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VILLAGE OF MARWAYNE

LAND USE BYLAW

BYLAW 572-19

Date Adopted: June 25th, 2019
Date Last Amended: June 22nd, 2020





**VILLAGE OF MARWAYNE
PROVINCE OF ALBERTA**

BYLAW No. 578 - 20

A BYLAW TO REGULATE LAND USE WITHIN THE VILLAGE OF MARWAYNE

PURSUANT to the Municipal Government Act, R.S.A. 2018, as amended, the Council of the Village of Marwayne duly assembled, hereby enacts as follows:

REPEALING EXISTING CONTROLS

Bylaw No. 523-13, and its amendments are hereby repealed.

DATE OF COMMENCEMENT

This Bylaw comes into effect upon the date of it finally being passed.

READ A FIRST TIME this 13th of May 2019.

AND ADVERTISED was done in accordance with Municipal Government Act Section 606, appearing in the Meridian Booster of June 6th & 13th, 2019 and the Voices of the Village June 2019 newsletter.

PUBLIC HEARING HELD on the 25th of June 2019.

READ A SECOND TIME this 25th of June 2019.

READ A THIRD TIME this 25th of June 2019.

SIGNED by the Mayor and Administrator this 25th of June 2019.

Mayor

Chief Administration Officer



Village of Marwayne **LAND USE BYLAW**
Bylaw No. 572-19



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section 1

General



Section 1 General

1.1 TITLE

The title of this Bylaw shall be the Land Use Bylaw of the Village of Marwayne.

1.2 PURPOSE

The purpose of this Bylaw is to prohibit or regulate and control the use and development of land and buildings within the *municipality* to achieve the orderly economic development of land, and for that purpose amongst other things:

- (1) to divide the *municipality* into districts;
- (2) to prescribe and regulate for each district the purposes for which land and buildings may be used;
- (3) to establish a method of making decisions on applications for *development permits*;
- (4) to provide the manner in which notice of the issuance of a *development permit* is to be given; and
- (5) to establish the number of *dwelling units* permitted on a *parcel of land*.

1.3 ESTABLISHMENT OF DISTRICTS

(1) For the purpose of this Bylaw, the Village of Marwayne is divided into the following Districts:

R1	SINGLE DWELLING RESIDENTIAL	ER	ENVIRONMENT RESERVE DISTRICT
R2	MULTI-UNIT RESIDENTIAL	M	INDUSTRIAL DISTRICT
C	HIGHWAY COMMERCIAL DISTRICT	I	INSTITUTIONAL DISTRICT
VC	VILLAGE CENTRE DISTRICT	UR	URBAN RESERVE DISTRICT

- (2) The boundaries of the districts listed in 1.3(1) are as delineated on the Land Use District Map, being Schedule A hereto.
- (3) Where uncertainty exists as to the boundaries of Districts as shown on the Land Use District Map, the following rules shall apply:

Rule 1. Where a boundary of the District is shown as following a *road*, lane, or water course, it shall be deemed to follow the centre line thereof.



Rule 2. Where a boundary of the District is shown as approximately following a *parcel of land* line, it shall be deemed to follow the *parcel of land* line.

- (4) Where the application of the above rules does not determine the exact location of the boundary of a District, the *Council* either on its motion or upon written application being made to it by any person requesting the determination of the exact location of the boundary, shall fix the portion of the District boundary in doubt or dispute in a manner consistent with the provisions of this Bylaw and the degree of detail as to measurements and directions as the circumstances may require.
- (5) After the *Council* has fixed a District boundary pursuant to the provisions of 1.3(4), the portion of the boundary so fixed shall not be thereafter be altered except by an amendment of this Bylaw.
- (6) The development authority shall maintain a list of *Council's* decisions with respect to boundaries or portions thereof fixed by *Council*.

1.4 ESTABLISHMENT OF LAND USE DISTRICT REGULATIONS

Land Use District regulations shall be as set forth in Sections 4, 5, 6, 7 and Schedule A of this Bylaw, and which may be amended as part of changes made to this Bylaw.

1.5 COMPLIANCE WITH OTHER LEGISLATION

Notwithstanding that a development permit may not be required in certain instances under this Bylaw, in no way does this exempt the applicant from complying with:

- (1) Other requirements for approval by municipal Bylaw, the Act, conditions, any other instrument affecting building or land, or other applicable regulation;
- (2) Any easement, covenant, agreement, or contract affecting the development; and
- (3) Requirements of the Alberta Safety Codes Act, and any regulations, including the Alberta Building Code.

The provisions and regulations of this Bylaw do not exempt any person from complying with the provisions or regulation of any other municipal, provincial, or federal statute.



section 2

Agencies



Section 2 Agencies

2.1 DEVELOPMENT AUTHORITY

- (1) For the purposes of this Bylaw, the development authority shall be the person or persons appointed to be the development authority pursuant to the *municipality's* Development Authority Bylaw.
- (2) The development authority shall perform such duties and responsibilities that are specified in this Bylaw.
- (3) The development authority shall keep and maintain for the inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto; keep a register of all applications for development, including the decisions thereof and the reasons therefore.
- (4) For the purposes of Section 542 of the Act, the development authority is hereby declared to be the designated officer.

2.2 SUBDIVISION AND DEVELOPMENT APPEAL BOARD

The Subdivision and Development Appeal Board (*SDAB*) established by the *municipality's* Subdivision and Development Appeal Board Bylaw shall perform such duties as are specified in Section 9 of this Bylaw.

2.3 REFERRALS OF DEVELOPMENT APPLICATIONS

The development authority may refer any development permit application to an external agency for their review and comment. The following is a description of mandatory referrals to external agencies:

- (1) Crown land development: When the *municipality* receives a development permit application that is to be located on Crown land or near a regionally significant or *natural area*, a copy of the development permit application shall be forwarded to the appropriate government department for comment and recommendations;
- (2) Provincial highway network: The applicant shall be required to obtain an approval from Alberta Transportation, in the following circumstances:
 - (a) Subdivision or Area Structure Plan applications within 1.6km (1.0 miles) of a provincial highway;
 - (b) Development permit applications within 300m (0.19 miles) of a provincial highway; and
 - (c) Development permit applications within 800m (0.5 miles) of a provincial highway intersection with another public *road*.



- (3) Critical wildlife, vegetation, and physical environments: To support the preservation of land that is identified or determined by the *municipality* to be a critical wildlife habitat, vegetative area, or physical environment or both, the development authority may refer any development permit application that may adversely affect the subject or adjacent property to the appropriate government department for comments and recommendations;
- (4) Alberta Energy Regulator (AER): The applicant shall be required to obtain approval from the AER for developments that fall within the setback distances for sour wells, pipelines, and facilities;
- (5) Alberta Environment and Parks (AEP): The applicant may be required to obtain an approval from AEP and/or Fisheries and Oceans Canada, subject to location of the subject property, at the discretion of Development Authority. All environmental audits and Environmental Impact Assessments shall be referred to AEP for review and comment;
- (6) Alberta Health: The applicant may be required to obtain an approval from Alberta Health, subject to location of the subject property, at the discretion of development authority; and
- (7) Inter-municipal referrals: The development authority may refer an application for subdivision, development permit, and rezoning to the adjacent *municipality*.
- (8) ATCO: The applicant may be required to obtain approval from ATCO through a crossing and proximity agreement.
- (9) At the discretion of the development authority, interested person(s) may be provided with an opportunity to make representation on the application as part of the development permit application review process.



section 3

Development Permits, Rules & Procedures



Section 3 **Development Permits, Rules & Procedures**

3.1 **CONTROL OF DEVELOPMENT**

No development, other than that designated in Section 3.2, shall be undertaken within the *municipality* unless a development permit has been issued.

For development that requires a development permit, the development authority has authority to approve development permit applications based on provisions outlined in Section 3.4.

3.2 **DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT**

The following development shall not require a development permit:

- (1) The carrying out of works of maintenance or repair to any building, provided that such works do not include structural alterations or major works of renovation that would require a building permit.
- (2) The completion of a building which was lawfully under construction at the date of the approval of this Bylaw, provided that the building is completed in accordance with the terms of any permit granted, and provided that the building is completed within a period of twelve (12) months from the said date of the approval of this Bylaw.
- (3) The use of any such buildings as referred to in 3.2(2) for the purpose for which construction was commenced.
- (4) The erection, construction, maintenance, improvement or alteration of gates, fences, walls or other means of enclosure that does not exceed 1.85m (6.1ft) in height, provided that the erection, construction, or maintenance, improvement or alteration does not contravene with any other provision of this Bylaw. This does not apply to a corner parcel or lot lines adjacent to roadways;
- (5) 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 under this Bylaw.
- (6) The maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled.
- (7) An *accessory building* or structure in a Residential District with a gross floor area of under 9.3m² (100ft²), unless the *accessory building* or structure does not satisfy the regulations indicated in Section 4.6.



- (8) Landscaping where the proposed grades will not adversely affect the subject or adjacent parcels of land, including the *hard-surfacing* of part of a *parcel of land* in a Residential District for the purposes of providing vehicular access from a *road* to an attached or detached garage or carport.
- (9) The demolition or removal of any gates, fences, walls, or *accessory buildings*.

3.3 NON-CONFORMING BUILDINGS AND USES

- (1) In accordance with Section 643 of the Act, if a development permit has been issued on or before the day which this Bylaw or an amendment to this Bylaw comes into force, and the Bylaw would make the development for which the permit was issued a *non-conforming use* or a *non-conforming building*, the development permit continues to be in effect in spite of the coming into force of the Bylaw.
- (2) A *non-conforming use* of land or a building may be continued, but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building must conform with this Bylaw, unless otherwise granted by the development authority in accordance with Section 3.7.
- (3) A *non-conforming use* of part of a *parcel of land* may not be exceeded or transferred in whole or in part to any other part of the *parcel of land* and no additional buildings may be constructed upon the *parcel of land* while the *non-conforming use* continues, unless otherwise granted by the development authority in accordance with Section 3.7.
- (4) A *non-conforming building* may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except:
 - (a) to make it a conforming building;
 - (b) for the routine maintenance of the building, if the development authority considers it necessary; or
 - (c) in accordance with the powers possessed by the development authority pursuant to the Act and Section 3.7 of this Bylaw to approve a development permit notwithstanding any non-compliance with the regulations of this Bylaw.
- (5) If a *non-conforming building* is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw, unless otherwise granted by the development authority in accordance with Section 3.7.
- (6) The use of land or the use of a building is not affected by a change of ownership, tenancy, or occupancy of the land or building.



3.4 PERMISSION FOR DEVELOPMENT

- (1) An application for a development permit shall be made to the development authority in writing, in the form required by the development authority, and shall be accompanied by:
 - (a) a completed development permit application form;
 - (b) a *site* plan drawn to scale showing the legal description; the *front, rear, and side yards*, if any; any provision for off-street loading and vehicle parking; and access and egress points to the *site*;
 - (c) a statement of the proposed uses; and
 - (d) a statement of ownership of the land and the interest of the applicant therein.
- (2) Each application for a development permit shall be accompanied by a fee as established by bylaw of *Council*.
- (3) The development authority may also require additional information in order to assess the conformity of a proposed development with this Bylaw before consideration of the development permit application shall commence. Such information may include:
 - (a) design plans and working drawings, including elevations;
 - (b) *site* plans showing the proposed:
 - (i) location and position of structures on the *parcel of land*, including any signs,
 - (ii) location and number of parking spaces, exits, entries, and drives,
 - (iii) location of an access to garbage storage areas, and
 - (iv) landscape plan of the entire *site* which shall also show intended fencing and surfacing for drives and parking areas;
 - (c) information on the nature of the business being carried out;
 - (d) environmental assessment reports;
 - (e) traffic impact assessments; and
 - (f) in the case of the placement of an already constructed or partially constructed building on a *parcel of land*, information relating to the age and condition of the building and its compatibility with the District in which it is to be located, including photographs of the building in its current state and situation and of the area in which it is to be located.

3.5 DECISION MAKING

- (1) In accordance with Section 683.1 of the Act, the development authority shall within (twenty) 20 days of receipt of a development permit application determine if it is complete, unless an extension is agreed upon between the applicant and the development authority.



- (2) If the application is deemed complete, the development authority shall acknowledge to the applicant that the application is complete within (twenty) 20 days through written notice. If no notification is provided by the development authority, the application is deemed to be complete.
- (3) If the application is deemed incomplete, the development authority must notify the applicant within (twenty) 20 days through written notice, provide information on the outstanding documents, and timeframe for which the outstanding documents must be received by the development authority. If the outstanding documents are not received within the defined timeframe, the application is deemed to be refused and a notice outlining the reasons will be issued by the development authority.
- (4) In making a decision, the development authority may approve the application unconditionally, approve the application subject to those conditions considered appropriate, approve the application permanently or for a limited period of time, or refuse the application.
- (5) The development authority may require that as a condition of issuing a development permit, the applicant enters into an agreement to construct or pay for the construction of *roads*, pedestrian walkways or parking areas which serve the development or which connect the walkway with another walkway system that serves or is proposed to serve an adjacent development. The development authority may also seek as part of the development permit to install or pay for the installation of public utilities other than telecommunications systems or works, to pay an off-site levy, and/or to give security to ensure that the terms of the agreement noted herein are carried out.

