

## Part Two Interpretation

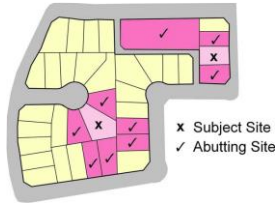
### Section 9 Rules of Interpretation

- 9.1 Words used in the present tense include the other tenses and derivative forms. Words used in the singular include the plural and vice versa. Words have the same meaning whether they are capitalized or not.
- 9.2 The words **shall** and **must** require mandatory compliance except where a variance has been granted pursuant to the Municipal Government Act or this Bylaw.
- 9.3 Words, phrases, and terms not defined in this part may be given their definition in the Municipal Government Act or the Alberta Building Code. Other words shall be given their usual and customary meaning.
- 9.4 Where a regulation involves two (2) or more conditions, provisions or events connected by a conjunction, the following shall apply:
  - a. and means all the connected items shall apply in combination;
  - b. or indicates that the connected items may apply singly; and
  - c. and/or indicates the items may apply singly or in combination.

## Section 10 Definitions

**ABATTOIR** means the use of land or a building for the slaughter of livestock or poultry and may include the packing, treating, storing and sale of the meat produced.

**ABUTTING** means immediately contiguous to or physically touching, and when used with respect to a lot or site, means that the lot or site physically touches upon another lot, site, or piece of land, and shares a property line or boundary line with it.



**ACCESSORY BUILDING OR STRUCTURE** means a building or structure that is subordinate to, exclusively devoted to, and located on the same site as the principal building. Where a structure is attached to a principal building on a site by a roof, an open or enclosed structure, a floor or foundation, or any structure below grade allowing access between the building and the structure, it is considered part of the principal building.

**ACCESSORY USE** means a use that is subordinate to, exclusively devoted to, and located on the same site as the principal use. Typical uses include, but are not limited to, a cafeteria in a hospital or a coffee shop at a college.

**ACT** means the Municipal Government Act, RSA 2000 and regulations there under, as amended from time to time.

**ADJACENT** refers to those lands that are next to the parcel of land that is subject to a development permit or subdivision application and includes lands that would be next to that parcel if not for a river, stream, railway, private or public road, utility right-of-way or lot or reserve land.

**ADULT ENTERTAINMENT FACILITY** means any premises or part thereof in which are provided in pursuance of a trade, calling, business or occupation, services appealing to erotic or sexual appetites or inclination which include without restricting the generality of the foregoing any or all of the following:

1. Adult mini-theatres, which are any premises wherein live performances, motion pictures, video tapes, digital video disk, slides or similar electronic or photographic reproductions are performed or shown as a principal use or accessory to some other business activity which is conducted on the premises;
2. Erotic dance clubs, which are any premises, other than adult mini-theatres, wherein live performances, are performed or shown as a principal use or as an accessory to some other business activity which is conducted on the premises;
3. Adult video stores which are businesses where greater than 30% of the floor area is used to sell, rent, lease or loan "X" rated adult video tapes, digital video disks or other similar electronic or photographic reproductions;
4. Love boutiques/shops which are retail or wholesale businesses where greater than 30% of the floor area is used for the display and sale of merchandise and/or products intended to be used for sexual pleasure; and
5. Services of which a principal feature or characteristic is the nudity or partial nudity of any person. For the purpose of this definition, "partial nudity" means less than completely and opaquely covered:
  - a. Human genitals or human pubic regions;
  - b. Human buttocks; or
  - c. Female breasts below a point immediately above the top of the areola.

**AGGREGATE FACILITY TEMPORARY** means any temporary pit, borrow pit, or excavation opened and used solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way. It does not include a “Resource Extraction Operation”.

**(Bylaw C-1260-98 - December 13, 2021)**

**AGRICULTURAL INDUSTRY** means the use of land and buildings for a non-agricultural pursuit that is intended to provide off farm income for the farming family. The use is incidental or subordinate to the principal use of the land for agricultural purposes. Agricultural industries are larger than Home Occupations, Agricultural and may involve the employment of non-family members in the business to a maximum of eight (8) employees.

**(Bylaw C-1260-98 - December 13, 2021)**

**AGRICULTURAL OPERATION** means an agricultural activity conducted for gain or reward or in the hope of expectation of gain or reward, and includes, but is not limited to:

1. The cultivation of land;
2. The raising of poultry and livestock, including game-production animals within the meaning of the Livestock Industry Diversification Act;
3. The raising of fur-bearing animals, birds or fish;
4. The production of agricultural field crops;
5. The production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops;
6. The production of eggs and milk;
7. The production of honey;
8. The operation of agricultural machinery and equipment, including irrigation pumps; and
9. The application of fertilizers, manure, insecticides, pesticides, fungicides and herbicides, including application by ground and aerial spray, in conjunction with agricultural purposes.

**AGRICULTURAL PURSUIT, MAJOR** means a use in association with a Country Residential District that consists of no more than twenty (20) animal units and may be less than twenty (20) animal units subject to the area of the lot where this use is proposed. Such use may include a pole shed, barn or other similar buildings or structures, provided that the total floor area of all such buildings does not exceed 1% of the total lot area.

**(Bylaw C-1260-98 - December 13, 2021)**

**AGRICULTURAL PURSUIT, MINOR** means a use in association with a Country Residential District that consists of no more than one (1) horse and foal under six (6) months of age per acre or part thereof, to a maximum of three (3) horses. Such use may include a pole shed, barn or other similar buildings or structures, provided that the total floor area of all such buildings does not exceed 90 M<sup>2</sup>.

**(Bylaw C-1260-98 - December 13, 2021)**

**AIRCRAFT SALES AND/OR RENTAL** means development used for the sale, charter or rental of aircraft together with incidental maintenance services, and the sale of parts and accessories.

**AIRPORT** means:

1. any area of land or water, including the frozen surfaces thereof, or other supporting surface used or intended to be used either in whole or in part for the arrival and departure and servicing of aircraft, including helicopter; and
2. includes any building, installation or equipment in connection therewith, operated by the Department of National Defense or for which an airport license has been issued by Transport Canada.

**(Bylaw C-1260-98 - December 13, 2021)**

**AIRPORT, Grande Prairie Regional** means the Grande Prairie Regional Airport and includes any land used either in whole or in part for the arrival and departure, and servicing of aircraft, and any building, installation or equipment used in connection with the operation of the airport.

**(Bylaw C-1260-98 - December 13, 2021)**

**AISLE** means that portion of a parking lot or structure that accommodates the circulation of vehicles.

**AMENITY AREA OR SPACE** means an indoor or outdoor area on a site or within a development that is intended for shared or private recreation or enjoyment. This includes such uses as child play areas, courtyards, atria, patios, decks, balconies, swimming pools exercise rooms, solariums, and playing fields.

**ANHYDROUS AMMONIA STORAGE** means a storage facility for liquid anhydrous ammonia.

**(Bylaw C-1260-98 - December 13, 2021)**

**ANIMAL SERVICE FACILITY, MAJOR** means a development for the purpose of treatment, boarding, training, or grooming of animals and includes retail sales of associated products. This includes such uses as large animal veterinary clinics, boarding and breeding kennels, impounding and quarantining facilities and animal shelters, but does not include the sale of animals.

**ANIMAL SERVICE FACILITY, MINOR** means a development for the purpose of outpatient care, small animal training not to exceed ten (10) animals on the premises at any one (1) time for training purposes, treatment or grooming of animals and includes retail sales of associated products. Typical uses are pet grooming salons and small animal veterinary clinics.

**ANIMAL SERVICES, OFF-SITE** means services related to the grooming, training, exercising, and supervision of household pets which is conducted off site as a mobile service. This does not include boarding, retail sales, or the sale of animals.

**APARTMENT BUILDING** means a building comprising three (3) 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.

**AREA REDEVELOPMENT PLAN** means a statutory plan, prepared pursuant to the Municipal Government Act that addresses the redevelopment or rehabilitation of established commercial areas or neighbourhoods.

**AREA STRUCTURE PLAN** means a statutory plan, prepared pursuant to the Municipal Government Act that addresses the future development of large areas of land at a conceptual level of detail.

**ARTISTIC DECORATIVE FEATURES** means features that have a unique design element to them. This can include decorative woodwork or millwork (often called “gingerbread”) and/or distinctive architectural elements including, but not limited to: arches, bay-windows, dormers, shutters, columns, cornicing, quoins and other architectural features.

**ASPHALT PLANT PORTABLE** means a temporary asphalt processing facility established for a Provincial or Municipal road project.

**(Bylaw C-1260-98 - December 13, 2021)**

**AUCTIONEERING FACILITY** means development intended for the auctioning of goods and equipment, including the temporary storage of such goods and equipment, but does not include farmers/flea markets or second hand stores.

**AUTOMOTIVE AND EQUIPMENT REPAIR AND SALES, MINOR** means a development used for the servicing, mechanical repair, and sale of automobiles, light trucks, utility vehicles, motorcycles, snowmobiles, and similar vehicles and the sale, installation or servicing of related accessories and parts. This includes transmission shops, muffler shops, tire shops, automotive glass shops, and upholstery shops. Automotive and Equipment Repair and Sales, Minor facilities may operate a Vehicle Wash, Minor as an accessory use.

**AUTOMOTIVE AND EQUIPMENT REPAIR AND SALES, MAJOR** means the servicing, sale, and mechanical and body repair of automobiles, trucks, farm machinery, recreational vehicles and heavy equipment, and the sale, installation, servicing or storage of related accessories and parts. This includes truck, heavy equipment shops, body shops, and recreational vehicle repair shops.

