

1. Agenda

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2. Executive Summary

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# AGENDA



## REGULAR MEETING AGENDA

Council of the City of Lacombe  
 Monday, February 24, 2020 at 5:00 p.m.  
 in Council Chambers

Time	Agenda Item	Representative
5:00	<b>1. CALL TO ORDER</b>	
	<b>2. ADOPTION OF AGENDA</b>	
	2.1 Additions	
	2.2 Deletions	
	2.3 Reordering ( <i>Item 7 prior to Item 6</i> )	
	<b>3. PRESENTATIONS</b>	
5:00	3.1 Bike Skills Park Group (Jay Hootz/Don Derowin/Corey Gish)	
	<b>4. PUBLIC HEARINGS</b>	
5:30	4.1 Land Use Bylaw Amendments: Bylaw 400.24 (Amend Land Use Bylaw 400)	<i>Dir Thompson</i>
	<b>5. REQUESTS FOR DECISION</b>	
	5.1 RFP for Assessment Services	<i>Sr. Mgr. Reyes</i>
	5.2 Alberta Community Partnership Grant Application	<i>Dir Piche</i>
	5.3 Lower Michener Park Development	<i>Dir Juch</i>
	5.4 Bylaw Enforcement – Service Level Report	<i>Dir Piche</i>
	5.5 Land Use Bylaw 400.24 Updates (Second/Third Reading)	<i>Dir Thompson</i>
	5.6 Options for Redevelopment Levy in Strategic City Areas ( <i>THAT Council direct administration to research and present options for instituting a redevelopment levy in strategic areas of the city</i> )	<i>Clr. Jacobson</i>
	5.7 Bylaw 365.1 Records Retention (Second/Third Reading)	<i>Dir Piche</i>
	<b>6. INFORMATION</b>	
	6.1 Administrative Reports	
	6.1.a Chief Administrative Officer Report	
	6.2 Council Mailbox (N/A)	
	6.3 Commission, Board, Committee Reports and Minutes	
	6.3.a Rikubetsu Annual General Meeting Minutes January 28	<i>Cnclr: Hoekstra</i>
	6.3.b Lacombe Police Commission Minutes January 7	<i>Cnclr: Konnik</i>

- 6.4 Councillor Reports
  - 6.4.a Mayor Creasey
  - 6.4.b Councillor Gullekson
  - 6.4.c Councillor Ross
  - 6.4.d Councillor Hoekstra
  - 6.4.e Councillor Jacobson
  - 6.4.f Councillor Hibbs
  - 6.4.g Councillor Konnik

**7. ADOPTION OF MINUTES**

- 7.1 February 10, 2020 Regular Council Meeting Minutes

**8. NOTICES OF MOTION**

- 8.1

**9. IN CAMERA**

- |   |                   |
|---|-------------------|
| 9.1 Labour (FOIP S. 17)                   | <i>Mgr Wilton</i> |
| 9.2 Legal (FOIP S. 24)                    | <i>CAO Goudy</i>  |
| 9.3 Legal (FOIP S. 24)                    | <i>CAO Goudy</i>  |
| 9.4 Monthly Update (FOIP Sections 24, 16) | <i>CAO Goudy</i>  |

**10. ADJOURNMENT**

**Next Meetings:**

- Monday, March 9, 2020
  - Regular Council Meeting: 5:00 p.m., Council Chambers
- Monday, March 23, 2020
  - Regular Council Meeting: 5:00 p.m., Council Chambers
- Monday, April 6, 2020
  - Council Committee Meeting: 5:00 p.m., Council Chambers

# LACOMBE BIKE PARK



# Proposal

- ▣ Create a multi-use bike park for technical skill development and leisure enjoyment

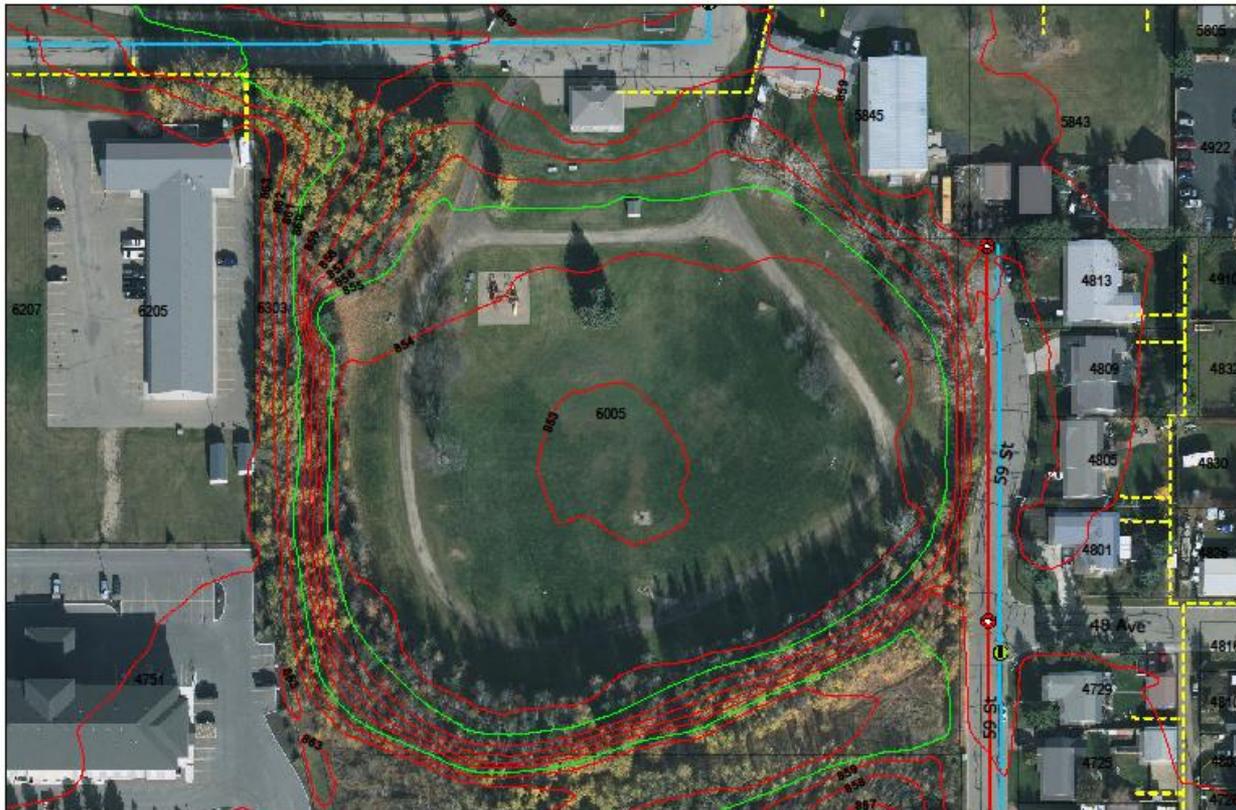
## Purpose

- ▣ A dedicated space where riders learn crucial bike handling skills

## Features

- ▣ It will consist of a 3-part trail system, pump track, skills section, flow track and dirt jumps

# Proposed Location



**City of Lacombe**  
Lower Michener

- Sanitary Manholes
- Water Valves
- Gas Lines
- Sanitary Lines
- Water Lines



This map is for reference use only. Data provided are derived from multiple sources and may not be 100% accurate. The City of Lacombe disclaims all responsibility for the accuracy or completeness of the data shown herein.  
Coordinate System: UTM 18Q UTM 11A Date: 21/11/2023

# Why Lower Michener Park

- ▣ Under utilized natural space
- ▣ Easy access to the current skate park and the TransCanada Trail
- ▣ Continuation of the current athletic development in Upper Michener
- ▣ Lights and drainage already in place

# Hoots Ltd. Park Concept

## Perimeter Trail:

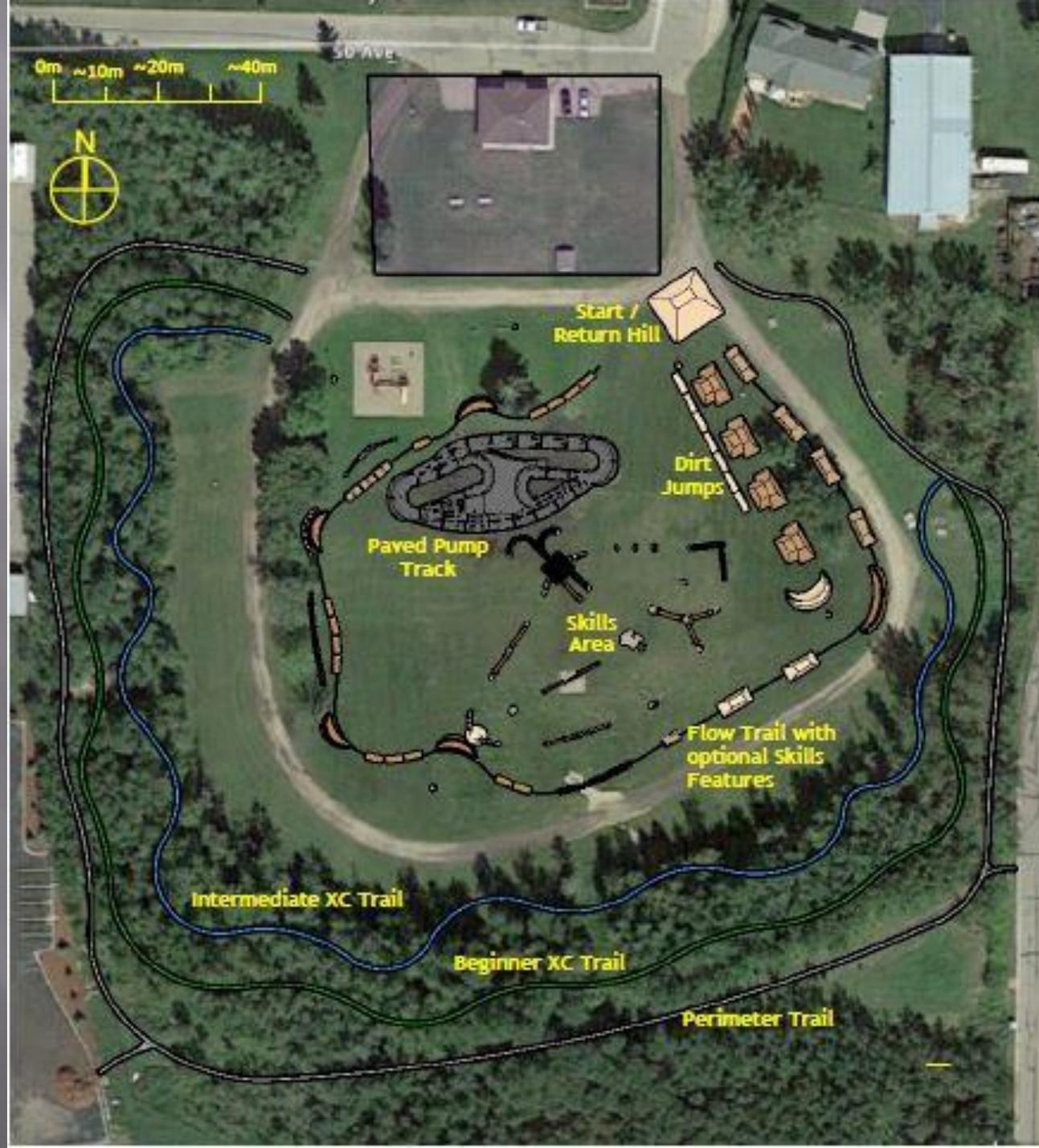
- For all skill levels
- Chariot accessible
- Connects neighboring community to all Michener amenities

## XC Trails:

- Beginner to Intermediate skill levels

## Technical Bike Park:

- Develop riding skills for all ages
- Provides a venue for biking events



# Potential Users

- ▣ Riders from Central Alberta and beyond
- ▣ Tourists from Gull Lake
- ▣ Bill Nielsen Trail Society
- ▣ Lacombe Cross Country Ski Club
- ▣ Training for junior high and high school cross-country running clubs
- ▣ Local fitness clubs and boot camps

# Community Use Endorsements

Feb 11/2020

To whom it may concern,

This letter is in support of the bike park proposed by Reds Sports. As a fitness facility we would take advantage of the close location and utilize it for outdoor bootcamps and training for special events such as the Spartan Race. We also feel that the bike park would be a welcome addition to Lacombe, encouraging health, fitness and possibly tourism. As the park is located close to the Best Western and Michener Campground it could be greatly utilized by out of town guests. There are endless possibilities!

Thank you for your consideration.

Sincerely,

**Lisa Stewart**

Director of Operations

**Fit Body Boot Camp**

403-786-9991

[info@lacombebbc.com](mailto:info@lacombebbc.com)

[www.lacombebbc.com](http://www.lacombebbc.com)

~Committed to Your Fitness Success~



**BILL NIELSEN TRAIL SOCIETY**

LACOMBE, ALBERTA, CANADA

Date: February 10, 2020

To:

The Lacombe Bike Park Organizing Committee

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On behalf of the Bill Nielsen Trail Society, the executive is pleased to endorse your efforts to create a mountain biking course and facility in the existing Michener Park. As a Trail Society, we are in favour of projects that encourage and promote healthy and active living through running, walking, biking, etc.

Developing mountain biking opportunities in Lacombe, particularly at this very accessible and under-utilized location, would be a positive addition to recreational opportunities in the City of Lacombe.

Our trail building and maintenance efforts elsewhere in the city will limit our society's direct involvement in the Park's development but we are confident that some of our members will be more than happy to become personally involved.

We hope this letter meets your needs. Please keep us advised on any new developments or your proposal.

Sincerely,

Larry Michelsen

President Bill Nielsen Trail Society

Lacombe Cross-Country Ski Club  
5464 46th Avenue  
Lacombe, Alberta, T4L 1N1  
February 11, 2020



Lacombe Bike Park Committee

To whom it may concern,

On behalf of the Lacombe Cross-Country Ski Club executive board, I would like to put forward our endorsement for the creation of the bike recreational park. Being an outdoor activity club ourselves, we see the value in creating spaces that are accessible for all ages and abilities, as we've done with our ski trails. We believe the location to be ideal as it can be accessed from multiple locations and will be a good use for an underutilized area.

Our club has focused our resources on the creation of ski trails at the Lacombe Golf and Country Club, and as such, do not feel that we would be able to groom the new bike trails for winter use as well. We would like to suggest that they be a multi-season trails, accessed in the winter by fat tired bikes and walkers instead of skiers.

While we cannot be involved directly, we're confident that some our club members will make use of the new trails and could be involved. Please keep us informed on developments and where we can inform our members.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brent Bouwsema', written in a cursive style.

Brent Bouwsema  
President – Lacombe Cross-Country Ski Club

# Construction and Maintenance

- ▣ Our overall theme will be quality over quantity. We would rather have a smaller, but very well built, long lasting facility. Quality construction and design will mean lower ongoing maintenance. Our goal is to leave all major trees in place, and landscape where needed, to allow for drainage.

# Why Hoots Bike Parks?

- ▣ Hoots Ltd. works with communities from design, to build, to maintenance.
- ▣ Hoots Ltd. has first hand experience building locally, most notably, the Blackfalds bike park.
- ▣ Hoots Ltd. is based out of Edmonton, AB, and is a world-leader in bike park and trail development.
- ▣ Jay Hoots is a 25-year sponsored Norco rider, with a vested interest in the development of young riders for the future.

# Proposed Budget

	A	B	C	D	E	F	G	H	I	J	K
1	<b>DRAFT Sept24_19 - Budget Breakdown by Area - Includes ALL material costs (dirt, lumber, logs, rocks, fasteners)</b>										<b>TOTAL</b>
2		Site Preparation	A-Paved Pump Track	B-Progressive Jumps	C-Flow Line Trail	D-Wood Skills Zone	Perimeter Trail (550m)	Beginner XC Trail (415m)	Intermediate XC Trail (381m)	Furnishings (TBD)	Total-All
3	Machines	\$5,888	\$10,225	\$5,438	\$11,685	\$10,305	\$3,518	\$5,250	\$7,685	\$0	\$59,993
4	Materials	\$5,000	\$57,640	\$16,250	\$22,918	\$23,632	\$1,354	\$1,125	\$1,000	\$0	\$128,920
5	Labour	\$17,650	\$29,500	\$13,850	\$35,650	\$33,300	\$10,513	\$18,013	\$24,425	\$0	\$182,901
6	Trail Build						\$6,600	\$10,375	\$13,335	\$0	\$30,310
7	Subtotal	\$28,538	\$97,365	\$35,538	\$70,253	\$67,237	\$21,984	\$34,762	\$46,445	\$0	\$402,124
8	5% GST	\$1,427	\$4,868	\$1,777	\$3,513	\$3,362	\$1,099	\$1,738	\$2,322	\$0	\$20,106
9	<b>TOTAL</b>	<b>\$29,964</b>	<b>\$102,233</b>	<b>\$37,314</b>	<b>\$73,766</b>	<b>\$70,599</b>	<b>\$23,083</b>	<b>\$36,500</b>	<b>\$48,767</b>	<b>\$0</b>	<b>\$422,230</b>
10		(7 days / 4 staff)	(21 days / 4 staff)	(5 days / 4 staff)	(14 days / 4 staff)	(14 days / 4 staff)	(5 days / 3 staff)	(8 days / 3 staff)	(12 days / 3 staff)		
11											
12											
13	<b>DRAFT Sept24_19 - Budget Breakdown - Full Park Build of Individual Nodes (13 weeks)</b>										
14											
15	Machines	\$59,993									
16	Materials	\$128,920									
17	Labour	\$182,901									
18	Trail Build	\$30,310									
19	Subtotal	\$402,124									
20	5% GST	\$20,106									
21	<b>TOTAL</b>	<b>\$422,230</b>									
22											
23	<b>note: material pricing changes / fluctuates per region; calculated values are based on assumed average costs</b>										

\*\*Component break-down allows for individual features of the park to be developed, over time, as budget allows

\*\*Volunteer hours and material donations can reduce this budget

# Funding and Volunteer Opportunities

- ▣ Corey Gish is currently spear-heading the development of the Lacombe Community Projects Society. This will allow us to apply for grants and fundraise for this project.
- ▣ Local groups, such as the Kinsmen, have expressed interest in funding this project.
- ▣ Local businesses, such as Viking and D&M Plastics, have offered equipment to help complete the project.
- ▣ Active fundraising has not yet started.
- ▣ We have over a dozen volunteers in place who are interested in actively participating in this project

# Questions



## **PUBLIC NOTICE**

### **LAND USE BYLAW 400.24**

**NOTICE IS HEREBY GIVEN that the Council of the City of Lacombe has given first reading to Bylaw 400.24 to make a series of amendments to Land Use Bylaw 400.**

Topics addressed in the proposed amendments include:

Increasing the side yard requirement for residential buildings to 2m for properties located within the Downtown Area Redevelopment Plan;

Creating a Downtown Area Redevelopment Plan Overlay for properties located in the Central Residential District addressing the look of new buildings and the design of sites;

Allowing the City's Development Officers to approve variances to a standard to a maximum of 15% difference (over or below);

Allowing for the development of larger accessory buildings on properties designated R1 and R-LI;

Allowing temporary buildings on residential properties during construction and renovation;

Adding an ability to require screening between a detached dwelling and a multi-attached dwelling;

Requiring landscaping between parking areas located in the front yard of a multi-unit residential building;

Encouraging the use of lane access for parking where a lane is available and increasing options for parking for garden suites;

Creating an option to "pre-identify" garden suites and secondary suites when an Outline Plan is approved;

Removing the requirement for an accessory building to exactly match the look of the principal building and standardizing the landscaping requirements for residential properties;

Giving more flexibility for the placement of A-board signs in the downtown; and

Adding "education facility" as a discretionary use in the C3 Transitional Commercial District and UC University Commercial District.

#### **Where do I get more information?**

A copy of the bylaw may be viewed at [www.lacombe.ca/doing-business/planning-and-development-services/what-s-new/public-hearings](http://www.lacombe.ca/doing-business/planning-and-development-services/what-s-new/public-hearings) or at the City of Lacombe City Hall at 5432 – 56th Avenue during office hours.

#### **When is the Public Hearing?**

If you would like to make comments on the proposed amendment, the Council of the City of Lacombe will be holding a Public Hearing in the Council Chambers location at 5432 – 56th Avenue, on **Monday, February 24, 2020 at 5:30pm.**

#### **How do I get involved?**

Any person or group wishing to express their views on the proposed amendment will be given the opportunity to make a presentation during the Public Hearing. Written submissions can also be submitted for inclusion in the Public Hearing.

All written letters or petitions regarding this amendment are to:

Be filed with the Chief Administrative Officer no later than 4:30pm on **Monday, February 24, 2020.**

Contain the names and addresses of all persons making the presentation, and State the name and address of all persons authorized to represent a group of persons or the public at large.

DATE of First Publication: **February 13, 2020**

DATE of Second Publication: **February 20, 2020**

FOR INFORMATION CONTACT:

Craig Teal, RPP, MCIP

Parkland Community Planning Services

Phone: 403-343-3394

Email: [craig.teal@pcps.ab.ca](mailto:craig.teal@pcps.ab.ca)

# REQUEST FOR COUNCIL DECISION



**SUBJECT:** Assessment Services RFP Award  
**PREPARED BY:** Mauricio Reyes, Senior Manager of Financial Services  
**PRESENTED BY:** Mauricio Reyes, Senior Manager of Financial Services  
**DATE:** February 24, 2020

FILE:

## **PURPOSE:**

A Council resolution is required to appoint Wild Rose Assessment Services Inc. as the Assessor for the City of Lacombe for 2020 to 2024.

## **RECOMMENDED MOTION(S):**

1. THAT Council award the assessment services contract to Wild Rose Assessment Services Inc. and THAT Wild Rose Assessment Services Inc. be appointed as the Assessor for the City of Lacombe for 2020 to 2025.

## **RELATED PRIOR MOTION(S):**

1. None

## **EXECUTIVE SUMMARY:**

As per section 285 of the Municipal Government Act (MGA), “each municipality must prepare annually an assessment for each property in the municipality”. Furthermore, section 284.2(1) of the MGA states that “a municipality must appoint a person having the qualifications set out in the regulations to the position of designated officer to carry out the functions, duties and powers of a municipal assessor”

The City of Lacombe’s current Assessment Services contract has been in place since August 2013 and is at the end of its term. A Request For Proposal (RFP) was issued by the City in January 2020 and received 5 responses, with one being disqualified since it arrived after the deadline. Administration recommends the contract be awarded to Wild Rose Assessment Services Inc. and Wild Rose Assessment Services Inc. be appointed as the Assessor for the City of Lacombe for 2020 to 2025.

## **ANALYSIS:**

The City of Lacombe assessment services contract expired in 2019. As per the terms of the contract, an extension of one year was granted. To ensure seamless assessment services, the City of Lacombe issued a Request for Proposals in January 2020, through the City website and

# REQUEST FOR COUNCIL DECISION



the Alberta Purchasing Connection, for an assessment services contractor for the 2020-2025 fiscal years.

Assessment services are a legislative requirement for all Alberta municipalities. The City has been served well by our current contractors who have maintained the contract during the last 6 years. In compliance with the City of Lacombe's Procurement Policy, this process has been transparent and competitive to ensure fairness and value.

Assessment services required over the 5-year term include, but are not limited to, the following:

- Prepare assessments, both general and supplementary, in accordance with the Municipal Government Act and its attendant regulations
- Provide completed assessments, both general and supplementary, to the Municipality in compliance with the statutory timelines prescribed in the Municipal Government Act
- Provide assessment information, both general and supplementary, as requested by the Minister of Municipal Affairs in compliance with the statutory reporting requirements prescribed in the Municipal Government Act
- Work with Municipal Affairs staff as required
- Provide security for all assessment data through regular backups
- Provide a quality assurance and inspection process that encompasses one quarter (¼) of the parcels in the City of Lacombe on an annual basis
- Prepare public forums to address ratepayer questions and concerns
- Provide direct electronic communication (telephone or email) to address day-to-day questions from ratepayers
- Conduct on site interviews with ratepayers on request
- Deal with the media only in concert with representatives from the Municipality
- Provide defense of any assessment complaints before the Assessment Review Board and any assessment appeals before the Municipal Government Board

A criteria set was included with the RFP, creating a methodology for awarding points.

Selection Criteria	Points
Proposed Inspection and Quality Assurance Methodology	20
Defense of Complaints and Appeals	5
Assessment Experience	20
Training and Transition	5
References	10

# REQUEST FOR COUNCIL DECISION



Public Relations Skills	10
Cost/Value	25
Total	95

Five companies submitted proposals, but one was received after the deadline. Consequently, the late submission was disqualified, and the proponent has been notified. The following companies were evaluated during the RFP process:

- Accurate Assessment Group Ltd.
- Compass Assessment Consultants Inc.
- Powers & Associates Appraisal services Inc.
- Wild Rose Assessment Services Inc.

The proposals were evaluated by a team of three qualified City employees who applied the criteria above. The results from the individual evaluations were aggregated and the summarized results are presented below:

Proponent	Score
Wild Rose Assessment Services Inc.	90
Powers & Associates Appraisal services Inc.	88
Accurate Assessment Group Ltd.	83
Compass Assessment Consultants Inc.	79

Consequently, Wild Rose Assessment Services Inc. received the highest score based on the criteria set by the City.

## **Financial Implications**

The following is the annual base fee proposed by Wild Rose Assessment Services Inc.:

Contract Period	Fees:
April 1, 2020 – March 31, 2021	\$15.50 per parcel + GST
April 1, 2021 – March 31, 2022	\$16.00 per parcel + GST
April 1, 2022 – March 31, 2023	\$16.50 per parcel + GST
April 1, 2023 – March 31, 2024	\$17.00 per parcel + GST
April 1, 2024 – March 31, 2025	\$17.50 per parcel + GST

# REQUEST FOR COUNCIL DECISION



Based on 5834 assessment rolls, this will in approximately \$90,427.00 plus GST in 2020. In 2019, assessor fees amounted to approximately \$107,480. In 2020, the total budget for assessment fees is approximately \$108,000. By accepting the recommendation, the City will save approximately \$17,000 in assessment fees in 2020.

## Legislative Authority

- Section 284.2(1), 285 & 289 MGA RSA 2000 Chapter M-26
- Bylaw 266 – Establish the Assessor as a Designated Position
- 13/211/01 (2014) Purchasing Policy

## STRATEGIC PLAN ALIGNMENT:

The award of this contract as recommended aligns **favourably** with Strategic Priority 4.1.4 (d) Fiscal Prudence:

Goal – To manage the City to allow for property tax increases near inflation

- Property tax increases are aligned with the Consumer Price Index and community growth.

## PUBLIC ENGAGEMENT/COMMUNICATION STRATEGY:

Once assessor is appointed, the public will be informed about the assessor's appointment. The public will have the opportunity to meet the assessor at a future date.

## ALTERNATIVE MOTION(S):

- a) THAT Council award the assessment services contract to Wild Rose Assessment Services Inc. and THAT Wild Rose Assessment Services Inc. be appointed as the Assessor for the City of Lacombe for 2020 to 2025
- b) THAT Council not award the assessment services contract and provides alternative direction to administration

## ATTACHMENTS:

- None

# REQUEST FOR COUNCIL DECISION



**SUBJECT:** Support for Alberta Community Partnership Grant Application  
**PREPARED BY:** Diane Piché, Director of Corporate Services  
**PRESENTED BY:** Diane Piché, Director of Corporate Services  
**DATE:** February 24, 2020

FILE: 23/127

## **PURPOSE:**

The purpose of this request for decision is to attain a motion of support by Council for an Alberta Community Partnership Grant application for the Fire Services Level Review that is being completed in conjunction with Lacombe County.

## **RECOMMENDED MOTION(S):**

1. THAT Council supports the application for the Alberta Community Partnership Grant for the Lacombe Fire Services Review that is being completed with support from Lacombe County.

## **RELATED PRIOR MOTION(S):**

1. Add any previous motions made by Council related to the topic being discussed.

## **EXECUTIVE SUMMARY:**

An application has been submitted for an Alberta Community Partnership Grant to assist with funding of the Fire Service Level Review. The Fire Service Level Review project is eligible for this grant funding as it services both municipalities and is being completed with the support from Lacombe County. Administration is looking for a motion from Council to support the grant application which will complete the application process.

## **ANALYSIS:**

The City of Lacombe has started the Fire Service Level Review process. The request for proposal (RFP) submissions did come in higher than anticipated; however, the Government of Alberta does offer Alberta Community Partnership grants, up to \$200,000, for projects that are collaborative with other municipal organizations. In reviewing last year's projects that were awarded grants, many municipalities used this grant for funding Intermunicipal Collaboration Framework (ICF) discussions and joint or regional service level reviews.

The Lacombe Fire Department services both the City of Lacombe and areas of Lacombe County which are managed through multiple agreements. This service level review includes an evaluation of the fire service agreements and exploration of different governance models, which meet the eligibility to apply for the Alberta Community Partnership Grant.

# REQUEST FOR COUNCIL DECISION



Administration has applied for \$60,000 for the cost of the Service Level Review. Part of the application process is to have the participating municipalities Council's support through a motion or resolution. Lacombe County has provided the letter of support. These letters of support must be submitted by March 2, 2020 to complete the application.

## **STRATEGIC PLAN ALIGNMENT:**

Applying for the Alberta Community Partnership Grant speaks **favourably** with Council's Strategic goal of 4.1.4 Fiscal Prudence (A) Identify and consider alternative revenue sources and 4.5.7 To Provide Effective Fire Protection Services (A) Review, plan, and level of service for fire protection and emergency response partnerships.

## **PUBLIC ENGAGEMENT/COMMUNICATION STRATEGY:**

Not Applicable

## **ALTERNATIVE MOTION(S):**

1. THAT Council supports the application for the Alberta Community Partnership Grant for the Fire Services Review that is being completed with Lacombe County.
2. THAT Council provide direction to Administration as they see fit.

## **ATTACHMENTS:**

Letter of Support from Lacombe County



February 13, 2020

Matthew Goudy  
City of Lacombe  
5432- 56 Avenue  
Lacombe, AB T4L 1E9

Dear Mr. Goudy:

**Re: ALBERTA COMMUNITY PARTNERSHIP GRANT APPLICATION**

On behalf of Lacombe County we are pleased to provide this letter of support for the City of Lacombe's application for the Alberta Community Partnership (ACP) Grant to undertake the Lacombe Fire Service Review.

The following resolution received Council approval at the February 13, 2020 Council meeting:

*That Lacombe County support the City of Lacombe's funding application to the Alberta Community Partnership Grant Program for the completion of the Lacombe Fire Service Review.*

This process will provide for the review of various components of the Fire Service and will improve the delivery of this service to both City of Lacombe residents and Lacombe County residents. As this Service is utilized by both the City and the County it is an excellent fit for eligibility for the ACP Grant.

Yours truly,

A handwritten signature in blue ink, appearing to read "Tim Timmons", written over a horizontal line.

TIM TIMMONS, CLGM  
County Manager  
Lacombe County

cc: Diane Piche  
Keith Boras

/lt

# REQUEST FOR COUNCIL DECISION



**SUBJECT:** Proposed Lacombe Bike Park Development  
**PREPARED BY:** Sandi Stewart, Manager of Recreation & Culture Services  
**PRESENTED BY:** Deborah Juch, Director of Community Services  
**DATE:** February 24, 2020

FILE: 75/711

## **PURPOSE:**

To provide Council with information on a community group's proposal to redevelop the Lower Michener Park into a multi-use bike skills park.

## **RECOMMENDED MOTION(S):**

1. THAT Council supports in principle the redevelopment of the Lower Michener Park into a bike park and directs Administration to work with the organizing group to develop the project plan and seek a further recommendation(s) from the Lacombe & District Recreation, Parks and Culture Board.

## **RELATED PRIOR MOTION(S):**

## **EXECUTIVE SUMMARY:**

A newly formed community group is proposing to partner with the City to develop a multi-use bike skills park in Lower Michener Park with construction in 2020. The development is intended to provide a challenging, multi-faceted facility for bike enthusiasts of all types (mountain, BMX, etc.), ages and skill levels to improve their technical skills in a central location in the City; and provide outdoor amenities for walkers, runners, and other day users. On Feb 11, 2020 the Lacombe and District Recreation, Parks and Culture Board recommended that Council support the project in principle, after receiving the group's presentation with an overview of the development.

Administration proposes to work with the group and their consultant to fully develop the project plans. Information on pricing (components and total project), estimates of operating costs (City to operate), applications for any available City in-kind or monetary contributions, and the results of public input will be returned to the Board and to Council in the near future for a decision on committing the Lower Michener Park to the development.

# REQUEST FOR COUNCIL DECISION



## **ANALYSIS:**

### Background

In 2019, a new community group formed to propose redeveloping the Lower Michener Park into a bike skills park similar to successful bike parks in Red Deer, Hinton, and a number of other locations in the province. The proposed project will provide for technical skill development and recreation in mountain, BMX and other cycling as well as provide trails for walkers and runners, and an open area with facilities for other outdoor activities.

The 2008 BMX Park developed by community volunteers east of the Len Thompson Fish Pond was intended to serve these needs in the community but the inconvenient location east of the Highway 2A and the railway tracks 2A led to a lack of use; maintenance also lagged, causing conditions to degrade until the park became unusable.

Other re-development concepts for the Lower Michener Park have been proposed but have not gained interest from the City or the community.

### Details

The Lacombe and District Recreation, Parks and Culture Board received a presentation from this group on February 11/20 and passed the following resolution in support of a new Bike Park:

***Moved by Jonathan Jacobson that the Board recommend to Council to support in principle redevelopment of the Michener Bowl Park as a Bike Skills Park, and direct Administration work with the group to develop the concept further and return the matter to the Lacombe & District Recreation, Parks and Culture Board with additional information. CARRIED Unanimously***

A variety of bike rider types, ages, and skill levels in the community have identified the desire for a bike park.

The 2013 Recreation and Culture Master Plan identified a bike park as a future community infrastructure priority. The Plan emphasizes the strategic importance of effecting the priorities they become possible, and the importance of collaborating with community group initiatives. The Plan also describes bike parks as a recreation industry trend.

# REQUEST FOR COUNCIL DECISION



An industry trend in municipal recreation services (supported by provincial and municipal research) shows a preference for infrastructure that facilitates multi-users with a variety of equipment in self-serve, unstructured (non-programmed) activities; these passive options are potentially more sustainable over time.

The basic dirt BMX track east of Len Thompson Fish Pond was established with limited support from the City and the City did not assume its maintenance. The park facilitated BMX bike activities but not other bike riding types or other outdoor day-users. Access to the location from the residential areas of Lacombe were hampered by the highway and the train track crossings, and lack of trail connectivity. Overall, the amenities there had low appeal for local bike enthusiasts and none at all for regional riders.

The model of bike park proposed for the Lower Michener Park mirrors nearly 70 similar parks enjoying high usage in Alberta, Canada and the US, designed and built by the consultant engaged by the group. The model also matches the preferred passive outdoor recreation approach consistent with the City's facility preferences in the past (outdoor ice rinks, athletic park, skateboard park, etc.)

The group will work to identify the maintenance, operational, and capital replacement needs and costs of the park, as well as sustainability planning for long-term viability to users.

The current overall project timeline is:

1. Presentation to Lacombe & District Recreation, Parks and Culture Board Feb 11, 2020 for support in principle. **COMPLETED.**
2. Presentation to Council Feb 24, 2020 requesting support in principle with tentative commitment of the park to the project and direction to Administration to work with the group to:
  - a. develop a full project scope and cost estimates for construction, operating, and capital replacement
  - b. determine public support
  - c. formulate the group's potential requests for City financial and in-kind contribution (such as a Community Builder Partnership Fund application and/or Public Works and Parks Department contributions)
3. present final project scope, costs, and contribution requests to the Lacombe & District Recreation, Parks and Culture Board for recommendation, and if supported

# REQUEST FOR COUNCIL DECISION



4. present final project scope, costs, and contribution requests to Council for consideration

## General “Pros”

- This design will include multi-use trails and a variety of features for multiple recreation user groups to enjoy
- By serving a range of user groups, higher visitation will reduce vandalism, and ensure a better return on investment over the long term
- The development will provide dedicated space where riders can learn crucial bike handling skills/life skills
- Location allows for easy access to other outdoor recreation amenities at Michener Park, such as the skateboard park, campground and ballfields, and will be connected to the Trans Canada Trail in Lacombe, which is itself a cycling link to the surrounding region
- The bike park consultant will provide use statistics from other Alberta bike skills parks that indicate bike parks increase tourism, with the average out-of-town users staying two days (one night) in communities with a bike park
- The tourism statistic indicates a bike park at the Lower Michener Park could increase stays at the adjacent City campground and two hotels

## General “Cons”

- The developed amenities in the park will be turned over to the City for operating, increasing parks operating and facility capital replacement costs
- The City must determine if there are any drainage issues or flood risks needing mitigation

## Financial Implications

1. No specific allocation of funds for this project is being requested from the City at this time.
2. This project may be suitable for Community Builder Partnership (CBP) funding. The 2020 balance in the CBP fund is approximately \$15,000, which may be augmented by a 2021 contribution of \$50,000. \$65,000 equals approximately 25% of the preliminary budget for this project, the maximum City funding level within policy parameters.
3. The Lower Michener Park does not have a current redevelopment plan, i.e., no operational or capital improvement is provided for in the 10-Year Capital Plan.
4. Project cost will be finalized priced by component to facilitate fundraising and scaling the project to available funding.

# REQUEST FOR COUNCIL DECISION



5. The City will need to consider operating and capital replacement costs prior to approving the redevelopment.
6. The group will identify the financial and in-kind requests they may make, if any, from the City. In-kind construction contributions and a Community Builder Partnership or other grant applications are most likely.

## Service Level Impacts

A multi-use bike park developed in the Lower Michener Park would be a service-level increase in the parks and recreation departments.

The 2019 Citizen Satisfaction Survey determined that citizens value trails among the top nine City services and facilities, and rate them as fourth in a list of 16 of Lacombe's strengths and unique features. 75% of citizens rated their satisfaction with trails as high or very high.

Completing the multi-use bike park and will increase the recreation service level in the City serving, bikers, walkers and runners of all ages and fitness abilities. The new feature will enhance nature experiences. The Bike Park will also attract visitors from around the region, potentially affecting Lacombe's economy and "livability" reputation.

As it incorporates multi-use trails in the surrounding wooded parts of the park, the development will provide runners and walkers from adjacent neighbourhoods with a linked loop in a natural recreation area with views overlooking the bike park. The skills component can serve as a significant fitness challenge in individual training, both cycle and pedestrian.

## Legislative Implications

N/A

## Organizational Capacity & Business Plans

The project supports goals and objectives in the City's Recreation & Culture Master Plan, the Green Spaces Review, and the Trails Plan.

Administration has the capacity to provide ongoing, as-needed support and guidance to the group.

Should Council support the project in principle, the community group will be able to commence fundraising and apply for grants.

# REQUEST FOR COUNCIL DECISION



## STRATEGIC PLAN ALIGNMENT:

The proposed community led initiative aligns **favourably** with strategic objectives:

- 4.1.4. Fiscal Prudence. *Council reviews service levels and considers alternate revenue sources.*
- 4.3.3 Sustainable Infrastructure. *Be strong stewards of our built environment.*
- 4.3.4 Economic Prosperity. *Create a plan for underperforming City property.*
- 4.5.5 Future Space Needs. *Capital and operating partnerships are considered when the City plans new facilities.*
- 4.5.8 Encourage Volunteerism. *Strongly support volunteerism and partnering opportunities to build a growing sense of community.*

## PUBLIC ENGAGEMENT/COMMUNICATION STRATEGY:

City support in principle will allow the group to present the project concept to Lacombe County, to launch fundraising and sponsorship efforts, and to gather letters of support from Lacombe sport organizations and businesses, youth service groups, and educators as well as regional bike user groups.

Administration will formally research public support on the redevelopment and project concepts when further City commitment to the project warrants. The preferred method will be public open house(s) led by the community group.

A preliminary measure of public support is successful fundraising for the project and the letters of support gathered by the group. The City may offer the assistance of its Communications and Marketing staff to co-promote the fund-raising initiatives of the community group, as it had with the skateboard park project.

## ALTERNATIVE MOTION(S):

1. THAT Council supports in principle the redevelopment of the Lower Michener Park into a bike park, and directs Administration to work with the organizing group to develop the project plan and seek further recommendation(s) from the Lacombe & District Recreation, Parks and Culture Board; or
2. THAT Council returns the matter of the Lower Michener Park redevelopment to Administration with direction; or

# REQUEST FOR COUNCIL DECISION



3. That Council accepts this report on redevelopment of the Lower Michener Park as information.

## **ATTACHMENTS:**

1. Lacombe Bike Park Presentation (includes map and letters of support)
2. Recreation and Culture Master Plan (Link: <http://www.lacombe.ca/home/showdocument?id=2195>)

# REQUEST FOR COUNCIL DECISION



**SUBJECT:** Bylaw Enforcement Services Review Update  
**PREPARED BY:** Diane Piché, Director of Corporate Services  
**PRESENTED BY:** Diane Piché, Director of Corporate Services  
**DATE:** February 24, 2020

FILE: 26/920

## **PURPOSE:**

The purpose of this report is to present Council with information one year after the City's Bylaw Enforcement Services service level review that occurred in November 2018.

## **RECOMMENDED MOTION(S):**

1. THAT Council accepts this as information.
- AND
2. THAT Council direct administration to change the hours of Bylaw Enforcement Services to reflect the seasons which extends hours in the summer and shortens the hours in the winter.

## **RELATED PRIOR MOTION(S):**

1. Add any previous motions made by Council related to the topic being discussed.

## **EXECUTIVE SUMMARY:**

This report is being provided to Council to summarize the changes and results of Bylaw Enforcement Services since the service level was reviewed in November 2018. The summary focuses on the scheduling changes, number of incidents and ticket issued, and review of bylaws to better assist the Bylaw Enforcement Services. Administration recommends that the hours of service be altered based on the seasons and that the rest of the reports is received as information.

## **ANALYSIS:**

In November 2018, administration [conducted a review](#) of the City's Bylaw Enforcement Services to determine the level of service that would be provided to the citizens of Lacombe. Administration supplied statistics and presented several options for schedules, hours of service and levels of authority.

As a result of the service level review, Council decided that Bylaw Enforcement Services would remain with the existing staffing level, extend the days of service to include Saturdays and extend the hours from 8:00 am to 7:00 pm. Council also directed administration to focus on the education and compliance of the City's Bylaws.

# REQUEST FOR COUNCIL DECISION



The following sections are summaries of the 2019 results due to the changes in Bylaw Enforcement Services.

## **Staffing**

In 2019, the City saw the first full year with the current staff in place. Staff provide coverage from 8:00 am to 7:00 pm, Monday to Saturday. To accommodate this schedule, each bylaw officer is on shift four days out of the six working days. They work either Monday to Thursday or Wednesday to Saturday. There are only two days a week where two officers are on together. The challenge with this schedule is ensuring full coverage for illness and vacation times. When time off is planned, staff will accommodate by doing one or more of the following:

- work five days, but with shorter hours (eight vs ten hours)
- be available on call
- work overtime

There are occasions that do not allow for planned time off. In 2019, there were 16 working days without bylaw service coverage. On those days, the animal service contractor and Lacombe Police Service are notified that no staff are available and in the event of certain types of incidents, their services may be called upon.

The change of hours for Bylaw Enforcement Service was welcomed by many. Now that a full year's cycle is complete, it is important to review the effectiveness of the hours of service.

In the summer, the extended hours were good, however it did not seem long enough during the months of June, July and August where daylight lasted until past 10:00 pm. Many times, Bylaw Enforcement would get calls after they have left for the evening or would see infractions on their way home when they were no longer in uniform. Finishing work at 7:00 pm posed lost opportunities when many residents were very active and available during the evening hours.

Be it dogs running at large, or dogs off leash in a park, or to have a chat with a home owner regarding an unsightly premise - it was a suitable time to talk to residents who are working or playing outdoors. This coming year, the Bylaw Enforcement Officers are purchasing a bicycle where they will be able to do bike patrols. During the summer months, it would be advantageous for the officers have a presence on trails and in parks in the evening, later than 7:00 pm.

To compensate for the longer hours in the summer, the days for the winter months (November, December, January) could end earlier. The longer hours in the winter leave the officers

# REQUEST FOR COUNCIL DECISION



patrolling dark streets where most residents are indoors. The officers must take advantage of the shorter daylight hours to patrol and complete resident visits during the day.

Public up take of utilizing the longer hours required monthly notifications and media releases. The statistics of the calls were compiled based on call activity as all Bylaw telephone lines are forwarded to the on duty officer's cellular phone. The following table is a count of telephone calls received by the staff past 5:00 pm.

<b>Month</b>	<b>Count of Calls past 5:00 pm</b>
January	0
February	1
March	7
April	17
May	9
June	9
July	9
August	7
September	9
October	9
November	9
December	3

The Saturday service was new for 2019. Similar to the way data was compiled for telephone calls past 5:00 pm, the following table shows the incoming calls on Saturdays. It has taken time for residents utilize the service, however the service is building.

