii) Accessory buildings shall be sited in accordance with the General Land Use Regulations.
  - (iv) Other uses at the discretion of the Municipal Planning Commission.
- (f) Minimum Gross Floor Area:
- (i) 74 m<sup>2</sup> (800 sq. ft.) for one storey and split level single detached dwellings.
  - (ii) 90 m<sup>2</sup> (1,000 sq. ft.) for 1½ storey and 2 storey single detached dwellings.
  - (iii) 65 m<sup>2</sup> (700 sq. ft.) for manufactured homes.
  - (iv) 56 m<sup>2</sup> (600 sq. ft.) for each dwelling unit in a duplex or semi-detached dwelling.
  - (v) Other uses at the discretion of the Municipal Planning Commission.

**(5) Maximum Limits**

- (a) Maximum Height:
- (i) 10 m (33 ft.) for all dwellings.
  - (ii) 4.5 m (15 ft.) for accessory buildings.
  - (iii) Other uses at the discretion of the Municipal Planning Commission.
- (b) Maximum Site Coverage:
- (i) 30% for detached dwellings and manufactured homes.
  - (ii) 40% for duplexes or semi-detached dwellings.
  - (iii) 45% of the site area for dwelling and manufactured homes which include an attached garage.
  - (iv) 15% for accessory buildings.
  - (v) Other uses at the discretion of the Municipal Planning Commission.

**9. MHP - Manufactured Home Park District****(1) Purpose**

The purpose and intent of this district is to permit the placement of manufactured homes in rental parks.

**(2) Permitted Uses**

- Common Laundry Facility
- Common Outdoor Storage Facility
- Manufactured Home
- Manufactured Home Park
- Manufactured Home Park Facilities
- Park Office
- Public Park
- Recreational Vehicle
- Sign

**(3) Discretionary Uses**

- Accessory Building or Use
- Common Social Facility
- Communication Tower
- Daytime Child Care Service
- Home Occupation
- Neighbourhood Convenience Store
- Public and Quasi-Public Buildings and Facilities
- Recreational Facilities

**(4) Development Permit Application Requirements**

- (a) Prior to granting approval for a new manufactured home park or the expansion of an existing manufactured home park, the developer shall provide comprehensive information with regards to the following:
- (i) The installation, operation, and maintenance of:
    - storm sewers, surface drainage, and sanitary sewers
    - water
    - electricity and gas
    - roadways, sidewalks, walkways, curbs
    - snow clearance
    - garbage collection
    - fire protection
    - parks, playgrounds, and buffers
    - street lighting
  - (ii) Architectural controls.
  - (iii) Landscaping and screening.
  - (iv) Such other matters as may be deemed necessary by the Development Authority.
- (b) A site plan shall be approved by the Development Authority for each manufactured home park. The site plan shall divide the manufactured home park into plots and shall show the location and boundaries of each plot.

- (c) A development permit shall be obtained before each manufactured home is placed in a manufactured home park.

**(5) Manufactured Home Park Requirements**

- (a) Park Size
- (i) Minimum Site Area: 0.8 ha (2 acre).
  - (ii) Maximum Site Area: 12 ha (30 acres).
- (b) Density:
- (i) Shall not exceed 20 units per hectare.
- (c) Maximum Park Coverage:
- (i) 40% for manufactured homes and additions.
  - (ii) 15% for accessory buildings.
  - (iii) Other uses at the discretion of the Municipal Planning Commission.
- (d) Park Roadways
- (i) All roads in a manufactured home park shall be paved and constructed to the Municipality's specifications.
  - (ii) Internal pedestrian walkways shall have a minimum width of 1 m (3 ft.) and be surfaced to the satisfaction of the Development Authority.
  - (iii) Each manufactured home shall abut a park roadway and have an access to the park roadway at least 4.3 m (14 ft.)
- (e) Parking
- (i) No on-street parking shall be permitted.
  - (ii) A minimum of two car parking stalls shall be provided for each manufactured home.
  - (iii) Visitor parking shall be one off-street parking stall for every three (3) manufactured homes. Visitor parking shall be dispersed throughout the park and clearly identified.
- (e) Appearance
- (i) A 6 m (20 ft.) buffer shall be provided around the boundary of the park. This buffer shall be landscaped and fenced.
  - (iii) A minimum of 10% of the total area of a manufactured home park shall be set aside for an amenity area and/or recreational use.
  - (iv) All areas of a manufactured home park not developed or occupied by community roads, walkways, driveways, buildings or other facilities shall be landscaped to the satisfaction of the Development Authority.
  - (v) Each manufactured home, attached structure, and accessory building shall be located entirely within the boundaries of its plot.
  - (vi) A manufactured home park shall include outdoor lightning.
- (f) Utilities
- (i) All utility lines shall be placed underground in a manufactured home park.

- (ii) Each manufactured home shall be connected to and serviced by the municipal sanitary sewer, water supply and electric power systems and serviced with natural gas.
- (g) Permitted Signs
  - (i) One park identification sign at each entrance to the park. Maximum sign area is 2.9 m<sup>2</sup> (32 sq.ft.) and maximum height of sign is 1.8 m (6 ft.).
  - (ii) Directional signs within the park.
- (h) Storage
  - (i) A screened storage compound shall be provided for trucks, campers, travel trailers, boats etc., at a location and in a manner satisfactory to the Development Authority.
- (i) Future Subdivision
  - (i) The Development Authority should give consideration to the sizing of lots and internal streets in order that the future subdivision of the manufactured home park to provide titled lots is a viable option.

**(6) Manufactured Home Requirements**

- (a) Manufactured homes, including their attached structures and accessory buildings, shall be located:
  - (i) at least 4.5 m (15 ft.) from adjacent manufactured homes;
  - (ii) at least 6 m (20 ft.) from the property line of the manufactured home park;
  - (iii) at least 3 m (10 ft.) from the park roadway; and
  - (iv) at least 4.5 m (15 ft.) from any community facility or building.
- (b) Minimum Gross Floor Area:
  - (i) 65 m<sup>2</sup> (700 sq.ft.) for manufactured homes.
  - (ii) Other uses at the discretion of the Development Authority.



**10. C-1 - Retail Commercial District**

**(1) Purpose**

The purpose and intent of this district is to provide for centralized pedestrian oriented commercial and retail development.

**(2) Permitted Uses**

- Bakery
- Convenience Store
- Government Building
- Personal Service Establishment
- Post Office
- Library
- Professional, Financial and Administrative Offices
- Public Park
- Restaurant
- Retail Store
- Sign

**(3) Discretionary Uses**

- Accessory Building
- Auto body Shop
- Automotive Sales and Service
- Billiard Parlor and Amusement Centre
- Bowling Alley
- Car Wash
- Cannabis Café
- Cannabis Retail Sales
- Clinic
- Communication Tower
- Daytime Child Care Service
- Funeral Home
- Hotel/ Motel
- Impound Lot
- Licensed Beverage Establishment
- Liquor Store
- Museum
- One or more dwelling units above the first storey of a Commercial building
- One dwelling unit on the main floor accessory to a commercial use
- Public and Quasi-Public Buildings and Facilities
- Multiple Unit Dwelling
- Parking Lot
- Print shop
- Private Club or Lodge
- Renewable Energy System
- Shopping Centre
- Small Animal Care Centre
- Storage Structure – Accessory to a Commercial Use
- Theatre

Amended:  
Bylaw # 997-2018  
July 10, 2018

Amended:  
Bylaw # 982-2016  
Nov 8, 2016

**(4) Minimum Requirements**

- (a) Minimum Front Yard:
  - (i) At the discretion of the Development Authority, based on adjacent developments.
- (b) Minimum Side Yards:
  - (i) 1.5 m (5 ft.).
  - (ii) No side yard is required where a firewall is provided.
- (c) Minimum Rear Yard:
  - (i) 6 m (20 ft.) or as required by the Development Authority.
- (d) Minimum Lot Width:
  - (i) 9 m (30 ft.)
- (e) Minimum Parcel Area:
  - (i) 348 m<sup>2</sup> (3,750 sq.ft.)

**(5) Maximum Limits**

- (a) Maximum Height:
  - (i) 14 m (45 ft.) or as required by the Development Authority.

**(6) Parking and Loading**

- (a) Parking and loading spaces must be provided in accordance with the General Land Use Regulations of this Bylaw.

**11. CT - Commercial Transition District**

**(1) Purpose**

The purpose and intent of this District is to provide for a diversity of appropriate land uses in the fringe area of the Downtown.

