



Medicine Hat

2026

CITY OF MEDICINE HAT

LAND USE BYLAW

NO. 4853-2026



CONTENTS

PART 1: INTRODUCTION	1
Administration.....	1
1 Title	1
2 Repeal of Land Use Bylaw No. 4168	1
3 Effective Date and Transitional Provisions	1
4 Application	1
5 Purpose.....	1
6 Interpretation	2
7 Rounding of Numbers	3
8 Determining Boundaries.....	3
Land Use Districts	4
9 Land Use Districts Established.....	4
10 Purpose Statements.....	4
11 Suburban and General Urban Typology Map	5
Rules of This Bylaw.....	6
12 Development Regulations	6
13 Compliance with Other Legal Requirements.....	6
14 Severance of Provisions.....	6
PART 2: SUBURBAN AND GENERAL URBAN TYPOLOGIES.....	7
Neighbourhood Residential 1 (N-R1) District.....	8
15 N-R1 Purpose	8
16 N-R1 Permitted and Discretionary Uses.....	8
17 N-R1 General Regulations	8
18 N-R1 Density.....	9
19 N-R1 Site Coverage	9
20 N-R1 Building Height.....	9
21 N-R1 Site Width and Site Depth	9
22 N-R1 Setbacks.....	10
Neighbourhood Residential 2 (N-R2) District.....	12
23 N-R2 Purpose	12
24 N-R2 Permitted and Discretionary Uses.....	12
25 N-R2 General Regulations	12
26 N-R2 Density.....	13
27 N-R2 Site Coverage	13
28 N-R2 Building Height.....	13
29 N-R2 Site Width and Site Depth	14
30 N-R2 Setbacks.....	15
Neighbourhood Residential 3 (N-R3) District.....	17
31 N-R3 Purpose	17
32 N-R3 Permitted and Discretionary Uses.....	17
33 N-R3 General Regulations	17
34 N-R3 Density.....	17
35 N-R3 Building Height.....	18
36 N-R3 Setbacks.....	18

Neighbourhood Residential 4 (N-R4) District	19
37 N-R4 Purpose	19
38 N-R4 Permitted and Discretionary Uses	19
39 N-R4 General Regulations	20
40 N-R4 Density.....	20
41 N-R4 Building Height.....	20
42 N-R4 Setbacks	20
Neighbourhood Commercial 1 (N-C1) District.....	21
43 N-C1 Purpose	21
44 N-C1 Permitted and Discretionary Uses	21
45 N-C1 General Regulations	21
46 N-C1 Building Height.....	22
47 N-C1 Setbacks	22
Neighbourhood Commercial 2 (N-C2) District.....	23
48 N-C2 Purpose	23
49 N-C2 Permitted and Discretionary Uses	23
50 N-C2 General Regulations	24
51 N-C2 Building Height.....	24
52 N-C2 Setbacks	25
Neighbourhood Community and Culture (N-CC) District	26
53 N-CC Purpose	26
54 N-CC Permitted and Discretionary Uses	26
55 N-CC General Regulations	26
56 N-CC Building Height	27
57 N-CC Setbacks	27
Neighbourhood Parks, Recreation and Schools (N-PRS) District	28
58 N-PRS Purpose.....	28
59 N-PRS Permitted and Discretionary Uses	28
60 N-PRS General Regulations.....	28
PART 3: URBAN VILLAGES AND CORRIDORS TYPOLOGY	31
Urban Villages and Corridors (UVC) District	32
61 UVC Purpose	32
62 UVC Permitted and Discretionary Uses.....	32
63 UVC General Regulations	34
64 UVC Building Height.....	34
65 UVC Setbacks.....	35
PART 4: URBAN CORE TYPOLOGY	37
Urban Core (UC) District.....	38
66 UC Purpose.....	38
67 UC Permitted and Discretionary Uses	38
68 UC General Regulations.....	39
69 UC Building Height.....	40
70 UC Setbacks	41
PART 5: SPECIAL USE TYPOLOGY	43

Planned Residential Community Special Use (SU-PRC) District	44
71 SU-PRC Purpose	44
72 SU-PRC Permitted and Discretionary Uses	44
73 SU-PRC General Regulations	44
74 SU-PRC Building Height	45
75 SU-PRC Site Width, Site Depth and Site Area	45
76 SU-PRC Setbacks.....	45
Semi-Public Special Use (SU-SP) District	46
77 SU-SP Purpose	46
78 SU-SP Permitted and Discretionary Uses	46
79 SU-SP General Regulations.....	46
Regional Park Special Use (SU-RP) District.....	47
80 SU-RP Purpose.....	47
81 SU-RP Permitted and Discretionary Uses	47
82 SU-RP General Regulations.....	47
Regional Commercial Special Use (SU-RC) District	48
83 SU-RC Purpose	48
84 SU-RC Permitted and Discretionary Uses	48
85 SU-RC General Regulations	49
86 SU-RC Building Height.....	50
87 SU-RC Site Width and Site Depth	50
88 SU-RC Setbacks	50
Airport Special Use (SU-AIR) District.....	51
89 SU-AIR Purpose.....	51
90 SU-AIR Permitted and Discretionary Uses	51
91 SU-AIR General Regulations.....	51
92 SU-AIR Building Height.....	52
Infrastructure Special Use (SU-INF) District	53
93 SU-INF Purpose.....	53
94 SU-INF Permitted and Discretionary Uses	53
95 SU-INF General Regulations.....	53
Direct Control Special Use (SU-DC) District	54
96 SU-DC Purpose	54
97 Land Uses Requiring SU-DC District and Council Decision.....	54
98 SU-DC General Regulations	54
99 SU-DC Approval for Minor Development.....	55
PART 6: INDUSTRIAL TYPOLOGY	57
Light/Medium Industrial (I-LM) District	58
100 I-LM Purpose.....	58
101 I-LM Permitted and Discretionary Uses	58
102 I-LM General Regulations.....	60
103 I-LM Site Frontage and Site Area	60
104 I-LM Setbacks	60
Heavy Industrial (I-H) District.....	61
105 I-H Purpose.....	61

106	I-H Permitted and Discretionary Uses.....	61
107	I-H General Regulations.....	61
108	I-H Site Area.....	61
109	I-H Setbacks.....	62
PART 7:	NATURAL AND OPEN SPACE TYPOLOGY	63
	Natural and Open Space (NOS) District	64
110	NOS Purpose	64
111	NOS Permitted and Discretionary Uses.....	64
112	NOS General Regulations	64
PART 8:	FUTURE URBAN DEVELOPMENT TYPOLOGY	67
	Future Urban Development (FUD) District	68
113	FUD Purpose	68
114	FUD Permitted and Discretionary Uses	68
115	FUD General Regulations:	69
116	FUD Density.....	69
117	FUD Building Height:.....	69
PART 9:	RULES FOR ALL DISTRICTS	71
118	Application.....	71
119	Environmental	71
120	Geotechnical	72
121	Flood Hazard.....	73
122	Historic Resources	75
123	Health, Safety and Nuisance	76
124	Infrastructure and Servicing Capacity	78
125	Oil and Gas Infrastructure	78
126	Non-Conforming Uses and Buildings.....	79
127	Non-Conforming Sites	79
128	Design, Character and Appearance.....	80
129	Crime Prevention Through Environmental Design.....	81
130	Pedestrian Connectivity.....	82
131	Vehicle Access.....	82
132	Residential Driveways	84
133	Parking.....	85
134	Drainage	88
135	Landscaping.....	89
136	Screening	91
137	Lighting	91
138	Outdoor Storage.....	92
139	Outdoor Display Areas	92
140	Waste Management	92
141	Projections Into Setbacks.....	93
142	Building Height Exceptions.....	93
143	Corner Visibility Triangles.....	93
144	Prohibited Development	94
PART 10:	USE SPECIFIC RULES.....	95
	Residential Use Rules	95

145	All Residential Uses	95
146	Multiple Unit Housing	96
147	Secondary Suite.....	96
148	Backyard Suite.....	97
149	Remote Work.....	98
150	Home Business, Minor and Major.....	98
151	Bed and Breakfast.....	99
152	Short Term Dwelling Rental.....	100
153	Residential Accessory Building	100
154	Residential Accessory Structure.....	101
Commercial and Institutional Use Rules		103
155	All Commercial and Institutional Uses	103
156	Childcare Service	103
157	Community Garden	104
158	Temporary Vendor	104
159	Liquor Store and Cannabis Store	104
160	Adult Novelty Store.....	105
161	Animal Kennel/Training Centre and Animal Breeding Operation.....	105
162	Drive Through	106
Industrial, Infrastructure and Other Use Rules.....		107
163	All Industrial Uses	107
164	Public Utility, Minor.....	108
165	Renewable Energy System, Minor	108
166	Similar Use.....	108
PART 11: SIGN RULES.....		109
Signs: Development Permits		109
167	Signs: Development Permit Required.....	109
168	Signs: Discretionary Use	109
169	Signs: Development Permit Exemption	109
Signs: General Development Regulations		113
170	Rules for All Signs.....	113
171	Number of Signs	113
172	Height of Signs.....	114
173	Separation Distance Between Signs	114
174	Sign Area	114
175	Electronic Displays.....	114
176	Sign Content	115
Signs: Use Specific Rules		116
177	Freestanding Signs	116
178	Specialized Signs.....	116
PART 12: AIRPORT ZONING REGULATION OVERLAY.....		117
179	Purpose of This Overlay.....	117
180	Area of Application	117
181	Regulations of This Overlay	117
PART 13: DEVELOPMENT AUTHORITY.....		119

182	Development Authority Established.....	119
183	Development Authority Powers and Duties.....	119
184	Administrative Powers and Duties.....	120
185	Referrals to the MPC.....	121
186	Fees.....	121
PART 14: DEVELOPMENT PROCESS.....		123
	Development Permits.....	123
187	Development Permit Required.....	123
188	Development Permit Exemption.....	123
	Development Permit Application.....	128
189	Eligibility to Submit Application for Development Permit.....	128
190	Development Permit Application Requirements.....	128
191	Effective Date of Development Permit Approval.....	129
192	Duration of Development Permit Approval.....	130
193	Re-application Following Development Permit Refusal.....	130
PART 15: LAND USE BYLAW AMENDMENTS.....		131
194	Text Amendment Application Requirements.....	131
195	Eligibility to Submit Rezoning Application.....	131
196	Rezoning Application Requirements.....	131
197	Amendment Application Review.....	131
198	Re-application Following Rezoning Refusal.....	132
PART 16: COMPLIANCE WITH THIS BYLAW.....		133
199	Enforcement.....	133
200	Inspections.....	133
201	Offences.....	133
202	Penalties.....	133
203	Stop Order.....	134
204	Cancellation/Suspension of Development Permit.....	134
PART 17: USE DEFINITIONS.....		137
205	Residential Uses.....	138
206	Open Space Uses.....	140
207	Institutional Uses.....	140
208	Commercial Uses.....	143
209	Industrial Uses.....	148
210	Agricultural Uses.....	150
211	Infrastructure Uses.....	151
212	Special Uses.....	152
213	Other Uses.....	152
PART 18: GENERAL DEFINITIONS.....		153

BYLAW NO. 4853

A BYLAW TO REGULATE THE DEVELOPMENT AND USE OF LAND IN THE CITY OF MEDICINE HAT

WHEREAS the *Municipal Government Act* requires every Alberta municipality to pass a land use bylaw which may prohibit, regulate and control the use and development of land and buildings in a municipality;

AND WHEREAS Medicine Hat City Council has held a public hearing in accordance with the requirements of the *Municipal Government Act*;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CITY OF MEDICINE HAT ENACTS AS FOLLOWS:

Part 1: Introduction

Administration

1 Title

The City of Medicine Hat Land Use Bylaw No. 4853 may be referred to as “**this Bylaw**”.

2 Repeal of Land Use Bylaw No. 4168

City of Medicine Hat Land Use Bylaw No. 4168, as amended, is repealed and of no further force or effect except where explicitly stated otherwise in **this Bylaw**.

3 Effective Date and Transitional Provisions

- (1) **This Bylaw** is enacted and comes into force on the day it is passed.
- (2) Subject to the provisions of Subsection (3) of this Section, an application for a **development permit** that has been received by the **Development Authority** prior to the enactment of **this Bylaw**, must be dealt with by the **Development Authority** as if **this Bylaw** had not been enacted and Bylaw No. 4168 as amended had not been repealed.
- (3) Except in the case of an application involving lands in the SU-DC District, a **development permit**:
 - (a) may be issued by a **Development Officer** to whom the powers of **Development Authority** have been delegated; or
 - (b) may be referred by a **Development Officer** to the **Municipal Planning Commission (MPC)** for a decision, in respect of any application to which Subsection (2) of this Section applies.
- (4) A **development permit** that was in force and effect at the date of enactment of **this Bylaw** continues to be in force and effect and is subject to suspension, cancellation, or enforcement pursuant to Part 16 (Compliance with This Bylaw) as though it had been issued under **this Bylaw**.

4 Application

This Bylaw applies to all land and **buildings** contained within the municipal boundaries of the **City of Medicine Hat (the City)**.

5 Purpose

In accordance with the provisions of the **Municipal Government Act (MGA)**, the purpose of **this Bylaw** is to prohibit or regulate and control the **use** and **development** of land and **buildings** by, among other things:

- (1) dividing **the City** into **districts**;
- (2) listing the **permitted uses** and **discretionary uses** allowed in each **district**;
- (3) establishing provisions for:
 - (a) making decisions on applications for **development**, and
 - (b) issuing **development permits**;
- (4) implementing, over the long-term, the **Municipal Development Plan (MDP)** and other **statutory plans**; and
- (5) providing for any other matter **Council** considers necessary.

6 Interpretation

- (1) In **this Bylaw** and in any form, procedure, protocol, requirement, guideline, or interpretation of terminology created or issued by the **Development Authority**, unless the context explicitly or by necessary implication requires otherwise:
 - (a) the letter “m” standing alone in lower case means “metres”;
 - (b) the words "include," "includes," "including," and similar formulations are deemed to be followed by "without limitation";
 - (c) a reference to a person means both a natural person and a body corporate or partnership;
 - (d) a reference to an application for a **development permit** includes an application for an amendment to an existing **development permit**;
 - (e) a word or expression not defined in **this Bylaw** but is defined in the **MGA** has the same meaning as in the **MGA**, except that the meaning of the word “road” is expanded to incorporate everything included in the definition of “highway” in the *Traffic Safety Act*;
 - (f) a word or expression not defined in **this Bylaw** and not defined in the **MGA**:
 - (1) has the same meaning as defined in any relevant federal or provincial enactment, or City bylaw,
 - (2) has their plain and ordinary meaning, or
 - (3) has the same meaning as defined in the current edition of the *Canadian Oxford Dictionary*,
as the context requires;
 - (g) technical diagrams and contextual images are intended to support the interpretation of definitions and regulations; and
 - (h) any provincial or federal enactments, City bylaws, or other documents of regulatory significance published by a government agency or other body having jurisdiction refers to:
 - (1) the enactment, bylaw, or document as may be amended from time-to-time, or
 - (2) any enactment, bylaw, or document passed or published in replacement thereof.
- (2) In **this Bylaw**, words that are ‘**Bolded and Capitalized**’
- (3) are:
 - (a) **uses** defined in Part 17 (Use Definitions); or
 - (b) headings and titles within **this Bylaw**.
- (4) In **this Bylaw**, words that are ‘**bolded and italicized**’ are general terms defined in Part 18 (General Definitions). In Part 18 (General Definitions), for readability, only the general term being defined is **bolded and italicized**.
- (5) In **this Bylaw**, words that are ‘*italicized*’ are references to:
 - (a) federal or provincial enactments, City bylaws, or other documents of regulatory significance as amended or replaced from time-to-time;
 - (b) federal, provincial, or municipal departments, committees, boards, or individuals with jurisdiction and their replacements; or
 - (c) any other publication or body of regulatory significance to the implementation of **this Bylaw**.
- (6) The text of **purpose statements** are not bolded, capitalized, or italicized as outlined in Subsections (2), (3), and (4) of this Section.

7 Rounding of Numbers

In determining whether a **building**, a **site**, a **setback**, a sign, or any other thing complies with a requirement of height, area, distance, luminance or illumination, the measurement of the **building**, **site**, **setback**, sign, or other thing shall be rounded to the same number of significant digits as set out in **this Bylaw**.

8 Determining Boundaries

In the event of uncertainty or dispute with respect to the location of the boundary of a **district** or **overlay**, the location will be determined by application of the following rules:

- (1) where the boundary of a **district** or **overlay** is shown as approximately following the boundary of a **site**, a utility right-of-way, an easement, or **the City**, the district boundary or overlay boundary is deemed to follow the surveyed boundary of the **site**, the utility right-of-way, the easement, or **the City**;
- (2) where the boundary of a **district** or **overlay** is shown as approximately following a **road**, the **road** itself is not included within the **district** or **overlay**;
- (3) where the boundary of a **district** or **overlay** is shown as approximately following the edge or shore of a body of water, the boundary is deemed to follow the edge line or shore line and in the event of a naturally occurring change in the location of the edge line or shore line the district boundary or overlay boundary is deemed to have changed to conform to the new location of the edge line or shore line;
- (4) where the boundary of a **district** or **overlay** is shown as following a topographic contour line or a **development setback line** established on **geophysical risk lands**, the boundary is deemed to follow the contour line or **development setback line**, and in the event of a change in the location of the contour line caused by natural forces or a change made by the **Development Authority** to the **development setback line** the boundary is deemed to have changed to conform to the new location of the contour line or **development setback line**;
- (5) where the boundary of a **district** or **overlay** is shown as being parallel to or an extension of any of the features described in Subsections (1) through (4) of this Section, the boundary is deemed to be where a plan of survey shows, or would show, such parallel or extended line to be; and
- (6) if the exact location of a district boundary or overlay boundary cannot be determined by the application of Subsections (1) through (5) of this Section, the **Development Authority** shall determine the location of the boundary on the basis of measurements scaled from the applicable **Land Use District Map** or overlay map.

Land Use Districts

9 Land Use Districts Established

The following **districts** are established, the locations of which are shown on the **Land Use District Map**.

Land Use District	Short Form
Neighbourhood Residential 1 District	N-R1
Neighbourhood Residential 2 District	N-R2
Neighbourhood Residential 3 District	N-R3
Neighbourhood Residential 4 District	N-R4
Neighbourhood Commercial 1 District	N-C1
Neighbourhood Commercial 2 District	N-C2
Neighbourhood Community and Culture District	N-CC
Neighbourhood Parks, Recreation, and Schools District	N-PRS
Urban Villages and Corridors District	UVC
Urban Core District	UC
Planned Residential Community Special Use District	SU-PRC
Semi-Public Special Use District	SU-SP
Regional Park Special Use District	SU-RP
Regional Commercial Special Use District	SU-RC
Airport Special Use District	SU-AIR
Infrastructure Special Use District	SU-INF
Direct Control Special Use District	SU-DC
Light/Medium Industrial District	I-LM
Heavy Industrial District	I-H
Natural and Open Space District	NOS
Future Urban Development District	FUD

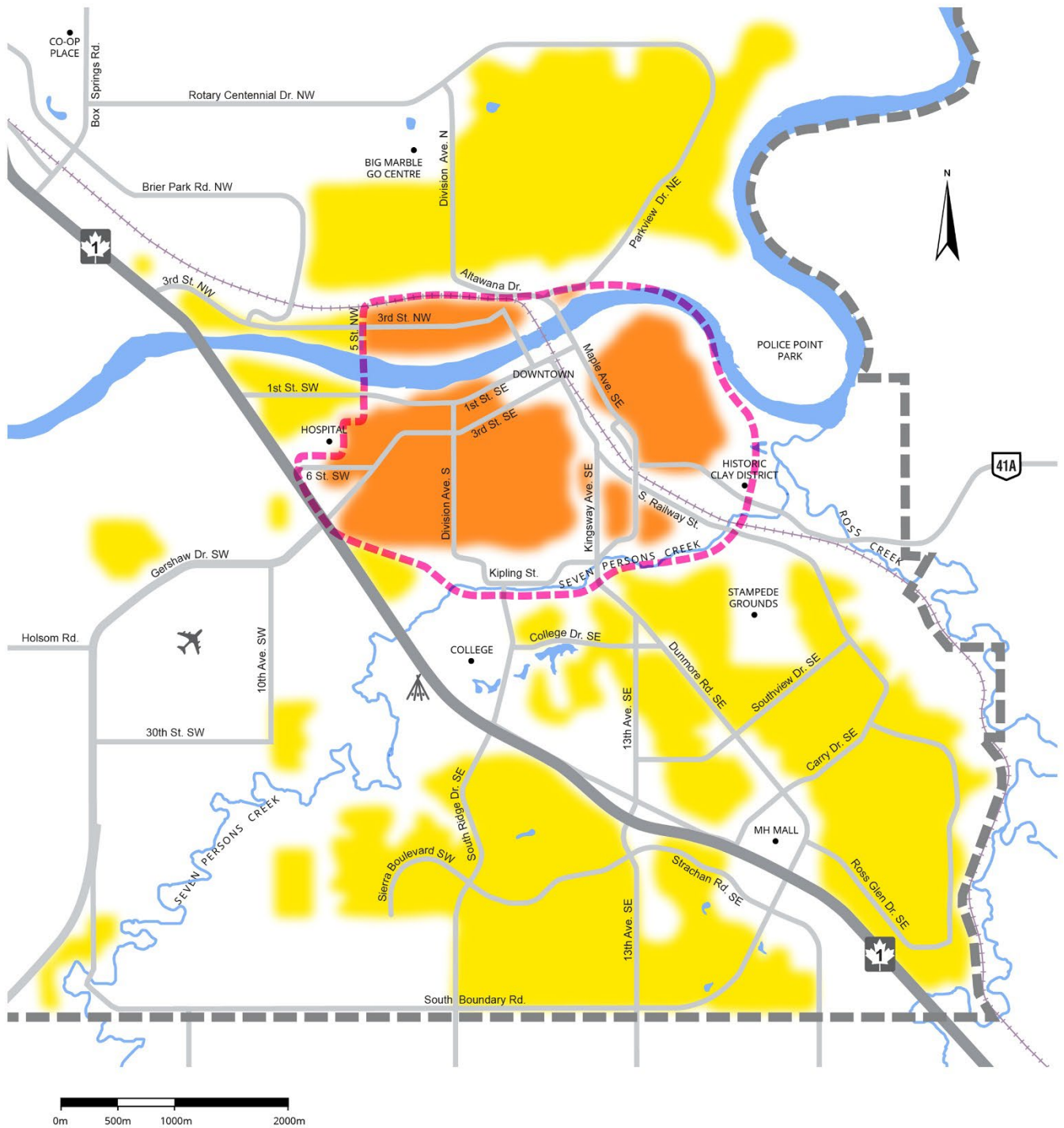
10 Purpose Statements

- (1) **Purpose statements** for **districts** are intended to describe in a general way the intent of **Council** for the **development** of the **district**.
- (2) **Purpose statements** are not to be construed as setting out exhaustively all the characteristics that a **development** must have in order to be a **permitted use** or **discretionary use** in the **district**.

11 Suburban and General Urban Typology Map

Legend

- Residential Area (General Urban Typology)
- Residential Area (Suburban Typology)
- General Urban/Suburban Boundary
- Water Body
- Trans-Canada Highway
- Road
- Railway
- City of Medicine Hat Boundary



Rules of This Bylaw

12 Development Regulations

Development regulations are established by **this Bylaw** and are contained within the following:

Part	Development Regulations
2-8	District Specific Rules
9	Rules for All Districts
10	Use Specific Rules
11	Sign Rules
12	Airport Zoning Regulation Overlay

13 Compliance with Other Legal Requirements

Nothing in **this Bylaw** affects a person's obligation to comply with:

- (1) any other enactment;
- (2) any other City bylaw; or
- (3) any permit, approval, order, or other legal requirement, concerning or affecting a **development**.

14 Severance of Provisions

- (1) Each provision of **this Bylaw** is independent of all other provisions, and if any provision of **this Bylaw** is declared invalid, all other provisions remain valid and enforceable.
- (2) If any provision of **this Bylaw** is found by a court to be of no force or effect, it is the intention of **Council** that such provision be severed from **this Bylaw** and that every other provision of **this Bylaw** continue in force and effect.



Medicine Hat

PART 2

SUBURBAN AND GENERAL URBAN TYPOLOGY



Neighbourhood Residential 1 (N-R1) District

15 N-R1 Purpose

- Provide low-density neighbourhoods where low-rise built forms are the predominant dwelling types.
- Encourage opportunities for low-density, sensitive intensification.
- Promote contextual infill that preserves unique neighbourhood character and supports contemporary design.

16 N-R1 Permitted and Discretionary Uses

Use Categories	Uses Allowed	Permitted or Discretionary
Principal Dwellings	Detached House	Permitted
	Semi-Detached Housing	Permitted
	Stacked Duplex Housing	Permitted
Health and Social Services	Continuing Care, Limited	Discretionary
Accessory Dwellings	Secondary Suite	Discretionary
	Backyard Suite	Discretionary
Home Employment Accessory Uses	Residential Day Home	Permitted
	Remote Work	Permitted
	Home Business, Minor	Discretionary
	Home Business, Major	Discretionary
	Bed and Breakfast	Permitted
	Short Term Dwelling Rental	Permitted
Other Residential Accessory Uses	Residential Accessory Building	Discretionary
	Residential Accessory Structure	Discretionary
Other	Community Garden	Permitted
	Similar Use	Discretionary

17 N-R1 General Regulations

- (1) Refer to Section 11 (Suburban and General Urban Typology Map) to determine whether a **site** is within the Suburban Typology or General Urban Typology.
- (2) **Dwellings** must be developed with a street-oriented design where primary entrances, architectural features, and **façades** contribute to a consistent and attractive streetscape.
- (3) **Dwellings** of **Semi-Detached Housing**:
 - (a) may be subdivided along demising walls and located on individual fee simple lots; and
 - (b) must not be placed over another **principal dwelling** in whole or in part.
- (4) In addition to the **development regulations** in this district, all **development** must comply with:
 - (a) Part 9 (Rules for All Districts);
 - (b) Part 10 (Use Specific Rules);

- (c) Part 11 (Sign Rules); and
- (d) Part 12 (Airport Zoning Regulation Overlay).

18 N-R1 Density

- (1) Within the N-R1 District, a **site** may be developed with the following **principal dwelling** types:
 - (a) a **Detached House**;
 - (b) **Semi-Detached Housing**; or
 - (c) **Stacked Duplex Housing**.
- (2) Within the N-R1 District:
 - (a) a **Detached House** may be developed with one **accessory dwelling**; and
 - (b) **Semi-Detached Housing** and **Stacked Duplex Housing** must not be developed with **accessory dwellings**.

19 N-R1 Site Coverage

The maximum **site coverage** is 45 %.

20 N-R1 Building Height

The maximum **building height** is:

- (1) two **storeys** to a maximum of 8.0 m for a **Backyard Suite**; and
- (2) three **storeys** to a maximum of 12.0 m for a **Detached House**, **Semi-Detached Housing**, or **Stacked Duplex Housing**.

21 N-R1 Site Width and Site Depth

Refer to Section 11 (Suburban and General Urban Typology Map) to determine whether a **site** is within the Suburban Typology or General Urban Typology.

21.1 N-R1 Existing Neighbourhood Site Standards

- (1) This Subsection applies to all N-R1 **sites** created prior to the effective date of **this Bylaw**.
- (2) The minimum **site width** and minimum **site depth** are as follows:

Land Use	Site Width	Site Depth
Detached House		
Suburban Typology		
front driveway	12.2 m	30.5 m
no front driveway	9.1 m	30.5 m
General Urban Typology	7.6 m	30.5 m
Detached House with accessory dwelling		
Suburban Typology	13.7 m	30.5 m
General Urban Typology	13.7 m	30.5 m
Semi-Detached Housing		
Suburban Typology	7.6 m per dwelling	30.5 m
General Urban Typology	7.6 m per dwelling	30.5 m
Stacked Duplex Housing		
Suburban Typology	18.3 m	30.5 m
General Urban Typology	15.2 m	30.5 m

- (3) Notwithstanding Subsection 21.1(2), on a **corner site** within the Suburban Typology, the minimum **site width** is increased by 1.8 m.

21.2 N-R1 Greenfield Development Site Standards

- (1) This Subsection applies to all N-R1 **sites** created after the effective date of **this Bylaw**.
- (2) The minimum **site width** and minimum **site depth** are as follows:

Land Use	Site Width	Site Depth
Detached House		
Suburban Typology		
front driveway	13.7 m	36.6 m
no front driveway	9.1 m	36.6 m
Semi-Detached Housing		
Suburban Typology	9.1 m per dwelling	36.6 m
Stacked Duplex Housing		
Suburban Typology	18.3 m	36.6 m

22 N-R1 Setbacks

- (1) The minimum **setbacks** are as follows:

Land Use	Front Setback	Exterior Side Setback	Interior Side Setback	Rear Setback
Detached House				
Suburban Typology	4.5 m	3.0 m	1.2 m	6.0 m
General Urban Typology	3.5 m	1.2 m	1.2 m	6.0 m
Semi-Detached Housing				
Suburban Typology	4.5 m	3.0 m	1.2 m	6.0 m
General Urban Typology	3.5 m	1.2 m	1.2 m	6.0 m
Stacked Duplex Housing				
Suburban Typology	4.5 m	3.0 m	3.0 m	6.0 m
General Urban Typology	3.5 m	3.0 m	3.0 m	6.0 m
Backyard Suite	Refer to Section 148 (Use Specific Rules – Backyard Suite)			

- (2) Notwithstanding Subsection (1) of this Section, for a **site** containing **Semi-Detached Housing** there is no requirement for an **interior side setback** between two adjoining **principal dwellings** separated by a **property line**.
- (3) Notwithstanding Subsection (1) of this Section, the minimum **front setback** or **exterior side setback** for an attached **garage** is:
 - (a) a minimum of 6.0 m; or
 - (b) a **setback** established by the **Development Authority** that ensures safe unobstructed public sidewalks and vehicular manoeuvring, whatever the site context requires.
- (4) Notwithstanding Subsection (1) of this Section, **Stacked Duplex Housing** may be developed with a reduced **side yard setback(s)** through the implementation of construction techniques in accordance with the **Safety Codes Act**.
- (5) Notwithstanding Subsection (1) of this Section, where the primary entrance to a **dwelling** is located within an **interior side setback**, the minimum **interior side setback** shall be 2.0 m.
- (6) Notwithstanding Subsection (1) of this Section, where a site context provides more than one **rear property line**, the **Development Authority** shall establish **rear setbacks** for all **rear property lines**.
- (7) Notwithstanding Subsection (1) of this Section, where a **setback** requirement of this district is incompatible with the existing pattern of **development**, the **Development Authority** may establish

a **setback** requirement compatible with adjacent **sites**, the existing streetscape, and the character of the surrounding neighbourhood.

Neighbourhood Residential 2 (N-R2) District

23 N-R2 Purpose

- Provide low- and medium-density sites where low-rise, multiple-unit built forms are the predominant dwelling types.
- Encourage opportunities for growth and transition from low- to medium-density.
- Facilitate transition between varying levels of density.

24 N-R2 Permitted and Discretionary Uses

Use Categories	Uses Allowed	Permitted or Discretionary
Principal Dwellings	Detached House	Permitted
	Semi-Detached Housing	Permitted
	Stacked Duplex Housing	Permitted
	Stacked Triplex Housing	Permitted
	Row Housing	Permitted
	Multiple Unit Housing	Permitted
Health and Social Services	Continuing Care, Limited	Discretionary
	Continuing Care, Minor	Discretionary
Accessory Dwellings	Secondary Suite	Discretionary
	Backyard Suite	Discretionary
Home Employment Accessory Uses	Residential Day Home	Permitted
	Remote Work	Permitted
	Home Business, Minor	Discretionary
	Home Business, Major	Discretionary
	Bed and Breakfast	Permitted
	Short Term Dwelling Rental	Permitted
Other Residential Accessory Uses	Residential Accessory Building	Discretionary
	Residential Accessory Structure	Discretionary
Other	Community Garden	Permitted
	Similar Use	Discretionary

25 N-R2 General Regulations

- (1) Refer to Section 11 (Suburban and General Urban Typology Map) to determine whether a **site** is within the Suburban Typology or General Urban Typology.
- (2) **Dwellings** must be developed with a street-oriented design where primary entrances, architectural features, and **façades** contribute to a consistent and attractive streetscape.
- (3) **Dwellings** of **Semi-Detached Housing** and **Row Housing**:
 - (a) may be subdivided along demising walls and located on individual fee simple lots; and
 - (b) must not be placed over another **principal dwelling** in whole or in part.

- (4) In addition to the **development regulations** in this district, all **development** must comply with:
- (a) Part 9 (Rules for All Districts);
 - (b) Part 10 (Use Specific Rules);
 - (c) Part 11 (Sign Rules); and
 - (d) Part 12 (Airport Zoning Regulation Overlay).

26 N-R2 Density

- (1) Within the Suburban and General Urban Typologies, a **site** may be developed with the following **principal dwelling** types:
- (a) a **Detached House**;
 - (b) **Semi-Detached Housing**;
 - (c) **Stacked Duplex Housing**;
 - (d) **Stacked Triplex Housing**;
 - (e) **Row Housing**; or
 - (f) **Multiple Unit Housing**.
- (2) Within the Suburban Typology, a **site** may be developed with **Multiple Unit Housing** to a density between 20 **UPH** and 75 **UPH**.
- (3) Within the General Urban Typology, a **site** may be developed with **Multiple Unit Housing** to a density between 20 **UPH** and 100 **UPH**.
- (4) Within the Suburban and General Urban Typologies:
- (a) a **Detached House** may be developed with up to two **accessory dwellings**;
 - (b) each **principal dwelling** of **Semi-Detached Housing** may be developed with one **Secondary Suite** or one **Backyard Suite**;
 - (c) **Stacked Duplex Housing** and **Stacked Triplex Housing** may be developed with one **Backyard Suite**;
 - (d) **Stacked Duplex Housing** and **Stacked Triplex Housing** must not be developed with **Secondary Suites**;
 - (e) each **principal dwelling** of **Row Housing** may be developed with one **Secondary Suite** or one **Backyard Suite**; and
 - (f) **Multiple Unit Housing** must not be developed with **accessory dwellings**.

27 N-R2 Site Coverage

The maximum **site coverage** is 65 %.

28 N-R2 Building Height

The maximum **building height** is:

- (1) two **storeys** to a maximum of 8.0 m for a **Backyard Suite**; and
- (2) three **storeys** to a maximum of 12.0 m for a **Detached House**, **Stacked Duplex Housing**, **Stacked Triplex Housing**, **Row Housing**, or **Multiple Unit Housing**.

29 N-R2 Site Width and Site Depth

Refer to Section 11 (Suburban and General Urban Typology Map) to determine whether a **site** is within the Suburban Typology or General Urban Typology.

29.1 N-R2 Existing Neighbourhood Site Standards

- (1) This Subsection applies to all N-R2 **sites** created prior to the effective date of **this Bylaw**.
- (2) The minimum **site width** and minimum **site depth** are as follows:

Land Use	Site Width	Site Depth
Detached House		
Suburban Typology		
front driveway	12.2 m	30.5 m
no front driveway	9.1 m	30.5 m
General Urban Typology	7.6 m	30.5 m
Detached House with accessory dwelling(s)		
Suburban Typology	13.7 m	30.5 m
General Urban Typology	13.7 m	30.5 m
Semi-Detached Housing		
Suburban Typology	7.6 m per dwelling	30.5 m
General Urban Typology	7.6 m per dwelling	30.5 m
Stacked Duplex Housing		
Suburban Typology	18.3 m	30.5 m
General Urban Typology	15.2 m	30.5 m
Stacked Triplex Housing		
Suburban Typology	18.3 m	30.5 m
General Urban Typology	15.2 m	30.5 m
Row Housing		
Suburban Typology and General Urban Typology		
external dwelling	7.6 m per dwelling	30.5 m
internal dwelling	6.4 m per dwelling	30.5 m
Multiple Unit Housing		
Suburban Typology	18.3 m	30.5 m
General Urban Typology	18.3 m	30.5 m

- (3) Notwithstanding Subsection 29.1(2), on a **corner site** within the Suburban Typology, the minimum **site width** is increased by 1.8 m.

