

BYLAW NO. 5-2016

A BYLAW OF THE CITY OF
LLOYDMINSTER IN THE PROVINCES OF
ALBERTA AND SASKATCHEWAN TO
ESTABLISH A LAND USE BYLAW FOR
THE CITY OF LLOYDMINSTER

WHEREAS pursuant to the provisions of the Lloydminster Charter AND Part 17 of the Municipal Government Act, every municipality must pass a land use bylaw.

NOW THEREFORE, be it resolved that the Council of the City of Lloydminster enacts as follows:

1. This Bylaw shall be cited as "The City of Lloydminster Land Use Bylaw".
2. Council hereby adopts the document shown in Schedule "A" and incorporated as part of this Bylaw.

This bylaw shall come into force and effect upon the final passing thereof.

If any provision herein is adjudged to be repugnant to any federal regulation or legislation, this Bylaw shall continue in full force and effect but any such repugnant provision shall be of no force or effect until such time as the repugnancy is removed by repeal or amendment of the federal legislation or regulation.

The following bylaws and all amendments thereto are hereby repealed:

- Bylaw 12-2001: Zoning Bylaw
- Bylaw 11-2013: Zoning Amendment
- Bylaw 9-2015: Zoning Amendment
- Bylaw 18-2015: Zoning Amendment
- Bylaw 21-2014: Zoning Amendment
- Bylaw 36-2014: Zoning Amendment
- Bylaw 38-2014: Zoning Amendment
- Bylaw 59-2013: Zoning Amendment
- Bylaw 42-2013: Zoning Amendment
- Bylaw 54-2013: Zoning Amendment
- Bylaw 15-2015: Zoning Amendment
- Bylaw 15-2004: Sign Bylaw
- Bylaw 54-2012: Zoning Amendment
- Bylaw 52-2013: Zoning Amendment
- Bylaw 12-2015: Zoning Amendment
- Bylaw 28-2014: Zoning Amendment
- Bylaw 26-2014: Zoning Amendment
- Bylaw 57-2013: Zoning Amendment
- Bylaw 61-2013: Zoning Amendment
- Bylaw 10-2015: Zoning Amendment
- Bylaw 20-2015: Zoning Amendment
- Bylaw 34-2014: Zoning Amendment



- Bylaw 16-2015: Zoning Amendment
- Bylaw 31-2015: Zoning Amendment
- Bylaw 28-2015: Zoning Amendment
- Bylaw 12-2014: Zoning Amendment
- Bylaw 15-2006: Zoning Amendment
- Bylaw 32-2011: Zoning Amendment
- Bylaw 26-2012: Zoning Amendment
- Bylaw 47-2012: Zoning Amendment
- Bylaw 25-2006: Zoning Amendment
- Bylaw 23-2012: Zoning Amendment
- Bylaw 29-2010: Zoning Amendment
- Bylaw 17-2002: Zoning Amendment
- Bylaw 7-2010: Zoning Amendment
- Bylaw 27-2002: Zoning Amendment
- Bylaw 7-2012: Zoning Amendment
- Bylaw 17-2001: Zoning Amendment
- Bylaw 8-2005: Zoning Amendment
- Bylaw 7-2005: Zoning Amendment
- Bylaw 63-2011: Zoning Amendment
- Bylaw 12-2007: Zoning Amendment
- Bylaw 14-2010: Zoning Amendment
- Bylaw 4-2002: Zoning Amendment
- Bylaw 25-2005: Zoning Amendment
- Bylaw 21-2010: Zoning Amendment
- Bylaw 28-2009: Zoning Amendment
- Bylaw 6-2012: Zoning Amendment
- Bylaw 14-2007: Zoning Amendment
- Bylaw 17-2014: Zoning Amendment
- Bylaw 5-2015: Zoning Amendment
- Bylaw 68-2013: Zoning Amendment
- Bylaw 33-2010: Zoning Amendment
- Bylaw 2-2004: Zoning Amendment
- Bylaw 9-2010: Zoning Amendment
- Bylaw 34-2012: Zoning Amendment
- Bylaw 11-2009: Zoning Amendment
- Bylaw 30-2011: Zoning Amendment
- Bylaw 37-2012: Zoning Amendment
- Bylaw 23-2002: Zoning Amendment
- Bylaw 5-2003: Zoning Amendment
- Bylaw 9-2012: Zoning Amendment
- Bylaw 39-2011: Zoning Amendment
- Bylaw 49-2012: Zoning Amendment
- Bylaw 12-2008: Zoning Amendment
- Bylaw 15-2012: Zoning Amendment
- Bylaw 9-2011: Zoning Amendment
- Bylaw 18-2002: Zoning Amendment
- Bylaw 27-2001: Zoning Amendment
- Bylaw 58-2011: Zoning Amendment
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- Bylaw 33-2006: Zoning Amendment
- Bylaw 37-2011: Zoning Amendment



- Bylaw 19-2007: Zoning Amendment
- Bylaw 8-2003: Zoning Amendment
- Bylaw 3-2004: Zoning Amendment
- Bylaw 54-2011: Zoning Amendment
- Bylaw 26-2004: Zoning Amendment
- Bylaw 11-2012: Zoning Amendment
- Bylaw 24-2005: Zoning Amendment
- Bylaw 1-2004: Zoning Amendment
- Bylaw 13-2003: Zoning Amendment
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- Bylaw 16-2007: Zoning Amendment
- Bylaw 24-2010: Zoning Amendment
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- Bylaw 13-2008: Zoning Amendment
- Bylaw 41-2012: Zoning Amendment
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- Bylaw 2-2002: Zoning Amendment
- Bylaw 22-2009: Zoning Amendment
- Bylaw 4-2004: Zoning Amendment
- Bylaw 26-2006: Zoning Amendment
- Bylaw 21-2005: Zoning Amendment



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- Bylaw 45-2012: Zoning Amendment
- Bylaw 35-2007: Zoning Amendment
- Bylaw 9-2006: Zoning Amendment
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- Bylaw 56-2011: Zoning Amendment
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- Bylaw 61-2012: Zoning Amendment
- Bylaw 66-2012: Zoning Amendment
- Bylaw 44-2013: Zoning Amendment
- Bylaw 13-2016: Zoning Amendment
- Bylaw 33-2013: Zoning Amendment
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- Bylaw 55-2012: Zoning Amendment
- Bylaw 63-2012: Zoning Amendment
- Bylaw 3-2016: Zoning Amendment
- Bylaw 15-2016: Zoning Amendment
- Bylaw 64-2012: Zoning Amendment
- Bylaw 58-2012: Zoning Amendment
- Bylaw 62-2011: Barbed Wire Fence

** any amendments to Bylaw 12-2001 not included in this list are hereby repealed.*

INTRODUCED AND READ a first time this 27th day of June, 2016, A.D.

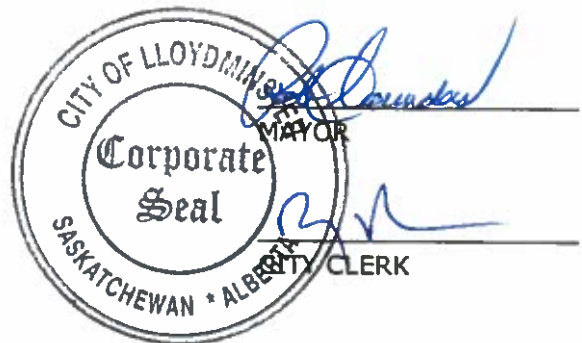
PUBLIC HEARING held this 22nd day of August, 2016, A.D.

READ a second time this 22nd day of August, 2016, A.D.

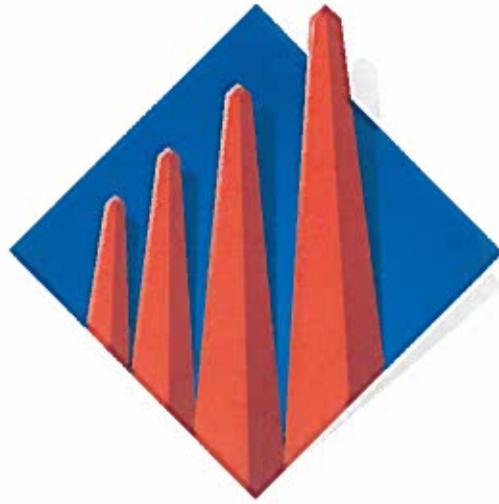
READ a third time this 22nd day of August, 2016, A.D.

Date signed August 25, 2016

Date signed August 25, 2016



SCHEDULE "A" ATTACHED TO
BYLAW NO. 5-2016



LLOYDMINSTER

Land Use Bylaw No. 5 -2016



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- 11.1 Direct Control Provisions

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Part I Administrative Provisions

1. Enactment and Administration

1.1 Title, Purpose and Contents

- 1.1.1 This Bylaw is the City of Lloydminster Land Use Bylaw and is referred to as the Lloydminster Land Use Bylaw.
- 1.1.2 The purpose of this Bylaw is to regulate and control the Uses and Development of land and Buildings within the City of Lloydminster to achieve fair, orderly and economic development of land.
- 1.1.3 The contents of this Bylaw shall include:
- i. Part I, comprising Section 1 to Section 3, inclusive, and all Schedules and Appendices to those Sections;
 - ii. Part II, comprising all of the Development Regulations and Special Regulations, being Section 4 to Section 5, inclusive, and all Schedules and Appendices to those Sections;
 - iii. Part III, comprising all of the District and Direct Control Provisions, being Section 6 to Section 12, inclusive, and all Schedules and Appendices to those Sections;
 - iv. Part IV, comprising the Land Use District and Overlay Map; and
 - v. Part V, comprising the Direct Control Districts.

1.2 Repeal, Enactment, Transition and Interpretation

- 1.2.1 This Bylaw shall come into force and take effect upon the date it receives Third Reading from City Council (the 'effective date').
- 1.2.2 City of Lloydminster Zoning Bylaw 12-2001 as amended is repealed.
- 1.2.3 Subject only to the provisions in the Municipal Government Act respecting legal non-conforming Uses and notwithstanding the effect it may have on rights, vested or otherwise, the provisions of this Bylaw govern from the effective date onward.
- 1.2.4 Where there is a conflict between the applicable provisions of Section 4 and/or Section 5 and the provisions of a Land Use District, then the provisions of Sections 4 and/or Section 5 shall take precedence.



- 1.2.5 In the case of any conflict between the text of this Bylaw and any maps or drawings used to illustrate any aspect of this Bylaw (including Part IV, the Land Use District and Overlay Map) the text shall govern.
- 1.2.6 In the case of any conflict between a number written in numerals and a number written in letters, the number written in numerals shall govern.
- 1.2.7 Where the number of Dwelling units, Landscaping materials, parking spaces, or any other regulation is determined by reference to a unit such as floor area, or the like, the next higher number shall be taken where the calculation results in a fractional number of 0.5 or more.
- 1.2.8 Where a regulation involves two or more provisions connected by the conjunction “and” means all the connected items shall apply in combination; “or” indicates that the connected items may apply singly or in combination.

1.3 Other Legislative Requirements

- 1.3.1 Nothing contained within this Bylaw relieves any person from the requirement to comply with the provisions of any other applicable Federal, Provincial or Municipal law nor the provisions of any caveat, easement or other instrument affecting a Building or land.

1.4 General Definitions

Terms and words in this Bylaw which are defined in the *Municipal Government Act*, RSA 2000, c.26, as amended from time to time, have the meaning expressed in that Act. Other terms and words, unless the context requires otherwise, are defined as follows for the purpose of this Bylaw:

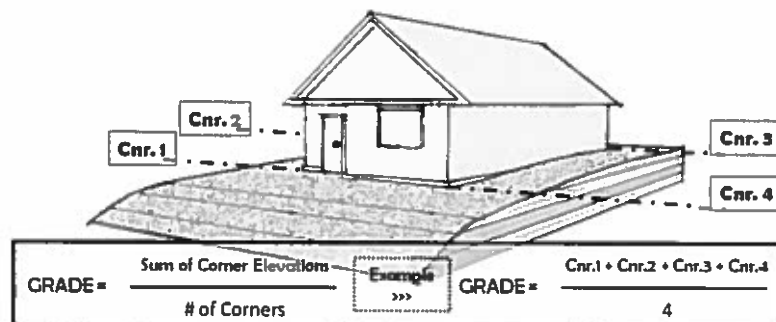
- 1.4.1 **Act** means the *Municipal Government Act*, RSA 2000, c.26 as amended.
- 1.4.2 **Abutting** means immediately contiguous to, and when used with respect to a Lot or Site, means that the Lot or Site physically touches upon another Lot, Site, or parcel of land.
- 1.4.3 **Accessory Parking** means Development providing vehicular parking that is intended for the Use of residents, employees or clients of a particular Development.
- 1.4.4 **Amenity Area** means,
- i. with respect to Residential Use Classes, space provided for the active or passive recreation and enjoyment of the occupants of a residential development, which may be for private or communal use and owned individually or in common, subject to the regulations of this Bylaw; and



- ii. with respect to Non-Residential Use Classes, space provided for the active or passive recreation and enjoyment of the public, during the hours which the development is open to the public, which shall be owned and maintained by the Owners of the development, subject to the regulations of this Bylaw;
- 1.4.5 **Appellant** means a person who has served a Notice of Appeal to the Subdivision and Development Appeal Board.
 - 1.4.6 **Balcony** means an uncovered Deck attached to a Principal Building and does not have direct access to the ground.
 - 1.4.7 **Board** means the Subdivision and Development Appeal Board.
 - 1.4.8 **Changeable Message Sign** means any sign type that has a changeable message whether the message is changed electronically or by other means.
 - 1.4.9 **City** means the City of Lloydminster.
 - 1.4.10 **Copy** means any image, message or other representation displayed on a Sign.
 - 1.4.11 **Council** means the Council of the City of Lloydminster.
 - 1.4.12 **Deck** means an unenclosed platform or series of platforms with direct access to the ground. A Deck may be attached to a Dwelling, and is deemed to be Accessory to the Principal Building on the Site.
 - 1.4.13 **Deck, Covered** means a platform or series of platforms that may be attached to a Dwelling and with a roof attached to and forming part of the same Dwelling, with direct access to the ground. A Covered Deck may be enclosed by glass or other Screening.
 - 1.4.14 **Density** means a measure of the intensity of a Residential or Residential-Related Development, the number of Dwellings on a Site expressed as Dwellings per gross hectare.
 - 1.4.15 **Development Officer** means the officer appointed under Section 2.2. The enforcement powers granted to the Development Officer under this Bylaw are in addition to any enforcement powers the City or any of its officers may have under the Municipal Government Act or any other applicable legislation. The Development Officer may exercise all such powers concurrently.
 - 1.4.16 **Directional Sign** means a Sign which: directs the public to an educational institution, public Building, or historical Site; directs or regulates traffic; denotes any public or transportation facility; or is located on a Site which gives direction to a private premise or its vehicular use area.

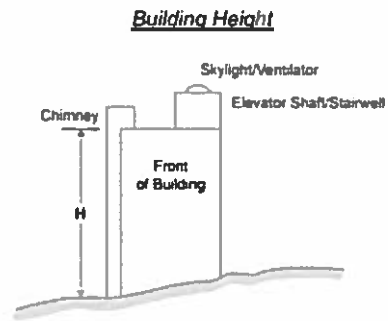


- 1.4.17 **Digital Copy Sign** means that the Copy is changed remotely by electronic means.
- 1.4.18 **Discretionary Use** means the uses of lands and Buildings or other Structures that may be permitted in the District only at the discretion of and at the location or locations and under the conditions specified by the Development Officer.
- 1.4.19 **District** means a defined area or District of the City as set out in this Bylaw and shown on the Land Use District Map, Part IV.
- 1.4.20 **Dwelling** means accommodation for domestic use, and used permanently or semi-permanently for a household. This use does not include a room in a hotel, motel, hostel or any other development where rooms are rented on a temporary basis.
- 1.4.21 **Enclosure** means a fence, barrier or cover intended to enclose a balcony or deck or to safeguard a Private Swimming Pool.
- 1.4.22 **Flashing Sign** means a Sign which contains an intermittent or flashing light source but does not include an electronic Changeable Message Sign.
- 1.4.23 **Floor Area** means the total Floor Area of every room and passageway contained in a Building, but does not include the Floor Areas of basements, attics, walls, Sheds, open porches or breezeways. Basement and attic Floor Areas shall be included only when they contain Habitable Rooms or storage.
- 1.4.24 **Frontage** means the width of a Lot or a Site where it is Abutting a Street excluding a Lane. Frontage for Corner and Double Fronting Sites may be determined by reviewing Section 4.5.
- 1.4.25 **Garage** means an Accessory building, or part of a Principal Building, designed and used primarily for the storage of motor vehicles and includes a carport.
- 1.4.26 **Grade** means the ground elevation established for the purpose of regulating Building Height. The design Grade shall be the level of the ground Abutting the walls of the Building if the ground is level. If the ground is not level, the design Grade shall be determined by averaging the elevation of the ground for each corner of the Building, excluding an artificial embankment, as shown in the following diagram.



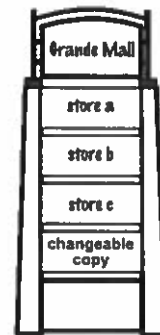
- 1.4.27 **Grading Certificate** means the certificate issued by the City of Lloydminster for the rough and final Grade for all properties that have an approved Lot Grading Plan. A Grading Certificate submission shall conform to the requirements of the City's Surface Drainage Bylaw and the Lot Grading guidelines.
- 1.4.28 **Gross Floor Area** means the total Floor Area of the Building or Structure contained within the outside surface of the exterior wall, excluding attics, balconies, boiler rooms, electrical or mechanical rooms, and basement areas used exclusively for parking or storage.
- 1.4.29 **Habitable Room** means any room in a Dwelling, such as a bedroom, bathroom, kitchen and living room, other than a Non-habitable Room.
- 1.4.30 **Hazardous Goods** means any product, substance, or organism which, because of its quantity, concentration or its physical, chemical, or infectious characteristics, either individually or in combination with other substances is an existing or potential threat to the physical environment, to human health or to other living organisms.

1.4.31 **Height** means the maximum vertical distance between the lowest point of the finished Grade at the front of a Building and the highest point of a Building, excepting the following: chimneys, elevator housing, flagpoles, mechanical penthouses, skylights, smokestacks, steeples, water tanks or any other similar device or feature not structurally essential to the Building. This definition does not apply to development in the Airport Protection Overlay.



- 1.4.32 **Highway** means a provincial highway under the Highways Development and Protection Act.
- 1.4.33 **Illumination** means the lighting of any Sign by artificial means.
- 1.4.34 **Medical Marihuana** means a substance used for medical purposes authorized by a licence issued under the federal government's legislation.

1.4.35 **Multi-tenant Sign** means a Freestanding Sign containing Copy for two or more tenants or occupants located on the same non-residential Site or in the same non-residential Building. A Multi-tenant Sign may include changeable Copy.



- 1.4.36 **Mural** means a Sign that is painted or sculpted onto a Building wall and considered artistic rather than advertising and does not contain any product advertising.
- 1.4.37 **Landscaping** means the modification and enhancement of a Site through the use of any or all of the following elements:
- i. Landscaping consisting of vegetation such as trees, shrubs, hedges, grass, and ground cover; and
 - ii. May also consist of non-vegetative elements such as fencing, architectural Screening elements, decorative hard-surfacing or features of wood, concrete, stone, brick, steel, or other durable, long-lasting materials.
- 1.4.38 **Land Use Map** means the map delineating the boundaries of the Districts as set out in this Bylaw and marked by the Land Use District and Overlay Map, Part IV.
- 1.4.39 **Lane** means a Road which provides a secondary level of public access to a Lot, Site or parcel of land.
- 1.4.40 **Livestock** includes but is not limited to cattle, horses, sheep, goats, swine, rabbits, mules, donkeys, buffalo, domestic fowl and other domesticated animals.
- 1.4.41 **Lloydminster Land Use Bylaw** means a land use bylaw, as that term is used in the Act.
- 1.4.42 **Loading Space** means an open area used to provide free access for vehicles to a loading door, platform or bay.
- 1.4.43 **Lot, Corner** means a Lot located at the intersection or junction of two (2) or more Roads.
- 1.4.44 **Lot Coverage** means the combined area of all Buildings and Structures on the Lot, measured at the greatest horizontal area of a Building above Grade within the outside surface of exterior walls.
- 1.4.45 **Lot, Interior** means any Lot other than a Corner Lot.
- 1.4.46 **Lot Lines** means the legally defined limits of any Lot.
- 1.4.47 **Lot Width** means the horizontal distance between the side boundaries of the Site.
- 1.4.48 **Manufactured Home Community** is defined as per the *Municipal Government Act*.
- 1.4.49 **Non-habitable Room** means a space in a Dwelling providing a service function and not intended primarily for human occupancy.



- 1.4.50 **Nuisance** means anything that in the opinion of the City interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses.
- 1.4.51 **Off-site** means a location other than the Site which is the subject of a Development.
- 1.4.52 **On-site** means a location on the Site which is the subject of a Development.
- 1.4.53 **Owner** means a person who has any right, title, estate or interest in a property or Sign.
- 1.4.54 **Parking, Off-street** means an off-street area located on a Site and available for the parking of one or more motor vehicles.
- 1.4.55 **Permanent Sign** means any Sign that is anchored to a footing extending below Grade or affixed to, or painted on, a Building or other Structure. A Permanent Sign may include changeable Copy.
- 1.4.56 **Permitted Use** means uses which are allowed in a particular District, provided that the Use conforms to the regulations of the particular District to which the Use applies and all other regulations of this Bylaw.
- 1.4.57 **Podium** means the base of a residential and/or commercial building with a maximum Height of 4 Storeys. The façade of the Podium is divided into segments and articulated to reduce the building mass and create a walkable environment.
- 1.4.58 **Pole Shed** means a temporary Structure characterized by the lack of a formal foundation and makes use of poles dug into the ground, set in place using a stabilizing agent such as cement or concrete, to support the Structure's roof and walls.
- 1.4.59 **Principal Building** means a Building which occupies the majority of a Site, is the main Building on a Site, or constitutes by reason of its use, the primary purpose for which the Site is used.
- 1.4.60 **Principal Use** means the main purpose for which a Building or Site is used.
- 1.4.61 **Private Outdoor Amenity Area** means a space designed for the occupants of a specific Dwelling, and shall be provided On-site and with direct access from the Dwelling it is to serve. It shall be landscaped and surfaced for convenient use for outdoor activities.
- 1.4.62 **Private Swimming Pool** including the term "pool" means an artificially created basin lined with concrete, fibreglass, vinyl, metal or similar material, intended to contain water for the use of persons for swimming, diving, wading or other similar activity, which is at least 600mm in depth, and includes pools situated on top of Grade and hot tubs and whirlpools.



1.4.63 **Radial Separation Distance** means the distance established by a radial measurement from the property line of the Site to the radial separation extent boundary as shown in the following diagram:

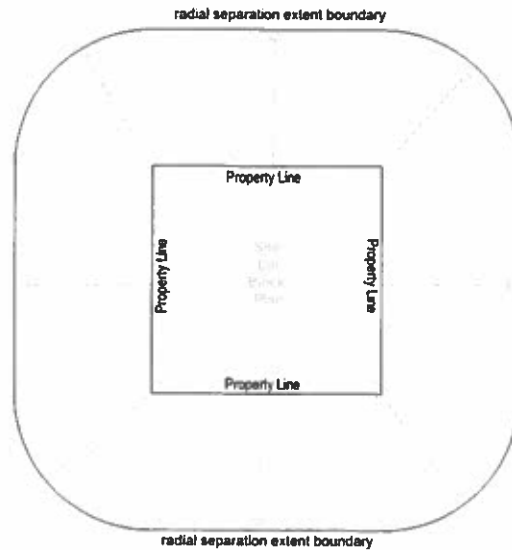


Illustration Radial Separation Distance

1.4.64 **Real Estate Sign** means a Temporary Sign advertising real estate that is for sale, lease, or rent.

1.4.65 **Road**, means land shown as a road on a plan of survey that has been filed or registered in a land titles office, or used as a public road.

1.4.66 **Satellite Dish** means a parabolic antenna 1.0 m or less in diameter utilized for the reception of satellite transmitted television and radio waves.

1.4.67 **Screening** means the total or partial concealment of a Structure or activity by a solid fence, wall, berm, architectural feature, or densely spaced soft Landscaping.

1.4.68 **Sea Container** means a metal freight container that is used for the Temporary Storage of materials and equipment. Sea Containers do not include semi-trailer units.

1.4.69 **Sleeping Unit** means a Habitable Room in a Building in which the room is occupied by a person under any form of accommodation agreement providing remuneration for the room, and the room: does not include provision for cooking or food preparation and may or may not be equipped with sanitary facilities.

1.4.70 **Setback** means the distance between a Building or Structure and a Lot Line. A Setback is not a Yard or Amenity Space.

1.4.71 **Shed** means a single-story portable Structure, freestanding and not attached to a larger Structure. Structures larger than Sheds are classified as Accessory Buildings.

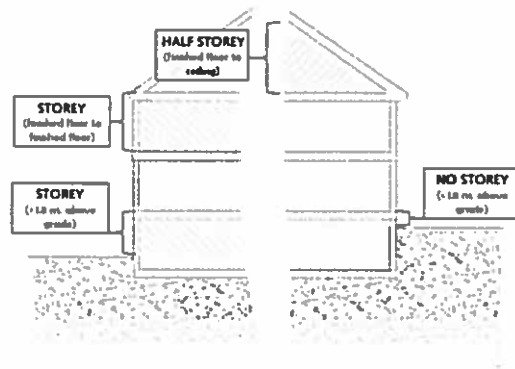
1.4.72 **Sign** means a device, Structure, or fixture intended for advertising or calling attention to any person, matter, object, or event.

1.4.73 **Sign Area** means the entire area of a Sign, measured to the outer perimeter of the Sign, but does not include the supports.



- 1.4.74 **Sign Height** means the vertical distance measured from the finished ground surface directly under the Sign to the highest point of the Sign.
- 1.4.75 **Site** means a Lot, area of land, parcel or one or more Abutting lots developed or intended to be developed as one unit.
- 1.4.76 **Solar Collector** means photovoltaic solar panels or modules that use the sun's energy to heat water or produce electricity.
- 1.4.77 **Stepback** means the horizontal distance a building façade is stepped back or recessed, on a horizontal plane, from the building façade immediately below it.
- 1.4.78 **Storey** means that portion of any building which is situated between the top of any floor and the top of the floor next above it; and if there is no floor above it, that portion between the top of such floor and the ceiling above it.

1.4.79 **Storey, Half** means the living space contained under a peaked roof, as shown in the following diagram.



1.4.80 **Structure** means any Building or Accessory Building.

1.4.81 **Structural Alteration** means any change to the roof, foundation, supporting walls or exterior walls of a Structure that results in the expansion of the Structure.

1.4.82 **Surveillance Suite** means a Dwelling used solely to accommodate an employee, whose function is to provide surveillance, maintenance and/or security for a Development. The Suite shall form part of the Development and clearly be an Accessory Use of the Site.

1.4.83 **Temporary Sign** means a Sign which is not in a permanently installed or affixed position, advertising a location, product, event, or activity on a limited time basis

1.4.84 **Use** means the purpose or activity for which a piece of land and/or its buildings are developed or intended, or for which it is occupied or maintained.

1.4.85 **Walkway** means a public access designated for use by pedestrian traffic.

1.4.86 **Window Sign** means a Sign that is painted on, attached to, or installed inside a window.

- 1.4.87 **Xeriscaping** means Landscaping using native plants, soil grading, and mulching that takes full advantage of rainfall retention and reduces or eliminates the need for supplemental water from irrigation.
- 1.4.88 **Yard** means the required open space for the purpose of providing Landscaping, separation between Buildings and Structures, and that is unoccupied and unobstructed by any Building or Structure, except a Structure that the Bylaw permits to be located in a Yard. A Yard is not a Setback or Amenity Area.
- 1.4.89 **Yard, Front** means that portion of the Site extending across the full width of the Site from the front exterior wall of the Building to the property boundary of the Site.
- 1.4.90 **Yard, Landscaped** means that portion of a Site that is Abutting the Lot line extending across the full width of the Site that is required to be landscaped.
- 1.4.91 **Yard, Rear** means that portion of the Site extending across the full width of the Site from the rear exterior wall of the Building to the rear property boundary of the Site.
- 1.4.92 **Yard, Side** means that portion of the Site extending from the Front Yard to the Rear Yard and lying between the side property boundary of the Site and the nearest portion of the exterior wall of the Building.
- 1.4.93 **Yard, Zero Side** means a case in which a Development is permitted to be built on the side Lot line with no required Side Yard.

1.5 Use Class Definitions

- 1.5.1 Use Class Categories, as set out in Sections 1.5.4 through 1.5.10 inclusive, group Use Classes with common functional or physical impact characteristics.
- 1.5.2 The Use Classes of this Section are used to define the range of Uses which are Permitted or Discretionary within the various Districts of this Bylaw.
- 1.5.3 The Use Class headings, such as Residential or Commercial, do not mean that the Use Classes listed under these headings are permitted only in Residential or Commercial Districts of this Bylaw. Reference must be made to the lists of Permitted and Discretionary Use Classes within each District.

1.5.4 Residential Use Classes

- 1.5.4.1 **Accessory Building or Use** means a use, separate Building, or Structure normally incidental, subordinate, exclusively devoted to and located on the same Lot as the Principal Use, Building, or Structure.



- 1.5.4.2 **Apartment** means Development consisting of Dwellings contained within a building with shared entrance facilities and in which the Dwellings are arranged in any horizontal or vertical configuration.
- 1.5.4.3 **Dwelling, Conversion** means a change in the Use of an existing Dwelling and still being capable of Residential Use with only minor non-structural renovations.
- 1.5.4.4 **Dwelling, Duplex** means Development consisting of a building containing only two Dwellings, with one Dwelling placed over the other in whole or in part with individual and separate access to each Dwelling.
- 1.5.4.5 **Dwelling, Row House** means Development consisting of a building containing a row of three (3) or more Dwellings joined in whole or in part at the side only with no Dwelling being placed over another in whole or in part. Each Dwelling shall have separate, individual, and direct access to Grade.
- 1.5.4.6 **Dwelling, Semi-detached** means Development consisting of only two (2) Dwellings situated side-by-side and sharing a 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.
- 1.5.4.7 **Dwelling, Single-detached** means a detached building consisting of one (1) Dwelling which is separate from any other Dwelling or building and occupied, or intended to be occupied, as a permanent home or residence.
- 1.5.4.8 **Dwelling, Town House** means Development consisting of row housing, except that Dwellings may be arranged vertically such that Dwelling units are located totally or partially above another. Each Dwelling shall have separate and individual access, not necessarily directly to Grade, provided that no more than two Dwellings may share access to Grade.
- 1.5.4.9 **Garage Suite** means an Accessory Dwelling located above a detached Garage; or a single-Storey Accessory Dwelling attached to the side or rear of, a detached Garage (at Grade).
- 1.5.4.10 **Garden Suite** means a single-Storey Accessory Dwelling, which is located in a building separate from the Principal Use which is Single-detached Dwelling.
- 1.5.4.11 **Manufactured Home** means prefabricated Dwelling unit that is constructed in a factory and complies with the latest edition of the applicable Building Code and meets Canadian Standards Association standards.



1.5.4.12 **Secondary Suite** means a self-contained, Dwelling unit that is located within a primary Dwelling (either a Single-detached Dwelling or a Semi-detached Dwelling), where the Dwelling units are registered under the same land title.

1.5.5 **Residential-Related Use Classes**

1.5.5.1 **Apartment Hotels** means Development consisting of Dwellings contained within a building or a part of a building having a principal common entrance, in which the Dwellings are not available for daily lease and there are cooking facilities within each Dwelling. The Dwellings are furnished and may provide maid service, telephone service, or desk service

1.5.5.2 **Bed and Breakfast** means a Dwelling occupied by the Owner and used to provide accommodation to travelers for commercial purposes. Up to three rooms may be rented and parking must be provided On-site.

1.5.5.3 **Boarding and Lodging Houses** means a Development consisting of a Building containing Sleeping Units, which may be in addition to a Dwelling, where lodging or sleeping accommodation with or without meals is provided for remuneration. This Use Class does not include Extended Medical Treatment Services, Group Homes, Fraternity and Sorority Housing.

1.5.5.4 **Dwelling, Show Home** means a Development consisting of one future Dwelling unit which is separate from any other Dwelling unit or Building, is supported on a permanent foundation or basement, meets the requirements for a residence as specified within the Building Code, and is temporarily intended to be used for marketing purposes. A Dwelling, Show Home may not be occupied for any residential purpose until such time that a Development Permit is issued for a Dwelling, Single-detached.

1.5.5.5 **Fraternity and Sorority Housing** means a Development consisting of a Building used for cultural, social and educational purposes, which may include Sleeping Units.

1.5.5.6 **Group Home**, means a Development consisting of the use of a Building as a residential care facility which is recognized, authorized, licensed or certified by a public authority as a social care facility which provides room, board and services to meet the specified needs of residents one or more of whom are unrelated. The facility may provide for the personal rehabilitation of its residents either through self-help or professional care, guidance and supervision. The residential character of the Dwelling shall be primary.

1.5.5.7 **Home Based Business, Major** means development consisting of the use of an approved Dwelling or Accessory Building by a resident of that Dwelling for a business that may generate more than one business visit per day.



- 1.5.5.8 **Home Based Business, Minor** means Development consisting of the use of an approved Dwelling by a resident of that Dwelling for a home office that shall not require more than one business visit per day at the Dwelling.
- 1.5.5.9 **Mixed Use Development** means a multi-Storey Building designed for more than one type of land Use.
- 1.5.5.10 **Live/Work Unit** means a unit that contains one Dwelling, in addition to dedicated floor space for the purpose of conducting work. The work component may or may not be separate and distinct from the Dwelling. This Use Class does not include a Minor Home Based Business or a Major Home Based Business.
- 1.5.5.11 **Temporary Shelter** means Development sponsored or supervised by a public authority or non-profit agency for the purpose of providing temporary accommodation for persons requiring immediate shelter and assistance for a short period of time.

1.5.6 Commercial Use Classes

- 1.5.6.1 **Adult Entertainment** means any premises or part thereof where 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 Use to some other business activity which is conducted on the premises. For the purposes of this Bylaw, partial nudity includes less than completely covered or opaquely covered areas of human breasts, the genitals and/or buttocks.
- 1.5.6.2 **Adult Massage Services** means a Development where services are provided that involve the physical external manipulation of the soft tissues of the human body that are performed, offered or solicited for a fee.
- 1.5.6.3 **Aircraft Sales, Rentals and Storage** means Development used for the sale, charter or rental of aircraft and storage together with incidental maintenance services, and the sale of parts and accessories.
- 1.5.6.4 **Alcohol Sales** means Development used for the retail sales of alcoholic beverages to the public. This Use Class may include, but is not limited to, Accessory retail sales of related products.
- 1.5.6.5 **Amusement Establishments, Indoors** means Development providing facilities within an enclosed Building for various table games or electronic games played by patrons for entertainment. This Use class does not include Carnivals, Indoor Participant Recreation Services, or such establishments which sell such devices, provided that such devices are not available on the premises for use on a commercial basis by the public.
- 1.5.6.6 **Amusement Establishments, Outdoors** means permanent Development providing facilities for entertainment and amusement activities, which primarily take place



outdoors, where patrons are primarily participants. This Use class does not include Drive-in Theatres or Carnivals.

- 1.5.6.7 **Auctioneering Establishments** means Development specifically intended for the auctioning of goods and equipment, including temporary storage of such goods and equipment.
- 1.5.6.8 **Automotive and Equipment Repair Shops** means Development used for the painting, servicing and mechanical repair of vehicles or the sale, installation or servicing of related accessories and parts.
- 1.5.6.9 **Automotive and Minor Recreation Vehicles Sales and Rentals** means Development used for the retail sale or rental of new or used vehicles or light recreational vehicles, together with incidental maintenance services, sales of parts, automotive accessories, Accessory recreational equipment, and supplies. This Use class does not include dealerships for the sale or rental of exclusively trucks or exclusively motor homes with a gross vehicle rating of 4,000 kilograms or greater
- 1.5.6.10 **Broadcasting and Television Studios** means Development used for the production and/or broadcasting of audio and visual programming.
- 1.5.6.11 **Bulk Fuel Storage and Distribution** means a facility for the storage and distribution of petroleum products and may include card lock retail sales.
- 1.5.6.12 **Business Support Services** means Development used to provide support services to businesses which are characterized by, but not limited to, one or more of the following features: the use of minor mechanical equipment for printing, duplicating, binding or photographic processing, the provision of office maintenance or custodial services, the provision of office security, and the sale, rental, repair or servicing of office equipment, furniture and machines.
- 1.5.6.13 **Campground** means Development of land which has been planned and improved for the seasonal short term use of recreational vehicles and is not used for year round storage, or accommodation for residential Use.
- 1.5.6.14 **Carnival** means Temporary Development providing a variety of shows, games and amusement rides for a period of less than 30 days, in which the patrons take part.
- 1.5.6.15 **Casino** means a facility that is licensed by required agencies in the applicable Province for patrons to participate in gaming opportunities as the Principal Use. This use class does not include Amusements Establishments, Indoor or Outdoor or Adult Entertainment. The Casino may include an Accessory use such as Restaurant (for more than 100 occupants), Lounges (for more than 100 occupants) and Nightclubs Use Classes. A Casino will only be a Discretionary Use in a Direct Control District.



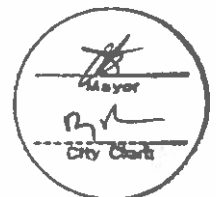
- 1.5.6.16 **Commercial School** means Development used for training and instruction in a specific trade, skill or service for the financial gain of the individual or company owning the school.
- 1.5.6.17 **Contractor Services, General** means Development used for the provision of services of a construction nature which require On-site storage space for materials, construction equipment or vehicles normally associated with the contractor service.
- 1.5.6.18 **Contractor Services, Limited** means Development used for the provision of construction Contractor Services primarily to individual households and the Accessory sale of goods normally associated with the Contractor Services. All materials are kept within an enclosed Building.
- 1.5.6.19 **Child Care Facility** means a Development intended to provide care, educational activities and supervision for groups of seven or more children under thirteen (13) years of age during the day or evening, but does not include overnight accommodation, and is intended to be operated for at least twelve (12) consecutive weeks each year and includes daycare centres, out-of-school care centres, drop-in centres and nursery schools.
- 1.5.6.20 **Child Care Services** means a Child Care Facility, Family Day Home, or Private Babysitting Facility which have been approved by the applicable Province.
- 1.5.6.21 **Drive-in Service** means Development used for banking services, dry-cleaning, or for Specialty Food Services, which are provided in a manner that allows for rapid customer service.
- 1.5.6.22 **Drive-in Theatre** means Development specifically designed for the showing of motion pictures on an outdoor screen for viewing by patrons.
- 1.5.6.23 **Drive-through Vehicle Services** means Development providing rapid cleaning, lubrication, maintenance or repair services to motor vehicles
- 1.5.6.24 **Entertainment Centre** means Development (or portion thereof) that is licensed by the required agencies in the applicable Province that is intended for the gatherings of persons for entertainment, culture, celebrations, or educational purposes. Activities may include: conferences, meetings, dancing or eating and drinking. This use class does not include Adult Entertainment. The Development shall include Restaurants (for more than 100 occupants) as an Accessory Use.
- 1.5.6.25 **Entertainment Establishment** means Development providing facilities within an enclosed building specifically intended for live, theatrical, musical or dance performances, or the showing of motion pictures. This Use Class does not include Adult Entertainment.



- 1.5.6.26 **Esthetic Shop** means 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. This use class does not include Health Services or Adult Massage Services.
- 1.5.6.27 **Equipment Rentals** means Development used for, but not limited to, the rental of tools, appliances, recreation craft, office machines, furniture, light construction equipment or similar items. This Use class does not include the rental of motor vehicles or industrial equipment.
- 1.5.6.28 **Family Day Home** means a Major Home Based Business that may care for a maximum of six (6) children 0–12 years old, including residents of the home. In a Family Day Home a maximum of three (3) children may be under 36 months with no more than two (2) children under 24 months.
- 1.5.6.29 **Fleet Services** means Development using a fleet of vehicles for the delivery of people, goods or services. This Use class includes, but is not limited to, taxi services, bus lines, and messenger and courier services.
- 1.5.6.30 **Funeral Services** means Development used for burial or cremation, and the holding of Funeral Services. This Use class includes funeral homes and undertaking establishments.
- 1.5.6.31 **Hardware and Home Improvement Store** means a retail store primarily engaged in the sale of basic hardware lines. This Development may also supply landscape material such as trees, shrubs, plants, and household supplies. If outdoor storage is required, it shall be screened from public view.
- 1.5.6.32 **Hotels** means a Development used for the provision of rooms or suites for temporary sleeping accommodation where the rooms have access from a common interior corridor. Hotels may include Accessory Retail Stores, Lounges, Restaurants, and Nightclubs, meeting rooms and Esthetic Shops.
- 1.5.6.33 **Household Repair Services** means Development used for the provision of repair services to goods, equipment and appliances normally found within the home.
- 1.5.6.34 **Kennels** means Development used for the accommodation, boarding, and/or breeding of small animals and Uses associated with the shelter and care of small animals, such as grooming, training, and exercising.
- 1.5.6.35 **Lounges** mean Development where the primary purpose of the facility is the sale of alcoholic beverages to the public, for consumption within the premises. This Use Class typically has a menu and minors are prohibited from patronizing the establishment during at least some portion of the hours of operation.