3.6 REFUSAL OF A DEVELOPMENT PERMIT

- (1) In the case where an application for a development permit has been refused pursuant to this Section or ultimately after appeal pursuant to Section 9 of this Bylaw, the development authority may or may not, at their sole discretion, accept the submission of another application for a permit on the same *parcel of land* and for the same or similar use by the same or any other applicant for six (6) months after the date of the refusal.
- (2) An application for a development permit shall be deemed to be refused when a decision thereon is not made by the development authority within forty (40) days after a complete application has been accepted by the development authority, unless agreed to by the applicant to extend the timeframe. The person claiming to be affected may appeal in writing as provided for in Section 9 of this Bylaw, as though they have received a refusal at the end of the forty (40) day period specified in this provision.

3.7 VARIANCE PROVISIONS

- (1) In accordance with Section 640(6) of the Act, the development authority may approve an application for a development permit even though the proposed development does not comply with the regulations of this Bylaw, or if the development is to be a rebuilding, an enlargement,



an addition, or a structural alteration of a *non-conforming building*, if, in the opinion of the development authority:

- (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 parcels of land; and
 - (b) the proposed development conforms with the use prescribed for that land or building in this Bylaw.
- (2) When making a decision on a variance permit application, the development authority may consider the following as it relates to the application, where applicable:
- (a) For variance of subdivisions regulations:
 - (i) The compatibility of the subdivision with respect to adjacent parcels and the neighbourhood; and
 - (ii) The impact on infrastructure and servicing;
 - (b) For variance on land use regulations:
 - (i) The impact of noise;
 - (ii) The impact of odor;
 - (iii) The impact of the loss of sunlight on adjacent parcels;
 - (iv) The impact on an adjoining neighbour's privacy;
 - (v) The impact of pedestrian and vehicular traffic;
 - (vi) The impact on public infrastructure;
 - (vii) The impact on servicing;
 - (viii) The impact of the building or structure in relation to how it fits with the surrounding community;
 - (ix) The impact of operating hours;
 - (x) The impact of exterior lighting on adjacent properties; and
 - (xi) The impact of vibrations.

3.8 NOTICE OF A DEVELOPMENT PERMIT

- (1) A decision of the development authority on an application for a development permit shall be given in writing and a copy of it sent to the applicant.



3.9 REFUSAL OF A DEVELOPMENT PERMIT

- (1) When the development authority refuses an application for a development permit, the decision shall contain reasons for the refusal.

3.10 DEVELOPMENT PERMITS AND NOTICES

- (1) A permit granted pursuant to this Section does not come into effect until twenty-one (21) days after the date a decision or development permit is publicized as described in 3.10(3). Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
- (2) Where an appeal is made pursuant to Section 9 of this Bylaw, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit has been confirmed, modified or nullified thereby.
- (3) The development authority, in its sole discretion, may cause a notice of decision to be:
 - (a) Published in a newspaper circulating in the area; or
 - (b) Published on the County website; or
 - (c) Be mailed directly to the adjacent landowners; or
 - (d) Do all of the above;
 - (e) Given by a method provided for in a separate Bylaw.
- (4) Further to 3.10(3), the development authority may provide further notice if determined necessary.
- (5) Notwithstanding 3.10(1) and 3.10(3), when a development permit is issued for a *permitted use* and no variance or relaxation of the regulations of this Bylaw has been granted, there shall be no notice of the decision given by the development authority and the development permit comes into effect on the day after it is granted.

3.11 VALIDITY OF DEVELOPMENT PERMITS

- (1) A development permit is invalid when:
 - (a) A time limit, established as a condition of the development permit, has elapsed or expired;
 - (b) The permit has been suspended or cancelled pursuant to Section 3.12;
 - (c) If the development authorized by a permit is not commenced within twelve (12) months from the date of the issue of the development permit and carried out with reasonable diligence, the permit is deemed to be void, unless an extension to this period is granted by the development authority.



3.12 WITHDRAWAL, SUSPENSION OR CANCELLATION OF PERMITS

The development authority may suspend or cancel the notice of decision or the development permit by notice, in writing, to the holder of the permit if, after a development permit has been issued, the development authority becomes aware that:

- (1) The application for the development contains a misrepresentation;
- (2) Facts concerning the application or the development were not disclosed which should have been disclosed at the time the application was considered;
- (3) The development permit was issued in error;
- (4) The conditions of development approval are not complied with in a satisfactory manner; or
- (5) If a person fails to comply with a Stop Order under Section 645 of the Act, the development authority may suspend or cancel any existing development permit by notice, in writing, to the holder of the permit.

section 4

General Provisions



Section 4 **General Provisions**

4.1 **PLANS OF SUBDIVISION**

Where the development of land involves a subdivision of land, a condition of issuing a development permit will be to require that the development permit cannot be acted upon until the subdivision has been registered at the Land Titles Office.

4.2 **DWELLING UNITS ON A PARCEL OF LAND**

No permit shall be granted for the erection of more than one (1) stand-alone *dwelling unit* and a secondary suite on a single *parcel of land* unless the *dwelling units* are located within a *duplex, row housing* or an *apartment*.

4.3 **SITE CONDITIONS**

- (1) Outdoor Storage
 - (a) In all Districts, the outdoor storage of goods, machinery, building materials, waste materials, and other items are to be screened by fences, hedges or buildings, as required by the development authority and may be a condition of the development permit.
- (2) Buffer Strip
 - (a) A minimum buffer strip of 23m (75ft) shall be preserved from the top of the bank of any river, creek, watercourse or waterbody. No structures of any kind shall be permitted within this strip. The development authority may require a soil analysis, and additional setbacks may be required at their sole discretion.
- (3) Stormwater
 - (a) Generally speaking, to meet Alberta regulations for stormwater management, the pre-development flow must match the post-development flow. Stormwater runoff shall not cross another person's property without written consent from the *owners* affected.
- (4) Excavation
 - (a) No person shall commence or continue the removal of more than 25m³ or an area of greater than 250m² of topsoil without first obtaining a development permit.

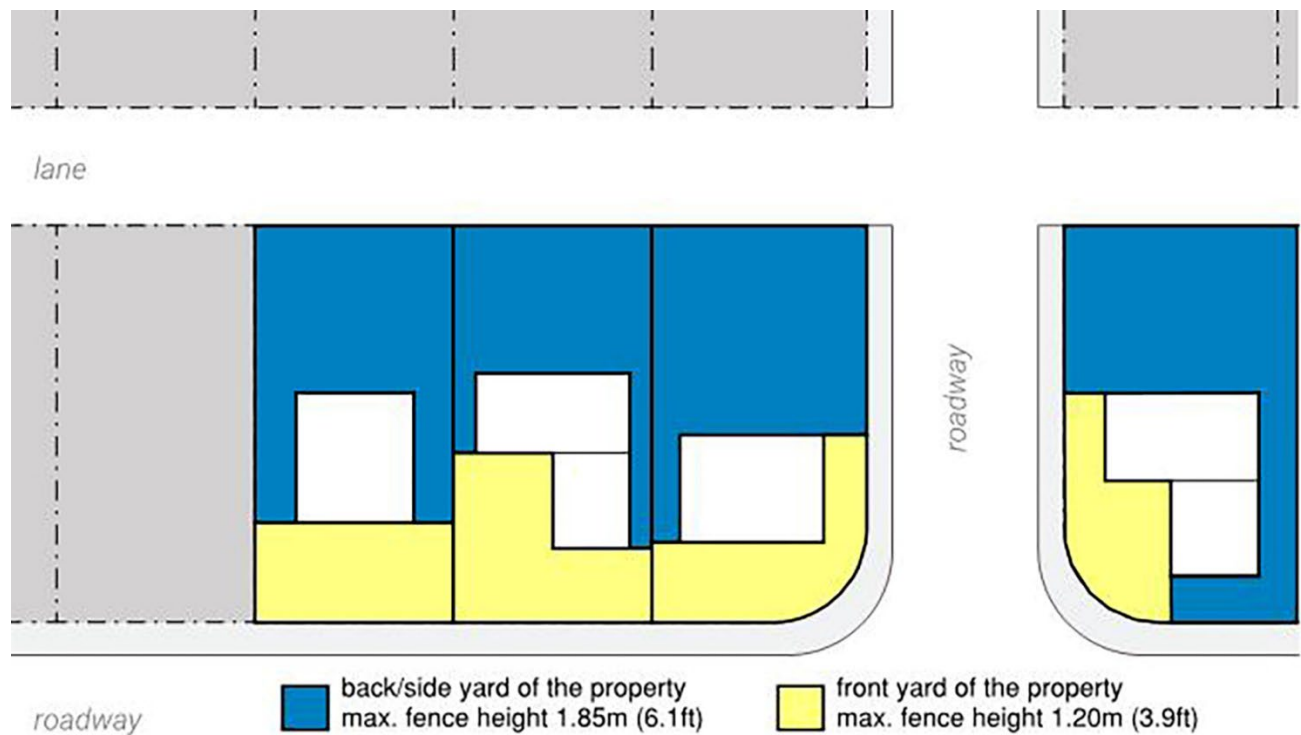


4.4 FENCES AND WALLS

- (1) On an interior *site* in any Residential District, the height of a fence, wall, or gate shall not exceed:
 - (a) 1.20m (3.9ft) for the portion of the fence, wall or gate located in the *front yard*; and
 - (b) 1.85m (6.1ft) in all other yards.

- (2) On a corner parcel in any Residential District, the height of the fence, wall or gate shall not exceed:
 - (a) 1.20m (3.9ft) for the portion of the fence, wall or gate located in the *front yard*;
 - (b) 1.85m (6.1ft) for the portion of the fence, wall or gate situated between the *flanking side lot line* and the foremost side of façade of the *principal structure*, and extending from the *front lot line* to the *rear lot line*; and
 - (c) 1.85m (6.1ft) in all other yards.

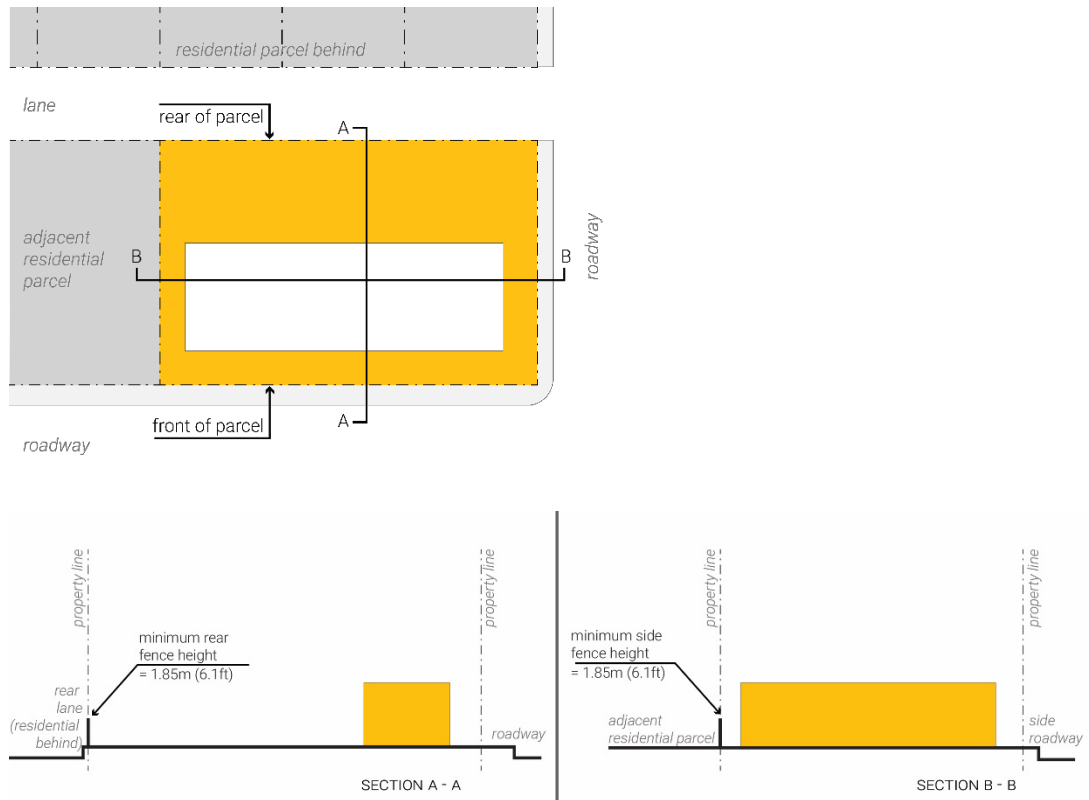
▼ Figure 1: Residential Fence, Wall, and Gate Diagram



- (3) All commercial developments shall provide, to the satisfaction of the development authority, a solid fence of not less than 1.85m (6.1ft) in height along any side or *rear lines* adjacent to any Residential District which cannot be seen through.

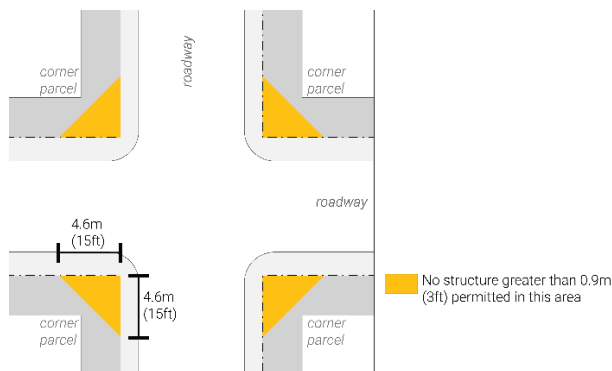


▼ **Figure 2 Commercial Development Fences Diagram**



- (4) On *corner sites* in all Districts other than Residential Districts, no fence, wall, tree, bush, structure or thing more than 0.9m (3.0ft) in height shall be erected, placed or maintained within the triangular area formed by the intersecting *road* or highway lines and a straight-line joining points of the *road* 4.6m (15.0ft) from their intersection.