29.2 N-R2 Greenfield Development Site Standards

- (1) This Subsection applies to all N-R2 **sites** created after the effective date of **this Bylaw**.
- (2) The minimum **site width** and minimum **site depth** are as follows:

Land Use	Site Width	Site Depth
Detached House		
Suburban Typology		
front driveway	13.7 m	36.6 m
no front driveway	9.1 m	36.6 m
Semi-Detached Housing		
Suburban Typology	9.2 m per dwelling	36.6 m
Stacked Duplex Housing		
Suburban Typology	18.3 m	36.6 m
Stacked Triplex Housing		
Suburban Typology	18.3 m	36.6 m
Row Housing		
Suburban Typology		
external dwelling	7.6 m per dwelling	36.6 m
internal dwelling	6.4 m per dwelling	36.6 m
Multiple Unit Housing		
Suburban Typology	18.3 m	36.6 m

30 N-R2 Setbacks

- (1) The minimum **setbacks** are as follows:

Land Use	Front Setback	Exterior Side Setback	Interior Side Setback	Rear Setback
Detached House				
Suburban Typology	4.5 m	3.0 m	1.2 m	6.0 m
General Urban Typology	3.5 m	1.2 m	1.2 m	6.0 m
Semi-Detached Housing				
Suburban Typology	4.5 m	3.0 m	1.2 m	6.0 m
General Urban Typology	3.5 m	1.2 m	1.2 m	6.0 m
Stacked Duplex Housing				
Suburban Typology	4.5 m	3.0 m	3.0 m	6.0 m
General Urban Typology	3.5 m	3.0 m	3.0 m	6.0 m
Stacked Triplex Housing				
Suburban Typology	4.5 m	3.0 m	3.0 m	6.0 m
General Urban Typology	3.5 m	3.0 m	3.0 m	6.0 m
Row Housing				
Suburban Typology	4.5 m	1.2 m	1.2 m	6.0 m
General Urban Typology	3.5 m	1.2 m	1.2 m	6.0 m
Multiple Unit Housing				
Suburban Typology	4.5 m	4.0 m	3.0 m	6.0 m
General Urban Typology	3.5 m	3.0 m	3.0 m	6.0 m
Backyard Suite	Refer to Section 148 (Use Specific Rules – Backyard Suite)			

- (2) Notwithstanding Subsection (1) of this Section, for a **site** containing **Semi-Detached Housing** or **Row Housing** there is no requirement for an **interior side setback** between two adjoined **principal dwellings** separated by a **property line**.

- (3) Notwithstanding Subsection (1) of this Section, the minimum **front setback** or **exterior side setback** for an attached **garage** is:
- (a) a minimum of 6.0 m; or
 - (b) a **setback** established by the **Development Authority** that ensures safe unobstructed public sidewalks and vehicular manoeuvring,
- whatever the site context requires.
- (4) Notwithstanding Subsection (1) of this Section, **Stacked Duplex Housing** and **Stacked Triplex Housing** may be developed with a reduced **side yard setback(s)** through the implementation of construction techniques in accordance with the *Safety Codes Act*.
- (5) Notwithstanding Subsection (1) of this Section, where the primary entrance to a **dwelling** is located within an **interior side setback**, the minimum **interior side setback** shall be 2.0 m.
- (6) Notwithstanding Subsection (1) of this Section, where a site context provides more than one **rear property line**, the **Development Authority** shall establish **rear setbacks** for all **rear property lines**.
- (7) Notwithstanding Subsection (1) of this Section, where a **setback** requirement of this district is incompatible with the existing pattern of **development**, the **Development Authority** may establish a **setback** requirement compatible with adjacent **sites**, the existing streetscape, and the character of the surrounding neighbourhood.

Neighbourhood Residential 3 (N-R3) District

31 N-R3 Purpose

- Provide medium-density sites where mid-rise, multiple-unit built forms are the predominant dwelling types.
- Encourage urban living opportunities on edges of neighbourhoods, along major streets, and near hubs of activity.
- Support intensification near urban villages and corridors, public amenities, transportation routes, and transit services.

32 N-R3 Permitted and Discretionary Uses

Use Categories	Uses Allowed	Permitted or Discretionary
Principal Dwellings	Multiple Unit Housing	Permitted
Health and Social Services	Continuing Care, Limited	Discretionary
	Continuing Care, Minor	Discretionary
	Continuing Care, Major	Discretionary
Home Employment Accessory Uses	Residential Day Home	Permitted
	Remote Work	Permitted
	Home Business, Minor	Discretionary
	Home Business, Major	Discretionary
	Short Term Dwelling Rental	Permitted
Other Residential Accessory Uses	Residential Accessory Building	Discretionary
	Residential Accessory Structure	Discretionary
Other	Community Garden	Permitted
	Similar Use	Discretionary

33 N-R3 General Regulations

- (1) Refer to Section 11 (Suburban and General Urban Typology Map) to determine whether a **site** is within the Suburban Typology or General Urban Typology.
- (2) In addition to the **development regulations** in this district, all **development** must comply with:
 - (a) Part 9 (Rules for All Districts);
 - (b) Part 10 (Use Specific Rules);
 - (c) Part 11 (Sign Rules); and
 - (d) Part 12 (Airport Zoning Regulation Overlay).

34 N-R3 Density

- (1) Within the Suburban Typology, a **site** must be developed to a density between 50 **UPH** and 200 **UPH**.
- (2) Within the General Urban Typology, a **site** must be developed to a density between 50 **UPH** and 300 **UPH**.

35 N-R3 Building Height

- (1) The minimum **building height** is three **storeys** for **Multiple Unit Housing**.
- (2) The maximum **building height** is six **storeys** or 24.0 m for **Multiple Unit Housing**.

36 N-R3 Setbacks

- (1) The minimum **setbacks** are as follows:

Land Use	Front Setback	Exterior Side Setback	Interior Side Setback	Rear Setback
Multiple Unit Housing	4.6 m	4.6 m	7.5 m	7.5 m

- (2) Notwithstanding Subsection (1) of this Section, where a **site** does not abut a N-R1 District or N-R2 District the **interior side setback** and **rear setback** may be reduced without **variance** where the site context allows and a **development** complies with all relevant regulations of the *Safety Codes Act*.
- (3) Notwithstanding Subsection (1) of this Section, where a site context provides more than one **rear property line**, the **Development Authority** shall establish **rear setbacks** for all **rear property lines**.
- (4) Notwithstanding Subsection (1) of this Section, where a **setback** requirement of this district is incompatible with the existing pattern of **development**, the **Development Authority** may establish a **setback** requirement compatible with adjacent **sites**, the existing streetscape, and the character of the surrounding neighbourhood.

Neighbourhood Residential 4 (N-R4) District

37 N-R4 Purpose

- Encourage transformative growth and dense urban living in strategic locations to create critical mass in the City Centre, urban villages, and intensification areas.
- Allow compatible and complementary at-grade commercial uses developed in conjunction with high-rise apartments.
- Recognize the unique context of a site and encourage development to the highest and best use.

38 N-R4 Permitted and Discretionary Uses

Use Categories	Uses Allowed	Permitted or Discretionary
Principal Dwellings	Multiple Unit Housing	Permitted
Health and Social Services	Continuing Care, Limited	Discretionary
	Continuing Care, Minor	Discretionary
	Continuing Care, Major	Discretionary
Home Employment Accessory Uses	Residential Day Home	Permitted
	Remote Work	Permitted
	Home Business, Minor	Discretionary
	Home Business, Major	Discretionary
	Short Term Dwelling Rental	Permitted
Other Residential Accessory Uses	Residential Accessory Building	Discretionary
	Residential Accessory Structure	Discretionary
Community and Culture	Childcare Service	Permitted
	Art Studio	Permitted
	Community Garden	Permitted
Health and Social Services	Health Care Office, Minor	Permitted
	Health Care Office, Major	Discretionary
Business and Professional Services	Office, Minor	Permitted
	Government Service	Permitted
	Financial Institution	Permitted
	Commercial School, Minor	Discretionary
Retail and Consumer Services	General Retail Store	Permitted
	Liquor Store	Discretionary
	Cannabis Store	Discretionary
	Personal Service	Permitted
	Dry Cleaner/Laundromat	Discretionary
	Fitness/Wellness Centre, Minor	Permitted

Food, Beverage, and Entertainment	Restaurant, Limited	Permitted
	Restaurant, Full Service	Permitted
	Specialty Food Store	Permitted
	Amusement Establishment, Minor	Permitted
	Bar	Discretionary
Other	Accessory Use	Discretionary
	Similar Use	Discretionary

39 N-R4 General Regulations

- (1) **Multiple Unit Housing** must be developed in the form of **apartments**.
- (2) Where a **development** consists of **Multiple Unit Housing** in conjunction with one or more non-residential uses, all non-residential uses shall be deemed **discretionary uses**.
- (3) Mixed-use buildings must be developed with all non-residential uses, except home employment accessory uses, located on lower floors.
- (4) In addition to the **development regulations** in this district, all **development** must comply with:
 - (a) Part 9 (Rules for All Districts);
 - (b) Part 10 (Use Specific Rules);
 - (c) Part 11 (Sign Rules); and
 - (d) Part 12 (Airport Zoning Regulation Overlay).

40 N-R4 Density

The minimum density is 150 **UPH**.

41 N-R4 Building Height

The minimum **building height** is six **storeys**.

42 N-R4 Setbacks

The **Development Authority** shall establish **setbacks** compatible with adjacent **sites** and the surrounding area.

Neighbourhood Commercial 1 (N-C1) District

43 N-C1 Purpose

- Provide low-impact, commercial amenities embedded within neighbourhoods.
- Support innovative development forms including residential repurposes, and small-scale businesses that serve the needs of neighbourhoods.

44 N-C1 Permitted and Discretionary Uses

Use Categories	Uses Allowed	Permitted or Discretionary
Principal Dwellings	Multiple Unit Housing	Permitted
Home Employment Accessory Uses	Residential Day Home	Permitted
	Remote Work	Permitted
	Home Business, Minor	Discretionary
	Home Business, Major	Discretionary
	Short Term Dwelling Rental	Permitted
Other Residential Accessory Uses	Residential Accessory Building	Discretionary
	Residential Accessory Structure	Discretionary
Community and Culture	Childcare Service	Permitted
	Art Studio	Permitted
	Social Organization	Discretionary
	Community Garden	Permitted
Health and Social Service	Health Care Office, Minor	Permitted
Business, Professional and Service	Office, Minor	Permitted
	Commercial School, Minor	Permitted
Retail and Consumer Services	General Retail Store	Permitted
	Personal Service	Permitted
	Fitness/Wellness Centre, Minor	Permitted
	Restaurant, Limited	Permitted
	Specialty Food Store	Permitted
	Amusement Establishment, Minor	Permitted
Animal Uses	Pet Service	Permitted
Other	Accessory Use	Discretionary
	Similar Use	Discretionary

45 N-C1 General Regulations

- (1) **Multiple Unit Housing** must be developed in conjunction with a non-residential use(s) allowed in this district.

- (2) Where a **development** consists of **Multiple Unit Housing** in conjunction with one or more non-residential uses, all non-residential uses shall be deemed **discretionary uses**.
- (3) Non-residential development within residential neighbourhoods including **residential repurposes**:
 - (a) must only be developed on:
 - (1) a **corner site**,
 - (2) an interior site that abuts a compatible institutional, commercial, open space, or higher density residential use, or
 - (3) an interior site previously developed with a non-residential use;
 - (b) may consist of limited outdoor business activities including storage, seating areas, and similar activities;
 - (c) must carry out activities so that no excessive nuisance is created; and
 - (d) must be supported by adequate transportation infrastructure and parking.
- (4) **Off-street parking** must be located on the same **site** as the **principal use**.
- (5) In addition to the **development regulations** in this district, all **development** must comply with:
 - (a) Part 9 (Rules for All Districts);
 - (b) Part 10 (Use Specific Rules);
 - (c) Part 11 (Sign Rules); and
 - (d) Part 12 (Airport Zoning Regulation Overlay).

46 N-C1 Building Height

The maximum **building height** is three **storeys** to a maximum of 12.0 m.

47 N-C1 Setbacks

The **Development Authority** shall establish **setbacks** compatible with adjacent **sites** and the surrounding neighbourhood.

Neighbourhood Commercial 2 (N-C2) District

48 N-C2 Purpose

- Provide commercial uses within a range of development contexts, scales, and intensities on edges of neighbourhoods and along major streets.
- Support clustering of commercial uses to create mixed-use urban villages that serve several neighbourhoods.
- Encourage development of underutilized sites that recognizes highest and best use.

49 N-C2 Permitted and Discretionary Uses

Use Categories	Uses Allowed	Permitted or Discretionary
Principal Dwellings	Multiple Unit Housing	Permitted
Health and Social Services	Continuing Care, Minor	Discretionary
	Continuing Care, Major	Discretionary
Home Employment Accessory Uses	Residential Day Home	Permitted
	Remote Work	Permitted
	Home Business, Minor	Discretionary
	Home Business, Major	Discretionary
	Short Term Dwelling Rental	Permitted
Other Residential Accessory Uses	Residential Accessory Building	Discretionary
	Residential Accessory Structure	Discretionary
Community and Culture	Childcare Service	Permitted
	Art Studio	Permitted
	Social Organization	Discretionary
	Community Garden	Permitted
Health and Social Service	Health Care Office, Minor	Permitted
	Health Care Office, Major	Permitted
	Community Social Service	Discretionary
	Community Food Service	Discretionary
Business, Professional and Service	Office, Minor	Permitted
	Office, Major	Permitted
	Government Service	Permitted
	Financial Institution	Permitted
	Commercial School, Minor	Permitted
	Business Support Service	Permitted
Retail and Consumer Services	General Retail Store	Permitted
	Liquor Store	Discretionary
	Cannabis Store	Discretionary

	Temporary Vendor	Permitted
	Personal Service	Permitted
	Household Service	Permitted
	Dry Cleaner/Laundromat	Discretionary
	Fitness/Wellness Centre, Minor	Permitted
	Fitness/Wellness Centre, Major	Discretionary
Food, Beverage, and Entertainment	Restaurant, Limited	Permitted
	Restaurant, Full Service	Permitted
	Specialty Food Store	Permitted
	Catering/Remote Food Service	Discretionary
	Amusement Establishment, Minor	Permitted
	Bar	Discretionary
Animal Uses	Pet Service	Permitted
	Pet Store	Permitted
	Veterinary Clinic	Discretionary
Vehicle Oriented	Vehicle Fuel Station	Discretionary
	Vehicle Wash/Detailing	Discretionary
	Vehicle Quick Service	Discretionary
	Vehicle Service/Repair	Discretionary
	Transportation/Fleet Service	Discretionary
	Drive Through	Discretionary
Other	Accessory Use	Discretionary
	Similar Use	Discretionary

50 N-C2 General Regulations

- (1) **Multiple Unit Housing** must be developed in conjunction with a non-residential use(s) allowed in this district.
- (2) Where a **development** consists of **Multiple Unit Housing** in conjunction with one or more non-residential uses, all non-residential uses shall be deemed **discretionary uses**.
- (3) Mixed-use buildings must be developed with all non-residential uses, except home employment accessory uses, located on lower floors.
- (4) In addition to the **development regulations** in this district, all **development** must comply with:
 - (a) Part 9 (Rules for All Districts);
 - (b) Part 10 (Use Specific Rules);
 - (c) Part 11 (Sign Rules); and
 - (d) Part 12 (Airport Zoning Regulation Overlay).

51 N-C2 Building Height

The maximum **building height** is three **storeys** to a maximum of 12.0 m.

52 N-C2 Setbacks

The **Development Authority** shall establish **setbacks** compatible with adjacent **sites** and the surrounding area.

Neighbourhood Community and Culture (N-CC) District

53 N-CC Purpose

- Provide low-impact, community- and culture-oriented amenities embedded within neighbourhoods.
- Support the enhancement of neighbourhood living through the integration of uses that promote social cohesion, arts, and culture.

54 N-CC Permitted and Discretionary Uses

Use Categories	Uses Allowed	Permitted or Discretionary
Community and Culture	Childcare Service	Permitted
	Place of Worship, Minor	Permitted
	Place of Worship, Major	Discretionary
	Community Centre	Permitted
	Cultural Centre	Permitted
	Art Studio	Permitted
	Social Organization	Discretionary
	Community Garden	Permitted
Other	Accessory Use	Discretionary
	Similar Use	Discretionary

55 N-CC General Regulations

- (1) Non-residential development within residential neighbourhoods:
 - (a) must only be developed on:
 - (1) a **corner site**,
 - (2) an interior site that abuts a compatible institutional, commercial, open space, or higher density residential use, or
 - (3) an interior site previously developed with a non-residential use;
 - (b) may consist of limited outdoor business activities including storage, seating areas, and similar activities;
 - (c) must carry out activities so that no excessive nuisance is created; and
 - (d) must be supported by adequate transportation infrastructure and parking.
- (2) **Off-street parking** must be located on the same **site** as the **principal use**.
- (3) **Accessory accommodation** may be allowed in this district.
- (4) In addition to the **development regulations** in this district, all **development** must comply with:
 - (a) Part 9 (Rules for All Districts);
 - (b) Part 10 (Use Specific Rules);
 - (c) Part 11 (Sign Rules); and
 - (d) Part 12 (Airport Zoning Regulation Overlay).

56 N-CC Building Height

- (1) The maximum **building height** is three **storeys** to a maximum of 12.0 m.
- (2) In accordance with Section 142 (Building Height Exemptions), the **building height** restrictions of this district do not apply to spires, domes, belfries, towers, or similar architectural features.

57 N-CC Setbacks

The **Development Authority** shall establish **setbacks** compatible with adjacent **sites** and the surrounding area.

Neighbourhood Parks, Recreation and Schools (N-PRS) District

58 N-PRS Purpose

- Provide open space and public amenities within neighbourhoods.
- Strategically locate parks, recreation facilities, schools, and community centres as focal points within neighbourhoods.
- Enable a multi-modal transportation network that facilitates alternative transportation, encourages passive and active recreation, and creates connectivity within the community.

59 N-PRS Permitted and Discretionary Uses

Use Categories	Uses Allowed	Permitted or Discretionary
Open Space	Public Park	Permitted
Community and Culture	School	Permitted
	Childcare Service	Permitted
	Community Centre	Permitted
	Cultural Centre	Permitted
	Outdoor Recreation Facility	Permitted
	Indoor Recreation Facility	Permitted
	Community Garden	Permitted
Other	Temporary Vendor	Permitted
	Accessory Use	Discretionary
	Similar Use	Discretionary

60 N-PRS General Regulations

- (1) All **development** shall consider:
 - (a) the policies of any relevant **statutory plan** and non-statutory plan including Area Structure Plans, Area Redevelopment Plans, and Outline Plans;
 - (b) connection to, and integration of, multi-modal transportation infrastructure;
 - (c) continuity between **districts** resulting from pedestrian connectivity, **landscaping**, and **buffers**; and
 - (d) **xeriscaping** and drought-resistant landscaping.
- (2) Public amenities including parks, recreation facilities, schools, and community centres shall be developed as neighbourhood focal points.
- (3) Public infrastructure including stormwater management facilities and utility buildings must be developed in a manner that mitigates visual impacts and adds amenity and aesthetic value.
- (4) Land dedicated as municipal reserve, **school reserve**, or other reserve land pursuant to the **Municipal Government Act (MGA)**, must be used and administered only as provided by the **MGA**.
- (5) Underutilized or surplus school sites:
 - (a) may be retained as reserve land where there is a potential for long-term redevelopment to increase demand for school space; and
 - (b) may contain interim community-oriented uses.

- (6) In addition to the ***development regulations*** in this district, all ***development*** must comply with:
- (a) Part 9 (Rules for All Districts);
 - (b) Part 10 (Use Specific Rules);
 - (c) Part 11 (Sign Rules); and
 - (d) Part 12 (Airport Zoning Regulation Overlay).



Medicine Hat

PART 3

URBAN VILLAGES AND CORRIDORS TYPOLOGY



Urban Villages and Corridors (UVC) District

61 UVC Purpose

- Provide a mix of small- to regional-scale commercial and institutional uses within a variety of urban contexts.
- Support high-density residential and mixed-use development that creates urban living opportunities along major streets and intersections.
- Encourage intensification of underutilized sites that takes advantage of anchors for development.

62 UVC Permitted and Discretionary Uses

Use Categories	Uses Allowed	Permitted or Discretionary
Principal Dwellings	Multiple Unit Housing	Permitted
Health and Social Services	Continuing Care, Minor	Discretionary
	Continuing Care, Major	Discretionary
Home Employment Accessory Uses	Residential Day Home	Permitted
	Remote Work	Permitted
	Home Business, Minor	Discretionary
	Home Business, Major	Discretionary
	Short Term Dwelling Rental	Permitted
Other Residential Accessory Uses	Residential Accessory Building	Discretionary
	Residential Accessory Structure	Discretionary
Community and Culture	School	Discretionary
	Childcare Service	Permitted
	Place of Worship, Minor	Permitted
	Place of Worship, Major	Discretionary
	Community Centre	Permitted
	Cultural Centre	Permitted
	Indoor Recreation Facility	Discretionary
	Art Studio	Permitted
	Social Organization	Permitted
	Community Garden	Permitted
Health and Social Services	Health Care Office, Minor	Permitted
	Health Care Office, Major	Permitted
	Community Social Service	Discretionary
	Community Food Service	Discretionary
Business and Professional Services	Office, Minor	Permitted
	Office, Major	Permitted
	Government Service	Permitted
	Financial Institution	Permitted

	Commercial School, Minor	Permitted
	Business Support Service	Permitted
	Self Storage, Indoor	Discretionary
Retail and Consumer Services	General Retail Store	Permitted
	Liquor Store	Permitted
	Cannabis Store	Permitted
	Pawn Shop	Discretionary
	Adult Novelty Store	Discretionary
	Temporary Vendor	Permitted
	Home/Building Supply	Discretionary
	Garden Centre	Discretionary
	Personal Service	Permitted
	Household Service	Permitted
	Dry Cleaner/Laundromat	Discretionary
	Fitness/Wellness Centre, Minor	Permitted
	Fitness/Wellness Centre, Major	Permitted
	Payday Loan	Discretionary
Food, Beverage, and Entertainment	Restaurant, Limited	Permitted
	Restaurant, Full Service	Permitted
	Specialty Food Store	Permitted
	Catering/Remote Food Service	Permitted
	Convention/Event Centre	Discretionary
	Hotel	Discretionary
	Amusement Establishment, Minor	Permitted
	Amusement Establishment, Major	Discretionary
	Bar	Discretionary
Animal Uses	Pet Service	Permitted
	Pet Store	Permitted
	Veterinary Clinic	Permitted
Vehicle Oriented	Vehicle Fuel Station	Discretionary
	Vehicle Wash/Detailing	Discretionary
	Vehicle Quick Service	Discretionary
	Vehicle Service/Repair	Discretionary
	Vehicle Body/Paint	Discretionary
	Vehicle Sales	Discretionary
	Transportation/Fleet Service	Discretionary
	Drive Through	Discretionary
	Parking Lot	Discretionary
	Parking Structure	Discretionary
Other	Accessory Use	Discretionary
	Similar Use	Discretionary

63 UVC General Regulations

- (1) Clustering of compatible commercial, institutional, and high-density residential uses is encouraged to create mixed-use urban villages that serve several neighbourhoods.
- (2) Where a **development** consists of **Multiple Unit Housing** in conjunction with one or more non-residential uses, all non-residential uses shall be deemed **discretionary uses**.
- (3) Mixed-use buildings must be developed with all non-residential uses, except home employment accessory uses, located on lower floors.
- (4) **Façades** fronting a **road** must be developed with high-quality and visually appealing building materials and architectural features.
- (5) Large walls with limited architectural details are not allowed on **buildings** over two **storeys** when:
 - (a) facing a street; and
 - (b) adjacent to residential development.
- (6) Where a proposed development may create nuisances or potential land use conflicts, appropriate measures to mitigate negative impacts may be required including:
 - (a) increased **setbacks**;
 - (b) **screening**;
 - (c) **landscaping**;
 - (d) **buffers**; and
 - (e) sound attenuation measures.
- (7) In addition to the **development regulations** in this district, all **development** must comply with:
 - (a) Part 9 (Rules for All Districts);
 - (b) Part 10 (Use Specific Rules);
 - (c) Part 11 (Sign Rules); and
 - (d) Part 12 (Airport Zoning Regulation Overlay).

64 UVC Building Height

The maximum **building height** is:

- (1) four **storeys** to a maximum of 16.0 m; or
- (2) a **building height** not more than six **storeys** to a maximum of 24.0 m, with consideration of the following:
 - (a) proximity of the **site** to a N-R1 District or N-R2 District; and
 - (b) any other land use planning considerations or principles relevant to the circumstances of a proposed development.

65 UVC Setbacks

- (1) The minimum **setbacks** are as follows:

Land Use	Front Setback	Exterior Side Setback	Interior Side Setback	Rear Setback
Multiple Unit Housing	1.5 m	1.5 m	0.0 m	0.0 m

- (2) Notwithstanding Subsection (1) of this Section, where a **site** abuts a N-R1 District or N-R2 District the minimum **setback** shall be 7.5 m.
- (3) Notwithstanding Subsection (1) of this Section, where a site context provides more than one **rear property line**, the **Development Authority** shall establish **rear setbacks** for all **rear property lines**.
- (4) Notwithstanding Subsection (1) of this Section, where a **setback** requirement of this district is incompatible with the existing pattern of **development**, the **Development Authority** may establish a **setback** requirement compatible with adjacent **sites**, the existing streetscape, and the character of the surrounding neighbourhood.



Medicine Hat

PART 4

URBAN CORE TYPOLOGY



Urban Core (UC) District

66 UC Purpose

- Provide dense urban living opportunities within a hub of activity including a mix of commercial, institutional, entertainment, cultural, and social service uses.
- Support the South Saskatchewan River as an anchor of the Downtown through integrated and contiguous public space.
- Promote walkability and multi-modal transportation design and infrastructure.

67 UC Permitted and Discretionary Uses

Use Categories	Uses Allowed	Permitted or Discretionary
Principal Dwellings	Multiple Unit Housing (apartment)	Permitted
	Multiple Unit Housing (built forms other than apartment)	Discretionary
Health and Social Services	Continuing Care, Limited	Discretionary
	Continuing Care, Minor	Discretionary
	Continuing Care, Major	Discretionary
Home Employment Accessory Uses	Residential Day Home	Permitted
	Remote Work	Permitted
	Home Business, Minor	Discretionary
	Home Business, Major	Discretionary
	Short Term Dwelling Rental	Permitted
Other Residential Accessory Uses	Residential Accessory Building	Discretionary
	Residential Accessory Structure	Discretionary
Open Space	Public Park	Permitted
Community and Culture	School	Discretionary
	Childcare Service	Permitted
	Place of Worship, Minor	Permitted
	Place of Worship, Major	Discretionary
	Public Library	Permitted
	Community Centre	Permitted
	Cultural Centre	Permitted
	Indoor Recreation Facility	Discretionary
	Art Studio	Permitted
	Social Organization	Permitted
	Community Garden	Permitted
Health and Social Service	Health Care Office, Minor	Permitted
	Health Care Office, Major	Permitted
	Community Social Service	Permitted
	Community Food Service	Permitted

Business, Professional and Service	Office, Minor	Permitted
	Office, Major	Permitted
	Government Service	Permitted
	Financial Institution	Permitted
	Commercial School, Minor	Permitted
	Business Support Service	Permitted
Retail and Consumer Services	General Retail Store	Permitted
	Liquor Store	Permitted
	Cannabis Store	Permitted
	Pawn Shop	Discretionary
	Adult Novelty Store	Discretionary
	Temporary Vendor	Permitted
	Personal Service	Permitted
	Household Service	Permitted
	Dry Cleaner/Laundromat	Discretionary
	Fitness/Wellness Centre, Minor	Permitted
	Fitness/Wellness Centre, Major	Discretionary
	Payday Loan	Discretionary
Food, Beverage, and Entertainment	Restaurant, Limited	Permitted
	Restaurant, Full Service	Permitted
	Specialty Food Store	Permitted
	Catering/Remote Food Service	Discretionary
	Convention/Event Centre	Discretionary
	Hotel	Discretionary
	Amusement Establishment, Minor	Permitted
	Bar	Discretionary
Animal Uses	Pet Service	Permitted
	Pet Store	Permitted
	Veterinary Clinic	Permitted
Vehicle Oriented	Transportation/Fleet Service	Discretionary
	Parking Lot	Discretionary
	Parking Structure	Discretionary
Other	Accessory Use	Discretionary
	Similar Use	Discretionary

68 UC General Regulations

- (1) Where a **development** consists of **Multiple Unit Housing** in conjunction with one or more non-residential uses, all non-residential uses shall be deemed **discretionary uses**.
- (2) Mixed-use buildings must be developed with all non-residential uses, except home employment accessory uses, located on lower **storeys**.

- (3) **Façades** fronting a **road** must be developed with high-quality and visually appealing building materials and architectural features.
- (4) Large walls with limited architectural details are not allowed on **buildings** over two **storeys** when:
 - (a) fronting a **road**; and
 - (b) adjacent to residential development.
- (5) The primary entrance to a **building** must face a **property line** abutting a **road**.
- (6) **Buildings** located on **corner sites** may, at the discretion of the **Development Authority**, be required to provide additional public entrances from any **façade** fronting a **road**.
- (7) Components of a **building** including entrance features, arcades, awnings, canopies, and courtyards must be incorporated into the overall design to enhance the streetscape and pedestrian environment.
- (8) **Buildings** must step back **storeys** above the fourth **storey**, to the satisfaction of the **Development Authority**.
- (9) The pedestrian-oriented Downtown streetscape shall be preserved and enhanced by:
 - (a) prohibiting the **development** of new vehicle access from a street;
 - (b) encouraging the closure of existing vehicle access from a street;
 - (c) ensuring new **development** utilizes **alleys** for vehicle access to a **site**;
 - (d) prohibiting the **development** of new parking areas within a **front setback**, **interior side setback**, or **exterior side setback**;
 - (e) encouraging **infill** over existing parking areas within a **front setback**, **interior side setback**, or **exterior side setback**; and
 - (f) ensuring new **development** supports pedestrian safety, connectivity, and accessibility.
- (10) New **Drive Throughs** are prohibited in this district.
- (11) The **Municipal Planning Commission (MPC)** shall be the **Development Authority** for **Multiple Unit Housing** where a proposed development is more than six **storeys**.
- (12) In addition to the **development regulations** in this district, all **development** must comply with:
 - (a) Part 9 (Rules for All Districts);
 - (b) Part 10 (Use Specific Rules);
 - (c) Part 11 (Sign Rules); and
 - (d) Part 12 (Airport Zoning Regulation Overlay).

69 UC Building Height

- (1) The minimum **building height** is two **storeys**.
- (2) The maximum **building height** is:
 - (a) six **storeys** to a maximum of 24.0 m; or
 - (b) a **building height** greater than six **storeys**, at the discretion of the **Development Authority**, with consideration of the following:
 - (1) proximity of the **site** to a residential district,
 - (2) provision of parking integrated into the **building**,
 - (3) the proposed development consists of a mixed-use building with **dwelling**s above compatible non-residential uses, and
 - (4) any other land use planning considerations or principles relevant to the circumstances of a proposed development.

70 UC Setbacks

(1) The required **setbacks** are as follows:

Land Use	Front Setback (maximum)	Exterior Side Setback (maximum)	Interior Side Setback (minimum)	Rear Setback (minimum)
All Uses	1.5 m	1.5 m	0.0 m	0.0 m

- (2) Notwithstanding Subsection (1) of this Section, the maximum **front setback** and **exterior side setback** may be increased for the purpose of:
- (a) providing a contiguous **setback** that is compatible with existing development and results in consistent **setbacks** along a streetscape;
 - (b) accommodating the **development** of an entrance feature or other architectural component of a **building**;
 - (c) providing an area for outdoor seating, **outdoor display areas**, gathering or amenity areas, or other active street level development; and
 - (d) accommodating a technical constraint or planning consideration relevant to a proposed development.
- (3) The maximum **front setback** and **exterior side setback** shall not be increased to accommodate soft **landscaping**.
- (4) Notwithstanding Subsection (1) of this Section, where a **setback** requirement of this district is incompatible with the existing pattern of **development**, the **Development Authority** may establish a **setback** requirement compatible with adjacent **sites**, the existing streetscape, and the character of the surrounding neighbourhood.



Medicine Hat

PART 5

SPECIAL USE TYPOLOGY



Planned Residential Community Special Use (SU-PRC) District

71 SU-PRC Purpose

- Provide comprehensively planned communities that may include private common amenities and low-impact non-residential uses that improve liveability.

72 SU-PRC Permitted and Discretionary Uses

Use Categories	Uses Allowed	Permitted or Discretionary
Principal Dwellings	Detached House	Permitted
	Planned Residential Community	Permitted
Home Employment Accessory Uses	Residential Day Home	Permitted
	Remote Work	Permitted
	Home Business, Minor	Discretionary
	Home Business, Major	Discretionary
	Short Term Dwelling Rental	Permitted
Other Residential Accessory Uses	Residential Accessory Building	Discretionary
	Residential Accessory Structure	Discretionary
Other	Accessory Use	Discretionary
	Community Garden	Permitted
	Similar Use	Discretionary

73 SU-PRC General Regulations

- (1) **Planned Residential Communities** may be developed with private common amenities including:
 - (a) community fencing and gates;
 - (b) entrance features;
 - (c) internal **roads**;
 - (d) RV storage areas;
 - (e) playgrounds;
 - (f) community clubhouse or recreation facility; and
 - (g) other community-oriented amenities.
- (2) **Planned Residential Communities** may be specifically designed for the **development** of manufactured homes, mobile homes, modular homes, tiny homes, or other similar built forms.
- (3) A **dwelling** may be manufactured off-site provided that:
 - (a) the hitch is removed upon placement on the **site**;
 - (b) the **building** is placed on a full perimeter foundation or longitudinal floor beam with skirting system; and
 - (c) the **building** has a roof pitch and exterior finishing materials that are consistent with **dwellings** in the immediate area.
- (4) **Planned Residential Communities** shall be developed with a minimum community amenity area of 10 percent of the total **site area**.

- (5) All **setbacks** of internally oriented **Planned Residential Communities** shall be **landscaped** and **screened** to the satisfaction of the **Development Authority**.
- (6) Subdivision and ownership structures of **Planned Residential Communities** shall be to the satisfaction of the **Development Authority**.
- (7) **Accessory accommodation** may be allowed as a component of a **Planned Residential Community**.
- (8) **MPC** shall be the **Development Authority** for new **Planned Residential Communities**.
- (9) In addition to the **development regulations** in this district, all **development** must comply with:
 - (a) Part 9 (Rules for All Districts);
 - (b) Part 10 (Use Specific Rules);
 - (c) Part 11 (Sign Rules); and
 - (d) Part 12 (Airport Zoning Regulation Overlay).

74 SU-PRC Building Height

The maximum **building height** is two **storeys** to a maximum of 10.0 m.

75 SU-PRC Site Width, Site Depth and Site Area

The minimum **site width**, minimum **site depth**, and minimum **site area** are as follows:

Land Use	Site Width	Site Depth	Site Area
Planned Residential Community Site	-	-	3.5 ha
Individual Plot of a Planned Residential Community	9.0 m	26.0 m	234.0 m ²

76 SU-PRC Setbacks

- (1) The minimum **setbacks** are as follows:

Land Use	Front Setback	Exterior Side Setback	Interior Side Setback	Rear Setback
Planned Residential Community Site	6.0 m	6.0 m	6.0 m	6.0 m
Principal Dwelling	As required by the Development Authority			

- (2) Notwithstanding Subsection (1) of this Section, the minimum **front setback** or **exterior side setback** for a attached **garage** is:
 - (a) a minimum of 6.0 m; or
 - (b) a **setback** established by the **Development Authority** that ensures safe unobstructed public sidewalks and vehicular manoeuvring,
 whatever the site context requires.

Semi-Public Special Use (SU-SP) District

77 SU-SP Purpose

- Provide land for Golf Courses, Campgrounds, Cemeteries, and all development associated with typical events, programs, services, amenities, and other on-site activities.

78 SU-SP Permitted and Discretionary Uses

Use Categories	Uses Allowed	Permitted or Discretionary
Open Space	Public Park	Permitted
	Golf Course	Permitted
	Campground	Permitted
Bereavement Uses	Funeral Home	Permitted
	Columbarium	Permitted
	Crematorium	Permitted
	Cemetery	Permitted
Retail and Consumer Services	Temporary Vendor	Permitted
Other	Accessory Use	Discretionary
	Similar Use	Discretionary

79 SU-SP General Regulations

- All **development** must ensure:
 - protection of **sensitive environmental areas**;
 - safe and efficient vehicle manoeuvring and parking;
 - safe and convenient pedestrian connectivity;
 - mitigation of impacts to surrounding residential areas; and
 - operations and functions of **Golf Courses, Campgrounds, and Cemeteries** are not negatively impacted.
- Accessory accommodation** may be allowed as a component of a **Golf Course, Campground, or Cemetery**.
- MPC** shall be the **Development Authority** for **Golf Courses, Campgrounds, and Cemeteries**.
- In addition to the **development regulations** in this district, all **development** must comply with:
 - Part 9 (Rules for All Districts);
 - Part 10 (Use Specific Rules);
 - Part 11 (Sign Rules); and
 - Part 12 (Airport Zoning Regulation Overlay).

Regional Park Special Use (SU-RP) District

80 SU-RP Purpose

- Provide public land and amenities that promote Echo Dale Regional Park as a recreation and cultural hub of activity for the City and region.
- Support the enhancement of the events, programs, services, amenities, and other activities of Echo Dale Regional Park.

81 SU-RP Permitted and Discretionary Uses

Use Categories	Uses Allowed	Permitted or Discretionary
Open Space	Public Park	Permitted
	Campground	Permitted
Community and Culture	Outdoor Recreation Facility	Permitted
	Indoor Recreation Facility	Permitted
	Community Garden	Permitted
Retail and Consumer Services	Temporary Vendor	Permitted
Other	Accessory Use	Discretionary
	Similar Use	Discretionary

82 SU-RP General Regulations

- (1) All **development** must ensure:
 - (a) protection of **sensitive environmental areas**;
 - (b) safe and efficient vehicle manoeuvring and parking;
 - (c) safe and convenient pedestrian connectivity;
 - (d) mitigation of impact to surrounding areas; and
 - (e) operations and functions of Echo Dale Regional Park are not negatively impacted.
- (2) **Accessory accommodation** may be allowed in this district.
- (3) **MPC** shall be the **Development Authority** for **Campgrounds, Outdoor Recreation Facilities, and Indoor Recreation Facilities**.
- (4) In addition to the **development regulations** in this district, all **development** must comply with:
 - (a) Part 9 (Rules for All Districts);
 - (b) Part 10 (Use Specific Rules);
 - (c) Part 11 (Sign Rules); and
 - (d) Part 12 (Airport Zoning Regulation Overlay).

