

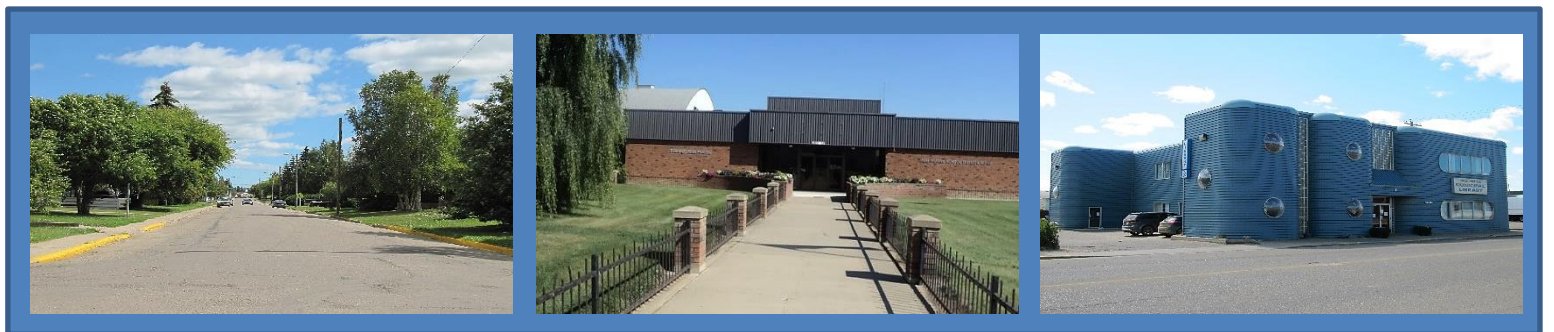


Prepared by:



Land Use Bylaw

Town of High Prairie Bylaw No. 05-2015
Adopted May 26, 2015
Consolidated August 23, 2021



LAND USE BYLAW NO. 05-2015

The Council of the Town of High Prairie hereby enacts the Town of High Prairie Land Use Bylaw in accordance with the Municipal Government Act, RSA 2000, c.M-26

Effective Date: May 26, 2015

Table of Contents

PART ONE	GENERAL.....	1
1.1	TITLE	1
1.2	PURPOSE.....	1
1.3	APPLICATION OF BYLAW	1
1.4.	CONFORMITY WITH THIS BYLAW	1
1.5	ADDITIONAL REQUIREMENTS.....	1
1.6	DEFINITIONS	1
PART TWO	DUTIES OF DEVELOPMENT AUTHORITIES.....	29
2.1	ESTABLISHMENT OF DEVELOPMENT AUTHORITIES	29
2.2	DUTIES AND POWERS OF DEVELOPMENT AUTHORITIES	29
2.3	VARIANCES	33
PART THREE	NEED FOR DEVELOPMENT PERMIT	34
3.1	REQUIREMENTS FOR LAND USE AND DEVELOPMENT	34
3.2	WHEN DEVELOPMENT PERMITS ARE NOT REQUIRED	36
3.3	NON-CONFORMING BUILDINGS AND USES.....	38
PART FOUR	DEVELOPMENT PERMIT APPLICATIONS	39
4.1	CONTENTS OF A DEVELOPMENT PERMIT APPLICATION	39
PART FIVE	PROCESSING OF A DEVELOPMENT PERMIT.....	42
5.1	REFERRAL OF APPLICATIONS	42
5.2	CONDITIONS OF A DEVELOPMENT PERMIT	42
5.3	NOTIFICATION OF PERMIT APPLICATION DECISIONS.....	44
PART SIX	APPEALING A DECISION	47
6.1	METHOD OF APPEAL	47
6.2	THE APPEAL ADMINISTRATIVE PROCESS.....	47
PART SEVEN	AMENDING THE BYLAW	48
7.1	CONTENTS OF AN AMENDMENT APPLICATION	48
7.2	THE AMENDMENT PROCESS.....	49
PART EIGHT	GENERAL REGULATIONS.....	51
8.1	BUILDING DESIGN, CHARACTER AND APPEARANCE	51
8.2	CORNER SITE RESTRICTIONS.....	51
8.3	DWELLING UNITS PER LOT.....	51
8.4	LANDSCAPING, SCREENING AND SITE DEVELOPMENT	51

8.5	OBJECTS PROHIBITED IN DISTRICTS.....	52
8.6	PARKING AND LOADING FACILITIES	53
8.7	RELOCATION OF BUILDINGS.....	57
8.8	NOTICE OF AGRICULTURAL OPERATIONS	57
PART NINE ADDITIONAL REGULATIONS FOR SPECIFIC LAND USES		58
9.1	ACCESSORY BUILDINGS	58
9.2	ACCESSORY DWELLING.....	59
9.3	CAR WASH FACILITIES.....	62
9.4	DRIVE-IN RESTAURANTS.....	62
9.5	HOME OCCUPATIONS.....	62
9.6	MANUFACTURED HOMES.....	63
9.7	SERVICE STATIONS.....	64
9.8	SHOPPING CENTRES AND MULTI-PURPOSE BUILDINGS	64
9.9	SIGNS	65
9.10	DECKS.....	69
9.12	SEA-CANS.....	71
9.13	CAMPGROUNDS	72
9.14	SOLAR ENERGY COLLECTION SYSTEMS	72
9.15	WIND ENERGY CONVERSION SYSTEMS, LARGE.....	73
9.16	WIND ENERGY CONVERSION SYSTEMS, MICRO	76
9.17	WIND ENERGY CONVERSION SYSTEMS, SMALL	76
9.19	CANNABIS RETAIL SALES.....	78
PART TEN ESTABLISHMENT OF DISTRICTS		80
10.1	LAND USE DISTRICTS.....	80
10.2	DISTRICT SYMBOLS	80
10.3	DISTRICT MAP.....	80
PART ELEVEN DISTRICT RULES		81
11.1	RESTRICTED RESIDENTIAL (R-1) DISTRICT.....	81
11.2	LOW DENSITY RESIDENTIAL (R-2) DISTRICT.....	83
11.3	MIXED RESIDENTIAL (R-3) DISTRICT	85
11.4	MULTIPLE UNIT RESIDENTIAL (R-4) DISTRICT.....	88
11.5	ACREAGE RESIDENTIAL (R-5) DISTRICT.....	90
11.6	MANUFACTURED HOME PARK (MHP) DISTRICT	92
11.7	MANUFACTURED HOME SUBDIVISION (MHS) DISTRICT	94
11.8	DOWNTOWN COMMERCIAL (C-1) DISTRICT	96

11.9	SECONDARY COMMERCIAL (C-2) DISTRICT	100
11.10	HIGHWAY COMMERCIAL (C-3) DISTRICT	104
11.11	INDUSTRIAL (M) DISTRICT	109
11.12	URBAN SERVICES (P) DISTRICT	112
11.13	URBAN RESERVE (UR) DISTRICT.....	114
11.14	DIRECT CONTROL (DC) DISTRICT	115
PART TWELVE ENACTMENT		116
12.1	ADMENDMENTS	116
12.2	ENFORCEMENT AND PENALTIES	116
12.3	REPEAL OF EXISTING BYLAW	117
12.4	EFFECTIVE DATE.....	118
SCHEDULES		
A.	MAP NO. 1: LAND USE BYLAW DISTRICTS	
B.	LAND USE MATRIX	

PART ONE GENERAL

1.1 TITLE

This Bylaw shall be known as the ***Town of High Prairie Land Use Bylaw***

1.2 PURPOSE

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

1.3 APPLICATION OF BYLAW

Unless exempted by the Act, the provisions of this Bylaw apply to all land and buildings within the boundaries of the Town of High Prairie.

1.4. CONFORMITY WITH THIS BYLAW

No person shall commence any development unless it is in accordance with the terms and conditions of a Development Permit issued pursuant to this Bylaw, where such a permit is required.

1.5 ADDITIONAL REQUIREMENTS

In addition to meeting the requirements of this Bylaw, it is the responsibility of the applicant to obtain other such approvals or licenses that may be required by the Town of High Prairie or other Provincial or Federal Government departments or agencies.

1.6 DEFINITIONS

One or more of the definitions may apply to a single site or development. Users are advised to check usage carefully as individual definitions may not be used exclusively.

ACCESSORY BUILDING OR USE means a building or use which, in the opinion of the Development Authority, is subordinate to, exclusively devoted to, and located on the same site as the principal building or use. For the purpose of this definition, this may include freestanding garages, storage sheds and similar structures.

Bylaw No. 02-2019 **ACCESSORY DWELLING - *deleted***
2019/05/14

Bylaw No. 02-2019 **ACCESSORY DWELLING, GARAGE SUITE - *deleted***
2019/05/14

Bylaw No. 02-2019 **ACCESSORY DWELLING, GARDEN SUITE - *deleted***
2019/05/14

ACCESSORY DWELLING, SECONDARY SUITES - *deleted*

ACT means the Municipal Government Act, being Chapter M26, RSA 2000, as amended.

AGRICULTURE (EXTENSIVE) means an agricultural operation involving land limited to the following activities; the cultivation of land, the production of fruits, vegetables, sod, trees, shrubs, and other specialty horticultural crops, and the operation of agricultural machinery and equipment to support the above operations.

AMUSEMENT FACILITY, INDOOR means a development providing recreational facilities with table games and/or electronic games played by patrons for entertainment. Indoor amusement facilities include billiard parlors, electronic games arcades with tables or games, and bowling alleys.

AMUSEMENT FACILITY, OUTDOOR means a development providing recreational facilities outdoors used by patrons for entertainment. Outdoor amusement facilities include amusement parks, go-cart tracks, and miniature golf-courses. Outdoor amusement facilities do not include drive-in motion picture theatres, carnivals or circuses.

APPEAL BOARD means the Subdivision and Development Appeal Board established by Bylaw.

AREA STRUCTURE PLAN means a statutory plan adopted by Council for the purpose of providing a framework for the subsequent subdivision and development of an area of land in a municipality that addresses the future development on a conceptual level.

AUCTION MART means a development specifically intended for the auctioning of goods or equipment, including the temporary storage of such goods or equipment. Auction marts do not include flea markets.

AUTO BODY AND PAINT SHOP means a facility primarily used for the repair and/or painting of motor vehicle bodies and may not include facilities for the sale of fuels, lubricants, or automotive accessories, or mechanical or electrical repairs.

AUTOMOTIVE DEALERSHIP means a building or site used for the display and sale or repair of new or used vehicles and Recreational Vehicles.

AUTO WRECKING YARD means land and buildings that are used for the storage and Dismantling of old or wrecked cars or trucks for the purpose of recycling their components.

BASEMENT means the area of a building where the floor level is a minimum of 1.0 m (3.3 ft.) below the finished grade and having a ceiling height of at least 2.0 m (6.5 ft.)

BED AND BREAKFAST OPERATION means an facility that provides breakfast together with the rental of up to three (3) bedrooms and the bath facilities of a private single detached dwelling that is permanently occupied by the operator of the facility.

BUFFER means a row of trees or shrubs, a berm or a fence to provide visual screening and separation and/or a sound 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 road or a bridge that forms part of a highway or road.

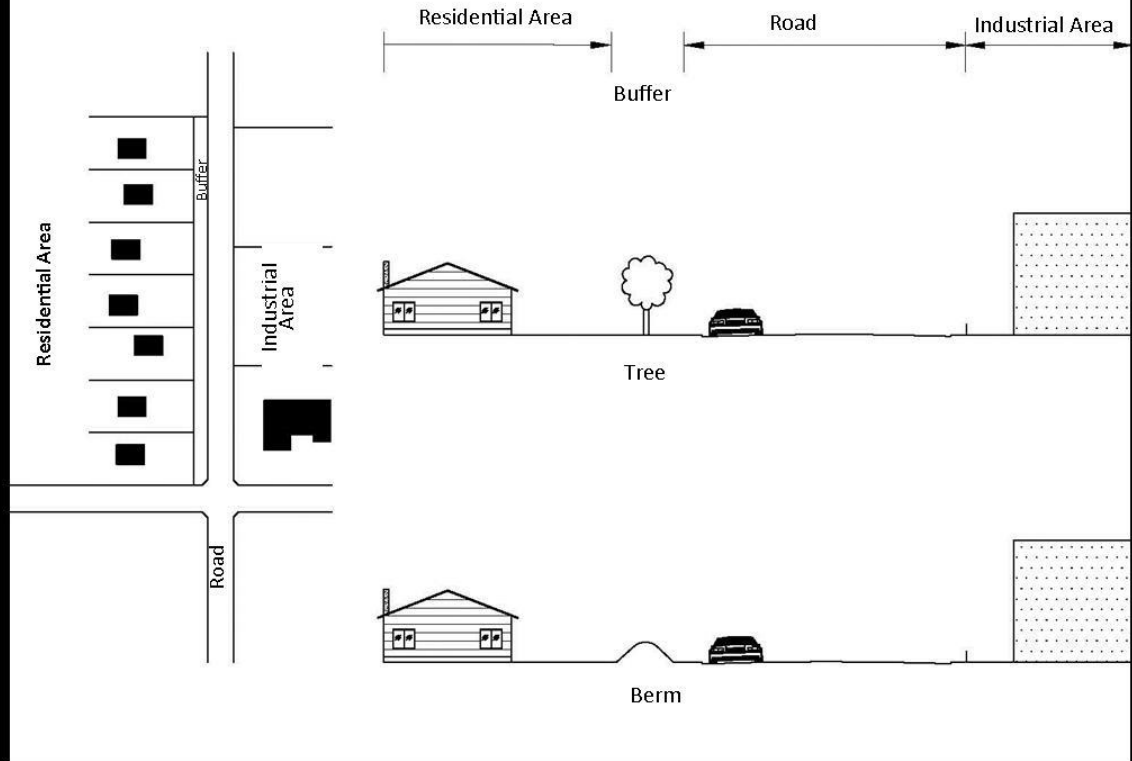
BUILDING HEIGHT means the vertical distance between the curb and the highest point of a building that is not a roof stairway entrance, ventilating fan, skylight, steeple, chimney, smoke stack, firewall, parapet wall, flag pole, or similar device not structurally essential to the building.

EXPLANATION NOTES

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

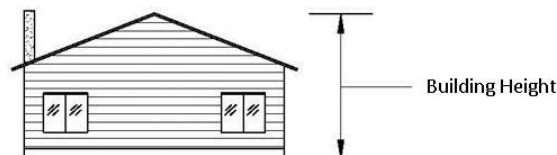
Buffer

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



Building Height

BUILDING HEIGHT means the vertical distance between the curb and the highest point of a building that is not a roof stairway entrance, ventilating fan, skylight, steeple, chimney, smoke stack, fire-wall, parapet wall, flag pole, or similar device not structurally essential to the building.



BUILDING SUPPLY OUTLET means an industrial building or site used for storage, milling, and wholesale sales of a broad range of building materials and tools, and which may include a retail operation. This use includes carpet flooring shops, plumbing, heating, sheet metal, electrical supply shops, fire and safety supplies, paint stores, and hardware or tool stores.

Bylaw No. 15-2020
2020/08/11

BULK FUEL STORAGE AND SALES means lands, buildings and structures for the storage and distribution of fuels and oils, including retail sales and key lock or cardlock operations. Bulk Fuel Storage and Sales may include a convenience retail store and sanitary sewer service as accessory to the principal use.

BUSINESS SUPPORT SERVICES FACILITY means a development providing support services to businesses. Business support services establishments are characterized by one or more of the following features: the use of minor mechanical equipment for printing, duplicating, binding or photographic processing; the provision of office maintenance or custodial services; the provision of office security; or the sale, rental, repair or servicing of office equipment, furniture and machines. Business support services establishments include printing establishments, film processing establishments, janitorial firms, and office equipment sales and repair establishments.

BUS DEPOT means a facility providing for the departure and arrival of passengers and freight carried by bus.

CAMPGROUND means any land or part thereof which may levy fees for the locating of tents or recreational vehicles and shall include any facilities or amenities secondary to the primary use, and may also include a recreation vehicle park or public campground/campsite. Temporary or seasonal storage of recreation vehicles may be permitted as an accessory use, at the discretion of the Development Authority.

Bylaw No. 11-2018
2018/07/10

CANNABIS means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the Cannabis Act (Canada) and its regulations, as amended from time to time.

Bylaw No. 11-2018
2018/07/10

CANNABIS RETAIL SALES means a retail store licensed by the Alberta Liquor and Gaming Commission (AGLC) where cannabis and cannabis accessories are sold to individuals who attend at the premises.

Bylaw No. 11-2018
2018/07/10

CANNABIS PRODUCTION FACILITY means a premise used for growing, producing, testing, destroying, storing, or distribution of cannabis authorized by a license issued by Health Canada.

CARETAKER'S RESIDENCE means a dwelling unit that is secondary or accessory to the principal industrial or commercial use of a lot and is used for the purpose of providing living quarters for the owner, operator, or superintendent of the principal use.

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

CAR WASH means a facility for the washing, cleaning or polishing of motor vehicles.

CEMETERY means a development of land for the interment or entombment of the deceased. Cemeteries include crematoriums, mausoleums or memorial parks.

CHILD CARE FACILITY means the use of a building or portion thereof for the provision of care, maintenance, and supervision of children under the age of thirteen (13) years, by persons other than one related by blood or marriage, for periods not exceeding twenty four (24) consecutive hours and includes all facilities licensed by the relevant provincial licensing authority. Child care facilities include daycares.

Bylaw No. 09-2019
2019/06/11

CLERK means the Clerk of the Subdivision and Development Appeal Board.

CONSOLIDATED BYLAW means an original bylaw that has had one or more amendments incorporated into that bylaw. A Consolidated Bylaw may, then, be updated from time to time.

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

- (a) any preliminary operation such as excavation, filling or draining;
- (b) altering an existing building or structure by an addition, enlargement, extension or other structural change; and
- (c) any work which requires a Building Permit.

CONTRACTOR SERVICE, LIMITED means a development where electrical, plumbing, heating, painting and similar contractor services are provided, primarily to individual households, and where goods normally associated with the contractor service may be stored and sold, where all materials are kept within an enclosed building, and where there are no accessory manufacturing activities or parking or storage of more than four (4) vehicles.

CONTRACTOR SERVICE, GENERAL means a development where building, concrete, landscaping, electrical, excavation, drilling, heating, plumbing, paving, road, oil field, pipeline, or similar services of a construction or services nature are provided, which have on-site storage of materials, construction equipment, or vehicles normally associated with the contractor service, and which is not a limited contractor service. Any sales, display, office or technical support service areas shall be accessory to the main use only.

COUNCIL shall mean the elected members who comprise the Council of the Town of High Prairie as elected from time to time.

Bylaw No. 15-2020
2020/08/11

CONVENIENCE RETAIL STORE means development used for the retail sale of those goods required by customers on a day-to-day basis, from business premises that do not exceed 275.0 m² (2,960 ft²) in gross floor area. Wholesale or retail liquor sales/distribution outlets or facilities are not included in this use.

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

DEVELOPMENT means any development as defined in Section 616 of the Municipal Government Act.

Bylaw No. 09-2019
2019/06/11

DEVELOPMENT AUTHORITY means the Development Officer or Municipal Planning Commission, as established by the Development Authority Bylaw No. 08-2019.

Bylaw No. 09-2019
2019/06/11

DEVELOPMENT OFFICER means the Chief Administrative Officer or a person delegated by the Chief Administrative Officer to exercise development powers and duties on behalf of the Town of High Prairie, as established by the Development Authority Bylaw No. 08-2019.

DEVELOPMENT PERMIT means a document authorizing development pursuant to this Land Use Bylaw.

DISCRETIONARY USE means the use of land or of a building which is listed under as "Discretionary Uses" for within the districts in this Bylaw, and for which a Development Permit may be issued subject to the provisions of this Bylaw.

DORMITORY RESIDENCE means a development, located on the site of an education facility, that contains one or more dwelling units for the accommodation of students attending an educational facility on a temporary basis and includes single detached

dwelling, semi-detached dwelling, duplex, dwelling group, or a multiple unit dwelling developments with associated cafeteria facilities.

DRINKING FACILITY means a facility licensed by the Alberta Gaming and Liquor Commission where alcoholic beverages are served for consumption on the premises and any preparation or serving of food is accessory thereto.

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

DWELLING GROUP means three (3) or more dwelling units located on a site where all buildings, recreation 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 outside at ground level. This includes row dwellings and stacked townhouses.

DWELLING UNIT means one (1) or more rooms used as, or designed to be used as, a residence and which contains sleeping, cooking and sanitary facilities and with an independent entrance either directly from outside the building or from a common hallway inside the building.

Bylaw No. 02-2019
2019/05/14

DWELLING UNIT, ACCESSORY means a dwelling unit which in the opinion of the Development Authority is subordinate to a single detached dwelling and located on the same site as the principal dwelling unit. For the purpose of this definition, this includes secondary suites, garage suites and garden suites, but does not include semi-detached dwellings or duplexes.

Bylaw No. 02-2019
2019/05/14

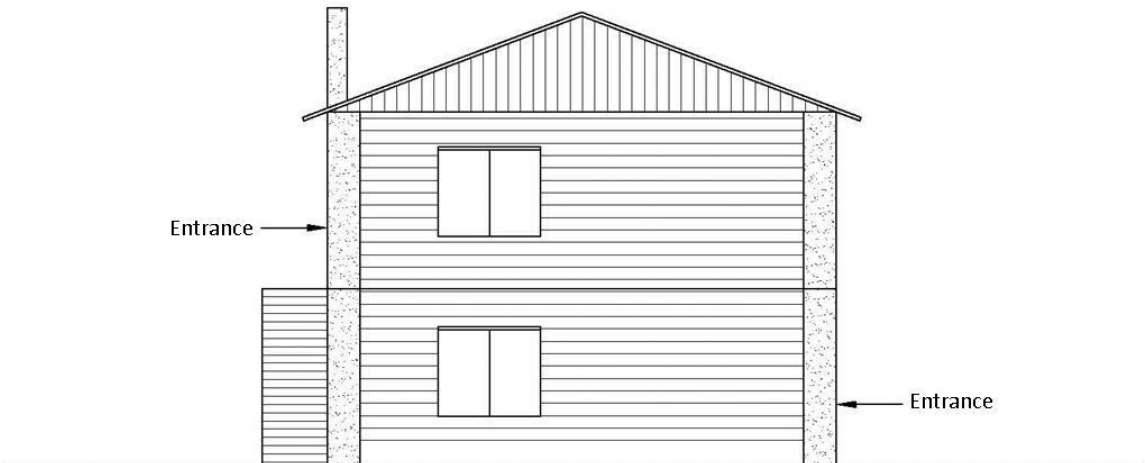
DWELLING UNIT, GARAGE SUITE means an accessory dwelling located above a detached garage (above grade) or a single-story accessory dwelling attached to the side or rear of a detached garage (at grade). A garage suite is accessory to a building in which the principal use is a single-detached dwelling. A garage suite has cooking, food preparation, sleeping and sanitary facilities which are separate from those of the principal dwelling located on the site. A garage suite has an entrance separate from the vehicle entrance to the detached garage, either from a common indoor landing or directly from the exterior of the structure. This use does not include secondary suites or garden suites.

EXPLANATION NOTES

Duplex

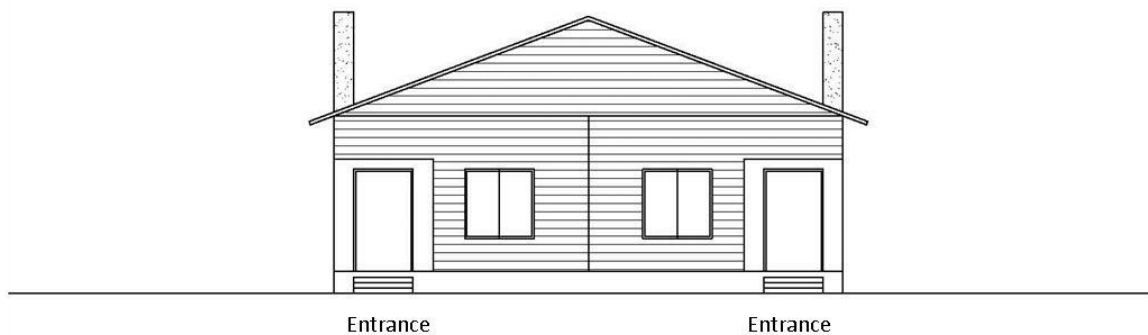
This graphic is not part of this bylaw but is provided to aid in its interpretation.

