

BYLAW NO. B-25/2019
OF THE CITY OF AIRDRIE
IN THE PROVINCE OF ALBERTA

BEING A BYLAW of the City of Airdrie, in the Province of Alberta, to amend Bylaw No. B-01/2016, the City of Airdrie Land Use Bylaw.

WHEREAS under the authority and subject to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, and amendments thereto, the Council of the City of Airdrie has adopted Land Use Bylaw No. B-01/2016; and

WHEREAS Council deems it desirable to enact that the said Land Use Bylaw be amended in the manner outlined below, and illustrated in the attached Schedule 'A';

NOW THEREFORE the Municipal Council of the City of Airdrie in Council duly assembled enacts that Bylaw No. B-25/2019 amends Land Use Bylaw No. B-01/2016 as follows:

1. Section 1.13(5) is amended by updating the following definitions:
 - a. “**Microbrewery** means: A development for which the principal use contains both production or processing facilities for alcoholic beverages including wine, beer, and others, as well as a restaurant and/or retail sales of beverages produced on-site. This Use does not include a distillery.”;
 - b. “**Pawn Shop** means: The use of a building or a portion of a building where money is lent or transferred in conjunction with the exchange of merchandise. Additionally, merchandise may be sold to the public according to an agreement with the owner of the merchandise. This Use does not include the sale of used vehicles, recreation craft or construction and industrial equipment, and does not include second-hand and consignment stores and other businesses of a similar nature.”;
 - c. “**Retail Store, Convenience** means: A development used for the retail sale of goods required by the public on a day to day basis in an enclosed building which does not exceed 335m² in Public Floor Area. Typical uses include small food stores, drug stores, and variety stores. This use may also include a second-hand or consignment store.”;
 - d. “**Retail Store, General** means: A development used for the retail sale of groceries, beverages, household goods, furniture, appliances, clothing, hardware, printed matter, confectionary, tobacco, pharmaceutical and personal care items, automotive parts and accessories, office equipment, stationary and similar goods within an enclosed building. This use may also include a second-hand or consignment store.”
2. Section 2.3.1 is amended by adding subsection (2) as follows:

“(2) A person who makes a rezoning application, applies for a Development Permit, or submits information in respect of a Development that does not require a Development Permit, must be the registered owner of the lands affected as shown on the certificate of title or show written proof to the satisfaction of the Development Officer that the registered owner consents to the application.”
3. Section 2.3.2(1), Table 1 is amended as follows:
 - a. The exemption for “*Accessory Buildings less than 10.0m²*” is renamed to “*Buildings less than 10.0m²*” with the following description: “*Where any building has a Gross Floor Area of less than 10m². All buildings must meet all applicable land use district regulations, such as, but not limited to, setbacks and height restrictions.*”;

- b. An exemption is included for “*Child Care Limited*” with the following description: “*The secondary use of a residential dwelling for the purposes of providing personal care, maintenance, supervision or education, without overnight accommodation, for up to six (6) children under the age of 12 years.*”;
 - c. The description for “*Development Subject to Plot Plan Review*” is amended to include “*Accessory Buildings, additions, decks and other features for the same*”;
 - d. The description for “*Landscaping*” is amended to include “*incidental or decorative moveable structures (e.g. mailboxes, shared library book-sharing boxes, etc.)*”;
4. Section 6.1(1) is amended to include the following as subsection (i) and renumbering the remaining subsections accordingly:

“(i) Where an amenity area is provided on the roof of an Accessory Building, it shall meet all of the standards and requirements for amenity area on the roof of Accessory Buildings, as outlined within Section 7.4(5) (Decks and Amenity Areas).”
5. Section 6.19.1(2)(d) is amended to read as follows:

“(d) A Garage Suite may provide an exterior amenity space in the form of a balcony or rooftop patio above the ground level of the garage, provided that it meets all of the standards and requirements for amenity area on the roof of Accessory Buildings, as outlined in Section 7.4(5) (Decks and Amenity Areas);”
6. Section 6.19.3(2) is amended to include the following as subsection (a) and renumbering the remaining subsections accordingly:

“(a) A Secondary Suite must be listed as a Permitted or Discretionary Use within the applicable land use district, except where they are considered pursuant to Direct Control Bylaws within Section 9.1(2) (Special Land Use provisions for Direct Control Districts);”
7. Section 6.22(3) is amended to read: “*A Temporary Event may be located on any part of the subject property, other than within a corner visibility triangle;*”
8. Section 7.4 is amended to include the following as subsection (5) and renumbering the remaining subsections accordingly:

“(5) Where an amenity area is provided on the roof of an Accessory Building, it shall meet the following standards and requirements:

 - (a) The Accessory Building and amenity area shall be subject to a Development Permit application;
 - (b) The amenity area shall be located and designed to minimize and screen sightlines into yards and dwellings of abutting properties, to the satisfaction of the Development Authority;
 - (c) The Accessory Building with amenity area shall have a residential character and shall be finished in a manner compatible with the character and appearance of the principal building;
 - (d) The Accessory Building with amenity area must be within the prescribed height limits of this section or the applicable land use district;
 - (e) No additional or ancillary structures are permitted within the amenity area which would add to the overall height of the development;
 - (f) The floor amenity area shall not be located above the second storey of the Accessory Building or more than 4.0m above grade.”
 9. Section 7.18 is deleted;

10. Section 7.23 is amended by replacing all instances of the term “yard/yards” with the term “setback/setbacks”;
11. Section 7.27 is amended by replacing the reference of “UFA Road” with the description “Road Plan 153JK”
12. Section 7.30 is inserted as follows, and the remaining sections under Part 7 of the Bylaw are renumbered accordingly:

7.30 Standalone Uses within Mixed Use Districts

While mixed use districts within this Bylaw encourage the horizontal or vertical mixing of residential and non-residential land uses, a single residential use comprising one (1) housing type or a single commercial use on a site may be permitted if the development adequately addresses the following to the satisfaction of the Development Authority:

- (1) Compatibility with the purpose and intent of the District;
- (2) Compatibility with adjacent buildings and development;
- (3) Transition between the site and surrounding development;
- (4) Traffic, site access, and parking impacts; and
- (5) Any other significant development consideration, at the discretion of the Development Authority.

13. Section 8.5.16 is amended by adding “Educational Institution, Major” as a Discretionary Use to the M3, Downtown Core Mixed Use District, and re-alphabetizing the list of Discretionary Uses accordingly;
14. Section 8.5.23 is amended by adding “Microbrewery” as a Discretionary Use to the IB-2, Industrial Employment District, and re-alphabetizing the list of Discretionary Uses accordingly;
15. Section 9.2.15 is amended by correcting the sub-headings for “Minimum Floor Area Requirements” in Sites A, B, and C to read “Ground Floor Area, Dwellings”.
16. Maps embedded within the Bylaw text are re-numbered as follows:

Map Number	Location	Title/Description	Change
Map 1	Appendix B	Land Use Map	No Change
Map 2	Appendix B	Permissible Billboard Locations	No Change
Map 3	Appendix B	Non-Profit and City-Initiated Portable Sign Locations	No Change
Map 4	Appendix B	Airport Vicinity Protection Area (Height Restrictions)	No Change
Map 5	Appendix B	Airport Vicinity Protection Area (NEF Contours)	No Change
Map 6	Appendix B	Cannabis Retail Locations	No Change
Map 6*	Section 8.5.15	M2 Locations for General Vehicle Service Uses	Diagram 1
Map 7	Section 8.5.16	M3 Locations for General Vehicle Service Uses	Diagram 2
Map 7A	Section 8.5.16	M3 Locations for Vehicle Sales and Leasing Uses	Diagram 3
Map 8	Section 8.5.21	IB-1 Locations for Private Educational Institution Uses	Diagram 4
Map 9	Section 8.5.21	IB-1 Locations for RV Sales & Service and RV Storage Uses	Diagram 5
Map 10	Section 8.5.24	IB-3 Location for Indoor Recreation, Limited	Diagram 6
Map 11	Section 8.5.35(6)	RR-2 Site-specific consideration for subdivision (Lot 4, Plan 9621338)	Diagram 7

READ a first time this _____ day of _____, 2019.