▼ **Figure 3: Corner Lot Setback Area**

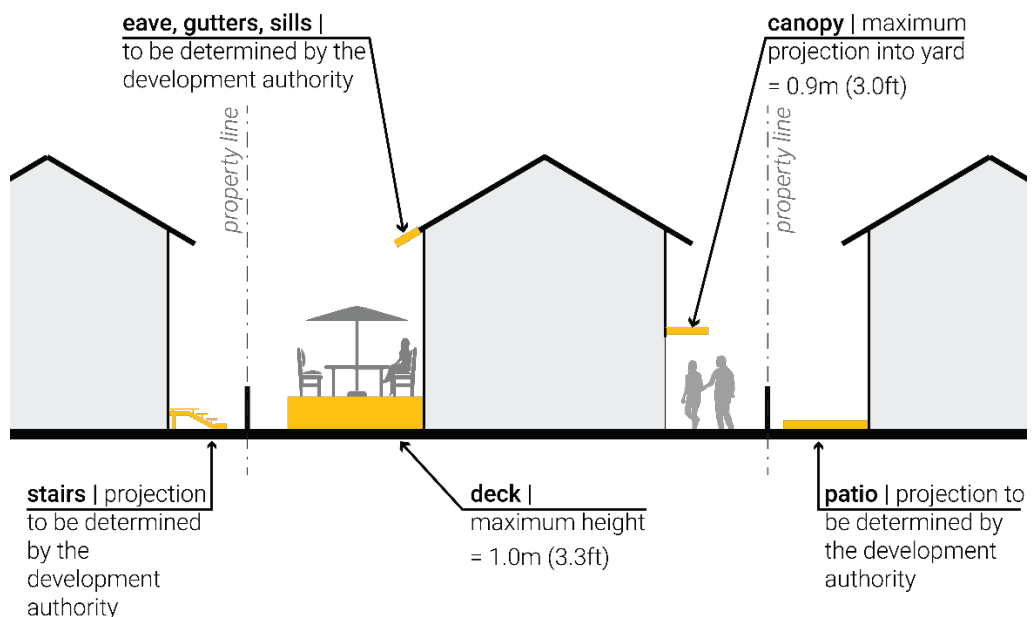




4.5 PROJECTION INTO YARDS

- (1) Except for fences as noted in Section 4.4, no building or structure shall be located or project into a required *front yard* in any Residential District without obtaining a variance approval from the development authority.
- (2) If fireplaces or balconies are developed as part of a *dwelling*, *yard* requirements shall be measured from the leading edge of the fireplace or balcony.
- (3) The following features may project into a required *yard*:
 - (a) steps, eaves, gutters, sills, and *patios* or other similar projections, with the amount of the projection to be allowed by the development authority;
 - (b) decks, not exceeding 1.0m (3.3ft) in height, with the amount of the projection to be allowed by the development authority;
 - (c) canopies over entrances to buildings provided such projections are cantilevered and do not exceed 0.9m (3.0ft) in length; and
 - (d) any other feature which, in the opinion of the development authority, are similar to the foregoing.

▼ Figure 4: Projection Into Yards Diagram

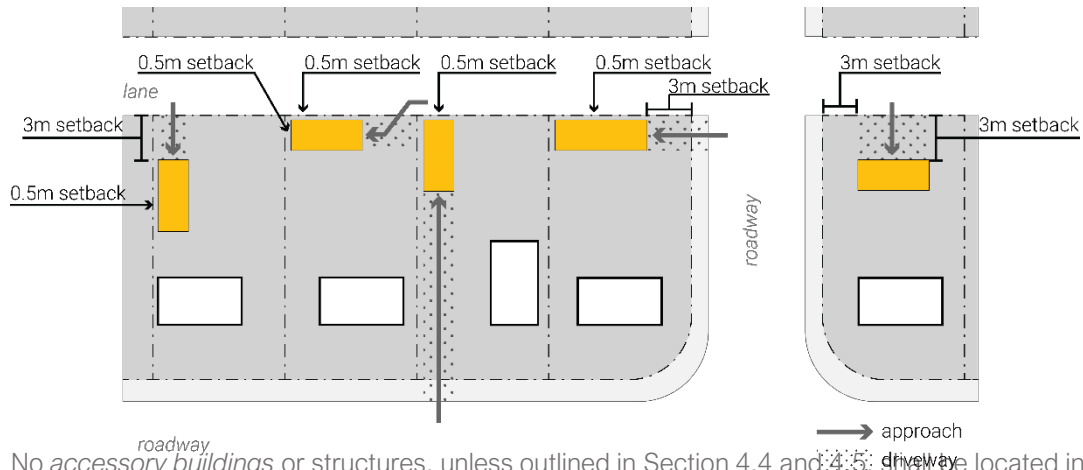




4.6 ACCESSORY BUILDINGS

- (1) An *accessory building* shall not be used as a *dwelling* without obtaining approval from the development authority.
- (2) *Accessory buildings* other than fences shall be located such that the minimum distances shown on Figure 6 between the *accessory buildings* and *main buildings*, *lot lines*, and other buildings, structures, and uses are provided.

▼ **Figure 5: Accessory Building Setback and Driveway Approach**



- (3) No *accessory buildings* or structures, unless outlined in Section 4.4 and 4.5, shall be located in the *front yard*.
- (4) Where a structure is attached to the *main building* on a *parcel of land* by a roof, an open or enclosed structure, a floor or a foundation, it is to be considered a part of the *main building* and is not an *accessory building*.
- (5) The total area of all *accessory buildings* on a *parcel of land* shall not exceed 12% of the area of the *parcel of land*.

4.7 HISTORICAL AND ARCHAEOLOGICAL SITES

Historical sites or archaeological sites identified pursuant to the Alberta Historical Resources Act shall be protected in accordance with that Act, unless approval for their removal or relocation is approved by the Province.

4.8 SIGNS

- (1) A sign shall only be allowed provided that it is accessory to a development which is allowed pursuant to this Bylaw, and located on the same site as the development to which it is accessory.
- (2) Notwithstanding Section 4.8(1) above, signs shall not be allowed in Residential Districts, except for a sign accessory to a *home occupation*, as described in Section 5.1(3)(c) of this Bylaw.



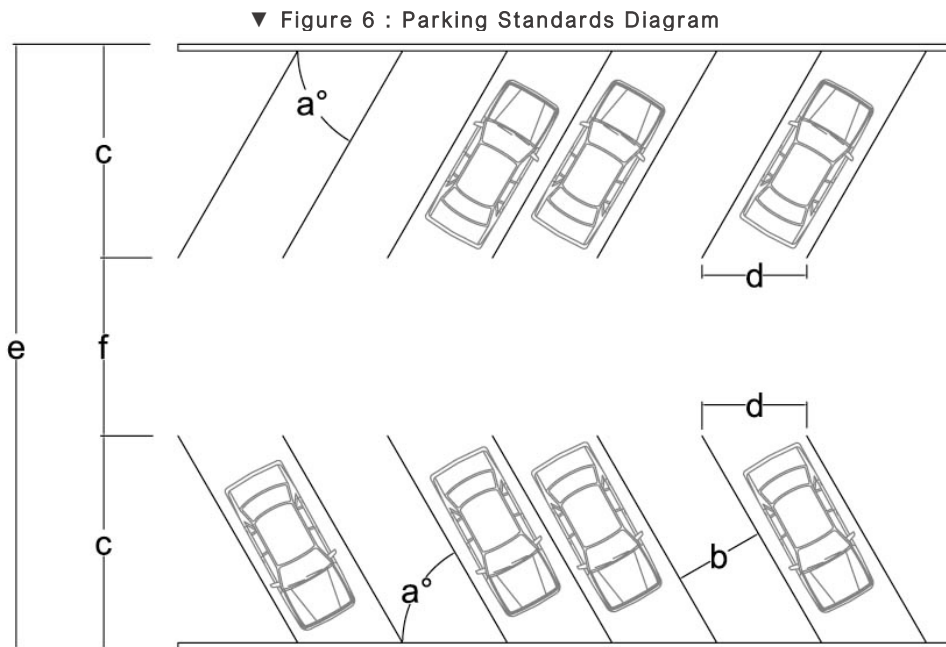
4.9 OFF-STREET VEHICULAR PARKING

When any new development is proposed, including a change of use of existing development, or when any existing development is, in the opinion of the development authority, substantially enlarged or increased in capacity, off-street vehicular parking shall be provided in accordance with the following:

- (1) Location and Standards of Off-Street Vehicular Parking
 - (a) All off-street vehicular parking areas and accessory off-street parking areas:
 - (i) shall not be located within 1.0m (3.3ft) of a lot boundary line common to the lot and to a road or highway;
 - (ii) shall be constructed so that adequate access to, and exit from each parking space is provided at all times by means of maneuvering aisles designed to the satisfaction of the development authority; and
 - (iii) shall have necessary curb cuts located to the satisfaction of the development authority.
 - (b) Parking spaces for the disabled:
 - (i) shall be provided in accordance with the Alberta Building Code;
 - (ii) shall be visibly designated as a parking space for the disabled using signage in accordance with Provincial Legislation; and
 - (iii) shall be included in the calculation of the minimum parking requirement.
 - (c) All off-street vehicular parking spaces shall conform to the requirements outlined in Table A.

▼ Table A: Minimum Parking Standards

A	B	C	D	E	F
Parking Angle in Degrees	Width of Space	Depth of Space Perpendicular to Aisle	Width of Space Parallel to Aisle	Overall depth	Width of Maneuvering Aisle (each direction)
0°	3.05m (10.0ft)	3.05m (10.0ft)	7.01m (23.0ft)	8.99m (29.5ft)	3.96m (13.0ft)
30°	3.05m (10.0ft)	5.00m (16.4ft)	6.00m (19.7ft)	14.00m (46.0ft)	3.96m (13.0ft)
45°	3.05m (10.0ft)	6.10m (20.0ft)	3.96m (13.0ft)	14.94m (49.0ft)	3.96m (13.0ft)
60°	3.05m (10.0ft)	6.10m (20.0ft)	3.05m (10.0ft)	17.98m (59.0ft)	6.10m (20.0ft)
90°	3.05m (10.0ft)	6.10m (20.0ft)	3.05m (10.0ft)	17.98m (59.0ft)	7.01m (23.0ft)



- (2) Surfacing and Drainage
 - (a) Every off-street vehicular parking space provided, and the access thereto, shall be *hard surfaced* if the access is from a *road*, highway, or lane which is *hard surfaced*.
 - (b) Off-street vehicular parking areas must be paved or of a gravel mixture as approved by the development authority.

- (3) Required Number of Off-Street Vehicular Parking Spaces
 - (a) The minimum number of off-street vehicular parking spaces required for each development, including parking spaces for the disabled, shall be calculated from Table B.
 - (b) In the case of a use not specifically listed in Table B, the required number of off-street vehicular parking spaces shall be as required by the development authority.
 - (c) In the case of the multiple use of a *lot*, the development authority shall calculate the number of off-street vehicular parking spaces required for each individual use, and the total shall be deemed to be the required parking for the *lot*.
 - (d) Where the total number of off-street vehicular parking spaces is determined by reference to a unit such as the number of seats or *floor area*, the next higher whole number shall be required where the calculation results in a fractional number of off-street vehicular parking spaces.
 - (e) The development authority may waive the requirement for off-street vehicular parking spaces in the VC District if the development is to occupy an existing or infill building in the VC District.