<b>Month</b>	<b>Count of Calls on Saturdays</b>
January	0
February	1
March	4
April	3
May	6
June	7
July	5
August	2
September	9
October	1
November	8
December	2

# REQUEST FOR COUNCIL DECISION



To continue to build the presence of Bylaw Enforcement Services, Administration recommends that starting in May of 2020, the schedule for bylaw services is altered to extend to longer hours in the summer and shorter the hours in the winter. To accommodate the change in schedule, it is recommended that the staff hours are adjusted to eight hour days and are staggered. An example of the suggested staff hours is included the attachments below. Changing to eight-hour work days has the benefits of providing dual coverage more often, better shared communication between officers, and safer working conditions.

## Statistics

In 2019 there were 487 complaints that were either received by complaint or generated by the Bylaw Enforcement Services. Of those complaints, 144 files were created as reports and 343 tickets or warnings were issued.

The following is a breakdown of the types of incident responses in 2019.

# of Reports	Incident Type
70	RESPONSIBLE ANIMAL OWNERSHIP BYLAW #469 - Various cat and dog complaints
66	COMMUNITY STANDARDS #468 - Unsightly property
56	TRAFFIC #223 - EXTENSION CORDS
25	NUISANCE #326 - PERMIT A NUISANCE- FIRST OFFENCE
24	TRAFFIC #223 - sidewalk snow removal
21	313 (1) TRAFFIC #223 - UNATTACHED TRAILER
20	302 (A) TRAFFIC #223 - PAINTED CURB
20	312 (3) TRAFFIC #223 - NO PARKING / STREET MAINTENANCE NO TOW
19	312 (3) TRAFFIC #223 - NO PARKING - STREET MAINTENANCE WITH TOW
18	302 ( I ) TRAFFIC #223 - PARK WITHIN 5M OF FIRE HYDRANT
17	307 A TRAFFIC #223 - PARK RIGHT HAND WHEEL MORE THAT 500MM 19.7 IN FROM CURB
14	302 (N) TRAFFIC #223 - OBSTRUCT DRIVEWAY
12	302 (G) TRAFFIC #223 - PARK LESS THAN 5M FROM INTERSECTION
12	302 (L) TRAFFIC #223 - NO PARKING / STOPPING ZONE
10	307 (A) TRAFFIC #223 - PARK LEFT SIDE TO CURB
9	305 TRAFFIC #223 - PARK IN ALLEY
8	303 (1) TRAFFIC #223 - PARKING LIMITS OVERPARKED
8	309 TRAFFIC #223 - PARK / DRIVE ON RECREATION / PARK AREA
7	302 (J) TRAFFIC #223 - CROSSWALK - PARK WITHIN 5M NEAR SIDE
6	306 (1) A B TRAFFIC #223 - HEAVY VEHICLE
5	28 PARKS #253 - PARK/DRIVE VEHICLE IN OR UPON PUBLIC LANDS

# REQUEST FOR COUNCIL DECISION



4	COMMUNITY STANDARDS #468 : NUISANCE #326 - cats at large
4	302 (B) TRAFFIC #223 - PARK ON BOULEVARD/SIDEWALK
4	308 (1) TRAFFIC #223 - ABANDON A VEHICLE
4	308 (3) TRAFFIC #223 - PARK OVER 72 HRS
3	COMMUNITY STANDARDS #468 : NUISANCE #326 : NUISANCE - smell or noise complaint
3	TRAFFIC #223 : TRAFFIC - Parking in front of fire hydrant
3	302 (C) TRAFFIC #223 - PARK ON / IN CROSSWALK
2	BYLAW - OTHER
2	313 (B) TRAFFIC #223 - TRAILER NOT FULLY CONTAINED ON PROPERTY
2	4.1 (D) DOG #265 - BARK HOWL- FIRST OFF
1	BUSINESS LICENCE BYLAW #381 : BUSINESS LICENCE BYLAW
1	PROVINCIAL ACTS : TOBACCO AND SMOKING REDUCTION ACT
1	BYLAW - ANIMAL CONTROL
1	BYLAW - PARKING
1	201 TRAFFIC #223 - VEHICLE ON A HIGHWAY MUST BE REGISTERED AND INSURED
1	3(1) BUSINESS #381 - FAIL TO OBTAIN A BUSINESS LICENCE
1	302 (H) TRAFFIC #223 - PARK WITHIN 5M FROM STOP / YIELD
1	36.4/38.3 UTILITY #393 - UNAUTHORIZED OPERATION OF A WATER SERVICE CURB COCK VALVE (CC) OR WATER MAIN VALVE.
1	405 (2) TRAFFIC #223 - SNOW / ICE / DEBRIS ON HIGHWAY

The following are the number of tickets on the day of the week that they were written.

Day of the Week	Number of Incidents
Sunday	3
Monday	66
Tuesday	118
Wednesday	100
Thursday	108
Friday	53
Saturday	39

## Appointments of Authority

When the service level review was completed, Council directed Administration to focus on the City's bylaws and to make education and compliance a priority. Bylaw Enforcement staff have ensured that this remains one of their highest priorities despite applying for the Community Peace Officer 2 (CPO 2) appointments.

# REQUEST FOR COUNCIL DECISION



Administration has encouraged and supported the Bylaw Enforcement Officers to apply for a Community Peace Officer 2 (CPO 2) appointments as this affords the City with certain information accesses and safety assurances for the officers.

Both officers now have CPO 2 appointments.

The CPO 2 appointments do allow the officers to write provincial tickets based on the authority that they are granted. These authorities are:

- Animal Protection Act
- Dangerous Dogs Act
- Environmental Protection and Enhancement Act, Part 9, Division 2
- Petty Trespass Act
- Provincial Offences Procedure Act
- Traffic Safety Act (non-moving offenses only)
- Trespass to Premise Act

The appointment allows access to databases for registered owners of vehicles which will be beneficial when it comes to abandoned vehicles, street maintenance and following up with unpaid tickets. It also grants the officers to carry some personal protection gear and allows them to utilize the AFRRCS radio system.

Since the recommendations of the Lazenby Inquiry were released, the Solicitor General created legislation that makes it a requirement that CPOs have a form of communication and monitoring process. If the staff were to remain as a municipal bylaw officers without any appointment, there is no requirement for any communication component, however the officers are still placed into situations that could have potential dangers. The service that the Lacombe Police Service is providing that monitors and communicates with multiple municipal organizations, allows our staff to benefit and participate with the same ability and accesses as other CPO officers, yet are able to focus on what Council sets as priority. This is particularly important as the officers work alone for 50% of their time.

## **Bylaw Reviews**

Bylaws are the tools that guide the officers to educate and enforce as required. Over time, as each bylaw ages, interpretation will change due to language evolving, staff turnover, or new formats and circumstances that make a bylaw obsolete. Over the last two years, Administration has updated the Dog Control Bylaw to the Responsible Animal Ownership Bylaw

# REQUEST FOR COUNCIL DECISION



#469 and combined the Nuisance Bylaw and the old Community Standards Bylaw to the new Community Standards Bylaw #468.

As the officers work within the confines of the City's bylaws, there have been suggested changes and requests that more of the bylaws be updated. To support the tools that Bylaw Enforcement Services require, Administration recommends new drafts of the following bylaws are brought to Council over the next 12 to 18 months:

- [Bylaw Enforcement Officer Bylaw #72](#)
- [Traffic Bylaw #223](#)
- [Business License Bylaw #381](#)
- [Taxi Bylaw #178](#)
- [The Parks and Facilities Bylaw #253](#) (under review by Parks and Recreation departments)
- [Utilities Bylaw #383](#) (under review by the Planning and Operations departments)

## Legislative Authority

- City of Lacombe Bylaw 72
- Municipal Government Act, R.S.A. 2000, Chapter M-26, section 555 and section 556
- Peace Officer Act, S.A. 2006, Chapter P-35

## STRATEGIC PLAN ALIGNMENT:

Similar to 2018, in consideration of staying at the current resource level, but customizing the hours to flex with the seasonal daylight hours to meet the community needs speaks favourably with Council's Strategic goal of 4.1.4 Fiscal Prudence (B) Review and Set Service Levels for programs and services that the City provides.

## PUBLIC ENGAGEMENT/COMMUNICATION STRATEGY:

Educating residents on pertinent bylaws will constantly be a top priority of Bylaw Enforcement Services. Throughout the year and depending on the issues at hand, social media and website updates, delivering of brochures and handouts, newspaper articles and radio spots will continue to be Bylaw Enforcement Services' means of communication to the general public.

## ALTERNATIVE MOTION(S):

1. THAT Council accepts this as information.

# REQUEST FOR COUNCIL DECISION



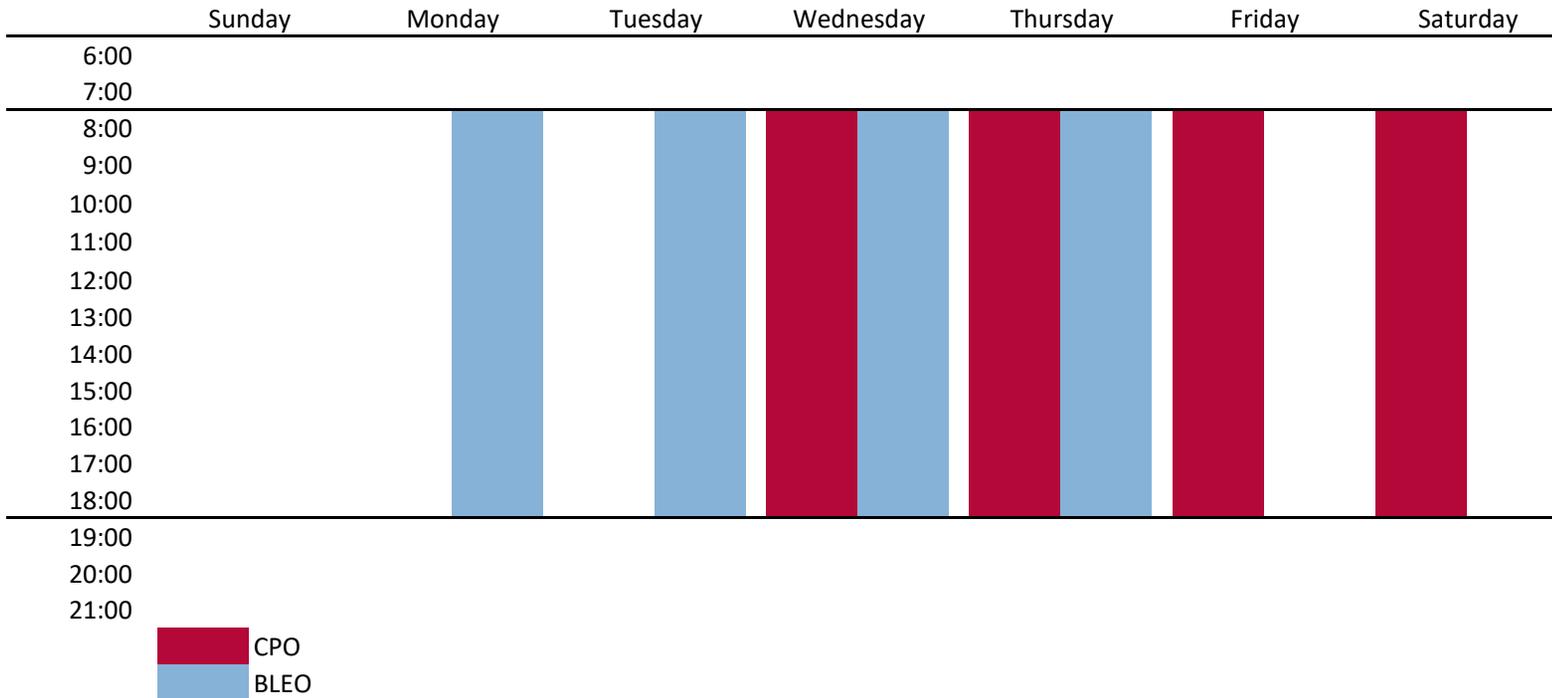
2. THAT Council direct administration to change the hours of Bylaw Enforcement Services to reflect the seasons which extends hours in the summer and shortens the hours in the winter.
3. THAT Council provide direction as they deem appropriate.

**ATTACHMENTS:**

Suggested schedule changes

# Current Schedule

**Service Hours:** Monday - Saturday - 8:00 am to 7:00 pm (10 hour shifts)

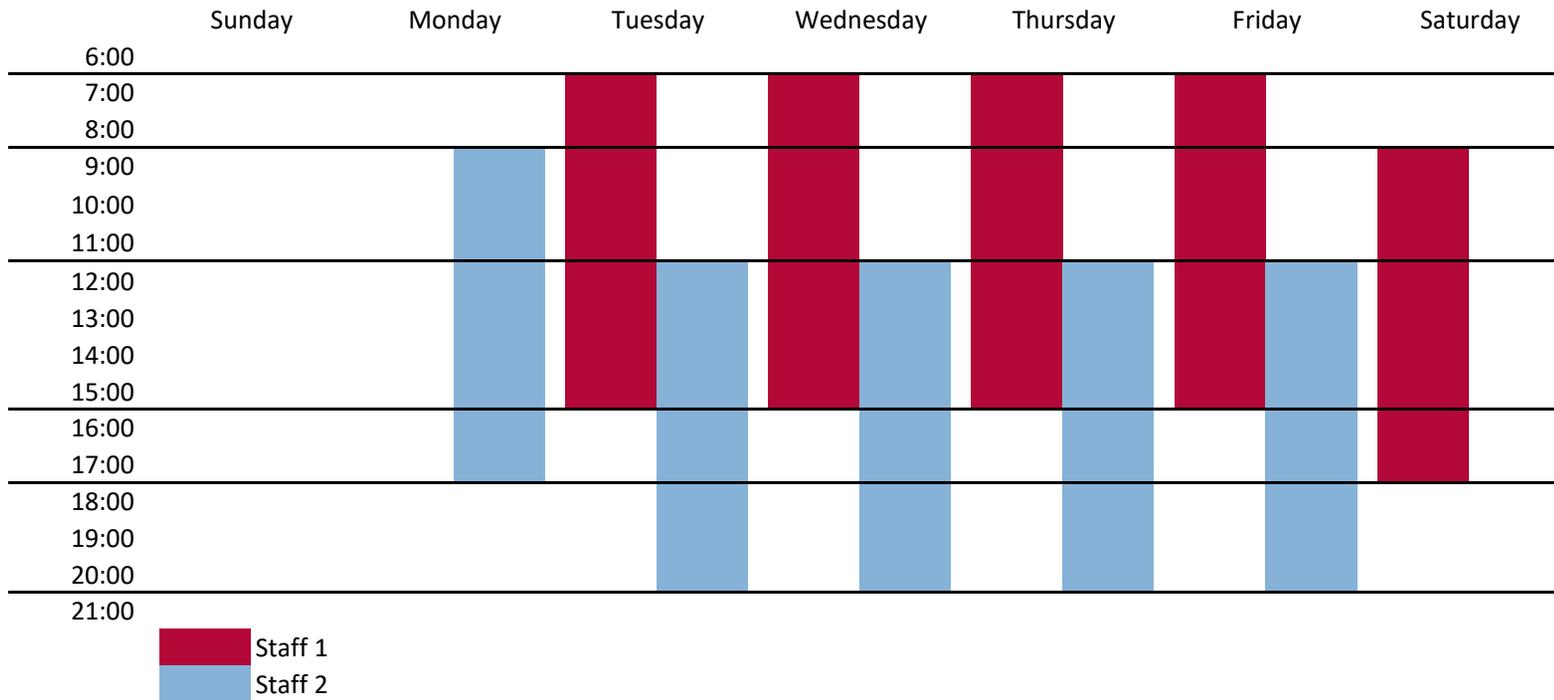


# May to October

## Hours of Service - Summer

**Service Hours:** Tuesday - Friday - 7:00 am to 9:00 pm (8 hour shifts)

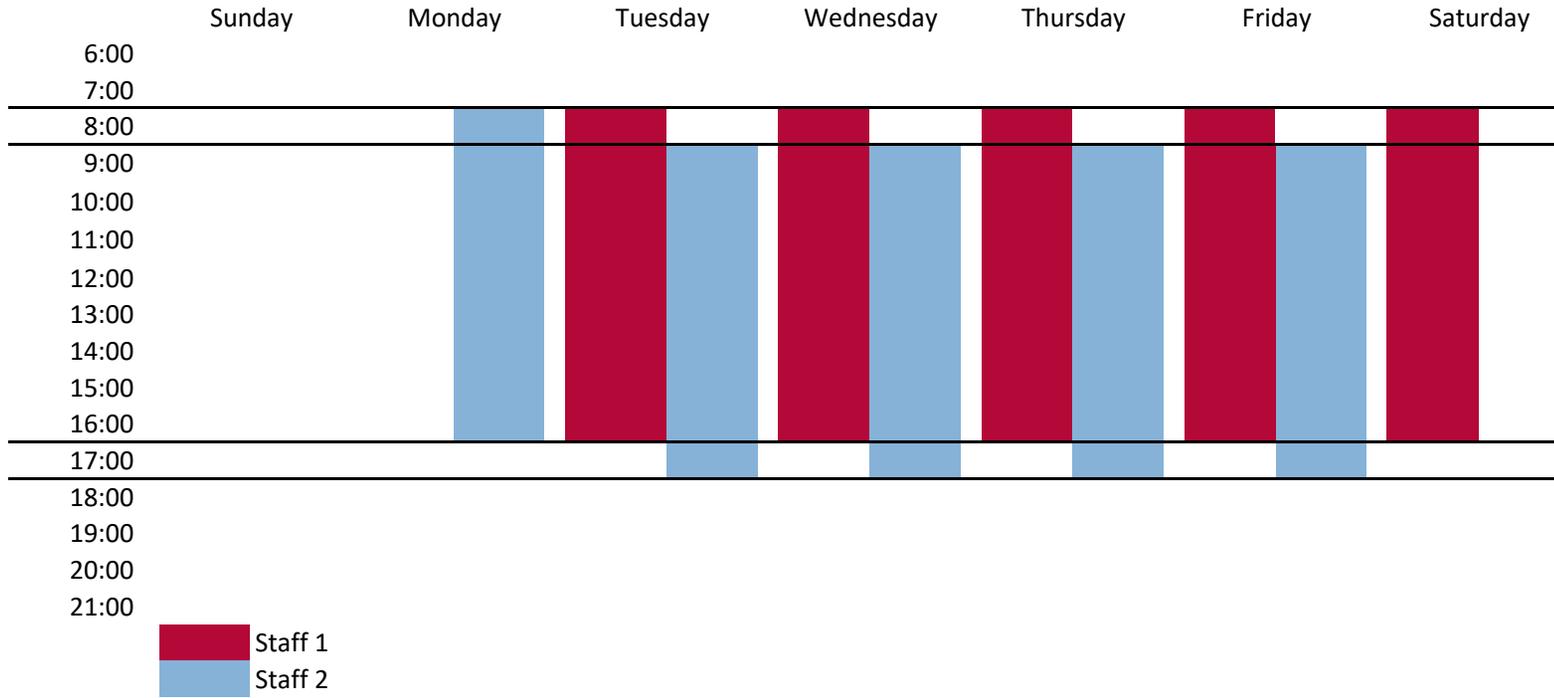
Monday and Saturday - 9:00 am to 6:00 pm (8 hour shifts)



# November to April

## Hours of Service - Winter

**Service Hours:** Tuesday - Friday - 8:00 am to 6:00 pm (8 hour shifts)  
Monday and Saturday - 8:00 am to 5:00 pm (8 hour shifts)



# REQUEST FOR COUNCIL DECISION



**SUBJECT:** 2<sup>nd</sup> and 3<sup>rd</sup> Reading of Bylaw 400.24 – Proposed Amendments to the Land Use Bylaw  
**PREPARED BY:** Craig Teal, RPP MCIP  
**PRESENTED BY:** Jordan Thompson, Director of Operations and Planning  
**DATE:** February 24<sup>th</sup>, 2020

FILE: 61.201.24 (19)

## **PURPOSE:**

To present Bylaw 400.24 and proposed amendments to Bylaw 400.24 to Council for their consideration.

## **RECOMMENDED MOTION(S):**

1. THAT Council amend Bylaw 400.24 by
  - a. replacing “30 day period” with “60 day period” in item 1 j);
  - b. replacing item 1 r) with the following:  
“8.1.9 a) is replaced with the following:  
Provided that there is a landscaping strip on one side of the residential front driveway, the minimum distance between driveways serving single detached units, semi-detached or duplex dwelling units, or any form of multi-unit residential other than an apartment building may be nil.”
  - c. adding “Up to 50% of the total number of suites allowed per block may be pre-approved in an approved Outline Plan” as the last sentence in item 1 y); and
  - d. deleting item 1 aa)
2. THAT Council give second reading to Bylaw 400.24 as amended
3. THAT Council give third reading to Bylaw 400.24 as amended.

## **RELATED PRIOR MOTION(S):**

1. THAT Council give first reading to Bylaw 400.24 as presented.
2. THAT Council schedule a public hearing for Bylaw 400.24 to be held at 5:30PM on Monday, February 24, 2020.

## **EXECUTIVE SUMMARY:**

Administration prepared Bylaw 400.24 for Council’s consideration. This bylaw proposes amendments to the Land Use Bylaw (LUB) which:

- Increases the side yard setback for residential development within Downtown Area Redevelopment Plan (DARP), to 2m to support more sensitive infill development,
- Creates a DARP overlay for the Central Residential District,
- Allows the City’s Development Officers to consider variances up to 15%,

# REQUEST FOR COUNCIL DECISION



- Allows R1 and R-L1 property owners to develop larger accessory buildings

Following first reading of Bylaw 400.24, Administration received additional feedback on the contents of Bylaw 400.24. Administration is recommending changes to Bylaw 400.24 as part of Council's consideration for second and third reading.

## ANALYSIS:

### **Background Information:**

Council's 2019-2022 Strategic Plan includes two goals which pertain to local land development regulation: [4.1.1B](#), [4.1.2A \(1\)](#). Since the adoption of the Strategic Plan, Administration has been documenting feedback heard from Council, permit applicants and developers in order to have a clear understanding of where improvements to local land development regulation is most desired. In the process, staff also underwent a detailed review of the current [Land Use Bylaw \(LUB 400\)](#).

The proposed bylaw includes the amendments that were previously presented to Council on May 6, 2019 but were excluded from 400.23 because Council indicated they either require additional information or further discussion. Additional amendments are also being brought forward based on administration recommendations. **The following timeline summarizes the review process for the proposed bylaw to date:**

<b>Milestone</b>	<b>Date</b>
Public Open House	August 22, 2019
First Reading of Bylaw 400.24	December 9, 2019
Workshop #1: proposed amendments related to residential development, and the Downtown Area Redevelopment Plan	January 13, 2020
Workshop #2: proposed amendments related to commercial/industrial development and other proposed amendments	February 10, 2020
Public Hearing	February 24, 2020
Second/Third Reading of Bylaw 400.24	For consideration tonight.

References to existing land use districts are included throughout this report so Administration recommends the [Land Use District Map](#) be used as reference. The existing [Land Use Bylaw \(400\) \(LUB 400\)](#) is also an important reference document.

# REQUEST FOR COUNCIL DECISION



## **Proposed Amendments – Bylaw 400.24**

The amendments are outlined based on different themes. Administration proposes a number of amendments that are grouped below into the following categories:

- Residential Development,
- Downtown Area Redevelopment Plan,
- Commercial and Industrial Development,
- Other Amendments

## **Residential Development Amendments**

The proposed residential amendments will provide opportunities for enhanced single family development. This will include changes to accessory building sizes in the R1 and R-L1 Districts and amendments to suite parking requirements. **NOTE: Administration is recommending additional changes to these provisions based on Council feedback. See Change #1-#4 on page 11 of this report.**

<b>Proposed</b>	<b>Rationale</b>	<b>Sections of the LUB</b>
<p>Temporary Buildings:</p> <p>Provide a provision to allow a temporary building to be placed on a residential site for a 30 day period.</p>	<p>This provision will support construction and renovation work being undertaken on residential properties throughout the community, by allowing temporary buildings (such as a construction site trailer, building or seacan) to be utilized for storage during the construction process. This clause is limited to projects that have been issued a permit.</p> <p>The Planning and Development Department will maintain a list of the approved, temporary buildings. This will include the dates for the placement and removal of the temporary building.</p> <p><b>NOTE: Administration is recommending additional changes to this provision based on Council feedback. See Change #1 on page 10 of this report.</b></p>	4.3.1 j) i)
<p>Enhanced Screening:</p> <p>Provide a provision that gives the Development Authority</p>	<p>This new clause will provide the Development Authority with the ability to require enhanced screening between multi-attached housing and a detached dwelling. This clause will be beneficial for infill developments which</p>	8.12.6 b)

# REQUEST FOR COUNCIL DECISION



Proposed	Rationale	Sections of the LUB
<p>the ability to require enhancing screening for when a multi-unit residential building is built next to a detached dwelling.</p>	<p>result in a reduction to the privacy level currently enjoyed by the adjacent properties. Enhanced screening can be used to replace landscaping and fencing that is removed when a multi-attached housing development is constructed.</p>	
<p>Landscaping and Front Yard Parking:</p> <p>Establish a requirement for multi-unit residential front yard parking to soften the appearance of the parking area through a landscape buffer.</p>	<p>For front yard parking on multi-unit residential sites, a landscape buffer shall be placed between the parking stalls for each separate unit. Not only will this establish distinct parking for each residential unit, it will also establish a visual break that will enhance the appearance of front yard parking by softening the use of hardsurfacing.</p> <p><b>NOTE: Administration is recommending additional changes to this provision based on Council feedback. See Change #2 on page 10 of this report.</b></p>	<p>8.18.20 h)</p>
<p>Accessory Buildings on R-LI and large R1 lots:</p> <p>Provide increased flexibility for the size of accessory buildings on R-LI lots and R1 lots which are 1500m<sup>2</sup> or larger.</p>	<p>These new policies will exempt the R-LI (Residential Light Industrial) lots from the size restrictions (maximum building size and size ratio to the principal dwelling) placed on standard residential lots.</p> <p>The policy also addresses the unique nature of large R1 (Residential Detached) lots that have the size capacity to support accessory buildings with an increased footprint. This provision will enable R1 lots sized 1500m<sup>2</sup> or larger the ability to construct a larger accessory building due to an increased size ratio and increased maximum building size.</p> <p>The lots will still be subject to the parcel coverage standards which determine the percentage of a lot which can be utilized for accessory buildings.</p> <p>This clause will be beneficial by allowing the property owner to construct a single building that meets their needs, rather than constructing numerous smaller accessory buildings. It will also provide alternative</p>	<p>9.2.1 c)</p>

# REQUEST FOR COUNCIL DECISION



Proposed	Rationale	Sections of the LUB
	development opportunities for heritage properties which contain single family dwellings.	
<p><b>Parking Design:</b></p> <p>The clause will encourage residential parking designs to be complementary to the existing neighbourhood.</p>	<p>This clause will be beneficial for infill developments since it promotes more sensitive infill development by directing new development to be more compatible with the established neighbourhood.</p> <p>This will help direct the placement of parking, by allowing the design of the new parking to be directly influenced by the design of existing parking. This includes determining whether parking should be located at the front of the property, at the rear of the property or shared between the front and rear.</p>	9.4.2 c)
<p><b>Garden and Secondary Suite Parking:</b></p> <p>Provide flexibility in the design of garden suites and secondary suite parking to support quality suite development. This includes the allowance of tandem-parking and flexible garden suite size for larger accessory buildings.</p>	<p>The proposed amendments will provide property owners with the flexibility to design garden suites that can meet the needs of different types of renters (eg. Single person households vs. ones with children).</p> <p>The amendments will allow garden suites to be sized based on the footprint of the accessory building rather than a prescribed, specific size and will also align suite parking requirements with residential parking standards.</p> <p>Garden suites provide an alternative form of multi-family housing that can be used to establish new residential rental units while maintaining the established single family dwelling streetscape. This style of redevelopment is of particular value in downtown Lacombe, where it provides a viable alternative to other forms of redevelopment (eg. Multi-attached housing).</p>	9.11.8 9.11.9 9.11.11 a), b) & c)

# REQUEST FOR COUNCIL DECISION



<p>Pre-Identification of Garden and Secondary Suites:</p> <p>Provide options for developers to identify specific lots in which to locate garden suites and secondary suites.</p>	<p>The proposed amendment will enable pre-approval of units within an Outline Plan based on the suite allowances established in the Land Use Bylaw. It will enable these specific suites to be processed as permitted uses. The amendments will also establish an extended timeframe in which the pre-approval becomes void.</p> <p>Developers who chose to pre-select locations for the suites within their Outline Plan will be able to strategically select the best lots for this type of enhanced development and can be used as a marketing tool.</p> <p><b>NOTE: Administration is recommending additional changes to this provision based on Council feedback. See Change #3 on page 11 of this report.</b></p>	<p>9.11.17 9.11.18</p>
<p>R5 Lot Coverage:</p> <p>Decrease the maximum lot coverage allowed for the R5 (Residential Multi-Unit Dwelling) District from 75% to 65%</p>	<p>This amendment will help ensure that there is a distinct difference between the development intensity of the R5 and R6 Districts. The proposed amendment would establish the R5 District as allowing 65% lot coverage and having a maximum density of 80 dwelling units/ha. The R6 District will allow for more intense development with allowing 75% lot coverage and 180 dwelling units/ha.</p> <p>This would establish the following lot coverage (includes the principal building and accessory buildings) for residential land use districts that allow for multi-unit development:</p> <p>R2 – Residential Single &amp; Semi-Detached District: 55% R4 – Residential Mixed District: 55% R5 – Residential Multi-Unit Dwelling District: 65% R6 – Residential Apartment District: 75%</p> <p><b>NOTE: Administration is recommending additional changes to this provision based on Council feedback. See Change #4 on page 11 of this report.</b></p>	<p>9.18.2</p>

# REQUEST FOR COUNCIL DECISION



## DARP Amendments

The DARP amendments include the establishment of the Central Residential District overlay, increasing residential side yard setbacks to 2m, and amendments that promote functional site design.

Proposed	Rationale	Sections of the LUB
Establishment of a Central Residential District Overlay.	<p>The area proposed for the new overlay currently lacks direction and regulation for infill development in a manner that is compatible with the scale and character of the existing area.</p> <p>The Overlay District includes new regulations on New Construction and Infill, Building Components, Building Façade and Building Materials, and Parking and Access.</p> <p>Due to the diverse styles of housing currently found within the Overlay, administration is not proposing that new construction be required to align with the historical architectural styles that are used in other Overlay Districts.</p>	14.3 14.4.16 Figure 14.1
<p>Side Yard Setback:</p> <p>Increase the minimum side yard setback for residential development to 2.0m in the DARP Residential Overlays.</p>	<p>The standard side yard setback for residential development is 1.5m. The proposed clause would establish the standard minimum side yard setback for residential development within the residential DARP overlays at 2.0m. The larger side yard setback will support more sensitive infill development, by ensuring development is more in line with traditional streetscape patterns.</p> <p>This proposed change will affect the following existing overlays:</p> <ul style="list-style-type: none"> <li>• Historic Residential District</li> <li>• Medium Density District</li> <li>• Mixed Use Transition District</li> <li>• Old Town Main Street District: Residential District</li> </ul>	14.4.10 b) iii) 14.4.11 b) iii) 14.4.12 e) ii) 14.4.14 d) iii) iv)

# REQUEST FOR COUNCIL DECISION



<p><b>Design of Accessory Buildings:</b></p> <p>The change will enable accessory buildings to be complementary to the principal building rather than completely replicating the principal building.</p>	<p>The proposed change will provide the applicant and the Development Authority flexibility with designing an accessory building. While the design of the accessory building should be complementary to the principal building, it will allow the use of alternative materials to achieve a satisfactory result.</p> <p>For example, this change will also provide flexibility to applicants who are in the process of refinishing the principal building by allowing the accessory building to match the new finishing, rather than the existing finishing.</p> <p>This proposed change will affect the following existing overlays:</p> <ul style="list-style-type: none"> <li>• Historic Residential District</li> <li>• Old Town Main Street District: Mixed Use District</li> <li>• Old Town Main Street District: Residential District</li> </ul>	<p>14.4.10 d) iv) 14.4.13 i) iv) 14.4.14 e) iv)</p>
<p><b>Removal Additional Residential Landscaping Requirements:</b></p> <p>Proposed amendment would remove additional landscaping requirements for detached dwellings within the residential overlays that differ from the Land Use Bylaw Section 18.3.</p>	<p>This proposed amendment will eliminate the additional landscaping standards that are currently required for the development of all detached dwellings within the DARP overlays. This will ensure that all detached dwellings are developed with the same landscaping standards throughout the entire City.</p> <p>This proposed change will affect the following existing overlays:</p> <ul style="list-style-type: none"> <li>• Historic Residential District</li> <li>• Medium Density District</li> <li>• Mixed Use Transition District</li> <li>• Old Town Main Street District: Residential District</li> </ul>	<p>14.4.10 f) 14.4.11 g) 14.4.12 i) 14.4.14 f)</p>
<p><b>Parking Design Flexibility:</b></p> <p>The change will enable parking on infill projects to be accessible from the street, rather than completely from the lane.</p>	<p>This proposed amendment will provide flexibility in allowing parking to be provided on site from the street rather than be required to provide it from the lane. This change will enable the continued use of existing street accesses, enable developers to focus on functional site design that provides easy access from the parking stalls to the building entrances, and will</p>	<p>14.4.10 e) i &amp; ii 14.4.11 f) i 14.4.14 g) i &amp; ii</p>

# REQUEST FOR COUNCIL DECISION



	<p>no longer direct all traffic to generated from the property to the lane.</p> <p>Loading and storage areas will continue to be located at the rear of the property and will require that the areas be screened from the public.</p> <p>This proposed change will affect the following existing overlays:</p> <ul style="list-style-type: none"> <li>• Historic Residential District</li> <li>• Medium Density Transition District</li> <li>• Old Town Main Street District: Residential District</li> </ul>	
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## **Commercial and Industrial Development Amendments**

The commercial and industrial amendments will require more user friendly site design though establishing increased front yard setbacks that will enable customer parking to be placed directly in front of a building.

<b>Proposed</b>	<b>Rationale</b>	<b>Sections of the LUB</b>
To provide downtown business owners the flexibility in choosing the placement of an allowable A-Board sign.	The amended clause provides business owners within Lacombe’s downtown with the flexibility to locate their sign, so long as they maintain safe and unrestricted pedestrian passage.	7.9.1 b)
Add Education Facility as a Discretionary Use in the C3 (Transitional Commercial) and UC (University Commercial) District.	By adding Education Facility as a Discretionary Use in this District, it provides flexibility to consider the use on a site by site basis.	10.15.1 10.18.1

# REQUEST FOR COUNCIL DECISION



## Other Proposed Amendments

These miscellaneous amendments address a variety of items such as providing Development Officers with the authority to make decisions on variances up to 15% and establishing consistency between the different sections of the Land Use Bylaw.

<b>Proposed</b>	<b>Rationale</b>	<b>Sections of the LUB</b>
To provide Development Officers with the authority to make decisions on variances up to 15% and to enable them to serve as the Development Authority for discretionary use applications which did not receive concerns or objections from the public.	This proposed change will increase the Development Authority of the City's Development Officers, which will reduce the number of applications that are required to be brought forward to the Municipal Planning Commission for decision. This will streamline the development approval process and will shorten the approval time for certain development applications.	3.2.3 a), c), e) & f) 3.3.3 a), c), d), e) 4.8.1 a) and b) 4.8.2 4.8.7 4.9.1 b)

## Amendments to Bylaw 400.24 Recommended by Administration

Following first reading of Bylaw 400.24, Administration sought additional feedback from Council on each of the proposals contained in Bylaw 400.24. Based on this feedback, Administration is recommending changes to Bylaw 400.24. The recommended changes are outlined below.

### Change #1 (see Motion 1a):

The proposal to allow temporary buildings in support of construction or renovation work on a site is recommended to be adjusted to allow for 60 days initially with the ability to request an additional 30 days. This means amending item 1 j) in Bylaw 400.24 by replacing "30 day period" with "60 day period."

### Change #2 (see Motion 1b):

The proposal to require landscaping between parking stalls located in the front yard for multi-unit residential sites was further reviewed. Administration is of the view that the intent of the proposal (space for vegetation to break up a large paved area, space for snow) can be better addressed by applying the existing rules for front parking and driveways that apply to detached dwellings and duplexes. This means modifying Section 8.1.9 to add reference to multi-unit residential units that have front yard parking. Multi-unit residential in the form of an apartment

# REQUEST FOR COUNCIL DECISION



building, which is more likely to use a large, single shared parking lot, would not be subject to the requirement for landscaping along a side of each parking stall. The proposed amendment is to replace item 1 r) with the following:

“8.1.9 a) is replaced with the following:

Provided that there is a landscaping strip on one side of the residential front driveway, the minimum distance between driveways serving single detached units, semi-detached or duplex dwelling units, or any form of multi-unit residential other than an apartment building may be nil.”

### Change #3 (see Motion 1c):

The proposal to allow a developer to Pre-Identify Garden and Secondary Suites to the maximum that would be allowed is recommended to be adjusted by limiting the number of “pre-identified” sites to half of the number that would be allowed per block. This means adding the following as the last sentence in item 1 y) in Bylaw 400.24: “Up to 50% of the total number of suites allowed per block may be pre-approved in an approved Outline Plan.”

### Change #4 (see Motion 1d):

The proposal to decrease the R5 Lot Coverage is recommended to be taken out. This means deleting item 1 aa) from Bylaw 400.24.

### **Service Level Impacts**

The proposed improvements will help clarify development requirements and should help streamline the development process for applicants.

### **Financial Implications**

The City paid for all postage costs and the newspaper advertisements.

### **Legislation Implications**

The Municipal Government Act gives the City of Lacombe authority to amend the City’s Land Use Bylaw.

### **STRATEGIC PLAN ALIGNMENT:**

Council’s consideration of the preliminary amendments described in this report speak **favourably** to the desired outcomes of Council’s Strategic Goal 4.1.1B: *The Municipal Development Plan Reflects the will of Council and the Community* and 4.1.2A(1): *The Land Use*

# REQUEST FOR COUNCIL DECISION



*Bylaw ensures that the rezoning and subdivision of large lots is compatible with homes and businesses in the neighbourhood.*

## **PUBLIC ENGAGEMENT/COMMUNICATION STRATEGY:**

Administration hosted a Public Open House to allow residents and other interested parties to provide feedback on the proposed amendments. The Open House was hosted on Thursday, August 22, 2019 and included a session for the development community and another session for members of the public. Administration sent invitations to active developers/builders, local real estate agencies, the Lacombe & District Chamber of Commerce and other applicable individuals. Public advertisement was also undertaken and included advertisement in the Lacombe Express, Lacombe Globe, on Sunny94, on the City's Facebook Page and it was also included in the Utility Bill.

A Summary of the Open House has been prepared and is included as an attachment. The document includes the specific feedback collected through the comment sheets for each question asked. 13 individuals attended the Open House and 2 comment sheets were submitted.

The public hearing and Bylaw 400.24 were advertised in the February 13, 2020 and February 20, 2020 editions of the Lacombe Express. The same information was posted on the City's website. Members of the development community were emailed a notice of the public hearing and a copy of Bylaw 400.24.

**As of the date of preparing this RFD, no additional comments have been received.**

## **ALTERNATIVE MOTION(S):**

1. THAT Council table consideration of second reading of Bylaw 400.24 to a later date.
2. THAT Council direct Administration to make further amendments to Bylaw 400.24 prior to second reading.
3. THAT Council refuse second reading of Bylaw 400.24.
4. THAT Council table consideration of third reading of Bylaw 400.24 to a later date.
5. THAT Council direct Administration to make further amendments to Bylaw 400.24 prior to third reading.
6. THAT Council refuse third reading of Bylaw 400.24.

# REQUEST FOR COUNCIL DECISION



## **ATTACHMENTS:**

- Bylaw 400.24
- Open House Summary
- Land Use Bylaw 400 – Draft Consolidated Document (Based on Bylaw 400.24 at First Reading)

**CITY OF LACOMBE  
BYLAW 400.24**

**A Bylaw of the City of Lacombe to amend the Land Use Bylaw No. 400, by amending various parts of Schedule A of Bylaw 400.**

WHEREAS, Notice of the intention of Council to pass a bylaw has been published in the Lacombe Express on \_\_\_\_\_ and \_\_\_\_\_ in accordance with section 606 of the Municipal Government Act, and

WHEREAS, a Public Hearing was held on \_\_\_\_\_ to allow the general public to provide input into the proposed Bylaw amendments;

NOW THEREFORE the Municipal Council of the City of Lacombe, in the Province of Alberta, duly assembled in accordance with the Municipal Government Act, R.S.A. 2000, c. M-26, and amendments thereto, enacts the amendments to Bylaw 400 as follows:

1. Schedule A of Bylaw 400 is amended as follows:

- a) Table of Contents is amended as follows:  
"14.4.16 Central Residential District" is added.
- b) Part 3.2.3 a) is amended as follows:  
"development applications for permitted use developments requiring a variance of less than or equal to 15%;"
- c) Part 3.2.3 c) is amended as follows:  
"development permit applications for Class 2 signs requiring a variance of less than or equal to 15%; and;"
- d) Part 3.2.3 e) is amended as follows:  
"development applications (permitted and discretionary) for development permits within the Flood Hazard Area Regulations Overlay (Section 14.6). For permits requiring a variance greater than 15% (other than Development Officer Variances outlined in sections 4.8.1 – 4.8.6) the use is to be considered by the Development Officer, while the variance is to be considered by the Municipal Planning Commission;"
- e) Part 3.2.3 f) is added as follows:  
"development permit applications, including variances over 15%, discretionary uses, etc., where the application has been referred to adjacent landowners, and where no concerns or objections have been received. The Development Officer may choose to refer any of these applications to the Municipal Planning Commission for consideration."
- f) Part 3.3.3 is amended as follows:  
"Unless otherwise stated in Section 4.8 and Section 3.2.3, the Municipal Planning Commission shall be authorized to consider and decide upon:"
- g) Part 3.3.3 a) is amended as follows:  
"development applications requiring a variance of greater than 15%;"
- h) Part 3.3.3 c) is amended as follows:  
"development applications for Class 3 signs and for Class 2 signs requiring a variance greater than 15%;"
- i) Part 3.3.3 d) is amended as follows:  
"development applications subject to the provisions of the Historic District Area Overlay (Section 14.5), the Place of Worship Overlay (Section 14.7), and variances greater than 15% in the Flood Hazard Area Regulations District Overlay"
- j) Part 4.3.1 j) i is added as follows:  
"i Temporary buildings may remain on a residential site for no longer than a 30 day period and the property owner must inform the Planning and Development Department of the dates in which the temporary building will be located on site. If a property owner wishes to request a onetime extension to the 30 day period, the request will be considered by the City's CAO."