- 1.5.6.36 **Medical Marihuana Production Facility** means a use where Medical Marihuana is cultivated, processed, packaged, tested, destroyed, stored or loaded for shipping; where a licence for all activities associated with a Medical Marihuana production is issued by Health Canada.
- 1.5.6.37 **Market** means Development used for the sale of new or used goods by multiple vendors in an enclosed building or outdoor space. Such operations are usually conducted on weekends and holidays.
- 1.5.6.38 **Motels** mean Development used for the provision of rooms or suites for temporary accommodation, where each room or suite has its own exterior access. Motels may include Accessory Retail Stores, Lounges, Restaurants, and Nightclubs, meeting rooms and Esthetic Shops.
- 1.5.6.39 **Nightclub** means Development where the primary purpose of the facility is the sale of alcoholic beverages to the public, for consumption within the premises. This Use typically has a menu from a partially equipped kitchen and prohibits minors from lawfully utilizing the facility. This use class does not include Adult Entertainment.
- 1.5.6.40 **Non-Accessory Parking** means Development providing vehicular parking which is not intended for the Use of residents, employees or clients of a particular Development.
- 1.5.6.41 **Office** means Development primarily used for the provision of professional services, Health Services or Government Services. Typical uses include, but are not limited to, financial institutions, the offices of lawyers, accountants, engineers, and architects.
- 1.5.6.42 **Pawn Shop** means Development used to provide loans in exchange for goods offered or the sale of second hand goods. This Use Class does not include the sale of used vehicles, recreation craft or construction and industrial equipment, and does not include Markets.
- 1.5.6.43 **Pet Care Facility** means Development where household pets such as dogs and cats are washed, groomed, trained, or boarded during the day and may provide the incidental sale of products relating to the services provided by the Development. This Use may not have any outside Enclosures for the purpose of animal exercise, or allow keeping animals overnight.
- 1.5.6.44 **Private Babysitting Facility** means a Major Home Based Business to provide regular, ongoing care and supervision of six or fewer children including, where applicable, the provider's own children. Private Babysitting Facilities operate independently and are not approved or monitored by a Family Day Home Agency.



- 1.5.6.45 **Private Hall** means Development used for the meeting, social or recreational activities of members of a non-profit philanthropic, social service, athletic, business or fraternal organization, without On-site residences.

- 1.5.6.46 **Restaurant** means Development where the primary purpose of the facility is the sale of prepared foods and beverages to the public, for consumption within the premises or off the Site. Minors are never prohibited from any portion of the establishment at any time during the hours of operation.

- 1.5.6.47 **Retail Stores** means Development used for the retail sale of goods and services from within an enclosed building. This Use class does not include Developments used for the sale of gasoline, new or used vehicles, heavy agricultural and industrial equipment or Developments defined as Warehouse Sales.

- 1.5.6.48 **Service Station, Major** means Development used for the servicing, washing, and repairing of vehicles, and/or the sale of gasoline, petroleum products, vehicle parts and accessories. Major Service Stations may include minor eating and drinking establishments.

- 1.5.6.49 **Service Station, Minor** means Development used for the servicing, washing, and repairing of vehicles within a Building containing not more than three (3) service bays; and/or for the sale of gasoline, petroleum products, of automotive parts and accessories. This Use class includes gas bars.

- 1.5.6.50 **Shopping Centre** means a group of commercial establishments, planned, developed, owned and managed as a unit, with Off-street Parking provided on the property and related in size and type of shops to the trade area that it serves.

- 1.5.6.51 **Specialty Food Services** means Development where limited types of prepared foods and beverages, excluding alcoholic beverages, are offered for sale to the public, for consumption within the premises or off the Site.

- 1.5.6.52 **Sports Establishment** means Development providing facilities intended for athletic events, which are held primarily for public entertainment, where patrons attend on a recurring basis. This Use class does not include Indoor Participant Recreation Services or Outdoor Participant Recreation Services.

- 1.5.6.53 **Temporary Sales Centre** means a temporary Building or Structure used up to a period of twelve (12) months, after which time the Development Permit may be extended or re-issued at the discretion of the Development Officer, for the purpose of marketing land, buildings, manufactured homes or used vehicles.



- 1.5.6.54 **Temporary Development** means a Building or Use that may operate for a period of time determined by the Development Officer, after which time the Development Permit may be extended or re-issued at the discretion of the Development Officer.
- 1.5.6.55 **Temporary Storage** means a Development used exclusively for Temporary Storage of goods and materials, including outdoor storage, where such storage of goods and materials does not involve the erection of permanent Structures or the material alteration of the existing state of the land. A Development Permit may be extended or re-issued at the discretion of the Development Officer.
- 1.5.6.56 **Truck and Mobile Home Sales/Rentals** means Development used for the sale or rental of new or used trucks, motorhomes, Manufactured Homes, and automobiles together with incidental maintenance services and the sale of parts and accessories.
- 1.5.6.57 **Vehicle and Equipment Sales/Rentals, Industrial** means Development used for the sale or rental of heavy vehicles, machinery or mechanical equipment.
- 1.5.6.58 **Veterinary Services, Major** means Development used for the care and treatment of animals where the Veterinary Services primarily involve in-patient care and major medical procedures involving hospitalization for extended periods of time.
- 1.5.6.59 **Veterinary Services, Minor** means Development used for the care and treatment of small animals where the Veterinary Services primarily involve out-patient care and minor medical procedures involving hospitalization for fewer than four days. All animals shall be kept within an enclosed building.
- 1.5.6.60 **Warehouse Sales** means Development used for the wholesale or retail sale of a limited range of bulky goods from within an enclosed building where the size and nature of the principal goods being sold typically require large Floor Areas for direct display to the purchaser or consumer.

1.5.7 Industrial Use Classes

- 1.5.7.1 **Industrial Storage** means Development used exclusively for outdoor storage of goods and materials where such storage does not involve the erection of permanent Structures or the material alteration of the existing state of the land. Industrial Storage does not include General Industrial Uses, Warehouse Sales and Vehicle and Equipment Sales and Rentals.
- 1.5.7.2 **Industrial Uses, General** means Development used principally for, but not limited to, one or more of the following activities: the processing of raw materials; the manufacturing or assembling of semi-finished or finished goods, products or equipment; the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses, where such operations have impacts



that would make them incompatible in non-industrial Districts; the storage or transshipping of materials, goods and equipment; the distribution and sale of materials, goods and equipment to institutions or industrial and commercial businesses; or the training of personnel in general industrial operations. Any indoor display, office, technical or administrative support areas or any retail sale operations shall be Accessory to the General Industrial Use.

1.5.7.3 **Manufacturing Establishment** means Development used for small-scale On-site production, manufacturing, and assembly of semi-finished or finished goods, products or equipment. All On-site production is contained within the confines of the principle building or its Accessory Buildings.

1.5.7.4 **Warehousing** means Development used for the indoor storage and/or distribution of goods and merchandise, excluding any hazardous materials.

1.5.8 **Public Service Use Classes**

1.5.8.1 **Ambulance Station** means a Development in which vehicles equipped for transporting the injured or sick are stored and which may contain living quarters and offices.

1.5.8.2 **Cemetery** means Development of a parcel of land primarily used as landscaped open space for the entombment of the deceased, and may include, but not limited to, the following Accessory Uses; crematories, cinerarium, columbarium, and mausoleums.

1.5.8.3 **Communication Facility** means an Industry Canada regulated communication facility, including, but not limited to, radio, television, cellular telephone and microwave transmission towers and Accessory Structures.

1.5.8.4 **Community Hall** means any Building which is used by the public for the purpose of a communal activity.

1.5.8.5 **Exhibition and Convention Facilities** means a Development, which provides, but is not limited to, permanent facilities for meetings, seminars and conventions; product and trade fairs; circuses; and other exhibitions.

1.5.8.6 **Extended Medical Treatment Services** means Development providing room, board and surgical or other medical treatment for the sick, injured or infirm including outpatient service and Accessory staff residences.

1.5.8.7 **Government Services** means Development providing Municipal, Provincial or Federal government services to the public. This use class does not include Protective and Emergency Services, Minor or Major Impact Utility Services and Public Education Services.



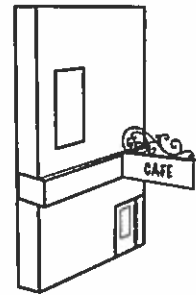
- 1.5.8.8 **Health Services** means Development used for the provision of physical and mental Health Services on an out-patient basis. Services may be of a preventive, diagnostic, treatment, therapeutic, rehabilitative or counseling nature provided by a person duly licensed or registered under Alberta and/or Saskatchewan law.
- 1.5.8.9 **Participant Recreation Services, Indoor** means Development providing facilities within an enclosed building for sports and active recreation where patrons are predominately participants and any spectators are incidental and attend on a non-recurring basis.
- 1.5.8.10 **Participant Recreation Services, Outdoor** means Development providing facilities, which are available to the public at large for sports and active recreation, conducted outdoors. This Use class does not include Sports Establishments and Outdoor Amusement Establishments.
- 1.5.8.11 **Private Education Services** means Development for instruction and education which is not maintained at public expense and which may or may not offer courses of study equivalent to those offered in a public school or private instruction as a Home Based Business. This Use Class includes, but is not limited to, dormitory and Accessory buildings. This Use Class does not include Commercial Schools.
- 1.5.8.12 **Protective and Emergency Services** means Development, which is required for the public protection of persons and property and includes the storage of emergency equipment and vehicles.
- 1.5.8.13 **Public Education Services** means Development which is publicly supported or subsidized involving public assembly for educational, training, staff and/or student housing and/or instruction purposes and includes the administration offices required for the provision of such services on the same Site. This Use class does not include commercial schools.
- 1.5.8.14 **Public Libraries and Cultural Exhibits** means Development for the collection of literary, artistic, musical and similar reference materials in the form of books, manuscripts, recordings and films for public Use; or a Development for the collection, preservation and public exhibition of works or objects of historical, scientific or artistic value.
- 1.5.8.15 **Public Park** means Development of public land specifically designed or reserved for the general public for active or passive recreational Use.
- 1.5.8.16 **Recycling Depots, Major** means Development used for the buying and Temporary Storage of bottles, cans, newspapers and similar household goods for reuse where all storage is contained within an enclosed building.



- 1.5.8.17 **Recycling Depots, Minor** means a Development used only for the collection and Temporary Storage of products.
- 1.5.8.18 **Religious Assembly** means Development used for worship, philanthropic or social activities and includes, but is not limited to, Accessory rectories, manses, meeting rooms, and classrooms. This Use does not include Education Services or Commercial Schools.
- 1.5.8.19 **Utility Service, Major** means Development for utility infrastructure purposes, which are likely to have a major impact on the environment or Abutting Uses by virtue of their potential emissions or effects, or their appearance.
- 1.5.8.20 **Utility Services, Minor** means Development for utility infrastructure purposes, which is likely to have limited effect on the environment or Abutting land by virtue of its appearance, noise, size, traffic generation or operational characteristics.
- 1.5.9 **Agricultural and Resource Extraction Use Classes**
- 1.5.9.1 **Agricultural Oriented Sales and Service** means Development used for the sale or rental of farming equipment together with maintenance services and the sale of parts.
- 1.5.9.2 **Farming** means Development for engaging in the practice of raising field crops and Livestock. This Use shall not include intensive agricultural operations such as feedlots.
- 1.5.9.3 **Grain Elevator** means a Structure or Development that receives grain directly from producers for storage, or transfer, or both. This Structure or Development may include receiving and testing offices, and/or weighbridges.
- 1.5.9.4 **Greenhouses and Plant Nurseries** means Development used primarily for the raising, storage and sale of bedding, household and ornamental plants and related accessories.
- 1.5.9.5 **Resource Extraction** means Development for the On-site removal, extraction, and primary processing of raw materials found on or under the Site.
- 1.5.10 **Sign Use Classes**
- 1.5.10.1 **A-Board Sign** means a Sign that is A-shaped and is set upon the ground. An A-Board Sign has no external supporting Structure.
- 1.5.10.2 **Awning Sign** means a Sign attached to or constructed in or on the face of an awning or canopy.
- 1.5.10.3 **Balloon Sign** means an inflated, three dimensional device that is affixed or anchored to the ground or a Structure.



- 1.5.10.4 **Banner Sign** means a lightweight, flexible fabric or material mounted to a pole, Structure or Building and does not include Federal, Provincial or Municipal flags.
- 1.5.10.5 **Billboard Sign** means a freestanding Sign mounted in the ground on which advertising can be placed and may contain Third Party Advertising.
- 1.5.10.6 **Development Marketing Sign** means a Sign for the purpose of promoting neighbourhoods, Shopping Centres, or industrial parks under development.
- 1.5.10.7 **Fascia Sign** means a Sign attached flush to, or marked, painted or inscribed on a vertical surface of a Building, but does not include a Billboard Sign or a Mural.
- 1.5.10.8 **Fence Sign** means a Sign attached to a fence.
- 1.5.10.9 **Freestanding Sign** means a Sign that is supported independently of a Building wall or Structure. Freestanding Signs do not include Billboard Signs.
- 1.5.10.10 **Hanging Sign** means a Sign suspended from a Structure.
- 1.5.10.11 **Neighbourhood Sign** means a Sign which states the name of a community area.
- 1.5.10.12 **Portable Sign** means a Temporary Sign which is not permanently attached to the ground or other permanent Structure, or a Sign designed to be transported, including but not limited to Signs designed to be moved on wheels, balloons, and inflatable devices used as Signs.
- 1.5.10.13 **Projecting Sign** means a Sign which projects from a Structure.
- 1.5.10.14 **Roof Sign** means a Sign which projects above the top eaves or is erected upon a roof of a Building to which the Sign is attached.



2. Development Authority, Applications and Amendments

2.1 Development Authority

- 2.1.1 The Development Authority is established by bylaw pursuant to the Municipal Government Act.
- 2.1.2 The Development Authority shall exercise development powers and duties on behalf of the City.
- 2.1.3 The Development Authority shall be the Development Officer.

2.2 Development Officer

- 2.2.1 The office of the Development Officer is hereby established and shall be filled by a person or persons appointed by the Chief Administrative Officer.
- 2.2.2 The Development Officer shall:
 - i. Receive and process all Development Permit applications;
 - ii. Keep and maintain, for inspection by the public during normal office hours a Copy of this Bylaw and all amendments thereto and a register of all applications for development, including the decisions thereon and the reasons therefore;
 - iii. Receive applications for amendments to this Bylaw and make recommendations to Council;
 - iv. Consider and decide on all Development Permit applications;
 - v. Receive, consider and decide on requests for time extensions for Development Permits which have been issued;
 - vi. Sign and issue all Development Permits;
 - vii. Receive and process all applications within areas affected by an Overlay; and
 - viii. Carry out enforcement of the Bylaw, and such other duties as may be prescribed in this Bylaw, and other administrative duties.

2.3 Council

- 2.3.1 Council shall decide upon amendments to this Bylaw.



2.4 Subdivision and Development Appeal Board

- 2.4.1 The Board is authorized to perform such duties as specified in the Subdivision and Development Appeal Board Authority Bylaw and the Act, as amended.

2.5 Control of Development

- 2.5.1 No Development shall be undertaken or Use commenced unless a Development Permit, where such a permit is required, has first been obtained, and the development proceeds in accordance with the terms and conditions of the Development Permit.
- 2.5.2 A Development Permit shall not be valid unless it conforms to this Bylaw and the provisions of the Act.
- 2.5.3 Development Permits issued on the basis of plans and applications approved by the Development Officer, authorize only the Development set forth in such approved plans and applications. Development contrary with that authorization shall be deemed a violation of this Bylaw and subject to enforcement as provided in Section 3.0.

2.6 Development for which No Permit is Required

- 2.6.1 A Development Permit is not required for the following developments; however they shall otherwise comply with the provisions of this Bylaw and must be carried out or performed in accordance with all other applicable legislation, regulations and bylaws:
- i. The construction, maintenance and repair of services and utilities carried out by or on behalf of Federal, Provincial, Municipal or public authorities on land which is publicly owned or controlled;
 - ii. The use of a Building or part thereof as a temporary polling station, returning officer's headquarters, candidate's campaign office and any other official temporary use in connection with a Federal, Provincial or Municipal election, referendum or census;
 - iii. The use of land by the City of which the City is the legal or equitable Owner for a purpose approved by a simple majority vote of Council in connection with any Public Utility carried out by the City;
 - iv. Excavation, stripping, or Site grading that is part of a Development for which a Development Permit has been issued;
 - v. Removal of soil from a Site or stockpiling of soil on a Site when a Development Agreement, pursuant to a subdivision approval, has been duly executed for that Site and the removal or stockpiling is in accordance with the agreement and approval;



- vi. The completion of a Building which was lawfully under construction or for which a valid Development Permit was issued prior to the date of approval of this Bylaw provided that the Building is completed in accordance with the terms of the permit granted by the City in respect of it, and subject to the conditions to which that permit was granted; and the Building, whether or not a permit was granted in respect of it, is commenced within a period of twelve (12) months from the date of issuance of the last permit relating thereto;
- vii. The erection or installation of a temporary office, machinery and equipment needed in connection with construction of a Development for which a permit has been issued, for the period required for completion of that Development, excepting any machinery and equipment that requires a Road closure permit;
- viii. Development carried out under a Development Agreement;
- ix. The erection, construction, maintenance, improvement, or alteration of gates, fences, pergolas, arbors, walls, recycling or compost Enclosures, or other means of Enclosure, subject to specific fencing, Landscaping or Screening provisions contained in this Bylaw;
- x. Landscaping where the proposed Grades will not adversely affect the subject or Abutting properties;
- xi. Hard surfacing of any area that is part of a Development for which a Development Permit has been issued, for the purpose of providing vehicular or pedestrian access or parking where such access or the parking area does not drain onto Abutting properties, and similar works provided the construction is wholly confined within the legal boundaries of the subject property;
- xii. Uncovered decks, landings, patios, and stairways that do not exceed 0.6 m in Height;
- xiii. An Accessory Building, located in a Rear Yard of a Residential District, which is under 10 m² in area, with a Height not greater than 2.51 m, and meets the Yard requirements of the District.
- xiv. Signs as per Section 4.20.5;
- xv. The installation and operation of a Radio Antenna, Satellite Dish, or Solar Collector, provided they meet the requirements of the District;
- xvi. Fire pits provided they meet the requirements of the City's Protective Services Department.
- xvii. The internal alteration of a Building provided the alterations do not result in an increase in the number of Dwelling units or the Building footprint, or represent a change of Use.



2.7 Development Permit Applications

2.7.1 An application for a Development Permit for new development shall be made to the Development Officer in writing on the appropriate form as prescribed by the Development Officer. The application shall also include, but is not limited to:

- i.** A letter of authorization from the property Owner(s) where the applicant is not the registered Owner of the property;
- ii.** A scaled detailed Site plan, which shall be prepared by a registered professional and showing maximum Building footprint and ground level development (existing and proposed, including Accessory buildings), adjoining Roads, properties, Abutting land uses, Buildings, north arrow and containing the following information:
 - a.** All Setbacks/Yards dimensioned in metres (m);
 - b.** Lot Area in square metres (m²);
 - c.** Lot Coverage as a percentage (%);
 - d.** Gross Floor Area in square metres (m²);
 - e.** Number of parking stalls, bike parking stalls, Loading Spaces, accesses, layout dimensions, pedestrian Walkways, Screening, curbing and surface treatment;
 - f.** Underground utilities, and refuse and recycling bins;
 - g.** Off-site information as may be relevant to the design; Abutting Buildings or proposed Buildings, sidewalks, overhead and underground utilities; and
 - h.** Any other information required by the Development Officer.
- iii.** Elevations to a minimum 1:100 scale including all of the following information:
 - a.** Site grading plans and/or Site drainage plans, to the satisfaction of the Development Officer, showing the proposed Development and Landscaping including the existing and proposed design geodetic Site Grades, Road Grades and Foundation Grades;
 - b.** Height in metres of all Buildings;
 - c.** Number of Storeys;
 - d.** Exterior treatment on all elevations identifying materials and colours;



- e. Road elevations at a minimum 1:200 scale;
 - f. Sign detail; and
 - g. Any other information required by the Development Officer.
- iv. Landscape plan(s) including the following information:
- a. Clearly delineate the form of the landscape by defining the extent of lawns, planted areas, fencing, and Hard Surfacing;
 - b. Show the location and general description of species, including size and Height;
 - c. Show the location, size, and general elements included in the Amenity Areas, such as seating areas or patios;
 - d. Provide information regarding the Abutting neighbourhood and Site context, impact on views, scale, and relationship to development; and
 - e. Any other information required by the Development Officer.
- 2.7.2 The Development Officer shall require a Crime Prevention Through Environmental Design (CPTED) assessment prepared by a qualified professional for Commercial, Industrial, and multiple building Row House and Town House developments, and Apartment Residential, and Public Service Developments.
- i. Elements to mitigate concerns may include, but are not limited to: large window areas, interior and exterior lighting, physical layout that reduces the vulnerability of pedestrians, the placement and use of Landscaping that limits areas of concealment, and the location of parking areas close to Building access points.
- 2.7.3 When, in the opinion of the Development Officer, sufficient details of the proposed Development have not been included with the application for a Development Permit, the Development Officer shall deem the application as incomplete. The application shall only be deemed complete when all required details have been submitted to the satisfaction of the Development Officer.
- 2.7.4 Notwithstanding Section 2.7.1, the Development Officer may reduce the detail of information required where the information is available or where the level of detail is not required.

2.8 Development Permit Application Fees



2.8.1 The schedule of fees for Development Permits shall be determined by City Council.

2.9 Special Information Requirements

2.9.1 In addition to the information required pursuant to Section 2.7, the Development Officer may require the following information and studies:

- i. A public meeting in the community;
- ii. Area Structure Plan or Outline Plan;
- iii. Environmental Site Assessment;
- iv. Geotechnical Study
- v. Lighting Impact Assessment;
- vi. Noise Impact Assessment;
- vii. Parking Demand Study;
- viii. Real Property Report
- ix. Transportation Impact Assessment;
- x. Urban Design Study; and
- xi. Any other information required by the Development Officer.

2.9.2 Environmental Nuisance and Health Impacts Assessment

- i. When an application for a Development Permit is for industrial activities designated for either approval or registration under the *Environmental Protection and Enhancement Act*, RSA 2000, c. E-12, as amended from time to time or the *Environmental Management and Protection Act*, SS 2002, c. E-10.21, as amended from time to time, the Development Officer may require the application to contain an Environmental Nuisance and Health Impacts Assessment prepared by an environmental professional such as an engineer, biologist, planner, geologist or hydrogeologist and the Development Officer may impose any conditions necessary to mitigate environmental Nuisances and health impacts identified in the assessment. The Environmental Nuisance and Health Impacts Assessment shall:
 - a. Identify the nature and quantities of substance releases;



- b. Identify the provincial standards for the proposed industrial operation;
- c. Identify any sensitive land uses or Districts that could contain sensitive land uses, existing or proposed, which could be detrimentally impacted by the substance releases;
- d. Demonstrate what remedial measures shall be undertaken;
- e. Identify and recommend any separation distances or other land use planning measures that could be undertaken; and
- f. Any other information required by the Development Officer.

2.9.3 Sun Shadow Impact Study

- i. The Development Officer shall require a Sun Shadow Impact Study where the proposed development is greater than four (4) Storeys. This Study shall be prepared by a registered Professional Engineer or Architect.

2.9.4 Wind Impact Statement and Study

- i. Where warranted, the Development Officer may require an applicant for a Development Permit to submit a Wind Impact Statement and/or a Wind Impact Study prepared by a qualified, registered Professional Engineer.

2.9.5 Assessment of Risk for Industrial Activities

- i. When an application for a Development Permit is for an activity involving the use or storage of hazardous substances, the Development Officer may require the application to contain an Assessment of Risk prepared by an environmental professional such as an engineer, biologist, planner, geologist or hydrogeologist, and the Development Officer may impose any conditions necessary to mitigate the risks associated with the use or storage of hazard substances identified in the assessment.
- ii. The Assessment of Risk shall:
 - a. Identify hazardous substances and their quantities;
 - b. Estimate the expected frequency of the occurrence of a hazardous event;
 - c. Assess the possible consequences of such an event;
 - d. Determine annual individual risk and compare to risk acceptability criteria;



- e. Demonstrate how the proposed facility and operations shall contribute to the following risk management objectives: risk reduction at source; risk reduction through land use planning around industrial Sites and pipeline and dangerous goods corridors; emergency preparedness; emergency response; risk communication and public participation; and identify and recommend risk-based separation distances and other measures to reduce risk; and
- f. Any other information required by the Development Officer.

2.10 Notification of Development Permit Applications

2.10.1 Unless otherwise provided in this Bylaw, prior to an application being considered for a Permitted Use requiring a variance or a Discretionary Use the Development Officer:

- i. Shall cause a notice to be published once in a local newspaper circulating in the City, at the expense of the applicant; and
- ii. Shall cause a notice to be sent by mail or email to all assessed property Owners within 30 m of the Site,

not less than seven (7) days prior to the date of consideration of the application.

2.10.2 The notice required pursuant to Section 2.10.1 shall state:

- i. The proposed use of the Building or Site;
- ii. That an application respecting the proposed use will be considered by the Development Officer;
- iii. That any person who objects to the proposed use of the Site may deliver to the Development Officer a written statement of their objections indicating: their full name and address for service of any notice to be given to them in respect of the objection; and the reasons for their objections to the proposed use;
- iv. The date by which objections must be received by the Development Officer; and
- v. The date, time and place the application will be considered by the Development Officer.

2.11 Referrals

2.11.1 The Development Officer may refer any application to any agency or authority for comment.



- 2.11.2 The Development Officer shall refer to any abutting municipality for consideration and recommendation, any application that relates to lands abutting the municipal boundary.
- 2.11.3 After seven (7) days from the date of referral, pursuant to Sections 2.11.1 and 2.11.2, the application may be dealt with by the Development Officer whether or not comments have been received.

2.12 Decisions on Development Application

- 2.12.1 In making a decision on a Development Permit application for a Permitted Use, the Development Officer:
- i. Shall approve the application, with or without conditions, if the proposed Development conforms with this Bylaw; or
 - ii. Shall refuse the application, and provide rationale for refusal, if the proposed Development does not conform to this Bylaw.
- 2.12.2 On receipt of an application for a Discretionary Use, the Development Officer:
- i. May refuse the application regardless of whether it meets the requirements of this Bylaw, and provide rationale for refusal;
 - ii. May approve the application, with or without conditions, where the facts presented establish that the proposed Development:
 - a. Will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity or injurious to property, improvements or potential development in the vicinity; and
 - b. Complies with the applicable provisions of this Bylaw and will not be contrary to the Municipal Development Plan, or any other applicable Statutory Plan.
 - iii. Shall refuse the application if the proposed Development does not conform to this Bylaw.
- 2.12.3 The Development Officer shall refuse a Development Permit for any application which is not within the intent of this Bylaw or which falls outside the powers delegated to the Development Officer by this Bylaw.
- 2.12.4 The Development Officer shall refuse a Development Permit for a use that is not listed as a Permitted or Discretionary Use in the District in which the Building or land is located.



2.12.5 The Development Officer may issue a Temporary Development Permit for a period not exceeding one (1) year.

2.12.6 Where a Temporary permit is issued, the Development Officer shall:

- i. Require that the use be stopped or the Temporary Development removed once the permit expires;
- ii. Require that the Development be developed in accordance with Section 5.26, if applicable; and,
- iii. Impose a condition that the City is not liable for any costs incurred in removing the Development.

2.12.7 An application for a Development Permit may, at the opinion of the applicant, be deemed to be refused when a decision on the application is not made by the Development Officer within 40 days of the receipt of a completed application unless a time extension agreement is signed by the applicant.

2.13 Discretion and Variance Authority

2.13.1 Notwithstanding Section 2.12.1(ii) and 2.12.2(iii), and subject to Section 2.13.5, the Development Officer may vary the requirements of this Bylaw subject to the following conditions:

- i. A variance shall only be granted for: a Yard; Lot Coverage; the minimum required distance of a Building or Structure to any other Building or Structure on a Lot, the Height of a Building (measured in metres, rather than Storeys); or, the parking required for a Development.

2.13.2 The maximum variance shall not exceed 15% of the Bylaw's requirements;

- a. The variance shall only be approved if, in the opinion of the Development Officer, it will not materially interfere with the amenities of the neighbourhood, or affect the use, enjoyment or value of neighbouring properties; and
- b. The proposed Development is listed either as a Permitted or Discretionary Use in the subject Land Use District.

2.13.3 A request for a variance may be initiated by the Owner(s) of a property.

2.13.4 All applications for a variance shall be made to the Development Officer and be accompanied by a Plan of Survey, Real Property Report, and any additional information that the Development Officer may require.



2.13.5 In approving an application for a Development Permit pursuant to Section 2.13, the Development Officer shall adhere to the following:

- a. A variance shall be considered only in cases of unnecessary hardship or practical difficulties peculiar to the Use, character, or situation of land or a building, which are not generally common to other land in the same District;
- b. Except as otherwise provided in this Bylaw, there shall be no variance from the regulations specified in the Airport Protection Overlay; and
- c. The purpose of the appropriate District.

2.13.6 If a variance is granted pursuant to this Section, the Development Officer shall specify its nature in the Development Permit approval.

2.14 Development Permit Conditions

2.14.1 As a condition of Development Permit approval, the Development Officer may require that the applicant enter into and comply with a Development Agreement with the City which, in addition to other matters, may require the applicant:

- i. To construct or pay for the construction of:
 - a. A Road required to give access to the Development;
 - b. A pedestrian Walkway system to serve the Development or to connect the pedestrian Walkway system serving the development with a pedestrian Walkway system that services or is proposed to serve an Abutting Development, or both; and,
 - c. Off-street or other parking facilities and loading and unloading facilities;

To install or pay for the installation of a public utility described in s. 616(v)(i) to (ix) of the *Municipal Government Act* that is necessary to serve the development, whether or not the public utility is, or will be, located on the land that is the subject of the development;

- ii. To pay all applicable development charges and levies including Off-site and redevelopment levies;
- iii. To repair or reinstate, to original condition, any street furniture, curbing, sidewalk, boulevard Landscaping or trees which may be damaged or destroyed or otherwise harmed by development or Building operations upon the Site;



- iv. To provide an irrevocable letter of credit, or other form of security acceptable to the Development Officer, to guarantee performance of the conditions of the Development Permit and/or Development Agreement; and
 - v. To attend to all other reasonable matters the Development Officer considers appropriate.
- 2.14.2 To ensure compliance with a Development Agreement, the City may register a caveat against the property being developed which shall be discharged upon the terms of the agreement being met.
- 2.14.3 The Development Officer may require, as a condition of issuing a Development Permit, that a developer provide securities to the City to ensure completion of the Development in conformance with this Bylaw and the conditions of the Development Permit, and to cover the cost of repairing municipal improvements which may be damaged during the process of development. The security shall be returned after the final occupancy permit has been issued.
- 2.14.4 The Development Officer may incorporate in a Development Permit any conditions considered appropriate with which the Development shall comply and which are consistent with regulations in this Bylaw.
- 2.14.5 In approving a Discretionary Use, the Development Officer may prescribe specific development standards with respect to that use or form of development, provided those standards are necessary to secure compliance with the requirements of this Bylaw with respect to:
- i. The nature of the proposed Site, including its size and shape and the proposed size, shape and arrangement of Buildings;
 - ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic and the adequacy of proposed Off-street Parking and loading;
 - iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odour; and
 - iv. Treatment given to aspects such as Landscaping, Screening, open spaces, parking and loading areas, lighting and Signs, and the colour, materials and architectural detail.
- 2.14.6 When services or facilities are required, a person shall not begin the excavation for the foundation, nor commence the Development until provision has been made for such services or facilities to the satisfaction of the Development Officer.
- 2.15 Development Agreement Fees**
- 2.15.1 When a Development Agreement is to be entered into between the City and the applicant, as a condition of issuing a Development Permit pursuant to Section 2.14 of this Bylaw, the applicant shall pay to the Development Officer upon execution of the Development Agreement, in addition



to any other fee required pursuant to this or any other bylaw, a Development Agreement fee as determined by City Council. In accordance with Section 640 of the *Municipal Government Act* Council will, by Bylaw, establish Development Agreement Fees.

2.16 Restrictions on Issuance of a Development Permit

2.16.1 The Development Officer may prohibit the erection of a Building on any Site where it would otherwise be Permitted or Discretionary when, in the opinion of the Development Officer, satisfactory arrangements have not been made for the supply to such Building or site of water, electric power, sanitary sewer, storm sewer, Road access, or other services or facilities, including the payment of the costs of installing any such service or facility.

2.17 Notification of Development Approval

2.17.1 When an application for a Development Permit for a Permitted Use requiring a variance or a Discretionary Use, with or without a variance, is approved the Notice of Decision shall be delivered to the applicant by mail, published once in a newspaper circulating in the City at the expense of the applicant, and Notice shall be sent by mail to all assessed property Owners within 30 m of the Site.

i. The Notice of Decision may be delivered to the applicant by email, as an alternative to mail, if an email address is supplied or confirmed available by the applicant.

2.17.2 When an application for a Development Permit is refused, the Notice of Decision shall be delivered by mail to the applicant.

2.17.3 For the purposes of this Bylaw, the date of Notice of Decision is deemed to have been given on the date it appears in the newspaper.

2.17.4 If a Development Permit application for a residential use is approved, the Development Officer shall, where applicable, include in the written notice advising that the approved residential use is located adjacent to an agricultural operation.

2.18 Validity of Development Permit

2.18.1 A Development Permit is not in effect until fourteen (14) days after the Notice of Decision has been given pursuant to Section 2.17. If an appeal is lodged with the Board, no Development shall be commenced until the appeal is finally determined and the issuance of the Development Permit is upheld.

2.18.2 A Development Permit shall be void if, in the opinion of the Development Officer, the Development has been discontinued for a period of six (6) months or has not been actively carried on for a period of six (6) months.



2.18.3 When a Development Permit becomes void, a new application for a permit is required before development may proceed. Such application shall be dealt with as if it was a first application and there shall be no obligation to approve such application on the basis that a previous application had been approved for that Development.

2.19 Appealing a Decision

2.19.1 The applicant for a Development Permit may appeal to the Board if the Development Officer:

- i. Refuses a Development Permit;
- ii. Fails to make a decision on a Development Permit within forty (40) days of receipt of a completed application; or
- iii. Issues a Development Permit subject to conditions.

2.19.2 In addition to the applicant, any person affected by a Development Permit or the decision on it may appeal to the Board.

2.19.3 Notwithstanding Sections 2.19.1 and 2.19.2, no appeal lies in respect of the issuance of a Development Permit for a Permitted Use, unless the provisions of the Land Use Bylaw were relaxed, varied or misinterpreted.

2.19.4 A person desiring to appeal to the Board shall file with the Secretary of the Board written notice of appeal within fourteen (14) days of the date of issuance of the Notice of Decision is deemed to be given under Section 2.17.3.

2.19.5 A decision on a Development Permit application within a Direct Control District is limited to whether or not the Development Officer followed the directions of Council. If the Board finds that the Development Officer did not follow Council's directions, it may, in accordance with Council's directions, substitute its decision for that of the Development Officer.

2.20 The Appeal Process

2.20.1 The Secretary of the Board shall ensure persons required to be notified under the provisions of the Subdivision and Development Appeal Board Bylaw and the Act are given notice of appeal.

2.20.2 If a notice of appeal of a decision on a Development Permit application is served on the Secretary of the Board, the permit shall not be effective until:

- i. The decision to approve the permit is upheld by the Board; or
- ii. The Secretary receives written notice from the Appellant indicating that the appeal is withdrawn.



- 2.20.3 In dealing with an appeal, the Board shall follow the process described in the Subdivision and Development Appeal Board Bylaw and the Act.
- 2.20.4 If a decision to approve a Development Permit is reversed by the Board, the Development Permit shall be null and void.
- 2.20.5 If a decision to refuse a Development Permit is reversed by the Board, the Board shall direct the Development Officer to issue a Development Permit in accordance with its decision.
- 2.20.6 If a decision to approve a Development Permit application is varied by the Board, the Board shall direct the Development Officer to issue a Development Permit in accordance with its decision.
- 2.20.7 The decision of the Board is binding except on a question of jurisdiction or law, in which case the Appellant may seek permission to appeal to the Alberta Court of Appeal as provided in the City of Lloydminster Charter and *Municipal Government Act*.

2.21 Notice of Appeal

- 2.21.1 The Secretary to the Board shall, at least five (5) days prior to the hearing of an appeal publish a notice in a newspaper circulating in the City stating:
- i. The subject and nature of the appeal;
 - ii. The time, date and location of the hearing; and
 - iii. Any other matters the Secretary of the Board considers necessary.
- 2.21.2 The Secretary shall also notify in writing the Appellant, the Development Officer, objectors of record, Abutting landowners, and any other person that the Board considers should be notified.

2.22 Expiry of Permit

- 2.22.1 Once a Development is initiated in relationship to an approved Development Permit, the Permit remains valid until the work is completed. However, if a Development is not completed to a standard acceptable to the Development Officer within two (2) years of the issuance of the Permit, or an extension thereof, the Development Officer may cancel the Development Permit and direct that the Site be returned to its original condition or a state acceptable to the Development Officer.

2.23 Resubmission Interval



2.23.1 An application for a Development Permit for a Use within the same Use Class of this Bylaw shall not be accepted by the Development Officer from the same or any other applicant for the same Site:

- i. Within six (6) months of the date of a refusal by the Development Officer; or
- ii. Within six (6) months of the date of a written decision of the Board on a previous application, if the previous application was appealed to and subsequently refused by the Subdivision and Development Appeal Board; or
- iii. Within six (6) months of the date of a written decision of the Alberta Court of Appeal on the previous application if the application has been appealed to the Alberta Court of Appeal; or
- iv. During the time prior to the decision of the Board or the Alberta Court of Appeal, if the application has been appealed to the Board or the Alberta Court of Appeal.

2.23.2 Section 2.23.1 shall not apply in the case of an Application for a Development Permit for a Permitted Use if the Application complies with all of the regulations of this Bylaw.

2.23.3 If upon review of any application for a Development Permit, the Development Officer determines that Section 2.23.1 applies, then the application shall be returned to the applicant, along with any fees that have been submitted. The application shall not be considered as having been refused, but shall be deemed not to have been submitted.

2.24 Land Use Bylaw Amendments

2.24.1 Council may, at any time, by virtue of a resolution initiate an amendment to this Bylaw. If deemed necessary, and in accordance with the provisions of the Act, the City may initiate an amendment to this Bylaw affecting any parcel of land without the Owner's consent.

2.24.2 An amendment application shall be made to the Development Officer in writing on the appropriate form, and shall be signed by the applicant or his agent. The following information and documents will accompany the application:

- i. A summary of the concerns expressed at a public meeting in the community, if the meeting is deemed necessary;
- ii. The preparation, submission and/or amendment of an Area Structure Plan or Outline Plan, if necessary;
- iii. A non-refundable fee as set out in the fee schedule;
- iv. If the amendment involves the re-districting of land to a different Land Use District, a current Certificate of Title (issued not later than 30 days prior to the receipt of the



amendment application) for the land affected or other documents satisfactory to the Development Officer including evidence of the applicant's interest in the said land;

- v. A map of the Site and surrounding area drawn to scale and accurately dimensioned to the satisfaction of the Development Officer; and
- vi. A statement of the purpose and reasons for the proposed amendment(s).
- vii. A letter of authorization from the property Owner(s) where the applicant is not the registered Owner of the property.
- viii. Any information and/or studies required by the Development Officer, such as but not limited to those listed in Section 2.9.