▼ **Table B: Number of Off-Street Parking Spaces**

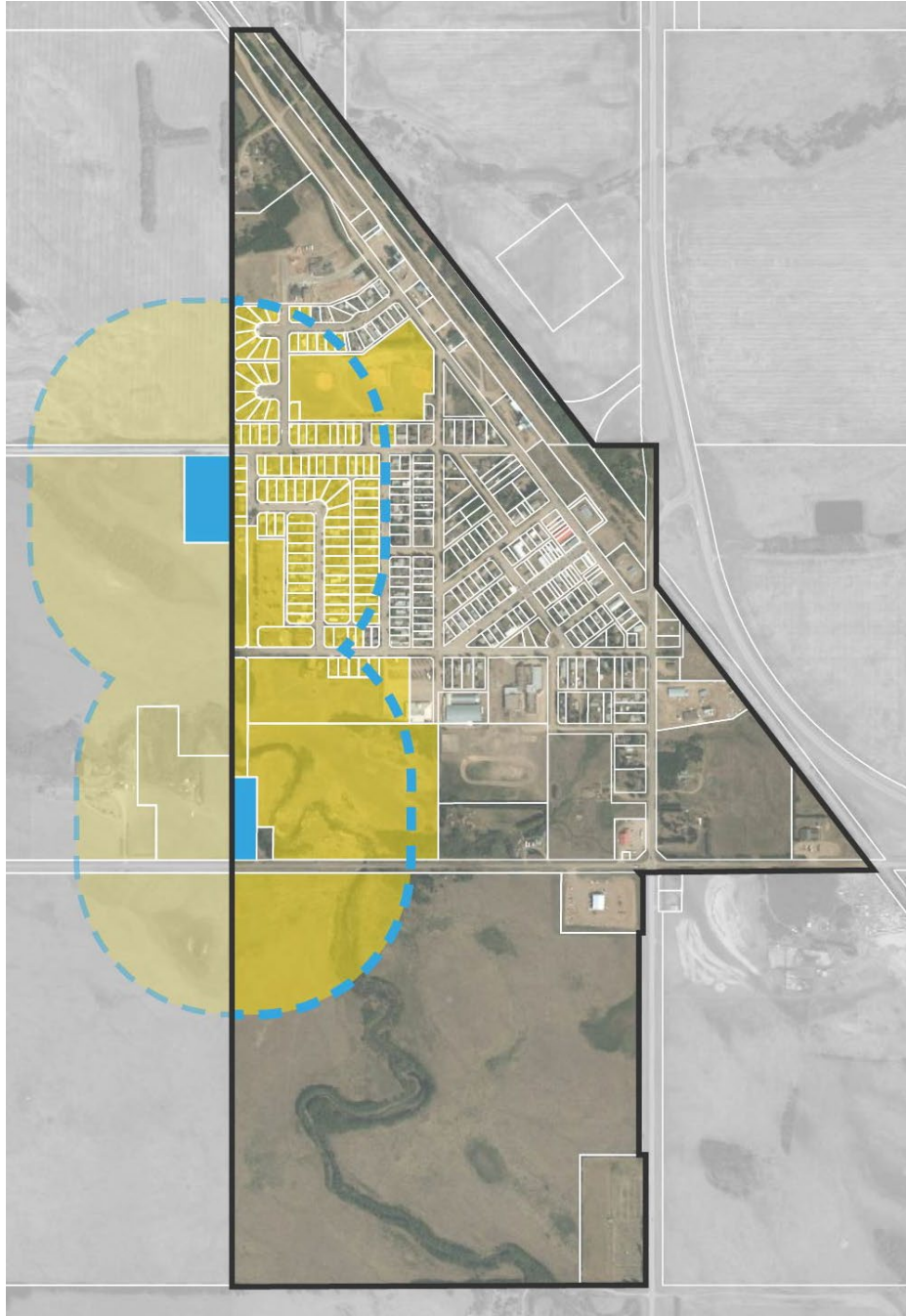
Use of Building or Development	Minimum Number of Parking Spaces
<i>Residential Uses</i>	
Single detached <i>dwellings, duplexes, and manufactured homes</i>	1 per <i>dwelling unit</i>
<i>Apartments and row housing</i>	1 per <i>dwelling unit</i>
<i>Basement suites</i>	1 per basement suite
Boarding and lodging houses	1 per sleeping unit
<i>Major home occupations</i>	As required by the development authority
<i>Manufactured home parks</i>	1 per stall, plus 1 additional space as visiting parking for every 4 stalls
<i>Dwelling units in commercial buildings</i>	1 per <i>dwelling unit</i>
<i>Commercial Uses</i>	
Neighbourhood convenience stores	1 per 39.9m ² (430ft ²) of floor area
Shopping centres	1 per 39.9m ² (430ft ²) of floor area
Other retail and person service shops, banks, and offices	1 per 39.9m ² (430ft ²) of floor area
Eating and drinking establishments	1 per 5 seating spaces
Hotels, motor hotels, and motels	1 per rentable unit
<i>Hospitals and Similar Uses</i>	
Hospitals, nursing homes, and <i>group homes</i>	1 for every 3 beds
Senior citizen homes and lodges	1 for every 3 beds and 1 per resident staff
<i>Places of Public Assembly</i>	
Auditoriums, places of worship, halls, clubs, theaters, and entertainment establishments	To the satisfaction of the development authority, but not less than 1 per 20 seating spaces
<i>Schools</i>	
Elementary and junior high schools	1.4 spaces per classroom
Senior high schools	1.4 spaces per classroom, plus 1 per every 12 students
<i>Industrial Uses</i>	
All industries	1 parking space per 100m ² (1076.39ft ²) of floor area

4.10 NON-OPERATING LANDFILL

Any residential, school, hospital or food establishment that is developed or altered and is located within 300m of a landfill as indicated on Figure 8. will be required to seek a landfill variance in accordance with Section 3.7. Approval of the variance will be coordinated by the Village of Marwayne with Alberta Environment and Parks.



▼ Figure 7: Non – Operating Landfill Setback Areas





section 5

Special Provisions



Section 5 Special Provisions

5.1 HOME OCCUPATIONS

- (1) All development permits issued for *home occupations* shall be revocable at any time by the development authority, if, in its opinion, the use is or has become detrimental to the amenities of the neighbourhood in which it is located.
- (2) *Home occupation* shall comply with the following regulations:
 - (a) There shall not be pedestrian or vehicular traffic or parking in excess of that which is characteristic of the District in which the *home occupation* is located;
 - (b) The number of non-resident employees or business partners working on-site shall not exceed two (2) at any time;
 - (c) Storage related to the business activity shall not be stored outside;
 - (d) The *home occupation* shall not be allowed if, in the opinion of the development authority, such use would be more appropriately located in a Commercial or an Industrial District having regard for the overall compatibility of the use with the residential character of the area.
 - (e) The *home occupation* shall not create any nuisance by way of noise, dust, odour, or smoke, or anything of an offensive or objectionable nature.
 - (f) A *home occupation* shall not change the principal character or external appearance of the *dwelling* involved, nor use more than 20% or 30.7m² (330ft²), whichever is less, of the *dwelling unit* for business usage. Except as noted in Section 5.1(2)(g) herein, there shall be no exterior signage, display or advertisement, but there may be a limited volume of on-premises sales.
 - (g) Notwithstanding any other provisions of this Bylaw to the contrary, a *dwelling* in which a *home occupation* is located may have one (1) fascia sign placed on the *dwelling*, providing that the sign does not exceed 0.28m² (3.0ft²) in area.
 - (h) When a development permit is issued for a *home occupation*, such permit shall be terminated should the applicant vacate the property for which the permit has been issued.

5.2 MOBILE HOMES

- (1) *Mobile homes* shall comply with Canadian Standards Association Certification or obtain building Certification from a Building Inspector approved by the Province of Alberta.
- (2) All accessory structures, such as patios, porches, additions, and skirtings, shall be
 - (a) designed and erected as to harmonize with the *mobile homes*;
 - (b) considered as part of the *main building*; and



- (c) erected only after obtaining a Development Permit.
- (3) A *mobile home* shall be skirted from the floor level to the ground level.
- (4) No *accessory building* or use, other than parking spaces, shall be located in the *front yard* of a *mobile home* stall.
- (5) The hitch and wheels are to be removed from the *mobile home* and the *mobile home* is to be securely fastened by tie downs or other means to a foundation.

5.3 CANNABIS PRODUCTION, DISTRIBUTION AND SALES

- (1) The location of any facilities related to *cannabis* as defined in the Cannabis Act (Canada) shall maintain a minimum distance of 100m (328ft) from the parcel of the facility to:
 - (a) a provincial health care facility, or a boundary of the *parcel of land* on which the facility is located; or
 - (b) a building containing a school or a boundary of the *parcel of land* which the facility is located; or
 - (c) the boundary of any *parcel of land* that is designated as a school reserve or municipal and school reserve as defined under the Act.
- (2) The development authority may ask for proof that facilities related to *cannabis* meet the required setbacks indicated in Section 5.4(1).
- (3) The *cannabis* facility shall comply with the Alberta Gaming and Liquor Commission's policies, and all provincial and federal regulations.

5.4 PET KEEPING AND ANIMAL BREEDING AND /OR BOARDING FACILITIES

- (1) No fur bearing animals, fowl, livestock other than small domestic pets such as cats and dogs may be permitted within the Residential Districts.
- (2) No livestock, whether or not the keeping of such livestock is considered to be confined feeding operation for which neither an approval nor a registration is required pursuant to the Agricultural Operations Practices Act, other than small domestic pets such as cats and dogs, may be allowed in any Residential District.
- (3) The keeping of more than three (3) dogs on any *lot*, whether the dogs are being bred or boarded, shall be allowed at the discretion of the Development Authority only in those Districts where animal breeding and/or boarding facilities are listed as discretionary use in this Bylaw.

Further, the maximum number of domestic pets to be kept on-site in each of the above Districts shall be in accordance with the Animal Control Bylaw.

section 6

Subdivision Process



Section 6 **Subdivision Process**

6.1 **REQUIREMENTS FOR SUBDIVISION APPLICATIONS**

- (1) The applicant shall be responsible for the following:
 - (a) All applicable fees;
 - (b) Payment of any Off-site Development Levy or Connection Fees; and
 - (c) All legal, engineering, related to the application and approval of the proposed subdivision.

6.2 **SUBDIVISION APPLICATION REQUIREMENTS**

The Subdivision Authority may require the applicant to provide plans, studies, or reports or any or all of them to assist in the evaluation of the proposal. Any proposed subdivision that is within 300m of the non-acting landfills indicated in Figure 8 that are intended for residential, school or health purposes will be required to seek a variance in accordance with Sections 3.7 and 4.11 prior to approval.

Notwithstanding the above, the applicant may be required to obtain approvals from provincial agencies.

The applicant must provide at a minimum the following information:

- (1) A completed application for subdivision;
- (2) A legible hand drawn tentative plan for a subdivision of up to four (4) parcels;
- (3) A tentative plan prepared by an Alberta Land Surveyor for a subdivision of more than four (4) parcels;
- (4) Current Certificate of Title dated less than fourteen (14) days before the application date;
- (5) An administration fee as set by the Schedule of Fees Bylaw; and
- (6) Any other information deemed necessary by the Subdivision Authority.

If the Subdivision Authority determines that the application is complete, a subdivision complete application letter will be issued to the applicant within twenty (20) days of the decision. The Subdivision Authority must make a decision within sixty (60) days of the subdivision application deemed complete.



6.3 DECISION ON SUBDIVISION APPLICATIONS

An applicant for subdivision may appeal a decision from the Subdivision Authority to the *SDAB* or *MGB* in accordance with the Act.

6.4 SUBDIVISION APPROVAL CONDITIONS

- (1) The Subdivision Authority may amend, remove or add to any of the conditions listed within this section as needed on a case-by-case basis.
- (2) All subdivision conditions must be fulfilled within twelve (12) months of date of subdivision approval, unless an extension is granted as per Section 657(6) of the Act.
- (3) The applicant shall enter into a development agreement, in a form satisfactory to the Village, to do any or all of the things referenced in Section 655(1)(b) of the Act. This development agreement may include, but is not limited to:
 - (a) Water;
 - (b) Sewage disposal;
 - (c) Drainage;
 - (d) Electric power;
 - (e) Waste management;
 - (f) Telecommunications;
 - (g) Subdivision entrance signs;
 - (h) Street names and rural addressing; and
 - (i) Provisions that the Village must approve all infrastructure, signage, street names, and rural addressing prior to installation or plan endorsement.
- (4) Pursuant to Section 662(1) of the Act, *road* widening adjoining all municipal *road* allowances may be required and may be registered through a caveat or *road* plan.

6.5 RESERVE LANDS

The applicant for subdivision must provide where required lands for municipal and school reserve, recreational reserve, *public utility* lots, and rights of way, or money in lieu up to a maximum of 10% of the property rate, in accordance with the Act and the Municipal Development Plan.



6.6 PLAN OF SUBDIVISION

The applicant shall prepare and present to Subdivision Authority a plan of subdivision that:

- (1) Complies with Section 657 of the Act;
- (2) Complies with the Land Titles Act, RSA 2000, c. L-4 as amended;
- (3) Is acceptable in all respects to the Registrar of the Land Titles Office of Alberta;
- (4) Shows the boundaries of the proposed subdivision, including all approaches; and
- (5) Shows any required reserve lands or *public utility* lots.

6.7 ENDORSEMENT

The plan of subdivision shall not be endorsed by the Subdivision Authority if there are any outstanding:

- (1) Property taxes on the property of the proposed subdivision;
- (2) Compensation of the items outlined in Section 6.1;
- (3) Approvals, pursuant to Section 6.4 and 6.5;
- (4) Required statutory approvals.

section 7

Land Use Districts



Section 7 Land Use Districts

▼ **Table C: Land Use Districts, Permitted and Discretionary Uses**

P = Permitted Uses, D = Discretionary Uses								
<i>Use</i>	<i>R1</i>	<i>R2</i>	<i>C</i>	<i>VC</i>	<i>ER</i>	<i>M</i>	<i>I</i>	<i>UR</i>
Accessory buildings and uses	P	P	P	P		P	P	P
Animal breeding and boarding						D		D
Any strictly temporary use or building which in the opinion of the development authority will not prejudice the possibility of conveniently and economically subdividing or developing the area in the future								D
Apartment building		P						
Auctioneering establishments			D			D		
Automobile, light truck, and recreational vehicle sales and service			P			P		
Banks				P				
Basement suite	D	D						
Bed and breakfast	D	D						
Bowling alleys			D	D		P		
Buildings and uses accessory to discretionary uses			D			P		
Cannabis lounge			D	D		P		
Cannabis production and distribution			D			P		
Cannabis retail sales			D	D		P		
Cannabis retail stores			D			P		
Cemeteries							D	
Child care facilities	D	D					D	
Clinics			D	P		P		
Clubs and lodges			D	D		P	D	
Coin laundries				P				
Commercial schools			D	D		P		
Community hall							P	
Dance hall			D	D		P		
Day home	D	D						
Dry cleaners			P					
Duplex dwelling	D	P						
Dwelling units in a building used for any of the above mentioned permitted or discretionary uses				D				
Dwellings located above the ground floor				P				
Farming and cultivation of land, but not including confined feeding operations of any type								P
Frozen food lockers			D	D		P		
Funeral parlours			D			P		
Group home		D					P	
Heavier industrial uses which may produce nuisances such as noise, odour, dust, smoke, gas, toxins, etc. that in the opinion of the development authority are compatible with the proposed industrial site						D		



