



TOWN OF GRIMSHAW

LAND USE BYLAW

No. 1146

Adopted June 26, 2013

Consolidated August 31, 2016



Prepared by:
The Town of Grimshaw and
Mackenzie Municipal Services Agency

**TOWN OF GRIMSHAW
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Table of Contents

PART 1: ADMINISTRATION	1
DIVISION 1: GENERAL	1
SECTION 1: TITLE, PURPOSE AND APPLICATION	1
SECTION 2: CONFORMITY WITH THIS BYLAW	1
SECTION 3: SCHEDULE "B" DISTRICT MAP	1
SECTION 4: DEFINITIONS	2
DIVISION 2: ADMINISTRATIVE AGENCIES	27
SECTION 5: DEVELOPMENT AUTHORITY	27
SECTION 6: DEVELOPMENT OFFICER	27
SECTION 7: DUTIES AND RESPONSIBILITIES OF THE DEVELOPMENT OFFICER	27
SECTION 8: DEVELOPMENT APPEAL BOARD	29
SECTION 9: THE MACKENZIE MUNICIPAL SERVICES AGENCY	30
SECTION 10: DEVELOPMENT PERMIT: PAYMENT OF TAXES	30
SECTION 11: FORMS AND NOTICES <i>-deleted</i>	30
DIVISION 3: DEVELOPMENT PERMITS	31
SECTION 12: DEVELOPMENT REQUIRING A PERMIT	31
SECTION 13: APPLICATION FOR DEVELOPMENT PERMIT	33
SECTION 14: ENVIRONMENTAL AUDITS	34
SECTION 15: ENVIRONMENTAL IMPACT ASSESSMENT	34
SECTION 16: SUBDIVISION STANDARDS	35
SECTION 17: DEVELOPMENT PERMIT RULES	36
SECTION 18: DEVELOPMENT PERMIT CONDITIONS	37
SECTION 19: DEVELOPMENT PERMIT: NOTIFICATION	38
PART 2: LAND USE PROVISIONS	41
DIVISION 1: GENERAL LAND USE PROVISIONS	41
SECTION 20: ACCESSORY BUILDINGS (INCLUDING GARAGES)	41
SECTION 21: SITE DIMENSIONS	43
SECTION 22: SITE COVERAGE	43
SECTION 23: FRONT, SIDE AND REAR YARD SETBACKS	44
SECTION 24: PROJECTIONS INTO YARDS	44
SECTION 25: RESTRICTIONS ON CORNER SITES	45

SECTION 26: HEIGHT OF BUILDINGS	45
SECTION 27: HOME-BASED BUSINESS	45
SECTION 28: ILLUMINATION	47
SECTION 29: INDUSTRIAL AND COMMERCIAL STANDARDS	47
SECTION 30: LANDSCAPING AND SCREENING	48
SECTION 31: OBJECTS PROHIBITED OR RESTRICTED IN DISTRICTS PERMITTING RESIDENTIAL USES....	48
SECTION 32: SHIPPING CONTAINERS AS ACCESSORY BUILDINGS	49
SECTION 33: ANIMALS PROHIBITED OR RESTRICTED	50
SECTION 34: PARKING AND LOADING FACILITIES	50
SECTION 35: “RELOCATED” AND “MOVED-IN” BUILDINGS	54
SECTION 36: SIGN CONTROL	56
SECTION 37: ENTRANCES AND EXITS	60
SECTION 38: FENCES OR OTHER MEANS OF ENCLOSURE IN RESIDENTIAL DISTRICTS	62
SECTION 39: FENCING AND SCREENING IN COMMERCIAL AND INDUSTRIAL DISTRICTS	62
SECTION 40: ON-SITE DEMOLITION	62
SECTION 41: SECONDARY SUITES	63
SECTION 42: PORTABLE GARAGE	64
DIVISION 2: SPECIAL LAND USE PROVISIONS	65
SECTION 43: CAR/TRUCK WASHING ESTABLISHMENTS	65
SECTION 44: PLACES OF WORSHIP	65
SECTION 45: DECKS AND BALCONIES	65
SECTION 46: DRIVE-THROUGH FACILITIES	66
SECTION 47: MOTELS AND MOTOR HOTELS	67
SECTION 48: MANUFACTURED HOMES	67
SECTION 49: MANUFACTURED HOME PARK	69
SECTION 50: RECREATIONAL VEHICLE PARK	71
SECTION 51: SERVICE STATIONS, GAS STATIONS AND GAS BARS	74
SECTION 52: NEIGHBOURHOOD CONVENIENCE STORE	75
SECTION 53: MODULAR-BUILDING	75
SECTION 54: GARDEN SUITES	76
SECTION 55: CHILD CARE FACILITIES	77
SECTION 56: OUTDOOR FIRE PITS AND FIREPLACES	77
SECTION 57: BED AND BREAKFAST ACCOMMODATION	78
SECTION 58: INDUSTRIAL CAMPS	79

SECTION 59: SOLAR ELECTRIC PANELS.....	79
SECTION 60: HIGHWAY 2 SETBACKS.....	80
SECTION 61: NUMBER OF DWELLING UNITS PERMITTED ON A LOT.....	81
SECTION 61A: LIVE-WORK UNITS.....	81
DIVISION 3: LAND USE DISTRICTS	83
SECTION 62: DISTRICTS	83
SECTION 63: RESIDENTIAL 1 DISTRICT (R-1).....	84
SECTION 64: RESIDENTIAL 2 DISTRICT (R-2).....	87
SECTION 65: MIXED RESIDENTIAL DISTRICT (R-2A)	90
SECTION 66: RESIDENTIAL 3 DISTRICT (R-3).....	94
SECTION 67: RESIDENTIAL - MANUFACTURED HOME SUBDIVISION DISTRICT (R-MHS)	97
SECTION 68: RESIDENTIAL - MANUFACTURED HOME PARK DISTRICT (R-MHP)	99
SECTION 69: RECREATIONAL VEHICLE PARK DISTRICT (R-RV)	102
SECTION 70: PRIMARY COMMERCIAL DISTRICT (C-1).....	104
SECTION 71: SECONDARY COMMERCIAL DISTRICT (C-2).....	107
SECTION 72: HIGHWAY COMMERCIAL DISTRICT (HC)	110
SECTION 73: INDUSTRIAL DISTRICT (M-1).....	112
SECTION 74: COMMUNITY DISTRICT (COM)	116
SECTION 75: AGRICULTURAL-URBAN RESERVE DISTRICT (A-UR)	118
SECTION 76: DIRECT CONTROL (DC)	122
DIVISION 4: LAND USE OVERLAYS	123
SECTION 77: ESTABLISHMENT OF OVERLAYS	123
SECTION 78: COMMERCIAL DISTRICT OVERLAY	124
DIVISION 5: ENACTMENT	127
SECTION 79: AMENDMENTS	127
SECTION 80: ENFORCEMENT AND PENALTIES.....	127
SECTION 81: REPEAL OF EXISTING BYLAW.....	128
SECTION 82: EFFECTIVE DATE	128
SCHEDULES:	
SCHEDULE A: LIST OF AMENDMENTS	
SCHEDULE B: DISTRICT MAP	

**TOWN OF GRIMSHAW
LAND USE BYLAW NO. 1146**

PART 1

ADMINISTRATION

TOWN OF GRIMSHAW

LAND USE BYLAW No. 1146

PART 1: ADMINISTRATION

DIVISION 1: GENERAL

SECTION 1: TITLE, PURPOSE AND APPLICATION

(1) Title of Bylaw:

This Bylaw may be cited as the "Grimshaw Land Use Bylaw".

(2) Purpose:

The purpose of this Bylaw is to regulate the use and development of land and buildings within the municipality.

(3) Application of Bylaw:

The provisions of this Bylaw apply to all land and buildings within the corporate boundaries of the Town of Grimshaw.

SECTION 2: CONFORMITY WITH THIS BYLAW

(1) Conformity with Bylaw:

No person shall commence any development except in conformity with this Bylaw.

SECTION 3: SCHEDULE "B" DISTRICT MAP

- (1) The geographic area of the municipality of the Town of Grimshaw is hereby divided into districts listed in Section 62, and their boundaries are delineated on the map attached to and forming a part of this Bylaw, as Schedule "B".

SECTION 4: DEFINITIONS

In this Land Use Bylaw, the definitions and interpretation set out in the following sub-sections shall apply:

ACCESSORY when used to describe a use, building or structure, means a use, building or structure naturally and normally incidental, subordinate and exclusively devoted to the principal use of the building and located on the same lot or site. A private garage, as defined in the Bylaw, is considered an accessory use.

ACT means the Province of Alberta Municipal Government Act.

AMENITY AREA means an area within the site which has been designed to serve as a useful area for passive or active recreation and may include patios, landscaped areas, balconies, recreation facilities or communal lounges.

APARTMENT BUILDING means a development consisting of three or more dwelling units each of which has an independent entrance either directly from outside the building or through a common foyer. This definition includes tri-plexes, four-plexes, and six-plexes with dwelling units arranged in any horizontal or vertical configuration, and does not conform to the definition of any other residential use.

APARTMENT HOTEL means a development consisting of dwellings contained within a building or a part of a building having a principal common entrance. Each dwelling will be suitable for use by one or more persons for more than five consecutive days and include cooking facilities. Each dwelling will be furnished including dishes and linen, and where maid service, telephone service, or desk service will be provided.

AUTO REPAIR SHOP means an establishment for the repair or maintenance of electrical parts, auto body work, painting of motor vehicle bodies and general auto maintenance.

BED AND BREAKFAST ACCOMMODATION means the use of a part of a residential dwelling for overnight accommodation, where breakfast is usually served as part of the accommodation service.

BOARDING OR ROOMING HOUSE means a building used for gain or profit (other than a hotel or motel) containing guest rooms for two or more persons where meals may or may not be served and in which the proprietor may supply accommodation for his family.

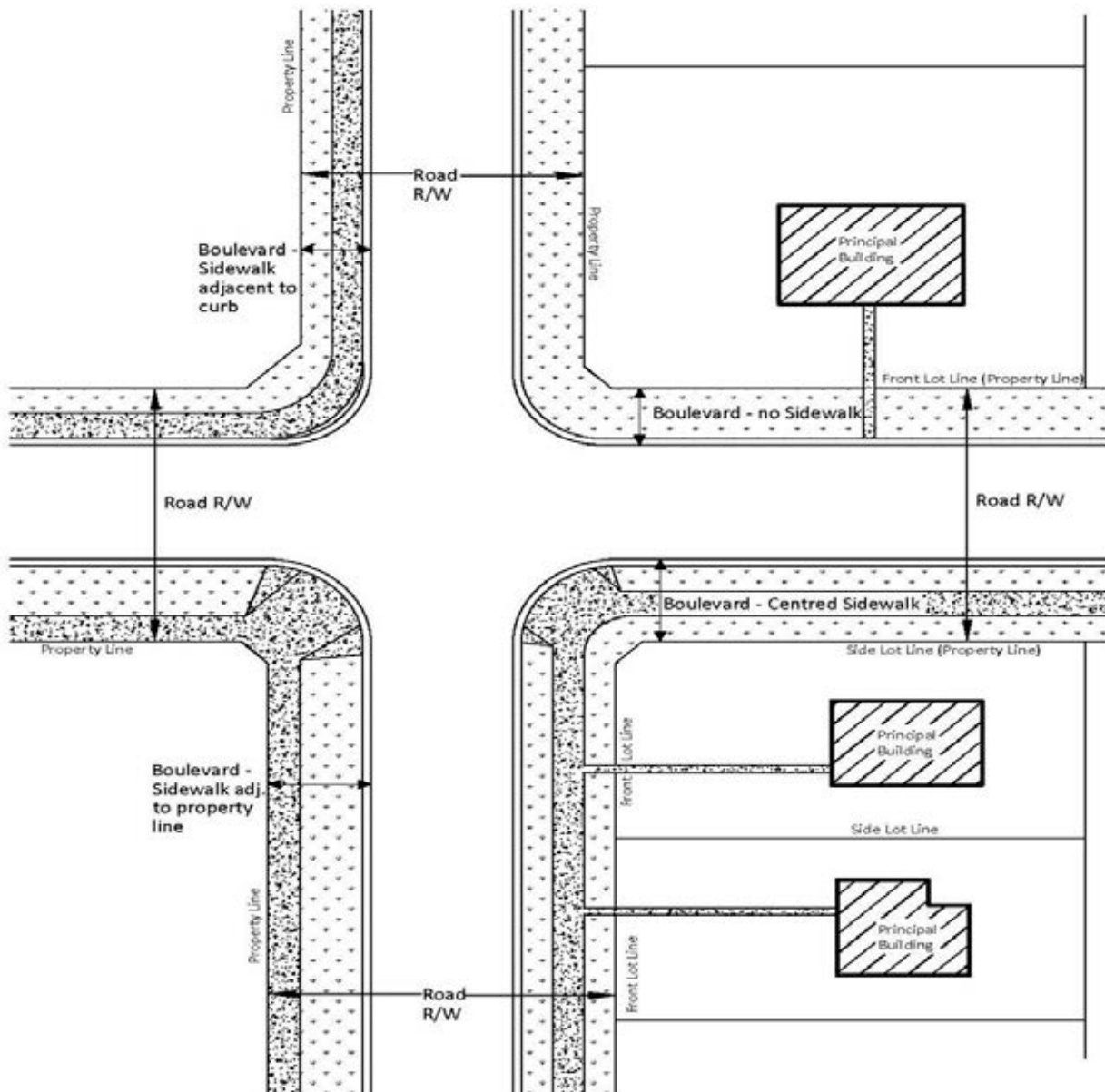
BOULEVARD means that part of a road right-of-way that is between the travelled roadway and the front lot line of a lot that fronts on the road right-of-way. The Town owns the boulevard.

EXPLANATION NOTES

Boulevard

This graphic is not part of this bylaw but is provided to aid in its interpretation.

A "Boulevard" means that part of a road right-of-way that is between the travelled roadway and the front lot line of a lot that fronts on the road right-of-way. The Town owns the boulevard.



BUFFER means a row of trees, or shrubs, or berming to provide visual screening and separation and / or a mitigation barrier between sites or districts.

BUILDING includes anything constructed or placed on, in, over, or under land but does not include a highway or public roadway or a bridge forming part of a highway or public roadway.

BUILDING HEIGHT means the vertical distance between average grade and the highest point of a building that is not: a roof, stairway entrance, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, a firewall or a parapet wall and a flagpole or similar device not structurally essential to the building

BUILDING PERMIT means a written approval by the appropriate authority which states that a building conforms to the provisions of the Province of Alberta Safety Codes Act.

BUS DEPOT means a building and associated facilities used by bus operators for the loading and unloading of persons and goods, and may be used to store busses and related equipment.

BUSINESS/OFFICE SUPPORT SERVICE means a development for support services to business generally, which for example include: the use of minor mechanical equipment for batch printing; processing and binding; drafting; word and photographic processing services; office maintenance or security services; business-related equipment sales and rental services or repairs.

CARPORT means a building, designed and used for the storage of not more than four private motor vehicles, consisting of a roof supported on posts or columns and not enclosed on more than two sides whether separate from or attached to the principal building on a site.

CHILD CARE FACILITY means a development licensed by the province to provide personal care, maintenance, supervision or education, without overnight accommodation, for seven or more children at one time for more than three but less than 24 consecutive hours in a day. This includes day care centres, nurseries, kindergartens, nursery schools and play schools, and other similar uses.

COMMUNITY BUILDING OR FACILITY means a development for use by the public or public groups for cultural or community activities. Typical uses include public and private clubs.

COMPLIANCE CERTIFICATE means a written confirmation from the municipality that development on a parcel of land conforms to the municipality's land use regulations.

CONDOMINIUM-TYPE OWNERSHIP means a form of property ownership that, in the case of the Town of Grimshaw, means a structure with multiple residential units involving areas of common property ownership that is registered in accordance to The Condominium Property Act.

CONSTRUCT means to build, reconstruct, or relocate, and without limiting the generality of the word, also includes:

- (1) any preliminary operation such as excavation, filling or draining;
- (2) altering an existing building or structure by an addition, enlargement, extension or other structural change; and
- (3) any work which requires a building permit under the Building Bylaw of the Town of Grimshaw

CONVENIENCE FOOD STORE means a retail operation that specializes in convenience type items such as groceries, soft drinks and other similar goods.

CORNER LOT means a lot having frontage on two or more intersecting roads.

COUNCIL means the Council of the Town of Grimshaw.

DECK means a recreational platform that is constructed and either attached or not attached to the principal building. A deck can be at ground level or elevated, and may be an open or closed design.

DERELICT VEHICLE means a motor vehicle, tractor, trailer, truck, camper, boat, motorcycle, motorized snow vehicle, mechanical equipment, machinery or parts thereof, or any vehicle drawn, propelled or driven by any kind of power or any part thereof that is not in an operating condition and is discarded, wrecked or partly wrecked, or is dismantled or partly dismantled.

DEVELOPMENT means

- (1) an excavation or stockpile and the creation of either of them, or
- (2) a building or an addition to, or replacement or repair of a building and the construction or placing in, on, over or under land of any of them, or
- (3) 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
- (4) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.

DEVELOPMENT APPEAL BOARD means a development appeal board established pursuant to the Act and by council through the adoption of a bylaw.

DEVELOPMENT AUTHORITY means one or more of the following:

- (1) Development Officer; or
- (2) the Town of Grimshaw Planning Committee; or a combination of both
- (3) any other person appointed by resolution or bylaw of Council pursuant to the provision of this bylaw.

DEVELOPMENT OFFICER means:

- (1) the person appointed by a resolution of council to the office established by Section 5 of this bylaw, or
- (2) where a Town of Grimshaw Planning Committee is authorized to act as a development officer, the Town of Grimshaw Planning Committee, or
- (3) where a Town of Grimshaw Planning Committee is authorized to act as a development officer in addition to a person appointed as a development officer, either or both of them.

DEVELOPMENT PERMIT means a document or certificate issued by the municipality authorizing, with or without conditions, a development pursuant to this Land Use Bylaw.

DISCRETIONARY USE means the use of land or a building which is listed in the column captioned "Discretionary Uses" under land use districts contained in this Bylaw for which a development permit may or may not be issued upon an application having been made.

DRIVE-IN RESTAURANT means a business offering food for sale to the public and designed on the basis that consumption will take place either within a motor vehicle parked in a permitted parking space on the site or within a building located on the site.

DUPLEX means a building containing two dwelling units, one above the other or side by side, each of which has an independent entrance either directly from outside the building or through a common hallway inside a building.

DWELLING GROUP means three or more dwelling units located on a site or a number of adjoining sites where all buildings, recreational areas, vehicular areas, landscaping and all other features have been planned as an integrated development and where each dwelling unit has a separate principal entrance accessible directly from ground level.

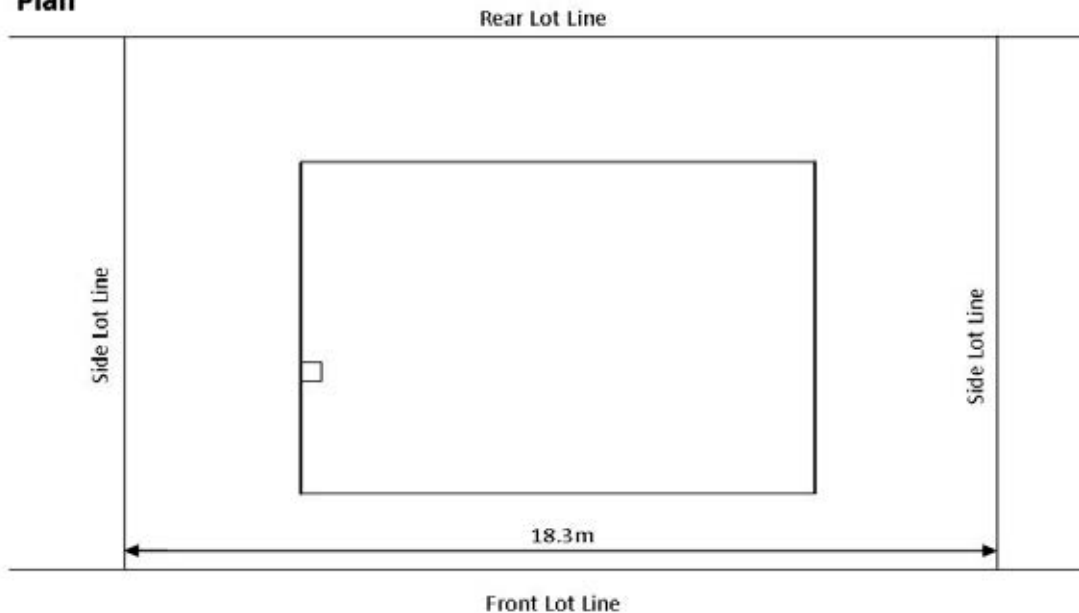
DWELLING, SEMI-DETACHED means a building that is divided vertically into two dwelling units side by side and separated from each other by a common wall extending from foundation to roof, having separate entrances and not attached to any other residential building.

DWELLING, SINGLE-DETACHED means a building containing one dwelling unit which is completely separated on all sides from any other dwelling or structure and, except as otherwise allowed by this Bylaw, used for no other purpose except a secondary suite.

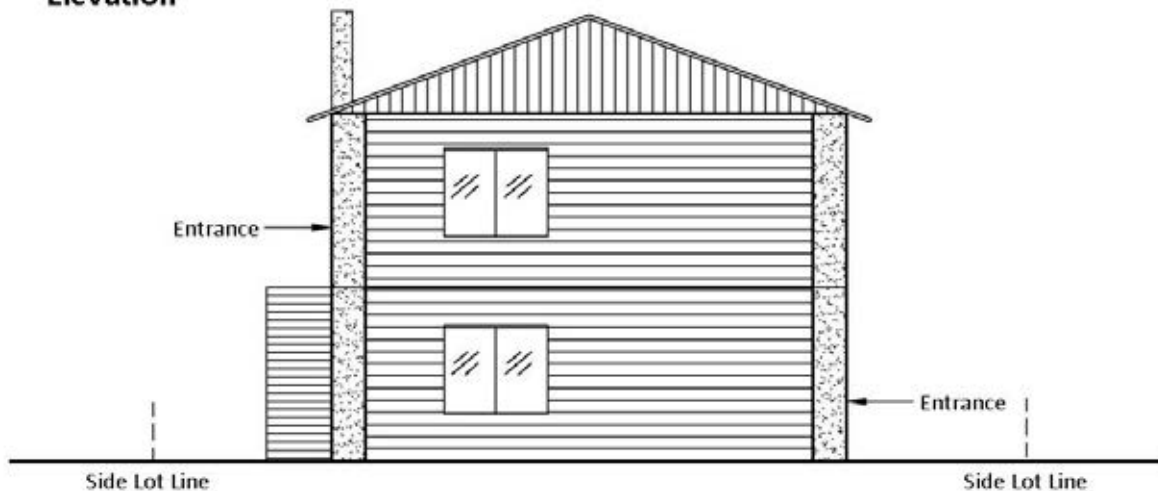
DWELLING UNIT means self-contained rooms designed or used exclusively as the living quarters (construed as including sleeping, cooking and toilet facilities) for one household, and with an independent entrance either directly from outside a building or through a common hallway inside a building.

EXPLANATION NOTES**Duplex**

This graphic is not part of this bylaw but is provided to aid in its interpretation.

Plan

"DUPLEX" means a building containing two dwelling units, one above the other or side by side, each of which has an independent entrance either directly from outside the building or through a common vestibule.

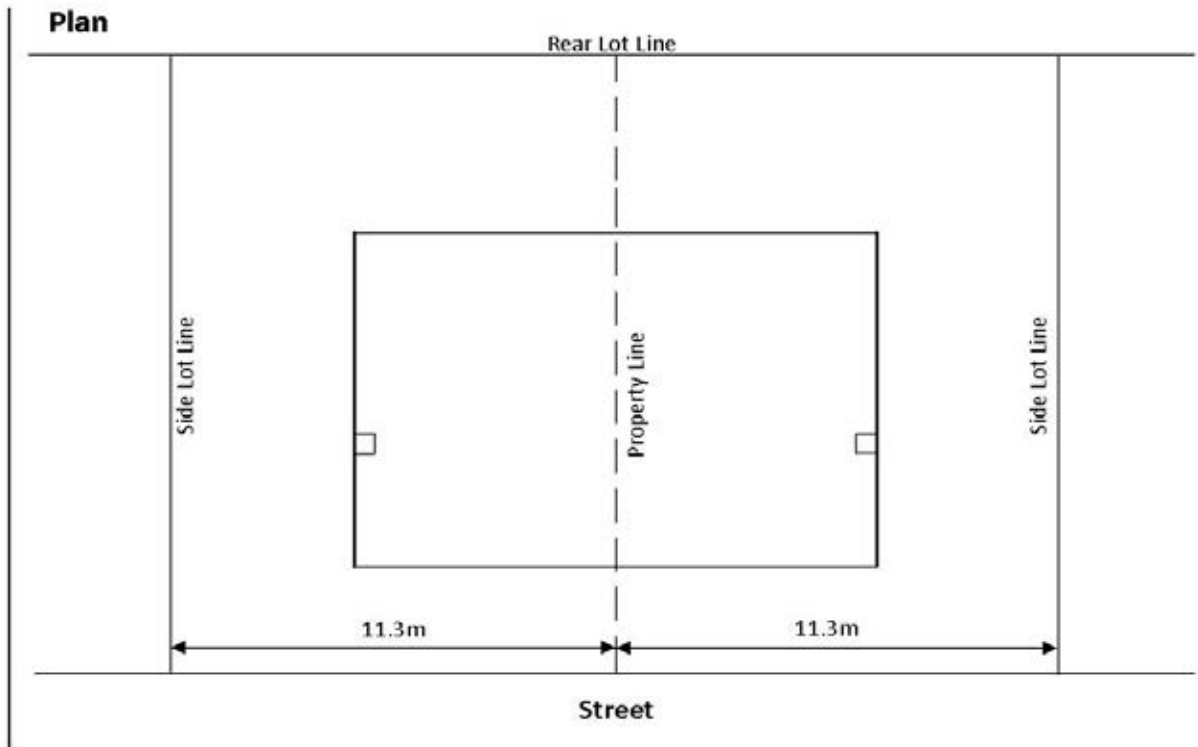
Elevation

EXPLANATION NOTES

Semi-Detached Dwelling

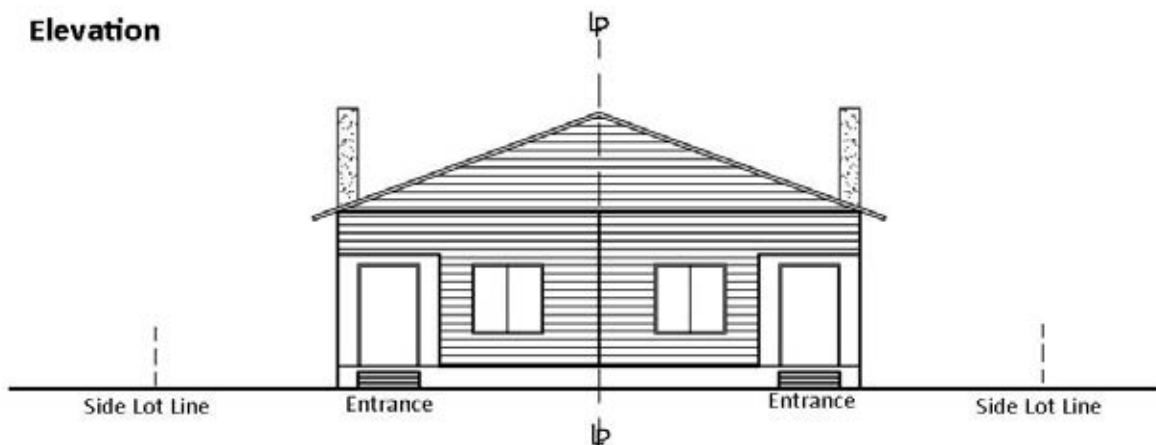
This graphic is not part of this bylaw but is provided to aid in its interpretation.