**AUTOMOTIVE AND/OR RECREATIONAL VEHICLE SALES, RENTAL AND SERVICE** means a development used for the sale or rental of new or used automobiles, recreational vehicles, motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar light vehicles or crafts, together with incidental maintenance services and sale of parts. It includes automobile dealerships, rental agencies, and motorcycle dealerships, but does not include dealerships for the sale of manufactured homes or trucks with a gross vehicle rating greater than 4,000 kg.

**BALCONY** means a platform, attached to and projecting from the face of a building with or without a supporting structure above the first storey, normally surrounded by a balustrade or railing and used as an outdoor porch or sundeck where the only means of access is provided from within the building.

**BASEMENT** means that portion of a building that is located wholly or partially below grade, the ceiling of which does not extend more than 1.9m above finished grade.

**BED AND BREAKFAST** means the use of a single detached dwelling whereby temporary accommodation (up to three (3) bedrooms) with or without meals is provided for compensation to members of the public.

**BOARD** means the City's Subdivision and Development Appeal Board.

**BOARDING HOUSE** means any residential dwelling unit providing sleeping rooms to four (4) or more persons for compensation on an individual basis. Use of a common kitchen located on the main floor of the dwelling may be permitted or, meals may be provided for as part of the remuneration agreement with the building owner. Cooking and/or preparing of food within the sleeping rooms or any other areas are prohibited. Typical uses include hostels and rooming houses.

**BREWERY, DISTILLERY OR WINERY** means a facility licensed by the Alberta Gaming, Liquor and Cannabis (AGLC), where beer, wine, spirits or other alcoholic beverages are made on the premises and then sold or distributed. This use may be approved in conjunction with a:

1. Drinking Establishment, Major or Minor;
2. Liquor Store;
3. Restaurant;
4. Restaurant & Drinking Establishment, Major or Minor; or
5. Retail Store, General;

when one (1) of these uses is also a listed use in the same district as a Brewery, Distillery or Winery. Brewery, Distillery and Winery are considered similar in terms of land use impact for the purpose of this Bylaw; however, other regulations such as Safety Codes and liquor licensing may vary significantly for each.

**(Bylaw C-1260-20-December 15, 2014, Bylaw C-1260-79-February 25, 2019,  
Bylaw C-1260-124-October 19, 2020 and Bylaw C-1260-130-February 8, 2021)**

**BREWERY, DISTILLERY OR WINERY AND ACCESSORY USE** means a facility licensed by the Alberta Gaming, Liquor and Cannabis (AGLC), where beer, wine, spirits or other alcoholic beverages are made on the premises and then sold or distributed and does not produce any odour that is noticeable outside the building. This use shall only be approved in conjunction with one of the following accessory uses and only if the accessory use is allowed in the same district for:

1. Drinking Establishment, Major or Minor;
2. Liquor Store
3. Restaurant;
4. Restaurant & Drinking Establishment, Major or Minor; or
5. Retail Store, General;

Brewery, Distillery and Winery are considered similar in terms of land use impact for the purpose of this Bylaw; however, other regulations such as Safety Codes and liquor licensing may vary significantly for each.

**(Bylaw C-1260-130 - February 8, 2021)**

**BROADCASTING STUDIO** means a development used for the production and broadcasting of audio and visual programming typically associated with radio, television and motion picture studios.

**BUILDING** includes any structure having a roof supported by columns or walls and intended for shelter, housing or enclosure of any individual, animal, process, equipment, goods, or material of any kind.

**BUILDING SEPARATION** means the minimum distance between two (2) buildings on a single lot as specified under the Alberta Safety Code.

**BULK CHEMICAL AND/OR FUEL STORAGE FACILITY** means a development where the principal use is the indoor and/or outdoor storage of refined or crude oil, fuel, or liquid or solid chemical. This includes the storage of dangerous/hazardous substances, as defined by the Dangerous Goods Transportation and Handling Act. The development may include facilities for cleaning, blending, packaging of bulk oil, fuel or chemicals for redistribution and or sale, but does not include manufacture of any of these products.

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

**CANNABIS** means the substance set out in the Controlled Drug and Substances Act (Canada). Also commonly known by the terms marijuana, marihuana, weed, pot or hash.

**(Bylaw C-1260-75 - August 8, 2017)**

**CANNABIS LOUNGES** means development where the primary purpose of the facility is the sale of Cannabis to the public, for the consumption within the premises that is authorized by provincial or federal legislation.

**(Bylaw C-1260-75 - August 8, 2017)**

**CANNABIS PRODUCTION AND DISTRIBUTION** means development used principally for one or more of the following activities as it relates to Cannabis:

1. The production, cultivation, and growth of Cannabis;
2. The processing of raw materials;
3. The making, testing, manufacturing, assembling or in any way altering the chemical or physical properties of semi-finished or finished goods and products;
4. The storage or transshipping of materials, goods and products; or
5. The distribution and sale of materials, goods and products to Retail Store, Cannabis stores or to individual customers.

**(Bylaw C-1260-75 - August 8, 2017)**

**CARNIVAL** means a temporary development providing a variety of shows, games and amusement rides.

**CARPORT** means a structure consisting of a roof supported on posts or columns and is not enclosed except when one side attached to the principal building on a site.

**CASINO** means a facility licensed by the Province of Alberta for patrons to participate in gaming opportunities as the principal use, and includes a bingo hall.

**CEMETERY** means development of land primarily as landscaped open space for the entombment of deceased persons. Typical uses include memorial parks, burial grounds and gardens of remembrance.

**CHILD CARE FACILITY** means a development licensed by the Province of Alberta to provide temporary care and supervision for seven (7) or more children at one (1) time for four (4) or more consecutive hours in a day. This includes daycare centres, out of school service, drop in centres, nurseries, kindergartens, nursery schools, play schools and other similar uses but does not include home-based child care as defined by Alberta Early learning & Child Care Act.

**(Bylaw C-1260-162 - October 31, 2022)**

**CITY** means the City of Grande Prairie.

**CLUSTERED FARM DWELLINGS** means more than one (1) dwelling unit located on farmland where the dwellings shall be occupied by persons who are employed full time (for at least six (6) months of each year) in agriculture.

**(Bylaw C-1260-98 - December 13, 2021)**

**COMMENCEMENT OF CONSTRUCTION** means construction can commence once a development permit is approved and released and all other required permits are obtained.

**COMMERCIAL BUSINESS CENTRE, LOCAL** means any group of commercial establishments planned, constructed and managed by a single or a group of owners or tenants, either in a mall-type setting or on a common site. Commercial Business Centres, Local must have:

1. Common and/or shared site access; and
2. Common and/or shared parking for customers and staff.

And includes:

- a. Rental projects and conventional condominium developments, developed in accordance with the Condominium Property Act; and
- b. A site where the gross floor area of any building or combination of buildings located does not exceed 2,787m<sup>2</sup>.

No individual business shall occupy a GFA of more than 370m<sup>2</sup> except for Health Facilities, Major/Minor and Offices, Major/Minor where these uses are listed as a permitted use in the land use district.

**COMMERCIAL BUSINESS CENTRE, MAJOR** means any group of commercial establishments planned, constructed and managed by a single or a group of owners or tenants, either in a mall type-setting or on a common site. Commercial Business Centres, Major must have:

1. Common and/or shared site access; and
2. Common and/or shared parking for customers and staff.

And includes:

- a. Rental projects and conventional condominium developments, developed in accordance with the Condominium Property Act; and
- b. A site where the gross floor area of any building or combination of buildings, excluding a supermarket within a Commercial Business Centre, Minor, exceeds 4,645 m<sup>2</sup>.

**COMMERCIAL BUSINESS CENTRE, MINOR** means any group of commercial establishments planned, constructed and managed by a single or a group of owners or tenants, either in a mall type-setting or on a common site. Commercial Business Centres, Minor must have:

1. Common and/or shared site access; and
2. Common and/or shared parking for customers and staff, and include rental projects and conventional condominium developments, developed in accordance with the Condominium Property Act.

And includes a site where the gross floor area of any building or combination of buildings, does not exceed 4,645m<sup>2</sup>, or 7,432m<sup>2</sup> in conjunction with a supermarket.

No individual business shall occupy a GFA of more than 745m<sup>2</sup>, except a supermarket, which shall not exceed a GFA at 4,645m<sup>2</sup>, or a Health Service Facilities, Major/Minor and Offices, Major/Minor where these uses are listed as a permitted use in the land use district.

**COMMERCIAL ENTERTAINMENT FACILITY** means a privately owned indoor facility or development operated for financial gain in which the public participates in and/or views an activity for entertainment/social purposes. Commercial Entertainment Facilities may offer food and beverages for sale to the patrons and may be licensed by the Province of Alberta for the on-site consumption of alcohol. Without limiting the generality of the foregoing, they may include movie theatres, live theatres, dinner theatres, dancing and cabaret entertainment, amusement arcades with mechanical

and/or electronic games, billiard or pool halls, and excludes an adult entertainment facility, bingo hall, casino, or late night club.

**COMMERCIAL RECREATION FACILITY, AMUSEMENT PARK** means a “COMMERCIAL RECREATION FACILITY, INDOOR or OUTDOOR” with or without permanent buildings or structures where rides, games of chance, entertainment, exhibitions, and the sale of food, beverages, toys and souvenirs constitute the main use.