DUPLEX means a building containing two (2) 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.



Semi-Detached

SEMI-DETACHED DWELLING means two attached dwelling units that share a common wall.



DWELLING UNIT, APARTMENT means a building comprising one(1) or more dwelling units having shared entrance, in which the dwellings are arranged in any horizontal or vertical configuration, and which does not conform to the definition of any other residential use.

DWELLING UNIT, CONDOMINIUM means a building or lot containing bare land units or other units as defined in the Condominium Property Act.

DWELLING UNIT, DUPLEX means a building containing two (2) dwelling units, one above the other, each of which has an independent entrance directly from the outside or through a common vestibule.

Bylaw No. 02-2019
2019/05/14

DWELLING UNIT, GARDEN SUITE means an accessory dwelling located in an accessory building separate from the principal use which is a single-detached dwelling. A garden suite has cooking, food preparation, sleeping and sanitary facilities which are separate from those of the principal dwelling located on the site. This use does not include secondary suites or garage suites.

Bylaw No. 02-2019
2019/05/14

DWELLING UNIT, MANUFACTURED HOME means a factory constructed dwelling intended for residential occupancy that is consistent with the CSA-A277 or with the CSA-Z240 standard for homes built prior to 1992, and that has a length-to-width ratio of more than 2.5:1. A manufactured home is normally constructed off-site and then transported to its site. Upon arriving at the site apart from incidental operations such as placement on a foundation and connection of utilities, it is ready for year-round use as a dwelling for one household. A manufactured home does not include a single detached dwelling developed as a modular building, a recreational vehicle or an industrial camp trailer.

Bylaw No. 02-2019
2019/05/14

DWELLING UNIT, SECONDARY SUITE means an accessory dwelling consisting of a dwelling located within and accessory to a structure in which the principal use is single detached dwelling. A secondary suite has cooking, food preparation, sleeping and sanitary facilities which are physically separate from those of the principal dwelling within the structure. A secondary suite also has an entrance separate from the entrance to the principal dwelling unit, either from a common indoor landing or directly from the side or rear of the structure. This use class includes the development or conversion of basement space or above-grade space for a secondary suite, or the addition of new floor space for a secondary suite to an existing single detached dwelling. This use class does not include duplex, semi-detached, or apartment dwelling units, and does not include garage suites, garden suites.

DWELLING UNIT, SEMI-DETACHED means two attached dwelling units that share a common wall.

DWELLING UNIT, SINGLE DETACHED means a residential building that meets or exceeds the Provincial Building Code.

DWELLING UNIT, TOWNHOUSE means a single building comprised of three (3) or more dwelling units separated one from another by party-walls extending from foundation to roof, with each dwelling unit have a separate, direct entrance from grade and includes all row, linked, patio, garden court or other housing which meet such criteria.

EATING AND DRINKING FACILITY means a development where food and/or beverages are prepared and offered for sale to the public, for consumption within the premises, at an accessory outdoor seating area on the site, or off the site. An eating and drinking facility do not include either a drinking facility or an entertainment facility unless otherwise provided for in an approved development permit.

EDUCATION FACILITY means a development where educational, training, or instruction occurs under the auspices of a School Division or under the auspices of an organization authorized by the Province to provide education similar to that which would be provided by a School Division. Education facilities include the administration offices, storage, and maintenance operations of the School Division. Education facilities include public and separate schools, community colleges, universities, technical and vocational schools, and private academies or “charter schools”, and their administrative offices and maintenance facilities.

ENTERTAINMENT FACILITY means a development where persons are entertained by music, theatre, or the like. An entertainment facility includes theatre, dancing or cabaret entertainment, whether recorded or live. An eating and drinking facility may contain within it an entertainment facility, but only if specifically provided for in an approved development permit.

EQUIPMENT RENTAL FACILITY means a development where tools, appliances, recreation craft, office machines, furniture, light construction equipment, or similar items are rented and serviced. Equipment rental facilities do not include developments where motor vehicles or industrial equipment are rented or serviced.

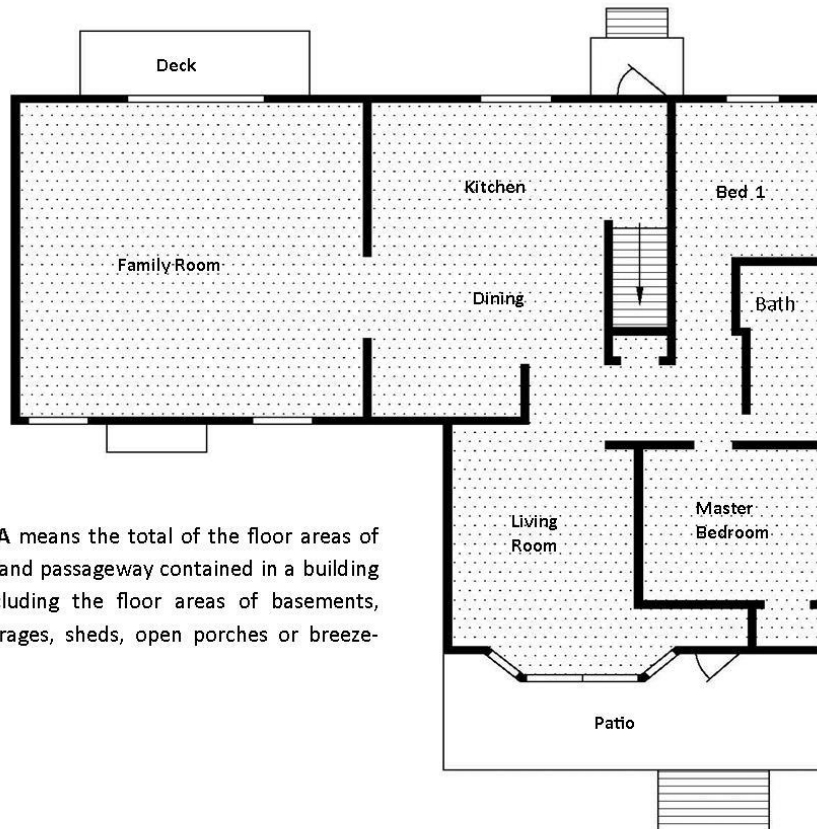
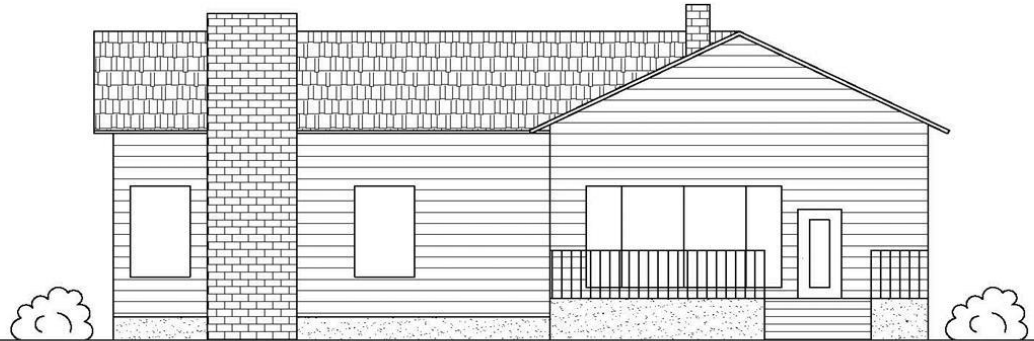
FEED MILL means a building wherein farm commodities are brought, stored, and sold, and also includes the drying, processing and elevation for storage of farm commodities such as grain.

FLOOR AREA means the total of the floor areas of every room and passageway contained in a building but not including the floor areas of basements, attached garages, sheds, open porches or breezeways.

EXPLANATION NOTES

Floor Area

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



FLOOR AREA means the total of the floor areas of every room and passageway contained in a building but not including the floor areas of basements, attached garages, sheds, open porches or breezeways.

GARAGE means an accessory building or part of the principal building designed and used primarily for the storage of non-commercial motor vehicles.

Bylaw No. 02-2019
2019/05/14

GENERAL RETAIL ESTABLISHMENT means the use of a building or portion thereof where goods, wares, merchandise, substances, articles or things are stored, offered or kept for sale or rent and includes storage within the premises of quantities sufficient to service such store, but does not include a warehouse or distribution sales.

GOVERNMENT SERVICE means a development where municipal, provincial, or federal government services are provided directly to the public. Government services may include government administration offices, courthouses, postal distribution offices, manpower and employment offices and social services offices. Government services do not include protective and emergency services, major and minor utility services, and public education facilities.

GRADE means the average level of finished ground adjoining building at all exterior walls. However, if the grade is above the natural ground slope level, the Development Authority may measure grade not from the finished ground adjoining a building, but from the approximate average level of the naturally occurring ground that existed prior to construction of the building.

GRAIN ELEVATOR means a structure that is used for the storage of grain and is usually located in such a manner to take advantage of a rail or truck loading facility.

Bylaw No. 11-2018
2018/07/10

GREENHOUSE means a building constructed primarily of glass or other transparent material used for cultivation of plants.

GROUP HOME means a development using a dwelling unit as a facility which is authorized, licensed or certified by a provincial authority to provide room and board for foster children or for physically, mentally, socially, developmentally or behaviorally challenged persons and which may be for the personal rehabilitation of its residents either through self-help or professional care, guidance and supervision. The residential character of the development shall be maintained with the occupants living together as a single housekeeping group using shared kitchen facilities. A group home may incorporate accommodations for resident staff as an accessory use.

HEALTH SERVICE means a development where physical or mental health services are provided on an out-patient or on an in-patient basis. If the services are provided on an inpatient basis, health service may include room and board for the sick, injured, or infirm, and may also include accessory staff residences. Such services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counseling nature. Health service also means a pharmaceutical retail establishment. Health services includes medical, chiropractic and dental offices, health clinics and counseling services, hospitals, sanitariums, nursing homes, convalescent homes, isolation facilities, psychiatric hospitals, auxiliary hospitals, and detoxification centres.

HOME OCCUPATION means the secondary use of a principal dwelling, or combination of a principal dwelling and an accessory building, in a residential neighbourhood to conduct a business activity. Home occupations shall not be noticeable from the outside of the dwelling.

HOTEL means development used for the provision of rooms or suites for temporary sleeping accommodation where the rooms have access from a common interior corridor and are not equipped with individual kitchen facilities. Hotels may include a eating and drinking facility or other meeting rooms.

HOUSEHOLD REPAIR SERVICE means a development where goods, equipment and appliances normally found within a dwelling unit may be repaired. Household repair services include radio, television, appliance and electronic repair shops and furniture refinishing and upholstery shops, but do not include Personal Service Facility. Household Repair Services shall not have any outdoor storage.

INDOOR RECREATION FACILITY means a development for sports and active recreation within an enclosed building. Indoor recreation facilities include such facilities as ice arenas, gymnasiums, curling rinks, swimming pools, and similar, though smaller, facilities. As well, indoor recreation facilities may also include meeting rooms and eating and drinking establishments as accessory uses.

INDUSTRIAL, LIGHT MANUFACTURING AND PROCESSING means a development used principally for one or more of the following: processing of raw materials; the manufacturing or assembling of semi-finished or finished goods, products or equipment; the storage, cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial, business or household use; terminals for the storage or transshipping of materials, goods and equipment (excluding crude oil). Any indoor display, office, technical, administrative support, or retail sale operation shall be ancillary to the general industrial uses listed above. The use includes only those developments

where no significant nuisance factor is created or apparent beyond the boundaries of the site.

INDUSTRIAL, HEAVY MANUFACTURING AND PROCESSING means a large-scale industrial manufacturing or processing activity. Without restricting the generality of the foregoing, heavy manufacturing and processing industry would include plants for the manufacture of petroleum products, pulp and paper products, stone, clay and glass products, cement and lime products, fertilizers, animal by-products; plants engaged in the primary metal industry, including metal processing; the processing of natural gas or its derivatives; and incinerators, including those for municipal and industrial use. Heavy industrial uses may have some negative effect on the safety, use, amenity and enjoyment of adjacent or nearby sites due to appearance, noise, odour, emission of contaminants, fire or explosive hazards, or dangerous goods.

KENNEL means a development in which four (4) or more domestic pets over six (6) months in age are maintained, boarded, bred, trained co cared for or kept for purposes of sale.

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

- (a) "soft landscaping" consisting of vegetation such as trees, shrubs, hedges, grass and ground cover;
- (b) "hard landscaping" consisting of non-vegetative materials such as brick, stone, concrete, tile, and wood, excluding monolithic concrete and asphalt.

LIBRARY OR CULTURAL EXHIBIT means a development where literary, artistic, municipal and/or similar reference materials in the form of books, manuscripts, recordings and films are stored, collected, available, and distributed for public use, viewing, or enjoyment; or a development where works or objects of historical, scientific or artistic value are collected, preserved and exhibited to the public. Libraries or cultural exhibits include museums, outdoor exhibits and art galleries.

Bylaw No. 11-2018
2018/07/10

LICENSED MEDICAL MARIHUANA PRODUCTION FACILITY - *deleted*

LIQUOR STORE means a building or part of a building use for the display and retail sale of alcoholic beverages.

LIVESTOCK SALES YARD means any enclosed area of land, with or without accessory buildings or structures, upon which livestock is collected for sale or for market distribution.

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

LOT means a "lot" as defined in the Act.

LOT AREA means the area contained within the boundaries of a lot shown on a plan of subdivision or described in a Certificate of Title.

LOT, CORNER means a lot having a frontage on two or more streets at their intersection or junction.

LOT COVERAGE means the percentage of the area of any lot which is covered by buildings or structures excepting balconies, driveways, parking areas, and sidewalks.

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 LINE means a legally defined limit of any lot.

LOT LINE, FRONT means the boundary dividing the lot from an abutting public roadway. In the case of a corner lot the shorter lot line shall be the front lot line.

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

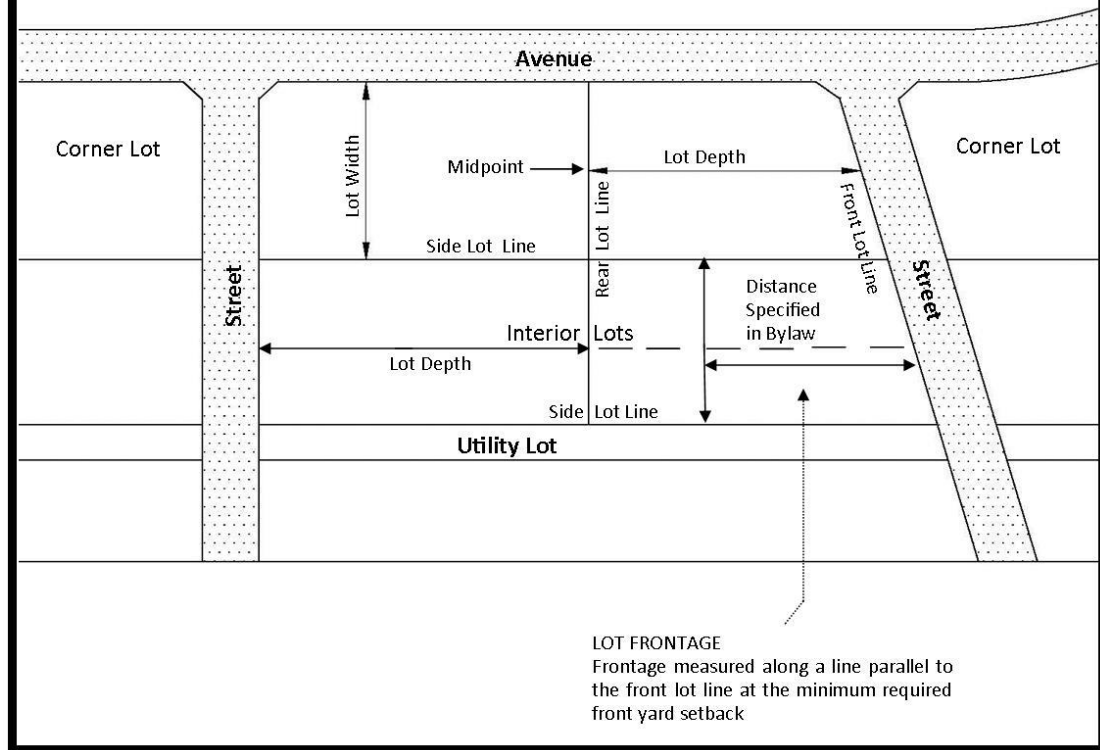
LOT LINE, SIDE means any lot line other than the front or rear lot line.

LOT WIDTH means the distance between the side lot lines at a point midway between the front and rear of the lot and approximately parallel to the street line.

EXPLANATION NOTES

Lot Definitions

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



MANSARD means a form of roof with a double pitch, in which the lower slope is steeper than the upper slope.

Bylaw No. 11-2018
2018/07/10

MARKET GARDEN means the use of land for the commercial growing of vegetables or fruit.

MIXED-USE BUILDING means an industrial building that is designed to contain both commercial and industrial uses.

Bylaw No. 02-2019
2019/05/14

MOBILE HOME - *deleted*

Bylaw No. 02-2019
2019/05/14 **MANUFACTURED HOME LOT** means that portion of a manufactured home park that has been reserved for the placement of a manufactured home and related accessory buildings.

Bylaw No. 02-2019
2019/05/14 **MANUFACTURED HOME PARK** means a development on a lot under single ownership and managed by a park operator that is designed to accommodate numerous manufactured homes on leased sites in a community setting. Such developments may include accessory buildings or use, such as laundry, recreation and storage facilities for the use of park residents.

Bylaw No. 02-2019
2019/05/14 **MANUFACTURED HOME SUBDIVISION** means a development consisting of manufactured homes each of which is located on an individual lot.

Bylaw No. 02-2019
2019/05/14 **MODULAR BUILDING** means a building constructed in a factory in one or more modules in accordance with the Canadian Standards Association (CSA) A277 standard and transported to the site for installation. For the purpose of this Bylaw, a modular building is construction method not a land use, and includes residential, commercial, industrial and institutional buildings.

MOTEL means a building or group of buildings designed for the accommodation of the public containing guest rooms, each of which has a separate entrance directly from outside the building.

MOTOR VEHICLE DEALERSHIP means premises for the display and sale of motor vehicles including automobiles, farm equipment, heavy equipment designed for specialized purposes, and purpose built recreational vehicles.

MUNICIPAL PLANNING COMMISSION means the Municipal Planning Commission established by Bylaw 19-2005.

NATURAL RESOURCE EXTRACTION INDUSTRY means an industry engaged in the extraction of natural resources such as trees, clay, sand and gravel, limestone, shale, coal, and other minerals including petroleum and natural gas and which may include bringing these together with other elements such as power or water into integrated processes for the purpose of primary treatment into a marketable form.

NEIGHBOURHOOD COMMERCIAL DEVELOPMENT means a development where goods and services required by area residents or employees on a day to day basis are provided, bought or sold. The gross leasable area of a neighbourhood commercial development shall not exceed 275.0 m² (2,960 ft²). Neighbourhood commercial developments include small food stores, drug stores, and variety stores selling confectionary, tobacco,

groceries, beverages, pharmaceutical and personal care items, hardware, and/or printed matter as well as small personal service shops.

NON-CONFORMING BUILDING means a building:

- (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the building or the land on which the building is situated becomes effective, and
- (b) that on the date this land use bylaw become effective does not, or when constructed will not, comply with this Land Use Bylaw.

NON-CONFORMING USE means a lawful specific use:

- (a) being made of land or a building or intended to be made of a building lawfully under construction, at the date a land use bylaw affecting the land or building becomes effective, and
- (b) that on the date this land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with this Land Use Bylaw

OFFICE USE means a development where government, professional, management, administrative, consulting, and financial services may be provided. Office uses include the offices of lawyers, accountants, engineers, architects, and realtors. Office uses also include insurance firms; clerical, secretarial, employment and telephone answering and similar office support services; banks, credit unions, loan offices and similar financial institutions but does not include the offices of governmental and public agencies.

OILFIELD SUPPORT means a development that provides cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with the oil and gas industry and may include the storage or transshipping of such materials, goods and equipment, including petrochemical products and supplies. This definition applies to oil and gas industry support operations and includes, but is not limited to, seismic and surveying, well servicing, oilfield haulers, pipeline contractors and welding operations.

ORIGINAL BYLAW shall mean any bylaw which is still in its original state and has not been amended or modified.

OUTDOOR RECREATION FACILITY means development providing facilities which are available to the public at large for sports and active recreation conducted outdoors. Typical uses include golf courses, driving ranges, ski hills, ski jumps, sports fields, outdoor

tennis courts, unenclosed ice surfaces or rinks, athletic fields, boating facilities, outdoor swimming pools, bowling greens, riding stables and fitness trails.

OUTDOOR STORAGE means an accessory development where, in the opinion of the Development Authority, goods, materials, or equipment are or may be placed outside of a building on a more or less permanent or continuous basis.

PARCEL means a parcel of land as defined in the Act.

PARK OR PLAYGROUND means a development designed or reserved for active or passive recreational use, including all natural and man-made open space and landscaping, facilities, playing fields, and buildings that are consistent with the general purposes of recreation, whether or not such recreational facilities are publicly operated or operated by other organizations pursuant to arrangements with the public authority owning the park or playground. Park or playground includes tot lots, band shells, picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds, water features, baseball diamonds, football fields, soccer pitches, and similar outdoor sports fields.

PARKING STALL means a space within a building or a private or public parking area, (exclusive of aisles, ramps and columns), for the parking of one vehicle.

PERMITTED USE means the use of land or of a building which is listed in the column captioned "Permitted Uses" in a table of uses for most districts in this Bylaw, and for which a Development Permit shall be issued subject to the provisions of this Bylaw.

PERSONAL SERVICES FACILITY means a development used for the provision of services to an individual that are related to the care and appearance of the body, or the cleaning and repair of personal effects. For purposes of clarification this includes barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, dry cleaners, and similar uses.

PLACE OF WORSHIP means a development where worship and related religious, philanthropic, and social activities occur. Accessory developments include rectories, manses, classrooms and dormitories. Places of worship include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries.

POLICY shall mean a statement of the Town's intention in certain areas of its responsibility for guidance when action is being taken in those areas. Policies shall be approved by Council.

PROCEDURES shall mean instructions established to carry out the intent of a Town Policy.

PRINCIPAL BUILDING OR USE means a building or use that, in the opinion of the Development Authority, is the main purpose for which the building or site is ordinarily used.

PRIVATE CLUB means development used for the meeting, social or creational activities of members of a non-profit philanthropic, social service, athletic, business or fraternal organization, with neither on-site dwellings nor hotel or motel rentable units. Private clubs may include eating and drinking establishments and rooms for assembly.

PROTECTIVE AND EMERGENCY SERVICES means a development where the administration of the protection of persons and property from injury, harm or damage takes place, and where the equipment necessary for such activities is stored, maintained, and supplied. Protective and emergency services may include police stations, detention centres, fire stations, and accessory training facilities.

Bylaw No. 02-2019
2019/05/14

PUBLIC EDUCATION FACILITY - *deleted*

PUBLIC USE means a building, structure, or site used for public administration and services by the Town, by any board or agency of the Town, by any department, commission or agency of the Governments of Alberta or Canada, by a public utility, by a school board, or by a non-profit organization.

PUBLIC UTILITY means a public utility as defined in the Act.

REAL PROPERTY REPORT means a certificate prepared by an Alberta Land Surveyor that indicates the specific location of existing buildings on a lot.

RESIDENTIAL USE means the occupation and use of land and buildings by and as dwellings, whether on a seasonal or year-round basis.