Plan



"SEMI-DETACHED DWELLING" means a building that is divided vertically into two dwellings units side by side and separated from each other by a common wall extending from foundation to roof, having separate entrances and not attached to any other residential building.

Elevation



ENTERTAINMENT FACILITY means an enclosed facility in which a fee is charged to the public for the provision of a performance, or a minimum fee is charged for admission to the facility or sale of any item, food, or beverage therein, which includes the provision of a performance and without limiting the foregoing, may include facilities for movies and live theatre, but does not include a casino or bingo hall.

ENVIRONMENTAL AUDIT means a comprehensive site analysis to determine:

- (1) if there are any hazardous substances above, on, or below the surface of the subject property that may pose a threat to the environment;
- (2) if there are any breaches of Federal, Provincial or Municipal district environmental standards;
- (3) the level of risk that a contaminated site poses to the environment and/or human health; and
- (4) the necessary remedial actions that may be required to reduce the level of risk posed by a contaminated site to an acceptable level.

ENVIRONMENTAL IMPACT ASSESSMENT means a comprehensive site analysis which is placed into an Environmental Impact Assessment Report, to determine:

- (1) the potential environmental impact of the proposed development on a site;
- (2) the potential environmental impact of the proposed development upon adjacent properties or land uses; and
- (3) the potential environmental impact the proposed development may have on the future land use potential of the site.

ENVIRONMENTAL IMPACT ASSESSMENT REPORT means a written document containing the result of the Environmental Impact Assessment.

ENVIRONMENTALLY SENSITIVE AREA means:

- (1) significant ravines, valleys, streams, corridors, lakeshores, swamps, wetlands or any other unique landscape area;
- (2) areas prone to flooding, steep slopes, erosion by wind, water and ice, landslides, subsidence or wildfire;
- (3) aquifers, reservoirs, canals, lagoons, ditches and similar natural or manmade features that require environmental protection.

ENVIRONMENTAL RESERVE means the land designated as environmental reserve by a subdivision authority or municipality under Part 17, Division 8 of the MGA.

ENVIRONMENTAL RESERVE EASEMENT means an easement created under Part 17, Division 8, of the Municipal Government Act as amended, from time to time.

EXISTING RESIDENTIAL USE means the use of a building for residential purposes before the date of the adoption of this Bylaw. A residential use lawfully under construction prior to the date of adoption of this bylaw is considered an existing residential use.

FENCE means a vertical physical barrier constructed out of building materials such as wood and metal, used for purposes of containment, to prevent unauthorized access or to serve as a visual screen.

FINANCIAL INSTITUTION means a development, use, or building that is primarily for the banking or lending of money and other related services. It includes a trust company, chartered bank or credit union.

FIRE HALL means a facility in which fire trucks and equipment are located, and firefighting personnel may be accommodated.

FLOOR AREA means the gross floor areas of all rooms in a building, including all corridors and common areas, but does not include the floor areas of basements, attached garages, sheds, open porches or breezeways.

FULLY SERVICED means a lot that includes municipal services, developed to provincial standards, which contains water, sewer, road access and utilities such as power and gas.

FUNERAL HOME means a business establishment where the bodies of the dead are prepared for burial or cremation, and where funeral services can be held.

GAMING ESTABLISHMENT means a facility for patrons to participate in gaming opportunities as the principal use and shall include a bingo hall.

GARAGE means an accessory building or part of a principal building designed and used primarily for the storage of non-commercial motor vehicles. This includes carports, but does not include a portable garage or any similar structure that does not meet the Alberta Building Code.

GARDEN SUITE means a secondary dwelling unit being an additional residence on a parcel of land on which there is already a principal residence.

GAS BAR means premises used or intended to be used for the sale of gasoline, lubricating oils and associated petroleum products and may include the sale of automotive parts, a car wash, towing service or a retail food store.

GRADE means the elevation of finished ground surface, excluding an artificial embankment, at any point immediately adjacent to the building.

GROUP HOME means a facility which provides special care for individuals that are; aged; disabled; or in need of adult supervision in accordance with their individual needs, and is licensed, if necessary, by the Provincial authority having jurisdiction over the group home's activities.

HARD-SURFACE means a durable, all weather surface constructed of concrete, asphalt or other similar materials.

HEALTH SERVICE means a development used for the provision of out-patient health care and social or counselling services, but does not include a hospital. Typical uses are a medical clinic, dental clinic, chiropractic clinic, therapeutice massage, and a physical therapy clinic.

HEAVY VEHICLE means a Vehicle, or a Vehicle with a Trailer attached that:

- (1) exceeds 12.5 metres (41 feet) in overall length; and
- (2) complies with the Commercial Vehicle Dimension and Weight Regulation, Alberta Regulation 315/2002, as amended, if applicable; and
- (3) includes a "Bus" as defined by the Traffic Safety Act.

HOME-BASED BUSINESS (MINOR) means the use of a portion of a dwelling unit or ancillary building incidental or subordinate to the principal residential use that does not change the character thereof and/or generate additional traffic or noise, and is considered to have no impact on the neighbours, and is basically invisible (that is, nobody notices that a business is being run). Typical businesses may include consultants, computer programmers, and other service-oriented businesses where the proprietor goes to the customer rather than the customer coming to the home.

HOME-BASED BUSINESS (MAJOR) means the use of a portion of a dwelling unit or ancillary building, which is not invisible and may involve the customer coming to the home or some other use of the property that is not typical of that Land Use District, to conduct a commercial or industrial use which is determined by the Development Officer to be ancillary to the residential use. A Major Home Based Business will allow more business visits and also allow non-resident employees. Typical businesses are hairdressers or lawn maintenance companies. A Home Based Business (Major) is considered to have an impact on the neighborhood and therefore, if approved, is subject to the notification of the adjacent property owners. If the neighbours object, they may file an appeal to the Subdivision and Development Appeal Board.

HOSPITAL means an institutional facility used to provide in-patient and out-patient health care to the public. The Grimshaw/Berwyn Hospital is the Town's full service facility and the Grimshaw Clinic is the community health centre.

HOTEL means a building designed for the accommodation of the travelling or vacationing public containing guest rooms served by a common entrance as well as general kitchen and dining or other public rooms.

INDOOR RECREATION SERVICE means a business operation and accessory facilities, used by paying clients for sports or recreation within an enclosed building, such as an athletic club, health and fitness club, skating or hockey rink, swimming pool, bowling alley and racquet courts, but shall exclude an adult entertainment facility, pool hall, bingo hall or casino.

INDUSTRIAL CAMP means a self-contained residential complex used to house workers for industrial camps, contracting firms etc. on a temporary basis away from their permanent place of residence. An industrial camp is usually made up of a number of mobile units which provide sleeping, eating, recreational and other basic living facilities, constructed so that they may be dismantled and moved from the site.

INDUSTRIAL PLANT means a plant that is used to produce or manufacture goods or services through an industrial process.

INDUSTRIAL STORAGE means a facility that is used to store goods, products or equipment associated with an industrial operation.

INDUSTRIAL, GENERAL means a development used for one or more of the following activities:

- (1) The processing of raw materials;
- (2) The manufacturing or assembling or semi-finished or finished goods, products or equipment;
- (3) The cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial business or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in non-industrial districts;
- (4) The storage or transshipping of materials, goods and equipment; and
- (5) The distribution and sale of materials, goods and equipment, to institutions or industrial and commercial businesses for their direct use or to general retail stores or other sales facilities for resale to individual consumers.

INDUSTRY/MANUFACTURING, SMALL SCALE means an industry engaged in the assembly, processing, manufacture, cleaning, testing, repairing, storage, or distribution of various materials into a new product. The industry may exhibit most or all of the following characteristics:

- (1) can be developed on smaller parcels or land;
- (2) is suitable for industrial parks;
- (3) most of the activities are confined to the building;
- (4) does not require large areas of outdoor storage; and
- (5) does not produce emissions which are obnoxious or hazardous.

INFILL means the development of three or fewer parcels in an established urban neighbourhood for residential, commercial, institutional or other purposes. Infill development or subdivisions, normally utilizes less than 1.2 hectares (3 acres) gross area and have existing development adjacent to the infill site.

INTERNAL SUBDIVISION ROAD means a public roadway, excluding a highway, constructed for the purpose of providing access and traffic circulation within a commercial, industrial, or residential development.

LANDFILL means a site that is used for the disposal of solid waste and which is approved or licensed by the appropriate public agencies.

LANDSCAPING means the modification and enhancement of a site through the use of any or all of the following elements:

- (1) “soft landscaping” consisting of vegetation such as trees, shrubs, hedges, grass and ground cover
- (2) “hard landscaping” consisting of non-vegetative materials such as brick, stone concrete, tile and wood, excluding monolithic concrete and asphalt.

LANE means a public roadway, not exceeding 9.1 metres (30 feet) in right-of-way width, which provides a secondary means of access to a site or sites.

LAUNDROMAT means a development used for self-service laundry but does not include dry cleaners.

LICENSED PREMISES means a building that is licensed by the Alberta Gaming and Liquor Commission to serve alcoholic beverages and products.

Bylaw 1171
2016/06/22

LIQUOR STORE means the retail sale of alcoholic beverages.

LIVE-WORK UNIT means a building containing both commercial and residential uses where the business is the principal use and faces the street while the residence is subordinate and does not contain a home business. The businesses operated from such buildings are limited to personal service shops, professional and office support services, health services and private education services. This use class does not include a home-based business (minor), home-based business (major) or mixed use residential/commercial.

LOADING SPACE means a space for parking a commercial vehicle while being loaded or unloaded.

LOT means:

- (1) a quarter section.
- (2) a river lot or settlement lot shown on an official plan defined in The Surveys Act that is filed or lodged in a land titles office.
- (3) a part of a parcel where the boundaries of the part are separately described in a certificate of title other than by reference to a legal subdivision, or
- (4) a part of a parcel where the boundaries of the part are described in a certificate of title by reference to a plan of subdivision.

LOT COVERAGE or SITE COVERAGE means that percentage of the area of any lot which is covered by all buildings on the lot including accessory buildings and decks and excludes balconies, canopies and the like.

LOT DEPTH means the length of a straight line joining the middle of the front lot line with the middle of the rear lot line.

LOT GRADING CERTIFICATE means an as-built plan prepared by an Alberta Land Surveyor, a Professional Engineer, or a Registered Architect, which shows the existing surface elevations and grades on a lot at the completion of construction.

LOT LINE means a legally defined limit of any lot.

LOT LINE, FRONT means the boundary dividing the lot from an abutting street. In the case of a corner lot, the front lot line shall be determined by the Development Officer.

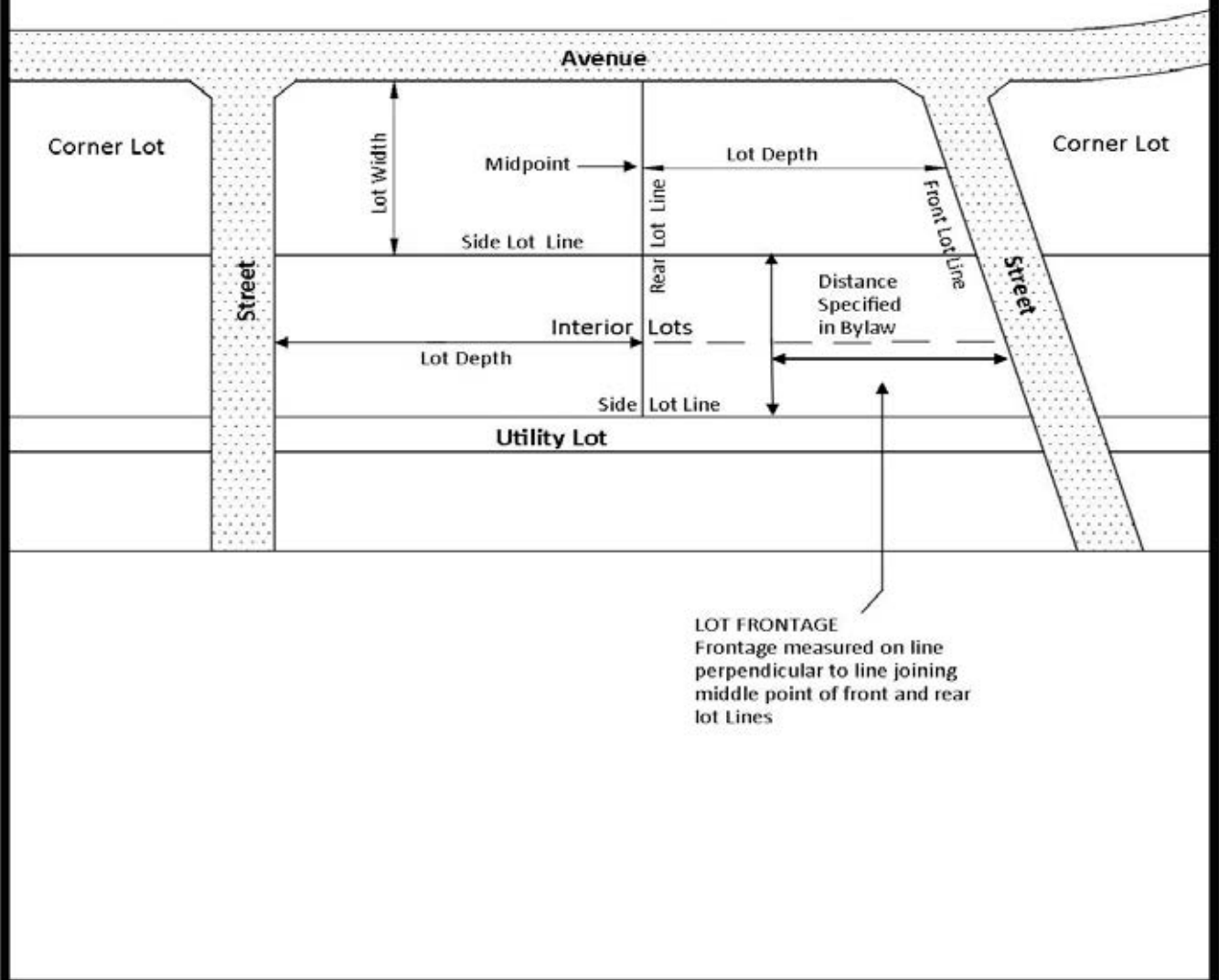
LOT LINE, REAR means the lot line of a lot which is directly opposite to the front lot line.

LOT LINE, SIDE means any lot line other than a front or rear lot line.

EXPLANATION NOTES

Lot Definitions

This graphic is not part of this bylaw but is provided to aid in its interpretation.



LOT, THROUGH means any lot other than a corner lot having access on two abutting streets.

LOT LINE, ZERO means a form of development in which buildings are permitted to be located on one or more lot lines with no yard between the building and the lot line.

LOT WIDTH means the horizontal measurement between the side lot lines measured at a point 15.2 metres (50 feet) perpendicularly distant from the front lot line.

Bylaw 1162
2015/08/12

MOBILE HOME *deleted*

Bylaw 1162
2015/08/12

MANUFACTURED HOME means a development of a transportable dwelling unit that is built off-site. It is designed to be transported on its own wheels or on a chassis and upon arriving at the site for placement is, apart from incidental operations such as installation of foundation supports and connections of utilities, ready for year round occupancy. This definition does not apply to recreational vehicles or industrial camp trailers. A manufactured home meets any one of the following design criteria:

- Is supported by a steel frame;
- Has a roof pitch of less than 1:4;
- The eaves are equal to or less than 30.4 cm (1.0 ft.);
- The length to width ratio of the unit is more than 3:1.

MANUFACTURED HOME PAD means that portion on an individual manufactured home park lot within a manufactured home park which has been reserved for the placement of the manufactured home, appurtenant structure or additions.

MANUFACTURED HOME PARK means a development under a single title which has been designed for the placement of manufactured homes on manufactured home park lots for non-transient use.

MANUFACTURED HOME PARK LOT means a leasable or rentable portion of land located within a manufactured home park reserved for the placement of a manufactured home for non-transient occupancy.

MANUFACTURED HOME SUBDIVISION means a manufactured home development registered as a subdivision under freehold tenure, where the responsibility for maintaining services rests with the municipality.

Bylaw 1162
2015/08/12

MODULAR APARTMENT *deleted*

Bylaw 1162
2015/08/12

MODULAR HOME *deleted*

Bylaw 1162
2015/08/12

MODULAR BUILDING means a development that is built off-site and designed to be transported and assembled on a permanent foundation at the building site. Upon arriving at the site for placement is, apart from incidental operations such as installation of foundation supports and connections of utilities, ready for year round occupancy. A modular building may include residential, commercial, industrial and institutional buildings. This definition does not apply to manufactured homes, recreational vehicles or industrial camp trailers.

MOTEL means a building or group of buildings designed for the accommodation of the travelling or vacationing public containing guest rooms, each of which has a separate entrance directly from outside the building. The motel units may be built on site or built in a factory and assembled on site.

MOVED-IN BUILDING means any building moved-in or relocated from jurisdictions outside or within the corporate boundary of the Town of Grimshaw to a parcel within the Town of Grimshaw.

MUNICIPAL AND SCHOOL RESERVE means the land designated as municipal and school reserve under Part 17, Division 8 of the Municipal Government Act.

MUNICIPAL DEVELOPMENT PLAN means a municipal development plan within the meaning of the Municipal Government Act.

MUNICIPAL ROAD means a public roadway, an internal subdivision road or a rural road, subject to the direction, control and management by the Municipality.

NET ACRE means an acre of land not including public roadway rights-of-way, utility lots or lanes.

NON-CONFORMING BUILDING means a building:

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

NON-CONFORMING USE means a lawful specific use:

- (1) being made of land or a building or intended to be made of a building lawfully under construction, at the date this land use bylaw or any amendment thereof affecting the land or building becomes effective, and
- (2) that on the date this land use bylaw or any amendment thereof becomes effective does not, or when constructed will not comply with this land use bylaw.

NON-TRANSIENT OCCUPANCY means occupancy when it is the intention of the parties that the occupancy will not be temporary. There is a presumption that when the dwelling unit occupied is the sole residence of the guest, the occupancy is non-transient.

OFFICE means a building where the administrative affairs of a business, public, or non-profit agency, or a professional service are conducted.

OFFICIAL means a duly appointed officer of the Town of Grimshaw.

OVERLAY means additional regulations superimposed on specific areas of the Land Use District Map, which supersedes or adds to the regulations of the underlying Land Use District.

PARCEL OF LAND means the area of land described in a certificate of title or, where there has been a subdivision, any lot or block shown on a plan of subdivision that has been registered in a land titles office.

PARK OR PLAYGROUND means an area of land used for recreation purposes, usually including facilities such as picnic benches, slides, swings, and other playground type equipment, built in accordance with the Alberta Safety Codes Act.

PARKING FACILITY means a portion of land or of a building set aside for the parking and maneuvering of motor vehicles, which is accessible to a public thoroughfare and which may include a parking structure.

PARK, PARKING, OR PARKED means to allow a Vehicle, whether occupied or not, to remain stopped in one place.

PARKING SPACE OR STALL means a space set aside for and capable of being used for the parking of one motor vehicle as set out in this Bylaw.

PATIO means a paved or concrete recreational area near the principal building on the site, such as a dwelling unit.

PERMITTED USE means the use of land or of a building which is listed in the column captioned "Permitted Uses" for land use districts contained in the Bylaw for which a development permit shall be issued upon an application having conformed to the provisions of this Bylaw.

PERSONAL SERVICES means a development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects and includes such uses as barbershops, hairdressers, beauty salons, tanning salons, shoe repair shops, dry cleaning establishments, but does not include medical offices, health services or general retail businesses.

Bylaw 1171
2016/06/22

PLACE OF WORSHIP means a building or structure primarily intended for the conducting of organized religious services, and may include as accessory uses social, recreational and community activities such as group meetings, banquets and child care.

PORTABLE GARAGE means a non-permanent structure designed to be easily assembled and dismantled, and which consists of a tubular framework covered with a weatherproof sheeting. It shall meet all the requirements of the Alberta Building Code, and may be located within all districts. For the purpose of this Bylaw, the term portable garage as used here shall not be considered to be an accessory building or use.

PORTABLE SIGN means a sign mounted on an "A" frame or on a trailer, stand or similar support and which together with the support can be relocated to another location.

PRINCIPAL BUILDING OR USE means the main purpose for which a building or site is ordinarily used.

PRIVATE CLUB OR LODGE means development used for the meeting, social or recreational activities of members of a non-profit philanthropic, social service, athletic, business, or fraternal organization, without on-site residences. A Private Club or Lodge may include rooms for eating, drinking and assembly.

PUBLIC OR CIVIC USE means the use of any lot, building or structure or portion thereof for public use and shall include public parks, community or recreation centres, a cemetery, fire halls, police stations, ambulance stations, government offices, public works yards, public libraries, including buildings and facilities accessory thereto, but does not apply to essential infrastructure such as the provision of waterlines, sewer lines, road or utility lines.

PUBLIC ROADWAY means any street, avenue, service roadway, residential collector roadway, lane, walkway or rural road as defined in the Public Highways Development Act, intended to be used by the public generally, but does not include a highway.

PUBLIC USE means a building, structure or lot used for public services by the Town of Grimshaw, by any local board or agency of the Town, by any department, commission or agency of any other municipal corporation or the Government of Alberta or Canada, by any railway company authorized under the Railway Act, or by any public utility.

PUBLIC UTILITY means a system or works used to provide one or more of the following for public consumption, benefit convenience or use:

- (1) water or steam;
- (2) sewage disposal;
- (3) public transportation operated by or on behalf of the municipality;
- (4) irrigation;
- (5) drainage;

- (6) fuel;
- (7) electric power;
- (8) heat;
- (9) gas;
- (10) telephone;
- (11) waste management; and
- (12) telecommunications,

and includes the goods and services provided for public consumption, benefit, convenience or use.

RADIO TOWER (or antenna) means a structure located on the roof of a residence or on a residential lot and which is used by private non-commercial operators to send or receive signals from other private non-commercial operators.

RECREATIONAL VEHICLE means a vehicular type unit designed as temporary living quarters for recreational, camping or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. It includes such vehicles as a travel trailer, a camping trailer, a truck camper, a motorhome, a tent trailer, but does not include a manufactured home as defined in this Bylaw.

RECREATIONAL VEHICLE PARK means a parcel under single title, which is managed by an operator and which has been designed for the placement of two or more recreational vehicles on Recreational Vehicle Park lots for transient occupancy. A residential dwelling for management purposes may be permitted.

RECREATIONAL VEHICLE PARK LOT means a leasable or rentable portion of land reserved for the placement of a recreational vehicle, tent or other individual camping unit for transient occupancy, not to exceed one year at any one time unless authorized by Council.

RESTAURANT means the use of a building as a public eating place and may include a licensed dining lounge and other associated facilities.

RETAIL STORE means the use of a building for the purpose of selling goods to consumers, and may include, but is not limited to, the following: clothing store, department store, rental shop, video store, etc.

ROW DWELLING means one of three or more dwelling units which are constructed in a row and divided vertically and each of which has a separate rear and front entrance.

Bylaw 1162
2015/08/12

SATELLITE DISH OR ANTENNAE means a combination of:

- (a) antennae or dish antennae whose purpose is to receive communication or other signals from orbiting satellites.
- (b) a low noise amplifier which is situated at the focal point of the receiving component and whose purpose is to magnify and transfer signals.
- (c) a coaxial cable whose purpose is to carry the signals into the interior of the building.

SCREENING means a fence, berm or hedge used to visually separate areas, uses and/or functions from a public roadway, highway or neighbouring land uses.

SECONDARY SUITE means a second, self-contained dwelling unit that is located within a primary dwelling unit either above or below grade level. Further, a secondary suite shall also constitute a proposed dwelling unit situated above a garage. Secondary suites shall meet the standards of the Alberta Building Code.

SETBACK means the distance between a structure and either a lot line, utility or road easement, another developed structure or the crest of a significant slope.

SCHOOL means a publicly or privately supported or subsidized development used for education and includes its administrative offices. Typical developments are elementary and secondary schools, but do not include commercial schools.

SENIOR CITIZENS HOME means assisted and independent style residential development in the form of self-contained units, lodges or nursing homes that provides housing for seniors.