**(2) Permitted Uses**

- Accessory Building
- Community Hall
- Dwelling units in existence at the time of the passing of this bylaw
- Government Building
- Library
- Office
- Private Club or Lodge
- Sign
- Worship Facility

**(3) Discretionary Uses**

- Apartment Buildings and other Attached Housing with a minimum of three (3) units
- Cannabis Café
- Cannabis Retail Sales
- Those uses listed as Permitted Uses and Discretionary Uses in the C-1 Central Commercial District if not listed in this district
- Impound Lot
- Warehousing
- Wholesale Outlet
- Building Material Sales
- Home Occupation
- Veterinary Clinic

Amended:  
Bylaw # 997-2018  
July 10, 2018

Amended:  
Bylaw # 982-2016  
Nov 8, 2016

**(4) Minimum Requirements**

(a) Minimum Parcel Area:

- (i) 650 m<sup>2</sup> (7,000 sq.ft.) for apartment buildings.
- (ii) 230 m<sup>2</sup> (2,500 sq.ft.) for end units and 185 m<sup>2</sup> (2,000 sq.ft.) for interior units for attached housing.
- (iii) 550 m<sup>2</sup> (6,000 sq.ft.) for all other uses.

(b) Minimum Lot Width:

- (i) 18 m (60 ft.) for apartment buildings.
- (ii) 7.5 m (25 ft.) for end units and 6 m (20 ft.) for interior units for attached housing.
- (iii) 15 m (50 ft.) for all other uses.

(c) Minimum Front Yard:

- (i) At the discretion of the Development Authority, based on adjacent developments.

- (d) Minimum Side Yard:
  - (i) 1.5 m (5 ft.).
  - (ii) No side yard required where a firewall is provided.
  - (iii) 3 m (10 ft.) abutting the flanking street on corner lots.
  - (iv) 3 m (10 ft.) when abutting a residential district.
  - (v) Accessory buildings shall be sited in accordance with the General Land Use Regulations.
- (e) Minimum Rear Yard:
  - (i) 6 m (20 ft.) for principal buildings.
  - (ii) Accessory buildings shall be sited in accordance with the General Land Use Regulations.

**(5) Maximum Limits**

- (a) Maximum Height:
  - (i) 14 m (45 ft.) for the principal building unless otherwise approved by the Development Authority.
  - (ii) 4.5 m (15 ft.) for accessory buildings.
- (b) Maximum Site Coverage:
  - (i) 40% for apartment buildings.
  - (ii) 40% for attached housing.
  - (iii) 60% for all other uses unless otherwise approved by the Development Authority.
  - (iv) 15% for accessory buildings.

**(6) Parking and Loading**

- (a) Parking and loading spaces must be provided in accordance with the General Land Use Regulations of this Bylaw.

**12. HWY-C - Highway Commercial District****(1) Purpose**

The purpose and intent of this district is to provide for a limited range of commercial uses that require locations adjacent to a major arterial road or highway to serve the commercial needs of the Town and surrounding area.

**(2) Permitted Uses**

- Accessory Building
- Auto body Shop
- Auto Sales and Service
- Motel/ Hotel
- Museum
- Professional, Financial and Administrative Office
- Restaurant
- Tourist Information Centre
- Sign

**(3) Discretionary Uses**

- Automotive, Truck and Recreation Vehicle Service and Repair
- Campground
- Cannabis Café
- Cannabis Retail Sales
- Communication Tower
- Contractor's Shop
- Building Material Sales and Storage
- Bulk Fuel Depot
- Fabric Covered Building
- Farm Implement/ Heavy Equipment Sales and Service
- Licensed Beverage Establishment
- Liquor Store
- Manufactured Home Sales and Service
- One dwelling unit - accessory to a commercial use
- Parking Lot
- Public and Quasi-Public Buildings and Facilities
- Renewable Energy System
- Retail Store
- Self Storage Facility
- Service Station (which may include servicing facilities, car washes, eating facilities and convenience stores)
- Shopping Centre
- Storage Structure – Accessory to a Commercial Use
- Those uses listed as Permitted Uses and Discretionary Uses in the “C-2” Commercial Industrial District
- Veterinary Clinic
- Work Camp

**(4) Minimum Requirements**

- (a) Minimum Parcel Area:

Amended:  
Bylaw # 997-2018  
July 10, 2018

- (i) At the discretion of the approving authority and shall take into consideration the proposed uses and site requirements.
- (b) Minimum Front Yard:
  - (i) As required by Alberta Transportation in the case of provincial highways.
  - (ii) 6 m (20 ft.) or as required by the Development Authority.
- (c) Minimum Side Yard:
  - (i) 1.5 m (5 ft.).
  - (ii) 3 m (10 ft.) when abutting a residential district.
  - (iii) 3 m (10 ft.) abutting the flanking street on a corner lot.
  - (iv) At least one 3 m (10 ft.) side yard to provide alternate access to the rear of the buildings in laneless subdivisions.
  - (v) No side yard required where a firewall is provided.
  - (vi) Accessory buildings shall be sited in accordance with the General Land Use Regulations.
- (d) Minimum Rear Yard:
  - (i) 6 m (20 ft.) or as required by the Development Authority.
- (e) Minimum Lot Width:
  - (i) 30 m (100 ft.) except for buildings constructed prior to the passing of this bylaw, which may have a minimum lot width of 15.2 m (50 ft.)

**(5) Maximum Limits**

- (a) Maximum Height:
  - (i) 14 m (45 ft.) unless otherwise approved by the Development Authority.
- (b) Maximum Site Coverage:
  - (i) 40%

**(6) Parking and Loading**

- (a) Parking and loading spaces must be provided in accordance with the General Land Use Regulations of this Bylaw.

**13. C-2 - Commercial Industrial District****(1) Purpose**

The purpose and intent of this district is to provide for a range of commercial and light industrial uses with nuisance effects that do not extend beyond the site.

**(2) Permitted Uses**

- Accessory Building
- Automotive, Truck and Recreation Vehicle Service and Repair
- Farm and Heavy Equipment Sales and Service
- Sign
- Warehousing

**(3) Discretionary Uses**

- Auto Body Shop
- Building Material Sales and Storage
- Bulk Fuel Depot
- Cannabis Café
- Cannabis Retail Sales
- Car Wash
- Communication Tower
- Contractor's Shop
- Fabric Covered Building
- Light Manufacturing
- Public and Quasi-Public Buildings and Facilities
- Professional, Financial and Administrative Office
- Renewable Energy System
- Self Storage facility
- Small Animal Care Centre
- Storage Structure
- Storage Yard
- Parking Lot
- One dwelling unit – accessory to a commercial use
- Veterinary Clinic

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July 10, 2018

**(4) Minimum Requirements**

- (a) Minimum Parcel Area:
  - (i) 550 m<sup>2</sup> (6,000 sq. ft.) or as required by the Development Authority.
- (b) Minimum Lot Width:
  - (i) 15 m (50 ft.) or as required by the Development Authority.
- (c) Minimum Front Yard:
  - (i) 6 m ( 20 ft.) or as required by the Development Authority.
- (d) Minimum Side Yard:
  - (i) 2 m (7 ft.).
  - (ii) 3m (10 ft.) adjacent to residential districts.
  - (iii) 3m (10 ft.) abutting the flanking street on a corner lot.

- (iv) At least one 3 m (10 ft.) side yard to provide alternate access to the rear of the buildings.
  - (v) No side yard required where a firewall is provided.
  - (vi) Accessory buildings shall be sited in accordance with the General Land Use Regulations.
- (e) Minimum Rear Yard:
- (i) 6 m (20 ft.) or as required by the Development Authority.
  - (ii) Accessory buildings shall be sited in accordance with the General Land Use Regulations.

**(5) Maximum Limits**

- (a) Maximum Height:
- (i) 14 m (45 ft.) or as required by the Development Authority.
- (b) Maximum Coverage:
- (i) 40%



**14. I - Industrial District**

**(1) Purpose**

The purpose and intent of this district is to provide for a range of manufacturing, warehousing and other industrial land uses.

**(2) Permitted Uses**

- Accessory Building
- Automotive, Truck and Recreation Vehicle Service and Repair
- Contractor’s Shop
- Equipment and Machinery Sales, Service, and Rentals
- Professional, Financial and Administrative Office accessory to an industrial/ commercial use
- Light Manufacturing
- Sign
- Truck and Freight Terminal
- Veterinary Clinic
- Warehousing (including retail and wholesale outlets)

**(3) Discretionary Uses**

- Adult Entertainment Facility
- Auto Wrecker
- Bulk Fertilizer Distribution
- Bulk Fuel Depot
- Cannabis Café
- Cannabis Retail Sales
- Communication Tower
- Fabric Covered Building
- Grain Elevator or Seed Cleaning Plant
- Impound Lot
- Industrial Uses with nuisance effects that extend beyond the site
- One dwelling unit per parcel – accessory to a commercial/ industrial use
- Parking Lot
- Public and Quasi-Public Buildings and Facilities
- Renewable Energy System
- Sand, Gravel and Building Material Sales and Storage
- Small Wind Energy System
- Storage Structure
- Storage Yard
- Work Camp

Amended:  
Bylaw # 997-2018  
July 10, 2018

Amended:  
Bylaw # 982-2016  
Nov 8, 2016

**(4) Minimum Requirements**

- (a) Minimum Parcel Area:
  - (i) 550 m<sup>2</sup> (6,000 sq. ft.)
- (b) Minimum Width of Site:
  - (i) 15m (50 ft.)