**(Bylaw C-1260-98 - December 13, 2021)**

**COMMERCIAL RECREATION FACILITY, INDOOR** means a privately owned indoor facility or development operated for financial gain in which the public participate in recreational and/or sporting activities for a fee. Without limiting the generality of the foregoing, may include health/fitness centres, bowling alleys, indoor racquet courts, indoor driving ranges, indoor golf/mini-golf courses, and indoor paintball, and excludes an adult entertainment facility, a casino, or a bingo hall.

**COMMERCIAL RECREATION FACILITY, OUTDOOR** means a privately owned outdoor facility or development operated for financial gain in which the public participate in recreational and/or sporting activities for a fee. Without limiting the generality of the foregoing, may include outdoor racquet courts, outdoor driving ranges, golf/mini-golf courses, campsites, ski hills, go-cart tracks, batting cages, and outdoor paintball, and excludes an adult entertainment facility, a casino, or a bingo hall.

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

**(Bylaw C-1260-98 - December 13, 2021)**

**COMMERCIAL SCHOOL** means a development used for training and instruction in specific trades, occupations, skills or services for the financial gain of the owner or operator of the development. Typical uses include but are not limited to secretarial, business, driver training, hairdressing, beauty culture, dancing, music and academic tutoring schools.

**COMMERCIAL STORAGE** means a self-contained building or group of buildings containing lockers available for rent for the storage of goods.

**COMMITTEE** means the standing Committee of Council that is designated as the Development Authority in accordance with the [Procedure Bylaw](#). The Infrastructure and Economic Development Committee is the currently designated Development Authority, which may be subject to change in accordance with the [Procedure Bylaw](#).

**(Bylaw C-1260-118 - April 6, 2020)**

**COMMUNITY OUTREACH FACILITY** means a development operated by a government or a registered not-for-profit organization for the purpose of providing services for the health and wellness of the community. Typical primary uses include but are not limited to individual and family support programs, drop-in centers, crisis intervention and training, community education programs, daytime shelters, counselling services, social services, and physical or mental health services on an outpatient basis. This use may include accessory office functions. These facilities may offer limited overnight shelter as a temporary use when there is not sufficient capacity in Emergency Shelter facilities to meet community needs.

**(Bylaw C-1260-111 - April 6, 2020)**

**COMMUNITY RECREATION FACILITY** means a publicly owned development providing facilities that are available to the public for sports and recreational activities conducted indoors and/or outdoors. Typical uses include indoor/outdoor swimming pools, hockey rinks, gymnasiums, sports fields, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, boating facilities, bowling greens, riding stables and fitness trails. These facilities may be owned and/or operated by registered non-profit organisations.



**COMMUNITY SERVICE FACILITY** means a development for use by the public or public groups for cultural or community activities. Typical uses include museums, libraries, YMCA, tourist information/interpretive centres and multipurpose facilities and public and private clubs.

**COMPLETION OF DEVELOPMENT** means the completion of all development and activity to which the development permit relates; including but not limited to site servicing, the interior and exterior of all buildings and structures, landscaping, paved vehicle access and parking areas, walkways, signs; and includes commencement of the authorized use or uses.

**(Bylaw C-1260-93 - July 16, 2018)**

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

**CONDOMINIUM, BARE LAND** means a lot containing bare land units with no buildings or improvements at the time of the preparation of the Condominium Plan as defined in the Condominium Property Act.

**CONSOLIDATED LOTS** means two (2) or more parcels combined into one (1) lot.

**CONSOLIDATED TITLES** means the titles of two (2) or more parcels of land have been combined onto one (1) certificate of title.

**CONTENTIOUS USE** means any land use that, due to its size, nature, or location, may, in the opinion of the Development Authority, be incompatible with uses on adjacent lands or is anticipated to have a detrimental inter-municipal or neighbourhood impact. Such impacts may include, but are not limited to, noise, emissions, traffic generation, odours, nuisance, servicing demands, presence of dangerous goods or hazardous materials, or other environmental concerns. For the purpose of this definition, a Contentious Use may include, but is not limited to, tanneries, sawmills, intensive livestock operations, natural resource extraction industries (including sour gas wells), agricultural industries, auction markets, major/minor eating and drinking establishments and similar uses.

**CONTRACTOR, LIMITED** means a development used for the provision of electrical, plumbing, heating, painting, catering and other contractor services and the accessory sales of goods normally associated with the contractor services where all materials are kept within an enclosed building.

**CONTRACTOR, GENERAL** means a development used for commercial and industrial service support and construction, including but not limited to oilfield support services, laboratories, cleaning and maintenance contractors, building construction, surveying, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature which require on-site storage space for materials, mobile equipment or vehicles normally associated with the contractor service. Any sales, display, office or technical support service areas shall be accessory to the principal general contractor use.

**CORNER VISIBILITY TRIANGLE** means the triangular area formed on a corner parcel by the two (2) curb lines and a straight line, which intersects them 6.0m from the corner where they meet.

**(Bylaw C-1260-61 - December 12, 2016)**

**COUNCIL** means the Municipal Council of the City of Grande Prairie.

**DANGEROUS GOODS** means a product, substance or organism listed in the Dangerous Goods Transportation and Handling Act.

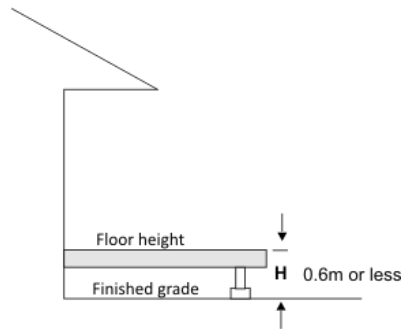
**DATING AND ESCORT SERVICE** means any business activity that offers to provide or does provide introductions from a person or persons to another person or persons for a period of companionship of short duration, for which service or introduction a fee is charged or imposed for each occasion companionship is provided or an introduction is made.

**DECK, COVERED** means a deck that has a solid roof, and excludes a pergola.

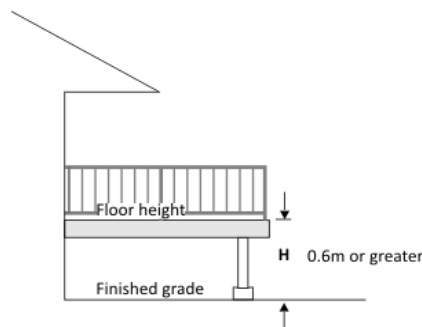
**DECK, ENCLOSED ABOVE** means a deck that has two (2) or more solid walls above the decking, excluding the attached house.

**DECK, ENCLOSED BELOW** means a deck that has two (2) or more solid walls below the decking. The wall of an attached house is not included in this count.

**DECK, LOW LEVEL** means a deck that does not exceed 0.6m measured from finished grade to the finished floor height, as illustrated below, and excludes sidewalks, patios, paving stones or the like located at grade.



**DECK, RAISED** means a deck that is greater than 0.6m measured from finished grade to the finished floor height.



**DESIGNATED OFFICER** means a person appointed to a position as established under the Municipal Government Act.

**(Bylaw C-1260-27 - April 20, 2015)**

**DETENTION FACILITY** means a development used to hold, confine or to provide regulated or temporary residential facilities for minors or adults either awaiting trial on criminal charges or as part of the disposition of criminal charges or released from custody under the supervision of the National Parole Board, a parole or probation officer or similar authority. Typical uses are a remand centre, jail, or halfway house.

**DEVELOPMENT** means:

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

**DEVELOPMENT AGREEMENT** means an agreement between a developer or owner and the City that defines the terms and conditions under which a development must be carried out in accordance to the Municipal Government Act as amended.

**DEVELOPMENT AUTHORITY** means the Development Officer, the designated standing Committee of Council, or Council as the case may be.

**(Bylaw C-1260-84-December 4, 2017 and Bylaw C-1260-118-April 6, 2020)**

**DEVELOPMENT OFFICER** means the person appointed to the office established by this Bylaw.

**DEVELOPMENT PERMIT OR PERMIT** means a document authorizing the commencement of a development pursuant to the provisions of this Bylaw.

**DISCRETIONARY USE** means the use of land or of a building that is listed in the column captioned Discretionary Uses in a table of uses for a land use district in this Bylaw, and for which a development permit may be issued.

**DISPATCH OFFICE** means a development that provides dispatch, administrative and managerial tasks associated with the operation of a taxi service, including receiving telephone calls, dispatching drivers via telecommunications, bookkeeping, and other administrative tasks and are strictly office in nature.

**DRINKING ESTABLISHMENT, MAJOR** means the use of a building or portion of a building where liquor is sold for consumption on the premises or off the site, where a licence is issued for the sale of liquor that prohibits minors on the premises at any time. It may include the preparation and sale of food for consumption on the premises. It has an area of 300m<sup>2</sup> or greater and may have a maximum area of 10m<sup>2</sup> for the purpose of providing entertainment such as a dance floor, a live music and performance stage, or for recorded music. Typical uses include dance clubs, cabarets, nightclubs, sports bars and lounges.

**DRINKING ESTABLISHMENT, MINOR** means the use of a building or portion of a building where liquor is sold for consumption on the premises or off the site, where a licence is issued for the sale of liquor that prohibits minors on the premises at any time. It may include the preparation and sale of food for consumption on the premises. It has an area of less than 300m<sup>2</sup> and may have a maximum area of 10m<sup>2</sup> for the purpose of providing entertainment such as a dance floor, a live music and performance stage, or for recorded music. Typical uses include neighbourhood pubs and bars, wine bars and lounges.