RESTAURANT means a facility where food is prepared and served for sale to the public.

REVISION shall mean the process as defined in Division 7, Sections 63 through 69 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto.

RIDING STABLE means a facility that is used for horse riding activities and may include buildings that are necessary for the storage of the horses or other functions related to this activity.

ROAD means a road as defined in the Act.

SEA-CAN means a container, including a sea/land/rail shipping container, which is used as a storage vault. A sea-can shall only be allowed on a lot and use as an accessory building and/or use to a main building or use. A sea-can shall not be used for a dwelling or any part of a dwelling; and, notwithstanding any other provision of this Bylaw to the contrary, not attached, in any way, to a main building.

SCREENING means a fence, berm or hedge used to visually separate two or more sites.

Bylaw No. 09-2019
2019/06/11

SECRETARY - *deleted*

SEED CLEANING PLANT means a building used for the storage and preparation of seed used in agriculture.

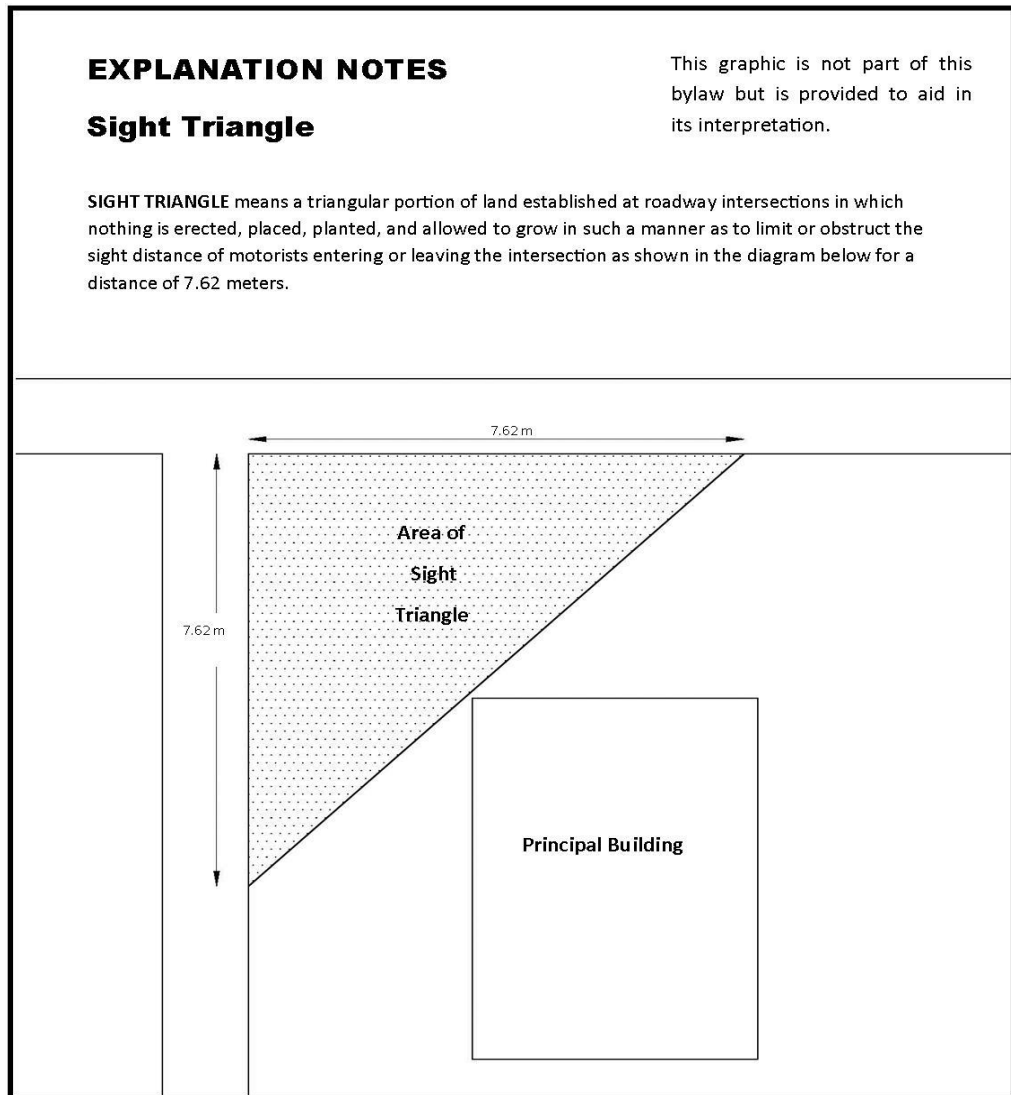
SENIOR CITIZEN'S COMPLEX means any home for senior citizens sponsored and administered by any public agency or any service club, Religious Assembly, or other non-profit organization, either of which obtains its financing from Federal, Provincial, or Municipal Governments or agencies, or by public subscription or donation, or by any combination thereof, and may include accessory uses such as club and lounge facilities, usually associated with senior citizens developments. Or, means a structure(s) providing residence for a group of senior citizens (60 years of age or more) with central or private kitchen, dining, recreational, etc. facilities with separate bedrooms and/or living quarters.

SETBACK means, depending on the context of the term, the horizontal distance between buildings or a lot boundary and buildings.

SERVICE STATION means a development where gasoline, lubricating oils, and other automotive fluids and accessories for motor vehicles are bought and sold. Service stations may also include facilities for the servicing or repairing of motor vehicles, and a towing service dispatch point, but not including body repair or paint shops. Service stations which do not include any facilities for servicing or repairing of motor vehicles are often referred to as gas bars.

SHOPPING CENTRE means a building or a group of buildings, comprising retail commercial and similar uses, with shared off-street parking facilities, and which may be managed as a single unit.

SIGHT TRIANGLE means a triangular portion of land established at roadway intersections in which nothing is erected, placed, planted, and allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection as shown in the diagram below for a distance of 7.62 meters.



SIGN means any visual medium, including its structure and other component parts, used on a permanent or temporary basis to convey information, to advertise, or to attract attention to a product, service, place, activity, person, institution or business. Without limiting the generality of the foregoing, signs shall include banners, placards, and painted messages, but not national flags, interior window displays of merchandise, or signs painted on or attached to a licensed motor vehicle.

SIGN, AWNING OR CANOPY means a Sign painted or stenciled on the fabric surface of a shelter supported entirely from the exterior wall of a building and which may be designed to be collapsible, retractable or capable of being folded against the wall of the supporting building.

SIGN, DIRECTIONAL means a sign that contains no advertising, but is limited to the distance and direction to a place of business or other premises indicated on the sign.

SIGN, FREE-STANDING means every sign supported independently of a building, wall or structure. It is supported by one or more columns, uprights, or braces in or upon grade and includes ground-mounted signs, portable signs and the like.

SIGN, MANSARD ROOF means a sign extending from a mansard roof. It is vertical and supported by braces extending from the mansard roof.

SIGN, PORTABLE means any sign or advertising device that can be carried or transported from one site to another, is intended to be used or erected on such sites for temporary purposes of advertising or promotion and includes electric and changeable copy signs but shall not obstruct sight triangles.

SIGN, WALL means a flat sign, plain or illuminated, running parallel for its whole length to the face of the building to which it is attached and includes fascia signs and the like.

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

SOLAR ARRAY means multiple solar panels used in conjunction to produce electricity.

SOLAR ENERGY COLLECTION SYSTEM means a system of one or more buildings or additions to buildings designed to convert solar energy into mechanical or electrical energy and include solar arrays, solar panels that are free standing, ground and roof mounted.

SOLAR PANEL, FREE STANDING means a device which is used to convert energy contained within the sun's rays into electricity, which is not mounted or attached to any other structure for support.

SOLAR PANEL, ROOF MOUNTED means a device which is used to convert energy contained within the sun's rays into electricity, which is located, mounted, or attached to the roof of a structure.

TEMPORARY means a use that occurs for a maximum of three (3) months from the date of Development Permit approval with allowance for a three (3) month extension by the Development Authority.

TOWN shall mean the corporate municipality of the Town of High Prairie.

TRUCKING OR CARTAGE FACILITY means a development where goods shipped by truck are transferred from one truck to another, or where trucks are dispatched to pick up and/or deliver goods. Trucking or cartage facilities may include dispatch offices or storage compounds for the temporary storage of goods, and include moving or cartage firms involving vehicles with a gross vehicle weight of more than 3,000.0 kg (6,613.9lbs.).

VETERINARY CLINIC means a development where domestic pets are cared for and treated, including hospitalization for fewer than four (4) days. Veterinary clinics may also treat livestock, but they will be treated via out-patient care. All animals shall be kept within an enclosed building.

VEHICLE REPAIR ESTABLISHMENT means development used for the servicing and mechanical repair of automobiles, motorcycles, snowmobiles, recreational vehicles, and trucks, including the sale, installation or servicing of related accessories and parts. This use class includes transmission shops, muffler shops, tire shops, automotive glass shops, upholsterer shops, and body repair and/or paint shops.

WIND ENERGY CONVERSION SYSTEM (WECS) means a system consisting of subcomponents which convert wind energy to electrical energy and which has major components of generator rotors, tower and a storage system.

WIND ENERGY CONVERSION SYSTEM, LARGE means one or more buildings designed to convert wind energy into mechanical or electrical energy and which has a rated capacity equal to or greater than 300 kW.

WIND ENERGY CONVERSION SYSTEM, MICRO means a small-scale wind turbine, which is small in height and diameter and can be installed on the roof of a building or structure.

WIND ENERGY CONVERSION SYSTEM, SMALL means a wind energy conversion system (WECS) consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than 300 kW, and which is intended to provide electrical power for use on-site (either behind the meter or off-grid) and is not intended or used to produce power for resale.

YARD means a part of a lot that lies between the principal building and the lot line.

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

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

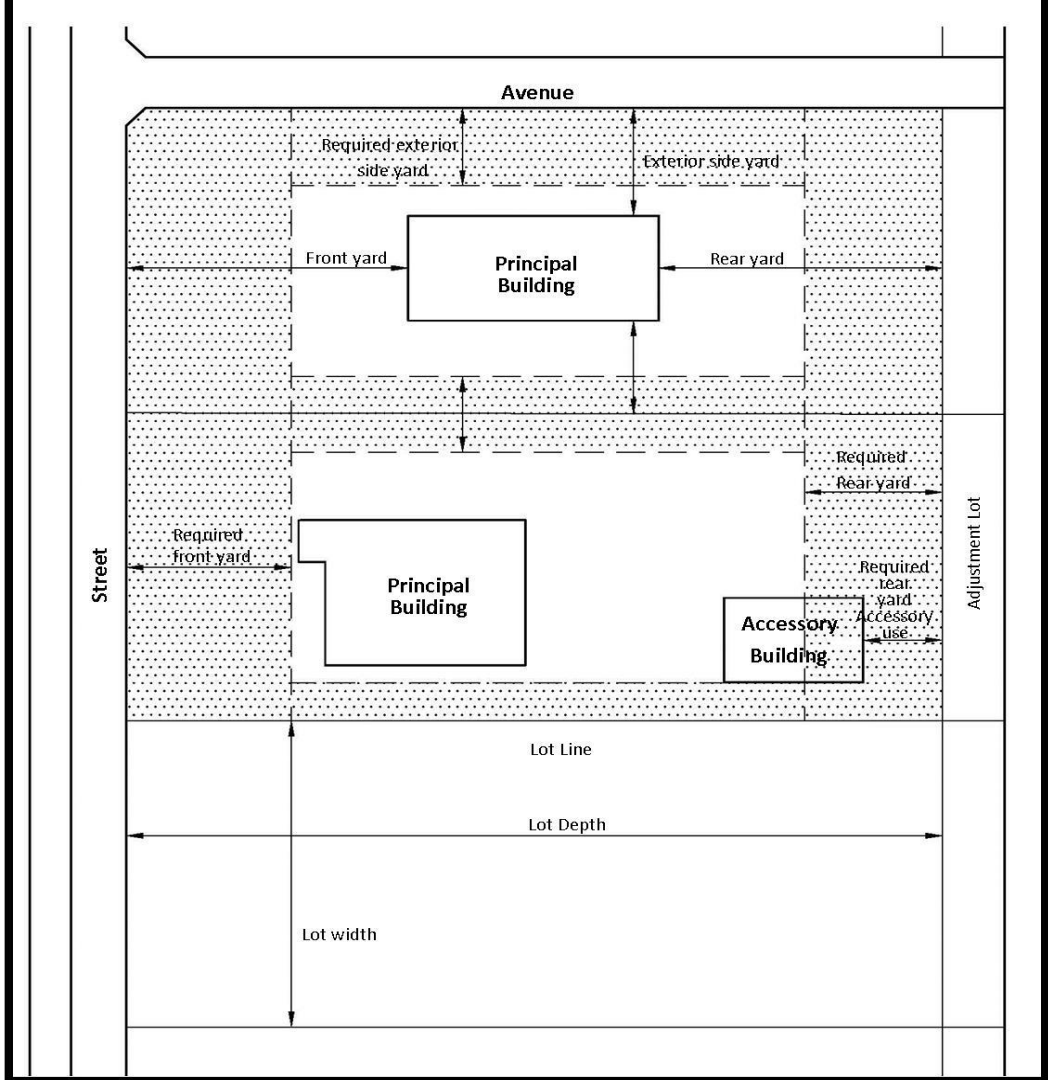
YARD, INTERIOR SIDE means a side yard other than an exterior side yard.

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

EXPLANATION NOTES

Yard Definitions

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



PART TWO DUTIES OF DEVELOPMENT AUTHORITIES

2.1 ESTABLISHMENT OF DEVELOPMENT AUTHORITIES

2.1.1 The Development Authority of the Town of High Prairie is established by Bylaw No. 08-2019 and amendments thereto pursuant to Section 624 of the *Municipal Government Act*.

2.2 DUTIES AND POWERS OF DEVELOPMENT AUTHORITIES

2.2.1 In accordance with the Act, the Development Officer shall:

- (a) receive, consider and decide upon applications for a development permit; and
- (b) keep and maintain for inspection of the public during office hours, a copy of this Bylaw and all amendments thereto, and ensure that copies are available to the public at a reasonable charge;
- (c) keep a register of all applications for Development Permits, including the decisions therein and the reasons therefore, for a minimum period of seven (7) years;
- (d) refer to all Development Permit applications proposed in a Direct Control district to Council for a decision.

2.2.2 The Development Officer shall, within 20 days after receipt of a development permit application, determine whether the application is complete or incomplete, unless this period is extended by a written agreement between the Development Officer and the applicant.

2.2.3 When, in the opinion of the Development Officer:

- (a) sufficient details of a proposed development have been included with the application for a development permit, the Development Officer shall, in a form and manner appropriate, issue a notice of complete application to the applicant, advising that the application is complete within 20 days from the receipt of the application or the extended time period agreed upon between the Development Officer and the applicant under section 2.2.2.
- (b) sufficient details of a proposed development have not been included with the application for a development permit, the Development Officer shall, in a form and manner appropriate, issue a notice of incomplete application to the applicant, advising that the application is incomplete within 20 days from the receipt of the application or the extended time period agreed upon between the Development Officer and the applicant under subsection 2.2.2. The notice shall outline any outstanding information and/or documentation and a date by which all the required information and/or documentation must be submitted by the applicant for the application to be considered complete.

2.2.4 Notwithstanding subsection 2.2.3, if the Development Officer does not issue a notice of complete or incomplete application for a development permit application within 20 days from the date of receipt of the application, or the extended time period agreed upon between the Development Officer and the applicant, the application is deemed to be complete.

2.2.5 Notwithstanding the issuance of a notice of complete or incomplete application pursuant to subsection 2.2.3, or failure to issue a notice under subsection 2.2.3, the Development Authority may request additional information or documentation from the applicant that the Development Authority considers necessary to review the application.

2.2.6 If an applicant who has been issued a notice of incomplete application under subsection 2.2.3 (b):

- (a) submits all the required information and/or documentation by the date given in the notice, the Development Officer shall, in a form and manner appropriate, issue a notice of complete application to the applicant, advising that the application is now complete.

- (b) fails to submit all the required information and/or documents by the date given in the notice, the application is deemed refused.

2.2.7 Where an application for a development permit is deemed refused under subsection 2.2.6 (b), the Development Officer shall issue a notice to the applicant, stating that the application has been refused and the reason for the refusal.

2.2.8 Unless extended by a written agreement between the Development Authority and the applicant, the Development Authority shall decide on a development permit application either:

- (a) within 40 days of receipt by the applicant the notice of complete application if issued under subsection 2.2.3 (a) or 2.2.6 (a),
- (b) within 40 days from the receipt of the application, if no notice is issued under subsection 2.2.3.

2.2.9 Notwithstanding subsection 2.2.8, the application is, at the opinion of the applicant, deemed refused if a decision is not made within the time period provided for in subsection 2.2.8.

2.2.10 The Development Officer shall consider and decide upon applications for a development permit for a use listed under the “Permitted Uses” column in any land use district.

Bylaw No. 11-2018
2018/07/10

2.2.11 Where the proposed use is not listed in a land use district, the Development Officer or the Municipal Planning Commission may consider the use to be so listed as a discretionary use if, in their opinion, it is sufficiently similar in character and purpose to either a listed permitted or discretionary use within the applicable district, but is not listed as a use in another district or defined in the Definitions section.

2.2.12 The Development Officer shall refer, with recommendations, all applications for a development permit for those uses which constitute a “Discretionary Use” in any land use district to the Municipal Planning Commission for its consideration and decision.

2.2.13 In making a decision on an application for a “Permitted Use”, the Development Officer or the Municipal Planning Commission:

- (a) shall approve the application upon the use conforming to the Bylaw

- (b) may approve the application where the development does not satisfy all the requirements of the Land Use Bylaw subject to the conditions necessary to ensure conformity.

2.2.14 Council shall decide upon all development permit applications for uses proposed for lands located within a Direct Control district.

2.2.15 In reviewing a Development Permit application for a "Discretionary Use", the Municipal Planning Commission:

- (a) may approve or refuse a Development Permit application which meets the requirements of this Bylaw; or

- (b) shall refuse a Development Permit application that does not meet the requirements of this Bylaw.

2.2.16 In reviewing a development permit application, the Municipal Planning Commission shall have regard to:

- (a) the circumstances and merits of the application, including but not limited to:
 - (i) the impact of such nuisance factors as smoke, airborne emissions, odors and noise on nearby properties,
 - (ii) the design, character and appearance of the development being compatible with and complementary to the surrounding properties, and
 - (iii) the servicing requirements for the proposed development;
- (b) the purpose and intent of any statutory plans adopted by the Town.

2.2.17 Notwithstanding any provisions or requirements of this Bylaw, the Development Authority may establish a more stringent standard for "Discretionary Uses" when deemed necessary to do so.

Bylaw 11-2018
2018/07/10

2.2.18 Where the proposed use is not listed in a land use district, the Development Officer or the Municipal Planning Commission may consider the use to be so listed as a discretionary use if, in their opinion, it is sufficiently similar in character and purpose to either a listed permitted or discretionary use within the applicable district, but is not listed as a use in another district or defined in Definitions section.

2.3 VARIANCES

- 2.3.1 The Development Authority may allow a variance not exceeding ten percent (10%) to any front yard, side yard or rear yard setback, building height, lot width, or lot area requirement, if in the opinion of the Development Authority:
- (a) the proposed variance would not result in a development that will
 - (i) unduly interfere with the amenities of the neighbourhood, or
 - (ii) materially interfere with or affect the use, enjoyment or value of neighboring properties; and
 - (b) the proposed development conforms to the use prescribed for the land or building in this Bylaw.
- 2.3.2 The Development Authority may allow front yard setbacks for infill housing development in established residential districts to be varied to coincide with the average setback on the block face being developed.
- 2.3.3 The Development Authority shall specify the nature of the approved variance in the Development Permit decision notice.

PART THREE NEED FOR DEVELOPMENT PERMIT

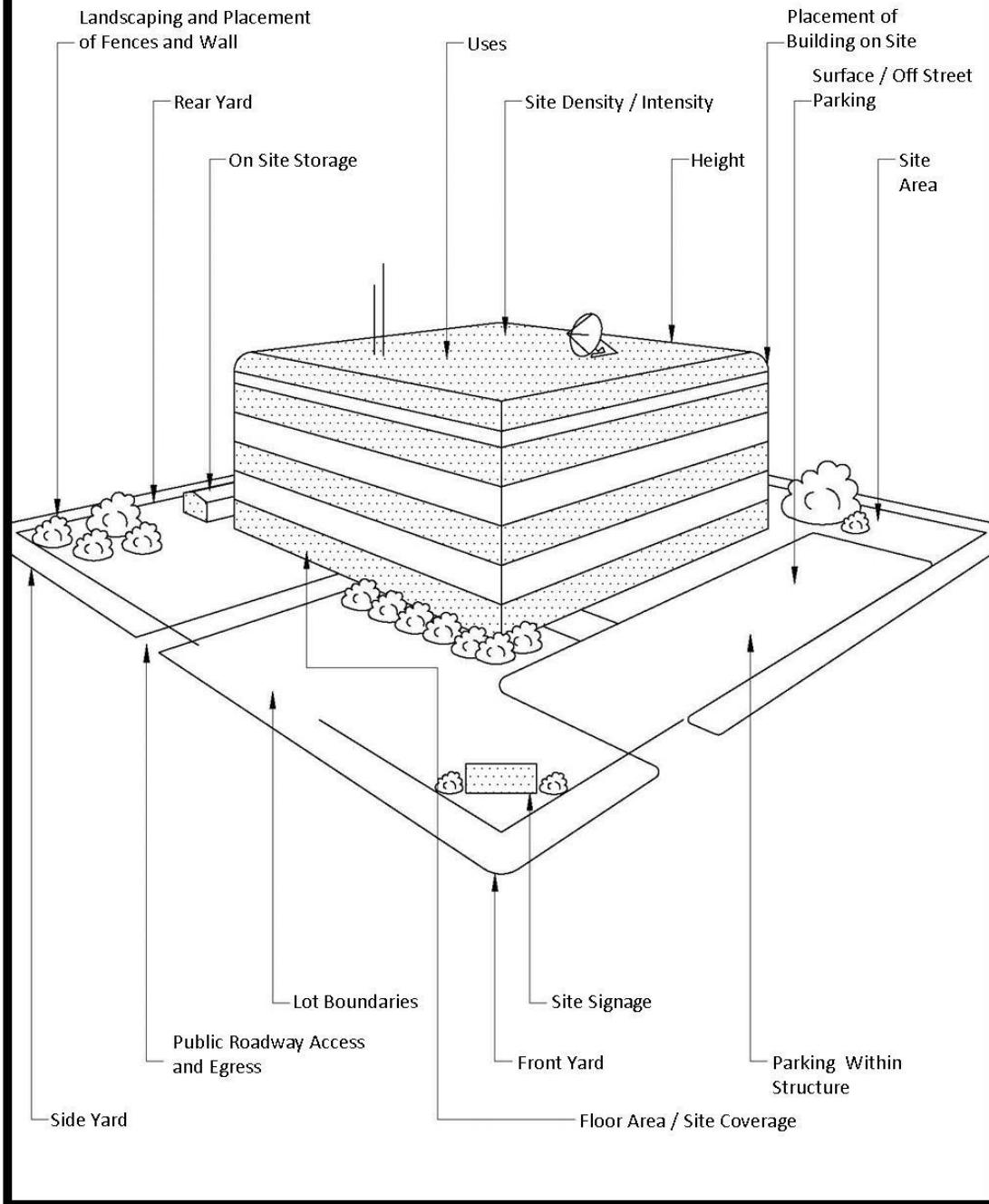
3.1 REQUIREMENTS FOR LAND USE AND DEVELOPMENT

3.1.1 No person shall commence or allow the commencement of a development, land use or use of a building unless:

- (a) a development permit has first been issued, pursuant to this Bylaw, except if not required by Section 3.2;
- (b) the land use or use of a building is in accordance with the terms and conditions of the development permit issued pursuant to this Bylaw; and
- (c) a building permit or any other permit that may be required has been obtained in accordance with the Safety Codes Act and any relevant Town bylaw or any other applicable regulation.