- (c) Minimum Front Yard:
  - (i) 6 m (20 ft.) or as required by the Development Authority.
- (d) Minimum Side Yard:
  - (i) 5 m (16.4 ft.).
  - (ii) 5m (16.4 ft.) abutting the flanking street on a corner lot.
  - (iii) At least one 5 m (16.4 ft.) side yard to provide alternate access to the rear of the buildings in laneless subdivisions.
  - (iv) No side yard required where a firewall is provided.
  - (v) Accessory buildings shall be sited in accordance with the General Land Use Regulations.
- (e) Minimum Rear Yard:
  - (i) 6 m (20 ft.) or as required by the Development Authority.
  - (ii) Accessory buildings shall be sited in accordance with the General Land Use Regulations.

**(5) Maximum Limits**

- (a) Maximum Height:
  - (i) 14 m (35 ft.) or as required by the Development Authority.
- (b) Maximum Site Coverage:
  - (i) 60%.

**(6) Special Requirements**

- (a) The operation of all uses shall comply with the environmental and public health performance standards of the Provincial Government. If the Development Authority believes a proposed use may conflict with these standards, he shall refer the application to the appropriate Provincial Department for clarification prior to issuing a Development Permit;
- (b) The Development Authority may prescribe screening and landscaping for uses which involve storage of goods, machinery, vehicles, building materials, waste materials, and other items.

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**15. CS - Community Service District****(1) Purpose**

The purpose and intent of this district is to provide for recreational, educational and community uses.

**(2) Permitted Uses**

- Accessory Building
- Clinic
- Community Hall
- Hospital
- Library
- Museum
- Public Park
- School
- Sign

**(3) Discretionary Uses**

- Airport
- Airport-related Commercial / Industrial Uses
- Campground
- Cemetery
- Communication Tower
- Exhibition Grounds
- Fabric Covered Building
- Indoor Storage Facility
- Parking Lot
- Public and Quasi-Public Buildings and Facilities
- Recreational Facility
- Renewable Energy System
- Sales / Services Accessory to Principal Recreational Uses
- Small Wind Energy System

**(4) Development Requirements**

- (a) The Development Authority shall evaluate each development permit for this district on its merit and establish suitable development requirements for each individual application.

**16. UR - Urban Reserve District****(1) Purpose**

The purpose and intent of this district is to reserve lands outside of the developed area of the Town which are intended for future development.

**(2) Permitted Uses**

- Accessory Building
- Detached Dwelling -- on existing parcels only
- Extensive Agriculture
- Manufactured Home -- on existing parcels only
- Public Parks
- Sign

**(3) Discretionary Uses**

- Communication Tower
- Gravel and Sand Excavation and Storage
- Greenhouse
- Home Occupation
- Market Garden
- Public and Quasi-Public Buildings and Facilities
- Renewable Energy System
- Small Wind Energy System
- Work Camp

**(4) Development Regulations**

- (a) The design, siting, site coverage, yards, height of buildings, external finish and landscaping generally of all buildings and structures shall be to the satisfaction of the Development Authority who in determining a development permit application shall take into account:
  - (i) the general purpose of the district; and
  - (ii) the existing uses and prospective uses of land in the vicinity.
- (b) The Development Authority shall be satisfied prior to the granting of a development permit that the proposed use will not prejudice the orderly development of the area including the future establishment of residential, commercial, industrial, recreational, and service facilities on a neighborhood and community basis.

**(5) Subdivision Regulations**

- (a) There shall be no subdivision of "UR" – Urban Reserve parcels of land. Prior to subdivision of such parcels, the applicant must apply for an amendment to the Bylaw's Land Use District Map.
- (b) The Council may require an area structure plan before considering an amendment to the Land Use District Map.
- (c) The Municipal Planning Commission may require an area structure plan before recommending approval of a subdivision.

**17. DC 1 – Direct Control Roundhouse Historical District****(1) Purpose**

The purpose and intent of this district is to provide for uses which will compliment and accommodate adaptive reuse of the Provincially-Designated Heritage site, which includes all structures, facilities as well as the land.

**(2) Permitted Uses**

- None

**(3) Discretionary Uses**

- Temporary Assembly

**(4) Minimum Requirements**

For the purposes of this Bylaw, the boundaries and description of the lands shall be more or less as identified on Schedule “A”, attached hereto and forming part of this district.

- (a) Minimum Side Yard:
  - (i) 3.0 m (10. ft.).
  - (ii) Accessory buildings shall be sited in accordance with the direction of Council.
- (b) Minimum Rear Yard:
  - (i) 6 m (20 ft.) or as required by Council.
  - (ii) Accessory buildings shall be sited in accordance with the direction of Council.
- (c) Minimum Parking:
  - (i) Parking and loading facilities will be in accordance with the direction provided by Council as site redevelopment evolves and intensifies.

**(5) Development Authority**

- (a) Town Council is the Approving Authority for all uses and development in this district. In exercising its’ powers, Council, as the Approving Authority shall have due consideration for the policy direction contained in the Municipal Development Plan.

**(6) Provincial Heritage Designation**

- (a) The Hanna Roundhouse is a designated Provincial Historic Resource. The Town of Hanna, in consultation with Provincial Authorities, will reference the *Standards and Guidelines for the Conservation of Historic Places in Canada* relative to continued restoration and rehabilitation of the structure/grounds. Council working with other authorities, will review development proposals to ensure the site is conserved, without compromising the functional and practical objectives of safe development throughout the community.

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**PART VII****General Land Use Regulations****1. Subdivision of Land**

- (1) A development requiring subdivision of land shall not be issued a development permit until such time as subdivision approval has been received from the Palliser Regional Municipal Services or upon appeal, the Subdivision and Development Appeal Board or the Municipal Government Board.

**2. Dwelling Units on a Parcel**

- (1) No person shall construct or locate more than one dwelling on a lot unless the second or additional dwelling is contained in a building designed for or divided into two or more dwellings or where specifically allowed elsewhere in this Bylaw.
- (2) The Municipal Planning Commission may issue a development permit for a second or additional dwelling unit(s) on a parcel provided the proposed development would not:
  - (a) unduly interfere with the amenities of the neighbourhood;
  - (b) materially interfere with or affect the use, enjoyment or value of the neighbouring properties; and
  - (c) the proposed development conforms with the use prescribed for that land or building in this Bylaw.

**3. Drainage**

- (1) At the discretion of the Development Authority, the applicant shall be required to grade a parcel in such a manner that all surface water will drain from the building site to the back lane and/or front street.
- (2) The Development Authority at its discretion may establish parcel and building elevations as a development condition if it is felt that drainage will affect neighbouring parcels.
- (3) At the discretion of the Development Authority, the applicant may be required to submit a storm water management plan, for commercial or industrial development, indicating how drainage will be managed on the site.
- (4) At the discretion of the Development Authority, the applicant may be required to install a catch basin or similar drainage system on site if it is felt that drainage will otherwise affect neighbouring parcels.

**4. Lot Grading, Elevation and Grading Plans**

- (1) Lot Grading is the reshaping or sloping of the land in such a way that surface drainage from rainstorms, snow melt or groundwater is directed away from the buildings and is controlled in a manner that eliminates or minimizes any negative impact on adjacent properties.
- (2) The Development Authority may, at their discretion, control the elevation (height of foundation and finished grades above street and land grades) for all new development and subdivisions.
- (3) The Development Authority may require overall grading plans to be prepared as part of a development which may be in the form of an agreement and completed at the cost of the developer.
- (4) No person shall permit roof drainage or foundation drainage from a building to be discharged:
  - (a) directly onto a pervious ground surface within one metre of a building that contains a level below the finished ground surface;
  - (b) to a location where soil erosion would occur;
  - (c) to a location, or in such a way, as to cause or have potential to cause a nuisance, hazard or damage; or
  - (d) to the sanitary sewer system except for homes and development that were connected to a sanitary sewer prior to the adoption of this bylaw.
- (5) No person shall alter the surface elevations or surface grades of any land such that it may cause or have potential to cause a nuisance, hazard or damage.
- (6) Where retaining walls are necessary or proposed in any development, such walls shall be developed with professional quality and shall not negatively affect adjacent parcels due to site elevations or drainage.

**5. Site Development**

- (1) The design, siting, external finish, architectural appearance and landscaping generally of all buildings, including any accessory buildings or structures and signs and any reconstruction shall be to the satisfactions of the Development Authority in order that these shall be in general conformity in such matters with adjacent buildings.

**6. Accessory Buildings & Uses**

- (1) A structure that is attached to the principal building by a roof, a floor or a foundation is not an accessory building, and it is to be considered part of the principal building.
- (2) No accessory building or use shall be located in the front yard or the required side yard abutting a street in a residential district.
- (3) An accessory building shall not be used as a dwelling unless otherwise allowed as a secondary suite as per the definitions and uses in this bylaw.
- (4) The total combined floor area of all accessory buildings shall not exceed 15% of the site area, except in the "RA" - Residential Acreage District.