READ a second time this _____ day of _____, 2019.

READ a third time this _____ day of _____, 2019.

EXECUTED this _____ day of _____, 2019.

MAYOR

CITY CLERK

BYLAW NO. B-25/2019

SCHEDULE A

Red-Lined Excerpts for Land Use Bylaw content

Lot Depth means:

The shortest horizontal distance between the front and rear lot lines of a site.

Lot Line means any of the following:

- (a) **Lot Line, Front:** A property line separating a lot from an abutting road other than a lane. In the case of a corner lot, the front lot line shall be determined by the Development Authority with the intent of ensuring that setbacks are regulated in a manner that is consistent with the proposed land uses and appropriate for the design of the site.
- (b) **Lot Line, Rear:** Either the property line of a lot which is the furthest from and opposite the front lot line or, where there is no such property line, the point of intersection of any property lines other than a front lot line which is the furthest from and opposite the front lot line.
- (c) **Lot Line, Side:** The property line of a lot other than a front lot line or rear lot line.

Lot Type means any of the following:

- (a) **Corner Lot:** A lot situated at the junction of two or more roads which, at their point of junction, form an angle of no more than 135 degrees.
- (b) **Flag Lot:** A land parcel having the configuration of an extended flag and pole. The pole represents access to the site which is usually located to the rear of another lot fronting a main road.
- (c) **Double-Frontage Lot:** Any lot that faces roads on both its front and rear boundaries, and is adjacent to more than one interior lot on the same side.
- (d) **Interior Lot:** A lot bounded by a road at its front, but not its rear or either of its sides.
- (e) **Irregular Lot:** A lot that does not fit any of the other descriptions in this Section.
- (f) **Pie Lot:** A lot which is generally configured such that its width at the rear lot line is greater than at its front lot line.
- (g) **Reverse Pie Lot:** A lot which is generally configured such that its width at the rear lot line is less than at its front lot line.

Lot Width means:

The horizontal distance between the side property lines of a parcel:

- (a) Measured eight (8) metres from the front lot line along the shortest side property line for pie-shaped lots in a residential district;
- (b) Measured eight (8) metres from the rear lot line along the shortest side property line for reverse pie-shaped lots in a residential district;
- (c) Measured at a right angle to the mid-point of the shortest side property line for all other circumstances.

Low Impact Development means:

A comprehensive land planning and engineering design approach to stormwater management with a goal of maintaining the pre-development hydrologic regime of a watershed or watersheds.

M

Manufactured Home means:

A detached dwelling unit that is exclusively constructed through prefabrication or modular assembly and placed in a comprehensively-planned residential area where it is intended to allow part or all of the planned area to have this type of residential development. This type of development is not a recreational vehicle, and is not intended to be placed or developed to provide temporary industrial/project accommodation.

Master Site Plan means:

A document created to support a development application on a Mixed-Use, Commercial or Industrial site, intended to address how the development relates and interfaces with its surrounding area, and how it meets any City planning policies and standards applicable to the site.

Microbrewery means:

A development for which the principal use ~~contains both production or processing facilities for alcoholic beverages including wine, beer, and others, as well as a restaurant and/or retail sales of beverages produced on-site. This Use does not include a distillery.~~

Deleted: is the

Deleted: of

Deleted: and may include an accessory

<p>Patio means: An uncovered horizontal structure with a surface height, at any point, no greater than 0.60 metres above grade, intended for use as an outdoor amenity space. For similar structures greater than 0.60m above grade, see "Deck"</p>
<p>Pawn Shop means: The use of a building or a portion of a building where money is lent or transferred in conjunction with the exchange of merchandise. Additionally, merchandise may be sold to the public according to an agreement with the owner of the merchandise. This Use does not include the sale of used vehicles, recreation craft or construction and industrial equipment, and does not include second-hand and consignment stores and other businesses of a similar nature.</p>
<p>Permanent Structure means: A building that is permanently fixed to a foundation below grade and is connected to utility services such as electrical, gas and plumbing.</p>
<p>Permitted Use means: The use of land or a building which is listed in the column titled "Permitted Uses" in a table of uses for each of the respective land use districts in this Bylaw. A Development Permit must be issued for a permitted use if the application otherwise conforms to the standards and requirements of this Bylaw.</p>
<p>Personal Service means: A development used for the provision of personal services to an individual which are related to their care, well-being or appearance. This use includes such uses as barber-shops, hairdressers, tattoo parlours, spas, and beauty salons, tanning salons, shoe repair shops, but does not include health services or adult entertainment facilities.</p>
<p>Plot means: See "Lot."</p>
<p>Plot Plan means: A review conducted by the City of Airdrie during a Building Permit application where Planning staff checks a site plan for development which is exempt from the Development Permit process to ensure compliance with minimum Bylaw requirements.</p>
<p>Porch means: A covered, unenclosed structure typically attached to the front or sides of a residential dwelling at the ground floor entry level and extending along the outside of the building.</p>
<p>Principal Building or Principal Use means: A building or use that: <ul style="list-style-type: none"> (a) Occupies the major or central portion of the site; (b) Is the primary or main building or use among one or more buildings or uses on a site; or (c) Constitutes, by reason of its use, the main purpose for which the building or site is used. There shall be no more than one (1) principal building or use on each site, unless permitted otherwise in this Bylaw.</p>
<p>Projection means: Structures extending from the wall of a building. Common structures include balconies, terraces, alcoves, bay or oval windows and chimneys.</p>
<p>Promotion or Display means: An activity associated with furthering or contributing to the growth and prosperity of a business enterprise and located in areas such as shopping malls, private buildings, yards and parking areas.</p>

Deleted: This includes

Deleted: uses

<p>Restaurant means: A development where the primary purpose of the facility is the sale of prepared foods and beverages to the public, for consumption within the premises or off the site. Typical uses are restaurants, neighbourhood pubs and bars, wine bars and lounges, but does not include Nightclubs.</p>
<p>Restaurant Patio means: An outdoor seating area, attached to and forming part of a Restaurant.</p>
<p>Retail Store, Convenience means: A development used for the retail sale of goods required by the public on a day to day basis in an enclosed building which does not exceed 335m² in Public Floor Area. Typical uses include small food stores, drug stores, and variety stores. <u>This use may also include a second-hand or consignment store.</u></p>
<p>Retail Store, General means: A development used for the retail sale of groceries, beverages, household goods, furniture, appliances, clothing, hardware, printed matter, confectionary, tobacco, pharmaceutical and personal care items, automotive parts and accessories, office equipment, stationary and similar goods within an enclosed building. <u>This use may also include a second-hand or consignment store.</u></p>
<p>Retail Store, Liquor means: A retail store licensed by the Province to sell alcoholic beverages to the public, for consumption elsewhere. Typical uses include liquor stores, wine and beer stores.</p>
<p>Rezoning means: A type of Land Use Bylaw amendment involving a change to a land use district or districts applied to a site, or sites, also known as a Land Use amendment.</p>
<p>Riding Arena means: A building used by the owners or occupants of the site on which the building is located for the training and exercising of horses, but is not used for horse shows, rodeos or similar events to which there is a fee to participate in or to use the facilities.</p>
<p>Riparian area means: The lands adjacent to streams, rivers, wetlands, lakes, and other water bodies, where the vegetation and soils show evidence of being influenced by the presence of water. Riparian areas are the green zones around lakes, rivers, and wetlands. They are the transitional zone between surface water and the drier uplands and play a vital role in the healthy functioning of both.</p>
<p>Road means; Any public road, including the boulevards, sidewalks and improvements, but excluding a lane or walkway.</p>
<p>S</p>
<p>Salvage Yard means: Land or buildings where vehicles, tires and vehicle components are disassembled repaired, stored or wrecked usually for parts or scrap metal re-sale.</p>
<p>Screening means: The use of landscaping, fences or berms to visually separate areas, sites or uses.</p>
<p>Security Suite means: An attached or detached structure that is accessory to the construction of a development or use, or a permanent development or use on a site, may include all the elements of a dwelling unit, for the purpose of providing surveillance for the maintenance and safety of the development or use(s) on site.</p>

- (a) The Development Officer shall provide a notice to the applicant and property owner and all adjacent property owners within a minimum of 60m radius; and
 - (b) The Development Officer shall provide notice to adjacent municipalities in accordance with the provisions of the Intermunicipal Development Plan in effect.
- (4) If deemed necessary, and in accordance with the provisions of the Act, the City may initiate an amendment to this Bylaw affecting any parcel of land without the owner's consent. The Council shall, prior to consideration of an application, notify the affected landowner(s) in writing of the proposed amendment and provide a summary of the effects of the amendment.