2.25 Land Use Bylaw Amendment Process

2.25.1 Upon receipt of a completed amendment application, the Development Officer shall:

- i. Examine the proposed amendment and prepare a written report on the proposed amendment; and
- ii. Advise the applicant in writing that he:
 - a. Is prepared to recommend the amendment to Council without further investigation;
 - b. Is not prepared to recommend the amendment;
 - c. Requires further investigation to make a recommendation; or
 - d. Is prepared to recommend an alternative amendment.
- iii. Upon receiving the advice of the Development Officer, the applicant shall advise the Development Officer if:
 - a. He wishes the proposed amendment to proceed to Council, in which case he must prepay the advertising costs referred to in the fee schedule prior to the amendment proceeding to Council; or
 - b. He does not wish to proceed to Council with the proposed amendment, in which case the application is considered abandoned.
 - c. If the applicant does not respond to the Development Officer's notification, the application shall be cancelled after one year from the date of the notice of the Development Officer.



- iv. The Development Officer shall present for the consideration of Council any proposed amendment to this Bylaw, and the proposed amendment shall be accompanied by the report and recommendations of the Development Officer.

2.25.2 The amendment application may be referred by the Development Officer to:

- i. Any municipal department, Abutting municipality, government agency, or other external agency for comment; and
- ii. Council for first reading and to establish a date for a public hearing to be held prior to second reading.

2.25.3 After the date for a public hearing has been set by Council, a notice of the amendment application shall be published once a week for two (2) consecutive weeks in a newspaper circulating in the City. This notice shall contain:

- i. The legal description, municipal address and a map of the land which is the subject of the application;
- ii. The purpose of the proposed amendment;
- iii. One or more places where a Copy of the proposed amendment may be inspected by the public during reasonable hours;
- iv. The date, place, and time that Council will hold a public hearing on the amendment; and
- v. An outline of the procedures to be followed by anyone wishing to be heard at the public hearing, and an outline of the procedures to be followed at the public hearing.

2.25.4 If the amendment involves the re-districting of land to a different Land Use District a notice shall also be given to the assessed Owner of the subject land, to landowners located within 30 m of the subject land at the addresses shown for each Owner on the assessment roll of the City.

2.25.5 Council, after considering:

- i. Any representations made at the public hearing;
- ii. Any Intermunicipal Development Plan, Municipal Development Plan, Area Structure Plan, Area Redevelopment Plan or Outline Plan affecting the application this Bylaw;
- iii. Other relevant considerations properly brought before Council including but not limited to:



- a. Compatibility with surrounding development in terms of land use, function and scale of development;
- b. Traffic impacts;
- c. Relationship to, or impacts on, services such as water and sewage systems, storm sewers, public transit and other utilities and public facilities such as recreational facilities and schools;
- d. Relationship to municipal land, right-of-way or easement requirements;
- e. Effect on stability, retention and rehabilitation of desirable existing uses, Buildings, or both in the area;
- f. Necessity and appropriateness of the proposed Land Use District in view of the stated intentions of the applicant, and
- g. Relationship to the documented concerns and opinions of area residents regarding the application, and;
- h. Any other matter considered appropriate.

may pass the proposed amendment; make any changes it considers necessary to the proposed amendment, if such changes are appropriate, and proceed to pass the proposed amendment without further advertisement or hearing; defer the amendment application for more information, such as an amendment to or the completion of an Area Structure Plan; or refuse the proposed amendment.

- 2.25.6 If Council refuses an application for an amendment, the Development Officer shall not accept another application on the same land for the same or similar amendment until six (6) months have passed after the date of such refusal.



3. Contravention and Enforcement

3.1 Non-conforming Buildings and Uses

- 3.1.1 Where at the date of approval of this Bylaw, a Building is lawfully under construction or all required permits for the construction of a Building have been issued, the Building shall be deemed to be a Building existing at the date of the approval of this Bylaw subject to the erection of any such Building being commenced within one (1) year after the date of the issue of the last permit relating thereto.
- 3.1.2 The lawful use of land or of a Building or other Structure existing at the date of the approval of this Bylaw that does not conform to this Bylaw may be continued; but if the Non-conforming Use is discontinued for a period of at least six (6) consecutive months, the future use of the land, Building or other Structure shall be in conformity with this Bylaw.
- 3.1.3 The lawful use of a Building existing at the time of the approval of this Bylaw that does not conform to this Bylaw may be extended throughout the Building; but no Structural Alterations except those required to make it a conforming Building shall be made in the Building while the Non-conforming Use is continued. For the purposes of this Section, repairs, maintenance or installations that do not alter the size of the Building or involve the rearrangement or replacement of structural supporting elements shall not be considered to be Structural Alterations.
- 3.1.4 If a Building that does not conform to the provisions of this Bylaw is destroyed by fire or other cause to an extent of seventy-five (75) percent or more of the market value of the Building, above its foundation, it shall not be rebuilt or repaired except in conformity with the provisions of this Bylaw.
- 3.1.5 Where the land use of a Building existing at the time of the approval of this Bylaw conforms to this Bylaw, but the Building itself does not conform to the Bylaw, Structural Alterations and additions which conform to the requirements of this Bylaw may be made but the element of non-conformity shall not be increased by such alteration or additions.
- 3.1.6 A Non-conforming Use of part of a parcel shall not be extended or transferred in whole or in part to any other part of the parcel, and no additional Buildings shall be erected upon the parcel while the Non-conforming Use continues.
- 3.1.7 A change of tenants or occupants of any land or Building shall not be deemed to affect the use of the land or Building.
- 3.1.8 When a Building is a Non-conforming Building solely by reason of its encroachment into a required Yard or Setback or inadequate parking the Development Officer may allow an extension of or an addition to the Building if such extension or addition will not in itself



constitute an encroachment into any required Yard, and if such extension or addition complies with the provisions of this Bylaw.

- 3.1.9 No existing Structure or Site shall be deemed to be Non-conforming by reason only of the conversion from the imperial system of measurement where such non-conformity is resultant solely from such change and is reasonably equivalent to the metric standard herein established.

3.2 Non-conforming Parcels

- 3.2.1 Parcels created prior to the adoption of this Bylaw, regardless of area or dimensions, may be used for any of the Permitted Uses of the Land Use District in which they fall, subject to the limitations contained therein.

- 3.2.2 Where a Lot is reduced in size as a result of taking land for public use by the City, Provincial or Federal Government, the Board of a School Division, or a Public Utility by dedication, expropriation, or purchase, the Lot and Buildings and Structures thereon are deemed to conform with the provisions of this Bylaw, and the Lot shall be considered to exist as it did prior to the taking of land for the purpose of further development upon the Lot under its existing regulations, provided such taking:

- i. Does not reduce a minimum Front, Side or Rear Yard below 1.5 m unless this Bylaw does not require such Yard;
- ii. The utility installation does not endanger the continuing use of the property as permitted by this Bylaw, as determined by the Development Officer; and
- iii. Does not result in the Lot being rendered unsuitable for any of the Uses Permitted or Discretionary contained in the Land Use District which the Lot is located, as determined by the Development Officer.

3.3 Contravention

- 3.3.1 Every person or corporation who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, or who does any act which violates any of the provisions of this Bylaw, or fails to comply with any order, notice, or direction given under this Bylaw is guilty of an offence against this Bylaw and is liable to the penalties hereby imposed.

- 3.3.2 The Development Officer may suspend or revoke a Development Permit where:

- i. The applicant fails to comply with the conditions of issuance of a permit;



ii. Any person undertakes, causes or permits any Development on a Site contrary to the terms or conditions of a permit, or;

iii. The Development does not comply with the Development agreement.

3.3.3 Any person who undertakes, causes or permits any Development on a Site without a Development Permit, or after a permit has been suspended or revoked, shall discontinue such Development forthwith upon notice in writing issued by the Development Officer so requiring and shall not resume such Development unless a permit has been issued or the permit reinstated.

3.3.4 If, in the opinion of Development Officer, it appears that a Development Permit has been obtained by misrepresentation, the Development Officer may suspend, revoke or modify the Development Permit.

3.4 Notice of Violation

3.4.1 Once the Development Officer has found a violation of this Bylaw, the Development Officer shall first notify the Owner of the property, the person or corporation in possession of the land or Development or the person responsible for the Bylaw violation or contravention, by either:

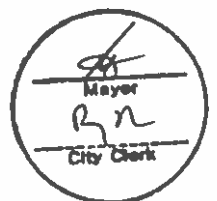
- i. Delivering, in person or by ordinary mail or fax, a Notice of Contravention Form; or
- ii. Posting a "Notice of Contravention Form" in a conspicuous location on the Site.

3.4.2 A "Notice of Contravention Form" shall state:

- i. The nature of the violation of this Bylaw;
- ii. The scope of the corrective measures, including resubmission of a development permit application and payment of the required development permit application fee, required to comply with this Bylaw;
- iii. The time limit within which such corrective measures must be performed; and
- iv. The penalties for the violation.

3.5 Stop Orders

3.5.1 If the Development Officer finds, subsequent to the issuance of a Notice of Violation, that a Development or use of land or Building is not in accordance with:



- i. The Act or the regulations thereunder;
- ii. The Bylaw;
- iii. A Development Permit, or conditions thereof; or
- iv. The Notice of Violation

the Development Officer shall issue a Stop Order in writing to the registered Owner, the person or corporation in possession of the land or Buildings or the person or corporation responsible for the contravention of all or any of them to:

- a. Stop the Development or use of the land or Building in whole or in part as directed by the notice;
- b. Demolish, remove or replace the Development; or
- c. Take such other measures as are specified in the notice so that the Development or use of the land or Building is in accordance with the Act, and the regulations thereunder, a Development Permit, subdivision approval or the Bylaw, as the case may be,

within the time specified by the order.

3.5.2 If a person fails or refuses to comply with a Stop Order, the City may, in accordance with the Act, enter upon the land or Building and take such action as is necessary to carry out the order.

3.5.3 If the City takes action to carry out a Stop Order, the City shall cause the costs and expenses incurred in doing so, to be placed on the tax roll of the property concerned.

3.5.4 The City may register a caveat with respect to the Stop Order in the Land Titles Office.

3.6 Penalties

3.6.1 A person or corporation who:

- i. Contravenes any provision of this Bylaw;
- ii. Contravenes any provision of an order, regulation, or permit in force pursuant to this Bylaw;
- iii. Is to do any act or thing required to be done by an order, regulation, or permit in force pursuant to this Bylaw;



- iv. Suffers or permits any act or thing to be done in contravention of any provision of an order, regulation, or permit in force pursuant to this Bylaw; or
- v. Obstructs or hinders any person in the performance of his duties under this Bylaw or under any order, regulation, or permit in force pursuant to this Bylaw;

Is guilty of an offence and liable on summary conviction to a fine of not more than \$10,000.00.

- 3.6.2 In addition to the penalties provided in Section 3.6.1, a judge or the court who convicts a person or corporation under Section 3.6.1 in respect of a Development carried on in contravention of this Bylaw or any Order, regulation, or permit in force pursuant to this Bylaw, may order that person or corporation to observe, perform or carry out any matter or thing that may be necessary to remedy the contravention for which the penalty was imposed.
- 3.6.3 No prosecution for an offence under this Bylaw shall be commenced after six (6) months from the date on which the offence is alleged to have been committed or, in the case of a continuing offence, the last date on which the offence was committed.
- 3.6.4 The conviction of an offender upon a breach of any of the provisions of this Bylaw shall not bar prosecution against the same offender upon any subsequent breach of the same or any other provision of this Bylaw or prosecution under any other applicable Bylaw or statute.



Part II Development Regulations

4. General Regulations

The General Development Regulations shall apply to all developments on all Sites, and shall take precedence, except in the case of the Airport Protection Overlay or where the regulations of a District, Overlay or Development Control Provision specifically exclude or modify these provisions with respect to any Use.

4.1 Accessory Buildings and Uses

- 4.1.1 No Sign may be approved as an Accessory Use. Signs may only be approved as a Use if they are listed as a Sign allowable in a District.
- 4.1.2 Where a Building is attached to the Principal Building on a Site by a roof, an open or enclosed Structure and/or a floor or a foundation it is to be considered a part of the Principal Building and not as an Accessory Building and shall adhere to the Yard or Setback requirements for Principal Buildings as specified in the applicable District regulations.
- 4.1.3 Accessory Buildings shall not be used as a Dwelling, except where the Accessory Building contains a Garage Suite or Garden Suite in accordance with Section 5.12.
- 4.1.4 Accessory Buildings shall be constructed with similar exterior finish materials that complement those of the Principal Building.
- 4.1.5 Accessory Buildings shall not be located on an easement or utility right-of-way.
- 4.1.6 Accessory Buildings, regardless of size, shall meet the Yard requirements for the District in which they are located.
- 4.1.7 Accessory Buildings within a Residential District may include, but are not limited to, Garages, Sheds, storage buildings, gazebos, decks, pergolas, sundecks, Swimming Pools, Greenhouses or other similar Buildings provided the following requirements are met:
- i. Accessory Buildings shall be located in the Rear or Side Yard and shall have a minimum Rear or Side Yard clearance of 0.9 m provided that overhanging eaves shall not be less than 0.6 m from any Lot line;
 - ii. The distance from Garage doors or front of carport to the property line shall not be less than the required Front Yard of the Principal Building;
- 4.1.8 Accessory Buildings shall not exceed 4.3 m in Height except;
- i. In the case of a Garage Suite, where the Height of the Garage and Garage Suite shall conform to Section 5.12 of this Bylaw.



4.2 Amenity Areas

4.2.1 Where required in any District, a Development shall provide an Amenity Area in accordance with the requirements of the District.

4.2.2 Amenity Area may include, but is not limited to:

- i. With respect to Residential Uses Classes, balconies or patios with a minimum depth of 2.0 m, or verandahs with a minimum depth of 1.2 m, or roof terraces, communal lounges and recreational facilities, such as, but not limited to, meeting rooms, playgrounds, sleeping facilities for guests, sport courts; and
- ii. With respect to Non-residential Use Classes, courtyards, interior landscaped open spaces, arcades, plazas, atriums, public seating areas and other similar areas within the Site.

4.2.3 Required Amenity Area may be located:

- i. With respect to Residential Use Classes, within any Yard, other than a Front Yard; and
- ii. With respect to Non-residential Use Classes, within any Yard.

4.3 Assessment of Risk for Commercial and Industrial Activities

4.3.1 At the discretion of the Development Officer, the applicant shall provide an approved Site plan from the appropriate Provincial agencies prior to a development permit being issued.

4.3.2 Prior to the submission of a permit application for an explosives manufacturing and/or storage use, the applicant must: submit an environmental assessment to Natural Resource Canada's Explosives Regulatory Division (ERD), and provide the required license from Natural Resource Canada's ERD.

4.3.3 Notwithstanding other regulations in this Bylaw, commercial and industrial uses which manufacture, store, handle, distribute or dispose of explosives and chemical materials or products shall not be located on Sites which, in the opinion of the Development Officer, would be considered unsafe or may unduly interfere with, or affect the use, enjoyment or value of neighbouring properties, by reason of the storage or containment of the product, or the potential release of the product.

4.4 Building Massing, Character and Appearance

4.4.1 Building massing shall be reduced through the following measures:

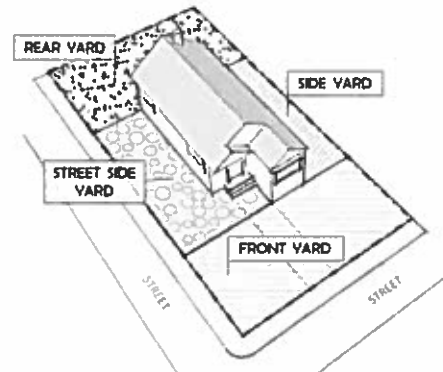


- i. Any floors above four (4) Storeys shall be set back from the Front Yard by an additional Setback from the primary wall face of a minimum of 2.4 m;
 - ii. Where the development is located on a corner site any floors above four (4) Storeys shall be set back from the flanking Yards by an additional Setback from the primary wall face of a minimum of 2.0 m;
 - iii. Variation in Building materials and articulating the façade.
- 4.4.2 All proposed development shall conform to any design standard established by the City or such other requirements established for a given Development area by a statutory plan.
- 4.4.3 On Corner Lots, where the development may be viewed from two Abutting Roads, the façade treatment shall wrap around the side of the building to provide a consistent profile facing both Roads, and may provide: courtyards, entryways or architectural features consistent with the buildings on the other corners of the intersection to enhance pedestrian circulation and, where applicable, enhance axial views.
- 4.4.4 Roof lines and Building façades, in all Districts, shall be articulated and varied to reduce perceived mass and linear appearance of large Buildings.
- 4.4.5 The massing, size and shape of Buildings shall consider the existing streetscape and the impact of the Development on Abutting Buildings and Sites, and shall not have a negative impact on either.
- 4.4.6 Any commercial Building that has exterior wall length greater than 25.0 m shall incorporate architectural features in an effort to minimize the Building's mass. Such architectural features may include, but are not limited to, the use of: multiple colors, complementary finishes and textures, Landscaping and recessing portions of the visible Frontage.
- 4.4.7 As a condition of approval of a Development Permit the City may require that a Developer register a restrictive covenant against a Site or Development area in order to ensure ongoing conformance with architectural controls or guidelines.
- 4.4.8 Except in the UT District, mechanical equipment shall be screened.
- 4.5 Corner and Double Fronting Sites**
- 4.5.1 Where in any District excepting C2 District, I1 District, I2 District, I3 District, a Lot has more than one (1) Frontage, the Front Yard requirements for that District shall apply to only one (1) Front Lot line. In C2 District, I1 District, I2 District, I3 District, the Development is required to provide a minimum of 9.1 m Yard clearance on both ends of the property where such property fronts upon two (2) Roads.



4.5.2 Notwithstanding any other provision with this Bylaw, residential Sites Abutting two or more Roads shall have either two Front Yards or one Front Yard and one Side Yard, as determined by the Development Officer.

4.5.3 In all cases, the location of Buildings on a Corner Site shall be subject to approval by the Development Officer who shall account for the location of existing Buildings on Abutting Sites or permitted Yards or Setbacks on Abutting Sites.



4.6 Decks

4.6.1 Notwithstanding 4.1.2 a Deck or covered Deck;

- i. May be attached to the Principal Building;
- ii. May extend beyond the front line of the Principal Building; and
- iii. May extend into the required Front Yard or the required Rear Yard of the Principal Building in accordance with Section 4.16 of this Bylaw.

4.6.2 In accordance with the regulations of this Section and Section 4.16 a Deck shall:

- i. Unless otherwise allowed in this Bylaw, meet Front and Side Yard requirements of the Principal Building;
- ii. Pursuant to Section 4.21 not be located within the corner visibility triangle; and,
- iii. Unless otherwise stated in this Bylaw, be located at least 4.0 m from the rear Lot line.

4.6.3 Notwithstanding any other provision of this Bylaw, a Deck on a Semi-detached Dwelling shall not be attached to a Deck on the Abutting Dwelling. The Side Yard requirements and associated permitted encroachments shall be maintained.

4.7 Drainage

4.7.1 Site drainage shall be provided in accordance with Municipal Design Standards, Community Standards Bylaw, and any other applicable bylaws, standards and policies along with an approved drainage plan accepted by the City.

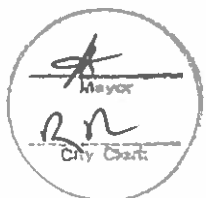
4.7.2 Site Grades shall be established with regard to preventing drainage from one Site to the next except where drainage conforms to an acceptable local or subdivision drainage plan.



- 4.7.3 The builder on a Site shall be responsible to ensure that grading is completed to provide an effective Site drainage that conforms to the accepted grading plan.
- i. Site grading and the submission of a certificate of final Grades is the responsibility of the authorized individual or company to whom the Development Permit was issued.
 - ii. The responsibility for the Site grading may only be transferred from the developer to another person based on a written request and subject to approval of the Development Officer.
- 4.7.4 The Owner of a Site shall be responsible to ensure that grading is maintained to continue to provide effective Site drainage:
- i. Where maintenance of a common drainage path at Lot line is required, the responsibility for maintenance lies with the Owner of each Lot.
 - ii. Where a drainage swale is established within an easement or right-of-way on a Site, swale Grades shall be maintained and the swale shall be kept free from any obstructions by the Owner of the Site.
- 4.7.5 Retaining walls shall be designed and constructed to:
- i. Respect overland drainage patterns established for the Lot at the time the Lot was created; and
 - ii. Not divert overland drainage onto Abutting properties.
- 4.7.6 Retaining walls 1.0 m or greater in Height may be allowed as a Discretionary Use for which an application for a Development Permit must be made. Such retaining walls shall be designed by a registered Professional Engineer. The landowner shall provide to the City the design bearing the seal and signature of a Professional Engineer, such design being subject to approval by the Development Officer as a part of the application for a Development Permit.

4.8 Dwelling Units per Lot

- 4.8.1 The number of Dwelling units permitted on a Lot shall be one (1), except where additional Dwellings are:
- i. Contained in a land use District which permits multiple units;
 - ii. A Building as defined in the *Condominium Property Act* of either Alberta or Saskatchewan that is the subject of an approved condominium plan registered with either an Alberta or Saskatchewan registry;



- iii. A Manufactured Home located in an approved Manufactured Home Community; or
- iv. A Garage Suite, Garden Suite or Secondary Suite.

4.9 Excavation, Stripping and Grading

- 4.9.1 The Development Officer may require a preliminary storm water plan.
- 4.9.2 With the exception of those lands governed by a valid Development Permit or agreement, excavation, stripping and grading activities are considered a Discretionary Use in all Districts and require a Development Permit.
- 4.9.3 The Development Officer may issue a Development Permit if he determines that the excavation, stripping and grading activities are reasonably necessary for the Use and development of the land in question, considering the need for preservation of agricultural land, the need for ecological preservation, and the future need for soil on the Site.
- 4.9.4 An application for a Development Permit under this Section shall contain the following information, in addition to the requirements described in Section 2.7 of this Bylaw:
 - i. The area of the Site on which the excavation and/or stripping will take place, including dimensions of the operation or area, location of any stockpiled materials, and the depth of soil removal;
 - ii. The purpose of the proposed activity;
 - iii. The surrounding land Uses;
 - iv. The location of natural features, including trees, water bodies, slopes and details on how these features are to be retained and protected;
 - v. Confirmation of notification of Alberta or Saskatchewan Environment, and if applicable approval, if the excavation is to take place on the same Site or Abutting to a Site with a water body;
 - vi. Existing Grades of the land relative to Abutting Sites and Roads, as well as any natural features or drainage courses; and
 - vii. The expected Grades and condition of the land on completion of the activity.
- 4.9.5 As a condition of approval under this section, the Development Officer may require any or all of the following:



- i. That precautions are taken for the prevention and control of dust, noise or any other Nuisance caused by the proposed operation;
- ii. That fencing or other Screening is put in place to buffer the Use from Abutting lands;
- iii. Measures that serve to protect any natural features on the Site or on Abutting Sites;
- iv. Steps that must be taken to promote the reclamation of the Site if required, including restorative Landscaping; and
- v. Measures that serve to protect any historical resource designated in accordance with Alberta's *Historical Resources Act* or Saskatchewan's *The Heritage Property Act*, as the case may be.

4.9.6 Where significant excavation and fill is proposed as part of a Development, the Development Officer may require an engineered plan prepared by a qualified, registered Professional Engineer.

4.9.7 In all cases, Site Grades shall be established with regard to preventing drainage from one Site to another, unless cross-site drainage conforms to a plan approved by the City's Planning and Engineering Department.

4.9.8 The Development Officer may require a Grading Certificate as part of a Development Permit application or Development Permit Approval, indicating the final elevations of the Corners of the Site and the elevations around the perimeter of any Buildings have been met.

4.9.9 As a condition of a Development Permit, the Development Officer may require security up to the estimated value of any proposed grading activities to ensure the work is carried out with reasonable diligence.

4.10 Fencing and Screening

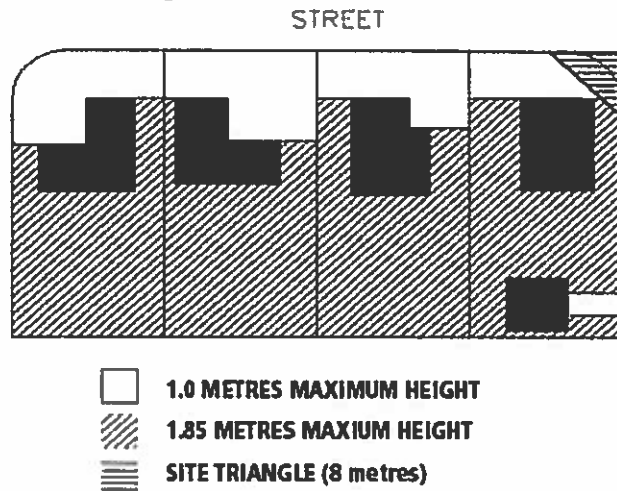
4.10.1 A fence, wall, or gate on a Site in any District shall be less than or equal to 2.0 m in Height for the portion of the fence, wall, or gate that does not extend beyond the foremost portion of the Principal Building Abutting the Front Yard, or Side Yard Abutting a Road other than a Lane.

4.10.2 A fence, wall, or gate on a Site in any District shall be less than or equal to 1.0 m in Height for the portion of the fence, wall, or gate that extends beyond the foremost portion or portions of the Principal Building on the Site into the Front Yard, or a Side Yard Abutting a Road other than a Lane.



- 4.10.3 In the case of Double Fronting Sites, the Development Officer may grant a variance to allow a fence, wall, or gate of up to 2.0 m in Height in one of the Front Yards, having regard to the location of fences, walls, and gates in the surrounding area.
- 4.10.4 Fences shall complement the character and quality of the Principal Building.
- 4.10.5 No fence, wall, hedge, or any combination thereof shall be constructed on a parcel in an R1 District, RMH District, or R2 District that is higher, measured from the average ground level, 0.3 m back of the property line on whichever side of the fence the ground level is lower, than the following regulations and as shown in the drawing:

- i. 2.0 m for the portion of the fence, wall, or hedge that does not extend beyond the foremost portion of the Principal Building into the Front Yard;
- ii. 1.0 m for the portion of the fence, wall, or hedge that does extend beyond the foremost portion of the Principal Dwelling into the Front Yard; and
- iii. 1.0 m for that portion of the fence, wall, or hedge that does not extend into the 8.0 m sight triangle on a Corner Lot having two or more intersecting Roads.



- 4.10.6 No fence, wall, hedge, or any combination thereof shall be constructed on a parcel in an R3, R4, or R5 District that is higher, measured from the average ground level, 0.3 m back of the property line on whichever side of the fence the ground level is lower, than 2.44 m, excepting on a Corner Lot having two or more intersecting Roads, where the fence, hedge, or wall does not extend into the 8.0 m sight line triangle.
- 4.10.7 Screening in the form of fences, hedges, landscaped berms or other means is required along the Lot Lines of all commercial and industrial Lots where such lines are abutting to a residential Lot line or are abutting to Lanes that abut a neighbouring residential Lot. Such Screening shall not exceed 2.0 m in height. Length and width of the Screening shall be at the discretion of the Development Officer.
- 4.10.8 For bulk outdoor storage, including but not limited to auto wrecking, lumber yards, pipe storage and similar uses where because of the Height of materials stored a screen planting would not be sufficient, a fence, earth berm or combination thereof to the satisfaction of the Development Officer shall be required.

4.10.9 Barbed, electric and razor wire shall not be permitted.

4.10.10 Notwithstanding Section 4.10.10, barbed wire is permitted in an Industrial District when it is placed on top of a fence that is 2.0 m or higher for security purposes only.

4.11 Garbage Enclosures

4.11.1 All Commercial, Industrial, Multi-unit Residential and Public Service Developments shall provide a garbage facility containing weatherproof receptacles and screened to the same Height as the container on all sides from Abutting Sites and Roads, by a freestanding Enclosure. The Enclosure shall be constructed of materials that are consistent or compatible with the exterior finish of the Principal Building.

- i. Notwithstanding 4.11.1 Industrial Developments may not require garbage Enclosures provided the Site is screened or Site conditions do not warrant the need for the Enclosure, to the satisfaction of the Development Officer.

4.11.2 No permanent garbage receptacles shall be permitted in a Front Yard.

4.11.3 Garbage and waste containers in Commercial Districts shall be located within the Principal Building or at the rear of the Principal Building. Garbage and waste containers may be located in other suitable locations at the discretion of the Development Officer

4.11.4 All Garbage, recycling and other containment areas shall be landscaped in accordance with Section 4.12 of this Bylaw.

4.12 Landscaping

4.12.1 The Development Officer shall require that a landscape plan is prepared and submitted for non-residential, Multi-Building, Row House Development over four (4) units, Town House Development over four (4) units and Apartment Residential Development. If the minimum requirement cannot be met, a letter and a plan showing an alternate landscape solution must be submitted and must be endorsed by a registered Landscape Architect giving explanation for the variance.

4.12.2 Landscaped Yards must be provided in accordance with a landscape plan approved by the Development Officer.

4.12.3 A scaled landscape plan for the proposed Development must be submitted as part of each Development Permit application where changes are proposed to the building or parcel, and must show the information required by Section 2.7 and at least the following:

- i. A north arrow;



- ii. A signed stamp or seal of a Landscape Architect who is registered and in good standing with a professional landscape architecture association, if required;
 - iii. The property lines of the Site, Abutting land uses, approximate or estimated location of buildings and Landscaping on Abutting Sites;
 - iv. Abutting public areas and the features located within, including Roads, Lanes, driveways, vehicular accesses, street lights, street furnishings, and boulevard Landscaping;
 - v. Location of all buildings, parking areas and vehicular and pedestrian circulation systems on the subject Site;
 - vi. All overhead, surface and underground utilities, limits of easements and rights-of-way;
 - vii. The existing and proposed topography;
 - viii. The existing vegetation including whether it is to be retained or removed;
 - ix. The layout of berms, retaining walls, Screening, soft surfaced Landscape areas and hard surfaced Landscape areas;
 - x. The location, Height and materials of all proposed walls, fences and screens;
 - xi. Common and botanical names, sizes and quantities of all proposed plant material and the types of Landscape areas;
 - xii. Typical planting details indicating soil depths and mulch types; and,
 - xiii. A table indicating the quantities of plant material required and the quantities provided.
- 4.12.4 All required Yards, except for those portions specifically required for sidewalks and motor vehicle access, are to be landscaped.
- 4.12.5 All Yard areas Abutting a Lane, except for those portions specifically required for motor vehicle access, parking stalls, loading stalls or garbage facilities, shall be landscaped.
- 4.12.6 Any portion of the Site not occupied by buildings, pedestrian circulation or parking areas shall be landscaped.
- 4.12.7 Hard surfaced areas such as walkways and plazas shall be enhanced with Landscaping. Provision shall be made for adequate On-site pedestrian circulation, by means of sidewalks or



walkways, to connect with public sidewalks and walkways abutting a Road or within rights-of-ways abutting the Site.

- 4.12.8 All driveways abutting the Road shall be constructed from a hard surface, or similar surface to the satisfaction of the Development Officer.
- 4.12.9 Any parking lot having eight or more parking spaces that are visible from an adjoining Site in a Residential or Commercial District, or from a Road other than a Lane, shall have perimeter planting. The location, length, thickness and Height of such perimeter planting at maturity shall, in conjunction with a change in Grade or other natural or man-made features, be sufficient to provide substantial interruption of the view of the parking area from any adjoining Residential or Commercial District, and enhance the view of the parking area from any Abutting Road.
- 4.12.10 Any trash collection area, open storage area, or outdoor service area, including any loading, unloading or vehicular service area that is visible from an adjoining Site in a Residential or Commercial District, or from a Road other than a Lane, shall have screen planting. The location, length, thickness and Height of such screen planting at maturity shall, in conjunction with a change in Grade or other natural or man-made features, be sufficient to block the view from any adjoining Residential or Commercial District, or from a Road. Such screen planting shall be maintained to provide effective Screening from the ground to a minimum height of 2.0 m. If, in the opinion of the Development Officer, screen planting cannot reasonably be expected to survive, earth berming, masonry walls, wood fencing or other features may be required or permitted as a substitution.
- 4.12.11 For the purpose of determining the required number of trees and shrubs in a Commercial, Residential or Institutional district the minimum front yard, side yards and rear yard are used to calculate the minimum tree and shrub requirement, portions of Yard areas that are paved for sidewalks and vehicle access, utility rights-of-way or any other purpose must be included in the calculation of the landscaped area, even though they are not capable of sustaining trees and shrubs. The provision of a hard-surface area does not negate the requirements for plant material. Industrial districts will require landscaping based on parcel size. The minimum requirements for industrial lots are as follows:
 - i. Up to 1.0 acres 7 trees & 10 shrubs
 - ii. 1.0 acres to 2.5 10 trees & 14 shrubs
 - iii. 2.5 acres to 4 acres 12 trees & 21 shrubs
 - iv. 4 acres to 5 acres 18 trees & 32 shrubs
 - v. Over 5 acres at the discretion of the Development Officer with the minimum of 20 trees and 35 shrubs required.

4.12.12 All required Yards areas are to meet the following Landscape requirements:



- i. Be a soft surfaced or suitable durable, decorative hard surfaced Landscape area. Suitable hard surfaces may consist of, but are not limited to, paving stone, natural stone work, or architectural features. For non-residential developments hard surface areas must provide visual or pedestrian amenity and must be augmented with plant material to provide a suitable visual character. The provision of a hard surface area does not negate the requirements for plant material.
- ii. Provide a minimum of one tree for every 45 m² of required Yard;
- iii. Provide a minimum of one shrub for every 25 m² of required Yard; and
- iv. Notwithstanding Section 4.12.12.ii and iii, the Single-detached Residential (R1) District and the Semi-detached Residential (R2) District shall provide a minimum of one (1) tree and sodding within two (2) years of Development Permit approval.

4.12.13 If the required Landscaped Yards, or portions thereof, contain native trees and shrubs, the area may be maintained in its natural vegetated state at the discretion of the Development Officer. Vegetation preserved on the Site may, at the discretion of the Development Officer, be credited to the total Landscaping requirements. Consideration must be given to the following:

- i. Ensuring the safety and maintainability of the Site and its surroundings;
- ii. Ensuring the long-term viability of the remaining native vegetation considering the potential alteration of Site hydrography, disruption of existing native soils, increased exposure to sun and wind and increased human activity brought about as a result of Site Development; and,
- iii. Compatibility with Abutting land uses and Landscaping.

4.12.14 Naturalized Landscapes may be developed where appropriate at the discretion of the Development Officer. Generally, naturalization would apply to major utility and Road rights-of-way, abutting to existing natural areas and in Industrial Districts. Naturalized Landscapes are to be designed to reflect the plant materials, soil types and topography typical to the Central Parkland Sub-region of Alberta. The Landscape Architect is to provide any additional required specifications and details required for the installation and establishment of a naturalized landscaped on the landscape drawings when submitted for approval.

4.12.15 All Landscape areas shall be designed to facilitate effective surface drainage consistent with a lot grading plan.

4.12.16 Any City boulevard shall be landscaped with seed grass and boulevard trees of an approved species at the discretion of the Development Officer subject to an approved permit detailing recommended spacing for that species. Any additional or alternative Landscaping on City



boulevards (i.e. shrub and flower beds, Xeriscaping) shall be subject to approval by the Development Officer.

- 4.12.17 The property Owner shall be responsible for Landscaping of the subject Site and maintenance of the Landscaping for two (2) years from the date of substantial completion of the work. If the Landscaping does not survive a two (2) year maintenance period, the plant materials must be replaced with the same or other complimentary species at the same size originally provided.
- 4.12.18 If any Landscaping does not survive the two year maintenance period and is not replaced within one (1) year the City may replace the Landscaping by drawing on the security deposit pursuant to Section 4.12.22.
- 4.12.19 Where financial security has been collected by the City, the Landscaping shall be completed in accordance with the approved plan within one (1) year of the completion of the Development.
- 4.12.20 All plant materials used for Landscaping including Screening must be of a species capable of healthy growth in Lloydminster and be resilient to specific Site location factors present at the subject Site (i.e. sun, excessive wind, shade, road salt, gravel and reasonable maintenance practices). All plant materials must conform to the horticultural standards of the most current edition of the Canadian Standards for Nursery Stock from the Canadian Nursery Landscaped Association. The use of drought tolerant plant material and the application of Xeriscaping principles are encouraged. The following planting requirements shall be met in all Landscape areas:
- i. A minimum of one third of all required trees must be coniferous. Coniferous trees must be a minimum Height of 2.5 m, and at least 50% of the required coniferous trees must be a minimum of 3.5 m in Height, at the time of planting;
 - ii. Deciduous trees must have a minimum calliper of 50 mm, and at least 50% of the provided deciduous trees must have a minimum calliper of 75 mm, at the time of planting;
 - iii. A minimum of one third of all required shrubs must be coniferous. Coniferous shrubs must be a minimum spread of 450 mm or a minimum Height of 1000 mm for upright varieties at the time of planting; and,
 - iv. Deciduous shrubs must be a minimum Height of 450 mm at the time of planting.
- 4.12.21 Landscape islands shall be required within at-Grade parking areas with a capacity of 25 or more vehicles. Where more than 40 parking stalls are provided, a minimum of two Landscape islands are required. Landscaped areas within and Abutting parking areas are to be contained by a 150 mm Height concrete curb. Landscape islands in the parking area:



- i. Must be provided at a ratio of 2.0 m² of landscape island for every parking stall provided;
- ii. Islands provided in the parking area shall be: provided at the beginning and end of every row of motor vehicle parking stalls; provided with no more than 20 stalls between islands; and a minimum area of 14 m² with at least one side of the island being a minimum length of 2.5 m; and
- iii. The number of trees and shrubs required shall be one tree for each 20 m² and one shrub for each 10 m² of required parking Area Island, or a minimum of one tree and two shrubs per island, whichever is greater.

4.12.22 The applicant may be required, at the discretion of the Development Officer and as a condition of the Development Permit approval, to provide to the City either a certified cheque or an Irrevocable Letter of Credit equal to 100% of the costs of the required Landscaping. The amount shall be based on the approved Landscape plan and be estimated by the Owner or Owner's representative. The estimated cost is subject to review and increase by the Development Officer if the amount is deemed to be insufficient. The amount shall include, but is not limited to, the cost of the following:

- a. Rough grading of Landscape area;
- b. Minimum of 150 mm depth of topsoil and sod or seed;
- c. Preparation of planting beds;
- d. Preparation of hard surfacing and parking areas; and
- e. Trees and shrubs in accordance with this section.

4.12.23 The conditions upon which the security is held by the City shall be:

- i. 80% of the Letter of Credit, to an amount of not less than \$5,000, will be released upon issuance of a Construction Completion Certificate with respect to the Landscaping;
- ii. The balance of the Letter of Credit to be released as provided in Section 4.12.23.v;
- iii. The applicant shall replace all required Landscaping that does not survive the two (2) year period following issue of Construction Complete Certificate, with a suitable, similar material;
- iv. If the Landscaping is not completed within two (2) years of the date the Development Permit is issued, then the proceeds of the Letter of Credit shall be used by the City to



undertake the Landscaping. If such amount shall be insufficient to cover the cost of the work the deficiency shall be a debt due from the developer to the City; and

- v. Upon application by the Owner or the Owner's representative, a Letter of Credit shall be fully released if the required Landscaping has been well maintained and is in a healthy condition after two growing seasons.

4.12.24 In the event seasonal conditions prohibit the completion of Landscaping, the parcel shall have all Landscaping completed prior to July 15 of the following growing season, or to the satisfaction of the Development Officer.

4.13 Lighting

4.13.1 Appropriate lighting of Commercial, Industrial, Multi-unit Residential and Public Service Developments shall be required to provide safety and add visual interest to the satisfaction of the Development Officer.

4.13.2 Lighting standards and fixtures shall be of consistent design and complement the architectural theme of the Buildings located on the Site.

4.13.3 Outdoor lighting shall be located so that rays of light are not directed on any Abutting Site or skyward, and do not adversely affect an Abutting Site and do not adversely affect traffic safety.

4.13.4 In Commercial, Industrial, Multi-unit Residential and Public Service Developments the developer may be required to provide a plan indicating the location of all exterior lights, including the projected light patterns in relation to low Density residential Sites.

4.13.5 Flashing lights shall be prohibited within 30.0 m of an Abutting residential Site.

4.13.6 No flashing or strobe, or revolving lights shall be installed on any Structure or Site which are red, green, amber, blue or other such colour that in the determination of the Development Officer may impact the safety of motorists using an Abutting Road.