P = Permitted Uses, D = Discretionary Uses								
<i>Use</i>	<i>R1</i>	<i>R2</i>	<i>C</i>	<i>VC</i>	<i>ER</i>	<i>M</i>	<i>I</i>	<i>UR</i>
Home occupation	D	D						D
Hospitals							P	
Hotels			P	D		P		
Household appliance sales and repair			P					
Light industrial use			D			P		
Manufactured home	D	D						
Manufactured home park		D						
Mixed-use building		D		P				
Mobile home		D						
Modular home	D	D						
Motels			P			P		
Municipal uses that are not restricted and are compatible with an industrial area						D		
Offices				P				
Other uses which, in the opinion of the development authority, are similar to the above mentioned permitted and discretionary uses			D	D		D	D	
Outdoor amenities for public use					D			
Outdoor recreation facilities					D			
Parking lots			D			P		
Parks	P	P			P			
Parks, playground, recreation areas, and similar public or quasi-public buildings and uses							P	
Parks, plazas, and public gather places				P				
Personal service shops				P				
Place of Worship	D	D					P	
Public or quasi-public buildings and uses				D				
Public use	D	D						
Public utilities			D			P	D	D
Recreational uses							D	
Rentable unit			D					
Restaurants			D	P		P		
Retail stores			D	P		P		
Row housing		P						
Schools							P	
Semi - detached dwelling	P	P						
Service stations and gas bars			P			P		
Service establishments						P		
Sidewalk café as an accessory use				P				
Single detached dwelling	P	P						
Single detached dwelling on exiting parcels only								P
Storage and/or sale of building supplies, lumber, farm machinery, fertilizer, bulk oil, and propane gas			D			P		
Tailoring and shoe repair shops				P				



P = Permitted Uses, D = Discretionary Uses

<i>Use</i>	<i>R1</i>	<i>R2</i>	<i>C</i>	<i>VC</i>	<i>ER</i>	<i>M</i>	<i>I</i>	<i>UR</i>
Theatres			D	D		P		
Trails					P			
Veterinary clinics			D	D		P		
Warehousing; storage and distribution of raw materials, processed or manufactured goods						P		
Wholesale warehouses			D			P		



7.1 R1 – SINGLE DWELLING RESIDENTIAL DISTRICT

The general purpose of this District is to allow development of low-density residential development in the form of *single detached dwellings*, with provisions for complementary uses such as *semi-detached dwellings*.

(1) Permitted Uses

- (a) *Accessory Buildings or Uses*
- (b) *Parks*
- (c) *Semi-Detached Dwelling*
- (d) *Single Detached Dwelling*

(2) Discretionary Uses

- (a) *Basement Suite*
- (b) *Bed and Breakfast*
- (c) *Child Care Facilities*
- (d) *Day Home*
- (e) *Duplex Dwelling*
- (f) *Home Occupation*
- (g) *Manufactured Home*
- (h) *Mobile Home*
- (i) *Modular Home*
- (j) *Place of Worship*
- (k) *Public Use*

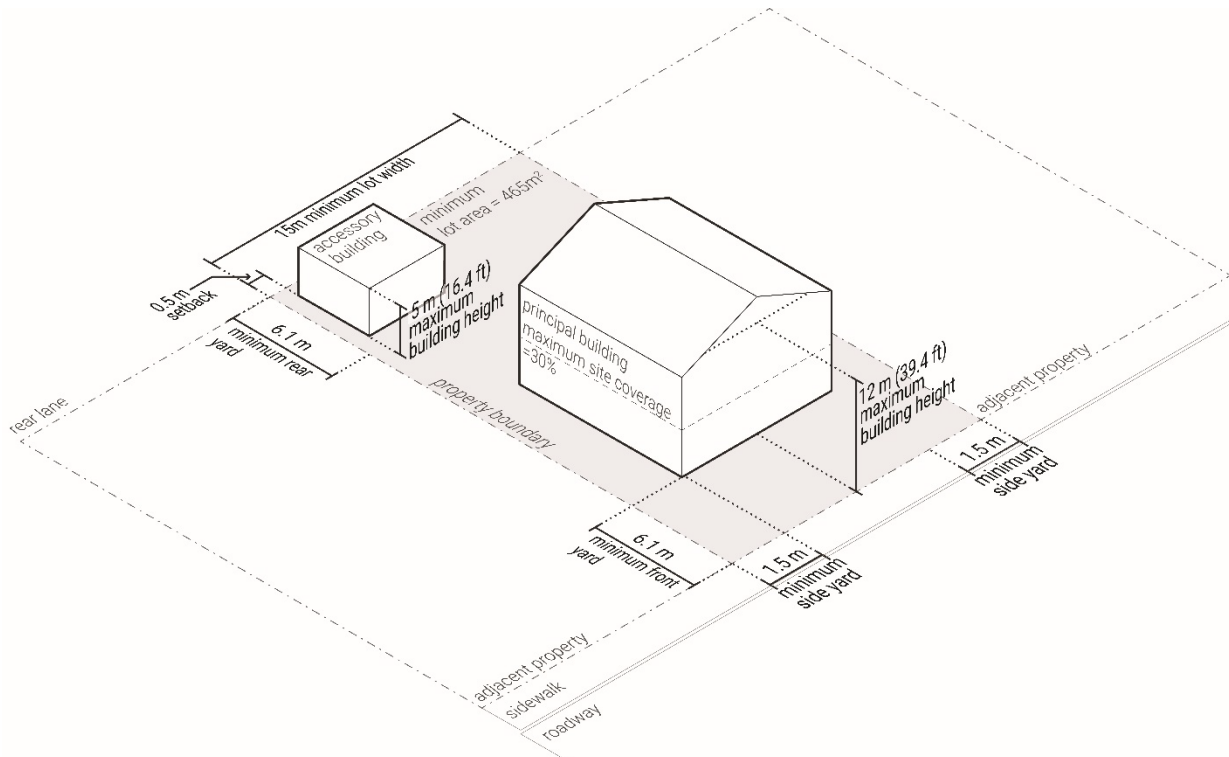
(3) In relation to Discretionary Activities the following are what the development authority will assess to determine if the permit should be issued:

- (a) Whether the building is of a scale and size to complement the surrounding neighbourhood;
- (b) The potential impact of traffic generated by the activity;
- (c) The potential impact on the privacy and enjoyment of adjoining residents arising through potential hours of operation, noise or odors generated from the site.



(4) Regulation	Provision
(a) Lot area (minimum)	465m ² (5,000ft ²)
(b) Lot width (minimum)	15m (50ft)
(c) Front yard (minimum)	6.1m (20ft)
(d) Rear yard (minimum)	6.1m (20ft)
(e) Side yard (minimum)	
<i>for all lots more than 15m (50ft) in width</i>	1.5m (5ft)
<i>on corner sites abutting roads</i>	4.5m (10ft)
(f) Building Heights (maximum)	
<i>principal building</i>	12m (39.4ft)
<i>accessory building</i>	5m (16.4ft)
(g) Site coverage (maximum)	
<i>principal building</i>	30%
<i>accessory building</i>	10%

▼ Figure 8 : R1 – Residential District Diagram





7.2 R2 – MULTI-UNIT RESIDENTIAL DISTRICT

The general purpose of this District is to allow development of medium and higher density residential development.

(1) Permitted Uses	(2) Discretionary Uses
(a) <i>Accessory Buildings or Uses</i>	(a) <i>Basement Suite</i>
(b) <i>Apartment Building</i>	(b) <i>Bed and Breakfast</i>
(c) <i>Duplex Dwelling</i>	(c) <i>Child Care Facilities</i>
(d) <i>Parks</i>	(d) <i>Day Home</i>
(e) <i>Row Housing</i>	(e) <i>Group home</i>
(f) <i>Semi-Detached Dwelling</i>	(f) <i>Home Occupation</i>
(g) <i>Single-Detached Dwelling</i>	(g) <i>Manufactured Home</i>
	(h) <i>Manufactured Home Park</i>
	(i) <i>Mixed-use Building</i>
	(j) <i>Mobile Home</i>
	(k) <i>Modular Home</i>
	(l) <i>Place of Worship</i>
	(m) <i>Public Use</i>

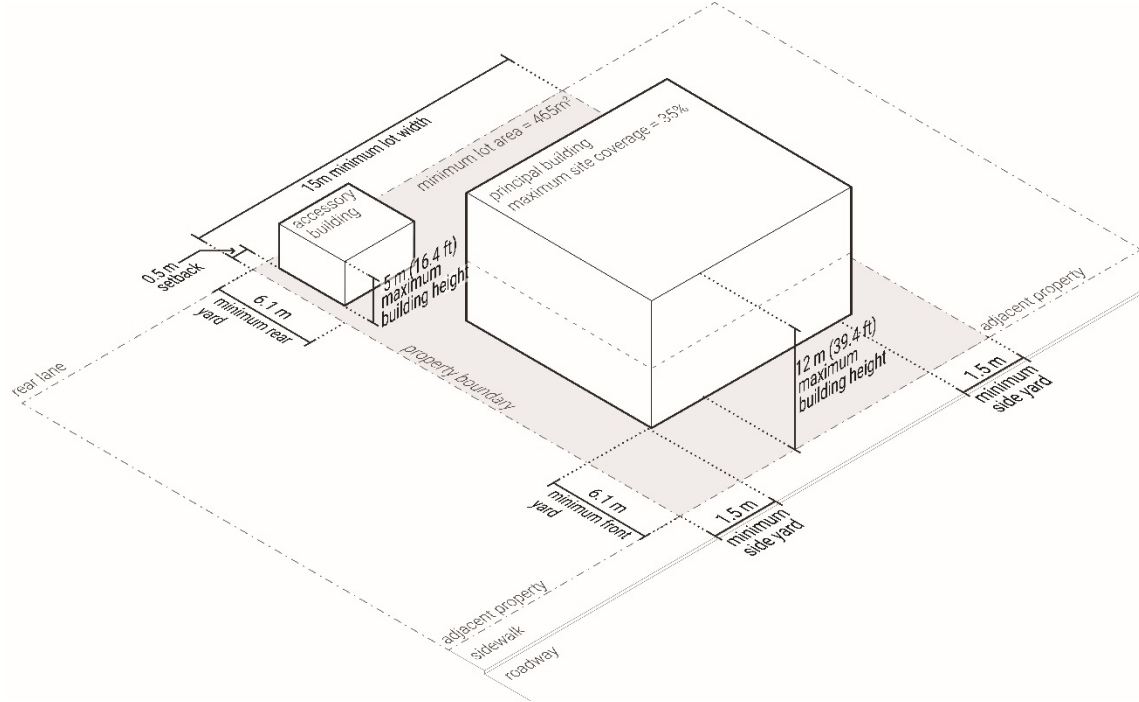
(3) Regulation	Provision
(a) <i>Lot area (minimum)</i>	
<i>for row housing</i>	150m ² (1,620ft ²)
<i>for apartments</i>	604m ² (6,500ft ²)
<i>for all other uses</i>	465m ² (5,000ft ²)
(b) <i>Lot width (minimum)</i>	
<i>for row housing</i>	3.7m (12ft)
<i>for all other uses</i>	15m (50ft)
(c) <i>Front yard (minimum)</i>	6.1m (20ft)
(d) <i>Rear yard (minimum)</i>	
<i>for apartments</i>	7.6m (25ft)
<i>for all other uses</i>	6.1m (20ft)
(e) <i>Side yard (minimum)</i>	
<i>for apartments</i>	4.6m (15ft)
<i>for all other uses</i>	1.5m (5ft)



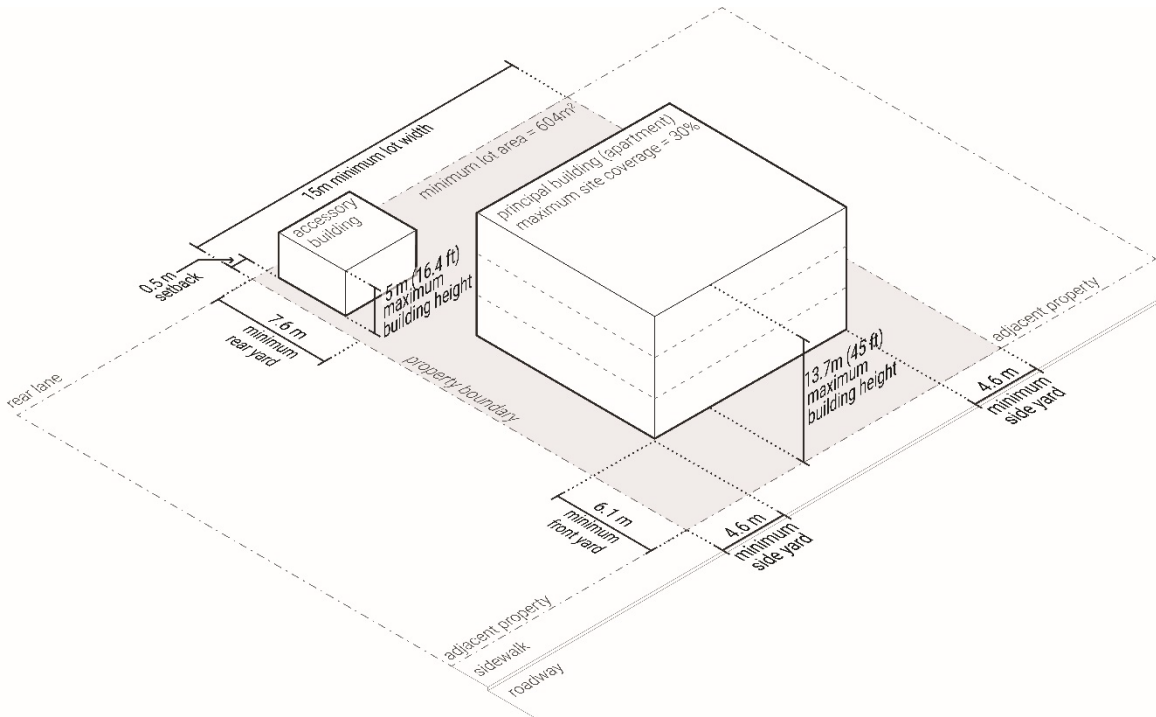
(f) Building Heights (maximum)		
	<i>principal building</i>	12m (39.4ft), three (3) storeys
	<i>accessory building</i>	5m (16.4ft)
(g) Site coverage (maximum)		
	<i>principal building</i>	35%
	<i>accessory building</i>	15%
(4) Additional <i>apartment</i> regulations		Provision
(a) Minimum <i>floor area</i>		
	<i>bachelor dwelling unit</i>	41.8m ² (450ft ²)
	<i>one (1) bedroom dwelling unit</i>	46.5m ² (500ft ²)
	<i>two (2) bedroom dwelling unit</i>	55.7m ² (600ft ²)
	<i>three (3) or more bedroom dwelling unit</i>	65m ² (700ft ²)
(b) Minimum lot size per suite		
	<i>bachelor dwelling unit</i>	74.3m ² (800ft ²)
	<i>one (1) bedroom dwelling unit</i>	97.5m ² (1,050ft ²)
	<i>two (2) or more bedroom dwelling unit</i>	134.7m ² (1,450ft ²)
(c) Maximum building height		13.7m (45.0ft) or three (3) storeys, which ever is shorter
(d) Maximum <i>lot coverage</i>		30%
(e) Minimum yards	<i>side</i>	4.6m or 40% of the building height, whichever is greater
(5) Additional <i>row house</i> regulations		Provision
(a) Maximum density		16 <i>dwelling units</i> per site acre
(b) Minimum yards		same as for <i>single detached dwellings</i> , except that no <i>side yard</i> shall be less than 3.0m (10ft) where <i>side yards</i> are provided and <i>side yards</i> adjacent to roads on <i>corner sites</i> be a minimum of 4.6m (15ft)
(c)		Each unit shall have an outdoor living area, the depth of which shall be a minimum of 7.6m (25ft). Within this area shall be a privacy zone with a minimum depth of 4.6m (15.0ft) contained by a fence a minimum of 1.5m (5ft)