2.2.8 Reapplication Interval

If Council refuses an application for a Bylaw amendment, the City may elect not to accept another application on the same land for the same or similar purpose until six (6) months after the date of such refusal.

2.3 Development Applications

This section identifies the requirements associated with developments that require a Development Permit and those that do not require a permit.

2.3.1 Control of Development

- (1) Except as provided in **Section 2.3.2** (Developments Not Requiring a Development Permit), no person shall commence a development in the City unless a Development Permit has first been issued pursuant to this Bylaw and the development is in accordance with the terms and conditions of the Development Permit.
- (2) A person who makes a rezoning application, applies for a Development Permit, or submits information in respect of a Development that does not require a Development Permit, must be the registered owner of the lands affected as shown on the certificate of title or show written proof to the satisfaction of the Development Officer that the registered owner consents to the application.

2.3.2 Developments Not Requiring a Development Permit

- (1) It shall not be necessary to obtain a Development Permit prior to commencement of any of the types of development described below in **Table 1**, provided that such a development complies with all applicable provisions of the Bylaw, does not require a variance, and is not located in a floodway area.
- (2) However, where a Development Permit is not required, prior to construction or implementation of the development, the owner shall provide the Development Officer with written information detailing the proposed development. Such developments shall otherwise comply with the provisions of this Bylaw and must be carried out or performed in accordance with all other applicable legislation, regulations and bylaws.

Table 1: Development Not Requiring a Development Permit

Land Use	Conditions/Description
Airport Operations	Where listed as a Permitted Use in accordance with the AP, Airport Employment District.
Arbors, Gazebos, and Pergolas	The erection and construction of arbors, gazebos, and pergolas in any district provided that they do not exceed 3.0m in height or 20.0m ² in area.
Buildings less than 10.0m² (Excluding Decks)	Where <u>any</u> building has a Gross Floor Area of less than 10m². All buildings must meet all applicable land use district regulations, such as, but not limited to, setbacks and height restrictions.
Change of Use	A change of use of a building to a Permitted Use where there is no increase to the Gross Floor Area or intensity of use.
<u>Child Care, Limited</u>	<u>The secondary use of a residential dwelling for the purposes of providing personal care, maintenance, supervision or education, without overnight accommodation, for up to six (6) children under the age of 12 years.</u>
Demolition And Removal Of Buildings And Structures	Demolition of a building where a Development Permit has been issued for a new development on the same site, if demolition of the existing building is allowed under the terms of the new Development Permit.
Development associated with a Development Agreement	Any developments or improvements related to the construction of public infrastructure, as authorized by a Development Agreement or Subdivision Servicing Agreement.

~~Deleted: Accessory~~
~~Deleted: the accessory~~
~~Deleted: accessory~~

Development Subject to Plot Plan Review	Unless otherwise required by this Bylaw, the construction of Single Detached, Semi Detached, Duplex and Manufactured Home dwellings, <u>as well as Accessory Buildings, additions, decks and other features for the same</u> that meet the requirements of this Bylaw and that have been approved via Plot Plan Review.
Driveways, Walkways and Patios	The construction, maintenance or repair of residential driveways, walkways and patios that meet the requirements of this Bylaw. This does not include the widening of an existing driveway or addition of a second driveway pursuant to Section 7.9 .
Essential Public Services	The construction of buildings and facilities that fall under Essential Public Services, as defined by this Bylaw.
Farm-Related Structures and Maintenance	The construction and repair of general agriculture and associated accessory agricultural buildings such as granaries, silos, hay or animal shelters located on a parcel of agricultural zoned land with a parcel size of 16 hectares (Ha) or more.
Fences and Gates	The erection of a fence or gate provided that there is no contravention of this or any other Bylaw of the City and provided that such fence or gate does not in the opinion of the Development Authority obstruct the vision of persons using roads abutting the parcel.
Hard Surfacing	The hard surfacing of any area that is part of a development for which a Development Permit has been issued for the purpose of providing vehicle or pedestrian access or parking.
Home Business, Limited	The secondary use of a residential dwelling for the purposes of home office by the occupant of the dwelling in accordance with Section 6.10 of this Bylaw.
Interior Renovations	The internal alteration to a building as long as the alterations do not result in a change of use or the intensity of the existing use. This does not absolve requirements for Building Permits or any other approvals.
Landscaping	Landscaping, <u>including incidental or decorative moveable structures (e.g. mailboxes, shared library book-sharing boxes, etc.)</u> providing the existing grade and natural surface drainage pattern will not, in the opinion of the Development Authority, be materially affected.
Maintenance of a Building	The carrying out of routine maintenance to any building, provided that such work does not include or constitute structural alterations. Typical routine maintenance includes but is not limited to siding replacement, window replacement, roofing, painting, etc.
Mobile Food Vendors	The operation of a Mobile Food Vendor in compliance with the regulations in this Bylaw, that is not in the same place for more than seven (7) consecutive days or thirty (30) cumulative days in a calendar year.
Municipal Facilities or Projects	The construction, renovation, repair or use of land authorized as a municipal facility, project or other initiative on land that is publically owned or controlled which has the approval of City Council, by Council resolution or as an approved budget item, and is subject to the project's guidelines, standards and authorizations. Typical examples may include City buildings, transit facilities and shelters, Recreational Facilities and Emergency Service Facilities.
Occupancy of Commercial or Industrial Businesses	The occupancy of vacant space by a Permitted Use in an existing or approved commercial centre or industrial business centre if the Development Permit for the space is still valid and the development standards have not changed.
Parks and Pathways	Where developed as part of a subdivision or neighbourhood, provided that it conforms to the design outlined in the Neighbourhood Structure Plan and Landscaping drawings that may be required as part of the applicable Subdivision application. Where incorporated as part of a development on a privately-owned parcel, provided that there are no conflicts with Utility Rights-of-Way and any existing development approvals. Where developed by a Municipal, Provincial or Federal government on land that is owned or controlled by that level of government.