- k) Part 4.8.1 is deleted and replaced with:  
"The Development Officer may grant a variance:
- a) of up to fifteen percent (15%) from the requirements of this Bylaw, subject to clause 4.7.3 and being satisfied that the variance will not result in a development that does not comply with the requirements of the *Municipal Government Act*, the Subdivision and Development Regulation, the *Safety Codes Act*, as amended, or any applicable Statutory Plans or Outline Plans adopted by the Municipality;
  - b) over fifteen percent (15%) from the requirements of this Bylaw, subject to clause 3.2.3 f)."
- l) Part 4.8.2 is amended as follows:  
"The Development Officer may grant a setback variance that is greater than 15% from the requirements of the Bylaw when a parcel corner is angled to accommodate sight lines, subject to:"
- m) Part 4.8.7 is amended as follows:  
"The Municipal Planning Commission may grant a variance from the requirements of this Bylaw, subject to 3.2.3 f) and 4.7.3 and being satisfied that the variance will not result in a development that does not comply with the requirements of the *Municipal Government Act*, the Subdivision and Development Regulation, the *Safety Codes Act*, as amended, or any applicable statutory plans or Outline Plans adopted by the Municipality."
- n) Part 4.9.1 b) is amended as follows:  
"for all discretionary use permit decisions and variances issued by the Development Officer pursuant to clauses 3.2.3 (b through f), a notice of decision shall be provided in writing to the applicant and landowner, as well as to all neighbouring landowners within 60m of the subject property. The notification shall outline the nature of the application, the decision of the Development Officer, and provide information on how one may appeal the decision, as per Section 4.13. In addition, a notice shall be posted on the City of Lacombe's website and a notice may be posted on the subject lands, which has the effect of direct notification to any landowner, tenant of land or building within the general area, whose use and enjoyment of property may be affected;"
- o) 7.9.1 b) is amended as follows:  
"For businesses with zero (0) metre front setbacks, one (1) sign may be placed on City property adjacent the front property boundary provided that the sign is placed to maintain the maximum area possible for safe and unimpeded pedestrian passage."
- p) Part 8.12.6 b) is added as follows:  
"The Development Authority may require enhanced screening for any multi-attached housing structure which is adjacent to a detached dwelling."
- q) Part 8.13.8 is deleted and replaced with:  
"The following landscaping standards shall apply to residential development of R1, R1-N, R2, R3 and R4 Districts:"
- r) Part 8.18.20 h) is added as follows:  
"For multi-unit residential developments, front yard parking shall maintain a landscape buffer between the parking stalls for each individual unit in order to establish a spatial separation within the parking area."
- s) Part 9.2.1 c) is deleted and replaced with:  
"accessory residential buildings are subordinate to the principal use/building on the parcel and so the accessory residential building mass should not exceed the principal building mass. To ensure appropriate building mass, the maximum size of an accessory residential building for:
- i) developments which are not approved as a multiple housing development may be up to 60% of the principal building parcel coverage, but should not exceed individually 70m<sup>2</sup>; or
  - ii) developments approved as a multiple housing development may be up to 40% of the principal building(s) parcel coverage, but should not individually exceed 150m<sup>2</sup>; or

- iii developments located on lots designated as R-LI will not be subject to clause 9.2.1 c) i; or
  - iv. developments located on R1 lots, which are 1500m<sup>2</sup> or larger, may be up to 70% of the principal building parcel coverage, but should not exceed individually 140m<sup>2</sup>.”
- t) Part 9.4.2 c) is deleted and replaced with:  
“where a property has a lane, the Development Authority will encourage that all required parking be designed to complement the surrounding neighbourhood;”
- u) Part 9.11.8 is amended as follows:  
“A garden suite shall be considered an accessory residential building.”
- v) Part 9.11.9 is deleted and replaced with:  
“The building footprint of the accessory residential building containing the garden suite shall be subject to clause 9.2.1c).”
- w) Part 9.11.9 a) is deleted.
- x) Part 9.11.11 a), b) and c) are deleted and replaced with:  
“a) zero or one bedroom suites: one (1) parking space; or  
b) two bedroom suites: two (2) parking spaces.”
- y) Part 9.11.17 is amended as follows:  
“Where an approved Outline Plan identifies ‘pre-approved’ locations for garden and secondary suites, these suites shall be considered a permitted use.”
- z) Part 9.11.18 is amended as follows:  
“Pre-approved garden and secondary suites shall count towards fulfilling the total number of suites allowed in any one (1) block. Should the garden or secondary suite not be constructed and completed within five (5) years of the principal dwelling’s building permit being approved, the garden or secondary suite ‘pre-approval’ shall be forfeited to enable the development of other suites to contribute towards the blocking percentage.”
- aa) Part 9.18.2 – Maximum Parcel Coverage is amended as follows:  
“65%”
- bb) Part 10.15.1 is amended to add “Education facility” as a discretionary use in the C3 District
- cc) Part 10.18.1 is amended to add “Education facility” as a discretionary use in the UC District
- dd) Figure 14.1 is amended, as shown in Attachment A.
- ee) 14.3 Overlay Districts is amended to add “14.4.16 Central Residential District”
- ff) Part 14.4.10 b) iii) is added as follows:  
“All new residential developments shall have a minimum side yard setback of 2.0m.”
- gg) Part 14.4.10 d) iv) is amended as follows:  
“Accessory Buildings should use the same façade treatment and finishing as the principal buildings.”
- hh) Part 14.4.10 e) i) is amended as follows:  
“Parking should be provided on site via rear lanes so that the building can be setback at a distance that is the same as adjacent buildings to create a consistent streetscape character.”
- ii) Part 14.4.10 e) ii) is amended as follows:  
“Loading and storage areas shall be located to the rear of any building and be screened from public roadways through landscaping.”
- jj) Part 14.4.10 f) is deleted.
- kk) Part 14.4.11 b) iii) is added as follows:

"All new residential developments shall have a minimum side yard setback of 2.0m."

ll) Part 14.4.11 f) i) is amended as follows:

"All parking should be accessed through the lanes. Where parking is proposed from the street it should be through the provision of a garage which:"

mm) Part 14.4.11 g) is deleted.

nn) Part 14.4.12 e) ii) is added as follows:

"Residentially zoned buildings shall have a minimum side yard setback of 2.0m."

oo) Part 14.4.12 i) is deleted.

pp) Part 14.4.13 i) iv is amended as follows:

"Accessory Buildings should use the same façade treatment, finishing, materials, and colours as the principal buildings."

qq) Part 14.4.14 d) iii) and iv) are deleted and replaced with:

"iii Side yards: For properties abutting 50 Avenue, 10% of parcel width for each side yard (totaling 20%) with a minimum of 2m.

iv For those units not abutting 50 Avenue, the setbacks (front and rear) of the underlying District shall prevail. The side yard setback shall be a minimum of 2m"

rr) Part 14.4.14 e) iv is amended as follows:

"Accessory Buildings should use the same façade treatment, finishing, materials, and colours as the principal buildings."

ss) Part 14.4.14 f) is deleted.

tt) Part 14.4.14 g) i) is amended as follows:

"All parking should be accessed from the rear lanes as any further parking curb cuts along 50 Avenue shall be prohibited. The reuse of existing curbs may occur, although new or redeveloped front attached garages shall be at the discretion of the Development Authority."

uu) Part 14.4.14 g) ii) is amended as follows:

"Loading and storage areas shall be located to the rear of any building, fronting onto the rear lane and be screened from public roadways through landscaping."

vv) Part 14.4.16 is added, as shown in Attachment B.

2. This bylaw shall come into force and effect when it receives third reading and is duly signed.
3. If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

INTRODUCED AND GIVEN FIRST READING THIS 9<sup>th</sup> day of December, 2019.

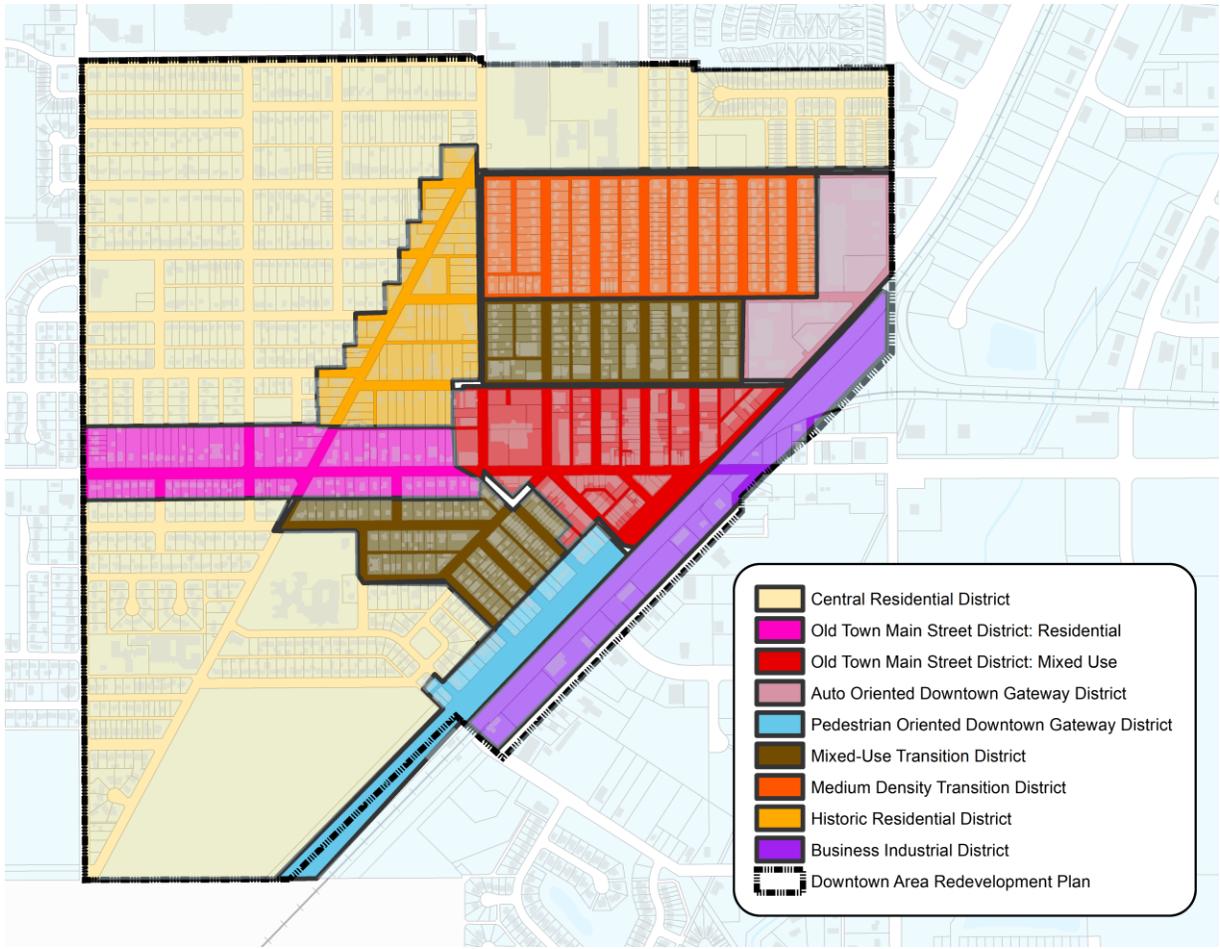
GIVEN SECOND READING THIS \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

GIVEN THIRD AND FINAL READING THIS \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Administrative Officer

Attachment "A"  
Figure 14.1

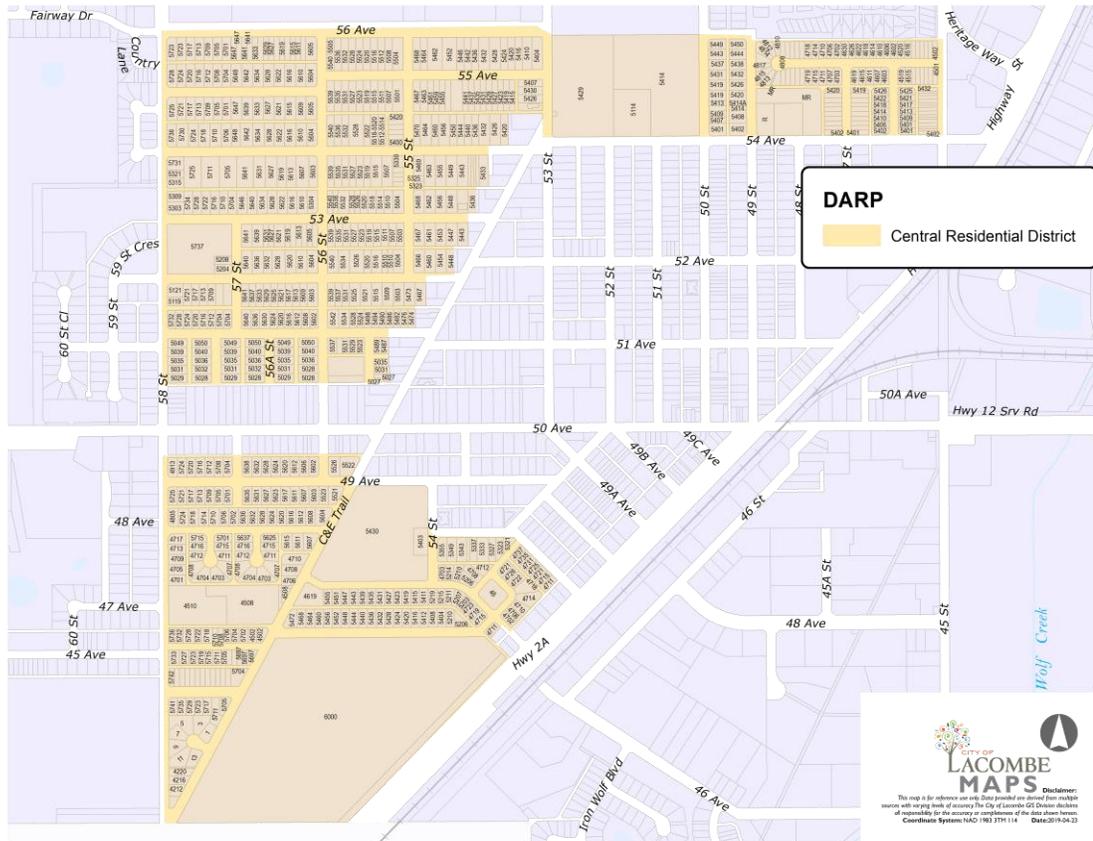


Attachment "B"  
Part 14.4.16

14.4.16 CENTRAL RESIDENTIAL DISTRICT

- a) General Purpose: To regulate the development of major additions and new infill in a manner that is compatible with the scale and character of the existing area, shown in the map below.

Central Residential District:



b) New Construction / Infill

- i Infill developments shall be sensitive to the character, scale, façade, and materials of adjacent buildings and users within this District Overlay. This will be provided through the provisions set forth in this Overlay District.
- iii All new residential developments shall have a minimum side yard setback of 2.0m.

c) Building Components

- i Roofs: The principal roof of the building shall have a slope of 3 in 12 or greater. Where residential development proposes a flat roof or slope of less than 3 in 12, it shall be at the discretion of the Development Officer.
- ii Entrances: All new development which provides for more than one dwelling unit per site shall be developed to promote street orientated design. Aspects of street orientated design include (but may not be limited to):
- Front verandahs
  - Roof elements separating the first storey from the second storey
  - Larger windows facing the street
  - Minimal front yard parking, where any garage is setback from the primary façade of the structure; or with a second story above the garage.
- iii A hard surfaced pedestrian path shall link all parking for multi-unit development to entrances.

d) **Building facade / Building Materials**

- i All exposed building façades shall be carefully designed to create a unified building exterior.
- ii All building façades shall use high quality, compatible and harmonious exterior finishing materials.
  - Wood, metals, and plastics shall be deemed acceptable as trim materials for window and door frames, cornices, and awnings or canopies.
  - Façade trim work, including window and door frames, cornices, pilasters, awnings, canopies and other elements may be any colour, with the exception of luminescent, fluorescent or metallic colours.
  - Trim work around windows shall be delineated through wider framing or different colours from the main principal building.
- iii Accessory Buildings should use the same façade treatment and finishing as the principal buildings.

e) **Parking and Access**

- i Parking should be provided on site via rear lanes so that the building can be setback at a distance that is the same as adjacent buildings to create a consistent streetscape character.
- ii Loading and storage areas shall be located to the rear of any building and shall be screened from public roadways through landscaping.
- iii Landscaping shall be provided between public roadways and surface parking facilities, excepting access to the parking facilities. The minimum width of landscaping from the property line to the parking facility surface should be 2m when abutting a public roadway.
- iv Where parking is provided from the lane for multiple housing developments, it shall:
  - provide screening from adjacent properties – either through fences or be framed by vegetation (i.e. shrubs) .6m to .9m in height. Preferred fencing includes wrought iron, wood picket or rope and tie/post and cable fencing. Where fence material is chain link, it shall be painted black.\*\*
  - be setback from the rear of the principal building to ensure that a strip of landscaping is provided between the principal building and the parking facilities.
- v Landscaping shall be provided between public roadways and surface parking facilities, excepting access to the parking facilities. The minimum width of landscaping from the property line to the parking facilities surface should be 2m when abutting a public roadway.

**Open House Summary**  
**Land Use Bylaw 400.24**

An Open House was held to present proposed amendments to the Land Use Bylaw 400. The Open House was held on Thursday, August 22, 2019 from 2PM to 6PM in the South County Room at the Lacombe Memorial Centre. The Open House was operated as a drop-in event, with the development community invited to attend from 2-4pm and the public from 4-6pm. 5 Display Boards were set up around the room to highlight the proposed changes to the two plans. Copies of the proposed amendments were available for review.

### **Advertisement:**

The Open House was advertised in the August 8, 2019 and August 15, 2019 editions of the Lacombe Express and the August 8, 2019 edition of the Lacombe Globe. Additional advertisement was undertaken on the City of Lacombe's Facebook Page, included in the City's Utility Bill and was featured on Sunny 94's community moments. In addition, letters (and emails) were sent to 40 individuals and businesses that are associated with the development community in Lacombe. The Open House information, including the draft amendments, were also available on the City of Lacombe's website.



**You are Invited!**

**Come out to the Land Use Bylaw Public Open House**

The City of Lacombe invites you to attend a drop-in public open house to provide feedback on proposed changes to the City's Land Use Bylaw 400 (LUB). The LUB provides standards for development within the City of Lacombe. These standards impact all forms of development from the construction of new homes to the development of industrial buildings. These proposed amendments will primarily impact the site development of industrial and commercial development and will include new standards for residential infill development in the downtown core. You are invited to attend the Open House and provide your thoughts and comments on the proposed plan and changes. The Open House will be held at:

**Lacombe Memorial Centre, South County Room  
5214-50 Avenue, Lacombe  
Thursday, August 22, 2019  
4:00 PM - 6:00 PM**

Feedback can be submitted to the City of Lacombe until 4:30PM on Thursday, September 5, 2019. All comments will be reviewed and presented to Council. Your feedback will be used to help finalize the proposed Land Use Bylaw amendments that will be presented to Lacombe City Council as Bylaw 400.24.

For more information visit [www.Lacombe.ca/doing-business/planning-and-development-services/what-s-new](http://www.Lacombe.ca/doing-business/planning-and-development-services/what-s-new) or contact Jennifer Kirchner at [jkirchner@lacombe.ca](mailto:jkirchner@lacombe.ca) or at (403)782-1264 ex 228.

### **Attendance and Feedback:**

13 individuals attended the Open House. A Comment Sheet was prepared to solicit feedback from those in attendance. The Comment Sheet was also available on the website, so that those who were unable to attend could still provide feedback. Two comment sheets were submitted from members of the public.

The information collection on the comment sheets is outlined below:

### **Commercial and Industrial Amendments**

#### **3. Do you support the addition of "Educational Facility" as a discretionary use in the C3 (Transitional Commercial) District and the UC (University Commercial) District?**

- Both respondents were in support of this proposed amendment.

**4. Do you have any comments or concerns in regards to the proposed 18m front yard for the C2 (Neighbourhood Commercial) District, C3 (Transitional Commercial) District, C4 (Highway Commercial) District, or the I1 (Light Industrial) District?**

- One respondent did not answer this question.
- The second respondent stated “18m front yard is acceptable as long as it is adhered to and there is no relaxation given. As any Bylaw, is it going to be enforced!!!”

**5. Do you have any comments or suggestions related to any of the proposed amendments relating to Commercial or Industrial Development?**

- One respondent did not answer this question.
- The second respondent stated “Make sure the Bylaws are enforced.”

**DARP Overlay - Central Residential District**

**6. Do you support the establishment of a Central Residential District Overlay?**

- Neither respondent supported the establishment of this overlay.
- One respondent indicated that “Not enough time given for residents in this target area as these changes will effect this area for years to come.”

**7. Do you have any comments or suggestions related to the proposed Central Residential District Overlay?**

- One respondent indicated that “Properties that have been designated should remain as the are zoned and developers/real estate sales people be educated to the zoning of the different areas within the City of Lacombe.”
- The other respondent indicated that “Many of the residents in this area have dealt with many of these issues with previous City Councils. City Administration and planning departments for years/decades. Many of our comments/concerns have fell on deaf ears. The numerous open houses, presentations, surveys etc. seemed to there only for protocol purposes. Many of the previous insufficiencies were pointed out repeatedly as proposals in theory are not always practical in everyday living. Residents, many who have lived in the area for decades, have had their concerns dismissed or ignored repeatedly. This has led to great distrust & frustration amongst residents and planners. We are suspicious of yet more proposed changes for the “Central Residential District Overlay” similar to previous proposals like in “The Heart of Lacombe”.”

## **Amendments to Existing DARP Overlays**

**8. Do you support the proposed minimum side yard setback of 2.0m in the Historic Residential District, Medium Density Transition District, Mixed Use Transition District and the Old Town Main Street District: Residential District? Please note that the current and proposed minimum side yard within these overlays are “shall” clauses, which cannot be given variances.**

- One respondent responded with yes and stated that “It should be made “well known” that there will be no consideration given “period”! In the past there have been requests to have setbacks reduced.”
- The other respondent responded with no and stated that “As you do not stipulate if it is 2.0m from side of building or from side of roof overhang. There is a difference as roof overhangs can extend out. Thus houses would appear closer and not fulfill the current scale & roominess between houses that adds to much of the current character of existing area that you state in 14.4.16(a) General Purpose: To regulate the development of major additions and new infill in a manner that is compatible with the scale & character of existing area.”

**9. Do you support allowing the Development Authority the flexibility to approve accessory buildings that are complimentary to the principal building but may differ in finishing, materials and colours?**

- One respondent responded with yes, “But only if complimentary.”
- The other respondent responded with both yes and no and stated “Yes, if the accessory buildings is a single storey garage (compliant in size) and tool/storage sheds. No if the accessory building is going to be a garage with garden suite of any building that will accommodate a living space. The neighbouring properties should be given an opportunity to their “say” in such structures!”

## **Amendments to Residential Development: Accessory Buildings, Secondary Suites and Garden Suites**

**10. Do you support the proposed amendment to allow for larger accessory buildings in the R1 (Residential Detached) District and R-LI (Residential-Light Industrial) District?**

- One respondent is undecided and stated “Depends where and how big/larger!”
- The other respondent is not in support and stated “R1 is far different that R-LI (Residential-Light Industrial). They should not be in same category --- Light Industrial implies a commercial aspect to it. For instance... are there different height restrictions that would be ok in a light industrial setting but not in a

residential area (blocking out residential area views and light in their yards)?? They should NOT be considered the same.”

**11. Do you support the proposed amendment that will align the size of an accessory residential building containing a garden suite with the overall standards for accessory building sizes?**

- One respondent is in support but stated that “As long as the building, is 60% of principle residence or 70m<sup>2</sup> which is the lesser of the two sizes.”
- The other respondent is not in support and stated “Only because I am concerned about height restrictions on accessory buildings – I cannot find mention of this. Also larger accessory buildings taking up too much of the green space/gardening areas that add tremendous beauty to the “scale and character of the existing area” – in your general purpose statement 14.4.16. These extra large accessory buildings alter the character of the green area.”

**12. Do you support the proposed amendment that will allow the number of parking spaces for a secondary or garden suite to be based on the number of bedrooms?**

- One respondent was in support and stated “As long as the parking is in the back. But far to often we know where the people are going to park – on the street in front of the property or the neighbour property.”
- The other respondent was also in support and stated “Only if there is room to place snow from parking spaces... other wise you should increase amount of stalls. People will park on front street otherwise. Traffic congestion.”

**13. Do you support the proposed amendment that will allow the use of tandem parking for secondary or garden suites?**

- One respondent was in support and stated “As long as it is in the back – See comments of Question #12.”
- The other respondent was also in support and stated “Providing there is room for snow removal of said parking. Also that there is no obstruction of fencing or trees and hedges causing safety concern backing out of laneway. Fences could be lowered (graduated) near laneway for safe visibility.”

**14. Do you have any comments or suggestions related to any of the proposed amendments relating to accessory buildings, secondary suites or garden suites?**

- One respondent stated “As in the past, feed back from property owners/tax payers fall on deaf ears!! Planning & Development will put into place what they feel is best and nothing based on public input.”

- The other respondent stated “What studies & provisions or changes can the City make to reduce stress on current infrastructure (like alleys, H2O pipe infrastructure) due to increased infill? The number of alley parking stalls and the increased traffic that ensues greatly effects alley maintenance. The longer the alley, the more City maintenance should be done & maintained. Safe alley access from parking stalls (as shown in #13 above) should be implemented with safety considerations for blindspots, power poles, light standards, telus boxes fences, obscuring trees & shrubs. Most of these alleyways in DARP were here 50+ years and were not constructed for this wear and tear. In addition, variances of over 10% in alley construction structures with ease trough draining into alleys have led to pooling H2O issues, potholes and alley disrepair.”

### **Amendments to Residential Development: Principal Buildings and Temporary Buildings**

- 15. Do you support the proposed amendment that will allow residential properties with a building permit to place a temporary building/site trailer on site to support the onsite construction?**
- One respondent was in support and stated “As long as it does not exceed the time frame of 30 days and is not an eyesore trailer.”
  - The other respondent was in support.
- 16. Do you support the proposed amendment that will provide the Development Authority with the ability to require enhanced screening between multi-attached housing and a detached dwelling?**
- One respondent was in support and stated “Any buffer that is decent should be good for all property owners in the adjacent areas.”
  - One respondent was in support and stated “However, what is enhanced screening? Is it a solid structure etc? No one that was available at the City Planning could answer that for me. Is it lattice? Is it removable? Is it chain link? Better description required.”
- 17. Do you support the proposed amendment that will require laneless residential lots without a front attached garage to maintain a 3.0m side yard to allow for rear yard parking?**
- One respondent was in support.
  - The other respondent was not in support and stated “There needs to be extra space allowance for snow clearing in order to park there in winter. Otherwise they will all park on front street. This happens all over this area... especially in winter.. Causing front parking congestion.”

**18. Do you support the proposed amendment that will provide developers with the flexibility to design a side yard access(es) that will allow for a 1.5m side yard setback, if the access(es) are inset 2.0m or more?**

- One respondent was undecided and stated that “Developers will try to push the limit! And do!!”
- The other respondent was not in support and stated “Not sure depending on plan. So “No” 2.0m+ side setback looks better for this area that is not cramped looking. This area is noted for more room and spaces. Side by side developments that would be allowed for 1.5m side yard setbacks would look congested and not in line with this area. This not what current residents bought into.”

**19. Do you support the proposed amendment that would change the allowable lot coverage for the R5 (Residential Multi-Unit Dwelling) District from 75% to 65%?**

- One respondent was in support and stated that “More parking could be made available to the residents and there is no excuse to park on the street.”
- The other respondent was in support and stated “Not so cramped looking.”

**20. Do you have any comments or suggestions related to the proposed Land Use Bylaw amendments?**

- Response from one respondent “How do you get more residents to attend these public meetings? Time the meetings are held is questionable! Other than seniors – most people are working, coming home from work, don’t real care until they become effected. Apathy by property owners as City of Lacombe will do what they they want to do.  
The same people show up at each public meeting, those that are interested in the structure of how they community is developed. Most are putting forth what is good for the community and not looking at “profits” as a factor.  
The lack of attendance by elected officials and senior management – most do not experience these issues but are making the final decisions for those that Do!!  
Side Note: Perhaps all properties with a back lane should have house addressed on their back property.  
Further comment: Excessive food platters. Waste of money. Probably cost \$350.00. This is tax payer money.”
- Response from the other respondent “4.9.1 b) For discretionary uses decision & variances a written notice to applicant, landowner & neighbouring landowners “within 60 m of subject property.” As previously brought before City Council.... The written notice should be for all who share the street/alley with the discretionary use/variance property because they could be effected as they share the same infrastructure!!

Infill multiple housing should be encouraged on end of street lots for better multiple access options to property & parking... less congestion than in middle of street development.

Any approved changes to bylaws must be followed through by planning dept & bylaw enforcement to make sure standards are met once approved. Perhaps a Development Levy could be collected to ensure these standards are fully met in case developer runs out of money or does not fulfill his obligations (as has happened in the past in this area). This will mitigate leaving local residents with negative consequences.

In the past, proactive by-law enforcement has been lax thus complaint driven only (even after promises by past Council & Administration to be proactive). This then pits one neighbour against another due to lack of enforcements. This is specifically true in past development in these older areas covered by DARP.

Having your open house from 4-6pm on August 22 was disappointing for turnout. People generally work till then, have families, supper, holidays, back to school prep, etc. Poor Planning! We are not city planners and your 12 page proposed amendments and survey took some time to process and have completed by September 5 (after the long weekend). Previous City Council, Admin & Planning dept did similar tactics when dealing with Land Use By-law and it was not well received by affected residents. I talked to numerous people who were annoyed by this.”

#### Additional verbal feedback given to administration at the Open House included:

- Attendees, in general, were comfortable with the proposed 2.0m setback for DARP.
- Concerns with sightlines when parking is in the rear. Administration discussed with the individual the potential to place height restrictions for fences at the rear, to ensure safe access. This is similar in nature to fencing standards for the front of properties.
- Concern with snow storage on residential lots. This is connected to the width of the parcel being used for parking/access, since it can eliminate the potential for onsite snow storage.
- Concern about directing all parking to the lane for multi-unit buildings. This can cause issues such as: sightline issues, increased lane traffic, people choosing to park on the street rather than in the rear of the property, and increased wear on the lane.



## Land Use Bylaw #400: Building Lacombe

Adopted: October 24, 2016

# City of Lacombe

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## Land Use Bylaw #400

10/24/2016

Last amendment: LUB 400.26

Date of Last amendment (final reading): September 9, 2019

Amendments Schedule:

Amendment Number	Amendment Summary	Date of Public Hearing	Date of Adoption
.01	Rezone: Lots 12 & Pt 13 Plan RN9 from R4 – Residential Mixed District to CS – Community Services District	February 27, 2017	February 27, 2017
.02	Numerous Text Changes throughout document, changes to the Airport District, Creation of a new District: DC2 - Direct Control 2, changes to the Flood Hazard Overlay; Rezone Plan 9123 1540 from R2 – R4; Rezone Lots 3 & 4 Block 23 Plan RN1B from R2 to R4; Rezone Lot 1 PUL Block 1 Plan 022 5894 from R1 to UT; Rezone Lot 9 Plan 952-3562 from C3 to DC2.	March 27, 2017	March 27, 2017
.03	Withdrawn		
.04	Rezone Lot 1, Plan 822 1257 from I1 to I2, and Road Plans 8251ET and 2401R to I1. Addition of text to regulate election signage	July 24, 2017	July 24, 2017
.05	Rezone part of SE 26-40-27 W4 from (FD) Future Designation to (C4) Highway Commercial District, (R5) Residential Multi-Unit Dwelling District, (GS) Greenspace District, (EOS) Environmental Open Space District and (UT) Utility District.	September 25, 2017	September 25, 2017
.06	Rezone part of SW 32-40-26 W4 from (R1) Residential Detached District to (GS) Greenspace District and (C2) Neighbourhood Commercial District and Lot 22, Block 3, Plan 912 0069 from (R1) Residential Detached District to (GS) Greenspace District.	October 10, 2017	October 10, 2017
.07	Site specific exception to allow recreation equipment storage as a permitted use on Lot 3, Block 1, Plan 042 3848.	October 10, 2017	October 10, 2017
.08	Rezone Lot 6, Block 28, Plan RN1E (IE) from (R2) Residential Single and Semi-Detached District to (R4) Residential Mixed District.	December 18, 2017	Defeated
.09	Rezone Lot 7, Block 24, Plan RN1E from (R1) Residential Detached District to (R1-N) Residential Detached Narrow District.	January 22, 2018	Defeated
.10	Rezone Lots 5-7, Plan 83HW from (R1) Residential Detached District to (CS) Community Services District.	March 12, 2018	March 12, 2018
.11	Rezone part of SW 5-41-26 W4 from (FD) Future Designation District to (R6) Residential Apartment District, (UT) Utility District and (GS) Greenspace District.	March 12, 2018	March 12, 2018
.12	Site specific exemption to allow for an increased accessory use footprint as a permitted use on Units 1-8, Plan 152 2371.	March 26, 2018	March 26, 2018
.13	Rezone Lots 6-10, Block 1, Plan RN1A (IA) from (R5) Residential Multi-Unit Dwelling District to (R6) Residential Apartment District.	April 23, 2018	April 23, 2018
.14	Rezone Lot 1, Block 4, Plan 182 0846 from (FD) Future Designation District to (R4) Residential Mixed District and Lot 11, Block 4, Plan 182 0846 from (FD) Future Designation District to (R1) Residential Detached District.	May 28, 2018	May 28, 2018

.15	Rezone Lots 4 & 5, Block 11, Plan RN1A from (R5) Residential Multi-Unit Dwelling District to (C1) Downtown Commercial District.	June 25, 2018	June 25, 2018
.16	Adding and amending definitions related to Cannabis Sales and Production and adding Cannabis Retail Sales, Cannabis Production and Distribution – Major, and Cannabis Production and Distribution - Minor as permitted and discretionary uses in commercial, industrial and direct control districts.	August 13, 2018	September 10, 2018
.17	Amending definitions related to Building Supply and Lumber Yard, Equipment Rental and Retail Sales; Establishment of the C6 District; and rezoning lands which are describes as Lot 1, Block 2, Plan 132 2010 from C4 to C6; Part of Lot 5, Block 2, Plan 152 2352 from C5 to C6 and part of NW 20-40-26 W4 from FD to C6.	September 10, 2018	September 24, 2018
.18	Adding and amending development requirements to ensure alignment with the updated standards set forth in the revised <i>Municipal Government Act</i> , April 1, 2018 consolidated edition.	November 26, 2018	November 26, 2018
.19	Rezone Lot 12MR, Block 1, Plan 002 1575 from (GS) Greenspace District to (DC2) Direct Control District 2; Lot 1, Plan 902 0901 from (R2) Residential Single & Semi-Detached District to (DC2) Direct Control District 2; Lot 3, Plan 932 0076 from (C3) Transitional Commercial District to (DC2) Direct Control District 2 and (UT) Utility District; and Lot K-1, Plan 3401 RS from (I1) Light Industrial District to (DC2) Direct Control District 2 and (UT) Utility District.	February 11, 2019	February 11, 2019
.20	Adding Whelp Brook to the Flood Hazard Area Regulations Overlay and amending the information in regards to Wolf Creek in the Flood Hazard Area Regulations Overlay.	February 11, 2019	February 11, 2019
.21	Rezone lands which are described as a closed portion of Road Plan 6716 K.S. to (C4) Highway Commercial District.	February 11, 2019	February 11, 2019
.22	Rezone lands which are described as a portion of SE 26-40-27 W4 from (FD) Future Designation to (UT) Utility District.	March 25, 2019	March 25, 2019
.23	Amending various parts of Schedule A of Bylaw 400.	June 24, 2019	July 8, 2019
.24			
.25	Rezone Lot 40, Block 28, Plan 5054MC from (R1) Residential Detached District to (CS) Community Services District.	June 24, 2019	June 24, 2019
.26	Rezone Lots 2 and 3, Block 8, Plan 032 6218 from (UC) University Commercial District to (BU) Burman University District	September 9, 2019	September 9, 2019

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## Part - 1 PURPOSE AND APPLICABILITY OF THE LAND USE BYLAW

### 1.1 Title

- 1.1.1 This Bylaw may be cited as “The City of Lacombe Land Use Bylaw.”

### 1.2 Purpose

- 1.2.1 The purpose of this Bylaw is to facilitate the orderly, economical and beneficial development and use of land and buildings within the City of Lacombe. To facilitate this purpose, this Bylaw:
- a) implements the policies of the City’s Municipal Development Plan and statutory plans in a manner that is consistent with the *Municipal Government Act*;
  - b) divides the City into districts;
  - c) prescribes for each district one or more uses of land and buildings that:
    - i are permitted, with or without conditions;
    - ii may be allowed as discretionary uses, with or without conditions; or
    - iii are prohibited and shall not be allowed.
  - d) establishes the office of the Development Authority;
  - e) establishes supplementary regulations governing specific land uses;
  - f) establishes a method of making decisions on applications for development permits and the issuing of development permits;
  - g) provides for how and to whom notices of the issuance of a development permit is to be given; and
  - h) establishes the number of dwelling units allowed on a parcel.

### 1.3 Effective Date and Repeal of Existing Bylaw

- 1.3.1 This Bylaw comes into force and takes effect upon receiving third reading and being signed in accordance with section 213 of the *Municipal Government Act*.
- 1.3.2 The previous City of Lacombe Land Use Bylaw No. 300 and amendments thereto are hereby repealed and cease to have effect on the day this Bylaw comes into force.
- 1.3.3 Applications for subdivision and development which were submitted and are deemed to be complete prior to the date that this Bylaw comes into force shall be considered and decided upon in accordance with the Land Use Bylaw which was in effect on the date that they were initially applied for.

### 1.4 Application

- 1.4.1 Except as approved in this Bylaw, no person shall commence any development within the City, unless a development permit has been issued for that development.
- 1.4.2 The provisions of this Bylaw apply to all lands and developments within the boundaries of the City of Lacombe, pursuant to the *Municipal Government Act, RSA2000 M-26*.
- 1.4.3 The City is committed to enforcement of the Bylaw to protect property and rights of all citizens of the City. It is the responsibility of individuals to consult the Bylaw to ensure their property and developments are in compliance with this Bylaw.
- 1.4.4 Any reference in this Bylaw to other legislation or documents shall be a reference to the Bylaw or legislation then in effect and shall include all amendments and any successor legislation.

## 1.5 Compliance with Other Legislation

- 1.5.1 Compliance with the requirements of this Land Use Bylaw does not exempt any person from:
- a) obtaining a development permit as required by this Bylaw or any other permit, license, or other authorization required by this or any other City of Lacombe Bylaw;
  - b) the requirements of any City of Lacombe adopted statutory plan;
  - c) the requirements of any federal, provincial or municipal legislation or regulation; and
  - d) complying with any caveat, easement, covenant, contract or agreement affecting the use or development of lands or buildings.

## 1.6 Sections Found Invalid

- 1.6.1 If one or more provisions of this Land Use Bylaw are for any reason declared to be invalid, it is intended that all remaining provisions are to remain in full force and effect.

## 1.7 Establishment of Forms

- 1.7.1 For the purpose of administering the provisions of this Bylaw, the Chief Administrative Officer or their designate shall specify and prepare such forms as may be necessary and expedient.
- 1.7.2 Any such forms or notices are deemed to have the full force and effect of this Land Use Bylaw in the execution of the purpose for which they were designated, authorized and issued.

## 1.8 Establishment of Supplementary Regulations

- 1.8.1 Supplementary Regulations as set forth in Part 8, are hereby adopted by reference to be part of this Land Use Bylaw, and to be amended in the same manner as any other part of this Land Use Bylaw.
- 1.8.2 Supplementary regulations provide guidance to the Development Authority. Where supplementary regulations are provided for a specific Land Use District (Residential, Commercial, Industrial, Public Use or Other), and a use or building is approved within a district for which no supplementary regulations exists, the Development Authority may choose to use the applicable regulations pertaining to the use or building, even if those supplementary regulations do not pertain to that specific Land Use District.

## 1.9 Establishment of Districts

- 1.9.1 For the purpose of this Land Use Bylaw, the City of Lacombe is divided into the following Districts
- 1.9.2 The boundaries of the districts listed are delineated on the Land Use District Map(s) being Part 15 and identified in Table 1.1 below.

**TABLE 1.1: LAND USE DISTRICTS**

<b>Residential Districts</b>	
R1	Residential Detached District
R1-N	Residential Detached Narrow District
R2	Residential Single & Semi-Detached District
R3	Residential Modular Home District
R4	Residential Mixed District
R5	Residential Multi-Unit Dwelling District
R6	Residential Apartment District
R-LI	Residential- Light Industrial District
RCM	Residential-Commercial Mixed Use District
<b>Commercial Districts</b>	
C1	Downtown Commercial District
C2	Neighbourhood Commercial District
C3	Transitional Commercial District
C4	Highway Commercial District
C5	Shopping Centre District
UC	University Commercial District
C6	Regional Shopping Centre District <i>(Added, b.400.23, 07/8/2019)</i>

<b>Industrial Districts</b>	
I1	Light Industrial District
I2	Heavy Industrial District
<b>Public Use Districts</b>	
BU	Burman University District
CS	Community Services District
EOS	Environmental Open Space District
GS	Greenspace District
UT	Utility District
<b>Other Districts</b>	
AP	Airport District
DC1	Direct Control District 1
DC2	Direct Control District 2
FD	Future Designation District
<b>Overlay Districts</b>	
	Downtown Area Redevelopment Plan Architectural Guidelines Overlay
	Historic District Area Overlay
	Flood Hazard Area Regulations District Overlay
	Place of Worship Overlay

## Part - 2 INTERPRETATION

### 2.1 Rules of Interpretation

#### 2.1.1 In this Bylaw:

- a) the word “shall” denotes compliance or adherence is mandatory:
  - i Where “shall” allows for the Development Authority to be otherwise satisfied, the Development Authority may choose to waive or vary a “shall”, but the application shall be considered and treated as a discretionary use or as an application with a variance;
- b) the word “should” denotes compliance is desired or advised but unique or extenuating circumstances may make compliance impractical, premature or unnecessary in the opinion of the Development Authority:
  - i Where the Development Authority chooses to waive a “should” clause, there is no change to the status of the application (e.g. whether it is permitted or discretionary);
- c) the word “may” denotes discretionary compliance in the opinion of the Development Authority:
  - i Where the Development Authority chooses not to require a ‘may’ clause, there is no change to the status of the application (e.g. whether it is permitted or discretionary);
- d) words used in the present tense include the other tenses and derivative forms;
- e) words used in the singular shall also mean the plural;
- f) words used in the masculine gender shall also mean the feminine gender, the neuter and corporations;
- g) where the terms shall, should and may conflict, the most onerous term shall apply, unless otherwise determined by the Development Authority; and
- h) words, phrases and terms not defined in this Part of the Bylaw may be given their definition in the *Municipal Government Act* or the City’s Municipal Development Plan. Other words shall be given their usual and customary meaning.

#### 2.1.2 Illustrations

- a) Drawings and graphic depictions are provided to assist in interpreting and understanding the Bylaw. Where a conflict or inconsistency exists between a drawing and the text of the Bylaw, the text shall prevail.

#### 2.1.3 Identifying Individual Districts

- a) Land Use Districts for the purposes of this bylaw are generally classed as residential, commercial, industrial, and public use districts. Other Districts are also present.
- b) Within each district there shall be a set of uses comprised of one or more of the following:
  - i permitted uses;
  - ii discretionary uses;
  - iii prohibited uses; and
  - iv site specific uses.

#### 2.1.4 Purpose Statements

- a) The purpose statements in each District are included to describe the overall intent of the District. The use and development activity within each District should reflect its purpose. Applications to amend the Land Use Bylaw shall consider the purpose statements as part of the decision making process as it affects the amendment.

#### 2.1.5 Boundaries

- a) Where the location of district boundaries on the Land Use District Map is not clearly understood, the following rules shall apply:
  - i a boundary shown as approximately following a parcel boundary shall be deemed to follow the parcel boundary; and

- ii a boundary location which cannot be satisfactorily resolved shall be referred to the Municipal Planning Commission for an official interpretation.

#### 2.1.6 Measurements

- a) Unless otherwise specified, all measurements are in metric.
- b) Unless otherwise specified, the normal rules of rounding shall be applied. If the number you are rounding is followed by an integer ending with 5, 6, 7, 8, or 9, the number is rounded up to the next whole number. If the number you are rounding is followed by an integer ending with 0, 1, 2, 3, or 4, the number is rounded down to the previous whole number. (Amended, b.400.23, 07/8/2019)

#### 2.1.7 Reference Tools

- a) For ease of reference, uses that have an asterisk (\*) are those that have additional provisions listed within Parts 8 - 14. The lack of an asterisk (\*) does not preclude the requirement to provide the supplementary regulations.

## 2.2 DEFINITIONS

- 2.2.1 Where a specific use applied for generally conforms to the wording of two (2) or more uses, the Development Authority shall determine the use that fits closest to the development's character and purpose.
- 2.2.2 Words, terms and phrases specifically relating to signs are listed within Part 7 of this Bylaw.
- 2.2.3 Words and terms relating to the interpretation of the Overlay Districts are found in Part 14 of this Bylaw.
- 2.2.4 The following words, terms and phrases, wherever they occur in this Bylaw, have the meaning assigned to them as follows:

### A

**"Abut" or "Abutting"** means immediately contiguous to or physically touching, and when used with respect to a lot, means that the lot physically touches upon another lot or shares a property line or boundary line with it.

**"Accessory building"** means a building separate and subordinate to the principal building on site, the use of which is incidental to that principal building and is located on the same parcel.\*

**"Accessory dwelling unit"** means in the Commercial Districts and Direct Control District 1, a separate and subordinate dwelling unit(s) occupying the same building as a commercial use, or in the Industrial District, a separate and subordinate dwelling unit(s) either occupying the same building as an industrial use or located within a separate building for the sole purpose of providing occupancy for an operator or caretaker for the industrial use.\*

**"Accessory residential building"** means an accessory building to a residence and includes such things as detached garages, garden sheds and greenhouses, but does not include fabric-covered portable structures.\*

**"Accessory use"** means a use of land or building which is subordinate or incidental to the principal use of the same parcel, building site or dwelling unit.

**"Accommodation strategy"** means the collective actions proposed and approved by the Development Authority to address impacts caused by development. Typically accommodation strategies are provided as it relates to transportation: traffic, bicycle and pedestrian routes, helping to ensuring safe passage during the course of a development.

**"Accommodation unit"** means one or more rooms that provide(s) sleeping accommodation and bathroom facilities, but is not equipped with self-contained cooking facilities.

**“Active transportation”** means any form of transportation by which people use their own energy to power their motion, including walking, running, cycling, cross-country skiing, skateboarding, snowshoeing, rollerblading and use of a manual wheelchair.\*

**“Adaptive reuse”** means the productive retention and reuse of historical buildings through the provision of expanded development and use options that serve to discourage the underutilization or demolition of resources.

**“Adjacent land”** means land or a portion of land that is contiguous and includes land or a portion of land that would be contiguous except for a road, rail or utility right-of-way, river or stream and any other land that is, in the opinion of the Development Authority, considered to be adjacent. Adjacent land may include those lands defined as adjacent by other legislation.

**“Adult entertainment establishment”** means any premises or part thereof wherein live performances, motion pictures, electronic media, electronic or photographic reproductions, the principal feature of which is the nudity or partial nudity of any person, are performed or shown as a principal use or an accessory or similar use to some other business activity which is conducted on the premises.\*

**“Agricultural exhibition grounds”** means any facility and grounds for the display, exhibition and promotion of agricultural activities.