4.14 Objects Prohibited in Yards

4.14.1 Except as otherwise permitted under Section 4.15 no person shall keep in any part of a Site in any Residential District:

- i. Any commercial vehicle, loaded or unloaded, having a maximum gross vehicle weight (GVW) exceeding 4,500 kg;
- ii. More than one commercial vehicle having a maximum GVW of 4,500 kg or less, for longer than reasonably necessary while loading or unloading such vehicle;



- iii. A vehicle having more than one rear axle;
- iv. A vehicle being more than 6.7 m in length;
- v. A vehicle being more than 2.1 m in Height;
- vi. An unlicensed, dismantled or derelict vehicle for more than 48 hours; or
- vii. Any object which, in the opinion of the Development Officer, is unsightly or tends to adversely affect the amenities of the District.

4.14.2 For the purpose of Section 4.14.1 a commercial vehicle means a vehicle that is intended or designed for commercial purposes or is used for commercial purposes.

4.14.3 In the Front Yard of any Site in any Residential District, or in the case of a corner Site in any Residential District, in the Front Yard or the flanking Side Yard, vehicles shall only be allowed on a Driveway or within an attached or detached Garage.

4.15 Parking and Loading

4.15.1 General Regulations

- i. Where provision of Off-street vehicular parking, Garage spaces, Bicycle Parking or Loading Spaces is required by this Bylaw with the exception of Single-detached Housing, Duplex Housing, and Semi-detached Housing, a plan of the proposed Site layout shall be included with the Development Permit Application. The Site Plan must be drawn to scale and must clearly illustrate the Lot size and configuration, Building locations, Site access, parking and Loading Spaces, On-site circulation and any other details relevant to the review of the Development proposal.
- ii. Off-street vehicular Parking Spaces, Loading Spaces and bicycle Parking Spaces required for any Use are specified in Table 4.15.6, Table 4.15.7 and Table 4.15.10, respectively.
- iii. Where Tables 4.15.6, Table 4.15.7 and Table 4.15.10 do not clearly define regulations for a particular Development, the single Use Class or combination of Use Classes most representative of the proposed Development shall be used by the Development Officer to determine the vehicular parking, Bicycle Parking and loading requirements
- iv. In any District, when any new Development is proposed including a change of use of existing Development, or when any existing Development is substantially enlarged or increased in capacity, provision shall be made for off-street vehicular parking or Garage spaces in accordance with the regulations set out in this Section.



- v. In the case of multiple Uses of a Site, the Development Officer shall calculate the vehicular parking, Bicycle Parking and total off-street loading requirement for each individual Use and the total shall be deemed to be the required vehicular parking, Bicycle Parking or off -street loading for the Site, unless the applicant can demonstrate that there is complementary use of the parking or loading facilities which would warrant a reduction in the requirements. Where such reduction is made, this shall be considered a variance and the Development Officer shall state the reduction and the reasons for it on the Development Permit.
- vi. Adequate access to the exit from individual Parking Spaces is to be provided at all times by means of unobstructed maneuvering aisles, except where otherwise indicated in this Bylaw.
- vii. All curb crossings, driveways, parking areas, entrances and exits shall conform to the City's Municipal Development Standards.
- viii. Parkades below Grade may extend into a required Yard, subject to ensuring that there are no encumbrances registered on title which would prevent or be inconsistent with such extension. A detailed Landscape Plan, including a cross section must be submitted, which demonstrates enough soil depth above the parkade for the required Landscaping in any required Yard.
- ix. Any lighting proposed to illuminate Off-street Parking areas shall be located and arranged so that all direct rays of light are directed upon the parking area and not on any adjoining properties.

4.15.2 Parking for People with Disabilities

- i. Parking spaces for disabled persons shall be located as close as possible to elevators, ramps, Walkways, and Building entrances.
- ii. Parking should be arranged in such a way that users of wheelchairs are not required to pass behind parked cars.
- iii. For conditions requiring more than two Parking Spaces for disabled persons, no more than two stalls shall be placed abutting each other. If there are several accessible Building entrances, a stall shall be located near each entrance.
- iv. Parking stalls shall be designed and provided in accordance with the current version of the Alberta Building Code.
- v. Parking for people with disabilities shall be included as part of and not in addition to the applicable minimum parking requirement.



- vi. Each parking stall shall be marked with a symbol and a sign. The sign shall consist of the international symbol of access and the message "Permit Required". The symbol shall be white on a blue background, and shall have minimum dimension of 0.46 m by 0.61 m. Each sign shall be mounted at a Height of at least 1.2 m from the pavement or sidewalk to the bottom of the sign.

4.15.3 Location of Vehicular Parking Facilities

- i. For all residential developments, the required parking spaces shall be wholly provided on the same Site as the Building.
- ii. For all other Uses, parking spaces may be provided on a Site located remotely, but no further than 120 m from the Site. Such distance shall be measured along the shortest public pedestrian route from the nearest point of the parking area to the nearest point of the Site where the building or Use is located. Where Off-site parking is provided pursuant to this provision, the Development or Use shall be considered Discretionary.
- iii. Where required parking spaces are not on the same Site of the Development or Use, these parking spaces shall be identified as parking spaces for that Development or Use through the use of appropriate signage.
- iv. Notwithstanding the definition of Accessory in this Bylaw, Accessory Parking spaces for non-residential Uses may be located on another Site where the Principal Use Class to which the parking is an Accessory Use is a Permitted or a Discretionary Use on the Site to be used for additional parking or Non-Accessory Parking is a Permitted or a Discretionary Use on the Site to be used for parking.
- v. Except as otherwise provided for in this Bylaw, parking spaces, not including Driveways, that are required in accordance with the minimum standards of this Bylaw shall not be located within a Landscaped Yard.

4.15.4 Parking Space and Drive Aisle Dimensions

- i. Except as provided in Section 4.15.4.ii, each required Off-street Parking Space shall be a minimum of 2.75 m in width for 90° parking and 2.6 m for 60° with a depth of 6.4 m and 2.6 m for 45° with a depth of 6.1 m, exclusive of access drives or aisles, ramps, columns, or office work areas. Such spaces shall have a vertical clearance of at least 2.0 m.
- ii. For parallel parking, the length of the Parking Spaces shall be 7.0 m except that an end space with an open end shall be a minimum of 5.5 m.



- iii. For Parking Spaces other than parallel Parking Spaces, up to 15% of the required Parking Spaces may be of a length shorter than that required under Subsection (i) above, to a minimum of 4.6 m.
- iv. Drive aisles shall be a minimum of 7.5 m wide for 90° parking, 5.5 m wide for 60° angle parking, 4.0 m wide for 45° and 7.0 m for parallel parking.
- v. Where Parking Spaces are located with access directly off a Lane, the required width of the drive aisle may be reduced by the width of the Lane, however the entire Parking Space must be provided on the Site.
- vi. Where the use of a Parking Space is limited on both sides by a wall, column or fence, the unobstructed width from face to face of the obstruction shall be 3.0 m and if in this case a Building door opens into the Parking Space on its long side, the unobstructed width shall be 3.3 m.
- vii. Where the use of a Parking Space is limited on one side by a wall or a column, the unobstructed width of the Parking Space shall be 2.7 m and if in this case a Building door opens into the Parking Space on its long side, the unobstructed width shall be 3.0 m.

4.15.5 Pedestrian Aisles

- i. Off-street Accessory and Non-Accessory Parking in the C2 District, C3 District and C4 District shall provide pedestrian aisles a minimum of 1.5 m wide connecting parking areas to Abutting sidewalks and commercial development.
- ii. On-site pedestrian circulation, by means of sidewalks or Walkways, shall connect with public sidewalks.

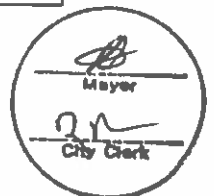
4.15.6 Off-street Parking Requirements

- i. Off-street vehicular Parking Spaces for any Development in any District defined in this Bylaw shall be provided in accordance Table 4.15.6.

Table 4.15.6		
	Use of Building or Site	Minimum Number of Vehicular Parking Spaces Required
	Residential	
i.	Single-detached, Duplex, Semi-detached, Row/Town Housing	2 parking or Garage spaces per Dwelling unit. Note: a Front Yard driveway providing access to a Parking Space that is not within the Front Yard is considered as the provision of a second car Parking Space that is in tandem.



2.	Secondary Suite, Garden Suite, Garage Suite	1 space per two bedrooms, minimum of 1 stall.
3.	Apartment Buildings	One space per bachelor, 1 bedroom unit, or 2 bedroom units, 2 spaces for 3 or more bedroom units. One (1) visitor parking per 4 units which is readily available to an entrance of the Building to be served, and must be clearly identified as guest parking.
4.	Senior Citizens Apartments	0.5 Parking spaces per Dwelling unit
5.	Lodging Houses, Fraternity or Sorority Houses	1 per 2 beds or 1 per 4 seats in the dining room, whichever is greater.
6.	Group Home	1 parking space per 3 Sleeping Units and 1 parking space per resident staff member.
7.	Bed and Breakfast	1 hard surfaced parking stall for each Bed and Breakfast unit. The stalls are to be in addition to the original required parking stalls for that site.
	Commercial	
8.	Offices and banks	3.4 per 100 m ² of Gross Floor Area in the Building
9.	Retail Shops, Esthetic Shops and Equipment Repair Shops with a gross leasable Floor Area of:	See Below
a.	Less than 2,000 m ²	3.0 per 100 m ² of Gross Floor Area in the Building.
b.	2,000 m ² to less than 9,000 m ²	3.5 per 100 m ² of Gross Floor Area in the Building.
c.	9,000 m ² or greater	4.3 per 100 m ² of Gross Floor Area in the Building.
10.	Retail Store (Convenience)	3.4 stalls per 100 m ² of Gross Floor Area plus one per gas pump island, if proposed.
11.	Eating establishments	The greater of 1 per 4 seats or 2.3 per 10 m ² of seating area based on occupancy of building, whichever is greater. An additional 3 stalls are required for staff parking.
12.	Nightclubs	1 stall per 3.0 m ² of public space.
13.	Minor Alcohol Sales	3.2 stalls per 100 m ² of Gross Floor Area.
14.	Motels and Hotels	1 per guest room plus 1 per 3 employees.
	Community, Educational, Public Service, Recreational and Cultural	
15.	Billiard parlors and arcades	2.2 per 100 m ² of gross leasable area in the Building.
16.	Bowling alleys	2.5 spaces per alley, 5 spaces for staff and 1 space per 10 seating spaces for spectators.



17.	Casino	1 space per 2.4 m ² of public space or based on occupancy of building, whichever is greater.
18.	Curling rinks	4 spaces per curling sheet of ice and 5 spaces for staff, and 1 space per 10 seating spaces for spectators.
19.	Day Care/Child Care Facility	1 stall per two employees, in addition to parking required for the primary Dwelling.
21.	Health and Fitness Clubs	1 space per 10 m ² of Gross Floor Area.
22.	Public assembly auditoriums including theatres, convention halls, funeral home, religious assemblies, racetracks, halls, private hall, sporting venues, and Buildings operated by a citizens organization	1 per 4 seating spaces or 1 per 5 m ² used by the public, whichever is greater.
23.	Public Libraries and cultural exhibits	1 per 10 m ² of Floor Area used by patrons.
24.	Elementary and junior high schools	1.4 spaces for each classroom.
25.	Senior high schools	1 space for each classroom plus 1 space for every 12 students plus auditorium requirements where applicable.
26.	Universities, colleges business or commercial or technical schools	1 per 10 seats plus auditorium requirements where applicable.
27.	Hospitals, or similar uses	1.1 per 100 m ² of Gross Floor Area.
28.	Homes for the Aged (individual unit projects)	1 per 4 units.
29.	Homes for the Aged (lodge-type accommodation)	1.1 per 100 m ² of Gross Floor Area.
	Industrial	
30.	Manufacturing, warehousing, wholesale and storage Buildings, research laboratories and public utility Buildings	1 per 100 m ² of Gross Floor Area.
31.	Servicing and repair establishments	3 spaces per service bay, plus a minimum of 5 spaces for employee parking.
	Reductions	



32.	C1 District	Up to a 20% reduction of the required parking spaces at the discretion of the Development Officer for residential developments. Up to a 100% reduction of the required parking spaces at the discretion of the Development Officer for commercial developments. The Development Officer may require a parking study. Bike trails and transit facilities are favourable in considering reductions.
33.	Mixed Use Development with shared customers and similar hours	10% reduction of the required parking spaces, in addition to the variance powers of the Development Officer.
34.	Mixed Use Development with separate hours and shared Parking Spaces	20% reduction of the required parking spaces, in addition to the variance powers of the Development Officer.

4.15.7 Off-street loading requirements shall be provided in accordance Table 4.15.7.

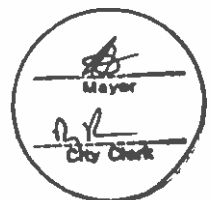
Table 4.15.7		
	Use of Building or Site	Minimum Number of Loading Spaces Required
1.	Apartment Buildings	For Apartments of 20 units or more an On-site loading bay is required.
2.	All uses in Commercial and Industrial Districts	1 space for each loading door with a minimum of 1 space to be provided.

4.15.8 Location of Loading Spaces

- i. All Loading Spaces shall be located on the Site so that all materials and commodities can be easily collected or distributed within the Site, to and from all tenants or occupants.
- ii. Access shall be so arranged that no backing or turning movements of vehicles going to or from the Site causes interference with traffic on the adjoining or Abutting Roads, Lanes, sidewalks or boulevards.

4.15.9 Loading Space Dimensions

- i. Loading Spaces shall have a minimum area of 28 m², a minimum width of 3.0 m, and have a minimum overhead clearance of 3.7 m.



4.15.10 Bicycle Parking Requirements

- i. Bicycle Parking Spaces shall be provided in accordance Table 4.15.10.

Table 4.15.10		
1.	Residential Developments with 10 or more Dwelling units and all non-residential Developments	5% of the number of vehicle parking spaces, with a minimum of 5 required.
2.	All Educational Developments	10% of the design student capacity, with a minimum of 5 required.

- ii. Each bicycle Parking Space shall be a minimum of 0.25 m in width and 1.83 m in length, with a minimum overhead clearance of at least 2.13 m.
- iii. Bicycle Parking Spaces shall be wholly provided on the same Site as the Building.
- iv. Adequate access to and exit from individual bicycle Parking Spaces shall be provided to the satisfaction of the Development Officer, with an aisle of not less than 1.52 m in width to be provided and maintained beside or between each row of bicycle parking.
- v. Bicycle parking shall be separated from vehicle parking by a physical barrier or a minimum 1.52 m of open space.
- vi. Bicycle Parking Spaces shall be visibly located where possible and provided in one or more of the following ways, to the satisfaction of the Development Officer: secure bicycle storage rooms, lockers, racks or railings or other such device inside the Building or an Accessory Parking area; or within a required Yard of a Site but not more than 15.2 m from a principal entrance of the Building.
- vii. Bicycle parking shall be designed so that bicycles may be securely locked to the rack, railing or other similar device without undue inconvenience and will be reasonably safeguarded from intentional or accidental damage.

4.16 Permitted Encroachments in Yards

- 4.16.1 Projections into a Yard shall be permitted in accordance with Table 4.16.1.

Table 4.16.1				
		Maximum Projection into Front Yard (m)	Maximum Projection into Side Yard (m)	Maximum Projection into Rear Yard (m)
i.	Bay windows, canopies, boxed windows, chimneys,	0.6	0.6	1.5

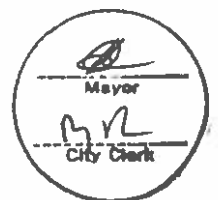


	eaves, fire escapes, gutters, sills			
ii.	Balconies, decks, landings, steps	2.0	0.6	3.6

- 4.16.2 Notwithstanding any requirements of this Section, no projections shall be allowed into a Yard required to be used as a parking space, Loading Spaces, driveway or any maneuvering space for a vehicle.
- 4.16.3 The projections into Yards do not apply to construction wholly beneath the surface of the ground or for patios, decks, platforms, sidewalks and steps which do not rise more than 0.6 m above the finished ground elevation.
- 4.16.4 When a Lot has more than one Frontage the Front Yard requirement shall apply to only one front Lot line, to satisfaction of the Development Officer.
- 4.16.5 On the 3.0 m side of a residential Corner Lot, steps and/or decks may project a maximum of 2.4 m into the 3.0 m Side Yard provided that no portion of the steps and/or decks are located beneath the engineered Grade.
- 4.16.6 In an R3 District, R4 District or R5 District, where the construction involves an Apartment or Row House, or combination thereof, balconies or decks may project a maximum of 1.8 m into Side Yards of 7.6 m or more which are not required for vehicular access.
- 4.16.7 Notwithstanding any requirements of this Section, unenclosed balconies in the Medium Density Residential (R4) District and High Density Residential (R5) District may project a maximum 1.8 m into a required Side Yard, provided the unenclosed balcony is located adjacent to a living room window and/or door.
- 4.16.8 Mechanical equipment, such as an air conditioning unit, shall not be located in a Front Yard. The equipment may be located in a Side Yard at the discretion of the Development Officer.

4.17 Railways

- 4.17.1 The Development Officer shall refer subdivision and development applications that are located within 1,000 m of a railway yard, corridor or line to the appropriate rail operator for review.
- 4.17.2 The Development Officer may require a noise and/or vibration study using an approved prediction model, prepared by a qualified professional, to determine appropriate mitigation measures such as Setbacks and berms if a residential subdivision or a development application for a residential use or other sensitive land use is located within:



- i. 300 m of rail yards;
- ii. 30 m of mainline rail corridors; or
- iii. 15 m of branch lines and spur lines.

4.17.3 Notwithstanding other provisions of this Land Use Bylaw the Development Officer may require Development Setbacks and berms, identified in Table 4.17.3, when development is Abutting railway Yards, corridors or lines (Setbacks shall be measured from the rail property line):

Table 4.17.3		
Type of Railway Development	Development Setback (m)	Berm Height (m)
Rail Yards	300	N/A
Mainline Rail Corridor	30	2.5
Branch Lines and Spur Lines	15	2.0

- i. The Development Officer may vary the Setback distances and berm Heights if such variation is supported by a noise and/or vibration study, prepared by a qualified professional, submitted to the City
- ii. The Development Officer may require a minimum 1.85 m high chain link fence, within private property, when development is located along a rail corridor or Yard to reduce trespass.
- iii. The Development Officer may require restrictive covenants to be registered on title to provide notifications of the nature of rail operations, the potential for increased rail activities, and the potential for annoyance or disruptions.

4.18 Relocation or Demolition of Buildings

4.18.1 Except as otherwise provided for in this Bylaw, no person shall relocate a Building or Structure, or portion thereof, onto a site without first obtaining a Development Permit for the relocated Building or Structure. The relocated Building or Structure shall comply with the appropriate District.

4.18.2 A relocated Building or Structure, except a Manufactured Home in the Residential Manufactured Home District, shall be considered a Discretionary Use in all Districts.

4.18.3 To assist in the assessment of the compatibility of a relocated Building with surrounding development, Development Permit applications for a relocated Building shall at a minimum include:

- i. Recent colour photographs showing all sides of the Building;



- ii. A statement of the age, size and structural condition of the Building. A report from a qualified professional may be required; and,
 - iii. A statement of any proposed improvements to the Building, including a description of the colour, texture and/or finish applied to exterior surfaces, and a description of proposed landscaped areas.
- 4.18.4 Any renovations or improvements required to ensure that the relocated Building or Structure complies with this Bylaw shall be listed as conditions of the Development Permit, and such conditions shall be met within one (1) year of the relocation.
- 4.18.5 Where a Development Permit has been granted for a relocated Building, the Development Officer may require the applicant to provide a letter of credit or some other form of security, of such amount to ensure completion of any renovations or Site improvements set out as a condition of approval of a Development Permit.
- 4.18.6 Where a Development Permit has been issued pursuant to Section 4.18.1, the Development Officer may as a condition of the Development Permit require the applicant to provide a security deposit for any maintenance, repairs or improvements associated with the Building relocation, or for repair of Roads, sidewalks, boulevards that may be caused by the relocation.
- 4.18.7 All Structures relocated to a Site within the municipality shall be required to meet minimum standards of the Alberta Building Code in effect at the time of the relocation.
- 4.18.8 Where a Development Permit is to be approved for the demolition of a Building, the Development Officer shall require the applicant to provide a Letter of Credit to cover costs of reclamation and damage to utilities, Roads and sidewalks, and to carry sufficient comprehensive liability insurance naming the City as an insured party in all public liability policies.
- 4.18.9 Where a demolition is carried out, the person causing the same to be made shall at his own expense protect from displacement any wall, sidewalk, Roads or other utility to be affected by such demolition and shall sustain, protect and underpin the same so that they will remain in the same condition as before the demolition was commenced and shall ensure that adequate measures shall be taken by way of fencing and Screening to ensure the general public's safety.
- 4.18.10 Whenever a Development Permit is issued for demolition of a Building, it shall be a condition of the permit that the Site shall be properly cleaned with all debris removed and left in a Graded condition.

4.19 Residential Conversions



4.19.1 In considering any application for the Conversion of a Single-detached, Semi-detached, or Duplex Dwelling to an Office, the Development Officer shall ensure the development complies with the following requirements:

- i. Exterior lighting shall be provided in a manner that provides safety for pedestrians;
- ii. Where the Conversion involves exterior renovation, such renovation shall be of a nature that maintains a Height and Coverage that is in keeping with the Height and Coverage of existing Abutting Single and Semi-detached and Duplex Housing; and
- iii. Parking and loading shall be provided in accordance with Section 4.15 of this Bylaw.

4.19.2 The Development Officer shall have regard to the following in exercising discretion to approve such developments:

- i. The level of activity resulting from the Use should not be an intrusion into an area primarily residential in character, nor should it generate traffic or parking in excess of the capacity of Abutting Roads;
- ii. The conversion should not adversely affect pedestrian movement on Abutting sidewalks; and
- iii. The conversion should maintain an external appearance that is generally in keeping with the external appearance of existing Abutting Single-detached, Semi-detached and Duplex Housing.

4.20 Sign Regulations

4.20.1 This Section shall govern the erection and use of Signs of any kind. Except as provided otherwise, a Development Permit is required for Signs proposed to be erected and for continuing the use of any Sign erected or maintained without such permit.

4.20.2 The Sign Regulations will regulate the size and location for each Sign type and the number of Signs allowed on each Site.

4.20.3 Except as provided otherwise the Sign Regulations of the Land Use Bylaw do not apply to Road rights-of-way.

4.20.4 Sign Permitting

- i. In reviewing applications for Sign Development Permits, the Development Officer may consider, without limitation and in addition to the specific requirements of this Bylaw, the nature and design of the proposed Sign, the impacts of the proposed Sign on

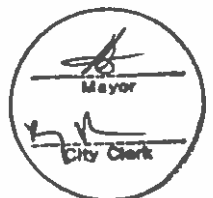


surrounding properties and the community, and the number and type of Signs located or proposed to be located in the vicinity of the proposed Sign.

- ii. In granting a Development Permit in respect of a Sign, the Development Officer may impose such conditions and restrictions as, in the Development Officer's discretion, are necessary or desirable to mitigate the impact of the Sign on neighbouring properties and the community.
- iii. Restrictions may include, but are not limited to, a time limitation on the duration of the Development Permit, requirements for Landscaping, specific design requirements and limitations on the hours during which a Sign may be illuminated.
- iv. Except as otherwise provided in this Bylaw, the enlargement, relocation, erection, construction, or alteration of a Sign requires a Development Permit.
- v. Where a Development Permit for a Sign is required, the Development Officer shall consider and process the application in accordance with the requirements of this Bylaw.

4.20.5 Signs Not Requiring A Development Permit

- i. Election candidate Signs displayed by or on behalf of a candidate participating in any Federal, Provincial or Municipal election, provided such signs are displayed a maximum of 28 days prior to an election, and removed within 2 days after the election.
- ii. Signs, notices, placards, flags, Banner Signs, or bulletins displayed pursuant to the provisions of Federal, Provincial or Municipal legislation; by or on behalf of the Federal, Provincial or Municipal government; or on behalf of a department, a commission, a Board, a committee, or an official of the Federal, Provincial or Municipal government.
- iii. A Neighbourhood Sign that it is described within a Development Agreement.
- iv. One Sign per public entrance displaying the name or address of a Building when it is sculptured or formed out of or in the fabric of the Building face and is not illuminated.
- v. Freestanding Signs or Fascia Signs not exceeding 0.1 m² in area, measured to the outside edges of the Copy area.
- vi. One Sign, which is placed on private property for the purpose of advertising a business that is performing work On-site, provided that the total Sign Area does not exceed 0.60 m². For this purpose, one Sign is permitted on a Site.
- vii. A non-illuminated Fascia Sign attached to a residential Dwelling or Accessory Building and stating no more than the name of the Building or the name of the persons



- occupying the Building or both, provided that the total Sign Area does not exceed 0.4 m².
- viii. One Fascia Sign, which is attached to a non-residential Building, does not exceed 0.85 m² and states no more than the name or address of the Building, the name of the person, institution or business occupying the Building; and the type of business carried on in the Building.
 - ix. A combination of numbers and letters for the purpose of street addressing where together the total Sign Area is less than 1.0 m².
 - x. Signs located within a window intended to be viewed from outside the Building, which in the C1 District and the C3 District shall not obscure more than 25% of the window.
 - xi. A non-illuminated Under-Canopy sign, provided that the total Sign Area per side does not exceed 0.4 m², and the minimum clearance, measured from the ground to the bottom edge of the Sign, shall be 2.44 m.
 - xii. A non-illuminated Awning Sign, provided that the total Sign Area does not exceed 0.75 m².
 - xiii. The incorporation of an additional panel or panels on a Freestanding Sign which conforms to this Bylaw provided: the additional panel or panels are the same length as existing panels and are located within the limits of the existing Sign Area; the Height of the Sign does not exceed the Height of the original Sign; and the addition of a Sign panel does not conflict with any of the conditions of the existing Development Permit for the Sign other than a condition that the Sign comply with the approved drawings.
 - xiv. Replacement of an existing Awning Sign by another Awning Sign at the same location provided both Sign and Structure conform to this Bylaw; the new Sign Area is either equal to or less than the existing Sign Area; and the maximum projection of a new framework shall not exceed that of the existing Awning Sign framework.
 - xv. Real Estate Signs, provided: the Sign conforms to this Bylaw; and the maximum number of Signs is two per Site, comprised of an A-Board, Freestanding, a Fence, or a Fascia sign, or a combination of them, each of which shall not exceed 0.60 m² in area.
 - xvi. Replacement of an existing Freestanding Sign by another Freestanding Sign on the same base, provided: both Signs conform with this Bylaw; the new Sign Area is either equal to or less than the existing Sign Area; the existing Sign support or a similar replacement is used, and the new Sign is mounted at a Height equal to or lower than the existing Sign Height.
 - xvii. One A-Board Sign that does not exceed a dimension of 1.0 m².



- xviii. Any Sign inside any building intended for viewing from within the interior of the building.

4.20.6 Development Permit Requirements

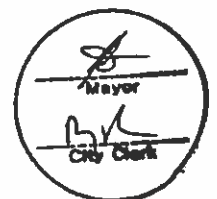
- i. An application for a Development Permit for a Sign shall be made to the Development Officer as defined in Section 2.7 and Section 2.8 of this Bylaw, or its authorized agent on the appropriate form supplied by the City.
- ii. In addition to Section 2.7 of this Bylaw, an application for a Development Permit for Signs shall be accompanied by two (2) coloured renderings for the art work of the proposed Sign, drawn to scale showing: all dimensions of the Sign Structure, including the Sign Height and projection of the Signs attached to Buildings; the Sign Area and area of the Copy face(s); the design of the Copy face; the manner of all Sign illumination; the type of construction and finish to be utilized; the method of supporting or attaching the Sign. In the case of a Freestanding Sign, a Site plan showing the Sign location in relationship to Site lines and utility and overland drainage rights-of-way, parking and Buildings and an elevation plan showing the Sign Height in relationship to the Height of the Principal Building is required. In the case of a Fascia Sign, the façade elevation with dimensions for the elevation on which the Sign will be placed is required.
- iii. Such additional information that the Development Officer deems necessary including: a Copy of a current certificate of title prior to the application date for the Site upon which the Sign is to be located; a minimum of two photographs taken from different angles that adequately show the proposed location of the Sign, Abutting Sites, and all Signs, including but not limited to Signs on any Building within 30 m of the location of the proposed Sign; and Real Property Report to verify the location of an existing Building and improvements on the Site.
- iv. An application for a Development Permit for a Sign shall not be considered complete and final and received for processing by the City until the Development Officer determines that all the requirements of this Section have been satisfied.

4.20.7 General Regulations for Signs

- i. Except as provided in Section 4.20.7.ii. and Major Home Based Business regulations (Section 5.16.6), the maximum number of Temporary Signs and Permanent Signs per Site, excluding Signs listed in Section 4.20.5, shall be as follows: for Multi-Unit Residential Dwellings, one Permanent Sign per street access; for non-residential developments, one Permanent Sign for every 30 m of Frontage or fraction thereof and one Temporary Sign for every 50 m of Frontage or fraction thereof.



- ii. The Development Officer will determine the maximum number of Fascia and Directional Signs that will be allowed for each Development, which are not included in the total number of Signs allowed in Section 4.20.7.i.
- iii. Signage shall be integrated as part of the Building design and be complementary to the exterior finishes.
- iv. Signage shall be manufactured to the standards followed by a professional Sign manufacturer, have a painted finish, be neat and clean, and be maintained as such.
- v. A Sign shall not be erected, operated, used, or maintained if: its position, shape, colour, format, or illumination may be confused with an official traffic Sign, signal or device or other official Sign; or it displays flashing lights.
- vi. Signs shall not be placed so as to reduce the number of Parking Stalls or Loading Spaces or to obstruct the use of the Parking Facilities or loading areas required pursuant to an approved Development Permit.
- vii. Whenever a panel on a Multi-tenant Sign is removed, the property Owner shall replace it with a blank panel until such time as a new tenant requires it.
- viii. A person shall not: attach or hang an Auxiliary Sign or other material to, on, above, or below a Sign unless otherwise provided for in this Bylaw; attach to any Sign an extension or portable device other than Sign hangers shown on the plans for which the Development Permit is issued; or make alterations to any Sign in any way, unless otherwise provided for in this Bylaw, without first obtaining the required Development Permits.
- ix. When a Sign no longer fulfills its function under the terms of the Development Permit, the Development Officer may notify the property Owner and may order the removal of the Sign, and the property Owner shall: remove the Sign and all related structural components; restore the immediate area around the Sign; and bear all costs related to such removal or restoration.
- x. A Sign may not project over public lands including public Roads rights-of-way unless the Development Officer grants permission to the property Owner to do so, in which event the Owner shall enter into a license of occupation and/or an encroachment agreement.
- xi. Illuminated signs shall be stationary, and shielded and shaded light sources directed solely at the Sign, or internal to it, so that the light intensity or brightness does not create either a Nuisance to an Abutting property or a traffic hazard for motorists or pedestrians.



- xii. No exposed reflective-type bulb and no strobe light or incandescent lamp shall be used on the exterior surface of any Sign.
- xiii. Whenever external illumination is used for a Sign, the source of light shall be located, shielded, and directed in such a manner that the light source is not visible from a Road or Residential District
- xiv. The light source of an internally illuminated Sign shall not be visible from any Road or from Abutting Sites.
- xv. On Sites where the C2 District, C3 District, C4 District, C5 District and I1 Districts are applied, and where a Development comprises of more than one Site, any Multi-tenant Signs may provide Off-site advertising for businesses that are located within the Development.
- xvi. Signs on City owned property, excluding Roads rights-of-way, may be permitted at the discretion of the Development Officer only if the Sign Copy is used to advertise community events or non-profit groups or the property is subject to a license of occupation granted by the City of Lloydminster.
- xvii. Any Sign located on City property without City approval will be removed and disposed of by a Development Officer or a City employee at the direction of a Development Officer following notice to the property Owner.
- xviii. When a Sign is placed on a Site without an approved Development Permit, the Development Officer shall notify the property Owner and require a Development Permit. Should the property Owner not comply within the time specified, the Development Officer may order the removal of such a Sign.
- xix. Any Sign which obstructs the view of any portion of a traffic control device or traffic control signal, which resembles an official traffic control device, or which poses a potential hazard to traffic may be removed and disposed of by the Development Officer.
- xx. If a Development Officer considers a Sign to have become unsightly, or that its content has become irrelevant, or that the sign has caused any safety hazard on City property, or is in contravention of this Bylaw, the Development Officer may remove the Sign following notice to the Owner of the Sign. Further, the City may recover the costs of the removal and/or storage of any Sign and the clean-up of any affected municipal property. Any such Sign unclaimed within fourteen days (14) of its removal may be disposed of at the discretion of the Development Officer.

4.20.8 A-Board Signs



- i. A-Board Signs shall comply with the provisions of this Bylaw related to Temporary Signs.
- ii. Shall not exceed a dimension of 1.0 m² per side.
- iii. Shall be located -.
- iv. Shall be allowed one per business per facade on a Site.
- v. Shall not be erected for a period exceeding the operating hours of the business.
- vi. Shall not be located in landscaped areas.
- vii. Shall not impede pedestrian or vehicle circulation.

4.20.9 Balloon Signs

- i. Balloon Signs shall comply with the provisions of this Bylaw related to Temporary Signs.
- ii. One Balloon Sign is allowed per business for a maximum of fourteen days within a six month period.
- iii. There shall be a minimum distance of 150.0 m between Balloon Signs.
- iv. Balloon Signs shall not be illuminated.
- v. If mounted on the ground surface of a Site, a Balloon Sign:
 - a. Shall not exceed 8.0 m in Height;
 - b. Must be located at least 1.5 m from all property lines (with the exception of a Corner Lot where the Sign must be set back a minimum of 6.0 m from all property lines); and
 - c. Must not interfere with access to or from the Site.
- vi. Balloon signs shall be not be located on a roof.
- vii. The method of securing the Balloon Sign is by a series of tethers anchored or affixed to the ground or the roof of a Building.

4.20.10 Banner Signs



- i. **Banner Signs shall comply with the provisions of this Bylaw related to Temporary Signs.**
- ii. **Banners Signs shall advertise a specific event, and shall be displayed for a period not exceeding thirty consecutive days and, upon expiry of that period shall be removed.**
- iii. **A business may display a maximum of one Banner Sign in a twelve month period.**

4.20.11 Billboard Signs

- i. **Billboard Signs shall comply with the provisions of this Bylaw related to Permanent Signs.**
- ii. **No Billboard Sign shall be erected less than 400 m from any existing Billboard Sign.**
- iii. **The minimum distance that a Billboard Sign shall be from a Site to which a residential District is applied is 150 m.**
- iv. **The maximum Sign Area shall be 30 m².**
- v. **The maximum Height of a Billboard Sign shall be 6.0 m.**
- vi. **The length of the Sign area shall not exceed 10 m.**
- vii. **All Billboard Signs shall be placed a minimum distance of 3.0 m from the edge of a Highway, and shall be placed at an angle of either 60 or 90 degrees from the Highway.**
- viii. **Billboard Signs may be permitted wholly, or partly in Road right-of-way. If the Billboard Sign is to be located wholly or partly within the Road right-of-way, a License of Occupation is required.**

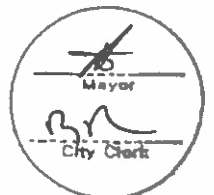
4.20.12 Changeable Message Signs

- i. **May be permitted on A-Board Signs, Billboard Signs, Freestanding Signs, Fascia Signs, Portable Signs, and Projecting Signs.**

4.20.13 Development Marketing Signs

- i. **Unless provided for in a development agreement Development Marketing Signs shall not exceed 9.25 m² in Sign Area and have a maximum Height of 3.0 m.**

4.20.14 Digital Copy Signs



- i. **Freestanding Signs and Billboard Signs may incorporate Digital Copy into any or all of the allowable Copy area as prescribed by this Bylaw.**
- ii. **The following regulations apply to any Sign containing Digital Copy:**
 - a. **Shall be designed and placed such that they do not face or project into any residential area;**
 - b. **Shall be equipped with automatic light level control devices and ambient light monitors to ensure that evening brightness levels do not exceed 0.3 foot candles above ambient light conditions and that evening brightness levels do not exceed 400 nits;**
 - c. **Shall display only static images of no less than six seconds duration each;**
 - d. **Shall present no flashing or transitional effects between the display of static images; and**
 - e. **Sign content located adjacent to arterial Roads, shall conform to the Manual on Uniform Traffic Control Devices (MUTCD), and the Transportation Association of Canada (TAC), to the satisfaction of the Development Officer.**

4.20.15 Fascia Signs

- i. **Fascia Signs shall comply with the provisions of this Bylaw related to Permanent Signs.**
- ii. **The maximum Coverage area of a Fascia Sign shall be: twenty percent (20%) of the Building face that includes the main entrance to the Building; and five percent (5%) for all other Building faces.**
- iii. **The Building face is defined by the lower and upper limits of the Building wall.**
- iv. **A Fascia Sign shall not extend above the eave line of any Building elevation**
- v. **A Fascia Sign exceeding a Height of 1.5 m and with a Sign Area greater than 10.0 m² shall be limited to individual letters or shapes. The letters or shapes shall be either fixed directly to the Building without a sign-backing panel or mounted by an architecturally compatible method.**

4.20.16 Fence Signs

- i. **Fence Signs shall comply with the provisions of this Bylaw related to Permanent Signs.**



- ii. Each Sign shall be securely attached to the fence.
- iii. The maximum Sign Area shall be 1.1 m².
- iv. Where the Sign is attached to the body of the fence, the top edge of the Sign shall coincide with or be below the top edge of the fence.
- v. Where the Sign is attached to an entry feature of the fence such as an archway the Sign shall have a minimum clearance of 2.44 m, measured from the ground to the bottom edge of the Sign.

4.20.17 Freestanding Signs

- i. Freestanding Signs shall comply with the provisions of this Bylaw related to Permanent Signs, and shall not contain Third Party Advertising.
- ii. In Commercial and Industrial Districts, the total Copy area of a Freestanding Sign shall not exceed 0.3 m² in area for each metre of street Frontage of the Site, to a maximum of 17.0 m². The Copy area of a Freestanding Sign face may be increased by a variance of no more than ten percent of the maximum allowable area for the Site only for the purposes of providing an area for changeable Copy or Digital Copy.
- iii. The minimum Setback to any portion of a Freestanding Sign shall be 0.75 m from the property line.
- iv. The maximum Sign Height of Freestanding Signs shall be:
 - a. 9.1 m in the C2 District, MA1 District, MA2 District and all Industrial Districts.
 - b. 4.5 m in the C1 District, C3 District C4 District and C5 District.
 - c. 2.5 m in the R3 District, R4 District, R5 District, RMH District, PS District, PU District and UP District.
- v. Freestanding Signs shall have landscaped area of 1.0 m² around the base of the Sign. Landscaping shall not interfere with traffic lines-of-sight.
- vi. A Freestanding Sign shall be located a minimum of 50 m from any other Freestanding Sign.

4.20.18 Hanging Signs

- i. Hanging Signs shall comply with the provisions of this Bylaw related to Permanent Signs.



- ii. **Hanging Signs shall be spaced a minimum of 2.0 m from any other Hanging Sign.**
- iii. **The minimum clearance, measured from the ground to the bottom edge of the Hanging Sign, shall be 2.44 m.**
- iv. **The maximum vertical dimension of the Sign shall be 0.3 m.**
- v. **The maximum Sign Area per side shall be 1.5 m².**

4.20.19 Neighbourhood Signs

- i. **Unless provision for a Neighbourhood Sign is included in a Development Agreement for the applicable subdivision approval, Neighbourhood Signs shall:**
 - a. **Have a maximum Sign Area of 15.25 m²;**
 - b. **Have a maximum Sign Height of 4.6 m;**
 - c. **Contain the name of the community, neighbourhood or subdivision area;**
 - d. **Blend in with the architecture or theme of the surrounding area; and**
 - e. **Shall be limited to a maximum of one per Road entrance.**

4.20.20 Portable Signs

- i. **Portable Signs shall comply with the provisions of this Bylaw related to Temporary Signs.**
- ii. **Notwithstanding Section 4.20.7 and Section 4.20.20.i one (1) Portable Sign may be permitted for each Site.**
 - a. **No Portable Sign may be erected less than 50 m from any existing Portable Sign.**
 - b. **Notwithstanding Section 4.20.20.ii and Section 4.20.20.ii (a) two (2) Portable Signs may be permitted for any Site with a Lot Width greater than 50 m, provided the Portable Signs are separated by a minimum separation distance of 30 m.**
 - c. **Notwithstanding Section 4.20.20.ii two Portable Signs may be permitted on a corner Site, with one on each Frontage.**
- iii. **The Development Officer may approve a Development Permit for a Portable Sign for one period not exceeding Three Hundred Sixty Five (365) days. The Development**



Officer shall not approve any subsequent Portable Sign on the same Site for a minimum of thirty one (31) consecutive days.