(5) **Minimum Setback/ Yard Requirements**

- (i) An accessory building shall be separated from the principal building by a minimum distance of 1.8 m (6 ft.) unless otherwise allowed by the Development Authority.-
- (ii) On **corner lots**, the minimum distance between an accessory building and the street flanking the lot shall be 1 meter (3.28 ft.) measured from the property line where there is no vehicular access to the accessory building from the flanking street.
- (iii) On **corner lots**, the distance between an accessory building and the street flanking the lot shall be no less than the greater of 7.3 metres (24 ft.) measured from the curb or 6.0 metres (20 ft.) measured from the sidewalk when vehicular access to the accessory building is from the flanking street.
- (iv) Where the vehicle access to an accessory building is from a lane, the minimum setback shall be 2 metres (6 ft.) measured from the property line.
- (v) The minimum side and rear yard setback requirements in all other instances shall be 1 metre (3.28ft.)

**6a. Accessory Buildings – Fabric Covered**

Accessory Buildings – Fabric Covered shall be considered a discretionary use in residential land use districts and shall adhere to **Part VII Section 6** and the following requirements:

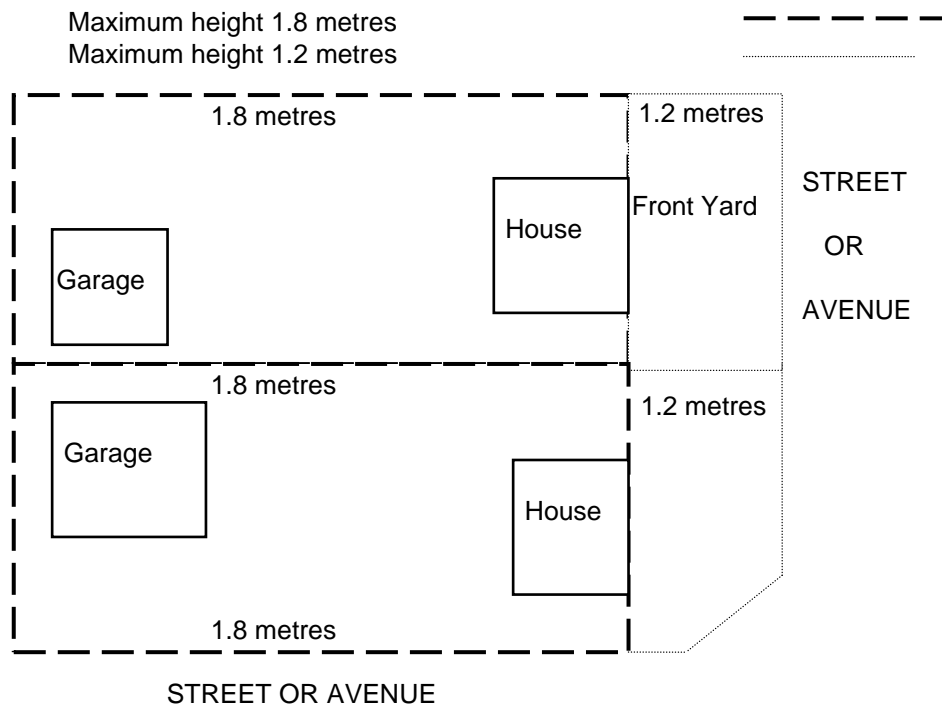
- (i) not to exceed 20.44 sq. m. (220 sq. ft.) in area;
- (ii) shall be a minimum 3 metres (10 ft.) from flammable material (i.e. burning barrels, fire pits or other open flame accessories) or vegetation;
- (iii) All development permit application approvals shall be temporary with a maximum time limit of one year. Extensions may be provided beyond one year as a subsequent application dependent on condition of the structure at the time of inspection and any complaint correspondence received;
- (iv) A building permit may be required (proper anchoring, etc.) and shall be determined in accordance with the Safety Codes Act;
- (v) shall be kept in good condition to the satisfaction of the development authority; and
- (vi) shall not cause or create a nuisance by way of noise, vibration, etc. and the privacy and enjoyment of adjacent properties shall be preserved and the amenities of the neighborhood maintained.



**7. Fencing and Hedges**

- (1) In a residential district, a fence or hedge located within the required rear or side yard shall not exceed 1.8 m (6 feet) in height above the established grade level (see Exhibit 1).
- (2) In a residential district, a fence or hedge located within the required front yard of a lot, shall not exceed 1.2m (4 ft.) in height above the established grade of the curb (see Exhibit 1).
- (3) In all districts, hedges and trees shall be planted and trimmed to ensure public safety and/or good visibility for traffic and pedestrian purposes within the **corner visibility setback**.
- (4) Swimming pools shall be fenced to a minimum height of 1.8 m (6 feet) and a maximum height of 2.5 m (8 ft.) or as required by Provincial or Federal regulations to the satisfaction of the Development Officer;
- (5) Materials used to construct fences may be wood, brick, stone, concrete, or metal and shall be aesthetically acceptable and in general conformity with adjacent properties.
- (6) Industrial and commercial developments shall be fenced to the satisfaction of the Development Authority.

**EXHIBIT 1 - Fencing and Hedge Requirements**

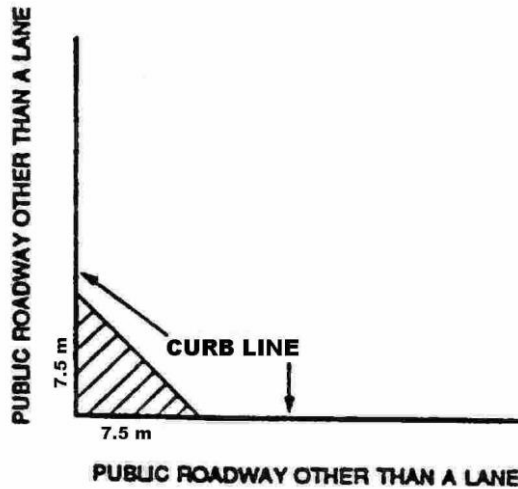


**8. Corner Visibility Setback**

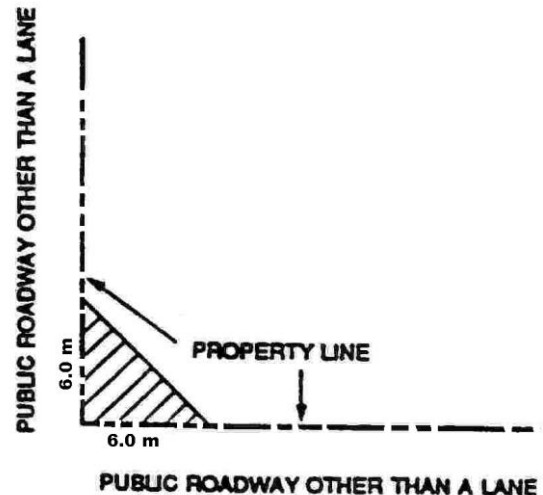
- (1) Unless otherwise approved, no fence, wall, tree, hedge or other structure, object, or plant exceeding 1.2m (4 ft.) in height above the established grade of the curb shall be permitted in a corner visibility triangle as indicated in Exhibit 2.

**EXHIBIT 2 - Corner visibility triangle**

(a) Roads adjacent to the corner parcel that have curbs.



(b) Roads that do not have curbs or only one of the roads has a curb.



**9. Landscaping & Screening**

- (1) Non-residential developments abutting a residential district shall be screened from view to the satisfaction of the Development Authority.
- (2) Garbage and waste material must be stored in weather and animal proof containers and screened from adjacent sites and public thoroughfares, including lanes to the Development Officers satisfaction.
- (3) Attached housing and apartment complexes shall store garbage and waste material in single weather and animal proof collective container, designed and located on the site to the satisfaction of the Development Authority.
- (4) If permitted, outside storage areas of commercial and industrial materials and equipment shall be screened from adjacent sites and public thoroughfares.
- (5) The boulevard (where existing) and a minimum of 10% of the site area must be landscaped in accordance with the plan approved by the Municipal Planning Commission.
- (6) A minimum of 15% of the site area for attached housing and apartment complexes shall be landscaped or developed in order that it can be utilized as an amenity area.
- (7) Any trees or shrubs which die, that were planted under the approved plan, must be replaced the next planting season.