6 Land Use Regulations

6.1 Accessory Buildings

- (1) In Residential Districts:
 - (a) An Accessory Building must not be developed prior to development of the principal building on the same site.
 - (b) Where an Accessory Building, other than a garage, is attached to the principal building by an open or enclosed roofed structure it is considered a part of the principal building and subject to the setback requirements for the principal building.
 - (c) An Accessory Building shall not be used as a residence, or for a Home Business, unless that use is specifically allowed by a provision of this Bylaw and has received a Development Permit.
 - (d) An Accessory Building shall not be located in a front yard.
 - (e) An Accessory Building shall not be located in an interior side yard along the length of the principal dwelling, unless a clear distance of not less than 1.2m is maintained between the Accessory Building and the interior side yard property line.
 - (f) An Accessory Building shall have a residential character and shall be finished in a manner compatible with the character and appearance of the principal building.
 - (g) Garages in residential districts shall also meet all requirements and development standards of the land use district in which it is located, as well as those outlined within **Section 7.12** (Garage and Carport Requirements).
 - (h) Unless otherwise specified in this Bylaw or by a Development Permit, the maximum height of an Accessory Building is 5 metres, or the height of the principal building on the site, whichever is less.
 - i. The maximum height of an Accessory Building may be extended above 5 metres if setbacks greater than the minimum standards listed in this Section are provided to the satisfaction of the Development Authority, and the building design and window placement limit sightlines into adjacent properties and other impacts.
 - ii. If the maximum height of an Accessory Building is permitted to exceed 5 metres, it shall not exceed the height of the principal building on the site, or 7.3 metres, whichever is less.
 - (i) Where an amenity area is provided on the roof of an Accessory Building, it shall meet all of the standards and requirements for amenity area on the roof of Accessory Buildings, as outlined within Section 7.4(5) (Decks and Amenity Areas).
 - (j) An Accessory Building in a residential district must meet the following setback requirements:
 - i. Minimum of 3.0m setback from any corner side yard;
 - ii. Minimum of 0.6m setback from any other side yard;
 - iii. Minimum of 0.6m setback from any rear yard;
 - iv. Minimum of 1.0m separation from the principal building on the site;
 - (k) Notwithstanding the above setback requirements, where a residential site abuts a lane with a width of 6.7m or less, the Development Authority may require a rear yard setback greater than that listed above in order to achieve a combined distance of 7.3m or greater between the Accessory Building apron and the width of the rear lane.
 - (l) Notwithstanding the above setback requirements, garages in residential districts may have one required side yard reduced to 0.0m at the discretion of the Development Authority, where the garage is designed to share a common wall with another garage on the adjacent site.
 - (m) The combined coverage of all Accessory Buildings shall not form more than 20% of the lot area and shall not exceed the coverage of the principal building(s) on the lot.
- (2) In Rural Districts:
 - (a) On parcels over 16.0 hectares (40.0 acres) in area that contain an agricultural use, portable cylindrical grain bins and 3-sided stock shelters less than 27.9m² (300 square feet) are not required to meet minimum setback requirements, except no bins or stock shelters shall be placed within 30.0 m (98.4 feet) of a corner of the site that is formed by the intersection of two roads.

6.18 Residential Show Homes

A Residential Show Home shall:

- (1) Ensure appropriate and safe access to the site for clients, construction activity, and emergency access;
- (2) Be subject to a Development Permit application if any of the required servicing, fire protection, and all-weather access are not in place;
- (3) Where a Development Permit is required for a Residential Show Home, it shall be limited to a maximum term of three (3) years. The Development Authority may grant extensions to this approval.
- (4) Be required to rehabilitate the dwelling unit and any associated site works to the satisfaction of the Development Authority within 90 days of the expiry of its approved term.

6.19 Suites

Unless otherwise provided in a land use district, a principal dwelling on a lot may be developed with only one of a Garage Suite, Garden Suite, or Secondary Suite.

6.19.1 Garage Suites

- (1) When considering a Development Permit application for a Garage Suite, the Development Authority may exercise discretion having regard for:
 - (a) Any policies for Garage Suites contained in a statutory plan for the area;
 - (b) Compatibility of the Garage Suite with the siting, grade elevations, height, roof slopes and building types and materials characteristic of surrounding residential development;
 - (c) The effects on the privacy of adjacent properties, and;
 - (d) The cumulative impact of the application with other existing or approved Accessory Suites within the neighbourhood.
- (2) A Garage Suite shall meet the following standards:
 - (a) A Garage Suite shall not be developed on the same site as a General or Major Home Business, Bed and Breakfast, Secondary Suite, Garden Suite, Child Care Facility, or Supportive Housing Facility;
 - (b) A Garage Suite shall not exceed 55.0m² or the floor area of the garage, whichever is less;
 - (c) A Garage Suite shall not exceed 7.4 metres or the height of the principal dwelling, whichever is less;
 - (d) A Garage Suite may provide an exterior amenity space in the form of a balcony or rooftop patio above the ground level of the garage, provided that it meets all of the standards and requirements for amenity area on the roof of Accessory Buildings, as outlined in Section 7.4(5) (Decks and Amenity Areas);
 - (e) A Garage Suite shall only be located in a detached garage and in the rear yard of a site;
 - (f) A Garage Suite shall be setback a minimum of 4.0 metres from the principal dwelling;
 - (g) A Garage Suite shall not be permitted to obtain a separate land title through a condominium conversion or subdivision;
 - (h) The minimum side yard setbacks required for a Garage Suite is the same as the setbacks required for the principal building in the same district;
 - (i) The minimum rear yard setback required for a Garage Suite is the same as the setback required for an accessory building in the same district;
 - (j) Windows contained within a Garage Suite shall be sized and placed to minimize sightlines into yards and dwellings of abutting properties.
 - (k) A Garage Suite shall have a residential character and shall be finished in a manner compatible with the character and appearance of the principal building.
 - (l) A site allowing the development of a Garage Suite shall meet the following Minimum Dimension requirements:

<i>Minimum Dimensions</i>	<i>Area</i>	<i>Width</i>
Site accommodating a Garage Suite	400m ²	13.0m
	OR the minimum Area listed for the applicable Land Use District, whichever is greater	OR the minimum Width listed for the applicable Land Use District, whichever is greater

Deleted: , but it shall not be located on the roof of the suite portion of the structure where it is to be provided. The exterior amenity space shall be designed and oriented so as to prevent sightlines and other impacts into adjacent properties and to provide privacy for both the Garage Suite and adjacent properties, to the satisfaction of the Development Authority

6.19.3 Secondary Suites

- (1) When considering a Development Permit application for a Secondary Suite, the Development Authority may exercise discretion having regard for:
 - (a) Any policies for Secondary Suites contained in a statutory plan for the area;
 - (b) Compatibility of the Secondary Suite within the context of the surrounding residential development;
 - (c) The impacts on the use and general amenity of adjacent properties, and;
 - (d) The cumulative impact of the application with other existing or approved Accessory Suites within the neighbourhood.
- (2) A Secondary Suite shall meet the following standards:
 - (a) A Secondary Suite must be listed as a Permitted or Discretionary Use within the applicable land use district, except where they are considered pursuant to Direct Control Bylaws within Section 9.1(2) (Special Land Use provisions for Direct Control Districts);
 - (b) A Secondary Suite shall not be developed on the same site as a General or Major Home Business, Bed and Breakfast, Garage Suite, Garden Suite, Child Care Facility, or Supportive Housing Facility;
 - (c) A Secondary Suite shall not exceed 60m² in floor area or 45% of the floor area of the principal building, whichever is greater. Mechanical rooms and any common areas shall be excluded from the floor area calculation of the Secondary Suite;
 - (d) A Secondary Suite shall have separate entryway that is at the side or rear of the principal dwelling, or through a separate entrance within a common landing, and;
 - (e) A Secondary Suite shall be developed in such a manner that the exterior of the principal building containing secondary suite shall appear as a single building.
 - (f) A site allowing the development of a Secondary Suite shall meet the following Minimum Dimension requirements:

<i>Minimum Dimensions</i>	<i>Area</i>	<i>Width</i>
Site accommodating a Secondary Suite	400m ² OR the minimum Area listed for the applicable Land Use District, whichever is greater	13.0m OR the minimum Width listed for the applicable Land Use District, whichever is greater

6.20 Security Suites

A Security Suite shall meet the following standards and requirements:

- (1) The development of a Security Suite shall be limited to one (1) suite per lot;
- (2) A Security Suite shall not exceed a floor area of 70.0m²;
- (3) A Security Suite shall not provide residence for more than two (2) persons at any one time;
- (4) Notwithstanding the list of Permitted and Discretionary uses in any District, the Development Authority may allow the development of a Security Suite that would remain on-site only for the duration of construction activity where a Development Permit has been issued for any of the following:
 - (a) Attached Housing
 - (b) Multi-Residential Development
 - (c) Apartment, Mixed Use
 - (d) Any listed use in a Mixed Use, Commercial, Industrial, or Civic District

