

Municipality of Crowsnest Pass

in the Province of Alberta



LAND USE BYLAW

No. 632-2004

September 2004

Consolidated to Bylaw No. 806
– August 2010

Prepared by the



OLDMAN RIVER REGIONAL SERVICES COMMISSION

**MUNICIPALITY OF CROWSNEST PASS
BYLAW NO. 632-2004**

BEING a bylaw of the Municipality of Crowsnest Pass in the Province of Alberta, to adopt a new Land Use Bylaw;

WHEREAS the Council of the Municipality of Crowsnest Pass wishes to adopt a new Land Use Bylaw to comply with the land use planning provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended;

AND WHEREAS the purpose of the proposed bylaw is:

- to incorporate the mandatory changes required for land use bylaws prescribed in the Municipal Government Act,
- to incorporate minor revisions and previous amendments to the present bylaw,
- to amend the existing Land Use District Map to reflect several land use redesignations which have or will be made,
- to incorporate an expanded number of land use definitions,
- to incorporate a Fire Smart scheme for the municipality,
- to establish two new residential land use districts;

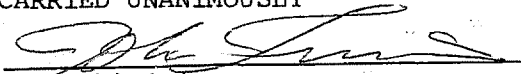
AND WHEREAS it is deemed expedient and appropriate for the Municipality of Crowsnest Pass to consider Bylaw No. 632-2004 for the above-noted reasons;

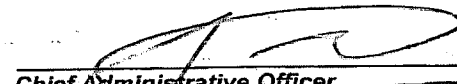
NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the council duly assembled does hereby enact the following:

1. Bylaw No. 481, being the former Land Use Bylaw, and any amendments thereto are hereby rescinded.
2. Bylaw No. 632-2004 shall come into effect upon third and final reading thereof.
3. Bylaw No. 632-2004 is hereby adopted.

READ a **first** time this 27th day of JULY, 2004.

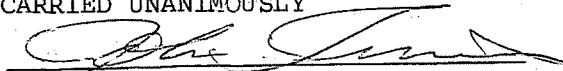
CARRIED UNANIMOUSLY



Mayor - John Irwin


Chief Administrative Officer

READ a **second** time this 17th day of AUGUST, 2004.


CARRIED UNANIMOUSLY


Mayor - John Irwin


Chief Administrative Officer

READ a **third** time and finally passed this 7th day of SEPTEMBER, 2004.

CARRIED UNANIMOUSLY


Mayor - John Irwin



Chief Administrative Officer

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MUNICIPALITY OF CROWSNEST PASS
LAND USE BYLAW NO. 632-2004

The Council of the Municipality of Crowsnest Pass enacts as follows:

BEING A BYLAW OF THE MUNICIPALITY OF CROWSNEST PASS, IN THE PROVINCE OF ALBERTA,
TO REGULATE THE USE AND DEVELOPMENT OF LAND AND BUILDINGS.

This bylaw may be cited as "The Municipality of Crowsnest Pass Land Use Bylaw".

In this bylaw, words used in the singular include the plural, and words using the masculine gender include the feminine gender.
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1. **DEFINITIONS** – See Schedule 15.

2. **DESIGNATED OFFICER / DEVELOPMENT OFFICER ***
 - (a) The office of "designated officer" is established.
 - (b) The Council shall, by resolution, appoint a person or persons to the office of designated officer.
 - (c) For the purpose of this bylaw, the designated officer shall be the Development Officer.
 - (d) Each person appointed to the office of Development Officer:
 - (i) may perform only such powers and duties as are specified in this bylaw or by resolution of Council;
 - (ii) is responsible for processing, deciding upon and referring applications for a development permit in accordance with this bylaw;
 - (iii) shall be considered an "authorized person" pursuant to section 624 of the Act.
 - (e) The Development Officer is responsible for:
 - (i) processing and referring all development permit applications in accordance with this bylaw;
 - (ii) maintaining a register and recording therein all applications made for development permits and the decisions made with respect to them;
 - (iii) requesting written comments from building inspectors, other municipal staff and other agencies, as appropriate, prior to issuing a development permit or referring an application to the Municipal Planning Commission; and
 - (iv) carrying out such other duties and responsibilities as may be assigned by the municipality.

* **Note:** The Municipal Planning Commission is empowered to act as a designated officer and may assume any authority or make any decisions delegated to the designated officer under this bylaw.

3. MUNICIPAL PLANNING COMMISSION

The Municipal Planning Commission may perform only such powers and duties as are specified:

- (a) in the municipality's Subdivision and Development Authority Bylaw;
- (b) in this bylaw,
- (c) in the Act, or
- (d) by resolution of Council.

4. LAND USE DISTRICTS

- (a) The municipality is divided into those districts specified in Schedule 1 and shown on the land use district maps.
- (b) The one or more uses of land or buildings that are:
 - (i) permitted uses in each district, with or without conditions; or
 - (ii) discretionary uses in each district, with or without conditions;are described in Schedule 2.
- (c) A land use that is not listed as permitted or discretionary in a district, is prohibited.

5. DEVELOPMENT PERMIT APPLICATIONS

- (a) Except as provided in Schedule 3, no person shall commence a development unless he has been issued a development permit in respect of the development.
- (b) An application for a development permit must be made to the Development Officer or the Municipal Planning Commission by submitting to him or them a completed application on a development application form or Form A of Schedule 13, any prescribed fee and such other information as may be required by the Development Officer or the Municipal Planning Commission.
- (c) An application for a development permit must be made by *either* the owner of the land on which the development is proposed or, with the consent of the owner, by any other person.

6. PERMITTED USE APPLICATIONS

- (a) Upon receipt of a completed application for a development permit for a permitted use, the Development Officer shall, if the application otherwise conforms with this bylaw, issue a development permit with or without conditions.
- (b) As a condition of approval, the Municipal Planning Commission may require that a development agreement be completed with the municipality.
- (c) The Development Officer may refer any application for a permitted use to the Municipal Planning Commission for a decision.
- (d) At the discretion of the Municipal Planning Commission or the designated officer, a permitted use may be advertised, and/or notification given to any person who may be affected prior to a decision being rendered by the appropriate authority.

7. DISCRETIONARY USE APPLICATIONS

- (a) Upon receipt of a completed application for a development permit for a discretionary use, the Development Officer may initiate notification as detailed in section 7(b) hereof and shall submit the application to the Municipal Planning Commission.
- (b) Upon receipt of a completed application under section 7(a), the Municipal Planning Commission or the Development Officer:
 - (i) may notify, or cause to be notified, in accordance with section 8(c), those persons likely to be affected by the issue of a development permit; and
 - (ii) may also notify the Municipal District of Pincher Creek No. 9 or the Municipal District of Ranchland No. 66 if, in the opinion of the Municipal Planning Commission, the proposed development could have an impact on land uses in either or both of those municipalities.

8. NOTIFICATION

- (a) Upon receipt of a completed application for a development permit for a development that does not comply with this bylaw, but in respect of which the Municipal Planning Commission is requested by the applicant to exercise discretion under section 15, the Development Officer shall submit the application to the Municipal Planning Commission.
- (b) Upon receipt of an application under section 7(b), and if the Municipal Planning Commission is prepared to exercise its discretion under section 15, it may notify, or cause to be notified, in accordance with section 8(c), those persons likely to be affected by the issue of a development permit.
- (c) Whenever notification is required under section 7(a) or 7(b), the Development Officer shall, at least five days before the meeting of the Municipal Planning Commission:
 - (i) mail written notice of the application to any person who may be affected; or
 - (ii) cause a similar notice to be published in a newspaper circulating in the municipality where the application is located; or
 - (iii) cause a similar notice to be posted in a conspicuous place on the property; or
 - (iv) any combination of the above.
- (d) In all cases, notification shall:
 - (i) describe the nature and location of the use;
 - (ii) state the time and place where the Municipal Planning Commission will meet to consider the application as well as any oral or written submissions by either the applicant, other affected parties, or both.
- (e) After considering any response to the notification by those likely to be affected by the development, the Municipal Planning Commission may issue a development permit with or without conditions or may refuse to approve it.

9. PROVISION OF SERVICES

No development permit shall be issued unless the Development Officer has confirmed that construction of all public roadways and utilities to the satisfaction of the municipality has either been completed or dealt with in a completed development agreement.

10. NOTIFICATION DEVELOPMENT PERMIT ISSUED

Upon the issuing of a development permit, the Development Officer shall immediately notify the applicant by mail and shall also notify any other person likely to be affected by the development either:

- (a) by mail, or
- (b) by placing an advertisement in a local newspaper circulating in the municipality, or
- (c) by posting a notice in a conspicuous place on the property, or
- (d) any combination of the above.

11. VALIDITY OF A DEVELOPMENT PERMIT

- (a) Unless it is suspended or cancelled, a development permit remains in effect for 12 months from the date of issue.
- (b) The validity of a development permit may be extended by the Municipal Planning Commission for up to 18 months from the date of its issue.

12. REAPPLICATION

If an application for a development permit is refused by the Development Officer, the Municipal Planning Commission or, on appeal, by the Subdivision and Development Appeal Board, another application for development:

- (a) on the same lot, and
 - (b) for the same or a similar use,
- may not be accepted for at least 6 months after the date of refusal.

13. COMMENCEMENT OF DEVELOPMENT

Notwithstanding the decision of a development application, no development is authorized to commence:

- (a) until at least 14 days after the date of notification of the issuance of the development permit;
- (b) if an appeal is made, until the appeal is decided upon; and
- (c) upon the issuance of the development permit by the Development Officer.

14. TRANSFER OF DEVELOPMENT PERMIT

A valid development permit is transferable where the use remains unchanged and the development is affected only by a change in ownership or tenancy.

15. WAIVERS OF BYLAW PROVISIONS

At its discretion, the Municipal Planning Commission may approve a development that does not comply with one or more provisions of this bylaw if, in its opinion:

- (a) the proposed development would not:
 - (i) unduly interfere with the amenities of the neighbourhood; or

- (ii) materially interfere with or affect the use, enjoyment or value of neighbouring properties; AND
- (b) the proposed development conforms with a use that has been prescribed for that land or building under Schedule 2.

16. DEEMED REFUSAL / FAILURE TO RENDER DECISION

In accordance with section 684 of the Act, an application for a development permit shall, at the option of the applicant, be deemed to be refused when the decision of the Development Officer or the Municipal Planning Commission, as the case may be, is not made within 40 days of receipt of the completed application by the Development Officer, unless the applicant has entered into an agreement with the Development Officer to extend the 40-day period.

17. ADDITIONAL DEVELOPMENT REFERRALS

No application for a proposed development on a site overlying or in the vicinity of an abandoned underground coal mine or a sour gas pipeline corridor shall be accepted unless written comments from:

- (a) the Alberta Energy and Utilities Board in accordance with the Subdivision and Development Regulation; and
- (b) in the case of a sour gas pipeline, the utility owner or operator; assessing the potential risks accompany the application.

18. ADDITIONAL CONDITIONS OF APPROVAL

In addition to the conditions that the Municipal Planning Commission may impose on a development permit under one or more of the schedules to this bylaw, it may impose such additional conditions as it considers necessary to ensure that this bylaw and any statutory plan adopted by the Municipality of Crowsnest Pass are complied with.

19. NUMBER OF DWELLING UNITS ON A PARCEL

No person shall construct or locate or cause to be constructed or located more than one dwelling unit on a parcel unless authorized by the Municipal Planning Commission through the issuance of a development permit.

20. DEVELOPMENT AGREEMENTS

The Municipal Planning Commission may require with respect to a development that as a condition of issuing a development permit, the applicant enter into an agreement to:

- (a) construct or pay for the construction of public roadways or parking areas;
- (b) install or pay for the installation of utilities, and/or any municipal service mutually agreed upon;
- (c) pay for an off-site levy or redevelopment levy imposed by bylaw.

21. ADDITIONAL APPLICATION INFORMATION REQUIREMENTS

The Development Officer may require proof of ownership or right to land in question and may require a surveyor's certificate as proof of location of development on said land. The provision of geotechnical information, percolation tests, soil stability analysis and/or the preparation of an area structure plan may be required from the applicant prior to a decision being rendered on a development application.

22. DEVELOPMENT PERMIT SUSPENSION OR CANCELLATION

If, after a development permit has been issued, the Development Officer or the Municipal Planning Commission becomes aware that:

- (a) the application for the permit contained a serious misrepresentation; or
- (b) facts concerning the application or development that were not disclosed, and which should have been disclosed at the time the application was considered, have subsequently become known; or
- (c) a development permit was issued in error;

the Development Officer or the Municipal Planning Commission may suspend or cancel the development permit, as appropriate, by notice in writing to the holder of it.

23. STOP ORDERS

The Development Officer or the Municipal Planning Commission are authorized to issue an order under section 645 of the Act whenever *either* considers it necessary to do so.

24. APPEALS

Any person applying for a development permit or anyone affected by any order, decision or development permit made or issued by the Development Officer or Municipal Planning Commission has the right to appeal to the Municipality of Crowsnest Pass Subdivision and Development Appeal Board in accordance with the procedures detailed in the Act.

25. NON-CONFORMING BUILDINGS AND USES

A non-conforming building or use may only be continued in accordance with the conditions detailed in the Act.

26. DEVELOPMENT IN MUNICIPALITY GENERALLY

A person who develops land or a building in the municipality shall comply with the standards of development specified in one or more of the schedules of this bylaw, in addition to complying with the use or uses prescribed in the applicable land use district and any conditions attached to a development permit if one is required.

27. PENALTIES

Every person who contravenes any provision of this bylaw is guilty of an offence under section 566 of the Act and is liable to a fine of not more than \$10,000.00 or to imprisonment for not more than one year, or to both fine and imprisonment.

28. SIMILAR USES

Where a use is proposed which is not specifically shown in any land use district but is similar in character and purpose to other uses of land and buildings permitted by the bylaw in the land use district in which such use is proposed, the Municipal Planning Commission may:

- (a) rule that the proposed use is either permitted or discretionary development in the land use district in which it is proposed; and
- (b) direct that a development permit be issued in accordance with section 8(e) of this bylaw.

29. LAND USE REDESIGNATIONS

If an application for a land use redesignation is refused by the Council, another application for a redesignation:

- (a) on the same lot, or
- (b) for the same or a similar use,

may not be accepted for at least six months after the date of refusal.

30. SCHEDULES, MAPS AND APPENDICES

- (a) Schedules 1 through 15, the Land Use District Maps, and the Wildland Urban Interface Hazard Map, attached hereto, form part of this bylaw.
- (b) Appendices 1 through 6 to not form part of this bylaw and are for information and guidance purposes only.

31. NON-CONFORMING USE VARIANCES

The Municipal Planning Commission is authorized to exercise minor variance powers with respect to non-conforming uses pursuant to section 643(5)(c) of the Act.

32. AMENDMENT OR REPEAL OF BYLAW

The procedure for amendment or repeal of this bylaw is prescribed under section 692 of the Act.

Schedule 1

LAND USE DISTRICTS

LAND USE DISTRICTS

1. The municipality is divided into those districts shown on the Land Use District Maps which form part of this Schedule.

2. Each land use district shall be known by the following identifying letters and numbers:

RESIDENTIAL	– R-1
RESIDENTIAL	– R-1A
DUPLEX RESIDENTIAL	– R-2
MULTIPLE RESIDENTIAL	– R-2A
MULTIPLE RESIDENTIAL	– R-3
MOBILE HOME	– R-4
COMPREHENSIVE NARROW LOT RESIDENTIAL	– R-5
GROUPED COUNTRY RESIDENTIAL	– GCR-1
RETAIL COMMERCIAL	– C-1
DRIVE-IN COMMERCIAL	– C-2
COMPREHENSIVE COMMERCIAL	– C-3
INDUSTRIAL	– I-1
SENTINEL INDUSTRIAL PARK	– SIP-1
RECREATION AND OPEN SPACE	– RO-1
PUBLIC	– P-1
NON-URBAN COMMERCIAL RECREATION	– NUCR-1
NON-URBAN COMMERCIAL RECREATION	– NUCR-2
URBAN FUTURE GROWTH	– UFG-1
NON-URBAN AREA	– NUA-1
DIRECT CONTROL	– DC-1
TURTLE MOUNTAIN RESTRICTED DEVELOPMENT AREA	– DC-2
COMPREHENSIVE RESORT VILLAGE	– CRV
COMPREHENSIVE SKI VILLAGE	– CSV
COMPREHENSIVE MULTI-USE DEVELOPMENT	– CMUD-1
COMPREHENSIVE MULTI-USE DEVELOPMENT	– CMUD-2
COMPREHENSIVE MULTI-USE DEVELOPMENT	– CMUD-3

3. Land Use District Maps (see Map section at the end of the document)

Map 1 – Municipality of Crowsnest Pass

Map 2 – Passburg Area

Map 3 – Bellevue-Hillcrest Area

Map 4 – Frank Area

Map 4A – Frank Area

Map 5 – Blairmore Area

Map 6 – Coleman Area

Map 7 – Sentinel Area

Map 8 – Crowsnest Area

Schedule 2

LAND USE DISTRICT REGULATIONS

RESIDENTIAL – R-1

PURPOSE: *To provide for a high-quality residential environment with the development of primarily single-family dwellings on standard sized lots or multi-family dwelling units and other compatible uses.*

1. PERMITTED USES

Single-family dwellings
 Garages or carports accessory to single family dwellings
 Garden sheds and other accessory buildings with no permanent foundation and not over 13.9 m² (150 sq. ft.) in area

PROHIBITED USES

Mobile homes
 Shipping containers

DISCRETIONARY USES

Accessory buildings over 13.9 m² (150 sq. ft.)* in area
 Home occupations
 Manufactured or modular homes
 Moved-in dwellings
 Private institutional uses
 Public institutional uses
 Public park, playground or recreational uses
 Secondary suites
 Signs
 Similar uses
 Utilities and services

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	sq. ft.
Single-family dwelling	13.7	45	30.5	100	418.1	4,500
All other uses	As required by the Municipal Planning Commission					
Corner lots	See Schedule 4					

3. MINIMUM BUILDING SETBACKS – with developable lane

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Single-family dwelling	6.1	20	1.5	5	7.6	25
All other uses	As required by the Municipal Planning Commission					

4. MINIMUM BUILDING SETBACKS – no lane or undevelopable lane

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All uses	6.1	20	1.5	5	7.6	25
			on one side and			
			3.0	10		
			on the other			

* Note: A building or structure attached to a principal building by a roof or any other open or enclosed structure shall be considered an accessory building.

5. MAXIMUM LOT COVERAGE

Principal building – 35%

Accessory buildings – 15%

6. MAXIMUM BUILDING HEIGHT

Principal building – 10 m (32.8 ft.)

Accessory buildings – see Schedule 4

7. MINIMUM FLOOR AREA

As required by the Municipal Planning Commission.

8. STANDARDS OF DEVELOPMENT – See Schedule 4.

9. LOT SETBACK WAIVERS – See Schedule 4.

10. OFF-STREET PARKING AND LOADING – See Schedule 6.

11. MOVED-IN BUILDINGS – See Schedule 7.

12. ANCILLARY NON-RESIDENTIAL USES – See Schedule 8.

RESIDENTIAL – R-1A

PURPOSE: *To provide for a high-quality residential environment with the development of single-family dwellings on standard sized lots and other compatible uses.*

1. PERMITTED USES

Single-family dwellings
 Garages or carports accessory to single family dwellings
 Garden sheds and other accessory buildings with no permanent foundation and not over 13.9 m² (150 sq. ft.) in area
 Sixplex dwellings
 Triplex dwellings

PROHIBITED USES

Manufactured homes
 Modular homes under 9.1 m (30 ft.) wide
 Mobile homes
 Moved-in buildings
 Shipping containers

DISCRETIONARY USES

Accessory buildings over 13.9 m² (150 sq. ft.) in area
 Home occupations
 Modular homes over 9.1 m (30 ft.) wide
 Private institutional uses
 Public institutional uses
 Public park, playground or recreational uses
 Secondary suites
 Signs
 Similar uses
 Utilities and services

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	sq. ft.
Single-family dwelling	13.7	45	30.5	100	418.1	4,500
All other uses	As required by the Municipal Planning Commission					
Corner lots	See Schedule 4					

3. MINIMUM BUILDING SETBACKS – with developable lane

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Single-family dwelling	6.1	20	1.5	5	7.6	25
All other uses	As required by the Municipal Planning Commission					

4. MINIMUM BUILDING SETBACKS – no lane or undevelopable lane

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All uses	6.1	20	1.5	5	7.6	25
			on one side and			
			3.0	10		
			on the other			

5. MAXIMUM LOT COVERAGE

Principal building – 35%

Accessory buildings – 15%

6. MAXIMUM BUILDING HEIGHT

Principal building – 10 m (32.8 ft.)

Accessory buildings – See Schedule 4

7. MINIMUM FLOOR AREA

As required by the Municipal Planning Commission.

8. STANDARDS OF DEVELOPMENT – See Schedule 4.

9. LOT SETBACK WAIVERS – See Schedule 4.

10. OFF-STREET PARKING AND LOADING – See Schedule 6.

DUPLEX RESIDENTIAL – R-2

PURPOSE: *The purpose of this land use district is to accommodate predominantly two-unit dwellings while providing opportunity for additional land uses to develop in this district.*

1. PERMITTED USES

Accessory buildings and uses
 Duplexes
 Fences
 Satellite dishes
 Semi-detached dwellings

DISCRETIONARY USES

Home occupations
 Manufactured homes
 Modular homes
 Secondary suites
 Single-family dwellings
 Similar uses

PROHIBITED USES

Shipping containers
 Mobile homes

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	sq. ft.
Duplex or semi-detached dwelling	18.3	60	30.5	100	650.3	7,000
Single-family dwelling	15.2	50	30.5	100	464.5	5,000
All other uses	As required by the Municipal Planning Commission					

3. MINIMUM BUILDING SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Duplex or semi-detached dwelling	7.6	25	1.5	5	As required by the Municipal Planning Commission	
Single-family dwelling	7.6	25	1.5	5	Commission	
Garage	7.6	25	1.5	5		
Corner lots	As required by the Municipal Planning Commission					
All other uses	7.6	25	1.5	5		

4. MAXIMUM LOT COVERAGE

Principal building – 40%
 Accessory buildings – 111.5 m² (1,200 sq. ft.) or 15%, whichever is the lesser

5. MAXIMUM BUILDING HEIGHT

Principal building – 10 m (32.8 ft.)
 Accessory buildings – See Schedule 4

6. MINIMUM FLOOR AREA

- Duplex or semi-detached dwelling – 148.6 m² on the main floor (1,600 sq. ft.)
- Single-family dwelling – 74.3 m² on the main floor (800 sq. ft.)

7. MINIMUM OFF-STREET PARKING SPACE

- Duplex or semi-detached dwelling – 2 spaces per dwelling unit
- Single-family dwelling – 2 spaces per dwelling unit
- All other uses – As required by the Municipal Planning Commission

8. SPECIAL DEVELOPMENT STANDARD

The side yard requirement does not preclude the building of a duplex, semi-detached dwelling or row dwelling where each dwelling is on a separate title.

9. SIDE YARD PROJECTIONS – See Schedule 4.

10. CORNER LOTS – See Schedule 4.

11. LOT SETBACK WAIVERS – See Schedule 4.

12. SATELLITE DISHES – See Schedule 4.

11. MOVED-IN BUILDINGS – See Schedule 7.

12. HOME OCCUPATIONS – See Schedule 8.

MULTIPLE RESIDENTIAL – R-2A

PURPOSE: *To accommodate predominantly two-unit to eight-unit dwellings while providing opportunity for additional land uses to develop in this district.*

1. PERMITTED USES

Accessory buildings and uses
 Duplexes
 Eightplexes
 Fences
 Fourplexes
 Garden sheds and other accessory buildings with no permanent foundation and not over 13.9 m² (150 sq. ft.) in area
 Rowhousing
 Satellite dishes
 Semi-detached dwellings
 Sixplexes
 Triplexes

DISCRETIONARY USES

Accessory buildings over 13.9 m² (150 sq. ft.) in area
 Condominiums
 Home occupations
 Public park, playground or recreational uses
 Secondary suites
 Senior citizen housing
 Signs
 Similar uses
 Utilities and services

PROHIBITED USES

Manufactured homes
 Modular homes
 Mobile homes
 Moved-in buildings
 Shipping containers

2. MINIMUM LOT SIZE

Use	Width		Length		Area		
	m	ft.	m	ft.	m ²	sq. ft.	
(a) Interior Lots							
Duplex, triplex or semi-detached	18.3	60	30.5	100	557.4	6000	
Fourplex	21.3	70	30.5	100	650.3	7000	
Rowhouse							
– interior unit	6.1	20	30.5	100	185.8	2000	
– end unit	9.1	30	30.5	100	278.7	3000	
All other uses	As required by the Municipal Planning Commission						
(b) Corner Lots							
Duplex, triplex or semi-detached	18.3	60	30.5	100	557.4	6000	
Fourplex	21.3	70	30.5	100	650.3	7000	
Rowhouse	9.1	30	30.5	100	278.7	3000	
All other uses	As required by the Municipal Planning Commission						

(c) **Developable Lot Size**

The Development Officer or Municipal Planning Commission may, at its discretion, omit from the calculation of minimum lot area or dimensions any part of a lot which, because of rock, steep slopes or other physical features cannot be reasonably developed for the proposed use, including access, parking and buildings.

3. MINIMUM BUILDING SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Duplex or triplex	6.1	20	1.5	5	7.6	25
Semi-detached	6.1	20	1.5	5	7.6	25
Rowhouse						
– interior unit	6.1	20			7.6	25
– end unit	6.1	20	3.0	10	7.6	25
All other uses	As required by the Municipal Planning Commission					

4. MAXIMUM LOT COVERAGE

Principal building – 50%
Accessory buildings – 15%

5. MAXIMUM BUILDING HEIGHT

Duplex, triplex, fourplex, sixplex and eightplex – 10 m (32.8 ft.)
Accessory buildings – See Schedule 4

6. MINIMUM FLOOR AREA

Row dwelling, duplex, triplex, fourplex, sixplex, eightplex – 74.3 m² (800 sq. ft.)
All other uses – As required by the Municipal Planning Commission

7. STANDARDS OF DEVELOPMENT – See Schedules 4 and 5.

8. OFF-STREET PARKING AND LOADING – See Schedule 6.

9. HOME OCCUPATIONS – See Schedule 8.

MULTIPLE RESIDENTIAL – R-3

PURPOSE: *To provide high-quality, multi-family dwelling environments, integrated into either existing or proposed residential neighbourhoods.*

1. PERMITTED USES

Apartment buildings not exceeding three habitable floors or 10 m (32.8 ft.) in height
 Garden sheds and other accessory buildings with no permanent foundation and not over 13.9 m² (150 sq. ft.) in area

PROHIBITED USES

Shipping containers
 Mobile homes

DISCRETIONARY USES

Accessory buildings over 13.9 m² (150 sq. ft.) in area
 Apartment buildings exceeding three habitable floors or 10 m (32.8 ft.) in height
 Condominiums
 Duplexes
 Fourplexes
 Home occupations
 Rowhousing
 Secondary suites
 Semi-detached dwellings
 Senior citizen housing
 Signs
 Similar uses
 Triplexes
 Utilities and services

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	sq. ft.
(a) Interior Lots						
Apartments	21.3	70	30.5	100	650.3	7,000
Duplex or Triplex	18.3	60	30.5	100	557.4	6,000
Fourplex	21.3	70	30.5	100	650.3	7,000
Rowhouse						
– interior unit	6.1	20	30.5	100	185.8	2,000
– end unit	9.1	30	30.5	100	278.7	3,000
All other uses	As required by the Municipal Planning Commission					
(b) Corner Lots						
Apartments	24.4	80	30.5	100	743.2	8,000
Duplex or triplex	18.3	60	30.5	100	557.4	6,000
Fourplex	21.3	70	30.5	100	650.3	7,000
Rowhouse	9.1	30	30.5	100	278.7	3,000
All other uses	As required by the Municipal Planning Commission					
(c) Developable Lot Size						

The Development Officer or Municipal Planning Commission may, at its discretion, omit from the calculation of minimum lot area or dimensions any part of a lot which, because of rock, steep slopes or other physical features cannot be reasonably developed for the proposed use, including access, parking and buildings.

3. MINIMUM BUILDING SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Duplex or triplex	6.1	20	1.5	5	7.6	25
Semi-detached dwelling	6.1	20	1.5	5	7.6	25
Rowhouse						
– interior unit	6.1	20	—	—	7.6	25
– end unit	6.1	20	3.0	10	7.6	25
Apartment						
– not over 6 units per building	6.1	20	As required by the SDA		7.6	25
– over 6 units per building	6.1	20	As required by the SDA		7.6	25
All other uses	As required by the Municipal Planning Commission					
Corner lots	See Schedule 4					

4. MAXIMUM LOT COVERAGE

- Principal building – 50%
- Accessory buildings – 15%

5. MAXIMUM BUILDING HEIGHT

- Duplexes, triplexes, fourplexes – 10 m (32.8 ft.)
- Accessory buildings – see Schedule 4

6. MINIMUM FLOOR AREA

- Row dwelling – 74.3 m² (800 sq. ft.)
- Apartment – 46.5 m² (500 sq. ft.)
- Duplex – 74.3 m² (800 sq. ft.)
- Triplex – 74.3 m² (800 sq. ft.)
- Fourplex – 74.3 m² (800 sq. ft.)
- All other uses – As required by the Municipal Planning Commission

7. STANDARDS OF DEVELOPMENT – See Schedules 4 and 5.

8. OFF-STREET PARKING AND LOADING – See Schedule 6.

9. HOME OCCUPATIONS – See Schedule 8.

MOBILE HOME – R-4

PURPOSE: *To provide areas suitable for the location of mobile homes and/or mobile home parks where a comprehensive plan has been agreed to by the Municipal Planning Commission. These areas would be designated and provide for high-quality development which complements adjacent uses.*

1. PERMITTED USES

Double-wide mobile homes
 Garages or carports accessory to residence
 Garden sheds and other accessory buildings with no permanent foundation and not over 13.9 m² (150 sq. ft.) in area
 Single-wide mobile homes

PROHIBITED USES

Shipping containers

DISCRETIONARY USES

Accessory buildings over 13.9 m² (150 sq. ft.) in area
 Home occupations
 Mobile home parks
 Manufactured or modular homes
 Neighbourhood confectioneries
 Playing fields and open space
 Public parks or playgrounds
 Public utilities and services
 Secondary suites
 Signs
 Similar uses
 Single-family dwellings

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	sq. ft.
Single-family dwelling	13.7	45	30.5	100	418.1	4,500
Mobile home						
– single-wide	13.7	45	30.5	100	418.1	4,500
– double-wide	13.7	45	30.5	100	418.1	4,500
Corner lots	See Schedule 4					

Irregular lots
 A development may be approved on a “pie-shaped” or irregular lot, parts of which are below the specified minimum lot width, provided that the front yard setback meets the minimum width, and provided the lot area and average dimensions otherwise equal or exceed the prescribed minimums.

All other uses
 As required by the Municipal Planning Commission

3. MINIMUM BUILDING SETBACKS* – with developable lane

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Single-family dwelling	6.1	20	1.5	5	7.6	25
Mobile home						
– single-wide	3.0	10	1.5	5	7.6	25
– double-wide	3.0	10	1.5	5	7.6	25
All other uses	As required by the Municipal Planning Commission					

4. MINIMUM BUILDING SETBACKS* – with no lane or undevelopable lane

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All uses	6.1	20	1.5	5	7.6	25
			on one side and 3.0 10 on the other side			

***NOTE:** Where a mobile home cannot meet the minimum building setbacks because of its length, the Municipal Planning Commission shall consider a waiver of the rear yard setback to accommodate the development.

5. MAXIMUM LOT COVERAGE

Principal building – 35%

Accessory buildings – 15%

6. MINIMUM FLOOR AREA

As required by the Municipal Planning Commission.

7. STANDARDS OF DEVELOPMENT – See Schedule 4.

8. OFF-STREET PARKING AND LOADING – See Schedule 6.

9. HOME OCCUPATIONS – See Schedule 8.

10. MOBILE HOME STANDARDS – See Schedule 9.

COMPREHENSIVE NARROW LOT RESIDENTIAL – R-5

PURPOSE: *To accommodate residential infill or replacement on existing lots which are narrower than the conventional frontages established in the Residential – R-1 land use district.*

1. PERMITTED USES

- Single-family dwellings
- Garages or carports accessory to single family dwellings
- Garden sheds and other accessory buildings with no permanent foundation and not over 13.9 m² (150 sq. ft.) in area

PROHIBITED USES

- Mobile homes
- Shipping containers

DISCRETIONARY USES

- Accessory buildings over 13.9 m² (150 sq. ft.)* in area
- Home occupations
- Manufactured or modular homes
- Moved-in dwellings
- Private institutional uses
- Public institutional uses
- Public park, playground or recreational uses
- Secondary suites
- Signs
- Similar uses
- Utilities and services

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	sq. ft.
Single-family dwelling	7.6	25	30.5	100	232.3	2,500
All other uses	As required by the Municipal Planning Commission					
Corner lots	See Schedule 4					

3. MINIMUM BUILDING SETBACKS – with developable lane

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Single-family dwelling	6.1	20	1.2	4	7.6	25
All other uses	As required by the Municipal Planning Commission					

4. MINIMUM BUILDING SETBACKS – no lane or undevelopable lane

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All uses	As required by the Municipal Planning Commission					

* Note: A building or structure attached to a principal building by a roof or any other open or enclosed structure shall be considered an accessory building.

5. MAXIMUM LOT COVERAGE

Principal building – 40%

Accessory buildings – 15%

6. MAXIMUM BUILDING HEIGHT

Principal building – 10 m (32.8 ft.)

Accessory buildings – see Schedule 4

7. MINIMUM FLOOR AREA

As required by the Municipal Planning Commission.

8. STANDARDS OF DEVELOPMENT – See Schedule 4.

9. OFF-STREET PARKING AND LOADING – See Schedule 6.

10. MOVED-IN BUILDINGS – See Schedule 7.

11. ANCILLARY NON-RESIDENTIAL USES – See Schedule 8.

GROUPED COUNTRY RESIDENTIAL – GCR-1

PURPOSE: *To provide for a high-quality of clustered residential development in designated areas where no conflicts with adjacent urban or non-urban uses can be anticipated.*

1. PERMITTED USES

Accessory buildings not over 13.9 m²
(150 sq. ft.) in area
Garages accessory to a single-family dwelling
Single-family dwellings

PROHIBITED USES

Shipping containers

DISCRETIONARY USES

Accessory buildings over 13.9 m²
(150 sq. ft.) in area
Home occupations
Mobile homes
Modular homes
Moved-in buildings
Secondary suites
Signs
Similar uses
Wind energy conversion systems (WECS)

2. MINIMUM LOT SIZE

1.2 hectares (3 acres).