**10. Off-Street Parking**

- (1) The minimum number of off-street parking spaces for any development shall be according to the following:

One or Two Unit Dwellings	Two (2) parking spaces per dwelling unit.
Apartments and Attached Housing	Two (2) parking spaces per dwelling unit, plus (1) parking space per five (5) dwelling units for guest parking.
Bed and Breakfast Establishment	Two (2) parking spaces per dwelling unit plus one (1) space for each room available for rent.
Daytime Child Care Service	One (1) parking space per staff member.
Group Care Facility	One (1) parking space per staff member and one (1) visitor parking space.
Worship Facility	One (1) parking space per 15 seats.
Professional, financial & administrative office	Three (3) parking spaces per 93 m <sup>2</sup> (1,000 sq.ft.) of gross floor area of the building.
Retail, repair, and service shops	Two (2) parking spaces per 93 m <sup>2</sup> (1,000 sq. ft.) of gross floor area of the building.
Liquor & Convenience Stores	Two (2) parking spaces per 93 m <sup>2</sup> (1,000 sq. ft.) of gross floor area of the building.
Restaurant	One (1) parking space per four (4) seats.
Hotels and Motels	One (1) parking space per guest suite.
Hospital	One (1) parking space per 93 m <sup>2</sup> (1,000 sq. ft.) of gross floor area of the building.
Libraries and Clinics	Four (4) parking spaces per 93 m <sup>2</sup> (1,000 sq. ft.) of gross floor area of the building.
Elementary & Junior High Schools	One (1) parking space per classroom.
Senior High Schools	Four (4) parking spaces per classroom.
Public Places of Assembly	Two (2) parking spaces per five (5) seating spaces.
Other Uses	At the discretion of the Development Authority.

- (2) Notwithstanding subsection (1), should the Municipal Planning Commission deem it advisable, it may increase or decrease the parking space requirements for a proposed development or redevelopment. The Municipal Planning Commission may consider the configuration of the parcel to be developed and adjacent parcels.
- (3) For multiple use sites, parking requirements shall be based on the combined parking required for each individual use.
- (4) Parking spaces for an apartment building shall not be located in the front yard.
- (5) A parking space shall not be less than 2.4 m (8 ft.) wide and 6 m (20 ft.) deep.

- 
- (6) Parking shall be on the same site as the development and located and constructed to the Town's standards so that:
- (i) it is reasonably accessible to the vehicle intended to be accommodated there;
  - (ii) it can be properly maintained; and
  - (iii) it is satisfactory to the Development Authority in size, shape, location and construction.
- (7) The Development Authority may:
- (i) Accept a payment in lieu of the number of on-site parking spaces not provided. The payment shall be based on the amount of money Council considers reasonable in return for the equivalent parking space to be provided by the municipality.
  - (ii) Require the developer to provide off-street parking on land other than that to be developed provided that:
    - the alternative parking site is within 150 m (500 feet) of the site where the principal building is located or where the approval use is carried on;
    - the person wishing to use an alternate parking site must have absolute control of it for a length of time equal to the life of the approved use of the building or site, and will use that site for no other purpose than to provide alternate parking;
    - should the alternate parking site cease to be available, another parking site must be provided meeting the above criteria or the approved use of the building on the site must be discontinued; and
    - the person wishing to use an alternate site shall agree with the Municipality in writing under seal and protected by registration of a caveat under the Land Titles Act, that the site on which the alternate parking site is located shall be used for such purposes as long as it is required by this part.
- (8) When a building is enlarged, altered, or a change in the use occurs, provision shall be made for the additional parking spaces required under the parking provisions of this Bylaw.
- (9) Any parking space or loading space provided shall be developed and surfaced to the satisfaction of the Development Authority.
- (10) Adequate curbs or fences shall be provided to the satisfaction of the Development Authority. In so doing, one should consider adjacent fences, walls, boulevards, landscaped areas or buildings.
- (11) The development of new parking lots, or the expansion of existing parking lots, requires a development permit unless included in a development permit for an associated development.

**11. Off-Street Loading & Unloading for Non-Residential Development**

Any new non-residential development or a substantial expansion of an existing development shall provide and maintain off-street loading and unloading spaces according to the following requirements:

- (1) The space shall not be less than 2.5 m (8 feet) wide and shall provide no less than 3.6 m (12 feet) overhead clearance;
- (2) The space shall be hard surfaced if the access is from a street or lane which is hard surfaced;
- (3) Access to the space shall be such that no backing and turning movements of vehicles cause interference with traffic on the adjoining or abutting streets or lanes;
- (4) Off-street loading and unloading spaces should be provided in accordance with the following:

<u>Use of Building or Site</u>	<u>Total Gross Floor Area</u>	<u>Spaces Required</u>
(a) Retail, industry warehousing or similar use	Less than 465 m <sup>2</sup> (5,000 sq.ft.)	One (1)
	465 m <sup>2</sup> (5,000 sq.ft.) to 2320 m <sup>2</sup> (25,000 sq.ft.)	Two (2)
	Each Additional 2320 m <sup>2</sup> (25,000 sq.ft.) or fraction thereof	One (1)
(b) Office building, hospitals, public school or similar use	Up to 2780 m <sup>2</sup> (30,000 sq.ft.)	One (1)
	Each additional 2790 m <sup>2</sup> (30,000 sq.ft.) or fraction thereof	One (1) additional

- (5) The standards in subsection (4) may be modified at the discretion of the Development Authority.

**12. Projection Into Yards**

- (1) Front Yards  
Shade projections, bay windows, parts of chimney, unenclosed steps, decks, and balconies may, at the discretion of the Development Authority, project into a required front yard to a maximum of 1.5 m (5 ft.).
- (2) Side Yards
  - (a) Shade projections, bay windows, parts of chimney, unenclosed steps, decks, and balconies may, at the discretion of the Development

Authority, project into a required side yard but must remain at least 1 m (3.28 ft.) from the property line.

- (b) Eaves may project up to 50% of the required side yard.
- (3) Rear Yards
- (a) Eaves, cantilevers, balconies, bay windows, enclosed decks, shade projections and chimneys may project a maximum of 1.5 m (4.9 ft.) over or onto a required rear yard.
  - (b) Unenclosed decks and steps may project a maximum of 50% of the required rear yard.

### **13. Non-Conforming Buildings and Uses**

- (1) A non-conforming use of land or a non-conforming use of a building may be continued but if that use is discontinued for a period of six consecutive months or more, any future use of the land or building shall conform with the provisions of the Land Use Bylaw then in effect.
- (2) A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, shall not be enlarged or added to and no structural alterations shall be made thereto or therein.
- (3) A non-conforming use of part of a lot shall not be extended or transferred in whole or in part to any other part of the lot and no additional buildings shall be erected upon the lot while the non-conforming use is continued.
- (4) A non-conforming building may continue to be used but the building shall not be enlarged, added to, rebuilt or structurally altered except:
  - (a) as may be necessary to make it a conforming building, or
  - (b) as the Development Officer considers necessary for the routine maintenance of the building, and
  - (c) if at the discretion of the Municipal Planning Commission, the alterations do not increase the extent of non-compliance and are within all other requirements of this Bylaw, the development may be permitted.
- (5) If a non-conforming building is damaged or destroyed to the extent of more than 75 per cent of the value of the building above its foundation, the building shall not be repaired or rebuilt except in accordance with the Land Use Bylaw.
- (6) The use of land or the use of a building is not affected by reason only of a change of ownership, tenancy or occupancy of the land or building.
- (7) No existing building, structure, or lot shall be deemed non-conforming because of non-compliance with a metric equivalent used in this Bylaw where it conformed to the imperial measurement used in Bylaw No. 857-96 at the date of its repeal.

**14. Relocation of Buildings**

- (1) Where a development permit has been granted for the relocation of a building on the same site or from another site, the Development Authority may require the applicant to provide a letter of credit to ensure completion of any renovations set out as a condition of approval of a permit.
- (2) All renovations to a relocated building are to be completed within one year of the issuance of the Development Permit.
- (3) All applications to relocate a building or structure shall be accompanied by a recent photograph of the structure. Where possible, the appearance of the structure shall be confirmed by the Development Officer.
- (4) The design, external finish and architectural appearance of any relocated structure shall be similar to complement the existing structures located on the parcels adjacent to the parcel on which it is to be located.

**15. Signs****(1) General**

The General requirements below shall apply to all signs in the Town of Hanna and all sign sections of the Land Use Bylaw as follows:

- (i) No signs shall be erected on land or affixed to any exterior surface of any building or structure unless an application for this purpose has been approved and a development permit has been issued, excepting those outlined in **Section 7(9)** of this Bylaw.
- (ii) No signs shall be erected on or affixed to private property without the prior consent of the property owner.
- (iii) No signs shall be erected on or affixed to public property without the prior consent of the appropriate public body.
- (iv) No sign shall be erected so as to obstruct free and clear vision of vehicular traffic, or be located, or display a light intensity or colour where it may interfere with, or be confused with any authorized traffic sign, signal or device and in so doing create a traffic hazard.
- (v) All signs shall be attached to a foundation capable of supporting the sign.
- (vi) The exterior finish and construction of all signs shall be of professional quality and appearance. Consideration should be made for orientation, climate, and environmental factors that may affect the sign appearance, condition or degradation over time.
- (vii) All signs shall be kept in a safe, clean, tidy and legible condition and may, at the discretion of the M.P.C., be required to be renovated or removed.