Regional Commercial Special Use (SU-RC) District

83 SU-RC Purpose

- Provide a wide range of vehicle-oriented development adjacent to highway and other major transportation routes with convenient access for residents and the travelling public.
- Capitalize on proximity to major transportation corridors, high visibility, adjacent anchor development, and opportunities for development of vacant and underutilized land.
- Support a variety of large-format commercial development, sports and entertainment uses, and compatible low-impact light industrial uses.

84 SU-RC Permitted and Discretionary Uses

Use Categories	Uses Allowed	Permitted or Discretionary
Community and Culture	Childcare Service	Discretionary
	Place of Worship, Major	Discretionary
	Community Centre	Discretionary
	Cultural Centre	Discretionary
	Art Studio	Permitted
	Social Organization	Permitted
Health and Social Service	Health Care Office, Minor	Permitted
	Health Care Office, Major	Permitted
	Community Social Service	Discretionary
	Community Food Service	Discretionary
Business, Professional and Service	Office, Minor	Permitted
	Office, Major	Permitted
	Government Service	Permitted
	Financial Institution	Permitted
	Commercial School, Minor	Permitted
	Business Support Service	Permitted
	Self Storage, Indoor	Discretionary
Retail and Consumer Services	General Retail Store	Permitted
	Liquor Store	Permitted
	Cannabis Store	Permitted
	Pawn Shop	Discretionary
	Adult Novelty Store	Discretionary
	Temporary Vendor	Permitted
	Home/Building Supply	Discretionary
	Garden Centre	Discretionary
	Personal Service	Permitted
	Household Service	Permitted
	Dry Cleaner/Laundromat	Discretionary
	Fitness/Wellness Centre, Minor	Permitted
Fitness/Wellness Centre, Major	Permitted	

	Payday Loan	Discretionary
Food, Beverage, and Entertainment	Restaurant, Limited	Permitted
	Restaurant, Full Service	Permitted
	Specialty Food Store	Permitted
	Catering/Remote Food Service	Permitted
	Convention/Event Centre	Discretionary
	Hotel	Discretionary
	Amusement Establishment, Minor	Permitted
	Amusement Establishment, Major	Discretionary
	Bar	Discretionary
Animal Uses	Pet Service	Permitted
	Pet Store	Permitted
	Veterinary Clinic	Permitted
	Animal Kennel/Training Centre	Discretionary
Vehicle Oriented	Vehicle Fuel Station	Discretionary
	Vehicle Fuel Station, Bulk	Discretionary
	Vehicle Wash/Detailing	Discretionary
	Vehicle Quick Service	Discretionary
	Vehicle Service/Repair	Discretionary
	Vehicle Body/Paint	Discretionary
	Vehicle Sales	Discretionary
	RV Sales/Service	Discretionary
	Large Vehicle Sales/Service	Discretionary
	Truck Stop	Discretionary
	Transportation/Fleet Service	Discretionary
	Drive Through	Discretionary
	Parking Lot	Discretionary
	Parking Structure	Discretionary
Light/Medium Industrial	Contractor Service, Minor	Discretionary
Other	Accessory Use	Discretionary
	Funeral Home	Discretionary
	Recyclables/Waste Depot	Permitted
	Similar Use	Discretionary

85 SU-RC General Regulations

- (1) In addition to the **development regulations** in this district, all **development** must comply with:
- (a) Part 9 (Rules for All Districts);
 - (b) Part 10 (Use Specific Rules);
 - (c) Part 11 (Sign Rules); and
 - (d) Part 12 (Airport Zoning Regulation Overlay).

86 SU-RC Building Height

The maximum **building height** is six **storeys** to a maximum of 24.0 m.

87 SU-RC Site Width and Site Depth

The minimum **site width** and minimum **site depth** are as follows:

Land Use	Site Width	Site Depth
All Uses	18.0 m	36.0

88 SU-RC Setbacks

(1) The minimum **setbacks** are as follows:

Land Use	Front Setback	Exterior Side Setback	Interior Side Setback	Rear Setback
All Uses	3.0 m	3.0 m	0.0 m	3.0 m

(2) Notwithstanding Subsection (1) of this Section, where a **site** abuts a residential district the minimum **setback** on that side of the **site** is 7.5 m.

Airport Special Use (SU-AIR) District

89 SU-AIR Purpose

- Provide operational land for the Medicine Hat Regional Airport, aviation-related uses, and associated airside development.

90 SU-AIR Permitted and Discretionary Uses

Use Categories	Uses Allowed	Permitted or Discretionary
Infrastructure	Airport	Permitted
	Municipal Depot	Permitted
	Protective/Emergency Service	Permitted
Light/Medium Industrial	Commercial School, Major	Discretionary
	Storage Yard	Permitted
Business, Professional and Service	Government Service	Discretionary
	Commercial School, Minor	Discretionary
	Business Support Service	Discretionary
Vehicle Oriented	Transportation/Fleet Service	Discretionary
	Parking Lot	Discretionary
	Parking Structure	Discretionary
Other	Accessory Use	Discretionary
	Similar Use	Discretionary

91 SU-AIR General Regulations

- All **development** must ensure:
 - safe and efficient vehicle manoeuvring and parking;
 - safe and convenient pedestrian connectivity;
 - adequate provision of parking and drop-off areas; and
 - operations and functions of the Medicine Hat Regional Airport are not negatively impacted.
- In accordance with Section 188 (Development Permit Exemption), **developments** associated with airport operations are exempt from the requirement of a **development permit**.
- Developments** responsible for supporting airport operations may be allowed to have airside access.
- Excepting the parking of aircraft or any outdoor storage related to the operations of the Airport, outdoor storage of goods, materials, or equipment is not permitted within the SU-AIR District.
- Any **development** which would cause:
 - excessive or unsafe discharge of dust, smoke, or other emissions into the atmosphere;
 - radiation or interference by the use of electric or electronic equipment;
 - fire and explosive hazards;
 - excessively bright or unsafe lighting or use of **electronic display**;

- (e) accumulation of any material or waste edible by, or attractive to birds; and
- (f) retention of overland drainage that could attract birds,

shall not be approved.

- (6) The **Development Authority** may establish **development regulations** specific to this district and, in doing so, shall have regard to:
 - (a) impact on adjacent **uses**;
 - (b) location;
 - (c) scale;
 - (d) availability of services;
 - (e) traffic generation;
 - (f) quality of existing **roads**;
 - (g) storm water drainage; and
 - (h) any other relevant land use planning considerations.
- (7) In addition to the **development regulations** in this district, all **development** must comply with:
 - (a) Part 9 (Rules for All Districts);
 - (b) Part 10 (Use Specific Rules);
 - (c) Part 11 (Sign Rules); and
 - (d) Part 12 (Airport Zoning Regulation Overlay).

92 SU-AIR Building Height

Maximum **building height** shall be determined by the **Development Authority** in accordance with the **AZRO**.

Infrastructure Special Use (SU-INF) District

93 SU-INF Purpose

- Provide land, buildings, structures, and systems of works, plant, equipment, and other related components used for the production, transmission, delivery, or furnishing of a utility or service for public consumption, benefit, or use.
- Strategically locate public services, infrastructure, and utilities in an efficient manner that minimizes impact to adjacent uses.

94 SU-INF Permitted and Discretionary Uses

Use Categories	Uses Allowed	Permitted or Discretionary
Infrastructure	Public Utility, Major	Permitted
	Renewable Energy System, Major	Permitted
	Solid Waste Landfill	Permitted
	Recyclables/Waste Depot	Permitted
	Municipal Depot	Permitted
	Protective/Emergency Service	Permitted
Light/Medium Industrial	Storage Yard	Permitted
Other	Accessory Use	Discretionary
	Similar Use	Discretionary

95 SU-INF General Regulations

- (1) Large scale natural gas, solar, wind, co-generation, or other similar facilities shall be **setback** from residential areas to the satisfaction of the **Development Authority**.
- (2) Public infrastructure that is located within residential and commercial areas shall be developed in a manner that:
 - (a) does not negatively impact residential uses or any other adjacent urban development; and
 - (b) exhibits an attractive and high-quality design.
- (3) **MPC** shall be the **Development Authority** for a **Public Utility, Major, Renewable Energy System, Major, and Solid Waste Landfill**.
- (4) In addition to the **development regulations** in this district, all **development** must comply with:
 - (a) Part 9 (Rules for All Districts);
 - (b) Part 10 (Use Specific Rules);
 - (c) Part 11 (Sign Rules); and
 - (d) Part 12 (Airport Zoning Regulation Overlay).

Direct Control Special Use (SU-DC) District

96 SU-DC Purpose

- Allow Council to exercise particular control over the use and development of specific sites or buildings in circumstances where, in the opinion of Council:
 - a proposed development does not fit into any other district,
 - a site or building requires a unique approach to establishing parameters for development,
 - a proposed development may result in high impacts to surrounding areas, or
 - there is inadequate statutory policy guidance.

97 Land Uses Requiring SU-DC District and Council Decision

- (1) Subject to Section 99, any **use** or **development** of land or a **building** on a **site** designated SU-DC District must be approved by **Council**.
- (2) New **development** of the following **uses** must be located on a **site** designated SU-DC District and decision must be made by **Council**:
 - (a) **Abattoir**;
 - (b) **Addiction Service**;
 - (c) **Adult Establishment**;
 - (d) **Arena**;
 - (e) **Bingo Hall**;
 - (f) **Casino**;
 - (g) **Community Shelter/Transitional Housing**;
 - (h) **Confined Feeding Operation**;
 - (i) **Correctional/Remand Centre**;
 - (j) **Firearms Range**;
 - (k) **Hospital**;
 - (l) **Livestock Operation**;
 - (m) **Military Base**;
 - (n) **Post-Secondary Institution**;
 - (o) **Special Recreation**;
 - (p) **Supervised Consumption Site**; and
 - (q) **Temporary Accommodation**.

98 SU-DC General Regulations

- (1) **Council** may by resolution establish such parameters for **development** as it considers necessary in respect of any **site** within this district, and in doing so may vary, relax, or waive:
 - (a) any **development regulation of this Bylaw**; or
 - (b) any provision of the **Municipal Servicing Standards Manual (MSSM)**.
- (2) **Council** may by resolution issue any directions it considers appropriate to the **MPC** or **City Planner** with respect to the power of the **MPC** or **City Planner** to make a decision on an application for a **development permit** on any **site** in this district.
- (3) Subject to Subsection (5) of this Section, an application for approval of a **development** on a **site** in this district in respect of which **Council** has passed a resolution under Subsection (2) of this Section, shall be:

- (a) processed in the same manner as an application involving any other **district**; and
 - (b) referred to the **MPC** or **City Planner** which shall make a decision whether to approve the application for **development permit** with or without conditions, consistent with the **Council** resolution.
- (4) An application for approval of a **development** on a **site** in this district in respect of which **Council** has not yet passed a resolution under Subsection (2) of this Section, shall be referred to the **MPC** which shall make recommendations to **Council** concerning:
- (a) whether a resolution should be passed by **Council** under Subsection (2) of this Section, and if so, the proposed content of that resolution; and
 - (b) whether the **development** should be approved, with or without conditions, and the content of any conditions proposed,
- and **Council** shall decide whether to pass a resolution under Subsection (2) of this Section and whether to approve the proposed development, with or without conditions.
- (5) Despite Subsection (3) of this Section, if a **Council** resolution under Subsection (2) of this Section specifically provides that **Council** and not the **MPC** or **City Planner** shall make a decision on any application for **development permit** involving the **site**, then the **MPC** or **City Planner** shall nevertheless deal with the application but shall make a recommendation to **Council** on whether to approve the proposed development, with or without conditions, and **Council** shall make the decision.
- (6) When a decision is made by the **MPC** or **Council** to approve a **development** involving a **site** in this district, with or without conditions, a **development permit** corresponding to the decision shall be issued by a person to whom the appropriate power of **Development Authority** has been delegated.

99 SU-DC Approval for Minor Development

- (1) In accordance with Subsection 98(2), **Council** has established that a decision on a **development** listed below on any **site** in this district shall be made by the **City Planner**:
- (a) a **development** listed in Section 188 (Development Permit Exemption);
 - (b) a sign listed in Section 169 (Signs: Development Permit Exemption);
 - (c) a sign requiring a **development permit**;
 - (d) **Home Business, Major**;
 - (e) **Home Business, Minor**;
 - (f) **Accessory Uses** associated with an existing **use**;
 - (g) **accessory buildings** associated with an existing **use**;
 - (h) additions to existing **buildings**; and
 - (i) on-site **roads** associated with an existing **use**.



Medicine Hat

PART 6

INDUSTRIAL TYPOLOGY



Light/Medium Industrial (I-LM) District

100 I-LM Purpose

- Provide employment lands for a variety of industrial uses and other compatible businesses.
- Facilitate transition between land uses and mitigation of impacts to adjacent non-industrial districts.
- Ensure that development does not conflict with the operations of existing heavy industrial uses and the future development of the I-H District.

101 I-LM Permitted and Discretionary Uses

Use Categories	Uses Allowed	Permitted or Discretionary
Light/Medium Industrial	Contractor Service, Minor	Permitted
	Contractor Service, Major	Permitted
	Printing/Publishing/Distributing	Permitted
	Commercial School, Major	Permitted
	Industrial Support Service	Permitted
	Industrial Operation, Minor	Permitted
	RV Storage	Permitted
	Private Storage	Discretionary
	Self Storage, Outdoor	Permitted
	Storage Yard	Permitted
Agricultural	Cannabis Production	Discretionary
	Intensive Agriculture	Discretionary
	Agricultural Supplies/Service	Permitted
Infrastructure	Recyclables/Waste Depot	Permitted
	Municipal Depot	Permitted
Vehicle Oriented	Vehicle Fuel Station	Discretionary
	Vehicle Fuel Station, Bulk	Discretionary
	Vehicle Wash/Detailing	Permitted
	Vehicle Quick Service	Permitted
	Vehicle Service/Repair	Permitted
	Vehicle Body/Paint	Permitted
	Vehicle Sales	Permitted
	RV Sales/Service	Permitted
	Large Vehicle Sales/Service	Permitted
	Transportation/Fleet Service	Permitted
	Drive Through	Discretionary
	Parking Lot	Discretionary
Bereavement Uses	Funeral Home	Discretionary
	Crematorium	Discretionary
	Office, Minor	Discretionary

Business, Professional and Service	Office, Major	Discretionary
	Government Service	Discretionary
	Commercial School, Minor	Discretionary
	Business Support Service	Discretionary
	Self Storage, Indoor	Discretionary
Animal Uses	Pet Service	Discretionary
	Pet Store	Discretionary
	Veterinary Clinic	Discretionary
	Animal Kennel/Training Centre	Discretionary
	Animal Breeding Operation	Discretionary
Retail and Consumer Services	General Retail Store	Discretionary
	Liquor Store	Discretionary
	Cannabis Store	Discretionary
	Pawn Shop	Discretionary
	Adult Novelty Store	Discretionary
	Temporary Vendor	Discretionary
	Home/Building Supply	Discretionary
	Garden Centre	Discretionary
	Personal Service	Discretionary
	Household Service	Discretionary
	Dry Cleaner/Laundromat	Discretionary
	Fitness/Wellness Centre, Minor	Discretionary
	Fitness/Wellness Centre, Major	Discretionary
	Payday Loan	Discretionary
Food, Beverage, and Entertainment	Restaurant, Limited	Discretionary
	Restaurant, Full Service	Discretionary
	Specialty Food Store	Discretionary
	Catering/Remote Food Services	Discretionary
	Convention/Event Centre	Discretionary
	Amusement Establishment, Minor	Discretionary
	Amusement Establishment, Major	Discretionary
	Bar	Discretionary
Community and Culture	Indoor Recreation Facility	Discretionary
	Art Studio	Discretionary
Health and Social Services	Health Care Office, Minor	Discretionary
	Health Care Office, Major	Discretionary
	Community Social Service	Discretionary
	Community Food Service	Discretionary
Other	Data Centre	Permitted

Accessory Use	Discretionary
Similar Use	Discretionary

102 I-LM General Regulations

- (1) In addition to the requirements set out in Section 190 (Development Permit Application Requirements), and consistent with the requirements of Section 124 (Infrastructure and Servicing Capacity), an application for **development permit** for a **Data Centre** must be accompanied by confirmation of adequate servicing capacity.
- (2) In addition to the **development regulations** in this district, all **development** must comply with:
 - (a) Part 9 (Rules for All Districts);
 - (b) Part 10 (Use Specific Rules);
 - (c) Part 11 (Sign Rules); and
 - (d) Part 12 (Airport Zoning Regulation Overlay).

103 I-LM Site Frontage and Site Area

The minimum **site frontage** and minimum **site area** are as follows:

Land Use	Site Frontage	Site Area
All Uses	30.0 m	1000 m ²

104 I-LM Setbacks

- (1) The **Development Authority** shall establish **setbacks** compatible with adjacent **sites** and the surrounding area.

Heavy Industrial (I-H) District

105 I-H Purpose

- Provide land for heavy industrial uses that are incompatible with urban development due to their appearance, scale, or other impacts.
- Strategically locate industrial development that may include high-risk operations, dangerous substances, hazardous materials, noxious odours, hydrocarbon-based operations, emission of fine particulate matter, or other industrial effects.
- Ensure that industrial development does not impact the safety, use, amenity, or enjoyment of any other district.

106 I-H Permitted and Discretionary Uses

Use Categories	Uses Allowed	Permitted or Discretionary
Heavy Industrial	Industrial Operation, Major	Permitted
	Chemical Plant	Permitted
	Resource Extraction	Discretionary
	Salvage Facility	Discretionary
Special Uses	Data Centre	Permitted
	Special Recreation (that legally existed on the date of enactment of this Bylaw)	Discretionary
	Firearms Range (that legally existed on the date of enactment of this Bylaw)	Discretionary
Other	Accessory Use	Discretionary
	Similar Use	Discretionary

107 I-H General Regulations

- (1) New **development** of **Special Recreation** or **Firearms Range** is prohibited in this district.
- (2) Expansion or intensification of **Special Recreation** or **Firearms Range** is prohibited in this district.
- (3) In addition to the requirements set out in Section 190 (Development Permit Application Requirements), and consistent with the requirements of Section 124 (Infrastructure and Servicing Capacity), an application for **development permit** for a **Data Centre** must be accompanied by confirmation of adequate servicing capacity.
- (4) **MPC** shall be the **Development Authority** for **Resource Extraction**, and **Salvage Facility**.
- (5) In addition to the **development regulations** in this district, all **development** must comply with:
 - (a) Part 9 (Rules for All Districts);
 - (b) Part 10 (Use Specific Rules);
 - (c) Part 11 (Sign Rules); and
 - (d) Part 12 (Airport Zoning Regulation Overlay).

108 I-H Site Area

The minimum **site area** is 5000 m².

109 I-H Setbacks

- (1) The minimum **setbacks** are as follows:

Land Use	Front Setback	Exterior Side Setback	Interior Side Setback	Rear Setback
All Uses	15.0 m	15.0 m	15.0 m	15.0 m

- (2) Notwithstanding Subsection (1) of this Section, and in accordance with Section 163 (Use Specific Rules – All Industrial Uses), the minimum **setbacks** shall be to the satisfaction of the **Development Authority**.



Medicine Hat

PART 7

NATURAL AND OPEN SPACE TYPOLOGY



Natural and Open Space (NOS) District

110 NOS Purpose

- Protect, conserve, rehabilitate, enhance, and manage as needed publicly owned sensitive environmental areas in a manner that is environmentally responsible.
- Provide low-impact public amenities for leisure, recreation, community, culture, and access to natural areas and open space.

111 NOS Permitted and Discretionary Uses

Use Categories	Uses Allowed	Permitted or Discretionary
Open Space	Public Park	Permitted
Community and Culture	Community Centre	Discretionary
	Outdoor Recreation Facility	Discretionary
	Cultural Centre	Discretionary
	Community Garden	Discretionary
Retail and Consumer Services	Temporary Vendor	Discretionary
Other	Accessory Use	Discretionary
	Similar Use	Discretionary

112 NOS General Regulations

- (1) All **development** shall consider impacts to **sensitive environmental areas** and the protection, conservation, rehabilitation, enhancement, and management of natural areas.
- (2) All **development** shall consider and incorporate, as required by the **Development Authority**, relevant environmental assessments, studies, or reports.
- (3) **Sensitive environmental areas** may be developed with low-impact trails and amenities that:
 - (a) facilitate passive and active recreation; and
 - (b) form a component of a multi-modal transportation network.
- (4) **Sensitive environmental areas** may be developed with **Temporary Vendors** on a seasonal basis or for special events.
- (5) Continuity between natural areas, open space, and public utility lots is encouraged through **landscaping** and pedestrian connectivity.
- (6) Public infrastructure (e.g. flood mitigation infrastructure, public utilities) may be located within **sensitive environmental areas** where all reasonable measures are taken to minimize impacts.
- (7) Where landscaping is allowed, **xeriscaping** and drought-resistant landscaping are encouraged.
- (8) Land dedicated as environmental reserve shall be designated as NOS District.
- (9) In addition to the **development regulations** in this district, all **development** must comply with:
 - (a) Part 9 (Rules for All Districts);
 - (b) Part 10 (Use Specific Rules);
 - (c) Part 11 (Sign Rules); and

(d) Part 12 (Airport Zoning Regulation Overlay).



Medicine Hat

PART 8

FUTURE URBAN DEVELOPMENT TYPOLOGY



Future Urban Development (FUD) District

113 FUD Purpose

- Prohibit premature subdivision and development of land reserved for future urban growth consistent with the Municipal Development Plan, other statutory plans, and the Municipal Servicing Standards Manual.
- Accommodate existing rural and agricultural activities in a manner that is compatible with surrounding urban areas.

114 FUD Permitted and Discretionary Uses

Use Categories	Uses Allowed	Permitted or Discretionary
Principal Dwellings	Detached House (that legally existed on the date of enactment of this Bylaw regardless of whether they are non-conforming buildings or non-conforming uses)	Discretionary
Accessory Dwellings	Secondary Suite	Discretionary
Home Employment Accessory Uses	Residential Day Home	Permitted
	Remote Work	Permitted
	Home Business, Minor	Discretionary
	Home Business, Major	Discretionary
	Bed and Breakfast	Permitted
	Short Term Dwelling Rental	Permitted
Other Accessory Residential Uses	Residential Accessory Building	Discretionary
	Residential Accessory Structure	Discretionary
Retail and Consumer Services	Temporary Vendor	Discretionary
Animal Uses	Animal Kennel/Training Centre	Discretionary
	Animal Breeding Operation	Discretionary
Light/Medium Industrial	RV Storage	Discretionary
	Self Storage, Outdoor	Discretionary
	Storage Yard	Discretionary
Agricultural Uses	Extensive Agriculture	Discretionary
	Intensive Agriculture	Discretionary
Other	Accessory Use	Discretionary
	Similar Use	Discretionary

115 FUD General Regulations:

- (1) Premature subdivision and development is prohibited.
- (2) Subdivision and **development** in the FUD District shall proceed in an orderly and economical manner consistent with:
 - (a) the *South Saskatchewan Regional Plan*;
 - (b) the *Tri-Area Intermunicipal Development Plan*;
 - (c) the **MDP**; and
 - (d) any relevant **statutory plans** or outline plans.
- (3) Subdivision and **development** may be allowed, at the discretion of the **Development Authority**, to accommodate:
 - (a) municipal infrastructure;
 - (b) an interim **use** of land for agricultural purposes, public parks, or outdoor recreation; and
 - (c) subdivision or consolidation for the purposes of facilitating the land development process and preparing for future greenfield development.
- (4) Low-impact temporary uses may be allowed where they can be easily removed.
- (5) Servicing standards for all **development** shall be to the satisfaction of the **Development Authority**.
- (6) A proposed development in proximity to existing **uses** or urban development shall mitigate negative impacts to the satisfaction of the **Development Authority**.
- (7) An existing **use** not listed in this district is a **discretionary use** if, at the time of the effective date of **this Bylaw**, it was being carried on:
 - (a) pursuant to a valid **development permit**, and
 - (b) in accordance with the conditions of the **development permit**.
- (8) In addition to the **development regulations** in this district, all **development** must comply with:
 - (a) Part 9 (Rules for All Districts);
 - (b) Part 10 (Use Specific Rules);
 - (c) Part 11 (Sign Rules); and
 - (d) Part 12 (Airport Zoning Regulation Overlay).

116 FUD Density

A maximum of one **principal dwelling** is allowed on a **site**.

117 FUD Building Height:

The maximum **building height** is three **storeys** to a maximum of 12.0 m.

Part 9: Rules for All Districts

118 Application

The Rules for All Districts:

- (1) apply to all **development** in all **districts** unless a specific provision of **this Bylaw** narrows the application of a Section or Subsection; and
- (2) are supplemented and not superseded by other **development regulations** unless a specific provision of **this Bylaw** states otherwise.

119 Environmental

119.1 Environmental Assessment

- (1) The **Development Authority** may require an **environmental site assessment, environmental impact assessment**, or other environmental report of any kind as supporting material to an application for **development permit** or to a **rezoning application**, where in the opinion of the **Development Authority**:
 - (a) there may be a risk of any pre-existing contamination on or near the **site**; or
 - (b) the proposed development may create an environmental risk to other lands.
- (2) If the **Development Authority** concludes, based on the content of an **environmental site assessment, environmental impact assessment**, or other report required as supporting material to an application for **development permit**, that:
 - (a) there could be a risk to a proposed development from pre-existing contamination on or near the **site**; or
 - (b) a proposed development could create an environmental risk to other lands,then regardless of whether the proposed development is a **permitted use** or a **discretionary use** the **Development Authority** may:
 - (c) approve the issuance of a **development permit** upon such conditions as the **Development Authority** deems necessary to mitigate any risk associated with the proposed development; or
 - (d) refuse to approve the issuance of a **development permit** if the **Development Authority** is of the opinion that there are no reasonable conditions of approval that could adequately mitigate risk associated with the proposed development.
- (3) If an **environmental site assessment, environmental impact assessment**, or other report is required as part of a provincial or federal approval process for a **development**, the **Development Authority** may:
 - (a) require the **Applicant** to provide a copy of the **environmental site assessment** or other report; and
 - (b) take its content into consideration in making a decision on an application for **development permit** or in making a recommendation with respect to a **rezoning application**.
- (4) If the **Development Authority** concludes, based on the content of an **environmental site assessment, environmental impact assessment**, or other report required by a provincial or federal regulatory authority, that a proposed development could have a negative impact on the environment, then regardless of whether the proposed development is a **permitted use** or a **discretionary use** the **Development Authority** may:

- (a) approve the issuance of a **development permit** upon such conditions as the **Development Authority** deems necessary to mitigate negative impact on the environment associated with the proposed development; or
 - (b) refuse to approve the issuance of a **development permit** if the **Development Authority** is of the opinion that there are no reasonable conditions of approval that could adequately mitigate negative impact on the environment associated with the proposed development.
- (5) A proposed development does not conform to **this Bylaw** if, in the opinion of the **Development Authority**, there are no reasonable conditions of approval that could adequately mitigate negative impact on the environment associated with the proposed development.

119.2 Environmentally Sensitive Area

- (1) For the purpose of promoting environmental stewardship, when reviewing an application for a **development permit, rezoning application**, or subdivision, the **Development Authority** shall consider:
- (a) the **sensitive environmental areas** identified in the **Municipal Development Plan**;
 - (b) the *Stepping Back from the Water* management practices guide in determining **setback** distances from the edge of a water body;
 - (c) the requirement for a biophysical study of any kind; and
 - (d) the requirement for increased **setbacks** beyond the **development setback line** from the **top of escarpment** or **bottom of escarpment** as a design requirement in order to:
 - (1) provide for public access to natural areas,
 - (2) provide for public trails and pedestrian connectivity,
 - (3) protect significant public views,
 - (4) provide the opportunity for scenic single-loaded streets, or
 - (5) allow adequate space for wildlife corridors.

120 Geotechnical

- (1) Where the **overall slope** exceeds 15 percent (8.5 degrees) but is less than or equal to 33 percent (18 degrees), the **development setback line** for **developments** near the **top of escarpment** will be determined by the **Development Authority** but must not be closer than six metres to the **top of escarpment** and no **variance** to this minimum six metre **setback** is allowed except pursuant to Subsection (4) of this Section.
- (2) Where the **overall slope** exceeds 33 percent (18 degrees) the **development setback line** will be determined by the **Development Authority**, and an **Applicant** for a **development permit** must provide a geotechnical report containing a recommendation as to the location of the **development setback line**.
- (3) The **development setback line** for **developments** near the **bottom of escarpment** is either:
- (a) 6.0 m from the **bottom of escarpment**, or
 - (b) a distance from the **bottom of escarpment** that is equal to the difference in vertical elevation between the **bottom of escarpment** and the **top of escarpment** immediately above it;
- whichever is the greater **setback**, and no **variance** to this minimum **setback** distance is allowed except pursuant to Subsection (4) of this Section.
- (4) Notwithstanding Subsections (1) through (3) of this Section, when a **development** is proposed to be located, in whole or in part, closer to **top of escarpment** or **bottom of escarpment** than the **development setback line**, the **Development Authority** may issue a **development permit** with a **variance** upon such conditions as it deems appropriate, only if the **Applicant** has provided a

geotechnical report which states that the **development** itself, its potential occupants, and any existing or potential new **developments** in the vicinity will not be at risk.

- (5) Notwithstanding Subsection (1) of this Section, if a geotechnical report indicates a need for a **development setback line** further than 6.0 m from **top of escarpment** or **bottom of escarpment** in a particular location, the **Development Authority** may establish a different **development setback line** for a **development** in that location.

121 Flood Hazard

121.1 Application

- (1) The **development regulations** of this Section shall apply to:
 - (a) land and **buildings** identified in the flood studies and maps of the *Alberta Flood Hazard Identification Program* as being within the **flood hazard area**; and
 - (b) land and **buildings** identified in a site-specific flood study as being within the **flood hazard area**.
- (2) The **Development Authority** may require an **Applicant** to provide documentation, including a site plan with geodetic elevations, confirming whether a proposed development, a **site**, or any land or **building** that is the subject of an application for **development permit**, is within the **flood hazard area**.
- (3) The **development regulations** of this Section apply and prevail when there is any conflict between this Section and any other requirement of **this Bylaw**.

121.2 General Flood Hazard Area Regulations

- (1) For the purpose of promoting public safety and mitigating the potential impacts from flooding within the **flood hazard area**, the **Development Authority** shall consider:
 - (a) the *Stepping Back from the Water* management practices guide;
 - (b) the environmental stewardship policies of the **MDP** as it relates to flood hazard risk considerations;
 - (c) the potential for a proposed development to negatively impact **sensitive environmental areas**;
 - (d) the potential for a proposed development to negatively impact public safety;
 - (e) the potential for a proposed development to sustain damage from a flood;
 - (f) the potential for a proposed development to negatively impact adjacent **sites**;
 - (g) the potential for a proposed development to adversely alter the hydraulics of the **floodway**;
 - (h) whether a proposed development:
 - (1) is protected by neighbourhood-scale flood mitigation infrastructure,
 - (2) is protected by site-specific flood proofing,
 - (3) will result in the continuation of a viable existing development,
 - (4) will result in the redevelopment of a previously viable development,
 - (5) will result in a change in the intensity of an existing development,
 - (6) will result in a change of use to a more appropriate development, and
 - (7) should be prohibited within, or in proximity to, the **flood hazard area**; and
 - (i) any other land use planning considerations or principles relevant to the circumstances of a **development**.

- (2) The **Development Authority** may establish a **development regulation** or allow a **variance** specific to any **development** in any **district** for the purpose of promoting public safety and mitigating the potential impacts from flooding within the **flood hazard area**.

121.3 Prohibited in the Floodway

The following **development** or activities are prohibited in the **floodway**:

- (1) removal of mature natural vegetation or other significant natural features that contribute to soil stability when not associated with an approved development;
- (2) excavation or alteration of grade when not associated with an approved development;
- (3) indoor or outdoor storage of chemicals, explosives, flammable liquids, toxic or waste materials, or any other potentially harmful substance;
- (4) storage or stockpiling of dirt, sand, gravel, or other similar aggregates; and
- (5) any other **use, development** or activity that may, in the opinion of the **Development Authority**, result in:
 - (a) a negative impact on public safety, or
 - (b) an increase in the potential impacts from flooding,within the **flood hazard area**.

121.4 Existing Development in the Floodway

- (1) Existing development within the **floodway** may continue where:
 - (a) a **use** is a **non-conforming use**, or
 - (b) a **building** is a **non-conforming building**.
- (2) Repair or maintenance of existing **buildings** or structures is allowed in the **floodway** when associated with an existing development.

121.5 New Development in the Floodway

- (1) New **development** within the **floodway** may be allowed when associated with the following:
 - (a) low-impact development associated with a **Public Park**;
 - (b) **Extensive Agriculture**;
 - (c) public utilities and infrastructure approved by the authority having jurisdiction;
 - (d) erosion control;
 - (e) site-specific flood proofing;
 - (f) neighbourhood-scale flood mitigation infrastructure; or
 - (g) any other use **Council** considers appropriate.
- (2) New **development** within the **floodway** shall be designed to:
 - (a) mitigate potential impacts to public safety;
 - (b) mitigate potential risk to damage from a flood;
 - (c) mitigate the potential to adversely alter the hydraulics of the **flood hazard area**, and
 - (d) provide site-specific flood proofing, to the satisfaction of the **Development Authority**.
- (3) New **development** within the **floodway** shall mitigate potential impacts to:
 - (a) **sensitive environmental areas**;
 - (b) water quality;

- (c) public safety;
 - (d) public or private property;
 - (e) emergency flood response;
 - (f) existing development; or
 - (g) any other relevant planning considerations or principals.
- (4) Where a proposed development within the **floodway** consists of a new **use** not included in Subsection 121.5(1), or an increase in the intensity of an existing development, or expands an existing development into the **floodway**, the **site** that is the subject of the proposed development must be zoned SU-DC District and **Council** must make the decision to approve or refuse the proposed development.

121.6 New Development in the Flood Fringe

- (1) The **Development Authority** may impose conditions of approval on new **development** in the **flood fringe** for the purpose of promoting public safety and mitigating the potential impacts from flooding within the **flood hazard area**, and in doing so shall consider the following requirements:
- (a) locating a **development** on a **site** to be outside of the **flood hazard area**;
 - (b) using fill to raise the elevation of a **site** or **building**;
 - (c) constructing a berm or floodwall around a **site** or **building**;
 - (d) raising a **building** on posts, piles, or piers;
 - (e) designing a **building** to have a minimum main floor elevation above the **designated flood level**;
 - (f) designing a **building** to locate habitable spaces at a minimum main floor elevation above the **designated flood level**;
 - (g) designing a **building** to have a **minimum building opening elevation (MBOE)**;
 - (h) designing a **building** to have a watertight basement;
 - (i) designing a **building** to have wet floodproofing;
 - (j) locating mechanical and electrical equipment above the **designated flood level**;
 - (k) designing a **building** to have no basement;
 - (l) designing a **building** to have a manually closing back water valve;
 - (m) designing private or public **roads** to provide emergency access; and
 - (n) any other considerations, or principles relevant to the circumstances of a **development** in the **flood hazard area**.

122 Historic Resources

122.1 General Historic Resources Regulations

The **Development Authority** may establish a **development regulation** or allow a **variance** to ensure that a proposed development on a **site** containing a National Historic Site, **Provincial Historic Resource**, or **Municipal Historic Resource**:

- (1) is consistent with the requirements of a designation bylaw or any other form of legal protection for a **Historic Resource**;
- (2) is consistent with the *Standards and Guidelines for the Conservation of Historic Places in Canada*; and
- (3) will not negatively impact the heritage value or character-defining elements of an **Historic Resource**.

122.2 Interventions to Municipal Historic Resources and Areas

- (1) In accordance with the *Historical Resources Act*, no person shall destroy, disturb, alter, restore, or repair an **Historic Resource** without the written approval of **Council** or a person appointed by **Council** for this purpose.
- (2) Application and approval for an intervention to a **Municipal Historic Resource** or **Municipal Historic Area** is required to ensure that:
 - (a) a proposed development is consistent with the requirements of the designation bylaw for the **Municipal Historic Resource** or **Municipal Historic Area**;
 - (b) a proposed development is consistent with the *Standards and Guidelines for the Conservation of Historic Places in Canada*; and
 - (c) a proposed development will not negatively impact the heritage value or character-defining elements of the **Municipal Historic Resource** or **Municipal Historic Area**.