3. MINIMUM BUILDING SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Principal use	15.2	50	15.2	50	15.2	50
Accessory buildings over 9.3 m ² (100 sq. ft.)	15.2	50	15.2	50	15.2	50

4. MINIMUM FLOOR AREA

As required by the Municipal Planning Commission.

5. OFF-STREET PARKING AND LOADING

As required by the Municipal Planning Commission.

6. GENERAL REQUIREMENTS

- (a) The Municipal Planning Commission may require the developer to prepare a detailed area structure plan which must accompany the initial development application.
- (b) The Municipal Planning Commission should request comments from the appropriate provincial government department as to the effect of a development on wildlife habitat before approving a grouped country residential development.
- (c) Prior to dealing with an application for a development in the vicinity of a major pipeline, sour gas pipeline or sulphur extraction plant, the Development Officer shall request comments from owners of the utility and the Alberta Energy and Utility Board.

- (d) Percolation tests to determine suitability for sewage disposal may be required by the Municipal Planning Commission prior to dealing with a development application.
- (e) The Municipal Planning Commission may require the developer, as a condition of any approval, to enter into a development agreement with the municipality.
- (f) The Municipal Planning Commission may request a Wildland Urban Interface Risk Assessment for any grouped country residential subdivision and/or development.

7. ADDITIONAL INFORMATION

Every application for grouped country residential development shall be accompanied by details of how fire suppression and fire protection will be provided.

8. STANDARDS OF DEVELOPMENT – See Schedule 4.

9. HOME OCCUPATIONS – See Schedule 8.

10. WIND ENERGY CONVERSION SYSTEMS – See Schedule 12.

RETAIL COMMERCIAL – C-1

PURPOSE: *To provide an area suited for retail commercial uses which will both maintain a strong central business district and allow a variety of other suitable uses compatible with this area of the community.*

1. PERMITTED USES

Barber shops
 Beauty salons
 Coffee shops or restaurants (non drive-in)
 Financial institutions
 Laundromats
 Liquor stores
 Offices
 Personal services
 Post offices
 Retail stores
 Theatres

PROHIBITED USES

Shipping containers

DISCRETIONARY USES

Accessory buildings and uses
 Animal care service, small
 Arcades
 Bakeries
 Bowling alleys
 Bus depots
 Cabarets
 Commercial recreation
 Day care facilities
 Funeral parlours
 Hotels
 Medical or dental clinics
 Parking area or structures
 Religious institutions
 Taxi stands
 Taxidermy
 Residence secondary to an approved use
 Signs
 Similar uses
 Utilities and services
 Workshop accessory to an approved use

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	sq. ft.
All uses	4.6	15	30.5	100	139.4	1,500

3. MINIMUM BUILDING SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All uses	none		none		7.6	25
	or as required by the MPC					

4. MAXIMUM LOT COVERAGE

Principal building and accessory buildings – 80%.

5. **STANDARDS OF DEVELOPMENT** – See Schedule 4.
6. **OFF-STREET PARKING AND LOADING** – See Schedule 6.
7. **MOVED-IN BUILDINGS** – See Schedule 7.

DRIVE-IN COMMERCIAL – C-2

PURPOSE: *To accommodate development of commercial uses which require both high visibility and ready access or egress to and from designated highways and major thoroughfares for the benefit of the motoring public.*

1. PERMITTED USES

Accessory buildings and uses
 Drive-in restaurants
 Motels
 Service stations

PROHIBITED USES

Shipping containers

DISCRETIONARY USES

Accessory buildings and uses
 Auto sales, storage and repair
 Campgrounds
 Car washes
 Funeral homes
 Office, secondary to an approved use
 Recreational vehicle sales, storage and repair
 Residence, secondary to an approved use
 Retail sales, secondary to an approved use
 Signs
 Similar uses
 Utilities and services

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	sq. ft.
All uses	27.4	90	50.3	165	1393.5	15,000

3. MINIMUM BUILDING SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All uses	9.1	30	6.1	20	6.1	20

4. MAXIMUM LOT COVERAGE

Principal building and accessory buildings – 40%.

5. STREET ACCESS

The number of access points to a lot or parcel and their separation from one another and from adjacent streets and lanes are subject to Municipal Planning Commission approval.

6. STANDARDS OF DEVELOPMENT – See Schedule 4.

7. OFF-STREET PARKING AND LOADING – See Schedule 6.

8. MOVED-IN BUILDINGS – See Schedule 7.

COMPREHENSIVE COMMERCIAL – C-3

PURPOSE: *To provide for a multitude of commercial uses that can be compatibly located within a comprehensively planned, large-scale development which relies on factors such as location, access and serviceability.*

1. PERMITTED USES

Retail shopping malls

PROHIBITED USES

Shipping containers

DISCRETIONARY USES

Accessory buildings and uses

If secondary to a retail shopping mall:

Bakeries, retail

Banks and other financial institutions

Building supply outlets

Coffee shops

Condominiums

Dry cleaners

Gas bars

Liquor stores

Offices

Personal services

Public utilities

Restaurants

Retail sales

Signs

Similar uses

Travel agencies

Utilities and services

2. MINIMUM LOT SIZE

As required by the Municipal Planning Commission.

3. MINIMUM BUILDING SETBACKS

As required by the Municipal Planning Commission.

4. STREET ACCESS

Street access and exit points to major traffic arteries shall be provided and maintained to the satisfaction of the Municipal Planning Commission.

5. LANDSCAPING

Landscaping buffer strips, berms, screening structures, or similar devices acceptable to the Municipal Planning Commission shall be included as a condition of approval for any commercial development adjacent to an existing or designated residential area.

6. STANDARDS OF DEVELOPMENT – See Schedule 4.

7. OFF-STREET PARKING AND LOADING – See Schedule 6.

INDUSTRIAL – I-1

PURPOSE: *To provide a broad range of industrial, manufacturing and storage use whereby the location of individual uses will have regard to both the effect on adjacent uses and the ability to provide adequate services to the site.*

1. PERMITTED USES

Automotive sales
Car washes
Automotive repair, general

DISCRETIONARY USES

Agriculture related industries
Auction markets
Bottling plants
Building materials sales and storage
Bulk fuel sales and storage
Concrete batch plants
Contractors, building trades
Light industrial fabricating, manufacturing or processing
Machinery and equipment sales and repair
Private utility structures and uses
Resource processing plants
Retail uses ancillary to an approved use
Shipping containers
Signs
Similar uses
Taxidermists
Truck transport depots
Utilities and services
Veterinary clinics
Warehousing and storage, indoor and outdoor
Welding shops

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	sq. ft.
All uses	As required by the MPC				557.4	6,000
					or as required by the MPC	

3. MINIMUM BUILDING SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All uses	7.6	25	3.0	10	7.6	25
Corner lot	7.6	25	4.6	15	7.6	25
	street side					

or such other distances as are required by the MPC

4. **STANDARDS OF DEVELOPMENT** – See Schedule 4.
5. **OFF-STREET PARKING AND LOADING** – See Schedule 6.
6. **MOVED-IN BUILDINGS** – See Schedule 7.

SENTINEL INDUSTRIAL PARK – SIP-1

PURPOSE: *To accommodate a broad range of light and heavy industrial uses at a pre-planned location suitable for those uses and compatible with adjacent land uses.*

1. PERMITTED USES

Accessory buildings and uses
Light industrial, fabricating and manufacturing
Warehousing and storage, indoor and outdoor

DISCRETIONARY USES

Agriculture-related industries
Automotive sales, storage and service
Building material sales and storage
Bulk fuel sales and storage
Car washes
Concrete batch plants
Helipads
Industrial sales and service
Machinery and equipment sales and repair
Private utility buildings and uses
Repair garages
Residence secondary to an approved use
Resource processing plants
Retail sales ancillary to an approved use
Shipping containers
Signs
Similar uses
Surveillance suites
Truck transport depots
Truck washes
Utilities and services
Veterinary clinics
Welding shops

2. MINIMUM LOT SIZE

The minimum lot size shall be that of the applicable existing lot as shown on a Comprehensive Siting Plan. However, the Municipal Planning Commission may recommend further subdivision of an existing lot provided that no lot less than 557.4 m² (6,000 sq. ft.) in area is created.

3. MINIMUM BUILDING SETBACKS

- (a) Front yard building setbacks shall be not less than 9.1 metres (30 ft.).
- (b) Side yard and rear yard building setbacks shall be as required by the Municipal Planning Commission.

4. MAXIMUM BUILDING HEIGHT

As required by the Municipal Planning Commission.

5. SITE PREPARATION AND INFORMATION

- (a) In accordance with section 4(c) of this bylaw, no person shall commence a development within the SIP-1 district unless he has been issued a development permit. Without restricting the definition of “development” as contained herein, no person shall commence an excavation, a stockpile or any site preparation, (including grading, tree removal or construction of access roadways), without a development permit.
- (b) The Development Officer or the Municipal Planning Commission may require that a development application be accompanied by site plans and elevations prepared by a qualified engineer or architect before it can be accepted and dealt with as a completed application.
- (c) Where grading on a lot or parcel within the SIP-1 district is proposed, a grading plan prepared by a qualified engineer or architect to the satisfaction of the Municipal Planning Commission shall be provided with the development application.
- (d) No soil, sand, gravel, earth, top soil or overburden shall be removed from a site without the approval of the Municipal Planning Commission.
- (e) Trees or tree cover located within a required front yard, side yard or rear yard building setback may be required to be removed as a condition of approval by the Municipal Planning Commission.

6. LANDSCAPING

In addition to the Landscaping Guidelines contained in section 10 of Schedule 4 hereof, the Municipal Planning Commission may require construction of a berm within the boundaries of a lot or parcel for the purpose of screening any use or development, including parking areas or outdoor storage.

7. REFUSE STORAGE CONTAINERS

Waste and rubbish storage facilities shall be installed and screened to the satisfaction of the Municipal Planning Commission.

8. JOINT ACCESS

Joint vehicular access to adjoining lots may be allowed by the Municipal Planning Commission if:

- (a) the owners of both lots agree to the arrangement; and
- (b) the proposed access would be compatible with safe and efficient traffic flow.

9. STANDARDS OF DEVELOPMENT – See Schedule 4.

10. OUTDOOR STORAGE – See Schedule 4.

11. OFF-STREET PARKING AND LOADING – See Schedule 6.

RECREATION AND OPEN SPACE – RO-1

PURPOSE: *To provide for institutional uses, public parks and open space within the municipality.*

1. PERMITTED USES

Environmental reserves, dedicated
Open space, municipal
Playgrounds
Public parks
Sportsfields

DISCRETIONARY USES

Cenotaphs
Public recreation buildings
Signs
Similar uses
Utilities and services

PROHIBITED USES

Shipping containers

2. MINIMUM LOT SIZE

As required by the Municipal Planning Commission.

3. MINIMUM BUILDING SETBACKS

As required by the Municipal Planning Commission.

4. MAXIMUM LOT COVERAGE

As required by the Municipal Planning Commission.

5. STANDARDS OF DEVELOPMENT – See Schedule 4.

6. OFF-STREET PARKING AND LOADING – See Schedule 6.

PUBLIC – P-1

PURPOSE: *To provide for institutional, public and semi-public uses which are compatible with each other and adjoining land uses.*

1. PERMITTED USES

PROHIBITED USES

Shipping containers

DISCRETIONARY USES

Auditoriums
Buildings or uses ancillary to an approved use
Community halls
Educational facilities, other than a school
Fire halls
Government buildings
Hospitals
Libraries
Museums
Municipal offices
Places of worship
Police stations
Post offices
Private meeting halls
Schools
Service clubs
Signs
Similar uses
Utilities and services

2. MINIMUM LOT SIZE

As required by the Municipal Planning Commission.

3. MINIMUM BUILDING SETBACKS

As required by the Municipal Planning Commission.

4. MAXIMUM LOT COVERAGE

Principal buildings – 40%

Accessory buildings – 10%

5. STANDARDS OF DEVELOPMENT – See Schedule 4.

6. OFF-STREET PARKING AND LOADING – See Schedule 6.

URBAN FUTURE GROWTH – UFG-1

PURPOSE: *To ensure development adjacent to built-up areas will not compromise orderly and economical future growth.*

1. PERMITTED USES

Single-family dwellings
Garages accessory to single-family dwellings

PROHIBITED USES

Shipping containers

DISCRETIONARY USES

Accessory buildings or uses
Dwellings:
 Apartments
 Duplexes
 Fourplexes
 Mobile homes
 Modular homes
 Moved-in dwellings
 Semi-detached dwellings
 Senior citizen housing
 Triplexes
Home occupations
Private institutional facilities
Public parks or playgrounds
Public institutional facilities
Signs
Similar uses
Sportsfields and open space
Use ancillary to an approved use
Utilities and services

2. MINIMUM LOT SIZE

As required by the Municipal Planning Commission.

3. MINIMUM BUILDING SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Single-family dwelling	6.1	20	1.5	5	7.6	25
Duplex or triplex	6.1	20	1.5	5	7.6	25
Fourplex	6.1	20	1.5	5	7.6	25
Semi-detached dwelling	6.1	20	1.5	5	7.6	25
Rowhouse						
– interior unit	6.1	20	—	—	7.6	25
– end unit	6.1	20	3.0	10	7.6	25
Apartment						
– not over 6 units per building	6.1	20	As required by the MPC		7.6	25
– over 6 units per building	6.1	20	As required by the MPC		7.6	25
All other uses	As required by the Municipal Planning Commission					

4. MAXIMUM LOT COVERAGE

- Principal building – 35%
- Accessory buildings – 10%

5. MINIMUM FLOOR AREA

- Row dwelling – 74.3 m² (800 sq. ft.)
- Apartment – 46.5 m² (500 sq. ft.)
- Duplex – 74.3 m² (800 sq. ft.)
- Triplex – 74.3 m² (800 sq. ft.)
- Fourplex – 74.3 m² (800 sq. ft.)
- All other uses – As required by the Municipal Planning Commission

6. OFF-STREET PARKING AND LOADING

As required by the Municipal Planning Commission.

7. STANDARDS OF DEVELOPMENT – See Schedule 4.

NON-URBAN COMMERCIAL RECREATION – NUCR-1

PURPOSE: *To accommodate a variety of commercial recreation uses which are to be located primarily outside the built-up urban areas of the community.*

1. PERMITTED USES

PROHIBITED USES

Shipping containers

DISCRETIONARY USES

Archery or rifle ranges
Bed and breakfast accommodations
Country lodges
Golf courses
Golf driving ranges
Guest ranches
Private campgrounds
Private institutional uses
Private recreation uses
Public institutional uses
Parks, playgrounds or recreation areas
Residence, secondary to an approved use
Riding stables
Rodeo grounds
Signs
Ski lodges
Ski resorts
Similar uses
Utilities and services

2. MINIMUM LOT SIZE

1.2 hectares (3 acres), or as required by the Municipal Planning Commission.

3. MINIMUM BUILDING SETBACKS

As required by the Municipal Planning Commission.

4. MAXIMUM LOT COVERAGE

As required by the Municipal Planning Commission.

5. GENERAL REQUIREMENTS

Every development application must be accompanied by a Comprehensive Development Plan or Area Structure Plan.

6. STANDARDS OF DEVELOPMENT – See Schedule 4.

7. OFF-STREET PARKING AND LOADING – See Schedule 6.

NON-URBAN COMMERCIAL RECREATION – NUCR-2

PURPOSE: *To accommodate a variety of commercial recreation uses which are to be located primarily outside the built-up urban areas of the community.*

1. PERMITTED USES

Ski resorts

PROHIBITED USES

Shipping containers

DISCRETIONARY USES

Archery or rifle ranges
Bed and breakfast accommodations
Country lodges
Golf courses
Golf driving ranges
Guest ranches
Private campgrounds
Private institutional uses
Private recreation uses
Public institutional uses
Parks, playgrounds or recreation areas
Residence, secondary to an approved use
Riding stables
Rodeo grounds
Signs
Ski lodges
Similar uses
Utilities and services

2. MINIMUM LOT SIZE

1.2 hectares (3 acres), or as required by the Municipal Planning Commission.

3. MINIMUM BUILDING SETBACKS

As required by the Municipal Planning Commission.

4. MAXIMUM LOT COVERAGE

As required by the Municipal Planning Commission.

5. GENERAL REQUIREMENTS

Every development application must be accompanied by a Comprehensive Development Plan or Area Structure Plan.

6. STANDARDS OF DEVELOPMENT – See Schedule 4.

7. OFF-STREET PARKING AND LOADING – See Schedule 6.

NON-URBAN AREA – NUA-1

PURPOSE: *To ensure that these areas, typically on the periphery of existing development, allow only restricted uses and maintain parcels of large sizes to provide maximum flexibility for use and development if or when the land is used for urban development.*

1. PERMITTED USES

Buildings accessory to an approved permitted use
Extensive agriculture
Single-family dwellings

PROHIBITED USES

Shipping containers

DISCRETIONARY USES

Ancillary non-residential use
Buildings accessory to an approved use
Commercial logging
Dairies
Dog kennel
Exploration and site preparation for oil, gas and other minerals
Gravel pit
Horticulture
Intensive livestock operation
Isolated country residential
Mobile home
Moved-in building
Public institutional uses
Public park or recreation uses
Public utilities
Resource development activity
Resource processing facility
Secondary suites
Signs
Similar uses
Utilities
Wind energy conversion systems (WECS)

2. MINIMUM LOT SIZE

Extensive agriculture – 64.8 hectares (160 acres) or existing parcels
Isolated country residential – 1.2 hectares (3 acres)
Other uses – As required by the Municipal Planning Commission

3. MINIMUM BUILDING SETBACKS

As required by the Municipal Planning Commission.

4. STANDARDS OF DEVELOPMENT – See Schedule 4.

5. MOBILE HOME STANDARDS – See Schedule 5.

6. OFF-STREET PARKING AND LOADING – See Schedule 6.

7. **MOVED-IN BUILDINGS** – See Schedule 7.
8. **ANCILLARY NON-RESIDENTIAL USE** – See Schedule 8.
9. **WIND ENERGY CONVERSION SYSTEMS** – See Schedule 12.

DIRECT CONTROL – DC-1

PURPOSE: *To provide a Direct Control district for the creation of site specific land use regulations in respect of specific sites within the municipality where the circumstances relating to the development of a specific site are such that regulation and control by means of the other land use districts provided for in this bylaw would be inappropriate or inadequate, having regard to existing or future surrounding developments and to the interest of the applicant and the public, generally.*

1. USES

All land use applications shall be evaluated on their merits by Council prior to a decision being rendered, whether or not to issue a development permit. Shipping containers are prohibited uses.

2. GENERAL REGULATIONS

The minimum lot size, coverage, development setbacks and general standards of development established in the land use bylaw shall be required only at the discretion of Council.

3. APPLICATION

This district shall only be applied where all of the following conditions are met:

- (a) the proposed development is, in the opinion of Council, considered appropriate for the site having regard for the land use policies of the municipal development plan, the objectives of any applicable statutory plan, and compatibility with the scale and character of surrounding development;
- (b) that the use of any other land use district of this bylaw to accommodate the proposed development would, in the opinion of Council, result in potential conflicts with existing or future surrounding developments, should the full development potential of such land use district be utilized; and
- (c) the proposed development is of a scale or complexity requiring a comprehensive planning and implementation approach that, in the opinion of Council, would be more appropriately regulated through a more comprehensively planned land use district or area structure plan for the area.

TURTLE MOUNTAIN RESTRICTED DEVELOPMENT AREA – DC-2

PURPOSE: *To provide a Direct Control district for the creation of site specific land use regulations in respect of specific sites within the municipality where the circumstances relating to the development of a specific site are such that regulation and control by means of the land use districts provided for in this bylaw would be inappropriate for the further subdivision and development of land in close proximity to the Turtle Mountain Slide Area.*

1. USES

All land use applications shall be evaluated on their merits by Council prior to a decision being rendered, whether or not to issue a development permit approval.

2. GENERAL REGULATIONS

The minimum lot size, coverage, development setbacks and general standards of development established in the land use bylaw shall be required only at the discretion of Council.

3. APPLICATION

- (a) New residential dwellings shall not be allowed to be constructed in the district except where approved by Council on application notwithstanding this:
 - (i) those residential structures existing November 1, 2007 shall be repaired, rebuilt, altered or expanded to the extent permitted under the Land Use Bylaw as same applied to the property in question on November 1, 2007 on application to the Council; or
 - (ii) non-residential structures such as garages, garden sheds or other similar uses will be permitted in the district.
- (b) This district shall not allow the subdivision of existing certificates of title.

COMPREHENSIVE RESORT VILLAGE – CRV

PURPOSE: *To accommodate the preplanned subdivision and development of a designated area within the municipality for multiple residential, recreational and related resort activities consistent with an approved area structure plan.*

1. PERMITTED USES

Accessory buildings and uses
 Eating establishments
 Fourplexes
 Resorts
 Rowhouses
 Semi-detached dwellings
 Single family dwellings
 Sixplexes
 Triplexes

PROHIBITED USES

Commercial logging
 Dog Kennels
 Mobile homes
 Shipping containers

DISCRETIONARY USES

Amenity areas
 Amphitheatres
 Assembly structures
 Commercial kiosks
 Convention and conference facilities
 Hotels
 Indoor and outdoor recreation facilities
 Motels
 Parking areas
 Public and private utilities
 Real estate sales offices
 Rental accommodation
 Retail stores
 Signs
 Spas
 Storage facilities
 Similar uses
 Visitor accommodation

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	sq. ft.
Semi-detached	9.1	30	30.5	100	278.8	3,000
Triplex	9.1	30	30.5	100	278.8	3,000
Fourplex	7.6	25	30.5	100	232.3	2,500
Rowhouse	7.6	25	30.5	100	232.3	2,500
Sixplex	7.6	25	30.5	100	232.3	2,500
Interior units	6.1	20	30.5	100	185.9	2,000
All other uses	As required by the Municipal Planning Commission					

3. MINIMUM BUILDING SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Semi-detached	3.0	10	1.5	5	3.0	10
Triplex	3.0	10	1.5	5	3.0	10
Fourplex	3.0	10	1.5	5	3.0	10

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Rowhouse	3.0	10	1.5	5	3.0	10
Sixplex	3.0	10	1.5	5	3.0	10
Interior units	3.0	10	0	0	3.0	10
All other uses	As required by the Municipal Planning Commission					

4. MAXIMUM LOT COVERAGE

- Principal building – 40%
- Accessory buildings – 15%

5. MAXIMUM BUILDING HEIGHT

- Principal building – 12 m (39.4 ft.)
- Accessory buildings – 5 m (16.4 ft.)

6. MINIMUM FLOOR AREA

- Semi-detached – 130.1 m² (1,400 sq. ft.)
- Triplex – 111.5 m² (1,200 sq. ft.)
- Fourplex – 111.5 m² (1,200 sq. ft.)
- Rowhouse – 111.5 m² (1,200 sq. ft.)
- Sixplex – 111.5 m² (1,200 sq. ft.)
- Interior units – 92.9 m² (1,000 sq. ft.)
- All other uses – As required by the Municipal Planning Commission

7. ARCHITECTURAL CONTROLS

As a condition of any approval by the Municipal Planning Commission within this land use district, specific architectural controls may be required to uphold the integrity and prevailing aesthetics of the resort village.

8. AREA STRUCTURE PLANS

No approvals shall be granted by the Municipal Planning Commission within this land use district until a detailed area structure plan has been duly prepared by the developer and adopted by municipal Council.

9. STANDARDS OF DEVELOPMENT – See Schedules 4 and 5.

10. OFF-STREET PARKING AND LOADING – See Schedule 6.

COMPREHENSIVE SKI VILLAGE – CSV

PURPOSE: *To provide for the development of residential, recreational and related activities in a ski village consistent with an approved area structure plan.*

1. PERMITTED USES

Accessory buildings and uses
 Eating establishments
 Fourplex dwellings
 Resorts
 Rowhouse dwellings
 Semi-detached dwellings
 Sixplex dwellings
 Triplex dwellings
 Single-family dwellings
 Garages or carports accessory to single-family dwellings
 Supplementary dwellings to single-family dwellings within garages, lofts or as a stand alone structure - not to exceed 55 m² (592 sq. ft.)
 Show dwellings for display only - not for occupation - with no or temporary services

PROHIBITED USES

Commercial logging
 Dog kennels
 Mobile homes
 Shipping containers

DISCRETIONARY USES

Amenity areas
 Amphitheatres
 Assembly structures
 Bed and breakfast
 Commercial kiosks
 Conference facilities
 Home occupations
 Hotels
 Indoor and outdoor recreation facilities
 Modular homes [minimum 6.1 m (20 ft.) width]
 Parking areas
 Private institutional uses
 Public institutional uses
 Public park, playground or recreation areas
 Public and private utilities
 Real estate sales offices
 Rental accommodation
 Retail stores
 Signs
 Spas
 Storage facilities
 Similar uses
 Visitor accommodation

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m ²	sq. ft.
Single-family	9.1	30	30.5	100	278.7	3,000
Semi-detached	9.1	30	30.5	100	278.7	3,000
Triplex	9.1	30	30.5	100	278.7	3,000
Fourplex	7.6	25	30.5	100	232.3	2,500
Rowhouse	7.6	25	30.5	100	232.3	2,500
Sixplex	7.6	25	30.5	100	232.3	2,500
Interior units	6.1	20	30.5	100	185.8	2,000
All other uses	As required by the Municipal Planning Commission					

3. MINIMUM BUILDING SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Single-family	3.0	10	1.5	5	3.0	10
Semi-detached	3.0	10	1.5	5	3.0	10
Triplex	3.0	10	1.5	5	3.0	10
Fourplex	3.0	10	1.5	5	3.0	10
Rowhouse	3.0	10	1.5	5	3.0	10
Sixplex	3.0	10	1.5	5	3.0	10
Interior units	3.0	10	1.5	5	3.0	10
All other uses	As required by the Municipal Planning Commission					

4. MAXIMUM LOT COVERAGE

- Principal building – 40%
- Accessory buildings – 15%

5. MAXIMUM GRADE

Lots with an effective grade of 15% or less are considered fully developable.

Lots with an effective grade of greater than 15% require the plans to be approved by a professional engineer licensed in the Province of Alberta demonstrating the viability of the proposed development.

6. MAXIMUM BUILDING HEIGHT

- Principal building – 15 m (49.2 ft.)
- Accessory building – 6 m (19.7 ft.)

7. MINIMUM FLOOR AREA

- Single-family – 69.7 m² (750 sq. ft.)
- Semi-detached – 69.7 m² (750 sq. ft.)
- Triplex – 69.7 m² (750 sq. ft.)
- Fourplex – 69.7 m² (750 sq. ft.)
- Rowhouse – 69.7 m² (750 sq. ft.)
- Sixplex – 69.7 m² (750 sq. ft.)
- Interior units – 69.7 m² (750 sq. ft.)
- All other uses – As required by the Municipal Planning Commission

8. DESIGN GUIDELINES

As a condition of any approval by the Municipal Planning Commission within this land use district, design guidelines may be required to uphold the integrity and prevailing aesthetics of the village.

9. AREA STRUCTURE PLANS

No approvals shall be granted by the Municipal Planning Commission within this land use district until an area structure plan has been adopted by municipal Council.

10. STANDARDS OF DEVELOPMENT – See Schedules 4 and 5.

11. OFF-STREET PARKING AND LOADING – See Schedule 6.

COMPREHENSIVE MULTI-USE DEVELOPMENT – CMUD-1

PURPOSE: *To accommodate site-specific subdivision and development, within a designated area of the municipality, of comprehensively preplanned multi-uses which are consistent with an approved Area Structure Plan (ASP) for the same site.*

1. PERMITTED USES

Accessory buildings and uses
Apartment dwelling
Commercial recreation
Fitness centre
Gaming or gambling establishment
Institutional
Kiosk
Liquor store
Lodge
Multi-family dwellings
Office
Parks, playgrounds or recreation area
Personal service
Public and private roadway
Public and private utilities and service
Railway
Residence secondary to approved use
Resort
Retail
Rowhouse and townhouse
Semi-detached dwelling
Senior citizen housing
Signs
Single-family dwellings
Surveillance suite
Workshop accessory to an approved use
Use ancillary to an approved use
Similar use to any permitted use

DISCRETIONARY USES

Animal care service, small
Moved-in dwelling
Place of worship or church
Outdoor athletic and recreational facility
Wind Energy Conversion Systems (WECS)

PROHIBITED USES

Shipping containers

2. MINIMUM LOT SIZE

Single-family and semi-detached dwellings – 300 m² (3229 sq. ft.)
Multi-family and rowhouse dwellings – 600 m² (6459 sq. ft.)
All other permitted uses requiring a building – 1000 m² (10764 sq. ft.)

3. MINIMUM BUILDING SETBACKS

Parking structures (below ground) and basements:

Front Yard – 0 m (0 ft.)
Side Yard – 0 m (0 ft.)
Rear Yard – 0 m (0 ft.)

Single-family and semi-detached dwellings:

- Front Yard – 3 m (10 ft.)
- Side Yard – 1.2 m (4 ft.)
- Rear Yard – 6 m (20 ft.)

All other permitted uses:

- Front Yard – 3 m (10 ft.)
- Side Yard – 3 m (10 ft.)
- Rear Yard – 3 m (10 ft.)

Any uses or buildings adjacent to, or near, CPR property:

At the discretion of developer and/or applicant

4. MAXIMUM DENSITY

Buildings containing mixed uses, highrise multi-family, hotel and visitor accommodation:

5.0 Floor Area Ratio (FAR) excluding any parking

Public and private utilities and service:

1.0 Floor Area Ratio (FAR) excluding any parking

5. MAXIMUM BUILDING HEIGHT

- Single-family, semi-detached, and rowhouse dwellings – 12 m (40 ft.)
- Mixed use, buildings – 75 m (246 ft.)
- Public and private utilities and service – 12 m (40 ft.)

6. MAXIMUM LOT COVERAGE

Total of principal buildings and accessory buildings – 60%

7. OFF-STREET PARKING

Below-listed parking requirements are specific to CMUD-1 land use and supersede the minimum parking spaces outlined in Table 1 of Schedule 6, 'Municipality of Crowsnest Pass Land Use Bylaw No. 632-2004'. All other off-street parking requirements and standards apply.

Unless otherwise noted below, permitted uses have 0 (zero) parking requirements:

RESIDENTIAL:

- Single-family and semi-detached residential: 1 parking space per dwelling unit
- Multi-family residential: 1 parking space per dwelling unit

COMMERCIAL:

- Restaurants and drinking: 1 parking space per 25 seats or 1 per 60 m² NFA*
- All other permitted commercial uses: 1 parking space per 100 m² of NFA

VISITOR ACCOMMODATIONS:

Hotel and visitor accommodation: 1 parking space per 3 guest rooms
(As per Municipality of Crowsnest Pass Land Use Bylaw, Schedule 6, Table 1.)

INSTITUTIONAL:

Theatre, place of worship or church: 1 parking space per 15 fixed seats*
All other permitted institutional uses: 1 parking space per 100 m² of NFA

* Required parking need only be provided at peak operating hours. Parking spaces may be shared among different uses which have different operating hours.

Required parking spaces for tour buses and staff need NOT be located on the same lot as the building or use they are serving.

The total number of parking spaces required may be reduced by 35 spaces for each commercial tour bus or shuttle parking space provided. Bus parking spaces need not be located on the same lot as the building they are serving, and may be located elsewhere within the Crowsnest Municipality. Bus parking spaces need not be enclosed, but should be located inconspicuously, and should be screened.

It is intended that all non-residential and non-accommodation uses will be utilized by 80% on-site residents and guests. 80% of the parking spaces normally associated with these uses will therefore be carried by the parking space requirements for dwelling and accommodation uses.

8. AREA STRUCTURE PLAN

This CMUD-1 land use district refers to the area delineated in the Bridgegate Resort Village Area Structure Plan as approved by Crowsnest Municipal Council, September 2005.

COMPREHENSIVE MULTI-USE DEVELOPMENT – CMUD-2

PURPOSE: *To accommodate site-specific subdivision and development, within a designated area of the municipality, of comprehensively preplanned multi-uses which are consistent with an approved Area Structure Plan (ASP) for the same site.*

1. PERMITTED USES

Accessory buildings and uses
Apartment dwelling
Commercial recreation
Fitness centre
Gaming or gambling establishment
Institutional
Kiosk
Liquor store
Lodge
Multi-family dwellings
Office
Parks, playgrounds or recreation area
Personal service
Public and private roadway
Public and private utilities and service
Railway
Residence secondary to approved use
Resort
Retail
Rowhouse and townhouse
Semi-detached dwelling
Senior citizen housing
Signs
Single-family dwellings
Surveillance suite
Workshop accessory to an approved use
Use ancillary to an approved use
Similar use to any permitted use

DISCRETIONARY USES

Animal care service, small
Moved-in dwelling
Place of worship or church
Outdoor athletic and recreational facility
Wind Energy Conversion Systems (WECS)

PROHIBITED USES

Shipping containers

2. MINIMUM LOT SIZE

Single-family and semi-detached dwellings – 300 m² (3229 sq. ft.)
Multi-family and rowhouse dwellings – 600 m² (6459 sq. ft.)
All other permitted uses requiring a building – 1000 m² (10764 sq. ft.)

3. MINIMUM BUILDING SETBACKS

Parking structures (below ground) and basements:

Front Yard – 0 m (0 ft.)
Side Yard – 0 m (0 ft.)
Rear Yard – 0 m (0 ft.)

Single-family and semi-detached dwellings:

- Front Yard – 3 m (10 ft.)
- Side Yard – 1.2 m (4 ft.)
- Rear Yard – 6 m (20 ft.)

All other permitted uses:

- Front Yard – 3 m (10 ft.)
- Side Yard – 3 m (10 ft.)
- Rear Yard – 3 m (10 ft.)

Any uses or buildings adjacent to, or near, CPR property:

At the discretion of developer and/or applicant

4. MAXIMUM DENSITY

Buildings containing mixed uses, highrise multi-family, hotel and visitor accommodation:

5.0 Floor Area Ratio (FAR) excluding any parking

Public and private utilities and service:

1.0 Floor Area Ratio (FAR) excluding any parking

5. MAXIMUM BUILDING HEIGHT

Single-family, semi-detached, and rowhouse dwellings – 12 m (40 ft.)

Mixed use, buildings – 145 m (476 ft.)

Public and private utilities and service – 12 m (40 ft.)

6. MAXIMUM LOT COVERAGE

Total of principal buildings and accessory buildings – 50%

7. OFF-STREET PARKING

Below-listed parking requirements are specific to CMUD-2 land use and supersede the minimum parking spaces outlined in Table 1 of Schedule 6, 'Municipality of Crowsnest Pass Land Use Bylaw No. 632-2004'. All other off-street parking requirements and standards apply.