**“Agricultural implement and industrial equipment sales and services”** means the use of land, buildings or structures for the sale, rental, service, or repair of equipment and machinery directly associated with agricultural operations.

**“Agricultural land”** means land that contains an agricultural operation.

**“Agricultural operation”** means an agricultural activity conducted on agricultural land for gain

or reward or in the hope or expectation of gain or reward, and includes:

- (a) The cultivation of land;
- (b) The raising of livestock, including game-production animals within the meaning of the *Livestock Industry Diversification Act* and poultry;
- (c) the raising of fur-bearing animals, pheasants or fish;
- (d) the production of agricultural field crops;
- (e) the production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops;
- (f) the production of eggs and milk;
- (g) the production of honey;
- (h) the operation of agricultural machinery and equipment, including irrigation pumps; and
- (i) the operation of fertilizers, manure, insecticides, pesticides, fungicides and herbicides, including application by ground and aerial spraying for agricultural purposes.

This definition does not include Cannabis Production & Distribution. (Amended, b.400.16, 09/10/2018)

**“Agricultural research facility”** means a government facility, including any buildings and grounds where agricultural operations are studied.

**“Airport”** means an area of land with a hard surfaced landing strip used for the arrival, departure, movement or servicing of aircraft, together with any accessory buildings and other installations. (Added, b.400.02, 04/24/2017)

**“Alteration permit”** means a permit pertaining to altering any aspect of a building designated as a Municipal Historic Resource.

**“Amenity area”** means space provided for active or passive recreation and enjoyment and may include hard and soft-landscaped areas, balconies, recreational facilities and communal lounges, but does not include hard-surface parking facilities.\*

**“Animal services”** means a facility for animal grooming, training, or daycare, and includes the retail sales of associated products, but does not include provisions for overnight accommodations. Animal services do not include veterinary clinics, hospitals, or kennels.

**“Apartment housing”** means a residential building containing three or more dwelling units having shared entrance facilities and/or direct exterior entrances, in which the dwelling units are arranged in any horizontal or vertical configuration.\* (see Section 9.4)

**“Appeal Board”** means the Subdivision and Development Appeal Board established under City Bylaw.

**“Area Redevelopment Plan”** means a statutory plan adopted by Council to guide the redevelopment of existing developed areas, pursuant to the *Municipal Government Act*.

**“Area Structure Plan”** means a statutory plan adopted by Council to provide long range land use planning for large areas of undeveloped land within the City, pursuant to the *Municipal Government Act*.

**“Arts and crafts studio”** means a building or portion thereof used for the production and retail sale of uniquely finished product by an artist or craftsperson and includes, but shall not be limited to, works created by painting, ceramics, weaving, knitting, sculpture, photography, candle makers, stained glass, glass blowing and textile arts.

**“Auction facilities”** means land and/or buildings that are used for the public sale of property or goods to the highest bidder. The sale of livestock is discretionary only in the I2 – Heavy Industrial District. (Amended, b.400.02, 04/24/2017)

**“Autobody and paint shop”** means development for the repair and/or painting of motor vehicle

bodies and frames, and for damaged motor vehicle appraisal services.

**“Automotive sales and service”** means a business which typically offers sale, rental and/or lease of passenger vehicles, light trucks, vans, motorcycles and other similar vehicles and typically offers mechanical repair, oil, lube and similar repairs and maintenance to vehicles, but does not include autobody and paint shop repair.

## **B**

**“Baffle”** means any device used to soften the effects of light.

**“Balcony”** means a platform without stairs adjoining a dwelling and is intended for use as an outdoor amenity space.

**“Bareland condominium”** means a condominium in which the units are defined in relation to the land rather than in relation to a building. A bareland condominium shares all the other features of a conventional condominium except for the definition of the boundaries.

**“Barrier free”** means that a building and its facilities can be approached, entered, and used by persons with physical, mental or sensory disabilities.

**“Basement”** means a habitable portion of a building which is partly underground on at least three sides.

**“Bed and breakfast”** means an owner occupied single detached, semi-detached or duplex dwelling where temporary accommodation is provided in six (6) or less guest rooms and meals may be supplied on a daily basis to registered guests.

**“Boarding and rooming house”** means a development consisting of a single detached, semi-detached or duplex dwelling where the owner lives and supplies lodging and sleeping accommodation, with or without meals, for

remuneration to no less than four (4) and no more than six (6) un-related persons. Only one cooking facility shall be located within a boarding and rooming house. A boarding and rooming house does not include a care residence.

**“Boundary”** means the registered property line of a site. For modular home parks, boundary refers to the imaginary dividing line between two units, creating an equal distribution of land between the affected units.

**“Building”** means a structure with roof and walls.

**“Building assembly/sales/staging”** means the principal building and any accessory grounds and buildings for the purpose of building, staging and selling modular building sections, either in whole or in part, to ultimately be transported off-site.

**“Building height”** refers to "height".

**“Building permit”** means permission or authorization in writing pursuant to the *Safety Codes Act* to commence the use, occupancy, renovation, relocation, construction or demolition of any building.

**“Building relocation/relocation of building”** means the act of relocating a building to a new location. This may involve removing a building from one site and placing it on another site, moving a building to a new location on the same site or bringing a building onto a site.\*

**“Building supply and lumber yard”** means a building in which construction and home improvement materials are offered or kept for retail sale and may include the fabrication of certain materials related to home improvement. An outdoor storage yard may be included only where outdoor storage yard is listed as a use the district. (Amended, b.400.17, 09/24/2018)

**“Bulk fuel sales and storage”** means a development for the purpose of handling petroleum products in bulk quantities, and includes dispensing equipment and

supplementary tanker vehicle storage. Card-lock pumps and retail fuel sales may be incorporated as accessory uses.

**“Bus depot”** means a facility providing for the departure and arrival of passengers and freight carried by bus.

## C

**“Caliper”** means an instrument for measuring thicknesses and internal or external diameters (i.e. trees).

**“Campground”** means a parcel developed and maintained for the temporary accommodation of travellers, tourists and vacationers, providing overnight camping experiences from tenting to serviced trailer sites, and may include accessory facilities which support the use, such as administration offices and laundry facilities. It does not include the use of modular homes or trailers on a permanent year round basis, unless approved by the City to provide accommodation to the City contracted caretaker. (Amended, b.400.02, 04/24/2017)

**“Cannabis”** means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the *Cannabis Act* (Canada) and its regulations, as amended from time to time and includes edible products that contain cannabis. (Added, b.400.16, 09/10/2018)

**“Cannabis accessory”** means cannabis accessory as defined in the *Cannabis Act* (Canada) and its regulations, as amended from time to time. (Added, b.400.16, 09/10/2018)

**“Cannabis lounges”** means development where the primary purpose of the facility is the sale of Cannabis to the public, for the consumption within a permanent premise that is authorized by provincial or federal legislation. This use does not include Cannabis Production & Distribution. (Added, b.400.16, 09/10/2018)

**“Cannabis production & distribution – major”** means development occupying more than 200m<sup>2</sup>, used for the production, cultivation and growth of Cannabis. This includes, processing of raw materials, the making, testing, manufacturing, assembly or in any way altering the chemical or physical properties of semi-finished or finished goods and products. This also includes the storage, transshipping, distribution & sales of materials, goods and products to Cannabis Retail sales stores. (Added, b.400.16, 09/10/2018)

**“Cannabis production & distribution – minor”** means development occupying up to & including 200m<sup>2</sup>, used for the production, cultivation and growth of Cannabis. This includes, processing of raw materials, the making, testing, manufacturing, assembly or in any way altering the chemical or physical properties of semi-finished or finished goods and products. This also includes the storage, transshipping, distribution & sales of materials, goods and products to Cannabis Retail sales stores. (Added, b.400.16, 09/10/2018)

**“Cannabis retail sales”** means development used for the retail sale of Cannabis that is licensed and authorized by provincial or federal legislation within a permanent building. This Use does not include Cannabis Production and Distribution or Cannabis lounges. (Added, b.400.16, 09/10/2018)

**“Care residence”** means a building, with two or more accommodation units designed to provide long term housing wherein the residents, who because of their circumstances cannot or do not wish to maintain their own households.\*

**“Carport”** means a building used to provide shelter to parked vehicles with a minimum of two of its sides unenclosed. A carport is roofed and may be either free standing or attached to a building. Where attached to a building it shall be considered as part of the building, and where

it is freestanding it shall be considered as an accessory or residential accessory building.

**“Cartage and freight terminal”** means a facility accommodating the storage and distribution of freight shipped by air, rail or highway transportation.

**“Car wash”** means a building containing facilities for a self-service car wash or washing motor vehicles by production line methods which may include a conveyor system or similar mechanical devices.

**“Cemetery”** means the development of a parcel primarily as landscaped open space for interment, and may include buildings or entombment of deceased persons.

**“Chief Administrative Officer”** means the Chief Administrative Officer of the City of Lacombe appointed by Council under Bylaw.

**“Commercial”** means the principal use of land, building(s), or structure(s) for the purpose of buying and selling commodities and supplying professional and personal services for compensation.

**“Commercial card lock”** means a petroleum dispensing outlet without full-time attendants.

**“Commercial recreation establishment”** means a building or portion thereof designed for sports and active recreation where patrons are predominantly participants and any spectators are incidental and attend on an occasional basis, and may include but is not limited to billiard halls, bowling alleys and amusement arcades.

**“Commercial residential”** see mixed use dwellings.

**“Commercial school”** means a facility that provides education or training in general education, trade, life skills, or business skills and includes, business schools, secretarial schools and personal service schools, but does not include an industrial training facility.

**“Communication tower”** means an antenna and/or supporting structure for the transmission and/or receiving of radio communication, including but not limited to radio and television transmission, two-way radio, land-mobile systems, fixed-point microwave and amateur radio systems. Communication towers are governed under a separate City Policy: Telecommunication Antenna System Siting Protocols.\*

**“Community, culture and recreation facility, major”** means any facility with a gross floor area greater than 400m<sup>2</sup> provided by the municipality or by other groups or organizations without profit or gain for such special purposes including but not limited to a community meeting room, community centre, drop-in centre, museum, art gallery, art studio, library, arena, gymnasium, swimming pool, and other recreation infrastructure but does not include education facilities or group homes.

**“Community, culture and recreation facility, minor”** means any facility with a gross floor area less than 400m<sup>2</sup> provided by the municipality or by other groups or organizations without profit or gain for such special purposes including but not limited to a community meeting room, community centre, drop-in centre, museum, art gallery, art studio, library, arena, gymnasium, swimming pool, and other recreation infrastructure but does not include education facilities or group homes.

**“Community event”** means a sporting, cultural, seasonal/special occasion market or other type of unique activity, which is considered an event as it occurs for a limited or fixed duration (e.g. one-time, annual). It is intended to attract community and surrounding residents to use, or have impact on public space (owned, leased or controlled by the City of Lacombe) or occasionally on private land. (Added, b.400.02, 04/24/2017)

**“Community market”** means the use of land, buildings or structures, or part thereof, for the principal purpose of selling products and merchandise to the general public.

**“Condominium”** means a form of property ownership in which each owner holds title to his/her individual unit, plus a fractional interest in the common areas of the multi-unit project.

**“Container class”** means a standard sizing of nursery stock applied to plants grown in containers.

**“Convenience store”** means a building used for retail or merchandise sales which serves the day-to-day living needs of neighbourhood residents and employees.

**“Cooking facility”** means three or more individual stove top elements or burners or an oven.\*

**“Council”** means the Council of the City of Lacombe.

**“Crawlspace”** means a portion of a building which is mainly underground and for which no habitable space can be developed.

**“Crematorium”** means an establishment with one or more cremation chambers used to reduce the human body to ashes by heat and where funeral services are not conducted.

**“Crime prevention through environmental design (CPTED)”** means a set of principles intended to prevent crime by changing or managing the physical environment to produce behavioural effects that will reduce the incidences and fear of crime.\*

## D

**“Dangerous goods occupancy”** means any occupancy where goods have the ability to cause damage or injury to persons, property, and/or the environment when released from containment.\*

**“Day care facility”** means a facility that provides care and supervision for seven (7) or more children for more than three (3) but less than 24 consecutive hours in each day that the facility is operating, and is intended to be operated at least twelve (12) consecutive weeks per year.

**“Deck”** means a platform or floor structure normally adjoining a building and which is greater than or equal to 0.3m in height and intended for use as an outdoor amenity space.\*

**“Demolition”** means the pulling down, tearing down or razing of a building.\*

**“Density”** means the measure of the number of dwelling units per developable area of land (net), expressed in units per hectare. For the purposes of development permit applications, density shall be calculated using the area of the property being developed using the following formula:

Density: Max. Number of Units Allowed per Hectare/ one hectare (1ha) = Units Allowed on the Site (x)/ Site Area (ha)

Example:

R4 property = 35 units per hectare as a permitted use

Property Area to be developed = 558m<sup>2</sup> (0.06 ha)

Density = 35/10 000 m<sup>2</sup> = X/558m<sup>2</sup>

Allowable units to be built as a permitted use in the R4 District = (35X558) / 10,000 = 1.95 or 2 units

All density calculations shall use standard rules of rounding to the next whole number.

**“Detached dwelling”** means a residential building containing one dwelling unit, which is physically separate from any other residential building, and does not include a modular home. Where a secondary suite is a listed use within a district, a detached dwelling may also contain a secondary

suite (if approved by the Development Authority).\* (see Section 9.4)

**“Detached garage”** means an accessory residential building or accessory building, not connected to the principal building on the parcel, intended for the storage of vehicles or property owned by the occupant of the principal building. See accessory residential buildings.\*

**“Developable Area (net)”** means the total area of lands minus any environmental reserve areas. (Added, b.400.02, 04/24/2017)

**“Development”** means

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

**“Development Authority”** means the Development Authority established under the City of Lacombe Subdivision and Development Authorities Bylaw, as amended.

**“Development envelope”** means the area of land that is approved to be built on, determined by the setbacks established in this Bylaw.

**“Development Officer”** means the Chief Administrative Officer or delegate.

**“Development permit”** means a document authorizing a development pursuant to this Bylaw and includes but is not limited to occupancy, demolition and home occupation permits.

**“Discretionary use”** means a use of land or buildings which may be compatible with other uses in the district, for which a development permit may be issued, with or without conditions, at the discretion of the Development Authority.

**“Distribution facility”** means a warehouse or other building used for receipt, temporary storage, and redistribution of goods. This definition does not include Cannabis Production & Distribution. (Amended, b.400.16, 09/10/2018)

**“District”** means land use district, or zoning, established under this Bylaw.

**“District shopping centre”** means a group of commercial establishments planned, owned, developed and managed as a unit established on the same site which serves the needs of the urban centre and surrounding municipalities; Each use within a District Shopping Centre shall require its own, separately approved development permit.

**“Drinking establishment”** means an establishment where the principal purpose is the sale of alcoholic beverages for consumption on the premises and may also include entertainment, dancing, the preparation and sale of food for consumption on the premises, take-out food services and the sale of alcoholic beverages for consumption away from the premises. A drinking establishment includes any premises in which a “Class A” liquor license has been issued and where minors are prohibited on the premises at any time, by the terms of the license as issued by Alberta Gaming and Liquor Commission, but does not include an adult entertainment establishment.\*

**“Drive through business”** means an establishment with facilities for on-site service to customers who remain in their motor vehicles. A drive-through business may include banking or dry cleaning but does not include a theatre. A drive-through component of a

business shall be deemed accessory to that business.\*

**“Drive-through restaurant”** means a building or portion thereof where food and/or beverages are sold in a form ready for consumption directly to customers who remain in their motor vehicles.

**“Driveway”** means an area that provides a vehicle access route between a public roadway and a use on a parcel.\*

**“Duplex dwelling”** means a building designed and built to contain two dwelling units, with one dwelling unit placed over the other in whole or in part, each having a separate entrance and not attached to any other residential building.\* (see Section 9.4)

**“Dwelling unit”** means habitable space used or intended to be used by one or more persons which is used or fully capable of being used as a residence, where each unit provides cooking, eating, living, sleeping and sanitary facilities and is accessed by a separate locked entrance or serviced by one (1) or more separate utility connections or accounts or both.\* (see Section 9.4)

## E - F

**“Eaveline”** means the horizontal line on a structure that marks the bottom edge of the overhang of a roof and where there is no overhang, the eaveline *should* be the horizontal line at the intersection of the roof and wall.

**“Educational facility”** means the use of land or buildings for the purpose of instruction and other public services and facilities related to the operation of provincial accredited educational facilities.

**“Electric vehicle charge sites”** means where electric vehicle batteries can be charged.\* (see 8.18.13)

**“Emergency service provision – publically provided”** means services such as fire and rescue, ambulance and police service, provided to residents by governments and/or their appointed agencies.

**“Enclosed”** means any building that is roofed with walls on all sides.

**“Environmental Reserve”** means land designated as such pursuant to the *Municipal Government Act* and may consist of:

- (a) A swamp, gully, ravine, coulee or natural drainage course,
- (b) Land that is subject to flooding or is unstable, or
- (c) Land adjacent to the bed and shore of any lake, river, stream or other body of water

Environmental reserve lands must, subject to the provisions of the *Municipal Government Act*, be left in their natural state or be used as a public park.

**“Equipment rental”** means a building or part of a building in which residential, commercial and industrial equipment is provided for rent, lease or hire and includes an outdoor storage yard only where an outdoor storage yard is listed as a use in the district. (Amended, b.400.17, 09/24/2018)

**“Existing residence and other related improvements”** means a detached dwelling or modular home and buildings accessory to the use of the dwelling unit and the parcel upon which it is located, serviced by utilities and access to the satisfaction of the Development Authority.

**“Facade”** means the exterior wall of a building.

**“Fence”** means a vertical physical barrier constructed to prevent visual intrusion, define boundaries, provide sound abatement or limit unauthorized access.

**“Financial institution”** means the provision of financial and investment services by a bank,

trust company, investment dealer, credit union, mortgage broker or related business, which may also include provision of drive-through access to an automated teller machine.

**“Fitness facility”** means the use of premises for the development, on a one-to-one basis or in group or individual sessions, of physical fitness, including but not limited to gymnasias; racquet courts; yoga, pilates and dance studios; martial arts and self defense training facilities.

**“Flood fringe”** means that portion of the Flood Hazard Area where the flows are generally shallower and move more slowly than in the floodway. The flood fringe typically includes the area between the floodway and the outer boundary of the flood hazard area.

**“Flood hazard area”** means the combination of the floodway and flood fringe zones and may also include areas of overland flow.

**“Floodway”** means that portion of the flood hazard area where flows are deepest, fastest and most destructive. The floodway typically includes the main channel of a stream and a portion of the adjacent overbank area.

**“Food production facility - major”** means a wholesale development that consists of the processing of raw materials, including live animals, into a semi-finished or finished food and/or beverage product that may be stored on site prior to the distribution of the product. Any indoor display, retail sales, office or administrative support area shall be a secondary use. A microbrewery is not a food production facility.\* This definition does not include Cannabis Production & Distribution. (Amended, b.400.16, 09/10/2018)

**“Food production facility - minor”** means a primarily retail development that consists of the processing of raw materials into a semi-finished or finished food and/or beverage product. Any indoor display, retail sales, office or

administrative support area shall be a secondary use. A microbrewery is not a food production facility.\* This definition does not include Cannabis Production & Distribution. (Amended, b.400.16, 09/10/2018)

**“Foundation”** means a system or arrangement of foundation units through which the loads from a building or structure are transferred to supporting soil or rock.

**“Foundation unit”** means one of the structural members of the foundation of a building or structure such as a footing, grade beams, slab or pile.

**“Frontage”** means the linear length of the Front Parcel Boundary measured at the Front Yard Setback. (Added, b.400.02, 04/24/2017)

**“Front parcel boundary”** means in the case of an interior parcel, the boundary which abuts a street and in the case of a corner parcel or a parcel which abuts more than one street, means the shorter of the two boundaries which abut a street [see sketch under definition for “yard”], unless otherwise approved per Section 4.8.3.

**“Front yard”** means a yard extending across the full width of a parcel situated between the front boundary of the parcel and the front wall(s) of the principal building situated on the parcel [see sketch under definition for “yard”]. Where there is no discernible front yard, see clause 8.24.3.

**“Funeral home”** means a business establishment where the bodies of the dead are prepared for burial or cremation, and where funeral services may be held. A crematorium is a separate use.

## G - H

**“Garage”** means a type of residential accessory building or accessory building into which a vehicle(s) enter(s).

**“Garden suite”** means a separate, subordinate and self-contained dwelling unit with a cooking facility, located on a residential parcel within an

accessory residential building. This includes a tiny/cottage house.\*

**“Gas bar”** means one or more pump islands, each consisting of one or more gasoline pumps and shelter having a floor area of not more than 10m<sup>2</sup>, excluding washrooms, which shall not be used for repairs or oil changes.

**“Gas station”** means a development used primarily for the sale of gasoline and other petroleum products, and may include the sale of a limited range of convenience goods. The development may also include a car wash to which the regulations pertaining to car wash also apply.

**“Geothermal energy infrastructure”** means structures and accessories designed to produce energy from the earth's internal heat.\*

**“Golf course”** means a large open area of land laid out for the playing of golf, and may include accessory golf related retail sales, commercial schools, restaurants and meeting spaces.

**“Government use”** - means a facility owned or operated by federal, provincial or municipal government or an agency, commission, board or other entity established by statute or bylaw, including facilities for the provision of protective services. Government use does not include public maintenance buildings, structures and yards.

**“Grade, building”** means the average level of finished ground adjoining the main front wall of a building (not including an attached garage).

**“Green roof”** means an extension of an above grade roof built on top of a man-made structure which is designed, constructed and maintained to allow vegetation to grow.\*

**“Greenhouses, commercial”** means a building used primarily for the growing of flowers, plants, shrubs, trees, vegetables, and similar vegetation for wholesale and retail sale. It may also include sales of associated gardening merchandise and

landscaping materials. This does not include a medicinal marijuana facility, Cannabis Production & Distribution or Cannabis Retail Sales. (Amended, b.400.16, 09/10/2018)

**“Hangar”** means a structure designed to store aircrafts and associated equipment or supplies required for the operation and maintenance of them.

**“Hard landscaping”** means the use of non-vegetative material, other than monolithic concrete or asphalt as part of a landscaped area and may include materials such as brick, gravel, rock or stone, concrete, timber, bitumen, glass, metals, etc.\*

**“Hard surfacing”** means asphalt, concrete, interlocking brick/paving stones or similar material satisfactory to the Development Authority that is used in the construction of a driveway, parking facilities, pedestrian walkways and trails but does not include gravel or granular materials.\*

**“Heavy equipment sales and service”** means the assembly, sales, rental and service of any heavy vehicle or equipment used in commercial, industrial, or agricultural activities.

**“Height”** means, unless otherwise stated in this bylaw, for all buildings: the vertical distance measured from the front grade at the building face to the highest point of the building. In all cases, unless otherwise determined by the Development Authority, architectural features such as chimneys, steeples, cupolas, mechanical penthouses, and ventilation equipment should not be included in the calculation of height.

**“Highway”** means lands used or surveyed for use as a public highway, and includes all other definitions for highway in accordance with the *Public Highways Development and Protection Act, 2004*.

**“Historic building”** means any principal building that is 50 years or older.

**“Historic mixed use dwelling”** means the adaptive reuse of a residential Historic Building providing for a commercial component for conducting business, while maintaining a portion of the building for residential purposes. Historic mixed use dwellings may be permitted only within the following areas (see Section 14.4)

- (a) Section 14.4.10 Historic Residential District
- (b) Section 14.4.12 Mixed Use Transition District
- (c) Section 14.4.13 Old Town Main Street District: Mixed Use District
- (d) Section 14.4.14 Old Town Main Street District: Residential District.\*

**“Home occupation 1”** means the secondary use of a principal dwelling unit by a permanent resident(s) of the dwelling to conduct a business activity or occupation. No clients shall access the business at its location and additional traffic generation should not be detectable to the neighbourhood.\* This does not include Cannabis Retail Sales or Cannabis Production & Distribution. (Amended, b.400.16, 09/10/2018)

**“Home occupation 2”** means the secondary use of a principal dwelling unit, the use of an accessory building located on the same parcel as the principal dwelling unit, or a combination thereof, by a permanent resident(s) of the dwelling unit, to conduct a business activity or occupation. A limited number of clients may access the site.\* This does not include Cannabis Retail Sales or Cannabis Production & Distribution. (Amended, b.400.16, 09/10/2018)

**“Hospital”** means an institution, building, or other premises, which may include but is not limited to a care residence, established for the maintenance, observation, medical care and supervision and skilled nursing care of persons afflicted with or suffering from sickness, disease or injury or for the convalescent or chronically ill persons.

**“Hotel”** means a building which contains transient lodging accommodation units for a

daily fee to the general public, where each room has access from a common interior corridor, and may provide additional services such as, but not limited to restaurants, lounges, meeting rooms and recreational facilities.

**“Hotel, boutique”** means a type of hotel, typically with less than 15 accommodation units, and may or may not offer other services typically provided by a hotel.

## I – L

**“Industrial support services”** means development or use of buildings where the principal use provides support services to industry, where offices and administrative functions are secondary to the use. The use includes but is limited to the following: building security, cleaning or maintenance services, engineering, land surveyor, laboratories, oilfield services, project design, management services, construction trade or construction contractor, and for the purposes of accessory sale and distribution of commercial industrial products to the general industrial uses. This use does not include commercial office spaces.

**“Industrial training facility”** means a development that provides for technical instruction to students and/or the training of personnel in industrial businesses.

**“Infill development”** means the development or re-development of vacant, under-used or deteriorating parcels within existing urban areas. This may include the demolition of existing structures to be replaced with new development. Infill development may or may not include a change in the use or intensity of the use on a parcel.\*

**“Intermunicipal Development Plan”** means a plan adopted by City Council and the Council of Lacombe County and/or any other municipal council as an Intermunicipal Development Plan pursuant to the *Municipal Government Act*.

**“Kennel”** means a business where four or more dogs over the age of six (6) months and/or four or more cats over the age of three (3) months are kept, maintained, boarded, bred, trained, or cared for in return for remuneration or for the purpose of sale.

**“Landfill”** means landfill as defined in the Waste Control Regulation (AR 192/96): as amended.

**“Landing”** means a platform extending horizontally from a building solely used to access or egress an entry door which provides direct access to grade or stairs.

**“Landscaped area”** means an area of both hard and/or soft landscaping, where land is made attractive and desirable by the use of any or all of the following: grass, trees, shrubs, groundcover (limited to decorative rock, bark or mulch), ornamental plantings, pedestrian paths providing additional site connections (as determined by the Development Authority), fences, walls and associated earthworks; however, it shall not include areas occupied by garbage containers, storage, sidewalks providing access from parking facilities or driveways, parking facilities or driveways.\* (Amended, b.400.02, 04/24/2017)

**“Land Use Bylaw”** means this Land Use Bylaw and amendments thereto.

**“Land use district”** means the Districts or zoning created by this bylaw and described in Parts 9 - 14 and the area of land as shown in Part 15 of this Land Use Bylaw.

**“Land use policies”** mean policies established by the Lieutenant Governor in Council of Alberta pursuant to the *Municipal Government Act*.

**“Lane”** means a public thoroughfare which provides a secondary means of vehicular access to a parcel or parcels and which is registered at a land titles office.

**“Liquor store”** means a building or part of a building for the retail sale of alcohol, including

wine and cold beer, to the public for consumption off the premises, and may include the retail sale of related products such as soft drinks and snack foods.

**“Livestock auction market”** means a facility where agricultural related items, including cattle, are bought and sold by public auction.

**“Loading space”** means an off street space on the same lot in all non residential development, apartment and/or multiple housing development, reserved for the purpose of providing free access for vehicles to a loading door, platform, or bay.\*

## M

**“Manufacturing facility, general”** means development for the manufacturing, fabricating, processing, production, assembly or packaging of materials, goods or products and their distribution, which does not generate any detrimental impact, potential health or safety hazard or nuisance factor. This definition does not include Cannabis Production & Distribution. (Amended, b.400.16, 09/10/2018)

**“Manufacturing facility, intensive”** means development for the manufacturing, fabricating, processing, production, assembly and packaging of materials, goods or products and their distribution, which may generate a detrimental impact, potential health or safety hazard or nuisance beyond the boundaries of the parcel and includes supplementary warehouse and staging facilities. This definition does not include Cannabis Production & Distribution. (Amended, b.400.16, 09/10/2018)

**“Manufactured home”** means a residential building containing one dwelling unit built or constructed in a certified off-site manufacturing facility in accordance with the Canadian Standards Association (CSA), designed to be transported to a suitable site on either its own wheels and chassis or other means, to be placed on a foundation suitable for long term

occupancy; manufactured homes do not include modular homes.

**“Massing (building)”** means the general size and shape of a building and its spatial relationship to the street and adjacent buildings.

**“Master development permit”** means an overarching and comprehensive development permit which guides development on a parcel, typically associated with a phased or multiple housing development. The permit will identify building placement, traffic circulation and parking, signage, landscaping and any other site features deemed appropriate by the Development Authority.

**“Mechanized excavation, stripping and grading”** means the use of motorized equipment to remove, relocate or stockpile soil or vegetation in excess of normal landscape maintenance requirements.\*

**“Medical and health services clinic”** means a building where a professional health practitioner(s), including but not limited to doctors, dentists, optometrists, acupuncturists, naturopaths, chiropractors, physiotherapists and counselors, excluding veterinarians, provide diagnosis and treatment to the general public without overnight accommodations. Medical and health offices include such uses as x-ray and other diagnostic services as well as minor operating rooms and uses accessory to the provision of medical and health services

**“Medical marijuana facility”** (Deleted, b.400.23, 07/8/2019)

**“Microbrewery – major”** means a facility, licensed by the Alberta Gaming and Liquor Commission (AGLC), where beverages of low alcoholic content are produced and packaged, with a capacity of not more than 25,000 hectolitres annually. The facility may include the distribution, retail or wholesale on or off the premises, tasting rooms where guests may

sample alcoholic beverages without charge, drinking establishments, and restaurants.\*

**“Microbrewery – minor”** means a facility, licensed by the Alberta Gaming and Liquor Commission (AGLC), where beverages of low alcoholic content are produced and packaged, with a capacity of not more than 5,000 hectolitres annually. The facility may include the distribution, retail or wholesale on or off the premises, tasting rooms where guests may sample alcoholic beverages without charge, drinking establishments, and restaurants.\*

**“Minimum parcel width”** means the width of a parcel at the front lot line; for pie shaped lots, parcel width shall be measured from the minimum front yard setback distance and for irregularly shaped lots, parcel width may be measured from the widest point of the lot (to the discretion of the Development Authority).

**“Mixed use dwelling”** means a building that includes ground floor commercial space and one or more dwelling units within the same building.

**“Mobile/portable vending unit”** means any mobile/portable unit/stand that is designed to be portable and not permanently attached to the ground and that is intended to be temporary from which merchandise is peddled, vended, sold for sale or given away. (Added, b.400.16, 09/10/2018)

**“Modular home”** means a method of constructing a single family dwelling in one or more sections in a certified off site manufacturing facility. The section(s) are transported to a site for installation. Modular homes meet the Canadian Standards Association (CSA). Modular homes may be designed to be located on a permanent or temporary foundation.\*

**“Modular home park”** means a parcel comprehensively designed, developed, operated and maintained to provide sites and facilities for

the placement and occupancy of modular homes on a long-term basis.\*

**“Modular home sales”** means a facility providing for the sale, lease, rental and/or service of modular homes.\*

**“Motel”** means a building or a group of buildings which contains transient lodging accommodation units for a fee to the general public, whereby each unit has a separate exterior entrance and convenient access to on-site parking. Motels may include additional services such as, but not limited to restaurants, meeting rooms and recreational facilities.

**“Multi-attached housing”** means a residential building containing three or more dwelling units separated by common walls and located either on a single lot or where each unit is on its own individual lot with each dwelling unit having a separate, direct entrance from the exterior. This definition applies to forms of housing that include, but is not limited to, townhouses, row houses, stacked rowhouses, triplexes and fourplexes.\* (see Section 9.4)

**“Multiple housing development”** means two or more buildings containing one or more dwelling units located on a parcel, where all the buildings, structures, recreation areas, vehicular areas, landscaping and all other features have been planned as an integrated development.\* (see Section 9.4)

**“Multi-tenant lease bay”** means a building which has been developed with more than one bay, with the intent that each bay can be a different use. Parking and landscaping uses are typically shared.

**“Municipal Development Plan”** means a statutory plan adopted by Council as a municipal development plan pursuant to the *Municipal Government Act*.

**“Municipal Government Act”** means the *Municipal Government Act, R.S.A. 2000, c. M-26*,

as amended; and sometimes referenced as MGA in this document.

**“Municipal historic resource”** means a resource that has been designated at the municipal level through bylaw in accordance with the *Historical Resources Act, RSA 2000, c. H-9*; as amended.

**“Municipal Planning Commission”** means the formal body created to administer parts of this Bylaw, whose duties and functions are outlined here within.

**“Municipal Reserve”** means land designated as such pursuant to the *Municipal Government Act, R.S.A. 2000, c. M-26*.

**“Municipality”** means the City of Lacombe.

**“Municipally designated land”** means lands owned by the municipality and designated as municipal reserve, school reserve, municipal and school reserve, environmental reserve or public utility lot.

## N

**“Non-conforming building”** means a building or structure as described in the *Municipal Government Act*:

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

**“Non-conforming use”** means a lawful specific use as described in the *Municipal Government Act* as:

- (a) Being made of land or a building or intended to be made of a building lawfully under construction, at the date a land use bylaw affecting the land or building becomes effective, and

- (b) That on the date the land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with this land use bylaw.

## O – P

**“Occupancy or occupancy permit”** means a specific type of development permit that refers to a change of use, or intensification of use or change of tenancy that has lapsed (to the discretion of the Development Authority) within an existing commercial or industrial building and may be approved by the Development Authority.\*

**“Office”** means a facility established primarily for the purpose of providing professional, management, administrative, consulting, or financial services.\*

**“Outdoor display area”** means an outdoor area accessory to a principal use, the purpose of which is to display goods, products, materials or equipment intended and approved to be sold or rented on a site. Outdoor display areas are accessible by the public without access restrictions to view products.\*

**“Outdoor storage yard”** means an accessory use of land that is used for the outdoor storage of products, goods or equipment associated with a principal use, where public access to the yard is wholly or partially restricted in some form.\*

**“Outline Plan”** means a non-statutory plan outlining development principles, patterns and land uses for an area. These plans typically specify land use districts, density levels, road types and infrastructure needs for the development.

**“Owner”** means the person who is registered under the *Land Titles Act, RSA 2000, c. L-4*, as amended, as the owner of the fee simple estate in the land, or in respect of any property other than land, the person in lawful possession of it.

**“Parcel”** means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office. Where a building/structure has been erected on two or more lots or shown on a plan of subdivision that has been registered in a land titles office, parcel shall include all those lots.

**“Parcel coverage”** refers to the area on a parcel covered by principal and accessory buildings as well as any attached structures consisting of balconies, decks, landings, verandas and carports, but does not include cantilevers, surface parking facilities, patios, fences or steps.

**“Parking facility”** means a building or an area providing for the parking of motor vehicles.

**“Parks and playgrounds”** means areas of public land known for their natural scenery and/or preservation for public recreation either active or passive.

**“Party wall”** means a wall owned and jointly used by two (2) or more parties under legal agreement or by right in law, and erected at or upon a line separating two (2) or more developments each of which is, or capable, of being, a separate real-estate entity.

**“Patio”** means an at grade hard surfaced area, with a surface height less than 0.3m that is intended for use as an outdoor amenity space.

**“Permitted use”** means a use of land, structure or building which is compatible with other uses in the district, for which a development permit shall be issued, with or without conditions, if the application otherwise conforms with this Land Use Bylaw.

**“Personal services”** means the provision of a service to individuals on a commercial or home occupation basis and includes, but is not limited to, such services as photographers, travel agencies and beauty salons.

**“Place of worship”** means any public or private building or structure used for the collection or assembly of persons for worship, and related accessory and subordinate uses that may include religious study, community outreach, support groups, social programs and non-profit uses. This does not include day care facilities, educational facilities or most commercial ventures, but may include minor personal service businesses that are offered for a profit, e.g. music lessons, singing lessons, drama club, etc., at the discretion of the Development Authority.

**“Principal building”** means a building which accommodates a principal use. The principal building should generally be the largest building on site.

**“Principal use”** means the primary purpose for which a parcel, building, site or dwelling unit is used or intended to be used.

**“Prohibited use”** means a use of land or building which shall not be allowed within the district.

**“Projection”** means a portion or part of a building or structure that extends horizontally above and beyond the foundation of the building or structure including, but not limited to, decks, landings, verandas, unenclosed steps, cantilevered windows, cantilevered living space, fireplace chases, or eaves.\*

**“Public maintenance buildings, structures and yards”** means a facility used by a municipality, school division or other government department for the storage of materials used in fulfilling its various functions and the storage and repair of its equipment.

**“Public space”** means a place which is open to the public or to which access to the public is provided.

**“Public utility”** means a system or works used to provide one or more of the following for public consumption, benefit, convenience or use:

- (a) water or stream;
- (b) sewage disposal;
- (c) public transportation operated by or on behalf of the municipality;
- (d) irrigation;
- (e) drainage;
- (f) fuel;
- (g) electric power;
- (h) heat;
- (i) waste management;
- (j) telecommunications;

and includes the service, product or commodity that is provided for public consumption, benefit, convenience or use.

**“Public utility lot”** means land designated as such pursuant to the *Municipal Government Act* and intended to contain infrastructure and operation in support of the provision of public utility services.

**“Public utility building”** means a building or structure in which the proprietor of a public utility maintains or houses equipment used in connection with the public utility; or for the service or commodity supplied by any of those systems; and where an office may be provided as an accessory use.

## Q - R

**“Railway uses”** means a use of land or a building directly related to the building or operation of a railroad system.

**“Rear yard”** means a yard extending across the full width of a parcel situated between the rear boundary of the parcel and the rear wall(s) of the principal building situated on the parcel [see sketch under definition for “yard”].

**“Recreation equipment storage”** means a storage yard or compound for the seasonal storage of recreational equipment, recreational vehicles, watercraft, trailers and all-terrain vehicles.

**“Recreation vehicle sales and service”** means a facility providing for the sale, rental, lease or service of recreation motor homes, travel trailers and similar portable units designed for travel.

**“Recycle depot”** means a development for collecting, sorting, and temporarily storing recyclable materials such as bottles, cans, paper, boxes and small household goods, but does not include a salvage recycling operation.

**“Re-district”** means to change the land use district applied to a parcel.

**“Renovation”** means the improvement, maintenance, or alteration of any building or structure.

**“Repair facility – (with or without outdoor storage yard)** means a development where broken, damaged, or failed devices, equipment, parts, or goods are restored to an acceptable operating or usable condition or state. This does not include a service station or autobody and paint shop. Repair facility includes an outdoor storage yard only where an outdoor storage yard is listed with the use in the district.

**“Residential”** means the use of land, buildings or structures primarily for human habitation.

**“Restaurant”** means an establishment for the preparation or sale of food for consumption on the premises and may include takeout food service and entertainment, excluding adult entertainment, as accessory uses. A restaurant may include premises for which a “Class A” liquor licence has been issued and minors are not prohibited by the terms of the licence. Drinking establishments, cannabis lounges and drive-through restaurants are separate uses.

(Amended, b.400.16, 09/10/2018)

**“Retail sales”** means a development for the rental or retail sale of groceries, beverages, household goods, furniture and appliances, hardware, clothes, printed matter,

confectionery, tobacco, pharmaceutical and personal care items, automotive parts and accessories, office equipment, stationery and similar goods within a building or structure and may include supplementary services such as postal service, film processing and the repair of anything sold or rented by the retail store. An outdoor storage yard may be included only where outdoor storage yard is listed as a use in the district. This definition does not include Cannabis Retail Sales. (Amended, b.400.16, 09/10/2018) (Amended, b.400.17, 09/24/2018)

**“Road”** means land:

- (a) Shown as a road on a plan of survey that has been filed or registered in a Land Titles Office, or
- (b) Used as a public road and includes a bridge forming part of a public road and any structure incidental to a public road, but does not include a highway.

## S

**“Salvage recycling operation”** means land and structures that are used for the storage and dismantling of old or derelict vehicles and scrap material for the purpose of recycling their components.\*

**“Screen”** means a fence, berm, hedge, sculpture, wall or structure used to separate or shield from view areas or functions which detract from the appearance of the street scene and/or the view from the surrounding areas.\*

**“Secondary suite”** means a separate, subordinate and self-contained dwelling unit with a cooking facility, located within a principal dwelling. A suite shall contain a separate entrance from the principal dwelling.\*

**“Self-service storage”** means one or more buildings, storage rooms, or lockers provided on site for the purpose of renting space for the indoor storage of goods.

**“Semi-detached dwelling”** means a dwelling unit joined side-by-side to another dwelling unit sharing one common fire-rated wall, with each dwelling unit having at least one separate entrance.\*

**“Service station”** means a development primarily used for servicing or repairing motor vehicles, and may include the sale of fuels and lubricating oils and other fluids and accessories for motor vehicles, but does not include an auto-body or painting shop, car sales lot or a vehicle washing establishment.

**“Sea can”** see shipping container.

**“Set back”** means the minimum distance a building or structure can be located from a property boundary, public roadway, natural environmental feature or any other feature, as outlined in this Bylaw.\*

**“Shipping container”** (Sea Can) means a steel storage container designed to be used for sea, rail or intermodal shipping and which is used strictly for the storage of materials associated with the principal use of the parcel. Shipping containers are not temporary buildings. Shipping containers shall not be used for the storage of dangerous goods. Where a shipping container is proposed to be a building or structure not intended for storage, the regulations for the applicable intended land use district will apply. A shipping container is not a rail box car.\* (Amended, b.400.02, 04/24/2017)

**“Side yard”** means a yard extending from the front yard to the rear yard between the side boundary of the parcel to the wall of principal building thereon [see sketch under definition for “yard”].

**“Sight triangle”** means an area at the intersection of roads, other than lanes, or roads and railways in which all structures, fences or other means of enclosure, vegetation and finished ground elevations shall be no more than 1m in height above the average elevation of the

carriageways, in order that vehicle operators may see approaching vehicles and pedestrians in time to avoid collision.

**“Sign”** means any word, letter, model, placard, board, notice, device or representation, whether illuminated or not, and its supporting structure, in the nature of and employed wholly or in part for the purposes of advertisement, announcement or direction. Vehicles placed on a parcel strictly for the purpose of advertising are prohibited. Specific sign types are defined in Part 7.\*

**“Soft landscaping”** means the use of vegetative material as part of a landscaped area and may include grass, trees, shrubs, ornamental plantings and associated earthworks.\*

**“Solar energy infrastructure”** means infrastructure designed to convert solar radiation into electrical or thermal energy. Where structures are required to support the infrastructure, the structures may require a permit.\*

**“Staff residence”** means dwelling units which are an accessory use to the operation of an educational facility and are used to accommodate staff employed by the institution.

**“Statutory plan”** means a Municipal Development Plan, Intermunicipal Development Plan, Area Structure Plan or Area Redevelopment Plan adopted by a bylaw of the municipality, or any one or more of them.

**“Steeple”** means a tall tower on a building, topped by a spire and often incorporates a belfry and other components.

**“Street”** means that portion of a public roadway which provides for vehicular traffic, which is registered in a land titles office for that use, and does not include a lane or walkway.

**“Structure”** means anything constructed or erected, the use of which requires location on the ground or attachment to something located

on the ground, but does not include pavements, curbs, walks or open air surfaced areas.

**“Structural alterations”** means altering the principal building components in a manner which affects structural integrity.

**“Student dormitories”** means a building containing one or more accommodation units for students enrolled at an educational facility, which may contain shared kitchen facilities.

**“Subdivision”** means the creation or separation of newly titled parcels of land from an existing parcel of land.

**“Subdivision and Development Appeal Board”** means the board established by Council pursuant to the City’s Subdivision and Development Authorities Bylaw, as amended.

**“Subdivision and Development Regulation”** means the Subdivision and Development Regulation (AR 43/2002), as updated, amended or replaced.

**“Suite”** means a subordinate dwelling unit located on the same parcel as a principal dwelling unit. A suite is either a garden suite or a secondary suite.

## T

**“Tandem parking”** means two parking spaces, one behind the other, with one point of access to the manoeuvring aisle.

**“Temporary accommodation”** means the provision of sleeping facilities which are meant to provide limited duration of stay and not become permanent.

**“Temporary building”** means a building without a permanent foundation or footing and which is removed when the development permit for such building has expired. A temporary building may include soft-sided or fabric covered structures, where listed as a use in the District.\*

**“Terminal building”** means a building or part of a building used as part of the operation of an airport to receive and direct aircraft for the safe and efficient transportation of goods and persons.

**“Theatre and entertainment services”** means a building or part of a building used for the commercial showing of films on indoor screens, the presentation of live entertainment, such as a live theatre, musical concerts and dance performances, but does not include an adult entertainment establishment.

**“Tiny/cottage house”** means a type of dwelling unit, typically less than 50m<sup>2</sup> which meets Alberta Building Code requirements. Tiny/cottage houses shall be connected to city services.