6.21 Supportive Housing

- (1) Supportive Housing facilities may form a portion of the development of another use, provided that Supportive Housing is listed as a Permitted or Discretionary use in the district subject to that application.
- (2) Where a Supportive Housing use is being created in an existing or planned dwelling or building in any residential district, no exterior alterations shall be undertaken which would be inconsistent with the residential character of the building, property, or the surrounding neighbourhood.
- (3) Where a Supportive Housing use is developed in a residential district, it must be consistent with the scale and form of the residential dwelling types that are listed as either Permitted or Discretionary uses in that district, and must meet the same dimensional requirements for lot sizes, building heights, setbacks, coverage, and provision of amenity area.
- (4) Required parking spaces may be located in a required front yard, and tandem parking spaces may be permitted where the site has no access to a lane.
- (5) No building or structure used for the purpose of a Supportive Housing facility shall be used for other forms of lodging.
- (6) Notwithstanding the provisions of **Part 4** (Parking Requirements), surface parking and loading spaces for Supportive Housing facilities shall be located at least 2.0 metres from any bedroom window and at least 1.0 metre from all other windows, doors and balconies.
- (7) Landscaping shall be provided to the satisfaction of the Development Authority in all of the required front yard and in all of the required side yard abutting a flanking street on a corner lot where such yard is not used for required parking.
- (8) In the review of Development Permit applications where Limited or General Supportive Housing is listed as a Discretionary Use, consideration shall be given to the proximity of the proposed development to other similar facilities, the location of the facility on the block and in the neighbourhood, and the street classification to ensure that there shall not be cumulative land use impacts on the neighbourhood in which the proposed facility is to be located.

6.22 Temporary Events

A Temporary Event shall meet all of the following requirements and performance standards:

- (1) A Temporary Event includes the temporary use of land as well as the erection of any temporary structures and facilities to support the event;
- (2) In evaluating a site's suitability to accommodate a Temporary Event, the Development Authority shall consider its location on the site, anticipated traffic generation, required emergency service and response, and any temporary buildings and ancillary storage, equipment, and waste associated with the use.
- (3) A Temporary Event may be located on any part of the subject property, other than within a corner visibility triangle;
- (4) A Temporary Event shall only be located on a parcel, excluding the time required to erect and dismantle any buildings or structures, for a maximum of:
 - (a) Fifteen (15) consecutive days; and
 - (b) Thirty (30) cumulative days in a calendar year;
- (5) A Temporary Event may operate between the following hours:
 - (a) Monday to Saturday between 7:00 am and 7:00 pm, and Sundays and Statutory Holidays between 10:00 am and 6:00pm, where the use has an interface with a residential district or land use;
 - (b) Between 7:00 am and 11:00 pm in all other locations and situations.
- (6) Applicants for Temporary Events shall provide the Development Authority with sufficient information including a site plan and a description of the event, to ensure that the requirements and performance standards listed above will be met.
- (7) Where the performance standards listed above cannot be met or need to be relaxed, a Development Permit application shall be required, and the Development Authority may vary the above requirements provided that there is no material impact on adjacent properties or the surrounding neighbourhood.

7.2 Bare-Land Condominiums

- (1) A bare-land condominium development prepared pursuant to the *Condominium Property Act* and the Condominium Property Regulation must comply with all general regulations of this Bylaw, including the regulations of the applicable land use district;
- (2) A bare-land condominium development prepared pursuant to the *Condominium Property Act* and the Condominium Property Regulation shall be consistent with any approved Development Permit(s) pursuant to this Bylaw, as applicable to the site and as required by the Development Authority.
- (3) A comprehensive site plan shall be required for the development of a residential bare-land project, and all development shall conform to the comprehensive site plan. The proposed plan must include the following information to the satisfaction of the Development Authority:
 - (a) The site pattern showing dimensions and structures;
 - (b) Site access, internal road system, pathway system;
 - (c) Designated emergency access routes;
 - (d) Open space designated for recreational use;
 - (e) Location of parking areas for every proposed lot and visitor parking areas;
 - (f) Setbacks and building separation to address building interfaces, access, and amenity;
 - (g) Any additional information as deemed necessary by the Development Authority.

7.3 Calculations of Residential Density

- (1) Density is calculated by dividing the number of units by the Site Area, rounded up to the nearest whole number.
- (2) For the purposes of calculating density on a condominium site, the Development Authority may subtract internal condominium roads from the site area.

7.4 Decks and Amenity Areas

Decks for Residential Land Uses

- (1) No deck shall be located on or over a utility right-of-way, drainage right-of-way, or easement.
- (2) Decks shall be developed in accordance with the setbacks outlined in the land use district where it is located, and the exceptions provided in **Section 7.23** (Projections and Encroachments).
- (3) If a deck is enclosed or fully covered, it is considered a part of the principal building and subject to all development regulations that apply to the principal building in that land use district.
- (4) Decks that are constructed in association with any semi-detached dwelling or a townhouse may extend up to the common lot line between the adjacent units if the deck is provided with a privacy wall, or shall otherwise require a setback from the common lot line of 1.2 metres.
 - (a) A privacy wall provided under this section must extend the full depth of the deck and may be up to a maximum of 1.8m high – as measured from the surface of the deck to the top of the wall.

(5) Where an amenity area is provided on the roof of an Accessory Building, it shall meet the following standards and requirements:

- (a) The Accessory Building and amenity area shall be subject to a Development Permit application;
- (b) The amenity area shall be located and designed to minimize and screen sightlines into yards and dwellings of abutting properties, to the satisfaction of the Development Authority;
- (c) The Accessory Building with amenity area shall have a residential character and shall be finished in a manner compatible with the character and appearance of the principal building;
- (d) The Accessory Building with amenity area must be within the prescribed height limits of this section or the applicable land use district;
- (e) No additional or ancillary structures are permitted within the amenity area which would add to the overall height of the development;
- (f) The floor amenity area shall not be located above the second storey of the Accessory Building or more than 4.0m above grade.

7.17 Lighting Requirements

- (1) Lighting shall be designed and provided so that there are no impacts on adjacent properties. Notwithstanding this requirement, lighting for the purposes of ensuring safe arrival and departure of aircraft may be permitted at the discretion of the Development Authority, where all reasonable efforts have been employed to shield and control impacts on surrounding properties;
- (2) Outdoor lighting provided for security, display or attraction purposes for any development shall be arranged so that there is no overspill of light onto adjoining sites, streets, and open spaces;
- (3) No lighting shall be installed on any structure or site, which could be confused with traffic controls and traffic signals, or may otherwise impact the safety of motorists using adjacent public roadways;
- (4) At the discretion of the Development Authority, a comprehensive lighting plan prepared by a qualified electrical engineer may be required for a commercial, institutional, mixed use, or high density residential development. The lighting plan shall balance the need for safety and security with sustainability and energy conservation by:
 - (a) Ensuring that the above requirements are met;
 - (b) Ensuring all parking spaces and circulation routes are well-lit;
 - (c) Ensuring that lighting is appropriately scaled to its purpose and avoids over-lighting;
 - (d) Using energy efficient fixtures and bulbs; and
 - (e) Coordinating the location of lighting with pedestrian routes, tree planting and other landscaping.

7.18 Multiple Land Uses on a Site

~~Deleted~~

7.19 Objects Prohibited or Restricted in Required Yards

- (1) No person shall be allowed to keep or maintain any object or chattel that in the opinion of the Development Authority is unsafe, unsightly, derelict, or tends to affect adversely the amenities of the District.
- (2) No vehicle, including a Recreational Vehicle, bus, or similar vehicle may be parked in any yard unless the vehicle is parked on an approved parking pad and screened to the satisfaction of the Development Authority.
- (3) No vehicle (including a Recreational Vehicle, bus, or similar vehicle), object or materials are permitted to be stored or placed on a vacant lot in a residential district, unless required as part of the construction activity.
- (4) A motor vehicle, Recreational Vehicle, bus, tractor trailer, tractor engine, container designed for commercial transport, farm tractor, road building machine and any vehicle drawn, propelled or driven by any kind of power, whether or not its wheels have been removed, or similar vehicle or structure, shall not be used as a residence, or as a commercial building, or as an accessory building, or as a sign, in any residential, mixed use, or commercial district.
- (5) In any residential district:
 - (a) No dismantled or derelict motor vehicle or equipment may be stored on a site for more than fourteen (14) consecutive days.
 - (b) No vehicle, weighing in excess of 4,500kg GVW (Gross Vehicle Weight) used for commercial or industrial purposes, or shipping container may be stored on a site for longer than is reasonably necessary for loading or unloading the vehicle. This does not include Recreational Vehicles or school buses parked on approved driveway or roadway area (during school hours only).