- (viii) Signs with inappropriate or no content shall, at the discretion of the Municipal Planning Commission, be order modified or removed.
  - (ix) Signs advertising businesses no longer in operation shall be removed.
  - (x) No person shall place a motor vehicle or a trailer on a site where the purpose for placing the motor vehicle or trailer on the side is to display a sign.
  - (xi) The following separation distances between signs shall be applied:
    - (i) 15 m (50 ft.) on a parcel of land adjacent to a municipal road;  
and
    - (ii) 100 m (328 ft.) adjacent to a primary highway.
  - (xii) For any sign which will overhang a sidewalk or other Town property, the owner of the sign shall:
    - (i) indemnify to hold harmless the Municipality for any claim related to the construction and maintenance of the sign;
    - (ii) furnish a public liability insurance policy of such an amount satisfactory to the Development Authority naming the Municipality as co-insured.
  - (xiii) All development permits issued for signs shall be revocable at any time by the Development Authority if in the opinion of the development authority, the use has become detrimental to the amenities of the neighborhood.
- (2) **Projecting signs** may be permitted provided that:
- (i) a minimum height clearance of 2.7 m (9 ft.) be provided from any sidewalk below;
  - (ii) the signs shall not project above the roof by more than 1 m (3.2 ft.);
  - (iii) the sign does not project within 0.6 m (2 ft.) of the curb;
  - (iv) the sign does not project more than 2 m (6.4 ft.) from the face of the building; and
  - (v) the sign does not exceed 9.3 m<sup>2</sup> (100 sq. ft.) in sign area.
- (3) **Free-standing signs** may be permitted provided that:
- (i) the sign does not exceed 15 m (50 ft.) in overall height;
  - (ii) the maximum total sign area allowable is 18.6 m<sup>2</sup> (200 sq. ft.); and
  - (iii) the sign shall be a minimum of 1.5 (5 ft.) from any property line.
- (4) **Roof signs** shall not exceed 9.3 m<sup>2</sup> (100 sq. ft.) in sign area and no portion of the sign shall extend beyond the periphery of the roof on which it is located.
- (5) **Fascia signs** may be permitted provided that:
- (i) the total sign area does not exceed a ratio of 20% of the face building to which the sign is attached unless otherwise approved by the M.P.C.; and
  - (ii) it shall not project above the roof or marquee by more than 1 m (3.2 ft.).



- (6) **Awnings** shall be treated as projecting signs. However, at the discretion of the Development Authority, the minimum height clearance from the sidewalk may be relaxed.
- (7) **Bench Signs**  
One (1) Bench sign may be permitted per site at the discretion of the Municipal Planning Commission, provided that;
- (i) The bench sign is located in an approved location in accordance with this section so that it is of benefit to the general public as an amenity, not solely for the purpose of signage;
  - (ii) Exterior finish and appearance is in general conformance with surrounding land uses;
  - (iii) All bench signs shall be designed and constructed with a similar theme and appearance throughout the site and maintained to a standard as required by the Development Authority;
  - (iv) Orientation of bench signs along a public street shall be parallel to the street for the safety and security of pedestrians and community appearance;
  - (v) the setbacks are consistent for all bench signs along the same street with a minimum setback of 3.0 m (10 ft.) from a curb or 1.5 m (5 ft.) from a property line, whichever is the greater distance. In the downtown area where no front yards are required these setbacks do not apply and location shall be considered with regard to the sidewalk width and minimum required pedestrian areas at the discretion of the Development Authority;
  - (vi) Bench sign locations shall be easily accessible by pedestrians with ground cover, landscaping, elevation and location to be detailed in the application;
  - (vii) Bench signs shall be located adjacent to a building, a public sidewalk or pedestrian trail and in an area where pedestrian foot traffic is common or anticipated;
  - (viii) There is an appropriate separation distance from any other Bench sign and all bench signs are located with consistent spacing requirements along the same street.
- (8) **Portable Signs**
- (a) **Portable Sign Permit Application process**
    - (i) A sign permit must be obtained before a **portable sign** is placed at a location. To obtain a permit a complete application, together with the required fee, must be submitted to the Town.
    - (ii) The Development Officer shall, in the case of a development permit for a portable sign, specify the length of time that permit remains in effect in accordance with the time limitations for such signs.
    - (iii) Application for a permit for the use of a portable sign shall be submitted by the owner of the sign, the advertiser or the owner of the property upon which the sign is proposed to be placed, and there shall be signed consent from the owner of the sign and the owner or tenant of the property.

- (iv) The following information shall be submitted on the appropriate application form for a portable sign development:
- i) the municipal address and legal description of the land or building where the sign is to be located;
  - ii) a plan showing the exact location of where the sign is to be located on the property;
  - iii) the applicant's name, address and telephone number;
  - iv) an indication of whether the site where the sign is to be located is a single business occupancy or multiple business occupancy development;
  - v) the nature of the sign content to determine the length of time for the portable sign approval;
  - vi) the length of time the sign is to be displayed at the location address;
  - vii) the signature of the tenant, owner or his agent of the property where the sign is to be located authorizing the placement of the sign;
  - viii) the signature of the owner of the sign with the owners name, address and telephone number; and
  - ix) the size, height and nature of the sign.

**(b) Regulations**

One (1) portable sign may be permitted per site provided that:

- (i) the sign is a minimum linear distance of 9 m (30 ft.) from an intersection of public road rights-of-way and does not affect site lines or other safety considerations from entrance/ egress to any site;
- (ii) the sign shall not be placed upon a site so as to conflict with parking, loading or walkway areas as required by this Bylaw or as approved under a development permit unless otherwise approved by the Municipal Planning Commission;
- (iii) the furthest limit of the sign is a minimum of 3.0 m (10 ft.) from the curb / sidewalk or 1.5 m (5 ft.) from the property line, whichever is the greater distance unless otherwise approved by the Municipal Planning Commission and the sign shall be located on private property;
- (iv) the sign area does not exceed 6.6 m<sup>2</sup> (72 sq. ft.);
- (v) the sign height does not exceed 3.0 m (10 ft.) above grade of the adjacent curb;
- (vi) the sign does not have any flashing lights or arrows;
- (vii) the site does not contain residential land uses;
- (viii) a Portable Sign must be stabilized and anchored in a way that ensures they will not be unintentionally moved, blown over or dislocated. All methods and materials used to stabilize and anchor a portable Sign must:
  - (a) be easily removable;
  - (b) not cause tripping hazards; and
  - (c) be inconspicuous.
- (ix) There is a minimum 30 metre (100 ft.) separation from any other Portable sign and all portable signs are located with consistent spacing requirements along the same street.
- (x) Portable signs may be erected or displayed for any business for a maximum of **60 consecutive days** in accordance with the requirements

of this section. The expiration of the sign permit shall be considered with regard to the event or thing that is being advertised. Portable signs are intended to advertise or promote events of a temporary nature and are not intended to be permanently located on any site. A business frontage shall remain free of portable signs for a minimum of **60 consecutive days** before a further permit approval for such business may be issued.

- (xi) Where there are multiple businesses located on the same property (i.e. Strip mall developments, etc.), the site shall be considered the frontage of each business and a portable sign may be allowable for each business in accordance with the requirements of this section.

***Portable Sign Enforcement process***

- (i) Where a portable sign contravenes the regulations of this Bylaw or the terms of the permit issued, the owner, or person responsible for the placement of the sign shall remove the sign or relocate or repair the sign such that it complies with this Bylaw within one day of receiving written or verbal notification from the Town.
- (ii) Any person who fails to comply with a notice given by the Development Officer shall permit the Town to immediately remove the portable sign.
- (iii) Failure to comply with a notice of contravention may result in the Development Authority refusing to issue a sign permit on the same site for a period of three (3) months.

9. ***Sandwich Board (A-Board) Signs***

A-Board signs may be permitted provided that:

- (i) In a commercial district, one (1) A-board sign may be located immediately outside of a business premises provided that:
- i. the A-board sign does not disrupt pedestrian traffic on the sidewalk;
  - ii. the area of the A-board sign does not exceed 2.4 m<sup>2</sup> (8 sq. ft.) in size with the height twice the width with a variance of 20% (maximum two (2) sides); and
  - iii. the A-board sign is removed on a nightly basis;
- (ii) A-board signs proposed to be located on public property or right-of-ways contrary to the regulations above shall not be permitted unless otherwise approved by the municipality.
- (iii) A-board signs shall not have a flashing device, animator or flashing beacon attached to, or operating in connection with it; and
- (iv) the A-board sign is located so that it will not cause conflict with any parking, loading or walkway facilities or be considered a traffic hazard.

10. ***Community Information Signs***

Community Information signs may be permitted in appropriate locations provided that:

- (a) limited locations are permitted to allow for maximum exposure to Town residents and visitors;
- (b) sign content to be limited to community organizations, events, not-for-profit groups with a maximum of 20% of the sign copy area allowed to be dedicated to a for-profit sponsoring agency for a ***permanent*** community information sign;

- (c) Community information signs that are to be for a permanent use shall be developed as a permanent sign with professional standards such as a **freestanding sign** with higher level of aesthetics for community appearance and shall not include **portable signs** unless otherwise permitted in this bylaw;
- (d) The content and media displayed on any community information sign shall be determined by the Development Authority.