SHED means an accessory building used for the storage of equipment having a floor area of less than 13.4 square metres (144 square feet), and is not connected to any utilities. For the purposes of this bylaw, shed also means a garden shed that can be located in the rear yard of a residential lot, obeying the setback requirements, and does not need a development permit.

SHOPPING CENTRE means an architecturally unified group of retail and personal service establishments on a site planned, developed and managed as a single operation unit or group of owners or tenants and characterized by the sharing of common parking areas and driveways.

SHOPPING MALL means a group of commercial establishments enclosed in a climate controlled environment, developed and managed as a unit and located on a common parcel of land with off street parking provided on the site.

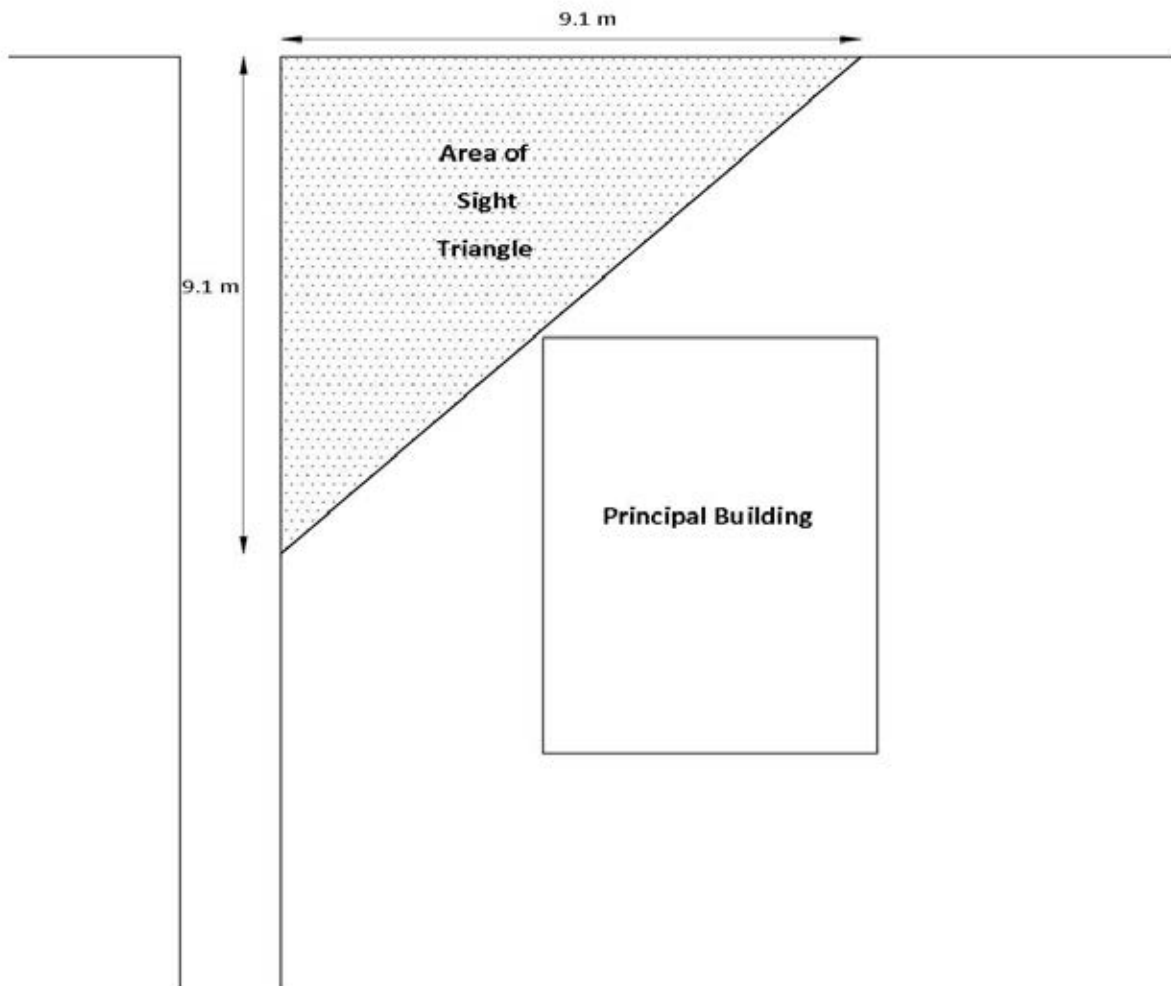
SIGHT TRIANGLE means that triangle formed by a straight-line drawn between two points on the exterior boundaries of a corner lot 9.1 metres (30 feet) from the point where they intersect or for Residential Districts 4.6 metres (15 feet).

EXPLANATION NOTES

Sight Triangle

A "SIGHT TRIANGLE" means that triangle formed by a straight line drawn between two points on the exterior boundaries of the said site 9.1 metres from the point where they intersect.

This graphic is not part of this bylaw but is provided to aid in its interpretation.



SIGN means anything that serves to indicate the presence or the existence of something, including but not limited to lettered board, a structure, or a trademark displayed, erected or otherwise developed and used or serving or intended to serve to identify, to advertise, or to give direction.

SIGN, PORTABLE means a sign mounted on an “A” frame or on a trailer, stand or similar support and which together with the support can be relocated to another location, and may include copy that can be changed manually through the use of detachable characters.

SITE means a parcel, lot, or group of lots used for or proposed to be used for the undertaking of a single development.

STOREY means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost storey shall be that portion of a building included between the upper surface of the topmost floor and the ceiling above. If the finished floor level directly above is more than 1.8 metres (6 feet) above such grade then the portion of the building below finished floor level shall be considered a storey in calculating the height of any building.

SWIMMING POOL means a structure containing water maintained or used for swimming purposes, whether constructed above or in the ground.

TRANSIENT OCCUPANCY means occupancy when it is the intention of the parties that the occupancy will be temporary. There is a presumption that, if the unit occupied is not the sole residence of the guest, the occupancy is transient.

TOWNHOUSE means a multiple dwelling comprised of three or more dwelling units separated from each other by walls extending from foundation to roof with each dwelling unit having separate direct entrance from grade and includes all row, length, patio, garden court or other housing which meet those criteria.

TOWN OF GRIMSHAW PLANNING COMMITTEE (T.G.P.C.) means a Town of Grimshaw Planning Committee as established by Council by bylaw pursuant to the Municipal Government Act.

YARD means a part of a lot upon or over which no building or structure other than a boundary fence is erected except for specifically permitted accessory buildings.

YARD, EXTERIOR SIDE means a side yard immediately adjoining a street.

YARD, FRONT means a yard extending across the full width of a lot and situated between the front lot line and the nearest portion of the principal building situated on the lot.

YARD, INTERIOR SIDE means a side yard other than an exterior side yard.

YARD, REAR means a yard extending across the full width of a lot and situated between the rear lot line and the nearest portion of the principal building.

YARD, SIDE means a yard extending from the front yard to the rear yard and situated between the side lot line and the nearest part of the principal building.

YARD DEPTH, FRONT means the least horizontal dimension between the front lot line of the lot and the nearest part of any building or structure.

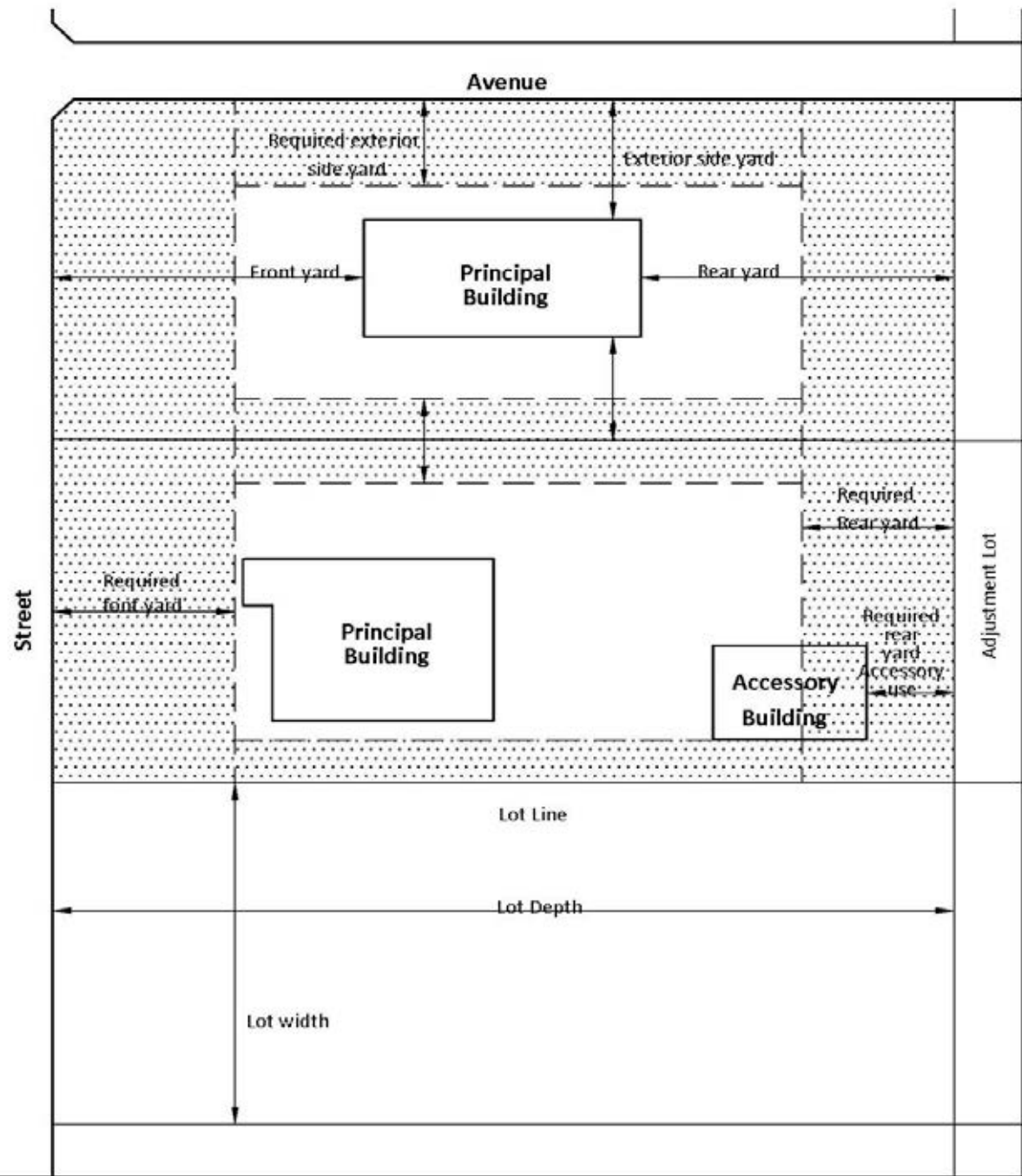
YARD DEPTH, REAR means the least horizontal dimension between the rear lot line of the lot and the nearest part of the principal building.

YARD WIDTH, SIDE means the least horizontal dimension between the side lot line of the lot and the nearest part of the principal building.

EXPLANATION NOTES

Yard Definitions

This graphic is not part of this bylaw but is provided to aid in its interpretation.



DIVISION 2: ADMINISTRATIVE AGENCIES

SECTION 5: DEVELOPMENT AUTHORITY

Development Authority shall be established by separate bylaw and be coordinated by the Town of Grimshaw Planning Committee and Development Officer on behalf of the Town.

SECTION 6: DEVELOPMENT OFFICER

- (1) The office of Development Officer is hereby established.
- (2) The Council shall, by resolution, appoint a person to the office of Development Officer.
- (3) The Development Officer or any other person acting on behalf of the Development Officer shall be considered an "authorized person" in accordance with the Act.

SECTION 7: DUTIES AND RESPONSIBILITIES OF THE DEVELOPMENT OFFICER

- (1) In accordance with the Act, the Development Officer shall:
 - (a) receive, consider and decide upon applications for a development permit for "permitted uses";
 - (b) where deemed necessary by the Development Officer, applications for a development permit for a "permitted use" may be referred to the Town of Grimshaw Planning Committee;
 - (c) keep and maintain for public inspection during office hours, a copy of this Bylaw and all amendments and resolutions thereto;
 - (d) ensure that copies of this Bylaw including all amendments and resolutions thereto are available to the public at a reasonable cost; and
 - (e) keep a register of all applications for development permits including the decisions thereon and the reasons therefore, for a minimum period of seven (7) years.
- (2) In accordance with the Act, where a person applies for a development permit for a permitted use, the Development Officer shall, where the application otherwise conforms to this bylaw, issue a development permit. Where the use does not

otherwise conform to the Bylaw, the Development Officer may approve the application subject to conditions necessary to ensure conformity.

- (3) In making a decision on an application for a use listed under the “Discretionary Uses” column in that District, the Development Officer may:
- (a) approve the application unconditionally, or
 - (b) approve the application and attach conditions dealing with all or any of the following:
 - (i) developers agreement
 - (ii) the construction, operation and maintenance of sewer and water facilities
 - (iii) the location of refuse disposal facilities
 - (iv) access for fire and police protection
 - (v) general access and circulation
 - (vi) provision for recreation areas
 - (vii) landscaping and other aesthetic considerations
 - (viii) building design and site layout
 - (ix) provision for parking facilities
 - (x) public safety
 - (xi) buffering, screening & fencing or any other appropriate planning condition
 - (c) refuse an application.
- (4) The Development Officer may decide upon an application for a development permit notwithstanding that the proposed development does not comply with this Bylaw, if, in the opinion of the Development Officer:
- (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 does not conflict with the use prescribed for that land or building in this Bylaw.
 - (c) where the Development Officer is required to use his discretion when granting a variance of prescribed development standards, he may consult with the Town of Grimshaw Planning Committee or with the Town of Grimshaw Council prior to granting such a variance.

-
- (d) where the Development Officer, The Grimshaw Planning Committee or the Town of Grimshaw Council deems that a variance provides a community or neighbourhood benefit and that the proposed development would not unduly interfere with the amenities of the area or materially interfere with, or affect the use, enjoyment, safety, aesthetics, or value of neighbouring properties, they may grant a variance of up to 20%, where the variances are related to the following regulations:
- (i) maximum height of building
 - (ii) minimum front yard setback
 - (iii) minimum rear yard setback
 - (iv) minimum side yard setback
 - (v) maximum lot coverage
 - (vi) minimum parking requirements
 - (vii) total combined area of all accessory buildings

SECTION 8: DEVELOPMENT APPEAL BOARD

The Development Appeal Board (D.A.B.) shall be established by separate bylaw and perform its duties in accordance to that bylaw and the provisions of the Act, as follows:

- (1) Establishment of a Development Authority:
Pursuant to Section 624 of the Municipal Government Act, the authority to exercise development powers and duties under the Land Use Bylaw is vested in the Chief Administrative Officer, herein after referred to as the Development Officer, or any other person acting on behalf of the Development Officer.
- (2) Establishment of a Development Appeal Board:
 - (a) Pursuant to Section 627 of the Municipal Government Act, the Development Appeal Board is hereby established.
 - (b) The purpose of the Development Appeal Board is:
 - (i) to hear and decide upon appeals against decisions with respect to development permits and stop orders issued by the Town of Grimshaw Development Officer, and to perform the duties assigned to the Development Appeal Board as set out in this Bylaw.

- (c) The Development Appeal Board shall consist of:
 - (i) One Member of Council, and
 - (ii) Four Members of the Public at Large who are electors living within the corporate limits of the Town of Grimshaw and shall be appointed by resolution of Council at the Annual Organizational Meeting of Council.
 - (iii) A vacancy on the Development Appeal Board may be filled by resolution of Council at any time.
- (d) The quorum for a meeting of the Development Appeal Board shall be three members.
- (e) The Board shall elect a Chairman from among their members, and the Chairman shall retain the position until he or she resigns.

If the Chairman is absent from a Development Appeal Board Hearing, those present may elect an Acting Chairman prior to hearing an appeal.
- (f) The Municipal Secretary of the Town of Grimshaw shall serve as Secretary to the Development Appeal Board. Duties include all administrative duties related to the Board, keeping a written record of the Board proceedings and preparing Board decisions in writing.
- (g) The procedure for filing, processing and making decisions is set out in Sections 678 and 687 of the Municipal Government Act.
- (h) Remuneration for the members of the Development Appeal Board shall be set by resolution of Council at the Annual Organizational Meeting of Council.

SECTION 9: THE MACKENZIE MUNICIPAL SERVICES AGENCY

The Mackenzie Municipal Services Agency shall serve as an advisor to the Town, its Council and agencies.

SECTION 10: DEVELOPMENT PERMIT: PAYMENT OF TAXES

- (1) As a condition of development permit approval, the Development Officer or the Town of Grimshaw Planning Committee may require the applicant to make the necessary arrangements to ensure that all property taxes are paid in full at the time of development permit approval to the satisfaction of the Town.

SECTION 11: FORMS AND NOTICES -deleted

Bylaw 1176
2016/06/22

DIVISION 3: DEVELOPMENT PERMITS

SECTION 12: DEVELOPMENT REQUIRING A PERMIT

- (1) A development permit is required prior to the commencement of development as defined in the definition section of this Bylaw (Division 1, Section 4).
- (2) No development other than that designated in sub-section (4) hereto shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.
- (3) Except as provided for in sub-section (4), a development permit shall be required when the terms or conditions for a Building Permit do not conform with the Land Use Bylaw development provisions or amendments thereto.
- (4) Notwithstanding sub-section (1), a development permit is not required for the following developments but they shall otherwise comply with the provisions of this Bylaw:
 - (a) works of maintenance, repair or alterations, on a structure, both internal and external, if in the opinion of the Development Officer, such work:
 - (i) does not include structural alterations;
 - (ii) does not change the use or intensity of the use of the structure; and
 - (iii) is performed in accordance with obligatory legislation or other government regulations;
 - (b) the completion of a building which was lawfully under construction, or for which a permit has been lawfully issued, at the date this Bylaw comes into full force and effect, provided that:
 - (i) the building is completed in accordance with the terms of any permit granted by the Municipality, subject to the conditions of that permit; and
 - (ii) the building, whether or not a permit was granted in respect of it, is completed within a period of twelve (12) months from the date this Bylaw comes into full force and effect;
 - (c) the use of any building referred to in sub-section 4(b) for the purpose for which construction was commenced;
 - (d) the completion, alteration, maintenance or repair of a public utility, undertaken upon a public thoroughfare or public utility easement, or undertaken to connect the same with any lawful use of buildings or land;

- (e) the construction, maintenance and repair of walkways, pathways, driveways and similar works;
- (f) the erection, construction, or the maintenance of gates, fences, walls, or other means of enclosure less than 1.8 metres (6 feet) in height where such enclosure does not extend beyond the foremost portion of the principal building on any lot and provided that the erection of such fence, wall or gate does not contravene any other provision of this Bylaw;
- (g) the erection or installation of machinery needed in connection with operations for which a Development Permit has been issued, for the period of those operations;
- (h) the use by the Municipality of land of which the Municipality is the legal or equitable owner for a purpose approved by a two-thirds majority vote of Council in connection with any public utility carried out by the Municipality;
- (i) the use of a building or part thereof as a temporary polling station for a Federal, Provincial or Municipal election or referendum;
- (j) an official notice, sign, placard, or bulletin required to be displayed pursuant to the provision of Federal, Provincial or Municipal legislation;
- (k) one temporary, on-site sign which does not exceed 1.1 square metres (12 square feet) in area or 1.2 metres (4 feet) in height and is intended for:
 - (i) advertising the sale or lease of a dwelling unit, or property for which a development permit has been issued for the development of said property; or
 - (ii) identifying a construction or demolition project for which a development permit has been issued for such a project; or
 - (iii) identifying a political campaign; such a sign may be displayed for 30 days prior to an election or referendum and must be removed within 7 days following the election or referendum; or
 - (iv) advertising a campaign drive which has been approved by Council: such a sign may be posted for a maximum period of fourteen (14) days and must be removed after the expiration of this time period.
- (l) the erection or construction of a shed in any residential district, provided that the gross floor area of the shed is not more than 13.4 square metres (144 square. feet), and is not connected to any utilities; and
- (m) the installation of a satellite dish with a diameter of less than 1 metre (3.3 feet) or a radio tower.

SECTION 13: APPLICATION FOR DEVELOPMENT PERMIT

- (1) An application for a development permit shall be made to the Development Officer in writing in the prescribed form, and shall be signed by the owner and his or her agent. The Development Officer may require the following information with the application:
- (a) a certificate of title for the proposed development site, showing the site as a single lot, if the proposed development is a single-detached dwelling or any other single-unit building;
 - (b) building plans, in duplicate, showing:
 - (i) floor plans;
 - (ii) elevations;
 - (iii) exterior finishing materials; and
 - (iv) any other information deemed necessary by the Development Officer and/or the Municipal Planning Commission.
 - (c) site plans, in duplicate, showing:
 - (i) the legal description and municipal address;
 - (ii) dimensions of the site;
 - (iii) utilities, site drainage, grade elevations, existing and finished lot grades, the grades of the streets and the location of proposed sewer and water lines;
 - (iv) the height, dimensions, and relationship to property lines of all existing and proposed buildings and structures including retaining walls, trees, landscaping, other features and location of fencing if deemed necessary by the Development Officer; and
 - (d) on applications for multiple-family, commercial, industrial, recreational and institutional uses, the applicant shall submit electronic drawings in PDF format, showing all of the information required in Section 13 (1) (b) & (c) above, plus the following information:
 - (i) loading and parking provisions;
 - (ii) access locations to and from the site;
 - (iii) garbage and storage areas and the fencing and screening proposed for same; and the
 - (iv) location and approximate dimensions of existing and proposed culverts and crossings.
 - (e) a statement of ownership of land and interest of the applicant therein;
 - (f) the estimated commencement and completion dates; and

(g) such additional information as the Development Officer may require.

- (2) The application fee for a Development Permit shall be established by a resolution of Council that may be made from time to time.

SECTION 14: ENVIRONMENTAL AUDITS

- (1) Town Council or the Development Officer may require an applicant to conduct an environmental audit and submit an environmental audit report as part of a development permit application, an application to amend this Bylaw, an application for subdivision or an application to adopt or amend a statutory plan.
- (2) ENVIRONMENTAL AUDIT means a comprehensive site analysis to determine:
- (a) if there are any hazardous substances above, on or below the surface of the subject property that may pose a threat or risk to the environment and/or human health;
 - (b) if there are any breaches of federal, provincial and/or municipal environmental standards;
 - (c) the level of risk that a contaminated site poses to the environment and/or human health; and
 - (d) what remedial actions may be required to reduce the level of risk posed by a contaminated site to an acceptable level.

SECTION 15: ENVIRONMENTAL IMPACT ASSESSMENT

ENVIRONMENTAL IMPACT ASSESSMENT means a comprehensive analysis to determine:

- (1) the potential environmental impact of the proposed development on a site;
- (2) the potential environmental impact of the proposed development upon adjacent properties or land uses; and
- (3) the potential environmental impact the proposed development may have on the future land use potential of the site.

ENVIRONMENTAL IMPACT ASSESSMENT REPORT means a written document containing the result of an environmental impact assessment.

- (1) Town Council or the Development Officer may require an applicant to conduct an environmental impact assessment and submit a report as part of a development permit application, an application to amend this Bylaw, an application for subdivision or an application to adopt or amend a statutory plan.
- (2) The environmental impact assessment shall be conducted by qualified persons.
- (3) The environmental impact assessment report shall be referred to Alberta Environment for comment.
- (4) They may use the recommendations of the environmental impact assessment report as:
 - (a) reasons for issuing or not issuing a development permit, with or without conditions;
 - (b) reasons to amend or not amend this Bylaw;
 - (c) as a basis for recommendations to the Subdivision Authority related to applications for subdivision; and
 - (d) reasons to adopt or amend a statutory plan.
 - (e) reasons to refuse to adopt or amend a statutory plan.

SECTION 16: SUBDIVISION STANDARDS

- (1) Notwithstanding the district requirements in all districts for lot width, lot depth, and lot size, the Council may recommend a variance to the district requirements.
- (2) Upon recommendation from Council, the subdivision approving authority may approve a subdivision application which requires a variance in accordance to subsection (1).
- (3) Where Council has deemed it necessary to allow for a variance, written reasons for their recommendation will be sent to the subdivision approving authority.
- (4) Prior to making a recommendation for a subdivision variance, Council may notify adjacent land owners and indicate a time and place at which they may speak for or against the proposed variance, if Council deems it necessary.

SECTION 17: DEVELOPMENT PERMIT RULES

- (1) A Development Permit lapses and is automatically void if the development authorized is not commenced within twelve (12) months from the date of issuing the permit, or within such longer periods not exceeding three (3) months as may be approved by the Development Officer.
- (2) A development permit is automatically effective twenty-one (21) days after its issuance unless an appeal is lodged with the Development Appeal Board.
- (3) When an appeal is made with respect to a development permit approved by the Development Officer, the development permit which has been issued shall not come into effect until the appeal has been determined, at which time the permit may be modified or nullified thereby.
- (4) When an application for a development permit has been refused pursuant to this Bylaw or ultimately after appeal, the submission of another application for a development permit on the same parcel of land and for a similar use of the land by the same or another applicant may not be accepted by the Development Officer for at least six (6) months after the date of the refusal.
- (5) Notwithstanding sub-section (4), the Development Officer may receive an application for a development permit within the said six (6) month period if, in his discretion, the situation warrants a relaxation of this provision.
- (6) When, in the opinion of the Development Officer, insufficient details of the proposed development have been provided by the application for a development permit, the Development Officer may return the application to the applicant for further details. The application so returned shall be deemed not to have been in its complete and final form until all required details have been submitted to the satisfaction of the Development Officer.
- (7) The Development Officer shall consider and decide on the development permits within forty (40) days of receipt of the application in its complete and final form.
- (8) Notwithstanding subsection (7), the application shall, at the option of the applicant, be deemed refused when a decision is not made within forty (40) days of the receipt of the application in its complete and final form.
- (9) Whenever, in the opinion of the Development Officer, satisfactory arrangements have not been made by a developer for the supply of water, electrical power, sewage and street access, or any of them, including payment of the costs of installation or construction, the Development Officer shall refuse to issue a development permit.