7.23 Projections and Encroachments

- (1) A Residential property with an approved Garage Suite or Garden Suite must maintain at least one unobstructed side setback, which may be a corner side setback, with a clearance of not less than 1.2 metres, unless access for emergency services is otherwise provided to the satisfaction of the Development Authority. For the purposes of this section, all of the encroachments listed in **Table 13** below are considered to be obstructions, except for eaves and parapet walls.
- (2) No projections or encroachments shall be permitted into the required setbacks within any District, except as outlined below:

Table 13: Permitted Encroachments

Feature	Details
Building Access Steps, landings, wheelchair access ramps, or similar structures providing access to a building at the first storey level or into a basement.	<ul style="list-style-type: none"> ▪ May encroach up to 2.0m into a Front or Rear <u>setback</u> ▪ May encroach up to 1.2m into a Side <u>setback</u> ▪ Wheelchair access ramps or other accessibility devices may encroach any distance into a Front, Rear, or Corner Side <u>setback</u> ▪ Steps or landings providing direct access to a basement are not permitted in a Front <u>setback</u> ▪ Steps or landings providing direct access to a basement may encroach up to 1.2m into a Corner Side <u>setback</u> provided that appropriate screening or architectural detailing is provided to the satisfaction of the Development Authority. <p style="text-align: right;"><small>Bylaw B-12/2017</small></p>
Architectural Features Includes eaves, chimneys, cantilevers, parapet walls, awnings, window wells, and similar elements that are integral parts of the architecture of the building.	<ul style="list-style-type: none"> ▪ Window wells may encroach up to 0.8m into a <u>setback</u> less than 3.0m ▪ Other features may encroach up to 0.6m into a <u>setback</u> less than 3.0m ▪ All features May encroach up to 1.2m into a <u>setback</u>, 3.0m or greater ▪ No wall may have a cantilever greater than 40% of its length
Amenity Features Includes decks, porches, verandahs, balconies, and similar elements that are attached to the building and provide amenity space for the property.	Porches, Verandahs and Balconies <ul style="list-style-type: none"> ▪ May encroach up to 1.5m into a Front, Rear, or Corner Side <u>setback</u> ▪ May not encroach into any other Side <u>setback</u> Decks <ul style="list-style-type: none"> ▪ May not encroach into a Front or any Side <u>setback</u> ▪ May encroach up to 3.0m into a Rear <u>setback</u>
Surface Features Includes patios and other similar features.	<ul style="list-style-type: none"> ▪ May encroach into any <u>setback</u>
Utility Features Includes satellite dishes, air conditioner units, environmental and/or renewable energy systems – including rainwater barrels, solar panels, and similar features.	<ul style="list-style-type: none"> ▪ Shall be at the full discretion of the Development Authority

Deleted: with a setback

Deleted: with a setback

Deleted: with a setback of

7.25 Private Water and Sewer Systems

No Development Permit shall be issued for a development to be served by private sewer and water systems until the systems have been approved by the appropriate Municipal and Provincial departments.

7.26 Renewable Energy Systems

Renewable energy systems are allowed in any district, and must meet the following standards and requirements. In making a decision to allow any renewable energy system or similar use, the Development Authority shall consider:

- (1) The visual and sound impact of the system;
- (2) The compatibility of the system with the nature and character of the underlying land use district; and
- (3) The effect of the system on wildlife, birds and pets.

7.27 Setback Requirements

- (1) Setbacks are measured from the property line to the foundation of the building.
- (2) Enclosed or covered decks are considered a part of the building and must meet the setbacks and other regulations as required of the building.
- (3) Setback requirements do not apply to any portion of a building or structure, or any other feature of the development that is located entirely below grade.

Setbacks from Railways:

- (4) The Development Authority shall have regard for the CN Rail and CP Rail Land Use Guidelines for Residential Uses abutting the Rail Right of Way when considering Development Permit applications within 60.0m of the railway right-of-way.
- (5) Any residential or institutional development proposed on a site adjacent to a railway must demonstrate, to the satisfaction of the Development Authority, that adequate development setbacks can be achieved.
- (6) Where any development is proposed within 60.0m of the railway right-of-way, the Development Authority may require that the applicant provide Noise and Vibration Impact Assessments, as well as an impact statement as part of the application for a Development Permit, indicating measures taken to ensure that the development location near the railway right-of-way will not negatively impact the development or use of the site.

Setbacks from Well-sites and Energy Infrastructure:

- (7) Setbacks shall be required for all development from well sites and energy infrastructure reflecting provincial standards established by the Alberta Energy Regulator’s directives and regulations.

Special Setback Requirements for Future Road Widening:

- (8) In addition to the listed setback requirements in any Land Use District or other provisions of this Bylaw, setbacks to accommodate future road widening shall be provided in accordance with Table 14:

Table 14: Setbacks for Future Road Widening

Roadway	Side	Between	Required Road ROW	Required Setback
Main Street	East	2nd Avenue N to 1st Avenue N	24.385m	4.267m
1st Avenue N	South	CP Rail to 1st Street W	24.385m	4.267m
Centre Avenue	North	CP Rail to Smith Street	24.385m	4.267m
1st Street W	East West	1st Avenue N to Centre Avenue	24.385m	2.134m 2.134m
Bowers Street	East West	1st Avenue N to Centre Avenue	24.385m	2.134m 2.134m
Allen Street	West	Acacia Drive to Main Street	24.385m	4.267m
T&C Access Road	South North	Road Plan 153JK to T&C Lot	24.385m	3.000m 6.145m
1st Avenue N	South	8th Street W to Nose Creek	36.000m	8.000m
1st Avenue N	South North	Nose Creek to CP Rail	26.600m	4.500m 2.000m
1st Avenue N	North	1st Street W to CP Rail	26.600m	2.000m

Deleted: UFA Road

Landscaping and Sustainable Site Design

- (11) Residential units that occupy the ground floor shall incorporate elements such as landscaping, landings, and porch railings to create a transition between public and private spaces.
- (12) Open spaces (trails, parks, habitat areas and wildlife corridors) shall be designed to be connected through the site and, where possible, to adjacent sites.
- (13) Architecture and landscape features shall be used to enhance the pedestrian experience of all multi-dwelling and mixed-use projects, including elements such as special paving, enhanced landscaping, lighting, or other features as determined by the Development Authority.
- (14) Natural features such as topography, streams, wetlands, and tree groves should be maintained through development of the site in a manner that respects and integrates the site's existing natural features and surrounding topography.
- (15) Landscaping provided with a proposed development should be well-located on the development site to achieve the highest impact, usability, and value for the associated development and the surrounding area.
- (16) All development shall be required to preserve at least 50% of existing healthy trees on site that exceed the caliper or height requirements for a large tree as outlined in **Table 4**. In circumstances where more than 50% of existing healthy trees are permitted to be removed to facilitate the development, the trees in excess of 50% shall be replaced at a 3:2 ratio. Where this ratio leads to a fraction it shall be rounded up to the next whole number. This provision does not apply to Stripping and Grading applications unless there is a policy or provision in an adopted statutory plan, applicable to the site, indicating otherwise.

7.29 Solar Collectors

Solar collectors are allowed in any district, and must meet the following standards and requirements. A solar collector:

- (1) Where mounted to a building or structure, shall be located on the roof of the building and may not extend beyond the outermost edges of the roof.
- (2) Shall be located and mounted to ensure that no glare is produced for neighbouring properties and streets.
- (3) Panels and equipment for Solar Collectors shall not extend more than 0.6 metres from the surface of the roof, shall be below or flush to the roof ridge (of sloped roofs) and shall not extend beyond the eave line on all sides of the building.