#### 11. **Billboards**

Billboards may be permitted in Commercial, Highway Commercial, Industrial, and Urban Reserve land use districts provided that:

- (i) minimum dimensions shall be 3 m (10 ft.) by 6.1 m (20 ft.), unless otherwise approved by the Municipal Planning Commission;
- (ii) Shape: Width shall be twice the height with a permitted variance of 25%;
- (iii) All signs shall be located 20 feet (6.0 m) from the highway right-of-way to the nearest part of the sign or as required by Alberta Transportation;
- (iv) No part of a sign shall be located any farther than 60 feet (18.25 m) from the highway right-of-way to the farthest part of the sign;
- (v) Minimum vertical clearance beneath a billboard: 10 feet (3.0 m) unless on the side of a building where the distance shall be at the discretion of the Municipal Planning Commission;
- (vi) Minimum radial distance between signs on the same side of the highway where the posted speed is 80km/hr or greater shall be 500 feet (152m);
- (vii) Maximum area of the billboard shall not exceed 65m<sup>2</sup>;
- (viii) Maximum height of the billboard shall not exceed 8.0m above the average finished elevation of the site upon which is situated or at the discretion of the Development Authority;
- (ix) The billboard does not block natural light from a window of a building behind it;
- (x) The lighting of the billboard does not adversely affect residential sites and/or traffic lights;
- (xi) The location of billboards shall be according to the setback requirement for free-standing signs in the C-B, C-1, and Industrial Districts but for the HWY-C District, the setback requirement for a billboard from a road shall be 6.1 m (20 ft.) from the property line;
- (xii) Double-sided billboards may be permitted by the Municipal Planning Commission if the billboard is of a professional quality and it meets all other requirements of this bylaw;
- (xiii) Notwithstanding all of the factors expressed in this section, the Development Officer may recommend to the Municipal Planning Commission that a permit not be granted for a billboard if it is considered that the construction of a billboard would not be conducive to the amenity of an area;
- (xiv) All development permits for a billboard shall be reviewed by the Municipal Planning Commission;
- (xv) Notwithstanding the provisions in this section, a Billboard sign may be allowed on the side of a building if in the opinion of the Municipal Planning Commission it does not interfere with the character of the surrounding area;

- (xvi) Where a billboard is approved on the side of a building the size shall be such that it does not interfere with the character of the surrounding area and shall be at the discretion of the Municipal Planning Commission.

## 12. **Digital Signs**

Digital Signs shall be considered a discretionary use and considered with the regulations of the corresponding sign types in this Bylaw (i.e. freestanding or billboard sign, etc.) in accordance with the following additional regulations:

- (i) A digital sign shall not be permitted in a location closer than a 30.0 m distance to any dwelling in a residential district in the facing direction of the digital sign and notification shall be sent of a digital sign application to residential properties within a 100m radius of the proposed location of the sign placement;
- (ii) A digital sign shall not be permitted in a location that may, in the opinion of the Development Authority, obscure or cause confusion with traffic lights and traffic signs or in any way endanger progress of traffic through the streets or lanes of the Town.
- (iii) No permit shall be issued for and no person shall erect, install or maintain a digital sign, unless it conforms with the Alberta Safety Codes Act and regulations thereto;
- (iv) A digital sign must have an adjustable brightness level and the level of brightness shall be set as to not negatively affect residential properties to the reasonable satisfaction of the Development Authority;
- (v) Hours of operation and timing of changeable content shall be appropriate for the proposed location and the Development Authority may place conditions on a decision essential to maintain neighbourhood characteristics.

## 16. **Home Occupations**

- (1) All development permits issued for Home Occupations shall be revocable at any time by the Municipal Planning Commission, if in its opinion, the use is or has become detrimental to the amenities of the neighborhood.
- (2) One sign not exceeding 0.28m<sup>2</sup> (3 sq. ft.) may be posted on a residential building to advertise a Home Occupation.
- (3) The Municipal Planning Commission may approve the sign referred to subsection (2) to be free standing on the parcel.
- (4) All Home Occupations require a valid Town of Hanna business License. If the business license lapses for a period of more than one year, a new development application is required.
- (5) Where the applicant for the Home Occupation is not the registered owner of the dwelling unit proposed to be used for a Home Occupation, the applicant shall provide to the Development Officer written authorization from the registered owner(s).

- (6) A Home Occupation shall not include any use or operation which will cause or create a nuisance by way of noise, dust, smoke, excessive traffic or other nuisance effects not normal or incidental to a residential area. No industrial/commercial equipment or a motor vehicle associated with a Home Occupation having a G.V.W. rating of 7300 Kilograms (1600 lbs.) or more, may be stored/parked on a residential Home Occupation site, except in the "RA" - Residential Acreage District.
- (7) There shall be no outside storage of materials, commodities or finished products.
- (8) No more than 25% of the gross floor area of the principal building shall be used for the Home Occupation. An accessory building may be used if in the opinion of the Development Authority this would not be detrimental to the neighbourhood.

**17. Bed and Breakfast Establishments**

- (1) Off street parking shall be provided with a minimum of one stall per owner plus one stall per guest room
- (2) One sign not exceeding 0.28m<sup>2</sup> (3 sq. ft.) may be posted on a building to advertise a Bed and Breakfast Establishment. Appearance of the sign shall be of a professional quality to the satisfaction of the Development Officer.
- (3) The Municipal Planning Commission may approve the sign referred to subsection (2) to be free standing on the parcel.
- (4) All development permits issued for Bed and Breakfast Establishments shall be revocable at any time, if in the opinion of the Development Authority, the use is or has become detrimental to the amenities of the neighbourhood.
- (5) Bed and Breakfast Establishments shall have a maximum of four (4) guest rooms.

**18. Manufactured Homes**

- (1) Manufactured homes shall have a foundation capable of supporting the maximum anticipated load of the manufactured home during all seasons.
- (2) All manufactured homes shall have a minimum width of 4.2 m (14 ft.).
- (3) Manufactured homes constructed more than ten (10) years prior to the date of the development permit application may not be permitted at the discretion of the Development Authority.
- (4) The under carriage of each manufactured home shall be completely screened from view by the foundation or skirting within 30 days of placement of the manufactured home. Hitches shall be removed or screened from view.
- (5) All accessory structures such as steps, patio, porches, additions, skirting and storage facilities shall be factory pre-fabricated units or of an equivalent quality, so that the design and construction will complement the home. Additions to a manufactured home shall have a foundation equivalent to that of the manufactured home.

- (6) All manufactured homes shall be provided with steps and landing to all entrances within 45 days of their placement on the site.

**19. Utilities**

- (1) A development shall not be permitted if the development is not served by the public sewer and water system or a provincially approved private system.
- (2) A development shall not be commenced until satisfactory arrangements have been made by the developer for the supply of water, electric power, sewerage and street access to the development including payments of costs of installing or constructing any such utility or facility by the developer.

**20. Irregular Shaped Lots**

- (1) Lot Width  
Pie-shaped lots must meet the minimum lot width at the distance of the front yard setback requirement unless the Municipal Planning Commission determines that a lesser site width is appropriate for the configuration of the site/ development and any variance does not negatively affect adjacent properties.
- (2) Front Yard  
The minimum front yard requirements shall be measured from the nearest point of the arc or property line on any irregular shaped lot to the nearest point of the foundation. On Corner Lots the front yard requirement shall be measured from the front property line and not the corner cut-off.
- (3) For irregular shaped lots other than those described above, siting of developments shall be at the discretion of the Development Authority.

**21. Vehicle Entrances and Exits**

- (1) Vehicle entrances and exits shall be located at least 6 m (20 ft.) from an intersection of two or more roads (including highways).
- (2) The design and location of entrances and exits for vehicles shall be approved by the Development Authority.
- (3) Unless shown on an approved development or site plan, installation of a driveway shall require a development permit.
- (3) The Development Authority may require that entrances and exists for vehicles be separate, one-directional, and/or adequately signed.
- (4) Where a curb exists, installation of a driveway may require the removal of the curb for the width of the driveway.

**22. Industrial Development**

- (1) An application for the establishment of industries shall be considered by the Development Authority who may request advisory comment by any authorities whose interest or jurisdiction may be affected.

- (2) Each application for industrial development shall be accompanied by the following information:
- Location Map
  - Type of Industry
  - Size of Buildings
  - Estimated Number of Employees
  - Estimated water demand and anticipated source
  - Type of effluent and method of treatment
  - Transportation routes to be used (rail and road)
  - Reason for specific location
  - Any accessory works required (pipeline, railway spurs, etc.)
  - Anticipated residence location of employees
  - and any other information as may be reasonably required by the Development Authority.