EXPLANATION NOTES
Development Standards –
Features Traditionally Regulated Through Zoning

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



3.2 WHEN DEVELOPMENT PERMITS ARE NOT REQUIRED

3.2.1 A Development Permit is not required for the following developments provided they otherwise comply with the requirements of this Bylaw and are not located within the floodplain of a watercourse:

- (a) works of maintenance or repair to any building provided that such work does not include structural alterations, does not change the use or intensity of the use of the building, and is performed in accordance with obligatory legislation or other government regulations (Structural alterations are those which would result in substantial changes to the roof, foundation, or exterior walls of a structure, or alterations that result in an expansion of the usable floor area of a structure and result in a reduction to existing setback distances);
- (b) a change in the business or the occupancy of a building that does not constitute a change in the type of use of the site;
- (c) the completion of a building which is lawfully under construction at the date this Bylaw comes into effect provided that the building is completed in accordance with the terms of any permit granted in respect of it, subject to the conditions of that permit;
- (d) the erection, construction or maintenance of gates, fences, walls or other means of enclosure less than 0.9 m (3 ft.) in height in front yards and less than 2.0 m (6.5 ft.) in height in side and rear yards, provided that the erection of such fence, wall or enclosure does not contravene any other provision of this Bylaw;
- (e) 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;
- (f) a temporary building or structure, the sole purpose of which is incidental to the erection or alteration of a permanent building or structure, for which a Development Permit has been issued;
- (g) the construction and maintenance of that part of a public utility placed in or upon a public thoroughfare or public utility easement;

- (h) the use by the Town of land of which the Town is the legal or equitable owner for a purpose approved by Council in connection with any public utility carried out by the Town;
- (i) the use of all or part of a building 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 provisions of Federal, Provincial, or Municipal legislation;
- (k) one (1) temporary, on-site sign which does not exceed 1.0 m² (11 ft²) in area or 1.2 m (3.9 ft.) 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 new development, or
 - (ii) identifying a construction or demolition project for which a Development Permit has been issued, or
 - (iii) identifying a political campaign, or
 - (iv) advertising a campaign or drive that has been approved by Council;
- (l) commemorative plaques and cornerstones of a non-advertising nature;
- (m) the construction, maintenance and repair of private walkways, private pathways, private driveways, and similar works; excluding curb cuts.
- (n) the stripping or stockpiling of soil, installation of utilities and construction of roads in accordance with a current, signed development agreement;
- (o) the construction of a movable accessory building (not on a permanent foundation) having an area of less than 10 m² (108 ft²) in a residential district as long as the structure is not located on a utility or other right-of-way and is in compliance with the regulations contained in this Bylaw.
- (p) the construction of a mast antenna structure, 15 m (50 ft.) or less in height, when attached to the side of a building;
- (q) developments that fall under Section 618 of the Municipal Government Act.

3.3 NON-CONFORMING BUILDINGS AND USES

- 3.3.1 A non-conforming use of land or a building may be continued but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building shall conform to the provisions of this Bylaw.
- 3.3.2 A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations shall be made to it or in it.
- 3.3.3 A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non- conforming use continues.
- 3.3.4 A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except
- (a) to make it a conforming building, or
 - (b) for routine maintenance of the building, if the Development Authority considers it necessary;
- 3.3.5 If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.
- 3.3.6 The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

PART FOUR DEVELOPMENT PERMIT APPLICATIONS

4.1 CONTENTS OF A DEVELOPMENT PERMIT APPLICATION

4.1.1 A Development Permit application shall be made to the Development Officer in writing on the prescribed form, and shall be signed by the applicant or his agent. The Development Officer shall require the following information to be submitted with the application:

- (a) for Permitted Uses
 - (i) legal description and municipal address;
 - (ii) dimensions of the site;
 - (iii) dimensions of proposed buildings;
 - (iv) distances from proposed buildings to all lot lines;
 - (v) height of building;
 - (vi) exterior finish of building;
 - (vii) may require any of the information identified for discretionary uses.

- (b) for Discretionary Uses
 - (i) all of the information required for permitted uses;
 - (ii) utilities, site drainage, grade elevations, existing and finished lot grades, the grades of the streets and the location of proposed sewer and water lines;
 - (iii) a Real Property Report where the proposal involves an existing building; and
 - (iv) for applications for apartment buildings, dwelling groups, and commercial, industrial, recreational and public uses:
 - loading and parking provisions;
 - access locations to and from the site;
 - garbage and storage areas and the fencing and screening proposed for same, and location and approximate dimensions of existing and proposed culverts and crossings.

- (c) where the applicant is an agent, tenant or purchaser acting for the owner, a letter from the owner verifying authority to make the application.

- (d) where the site to be developed is located within 150 m (492 ft.) of a Provincial Highway, an approved roadside development permit from Alberta Transportation must be submitted as part of the development permit application.

4.1.2 Each Development Permit application shall be accompanied by a non-refundable processing fee, the amount of which shall be determined from time to time by resolution of Council.

4.1.3 When, in the opinion of the Development Authority, sufficient details have not been included with a Development Permit application, it may be returned 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.

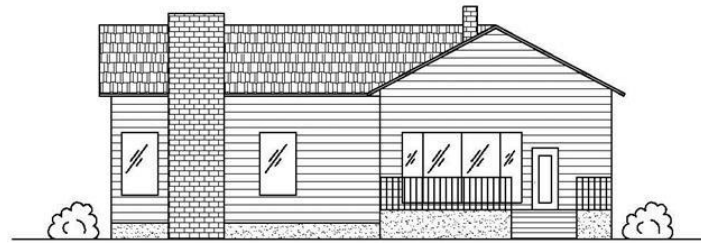
4.1.4 Notwithstanding 4.1.1 applications for wind energy conversion systems shall include the following information where applicable:

- (a) the manufacturer's specifications indicating:
 - (i) the rated output in kilowatts;
 - (ii) safety features and sound characteristics;
 - (iii) type of material used in tower, blade and/or rotor construction.
- (b) the potential for electromagnetic interference;
- (c) the nature and function of over-speed controls if applicable;
- (d) the design on the foundations and/or anchor design, including the location and anchoring of any required guy wires;
- (e) information demonstrating how the system will interact with the existing electrical utility network.

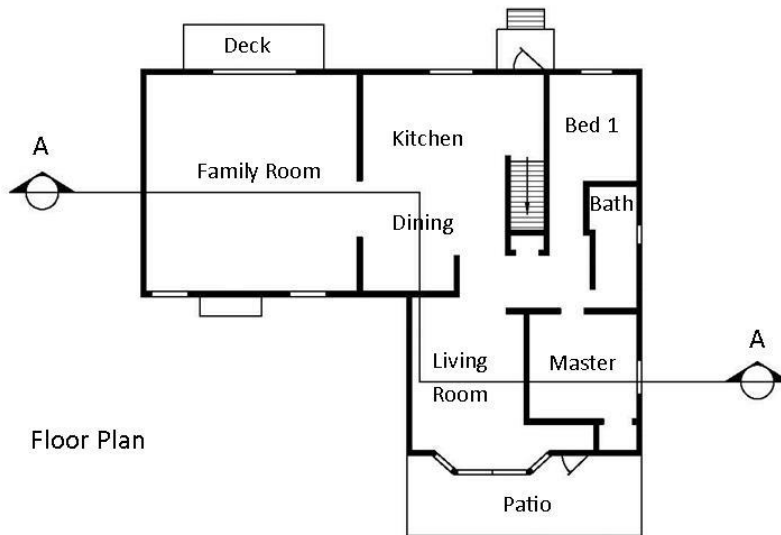
EXPLANATION NOTES

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

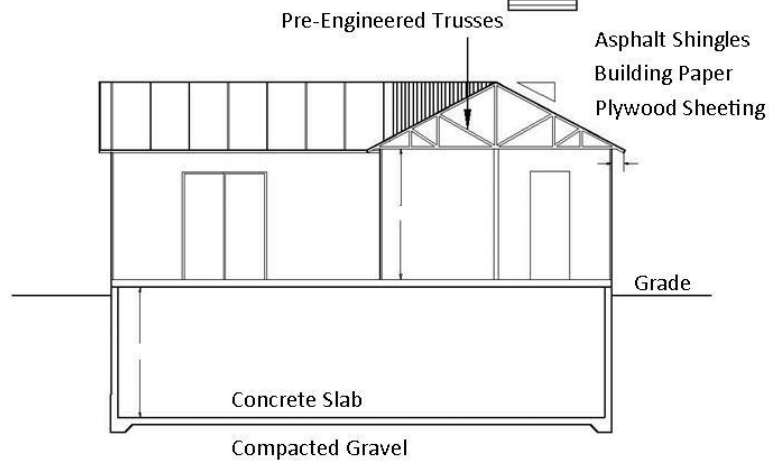
Requirement for Development Permit Application



Elevation



Floor Plan



Cross Section

A - A

PART FIVE

PROCESSING OF A DEVELOPMENT PERMIT

5.1 REFERRAL OF APPLICATIONS

The Development Officer may refer a Development Permit application to any agency in order to receive comment and advice. All comments received must be presented to the Development Authority.

5.2 CONDITIONS OF A DEVELOPMENT PERMIT

5.2.1 The Development Authority may require that as a condition of issuing a Development Permit, the applicant enter into an agreement with the Town to do any or all of the following:

- (a) to construct or pay for the construction of a road to town standards giving access to the development;
- (b) to construct or pay for the construction of a pedestrian walkway system to serve the development, or pedestrian walkways to connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development;
- (c) to install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the development;
- (d) to construct or pay for the construction of off-street or other parking facilities, loading and unloading facilities, and private driveways and curb cuts.
- (e) to pay an off-site levy or redevelopment levy;
- (f) to give security to ensure that the terms of the agreement are carried out;
- (g) that the developer obtains a building permit and all other permits as required by the Safety Codes Council and meet all Safety Code Requirements;
- (h) that the developer contact Alberta One-Call, prior to construction, to locate the utilities that run through the property;

Bylaw No. 02-2019
2019/05/14

- (i) that the developer shall be responsible for obtaining their own assessment of soil conditions related to bearing capacities and consolidation in relation to the proposed development, and the development shall be designed, constructed and maintained in such a manner as to ensure the development's safety and stability on the subject lands;
- (j) landscaping, screening and site development be required as per Section 8.4 of this bylaw;
- (k) services shall be constructed as per the Utilities Services Replacement Policy. That a Town employee oversees any tie-ins to municipal services and that the Town is notified 48 hours prior to connection to services;
- (l) that drainage from foundation to curb and the slope of the yard follows Town of High Prairie Municipal Standards;
- (m) other conditions as deemed necessary.

5.2.2 The Town shall register a caveat pursuant to the provisions of the Act and the Land Titles Act in respect of an agreement under Section 5.2.1 against the Certificate of Title for the land that is the subject of the development. Said caveat shall be discharged when the agreement has been complied with.

5.2.3 A Development Permit lapses and is automatically void if the development authorized is not commenced within twelve (12) months or completed to the satisfaction of the Development Authority within twenty-four (24) months from the date the permit was issued. The Development Authority may, at its discretion, approve extensions to these time limits.

Bylaw No. 09-2019
2019/06/11

5.2.4 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 for 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 a period of six (6) months after the date of the refusal, unless the original application was refused for incomplete application under section 2.2.7.

5.2.5 The Development Authority may establish a specific time period in which the development permit is valid.

5.3 NOTIFICATION OF PERMIT APPLICATION DECISIONS

- 5.3.1 When a development permit application for a permitted use is approved, the Development Officer or designate shall:
- (a) mail a Notice of Decision to the applicant or his agent on the same day that the decision is made;
 - (b) publish a copy of the Notice of Decision on the Town's website for a period of twenty-one (21) days.
- 5.3.2 When a development permit application for a discretionary use is approved, the Development Officer or designate shall:
- (a) mail a Notice of Decision to the applicant or his agent on the same day that the decision is made; or
 - (b) publish a copy of the Notice of Decision on the Town's website for a period of twenty-one (21) days, or publish the Notice of Decision in a local newspaper, stating the location and address of the property for which the application has been made, the proposed use, and the decision of the Development Authority;
 - (c) or both.
- 5.3.3 When a Development Permit application is refused, the Development Officer or designate shall mail a Notice of Decision to the applicant or his agent stating the reasons for the refusal.
- 5.3.4 For the purposes of this Bylaw, the date of issuance of the Notice of Decision of the Development Authority is deemed to be the same day the Notice of Decision is signed and mailed to the applicant or their agent, or the day the Notice of Decision is published on the Town's website and/or in a local newspaper.
- 5.3.5 For the purposes of this Bylaw, the date of receipt of the Notice of Decision of the Development Authority by the applicant or their agent is deemed to be seven (7) days from the date the Notice of Decision is mailed to the applicant or their agent.
- 5.3.1 A Development Permit comes into effect twenty-four (24) days from the date of issuance. Where an appeal has been filed with the Subdivision and Development Appeal Board within twenty-one (21) days from the date of issuance of the Notice of Decision, no development shall be commenced pursuant to the

Development Permit until the Board upholds the issuance of the Development Permit.

EXPLANATION NOTES

Development Permit Process

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



Note: This Process applies to all Land Use Districts in the Town of High Prairie except for the Direct Control District.

PART SIX

APPEALING A DECISION

6.1 METHOD OF APPEAL

- 6.1.1 The Appeal Board shall perform such duties and follow such procedures as specified in the Act and in the Subdivision and Development Appeal Board Bylaw as established by separate Bylaw.
- 6.1.2 A decision on a Development Permit application may be appealed in accordance with the Act.

6.2 THE APPEAL ADMINISTRATIVE PROCESS

Bylaw No. 09-2019
2019/06/11

- 6.2.1 The Clerk shall ensure that a notice of appeal is given to all persons required to be notified under the provisions of the Act.

Bylaw No. 09-2019
2019/06/11

- 6.2.2 When a notice has been served on the Clerk with respect to a decision to approve a Development Permit application; the Development Permit shall not be effective before:

- (a) the decision on the permit has been upheld by the Appeal Board; or
- (b) the Clerk has received written notification from the appellant that the appeal has been abandoned.

- 6.2.3 If the decision to approve a Development Permit application is reversed by the Appeal Board, the Development Permit shall be null and void.
- 6.2.4 If the decision to refuse a Development Permit application is reversed by the Appeal Board, the Appeal Board shall direct the Development Officer to issue a Development Permit forthwith in accordance with the decision of the Appeal Board.
- 6.2.5 If the decision to approve a Development Permit application is varied by the Appeal Board, the Appeal Board shall direct the Development Officer to issue a Development Permit forthwith in accordance with the terms of the decision of the Board.

PART SEVEN AMENDING THE BYLAW

7.1 CONTENTS OF AN AMENDMENT APPLICATION

7.1.1 A Land Use Bylaw amendment application shall be made to the Development Officer in writing on the prescribed form, and shall be signed by the applicant or his agent. The Development Officer may require any or all of the following information to accompany an application to amend this Bylaw:

- (a) if the amendment involves the re-designation of land to a different land use district,
 - (i) a copy of the Certificate of Title for the lands affected, or any other documentation satisfactory to the Development Officer verifying that the applicant has a legal interest in the land;
 - (ii) where the applicant is an agent acting for the owner, a letter from the owner verifying the agent's authority to make the application; and
 - (iii) a properly dimensioned map indicating the affected site and its relationship to existing land uses within a 30.48 m (100 ft.) radius of the boundaries of the site;
- (b) a statement of the reasons for the request to amend the Bylaw;
- (c) such additional information as the Development Officer may require.

7.1.2 Each land use bylaw amendment application shall be accompanied by a non-refundable processing fee, the amount of which shall be determined from time to time by resolution or bylaw of Council.

7.1.3 The Development Officer may refuse to process a Land Use Bylaw amendment application if the information required has not been supplied or if, in his opinion, it is of inadequate quality to properly evaluate the application.

7.1.4 Council, on its own initiative, may proceed to undertake an amendment to this Bylaw by directing the Development Officer to initiate an application.

7.2 THE AMENDMENT PROCESS

7.2.1 Upon receipt of a complete application, it shall be referred to:

- (a) Town administration for the drafting of a proposed Land Use Bylaw amendment;
- (b) Council for first reading and to establish a date for a Public Hearing to be held prior to second reading.

7.2.2 The Development Officer may refer an amendment application to any agency in order to receive comment and advice. Any comments received shall be forwarded to Council.

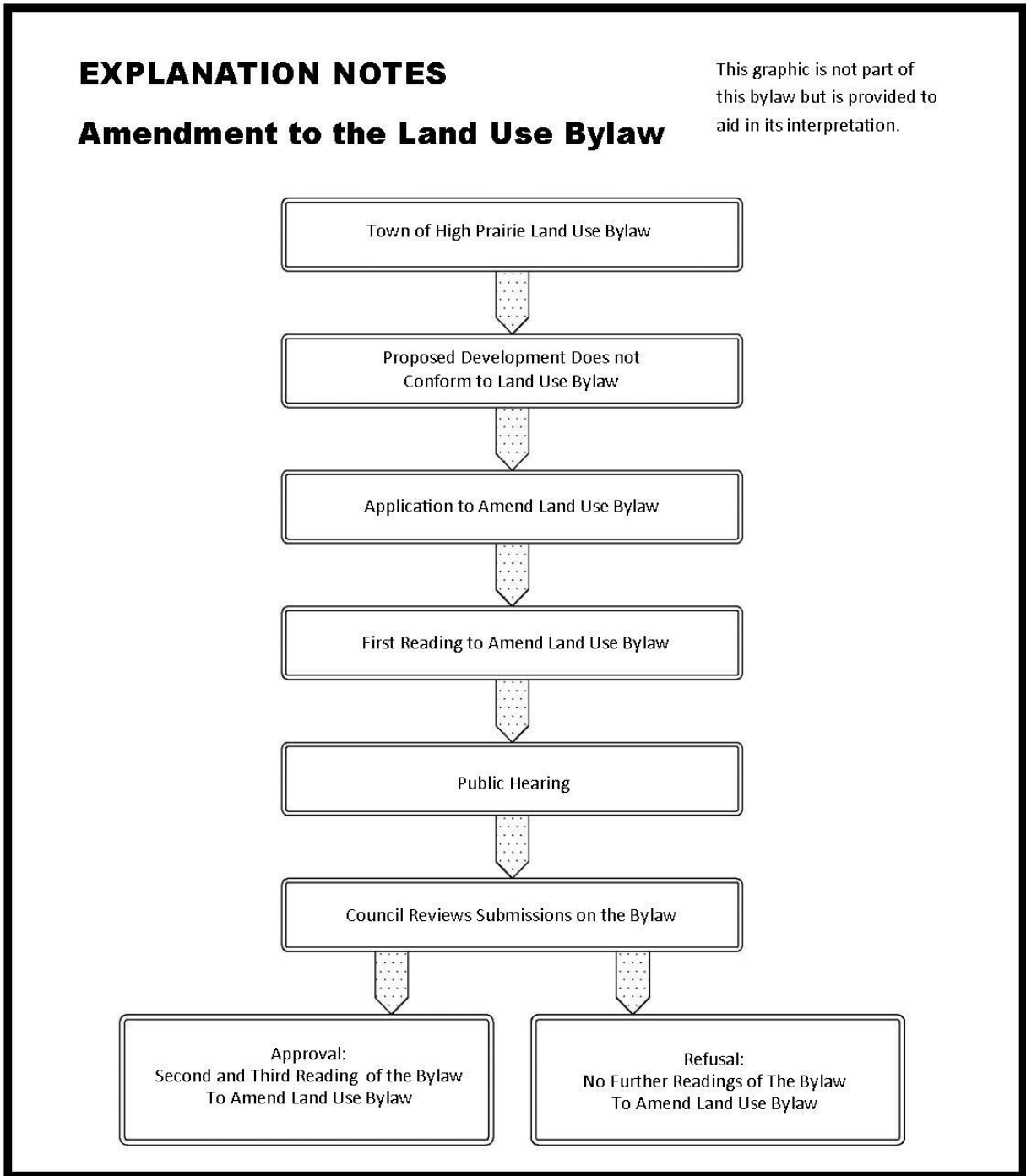
7.2.3 A notice of the application shall be published in two (2) issues of a local newspaper. This notice shall contain:

- (a) the purpose of the proposed amendment;
- (b) the location of one or more places where copies of the proposed amending order may be inspected by the public during reasonable hours;
- (c) the date, place, and time that Council will hold a public hearing on the proposed amendment;
- (d) an outline of the procedures to be followed by anyone wishing to be heard at the public hearing;
- (e) that the outline of procedures will be identified at the beginning of the public hearing; and
- (f) the municipal address, if any and the legal description of the land in question if the amendment involves the re-designation of land to a different land use district.

7.2.4 If the proposed amendment involves the re-designation of land to a different land use district, the Development Officer shall mail a notice containing the information outlined in Section 7.2.3 to the owner(s) of the land in question, and to all landowners within a 30.0 m (100 ft.) radius of the land in question.

7.2.5 Council, after considering any representations made at the public hearing and any municipal development plan, area structure plan, and area redevelopment plan affecting the application and the provisions of this Bylaw may:

- (a) make such changes as it considers necessary to the proposed amendment, if any, and proceed to pass the proposed amendment; or
- (b) defeat the proposed amendment.



PART EIGHT GENERAL REGULATIONS

In addition to the specific requirements for each district, the following regulations shall apply. For the purposes of Direct Control Districts, the general regulations of this section should act as guidelines for development standards.

8.1 BUILDING DESIGN, CHARACTER AND APPEARANCE

The design, location on site, external finish, and architectural appearance of commercial, industrial and residential buildings, and any accessory buildings or structures, shall be to the satisfaction of the Development Authority.

8.2 CORNER SITE RESTRICTIONS

8.2.1 On any corner site, no finished grade shall exceed the general elevation of the road by more than 0.6 m (2 ft.) within the area defined as a sight triangle.

8.2.2 Notwithstanding any other provision contained in this Bylaw, no person shall place or maintain any object, structure, fence, hedge, shrub, tree or permanent sign within a sight triangle.

8.3 DWELLING UNITS PER LOT

No person shall construct or cause to be constructed, or shall use or to be used more than one dwelling unit per lot, except where permitted by this bylaw.

8.4 LANDSCAPING, SCREENING AND SITE DEVELOPMENT

8.4.1 A minimum of five percent (5%) of the site area shall be landscaped. In addition, all areas of a developed lot not used for vehicular circulation, storage or a structure shall be landscaped with soft landscaping to the satisfaction of the Development Authority.

8.4.2 Any area requiring landscaping or topographic reconstruction shall be designed so that the finished surface contours do not direct surface drainage onto an adjoining site.

8.4.3 All development shall be graded to ensure that the finished elevation of the main floor is at least 0.3 m (1ft.) higher than the elevation of the back-of-curb. The finished elevation of the main floor shall not exceed a height of 0.6 m (2 ft.).

- 8.4.4 Screening shall be provided in the form of hard or soft landscaping in order to visually separate areas that detract from the surrounding neighbourhood unless in the opinion of the Development Authority it is not necessary. The construction and materials of the screen shall be of a quality to the satisfaction of the Development Authority.
- 8.4.5 Any lighting proposed to illuminate areas in any district shall be located and arranged to the satisfaction of the Development Authority so that all direct rays of light are directed upon the area to be illuminated and not on any adjoining properties or roadways.
- 8.4.6 All developments in the Commercial Districts and the Industrial District are required to provide on-site garbage disposal receptacles. These receptacles shall be located such that they do not interfere with vehicle circulation or reduce the usability of any required parking stalls, and shall be screened to the satisfaction of the Development Authority.
- 8.4.7 Storage Yards and all outside storage areas shall be screened from view of adjacent sites and public thoroughfares to the satisfaction of the Development Authority.