Unless otherwise noted below, permitted uses have 0 (zero) parking requirements:

RESIDENTIAL:

Single-family and semi-detached residential: 1 parking space per dwelling unit

Multi-family residential: 1 parking space per dwelling unit

COMMERCIAL:

Restaurants and drinking: 1 parking space per 25 seats or 1 per 60 m² NFA*

All other permitted commercial uses: 1 parking space per 100 m² of NFA

VISITOR ACCOMMODATIONS:

Hotel and visitor accommodation: 1 parking space per 3 guest rooms
(As per Municipality of Crowsnest Pass Land Use Bylaw, Schedule 6, Table 1.)

INSTITUTIONAL:

Theatre, place of worship or church: 1 parking space per 15 fixed seats*
All other permitted institutional uses: 1 parking space per 100 m² of NFA

* Required parking need only be provided at peak operating hours. Parking spaces may be shared among different uses which have different operating hours.

Required parking spaces for tour buses and staff need NOT be located on the same lot as the building or use they are serving.

The total number of parking spaces required may be reduced by 35 spaces for each commercial tour bus or shuttle parking space provided. Bus parking spaces need not be located on the same lot as the building they are serving, and may be located elsewhere within the Crowsnest Municipality. Bus parking spaces need not be enclosed, but should be located inconspicuously, and should be screened.

It is intended that all non-residential and non-accommodation uses will be utilized by 80% on-site residents and guests. 80% of the parking spaces normally associated with these uses will therefore be carried by the parking space requirements for dwelling and accommodation uses.

8. AREA STRUCTURE PLAN

This CMUD-2 land use district refers to the area delineated in the Bridgegate Resort Village Area Structure Plan as approved by Crowsnest Municipal Council, September 2005.

COMPREHENSIVE MULTI-USE DEVELOPMENT – CMUD-3

PURPOSE: *To accommodate site-specific subdivision and development, within a designated area of the municipality, of comprehensively preplanned multi-uses which are consistent with an approved Area Structure Plan (ASP) for the same site.*

1. PERMITTED USES

Accessory buildings and uses
Apartment dwelling
Fitness centre
Hotel
Kiosk
Multi-family dwellings [up to 20 m (66 ft.) in height]
Office
Parking facility
Parks, playgrounds or recreation area
Personal service
Public and private roadway
Retail
Rowhouse and townhouse
Semi-detached dwelling
Senior citizen housing
Single-family dwellings
Visitor accommodations [up to 20 m (66 ft.) in height]
Use ancillary to an approved use

DISCRETIONARY USES

Animal care service, small
Garage suite
Multi-family dwellings [over 20 m (66 ft.) in height]
Outdoor athletic and recreational facility
Place of worship or church
Public and private utilities and service
Signs
Similar use to any permitted use
Visitor accommodations [over 20 m (66 ft.) in height]

PROHIBITED USES

Moved-in dwelling
Shipping containers

2. MINIMUM LOT SIZE

Single-family dwellings: 12 m (40 ft.) wide and 350 m² (3767 sq. ft.) in area
Semi-detached dwellings: 6.2 m (20 ft.) wide and 150 m² (1615 sq. ft.) area (per dwelling unit)
Townhouses and rowhouses: 5 m (16 ft.) wide and 120 m² (1292 sq. ft.) area (per dwelling unit)
All other permitted uses requiring a building: 7.6 m (25 ft.) wide and 200 m² (2153 sq. ft.) area
Irregular Lots: Pie-shaped lots, or lots which are otherwise irregularly formed, may be developed provided that the front yard setback meets the minimum width, and provided that the lot area and average dimensions otherwise equal or exceed the above-noted minimums.

3. MINIMUM BUILDING SETBACKS

Parking structures (below grade) and basements:

Front Yard – 0 m (0 ft.)
Side Yard – 0 m (0 ft.)
Rear Yard – 0 m (0 ft.)

Parking structures (above grade) which do not require external maintenance, and which are located to the side or rear of the principal building:

- Front Yard – same as principal building
- Side Yard – 0 m (0 ft.)
- Rear Yard – 0 m (0 ft.)

Residential dwellings:

- Front Yard – 3 m (10 ft.)
- Side Yard – 1.2 m (4 ft.)
- Rear Yard – 7.5 m (25 ft.)

Garage (residential):

- Front Yard – 6.1 m (20 ft.) if front-loaded, 3.0 m if side-loaded
- Side Yard – 0 m (0 ft.) if accessory to principal building
– 0.6 m (2 ft.) if incorporated to principal building
- Rear Yard – 0 m (0 ft.)

All other permitted and discretionary uses:

At the discretion of the Municipal Planning Commission

4. MAXIMUM DENSITY

- Multi-family dwellings – 250 units per hectare (101 UPA)
- Townhouses and rowhouses – 50 units per hectare (20 UPA)

5. MAXIMUM BUILDING HEIGHT

- Single-family, semi-detached, and rowhouse dwellings – 12.9 m (42 ft.)
- Permitted multi-family dwellings, visitor accommodations, and mixed-use buildings – 20 m (66 ft.)
- Discretionary multi-family dwellings, visitor accommodations, and mixed-use buildings – Up to 30 m (98 ft.) at the discretion of the Municipal Planning Commission
- Public and private utilities and service – 6 m (20 ft.)
- Accessory buildings and garages (residential) – 6 m (20 ft.)

6. MAXIMUM LOT COVERAGE

- Total of principal buildings and accessory buildings – 50%

7. OFF-STREET PARKING

- Townhouse and apartment multi-family dwellings – 1 stall per dwelling unit
- All other permitted and discretionary uses – Per Schedule 6, Table 1, Municipality of Crowsnest Pass Land Use Bylaw No. 632-2004

8. AREA STRUCTURE PLAN

- This CMUD-3 land use district refers to the area delineated in the River Run Area Structure Plan as submitted to Crowsnest Municipal Council, January 2007.

9. GARAGE SUITES

- (a) Minimum area of a garage suite is 27.9 m² (300 sq. ft.) with a maximum area of 46.5 m² (500 sq. ft.).
- (b) Garage suites are permitted only on lots with single-family and semi-detached dwelling units.
- (c) A maximum of 25% of the total number of single-family and semi-detached dwelling units may contain garage suites.
- (d) No townhouse will be permitted to contain a garage suite.
- (e) Garage suites are permitted on both laned and laneless lots.
- (f) Garage suites are not permitted to be consecutively located on immediately neighbouring properties. A road or a lane or a suiteless property must separate garage suites.
- (g) Parking calculations for garage suites will be related to the size of the principal building to which the garage suite is accessory:
 - (i) up to 139.4 m² (1500 sq. ft.) – 1 stall for the principal building plus 1 stall for the garage suite;
 - (ii) 139.41 - 232.3 m² (1501 - 2500 sq. ft.) – 2 stalls for the principal building plus 1 stall for the garage suite;
 - (iii) over 232.3 m² (2500 sq. ft.) – 2 stalls for the principal building plus 2 stalls for the garage suite.
- (h) Up to 1 required parking stall for a garage suite may be permitted to be located off site in a designated and reserved surface parking lot.
- (i) Tandem configuration is acceptable for required on-site parking.

Schedule 3

**DEVELOPMENT NOT REQUIRING
A DEVELOPMENT PERMIT**

DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

1. No development permit is required for:
 - (a) any development exempted under either the Municipal Government Act or an exemption regulation ordered by the Lieutenant Governor in Council pursuant to section 618 of the Act;
 - (b) the completion of any construction lawfully commenced on or before the coming into effect of this bylaw or any applicable amendment to it, provided that the construction is completed:
 - (i) in accordance with the terms of any development permit granted in respect of it, and
 - (ii) within 12 months of the coming into effect of this bylaw.

2. No development permit is required for any of the following, except for areas identified within or adjacent to the Wildland Urban Interface, provided all standards of development and other applicable provisions of this bylaw are complied with:
 - (a) any maintenance, improvement or renovation to a building, including interior renovations, that do not include either structural alterations or additions which would change its external appearance;
 - (b) any landscaping or other outdoor improvements including driveways, patios, sidewalks, retaining walls under 0.6 metres (2 ft.) in height and enclosures which do not involve a roof, providing the improvements comply with all other provisions of this bylaw;
 - (c) the installation, maintenance, alteration and/or repair of any public works, service or utility on land which is publicly owned or controlled;
 - (d) a temporary building, the sole purpose of which is incidental to the erection or alteration of a building for which a permit has been issued pursuant to the provincial building code, and further provided the said temporary building is not used or intended to be used as a residence;
 - (e) not more than one garden shed or tool shed which is not more than 9.3 m² (100 sq. ft.) in area, not over 3.0 metres (10 ft.) in height, has no permanent foundations or utility connections and meets all applicable setbacks and other requirements of this bylaw;
 - (f) the construction or maintenance of gates, fences, walls, or other means of enclosure, subject to any limitations in height or other features detailed in Schedule 4 hereof;
 - (g) a temporary sign or notice not exceeding 0.4 m² (4 sq. ft.) in area and relating to:
 - (i) the sale or lease of land or buildings; or
 - (ii) the carrying out of any construction; or
 - (iii) the announcement of any local event of a religious, educational, cultural, political or governmental nature;limited in display to period of completion of the sale, lease, construction or event or to a maximum of 90 days, whichever is less;

- (h) a satellite dish which will not:
 - (i) be installed on a roof, in a front yard, or part of a corner lot sideyard adjoining a street; or
 - (ii) will not exceed the height of the principal building on the site.
 - (i) tourist homes which have obtained a business license to operate within the municipality;
 - (j) any use which requires approval at either a provincial or federal level, including but not limited to commercial wind turbines, sour gas facilities, telecommunications towers, heliports and airports.
3. Any question as to whether a proposed development requires a development permit shall be referred to the Development Officer who may make a decision or may refer the question to the Municipal Planning Commission.
 4. All developments which involve external material alterations (i.e. roofing and/or siding) shall require a development permit.

Schedule 4

STANDARDS OF DEVELOPMENT

STANDARDS OF DEVELOPMENT

1. REDUCED LOT AREA AND DIMENSION

The Municipal Planning Commission may approve a development on a lot which does not conform to the minimum requirements for length, width or area specified in a land use district.

2. STREET CORNER VISIBILITY

(a) On a corner lot nothing shall be erected, placed, planted or allowed to grow in a manner which materially impedes vision between a height of 0.9 metre (3 ft.) and 3.0 metres (10 ft.) above the centre line grades of two intersecting streets within the triangular area shown on Diagrams 1 and 2.

(b) This restriction shall not apply to corner lots in the Retail Commercial (C-1) land use district.

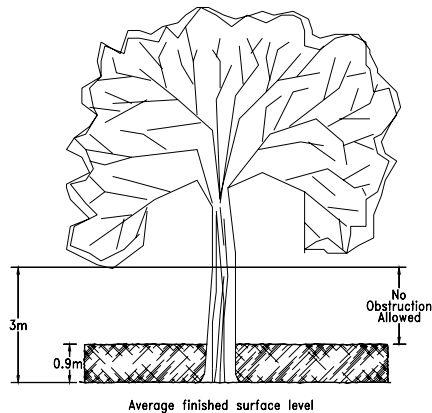


DIAGRAM 1

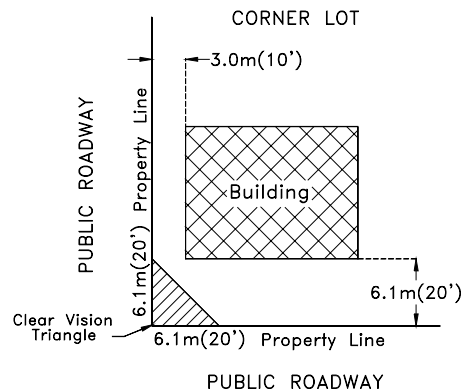


DIAGRAM 2

3. MULTIPLE FRONT YARD PROVISION

On a corner lot the required building setback for the front yard shall apply to only one of the yards adjoining a street; a minimum setback of one-half the required front yard setback shall apply to the second yard adjoining a street (see Diagram 2).

4. RETAINING WALLS AND GRADING

As a condition of approval the Municipal Planning Commission may require:

(a) the construction of a retaining wall wherever, in its opinion, significant differences in grade exist or may be created between the parcel being developed and an adjacent parcel including a road; and/or

- (b) that a retaining wall be designed by a professional engineer; and/or
- (c) that grading or other provisions for control of surface drainage, including the prevention of drainage onto adjacent parcels, be completed to the satisfaction of the Development Officer.

5. STORAGE OF REFUSE AND GARBAGE

The Municipal Planning Commission may require the provision of a suitably-sized enclosure or appropriate screening for the temporary storage of refuse and garbage pending collection or removal.

6. DRIVEWAYS AND STREET ACCESS – URBAN

- (a) No driveways or other vehicular access shall be located less than:
 - (i) 6.1 metres (20 ft.) from the intersection of any two streets,
 - (ii) 3.0 metres (10 ft.) from the entrance to a lane,or such greater distance as may be required by the Municipal Planning Commission.
- (b) the Municipal Planning Commission may require a minimum separation distance between vehicular access points in a non-residential land use district.
- (c) Vehicular access to corner lots shall be limited to the minor street wherever practical.

7. STREET ACCESS – RURAL

- (a) The Municipal Planning Commission may require a minimum separation distance between vehicular access points in a non-residential land use district.
- (b) The location and grade of driveways or other vehicular access to non-residential or country residential parcels shall be to the satisfaction of the Municipal Planning Commission, having regard to sight lines, drainage, compatibility with the construction and maintenance of municipal roads and potential for conflict with nearby lands and emergency vehicle access for fire service vehicles.

8. FENCES

- (a) **Fences, urban residential:** in an urban residential land use district no fence, wall or other enclosure shall extend more than 1.0 metre (3 ft., 3 in.) above grade in any front yard and no more than 1.8 metres (6 ft.) above grade in any rear or side yard.
- (b) **Fences, commercial:** in any commercial land use district no fence, wall or other enclosure shall extend 1.8 metres (6 ft.) above grade in any side or rear yard unless a development permit has been approved by the Municipal Planning Commission.
- (c) **Fences, non-urban and country residential:** in any non-urban or country residential land use district no fence, wall or other enclosure shall extend more than 1.5 metres (5 ft.) above grade in any yard unless a development permit allowing a greater height or different style of construction has been approved by the Municipal Planning Commission.
- (d) **Fences, industrial:** in any industrial land use district no fence, wall or other enclosure shall extend 1.8 metres (6 ft.) above grade in any side, rear or front yard unless a development permit has been approved by the Municipal Planning Commission.

- (e) **Fences, other:** fences in any land use district other than those included under section 6(a), (b) and (c) above, shall not extend more than 1.8 metres (6 ft.) above grade.

9. LANDSCAPING

- (a) The quality of landscaping shall be suited to the land use district involved and be compatible with the landscaping of surrounding properties.
- (b) The front yard of any residential, public or private institutional use shall be landscaped and, in the case of a corner lot, this shall also include the minor street frontage.
- (c) Plants used for landscaping adjacent to structures within the Wildland Urban Interface must be fire resistant (e.g. deciduous shrubs vs. junipers). Landscaping – Reference “FireSmart – Protecting Your Community from Wildfire” (PIP, 1999).

10. OUTDOOR STORAGE AND SCREENING

- (a) In a residential land use district, no outdoor storage, other than garbage enclosures as described in section 5 above, shall be permitted in any front yard, including any unscreened portion of a corner lot side yard adjacent to a street.
- (b) The Municipal Planning Commission may require that any yard area utilized for storage that adjoins one or more lots in a non-industrial land use district shall be effectively screened by a solid fence, vegetation, earth berm or other device to the satisfaction of the Development Officer. This shall apply whether or not there is an intervening public roadway.

11. BUILDING SETBACKS

The Municipal Planning Commission may waive, vary or increase any building setback requirement wherever doing so would:

- (a) either enhance, or avoid conflict with, the appearance of adjacent areas;
- (b) facilitate a potential or proposed boundary adjustment scheme;
- (c) protect structures proposed within or adjacent to the Wildland Urban Interface.

12. EXTERIOR BUILDING FINISHES

In order to ensure that:

- (a) a proposed development is compatible with surrounding or adjacent developments, and
- (b) any accessory building or addition to an existing building is compatible with existing structures on the same lot,
- (c) compliance occurs with respect to the FireSmart Principles,
- (d) roofing materials shall be a minimum Class C ULC rating,

the Municipal Planning Commission may require the use of specific finishing materials and/or colours as a condition of an approval or institute architectural controls for a specific area in the municipality.

13. ACCESSORY BUILDINGS

- (a) A building or structure attached to a principal building by a roof or any other unattached, open or enclosed above-grade structure shall be considered an accessory building.
- (b) The height of an accessory building in a residential land use district shall:
 - (i) not exceed 4.5 metres (15 ft.) on lands of 0.2 hectares (0.5 acres) or less in size,
 - (ii) not exceed 6.7 metres (22 ft.) on lands between 0.2 and 4.0 hectares (0.5 and 10 acres),
 - (iii) be at the discretion of the Municipal Planning Commission on lands of 4.0 hectares (10 acres) or greater in size.
- (c) The height of an accessory building in a non-residential land use district shall be at the discretion of the Municipal Planning Commission.
- (d) No accessory building shall:
 - (i) be located less than 0.9 metres (3 ft.) from a side lot line,
 - (ii) be located less than 1.2 metres (4 ft.), if unattached, from a residential dwelling,
 - (iii) be located less than 0.6 metres (2 ft.) from a rear property line,
 - (iv) cover more than 15% of the lot area in a residential land use district,unless a waiver has been granted by the Municipal Planning Commission or the Subdivision and Development Appeal Board;
- (e) The Municipal Planning Commission may restrict the location of an accessory building wherever, because of its proposed location, it might cause snow drifting onto a public roadway.

14. SATELLITE DISHES AND ANTENNAE

- (a) A satellite dish may be installed on the ground in a side or rear yard without a development permit provided it does not exceed the height of the principal building on the site.
- (b) The Municipal Planning Commission may approve installation of a satellite dish on the roof of a building or in a front yard where there is reasonable evidence that installation in a rear or side yard would not be feasible.

15. AREA STRUCTURE PLANS

To help ensure orderly growth and development, the Municipal Planning Commission may require that an area structure plan be prepared prior to approval or as a condition of approval for a proposed development in any land use district in the municipality.

16. INDUSTRIAL USE STANDARDS

The Municipal Planning Commission may set conditions to improve the compatibility with nearby land uses of any industrial use or development including, but not limited to:

- (a) measures to control noise, smoke, dust, ash, smell, glare, heat and/or industrial waste;
- (b) design, exterior building finish, landscaping, siting, setbacks, paving of parking areas, and other details, as appropriate.

17. DRIVE-IN COMMERCIAL USE STANDARDS

- (a) Every drive-in commercial development, as listed in the C-2 (Drive-in Commercial) land use district, shall:
 - (i) provide at least 10 parking stalls subject to the standards in Schedule 6 hereof;
 - (ii) clearly identify on site plans accompanying the development application the areas proposed for parking and vehicle circulation, including appropriate signs;
 - (iii) by means of a development agreement contract to provide hard surfacing and surface drainage to the satisfaction of the Development Officer, in consultation with appropriate municipal staff;
 - (iv) provide a waiting bay not less than 18.3 metres (60 ft.) in length on the lot for any take-out service window;
 - (v) provide adequate distance separation between all vehicle access points as well as between access points and streets or lanes to the satisfaction of the Municipal Planning Commission;
 - (vi) ensure any vehicular access from Highway 3 is acceptable to Alberta Transportation and Utilities;
 - (vii) screen parking and traffic circulation areas abutting side or rear lot boundaries with a fence, wall or hedge to the satisfaction of the Municipal Planning Commission.
- (b) The Municipal Planning Commission may waive or vary any of these provisions for drive-in commercial development wherever it concludes it is reasonable to do so.

18. EASEMENTS

In no case shall a building be located closer than 3.0 metres (10 ft.) to a registered easement, or such distance as may be required by the Municipal Planning Commission.

19. SIDE YARD PROJECTIONS

Chimney chases or cantilevers on the sides of principal building shall not be closer than 0.9 metres (3 ft.) from the property line.

20. SERVICES, TRANSPORTATION AND UTILITIES

No application to locate or expand a land use shall be approved unless, in the opinion of the Municipal Planning Commission, the proposed use will not have a detrimental effect on any:

- (a) transportation or communication system, including highways, railway or communication facility; or
- (b) regionally significant services or utilities facilities, including irrigation works, pipelines and power transmission lines.

21. RESIDENTIAL DEVELOPMENT ADJACENT TO THE CPR

The letter that appears in Appendix 3 shall be attached to any development approval issued in close proximity to the CPR.

22. LOT SETBACK WAIVERS

The Municipal Planning Commission may waive the front or rear yard setback requirement of a specific land use district to accommodate manufactured or modular homes which, because of their size, may not meet the prescribed setbacks.

Schedule 5

MULTIPLE-FAMILY DWELLING REQUIREMENTS

MULTIPLE-FAMILY DWELLING REQUIREMENTS

1. APPLICATION

This schedule applies to all multiple-family dwellings, including: semi-detached units, duplexes, fourplexes, rowhouses and apartments, whether owner-occupied, rental or condominium.

2. MAXIMUM PERMITTED DENSITY

The maximum permitted density for residential developments other than single-family detached, excluding public roadways, parks and utility parcels, shall be:

Use	Units per hectare	Units per acre
Semi-detached	25	10
Duplex	25	10
Fourplex	30	12
Rowhouse or townhouse	30	12
Apartment or condominium	50	20

3. SEPARATION SPACE AND AMENITY AREAS

As a condition of approval for each multiple-family dwelling development, the Municipal Planning Commission shall establish:

- (a) the minimum distance separating the development from adjacent buildings and activities, and
- (b) the size and number of outdoor amenity areas.

4. DEVELOPMENTS CONTAINING TEN OR MORE DWELLING UNITS

- (a) Whenever 10 or more dwelling units are to be erected on a single lot:
 - (i) all off-street parking shall be paved and surface drainage provided to the satisfaction of the Municipal Planning Commission;
 - (ii) comprehensive landscaping plans showing proposed vegetation, screening, parking and snow storage areas shall be submitted with the development application.
- (b) Wherever 40 or more dwelling units are proposed for a single lot or a single condominium style development, a minimum of 4.6 m² (50 sq. ft.) per unit of shared, communal amenity space shall be provided.
- (c) Amenity space as required above:
 - (i) may be located indoors, outdoors or both;
 - (ii) shall not be located within a minimum front yard setback; and
 - (iii) may be subject to screening, landscaping, fencing or other reasonable conditions at the discretion of the Municipal Planning Commission having regard to compatibility of the proposed development with the surrounding area.

Schedule 6

**OFF-STREET PARKING AND
LOADING AREA REQUIREMENTS**

OFF-STREET PARKING AND LOADING AREA REQUIREMENTS

PARKING AREA REQUIREMENTS

1. Minimum Parking Space Size: – 2.7 metres (9 ft.) wide
– 6.1 metres (20 ft.) long
2. Minimum Loading Space Size: – 3.0 metres (10 ft.) wide
– 9.1 metres (30 ft.) long
– 27.9 m² (300 sq. ft.) area
– 4.3 metres (14 ft.) overhead clearance
3. Off-street parking and loading facilities shall be accessible and shall be:
 - (a) constructed so as to facilitate drainage, snow removal and maintenance;
 - (b) provided with either gravelled or paved all-weather surfaces;
 - (c) designed so as to not interfere with either parking or traffic and pedestrian safety.
4. As a condition of development approval, the Municipal Planning Commission may require that:
 - (a) all or part of a specified parking area be paved;
 - (b) a certain number of parking spaces for the handicapped be provided;
 - (c) a proposed parking area with over four spaces be set back at least 2.4 metres (8 ft.) from a street, lane or property line adjacent to a residential land use district, and be screened appropriately;
 - (d) parking facilities for any use, other than a residential structure with four or fewer dwelling units, shall be laid out and clearly marked in a manner which provides for safe and orderly parking;
 - (e) the dimensions of parking spaces and access lanes shall be comparable to one of the alternatives shown on Diagram 3A or 3B in this schedule.
5. In the case of multiple uses on a site, parking spaces equivalent to the total of the spaces required for each individual use shall be provided.
6. Calculation of parking and loading space resulting in a fractional number shall be rounded to the next highest number.
7. A required parking or loading facility shall be located on the same lot as the development for which it is required unless, in the opinion of the Municipal Planning Commission, it is impractical to provide all of the required facilities on the same lot. In such a situation the Municipal Planning Commission may:

- (a) allow all or some of the required parking spaces on an alternate lot located within 50 metres (164 ft.) of the development, provided a restrictive covenant is registered against the alternate lot concerned; or
 - (b) allow limited sharing of parking spaces between two uses where the *normal* hours of operation will not conflict, e.g. a church and a commercial use;
 - (c) require the payment into a municipal "Off-Street Parking Fund" of money-in-lieu of all or some of the required spaces, based on the amount per space established at \$15.00 per square foot for each square foot of parking space not provided;
 - (d) the amounts to be paid into the municipality's "Off-Street Parking Fund" are based on the estimated costs involved to acquire land and develop parking stalls equivalent in number to those which would be required under Table 1 of this schedule;
 - (e) all funds paid into the municipality's "Off-Street Parking Fund" shall be used for the development of off-street parking facilities in the respective land use districts from which the funds were derived.
8. Unless otherwise specified, the minimum number of off-street spaces designated for specific uses in Table 1 shall be provided for these uses and be applicable in every land use district.

LOADING AREA REQUIREMENTS

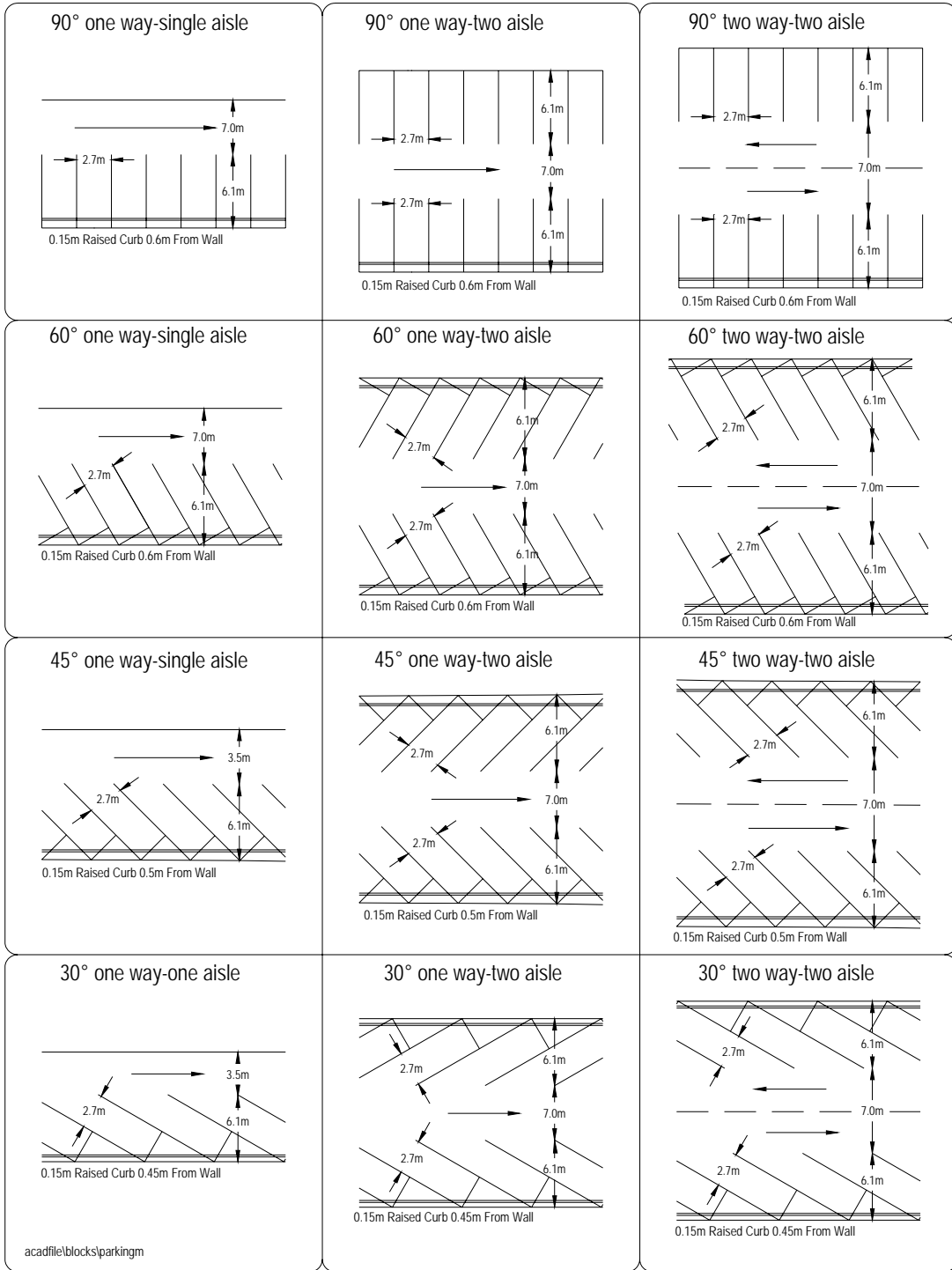
9. (a) A minimum of one off-street loading area per building shall be provided in the C-1 and C-2 land use districts.
- (b) A minimum of two off-street loading areas per building shall be provided in the I-1 and SIP-1 land use districts.
- (c) The Municipal Planning Commission may require the provision of off-street loading areas in other land use districts.
10. The Municipal Planning Commission may:
- (a) require additional loading areas or doors be provided for a specific development or for all developments in specific land use districts;
 - (b) allow a joint loading area for two adjacent developments where this would facilitate more orderly or economical development.
11. One loading area shall be provided for each loading door.
12. Each loading area shall be a minimum of 3.0 metres (10 ft.) in width and 9.1 metres (30 ft.) in length.
13. Each loading area shall provide a loading doorway of adequate size into the building.
14. Each loading area shall be designed so that vehicles using it will not interfere with safe and convenient pedestrian movement, traffic flow or parking.

Table 1
MINIMUM PARKING SPACES

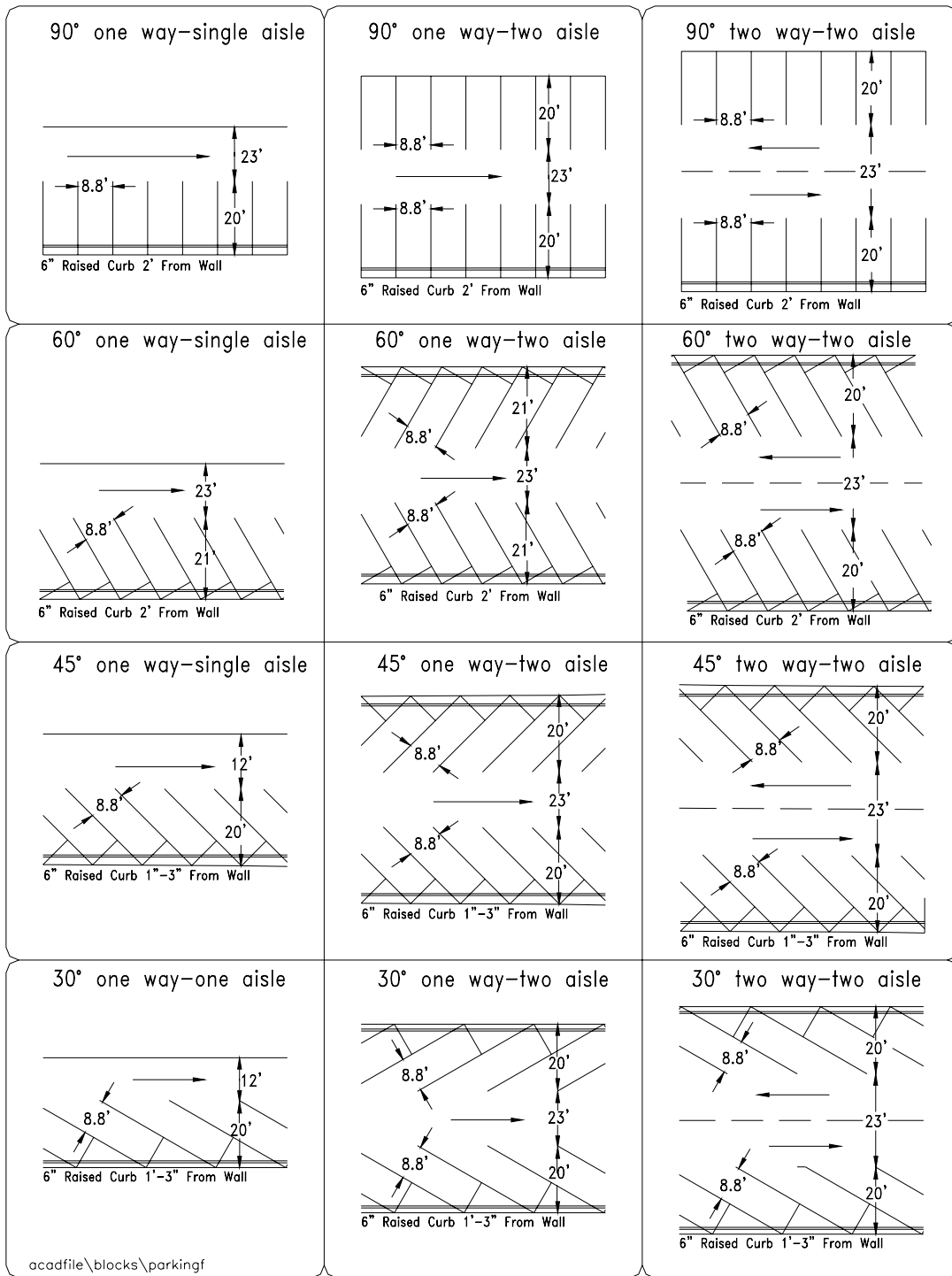
PROPOSED USE	PARKING SPACES REQUIRED
Residential	
Apartments	1.75 per dwelling unit
Senior citizens housing.....	0.5 per accommodation unit
All other.....	2 per dwelling unit
Commercial	
Retail sales	1 per 45.1 m ² (485 sq. ft.) gross floor area (GFA)
Service stations and automobile or equipment repair	1 per 45.1 m ² (485 sq. ft.) GFA; minimum 6 stalls per development
Offices, personal and professional services	1 per 60 m ² (645 sq. ft.) GFA
Shopping centres.....	As required by the MPC
Restaurants, lounges and taverns.....	1 per 5 seats or 1 per 12 m ² (130 sq. ft.) GFA, whichever is greater, plus 1 space per 2 employees
Food take-out service	10 spaces minimum; additional spaces as required by the MPC
Motels	1 per guest room
Hotels.....	1 per 3 guest rooms
Drive-in restaurants	As for restaurants, but with a minimum of 10 spaces per development
Auto dealers.....	1 per 49.7 m ² (535 sq. ft.) of site area
Other uses	As required by the MPC
Industrial and Storage	
Manufacturing or processing	1 per 65 m ² (700 sq. ft.) GFA; minimum of 5 spaces
Light industry, warehousing, storage buildings and yards	1 per 65 m ² (700 sq. ft.) GFA; minimum of 5 spaces
Public Assembly	
Churches	1 per 10 fixed seats
Community halls, lodges and other public assembly	1 per 6 fixed seats OR 1 per 5 m ² (54 sq. ft.) GFA, whichever is greater
Schools, elementary and junior	1.2 per classroom
Schools, high and colleges.....	4 per classroom, or as required by the MPC
All other uses	As required by the MPC

NOTE: GFA refer to gross floor area.