**“Traffic Impact Assessment”** means a study which assesses the vehicular and/or pedestrian traffic and safety implications related to a specific development. (Added, b.400.02, 04/24/2017)

**“Tree leader”** means the vertical stem at the top of a tree trunk.

**“Trucking establishment”** means the use of land, buildings or structures for the purpose of storing, servicing, repairing or loading trucks, transport trailers and/or buses.

**“Trailer”** means the use of a semi trailer for the purpose of storage on a parcel, where the trailer is not licensed and readily able to be moved. A trailer is a prohibited use within the City.

## U

**“Use”** means a building or an area of land and the function and activities therein or thereon.

## V - Z

**“Variance”** means relaxation of regulations stated in this bylaw that may be provided as part of a development permit approval to accommodate a development. A variance is

expressed as a percentage and shall be calculated as follows for the purposes of this bylaw:

$$\text{Variance (\%)} = \frac{[(\text{Required regulation} - \text{proposed regulation}) / (\text{Required regulation})] \times 100}{}$$

Example:

Required setback: 7.5m

Proposed setback: 4.7m

$$\text{Variance} = \frac{[(7.5 - 4.7) / (7.5)] \times 100}{}$$

Variance = 37.3% or 38%

All variances shall be rounded up to the next whole number.

**“Verandah”** means a deck with a roof along the outside of a building which is sometimes partially enclosed. A verandah may also be referred to as a covered deck.

**“Veterinary clinic”** means a facility for the medical care and treatment of animals, and includes provision for their overnight accommodation but does not include kennels, outdoor pens, runs or enclosures.

**“Veterinary hospital”** means a facility for the medical care and treatment of animals and includes provision for their accommodation and confinement in outdoor pens, runs and enclosures.

**“View Corridor”** means the line of sight (identified as to height, width, and distance) of an observer looking toward an object of significance to the community (e.g. ridgeline, river, historic building, etc.). (Added, b.400.02, 04/24/2017)

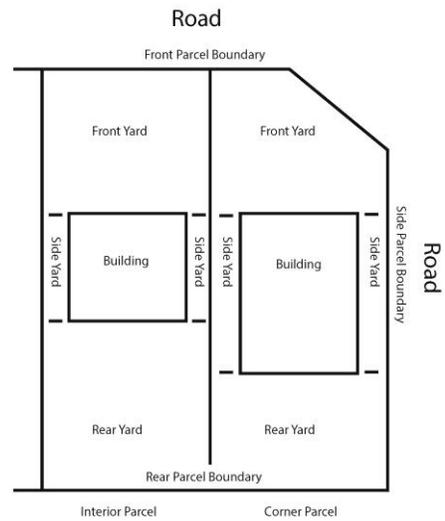
**“Walkway”** means an area provided for on-site pedestrian passage.

**“Wastewater treatment plant”** means a wastewater collection system as defined in the Wastewater and Storm Drainage Regulations (AR 119/93); as amended.

**“Warehousing”** means a facility for the indoor storage of goods and merchandise, excluding dangerous or hazardous materials, derelict vehicles thereof, or any waste material, and may include offices related to the administration of the warehouse facility, a showroom and/or the retail sale of goods stored in the warehouse as accessory uses. This does not include self service storage or Cannabis Production & Distribution. (Amended, b.400.16, 09/10/2018)

**“Wind turbine generator”** means a structure designed to convert wind energy into mechanical or electrical energy.\*

**“Yard”** means an open space located on the same site as a building and which is unoccupied and unobstructed from the ground upward. A yard typically is divided into front, side and rear yards. See sketch below.



**“Zoning”** means land use zoning, or district, established under this Bylaw.

## Part - 3 THE DEVELOPMENT AUTHORITY

### 3.1 Development and Subdivision Authority

- 3.1.1 The Development Authority is established in accordance with Section 624 of *the Municipal Government Act* and the City's Subdivision and Development Authorities Bylaw, as amended.
- 3.1.2 The Subdivision Authority is established in accordance with Section 623 of the *Municipal Government Act* and the City's Subdivision and Development Authorities Bylaw, as amended.

### 3.2 The Development Officer

- 3.2.1 The Development Officer shall be considered a Development Authority of the City of Lacombe pursuant to the Subdivision and Development Authorities Bylaw, as amended upon designation by the Chief Administrative Officer.
- 3.2.2 The Development Officer shall perform such duties that are specified in this Land Use Bylaw, including but not limited to:
- keeping and maintaining for inspection of the public, during all reasonable hours, a copy of this Land Use Bylaw and all amendments;
  - keeping a register of all applications for development, including the decisions and the reasons;
  - receiving, ensuring the completeness of, and processing all applications for development permits and applications to amend this Land Use Bylaw;
  - issuing decisions and stating terms and conditions for permitted and discretionary use development permit applications, taking into consideration the provisions of this bylaw and any additional Overlay District provisions as specified in Part 14;
  - referring any application to an adjacent municipality or any other agency or person which in their opinion may provide relevant comments or advice respecting the application;
  - referring for decision all development permit applications listed under clause 3.3.3 to the Municipal Planning Commission;
  - referring for decision all development permit applications within a Direct Control District to Council, unless otherwise noted in the applicable district; (Amended, b.400.02, 04/24/2017)
  - issuing orders, where appointed, with regard to contravention of the *Municipal Government Act*, and enforcing regulations, bylaws, or permit conditions;
  - signing and issuing all valid development permits, Certificates of Compliance, Notice of Decisions, and Notices;
  - collecting fees as prescribed by resolution of Council
- 3.2.3 The Development Officer shall be authorized to consider and decide upon:
- development applications for permitted use developments requiring a variance of less than or equal to ~~10%~~ 15%;
  - occupancy permits for permitted and discretionary uses within an established building in a commercial, industrial, public or other District which conform to the requirements of the Land Use Bylaw, the *Municipal Government Act* and the Subdivision and Development Regulation and statutory plans;
  - development permit applications for Class 2 signs requiring a variance of less than or equal to ~~10%~~ 15%; and;
  - development permit applications which require variances as outlined in Section 4.8;
  - development applications (permitted and discretionary) for development permits within the Flood Hazard Area Regulations Overlay (Section 14.6). For permits requiring a variance greater than ~~10%~~ 15% (other than Development Officer Variances outlined in sections 4.8.1 - 4.8.6), the use is to be considered by the Development Officer, while the variance is to be considered by the Municipal Planning Commission-; (Added, b.400.02, 04/24/2017)

- f) development permit applications, including variances over 15%, discretionary uses, etc., where the application has been referred to adjacent landowners, and where no concerns or objections have been received. The Development Officer may choose to refer any of these applications to the Municipal Planning Commission for consideration.

3.2.4 The Development Officer may refer any application to the Municipal Planning Commission (see Section 3.3).

### 3.3 The Municipal Planning Commission

3.3.1 The Municipal Planning Commission is authorized to act as the Development Authority in those matters prescribed in this Bylaw and the City's Subdivision and Development Authorities Bylaw, as amended.

3.3.2 The Municipal Planning Commission:

- a) shall perform its functions and duties in accordance with this Land Use Bylaw and the City's Subdivision and Development Authorities Bylaw, as amended;
- b) shall consider and if necessary state terms and conditions on any planning or development matter referred by the Development Officer or Administration;
- c) may direct the Development Officer or Administration to review, research, or make recommendations on any other planning and development matter; and
- d) make recommendations to Council on planning and development matters.

3.3.3 Unless otherwise stated in Section 4.8 and Section 3.2.3, the Municipal Planning Commission shall be authorized to consider and decide upon:

- a) development applications requiring a variance of greater than ~~10%~~ 15%;
- b) development applications for discretionary uses within all districts excepting the applications provided for under 3.2.3 and Section 3.4;
- c) development applications for Class 3 signs and for Class 2 signs requiring ~~of a variance~~ greater than ~~10%~~ 15%;
- d) development applications subject to the provisions of the Historic District Area Overlay (Section 14.5), the Place of Worship Overlay (Section 14.7), and variances greater than ~~10%~~ 15% in the Flood Hazard Area Regulations District Overlay (Amended, b.400.02, 04/24/2017)
- e) any other application which the Development Officer, under Section 3.2.4, refers to the Commission; and
- f) subdivision applications that are not located within the boundary of an Area Structure Plan or an Area Redevelopment Plan.

### 3.4 City Council

3.4.1 Subject to Section 641 of the *Municipal Government Act* Council shall decide on development permit applications in a direct control district.

### 3.5 Subdivision and Development Appeal Board

3.5.1 The Subdivision and Development Appeal Board shall be as established and appointed pursuant to the Subdivision and Development Authorities Bylaw, as amended.

3.5.2 The Subdivision and Development Appeal Board shall hold hearings and undertake such actions as are necessary to fulfill the powers and duties as set out in the Subdivision and Development Authorities Bylaw, as amended, and Part 4 of this Land Use Bylaw.

#### 4.1 Purpose and Requirement for Development Permits

- 4.1.1 Development permits are required to ensure that all development in the City of Lacombe is undertaken in an orderly manner in accordance with the Land Use Bylaw and the *Municipal Government Act*. Except as outlined in Section 4.3 and clause 4.10.2, no development shall commence within the City of Lacombe unless a development permit has first been issued pursuant to this Bylaw.
- 4.1.2 Applications for all development permits shall be made to the Development Authority.

#### 4.2 Development Permits

- 4.2.1 Development permits shall be issued in accordance with the requirements of this Bylaw, except as outlined in clause 4.5.6. (Amended, b.400.23, 07/8/2019)
- 4.2.2 The Development Authority for each development permit application shall be in accordance with Part 3.
- 4.2.3 Within 20 days of the receipt of a development permit application, the Development Authority must determine whether the application is complete. (Added, b.400.18, 11/26/2018)
  - a) An application is complete if, in the opinion of the development authority, the application contains the documents and other information necessary to review the application.
  - b) The time referred to in clause 4.2.3 may be extended by a written agreement between the applicant and the development authority.
  - c) If the Development Authority does not make a determination of completeness within the time referred to in clauses 4.2.3 and 2.2.3(b), the application is deemed to be complete.
  - d) If the Development Authority determines that the application is complete, the Development Authority must inform the applicant that the application is complete. This is to be prepared in the form and manner provided for in the land use bylaw.
  - e) If the Development Authority determines that the application is incomplete, the Development Authority must inform the applicant that the application is incomplete and that any outstanding documents and information referred to in the notice must be submitted by a date set out in the notice or a later date agreed on between the applicant and the development authority in order for the application to be considered complete. This notice is to be prepared in the form and manner provided for in the land use bylaw.
  - f) If the Development Authority determines that the information and documents submitted under subsection 4.2.3(e) are complete, the Development Authority must inform the applicant that the application is complete. This is to be prepared in the form and manner provided for in the land use bylaw.
  - g) If the applicant fails to submit all the outstanding information and documents on or before the date referred to in clause 4.2.3(e), the application is deemed to be refused, and the Development Authority must inform the applicant that the application is refused and provide a reason for the refusal. This is to be prepared in the form and manner provided for in the land use bylaw.
  - h) Despite that the Development Authority has issued an acknowledgment under clauses 4.2.3(d) or 4.2.3(f), in the course of reviewing the application, the Development Authority may request additional information or documentation from the applicant that the Development Authority considers necessary to review the application.
  - i) If the Development Authority refuses the application for a development permit, the Development Authority must inform the applicant that the application is refused and provide a reason for the refusal. This is to be prepared in the form and manner provided for in the land use bylaw.

## 4.3 Development Not Requiring a Development Permit

- 4.3.1 A development permit is not required for the following developments provided the proposed development complies with all the applicable regulations of this bylaw. This does not preclude the need for any other applicable permits (e.g. building, electrical, etc). Where a development does not meet the requirements of this Bylaw, the development shall be processed as an application for a discretionary use within the District in which the development is located.
- a) The carrying out of works of improvement, maintenance or renovation to any building provided that such works do not include structural alterations or additions unless an exterior renovation as described in clause 14.4.1;
  - b) The completion of any development which has lawfully commenced before the passage of this Land Use Bylaw and any amendments thereof, provided that the development is completed in accordance with the terms of any permit granted in respect of it, and provided that it is completed within twelve (12) months of the date of commencement or as stated in an approval;
  - c) Agricultural operations existing at the date of passage of this Bylaw;
  - d) The development of public parks and playgrounds and any associated parking requirements;
  - e) The erection, construction or maintenance of gates, fences, walls and other means of enclosure less than or equal to 1m in height in front yards and 1.83m in height in any side or rear yard- *Where rear parking is provided, these structures should be less than 1m in height to maintain sight lines;* (amended, b.400.23, 07/8/2019)
  - f) Accessory buildings on a residential parcel, provided the building does not exceed 10m<sup>2</sup> in floor area and 2.5m in height and provided that all setbacks and parcel coverage requirements are observed;
  - g) Construction of decks provided that all setbacks, height and parcel coverage requirements are compliant; (amended, b. 400.23, 07/8/2019)
  - h) Construction of pools and hot tubs provided that all setbacks for accessory (residential) buildings are compliant; (Added, b.400.02, 04/24/2017) (amended, b.400.23, 07/8/2019)
  - i) Landscaping where the existing grade and natural surface drainage pattern is not materially altered, except where the landscaping works forms part of a development for which a development permit has been issued;
  - j) A temporary construction site trailer or building (including a shipping container), the purpose of which supports the carrying out of a development for which a permit has been issued under this Bylaw and is removed when the development is complete or as ordered by the Development Authority. Property sales (with the exception of goods) related to the development may occur within this building;
    - i) *Temporary buildings may remain on a residential site for no longer than a 30 day period and the property owner must inform the Planning and Development Department of the dates in which the temporary building will be located on site. If a property owner wishes to request a onetime extension to the 30 day period, the request will be considered by the City's CAO.*
  - k) Location of temporary fences erected as part of an approved development for the purpose of containing a construction site and its activities;
  - l) The temporary use of a building or part thereof for election or census purposes;
  - m) Temporary sales on a parcel located within a commercial land use district where a principal building is established. This includes, but is not limited to food sales, Christmas tree and flower sales and windshield repairs. A temporary building (which is less than 2.5m in height and 10m<sup>2</sup> in floor area) may be placed on site for up to sixty (60) days to support the temporary sales;
  - n) Any demolition or relocation of an accessory building less than 23.22m<sup>2</sup>;
  - o) A flag attached to an upright pole;
  - p) Satellite receivers less than 1m in diameter, subject to the provisions of Section 8.20;
  - q) Solar energy and geothermal energy infrastructure, not including any required buildings, subject to the provisions of Section 8.3.1 and 8.3.2;
  - r) The installation, maintenance or repair of utilities;
  - s) Clock towers, monuments, heritage plaques, art installations or other similar aesthetic enhancements; this does not include a painted wall mural.

- t) Containers which are designed to be temporary moving containers, located on areas of land designated for parking, for a period to exceed no more than four (4) months. These do not include shipping containers. Where it is determined by the Development Authority that there is a concern with sight lines or nuisance, these shall be removed by order of the Development Authority;
- u) Any sign which is listed in Section 7.3 Signs Not Requiring a Development Permit;
- v) Development specified in s. 618 of the *Municipal Government Act*, which includes:
  - i a highway or public roadway;
  - ii a well or battery within the meaning of the *Oil and Gas Conservation Act*;
  - iii a pipeline or an installation or structure incidental to the operation of a pipeline.

#### 4.4 Non-Conforming Buildings and Uses

- 4.4.1 Developments which are considered to be a non-conforming building or use shall be dealt with as provided for under the *Municipal Government Act* and clause 4.8 of this Bylaw.

#### 4.5 Applying for a Development Permit

- 4.5.1 An application for a development permit shall be made to the Development Authority in writing on the prescribed form and should be accompanied by the following documents, to the discretion of the Development Authority:
  - a) a site plan, drawn to scale, that includes the following:
    - i north arrow and scale of plan;
    - ii legal description of property;
    - iii site area, site coverage calculations, number of storeys, height in metres according to the definition in this Bylaw for all buildings and structures (existing and proposed);
    - iv property lines, shown with dimensions;
    - v existing and proposed front, side and rear yards shown with dimensions;
    - vi location and size of all existing and proposed buildings and structures, and dimensions to the property lines;
    - vii location of all registered utility easements and rights-of-way;
    - viii proposed improvements to all portions of the site including loading facilities, parking, fences, retaining walls, hard surfaced areas, storage yards, garbage facilities and screening;
    - ix site parking layout, with dimensions, including existing and proposed onsite parking and loading areas, access and egress points, and abutting roads;
    - x identification of abutting roads, highways and rights of ways, and any existing or future access to the proposed development;
    - xi location of any abandoned, suspended or active oil, gas or water wells; and
    - xii location of any existing or abandoned private septic systems.
  - b) copies (number to be determined by the Development Authority) of floor plans, drawn to scale, including the proposed use of the building(s)/structure(s) or addition, total floor space and dimensions of the building(s)/structure(s), and where required, the allocation of floor space for different uses for parking calculations;
  - c) copies (number to be determined by the Development Authority) of elevations, drawn to scale, showing all sides of the building/structure and indicating building/structure height, exterior finishing materials and colours:
    - i Coloured renderings shall be required for all development within 14.4.8 Auto Oriented Downtown Gateway District, 14.4.9 Business Industrial District, 14.4.13 Old Town Main Street District: Mixed Use District, 14.4.15 Pedestrian-Oriented Downtown Gateway District and may be required for other developments. The renderings shall accurately depict colours and finishing for exterior works and shall be to the satisfaction of the Development Authority. (Amended, b.400.02, 04/24/2017)

- d) a copy of the Certificate of Title for the subject lands dated from within thirty (30) days of the application date, copies of any caveats or restrictive covenants registered by the City, and any other documents satisfactory to the Development Authority to verify that the applicant has a legal interest in the land;
- e) signature of all landowners. In instances where the applicant is not the landowner, proof of authority to apply for a development permit will be required;
- f) a site grading plan, showing existing and proposed grades and slopes;
- g) a landscaping plan along with the estimated cost of the landscaping project submitted by a qualified professional;
- h) a hard surfacing plan along with the estimated cost for the hard surfacing project submitted by a qualified professional;
- i) confirmation of coverage under any legislated programs or licenses (e.g. a New Home Warranty Program), if applicable;
- j) all sign locations and designs. For sign application requirements refer to Part 7;
- k) the estimated completion date of the project;
- l) a non refundable fee, the amount to be determined from time to time by resolution of Council.

4.5.2 In addition to the above requirements, the Development Officer may also require:

- a) detailed studies regarding the potential impact and approach to dealing with traffic (e.g. traffic impact assessments or accommodation strategies), pedestrians (e.g. pedestrian accommodation strategies), parking, utilities, and storm drainage prepared by a qualified engineer;
- b) a Visual Impact Assessment prepared by a qualified professional that assesses the impact of new development on view corridors and provides mitigation steps;
- c) a geotechnical study prepared by a qualified engineer, if in the opinion of the Development Authority, the site is potentially hazardous or unstable;
- d) an Environmental Impact Assessment prepared by a qualified professional if the proposed development may, in the opinion of the Development Authority, result in potentially significant environmental effects;
- e) electronic copy of the plans and reports submitted in a digital format determined by the Development Authority;
- f) a fire safety plan, identifying the actions that will be taken during construction by the applicant, contractor and or occupants of the building in the event of a fire or similar emergency situation, as approved by the Development Authority;
- g) an on-site storm water management plan, to the satisfaction of the Development Authority;
- h) any other information or plans that the Development Officer or the Municipal Planning Commission may consider necessary to properly evaluate the proposed development.

4.5.3 (Deleted, b.400.18, 11/26/2018)

4.5.4 Notwithstanding the provisions in clause 4.5.1 and 4.5.2, the Development Officer may waive the requirement to submit any of the material required to accompany a development permit application if the information is not required to consider and decide on the application.

4.5.5 (Deleted, b.400.18, 11/26/2018)

4.5.6 When a permit application is submitted for a property with an existing building or development, the following may be applicable: (Added, b.400.23, 07/8/2019)

- a) Where an occupancy permit application has been applied for within an existing building that was developed and completed in accordance with the requirements of the Land Use Bylaw and the required conditions, no additional site development conditions will be required.
- b) Where an occupancy permit application has been applied for within an existing building that was not developed and completed in accordance with the requirements of the Land Use Bylaw and the applicable conditions, existing and additional site development conditions may be required.
- c) When a development permit has been applied for an addition to an existing building or a new building is proposed for an existing site, all site development conditions as outlined in the current Land Use Bylaw shall be in effect.

This provision will not affect additions or new buildings that are less than 5% in size of the existing building or less than 46.45m<sup>2</sup> in area.

#### 4.6 Development Permit Application Referrals

- 4.6.1 The Development Officer may refer an application for a development permit to any internal department, external agency, or adjacent municipality for comments or advice.
- 4.6.2 The Development Authority should ensure that development permit applications for the following are circulated for review to the City's Emergency Services Department:
- a) all new build residential development excepting single detached, semi-detached or duplex dwelling units; and
  - b) all new build principal buildings in all other districts.
- 4.6.3 The Development Officer may notify any adjacent landowners that they deem may be impacted by any proposed development.
- a) Where a development consists of an application subject to the approval of the *Municipal Planning Commission or City Council*, the Development Officer shall notify landowners within sixty (60) metres of the subject property of an application for development, indicating the location and nature of the proposed development and request comments on the proposed development. The notification shall identify:
- i the date for comments to be received;
  - ii the date, time, and location where a decision will be made;
  - iii where the notice of decision will be posted (as per Section 4.9); and
  - iv where a copy of the decision can be viewed.
- 4.6.4 The Development Authority will have due regard to all comments received when making a decision on the applications. If no response has been received by the date noted on the referral, the application will be dealt with by the Development Authority as if there were no objections to the development.
- 4.6.5 The Development Authority shall refer all applications and subdivision for development which would result in permanent overnight accommodation, including dwellings, or public facilities to the Alberta Energy and Utilities Board if any of the land is within 1.5km of a sour gas facility and the proposed development is not, in the opinion of the Development Authority, an infill development.

#### 4.7 Decision Process and Conditions for Development Permits

- 4.7.1 In making decisions on a development permit application for a permitted use, the Development Authority:
- a) shall approve, with or without conditions, the application if the proposed development conforms with this Bylaw, the *Municipal Government Act*, the Subdivision and Development Regulation, any statutory plans, and any other plan adopted by Council; or
  - b) should refuse the application if the proposed development does not conform to this Bylaw, giving reasons for such refusal; or
  - c) may approve the application subject to conditions to ensure that the application conforms to the requirements of the Land Use Bylaw, the *Municipal Government Act*, the Subdivision and Development Regulation, any statutory plans, and any other plan adopted by Council.
- 4.7.2 In making a decision on a development permit application for a discretionary use, the Development Authority may:
- a) approve, with or without conditions, the application if the proposed development conforms with this Bylaw, the *Municipal Government Act*, the Subdivision and Development Regulation, any statutory plans, or any other plan adopted by Council; or
  - b) refuse an application giving reasons for its refusal.

- 4.7.3 The Development Authority may approve an application for a development permit or subdivision, even though the proposed development does not comply with this Land Use Bylaw or is a non-conforming building, if in the opinion of the Development Authority:
- a) the proposed development or subdivision would not:
    - i unduly interfere with the amenities of the neighbourhood; and
    - ii materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land;
  - b) the proposed development or use of land conforms to the use prescribed for the subject parcel in this Bylaw.
- 4.7.4 A decision of the Development Authority on an application for a development permit must be in writing, and a copy of the decision, together with a written notice specifying the date on which the decision was made, must be given or sent to the applicant on the same day the decision is made. A decision of approval must contain any conditions deemed necessary to ensure that the development complies with the *Municipal Government Act*, this Bylaw, and any statutory plans, or in the case of a refusal, must specify reasons for refusal. (Amended, b.400.18, 11/26/2018)
- 4.7.5 Where Council is the Development Authority in a Direct Control District, it may approve, with or without conditions, or refuse, an application for a development permit. Where an application is refused, the reasons for refusal shall be provided.
- 4.7.6 City Council's decision upon an application for a development permit in a Direct Control District shall be final and binding on all parties.
- 4.7.7 A Development Authority must make a decision on the application for a development permit within 40 days after receipt by the applicant of an acknowledgment of completeness issued in accordance with part 4.2.3. This time period may be extended by an agreement in writing between the applicant and the Development Authority (Amended, b.400.18, 11/26/2018)
- 4.7.8 When an application for a development permit, has been refused by the Development Authority, another application for the same or substantially the same development shall not be considered by the Development Authority within six (6) months of the date of the final decision unless the application is for a permitted use with no variances or a discretionary use with no variances. It is to the discretion of the Development Authority to determine whether an application is considered to be the same or substantially the same.
- 4.7.9 In making a decision on a permitted or discretionary use, the Development Authority may impose conditions it considers appropriate, either on a permanent basis or for a limited time period, in order to approve a development permit application.
- 4.7.10 The Development Authority may impose any conditions it deems appropriate to ensure compatibility with the amenities of the neighbourhood and the use, enjoyment and value of neighbouring parcels of land, including but not limited to the following:
- a) limiting the time of operation including hours of the day, days of the week, and parts of the year;
  - b) limiting the number of patrons;
  - c) requiring attenuation or mitigation of noise, odour, or any other nuisances that may be generated by the proposed development;
  - d) regarding the size, location, character, and appearance of buildings or structures;
  - e) regarding site grading, landscaping, natural vegetation, environmental contamination and reclamation;
  - f) addressing safety concerns regarding traffic, pedestrians, or protection of the site from other developments or to protect other developments from the site;
  - g) regarding the location of the driveways, accesses and parking;
  - h) requiring consolidation of parcels;
  - i) establishing a period of time for which a development permit is valid; and
  - j) the timing of the completion of any part of the proposed development.

- 4.7.11 Where this Bylaw requires a minimum standard, the Development Authority may impose a condition on a development permit for a discretionary use requiring a higher standard where it is deemed appropriate. The Development Authority shall provide rationale for the condition and ensure that the condition has merit and is not unduly onerous.
- 4.7.12 The Development Authority may impose conditions on a development permit necessary to ensure satisfactory arrangements for the supply of water, electric power, sanitary sewer, storm sewer, natural gas, cable, vehicular or pedestrian access and circulation, garbage containers, parking, loading, landscaping or drainage, or any of them, including payment of the costs of installation or construction of any such utility or facility by the applicant.
- 4.7.13 The Development Authority may impose a condition of development permit that requires the applicant to provide to the municipality an irrevocable letter of credit or another form of security to the satisfaction of the Development Authority, a value equal to 100% of the estimated costs of the proposed landscaping, to ensure that the required landscaping is carried out with reasonable diligence. Landscaping securities shall be collected in accordance with clause 8.13.10.
- 4.7.14 The Development Authority may impose a condition on a development permit that requires the applicant to provide to the municipality an irrevocable letter of credit or another form of security to the satisfaction of the Development Authority, a value equal to 50% of the estimated costs of the proposed hard surfacing, to ensure that the required hard surfacing is carried out with reasonable diligence. Hard surfacing securities shall be collected in accordance with clause 8.18.18.
- 4.7.15 As a condition of development approval, the Development Authority may require the developer to enter into a development agreement with the municipality, to do any or all of the following:
- a) to construct or pay for the construction or upgrading of:
    - i any roads or bike pathways required to give access to the development;
    - ii a pedestrian walkway system to serve the development or to provide pedestrian access to adjacent developments, or both;
    - iii off-street or other parking and bicycle parking facilities; and
    - iv loading and unloading facilities.
  - b) to install or pay for the installation of any public utilities, other than telecommunications systems or works, that are necessary to serve the development;
  - c) to repair or reinstate, or to pay for the repair or reinstatement of any items which may be damaged, destroyed or otherwise harmed by development or building operations, including but not limited to street furniture, curbing, sidewalk, bicycle infrastructure, boulevard landscaping and tree planting;
  - d) to carry out landscaping of the site which may include the retention and/or planting of trees, noise attenuation fencing, the construction of an earth berm or other form of screening;
  - e) to pay an off-site levy or redevelopment levy;
  - f) to provide an irrevocable letter of credit, or other form of security in such sum specified, as the Development Authority deems appropriate to ensure compliance with the terms of the agreement and the conditions of the development permit; and
  - g) such other works or other matters the Development Authority considers necessary or advisable having regard to the nature of the proposed development.
- 4.7.16 The applicant may be required to pay to the City the costs incurred by them, by any engineer, or other person for materials testing, inspections, monitoring of construction and review of construction drawings, and legal costs and expenses to which the City is put in connection with the Development Agreement and the Agreement relates.

- 4.7.17 To ensure compliance with a development agreement, the City may register a caveat pursuant to the provisions of the *Land Titles Act* and the *Municipal Government Act* against the Certificate of Title for the property being developed. This caveat shall be discharged once the agreement conditions have been met.
- 4.7.18 The developer shall be responsible for all costs associated with the preparation of a development agreement, as well as the costs associated with registering the caveat at Land Titles and discharging the caveat when all conditions have been met.

## 4.8 Granting Variances

### Development Officer Variances

4.8.1 The Development Officer may grant a variance: of up to ten percent (10%) from the requirements of this Bylaw, subject to clause 4.7.3 and being satisfied that the variance will not result in a development that does not comply with the requirements of the *Municipal Government Act*, the *Subdivision and Development Regulation*, the *Safety Codes Act*, as amended, or any applicable statutory plans or Outline Plans adopted by the Municipality.

a) of up to fifteen percent (15%) from the requirements of this Bylaw, subject to clause 4.7.3 and being satisfied that the variance will not result in a development that does not comply with the requirements of the *Municipal Government Act*, the *Subdivision and Development Regulation*, the *Safety Codes Act*, as amended, or any applicable Statutory Plans or Outline Plans adopted by the Municipality;

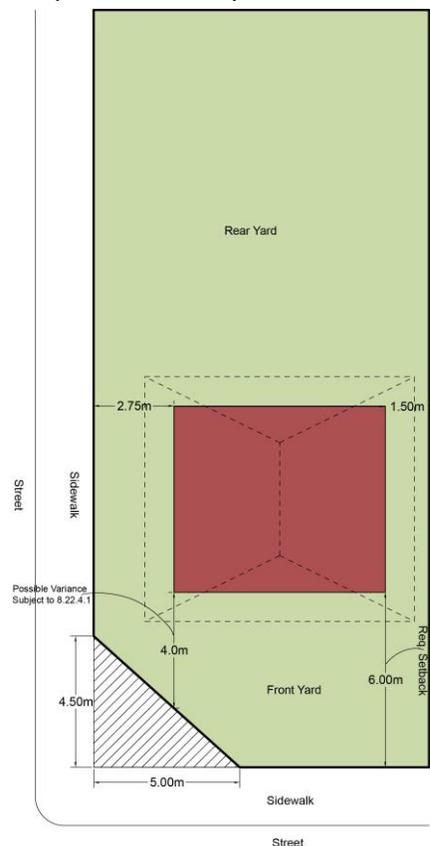
b) over fifteen percent (15%) from the requirements of this Bylaw, subject to clause 3.2.3 f).

4.8.2 The Development Officer may grant a setback variance that is greater than ~~10%~~ 15% from the requirements of the Bylaw when a parcel corner is angled to accommodate sight lines, subject to:

- a) approval by the City's Engineer;
- b) the setback is 'right and square' or 'left and square' with the established setback of the District; and
- c) being satisfied that the variance will not result in a development that does not comply with the requirements of the *Municipal Government Act*, the *Subdivision and Development Regulation*, the *Safety Codes Act*, as amended, or any applicable statutory plans or Outline Plans adopted by the municipality.

4.8.3 The Development Officer may grant a variance on a corner lot, enabling the front parcel boundary to be considered as the longer of the two boundaries which abut a street. This variance shall rotate the yard requirements so that the shorter property boundaries become the side yards, with the longer property boundaries becoming the front and rear yards. Once the initial development is approved on site, all future developments shall use the orientation and setback requirements as established through

Figure 4.1 Setback Variances in respect of corner cut parcels (Refer to 4.8.2)



this variance by the Development Officer. The following should be considered when determining whether to grant a variance to which yard to form the front yard:

- a) Ensuring that the front boundary is the street on which the parcel is addressed;
- b) Ensuring that the building is orientated so that all setbacks are met to the proposed yard;
- c) Ensuring that all future development shall be subject to the same yard considerations; and
- d) The maintenance of appropriate sight lines for traffic safety

4.8.4 The Development Officer may grant a variance to the height of a fence, landscaping or other means of enclosure on a corner lot in the front yard (measured off of the shorter parcel boundary). The variance shall allow for up to one, 1.83m tall fence within the front yard, set back 2.75m or greater from the front property boundary. This variance shall only be considered where:

- a) the principal entry door is located within the side yard;
- b) the side yard fencing, landscaping forming a fenced enclosure or any other means acting as an enclosure (if applicable) facing the street is no more than 1m in height.

This is illustrated in Figure 4.2

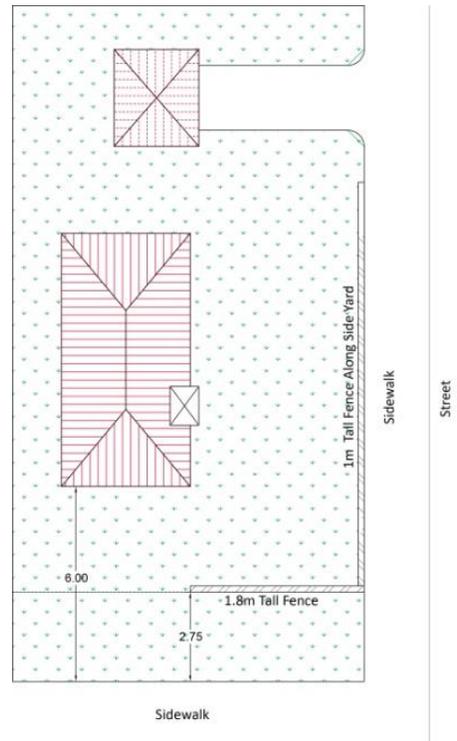
4.8.5 The Development Officer may grant a variance up to 100% of the parking requirements for all occupancy permits issued within non-residential districts. Consideration to the use of the parcel and impact on neighbouring landowners shall form part of the decision to waive any or all required parking.

4.8.6 Through a development permit application, the Development Officer may grant a variance up to 100% to the setback distances for existing structures where the structure does not meet the setbacks established in this Bylaw but was previously approved under a previous Bylaw. Consideration of the impact to the neighbouring properties, the long term strategic land use plans for the site and safety are some of the considerations that should be made when determining whether to grant a variance. The Development Officer may also choose to refer the application to the Municipal Planning Commission. If the existing structure has no prior approvals under a previous Bylaw, the Development Officer, in considering the impact to neighbours, may issue a variance or refer the application to the Municipal Planning Commission for consideration. (Amended, b.400.02, 04/24/2017)

### Municipal Planning Commission Variances

4.8.7 The Municipal Planning Commission may grant a variance from the requirements of this Bylaw, subject to clause 3.2.3 f) and 4.7.3 and being satisfied that the variance will not result in a development that does not comply with the requirements of the *Municipal Government Act*, the *Subdivision and Development Regulation*, the *Safety Codes Act*, as amended, or any applicable statutory plans or Outline Plans adopted by the Municipality.

Figure 4.2 Fencing Variance for Corner Lots



- 4.8.8 Variances granted by the Municipal Planning Commission Development Authority shall not exceed a variance of more than 100% from the requirements of this Bylaw. Where a variance request exceeds 100%, the application shall be modified to ensure that the variance does not exceed 100% or be refused, citing reasons for refusal.
- 4.8.9 All variances which a Development Officer is authorized to grant may also be granted by the Municipal Planning Commission.
- 4.8.10 Variances may be subject to an appeal in accordance with Section 4.13 Appealing a Decision of the Development Authority.

#### 4.9 Notification of a Decision on a Development Permit

- 4.9.1 Upon the issuance of a development permit the Development Officer shall cause notice to be given as follows:
  - a) for permitted uses which conform in every respect to this Land Use Bylaw (pursuant to clause 3.2.3 (a)), a notice of decision shall be provided to the applicant and landowner in writing, and posted on the City of Lacombe's website;
  - b) for all discretionary use permit decisions and variances issued by the Development Officer pursuant to clauses 3.2.3 (b through d f), a notice of decision shall be provided in writing to the applicant and landowner, as well as to all neighbouring landowners within 60m of the subject property. The notification shall outline the nature of the application, the decision of the Development Officer, and provide information on how one may appeal the decision, as per Section 4.13. In addition, a notice shall be posted on the City of Lacombe's website and a notice ~~maybe~~ may be posted on the subject lands, which has the effect of direct notification to any landowner, tenant of land or building within the general area, whose use and enjoyment of property may be affected;
  - c) for all development permit decisions issued by the Municipal Planning Commission, a notice of decision shall be provided in writing to the applicant and landowner on the same day the decision is made, specifying the date on which the decision was made and containing any other information required by the regulations. The notification shall outline the nature of the application, the decision of the Commission, and provide information on how one may appeal the decision, as per Section 4.13. In addition, a notice shall be posted on the City of Lacombe's website and a notice shall be posted on the subject lands, which has the effect of direct notification to any landowner, tenant of land or building within the general area, whose use and enjoyment of property may be affected; (Amended, b.400.18, 11/26/2018)
  - d) for all development permit decisions issued by City Council, a notice of decision shall be provided in writing to the applicant and landowner. The notification shall outline the nature of the application and the decision of City Council;
  - e) for all permit decisions, the City shall ensure that they are advertised within a newspaper, circulating locally within the area, for one (1) week; and
  - f) the date on which the decision was made by the Development Authority is considered to be the date on which notice of the issuance of the permit was given. (Amended, b.400.18, 11/26/2018)

#### 4.10 Effective Date and Validity of a Development Permit

- 4.10.1 Excepting out clause 4.10.2, when a development permit application has been approved by the Development Authority it shall not be issued unless and until:
  - a) any conditions of development permit approval, except those of a continuing nature or those that cannot be executed until the development commences, have been met, and
  - b) the period for an appeal to the Subdivision and Development Appeal Board has expired or, if an appeal has been filed, a decision has been rendered by the Subdivision and Development Appeal Board to confirm the issuance of the development permit subject to any variations directed by the Subdivision and Development Appeal Board;
  - c) clause 4.10.1(a) does not apply to demolition applications, where the disconnection of utilities is required prior to building permit issuance.

- 4.10.2 The Development Officer may authorize the commencement of a development prior to the issuance of a development permit if:
- a) an application has been approved for the development and the appeal period has not yet expired; and
  - b) the applicant waives their right to appeal through the signing of an indemnity agreement to the satisfaction of the Development Authority. The form shall ensure that the applicant is held liable for all costs and risks associated with progressing development in advance of the appeal period, should another party appeal the decision. The form shall also ensure that the applicant cease development immediately if the decision is appealed by another party.
- 4.10.3 If the development authorized by a development permit is not commenced within twelve (12) months from the date of its issue, or date of decision of the Subdivision and Development Appeal Board upon appeal, nor carried out with reasonable diligence as determined by the Development Authority, the development permit ceases to be effective unless an extension to this period, being no longer than an additional twelve (12) months, has previously been granted by the Development Authority. Only one (1) extension should be granted. The extension shall be at the discretion of the Development Authority and shall be for a period no longer than twelve (12) months from the expiration date.
- 4.10.4 Where a development permit expires, a new development permit application shall be required. Such application shall be dealt with as a new application and there shall be no obligation to approve it on the basis that a previous application had been issued.

#### **4.11 Failure to Complete Development**

- 4.11.1 Once a development is initiated in relationship to an approved development permit, the development permit remains valid until the work is completed. However, if a development is not completed to a standard acceptable to the Development Officer within two (2) years of the issuance of the development permit, or any extension thereof, the development permit ceases to be effective and the Development Officer may direct that the site be returned to its original condition or a state acceptable to the Development Officer.

#### **4.12 Modification, Suspension or Cancellation of a Development Permit**

- 4.12.1 The Development Authority may decide to modify, suspend or cancel a development permit when:
- a) the development permit was issued on the basis of incorrect information or misrepresentation by the applicant;
  - b) a contravention of the conditions of the development approval has taken place;
  - c) the development permit was issued in error; and
  - d) requested by an applicant or the owner(s) of the land.
- 4.12.2 Should an applicant apply to amend an existing development permit, it shall be to the discretion of the Development Officer whether to require the amendment(s) be approved by the Municipal Planning Commission or City Council. Should the amendments require a variance or be with respect to a discretionary use or development within a Direct Control District, the procedures for notification of a development permit decision as outlined in Section 4.9 shall be followed.
- 4.12.3 Where an applicant applies to amend an existing development permit, the fee should be equal to that which would be charged if the application was new. At the discretion of the Development Officer, the fees may be waived or reduced if the change is minor, or the application to amend is received a short time after the issuance of the development permit.

#### **4.13 Appealing a Decision of the Development Authority**

- 4.13.1 An appeal may be made to the Subdivision and Development Appeal Board by:
- a) the applicant, if the Development Authority:

- i refuses or fails to issue a development permit;
    - ii issues a development permit with conditions;
    - iii fails to make a decision with respect to an application within 40 days of the applicant receiving an acknowledgement as per clauses 4.2.3(e) and 4.2.3(g); (Amended, b.400.18, 11/26/2018) or
    - iv issues an order under Section 645 of the *Municipal Government Act*, or Part 6 of this Bylaw.
  - b) any person claiming to be affected by an order, decision or development permit made or issued by a Development Authority as per the *Municipal Government Act*.
  - c) the applicant, City Council, the school authority or a government department, if the Development Authority:
    - i refuses or fails to issue a decision on a subdivision application;
    - ii issues a decision on a subdivision application with conditions.
- 4.13.2 Notwithstanding 4.13.1, no appeal may be made in respect of the issuance of a development permit for a permitted use unless the provisions of this Bylaw were relaxed, varied, misinterpreted or the application was deemed to be refused under part 4.2.3. (Amended, b.400.18, 11/26/2018)
- 4.13.3 An appeal to the Subdivision and Development Appeal Board is commenced by filing written notice of the appeal, stating reasons for such appeal and accompanied by the appeal fee as established in the fee schedule, with the Secretary of the Subdivision and Development Appeal Board. This must be completed within twenty-one (21) days for the appeal of a Development Permit and within fourteen (14) days for the appeal of a Subdivision: (Amended, b.400.18, 11/26/2018)
- a) In the case of an appeal made by a person referred to in clause 4.13.1(a);
    - i the date on which the decision is made; (Amended, b.400.18, 11/26/2018) or
    - ii if no decision is made with respect to the application within the forty (40) day period or within any extension of this time limit referred to under clause 4.13.1(a) (iii), the date the period or extension expires;
  - b) in the case of an appeal made by a person referred to in clause 4.13.1(b), after the date on which the decision is made. (Amended, b.400.18, 11/26/2018)
  - c) in the case of an appeal made by a person referred to in clause 4.13.1(c), after:
    - i if no decision is made with respect to the subdivision application within the 60 day period after receiving a complete subdivision application ; or
    - ii within 14 days of receipt of a written decision of a subdivision; which is seven (7) days from the date it is mailed.
- 4.13.4 A decision on a development permit application within a Direct Control District may be appealed only if the Development Authority did not follow the directions of Council. If the Subdivision and Development Appeal Board finds that the Development Authority did not follow Council's directions, it may, in accordance with Council's directions, substitute its decision for that of the Development Authority. Where Council is the Development Authority no right of appeal to the Subdivision and Development Appeal Board exists.
- 4.13.5 The Subdivision and Development Appeal Board shall consider and make decisions on the appeals pursuant to the provision to the *Municipal Government Act*.
- 4.13.6 The Subdivision and Development Appeal Board shall hold an appeal hearing within thirty (30) days of the receipt of a notice of appeal.
- 4.13.7 The decision of the Subdivision and Development Appeal Board is final and binding except on a question of law or jurisdiction, in which case the appellant may seek permission to appeal to the Court of Appeal as provided in the *Municipal Government Act*.
- 4.13.8 If an appeal is filed pursuant to clause 4.13.3 in order for the appeal to be complete it shall be accompanied by an appeal fee, which may be established by Council and from time to time amended.

## 5.1 Initiating an Amendment

- 5.1.1 Council may, on its own initiative, amend this Land Use Bylaw.
- 5.1.2 An application to amend this Bylaw may be made by any person or organization by making application on the appropriate form to the City. The application should include, to the satisfaction of the Development Authority:
- a) a statement of the specific amendment requested;
  - b) reasons for the application;
  - c) if the application is for a re-designation of land (change of district):
    - i the legal description of the lands or a plan showing the location and dimensions of the lands;
    - ii a certificate of title for the lands dated within thirty (30) days prior to the application date;
    - iii confirmation of the applicant's interest in the land in a form satisfactory to the Development Authority;
    - iv if the applicant is not the owner of the lands, a letter from the owner granting permission for or acknowledgment of the application.
  - d) the City may require, prior to consideration of a re-designation of land:
    - i an Outline Plan for the area to be re-designated to the level of detail specified by the City; or
    - ii an amendment to an adopted Outline Plan to make the application consistent with the adopted Outline Plan.
  - e) if the application is for a text change or creation of a new district:
    - i the reasons for the requested change;
    - ii evidence to support the proposed change.
  - f) an application fee, the total amount of which shall be the sum of:
    - i. an amount determined from time to time by resolution of Council; and
    - ii. any costs payable by the applicant to the City pursuant to clause 5.1.4 of this Part.
  - g) any additional report, drawing or information that may, in the opinion of the Development Authority be required in order to prepare, evaluate and make a recommendation concerning the proposed amendment. Where additional material is required, the Development Authority shall provide a reason for the requirement, and site references to City of Lacombe documents which support the provision of the request material.
- 5.1.3 If the applicant withdraws the application prior to the City incurring any advertising costs, the City shall refund the advertising fee. If the applicant withdraws the application prior to the City commencing review of the application or circulating the application for review, the City may refund up to one-half of the application fee. Should the application be withdrawn after the City incurs advertising costs or has circulated the application, all of the application and advertising fees shall be retained by the City.
- 5.1.4 The City shall require payment for costs incurred by the City to review the proposed amendment and/or related Outline Plan or amended Outline Plan. These costs may include costs from outside parties to review the documents on the City's behalf, as approved by the City and form a part of the application fee payable by the applicant to the City in accordance with clause 5.1.2(f) of this Part.