**DRIVEWAY** means a private road that provides vehicle access from a lot or site to a public road.

**DRIVE THROUGH BUSINESS** means a development designed to serve customers remaining in their vehicles.

**DRY CLEANING PLANT** means an establishment where clothing and other personal effects are cleaned chemically.

**DUGOUTS** means the excavations of land results in manmade features that entraps water and includes excavations for a water supply and borrow pits. At its deepest point, a dugout shall have a depth of no less than one (1) meter. Anything designed for a depth shallower than one (1) meter may be considered an ornamental pond for landscaping purposes.

**(Bylaw C-1260-98 - December 13, 2021)**

**DUPLEX** means development consisting of a building containing only two (2) Dwellings, with one (1) dwelling placed over the other in whole or in part, or with back to back orientation. Each dwelling has an individual and separate access. This use does not include Secondary Suites or Semi-Detached Dwellings.

**(Bylaw C-1260-40 - July 13, 2015)**

**DWELLING UNIT OR DWELLING** means a complete building or self-contained portion of a building used by a household, containing sleeping, cooking and sanitary facilities intended as a permanent residence and having an independent entrance either directly from the outside of the building or through a common area inside the building.

**DWELLING UNIT, SUPPORTED** means a unit within an Apartment Building, Mixed-Use Apartment Building, or Multi-Attached Dwelling that is:

1. Provided in conjunction with one or more of the following supports:
  - a. Reduced rental rate or subsidy;
  - b. Professional supports and supervision for behavioral health challenges. Behavioral health refers to mental health and behaviors related to health outcomes. This may include, but is not limited to supports for challenges such as depression, anger management, social re-integration, and addictions; and/or

- c. Professional supports for residents who have physical or cognitive health issues and who require professional care and supervision to perform daily living tasks, or to exit safely in case of an emergency event.
2. In a development that also contains regular Dwelling Units; and
3. On a property zoned DC-14 or another Direct Control District to allow for consideration of the unique character of the proposed development. This may include consideration of the land use needs and impacts associated with proposed supported or affordable housing, such as reduced need for parking, need for proximity to transit and the potential need for supports on-site or in close proximity.

This use is not a Residential Support Home or Group Home.

**(Bylaw C-1260-23-December 14, 2015 and Bylaw C-1260-111-April 6, 2020)**

**EDUCATION, PRIVATE** means a development maintained and operated principally at private expense which may or may not offer courses of study equivalent to those offered in a public, and includes dormitory and accessory buildings. It does not include commercial schools.

**EDUCATION, PUBLIC** means a development that is publicly supported and involves public assembly for education, training or instruction purposes, and includes dormitories and the administration offices required for the provision of such services on the same site. Typical uses include but are not limited to public and separate schools, community colleges, universities, and technical and vocational schools. This use does not include private education developments and commercial schools.

**EMERGENCY SHELTER** means an establishment providing temporary accommodation to individuals who are in immediate need of emergency accommodation on an overnight basis. This use:

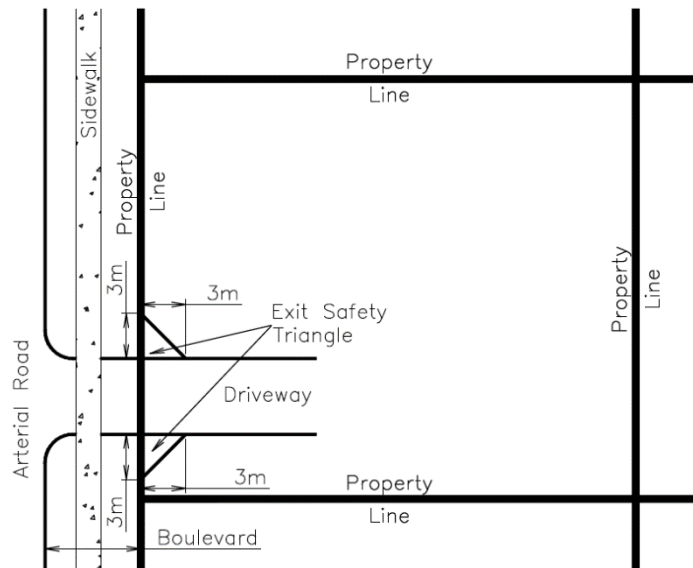
1. Requires a Direct Control District for the proposed development;
2. May include a combination of rooms and dormitories;
3. May include apartment units for transitional housing;
4. May include sobering facilities, but does not include treatment for an addiction;
5. May offer health, education, and other programs and services to the population that the use serves;
6. May provide a food preparation, kitchen or eating area for the staff or population that the use serves; and
7. Has staff providing supervision of the people being accommodated at all times that the facility operates.

**(Bylaw C-1260-111 - April 6, 2020)**

**EQUIPMENT RENTAL AND REPAIR** means a development used for the rental and repair of tools, appliances, recreational craft, office machines, furniture, home appliances, light construction equipment, or similar items, but does not include the rental or repair of motor vehicles or industrial equipment.

**ESSENTIAL PUBLIC SERVICE** means a development that is necessary for the continued health, safety, or welfare of the residents of the City. This includes fire stations, ambulance services, police stations, and similar facilities.

**EXIT SAFETY TRIANGLE** means a triangle-shaped area of land abutting an arterial road that is required to be kept clear of obstructions that could impede the vision of the driver of a motor vehicle exiting the driveway of the site onto the arterial road. An exit safety triangle shall be determined as follows and illustrated below:



The exit safety triangles of a site shall be the areas enclosed by the lines along the limits of the driveway and the street line measured to a point three (3) metres back from the intersection of the street lines and the limit of driveway, and a diagonal line drawn between these two (2) points.

**(Bylaw C-1260-145 - March 21, 2022)**

**EXPLOSIVES STORAGE AND DISTRIBUTION** means a development or use designed for the storage and/or distribution of “EXPLOSIVES” as defined in the federal government’s Explosives Act. This use is not a “WAREHOUSE”, “STORAGE, OUTDOOR”, or “STORAGE, INDOOR” and is not intended to be a permitted use in any land use district but may be allowed if it is specifically rezoned as part of a Direct Control District.

**(Bylaw C-1260-98 - December 13, 2021)**

**EXTENDED MEDICAL TREATMENT SERVICES** means development providing room, board, and surgical or other medical treatment for the sick, injured or infirm including out-patient services and accessory staff residences. Typical Uses include hospitals, convalescent homes, psychiatric hospitals, auxiliary hospitals, and detoxification centres.

**EXTENSIVE AGRICULTURE** means those agricultural operations producing crops or livestock that require large tracts of land but does not include intensive livestock or intensive agricultural operations.

**EXTENSIVE RECREATION** means uses which locate in areas to take advantage of natural physical features and to provide for non-facility oriented recreational activities such as hunting, trail riding, snowmobiling, hiking, cross-country skiing, rustic camping and similar uses.

**FAMILY/FAST FOOD RESTAURANT** means a development where food and non-alcoholic beverages are offered for sale to the public, and consumption within the premises, take-out service, drive through service or a combination thereof.

**FARM BUILDING** means any improvement, other than a dwelling unit or manufactured home, used for agricultural operations. This includes all buildings used in connection with an agricultural operation.

**(Bylaw C-1260-98 - December 13, 2021)**

**FARMERS/FLEA MARKET** means a development used for the sale of new or used goods and food products by multiple vendors renting tables and space in an enclosed building or designated outdoor venue. Vendors may vary from day to day, although the general layout of space to be rented remains the same. Such operations are usually of a seasonal nature.

**FARMSTEADS** means any dwelling unit associated with an agricultural operation or intensive livestock operation where the owner(s) of the operation normally reside. For the purposes of this Bylaw, farmstead also includes the well, sewage disposal system, and shelterbelt and only applies to an un-subdivided quarter section.

(Bylaw C-1260-98 - December 13, 2021)

**FARMSTEAD, ABANDONED** means a farmyard which was once established and which contains some or all of the following: an abandoned residence, a developed potable water source, an established sewage collection system, an electrical service, an existing shelter belt or any other features which would indicate a previous developed farmstead.

(Bylaw C-1260-98 - December 13, 2021)

**FENCE** means a structure which may be used to prevent or restrict passage, for sound attenuation, yard décor, and for protection from dust or the elements, to provide visual screening, or to mark a property line.

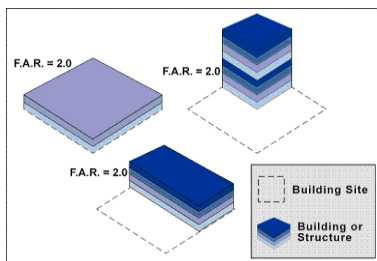
**FENCE, SOLID SCREEN** means a fence that provides a visual and/or noise attenuation barrier, is constructed of wood, brick stone, vinyl or reinforced concrete products, and excludes a chain link fence with slats.

**FINANCIAL BUILDING** means a building or portion of a building used primarily for the banking or lending of money.

**FLEET SERVICE** means a development using a fleet of vehicles for the delivery of people, goods, or services, where such vehicles are not available for sale or long-term lease. This includes, taxi services, bus lines, messenger and courier services, but does not include moving or cartage firms involving trucks with a gross vehicle weight of more than 3,000 kg.

**FLOOD PLAIN** means the area of land along a river, stream, or creek that is potentially at risk of flooding from time to time.

**FLOOR AREA RATIO (FAR)** means the numerical value obtained by dividing the Gross Floor Area of all buildings on a site, excluding parking structures, by the total area of the site.



**FUNERAL, CREMATORY AND INTERMENT SERVICES** means development used for the preparation of the dead for burial, the purification and reduction of the human body by heat and the keeping of bodies other than in a cemetery and the holding of associated services. Typical Uses include funeral homes, funeral chapels, crematoriums, mausoleums and columbariums.

