

Town of High Prairie

Bylaw No. 02-2019

A BYLAW OF THE TOWN OF HIGH PRAIRIE IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF AMENDING TOWN OF HIGH PRAIRIE LAND USE BYLAW NO. 05-2015.

- WHEREAS** Pursuant to the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, Council may amend a Land Use Bylaw, and;
- WHEREAS** The Council of the Town of High Prairie, in the Province of Alberta, has adopted the Town of High Prairie Land Use Bylaw No. 05-2015, as amended, and;
- WHEREAS** The Council of the Town of High Prairie, in the Province of Alberta, deems it necessary to amend the Town of High Prairie Land Use Bylaw to improve the clarity and consistency of the bylaw;
- NOW THEREFORE** Pursuant to Sections 230, 606 and 692 of the Province of Alberta Municipal Government Act, the Town of High Prairie Council, duly assembled, hereby enacts as follows:

- 1) Remove the definition for "Accessory Dwelling" in DEFINITIONS Section 1.6.
- 2) Remove the definition for "Accessory Dwelling, Garage Suite" in DEFINITIONS Section 1.6.
- 3) Remove the definition for "Accessory Dwelling, Garden Suite" in DEFINITIONS Section 1.6.
- 4) Remove the definition for "Accessory Dwelling, Secondary Suite" in DEFINITIONS Section 1.6.
- 5) Add the following definition for "Dwelling Unit, Accessory" to DEFINITIONS Section 1.6:
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.
- 6) Add the following definition for "Dwelling Unit, Garage Suite" to DEFINITIONS Section 1.6:
DWELLING UNIT, GARAGE SUITE means an accessory dwelling located above a detached garage (above grade) or a single-storey 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.

- 7) Add the following definition for “Dwelling Unit, Garden Suite” to DEFINITIONS Section 1.6:**
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.
- 8) Add the following definition for “Dwelling Unit, Manufactured Home” to DEFINITIONS Section 1.6:**
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.
- 9) Add the following definition for “Dwelling Unit, Secondary Suite” to DEFINITIONS Section 1.6:**
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.
- 10) Replace the following definition for “General Retail Establishment” in DEFINITIONS Section 1.6 as follows:**
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.
- 11) Replace the following definition for “Health Service” in Section 1.6 as follows:**
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.

12) Remove the definition for “Manufactured Home” in DEFINITIONS Section 1.6.

13) Remove the definition for “Mobile Home” in DEFINITIONS Section 1.6.

14) Replace “Mobile Home” with “Manufactured Home” throughout the document.

15) Add the following definition for “Modular Building” in DEFINITIONS Section 1.6:

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.

16) Remove the definition for “Public Education Facility” in DEFINITIONS Section 1.6.

17) Revise CONDITIONS OF A DEVELOPMENT PERMIT Section 5.2.1 (d) to the following:

- (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.

18) Replace PARKING AND LOADING FACILITIES Section 8.6.1 with the following:

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

19) Replace ACCESSORY DWELLINGS Section 9.2 with the following:

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.

20) Replace Section 9.6 MANUFACTURED HOMES as follows:

- 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, 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.

21) Remove the following Discretionary Use from RESTRICTED RESIDENTIAL (R-1) DISTRICT Section 11.1.1(b), LOW DENSITY RESIDENTIAL (R-2) DISTRICT Section 11.2.1(b), MIXED RESIDENTIAL (R-3) DISTRICT Section 11.3.1(b), and ACREAGE RESIDENTIAL (R-5) DISTRICT Section 11.5.1(b):
Accessory Dwelling

22) Add the following uses as Discretionary Uses to RESTRICTED RESIDENTIAL (R-1) DISTRICT Section 11.1.1(b), LOW DENSITY RESIDENTIAL (R-2) DISTRICT Section 11.2.1(b), MIXED RESIDENTIAL (R-3) DISTRICT Section 11.3.1(b), and ACREAGE RESIDENTIAL (R-5) DISTRICT Section 11.5.1(b):

- Dwelling Unit, Garage Suite
- Dwelling Unit, Garden Suite
- Dwelling Unit, Secondary Suite

23) Replace "Mobile Home" with "Dwelling Unit, Manufactured Home" as a Permitted Use in the MANUFACTURED HOME PARK (MHP) DISTRICT Section 11.6.1(a) and MANUFACTURED HOME SUBDIVISION (MHS) DISTRICT Section 11.7.1(a).

24) Replace "by" with "be" in SECONDARY COMMERCIAL (C-2) DISTRICT Section 11.9.3 (b) (i).

25) Replace "64(1)" with "645(1)" in ENFORCEMENT AND PENALTIES Section 12.2.5.

26) The adoption of this bylaw is effective upon the date of its final passage.

First Reading given on the 26th day of February, 2019.



Brian Panasiuk, Mayor



Brian Martinson, Chief Administrative Officer

Public Hearing for Bylaw 02-2019 advertised in the South Peace News from March 12, 2019 to March 26, 2019.

Public Hearing for Bylaw 02-2019 held the 26th day of March, 2019.

Second Reading given on the 26th day of March, 2019.



Brian Panasiuk, Mayor



Brian Martinson, Chief Administrative Officer

Third Reading and Assent given on the 14th day of March, 2019.



Brian Panasiuk, Mayor

14th from May pm


Brian Martinson, Chief Administrative Officer