PARKING LAYOUT ALTERNATIVES-METRES



PARKING LAYOUT ALTERNATIVES—FEET



Schedule 7

MOVED-IN BUILDINGS

MOVED-IN BUILDINGS

1. All moved-in buildings shall be considered to be discretionary uses under this bylaw. For the purpose of this schedule, modular and manufactured (mobile) homes are not considered to be moved-in buildings.
2. All buildings proposed to be moved or relocated within or into the Municipality of Crowsnest Pass shall require a development permit and be subject to fees as established by Council.

All applicants for a development permit will be required to submit, with their application, the following additional information (to the information normally required within this bylaw) prior to processing this permit:

 - (a) colour photographs of the building proposed to be moved in, accurately depicting the building and general condition of the building;
 - (b) complete site plan showing how the proposed building would be located on the proposed lot;
 - (c) foundation proposals;
 - (d) floor plans of the building;
 - (e) consent to entry to owner and all successors in title until such time as the building has complied with all the requirements of the development permit;
 - (f) written confirmation from a certified building inspector, at the applicant's cost, that building meets, or can be made to meet, the provincial building code; and
 - (g) any other information that may be deemed necessary by the Development Officer or Municipal Planning Commission.
3. All development permits for moved-in buildings shall be reviewed by the Municipal Planning Commission, based on the following criteria:
 - (a) age of the building to be moved;
 - (b) age of the surrounding buildings;
 - (c) building condition / building materials;
 - (d) the compatibility of the proposed building to the neighbourhood and adjacent properties;
 - (e) the proposed location within the town;
 - (f) aesthetics of the neighbourhood;
 - (g) the compatibility of the proposed building with the future development of the area; and
 - (h) any other planning considerations as determined by the Development Officer or the Municipal Planning Commission.

In the case of a dwelling to be relocated, it shall, in the opinion of the Municipal Planning Commission, be compatible with respect to age and appearance, with the houses in the receiving neighbourhood, prior to the permit being issued.

4. Each individual landowner shall post a performance bond or letter of credit in an amount necessary to bring the proposed building into compliance with the municipality's requirements.
5. No dwelling will be relocated into the Municipality of Crowsnest Pass which is known to be substandard or has known defects which would not have been known defects at the time of construction (such as urea-formaldehyde insulation, sprayed asbestos insulation, etc.)
6. All buildings receiving approval to be relocated shall be brought up to all existing standards, ordinances, rules, regulations and bylaws, including the Alberta Safety Codes Act.
7. All renovations and any conditions imposed by the Municipal Planning Commission to a moved-in building shall be completed within one year of the issuance of the development permit. Non-compliance shall result in the forfeiture of the performance bond or letter of credit.
8. Each completed building and foundation shall be inspected, at the applicant's expense, by a certified building inspector, and/or professional engineer, and/or Canada Mortgage and Housing Corporation Inspector who will provide the Municipality with written certification that all codes, ordinances, bylaws and regulations have been complied with. The performance bond will be released after a professional engineer's and/or Canada Mortgage and Housing Corporation Inspector's certificate has been issued.

Schedule 8

CRITERIA FOR HOME OCCUPATIONS

CRITERIA FOR HOME OCCUPATIONS

For the purpose of this bylaw, the following classes shall be used to distinguish various home occupations:

- Class 1** – Home occupations which involve only the establishment of an in-home office, phone and no more than one commercial vehicle “A” as defined.
- Class 2** – Home occupations which may include one or more of the Class 1 criteria as well as one or more of the following:
 - (a) an exterior identification sign,
 - (b) an in-home retail sales area,
 - (c) one commercial vehicle “B” as defined,
 - (d) an in-home bed and breakfast establishment.
- Class 3** – Home occupations which may include one or more Class 1 or Class 2 criteria as well as any non-residential activities which originate from an attached or unattached accessory building which include the manufacturing, processing, assembly, packaging, storage, warehousing, shipping, wholesale distribution and/or retail sales of goods or services which provided from the residential property.

Where any doubt arises in determining the home occupation classification, the matter may be referred to the Municipal Planning Commission for clarification and whose decision shall prevail.

Home occupations, as defined, may be approved subject to the following conditions:

1. No person other than the occupant’s immediate family and one paid assistant (approved in principle by the Municipal Planning Commission) shall be engaged in such occupations on the premises.
2. The use shall not involve the display or storage of goods or equipment upon or inside the premises such that these items are exposed to public view from the exterior.
3. No variation in the residential character and appearance of the dwelling, ancillary residential building, or land shall be permitted.
4. A commercial vehicle “A”, as defined, associated with the approved use may be parked either on the premises or an adjoining street.
5. A commercial vehicle “B”, as defined, associated with an approved use may only be parked either on the premises or an adjoining street if it has been approved by the Development Officer or the Municipal Planning Commission.

6. One identification sign may be attached to the building but shall not exceed 0.4 m² (4 sq. ft.) in area unless authorized by the Municipal Planning Commission.
7. The use shall not generate more vehicular or pedestrian traffic and vehicular parking than normal within the district.
8. No offensive noise, vibration, electrical interference, smoke, dust, odours, heat or glare shall be produced by the use.
9. No use shall cause an increase in the demand placed on any one or more utilities (water, sewer, garbage, etc.) such that the combined total consumption for a dwelling and its home occupation exceeds the average for residences in the area.
10. No use requiring electrical or mechanical equipment shall cause a substantial fire rating change in the structure or the district in which the home occupation is located.
11. The approved use shall be valid only for the period of time the property is occupied by the applicant for such approved use.
12. Permits issued for home occupations may be subject to the conditions that the permit is renewed annually and may be revoked at any time if, in the opinion of the Municipal Planning Commission, the use is, or has become detrimental to the residential character and amenities of the neighbourhood.
13. Home occupations shall not include any use declared by resolution of Council to be undesirable as a home occupation.
14. Only one license shall be issued per dwelling.
15. A new development application must be submitted for consideration by the Municipal Planning Commission in order to:
 - (a) reinstate a permit that has been revoked, or
 - (b) make any substantial changes or additions to an approved use.
16. An application for a home occupation which involves an office in the home and telephone only, may be approved by the Development Officer.

Schedule 9

MOBILE HOME DEVELOPMENT STANDARDS

MOBILE HOME DEVELOPMENT STANDARDS

PROVISIONS APPLICABLE TO MOBILE HOMES NOT SITED IN A MOBILE HOME PARK

1. ELIGIBLE MOBILE HOMES

- (a) New mobile home units that have Canadian Standards Association (CSA) approval.
- (b) Used mobile home units are subject to Municipal Planning Commission approval and:
 - (i) must be manufactured units of 55.7 m² (600 sq. ft.) or more, constructed after 1972,
 - (ii) applicant may be required to provide CSA approval for year constructed,
 - (iii) must be in a good state of repair,
 - (iv) the development application must be accompanied by recent colour photographs of all elevations (i.e. front, side and rear views), including additions.

2. FOUNDATIONS, SKIRTING AND ANCHORING

- (a) All mobile homes shall be placed on permanent concrete foundations consisting of:
 - (i) concrete piers set below frost level; or
 - (ii) a concrete slab at least 10 centimetres (4 in.) thick, set on at least 15 centimetres (6 in.) of crushed, compacted gravel.
- (b) A mobile home not bolted to a concrete foundation, shall be anchored to the ground by not less than 6 cables, including one cable at each corner of the unit. Each cable, its attachment and anchor, shall have a rated breaking strain of not less than 1,814 kilograms (4000 lbs.).
- (c) All mobile homes shall be skirted to the satisfaction of the Municipal Planning Commission, unless the underside of the unit is concealed by the foundation, and the skirting shall have a fire resistance at least equal to that of the unit's exterior cladding.
- (d) Where a basement is provided for a mobile home, access shall be housed within an enclosure of a design and finish which, in the opinion of the Municipal Planning Commission, complements the unit.
- (e) Mobile homes, with or without a basement, shall be not less than 0.3 metre (1 ft.) and not more than 0.9 metre (3 ft.) above the average grade of the surrounding ground.

3. ADDITIONS TO MOBILE HOMES

- (a) Any proposed addition to a mobile home will be considered part of the unit and shall require a development permit.
- (b) The colour and finish of any addition shall be of a quality, style and design which, in the opinion of the Development Officer, match or complement the unit. The materials used shall be limited to those normally used for the exteriors of residences. The use of non-combustible exterior materials for additions to mobile homes is required.

4. UTILITIES

- (a) Utility connections shall be installed by qualified tradesmen only, at the expense of the mobile home owner. Electrical and natural gas hook-ups must be done by licensed journeymen.
- (b) The Municipal Planning Commission may require that fencing, vegetation or other suitable screening be provided for fuel storage tanks wherever such an installation is highly visible from nearby properties.

Schedule 10

MOBILE HOME PARK REGULATIONS

MOBILE HOME PARK REGULATIONS

No parcel of land within the Municipality of Crowsnest Pass shall be developed for use as a mobile home park unless the following regulations with regard thereto can be and are fulfilled, namely:

1. The parcel of land is situated within a land use district wherein such use is permitted and is at least 2.0 hectares (5 acres) in area.
2. The average area of all mobile home sites within a mobile home park development shall not be less than 464.5 m² (5,000 sq. ft.).
3. Not less than 10 percent of the gross acreage of a mobile home park shall be allocated to communal open space for the recreational use and enjoyment of its inhabitants, and shall be provided in a location or locations satisfactory to the Municipal Planning Commission.
4. All internal roads, streets or driveways used by vehicles must be paved to standards specified by the Municipal Planning Commission.
5. A footpath system, which may or may not be adjoined to an internal road system, must be provided within a mobile home park to provide convenient pedestrian access from the mobile home lots to the park's communal services and facilities. All footpaths must be a minimum of 0.9 metre (3 ft.) in width and surfaced to the satisfaction of the Municipal Planning Commission.
6. A gravel pad connected by a driveway to the adjoining internal road system must be provided on each mobile home site for the purpose of situating a mobile home thereon. The size of the pad must be sufficient to accommodate any mobile home to be placed within the boundaries of the site without encroachment onto other lands, provided its location ensures the mobile home cannot be closer than 4.6 metres (15 ft.) from another mobile home. The materials and construction of the pad and driveway shall be specified by the Municipal Planning Commission.
7. A paved or concrete patio of not less than 9.3 metres (100 sq. ft.) in area shall be provided on each mobile home lot in a location adjoining or near to the gravel pad.
8. Those areas of a mobile home site not developed with a patio, apron, driveway or footpath shall be developed or landscaped to an extent acceptable to the Municipal Planning Commission.
9. All areas of a mobile home park shall be maintained to the satisfaction of the Municipal Planning Commission.
10. All service and utility wires shall be installed underground and in compliance with provincial regulations.

11. One freestanding, identification sign may be erected at the entrance to the mobile home park. The Municipal Planning Commission may allow a second sign under exceptional circumstances. The sign or signs shall be of a size, type and construction acceptable to the Municipal Planning Commission and in compliance with the sign standards in Schedule 11 of this bylaw.
12. Directional signs within the mobile home park must be integrated in design and appearance, in scale with the immediate surroundings, and constructed of durable material.
13. Two parking spaces shall be provided for each mobile home site. These spaces may be located on site or in a communal parking area which does not encroach into any adjacent internal road or driveway. All parking spaces shall be paved to the satisfaction of the Municipal Planning Commission.
14. The design, appearance, general location and exterior finishing materials of the permanent buildings or structures within a mobile home park must be acceptable to the Municipal Planning Commission.
15. The outdoor lighting system within a mobile home park must be integrated in design and appearance. The type of lighting must conform to town requirements and specifications.
16. Each mobile home site shall be physically defined at its corners or along its boundaries by means of a fence to the satisfaction of the Municipal Planning Commission.
17. The boundaries of a mobile home park shall be suitably and adequately screened, and the site shall be landscaped to the satisfaction of the Municipal Planning Commission.
18. Except with the approval of the Municipal Planning Commission, not more than one motor vehicle entrance and one motor vehicle exit to a highway, each of minimum width of 7.6 metres (25 ft.) measured to the curb cuts, shall be permitted.
19. The management of a mobile home park shall at all times conform to local bylaws relating to sanitation and to garbage and refuse collection.
20. One garbage container on a permanent foundation shall be provided for each mobile home site.

Schedule 11

SIGN STANDARDS

SIGN STANDARDS

DEFINITIONS

1. In addition to the definitions in section 1 of this bylaw, the following definitions apply to this schedule:

A-Board sign means a self-supporting A-shaped sign or sandwich board which is set upon the ground and has no external supporting structure.

A-Board off-premises directional sign means a self-supporting A-shaped sign or sandwich board which is set upon the ground and has no external supporting structure at a location other than the premises on which the business is located.

Abandoned sign means a sign which no longer advertises or identifies an existing activity, business, owner, product, lessee or service, or a sign for which no legal owner can be found.

Animated sign means a sign which uses movement or change of lighting to depict action or to create a special effect or scene, but does not include a changeable copy sign.

Awning means an adjustable or temporary roof-like covering fitted over windows and doors and used for either shelter, advertising or decoration.

Balloon sign means any inflatable device, used or employed as a sign, that is anchored to the ground or to a building.

Banner sign means a sign made of fabric or other non-rigid material with no enclosing framework.

Billboard means a sign structure designed and intended to provide a leasable advertising copy area of not less than 8.5 m² (91.5 sq. ft.), usually where the copy can be periodically replaced and not necessarily related to an adjacent use.

Boulevard means that portion of a public roadway that lies between a curb and the boundary of a lot or parcel.

Canopy means a permanent fixture fitted over windows and doors and used for either shelter advertising or decoration.

Canopy sign means a sign that is mounted, painted or otherwise attached to an awning, canopy or marquee.

Changeable copy sign means a sign on which the copy changes automatically through electronic or mechanical means.

Construction sign means a temporary sign erected on a site where construction is taking place to identify the construction project and those parties having a role or interest in the construction.

Copy means the message on a sign in either permanent or removable form.

Copy area means the entire area within a single straight line geometric figure or a combination of squares or rectangles that will enclose the extreme limits of the advertising message or announcement including decorations related to the specific nature of the advertising message or announcement.

Community signs means any sign advertising a local community organization.

Council means the Council of the Municipality of Crowsnest Pass.

Development permit means a document authorizing a development issued pursuant to the land use bylaw of the Municipality of Crowsnest Pass.

Directional off-premises sign means any sign which advertises, directs or otherwise identifies a service, facility, product or activity to be found at a location other than the premises on which the sign is located.

Facade means the entire front of a building including the parapet.

Fascia sign means a sign attached across the face of a building, located approximately parallel thereto, in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign, which does not project more than 0.3 metres (12 in.) from the building or structure supporting said sign.

Free-standing sign means any sign or display supported by a free-standing column or structure.

Frontage means the front lot line or that side of a lot abutting a public roadway, but does not include any side abutting a lane, unless said lane is the only means of physical access to a lot.

Home occupation means a home occupation as it is defined in the Municipality of Crowsnest Pass Land Use Bylaw.

Home occupation sign means a sign advertising a home occupation approved under the provisions of the Municipality of Crowsnest Pass Land Use Bylaw.

Incidental sign means a small sign, decal or emblem advertising goods, facilities, business hours or services available on the premises.

Informational sign means a sign the message of which is limited to providing directions and information necessary or convenient for persons coming onto the property, including signs marking entrances, exits, parking areas, circulation direction, rest rooms, and pick-up and delivery areas.

Illuminated sign means a sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed towards the sign.

Land use bylaw means the Municipality of Crowsnest Pass Land Use Bylaw.

Marquee means a permanent structure that projects over a public place, usually an entrance, and is permanently attached to and supported by a building.

May means that an action is discretionary.

Memorial sign means a tablet or plaque memorializing a person, event, structure or site, provided said sign is not located in conjunction with any commercial or industrial use.

Merchandising aid means a device, such as statues, inflatables, and tethered balloons intended to call attention to a business and which may contain a name, logo, advertising message or announcement.

Multiple listing or multi-tenant sign means a sign that contains within one structural frame two or more smaller signs, each of which identifies or advertises a different business, organization or facility.

Municipal Government Act means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

Municipal Planning Commission (MPC) means the Municipality of Crowsnest Pass Municipal Planning Commission as established by bylaw to act as the Development Authority.

Mural means a painting or other decorative work applied to and made integral with an exterior wall surface of a building.

Parapet means the extension of a false front wall above a roof line.

Political poster means a temporary sign announcing or supporting candidates or issues in any election or plebiscite.

Portable sign means a sign that is not permanently affixed to a building, structure or the ground and is supported on a structure allowing it to be readily moved from one location to another.

Projecting sign means a sign that is wholly or partly dependent upon a building for support and which projects more than 0.3 metres (1 ft.) from such building.

Primary sign means a sign advertising the primary use of the premises.

Public place means any location in the Municipality of Crowsnest Pass that is for public use and includes streets, lanes, avenues, boulevards, sidewalks, parks, campgrounds, squares or rights-of-way and the space above the same.

Real estate sign means a sign pertaining to the sale or lease of the premises or a portion of the premises on which the sign is located.

Resident identification sign means a sign located on the premises, limited to providing the address and/or name of the owner or occupant of a building or premises.

Roofline means the top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys, or minor similar projections.

Roof sign means any sign which is entirely upon and above the roofline or parapet of a building.

Secondary sign means any sign advertising or otherwise related to an occupation or use that is not the primary use of the premises.

Shall means that the action is mandatory.

Should means that the action is recommended.

Sign means any development:

- (a) constructed and permanently affixed directly or indirectly to any building, structure, window or a parcel of land; and
- (b) which is used to advertise, identify or display a commercial or non-commercial activity, product, place, organization, institution, person, service, event or location, by any means, including words, letters, figures, design, symbols, fixtures, colours, illumination or projected images and in such a manner as to be visible from any public place, but does not include any real estate sign, window display, political poster, flags, graffiti, athletic scoreboards or any traffic or directional and informational sign erected by the Municipality of Crowsnest Pass, the Alberta or federal governments and their agencies.

Sign area means the entire face of a sign including the advertising surface and any framing, trim or moulding, but not including the supporting structure, with the sign area of individual letter signs being the sum total of the area of the smallest straight line geometric figure that encloses the individual letters or figures of the sign.

Sign band means a prominent exterior display surface located horizontally between storefront windows and the cornice or roofline.

Sign clutter area means any area of the Municipality of Crowsnest Pass that Council has declared by resolution to appear cluttered by an excessive amount of signs, and therefore warranting special restrictions in order to limit the sign clutter.

Temporary sign means any sign permitted, designed or intended to be displayed for a short period of time.

Theme sign means any sign that is part of a series or group of signs incorporating a distinctive theme, design or logo.

Third party sign means any permanent off-premises sign advertising a commercial activity not located on the same lot or parcel of land as the sign.

Waiver means a whole or partial exemption from compliance with a particular standard or requirement of this bylaw which has been allowed by a municipal authority authorized to grant it pursuant to this bylaw.

Wall sign means a sign fastened to or painted on the wall of a building.

Window sign means a sign permanently applied directly to the inside surface of a window and intended to be viewed from the outside.

ADMINISTRATION

2. Unless specifically exempted under Schedule 3 hereof, no one shall erect, place, alter or commence any sign without having first obtained a development permit.
3. In addition to information submitted with any development permit application, the Development Officer or the Municipal Planning Commission may require additional details including:
 - (a) the location of all existing and proposed signs on the lot or premises;
 - (b) all size, height, and other dimensions of the proposed signs and any supporting structures, including mounting details if it is proposed to mount the signs on a building;
 - (c) the finish proposed for the signs and the type of illumination or animation, if any;
 - (d) photos and/or drawings at a suitable scale.

GENERAL REGULATIONS

4. With the exception of approved off-premises signs, the message on a sign shall relate to the use of the lot or building on which the sign is located (also see Portable Signs).
5. All signs shall:
 - (a) be maintained in a safe and tidy manner to the satisfaction of the Development Officer or the Municipal Planning Commission;
 - (b) be placed so as not to obstruct the vision of vehicular traffic or interfere with or cause confusion with any information sign, traffic, sign, signal light or other device;
 - (c) not be relocated or substantially repaired unless authorized by a development permit except for cleaning, repainting or other routine maintenance.
6. The source of lighting for any illuminated signs shall be fixed, non-flashing, non-revolving and shielded to the satisfaction of the Development Officer or the Municipal Planning Commission.
7. Unless otherwise specified, not more than three primary signs shall be permitted on a lot with a single frontage and not more than four signs on a lot with two or more frontages.
8. Unless otherwise specified, the maximum area of a primary sign located on a lot with a single frontage is 12 m² (130 sq. ft.).
9. As a condition of approval, the Municipal Planning Commission may require that a sign's design and/or the materials comprising it be of acceptable quality having regard to its size, purpose and location.

FREESTANDING SIGNS

10. A freestanding sign shall:
 - (a) only be permitted on the site of a non-residential land use or an approved home occupation;
 - (b) be limited to one sign per frontage and a total of not more than two signs on a single lot or premises with more than one frontage;

- (c) be limited to 7.6 metres (25 ft.) in overall height, including any supporting structure;
- (d) be limited to 6.5 m² (70 sq. ft.) of sign area per sign face;
- (e) have no part of the sign area less than 2.7 metres (9 ft.) above grade if located within a required front yard setback;
- (f) be of a design and construction acceptable to the Development Officer or the Municipal Planning Commission.

PROJECTING AND CANOPY SIGNS

11. Every projecting or canopy sign shall:
- (a) be limited to one sign per individual lot or premises;
 - (b) be at least 2.7 metres (9 ft.) above grade if it projects over public property;
 - (c) not exceed 0.9 metres (10 sq. ft.) of copy area in the case of a projecting sign, or 9.3 m² (100 sq. ft.) in the case of a canopy sign;
 - (d) be securely fastened to the building to the satisfaction of the Development Officer or the Municipal Planning Commission;
 - (e) not project more than 1.5 metres (5 ft.) horizontally over any public place or within 1.5 metres (5 ft.) of a curb or developed street;
 - (f) not be mounted or extend within 0.5 metres (1.6 ft.) of a roofline or the top of a parapet;
 - (g) only be considered for approval if the owners of the premises upon which it is located provide, to the satisfaction of the municipality, a written waiver of liability or an indemnification agreement for any injury or damage resulting from the presence of the said sign.

FASCIA SIGNS

12. A fascia sign shall only be permitted either in a non-residential land use district or in conjunction with an approved home occupation.
13. In a residential land use district, fascia signs shall be limited to one per frontage or, where there are two or more frontages, a total of two such signs may be located on a single lot provided they are located on the same site as the use being advertised.
14. In a non-residential land use district, the total area of the one or more fascia signs on an exterior wall shall not exceed the lesser of 6.5 m² (70 sq. ft.) or 15 percent of the area of the exterior wall on which the sign or signs are located.
15. On a building which is divided into units, one or more of which have individual frontages, the area of the one or more fascia signs on an individual unit shall be limited to the equivalent of 15 percent of the area of the exterior frontage wall of the unit.
16. A fascia sign shall be located at or reasonably near the level of any other fascia or projecting signs on the same premises and/or adjacent buildings.
17. Wherever there is an identifiable sign band, a fascia sign shall be located within the sign band.

18. No fascia sign shall be located within 0.5 metres (1.6 ft.) of a roofline or the top of a parapet.

ROOF SIGNS

19. A roof sign:

- (a) shall be limited to one sign in conjunction with any one conforming non-residential development or use;
- (b) shall not exceed 8.4 m² (90 sq. ft.) of sign area;
- (c) shall not be placed on the sloped portion of a roof;
- (d) shall not project horizontally beyond an exterior wall, parapet or roofline;
- (e) shall extend no more than 4.6 metres (15 ft.) above the portion of the roof to which the sign is attached;
- (f) be securely fastened to the building to the satisfaction of the Development Officer or the Municipal Planning Commission.

20. At the discretion of the Municipal Planning Commission, a separation of up to 91.4 metres (300 ft.), measured horizontally, from any other roof sign may be made a condition of development approval for a roof sign.

BALLOON SIGNS

21. A balloon sign:

- (a) shall not be permitted in a residential land use district;
- (b) may be permitted in any other land use district at the discretion of the Municipal Planning Commission.

PORTABLE OR SIDEWALK SIGNS

22. A portable sign:

- (a) shall not be permitted in a residential land use district;
- (b) placed on private land shall not exceed 3.7 m² (40 sq. ft.) in sign area;
- (c) shall only be placed adjacent to or upon the parcel or premises to which it applies;
- (d) shall not remain on a particular site for more than a total of 120 days in any calendar year.

23. Not more than one portable sign on a lot with a single frontage or a total of two signs on a lot with two or more frontages shall be permitted.

24. At the discretion of the Municipal Planning Commission, a portable sign not exceeding 0.7 m² (7.5 sq. ft.) may be permitted on a public sidewalk or boulevard strip for a limited period of time.

25. No portable sign shall occupy more than 30 percent of the width of any public sidewalk.

26. Unless approved by the Municipal Planning Commission, no portable sign shall be placed on, or project into, any public place.

HOME OCCUPATION SIGNS

27. A sign associated with a home occupation shall:

- (a) be limited to one fascia sign, wall sign or freestanding sign on the premises of an approved ancillary non-residential use;
- (b) not extend more than 1.5 metres (5 ft.) above grade;
- (c) not be greater than 0.4 m² (4 sq. ft.) in area.

THEME SIGNS

28. At the discretion of the Municipal Planning Commission, a theme sign displaying a logo or design approved by Council:

- (a) may be used for information or promotional purposes;
- (b) may be used for commercial or other purposes only;
- (c) may be exempted from any provisions of this schedule if it is to be used to promote a theme or attraction in the municipality;
- (d) shall not be attached to any light standard, traffic control sign, signal, light or similar device;
- (e) shall not be more than 0.4 m² (4 sq. ft.) in area.

TOURISM SIGN AREAS

29. The following signs may be located in a tourism sign area designated as such by Council:

- (a) specific attraction signs and theme signs, provided the theme, design, colour and type is consistent with sign advertising the same specific attraction;
- (b) directional or informational signs required by Alberta Transportation or the municipality;
- (c) special event signs approved by the Development Officer or the Municipal Planning Commission for no longer than a total accumulation of 30 days per calendar year;
- (d) community signs, third party signs, off-premises signs or billboards approved by the Development Officer or the Municipal Planning Commission;
- (e) portable and temporary signs approved as special event signs.

TEMPORARY SIGNS

30. A single temporary sign may be permitted on a single lot or premises provided that:

- (a) it is to remain on the premises a total of no more than 60 days, cumulatively, in any one calendar year; and
- (b) the Development Officer is satisfied that it will not create a traffic hazard or obstruct other signs.

WINDOW SIGNS

31. A window sign shall only be permitted in conjunction with a conforming non-residential use or an ancillary residential land use.
32. An illuminated window sign may be approved at the discretion of the Municipal Planning Commission.

SIGN CLUTTER

33. The Municipal Planning Commission may recommend that Council designate a building, a site or a specific area as a sign clutter area.
34. No new signs shall be permitted in a designated sign clutter area until the amount of existing signs has been reduced to the satisfaction of the Municipal Planning Commission.

HIGHWAY SIGNS

35. All signs adjacent to Highway No. 3 shall be placed only on the appropriate Community Business Sign structures as per the policies outlined in Appendix 2.

RESIDENCE IDENTIFICATION SIGNS

36. All residence identification signs shall be:
 - (a) visible from the main road,
 - (b) reflective in appearance and finish,
 - (c) made of non-combustible materials.

THIRD PARTY SIGNS

37. Third Party Sign Bylaw No. 698, 2006:

1. **Definitions**

COMMUNITY ENTRANCE SIGN means a freestanding (ground) sign located along one of the primary highway entrances to the Municipality of Crowsnest Pass and used for business promotion purposes.

2. **Site Provisions**

- (a) Maximum Size – 18.58 m² (200 sq. ft.)
- (b) Maximum Height – 6.1 m (20 ft.)
- (c) Spacing Between Signs – 300 m (984.25 ft.)
- (d) Setback – 9.14 m (30 ft.) from travelling surface or greater when, in the opinion of the Development Officer, it may cause traffic movement problems
- (e) Special Provisions – when considering an application for a development permit for a third party sign the Development Officer shall take the following factors into consideration:
 - (i) the design, appearance, construction and finish of the third party sign, and
 - (ii) the proposed location of the third party sign in relation to the site's topography, adjacent land uses and aesthetics of the area.

3. **Illumination**

Signs shall be illuminated in a manner that is conducive to the safe operation of the highway and no sign shall be illuminated unless the source of light is suitably shielded to:

- (a) not adversely affect the neighbouring properties;
- (b) not cause confusion with the operation of traffic signs;
- (c) not endanger the progress of traffic.

4. Signs shall be of high quality appearance, construction and finish. The structure upon which the sign will be mounted will be designed so as to add to the overall appearance of the sign.

5. The area around the base of a sign shall be finished to the satisfaction of the Development Officer (i.e. railway ties and red shale stoned) and shall be kept neat and clean to the satisfaction of the Development Officer.

6. Owners of signs are responsible for their maintenance, appearance, construction and correcting any damage as a result of vandalism.

No private sign shall project over public property without approval from Council or across titles boundaries without written permission from the landowner in question.

No person shall erect a sign on public property without prior approval from Council, subject to the issuance of a development permit.

No development permit for a sign on public property or projecting over public property will be issued until a certificate of insurance, co-insuring the Municipality of Crowsnest Pass to amounts satisfactory to Council, has been filed with the Municipality of Crowsnest Pass Chief Administrative Officer or his designate.

7. Third Party Signs are allowed in all land use zones as a discretionary use. Third party signs will not be allowed more than 1.5 kilometres from the boundary of an existing or proposed urban area in the Crowsnest Pass. The boundary will be defined by the last residential or commercial building along the proposed route the sign will be located.

8. Businesses or enterprises desiring to apply for a Third Party Sign must possess a business license issued by the Municipality of Crowsnest Pass and be located and operational within the boundaries of the Municipality of Crowsnest Pass.

9. All applications must be accompanied by a copy of the title for the property on which the Third Party Sign is to be located accompanied by a document in a form satisfactory to the Development Officer, that the owner of the property on which the Third Party Sign is to be located has authorized its placement.

10. Third Party Signs are renewable annually on the anniversary date as per the Schedule of Fees.

All Third Party Signs shall meet the approved design standards in the schedule of Sign Standards.

All Third Party Signage adjacent to Highway Number 3 shall be constructed of a border and appropriate landscaping as identified in Appendix A.

BYLAW NO. 698, 2006 – SCHEDULE “A”



Schedule 12

WIND ENERGY CONVERSION SYSTEMS

WIND ENERGY CONVERSION SYSTEMS (WECS)

1. DEFINITIONS

The following definitions apply to this schedule:

Blade

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

Blade Clearance

In reference to a horizontal axis rotor, the distance from grade to the bottom of the rotor's arc.

Horizontal Axis Rotor

A wind energy conversion system, typical of conventional or traditional windmills, where the rotor is mounted on a downward 5 percent angle to the earth's surface.

Over Speed Control

A device, which prevents excessive rotor speed.

Rotor's Arc

The largest circumferential path travelled by a WECS' blade.

Total Height

The height from grade to the highest vertical extension of a WECS. In the case of a WECS with a horizontal axis rotor, total height includes the distance from grade to the top of the tower, plus the distance from the top of the tower to the highest point of the rotor's arc.

Towers

The structure, which supports the rotor above grade.

Vertical Axis Rotor

A wind energy conversion system where the rotor is mounted on an axis perpendicular to the earth's surface.

2. INFORMATION REQUIREMENTS

- (a) Unless otherwise required by the Municipal Planning Commission, all development applications for a WECS shall be accompanied:
 - (i) by an accurate site plan showing and labelling the information outlined in this Schedule, and the location of overhead utilities on or abutting the subject lot or parcel;
 - (ii) scale elevations or photographs of the proposed WECS showing total height, tower height, rotor diameter, and colour;

- (iii) the manufacturer's specifications indicating:
 - (1) the WECS rated output in kilowatts;
 - (2) safety features and sound characteristics;
 - (3) type of material used in tower, blade, and/or rotor construction;
- (iv) potential for electromagnetic interference;
- (v) nature and function of over speed controls which are provided;
- (vi) specifications on the foundations and/or anchor design, including location and anchoring of any guy wires;
- (vii) provisions for grounding and lightning protection;
- (viii) whether or not the applicant intends to interconnect the WECS with an existing electrical distribution or transmission system;
- (ix) location of existing buildings or improvements.

3. REFERRALS

- (a) Prior to making a decision on a development application for a WECS, the Municipal Planning Commission may refer and consider the input of the following agencies and departments:
 - (i) Alberta Energy and Utilities Board,
 - (ii) Transport Canada,
 - (iii) Navigation Canada.

4. SETBACKS

4.1 General Setbacks

- (a) A WECS shall comply with all the setbacks that govern the principal use in the district in which it is located.
- (b) A WECS shall be located not less than 1.5 times the height of the WECS, as measured from the ground to the highest point of rotor's arc, from a dwelling unit, accessory building or public roadway.

4.2 Special Setbacks

- (a) Where, in the opinion of the Municipal Planning Commission, the setbacks referred to in 4.1 above are not sufficient to reduce the impact of a WECS from a public roadway or a primary highway, the Municipal Planning Commission may increase the required setback.
- (b) A WECS shall be located so that the horizontal distance measured at grade from the tower to any property boundary is at least the total height of the WECS.
- (c) In the case of multiple WECS, setbacks can be increased from the minimum setback requirements in the district depending upon the number of WECS in a group and the prominence of the location.

5. MINIMUM BLADE CLEARANCE

- (a) The minimum vertical blade clearance from grade shall be 3.0 m (12 ft.) for a WECS employing a horizontal axis rotor unless otherwise required by the Municipal Planning Commission.