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

(Bylaw C-1260-4 - December 9, 2013)

**GARAGE, 3-CAR** means a garage that is 8.5m wide or larger.

(Bylaw C-1260-37 - August 10, 2015)

**GARAGE SUITE** means a self-contained accessory dwelling unit located in the same building as a detached Garage that 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. A garage suite can only be located on the same site as a single detached dwelling.

**(Bylaw C-1260-60 - September 6, 2016)**

**GAS BAR** means a retail outlet that is limited to the sale of gasoline and related automotive products and may include a Retail Convenience Store. This may include the storage of liquid propane gas (LPG) in an amount of 10,000L or less, stored in a horizontal tank less than 1.9m high.

**GENERAL INDUSTRIAL** means the following activities:

1. The processing of raw or finished materials;
2. The manufacturing or assembly of goods, products or equipment;
3. The storage or transshipping of materials, goods and equipment;
4. The training of personnel in general industrial operations; or
5. The cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair of goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in non-industrial districts.

It may include any indoor display, office, technical or administrative support areas or any sales operation accessory to the general industrial uses.

**GOVERNMENT SERVICE** means a development providing Crown Corporation, or municipal, provincial or federal government services directly to the public. Typical uses include but are not limited to taxation offices, courthouses, postal stations, manpower and employment offices, and social service offices, which result in a significant client visitation, and excludes Essential Public Services, detention and correction services and private and public education development.

**GRADE** means the average elevation at the finished level of the ground at the corners of a lot, site or at the foundation or as otherwise established by the City from time to time.

**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 C-1260-98 - December 13, 2021)**

**GREENHOUSE** means development for the growing, acclimating, propagating, harvesting, displaying and selling of bedding, household, and ornamental plants and may include accessory uses related to the storing, displaying, and selling of gardening, nursery and related products.

**GROSS FLOOR AREA (GFA)** means the total area of each floor of a building whether located above, at or below grade, excluding areas used exclusively for parking, mechanical/electrical equipment, common laundry and storage lockers, and common areas such as stairways, halls and corridors.

**(Bylaw C-1260-60 - September 6, 2016)**

**GROSS VEHICLE WEIGHT (GVW)** means the total weight of a vehicle and its maximum allowable load.

**GROUP HOME** means a development using a Dwelling Unit to provide housing for up to six (6) residents for the purpose of facilitating supports for the behavioral health of those residents. A Group Home:

1. Is housing provided in conjunction with professional supports and supervision for behavioral health challenges. Behavioral health refers to mental health and behaviors related to health outcomes. This may include, but is not limited to supports for challenges such as depression, anger management, social re-integration, and addictions;
2. Has any required authorization, licensing or certification from a provincial authority that is applicable;
3. Has associated support programming provided on-site or at another location;
4. Has the character of a single housekeeping group where occupants live together and use a common kitchen; and

5. May incorporate accommodation for resident staff. Resident staff are counted in the maximum occupancy of six (6) residents.

This use does not include Residential Support Home, or Residential Care Facility.

**(Bylaw C-1260-111 - April 6, 2020)**

**GUEST RANCH** means a working farm or ranch that offers tourists or visitors meals and temporary overnight accommodation for payment of a fee and may include programs that allow guests to participate in a range of farming activities. A guest ranch does not include a hotel, motel, or boarding house.

**(Bylaw C-1260-98 - December 13, 2021)**

**HANDICRAFT BUSINESS** means the production and selling of handicrafts on a commercial basis. Handicraft production is the creation of custom products in limited quantities by hand or with limited automation. This use may include associated product display, retail sales, and instructional classes.

**(Bylaw C-1260-98-December 13, 2021 and Bylaw C-1260-151-April 4, 2022)**

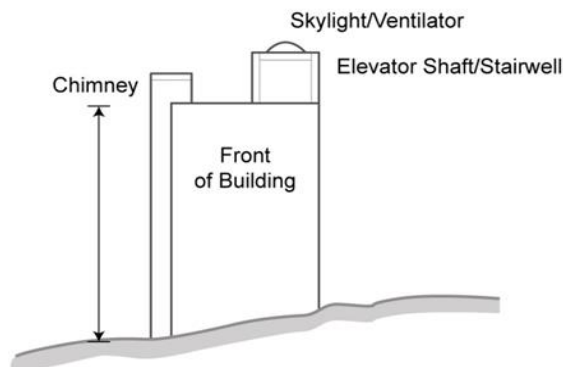
**HANGAR AND TERMINAL FACILITY** means a development, which provides services to aircraft, aircraft passengers and air freight usually located adjacent to the runway. Services provided within these facilities may include but not be limited to airport operations and administration, food and personal services, freight and baggage handling, aircraft maintenance and repair and vehicle rental.

**HARD SURFACING** means asphalt, concrete, paving stone or similar material but not gravel satisfactory to the Development Authority that is used in the construction of a driveway or parking area.

**HEALTH FACILITY, MAJOR** means a development used for the provision of physical and mental health services on an outpatient basis other than a Health Facility, Minor. Services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative or counselling nature. Typical uses include walk-in medical and dental offices and diagnostic services.

**HEALTH FACILITY, MINOR** means a development used for the provision of physical and mental health services on an outpatient basis. Services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative or counselling nature, however, the number of facility staff shall not exceed five (5), including professional, technical and administrative staff. Typical uses include medical and dental offices, and diagnostic services.

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



**HIGH VISIBILITY CORRIDOR** means high visibility transportation corridors that carry large volumes of traffic and may result in a significant impression of the City. Highway 43, the north half of 116 Street located between Highway 43/100 Avenue and the north City boundary, Wapiti Road and Resources Road are High Visibility Corridors.

**(Bylaw C-1260-60 - September 6, 2016)**



**HOME BUSINESS** 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 by at least one (1) permanent resident of the dwelling.

**(Bylaw C-1260-59 - September 6, 2016)**

**HOME OCCUPATION, AGRICULTURAL** means a development in the Agricultural District consisting of the use of a dwelling unit or farm building by the resident of that dwelling unit, for a business that may generate business traffic. The business use must be secondary to the agricultural operation and shall not employ more than two (2) persons not normally residing on site.

**(Bylaw C-1260-98 - December 13, 2021)**

**HOME OCCUPATION, MAJOR** means development in the Country Residential District consisting of the use of a dwelling unit and/or an accessory building or structure by a resident of that dwelling unit, for a business. The business may generate more than one business-associated visit per day and shall not change the residential character of the dwelling unit and/or accessory building. This may include limited storage of trucks and related vehicles and minor equipment storage including a limited amount of construction equipment and other similar uses. It may also include a limited amount of agricultural processing provided there are fewer than three (3) non-resident employees.

**(Bylaw C-1260-98 - December 13, 2021)**

**HOME OCCUPATION, MINOR** see Home Business.

**(Bylaw C-1260-98 - December 13, 2021)**

**HOME OFFICE** means the secondary use of a principal building by only the permanent resident/residents of the dwelling to conduct a business activity that does not require client visits to the residence and may involve limited delivery or storage of goods or supplies.

**(Bylaw C-1260-59 - September 6, 2016)**

**HOSPITAL** means an institutional development used to provide in-patient and out-patient health care and include a community health centre and a full service hospital.

**HOTEL** means a development used for the provision of rooms or suites for temporary sleeping accommodation where the rooms have access from a common interior corridor and may be equipped with individual kitchen facilities, and may include accessory eating and drinking establishments, meeting rooms, personal service shops, and general retail shops.

**INDUSTRIAL BUSINESS CENTRE** means a building containing a group of industrial business establishments planned, constructed and managed by a single or a group of owners or tenants on a common site allowing for rental projects and conventional condominium developments, developed in accordance with the Condominium Property Act. Industrial Business Centres have common and/or shared site access, common and/or shared parking for customers and staff.

**INTENSIVE AGRICULTURE** means a commercial agricultural operation other than a Confined Feeding Operation that, due to the nature of the operation, requires up to 32 ha. Without restricting the generality of the foregoing, this use includes greenhouses, market gardens, sod farms, bee keeping, tree farms, horse holding areas, and kennels, but does not include a dwelling unit.

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

1. Soft landscaping consisting of vegetation such as trees, shrubs, hedges, grass and ground cover;
2. Hard landscaping consisting of non-vegetative materials such as brick, stone, rock, tile, and wood, excluding monolithic concrete or asphalt and
3. Permeable surface landscaping means any surface treatment that allows water to drain into the ground beneath. Some hard landscaping treatments may be accepted as permeable surface landscaping, such as decorative stone with a diameter of 1" or larger, at the Development Authority's discretion.

**(Bylaw C-1260-31 - August 10, 2015 and Bylaw C-1260-79 - February 25, 2019)**

**LAND USE DISTRICT or DISTRICT** means an area of the City established as a land use district by this Bylaw.

**LANDING** means an amenity area of wood frame or other construction which is attached to a dwelling. A landing is no greater than 1.5m<sup>2</sup> and is generally at the top or bottom of a set of stairs. A landing does not require a development permit.

**LANE** means an alley as defined in the Traffic Safety Act.

**LATE NIGHT CLUB** means any premises or part thereof, the primary purpose of which is to host regular dances, entertainment performances or other events where:

1. No alcohol or alcoholic beverages are available on the premises for consumption or sale;
2. Twenty (20) or more patrons are assembled at any time between 2:00 am and 6:00 am;
3. The events are held for the purpose of gain or profit;
4. Tickets are sold or an entrance or attendance fee is charged for persons to attend; and
5. Music, noise or sound of any kind or source, including but not limited to the performing or playing of live music, amplified recorded or computer generated sounds.