- iv. Portable Signs shall be wholly situated upon the Site that is the subject of the advertising displayed on the sign and shall not be located within 1.5 m of any property line, or within 3.0 m of any access to the Site, or within 5.0 m from a corner intersection.
- v. The maximum Sign Area on one side of a Portable Sign shall be 5.0 m².
- vi. The maximum Height of a Portable Sign shall be 3.0 m.
- vii. A Portable Sign shall not be fastened to the ground on a permanent foundation.
- viii. Where a Portable Sign is located within a right-of-way area or on any other public property, it shall be used only for public notice as required by Federal, Provincial or Municipal legislation and shall:
 - a. Be erected no more than seven (7) days prior to an activity or event; and
 - b. Be removed within twenty-four hours following the conclusion of the event or activity.

4.20.21 Projecting Signs

- i. Portable Signs shall comply with the provisions of this Bylaw related to Permanent Signs.
- ii. Each Projecting Sign shall be spaced a minimum of 2.0 m from any other Projecting Sign. Notwithstanding Section 4.20.21.ii, Awning and Canopy signs may be provided along the length of building façade.
- iii. The maximum Sign Area per side of a Projecting Sign shall be 2.23 m².
- iv. The top of the Sign shall not project above the eave line or the roofline.
- v. The edge of the Sign nearest the Building shall not be located more than 300 mm from the Building face.
- vi. The minimum clearance, measured from the ground to the bottom edge of the Hanging Sign, shall be 2.44 m.



- vi. Visible means of support for Projecting Signs shall be architecturally integrated with the Building upon which they are located to the satisfaction of the Development Officer, and the Sign shall be designed by a qualified, registered Professional Engineer
- vii. A Projecting Sign shall not project more than 2.0 m from the Building face.

4.20.22 Prohibited Signs

- i. Unless otherwise provided for under this Bylaw, the following Sign types are prohibited within the City:
 - a. Signs that interfere with traffic lines-of-sight;
 - b. Flashing, roof, and rotating or moving signs (not including clocks);
 - c. Child Care Services signs in residential Districts other than those provided in accordance with Home Based Business signage; and
 - d. Third Party Advertising other than Billboard Signs and Freestanding Signs and one (1) Portable Sign per parcel.

4.21 Sight Lines at Intersections

4.21.1 Access to public rights-of-way shall be provided to the satisfaction of the City's Planning and Engineering Department.

4.21.2 A sight triangle shall be maintained at all Road intersections, and shall not include fencing, Landscaping or other Screening that may obstruct sight lines at intersections. A sight triangle includes:

- i. A corner cut which is part of the Site boundary;
- ii. A straight line drawn between two points on the exterior boundaries of the subject Site 3.0 m from the point where they intersect at an Alley; or
- iii. A straight line drawn between two points on the exterior boundaries of the subject Site 8.0 m from the point where they intersect at a Road.

Intersections may require additional geometry, as identified through a Transportation Impact Assessment or other recommendations from a transportation engineer.

4.22 Solar Collectors

4.22.1 A Solar Collector shall meet the Yard and Height regulations of the underlying District.



4.22.2 The location and appearance of a Solar Collector shall be provided to the satisfaction of the Development Officer.

4.23 Swimming Pools

4.23.1 Private Swimming Pools are permitted in all Residential Districts provided that:

- i. A Development Permit, which includes a site plan, pool specifications, including filling and drainage details and details of the proposed Enclosure for the Private Swimming Pool, must be obtained from the City prior to construction;
- ii. No Private Swimming Pool shall be located in any required Front Yard.
- iii. No Private Swimming Pool shall be located any closer than 1.2 m from any property line or located upon any easement or right-of-way, or over, or on top of any utility lines.
- iv. A Private Swimming Pool shall be located to provide a minimum 750 mm Walkway around its perimeter and the Walkway shall not be obstructed by any object which will restrict walking around the entire perimeter.
- v. No Private Swimming Pool shall be located so that any mechanical or electrical equipment being used would negatively impact adjacent properties.
- vi. All Private Swimming Pools must be enclosed by an Enclosure, being a non-climbable fence not less than 1.8 m in Height either around the pool area or perimeter of the Lot and shall include a security gate;
 - a. The Enclosure must be built, erected or in place prior to the Private Swimming Pools being filled with water;
 - b. The Enclosure must be properly maintained at all times to comply with this Bylaw.
 - c. Any alterations to an Enclosure for which a development permit has been issued must be approved by the City, prior to any alterations being made.
 - d. The Enclosure must not contain any gaps or openings, which will permit a spherical object of 100 mm in diameter to pass through.
 - e. Chain link fencing used in an Enclosure must not have a mesh size exceeding 50mm or a wire core of not less than 11 gauge.



- vii. A gate, which forms part of an Enclosure, must comply with the following:
 - a. All gates must be installed to swing outward in the direction away from the Private Swimming Pool;
 - b. All gates must be equipped with a self-closing device designed to return the gate to the closed position after each use, a self-latching device designed to hold the gate in the closed position after each use and have the capacity of being locked;
 - c. The self-closing and self-latching device must be maintained in working order at all times;
 - d. All gates must be anchored to fixed posts or secure Structures on both the hinge and latch sides;
 - e. When a Private Swimming Pool is not attended by the Owner or occupant, gates, doors and other entrances to the swimming pool area must be locked.
- viii. In the case of a hot tub, the requirements of this Section do not apply if the following provisions are provided:
 - a. The hot tub has a lockable cover device to prevent access to the water by unauthorized persons; and
 - b. The cover is maintained in place and locked when the hot tub is unsupervised.

4.23.2 Private Swimming Pools must have a discharge system, which allows drainage into a sanitary sewer on the property upon which the Private Swimming Pool is located.

4.23.3 No occupant or Owner shall drain the water of a Private Swimming Pool into any adjacent public or private property or any Road.

4.23.4 No Private Swimming Pool is to have a direct connection to the City water distribution system.

4.23.5 All Private Swimming Pools shall meet applicable Provincial regulations.

4.24 Sustainable Building Requirements

4.24.1 Notwithstanding, and in addition to variance powers of the Development Officer, other regulations in this Bylaw the Development Officer may permit an additional 15% in Lot Coverage for non-residential developments and an additional 15% in Lot Coverage and residential Density for residential developments, provided the development meets LEED



Certification or LEED compatible standards. In such cases the development will be considered a Discretionary development and the applicant/Owner shall:

- i. Submit a plan to meet LEED Certification at the time of Development Permit application. The plan shall include a description of how the project design has met the requirements of the credits indicated in the description;
- ii. Provide verification, within four (4) months after the Construction Contract is signed, that the construction credits have been submitted to the Green Building Council for review; and,
- iii. Provide the LEED certification decision within one (1) year of occupancy.

4.24.2 All submissions related to this Section must be signed and sealed by the project architect and/or project engineer of record.

4.25 Underground Tanks

4.25.1 A Development Permit is required for installation or removal of underground tanks.

4.25.2 Any application for underground tank removal or installation must be referred to the City's Protective Services Department/Fire Chief.

4.25.3 All applicable petroleum tanks shall be registered with the Petroleum Tank Management Association of Alberta and Saskatchewan Environment, and comply with the requirements of the appropriate provincial and Federal legislation.

4.25.4 After the removal of tanks, the Owner must reclaim the Site in accordance with the *Alberta Environmental Protection and Enhancement Act* or the *Saskatchewan Environmental Management & Protection Act*.

4.26 Utilities

4.26.1 Services shall be provided as outlined in the Municipal Development Standards, and no Development shall commence until the Development Officer is satisfied that the appropriate Site servicing and improvements, including any Off-site local improvements, will be provided to the Development.

4.26.2 Private sanitary sewer and/or water systems shall not be permitted. The exception shall be for renovations or Accessory Buildings on Sites where private sanitary and/or water systems already exist, provided that the private systems do not require expansion.

4.26.3 No Development shall be permitted on franchise utility easements unless permitted by the Development Officer and the utility agency which holds the utility easement.



5.0 Special Regulations

The Special Land Use Provisions shall apply to all developments on all Sites, and shall take precedence except in the case of the Airport Protection Overlay or where the regulations of a District, Overlay or Development Control Provision specifically exclude or modify these provisions with respect to any Use.

5.1 Adult Entertainment and Adult Massage Services

5.1.1 Adult Entertainment and Adult Massage Services shall comply with the development regulations of the I2 District and I3 District.

5.1.2 Any Adult Entertainment and Adult Massage Services shall be located only on a Site with a minimum radial separation of 300 m or more from:

- i. Any Site located within a Park District, Public Service District or Residential District, determined by measuring the distance from the Adult Entertainment Site to the District Boundary;
- ii. The property line of any Site containing Child Care Facilities, Family Day Home, Private Babysitting Facility or, Indoor Participant Recreation Services, if known to the municipality;
- iii. The property line of any Site with an existing Public Park, Religious Assembly or other use that has a playground as an ancillary element; or
- iv. Highways 16 and 17, determined by measuring the distance from the Adult Entertainment Site to the boundary of the Highway right of way.

5.1.3 Any Adult Entertainment shall be located only on a Site with a minimum radial separation of 500 m from the property line of any other Adult Entertainment Site.

5.1.4 For the purposes of this Bylaw radial separation shall be determined in accordance with the diagram included under Part B-Definitions – Radial Separation Distance.

5.2 Alcohol Sales

5.2.1 Alcohol Sales shall be located only on a Site with a minimum radial separation of 300 m or more from the Site boundary of any Site with an existing community or recreation activity, a Public Park or a School.

5.3 Ambulance Stations



5.3.1 Where Ambulance Stations are permitted as a Discretionary Use in Residential Districts the following conditions shall apply:

- i. The Development shall have regard to the external appearance and residential character of land or Buildings;
- ii. No offensive vibration, smoke, dust, odors, heat or glare shall be produced by the use.

5.4 Amusement Establishments

5.4.1 When considering any proposed Indoor Amusement Establishment, the Development Officer:

- i. Shall cause a Notice to be sent by ordinary mail to all assessed property Owners within 75 m of the Site and to those assessed property Owners who in the opinion of the Development Officer may be affected, and;
- ii. Shall, where it is a Discretionary Use, cause a similar Notice to be published in a newspaper circulating in the City, at the expense of the applicant

not less than seven (7) days prior to the date of consideration of the application

5.4.2 Upon review of an application for an Indoor Amusement Establishment, the Development Officer shall determine whether or not the development would be suitable for the location taking into account the following factors: potential vehicle and pedestrian traffic generation; proximity to schools and residential uses; and other Abutting land uses where the proposed use may create a Nuisance and thereby in the opinion of the Development Officer becomes detrimental, and; general welfare of persons residing or working in the vicinity of the proposed development.

5.4.3 An Indoor Amusement Establishment may be an Accessory Use provided that the Floor Area occupied by the amusement devices do not exceed five percent (5%) of the total leasable Floor Area of the establishment, and in no case shall the number of devices exceed four (4).

5.5 Bed and Breakfasts

5.5.1 A Bed and Breakfast shall be approved as a Major Home Based Business, and comply with Section 5.16 and the following conditions:

- i. Each Bed and Breakfast unit shall comply with applicable provincial regulations and the applicant shall provide an approval letter from the applicable provincial Health Department.



- ii. A Bed and Breakfast operating as a Major Home Based Business shall have a maximum of two guest rooms. Cooking facilities shall not be located within the guest rooms.

5.6 Campgrounds

- 5.6.1 For the purpose of calculating the Density of this Use Class, a Campground shall be considered to be a Dwelling.
- 5.6.2 In addition to the information outlined in Section 2.7, a Development Permit application for a Campground shall include additional information regarding the location of all campsites, Accessory Buildings, open space, waste collection and recycling receptacles, pedestrian Walkways and circulation paths, Site access and internal Roads, buffering between the Campground and Abutting Uses, street lighting, and proposed servicing.
- 5.6.3 A minimum of 25% of campsites shall be reserved for short-term use which shall not exceed fourteen days.
- 5.6.4 A Campground map shall be placed at the entrance to each Campground area, clearly identifying Roads, campsite numbers, parking areas, Accessory Buildings and any other amenities. The Sign shall be kept current by the Registered Owner.
- 5.6.5 The number of each campsite shall be clearly marked and each campsite shall include an individual amenity space running the length of the campsite a minimum of 3.0 m in width.
- 5.6.6 Notwithstanding Section 5.6.5, a minimum of 5% of the total area of the Campground shall be set aside as a common Amenity Area
- 5.6.7 Trees and natural vegetation shall be retained as per Section 4.12 of this Bylaw.
- 5.6.8 Each campsite shall have a minimum 5.0 m Setback from a natural area, Accessory Buildings, Walkway or playground.
- 5.6.9 Pedestrian Walkways shall be provided to Accessory Buildings and amenities, with a minimum width of 1.2 m, and drained, lit and surfaced.
- 5.6.10 Each campsite shall be large enough to accommodate one vehicle, and a minimum of one visitor parking stall shall be provided for every twenty campsites within a designated area.
- 5.6.11 A minimum of one water supply outlet for filling portable water storage tanks shall be provided On-site and located within 100 m of each campsite.
- 5.6.12 There shall be one toilet provided for each gender for every thirty campsite. All toilets shall be connected to municipal services.



- 5.6.13 A garbage collection facility shall be located within 100 m of each campsite.
- 5.6.14 A Campground shall include a sanitary dumping station. Each station shall provide a water outlet with the necessary appurtenances connected to the municipal water system.
- 5.6.15 Fire hydrants shall be provided and located to the satisfaction of the City.

5.7 Child Care Services

- 5.7.1 Child Care Facilities shall be licensed under the applicable provincial licensing regulations, and must have privacy Screening that prevents visual intrusion into any outdoor play areas.
- 5.7.2 A Family Day Home shall not be located in a Dwelling unit containing another Major Home Based Business; may require privacy screening that prevents visual intrusion into any outdoor play areas, shall the applicable provincial approvals; and shall require a Major Home Based Business development permit.
- 5.7.3 A Private Babysitting Facility shall not be located in a Dwelling unit containing another Major Home Business; may require privacy screening that prevents visual intrusion into any outdoor play areas; shall comply with the minimum provincial standards as outlined from time to time; and shall require a Major Home Business development permit.
- 5.7.4 Notwithstanding any other regulation of this Bylaw, no other person, other than a resident of the Dwelling unit, shall work at the Dwelling unit where the Family Day Home or Private Babysitting Facility is located.
- 5.7.5 When deciding whether to approve or refuse an application for a Child Care Service Development the Development Officer shall:
- i. Give consideration as to whether the proposed facility is located: Abutting a Collector or arterial Roads; on a corner Site; Abutting to or in community facilities such as a school, park, church or community centre; or Abutting to commercial areas or multi-family development
 - ii. Account for potential traffic generation and any other matters which may limit the privacy and enjoyment of Abutting residences;
 - iii. Account for traffic, noise and proximity to hazardous uses to ensure the proposed development is in a safe location; and
 - iv. Consider the proximity to any other facility of a similar nature, being mindful of a recommended separation distance of 150 m.



- 5.7.6 A Child Care Service in any Residential District shall not change the principal character or external appearance of the Dwelling in which it is located. If a new Building is constructed, it must retain the character of a residential Dwelling. Any associated signage on the Dwelling must not detract from the residential character of the neighbourhood.
- 5.7.7 No portion of the development, including the Building or bay of Building and, where provided, On-site outdoor play space, shall be located within 50 m of a Major or Minor Service Station or a Gas Bar. This distance shall be measured from the pump island, fill pipes, vent pipes, or service station or gas bar Building, depending on whichever is closest to the development.
- 5.7.8 Parking shall be provided according to the regulations outlined in Section 4.15. In addition, drop-off parking shall be provided as follows:
- i. A separate On-site drop-off area shall be provided at the rate of 2 drop-off spaces for up to 10 children, plus 1 additional space for every 10 additional children;
 - ii. Each drop-off space shall be a minimum of 2.6 m in width and a minimum of 5.5 m in length; and
 - iii. The drop-off area shall be located within 6.0 m from the main entrance of the development;
- 5.7.9 Outdoor play space shall be securely enclosed on all sides.
- 5.7.10 In a residential District, outdoor play space may be allowed in any Yard, providing it is designed to limit any interference with other Uses, or the peaceful enjoyment of the properties of nearby residents, through fencing, Landscaping, buffering and the placement of fixed play equipment.
- 5.7.11 In any non-residential District, the outdoor play space shall not be located in any Yard that is Abutting a Road unless the design, size and other characteristics of the proposed play space mitigate the potential impact from the adjacent Road traffic.
- 5.7.12 All Development Permit applications for Child Care Services shall include: plans that show all elevations; floor plans that show indoor play and rest areas, including the location of windows; a Site Plan that shows the required On-site parking, drop-off facilities, and, where provided, On-site outdoor play areas, including the location and type of fixed play equipment, as well as fencing, Landscaping and any buffering to be provided.

5.8 Communication Facilities

- 5.8.1 In all cases, regulations and procedures set out by Industry Canada in regard to Communication Facilities shall take precedence over this Bylaw.



- 5.8.2 An applicant for a Communication Tower must apply for a Development Permit from the City. The application shall include a Site Plan drawn to scale and identifying the Site boundary; tower; guy wire anchors; existing and proposed Structures; vehicular parking and access; existing vegetation to be retained, removed, or replaced; and uses and Structures on the Site and Abutting properties.
- 5.8.3 Any new application shall provide a co-location analysis to explore the option of using existing Communication Facilities, towers or rooftops rather than Sites that would locate the tower at Grade level. The applicant's preferred location shall include technical details to demonstrate the reason that it is the best fit over other locations.
- 5.8.4 The Development Permit application shall demonstrate how the Structures are designed, screened, and situated on the Site in such a way as to minimize any potential detrimental effects of the neighbourhoods or area within which they are proposed.
- 5.8.5 The following should be considered in design and siting of both tower and antenna Structures as well as auxiliary Buildings:
- i. The tower base shall be Setback from Abutting parcels and Road by a distance of 20% of the tower Height.
 - ii. Guy wire anchors shall be Setback at least 2.0 m from the Lot line.
 - iii. Screening of facilities by using existing vegetation, Landscaping, fencing, or other means in order to blend with the built and natural environments.
 - iv. Design and colour sensitive to the style of architecture in the neighbourhood to encourage unobtrusive, inconspicuous appearance.
 - v. Massing – situate as near as possible to similarly-scaled Structures.
 - vi. Lighting of the facilities is prohibited unless required by Navigation Canada.
 - vii. Stealth and/or monopole Structures with flush mounted antennas should be used to better integrate form with the existing built environment. Where co-location on a single Structure is desired, opportunities to design equipment within a single Structure should be investigated.
 - viii. Access to facilities should be possible without unduly interfering with traffic flow or without unduly creating safety hazards.
- 5.8.6 Communications Towers are not permitted in residential Districts or in Natural Areas.



- 5.8.7 An open house, at the applicant/Owners cost, shall be held subsequent to the receipt of a complete application. Invitations shall be sent to Registered Owners at a radius three (3) times the Height of the proposed Communication Tower. In addition to which the applicant shall advertise the open house once a week for two (2) consecutive weeks in a newspaper circulating in the City in a form satisfactory to the Development Officer.
- 5.8.8 The City will submit a letter to Industry Canada upon completion of a processed application detailing:
- i. Its opinion as to whether the location of a new telecommunications facility is appropriate from the City's land use perspective;
 - ii. Whether or not, in the City's opinion, adequate public consultation has been conducted by the carrier; and
 - iii. The degree to which the carrier has met the regulations in Section 5.8 of this Bylaw as they relate to location, design and visual impact.

5.9 Drive-in Services

- 5.9.1 Drive-in Services shall be located not less than 15 m from any property line where the Site is Abutting any Site Districted residential or any Site containing residential or residential-related Uses. This 15 m Setback distance may be reduced at the discretion of the Development Officer if he is satisfied that impacts on the residential or residential-related Uses shall be minimal due to structural and design measures incorporated into the Development.
- 5.9.2 Where the customer normally remains in the vehicle for service, the minimum Site Area shall be 930 m² with a minimum Building area of 40 m².
- 5.9.3 For Drive-in food services having a service window, a minimum of nine (9) inbound queuing spaces shall be provided for vehicles measured from the drive thru pick up window. One (1) outbound queuing space shall be provided on the exit side of each service position and this space shall not interfere with Site circulation of other vehicles or pedestrians.
- 5.9.4 For drive-thru financial services and pharmacies a minimum of six (6) inbound queuing spaces shall be provided for vehicles measured from the service window or in the case of a self-serve car wash, from the stop line. One (1) outbound queuing space shall be provided on the exit side of each service position and this space shall not interfere with Site circulation of other vehicles or pedestrians.
- 5.9.5 Drive-in Services may have outdoor speakers provided the speakers are not located within 20 m of a property line of any parcel designated as a residential District; or they are separated from a residential District by a building.



- 5.9.6 For Sites where the principal access is to an arterial Road, queuing requirements shall be increased by one third (33%) or be subject to a traffic study to ensure the impact of queuing vehicles will not interfere with Off-site traffic to the satisfaction of the City.
- 5.9.7 All queuing spaces shall be a minimum of 6.0 m long and 3.0 m wide. Queuing Lanes shall provide sufficient space for turning and maneuvering and must not overlap with any parking stall or drive aisle, nor interfere with Site circulation. Double order lines are encouraged.
- 5.9.8 Access aisles and queuing spaces shall be located not less than 7.6 m from any property line when abutting any Site containing residential or residential-related Uses. The orientation of access aisles, queuing spaces and On-site vehicular circulation shall be designed to the satisfaction of the Development Officer.
- 5.9.9 When Abutting residential or residential-related Uses the Development shall adhere to the following additional regulations:
- i. Provide solid, screen fencing constructed of wood or suitable wood-like synthetic substitute, 1.85 m in Height;
 - ii. Must screen any drive through aisles through the use of Landscaping; and
 - iii. Must not have any drive through aisles in a Yard. The Development Officer may require greater Yards than those established in the applicable District when considering Abutting land Uses and vehicle circulation and access.
- 5.9.10 Landscaping shall be provided to buffer queuing and parking areas from Abutting Roads and properties. Landscaping above the quantities defined in Section 4.12 may be required at the discretion of the Development Officer.
- 5.9.11 Direct pedestrian access routes from Abutting sidewalks and multi-use trail systems shall be designed to provide safe crossing of queuing and parking areas.
- 5.9.12 All parts of the Site to which vehicles may have access shall be hard-surfaced and drained to provide a durable dust free surface. Site drainage shall be provided in accordance with City Municipal Development Standards.
- 5.10 Drive-through Vehicle Services**
- 5.10.1 Drive-through Vehicle Services shall be located not less than 15 m from any property line where the Site is abutting any Site Districted residential or any Site containing residential or residential-related Uses. This 15 m Setback distance may be reduced at the discretion of the Development Officer if the Development Officer is satisfied that impacts on the residential or



residential-related Uses shall be minimal due to structural and design measures incorporated into the Development.

- 5.10.2 The minimum Site Area and Coverage for a Drive-through Vehicle Services Development shall be determined on the basis of 112 m² of space not covered by Building or Structures for each service bay, except that the minimum Site Area and Coverage for any complete service car wash shall be determined on the basis of 370 m² of space not covered by Buildings or Structures for each car wash bay.
- 5.10.3 The orientation of service bays, vehicular circulation and queuing aisles shall be to the satisfaction of the Development Officer, in consultation with City's Planning and Engineering Department, having regard to the minimization of On-site and Off-site traffic impacts.
- 5.10.4 For Drive-Through vehicle services, a minimum of four (4) inbound and one (1) outbound queuing spaces shall be provided for each service bay. For an automatic car wash, a minimum of six (6) inbound queuing spaces shall be provided for vehicles measured from the stop line and two (2) outbound queuing spaces for each entrance bay. For a manual car wash a minimum of five (5) inbound queuing spaces shall be provided plus one (1) outbound queuing space
- 5.10.5 For Sites where the principal access is to an arterial Road queuing requirements shall be increased by one third (33%) or be subject to a traffic study to ensure the impact of queuing vehicles will not interfere with Off-site traffic to the satisfaction of the City's Planning and Engineering Department.
- 5.10.6 All queuing spaces shall be a minimum of 6.0 m long and 3.0 m wide. Queuing Lanes shall provide sufficient space for turning and maneuvering.
- 5.10.7 Access aisles and queuing spaces shall be located no less than 7.5 m from any property line where the Site is Abutting any Site containing existing residential or residential-related Uses. The orientation of access aisles, queuing spaces and On-site vehicular circulation shall be designed to the satisfaction of the Development Officer, in consultation with City's Planning and Engineering Department.
- 5.10.8 All parts of the Site to which vehicles may have access shall be hard-surfaced and drained to provide a durable dust free surface. Site drainage shall be provided in accordance with City's Municipal Development Standards.
- 5.10.9 Where two (2) or more uses are part of a Mixed Use Development on the same Site, the total Site Area requirement shall be the sum of the requirements of the uses computed separately.



- 5.10.10 Where gas bars are in a joint use with a Drive-Through Vehicle Service, Coverage shall be determined on the basis of 60 m² of space not covered by Buildings or Structures for each fuel pump.
- 5.10.11 Where the Development includes a car wash, the Development Permit application shall include, but is not limited to, information identifying the anticipated noise impacts of the development as identified in the manufacturer's specifications. The Development Officer may require, as a condition of Development Permit approval, that the applicant provide a Noise Impact Assessment identifying the noise attenuation measures necessary to ensure compliance with City of Lloydminster Noise Bylaw,
- 5.10.12 A car wash shall not have any vehicle exiting doors located within 23 m of a Residential District, when measured to the nearest Lot line of a parcel designated as a Residential District.
- 5.10.13 Where a car wash is located within 23 m of a Residential District, vacuum cleaners shall be located within the Building or a screened Enclosure that must be:
- i. Shown on plans required at the time the application for the use is made;
 - ii. Located where, in the opinion of the Development Officer, it is least likely to adversely affect neighbouring properties; and
 - iii. Constructed of materials and to the standards required by the Development Officer.
- 5.10.14 When abutting residential or residential-related Uses the Development shall adhere to the following additional regulations:
- i. Provide solid, screen fencing constructed of wood or suitable wood-like synthetic substitute, 1.85 m in Height;
 - ii. Must screen any drive through aisles; and
 - iii. Must not have any drive through aisles in a Setback area. The Development Officer may require greater Setbacks than those established in the applicable District when considering Abutting land Uses and vehicle circulation and access.
- 5.10.15 Landscaping shall be provided to buffer queuing and parking areas from Abutting Roads and properties. Landscaping above the quantities defined in Section 4.12 may be required at the discretion of the Development Officer if deemed necessary.
- 5.10.16 Direct pedestrian access routes from Abutting sidewalks and multi-use trail systems shall be designed to provide safe crossing of queuing and parking areas.



5.10.17 All parts of the Site to which vehicles may have access shall be hard-surfaced and drained to provide a durable dust free surface. Site drainage shall be provided in accordance with City's Municipal Development Standards.

5.11 Food and Beverage, Hotel and Entertainment Uses, and Outdoor Seating

5.11.1 The Development Officer may require a comprehensive Parking Demand Study if any application for a Development Permit for a Hotel, Lounge, Motel, Nightclub, Restaurant or any combination thereof has a combined seating and/or occupancy of 500 patrons or more and where the full provision of parking, required pursuant to Section 4.15, is not provided. This Study shall be prepared by a qualified Professional Engineer and contain, but not be limited to, the following:

- i. The parking requirements of all Use Classes within the Development in accordance with the standards identified in Section 4.15;
- ii. The amount and location of parking available on the Site; and
- iii. The means by which sufficient parking and circulation are to be provided for the proposed Development, if not fully available on Site.

5.11.2 The Development Officer shall review such a Parking Demand Study, in consultation with City's Planning and Engineering Department, in order to determine the appropriate number and location of parking spaces for the Development. This number may be higher or lower than the standard identified for parking in Section 4.20, at the discretion of the Development Officer, based on the individual circumstances of the application, such as excessive demand for parking during certain hours, the staggered hours of operation of some Uses on the Site which may allow complementary use of parking stalls, or the availability of guaranteed Off-Site parking.

5.11.3 If any Specialty Food Service, Restaurant, Lounge or Nightclub is Abutting to or is across a Lane from a Site zoned residential or a Site with a residential development, the Development Officer shall:

- i. Prohibit outdoor speakers or amplification systems;
- ii. Prohibit outdoor seating on the side of any such property line that is closest to the Residential District or Development.
- iii. Require additional Landscaping or Screening to appropriately address noise and visual impacts.

5.12 Garage Suites and Garden Suites



- 5.12.1 A Garage Suite shall only be developed as an integral part of a detached Garage which faces a Lane where the Principal Building is a Single-detached Dwelling.
- 5.12.2 A Garden Suite shall only be developed where located adjacent to a Lane and where the Principal Building is a Single-detached Dwelling.
- 5.12.3 A Garage Suite or Garden Suite has cooking facilities, food preparation, and sleeping and sanitary facilities which are separate from those of the principal Dwelling. A Garage Suite or Garden Suite has an entrance separate from the vehicle entrance to a Garage and from the principal Dwelling.
- 5.12.4 Only one of a Garage Suite, Garden Suite or Secondary Suite, may be developed in conjunction with a Principal Building on a Site
- 5.12.5 A Garage Suite or Garden Suite shall not be developed in conjunction with a Group Home or Home Based Business.
- 5.12.6 A Garage Suite or Garden Suite shall be developed in accordance with Table 5.12.6.

Table 5.12.6			
		Garage Suite	Garden Suite
i.	Minimum Site Area (m ²)	386	386
ii.	Minimum Site Width (m)	9.75	9.75
iii.	Maximum Height (m)	6.5 m and shall not exceed the Height of the Principal Dwelling.	4.5

- 5.12.7 The minimum Side Yard shall be:
 - i. For that portion of a detached Garage that contains a Garage Suite, the same as that for the Principal Building in the applicable District.
 - ii. For a Garden Suite, the same as that for the Principal Building in the applicable District.
 - iii. On a Corner Site where a Garage Suite or Garden Suite abut a flanking Road, the minimum Road Side Yard shall not be less than that provided for the Principal Building.
- 5.12.8 The minimum distance between a detached Garage containing a Garage Suite, or Garden Suite, and the Principal Building on the same Site shall be 4.0 m.
- 5.12.9 Windows contained within the Garage Suite portion of the detached Garage shall be placed and sized such that they minimize overlook into Yards and windows of Abutting properties



through one or more of the following measures, including but not limited to, placing larger windows to face an alley, a flanking Road, or the larger of any Side Yard Abutting another property, or limiting direct views of Abutting Rear or Side Yards.

- 5.12.10 Balconies shall be permitted as part of a Garage Suite only where the Balcony faces the Lane or a flanking Road, and shall be provided in accordance with Section 4.16.
- 5.12.11 Garage Suite or Garden Suites shall be constructed with similar exterior finish materials that complement those of the Principal Building.
- 5.12.12 No decks shall be permitted on the roof of a Garage Suite or a Garden Suite
- 5.12.13 Parking stalls shall be provided in accordance with Table 4.15.6.

5.13 General Industrial Uses

- 5.13.1 Any indoor display, office, technical or administrative support areas or any retail sale operations shall be Accessory to the General Industrial Use. The Floor Area devoted to such Accessory activities shall not exceed 25% of the total Floor Area of the Building(s) devoted to the General Industrial Use, except that this restriction shall not apply where a significant portion of the industrial activity naturally and normally takes place out of doors.
- 5.13.2 The Development Officer may approve an industrial Development that is intended to provide a Surveillance Suite as an Accessory Use to a General Industrial Use. The Surveillance Suite shall not be larger than necessary to support industrial activities on the Site, and the design and layout of the accommodation shall not be suitable for use as permanent residence.
- 5.13.3 The Applicant shall, in all cases, conduct a Phase 1 Environmental Site Assessment (ESA) in accordance with the Canadian Standards Association Guide Z-768-94, as amended from time to time and submit those results as part of the application.
 - i. If the Phase 1 ESA indicates potential contamination the Development Officer shall suspend the application and the applicant shall conduct a Phase 2 ESA and the Development Officer shall share the results of the Phase 2 ESA with provincial authorities;
 - ii. Taking into account the advice of with provincial authorities and all other relevant factors, the Development Officer shall determine whether a Phase 3 ESA is required; and
 - iii. If a Phase 3 ESA is required the Development Officer shall not issue a Development Permit for this Accessory Use until the Applicant has demonstrated that the required Phase 3 ESA has been completed.



5.14 Group Homes

- 5.14.1 The Development Officer shall establish the maximum number of residents allowed in a Group Home on a case specific basis with attention given to the District in which the Use is located and the type of facility.
- 5.14.2 A Group Home shall be located adjacent to arterial or collector Roads.
- 5.14.3 Pedestrian and vehicular traffic shall not be generated in excess of what is characteristic for the area.
- 5.14.4 A Site containing a Group Home shall not contain a Secondary Suite, Garage Suite or Garden Suite.

5.15 Heritage Resources

- 5.15.1 Development Abutting municipally, provincially or federally designated heritage buildings shall be designed to accentuate views of the heritage buildings.
- 5.15.2 Municipally, provincially or federally designated historic resources shall be retained and incorporated into any Development, so that their heritage values and those character defining elements of merit become an integral part of the development.

5.16 Home Based Businesses

- 5.16.1 All Home Based Businesses shall require a Development Permit.
- 5.16.2 A Home Based Business questionnaire in the form approved by the City's Planning and Engineering Department must be completed and included as part of the Development Permit application.
- 5.16.3 Home Based Businesses will not be permitted if, in the opinion of the Development Officer, such use would be more appropriately located in a Commercial or Industrial District.
- 5.16.4 Only one Home Based Business permit shall be issued per residence. Multiple Home Based Businesses may be allowed under a single permit provided that the requirements specified in Table 5.16.6 are not exceeded by the combined businesses.
- 5.16.5 A Major Home Based Business shall not be allowed within the same principal Dwelling containing a Secondary Suite or within the same Site containing a Garage Suite or a Garden Suite and an associated Principal Building.
- 5.16.6 Home Based Businesses shall comply with regulations contained in Table 5.16.6:

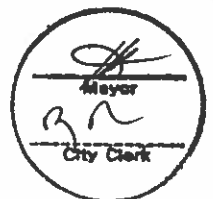


Table 5.16.6			
	Standard	Home Based Business, Minor	Home Based Business, Major
i.	Maximum Area	15% of net Floor Area of Dwelling.	15% net Floor Area of Dwelling, plus any additional area as approved by the Development Officer.
ii.	Structural Alterations	None	None
iii.	Exterior Impact	No nuisance, including but limited to sight, smell and odour, permitted and the privacy and enjoyment of Abutting residences and neighbourhoods shall be preserved.	No nuisance, including but limited to sight, smell and odour, permitted and the privacy and enjoyment of Abutting residences and neighbourhoods shall be preserved.
iv.	Material Storage	No exterior storage permitted.	May be permitted in an Accessory Building or with appropriate Screening if necessary to accommodate the business.
v.	Traffic Generation	The Development shall not generate vehicular or pedestrian traffic, or increase parking, to the Dwelling, in excess of that which is characteristic of the neighbourhood within which it is located.	The Development shall not generate vehicular or pedestrian traffic, or increase parking, to the Dwelling, in excess of that which is characteristic of the neighbourhood within which it is located.
vi.	Client Visits	One/day	Two or more/day
vii.	Parking	One (1) Off-street Parking space or at the discretion of the Development Officer.	Two (2) Off-street Parking spaces or at the discretion of the Development Officer.
viii.	Employees	Residents of the Dwelling.	One (1) non-resident employee, in addition to residents of the Dwelling.
ix.	Business-Related Vehicles	One (1) single axle, commercially licensed vehicle up to 3,000 kg (GVW) parked and maintained On-site.	One (1) single axle, commercially licensed vehicle up to 5,500 kg (GVW) parked and maintained On-site.
x.	Hours of Operation	At the discretion of the Development Officer.	At the discretion of the Development Officer.
xi.	Signage	None.	One (1) non-illuminated Fascia Sign, no larger than 0.2 m ² attached to the Dwelling or displayed in a window.
xii.	Equipment	There shall be no mechanical or electrical equipment used which creates noise beyond the Site, or visible and/or audible interference in radio or television reception.	There shall be no mechanical or electrical equipment used which creates noise beyond the Site, or visible and/or audible interference in radio or television reception.

5.17 Live Work Units

5.17.1 The Dwelling and work components of the Live Work Unit shall not be legally separated through a subdivision or condominium conversion.



- 5.17.2 There shall be internal access between the Dwelling and the work components of the Live Work Unit.
- 5.17.3 The Dwelling associated with a Live Work Unit shall not contain a Minor Home Based Business or a Major Home Based Business.
- 5.17.4 Parking shall be provided based upon the activities to be conducted within the Live Work Unit, to the satisfaction of the Development Officer and in consultation with the City's Planning and Engineering Department.
- 5.17.5 The work component of a Live Work Unit shall be limited to: Creation and Production Establishments; Health Services; Esthetic Shops; and Offices.

5.18 Markets

- 5.18.1 Parking shall be provided in accordance with the provisions of Section 4.15. The Development Officer may allow use of Off-site or other On-site Parking Spaces used by other businesses to fulfil the minimum parking requirement for the Market.

5.19 Manufactured Homes and Manufactured Home Communities

- 5.19.1 Manufactured Homes and Manufactured Home Communities shall be subject to the applicable provincial standards.
- 5.19.2 All Manufactured Homes shall have a Canadian Standards Association (CSA) Certification and Building Code Certification.
- 5.19.3 A Manufactured Home shall be placed on and securely attached to a basement, a foundation or a pile foundation and. If the Manufactured Home is placed on a foundation or a pile foundation, the foundation shall be approved by a Professional Engineer.
- 5.19.4 All Manufactured Homes shall be finished from the floor level to the ground level within thirty (30) days of being sited on a lot. All finish materials shall either be of equivalent quality so that the design and construction complements the Manufactured Home.
- 5.19.5 Manufactured Home Communities shall provide parking in accordance with the following requirements:
- i. A minimum of two (2) parking spaces provided on each Manufactured Home Site; and
 - ii. There shall be additional parking provided at a ratio of one (1) space for every two (2) Manufactured Home sites to accommodate visitors.



5.19.6 Equipment used for transportation of manufactured homes shall be removed from the Dwelling and finishing installed within thirty (30) days of placement.

5.20 Medical Marihuana Production Facility

5.20.1 An application for a Medical Marihuana Production Facility shall include a Copy of the current license for the Facility as issued by Health Canada;

5.20.2 An application for a Medical Marihuana Production Facility may require the submission of a waste management plan (including the incineration of waste products), a water/waste water (including the quantity and characteristics of discharge material) and stormwater management plan, and a ventilation plan prepared by a qualified professional;

5.20.3 A Facility shall be located a minimum distance of 400 m from any residential zone, daycare facility, playground, community centre, school, public park, measured from the building containing the Facility to the nearest property line;

5.20.4 The Facility use shall not operate in conjunction with or Accessory to any other use;

5.20.5 The Facility shall be located in a stand-alone building(s). An Accessory Structure for security purposes may be located on the lot containing the use;

5.20.6 All processing, loading, receiving and shipping of Medical Marihuana and other goods, materials or supplies, garbage containers, storage containers and waste material must be contained within the building containing the use;

5.20.7 The Facility shall include equipment installed and functioning that remove odours from the air where it is discharged from the building as part of a ventilation system;

5.20.8 A Facility that has been closed for a period of one (1) year shall be decommissioned in accordance with any remediation legislation.

5.21 Motels and Hotels

5.21.1 The Site, other than on Road Frontage, shall be screened with a fence not less than 1.0 m in Height.

5.21.2 Visual Screening of 1.85 m high shall be provided by a solid fence or a combination of fence and Landscaping along all common property lines, except for flanking Front Yard boundaries, which are Abutting a Residential District.

5.21.3 Notwithstanding any Yard requirement of the Bylaw, canopies shall be a minimum of 3.0 m from any property line.



5.22 Pawn Shops

5.22.1 Any Pawn Shop shall be located only on a Site with a minimum radial separation of 500 m or more from any other Pawn Shop. For the purposes of this Section only if there are two or more Pawn Shops lawfully operating within 500 m of each other as of the date of the enactment of this Section they shall be considered legal Non-conforming uses.

5.23 Secondary Suites

5.23.1 One Secondary Suite may be developed in conjunction within a Single-detached Dwelling or a Semi-detached Dwelling.