122.3 Land Uses on Historic Sites

- (1) Notwithstanding any other provision of *this Bylaw*, if a **building** or **site** is or becomes an **Historic Resource**, the **Development Authority** has the discretion to allow a **development** that is not a **permitted use**, **discretionary use**, or **Similar Use** in the **district** in question, provided that:
 - (a) the **development** is not inconsistent with the **purpose statement** for the **district**; and
 - (b) the **development** does not alter or detract from the visual appearance of the character-defining elements of the **Historic Resource**.
- (2) A **development permit** authorizing a **development** in accordance with Subsection 122.3(1) shall be approved subject to conditions deemed appropriate for the purpose of ensuring compliance with Subsection 122.1 (1) through (3).

122.4 Heritage Resources Policy

In accordance with the *Heritage Resources Policy*, and to promote heritage awareness and preservation, all applications for **development** or demolition for property listed on the **Heritage Inventory** must be circulated for comment to the *Heritage Resources Working Group*.

122.5 Municipal Historic Areas

- (1) In accordance with the *Historical Resources Act*:
 - (a) **Council** may designate and protect **Municipal Historic Areas** through the adoption of designation bylaws; and
 - (b) a **Municipal Historic Area** that is designated by adoption of a bylaw is deemed to form part of *this Bylaw*.
- (2) The following **Municipal Historic Areas** are designated by bylaw in accordance with the *Historical Resources Act*:
 - (a) *First Street South Municipal Historic Area Designation Bylaw No. 4212*; and
 - (b) *Saratoga Park Municipal Historic Area Designation Bylaw No. 4645*.

123 Health, Safety and Nuisance

- (1) Unless otherwise allowed by *this Bylaw* or through a **development permit**, the **use** or **development** of land or **buildings** must not create a health or safety risk, or an excessive nuisance to any other **site**, by reasons of generation of:
 - (a) noise, vibration, odour, light, or glare;
 - (b) smoke, dust, particulate matter, or other emissions;

- (c) parking congestion, vehicular traffic, or impacts to pedestrian safety;
 - (d) electronic interference;
 - (e) toxic or noxious hazards;
 - (f) fire and explosive hazards;
 - (g) radiation hazards;
 - (h) excessive heat or humidity;
 - (i) refuse matter, waste, or waterborne waste; or
 - (j) any other impact that, in the opinion of the **Development Authority**, creates a health or safety risk, or excessive nuisance to any other **site**.
- (2) In determining the significance of a potential health and safety risk or nuisance, the **Development Authority** shall consider:
- (a) the magnitude of the health and safety risk or nuisance;
 - (b) the extent, frequency, and duration of exposure to the health and safety risk or nuisance by the impacted **sites**;
 - (c) the existing **uses** and sensitivity of impacted **sites** to a health and safety risk or nuisance;
 - (d) any professionally prepared health, safety, or nuisance assessment; and
 - (e) any other land use planning considerations or principles relevant to a proposed development and the potential for health and safety risk or excessive nuisance.

123.2 Health and Safety Assessment

If a proposed development poses a potential hazard, or risk to health and safety, the **Development Authority**:

- (1) shall require as part of an application for **development permit** a professionally prepared risk assessment to the satisfaction of the **Development Authority**; and
- (2) may, through a condition(s) of **development permit** approval, require that the **development** incorporate recommendations of a risk assessment; or
- (3) may refuse the application for **development permit**.

123.3 Nuisance Assessment

If a proposed development presents the possibility of excessive nuisance, the **Development Authority**:

- (1) shall require as part of an application for **development permit**, a professionally prepared nuisance assessment to the satisfaction of the **Development Authority**; and
- (2) may, through a condition(s) of **development permit** approval, require that the **development** incorporate recommendations of the nuisance assessment; or
- (3) may refuse the application for **development permit**.

123.4 Mitigating Land Use Conflicts

- (1) In consideration of the potential impacts from a proposed development, the **Development Authority** may require mitigation measures related to any aspect of a proposed development including:
 - (a) **building** location and orientation;
 - (b) the size, number, location, and orientation of building openings;
 - (c) **screening, landscaping**, views and sight lines, signage, sound attenuation, building materials, parking, vehicle circulation, garbage collection, or similar activities;

- (d) hours of operation of a **use**;
 - (e) outdoor speakers or amplification systems; and
 - (f) any other planning considerations or principals relevant to the mitigation of land use conflicts.
- (2) An application for **development permit** may be refused if the direct or cumulative impacts of existing and proposed development in proximity to one another may result in excessive nuisance, on-street parking congestion, vehicle traffic, impacts to pedestrian safety, or any other direct or cumulative land use conflict.

124 Infrastructure and Servicing Capacity

- (1) The **Development Authority** shall require confirmation that a **development** or a **site** that is the subject of an application for **development permit**, subdivision, or **rezoning application** shall be adequately serviced with:
- (a) sanitary sewage collection, treatment, and disposal;
 - (b) water supply, treatment, and distribution;
 - (c) storm water collection and storage;
 - (d) electric power and natural gas servicing capacity;
 - (e) **road** infrastructure capacity and access points;
 - (f) telecommunications services; and
 - (g) protective and emergency services and fire suppression measures.
- (2) The **Development Authority** may require such documentation as the **Development Authority** deems necessary to confirm that a **development** or a **site** shall be adequately serviced.
- (3) A proposed development does not conform to **this Bylaw** if, in the opinion of the **Development Authority**, there are no reasonable conditions of approval that could adequately mitigate infrastructure and servicing constraints.

125 Oil and Gas Infrastructure

- (1) Subdivision and **development** shall adhere to the required setbacks, as identified in relevant provincial legislation, plans, or guiding documents, with regard to energy infrastructure including active oil and gas wells, abandoned oil and gas wells, sour gas facilities, and pipelines.
- (2) In accordance with the *Subdivision and Development Regulation*, all applications for **development permit** must include a declaration of abandoned wells.
- (3) No **building**, structure, or foundation of any kind is allowed within the following distance of a producing oil well or gas well:
- (a) 100.00 m; or
 - (b) at such other distance not less than 50.00 m that may be allowed by a provincial regulatory authority having jurisdiction.
- (4) No **building**, structure, or foundation of any kind is allowed within the following radius of a shut-in or abandoned oil well or gas well:
- (a) 5.00 m radius; or
 - (b) a radius in excess of 5.00 m, where such larger radius as required by the **Development Authority**.

126 Non-Conforming Uses and Buildings

- (1) If a **development permit** has been issued on or before the day on which **this Bylaw**, or a land use amendment bylaw comes into force and the bylaw would make the **development** in respect of which the **development permit** was issued a **non-conforming use** or **non-conforming building**, the **development permit** continues in effect despite the coming into force of the bylaw.
- (2) A **non-conforming use** of land or a **building** may be continued, but if that **use** is discontinued for a period of six consecutive months or more, any future **use** of the land or **building** must conform with **this Bylaw**.
- (3) A **non-conforming use** of part of a **building** may be extended throughout the **building** but the **building**, whether or not it is a **non-conforming building**, may not be enlarged or added to and no structural alterations may be made to it or in it.
- (4) A **non-conforming use** of part of a **site** may not be extended or transferred in whole or in part to any other part of the **site** and no additional **buildings** may be constructed on the **site** while the **non-conforming use** continues.
- (5) A **non-conforming building** may continue to be used but the **building** may not be enlarged, added to, rebuilt, or structurally altered except:
 - (a) to make it a conforming building; or
 - (b) for routine maintenance of the **building**, if the **Development Authority** considers it necessary.
- (6) Notwithstanding Subsection (5) of this Section, and in accordance with Subsection 643(5)(c) of the **MGA**, the **Development Authority** may issue a **variance** allowing a **non-conforming building** to be enlarged, added to, rebuilt, or structurally altered where, in the opinion of the **Development Authority**:
 - (a) the proposed development is generally consistent with the purpose and intent of the **district**;
 - (b) the proposed development will not result in additional non-compliance with the requirements of the **district** or other **development regulations** of **this Bylaw**;
 - (c) there is no significant change to the **use** of the **site** or an increase in intensity of the **use**; and
 - (d) the proposed development meets the requirements of Section 640(6) of the **MGA**, where:
 - (1) the proposed development would not unduly interfere with the amenities of the neighbourhood, or
 - (2) the proposed development would not materially interfere with or affect the use, enjoyment, or value of neighbouring **sites**.
- (7) If a **non-conforming building** is damaged or destroyed to the extent of more than 75 per cent of the value of the **building** above its foundation, the **building** may not be repaired or rebuilt except in accordance with **this Bylaw**.
- (8) The **use** of land or a **building** is not affected by a change of ownership or tenancy of the land or **building**.

127 Non-Conforming Sites

Where an existing **site** does not conform to the minimum **site frontage** or minimum **site depth** requirement of the **district** in which it is located, a **development permit** in respect of that **site** may be issued if:

- (1) the proposed development complies with all other applicable provisions of **this Bylaw**; and

- (2) in the opinion of the **Development Authority**, the conditions set out in Subsection 640(6) of the **MGA** are met, where:
 - (a) the proposed development would not unduly interfere with the amenities of the neighbourhood; or
 - (b) the proposed development would not materially interfere with or affect the use, enjoyment, or value of neighbouring **sites**.

128 Design, Character and Appearance

- (1) Site and building design, character, and appearance shall be to the satisfaction of the **Development Authority**, to ensure, as far as practicable, that **development** is compatible with, and complementary to, surrounding areas.
- (2) The **Development Authority** may establish **development regulations** or allow **variances** specific to site and building design, character, and appearance as it relates to any application for **development** in any **district**, and in doing so shall consider:
 - (a) the objectives and policies of the **MDP** and any relevant **statutory plan**;
 - (b) the proximity of a **site** or **building** to other **sites**, **buildings**, **uses**, or **districts** and the potential impacts;
 - (c) the context of a **site** including:
 - (1) the existing site and building design, character, and appearance of **development** in the surrounding area,
 - (2) the proximity of, and interface between, a **site** or **building** with a **road**, park, or natural area,
 - (3) the interface between, and connections to, a **development** and the **public realm**,
 - (4) transportation infrastructure and services, including transit and pedestrian connectivity and accessibility,
 - (5) opportunities for supporting multiple modes of active transportation,
 - (6) the development constraints of a site including gas wells, utility infrastructure, servicing capacity, flooding hazard, geotechnical characteristics, environmental contamination, and proximity to sensitive environmental areas, and
 - (7) public and private views and vistas;
 - (d) site design including:
 - (1) the ability of a **site** to accommodate, where necessary, integral components of a **development** including vehicle access, egress, on-site loading, manoeuvring and queuing, fire lanes and other emergency access, solid waste management, and stormwater management,
 - (2) the location of **buildings** and other components of a **development** in relation to the site context,
 - (3) the integration of multiple **uses** on a **site** and proximity to **uses** on adjacent **sites**,
 - (4) the integration of pedestrian paths, trails, courtyards, plazas, patios, gathering areas, and other pedestrian connections and amenity areas,
 - (5) the integration of principles of **Crime Prevention Through Environmental Design (CPTED)**,
 - (6) the potential impacts from shadows from a **development** on adjacent **sites**, and
 - (7) the potential impacts to privacy from a **development** on adjacent **sites**;
 - (e) site **landscaping** including:
 - (1) the location of hard and soft surfacing elements,
 - (2) the use of **landscaping** as **screening** or as a **buffer**,

- (3) the use of **landscaping** to improve aesthetics,
- (4) the integration of **landscaping** into pedestrian connections and amenity areas, and
- (5) opportunities for **xeriscaping**;
- (f) parking areas including:
 - (1) where parking occurs on a **site** and its relation to site context and site design,
 - (2) the number of **off-street parking** stalls including accessible parking stalls, visitor parking stalls, and staff parking stalls,
 - (3) accessible pedestrian connections to and from parking areas and other components of a **development**,
 - (4) the **screening** or **buffering** of parking areas from adjacent **sites**,
 - (5) the integration of **landscaping** in a parking area to improve aesthetics, and
 - (6) opportunities for parking to be located below grade or enclosed within a **building**;
- (g) building massing including:
 - (1) the general shape, form, size, and height of a **building** or structure in comparison to adjacent **sites**, and
 - (2) the potential impacts to adjacent **sites** from building massing including aesthetics, privacy, views, or shadows;
- (h) building architecture including:
 - (1) the use of modern or traditional exterior finishing materials on a **building** or structure that are of high quality and are consistent or complementary to adjacent **sites**, and
 - (2) the integration of architectural elements such as glazing, entrance features, arcades, awnings, courtyards, **patios**, or canopies into the design of a **building**; and
- (i) any other relevant site and building design, character, and appearance considerations or principles.

129 Crime Prevention Through Environmental Design

The **Development Authority** may establish **development regulations** for the purpose of promoting public safety and, in doing so, shall consider the principals of **CPTED** and the need for, and ability of, a **use, development, or site**:

- (1) to provide for natural surveillance from the **public realm** to private spaces by way of:
 - (a) clear sightlines,
 - (b) door placement,
 - (c) window placement,
 - (d) lighting,
 - (e) physical layout and site design,
 - (f) limiting areas of concealment, and
 - (g) integrating the pedestrian network with building entrances;
- (2) to provide **landscaping** that does not impact natural surveillance from the **public realm**;
- (3) to ensure that the main public entrance to a **building** is clearly marked and provides for natural surveillance;
- (4) to provide security lighting in strategic locations;

- (5) to provide security cameras and signage in strategic locations;
- (6) to use walkways, signs, **landscaping**, and hard surfacing elements to clearly identify **property lines** and areas of a **site** that are designated as off-limits to the public and deter unauthorized access;
- (7) to maintain **landscaping** and lighting, keeping **sites** free of garbage and graffiti, and repairing damaged or unsafe **buildings** and structures;
- (8) to limit opportunities for loitering; and
- (9) to address any other principals of **CPTED** deemed by the **Development Authority** to be necessary and appropriate to address any other relevant public safety matters.

130 Pedestrian Connectivity

- (1) For all uses except a **Detached House** and **Semi-Detached Housing**, a pedestrian walkway must be constructed that connects the public entrance of a **principal building** to:
 - (a) an adjacent **road**, pedestrian crossing, sidewalk, trail, or other pedestrian connection;
 - (b) parking associated with the **development**; and
 - (c) any other component of a **development** where, in the opinion of the **Development Authority**, pedestrian connectivity is deemed necessary.
- (2) Notwithstanding Subsection (1) of this Section, the **Development Authority** may allow a **variance** to the requirement for a pedestrian walkway where an **Applicant** demonstrates that the absence of a pedestrian walkway will not pose a material safety risk to pedestrians.
- (3) A pedestrian walkway must:
 - (a) be a minimum width of 1.60 m;
 - (b) be constructed of a hard-surfaced material to the satisfaction of the **Development Authority**;
 - (c) contain no obstructions including any display of goods or vending machines;
 - (d) consider **CPTED** principles in the design;
 - (e) contain lighting that is designed and situated to be useful to pedestrians; and
 - (f) be protected from **vehicles** through:
 - (1) having an elevation above the elevation of any adjacent parking lot, or
 - (2) the use of barriers or **landscaping**.

131 Vehicle Access

131.1 Application of Vehicle Access Rules

- (1) This Section applies to **uses** for which a **development permit** is issued after the date of enactment of **this Bylaw** and where vehicle access is provided from a **road**:
 - (a) to a non-residential use;
 - (b) to an **internal private roadway**; or
 - (c) to accessory parking areas of **Multiple Unit Housing** or a mixed-use development.
- (2) This Section does not apply to residential **driveways**.

131.2 Number of Vehicle Access Points

- (1) A **site** may have vehicle access either:
 - (a) directly from a **road** or **alley**; or

- (b) through another property over which an access easement has been registered on the appropriate land title certificate(s).
- (2) A **site** is restricted to one vehicle access per frontage except in the case of:
 - (a) a **site** larger than 1.00 hectare; or
 - (b) multiple **sites** for which joint vehicle access is provided.
- (3) A **site** is restricted to a total of one vehicle access per **site** except where, in the opinion of the **Development Authority**, an additional vehicle access is warranted based on the following criteria:
 - (a) the density of the **site**;
 - (b) site constraints;
 - (c) emergency vehicle access;
 - (d) traffic volume; or
 - (e) any other relevant access considerations or principals.
- (4) A maximum of one vehicle access point shall connect to an **internal private roadway** unless, in the opinion of the **Development Authority**, additional vehicle access points are warranted based on the following criteria:
 - (a) the density of the **site**;
 - (b) site constraints;
 - (c) emergency vehicle access;
 - (d) traffic volume; or
 - (e) any other relevant access considerations or principals.

131.3 Vehicle Access Point Design

- (1) Vehicle access to a **site** must:
 - (a) be located a minimum of 15.00 m from the intersection of two or more **roads** where at least one of them is a **collector road** or **arterial road**, and a minimum of 6.00 m from the intersection of any other two **roads** if neither is an **alley**; and
 - (b) be connected to a turning space on the **site** that is large enough and designed appropriately so that **vehicles** leaving the **site** are not required to back onto a **collector road** or an **arterial road**.
- (2) The **Development Authority** may, as a condition of **development permit** approval, impose any design or location requirements with respect to vehicle access that it deems appropriate in the interest of a **development** or the general public, including that vehicle access points:
 - (a) be located so as to avoid impeding traffic flow on a **road**;
 - (b) be consolidated on **sites** containing more than one **development**, or between adjacent **sites** containing compatible uses;
 - (c) be either two directional or one directional;
 - (d) be signed in any manner the **Development Authority** deems fit; and
 - (e) be designed with vehicle egress stacking spaces that the **Development Authority** deems adequate.

132 Residential Driveways

132.1 Residential Driveways, Landscaping and Off-Street Parking

- (1) All yards that are visible from a **road**, except for portions of the yard that are not covered by an approved residential **driveway**, must be **landscaped** to the satisfaction of the **Development Authority**.
- (2) Parking **vehicles** or **RVs** over portions of any yard that is not an approved residential **driveway** is prohibited.

132.2 Existing Residential Driveways within the General Urban Typology

- (1) Refer to Section 11 (Suburban and General Urban Typology Map) to determine whether a **site** is within the Suburban Typology or General Urban Typology.
- (2) An existing residential **driveway** that provides direct access from a **road**:
 - (a) may be replaced;
 - (b) must not be expanded beyond 6.0 m in width;
 - (c) must be **setback** from an intersection of two **roads** by a combined distance of the corner curb radius plus 2.0 m measured from the edge of the **driveway** to the curbface of the parallel **road**;
 - (d) must not provide access to a **collector road** or **arterial road**;
 - (e) must only provide access to a local **road**;
 - (f) must not conflict with municipal infrastructure or boulevard trees within the **road** right-of-way;
 - (g) must not result in a grade change to the sidewalk that it crosses;
 - (h) must be hard-surfaced with concrete, asphalt, pavers, or other similar material;
 - (i) must not negatively impact the existing streetscape; and
 - (j) must not negatively impact traffic or pedestrian connectivity and safety.
- (3) Notwithstanding Subsection 132.2(2), an existing residential **driveway** that connects to an **arterial road** or **collector road** may not be allowed to be replaced or expanded where, in the opinion of the **Development Authority**, the **driveway** negatively impacts traffic or pedestrian connectivity and safety.

132.3 New Residential Driveways within the General Urban Typology

- (1) Refer to Section 11 (Suburban and General Urban Typology Map) to determine whether a **site** is within the Suburban Typology or General Urban Typology.
- (2) A new residential **driveway** that provides direct access from a **road** may be allowed, at the discretion of the **Development Authority**, where:
 - (a) the policy of any relevant **statutory plan** does not prohibit direct **driveway** access from a **road**; or
 - (b) there is no practical alternative of vehicle access to the **site**.
- (3) A new residential **driveway** that provides direct access from a **road** must:
 - (a) not exceed 6.0 m in width;
 - (b) be **setback** from an intersection of two **roads** by a combined distance of the corner curb radius plus 2.0 m measured from the edge of the **driveway** to the curbface of the parallel **road**;
 - (c) not provide access to a **collector road** or **arterial road**;

- (d) only provide access to a local **road**;
- (e) not conflict with municipal infrastructure or boulevard trees within the **road** right-of-way;
- (f) not result in a grade change to the sidewalk that it crosses;
- (g) not negatively impact the existing streetscape; and
- (h) not negatively impact traffic or pedestrian connectivity and safety.

132.4 Residential Driveways within the Suburban Typology

- (1) Refer to Section 11 (Suburban and General Urban Typology Map) to determine whether a **site** is within the Suburban Typology or General Urban Typology.
- (2) A new residential **driveway** that provides direct access from a **road** may be allowed, at the discretion of the **Development Authority**, where the policy of any relevant **statutory plan** does not prohibit direct **driveway** access from a **road**.
- (3) A residential **driveway** that provides direct access from a **road** must:
 - (a) not exceed 2/3 of the **site width** or 10 m, whichever is less;
 - (b) be **setback** from an intersection of two **roads** by a combined distance of the corner curb radius plus 2.0 m measured from the edge of the **driveway** to the curbface of the parallel **road**;
 - (c) not provide access to a **collector road** or **arterial road**;
 - (d) only provide access to a local **road**;
 - (e) not conflict with municipal infrastructure or boulevard trees within the **road** right-of-way;
 - (f) must not result in a grade change to the sidewalk that it crosses;
 - (g) be hard-surfaced with concrete, pavers, asphalt, or other similar material within two years of occupancy of the **development**;
 - (h) not negatively impact the existing streetscape; and
 - (i) not negatively impact traffic or pedestrian connectivity and safety.
- (4) Notwithstanding Subsection 132.4(3), a residential **driveway** that provides direct access from a **road** may connect to a **collector road** or **arterial road** where:
 - (a) in the opinion of the **Development Authority**, there is no practical alternative for vehicle access to the **site**; or
 - (b) the **driveway** connecting to a **collector road** is planned and identified within a **statutory plan** or non-statutory plan (i.e. Area Structure Plan, Area Redevelopment Plan, or Outline Plan).

133 Parking

133.1 General Parking Regulations

- (1) The off-street parking design requirements set out in Subsection 133.3 (Off-Street Parking Design), do not apply to a **development** in existence on the date of enactment of **this Bylaw** if the **gross floor area (GFA)** of the **development** on that date is not increased.
- (2) If a **development permit** is issued that authorizes an increase to the **GFA** of an existing **use**, additional **off-street parking** may be required, whether or not there is an increase in intensity of the **development**.
- (3) If a proposed modification or alteration of an existing development is intended to result in a change of use or an increase in intensity of use, the **Development Authority** may attach conditions to a **development permit** for the purpose of ensuring that the **off-street parking** is brought into compliance with the **development regulations** of this Section.

- (4) All new **off-street parking** provided in connection with a **development** that is approved after the date of enactment of **this Bylaw** must conform to the parking design requirements set out in Subsection 133.3 (Off-Street Parking Design) regardless of whether the parking is required under **this Bylaw** or is provided voluntarily.
- (5) Parking **vehicles** or **RVs** over portions of any yard that is not an approved residential **driveway** is prohibited.

133.2 Off-Street Parking Required

- (1) In determining the required **off-street parking**, it is the intent of the **Development Authority**:
 - (a) to achieve an economical and beneficial development pattern within a walkable and high-quality built environment;
 - (b) that the **use** of land and **buildings** on a **site** is optimized through increased **floor area ratio**;
 - (c) that a proposed development would not result in underutilized land; and
 - (d) that an adequate number of parking stalls is provided for the **use** or **uses** under consideration in terms of:
 - (1) the anticipated parking needs of a proposed **use** or **uses**,
 - (2) the design of a **site** and its ability to accommodate **off-street parking**, and
 - (3) the surrounding context of a **site** and how its location may affect parking needs.
- (2) The **Development Authority** shall establish the number of **off-street parking** stalls required and in doing so shall consider:
 - (a) the objectives and policies of the **MDP** and any relevant **statutory plan**;
 - (b) a detailed description of the proposed development as it relates to off-street parking needs including:
 - (1) in the case of a residential development, the number of **dwelling**s and the number of bedrooms per **dwelling**,
 - (2) in the case of a non-residential development, the **GFA** of all **principal buildings**,
 - (3) accessible parking stalls,
 - (4) staff parking stalls,
 - (5) visitor/customer parking stalls,
 - (6) pick-up/drop-off parking stalls,
 - (7) bicycle storage area(s),
 - (8) electric vehicle charging stations,
 - (9) the amount of visitor/customer seating for the proposed development,
 - (10) whether the proposed development includes a waiting area for visitors/customers, and
 - (11) the number of visitors/customers that a proposed development can accommodate at the same time;
 - (c) the provision of site design components including:
 - (1) safe and accessible pedestrian connections,
 - (2) vehicle access and egress,
 - (3) on-site vehicle manoeuvring, queuing, and loading,
 - (4) fire lanes and other emergency access,
 - (5) tandem parking spaces,
 - (6) snow storage areas,

- (7) waste management, and
- (8) surface drainage patterns and stormwater management;
- (d) the context of a **site** including:
 - (1) the location of the proposed development,
 - (2) the intensity of the proposed development,
 - (3) the proximity to public amenities and services,
 - (4) the proximity to public transit,
 - (5) the proximity to active transportation infrastructure,
 - (6) the proximity to, amount of, and potential impacts to adjacent public on-street parking, and
 - (7) any constraints to **development** of the **site**;
- (e) any shared parking agreements; and
- (f) any other planning considerations and principals relevant to the parking needs of a proposed development.

133.3 Off-Street Parking Design

- (1) **Off-street parking** must:
 - (a) be surface treated with asphalt, concrete, pavers, or at the discretion of the **Development Authority**, a suitable similar material;
 - (b) in the case of an **Accessory Use** parking lot, subject to Section 130 (Pedestrian Connectivity), include an unobstructed pedestrian walkway that provides a barrier-free path of travel to connect the parking lot to a main public entrance to a **principal building** that it serves;
 - (c) be designed so that **vehicles** are not required to back out of a parking stall onto a **road**; and
 - (d) be **landscaped** in accordance with Section 135.5 (Landscaping in Off-Street Parking Areas).
- (2) A parking stall must:
 - (a) for residential uses:
 - (1) have a minimum width of 2.75 m, or 3.00 m when located adjacent to a barrier such as a wall, fence, or column, and
 - (2) have a minimum depth of 6.00 m, or in the case of a parallel parking stall a minimum length of 7.00 m;
 - (b) for non-residential uses:
 - (1) have a minimum width of 3.00 m, and
 - (2) have a minimum depth of 6.00 m, or in the case of a parallel parking stall a minimum length of 7.00 m;
 - (c) for all **uses**:
 - (1) be set back a minimum of 2.00 m from a **façade** of a **building**,
 - (2) have a minimum vertical clearance of 2.50 m,
 - (3) be clear of any obstructions, and
 - (4) not be located in a required **setback**.
- (3) The minimum width of a drive aisle for **off-street parking** is:
 - (a) 7.50 m for 90° parking;
 - (b) 5.50 m for 60° parking; and

- (c) 3.60 m for 45° parking and parallel parking.
- (4) When a parking stall abuts a walkway, a wheelstop must be provided and set back 0.60 m from the front edge of the parking stall.

133.4 Barrier-Free Parking Stalls

- (1) Barrier-free parking stalls shall be developed in accordance with the *Safety Codes Act*, except in accordance with the **development regulations** listed below.
- (2) The number of barrier-free parking stalls required for a **development** shall be determined having regard to the considerations within Subsection 133.2 (Off-Street Parking Required).
- (3) Barrier-free parking stalls must:
 - (a) be identified through the use of appropriate signage and ground surface demarcation;
 - (b) have a minimum width of 3.00 m;
 - (c) be developed with a barrier-free access aisle with a minimum width of 2.4 m where the access aisle abuts the stall and is demarcated to indicate no parking;
 - (d) be developed with a barrier-free path of travel with a minimum width of 2.4 m leading to the nearest barrier-free entrance; and
 - (e) be developed with a curb ramp or ramp, to the satisfaction of the **Development Authority**, with consideration of the following:
 - (1) a ramp may be required to be designed as part of an access aisle,
 - (2) a curb ramp width shall be a minimum of 1.5 m,
 - (3) a curb ramp depth shall be a minimum of 1.5 m,
 - (4) a curb ramp slope shall be a maximum of 1/12, and
 - (5) in the case of a parallel barrier-free parking stall, the access aisle and curb ramp shall be located in front of, or behind the stall and demarcated to indicate no parking.

134 Drainage

- (1) It shall be a condition of every **development permit** that includes a **building** which is constructed, placed, or erected after the enactment of **this Bylaw**, that within two years of occupancy of the **development**, required grading and **landscaping** must be completed for the purpose of ensuring that all surface water is drained away from all sides of the **building** and facilitate site grading and a surface drainage pattern that does not negatively impact any adjacent **site**.
- (2) Despite Subsection (1) of this Section, the **Development Authority** may grant a **variance** for design or construction of a **building** that does not provide for drainage of surface water from all sides of the **building**, if in the opinion of the **Development Authority**:
 - (a) suitable alternative arrangements are included in the design and construction of the **building**; and
 - (b) there will be no adverse impact on the **development** or on adjacent lands, resulting from not providing for drainage of surface water from all sides of the **building**.
- (3) Where a surface drainage plan exists for any area of **the City** as a term of any agreement entered into as a condition of subdivision approval or as a condition of a **development permit**, every **development** within that area must include **landscaping** or surface grading that conforms to the surface drainage plan.
- (4) Where no surface drainage plan exists, every **development** must be designed and constructed to direct surface water toward an adjoining **road, alley**, drainage work, or in accordance with a surface drainage pattern to the satisfaction of the **Development Authority**.

135 Landscaping

135.1 Application of Landscaping Regulations

- (1) **Landscaping** shall be an integral component of new **developments** on vacant **sites**, and redevelopment of existing **uses**, while recognizing that provision of additional **landscaping** may not always be feasible when lands are redeveloped or when an increase in intensity of an existing **use** is proposed.
- (2) The **Development Authority** may allow as conditions of approval, **landscaping** alternatives that:
 - (a) enhance the streetscape by addition of **landscaping**:
 - (1) between any **building** and an adjacent **road**, or
 - (2) in the parking areas adjacent to a **road**;
 - (b) enhance vehicular and pedestrian safety and circulation;
 - (c) improve aesthetics;
 - (d) provide **screening** of visual impacts;
 - (e) allow for storm water infiltration, transpiration, and evaporation;
 - (f) improve microclimate; and
 - (g) provide for any other land use planning considerations or principles relevant to the circumstances of a **site** and surrounding areas.

135.2 General Landscaping Regulations

The following regulations apply to on-site **landscaping** in all **districts** where it is required:

- (1) **landscaping** materials shall be selected based on:
 - (a) the context of the **site**,
 - (b) hardiness, disease-resistance, and drought, salt, and Chinook tolerance, and
 - (c) maintenance characteristics;
- (2) when **landscaping** is required adjacent to a **boulevard**, the tree species chosen must complement the existing boulevard trees;
- (3) **landscaping** shall not block sight lines for pedestrians and **vehicles**:
 - (a) within 1.0 m from the **back of sidewalk**, or
 - (b) from the back of the curb or edge of the adjacent **road** if there is no sidewalk;
- (4) **landscaping** shall not interfere with the effectiveness of lighting within a parking area or **boulevard**;
- (5) the **Development Authority** shall determine:
 - (a) the minimum number of trees or shrubs for every **landscaped** area,
 - (b) the maximum height of trees or shrubs for every **landscaped** area,
 - (c) the minimum distance between the ground and the lowest branches of any tree,
 - (d) the minimum caliper width at the time of planting in the case of deciduous trees, and
 - (e) the minimum height at the time of planting in the case of evergreen trees;
- (6) any tree or shrub that does not survive must be replaced within one year of discovery or of being notified of the situation by the **Development Authority**;
- (7) **landscaping** shall be adequately irrigated to ensure the healthy growth of vegetation; and
- (8) All **landscaping** must be completed within two years of occupancy of the **development**.

135.3 Landscaping in Residential Districts

- (1) All yards that are visible from a **road**, except for portions of the yard that are not covered by an approved residential **driveway**, must be **landscaped** to the satisfaction of the **Development Authority**.
- (2) A minimum of one tree per **dwelling** must be planted within the **front yard**, **exterior side yard**, or adjacent boulevard. At the discretion of the **Development Authority** several shrubs may be planted in lieu of a tree.
- (3) Parking **vehicles** or **RVs** over portions of any yard that is not an approved residential **driveway** is prohibited.

135.4 Landscaping in Non-Residential Districts

- (1) The following **landscaping** is required for **developments** in all non-residential districts except the I-LM District, I-H District, SU-RP District, and UC District:
 - (a) a 3.0 m **landscaped** strip adjacent to a **property line** that abuts a **road**; and
 - (b) additional **landscaping** as determined by the **Development Authority**:
 - (1) that is adjacent to a **building** having a **building height** greater than 12 m, to reduce the impact of the building mass,
 - (2) that enhances a pedestrian connection between the primary entrance of a **building** and the adjacent **road**,
 - (3) that is adjacent to a **property line** that abuts a residential district,
 - (4) that provides a **buffer** between **uses** on adjacent **sites**, and
 - (5) that is within a parking area in accordance with the requirements set out in Subsection 135.5 (Landscaping in Off-Street Parking Areas).
- (2) The following **landscaping** is required for **developments** in the I-LM District and I-H District:
 - (a) a 3.0 m strip adjacent to a **property line** that abuts a **collector road** or **arterial road**; and
 - (b) additional **landscaping** as determined by the **Development Authority**:
 - (1) that is adjacent to a **property line** that abuts a non-industrial district, and
 - (2) that provides a **buffer** between **uses** on adjacent **sites**.

135.5 Landscaping in Off-Street Parking Areas

- (1) **Landscaping** shall be incorporated into the design of **off-street parking** with consideration to the following:
 - (a) interface with the streetscape;
 - (b) vehicular and pedestrian safety and circulation;
 - (c) aesthetics;
 - (d) **screening** of visual impacts;
 - (e) storm water infiltration;
 - (f) microclimate; and
 - (g) any other land use planning considerations or principles relevant to the circumstances of a **site** and surrounding areas.
- (2) The following rules apply to **off-street parking** in the N-R3 District, N-R4 District, N-C2 District, UVC District, SU-RC District and SU-AIR District:
 - (a) **landscaping** shall be provided:
 - (1) within concrete curb islands located at the end of every parking aisle,

- (2) where needed to define a drive aisle, and
- (3) as required by the **Development Authority** to screen or improve the aesthetics of parking areas;
- (b) all **landscaping** within **off-street parking** areas must:
 - (1) be designed to be protected from damage by a raised concrete curb a minimum of 0.15 m above the grade of the adjacent asphalt,
 - (2) be a minimum of 15.0 m² with a width not less than 2.5 m and a length not less than 6.0 m, and
 - (3) be **landscaped** with trees, shrubs, ornamental grasses, or perennial flowers, to the satisfaction of the **Development Authority**.
- (c) at the discretion of the **Development Authority**, a concrete curb island may contain concrete where soft landscaping is not practical.

136 Screening

- (1) The **Development Authority** may establish **screening** requirements for all **development**.
- (2) The scale, nature, and components of a **use** or **development** that shall be screened, may include:
 - (a) outdoor on-site activities or equipment;
 - (b) garbage collection areas;
 - (c) solid waste and grease bins;
 - (d) outdoor storage areas;
 - (e) loading docks;
 - (f) mechanical equipment; and
 - (g) any other component of a **use** or **development** that, in the opinion of the **Development Authority**, requires **screening**.
- (3) In determining **screening** requirements, the **Development Authority** shall consider the proximity of a proposed development to:
 - (a) residential districts and uses;
 - (b) major public **roads** or community gateways;
 - (c) a **Public Park**;
 - (d) a trail;
 - (e) municipal reserve;
 - (f) environmental reserve, **sensitive environmental areas**; and
 - (g) any other **use** or **development** that, in the opinion of the **Development Authority**, is sensitive to visual impacts from a proposed development.
- (4) All **screening** shall be complementary to the design, character, and appearance of the surrounding area.
- (5) The **Development Authority** may require a view-shed impact assessment to determine the potential impacts to public or private views from a proposed development.

137 Lighting

- (1) The **Development Authority** may establish lighting requirements for all **development**.
- (2) The type, location, height, brightness, colour, or any other characteristic of outdoor lighting must:
 - (a) not be a hazard to vehicle traffic or pedestrians;
 - (b) not interfere with traffic safety;

- (c) not interfere with the effectiveness of any **traffic control device**;
 - (d) not cause excessive illumination beyond the **site** where the **use** is located;
 - (e) not be directed towards or adversely illuminate adjacent **sites**;
 - (f) be arranged, directed, or shielded to deflect, shade, and focus light away from adjacent **sites** and **uses**;
 - (g) provide adequate lighting for vehicle and pedestrian circulation and parking areas;
 - (h) provide lighting consistent with **CPTED** principles;
 - (i) be appropriately scaled to its purpose and avoid over-lighting; and
 - (j) satisfy any other land use planning considerations or principles relevant to the **development** of a **site** and surrounding areas.
- (3) A comprehensive lighting plan may be required for any **development** in any **district** to ensure that the lighting of a **development** does not cause a risk to health and safety or create excessive nuisance.

138 Outdoor Storage

- (1) Outdoor storage must:
 - (a) not be located within the **front yard** of any **site**; and
 - (b) be located to the rear or sides of a **principal building**.
- (2) All outdoor storage shall be **screened**, to the satisfaction of the **Development Authority**, from:
 - (a) adjacent **sites**;
 - (b) public **roads**; and
 - (c) the **public realm**.
- (3) Land used for outdoor storage shall be **screened** from an adjacent **road** or **use** by a wooden fence or other thing of equal **screening** value and shall be:
 - (a) not less than 2.0 m in height; and
 - (b) not more than 2.5 m in height.
- (4) The material stored shall not be piled higher than the height of the **screening** provided.