8.5 OBJECTS PROHIBITED IN DISTRICTS

- 8.5.1 No person shall be allowed to keep or maintain:
- (a) an abandoned or inoperative vehicle on a site in a residential district for more than fourteen (14) consecutive days except pursuant to a development permit;
 - (b) any excavation, building, debris or storage of material upon a site during the construction stage of any development unless all safety requirements are complied with to the satisfaction of the Development Authority, and the owner and developer of any such site assumes full responsibility for on-site safety measures;
 - (c) any excavation, equipment, or construction materials on a site over a period longer than is reasonably necessary to complete construction; or
 - (d) after a temporary development permit has expired.

8.5.2 In the event of an abandoned work site after all permits have been lapsed the town shall at the owner's expense

- (a) remove any abandoned vehicles,
- (b) fill any excavations,
- (c) remove any equipment or construction materials.

8.6 PARKING AND LOADING FACILITIES

Bylaw No. 02-2019
05/14/2019

8.6.1 On-site parking shall be provided in accordance with the following table:

<u>RESIDENTIAL</u>	
Apartment Building, Dwelling Group	1.5 stalls/dwelling unit 0.5 bicycle parking space/dwelling unit
Dwelling units: Single Detached, Duplex, Semi-Detached, Manufactured Home	2 stalls/dwelling unit
Accessory Dwelling	1 stall/ dwelling unit
Manufactured Home park	2 stalls/dwelling unit
Senior Citizen Complex	1 stall/dwelling unit
<u>COMMERCIAL/INDUSTRIAL</u>	
Business, Administrative and Professional Office, Bank	2.2 stalls/100 m ² (1075 ft ²) of gross floor area plus one (1) bicycle parking space per five (5) stalls
Retail Shop, Personal Service Facility	3.6 stall/100 m ² (1075 ft ²) of gross floor area plus one (1) bicycle parking space per five (5) stalls
Restaurant (including Drive-In), Drinking Facility	1 stall/4 seats (minimum 15 stalls) plus one (1) bicycle parking space per five (5) stalls
Hotel, Motel	1 stall/guest unit plus 1 stall/2 employees
Where a hotel, motel, restaurant or drinking facility are grouped in any combination on site	Required number of stalls may be reduced at the discretion of the Development Authority to 75% of the combined total of all uses
Shopping Centre	5.5 stalls/100 m ² (1075 ft ²) of gross floor area plus one (1) bicycle parking space per five (5) stalls

Gas Bar	3.6 stalls/100 m ² (1075 ft ²) of gross floor area for all uses allowed on site including service islands at grade
Manufacturing and Industrial Plant	1 stall/2 employees on a maximum working shift
Warehousing, Wholesale and Storage Building and Yard, Servicing and Repair Facility, Public Utility Building	1 stall/2 employees on a maximum working shift
<u>RECREATIONAL AND PUBLIC USES</u>	
Public Assembly Auditorium, Theatre, Convention Hall, Private Club, Ball Park	1 stall/3.5 seats or 33 stalls/100 m ² (1075 ft ²) of gross floor area used by patrons, whichever is greater, plus one (1) bicycle parking space per ten (10) stalls
Place of Worship	1 stall/5 seats, with discretion to utilize adjacent sites plus one (1) bicycle parking space per twenty (20) stalls
Hospital, Nursing Home	1 stall/bed plus one (1) bicycle parking space per ten (10) stalls
Medical or Veterinary Clinic	4 stalls/100 m ² (1075 ft ²) of gross floor area plus one (1) bicycle parking space per ten (10) stalls
<u>EDUCATION FACILITY</u>	
Elementary or Junior High School	1 stall/employee plus 0.2 stalls/employee for guest parking plus one (1) bicycle parking space per five (5) students, based on design capacity
Senior High School	1 stall/employee plus 0.3 stalls/student plus 0.2 stalls/employee for guest parking plus one (1) bicycle parking space per five (5) students, based on design capacity
Colleges or Post-Secondary Uses	1 stall/staff and 0.5 stalls/student plus one (1) bicycle parking space per ten (10) vehicle parking stalls
All Other Uses	As determined by the Development Authority

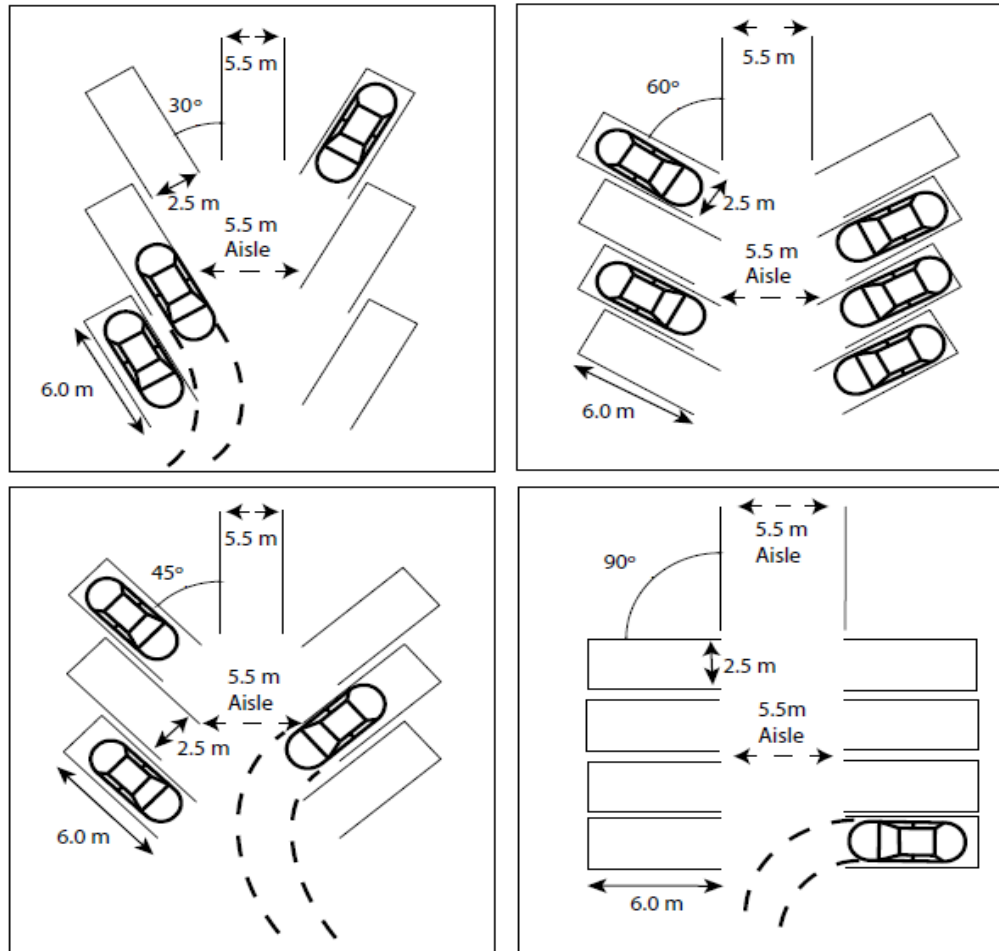
8.6.2 When a building is enlarged, altered or changed in use in such a manner as to cause an intensification of the use of that building, provision shall be made for the additional parking stalls required under the provisions of this Bylaw. The required parking shall be based only on the number of additional parking stalls

required because of the enlargement, change in use, or intensification of the use of the building.

- 8.6.3 Parking stalls shall be located on the same site as the building or use for which they are required and shall be designed, located and constructed so that:
- (a) they are reasonably accessible to the vehicles intended to be accommodated there;
 - (b) they can be properly maintained; and
 - (c) they are satisfactory to the Development Authority in size, shape, location and construction.
- 8.6.4 Notwithstanding other provisions of this Bylaw, excluding Residential Districts, the Development Authority may allow for the required number of parking stalls to be fulfilled by off-site parking. The developer providing a maximum of twenty five percent (25%) of the required on-site parking on land other than the development site provided that:
- (a) the proposed parking is located, to the satisfaction of the Development Authority, a reasonable distance from the site where the principal building is located or where the approved use is carried on;
 - (b) the applicant owns and controls the alternate site; and
 - (c) the applicant covenants to the Town, in a form approved by the Town, that the alternate site shall not be used for any purpose other than parking so long as it is required for compliance with this Bylaw. Such covenant shall be registered by caveat against the subject site.

8.6.5 Parking stalls shall be designed and provided in accordance with the following table:

STALL WIDTH	STALL ANGLE	AISLE WIDTH	STALL DEPTH Perpendicular to Aisle
2.5 m (8.0 ft.)	30 degrees	5.5 m (18 ft.)	6.0 m (19.5 ft.)
2.5 m (8.0 ft.)	45 degrees	5.5 m (18 ft.)	6.0m (19.5 ft.)
2.5 m (8.0 ft.)	60 degrees	5.5 m (18 ft.)	6.0 m (19.5 ft.)
2.5 m (8.0 ft.)	90 degrees	5.5 m (18 ft.)	6.0 m (19.0 ft.)



All dimensions are in metres

- 8.6.6 On-site parallel parking stalls shall be a minimum of 5.5 m (18 ft.) in length and 2.5 m (8 ft.) in width.
- 8.6.7 Any loading space shall be a minimum of 28 m² (300 ft²) in area, 3.5 m (11.5 ft.) in width, and have at least 4.0 m (13 ft.) of overhead clearance. Such loading spaces shall be specifically identified as separate and distinct from required on-site parking, and shall not reduce the usability of any required parking stalls.
- 8.6.8 All on-site parking and loading areas, and access thereto shall be paved.
- 8.6.9 Adequate curbs, pre-cast barrier curbs, or fences shall be provided to the satisfaction of the Development Authority where it is deemed necessary in order to protect adjacent fences, walls, boulevards, landscaped areas, or buildings on the site, or an abutting site, from contact with vehicles.

8.6.10 For all commercial, public and recreational uses, a portion of the parking area nearest the principal building shall be designated for use by the handicapped to the satisfaction of the Development Authority.

8.7 RELOCATION OF BUILDINGS

8.7.1 Notwithstanding Section 3.2, a development permit shall be required for the relocation of a building.

8.7.2 Where a Development Permit has been granted for the relocation of a building on the same site or from another site, the Development Officer may require the applicant to enter into a development agreement with the Town and post a performance bond or other security to the satisfaction of the Town of such amount to ensure completion of any renovations set out as a condition of approval of a Development Permit.

8.7.3 Prior to the issuance of a development permit, the Town shall require the developer to provide an engineer's certificate to confirm that the building is structurally sound.

8.7.4 Unless otherwise specified by the Development Authority, any required renovations shall be completed within one (1) year of the issuance of a Development Permit.

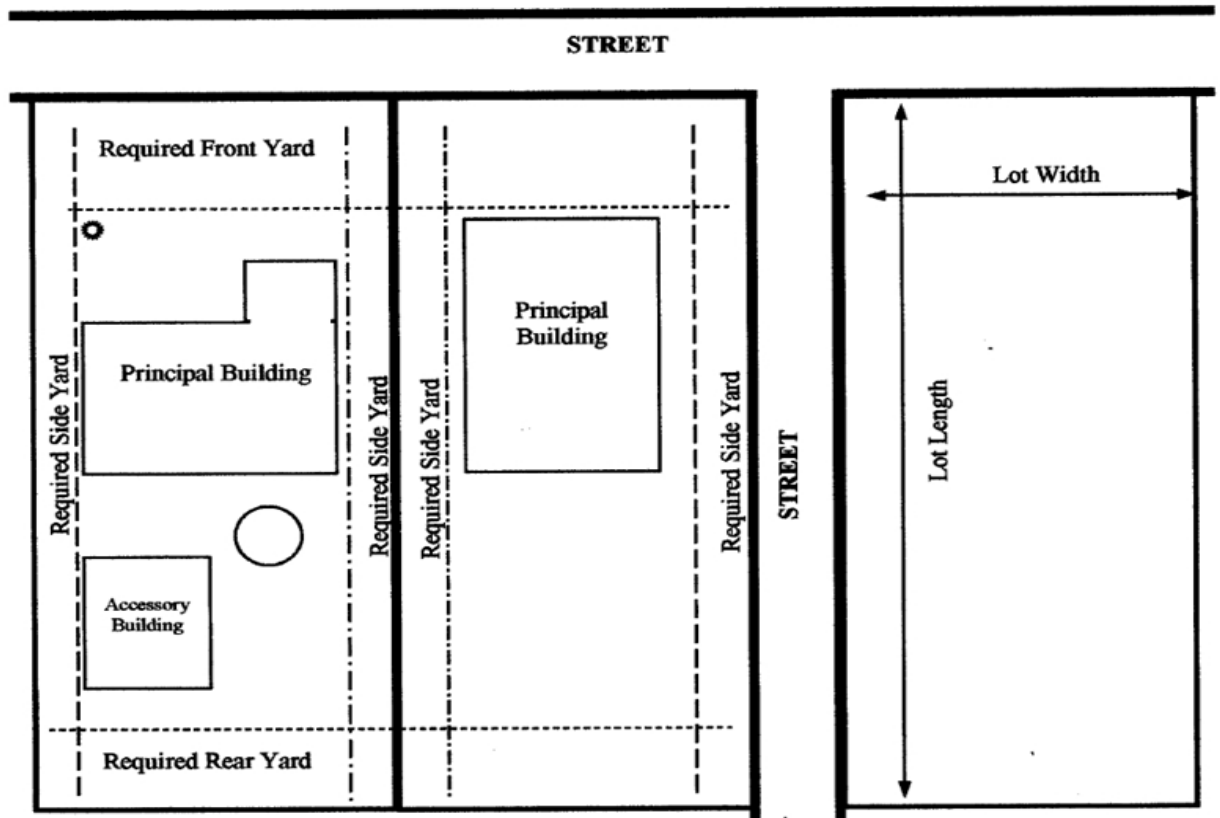
8.8 NOTICE OF AGRICULTURAL OPERATIONS

The Town shall publish in a newspaper circulating in the area, twice a year, a notice indicating that some lands in the Town and adjacent to the Town boundaries are in agricultural production and that certain activities related to the agricultural operations may be considered a nuisance to Town residents.

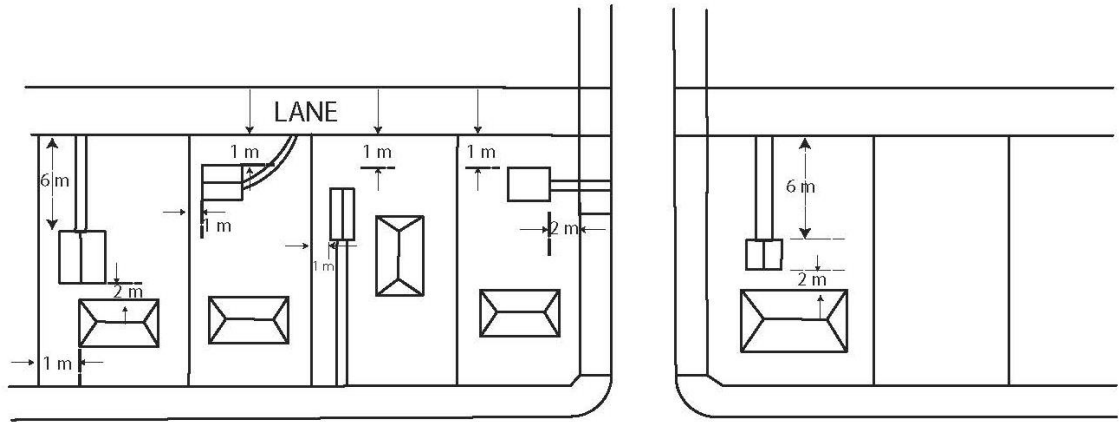
PART NINE ADDITIONAL REGULATIONS FOR SPECIFIC LAND USES

9.1 ACCESSORY BUILDINGS

- 9.1.1 No accessory building, in a residential area, shall be located in a front yard.
- 9.1.2 The minimum rear yard setback shall be 1.0 m (3.3 ft.). Where primary access to a private garage is obtained via a rear lane, however, and the vehicle entrance doors face the lane, the minimum rear yard setback shall be 6.1 m (20 ft.).
- 9.1.3 The minimum interior side yard setback shall be 1.0 m (3.3 ft.). However, no side yard is required for any accessory building in a residential or industrial district where a mutual wall is erected on a common property line and is constructed of brick, stone, or equivalent fire resistant material. There will be no overhang of eaves and all drainage shall be confined to the site.
- 9.1.4 The minimum exterior side yard setback shall be 2.0 m (6.6 ft.). Notwithstanding this requirement, an accessory building shall be located no closer to a road than the closest portion of the principal building.



9.1.5 An accessory building shall be located at least 2.0 m (6.6 ft.) from any principal building.



9.1.6 An accessory building in a residential district shall not exceed 5.5 m (18 ft.) in height.

9.1.7 The total combined area of all accessory buildings shall not exceed ten percent (10%) of the site area.

9.1.8 For the purpose of calculating yard setbacks and site coverage requirements as provided for in this 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.

9.1.9 Unless otherwise permitted in this Bylaw, no accessory building shall be used as a dwelling unit.

Bylaw No. 02-2019
05/14/2019

9.2 ACCESSORY DWELLING

9.2.1 Accessory dwelling units shall meet the following standards:

- (a) An accessory dwelling may only be developed on a parcel where a single detached dwelling is the principal use.
- (b) A maximum of one accessory dwelling is allowed on a parcel.
- (c) An accessory dwelling shall have an entrance independent of the principal dwelling unit.

- (d) An accessory dwelling shall utilize the same water and sewer systems as the principal dwelling unit.
- (e) Shared mechanical rooms and common areas shall be excluded from the floor area calculation of an accessory dwelling unit.
- (f) An accessory dwelling shall not be subject to separation from the principle dwelling unit through a condominium conversion or subdivision.

9.2.2 In addition to 9.2.1 (a) dwelling unit, garage suite shall meet the following standards:

- (a) a garage suite shall not exceed a maximum of 65.0 m² (700.0 ft²) or the floor area of the garage, whichever is less.
- (b) a garage suite shall comply with the setback requirements for accessory buildings in the applicable district.
- (c) a garage suite shall only be located within a detached garage and in the rear yard of a parcel.
- (d) a garage suite shall not exceed the height of the principal dwelling unit.
- (e) windows contained within a garage suite shall be sized and placed such that they minimize overlook into yards and windows of abutting properties.
- (f) a garage suite shall have a residential character and shall be finished in a manner compatible with the character and appearance of the principal building.

9.2.3 In addition to 9.2.1 (a) dwelling unit, garden suite shall meet the following standards:

- (a) a garden suite shall not exceed a maximum of 65.0 m² (700.0 ft²) in floor area.
- (b) a garden suite shall comply with the setback requirements for accessory buildings in the applicable district.
- (c) a garden suite shall not exceed the height of the principal dwelling unit.

- (d) windows contained within a garden suite shall be sized and placed such that they minimize overlook into yards and windows of adjacent properties.;
- (e) a garden suite shall have a residential character and shall be finished in a manner compatible with the character and appearance of the principal building.

9.2.4 In addition to 9.2.1 (a) dwelling unit, secondary suite shall meet the following standards:

- (a) a secondary suite shall not exceed 45% of the floor area, including a basement, of the principal dwelling unit.
- (b) a secondary suite shall have a separate entrance that is at the side or rear of the principal dwelling, or through a separate entrance from a common landing.
- (c) a secondary suite shall be developed in such a manner that the exterior of the principal building containing the secondary suite appears as a single dwelling.

9.2.5 If the accessory dwelling is a garden suite, the setback requirements for accessory buildings in the applicable district shall apply.

9.2.6 All accessory dwellings shall utilize the same water and sewer systems as the principal dwelling unit.

9.2.7 A garden suite shall not be located on a permanent foundation.

9.2.8 A development permit for a garden suite shall be valid for five (5) years, at which time it may be renewed if the garden suite is still required by the occupant(s) for whom it was originally approved. The garden suite shall be removed at such time that it is no longer required to accommodate the original occupant(s).

9.2.9 A maximum of one (1) accessory dwelling is permitted per principal dwelling unit, where allowed. Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the accessory dwelling.

9.3 CAR WASH FACILITIES

- 9.3.1 The minimum site area shall be 743 m² (8,000 ft²) and shall contain parking space for six (6) vehicles prior to their entry into any part of the cleaning process. In the case of gas bars that have car washes installed, the minimum site area shall be 1,115 m² (12,000 ft²).
- 9.3.2 All car washes shall be connected to municipal water and sewer systems.

9.4 DRIVE-IN RESTAURANTS

- 9.4.1 The location of all exits and entrances shall be subject to the approval of the Development Authority, and vehicular circulation within the site shall be unidirectional and adequately signed.
- 9.4.2 Those portions of a site that are adjacent to a residential district shall be screened to the satisfaction of the Development Authority.

9.5 HOME OCCUPATIONS

- 9.5.1 Home occupations shall not interfere with the rights of other residents to the quiet enjoyment of a residential neighbourhood.
- 9.5.2 Home occupations shall be an incidental and subordinate use to the residential use, and shall not:
- (a) require alterations to the principal building unless the alterations are approved by the Development Authority as part of a Development Permit application;
 - (b) create a nuisance by way of dust, noise, smell, smoke or traffic generation;
 - (c) have outside storage of materials, goods and/or equipment on the site; and
 - (d) display any form of commercial advertising, wares or products discernible from the outside of the building but may display an unlighted sign placed in a window or attached to the exterior of the dwelling which is a maximum of .5 m² (5.4 ft²) in area.
- 9.5.3 Home occupations may be approved by the Development Authority.

- 9.5.4 All Bed and Breakfast Operations and food preparation facilities are required to conform to the standards administered by the local Health Authority, and to obtain all necessary licenses required under the applicable legislation.

9.6 MANUFACTURED HOMES

- 9.6.1 In addition to the development permit application requirements established in Part 4 of this bylaw, the following information shall be required as part of the development permit application:
- (a) the manufacture date of the manufactured home, and
 - (b) a picture of all exterior sides of the manufactured home, and the following should be required as part of the development permit application:
 - (c) a picture or copy of the CSA A277 sticker or the Alberta Municipal Affairs sticker, or CSA-Z240 sticker for manufactured homes in the Manufactured Home Park District, within the manufactured home to verify that the manufactured home was constructed in compliance with the applicable standard in place at the time of manufacture.
- 9.6.2 A manufactured home in the Manufactured Home Park District shall be manufactured no earlier than 1985. A manufactured home in any other district shall be no more than twelve (12) years old at the time of application.
- 9.6.3 If the information required in 9.6.1(c) cannot be provided, or the Development Officer has knowledge of structural alterations to the manufactured home, or the manufactured home is more than twelve (12) years old at the time of application, the Development Authority may require a stamped report from a qualified structural engineer to ensure the manufactured home is structurally sound prior to the application being considered complete.
- 9.6.4 Where a report is required and the report determines that upgrades are necessary, all required upgrades should be made before the issuance of a development permit. The Development Authority may require a second report to confirm that the upgrades were completed.
- 9.6.5 The appearance of the home shall be to the satisfaction of the Development Authority, having regard for the condition of the finishing materials, the proposed skirting materials, the placement and size of windows and doors, and

any other considerations deemed necessary. The Development Authority may refuse a development permit application on the basis of a poor appearance.

9.6.6 Any required aesthetic upgrades to the manufactured home must be completed before the issuance of the development permit. The installation of foundation or skirting material must be completed within thirty (30) days of the placement of the manufactured home on a site.

9.6.7 The undercarriage and foundation of a manufactured home shall be completely screened from view by an acceptable skirting material such as vinyl, plywood finished with parging or acrylic stucco, or other means acceptable to the Development Authority.

9.6.8 Axles, wheels, running gear and towing tongue shall be removed before a manufactured home is attached to a permanent foundation.

9.6.8 All manufactured homes shall be connected to municipal services prior to their occupation.

9.7 SERVICE STATIONS

9.7.1 Where a service station is proposed to include a retail food store, a car wash and/or an auto parts store, the Approving Authority shall ensure that the location of parking and circulation area does not interfere with the free movement of re-fueling vehicles.