**LIQUOR STORE** means a retail store licensed to sell liquor to the public, including wine and beer stores.

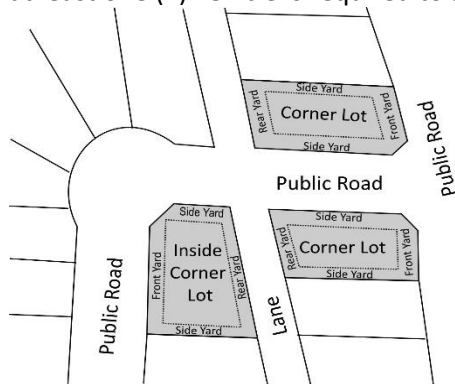
**LOADING SPACE** means a space provided on a site to accommodate a commercial vehicle on a temporary basis for loading or unloading of goods and materials.

**LOT** means:

1. A quarter section;
2. A settlement lot shown on an official plan, as defined in the Surveys Act that is filed in a land titles office;
3. A part of a parcel of land described in a certificate of title if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision; or
4. A part of a parcel of land described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision.

**LOT AREA** means the area of a lot.

**LOT, CORNER** means a lot located at the intersection of two (2) public roads, other than lanes, where at least one (1) vehicle is required to stop, yield or otherwise give right-of-way.

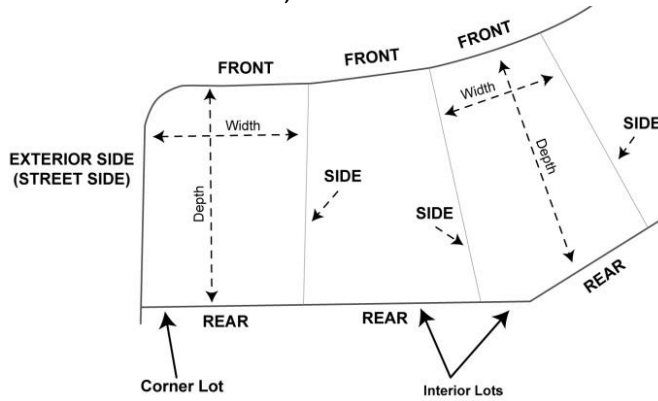


**LOT, INSIDE CORNER** means a lot that has public roadways adjacent to the Front and Side lot lines on which vehicles are not required to stop, yield or otherwise give the right-of-way.

**LOT, DEPTH** means the horizontal distance between the Front and Rear Lot Lines of a site.

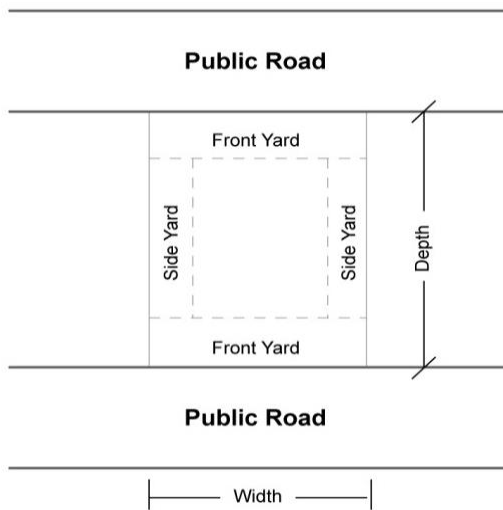
**LOT, THROUGH** means a lot that abuts two (2) parallel public roads, not including lanes.

**LOT LINE, FRONT** means the lot line separating a lot from an abutting public road other than a Lane. In the case of a Corner Lot, the Front Line is the shorter of the lot lines abutting a public road.



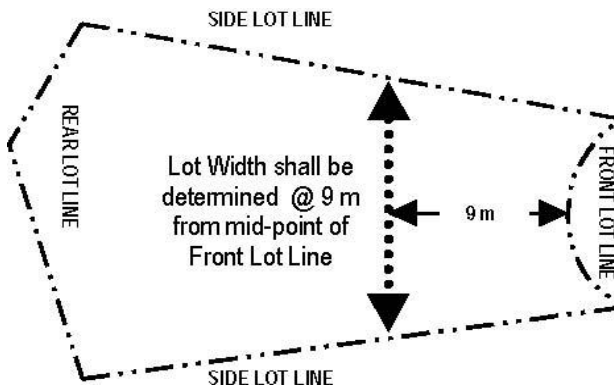
**LOT LINE, REAR** means either the lot line which is furthest from and opposite the Front Lot Line, or, where there is no such lot line, the point of intersection of any lot lines other than a Front Lot Line which is furthest from and opposite the Front Lot Line.

**LOT LINE, SIDE** means the lot line other than a Front Lot Line or Rear Lot Line.



**LOT LINE, ZERO** means a form of residential development in which dwellings are located on one (1) or more lot lines with no yard between the building and the lot line.

**LOT WIDTH** means the horizontal distance between the side boundaries of the lot measured at a distance from the Front Lot Line equal to the minimum required Front Yard as identified in the appropriate district. For pie-shaped or other similar irregularly shaped lots, the Lot Width shall be determined by the distance measured nine (9) metres perpendicular to and at the mid-point of the Front Lot Line between the Side Lot Lines as shown in the figure below. The arc length measured at the curb shall not be less than 70% of the required minimum Lot Width.



**MANUFACTURED HOME** means a prefabricated detached dwelling unit that meets Canadian Standards Association (CSA) Z240 and A277 standards and meets the requirements of the Alberta Building Code. This definition applies to both single section and multi-section models, but does not apply to modular homes, recreational vehicles or industrial camp trailers.

**MANUFACTURED HOME COMMUNITY** means a development on a site under one (1) ownership and managed by the owner or the owner's agent. It is designed to accommodate numerous manufactured homes on leased lots in a community setting.

**MIXED USE APARTMENT BUILDING** means a vertical apartment-style building including commercial, retail, or institutional use(s) and three (3) or more dwelling units (or "dwelling unit, supported" if listed in the applicable district), and having:

1. The same land use district for all uses within the building;
2. Only residential uses located above the second floor;
3. Commercial, retail, or institutional uses located with street-side frontage (facing and visible from the street); and
4. Dwelling units and commercial, retail, and institutional uses which may have shared building entrance or access and facilities (e.g. service entrances, parking areas, ground floor hallways, elevators, stairwells, shared main building entry). However, dwelling units entry or access shall not be through a commercial, retail, or institutional development.

**(Bylaw C-1260-23 - December 14, 2015)**

**MIXED Use Apartment Building, Up to Two (2) Units** means a commercial, retail, or institutional use and up to two (2) dwelling units (or "dwelling unit, supported" if listed in the applicable district). Commercial, retail, or institutional uses shall be located primarily on the ground floor, but may also occupy other portions of the building. The apartment(s) may have shared or separate entrance facilities; however, access to any apartment shall not be through the commercial, retail, or institutional space. On the ground floor, the residential uses shall not occupy the primary frontage; these spaces shall be reserved for the commercial, retail, or institutional uses.

**(Bylaw C-1260-76 - September 5, 2017)**

**MIXED USE DEVELOPMENT** means a development that is designed to accommodate more than one (1) type of use on a single site.

**MODULAR CONSTRUCTION** means a prefabricated or factory built building or section of a building, without a chassis, running gear or wheels, which may be stacked horizontally or vertically and completed to form one (1) or more complete units for year round occupancy, and excludes a Manufactured Home.

**MOTEL** means a development for the provision of rooms or suites for temporary lodging or light housekeeping, where each room or suite has its own exterior access. It may include accessory eating and drinking establishments.

**MULTI-ATTACHED DWELLING** means a residential building containing three (3) or more dwelling units separated by common walls and located either on a single site or each unit on a separate individual lot, each dwelling unit having at least one (1) separate entrance. This definition applies to forms of housing that include, but are not limited to, townhouses, street oriented townhouses, row houses, triplexes and fourplexes.

**MUNICIPAL TAG** means a tag whereby the person alleged to have committed a breach of provision of this Bylaw is given the opportunity to pay a voluntary penalty to the City in lieu of prosecution for an offence.

**NON-CONFORMING BUILDING** means a building:

1. 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
2. That on the date the land use bylaw becomes effective does not, or when constructed will not, comply with the land use bylaw.

**NON-CONFORMING USE** means a lawful specific use:

1. Being made of land or a building or intended to be made of a building lawfully under construction at the date a land use bylaw affecting the land or building becomes effective; and
2. That on the date the land use bylaw becomes effective does not, or in the case of a building under construction will not comply with this Bylaw.

**OFFICE, MAJOR** means a building that provides professional, management, administrative, consulting, and similar office and business support services, and financial services. It does not include a government service or health facility.

**OFFICE, MINOR** means a building development that provides professional, management, administrative, consulting, and similar office and business support services, and financial services, where the number of staff shall not exceed five (5), including professional, technical and administrative staff. It does not include a Health Facility, Major or Minor or Government Service.

**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.

**OUTDOOR STORAGE FACILITY** means a site exclusively utilized for the storage of goods or materials or equipment. Un-serviced buildings or structures are considered accessory buildings. Typical uses include vehicle or heavy equipment storage compounds, or pipe yards.

**OUTLINE PLAN** means a detailed land use plan approved by Council. Outline Plans are typically done at quarter section level and conform to an approved Area Structure Plan.