- (10) The Development Officer may require an application to be referred to the Mackenzie Municipal Services Agency or any other agency in order to receive qualified comment or advice.
- (11) Notwithstanding any specific provisions and standards set out in this Bylaw, the Development Officer may establish a more stringent standard for discretionary uses when it is deemed necessary to do so.

SECTION 18: DEVELOPMENT PERMIT CONDITIONS

- (1) The Development Officer may impose, with respect to a permitted use, such conditions as are required to ensure compliance with this Bylaw.
- (2) The Development Officer may impose, with respect to a discretionary use, such conditions as are required to ensure compliance with this Bylaw.
- (3) The Development Officer may, as a condition of issuing a development permit, require the applicant to make satisfactory arrangements for the supply of water, electric power, sewer service, vehicular and pedestrian access, or any of them, including payment of costs of installing or constructing any such utility or facility by the applicant.
- (4) The Development Officer may, as a condition of issuing a development permit, require an applicant to enter into an agreement, which shall be attached to and form part of such development permit, to do all or any of the following:
 - (a) to construct, or pay for the construction of, a public roadway required to give access to the development;
 - (b) to construct, or pay for the construction of:
 - (i) a pedestrian walkway system to serve the development;
 - (ii) pedestrian walkways that will connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development, or both;
 - (c) to specify the location and number of vehicular and pedestrian access points to sites from public roadways;
 - (d) to install, or pay for the installation of utilities that are necessary to serve the development;
 - (e) to construct, or pay for the construction of, off-street or other parking facilities, or loading and unloading facilities;

- (f) to repair or reinstate, or to pay for the repair or reinstatement to original condition, any street furniture, curbing, sidewalk, boulevard landscaping and tree planting which may be damaged or destroyed or otherwise harmed by development or building operations upon the site; or
 - (g) to provide a lot grading certificate when construction has been completed.
- (5) The Development Officer and/or the Town of Grimshaw Planning Committee may, as a condition of issuing a development permit, require that an applicant enter into an agreement which shall be attached to and form part of such permit, to pay an off-site levy or redevelopment levy or both, imposed by bylaw adopted pursuant to the Act.
- (6) The Development Officer may require an agreement entered into pursuant to sub-section (4) and (5) of this section of this bylaw to be caveated against the title to the site at the Land Titles Office.

SECTION 19: DEVELOPMENT PERMIT: NOTIFICATION

- (1) When an application for a development permit is approved for a "permitted use" in any district, an official of the Municipality shall:
 - (a) publish a notice of the decision once a week for two consecutive weeks in a newspaper circulating in the Town of Grimshaw stating the location of the property for which the application has been made and the development permit approved.
- (2) When an application for a development permit is approved for a "discretionary use" in any district, an official of the Municipality shall:
 - (a) post a notice of the decision conspicuously on the property for which the application has been made; and
 - (b) publish a notice of the decision once a week for two consecutive weeks in a newspaper circulating in the Town of Grimshaw stating the location of the property for which the application has been made and the development permit approved.
- (3) When an application for a development permit is refused, an official of the Municipality shall immediately mail a notice of decision, in writing, to the applicant or his or her agent stating the reasons for refusal and shall immediately publish a notice in one issue of a newspaper circulating in the Town of Grimshaw respecting the decision of refusal by the Development Officer.

- (4) For the purposes of this Bylaw, notice of the decision of the Development Officer is deemed to have been given on the day when Notice of Decision has been published in a newspaper, and/or posted on the site, and/or received by the affected property owners, and upon a decision of refusal, received by the applicant.

**TOWN OF GRIMSHAW
LAND USE BYLAW NO. 1146**

PART 2

LAND USE PROVISIONS

PART 2: LAND USE PROVISIONS

DIVISION 1: GENERAL LAND USE PROVISIONS

SECTION 20: ACCESSORY BUILDINGS (INCLUDING GARAGES)

- (1) An accessory building is intended to be constructed either at the same time as, or after, the construction of a principal building, and shall only be constructed before the construction of a principal building with the approval of the Development Officer.
- (2) For the purpose of calculating yard setbacks and site coverage requirements as provided for in the Bylaw, when an accessory building is attached to the principal building on a site by a roof, an open or enclosed structure, a floor, or a foundation, it is to be considered a part of the principal building and not as an accessory building.
- (3) Any accessory building shall be located at least 1.8 metres (6 feet) from any principal building.
- (4) Notwithstanding subsection (2), when a building used or proposed to be used as an accessory building is located or proposed to be located closer to a principal building than a distance of 1.8 metres (6 feet) it shall be connected to that principal building by a structural element (including for purposes of example but not limited to: common foundation, common roof, common wall).
- (5) Any accessory building erected on a site in a district permitting residential uses shall not be used as a dwelling. Notwithstanding, accessory buildings proposed with secondary suites above garages meeting provincial safety codes and regulations, may be used as a dwelling.
- (6) In the case of a detached garage, the minimum setback requirements for interior side yards and rear yards in the Residential 1, Residential 2, and Residential 3 districts shall conform to diagram 4 on the following page.
- (7) Any accessory building wall in a residential district shall not exceed 3.7 metres (12 feet) in height and the maximum height to the peak measured from the foundation shall not exceed 4.9 metres (16 feet).
 - (a) Notwithstanding subsection (6), when a secondary suite is located above a garage the maximum height shall not exceed 7.3 metres (24 feet) from top of gable to average grade.

EXPLANATION NOTES

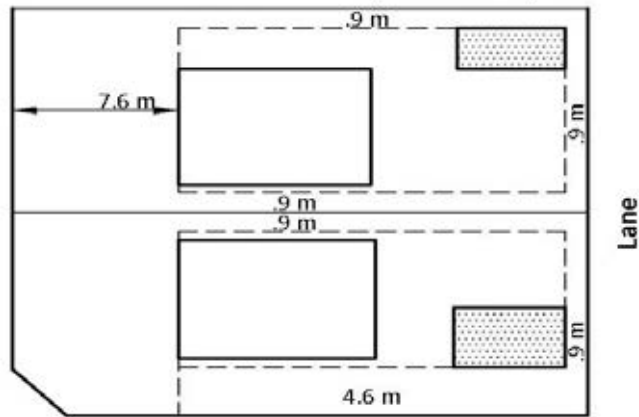
Setback Requirements For Garages

This graphic is not part of this bylaw but is provided to aid in its interpretation.

Note: In laneless subdivision no rear yard setback is required

Internal Lot

Corner Lot



Street

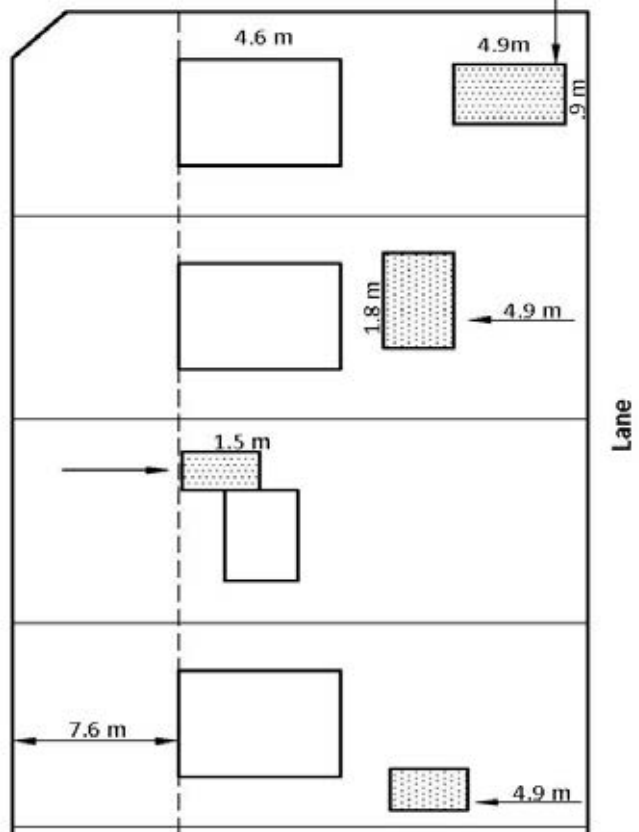
No Garages Permitted in Front Yard or Exterior Yard in R-1 and R-2 Districts

Corner Lots:
Direct Access to Street

Internal Lots:
Direct Access to Lane

Indirect Access to Lane
(mutual wall-no side yard required)

Direct Access to Street
(part of principal dwelling)



- (8) No side yard is required for any accessory building in a residential district or an industrial district where a mutual wall is erected on a common property line and is constructed of brick, stone or equivalent fire resistant material, where there will be no overhang of eaves and all drainage is confined to the site. A party wall agreement satisfactory to the Development Officer shall be signed by both owners and registered against both properties at Land Titles Office.
- (9) The total combined area of all accessory buildings shall not exceed 10 percent of the site area.
- (10) Notwithstanding the above sub-sections, the side yard setback requirement for carports and patios (any part of the development, including the over-hang) shall be 0.3 metres (1 foot).
- (11) In the case of a swimming pool, the side yard setback requirement shall be five (5) feet (1.5 metres).
- (12) The construction and appearance of an accessory building shall be subject to the approval of the Development Officer.
- (13) Accessory buildings shall not be constructed of canvas, straw or other, similar materials.

SECTION 21: SITE DIMENSIONS

- (1) No permit shall be issued for any development on a site, the area or width of which is less than the minimum prescribed for the district in which the site is located, except that a lot of separate record in the Land Titles Office containing less than the minimum area or width specified for the district may be used subject to the discretion of the Development Officer if all other requirements of this Bylaw and amendments thereto are observed.

SECTION 22: SITE COVERAGE

- (1) The maximum area of site that may be covered with either principal buildings or accessory buildings, or both, shall not be greater than the maximum limits prescribed for the district in which the site is located.

SECTION 23: FRONT, SIDE AND REAR YARD SETBACKS

- (1) On each site there shall be established and maintained front, side and rear yards of such dimensions as will meet the minimum requirements of this Bylaw.
- (2) Notwithstanding any specific provisions, yard setbacks in excess of the minimum requirements may be required when deemed necessary by the Development Officer.
- (3) Whenever there is a discrepancy between the setbacks required on properties adjacent to Highways 2 and 35 as set out in Bylaw 501, being the Town of Grimshaw Highway Setback Bylaw, and the setbacks required in the Land Use Bylaw, the greater distance shall apply.
- (4) Notwithstanding the provisions of this Bylaw, the distance between a principal or accessory building and the property line must conform to the requirements of the Alberta Building Code.
- (5) In determining front, side and rear yard setbacks, all measurements shall be taken from the foundation or footing of the principal building.

SECTION 24: PROJECTIONS INTO YARDS

- (1) The following features may project into a required yard in any district permitting residential uses:
 - (a) Verandas, porches, eaves, shade projections, bay windows, chimneys, sills, balconies, unenclosed steps not more than 0.9 metres (3 feet) above ground level, and any other architectural features, which in the opinion of the Development Officer are of similar nature, providing such projections do not exceed 0.9 metres (3 feet) cumulatively totalled.
 - (b) Balconies and exterior fire escapes, provided such projections do not exceed 1.2 metres (4 feet).
 - (c) An open, hard surfaced, uncovered terrace or patio in any yard in a residential district if such terrace or patio is unenclosed except by a guard rail or parapet wall which does not exceed the height permissible for a fence in the same location. The provision of an awning or similar temporary covering for a terrace or patio shall be permitted.
- (2) Notwithstanding the above, no feature may project into a sight triangle.

SECTION 25: RESTRICTIONS ON CORNER SITES

- (1) On any corner site, except in the Primary Commercial District, no building, structure, fence, hedge or other visual barrier over 0.9 metres (3 feet) shall be allowed within the area defined as a sight triangle.
- (2) A sight triangle means that triangle formed by a straight line drawn between two points on the exterior boundaries of the said site 9.1 metres (30 feet) from the point where they intersect, or for residential districts 4.6 metres (15 feet).
- (3) Notwithstanding Section 25(1), in the Secondary Commercial District the Development Officer may allow a building, structure, fence, hedge or other visual barrier to be developed within the area defined as a sight triangle where such development will not interfere with the safe movement of traffic.
- (4) On any corner site, no finished grade shall exceed the general elevation of the street line by more than 0.6 metres (2 feet) within the area defined as a sight triangle.

SECTION 26: HEIGHT OF BUILDINGS

- (1) No building shall be erected to a greater height than the maximum height prescribed for buildings in the district in which the building is proposed to be located.
- (2) No building or structure shall be erected unless it conforms to the height restrictions imposed by the “Minimum Requirements for Airports” regulations.

SECTION 27: HOME-BASED BUSINESS

- (1) Home-based businesses are limited to those uses which are approved by the Development Officer for the dwelling unit or accessory building supplementary to the principal residential use.
- (2) A home-based business shall:
 - (a) have no outside storage of materials, commodities or finished products;
 - (b) be operated as a secondary use only, and shall not change the character or external appearance of the dwelling involved, unless approved by the Development Officer;
 - (c) consist of the residents of the dwelling, and may include one other person who is not a resident of the dwelling employed in the business;

- (d) not involve the parking or maintenance of more than one commercial vehicle on the site; and
 - (e) invalidate its development permit if it changes ownership or address.
- (3) The signage for advertising home-based businesses shall:
 - (a) consist of a single sign;
 - (b) be located either in the front yard of the premises or attached to the residence;
 - (c) be no greater than 0.6 metres by 0.6 metres (2 feet by 2 feet) in area or.
- (4) Development permit requirements for home-based businesses:
 - (a) All development permits used for a home-based business under the authority of this Bylaw be reviewed by the Development Officer, notwithstanding any other section of this Bylaw, based on the following criteria:
 - (i) building conditions;
 - (ii) the compatibility of the proposed business to neighbourhood and adjacent properties;
 - (iii) the proposed location within the Town;
 - (iv) the aesthetics of the receiving neighbourhood;
 - (v) the compatibility of the proposed dwelling unit with the proposed future development of the area; and
 - (vi) other planning considerations.
 - (b) The Development Officer shall not issue a permit for a home-based business which would:
 - (i) unduly interfere with the amenities of the neighbourhood;
 - (ii) materially interfere with or affect the use or enjoyment of neighbouring properties;
 - (iii) cause or create traffic noise, dust, smell, smoke or vehicular traffic, in excess of that which is characteristic of the area in which it is located; or
 - (iv) be more suitably located in a Commercial or Industrial District.
- (5) A development permit for a home-based business is not required to be renewed annually. However, a new development permit shall be required if additional development that was not approved by the original development permit is proposed.

- (6) All development permits issued for home-based businesses shall be subject to the condition that the development permit may be revoked at any time, if, in the opinion of the Development Officer, the use is or has become detrimental to the amenities of the neighbourhood.

SECTION 28: ILLUMINATION

- (1) Any lighting proposed to illuminate areas in any district shall be located and arranged to the satisfaction of the Development Officer so that all direct rays of light are directed upon the area to be illuminated and not on any adjoining properties, adjacent streets and lanes.

SECTION 29: INDUSTRIAL AND COMMERCIAL STANDARDS

- (1) Any industrial or commercial operation including production, processing, cleaning, testing, repair, storage or distribution of any material shall conform to this section of the Bylaw. The Development Officer may consult with the Public Health Officer, Alberta Environmental Protection, Alberta Labour - General Safety Services Division, or any other qualified consultant prior to making a decision on an application for a Development Permit.
- (2) Obvious toxic or noxious materials or dust or ash shall not be released or permitted to escape to the atmosphere at such a rate as to interfere with the use and enjoyment of property or to endanger the health or safety of the public.
- (3) No industrial operation shall be carried out which would result in the projection of glare or heat onto adjacent properties.
- (4) Waste products shall not be discharged into any sewer or private sewage disposal system if the nature of such waste products, or the manner of their discharge, would exceed the design standards for the sewer or sewage disposal system.
- (5) The location of bulk storage facilities for liquefied petroleum gases and anhydrous ammonia shall conform to the following:
 - (a) All provincial regulations regarding the location of such facilities on a site.
 - (b) The slope of any parcel upon which dangerous chemicals are stored shall not be such that drainage of the chemicals onto adjacent properties may occur.

SECTION 30: LANDSCAPING AND SCREENING

- (1) Any area required to be landscaped may, at the discretion of the Development Officer, be left in its natural state or be loamed and planted with grass, trees, shrubs and/or flowers, or similar materials or a combination thereof, which would enhance the appearance of the site and which complements the development thereon.
- (2) Site Elevations:
 - (a) Any area required to be landscaped shall be landscaped so that the finished surface contours do not direct surface drainage onto an adjoining site.
 - (b) The Town may require an applicant to build a retaining wall in order to prevent surface drainage onto adjacent properties.
 - (c) On any site, no finished grade shall exceed the general elevation of the street line by more than 0.6 metres (2 feet).
- (3) In the case of a swimming pool, the property on which the swimming pool is situated shall be fenced to the satisfaction of the Development Officer, with the fence height being a minimum of 1.8 metres (6 feet) while providing for lockable gates for the fencing around the swimming pool.
- (4) Completion of Landscaping:
 - (a) As a condition of the development permit, all landscaping and planting shall be completed (weather permitting) within six months of occupancy or commencement of operation of the development.
 - (b) In all districts, landscaping shall include the boulevards.
 - (c) In all districts, the location of an enclosure for garbage receptacles and other apparatus shall be to the satisfaction of the Development Officer.

SECTION 31: OBJECTS PROHIBITED OR RESTRICTED IN DISTRICTS PERMITTING RESIDENTIAL USES

- (1) No person may park a heavy vehicle on a residential street, except:
 - (a) Recreational vehicles;
 - (b) Commercial vehicles, while loading or unloading goods;
 - (c) Construction equipment being used during construction or improvement of property, provided that the equipment is parked adjacent to the property where the work is being done.

- (2) The following heavy vehicles may be parked on personal or private property in a residential area:
 - (a) school buses;
 - (b) Tandem axle body job trucks and highway tractors;
 - (i) not exceeding 11,000 kilograms;
 - (ii) unladen of trailer or wagon.
- (3) No person shall allow:
 - (a) an unlicensed, unregistered, uninsured, dismantled, wrecked or derelict vehicle to remain on a site in a residential district for more than fourteen (14) days, unless the vehicle is kept in a garage, a carport, or in a completely screened space in the rear or side yard of the property, and/or
 - (b) any excavation, building, or storage of material upon a site during the construction stage of any development unless all safety requirements are complied with and the owner and developer of any such site shall assume full responsibility for on-site safety measures, and/or
 - (c) any excavation, equipment, or construction materials to remain on a site over a period longer than is reasonably necessary for completion of construction, and/or
 - (d) any object or chattel which, in the opinion of the Development Officer, is unsightly or tends to adversely affect the amenities of the area.

SECTION 32: SHIPPING CONTAINERS AS ACCESSORY BUILDINGS

- (1) In the Agricultural and Industrial Districts, or in conjunction with a recreational use, shipping containers may be used as accessory buildings only pursuant to applicable requirements for accessory buildings, and applicable District standards.
- (2) In the Agricultural and Industrial Districts, a development permit will not be required for the placement of up to two shipping containers but will be required for the placement of three or more shipping containers as an accessory use.
- (3) In Commercial districts, the number of shipping containers allowed per site, and the amount of time they will be allowed to remain on the site, shall be at the discretion of the Development Officer.
- (4) Shipping containers may not be used as accessory buildings in Residential Districts.

- (5) Shipping containers may not be placed in the front or flanking yard of any lot, or between the main building and any street.
- (6) Where a shipping container is to be placed on an Agricultural or Industrial property which abuts a residential, park, or institutional zone, the shipping container shall be fully screened from view from any such property through the use of landscaping, opaque fencing or a combination of fencing and landscaping.
- (7) No shipping container may be used in any zone as a dwelling or other form of accommodation, including offices.
- (8) The placement of the shipping container must comply with all other aspects of this Bylaw, including the minimum setback distances from the various property lines which would be required for an accessory building in that District.
- (9) The Development Officer or Municipal Planning Commission may impose the following conditions among others, upon the issuance of a development permit as follows;
 - (a) where more than one shipping container is allowed, the containers shall not be stacked on top of each other.
 - (b) the exterior finish of the shipping container shall match or complement the exterior finish of the principal building, or must be screened from view to the satisfaction of the Development Officer.

SECTION 33: ANIMALS PROHIBITED OR RESTRICTED

- (1) Except in the Agricultural-Urban Reserve District, no person shall keep animals other than dogs, cats and such usual domestic pets as are kept indoors.

SECTION 34: PARKING AND LOADING FACILITIES

- (1) Off-street parking shall be provided as shown in the following table:

Type of Use	Minimum Parking Space Requirements
Residential Uses:	
Apartment Building, Row Housing	1.5 spaces per dwelling unit of which, at least 0.25 spaces per dwelling unit must be set aside and provided for visitor parking
Boarding House, Lodging House	1 space per unit
Other Residential Uses permitted by this Bylaw	2 spaces per dwelling unit

Commercial Uses:	
Business, Administrative and Professional Offices and Banks	1 space per 46.5 square metres (500 square feet) of gross floor area
Retail Shops and Personal Service Shops	1 space per 46.5 square metres (500 square feet) of gross floor area
Eating Establishments	1 space per 4 seats or 1 space per 27.9 square metres (300 square feet) of gross floor area
Hotels and Motels	1 space per guest room, plus additional stalls as required for other uses, plus 1 space per two employees.
Beer Parlours and Cocktail Lounges	1 space per 4 seats plus 1 space per two employees.
Note: Where a hotel and/or eating establishment and/or motel and/or beer parlours and cocktail lounges are grouped in any combination on a site, the parking required shall be based on a cumulative total of the standards for each specific use.	
Other Non-Residential Uses:	
Public Assembly Auditoriums, Theatres, Convention Halls, Gymnasiums, Private Clubs, Ball Parks	1 space per 3.5 seats or 1 space per 3.25 square metres (35 square feet) of floor area used by patrons, whichever is greater
Places of Worship	1 space per 3.5 seating spaces
Schools: Elementary Junior High; Senior High	1 space for each classroom 4 spaces for each classroom
Hospitals or Clinics	1 space per 92.9 square metres (1000 square feet) of gross floor area
<i>Industrial: Manufacturing and Industrial Plants, Warehousing, Wholesale and Storage Buildings and Yards, Servicing and Repair Establishments and Public Utility Buildings</i>	<i>1 space per 3 employees on a maximum working shift</i>
Any other uses permitted by this Bylaw	1 parking space per 37.2 square metres (400 square feet) of gross floor area

- (2) A parking space shall be located on the same site as the building or the use in respect of which it is required and shall be designed, located and constructed so that:
- (a) it is reasonably accessible to the vehicle intended to be accommodated there;
 - (b) it can be properly maintained; and

-
- (c) it is satisfactory to the Development Officer in size, shape, location and construction.
- (3) Notwithstanding Section 34(2), should the Development Officer deem it advisable, he or she may:
- (a) accept a payment in lieu on the number of off-street parking spaces deficient, which payment shall be based on the amount of money Council considers reasonable in return for the equivalent parking space to be provided by the Municipality elsewhere in the district in which the development is proposed;
 - (b) require the developer to provide the required off-street parking on land other than that to be developed provided that:
 - (i) the alternate parking site is within 122 metres (400 feet) of the site where the principal building is located or where the approved use is carried on;
 - (ii) the person wishing to use an alternate parking site must have absolute control of it for a length of time equal to the life of the approved use of the building or site, and will use that site for no other purpose than to provide alternate parking;
 - (iii) the absolute control is established to the satisfaction of the Council;
 - (iv) should the alternate parking site cease to be available, another parking site must be provided which meets the above criteria or the approved use of the building or the site must be discontinued;
 - (v) the person wishing to use an alternate site shall agree with the Municipality in writing under seal, which document shall be in such form that it can be protected by registration of a caveat under the Land Titles Act, that the site on which the alternate parking site is located shall be used for such purpose as long as it is required by this part.
- (4) Allowance for "On Street Parking"
- In the primary commercial area, credit for "On Street" parking may be given providing such parking stalls about the development and provided the use of the said stalls have not been pre-empted by a Fire Hydrant, Yellow Curb Line, Loading Zone, Entrance or some obstruction which prevents the use of the said stalls for public parking.
- (5) A parking space or stall shall not be less than 16.7 square metres (180 square feet) in area.
 - (6) Any loading space shall have at least 27.9 square metres (300 square feet) of area, 3.6 metres (12 feet) width and 4.3 metres (14 feet) of overhead clearance.
 - (7) Any parking space or any loading space provided shall be developed and surfaced to the satisfaction of the Development Officer within 12 months of the completion of the development for which the development permit was issued.

- (8) Every off-street parking space provided or required in any commercial district and the access thereto, including the whole areas contained within the municipal land to which the curb crossing applies, shall be hard surfaced if the access thereto is from a street or land which is hard surfaced.
- (9) Adequate curbs or concrete bumpers or fences shall be provided to the satisfaction of the Development Officer, if it is or becomes necessary to protect adjacent fences, walls, boulevards, landscaped areas or buildings on the site, or an abutting site, from contact with vehicles using such parking space or area.
- (10) Notwithstanding anything contained in this section, if the street or land from which access is available to any required parking space is hard-surfaced after the time at which the parking space is provided or required, the person owning the land on which the parking space is located shall forthwith hard-surface such parking space and the access thereto and the whole area contained within the municipal land to which the curb crossing applies.
- (11) When a building is enlarged or the use of the building is altered in such a manner that additional parking spaces are required, provision shall be made for the total number of parking spaces required by the provisions of this Bylaw.
- (12) Adequate curbs or fences shall be provided to the satisfaction of the Development Officer if it is or becomes necessary to protect adjacent fences, walls, boulevards, landscaped areas or buildings on the site, or an abutting site, from contact with vehicles using such parking space or area.
- (13) Off-street parking shall be provided in the manner shown on the approved site plan with the entire area to be graded so as to ensure that drainage will be confined to the site and disposed of in a manner satisfactory to the Development Officer.
- (14) Notwithstanding anything contained in Section 34(10) and in particular under the heading Commercial Uses - retail shops and personal service shops, in the event an owner or owners proposes to replace a building or buildings on a lot or lots with a new building or buildings, and in the event the proposed use for the new building or buildings is identical to the existing use and in the event the purpose for replacement of the building or buildings is the upgrading or expanding of an existing business or businesses, such proposal may be subject to special consideration as to parking requirements as more particularly set forth herein.
- (15) If in the opinion of the Development Officer, all other requirements of the Land use Bylaw and amendments thereto have been observed, the Development Officer may, in his discretion, allow a relaxation of required parking spaces as set forth in this Bylaw.