7.30 Standalone Uses within Mixed Use Districts

While mixed use districts within this Bylaw encourage the horizontal or vertical mixing of residential and non-residential land uses, a single residential use comprising one (1) housing type or a single commercial use on a site may be permitted if the development adequately addresses the following to the satisfaction of the Development Authority:

- (1) Compatibility with the purpose and intent of the District;
- (2) Compatibility with adjacent buildings and development;
- (3) Transition between the site and surrounding development;
- (4) Traffic, site access, and parking impacts; and
- (5) Any other significant development consideration, at the discretion of the Development Authority.

7.31 Swimming Pools and Hot Tubs

Swimming pools and hot tubs shall:

- (1) Not be located within any required front or exterior side yard;
- (2) Be setback a minimum of 1.0m from any side or rear yard, and;
- (3) Require fencing in accordance with the *Alberta Building Code* or similar legislation, as may be amended from time to time.

7.32 Tele-Communication Facilities

- (1) In all cases, the process outlined in this section does not supersede any federal decision making authority, nor does it confer a right of veto to the City in the location of telecommunication facilities. Industry Canada is responsible for regulating telecommunication in Canada and for authorizing the location of telecommunication facilities. The City also has a Freestanding Telecommunication Antenna Structures Policy which addresses consultation requirements, exceptions, setback distances, and other concerns and recommendations.
- (2) The Development Authority shall consider the City of Airdrie *Freestanding Telecommunication Antenna Structures Policy* when evaluating a proposed telecommunication facility and determining whether to issue a Letter of Concurrence.
- (3) The Development Authority may provide recommendations to Industry Canada with respect to proposed telecommunication facilities, and will encourage the following:
 - (a) Telecommunication facilities to be located in a manner that minimizes the impact on the natural environment and residential communities while recognizing the unique location requirements for siting these facilities.
 - (b) Unless demonstrated to be impractical, transmission antennae to be mounted on existing structures (including buildings or towers) or within transportation or utility corridors.
 - (c) Co-location opportunities to be explored.
 - (d) Facilities and equipment to be camouflaged and have the appearance and aesthetic of the buildings in the affected land use district.
 - (e) Tele-Communication Facilities to be located at least 200m from residential and mixed use districts, unless the scale of the facility and its interface with the surrounding area permits a lower separation distance.
 - (f) Guy wire anchors to be setback at least 1.0m from the property line.
- (4) In making its decision regarding facilities, Industry Canada considers the following:
 - (a) The input provided by the municipality;
 - (b) Compliance with Transport Canada's painting and lighting requirements for aeronautical safety;
 - (c) Health Canada's guidelines respecting limits of exposure to radio frequency fields;
 - (d) Environment Canada may require an environmental assessment in order to comply with the Canadian Environmental Assessment Act.

7.33 Temporary Buildings

- (1) Temporary buildings shall not exceed one storey in height and shall not have a basement or a cellar.
- (2) Temporary buildings shall be finished with exterior materials that are compatible with the principal structure in style, color and quality, to the satisfaction of the Development Authority.
- (3) Temporary buildings shall be located to the satisfaction of the Development Authority so there is no impact on site access and circulation, landscaping, or parking on the site.
- (4) Temporary buildings shall be subject to the setbacks, height, coverage, and landscaping requirements and any other related requirements of the Land Use District where it is developed.

7.34 Temporary Residence during Construction

The Development Authority may issue a Development Permit for a Manufactured Home as a temporary residence in a Rural Land Use District in which a dwelling is a prescribed use, providing that:

- (1) A building permit has been issued for the construction of a principal dwelling on the site;
- (2) The term of the permit does not exceed 12 months;
- (3) An extension of the Development Permit shall not be issued unless the framing of the dwelling is complete and that construction has been proceeding with a reasonable dispatch during the term of the permit; and
- (4) The Development Permit contains a condition that requires the Manufactured Home to be removed from the parcel within thirty (30) days of the residential occupancy of the principal dwelling.

7.35 Temporary Uses

- (1) Temporary uses, buildings, or structures may be permitted in all Districts at the discretion of the Development Authority, provided that temporary buildings or structures are not placed on permanent foundations and provided that the use, building or structure is listed as a permitted, discretionary, or similar use in the relevant land use district.
- (2) Except as otherwise noted in this Bylaw, temporary uses, buildings, or structures may be approved for a period of up to three (3) years. Renewal of these approvals may be permitted but such renewals shall not extend the total length of a temporary approval beyond ten (10) years.
- (3) Where a person proposes to extend the temporary period beyond the time set out in the permit, he shall, not later than sixty days prior to the day on which the Development Permit will cease to be in effect, make written application to the Development Authority for renewal of the permit setting forth the reasons for the extension.
- (4) For any Temporary Use, the Development Authority may require the submission of a site remediation plan and securities to ensure that the use is properly removed and the site remediated.
- (5) The Development Authority may vary landscaping and hard-surfacing requirements for a temporary use(s), building(s), or structure(s), where there are concurrent applications for a principal use and meeting the requirements for the temporary use(s), building(s), or structure(s) would cause undue hardship for the final build-out of the site.

8.5.16 M3, Downtown Core Mixed Use District

Purpose and Intent

The purpose of this district is to provide high-intensity development that encourages a mix of residential and business uses, supporting the City and surrounding region. Development within this district is intended to be street-oriented and urban in form, and accommodate the highest densities permissible within the City.

Permitted Land Uses	Discretionary Land Uses
Animal Service, Limited	Accessory Building
Apartment, Mixed-Use	Animal Service, General
Artist Studio	Child Care, Commercial
Business Support Service	Bylaw B-41/2018
Child Care, Limited	Child Care, Residential
Dwelling, Live-Work Unit	Commercial School
Financial Service	Community Service Facility
Health Care, Limited	Educational Institution, Major
Indoor Recreation, Limited	Entertainment, General
Government Service	Farmers Market
Microbrewery	Health Care, General
Office	Home Business, General
Personal Service	Home Business, Limited
Public Assembly, Limited	Home Business, Major
Restaurant	Hostel
Retail Store, Convenience	Hotel
Retail Store, General	Hotel & Conference Centre
Retail Store, Liquor	Indoor Recreation, General
Supportive Housing, Limited	Mobile Food Vendor
	Multi-Residential Development
	Nightclub
	Outdoor Recreation
	Public Assembly, General
	Public Assembly, Major
	Residential Show Home
	Supportive Housing, General
	Temporary Event
	Vehicle Sales and Leasing ³
	Bylaw B-28/2017
	Vehicle Service, Limited
	Vehicle Service, General ²

Note 1: All land uses are subject to general and use-specific regulations and standards provided in Parts 6 and 7 of this Bylaw.

Note 2: Limited to specific properties as shown on Diagram 2.

Note 3: Limited specifically to Lots 17-20, Block A, Plan 4000R, as shown on Diagram 3, and subject to the special requirements outlined in Sections 8.5.16(5) through 8.5.16(8).

[Bylaw B-28/2017](#)
[Bylaw B-36/2008](#)

Minimum Dimensions

Site/Parcel	Area	Width
All Developments	At the discretion of the Development Authority	

Development Density

Standard	86-124 Units/Ha
Density Range	35-50 Units/Acre
Subject to Site	Up to 148 Units/Ha
Design Criteria	Up to 60 Units/Acre

Minimum Required Setbacks

Front Setback	N/A
Maximum Front Setback	3.0m
Side Setback, Corner	N/A
Building Separation	N/A

Massing and Coverage

Maximum Building Height	8 Storeys
Max Building Coverage	80% of Site Area
Minimum Landscaping	10% of Site Area
Maximum Continuous Building Frontage	N/A

8.5.23 IB-2, Industrial Employment District

Purpose and Intent

The purpose of this district is to accommodate areas of concentrated manufacturing, fabrication, and other industrial uses. Development in this district is intended to limit the scope of commercial developments, which are intended to be secondary in nature and may be incorporated to serve district employees.