5.23.2 A Secondary Suite has its own separate cooking, sleeping and bathing facilities and entrance.

5.23.3 The maximum Floor Area for a Secondary Suite shall be less than 50% of the Floor Area of the principal Dwelling.

5.23.4 A Secondary Suite shall not be allowed within the same Site containing a Group Home, Home Based Business, Garden Suite or Garage Suite.

5.24 Service Stations

5.24.1 All fuel pumps shall be located a minimum of 6.0 m from the Site boundary.

5.24.2 A canopy over a fuel pump may extend to within 3.0 m of the Site boundary.

5.24.3 A gas bar or Service Station must have fully recessed canopy lighting; may have an outdoor display of products related to the use provided they are not within a required Yard; and must provide vehicle queuing and parking in accordance with Section 4.15.

5.24.4 Where Gas Bars or Service Stations are Abutting a Site to which a residential District is applied, or separated from them by an alley, or are directly visible to residential Uses across a Road, the Development Officer shall consider the design, finishing, lighting and siting of development, including the orientation of gas pump islands and service bays with the intent of achieving a compatible relationship with surrounding Development and a high standard of appearance when viewed from Abutting Roads.

5.24.5 The Site, other than on Road Frontage, shall be screened with a fence not less than 1.0 m in Height.

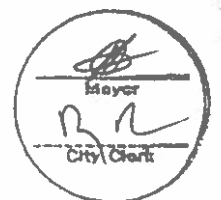
5.25 Shopping Centres



- 5.25.1 A Development Permit application for a Shopping Centre shall be accompanied by a comprehensive plan that includes Site layout, elevations, parking, Landscaping, pedestrian and vehicular access and circulation, signage, garbage Enclosures and fencing.
- 5.25.2 Parking areas shall be arranged within smaller cells and defined by medians and Landscaping so as to delineate entrance and through routes, vehicular and pedestrian pathways and provide visual relief.
- 5.25.3 The internal pedestrian circulation system shall be designed to have direct and visible connections to the public sidewalk, and facilitate safe pedestrian movement throughout the Site.
- 5.25.4 Implementation of traffic calming measures may be required on large Sites or Abutting pedestrian oriented developments at the discretion of the Development Officer.

5.26 Show Homes

- 5.26.1 A Development Permit application for a Show Home shall be accompanied by the following information in addition to the information required by Section 2.7 of this Bylaw:
- i. A description of the exterior finish materials and colours for any Structure including any proposed hoardings or false fronts;
 - ii. Drawings showing the location, area, Height, construction material, colour and method of support for any proposed Advertising Signs, including any advertising or graphics that shall be displayed on a hoarding or false front; and
 - iii. The security required by Section 5.26.7, below.
- 5.26.2 A Development Permit for a Show Home shall be valid for such a period of time as specified by the Development Officer having regard for the amount of land or development being marketed, but in no case shall the time period exceed two years.
- 5.26.3 Prior to the commencement of any clearing, excavation or other work in respect of the construction of the Show Home, the Permit Holder shall:
- i. Survey the Proposed Lots in accordance with the Plan of Subdivision;
 - ii. Provide access to the Show Home such that the total unobstructed distance from a fire hydrant to the principal entrance of each Show Home is not more than 90 m; and
- 5.26.4 Where full services are not available to the Site, a Show Home shall be provided with a sanitary privy which meets the standards of all applicable health and safety legislation.



5.26.5 The Owner of the Site on which a Show Home is to be located shall deposit and shall maintain with the City, by way of cash or Letter of Credit, security in the amount of \$20,000.00 to ensure performance with the requirements of this Section. The security, or so much thereof as then remaining, shall be returned, without liability for interest, upon either:

- i. The work required under this Section having been completed to the satisfaction of the Development Officer; or
- ii. Development Permit for the conversion of the Show Home to a Single Family Dwelling having been issued in accordance with this Bylaw.

5.26.6 In the event:

- i. The Owner of the Site on which a Show Home is located fails to enter into an Development Agreement for that site with the City within one (1) year following the issuance of a Development Permit for the Show Home; or
- ii. The Owner of the Site on which a Show Home is located fails to register a Plan of Subdivision for the subject lands in accordance with the an approval granted by the Subdivision Officer within one (1) year following the issuance of a Development Permit for the Show Home; or
- iii. The Show Home is found not to meet the requirements of the Development Permit issued therefore or otherwise fails to meet the requirements of this Bylaw; or
- iv. The Owner of the Site on which a Show Home is located fails to adhere to the requirements of any Development Agreement entered into with the City respecting the subject lands; or
- v. The Development Permit for a Show Home expires without a replacement having been issued,

then the Owner of the Site on which a Show Home is located shall forthwith remove the Show Home from the Site, fill in any excavations thereon and shall return the Site and the surrounding lands to substantially the same condition in which the same were prior to the commencement of excavation for the Show Home.

5.26.7 The Owner of the Site on which a Show Home is located shall, within three (3) weeks following the placement of basement or foundation walls, provide to the Development Officer a Real Property Report confirming the location of the same on the Site.

5.26.8 A Development Permit converting a Show Home to a Single Family Dwelling may not be issued unless and until the Construction Completion Certificates have been issued respecting all municipal services to the Site in accordance with a Development Agreement made with the City.



5.26.9 Upon the issuance of a Development Permit for a Show Home, the Owner shall grant to the City a restrictive covenant which the City may register by caveat against the title to the subject lands advising prospective purchasers that the said lands shall not be used for residential occupancy. Any such caveat registered by the City shall be discharged upon the earlier of the removal of the Show Home, or the issuance of a Development Permit for the conversion of the Show Home to a Single-detached Dwelling in accordance with this Bylaw.

5.27 Temporary Development and Temporary Storage

5.27.1 The Development Officer may issue a Development Permit for a Temporary Development or Temporary Storage for a period not exceeding one (1) year.

5.27.2 A Temporary Development or Temporary Storage shall be subject to the following provisions:

- i. Conform to District regulations;
- ii. Shall be sited on the same Site as the Principal Building; and
- iii. Be removed upon completion of the permit conditions under which it was approved.

5.27.3 The Development Officer may issue a Development Permit for a Pole Shed as a Temporary Development or a Sea Container as Temporary Storage and shall be subject to the following provisions:

- i. Pole Sheds and Sea Containers shall be located at the rear of the Principal Building, and screened from view by Landscaping, to the satisfaction of the Development Officer;
- ii. The exterior finish of Pole Sheds and Sea Containers shall match or complement the exterior finish of the Principal Building, to the satisfaction of the Development Officer;
- iii. Prior to the issuance of a Development Permit for a Pole Shed, the Development Officer may require that the applicant submit a stamped drawing from a qualified, registered Professional Engineer or Architect;
- iv. A maximum of one (1) Pole Shed or Sea Container shall be permitted on a residential Site; and
- v. Sea Containers shall not be stacked one upon the other.

5.27.4 Upon expiry of a Temporary Development or Temporary Storage Permit, a new application is required.



Part III Land Use Districts



6. Residential Districts

6.1 Single-detached Residential (R1) District

6.1.1 Purpose

The purpose of this District is to provide areas for low density housing, primarily in the form of Single-detached residential Dwellings.

6.1.2 Uses

6.1.2.1 Permitted Uses	6.1.2.2 Discretionary Uses
<ol style="list-style-type: none"> 1. Accessory Building or Use 2. Home Based Business, Minor 3. Single-detached Dwelling 4. Solar Collector 5. Development Marketing Sign 	<ol style="list-style-type: none"> 1. Child Care Facility 2. Duplex Dwelling 3. Family Day Home 4. Garage Suite 5. Garden Suite 6. Group Home 7. Home Based Business, Major 8. Secondary Suite 9. Show Home Dwelling 10. Temporary Sales Centre 11. Fascia Signs

6.1.3 Development Regulations

1. In addition to the regulations contained in Section 4 and Section 5, the following regulations shall apply in this District.
2. Minimum Lot Width and Length shall be as follows:

	Use	Width (m)	Length (m)
i.	Duplex Dwelling	10	34
ii.	Single-detached Dwelling	9.0	34
iii.	Single-detached Dwelling, Corner Lot	12	34

3. Site Width on pie shaped lots shall be measured 6.0 m into the Site from the front property Line.
4. The minimum Yard for Principal Buildings shall be as follows:

	Use	Front (m)	Side (m)	Rear (m)
i.	Duplex Dwelling, Single-detached Dwelling	6.0	1.2	6.0
ii.	Corner Lot flanking a Road	6.0	3.0	4.5



5. Front Yards may be reduced to 4.5 m provided a Lane is present, and a comprehensive site plan is provided showing Development on either of the Road, to the satisfaction of the Development Officer. The Development Officer shall consider the neighbourhood context, such as but not limited to, adjacent front yard setbacks, building orientation, and neighborhood design to determine compatibility prior to making a decision.
6. The maximum Height shall be 10.5 m.
7. The maximum Lot Coverage shall be 50% (40% maximum coverage for the principal Dwelling).

6.1.4 Additional Development Requirements

1. The Development Officer may require Dwellings with similar front elevations to be separated by a minimum of one Lot unless finishing treatments are in the Development Officer’s opinion substantially different.
2. Notwithstanding any other provision of this District or Bylaw, Development located on Lot 1, Block 52, Plan 012 6080 shall be developed in accordance with the restrictive covenant registered as Document Number 012402695.

6.1.5 Zero Lot Line Development Requirements

1. In addition to the other provisions within this District, the following Sites located at Lot 1-19, Block 77, Plan 852 1555, Lot 18-27, Block 34, Plan 812 0271, Lot 28-34, Block 34, Plan 812 0974 and Lot 12-15, Block 12, Plan 82B08082 shall be developed as Single-detached Dwellings in accordance with the following regulations.
2. The minimum Front Yard and Rear Yard for Principal Buildings shall be as follows:

Front (m)	Rear (m)
6.0	6.0

3. The minimum Side Yards for Principal Buildings shall be as follows:
 - i. Zero for one Side Yard, unless the Site is Abutting a Development which is not a Zero Side Yard Development, in which case the Side Yard shall be the same as the required Side Yard for the Abutting Development.
 - ii. 3.0 m for the other Side Yard, unless that Side Yard is required for vehicle parking or vehicle access to a parking area, in which case the Side Yard shall be 3.5 m.
4. There shall be no Side Yard required on one side of a Dwelling provided:



- i. The Owners of the Abutting Lot grants a 2.4 m private maintenance easement, except on a corner where it shall be 3.0 m;
 - ii. The maintenance easement is registered against the title of the Lot proposed for development and the Abutting Lot;
 - iii. No building or other Structure may be located on or over a maintenance easement, except for overhanging eaves a minimum of 2.4 m above Grade, or encroaching footings and Accessory Buildings provided they are located 4.5 m behind the Principal Building;
 - iv. All roofing drainage from the Dwelling shall be directed onto the proposed site by eaves troughs and down spouts; and
 - v. There are no windows or doors on the side of the Dwelling Abutting the zero lot line.
5. If zero-lot line Dwellings are demolished new homes shall be built to the regulations described in Section 6.1.3.



6.2 Single-detached Residential Lane (R1L) District

6.2.1 Purpose

The purpose of this District is to provide areas for low density housing, primarily in the form of Single-detached residential Dwellings that must be serviced by a Lane.

6.2.2 Uses

6.2.2.1 Permitted Uses	6.2.2.2 Discretionary Uses
<ol style="list-style-type: none"> 1. Accessory Building or Use 2. Home Based Business, Minor 3. Single-detached Dwelling 4. Solar Collector 5. Development Marketing Sign 	<ol style="list-style-type: none"> 1. Child Care Facility 2. Duplex Dwelling 3. Family Day Home 4. Garage Suite 5. Group Home 6. Home Based Business, Major 7. Secondary Suite 8. Show Home Dwelling 9. Temporary Sales Centre 10. Fascia Signs

6.2.3 Development Regulations

1. In addition to the regulations contained in Section 4 and Section 5, the following regulations shall apply in this District.

2. Minimum Lot Width and Length shall be as follows:

	Use	Width (m)	Length (m)
i.	Duplex Dwelling	10	36
ii.	Single-detached Dwelling	8	36
iii.	Single-detached Dwelling, Corner Lot	12	36

3. Site Width on pie shaped lots shall be measured 6.0 m into the Site from the front property Line.

4. The minimum Yard for Principal Buildings shall be as follows:

	Use	Front (m)	Side (m)	Rear (m)
i.	Duplex Dwelling, Single-detached Dwelling	4.5	1.2	4.0
ii.	Corner Lot flanking a Road	4.5	3.0	4.0

5. The maximum Height shall be 10.5 m.



6. The maximum Lot Coverage shall be 50% (35% for the principal Dwelling and 15% for an Accessory building or buildings).

6.2.4 Additional Development Requirements

1. Lots shall be accessed via a Lane. Front driveways shall be prohibited.
2. The Development Officer may require Dwellings with similar front elevations to be separated by a minimum of one Lot unless finishing treatments are in the Development Officer's opinion substantially different.
3. Parking Areas, Garages and Garage pads shall be developed with the following requirements:
 - i. One Garage or Garage pad shall be clearly demarcated both on the Site and on the plan accompanying any application for a Principal Building.
 - ii. A hard surface Walkway is required between the Garage or Garage pad and an entry to the Dwelling;
 - iii. The parking area shall accommodate a minimum of two parking spaces, and;
 - iv. The parking area shall include an underground electrical power connection with outlet on a post approximately 1.0 m in Height, located within 1.0 m of the parking area.
4. Individual Development Permit applications shall be evaluated in terms of compatibility with existing Structures on the block face, taking into account: Yards; entrances and orientation; massing; roof-lines; building façades; and finishing materials.
5. Where several Development Permit Applications are received simultaneously, the Development Officer shall require the submission of Site plans showing Yards, Dwelling entrances and orientation, massing, roof-lines, building façades, and finishing materials for all of the developments. The Development Officer shall require that the exteriors of the Dwellings that are the subject of the applications provide individuality and variety of building design in terms of Setbacks, entrances, elevations and finishing materials.
6. Corner Sites shall have flanking side treatments similar to the front elevation.



6.3 Semi-detached Residential (R2) District

6.3.1 Purpose

The purpose of this District is to provide areas for low density residential housing primarily in the form of Semi-detached Dwellings.

6.3.2 Uses

6.3.2.1 Permitted Uses	6.3.2.2 Discretionary Uses
<ol style="list-style-type: none"> 1. Accessory Building or Use 2. Duplex Dwelling 3. Semi-detached Dwelling 4. Home Based Business, Minor 5. Solar Collector 6. Development Marketing Sign 	<ol style="list-style-type: none"> 1. Child Care Facility 2. Family Day Home 3. Garage Suites 4. Garden Suites 5. Group Home 6. Home Based Business, Major 7. Secondary Suite 8. Show Home Dwelling 9. Temporary Sales Centre 10. Fascia Signs

6.3.3 Development Regulations

1. In addition to the regulations contained in Section 4 and Section 5, the following regulations shall apply in this District.
2. The minimum Lot Width and Length shall be as follows:

	Use	Width (m)	Length (m)
i.	Duplex Dwelling	10	34
ii.	Each unit of a Semi-detached Dwelling	8.5	34
iii.	Each unit of a Duplex Dwelling, Corner Lot	10	34
iv.	Each unit of a Semi-detached Dwelling, Corner Lot	12	34

3. Site Width on pie shaped lots shall be measured 6.0 m into the Site from the front property Line.
4. The minimum Yard for Principal Buildings shall be as follows:

	Use	Front (m)	Side (m)	Rear (m)
i.	Duplex Dwelling	6.0	1.5	6.0
ii.	Semi-detached Dwelling	6.0	1.2	6.0
iii.	Corner Lot flanking a Road	6.0	3.0	4.5

5. The maximum Height shall be 10.5 m.



6. The maximum Lot Coverage shall be 50% (40% maximum coverage for the principal Dwelling).

6.3.4 Additional Development Requirements

1. Duplex Dwellings and Semi-detached Dwellings shall be developed in accordance with the following regulations.

- i. The Development Officer may require a graduated transition between different housing styles which shall be accommodated by varied roof lines, architectural projections and the interjection of bi-level or split-level designs between bungalow and two Storey designs
- ii. Dwellings on corner Sites shall have flanking side treatments similar to the front elevation.



6.4 Row House Residential (R3) District

6.4.1 Purpose

The purpose of this District is to provide areas for low to medium density residential housing primarily in the form of Row Houses and Town Houses.

6.4.2 Uses

6.4.2.1 Permitted Uses	6.4.2.2 Discretionary Uses
<ol style="list-style-type: none"> 1. Accessory Building or Use 2. Home Based Business, Minor 3. Row House Dwelling 4. Town House Dwelling 5. Solar Collector 6. Development Marketing Sign 7. Fascia Signs 8. Freestanding Signs 	<ol style="list-style-type: none"> 1. Boarding and Lodging House 2. Child Care Facility 3. Family Day Home 4. Group Home 5. Home Based Business, Major 6. Show Home Dwelling 7. Temporary Sales Centre

6.4.3 Development Regulations

1. In addition to the regulations contained in Section 4 and Section 5, the following regulations shall apply in this District.
2. The maximum Density shall be 50 Dwellings/hectare.
3. Minimum Lot Width and Length shall be as follows:

	Use	Width (m)	Length (m)
i.	Row House Dwelling and Town House Dwelling	None	34
ii.	All Other Development	None	34

4. Site Width on pie shaped lots shall be measured 6.0 m into the Site from the front property Line.
5. The minimum Yards shall be as follows:

	Use	Front (m)	Side (m)	Rear (m)
i.	All Development	6.0	1.8	7.6

6. On Corner Lots the minimum Side Yard on a flanking Road shall be 3.0 m.
7. The maximum Height shall be 10.5 m.
8. The maximum Lot Coverage shall be 60% (50% for the principal Dwelling).



9. A minimum Amenity Area of 7.5 m² per Dwelling shall be provided.

6.4.4 Additional Development Requirements

1. Row House Dwellings and Town House Dwellings shall be developed in accordance with the following regulations:
 - i. Each Dwelling shall have individual front door access to a right-of-way, except in the case of Town House Dwellings where access to Dwellings above the first Storey may be shared by two Dwellings;
 - ii. Each Dwelling shall be oriented toward the Road such that front and flanking facades and Yards including, but not limited to, design elements such as windows, covered porches, varied building articulation and Landscaping are the dominant elements facing the public streetscape;
 - iii. A transition area between a Road and semi-private area in front of Dwellings should be defined using landscape features such as decorative fencing, change in Grade, shrub beds or rock gardens and/or built elements such as stairs, private entrance features and verandas or porches;
 - iv. Notwithstanding other provisions in this Bylaw, unenclosed steps leading to a front entry way may project into a Front Yard, up to the Front Lot Line to a maximum of 2.0 m;
 - v. The maximum width of the Frontage of the front façade of a building containing Row House Dwellings and Town House Dwellings shall be 40 m;
 - vi. Design techniques including, but not limited to, the use of distinct roof forms, variations in Yards, articulation of building façades, and varied architectural designs shall be employed in order to minimize the perception of massing of the building when viewed from Abutting residential areas and Roads;
 - vii. Building finishes shall be compatible with the exterior finishing materials and colours typical of Abutting development.
2. Where two (2) or more buildings are on one Site there shall be a minimum separation space of the required Yards, as per 6.4.3.5.
3. Where detached rear parking Garages are developed, the maximum width of the building containing the Garage(s) shall not exceed 24 m in width.



4. Notwithstanding the other regulations of this District or Bylaw, where a Row House or Town House Development abuts a Site zoned R1 District, R1L District or R2 District, the following regulations shall apply along the said property line:

- i. No outdoor parking, garbage collection, outdoor Amenity Area, or outdoor storage areas shall be developed within 3.0 m of the property line;
- ii. A solid screen fence, 1.85 m in Height, shall be installed, except along common flanking Front Yard boundaries;
- iii. Design techniques including, but not limited to, the use of sloped roofs, variations in Setbacks and articulation of building façades, shall be employed in order to minimize the perception of massing of the building when viewed from Abutting residential areas and Roads;
- iv. Building finishes shall be compatible with the exterior finishing materials and colours typical of Abutting development; and
- v. The Development Officer may require information regarding the location of windows and Amenity Areas on Abutting properties, to ensure the windows or Amenity Areas of the proposed development are placed to minimize overlook into Abutting properties.

5. Common Parking Facilities

- i. At Grade parking lots shall be divided into courts that are separated by sheltered Walkways, drainage swales, and Landscaping to reduce their visual dominance and mitigate impacts associated with storm water runoff and heat-island effects.
- ii. Driveway ramps for a below Grade Parking Garage must be at Grade at the property line and must not exceed a slope of 6% for a distance of 4.5 m inside the property line.



6.5 Medium Density Residential (R4) District

6.5.1 Purpose

The purpose of this District is to provide for a variety of medium density residential housing options while supporting commercial/downtown transition areas where applicable.

6.5.2 Uses

6.5.2.1 Permitted Uses	6.5.2.2 Discretionary Uses
<ol style="list-style-type: none"> 1. Accessory Building or Use 2. Apartment 3. Extended Medical Treatment Services, Accessory to an Apartment 4. Home Based Business, Minor 5. Solar Collector 6. Development Marketing Sign 7. Fascia Signs 8. Freestanding Signs 	<ol style="list-style-type: none"> 1. Boarding and Lodging House 2. Child Care Facility 3. Conversion of Single-detached, Semi-detached and Duplex Dwellings to Financial and Office Support Services or Office 4. Group Home 5. Home Based Business, Major 6. Show Home Dwelling 7. Temporary Sales Centre 8. Town House Dwelling

6.5.3 Development Regulations

1. In addition to the regulations contained in Section 4 and Section 5, the following regulations shall apply in this District.
2. The maximum Density shall be 150 Dwellings/hectare.
3. The minimum Yard for Principal Buildings shall be as follows:
 - a. The minimum Front Yard shall be 7.6 m.
 - b. Where two (2) or more buildings are on one Site there shall be a minimum separation space of the required Yards.
 - c. The minimum Side Yard shall be 4.5 m.
 - d. The minimum Rear Yard shall be 7.6 m.
 - e. The Yards may at the discretion of the Development Officer be reduced to 3.0 m if located within the area shown on Map A and upon the submission of a Landscaping plan prepared by a professional landscape architect identifying Landscaping features, such as but not limited to, fencing, berming, and planting.
4. The maximum Height shall not exceed 15.5 m.



5. The maximum Lot Coverage shall be provided in accordance with the following:
 - i. 60% for Apartments including Accessory Buildings.
 - ii. Lot Coverage may at the discretion of the Development Officer be increased to 80%, if located within the area shown on Map A.
6. A minimum Amenity Area of 7.5 m² per Dwelling shall be provided.

6.5.4 Additional Development Requirements

1. Apartments shall not isolate another Site within this District of less than 800 m².
2. Town House Dwellings shall be developed in accordance with the following regulations:
 - i. Each Dwelling shall have individual front door access to a Road, except in the case of Town Housing access to Dwellings above the first Storey may be shared by two Dwellings;
 - ii. Each Dwelling shall be oriented toward the Road such that front and flanking facades and Yards include design elements such as windows, covered porches, varied building articulation and Landscaping are the dominant elements facing the Road;
 - iii. A transition area between the Road and semi-private area in front of Dwellings should be defined using landscape features such as decorative fencing, change in Grade, shrub beds or rock gardens and/or built elements such as stairs, private entrance features and verandas or porches;
 - iv. Notwithstanding other provisions in this Bylaw, unenclosed steps leading to a front entry way may project a maximum of 2.0 m into a Front Yard;
 - v. The maximum width of the Frontage of the front façade of a building containing Town House Dwellings shall be 48 m;
 - vi. Design techniques including, but not limited to, the use of distinct roof forms, variations in Yards, articulation of building façades, and varied architectural designs shall be employed in order to minimize the perception of massing of the building when viewed from Abutting residential areas and Roads;
 - vii. Building finishes shall be compatible with the exterior finishing materials and colours typical of Abutting development.



3. Notwithstanding the other regulations of this District or Bylaw, where any Building exceeds 10 m in Height and abuts a Site zoned R1 District, R1L District or R2 District, the following regulations shall apply along the said property line:

- i. No outdoor parking, garbage collection, common Amenity Areas, or outdoor storage areas shall be developed within 3.0 m;
- ii. A solid screen fence, 1.85 m in Height, shall be installed along all shared property lines, except along common flanking Front Yard boundaries;
- iii. Design techniques including, but not limited to, the use of sloped roofs, variations in building Setbacks and articulation of building façades, shall be employed in order to minimize the perception of massing of the building when viewed from Abutting residential areas and Roads;
- iv. Building finishes shall be compatible with the exterior finishing materials and colours typical of Abutting development; and
- v. The Development Officer may require information regarding the location of windows and Amenity Areas on Abutting properties to ensure the windows or Amenity Areas of the proposed development are placed to minimize overlook into Abutting properties.

4. Common Parking Facilities

- i. At Grade, parking lots shall be divided into courts that are separated by sheltered Walkways, drainage swales, and Landscaping to reduce their visual dominance and mitigate impacts associated with storm water runoff and heat-island effects.
- ii. Driveway ramps for a below Grade Parking Garage must be at Grade at the property line and must not exceed a slope of 6% for a distance of 4.5 m inside the property line.



6.6 High Density Residential (R5) District

6.6.1 Purpose

The purpose of this District is to provide for high density residential housing in the form of multiple unit Dwellings.

6.6.2 Uses

6.6.2.1 Permitted Uses	6.6.2.2 Discretionary Uses
<ol style="list-style-type: none"> 1. Accessory Building or Use 2. Apartment 3. Extended Medical Treatment Services, Accessory to an Apartment 4. Home Based Business, Minor 5. Solar Collector 6. Development Marketing Sign 7. Fascia Signs 8. Freestanding Sign 	<ol style="list-style-type: none"> 1. Boarding and Lodging House 2. Child Care Facility 3. Conversion of Single-detached, Semi-detached and Duplex Dwellings to Offices 4. Group Home 5. Home Based Business, Major 6. Esthetics Shop, Accessory to an Apartment 7. Office 8. Retail Stores 9. Show Home Dwelling 10. Specialty Food Services 11. Temporary Sales Centre

6.6.3 Development Regulations

1. In addition to the regulations contained in Section 4 and Section 5, the following regulations shall apply in this District.
2. The maximum Density shall be 225 Dwellings/hectare.
3. The minimum Yard for Principal Buildings shall be as follows:
 - a. The minimum Front Yard shall be 7.6 m.
 - b. Where two (2) or more buildings are on one Site there shall be a minimum separation space of the required Yards.
 - c. The minimum Side Yard shall be 4.5 m.
 - d. The minimum Rear Yard shall be 7.6 m.
 - e. The Yards may in the discretion of the Development Officer be reduced to 3.0 m if located within the area shown on Map A and upon the submission of a Landscaping plan prepared by a professional landscape architect identifying Landscaping features, such as but not limited to, fencing, berming, and planting.
4. The maximum Height shall not exceed 32 m.



5. The maximum Lot Coverage shall be provided in accordance with the following:
 - i. 60% for Apartments including Accessory Buildings.
 - ii. Lot Coverage may at the discretion of the Development Officer be increased to 80%, if located within the area shown on Map A.

6.6.4 Additional Development Requirements

1. Apartments shall not isolate another Site within this District of less than 800 m².
2. A minimum Amenity Area of 7.5 m² per Dwelling shall be provided.
3. Notwithstanding other regulations of this District or Bylaw, where any building exceeds 10 m in Height and abuts a R1 District, R1L District, R2 District or R3 District, the following regulations shall apply along the said property line:
 - i. No outdoor parking, garbage collection, common Amenity Areas, or outdoor storage areas shall be developed within 3.0 m;
 - ii. A solid screen fence, 2.0 m in Height, shall be installed along all shared property lines, except along common flanking Front Yard boundaries;
 - iii. Design techniques including, but not limited to, the use of sloped roofs, variations in Yards and articulation of building façades, shall be employed in order to minimize the perception of massing of the building;
 - iv. Building finishes shall be compatible with the exterior finishing materials and colours typical of Abutting development; and
 - v. The Development Officer may require information regarding the location of windows and Amenity Areas on Abutting properties to ensure the windows or Amenity Areas of the proposed development are placed to minimize overlook into Abutting properties.
4. In addition to other regulations of this District, where a building exceeds 15 m in Height and abuts the R1 District, R1L District, R2 District and R3 District, a minimum Stepback of 2.4 m per Storey, to a maximum of 3.0 m, shall be required for that portion of the building exceeding 15 m or four Storeys to optimize access to sunlight, increase privacy and otherwise provide for an appropriate transition to the Abutting property.
5. Buildings shall be designed and oriented to face the Road with entrances that are clearly visible, except on double fronting Road where the building shall be designed to front both Roads.



6. On Corner Lots the façade treatment shall wrap around the side of the building to provide a consistent profile facing both Roads, and may provide: courtyards, entryways or architectural features consistent with the buildings on the other corners of the intersection to enhance pedestrian circulation and, where applicable, enhance sight line views.
7. Commercial uses shall not be in any freestanding Structure separate from a Structure containing Residential Uses, and shall not be developed above the lowest Storey, except in the case of the conversion of Single-detached, Semi-detached and Duplex Dwellings.
8. Notwithstanding other provisions in this Bylaw, entrance features such as, but not limited to, arcades and porte cochere's, may project into a Front Yard.
9. Common Parking Facilities
 - i. At Grade parking lots shall be divided into courts that are separated by sheltered Walkways, drainage swales, and Landscaping to reduce their visual dominance and mitigate impacts associated with storm water runoff and heat-island effects.
 - ii. Driveway ramps for a below Grade Parking Garage must be at Grade at the property line and must not exceed a slope of 6% for a distance of 4.5 m inside the property line.



6.7 Residential Manufactured Home (RMH) District

6.7.1 Purpose

The purpose of this District is to provide areas for the development of comprehensively designed Manufactured Home Communities.

6.7.2 Uses

6.7.2.1 Permitted Uses	6.7.2.2 Discretionary Uses
<ol style="list-style-type: none"> 1. Accessory Building or Use 2. Home Based Business, Minor 3. Manufactured Home 4. Solar Collector 5. Development Marketing Sign 6. Fascia Signs 7. Freestanding Signs 	<ol style="list-style-type: none"> 1. Child Care Facility 2. Group Home 3. Home Based Business, Major 4. Show Home Dwelling 5. Temporary Sales Centre

6.7.3 Development Regulations

1. In addition to the regulations contained in Section 4 and Section 5, the following regulations shall apply in this District.
2. The minimum Site Area for a Residential Manufactured Home Community shall be 2.0 ha.
3. Minimum Lot Width and Length shall be as follows:

	Use	Width (m)	Length (m)
i.	Manufactured Home	9	32
ii.	Manufactured Home, Corner Lot	11	32

4. Site Width on pie shaped lots shall be measured 6.0 m into the Site from the front property Line.
5. The minimum Yard shall be as follows:

	Use	Front (m)	Side (m)	Rear (m)
i.	Manufactured Home	6.0	1.2	2.0
ii.	Manufactured Home, Corner Lots	6.0	3.0	2.0
iii.	Manufactured Home, Eastgate Manor	4.0	0.0 m and 4.3 m	2.0

6. The maximum Height shall be 5.0 m.
7. The maximum Lot Coverage shall be 50%, including Accessory Buildings.



- i. All Accessory Buildings, additions, porches, Garages or other structural additions shall be equivalent quality and appearance to the Manufactured Home.
- ii. The roof line of any addition shall not exceed the Height of the Dwelling.
- iii. Notwithstanding 6.6.3.7 the maximum Lot Coverage for Eastgate Manor (Block H Plan 80B 17476) shall be 60%.

6.7.4 Additional Development Requirements

- 1. The Manufactured Home Community may be designed to accommodate Dwelling units of different sizes, including expandable and double wide units, with variety in the street design and the placement of individual units.
- 2. The undercarriage of each Manufactured Home shall be completely screened from view by the foundation, skirting or other means that is of a manufactured or similar type to harmonize with the Manufactured Home. This skirting shall permit the circulation of air beneath the unit.

6.7.5 Lakeland Green Condominium Requirements

- 1. In addition to the other provisions within this District, the Lakeland Green Condominium Site located at 5302 – 56B Street (Condominium Plan 962-3743, Units 1 to 27) shall be developed in accordance with the following regulations:

6.7.5.1 Permitted Uses	6.7.5.2 Discretionary Uses
<ul style="list-style-type: none"> 1. Accessory Building or Use 2. Home Based Business, Minor 3. Manufactured Home 4. Solar Collector 5. Fascia Signs 6. Freestanding Signs 	<ul style="list-style-type: none"> 1. Child Care Facility 2. Home Based Business, Major 3. Show Home Dwelling

- 2. The minimum Rear Yard for Principal Buildings shall be 1.0 m.
- 3. The maximum Height shall be 4.0 m.



7. Commercial Districts

7.1 Central Commercial (C1) District

7.1.1 Purpose

The purpose of this District is to provide for pedestrian-oriented, high density commercial, office, residential, and institutional uses in the traditional and extended central business Districts.

7.1.2 Uses

7.1.2.1 Permitted Uses	7.1.2.2 Discretionary Uses
<ol style="list-style-type: none"> 1. Accessory Building or Use 2. Alcohol Sales 3. Apartment 4. Apartment Hotel 5. Broadcasting and Television Studio 6. Business Support Services 7. Child Care Facility 8. Commercial School, not including Heavy or Industrial Vehicles 9. Community Hall 10. Contractor Service, Limited 11. Esthetics Shop 12. Exhibition and Convention Facilities 13. Extended Medical Treatment Services 14. Funeral Services 15. Government Services 16. Health Services 17. Home Based Business, Minor 18. Hotel 19. Household Repair Services 20. Lounges 21. Mixed Use Development 22. Office 23. Participant Recreation Services, Indoor 24. Pet Care Facility 25. Private Education Services 26. Private Hall 27. Protective and Emergency Services 28. Public Education Services 29. Public Libraries and Cultural Exhibits 30. Public Park 31. Religious Assembly 32. Restaurant 33. Retail Store 34. Solar Collector 35. Specialty Food Services 36. Temporary Development 37. A-Board Signs 	<ol style="list-style-type: none"> 1. Ambulance Station 2. Amusement Establishments, Indoor 3. Automotive and Equipment Repair Shops 4. Automotive and Minor Recreation Vehicles Sales and Rentals 5. Communication Facility 6. Conversion of Dwellings to Offices 7. Drive-in Services 8. Entertainment Establishment 9. Hardware and Home Improvement Store 10. Home Based Business, Major 11. Live Work Unit 12. Nightclubs 13. Parking Structures and Lots 14. Pawn Shop 15. Service Station, Minor 16. Shopping Centre 17. Show Home Dwelling 18. Utility Services, Minor 19. Veterinary Services, Minor 20. Portable Signs



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| <ul style="list-style-type: none"> 38. Awning Signs 39. Banner Signs 40. Fascia Signs 41. Hanging Signs 42. Projecting Signs | |
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7.1.3 Development Regulations

1. In addition to the regulations contained in Section 4 and Section 5, the following regulations shall apply in this District.
2. The minimum Front Yard shall be 0.0 m.
3. The minimum Side Yard shall be 0.0 m, except where:
 - i. Sites Abutting a Residential District and not separated from that District by a Road or Utility Lot the Side Yard shall be 1.5 m.
 - ii. Buildings with Dwelling units above the main floor shall have a Stepback of 4.5 m for any wall with a Habitable Room facing the Side Yard.
4. The minimum Rear Yard shall be 0.0 m.
 - i. Sites Abutting a Residential District and not separated from that District by a Road or Utility Lot shall have a minimum Rear Yard of 4.5 m.
 - ii. Buildings with Dwelling units above the main floor shall have a Stepback of 4.5 m for any wall with a Habitable Room facing the Rear Yard.
5. The maximum Height shall be 30.5 m.
6. Notwithstanding Section 7.1.3.5, the Development Officer may increase the building Height to a maximum of 36 m if the additional Height accommodates Residential or Residential-Related Uses
7. Any Development with a building Height greater than 23.0 m shall address massing and building articulation in accordance with the following regulations:
 - i. A Podium shall be required, the maximum Height of which shall not exceed 15.0 m.
 - ii. The portion of the building above the Podium, or tower, shall be differentiated from the Podium, but should have design details, materials, and architectural expression consistent with the Podium.



- iii. Towers shall Stepback from the front Podium wall a minimum of 3.0 m.
- iv. The minimum distance between non-residential towers shall be 20 m.
- v. The minimum distance between a residential tower and any other tower shall be 25 m.

7.1.4 Additional Development Requirements

1. Portable Signs are only permitted on Sites subject to the Highway Corridor Overlay and subject to the regulations contained in Section 4.20.
2. Developments shall include design elements that create a pedestrian oriented built form, such as but not limited to window openings, multiple entrances, arcades, columns, fenestrations, double Height entrances, parks, plazas, Landscaping, architectural features, Yards and Stepbacks in the building mass, building articulation, and the architectural treatment of the facades.
3. The Frontage for each commercial retail unit shall be a maximum of 15 m. The Development Officer may vary this requirement where there is vertical separation in the building wall at maximum 15 m intervals. Such vertical separation may be in the form of a change in materials, colours, recessions or projections in the building mass as well as additional entrances.
4. The Development shall incorporate weather protection in the form of a 2.0 m wide canopy or any other architectural element on façades wherever active commercial Frontages exist, at a minimum Height of 2.0 m.
5. Buildings shall be designed and oriented to face the Road with entrances that are clearly visible, except on double fronting Roads where the building shall be designed to front both the Road and the avenue.
6. A minimum of 60% of ground floor commercial façades fronting onto a Road other than a Lane shall have clear glazing on the exterior.
7. On Corner Lots the façade treatment shall wrap around the side of the building to provide a consistent profile facing both Roads, and may provide: courtyards, entryways or architectural features consistent with the buildings on the other corners of the intersection to enhance pedestrian circulation and, where applicable, enhance sight line views.
8. Residential and Residential-Related Uses in mixed use buildings shall provide separate, individual at Grade entrances from the public sidewalk along the front façade of the building and feature identifiable doorways, pedestrian lighting, and patios and have direct external access to the Abutting public sidewalk.
9. Apartments, when developed with Commercial Uses, shall not contain Dwelling Units on the main floor.



- i. Retail Uses shall not be developed above the lowest Storey.
10. Nightclubs shall not exceed a capacity of 250 Occupants or 300 m² of Public Space, and shall not share a Site with, or be located on a Site that is Abutting or across a Lane from, a Residential District.
11. Restaurants and Lounges shall not exceed a capacity of 400 Occupants or 500 m² of Public Space, and shall be located on and oriented toward a Road where practical, other than a Lane.
12. Parking Structures and Lots shall be located below Grade or behind active facades, and the above Grade parking Structure or lots shall be Setback:
 - i. 10 m from the building façade facing a Road, other than a Lane, where located on the ground (first) floor.
 - ii. 6.0 m from any building façade facing a Road, other than a Lane, where located above the ground (first) floor up to 5 Storeys.
13. Wherever feasible, vehicular access shall be from the flanking Road or Abutting Lane. In the event there is no Abutting Lane or flanking Road, the vehicular access shall be designed in a manner that has minimal impact on Abutting Roads.
14. Driveway ramps for a below Grade parking Garage must be at Grade at the property line and must not exceed a slope of 6% for a distance of 4.5 m inside the property line, or to the satisfaction of Engineering Services.
15. Loading, storage and trash collection areas shall be located at the rear or the sides of the Principal Building and shall be screened from view from any Abutting Sites or Roads by Landscaping in accordance with Section 4.12 or by a solid fence 1.85 m in Height.
16. Visual Screening a minimum of 1.85 m high shall be provided by a solid fence or a combination of fence and Landscaping along all common property lines, except for flanking Front Yard boundaries, which are Abutting a Residential District.
17. All mechanical equipment, including roof mechanical units, shall be concealed by Screening in a manner compatible with the architectural character of the Building or shall be concealed by incorporating it within the roof of the Building.
18. Service function areas, such as loading docks, truck parking, and utility meters, shall be incorporated into the overall design theme of the building and/or landscape



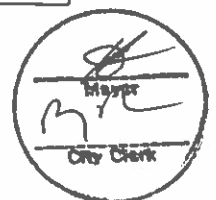
7.2 Highway Corridor Commercial (C2) District

7.2.1 Purpose

The purpose of this District is to enable commercial development and limited residential development opportunities on large Sites Abutting Highway 16 and Highway 17.