6. TOWER ACCESS AND SAFETY

- (a) To ensure public safety, the Municipal Planning Commission may require that:
 - (i) a security fence with a lockable gate shall surround a WECS tower not less than 1.8 m (5.9 ft.) in height if the tower is climbable or subject to vandalism that could threaten tower integrity;
 - (ii) no ladder or permanent tower access device shall be located less than 3.7 m (12 ft.) from grade;
 - (iii) a locked device shall be installed on the tower to preclude access to the top of the tower;
 - (iv) all of the above be provided or such additional safety mechanisms or procedures be provided as the Municipal Planning Commission considers reasonable and appropriate;
 - (v) the use of tubular towers, with locked door access, will preclude the above requirements.

7. COLOUR AND FINISH

- (a) Unless otherwise required by the Municipal Planning Commission, subject to (b) below, a WECS shall be finished in a non-reflective matte and in a colour which minimizes the obtrusive impact of a WECS to the satisfaction of the Municipal Planning Commission.
- (b) A WECS may be required to be marked as an aircraft obstruction in accordance with Transport Canada's regulations.

8. MULTIPLE WECS

- (a) Two or more wind energy conversion systems on a parcel or lot will be considered a multiple WECS for the purposes of this bylaw.
- (b) The Municipal Planning Commission may approve multiple WECS on a case-by-case basis having regard for:
 - (i) proximity to other immediate land uses,
 - (ii) density of WECS,
 - (iii) underlying land uses.
- (c) The Municipal Planning Commission may notify adjacent landowners in order to solicit the views of the public in regard to the proposal prior to the Municipal Planning Commission making a decision.

9. HEIGHTS

- (a) The maximum height of a WECS shall be 24.4 m (80 ft.).
- (b) Total heights shall be calculated based on the definition provided in this schedule.
- (c) The Municipal Planning Commission may waive the total height requirements of this schedule based on the merits of each application.

Schedule 13

FORMS AND APPLICATIONS

Form A



APPLICATION No.	DEV. APPLICATION FEE (NON-REFUNDABLE)	AMT.
PUBLIC NOTIFICATION (PRIOR TO M.P.C.) DATE	AFTER DECISION DATE	

RECEIVED BY	
LAND USE DISTRICT (ZONE)	PLANS ATTACHED YES <input type="checkbox"/> NO <input type="checkbox"/>

DEVELOPMENT APPLICATION

I/We hereby make application under the provisions of the LAND USE BYLAW No. 632-2004 and Amendments to develop in accordance with the plans and information submitted, which form part of this application.

PROPERTY ADDRESS			
LEGAL DESCRIPTION	LOT(S)	BLOCK	PLAN No.
LOT DIMENSIONS	WIDTH	LENGTH	AREA
DETAILS OF DEVELOPMENT PROPOSED			
MAIN BUILDING: Floor Area _____ Percentage of lot occupied _____			
Set back: Front yard _____ Rear yard _____ Side yard _____ and _____			
ACCESSORY BUILDINGS: Total Floor Area _____ Percentage of lot occupied _____			
SET BACK: Rear yard _____ Side yard _____ and _____			
EXISTING LAND USE			
VALUE \$	FOR IMPORTANT INFORMATION SEE REVERSE SIDE #2 Pink Copy.		
APPLICANT	NAME (Print)	MAILING ADDRESS	
OWNER OF LAND	NAME	ADDRESS	
INTEREST OF APPLICANT IF NOT OWNER		THIS DEVELOPMENT HAS OWNER'S PERMISSION	<input type="checkbox"/> YES <input type="checkbox"/> NO
NOTE: — THE APPLICANT HAS READ THE REVERSE SIDE OF THIS FORM. THIS APPLICATION, IF APPROVED, DOES NOT CONSTITUTE A BUILDING PERMIT, OCCUPANCY PERMIT, OR BUSINESS LICENSE. TO OBTAIN ANY OF THESE AN APPLICATION AND APPROVAL IS REQUIRED FROM THE MUNICIPALITY.			
The issuance of a development permit is subject to the conditions that it does not become effective until seventeen (17) days after the date of this issue of the notice of decision. Should this decision be appealed within fourteen (14) days after the notice of decision has been issued, the permit shall not become effective until the appeal has been determined and the permit is upheld, or is modified or nullified thereby.			
DATE	SIGNATURE (Written)	PHONE <small>OWNER APPLICANT</small>	
FOR OFFICE USE ONLY			
DECISION	APPROVED <input type="checkbox"/> APPROVED SUBJECT TO CONDITIONS <input type="checkbox"/> DEVELOPMENT PERMIT No. _____ REFUSED <input type="checkbox"/>		
	<p>This permit is not transferable and is valid for a period of twelve (12) months from the date of issue. If at the expiry of this period, the development has not been commenced or carried out with reasonable diligence, this permit shall be null and void. IMPORTANT: Notice of approval in no way removes the need to obtain any permit or approval required by any federal, provincial, or municipal legislation, and/or regulations pertaining to the development approved.</p>		
DATE OF DECISION	NOTIFICATION SENT (AFTER DECISION)	DEVELOPMENT OFFICER/ SEC. MUNICIPAL PLANNING COMMISSION	

graphcom

White – OFFICE COPY

Pink – APPLICANT'S COPY

Canary – FILE COPY

NOTES

1. Subject to the provisions of the Land Use Bylaw of the Municipality of Crowsnest Pass, "Development" includes a change in use of lands or buildings thereon and the construction, additions to or alteration of buildings and other structures such as signs and fences as defined in the Land Use Bylaw of the Municipality of Crowsnest Pass.
2. The development decision on the subject application applies only to the use and development described in the development decision.
3. Although the Development Officer of the Municipality is in a position to advise on the principle or details of proposals, such advice must not be taken in any way as an official consent, and is without prejudice to the decision in connection with the formal application. It must be clearly understood that the applicant shall not proceed with development based on the comments made by the Development Officer prior to the issuing of a development permit.

IMPORTANT:

4. An application for a development permit shall be accompanied by the following:
 - (a) the prescribed fee.
 - (b) detailed, dated and signed plot plan. (to reasonable scale).
 - (c) plans, drawings and other related information.

5.

APPEAL AGAINST A DECISION OF THE
DEVELOPMENT OFFICER OR MUNICIPAL PLANNING COMMISSION
UNDER THE LAND USE BYLAW NO. 632-2004

The Land Use Bylaw provides that any person affected by a decision of the Development Officer or the Municipal Planning Commission, made under the Bylaw, may appeal such decision to the Development Appeal Board. Such an appeal to the Development Appeal Board shall contain a statement of the grounds of appeal and shall be delivered either personally or by Registered Mail so as to reach the Secretary of the Development Appeal Board not later than (14) days following the date of notification of the decision as detailed by Administrative Procedures of the Land Use Bylaw of the Municipality of the Crowsnest Pass. Should an appeal be made, the Development Permit shall be null and void.

If a decision is not made within forty (40) days from the date of the receipt of the application in its complete and final form or within such longer period as the applicant may approve in writing, the application shall be deemed to be refused and the applicant may exercise his right of appeal as though he had received a written notice or refusal at the end of forty (40) days' period.

**MUNICIPALITY OF CROWSNEST PASS
NOTICE OF SUBDIVISION AND DEVELOPMENT
AUTHORITY MEETING**

SCHEDULE 13

Form B

APPLICATION NO. _____

Notice is hereby given that an application is being made for a development permit with regard to the following:

NAME OF APPLICANT:

TYPE OF DEVELOPMENT:

LEGAL DESCRIPTION OF SITE:

PLACE OF MEETING: _____

TYPE OF MEETING: _____

DATE OF MEETING: _____

Any person affected by the said proposal has the right to present a written brief prior to the hearing and/or to be present and be heard at the meeting.

Persons requesting to be heard at the meeting shall submit a written request to be heard to the Municipality of Crowsnest Pass not later than:

DATE: _____

SIGNED: _____

**Development Officer
Municipality of Crowsnest Pass**

**MUNICIPALITY OF CROWSNEST PASS
NOTICE OF SUBDIVISION AND DEVELOPMENT APPEAL
BOARD HEARING**

SCHEDULE 13

Form C

APPLICATION NO. _____

NAME: _____

ADDRESS: _____

A Public Hearing in the matter of the appeal of _____
of _____ to the decision of the Development Officer / Municipal
Planning Commission on Development Application No. _____, being the application
for a development permit for _____

_____ at _____ by _____
shall be heard on the ____ day of _____, _____ at _____ o'clock (a.m./p.m.)

The hearing will be held in the Municipality of Crowsnest Pass Council Chambers.

DATE: _____

SIGNED: _____

Secretary, Subdivision and Development Appeal Board
Municipality of Crowsnest Pass

**MUNICIPALITY OF CROWSNEST PASS
NOTICE OF DECISION OF
SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

SCHEDULE 13

Form D

APPLICATION NO. _____

NAME: _____

ADDRESS: _____

In the matter of the appeal of _____
of _____ to the decision of the Development Officer / Municipal
Planning Commission on Development Application No. _____, being the application
for a development permit for _____

_____ at _____ by _____
the Subdivision and Development Appeal Board, duly convened on the _____ day of
_____, _____ decided to:

For the following reasons:

DATE: _____

SIGNED: _____

Secretary, Subdivision and Development Appeal Board
Municipality of Crowsnest Pass

IMPORTANT:

This decision of the Subdivision and Development Appeal Board is final and binding on all parties and all persons, subject only to appeal pursuant to the provisions of the Municipal Government Act.

**MUNICIPALITY OF CROWSNEST PASS
AGREEMENT FOR TIME EXTENSION**

SCHEDULE 13

Form E

APPLICATION NO. _____

I/We _____ being the registered owner
or person authorized to act on behalf of the registered owner with respect to:

Application No. _____

For: _____

Located on (legal description): _____

Do hereby agree to a time extension of: _____ days, until

On the understanding that if a decision has not been made by this time, I may deem the application refused and appeal to the Subdivision and Development Appeal Board in accordance with the provisions of the Municipal Government Act.

DATE: _____

Signature of Registered Owner/Person Acting on behalf of:

Signature of Witness

DATE: _____

Signature of Development Officer - Municipality of Crownsnest Pass

Signature of Witness

**MUNICIPALITY OF CROWSNEST PASS
STOP ORDER**

SCHEDULE 13

Form F

APPLICATION NO. _____

TO THE REGISTERED OWNER: _____

ADDRESS: _____

LEGAL DESCRIPTION: Lot(s) _____ Block _____ Plan _____

Quarter _____ Section _____ Township _____ Range _____

PLEASE TAKE NOTICE that in accordance with the Municipal Government Act, section 645, you are HEREBY ORDERED TO:

BE ADVISED that pursuant to sections 557 and 566 of the Municipal Government Act, a person who contravenes an order under section 645, is guilty of an offense and is liable to a fine of not more than \$10,000 or to imprisonment for not more than one year, or to both fine and imprisonment; and be FURTHER ADVISED that pursuant to section 685 of the Municipal Government Act, you may appeal this order by serving a written notice of the appeal on the Subdivision and Development Appeal Board within 14 days after receiving this order, in care of the secretary, Subdivision and Development Appeal Board, Municipality of Crowsnest Pass, Box 600, Blairmore, Alberta, T0K 0E0.

DATE: _____

SIGNED: _____

**Development Officer
Municipality of Crowsnest Pass**

**MUNICIPALITY OF CROWSNEST PASS
APPLICATION FOR A LAND USE BYLAW AMENDMENT**

SCHEDULE 13

Form G

APPLICATION NO. _____

APPLICANT: _____

ADDRESS: _____

REGISTERED OWNER: _____

ADDRESS: _____

LEGAL DESCRIPTION: Lot(s) _____ Block _____ Plan _____

Quarter _____ Section _____ Township _____ Range _____

PROPOSED AMENDMENT:

FROM: _____

TO: _____

APPLICANT'S SUBMISSION:

Please state your reasons for applying for this amendment. Attach a separate sheet if necessary.

REGISTERED OWNER OR PERSON ACTING ON BEHALF OF:

I certify that I am the registered owner or that the registered owner(s) of the land described above is aware of this application.

Fees Submitted \$ _____

Receipt No. _____

DATE: _____

SIGNED: _____

Applicant

**MUNICIPALITY OF CROWSNEST PASS
APPLICATION FOR A HOME OCCUPATION**

SCHEDULE 13

Form H

APPLICATION NO. _____

APPLICANT: _____

ADDRESS: _____

REGISTERED OWNER: _____

ADDRESS: _____

LEGAL DESCRIPTION: Lot(s) _____ Block _____ Plan _____

Quarter _____ Section _____ Township _____ Range _____

EXISTING USE: _____

PROPOSED USE BEING APPLIED FOR: _____

HOURS OF OPERATION: _____ to _____

NOISE GENERATED: Yes No

OFF-STREET PARKING AVAILABLE: Yes No No. of Spaces _____

STORAGE OF GOODS ON PROPERTY: Yes No

ANTICIPATED INCREASE IN VEHICULAR TRAFFIC: Yes No

ODOURS OR NOXIOUS EFFLUENTS: Yes No

ADDITIONAL VEHICLES REQUIRED: Yes No

APPLICANT'S SUBMISSION: Please state your reasons for applying for this home occupation.
(Attach a separate sheet if necessary.)

REGISTERED OWNER OR PERSON ACTING ON BEHALF OF:

I certify that I am the registered owner or that the registered owner(s) of the land described above is aware of this application.

DATE: _____

SIGNED: _____

Applicant

Schedule 14

FireSmart REGULATIONS

FireSmart REGULATIONS

1. All subdivision and development located within or adjacent to the Wildland Urban Interface (WUI) shall be subject to the requirements outlined in the schedule as well as those established in the "FireSmart" manuals prepared by Partners in Protection.
2. A Wildland Urban Interface map shall be prepared and adopted within this bylaw to identify critical development areas within the municipality.
3. The municipality, at its sole discretion, may require a developer to provide a higher development standard than those outlined in this schedule or this bylaw.
4. The Municipal Planning Commission may forward any subdivision or development application to Alberta Sustainable Resource Development or any appropriate government department for comment or concurrence prior to rendering a decision.
5. The Municipal Planning Commission may require an applicant to undertake a Wildland Urban Interface Risk Assessment and provide mitigative planning of a specific property as part of the planning approval process.
6. Any development within or adjacent to the Wildland Urban Interface shall be required to use FireSmart building materials and standards for new construction.
7. Any development within or adjacent to the Wildland Urban Interface shall be required to use FireSmart building materials and standards when replacing or retrofitting an existing dwelling unit or structure.
8. The municipality shall supply a potential developer with an itemized list of FireSmart building materials and standards.
9. The municipality may require a developer to remove vegetation or fuel load stockpiles on vacant or developed lots.
10. The Municipal Planning Commission shall require a minimum of 10 m (32.8 ft.) setback from an established vegetative cover for development within or adjacent to the Wildland Urban Interface.
11. As a condition of subdivision or development approval, the municipality may require a developer to implement specific landscaping standards (plant species, ground cover, fire pits, etc.)
12. As part of the planning approval process, the municipality shall consider infrastructure development (access, egress, water supply, powerlines, propane tanks, water reservoirs, etc.
13. The Municipal Planning Commission shall consider the provision of land for municipal and environmental reserve purposes adjacent to Wildland Urban Interface areas at the time of a subdivision approval.

14. The developer may be required, as a condition of approval, to fuel modify Environmental Reserve and Municipal Reserve lands in zones 2 and 3 (10 m to 200 m) prior to the commencement of development.
15. The minimum development standards accepted by the Municipal Planning Commission for interface developments are established in “FireSmart – Protecting Your Community from Wildfire” (PIP 1999).

Schedule 15
DEFINITIONS

DEFINITIONS

A

Accessory building means any building which is attached or unattached to the principal building on the lot on which both are located and the use of which the designated officer decides is normally subordinate and incidental to that of the principal building.

Accessory development means a building or use which is subordinate, incidental and directly related to the principal use of the premises, building, or site and which does not substantially add to the patronage, volume of traffic, or intensity of the use of the premises, building or site. An accessory building or use must be located on the same site as the principal use and shall not precede the development of the principal building or use.

Accessory structure means a building or structure detached from a principal building, normally ancillary, incidental, subordinate to the principal building or use. Typical accessory structures include flagpoles, swimming pools, propane tanks, satellite dishes, garages, and garden sheds. When a building is attached to the principal building by a roof, a floor or foundation above or below grade, it is part of the principal building.

Accessory use means a use or development customarily incidental and subordinate to the principal use or building and is located on the same parcel as such principal use or building.

Act means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

Addition means adding onto an existing building, provided that there are no structural changes to the existing building, no removal of the roof structure, and no removal of the exterior walls, other than that required to provide an opening for access from, and integration of, the existing building to the portion added thereto and there is a common structural connection from the existing building to the addition that includes a foundation, constructed to the minimum standards outlined in the Alberta Building Code, and a roof.

Adjacent means land that abuts a site and land that would abut if not for a road, lane, walkway, watercourse, utility lot, pipeline right-of-way, power line, railway, or similar feature.

Agriculture, extensive means the production of crops and/or livestock by the expansive cultivation or open grazing of existing titles or proposed parcels usually greater than 160 acres on dryland or 80 acres on irrigated land.

Agriculture, intensive means the concentrated cultivation, operation of cultivation facilities or operation of confinement structures on a parcel of land usually less than 80 acres, for the commercial production of specialty crops, produce and/or livestock via special agricultural practices.

Alter or Alteration means any structural change to a building that results in an increase or decrease in the area or the volume of the building; any change in the area frontage, depth, or width of a lot that affects the required yard, landscaped open space, or parking requirements of this bylaw; structural change to a sign; and to discontinue or change the principal use of the site or building with a use defined as being distinct from the discontinued use.

Amenity area means an area or areas within the boundaries of a project intended for recreational purposes. These may include landscaped areas, patios, balconies, swimming pools and similar uses.

Amusement arcade means a facility where four or more mechanical or electronic games are kept for the purpose of furnishing entertainment or amusement to the public for a fee.

Ancillary building means a building which is separate from the main building on the parcel of land where both are located, and which is normally subordinate to, and the use of which is incidental to that of, the main building.

Ancillary use means a use of a building or land which is normally incidental to and subordinate to the principal use of the site on which it is located.

Animal care service, large means development used for the care, treatment, boarding, breeding or training of animals and livestock within or outside buildings and includes the supplementary sale of associated products. This use includes veterinary offices or hospitals, animal shelters, boarding and breeding kennels, facilities for impounding and quarantining animals and related research facilities.

Animal care service, small means development for the on-site treatment or grooming of small animals such as household pets, where on-site accommodation is not normally provided and where all care and confinement facilities are enclosed within a building. This use includes off-site treatment of animals or livestock of any size and the supplementary sale of associated products. Examples include pet grooming salons, pet clinics and veterinary offices.

Apartment dwelling means a building or a portion of a building which contains three or more dwelling units and where the primary access to each unit is provided through a common or shared entryway. This use also includes eightplexes or any building containing more than six dwelling units, where each unit is provided with its own primary access to the outside.

Applicant means the registered owner of the land or his or her representative or agent certified as such.

Approved use means a use of land and/or building for which a development permit has been issued by the designated officer or the Municipal Planning Commission.

Apron means a flat-surfaced area that surrounds and lies adjacent to a mobile home pad.

Arcades – see “Amusement arcades”.

Area redevelopment plan means a statutory plan in accordance with the Act and the municipal development plan for the purpose of all or any of the following:

- (a) preserving or improving land and buildings in the area;
- (b) rehabilitating buildings in the area;

- (c) removing buildings from the area;
- (d) constructing or replacing buildings in the area;
- (e) establishing, improving or relocating public roadways, public utilities or other services in the area;
- (f) any other development in the area.

Area structure plan means a statutory plan in accordance with the Act and the municipal development plan for the purpose of providing a framework for subsequent subdivision and development of an area of land in the municipality.

Art and craft studio means development used for the purpose of small scale, on-site production of goods by hand manufacturing primarily involving the use of hand tools. Typical uses include pottery, ceramic, jewelry, toy manufacturing, and sculpture and artist studios.

As required by the Municipal Planning Commission means that a standard or requirement of the land use bylaw may be varied but not completely waived.

Athletic and recreational facilities means a facility for the purpose of active recreation or athletic activities where patrons are predominantly participants and any spectators are incidental. This includes skating and hockey rinks, swimming pools, rifle, archery and pistol ranges, bowling alleys and racquet courts.

Auction mart means a use of land or buildings for the auctioning and related temporary storage of household effects, goods and equipment, except livestock.

Auditorium means a room, hall or entire building specially designed for stage and film presentations, concerts, recitals, lectures and audio-visual features and activities.

Auto body and paint shop means a premise where the bodies, but not other parts of motor vehicles, are repaired, and where motor vehicle bodies and other metal machines, components or articles may be painted.

Auto sales and service means an enclosed building within which motor vehicles and parts are displayed for sale, and may include a new or used automobile sales lot, and may also include auto repairs, except for body work and painting.

B

Bakery means a facility where baked products (i.e. bread, buns, cookies, pastries) are prepared, sold and/or distributed.

Bank means a financial institution for the deposit, custody, loan, exchange or issuance of money.

Basement means any storey of a building of which the ceiling level is less than 6 feet (1.8 m) above the average finished surface level of the surrounding ground.

Batch plants – see “Natural resource extractive uses”.

Bed and breakfast means a home occupation which provides short-term accommodation, generally not exceeding one week, to the travelling public, tourists or members of the general public.

Berm means a dyke-like form used to separate incompatible areas or functions, or constructed to protect the site or district from vehicular road or other noise.

Boarding house means a building (other than a hotel or motel) containing not more than 15 sleeping rooms where meals or lodging for five or more persons are provided for compensation pursuant to previous arrangements or agreements.

Bowling alley means an indoor facility to accommodate several games which balls are rolled down an alley toward a stationary group of objects (i.e. pins).

Buffer means a row of trees, hedges, shrubs or berm planted or constructed to provide visual screening and separation between uses, buildings, sites or districts.

Buildable area means that portion of a lot or parcel which remains after all setbacks, minimum yard dimensions and separation distances have been deducted.

Building has the same meaning as it has in the Act.

Building height means the vertical distance between grade and the highest point of a building excluding an elevator housing, a roof stairway entrance, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, a fire wall or a parapet wall and a flagpole or similar device not structurally essential to the building.

Building inspector means the person or persons appointed by the municipality to be the chief building inspector in and for the Municipality of Crowsnest Pass.

Building permit means a certificate or document issued by the Safety Codes Officer pursuant to provincial legislation authorizing commencement of construction.

Building supply centre means a commercial retail store where building materials, household accessories and other related goods are stored, offered, or kept for sale and may include outside storage.

Bulk fuel station means a facility for the purpose of storing fuel for distribution to customers and does not include a service station.

Bus depot means a building designed to accommodate the scheduled arrival and departure of bus passengers or cargo.

C

Cabaret means a restaurant or facility which serves liquor and provides entertainment, usually singing and dancing.

Campground, institutional means a group camp having such joint use facilities such as dormitories and kitchens and operated by not-for-profit organizations.

Campground, tourist means development of land for the paid use of holiday trailers, motor homes, tents, campers, and similar vehicles, recreation, and is not normally used as year-round storage, or accommodation for residential uses.

Car wash means a building designed for the cleansing and vacuum of motor or recreational vehicles.

Carport means a partially enclosed structure intended for the shelter of one or more motor vehicles.

Cemetery means a landscaped open space for the entombment of the deceased, and may include crematoria, cineraria, columbaria, and mausolea.

Cenotaph means a structure or monument erected at an area designed for public assembly and reflection to honour individuals who lost their lives in wartime periods and whose bodies are buried elsewhere.

Certificate of Compliance means a document signed by the Municipal Planning Commission or Development Officer certifying that a development complies with this bylaw with respect to yard requirements and insofar as represented on an Alberta Land Surveyor's Real Property Report.

Church means a facility for the purpose of assembly and worship and may include as accessory uses social, recreational and community activities such as group meetings, cultural events, banquets, and child care services.

Clear vision triangle means a triangular area formed on the corner site by the two street property lines and a straight line, which intersects then 6.1 m (20 ft.) from the corner where the property lines meet.

Clearance means the shortest vertical distance between the underside of a sign and grade.

Coffee shop means a small restaurant which is independent or attached to a hotel where light refreshments or regular meals are served.

Commercial logging means the removal of existing timber stands within the municipality whereby the logs are removed from the site to be processed at a different location into dimensional lumber or other wood by-products.

Commercial recreation means the use of land or buildings for the purpose of providing recreation opportunities to individuals or groups on a user-pay basis. Such uses include, but are not limited to: lodges, ski hills, resorts, golf courses, riding stables, guest ranches, campgrounds, golf and rifle ranges.

Commercial vehicle "A" means a vehicle not exceeding a rated load capacity of 907 kilograms (one ton), that is used for commercial or industrial purposes.

Commercial vehicle "B" means a vehicle exceeding a rated load capacity of 907 kilograms (one ton), that is used for commercial or industrial purposes.

Common wall means a vertical separation completely dividing a portion of a building from the remainder of the building and creating in effect a building which, from its roof to its lowest level, is separate and complete unto itself for its intended purpose, such wall being owned by one party but jointly used by two parties, one or both of whom is entitled to such use by prior arrangement.

Community facilities means community halls, public libraries, parks, playgrounds, schools, hospitals, shopping, medical and dental clinics and other similar facilities.

Comprehensive development means planned residential development having a high standard of design, a variety of accommodation, and adequate amenity provisions.

Condominium means a building or structure where there exists a type of ownership of individual units, generally in a multi-unit development or project where the owner possesses an interest as a tenant in common with other owners.

Construction trade shop means a facility for the provision of electrical, plumbing, heating, painting and similar contractor services primarily to individual households and the accessory sale of goods normally associated with such contractor services where all materials are kept within an enclosed building, and where there are no associated manufacturing activities.

Contractor means an individual or company who contracts on predetermined terms to provide labour and materials and to be responsible for the performance of a construction job in accordance with established specifications or plans.

Convenience store means a retail outlet selling goods and foodstuffs to area residents on a day-to-day basis from business premises which do not exceed 200 m² (2,153 sq. ft.) in gross floor area.

Convention facility means a permanent facility for meetings, seminars and conventions. Eating establishments and drinking establishments may be incorporated into the facility as accessory uses.

Copy area means the entire area within a single square or rectangle or combination of squares or rectangles which encloses the limits of the advertising message or announcement, and which

- (a) shall include, but not be limited to, decorations related to the specific nature of the advertising message or announcement;
- (b) the area of individual figures or letters shall be calculated on the basis of the smallest squares or rectangles that will enclose the individual letters or figures; and
- (c) in the case of a double or multi-face sign, the average of the total area of all sign faces will be counted in copy area calculations.

Council means the Council of the Municipality of Crowsnest Pass in the Province of Alberta.

Country lodge – see “Lodge”.

Cultural establishment means a development that is available to the public for the purpose of assembly, instruction, cultural or community activity and includes such uses as a church, a library, a museum and an art gallery.

D

Dairies – see “Intensive agricultural pursuit”.

Day care facility means a facility for the provision of care, supervision or rehabilitation of children or adults for periods not exceeding 24 consecutive hours.

Density means the number of dwelling or accommodation units on a site expressed in units per acre or hectare, or alternatively as the site area required per dwelling unit.

Designated officer means a person authorized by Council to act as a development authority pursuant to section 624(2) of the Municipal Government Act and in accordance with the municipality’s Subdivision and Development Authority Bylaw.

Developer means a person or an owner of land in accordance with the Statutes of the Province of Alberta who wishes to alter the title to the property and change the use of the property from its existing use.

Development has the same meaning as it has in the Act.

Development area means the area to be occupied by a building plus the reasonable area required for excavation and construction.

Development agreement means a contractual agreement completed between the municipality and an applicant for a development permit which specifies the public roadways, utilities and other services to be provided by the permit holder as a condition of development approval or subdivision approval, provided the agreement is in accordance with sections 648, 650, 654 and 655 of the Act, as amended.

Development Authority means the Municipal Planning Commission, except in such instances whereby the designated officer may be the Development Authority, in accordance with this bylaw.

Development permit means a document issued pursuant to this bylaw authorizing a development.

Discretionary use means the one or more uses of land or buildings that are described in Schedule 2 as discretionary uses.

District means a district established under Schedule 1 of this bylaw.

Dog kennel – see “Kennel”.

Double-wide mobile home means a mobile home (as defined) that is permanently fixed to two chassis, or is permanently fixed to one chassis and has a section which can be expanded or telescoped from the mobile home for additional floor area. Double-wide mobile homes are typically not less than 6 metres (20 ft.) in width.

Drinking establishment means an establishment licensed pursuant to provincial legislation where alcoholic beverages are served for consumption on the premises.

Drive-in business means an establishment with facilities for on-site service to customers who remain in their motor vehicles.

Drive-in food service means a facility for eating and drinking which offers a limited menu produced in a manner that allows rapid customer service and includes one or more of the following features: car attendant services; drive-through food pickup services; or parking primarily intended for the on-site consumption of food within a motor vehicle.

Drive-in restaurant means a restaurant which offers car attendant service or drive-through pick-up service.

Driving range means a designated practice area designed for the purpose of hitting and/or putting golf balls.

Dry cleaners means an establishment which specializes in the cleansing of clothes or fabrics with substantially non-aqueous organic solvents to which special detergents or soaps are often added.

Duplex means a building containing two separate dwelling units connected by a common floor or ceiling.

Dwelling unit means a room or a suite of rooms operated as a residence for family, containing cooking, sleeping and sanitary facilities.

E

Eating establishment means a facility where food is prepared and served on the premises for sale to the public and includes restaurants, delicatessens, and cafeterias but excludes drive-in food services.

Easement means a right held by one party in land owned by another, typically for access or to accommodate a public utility.

Eaveline means the overhanging portion of a roof beyond the exterior walls of a building.

Employee housing means one or more dwelling units used exclusively for the residence of employees and members of their family.

Entertainment establishment means a facility where entertainment is provided to the public, either exclusively or in combination with other activities and may, without restricting the generality of the foregoing, include a live theatre or cinema, but does not include a restaurant, gaming establishment or adult mini-theatre.

Entertainment establishment, adult means any premises or part thereof wherein live performances, motion pictures, video tapes, video discs, slides or similar electronic or photographic reproductions, the main feature of which is the nudity or partial nudity of any person, are performed or shown as a principal use or an accessory to some other business activity which is conducted on the premises.

Environmental education means field trips related to publicly or privately sponsored educational and interpretive programs.

Environmental reserve means any parcel of land specified as environmental reserve by a subdivision approving authority pursuant to section 664 of the Act, as amended.

Equipment sales, rental and service means the use of land or buildings for the retail sale, wholesale distribution, rental and/or service of: hand tools, small construction, farming, gardening and automotive equipment, small machinery parts and office machinery and equipment.

Essential public service means a fire station, police station, or similar service.

Extended care facility means a public or private health facility for the care, supervision or rehabilitation of individuals, and containing overnight accommodation.

Extensive agricultural pursuit means systems of tillage and animal husbandry on large areas of land for the raising of crops or the rearing of livestock either separately or in conjunction with another in unified operations and includes buildings and other structures incidental to the operation.

Extensive agriculture means the production of crops or livestock or both by the expansive cultivation or open grazing of normally more than one parcel or lot containing 64.8 hectares (160 acres) more or less.

Existing lot means a lot that existed at the time this bylaw was adopted.

F

Factory-built housing means homes intended for residential occupancy that are constructed in a factory setting. Includes manufactured, modular, panelized and pre-engineered homes.

Family means one or more persons occupying a dwelling unit as a single housekeeping unit.

Farm buildings means buildings or development commonly or normally contained in a farmstead that is associated with a farming operation or an extensive agriculture use. Examples include barns, granaries, implement machinery and equipment sheds, dugouts, corrals, fences and haystacks but this use does not include intensive horticultural facility, intensive livestock operation or any dwelling unit including conventional single-detached residences and mobile homes.

Farm/industrial machinery sales, rental and service means the use of land or buildings for the sale, service and/or rental of agricultural implements, vehicles over 5,900 kg (13,000 lbs.) tare weight and heavy machinery used in the operation, construction or maintenance of buildings, roadways, pipelines, oil fields, mining or forestry operations, and in freight hauling operations. Cleaning, repairing and sale of parts and accessories may be allowed as part of the principal use or as accessory uses.

Farm supplies and service means the use of land or buildings for the sale, storage and distribution of grain (including grain elevators), livestock feed, fertilizer and chemicals used in agriculture.

Fence means a roofless structure, wall or hedge used as an enclosure or screening on any part of a lot.

Fill means the import and placement of natural uncontaminated earth or aggregate materials (e.g. clay, silt, sand, gravel) on a parcel for the purposes of altering/modifying grades, drainage, or building up a site for a proposed building or development, but does not include the import and placement of dry-waste or land fill waste materials.

Financial institutions – see “Banks”.

Fire halls – see “Public and institutional use”.

FireSmart means a program developed in Alberta by Partners in Protection to educate stakeholders on the risks of developing in the Wildland Urban Interface and methods to reduce the risk of wildfire to developments. The publication “*FireSmart – Protecting Your Community from Wildfire*” (PIP, 1999) outlines minimum standards for development in the Wildland Urban Interface.

Fitness centre means the use of premises for the development of physical health or fitness, including, but not limited to, health centres, gymnasiums, racquet and ball courts, spas and reducing salons.

Flood elevation, 1:100 year means the water level reached during a 1:100 year flood as determined in accordance with the technical criteria established by Alberta Environment.

Floodrisk area means the area of land bordering a water course or waterbody that would be inundated by a 1:100 year flood (i.e. a flood that has a 1 percent chance of occurring every year) as determined by Alberta Environment in consultation with the municipality and may include both flood fringe and floodway.

Floor area means the sum of the gross horizontal area of the several floors and passageways of a building, but not including basements, attached garages, and open porches. All dimensions shall be external dimensions.

Flower means an annual, perennial, flowering shrub/tree, etc.

Foundation means the supporting base structure of a building.

Fourplex dwelling means a form of cluster housing containing four dwelling units, where:

- (a) each unit has two contiguous or abutting walls which provide fire separation from the adjacent dwelling units;
- (b) two of the dwelling units ordinarily face the front yard, and two dwelling units ordinarily face the rear yard; and
- (c) each unit is provided with its own separate primary access to the outdoors.

Freight terminal means a facility accommo-dating the storage and distribution of freight shipped by rail, or highway transportation.

Frontage means the lineal distance measured along the front legal lot line.

Front property boundary, principal means the front property boundary as shown in Figure 1.

Front property boundary, secondary means the front property boundary as shown in Figure 1.