9.7.2 Fencing or screening to the satisfaction of the Development Authority shall be provided along the lot line separating a service station from any abutting residential districts.

9.8 SHOPPING CENTRES AND MULTI-PURPOSE BUILDINGS

9.8.1 In considering an application for a development permit, the Development Authority shall evaluate the proposal according to the following criteria:

- (a) orientation, exterior design and architectural appearance of buildings or structures should be of a high standard;
- (b) location of the development must be compatible with adjacent land uses;
- (c) vehicular traffic flow patterns within and access to and from the site must not cause traffic congestion;

- (d) pedestrian access and egress within the site and from any public sidewalk must be convenient and safe; and
- (e) location of exterior signs (information, directional or advertising) must maintain a unified theme and shall conform to the requirements of this Bylaw.

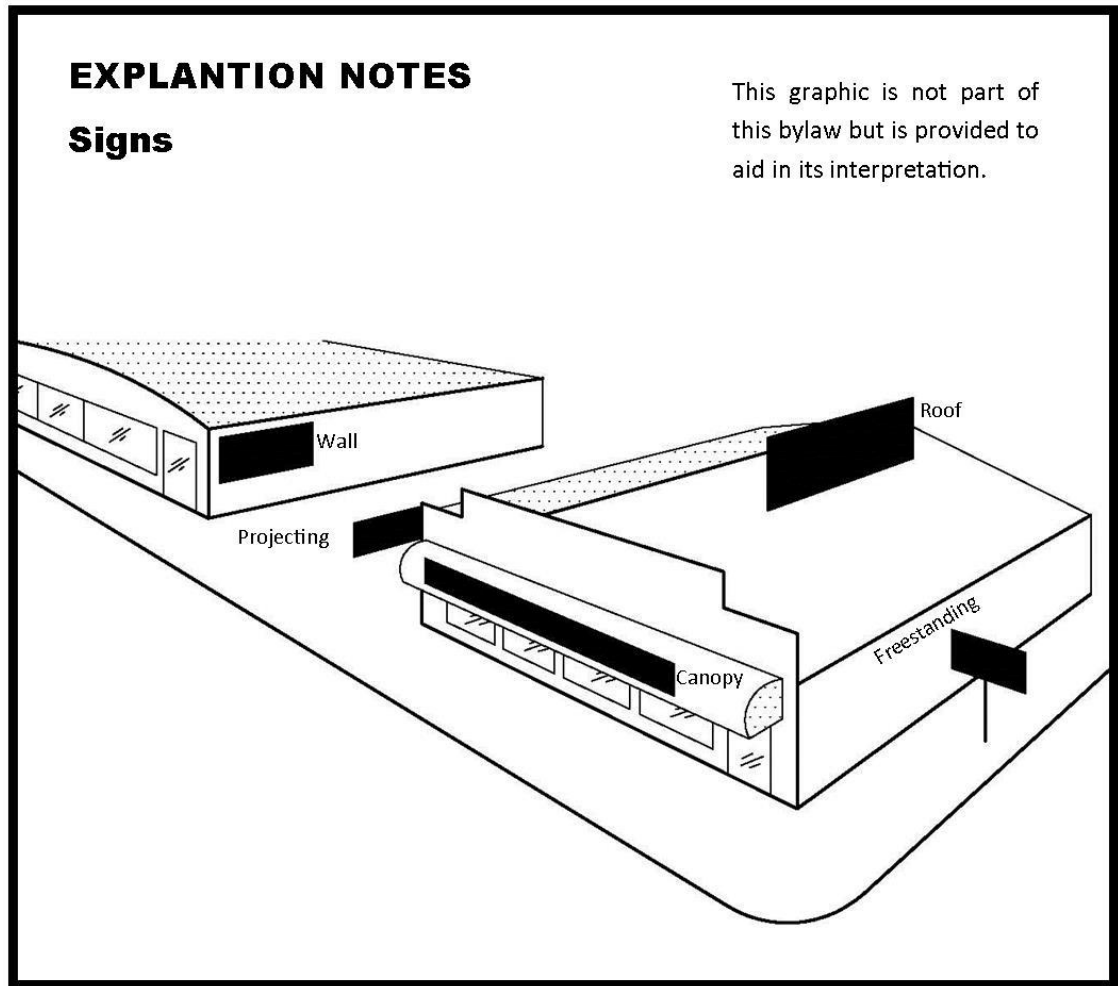
9.8.2 A minimum landscaped buffer strip of 1 m (3.3 ft.) in width shall separate any parking area from the lot line of the site.

9.9 SIGNS

9.9.1 Signage Regulations for All Districts

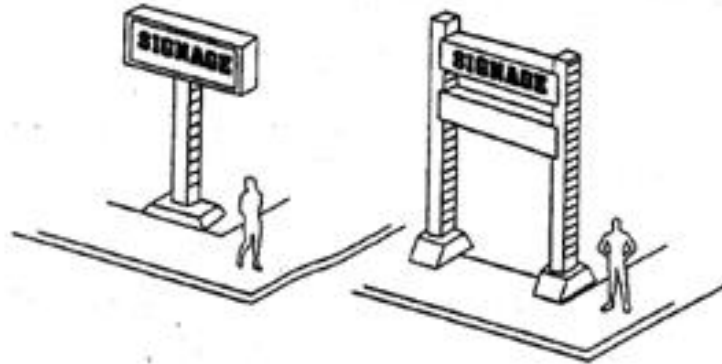
- (a) No sign of advertising, directional or information nature shall be erected on a site or affixed to any exterior surface of any building or structure unless an application for this purpose has been approved by the Development Authority.
- (b) No sign shall project more than one half of the distance from the building exterior to the adjacent curb face. The erection of such signs shall require the developer to enter into an encroachment agreement with the Town.
- (c) No sign shall project more than 1.5 m (5 ft.) above the top of any main wall or parapet to which it is affixed, unless in the opinion of the Development Authority it has been designed as an integral part of the building.
- (d) No sign shall be illuminated unless the source of light is suitably shielded and does not interfere with vehicular traffic or the use and enjoyment of adjacent properties.
- (e) The support structure for all signs shall be an integral part of the design and shall be affixed and designed in accordance with accepted engineering practices as outlined in the Alberta Building Code to support the wind load of the sign structure.
- (f) No sign, other than one providing a public service and deemed appropriate by the Development Authority shall be permitted to be located on a public right-of-way or reserve.

- (g) The Development Authority may refuse to allow any sign that is deemed to be inappropriate in design.
- (h) There shall be a minimum clearance height of 2.5 m (8 ft.) above finished grade to the bottom of any sign projecting over a public right-of-way or sidewalk.

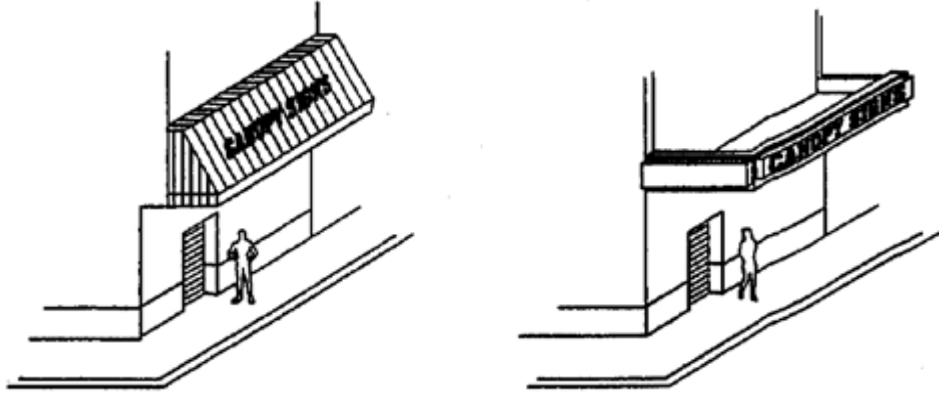


9.9.2 Signage Regulations for Commercial and Industrial Districts

- (a) Free Standing Signs



- (i) A maximum of one (1) free standing sign may be allowed for each site having a continuous frontage of up to 15 m (50 ft.).
 - (ii) A maximum of one (1) additional free standing sign may be allowed for every additional 30.5 m (100 ft.) of continuous frontage but in no case should there be more than four (4) free standing signs on any one (1) site.
 - (iii) No free standing sign shall be located on or project over a public right-of-way unless an encroachment agreement has been entered into with the Town.
 - (iv) Free standing signs shall conform to the setback requirements for principal buildings in the district in which the sign is located unless, in the opinion of the Development Authority, the sign would be compatible with the surrounding land uses and would not compromise traffic safety. For the purpose of this section, setback distances shall be measured from the outermost edge of the sign and/or support structure, whichever is closest to the lot line.
- (b) Awning and Canopy Signs



- (i) An awning or canopy sign may be allowed on second and third floor awnings in order to advertise those businesses operating at those floors in addition to the business on the first floor.
 - (ii) There shall be a minimum clearance of 2.5 m (8 ft.) above finished grade at the sign location.
 - (iii) Where a canopy, marquee or similar architectural projection has been included as an integral component of the overall architectural design of a building or designed to provide protection from the weather over an entrance or sidewalk and has been constructed in accordance with the provisions of the Alberta Building Code, the following shall apply:
 1. any sign erected upon the vertical surfaces of the canopy shall not extend horizontally beyond the limits of the vertical surface,
 2. no sign suspended under a canopy shall extend beyond the horizontal limits of the canopy. Signs suspended under a canopy shall have a clearance of at least 2.5 m (8 ft.).
- (c) Mansard Roof Signs

A sign may be attached to the face of a mansard roof in lieu of a wall-mounted sign provided that the sign not project beyond the roof peak or sides.

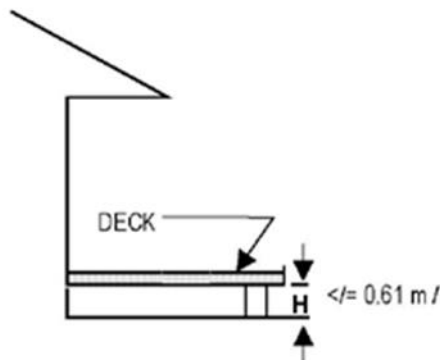
- (d) Portable Signs

A maximum of one portable sign shall be allowed per commercial site at the discretion of the development authority.

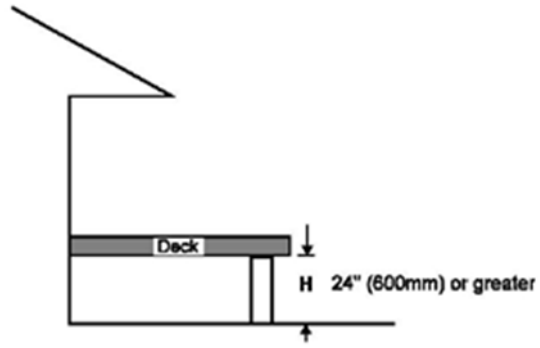
- 9.9.3 A free standing or wall sign may be allowed to identify an apartment building, manufactured home park or subdivision, residential subdivision, or other non-commercial uses provided the sign does not exceed 2 m² (21.5 ft².), project to within 1.0 m (3.3 ft.) of a property line, and exceed 3.5 m (11.5 ft.) in height from finished grade.

9.10 DECKS

- 9.10.1 A Deck shall be constructed to allow access to all utilities and meters in case of an emergency.
- 9.10.2 A Ground Level Deck means an unenclosed amenity area of concrete, brick, wood or other material that is constructed at grade or attached to a dwelling. The overall height (H) of a ground level deck shall not exceed 0.6 m (2 ft.) measured from finished grade to the underside of the supporting structure, as illustrated below. A Ground Level Deck not attached to a building is deemed an accessory structure.



- 9.10.3 A Raised Deck means an unenclosed amenity area, of wood frame or other construction, which may be attached to a dwelling. The overall height (H) of a raised deck is greater than ($>$)0.6 m (2 ft.) measured from finished grade to the underside of the supporting structure, as illustrated below. A Raised Deck, not attached to a building is deemed to be an accessory structure.



Bylaw No. 11-2018
2018/07/10

9.11 LICENSED MEDICAL MARIHUANA PRODUCTION FACILITIES - *deleted*

9.12 SEA-CANS

- 9.12.1 A sea-can may not be located on a lot where there is no principal use.
- 9.12.2 The maximum number of sea-cans that may be placed on a commercial or industrial lot is at the discretion of the Development Authority.
- 9.12.3 Sea-cans cannot be used as a dwelling unit of any type within the Town of High Prairie.
- 9.12.4 Sea-cans cannot be stacked. The maximum height for a sea-can allowed on a lot is 3.0 m (9.8 ft.).
- 9.12.5 Sea-cans must be well-maintained and in good condition, or alternatively, must be adequately buffered to the satisfaction of the Development Authority. The Development Authority may require that a sea-can be given a fresh coat of paint as a condition of the issuance of a development permit.

- 9.12.6 A maximum of one (1) sea-can may be allowed, at the discretion of the Development Authority, for a temporary period not exceeding six (6) months during the construction of the primary dwelling on a lot.
- 9.12.7 The exterior finish of a sea-can sited within a Commercial or Residential District must be consistent with the finish of the primary building.

9.13 CAMPGROUNDS

- 9.13.1 A development concept plan may be required by the Development Authority as part of a development permit application.
- 9.13.2 A minimum of 10% of the gross lot area of the campground shall be set aside for common recreation area and shall be developed and maintained as a park, playground or other useable open space. No portion of any other use and/or facility shall be included in this area.
- 9.13.3 Visitor parking shall be provided in common areas within a campground area, to the satisfaction of the Development Authority.
- 9.13.4 A campground shall provide safe and convenient vehicular access and all roadways within a campground shall be of a surface and standard acceptable to the Development Authority for the purpose of accommodating emergency and maintenance vehicles.
- 9.13.5 The Development Authority may require a landscaping plan to be submitted as part of a development permit application for a campground.
- 9.13.6 Any adjoining residential area(s) shall be screened by a solid fence or year-round vegetation with a minimum height of 2.0 m (6.6 ft.), to the satisfaction of the Development Authority.
- 9.13.7 Fires shall be permitted only in facilities which have been provided for such purpose or where open fires are allowed by the Town's fire department.
- 9.13.8 The storage, collection and disposal of solid waste in campgrounds shall be so conducted so as to create no health hazards, rodent harbourage, insect breeding areas, or accident or fire hazards. Individual or grouped refuse containers must be screened to the satisfaction of the Development Authority.

9.14 SOLAR ENERGY COLLECTION SYSTEMS

- 9.14.1 Solar energy collection systems shall only be allowed as accessory developments.
- 9.14.2 Ground mounted solar collectors shall be located in a side or rear yard only.

- 9.14.3 When a solar energy collection system is installed on a lot, accessory structures or vegetation on an abutting lot should not be located so as to block the solar collector's access to solar energy. The portion of a solar collector that is protected is the portion which:
- (a) is located so as not to be shaded between the hours of 10:00 a.m. and 3:00 p.m. by a hypothetical 3.66 m (12 ft.) obstruction located on the lot line; and
 - (b) has an area not greater than one-half of the heated floor area of the structure, or the largest of the structures, to be served.

Notwithstanding the foregoing, the Town shall not be held responsible for protecting access to solar energy on private land.

- 9.14.4 No solar energy collection system that is tied into a grid shall be installed until evidence has been given that the utility has been informed of the customer's intent to install an interconnected customer-owner generator. A copy of a letter to the applicant's utility is sufficient. No response or evidence of approval from the utility is required. Off-grid systems and grid-tied systems that are not capable of feeding onto the grid with advanced control grid fault protection and disconnect switches covered under the electrical code shall be exempt from the requirement.

9.15 WIND ENERGY CONVERSION SYSTEMS, LARGE

- 9.15.1 Prior to making a decision on an application for a development permit for a Large Wind Energy Conversion System, the Development Authority shall consider input from:
- (a) any adjacent municipality should the proposed development be located within 2 km (1.2 mi.) of the municipality; and
 - (b) landowners within 2 km (1.2 mi.) of the proposed development.
- 9.15.2 When making an application for a development permit for a Large Wind Energy Conversion System, the developer shall provide to the Development Authority appropriate reports and/or approvals from the following:
- (a) Transport Canada;
 - (b) NavCanada;
 - (c) Alberta Culture and Community Spirit;

- (d) Alberta Environment and Sustainable Resource Development;
- (e) Alberta Tourism, Parks and Recreation;
- (f) Alberta Transportation.

- 9.15.3 Should a Large Wind Energy Conversion System discontinue producing power for a minimum of two (2) years, the system operator shall be required to provide a status report to the Development Authority. The Development Authority may then require that the system be decommissioned. Failure to comply with a decommissioning requirement shall be considered to be a breach of this Bylaw, and subject to the enforcement provisions of this Bylaw.
- 9.15.4 A large wind energy conversion system shall comply with all the setbacks related to roads and highways that govern the principal use in the district in which it is located.
- 9.15.5 Where, in the opinion of the Development Authority, the setbacks referred to in Section 9.15.4 above are not sufficient to reduce the impact of a large wind energy conversion system from a road or highway, the Development Authority may increase the required setback.
- 9.15.6 The turbine base shall be no closer to the property line than four times the height of the wind turbine tower. Where in the opinion of the Development Authority the setback from the property line should be varied, the Development Authority may require an acoustical study to establish appropriate setbacks.
- 9.15.7 The minimum vertical blade clearance from grade shall be 7.4 m (24.6 ft.) for a wind energy conversion system employing a horizontal axis rotor unless otherwise required by the Development Authority.
- 9.15.8 To ensure public safety, the Development Authority may require that:
- (a) a locked device be installed on the tower to preclude access to the top of the tower;
 - (b) no ladder or permanent tower access device be located less than 3.7 m (12.1 ft.) from grade;

- (c) a secure fence not less than 1.8 m (5.9 ft.) in height with a lockable gate surround a wind energy conversion system tower if the tower is climbable or subject to vandalism that could threaten tower integrity; and
- (d) such additional safety mechanisms or procedures be provided as the Development Authority may consider reasonable and appropriate.

The use of tubular towers, with locked door access, may, at the sole discretion of the Development Authority, make unnecessary the above requirements.

- 9.15.9 All power lines on the site of a large wind energy conversion system to the power grid or a power substation will be underground except where the Development Authority specifically approves overhead or above grade installations.
- 9.15.10 Unless otherwise required by the Development Authority, a large wind energy conversion system shall be finished in a non-reflective matte material and in a colour which minimizes the obtrusive impact of a system to the sole requirements of the Development Authority.
- 9.15.11 No lettering, advertising or other symbol shall appear on the towers or blades. On other parts of the large wind energy conversion system, the only lettering or symbol allowed will be the manufacturer's and/or owner's identification or symbol and then, only upon the approval of and at the discretion of the Development Authority.
- 9.15.12 The Development Authority may approve a large wind energy conversion system on a case-by-case basis having regard for:
 - (a) information provided in the application;
 - (b) the proximity of the proposed development to other land uses;
 - (c) the cumulative effect of all wind energy conversion systems approved or proposed in the area;
 - (d) underlying utilities; and

(e) information received from the circulation of the application and from the public.

9.15.13 Large wind energy systems must comply with applicable air traffic safety regulations. Transport Canada must be notified of the location (latitude and longitude) and height of all wind turbine installations through the aeronautical clearance application process.

9.16 WIND ENERGY CONVERSION SYSTEMS, MICRO

9.16.1 Notwithstanding any other provisions in this Bylaw, micro wind energy conversion systems, which are systems which have a rated capacity of less than 0.5 KW, may only be roof mounted or ground mounted within a side or rear yard.

9.16.2 Micro wind energy conversion systems shall be required to conform to set back requirements for accessory buildings.

9.16.3 Maximum height shall be the maximum height provisions that apply within the District in which the micro wind energy conversion system is located.

9.16.4 One micro wind energy conversion system is allowed per lot. A second system may be allowed at the discretion of the Development Authority if the applicant can demonstrate that there is adequate room on the site.

9.17 WIND ENERGY CONVERSION SYSTEMS, SMALL

9.17.1 Small wind energy conversion systems shall only be allowed as accessory developments.

9.17.2 For property sizes between 0.1 ha (0.25 ac.) and 0.2 ha (0.5 ac.) the wind turbine tower height shall be limited to 25.0 m (82.0 ft.). For property sizes of 0.2 ha (0.5 ac.) or more, there is no limitation on wind turbine tower height, subject to the setback requirements below, and provided that the application includes evidence that the proposed height does not exceed the height recommended by the manufacturer or any distributor of the system.

9.17.3 The turbine base shall be no closer to the property line or to any other structure than the height of the wind turbine tower. No part of the system structure, including guy wire anchors, may extend closer than 3.0 m (10 ft.) to the property boundaries of the installation site. Additionally, the outer and innermost guy wires must be marked and clearly visible to a height of 2.0 m (6.6 ft.) above the guy wire anchors. The Development Authority may waive setback

requirements from adjacent properties if such adjacent property owner agrees to grant an easement binding on current and future owners.

- 9.17.4 The mean value of the sound pressure level from small wind energy systems shall not exceed more than 6 decibels (dBA) above background sound, as measured at the exterior of the closest neighbouring inhabited dwelling (at the time of installation or during operation), for wind speeds below 10 m per second (22 mph) and except during short-term events such as utility outages and/or severe wind storms.
- 9.17.5 Development permit applications for small wind energy systems shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, footings, anchoring method and drawn to scale. An engineering analysis of the wind turbine tower showing compliance with the International Building Code and certified by a licensed professional mechanical, structural, or civil engineer shall also be submitted. Documentation of this analysis supplied by the manufacturer shall be accepted.
- 9.17.6 Small wind energy systems must comply with applicable air traffic safety regulations. A statement on compliance by the applicant is sufficient. Transport Canada must be notified of the location (latitude and longitude) and height of all wind turbine installations through the aeronautical clearance application process. Small wind turbine towers shall not be artificially lit except as required by NavCanada.
- 9.17.7 Building permit applications for small wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to existing electrical codes. This information is frequently supplied by the manufacturer.
- 9.17.8 No small wind energy system that is tied into a grid shall be installed until evidence has been given that the utility has been informed of the customer's intent to install an interconnected customer-owner generator. A copy of a letter to the applicant's utility is sufficient. No response or evidence of approval from the utility is required. Off-grid systems and grid-tied systems that are not capable of feeding onto the grid with advanced control grid fault protection and disconnect switches covered under the electrical code shall be exempt from the requirement.
- 9.17.9 One Small Wind Energy System is allowed per single detached dwelling on a lot.

9.19 CANNABIS RETAIL SALES

- 9.19.1 The owner or applicant must obtain any other approval, permit, authorization, consent or licence that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
- 9.19.2 Cannabis Retail Sales use shall not be located within 100 metres from:
- (a) a private or public school; or
 - (b) a provincial health care facility;
- 9.19.3 The separation distance between uses shall be measured from lot line to lot line.
- 9.19.4 The development shall not operate in conjunction with another approved use.
- 9.19.5 Customer access to the store is limited to a store-front that is visible from the street.
- 9.19.6 No customer parking shall be located behind a facility and all parking areas in front of the building shall be well lit.
- 9.19.7 Parking shall be provided in accordance with the minimum requirements under Section 8.6.1 *Retail Shop, Personal Service Facility*.

9.20 CANNABIS PRODUCTION FACILITY

- 9.20.1 The owner or applicant must provide as a condition of development a copy of the current licence for all activities associated with cannabis production as issued by the Federal Government.
- 9.20.2 The owner or applicant must obtain any other approval, permit, authorization, consent or licence that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
- 9.20.3 The development must be done in a manner where all of the processes and functions are fully enclosed within a stand-alone building including all loading stalls and docks, and garbage containers and waste material.
- 9.20.4 The development shall not include an outdoor area for storage of goods, materials or supplies.
- 9.20.5 The development shall not operate in conjunction with another approved use.