▼ Figure 9 : R2 – Multi-Unit Residential District (Typical)



▼ Figure 10 : R2 – Multi-Unit Residential District (apartment)





7.3 C – HIGHWAY COMMERCIAL DISTRICT

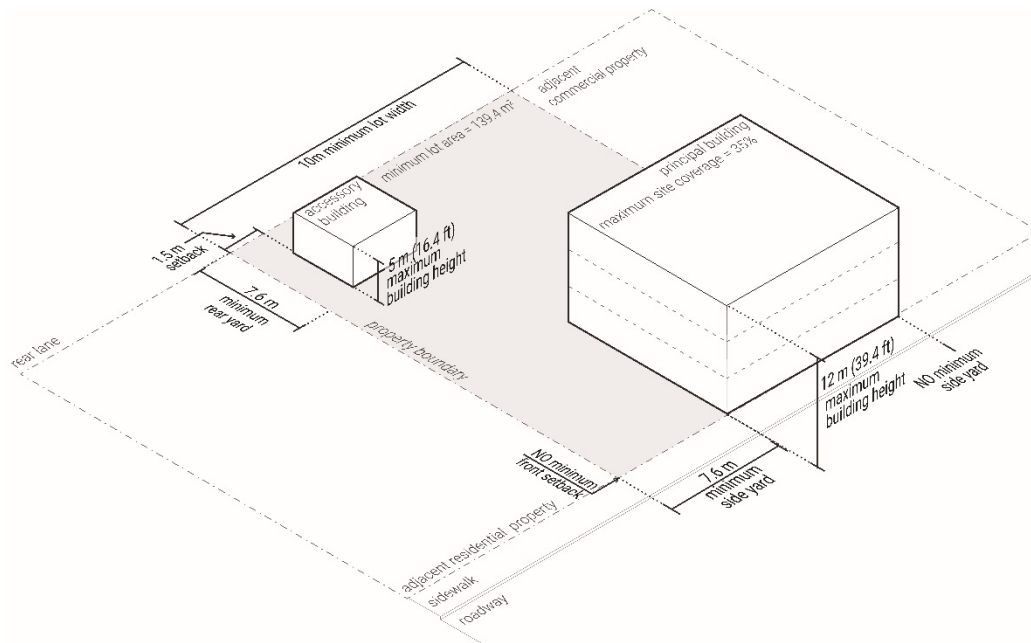
The general purpose of this District is to permit vehicle-oriented commercial development appropriate for the *municipality*. Highway commercial uses are located away from the central business core of the *municipality*, on larger lots with better highway access and visibility.

(1) Permitted Uses	(2) Discretionary Uses
(a) Accessory buildings and uses	(a) Auctioneering establishments
(b) Automobile, light truck, and recreational vehicle sales	(b) Bowling alleys
(c) Dry cleaners	(c) Buildings and uses accessory to discretionary uses
(d) Hotels	(d) <i>Cannabis lounge</i>
(e) Household appliance sales and repair	(e) <i>Cannabis production and distribution</i>
(f) Motels	(f) <i>Cannabis retail sales</i>
(g) Service stations and bars	(g) <i>Cannabis retail stores</i>
	(h) Clinics
	(i) Clubs and lodges
	(j) Commercial schools
	(k) Dance halls
	(l) Frozen food lockers
	(m) Funeral parlours
	(n) Light-industrial uses
	(o) Other uses which, in the opinion of the development authority, are similar to the above mentioned permitted and discretionary uses
	(p) Parking lots
	(q) Public utilities
	(r) Rentable unit
	(s) Restaurants
	(t) Retail stores
	(u) Storage and/or sale of building supplies, lumber, farm machinery, fertilizer, bulk oil, and propane gas
	(v) Theatres
	(w) Veterinary clinics
	(x) Wholesale warehouses



(3) Regulation	Provision
(a) Lot area (minimum)	139.4m ² (1,500ft ²)
(b) Lot width (minimum)	10m (32.8ft)
(c) Front yard (minimum)	None, except where the development authority may deem it necessary to conform with existing development
(d) Rear yard (minimum)	7.6m (25ft)
(e) Side yard (minimum)	None
<i>if adjoining a Commercial District</i>	None
<i>if adjoining a Residential District</i>	7.6m (25ft)
(f) Building Heights (maximum)	
<i>principal building</i>	12m (39.4ft), three (3) storeys
<i>accessory building</i>	5m (16.4ft)
(g) Site coverage (maximum)	
<i>principal building</i>	35%
<i>accessory building</i>	15%
(h) No use shall be established that may, in the opinion of the development authority, become obnoxious by way of noise, odour, dust, or fumes.	
(i) Notwithstanding any other provision of this Bylaw to the contrary, development of a <i>single detached dwelling</i> on Block D, Plan 8094ET shall be allowed only as the residence of the <i>owner</i> or operator of a use listed as a permitted or a discretionary use in 7.3(1) or 7.3(2) above. The regulations for the <i>dwelling</i> shall be as indicated for <i>single detached dwellings</i> in the Residential (R1) District in Section 7.1.	

▼ Figure 11: C – Commercial District





7.4 VC – VILLAGE CENTRE DISTRICT

The purpose of the Village Centre district is to promote the development of a pedestrian-accessible, commercial-service district in which a variety of retail, commercial, office, civic, and residential uses are permitted. The Village Centre district is intended to discourage the development of separate off-street parking facilities for each individual use.

(1) Permitted Uses	(2) Discretionary Uses
(a) Accessory buildings and uses	(a) Bowling alleys
(b) Banks	(b) <i>Cannabis lounge</i>
(c) Clinics	(c) <i>Cannabis retail sales</i>
(d) Coin laundries	(d) <i>Cannabis retail store</i>
(e) Dry cleaners	(e) Clubs and lodges
(f) <i>Dwellings</i> located above the ground floor	(f) Commercial schools
(g) <i>Mixed-use</i> buildings	(g) Dance halls
(h) Offices	(h) <i>Dwelling units</i> in a building used for any of the above mentioned <i>permitted or discretionary uses</i>
(i) Parks, plazas, public gathering places	(i) Frozen food lockers
(j) Personal service shops	(j) Funeral parlours
(k) Restaurants	(k) Hotels
(l) Retail stores	(l) Other uses which, in the opinion of the development authority, are similar to the above mentioned permitted and discretionary uses
(m) <i>Sidewalk Café as an accessory use</i>	(m) Public or quasi-public buildings and uses
(n) Tailoring and shoe repair shops	(n) Theatres
	(o) Veterinary clinics

(3) Regulation	Provision
(a) Maximum building height	12m (39.4ft). In all cases, the maximum height shall include all rooftop appurtenances, architectural features, skylights, or other such roof mounted building amenities.
(b) Minimum building setback requirements, except as otherwise specified herein, shall be: (i) <i>Front yard (minimum)</i>	Zero, except where the Village may deem it unnecessary considering existing development.



	Onsite parking shall not be located at the front of any site in Village Commercial.
(ii) <i>Rear yard (minimum)</i>	None. If the <i>rear line</i> is adjacent to a Residential District, the minimum <i>rear yard</i> shall be 2.0m (6.6ft).
(iii) <i>Side yard (minimum)</i>	None. If the <i>side line</i> is adjacent to a Residential District, the minimum <i>side yard</i> shall be 2.0m (6.6ft).
(iv) <i>Awnings, canopies, and projecting signs</i>	Shall not be deemed in violation of setback requirements, provided that awning signs project no further than 1.5m (5ft) into the right-of-way and they are at least 2.6m (8.5ft) above the surface of any sidewalk.

- (c) *Sidewalk Café* are encouraged in public spaces to enhance the vitality of the street while maintaining pedestrian flow and safety standards.
 - (i) *Sidewalk café* shall be located adjacent to an existing business and shall be considered an accessory use.
 - (ii) The operator of a sidewalk café must carry a minimum of \$500,000 liability insurance.
 - (iii) A minimum clear passage way of not less the 1.5m (4.9ft) for pedestrians shall be maintained between the café and the curb or any physical obstructions.
 - (iv) *Sidewalk cafe* will be designed to have an open appearance with a defined edge such as a railing, fence, row of planters or pots.
 - (v) Perimeter fences around an outdoor café shall not be more than 1m (3.3ft) high.
 - (vi) The *sidewalk café* operator shall maintain the *sidewalk café* area and the immediately adjacent area in a clean and safe condition at all times.
 - (vii) If applicable, applications will be forwarded to Alberta Health Services and Alberta Gaming and Liquor Commission.
- (d) Renovations, alterations, and additions to existing buildings and all new development in the Village Centre District shall be in accordance with the Marwayne Downtown Historic Area Design Guidelines set out in Schedule B.



7.5 M – INDUSTRIAL DISTRICT

The general purpose of this District is to provide for manufacturing, processing, assembly, distribution, service, and repair uses. Any industrial use that may produce excessive nuisances (noise, vibration, smoke, dust, odour, toxins, radiation, fire and explosive hazards) will be discretionary, and the development authority has the ability to prescribe development regulations around discretionary industrial uses.

(1) Permitted Uses

- (a) All uses listed as permitted or discretionary uses in the C District
- (b) *Cannabis production and distribution*
- (c) *Light industrial uses*
- (d) Servicing establishments

(2) Discretionary Uses

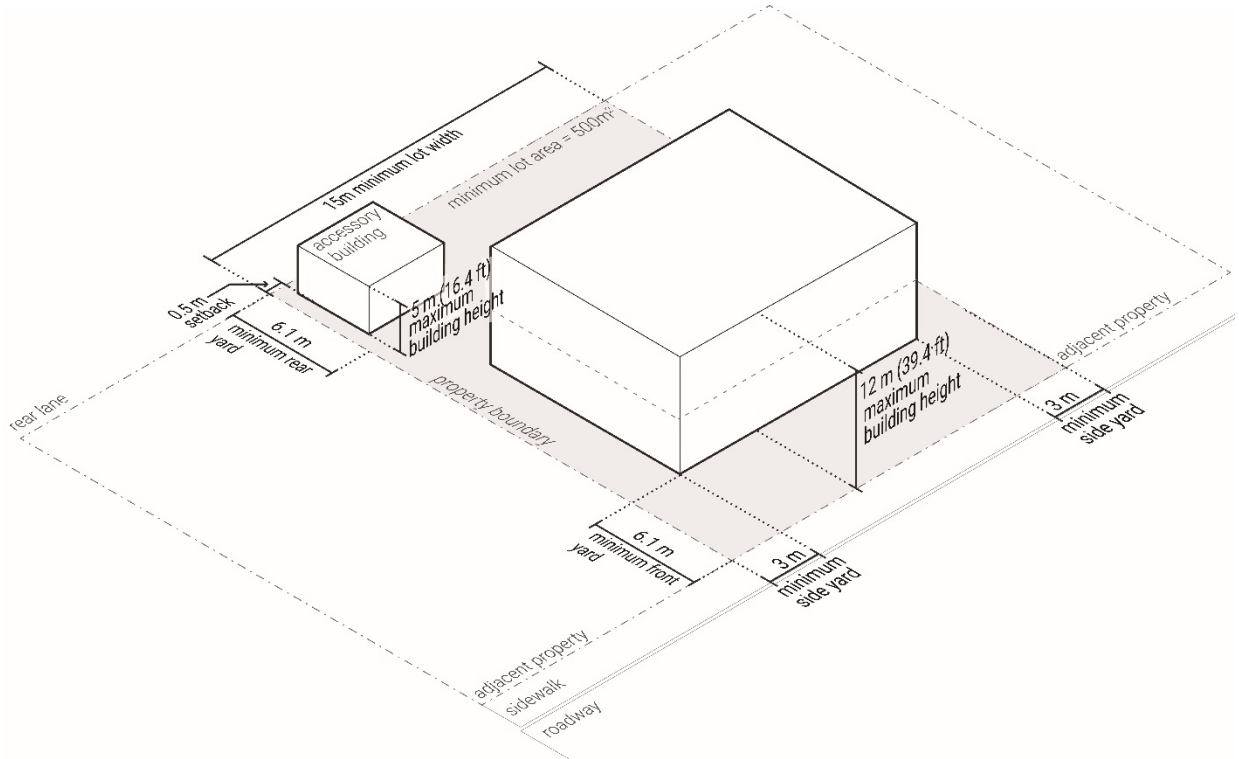
- (a) *Animal breeding and boarding*
- (b) *Cannabis retail sales*
- (c) Heavier industrial uses that may produce nuisances such as noise, odour, dust, smoke, gas, toxins, etc., that in the opinion of the development authority are compatible with the proposed industrial site
- (d) Municipal uses that are not restrictive and are compatible with an industrial area
- (e) Other uses which, in the opinion of the development authority, are similar to the above mentioned permitted and discretionary uses

(3) Regulation

Regulation	Provision
(a) Lot area (minimum)	500m ² (5,382ft ²)
(b) <i>Front yard</i> (minimum)	6.1m (20ft)
(c) <i>Rear yard</i> (minimum)	6.1m (20ft)
(d) <i>Side yard</i> (minimum)	3m (10ft)
(e) Building Heights (maximum)	12m (39.4ft)
(f) Site coverage (maximum)	60%



▼ Figure 12: M - Industrial District





7.6 I – INSTITUTIONAL DISTRICT

The general purpose of this District is to provide for the development of public uses and recreational facilities.