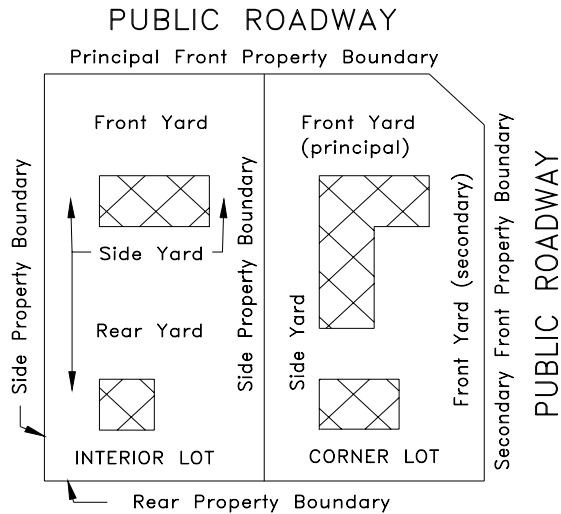


FIGURE 1

Funeral home means a development used for the arrangement of funerals, the preparation of the dead for burial or cremation, the holding of funeral services and the carrying out of cremations, where not more than one cremation chamber is provided.

G

Gaming or gambling establishment means a building or structure, or any portion thereof, which is used or intended for use for the purpose of dealing, operating, maintaining or conducting any game played with cards, dice, or any mechanical device or machine for money, property or any item of value.

Garage (residential) means an accessory building designed and used for storage of motor vehicles.

Garage suite means a dwelling unit located above a rear detached garage, which is accessory to a principal dwelling unit.

Garden centre means the use of land or buildings for the sale, display, growing and storage of garden, household, and ornamental plants and trees provided that the retail sale and display of plants and trees remains the principal use. This use includes the supplementary retail sale of fertilizers, garden chemicals and implements as well as associated products.

Garden shed means a small outdoor storage compound constructed for the housing of garden tools, lawn equipment or other small items.

Garden suite means a separate detached dwelling unit.

Gas bar means a facility for the sale of gasoline and associated automotive fluids but is not a service station.

Golf course means an outdoor establishment/development of varying sized designated primarily for the game of golf. Accessory uses include a pro shop, driving range and/or practice facility, food service, and other commercial uses typically associated with a golf course clubhouse facility.

Golf driving range means an area of land whose primary purpose is to accommodate the practicing of golf shots and may include the land encompassed by netting or screening and may also include buildings, such as a club house or maintenance building as part of the use.

Government buildings – see “Public and institutional use”.

Government services means development providing municipal, provincial, or federal government services directly to the public or the community at large, and includes development required for the public protection of persons or property.

Grade means the average elevation of the finished ground or street surface.

Grade point means the point(s) on a site which are used to measure the maximum permitted height of a building from grade. Where grade points have not been established as part of an approved comprehensive grading plan, the location of grade points shall be determined by the Municipal Planning Commission.

Grain elevator means a facility for the collection, grading, sorting, storage, and transshipment of grains. This definition also includes inland grain terminals.

Greenhouse means a building specially designed and used for the growing of vegetables, flowers or other plants for transplanting or sale.

Gross floor area means the sum of the areas of all floors of a building measured to the outside surface of the exterior walls or, where buildings are separated by firewalls, to the centre line of the common firewalls and includes all floors totally or partially above the finished ground surface excluding an artificial embankment but including all mechanical equipment areas.

Group home means development using a dwelling unit for a provincially-approved residential social care facility providing rehabilitative and supportive care for four or more persons. A group home may incorporate accommodation for resident staff as an accessory use.

Grouped country residential means two or more contiguous country residential parcels or acreages.

Guest means an individual who occupies a dwelling unit other than as their residence.

Guest ranches means a ranch or resort in an agricultural setting designed for vacationers offering primarily lodging, horseback riding and other activities typical of western ranches.

H

Habitat enhancement means the manipulation of plant, animal and microbe habitat for the purpose of improving the capacity of the habitat as a source of food, shelter, or cover for an identified species or suite of species.

Health care services means development used for the provision of physical and mental health services on an outpatient basis, of a preventative, diagnostic treatment, therapeutic nature. Typical uses or facilities would include medical and dental offices, health clinics, and chiropractor offices.

Height of sign means the vertical distance measured from the highest points of the sign or sign structure to grade.

Helipad means a designated area, usually with a prepared surface, used for the takeoff, landing, or parking of helicopters.

Heliport means a facility for the use of helicopters landing or taking off on a frequent basis and includes development of passenger terminals, service, repair and storage facilities and other necessarily ancillary developments required for the purpose of operating a heliport in accordance with all applicable statutes and regulations.

Highway means:

- (a) a highway or proposed highway that is designated as a primary highway; or
- (b) a road, street or highway formerly designated as a secondary road and numbered between 500 and 999.

Highway commercial is a general term used to describe development, typically along a major roadway or highway that provides goods and services to the travelling public. Typical highway commercial uses include service stations, truck stops, motels, motor-hotels, drive-in and fast-food restaurants.

Historical site means a site or a building or both designated to be of historical significance by the Government of Canada, the Government of Alberta or the Municipality of Crowsnest Pass.

Holiday trailer or **travel trailer** means an accommodation unit designed to be transported on its own wheels or by other means (including units permanently mounted or otherwise on trucks) designed or constructed in such manner as will permit its use for temporary dwelling accommodation for travel and recreation purposes only, but does not include a mobile home.

Holiday trailer park means a parcel of land on which two or more holiday trailers are harboured.

Home improvement centre means a facility where building materials, tools, domestic garden supplies, household accessories required for interior or exterior building renovations, and similar goods are stored, offered or kept for sale but does not include any outside storage yards.

Home care service means the provision of food, lodging and care for up to three individuals conducted in a conventional single-family dwelling which has common cooking and washroom facilities.

Home occupation means an occupation, trade, profession or craft carried on by an occupant of a dwelling unit as a use secondary to the residential use of the lot, and which does not change the character thereof or have any exterior evidence of such secondary use.

Hospital means a facility providing room, board, and surgical or other medical treatment for the sick, injured or infirm including outpatient services and accessory staff residences. Typical uses include hospitals, sanatoria, nursing homes, convalescent homes, isolation facilities, psychiatric hospitals, auxiliary hospitals, and detoxification centres.

Hostel means a facility operated to provide temporary (not exceeding 30 days) accommodation to transients for remuneration within dormitory-style visitor accommodation with communal kitchen and sanitary facilities and may include recreational facilities or services but not additional services such as room service.

Hotel means a building used primarily for sleeping accommodation and ancillary services provided in rooms or suites of rooms which may contain bar/kitchen facilities. The building may also contain commercial or other uses and may offer such additional services as parking facilities, restaurant or dining room, room service or public convention facilities.

Household repair service means a facility for the provision of repair services to goods, equipment and appliances normally found within the home. This includes radio, television and appliance repair shops, and furniture refinishing and upholstery shops.

I

Illumination means the lighting of any sign by artificial means and may further be described as:

- internal illumination which means the lighting of any sign face from a light source located within the sign or behind the copy;
- directed illumination which means the lighting of any sign face from a light source located on or near the exterior of the sign;
- indirect illumination which means the lighting of any sign face by reflected light from a source that is distinct from, but intentionally directed toward the sign.

Improvement means any installation or physical change made to a property with a view to increasing its value, utility or beauty.

Industrial equipment sale and rental means a facility for the sale or rental of equipment typically used in building, roadway, pipeline, oilfield and mining construction or agricultural production. This does not include truck and mobile home sales and rentals.

Industrial operation means a business engaged in secondary manufacturing, processing, assembling, disassembling, packaging, printing, cleaning, servicing, testing, storing and distribution of materials, goods, products or equipment.

Institutional means a use by or for an organization or society for public or social purposes and, without restricting the generality of the term, includes senior citizen housing, nursing homes, day care centres, places of worship, museums, libraries, schools, service and fraternal organizations, and government buildings.

Intensive agricultural pursuit means any concentrated method used to raise crops or to rear or keep livestock, animals, poultry or their products for market, including such operations as horse riding stables, poultry farms, pastures, rabbitries, fur farms, greenhouses, tree farms, sod farms, dairies, nurseries and similar specialty uses conducted as the principal use of a building or site.

Intensive horticultural operations or facilities means a use of land or buildings for the high yield production and/or sale of specialty crops. This use includes greenhouses, nurseries, hydroponic or market gardens, tree, mushroom and sod farms and such other uses that the Municipal Planning Commission considers similar in nature and character to any one or all of these uses.

Isolated country residential means a small single-lot parcel of land or acreage created by subdivision for the purpose of accommodating a single family dwelling.

K

Kennel means a facility where dogs or cats or other domestic pets are maintained, boarded, bred, trained or cared for or kept for the purposes of sale but excludes a veterinary clinic.

Kiosk means a location or structure housing a seasonal/temporary business.

L

Laboratory means a facility for the purpose of scientific or technical research, investigations or experimentation.

Landscaped area means that portion of a site which is to be landscaped pursuant to a development permit, and excludes areas used for parking and driveways.

Landscaping means the modification and enhancement of a site or development through the use of the following elements:

- natural landscaping consisting of vegetation such as trees, shrubs, hedges, grass and other ground cover;
- hard landscaping consisting of non-vegetative materials such as brick, stone, concrete, tile and wood, excluding monolithic concrete and asphalt; and
- excludes all areas utilized for driveways and parking.

Lane means a public thoroughfare which provides a secondary means of access to a lot or lots.

Laundromat means a facility for the cleaning of clothing or other fabric goods on a self-serve basis.

Laundry means a facility for the cleaning and pressing of clothing or other fabric goods.

Light industrial/manufacturing means development used for manufacturing, fabricating, processing, assembly, production or packaging of goods or products, as well as administrative offices and warehousing and wholesale distribution uses which are accessory uses to the above, provided that the use does not generate any detrimental impact, potential health or safety hazard or any nuisance beyond the boundaries of the developed portion of the site or lot upon which it is situated.

Liquor store means a retail establishment licensed under provincial authority for the sale of any or all of beer, wine, or spirits for consumption off-premises. Full walls must physically separate the premises from any other business.

Loading space means a portion of a lot or parcel that is designated or used by a vehicle while loading or unloading goods or materials to a building or use on that parcel or lot.

Lodge means a facility for tourists that complies with the definition of visitor accommodation except that a lodge has a minimum of five (5) accommodation rooms and cooking facilities which are not located in the accommodation rooms and where there are no areas for public retail, public entertainment functions, meeting rooms and public convention rooms. Accessory uses may include rental cabins, accommodation for permanent staff and one or more beverage rooms, dining rooms, athletic and recreation facilities (indoor and outdoor) for use by the guests and other similar uses.

Lodging house means the use of a dwelling unit for residential purposes by more than three (3) persons who do not constitute a “family” within the meaning of the Land Use Bylaw.

Loft means the floor space above the eavline and within the pitch of the roof of a building.

Lot, in accordance with the Act, means:

- (a) a quarter section;
- (b) a river lot shown on an official plan referred to in section 32 of the Surveys Act that is filed or lodged in a land titles office;
- (c) a settlement lot shown on an official plan referred to in section 32 of the Surveys Act that is filed or lodged in a land titles office;
- (d) a part of a parcel where the boundaries of the parcel are separately described in a certificate of title other than by reference to a legal subdivision; or
- (e) a part of a parcel where the boundaries of the parcel are described in a certificate of title by reference to a plan of subdivision.

Lot area means the area contained within the lot lines of a lot as shown on a plan of subdivision or described in a certificate of title.

Lot, corner means a lot located at the intersection of two or more streets.

Lot, double fronting means a lot with two front property boundaries, where the front property boundaries are situated at opposite or approximately opposite sides of the lot, as shown in Figure 2.

Lot, interior means a lot other than a corner lot as shown in Figure 2.

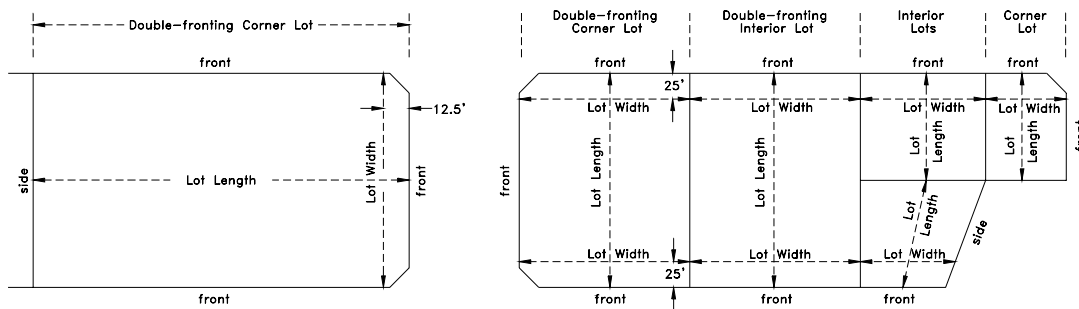


FIGURE 2

Lot length means the horizontal distance between the shortest or principal front property boundary and the opposite property boundary, measured along the median between the side property boundaries as shown in Figure 2.

Lot width means the horizontal distance between opposite side property boundaries measured at a point 25 feet (7.6 m) from the shorter or principal front property boundary as shown in Figure 2.

Lumber yard means a facility where bulk supplies of lumber and other building materials are stored, offered or kept for retail sale and includes storage on or about the premises of such material but does not include retail sales of furniture, appliances or other goods not ordinarily used in building construction.

M

Machinery and equipment sales and repair means the use of land or buildings for the display, sale, service and/or rental of machinery.

Manufactured home means a dwelling unit or series of dwelling units built in an enclosed off-site factory environment in one or more sections and intended to be delivered and assembled at a residential site. New manufactured homes shall be constructed to either the CSA Z241 or CSA A277 standards and installed to CSA Z240.10.1 standards or on a permanent foundation.

Manufactured home park means a site which provides rentable space for long-term parking and occupancy of manufactured homes as defined under “manufactured homes”.

Market garden means the growing of vegetables or fruit for commercial purposes. This use includes an area for the display and sale of goods or produce grown or raised on site.

May means, within the context of a policy, that a discretionary action is permitted.

Medical and dental office means development providing medical and health care on an outpatient basis. Examples of this use include medical and dental offices, clinics, occupational health and safety offices, counselling services, chiropractic and naturopathic services and such other uses as the Municipal Planning Commission considers similar in character and nature to any of these uses, but this excludes dispensaries (which sell pharmaceutical and related medical supplies) as an accessory use.

Minimum building setback means the shortest distance between the wall of a building and a designated lot line.

Mobile home means a prefabricated dwelling unit that:

- (a) is designed to be transported, and when placed on a foundation and connected to utilities is ready for occupancy; and
- (b) is subject to the current provincial building requirements.

The term mobile home includes “Double-wide” and “Single-wide” mobile homes, as defined, but the term does not include motor homes, travel trailers, recreation vehicles and any similar vehicles that are neither intended for permanent residential habitation nor subject to the current provincial building requirements.

Mobile home park means a lot occupied by or intended for two or more single-wide and/or double-wide mobile homes, where each mobile home site is not subdivided into a separately titled lot.

Mobile home sales and service means development for the sale, rental or storage of new and used mobile homes, and includes supplementary maintenance services and the sale of parts and accessories.

Mobile home subdivision means lands divided into lots intended to be occupied by their owners for private residential purposes, and on which are erected permanent foundations for mobile or modular homes.

Modular construction means the construction of a building in prefabricated units at a factory or place other than that of its final assembly which:

- (a) are assembled at the location where the building is to be permanently used;
- (b) are transported from one point to another by being carried on a motor vehicle;
- (c) are not constructed on a frame capable of being equipped with wheels and thus towed from one point to another; and
- (d) are equipped at the factory with interior electrical and plumbing utilities and interior walls (if these elements are required in the modular building).

Motel means development primarily providing temporary sleeping accommodation in rooms or suites, where each room or suite may contain kitchen facilities. Each room or suite in a motel usually has its own private exterior access and is typically provided with an adjoining or conveniently-located parking stall. A motel may include eating and drinking facilities, entertainment, convention, sports, recreation, personal service and retail facilities as accessory uses.

Moved-in building means a conventional, preconstructed, previously occupied building which is physically removed from one site, transported and re-established on another site and does not include mobile homes.

Multi-family dwelling means a building (other than a rowhouse dwelling) containing three or more separate dwelling units.

Municipal Government Act means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

Municipal Planning Commission (MPC) means a committee appointed by Council to act as a development authority pursuant to section 624(2) of the Municipal Government Act and in accordance with the municipality's Subdivision and Development Authority Bylaw.

Municipal development plan means a statutory plan, formerly known as a general municipal plan, adopted by bylaw in accordance with section 632 of the Act.

Municipal reserve means the land specified to be municipal reserve by a subdivision approving authority pursuant to section 666 of the Act.

Municipality means the geographic area of the Municipality of Crowsnest Pass in the Province of Alberta.

Municipal/school reserve means the land specified to be municipal and school reserve by a subdivision approving authority pursuant to section 666 of the Act.

Museum means a building or site used for the preservation, collection, restoration, display and/or demonstration of articles of historical significance and may include archival records of a geographic area or of a time period.

N

Natural resource extractive uses means those uses of land or buildings which are governed by the location of a natural resource and which involve the extraction or on-site processing and/or storage of a natural resource, except those industries which are noxious or hazardous industries. Natural resource extractive uses include the following:

- (a) cement and concrete batching plants;
- (b) sand and gravel operations;
- (c) logging and forestry operations, including sawmills; and
- (d) such other uses as established by Council or the Municipal Planning Commission to be similar to any one or all of the above uses.

Non-conforming building, in accordance with the Act, means a building:

- (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw or any amendment thereof affecting the building or land on which the building is situated becomes effective; and
- (b) that on the date the land use bylaw or any amendment thereof becomes effective does not, or when constructed will not, comply with the land use bylaw.

Non-conforming use, in accordance with the Act, means a lawful specific use:

- (a) 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 or any amendment thereof affecting the land or building becomes effective; and
- (b) that on the date the land use bylaw or any amendment thereof becomes effective does not, or in the case of a building under construction will not, comply with the land use bylaw.

Nuisance means any use, prevailing condition or activity which has a detrimental effect on living or working conditions.

O

Office means development to accommodate:

- (a) professional, managerial and consulting services;
- (b) the administrative centres of businesses, trades, contractors and other organizations; and
- (c) service-related businesses such as travel agents, insurance brokers, real estate agents.

Off-street parking space means a lot or parcel or portion thereof, excluding a public roadway, which is used or intended to be used as a parking area for motor vehicles.

Orientation means the arranging or facing of a building or other structure with respect to the points of the compass.

Outdoor athletic and recreational facility means a facility available to the public for sports and active recreation conducted outdoors. Typical uses include golf courses, driving ranges, ski hills, ski jumps, sports fields, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, boating facilities, outdoor swimming pools, bowling greens, riding stables and fitness trails.

Outdoor vehicle storage means the outdoor storage of vehicles including automobiles, recreation vehicles and boats.

Outside storage means the open storage of goods, merchandise or equipment outside a building.

Owner means the person or persons shown as the owner(s) of land on the assessment roll of a municipality.

P

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

Parking facility includes parking areas, parking spaces and parking structures which are defined as follows:

- (a) **Parking area** means a portion of land or a building or a combination of both, set aside for and capable of providing space for the parking of a number of motor vehicles.
- (b) **Parking space** means a space set aside for and capable of being used for the parking of one motor vehicle.
- (c) **Parking structure** means a building or other structure designed for parking automobiles in tiers on a number of levels above each other whether above or below the ground.

Patio means an outdoor area of a lot developed and used for leisure and/or recreation purposes.

Permanent foundation means a foundation installed to provide structural support for a building or structure, for a period of at least 20 years including: concrete slab on grade, concrete strip footings, wood or concrete full basement and pile or pier footings.

Permitted use means:

- (a) the one or more uses of land or buildings that are stated in Schedule 2 as permitted uses; and
- (b) uses which, in accordance with and subject to the Act, shall be issued a development permit with or without conditions (unless the use is exempted from requiring a development permit) if the proposed development conforms with this bylaw.

Personal service use means a development providing services for personal care and appearance; services for cleaning, servicing, altering and maintenance of personal effects and accessories. Personal service includes barber shops, beauty salons, tailors, diet centres, shoe

repair shops, dry cleaners, upholstery and rug cleaners, laundromats, funeral homes and such other uses that the Municipal Planning Commission considers similar to any one or all of these uses.

Place of worship means a building dedicated to the undertaking of religious practices and activities and includes churches, chapels, temples, parish halls, synagogues, convents, seminaries, monasteries, rectories, or mosques and may include such accessory uses as offices for administration of the place of worship, parsonages, and parish houses.

Plan of subdivision means a plan of survey prepared in accordance with the relevant provisions of the Land Titles Act for the purpose of effecting subdivision.

Planning advisor means the person or organization retained by the Municipality of Crowsnest Pass to provide planning-related advice or services.

Playground – see “Public park or recreation use”.

Portable storage structure means a framework structure made of steel or aluminum and covered by a fabric used to provide outdoor storage for vehicles and/or equipment.

Post office means a government approved facility charged with regulating and handling the transmission of mail or parcels in a country.

Primary access means the location and manner of the principal means of vehicular access and egress from a site or building.

Principal building means a building which:

- (a) is the main building on a lot; or
- (b) by reason of its use, is the primary purpose for which the lot is used.

Principal use means the main purpose for which a lot, parcel, or building is used or intended to be used.

Printing establishment, commercial means a retail business providing photocopying and/or commercial offset printing and retail services.

Printing establishment, industrial means a facility providing non-retail commercial, industrial printing and publishing services normally using automated, web-type presses or full colour process printing.

Private means the use of land or buildings intended for or restricted to the use of a particular person or group or class of persons which is not freely available to the general public.

Private campground – see “Campground, tourist”.

Private club means a facility, not open to the general public, for the meeting, social or recreational activities of members of philanthropic, social services, athletic, business or service organizations, without on-site residences. Private clubs may include rooms for eating, drinking and assembly.

Property line means any legal surveyed boundary of a parcel.

Provincial Land Use Policies means policies established by order of the Lieutenant Governor pursuant to section 622 of the Act.

Public means the use of land or a building which is accessible or visible to all members of the community.

Public and institutional use means a use of land or buildings for any of the following public or semi-public developments:

- (a) a school or educational facility whether public or private;
- (b) churches or places of worship;
- (c) medical facilities which provide both in-patient and out-patient services including hospitals, nursing homes and sanatoriums;
- (d) government and municipal offices, libraries and similar developments;
- (e) protective services, including fire halls, police stations and ambulance services;
- (f) cemeteries; and
- (g) such other uses as the Municipal Planning Commission considers similar in nature and character to any one of these.

Public open space means land which is not in private ownership and is open to use by the public.

Public park or recreation use means a public park, playground, recreation area, indoor or outdoor rink, gymnasium, sportsfield, campground, historic or archaeological site or any similar facility or use of land or buildings provided that the park, playground, recreation area or similar facility is owned and/or administered by any level of government.

Public or quasi-public building or use means a facility owned or operated by or for the municipality, the provincial government, the federal government, or a corporation which is an agent of the Crown under federal or provincial statute for the purpose of furnishing services or commodities to or for the use of the inhabitants of the municipality.

Public roadway means, in a city, town, new town, village or summer village, the right-of-way of all or any of the following:

- (a) a local road,
- (b) a service road,
- (c) a street,
- (d) an avenue, or
- (e) a lane.

Public thoroughfare means any pathway, sidewalk, bridge, lane, service road, local street, collector street, arterial street, or highway.

Public utility means the right-of-way for one or more of the following:

- (a) telecommunications systems;
- (b) waterworks systems;

- (c) sewage systems;
- (d) heating systems;
- (e) systems for the distribution of gas, whether natural or artificial;
- (f) systems for the distribution of artificial light or electric power.

R

Railway means any use connected with the direct operation of a railway system.

Real property report (RPR) means a legal document that illustrates in detail the location of all relevant, visible public and private improvements relative to property boundaries.

Rear lane means service access, generally for vehicular traffic at the rear of properties.

Recreational vehicle sale and rental means a facility for the retail sale or rental of new or used motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar recreational vehicles, bicycles, and skis and may include incidental maintenance services and sale of parts.

Recreational vehicle sanitary pump out site means a facility for the disposal of wastes from recreational vehicles.

Recycling facility means the use of land or buildings for the purchasing, receiving and/or temporary storage of discarded articles, provided that the use does not generate a detrimental effect or nuisance beyond the boundaries of the lot or site on which it is situated. A recycling facility may involve supplementary production of by-products or materials and includes bottle, can and paper recycling depots.

Registered owner means:

- (a) in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land; or
- (b) in the case of any other land:
 - (i) the purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the certificate of title in the land, and any assignee of the purchaser's interest that is the subject of a caveat registered against the certificate of title; or
 - (ii) in the absence of a person described in paragraph (i), the person registered under the Land Titles Act as the owner of the fee simple estate in the land.

Religious assembly means development owned by a religious organization used for worship and related religious, philanthropic or social activities and includes accessory rectories, manses, meeting rooms, classrooms, dormitories and other buildings. Typical facilities would include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries.

Religious institution – see “Churches” or “Place of worship”.

Reserve land means environmental reserve, municipal reserve or school reserve or municipal and school reserve.

Residential streets means streets whose primary function is to allow access to residential lots. A collector street may be classified as a residential street, providing the volume of traffic is not detrimental to living conditions.

Resort means a comprehensively planned and operated development offering recreational, educational, cultural, convention and conference facilities, together with visitor accommodation, in a location chosen for the unique qualities and attributes of its natural physical setting. Appropriate uses within a resort could include, but are not limited to: visitor accommodation, private residences, convention and conference facilities, indoor and outdoor recreation facilities (e.g. golf courses, ski hills, riding stables, tennis courts, health spas), retail and personal service facilities and other uses suitable to the location and compatible with adjacent land uses.

Resort accommodation means a facility for visitors to a resort, which may be in the form of visitor accommodation, apartment hotels, lodges, campground or other forms of tourist accommodation.

Resource development activity means the removal of natural resources including oil, gas, minerals or timber on a commercial basis.

Resource processing activity means the extraction, refining or other processing of natural resources including oil, gas, minerals or timber on a commercial basis.

Restaurant means an establishment where food is prepared and served on the premises for sale to the public, and may include entertainment which is ancillary to the preparation and service of food.

Retail means premises where goods, merchandise, other materials, and personal services are offered for sale at retail to the general public and includes limited on-site storage or limited seasonal outdoor sales to support that store's operations. Typical uses include but are not limited to grocery, hardware, pharmaceutical, appliance and sporting goods stores. This use excludes warehouse sales and the sale of gasoline, heavy agricultural and industrial equipment, alcoholic beverages, pawnshops, or second-hand goods, or retail stores requiring outdoor storage. Minor government services, such as postal services, are permitted within general retail stores.

Retail store means a building where goods, wares, merchandise, substances, articles or things are stored, offered or kept for sale at retail, and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles or things sufficient only to service such a store.

Riding stable means a compound designed with stalls for the housing, bedding or confinement of four-legged animals used for riding purposes.

Rifle range means a designated practice area designed for the purpose of controlled discharge of firearms or archery equipment.

Rodeo grounds consists of an agricultural-recreation oriented facility where exhibiting horses and cattle and giving exhibitions of the speed, breeding and management of livestock and husbandry is a few of its functions and purposes, and which may also include facilities (arena, chutes, grandstand, corrals, stables, concession booths, etc.) to carry out such purpose, and may be managed by civic, private or nonprofit organizations.

Rowhouse dwelling or townhouse means a residential building containing three or more dwelling units, where each dwelling unit is joined in whole or in part at the side only and where no dwelling unit is located in whole or in part above another dwelling unit. Each dwelling unit in a rowhouse is separated from the abutting dwelling unit by a wall, generally extending from the foundation to the roof, and each dwelling unit is provided with its own direct access from grade.

RTM (ready to move) home means a house that would normally be built on your construction site, but for various reasons, such as cost and location, the RTM gets built on the plant site. It is then loaded and transported as one (1) unit onto the proper moving equipment and delivered to the client's location.

S

Salvage or waste disposal facility means development for purchasing, receiving or transporting of spent materials or substances which may generate a detrimental impact or nuisance beyond the boundaries of the lot or parcel on which it is situated. This term includes uses such as autowreckers, salvage and scrap yards, garbage container services, effluence tanker services and such other uses as the Municipal Planning Commission considers similar in character and nature to any one or all of these uses.

Satellite dish means an anchored structure designed to capture or receive broadcast signals beamed by satellites for audio-visual purposes.

Satellite dish antenna means a parabolic antenna including foundation used for the reception of satellite transmitted television or radio waves.

School means a place of instruction offering courses of study. Included in the category are public, private, and separate schools.

School, commercial means a place in instruction operated for profit but does not include a private school.

School, post-secondary means a public or private educational establishment providing academic, professional, trade, craft or other educational curriculum to post-secondary students.

School, private means a school, other than a school operated by a School Board under the School Act, that provides grade and secondary school instruction to pupils through courses prescribed or approved by the Minister of Education.

School, public or separate means a place of instruction operated with public funds pursuant to The School Act.

Scrap yard means a facility where materials are stored temporarily on the site for reprocessing into scrap materials for sale or where useable parts for used goods, equipment or vehicles are sold.

Screening means a fence, wall, berm or hedge used to visually separate areas or functions which detract from the urban street or neighbouring land uses.

Semi-detached dwelling means a residential building containing only two dwelling units located side by side with separate access to each dwelling unit. Each dwelling unit in a “Semi-detached dwelling” is joined to the other unit by at least one common wall which extends from the foundation to at least the top of the first storey of both dwelling units.

Senior citizen housing means development, including lodges, which is used as a residence for elderly individuals not requiring constant or intensive medical care.

Service club – see “Private club”.

Service station means premises or the portion thereof used or intended to be used for the servicing and minor repairing of motor vehicles and for the sale of gasoline, lubricating oils and minor accessories for motor vehicles.

Setback means the distance required between a building, development or use from a property line facing a street or other property line.

Shall means that the action is mandatory.

Shipping container means an container that was used for transport of goods by means of rail, truck or sea. These containers are rectangular in shape and are generally made of metal.

Shopping malls means a unified concentration of retail stores and service establishments in a suburban area with generous parking space, usually planned to serve a community or neighbourhood.

Should means that the action is recommended.

Shrub means a single or multi-stemmed woody plant under five (5) metres at maturity.

Sign has the same meaning as it has in the sign standards in Schedule 11 of this bylaw.

Similar use means a use which is not specifically considered in a land use district but, in the opinion of the Municipal Planning Commission, is similar in character and purpose to another use that is permitted or discretionary in the land use district in which such use is proposed, the Municipal Planning Commission may:

- (a) rule that the proposed use is either a permitted or discretionary use in the land use district in which it is proposed; and
- (b) direct that a development permit be issued in accordance with this bylaw.

Single family dwelling means a freestanding residential dwelling, other than a mobile home, not forming part of and not physically attached to any other dwelling or structure.

Single-wide mobile home means a mobile home which is:

- (a) typically not greater than 4.9 metres (16 ft.) in width; and
- (b) permanently fixed to a single chassis; and
- (c) not intended to be expanded, telescoped or twinned for additional floorspace.

Double-wide mobile home is a separate use.

Site means that part of a parcel or a group of parcels on which a development exists or for which an application for a development permit is being made.

Ski hill or facilities means a natural elevation of land, slope or trail suitable for the recreational art or sport of sliding, traveling or gliding on skis and may include ancillary uses such as a ski lift, lodge, and maintenance facilities whose purpose is to accommodate the use of such a ski hill in a designated area.

Ski lift means a motor-driven conveyor consisting usually of a series of bars or seats suspended from an overhead moving cable and used for transporting skiers or sightseers up a long slope.

Ski lodge means a retail development associated with the operation of a ski hill providing food and beverage services, washroom facilities, ski ticket sales and related accessory uses or facilities. This use does not include dwelling units or sleeping units.

Ski resort – see “Resort”.

Slope adaptive housing means housing which incorporates specific building and site design methods that minimize the impact of site development on the natural environment, ensures slope stability, and responds positively to the aesthetic opportunities presented by construction on sloping lands. Techniques to achieve this normally include: design of rooflines and building massing designs to echo the angles and shapes of the surrounding landscape; breaking up of the building mass to conform to the slope; and the use of indigenous materials and compatible colours.

Sod farm means the commercial growing of sod through seeding and stripping of topsoil to sell the final product.

Souvenir shop means a retail store which sells various souvenirs and mementos and generally caters to the shopping needs of visitors.

Stake out of the site means the process of measuring the site and designating the areas on the site where construction will occur.

Statutory plan means a municipal development plan, area structure plan or area redevelopment plan adopted under the Municipal Government Act.

Stop order means an order issued by the Municipal Planning Commission pursuant to section 645 of the Act.

Storey means that portion of a building situated between the top of any floor and the top of the next floor above it or, if there is no floor above it, the ceiling above it. When the top of a floor directly above a basement is over 1.8 metres (6 ft.) above grade, that basement shall be considered a storey.

Street means a public thoroughfare affording the principal means of access to abutting parcels, and includes the sidewalks and the land on each side of and contiguous with the prepared surface of the thoroughfare and owned by the municipality.

Structural alteration means a repair or alteration to the supporting members or fabric of a building which tends to either substantially prolong its use or alter its character.

Subdivision means the division of a parcel by an instrument, and “subdivide” has a corresponding meaning.

Subdivision and Development Appeal Board means the tribunal established, by bylaw, to act as the municipal appeal body for subdivision and development.

Subdivision and Development Regulation means regulations established by order of the Lieutenant Governor in Council pursuant to section 694 of the Act.

Subdivision approval means the approval of a subdivision by a subdivision approving authority.

Subdivision Authority means the person or body empowered to approve a subdivision.

Surveillance suite means a dwelling unit or sleeping unit that is developed in conjunction with a principal use so that the dwelling is a supplementary use to that principal use, and which is used solely to accommodate a person or persons, whose function is to provide surveillance, maintenance and/or security for a development provided for in the land use district.

T

Take-out service means the sale of food or beverages in a form ready for consumption from a restaurant or other premises where a significant portion of the consumption will take place off the premises.

Taxi service means a business established to provide chauffer-driven automobile transportation available on call to carry a passenger between two points for a fare determined by a taximeter or flat rate.

Taxidermist means an individual engaged in the art of preparing life-like representations of animals by stuffing the skin or usually fashioning a wooden or plaster model on which the skin of the specimen is mounted or moulded.

Temporary storage yard means development used exclusively for temporary outside storage of goods and materials where such storage of goods and materials does not involve the erection of permanent structures or the material alteration of the existing state of the land. Typical uses include storage yards for construction vehicles, equipment and materials or recreation vehicles.

Temporary structure means a structure without any foundation or footings and which is removed when the designated time period, activity or use for which the temporary structure was erected and ceased.

Theatre means a building or structure designed for the showing of motion pictures or to accommodate a company of performers for the showing of plays or dances.