- 9.20.6 The development must include equipment designed and intended to remove odours from the air where it is discharged from the building as part of a ventilation system.
- 9.20.7 The Development Officer may require, as a condition of a development permit, a waste management plan, completed by a qualified professional, which includes but not limited to, details on:
- (a) the incineration of waste products and airborne emissions, including smell;
 - (b) the quantity and characteristics of liquid and waste material discharged by the facility; and
 - (c) the method and location of collection and disposal of liquid and waste material discharged by the facility.
- 9.20.8 Parking shall be provided in accordance with the minimum requirements for Manufacturing and Industrial Plant under Section 8.6 Parking and Loading Facilities.

PART TEN ESTABLISHMENT OF DISTRICTS

10.1 LAND USE DISTRICTS

For the purpose of this Bylaw, lands within the boundaries of the Town of High Prairie shall be divided into the following districts:

District	Symbol
Restricted Residential	R-1
Low Density Residential	R-2
Mixed Residential	R-3
Multiple Unit Residential	R-4
Acreage Residential	R-5
Manufactured Home Park	MHP
Manufactured Home Subdivision	MHS
Downtown Commercial	C-1
Secondary Commercial	C-2
Highway Commercial	C-3
Industrial	M
Urban Services	P
Urban Reserve	UR
Direct Control	DC

Bylaw No. 02-2019
05/14/2019
Bylaw No. 02-2019
05/14/2019

10.2 DISTRICT SYMBOLS

Throughout this Bylaw, or any amendments to it, a district may be referred to either its full name or by its symbol as identified in Section 10.1.

10.3 DISTRICT MAP

10.3.1 The District Map, as may be amended or replaced by bylaw from time to time, is that map attached to and forming part of this Bylaw, and bears the identification "District Map" and "Section 10.3 of this bylaw".

10.3.2 In the event that a dispute arises over the precise location of a boundary of any district as shown on the District Map, Council may request planning advice and subsequently decide thereon.

PART ELEVEN DISTRICT RULES

11.1 RESTRICTED RESIDENTIAL (R-1) DISTRICT

11.1.1 Purpose

The purpose of this District is to provide for low-density residential development in the form of single-detached dwellings and complementary uses.

(a) Permitted Uses

- accessory building
- dwelling unit, single-detached
- park or playground

(b) Discretionary Uses

Bylaw No. 02-2019
05/14/2019

Bylaw No. 02-2019
05/14/2019

Bylaw No. 02-2019
05/14/2019

Bylaw No. 02-2019
05/14/2019

- accessory dwelling – *deleted*
- bed and breakfast operation
- dwelling unit, garage suite
- dwelling unit, garden suite
- dwelling unit, secondary suite
- child care facility
- home occupation
- place of worship
- public utility
- sign
- solar energy collection system
- wind energy conversion system, micro

11.1.2 Site Provisions

The following regulations shall apply to every development in this district.

- (a) Lot Area (minimum): 465 m² (5,500 ft²)
- (b) Lot Width (minimum): 15 m (50 ft.)
- (c) Front Yard (minimum): 7.6 m (25 ft.)
- (d) Rear Yard (minimum): 6.1 m (20 ft.) for principal building

- (e) Side Yard (minimum): 1.5 m (5 ft.) for interior side yard
3.3 m (10 ft.) for exterior side yard
- (f) Building Height (maximum): 8.2 m (27 ft.) for principal building
- (g) Site Coverage (maximum): 40%
- (h) Dwelling Size (minimum): 111.5 m² (1,200 ft²)

11.2 LOW DENSITY RESIDENTIAL (R-2) DISTRICT

11.2.1 Purpose

The purpose of this district is to provide for low-density residential development in the form of single detached dwellings with provisions for duplexes, semi-detached dwellings, and complementary uses.

(a) Permitted Uses

- accessory building
- dwelling unit, single-detached
- park or playground

(b) Discretionary Uses

Bylaw No. 02-2019
05/14/2019

Bylaw No. 02-2019
05/14/2019

Bylaw No. 02-2019
05/14/2019

Bylaw No. 02-2019
05/14/2019

- accessory dwelling – *deleted*
- bed and breakfast operation
- dwelling unit, garage suite
- dwelling unit, garden suite
- dwelling unit, secondary suite
- child care facility
- dwelling unit, apartment
- dwelling unit, duplex
- dwelling unit, semi-detached
- home occupation
- neighbourhood commercial development
- place of worship
- public utility
- sign
- solar energy collection system
- wind energy conversion system, micro

11.2.2 Site Provisions

The following regulations shall apply to every development in this district.

- | | | |
|-----|---------------------|---|
| (a) | Lot Area (minimum) | 325 m ² (3,500 ft ²) per unit for semi-detached
464 m ² (5,000ft ²) for all other uses |
| (b) | Lot Width (minimum) | 13.7 m (45 ft.) for single detached dwelling |

7.5 m (24.6 ft.) per unit for semi-detached

- (c) Front Yard (minimum) 6.1 m (20 ft.)
- (d) Rear yard (minimum) 4.6 m (15 ft.) for principal building
- (e) Side yard (minimum) 1.5 m (5 ft.) for interior side yard.
None required for a semi-detached dwelling where the common wall corresponds to a property line.
3.3 m (10 ft.) for exterior side yard
- (f) Building Height (maximum): 8.2 m (27 ft.) for principal building
- (g) Site Coverage (maximum): 40%

11.2.3 Cornerstone Development

That the Land Use Bylaw designation change from R3/ R4 to R2 and that the front yard setbacks be relaxed for this area only to 4.6 m (15 ft.) for the principal building.

11.3 MIXED RESIDENTIAL (R-3) DISTRICT

11.3.1 Purpose

The purpose of this District is to provide for low density mixed residential development with provision for future infill development in the form of single-detached dwellings, duplexes, semi-detached dwellings.

(a) Permitted Uses

- accessory building
- dwelling unit, duplex
- dwelling unit, semi-detached
- dwelling unit, single-detached
- park or playground

(b) Discretionary Uses

Bylaw No. 02-2019
05/14/2019
Bylaw No. 02-2019
05/14/2019
Bylaw No. 02-2019
05/14/2019
Bylaw No. 02-2019
05/14/2019

- accessory dwelling – *deleted*
- bed and breakfast operation
- dwelling unit, garage suite
- dwelling unit, garden suite
- dwelling unit, secondary suite
- child care facility
- dwelling group
- dwelling unit, apartment
- home occupation
- neighbourhood commercial development
- place of worship
- public utility
- sign
- solar energy collection system
- wind energy conversion system, micro

11.3.2 Site Provisions

The following regulations shall apply to every development in this district.

- | | | |
|-----|--------------------|--|
| (a) | Lot Area (minimum) | 325 m ² (3,500 ft ²) per unit for semi-detached
464 m ² (5,000 ft ²) for duplex dwelling
297 m ² (3,200 ft ²) per unit for dwelling group |
|-----|--------------------|--|

418 m² (4,500 ft²) for all other uses

- (b) Lot Width (minimum) 7.5 m (24.6 ft.) per unit for semi-detached
15 m (50 ft.) for duplex dwelling
7.6 m (25 ft.) per unit for dwelling group
13.7 m (45 ft.) for all other uses
- (c) Front Yard (minimum) 6.1 m (20 ft.)
- (d) Rear Yard (minimum) 4.6 m (15 ft.) for principal building
- (e) Side Yard (minimum) 1.5 m (5 ft.) for interior side yard.
None required for a semi-detached dwelling where the common wall corresponds to a property line.
3.3 m (10 ft.) for exterior side yard
- (f) Building Height (maximum) 8.2 m (27 ft.) for principal building
- (g) Site Coverage (maximum) 40%
- (h) Dwelling Group (maximum) 6 units

11.4 MULTIPLE UNIT RESIDENTIAL (R-4) DISTRICT

11.4.1 Purpose

The purpose of this District is to provide for the development of multiple unit residential development.

(a) Permitted Uses

- accessory building
- dwelling group
- dwelling unit, apartment
- dwelling unit, condominium
- dwelling unit, duplex
- dwelling unit, semi-detached
- dwelling unit, town house
- park or playground
- senior citizen complex

(b) Discretionary Uses

- child care facility
- home occupation
- neighbourhood commercial development
- place of worship
- public utility
- sign
- solar energy collection system
- wind energy conversion system, micro

11.4.2 Site Provisions

The following regulations shall apply to every development in this district.

- | | | |
|------------|--------------------|--|
| (a) | Lot Area (minimum) | 743 m ² (8,000 ft ²) for apartment building
297 m ² (3,200 ft ²) for duplex group
418 m ² (4,500 ft ²) for all other uses |
|------------|--------------------|--|

- (b) Lot Width (minimum) 9.1 m (30 ft.) per unit for semi-detached
15 m (50 ft. for duplex dwelling
7.6 m (25 ft.) per unit for dwelling group
13.7 m (45 ft.) for all other uses
- (c) Front Yard (minimum) 7.6 m (25 ft.)
- (d) Rear Yard (minimum) 7.6 m (25 ft.) for principal building
- (e) Side Yard, Interior (minimum) 1.5 m (5 ft.) for interior side yard
 - (i) Apartment Building
 - 4.6 m (15 ft.) for building of 7.6 m (25 ft.) or less in height
 - 6.1 m (20 ft.) for building over 7.6 m (25 ft.) in height
 - Minimum 4.5 m (15 ft.) to be maintained between principal buildings located on same lot.*
 - (ii) Dwelling Group 1.2 m (4 ft.)
None required where a common wall corresponds to a property line.
- (f) Side Yard, Exterior (minimum) 4.6 m (15 ft.) for apartment building
3.3 m (10 ft.) for dwelling group
- (g) Building Height (maximum) 13.7 m (45 ft.) for apartment building
10.7 m (35 ft.) for dwelling group
- (h) Site Coverage (maximum) 30%
- (i) Density (maximum)
 - (i) Apartment Building: 86 units per net hectare (35 units per net acre)
 - (ii) Dwelling Group: 45 units per net hectare (18 units per net acre)

11.5 ACREAGE RESIDENTIAL (R-5) DISTRICT

11.5.1 Purpose

The purpose of this District is to provide for very low-density residential development in an acreage setting where Individual lots may be serviced by private water supplies and sewage disposal systems in accordance with the Alberta Safety Codes Act.

(a) Permitted Uses

- accessory building
- dwelling unit, single-detached
- park or playground
- telecommunication tower

(b) Discretionary Uses

Bylaw No. 02-2019
05/14/2019

Bylaw No. 02-2019
05/14/2019

Bylaw No. 02-2019
05/14/2019

Bylaw No. 02-2019
05/14/2019

- accessory dwelling – *deleted*
- bed and breakfast operation
- dwelling unit, garage suite
- dwelling unit, garden suite
- dwelling unit, secondary suite
- greenhouse
- home occupation
- market garden
- place of worship
- public utility
- riding stable
- sign
- solar energy collection system
- wind energy conversion system, micro

11.5.2 Site Provisions

The following regulations shall apply to every development in this district.

- (a) Lot Area (minimum) 0.6 hectare (1.5 acre)
- (b) Lot Width (minimum) 30.5 m (100 ft.)

- (c) Front Yard (minimum) 15.25 m (50 ft.)
- (d) Rear Yard (minimum) 15.25 m (50 ft.) for principal building
- (e) Side Yard (minimum) 3.3 m (10 ft.) for interior side yard
6.1 m (20 ft.) for exterior side yard
- (f) Building Height (maximum) 10.4 m (34 ft.) for principal building
- (g) Density (maximum) 35 lots per quarter section
- (h) The provision of private sewer systems shall be installed and maintained in accordance with the Alberta Plumbing and Drainage Act, and any associated Regulations.
- (i) Special Provision

An equestrian use shall be limited as follows:

- (i) Riding stables may only be permitted on lots in excess of 2 hectares (5 acres) in size.
- (ii) The maximum allowable number of horses shall not exceed 2 animals per hectare.
- (iii) All development permit applications shall be circulated as required.

Bylaw No. 02-2019
05/14/2019

11.6 MANUFACTURED HOME PARK (MHP) DISTRICT

11.6.1 Purpose

Bylaw No. 02-2019
05/14/2019

The purpose of this District is to provide for the development of manufactured home parks.

(a) Permitted Uses

Bylaw No. 02-2019
05/14/2019

- accessory building
- dwelling unit, manufacture home
- park or playground

(b) Discretionary Uses

- child care facility
- home occupation
- place of worship
- public utility
- sign
- solar energy collection system
- wind energy conversion system, micro

11.6.2 Site Provisions

The following regulations shall apply to every development in this district.

- (a) Lot Area (minimum) 446 m² (4,800 sq²)
- (b) Lot Width (minimum) 12.2 m (40 ft.)
- (c) Front Yard (minimum) 4.6 m (15 ft.)
- (d) Rear Yard (minimum) 4.6 m (15 ft.) for principal building
- (e) Side Yard (minimum) 1.5 m (5 ft.)
- (f) Site Coverage (maximum) 40%
- (g) Maximum Height 4.6 m (15 ft.)

Bylaw No. 02-2019
05/14/2019

(h) Every manufactured home park dwelling lot shall front on to a private road, and be clearly marked by means of stakes, fences, hedges or other means satisfactory to the Development Authority.

Bylaw No. 02-2019
05/14/2019

(i) Within a manufactured home park, a minimum of five percent (5%) of the total area shall be developed for general recreational purposes, of which a minimum of 1.9 m² (20 ft²) per dwelling lot shall be developed as playground areas.

Bylaw No. 02-2019
05/14/2019

(j) For manufactured home parks containing more than fifty (50) dwelling lots, two (2) separate means of access shall be provided. These access points may be in the form of one (1) access route containing two carriageways in each direction separated by a centre boulevard of 2.5 m (8 ft.) or more.

Bylaw No. 02-2019
05/14/2019

(k) All areas of a manufactured home park not utilized for vehicle circulation and structures shall be landscaped, including the planting of trees throughout at a ratio of at least one (1) tree per dwelling lot.

11.7 MANUFACTURED HOME SUBDIVISION (MHS) DISTRICT

11.7.1 Purpose

The purpose of this District is to provide for the development of residential neighborhoods where manufactured homes are the predominant housing form.

(a) Permitted Uses

- accessory building
- dwelling unit, manufactured home
- park or playground

(b) Discretionary Uses

- child care facility
- dwelling unit, single detached
- home occupation
- place of worship
- public utility
- sign
- solar energy collection system
- wind energy conversion system, micro

11.7.2 Site Provisions

The following regulations shall apply to every development in this district.

- (a) Lot Area (minimum) 446 m² (4,800 sq²)
- (b) Lot Width (minimum) 12.2 m (40 ft.)
- (c) Front Yard (minimum) 4.6 m (15 ft.)
- (d) Rear Yard (minimum) 4.6 m (15 ft.) for principal building

- (e) Side Yard (minimum) 1.5 m (5 ft.)
- (f) Site Coverage (maximum) 40%
- (g) Maximum Height 4.6 m (15 ft.)

11.8 DOWNTOWN COMMERCIAL (C-1) DISTRICT

11.8.1 Purpose

The general purpose of this District is to provide a wide variety of commercial uses within the Town's downtown core.

(a) Permitted Uses

- accessory building
- amusement facility, indoor
- business support services facility
- eating and drinking facility
- general retail establishment
- government service
- health service
- household repair service
- library or cultural exhibit
- office use
- park or playground
- personal service facility

(b) Discretionary Uses

- auction mart
- bus depot
- cannabis retail sales
- car wash
- child care facility
- contractor service, limited
- drinking facility
- dwelling unit, apartment
- entertainment facility
- equipment rental facility
- greenhouse
- hotel
- indoor recreation facility
- institutional use
- liquor store
- motel
- parking lot

Bylaw No. 12-2018
2018/07/10

- place of worship
- private club
- protective and emergency services
- public use
- public utility
- restaurant
- sea-can
- shopping centre
- sign
- solar energy collection system
- veterinary clinic
- wind energy conversion system, micro

11.8.2 Site Provisions

The following regulations shall apply to every development in this district.

- (a) Relating to residential development located above a commercial use:
Same as in the R-4 District

- (b) Relating for Commercial Uses:
 - (i) Minimum Lot Area: 380 m² (4090 ft²)
 - (ii) Minimum Lot Width: 10 m (33 ft.)

- (c) Minimum Yard Requirements:
 - (i) Front Yard
 - (a) None, subject to the regulations in Subsection L 8.4 below
 - (b) Notwithstanding A. above, the Development Authority may require a setback in order to conform to existing adjacent development.
 - (ii) Side Yard
 - (a) If the subject lot is bordered on both sides by land classified C-1, no side yard shall be required. If no side yard is required, the regulations of Subsection L 8.4 below shall apply.
 - (b) If the subject lot is bordered by a lot in a Residential District, the minimum side yard required shall be 3 m (10 ft.)

- (d) Maximum Lot Coverage: 80% provided that provisions have been made for on-site parking, loading, storage and waste disposal to the satisfaction of the Development Authority.
- (e) Building Height (Maximum): 30.5 m (100 ft.)

11.8.3 Additional Requirements

- (a) Apartments
 - (i) Apartments must be a secondary use to a commercial use, located either above or to the rear of the commercial use. The apartment may not front on to the street.
- (b) Design, Character and Appearance of Buildings:
 - (i) Buildings may either be of new construction or moved in. Exterior finish to be wood, metal or similar siding, brick or stucco to the satisfaction of the Development Authority.
 - (ii) All accessory structures shall be factory pre-fabricated units, or of a quality equivalent thereto so that the appearance, design and construction will complement the main building.
- (c) No development shall be allowed that will, in any way and in the opinion of the Development Authority, become obnoxious by way of noise, odour, dust, or fumes.

11.8.4 Regulations Where No Yard is Required

- (a) Where developments are proposed which are permitted to have no yard, the other regulations of the district shall apply
- (b) Prior to the approval of any development with no yard, plans showing grading and drainage on adjacent sites must be submitted and must be deemed acceptable to the Development Authority.
- (c) Easements Required:
 - (i) Where no yard is permitted, an easement shall be provided on the lot abutting that yard for the maintenance of all main and accessory buildings and for any overhand of main or accessory buildings onto that adjacent lot. The Development Authority may require that an easement be registered against the title of the affected lot.

- (ii) Subsection (i) does not apply where adjacent owners are permitted pursuant to this Bylaw to construct buildings or accessory buildings (including garages) which are attached at the lot boundary or which face each other at the lot boundary.
- (iii) Where an accessory building is permitted to have no yard abutting a lot, the applicant will be responsible for the negotiation and registration of any easements required pursuant to Subsection (i) prior to the issuance of a development permit for the subject development.

11.9 SECONDARY COMMERCIAL (C-2) DISTRICT

11.9.1 Purpose

The general purpose of this District is to provide a wide variety of commercial uses outside of the Town's downtown core.

(a) Permitted Uses

- accessory building
- amusement facility, indoor
- business support services facility
- eating and drinking facility
- general retail establishment
- government service
- health service
- household repair service
- library or cultural exhibit
- office use
- park or playground
- personal service facility
- wind energy conversion system, micro

(b) Discretionary Uses

- auction mart
- auto body and paint shop
- automotive dealership
- bulk fuel storage and sales
- bus depot
- cannabis retail sales
- car wash
- contractor service, limited
- drinking facility
- dwelling unit, apartment
- entertainment facility
- equipment rental facility
- greenhouse
- hotel
- indoor recreation facility
- institutional use

Bylaw No. 12-2018
2018/07/10

- liquor store
- market garden
- mixed-use building
- motel
- parking lot
- place of worship
- private club
- protective and emergency services
- public use
- public utility
- restaurant
- sea-can
- service station
- sign
- solar energy collection system
- vehicle repair establishment
- veterinary clinic
- wind energy conversion system, small

11.9.2 Site Provisions

The following regulations shall apply to every development in this district.

(a) Site Area (minimum)

At the discretion of the Municipal Planning Commission and/or the Development Officer

(b) Width of Site (minimum):

At the discretion of the Municipal Planning Commission and/or the Development Officer

(c) Front Yard Setback (minimum):

At the discretion of the Municipal Planning Commission and/or the Development Officer

- (d) Side Yard Setback (minimum):
 - (i) If the subject lot is bounded on both sides by non-residential districts, no side yard may be required at the discretion of the Development Officer and/or the Municipal Planning Commission. If no side yard is provided, the regulations of Subsection 11.10.3 shall apply.
 - (ii) If the subject lot is bordered by a lot in a Residential District, the minimum side yard required shall be 2.5 m (8.2 ft.) or half (½) the height of the highest building on the lot, whichever is the greater, shall be required.
- (e) Minimum Rear Yard Setback: 6.1 m (20 ft.)
- (f) Maximum Lot Coverage: 60%
- (g) Maximum Building Height: 14 m (45 ft.)

11.9.3 Additional Requirements

- (a) Apartments
 - (i) Apartments must be a secondary use to a commercial use, located either above or to the rear of the commercial use. The apartment may not front on to the street.
- (b) Design, Character and Appearance of Buildings:
 - (i) Buildings may either be of new construction or moved in. Exterior finish to be wood, metal or similar siding, brick or stucco to the satisfaction of the Development Authority.
 - (ii) All accessory structures shall be factory pre-fabricated units, or of a quality equivalent thereto so that the appearance, design and construction will complement the main building.
- (c) No development shall be allowed that will, in any way and in the opinion of the Development Authority, become obnoxious by way of noise, odour, dust, or fumes.

Bylaw No. 02-2019
05/14/2019

11.9.4 Regulations Where No Yard is Required

- (a) Where developments are proposed which are permitted to have no yard, the other regulations of the district shall apply
- (b) Prior to the approval of any development with no yard, plans showing grading and drainage on adjacent sites must be submitted and must be deemed acceptable to the Development Authority.
- (c) Easements Required:
 - (i) Where no yard is permitted, an easement shall be provided on the lot abutting that yard for the maintenance of all main and accessory buildings and for any overhand of main or accessory buildings onto that adjacent lot. The Development Authority may require that an easement be registered against the title of the affected lot.
 - (ii) Subsection (i) does not apply where adjacent owners are permitted pursuant to this Bylaw to construct buildings or accessory buildings (including garages) which are attached at the lot boundary or which face each other at the lot boundary.
 - (iii) Where an accessory building is permitted to have no yard abutting a lot, the applicant will be responsible for the negotiation and registration of any easements required pursuant to Subsection 11.9.4(c)(i) prior to the issuance of a development permit for the subject development.

11.10 HIGHWAY COMMERCIAL (C-3) DISTRICT

11.10.1 Purpose

The purpose of this District is to allow a wide variety of commercial uses located directly adjacent to major vehicular circulation routes.

(a) Permitted Uses

- accessory building
- amusement facility, indoor
- business support service facility
- car wash
- contractor service, limited
- eating and drinking facility
- general retail establishment
- greenhouse
- health service
- household repair service
- library or cultural exhibit
- office use
- park or playground
- personal service facility
- place of worship
- shopping centre
- wind energy collection system, micro

(b) Discretionary Uses

- amusement facility, outdoor
- auction mart
- auto body and paint shop
- automotive dealership
- bulk fuel storage and sales
- bus depot
- cannabis retail sales
- caretaker's residence
- contractor service, general
- drive-in restaurant
- dwelling unit, apartment
- entertainment facility
- equipment rental facility
- greenhouse
- hotel
- indoor recreation facility
- institutional use
- kennel
- liquor store
- market garden
- mixed-use building
- motel
- motor vehicle dealership
- outdoor storage (excepting flammable or combustible materials)
- private club
- protective and emergency service
- public use
- public utility
- recreation vehicle park
- restaurant
- sea-can
- service station
- sign
- solar energy collection system
- trucking or cartage facility
- vehicle repair establishment
- veterinary clinic
- warehouse sales facility

Bylaw No. 12-2018
2018/07/10

- wind energy collection system, small

11.10.2 Site Provisions

The following regulations shall apply to every development in this district.