Permitted Land Uses	Discretionary Land Uses
Business Support Service	Accessory Building
Indoor Recreation, Limited	Animal Service, Limited
Industrial Distribution	Animal Service, General
Industrial Manufacturing & Operations	Animal Service, Major
Industrial Service & Sales	Auctioning Service
Storage Facility, Indoor	Entertainment, Adult
Vehicle Service, General	Funeral Service, Limited
Vehicle Service, Limited	Funeral Service, General
	Government Service
	Indoor Recreation, General
	Industrial Agriculture & Production
	<u>Microbrewery</u>
	Office
	Recycling Depot
	Restaurant
	RV Sales & Service
	RV Storage
	Security Suite
	Storage Facility, Outdoor
	Storage Facility, Public
	Temporary Event
	Temporary Storage
	Vehicle Sales & Leasing
	Vehicle Service, Major

Note 1: All land uses are subject to general and use-specific regulations and standards provided in Parts 6 and 7 of this Bylaw.

Site Dimensions	
Minimum Site Area	1,000m ²
Minimum Site Width	24.0m
Minimum FAR	0.2

Maximum Floor Area	
Offices	2,500m ² or 25% of a Multi-Unit Development, whichever is less
Restaurants	500m ²
All Other Permitted Uses	N/A
All Other Discretionary Uses	At the discretion of the Development Authority

Required Setbacks	
Minimum Exterior Setback	6.0m
Minimum Interior Setback	At the discretion of the Development Authority
Min. Building Separation	2.0m

Massing and Coverage	
Maximum Building Height	18.5m
Maximum Building Coverage	70% of Site Area
Minimum Landscaping	5% of Site Area

Development Standards

(1) Signs in this district shall be regulated in accordance with Table S.09

Land Use Regulations (Site A)

Special requirements for the uses and regulations of this District are as follows:

Purpose and Intent

- The purpose and intent of this district is to provide for single dwelling housing in a residential environment located in the NE ¼ 1-27-1-W5M. Housing is primarily based on the zero lot line concept which provides access to the rear yard and accessory buildings in a laneless subdivision. This area provides for over dedication of municipal reserve land.

Applicability

- This section shall apply only to those plans of subdivision approved by the Development Authority or those areas designated R-1X-AHC prior to May 3, 1983.

List of Permitted Uses	List of Discretionary Uses
Accessory Building Dwelling, Single Detached Home Business, Limited	Home Business, General

Minimum Dimensions		
Site/Use	Area	Width
Site	341 m ²	11.2 m

Minimum Floor Area Requirements	
Ground Floor Area, <u>Dwellings</u>	
Single Storey Dwelling, Includes Bungalow and Bi-Level	79 m ²
Combined Area of Any Two Levels in a Split-Level Unit	79 m ²
Two-Storey Unit:	
• First Storey or Ground Floor	60 m ²
• Combined Floor Area	102 m ²

Massing and Coverage	
Building Height	
Maximum	9 m

Minimum Setbacks	
Front Yards	
Front Yard	5 m
Side Yards	
Sites without Lane Access and without a maintenance easement	One 3 m (unobstructed); One 1.2 m
Street Side of Corner Site without Lane Access	3 m
Street Side of Corner Site with Lane Access	3 m
All Other Side Yards on Sites with Lane Access	1.2 m
Rear Yards	
Rear Yard	8 m

Maximum Development Density	
Number of Principal Buildings per Site	1

Deleted: Semi Detached

Special Side Yard Requirements for Sites without Lane Access

- (4) One side being 0 metres where the owner of the adjacent parcel grants, in perpetuity, a 3 metre maintenance easement (including a .6 metre eave and footing encroachment easement) that extends a minimum of 8 metres from the rear property line and continues to the front property line of the adjacent parcel;

Development Requirements

- (5) For all zero lot line developments, the side of the principal building that is placed on the lot line shall be constructed in accordance with the current Alberta Building Code and any amendments thereto.

Land Use Regulations (Site B)

Special requirements for the uses and regulations of this District are as follows:

Purpose and Intent

- The purpose and intent of this district is to provide for single dwelling housing in a residential environment. The modified zero lot line concept provides for access to the rear yard and accessory buildings in a laneless subdivision.

Applicability

- This section shall apply only to those plans of subdivision approved by the Development Authority or designated R-1XY prior to May 3, 1983.

List of Permitted Uses	List of Discretionary Uses
Accessory Building Dwelling, Single Detached Home Business, Limited	Home Business, General

Minimum Dimensions		
Site/Use	Area	Width
Site	418 m ²	13.5 m

Minimum Floor Area Requirements	
Ground Floor Area, Dwellings	
Single Storey Dwelling, Includes Bungalow and Bi-Level	79 m ²
Combined Area of Any Two Levels in a Split-Level Unit	79 m ²
Two-Storey Unit:	
• First Storey or Ground Floor	60 m ²
• Combined Floor Area	102 m ²

Maximum Development Density	
Number of Principal Buildings per Site	1

Minimum Setbacks	
Front Yards	
Front Yard	5 m
Side Yards	
Street Side of a Corner Site with Lane Access	3 m
Street Side of a Corner Site without Lane Access	3 m
Rear Yards	
Rear Yard	8 m

Massing and Coverage	
Building Height	
Maximum	9 m

Deleted: Semi Detached

Special Side Yard Requirements

- (6) Principal Buildings - Laned Sites:
 - (a) One unobstructed side being 1.8 metres where the owner of the opposite adjacent parcel grants, in perpetuity, a 1.8 metre access easement that extends a minimum distance of 8 metres from the rear property line and continues to the front property line
 - (b) The other side yard shall be a minimum of 1.2 metres
 - (c) Where there are no benefiting access easements, as determined by the city, one side yard shall be 1.2 metres and the other side yard shall be 3 metres.
- (7) Principal Buildings - Laneless Sites:
 - (a) One side being 0 metres where the owner of the adjacent parcel grants, in perpetuity, a 3 metre maintenance easement (including a .6 metre eave and footing encroachment easement) that extends a minimum of 8 metres from the rear property line and continues to the front property line of the adjacent parcel;
 - (b) Where a maintenance easement does not benefit a parcel, as determined by the city, one side yard shall be 1.2 metres.
 - (c) The other unobstructed side yard shall be a minimum of 3 metres;

Development Requirements

- (8) For all zero lot line developments, the side of the principal building that is placed on the lot line shall be constructed in accordance with the current Alberta Building Code and any amendments thereto.

Land Use Regulations (Site C)

Special requirements for the uses and regulations of this District are as follows:

Purpose and Intent

- The purpose and intent of this district is to provide for a Mobile Home residential neighbourhood in which mobile and modular homes are accommodated on an individual lot basis with permanent foundation and individual service connections.

Applicability

- This section shall apply only to those plans of subdivision approved by the Development Authority or designated R-MH prior to May 3, 1983.

List of Permitted Uses	List of Discretionary Uses
Accessory Building Dwelling, Single Detached Home Business, Limited Manufactured Home	Home Business, General

Minimum Dimensions		
Site/Use	Area	Width
Site	372 m ²	12 m

Minimum Floor Area Requirements	
Ground Floor Area, <u>Dwellings</u>	
Single Storey Dwelling, Includes Bungalow and Bi-Level	79 m ²
Combined Area of Any Two Levels in a Split-Level Unit	79 m ²
Two-Storey Unit:	
• First Storey or Ground Floor	60 m ²
• Combined Floor Area	102 m ²
Manufactured Homes	55 m ²

Maximum Development Density	
Number of Principal Buildings per Site	1

Minimum Setbacks	
Front Yards	
Manufactured Homes	3.5 m
Other Single Detached Dwellings	5 m
Side Yards	
With No Provision for a Garage or Car Port	One 3 m; the other 1.2 m
Street Side of Corner Site	3 m
All Other Side Yards	1.2 m
Rear Yards	
Mobile Homes	5 m
All Other Rear Yards	8 m

Massing and Coverage	
Building Height	
Maximum	9 m

Deleted: Principle Dwelling

Development Requirements

- (9) A Manufactured Home shall be placed on a foundation that complies with the current Alberta Building Code;
- (10) Manufactured Homes to be located in the district shall be of a quality and design which will enhance the residential environment.