139 Outdoor Display Areas

An **outdoor display area** must:

- (1) be associated with a non-residential use;
- (2) not obstruct a pedestrian walkway or vehicle manoeuvring;
- (3) not be placed on public property; and
- (4) not be placed over any **landscaped** area.

140 Waste Management

- (1) All forms of waste including solid waste, recyclable materials, cooking oils, or grease shall be contained:
 - (a) entirely within a **building**; or
 - (b) within an outdoor waste receptacle **screened** by an enclosure that:
 - (1) is not less than 2.00 m high with no waste exceeding the height of the **screening**, and

- (2) is constructed of an opaque material such as brick, masonry, stucco, or wood but may not be a chain link fence with slats.
- (2) Despite Subsection (1)(b) of this Section, the **Development Authority** may allow an outdoor waste receptacle that is not screened by an enclosure, in respect of a **site**:
 - (a) that is located or configured in such manner that it would be impossible or impractical to service the waste receptacle if it were screened; or
 - (b) where a waste receptacle is designed in a manner that minimizes negative visual impacts, to the satisfaction of the **Development Authority**.

141 Projections Into Setbacks

Every part of any yard required by **this Bylaw** shall be open and unobstructed by any structure or other thing, except that:

- (1) wheelchair ramps and lifting devices may be located in any required **setback**;
- (2) a yard may contain any customary architectural or functional structure or feature of a **building** such as windowsills, cornices, eaves, gutters, chimneys, pilasters, canopies, or window bays, provided that:
 - (a) no such structure or feature shall project more than 0.60 m into any required **setback**; and
 - (b) the total combined length of all projections must not exceed 40 percent of the length of the **façade** on each **storey**; and
- (3) a fence that complies with the height restrictions of **this Bylaw** is allowed along any **property line**, or between a **property line** and a **principal building** for the purpose of establishing a barrier between a **side yard** and a **front yard** or **rear yard**.

142 Building Height Exceptions

At the discretion of the **Development Authority**, **building height** restrictions of **this Bylaw** may not apply to:

- (1) spires, domes, belfries, towers, or other architectural features associated with a **Place of Worship**;
- (2) chimneys;
- (3) clock towers and flagpoles;
- (4) data communication towers and antennas in a non-residential district;
- (5) water storage tanks;
- (6) monuments;
- (7) silos used for agricultural purposes and silos in an industrial district;
- (8) aggregate processing facilities;
- (9) **buildings** associated with a municipal service including recreational buildings; and
- (10) agricultural buildings.

143 Corner Visibility Triangles

- (1) Subject to Subsection (2) of this Section, no **development** or portion of a **development** is allowed within a **corner visibility triangle**.

- (2) **Landscaping** and fences are allowed within a **corner visibility triangle** if they allow for a clear sight line through the whole of the **corner visibility triangle** at all vertical elevations between 0.90 m and 2.50 m from surface grade.

144 Prohibited Development

- (1) The following are prohibited when associated with a residential district or use:
- (a) barb wire or electrical fencing;
 - (b) storage of a **dilapidated vehicle** unless it is located inside of an enclosed **building**;
 - (c) storage of a **large vehicle** except while actively engaged in loading or unloading;
 - (d) storage of **vehicles**, equipment, materials, or products not typically associated with a residential use;
 - (e) the keeping of **livestock**, unless otherwise allowed under the provisions of **this Bylaw**, any other City bylaw, or any enactment; or
 - (f) any object which, in the opinion of the **Development Authority**, may pose a risk to health or safety, or result in an excessive nuisance.
- (2) The following are prohibited in all **districts**:
- (a) signage unless specifically allowed by Part 11 of **this Bylaw**;
 - (b) the use of a **vehicle, RV, accessory building, shipping container** or any other thing as a **dwelling** unless otherwise allowed under the provisions of **this Bylaw**, any other City bylaw, or any enactment; or
 - (c) any other thing which, in the opinion of a **Development Authority**, is unsightly or may pose a health risk, safety risk, or excessive nuisance to the surrounding area.

Part 10: Use Specific Rules

Residential Use Rules

145 All Residential Uses

145.1 General Residential Use Rules

- (1) Residential development shall:
 - (a) have a residential character and appearance;
 - (b) be compatible with existing development in scale, massing, materials, colour, and other aesthetic characteristics;
 - (c) be compatible with the existing streetscape;
 - (d) not negatively impact pedestrian connectivity;
 - (e) not unduly infringe on the privacy of adjacent **sites**; and
 - (f) not unduly block sunlight to adjacent **sites**.
- (2) The **Development Authority** shall consider cumulative impacts to parking, traffic, servicing capacity, and other planning considerations, resulting from intensification within existing neighbourhoods.
- (3) Residential development shall provide, to the satisfaction of the **Development Authority**, emergency response access to the principal entrance of all **dwellings**.
- (4) Residential development with large walls adjacent to **roads** or open spaces shall provide building articulation, variety of material types, colour variations, and **landscaping** to improve aesthetics.
- (5) Residential development with side windows and/or balconies shall:
 - (a) not locate such features directly facing similar features of adjacent **sites**, or
 - (b) mitigate any undue impact to privacy of adjacent **sites**.
- (6) Residential development shall consider the policies of relevant **statutory plans** or non-statutory plans including Area Structure Plans, Area Redevelopment Plans, or Outline Plans.
- (7) Residential development shall consider connection to, and integration of, multi-modal transportation infrastructure.
- (8) Residential development shall support neighbourhood form and structure through appropriate transitions between varying levels of residential density.
- (9) Development of large residential sites (e.g. bareland condominiums, mobile home parks, **cluster housing**) must not disrupt neighbourhood connectivity.
- (10) Residential development adjacent to potential nuisances or incompatible **uses** shall provide appropriate measures to mitigate impacts, including increased **setbacks**, **landscaping**, **buffers**, and sound attenuation barriers.
- (11) **Sites** and **dwellings** shall be used for residential purposes only except as otherwise allowed by a provision of **this bylaw** or a **development permit**.

145.2 RV, Boat and Trailer Storage

- (1) For a **site** developed with a **Detached House, Semi-Detached Housing, Stacked Duplex Housing, Stacked Triplex Housing, or Row Housing** a maximum of two **RVs**, boats, or utility trailers are allowed to be stored outdoors on a **site**, but only one may be stored within the **front yard** or **side yard** on a **driveway**.
- (2) An **RV**, boat, or utility trailer stored on a **site** must not:
 - (a) occupy or obstruct access to any **off-street parking**;
 - (b) be used for sleeping, food preparation, or personal hygiene;
 - (c) be located closer than 0.5 m from a **property line**; and
 - (d) be within any **corner visibility triangle**.
- (3) Parking **RVs** over portions of any yard that is not an approved residential **driveway** is prohibited.

146 Multiple Unit Housing

- (1) Must have separate, individual access to each **dwelling** either at grade, or to grade, from an interior or exterior stairwell or a common entrance and internal hallway system.
- (2) May be required to step back **storeys** above the 4th **storey** in order to mitigate privacy and shadow impacts on surrounding areas.
- (3) An apartment-style, mixed-use building:
 - (a) must not have **dwellings** and non-residential uses located on the same **storey** of a **building**; and
 - (b) must have a separate entrance from any **dwelling** in the same **building**, either from the outside or from a common indoor landing.
- (4) Where **Multiple Unit Housing** is internally oriented, the entire perimeter of the **site** must be developed with a **buffer** to the satisfaction of the **Development Authority**, consisting of:
 - (a) a 6.0 m **setback** developed with **landscaping**; and
 - (b) a uniform community fence that provides **screening**.
- (5) **Cluster housing**, condominiums, and other similar development formats may include private common amenities including:
 - (a) community fencing, gates, and entrance features;
 - (b) internal **roads**;
 - (c) guest parking;
 - (d) **RV** storage areas or common storage building;
 - (e) playgrounds; and
 - (f) gathering and amenity areas.

147 Secondary Suite

- (1) A **Secondary Suite** must:
 - (a) have cooking, food preparation, sleeping, and sanitary facilities which are physically separate from the **principal dwelling**;
 - (b) have an entrance to the exterior that is separate from the entrance for the **principal dwelling**, or share an entrance to a common interior landing with the **principal dwelling**;
 - (c) not be subject to separation from the **principal dwelling** through a condominium conversion or subdivision; and

- (d) not contain more than two bedrooms.
- (2) A **Secondary Suite** may be developed within a **principal dwelling** of **Semi-Detached Housing** or **Row Housing**:
 - (a) in a **district** where it is a listed **use** and conforms with **this Bylaw**; and
 - (b) where the **Semi-Detached Housing** or **Row Housing** is subdivided to create fee simple lots.

148 Backyard Suite

- (1) A **Backyard Suite** must:
 - (a) contain cooking, food preparation, sleeping, and sanitary facilities;
 - (b) be located on a **site** where there is access:
 - (1) to an **alley**, or
 - (2) to a secondary frontage from a **corner site**;
 - (c) be located within a **rear yard**;
 - (d) have an entrance from the exterior of the **building** that is separate from the vehicle entrance;
 - (e) not exceed 85 m² in **GFA**, excluding the floor area of a covered **deck** or stairway;
 - (f) not exceed 15% **site coverage**;
 - (g) not be subject to separation from the **principal dwelling** through a condominium conversion or subdivision; and
 - (h) contain not more than two bedrooms.
- (2) The **setbacks** for a **Backyard Suite** are as follows:
 - (a) the minimum **interior setback** and **exterior setback** shall be the same as the minimum **setback** requirements of the **principal dwelling** on the same **site**;
 - (b) the minimum **rear setback** is:
 - (1) 1.5 m, where a **Backyard Suite** has vehicle doors that face an **alley**, or
 - (2) 0.6 m, where a **Backyard Suite** has vehicle doors that do not face an **alley**; and
 - (c) the minimum **setback** between a **Backyard Suite** and the **principal dwelling** on the same **site** is 4.0 m.
- (3) To reduce overlook into yards and windows of adjacent **sites**, the windows of a **Backyard Suite** may be required to be:
 - (a) facing an **alley**, a flanking street, or a specific yard of an adjacent **site**;
 - (b) off-set from the window placement of **dwelling**s on adjacent **sites**;
 - (c) located in conjunction with **landscaping** or the placement of other **accessory buildings**;
 - (d) located above eye level; and
 - (e) translucent.
- (4) The **Development Authority** shall consider:
 - (a) provision of at least one **off-street parking** stall;
 - (b) design, character, and appearance of the surrounding area;
 - (c) cumulative impact with other existing or approved **development** in the surrounding area; and
 - (d) any other relevant land use planning considerations or principles.

149 Remote Work

- (1) Must be carried on in a manner that is subordinate to the *principal use*.
- (2) Must not offer or sell any goods or services to any individual attending on or about the *site* where the *use* is located.
- (3) May be operated from a **Residential Accessory Building**.

150 Home Business, Minor and Major

- (1) Must not conflict with or alter the residential character of the surrounding area.
- (2) Must be carried on in a manner that is subordinate to the *principal use* of the *site* as a *dwelling*.
- (3) Must not create:
 - (a) a risk of harm to the health or safety of any person; or
 - (b) a risk of adverse impact on surrounding areas including excessive:
 - (1) nuisance,
 - (2) noise, smoke, odours, dust,
 - (3) light or glare,
 - (4) electronic interference,
 - (5) on-street parking congestion,
 - (6) vehicular traffic, or
 - (7) impacts to pedestrian safety.
- (4) Must not display any form of signage related to the *home business*.
- (5) Must not offer or sell any goods, unless such goods are incidental and related to the service provided by the *home business*.
- (6) Must not receive any **vehicle visits** or customer visits except by appointment.
- (7) May be operated from a **Residential Accessory Building**.
- (8) May include minor outdoor activities associated with the *home business* on the *site*.
- (9) May incorporate the following activities:
 - (a) production of art or provision of art classes at a small-scale;
 - (b) pet grooming, off-site pet walking and exercising, off-site pet waste clean-up;
 - (c) administrative, consulting, financial, information, management, professional and technological services;
 - (d) small-scale sign making, woodworking, catering and food preparation, home and office cleaning, delivery services, security services, information technology services, repair and service of personal effects or household goods;
 - (e) individual and small group instruction and training in music, grade school and post-secondary school tutoring;
 - (f) outpatient counselling, massage therapy, or physiotherapy;
 - (g) contractor's, trades, and landscaper's office;
 - (h) photography, salon, fitness, health and wellness services, small-scale production and/or retail of clothing and accessories, crafts, or personal care items;
 - (i) mobile services provided off-site including **mobile cooking operations**, auto mechanics, personal services, IT services, house cleaning; and

- (j) any other **business** deemed by the **Development Authority** to be compatible in a **district** that allows residential uses.
- (10) Must not incorporate the following activities:
- (a) activities of an **Adult Establishment**;
 - (b) **businesses** that are or should be licensed under the *Escort Service Bylaw*;
 - (c) veterinary services, animal breeding, kennels, boarding, shelters, or impoundment;
 - (d) inpatient medical services;
 - (e) on-site services of an industrial nature where impacts are not confined to the **site**;
 - (f) on-site retail of groceries, alcoholic beverages, building materials, confectionary, tobacco, or pharmaceuticals; and
 - (g) any other **business** deemed by the **Development Authority** to be incompatible in a **district** that allows residential uses.
- (11) The **Development Authority** may impose the following conditions of approval on a **home business**:
- (a) a **dwelling** may be allowed:
 - (1) not more than one **Home Business, Major**,
 - (2) not more than two **Home Business, Minors**, or
 - (3) not more than one **Home Business, Major** and one **Home Business, Minor**;
 - (b) that not more than two **vehicles** and not more than one trailer related to the **home business** may be parked on or about the **site** where the **use** is located, provided that no **vehicle** is a **large vehicle**;
 - (c) any requirements for additional **off-street parking** stalls;
 - (d) the prohibition of, or requirements for, the outdoor storage of **vehicles**, trailers, materials, tools, products, equipment, or any other thing related to the **home business** on or about the **site**;
 - (e) the prohibition of, or requirements for, the type, frequency and nature of outdoor business activities related to the **home business** that are allowed to take place on or about the **site**;
 - (f) the prohibition of, or requirements for, the type, frequency and nature of any business activities that are allowed to be performed by any employee(s) who attends the **site**;
 - (g) the type and scope of **screening** required in respect of any outdoor business activities that are allowed to take place on the **site**;
 - (h) the maximum **GFA** that may be used in connection with the **home business**;
 - (i) the duration of development approval;
 - (j) the maximum number of **vehicle visits** or customer visits allowed to occur each day;
 - (k) the hours and days of the **week** during which **vehicle visits** are allowed to occur; and
 - (l) any other conditions deemed by the **Development Authority** to be necessary or appropriate to address any other relevant land use planning matters or principles or to mitigate land use conflicts.

151 Bed and Breakfast

- (1) A **Bed and Breakfast** must:
 - (a) be developed on a **site** containing a **Detached House**;
 - (b) not display on or about the **site** any form of signage related to the **use** except for one non-illuminated identification sign 0.5 m² in area that is visible from the front street;

- (c) be restricted to a maximum of three guest rooms; and
 - (d) comply with the *Province of Alberta Bed and Breakfast Health Standards and Guidelines*.
- (2) Guest rooms may be located within a **Residential Accessory Building**.

152 Short Term Dwelling Rental

- (1) Must be located in a **dwelling** that contains not more than four bedrooms.
- (2) May accommodate a maximum of eight guests at one time.
- (3) Must not be developed with kitchen facilities within the bedrooms.
- (4) Must not display any form of on-site advertising related to the **Short Term Dwelling Rental**.

153 Residential Accessory Building

153.1 Garages, Carports, Sheds and Other Buildings

- (1) The **development regulations** for **Residential Accessory Buildings** are as follows:

Development Regulation	Residential Accessory Building (greater than 10 m ²)	Residential Accessory Building (no greater than 10 m ²)
Maximum Building Height	5.5 m	3.7 m
Interior Side Setback	0.6 m with no roof projection closer than 0.45 m to the property line	0.45 m with no roof projection closer than 0.30 m to the property line
Exterior Side Setback		
Suburban Typology	3.0 m	3.0 m
General Urban Typology	1.2 m	1.2 m
Rear Setback		
direct vehicle access to alley	1.5 m	n/a
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indirect vehicle access to alley	0.6 m with no roof projection closer than 0.45 m to the property line	n/a
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no vehicle access	0.6 m with no roof projection closer than 0.45 m to the property line	0.45 m with no roof projection closer than 0.30 m to the property line
Maximum GFA	85 m ²	10 m ²
Total Site Coverage (maximum combined)		15 %

- (2) Notwithstanding Subsection (1) of this Section, a detached **garage** may have a reduced **interior side setback** to 0.0 m where the **garage** is designed with a demising wall on a **property line**.
- (3) Notwithstanding Subsection (1) of this Section, an attached **garage** or attached carport is considered a part of the **principal building** and is subject to the **setback** requirements for the **principal building**.
- (4) A **Residential Accessory Building** must:
 - (a) be of a residential character and finished in a manner complementary to the surrounding area;
 - (b) not be used as a **dwelling**;
 - (c) not be used for a **home business** unless allowed by a **development permit**, and
 - (d) not be located in a **front yard** or **exterior side yard**.
- (5) A **shipping container** used as a **Residential Accessory Building** must:
 - (a) be finished in materials that are characteristic of a residential district; or

- (b) be **screened** from view to the satisfaction of the **Development Authority**.

153.2 Residential Sales Centre

- (1) A **Residential Sales Centre** must:
 - (a) only occur:
 - (1) in a **dwelling**, which may be temporarily modified to accommodate the use, or
 - (2) in a temporary building; and
 - (b) not operate for longer than:
 - (1) two years when located in a N-R1 District or a NR-2 District, or
 - (2) four years when located in a N-R3 District or a N-R4 District.

154 Residential Accessory Structure

154.1 Decks and Patios

- (1) The minimum **setbacks** for a **deck** and **patio** are as follows:

Structure	Front Setback	Exterior Side Setback	Interior Side Setback	Rear Setback
Deck (uncovered or covered)	2.4 m	2.4 m	1.2 m	3.0 m
Deck (enclosed)	4.0 m	4.0 m	1.2 m	6.0 m
Patio (uncovered or covered)	2.4 m	2.4 m	0.3 m	3.0 m
Patio (enclosed)	4.0 m	4.0 m	1.2 m	6.0 m

- (2) Notwithstanding Subsection 154.1(1), stairs accessing a **deck** may be located within a **front setback**, **exterior side setback**, or **rear setback** but must not be located within an **interior side setback**.

154.2 Fences and Gates

- (1) Fence design and materials must be of a residential character complementary to the surrounding area.
- (2) The height of a fence or gate above grade at any point along a fence line must not exceed:
 - (a) 1.2 m if the fence is located in a **front yard**;
 - (b) 2.0 m if the fence is located in a **rear yard**;
 - (c) 2.0 m if the fence is located in a **side yard**;
 - (d) 2.5 m for an entrance feature or gate; and
 - (e) 2.5 m for community fencing, noise attenuation, or visual **screening** from an **arterial road** or highway, or non-residential use.
- (3) Notwithstanding Subsection 154.2(2), in the case of a corner lot or an irregular shaped lot, where the front **façade** of the **principal building** is oriented toward the longer of the two **property lines**, the boundaries of the **front yard**, **rear yard**, and **side yards** with respect to fencing height shall be determined by the **Development Authority** having regard to:
 - (a) the existing character of the streetscape;
 - (b) the orientation and design of the **dwelling** and its entrance(s);

- (c) fencing to provide **screening** from an **alley** or **road**;
 - (d) fencing to contain private amenity area; and
 - (e) any other relevant planning considerations or principles.
- (4) Notwithstanding Subsection 154.2(2), and in accordance with Section 143 (Corner Visibility Triangles), a fence must allow for a clear sight line through the whole of the **corner visibility triangle** at all vertical elevations above 0.9 m.

154.3 Retaining Walls

- (1) A **development permit** is required for a retaining wall that is more than 1.2 m in height measured from the lowest grade at any point adjacent to the retaining wall to the highest grade retained by the retaining wall.
- (2) A retaining wall must:
- (a) allow for a clear sight line through the whole of the **corner visibility triangle** at all vertical elevations above 0.9 m; and
 - (b) facilitate site grading and a surface drainage pattern that does not negatively impact any adjacent **site**.

154.4 Swimming Pools and Hot Tubs

- (1) A residential swimming pool or hot tub must:
- (a) not be located in a **front yard** or **exterior side yard**;
 - (b) have a minimum **exterior side setback** of 3.0 m;
 - (c) have a minimum **interior side setback** and **rear setback** of 1.2 m; and
 - (d) discharge water only into the municipal sanitary sewer system unless the **Development Authority** has approved in writing an alternative method of discharging water.
- (2) Where a swimming pool is located within 50 m of the top or bottom of a coulee, escarpment, or any other **geophysical risk lands**, the swimming pool must have a double lining or other forms of secondary containment to the satisfaction of the **Development Authority**.

154.5 Gazebos, Pergolas, Arbors and Other Structures

When a gazebo, pergola, arbor, or similar structure is associated with a residential use, the maximum height must not exceed 4.6 m and the maximum area must not exceed 35 m².

Commercial and Institutional Use Rules

155 All Commercial and Institutional Uses

- (1) All commercial and institutional development including site design, built forms, and structures shall have a high-quality urban character and appearance.
- (2) All commercial and institutional development shall consider the policies of any relevant **statutory plan** and non-statutory plan including Area Structure Plans, Area Redevelopment Plans, and Outline Plans.
- (3) All commercial and institutional development shall consider connection to, and integration of, multi-modal transportation infrastructure.
- (4) **Dwellings** within mixed-use buildings shall be used for residential purposes only, except as otherwise allowed by a provision of **this Bylaw** or a **development permit**.

156 Childcare Service

- (1) A **Childcare Service** must:
 - (a) be designed to ensure the safety of children;
 - (b) be designed to mitigate nuisance from other on-site activities including waste collection, surface parking lots, outdoor storage, queuing spaces, rail lines, streets, **alleys**, mechanical equipment, and exhaust systems;
 - (c) be designed with adequate queuing and pick-up/drop-off areas that do not negatively impact traffic safety; and
 - (d) meet all requirements of the *Early Learning and Child Care Act*.
- (2) When proposed within a residential neighbourhood, a **Childcare Service** must be located on:
 - (a) a **corner site**;
 - (b) an interior site that abuts a compatible institutional, commercial, open space, or higher density residential use; or
 - (c) an interior site previously developed with a non-residential use.
- (3) In addition to the requirements set out in Section 190 (Development Permit Application Requirements), an application for **development permit** for **Childcare Service** must be accompanied by a map that shows the surrounding area and names of businesses located within 250 m of the **site**.
- (4) At the time of application for **development permit**, a **Childcare Service** must have a minimum **setback** of 250 m from:
 - (a) **Community Shelter/Transitional Housing**;
 - (b) **Addiction Service**;
 - (c) **Supervised Consumption Site**; or
 - (d) **Adult Establishment**.
- (5) At the time of application for **development permit**, a **Childcare Service** must have a minimum **setback** of 100 m from:
 - (a) **Liquor Store**;
 - (b) **Cannabis Store**; or
 - (c) **Adult Novelty Store**.
- (6) The **setback** between **uses** shall be measured from the closest point of the **site** of the proposed **use** to the closest point of the **site** of the existing **use**.

157 Community Garden

- (1) A **Community Garden** must not:
 - (a) be developed on a **site** containing a **dwelling**; and
 - (b) offer any goods for sale.
- (2) All **buildings** and garden-related structures must:
 - (a) have a minimum **setback** of 0.45 m from any **property line**; and
 - (b) have a height that does not exceed 3.7 m.
- (3) Notwithstanding Subsection (2) of this Section, compost piles must:
 - (a) have a minimum **setback** of 2.0 m; and
 - (b) be **screened** from view.
- (4) **Outdoor storage areas** may be allowed at the discretion of the **Development Authority** and shall be subject to Section 138 (Outdoor Storage).
- (5) Site grading, surface drainage pattern, and irrigation shall not negatively impact any adjacent **site**.
- (6) Site design and the appearance of any component of a **Community Garden** shall be to the satisfaction of the **Development Authority**.

158 Temporary Vendor

- (1) A **Temporary Vendor** must:
 - (a) be developed in a manner that facilitates removal from the **site**;
 - (b) not negatively impact:
 - (1) the **principal use(s)** of a **site**,
 - (2) public health and safety,
 - (3) vehicle access, circulation, and parking, and
 - (4) pedestrian connectivity and safety;
 - (c) not create an excessive nuisance; and
 - (d) address any other planning consideration to the satisfaction of the **Development Authority**.
- (2) The owner or operator of a **Temporary Vendor** must:
 - (a) obtain landowner consent to operate on a **site**; and
 - (b) obtain, as required, building permits, a **business license**, approvals as required from the health authority, and any other approval from an authority having jurisdiction.

159 Liquor Store and Cannabis Store

- (1) In addition to the requirements set out in Section 190 (Development Permit Application Requirements), an application for **development permit** for a **Liquor Store** or **Cannabis Store** must be accompanied by a map that shows the surrounding area and names of businesses located within 250 m of the **site**.
- (2) At the time of application for **development permit**, a **Liquor Store** and **Cannabis Store** must have a minimum **setback** of 250 m from:
 - (a) **Community Shelter/Transitional Housing**;
 - (b) **Supervised Consumption Site**; or
 - (c) **Addiction Service**.

- (3) At the time of application for **development permit**, a **Liquor Store** and **Cannabis Store** must have a minimum **setback** of 100 m from:
 - (a) **School**;
 - (b) a **site** that is designated as **school reserve** or municipal reserve under the **MGA** and has been planned for use as a **School** under the *Education Act*;
 - (c) **Public Library**; or
 - (d) **Childcare Service**.
- (4) The **setback** between **uses** shall be measured from the closest point of the **site** of the proposed **use** to the closest point of the **site** of the existing **use**.
- (5) A **development permit** for a **Cannabis Store** may impose a condition of approval that requires installation of equipment designed and intended to mitigate the impact of cannabis odours to surrounding areas.

160 Adult Novelty Store

- (1) In addition to the requirements set out in Section 190 (Development Permit Application Requirements), an application for **development permit** for an **Adult Novelty Store** must be accompanied by a map that shows the surrounding area and names of businesses located within 250 m of the **site**.
- (2) At the time of application for **development permit**, an **Adult Novelty Store** must have a minimum **setback** of 100 m from:
 - (a) a **dwelling** in a neighbourhood district;
 - (b) **School**;
 - (c) a **site** that is designated as **school reserve** or municipal reserve under the **MGA** and has been planned for use as a **School** under the *Education Act*;
 - (d) a **Place of Worship** not located in the UC District;
 - (e) **Public Library**;
 - (f) **Community Centre**;
 - (g) **Public Park**; or
 - (h) **Childcare Service**.
- (3) The **setback** between **uses** shall be measured from the closest point of the **site** of the proposed **use** to the closest point of the **site** of the existing **use**.

161 Animal Kennel/Training Centre and Animal Breeding Operation

- (1) In addition to the requirements set out in Section 190 (Development Permit Application Requirements), an application for **development permit** for an **Animal Kennel/Training Centre** or **Animal Breeding Operation** must be accompanied by a map that shows the surrounding area within 250 m of the **site**.
- (2) At the time of application for **development permit**, an **Animal Kennel/Training Centre** or **Animal Breeding Operation** must have a minimum **setback** of 250 m from a **dwelling**.
- (3) The **setback** between **uses** shall be measured from the closest point of the **site** of the proposed **use** to the closest point of the **site** of the existing **use**.

162 Drive Through

- (1) A **Drive Through** service window and manoeuvring aisles must be integrated into the overall site design in a manner that does not create a conflict between the movements of pedestrians and **vehicles**, or conflict with adjacent **uses**.
- (2) Without limiting the generality of Subsection (1) of this Section, a **Drive Through**:
 - (a) must not be located within a required minimum **setback**;
 - (b) must include:
 - (1) a minimum of five inbound queuing spaces per ordering board or ordering window in the case of a **Drive Through** associated with a restaurant,
 - (2) a minimum of three inbound queuing spaces for all other **uses**, or
 - (3) any number of queuing spaces required to ensure all vehicle manoeuvring is internal to a **site** and not impacting a **road** or **alley**;
 - (c) must provide at least one outbound queuing space;
 - (d) must provide queuing spaces a minimum of 7.00 m in length and 4.00 m in width;
 - (e) must allow for adequate vehicle manoeuvring within the **site**;
 - (f) must not obstruct a pedestrian walkway, a designated fire lane, vehicle access, on-site vehicle manoeuvring, or any parking space whether on the **site** or elsewhere; and
 - (g) must be **screened** to the satisfaction of the **Development Authority**.
- (3) The aisle of a **Drive Through** may be required to be fenced, **landscaped**, or otherwise designed:
 - (a) to mitigate negative impacts to adjacent residential uses;
 - (b) to provide **screening** of **vehicles** and vehicle headlights;
 - (c) to prevent vehicle access to a **road** or **alley**; and
 - (d) to mitigate other visual impacts.
- (4) Where it is necessary for a pedestrian walkway to cross the aisle of a **Drive Through**, the pedestrian crossing must be designed to be accessible and identified with appropriate signage and ground surface demarcation.
- (5) The aisle of a **Drive Through** must be delineated by **landscaping**, curbs, changes in grade, or similar treatments to provide containment and direction for queuing.
- (6) The location and orientation of a **Drive Through** service window, ordering boards, and associated speakers shall be to the satisfaction of the **Development Authority**.
- (7) In accordance with Section 190 (Development Permit Application Requirements), the **Development Authority** may require a traffic impact assessment for a **Drive Through**.
- (8) In addition to the requirements set out in Section 190 (Development Permit Application Requirements), an application for **development permit** for a **Drive Through** must be accompanied by a map that shows the surrounding area within 250 m of the **site**.
- (9) At the time of application for **development permit**, a **Drive Through** must have a minimum **setback** of 30 m from a residential district.
- (10) The **setback** between **uses** shall be measured from the closest point of the **site** of the proposed **use** to the closest point of the **site** of the existing **use**.

Industrial, Infrastructure and Other Use Rules

163 All Industrial Uses

- (1) All industrial development shall ensure that:
 - (a) high-risk, heavy industrial developments provide industry recommended **setbacks** from sensitive, non-industrial uses including residential development, schools, overnight accommodations, hospitals, and spectator sporting venues;
 - (b) incompatible light/medium industrial and non-industrial uses are not located in proximity to high-risk industrial development; and
 - (c) appropriate **buffers** or separation distance is provided between high-risk industrial development and non-industrial uses.
- (2) All industrial development shall comply with and incorporate:
 - (a) relevant industry guidelines and recommendations; and
 - (b) provincial and federal agency requirements and recommendations.
- (3) All industrial development shall provide information on potential impacts including:
 - (a) the emission of glare, heat, noise, steam, smoke, dust, ash or other particulate matter, gas, odour, toxic substances, or any other emission;
 - (b) whether any emissions will impact lands beyond the **site** of the proposed development; and
 - (c) the anticipated range of any emission produced as a result of the proposed development.
- (4) All light/medium industrial development in proximity to non-industrial districts and uses must:
 - (a) not have significant impacts beyond the **site**;
 - (b) have limited or no outdoor activities; and
 - (c) be **screened** with a combination of **landscaping**, fencing, berms, or other appropriate measures.
- (5) All industrial development shall be required to mitigate negative impacts to major **roads** and existing non-industrial districts and uses through:
 - (a) noise attenuation;
 - (b) **screening** and **landscaping**;
 - (c) **buffers** or separation distance;
 - (d) strategic location of **buildings** and other components of a **development**;
 - (e) strategic location of on-site lighting; and
 - (f) any other planning considerations or principals relevant to a proposed industrial development.
- (6) **Accessory accommodation** may be allowed as a component of a principal industrial use where it is intended to provide temporary accommodation for employees as a necessity of the **principal use**.
- (7) All industrial development that includes **accessory accommodation** must provide:
 - (a) a Phase 1 **environmental site assessment**;
 - (b) additional requirements as recommended by the Phase 1 **environmental site assessment** or any other report; and
 - (c) any other information relevant to the **development** of **accessory accommodation**.

164 Public Utility, Minor

- (1) Must be developed in a manner that:
 - (a) minimizes negative visual impacts to the surrounding areas; and
 - (b) is complementary to the character and appearance of the **uses** permitted in the **district**.
- (2) Must, where practical, be developed:
 - (a) in a manner that adds aesthetic and public amenity to the surrounding area, and
 - (b) with **landscaping** and integrated into parks, open space, and recreation areas.

165 Renewable Energy System, Minor

- (1) A **Renewable Energy System, Minor** such as photovoltaic solar panels, solar hot water systems, or any other minor renewable energy system:
 - (a) may be mounted on the roof or wall of a **building**;
 - (b) may be installed as integrated systems such as roof shingles, window shading, and exterior finishing;
 - (c) may be installed in some other manner where the system is integrated into the design of the **building**;
 - (d) must not display any form of advertising or branding visible from the **public realm**;
 - (e) must not project above the ridge height where mounted to a peaked roof;
 - (f) must be flush to the wall and not project into a **setback** where mounted to the wall of a **building**; and
 - (g) must not be placed less than 3.0 m from any **property line** where mounted on a pole or other structure at grade.
- (2) A **Renewable Energy System, Minor** that uses wind must:
 - (a) not be located in the N-R1 District, N-R2 District, N-R3 District, N-R4 District, N-C1 District, N-CC District, UVC District, UC District, SU-PRC District, or FUD District;
 - (b) not be located less than 50 m from a **dwelling**;
 - (c) comply with Subsection (1) of this Section;
 - (d) not exceed the **building height** by more 3.0 m, where mounted on the roof of a **building**;
 - (e) have a rotor diameter equal to or less than 2.0 m;
 - (f) not exceed 8.0 m in height, from grade to tip of blade, where mounted on a pole or other structure at grade;
 - (g) not create a safety risk, visual impact, noise, shadow flicker, or other nuisance; and
 - (h) be screened from any **roads** and adjacent **sites** where incompatible with the character and appearance of surrounding **uses** and **buildings**.

166 Similar Use

In determining whether a proposed development may be a **Similar Use**, the **Development Authority**:

- (1) must consider the **purpose statement** for the **district** where the **development** is proposed to be located; and
- (2) must not apply a **Similar Use** characterization unless satisfied that the proposed development is substantially consistent with that **purpose statement** and thereby meets the intent of **Council** for **development** of the **district**.

Part 11: Sign Rules

Signs: Development Permits

167 Signs: Development Permit Required

No person shall construct, place, relocate, or alter a sign on any **site** unless:

- (1) a **development permit** authorizing the sign has been issued and remains in force and effect and the sign is installed in accordance with the terms and conditions of a **development permit**; or
- (2) the sign is exempt from the requirement of a **development permit** pursuant to the provisions of this Part.

168 Signs: Discretionary Use

All signs that are not exempt from the requirement of a **development permit** are deemed **discretionary uses**.

169 Signs: Development Permit Exemption

- (1) A sign listed in Subsection (2) of this Section is only exempt from the requirement to obtain a **development permit** if it:
 - (a) complies with the **development regulations** of **this Bylaw**;
 - (b) complies with the requirements of Part 11 (Sign Rules);
 - (c) does not require a **variance** to a **development regulation**;
 - (d) complies with all registered interests on the land title certificate(s) of the **site**;
 - (e) does not impact an **Historic Resource** or a **site** listed on the **Heritage Inventory**;
 - (f) complies with the requirements of all affected public and private utility service providers;
 - (g) is not subject to any restrictions imposed by the **Subdivision and Development Regulation**; and
 - (h) complies with all other relevant enactments, City bylaws, approval processes, and licensing and permitting regimes.