7.2.2 Uses

7.2.2.1 Permitted Uses	7.2.2.2 Discretionary Uses
<ol style="list-style-type: none"> 1. Accessory Building or Use 2. Alcohol Sales 3. Ambulance Station 4. Automotive and Equipment Repair Shops 5. Automotive and Minor Recreation Vehicles Sales and Rentals 6. Broadcasting and Television Studio 7. Business Support Services 8. Commercial School, not including Heavy or Industrial Vehicles 9. Community Hall 10. Drive-in Services 11. Drive-through Vehicle Service 12. Entertainment Establishment 13. Esthetics Shop 14. Exhibition and Convention Facilities 15. Extended Medical Treatment Services 16. Government Services 17. Hardware and Home Improvement Store 18. Health Services 19. Hotel 20. Household Repair Services 21. Lounges 22. Motel 23. Nightclubs 24. Office 25. Pet Care Facility 26. Protective and Emergency Services 27. Public Libraries and Cultural Exhibits 28. Restaurants 29. Retail Stores 30. Religious Assembly 31. Service Station, Major or Minor 32. Shopping Centre 33. Solar Collector 34. Specialty Food Services 35. Temporary Development 36. Veterinary Services, Minor 37. Warehouse Sales 38. A-Board Signs 	<ol style="list-style-type: none"> 1. Agricultural Oriented Sales 2. Amusement Establishments, Indoor 3. Apartment Hotel 4. Auctioneering Establishment 5. Child Care Facility 6. Communication Facility 7. Contractor Service, Limited 8. Equipment Rental 9. Fleet Services 10. Funeral Services 11. Mixed Use Development 12. Parking Structures and Lots 13. Participant Recreation Services, Indoor 14. Pawn Shop 15. Private Education Services 16. Private Hall 17. Public Education Services 18. Show Home Dwelling 19. Utility Services, Minor 20. Warehouse Sales 21. Billboard Signs 22. Portable Signs



39. Awning Signs 40. Balloon Signs 41. Banner Signs 42. Fascia Signs 43. Freestanding Signs 44. Hanging Signs 45. Projecting Signs	
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7.2.3 Development Regulations

1. In addition to the regulations contained in Section 4 and Section 5, the following regulations shall apply in this District.
2. The minimum Site Width shall be 30.4 m
3. The minimum Front Yard shall be 9.1 m.
4. The minimum Side Yard shall be 3.0 m.
 - i. A minimum Side Yard of 7.5 m shall be required where a Site abuts a Road including a Lane that serves a Residential District or where a Site abuts the lot line of a Site zoned Residential.
5. The minimum Rear Yard shall be 5.0 m.
 - i. A minimum Yard of 7.5 m shall be required where a Site abuts a Road including a Lane that serves a Residential District or where a Site abuts the lot line of a Site zoned Residential.
6. The maximum Lot Coverage shall be 40%.
7. The maximum Height shall be 14.0 m.
 - i. Apartment Hotels, Motels and Hotels shall be a maximum of 30.5 m.

7.2.4 Additional Development Regulations

1. Residential and Residential-Related Uses in mixed use buildings shall provide separate, individual at Grade entrances from the public sidewalk along the front façade of the building and feature identifiable doorways, pedestrian lighting, and patios and have direct external access to the Abutting public sidewalk.
 - i. Apartments shall be developed in accordance with the R5 District. Retail Uses shall not be developed above the lowest Storey.



2. Retail Uses, when combined with residential Development shall not be developed above the first Storey.
 - i. The residential component shall have access at Grade, which is separate from the access for the commercial premises; and
 - ii. If a Development contains two or more Dwellings, a minimum of 7.5 m² of Amenity Area is required per Dwelling.
3. The minimum Front, Side, and Rear Yard for Motels and Hotels with a Height in excess of 14.0 m shall be 50% of the Building Height.
4. Accessory Buildings, Structures and Uses on a Site which abuts a Residential District shall not, in any case, be less than 1.5 m from the boundary of the Site in the Residential District.
5. Balloon Signs, Billboard Signs and Portable Signs are only permitted on Sites subject to the Highway Corridor Overlay, shall be located adjacent to Highway 16 or Highway 17, and are subject to the regulations contained in Section 4.20.
6. Any parking space or Loading Space may project into the required Rear Yard provided it does not create an obstruction within the Yard.
7. All mechanical equipment, including roof mechanical units, shall be concealed by Screening in a manner compatible with the architectural character of the Building or shall be concealed by incorporating it within the roof of Building.
8. All development on a Site shall be constructed using similar architectural themes.
9. Any Building or multiple occupancy Building having a single wall length greater than 40 m shall comply with the following regulations:
 - i. The roof line and Building façade shall include design elements that reduce the perceived mass of the Building and add architectural interest;
 - ii. The exterior wall finishing materials shall minimize the perceived mass of the Building; and
 - iii. Landscaping Abutting exterior walls visible from Highway 16 and Highway 17 shall be used to minimize the perceived mass of the Building and to create visual interest.
10. A Landscaped Front Yard, with a minimum width of 3.0 m, shall be provided when the Site is adjacent to a Road, excepting a Lane. A minimum of five deciduous trees (with a minimum Calliper of 6 cm), three coniferous trees (with a minimum Height of 3.0 m), and 20 shrubs shall be required for each 35 m of lineal Yard Frontage. A continuous screen, an average of 0.75 m in Height, shall be provided within the required Landscaped Yard through shrub planting.



11. Loading, storage and trash collection areas shall be located at the rear or the sides of the Principal Building and shall be screened from view from any Abutting Sites or Roads by Landscaping in accordance with Section 4.12 or by a solid fence 1.85 m in Height.
12. Visual Screening a minimum of 1.85 m high shall be provided by a solid fence or a combination of fence and Landscaping along all common property lines, except for flanking Front Yard boundaries, which are Abutting a Residential District.
13. Vehicular entrances and exits, as well as On-site and Off-site traffic and pedestrian routes, shall be located and designed in a manner that provides a clearly defined, safe, efficient and convenient circulation pattern for both On-site and off- site vehicular traffic and pedestrian movements, including handicapped movements.
14. Adjoining Sites shall be integrated by direct On-site access connections to facilitate convenient, efficient and free flowing vehicular traffic and pedestrian movements between Sites to the satisfaction of the Development Officer. The Development Officer shall waive this requirement if the applicant for the development permit can show that after reasonable effort, exercised over a period of no less than sixty (60) days, the applicant has been unable to obtain the required consent from the Abutting property Owner(s) for integration and inter-Site connections.
15. All On-site utilities shall be located below Grade.



7.3 Neighbourhood Commercial (C3) District

7.3.1 Purpose

The purpose of this District is to provide for small-scale convenience commercial services, catering typically to the needs of local neighbourhood residents and consisting primarily of retail sales, limited service functions and opportunities for residential development.

7.3.2 Uses

7.3.2.1 Permitted Uses	7.3.2.2 Discretionary Uses
<ol style="list-style-type: none">1. Accessory Building or Use2. Commercial School3. Child Care Facility4. Esthetics Shop5. Government Services6. Health Services7. Household Repair Services8. Mixed Use Development9. Office10. Public Libraries and Cultural Exhibits11. Restaurants12. Retail Store13. Solar Collectors14. Shopping Centre15. Specialty Food Services16. Temporary Development17. A-Board Signs18. Awning Signs19. Banner Signs20. Fascia Signs21. Freestanding Signs22. Hanging Signs23. Projecting Signs	<ol style="list-style-type: none">1. Amusement Establishments, Indoor2. Lounges3. Participant Recreation Services, Indoor4. Private Hall5. Retail Store6. Service Station, Minor7. Utility Services, Minor8. Portable Signs

7.3.3 Development Regulations

1. In addition to the regulations contained in Section 4 and Section 5, the following regulations shall apply in this District.
2. The minimum Front Yard shall be 7.6 m.
3. The minimum Side Yard shall be 3.0 m.
4. The minimum Rear Yard shall be 6.0 m.



5. The maximum Lot Coverage shall be 35%.

6. The maximum Height shall be 9.0 m.

7.3.4 Additional Development Regulations

1. Residential development shall be permitted only in buildings where the first Storey is used for commercial purposes.
 - i. Retail Uses, when combined with residential Development shall not be developed above the first Storey
 - ii. The housing component shall have access at Grade, which is separate from the access for the commercial premises; and
 - iii. Apartments shall be developed in accordance with the R5 District.
2. Accessory Buildings, Structures and Uses on a Site which abuts a Residential District shall not, in any case, be less than 3.0 m from the boundary of the Site in the Residential District.
3. Lounges and Restaurants shall not exceed a capacity of 100 occupants, have a maximum Floor Area of 275 m² and be located on and oriented toward a Road other than a Lane.
4. Portable Signs are only permitted on Sites subject to the Highway Corridor Overlay, shall be located adjacent to Highway 16 or Highway 17, and are subject to the regulations contained in Section 4.27.
5. A Landscaped Front Yard, with a minimum width of 3.0 m, shall be provided when the Site is adjacent to a Road, excepting a Lane. A minimum of five deciduous trees (with a minimum Calliper of 6 cm), three coniferous trees (with a minimum Height of 3.0 m), and 20 shrubs shall be required for each 35.0 m of lineal Yard Frontage. A continuous screen, an average of 0.75 m in Height, shall be provided within the required Landscaped Yard through shrub planting.
6. Loading, storage and trash collection areas shall be located at the rear or the sides of the Principal Building and shall be screened from view from any Abutting Sites or Roads by Landscaping in accordance with Section 4.12 or by a solid fence 1.85 m in Height.
7. Visual Screening a minimum of 1.85 m high shall be provided by a solid fence or a combination of fence and Landscaping along all common property lines, except for flanking Front Yard boundaries, which are Abutting a Residential District.



7.4 Commercial Shopping Centre (C4) District

7.4.1 Purpose

The purpose of this District is to provide for Shopping Centres that cater to the commercial needs of a community or region and opportunities for mixed use development.

7.4.2 Uses

7.4.2.1 Permitted Uses	7.4.2.2 Discretionary Uses
<ol style="list-style-type: none"> 1. Accessory Building or Use 2. Alcohol Sales 3. Business Support Services 4. Commercial School, not including Heavy or Industrial Vehicles 5. Drive-in Services 6. Drive-through Vehicle Service 7. Esthetics Shops 8. Financial and Office Support Services 9. Government Services 10. Health Services 11. Household Repair Services 12. Lounges 13. Mixed Use Development 14. Nightclubs 15. Office 16. Participant Recreation Services, Indoor 17. Restaurants 18. Retail Stores 19. Service Station, Minor 20. Shopping Centre 21. Solar Collector 22. Specialty Food Services 23. Temporary Development 24. A-Board Signs 25. Awning Signs 26. Balloon Signs 27. Banner Signs 28. Fascia Signs 29. Freestanding Signs 30. Hanging Signs 31. Projecting Signs 	<ol style="list-style-type: none"> 1. Amusement Establishments, Indoor 2. Apartment Hotel 3. Child Care Facility 4. Entertainment Establishment 5. Hotel 6. Lounges 7. Nightclubs 8. Private Hall 9. Parking Structures and Lots 10. Restaurants 11. Utility Services, Minor 12. Veterinary Services, Minor 13. Portable Signs

7.4.3 Development Regulations

1. In addition to the regulations contained in Section 4 and Section 5, the following regulations shall apply in this District.



2. The minimum Front Yard shall be 15.0 m.
3. The minimum Side Yard shall be 7.6 m.
4. The minimum Rear Yard shall be 7.6 m.
5. The maximum Lot Coverage shall be 35%.
6. The maximum Height shall be 14.0 m.

7.4.5 Additional Development Requirements

1. All Uses shall be part of a purpose-designed Shopping Centre, and may in the discretion of the Development Officer contain standalone commercial retail units (CRUs) provided the CRUs meet the following requirements:
 - i. Parking meets the requirements of Section 4.15; and
 - ii. Drive-in Services meet the requirements of Section 5.9.
2. Residential development shall be permitted only above the office or retail component of a Shopping Centre. The housing component of the development shall be designed and Sited so as to minimize any impacts from the commercial component of the development related to noise, traffic circulation or loss of privacy.
 - i. The housing component shall have access at Grade, which is separate from the access for the commercial premises; and
 - ii. If a development contains two or more Dwellings, a minimum of 7.5 m² of Amenity Area is required per Dwelling.
3. Accessory Buildings, Structures and Uses on a Site which abuts a Residential District shall not, in any case, be less than 1.5 m from the boundary of the Site in the Residential District.
4. Lounges, Nightclubs and Restaurants as Permitted Uses, shall not exceed a capacity of 100 occupants.
5. Lounges, Nightclubs and Restaurants as Discretionary Uses, may exceed a capacity of 100 occupants.
6. Retail Uses, when combined with residential Development shall not be developed above the first Storey.



7. Balloon Signs and Portable Signs are only permitted on Sites subject to the Highway Corridor Overlay, shall be located adjacent to Highway 16 or Highway 17, and are subject to the regulations contained in Section 4.20.
8. Side Yards and Rear Yards Abutting Residential Districts shall be a minimum of 15.0 m. This may be reduced to the minimum Yard requirements of 7.6 m provided, in the opinion of the Development Officer, Landscaping, berming, fences, building façade treatment or other design features adequately protect the amenities of nearby residential areas.
9. A Landscaped Front Yard, with a minimum width of 3.0 m, shall be provided when the Site is adjacent to a Road. A minimum of five deciduous trees (with a minimum Calliper of 6 cm), three coniferous trees (with a minimum Height of 3.0 m), and 20 shrubs shall be required for each 35.0 m of lineal Yard Frontage. A continuous screen, an average of 0.75 m in Height, shall be provided within the required Landscaped Yard through shrub planting.
10. Loading, storage and trash collection areas shall be located at the rear or the sides of the Principal Building and shall be screened from view from any Abutting Sites or Roads by Landscaping in accordance with Section 4.12 or by a solid fence 1.85 m in Height.
11. Visual Screening a minimum of 1.85 m high shall be provided by a solid fence or a combination of fence and Landscaping along all common property lines, except for flanking Front Yard boundaries, which are Abutting a Residential District.
12. All mechanical equipment, including roof mechanical units, shall be concealed by Screening in a manner compatible with the architectural character of the Building or shall be concealed by incorporating it within the roof of the Building.



7.5 Service Commercial (C5) District

7.5.1 Purpose

The purpose of this District is to provide for commercial and industrial businesses that operate in such a manner that no Nuisance factor is created or apparent outside an enclosed building and are compatible with any Abutting Commercial or Industrial District. This District accommodates limited outdoor storage and is intended for Sites located on, or in proximity to, arterial or collector Roads and within an industrial area, or wherever required to implement the objectives of a plan.

7.5.2 Uses

7.5.2.1 Permitted Uses	7.5.2.2 Discretionary Uses
<ol style="list-style-type: none"> 1. Accessory Building or Use 2. Business Support Services 3. Commercial School, not including Heavy or Industrial Vehicles 4. Contractor Service, Limited 5. Drive-in Services 6. Funeral Services 7. Retail Stores 8. Government Services 9. Hardware and Home Improvement Store 10. Household Repair Services 11. Lounges 12. Manufacturing Establishment 13. Nightclubs 14. Office 15. Participant Recreation Services, Indoor 16. Pet Care 17. Private Education Services 18. Private Hall 19. Protective and Emergency Services 20. Public Education Services 21. Public Libraries and Cultural Exhibits 22. Recycling Depot, Minor 23. Restaurants 24. Service Station, Major or Minor 25. Solar Collectors 26. Specialty Food Services 27. Temporary Development 28. Veterinary Services, Minor 29. Warehouse Sales 30. Warehousing 31. A-Board Signs 32. Awning Signs 33. Banner Sign 34. Balloon Signs 	<ol style="list-style-type: none"> 1. Agricultural Oriented Sales and Service 2. Ambulance Station 3. Amusement Establishment, Indoor 4. Auctioneering Establishment 5. Auto Body Repair and Paint Shop 6. Automotive and Equipment Repair Shops 7. Automotive and Minor Recreation Vehicles Sales and Rentals 8. Communication Facility 9. Community Hall 10. Drive-through Vehicle Services 11. Equipment Rental 12. Esthetics Shop 13. Fleet Services 14. Greenhouse and Plant Nurseries 15. Kennel 16. Lounges 17. Nightclubs 18. Parking Structures and Lots 19. Pawn Shop 20. Recycling Depot, Major 21. Religious Assembly 22. Restaurants 23. Temporary Sales Centre 24. Temporary Storage 25. Truck and Manufactured Homes Sales/Rentals 26. Utility Services, Minor 27. Veterinary Services, Major 28. Billboard Signs 29. Portable Signs



35. Fascia Signs 36. Fence Signs 37. Freestanding Signs 38. Hanging Signs 39. Projecting Signs	
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7.5.3 Development Regulations

1. In addition to the regulations contained in Section 4 and Section 5, the following regulations shall apply in this District.
2. The minimum Site Frontage shall be 15.2 m.
3. The minimum Front Yard shall be 9.1 m.
4. The minimum Side Yard shall be 3.0 m or 50% of the Building Height, whichever is greater.
5. The minimum Rear Yard shall be 3.0 m.
 - i. Where a Site abuts a residential District the minimum Rear Yard shall be 7.6 m.
6. The maximum Lot Coverage shall be 45%.
7. The maximum Height shall be 14 m.

7.5.4 Additional Development Regulations

1. Lounges and Restaurants as Permitted Uses, shall not exceed a capacity of 100 occupants.
2. Lounges, Nightclubs and Restaurants as Discretionary Uses, may exceed a capacity of 100 occupants.
3. Balloon Signs, Billboard Signs and Portable Signs are only permitted on Sites subject to the Highway Corridor Overlay, shall be located adjacent to Highway 16 or Highway 17, and are subject to the regulations contained in Section 4.20.
4. A Landscaped Front Yard, with a minimum width of 3.0 m, shall be provided when the Site is adjacent to a Road. A continuous screen of plant material, a minimum of 1.0 m in Height, shall be concentrated in the Yard directly Abutting the Lot line in accordance with Section 4.12. The provision of parking, loading or storage areas is not permissible within the 3.0 m Yard.
5. No parking, storage, trash collection, outdoor service or display area shall be permitted within a Landscaped Front Yard.



6. Visual Screening a minimum of 1.85 m high shall be provided by a solid fence or a combination of fence and soft Landscaping along all property lines, except for common flanking Front Yard boundaries, that are Abutting a residential District.
 - i. Storage, freight or trucking Yards shall be enclosed or completely screened by Buildings, trees, landscaped features or fences, or a combination thereof to provide effective Screening from the ground to a Height of 1.85 m.



8. Industrial Districts

8.1 Light Industrial (I1) District

8.1.1 Purpose

The purpose of this District is to provide for light industrial developments that operate in such a manner that no Nuisance factor is created or apparent outside an enclosed building. Outdoor activities, such as but not limited to loading, service, and storage, that are Accessory to a Principal Use may occur providing the scale of such activities does not unduly conflict with the primary purpose of this District or dominate the use of the Site. This District is intended for Sites located on, or in proximity to, arterial or collector Roads and within an industrial area, or wherever required to implement the objectives of a plan.

8.1.2 Uses

8.1.2.1 Permitted Uses	8.1.2.2 Discretionary Uses
<ol style="list-style-type: none"> 1. Accessory Building or Use 2. Automotive and Equipment Repair Shops 3. Automotive and Minor Recreation Vehicles Sales and Rentals 4. Broadcasting and Television Studio 5. Business Support Services 6. Contractor Service, General or Limited 7. Drive-in Services 8. Equipment Rental 9. Funeral Services 10. Government Services 11. Household Repair Services 12. Industrial Uses, General 13. Manufacturing Establishment 14. Office 15. Pet Care 16. Protective and Emergency Services 17. Recycling Depot, Minor 18. Service Station, Major or Minor 19. Solar Collectors 20. Specialty Food Services 21. Temporary Development 22. Utility Services, Minor 23. Veterinary Services, Minor 24. Warehousing 25. Warehouse Sales 26. A-Board Signs 27. Awning Signs 28. Banner Sign 29. Billboard Signs 30. Fascia Signs 31. Fence Signs 32. Freestanding Signs 	<ol style="list-style-type: none"> 1. Agricultural Oriented Sales and Service 2. Ambulance Station 3. Amusement Establishment, Indoor 4. Amusement Establishment, Outdoor 5. Auctioneering Establishment 6. Auto Body Repair and Paint Shop 7. Bulk Fuel Storage and Distribution 8. Communication Facility 9. Drive-through Vehicle Services 10. Fleet Services 11. Grain Elevator 12. Greenhouse and Plant Nurseries 13. Industrial Storage 14. Kennel 15. Medical Marijuana Production Facility 16. Lounges 17. Nightclubs 18. Parking Structures and Lots 19. Recycling Depot, Major 20. Temporary Sales Centre 21. Temporary Storage 22. Truck and Manufactured Homes Sales/Rentals 23. Utility Service, Major 24. Veterinary Services, Major



33. Hanging Signs 34. Portable Signs 35. Projecting Signs	
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8.1.3 Development Regulations

1. In addition to the regulations contained in Section 4 and Section 5, the following regulations shall apply in this District.
2. The minimum Lot Width shall be 15.2 m.
3. The minimum Front Yard shall be 9.1 m, except where:
4. The minimum Side Yard shall be 3.0 m or 50% of the Building Height.
5. The minimum Rear Yard shall be 3 m.
 - i. Where a Site abuts a residential District, the minimum Rear Yard shall not be less than 7.6 m.
6. The maximum Lot Coverage shall be 45%.
7. The maximum Height shall be 15.3 m.
8. Notwithstanding section 8.1.3.7, NW1-50-1-4 shall have a maximum Height of 5.2 m.

8.1.4 Additional Development Regulations

1. A Landscaped Front Yard, with a minimum width of 3.0 m, shall be provided when the Site is adjacent to a Road. A continuous screen of plant material, a minimum of 1.0 m in Height, shall be concentrated in the Yard directly Abutting the Lot line in accordance with Section 4.12. The provision of parking, loading or storage areas is not permissible within the 3.0 m Yard.
2. No parking, storage, trash collection, outdoor service or display area shall be permitted within a Landscaped Front Yard.
3. Visual Screening a minimum of 2.0 m high shall be provided by a solid fence or a combination of fence and soft Landscaping along all property lines, except for common flanking Front Yard boundaries, that are Abutting a residential District.



8.2 Medium Industrial (I2) District

8.2.1 Purpose

The purpose of this District is to provide for industrial Uses that carry out a portion of their operations outdoors or require outdoor storage areas and any Nuisance associated with these uses should not extend beyond the boundaries of the Site. This District should be located in the interior of industrial areas, surrounded by the Light Industrial District or separated from any residential Districts by arterial Roads, a higher quality industrial or commercial District.

8.2.1 Uses

8.2.2.1 Permitted Uses	8.2.2.2 Discretionary Uses
<ol style="list-style-type: none"> 1. Accessory Building or Use 2. Agricultural Oriented Sales and Services 3. Ambulance Station 4. Automotive and Equipment Repair Shop 5. Automotive and Minor Recreation Vehicles Sales and Rentals 6. Business Support Services 7. Contractor Services, Limited or General 8. Equipment Rental 9. Fleet Services 10. Government Services 11. Industrial Storage 12. Industrial Uses, General 13. Kennel 14. Office 15. Parking Structures and Lots 16. Protective and Emergency Services 17. Recycling Depot, Major or Minor 18. Service Station, Major 19. Solar Collectors 20. Temporary Development 21. Truck and Manufactured Home Sales and Rentals 22. Utility Services, Minor 23. Vehicle and Equipment Sales and Rentals 24. Veterinary Services, Major 25. Warehousing 26. A-Board Signs 27. Awning Signs 28. Banner Sign 29. Billboard Signs 30. Fascia Signs 31. Fence Signs 32. Freestanding Signs 33. Portable Signs 34. Projecting Signs 	<ol style="list-style-type: none"> 1. Adult Entertainment 2. Adult Massage Services 3. Amusement Establishment, Indoor and Outdoor 4. Auctioneering Establishment 5. Bulk Fuel Storage and Distribution 6. Commercial School 7. Communication Facility 8. Drive-in Services 9. Drive-through Vehicle Services 10. Grain Elevator 11. Greenhouse and Plant Nurseries 12. Medical Marihuana Production Facility 13. Temporary Sales Centre 14. Temporary Storage 15. Utility Services, Major



8.2.3 Development Regulations

1. In addition to the regulations contained in Section 4 and Section 5, the following regulations shall apply in this District.
2. The minimum Lot Width shall be 30 m.
3. The minimum Front Yard shall be 10.6 m, except where:
 - i. A Site fronts a Highway, where there is no service road, the minimum Front Yard shall be not less than 30.0 m.
4. The minimum Side Yard shall be 4.5 m.
5. The minimum Rear Yard shall be 3.0 m, or 50% of the Building Height, whichever is greater, except where:
 - i. A Site abuts a Residential District, the minimum Rear Yard shall not be less than 7.6 m.
6. The maximum Lot Coverage shall be 40%.
7. The maximum Height shall be 30 m.

8.2.4 Additional Development Regulations

1. A Landscaped Front Yard, a minimum width of 3.0 m, shall be provided when the Site is adjacent to a Road. A continuous screen of plant material, a minimum of 1.0 m in Height, shall be concentrated in the Yard directly Abutting the Lot line in accordance with Section 4.12. The provision of parking, loading or storage areas is not permissible within the 3.0 m Yard.
2. No parking, storage, trash collection, outdoor service or display area shall be permitted within a Landscaped Front Yard.
3. Visual Screening a minimum of 1.85 m high shall be provided by a solid fence or a combination of fence and soft Landscaping along all property lines.



8.3 Heavy Industrial (I3) District

8.3.1 Purpose

The purpose of this District is to allow for industrial Uses that, due to their appearance, opportunities for noise, odour, emissions and fire and explosion hazards, are incompatible with residential and commercial Districts and are to be located on the interior of industrial areas.

8.3.2 Uses

8.3.2.1 Permitted Uses	8.3.2.2 Discretionary Uses
<ol style="list-style-type: none">1. Accessory Building or Use2. Bulk Fuel Storage and Distribution3. Contractor Services, General4. Equipment Rental5. Fleet Services6. Industrial Storage7. Industrial Uses, General8. Protective and Emergency Services9. Recycling Depot, Major or Minor10. Service Station, Major11. Solar Collectors12. Temporary Development13. Utility Services, Major14. Warehousing15. Awning Signs16. Billboard Signs17. Fascia Signs18. Fence Signs19. Freestanding Signs20. Portable Signs21. Projecting Signs	<ol style="list-style-type: none">1. Automotive and Equipment Repair Shop2. Auctioneering Establishment3. Communication Facility4. Grain Elevator5. Office6. Resource Extraction7. Medical Marihuana Production Facility8. Parking Structures and Lots9. Temporary Storage

8.3.3 Development Regulations

1. In addition to the regulations contained in Section 4 and Section 5, the following regulations shall apply in this District.
2. The minimum Lot Width shall be 30 m.
3. The minimum Front Yard shall be 10.6 m, except where:
 - i. A Site fronts a Highway, where there is no service road, the minimum Front Yard shall be not less than 30.0 m.
4. The minimum Side Yard shall be 4.5 m.



5. The minimum Rear Yard shall be 3.0 m, or 50% of the Building Height, whichever is greater, except where:
 - i. A Site abuts a Residential District, the minimum Rear Yard shall not be less than 7.6 m.
6. The maximum Lot Coverage shall be 40%.
7. The maximum Height shall be 30 m.
 - i. Grain Elevators shall have no Height limit.

8.3.4 Additional Development Regulations

1. A Landscaped Front Yard, a minimum width of 3.0 m, shall be provided when the Site is adjacent to a Road. A continuous screen of plant material, a minimum of 1.0 m in Height, shall be concentrated in the Yard directly Abutting the Lot line in accordance with Section 4.12. Plant material in addition to that prescribed in Section 4.12 may be required by the Development Officer if additional Screening is required. The provision of parking, loading or storage areas is not permissible within the 3.0 m Yard.
2. No parking, storage, trash collection, outdoor service or display area shall be permitted within a Landscaped Front Yard.
3. Visual Screening a minimum of 2.0 m high shall be provided by a solid fence or a combination of fence and soft Landscaping along all property lines, except for common flanking Front Yard boundaries in any District other than the I1 District or I2 District.



9. Public Services Districts

9.1 Public Services (PS) District

9.1.1 Purpose

The purpose of this District is to allow for developments of an institutional, administrative, cultural or community service nature.

9.1.2 Uses

9.1.2.1 Permitted Uses	9.1.2.2 Discretionary Uses
<ol style="list-style-type: none">1. Accessory Buildings and Uses2. Ambulance Station3. Boarding and Lodging Houses4. Commercial Schools5. Community Hall6. Child Care Facility7. Extended Medical Treatment Services8. Government Services9. Participant Recreation Services, Indoor10. Participant Recreation Services, Outdoor11. Private Education Services12. Protective and Emergency Services13. Public Education Services14. Public Libraries and Cultural Exhibits15. Public Park16. Religious Assembly17. Solar Collectors18. Sports Establishment19. Temporary Development20. Utility Service, Minor21. Awning Signs22. Fascia Signs23. Fence Signs24. Freestanding Signs	<ol style="list-style-type: none">1. Amusement Establishments, Outdoor2. Cemetery3. Communication Facility4. Entertainment Establishment5. Exhibition and Convention Facilities6. Funeral Services7. Group Home8. Health Services9. Parking Structures and Lots10. Private Hall11. Restaurants12. Specialty Food Services13. Temporary Shelter14. Utility Service, Major15. Portable Signs

9.1.3 Development Regulations

1. In addition to the regulations contained in Section 4 and Section 5, the following regulations shall apply in this District.
2. The minimum Front Yard, Side Yard and Rear Yard shall be 7.6 m.
3. The maximum Height shall be 26 m.



9.2 Public Utility (PU) District

9.2.1 Purpose

The purpose of this District is to accommodate Developments that provide for public consumption, benefit, convenience or use.

9.2.2 Uses

9.1.2.1 Permitted Uses	9.2.2.2 Discretionary Uses
<ol style="list-style-type: none">1. Accessory Buildings and Uses2. Government Services3. Protective and Emergency Services4. Recycling Depot, Minor5. Solar Collectors6. Temporary Development7. Utility Services, Minor8. Awning Signs9. Fascia Signs10. Freestanding Signs	<ol style="list-style-type: none">1. Communication Facility2. Fleet Services3. Parking Structures and Lots4. Recycling Depot, Major5. Service Stations, Minor6. Utility Services, Major

9.2.3 Development Regulations

1. In addition to the regulations contained in Section 4 and Section 5, the following regulations shall apply in this District.
2. The minimum Front Yard shall be 6.0 m.
3. The minimum Side Yard shall be 3.0 m or 50% of the Building Height, whichever is greater.
4. The minimum Rear Yard shall be 7.6 m.
5. The maximum Lot Coverage shall be 50%.

9.2.4 Additional Development Requirements

1. Notwithstanding the regulations of the Public Utility District, where any building is adjacent to a Site that allows a residential use, the following regulations shall apply along the said property line:
 - i. No outdoor parking, garbage collection, or outdoor storage areas shall be developed within 3.0 m;



- ii. A solid screen fence, 1.85 m in Height, shall be installed, except along common flanking Front Yard boundaries;
- iii. Design techniques including, but not limited to, the use of sloped roofs and articulation of building façades shall be employed in order to minimize the perception of massing of the building when viewed from adjacent residential areas and Roads;
- iv. Building design and finishes shall be compatible with the residential character, exterior finishing materials and colours typical of adjacent development; and
- v. The Development Officer may require information regarding the location of windows and Amenity Areas on adjacent properties, to ensure the windows or Amenity Areas of the proposed development are placed to minimize overlook into adjacent properties.



9.3 Urban Park (UP) District

9.3.1 Purpose

The purpose of this District is to provide lands for active and passive recreational Uses.

9.3.2 Purpose

9.3.2.1 Permitted Uses	9.3.2.2 Discretionary Uses
<ol style="list-style-type: none">1. Accessory Buildings and Uses2. Child Care Facility3. Entertainment Establishment4. Markets5. Participant Recreation Services, Indoor6. Participant Recreation Services, Outdoor7. Private Education Services8. Public Libraries and Cultural Exhibits9. Public Education Services10. Public Park11. Specialty Food Services12. Solar Collectors13. Sports Establishment14. Awning Signs15. Fascia Signs16. Fence Signs17. Freestanding Signs18. Projecting Signs19. Portable Signs	<ol style="list-style-type: none">1. Amusement Establishments, Indoor2. Amusement Establishments, Outdoor3. Campground4. Community Hall5. Government Services6. Greenhouse and Plant Nurseries7. Parking Structures and Lots8. Restaurants

9.3.3 Development Regulations

1. In addition to the regulations contained in Section 4 and Section 5, the following regulations shall apply in this District.
2. The minimum Front Yard shall be 7.6 m.
3. The minimum Side Yard shall be 3.0 m or 50% of the Building Height, whichever is greater.
4. The minimum Rear Yard shall be 7.6 m.
5. The maximum Height shall be 20 m.



9.4 Municipal Airport Airside (MA1) District

9.4.1 Purpose

The purpose of this District is to provide for the operations of the Lloydminster Airport and Accessory commercial Uses related to airport operations and activities for those lands Abutting the runways and taxiways of the Airport.

9.4.2 Uses

9.4.2.1 Permitted Uses	9.4.2.2 Discretionary Uses
<ol style="list-style-type: none"> 1. Accessory Uses and Buildings 2. Aircraft Sales, Rentals and Storage 3. Commercial Schools 4. Fleet Services 5. Government Services 6. Protective and Emergency Services 7. Restaurants 8. Retail Stores 9. Service Stations, Minor 10. Solar Collectors 11. Specialty Food Services 12. Awning Signs 13. Fascia Signs 14. Fence Signs 15. Freestanding Signs 16. Projecting Signs 	<ol style="list-style-type: none"> 1. Communication Facility 2. Parking Structure and Lots 3. Temporary Storage 4. Utility Services, Minor

9.4.3 Development Regulations

1. In addition to the regulations contained in Section 4, Section 5 and Airport Protection Overlay, the following regulations shall apply in this District.
2. A Landscaped Front Yard, with a minimum width of 2.0 m, shall be provided when the Site is adjacent to all Roads within this District. A continuous screen of plant material, a minimum of 1.0 m in Height, shall be concentrated in the Yard directly Abutting the Lot line in accordance with Section 4.16, provided that Sight triangles are not compromised. Plant material shall be provided to the satisfaction of the Development Officer in consultation with the Airport Manager. Fruit bearing trees shall be prohibited. The provision of parking, loading, storage, or trash collection is not permissible within the 2.0 m Yard.
3. The maximum Height shall be in accordance with the Height Limitation Contour Map.
4. Development shall comply with Transport Canada regulations.



9.5 Municipal Airport Groundside (MA2) District

9.5.1 Purpose

The purpose of this District is to provide commercial and industrial development opportunities for lands abutting the Lloydminster Airport with good visibility and accessibility along, or abutting major Roads.

9.5.2 Uses

9.5.2.1 Permitted Uses	9.5.2.2 Discretionary Uses
<ol style="list-style-type: none"> 1. Accessory Uses and Buildings 2. Aircraft Sales, Rentals and Storage 3. Business Support Services 4. Commercial Schools 5. Drive-in Services 6. Esthetic Shops 7. Exhibition and Convention Facilities 8. Fleet Services 9. Retail Stores 10. Government Services 11. Hotels 12. Lounges 13. Motels 14. Office 15. Parking Structures and Lots 16. Drive-through Vehicle Services 17. Restaurants 18. Service Stations, Minor 19. Solar Collectors 20. Specialty Food Services 21. Billboard Signs 22. Fascia Signs 23. Fence Signs 24. Freestanding Signs 25. Projecting Signs 	<ol style="list-style-type: none"> 1. Alcohol Sales 2. Automotive and Equipment Repair Shops 3. Automotive and Minor Recreation Vehicles Sales and Rentals 4. Communication Facility 5. Health Services 6. Industrial Storage 7. Industrial Uses, General 8. Protective and Emergency Services 9. Service Stations, Major 10. Temporary Storage 11. Utility Services, Minor 12. Warehouse Sales

9.5.3 Development Regulations

1. In addition to the regulations contained in Section 4 and Section 5, and the Airport Protection Overlay, the following regulations shall apply in this District.
2. The maximum Floor Area Ratio shall be 3.0.
3. The minimum Yard shall be 4.5 m.



4. A Landscaped Front Yard, with a minimum width of 2.0 m, shall be provided when the Site is adjacent a Road within this District. A continuous screen of plant material, a minimum of 1.0 m in Height, shall be concentrated in the Yard directly Abutting the Lot line in accordance with Section 4.16, provided that Sight triangles are not compromised. Plant material shall be provided to the satisfaction of the Development Officer in consultation with the Airport Manager. Fruit bearing trees shall be prohibited. The provision of parking, loading, storage, or trash collection is not permissible within the 2.0 m Yard.
5. The maximum Height shall be provided in accordance with the Height Limitation Contour Map.
6. Development shall comply with Transport Canada regulations.

9.5.4 Additional Development Requirements

1. All Industrial Uses, General shall:
 - i. Directly serve the operations or users of the Airport; or
 - ii. Be directly related to the maintenance or operation of private and commercial aircraft.
2. The following regulations shall apply to Automotive and Minor Recreation Vehicles Sales/Rentals Developments:
 - i. All storage, display or parking areas shall be hard surfaced; and
 - ii. Lighting for the display areas shall be mounted on lamp standards and shall not interfere with the lighting of the airport.



10. Reserve District

10.1 Urban Transition (UT) District

10.1.1 Purpose

The purpose of this District is to allow for a limited range of agricultural and rural land use activities in a relatively undeveloped state, and awaiting urban development and utility servicing. This District also recognizes existing agricultural operations that will not prejudice the future development of land for urban uses.

10.1.2 Uses

10.1.2.1 Permitted Uses	10.1.2.2 Discretionary Uses
<ul style="list-style-type: none">1. Accessory Buildings and Uses2. Farming3. Public Park4. Solar Collectors5. Utility Services, Minor6. Billboard Signs	<ul style="list-style-type: none">1. Amusement Establishment, Outdoor2. Auctioneering Establishment3. Campground4. Communication Facility5. Drive-in Theatre6. Greenhouse and Plant Nurseries7. Industrial Storage8. Resource Extraction9. Participant Recreation Services, Outdoor10. Sports Establishment11. Utility Services, Major12. Portable Signs

10.1.3 Development Regulations

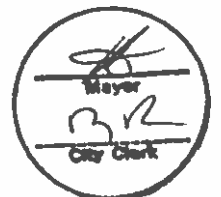
- 1. In addition to the regulations contained in Section 4 and Section 5, the following regulations shall apply in this District.
- 2. The minimum Site Area and Yards shall be provided to the satisfaction of the Development Officer.
- 3. The maximum Height shall be 10.5 m.

10.2.3 Additional Development Regulations

- 1. Development of the Site shall accommodate planned utility corridors, oil and gas pipelines, storm water management facilities, and Roads.
- 2. The Development Officer shall not approve any Use that would be prejudicial to the future economical servicing and development of such lands for future urban use on a planned basis.



3. The Development Officer may specify the length of time a use is permitted in this District, having regard to the staging of servicing and development of the subject land.



11. Direct Control (DC) Districts

11.1 Purpose

The purpose of this Provision is to provide for Direct Control over a specific proposed development where that would otherwise not be permitted under the more conventional Districts.

11.2 Application

1. A Direct Control District shall only be applied to a Site to regulate a specific proposed Development under the following circumstances:
 - i. The proposed Development exceeds the development provisions of the closest equivalent conventional District;
 - ii. The proposed Development requires specific regulations to ensure land use conflicts with neighbouring properties are minimized; and
 - iii. The Site for the proposed Development has unique characteristics that require specific regulations.

11.3 Contents

1. The bylaw that adopts the District Control District must contain the following:
 - i. The legal description of the Site to which the proposed Provision shall apply;
 - ii. Use Class Opportunities; and
 - iii. Development Regulations for Use Class Opportunities.
2. The applicant shall submit a Site Plan. The Site Plan shall be appended to the Bylaw that adopts the Direct Control District, and all development in the Direct Control District shall be in accordance with the Site Plan. Building elevations may also be required. The Site Plan will illustrate the issues that necessitated the use of Direct Control and may include, but is not limited to:
 - i. Location on the Site of specific Uses, including any Accessory Uses and activities;
 - ii. Location of Roads, sidewalks, parking and lighting works;
 - iii. Location of pipelines or facilities for storm drainage, water supply and distribution or electrical distribution and disposal of sewage; and



- iv. Details or elements necessary to better achieve land Use compatibility, such as Urban Design and architectural treatment of Structures, increased separation spaces, the provision of amenities, Landscaping, and the like.
 - v. The Site Plan will not restrict other provisions of the Land Use Bylaw that were not at issue at the time of the application of the Direct Control District.
3. All Regulations in the Land Use Bylaw shall apply to development in the Direct Control Provision, unless such Regulations are specifically excluded or modified in a Direct Control District.
4. Signs shall be provided to the satisfaction of the Development Officer, unless otherwise indicated.