(a) Minimum Site Area

At the discretion of the Municipal Planning Commission and/or the Development Officer

(b) Minimum Width of Site:

At the discretion of the Municipal Planning Commission and/or the Development Officer

(c) Minimum Front Yard Setback:

At the discretion of the Municipal Planning Commission and/or the Development Officer

(d) Minimum Side Yard Setback

(i) If the subject lot is bounded on both sides by non-residential districts, no side yard may be required at the discretion of the Development Officer and/or the Municipal Planning Commission. If no side yard is provided, the regulations of Subsection 11.10.3 shall apply.

(ii) If the subject lot is bordered by a lot in a Residential District, the minimum side yard required shall be 2.5 m (8.2 ft.) or half (½) the height of the highest building on the lot, whichever is the greater, shall be required.

(e) Minimum Rear Yard Setback: 6.1 m (20 ft.)

(f) Maximum Lot Coverage: 60%

(g) Maximum Building Height: 14 m (45 ft.)

11.10.3 Additional Requirements

(a) Apartments

- (i) Apartments must be a secondary use to a commercial use, located either above or to the rear of the commercial use. The apartment may not front on to the street.
- (b) Design, Character and Appearance of Buildings:
 - (i) Buildings may either be of new construction or moved in. Exterior finish to be wood, metal or similar siding, brick or stucco to the satisfaction of the Development Authority.
 - (ii) All accessory structures shall be factory pre-fabricated units, or of a quality equivalent thereto so that the appearance, design and construction will complement the main building.
- (c) No development shall be allowed that will, in any way and in the opinion of the Development Authority, become obnoxious by way of noise, odour, dust, or fumes.

11.10.4 Regulations Where No Yard is Required

- (a) Where developments are proposed which are permitted to have no yard, the other regulations of the district shall apply
- (b) Prior to the approval of any development with no yard, plans showing grading and drainage on adjacent sites must be submitted and must be deemed acceptable to the Development Authority.
- (c) Easements Required:
 - (i) Where no yard is permitted, an easement shall be provided on the lot abutting that yard for the maintenance of all main and accessory buildings and for any overhand of main or accessory buildings onto that adjacent lot. The Development Authority may require that an easement be registered against the title of the affected lot.
 - (ii) Subsection (i) does not apply where adjacent owners are permitted pursuant to this Bylaw to construct buildings or accessory buildings (including garages) which are attached at the lot boundary or which face each other at the lot boundary.
 - (iii) Where an accessory building is permitted to have no yard abutting a lot, the applicant will be responsible for the negotiation and registration of any easements required pursuant to Subsection

11.10.4 c (i) prior to the issuance of a development permit for the subject development.

11.11 INDUSTRIAL (M) DISTRICT

11.11.1 Purpose

The purpose of this district is to provide for manufacturing, processing, assembly, distribution, service, and repair uses that carry out a portion of their operation outdoors or require outdoor storage areas.

(a) Permitted Uses

- accessory building
- auto body or paint shop
- building supply outlet
- carwash
- equipment dealership
- industrial, light manufacturing and processing
- outdoor storage (excepting flammable or combustible materials)
- seed cleaning plant
- service station
- solar energy collection system
- trucking or cartage facility
- vehicle repair establishment
- warehouse
- welding shop
- wind energy conversion system, micro
- wind energy conversion system, small

(b) Discretionary Uses

- auction mart
- auto wrecking yard
- bulk fuel storage and sales
- cannabis production facility
- caretaker's residence
- feed mill
- grain elevator
- industrial, heavy manufacturing and processing
- kennel
- livestock sales yard
- manufactured home dealership
- mixed-use building

Bylaw No. 12-2018
2018/07/10

Bylaw No. 02-2019
2019/05/14

- motor vehicle dealership
- oilfield support
- outdoor storage (involving flammable or combustible materials)
- public utility
- sea-can
- sign
- telecommunication tower
- wind energy conversion system, large

11.11.2 Site Provisions

The following regulations shall apply to every development in this district.

- (a) Lot Area (minimum): 557 m² (6,000ft²)
- (b) Lot Width (minimum): 15 m (50 ft.)
- (c) Front Yard (minimum): 7.6 m (25 ft.)
- (d) Rear Yard (minimum): *Shall be at the discretion of the Development Authority based upon requirements for staff parking, storage, and loading.*
- (e) Side Yard (minimum): 1.5 m (5 ft.)
The Development Authority may reduce the side yard requirements if the development conforms to fire protection regulations.
- (f) Building Height (maximum): 30.5 m (100 ft.)
- (g) Site Coverage (maximum): 60%

11.11.3 Additional Requirements

- (a) Landscaping and Screening
All yards abutting a road shall be landscaped in accordance with Section 8.4. All yards located within: 30.5 m (100 ft.) of a residential district shall be screened in accordance with Section 8.4.
- (b) Any industrial operation including production, processing, cleaning, testing, repair, storage or distribution of any material shall conform to the following standards:

- (i) 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.
 - (ii) No industrial operation shall be carried out which would result in the projection of glare or heat onto adjacent properties.
 - (iii) 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.
- (c) All caretakers' residences shall be connected to municipal water and sewer systems.
 - (d) All applications for livestock sales yards shall be circulated as required for review.
 - (e) Outdoor storage shall be permitted where there is another approved use on site.
 - (f) Any storage area shall be screened to the height considered necessary by the Development Authority to screen the storage of goods or 'materials.

11.12 URBAN SERVICES (P) DISTRICT

11.12.1 Purpose

The purpose of this district is to allow the use of land for service, mainly of a public nature, which has a primary orientation to the community.

(a) Permitted Uses

- accessory building
- cemetery
- dormitory residence
- education facility
- government service
- health service
- institutional use
- library or cultural exhibit
- park or playground
- place of worship
- protective and emergency services
- public use
- public utility
- solar energy collection system
- telecommunication tower
- wind energy conversion system, micro

(b) Discretionary Uses

- child care facility
- group home
- indoor recreation facility
- outdoor recreation facility
- riding stable
- senior citizen's complex
- sign
- veterinary clinic
- wind energy conversion system, small

11.12.2 Site Provisions

- (a) Front Yard (minimum): 7.6 m (25 ft.)**

- (b) Side Yard (minimum): 4.6 m (15 ft.)
- (c) Rear Yard (minimum): 7.6 m (25 ft.) for the principal building
- (d) Building Height: 15 m (50 ft.)
- (e) Site Coverage: 40%

11.13 URBAN RESERVE (UR) DISTRICT

11.13.1 Purpose

The purpose of this district is to provide for the continuation of existing rural pursuits and future urban expansion.

(a) Permitted Uses

- accessory building
- agriculture (extensive)
- greenhouse
- market garden
- public use
- public utility
- sign
- solar energy collection system
- telecommunication tower
- wind energy conversion system, micro

(b) Discretionary Uses

- campground
- dwelling unit, single detached
- home occupation
- natural resource extraction industry
- park or playground
- riding stable
- wind energy conversion system, small

11.13.2 Site Provisions

- (a) Lot Area (minimum): 8.1 hectares (20 acres), except for lots created to accommodate existing dwellings and associated agriculture-related improvements, which shall be a maximum of 4 hectares (10 acres).
- (b) Front Yard (minimum): 30.5 m (100 ft.)
- (c) Side Yard (minimum): 6.1 m (20 ft.)
- (d) Rear Yard (minimum): 6.1 m (20 ft.) for principal building

11.14 DIRECT CONTROL (DC) DISTRICT

11.14.1 Purpose

The purpose of this district is to regulate, direct and control the Development of specialized areas, land uses and complex development proposals within the town. The development authority for all proposals within this district shall be the Council of the Town of High Prairie.

- (a) Permitted Uses
 - None
- (b) Discretionary Uses
 - Those uses approved by Council to be allowed on the subject lands.

11.14.2 Site Provisions

- (a) A development application shall be evaluated on its merits by Council which will establish the appropriate development standards.
- (b) In assessing a development permit application in a Direct Control District, Council shall have regard to but not be bound by:
 - (i) The Town of High Prairie's Municipal Development Plan; and
 - (ii) The Town of High Prairie's 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) signs;
 - (ix) exterior architecture and appearance;
 - (x) number of business establishments;or any other requirements deemed necessary having due regard for the nature of the proposed development and the purpose and intent of this District.
- (d) Council shall inform the applicant upon decision on an application for a development permit that the decision cannot be appealed to the Subdivision and Development Appeal Board (SDAB).

PART TWELVE ENACTMENT

12.1 ADMENDMENTS

- 12.1.1 Pursuant to the Act, Council may by bylaw, amend or repeal this Land Use Bylaw.
- 12.1.2 Applications to amend this Bylaw shall be accompanied by a fee, as set by a resolution of Council.
- 12.1.3 The cost of advertising for a public hearing on amendments to this Land Use Bylaw shall be borne by the applicant.
- 12.1.4 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.

12.2 ENFORCEMENT AND PENALTIES

12.2.1 Where the Development Officer or any other persons or agency authorized by Council to perform bylaw enforcement, finds that a development or use of land or buildings in contravention with:

- (a) the Municipal Government Act or any amendments thereto;
- (b) a Development Permit;
- (c) a subdivision approval; or
- (d) one or more provisions of this bylaw.

the Development Officer or any other persons or agency authorized by Council to perform bylaw enforcement 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 Municipal Government Act and regulations thereto, Development Permit, Subdivision Approval or this Bylaw within the time frame specified in the notice.

12.2.2 A person, who receives a notice stop order pursuant to Subsection (1), may appeal the order to the Subdivision and Development Appeal Board.

12.2.3 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.

12.2.4 When a person does not comply with an order, Council may, by resolution, direct that the Development Officer enters upon the land or building and take such action as is necessary to carry out the order, and the cost incurred shall be placed on the tax roll as an additional tax against the property.

Bylaw No. 02-2019
2019/05/14

12.2.5 Any person, who commits an offence under Section 645(1), upon summary conviction, is liable to a fine and/or imprisonment in accordance with the provisions of the Act.

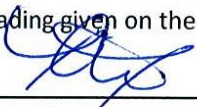
12.3 REPEAL OF EXISTING BYLAW

12.3.1 The existing Town of High Prairie Land Use Bylaw No.20/2005 and all amendments thereto are hereby repealed.

12.4 EFFECTIVE DATE

The adoption of this Bylaw No. 05-2015 is effective upon the date of the passing of the third and final reading of this bylaw, having been signed in accordance with the Municipal Government Act.

First Reading given on the 14th day of April, 2015

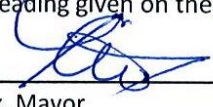


Linda Cox, Mayor



Brian Martinson, Interim Chief Administrative Officer

Second Reading given on the 26th day of May, 2015

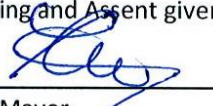


Linda Cox, Mayor

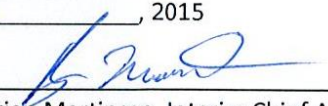


Brian Martinson, Interim Chief Administrative Officer

Third Reading and Assent given on the 26th day of May, 2015



Linda Cox, Mayor



Brian Martinson, Interim Chief Administrative Officer

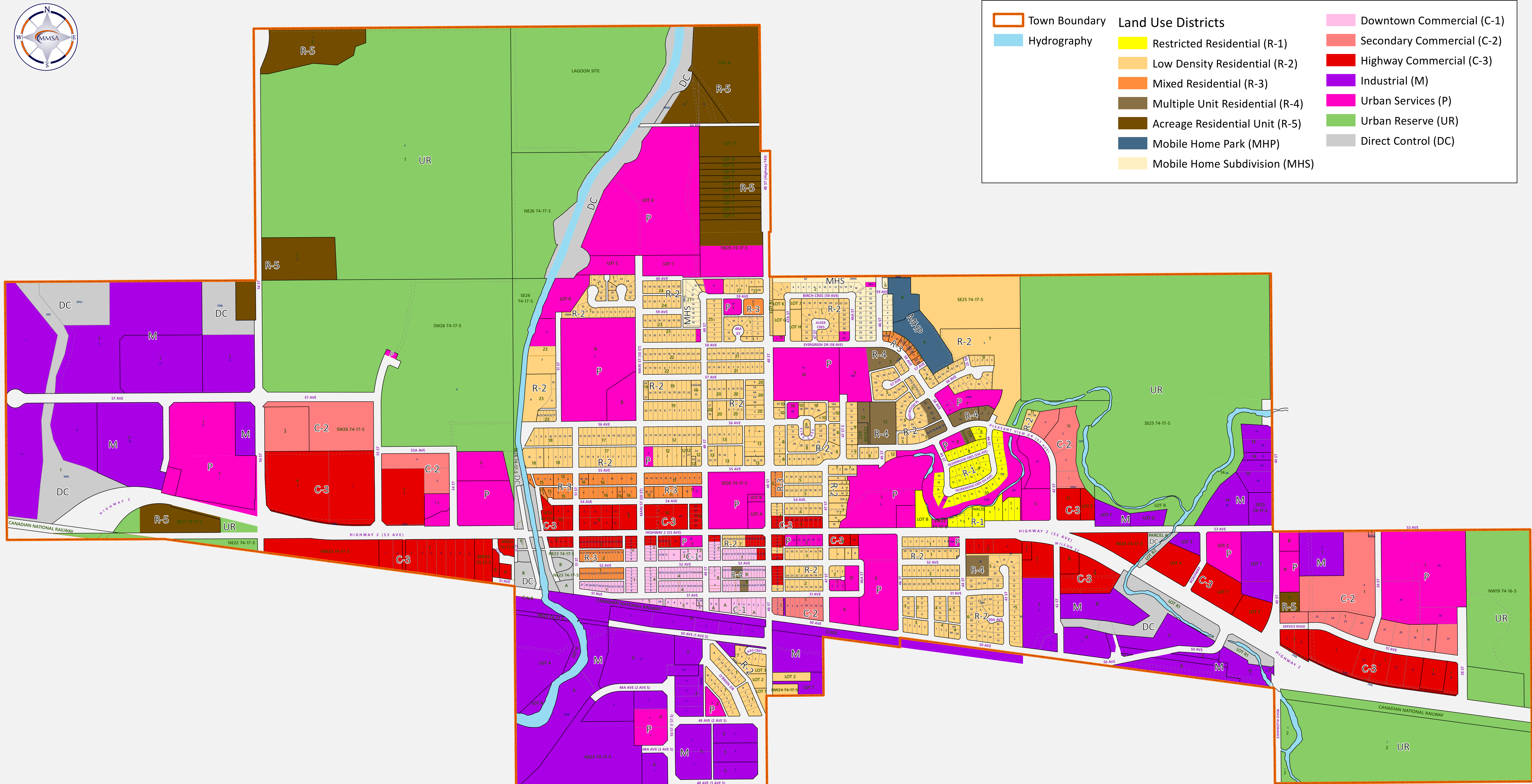
SCHEDULES

Schedule A: Map No. 1: Land Use Bylaw Districts

Schedule B: Land Use Matrix

LIST OF AMENDMENTS

Bylaw No.	Date	Purpose	Land Affected
Bylaw No. 09-2016	2016/06/14	M to C2	Block OT, Plan 7652BG
Bylaw No. 11-2018	2018/07/10	Cannabis Definitions	
Bylaw No. 12-2018	2018/07/10	Cannabis Sales and Production	
Bylaw No. 02-2019	2019/05/14	Administrative Amendment	
Bylaw No. 09-2019	2019/06/11	MGA Updates	
Bylaw No. 05-2020	2020/08/11	Revise definition for Bulk Fuel Storage and Sales and add definition for Convenience Retail Store	
Bylaw No. 11-2021	2021/07/28	R2 to C3	Lot 7A, Block 8, Plan 7922448



Town Boundary (Orange outline)
Hydrography (Blue outline)

Land Use Districts

- Restricted Residential (R-1) (Yellow)
- Low Density Residential (R-2) (Light Orange)
- Mixed Residential (R-3) (Orange)
- Multiple Unit Residential (R-4) (Dark Orange)
- Acreage Residential Unit (R-5) (Brown)
- Mobile Home Park (MHP) (Dark Blue)
- Mobile Home Subdivision (MHS) (Light Yellow)
- Downtown Commercial (C-1) (Pink)
- Secondary Commercial (C-2) (Light Red)
- Highway Commercial (C-3) (Red)
- Industrial (M) (Purple)
- Urban Services (P) (Magenta)
- Urban Reserve (UR) (Green)
- Direct Control (DC) (Grey)

High Prairie
Heart of Big Lakes

TOWN OF HIGH PRAIRIE
LAND USE BYLAW No 05-2015

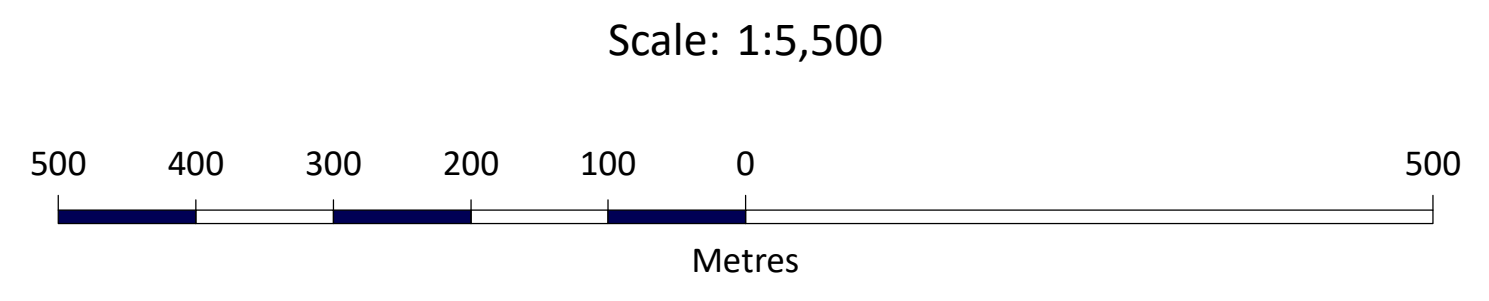
Map No. 1: Land Use Bylaw Districts
 Adopted by Council this 26th day of May, 2015

Original Signed By: *[Signature]*
 Mayor: **Linda Cox**

Original Signed By: *[Signature]*
 Chief Administrative Officer: **Brian Martinson**

Amendments

Bylaw No.	Date	Bylaw No.	Date
09-2016	Jun. 14, 2016		
11-2021	Jul. 28, 2021		



Coordinate System: NAD 1983 UTM Zone 11N



Cadastral Data Source and Date: AltaLIS Ltd., August 2021
 Updated and Printed: August 2021

This product has been created with the highest degree of accuracy possible. However, the MMSA nor any of its contractors or suppliers can be held responsible for any damages due to errors or omissions in this product.

Schedule B: Land Use Matrix

Districts	R-1	R-2	R-3	R-4	R-5	MHP	MHS	C-1	C-2	C-3	M	P	UR	P Uses	D Uses
accessory building	P	P	P	P	P	P	P	P	P	P	P	P	P	13	0
accessory dwelling	D	D	D		D									0	4
agriculture (extensive)													P	1	0
amusement facility, indoor								P	P	P				3	0
amusement facility, outdoor										D				0	1
auction mart								D	D	D	D			0	4
auto body and paint shop									D	D	P			1	2
auto wrecking yard											D			0	1
automotive dealership									D	D				0	2
bed and breakfast operation	D	D	D		D									0	4
building supply outlet											P			1	0
bulk fuel storage and sales										D	D			0	2
bus depot								D	D	D				0	3
business support services facility								P	P	P				3	0
campground													D	0	1
cannabis production facility											D			0	1
cannabis retail sales								D	D	D				0	3
car wash								D	D	P	P			2	2
caretaker's residence										D	D			0	2
cemetery												P		1	0
child care facility	D	D	D	D		D	D	D				D		0	8
contractor service, general										D				0	1
contractor service, limited								D	D	P				1	2
dormitory residence												P		1	0
drinking facility								D	D					0	2
drive-in restaurant										D				0	1
dwelling group			D	P										1	1
dwelling unit, apartment		D	D	P				D	D	D				1	5
dwelling unit, condominium				P										1	0
dwelling unit, duplex		D	P	P										2	1
dwelling unit, garden suite	D	D	D		D									0	4
dwelling unit, garage suite	D	D	D		D									0	4
dwelling unit, manufactured home						P								1	0
dwelling unit, secondary suite	D	D	D		D									0	4
dwelling unit, semi-detached		D	P	P										2	1
dwelling unit, single-detached	P	P	P		P		D						D	4	2
dwelling unit, townhouse				P										1	0
eating and drinking facility								P	P	P				3	0
education facility												P		1	0
entertainment facility								D	D	D				0	3
equipment dealership											P			1	0
equipment rental facility								D	D	D				0	3
feed mill											D			0	1
general retail establishment								P	P	P				3	0
government service								P	P			P		3	0

Schedule B: Land Use Matrix

Districts	R-1	R-2	R-3	R-4	R-5	MHP	MHS	C-1	C-2	C-3	M	P	UR		
grain elevator											D			0	1
greenhouse					D			D	D	D			P	1	4
group home												D		0	1
health service								P	P	P		P		4	0
home occupation	D	D	D	D	D	D	D						D	0	8
hotel								D	D	D				0	3
household repair service								P	P	P				3	0
indoor recreation facility								D	D	D		D		0	4
industrial, heavy manufacturing and processing											D			0	1
industrial, light manufacturing and processing											P			1	0
institutional use								D	D	D		P		1	3
kennel										D	D			0	2
library or cultural exhibit								P	P	P		P		4	0
liquor store								D	D	D				0	3
livestock sales yard											D			0	1
manufactured home dealership											D			0	1
market garden					D				D	D			P	1	3
mixed-use building									D	D	D			0	3
mobile home						P	P							2	0
motel								D	D	D				0	3
motor vehicle dealership										D	D			0	2
natural resource extraction industry													D	0	1
neighborhood commercial development		D	D	D										0	3
office use								P	P	P				3	0
oilfield support											D			0	1
outdoor recreation facility												D		0	1
outdoor storage (excepting flammable or combustible materials)										D	P			1	1
outdoor storage (involving flammable or combustible materials)											D			0	1
park or playground	P	P	P	P	P	P	P	P	P	P		P	D	11	1
parking lot								D	D					0	2
personal service facility								P	P	P				3	0
place of worship	D	D	D	D	D	D	D	D	D	P		P		2	9
private club								D	D	D				0	3
protective and emergency service								D	D	D		P		1	3
public use								D	D	D		P	P	2	3
public utility	D	D	D	D	D	D	D	D	D	D	D	P	P	2	11
recreation vehicle park										D				0	1
restaurant								D	D	D				0	3
riding stable					D							D	D	0	3
sea-can								D	D	D	D			0	4
seed cleaning plant											P			1	0
senior citizen complex				P								D		1	1
service station									D	D	P			1	2
shopping centre								D		P				1	1
sign	D	D	D	D	D	D	D	D	D	D	D	D	P	1	12
solar energy collection system	D	D	D	D	D	D	D	D	D	D	P	P	P	3	10

Schedule B: Land Use Matrix

Districts	R-1	R-2	R-3	R-4	R-5	MHP	MHS	C-1	C-2	C-3	M	P	UR		
telecommunication tower					P						D	P	P	3	1
trucking or cartage facility										D	P			1	1
vehicle repair establishment									D	D	P			1	2
veterinary clinic								D	D	D		D		0	4
warehouse											P			1	0
warehouse sales facility										D				0	1
welding shop											P			1	0
wind energy collection system, micro	D	D	D	D	D	D	D		P	P	P	P	P	5	7
wind energy collection system, small								D	D	D	P	D	D	1	5
wind energy conversion system, large											D			0	1

Permitted Use	P
Discretionary Use	D

Districts	Symbol
Restricted Residential	R-1
Low Density Residential	R-2
Mixed Residential	R-3
Multiple Unit Residential	R-4
Non-Serviced Residential	R-5
Mobile Home Park	MHP
Mobile Home Subdivision	MHS
Downtown Commercial	C-1
Secondary Commercial	C-2
Highway Commercial	C-3
Industrial	M
Urban Services	P
Urban Reserve	UR
Direct Control	DC