## 5.2 Processing an Amendment

- 5.2.1 Upon receipt of a completed application for amendment to this Land Use Bylaw, the Development Authority shall initiate or undertake an investigation and analysis of the potential impacts of development resulting from or allowed as a result of the proposed amendment. The analysis shall be based on the full development potential of the proposed amendment and not on the merits of any particular development proposal. The analysis shall, among other things, consider the following impact criteria:
- a) relationship to and compliance with approved statutory plans, non statutory plans and Council policies;
  - b) relationship to and compliance with statutory plans, non statutory plans or Outline Plans in preparation;
  - c) compatibility with surrounding development in terms of land use function and scale of development;
  - d) traffic and active transportation impacts;
  - e) relationship to, or impacts on, services such as water and sewage systems, and other public utilities and facilities such as recreation facilities and schools;
  - f) relationship to municipal land, right-of-way or easement requirements;
  - g) effect on the stability, retention and rehabilitation of desirable existing uses, buildings and structures in the area;
  - h) necessity and appropriateness of the proposed amendment in view of the stated intentions of the applicant;
  - i) relationship to the documented concerns and opinions of area residents regarding development implications; and
  - j) relationship to and impact on surrounding natural features and wildlife.
- 5.2.2 The Development Authority shall determine when the application will be placed before Council. The applicant shall be notified a minimum of five (5) days prior to the application being determined by Council of:
- a) the date;
  - b) time; and
  - c) procedures for appearing before Council to speak to the application.
- 5.2.3 An application for amendment shall be placed before Council within sixty (60) days of its receipt by the Development Authority, unless otherwise agreed upon.
- 5.2.4 Should the application for amendment propose to change the district designation of a parcel, the Development Authority should, prior to first reading:
- a) mail written notice to every owner of adjacent land within a sixty (60)m radius of the parcel(s) to which the proposed bylaw relates, being the name and address shown in the assessment roll of the municipality. The notice shall indicate that an application has been made to amend the bylaw and that further information will be provided once a public hearing date and time has been established.
- 5.2.5 The Council, in considering an application for an amendment to this Land Use Bylaw, may:
- a) refer the application for further information; or
  - b) pass first reading of the proposed bylaw to amend this Land Use Bylaw, with or without amendments; or
  - c) decline to give first reading to the proposed bylaw to amend this Land Use Bylaw.
- 5.2.6 Following first reading of an amending bylaw, Council shall:
- a) establish the date, time and place for a public hearing on the proposed bylaw;
  - b) outline the procedures to be followed by anyone wishing to be heard at the public hearing; and
  - c) outline the procedure by which the public hearing will be conducted.
- 5.2.7 Following first reading of a bylaw to amend the Land Use Bylaw, the Development Authority shall give notice of the public hearing to the public by publishing a notice in a manner consistent with the requirements of the *Municipal Government Act* regarding amendments to a land use bylaw.
- 5.2.8 Notice of a public hearing shall contain:
- a) a statement of the general purpose of the proposed bylaw and public hearing;

- b) the address where a copy of the proposed bylaw and any documents relating to it or the public hearing may be inspected;
  - c) the date, place and time where the public hearing will be held.
  - d) The municipal address (if any), the legal address and a map of the parcel when the proposed amendment is to change the district designation of the parcel.
- 5.2.9 If the bylaw to amend the Land Use Bylaw proposes to change the district designation of a parcel, the Development Authority shall also:
- a) mail written notice to the assessed owner of that parcel, being the name and address shown in the assessment roll of the municipality; and
  - b) mail written notice to every owner of adjacent land within a 60m radius of the parcel(s) to which the proposed bylaw relates, being the name and address shown in the assessment roll of the municipality. The notice shall provide information on the proposed change as well as identify the details of the public hearing.
- 5.2.10 If the land referred to in clause 5.2.9(b) is in Lacombe County, the written notice should be given to the municipality and to each owner of adjacent land, being the name and address shown for each owner on the tax roll of Lacombe County.
- 5.2.11 Notwithstanding clause 5.2.6, the Land Use Bylaw may be amended without giving notice or holding a public hearing if the amendment corrects clerical, technical, grammatical, or typographical errors and does not materially affect the Land Use Bylaw in principle or substance.
- 5.2.12 In the public hearing, the Council:
- a) shall hear any person, group of persons, or person representing them, who claims to be affected by the proposed bylaw and who has complied with the procedures outlined by Council;
  - b) may hear any other person who wishes to make representations and whom the Council agrees to hear; and
  - c) shall read or circulate to all those in attendance, any written representations received from any person, or group of persons, who have complied with the procedures outlined by Council and who are not in attendance at the hearing.
- 5.2.13 After the public hearing for a City's statutory plan, and considering the representations made to Council about the proposed Bylaw to amend the Land Use Bylaw at the public hearing and any other matter it considers appropriate, Council may:
- a) refer the proposed bylaw for further information or comments;
  - b) pass the bylaw;
  - c) make any amendment to the bylaw it considers necessary and proceed to pass it without further advertisement or hearing;
  - d) request the bylaw to be re-circulated and/or advertised if significant changes have been made; or
  - e) defeat the bylaw.
- 5.2.14 After third reading of the proposed Bylaw, the Development Authority shall send a copy of the Bylaw amendment to:
- a) the applicant;
  - b) the owner of the land, if not the applicant; and
  - c) Lacombe County, if it received a copy of the proposed bylaw pursuant to clause 5.2.10.
- 5.2.15 In this Part, "owner" means the person shown as the owner of land on the assessment roll prepared pursuant to the *Municipal Government Act*.
- 5.2.16 When a Bylaw for a re-designation of land (change of district) or a change to the text of this Land Use Bylaw is defeated by Council, another application for the same re-designation of land (change of district) for the same parcel or for the same or similar text change may not be submitted by the same or another applicant until six (6)

months have elapsed from the date of the decision of Council unless, in the opinion of the Development Officer, the reasons for defeat have been adequately addressed or the circumstances of the application have changed significantly.

## Part - 6 CONTRAVENTION AND ENFORCEMENT

### 6.1 Contravention

- 6.1.1 Where the Development Authority finds that a use or development is not in accordance with the *Municipal Government Act*, this Land Use Bylaw, the Subdivision and Development Regulation, a development permit, or subdivision approval; the Development Authority may, by notice in writing, order the registered owner, the person in possession of the land or building, the person responsible for the contravention, or all or any of them, within the time specified by the notice, to:
- a) stop the development or use of the land or building(s) in whole or in part as directed by the notice;
  - b) demolish, remove or replace the development; or
  - c) take such other measures as specified in the notice so that the development or use of the land or building(s) is in accordance with the *Municipal Government Act*, this Land Use Bylaw, the Subdivision and Development Regulation, a development permit or a subdivision approval.
- 6.1.2 Any person who receives an order pursuant to clause 6.1.1 may appeal the order to the Subdivision and Development Appeal Board in accordance with Section 4.13.
- 6.1.3 Where a person fails or refuses to comply with an order issued under the *Municipal Government Act* within the time specified, the City may seek a court order from the Court of Queen's Bench for compliance.
- 6.1.4 Where a person fails or refuses to comply with an order directed to them under clause 6.1.1 or an order of the Subdivision and Development Appeal Board within the time specified, the municipality may enter upon the land or building and take such action as is necessary to carry out the order, in accordance with the *Municipal Government Act*.
- 6.1.5 When the municipality carries out an order, Council shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned and that amount shall be collected in the same manner as taxes on the land.
- 6.1.6 The City may register a caveat with respect to an order against a Certificate of Title for the subject property.
- 6.1.7 Failure to comply with an order issued under this part is a contravention of this Bylaw, and any person who fails to comply with an order issued under this part is guilty of an offence and liable on summary conviction to a fine.

### 6.2 Right of Entry

- 6.2.1 For the purpose of entering and inspecting land or structures as described in the *Municipal Government Act*, the Development Officer and any other persons appointed by Council are hereby declared to be a designated officer.

### 6.3 Offences and Penalties

- 6.3.1 Any person found in contravention of this Bylaw is guilty of an offence and is liable on summary conviction to a fine. This includes contraventions relating to signage.

## 7.1 Purpose and Requirement for Sign Permit

- 7.1.1 This part of the Land Use Bylaw provides planning regulation for all signs including but not limited to the type, location, number, size, design and character of signs in relation to their surroundings with the intent to:
- a) balance the need for signs with safety and aesthetics;
  - b) provide adequate and flexible means of identification and communication for enterprise; and
  - c) minimize the potential adverse effects of signs on private and public property.
- 7.1.2 A development permit is required for any sign, including any enlargements, relocation, erection, construction or alteration of a sign unless omitted under Section 7.3.

## 7.2 Definitions

- 7.2.1 Notwithstanding Part 2 of this Land Use Bylaw, the following definitions relate to signs:

### A

**“Abandoned sign”** means a sign which no longer identifies or advertises a bona fide business, service, owner, product, or activity, and/or for which no legal owner can be found.

**“A-board sign”** means a self-supporting A-shaped or flat sign that is set upon the ground and has no external supporting structure.

**“Alteration”** means a structural modification of a sign but does not include routine maintenance, painting or change in copy or lettering.

**“Animated sign”** means a sign component which uses movement or change in lighting to depict action or create a visual effect.

**“Awning or canopy sign”** means advertising inscribed on or affixed flat upon the covering material of an awning or canopy.

### B

**“Banner”** means a piece of fabric or other non-rigid material attached on a minimum of two sides to a structure.

**“Billboard”** means an off-premise sign that may be erected on selected sites as provided for by this Bylaw.

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**“Board sign”** means a sign attached to the side of a building which displays products offered on site, but does not include the business name, logo or operating details of the business.

**“Business directory sign”** means a freestanding permanent sign located at the entrance to an industrial or commercial business park for the purpose of identifying, locating and promoting businesses which operate within the business park.

### C

**“Changeable copy, automatic”** means a copy on a sign that changes automatically and may include an electronic message centre, or an electronic time and temperature unit.

**“Changeable copy, manual”** means a copy on a sign that can be changed manually through the use of attachable letters, numbers, or pictorial panels.

**“Clearance”** means the shortest vertical distance between the underside of a sign and grade.

**“Cluster sign”** means a permanent sign located within the Community Services (CS) District for the purpose of identifying and promoting

businesses which are located in the general vicinity.

**“Consolidated sign”** means a sign containing copy for one or more tenants or occupants located on the same site or on the property line of two adjacent sites.

**“Construction sign”** means a temporary sign erected by an individual or firm on premises undergoing construction for which the individual or firm is furnishing labour, services, materials or financing and which advertises the individual or firm’s provision of such labour, services, materials or financing or which identifies the future use on the site and information pertaining to it.

**“Copy area”** means that area of the sign covered by a simple rectangle around the extremities of the copy contained on the sign.

## D

**“Drive through signage”** means signage located in a drive-through area for the purpose of directing traffic through the parking facilities or drive through, taking orders at restaurants, or menu boards listing items for purchase.

## E

**“Eaveline”** means the horizontal line on a structure that marks the bottom edge of the overhang of a roof and where there is no overhang, the eaveline should be the horizontal line at the intersection of the roof and wall.

**“Election sign”** means a sign associated with a referendum, plebiscite or election pursuant to municipal, provincial or federal legislation that indicates support for a candidate or position, or information relative to the location and time of the event.

**“Electronic message centre”** means a component of a sign on which the copy can be changed by electronic means; and is a form of changeable copy, automatic.

## F

**“Fascia sign”** means a sign attached parallel to the face of a building which advertises the name, logo and general details of the business located on-site.

**“Flag”** means a piece of fabric, wind sock or other non-rigid material attached on one side or at one or two points to a structure.

**“Floral or foliage sign”** means the arrangement of plant material to create words, images or other identification copy in the ground or in raised beds.

**“Freestanding sign”** means a sign supported by structures or supports that are placed on, or anchored in the ground and are independent from any building or other structural element of a building. A freestanding sign may identify a single tenant or multiple tenants located on a common parcel or adjacent parcels.

## G

**“Garage sale sign”** means a temporary sign placed on the premise which advertises a garage sale on the premise only for the duration of the sale.

**“Grade”** means the finished ground surface directly underneath the sign.

## H - L

**“Height of sign”** means the vertical distance measured from the highest point of the sign or sign structure to grade.

**“Illumination”** means the lighting of any sign by artificial means.

**“Illumination, external”** means the lighting of any sign face from a light source located on or near the exterior of the sign.

**“Illumination, internal”** means the lighting of any sign face from a light source located within the sign or behind the copy.

**“Inflatable sign”** means an inflated three-dimensional object which incorporates a sign and is anchored or affixed to a building or parcel.

**“Local advertising”** means sign copy which advertises the business on the property where the sign is located.

## M - P

**“Maintenance”** means the cleaning, painting, repair or replacement of any defective parts of a sign in a manner that does not alter the basic design or structure of the sign and does not include a change in copy.

**“Neighbourhood identification sign”** means a sign which states the name of a subdivision area and may contain a logo, graphic or map which is related to the subdivision name.

**“Painted wall mural”** means a scene or picture located upon an exterior wall surface of a building, but does not include the roof.

**“Painted wall sign”** means a sign (advertising a business or product) which is located upon any exterior wall surface of a building, but does not include the roof.

**“Post sign”** means a sign which is hung from a decorative post, typically made of metal or wood designed to be decorative in nature.

**“Projecting sign”** means a sign which projects from a structure or a building face but does not include an awning or canopy sign or awning sign.

**“Property management sign”** means a sign that identifies the party responsible for the management of the site or building and any necessary sales, leasing or rental information.

## Q - S

**“Real estate sign”** means a sign that advertises real estate “for sale”, “for lease”, or “for rent” or real estate that has been “sold”.

**“Rotating sign”** means a sign or portion of a sign which moves in a revolving manner.

**“Roof sign”** means a sign which projects above a roofline to which the sign is attached or is erected upon or above a roof or parapet of a building which the sign is affixed.

**“Sign”** is a device, structure, fixture or image used, or intended to be used, for the advertising of or calling attention to any person, matter, or object.

**“Sign area”** means the area of a sign on which copy is placed that is contained by a single rectangular box to include all letters or graphics, but not support structures or architectural embellishments.

**“Sign location”** means an approved location for the placement of a sign on a site, as identified on a development permit for a sign.

**“Sponsorship sign”** means a permanent, stationary sign displaying a public announcement to make an activity, service, event, product or organization generally known within a public use district.

**“String of pennants”** means a number of pieces of fabric or other non-rigid material attached to a string, wire, cable or other similar material.

**“Street numbers and letters”** means numbers or letters affixed to the exterior of a structure to indicate the street address and/or names of the building or parcel occupants.

## T - W

**“Temporary sign”** means a sign that is not permanently affixed to a building, or other irremovable structure, or to the ground.

“Window sign” means a sign which is painted on, attached to or installed on or near a window for

the purpose of being viewed from outside the premises.

### 7.3 Signs Not Requiring a Development Permit

- 7.3.1 A development permit is not required for the erection and placement of Class 1 signs in accordance with the requirements of this Bylaw. Where a Class 1 sign does not meet the requirements of this Bylaw, the Class 1 sign shall be processed as an application for a discretionary use.
- 7.3.2 In addition to Class 1 signs, a development permit is not required for the following:
- a) the incorporation of additional message panels or replacement of message panels by the same business within an existing business directory, cluster, consolidated and fascia sign which conforms to this Bylaw provided that:
    - i the additional panel(s) are the same length as existing panels;
    - ii the panel(s) are located within the limits of the existing sign structure;
    - iii the requirements of the general provisions for all signs (see Section 7.8) are met; and
    - iv the requirements for business directory, cluster, consolidated and fascia signs (see clauses 7.10.2, 7.11.1, 7.10.4 and 7.10.3) are met (where applicable).
  - b) the replacement of an existing permanent freestanding sign by another freestanding sign on the same base provided:
    - i both signs conform with this Bylaw;
    - ii the new sign is installed within six (6) months of the removal of the existing sign;
    - iii the new sign area is either equal to or less than the existing sign area;
    - iv the existing sign support, or similar replacement, is used and the new sign is mounted at a height equal to or lower than the existing sign; and
    - v the sign is located in accordance with the setback provisions of this Bylaw.
  - c) the replacement of an existing canopy sign by another canopy sign at the same location provided:
    - i both signs and structure conform to this Bylaw;
    - ii the new sign is installed within six (6) months of the removal of the existing sign;
    - iii the new sign area is either equal to or less than the existing sign area;
    - iv the existing canopy framework or support is used;
    - v the canopy does not project over City owned property.
  - d) signs authorized or erected by the City of Lacombe on any streets, sidewalks, or other public property;
  - e) signs associated with on-site pedestrian or vehicular traffic direction, including signs associated with drive through businesses (located on-site);
  - f) signs associated with products or services offered by the business, but which do not advertise the business name or logo, located on-site, and are:
    - i less than 1.8m in height,
    - ii are temporary;
    - iii not obstructing vehicle or active transportation traffic; and
    - iv not attached to a fence.
  - g) signs, notices, placards or bulletins required to be displayed:
    - i by or on behalf of federal, provincial or municipal governments
    - ii pursuant to the provisions of federal, provincial or municipal legislation; and
    - iii on behalf of a department, a commission, a board, a committee or an official of the federal, provincial or municipal government.
  - h) construction signs placed on a fence temporarily erected as part of an approved development for the purposes of containing a construction site and its activities.

- 7.3.3 Nothing in the foregoing shall relieve any person of compliance with the requirements of the *Safety Codes Act*, as amended, or any other applicable municipal, provincial or federal regulations or legislation.

## 7.4 Prohibited Signs

- 7.4.1 The following types of signs are prohibited in all districts:
- a) abandoned signs, unless determined to have historical significance;
  - b) a sign which because of its position, shape, colour, format or illumination may be confused with an official traffic sign, signal or device, or otherwise pose a potential hazard to traffic;
  - c) a sign having display lights which may be mistaken for the flashing lights customarily associated with danger or those used by police, fire, ambulance or other emergency vehicles;
  - d) signs attached to trees, utility poles, fences (excepting out signs placed on temporary construction fences) or placed on any public property (excepting out cluster signs and temporary signs covered under Section 7.12) or public right-of-way;
  - e) signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying said sign (this does not apply to allowed off-premise signs or to signs or lettering on buses, taxis, or vehicles operating during the normal course of business); and
  - f) billboards, except those existing at the date of passage of this Bylaw.

## 7.5 Applying for a Sign Permit (Development Permit)

- 7.5.1 An application to erect, construct and place a sign shall be made to the Development Authority by the lawful owner of a sign or his authorized agent, on a form provided by the Development Officer.
- 7.5.2 Every application for a development permit for a sign should be accompanied by the following:
- a) a completed signed development permit application form;
  - b) if applicant is not the owner of the land on which the sign is to be located a letter of authorization from the owner of the property or his authorized agent, in a form satisfactory to the Development Authority;
  - c) a site plan (number of copies to be determined by the Development Authority) showing the following information:
    - i north arrow;
    - ii scale of drawing;
    - iii legal description of the property (lot, block, plan);
    - iv civic address information;
    - v property lines, shown and labeled;
    - vi outline of existing structures on the site;
    - vii the proposed sign location;
    - viii metric dimensioned distances from the existing or proposed structures and/or other signs on the subject site to the proposed sign;
    - ix existing signs within the subject site;
    - x metric dimension of any overhang or projection.
  - d) detailed sign construction drawings (number of copies to be determined by the Development Authority) including plan, elevation views and details of how the sign is attached or secured to the ground, a structure or building; and
  - e) any other information (e.g. engineered drawings) deemed necessary by the Development Authority to determine the application for a development permit.
- 7.5.3 Subject to the provisions of this part, the Development Officer may require an inspection to ensure that the landscaping provisions are in accordance with the approved development permit and drawings.

## 7.6 Removal of Signs

- 7.6.1 Where, in the opinion of the Development Officer, a violation of the sign provisions exists, or a sign is an abandoned sign, the Development Officer may issue a written notice for the removal of such a sign. The registered owner of the property upon which the sign is located shall be presumed to be the owner of all signs thereon.
- 7.6.2 The written notice shall specify the following:
- those sections of the sign regulations in which the individual is in violation;
  - the removal of such a sign and all related structural components within thirty (30) days from the date of issuance of such a removal notice;
  - the restoration of the immediate area around the sign to the satisfaction of the Development Officer; and
  - that all costs related to such removal and/or restoration, are to be borne by the owner of the sign.
- 7.6.3 Where a permanent sign is found to identify a business incorrectly or is in an overall state of disrepair, the Development Officer may, by written notice, require the building owner or person(s) responsible for the sign to remove the sign, or alter or refurbish the sign within thirty (30) days from the date of issuance of such a notice.
- 7.6.4 In the case of temporary signs, where in the opinion of the Development Officer, a violation of the sign provisions exist; the Development Officer shall issue a written notice requiring the removal of such a sign within 48 hours.
- 7.6.5 In cases of emergency, the Development Officer may cause the immediate removal of a dangerous or defective sign without notice. Where it is determined that sign should be immediately removed, the sign should be deemed to pose a hazard to the public safety as defined by the *Safety Codes Act*, as amended, the *Municipal Government Act*, or are contrary to the City of Lacombe's Traffic Bylaw.

## 7.7 Class of Signs

- 7.7.1 For the purpose of identifying permitted and discretionary uses within the Land Use Districts, all signs erected, constructed, placed on any site or building shall be assessed as either a Class 1, Class 2, or Class 3 sign.
- 7.7.2 Specific regulations pertaining to sign types are found in Section 7.8 onwards.
- ... Class 1 signs do not require a development permit subject to the regulations found within Part 7 and this bylaw being satisfied and include:
- |   |  |
|---|--|
| a) A-board sign;  | k) Post sign;  |
| b) Banner sign affixed to a building (not a fence);             | l) Property management sign  |
| c) Board sign (4.65m <sup>2</sup> maximum);                     | m) Real estate sign  |
| d) Business directory sign – copy change only;                  | n) Street numbers or letters, not to exceed a total copy area of 1.2m <sup>2</sup> ; |
| e) Consolidated sign – changeable copy (manual/automatic) only; | o) String of pennants affixed to a building (not a fence);                           |
| f) Construction sign;   | p) Temporary sign (4.65m <sup>2</sup> maximum);                                      |
| g) Election sign; subject to Section 7.9.6                      | q) Window sign.  |
| h) Flags;   |  |
| i) Floral or foliage sign;                                      |  |
| j) Garage Sale Sign;  |  |

Class 2 signs require a development permit and are a discretionary use in the residential districts and are a permitted use in all commercial, industrial, public use and airport districts, provided all applicable regulations contained in this Bylaw are satisfied, and include:

- a) Awning and canopy signs;
- b) Banner sign (not affixed to a building);
- c) Business directory sign;
- d) Consolidated sign;
- e) Post sign;
- f) Fascia sign;
- g) Freestanding sign;
- h) Painted wall sign;
- i) Painted wall mural;
- j) Projecting sign;
- k) Neighbourhood identification sign.

7.7.5 Class 3 signs require a development permit and are a discretionary use in districts, provided all applicable regulations contained in this bylaw are satisfied, and include:

- a) Inflatable sign;
- b) Cluster sign, in CS - Community Services District only;
- c) Roof sign;
- d) Sponsorship signs, in the CS - Community Services District only;
- e) Any sign that has any of the following component(s):
  - i animation;
  - ii flashing; and
  - iii rotation.

7.7.6 Prohibited Signs are not allowed in any District:

- a) any sign or advertising attached to a fence, light standards or poles (excepting out those signs accommodated for under 7.3.2(h)); and
- b) billboard signs.

## 7.8 General Provisions for All Signs

7.8.1 The rules and regulations for all permanent signs are based on the type of sign and the Land Use District that the site is located within and shall conform to the following:

- a) in the opinion of the Development Authority, a sign should not conflict with the general character of the surrounding streetscape, the architecture of nearby buildings or be liable to create a cluttered appearance to the streetscape;
- b) a sign shall not be erected on or attached to:
  - i a public light standard or pole without the written permission of the utility company;
  - ii the area within a corner visibility triangle;
  - iii a fence (excepting out 7.3.2(h));
  - iv a location which may affect traffic safety and circulation, or impede vehicle parking; and
  - v shall not encroach over or upon any utility right-of-way, without the written consent of the utility right of way holder and an encroachment agreement entered into by the two parties.
- c) where permission has been granted by the City for a sign to:
  - i project over City property, a minimum clearance of 2.5m above grade level should be maintained,
  - ii project over a City owned driveway or lane, a clearance of 4.6m should be maintained
  - iii project or extend horizontally into or over City owned property, the sign should be no closer than 0.75m to the existing or future curb line.
- d) any sign placed in or on a required parking facility or loading space shall be placed so as not to reduce the number of parking stalls or loading spaces required pursuant to this Bylaw or a development permit;
- e) no trees shall be removed or damaged to prepare a site for a sign unless new trees are planted or landscaping is introduced to improve the appearance of the site, to the satisfaction of the Development Authority;

- f) the lighting or orientation of a sign should not adversely affect any residential district;
- g) electrical power supply to signs should be underground;
- h) signage for a bed and breakfast may be allowed. Such signage is to be confined to a single discreet unlit professionally made sign located within the property boundaries to a maximum dimension of 0.16m<sup>2</sup>;
- i) all signs shall be subject to any applicable Overlay District requirements contained within Part 14;
- j) where a sign no longer fulfils its function under the terms of this Bylaw, the Development Authority may resolve to order the lawful owner of the sign, or where applicable, the registered property owner, to:
  - i) remove the sign and all related structural components within thirty (30) days, or a reasonable time frame established by the Development Authority, from the date of issuance of such notice;
  - ii) restore the immediate area around the sign to the satisfaction of the City; and
  - iii) bear all costs related to such removal and restoration.

7.8.2 Subject to the provisions of this part, manual changeable copy as part of a sign shall:

- a) be allowed on all properties containing approved commercial uses with the exception of home occupations;
- b) display local advertising only or an event with which the business is associated with; and
- c) allow for portable signs to contain up to 100% changeable copy.

7.8.3 Copy which is meant to be regularly changed on a permanent sign should be limited to only displaying of time, temperature, gas/diesel prices or the products and services offered on site.

7.8.4 The base of all signs should be landscaped with grass or contained within a planting bed, and shall be kept clean and free of overgrown vegetation or refuse.

## 7.9 Class 1 Signs

### 7.9.1 A-Board Signs

- a) A-board signs shall:
  - i) not be allowed in association with a home occupation;
  - ii) not be allowed on a site that also contains a temporary sign as per Section 7.12;
  - iii) be limited to one (1) per business per street frontage;
  - iv) be on display only during those hours that the business is open;
  - v) only display local advertising or services and products offered by the business;
  - vi) not exceed 1m<sup>2</sup>;
  - vii) be of a painted finish, be neat and clean, and be maintained in such condition; and
  - viii) not use fluorescent, `day-glo`, luminous or reflective lettering or backgrounds.
- b) For businesses with zero (0) metre front setbacks, one (1) sign may be placed on City property adjacent the front property boundary provided that the sign shall be placed a minimum 1.0m from the curb unless the sign can be placed as close as practical to any parking meter, street tree, garbage bin, or other pieces of street furniture to is placed to maintain the maximum area possible for safe and unimpeded pedestrian passage.

### 7.9.2 Board Signs

- a) Subject to provisions of this part, board signs shall be allowed in all districts excepting out residential districts.
- b) Board signs should complement rather than conflict with the architecture and colour scheme of the building façade.
- c) A board sign shall:
  - i) not, individually or collectively, cover more than 25% of the visible area of the facade of each wall of the building where it is located;
  - ii) not be located on a facade that projects towards or is adjacent to a residential district;
  - iii) provide a minimum of 0.6m of separation between adjacent board and fascia signs;
  - iv) not extend above the uppermost eaveline of the building;

- v not project over a street or public property;
- vi not be internally or externally lit; and
- vii not exceed more than 4.65m<sup>2</sup> in area (per sign).

### 7.9.3 Construction Signs

- a) Construction signs are temporary signs and only allowed to be erected after a building permit has been issued for works on site.
- b) Construction signs should:
  - i only have a maximum sign area of 3m<sup>2</sup> and a maximum height of 3m;
  - ii be removed within thirty (30) days after the work is completed.

### 7.9.4 Post Signs

- a) Post signs shall:
  - i only display local advertising;
  - ii be located next to an entry, or a walkway to an entry;
  - iii not extend more than 1.8m above grade; and
  - iv not be internally lit.

### 7.9.5 Real Estate and Property Management Signs

- a) A real estate sign or a property management sign may be allowed in any district, provided that:
  - i there is maximum of two (2) signs per R1 (Residential Detached), R1-N (Residential Detached Narrow), and R2 (Residential Single & Semi-Detached) parcels and a maximum of one sign per parcel plus one (1) sign per unit for sale on all other parcels;
  - ii the maximum sign area is 1m<sup>2</sup> in a residential district or 3m<sup>2</sup> for all other districts; and
  - iii the maximum sign height shall not exceed 1.8m in a residential district or 4m in any other district.
- b) A real estate sign or a property management sign may be placed flush on a building face provided the sign does not exceed a maximum sign area of:
  - i 1.5m<sup>2</sup> on a building frontage equal to or less than 30m in length;
  - ii 3m<sup>2</sup> on a building frontage exceeding 30m in length; and
  - iii the sign is located within a sign band area or does not extend beyond the upper and lower limit of the window sills on the first floor, or is located within a window.

### 7.9.6 Election Signs (Added, b.400.04, 07/24/2017)

- a) Election signs are permitted on public property for 28 days prior to the date of election.
- b) Election signs may be placed on private or public property (with the approval of the owner/public authority).
- c) Election signs are permitted on municipal property, excluding City Hall and all parks, only as designated by the City Council.
- d) Election signs shall not be located within 7 meters of any intersection. The distance shall be measured from the nearest edge of the curb, measured in parallel with the adjacent roadway right of way centerline. Notwithstanding the foregoing, should the sign interfere with site distances, the Designated Officer shall in consultation with the sign owner/candidate relocate the sign to ensure the sign does not impede site lines.
- e) Election signs must be located at least 2.0 m (6.6 ft) from the back of sidewalk or if there is no sidewalk, the back of curb.
- f) Election signs on public property may not exceed 3.0 m<sup>2</sup> (32 sq ft) in size or 3.6 m (12 ft) in height.
- g) Candidates shall remove their election signs from public and private property within 72 hours after the close of the voting stations on Election Day and ensure that the site is cleaned up and that the holes are filled with a mixture of topsoil and grass seed.
- h) If a candidate fails to remove his or her election signs within 72 hours after the voting stations close on Election Day, the Designated Officers may remove and dispose of them and the candidate shall be liable for the cost of removal.

- i) When an election sign interferes with work being carried out by City work crews or contractors doing work on behalf of the City, the crews may remove the interfering signs, and notify the candidate.
- j) If a sign is placed in contravention of the bylaw during the election campaign, the candidate will be notified and given 48 hours to remove it. If the signage is not removed within 48 hours, the City's Designated Officers shall remove and destroy the applicable signs. Subsequent contraventions of this bylaw, by the same candidate, in any location, will result in the removal and destruction of signage without notification to the candidate.
- k) A candidate whose name appears on an election signs which is in contravention of this Bylaw shall be guilty of an offence under this Bylaw.
- l) During winter conditions, there is a high probability that signs less than six meters from the road will be either covered with snow or damaged during snow removal and sanding operations.
- m) Candidates are not permitted to use the City of Lacombe logo or branding in campaign advertising, signage, literature, or any other campaign material.
- n) Election signs are prohibited on the property on which a building used for a voting station is located. Election signs are prohibited within a building used for a voting station, or in the case of a building with a complex of interlocking offices, the area used as a voting station. (added, b.400.23, 07/8/2019)

## 7.10 Class 2 Signs

### 7.10.1 Awning and Canopy Signs

- a) No sign shall be suspended from an awning or the awning support structure.
- b) Where an awning or canopy sign is allowed it shall comply with the following regulations:
  - i have a minimum clearance of at least 2.5m from grade;
  - ii not project more than 2.5m from the face of the building to which such sign is attached;
  - iii the vertical dimension shall not exceed 1m for awning signs and 1.5m for canopy signs, unless otherwise allowed by the Development Authority;
  - iv display only local advertising;
  - v be constructed of durable, colour-fast material and relate to the architectural design of the building to which they are attached;
  - vi be tightly stretched over a rigid frame in order to maintain its appearance and to minimize the accumulation of dirt through sagging;
  - vii not be internally lit;
  - viii where the sign copy is located on a fringe, the fringe shall have a maximum of 0.25m in height and spans the full body width of the awning.

### 7.10.2 Business Directory Signs

- a) A business directory sign should only be allowed if there are ten (10) or more privately owned lots or business associated with a commercial or industrial business park.
- b) One (1) business directory sign may be erected at each entrance to the business park.
- c) A business directory sign may only be freestanding.
- d) A business directory sign shall contain on the front face the following information:
  - i the name and/or associated logo of the industrial or commercial business park; and
  - ii a map and legend showing the area in detail.
- e) A business directory sign shall not identify or be used as an off-premise sign for businesses located outside the commercial or industrial park to which the sign relates.
- f) The design standards for business directory signs shall be as follows:
  - i the maximum sign area shall not exceed 15m<sup>2</sup>; and
  - ii the sign structure and supports shall be finished utilizing high quality, durable and maintenance-free materials.
- g) The lower edge of the sign shall be:

- i mounted at a minimum height of 1.5m above grade; or
- ii mounted at a height of 1m from the grade of the road that it is viewed from when the sign is located in a road right-of-way (and an encroachment agreement is in place), or the sign is located in an area lower than the adjacent road.

### 7.10.3 Fascia Signs

- a) A fascia sign shall:
  - i only display local advertising;
  - ii complement the architecture and colour scheme of the building facade;
  - iii not cover more than 20% of the visible area of the facade of each wall of the building where it is located;
  - iv provide a minimum of 0.6m of separation between adjacent board and fascia signs;
  - v be no lower than 2.5m above grade;
  - vi not extend above the uppermost eaveline of the building;
  - vii not project more than 0.6m over a street or public property; and
  - viii be located primarily on the wall(s) facing a street, or any other wall provided the sign is complementary to the principal sign in size and style.

### 7.10.4 Freestanding & Consolidated Signs

- a) Consolidated signs shall meet all the requirements for a freestanding sign, regardless of the number of businesses being advertised on the sign.
- b) Only one (1) freestanding sign per parcel may be erected.
- c) Freestanding signs shall be separated by a minimum distance of 30m from any sign on an adjacent parcel.
- d) Freestanding signs should meet the following requirements in the C1 (Downtown Commercial) and C3 (Transitional Commercial) Districts:
  - i have a sign area no greater than 4.65m<sup>2</sup>; and
  - ii not exceed a maximum height above grade of 6m.
- e) In Residential Districts the maximum area and height of freestanding signs shall be determined by the Development Authority;
- f) In all other Districts not mentioned above, where a freestanding sign is a listed use, the freestanding sign shall:
  - i have a sign area no greater than 7m<sup>2</sup>; and
  - ii not exceed the maximum height above grade of 6m.
- g) Freestanding signs for the C5 - Shopping Centre District, C6 – Regional Shopping Centre District or Direct Control District allowing primarily commercial uses are subject to the following regulations: (amended, b.400.23, 07/8/2019)
  - i only one (1) multi-panel sign per commercial street frontage may be allowed for each district shopping centre for the purpose of identifying the centre and the tenants collectively; and
  - ii the maximum sign area (per sign) shall be 30m<sup>2</sup> and shall not exceed the maximum height above grade of 10m.
- h) Notwithstanding clause 7.10.4 (b) within the C5 - Shopping Centre District or the C6 – Regional Shopping Centre District, a second freestanding sign may be allowed for standalone buildings, including but not limited to, gas bars, located on the same site as the principal building or district shopping centre provided that: (amended, b.400.23, 07/8/2019)
  - i a distance of 50m is maintained between freestanding signs; and
  - ii the second freestanding sign area is not to exceed 5m<sup>2</sup> and not exceed the maximum height above grade of 6m.
- i) The bottom edge of any freestanding sign:
  - i shall be a minimum of 2.5m above grade in any commercial and industrial district; and
  - ii shall be determined by the Development Authority in all residential districts where such signs are allowed.
- j) The placement of freestanding signs shall not interfere with vehicle parking or traffic circulation.
- k) Freestanding signs that include an electronic message centre may only be allowed in commercial, industrial and community services districts.

#### 7.10.5 Neighbourhood Identification Sign

- a) A neighbourhood identification sign should meet the following requirements:
  - i be professionally designed and maintained;
  - ii the appearance and contents of the sign shall be approved by the Development Officer;
  - iii be located on public utility lands or on private property adjacent to the entry of the neighbourhood;
  - iv not exceed 12m<sup>2</sup> in area unless the sign is more than 100m from a roadway and is approved by the Development Officer; and
  - v only allow for one (1) sign for each entrance to the subdivision.
- b) A neighbourhood identification sign should be located on a public utility parcel. A neighbourhood identification sign may be located on a:
  - i municipal reserve parcel; or
  - ii street right-of-way, where it shall be placed either on a boulevard or a median on streets of a major collector standard or less.

#### 7.10.6 Painted Wall Murals

- a) A painted wall mural may only be allowed in commercial, public use or industrial districts, or on an existing public use or commercial use building located within a residential district.
- b) All murals should be painted on dibond, alucobest or any other product considered to be the current standard for the creation of murals on external walls. By not applying the mural directly to the exterior wall, degradation of the mural is reduced and enables the mural to be relocated, if required.
- c) Any proposed mural exceeding a two-storey height is at the discretion of the Development Authority.
- d) A mural may only be considered on a wall that is considered a side or rear wall of a building on the parcel, and if it enhances:
  - i walls leading into lanes or rear parking facilities;
  - ii walls that enclose a pedestrian walkway;
  - iii walls that can be viewed from a street or that comprise a corner parcel; or
  - iv streetscapes viewed from Highway 2A, Highway 12/50th Avenue, as these walls will be considered a priority.
- e) Any proposed mural that is located within the Downtown Area Redevelopment Plan Architectural Guidelines Overlay: Old Town Main Street District Mixed Use should be based on any photograph or compilation of photographs from the Lacombe and District Historical Society or any private photograph or artist's depiction that represents a scene or picture depicting a local event, person, place or activity that portrays life in Lacombe and environs in a period setting. All private photographs and artist depictions should be reviewed and approved by the Lacombe and District Historical Society (or its equivalent) to ensure that the event or person is authentic and appropriate to the history and/or culture of Lacombe.
- f) Any proposed mural that is located outside the Downtown Area Redevelopment Plan Architectural Guidelines Overlay: Old Town Main Street District Mixed Use may contain other scenes that represent an event or activity that influenced the community or is significant in a regional context. Approval of any theme depicted is at the discretion of the Development Authority, with input provided by the Art Collection Committee (or its equivalent).
- g) Any application to the Development Authority for a wall mural should consist of the following information:
  - i the completed development permit application form;
  - ii the appropriate fee established by Council;
  - iii the original or any copy (slide, digital, or other means of duplication) of the approved photograph or photographs as referenced in clause 7.10.6(e), and the submission of a written historic commentary in support of the application;
  - iv a statement of the manufacturer, grade and quality of paint and finishing coats, and the expected life of the mural;
  - v photographs or digital images of the existing wall taken from the typical viewing angle and/or distance that the mural will be seen, as well as the orientation of the wall, as there is a preference for north-facing walls; and

- vi a letter from the owner of the building, if the owner is not the applicant, stating consent and support for the application.
- h) The Development Authority may require, as part of the application for development permit for a painted wall mural, written confirmation, in a form and on terms and conditions satisfactory to the Development Authority that arrangements are in place with respect to access to the mural for maintenance and related purposes. Such arrangements may include, at the discretion of the Development Authority, but are not limited to, a working and maintenance agreement or an easement agreement registered against title to the appropriate lands.

#### 7.10.7 Painted Wall Signs

- a) Painted wall signs may only be located in commercial or industrial districts.
- b) Painted wall signs may only consist of logos, pictures or simple copy.
- c) Any painted wall sign that has a heritage theme or local significance may be maintained even though the business to which the sign relates no longer exists.

#### 7.10.8 Projecting Signs

- a) Subject to the provisions in this Part, projecting signs should only be located in a commercial or industrial district.
- b) One (1) projecting sign per wall(s) facing a street may be allowed, providing the sign complies with the following sign area requirements as follows:
  - i in the C1 (Downtown Commercial), C2 (Neighbourhood Commercial), C3 (Transitional Commercial) and UC (University Commercial) Districts, a projecting sign may have a maximum sign area of 1m<sup>2</sup>;
  - ii in the C4 (Highway Commercial), C5 (Shopping Centre) or C6 (Regional Shopping Centre) District, a projecting sign may have a maximum sign area of 1.5m<sup>2</sup>; (amended, b.400.23, 07/8/2019)
  - iii in the I1 Light Industrial and I2 - Heavy Industrial Districts, a projecting sign may have a maximum sign area of 2m<sup>2</sup>.
- c) The top of a projecting sign shall not exceed the eaveline, or the roofline, or the top of the second storey window head, or 6 m above grade, whichever is least.
- d) The lower limit of the sign area should be the lower limit of the lintel or the window head, but in no case shall the projecting sign be lower than 2.5m above grade.
- e) Projecting signs shall not project more than 1m over that portion of a public street that contains the public sidewalk and an encroachment agreement with the municipality is required.
- f) On corner sites, a projecting sign shall be placed at equal angles to the walls that form the corner, and on all other buildings at right angles to the wall.

### 7.11 Class 3 Signs

#### 7.11.1 Cluster Signs

- a) A cluster sign shall:
  - i only be allowed in the CS - Community Services District;
  - ii only advertise businesses or community facilities within 150m of the sign location;
  - iii advertise more than one business with no one business occupying more than one sign panel;
  - iv be double faced with identical copy on each face;
  - v not exceed 30m<sup>2</sup> of copy area, with no one business or community facility copy area exceeding 4.65m<sup>2</sup> on each sign face; and
  - vi not exceed 10m in height, with a bottom edge 2.5m above grade.
- b) Only one (1) cluster sign shall be allowed per parcel.
- c) A cluster sign may be located within 30m of another sign, so long as the cluster sign application is supported by stamped engineered drawings.
- d) Automatic changeable copy may be allowed if:
  - i it forms no more than 50% of the copy area of a sign; and

- ii It is restricted to local advertising only with the exception of not for profit organizations and community sponsored events.

#### 7.11.2 Roof Signs

- a) A roof sign may only be located in the I1 - Light Industrial and I2 - Heavy Industrial Districts, or in the C3 - Transitional Commercial District on the west side of 46 Street alongside the rail line.
- b) The height of a roof sign shall not project more than 1.2m beyond the highest point of a pitched roof, and on any flat roof the maximum height shall be 1.8m. Further, in the C3 - Transitional Commercial District, the height of a roof sign shall not exceed the maximum height of the District.
- c) The maximum sign area for roof signs shall be 7m<sup>2</sup> and shall not exceed two-thirds (2/3) of the length of the roof on which it is mounted, whichever is less.
- d) A roof sign shall not be erected with visible means of support unless architecturally integrated with the building upon which it is located.

#### 7.11.3 Sponsorship Signs

- a) A sponsorship sign may be allowed in the CS - Community Services District in which a community, culture and recreation facility is situated. This bylaw only regulates exterior signage related to such facilities.
- b) A development permit is required for all sponsorship signage. One development permit may be applied for all exterior signage associated with the facility.
- c) A sponsorship sign may not be located in a manner that blocks views of natural open space.
- d) A sponsorship sign shall be limited to the name, symbol and/or slogan of sponsor or product. Signs shall not display the name or image of any alcohol, drug or tobacco product.
- e) A sponsorship sign should be affixed to integral parts of the facility, including but not limited to fences, scoreboards, bleachers or play surface. Free-standing signs will not be allowed, with the exception of those signs intended to list the names of donors. Only one (1) free-standing sign of this nature is allowed per facility.
- f) All sponsorship signs should be oriented towards the inside of the facility as the primary intent of all signs is that they are to be viewed by users of the facility.
- g) Sponsorship signs attached to buildings will be limited to one (1) per eligible building face.
- h) All sponsorship signs shall be maintained to a standard satisfactory to the City.
- i) Sponsorship signage may not be illuminated when the facility is not in use. All lighting should be necessary for the facility operation, not specifically for the sign.
- j) Design standards for sponsorship signage shall be as follows:
  - i The maximum sign area shall not exceed 4.25m<sup>2</sup>;
  - ii The number of identical signs on one (1) site shall be limited to three (3).