Tourist home means a dwelling unit operated as an accommodation unit, occupied by a guest or guests for a period of less than 28 days.

Townhouse means a single building comprised of three or more dwelling units separated from each other by walls extending from foundation to roof, with each dwelling unit having a separate, direct, at grade entrance. This includes all row, linked, patio, garden court or other housing which meet these criteria. A townhouse development may consist of a group of buildings each of which contains three or more dwelling units.

Townhouse, stacked means a multiple dwelling comprised of three or more dwelling units and constructed such that one or more dwelling units are located totally or partially above another dwelling unit, and each having a separate, direct entrance from grade or a landscaped area. A stacked townhouse development may consist of a group of buildings each of which contains three or more dwelling units.

Travel agency means an office or enterprise engaged in the selling, arranging or furnishing of information regarding personal transportation or travel.

Triplex means a single building comprised of three dwelling units, each unit having a separate, direct entrance from grade or a landscaped area.

Truck and manufactured home sale and rental means development used for the sale or rental of new or used trucks, motor homes, manufactured homes, and automobiles together with incidental maintenance services and the sale of parts and accessories. Typical uses include truck dealerships, recreation vehicle sales and manufactured home dealerships.

Truck repair and servicing means a facility for the servicing and repair primarily of licensed motor vehicles with a gross vehicle weight in excess of 4000 kg (8818 lbs.).

Truck stop means a service station which caters to large commercial vehicles such as semi-trailer trucks as well as intermediate-sized vehicles and passenger vehicles. The use "Truck stop" includes an accompanying restaurant or cafe as well as a card lock or key lock motor vehicle fuel dispensing facility. The use may also include general retail sales, vehicle towing services, limited vehicle sales or rentals and similar uses provided that any such uses are clearly accessory uses and incidental to the operation of the truck stop in the opinion of the Municipal Planning Commission.

Truck transport depot means a centralized area for the parking, loading, unloading, storage or servicing of large commercial trucks engaged in the business of transporting goods and materials to specified destinations.

Truck wash – see "Car wash".

Trucking establishment means a facility for the purpose of storing and dispatching trucks and tractor trailers for transporting goods.

U

Utilities means any one or more of the following:

- (a) systems for the distribution of gas, whether artificial or natural;
- (b) facilities for the storage, transmission, treatment, distribution or supply of water or electricity;
- (c) facilities for the collection, treatment, movement or disposal of sanitary sewage;
- (d) storm sewage drainage facilities;
- (e) any other things prescribed by the Lieutenant Governor in Council by regulation;

but does not include those systems or facilities referred to in subclauses (a) to (d) that are exempted by the Lieutenant Governor in Council by regulation.

V

Vegetation management means the manipulation of plant material for purposes such as the spread of wildfires, or the control of plants or diseases.

Vehicle sales and rental use means a use of land or buildings for the sale of automobiles, vans, motorcycles, snowmobiles, tent and holiday trailers, boats and other recreational vehicles and craft and trucks with a tare weight not exceeding 5,900 kg (13,000 lbs.). This use includes supplementary vehicle maintenance and cleaning, sale of parts and accessories and dispensing of motor fuel.

Veterinary clinic means a facility for the care of animals but does not include outdoor pens, runs or enclosures.

Visitor accommodation means a building or group of buildings not intended for residential use where sleeping facilities are provided for persons for periods of up to 30 days and which may also contain recreational facilities, commercial uses and additional facilities including but not limited to eating establishments, drinking establishments, room service, meeting rooms, public convention rooms, and laundry service. Where the majority of visitor accommodation units within the visitor accommodation contain suites of more than one room, two or more of the following services shall be provided: eating establishment, drinking establishment, room service, public convention room, or laundry service. This definition does not include lodges.

Visitor accommodation unit means a room or suite of rooms located within visitor accommodation which has a door leading directly to a public hallway or other public access area.

W

Waiver means the relaxation or variance of a development standard established in the land use bylaw. For the purpose of this bylaw, only the Municipal Planning Commission or, on appeal, the Subdivision and Development Appeal Board can waive provisions of the land use bylaw.

Warehouse means a building used or intended to be used predominantly for the indoor storage of goods and merchandise.

Warehouse store means a facility for the wholesale or retail sale of a limited range of bulky goods from within an enclosed building where the warehouse or storage component occupies at least 50 percent of the gross floor area and retail uses occupy 50 percent or less of the gross floor area. Typical uses include furniture, carpet and appliance warehouses.

Warehousing means the use of a building for the storage of materials, products, goods and merchandise.

Welding shop means a business engaged in the fabrication, assembly or repair of machinery or equipment by heating materials to a fluid state and uniting or consolidating them at a common point known as a weld.

Wildland Urban Interface (WUI) means an identified area where residential, industrial or agricultural developments are located within or near wildland settings with natural vegetation, that are at risk from wildfire.

Wildlife corridor means an area which provides or is designed to provide connectivity between patches of wildlife habitat. Wildlife corridors generally do not fulfill the requirements of wildlife habitat patches except for the physical security provided by vegetative cover or other buffers from development.

Wind energy conversion system (WECS) means a system consisting of subcomponents which convert wind energy to electrical energy and having major components being generator rotors, tower and a storage system.

Workshop means a small establishment where manufacturing or craftwork is carried on by an individual or proprietor with or without helpers or power machinery.

Y

Yard means the minimum required open space, on a site, that lies between the principal and accessory building or structure and the nearest lot line.

Yard, front means a yard extending across the full width of the site and measured, as to depth, at the least horizontal distance between the front street line and the nearest projection of the principal building as shown in Figure 3.

Yard, rear means a yard which extends the full width of a site and measured, as to depth, at the least horizontal distance between the rear property line and the nearest projection of any building as shown in Figure 3.

Yard, side means a yard extending from the front yard to the rear yard, and measured as to width at the least horizontal distance between the side property line or side street line and the nearest projection of any building as shown in Figure 3.

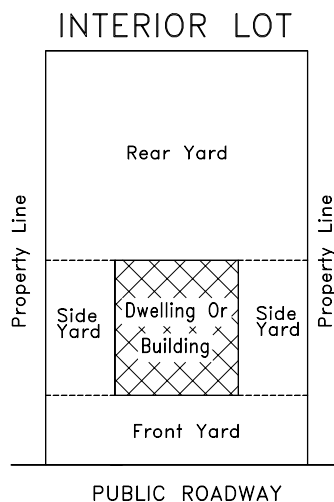


FIGURE 3

Schedule 16

STANDARDS FOR SECONDARY SUITES

STANDARDS FOR SECONDARY SUITES

Secondary Suite means development of an ancillary, self-contained unit located in a structure in which the primary use is a single-family dwelling unit. A secondary suite would provide sleeping, cooking and washroom facilities within the self-contained unit.

1. A secondary suite has an entrance separate from the entrance to the primary dwelling unit, either from a common indoor landing or directly from the exterior of the structure, and must be connected by an interior door directly connecting the primary dwelling unit to the secondary unit. Exterior access to the secondary suite shall be subordinate in both size and appearance to the access of the primary dwelling unit.
2. There shall be no more than one secondary suite developed in conjunction with a principal dwelling unit.
3. Minimum off-street parking per unit shall be required in accordance with the Land Use Bylaw.
4. A condition of approval for a secondary suite shall be the requirement to obtain a building permit pursuant to the Safety Codes Act.
5. The floor area occupied by a secondary suite shall be considered as part of the principal use of the structure for the purpose of calculating site coverage.
6. The floor area shall not exceed 40% of the gross floor area of the principal building.
7. The floor area shall be a minimum of 13.9 m² (150 sq. ft.) per person.
8. The secondary suite shall have full utility services through service connections from the principal dwelling unit.
9. There shall be minimal structural changes to the front exterior of the principal building, which shall continue to appear as a single-family dwelling unit.
10. Yard variances will not be granted to develop a secondary suite.
11. All properties within 100 m of a secondary suite development are to be mailed a written notice of the application, at least 14 days prior to the meeting of the Municipal Planning Commission.

Appendix 1

COMMERCIAL LOGGING GUIDELINES

MUNICIPALITY OF CROWSNEST PASS
COMMERCIAL LOGGING GUIDELINES

DEFINITIONS:

Cut block means any area on which all the stand is to be removed.

DBH means diameter breast height at 4.3 feet.

Disturbed means damaged or altered due to logging or related operations.

End use means the final productive purpose intended for a cut block.

Feathered edges pertains to the shape of the cut block edges. Feathered means a selectively logged margin between the cut block and the undisturbed stand.

Inside edge of the cleared fence line clearing means the edge of a stand that faces a perimeter fence, if the fence line has been disturbed to allow for better fence maintenance.

Landings are areas within a cut block used to store logs on or for the loading of logging trucks.

Permanent water courses are lake, slough, river, stream or creek beds in which water flows are contained within, more than one hundred and eighty (180) days in a calendar year.

Prevailing winds means the west or any variation of west wind that affects a particular stand of trees.

Reclamation means the returning to productive usage of any areas that were disturbed. Reclamation must address soil replacement and conservation and the establishment of a permanent soil cover.

Selective cutting means removing individual trees or a specific species of tree within a defined area. Trees not selected are left undisturbed as a part of the natural stand.

Slash means the unutilized woody materials left in an area that has not been left undisturbed.

Stand means the total of all undisturbed trees greater than one (1) inch in diameter 4.3 feet above ground.

Undisturbed means undamaged and not altered as to position or arrangement.

DEVELOPMENT NOT REQUIRING A PERMIT:**Cut Blocks Less Than One Acre Exempted**

All cut blocks less than one (1) acre in size are exempted from obtaining a development permit, provided that no more than one such cut block per quarter section is harvested per calendar year. All harvesting conditions as contained in these guidelines must be complied with.

Selective Cutting Areas Exempted

If selective cutting is used and forty percent (40%) of the stems exceeding five (5) inches DBH are to be left standing and slopes do not exceed twenty percent (20%), the area exempted shall be three (3) acres in size. All harvesting conditions as contained in these guidelines must be complied with.

DEVELOPMENT REQUIRING A PERMIT:**Greater Than One (1) Acre Requires Development Permit**

Cut blocks greater than one (1) acre in size require a development permit. Details of the cut block are to be shown on a map and recent air photo. Landings, roads and campsite areas are to be included in the calculation of the size of each cut block.

Applications for cut blocks greater than ten (10) acres may be required to be accompanied by an operation plan prepared by a Registered Professional Forester or Certified Technologist.

CUT BLOCK REQUIREMENTS:

All cut blocks are to be no greater than three hundred (300) feet in width perpendicular to the prevailing winds.

Feathered edges may be required on cut blocks.

Cut blocks bordering the perimeter quarter section line may be required to have a strip one hundred (100) feet wide left undisturbed. If the fence line is cleared, the one hundred (100) foot strip will be measured from the inside edge of the cleared fence line clearing.

SLASH REQUIREMENTS:

Slash must be evenly distributed with no areas of heavy accumulation. The Municipal Planning Commission shall require the harvesting on any private land to completely dispose of any forestry debris.

OPEN FIRES PROHIBITED:

Open fires are prohibited in commercial logging areas, including the burning of slash. Once all logging has been completed, the registered land owner may obtain a permit to burn slash from the Fire Chief for the Municipality of Crowsnest Pass and Alberta Sustainable Resource Development, Forest Protection Division.

WATERSHED PROTECTION:

Except as otherwise approved as part of an Operating Plan, all permanent water courses must be left undisturbed for a distance of one hundred (100) feet from the high water mark on both sides of the water course. Brush and lesser vegetation must be left undisturbed along temporary water courses.

SLOPE REQUIREMENTS:

Cut Blocks are not permitted on slopes with a rise greater than three (3) feet vertical for every ten (10) feet horizontal distance (30%). If slopes exceed thirty percent (30%), development permits are required for all selection cutting.

EVIDENCE OF RECLAMATION AND END USE:

Each application must attach a statement of end use and a reclamation plan that has been approved by and is to be enforced by the registered land owner.

Each application must be accompanied by an operating plan for the proposed development.

Appendix 2

**LOCATION OF THIRD PARTY BUSINESS SIGNS
WITHIN MUNICIPAL BOUNDARIES**

**LOCATION OF THIRD PARTY BUSINESS SIGNS WITHIN MUNICIPAL BOUNDARIES
ON ALBERTA TRANSPORTATION AND UTILITIES PROPERTY**

MUNICIPALITY OF CROWSNEST PASS

SECTION AND PAGE:	_____		
DEPARTMENT	_____		
COUNCIL APPROVAL:	_____	DATE:	_____
DISTRIBUTION:	COUNCIL		
ADMIN POLICY:	_____	BY-LAW OR RESOLUTION DATE:	_____
REVIEWED:	COUNCIL	REVISED:	MARCH 10, 1998
REVIEWED:	COUNCIL	REVISED:	JULY 21, 1998
REVIEWED:	_____	REVISED:	_____
POLICY #:	CNL-001.01	SUPERSEDES POLICY#:	_____

**LOCATION OF THIRD PARTY BUSINESS SIGNS WITHIN MUNICIPAL BOUNDARIES ON
ALBERTA TRANSPORTATION AND UTILITIES PROPERTY**

PURPOSE

To Regulate the construction of **THIRD PARTY BUSINESS SIGNS** on **Alberta Transportation and Utilities Right of Ways and all private property within 150 meters thereof** within the Municipality of the Crowsnest Pass. This will allow for the orderly development of Highway Third Party Business Signage in the Municipality and further more to allow local business and organizations to have access to highway sign advertising in accordance with specifications of Alberta Transportation and Utilities and maintain the picture perfect scenery that the residents and visitors of the Crowsnest Pass have become accustomed to.

POLICY

All Third Party Business Sign permits that are granted by Alberta Transportation must also be granted permission by the Municipality of the Crowsnest Pass as to the location of where the sign is to be placed. The location of the sign must fall within the areas that have been designated by the Sign Committee.

**LOCATION OF THIRD PARTY BUSINESS SIGNS WITHIN MUNICIPAL BOUNDARIES
ON ALBERTA TRANSPORTATION AND UTILITIES PROPERTY**

PROCEDURE

1. Businesses and organizations wanting to erect signs within the boundaries of the Crowsnest Pass are first required to apply and receive a permit from Alberta Transportation.
2. Alberta Transportation will inform the Chief Administrative Officer of the Municipality of all permits that have been applied for and granted, by faxing a copy of the permit to the Municipal Office.
 - a. Alberta Transportation will also advise the business or organization of the Municipal Sign Policy and ask them to contact the Chief Administrative Officer of the Municipality in writing of their intent to erect a sign and the desired location. In cooperation with Alberta Transportation only signs to be placed on property owned by Alberta Transportation and approved by the Municipality will be erected.
3. Once a business or organization is granted a sign permit from Alberta Transportation, the business will apply in writing to the Chief Administrative Officer indicating their desire to erect a sign and in what area of the Crowsnest Pass the sign is to be erected.
 - a. Available sign locations will be given out on a "first come, first serve" basis. Once all sites are utilized, no further sites will be allocated. There will only be one sign allowed on each chosen site (see attachment).
4. The Chief Administrative Officer will review the sign locations that are remaining and reply to the business indicating which sign locations are available, a copy of this policy and the details of the companies that already have multiple logo signs.
5. Should the sign not meet with the approval of the Sign Committee or complaints are received from the community, the Chief Administrative Officer will notify Alberta Transportation and Utilities in writing.
6. The necessary changes will have to be made to the sign by the business or organization within thirty days.
 - a. Should the business or organization not comply, the Municipality will demolish the sign and charge all costs to the developer.

**LOCATION OF THIRD PARTY BUSINESS SIGNS WITHIN MUNICIPAL BOUNDARIES
ON ALBERTA TRANSPORTATION AND UTILITIES PROPERTY**

Attachments:

1. Approved sites for sign locations
2. Sign Specifications from Alberta Transportation and Utilities

**LOCATION OF THIRD PARTY BUSINESS SIGNS WITHIN MUNICIPAL BOUNDARIES
ON ALBERTA TRANSPORTATION AND UTILITIES PROPERTY**

Attachment #1 / Policy # CNL-001.01

APPROVED SITES FOR THIRD PARTY BUSINESS SIGNS

1. FOR TRAFFICE TRAVELING EASTERLY

Starting approximately 1.8km west of the West Access to Coleman and each additional .5km (approximately) west thereof to a maximum of 5 sign sites.

2. FOR TRAFFIC TRAVELING WESTERLY

Starting approximately .5km east of the East Access to Bellevue and each additional .5km (approximately) east thereof to a maximum of 5 sign sites.

NOTE **Field conditions** will be taken into account when determining the exact **Location** for placement of signs.

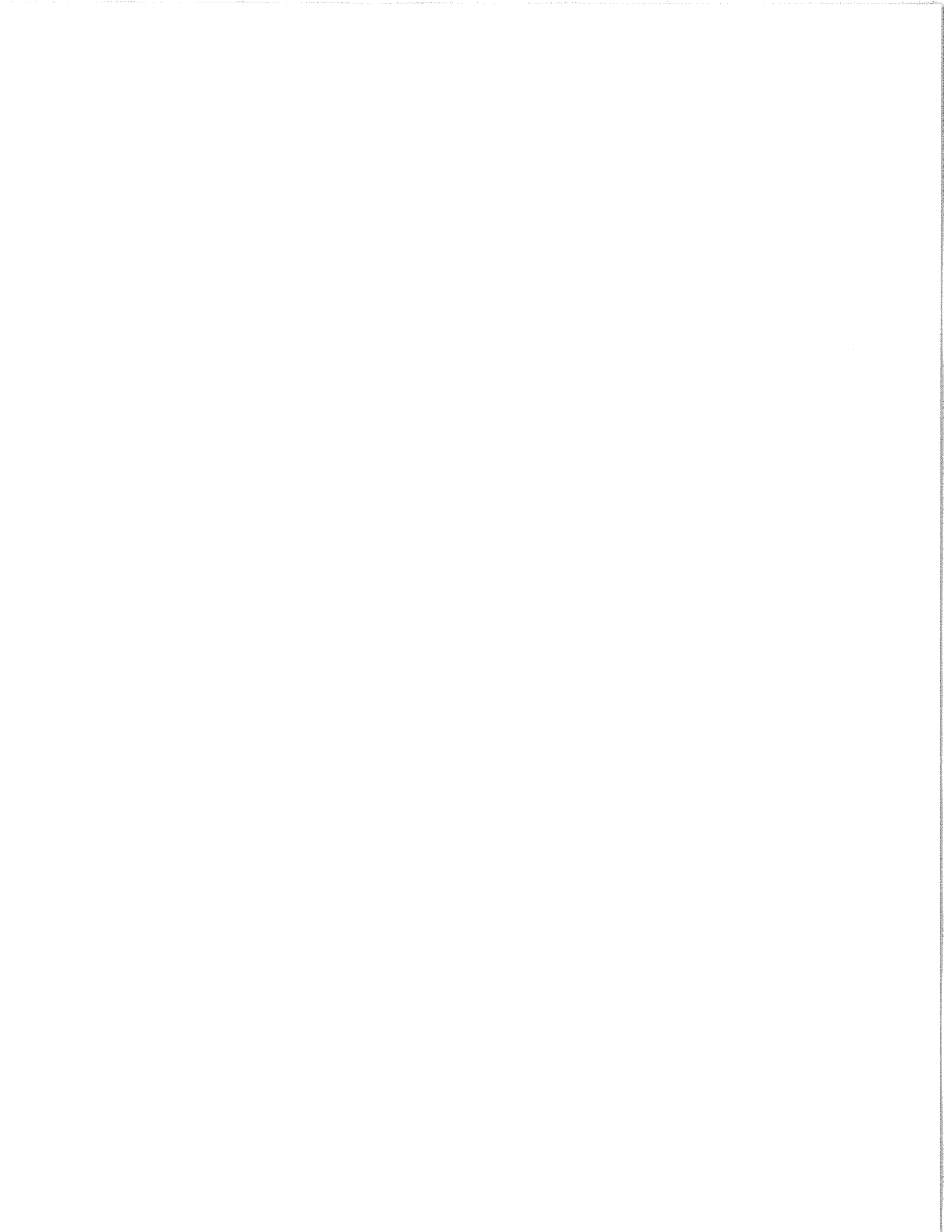


COMMUNITY BUSINESS SIGNS

INFORMATION PACKAGE

AUGUST 1997

***Technical Standards Branch
Alberta Transportation & Utilities
4999 - 98 Ave., Edmonton, Alberta
T6B 2X3***



COMMUNITY BUSINESS SIGNS

PURPOSE:

The primary purpose of the Community Business Signs Program is to provide businesses located in urban centres except cities with the opportunity to advertise in a controlled manner. Community business signs will provide the motoring public with business identification for local area businesses which complement the existing rural community facility signing program.

ELIGIBILITY:

Communities (towns and villages) located within 8 kilometres of a primary highway will be allowed community business signing in advance of the main access into the urban area.

Rural industrial parks located within 2 kilometres of a primary highway will also be allowed community business signing in advance of the main access into the park.

All businesses advertising on the Community Business Sign must be located in the community or industrial park and comply with local business licensing requirements.

BASIC CONDITIONS:

The following are the basic conditions for the establishment of Community Business Signs:

- 1. A maximum of five community business signs will be allowed for each direction in advance of the urban centre or main access to the urban centre. Generally, the first sign should be 0.5 kilometre in advance of the community facility sign (which is generally 1 km in advance of the community or its access) and additional signs will be at 0.5 kilometre spacing in advance of the first sign. Feasibility of sign location will require verification. Exact placement will depend on field conditions and will require approval by the Operations Manager. Refer to location details for Community Business Signs in Drawing No. TEB 1.93 in the Appendix.*

2. *The upper portion of the sign identifying the community and distance to the community or access shall be white on brown (refer to Drawing No. TEB 1.91 in the Appendix).*
3. *The kilometre marking on the upper portion of the sign shall make reference to the distance to the access road or corporate limit whichever applies (e.g., Okotoks Access). If it is an access, this should be specified on the sign.*
4. *The community business sign owner is responsible for keeping the distance on the upper portion of the sign correct. If the corporate limit of the community changes, the distance indicated on the community business sign must reflect the change.*
5. *The number of advertisement panels allowed on each Community Business Sign will be either 3, 6, or 9. Each panel will be 80 cm x 120 cm in size (refer to Drawing No. TEB 1.91a in the Appendix).*
6. *Each panel will be restricted to one business (i.e., two businesses cannot advertise on the same panel). However, if a business is composed of several franchise businesses operating as a single business, then a maximum of two logos are permitted on the same sign panel (e.g., KFC and TACO Bell franchises operating as a combined business in the same premise).*
7. *Two panels per business may be allowed as long as the panels are adjacent to each other.*
8. *No business will be permitted to advertise on successive community business signs. A business is allowed one advertisement on each highway entering the community.*
9. *The following will be allowed on the sign panels:*
 - *Company name, logo, name brand, trademark.*
 - *Phone number (minimum 15 cm high lettering will be required for clarity).*
 - *Hours of Operation (minimum 15 cm high lettering will be required for clarity).*
 - *“Next Left” or “Straight Ahead” permitted - complex directional arrows or maps not allowed.*
 - *Sign lettering shall be minimum 15 cm high.*

10. *Secondary advertising, secondary names/trademarks (e.g., Coke is the Real Thing, Pepsi the Next Generation) will not be allowed on the sign panels:*

11. *Sign illumination is not permitted for reasons of safety and liability.*

12. *Sign manufacturer identification is permitted subject to the following criteria:*

- *If placed on the front of the sign, a maximum area of 0.35 square metre tab will be allowed at the bottom of the sign panel.*
- *If placed on the back of the sign, a maximum area of 0.35 square metre panel will be allowed within the overall sign panel.*
- *The identifier should consist of the company name or logo and a phone number. No other information will be permitted on the tab.*

FABRICATION, ERECTION AND MAINTENANCE:

The sign structure is to be fabricated, installed, owned and maintained by the private sector or a local organization such as the Chamber of Commerce (permit holder). All costs associated with business panel fabrication, freight, installation, replacement and maintenance will be the responsibility of the permit holder.

If the sign structure is constructed of steel posts such as H-channels, the structure shall be equipped with breakaway bases irrespective of the set-back distance from the travel lanes (clear zone criteria). Refer to installation details for Community Business Sign in Drawing No. TEB 1.92 in the Appendix.

Wood posts with a cross sectional area greater than 230 square cm (150mm x 150mm) will not be permitted for use in any community business signs unless they are equipped with breakaway features. This requirement applies anywhere in the highway right-of-way regardless of the set-back distance.

If the sign structure is wood, no poured-in-place concrete is allowed in the footings. The sign supports shall be properly tamped. In wet and unstable soil conditions, poured-in-place concrete foundation may be permitted with approval of the Operations Manager.

SAFETY CONSIDERATIONS:

Motorists must be able to read and comprehend the sign panels at a glance. Any sign panel which may cause motorist confusion will not be allowed. Flashing, intermittent or revolving lights or moving parts are prohibited on the sign. Signs, symbols, trademarks, etc. which resemble official signs or traffic control devices also are prohibited.

Community business signs must not obstruct the sight lines at road intersections or railway crossings as these may cause serious traffic collisions.

SUGGESTED SIGN DESIGN GUIDELINES:

Community Business Sign design should be based on the concept of logo signing. This type of signing will give a lasting impression of a business and community to the highway user. Often, highway users will gain this type of impression without remembering the sign message.

Every effort should be made to design an aesthetically pleasing sign which will be a positive reflection on your business and/or community.

Motorists must be able to read the sign panels at a glance as they drive by, if they are to be of any value. Script or highly stylized lettering types are very difficult to read and should be avoided as much as possible.

The visibility of the sign at night can be important to an all night business. This can be accomplished by using retro-reflective materials similar to highway signs. If retro-reflective materials are chosen it is recommended that a high quality, "high intensity" product be used. This will provide durability and ensure that enough light is returned to the motorist to read the sign.

HOW TO APPLY FOR A PERMIT:

Application for a sign permit must be made through one of Alberta Transportation and Utilities' ten district offices. Locations of these offices are listed in the Appendix.

Applications for Community Business Signs will be handled on a "first come, first served" basis. The application is not valid unless the appropriate fees (certified cheque or cash) accompany the application.

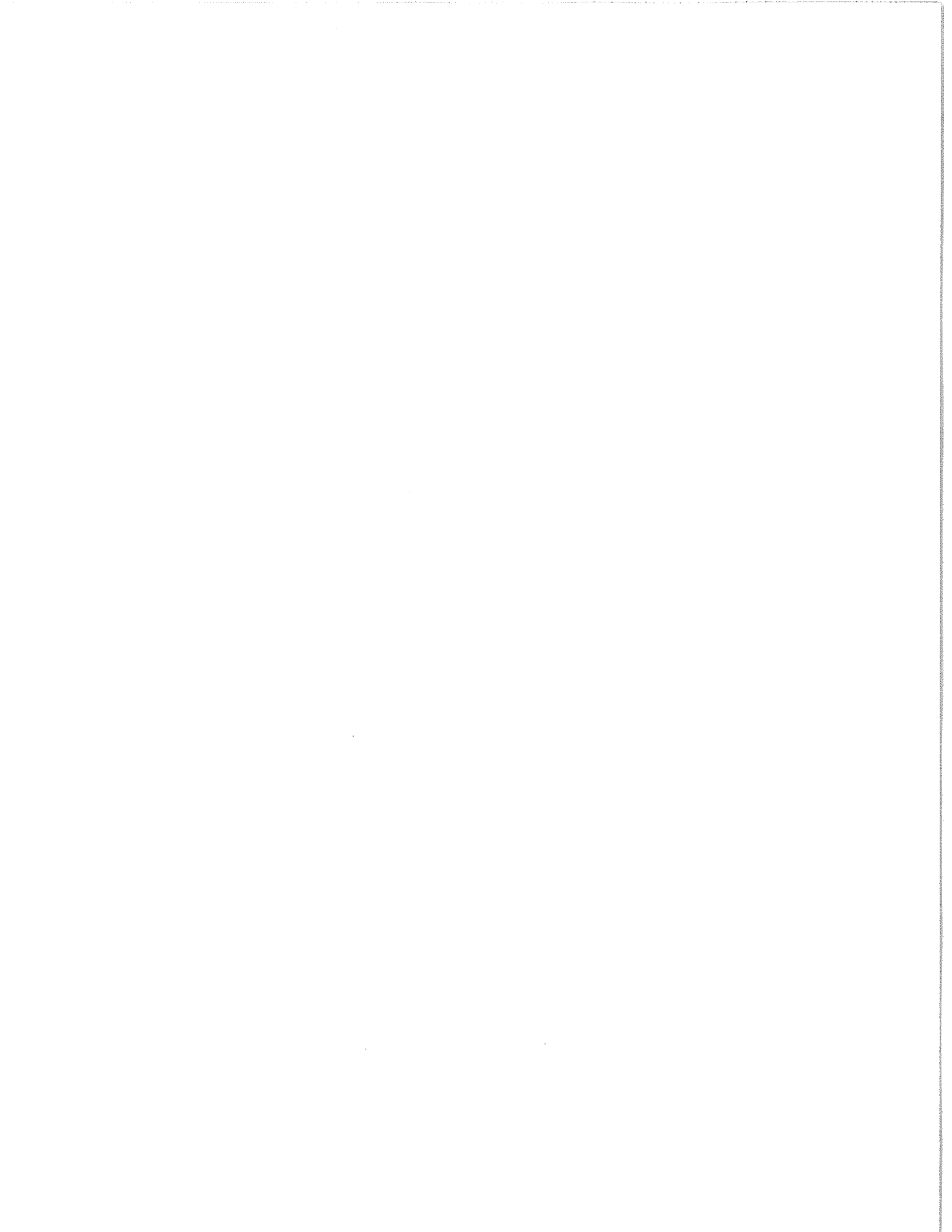
Cost of the permit is at the rate of \$100 per year per community business sign panel available on the structure. Alberta Transportation and Utilities reserves the right to change the fee structure with one year's notice.

Permit applications will contain a clause stating that Alberta Transportation and Utilities reserves the right to remove any sign panel or sign if the contents of that sign are deemed to be unacceptable to the department. Panel design for each business must be approved by the Operations Manager before installation.

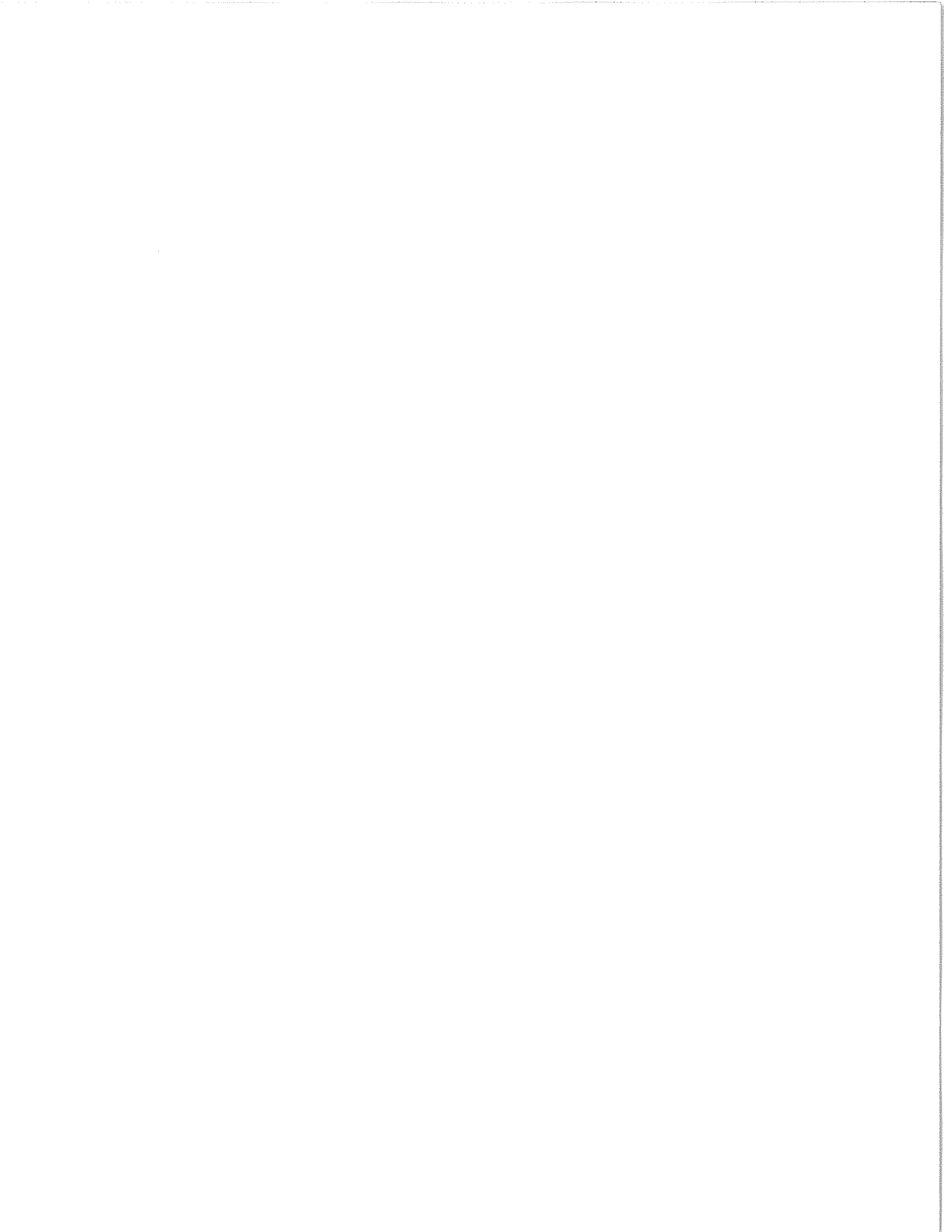
Once the permit is issued for the community business sign, the sign assembly must be installed within the permit period (12 months). Otherwise, Alberta Transportation and Utilities reserves the right to not re-issue another permit for the sign location.

A permit issued for a Community Business Sign is for a period of one year. Alberta Transportation and Utilities reserves the right to not renew the permit or to cancel a permit because of policy changes to the Community Business Signs Program.

Any variation or deviation from the conditions outlined in the Community Business Signs Program will require Alberta Transportation and Utilities (Technical Standards Branch) approval.