- (2) Subject to Subsection (1) of this Section, the following signs are exempt from the requirement of a **development permit** when associated with a non-residential use:

Non-Residential Signs	Development Permit Exemption Notes
A change in copy of an existing sign	Notes below are listed for convenience and may not account for all relevant considerations in determining compliance with this Bylaw Where the sign otherwise complies with Part 11 (Sign Rules).
Any sign that has been approved as part of a development permit for a principal use	-
One address sign per commercial unit	Where the sign: <ul style="list-style-type: none"> ▪ does not exceed 0.50 m² in area; and ▪ identifies the name or address of the occupant.
One temporary real estate sign per commercial unit	Where the sign: <ul style="list-style-type: none"> ▪ is installed for the purpose of identifying that the site is for sale, lease, or rent; ▪ does not exceed 3.00 m² in area; and ▪ is not located within a corner visibility triangle.
A window sign	Where the sign is associated with the use of the building .
A sandwich board sign per non-residential use on a site	Where the sign: <ul style="list-style-type: none"> ▪ does not exceed 1.00 m² in area on each face; ▪ is not located within a corner visibility triangle; ▪ is not placed on public property; and ▪ does not obstruct pedestrian or vehicular access.
A portable sign	Where the sign: <ul style="list-style-type: none"> ▪ is located in a N-C2 District, UVC District, SU-RC District, or I-LM District; ▪ does not exceed 5.0 m² in area; ▪ does not exceed 2.5 m in height; ▪ is not located within a utility right-of-way; ▪ is not located within a landscaped area; ▪ is not located within a corner visibility triangle; ▪ is not located closer than 45 m to another portable sign regardless of whether the portable signs are on the same site; and ▪ has the name and contact information of the sign owner displayed on the sign in a size and location legible from grade.
A façade sign	<ul style="list-style-type: none"> ▪ Where the sign does not extend beyond the wall upon which it is placed. ▪ Where the maximum area of the façade sign per linear metre of building façade does not exceed: <ul style="list-style-type: none"> ○ 0.6 m² in the UC District, N-C1 District, and N-CC District; ○ 0.9 m² in the UVC District, N-C2 District, N-PRS District; or ○ 1.2 m² in all other districts.
A canopy sign	<ul style="list-style-type: none"> ▪ Where the maximum area of the canopy sign per linear metre of building façade does not exceed: <ul style="list-style-type: none"> ○ 0.6 m² in the UC District, N-C1 District, N-CC District, and NOS District; ○ 0.90 m² in the UVC District, N-C2 District, N-PRS District; or ○ 1.20 m² in all other districts.
A projecting sign	Where the sign: <ul style="list-style-type: none"> ▪ is not more than 2.00 m² in area; ▪ is not placed at a height less than 2.40 m above grade; ▪ is not projecting more than 1.2 m from the façade of a building; ▪ is not projecting above the roof or parapet of a building; ▪ is not projecting into a corner visibility triangle;

	<ul style="list-style-type: none"> ▪ is not projecting into a parking stall; ▪ is not projecting into a vehicle manoeuvring aisle; ▪ is not projecting beyond a sidewalk; and ▪ is not allowed to swing freely on its supports.
<p>A development notification sign</p>	<p>Where the temporary sign:</p> <ul style="list-style-type: none"> ▪ is installed by or on behalf of an Applicant or the Development Authority; ▪ is installed for the purpose of advising the public of: <ul style="list-style-type: none"> ○ an application for development permit, rezoning application, or subdivision, or ○ a future or ongoing construction project; ▪ is located on the site that is the subject of the application for development permit, rezoning application, subdivision, or construction project; and ▪ does not exceed 10.00 m² in area.
<p>A sign which advises of restrictions on the use of a building or site including a “No Parking” or “No Trespassing” sign</p>	<p>Where the sign does not exceed 0.50 m² in area.</p>
<p>A sign which indicates the direction or function of various parts of a building or site including parking and traffic areas</p>	<p>Where the sign does not exceed 0.50 m² in area.</p>
<p>A sign erected by or at the direction of a government including signs identifying public buildings, giving information to the public, or regulating traffic or safety</p>	<p>-</p>
<p>A flag, insignia, notice, or advertising of any charitable, religious, or fraternal organization</p>	<p>Where the sign does not exceed 3.00 m² in area.</p>
<p>A memorial or historical sign, plaque, or tablet</p>	<p>-</p>
<p>A sign displayed during the period of an election, referendum, or plebiscite</p>	<p>Where the sign:</p> <ul style="list-style-type: none"> ▪ announces or promotes a candidate or a political party; or ▪ alludes to a public issue; or ▪ is otherwise directly related to the election, referendum, or plebiscite; and ▪ is installed for a period of not more than one week following the election, referendum, or plebiscite.

- (3) Subject to Subsection (1) of this Section, the following signs are exempt from the requirement of a **development permit** when associated with a residential use:

Signs in Residential Districts	Development Permit Exemption Notes
One address sign per dwelling	<p>Notes below are listed for convenience and may not account for all relevant considerations in determining compliance with this Bylaw</p> <p>Where the sign:</p> <ul style="list-style-type: none"> ▪ is of a residential character and appearance; ▪ does not exceed 0.50 m² in area; and ▪ identifies the name or address of the occupant of a dwelling.
One temporary real estate sign per dwelling	<p>Where the sign:</p> <ul style="list-style-type: none"> ▪ is installed for the purpose of identifying that the residential site is for sale, lease, or rent; ▪ does not exceed 1.00 m² in area; and ▪ is not located within a corner visibility triangle.
A non-illuminated identification sign associated with a Bed and Breakfast	<p>Where the sign:</p> <ul style="list-style-type: none"> ▪ is of a residential character and appearance; ▪ is visible from the front street; and ▪ does not exceed 0.5 m² in area.
A development notification sign	<p>Where the temporary sign:</p> <ul style="list-style-type: none"> ▪ is installed by or on behalf of an Applicant or the Development Authority; ▪ is installed for the purpose of advising the public of: <ul style="list-style-type: none"> ○ an application for development permit, rezoning application, or subdivision, or ○ a future or ongoing construction project; ▪ is located on the site that is the subject of the application for development permit, rezoning application, subdivision, or construction project; and ▪ does not exceed 5.00 m² in area.
A sign which advises of restrictions on the use of a building or site including a “No Parking” or “No Trespassing” sign	Where the sign does not exceed 0.50 m ² in area.
A sign which indicates the direction or function of various parts of a building or site including parking and traffic areas	Where the sign does not exceed 0.50 m ² in area.
A flag, insignia, notice, or advertising of any charitable, religious, or fraternal organization	Where the sign does not exceed 0.60 m ² in area.
A memorial or historical sign, plaque, or tablet	-
A sign displayed during the period of an election, referendum, or plebiscite	<p>Where the sign:</p> <ul style="list-style-type: none"> ▪ announces or promotes a candidate or a political party; or ▪ alludes to a public issue; or ▪ is otherwise directly related to the election, referendum, or plebiscite; and ▪ is installed for a period of not more than two weeks following the election, referendum, or plebiscite.

Signs: General Development Regulations

170 Rules for All Signs

- (1) A sign must not:
 - (a) create a hazard to public health and safety;
 - (b) obstruct the line of sight of a pedestrian or the driver of a **vehicle** with respect to access to or egress from a **road, alley, or driveway**;
 - (c) detract from the visibility or effectiveness of any **traffic control device**;
 - (d) obstruct ingress to or egress from a fire escape door, window, or other required exit under the *Safety Codes Act*;
 - (e) incorporate a searchlight or strobe lights;
 - (f) be painted on, or affixed in any manner to, a tree, stone, cliff, or other natural object; or
 - (g) be placed within a **corner visibility triangle**.
- (2) No sign other than a **traffic control device**:
 - (a) may display words such as "STOP", "LOOK", "DANGER", "ONE WAY" or "YIELD" or any similar words, phrases, symbols, lights, or characters used in a manner which may mislead, confuse, or otherwise interfere with pedestrian or vehicle traffic on a **road**; and
 - (b) shall face an **interior side property line** or **rear property line** that is adjacent to a residential district.
- (3) No sign other than a **specialized sign** is allowed on a roof or above any point of the parapet of a **building**.
- (4) No sign other than a **specialized sign, sandwich board sign, or portable sign** shall be placed or erected on a **site** unless the sign is permanently set into the ground or permanently affixed to a **building**.

171 Number of Signs

- (1) For the purpose of determining the number of signs allowed:
 - (a) a sign is considered to be a single display surface or display device containing elements organized, related, and composed to form a unit; and
 - (b) a double-faced sign is counted as a single sign.
- (2) Where in the opinion of the **Development Authority**:
 - (a) the content of a sign is displayed in a random manner without organized relationships or elements; or
 - (b) the relationships between the elements of sign content are not clear,each element shall be considered to be a single sign.
- (3) Where in the opinion of the **Development Authority** the number of signs on a **site** results in negative impacts including:
 - (a) visual clutter;
 - (b) decreased aesthetics;
 - (c) light pollution;
 - (d) safety concerns; or
 - (e) any other planning consideration,

the number of signs on the **site** may be restricted, or a reduction of total number of signs on the **site** may be required prior to any additional sign installations.

172 Height of Signs

Where any provision of this Part limits the height of a sign, the height is calculated as the distance from surface grade to the highest point of the sign structure.

173 Separation Distance Between Signs

Where any provision of this Part stipulates a separation distance between signs, the separation distance is calculated as the distance between the points where the sign structures are in closest proximity to each other.

174 Sign Area

Where any provision of this Part limits the two-dimensional area of any sign in any circumstance, then for the purpose of determining the total area of a sign:

- (1) the area shall be calculated as the area of the smallest rectangle, triangle, or circle which can totally contain the content of the sign; and
- (2) where a sign is double-facing, one side of a double-faced sign is used for calculating sign area.

175 Electronic Displays

Electronic display may be allowed at the discretion of the **Development Authority** and shall be regulated in a manner that diminishes the impact on adjacent **uses** and addresses concerns with distraction of drivers of **vehicles**.

175.1 Electronic Display Area

- (1) **Electronic display** of a sign in a N-C2 District, and N-PRS District must not exceed a maximum area of:
 - (a) 1.0 m² for a **window sign**; and
 - (b) 5.0 m² for a **façade sign, canopy sign, or freestanding sign**.
- (2) **Electronic display** of a sign in a SU-RC District, UVC District, and I-LM District, must not exceed a maximum area of 20.00 m² for a **freestanding sign**.

175.2 Electronic Display Content

- (1) **Electronic display** content must remain in place unchanged for a minimum of 6.0 seconds before switching to new content.
- (2) The maximum transition time between each different **electronic display** on a sign is 0.1 seconds.
- (3) The transition time between each different **electronic display** on a sign must not involve any moving visual images or effects including action, motion, fading in or out, dissolving, blinking, intermittent or flashing light, or the illusion of such effects.
- (4) An **electronic display** must only show static images and the content must not involve any moving visual images or effects including action, motion, fading in or out, dissolving, blinking, intermittent or flashing light, or the illusion of such effects.

175.3 Electronic Display Brightness

- (1) A sign featuring **electronic display** must be equipped with a functioning ambient light sensor and must be set to operate so as not to exceed the following limits at all times when the **electronic display** feature is functioning, as measured from the sign face at its maximum brightness:
 - (a) a maximum of 5,000 nits from sunrise to sunset, as those times are established by the sunrise/sunset calculator of the *National Research Council of Canada*;
 - (b) a maximum of 300 nits from sunset to sunrise, as those times are established by the sunrise/sunset calculator of the *National Research Council of Canada*; and
 - (c) the light levels around the **electronic display** must not at any time exceed the ambient light level by more than 3.0 LUX.
- (2) If a **Development Authority** determines that the brightness or light level of an **electronic display** exceeds the limits set out in Subsection (1) of this Section, the **Development Authority** may require the settings to be changed in order to bring the **electronic display** into compliance with **this Bylaw**.
- (3) If any component of an **electronic display** fails or malfunctions such that the **electronic display** is no longer operating in compliance with **this Bylaw** or with the conditions of a **development permit**, the **electronic display** must be turned off until all components are fixed and operating in compliance.
- (4) The owner of a sign featuring an **electronic display** must ensure that the name and contact information of a person(s) having access to the technology controls for the sign is displayed on the sign in a size and location legible from grade.

176 Sign Content

- (1) The **Development Authority** shall not attach any condition to a **development permit** for a sign that has the effect of regulating or restricting the content of a message or image displayed on the sign, nor shall the **Development Authority** attempt to control or regulate in any manner the content of a message or image displayed on a sign which does not require a **development permit**.
- (2) Notwithstanding Subsection (1) of this Section, no sign placed where there are no restrictions on who may view it, regardless of whether it requires a **development permit**, shall display any image or copy or message that appeals to, or is intended to appeal to, prurient interests or erotic desires of any person viewing the sign, or that would for any reason be inappropriate for viewing by children.

Signs: Use Specific Rules

177 Freestanding Signs

The **development regulations** set out in this Section are specific to **freestanding signs** and are in addition to **development regulations** set out elsewhere in **this Bylaw** that apply to signs generally.

177.1 Freestanding Sign Development Regulations

- (1) Not more than one **freestanding sign** is allowed on a **site**.
- (2) Notwithstanding Subsection 177.1(1), if a **site** has a primary and secondary frontage, the **Development Authority** may issue **development permits** for more than one **freestanding sign** on that **site** if the cumulative effect is to maintain at least 100 m of separation distance between all **freestanding signs** on that **site**.
- (3) Notwithstanding Subsection 177.1(1), if the **site frontage** is more than 100 m in length the **Development Authority** may issue **development permits** for more than one **freestanding sign** along that frontage if the cumulative effect is to maintain at least 100 m of separation distance between all **freestanding signs** on that **site**.
- (4) A **freestanding sign** having a two-dimensional area greater than 10 m², must not be located closer than 150 m to a previously existing **freestanding sign** that has a two-dimensional area greater than 10 m² and is not a **non-conforming building** or a **non-conforming use**, if any display side of the **freestanding sign** faces the same flow of traffic on a **road** as a display side of the previously existing **freestanding sign**.
- (5) A **freestanding sign** having a two-dimensional area greater than 10 m² must not be located closer than 150 m to a N-R1 District, N-R2 District, or N-R3 District if any display side of the **freestanding sign** faces the **district**.

177.2 Freestanding Sign Area and Height

- (1) A **freestanding sign** in the N-C1 District and N-CC District:
 - (a) must not exceed 6.0 m² in area; and
 - (b) must not exceed 6.0 m in height.
- (2) A **freestanding sign** in the N-C2 District and UVC District:
 - (a) must not exceed 10.0 m² in area; and
 - (b) must not exceed 9.0 m in height.
- (3) A **freestanding sign** not oriented toward a highway in the SU-RC District:
 - (a) must not exceed 10.0 m² in area; and
 - (b) must not exceed 12.0 m in height.
- (4) A **freestanding sign** oriented toward a highway in the SU-RC District:
 - (a) must not exceed 20 m² in area; and
 - (b) must not exceed 12 m in height.

178 Specialized Signs

The **Development Authority** shall determine the requirements and conditions for each **specialized sign** on a case-by-case basis, including without limitation the dimensions, location, materials, and duration of the signage.

Part 12: Airport Zoning Regulation Overlay

179 Purpose of This Overlay

The purpose of the ***Airport Zoning Regulation Overlay (AZRO)*** is to prohibit or regulate and control the ***use*** and ***development*** of land and ***buildings*** adjacent to or in the vicinity of the Medicine Hat Regional Airport to ensure compatibility between ***development*** and airport operations.

180 Area of Application

- (1) The ***AZRO*** applies to the lands identified in the ***Airport Zoning Regulation Overlay Map***.
- (2) Where any provision of this Part is for any reason declared inconsistent with a provision from another part of ***this Bylaw***, the provisions of this Part shall prevail.

181 Regulations of This Overlay

- (1) Application for ***development permit*** or subdivision within the lands identified in the ***Airport Zoning Regulation Overlay Map*** must comply with the ***Airport Zoning Regulation Bylaw (AZRB)***.

Part 13: Development Authority

182 Development Authority Established

- (1) The **City Planner** is a **Development Authority**, with powers and duties as set out in **this Bylaw**, any other City bylaw, or any enactment.
- (2) A **Development Officer** is a **Development Authority**, with powers and duties as set out in **this Bylaw**, any other City bylaw, or any enactment.
- (3) The **Municipal Planning Commission (MPC)** is a **Development Authority**, with powers and duties as set out in **this Bylaw**, any other City bylaw, or any enactment.

183 Development Authority Powers and Duties

- (1) The **Development Authority** may issue a **development permit**.
- (2) The **Development Authority** may impose conditions of approval of a **development permit**, based on the following:
 - (a) the application of land use planning considerations or principles to the circumstances of a proposed development;
 - (b) ensuring that a **development** complies with the **Municipal Servicing Standards Manual (MSSM)** or, where deemed appropriate by the **Development Authority**, will be exempt from compliance with some or all of the **MSSM**; or
 - (c) ensuring compliance with any provision of **this Bylaw**,regardless of whether the **development** is a **permitted use**, a **discretionary use**, or a **Similar Use**.
- (3) Without limiting the generality of Subsection (2) of this Section, the **Development Authority** may impose as a condition of approval on a **development permit**:
 - (a) a requirement that the **Applicant** enter into an agreement with **the City** to provide for any matter or thing relevant to a **development** or to the relationship between the **Applicant** and **the City** resulting from or in relation to a **development**, including any matter or thing described in Section 650 or Section 651 of the **MGA**; and
 - (b) a specified time limit on the duration of development approval in the case of a **development permit** for a **discretionary use**, a **Similar Use**, or a **permitted use** approved with a **variance**.
- (4) The **Development Authority** may approve a **development permit** with or without conditions for a **use** of a **site** or a **building** that is neither a **permitted use** nor a **discretionary use** in the **district** in which the **development** is to be located, provided that:
 - (a) the proposed **use** is a **Similar Use**; and
 - (b) all public notices of the approval of a **development permit** specifically reference the fact that the **use** was approved as a **Similar Use**.
- (5) Unless a specific provision of **this Bylaw** provides otherwise, the **Development Authority** may allow a **variance** as a condition of a **development permit** if:
 - (a) the proposed development is a **permitted use**, **discretionary use**, or **Similar Use** in the **district** in which it is to be located;
 - (b) the proposed development, with **variance**, would not:
 - (1) unduly interfere with the amenities of the neighbourhood, or

- (2) materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land; and
 - (c) the **variance** is expressed to be a condition of development permit approval and is specifically mentioned in public notices of the development permit approval.
- (6) If a time limit on the duration of approval has been included as a condition of a **development permit**, the **Development Authority** has the discretion to extend that time upon application from the development permit holder made before the expiry date of the **development permit**.
- (7) The **Development Authority** may refuse to issue a **development permit**:
- (a) for a **permitted use** that does not conform to **this Bylaw**; or
 - (b) for a **discretionary use** or **Similar Use** that:
 - (1) does not conform to **this Bylaw**, or
 - (2) is not suitable for its intended location based on relevant land use planning considerations or principles,

provided that the **Development Authority** shall give the **Applicant** written reasons for a refusal to issue a **development permit**.

184 Administrative Powers and Duties

- (1) The **City Planner** is responsible for administering and enforcing **this Bylaw** and has the authority to create or issue forms, procedures, protocols, requirements, guidelines, and interpretations of terminology used in **this Bylaw** in respect of:
 - (a) any aspect of the process of making application for **development permit**, a subdivision, or an amendment to **this Bylaw**, including:
 - (1) the supporting material required for an application,
 - (2) when an application is deemed to be complete, and
 - (3) when an **Applicant** is required to post a public notification in respect of property that is the subject of an application for **development approval**, subdivision, or amendment to **this Bylaw**, and the type of notification required; and
 - (b) any matter relating to enforcement of **this Bylaw**, or enforcement of a condition of a development approval or subdivision approval.
- (2) The **City Planner** may publish or post on **the City's** website a version of **this Bylaw** or portion of **this Bylaw** that includes illustrative diagrams or explanatory notes, if a disclaimer is included to advise readers that the illustrative diagrams or explanatory notes do not form part of **this Bylaw** as enacted by **Council**.
- (3) The **City Planner** shall ensure that every application for **development permit** is:
 - (a) processed, and a decision made and communicated to the **Applicant**, or
 - (b) referred to the **MPC** or **Council**, with adequate supporting material including a staff recommendation, when required under **this Bylaw** or when the **Development Authority** refers a decision to the **MPC** under Subsection (4) of this Section.
- (4) The **City Planner** has the discretion to refer any application for **development permit** to the **MPC** acting as a **Development Authority**, regardless of whether such referral is required under **this Bylaw**.
- (5) The **City Planner** shall ensure that every **rezoning application** is processed, and a corresponding amending bylaw prepared for referral to the **MPC** and presentation to **Council**, with adequate supporting material including a staff recommendation.
- (6) The **City Planner** shall create processes and requirements to establish how, when, and to whom notice of the issuance of a **development permit** is to be given, consistent with the principle that a

person affected by a new **development** should have a reasonable opportunity to learn of the **development permit** authorizing the **development** in time to initiate an appeal to the **Subdivision and Development Appeal Board (SDAB)**.

185 Referrals to the MPC

- (1) A **rezoning application** or other amendment to **this Bylaw** must be referred to the **MPC** for review and recommendation to **Council**.
- (2) An application for approval of a **development** located within the SU-DC District must be referred to the **MPC** which shall make a decision or make a recommendation to **Council**, in accordance with the provisions of the SU-DC District.

186 Fees

Council may from time-to-time, by resolution, establish and charge fees in respect of any matter related to the administration or enforcement of **this Bylaw**.

Part 14: Development Process

Development Permits

187 Development Permit Required

No person shall commence, continue, or carry on a **development**, or cause or allow a **development** to be commenced, continued, or carried on, unless:

- (1) a **development permit** authorizing the **development** has been issued and remains in force and effect; or
- (2) the **development** is exempt from the requirement of a **development permit** pursuant to the provisions of **this Bylaw**, any other City bylaw, or any enactment.

188 Development Permit Exemption

- (1) A **development** listed in Subsection (2) of this Section is only exempt from the requirement to obtain a **development permit** if it:
 - (a) complies with the **development regulations of this Bylaw**;
 - (b) is not located in the SU-DC District;
 - (c) does not require a **variance** to a **development regulation**;
 - (d) complies with all registered interests on the land title certificate(s) of the **site**;
 - (e) is a **development** that is exempt from the requirement to pay off-site levies on a **site** where off-site levies are owing;
 - (f) does not impact an **Historic Resource** or a **site** listed on the **Heritage Inventory**;
 - (g) is not located on **geophysical risk lands**;
 - (h) is not located on a **site** where there may be pre-existing contamination on or near the **site**;
 - (i) is not located on a **site** where there may be potential to create a health, safety, or environmental risk;
 - (j) has adequate:
 - (1) sewage collection, treatment, and disposal,
 - (2) water supply, treatment, and distribution,
 - (3) storm water collection and storage,
 - (4) electric power and natural gas servicing capacity,
 - (5) telecommunications services,
 - (6) **road** infrastructure capacity and access points, and
 - (7) **Protective/Emergency Services**;
 - (k) complies with the requirements of all affected public and private utility service providers;
 - (l) is not subject to any restrictions imposed by the **Subdivision and Development Regulation**; and
 - (m) complies with all other relevant enactments, City bylaws, approval processes, and licensing and permitting regimes.

- (2) Subject to Subsection (1) of this Section, the following **development** is exempt from the requirement of a **development permit**.

Development	Development Permit Exemption Notes
<p>Public Utility, Minor This use is not included in the use list of any district; however, this use is a permitted use in all districts.</p>	<p>Notes below are listed for convenience and may not account for all relevant considerations in determining compliance with Subsection 188(1). The Public Utility, Minor is associated with:</p> <ul style="list-style-type: none"> ▪ a development for which a development permit has been issued; ▪ a development agreement for the site has been completed; or ▪ a letter of authorization from the Development Authority or some other approval from an authority having jurisdiction.
<p>Renewable Energy System, Minor This use is not included in the use list of any district; however, this use is a permitted use in all districts that do not allow residential uses.</p>	<p>The Renewable Energy System, Minor complies with Section 165 (Industrial, Infrastructure and Other Use Rules – Renewable Energy System, Minor).</p>
<p>Residential Sales Centre This use is not included in the use list of any district; however, this use is a permitted use in all districts that allow residential uses.</p>	<p>The Residential Sales Centre is associated with:</p> <ul style="list-style-type: none"> ▪ a development for which a development permit has been issued; or ▪ a letter of authorization from the Development Authority has been issued.
<p>Show Home This use is not included in the use list of any district; however, this use is a permitted use in all districts that allow residential uses.</p>	<ul style="list-style-type: none"> ▪ The developing area where the Show Home is located has received construction completion certificates; ▪ a development permit has been issued for the dwelling; and ▪ the building has received occupancy approval.
<p>Public Park</p>	<p>All districts where Public Park is a permitted use.</p>
<p>Residential Day Home</p>	<p>All districts where Residential Day Home is a permitted use.</p>
<p>Remote Work</p>	<ul style="list-style-type: none"> ▪ All districts where Remote Work is a permitted use. ▪ The Remote Work complies with Section 149 (Residential Use Rules – Remote Work).
<p>Bed and Breakfast</p>	<ul style="list-style-type: none"> ▪ All districts where Bed and Breakfast is a permitted use. ▪ The Bed and Breakfast complies with Section 151 (Residential Use Rules – Bed and Breakfast).
<p>Short Term Dwelling Rental</p>	<ul style="list-style-type: none"> ▪ All districts where Short Term Dwelling Rental is a permitted use. ▪ The Short Term Dwelling Rental complies with Section 152 (Residential Use Rules – Short Term Dwelling Rental).
<p>Residential Accessory Building</p>	<ul style="list-style-type: none"> ▪ Where the Residential Accessory Building has a GFA no greater than 10 m². ▪ Where the site coverage requirements of this Bylaw are met. ▪ The Residential Accessory Building complies with Section 153 (Residential Use Rules – Residential Accessory Building). ▪ The Residential Accessory Building complies with Subsection 145.1(1) (General Residential Use Rules).
<p>Residential Accessory Structure</p>	<ul style="list-style-type: none"> ▪ Where the Residential Accessory Structure includes a roof, the site coverage requirements of this Bylaw are met. ▪ The Residential Accessory Structure complies with Section 154 (Residential Use Rules – Residential Accessory Structure). ▪ The Residential Accessory Structure complies with Subsection 145.1(1) (General Residential Use Rules).
<p>Community Garden</p>	<ul style="list-style-type: none"> ▪ All districts where Community Garden is a permitted use.

	<ul style="list-style-type: none"> The Community Garden complies with Section 157 (Commercial and Institutional Use Rules – Community Garden).
Temporary Vendor	<ul style="list-style-type: none"> All districts where Temporary Vendor is a permitted use. The Temporary Vendor complies with Section 158 (Commercial and Institutional Use Rules – Temporary Vendor).
Home care	Home care where health goods and services are delivered by a home care provider to an eligible individual in the individual's home but does not include facility-based care or supportive living services.
Change of tenancy	<ul style="list-style-type: none"> Where the site has a valid development permit for an existing use. The change in the owner or tenant does not result in or is not likely to result in an increase in intensity to the use of land or a building.
Demolition of a building or structure, or part of a building or structure, where:	<ul style="list-style-type: none"> the building or structure has a GFA no greater than 500 m²; the site, building, or structure is not an Historic Resource; and the site, building, or structure is not listed on the Heritage Inventory.
Residential ancillary development	The residential ancillary development complies with Subsection 145.1(1) (General Residential Use Rules).
An artisan craft show, farmers market, flea market, trade show, bake sale, or similar temporary event.	-
Personal sale	A personal sale is the sale of goods through small-scale events commonly known as yard sales, moving sales, estate sales, and other temporary events including a garage sale as defined in the <i>Licensing Bylaw</i> .
Non-residential ancillary development	The non-residential ancillary development complies with Subsection 155(1) (Commercial and Institutional Use Rules – All Commercial and Institutional Uses).
Outdoor display area	The outdoor display area complies with Section 139 (Rules for All Districts – Outdoor Display Areas).
Outdoor boulevard patio	Where the development has obtained, as required, all approvals from any authority having jurisdiction.
Mobile cooking operation	Where the owner or operator of the mobile cooking operation has obtained, as required, all approvals from any authority having jurisdiction.
Landscaping	<ul style="list-style-type: none"> The landscaping complies with Section 135 (Rules for All Districts – Landscaping); or the landscaping is associated with a development for which a development permit has been issued; and the grade and surface drainage pattern does not negatively impact any adjacent site.
External and internal alteration, renovation, repair, or maintenance of a building , where:	<ul style="list-style-type: none"> the building has a valid development permit; no new dwelling is developed; if applicable, the number of bedrooms contained within a dwelling is in accordance with the conditions of a development permit; there is no increase to GFA or site coverage; there is no change of use of land or a building; and there is no increase in intensity of a use of land or a building.
Signs	<ul style="list-style-type: none"> Identified in Section 169 (Signs: Development Permit Exemption) as not requiring a development permit. The sign complies with Sections 170 through 176 (Signs: General Development Regulations).

A mural	Where the mural does not: <ul style="list-style-type: none"> display any advertising; display anything that appeals to, or is intended to appeal to, prurient interests; and display anything that would for any reason be inappropriate for viewing by children.
Tree removal on public land	In accordance with the <i>Tree Preservation Bylaw No. 4218</i> .
Temporary development associated with a special event permit	Where the temporary development is approved through the special event permit process.
Temporary use of a shipping container	<ul style="list-style-type: none"> All districts for a single period of not more than 90 days in one calendar year. The shipping container is setback a minimum of 0.5 m from any property line. The placement of the shipping container complies with Section 143 (Corner Visibility Triangles).
Temporary use of land or a building associated with an election, referendum, census, or similar function for the purpose of:	<ul style="list-style-type: none"> a polling station; returning officer's headquarters; candidate's campaign office; or any other official temporary use.
Temporary construction office	<ul style="list-style-type: none"> For the sole purpose of serving as a construction office for a development. Where the temporary construction office is removed upon completion of the development.
Temporary stockpiling	Where the stockpiling is associated with: <ul style="list-style-type: none"> a development for which a development permit has been issued; a development agreement for the site has been completed; or a letter of authorization from the Development Authority or some other approval from an authority having jurisdiction; and is done in a manner that does not negatively impact any adjacent site .
Excavation, grading, stripping, utility installation, or construction laydown on a site	Where the activities are associated with: <ul style="list-style-type: none"> a development for which a development permit has been issued; a development agreement for the site; or a letter of authorization from the Development Authority or some other approval from an authority having jurisdiction; and is done in a manner that does not negatively impact any adjacent site .
Development carried out pursuant to a service agreement	-
Construction, renovation, repair, or maintenance of any municipally owned infrastructure including roads , bridges, public transit, or utilities	-
Public art	That has been commissioned for, or approved by, an authority having jurisdiction.
Airport operations	In accordance with: <ul style="list-style-type: none"> relevant federal legislation; and the Airport Zoning Regulation Overlay (AZRO).
Telecommunications towers	In accordance with the City's review process and relevant federal legislation.
Construction, repair, or maintenance of a farm building as defined in the Safety Codes Act	On a site that: <ul style="list-style-type: none"> contains an existing agricultural use; and is located in FUD District.
Railway operations	In accordance with relevant federal legislation.

Development associated with the management of a local emergency declared by **Council**

In accordance with the *Emergency Management Act* and other relevant legislation.

Development exempt under Part 17 of the **MGA**

In accordance with Section 618, Section 619, or other relevant legislation of the **MGA**.

Development Permit Application

189 Eligibility to Submit Application for Development Permit

A person who makes an application for **development permit**, must:

- (1) be the registered owner of the lands affected as shown on the land title certificate(s); or
- (2) show written proof or confirmation, to the satisfaction of the **Development Authority**, that the registered owner consents to the application.

190 Development Permit Application Requirements

- (1) When applying for a **development permit**, the **Applicant** must submit:
 - (a) a completed application form;
 - (b) a current copy of the land title certificate(s);
 - (c) a copy of any restrictive covenants, utility rights-of-way, easements, or caveats registered on the land title certificate(s);
 - (d) where the **Applicant** is an agent for the owner(s), confirmation of consent from the registered owner(s) of the land, or other persons having legal or equitable interest in the **site**;
 - (e) application fee;
 - (f) off-site levies, if applicable;
 - (g) *Abandoned Well Declaration* identifying abandoned oil and gas wells in accordance with the requirements of the *Alberta Energy Regulator*;
 - (h) a statement of intended **use(s)** of the proposed development;
 - (i) a site plan showing:
 - (1) north arrow,
 - (2) municipal address,
 - (3) legal description (lot, block, plan),
 - (4) **property lines**,
 - (5) front, side, and rear **setbacks** from **property lines**,
 - (6) easements and utility rights-of-way,
 - (7) outline, location, and dimensions of **buildings** and the outline of eaves and any other projections;
 - (8) retaining walls (existing and proposed);
 - (9) parking areas including width and length of all stalls and manoeuvring aisles;
 - (10) location and dimensions of residential **driveways** and **vehicle access** points including emergency access;
 - (11) adjacent **roads**, sidewalks, curbs, existing and proposed curb cuts, and **alleys**;
 - (12) location of existing and proposed service lines, and electric and gas meters;
 - (13) utility polls, transformer boxes, hydrants, light standards, on or adjacent to the **site**;
 - (14) location, dimensions, and copy of all existing and proposed signs; and
 - (j) drawings showing elevations of all sides of a building.

- (2) When applying for a **development permit** the **Applicant** may be required to submit:
- (a) a **real property report (RPR)** to verify the location of an existing **building** or **development**;
 - (b) floor plans;
 - (c) an **environmental site assessment**;
 - (d) an **environmental impact assessment**;
 - (e) a biophysical assessment;
 - (f) a site grading plan;
 - (g) a geotechnical report;
 - (h) a flood risk study;
 - (i) an **Historical Resources Impact Assessment**;
 - (j) a health, safety, or nuisance risk assessment;
 - (k) a servicing plan;
 - (l) a **CPTED** assessment;
 - (m) a traffic impact assessment;
 - (n) a parking assessment;
 - (o) a surface drainage plan;
 - (p) a storm water management plan;
 - (q) a landscape plan;
 - (r) a **screening**, view-shed, or other visual impact assessment;
 - (s) a lighting plan;
 - (t) a shadow assessment;
 - (u) a remediation plan;
 - (v) a copy of any permit, licence, or approval required by another authority having jurisdiction; and
 - (w) any other plans, documents, or information of any kind that the **Development Authority** may consider necessary to properly evaluate the proposed development.

191 Effective Date of Development Permit Approval

- (1) A **development permit** comes into force and effect:
- (a) after the time for an appeal to the **Subdivision and Development Appeal Board (SDAB)** has expired; or
 - (b) when a decision has been made by the **SDAB** following an appeal, to confirm the issuance of a **development permit**.
- (2) Notwithstanding Subsection (1) of this Section, and subject to Subsection (3) of this Section, a **development** may be commenced before the time for an appeal to the **SDAB** has expired, if:
- (a) no appeal has been made other than an appeal of conditions by the development permit holder; and
 - (b) the development permit holder has executed and delivered to the **Development Authority** a **voluntary waiver of claims** in the form prescribed in **this Bylaw**.
- (3) If a development permit holder executes and delivers to the **Development Authority** a **voluntary waiver of claims** and if an appeal is filed in respect of the **development** by a person other than the development permit holder, within the time limited for doing so:

- (a) the **development** must not commence, or if already commenced must forthwith cease, pending the outcome of the appeal; and
 - (b) any person who commences or carries on the **development**, or causes or allows it to be commenced or carried on, contravenes Section 187 (Development Permit Required) of **this Bylaw** as though the **voluntary waiver of claims** had never been executed.
- (4) Subject to Subsection (5) of this Section, a **development permit** expires and is of no further force or effect if the **development** is not commenced within 24 months from the date that the **development permit** was issued.
 - (5) The **City Planner** may allow one extension for up to a maximum of 24 months to the period for commencement of a **development** if an application for extension is received from the development permit holder before the **development permit** expires.
 - (6) If an application for extension is not received from the development permit holder before the **development permit** expires, a new application for **development permit** must be submitted.
 - (7) A **development permit** expires and is of no further force or effect if a **development** has not received occupancy within 24 months from the date of commencement of the **development**.

192 Duration of Development Permit Approval

A **development permit** remains in effect indefinitely, subject to:

- (1) expiry pursuant to Subsections 191(4) through (7) (Effective Date of Development Permit Approval); and
- (2) cancellation or suspension pursuant to Section 204 (Cancellation/Suspension of Development Permit),

unless a condition of the **development permit** specifies a time limit on the duration of development approval.

193 Re-application Following Development Permit Refusal

- (1) Subject to Subsection (2) of this Section, when an application for **development permit** is refused by a **Development Authority** and:
 - (a) an appeal results in the refusal being upheld by the **SDAB**; or
 - (b) no appeal is made within the time specified for doing so,

another application for **development permit** for the same or substantially the same **use** on the same or substantially the same **site** must not be accepted from the same or any other **Applicant** until six months after the date of the refusal of the original application by the **Development Authority**.

- (2) The six-month waiting period referenced in Subsection (1) of this Section does not apply in the case of an application for **development permit** that is refused solely on the basis that the proposed development was not in compliance with a **development regulation**, if a re-application for development approval contains the necessary changes to bring the proposed development into compliance with the **development regulation**.

Part 15: Land Use Bylaw Amendments

194 Text Amendment Application Requirements

When applying for a text amendment to *this Bylaw*, the **Applicant** must submit:

- (1) a completed application form;
- (2) application fee;
- (3) the proposed text amendment;
- (4) a statement of the reasons for making the application; and
- (5) any other information required, at the discretion of the **Development Authority**.

195 Eligibility to Submit Rezoning Application

A person who makes a **rezoning application** to amend *this Bylaw* must:

- (1) be the registered owner of the lands affected as shown on the land title certificate(s); or
- (2) show written proof to the satisfaction of the **Development Authority** that the registered owner consents to the application.

196 Rezoning Application Requirements

- (1) When applying for a **rezoning application** the **Applicant** must submit:
 - (a) a completed application form;
 - (b) a current copy of the land title certificate(s);
 - (c) a copy of any restrictive covenants, utility rights-of-way, easements, or caveats registered on the land title certificate(s);
 - (d) where the **Applicant** is an agent for the owner(s), a letter of authorization from the registered owner(s) of the land, or other persons having legal or equitable interest in the **site**;
 - (e) application fee;
 - (f) a statement of the reasons for making the application; and
 - (g) any other information required, at the discretion of the **Development Authority**.
- (2) Where a **rezoning application** proposes to rezone a **site** to SU-DC District, an **Applicant** must provide a written statement detailing:
 - (a) why a SU-DC District designation is appropriate for the **site**; and
 - (b) why the **development** of the **site** cannot be achieved through an alternative **district**.