SECTION 35: “RELOCATED” AND “MOVED-IN” BUILDINGS**(1) Relocated Buildings**

Relocated buildings are defined as those buildings which have been relocated from one lot to another lot within the Town of Grimshaw.

(2) Moved-In Buildings

Moved-in buildings are defined as those buildings which have been moved-in from jurisdictions outside of the corporate boundaries of the Town of Grimshaw, into the Town of Grimshaw.

(3) Unless and until a development permit from the Development Officer is obtained no person shall:

- (a) place on a site a building which has been previously erected or placed on a different site, or
- (b) alter the location on a site of a building which has already been erected on the site.

(4) Moved-In Buildings and Relocated Buildings development approval provisions shall apply to all Town Land Use Districts, excluding R-MHP and R-MHS Districts.

- (a) Notwithstanding the provisions of this subsection, moved-in garages/accessory buildings may be allowed as a discretionary use in the R-MHS and R-MHP Districts.
- (b) In all cases, where applications are made for development wherein moved-in or relocated buildings apply, notwithstanding that the use may be listed as a permitted use in the district, their uses shall be discretionary and shall require a development permit.
- (c) All applicants for a development permit will be required to submit the following information in addition to that normally required under this Bylaw, prior to processing of the development permit:
 - (i) coloured photographs of the proposed building, accurately depicting the style and general condition of the building and its conformity to the neighbourhood;
 - (ii) complete site plan showing how the proposed building would be located on the proposed lot;
 - (iii) floor plans of the proposed building;

- (iv) the applicant shall provide an unconditional right of entry for the Development Officer, or appointed successors to inspect said premises and building until such time as the building has complied with the requirements of the Development Permit.
- (d) All applications for relocated or moved-in buildings shall require that public notification be given in the following manner:
 - (i) All development permits shall be advertised in the local newspaper;
 - (ii) All adjacent landowners shall be notified in writing of the proposed development. Adjacent landowners shall be defined as landowners of property having a common border with the property for which the application has been made.
- (e) Each applicant who applies for a development permit for a moved-in or relocated building under this Bylaw shall post a performance bond or an irrevocable letter of credit upon which the Town may draw to:
 - (i) To bring the building and site development into compliance with the Town requirements.
 - (ii) To repair any damage to municipal infrastructures or any other public property resulting from the development.
 - (iii) To remove any building which has been located on site other than the building described in the application.

The amount of the performance bond or irrevocable letter of credit shall be established by having the applicant provide an estimated contract cost to complete the conditions set out in the Development Permit, to bring the building and site development into compliance.
- (f) Any buildings receiving approval to be moved-in or relocated shall be brought up to all existing federal, provincial, and municipal standards, ordinances, rules, regulations and bylaws.
- (g) Each completed building and foundation shall be inspected, at the applicants expense, by a professional engineer or a representative of Alberta Labour: Building Standards Branch who will provide the Town with written certification that all codes, ordinances, bylaw, and regulations have been complied with.
- (h) All renovations and any conditions imposed by the Development Officer to relocated or moved-in buildings shall be completed within one year of the issuance of a development permit. Non-compliance shall result in the forfeiture of the bond or irrevocable letter of credit.

(5) Development Permit Requirements

- (a) All development permits issued under the authority of this Bylaw be reviewed by the Development Officer, based on the following criteria:
 - (i) age and appearance of the building;
 - (i) building condition/materials;
 - (iii) the compatibility of the proposed building to neighbourhood and adjacent properties;
 - (iv) the proposed location within the Town;
 - (v) aesthetics of the receiving neighbourhood;
 - (vi) other planning considerations.
- (b) A development permit will not be issued for any moved-in building or relocated building, when it is known to be substandard or has construction defects, such as urea-formaldehyde insulation, sprayed asbestos insulation, et cetera, which do not meet the current Alberta Building Code Standards.
- (c) Pursuant to subsection (1) and (2) of the Land Use Bylaw, a relocated or moved-in building shall also include a single-detached dwelling, duplex, row housing, or apartment.

SECTION 36: SIGN CONTROL

- (1) No sign of an advertising, directional or information nature shall be erected on land or affixed to any exterior surface of any building or structure unless an application for a development permit for this purpose has been approved by the Development Officer.
- (2) Signs shall comply with the setback requirements for principal buildings in the district in which the sign is located unless otherwise allowed by the Development Officer.
- (3) Notwithstanding Section 36(1), the following signs shall not require a development permit:
 - (a) statutory and official notices of government authorities, as referred to in Section 12(4)(k);
 - (b) traffic and directional signs authorized by Council;
 - (c) temporary signs as indicated in Section 12(4)(l);
 - (d) signs for traffic control devices; and
 - (e) name and number signs on residential properties.

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- (4) Except as considered necessary by the Development Officer, no person shall erect a sign on public property without prior approval.
 - (5) In considering a development permit for a sign, the Development Officer shall have due regard to the amenities of the district in which the sign is located and to the design of the proposed signs.
 - (6) Quality, aesthetic character and finishing of sign construction shall be at the discretion of the Development Officer.
 - (7) On each industrial site the following signs may be allowed subject to the following limitations:
 - (a) no sign shall project more than 1.5 metres (5 feet) above the top of any main wall or parapet to which it is affixed, unless, in the opinion of the Development Officer, it has been designed as an integral part of the building; and
 - (b) no sign shall be illuminated unless the source of light is steady and suitably shielded.
 - (8) On each commercial site, the following signs may be allowed subject to the following limitations:
 - (a) signs and billboards shall be prohibited excepting signs advertising the principal use of the premises or the principal products offered for sale on the premises;
 - (b) no sign shall be illuminated unless the source of light is suitably shielded;
 - (c) signs shall not protrude from the face of the building a distance exceeding 1.5 metres (5 feet).
 - (9) No private sign, including awnings, shall project over public property or across title boundaries unless the applicant has filed a certificate of insurance co-insuring the Town of Grimshaw to amounts satisfactory to the Council with the Town.
 - (10) The following signage policy shall apply for Main (50th) Street:
 - (a) No sign shall protrude from the face of the building.
 - (b) Use of colourful canopies and awnings as signage shall not be considered as protruding signs.
 - (11) Wall Signs:
 - (a) Not more than one wall sign shall be allowed per building face and the sign shall be used only to identify the building or principal tenant of the building.

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- (b) Notwithstanding (a), in Commercial and Industrial districts, two signs may be allowed per building face.
 - (c) Shall be placed not less than 2.4 metres (8 feet) above grade.
 - (d) The area of the sign shall not exceed 30% of the building face.
- (12) Freestanding Signs:
- (a) Shall be situated wholly upon the site to which it refers.
 - (b) One freestanding sign shall be allowed per site, with the exception of Highway No. 2 where there shall be no free standing signs unless otherwise approved by the Development Officer.
 - (c) Notwithstanding (b), one additional freestanding sign may be allowed where a site has in excess of 182.9 metres (600 feet) frontage or where a site is considered to be double fronting by the Development Officer.
 - (d) The total area of all freestanding signs shall not exceed 0.09 square metres (1 square foot) in area for each linear 0.3 metres (1 foot) of street frontage of the site, to a maximum of 18.6 square metres (200 square feet).
 - (e) Freestanding signs shall be a maximum of 4.6 metres (15 feet) above grade and shall not cross a property line of the site.
 - (f) There shall be a minimum separation distance of 3.0 metres (10 feet) between freestanding signs, whether on the same site or not.
- (13) Roof Signs:
- (a) Shall be finished in such a manner so that the visual appearance from all sides makes the roof sign appear to be part of the building.
 - (b) No supporting structures shall be visible.
 - (c) Roof signs shall not project beyond any portion of the exterior walls of any building.
- (14) Special Regulations for Highway Entrance Routes:
- (a) Where a sign (including the large hook-type signs) is located along a highway entrance route, the following regulations shall apply:
 - (i) such signs shall be located on private property only;
 - (ii) such signs shall be set back from the highway at least 9.1 metres (30 feet) or greater when, in the opinion of the Development Officer, the sign may cause traffic movement and/or safety problems;

- (iii) such signs may be illuminated where they do not cause problems with the operation of the highway, subject to the approval of Alberta Transportation; and
- (iv) appearance and size shall be at the discretion of the Development Officer.

(15) Portable Signs:

- (a) The Development Officer shall, in the case of a development permit for a portable sign, specify the length of time that permit remains in effect.
- (b) Not more than one portable sign shall be displayed on a site.
- (c) Notwithstanding sub-section (b), one portable sign shall be permitted for each business in a multiple occupancy development provided that no portable sign is located within 15.2 metres (50 feet) of another.
- (d) Portable signs shall be allowed only in the following districts:
 - (i) Primary Commercial District (C-1);
 - (ii) Secondary Commercial District (C-2); and
 - (iii) Highway Commercial District (C-3).
- (e) Portable signs shall not be placed upon a site so as to conflict with parking, loading or walkway areas.
- (f) No portable signs are permitted within roadway rights-of-way or at any location whereby the intent is to have the sign seen from a highway or the direct access to a highway.
- (g) No portable sign shall be permitted on public property or within 0.9 metres (3 feet) of public property.
- (h) The following information shall be required for an application for a development permit for a portable sign:
 - (i) the municipal address and legal description of the land or building where the sign is to be located;
 - (ii) the applicant's name, address and telephone number;
 - (iii) an indication of where the sign is to be located;
 - (iv) the length of time the sign is to be displayed at the location proposed;
 - (v) a letter from the owner or his agent authorizing the placement of the sign on the subject property; and
 - (vi) the size, height and nature of the sign.

- (i) A portable sign shall be removed on or before the expiry date specified by the development permit.
- (16) When a business stops operating, all signs advertising that business shall be removed within 30 days of the last day of business.

SECTION 37: ENTRANCES AND EXITS

- (1) Curb cuts shall be set back a minimum distance of 6.1 metres (20 feet) from the intersection of site boundaries on corner lots.
- (2) Notwithstanding Section 37(1), the setback distance for curb cuts may be increased where, in the opinion of the Development Officer, such increase is necessary for reasons of public safety and convenience.
- (3) The maximum width of curb cutting shall not exceed 10.7 metres (35 feet). *See Explanation Notes: Curb Cuts*
- (4) The sides of driveway approaches crossing sidewalks or boulevards may be constructed on an angle with the curb line, but the angle extended between the curb and the edge of the driveway shall in no case be less than 60 degrees. *See Explanation Notes: Curb Cuts*
- (5) The minimum distance between curb cuts shall not be less than 6.1 metres (20 feet), measured at the property line. The Development Officer may increase the minimum separation distance in cases where, because of the width of adjacent sidewalks or boulevards, or because of traffic conditions, an increase is necessary for reasons of public safety and convenience.
- (6) All parts of the site to which vehicles may have access shall be developed so as to provide a durable dust free surface.

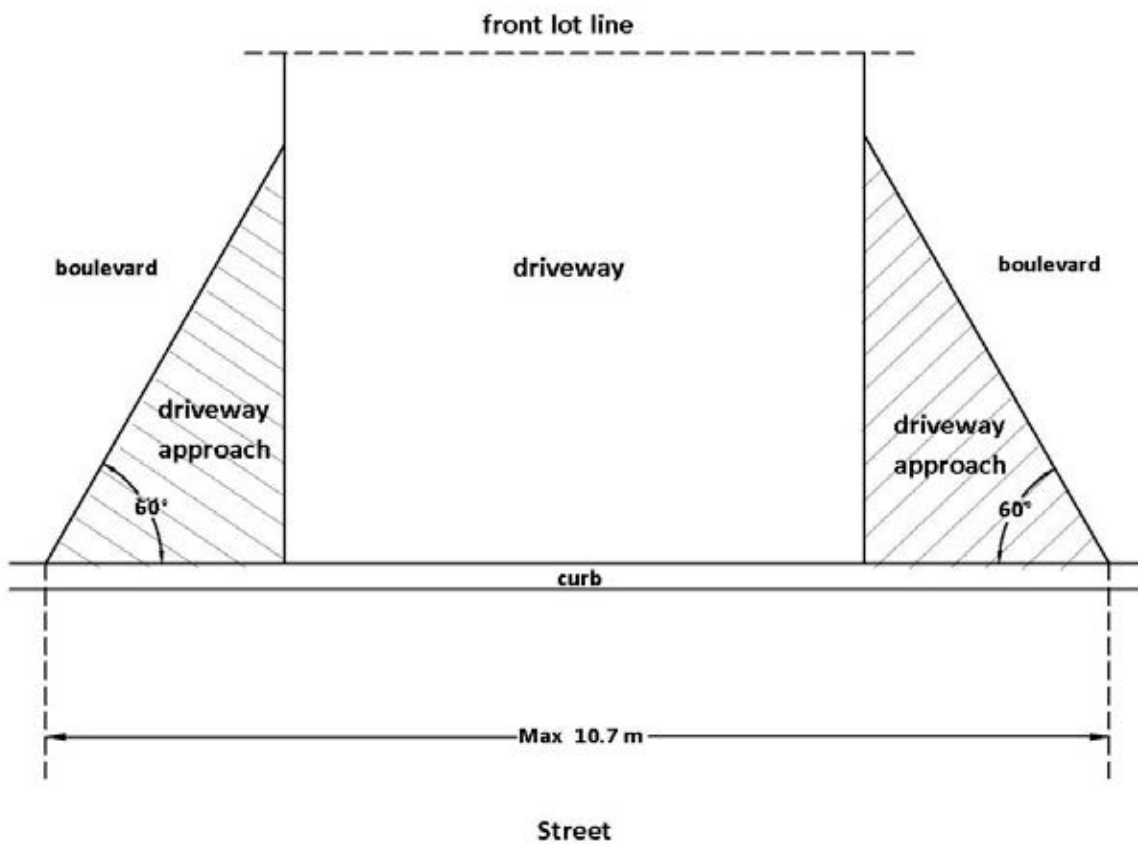
EXPLANATION NOTES

Curb Cuts

This graphic is not part of this bylaw but is provided to aid in its interpretation.

The maximum width of curb cutting shall not exceed 10.7 meters (35 feet).

The sides of driveway approaches crossing sidewalks or boulevards may be constructed on an angle with the curb line, but the angle extended between the curb and the edge of the driveway shall in no case be less than 60 degrees.



SECTION 38: FENCES OR OTHER MEANS OF ENCLOSURE IN RESIDENTIAL DISTRICTS

- (1) In addition to the restrictions contained in Section 25, a person shall not construct a fence or other means of enclosure on a site in a residential district that:
 - (a) is outside of the legally defined limit of the lot;
 - (b) is higher than 1.8 metres (6 feet) for that portion of the fence or other means of enclosure that does not extend beyond the foremost portion of the principal building abutting a front yard;
 - (c) is higher than 0.9 metres (3 feet) for that portion of the fence or other means of enclosure that extends beyond the foremost portion of the principal building abutting a front yard;
 - (d) contains barbed wire or razor wire.
- (2) The Development Officer may require that a fence or other means of enclosure be constructed to a lesser height than the maximum allowed.

SECTION 39: FENCING AND SCREENING IN COMMERCIAL AND INDUSTRIAL DISTRICTS

- (1) On a Commercial or Industrial site that abuts a Residential, Park or Institutional zone:
 - (a) Loading, storage and trash collection areas shall be located to the rear or sides of the principal building, and shall be fully screened from view from the adjacent Residential, Park, or Institutional sites, and public thoroughfares, to the satisfaction of the Development Officer, through the use of landscaping, opaque fencing, or a combination of fencing and landscaping.
 - (b) All apparatus on the roof of any building shall be screened from view, to the satisfaction of the Development Officer.

SECTION 40: ON-SITE DEMOLITION

- (1) The applicant shall be responsible for:
 - (a) The replacement of any boulevard trees that are damaged or cut down to effect the demolition or removal of a structure or building from the site.
 - (b) Removal of all building, structural and foundation materials or debris from the site to a suitable landfill area.

- (c) Fencing off of demolition and excavation area to protect against any safety hazard on the site until such time as the excavation is filled in and the site is properly leveled.
- (d) Filling in of the excavation area with suitable fill material within a reasonable period of time, contingent upon weather conditions.
- (e) Leveling of site to provide for proper drainage.
- (f) Replacement, at the applicant's expense, of any sidewalk, curb and gutter, fire hydrants and water and sewer lines damaged as a result of the said demolition or removal of the building or structure from the site.
- (g) Notification to public utility authorities (Telus, ATCO Electric, ATCO Gas, and the operator of the cable television system), so that they may disconnect said utilities from the structure or building prior to its demolition or removal and to assist with the said moving of the utility to help effect the demolition or removal of the structure or building.
- (h) All the above conditions to be carried out to the satisfaction of the Development Officer.

SECTION 41: SECONDARY SUITES

In addition to the General Land Use Provisions in Part 2, and the site provisions of the appropriate land use districts, the following additional standards shall apply to the development of Secondary Suites:

- (1) Any person wanting to develop a Secondary Suite shall require a development permit.
- (2) The maximum gross floor area of a Secondary Suite, not including the area covered by stairways, balconies and decks shall be:
 - (a) Basement Suite: In the case of a secondary suite developed entirely below grade, the suite may occupy the entire basement.
 - (b) Suite above Grade: In the case of a secondary suite developed entirely above grade, the floor area shall not exceed 70.0 square metres (753.5 sq. feet).
 - (c) Suite above Garage: In the case of a suite above a garage, the suite may occupy the entire floor area above the garage.
- (3) Only one (1) Secondary Suite per parcel shall be allowed.

- (4) A Secondary Suite shall:
 - (a) Be located in a primary dwelling unit or above a garage.
 - (b) Have a separate entrance that is finished and landscaped in the same manner as the exterior of the primary unit.
 - (c) Have full connection to all utilities, to the satisfaction of the Development Officer.
 - (d) Have an onsite parking space.
 - (e) Comply with the Alberta Building Code, the Public Health Act and the Province of Alberta minimum housing standards regulation.
- (3) Secondary Suites may be allowed as a discretionary use in areas zoned Residential 1 District, Residential 2 District and Mixed Residential District under this bylaw and shall conform to the site provisions of the district.

SECTION 42: PORTABLE GARAGE

- (1) Any person wanting to erect a portable garage shall require a development permit.
- (2) The following information shall be required for an application for a development permit for a portable garage:
 - (a) The size and height of the portable garage.
 - (b) The material and the location of the portable garage.
 - (c) Any other matter as deemed necessary by the Development Officer.
- (3) Landscaping shall be to the satisfaction of the Development Officer.
- (4) A portable garage may be allowed as a discretionary use within all districts and shall comply with the setback requirements of an accessory building.

DIVISION 2: SPECIAL LAND USE PROVISIONS

Notwithstanding any other land use provisions contained in this Bylaw, the following Special Land Use Provisions shall apply to all development.

SECTION 43: CAR/TRUCK WASHING ESTABLISHMENTS

- (1) Site Area:
 - (a) The minimum site area shall be 743.2 square metres (8,000 square feet) and shall contain storage space for five vehicles prior to their entry into any part of the cleaning process. In the case of service stations including car washes, the minimum site area shall be 1,114 square metres (12,000 square feet).
- (2) All Car/Truck Washing Establishments must be equipped with filtration apparatus to an acceptable standard to serve the establishment, precise details of which shall accompany the development permit application.

SECTION 44: PLACES OF WORSHIP

- (1) Maximum height requirements may be exceeded only if one extra foot of side yard per foot over maximum height requirements is provided.
- (2) The site upon which a church is situated shall have a frontage of not less than 30.5 metres (100 feet) and an area of not less than 930 square metres (10,000 square feet).
- (3) In the case where a manse, rectory, parsonage or other building for a minister's residence is to be erected on the same site as the church, the combined area of the site shall not be less than 1395 square metres (15,000 square feet).
- (4) A retaining wall of not less than 0.9 metres (3 feet) shall be erected on the boundaries of an off-street parking facility where it abuts on a residential lot.

SECTION 45: DECKS AND BALCONIES

- (1) A deck shall be developed to the satisfaction of the Development Officer and must meet the following requirements:
 - (a) a deck must meet the required front, side and rear yard setbacks of the principal building. However, an uncovered deck may project a maximum of 3.0 metres (10 feet) into a required front yard, provided its location and appearance are satisfactory to the Development Officer;

- (b) a deck may not be located within the 9.1 metres (30 feet) corner sight triangle;
- (c) a deck must comply with the Alberta Building Code;
- (d) a covered or enclosed deck shall be considered an addition to the principal building and is required to meet the requirements for a principal building;
- (e) a deck shall be included in the calculation of lot coverage;
- (f) a deck shall be limited in height to no more than the main floor level of the principal building;

SECTION 46: DRIVE-THROUGH FACILITIES

- (1) A drive-through facility must provide stacking space for at least five (5) vehicles or such lesser number of spaces as approved by the Development Officer.
- (2) Areas required for circulation of vehicles shall be hard-surfaced to the satisfaction of the Development Officer and shall not be used to provide required parking.
- (3) The lot shall be drained to the satisfaction of the Development Officer.
- (4) Exits and entrances shall be as approved by the Development Officer and circulation within the lot shall be one-directional and adequately signed. The drive-through facilities shall be separate from other exits and entrances and parking aisles.
- (5) Side and rear boundaries abutting residential areas, shall be screened by a fence or wall to the satisfaction of the Development Officer.
- (6) Drive-through facilities shall be demarcated and property signed to the satisfaction of the Development Officer.

SECTION 47: MOTELS AND MOTOR HOTELS

	Minimum Site Area	Minimum Setback Requirements	Minimum Unit Area
Motels in Primary Commercial (C-1) District:			
1 storey	74.3 sq. m. (800 sq. ft.) per unit	Same as C-1 District	26.5 sq. m. (285 sq. ft.)
2 storey	51.1 sq. m. (550 sq. ft.) per unit		
Motels in Secondary Commercial (C-2) District:			
1 storey	110.6 sq. m. (1190 sq. ft.) per unit	Front Yard: 3.1 m. (10 ft.) Rear Yard: 1.5 m. (5 ft.) Side Yard: 1.5 m. (5 ft.)	26.5 sq. m. (285 sq. ft.)
2 storey	72 sq. m. (775 sq. ft.) per unit		
Motels in Highway Commercial (H-C) District:			
1 storey	139.4 sq. m. (1500 sq. ft.) per unit	Front Yard: 7.6 m. (25 ft.) Rear Yard: 3.1 m. (10 ft.) Side Yard: 3.1 m. (10 ft.)	26.5 sq. m. (285 sq. ft.)
2 storey	92.9 sq. m. (1000 sq. ft.) per unit		

Bylaw 1162
2015/08/12

SECTION 48: MOBILE HOME (SINGLE WIDE AND DOUBLE WIDE) *deleted***SECTION 48: MANUFACTURED HOMES**

Bylaw 1162
2015/08/12

- (1) Before a development permit is issued for a manufactured home, the Development Authority shall receive verification that the home fully complies with the Alberta Building Code (ABC) and either the CSA Z240 MH National Manufactured Home Standard or CSA A277 Procedure for Factory Certification of Buildings Standard. If the CSA Z240/A277 sticker or the Alberta Municipal Affairs sticker verifying compliance to the ABC is missing, the Development Authority may require an inspection by an Alberta Safety Codes Officer.
- (2) Should an inspection by an Alberta Safety Codes Officer be required, and should the inspection indicate that upgrades to the manufactured home are necessary to bring the home into compliance with the CSA Z240/A277 standard or the ABC, all required upgrades shall be made before the issuance of a development permit.

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- (3) In addition to the requirements of subsection (1) and (2) above, a manufactured home must meet the following aesthetic regulations:
- (a) The height of the main floor above grade shall be consistent with the height of the main floor of dwellings in the immediate area.
 - (b) The roof pitch shall be consistent with the roof pitch of dwellings in the immediate area.
 - (c) Exterior finishing materials used on the roof and exterior walls shall be consistent with the materials used on dwellings in the immediate and general area and be in good condition.
 - (d) Minimum roof overhang or eaves should be consistent with the overhang or eaves of dwellings in the immediate area.
 - (e) The undercarriage of a manufactured home shall be completely screened from view by fireproof skirting or by such other means satisfactory to the Development Officer or the Municipal Planning Commission.
 - (f) The design of each manufactured home shall ensure the side or end of the building facing the street contains a front door, and/or windows in quantity and size to provide a strong visual connection between the building and the street.
 - (g) Every manufactured home shall be placed on a full perimeter foundation that complies with the ABC unless the manufactured home is designed to be supported on longitudinal floor beams, in which case an alternate skirted foundation system as described in CSA Z240.10.1 may be utilized.
 - (h) The full perimeter foundation or the skirting utilized on an alternative skirting foundation should be parged in order create the same finished appearance customarily found on concrete basements of single detached dwellings in the immediate area.
 - (i) All accessory structures, additions, porches, and skirting shall:
 - (i) be of a quality and appearance equivalent to that manufactured home;
 - (ii) be considered as part of the main building; and
 - (iii) be erected only after obtaining a development permit.
 - (j) Additions shall not exceed 30% of the gross floor area of the manufactured home subject to setback requirements being met.
- (4) The hitch and wheels are to be removed from the manufactured home.

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- (5) The property is to be grassed and landscaped within one (1) year from the date of issue of the development permit.
 - (6) Any required aesthetic upgrades to the manufactured home must be completed before the issuance of the development permit. The completion of foundation or skirting material must be completed within thirty (30) days of the placement of the manufactured home on a site.
 - (7) Used manufactured homes over the age of 5 years under consideration or relocation on a parcel shall meet the following criteria:
 - (a) enclosed by a peaked roof;
 - (b) be architecturally similar to existing dwellings in the vicinity of the proposed development.
 - (8) With the exception of driveways, no accessory building or use shall be located in the front yard of any residential district.