Appendix



PERMIT TO ERECT COMMUNITY BUSINESS SIGN

Applicant's Name (print please): _____		
Address: _____	Postal Code: _____	Phone No.: _____

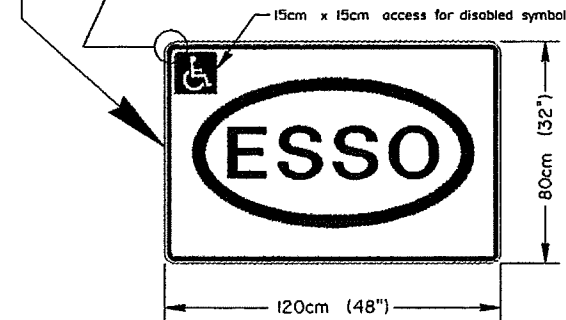
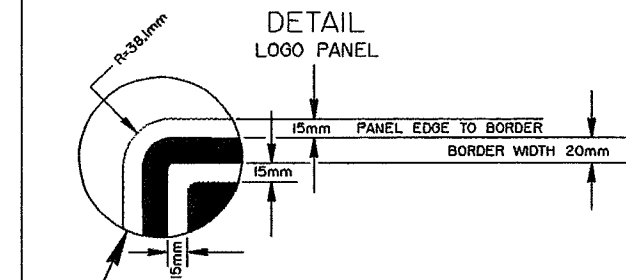
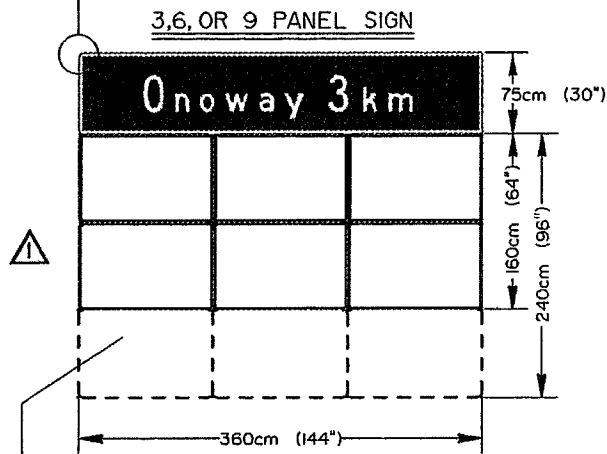
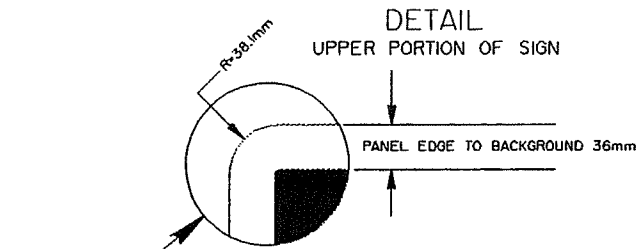
The following conditions apply to this permit:

- 1) Cost of the permit will be calculated at the rate of \$100.00 for each logo panel space on the community business sign. Payment (certified cheque) to the Provincial Treasurer must be enclosed with the permit application. Alberta Transportation and Utilities reserves the right to change the fee structure with one year's notice.
- 2) The permit is valid for one year from date of issue and may be renewed annually. Alberta Transportation and Utilities reserves the right to not renew the permit or to cancel a permit because of policy changes to the Community Business Signs Program.
- 3) The Operations Manager will approve the exact location where the community business sign will be installed.
 _____ (Operations Manager or Development Officer & phone number) shall be notified by the permit holder to obtain this approval before installation commencement.
- 4) The sign fabrication, installation, and maintenance must adhere to Alberta Transportation and Utilities' specifications and standards as attached and forming part of this permit. No deviation from the specification will be permitted without the written order of the Operations Manager. Panel design for each business must be approved by the Operations Manager before installation.
- 5) All costs associated with sign fabrication, installation, maintenance and insurance are the responsibility of the permit holder.
- 6) The structure and signs shall be maintained in proper repair. If, in the opinion of the Operations Manager the signs are not kept in an acceptable condition, they must be repaired or removed within 14 days of receiving written notice of the deficiency. Failure to comply will result in action to remove the sign.
- 7) The permit holder shall be responsible for all leasing arrangements associated with the logo panels. All businesses which arrange for a logo panel must be located and licensed by the local authorities.
- 8) Community business signing will not be allowed in areas preceding the corporate limits of Alberta cities.
- 9) The permit holder is responsible for safeguarding all existing utilities during installation. It is the permit holder's responsibility to have the sign location checked for utilities prior to digging holes for posts.
- 10) The permit holder is solely responsible for any cost related to the sign structure removal and/or relocation required by highway upgrading, highway maintenance, or change to corporate limits.
- 11) Upon completion of sign installation the highway right-of-way must be restored to its original condition and left in a neat and tidy manner acceptable to the Operations Manager.
- 12) The permit holder will make suitable provisions for safety signage as required to accommodate all vehicles and pedestrian traffic during sign installation.
- 13) The permit holder shall indemnify and hold harmless Alberta Transportation and Utilities, its employees and agents from any and all claims, demands, actions and costs whatsoever that may arise, directly or indirectly from anything done or omitted to be done in the construction, maintenance, alteration or operation of the works authorized.
- 14) If the permit holder sells or transfers his right or interest in the community business sign to another party the Operations Manager shall be advised in writing immediately.
- 15) The issuance of a permit by Alberta Transportation and Utilities does not relieve the permit holder of the responsibility of complying with relevant municipal by-laws and this permit once issued does not excuse violation of any regulation, by-law or act which may affect this project.
- 16) A separate permit is required for each community business sign installation.
- 17) A sign manufacturer's identification tab with a name or logo only will be allowed on the front of each sign not exceeding 0.35m².

NOTE: 1) The community business sign shall not be erected before a permit has been issued by Alberta Transportation and Utilities.
 2) Applications will be handled on a "first come, first serve" basis.

Applicant's Signature: _____	Date: _____
------------------------------	-------------

For Department use only:	
Approved: three (3): _____ six (6): _____ nine (9): _____	panel Community Business
Sign on the right-of-way of Highway No. _____	
Sign location _____ km _____ (direction) of _____	(Town, Village, etc.)
_____	_____
(Operations Manager)	(Date)



UPPER PORTION OF SIGN

SUBSTRATE: Sign grade material (ie 19mm, high density plywood or extruded aluminum).

SIGN FACE: Level Type I reflective material (3M engineer grade or equivalent).

COLOR: White lettering and panel edge on brown background.

LETTERING: 340mm upper case and 255mm lower case.

LOWER PORTION OF SIGN

BACKING BOARD: 19mm construction grade or better plywood and painted brown to match the reflective brown on the top portion of the sign.

LOGO PANELS: Shall be constructed on sign grade material.

Shall have a border as shown in detail.

May consist of a symbol, business name, trademark or name brand. No secondary names or trademarks, slogans or other supplemental information shall be permitted.

No flashing, intermittent or revolving lights or moving parts will be permitted.

No legend that in any way imitates standard traffic control signs will be permitted.

Businesses that meet requirements for disabled access shall display the access for the disabled symbol in the upper left corner of the panel.

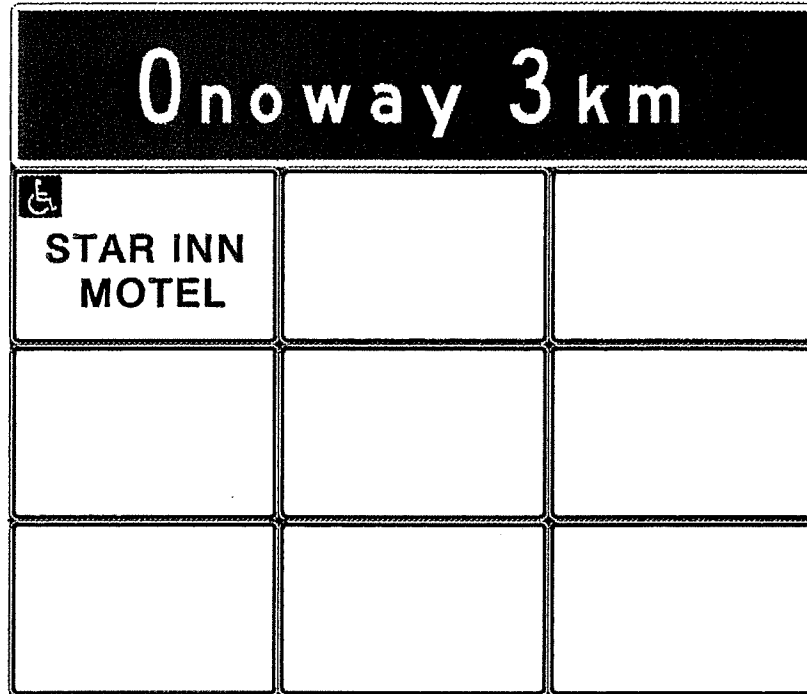
	REMOVED 12 OR 16 PANEL OPTION	R.C.	06/97
No.	REVISIONS	BY	DATE

Approved: Executive Director, Technical Standards Branch	
Date: NOV.25/93	

CONSTRUCTION DETAILS
for
COMMUNITY BUSINESS SIGNS
(120cm X 80cm PANELS)

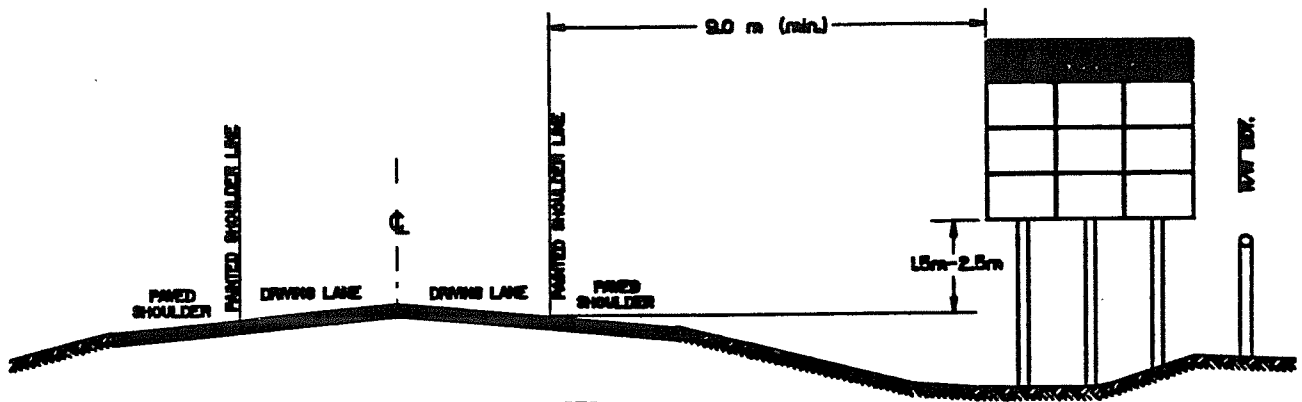
Prepared By: T.N.	Checked By: R.C.	Scale: N.T.S.	Dwg No.: TEB 1.91
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3, 6, OR 9 PANEL SIGN

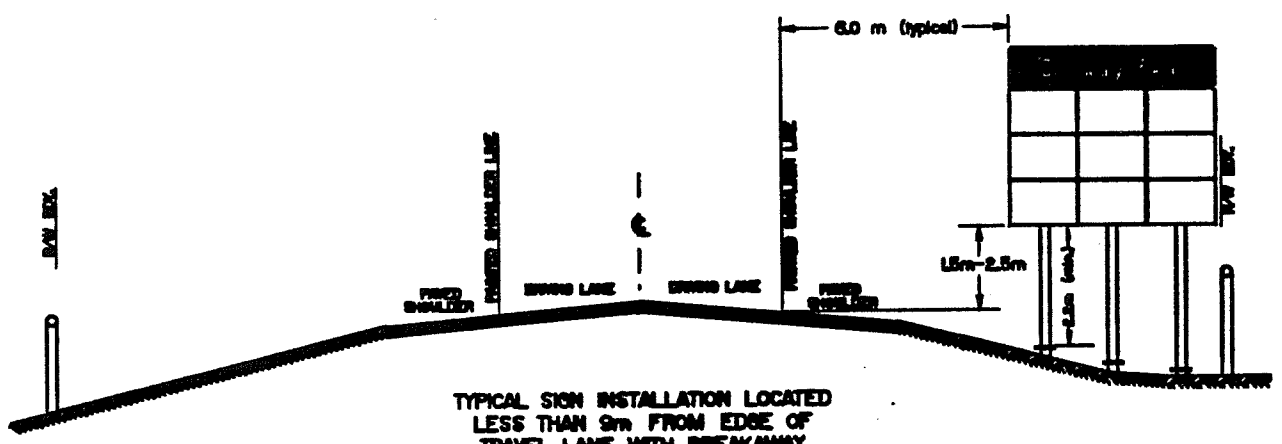


3 Panels = 360cm x 155cm (144" x 62")
 6 Panels = 360cm x 236cm (144" x 94")
 9 Panels = 360cm x 315cm (144" x 126")

No.	REVISIONS	BY	DATE
Approved: Executive Director, Technical Standards Branch			
Date: NOV. 10/93			
LOGO SIGN with 120cm X 80cm PANELS			
Prepared By: T.N.	Checked By: R.C.	Scale: N.T.S.	Dwg No.: TEB 1.91a



TYPICAL SIGN INSTALLATION LOCATED
MINIMUM 9m FROM EDGE OF
TRAVEL LANE OUTSIDE OF CLEAR ZONE
NO BREAKAWAY MOUNTS OR BARRIER
PROTECTION REQUIRED



TYPICAL SIGN INSTALLATION LOCATED
LESS THAN 9m FROM EDGE OF
TRAVEL LANE WITH BREAKAWAY
MOUNTS OR BARRIER PROTECTION

GENERAL NOTES

- Signs shall be located a minimum 9m from driving lane on backslope where possible.
- Signs shall be equipped with breakaway features or protected by barriers if less than 9m from driving lane.
- Breakaway features and barriers must be designed by an engineer and approved by Alberta Transportation & Utilities.
- If the sign structure is constructed of steel posts such as H-channels or wood posts with cross sectional area greater than 230 square cm (150mm x 150mm), the structure shall be equipped with breakaway bases irrespective of the set-back distance from the travel lanes.
- Final installation location must have Operations Manager approval.



▲			
▲	ADDED NOTE REGARDING BASES	R.C.	06/97
No.	REVISIONS	BY	DATE

Approved:

Allen Wan
Executive Director,
Technical Standards Branch

Date: NOV 25/98

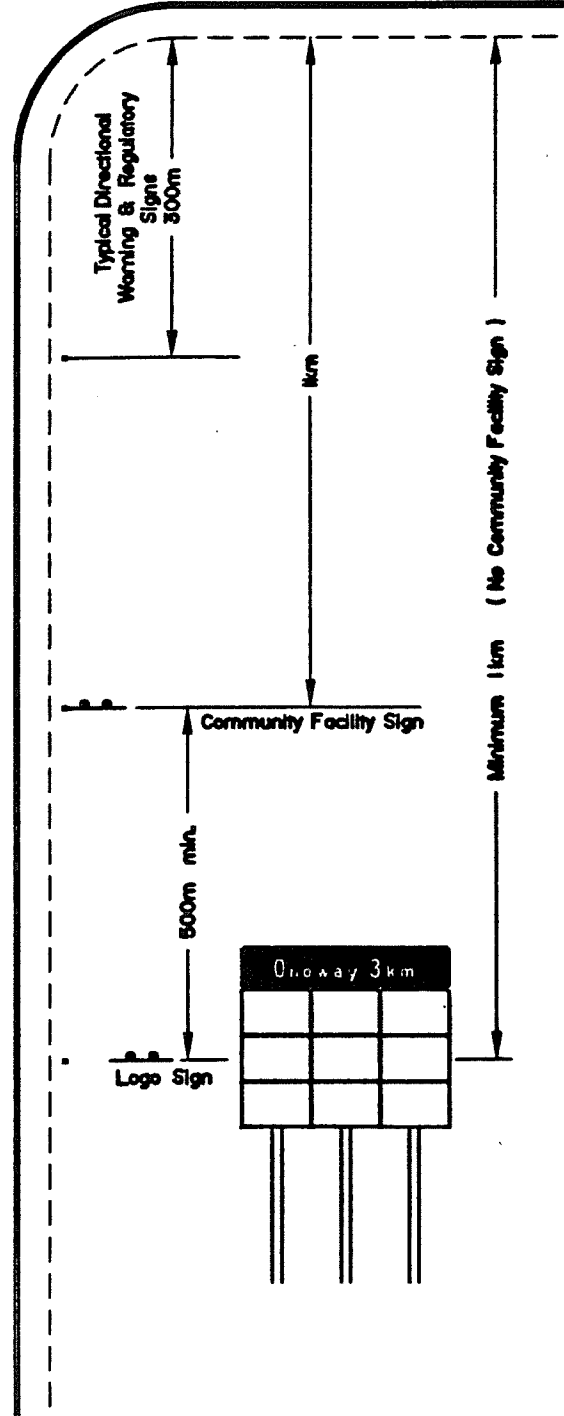
Alberta
TRANSPORTATION
AND UTILITIES

INSTALLATION DETAILS
for
COMMUNITY BUSINESS SIGNS

Prepared By: T.J.L.	Checked By: R.C.	Scale: N.T.S.	Dwg No.: TEB 192
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HIGHWAY

**COMMUNITY ACCESS
OR CORPORATE LIMITS**



Note:

Community Business Signs must not interfere with any existing highway signs.

If a Community Facility Sign is in place the Community Business Sign must be installed a minimum 500 metres in advance of the facility sign. Otherwise, the minimum distance shall be one kilometre.

Minimum distances between multiple Community Business Signs must be 500 metres.

Minimum distance from community access road or corporate limits to Community Business Signs is one kilometre.

Only communities within 8 kilometres of a primary highway shall be signed.

▲			
▲	ADDED NOTE REGARDING BASES	R.C.	06/97
No.	REVISIONS	BY	DATE

Approved

Alta Kavan
Executive Director,
Technical Standards Branch

Date: NOV.25/93

Alberta
TRANSPORTATION
AND UTILITIES

**LOCATION DETAILS
for
COMMUNITY BUSINESS SIGNS**

Prepared By: T.J.N.	Checked By: R.C.	Scale: N.T.S.	Dwg No.: TEB L93
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Appendix 3

**RESIDENTIAL DEVELOPMENT
ADJACENT TO THE CPR**



**CANADIAN
PACIFIC
RAILWAY**

Nestor Lando
Area Manager, Support
Real Estate, Western Canada

Suite 500
Gulf Canada Square
401 - 9th Avenue SW
Calgary, Alberta
T2P 4Z4

Tel (403) 319-3842
Fax (403) 319-3727
E-Mail: nestor_lando@cpr.ca

Residential Development Adjacent to the CPR

General:

The CPR opposes all residential development adjacent to our right-of-way, as it is not compatible with railway operations as there is the possibility that the safety, health, and welfare of residents could be adversely affected by railway activities.

Notwithstanding our opposition stated above, should a proposed residential subdivision application adjacent to railway right of way receive approval, Canadian Pacific Railway Co. requests that consideration be given to the following recommendations:

Safety:

To safeguard against issues arising out of train derailments, it is recommended that:

- a) No dwellings should be built within 75 meters of the CPR property line.
- b) Should a 75 meter separation from the CPR property line not be achievable, dwellings must be no closer than 30 meters, and berm is to be erected on adjoining property, parallel to the railway right-of-way with construction according to the following specifications:
 - i) Berm minimum height to be 2.5 metres and side slopes not steeper than 2.5 to 1.
 - ii) No part of berm is to be constructed on railway property.

While no dwelling may be within 30 meters, an unoccupied building, such a garage, may be built closer.

Because of the nature of a residential subdivision, there is a high possibility of trespass on railway property, and the CPR has concerns with respect to pedestrian trespass and the safety issues associated with same. As such, should no solid noise attenuation fence be required as per item a) under the heading Health and Welfare following, it is recommended that a 1.83 metre high chain link fence be constructed and maintained along the common property line of the Railway and the development by the developer at his expense. The developer is to also include a covenant running with the lands, in all deeds, obliging the purchasers of the land to maintain the fence in a satisfactory condition at their expense.

Health and Welfare:

The CPR property is used for train operations, which result in the transmission of noise, vibration and other related industrial nuisances to adjacent properties. As such it is recommended that:

- a) Dwellings be constructed such that the interior noise levels meet the criteria of the appropriate ministry. A noise study should be carried out by a professional noise consultant to determine what impact, if any, railway noise would have on residents of proposed subdivisions and to recommend mitigation measures if required. The recommendations of the study are to be implemented. Should the study recommend a sound attenuation fence, the fence, must be constructed without openings and of a

durable material weighing not less than 20 kg per square metre (4 lb./sq.ft) of surface area.

- b) Ground vibration transmission should be estimated through site tests. If in excess of the acceptable levels, all dwellings within 75 metres of the nearest track should be protected. The measures employed may be:
 - i) Support the building on rubber pads between the foundation and the occupied structure so that the maximum vertical natural frequency of the structure on the pads is 12 Hz;
 - ii) Insulate the building from the vibration originating at the railway tracks by an intervening discontinuity or by installing adequate insulation outside the building, protected from compaction that would reduce its effectiveness so that vibration in the building became unacceptable; or
 - iii) Other adequate measures that will retain their effectiveness over time.

Buyer Awareness:

- 4. A clause should be inserted in all offers to purchase, agreements of sale and purchase or lease, and in the title deed or lease of each dwelling, informing prospective purchasers or tenants of the existence of the Railway's operating right-of-way; the possibility of alterations, including the possibility that the Railway may expand its operations, which expansion may affect the living environment of the residents notwithstanding the inclusion of noise and vibration attenuating measures in the design of the subdivision and individual units; and that the Railway will not be responsible for complaints or claims arising from use of its facilities and/or operations.

An additional clause should be inserted in all offers to purchase, agreements of sale and purchase or lease, and in the title deed or lease for each dwelling affected by any noise and vibration attenuation measures, advising that any berm, fencing, or vibration isolation features implemented are not to be tampered with or altered, and further that the owner shall have the sole responsibility for maintaining these features.

In addition to the preceding recommendations, the following conditions, where applicable must be met in all instances:

Existing Drainage Patterns:

- 5. Any proposed alterations to the existing drainage pattern affecting railway property including but not limited to acceleration of surface runoff must receive prior concurrence from the Railway, and be substantiated by a drainage report.

Services:

- 6. Any proposed utilities under, over or along railway property to serve the development must be designed in accordance with the appropriate CSA standards, Railway Association of Canada Standards and American Railway Engineering Association Standards as may be applicable. All plans for utility occupancies of railway property must be approved by the Railway prior to construction and installation.

Access Across Railway Property:

- 7. Any access roads across the railway will be subject to Railway approval, and must be in compliance with the latest Transport Canada regulations concerning same. If the crossing is

approved, the owner will be required to execute a license agreement with respect to the terms and conditions of the crossing.

Appendix 4

**SUBDIVISION AND DEVELOPMENT
AUTHORITY BYLAW NO. 365, 1995**
(amended by Bylaw No. 442, 1997 and Bylaw No. 493, 1998)

MUNICIPALITY OF CROWSNEST PASS
BYLAW NO. 365, 1995
(amended by Bylaw No. 442, 1997 and Bylaw No. 493, 1998)

1. A BYLAW OF THE MUNICIPALITY OF CROWSNEST PASS, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A MUNICIPAL SUBDIVISION AND DEVELOPMENT AUTHORITY.

AND WHEREAS, the Municipal Government Act, Chapter M-26.1, 1994 as amended from time to time requires the municipality to adopt a Bylaw to establish a Municipal Subdivision and Development Authority by December 1, 1995;

AND WHEREAS, the Subdivision and Development Authority is authorized to make decisions on applications for subdivision and development approval in accordance with the administrative procedures, land uses and schedules established in the Municipal Land Use Bylaw;

AND WHEREAS, this Bylaw may be cited as the Municipality of Crowsnest Pass Subdivision and Development Authority Bylaw;

NOW THEREFORE, the Council of the Municipality of Crowsnest Pass in the Province of Alberta duly assembled, enacts as follows:

2. DEFINITIONS

- (a) ACT: means the Municipal Government Act, Chapter M-26.1 as amended from time to time.
- (b) MUNICIPALITY: means the Municipality of Crowsnest Pass in the Province of Alberta.
- (c) COUNCIL: means the Municipal Council of the Municipality of Crowsnest Pass.
- (d) SUBDIVISION and DEVELOPMENT AUTHORITY: means the person or persons appointed, by Bylaw, to exercise only such powers and perform duties as are specified:
- (1) in the Act; or
 - (2) in the Municipality of Crowsnest Pass Land Use Bylaw; or
 - (3) in this Bylaw; or
 - (4) by resolution of Council.
- (e) MUNICIPAL PLANNING COMMISSION: means the Municipal Planning Commission of the Municipality of Crowsnest Pass as established by Bylaw.
- (f) DESIGNATED OFFICER: means a person or persons authorized to act as the designated officer for the Municipality as established by Bylaw.
- (g) MEMBERS: means the members of the Subdivision and Development Authority.
- (h) SECRETARY: means the person or persons appointed by Council to act as secretary of the Subdivision and Development Authority.
- (i) AUTHORIZED PERSONS: means a person or organization authorized by the Council to which the Municipality may delegate any of its Subdivision and Development Authority powers, duties or functions.

- (j) All other terms used in this Bylaw shall have the meaning as is assigned to them in the Municipal Government Act, as amended from time to time.
3. For the purpose of this Bylaw, the Subdivision and Development Authority for the Municipality shall be the Municipal Planning Commission, except in such instances whereby the Designated Officer may be the Development Authority in accordance with the Land Use Bylaw.
 4. The Subdivision and Development Authority shall be comprised of not more than seven (7) persons, five (5) of them shall be appointed by Council from the citizens of the Municipality at large and two (2) elected officials of the Municipality.
 5. Appointments to the Subdivision and Development Authority shall be made by resolution of Council.
 6. Appointments to the Subdivision and Development Authority shall be made for a term of Three (3) year(s).
 7. Should an elected official not remain as a member of Council then he ceases to be a member of the Subdivision and Development Authority.
 8. When a person ceases to be a member of the Subdivision and Development Authority before the expiration of his term, Council shall appoint another person for the unexpired portion of that term within sixty (60) days of receiving notice of the vacancy.
 9. The members of the Subdivision and Development Authority shall elect one of themselves as Chairman, and one of themselves as Vice-Chairman to hold office for a term of one year from the date of election.
 10. Each member of the Subdivision and Development Authority shall be entitled to such remuneration, travelling and living expenses as may be fixed from time to time by Council; and the remuneration, travelling and living expenses shall be paid by the Municipality of Crowsnest Pass.
 11. The Council may, by resolution, appoint a secretary who shall be an employee of the Municipality and shall attend all meetings of the Subdivision and Development Authority, but shall not vote on any matter before the Subdivision and Development Authority.
 12. The Subdivision and Development Authority shall hold regular meetings at least 12 times per year on a date to be determined by the Subdivision and Development Authority, and it may also hold special meetings at any time at the call of the Chairman.
 13. Four (4) of the members of the Subdivision and Development Authority shall constitute a quorum.
 14. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole Subdivision and Development Authority.
 15. The Subdivision and Development Authority may make its own orders, decisions, development permits, and approvals; and may issue notices with or without conditions.

16. The Subdivision and Development Authority may make rules to govern its hearings.
17. Members of the Subdivision and Development Authority shall not be members of the Subdivision and Development Appeal Board.
18. The secretary of the Subdivision and Development Authority shall attend all meetings of the Subdivision and Development Authority and shall keep the following records with respect thereto:
 - (a) the minutes of all meetings;
 - (b) all applications;
 - (c) records of all notices of meetings and of persons to whom they were sent;
 - (d) copies of all written representations to the Subdivision and Development Authority;
 - (e) notes as to each representation;
 - (f) the names and addresses of those making representations at the meetings;
 - (g) the decision of the Subdivision and Development Authority;
 - (h) the reasons for the decision of the Subdivision and Development Authority;
 - (i) the vote of the members of the Subdivision and Development Authority on the decision;
 - (j) records of all notices of decision and of persons to whom they were sent;
 - (k) all notices, decisions, and orders made on appeal from the decision of the Subdivision and Development Authority;
 - (l) such other matters as the Subdivision and Development Authority may direct.
19. When a person ceases to be a member of the Subdivision and Development Authority before the expiration of his/her term the Council may, by resolution, appoint another person for the unexpired portion of that term.
20. The Council of the Municipality of Crowsnest Pass hereby delegates the following subdivision powers, duties or functions to the Oldman River Regional Planning Commission:
 - (a) the providing of advice to applicants for subdivision;
 - (b) the processing of applications for subdivision;
 - (c) the collecting of all pertinent subdivision approval fees;
 - (d) the requirements for notification of applicants, pertinent agencies, government departments and adjacent land owners;
 - (e) the preparation of draft resolutions for consideration by the Subdivision Authority;
 - (f) the appearance at meetings of the Subdivision Authority as requested to do so from time to time;
 - (g) the compilation and documentation of all pertinent comments of those persons and local authorities to which the notice of application was given;
 - (h) the conduction of a site inspection (where feasible to do so) at the location of the proposed application for subdivision approval;
 - (i) the finalization and required endorsement of plans of survey or other instruments for registration purposes at Land Titles Office;
 - (j) the conveyance of notification of final subdivision approval to the registered owner and/or the authorized agent;

- (k) the maintenance of a control registry and corresponding archival information relating to the application for subdivision approval on behalf of the Municipality;
 - (l) the providing of all pertinent information for consideration at a hearing of the appropriate subdivision appeal board;
 - (m) the appearance, for the purpose of providing pertinent information, at a hearing of a subdivision appeal board;
 - (n) the performance of any other duties or functions as requested, by resolution of Council, as agreed to by the Oldman River Regional Planning Commission.
21. Upon the establishment of the Oldman River Intermunicipal Service Agency, the Service Agency will assume the subdivision powers, duties and functions included in Section 20.
22. This Bylaw comes into effect on November 7, 1995.
23. Bylaw No. 259, 1995 and amendments will then be repealed.

READ a **first** time this 3rd day of October, 1995.

READ a **second** time this 3rd day of October, 1995.

READ a **third** time and finally passed this 3rd day of October, 1995.

The original bylaws are held at the Municipality of Crowsnest Pass office.

Appendix 5

**SUBDIVISION AND DEVELOPMENT
APPEAL BOARD BYLAW NO. 366, 1995**
(amended by Bylaw No. 443, 1997)

MUNICIPALITY OF CROWSNEST PASS
BYLAW NO. 366, 1995
(amended by Bylaw No. 443, 1997)

1. A BYLAW OF THE MUNICIPALITY OF CROWSNEST PASS, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD.

AND WHEREAS, the Municipal Government Act, Chapter M-26.1, 1994 as amended from time to time requires the municipality to adopt a Bylaw to establish a Municipal Subdivision and Development Appeal Board by December 1, 1995;

AND WHEREAS, the Subdivision and Development Appeal Board is authorized to render decisions on appeals resulting from decisions of the Subdivision Authority or the Development Authority in accordance with the provincial land use policies, the subdivision and development regulations, the local Land Use Bylaw and statutory plans;

AND WHEREAS, this Bylaw may be cited as the Municipality of Crowsnest Pass Subdivision and Development Appeal Board Bylaw;

NOW THEREFORE, the Council of the Municipality of Crowsnest Pass in the Province of Alberta duly assembled, enacts as follows:

2. DEFINITIONS

- (a) ACT: means the Municipal Government Act, Chapter M-26.1 as amended from time to time.
- (b) MUNICIPALITY: means the Municipality of Crowsnest Pass in the Province of Alberta.
- (c) COUNCIL: means the Municipal Council of the Municipality of Crowsnest Pass.
- (d) SUBDIVISION and DEVELOPMENT APPEAL BOARD: means the tribunal established to act as the Municipal Appeal body.
- (e) MEMBER: means a member of the Subdivision and Development Appeal Board.
- (f) SECRETARY: means the person or persons authorized to act as secretary for the Subdivision and Development Appeal Board.
- (g) All other terms used in this Bylaw shall have the meaning as is assigned to them in the Municipal Government Act, as amended from time to time.

3. The Subdivision and Development Appeal Board shall be comprised of not more than five (5) persons, four (4) of whom shall be appointed by Council from the citizens of the Municipality at large and one (1) elected Councillor of the Municipality.
4. Appointments to the Subdivision and Development Appeal Board shall be made by resolution of Council.
5. Appointments to the Subdivision and Development Appeal Board shall be made for a term of three (3) year(s).

6. The members of the Subdivision and Development Appeal Board shall elect one of themselves as Chairman, and one of themselves as Vice-Chairman to hold office for a term of one year from the date of election.
7. Each member of the Subdivision and Development Appeal Board shall be entitled to such remuneration, travelling and living expenses as may be fixed from time to time by Council; and the remuneration, travelling and living expenses shall be paid by the Municipality of Crowsnest Pass.
8. The Council may, by resolution, appoint a secretary who shall be an employee of the Municipality and shall attend all meetings of the Subdivision and Development Appeal Board, but shall not vote on any matter before the Subdivision and Development Appeal Board.
9. The Subdivision and Development Appeal Board shall hold meetings as required pursuant to the Act on a date to be determined by the Subdivision and Development Appeal Board, and it may also hold special meetings at any time at the call of the Chairman.
10. Three (3) of the members of the Subdivision and Development Appeal Board shall constitute a quorum.
11. (deleted - Bylaw No. 443, 1997)
12. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole Subdivision and Development Appeal Board.
13. The Subdivision and Development Appeal Board may make its own orders, decisions, development permits, and approvals; and may issue notices with or without conditions.
14. The Subdivision and Development Appeal Board may make rules to govern its hearings.
15. Members of the Subdivision and Development Appeal Board shall not be members of the Subdivision Authority or the Development Authority.
16. When a person ceases to be a member of the Subdivision and Development Appeal Board before the expiration of his/her term the Council may, by resolution, appoint another person for the unexpired portion of that term.
17. The secretary of the Subdivision and Development Appeal Board shall attend all meetings of the Subdivision and Development Appeal Board and shall keep the following records with respect thereto:
 - (a) the minutes of all meetings;
 - (b) all applications;
 - (c) records of all notices of meetings and of persons to whom they were sent;
 - (d) copies of all written representations to the Subdivision and Development Appeal Board;
 - (e) notes as to each representation;
 - (f) the names and addresses of those making representations at the meetings;
 - (g) the decision of the Subdivision and Development Appeal Board;
 - (h) the reasons for the decision of the Subdivision and Development Appeal Board;

- (i) the vote of the members of the Subdivision and Development Appeal Board on the decision;
- (j) records of all notices of decision and of persons to whom they were sent;
- (k) all notices, decisions, and orders made on appeal from the decision of the Subdivision and Development Appeal Board;
- (l) such other matters as the Subdivision and Development Appeal Board may direct.

18. This Bylaw comes into effect November 7, 1995.

19. Bylaw No. 285, 1995 and amendments thereto will then be repealed.

READ a **first** time this 3rd day of October, 1995.

READ a **second** time this 3rd day of October, 1995.

READ a **third** time and finally passed this 3rd day of October, 1995.

The original bylaws are held at the Municipality of Crowsnest Pass office.

MAPS