197 Amendment Application Review

- (1) The review of a land use bylaw amendment application shall include all planning considerations or principals relevant to the circumstances of the amendment application including:
 - (a) the objectives and policies of any relevant **statutory plan**;
 - (b) the full range of **permitted uses** and **discretionary uses** allowed in the proposed **district**, in addition to the merit of the development proposal associated with the amendment application;
 - (c) the potential highest and best **use** for the **site**;
 - (d) the potential impacts on infrastructure servicing including:

- (1) sanitary sewage collection, treatment, and disposal,
 - (2) water supply, treatment, and distribution,
 - (3) storm water collection and storage,
 - (4) electric power and natural gas servicing capacity,
 - (5) **road** infrastructure capacity and access points,
 - (6) telecommunications services, and
 - (7) protective and emergency services and fire suppression measures;
- (e) the potential need for municipal land requirements including right-of-ways and easements;
 - (f) collection of feedback submitted by area residents with regard to the amendment application and provision of the feedback to **Council** as part of the statutory public hearing;
 - (g) referral comments provided by any municipal department, adjacent municipality, government agency, or other external agency; and
 - (h) any other land use planning considerations or principals relevant to the circumstances of the amendment application.
- (2) Where a land use bylaw amendment application is applied for over lands that are not subject to a **statutory plan**, **Council** shall consider whether a **statutory plan** should be required prior to approving the amendment application.

198 Re-application Following Rezoning Refusal

When a **rezoning application** is made and **Council** refuses the application, a subsequent **rezoning application** for the same or substantially the same **site** must not be accepted from the same or any other **Applicant** until six months after the date on which the **rezoning application** was refused by **Council**.

Part 16: Compliance with This Bylaw

199 Enforcement

Pursuant to the **MGA** and the *Provincial Offences Procedure Act*, **this Bylaw** establishes the following enforcement measures.

200 Inspections

- (1) A **Bylaw Enforcement Officer** may upon reasonable notice enter on any land or into any **building** for the purpose of carrying out any inspection, remedy, enforcement, or action pursuant to any provision of **this Bylaw** or the **MGA**.
- (2) If the owner or occupier of land, a **building**, or a structure consents to entry on the land by a **Bylaw Enforcement Officer** for the purpose of carrying out any inspection, remedy, enforcement, or action pursuant to any provision of **this Bylaw** or the **MGA**, the owner or occupier is deemed to have been given reasonable notice pursuant to Section 542 of the **MGA**.

201 Offences

- (1) A person commits an **offence** who:
 - (a) commences or carries on, or causes or allows to be commenced or carried on, a **development** without a **development permit** when a **development permit** is required under **this Bylaw**;
 - (b) fails to comply, or causes or allows a failure to comply, with any provision or condition of a **development permit**;
 - (c) fails to comply, or causes or allows a failure to comply, with any procedure, protocol or requirement created or issued under Section 184 (Administrative Powers and Duties);
 - (d) fails to comply, or causes or allows a failure to comply, with a stop order issued by the **Development Authority** pursuant to Subsection 645(2) of the **MGA**;
 - (e) uses, or causes or allows to be used, land or a **building** in a manner contrary to the provisions of **this Bylaw**; or
 - (f) contravenes, or causes or allows to be contravened, any other provision of **this Bylaw**.
- (2) Each day, or part of a day, that an **offence** under **this Bylaw** continues constitutes a separate offence.

202 Penalties

- (1) Where a **Bylaw Enforcement Officer** believes on reasonable and probable grounds that a person has committed an **offence**, the **Bylaw Enforcement Officer** may commence proceedings by issuing a summons by means of a violation ticket in accordance with Part 2 or Part 3 of the *Provincial Offences Procedure Act*.

(2) Specified penalties for **offences** are established as follows:

Offence	Land Use Bylaw Reference	Specified Penalty First Offence	Specified Penalty Additional Offences
Development without a development permit	Section 187 Development Permit Required	\$1000	\$2,500
Failure to comply with a condition of a development permit	Section 183 Development Authority Powers and Duties	\$1000	\$2,500
Failure to comply with any requirement under Section 184(1) of this Bylaw	Section 184(1) Administrative Powers and Duties	\$1000	\$2,500
Contravention of a Stop Order issued by a Development Authority	Section 203 Stop Order	\$1000	\$5,000
Use of land or a building in contravention of this Bylaw	Parts 2-8	\$1000	\$2,500
Contravention of any other provision of this Bylaw	-	\$500	\$1,500

- (3) Pursuant to the *Provincial Offences Procedure Act*, if the summons issued by the **Bylaw Enforcement Officer** under Subsection (1) of this Section so provides, the person named in the summons may make a voluntary payment in the specified amount set out in the table in Subsection (2) of this Section, and upon making the voluntary payment, that person is not required to appear before a justice to answer the summons.
- (4) A person who commits an **offence** is liable upon summary conviction to pay a fine of not less than the specified penalty set out in Subsection (2) of this Section and not more than Ten Thousand Dollars (\$10,000) or in default of payment to imprisonment for a period of not more than one year.
- (5) Payment of any fine or imprisonment for any period of time, pursuant to the provisions of **this Bylaw**, shall not relieve any person from the necessity of paying any fees, charges or costs for which that person is liable under the provisions of **this Bylaw**, any other City bylaw, or any enactment.
- (6) Nothing in **this Bylaw** diminishes or in any way affects the rights of **the City** pursuant to the **MGA**, or at common law to seek an entry order, stop order, order for compliance, injunction, or any other order to obtain compliance with **this Bylaw**.

203 Stop Order

A **Development Authority** may issue any order described in Section 645(2) of the **MGA** upon the occurrence of any event or circumstance described in Section 645(1) of the **MGA**.

204 Cancellation/Suspension of Development Permit

- (1) When a **development** for which a **development permit** has been issued is not being constructed or carried on in compliance with any condition of the **development permit** or with any applicable provision of **this Bylaw** or any enactment, then in addition to any other lawful action it may take, the **Development Authority** may:
- suspend the **development permit** for either an indefinite or a specified period of time, until the **development** is brought into compliance; or
 - cancel the **development permit**.

- (2) If a ***development permit*** is issued by mistake, or on the basis of incorrect information, the ***Development Authority*** may cancel the ***development permit***.
- (3) If a ***Development Authority*** cancels or suspends a ***development permit*** it shall make reasonable efforts to locate and inform the ***development permit*** holder of the action taken.

Part 17: Use Definitions

RESIDENTIAL USES

Principal Dwellings

Detached House
Semi-Detached Housing
Stacked Duplex Housing
Stacked Triplex Housing
Row Housing
Multiple Unit Housing
Planned Residential Community

Accessory Dwellings

Secondary Suite
Backyard Suite

Home Employment Accessory Uses

Residential Day Home
Remote Work
Home Business, Minor
Home Business, Major
Bed and Breakfast
Short Term Dwelling Rental

Other Residential Accessory Uses

Residential Accessory Building
Residential Accessory Structure
Show Home
Residential Sales Centre

OPEN SPACE USES

Public Park
Golf Course
Campground

INSTITUTIONAL USES

Community and Culture

School
Childcare Service
Place of Worship, Minor
Place of Worship, Major
Public Library
Community Centre
Cultural Centre
Outdoor Recreation Facility
Indoor Recreation Facility
Post-Secondary Institution
Art Studio
Social Organization
Community Garden

Health and Social Services

Health Care Office, Minor
Health Care Office, Major
Community Social Service
Community Food Service
Community Shelter/Transitional Housing
Continuing Care, Limited
Continuing Care, Minor
Continuing Care, Major
Addiction Service
Supervised Consumption Site
Hospital

Bereavement Uses

Funeral Home
Crematorium
Columbarium
Cemetery

Business and Professional Services

Office, Minor
Office, Major
Government Service
Financial Institution
Commercial School, Minor
Business Support Service
Self Storage, Indoor

Retail and Consumer Services

General Retail Store
Liquor Store
Cannabis Store
Pawn Shop
Adult Novelty Store
Temporary Vendor
Home/Building Supply
Garden Centre
Personal Service
Household Service
Dry Cleaner/Laundromat
Fitness/Wellness Centre, Minor
Fitness/Wellness Centre, Major
Payday Loan

Food, Beverage and Entertainment

Restaurant, Limited
Restaurant, Full Service
Specialty Food Store
Catering/Remote Food Service
Convention/Event Centre
Hotel
Amusement Establishment, Minor
Amusement Establishment, Major
Bar
Casino
Bingo Hall
Adult Establishment

Animal Uses

Pet Service
Pet Store
Veterinary Clinic
Animal Kennel/Training Centre
Animal Breeding Operation

Vehicle Oriented

Vehicle Fuel Station
Vehicle Fuel Station, Bulk
Vehicle Wash/Detailing
Vehicle Quick Service
Vehicle Service/Repair
Vehicle Body/Paint
Vehicle Sales
RV Sales/Service
Large Vehicle Sales/Service
Truck Stop
Transportation/Fleet Service
Drive Through
Parking Lot
Parking Structure

Light/Medium Industrial

Contractor Service, Minor
Contractor Service, Major
Printing/Publishing/Distributing
Commercial School, Major
Industrial Support Service
Industrial Operation, Minor
RV Storage
Private Storage
Self Storage, Outdoor
Storage Yard

Heavy Industrial

Industrial Operation, Major
Chemical Plant
Resource Extraction
Salvage Facility

AGRICULTURAL USES

Cannabis Production
Extensive Agriculture
Intensive Agriculture
Agricultural Supplies/Service
Livestock Operation
Abattoir
Confined Feeding Operation

INFRASTRUCTURE USES

Public Utility, Minor
Public Utility, Major
Renewable Energy System, Minor
Renewable Energy System, Major
Solid Waste Landfill
Recyclables/Waste Depot
Municipal Depot
Protective/Emergency Service
Correctional/Remand Centre
Military Base
Airport

SPECIAL USES

Data Centre
Arena
Special Recreation
Firearms Range
Temporary Accommodation

OTHER USES

Accessory Use
Similar Use

COMMERCIAL USES

INDUSTRIAL USES

205 Residential Uses

205.1 Principal Dwellings

Detached House means a *development* where the *principal use* consists of one *principal dwelling* contained within one *principal building*.

Semi-Detached Housing means a *development* where the *principal use* consists of two *principal dwellings* contained within one *principal building* oriented toward a front street with separate, individual, and direct access to grade.

Stacked Duplex Housing means a *development* where the *principal use* consists of two *principal dwellings* contained within one *principal building* where:

- one *principal dwelling* is placed over the other *principal dwelling* in whole or in part; and
- each *principal dwelling* has separate, individual access either at grade, or to grade from an interior or exterior stairwell.

Stacked Triplex Housing means a *development* where the *principal use* consists of three *principal dwellings* contained within one *principal building* where:

- the three *principal dwellings* are stacked over each other in whole or in part; and
- each *principal dwelling* has separate, individual access either at grade, or to grade from an interior or exterior stairwell.

Row Housing means a *development* where the *principal use* consists of a minimum of three *principal dwellings* contained within one *principal building* oriented toward a front street with separate, individual, and direct access to grade.

Multiple Unit Housing means a *development* where the *principal use* consists of:

- a residential site with three or more *principal dwellings* contained within one or more *principal buildings*. Built forms include a fourplex or multiplex, *townhouses/stacked townhouses*, *cluster housing*, *apartments*, and condominiums; or
- a residential component of a mixed-use building with one or more *dwellings*. Built forms include apartment units above at-grade commercial.

Planned Residential Community means a *development* where the *principal use* is a comprehensively planned residential area where:

- the *development* may be specifically designed for manufactured homes, mobile homes, modular homes, tiny homes, or some other similar built form; and
- *dwellings* are arranged in an approved community format.

205.2 Accessory Dwellings

Secondary Suite means a *development* where one *accessory dwelling* is located within a **Detached House**, or within a *principal dwelling* of **Semi-Detached Housing**, or within a *principal dwelling* of **Row Housing**.

Backyard Suite means a *development* where an *accessory dwelling* is located in the *rear yard* of a residential site.

205.3 Home Employment Accessory Uses

Residential Day Home means a *development* where an *accessory use* is located within one *dwelling* where the use:

- provides childcare and supervision to a maximum of six children under the age of 12 years, or to children under the age of 14 years who because of a special need require care;
- is operated by one or more occupants of the *dwelling*;
- may be licensed, as required by the *Province of Alberta*; and
- does not provide overnight accommodation.

A *dwelling* can be developed with a maximum of one **Residential Day Home**.

Remote Work means a *development* where an *accessory use* is located within a *dwelling* where:

- the use is restricted to office- or desk-job work;
- the use may be performed independently by one or more occupants of a *dwelling*;
- the purpose of the use is to work for an off-site employer on a temporary, intermittent, or permanent basis; and
- the use does not receive any *vehicle visits* on, about, or in the vicinity of, the *site*.

Home Business, Minor means a *development* where an *accessory use* is located within a *dwelling* where:

- the use is operated by one or more occupants of the *dwelling*;
- the purpose of the use is to conduct a *business*; and
- the use does not receive more than five *vehicle visits* per *week* on, about, or in the vicinity of, the *site*.

Home Business, Major means a *development* where an *accessory use* is located within a *dwelling* where:

- the use is operated by one or more occupants of the *dwelling*;
- the purpose of the use is to conduct a *business*; and
- the use does not receive more than 40 *vehicle visits* per *week* on, about, or in the vicinity of, the *site*.

Bed and Breakfast means a *development* where an *accessory use* is located on a *site* where the *principal use* is a **Detached House** where:

- the use is operated by one or more occupants of the *dwelling*;
- the purpose of the use is to conduct a *business*;
- the use provides lodging for a nightly fee in a guest room(s);
- there are no in-room cooking facilities associated with the guest room(s); and
- the use complies with the *Province of Alberta Bed and Breakfast Health Standards and Guidelines*.

Short Term Dwelling Rental means a *development* where:

- the owner of a *dwelling* offers short term rental to travelers or others seeking temporary living accommodation; and
- the use may utilize an online marketplace to arrange rentals such as AirBnB, VRBO, or other similar online platforms.

205.4 Other Residential Accessory Uses

Residential Accessory Building means a *development* where an *accessory building* is located on a *site* containing a residential use for the purpose of accommodating activities that are incidental and subordinate to the principal residential use. This use includes *sheds*, detached *garages*, detached carports, and other similar *buildings* typically used for parking of *vehicles* and *RVs*, personal storage, and low-impact activities and hobbies that are ancillary to, and customarily associated with, a residential use.

Residential Accessory Structure means a structure that is customarily associated with a residential use. This use includes fences, gates, retaining walls, driveways, permanent swimming pools, hot tubs, covered and uncovered decks and patios, pergolas, gazebos, arbors, stairs, landings, and other similar structures.

Show Home means a *development* where a *dwelling* is used for marketing and sales purposes.

Residential Sales Centre means a *development* where a *building* or *dwelling* is temporarily used to facilitate the marketing and sale of residential properties on the same site. This use may include a sales office and display of materials used in the construction of the *dwellings* that are offered for sale.

206 Open Space Uses

Public Park means a *development* where the *principal use* is to provide outdoor open space for recreational activities that do not require major buildings or facilities. This use may include picnic areas, playgrounds, multi-purpose trails, *landscaped* areas, public washrooms, and open space areas that are left in their natural state.

Golf Course means a *development* where the *principal use* consists of an area of land developed for the game of golf. This use may include clubhouses, food services, administrative offices, pro shops, driving ranges, putting greens, and other typical facilities.

Campground means a *development* where the *principal use* consists of an area of land developed for seasonal or year-round recreational occupancy where the use may:

- be designed to accommodate tents, *recreational vehicles*, or other similar accommodations;
- provide utility hook-ups for individual plots; and
- provide a variety of common amenities.

This use includes tenting grounds, RV campgrounds, and other similar development formats.

207 Institutional Uses

207.1 Community and Culture

School means a *development* where the *principal use* is to provide a structured learning environment at a public, private, or other facility through which an education program is offered to students from kindergarten to grade 12, pursuant to the *Education Act*. This use includes administrative buildings for school staff. This does not include home education programs as defined by the *Education Act*.

Childcare Service means a *development* where the *principal use* is to provide a facility where:

- temporary childcare, educational activities, and supervision are offered to seven or more children under 13 years of age;
- an inclusive childcare program may accommodate children under the age of 15 years who, because of special need, require similar care;
- the use may be licensed, as required by the *Province of Alberta*, to provide temporary childcare and supervision; and
- the use operates during the day or evening but does not include overnight accommodation.

This use includes a daycare, out-of-school/after-school care program, kindergarten, nursery school, preschool, and other similar childcare services.

Place of Worship, Minor means a *development* where the *principal use* is to provide a gathering place for worship and associated ritual or liturgical activities of a religious society or the incorporated congregation of a religious group, and has limited parking needs. This use may include facilities for social, benevolent, or charitable activities.

Place of Worship, Major means a *development* where the *principal use* is to provide a gathering place for worship and associated ritual or liturgical activities of a religious society or the incorporated congregation of a religious group, and has moderate-to-high parking needs. This use may include facilities for social, benevolent, or charitable activities.

Public Library means a *development* where the *principal use* is to provide a facility for the collection of printed and other materials for the purpose of lending to the public. This use may include facilities for theatre, meetings, classrooms, study space, computer use, and other typical activities.

Community Centre means a *development* where the *principal use* is to provide a facility that can accommodate a variety of community-oriented and recreational activities. This use may include auditorium, banquet, seminar, conference, exhibition, and other typical facilities.

Cultural Centre means a *development* where the *principal use* is to provide a facility for:

- the collection, preservation, restoration, storage, or display of works or objects of historical, archaeological, scientific, or artistic value; or
- theatrical, literary, dance, musical, and other cultural activities.

This use includes a museum, performance arts theatre, and interpretive centre.

Outdoor Recreation Facility means a *development* where the *principal use* is to provide athletic or recreational facilities that occur outdoors including outdoor swimming pools, sports fields or courts, and other similar facilities. This use may include spectator areas, change rooms, food services, storage buildings, and other typical facilities.

Indoor Recreation Facility means a *development* where the *principal use* is to provide athletic or recreational facilities contained within a *building* including indoor swimming pools, skating rinks, gymnasiums, multi-purpose event centres, and other similar facilities. This use may include areas for spectators, change rooms, food services, storage, and other typical facilities.

Post-Secondary Institution means a *development* where the *principal use* is to provide post-secondary education programs where:

- programs are offered to enrolled students by an authorized agent, university, community college, polytechnic institution, specialized arts and cultural institution, or independent academic institution pursuant to the *Post-Secondary Learning Act*; and
- the use may offer education programs to the general public.

This use may include facilities for food services, fitness and sports, library and study areas, laboratories and research centres, and other typical facilities.

Art Studio means a *development* where the *principal use* is:

- the production of art by individuals;
- the provision of art classes;
- the provision of art shows and displays; or
- the sale of art pieces.

Social Organization means a *development* where the *principal use* is an association, club, society, foundation, fraternity, or other non-profit or charitable organization operated exclusively for social welfare, civic improvement, pleasure, recreation, or other similar purposes. This use includes social, recreational, or hobby groups (bridge clubs, curling clubs, service clubs, and golf clubs), amateur sports organizations (hockey associations, baseball leagues, and soccer leagues), and festival organizations (parades and seasonal celebrations).

Community Garden means a *development* where the *principal use* consists of a *site* or part of a *site* used for cultivation of vegetables or fruits for consumption or distribution on a not-for-profit basis.

207.2 Health and Social Services

Health Care Office, Minor means a *development* where the *principal use* is to provide medical and health care services on an outpatient basis only and has limited parking needs. This use includes offices of doctors, dentists, chiropractors, registered massage therapists, physiotherapists, psychiatrists, and psychologists. This may include the sale of pharmaceuticals, medical supplies, and other goods incidental and related to the service provided.

Health Care Office, Major means a *development* where the *principal use* is to provide medical and health care services on an outpatient basis only and has moderate-to-high parking needs. This use includes health care clinics, laboratories, diagnostic services, and offices of doctors, dentists, chiropractors, registered massage therapists, physiotherapists, psychiatrists, and psychologists. This may include the sale of pharmaceuticals, medical supplies, and other goods incidental and related to the service provided.

Community Social Service means a *development* where the *principal use* is to provide professional or non-profit social services on an outpatient basis only. This use includes social services related to immigration, employment, life skills, prenatal services, family planning, youth outreach, mental health, disability, and other similar social services.

Community Food Service means a *development* where the *principal use* is to provide services to address the insecurity, availability, accessibility, and adequacy of food for the community. This use includes a food bank and related spaces and activities such as staff offices, indoor and outdoor storage areas, classrooms for training and instruction in food preparation and nutrition, and other similar activities.

Community Shelter/Transitional Housing means a *development* where the *principal use* is to provide shelter for individuals in need of daytime respite, overnight sleeping accommodation, or temporary living accommodation where the use may be licensed, as required, or meets the standards established under a higher level of government. This use includes transitional housing, women's/family shelters, daytime shelters, overnight shelters, 24-hour shelters, and other similar facilities.

Temporary Accommodation means a *development* where the *principal use* consists of an area of land developed for temporary occupancy where the use:

- is designed to accommodate *recreational vehicles*;
- provides utility hook-ups for individual plots;
- may provide limited common amenities; and
- does not provide social services on the *site*.

This use includes temporary accommodation for transient workers, short term accommodation for travelers, and other similar development formats.

Continuing Care, Limited means a *development* where the *principal use* is to provide living accommodation for up to six occupants where:

- the use may be licensed, as required, under the *Continuing Care Act*;
- the use may provide a range of on-site services to support the health and well-being of occupants; and
- on-site service providers are not included in the number of occupants allowed.

This use includes *Supportive Living Accommodation* and *Continuing Care Homes* operated within a variety of dwelling types.

Continuing Care, Minor means a *development* where the *principal use* is to provide living accommodation for a minimum of seven and a maximum of 12 occupants where:

- the use may be licensed, as required, under the *Continuing Care Act*;
- the use may provide a range of on-site services to support the health and well-being of occupants; and
- on-site service providers are not included in the number of occupants allowed.

This use includes *Supportive Living Accommodation* and *Continuing Care Homes* typically operated within purpose-built facilities.

Continuing Care, Major means a development where the principal use is to provide supportive living accommodation for more than 12 individuals where:

- the use may be licensed, as required, under the *Continuing Care Act*;
- the use may provide a range of on-site services to support the health and well-being of occupants; and
- on-site service providers are not included in the number of occupants allowed.

This use includes *Supportive Living Accommodation* and *Continuing Care Homes* typically operated within purpose-built facilities.

Addiction Service means a *development* where the *principal use* is to provide substance addiction treatment and recovery services where the use is licensed, as required, or meets the standards established under a higher level of government.

Supervised Consumption Site means a *development* where the *principal use* is to provide a facility that is exempted by the federal government for medical purposes under Section 56.1 of the *Controlled Drugs and Substances Act* and is intended for individuals to consume a controlled substance in a supervised and controlled environment on an out-patient basis.

Hospital means a *development* where the *principal use* is to provide a facility designated by the *Province of Alberta Minister of Health* as an approved hospital pursuant to the *Hospital Act*.

207.3 Bereavement Uses

Funeral Home means a *development* where the *principal use* is to provide a facility for arranging and holding funerals and may include the preparation of the deceased for burial or cremation.

Crematorium means a *development* where the *principal use* is to provide a facility where the deceased are incinerated, collected for interment of the ashes, and preparation made for burial.

Columbarium means a *development* where the *principal use* is to provide a facility where urns containing the ashes of cremated human remains are kept.

Cemetery means a *development* where the *principal use* is the burial of remains of the deceased. This use includes a burial ground, graveyard, mausoleum, or pet cemetery.

208 Commercial Uses

208.1 Business and Professional Services

Office, Minor means a *development* where the *principal use* is to provide professional, management, administrative, information, human resource, or consulting services and has limited parking needs. This use includes offices of lawyers, accountants, engineers, architects, travel agents, real estate firms, consultants, insurance companies, financial planners, mortgage providers, and other similar services. This does not include publicly funded or non-profit medical, health care, or social services.

Office, Major means a *development* where the *principal use* is to provide professional, management, administrative, information, human resource, or consulting services and has moderate-to-high parking needs. This use includes offices of lawyers, accountants, engineers, architects, travel agents, real estate firms, consultants, insurance companies, financial planners, mortgage providers, and other similar services. This does not include publicly funded or non-profit medical, health care, or social services.

Government Service means a *development* where the *principal use* is to provide municipal, provincial, or federal government services. This use includes City Hall, the provincial building, the Courthouse, Service Canada centres, Canada Post offices and depots, and other similar government services. This does not include publicly funded or non-profit medical, health care, and social services.

Financial Institution means a *development* where the *principal use* is to provide financial and banking services. This use includes banks, credit unions, trust companies, and other similar services.

Commercial School, Minor means a *development* where the *principal use* is to provide professional training and instruction in trades, occupations, business, skills, or services where:

- training and instruction is of a scale and nature that is provided primarily within a classroom setting; and
- on-site out-of-class training and instruction does not cause any negative impact to surrounding areas.

This use includes training and instruction in secretarial and administrative support services, business and finance, computer skills, driving, first aid and safety, industrial trades, beauty and personal care, music, academic tutoring, and other similar activities.

Business Support Service means a *development* where the *principal use* is to provide support services to businesses and individuals where there is limited on-site outdoor activity. This use includes printing, duplicating, binding, and distributing services, information technology, sign making, janitorial or custodial services, security services, and office equipment supplies, sales, and service.

Self Storage, Indoor means a *development* where the *principal use* is to lease indoor portions of a *building* for storage of goods where the design, character, and appearance of the use is compatible with the surrounding area. This use includes office style mini-storage facilities.

208.2 Retail and Consumer Services

General Retail Store means a *development* where the *principal use* is the retail sale of goods directly to the public. Retail items sold may include groceries, convenience items, household goods, home furnishings, hardware, office equipment and supplies, electronics, clothing, sporting and recreation goods, and personal care items. This use may include the assembly or repair of products sold on-site, postal service outlets, and pharmacies.

Liquor Store means a *development* where the *principal use* is the retail sale of alcoholic beverages authorized by provincial legislation. This use includes the retail sale of related accessories, soft drinks, and snack foods as allowed by the provincial regulator.

Cannabis Store means a *development* where the *principal use* is the retail sale of cannabis products authorized by provincial legislation. This use includes the retail sale of related accessories as allowed by the provincial regulator.

Pawn Shop means a *development* where the *principal use* is to provide secured loans in exchange for goods offered as collateral, including the sale of such goods. This use includes the resale of any goods sold in pawn including clothing, jewelry, stereos and other electronics, household goods, musical instruments, and may include the minor repair of goods sold on-site.

Adult Novelty Store means a *development* where the *principal use* is to sell, rent or lend adult novelty paraphernalia, electronic media, print media, or other similar prurient products where one or more of the following occurs:

- 10 percent or more of the floor area of the premises used to display products is devoted to adult novelty items; or
- 10 percent or more of the items for sale, rent, or loan are adult novelty items.

This use must:

- keep adult prurient products separate from all other goods on the premises that are available for inspection, sale, rental, or loan; and
- ensure that adult prurient products are not sold, rented, loaned to, or made available for inspection by any individuals under the age of 18 years.

Temporary Vendor means a *development* where the *principal use* is the sale of any good, service, food, agricultural product, beverage, or other retail item from a temporary building, parked *vehicle*, trailer, modified *shipping container*, food kiosk, produce stand, or any other thing.

Home/Building Supply means a *development* where the *principal use* is the large-scale retail sale of materials and supplies required for construction, renovation, maintenance, or assembly of home and garden components where:

- the size or nature of the goods being sold, or the manner in which goods are displayed and sold, may require large floor areas; and
- the use may require significant outdoor storage.

Retail items sold include lumber, plumbing, electrical, millwork, hardware, tools, paint, yard supplies and structures, household goods, and home furnishings.

Garden Centre means a *development* where the *principal use* is the large-scale retail sale of garden-related products where:

- items may be displayed and sold from a permanent building, temporary structure, or outdoor display area; and
- the use may include indoor and outdoor areas for the planting, growing, storage, display and sale of plants and other garden products.

Retail items sold include ornamental plants and trees, shrubbery, seeds, fertilizers, chemicals, and gardening implements.

Personal Service means a *development* where the *principal use* is to provide services related to the care and appearance of the body, repair and maintenance of personal effects, and other similar services. This use includes non-registered massage, barbershops, hairdressers, beauty salons, tattoo parlors, tailors, seamstress, shoe and leather repair, professional photography, and the retail sale of products associated with the service provided.

Household Service means a *development* where the *principal use* is to clean or repair household goods or provide services to individuals of a household nature. This use includes locksmithing, small appliance and electronics repair, furniture refinishing and upholstery, and the retail sale of products associated with the service provided.

Dry Cleaner/Laundromat means a *development* where the *principal use* is the small-scale cleaning of clothes, fabrics, rugs, or other personal effects and household items where:

- solvents may be used in the process of laundering;
- a drop-off and pick-up service may be provided; and
- the use may include a self-serve laundromat.

Fitness/Wellness Centre, Minor means a *development* where the *principal use* is to provide a facility, equipment, or instruction for the pursuit of physical fitness, wellness, or recreation and has limited parking needs. This use includes a gym or weight room, a fitness, yoga, marital art, or dance studio, and other similar activities. This may include change rooms, limited food services, and the incidental sale of related products.

Fitness/Wellness Centre, Major means a *development* where the *principal use* is to provide a facility, equipment, or instruction for the pursuit of physical fitness, wellness, or recreation and has moderate-to-high parking needs. This use includes a gym or weight room, a fitness, yoga, marital art, or dance studio, and other similar activities. This may include change rooms, limited food services, and the incidental sale of related products.

Payday Loan means a *development* where the *principal use* is to provide advancement of money in exchange for a post-dated cheque, a pre-authorized debit, or a future payment of a similar nature, but not for any guarantee, suretyship, overdraft protection or security on property, and not through margin loan, pawn brokering, a line of credit, or a credit card.

208.3 Food, Beverage and Entertainment

Restaurant, Limited means a *development* where the *principal use* is to prepare and serve food and beverages to customers where:

- food services are operated at a small-scale;
- customers are provided rapid service for on-site or off-site consumption;
- the use may have a limited menu from a partially equipped kitchen;
- the use may specialize in coffee beverages and smaller food items; and
- the use has limited seating and parking needs.

This use includes a coffee shop, bistro, tea house, and other similar food and beverage establishments.

Restaurant, Full Service means a *development* where the *principal use* is to prepare and serve food and beverages to customers where:

- customers are served primarily for on-site consumption;
- customers may make reservations for dining-in;
- the use may have a menu from a fully equipped kitchen; and
- the use has moderate-to-high parking needs.

This may include catering, take-out, pick-up, and delivery food services.

Specialty Food Store means a *development* where the *principal use* is the small-scale, on-site production and retail sale of specialty foods or beverages. This use includes a bakery, butcher, candy or chocolate shop, deli, ice cream parlour, and other specialty products. This may include limited seating for on-site consumption, and the functions of preparing, packaging, bottling, storing, or shipping the products made.

Catering/Remote Food Service means a *development* where the *principal use* is to prepare, store, and deliver food and beverages for off-site consumption where the use:

- may store delivery vehicles on-site;
- may allow on-site pick-up;
- may serve customers exclusively through phone and online ordering; and
- does not provide on-site seating.

This use includes a standalone catering service, 'virtual restaurant', or 'ghost kitchen'.

Convention/Event Centre means a *development* where the *principal use* is to provide a facility for meetings, seminars, conventions, weddings, product and trade fairs, and other similar events.

Hotel means a *development* where the *principal use* is to provide temporary sleeping accommodation in rooms or suites that have separate access from a common indoor hallway or corridor and/or separate access to the outdoors. This use includes apartment-style hotels, motels, hostels, and associated eating, drinking, entertainment, convention, sports, recreation, office, and retail facilities.

Amusement Establishment, Minor means a *development* where the *principal use* is to provide amusement pastimes and entertainment where the scale and nature of the use does not require large indoor or outdoor areas, and impacts are contained within the *site*. This use includes internet cafes, comedy clubs, indoor children's playgrounds, escape rooms, video game arcades, and other similar activities.

Amusement Establishment, Major means a *development* where the *principal use* is to provide amusement pastimes and entertainment where the scale and nature of the use may require large indoor or outdoor areas, and impacts may not be contained within the *site*. This use includes video game arcades, movie theatres, pool halls, bowling alleys, mini-golf courses, water parks, paintball ranges, drive-in movie theatres, and other similar activities.

Bar means a *development* where the *principal use* is the sale of alcoholic beverages for on-site consumption where:

- the use may include food services;
- the use may include live or recorded music and entertainment; and
- the use prohibits minors from lawfully utilizing the facility.

Casino means a *development* where the *principal use* is to provide participants the opportunity to engage in gambling.

Bingo Hall means a *development* where the *principal use* is to provide participants the opportunity to engage in bingo games.

Adult Establishment means a *development* where a *use* provides entertainment that appeals to or stimulates, or is intended to appeal to or stimulate, the prurient interests or erotic desires of its customers whether or not that is a *principal use*. This use does not include a *business* that holds a valid and subsisting license under the *Escort Service Bylaw*.

208.4 Animal Uses

Pet Service means a *development* where the *principal use* is to provide non-medical services related to small domestic animals and pets where:

- the use does not include outside animal enclosures;
- animals are not boarded overnight; and
- small domestic animals or pets are not offered for sale.

This use includes pet washing and grooming.

Pet Store means a *development* where the *principal use* is the retail sale of small domestic animals, pets, related goods, and where:

- animals for sale are kept on-site;
- the use may display a limited number of animals up for adoption;
- the use may include non-medical pet services; and
- the use does not include outside animal enclosures.

Veterinary Clinic means a *development* where the *principal use* is to provide veterinary services for small domestic animals and pets where:

- overnight stays may be necessary for medical observation or recovery of animals; and
- the use may include the retail sale of products associated with the service provided.

Animal Kennel/Training Centre means a *development* where the *principal use* is to provide temporary accommodation and care, training, or impoundment of small domestic animals and pets where:

- impoundment operates primarily within a *building*;
- the use may include outdoor enclosures for the benefit of animals; and
- the use may include facilities for the washing, grooming, or minor medical care.

This use includes pet training centres, daycares, pounds, and rescue centres.

Animal Breeding Operation means a *development* where the *principal use* is the breeding of small domestic animals or pets where:

- kennelling and care operates primarily within a *building*;
- the use may include domestic animal and pet training services;
- the use may include outdoor enclosures for the benefit of animals; and
- the use may include facilities for the washing, grooming, or minor medical care.

208.5 Vehicle Oriented

Vehicle Fuel Station means a *development* where the *principal use* is the retail sale of gasoline or other vehicle fuels, related petroleum products, incidental automotive accessories, and convenience items.

Vehicle Fuel Station, Bulk means a *development* where the *principal use* is the bulk retail sale of gasoline or other vehicle fuels, related petroleum products, incidental automotive accessories, and convenience items.

Vehicle Wash/Detailing means a *development* where the *principal use* is the cleaning of *vehicles* and *recreational vehicles* where the use provides:

- self-serve handheld wands, vacuums, or other cleaning tools; or
- touchless, mechanized drive-through car washes.

Vehicle Quick Service means a *development* where the *principal use* is to provide rapid maintenance and repair services to *vehicles* where the customer typically remains within their *vehicle* or waits on the premises for the service to be complete. This use includes rapid oil and lubrication services, tire shops, and other specialty repair shops.

Vehicle Service/Repair means a *development* where the *principal use* is the service and repair of *vehicles*, or re-manufacture or machining of vehicle parts.

Vehicle Body/Paint means a *development* where the *principal use* is the repair and painting of vehicle body parts.

Vehicle Sales means a *development* where the *principal use* is the sale or lease of *vehicles*.

RV Sales/Service means a *development* where the *principal use* is to sell, lease, rent, service, or repair *recreational vehicles*.

Large Vehicle Sales/Service means a *development* where the *principal use* is to sell, lease, rent, service, wash, or repair *large vehicles* and equipment.

Truck Stop means a *development* where the *principal use* is to cater to the needs of commercial truck traffic and the travelling public. This use may include large vehicle parking, laundry facilities, public washrooms, and food services.

Transportation/Fleet Service means a *development* where the *principal use* is to provide for the transportation of people, goods, and services. This use includes a taxi, rideshare, courier or delivery service, shuttle service, limousine service, private bus station, car rental, and other similar fleet services. This may include a dispatch, terminal, platform, sheltered waiting areas, or the storage, repair, cleaning, and maintenance of vehicles when not in operation.

Drive Through means a *development* where the *principal use* is to provide goods or services to individuals in a parked or stationary *vehicle* by way of a service window. This use includes a drive-through automated banking machine, and the drive-through service window of an eating and drinking establishment.

Parking Lot means a *development* where the *principal use* is to provide an area for the short-term storage and parking of *vehicles* where:

- the use is situated at grade;
- the use may be wholly or partially enclosed; and
- the use may have covered and uncovered parking areas.

Parking Structure means a *development* where the *principal use* is to provide an area for the short-term storage and parking of *vehicles* where:

- the use has at least one below grade or above grade tier or floor;
- the use may be wholly or partially enclosed; and
- the use may have covered and uncovered parking areas.