SECTION 49: MANUFACTURED HOME PARK

Bylaw 1162
2015/08/12

- (1) Every Manufactured Home Park owner shall maintain on their own property a treed buffer of a width that shall not be less than 4.6 metres (15 feet) along the park boundaries.
- (2) For parks containing over 50 lots, two separate means of access shall be provided and may be in the form of a boulevard road with a central dividing strip, so that in the event of a blockage on one side, the other side is accessible for emergency vehicles.
- (3) The park owner is to ensure the site complies with Minimum Housing and Health standards.
- (4) All manufactured homes shall be located on lots defined on the site plan for the park.
- (5) Prior to the location of manufactured homes in the park, the park owner shall submit a site plan and landscape plan in conformance with development permit requirements.
- (6) Prior to the location of manufactured homes in the park, the owner shall submit a drainage plan, clearly indicating how storm water is to be managed on site.
- (7) All lots are to be serviced by a public water and sanitary sewer system in accordance with Alberta Environment regulations.

- (8) The park operator shall provide on-site containerized and appropriately screened/enclosed garbage collection facilities or garbage cans for the storage of garbage and refuse awaiting final disposal. Such location must be indicated on the site plan submitted with the application for development permit and is to be in conformance with the following requirements:
 - (a) Located at a distance from manufactured homes to mitigate odour impacts;
 - (b) Located adjacent to a park road with convenient access to residents;
 - (c) Located within easy access to a park road for garbage and refuse removal.
- (9) All areas of the park not developed or occupied by park roads, walkways, driveways, parking aprons, buildings or other development facilities including playgrounds, shall be landscaped by the developer.
- (10) Outdoor lighting in the park is to conform to the development agreement.
- (11) Signs shall be of a character that fits within the context of the residential area including size, height and style, satisfactory to the Development Officer.
- (12) Vehicular and pedestrian areas shall conform to the following:
 - (a) All park roads shall be constructed to the Town's specifications to accommodate its proposed use;
 - (b) One off-street parking space per unit shall be provided either on the manufactured home lot or in small communal parking areas as identified on the site plan;
 - (c) Internal pedestrian walkways shall be provided with a minimum hard-surfaced width of 0.9 metres (3 feet);
 - (d) The park owner shall be responsible for the removal of snow from all internal pedestrian walkways and vehicular parking areas, excluding individual parking spaces located in the Manufactured Home Park.
- (13) Lot Requirements:
 - (a) The following regulations shall apply to Manufactured Home Park lots:
 - (i) Each lot shall be clearly defined on the ground by permanent flush stakes, markers or other means, and permanently marked with a lot number for civic addressing;
 - (ii) Each lot shall abut a park street and have a driveway, with a minimum width of 2.7 metres (9 feet) along the park street;
 - (iii) Each lot shall be provided with a horizontal, stable parking apron

Bylaw 1162
2015/08/12

Bylaw 1162
2015/08/12

Bylaw 1162
2015/08/12

- suitable for blocking and levelling;
- (iv) Manufactured homes including attached structures shall be within the boundaries of the lot;
 - (v) Manufactured homes shall be set back a minimum of 4.6 metres (15 feet) from any park street;
 - (vi) Manufactured homes shall be located at least 3.0 metres (10 feet) from every adjacent manufactured home, carport, porch, and any structure or permanent park structure, and 3.0 metres (10 feet) from any park boundary;
 - (vii) Manufactured homes shall be located at least 19.8 metres (65 feet) from any manufactured home, including any attached structures, or permanent park structures, located directly on the opposite side of a park street;
 - (viii) The Manufactured Home Park owner shall ensure that each manufactured home is levelled, blocked, skirted, and the hitch either removed or skirted within 30 days of being installed on the lot;
 - (ix) Fences shall not exceed 0.9 metres (3 feet) in height for front yards; and
 - (x) Fences shall not exceed 1.8 metres (6 feet) in side and rear yards, to be measured as the average elevation from the ground at the fence or wall.
- (14) Service and Auxiliary Buildings:
- (a) The location and design of all service and auxiliary facilities shall be identified on the site plan and shall conform to development agreement guidelines;
 - (b) All service buildings shall be accessible by a park street; and
 - (c) A screened storage compound may be provided for trucks, campers, travel trailers, snowmobiles and boats, and are to be identified on the site plan and are to conform to development standards.

SECTION 50: RECREATIONAL VEHICLE PARK

- (1) Every park owner shall maintain, on their own property, a treed buffer that shall not be less than 3.0 metres (10 feet) in width along the park boundaries.
- (2) For parks containing over 50 lots, two separate means of access shall be provided and may be in the form of a boulevard road with a central dividing strip, so that in the event of a blockage on one side, the other side is accessible for emergency vehicles.
- (3) The park owner shall ensure that the site complies with Minimum Housing and Health standards.

- (4) All recreational vehicles shall be located on lots defined on the site plan for the park.
- (5) Prior to the location of recreational vehicles in the park, the park owner shall submit a site plan and landscape plan in conformance with development permit requirements.
- (6) Prior to the location of recreational vehicles in the park, the owner shall submit a drainage plan, clearly indicating how storm water is to be managed on site. Examples of site drainage are attached for reference purposes.
- (7) All lots shall be serviced by a public water and sanitary sewer system in accordance with Alberta Environment regulations.
- (8) The park operator shall provide on-site containerized and appropriately screened/enclosed garbage collection facilities or garbage cans for the storage of garbage and refuse awaiting final disposal. Such location shall be indicated on the site plan submitted with the application for development permit and shall be in conformance with the following requirements:
 - (a) Located at a sufficient distance from Recreational Vehicles to mitigate odour impacts;
 - (b) Located adjacent to private road with convenient access to visitors;
 - (c) Located with easy access to public road for garbage and refuse removal.
- (9) All areas of the park not developed or occupied by park roads, walkways, driveways, parking aprons, buildings or other development facilities including playgrounds, shall be landscaped by the developer.
- (10) Outdoor lighting in the park shall conform to the development agreement.
- (11) Signs shall be of a character that fit within the context of the area including size, height and style, satisfactory to the Development Officer.
- (12) Vehicular and pedestrian areas shall conform to the following:
 - (a) All park roads shall be constructed to the Town's specifications to accommodate their proposed use;
 - (b) One off-street parking space per unit shall be provided either on the recreational vehicle lot or in small communal parking areas as identified on the site plan;
 - (c) Internal pedestrian walkways, shall be provided with a minimum surface width of 0.9 metres (3 feet);

- (d) The park owner shall be responsible for the removal of snow from all internal pedestrian walkways and vehicular parking areas, excluding individual parking spaces located in the Recreational Vehicle Park.

(13) Lot Requirements:

- (a) The following regulations shall apply to Recreational Vehicle Park lots:
 - (i) Each lot shall be clearly defined on the ground by permanent flush stakes, markers or other means, and permanently marked with a site number for identification purposes;
 - (ii) Each lot shall be provided with a horizontal, stable, parking apron suitable for parking and/or blocking and levelling;
 - (iii) Recreational Vehicles shall be sited on parking aprons and shall be within the boundaries of the lot;
 - (iv) The Recreational Vehicle Park owner shall ensure that each Recreational Vehicle is placed within the building envelope, levelled, and can be blocked on a temporary basis;
 - (v) Recreational Vehicles shall be sited at least 3.0 metres (10 feet) from every adjacent recreational vehicle, and any structure or permanent park structure, and 3.0 metres (10 feet) from any park boundary;
 - (vi) Recreational Vehicles shall be sited at least 3.0 metres (10 feet) from any park street;
 - (vii) Fences, if permitted, shall not exceed 0.9 metres (3 feet) in height for front yards;
 - (viii) Fences, if permitted, shall not exceed 1.8 metres (6 feet) in side and rear yards, to be measured as the average elevation from the ground at the fence or wall.

(14) Lot Service and Auxiliary Buildings:

- (a) The location and design of all service and auxiliary facilities shall be identified on the site plan and shall conform to development agreement guidelines;
- (b) All service buildings shall be accessible by a park street;
- (c) A screened storage compound may be provided for trucks, campers, travel trailers, snowmobiles, boats and are to be identified on the site plan and are to conform to development standards.

SECTION 51: SERVICE STATIONS, GAS STATIONS AND GAS BARS

- (1) Site Location:
 - (a) Service stations and gas stations may only be located at the intersection of a street and avenue, as part of a shopping centre, or along a highway with a service road.
- (2) Site Area and Coverage:
 - (a) The maximum site area shall be 557.4 square metres (6,000 square feet) and the maximum building coverage shall be 15 percent of the site area.
 - (b) Where a service station forms part of a shopping centre development the minimum site area and maximum building coverage may be varied at the discretion of the Development Officer.
- (3) Site and Building Requirements
 - (a) All parts of the site to which vehicles may have access shall be hard-surfaced and drained to the satisfaction of the Development Officer.
 - (b) No activity may be carried on which constitutes a nuisance or annoyance to persons occupying land in the immediate vicinity of the site, by reason of dust, noise, gases, odours, smoke or vibration.
 - (c) The site of the building shall be maintained in a clean and tidy condition and free from all rubbish and debris.
 - (d) Landscaping shall be provided and maintained to the satisfaction of the Development Officer.
 - (e) Fencing of at least 1.5 metres (5 feet) in height but no higher than 2.1 metres (7 feet) shall be provided along the boundary of a site where it abuts a residential district.
 - (f) All pump islands shall be located at least 6.1 metres (20 feet) from any boundary of the site, parking area on the site, or laneways intended to control traffic circulation on the site.
 - (g) A canopy over a pump island may extend to within 3.0 metres (10 feet) of the boundary of the site.
 - (h) All Service Stations, Gas Stations, and Gas Bars must be equipped with filtration apparatus to an acceptable standard to serve the establishment, precise details of which shall accompany the development permit application.

- (4) The installation of below ground and/or above ground tanks shall be in accordance to all provincial legislation and regulations.

SECTION 52: NEIGHBOURHOOD CONVENIENCE STORE

- (1) The site area for a neighbourhood convenience store shall not be less than 743.2 square metres (8,000 square feet).
- (2) Neighbourhood convenience stores shall be located on corner lots.
- (3) The maximum gross area of the store shall be 185.8 square metres (2,000 square feet).
- (4) Notwithstanding any other provision contained in this Bylaw, the neighbourhood convenience store shall be set back 7.6 metres (25 feet) from both street lines.
- (5) The parking areas shall be hard-surfaced and drained to the satisfaction of the Development Officer.
- (6) Landscaping shall be provided and maintained to the satisfaction of the Development Officer.
- (7) Fencing of at least 1.5 metres (5 feet) in height but no higher than 2.1 metres (7 feet) shall be provided along the boundary of a site where it abuts a residential district.
- (8) The Development Officer may decide on such other requirements as are necessary having due regard to the nature of the development and the purpose of the district in which the store is situated.

SECTION 53: MODULAR-BUILDING

Bylaw 1162
2015/08/12

- (1) Any development for a modular building is considered discretionary. Notwithstanding the above, a modular single-detached dwelling will be considered a permitted use in the R-2A District.
- (2) Before a development permit is issued for a modular building, the Development Authority shall receive verification that the building fully complies with the Alberta Building Code (ABC) and CSA A277 Procedure for Factory Certification of Buildings Standard. If the CSA A277 sticker or the Alberta Municipal Affairs sticker verifying compliance to the ABC is missing, the Development Authority may require an inspection by an Alberta Safety Codes Officer.

- (3) Should an inspection by an Alberta Safety Codes Officer be required, and should the inspection indicate that upgrades to the modular building are necessary to bring the building into compliance with the CSA A277 standard or the ABC, all required upgrades shall be made before the issuance of a development permit.
- (4) A proposed modular building shall be architecturally similar to existing buildings in the vicinity of the proposed development, including its exterior finish, roofline, size, scale, placement on site, to the satisfaction of the Development Authority.
- (5) Modular buildings shall be securely fastened and placed on a permanent foundation.
- (6) A modular single-detached dwelling placed in the R-1, R-2 or R-3 District shall have a front door and a minimum of one window facing the street to provide a strong visual connection between the building and the street.
- (7) The quality of the completed modular construction shall be consistent with the quality of the other structures in the area.

SECTION 54: GARDEN SUITES

- (1) Garden Suites shall:
 - (a) not be located on the front yard;
 - (b) not exceed one (1) storey in height;
 - (c) maintain a minimum side yard setback of 0.9 metres (3 feet);
 - (d) maintain a rear yard setback of 0.9 metres (3 feet) when there is a lane; and
 - (e) have a minimum separation distance of 2.4 metres (8 feet) from the principal building and 1.2 metres (4 feet) from all other buildings on the same parcel of land.
- (2) The maximum gross floor area of a Garden Suite is 70.0 square metres (753.5 sq. feet), not including the area covered by stairways, balconies and decks.
- (3) Garden suites shall not be located on any parcel or site which contains two or more permanent dwelling units.
- (4) Garden suites may be allowed as a discretionary use in areas zoned as Residential 1 District and Residential 2 District under this Bylaw.

SECTION 55: CHILD CARE FACILITIES

- (1) All child care facilities, as defined in this Bylaw, shall be licensed by the appropriate provincial department and/or agency, and shall meet provincial health requirements and fire protection requirements.
- (2) When deciding on a development permit application for a child care facility, the Development Officer shall take into consideration the following:
 - (a) provision of one (1) parking space per five for staff members;
 - (b) provision of a safe and adequate loading/unloading area for children;
 - (c) provision for a safe play area(s)/or location of playground within a safe walking distance;
 - (d) surrounding land uses and the character of the area; and
 - (e) other matters deemed necessary by the Development Officer.

SECTION 56: OUTDOOR FIRE PITS AND FIREPLACES

- (1) Any person wanting to build a fire pit or fireplace in the backyard or side yard of their residential property shall require a development permit.
- (2) Fire pits and fireplaces shall:
 - (a) be set back 3.0 metres (10 feet) from fences, property lines and buildings;
 - (b) be located in the rear yard or side yard;
 - (c) be constructed of non-combustible materials, with fire pits having a heavy gauge metal screen with a mesh size not larger than 13 millimetres to catch sparks;
 - (d) not be constructed over a gas line, or any utility lines or similar easements; and
 - (e) be constructed in accordance to any provincial and/or municipal codes, bylaws or resolutions.

-
- (3) Any person wishing to install a fire pit or fireplace must submit a site plan of where the structure is to be located in their backyard, and a design plan of the proposed structure to the Town Office. All such plans shall be forwarded to the Grimshaw Volunteer Fire Department for their comments, prior to the Development Officer granting approval.
 - (4) Only clean combustibles shall be burned in fire pits or fireplaces.
 - (5) The Town of Grimshaw Volunteer Fire Department shall provide comments on development permit applications for fire pits.

SECTION 57: BED AND BREAKFAST ACCOMMODATION

- (1) Any person wanting to establish and/or develop a bed and breakfast accommodation operation shall require a development permit.
- (2) The following regulations shall apply to the development of a bed and breakfast accommodation operation:
 - (a) maximum size of a sign: 0.3 square metres (3 square feet);
 - (b) one (1) on-site parking stall shall be provided for each bed and breakfast unit, unless otherwise approved by the Development Officer; and,
 - (c) the bed and breakfast operation shall be contained entirely within the principal building.
- (3) When reviewing a development permit application for a bed and breakfast accommodation operation, the Development Officer shall consider the following:
 - (a) the impact of the bed and breakfast operation on surrounding properties; and
 - (b) parking and/or traffic generated from the operation and its effect on the general area.

SECTION 58: INDUSTRIAL CAMPS

- (1) Access: Provision of points of access and egress shall be located to the satisfaction of the Development Officer.
- (2) Servicing: All industrial camps must be self-sufficient in terms of servicing, provided to the satisfaction of Alberta Human Services.
- (3) Site Coverage: The maximum site coverage shall be such that space is available for all on-site parking and storage.
- (4) Setbacks: Minimum setbacks for any unit placement shall be:
Front Yard: 7.6 metres (25 feet)
Side Yard: 1.5 metres (5 feet)
Minimum distance between units: 3.0 metres (10 feet)
- (5) Parking: All parking must be provided on site with a special area set aside for large truck and equipment storage.
- (6) Garbage: A central garbage area/receptacle shall be provided.
- (7) A development permit is to be obtained from the Development Officer for each industrial camp locating on site.
- (8) Any development permit issued shall be valid for a maximum of 120 days subject to a renewal at the discretion of the Development Officer.
- (9) Any site development for an industrial camp must adhere to all municipal bylaws regarding upkeep of the site, to the satisfaction of the Development Officer.

SECTION 59: SOLAR ELECTRIC PANELS

- (1) Development, building and electrical permits shall be required for the installation of a solar-electric system in residential neighbourhoods, unless the system is a part of the design of a new building for which a permit is required.
- (2) A site plan is required, showing:
 - (a) the location of the solar-electric panels within the property boundaries;
 - (b) a north arrow to indicate which direction is north;
 - (c) the nearest street and avenue;

- (d) the dimensions of the site and property lines;
 - (e) the distance that the solar-electric panels extend beyond the wall, if they are mounted on a wall; and
 - (f) a list of any and all caveats, covenants, and easements shown on the title of the property.
 - (g) the site plan may be hand drawn or computer drawn. A photo from Google Earth can be used as the basis of the site plan, and the solar- electric panels can be shown on it, along with the information required in the above list. The dimensions do not have to be from a legal survey.
- (3) An elevation plan is required, showing:
- (a) a side view of the building and what it will look like with the solar-electric panels mounted on it; and
 - (b) the total height of the building if the solar-electric panels extend beyond the roof line.
 - (c) the plan may be a photograph of the building showing the solar-electric panels drawn on it.

SECTION 60: HIGHWAY 2 SETBACKS

All development located adjacent to Highway 2, as outlined in the Town of Grimshaw Bylaw 501, shall be required to meet the special development setbacks as outlined below:

- (1) That no building shall be erected nearer than 7.6 metres (25 feet) to the property line adjacent to Highway No. 2 on the following properties:
- (a) Lot 21, Block 2, Plan 1457 C.L.
 - (b) Lot 22, Block 2, Plan 471 E.O.
 - (c) Lots 22 and 23, Block 4, Plan 471 E.O.
 - (d) Lots A and B, Block 21, Plan 1226 H.W.
 - (e) Block 5, Plan 748 H.W.
 - (f) The lands described in Certificate of Titles
 - (i) 190-T082- 6 acres
 - (ii) 175-N-247-.562 acres
 - (iii) 1-D-215- 2.38 acres

- (iv) 178-B-197- .395 acres
 - (v) 183-A-201- 1 acre
- (2) That no building shall be erected nearer than 4.6 metres (15 feet) to the property line adjacent to Highway No. 2 on the following properties:
 - (a) Lots 1, 2, and 3, Block 15, Plan 86 H.W.
 - (b) Lots 1 to 9 inclusive, Block 6, Plan 748 H.W.
 - (c) Lots 1 to 10 inclusive, Block 8, Plan 1378 H.W.
 - (d) The lands described in Certificate of Title 62-Y-261, 6.218 acres.

SECTION 61: NUMBER OF DWELLING UNITS PERMITTED ON A LOT

- (1) No person in the Town shall construct or cause to be constructed more than one (1) dwelling unit per lot.
- (2) Notwithstanding Section 61(1), multi-unit residential dwellings (apartments, duplexes, four-plexes, etc.) may be allowed to be developed on a lot in accordance with the provisions of the Bylaw.
- (3) Notwithstanding Section 61(1), the Town may allow for additional single-unit residential dwellings to be developed on a lot subject to the approval of the Development Officer who shall consider the following:
 - (a) the suitability of the site for the proposed development;
 - (b) access to and from the site;
 - (c) the provision of proper, on-site water and sewer and natural gas servicing; and
 - (d) existing and future surrounding land uses.

SECTION 61A: LIVE-WORK UNITS

Bylaw 1171
2016/06/22

Live-work units shall comply with the following standards:

- (1) The living space does not exceed 50% of the floor area of the dwelling.

- (2) Each application for a Development Permit for the Live-work unit shall include a description of the business to be undertaken at the premises, an indication of the number of business visits per week, provision for vehicular parking for visitors and employees, and where any materials or equipment associated with the business are to be stored.
- (3) No portion of a live-work unit may be separately rented or sold as a commercial or industrial space for any person not living in the premises or as a residential space for any person not working in the same unit.
- (4) Uses that are not permitted in a live-work unit include, but are not limited to:
 - (a) adult entertainment facilities;
 - (b) any use requiring the handling or storage of hazardous, noxious or dangerous goods;
 - (c) vehicle, industrial or recreational vehicle sales, rentals, storage, services or repairs; and
 - (d) any other activity or use as determined by the Development Authority to be incompatible with a commercial use and district.

DIVISION 3: LAND USE DISTRICTS

SECTION 62: DISTRICTS

(1) District Classification:

- (a) For the purpose of this Bylaw, all lands within the municipality shall be divided into the following districts:

<u>District</u>	<u>Symbol</u>
Residential 1	R-1
Residential 2	R-2
Mixed Residential.....	R-2A
Residential 3	R-3
Residential - Manufactured Home Subdivision.....	R-MHS
Residential - Manufactured Home Park.....	R-MHP
Recreational Vehicle Park	R-RV
Primary Commercial.....	C-1
Secondary Commercial	C-2
Highway Commercial	HC
Industrial	M-1
Community	COM
Agricultural - Urban Reserve	A-UR
Direct Control	DC

Bylaw 1162
2015/08/12

- (b) If a parcel of land is located within an Overlay District, the regulations of the Overlay District will supersede the regulations of the base Land District.

Bylaw 1171
2016/06/22

(2) District Symbols:

- (a) Throughout this Bylaw and amendments thereto, a district may be referred to either by its full name or by its symbol as set out in sub-section (1) above and the boundaries of each district are delineated on the District Map - Schedule "B".

(3) Similar Uses:

- (a) A similar use to one of those listed under a land use district may be allowed at the discretion of the Development Officer and Municipal Planning Committee.

SECTION 63: RESIDENTIAL 1 DISTRICT (R-1)

(1) Purpose:

The purpose of this district is to permit low density residential development and preserve the character of the neighbourhood.

(2) Uses:

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses:

- Accessory building or structure
- Park
- Playground
- Single-detached dwelling

(b) Discretionary Uses:

- Bed and breakfast accommodation
- Child care facility
- Day care centre
- Duplex
- Garden suite
- Group home
- Home-based business
- Modular Home - *deleted*
- Place of worship
- Portable garage
- Public use
- Relocated or moved-in building
- School
- Secondary suite
- Semi-detached dwelling
- Senior citizens home

Bylaw 1162
2015/08/12

(3) Site Provisions:

No person shall use any lot or erect, alter or use any building or structure unless such lot is served by a public water system and a sanitary sewer system and except in accordance with the following provisions:

(a) Lot Dimensions (minimum)	Lot Width (metres / feet)	Lot Depth (metres / feet)
Single-detached dwelling	15.2 / 50	33.5 / 110
Duplex (single lot)	18.3 / 60	33.5 / 110
Semi-detached dwelling unit	11.3 / 37 per unit	33.5 / 110
Other uses as specified by the Development Officer or elsewhere in this Bylaw.		

(b) Notwithstanding Section 63(3)(a), the lot width for a corner site shall not be less than 16.8 metres (55 feet) for a single-detached dwelling, a duplex and a semi-detached dwelling unit.

(c) Front Yard Depth (minimum): 7.6 metres (25 feet).

(i) Notwithstanding sub-section 63(3)(c), the following front yard depths shall apply for the subject properties legally known as:

6.1 metres (20 feet) - Lots 33-45, Block 11, Plan 802-1627

6.7 metres (22 feet) - Lots 32 and 46, Block 11, Plan 802-1627

(d) Rear Yard Depth (minimum): 7.6 metres (25 feet).

(e) Side Yard Width (minimum):

(i) Exterior side yard width: 4.6 metres (15 feet)

(ii) Interior side yard width: 1.5 metres (5 feet)

A developer of a residence on a lot in a laneless subdivision should take into account the siting of a garage, especially if it is planned for the rear of the lot.

(f) Accessory Uses:

(i) No accessory building or structure shall be located in any yard other than an interior side yard or rear yard, and

(ii) No accessory building or structure shall be located closer than 0.9 metres (3 feet) from any side lot line or rear lot line except in a laneless subdivision whereby no rear yard setback is required, and

(iii) In the case of a garage, where direct access from the vehicle entrance of a garage to a side street or lane exists, then 4.9 metres (16 feet) setback from this entrance and the side street or lane shall be required.

-
- (g) Floor Area (minimum);
 - (i) 94.8 square metres (1020 square feet);
 - (ii) Notwithstanding sub-section 63(3)(g)(i), an attached garage may be considered as part of the square footage requirement. If a garage is attached to a house by a breeze-way, it does not qualify (i.e. a common wall must be in existence). The dwelling must be a minimum of 83.6 square metres (900 square feet) when the garage is included in the overall square footage requirement; and
 - (iii) In the case of a two storey dwelling, the minimum ground level square footage must be 83.6 square metres (900 square feet).
 - (h) Building Height (maximum):

10.7 metres (35 feet).
 - (i) Coverage of Site (maximum): Thirty-five (35) percent
 - (j) Group Home Spacing Requirement

Within a Residential 1 District (R-1), no site containing a group home shall be located within 500 metres (1640 feet) of another site containing a group home which is located in a Residential 1 District (R-1) or a Residential 2 District (R-2).

SECTION 64: RESIDENTIAL 2 DISTRICT (R-2)

(1) Purpose:

The purpose of this district is to allow a diverse range of residential uses that are compatible with low and medium density housing.

(2) Use:

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses:

- Accessory building or structure
- Duplex
- Park
- Playground
- Semi-detached dwelling
- Single-detached dwelling

(b) Discretionary Uses:

- Bed and breakfast accommodation
- Boarding house
- Child care facility
- Garden suite
- Group home
- Home-based business
- Modular Home - *deleted*
- Place of worship
- Portable garage
- Professional office
- Public use
- Relocated or moved-in building
- School
- Senior citizens home
- Secondary suite

Bylaw 1162
2015/08/12

(3) Site Provisions

No person shall use any lot or erect, alter or use any building or structure unless such lot is served by a public water system and a sanitary sewer system and except in accordance with the following provisions:

(a) Lot Dimensions (minimum)	Lot Width (metres / feet)	Lot Depth (metres / feet)
Single-detached dwelling	15.2 / 50	33.5 / 110
Duplex (single lot)	18.3 / 60	33.5 / 110
Semi-detached dwelling unit	11.3 / 37 per unit	33.5 / 110
Other uses as specified by the Development Officer or elsewhere in this Bylaw.		