**PATIO** means an outdoor amenity area constructed at grade. A patio does not require a development permit.

**PARK** means land developed for public recreational activities that do not require major buildings or facilities, and includes picnic areas, playgrounds, pedestrian and bicycle paths, landscaped areas and associated public washrooms.

**PARKING LOT OR BUILDING** means a development intended to accommodate vehicle parking.

**PARKING STALL** means that portion of a parking lot or building that is intended to accommodate a vehicle.

**PEACE OFFICER** means any member of the Royal Canadian Mounted Police, a Peace Officer and a Bylaw Enforcement Officer of the City.

**PERMANENT SUPPORTED HOUSING** means a facility providing residential accommodation in addition to continuous on-site professional care and supervision to persons whose cognitive or behavioral health needs require increased levels of service. The structure may require enhanced safety and security controls such as entrances and exits under the exclusive control of the staff, secured rooms, windows or doors, and fences. This use requires a Direct Control District.

This use does not include Extended Medical Treatment Services.

**(Bylaw C-1260-111 - April 6, 2020)**

**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 a land use districts in this Bylaw, and for which a development permit may be issued.

**PERSONAL CARE SERVICE** means the provision of a service to a person that is related to the care and appearance of the body or the cleaning and repair of personal effects, and includes such uses as hairdressers, esthetician, tattooing, seamstress or tailors and massage therapy by a Certified Massage Therapist, but does not include health services.

**PERSONAL SERVICE FACILITY** means a development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects and includes such uses as hairdresser, esthetician and beauty salons, tanning salons, tattoo and piercing parlours, seamstress and tailor shops, shoe repair shops, laundromat, dry cleaning outlets (for pick up only), but does not include; health services, general retail businesses, dry cleaning plants or adult entertainment facilities.

**PETROLEUM FACILITY** means petroleum infrastructure such as oil and gas pipelines, well battery, compressor station, and metering station and is not defined as a Natural Resource Extraction Industry.

**(Bylaw C-1260-98 - December 13, 2021)**

**PORCH** means an entrance structure typically attached to the front or sides of a residential dwelling at the ground floor entry level, consisting of a roof and floor, where the front and sides of the structure are enclosed by solid walls and/or windows.

**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.

**PUBLIC ROAD** means the right-of-way for a highway, street, or lane that is registered at the Land Titles Office and is used or intended to be used to accommodate vehicular traffic.

**PUBLIC USE** means a building, structure or lot used for public services by the City except sanitary landfill sites and sewage lagoons, or by any local board or agency of the County, or by any department, commission or agency of the Province of Alberta or Government of Canada.

**(Bylaw C-1260-98 - December 13, 2021)**

**PUBLIC UTILITY** means a system or works used to provide one (1) or more of the following for public consumption, benefit, convenience or use:

1. Telecommunications;
2. Water or steam;
3. Irrigation;
4. Fuel;
5. Electric power;
6. Heat;
7. Sewage disposal;
8. Drainage;
9. Waste management;

and includes the thing that is provided for public consumption, benefit, convenience or use.

**PUBLIC UTILITY LOT** means a lot owned by the City that may accommodate one (1) or more public utilities.

**QUEUE** means a line of waiting people or vehicles.

**QUEUING SPACE** means the space designated for the temporary storage of a motor vehicle waiting in a queue where the operator of the vehicle does not leave the vehicle unattended.

**RAIL YARD** means an area used and operated by a rail company for rail related activities.

**RADIOCOMMUNICATION AND BROADCASTING ANTENNA FACILITY** means an antenna system, including masts, towers and supporting structures, for the purpose of transmitting or receiving telephone, television, radio, internet or other electronic communications and which is regulated by Industry Canada, and excludes Satellite and Amateur Radio Antennae.

**RECREATIONAL USE, INTENSIVE** means a recreational land use and/or buildings where recreation activities are pursued in a more concentrated form and would likely involve buildings. For the purposes of clarification such activities would include beaches, indoor and outdoor riding stables, race tracks for motorized and non-motorized activities, sport fields, picnic areas, arenas, curling rinks, indoor pavilions, downhill or cross-country ski facilities, parks, cabins, and other similar uses. This use is intended to include facilities with a moderate to significant number of seats for spectators. It is larger and more intensive than “COMMERCIAL RECREATION FACILITY, INDOOR or OUTDOOR.

**(Bylaw C-1260-98 - December 13, 2021)**

**RECREATIONAL VEHICLE, LARGE** means a vehicle or portable structure exceeding 6.1m in overall length, excluding the hitch assembly. They are designed to be carried on a motor vehicle, towed behind a motor vehicle, or designed and built to be transported on its own wheels, to provide temporary living accommodation for travel and/or for recreational purposes. This includes such vehicles as motor homes, fifth wheel trailers and holiday trailers, but does not include a manufactured home.

**RECREATIONAL VEHICLE, SMALL** means a vehicle or portable structure up to 6.1m in overall length, excluding the hitch assembly. They are designed to be carried on a motor vehicle, towed behind a motor vehicle, or designed and built to be transported on its own wheels, to provide temporary living accommodation for travel and/or for recreational purposes. This includes such vehicles as tent trailers, truck campers and recreational vehicles such as ATV's, snowmobiles and boats.

**RECREATION VEHICLE STORAGE** means an outdoor storage facility used specifically for seasonal or temporary storage of cars, trucks, and recreation vehicles.

**RECYCLING DEPOT** means a development used for the buying and temporary storage of bottles, cans, tetrapaks, newspapers and similar goods for reuse where all storage is contained within an enclosed building or site and excludes salvage yards.

**RELIGIOUS ASSEMBLY** means a development including any meeting halls used for spiritual worship and related religious, charitable, educational or social activities, but does not include a school.

**RESEARCH FACILITY** means a building or portion thereof, or group of buildings in which facilities for scientific research, investigation, and testing are located.

**(Bylaw C-1260-98 - December 13, 2021)**

**RESERVE LAND** means a municipal, school, municipal-school, or environmental reserve that has been dedicated in accordance with the Municipal Government Act as amended.

**RESIDENTIAL CARE FACILITY** means an extended or congregate care facility for residents who have physical or cognitive health issues and who require daily or frequent professional care and supervision to perform daily living tasks, or to exit safely in case of an emergency event. This includes but is not limited to seniors' lodges and nursing homes.

This use does not include Group Home, Permanent Supported Housing or Residential Support Home.

**(Bylaw C-1260-111 - April 6, 2020)**

**RESIDENTIAL CONVERSION** means a development located in a Residential District that involves the transformation of a single detached dwelling for use as an Office, Minor or Health Facility, Minor, but does not include a Home Business.

**(Bylaw C-1260-59 - September 6, 2016)**

**RESIDENTIAL SALES CENTRE** means a temporary building used for a limited period of time for the purpose of marketing residential land and buildings.

**RESIDENTIAL SUPPORT HOME - TYPE 1** means a development using a Dwelling Unit to provide housing for up to three (3) residents who have physical or cognitive health issues and who require professional care and supervision to perform daily living tasks, or to exit safely in case of an emergency event. A Residential Support Home - Type 1:

1. Has any required authorization, licensing or certification from a provincial authority that is applicable;

2. Has the character of a single housekeeping group where occupants live together and use a common kitchen;
3. May provide meal and/or housekeeping services;
4. May incorporate accommodation for one resident staff person. Resident staff are not counted in the maximum occupancy of three (3) residents; and
5. Does not require a development permit if it is within a dwelling with a valid development permit, as per section 16.1.t of this Bylaw.

This use is not a Boarding House or Group Home.

**(Bylaw C-1260-111 - April 6, 2020)**

**RESIDENTIAL SUPPORT HOME - TYPE 2** means a development using a Dwelling Unit to provide housing for four (4) or more residents who have physical or cognitive health issues and who require professional care and supervision to perform daily living tasks, or to exit safely in case of an emergency event. A Residential Support Home - Type 2:

1. Has any required authorization, licensing or certification from a provincial authority that is applicable;
2. Has the character of a single housekeeping group where occupants live together and use a common kitchen;
3. May provide meal and/or housekeeping services; and
4. May incorporate accommodation for resident staff.

This use is not a Boarding House or Group Home.

**(Bylaw C-1260-111 - April 6, 2020)**

**RESTAURANT** means a development where food and beverages are prepared and offered for sale to the public and may be licensed for the sale and on-site consumption of liquor and minors are not prohibited from any portion of the establishment at any time during the hours of operation.

**RESTAURANT & DRINKING ESTABLISHMENT, MAJOR** means a development where food and beverages are prepared and offered for sale to the public and where a license is issued for the sale of liquor for consumption on the premises or off-site. Minors may be prohibited from a portion of the development or during certain hours of operation. If minors are prohibited from a portion of the establishment, such as in the case of a restaurant with a lounge, a form of physical separation between the two spaces is required, to the Development Authority's satisfaction. The development has an area of 300m<sup>2</sup> or greater and may have a maximum area of 10m<sup>2</sup> for the purpose of providing entertainment such as a dance floor, a live music and performance stage, or for recorded music.

**(Bylaw C-1260-124 - October 19, 2020)**

**RESTAURANT & DRINKING ESTABLISHMENT, MINOR** means a development where food and beverages are prepared and offered for sale to the public and where a license is issued for the sale of liquor for consumption on the premises or off site. Minors may be prohibited from a portion of the development or during certain hours of operation. If minors are prohibited from a portion of the establishment, such as in the case of a restaurant with a lounge, a form of physical separation between the two spaces is required, to the Development Authority's satisfaction. The development has an area of less than 300m<sup>2</sup> and may have a maximum area of 10m<sup>2</sup> for the purpose of providing entertainment such as a dance floor, a live music and performance stage, or for recorded music.