11.4 Additional Requirements

1. In addition to the requirements of Section 2.24, the applicant shall:
- i. Submit the proposed content of the Direct Control District; and
 - ii. Submit a narrative explaining why the Direct Control District is warranted, having regard for the Municipal Development Plan and regulations specified in Section 11.3.
2. The applicant shall:
- i. Contact the affected parties, being each assessed Owner of land wholly or partly located within a distance of 100 m of the Site of the proposed Development, at least 21 days prior to submission of a Re-Districting Application.
 - ii. Outline to the affected parties the details of the application and solicit their comments on the application.
 - iii. Document any opinions or concerns expressed by the affected parties and what modifications were made to address their concerns.
 - iv. Submit the documentation as part of the Re-Districting Application.
3. A development agreement may be required and registered by caveat, together with an attached Copy of the agreement, at the appropriate Land Titles Office against the affected lands.



12. Overlays

12.0.1 Purpose

The purpose of this Overlay is to provide a means to alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate Districts, in order to achieve the local planning objectives in specially designated areas, throughout the City of Lloydminster, as provided for in the City of Lloydminster Municipal Development Plan.

12.0.2 Application

1. This Master Overlay shall only be applied to Districts where specified through an amendment to the Land Use Bylaw in the form of an Overlay, which shall include:
 - i. A map of the location(s) or neighbourhood(s) affected by the Overlay at an appropriate scale, which may indicate the designation, location and boundaries of each underlying District; and
 - ii. Every Regulation specified or changed by the Overlay.
2. Overlays, excepting the Airport Protection Overlay and Highway Corridor Overlay shall not be used in conjunction with a Direct Control District.
3. The Overlay shall not be used where the proposed regulations or changes to the regulations of an underlying District:
 - i. Are significant enough to be inconsistent with the general purpose of that District and the designation of another District would be more appropriate;
 - ii. Are not merely related to local planning objectives but would have sufficient general application to warrant an amendment to the text of the underlying District itself; or
 - iii. Purport to alter Sections 1 through 3 of the Land Use Bylaw.

12.0.3 Uses

The Permitted Uses specified in the underlying Districts are Permitted and the Discretionary Uses specified in the underlying Districts are Discretionary, subject to the regulations concerning land Use, as specified in the Overlays.

12.0.4 Regulations

1. The regulations provided in the Overlay shall be substituted for the specified regulations of the underlying District. Where there appears to be a conflict between the provisions of the Overlay and those of the underlying District, the provisions of the Overlay shall take precedence and effect.
2. The provisions of both the Airport Protection Overlay and Highway Corridor Overlay shall take precedence over the provisions of any other Overlay.



12.1 Airport Protection Overlay

12.1.1 Purpose

The purpose of this Overlay is to provide for the safe and efficient operation of the Lloydminster Municipal Airport through the regulation of land Uses and Building Heights in addition to the requirements of the underlying Districts in the vicinity.

12.1.2 Application

1. This Overlay applies to all lands included in Airport Protection Overlay area as shown on Part IV, Land Use District and Overlay Map and detailed in the:
 - i. Height Limitation Contour Map; and
 - ii. Noise Exposure Forecast Contour Map.

12.1.3 Development Regulations

1. The maximum Height of a development situated within an Airport Protection Overlay area, including all appurtenances and temporary construction equipment, shall not penetrate the surfaces identified in the Height Limitation Contour Map.
 - i. Where the baseline measurement of the protection surfaces noted, in Section 12.1.3, above, and the elevation of the final Grade of a proposed development Site differ, the maximum Height allowable shall be the distance from the elevation of the final Grade of the Site to the elevation of the Height Limitation Contour.
 - ii. The Development Officer may refer any applications to erect or construct to Transport Canada.
2. Applications to develop any Building, metallic fence, sign, overhead line, mast, tower, or similar Development will be analyzed on an individual basis and may be refused, notwithstanding that a Use is listed as permitted, if it is deemed that such Use will interfere with the operation of electronic equipment or the flight path.
3. Applications which include vehicular parking facilities, heavy electrical equipment, electric welding, or high tension power lines will be reviewed on an individual basis and may be refused, notwithstanding that a use is listed as permitted, if it is deemed that such use will result in electronic interference effects.
4. The Development Officer shall refer an application for a Development Permit to Transport Canada if the proposed Development is within the Airport Protection Area and consists of:
 - i. An incinerator or a Major Impact Utility Service;



- ii. A plant for the manufacture of products from petroleum, natural gas or hydrocarbons derived from oil sands, chemical or allied products, pulp or paper products, fertilizer or animal by-products;
- iii. A plant for primary metal production, metal processing, the processing of wood or wood products, the processing of coal, the processing of natural gas or its derivatives, the manufacture of asphalt or ready-mixed concrete, gravel crushing or meat packing;
- iv. A seed cleaning plant or feed mill plant, sewage treatment plant, sewage disposal plant, sewage lagoon, or water reservoir;
- v. A thermal electric power generating plant or steam generating plant;
- vi. A use that includes an electronic device, apparatus, equipment or other thing that is operated for industrial, scientific, medical or similar purposes; and produces and utilizes radio frequency energy in its operations but is not used for radio communication; or
- vii. A use that will or will likely result in emissions of steam or smoke accumulation of any material or waste edible by or attractive to birds; or the use of extensive exterior lighting.

12.1.4 Submission Requirements

- 1. In addition to the general submission requirements of this Bylaw, where required by the Development Officer, an application for a Development Permit for land in an Airport Protection Overlay Schedule must provide the following information:
 - i. The Grade elevation of the highest point of the proposed Building Site, to be referenced to geodetic elevations. Geodetic elevation is the elevation of a point and its vertical distance, determined by employing the principles of geodesy above or below an assumed level surface or datum;
 - ii. The proposed Building Height, in metric measurement, including clearance lights, mechanical penthouses, antennas, Building cranes during construction, receiving or transmitting Structures, masts, flagpoles, clearance markers or any other erection beyond the Height of the Principal Building Structure; and
 - iii. A narrative explaining any effects that the proposed development may have on the environment, with respect to those matters listed in Section 12.1.3.



12.2 Highway Corridor Overlay

12.2.1 Purpose

The purpose of this Overlay is to ensure that development along Highways is visually attractive and that due consideration is given to pedestrian and traffic safety.

12.2.2 Application

1. This Overlay applies to those lands identified as Highway Corridors in Part IV, Land Use District and Overlay Map.
2. For the purposes of this Overlay, the following definitions shall apply:
 - i. **Highway** means those portions of Highway 16 and Highway 17 shown on Part IV, Land Use District and Overlay Map.

12.2.3 Development Regulations

1. Access to Lot or Sites shall be provided to the satisfaction of the Development Officer.
2. All buildings on the Site shall be designed and oriented to face the Road, or at 90° to the Road, with entrances that are clearly visible.
3. All development on a Site shall be constructed using similar architectural themes. An exception may be made to this general requirement where the function of an individual business dictates a specific style or image associated with a company. In such cases, the development shall maintain harmony in terms of overall project design and appearance.
4. The façade treatment shall wrap around the building to provide a consistent profile facing both Roads to enhance pedestrian circulation and axial views.
5. All mechanical equipment, including roof mechanical units, shall be concealed by Screening in a manner compatible with the architectural character of the Building or shall be concealed by incorporating it within the Building roof.
6. Any Building or multiple occupancy Building having a single wall length greater than 40 m shall comply with the following regulations:
 - i. The roof line and Building façade shall include design elements that reduce the perceived mass of the Building and add architectural interest;
 - ii. The exterior wall finishing materials shall minimize the perceived mass of the Building; and
 - iii. Landscaping Abutting exterior walls visible from Highway 16 and Highway 17 shall be used to minimize the perceived mass of the Building and to create visual interest.



7. A Landscaped Front Yard, with a minimum width of 3.0 m, shall be provided when the Site is adjacent to Highway 16 and Highway 17 within the Highway Corridor Overlay. A continuous screen of plant material, a minimum of 1.0 m in Height, shall be concentrated in the Yard directly Abutting the Lot line in accordance with Section 4.16, provided that Sight triangles are not compromised. Plant material in addition to that prescribed in Section 4.16 may be required by the Development Officer if additional Screening is required. The provision of parking, loading or storage areas is not permissible within the 3.0 m Yard.
8. Within the required Landscaped Front Yard along Highway 16 and Highway 17, a 2.5 m sidewalk shall be provided, if not provided within the City right-of-way.
9. A pedestrian aisle a minimum of 1.5 m wide connecting parking areas to Abutting sidewalks and commercial development shall be provided to the satisfaction of the Development Officer. Pedestrian linkages and crossings shall be identifiable through decorative concrete or brick.
10. Pedestrian level street lighting, benches and street furniture shall be provided throughout the Site, to the satisfaction of the Development Officer.
11. Vehicular entrances and exits, as well as On-site and Off-site traffic and pedestrian routes, shall be located and designed in a manner that provides a clearly defined, safe, efficient and convenient circulation pattern for both On-site and Off-site vehicular traffic and pedestrian movements, including handicapped movements.
12. Adjoining Sites shall be integrated by direct On-site access connections to facilitate convenient, efficient and free flowing vehicular traffic and pedestrian movements between Sites. The Development Officer shall waive this requirement if the applicant for the development permit can show that after reasonable effort, exercised over a period of no less than sixty (60) days, the applicant has been unable to obtain the required consent from the Abutting property Owner(s) for integration and inter-Site connections.
13. Loading, storage and trash collection areas shall be located at the rear of the Principal Buildings and shall be screened from view from any Abutting Sites or Roads by Landscaping or by a solid fence 1.8 m in Height.
14. Loading bays shall be located in such a manner as not to impede the safe and efficient flow of traffic and pedestrian movement and to minimize impacts on Abutting land uses.
15. All On-site services for power, telephone, and C.A.T.V. for any Signs shall be underground.
16. An application for a new Development or for an addition to existing Building(s) shall be accompanied by a Site Plan that shows the location of easement area(s) for all existing and proposed servicing infrastructure on the Site.



Part IV Land Use District Map

- 13.3.1 The Land Use District and Overlay Map of this Bylaw, divides the City into Districts and specifies the Districts or Overlay Provisions applying to particular lands.
- 13.3.2 Should uncertainty or dispute arise relative to the precise location of any District boundary or Overlay boundary, as depicted on the Land Use District Map, the location shall be determined by applying the following rules:
- i. Where a District boundary is shown as approximately following the centre of Roads, Lanes or other public thoroughfares, it shall be deemed to follow the centre line thereof;
 - ii. Where a District boundary is shown as approximately following the boundary of a Site, the Site boundary shall be deemed to be the boundary of the District for that portion of the District boundary which approximates the Site boundary;
 - iii. Where a District boundary is shown approximately following City limits, it shall be deemed to be following City limits;
 - iv. Where a District boundary is shown as approximately following the centre of pipelines, railway lines, or utility easements, it shall be deemed to follow the centre line of the right-of-way thereof;
 - v. Where a District boundary is shown as approximately following the edge or shore lines, or other bodies of water, a topographic contour line or a top-of-the-bank line, it shall be deemed to follow such lines, and in the event of change in such edge or shorelines, it shall be deemed as moving with the same;
 - vi. Where features on the ground are at variance with those shown on the Land Use District Map or in other circumstances not mentioned above, the Development Officer shall interpret the District boundaries. Any such decision may be appealed to the Subdivision and Development Appeal Board; and
 - vii. Where a District boundary is not located in conformity to the provisions of Section (i) to (vi) above, and in effect divides or splits a registered parcel of land, the disposition of such boundary shall be determined by dimensions indicated on the Land Use District Map or by measurements directly scaled from that Map.
- 13.3.3 Notwithstanding anything contained in this Bylaw, no District shall be deemed to apply to any Roads, and any Road may be designed, constructed, widened, altered, redesigned and maintained in such manner as may be determined by City's Planning and Engineering Department.



- 13.3.4 Where any Road is closed pursuant to the provisions of the Act, the land contained therein shall there upon be deemed to carry the same District as the Abutting District, even where the Abutting land is designated as a Direct Control Districts.
- i. Where such Abutting lands are governed by different Districts, the centre line of the Road shall be deemed to be the District boundary.
- 13.3.5 Where through the operation of Section 13.3.4, the boundaries of a District are extended to include a closed portion of Road, the Area of Application for the Direct Control Districts, as set out in the regulations governing that District boundary, shall be automatically amended by the Development Officer to include, as part of the Area of Application, reference to the closed portion of the Road which becomes part of the Direct Control Districts.
- 13.3.6 Where the application of the above rules does not determine the exact location of the boundary of a District, Council, either on its own motion or upon written application being made to it by any person requesting the determination of the exact location of the boundary, shall fix the portion of the District boundary in doubt or in dispute in a manner consistent with the provisions of this Bylaw and with the degree of detail as to measurements and directions as the circumstances may require.



Part V Direct Control (DC) Districts

Section DC1

DC1.1 Purpose

The purpose of this District is to accommodate high density residential, office and multi-purpose commercial uses such that by limiting the range of specific land uses and establishing sensitive Site development regulations impacts on Abutting properties are minimized.

DC1.2 Area of Application

This District shall apply to those areas identified on the Part IV, Land Use District and Overlay Map, attached and forming part of this District.

DC1.3 Uses

DC1.3.1 Permitted Uses	DC1.3.2 Discretionary Uses
<ol style="list-style-type: none">1. Accessory Building or Use2. Utility Services, Minor3. A-Board Sign4. Awning Sign5. Development Marketing Sign6. Fascia Sign7. Fence Sign8. Freestanding Sign9. Hanging Sign10. Neighbourhood Sign11. Projecting Sign	<ol style="list-style-type: none">1. Ambulance Station2. Amusement Establishment, Indoors3. Apartment4. Apartment Combined With Commercial Uses5. Automotive and Equipment Repair Shop6. Boarding and Lodging House7. Business Support Services8. Child Care Facility9. Commercial School10. Community Hall11. Drive-in Services12. Drive-through Vehicle Services13. Duplex Dwelling14. Entertainment Establishment15. Exhibition and Convention Facilities16. Extended Medical Treatment Services17. Government Services18. Group Care Home19. Health Services20. Home Based Business, Major or Minor21. Hotel22. Lounges23. Motel24. Nightclubs25. Non-Accessory Parking26. Participant Recreation Services, Indoor or Outdoor27. Esthetics Shop28. Office29. Private Education Services30. Private Hall31. Protective and Emergency Services



	32. Public Education Services 33. Restaurants 34. Public Libraries and Cultural Exhibits 35. Public Park 36. Religious Assembly 37. Retail Store, Convenience or General 38. Row House Dwelling 39. Semi-detached Dwelling 40. Service Station, Minor 41. Single-detached Dwelling 42. Specialty Food Services 43. Town House Dwelling 44. Warehouse Sales
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DC1.4 Development Regulations

1. All development in this District is under the direct control of Council and shall:
 - i. Conform to the policies of the Municipal Development Plan;
 - ii. Provide for a compatible interface with Abutting land use and be developed in a manner intended to minimize land use conflict;
 - iii. Provide for safe and adequate vehicular traffic, parking, and pedestrian access.
2. Site area, Yards, Landscaping, access and Building Height of any Development to be constructed in this District, including parking and loading requirements, shall be established by Council, having due regard to: the impact of the proposed development on traffic flow; existing land and building uses; and the requirements in the District.
3. No loading, trash collection, outdoor service or display area shall be permitted within the Front Yard. Loading, storage and trash collection areas shall be located to the rear or sides of the Principal Building and shall be screened from the view of Abutting Sites and Roads.
4. All storage display or parking areas shall be hard surfaced.
5. All undeveloped areas shall be landscaped in a combination of soft and hard-Landscaping in accordance with Section 4.12.
6. Parking, loading, parking areas and Structures shall be developed in accordance with Section 4.15.
7. Sign applications shall be submitted in accordance with Section 4.20 and provided to the satisfaction of the Development Officer.



Section DC2

DC2.1 Purpose

The purpose of this District is to accommodate the redevelopment of the Site for existing multi-purpose commercial uses.

DC2.2 Area of Application

This District shall apply to those areas identified on Part IV, Land Use District and Overlay Map, attached and forming part of this District.

DC2.3 Uses

6.2.2.1 Permitted Uses	6.2.2.2 Discretionary Uses
<ol style="list-style-type: none">1. Accessory Building or Use2. Business Support Services3. Esthetics Shop4. Lounges5. Restaurants6. Retail Store, General or Grocery7. Service Station, Minor8. Specialty Food Services9. Utility Services, Minor10. A-Board Sign11. Awning Sign12. Banner Sign13. Fascia Sign14. Freestanding Sign15. Hanging Sign16. Projecting Sign	<ol style="list-style-type: none">1. Drive-in Services2. Drive-through Vehicle Services3. Health Services4. Motel5. Nightclubs6. Office7. Retail Store, Convenience8. Hotels9. Health Services, including a gymnasium

DC2.4 Development Regulations

1. All development in this District is under the direct control of Council and shall:
 - i. Conform to the policies of the Municipal Development Plan;
 - ii. Provide for a compatible interface with Abutting land use and be developed in a manner intended to minimize land use conflict;
 - iii. Provide for safe and adequate vehicular traffic, parking, and pedestrian access.
2. Site area, Yards, Landscaping, access and Building Height of any Development to be constructed in this District, including parking and loading requirements, shall be established by Council, having due regard to the following:



- i. The impact on the proposed development on traffic flow;
 - ii. Existing land and building uses;
 - iii. The requirements in the District in which the proposed use is permitted.
3. No loading, trash collection, outdoor service or display area shall be permitted within the Front Yard. Loading, storage and trash collection areas shall be located to the rear or sides of the Principal Building and shall be screened from the view of Abutting Sites and Roads.
4. All storage display or parking areas shall be hard surfaced.
5. All undeveloped areas shall be landscaped in a combination of soft and hard-Landscaping in accordance with Section 4.12.
6. Parking, loading, parking areas and Structures shall be developed in accordance with Section 4.15.
7. Signs applications shall be submitted in accordance with Section 4.20 and provided to the satisfaction of the Development Officer.



Section DC3

DC3.1 Purpose

The purpose of this District is to accommodate the development of a Site with large multi-purpose commercial uses. This new zoning District would allow, as permitted uses, commercial businesses typical of “power centre” developments in other cities.

DC3.2 Area of Application

Lot 1, Block 1, Plan 992 3100, Lot 2, Block 1, Plan 992 3100, Lot 1, Block 2, Plan 982 5313, Lot 3, Block 2, Plan 982 5313, Lot 2, Block 2, Plan 982 5313, Lot 5, Block 2, Plan 022 4375, Lot 6, Block 2, Plan 032 2663.

DC3.3 Uses

DC3.3.1 Permitted Uses	DC3.3.2 Discretionary Uses
<ul style="list-style-type: none">1. Accessory Building or Use2. Business Support Services3. Drive-in Services4. Drive-through Vehicle Services5. Entertainment Establishment6. Esthetics Shop7. Hardware and Home Improvement Store8. Lounges9. Office10. Participant Recreation Services, Indoor11. Restaurants12. Retail Store, Convenience, General or Grocery13. Service Station, Major14. Service Station, Minor15. Specialty Food Services16. Utility Services, Minor17. Warehouse Sales18. A-Board Sign19. Awning Sign20. Banner Sign21. Development Marketing Sign22. Fascia Sign23. Freestanding Sign24. Hanging Sign25. Portable Sign26. Projecting Sign	<ul style="list-style-type: none">1. Hotel2. Nightclubs

DC3.4 Development Regulations

- 1. All development in this District is under the direct control of Council and shall:



- i. Conform to the policies of the current Municipal Development Plan in effect at the time of application;
 - ii. Provide for a compatible interface with Abutting land use and be developed in a manner intended to minimize land use conflict; and
 - iii. Provide for safe and adequate vehicular traffic, parking, and pedestrian access.
2. Site area, Yards, Landscaping, access and Building Height of any development to be constructed in this District, including parking and loading requirements, shall be established by Council, having due regard to the following:
 - i. The impact of the proposed development on traffic flow;
 - ii. The requirements in the District in which the proposed use is permitted.
3. All storage display and parking areas shall be hard surfaced.
4. No loading, trash collection, outdoor service or display area shall be permitted within the Front Yard.
5. The minimum Site area shall be at the discretion of Council having consideration for the development regulations in Section 4 and Section 5.
6. The maximum Site area for regional shopping centres shall be at the discretion of Council having consideration for the development regulations in in Section 4 and Section 5.
7. Service Stations, Minor and Drive-in Services shall be developed in accordance with those regulations set out in Section 4 and Section 5.
8. All undeveloped areas shall be landscaped in a combination of soft and hard-Landscaping in accordance with Section 4.12.
9. Parking, loading, parking areas and Structures shall be developed in accordance with Section 4.15.
10. Sign applications shall be submitted in accordance with Section 4.20 and provided to the satisfaction of the Development Officer.
11. Portable Signs are only permitted on Sites subject to the Highway Corridor Overlay, shall be located adjacent to Highway 16 or Highway 17.



Section DC4

DC4.1 Purpose

The purpose of this zoning District is to accommodate areas deemed highly environmentally sensitive and planned for light industrial business parks containing clean industrial and office uses with limited outdoor storage, and to provide for industrial business sites transitioning from Abutting commercial uses.

DC4.2 Area of Application

Part of Lot C, Plan 3180 MC, Part of PCL B, Plan 1032 KS, Part(s) of SW ¼ SEC. 2-TWP.50-RGE.1 – W4M, Lot K & L, Plan 4584 NY, Lot M, Plan 4584 NY, Lot N, Plan 4584 NY, Lot H, Plan 2498 KS, Lot J, Plan 2498 KS, Lot A, Plan 4418 HW.

DC4.3 Uses

DC4.3.1 Permitted Uses	DC4.3.2 Discretionary Uses
<ol style="list-style-type: none"> 1. Accessory Building or Use 2. Agriculture Oriented Sales and Services 3. Auctioneering Establishment 4. Automotive and Minor Recreation Vehicles Sales and Rentals 5. Business Support Services 6. Commercial School 7. Contractor Services, Limited 8. Drive-in Services 9. Drive-through Vehicle Services 10. Equipment Rental 11. Esthetics Shop 12. Funeral Services 13. Government Services 14. Greenhouse and Plant Nurseries 15. Hardware and Home Improvement Store 16. Household Repair Services 17. Lounges 18. Manufacturing Establishment 19. Office 20. Participant Recreation Services, Indoor 21. Private Hall 22. Protective and Emergency Services 23. Recycling Depot, Minor 24. Restaurants 25. Retail Store, Convenience 26. Service Station, Major or Minor 27. Specialty Food Services 28. Truck and Mobile Homes Sales and Rentals 29. Veterinary Services, Minor 30. Utility Services, Minor 31. Warehouse Sales 	<ol style="list-style-type: none"> 1. Ambulance Station 2. Amusement Establishment, Indoor 3. Auto Body Repair and Paint Shop 4. Bulk Fuel Storage and Distribution 5. Community Hall 6. Impact Utility Service, Minor 7. Kennel 8. Recycling Depots, Major 9. Temporary Sales Center 10. Veterinary Services, Major 11. Billboard Sign



32. Warehousing 33. A-Board Sign 34. Awning Sign 35. Banner Sign 36. Development Marketing Sign 37. Fascia Sign 38. Freestanding Sign 39. Hanging Sign 40. Projecting Sign	
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DC4.4 Development Regulations

1. Development in this District shall be evaluated with respect to compliance with the Light Industrial (I1) District and the provisions of Section 4 and Section 5.
2. Signs applications shall be submitted in accordance with Section 4.20 and provided to the satisfaction of the Development Officer.



Section DC5

DC5.1 Purpose

The purpose of this zoning District is to accommodate the development of a commercial area intended to serve vehicular oriented traffic on Sites located Abutting to Highway 16 and to provide development that minimizes large vehicular internal traffic

DC5.2 Area of Application

Lot 1, Lot 2 and Lot 3, Block 4, Plan 122 1428.

DC5.3 Uses

DC5.3.1 Permitted Uses	DC5.3.2 Discretionary Uses
<ul style="list-style-type: none">1. Accessory Building or Use2. Business Support Services3. Commercial Schools, not including using heavy or industrial vehicles4. Drive-in Services5. Drive-through Vehicle Services6. Entertainment Establishment7. Esthetic Shops8. Exhibition and Convention Facilities9. Government Services10. Hardware and Home Improvement Store11. Health Services12. Hotel13. Lounges14. Motel15. Nightclubs16. Non-Accessory Parking17. Office18. Protective and Emergency Services19. Public Libraries and Cultural Exhibits20. Restaurants21. Retail Store22. Service Station, Minor23. Specialty Food Services24. Temporary On-premises Sign25. Utility Services, Major or Minor26. Veterinary Services, Minor27. A-Board Sign28. Awning Sign29. Banner Sign30. Development Marketing Sign31. Fascia Sign32. Freestanding Sign33. Hanging Sign34. Portable Sign	<ul style="list-style-type: none">1. Amusement Establishments, Indoors2. Billboard Sign3. Temporary Sales Centre



35. Projecting Sign	
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DC5.4 Development Regulations

1. Development in this District shall be evaluated with respect to compliance with the C2 District and all provisions of this Bylaw and its updates where not specially overridden by this District with the exception of the following, subject to Council approval: Zero interior Lot line; Parking requirements; Height restrictions; and Setback requirements.
2. Signs applications shall be submitted in accordance with Section 4.20 and provided to the satisfaction of the Development Officer.
3. Portable Signs are only permitted on Sites subject to the Highway Corridor Overlay, shall be located adjacent to Highway 16 or Highway 17.



Section DC6

DC6.1 Purpose

The purpose of this zoning District is to allow for the redevelopment of a Site for new multi-purpose commercial uses.

DC6.2 Area of Application

Lot 12, Block 1, Plan 102 121186 and Lot 18, Block 3, Plan 102 121186.

DC6.3 Uses

DC6.3.1 Permitted Uses	DC6.3.2 Discretionary Uses
<ul style="list-style-type: none">1. Child Care Facility2. Esthetic Shops3. Government Services4. Health Services5. Lounges, for less than 100 occupants6. Offices7. Restaurants, for less than 100 occupants8. Retail Stores9. Specialty Food Services10. A-Board Sign11. Awning Sign12. Banner Sign and Non-government Issued Flags13. Fascia Sign14. Freestanding Sign15. Hanging Sign16. Neighbourhood Sign17. Projecting Sign	

DC6.4 Development Regulations

- 1. Development in this District shall be evaluated with respect to compliance with the C2 District and all provisions of this Bylaw where not specially overridden by this District with the exception of the following, subject to Council approval: Height restrictions; Yard requirements; Landscaping requirements; Parking requirements; Loading Space requirements; Signage requirements; and, Minimum Lot size.
- 2. Signs applications shall be submitted in accordance with Section 4.20 and provided to the satisfaction of the Development Officer.



Section DC7

DC7.1 Purpose

The purpose of this zoning District is to facilitate the development of a regional destination and mixed-use Site that will consist of an Entertainment Center, Hotel and Retail development. This Site will be characterized by its urban design, Landscaping features and its pedestrian-friendly circulation within the Site.

DC7.2 Area of Application

Lot 13, Block 5, Plan 102084454; and Lot 14, Block 5, Plan 102084454.

DC7.3 Uses

DC7.3.1 Permitted Uses	DC7.3.2 Discretionary Uses
<ul style="list-style-type: none">1. Entertainment Centre2. Hotels3. Retail, consisting of the sale of gasoline, petroleum products, automotive accessories, the retail sale of day-to-day goods and food service. This includes gas bars, souvenir stores and take-out restaurants and does not include auto body repair, car washes, service stations or paint shops.4. A-Board Sign5. Awning Sign6. Development Marketing Sign7. Fascia Sign8. Fence Sign9. Freestanding Sign10. Hanging Sign11. Neighbourhood Sign12. Projecting Sign	<ul style="list-style-type: none">1. Casino

DC7.4 Development Regulations

- 1. All development shall generally conform to the following regulations.
- 2. The total area of the Site may not be greater than approximately 7.307 ha.
- 3. The minimum Front Yard shall be 9.1 m.
- 4. The minimum Side Yard and Rear Yard shall be 7.6 m.



5. The maximum Lot Coverage shall be 25%.
6. Pedestrian level street lighting, benches and street furniture shall be provided throughout the Site.
7. All Development within this Site shall be constructed using similar architectural themes.
8. The Development shall include design elements that create a pedestrian oriented built form, such as but not limited to window openings/alignment, multiple entrances, arcades, columns, quality materials, double Height entrances, plazas, color and other architectural features, setbacks and Stepbacks in the building mass, building articulation and the architectural treatment of the façades.
9. The Development shall incorporate weather protection in the form of a 2.0 m wide canopy or any other architectural element wherever active Frontages exist.
10. The façade treatment shall wrap around the building to provide a consistent profile facing both Roads to enhance pedestrian circulation and axial views.
11. All buildings on the Site shall be designed and oriented to face the Road with entrances that are clearly visible.
12. All mechanical equipment, including roof mechanical units shall be concealed by Screening in a manner compatible with the architectural character of the building or shall be concealed by incorporating it within the building roof.
13. The maximum Height shall be 16.0 m or 5 Storeys.
14. Landscaping
 - i. The following planting requirements shall be met in all Yards:
 - a. A minimum of one third of all the required trees must be coniferous. Coniferous trees must be a minimum Height of 2.5 m and at least 50% of the required coniferous trees must be a minimum of 3.5 m in Height at the time of planting;
 - b. Deciduous trees must have a minimum caliper of 55 mm and at least 50% of the provided deciduous trees must have a minimum caliper of 75 mm at the time of planting;
 - c. A minimum of one third of all required shrubs must be coniferous. Coniferous shrubs must be a minimum spread of 450 mm and a minimum Height of 1000 mm for upright varieties at the time of planting; and
 - d. Deciduous shrubs must be a minimum Height of 450 mm at the time of planting.
 - ii. The following planting requirements shall be met in all Yards:



- a. A Landscaped Side Yard with a minimum width of 5.0 m shall be provided adjacent to 44 Street (Highway 16), 41 Street and 40 Avenue. A continuous screen of plant material, a minimum of 1.0 m in Height, shall be concentrated adjacent to these Roads. The provision of parking, loading or storage areas is not permitted within this Yard.
- b. Within the Landscaped Yard provided along 44 Street (Highway 16), 41 Street and 40 Avenue, a 2.5 m sidewalk should be provided.
- c. Pedestrian linkages and crossings shall be identifiable though decorative paving, stamping, patterned concrete or brick.
- d. Visual Screening a minimum of 2.0 m high shall be provided by a solid fence along the east property line.
- e. Landscaped parking islands shall be contained by a 150 mm high concrete curb.
- f. Landscaped parking islands within the parking area: must be provided at a ratio of 2.0 m² of landscaped island for every parking stall provided; must consist of a minimum area of 14.0 m² with at least one side of the island being a minimum length of 2.5 m; and the number of trees and shrubs required shall be one tree for each 20 m² and one shrub for each 10 m² of required parking area island, or a minimum of one tree and two shrubs per island, whichever is greater.
- g. Vehicular entrances and exits, as well as On-site and Off-site traffic and pedestrian routes, shall be located and designed in a manner that provides a clearly defined, safe, efficient and convenient circulation pattern for both On-site and Off-site vehicular traffic and pedestrian movements, including handicapped movements.

15. Parking

- i. Notwithstanding any other requirement of this Bylaw, the minimum parking requirements are as follows:

Usage:	Parking Requirement:
Casino	1 stall per 2.4 m ² of public Casino space
Entertainment Centre	Greater of: 1 stall per 6.25 m ² or 1 stall per 5 seats
Hotel	1 stall per guest room
Restaurant	Greater of: 1 stall per 5 m ² of seating space or 1 stall per 4 seats
Retail Centre	3.4 stalls per 100 m ² of Gross Floor Area plus one per gas pump island
Additional Requirements:	



Restaurant, Hotel, Entertainment Centre and Casino	1 stall per 3 employees
Bus Parking	5 stalls
Disabled Parking	3 parking stalls plus 1 additional stall for every additional increment of 100 or part thereof over first 100 stalls

- ii. The parking stalls shall be provided in accordance with the following:
- a. Except as provided in Section 6(b) below, each required Off-street Parking space shall be a minimum of 3.0 m in width for 90 degree parking and 2.6 m for angle parking and a minimum of 5.5 m in length, exclusive of access drives or aisles, ramps, columns, or office work areas. Such spaces shall have a vertical clearance of at least 2.0 m.
 - b. For parallel parking, the length of the parking spaces shall be 7.0 m except that an end space with an open end shall be a minimum of 5.5 m.
 - c. For parking spaces other than parallel parking spaces, up to 15% of the required parking spaces may be of a length shorter than that required under Subsection (i) above, to a minimum of 4.6 m.
 - d. Drive aisles shall be a minimum of 7.5 m wide for 90° parking, 5.5 m wide for 60° parking and 3.6 m wide for 45° and parallel parking.
 - e. Parking spaces for disabled persons shall be located as close as possible to elevators, ramps, Walkways, and building entrances, and provided in accordance with the Alberta Building Code.
 - f. A pedestrian aisle a minimum of 1.5 m wide connecting parking areas to adjacent sidewalks and commercial development must be provided.
 - g. Bus parking stalls must be provided as outlined in Section 6(a) and shall be a minimum of 4 m in width and 18 m in length.

16. Signage

- i. Fascia Signs shall be provided in accordance with the following provisions:
- a. The maximum coverage area of a Fascia Sign shall be twenty percent (20%) of the building face that includes the main entrance to the building; and five percent (5%) for all other building faces. The building face is defined by the lower and upper limits of the building wall.
 - b. A Fascia Sign shall not extend above the eave line of any building elevation.



- c. A Fascia Sign exceeding a Height of 1.5 m and with a Sign Area greater than 10.0 m² shall be limited to individual letters or shapes. The letters or shapes shall be either fixed directly to the building without a sign-backing panel or mounted by an architecturally compatible method.
 - ii. One Freestanding Sign, located in the northwest portion of the Site shall be provided in accordance with the following provisions:
 - a. The total Copy area of a Freestanding Sign shall not exceed 0.3 m² in area for each metre of street Frontage of the Site, to a maximum of 17.0 m².
 - b. The minimum setback to any portion of a Freestanding Sign shall be 0.75 m from the property line.
 - c. The maximum Sign Height of the Freestanding Sign shall be 9.1 m.
 - d. Freestanding Signs shall have a low profile landscaped area of 1.0 m around the base of the sign. The Landscaping shall not interfere with traffic lines-of-sight.
 - iii. All signs, including traffic and pedestrian wayfinding signage, shall be permanently affixed.
 - iv. At the time of development permit application a Comprehensive Sign Design Plan and schedule shall be submitted. The Comprehensive Sign Design Plan shall be designed to contribute to the special character of the Site through the use of high quality signage, and that is designed as an integral built form component that contributes to urban design objectives for the Site.

17. Additional Development Regulations

- i. A Casino shall not be located closer than 800.0 m from any other Casino.
- ii. The Entertainment Center shall include Restaurants (for more than 100 occupants) as an Accessory use.
- iii. Vehicular entrances and exits, as well as On-site and Off-site traffic and pedestrian routes, shall be located and designed in a manner that provides a clearly defined, safe, efficient and convenient circulation pattern for both On-site and Off-site vehicular traffic and pedestrian movements, including handicapped movements.
- iv. Loading, storage and trash collection areas shall be located at the rear of the Principal Buildings and shall be screened from view from any adjacent Sites or Roads by Landscaping in accordance with DC7 Section 5 or by a solid fence 2.0 m in Height.
- v. Loading bays shall be located in such a manner as not to impede the safe and efficient flow of traffic and pedestrian movement and to minimize impacts on adjacent land uses.



- vi. **The Access Route Design must meet the requirements set out in the National Building Code of Canada 2005, Division B 3.2.5.6 or equivalent section as amended or updated from time to time.**



Part IV - Land Use Map
Overlay Map

Land Use District and Overlay Map
City of Lloydminster

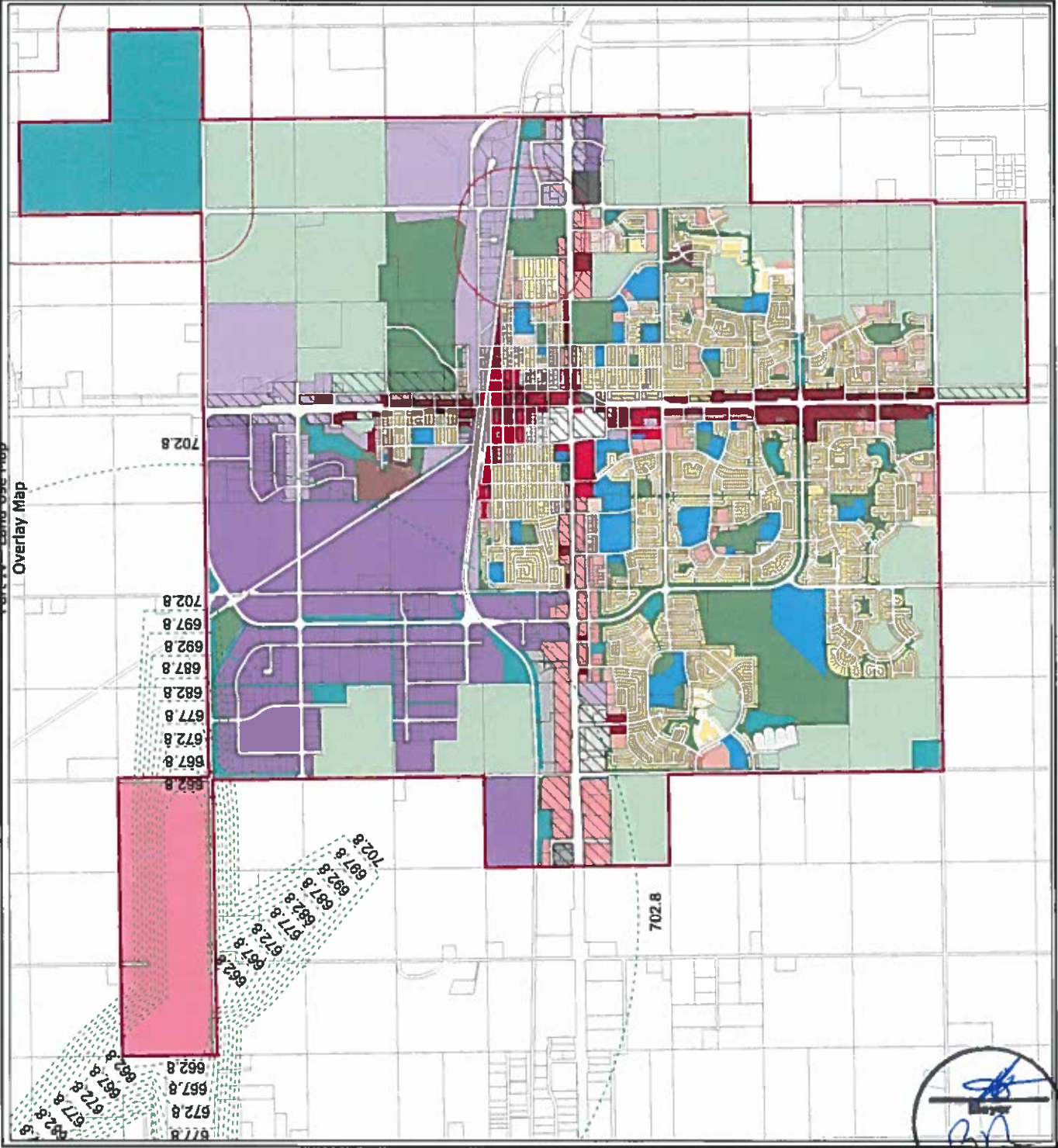
- Vexity Protection
- Land Use District
- Land Use Districts
- R1 Single-detached Residential
- R2 Semi-detached Residential
- R3 Row House Residential
- R4 Medium Density Residential
- R5 High Density Residential
- R6+ Residential Manufactured Home
- C1 Central Commercial
- C2 Highway Corridor Commercial
- C3 Neighbourhood Commercial
- C4 Commercial Shopping Centre
- C5 Service Commercial
- I1 Light Industrial
- I2 Medium Industrial
- I3 Heavy Industrial
- PS Public Services
- PU Public Utility
- UP Urban Park
- MA1 Municipal Airport/Airside
- MA2 Municipal Airport Groundside
- U7 Urban Transition
- DC1
- DC2
- DC3
- DC4
- DC5
- DC6
- DC7
- Land Use Overlays
- HCO Highway Corridor Overlay

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The City of Lloydminster
Alberta / Saskatchewan
Geomatics Services

Date: 05/06/2018



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