(1) Permitted Uses

- (a) Accessory buildings and uses
- (b) Community halls
- (c) *Group homes*
- (d) Hospitals
- (e) Parks, playgrounds, recreation areas, and other similar public or quasi-public buildings and uses
- (f) *Places of Worship*
- (g) Schools

(2) Discretionary Uses

- (a) Cemeteries
- (b) *Childcare facilities*
- (c) Clubs and lodges
- (d) Other uses which, in the opinion of the development authority, are similar to the above mentioned permitted and discretionary uses
- (e) *Public utilities*
- (f) Recreational uses

(3) Regulations

- (a) All regulations shall follow those in the Commercial District, described in Section 7.3(3).



7.7 UR – URBAN RESERVE DISTRICT

The general purpose of this District is to provide reserve land for future urban expansion, while permitting the continuation of existing agricultural or recreation land uses.

(1) Permitted Uses

- (a) *Accessory buildings and uses*
- (b) Farming, cultivation of land, but not including confined feeding and operations of any type
- (c) Parks
- (d) *Single detached dwellings* on existing parcels only

(2) Discretionary Uses

- (a) *Animal breeding and boarding*
- (b) Any strictly temporary use or building which in the opinion of the development authority will not prejudice the possibility of conveniently and economically subdividing or developing the area in the future
- (c) *Home occupation*
- (d) Public utilities

(3) Regulations

- (a) No subdivision or development other than for the above uses shall take place until an Area Structure Plan and redistricting has been adopted by *Council* in accordance with the requirements of the *Act*.
- (b) *Home occupations* shall comply with the provisions of Section 5.1.
- (c) The establishment of a *dwelling* or *accessory building* shall comply with the setback provisions under the R1 District, described in Section 7.1.



7.8 ER – ENVIRONMENTAL RESERVE DISTRICT

The general purpose of this District is to protect the existing natural features from being encroached on by development, and to provide residents with public access to the areas districted as Environmental Reserve.

(1) Permitted Uses

(a) Parks

(b) Trails

(2) Discretionary Uses

(a) Outdoor amenities for public use

(b) Outdoor recreation facilities

(3) Regulations

(a) All regulations shall be as required by the development authority.

section 8

Enforcement



Section 8 Enforcement

8.1 ENFORCEMENT AND STOP ORDERS

- (1) Where a development authority finds that a development or use of land or buildings is not in accordance with
 - (a) the *Act* or the regulations made thereunder, or
 - (b) a development permit or subdivision approval, or
 - (c) this Bylaw,the development authority may, by notice in writing, order the *owner*, the person in possession of the land or buildings, or the person responsible for the contravention, or all or any of them to:
 - (d) stop the development or use of the land or buildings in whole or in part as directed by the notice, and/or
 - (e) demolish, remove or replace the development, and/or
 - (f) take such other measures as are specified in the notice so that the development or use of the land or buildings is in accordance with the *Act*, the regulations made thereunder, a development permit, subdivision approval or this Bylaw, as the case may be.
- (2) Where a person fails or refuses to comply with an order directed to them under Section 8.1(1) or an order of the *SDAB* within the time specified, the development authority may, in accordance with Section 542 of the *Act*, enter upon the land or building and take such action as is necessary to carry out the order.
- (3) A person found guilty of an offence 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, pursuant to Section 566 of the *Act*.
- (4) Where the development authority carries out an order, the *Council* shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned, and that amount shall be collected in the same manner as taxes on land.
- (5) In addition to the process and penalties described above, the development authority or any other person identified as a designated officer by the *Council* for the purposes of this Section, shall be authorized to issue violation tickets in respect to any contravention of this Bylaw.
- (6) The recipient of a stop order may appeal to the *SDAB* in accordance with Section 686(1) of the *Act*.



8.2 VIOLATION TICKETS

- (1) The development authority or any other person identified as a designated officer by the *Council* for the purposes of this Section, may issue a violation ticket to any person alleged to have breached any provision of this Bylaw.
- (2) The violation ticket shall specify the alleged offence committed by the person to whom the violation ticket is issued and require payment, within twenty-one (21) days from the date of issue of the violation ticket, of a fine to the Village.
- (3) Persons contravening any provision of this Bylaw to whom violation tickets are issued shall be liable for a penalty of \$50.00 for a first offence and \$100.00 for a second or subsequent offence. Each day that a breach of the Bylaw has occurred may be considered to be a separate offence.
- (4) The violation ticket shall be served upon the alleged offender personally or by single registered mail. If payment is made within the time limit, then such payment shall be accepted in lieu of prosecution for the offence.
- (5) If a person who has been served with a violation ticket fails to pay the fine specified therein, then the right of the alleged offender to settle the alleged offence without a court appearance shall no longer apply and prosecution for the alleged offence shall proceed.
- (6) If the person who was served with the violation ticket is thereafter prosecuted and convicted of the offence specified in the violation ticket, the fine imposed shall not be less than \$125.00, plus court costs, for each offence.

section 9

Appeals



Section 9 Appeals

9.1 APPEAL PROCEDURE

- (1) An appeal may be made to the *SDAB* where a development authority:
 - (a) refuses or fails to issue a development permit to a person within forty (40) days of receipt of a complete application, or
 - (b) issues a development permit subject to conditions, or
 - (c) issues an order under Section 8.1 of this Bylaw.
- (2) Notwithstanding Section 9.1(1), no appeal lies in respect of the issuance of a development permit for a *permitted use* unless the provisions of this Bylaw were relaxed, varied or misinterpreted.
- (3) The person applying for the permit or affected by the order, or any other person affected by an order, decision or development permit of a development authority may appeal to the *SDAB*.
- (4) An appeal shall be made by serving a written notice of appeal to the Secretary of the *SDAB*, together with reasons and the development appeal fee as established by resolution of *Council*, within twenty-one (21) days after:
 - (a) the date the order, decision or permit issued by the development authority was publicized in accordance with Section 3.10(3); or
 - (b) the date on which the person is notified of the order or decision or the issuance of the development permit; or
 - (c) the forty (40) day period referred to in Section 9.1(1)(a) has expired.

9.2 APPEAL HEARING

- (1) Within thirty (30) days of receipt of a notice of appeal, the *SDAB* shall hold an appeal hearing respecting the appeal.
- (2) The *SDAB* shall give at least five (5) days notice in writing of the appeal hearing to:
 - (a) the appellant;
 - (b) the development authority from whose order, decision or development permit the appeal is made;
 - (c) those adjacent land *owners* who were notified under Section 3.10(3)(c) and any other person who, in the opinion of the *SDAB*, are affected by the order, decision or permit; and
 - (d) such other persons as the *SDAB* specifies.



- (3) The *SDAB* shall make available for public inspection before the commencement of the appeal hearing all relevant documents and materials respecting the appeal including:
 - (a) the application for the development permit, its refusal and the appeal there from; or
 - (b) the order of the development authority Section 8.1,
as the case may be.
- (4) At the appeal hearing referred to in Section 9.1(1), the *SDAB* shall hear:
 - (a) the appellant or any other person acting on their behalf;
 - (b) the development authority from whose order, decision or development permit the appeal is made, or if a person is designated to act on behalf of the development authority, that person;
 - (c) any other person who was served with notice of the hearing and who wishes to be heard or a person acting on their behalf; and
 - (d) any other person who claims to be affected by the order, decision or permit and that the *SDAB* agrees to hear or a person acting on their behalf.

9.3 DECISION

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

section 10

Administration



Section 10 Administration

10.1 APPLICATION TO AMEND BYLAW

- (1) A person may apply to have this Bylaw amended, by applying in writing, furnishing reasons in support of the application and paying the fee therefore required under Section 10.2.
- (2) *Council* may at any time initiate an amendment to this Bylaw by directing the development authority to initiate an application therefore.

10.2 FORM OF APPLICATION

All applications for amendment to this Bylaw shall be made to the *Council* on the form provided by the *municipality* and shall be accompanied by:

- (1) an application fee as established by resolution of *Council*; and
- (2) a recent title search of the land affected or other documents satisfactory to the development authority showing the applicant's interest in the said land; and
- (3) drawings showing the subject site, the proposed District and the proposed use and development to be proposed on the site, if applicable; and
- (4) the reasons for the changes to this Bylaw.

10.3 AMENDING BYLAWS

All amendments to this Bylaw shall be made by *Council* by bylaw and in conformity with the Village's MDP, the Act and the Alberta Land Stewardship Act.

10.4 SCHEDULES

Schedules A (the Land Use District Map) and B (the Downtown Design Guideline) are part of this Bylaw.

section 11

Definitions

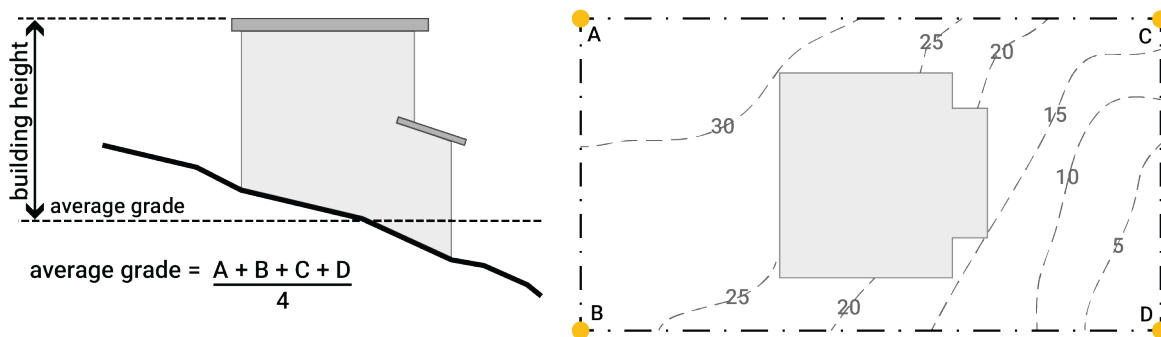


Section 11 Definitions

In this Bylaw:

- (1) **"accessory building"** means a building separate and subordinate to the main building, the use of which is incidental to that of the main building and is located on the same parcel of land;
- (2) **"accessory use"** means a use customarily incidental and subordinate to the main use or building, which is located on the same parcel of land with such main use or building;
- (3) **"Act"** means the Municipal Government Act, 2018, as amended;
- (4) **"animal breeding and boarding"** means development used for the breeding, boarding, caring or training of animals, normally considered household pets. Typical facilities include pet breeding, pet boarding and pet training establishments.
- (5) **"apartment"** means a dwelling containing three (3) or more dwelling units, but shall not mean row housing;
- (6) **"average grade"** means the average lot grade calculated from averaging the elevation of the of the lot corners;

▼ Figure 13 : Diagram of 'average grade'



- (7) **"basement suite"** means a self-contained dwelling unit, in the basement of a single detached dwelling, having a common access with a dwelling unit on the main floor;
- (8) **"bed and breakfast"** means a development within a dwelling which possesses a dwelling unit, where temporary sleeping accommodations, up to a maximum of two (2) bedrooms, with or without meals, are provided for remuneration to members of the public;
- (9) **"building"** includes anything constructed or placed on, in, over, or under land but does not include a road or a bridge forming part of a road;
- (10) **"Cannabis"** means cannabis as defined in the Cannabis Act (Canada);