### 23. Physical Environment

- (1) The Development Authority may consider the environmental impact of any proposed development. The Development Authority may refer the proposal to a relevant government department for comment in the nature of the environmental concern. Where a proposal is considered to have a significant environmental impact, the Development Authority may request the developer to have an environmental evaluation prepared and submitted or undertake its own environmental evaluation regarding the proposed development, all at the cost of the developer.

### 24. Small Wind Energy Systems

It is the purpose and intent to promote the safe, effective and efficient use of small wind energy systems (SWES) to reduce the on-site consumption of utility-supplied electricity while protecting public health and safety without significantly increasing the cost or decreasing the efficiency of a SWES. An SWES may be appropriately located on larger residential parcels, commercial/ industrial sites or for public facilities and shall be considered an accessory structure and use in the land use districts where it is listed in accordance with the following requirements:

- (1) Maximum Tower Height:
- (a) Parcel size – 0.2 ha. (0.5 acres) – 0.4 ha. (1.0 acre)  
25 m (80 ft.)
  - (b) Parcel size greater than 0.4 ha. (1.0 acre)  
No maximum

Tower height shall be in accordance with the manufacturer requirements and shall conform to the setback requirements below.

- (2) Setback Requirements:
- (a) Setbacks from property lines  
The SWES tower base shall be no closer to the property line than the **total system height** of the SWES, and no part of the tower structure, including guy wire anchors, may extend closer than 3 m (10 ft.) to the property boundaries of the installation site. The Development Authority



may waive the tower base setback requirements if the adjacent property owner grants an easement for the location of the SWES to be closer than these requirements.

(b) Setbacks from Structures

(i) Dwellings/ public buildings:

The SWES tower base shall be no closer to a dwelling unit or public building on **adjacent** properties than the **total system height** of the SWES. This distance may be greater if it is determined that **shadow flicker** is a factor on adjacent properties. (note: shadow may be up to 3.6 times the distance of tower height in winter months)

(ii) Accessory buildings or structures

No requirements

The Development Authority may waive the tower base setback requirements if the affected adjacent property owner grants an easement registered on title for the location of the SWES to be closer than these requirements.

(3) Sound

Sound levels from a SWES shall not negatively impact adjacent property owners. A satisfactory report from a sound engineering professional may be required to ensure noise levels are not above that of normal ambient background noise on adjacent properties. This determination shall be measured at the at the property line of the adjacent property.

(4) Visual Impact

The nature of a SWES requires the installation of the turbine on a tall tower, 25-30 ft. above structures or trees to reach wind conditions and avoid turbulence. Visual Impact concerns shall be considered where there is significant scenic or historical value associated and where there is a clear public benefit.

(5) Consultation Requirements

Applicants for a SWES shall be responsible for circulating the proposal prior to application to adjacent property owners using the approved form. Any comments received from the circulation shall be included with the application.

(6) Decommissioning

If the active production of electricity from a SWES is discontinued for two years or more the SWES shall be removed. Upon termination of the use, the entire facility shall be removed and the site shall be restored to pre-construction condition.

## 25. Renewable Energy Systems

Renewable energy systems such as, but not limited to, active and passive solar, photovoltaic solar panels, heat exchange systems and generators are encouraged as a method to reduce greenhouse gas emissions and to promote sustainability objectives within the Town. Alternative Energy Systems shall require a development permit to ensure there are no nuisance effects that extend beyond the site and shall have consideration for the following requirements:

- (a) Renewable energy systems shall meet the minimum requirements for accessory buildings and uses in the applicable land use district including setbacks and height; and
- (b) Renewable energy systems shall be considered a discretionary use in all land use districts.

**26. Storage Structures**

- (a) A storage structure shall meet the setback requirements for an accessory building in the appropriate district;
- (b) A storage structure shall be for cold storage only and shall not be connected to utilities;
- (c) A storage structure shall be screened from view as required by the Municipal Planning Commission and/ or may require exterior finishing to be in general conformance with the principal building or surrounding development;
- (d) A storage structure shall not be permitted in residential areas or on parcels where the primary land use is residential;
- (e) A storage structure shall not be used as a sign;
- (f) A storage structure may be approved on a temporary basis during construction within any land use district.

**27. Communication Tower**

- (a) All communications towers require a development permit;
- (b) All communications tower permit applications shall include a site plan drawn to an appropriate scale identifying site boundaries; tower elevations; guy wire anchor locations; existing and proposed structures; vehicular parking and access; existing vegetation to be retained, removed or replaced; and the uses and structures on the parcel and abutting parcels;
- (c) The height of the tower structure is limited to the maximum height limit of the respective district, but antennas may be situated above that;
- (d) Unless demonstrated impractical, communications towers shall be mounted on existing structures, including buildings or towers, or within transportation and utility corridors;
- (e) A communication tower and antenna shall only be located in a rear yard, or a side yard that does not abut a street;
- (f) On a corner parcel, a communications tower shall be situated so that no part of it is closer to the street than the main building;
- (g) A communications tower base shall be setback from abutting parcels and roadways as required by the Development Authority;
- (h) The appearance of a communications tower, including but not limited to landscaping and fencing, shall be to the satisfaction of the Municipal Planning Commission;
- (i) The Development Authority may require the applicant for a communications tower, as they may have a potential to have an adverse effect on the surrounding community, to undertake community consultation prior to an application being made. The applicant is required to submit a summary of their community consultation with the application outlining neighbours concerns and how these concerns will be addressed or why they cannot be addressed;
- (j) Industry Canada has the authority under the *Radiocommunications Act* to issue authorizations for the location of radio communication installations, and to approve all masts, towers and other antenna-supporting structures. Industry Canada considers the following when making decisions regarding communications installations: input from local land use authorities; compliance with NAV Canada and Transport Canada's painting and lighting requirements for aeronautical safety; Health CANADA's guidelines respecting limits of exposure to radio frequency fields; and any requirements outlined under the federal *Environmental Assessment Act*.

**28. Work Camps**

- (1) A **temporary development permit** for a work camp may be issued for up to one (1) year, at which time an application may be made for a continuance of the use for one (1) additional year, after which a new development permit approval is required.
- (2) An application for a development permit for a work camp must provide the following information:
  - (a) the location, type, and purpose of the camp;
  - (b) adjacent land uses;
  - (c) the method of supplying water, sewage and waste disposal to the camp. The proposed method of sewage disposal must comply with the current Alberta Private Sewage Systems Standard Practice and be to the satisfaction of the health and development authorities;
  - (d) the number of persons proposed to reside in the camp;
  - (e) the start date of the development, date of occupancy, and removal date of the camp; and
  - (f) reclamation measures once the work camp is no longer needed. (Post security with the municipality with sufficient to remove and reclaim the site if the work camp remains on the site after the project is either completed or if work has stopped to the extent that the Development Authority no longer feels the work camp is relevant to the project, or to reclaim the site if required after the work camp has been removed from the site.
- (3) No development permit for a work camp shall be approved unless:
  - (a) it is directly associated with a development situated within the area;
  - (b) it is for a temporary period of time as specified by the Development Authority;
  - (c) all required access provisions are provided to the satisfaction of the Development Authority at the sole cost of the developer;
  - (d) the developer provides undertakings and guarantees acceptable to the Development Authority, that the work camp will be removed and the subject site returned to its original condition before the work camp was developed upon completion; and
  - (e) it is an accessory development to an approved industrial or commercial development for construction employees and located within close proximity of the site of that industrial or commercial development.

**29. Animal Units**

- (1) The application of animal units may be applied as a condition of a development permit;
- (2) All development permits issued for Animal Units shall be revocable at any time by the Development Authority if, in its evaluation, the use is or has become detrimental to the amenities of the neighborhood.

- (3) One animal unit is permitted for every 0.81 ha. (2.0 acres) of pasture land contained within a parcel. The maximum number of animal units permitted shall be calculated in accordance with the total amount of acres fenced and dedicated to animal uses on the parcel and the total number shall not exceed 10 animal units on any given parcel.
- (4) Animal units shall be considered in accordance with the following schedule:

<b>Type of Animal</b>	<b>No. of Animals equivalent to one animal unit</b>
Cattle:	1.0
Horse:	1.0
Donkey:	1.0
Sheep:	2.0
Rams or ewes plus lambs	2.0
Goats:	2.0
Llamas:	2.0
Alpacas:	2.0

**30. Forms**

- (1) Forms used in conjunction with this Bylaw must be approved by the Chief Administrative Officer.

**31. Cannabis Retail Sales**

- a) Must not have any part of an exterior wall that is located within 300 metres of:
  - (i) an approved hospital as defined in the *Hospitals Act* or a boundary of the parcel of land on which the facility is located;
  - (ii) a building containing a school as defined in the *Schools Act* or a boundary of a parcel of land on which the building is located; or
  - (iii) a boundary of a parcel of land that is designated as school reserve or municipal and school reserve under the *Municipal Government Act.*”
- b) Despite Section 31. (a) (ii), no separation is required between Cannabis Retail Sales and a home education program.

Amended:  
Bylaw # 997-2018  
July 10, 2018

**PART VIII**

**Land Use District Map**