**(Bylaw C-1260-124 - October 19, 2020)**

**RETAIL STORE, CANNABIS** means a development used for the retail sale, promotion, storage, distribution or dispensing of cannabis or cannabis derived products. Incidental uses may include the sale of associated consumer products.

**(Bylaw C-1260-75 - August 8, 2017)**

**RETAIL STORE, CONVENIENCE** means a development used for the retail sale of those goods required by area residents on a day-to-day basis in an enclosed building which does not exceed 370m<sup>2</sup> in gross floor area. Typical uses include small food stores, drug stores, video sales and rentals, and variety stores selling confectionery, tobacco, groceries, beverages, pharmaceutical, printed matter and personal care items, but do not include an adult entertainment facility.



**RETAIL STORE, GENERAL** means a development used for the retail sale of goods entirely within an enclosed building and excludes those uses that have a form of retail sales that are specifically defined in this Bylaw.

**(Bylaw C-1260-12 - June 30, 2014)**

**RETAIL STORE, SECOND-HAND** means a development used for the retail sale of second-hand major and minor household goods, including the refurbishing and repair of the goods being sold, and includes but is not limited to the resale of items such as antiques, furniture, major appliances, jewellery, stereos and musical instruments. It does not include the sale of used vehicles, construction and industrial equipment, farmers/flea markets or auctioneering facilities.

**SALVAGE YARD** means land or buildings where motor vehicles, tires, and parts are disassembled, repaired, stored or wrecked usually for parts or scrap metal re-sale.

**SATELLITE ANTENNA** means:

1. An antenna the purpose of which is to receive signals from orbiting satellites;
2. A low noise amplifier (LNA) situated at the focal point of the receiving component the purpose of which is to magnify and transfer signals;
3. A cable the purpose of which is to transmit signals; and
4. Other associated components.

**SCREENING** means a fence, berm or hedge or some combination thereof used to visually hide or separate areas or uses.

**SECONDARY SUITE** means development consisting of a Dwelling located within, and Accessory to, a Single Detached Dwelling. This use does not include Duplex or Semi-Detached Dwellings.

**(Bylaw C-1260-40 - July 13, 2015)**

**SEMI-DETACHED DWELLING** means two (2) dwelling units joined side by side with a common wall and each dwelling unit has one (1) or more separate entrances.

**SERVICE STATION** means a development where the principal use is the retail sale of fuel and other petroleum products and the minor servicing and repairs to automobiles and may include as an accessory use the sale and installation of lubricants, tires, batteries, and similar parts and accessories, a Restaurant or a retail convenience store, and exclude Automotive and Equipment Repair and Sales, Major/Minor.

Total above ground storage of all fuels shall be 30,000 litres or less.

**SETBACK** means the distance that a development must be set back from a lot line or any other feature of a site as specified by this Bylaw and is not a yard.

**SHIPPING/STORAGE CONTAINER** means a reusable container designed and constructed for storage or the intermodal transportation of freight by sea, rail and truck.

**SIGN** means any structure, device, light or fixture, or any part thereof, used to identify, advertise or attract attention to any person, object, product, event, place, organization, institution, development, business, group, profession, enterprise or industry and is intended to be seen from on or off the site where the sign is located.

**SINGLE DETACHED DWELLING** means a building containing one (1) dwelling unit but does not include a manufactured home.

**SITE** means an area of land consisting of one (1) or more abutting lots under single ownership or control.

**SITE COVERAGE** means the ratio of the horizontal area measured from the exterior surface of the exterior walls of the ground floor of all principal and accessory buildings or structures (including verandas, porches, or Raised Decks) on a site to the total lot area. Such buildings and structures do not include steps, eaves, cornices or Low Level Deck.

**SITE WIDTH** means the frontage width of a lot, or the total frontage width of a site.

**SMALL WIND ENERGY SYSTEMS (SWES)** means a wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity that does not exceed the allowable rated capacity of 3kW and which will be used primarily to reduce onsite consumption of utility power.

**SOLAR COLLECTOR** means any device that is part of a system used to convert radiant energy from the sun into thermal or electrical energy.

**STORAGE YARD** means a portion of a site utilized for the storage of goods, materials and/or equipment. The use shall be accessory to the principal use of the site. This does not include an Outdoor Storage Facility.

**(Bylaw C-1260-123 - August 24, 2020)**

**STOREY** means that portion of a building which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of a floor and the ceiling above it. The floor of the first storey commences no greater than 2.1m above finished grade.

**STRUCTURAL ALTERATION** means any change to the roof, foundation or exterior walls of a structure that results in the expansion of the usable floor area of a structure or reduces existing setback distances.

**STRUCTURE** means anything constructed or erected, the use of which requires location on the ground or attachment to something located on the ground not including pavements, curbs, walks, open air surfaced areas and movable vehicles.

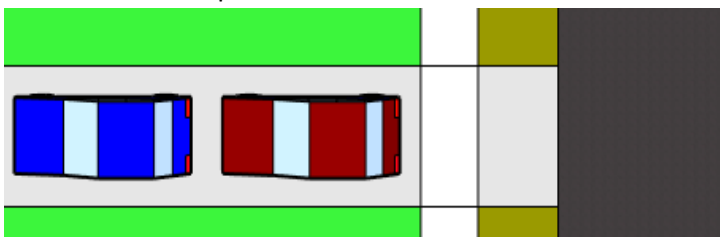
**SUBDIVISION** means the division of a parcel of land into one (1) or more smaller parcels by a plan of subdivision or other instrument.

**SUPERMARKET** means a development in which the principal use is the sale of groceries and other food items to the public. Incidental uses may include pharmaceutical sales and other consumer products.

**SURVEILLANCE SUITE/CARETAKER'S RESIDENCE** means a dwelling unit that is secondary or accessory to the principal industrial, commercial or recreational use on the same lot. The unit may be developed within the principal building or in a separate accessory building and is used for the purpose of providing living accommodation for the individual who is primarily responsible for the maintenance and security of the principal use on that lot.

**(Bylaw C-1260-98 - December 13, 2021)**

**TANDEM PARKING** means a maximum of two (2) parking spaces, one (1) behind the other, with a common or shared point of access to a street or lane.



**(Bylaw C-1260-40 - July 13, 2015)**

**TAXIDERMY** means the art or operation of preparing, stuffing, and mounting the skins of dead animals for display.

**TOP OF BANK** means the line where the surrounding tableland is broken by a valley slope and forms the valley crest as determined by a geotechnical engineer.

**TRUCK AND/OR MANUFACTURED HOME SALES AND/OR RENTAL** means a development used for the retail sale or rental of new or used trucks exceeding 4,000 kg, motor homes, and manufactured homes together with incidental maintenance services and the sale of parts and accessories.

**UNENCLOSED STEPS** means an entrance structure consisting of stairs and associated railings typically attached to the front or side of a residential dwelling to provide ground floor entry.

**USE** means the purpose or activity for which a lot or buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.

**UTILITY TRAILER** means a portable structure, designed to be pulled by a motor vehicle, to allow for the transport of goods and possessions, but is not to be used as temporary accommodation.

**(Bylaw C-1260-59 - September 6, 2016)**

**VARIANCE** means an alteration or change to a standard prescribed by this Bylaw that is authorized by the Development Authority or the Board.

**VEHICLE ORIENTED USE** means a use that predominantly caters to vehicular traffic, including but not limited to gas bars, service stations, drive-through financial institutions, drive-in/through food services, drive-through vehicle services, car washes, and similar developments providing drive-in services in which patrons generally remain within their vehicles.

**VEHICLE WASH, MAJOR** means a development providing automated/drive-through or individually coin/time operated wand wash facilities for motor vehicles. Typically these facilities cater to large vehicles including tractor and/or tractor-trailer units, large recreational vehicles or facilities for washing of three (3) or more vehicles at any given time.

**VEHICLE WASH, MINOR** means a development providing automated/drive-through or individually coin/time operated wand wash facilities for vehicles. Typically these facilities free standing or they are located in conjunction with a gas bar or service station, and include any facility with two (2) or less wash bays.

**VERANDA** means an entrance structure typically located at the front or sides of a residential Dwelling at the ground floor entry level, consisting of a roof and floor, where the front and sides of the structure remain open to the outside elements.

**VIOLATION TICKET** means a violation ticket as defined in the Provincial Offences Procedures Act (Alberta).

**WAREHOUSE, DISTRIBUTION AND/OR STORAGE** means the use of a building and site primarily for the keeping of goods and merchandise. It includes moving companies, trucking terminals and inter-modal transfer areas.

**WAREHOUSE SALES** means the use of a large enclosed building where a range of consumer goods are stored and displayed entirely within the building for wholesale or retail sales.

**WASTE MANAGEMENT** means a site used primarily for the storage, processing, treatment and disposal of solid and liquid wastes, which may have adverse environmental impact on sites either adjacent or in the vicinity by virtue of potential emissions and appearance. Typical uses include sanitary landfills, garbage transfer and compacting stations, facilities for the recycling of materials, incinerators, sewage lagoons, and similar uses.

**XERISCAPING** means a natural approach for constructing low maintenance, water efficient and sustainable landscaping. It often includes, but is not limited to, the usage of xeric adapted plant species, gravel gardens or rock gardens. Extensive use of rock or gravel is not considered xeriscaping.

**(Bylaw C-1260-60 - September 6, 2016)**

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

**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, 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.

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