209 Industrial Uses

209.1 Light/Medium Industrial

Contractor Service, Minor means a *development* where the *principal use* is to provide small-scale general contractor and sub-trade services where:

- the use may include office, administrative, meeting, dispatch, technical support, and similar activities; and
- the use may require limited outdoor storage.

Contractor Service, Major means a *development* where the *principal use* is to provide large-scale general contractor and sub-trade services where:

- the use may include office, administrative, meeting, dispatch, technical support, and similar activities; and
- the use may require significant outdoor storage.

Printing/Publishing/Distributing means a *development* where the *principal use* is the large-scale production, duplication, or distribution of graphic and printed materials where the use:

- may include the binding of printed materials;
- may include the functions of packaging or shipping products made; and
- may be of a scale and nature that requires outdoor storage areas.

Commercial School, Major means a *development* where the *principal use* is to provide professional training and instruction in trades, occupations, business, skills, or services where:

- in-class training and instruction may occur on-site; and
- on-site out-of-class training and instruction is of a scale and nature that requires large indoor or outdoor areas and may cause negative impacts to surrounding areas.

This use includes training and instruction in driving *large vehicles*, heavy equipment operation, civil engineering, construction, electrical, heating, plumbing, welding, automotive trades, and other similar activities.

Industrial Support Service means a *development* where the *principal use* is to provide sales, supplies, or service to agricultural, industrial, or business clients. This use includes oilfield services, waste management services, heavy machine and equipment maintenance and rental, industrial cleaning, agricultural support services, and other various support services.

Industrial Operation, Minor means a *development* where the *principal use* is an industrial activity where:

- the use may include manufacturing, fabricating, processing, assembly or disassembly of materials, semi-finished goods, finished goods, food, beverages, products, or equipment;
- the use may include warehousing, packaging, repackaging, shipping, and distribution of goods;
- the use may engage in research and development activities performed on-site that consist of non-hazardous technical work, scientific research, experiments, teaching, testing, analysis, quality control, and other similar activities; and
- the scale and nature of the use does not generate any detrimental impacts, potential health or safety hazard, or excessive nuisance factor beyond the boundaries of the *site*.

RV Storage means a *development* where the *principal use* is to provide an area for the temporary parking and storage of *recreational vehicles*.

Private Storage means a *development* where the *principal use* is the private storage of goods on a *site* where the owner of the goods is also the owner of the *site*, and the owner maintains care and control of the *use*.

Self Storage, Outdoor means a *development* where the *principal use* is to lease portions of a *site* for storage of goods. This use includes outdoor mini-storage facilities.

Storage Yard means a *development* where the *principal use* is the outdoor storage of *vehicles*, equipment, goods, materials, supplies, or any other thing other than salvage materials.

209.2 Heavy Industrial

Industrial Operation, Major means a *development* where the *principal use* is an industrial activity where:

- the use may include manufacturing, fabricating, processing, assembly or disassembly of materials, semi-finished goods, finished goods, food, beverages, products, or equipment;
- the use may include warehousing, packaging, repackaging, shipping, and distribution of goods;
- the use may engage in research and development activities performed on-site that consist of hazardous technical work, scientific research, experiments, teaching, testing, analysis, quality control, and other similar activities; and
- the scale and nature of the use may generate detrimental impacts, potential health or safety hazards, or significant nuisance factors beyond the boundaries of the *site*.

This use includes large scale manufacturing or processing plants, food and beverage processing plants, sawmills, tire production and recycling, concrete and asphalt plants, salvage processing involving significant heating or chemicals, and other similar activities. This does not include any operation that involves live animals.

Chemical Plant means a *development* where the *principal use* is an industrial activity where:

- the use may manufacture or process chemicals on a large scale;
- the scale and nature of the use may generate detrimental impacts, potential health or safety hazards, or significant nuisance factors beyond the boundaries of the *site*;
- the use may process crude oil, used motor oil or natural gas; and
- the use may utilize a hydrocarbon as feedstock.

This use includes refineries, pharmaceutical plants, polymer plants, fertilizer plants, or any other chemical or petrochemical plant.

Resource Extraction means a *development* where the *principal use* is the removal, extraction, primary processing, crushing, and stockpiling of resource materials found on or under a *site*, or accessible from a site. This use includes gravel pits, sand pits, clay pits, quarries, mines, or the stripping of topsoil. This does not include the processing of resource materials transported to a *site*.

Salvage Facility means a *development* where the *principal use* is the processing of salvage materials where:

- scrap, dilapidated, damaged, inoperable, or obsolete goods, *vehicles*, machinery, equipment, building materials, metal objects, or any other salvage materials are stored, dismantled, crushed, or sorted; and
- where the use may include the incidental sale of parts and materials that are recovered from the salvaged materials.

This use includes scrap yards, auto wrecker/recyclers, and other *vehicle* and machinery recyclers and dismantlers. This does not include the manufacture or assembly of any goods for sale, the servicing or repair of anything, or the sale of operable *vehicles*.

210 Agricultural Uses

Cannabis Production means a *development* where the *principal use* is the production, cultivation, growth, storage, distribution, processing, testing, manufacturing, assembling, or altering of cannabis. This use includes activities regulated under federal licenses for cultivation and processing of cannabis.

Extensive Agriculture means a *development* where the *principal use* consists of the raising of crops or the grazing and rearing of *livestock* over large, predominantly outdoor areas.

Intensive Agriculture means a *development* where the *principal use* is a concentrated method of raising or harvesting crops, trees, or shrubs. This use includes greenhouses, tree farms, sod farms, nurseries, and similar agricultural activities.

Agricultural Supplies/Service means a *development* where the *principal use* is to support operations related to the agricultural industry. This use includes the sale, distribution or storage of grain, livestock feed, fertilizer, agricultural research facilities, and other similar activities.

Livestock Operation means a *development* where the *principal use* is to support operations related to the agricultural industry including:

- livestock auctions;
- a livestock yard where animals are temporarily penned or housed before being sold or transported elsewhere; and
- the storage of livestock hauling vehicles and other agricultural trucking operations.

Abattoir means a *development* where the *principal use* consists of an indoor facility where live animals are processed into food for human consumption.

Confined Feeding Operation means a *development* where the *principal use* consists of fenced or enclosed land or *buildings* where *livestock* are confined for the purpose of growing, sustaining, finishing, or breeding by means other than grazing. This use does not include any residences, grazing livestock operations, livestock seasonal feeding and bedding sites, equestrian stables, auction markets, racetracks, or exhibition grounds.

211 Infrastructure Uses

Public Utility, Minor means a *development* where the *principal use* consists of a system or works used to provide one or more of the following for public consumption, benefit, convenience, or use:

- water or steam;
- sewage disposal;
- public transportation operated by or on behalf of the municipality;
- irrigation;
- drainage;
- fuel;
- electric power;
- heat;
- waste management; and
- residential and commercial street lighting.

This use includes small utility buildings and structures, deep and shallow utility instalments, lamp standards, fire hydrants, power poles, pump stations, oil and gas wells, and similar infrastructure.

Public Utility, Major means a *development* where the *principal use* is the production, transmission, delivery or furnishing of a public utility for public consumption, benefit, convenience, or use. This use includes power plants, incinerators, water treatment plants, sewage treatment plants, and sewage lagoons.

Renewable Energy System, Minor means a *development* where the *principal use* is to provide a small-scale method of generating electrical power through alternative energy sources including wind or solar technologies for use by a single *site* for a residence or commercial building.

Renewable Energy System, Major means a *development* where the *principal use* is to provide a large-scale method of generating electrical power through alternative energy sources including wind or solar technologies for connection to a public utility system.

Solid Waste Landfill means a *development* where the *principal use* is a landfill as defined in the *Subdivision and Development Regulation*.

Recyclables/Waste Depot means a *development* where the *principal use* is to provide a facility where recyclable materials are collected, temporarily stored, and periodically removed and emptied off-site. This use includes a recyclables sorting facility, beverage container exchange, and outdoor bin drop-off depots.

Municipal Depot means a *development* where the *principal use* is a municipal function where:

- **vehicles**, equipment, goods, materials, or supplies may be stored for a municipal purpose;
- **vehicles** or equipment may be maintained, serviced, or repaired on-site;
- sand, gravel and other goods, materials, or supplies necessary to the operation and maintenance of infrastructure are piled or stored; and
- any other municipal function of an industrial nature, related to providing a public service, may be performed.

Protective/Emergency Service means a *development* where the *principal use* is to provide police, fire, and emergency medical services.

Correctional/Remand Centre means a *development* where the *principal use* is to provide a facility where individuals are confined in lawful detention. This use includes a correctional facility, remand centre, and youth custody facilities.

Military Base means a *development* where the *principal use* is directly owned and operated by or for the Canadian Armed Forces or one of its branches.

Airport means a *development* where the *principal use* consists of an aerodrome certified by the federal minister of transport.

212 Special Uses

Data Centre means a *development* where the *principal use* consists of a facility where computer systems and related components are used for storing, processing, and delivering data and applications.

Arena means a *development* where the *principal use* consists of a facility where sporting and other events are held and includes tiers of seating or viewing areas for spectators.

Special Recreation means a *development* where the *principal use* consists of recreational activities that are incompatible with urban development because of expected noise, dust, vibration, or other impacts. This includes motorsports, racing tracks, remote-control hobbies, and other activities.

Firearms Range means a *development* where the *principal use* is to provide an indoor or outdoor facility specifically designed for the legal discharge of firearms for sport, recreation, or training purposes where:

- the use must comply with the *RCMP Range Design and Construction Guidelines* of the *Canadian Firearms Program*; and
- all shooting ranges must have a current shooting range approval issued by the *Alberta Chief Firearms Officer*.

213 Other Uses

Accessory Use means a *use* of a *site* or a *building*, or a portion of a *site* or a *building*, which is naturally or normally incidental, subordinate, and devoted to, or customarily associated with, the *principal use* of a *site* or *building*.

Similar Use means a *use* of a *site* or *building* in a *district* which, in the opinion of the *development authority*, is so similar to a *permitted use* or a *discretionary use* in that *district* that it meets the intent of *Council* for the development of that *district* as set out in the applicable *purpose statement*, but does not include a *use* that is a *permitted use* or a *discretionary use* in any other *district*.

Part 18: General Definitions

accessory accommodation means a development where night shift or staff living accommodation is in support of a principal use. This includes a manager's suite, caretaker suite, on-site security suite, and worker housing.

Airport Zoning Regulation Overlay Map means the map of the City or a portion of the City, showing the Airport Zoning Regulation Overlay boundary that is adopted by resolution of the Council and available for inspection in electronic format on the City's website.

Airport Zoning Regulation Overlay or **AZRO** means the overlay established in Part 12 for the benefit of the Medicine Hat Regional Airport.

Airport Zoning Regulation Bylaw or **AZRB** means the Airport Zoning Regulation Bylaw No. 4294, a bylaw of the City to regulate the use of lands adjacent to or in the vicinity of the Airport for the purpose of ensuring that development is not incompatible with the safe operation of the Airport.

alley means an alley as defined in the *Traffic Safety Act*: a narrow road intended chiefly to give vehicle access to the rear of buildings and parcels of land.

apartment means a development where three or more principal dwellings are contained within a building and share a common entrance and internal hallway system.

Applicant means a person who is lawfully entitled to make, and makes, an application for any permit, agreement, approval, document, or other thing that may be issued, made, or done under the authority of this Bylaw.

Arterial and Collector Road Map means a map of the City or a portion of the City, showing the locations of arterial roads and collector roads in the area depicted by the map, that is referenced in the *Public Roads Bylaw*.

back of sidewalk means the edge of a sidewalk that adjoins or overlaps a property line, on the opposite side of the sidewalk from the side that abuts the road.

bottom of escarpment means the lowest break line or topographic discontinuity between the river valley system wall and the river valley system bottom. It is the point at which the overall slope changes from less than 33 percent (18 degrees) to greater than 33 percent (18 degrees).

boulevard means a boulevard as defined in the *Traffic Safety Act*: that part of a highway in an urban area that is not roadway and is that part of the sidewalk that is not especially adapted to the use of or ordinarily used by pedestrians.

buffer means a transitional area of land between two distinct land uses or districts used to mitigate or lessen the impact of one land use on another.

building means a building as defined in the *Municipal Government Act*: anything constructed or placed on, in, over or under land, but does not include a highway or road or a bridge that forms part of a highway or road.

building grade means, for the purposes of determining building height, the average level of finished ground at the corners of a building as determined by the Development Authority, excluding any localized depressions.

building height means the vertical distance between the geodetic elevations of the floor on the first storey (as determined by building grade) and the highest point of the roof.

building, accessory means a development where a building is located on a site for the purpose of accommodating activities that are incidental and subordinate to the principal use.

building, high-rise means a building that is seven or more storeys tall.

building, low-rise means a building that is not more than three storeys tall.

building, mid-rise means a building that is between four and six storeys tall.

building, non-conforming means a building that is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the building or the land on which the building is situated becomes effective; and that on the date the land use bylaw becomes effective does not, or when constructed will not, comply with the land use bylaw.

building, principal means a building in which a principal use of a site occurs.

business means an activity or enterprise conducted for the gain, benefit, advantage, or livelihood of a person, and includes every trade, industry, occupation, employment, calling, and the offering or provision of goods and services.

business license means a license issued under the provisions of the *Licensing Bylaw* of the City.

Bylaw Enforcement Officer means a person appointed by the City or by the City's Police Service, having the authority to enforce City bylaws, and includes a police officer or peace officer appointed under the *Police Act* or the *Peace Officer Act*.

Bylaw, this means the City of Medicine Hat Land Use Bylaw no. 4853.

change of tenancy means a change in the owner or tenant of land or a building where:

- the site has a valid development permit for an existing use;
- the change in the owner or tenant does not result in a change of use of land or a building; and
- the change in the owner or tenant does not result in or is not likely to result in an increase in intensity to the existing use of land or a building.

City Manager means the person appointed as City Manager pursuant to a City bylaw and includes any person to whom the City Manager has delegated any power, duty or responsibility assigned to the City Manager under this Bylaw.

City of Medicine Hat or the City means the municipal corporation of the City of Medicine Hat or the land lying within the boundaries of the City of Medicine Hat, as the context requires.

City Planner means the Director of Planning and Development Services and includes any other City employee to whom the City Planner delegates any of the powers or duties of that position.

cluster housing means a comprehensively planned residential site with multiple low-rise principal building(s) containing up to four principal dwellings but does not include a Planned Residential Community.

Continuing Care Home means a publicly funded facility or part of a facility where accommodations, health care, and support services are provided to residents. In accordance with the *Continuing Care Act*, this includes Continuing Care Homes Type A (formerly Long Term Care), Type B (formerly Designated Supportive Living) and Type C (formerly Designated Supportive Living Dementia).

corner visibility triangle means a triangular area on a site:

- located at the intersection of two roads that are not alleys; or
- located at the intersection of an alley and a road that is not an alley;

formed on two sides by the edges of the two roads, or the road and alley; that intersect at a corner of the site; and on the third side by a straight line drawn to connect two points, one along the intersecting edge of each road or alley, that lie:

- 7.50 m from the point of intersection in the case of two intersecting roads that are not alleys; or
- 3.00 m from the point of intersection in the case of an alley intersecting with a road that is not an alley.

(Note: a corner site may have more than one corner visibility triangle if there is an alley behind it and roads to the front and side)

Council means the Council of the City of Medicine Hat.

deck means a horizontal structure, raised a minimum of 0.6 m above grade, that is intended for use as an outdoor amenity area.

designated flood level means a minimum height for the main floor of a building and may dictate where electrical and mechanical systems must be located.

development means development, as defined in the *Municipal Government Act*:

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

Development Authority means a person or entity established under this Bylaw as a Development Authority and includes any person to whom powers and duties of Development Authority have been delegated to the extent of the scope of the delegation.

Development Officer means a person to whom the City Planner has delegated some or all of the powers and duties of Development Authority.

development permit means a document authorizing a development issued under the provisions of this Bylaw.

development regulation means a rule or requirement:

- set out in a particular district in Parts 2 through 8;
- set out in Part 9 (Rules for All Districts);
- set out in Part 10 (Use Specific Rules);
- set out in Part 11 (Sign Rules);
- set out in Part 12 (Airport Zoning Regulation Overlay); and
- established at the discretion of the Development Authority.

development setback line means a line which defines the closest point to the top of escarpment or the bottom of escarpment where:

- a development may occur, in the case of an existing site; or
- a property line may be established in the case of a proposed subdivision.

development, non-residential ancillary means a minor or incidental use of land or a building associated with an approved non-residential use which is secondary or subsidiary to, but a part of, integral to, and is a typical and expected development or function of a non-residential use. This includes fencing, gates, pergolas, gazebos, arbors, stairs, landings, irrigation systems, and other similar developments.

development, residential ancillary means a minor or incidental use of land or a building associated with an approved residential use which is secondary or subsidiary to, but a part of, integral to, and is a typical and expected development or function of a residential use. This includes air conditioning units, sprinkler systems, walkways, children's play equipment, trampolines, treehouses, skateboard structures, sports equipment, yard storage bins, compost bins/piles, bird houses, pet enclosures, yard and patio furniture, rain barrels, clothes lines, barbeques and associated enclosures, flag poles, fire pits, temporary/seasonal swimming pools, satellite dish antenna, amateur/hobby radio antenna or weather station, and other similar things.

district means a land use district established in Section 9, and more particularly described in Parts 2 through 8 of this Bylaw and diagrammed on the Land Use District Map.

driveway means an area that provides access for vehicles from a road to an attached garage or detached garage or off-street parking pad associated with a residential use on the same site.

dwelling means a self-contained unit for the purpose of a household residence that may include food storage and preparation, sleeping, and personal hygiene facilities.

dwelling, accessory means a dwelling that is accessory to and customarily associated with a principal dwelling. Secondary Suites and Backyard Suites are accessory dwellings.

dwelling, principal means a building or portion of a building in respect of which the principal use is a residence.

electronic display means sign copy displayed utilizing electronic screens, televisions, computer video monitors, liquid crystal displays, light-emitting diode displays, or any other similar electronic technology.

environmental impact assessment means an environmental impact assessment report as defined in the *Environmental Protection and Enhancement Act*

environmental site assessment means an environmental site assessment as defined in the *Alberta Environmental Site Assessment Standard*: an investigation in relation to land to determine the environmental condition of property. It includes a Phase 1 environmental site assessment, a Phase 2 environmental site assessment and confirmatory investigation.

façade means the exterior wall of a building facing a road but does not include any side of a building facing an interior side property line, a rear property line, or an alley.

flood fringe means that part of the flood hazard area outside of the floodway where floodwaters are generally shallower and the rate of flow is slower, as shown on the Flood Hazard Maps of the *Flood Hazard Identification Program* prepared by *Alberta Environment and Protected Areas*.

flood level means water elevation during a 1:100 year flood event, meaning a flood with a 1% chance of being equaled or exceeded in any given year, also known as a 100-year flood.

flood hazard area means the lands at or below the designated flood level that are predicted to be affected by a 1:100 year flood event as shown on the Flood Hazard Maps of the *Flood Hazard Identification Program* prepared by *Alberta Environment and Protected Areas*.

floodway means that part of the flood hazard area where floodwaters are deepest, fastest, and most destructive, as shown on the Flood Hazard Maps of the *Flood Hazard Identification Program* prepared by *Alberta Environment and Protected Areas*.

floor area ratio or **FAR** means the numerical value obtained by dividing the gross floor area of all buildings on a site, excluding parking below grade, by the site area.

garage means a detached residential accessory building, or an attached component of a dwelling, designed and used by the owner/occupant of the residence for vehicle storage, other storage, or low-impact activities and hobbies that are ancillary to and customarily associated with a residential use.

geophysical risk lands means areas of the City where there may be risk resulting from natural conditions associated with steep and often unstable slopes and areas historically susceptible to flooding.

gross floor area or **GFA** means the total floor area of a Building contained within the outside surface of exterior and basement walls.

gross vehicle weight or **GVW** means the value specified by the vehicle manufacturer as the maximum loaded weight of a vehicle.

Heritage Inventory means a list of properties and sites with qualities or characteristics that are recognized or significant and contribute to the City's heritage. Placement on the Heritage Inventory entails a thorough evaluation of the building or site for historical, architectural, or cultural significance and may include archival research, photographs and other documentation. This list may contain both designated Historic Resources and places that may have the potential to receive historic designations.

Historic Resource means an Historic Resource, as defined in the *Historical Resources Act*, which is designated as a Municipal Historic Resource, Provincial Historic Resource, Registered Historic Resource, or National Historic Site.

home care means health goods and services delivered by a home care provider to an eligible individual in the individual's home but does not include facility-based care or supportive living services.

home business includes a Home Business, Minor and a Home Business, Major.

infill means:

- a new residential or non-residential development where a building previously existed;
- development of a vacant site; or
- a major addition to an existing building including an increase in gross floor area of the building by more than 65 square meters, the addition of an attached garage, adding an additional story, or a new Secondary Suite or Backyard Suite.

internal private roadway means a road that is located entirely on a site and is used to provide access to development within the site.

Land Use District Map means a map of the City or a portion of the City, showing the land use district classifications of the sites covered by the map, that is adopted by resolution of the Council and available for inspection in electronic format on the City's website.

landscaping or **landscaped** means the enhancement of a site by the addition of:

- xeriscaping;
- decorative soft landscaping elements such as trees, shrubs, turf, other vegetative plantings, or mulch; or
- decorative hard landscaping elements such as pavers, landscaping rock, or stamped and coloured concrete,

but does not include monolithic concrete, asphalt, gravel, or loose aggregate.

livestock means one or more of the following:

- a horse, mule, ass, swine, emu, ostrich, camel, llama, alpaca, sheep, or goat;
- domestically reared or kept deer, reindeer, moose, elk, or bison;
- farm bred fur bearing animal including a fox or mink;
- animal of the bovine species;
- animal of the avian species including a chicken, turkey, duck, goose, or pheasant; and
- any other animal that is kept for agricultural purposes,

but does not include cats, dogs, or other domestic household pets.

minimum building opening elevation or **MBOE** means an elevation that consists of the 1:100 year flood event elevation specific to each site plus freeboard of 0.5m (MBOE = 1:100 yr/event elevation + 0.5 m).

mobile cooking operation means a vehicle, trailer, or cart that when stationary is used to produce, cook, sell, or distribute food to the public or at private events. This includes a food truck, food cart, or similar mobile operation.

Municipal Development Plan or **MDP** means a statutory plan, prepared in accordance with Section 632 of the *Municipal Government Act*.

Municipal Government Act or **MGA** means the *Province of Alberta Municipal Government Act*.

Municipal Historic Area means an Historic Resource that is designated in accordance with the *Historical Resources Act* as a Municipal Historic Area.

Municipal Historic Resource means an Historic Resource that is designated in accordance with the *Historical Resources Act* as a Municipal Historic Resource.

Municipal Planning Commission or **MPC** means the Municipal Planning Commission for the City, established under the *Municipal Planning Commission Bylaw*.

Municipal Servicing Standards Manual or **MSSM** means the detailed requirements for construction of any municipal infrastructure, public utility, or road or of anything intended to connect to or integrate with any municipal infrastructure, public utility, or road, as set out in a document or set of documents published by the City under the title of *Municipal Servicing Standards Manual*.

offence means an offence established under Part 16 of this Bylaw.

off-street parking means an area associated with a development that is set aside for parking of vehicles and is located on the development site and not on a road.

outdoor boulevard patio means a structure located within a public road right-of-way used as an outdoor patio associated with a use that provides food and beverage services.

outdoor display area means an outdoor place on a non-residential site where goods are temporarily put on display for inspection by, or retail sale or lease to, the general public.

overall slope means the slope of a hypothetical section line joining the top of escarpment and the bottom of escarpment.

overlay means the establishment of development regulations, applicable to sites within the boundary of an overlay, that are in addition to, and not in substitution for, other development regulations, unless a development regulation set out in an overlay specifically or by necessary implication supersedes, replaces, or varies another development regulation.

patio means a horizontal structure, raised not more than 0.6 m above grade, that is intended for use as an outdoor amenity area.

personal sale means the sale of goods through small-scale events commonly known as yard sales, moving sales, estate sales, and other temporary events including a garage sale as defined in the *Licensing Bylaw*.

Planning and Development Services or PDS means the Planning and Development Services Department of the City.

property line means the line shown on a legal plan of survey that forms a boundary between a site and an abutting site or a road.

property line, exterior side means a side property line of a site that forms the boundary of the site with a road.

property line, front means the property line separating a site from an abutting road other than an alley, and in the case of a corner site means the shorter of the two property lines separating the site from an abutting road.

property line, interior side means a side property line of a site that forms the boundary of the site with another site.

property line, rear means the property line of a site which is furthest from and parallel or approximately parallel to the front property line.

property line, side means a property line of a site other than the front property line or the rear property line.

Provincial Historic Resource means an Historic Resource that is designated in accordance with the *Historical Resources Act* as a Provincial Historic Resource.

public playground means an outdoor area, located on publicly owned land, used for play or recreation, especially by children, and often containing recreational equipment such as splash parks, slides, swings, and other play structures.

public realm means places, linkages, and built form elements that are physically accessible by pedestrians. The public realm primarily consists of public property but may include areas where private property is accessible to pedestrians and connects to, interfaces with, or transitions to public property. The public realm includes municipal streets, lanes, squares, plazas, courtyards, sidewalks, trails, parks and open space, waterfronts, and other amenities.

purpose statement means the words under the heading "Purpose" at the beginning of each district description found in Parts 2 through 8 of this Bylaw and are intended to describe in a general way the intent of Council for the development of the district.

real property report or RPR means a report on a site, prepared by a qualified Alberta Land Surveyor, in accordance with the *Alberta Land Surveyors' Association Manual of Standard Practice*.

recreational vehicle or **RV** means a vehicle or other thing that is primarily designed to provide temporary living quarters for recreational camping, travel, or seasonal use, whether it has its own motor power or is mounted on or towed by another vehicle, and includes a motorhome, a travel trailer, a fifth wheel travel trailer, a tent trailer, and a camper whether or not the camper is attached to a vehicle.

Registered Historic Resource means an Historic Resource that is designated in accordance with the *Historical Resources Act* as a Registered Historic Resource.

residential repurpose means the conversion of a Detached House from a residential principal use to a commercial principal use. The building typically maintains its exterior residential character and appearance, and commercial activities allowed must be compatible with adjacent sites.

rezoning application means an application to amend this Bylaw for the purpose of changing the district classification of a site.

river valley system means the South Saskatchewan River and its tributaries and the valleys and coulees of the South Saskatchewan River and its tributaries.

road means a highway as defined in the *Traffic Safety Act*: any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway, or other place or any part of any of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes:

- a sidewalk, including a boulevard adjacent to the sidewalk;
- if a ditch lies adjacent to and parallel with the road, the ditch; and
- if a highway right of way is contained between fences or between a fence and one side of the road, all the land between the fences, or all the land between the fence and the edge of the road, as the case may be,

but does not include a place declared by regulation not to be a highway.

road, arterial means a road shown as an arterial road on the Arterial and Collector Road Map.

road, collector means a road shown as a collector road on the Arterial and Collector Road Map.

school reserve means land that is designated as municipal reserve or school reserve under the MGA, for the future development of a school site.

screening means the use of landscaping, fences, berms, roof parapet, or other appropriate means to visually separate areas, sites, or uses.

sensitive environmental area means a natural area which, because of its features or characteristics, is significant from an environmental perspective including areas containing rare flora, wildlife habitat, floodplains, riparian areas, wetlands, escarpments, and/or native grasslands.

service agreement means an agreement, including the kind described in Section 655(1)(b) of the *Municipal Government Act*.

setback means the distance between:

- the foundation of a building, excluding exterior cladding, a development, a natural feature, or other thing; and
- a property line, a building, a development, or other thing

and when any thing is described as being “set back” from any other thing, a grammatically analogous meaning applies.

setback, exterior side means the distance between a building or development or other specified thing on a site, and an exterior side property line.

setback, front means the distance between a building or development or other specified thing on a site, and a front property line.

setback, interior side means the distance between a building or development or other specified thing on a site, and an interior side property line.

setback, rear means the distance between a building or development or other specified thing on a site, and a rear property line.

setback, side means the distance between any part of a building or development or other thing on a site that is within or abuts a side yard, and the segment of side property line that forms the boundary of that side yard.

shed means a detached residential accessory building designed and used primarily for storage or low-impact activities and hobbies that are ancillary to and customarily associated with a residential use.

shipping container means a seacan or any other form of container that was or could be used for transport of goods by means of rail, truck, or by sea. Shipping containers are typically rectangular in shape, are generally made of metal, and vary in dimensions.

sign, address means a sign that identifies the municipal address of a building, the name of a building, or the name of any individuals occupying a building.

sign, canopy means a sign which either forms a part of, or is attached to, a retractable or permanently affixed canopy structure.

sign, façade means a sign attached to or painted onto a façade, the face of which is parallel to the wall to which it is attached, but does not include a mural.

sign, freestanding means a sign which is supported independently by columns, structures, or other supports that are placed or anchored in the ground and do not require support from a building or other structure.

sign, portable means a sign mounted on a frame, trailer, stand, or similar structure that is easily transported, but does not include a sandwich board or a temporary sign.

sign, projecting means a sign attached to a façade which projects either perpendicularly or at an angle from the façade.

sign, real estate means any sign displayed by or at the direction of a licensed realtor, or by the owner or occupant of a site, for the purpose of announcing that a site is for sale or lease.

sign, sandwich board means an “A” shaped form of sign sometimes referred to as an “A-frame” which is set on but not attached to the ground and has no external supporting structure, no illumination, and no electronic display.

sign, specialized means a sign that does not fall within any other definition of a type of sign in this Bylaw.

sign, window means a sign that is displayed on a window or within a building and is intended for viewing from the exterior.

site means a lot or a parcel of land, or in the case of a development located or to be located on more than one lot or parcel of land, the aggregate of the lots or parcels of land on which the development is located or to be located, and includes a condominium unit but does not include a road.

site area means the area contained within the boundaries of a site as shown on a plan of subdivision or as described in a certificate of title.

site coverage means the percentage of a site that is covered by principal buildings, accessory buildings, and other structures that have a roof such as verandas, porches, covered decks, balconies, and patios. The following are excluded from site coverage:

- Residential Accessory Buildings that are equal to or less than 10.0 m² to a maximum of three buildings;
- eaves, cornices, cantilevers, and similar projections;
- impermeable and semi-permeable surfaces including driveways, manoeuvring aisles, surface parking areas, walkways, uncovered decks, patios, balconies, steps and stairways, above ground and below ground swimming pools;
- soft and hard landscaping and landscaping features including decorative ponds and gardens; and
- minor structures associated with a residential use including gazebos, pergolas, arbors, children's play structures, treehouses, sports equipment, fences, or retaining walls.

site depth means the shortest horizontal distance between the front property line and the rear property line.

site frontage means:

- where used with reference to residential developments, the length of the front property line of the site; and
- where used with reference to non-residential developments, the length of the property line of a side of a site that abuts a road other than an alley.

site width means the horizontal distance between the side property lines of a site measured at a distance 6.0 m back from the midpoint of the front property line.

site, corner means:

- a site located at the intersection of two roads that are not alleys, if the angle formed by that intersection measures 135 degrees or less; or
- a site having a property line that abuts a road which:
 - is not an alley, and
 - changes direction at any point where it abuts the site

if the angle formed by the change of direction as determined by the lines tangent to the property line abutting the road measures 135 degrees or less.

special event permit means an approval issued by the office of the City Clerk for a one time, annual, or infrequently occurring event on City of Medicine Hat property:

- that may impact City operations, infrastructure, and/or services and could affect the public use of that infrastructure and/or service;
- that could include festivals, parades, run/walks, exhibits, sporting events, concerts, and block parties;
- where normal traffic and pedestrian movement may be disrupted, road closures may be proposed, food and alcohol may be served, fireworks or pyrotechnics may be used, large crowds are in attendance including children, public safety may be impacted; and
- that may require the approval of outside regulatory agencies such as *Alberta Gaming, Liquor and Cannabis, Alberta Health Services*, or other authorities having jurisdiction.

statutory plan means an intermunicipal development plan, a municipal development plan, an area structure plan, or an area redevelopment plan adopted by the City under Part 17, Division 4 of the *Municipal Government Act*.

storey means that portion of a 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 a floor and the ceiling above it. The floor of the first storey is the uppermost storey having its floor level not more than 2.0 m above building grade.

Subdivision and Development Appeal Board or SDAB means the Subdivision and Development Appeal Board for the City.

Supportive Living Accommodation means buildings or units in buildings that are intended for permanent or long-term residential living where services are provided to assist residents to live as independently as possible. This does not include a Continuing Care Home or home care.

top of escarpment means the uppermost river valley system breakline or the slope edge defining the most distinct break or topographic discontinuity in slope between the upper plateau and the river valley system wall, where the overall slope changes from greater to less than 15 percent (8.5 degrees).

townhouse means a development where three or more principal dwellings are contained within a building where each principal dwelling has separate access either at grade, or to grade from a stairwell.

traffic control device means a traffic control device as defined in the *Traffic Safety Act*: any sign, signal, marking or device placed, marked or erected under the authority of the *Traffic Safety Act* for the purpose of regulating, warning or guiding traffic.

units per hectare or UPH means the residential density of a site, calculated as a ratio of the number of dwellings divided by the site area in hectares.

use means land use or the purposes or activities for which a piece of land or its building(s) are designed, arranged, developed, or intended, or for which it is occupied or maintained.

use, ancillary means a minor or incidental use of land or a building which is secondary or subsidiary to, but a part of, integral to, and is a typical and expected service or function of a principal use or accessory use of a site.

use, discontinued means the status of the use of land or a building when a use of land or a building has been discontinued for six consecutive months or more. Subsequent development or use of land or a building with the status of discontinued use must obtain development permit approval.

use, discretionary means a use of land or a building for which the Development Authority may in its discretion issue a development permit to an Applicant, if the application otherwise conforms to this Bylaw.

use, non-conforming means a lawful specific use being made of land or a building or intended to be made of a building lawfully under construction at the date a land use bylaw affecting the land or building becomes effective; and that on the date the land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with the land use bylaw.

use, permitted means a use of land or a building for which a development permit must be issued to an Applicant, with or without conditions, if the development permit application otherwise conforms to this Bylaw.

use, principal means the primary use of a site or development.

variance means a variation, relaxation or waiver of a development regulation or other requirement of this Bylaw, allowed as a condition of a development permit for a development that is a permitted use, a discretionary use or a Similar Use in the district or overlay where it is proposed to be located, or as a condition of a development permit for a sign.

vehicle means a motor vehicle as defined in the *Traffic Safety Act*:

- a vehicle propelled by any power other than muscular power; or
- a moped,

but does not include a bicycle, a power bicycle, an aircraft, an implement of husbandry or a motor vehicle that runs only on rails.

vehicle visit means a visit by any person, by vehicle, to the location or approximate location of a home employment accessory use, where such visit is for any purpose connected with that use, but does not include:

- a visit by a person employed by the City or any other government agency for the purpose of carrying out an inspection in the course of that person's assigned duties; and
- a visit, related to the home employment accessory use, by the owner, agent, business supplies courier, or an employee thereof, provided that the frequency and nature of such visits do not, in the opinion of the Development Authority, conflict with or alter the residential character of the area of the district in which the use is located.

vehicle, dilapidated means a vehicle that is:

- incapable of being safely operated;
- partially or fully dismantled; or
- substantially damaged.

vehicle, large means a vehicle, other than a recreational vehicle:

- with a gross vehicle weight, vehicle signage, or vehicle registration, to be in excess of 6500 kilograms;
- with one or more of the following characteristics:
 - tandem axles,
 - a passenger capacity in excess of 15 persons, or
 - dual wheels where the vehicle includes a flat deck or other form of utility deck; and
- that can be generally described as a bus, cube van, dump truck, flatbed truck, or tractor trailer.

voluntary waiver of claims means a document executed and submitted by the holder of a development permit, for the purpose of allowing that person to commence the development or cause or allow it to be commenced, before the period for appeal to the SDAB has expired.

week means a seven consecutive day period beginning on a Monday and terminating on the immediately following Sunday.

xeriscaping means a style of landscaping design which uses native and drought-resistant plants and materials to make water efficient landscapes that require little or no irrigation or other maintenance.

yard, exterior side means a side yard that abuts a road.

yard, front means the portion of a site extending across the full width of the site that is bounded on one side by a front property line and on the other side by a notional line that is flush with the front of the principal building and extends to the side property lines.

yard, interior side means a side yard that does not abut a road.

yard, rear means the portion of a site extending across the full width of the site that is bounded on one side by a rear property line and on the other side by a notional line that is flush with the side of the principal building that is nearest to the rear property line and extends to the side property lines.

yard, side means that portion of a site situated between:

- the side property line and the nearest wall of the principal building on the site (not including projections); and
- the front yard and the rear yard.

READ A FIRST TIME in open Council on May 4, 2026.

READ A SECOND TIME in open Council on _____.

READ A THIRD TIME in open Council on _____.

SIGNED AND PASSED on _____.

MAYOR – Linnsie Clark

INTERIM CITY CLERK – Stephanie Zubrecki

CITY OF MEDICINE HAT
LAND USE BYLAW

NO. 4853