(b) Notwithstanding subsection 64(3)(a), the lot width for a corner site shall not be less than (16.8 metres 55 feet) for a single-detached dwelling, a duplex and a semi-detached dwelling unit.

(c) Front Yard Depth (minimum): 7.6 metres (25 feet).

(d) Rear Yard Depth (minimum): 7.6 metres (25 feet).

(e) Side Yard Width (minimum):

(i) Exterior side yard width: 4.6 metres (15 feet).

(ii) Interior side yard width: 1.5 metres (5 feet).

A developer of a residence on a lot in a laneless subdivision should take into account the siting of a garage, especially if it is planned for the rear of the lot.

(f) Notwithstanding subsection 64(3)(e), in a laneless subdivision at least one side yard shall be a minimum of 3.0 metres (10 feet) in width to provide for vehicular access.

(g) Accessory Uses:

(i) No accessory building or structure shall be located in any yard other than an interior side yard or rear yard, and

(ii) No accessory building or structure shall be located closer than 0.9 metres (3 feet) from any side lot line or rear lot line except in a laneless subdivision whereby no rear yard setback is required, and

(iii) On any lot where the rear lot abuts onto a laneway, the minimum rear yard setback for a garage facing the lane shall be 4.9 metres (16 feet) from the lot line.

(h) Floor Area (minimum): 83.6 square metres (900 square feet)

(i) Building Height (maximum):

Two (2) storeys or 10.7 metres (35 feet) whichever is greater.

(j) Coverage of Site (maximum): Forty-five (45) percent

(k) Group Home Spacing Requirement

Within a Residential 2 District (R-2), no site containing a group home shall be located within 500 metres (1640 feet) of another site containing a group home which is located in a Residential 1 District (R-1) or a Residential 2 District (R-2).

(4) Special Provisions: A Professional Office:

(a) When considering a development permit for a professional office, the Town of Grimshaw Planning Committee and/or the Development Officer shall consider the following:

- (i) existing, surrounding land uses and the character of the neighbourhood in which the professional office is to be located;
- (ii) the availability of on-site parking;
- (iii) the proposed landscaping of the lot on which the professional office is to be located;
- (iv) the appearance of the building;
- (v) the height of the building in relation to surrounding buildings;
- (vi) the location, size, appearance and type of signs to be located on site.

SECTION 65: MIXED RESIDENTIAL DISTRICT (R-2A)

(1) Purpose:

Bylaw 1162
2015/08/12

The purpose of the mixed residential district is to accommodate traditional site-built residential development and where compatible, future high quality manufactured home development.

(2) Use:

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses:

Bylaw 1162
2015/08/12

- Accessory buildings and structures
- Duplex
- Modular home - *deleted*
- Playground
- Recreation area - outdoor
- Semi-detached dwelling
- Single-detached dwelling

(b) Discretionary Uses:

Bylaw 1172
2016/06/22

- Bed and breakfast accommodation
- Boarding house
- Child care facility
- Garden suite
- Group home
- Home-based business
- Manufactured home
- Place of Worship
- Portable garage
- Professional office
- Public Use
- Relocated or moved-in building
- School
- Secondary suite
- Senior Citizens home

(3) Site Provisions

No person shall use any lot or erect, alter or use any building or structure unless such lot is served by a public water system and a sanitary sewer system and except in accordance with the following provisions:

(a) Lot Dimensions (minimum)	Lot Width (metres / feet)	Lot Depth (metres / feet)
Single-detached dwelling	15.2 / 50	33.5 / 110
Duplex (single lot)	18.3 / 60	33.5 / 110
Semi-detached dwelling unit	11.3 / 37 per unit	33.5 / 110
Manufactured home	12.2 / 40 per unit	22.9 / 75
Other uses as specified by the Development Officer or elsewhere in this Bylaw.		

Bylaw 1162
2015/08/12

- (b) Notwithstanding subsection 65 (3)(a), the lot width for a corner site shall not be less than 16.8 metres (55 feet) for a single-detached dwelling, a duplex and a semi-detached dwelling unit.
 - (c) Front Yard Depth (minimum): 7.6 metres (25 feet).
 - (i) Front Yard Depth for manufactured home (minimum): 4.6 metres (15 feet).
 - (d) Rear Yard Depth (minimum): 7.6 metres (25 feet).
 - (i) Rear Yard Depth for manufactured home (minimum): 4.6 metres (15 feet).
 - (e) Side Yard Width (minimum):
 - (i) Exterior side yard width: 4.6 metres (15 feet).
 - (ii) Interior side yard width: 1.5 metres (5 feet).
 - (iii) Side Yard Width for manufactured home (minimum): 3.0 metres (10 feet).
- A developer of a residence on a lot in a laneless subdivision should take into account the siting of a garage, especially if it is planned for the rear of the lot.
- (f) Notwithstanding subsection 65(3)(e), in a laneless subdivision at least one side yard shall be a minimum of 3.0 metres (10 feet) in width to provide for vehicular access.
 - (g) Accessory Uses:
 - (i) No accessory building or structure shall be located in any yard other than an interior side yard or rear yard, and
 - (ii) No accessory building or structure shall be located closer than 0.9 metres (3 feet) from any side lot line or rear lot line except in a laneless subdivision whereby no rear yard setback is required, and

Bylaw 1162
2015/08/12

- (iii) On any lot where the rear lot line abuts onto a laneway, the minimum rear yard setback for a garage facing the lane shall be 4.9 metres (16 feet) from the lot line.
 - (h) Floor Area (minimum): 83.6 square metres (900 square feet)
 - (i) Floor Area for a manufactured home (minimum): 45.5 square metres (490 square feet)
 - (i) Building Height (maximum):

Two (2) storeys or 10.7 metres (35 feet) whichever is greater.
 - (i) Building Height (maximum) for a manufactured home: 5.4 metres (18 feet).
 - (ii) Building Height (maximum) for an accessory building: 4.6 metres (15 feet).
 - (j) Coverage of Site (maximum): Forty-five (45) percent
 - (k) Accessory buildings shall be compatible in appearance, quality and construction to the principal building on the lot.
 - (l) Group Home Spacing Requirement:

Within a Residential 2 District (R-2), no site containing a group home shall be located within 500 metres (1640 feet) of another site containing a group home which is located in a Residential 1 District (R-1) or a Residential 2 District (R-2).
- (4) Special Provisions: A Professional Office:
 - (a) When considering a development permit for a professional office, the Town of Grimshaw Planning Committee and/or the Development Officer shall consider the following:
 - (i) existing, surrounding land uses and the character of the neighbourhood in which the professional office is to be located;
 - (ii) the availability of on-site parking;
 - (iii) the proposed landscaping of the lot on which the professional office is to be located;
 - (iv) the appearance of the building;
 - (v) the height of the building in relation to surrounding buildings;
- (5) Special Provisions: Manufactured Homes:

Notwithstanding General Land Use Provisions and Specific Land Use Provisions, site provisions for manufactured homes shall be the same as those in the Residential-Manufactured Home Subdivision District (R-MHS).

Bylaw 1162
2015/08/12

- (a) When considering a development permit for a manufactured home dwelling, the Town of Grimshaw Planning Committee and/or the Development Officer shall consider the following:
 - (i) existing, surrounding land uses and the character of the neighbourhood in which the manufactured homes is to be located;
 - (ii) the proposed landscaping of the lot on which the manufactured home is to be located;
 - (iii) Certification from an accredited inspection company that the manufactured home meets the current Alberta Building Code and Alberta Safety Codes Act as amended from time to time.

Bylaw 1162
2015/08/12

- (6) In considering manufactured homes older than five (5) years of age, the existing condition of the building and improvements and/or refurbishment of the building, as it relates to the intent and character of the Mixed Residential District, the surrounding and adjacent uses is at the discretion of the Development Officer. All Manufactured Homes over five (5) years of age shall be subject to a building inspection.

SECTION 66: RESIDENTIAL 3 DISTRICT (R-3)**(1) Purpose:**

The purpose of this district is to allow a diverse range of residential uses that are compatible with medium density housing.

(2) Uses:**(a) Permitted Uses:**

- Accessory building or structure
- Apartment building
- Park
- Playground
- Row dwelling
- Senior citizens home

(b) Discretionary Uses:

- Bed and breakfast accommodation
- Child care facility
- Duplex
- Home-based business
- Modular home - *deleted*
- Place of Worship
- Portable garage
- Professional office
- Public use
- Relocated or moved-in dwelling
- Semi-detached dwelling
- Single-detached dwelling

(3) Site Provisions

No person shall use any lot or erect, alter or use any building or structure unless such lot is served by a public water system and a sanitary sewer system and except in accordance with the following provisions:

(a) Lot Dimensions (minimum)	Lot Width (metres / feet)	Lot Depth (metres / feet)
Single-detached dwelling	15.2 / 50	33.5 / 110
Duplex (single lot)	18.3 / 60	33.5 / 110
Semi-detached dwelling unit	11.3 / 37 per unit	33.5 / 110

Bylaw 1162
2015/08/12

- (b) Area per Dwelling Unit
 - (i) an apartment: 92.3 square metres (1000 square feet) of site area
 - (ii) a row dwelling: 232.3 square feet (2500 square metres) of site area
- (c) Front Yard Depth (minimum): 7.6 metres (25 feet)
- (d) Rear Yard Depth (minimum): 7.6 metres (25 feet)
- (e) Side Yard Width (minimum):
 - (i) Apartments, row dwellings, senior citizens home: 4.6 metres (15 feet).
 - (ii) Single-detached dwelling, duplex, semi-detached dwelling:
 - interior side yard: 1.5 metres (5 feet)
 - exterior side yard: 4.6 metres (15 feet)
 - (iii) In a laneless subdivision at least one yard shall be a minimum of 3.0 metres (10 feet).
- (f) Coverage of site (maximum): 40 percent
- (g) Building Height (maximum): 3.5 storeys or 13.7 metres (45 feet)
- (h) Density (maximum): 36 units per net acre
- (i) Accessory Uses:
 - (i) No accessory building or structure shall be located in any yard other than an interior side yard or rear yard, and
 - (ii) No accessory building or structure shall be located closer than 0.9 metres (3 feet) from any side lot line or rear lot line except in a laneless subdivision whereby no rear yard setback is required, and
 - (iii) In the case of a garage, where direct access from the vehicle entrance of a garage to a street or lane exists, then a 4.9 metres (16 feet) setback from this entrance and the side street or lane shall be required.
- (4) Additional Requirements:
 - (a) The distance between two row dwelling units facing each other shall be a minimum of 27.4 metres (90 feet).
 - (b) The distance between two row dwelling units backing onto each other shall be a minimum of 33.5 metres (110 feet).
 - (c) A minimum of 10 percent of a lot containing an apartment building or row dwelling shall be devoted to landscaped open space. A minimum of 50 percent of this landscaped open space may contain recreational and playground equipment.

- (d) Notwithstanding the above regulations, any apartment projects shall satisfy the Development Officer as to:
 - (i) provision for garbage storage, with appropriate access;
 - (ii) access for fire engines;
 - (iii) light between buildings;
 - (iv) privacy for dwelling units in and adjacent to development;
 - (v) orientation of buildings and general appearance of project;
 - (vi) safe pedestrian access to and from the public sidewalk fronting the building; and
 - (vii) adequate lighting of parking areas.
- (5) Special Provisions: A Professional Office:
 - (a) When considering a development permit for a professional office, the Municipal Planning Committee and/or the Development Officer shall consider the following:
 - (i) existing, surrounding land uses and the character of the neighbourhood in which the professional office is to be located;
 - (ii) the availability of on-site parking;
 - (iii) the proposed landscaping of the lot on which the professional office is to be located;
 - (iv) the appearance of the building;
 - (v) the height of the building in relation to surrounding buildings; and
 - (vi) the location, size, appearance and type of signs to be located on site.

SECTION 67: RESIDENTIAL - MANUFACTURED HOME SUBDIVISION DISTRICT (R-MHS)

(1) Purpose:

Bylaw 1162
2015/08/12

The purpose of this land use district is to provide for the development of manufactured home subdivisions.

(2) Uses:

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses:

Bylaw 1162
2015/08/12

- Accessory building or use
- Double wide mobile home - *deleted*
- Manufactured home
- Park
- Playground
- Public use
- Single wide mobile home - *deleted*

(b) Discretionary Uses

Bylaw 1162
2015/08/12

- Bed and breakfast accommodation
- Child care facility
- Home based business
- Modular home - *deleted*
- Place of Worship
- Portable garage

(3) Site Provisions:

(a) The side yard provisions and lot dimensions in a manufactured home subdivision shall be the same as for a single-detached dwelling in an R-1 district.

(b) Front Yard Depth (minimum): 4.6 metres (15 feet)

(c) Rear Yard Depth (minimum): 3.0 metres (10 feet)

- (d) Accessory Uses:
 - (i) No accessory building or structure shall be located in any yard other than an interior side yard or rear yard, and
 - (ii) No accessory building or structure shall be located closer than 0.9 metres (3 feet) from any side lot line or rear lot line except in a laneless subdivision whereby no rear yard setback is required, and
 - (iii) In the case of a garage, where direct access from the vehicle entrance of a garage to a street or lane exists, then a 4.9 metres (16 feet) setback from this entrance and the side street or lane shall be required.
- (e) Coverage of Site (maximum): 35 percent of site area

SECTION 68: RESIDENTIAL - MANUFACTURED HOME PARK DISTRICT (R-MHP)

(1) Purpose:

Bylaw 1162
2015/08/12

The purpose of this District is to provide for lots within a Manufactured Home Park, in which manufactured homes are accommodated on an individual site basis with individual service connections.

Manufactured homes are to be on a permanent basis in the Manufactured Home Park according to the Special Land Use Provisions for a Manufactured Home Park.

(2) Uses:

No person shall use any lot or erect, alter or use any building or structure unless such lot is served by a public water system and a public sanitary sewer system and except in accordance with the following provisions:

(a) Permitted Uses:

- Accessory buildings and uses
- Child care facility
- Manufactured home
- Playground
- Public use
- Recreational area – outdoor

(b) Discretionary Uses:

- Home-based business
- Portable garage
- Relocated or moved-in buildings

(3) Site Provisions:

(a) Manufactured Home Park Buffer:

- (i) Every manufactured home park adjacent to a district other than a residential manufactured home park district shall maintain on its own property a treed buffer of a width to be determined by the Development Officer.
- (ii) In no circumstances shall this treed buffer be less than 4.6 metres (15 feet) in width.

(b) Every manufactured home park shall:

- (i) provide and maintain municipal services to the satisfaction of the Development Officer;
- (ii) provide and maintain a paved private road system to the satisfaction of the Development Officer;
- (iii) provide and maintain street lighting to the satisfaction of the Development Officer;
- (iv) provide a method of garbage collection and disposal to the satisfaction of the Development Officer;
- (v) have direct access to a major road;
- (vi) provide a surface water drainage system to the satisfaction of the Development Officer.

Bylaw 1162
2015/08/12

(c) **Manufactured Home Lot Dimensions (minimum):**

Use	Lot Width (metres / feet)	Lot Depth (metres / feet)
Manufactured Home	10.7 / 35	33.5 / 110
Other Uses	At the discretion of the Development Officer	

- (d) Every manufactured home lot shall have one 3.0 metres (10 feet) wide side yard for fire access; and
- (e) The other side yard shall be a minimum of 1.5 metres (5 feet) wide.
- (f) Every manufactured home lot shall:
 - (i) front onto a private road with a minimum carriageway of 9.8 metres (32 feet); and
 - (ii) be clearly marked by means of stakes, fences, hedges or other means satisfactory to the Development Officer; and
 - (iii) have at least one (1) off-street parking space, 3.0 metres (10 feet) wide and 6.1 metres (20 feet) in depth.
- (g) Accessory Uses:
 - (i) No accessory building or structure shall be located in the front yard; and
 - (ii) No accessory building or structure shall be located closer than 0.9 metres (3 feet) from any side lot line or rear lot line.
- (4) In addition and subject to general land use provisions and special land use provisions, the following site provisions shall apply to every development in the Manufactured Home Park:
 - (a) Every manufactured home park shall:
 - (i) Have a lighted storage area of 9.3 square metres (100 square feet) per manufactured home lot;

- (ii) Devote 10 percent of the gross site area to landscaped open space and at least 50 percent of the open space may contain playground equipment;
- (b) Minimum Requirements:
 - (i) Site Area: 1.2 hectares (3 acres)
 - (ii) Lot Area: 357.7 square metres (3850 square feet)
 - (iii) Width: 10.7 metres (35 feet)
 - (iv) Depth: 33.5 metres (110 feet)
 - (v) Floor Area: 36.8 square metres (396 square feet)
 - (vi) Front Yard Depth: 4.6 metres (15 feet)
 - (vii) Rear Yard Depth: 4.6 metres (15 feet)
 - (viii) Side Yard Width: 1.5 metres (5 feet)
 - (ix) 4.6 metres (15 feet) between permitted principal residential dwelling units.
- (c) Maximum Requirements:
 - (i) Site Coverage:
 - a. All buildings together (including accessory buildings): 40 percent of the site
 - (ii) Building Height:
 - a. Principal Building: 5.4 metres (18 feet)
 - b. Accessory building: 4.6 metres (15 feet)

SECTION 69: RECREATIONAL VEHICLE PARK DISTRICT (R-RV)**(1) Purpose:**

The purpose of this District is to provide for lots within a Recreational Vehicle Park, in which recreational vehicles are accommodated on an individual site basis with individual water service connections.

(2) Recreational vehicles are to be on a temporary basis in the Recreational Vehicle Park according to the Special Land Use Provisions for a Recreational Vehicle Park.**(3) Uses:**

No person shall use any lot or erect, alter or use any building or structure unless such lot is served by a public water system and a public sanitary sewer system and except in accordance with the following provisions:

(a) Permitted Uses:

- Playground
- Public use
- Recreational area – outdoor
- Recreational vehicles

(b) Discretionary Uses:

- Parking for boats, all-terrain vehicles

(4) Site Provisions:

In addition and subject to general land use provisions and special land use provisions, the following site provisions shall apply to the Recreational Vehicle Park:

(a) Every recreational vehicle park shall:

- (i) Devote 10 percent of the gross site area to landscaped open space and at least 50 percent of the open space may contain playground equipment;
- (ii) front onto a park road with a minimum carriageway of 9.8 metres (32 feet); and

(b) Minimum Requirements:

- (i) Site Area: 1.2 hectares (3 acres)
- (ii) Lot Area: 243.9 square metres (2,625 square feet)
- (iii) Width: 10.7 metres (35 feet)

- (iv) Depth: 22.86 metres (75 feet)
- (v) Floor Area: 36.8 square metres (396 square feet)
- (vi) Front Yard Depth: 4.6 metres (15 feet)
- (vii) Rear Yard Depth: 4.6 metres (15 feet)
- (viii) Side Yard Width: 3.0 metres (10 feet)
- (ix) 4.6 metres (15 feet) between permitted vehicles.

- (c) Maximum Requirements:
 - (i) Site Coverage:
 - a. All buildings together (including accessory buildings): 40% of the site

- (d) Accessory Uses:
 - (i) No accessory building or structure shall be located in the front yard; and
 - (ii) No accessory building or structure shall be located closer than 0.9 metres (3 feet) from any side lot line or rear lot line.

SECTION 70: PRIMARY COMMERCIAL DISTRICT (C-1)

(1) Purpose:

The purpose of this land use district is to provide for the development of the Town's central business district.

(2) Uses:

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses:

- Accessory building or use
- Artist studio
- Auction room
- Bakery
- Bank or financial institution
- Bus terminal
- Cinema or theatre
- Cocktail lounge
- Community building and facility
- Department store
- Funeral home
- Hotel
- Indoor recreation establishment
- Medical laboratory
- Office (business, administrative, public, professional, and medical)
- Park
- Parking lot
- Personal services
- Printing establishment
- Private club, lodge, or hall
- Public use
- Residential condominium
- Restaurant
- Retail store
- Sign (identification, direction, advertising)
- Taxidermy shop
- Television/radio/electronics repair shop

(b) Discretionary Uses:

- Amusement arcade (whether a principal or accessory use)
- Apartment building
- Home based business
- Mixed commercial/residential building
- Motel
- Place of worship
- Portable garage
- Residential space above C-1 uses
- Shopping centre or mall

(3) Site Provisions:

No person shall use any lot or erect, alter or use any building or structure unless such lot is served by a public water system and a sanitary sewer system and except in accordance with the following provisions:

- (a) Width of Site (minimum) 4.6 metres (15 feet)
- (b) Front Yard Depth (minimum): none required
- (c) Rear Yard Depth (minimum): 6.1 metres (20 feet)
- (d) Side Yard Depth (minimum):
 - (i) Side adjacent to a residential district: 3.0 metres (10 feet)
 - (ii) All other locations: 3.0 metres (10 feet), but where a firewall is provided or it is adjacent to a public road allowance, no side yard is required.
- (e) Building Height (maximum): at the discretion of the Development Officer.

(4) Additional Requirements:

- (a) All sites abutting a residential district shall be screened from view of the residential district to the satisfaction of the Development Officer.
- (b) All apparatus on the roof shall be screened to the satisfaction of the Development Officer.
- (c) Outside storage areas shall be screened from adjacent sites and public thoroughfares.
- (d) If a landscaped area is provided, it must be in accordance with the plan approved by the Development Officer.

- (e) Dwelling accommodation in a C-1 district shall:
 - (i) not be located below the second storey of a building;
 - (ii) have direct access to the outside street level; and
 - (iii) not be located on the same floor as a non-residential use.
 - (iv) notwithstanding Subsection 70(4)(e), the above requirements do not apply to an Apartment Building.
- (f) The exterior design and appearance of buildings and structures shall meet with the satisfaction of the Development Officer or Municipal Planning Committee as follows:
 - (i) All commercial buildings shall be constructed on a continuous permanent concrete foundation.
- (g) Accessory Buildings:
 - (i) No accessory building or structure shall be located in any yard other than a rear yard; and
 - (ii) No accessory building or structure shall be located closer than 0.9 metres (3 feet) from any rear lot line.

SECTION 71: SECONDARY COMMERCIAL DISTRICT (C-2)

(1) Purpose:

The principal purpose of this land use district is to provide for the development of a wide range of commercial uses that usually require larger tracts of land.

(2) Uses:

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses:

- Accessory building or use
- Automobile sale and service dealership
- Bus depot
- Car/truck washing establishment
- Farm implement sales and service dealership
- Gas or service station
- Household furnishing and/or appliance store
- Laundry or dry cleaning establishment
- Lumber yard
- Manufactured home-dealership
- Police detachment
- Public use
- Recreation vehicle sales and service dealership
- Restaurant
- Service or trade occupation
- Vehicle repair shop
- Warehouse for non-hazardous storage

(b) Discretionary Uses:

- Auction mart
- Bulk oil sales and distribution centre
- Portable garage
- Shops and offices for light construction trades
- Any uses listed under the column captioned Permitted Uses or Discretionary Uses in Highway Commercial District, Section 71(2)(a)& (b).

Bylaw 1162
2015/08/12

(3) Site Provisions:

No person shall use any lot or erect, alter or use any building or structure unless such lot is served by a public water system and a sanitary sewer system and except in accordance with the following provisions:

(a) Front Yard Depth (minimum): 7.6 metres (25 feet)

(b) Side Yard Depth (minimum): 3.0 metres (10 feet)

Notwithstanding sub-section 71(3)(a)&(b) when an appropriate fire wall is provided, or it is adjacent to a road allowance, the side yard depth may be reduced to zero when the adjacent lots are located in a Commercial District and all other provisions of this Bylaw are met, to the satisfaction of the Development Officer.

(c) Rear Yard Depth (minimum): 6.1 metres (20 feet)

(d) Building Height (maximum): 3 storeys or 10.7 metres (35 feet), whichever is greater.

(e) Accessory Uses:

- (i) No accessory building or structure shall be located in any yard other than an interior side yard or rear yard and
- (ii) No accessory building or structure shall be located closer than five (5) feet from any side lot line or rear lot line.

(4) Additional Requirements

(a) No use shall be established that is or will become obnoxious by way of the following:

- (i) noise;
- (ii) vibration;
- (iii) smoke, dust and other kinds of particulate matter;
- (iv) radiation hazards;
- (v) heat, humidity, glare; or
- (vi) any other nuisance factors.

(b) All storage yards shall be enclosed or completely screened by buildings, trees, landscaped features or fences or a combination thereof.

- (c) Landscaping shall be provided within any required buffer area on all motel sites.
- (d) Provision for adequate vehicular traffic circulation, site access and parking areas shall be provided on all sites to the satisfaction of the Development Officer.

SECTION 72: HIGHWAY COMMERCIAL DISTRICT (HC)

(1) Purpose:

The purpose of this land use district is to provide for the development of commercial uses along highways to serve the travelling public and for commercial developments requiring large tracts of land.

(2) Uses:

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses:

- Accessory building or use
- Hotel
- Motel
- Public use
- Restaurant

(b) Discretionary Uses:

- Automobile dealership
- Car washing establishment
- Construction office/shop
- Convenience store
- Farm machinery dealership
- Gaming establishment
- Gas bar
- Health service
- Mini-storage
- Office
- Personal services
- Portable garage
- Residential condominium
- Retail store
- Service station
- Truck stop
- Vehicle repair shop

Bylaw 1172
2016/06/22

Bylaw 1172
2016/06/22

(3) Site Provisions:

No person shall use any lot or erect, alter or use any building or structure unless such lot is served by a public water system and a sanitary sewer system and except in accordance with the following provisions:

- (a) Lot Frontage:
(minimum) 15 metres (49 feet)
- (b) Lot Depth *deleted*
- (c) Front Yard Depth (minimum): 9.1 metres (30 feet)
- (d) Side Yard Width (minimum): 3.0 metres (10 feet)
- (e) Rear Yard Depth (minimum): 6.1 metres (20 feet)
- (f) Building Height (maximum): 10.7 metres (35 feet)
- (g) Accessory Buildings:
 - (i) No accessory building or structure shall be located in any yard other than interior side yard or rear yard; and
 - (ii) No accessory building or structure shall be located closer than .9 metres (3 feet) from any side lot line or rear lot line.