### 7.12 Temporary Signs

#### 7.12.1 Temporary Signs on Private Lands

- a) A development permit is not needed for a temporary sign.
- b) The owner of the private lands shall be allowed:
  - i one (1) temporary sign per parcel for the sole purpose of local advertising or an event with which the business is associated with; and
  - ii additional temporary signs, per the regulations of 7.3.2(e) and (f), the number of which is to the discretion of the Development Authority.
- c) Temporary signs shall be located wholly within the property lines of private lands except where the City gives permission for the placement of an A-board sign in 7.9.1(b), or a directional sign, which may be subject to conditions imposed by the Development Authority. No temporary sign over 1m in height shall be placed within the corner visibility triangle.
- d) The maximum size of a temporary sign located on private land shall be 4.65m<sup>2</sup>.
- e) All sign supports shall be placed on private property.

### 7.12.2 Temporary Signs on Public Lands

- a) The City may make available locations for temporary signs on City property.
- b) A new business (in operation for less than six (6) months) or a community group may apply to locate a temporary sign on City property. The approval of locations is on a first come, first serve basis, and at the discretion of the Development Authority.
- c) All off-premise temporary signs are subject to a signed agreement for a 21-day display period. Community events may apply to redisplay the same sign/event sixty (60) days after the ending of the previous advertising period.
- d) Temporary signs may only be located in two (2) locations at one time as designated by the Temporary Sign Map (as updated by the Development Authority).
- e) The maximum size of a temporary sign located on public lands shall be 4.65m<sup>2</sup>.
- f) The Development Officer may choose to waive any regulations of this part, subject to approval by the Chief Administrative Officer.

## Part - 8 SUPPLEMENTARY REGULATIONS

### 8.1 Access and Driveways

- 8.1.1 Except where existing or planned traffic volumes indicate that a greater distance is required to improve or maintain traffic safety and efficiency, the minimum allowable distance from an intersection other than the laneway to a private access or driveway should be:
- 6m where the driveway serves not more than eight (8) dwelling units; or
  - 15.25m for all other uses; or
  - where a traffic roundabout is present all driveway access shall comply with the City's Engineering Standards.
- 8.1.2 Driveways and access points shall not be allowed onto an arterial road, unless approved by the Development Authority.
- 8.1.3 Where a development permit has been applied for and proposes a driveway or access, the approval of the driveway or access is subject to approval of the Development Authority. Unless otherwise approved by the Development Authority, the maximum number of driveways/accesses to a property should be one.
- 8.1.4 The Development Authority approves the width of the driveway/access where it connects with the street, with consideration to the landscaping requirements for front yards, found in clause 8.13.8 and 8.13.9.
- 8.1.5 The minimum angle for a driveway or access to a use, which generates high traffic volumes, should be 70 degrees.
- 8.1.6 All access points, including driveways, entering from a hard surfaced street, shall be hard surfaced from the street a minimum of 6m into the property.
- 8.1.7 To ensure that the movement of traffic is both safe and efficient, driveways and access points are not allowed unless alternative access is unavailable on the streets identified in Part 15 – Land Use District Map(s).

#### Access and Driveways: Residential Driveways

- 8.1.8 When a parcel has side property lines that are not perpendicular to the frontage one side of the driveway may be widened to parallel a side property line.
- 8.1.9 Residential driveways connecting to the street should be designed so that there is a landscaping strip measuring a minimum of 1m on one side of each driveway.
- Provided that there is a landscaping strip on one side of the residential front driveway, the minimum distance between driveways serving single detached, semi-detached and duplex dwelling units may be nil. (Amended, b.400.02, 04/24/2017)
- 8.1.10 The Development Authority shall identify a maximum width of driveway permitted, considering lot size, shape, proximity to other access points (e.g. driveways and streets) and the provision of on-street parking. Unless otherwise permitted by the Development Authority, the maximum width of a driveway where it meets the street shall be 10m. (Amended, b.400.02, 04/24/2017)
- 8.1.11 Where a front garage is provided, the front driveway should not be wider than the width of the garage where the driveway meets the street and hard surfacing shall be provided to the garage doors.
- 8.1.12 Where an additional driveway from the street or a parking pad located in the front yard is approved by the Development Authority, the driveway and any associated parking spaces shall be hard-surfaced. (amended, b.400.23, 07/8/2019)

- 8.1.13 Where the lane is paved, rear parking facilities shall be hard surfaced from the lane to a minimum of 6m into the property. Where the lane is not paved, the rear parking facility may be all weather surfaced and shall measure a minimum of 6m into the property.
- 8.1.14 Where a garage entrance connects to a paved lane, the driveway or apron to the garage shall be hard surfaced. Where the garage entrance connects to an all weather lane, the driveway or apron to the garage may be all weather surfaced.
- 8.1.15 Where a development either proposes to have a number of residential units on a lot, or proposes to subdivide one existing district lot into multiple district lots, the approval of the width and location of front driveways shall be to the discretion of the Development Authority. Lot size, proximity to other access points (e.g. driveways and streets) and the provision of on-street parking shall all be considered. (Added, b.400.02, 04/24/2017)

#### Access and Driveways: Non Residential Districts

- 8.1.16 Front access points from the street should not exceed 15m in width, unless otherwise approved by the City Engineer.
- 8.1.17 There should be a minimum of 30m of landscaped area between driveways and accesses unless otherwise approved by the City Engineer. If the 30m cannot be achieved, the maximum access width shall be 10m unless otherwise approved by the City Engineer.

## 8.2 Accessory Buildings

- 8.2.1 Where a structure is attached to the principal building on a parcel by a roof, an open or enclosed structure, a floor or a foundation, it is to be considered as part of the principal building and not as an accessory building.
- 8.2.2 No accessory building or any portion thereof shall be erected or placed within the front yard of any parcel.
- 8.2.3 No accessory building or any portion shall be erected or located on or over an easement or utility right-of-way unless authorized by the Development Authority.
- 8.2.4 An accessory building on an interior parcel shall be situated so that the exterior wall is at least 0.9m from the side and rear boundaries of the parcel.
- 8.2.5 Notwithstanding clause 8.2.4, an accessory building or any portion thereof may be erected or placed on the rear or side parcel boundary common to two parcels provided the accessory building serves the two abutting parcels. The Development Authority shall require the registration of a Party Wall Agreement to be registered against title to the affected parcels.
- 8.2.6 An accessory building on a corner parcel shall not be situated closer to the street than the minimum yard setback of the principal building. It shall not be closer than 0.9m from the other side parcel boundary or the rear parcel boundary, unless located in the C1 - Downtown Commercial District where the setbacks of that District apply.
- 8.2.7 All accessory buildings shall have an exterior finish that will match or compliment the principal building on the parcel.
- 8.2.8 Accessory buildings are subordinate to the principal use/building on the parcel and so the site layout shall ensure that the principal building is the dominant building on site.

## 8.3 Alternative Energy Collecting and Storing Devices

### 8.3.1 Solar Energy Devices

- a) Solar energy devices and all components associated with the devices shall meet the setback and height coverage requirements of the district in which they are placed.
- b) Solar energy devices attached to a principal or accessory building should be integrated with the roof or wall/structure. The mounted panel:
  - i should not project more than 0.15m from the surface of the building;
  - ii should not project vertically more than 1m above the roof line in residential districts, and not more than 1.8m above the roof line in all other districts, where located on buildings with flat roofs; and
  - iii should not extend beyond the outermost edge of the roof or wall to which it is mounted.
- c) Solar energy devices not attached to a building shall:
  - i be located in a side or rear yard only;
  - ii not exceed 2.5m in height above the ground; and
  - iii be screened from adjacent properties with a fence, landscaping or other means of screening, to the satisfaction of the Development Authority.

### 8.3.2 Geothermal Energy Devices

- a) Geothermal Energy Devices shall ensure the underground components meet the required setbacks for accessory and accessory residential buildings in the district.
- b) In the case of above ground components, the geothermal energy devices shall:
  - i in a residential district, be subject to the district requirements for an accessory residential building on the parcel where the device is located;
  - ii in all other districts, be subject to the district requirements for a principal building on the parcel where the device is located.
- c) Not require a development permit, subject to meeting the requirements of the district in which they are located.

### 8.3.3 Wind Turbine Generators

- a) Within residential districts, wind turbine generators shall:
  - i only be allowed on parcels with an area in excess of 2,000m<sup>2</sup>;
  - ii have a minimum height (measured from grade to the highest vertical extension of the blades) of 10m to a maximum height of 20m.
- b) Within non residential districts, wind turbine generators, the height of the turbine (measured from grade to the highest vertical extension of the blades) shall not exceed 45m;
- c) Collapsible wind turbine generators shall be setback from the side and rear yards 30% of the tower height or 11m, whichever is greater;
- d) Rigid wind turbine generators shall be setback from the side and rear yards, 60% of the tower height or 11m whichever is greater;
- e) Landscaping shall be provided to the satisfaction of the Development Authority, with the base to be landscaped with grass or contained within a planting bed, and shall be kept clean and free of overgrown vegetation or refuse;
- f) Anti-climbing devices shall be incorporated into the design of the wind turbine generator to the satisfaction of the Development Authority;
- g) A minimum vertical blade clearance from grade shall be 7.62m;
- h) No moving part of the wind turbine generator shall traverse above an adjacent lot;
- i) Wind turbine generators shall be removed from a property within six (6) months of date of their decommissioning.

## 8.4 Building Orientation and Design for Principal Buildings

- 8.4.1 Notwithstanding any other regulations in this Land Use Bylaw, the Development Authority should assess the size, location, design, character and appearance of any building, series of buildings, structure or sign proposed to be erected or located in any District and consider the following to help determine compatibility:
- a) the historical character of the development with regards to the Overlay Districts of 14.4 Downtown Area Redevelopment Plan Architectural Guidelines Overlay and 14.5 Historic District Area Overlay;
  - b) the character of development on adjacent lands including, but not necessarily limited to, facing materials, roof pitches, eave depth, building mass, and architectural detailing;
  - c) the effect the development will have on adjacent parcels;
  - d) amenities such as daylight, sunlight and privacy; and
  - e) any adopted Outline Plans that provide guidance on building orientation, site design and architectural standards. These include but are not necessarily limited to:
    - i Iron Wolf Outline Plan;
    - ii Henner Heights Outline Plan; (amended, b.400.23, 07/8/2019)
    - iii Midway Centre Outline Plan;
    - iv Metcalf Ridge Outline Plan;
    - v Town of Lacombe East REHDI Outline Plan (added, b.400.23, 07/8/2019)
- 8.4.2 Public entrances to buildings should be delineated through the use of gables, parapets, awnings or other architectural features. A delineated hard-surfaced pedestrian access to the public entrance from the street and from any required parking shall be provided.
- 8.4.3 Rooflines and facades of large buildings with a single wall greater than 30m in length fronting onto a street shall be designed to reduce the visual massing through the use of architectural elements such as columns, ribs, recessed niche, pilaster or piers, changes in plane (recesses or projections), changes in building finish, built in planters, murals, material or texture, to create an identifiable pattern and address human scale.
- 8.4.4 Facades fronting onto a street for non-residential buildings should have a recognizable base and top consisting of, but not limited to, cornice treatments, other than just coloured stripes or bands, with integrally textured materials such as stone or other masonry or differently coloured materials.
- 8.4.5 Facades fronting a street shall have a minimum of two (2) finished materials, with no single material to cover more than 80% of the exposure.
- a) The facade treatment shall wrap around the side of the building a minimum of 1m to provide a consistent profile to the front and side of the building. On parcels where there is more than one facade visible to a public roadway, this treatment may be required to extend beyond 1m, or additional facade treatments may be required subject to the Development Authority's approval.
  - b) Where a building is located on a corner lot, with frontage on two or more streets, the building's architectural style shall address both streets. Wrap around architectural features are encouraged.
- 8.4.6 All developments are encouraged to place an emphasis on the interface between public, semi-public and private space through the use of elements including, but not limited to front porches, verandas and balconies to increase their permeability and spatial quality.

## 8.5 Care Residences

- 8.5.1 While identified as a discretionary use, discretion is to be limited as to whether the intensity and form (building style) of development is appropriate for the land use district. The occupancy of the care residence is not to play a factor in determining whether a care residence is an appropriate development. (Added, b.400.02, 04/24/2017)

- 8.5.2 The facility shall have permanent staff on-site. The number of staff that will be required to meet the expected supervision and care for the residents living on site and the number of staff working on-site shall be provided in the development permit application.
- 8.5.3 The Development Authority may request that a summary of the rules and regulations for the facility be provided and considered as part of the development permit application.
- 8.5.4 The development standards for a care residence shall be in accordance with the standards assigned within the district it is located.
- 8.5.5 Where a care residence is located in a residential district, the architectural style of the care residence should reflect and compliment the residential development of the surrounding neighbourhood.
- 8.5.6 The building style in the district where the care residence operates shall be a use within the district (e.g. care residences in the R1 (Residential Detached) District shall be contained within a single detached dwelling unit or within a commercial district shall be as an accessory dwelling unit).
- 8.5.7 Care residences are limited to the general density requirements established for the district and for each building typology (for example, in the R4 - Residential Mixed, R5 - Residential Multi Unit Dwelling) or R6 - Residential Apartment Districts).
- 8.5.8 The landscaping standards for a care residence shall be in accordance with the landscaping requirements (Section 8.13) established for each building and district typology.
- 8.5.9 Parking requirements for a care residence shall be in accordance with Section 8.18.

## ~~8.6~~ Crime Prevention through Environmental Design (CPTED) (deleted, b.400.23, 07/8/2019)

### 8.7 Dangerous Goods

- 8.7.1 Prior to making any decision on a development application which involves a dangerous goods occupancy or development on adjacent land or in close proximity to any dangerous goods occupancy, the Development Authority shall refer the development proposal to the appropriate regulatory authority for comments.

### 8.8 Demolition

- 8.8.1 Development permits for demolitions may include conditions that relate to the method of demolition, requirements to minimize the impact of demolition, and any such requirement that the Development Officer or Authority deem appropriate to ensure a safe environment that minimizes impact on neighbouring properties.
- 8.8.2 The Development Officer shall refer all approved development permits for demolitions to an accredited Safety Codes Officer so that a building permit can be issued, ensuring that all work related to the demolition is carried out in accordance with Alberta Building Code and the *Safety Codes Act*.
- 8.8.3 The Development Authority shall circulate a notice to all affected utility companies having service lines and/or facility equipment on the land or in the building intended to be demolished. The Development Authority shall require confirmation of all line closures and any metering equipment removed prior to the issuance of a building permit authorizing the work to commence.
- 8.8.4 In the case of a building in the Historic District Area Overlay, notwithstanding clause 8.8.1 through 8.8.3 above, the process for an application for a demolition permit shall be considered a discretionary use for all principal buildings aged fifty (50) years and older. The demolition approval process for historical buildings is detailed in Section 14.5 Historic District Area Overlay.

- 8.8.5 Where a demolition is subject to clause 8.8.4, but is required due to immediate health or safety concerns, the Development Authority may choose to waive any or all requirements of demolition found in Section 14.5 Historic District Area Overlay to ensure public safety.

## 8.9 Drinking Establishments

- 8.9.1 Development applications for drinking establishment should meet the following requirements:
- not allow openings, such as a public entrance door, an opening window, an outdoor patio or balcony, on a side of the subject building that faces or abuts a residential district or a lane or road separating the site from a residential district. This prohibition does not apply to emergency exits, loading-bay doors or non-opening windows;
  - parking facilities located adjacent to a residential area shall be screened to the satisfaction of the Development Authority;
  - lighting shall be provided on-site to the satisfaction of the Development Authority so as to minimize the potential impact on any adjacent residential uses; and
  - subject to the requirements of the *Safety Codes Act*, as amended, outdoor patios should be designed so that they are only accessible via the indoor portion of the drinking establishment.

## 8.10 Food Production and Microbrewery Facilities

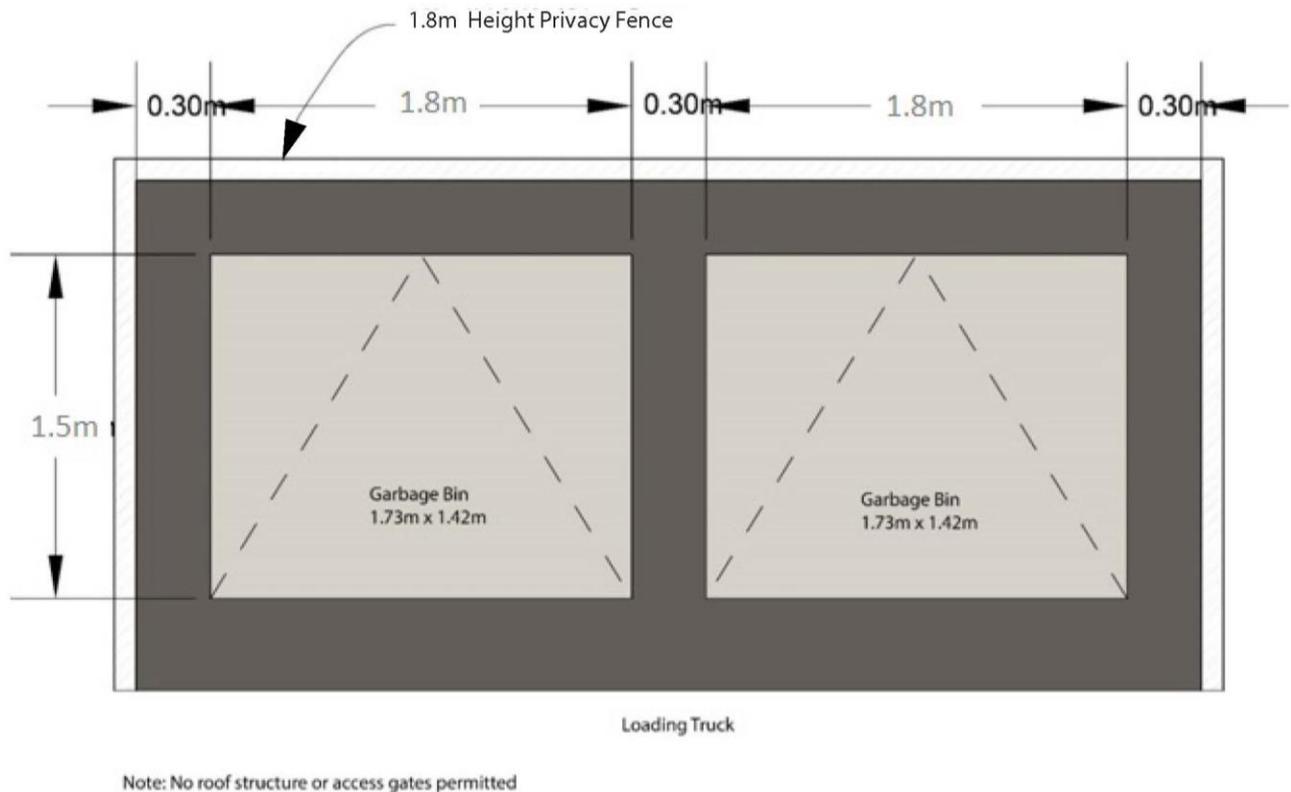
- 8.10.1 All development applications for food production (major), microbrewery (minor and major) shall be accompanied by the following information:
- an estimated quality and quantity of waste water effluent ( $m^3/day$  and  $m^3/year$ ); and
  - a written analysis by a professional engineer identifying whether the Development Authority's water system has the capacity to supply the food production facility without negatively impacting the maximum daily demand and fire-flow capacity of the existing water system.
- 8.10.2 Where the Development Authority determines that the pre-treatment effluent significantly exceeds the toxicity limits as identified in the relevant Development Authority bylaw or policies, a pre-treatment plan, to the satisfaction of the Development Authority shall be submitted.
- 8.10.3 The Development Authority may require, as a condition of the development permit, ongoing estimates and information regarding the effluents released from the development to ensure that the accepted pre-treatment requirements are meeting the Development Authority's requirements. Should the pre-treatment plan be required to be altered, the Development Authority will work with the applicant to identify appropriate steps and timelines for implementation with costs to be paid by the applicant.
- 8.10.4 The Development Authority may require that the applicant provide additional measures on the development site with regards to wastewater discharge treatment and discharge volumes to ensure that the city's infrastructure can accommodate the proposed development. All costs are to be at the applicant's expense.
- 8.10.5 The Development Authority may require that the applicant submit a noise, odour and/or traffic impact assessment for review. These assessments should identify the abatement measures which will be undertaken to reduce impact on neighbouring properties.
- 8.10.6 All applications shall identify whether any accessory development uses, such as on-site retail sales, a retail liquor store, a restaurant and/or drinking establishment will accompany the development. The Development Authority may approve or refuse any or all accessory uses for the facility. Should the applicant wish to develop these uses at a later date, a separate development permit application will be required.
- 8.10.7 Within the industrial districts, the Development Authority may consider accessory uses (limited to restaurant, liquor store, retail store and/or drinking establishment) as part of a microbrewery application, despite these uses not being listed as a use within the industrial district. Where the accessory uses are not found as a listed use within

the underlying District, the total square footage of the unlisted, accessory uses shall be limited to no more than 50m<sup>2</sup> to ensure these uses remain accessory to the principal use.

## 8.11 Garbage Storage

- 8.11.1 As part of a development permit approval for any commercial, industrial or residential building containing five (5) or more dwelling units on a parcel, a minimum of one (1) commercial garbage bin should be provided on site. Further garbage bins may be required in accordance with the requirements of the Development Authority.
- 8.11.2 A commercial garbage bin measures approximately 1.5m in depth by 1.8m in length and 1.5m in height. A vertical clearance of 5m measured from the road grade is required for mechanical truck arm lift. An area clear of obstruction measuring a horizontal distance of 4m from the forward side-wall of the garbage bin in the direction of truck travel is required for efficient garbage pickup. The dimensions of the required enclosure are illustrated in Figure 8.1. Should commercial garbage pick-up be arranged through a private company, the clearance distance required should be determined by the applicant and approved by the Development Authority.
- 8.11.3 Garbage bin(s) placed on private land should be placed in a screened enclosure that has no roof structure or front gate/wall, and should be located in the side or rear yard. The enclosure should provide a minimum 0.3m clearance from all sides of the garbage bin. (amended, b.400.23, 07/8/2019)
- 8.11.4 Garbage bin locations on parcels not served by a lane shall be located to the satisfaction of the Development Authority.

FIGURE 8.1: GARBAGE ENCLOSURE MEASUREMENTS



## 8.12 Infill Development Standards

- 8.12.1 To ensure that the integrity and character of established neighbourhoods (including commercial and industrial districts) are enhanced through the redevelopment process, development standards for infill development are

required. To achieve this purpose and objective, this Section contains regulations that can be equitably applied to all redevelopment projects.

#### 8.12.2 Retention of Mature Landscaping and Trees

- a) Existing mature soft landscaping should be retained wherever possible and planting of trees beyond the requirements of the Land Use Bylaw is encouraged in order to maintain and enhance the existing tree coverage.
  - i Where mature tree(s) are removed for (re)development, please see clause 8.13.11 Environmental Conservation for guidelines; and
  - ii A landscaping plan, subject to approval of the Development Authority, may be required to show the location of any new trees to be planted.

#### 8.12.3 Sustainable Building Design

- a) Building and site design should incorporate sustainable features such as solar energy, day lighting, recycling, reuse of water, on-site infiltration of stormwater, low-water landscaping, energy efficient lighting, and other sustainable features.

#### 8.12.4 Setbacks – Site Development

- a) The purpose of this provision is to ensure proposed site development and redevelopment is compatible with existing development and the long term visions of the City. In order to achieve this aim, special consideration will be given to the building locations to ensure the setbacks are compatible with the character of the neighbourhood. Specifically, front yard setbacks where redevelopment is occurring on a site should apply the front yard setback of the properties immediately adjacent to the property being developed. (Added, b.400.02, 04/24/2017)

#### 8.12.5 Sensitive Development

- a) The purpose of these provisions is to ensure development and redevelopment that is compatible with existing development and the long term visions of the City. In order to achieve this aim, the Development Authority may require additional conditions to ensure development is sensitive to the scale, form, and character of the neighbourhood, with special considerations for the transition to existing adjacent buildings.

#### 8.12.6 Screening and Compatibility of Uses and Districts

- a) To ensure compatibility between different uses and districts, the Development Authority may require enhanced screening from any non-residential use or district which is adjacent to a residential district.
  - i Screening shall be determined by the Development Authority considering the potential impact the use has on adjacent properties;
  - ii Screening may be provided through solid fencing or landscaping; and
- b) The Development Authority may require enhanced screening for any multi-attached housing structure which is adjacent to a detached dwelling.

#### 8.12.7 Active Transportation Development

- a) As infill development occurs, it offers the ability to improve upon existing active transportation infrastructure. The Development Authority will work with the developer to ensure that where required, sidewalks and trails, either provided as easements or developed off-site, are provided with redevelopment. It will be the responsibility of the developer to ensure that this infrastructure is provided.

### 8.13 Landscaping, Environmental Considerations and Crime Prevention through Environmental Design (CPTED) (Amended, b.400.23, 07/8/2019)

- 8.13.1 Where required, the Developer shall submit a detailed landscape design plan for approval by the Development Officer in compliance with the landscaping regulations specified herein. Landscape plans will be submitted and approved prior to the issuance of a Development Permit. Landscape plans prepared by landscape design specialists are preferred but not a formal requirement. (Amended, b.400.23, 07/8/2019)

8.13.2 The minimum area of a parcel to be landscaped shall be as set out in Table 8.1. All areas which are not covered by structures, hard surfaced driveways and parking facilities shall be subject to the requirements within this section.

**TABLE 8.1: MINIMUM LANDSCAPED AREA** (amended, b.400.23, 07/8/2019)

Land Use District	Landscaped Area (minimum)
R1 (Residential Detached) R1-N (Residential Detached Narrow) R2 (Residential Single & Semi-Detached) R3 (Residential Modular Home) – Individually Titled Lots R4 (Residential Mixed)	See 8.13.8
R5 (Residential Multi-Unit Dwelling) R6 (Residential Apartment)	A minimum of 25% of the lot should be landscaped.
C1 (Downtown Commercial) C2 (Neighbourhood Commercial) C5 (Shopping Centre) C6 (Regional Shopping Centre)	A minimum of 10% of the lot should be landscaped including any side yard adjacent to a public roadway; or  Where the proposed site development does not allow the provision of the required landscaping, the landscaping plan should consider the placement of hanging baskets, potted plants or other items along all facades adjacent to a public roadway. These landscaping features should not be placed on a public right-of-way unless a written agreement is entered into with the affected parties.
C3 (Transitional Commercial) C4 (Highway Commercial) UC (University Commercial) CS (Community Services)	A minimum of 15% of the lot should be landscaped including any side yard area adjacent to a public roadway.
I1 (Light Industrial)	A minimum of 25% of the front yard setback should be landscaped and any side yard area adjacent to a public roadway.
I2 (Heavy Industrial)	A minimum of 20% of the front yard setback should be landscaped and any side yard area adjacent to a public roadway.
All other Districts*	A minimum of 15% of the lot should be landscaped and any side yard area adjacent to a public roadway.

8.13.3 The landscape design plan shall include the following information:

- a) common botanical name of all proposed trees and shrubs;
- b) calculation of total landscaped area in square metres; and
- c) scale drawings indicating sizes, locations, and botanical names of (any) existing trees and shrubs to be retained.

- 8.13.4 The City should maintain a list of approved species, and should use that list in reviewing and approving landscape plans.
- 8.13.5 In all districts, deciduous trees should be a minimum caliper of 60mm, with the caliper being measured 30.5cm above the soil line.
- 8.13.6 In all districts, coniferous trees should be a minimum height of 2.5m. Height shall be measured from grade to the mid-point of the tree leader.
- 8.13.7 In all districts, shrubs shall be a minimum #2 container class.
- 8.13.8 The following landscaping standards shall apply to ~~the R4 — Residential Mixed District residential development of R1, R1-N, R2, R3 and R4 Districts;~~ (amended, b.400.23, 07/8/2019)
- a) The residential development of one (1) to six (6) dwelling units on a parcel shall include: (amended, b.400.23, 07/8/2019)
    - i a minimum of one (1) tree or three (3) shrubs (or a combination thereof) per dwelling unit to be located in the front yard and be of the minimum sizes specified in clauses 8.13.5 through 8.13.7;
    - ii the placement of sod or seed in the front yard, unless another landscaping material has been approved by the Development Authority; and
    - iii a minimum 25% of the front yard area shall be landscaped, including grass and the required planting.
  - b) The residential development of seven (7) or more dwelling units on a parcel shall require: (added, b.400.23, 07/8/2019)
    - i a minimum of 20% of the lot should be landscaped.
- 8.13.9 The following landscaping standards should apply to all developments not addressed in clause 8.13.8: Variances to the standards below can be approved at the discretion of the Development Authority. (Amended, b.400.02, 04/24/2017)
- a) The planting of a minimum of one (1) tree for every 60m<sup>2</sup> of landscaped area, minimum of three; (amended, b.400.23, 07/8/2019)
  - b) The planting of a minimum of one (1) shrub for every 30m<sup>2</sup> of landscaped area, minimum of three;
  - c) A minimum ratio of one (1) coniferous tree to every two (2) deciduous trees;
  - d) A minimum ratio of two (2) coniferous shrubs to every three (3) deciduous shrubs;
  - e) Be of the minimum sizes specified in Sections 8.13.5 through 8.13.7;
  - f) Existing trees may be considered as part of the landscaping quota requirements provided:
    - i that the existing trees have a height of 2.5m;
    - ii that the earth under the normal spread of branches for the species (measured as an equilateral triangle from the top of the tree) remains undisturbed during construction; and
    - iii final grades are not significantly changed;
  - g) Efforts to maintain existing trees on site shall be made wherever possible;
  - h) Appropriate vegetative screening of outdoor storage yards, parking facilities and loading areas from adjacent structures and public roadways are to be encouraged;
  - i) Where space permits, trees and shrubs shall be planted in groups;
  - j) Where relevant, the applicant may be responsible for landscaping of adjacent boulevards and roadway berm;
  - k) All landscaping in non-residential districts should be:
    - i protected by concrete curbs or other approved barriers having a minimum height of 14cm; or
    - ii separated from the street or parking facility by a paved, curbed sidewalk.
  - l) Unless otherwise denoted on the approved landscaping plan, the landscaped area shall consist of grass and the required plantings. Where an alternate surface material is proposed, such as fake grass or rocks, the plan shall be reviewed by the Development Authority and may be approved; and
  - m) All landscaped areas shall be maintained and are subject to the other bylaws of the City.

#### 8.13.10 Landscaping Security:

- a) Landscaping (and fencing) security will be required in the form of cash or letter of credit in an amount equal to 100% of the estimated cost of the required landscaping and fencing on the site as estimated by an appropriate trade professional, in accordance with the City’s fee schedule. Where the estimated cost of landscaping is less than the minimum deposit amount, the minimum deposit amount shall be provided.
- b) Landscaping deposits will be released once an inspection of the site demonstrates that the landscaping has been completed in accordance with the approved plan, has been well maintained and is in a healthy condition. This is in addition to any other deposits required, including hard surfacing – in accordance with clause 8.18.18.

**8.13.11 Environmental Conservation**

- a) On-site environmental conservation and protection of natural areas shall be encouraged wherever possible in all new and existing developments. The following natural elements shall be conserved:
  - i swamps, gullies and natural drainage courses;
  - ii unstable land;
  - iii land subject to flooding by a 1:100 year flood;
  - iv land with a natural gradient of 15% or greater;
  - v a strip of land not less than 15m in width along any river, stream, creek or lake, such distance to be measured from the top of the bank; and
  - vi existing trees and shrubs to the maximum extent possible.
- b) Where mature tree(s) are removed to enable a proposed development, they should be replaced at a 1:1 ratio with trees that are appropriate (at the Development Authority’s discretion) for the location. Should City owned mature tree(s) and landscaping be removed to assist a private development, they shall be replaced at a 1:1 ratio with trees that are the appropriate species and size (at the Development Authority’s discretion) for the location. The replacement of existing trees does not preclude the landscaping requirements set out in clauses 8.13.8 and 8.13.9. (amended, b.400.23, 07/8/2019)
- c) Within the C1 – Downtown Commercial District, where due to allowance of a 0m setback and allowance for 100% parcel coverage, the provisions of 8.13.8 and 8.13.9 may be reduced or waived, subject to approval by the Development Authority. (amended, b.400.23, 07/8/2019)
- d) Where the planting requirements outlined in Sections 8.13.8 and 8.13.9 are reduced or waived (not including within the C1 – Downtown Commercial District), the Development Authority should require payment in lieu of landscaping. The payment rate shall be established by the Development Authority, considering the cost to plant trees in accordance with the landscaping standards set out in this bylaw. The payment received should be allocated to the enhancement of municipal reserve spaces across the community, as determined by the Development Authority. (amended, b.400.23, 07/8/2019)

**8.13.12 Crime Prevention through Environmental Design (CPTED) (Added, b.400.23, 07/8/2019)**

- a) All developments in the City of Lacombe are encouraged to be designed in accordance with Crime Prevention Through Environmental Design (CPTED). Site and building design should:
  - i provide natural surveillance through the use of lighting and the placing and selection of landscaping elements to promote natural observation and maximize the opportunities for people to observe and be observed from adjacent areas;
  - ii provide access control, through the placing and selection of landscaping elements to physically or subtly create a perception of risk for potential offenders while clearly identifying public routes and discouraging access to private area and structural elements; and
  - iii provide territorial reinforcements through landscaping elements, sidewalks, lighting, fencing, and building features which clearly distinguish between public and private spaces.
- b) The Development Authority may require a CPTED analysis to the satisfaction of the Development Officer for all major commercial and public use developments that have a requirement for more than one hundred (100) parking spaces.

- c) The Development Authority may include conditions on development permits for buildings and land uses to ensure adherences to CPTED principles.

## 8.14 Lighting Standards

- 8.14.1 All development shall incorporate 'dark sky friendly' lighting practices that minimize light pollution, glare and adverse illumination on adjacent parcels, and maintain night time, on-site safety and security while allowing for illumination of structures, landscaping and outdoor displays.
- 8.14.2 All development permit applications for areas other than the R1 (Residential Detached), R1-N (Residential Detached Narrow), R2 (Residential Single & Semi-Detached), R3 – Residential Modular Home District (Individually Titled Lots) and R-LI (Residential Light Industrial) Districts should contain details on site lighting, to be approved to the satisfaction of the Development Authority.
- 8.14.3 Where outdoor lighting is required to illuminate a site or building, the lighting shall be located and directed in such a manner that it does not:
  - a) adversely illuminate adjacent developments;
  - b) adversely affect the use, enjoyment or value of any residential property in the area; or
  - c) pose a potential hazard to vehicle or pedestrian traffic on highways or roads in the area.
- 8.14.4 Lighting fixtures should be mounted no higher than 4.0m above grade. Fixtures may be mounted above the prescribed height limits provided they are for the purpose of lighting an outdoor deck or patio or are considered accent lighting and do not exceed the height of the roof.
- 8.14.5 All onsite lighting, including lighting on the exterior of a building, shall be located, oriented and baffled so as to not create unnecessary glare or light trespass on adjacent properties. Onsite lighting should ensure that:
  - a) all outdoor lighting, with the exception of patio lighting, is attached to a control that automatically extinguishes all outdoor lighting by day using a switching device such as a photo-electric switch, programmable lighting controller or equivalent;
  - b) all light sources provide effective glare control and shielding;
  - c) bulbs/lamps are not be visible from adjacent roadways or sidewalks or create glare for motorists, or interfere with the visibility of traffic signs or signals; and
  - d) lighting used for enhancing landscaping or other site design features have a baffled lamp and do not create glare or unnecessary light trespass onto adjacent properties.
- 8.14.6 Accent lighting may be approved by the Development Authority.

## 8.15 Mechanized Excavation, Stripping and Grading of Parcels

- 8.15.1 If an applicant wishes to grade a parcel in advance of an adoption of an Outline Plan or an approved development on site, the mechanized excavation, stripping and grading on a parcel shall be reviewed and will typically be processed through entering into an Indemnity Agreement (between the applicant and the City).
- 8.15.2 A temporary fence shall be erected around all excavations which may be hazardous to the greater public.
- 8.15.3 Where finished ground elevations are established, all grading shall comply with those elevations. (amended, b.400.23, 07/8/2019)
- 8.15.4 All parcels shall be graded and all roof drainage directed to ensure that storm water is directed to a public roadway without crossing adjacent land, except as allowed by the City.

- 8.15.5 An erosion control plan shall be submitted as part of the Indemnity Agreement. Natural erosion control measures shall be provided within the plan. The erosion control plan shall be to the satisfaction of the Development Authority.

## 8.16 Objects Prohibited or Restricted in Yards

8.16.1 The following objects are restricted in yards:

- a) within a residential district on a residential parcel, a holiday trailer, motorhome or camper may be used for living and sleeping accommodation a maximum of thirty (30) days per annum.

8.16.2 The following objects are prohibited in yards:

- a) vehicles of more than 5,550kg (GVW) and/or a length of 6.3m and parked or stored in a residential district, excepting recreational vehicles; and
- b) temporary buildings, unless otherwise approved by the Development Authority, in the districts where they are listed as either a discretionary or permitted use.

## 8.17 Other Provincial Acts and Regulations

8.17.1 Municipal Historical Resource

- a) A Bylaw designating specific parcels of land within the municipality as a Municipal Historic Resource under the *Historical Resources Act*, as amended, is deemed to form part of this Land Use Bylaw.

8.17.2 Development in Proximity to Oil and Gas Wells

- a) In accordance with the Subdivision and Development Regulation, no building shall be constructed within 100m of the well head of a gas or oil well, unless, in the opinion of the Development Authority, it is an infill development or is otherwise approved in writing by the Alberta Energy Resources Conservation Board.
- b) In accordance with the Subdivision and Development Regulation, development that would result in permanent additional overnight accommodation or public facilities, as defined by the Alberta Energy Regulator (AER), shall be in excess of 100m from the well head of a gas or oil well, unless, in the opinion of the Development Authority, it is an infill development or is otherwise approved in writing by the AER.

8.17.3 Development in Proximity to Railways

- a) Consultation with the railways shall be required when a potential development is proposed for a:
  - i development or redevelopment proposal in proximity to rail facilities or for a proposal for rail-serviced industrial parks;
  - ii road and utility infrastructure work which may affect a rail facility;
  - iii transportation plan that incorporates freight transportation issues; and
  - iv all new, expanded or modified rail facilities.
- b) Proposed developments which may be adversely affected by noise, dust and fumes from railways should be encouraged to locate where there is adequate separation from these corridors and/or to incorporate sound barriers or landscaped buffers to mitigate these impacts. Property owners should be informed of any required mitigation measures required to ensure proximity issues are addressed now and into the future.
- c) Where rail operations include legal agreements which may affect adjacent property owners, legal agreements and caveats should be registered on Land Title for the affected properties, with the purpose of providing notice to future property owners.
- d) Development reviews which identify the suitability of a proposed use, considering the identification of noise, vibration and other emissions, and include mitigation requirements should be provided for:
  - i residential or other sensitive land uses proposed within areas subject to be influenced by the railway (to the opinion of the Development Authority);
  - ii development in close proximity to rail facilities; and

- iii significant rail facility expansions that bring rail activities closer to sensitive, residential and public use lands.
- e) Sensitive land uses proposed adjacent to railway corridors shall be buffered and/or separated through setbacks, fencing, site grading, berms and landscaping to prevent adverse effects from noise, vibration, odour, fumes, and to promote safety (ie site access and crossing reviews, setbacks, sightlines). Setbacks and berm are intended to provide protective buffers and barriers to reduce the risks from a train derailment or other incidents and also to provide some noise and vibration attenuation.
- f) Notwithstanding the regulations set forth in clause 8.17.3(a) through (e), the Development Authority should give due consideration to the recommendations set forth in the Federation of Canadian Municipalities (FCM) Guidelines for New Development in Proximity to Railway Operations when considering development permit applications in close proximity to railway operations.
  - i Dwelling Units should not be located within 30m of the north-south railway line; and (added, b.400.23, 07/8/2019)
  - ii Dwelling Units should not be located within 15m of the east-west railway line. (added, b.400.23, 07/8/2019)

#### 8.17.4 Development Setbacks from Wastewater Treatment Plants

- a) In accordance with the Subdivision and Development Regulation, unless the development is approved in writing by the approving Deputy Minister of the Department of Environmental Protection (or the equivalent authority):
  - i a school, hospital, food establishment or residential building shall not be approved and a residential building shall not be constructed within 300m of the working area of an operating wastewater treatment plant; and
  - ii a wastewater treatment plant shall not be approved unless the working area of the plant is at least 300m from any existing or proposed school, hospital, food establishment or residential building.

#### 8.17.5 Development Setbacks from Landfills and Waste Sites

- a) In accordance with the Subdivision and Development Regulation, unless the development is approved in writing by the Deputy Minister of the Department of Environmental Protection (or the equivalent authority):
  - i a school, hospital, food establishment or residence shall not be approved and a residence shall not be constructed if the building site is within the required separation distances from a sanitary landfill, modified sanitary landfill, hazardous waste management facility, dry waste site, waste processing site, waste storage site, waste sorting station or waste transfer station specified in the Subdivision and Development Regulation; and
  - ii a sanitary landfill, modified sanitary landfill, dry waste site, hazardous waste management facility, waste processing site, waste storage site, waste sorting station or waste transfer station shall not be approved within the required separation distances from the property boundary of a school, hospital, residence, or food establishment specified in the Subdivision and Development Regulation.

#### 8.17.6 Provincial Land Use Policies

- a) Every action undertaken by the municipality and Development Authority shall be consistent with any provincial land use policies established pursuant to the *Municipal Government Act*.

### 8.18 Parking Facilities and Parking Provisions for Site Development

8.18.1 The minimum number of parking spaces to be provided and maintained upon the use of a parcel or a building in any District as described in Parts 9 – 14 of this Land Use Bylaw are provided in Table 8.2:

- a) Any calculation for the number of parking spaces that results in a requirement for part of a space shall be rounded up to the next whole number.
- b) At the discretion of the Development Authority, if it is determined that the proposed use is more intensive than that typically developed under the Uses provided in the table below, additional parking may be required than

what is outlined in the following table. Additional parking required by the Development Authority is not subject to the requirements outlined in Section 8.18.15.

- 8.18.2 The number of parking spaces shall be determined by the Development Authority having regard to similar uses listed below and the estimated traffic generation and attraction of the proposed use.
- 8.18.3 Where a parking facility is a separate use and does not support a principal use, a development permit is required for the parking facility

**TABLE 8.2: REQUIRED PARKING SPACES** (amended, b.400.23, 07/8/2019)

Land Use	Required Parking Spaces* (based on building size unless otherwise determined by the Development Authority)  *Typically provided on-site unless otherwise provided on another parcel of land
<b>Residential Uses</b>	
Care Residence, Student Dormitory	A minimum of 2.0 spaces; plus 1.0 spaces/three beds; and 1.0 space/staff at maximum capacity
Apartments, Apartment houses & Multiple Housing Developments; Multi-Attached Housing (where each unit is on the same titled lot)	1.0 space/studio or 1-bedroom unit 1.5 spaces/two-bedroom unit 2.0 spaces/three or more bedroom unit PLUS 1.0 guest space/5 dwelling units
Bed & Breakfast	A minimum of 2.0 spaces (for the residence); Plus 1.0 space/guest room
Boarding and Rooming house	A minimum of 2.0 spaces for residence + 1.0 space per accommodation unit
Detached Dwellings, Duplexes, Semi-detached dwellings; Modular Homes, Multi-Attached Housing (where individual unit is on a separately titled lot) and any other residential unit not listed in this table	2.0 spaces/ dwelling unit
Suites: Garden and Secondary	1.0 spaces per 0 or 1 bedroom suites which are less than 60m <sup>2</sup> ; or 2.0 spaces for two bedroom suites or suites between 60m <sup>2</sup> and 75m <sup>2</sup>
<b>Institutional and Public Uses</b>	
Community, Culture and Recreation Facility	As determined by the Development Authority
Education & Instructional Facility, general	2.5 spaces/100 m <sup>2</sup> of floor space
Education & Instructional Facility: Elementary Middle Senior High & Post-secondary	1.0 space/staff plus 1.0 space/twenty-five students 1.0 space/staff plus 1.0 space/fifty students 1.0 space/staff plus 1.0 space/twelve students
Places of Worship	1.0 spaces/ four seats
Government Uses	2.5 spaces/100 m <sup>2</sup> of floor space

<b>Land Use</b>	<b>Required Parking Spaces*</b> (based on building size unless otherwise determined by the Development Authority)  *Typically provided on-site unless otherwise provided on another parcel of land
Hospital	1.0 space/two staff plus 1.0 space/four beds
<b>Commercial Uses</b>	
Accessory Dwelling Units	See Residential Parking requirements for the form of dwelling above
Automotive Sales and Service, Heavy equipment sales and service, Trucking establishment	2.0 spaces/ 100 m <sup>2</sup> , minimum of 6.0 spaces
Fitness Facility	2.5 spaces/100m <sup>2</sup> , with a minimum of 6 spaces
Medical & Health Services	5.0 spaces/practitioner
Microbrewery and Food Processing	1.0 space/employee, with a minimum of 4 spaces Any accessory uses shall meet their particular parking requirements
Motels & Hotels	1.0 space/guest room, with a minimum of 4 spaces
Multi-Tenant Lease Bay Building and District Shopping Centres	4.0 spaces/100 m <sup>2</sup> or a minimum of 6 spaces per bay
Offices	2.5 spaces/100 m <sup>2</sup>
Other – Commercial (including Retail)	3.5 spaces/100 m <sup>2</sup>
Personal Services	2.5 spaces/100 m <sup>2</sup> , with a minimum of 4 spaces
Repair Services	2.0 spaces/100 m <sup>2</sup> , with a minimum of 4 spaces
Restaurants & Drinking	1.0 spaces/ four seats , with a minimum of 4 spaces
Storage Facilities	0.7 spaces/100 m <sup>2</sup>
Theatre & Entertainment Services	1.0 spaces/ four seats
<b>Industrial uses</b>	
Automotive Sales and Service, Heavy equipment sales and service, Trucking establishment	2.0 spaces/ 100 m <sup>2</sup> , minimum of 6.0 spaces
Manufacturing	1.0 spaces/100m <sup>2</sup> with a minimum of 6.0 spaces per bay tenant or establishment
Multi-Tenant Lease Bay Building	1.0 space/100m <sup>2</sup> with a minimum of 3.0 spaces per bay
Other - Industrial	1.0 spaces/100m <sup>2</sup> with a minimum of 6.0 spaces per bay tenant or establishment
Warehousing & Open Storage	1.0 space/employee, with a minimum of 6.0 spaces

8.18.4 Where a building contains more than one use, parking spaces should be provided for that building in accordance with the proportion of the building occupied by each use.