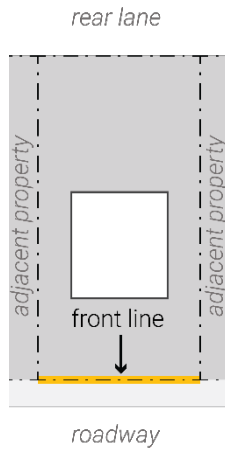
- (11) **"Cannabis Distributor"** means a person, organization or entity who holds a cannabis distributor licence issued under the Gaming, Liquor and Cannabis Act (Alberta);
- (12) **"Cannabis Lounges"** means development where the primary purpose of the facility is the sale of Cannabis to the public, for the consumption within the premises that is authorized by provincial or federal legislation. This Use does not include Cannabis Production and Distribution;
- (13) **"Cannabis Production and Distribution"** means development used principally for one or more of the following activities as it relates to Cannabis:
 - (a) the production, cultivation, and growth of Cannabis;
 - (b) the processing of raw materials;
 - (c) the making, testing, manufacturing, assembling or in any way altering the chemical or physical properties of semi-finished or finished goods and products;
 - (d) the storage or transshipping of materials, goods and products; or
 - (e) the distribution and sale of materials, goods and products to Cannabis Retail Sales stores or to individual customers.
- (14) **"Cannabis Retail Sales"** means development used for the retail sale of Cannabis that is authorized by provincial or federal legislation. This Use does not include Cannabis Production and Distribution;
- (15) **"child care facility"** means an establishment licensed by the regional Child and Family Services Authority intended to provide care, educational services and supervision for seven (7) or more children for a period less than 24 hours at a time. This use includes group day care centres, out-of-school centres, nursery or play schools, and drop-in centres;
- (16) **"corner site"** means a parcel of land with boundary lines on two separate roads or a single road that curves at an angle of sixty (60) degrees or more at the subject site. For the purposes of this definition, a road shall not include a lane;
- (17) **"Council"** means the Council of the Village of Marwayne;
- (18) **"day home"** means a child care operation within a dwelling unit that serves not more than 6 children and is operated either under contract with a Family Day Home Agency or independently as a private babysitting facility;
- (19) **"development"** means:
 - (a) an excavation or stockpile and the creation of either of them, or
 - (b) a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land, or
 - (c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or



- (d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building;
- (20) **"Development Authority"** means the Development Authority established by the municipality's Development Authority Bylaw and appointed by Council;
- (21) **"development permit"** means a document authorizing a development issued pursuant to this Bylaw;
- (22) **"discretionary use"** means the use of land or a building provided for in this Bylaw for which a development permit may be issued upon an application having been made;
- (23) **"duplex"** means a dwelling containing two (2) dwelling units which share a common wall, and which are located either side by side or one above the other and which may or may not share a common access;
- (24) **"dwelling"** means any building used exclusively for human habitation and which is supported on a permanent foundation or base extending below ground level. This definition shall include single detached dwellings, semi-detached dwellings, duplexes, row housing, apartments, mobile homes and manufactured homes;
- (25) **"dwelling unit"** means a complete dwelling or self-contained portion of a dwelling, or a set or suite of rooms which contains sleeping, cooking and separated or shared toilet facilities, intended for domestic use, and used or intended to be used permanently or semi-permanently as a residence for a household, and which is not separated from direct access to the outside by another separate dwelling unit;
- (26) **"floor area"** means the total area of all floors of all buildings, not including accessory buildings, located on any parcel of land, excluding the area of basement floors, except that all dwelling units in apartment buildings shall be included in the calculation of floor area;
- (27) **"front line"** means the boundary line of a parcel of land lying adjacent to a road. In the case of a corner site, the shorter of the two boundary lines adjacent to the road shall be considered the front line;

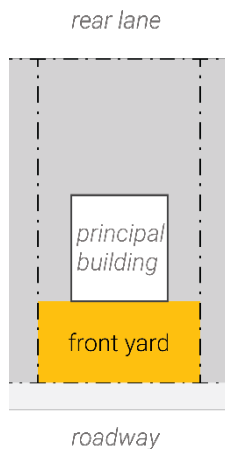


▼ **Figure 14 : Diagram of 'Front Line'**



- (28) **"front yard"** means a yard extending across the full width of a parcel of land from the front line to the nearest wall of the main building situated on the parcel of land. If there are fireplaces or balconies on the building, the front yard shall be measured to the nearest point of the fireplace or balcony. In the case of a curved front line, the front yard will also form a curve;

▼ **Figure 15 : Diagram of 'Front Yard'**



- (29) **"ground floor area"** means the total area of buildings, including accessory buildings, located on the lot;
- (30) **"group home"** means a development consisting of the use of a dwelling as a facility which is authorized, licensed or certified by a public authority to provide room and board for foster children or disabled persons, or for persons with physical, mental, social, or behavioural problems and which may be for the personal rehabilitation of its residents either through self-help or professional care, guidance or supervision. The residential character of the development shall be primary with the occupants living together as a single housekeeping group

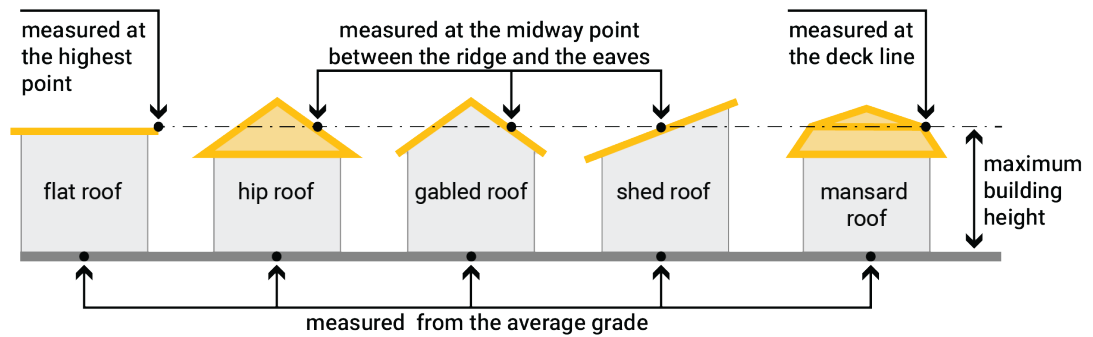


and using cooking facilities shared in common. This does not include drug or alcohol addiction treatment centres;

- (31) **"hard-surfacing"** means a durable ground surface constructed of cast-in-place concrete, brick, concrete paving blocks, turfstone, stone, asphalt, or similar materials (not including gravel and clay);
- (32) **"home occupation"** means the use of a portion of a residential building to conduct a business or commercial enterprise that is incidental or subordinate to the residential function of the building.
- (33) **"light industrial use"** means manufacturing, fabricating processing, repairing, storing, wholesaling, and/or distribution of goods and materials in such a manner that all activities take place inside buildings and no noise, dust, glare, heat, or any other emission is evident outside the building;
- (34) **"lot"** means:
 - (a) a quarter section, or
 - (b) a part of a parcel of land described in a certificate of title if the boundaries of the part are separately described in the certificate of title other than by reference to a legal subdivision, or
 - (c) a part of a parcel of land described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision;
- (35) **"lot coverage"** is a calculation of the ground floor area divided by the area of the parcel of land.
- (36) **"lot width"** means the length of a line parallel to the front line or, in a parcel of land with a curved front line, perpendicular to a line running between the mid-point of the front line and the mid-point of the rear line, measured at a distance from the front line equal to the minimum required front yard;
- (37) **"main building"** means a building in which is conducted the main or principal use of the parcel of land on which it is erected;
- (38) **"manufactured home"** means a prefabricated dwelling unit intended for occupancy and is not a mobile home;
- (39) **"maximum building height"** means the maximum permitted height of a building within a land use district;



▼ Figure 16 : Diagram of 'Maximum Building Height'

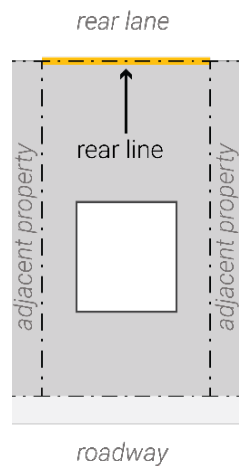


- (40) **"mixed-use"** means a development that contains more than one use on the lot or within a building.
- (41) **"mobile home"** means a single dwelling comprising of one or more large factory-built sections. It will be manufactured in full compliance with both the current CSA National Mobile Home Standard and the Alberta Building Code (ABC), bearing prominently displayed CSA Mobile Home Label and an Alberta Municipal Affairs label that certifies compliance to both the current CSA Standard and the ABC at the time of approval.
- (42) **"modular home"** means a dwelling that conforms to the Canadian Standards Association A-277 Series certified standards in place at the time of manufacture, that is designed to be transported to the building site in pieces and assembled on-site on top of a site-constructed basement or foundation;
- (43) **"municipality"** means the Village of Marwayne;
- (44) **"natural area"** means lands in a natural state where buildings and development are prohibited or restricted.
- (45) **"non-conforming building"** 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 the land on which the building is situated becomes effective, and
 - (b) that on the date the land use bylaw becomes effective does not, or when constructed will not, comply with the land use bylaw;
- (46) **"non-conforming use"** 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 affecting the land or building becomes effective, and
 - (b) that on the date the land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with the land use bylaw;



- (47) **"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, the owner of the land according to the municipality's assessment roll.
- (48) **"patio"** means a paved outdoor area at ground level adjoining a house;
- (49) **"parcel of land"** means lot;
- (50) **"permitted use"** means the use of land or a building provided for in this Bylaw for which a development permit shall be issued upon an application having been made, provided that all of the regulations of this Bylaw are satisfied;
- (51) **"place of worship"** means a building wherein people regularly gather for worship and related religious, philanthropic or social activities. Typical uses include churches, chapels, convents, kingdom halls, monasteries, mosques, synagogues, and temples;
- (52) **"Principal Building, Structure or Use"** means a building or use which, in the opinion of the development authority, is the main purpose for which the building or site is ordinarily used.
- (53) **"public utility"** means a public utility, as defined in the Act;
- (54) **"rear line"** means the boundary line of a parcel of land lying opposite to the front line of the parcel and/or farthest from a road;

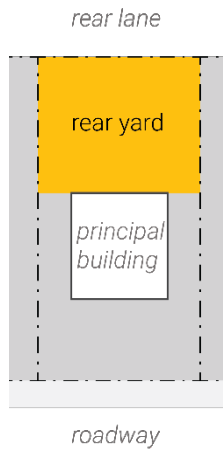
▼ **Figure 17 : Diagram of 'Rear Line'**





- (55) **"rear yard"** means a yard extending across the full width of a parcel of land from the nearest wall of the main building situated on the parcel of land to the rear line of the parcel of land. If there are fireplaces or balconies on the building, the rear yard shall be measured to the nearest point of the fireplace or balcony;

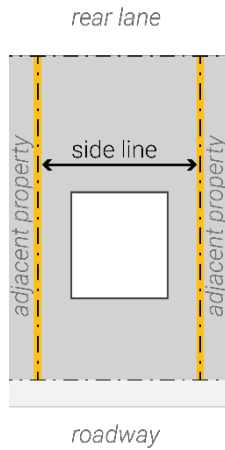
▼ **Figure 18: Diagram of 'Rear Yard'**



- (56) **"rentable unit"** means a separate unit of a motel used or intended to be used for the temporary accommodation of one or more persons;
- (57) **"Retail Cannabis Licence"** means a licence issued under the Gaming, Liquor and Cannabis Act (Alberta) to purchase cannabis from the Alberta Liquor and Gaming Commission, and to possess, store and sell the cannabis in the licensed premises.
- (58) **"road"** means a road as defined in the Act and shall include a highway;
- (59) **"row housing"** means a dwelling or dwellings, each of which consists of at least three (3) dwelling units with each unit having direct access to the outside grade, but shall not mean "apartment";
- (60) **"secondary suite"** means an accessory use containing one additional self-contained dwelling unit located within a single dwelling;
- (61) **"Semi-Detached Dwelling"** means two attached dwelling units that share a common wall;
- (62) **"side line"** means the boundary line of a parcel of land lying between a front line and a rear line of a parcel of land. In the case of a corner site, the longer of the two boundary lines adjacent to the road shall be considered a side line;

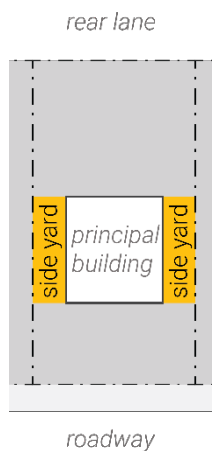


▼ **Figure 19 : Diagram of 'Side Line'**



- (63) **"sidewalk café"** means a group of tables and chairs and other accessories situated and maintained upon a public sidewalk or other pedestrian areas for the use and consumption of food and beverages sold to the public from, or in, an adjoining indoor food and beverage establishment;
- (64) **"side yard"** means a yard extending from the nearest wall of the main building situated on a parcel of land to the side line, and lying between the front and rear yards on the parcel of land. If there are fireplaces or balconies on the building, the side yard shall be measured to the nearest point of the fireplace or balcony;

▼ **Figure 20: Diagram of 'Side Yard'**



- (65) **"Single Detached Dwelling"** means a residential use in which the principal building is a permanent building constructed on-site to Alberta Building Code requirements, used for one dwelling unit and that may contain one secondary suite, but does not include a manufactured home.



- (66) **"site"** means one or more parcels of land on which a development either is to take place or has taken place;
- (67) **"Subdivision and Development Appeal Board"** means the Subdivision and Development Appeal Board established by the Council by the Subdivision and Development Appeal Board Bylaw adopted pursuant to the Act;
- (68) **"temporary building"** means a building incidental and subordinate to the principal use which at no time shall be used a dwelling and is not intended to remain as a permanent structure;
- (69) **"yard"** means a part of a parcel of land upon or over which no main building is to be erected; and all other words and expressions have the meanings respectively assigned to them in the Act or in other Acts of the Legislature or in common law;

schedule A

Land Use District Map



Schedule A | Land Use District Map

Last Amended June 22nd, 2020