(4) Additional Requirements:

- (a) Landscaping shall be provided within any required buffer area on all motel sites.
- (b) Provision for adequate vehicular traffic circulation shall be provided on all sites to the satisfaction of the Development Officer.
- (c) No portion of a lot shall be closer than 61 metres (200 feet) from the centre line of a highway.
- (d) A service road shall be provided for all highway commercial developments fronting onto a highway.
- (e) Screening or Buffer/fencing shall be provided to the satisfaction of the Development Officer where a use in a Highway Commercial District (HC) abuts a Residential zone.

SECTION 73: INDUSTRIAL DISTRICT (M-1)

(1) Purpose:

The purpose of this land use district is to provide for industrial development.

(2) Uses:

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses:

- Accessory building or use
- Autobody and repair establishment
- Construction firm
- General contractor
- Heavy equipment dealership
- Manufacturing establishment
- Oilfield contractor
- Public use
- Rental equipment business
- Repair shop
- Warehouse or storage area
- Welding shop

(b) Discretionary Uses:

- Caretaker's residence
- Grain elevator
- Industrial camp
- Portable garage
- Processing facility
- Secondary commercial use
- Seed cleaning plant

(3) Site Provisions:

No person shall use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) Front Yard Depth (minimum): 6.1 metres (20 feet)
- (b) Side Yard Depth (minimum):

- (i) 4.6 metres (15 feet)
 - (ii) The Development Officer may reduce the above side yard requirements whenever there is an abutting railway line, lane or utility lot provided fire prevention regulations are not violated.
 - (c) Rear Yard Depth (minimum): 4.6 metres (15 feet) except:
 - (i) in the case where there is no rear lane, the distance shall not be less than 4.6 metres (15 feet);
 - (ii) where the rear boundary of a site abuts a railway right-of-way no rear yard is required.
 - (d) Site Coverage (maximum): 60 percent
 - (e) Building Height (maximum): At the discretion of the Development Officer.
- (4) Additional Requirements:
- (a) Principal Building: Only one principal building per lot.
 - (b) Accessory Buildings:
 - (i) Where a structure is attached to the principal building on a site by a roof, a floor or a foundation, it is part of the principal building, even though separated from it by a passage which is open at both ends.
 - (ii) No person shall erect an accessory building unless and until the Development Officer has approved the position of such building in relation to the boundaries of the site on which it is located and to the other buildings on the site.
 - (c) Industrial buildings and accessory buildings shall, where applicable, be equipped with filtration apparatus to an acceptable standard to serve the establishment, precise details of which shall accompany the development permit application.
 - (d) Landscaping:
 - (i) Landscaping shall be to the satisfaction of the Development Officer.
 - (ii) All sites abutting a residential district shall be screened from the view of the residential district to the satisfaction of the Development Officer.
 - (iii) Any industrial development located on a site bordering a main arterial roadway or highway shall be buffered from these roadways by a strip of treed land or a raised berm of a height to be determined by the Development Officer.
 - (iv) Other than for landscaping, a developer shall apply in writing to the Development Officer for a development permit for excavation, stripping and grading with the following details:
 - a. the location of the site on which the excavation, stripping or

grading is to take place;

- b. the location of the stockpile on the site; and
- c. the present height of the land on the site in relation to any abutting thoroughfares and with relation to adjoining sites.

(e) Appearance

- (i) Any building or accessory building shall employ some of the same elevation elements, materials and colours to achieve a complementary design that will tie the structures together.
- (ii) A building shall have its exterior walls finished with a material or materials that are acceptable to the Development Officer or Municipal Planning Committee.
- (iii) The colour of building materials shall be to the satisfaction of the Development Officer.
- (iv) The appearance of the building shall be finished with brick masonry, siding, wood and/or steel type building materials.

(f) Premises Used for Outdoor Display or Storage:

- (i) The Development Officer may require that goods be displayed/stored in an orderly manner.
- (ii) The Development Officer may require that the display area in whole or in part be enclosed by a fence or wall of a design and height approved by the Development Officer.

(g) Garbage Storage:

Garbage and waste materials shall be stored in weatherproof and animal-proof containers and screened from adjacent sites and public thoroughfares.

(h) Temporary Buildings:

No temporary buildings are to be permitted on site except during the construction phase of a development and shall only be used for such construction purposes unless approved otherwise by the Development Officer.

(i) Utilities:

- (i) The necessary rights-of-way shall be proved at the time of development or subdivision of the site.
- (ii) Utility up-grading shall be coordinated to accommodate new development.

(j) Access:

All accesses shall be constructed by the developer, at the developer's expense, to the Town of Grimshaw engineering standards.

(5) Alberta Safety Codes Act:

All development shall conform to the Alberta Safety Codes Act.

SECTION 74: COMMUNITY DISTRICT (COM)

(1) Purpose:

The purpose of this land use district is to provide for the development of community uses, including institutional, cultural, recreational and open space uses.

(2) Uses:

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses:

- Accessory building or use
- Arena
- Curling club
- Community hall/centre
- Golf course
- Hospital
- Library
- Museum
- Park
- Place of Worship
- Playground
- Private religious institution
- Public use
- Recreation area
- School
- Swimming pool
- Tennis court
- Similar type recreational use

(b) Discretionary Uses:

- Dormitory residence
- Hangar
- Portable garage
- Public parking area
- Recreational vehicle park

(3) Site Provisions:

No person shall use any lot or erect, alter or use any building or structure unless such lot is served by a public water system and a sanitary sewer system and except in accordance with the following provisions:

- (a) The design, setting, construction, architectural appearance and yard dimensions of any building or structure, accessory building, signs and landscaping must be to the satisfaction of the Development Officer and/or Municipal Planning Committee; and
- (b) Any federal, provincial or municipal fire, health and safety regulations.

SECTION 75: AGRICULTURAL-URBAN RESERVE DISTRICT (A-UR)

(1) Purpose:

The purpose of this land use district is to reserve those lands in the undeveloped areas of town for future subdivision and development, and prevent premature subdivision and development.

(2) Uses:

No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:

(a) Permitted Uses:

- Accessory building or structure
- Extensive agricultural use
- Farm residence
- Public use

(b) Discretionary Uses:

- Market garden
- Natural resource extraction
- Portable garage
- Public use
- Recreational use not requiring permanent facilities

(3) Site Provisions:

No person shall use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

(a) Front Yard Depth (minimum): 7.6 metres (25 feet)

(b) Side Yard Depth (minimum): 4.6 metres (15 feet)

(c) Rear Yard Depth (minimum): 7.6 metres (25 feet)

(d) Residential Buildings on Same Site:

One residential building per site except when the site is exclusively for agriculture and the use requires an additional dwelling or dwellings for full time farm help.

-
- (e) Notwithstanding anything in this Bylaw, no person shall use land in this district for an intensive agricultural use such as a feed lot, a chicken hatchery or a hog farm.
 - (f) Natural Resource Extraction uses shall be subject to the following provisions:
 - (i) a site plan shall be submitted including excavation, stockpile areas, machinery storage areas, site access, setbacks and similar site development information,
 - (ii) rehabilitation/reuse plans shall be submitted and approved by either Alberta Environmental Protection or the Town,
 - (iii) ancillary uses such as gravel crushing, asphalt manufacture, and concrete batching plans shall be permitted only by amendment to this bylaw,
 - (iv) excavation areas shall be set back a minimum of 60.1 metres (200) feet from any street or adjacent property line,
 - (v) the application shall be submitted to the Grimshaw Gravels Aquifer Management Advisory Committee for their comments,
 - (vi) information of number and type of trucks and proposed truck routes shall be submitted to the Development Officer for review and approval,
 - (vii) topsoil shall be stripped, stockpiled and stabilized in accordance with the Town's requirements,
 - (viii) the Town may require a performance bond, letter of credit, or other security to ensure that reclamation of the site is carried out and completed to the Town's satisfaction.

(4) Special Site Provisions:

In addition to the provisions set out in Section 75(2)&(3), the following special provisions shall apply to land occupying a portion of the NW 1/4 7-83-23W5M, south of 50th Avenue and lying southwest of the railway right-of way shown on Railway Plan 1337CL and west of the Flood Control Plan 4915RS, more particularly outlined on Schedule C-1 to this Bylaw.

The following additional permitted uses, discretionary uses and provisions shall apply to the subject lands as follows:

- (a) Permitted uses:
 - Accessory building or structure
 - Park
 - Playground
 - Single-detached dwelling

- (b) Discretionary Uses:
- Home-based business
 - Public use
 - Recreational use

(c) Site Provisions - General

In addition to the General and Special Land Use Provisions of this Bylaw, the following provisions shall apply to the permitted uses and discretionary uses:

- (i) Lot Area (minimum): 4,047 square metres (43,560 square feet)
- (ii) Lot Width (minimum): 30.5 metres (100 feet), with lot width for a corner site at the discretion of the Development Officer.
- (iii) Front Yard Depth (minimum): 7.6 metres (25 feet)
- (iv) Rear Yard Depth (minimum): 7.6 metres (25 feet)
- (v) Side Yard Width (minimum):
 - a. Exterior Side Yard Width: 4.6 metres (15 feet)
 - b. Interior Side Yard Width: 4.6 metres (15 feet)
 - c. The Development Officer may decrease the side yard width requirement where deemed necessary due to the character of existing development on adjacent properties.
- (vi) Building Height (maximum): At the discretion of the Development Officer.
- (vii) Site Coverage (maximum): At the discretion of the Development Officer.
- (viii) Floor Area (minimum):
 - Principle Building: 111.5 square metres (1200 square feet)

(d) Additional Requirements

- (i) When reviewing an application for a subdivision or a development permit application, the Town shall consider the following:
 - a. access to the subject property and the construction standards for roads to be built;
 - b. provision of municipal services and utilities;
 - c. water supply for firefighting purposes;
 - d. site drainage;
 - e. provision of parking facilities, and
 - f. provision of park or other public reserves.
- (ii) Landscaping and Screening:
 - a. All developments shall conform to the amenities of the neighbourhood. Trees and other landscaping shall be provided, preserved or protected to the satisfaction of the Development Officer.

(iii) Building Appearance:

- a. The design, construction and architectural appearance of any building shall be subject to the satisfaction of the Development Officer.

(iv) Accessory Uses:

- a. No accessory building or structure shall be located in any yard other than an interior side yard or rear yard.
- b. No accessory building shall be located closer than 3.0 metres (10 feet) from any side lot line.
- c. On any lot where the rear lot line abuts onto a lane, the minimum rear yard setback for a garage facing the lane shall be 4.9 metres (16 feet).
- d. In the case of a garage, the maximum floor area allowed shall be 232.2 square metres (2,500 square feet)
- e. No accessory building shall be located closer than 3.0 metres (10 feet) from the principal building.

The Development Officer may decide on such other additional requirements as are necessary having regard to the nature of the proposed development and the intent of this district and bylaw.

SECTION 76: DIRECT CONTROL (DC)**(1) Purpose:**

The general purpose of this land use district is to regulate, direct and control the development of specialized areas, land uses and complex development proposals. The Development Authority for all proposals within this district shall be the Council of the Town of Grimshaw.

(2) Site Provisions:

- (a) A development application shall be evaluated on its own merits by Council which will establish the appropriate development standards.
- (b) In assessing a development application in a Direct Control District, Council shall have regard to but not be bound by:
 - (i) The Grimshaw Municipal Development Plan; and
 - (ii) The Grimshaw Land Use Bylaw.
- (c) Council may impose conditions deemed necessary concerning:
 - (i) parking
 - (ii) buffers
 - (iii) landscaping
 - (iv) site coverage and building orientation
 - (v) servicing
 - (vi) internal circulation
 - (vii) accessory uses
 - (viii) types of development allowed
 - (ix) signs
 - (x) exterior architecture and appearance
 - (xi) number of business establishments,

or any other requirements deemed necessary having due regard for the nature of a proposed development and the purpose and intent of this district.
- (d) An application for development shall include such information as required in Section 13 of this Bylaw.
- (e) Council shall inform the applicant upon decision on an application for a development permit that the decision cannot be appealed to the Development Appeal Board.

DIVISION 4: LAND USE OVERLAYS

Bylaw 1171
2016/06/22

SECTION 77: ESTABLISHMENT OF OVERLAYS

Bylaw 1171
2016/06/22

- (1) Overlays provide a means to alter or specify regulations for Permitted and Discretionary Uses in otherwise appropriate districts in order to achieve the local planning and development objectives in specially designated areas throughout the Town of Grimshaw as provided for in the Municipal Development Plan and other statutory plans.
- (2) Overlays shall only be applied to districts where specified in this Bylaw, which shall include:
 - (a) The name of any applicable statutory plans, and its boundaries;
 - (b) A map of the areas affected by the overlay at an appropriate scale, which may indicate the designation, location and boundaries of each underlying district; and
 - (c) Every regulation specified or changed by the overlay.
- (3) An overlay may be used to alter Permitted or Discretionary Uses, floor area ratio, height or density in accordance with any applicable statutory plan.
- 4) An overlay shall not be used:
 - (a) In conjunction with a Direct Control District.
 - (b) Where the proposed regulations or changes to the regulations of an underlying district:
 - (i) are significant enough to be inconsistent with the general purpose of that district and the designation of another district would be more appropriate;
 - (ii) are intended to provide such detailed or site specific discretionary control over the design and siting of development that the use of a direct control provision would be more appropriate.
- 5) Where there appears to be a conflict between the provisions of the Overlay and those of the underlying district, the provisions of the overlay shall take precedence and effect.

- 6) The Overlay may change or specify regulations and submission requirements and may specify conditions under which such changed or specified regulations would apply.

SECTION 78: COMMERCIAL DISTRICT OVERLAY

Bylaw 1171

2016/06/22

- (1) Purpose:

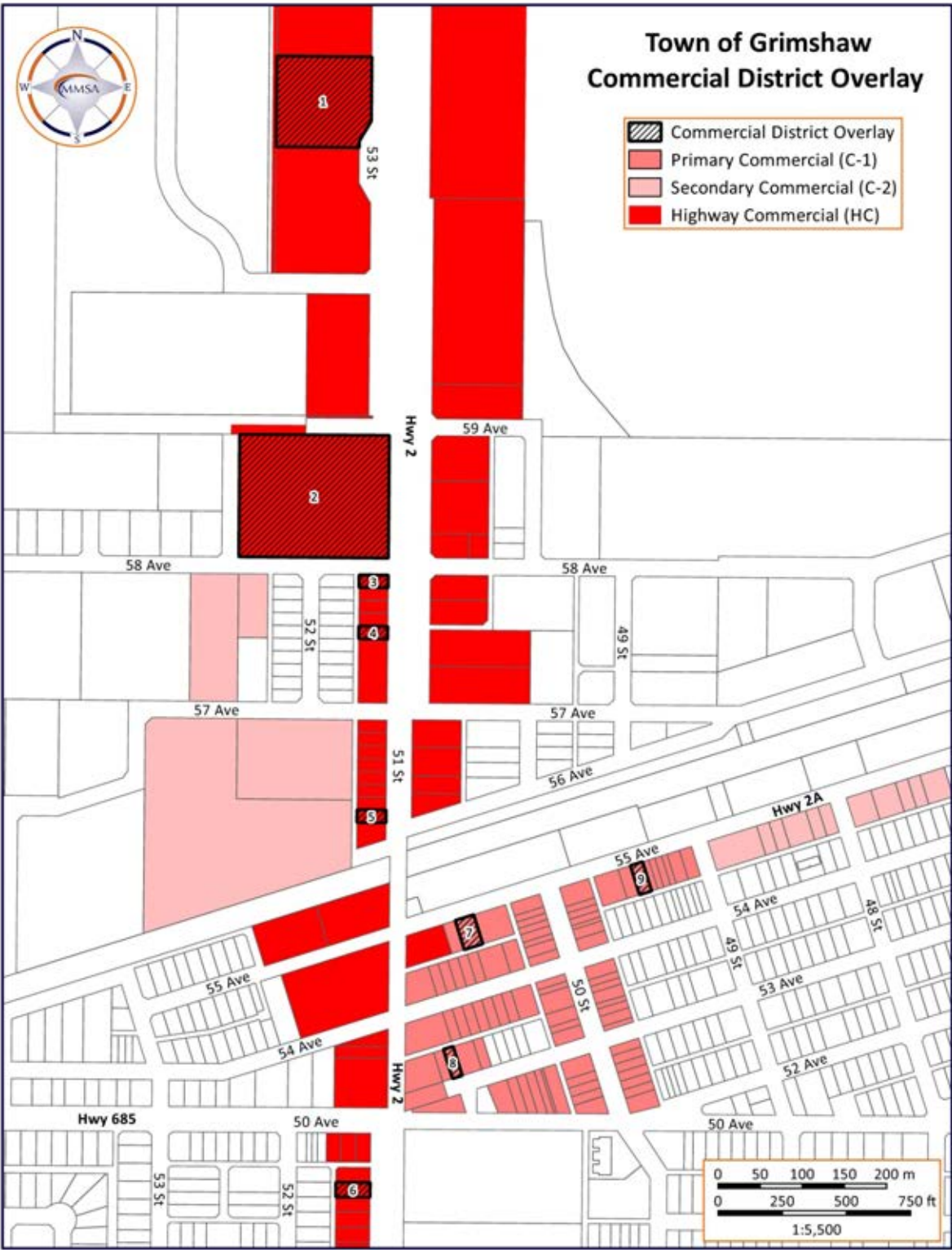
The purpose of this Overlay is to provide legally conforming status to residential buildings in commercial districts by enabling and regulating residential single-detached dwellings and manufactured home properties within the commercial districts.

- (2) Application

The regulations of this overlay apply to residential uses and single-detached dwellings, including manufactured homes, in the Primary Commercial District (C-1), the Secondary Commercial District (C-2) and the Highway Commercial District (HC). Specifically, this overlay applies to the following properties:

- (a) SE-18-83-23-5
- (b) Plan 1378HW Block 8 Lot 10
- (c) Plan 1378HW Block 8 Lot 6
- (d) Plan 748HW Block 6 Lot 2
- (e) Plan 3242KS Block 1 Lot 5
- (f) Plan 1457CL Block 2 Lot 16/17
- (g) Plan 471EO Block 4 Lot 26
- (h) Plan 1457CL Block 1 Lot 12

Bylaw 1177
2016/08/24



Bylaw 1171
2016/06/22

(3) PERMITTED USES

Permitted Uses of the underlying Land Use District.

(4) DISCRETIONARY USES

In addition to the Discretionary Uses of the underlying Land Use District the following uses are also Discretionary Uses within the Commercial District Overlay.

- Dwelling, Single-Detached
- Manufactured Home
- Live-Work Unit

(5) DEVELOPMENT REGULATIONS

- (a) The building may not be enlarged, added to, rebuilt or structurally altered unless it is for necessary maintenance approved by the Development Authority or it is to make it a conforming building or use;
- (b) Once a single-detached dwelling or manufactured home has been damaged or altered more than 75% of its value, or the residential use has been discontinued for six (6) months or longer, it must revert to a use in the underlying commercial district or in the Overlay for Commercial Districts for Non-Conforming Residential Buildings.
- (c) When a building has lost its legal non-conforming status, as per the MGA, it must be proven through the use of financial documents, utility bills or any other method(s) deemed appropriate by the development authority.

DIVISION 5: ENACTMENT

SECTION 79: AMENDMENTS

- (1) Pursuant to the Act, the Council may by bylaw amend or repeal this Land Use Bylaw.
- (2) Applications to amend this Bylaw shall be accompanied by a fee, as set by a resolution of Council from time-to-time.
- (3) The cost of advertising for the public hearing on the matter shall be borne by the applicant.
- (4) The Council may determine that the whole or part of the application fee shall be returned to the applicant if the proposed amendment is not adopted.

SECTION 80: ENFORCEMENT AND PENALTIES

- (1) Where the Development Officer finds that a development or use of land or buildings is not in accordance with the Act, the Subdivision Regulation, a development permit or subdivision approval, or this Bylaw, the Development Officer shall provide, in writing, a Stop Order which orders the registered owner or the person in possession of the land or buildings or the person responsible for the contravention of all or any of them to:
 - (a) stop the development or use of the land or buildings in whole or in part as directed by the notice;
 - (b) demolish, remove or replace the development; or
 - (c) take such other measures as are specified in the notice so that the development or use of the land or building is in accordance with the Act, the Subdivision Regulation, a development permit or subdivision approval, or this Bylaw, as the case may be.
- (2) A person who receives a notice pursuant to sub-section (1) may appeal the order to the Development Appeal Board.
- (3) The Development Officer may cause an application to be made to the Alberta Court of Queen's Bench for an injunction restraining the contravention and/or non-compliance.

- (4) When a person does not comply with an order, Council may, by resolution, direct that the Development Officer enter upon the land or building and take such action as is necessary to carry out the order and the costs incurred shall be placed on the tax roll as an additional tax against the property.
- (5) Any person who commits an offence under sub-section (1), upon summary conviction, is liable to a fine and/or imprisonment in accordance to the provisions of the Act.

SECTION 81: REPEAL OF EXISTING BYLAW

The existing Town of Grimshaw Land Use Bylaw No. 1028 and all amendments thereto are hereby rescinded.

SECTION 82: EFFECTIVE DATE

The adoption of this Bylaw No. 1146 is effective upon the date of the passing of the third and final reading.

First reading given on 08 day of May, 2013.



Nels Nelson,
Mayor



Brian Allen,
Chief Administrative Officer

Second reading given on 12 day of June, 2013.



Nels Nelson,
Mayor

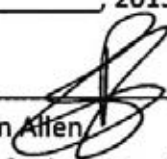


Brian Allen,
Chief Administrative Officer

Third reading given on 26 day of June, 2013.



Nels Nelson,
Mayor



Brian Allen,
Chief Administrative Officer

**TOWN OF GRIMSHAW
LAND USE BYLAW NO. 1146**

SCHEDULES

TOWN OF GRIMSHAW
LAND USE BYLAW NO. 1146

SCHEDULE A:

LIST OF AMENDMENTS

LIST OF AMENDMENTS

BYLAW No.	DATE	PURPOSE	LAND AFFECTED
1147	2013/09/25	From COM to R-2	NW-8-83-23-W5M, Blk 21, Lots 3,4,both parts of 5
1149	2013/11/27	From A-UR to M-1 & H-C	NW-17-83-23-W5M
1159	2014/10/22	From A-UR to R-2	NE-8-83-23-W5M
1162	2015/08/12	Manufactured homes and Modular buildings – revisions and regulations	
1165	2015/09/15	From C-2 to R-2	Lot 9 & 10, Blk 9, Plan 8274ET
1166	2015/10/14	From C-1 to R-2	Lot 7A, Blk 6, Plan 3861NY
1169	2016/03/23	From C-1 & R-2 to COM	Lot 3, Blk 28, Plan 1424566
1171	2016/06/22	Add Live-Work Unit Add Establishment of Overlays Add Commercial Overlay District	Overlay: SE-18-83-23-W5M Lots 6&10, Blk 8 Plan 1378HW Lot 2 Blk 6 Plan 748HW Lot 5 Blk 1 Plan 3242KS Lot 16/17 Blk 2 Plan 1457CL Lot 26 Blk 4 Plan 471EO Lot 12 Blk 1 Plan 1457CL
1172	2016/06/22	Add Health Service From HC to R-3	Lots 8&9 Blk 1 Plan 3242KS
1173	2016/06/22	From DC to R-3 From DC to R-3 From DC to R-3 From DC to R-2A From DC to R-2A From DC to R-2A From DC to R-2 From DC to R-2 From DC to R-2	Condominium Plan 0828163 Lot 6 Blk 21 Plan 8922006 Plan 0626337 Lots 1A to 9 Blk 4 Plan 6224KS Lot 1 Blk 4 Plan 748HW Lot 21 BLk 4 Plan 0526716 Lots 20 to 25 Blk 1 Plan 6197CL Lots 31 to 36 Blk 1 Plan 0822888 Lots 11 to 19 Blk 3 Plan 471EO
1174	2016/06/22	From R-2 to R-2A From R-2 to R-2A From R-2 to R-2A From R-2 to R-2A From R-2 to R-2A From R-2 to R-2A	Lots 1 to 4 Blk 7 Plan 4210HW Lots 3 to 9 Blk 18 Plan 1226HW Lots 7 to 9 Blk 19 Plan 1823 NY Lot B Blk 19 Plan 1226HW Lots 4 to 7 Blk 20 Plan 7721842 Lot B Blk 20 Plan 1226HW

1174	2016/06/22	Section 65(2) move Manufactured home from permitted to discretionary	
1175	2016/06/22	From DC to C-1	Lot 10 Blk 3 Plan 471EO
1176	2016/06/22	Remove Schedule A Forms and Section 11	
1177	2016/08/24	Update Commercial District Overlay Map	

**TOWN OF GRIMSHAW
LAND USE BYLAW NO. 1146**

SCHEDULE B:

DISTRICT MAP



Town of Grimshaw
Land Use Bylaw No. 1146

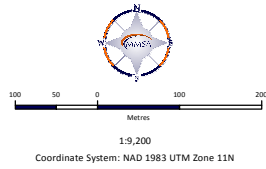
Map 1: Land Use Bylaw Districts
Adopted by Council this 26th day of June, 2013

Original Signed By:
MAYOR: Nels Nelson

Original Signed By:
CHIEF ADMINISTRATIVE OFFICER: Brian Allen

Amendments

Bylaw No.	Date	Bylaw No.	Date
1147	September 25, 2013	1175	June 22, 2016
1149	November 27, 2013		
1159	October 22, 2014		
1165	September 15, 2015		
1166	October 14, 2015		
1169	March 23, 2016		
1172	June 22, 2016		
1173	June 22, 2016		
1174	June 22, 2016		



Cadastral Data Source (Date): Altas Ltd. (Aug 2016)
Updated and Printed: Aug 2016