8.18.5 When a building is enlarged or the use of a parcel or a building is changed or increased in intensity, the additional parking space requirements shall be limited to the difference between the requirement of the original building or use and that of the enlarged building or changed or intensified use.

8.18.6 Where a parcel contains more than one use, parking spaces should be provided to meet the total sum of the requirements for each use.

- 8.18.7 Where a business locates within a lease-bay building, the Development Authority may choose to waive or require additional parking requirements based on the occupants within the building.
- 8.18.8 For any use which the Development Authority determines that there will be limited long-term parking requirements (i.e. car washes) the number of parking spaces shall be determined by the Development Authority. The number determined should accommodate all on-site employee parking requirements and enable a number of visitor parking spaces.
- 8.18.9 The provision of accessible parking spaces shall be governed by the Alberta Building Code and will count towards the total provision of on-site parking.
- 8.18.10 Each parking space shall have dimensions of not less than 2.75m by 5.5m, unless otherwise approved under clause 8.18.11 or as required per Table 8.3.
- 8.18.11 The Development Authority may approve some parking spaces as compact. Compact parking spaces shall be at the discretion of the Development Authority and shall provide a sign to denote the space.
- 8.18.12 Where required, loading spaces shall be provided in addition to the parking spaces required in Table 8.2.
- 8.18.13 Where electric vehicle charge sites are provided, the Development Authority shall determine what proportion of the electric vehicle charge sites may contribute towards the minimum parking requirement.
- 8.18.14 (deleted, b.400.23, 07/8/2019)
- 8.18.15 All at grade parking facilities required by this Bylaw to accommodate forty (40) or more vehicles should incorporate landscaped islands or open space within the parking facility. A minimum of two (2) landscaped islands should be required, with an additional two islands for every additional forty (40) stalls. The landscaped islands shall be subject to the minimum landscaping standards as established in Section 8.13.
- 8.18.16 Where required by the Development Authority, parking barriers and pavement markings shall be provided to delineate individual parking spaces.
- 8.18.17 For commercial, industrial or institutional parking, where the parking provided is hard surfaced, the parking spaces shall be marked on the ground through the use of by parking barriers, painted white or yellow lines measuring 7.6cm in width or other means as approved by the Development Authority. In all cases, accessible parking spaces shall be identified by a freestanding or wall sign and should have pavement markings. Where the parking spaces are not hard-surfaced, space delineation shall be provided through the parking barriers or other means, subject to the approval of the Development Authority, shall denote each space.
- 8.18.18 Hard-surfacing Security
- a) Hard-surfacing security will be required in the form of cash or letter of credit in an amount equal to 50% of the estimated cost of the required hard surfacing on the site as estimated by an appropriate trade professional. Paving markings and parking barriers are to be included in the estimated costs. Where the estimated cost of hard surfacing is less than the minimum deposit amount established by the Development Authority, the minimum deposit amount shall be provided; and
  - b) Hard surfacing deposits will be released once an inspection of the site demonstrates that the required hard surfacing has been completed in accordance with the approved plan.
- 8.18.19 C1 - Downtown Commercial District
- a) For development (including additions to existing buildings) in the Downtown Commercial District, where in the opinion of the Municipal Planning Commission, it is impractical to provide any or all of the required parking spaces, because of lot shape, proposed building configuration, orientation of adjacent buildings or economic viability, the Development Authority may:
    - i reduce the number of parking spaces required; or

- ii waive the provisions of any parking spaces.

8.18.20 Residential and Commercial Districts (Amended, b.400.02, 04/24/2017)

- a) Parking spaces shall be located on the same parcel as the use for which they are being provided except when, subject to the approval of the Development Authority, the spaces are located on another parcel within 100m walking distance from the parcel. In such cases, a restrictive covenant shall be required ensuring the use of the parcel for the required number of parking spaces is registered against the Certificate of Title of that parcel.
- b) In all Districts, any area located in the front yard shall be hard-surfaced or landscaped to the satisfaction of the Development Authority.
- c) For commercial developments, all parking shall be hard surfaced to the satisfaction of the Development Authority.
- d) For commercial developments, the Development Authority may permit the utilization of tandem parking spaces in order to achieve the parking space requirement if they serve the same use and are utilized and signed for employees only.
- e) Distinct and dedicated pedestrian access from the principal use/building to the parking facility and public sidewalks should be provided where more than forty (40) parking spaces are required. This walkway should:
  - i connect the principal building entry to a public sidewalk on each street frontage where there is a public sidewalk. The walkway should be the shortest practical distance between the principal building entry and sidewalk;
  - ii provide a minimum of 1.5m of unobstructed width and be hard-surfaced and clearly differentiated from the parking facility; and
  - iii be raised and separated by curbing or protected by bollards or physical barriers, whenever practical, when the walkway runs parallel and adjacent to a vehicular travel lane.
- f) With the exception of required visitor and loading spaces, multi-attached housing, multiple housing and apartment housing developments shall energize the parking stalls. Accessible parking spaces shall be energized within these developments.
- g) Care residences with more than eight (8) required parking spaces are encouraged to provide overhead shelter to a portion of the required parking stalls.
- h) For multi-unit residential developments, front yard parking shall maintain a landscape buffer between the parking stalls for each individual unit in order to establish a spatial separation within the parking area.

8.18.21 Industrial District Parking

- a) Any area located in the front yard shall be hard-surfaced or landscaped to the satisfaction of the Development Authority.
- b) Any parking required (as determined by Table 8.2 for the development of the site) shall be hard-surfaced to the satisfaction of the Development Authority.

8.18.22 Parking Facility Dimensions

- a) A minimum standard of 25m<sup>2</sup> per parking space should be used for general calculations for the areas of parking facilities or the number of parking spaces in a parking facility. The dimensions of areas dedicated for parking shall be as set out in Table 8.3 and Figure 8.2 below.

Table 8.3: Parking Stall Dimensions and Standards

A	B	C	D	E	F	G
Parking Angle	Stall Width	Stall Depth	Overall Space	Manoeuvring Space	Curb Length	Row End Length
0°	See 8.18.22 (b)					

30°	2.75m	5 m	13.5m	3.5m	5.5m	1m
45°	2.75m	5.5m	15m	4m	3.8m	2m
60°	2.75m	6m	17.5m	5.5m	3.2m	2 m
90°	2.75m	5.5m	18m	7m	2.75m	0m

b) For parallel parking (0° parking angle), the following measures apply:

- i Stall width = 2.75m
- ii Stall length = 7m
- iii Maneuvering Space = 3.5m per lane of traffic



### 8.18.23 Loading Spaces

- a) Loading spaces should be provided for all non-residential development.
- b) For multi-residential developments, loadings spaces should be provided, subject to the discretion of the Development Authority. Where dedicated spaces per unit are provided in close proximity to the primary entry door per unit, the requirement for a loading space may be waived.
- c) Loading spaces should be reserved for loading and unloading and should not be used for the parking of other vehicles. (amended, b.400.23, 07/8/2019)
- d) A loading space should be a minimum of 3.5m x 8m, with a minimum overhead clearance of at least 4.6m. (amended, b.400.23, 07/8/2019)
- e) Loading spaces should be designed and located so that all vehicles using those spaces can be parked and manoeuvred entirely within the boundaries of the parcel before moving onto a public roadway. (amended b.400.23, 07/8/2019)
- f) Loading spaces should be located in rear and side yards only.
- g) Loading spaces serving residential uses should be located in close proximity to a primary entry door to the principal building.
- h) Non-residential loading spaces should be screened when adjacent to a public roadway or adjacent to a residential district. Screening shall be to the satisfaction of the Development Authority. (amended, b.400.23, 07/8/2019)
- i) Loading spaces adjacent to a public roadway or adjacent to a residential district shall be hard surfaced to the satisfaction of the Development Authority.

### 8.18.24 Bicycle Parking

- a) Table 8.4 identifies the number of bicycle parking stalls that should generally be provided and maintained for the use of a parcel or a building in any District as described in Parts 9 – 14 of this Land Use Bylaw. (amended, b.400.23, 07/8/2019)

**TABLE 8.4: MINIMUM BICYCLE PARKING STALLS REQUIRED**

Land Use	Bicycle Parking Stalls Required (Based on building size. At the discretion of the Development Authority, measurements of building size may be limited to space dedicated for the principal use, and exclude areas dedicated to hallways, bathrooms or storage)
Care Residences, Apartments, Multiple housing development, Multi-Attached Housing, Bed and Breakfast, Boarding and Rooming House, Student Dormitory	1 stall per dwelling/accommodation unit for the first four units plus 0.25 stall per dwelling/accommodation unit for all units over four (4) units
Educational Facility, including all schools	1 stall/ 100m <sup>2</sup>
Government Uses, Hospital, Medical & Health Services, Community Culture and Recreational Facility (major/minor)	1 stall/ 500m <sup>2</sup>
All other Commercial, Institutional – less than 600m <sup>2</sup>	1 stall/ 200m <sup>2</sup>
All other Commercial, Institutional – more than 600m <sup>2</sup>	1 stall/200m <sup>2</sup> for the first 600m <sup>2</sup> plus 1 for every additional 1500m <sup>2</sup>
Industrial Uses – less than 600m <sup>2</sup>	1 stall/ 200m <sup>2</sup>
Industrial Uses – greater than 600m <sup>2</sup>	1 stall/ 200m <sup>2</sup> for the first 600m <sup>2</sup> plus 1 stall for every additional 5000 m <sup>2</sup>

- b) Bicycle parking should be located on the same lot as the use or building for which it is provided. Where the total number of parking stalls cannot be accommodated on site, the Development Authority may:
  - i reduce and or waive the number of bicycle parking spaces required; and
  - ii permit the provision of bicycle parking facilities on City owned land (e.g. sidewalk) in a location approved by the Development Authority.
- c) Bicycle parking spaces should:
  - i be located on a hard surface and shall not interfere with pedestrian walkways. (Amended, b.400.02, 04/24/2017)
  - ii be designed so that bicycles may be securely locked to a rack, railing or other device without undue inconvenience to the bicycle user;
  - iii should be located within 15m of the public main or employee entrance; and
  - iv be separated from off-street vehicle parking spaces, visitor parking spaces and loading space. In cases where a separation distance is not possible and the parking spaces are located close to or within a vehicle parking facility, the parking space shall be provided on a raised hard surfaced area.
- d) A bicycle rack should be provided where four (4) or more bicycle parking spaces are required.

## 8.19 Relocation of Buildings

- 8.19.1 Development permit approval (unless exempted by clause 8.19.7) shall be received prior to:
- a) placing a building on a parcel, where the building is larger than 10m<sup>2</sup> and had been previously erected or placed on a different parcel;
  - b) removing a building that is 23.22m<sup>2</sup> or larger; and/or
  - c) altering the location of a building on a parcel which has already been constructed with the appropriate permits on that parcel.
- 8.19.2 In addition to the requirements of Part 3, the Development Authority may require the development permit application to be accompanied with:
- a) recent colour photographs showing all sides of the building;
  - b) a statement of the age, size and structural condition of the building issued by a qualified professional;
  - c) a permit through Alberta Transportation (or its equivalent) for transport of a building;
  - d) appointment of a TRAVIS agent (or its equivalent) for the purpose of identifying an appropriate route;
  - e) a statement of proposed improvements to the building; and
  - f) a proposal, to the satisfaction of the Development Authority, which states the final reclamation of the parcel from which the building is being moved.
- 8.19.3 A development permit application to relocate a building may be approved by the Development Authority if the proposal meets all the regulations specified under the appropriate Land Use District including Overlay Districts for the area in which the building is proposed to be located.
- 8.19.4 Where a development permit has been granted for the removal of a building from a parcel, or the relocation of a building on the same parcel, the Development Authority may require the applicant to provide a letter of credit or some form of security, of such amount to ensure completion of any conditions of a development permit.
- 8.19.5 Prior to relocation, the building(s) may be inspected on site by a representative of the Development Authority. The costs of the inspection shall be added to the application fee payable by the applicant to the City.
- 8.19.6 For relocation of buildings within City boundaries, the applicant may be required to provide a development deposit prior to building relocation.

- 8.19.7 Where the removal of a building (not a demolition) occurs in a privately owned Modular Home Park (R3) the landowner shall be responsible for any and all action required for the removal of the building, including utility disconnections. The City shall not require development or building permits for this work.
- 8.19.8 The application process for the removal of a building shall be considered a discretionary use for all principal buildings aged fifty (50) years and older and shall be subject to the regulations in Section 14.5 Historic District Area Overlay.

## 8.20 Satellite Dish Antennas and Communication Towers

- 8.20.1 All applications for the development of a communication tower should meet the rules and follow the procedures of the City of Lacombe Telecommunication Antenna System Siting Protocols Policy (or its equivalent).
- 8.20.2 The following rules apply to satellite dish antennas:
  - a) a satellite dish antenna is an accessory use, which requires an approved development permit, unless the satellite antenna has a dish diameter of less than 1m;
  - b) a satellite dish antenna should be placed in the rear or side yard but may be placed in the front yard if the diameter is less than 1m and subject to 8.20.2(c);
  - c) a satellite dish antenna shall be situated so that no part of the antenna is closer than 0.6m from the side or rear boundaries of the parcel or shall be attached to the principal building if located in the front yard;
  - d) where any part of a satellite dish antenna is more than 4m above grade level it shall be both screened and located to the satisfaction of the Development Authority;
  - e) no advertising other than the manufacture's name/logo shall be allowed on a satellite dish antenna; and
  - f) the illumination of a satellite dish antenna is prohibited.

## 8.21 Setbacks and Sight Lines

~~8.21.1~~ (Deleted, b.400.23, 07/8/2019)

Table 8.5: Required Setbacks On Future Major Roadways (Deleted, b.400.23, 07/8/2019)

Map 8.1: Setbacks on Future Major Roadways (Deleted, b.400.23, 07/8/2019)

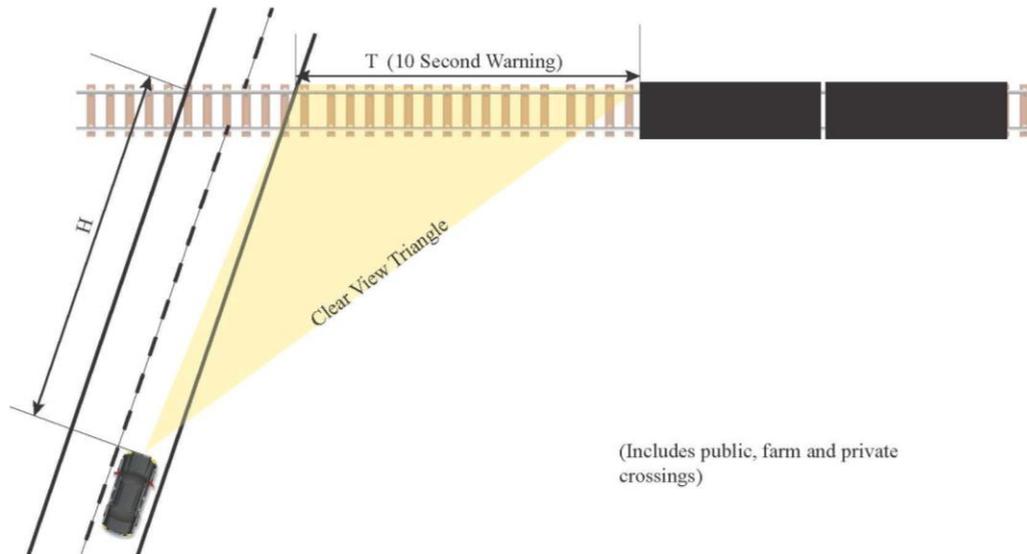
### 8.21.2 Sight Lines at Roadway Intersections

- a) At the intersection of roadways other than lanes, the Development Authority may require the calculation of sight triangles where:
  - i one or more rights-of-way is less than 15.25m;
  - ii regulated vehicle speed exceeds 50km/h;
  - iii one of the carriageways is not centered in its right-of-way;
  - iv an intersection leg is curved or skewed; (amended, b.400.23, 07/8/2019)
  - v an intersection leg is sloped at 2% or greater; (amended, b.400.23, 07/8/2019)
  - vi a lot with 0m front and/or side yard setback is adjacent to the intersection; (added, b.400.23, 07/8/2019)
  - vii the Development Authority believes the location's sight lines may be obscured. (added, b.400.23, 07/8/2019)
- b) Sight triangle calculations shall be in accordance with the recommended methods of the Roads and Transportation Association of Canada regarding crossing sight distances for roadways.
- c) Unless otherwise required by the Bylaw, the area is established by making the point at which two curb lines intersect, measuring back 4.5m on each street front, and drawing a line across the two back points to form a triangulated area.

### 8.21.3 Sight Triangles at Road and Rail Intersections

- a) Sight triangles shall be used by the Development Authority to determine the appropriate setbacks and height for developments, where necessary.
- b) Sight triangle calculations shall be in accordance with the recommended methods of the Transportation Association of Canada regarding crossing sight distances for roadways, with the provision that distance between the nearest rail and the front of the stopped motor vehicle is between 5m and 15m as required by the *Highway Traffic Act*.
- c) At the intersections of roadways and railways, which are unprotected by automatic warning signals, sight triangles shall be determined using the diagram and tables below. The maximum train and vehicle speed shall be used when calculating sight triangles.
- d) Unless otherwise required by the Bylaw, the area is established by making the point at which two curb lines intersect, measuring back 4.5m on each street front, and drawing a line across the two (2) back points to form a triangulated area.
- e) Figure 8.3 below provides Sight Triangle calculations.

FIGURE 8.3: SIGHT TRIANGLES AT ROAD AND RAIL INTERSECTIONS



Road (H Value)		Rail T Value		
Maximum Speed (km/h) for vehicle	Distance (H on above graph)		Minimum Distance <<T>>	
	Desirable (meters)	Minimum (meters)	Feet	Meters
Stop	8	--	100	30
20	20	15	300	91
30	30	20	450	136
40	45	35	600	182
50	65	50	750	227
60	85	70	900	273
70	110	90	1050	318
80	140	120	1200	264
90	170	145	1350	409
100	200	175	1500	455

## 8.22 Shadow Calculation Table

- 8.22.1 The Development Authority may require the applicant, as part of an application for a development permit, to demonstrate that the sun position table provisions (see Table 8.6 below) have been met, by showing graphically or by computer aided design tools, the extent of shadow casting from a proposed structure on to adjoining public streets, open spaces and/or private properties.
- 8.22.2 The Development Authority may require the applicant to show the extent of shadow casting for all four times of the year and up to a maximum of three different times during the day, derived from the Sun Position Tables provided below, when an application for a development permit consists of:
- a development with a structure height greater than the lesser of three (3) stories or 12m in height, located within or adjacent to a residential district; or
  - a discretionary use within a residential district which seeks a substantial variance to any minimum yard, parcel coverage or maximum building structure height regulation for the district in which it is proposed.

TABLE 8.6: SUN POSITION TABLE

City of Lacombe Sun Position Tables															
Latitude North: 52.4667								Longitude West: 113.7333							
March 21				June 21				September 21				December 21			
Sunrise = 6.3531 AM MST (hh.mmss) Sunset = 6.4946 PM MST (hh.mmss)				Sunrise = 5.1149 AM MDT (hh.mmss) Sunset = 10.0124 PM MDT (hh.mmss)				Sunrise = 7.1853 AM MDT (hh.mmss) Sunset = 7.3603 PM MDT (hh.mmss)				Sunrise = 8.4314 AM MST (hh.mmss) Sunset = 4.2253 PM MST (hh.mmss)			
Local Time MST (dec.hrs.)	Sun Alt	Shadow Azim	Shadow Length Factor	Local Time MST (dec.hrs.)	Sun Alt	Shadow Azim	Shadow Length Factor	Local Time MST (dec.hrs.)	Sun Alt	Shadow Azim	Shadow Length Factor	Local Time MST (dec.hrs.)	Sun Alt	Shadow Azim	Shadow Length Factor
6.6	-0.83	268.54	Sunrise	5.2	-0.83	227.79	Sunrise	7.3	-0.83	267.74	Sunrise	8.7	-0.83	309.34	Sunrise
7.0	2.90	273.39	19.75	6.0	4.98	237.19	11.47	8.0	5.41	275.92	10.55	9.0	1.09	312.67	52.47
8.0	11.91	285.50	4.74	7.0	13.10	248.44	4.30	9.0	14.32	288.18	3.92	10.0	7.10	325.08	8.03
9.0	20.39	298.40	2.69	8.0	21.87	259.57	2.49	10.0	22.60	301.39	2.40	11.0	11.43	338.31	4.95
10.0	27.84	312.69	1.89	9.0	30.96	271.12	1.67	11.0	29.71	316.14	1.75	12.0	13.75	352.20	4.09
11.0	33.64	328.82	1.50	10.0	40.00	283.89	1.19	12.0	35.01	332.78	1.43	13.0	13.87	6.36	4.05
12.0	37.11	346.75	1.32	11.0	48.50	299.06	0.88	13.0	37.83	351.13	1.29	14.0	11.76	20.30	4.80
13.0	37.74	5.66	1.29	12.0	55.63	318.32	0.68	14.0	37.71	10.14	1.29	15.0	7.62	33.61	7.47
14.0	35.40	24.14	1.41	13.0	60.14	342.95	0.57	15.0	34.67	28.37	1.45	16.0	1.77	46.10	32.34
15.0	30.49	41.06	1.70	14.0	60.63	10.98	0.56	16.0	29.20	44.87	1.79	16.4	-0.83	50.65	Sunset
16.0	23.65	56.08	2.28	15.0	56.91	36.72	0.65	17.0	21.98	59.47	2.48				
17.0	15.55	69.50	3.59	16.0	50.22	57.10	0.83	18.0	13.62	72.57	4.13				
18.0	6.72	81.88	8.49	17.0	41.94	73.03	1.11	19.0	4.66	84.78	12.26				
18.8	-0.83	91.80	Sunset	18.0	32.97	86.21	1.54	19.6	-0.83	91.93	Sunset				
				19.0	23.86	97.95	2.26								
				20.0	14.99	109.11	3.73								
				21.0	6.70	120.30	8.51								
				22.0	-0.67	131.93	-85.07								
				22.0	-0.83	132.21	Sunset								

Notes:

1. Times in table are shown in decimal hours. MST denotes Mountain Standard Time; MDT denotes daylight saving time.
2. Altitude and azimuth are measured to centre of sun's disc.
3. Altitude is measured in degree up from horizon.
4. Azimuth is measured in degrees clockwise from true (astronomic) north.
5. Shadow Length = Object Height x Shadow Length Factor
6. Times of sunrise/set are given for apparent top limb of sun on horizon.
7. Altitude of sunrise/set accounts for sun semi-diameter and correction for average refraction.

## 8.23 Stormwater Management

- 8.23.1 All roof drainage from any structure shall be directed onto the parcel upon which the structure is situated.

## 8.24 Subdivision and Parcel Designation Considerations

- 8.24.1 The Development Authority should require that any subdivision or change of district meet all minimum regulations of the proposed district.
- 8.24.2 Where a proposed parcel requires a variance to the regulations of the district, the variance shall be identified in the decision letter presented to the approving authority for the Development Authority. Variances should generally be limited to 10% of the stated regulation.
- 8.24.3 For all lots where more than one (1) boundary fronts onto a street, the lot should be designed to have at least one (1) property boundary which is discernibly shorter than the other (the front yard). Where this cannot be provided, the front parcel boundary shall be determined based off the street addressing provided to the property. See 4.8.3 regarding variances to yards.
- 8.24.4 Where an application is submitted to change the district of a parcel(s) or to subdivide lands, the Development Authority should have due regard to the following:
- a) Within all districts, ensure that:
    - i due regard to the policies set out in the Municipal Development Plan and other Council policies and bylaws has been considered;
    - ii the existing infrastructure can accommodate any increased demands, and where necessary, identify the required improvements and the party responsible for such improvements as the applicant may be required to pay for part or all of the required improvements.
    - iii the size of the existing parcel of land is appropriate for the proposed district and considers and compliments the size of the surrounding parcels;
    - iv any outstanding property issues associated with non-conformity or compliance with this bylaw are addressed as part of any approvals;
    - v naturally and historically interesting amenities and features are retained (where appropriate) and integrated into the proposed development;
    - vi the districting of residential and industrial lands adjacent to one another is discouraged; and
    - vii spot zoning, whereby one parcel of land is surrounded by non-complimentary zoning, is discouraged. This does not apply to the application of the C2- Neighbourhood Commercial District or the CS – Community Services District within a residential district. (amended, b.400.23, 07/8/2019)
  - b) Within all residential districts, ensure that:
    - i any proposed changes to density consider the character and impact to surrounding neighbourhoods;
    - ii where possible, there is a gradual change in district types (e.g. R1 (Residential Detached) parcels should be adjacent to R2 (Residential Single & Semi-Detached) or R4 (Residential Mixed) parcels, whereas R5 (Residential Multi Unit Dwelling) parcels should be adjacent to R2 (Residential Single & Semi-Detached) and R6 (Residential Apartment) parcels).
  - c) Where required, a development agreement, specifying any requirements of the applicant, is entered into as part of an approval process.

## 8.25 Winter Design Elements

- 8.25.1 The City is committed to ensuring that development adequately reflects and responds to winter environmental conditions. Development should be designed to encourage and enable people the ability to gather year round, while supporting active transportation needs. These spaces should not impact snow clearing requirements and shall provide for predictable and consistent snow clearing for seniors and other mobility-challenged residents.

- 8.25.2 Institutional and public spaces should consider the following elements in their development design:
- a) provide temporary and/or permanent warming huts or sheltered rest areas for public and community spaces;
  - b) provide permanent thermal comfort amenities for year round use (i.e. fire pits); and
  - c) provide greater access to public bathroom facilities from 7am to 10pm.
- 8.25.3 Development permit applications for all multi-residential (greater than 8 units) and all non-residential applications should consider the performance standards in 8.25.4 and seek to integrate some of these standards into their design.
- 8.25.4 Performance standards for safe and comfortable winter design which create more livable outdoor microclimates include:
- a) placement of windows and landscaping to promote solar access and reduce shadow into buildings during the winter;
  - b) analysis of wind and snowdrift impact for all major developments;
  - c) building wind blocks through landscaping with a focus on enhancing the pedestrian experience or to create gathering spaces on site;
  - d) designing for solar access to create sun traps at winter gathering places where winter infrastructure is provided to promote winter festivals, markets or creating outdoor facilities (i.e. gas lines for barbeques, portable fire-pits, benches and tables);
  - e) promoting the use of lighting to create warmth and luminescence during long winter days while also reflecting dark sky and CPTED principles and minimizing impact to neighbours;
  - f) emphasizing the need for nightscaping with light accents, architectural details and impacts by way of contrast and design;
  - g) encouraging canopies and/or arcades where there is high pedestrian traffic, at the main entrances of buildings to act as connectors between buildings and sites, or as part of the sun trap gathering space;
  - h) identifying places on site where snow and ice can be utilized creatively for sculptures, mounds, snow slides and wind barriers; and
  - i) accommodating snow storage on-site in identified areas which should not impact the other winter design elements promoted.

## Part - 9 RESIDENTIAL DISTRICTS

### 9.1 General Rules for Residential Districts

#### 9.1.1 Applicability

- a) These general rules are applicable to Districts identified with the letter “R” followed by other identifying letters or numbers. Unless otherwise provided in a Residential District, the following rules apply to all uses in the Residential Districts and are in addition to the General Rules for all Districts contained within Part 8 of this Bylaw.

### 9.2 Accessory Residential Buildings

#### 9.2.1 Unless otherwise provided in a residential district, the following rules apply to any accessory residential building:

- a) where a structure is attached to the principal building on a parcel by a roof, an open or enclosed structure, a floor or a foundation, it is to be considered as part of the principal building and not as an accessory residential building;
- b) an accessory residential building erected or placed on a parcel shall not be used as a dwelling unit, unless a development permit has been issued for a garden suite in accordance with Section 9.11;
- c) accessory residential buildings are subordinate to the principal use/building on the parcel and so the accessory residential building mass shall should not exceed the principal building mass. To ensure appropriate building mass, the maximum size of an accessory residential building for:
  - i) developments which are not approved as a multiple housing development may be up to 60% of the principal building parcel coverage, but should not exceed individually 70m<sup>2</sup>; or
  - ii) developments approved as a multiple housing development may be up to 40% of the principal building(s) parcel coverage, but should not individually exceed 150m<sup>2</sup>; or
  - iii) developments located on lots designated as R-LI will not be subject to clause 9.2.1 c) i; or
  - iv. developments located on R1 lots, which are 1500m<sup>2</sup> or larger, may be up to 70% of the principal building parcel coverage, but should not exceed individually 140m<sup>2</sup>.
- d) no accessory residential building or any portion thereof shall be erected or placed within the front yard of any parcel;
- e) no accessory residential building or any portion thereof shall be erected or located on or over an easement or utility right-of-way unless authorized by the Development Authority;
- f) on an interior parcel, an accessory residential building shall be situated so that the exterior wall is at least 0.9m from the side and rear boundaries of the parcel;
- g) on a corner parcel, an accessory residential building shall not be situated closer to the property boundary than the minimum yard setback of the principal building. It shall not be closer than 0.9m from the other side parcel boundary or the rear parcel boundary;
- h) notwithstanding clause 9.2.1(f) and (g) of this Part, an accessory residential building or any portion thereof may be erected or placed on the rear or side parcel boundary common to two (2) parcels provided the accessory building serves the two abutting parcels. The Development Authority shall, as a condition of approving this type of development, require the owners to register against both titles a Party Wall Agreement;
- i) an accessory residential building not containing a garden suite should not exceed the height of the principal building; (amended, b.400.23, 07/8/2019)
- j) all accessory residential buildings should have an exterior finish that will match or compliment the principal building on the parcel; and (amended, b.400.23, 07/8/2019)
- k) soft-sided or fabric covered buildings shall not be considered as an accessory residential building and are not allowed in residential districts.

### 9.3 Amenity Area

- ~~9.3.1~~ Applicants shall provide amenity area for multi-unit developments. The following regulations apply to all multi-attached housing, apartment housing and multiple housing developments.
- a) A minimum of 4.45m<sup>2</sup> of amenity space shall be provided per dwelling unit. This shall be provided as private amenity area, for the sole use of the dwelling unit.
  - b) Where the private amenity area cannot be provided, a public amenity area, measuring 11.15m<sup>2</sup> per dwelling unit for which private amenity area is not provided, shall be required.
  - c) All multiple housing developments, multi-attached housing and apartment housing over eight (8) units shall provide a public amenity space to the satisfaction of the Development Authority. This public provision is in addition to the requirements set out in 9.3.1(a) and (b). This public amenity space:
    - i may be indoors, outdoors or a combination of both and may constitute a communal lounge, multi-purpose space, or outdoor play area; and
    - ii the size and intensity of furnishings shall be appropriate for the development proposed.
  - d) Where public amenity is provided, all public amenity areas shall provide furnishings for the enjoyment of the development occupants. This may take the form of exercise rooms, furnished common rooms, benches, children play areas, outdoor bbq dining areas, gazebos or other communal gathering spaces, both indoors and outdoors, and shall be identified and approved through the development permit application process.

### 9.4 Building Orientation and Design (Residential)

- 9.4.1 In addition to the building orientation and design guidelines found in Section 8.4, the following regulations apply:
- a) the external treatment of a residential development should reflect and compliment the character of the surrounding developments. Where the Development Officer identifies that a sufficient amount of variation in design elements is not provided, the Development Officer may require additional design elements or the application will be referred to the Municipal Planning Commission for a decision. The following design elements shall act as a guide to the Development Officer for determining whether the design proposed is satisfactory:  
(amended, b.400.23, 07/8/2019)
    - i **EXCESSIVE REPETITION:** Repetition between dwelling units within close proximity of each other, either on the same or opposite sides of the street, should be avoided. Repetition includes frontage accents, roof pitches, material and accent colours;
    - ii **PROVIDE A VARIETY OF EXTERIOR ACCENTS:** Developments are encouraged to provide at least twenty percent (20%) of the front elevation consisting of natural materials such as wood, stone or brick, or other highlight features such as wood or vinyl wall shingles, decorative brackets and vents, as well as corner boards having a minimum width of 9cm;
    - iii **PROVIDE EXTERIOR COLOUR SCHEMES:** To ensure that exterior colours are not excessively repeated on the same and opposite side of the street, or to ensure that the colour scheme meets the requirements found in Part 14.4: The Downtown Area Redevelopment Plan Architectural Guidelines Overlay, the Development Officer may request a colour concept at the time of application for a development permit; and
    - iv **SIMILAR ROOF MASS AND PITCH:** Roof mass and pitch should be varied between adjacent dwelling units. A variety of roof forms are encouraged, with a variation in roof pitches starting at 3 in 12 (3:12) slope minimum. Special attention should be given to replicating roof massing models for the historic building styles identified and contained within Part 14.4 Downtown Area Redevelopment Plan Architectural Guidelines Overlay, of this Land Use Bylaw.
- 9.4.2 Notwithstanding the district development standards, the Development Authority shall ensure that the development is compatible to the immediate residential area and should ensure that the following design elements are met:
- a) provide a number of projections on each of the building elevations by the inclusion of the following elements: bay windows, cantilevered floor areas, fireplace chases, decks, verandas or covered entrances;

- b) any elevation for a multi-residential development greater than four (4) units exposed to a street should be of the same standard as the front elevation;
- e) where a property has a lane, the Development Authority will encourage that all required parking be designed to complement the surrounding neighbourhood ~~should be from the lane;~~
- d) where a property provides an attached rear garage, the width of the garage should not exceed more than two thirds (2/3) the width of the lot;
- e) where a facade exceeds 15m, the front facade should be varied with changes in setback, material, and the provision of design features to break up the visual massing of the building; and
- f) on a corner lot, the front facade of the dwelling unit(s) should be directed to the front yard.
- g) a minimum of one (1) primary entry door shall be located on the front façade. Multiple dwelling units may be developed such that primary access is gained from the side or rear yards of the parcel provided that:
  - i) a sidewalk connecting from the front of the parcel and from the required parking area to the primary entry doors of each unit is provided; and
  - ii) the side yard setback(s) shall be increased to 2.4m where there is a primary side yard access(es);
  - iii) at least one side yard setback shall be increased to 2.4m where there is a primary rear yard access; and
  - iv) appropriate site signage shall be developed to indicate the location and primary entry door to all units on site.

#### 9.4.3 Single Detached Units on Corner Lots

- a) Single detached dwelling units located on corner lots should be orientated so that the front door faces the front yard. Yard variances, per clause 4.8.3, should generally not be granted for residential corner lot development.

#### 9.4.4 Semi Detached and Duplex Developments

- a) Semi-detached should be designed to resemble separate and distinct dwellings.
- b) Duplex developments should appear as one large dwelling unit.

*Examples of duplexes and semi-detached dwellings are provided:*



*Example of a mirror image semi-detached dwelling with a recessed party wall, creating the illusion that they are two separate dwellings*



*Example of a duplex that resembles a large dwelling unit*

- c) mirror image new semi-detached dwellings should not be allowed unless there is substantial facade treatment



or front facade recession to give the illusion of different design.

*Example of a mirror image semi-detached dwelling that provides substantial façade treatment.*

#### 9.4.5 Semi-Detached, Duplex and Multi-attached Housing Corner Lot Units

- a) The exterior treatment of all sides of new duplex and multi-dwelling developments facing onto a highway or street should reflect its dual frontage and incorporate elements such as window treatment, building projections, wrap around porches and decks, on both frontages.
- b) Corner lot semi-detached or duplex developments are encouraged to address both street frontages.



*Example of a semi-detached dwelling which addresses both street frontages*

#### 9.4.6 Sensitive Massing of Larger Developments

- a) Larger developments should resemble a series of smaller dwellings through sensitive massing and be designed with a variation of the façade, roof slopes, window treatments, unit entry, and other design elements to enhance the relationship with the street and public space. Monolithic, flat façades are not acceptable.



*Examples of sensitive building massing.*

### 9.5 Cooking Facilities Allowed within a Dwelling Unit

- 9.5.1 A maximum number of 220 or 240 Volt electrical outlets or equivalent gas connections which, in the opinion of the Development Authority, are intended to be connected to cooking facilities: equals one (1).
- 9.5.2 Notwithstanding (1) above, a separate cook top and wall oven unit, or multiple wall oven units are allowed, provided they are located within the same kitchen area, allowing for additional outlets or equivalent gas connections.

- 9.5.3 The Development Authority may approve additional cook top and wall oven units, located in a separate room from the kitchen, so long as the Development Authority is satisfied that the facilities cannot be used as a de facto secondary suite. When determining appropriateness, the Development Authority shall not allow the additional units to be located on a different floor than the kitchen within the dwelling. (Amended, b.400.02, 04/24/2017)

## 9.6 Dwelling Units Allowed on a Parcel

- 9.6.1 Only one dwelling unit per parcel should be allowed, unless exempted by clause 9.6.2.
- 9.6.2 Subject to Development Authority approval, more than one (1) dwelling unit may be approved on a parcel if:
- a) all dwelling units conform to the Alberta Building Code;
  - b) in the R1 (Residential Detached District), R1-N (Residential Detached narrow District), R-LI (Residential Light Industrial District) , the additional dwelling unit (s) is either:
    - i a garden or secondary suite, approved for a detached dwelling unit considering the regulations of Section 9.11;
  - c) in the R2 (Residential Single & Semi-Detached) District, the dwelling unit(s) is either:
    - i a semi-detached dwelling unit;
    - ii a duplex dwelling unit; or
    - iii a garden or secondary suite, approved for a detached dwelling unit considering the regulations of Section 9.11;
  - d) in the R3 (Residential Modular Home) District, the parcel has a modular home park development permit approval; or
  - e) in the R4 (Residential Mixed), R5 (Residential Multi Unit Dwelling), R6 (Residential Apartment) and R-CM District:
    - i the additional dwelling unit(s) is contained within a building that it is designed for or divided into two (2) or more dwelling units;
    - ii is a garden or secondary suite approved under the regulations of Section 9.11; or
    - iii part of a multi-housing development.
- 9.6.3 For the purposes of this Land Use Bylaw all existing secondary suites and garden suites are considered unauthorized dwelling units, except where a development permit approval has been given and they were lawfully constructed in conformance with any other act or regulation having effect.

## 9.7 Historic Mixed Use Dwellings

- 9.7.1 As a means of encouraging the adaptive reuse of historic residential dwellings, the Development Authority may consider proposals which provide commercial elements in a residential component through the development of a Historic Mixed Use Dwelling (HMUDs). The Development Authority should consider the following for all Historic Mixed Use Dwelling development permit applications:
- a) historic mixed use dwellings shall only be located within single detached dwellings that are deemed historic buildings, located within the boundaries of:
    - i Section 14.4.10 Historic Residential District;
    - ii Section 14.4.12 Mixed Use Transition District;
    - iii Section 14.4.13 Old Town Main Street District: Mixed Use District; or
    - iv Section 14.4.14 Old Town Main Street District: Residential District;
  - b) a historic mixed use dwelling shall require the provision of a minimum of one (1) self-contained dwelling unit within the principal building. The applicant shall submit the floor area and plans designating each component of the development at time of application:
    - i additional dwelling units may be considered provided they are contemplated within the underlying land use designation of the parcel; and
    - ii the dwelling unit shall be used as a principal residence and not act as a hotel, motel or boarding and rooming house;

- c) a historic mixed use dwelling may generate an increase in traffic provided that it does not impede typical vehicular or pedestrian traffic characteristic of the surrounding district;
- d) only one (1) business vehicle should be allowed in conjunction with the commercial component of the development. If allowed by the Development Authority, one onsite parking space on the property may be required to accommodate additional business equipment considered appropriate to the business, such as a small utility trailer;
- e) the commercial component of a historic mixed use dwelling may consider uses typically approved as a Home Occupation 2, as well as those uses more typically considered in a commercial district, such as retail sales, office uses, personal services and restaurants or lodgings;
- f) there is no limit on the number of non-resident employees allowed to work on site, so long as all parking requirements for the business and residence are met;
- g) parking shall be provided to meet the needs of the commercial component. The parking requirements found in Tables 8.2 and 8.4 shall be used for each use developed (including the need to provide two (2) parking spaces for the dwelling unit);
- h) signs may be approved for the commercial component of a Historic Mixed Use dwelling provided:
  - i) the sign displays only the name and type of the business, telephone number and logo;
  - ii) the sign does not exceed 0.16m<sup>2</sup>;
  - iii) the sign is unlit;
  - iv) the sign is affixed to the front face of the dwelling or a free-standing sign post not to exceed 1.5m in height; and
  - v) in the opinion of the Development Authority the sign is unobtrusive and complementary to the neighbourhood;
- i) a Historic Mixed Use Dwelling development shall not involve or include:
  - i) activities that use or store hazardous material;
  - ii) any use determined by the Development Authority to be undesirable in a residential district, including but not limited to by reason of the creation of any nuisance by way of noise, dust, odour or smoke, or anything of an offensive or objectionable nature;
- j) any outdoor storage is required to be screened through the provision of a 1.8m tall solid fence or equivalent landscaping to the satisfaction of the Development Authority; (amended, b.400.23, 07/8/2019)
- k) an approval does not exempt the applicant from compliance with any of the following:
  - i) federal or provincial regulation, including but not limited to the *Child Care Licensing Regulation and the Public Health Act*; both as amended; and
  - ii) municipal bylaws and regulations, including but not limited to the City of Lacombe's Business License Bylaw.

## 9.8 Home Occupation Standards

9.8.1 All home occupations shall comply with the following:

- a) home occupations shall require development permit approval prior to the issuance of a Business License;
- b) a home occupation may be carried out in the principal dwelling unit and/or an accessory residential building located on the same parcel;
- c) all home occupations shall be incidental and subordinate to the residential use of the dwelling and any accessory building;
- d) the applicant shall submit the floor area and plans designated for the home occupation at time of application;
- e) traffic generated by the home occupation shall conform to the Lacombe Traffic Bylaw. Uses which are likely to generate traffic problems or require vehicles that do not conform to the Bylaws of the City within the residential district shall not be allowed;
- f) when a development permit is issued for a home occupation, such permit is valid for the address stated on the application and is not transferable to a new address;

- g) the Development Authority may impose conditions relating to the hours and days of operation to ensure the development is complimentary to the neighbourhood;
- h) the Development Authority may impose conditions to ensure that a home occupation shall not:
  - i) involve a use that may materially interfere with or affect the use or enjoyment of neighbouring properties;
  - ii) involve a use with the potential to be undesirable as a home occupation;
  - iii) create any nuisance by way of noise, dust, odour or smoke, or anything of an offensive or objectionable nature;
  - iv) involve activities that use or store hazardous material; and
  - v) alter the external appearance and residential character of the buildings and land.
- i) the applicant shall provide area for on-site parking, in addition to those required for the dwelling unit, to accommodate any business associated equipment and customers.
  - i) The applicant is required to provide a detailed on-site parking plan including two (2) on site parking spaces required for the dwelling unit, parking spaces required for a business vehicle and business equipment trailer used in conjunction with the operation of the home occupation, and any required parking for customers (Home Occupation 2) accessing the site.
  - ii) Not more than one (1) business vehicle should be used in the operation of the home occupation and should be either a passenger vehicle, or a truck or van with a maximum of one tone design capacity, with a maximum length of 6m.
  - iii) If approved by the Development Authority, one (1) additional onsite parking space on the property may be allowed to accommodate additional business equipment considered appropriate to the business (i.e. small utility trailer);
- j) an approval of a home occupation use does not exempt the applicant from compliance with any of the following:
  - i) federal or provincial regulation and legislation, including but not limited to the *Child Care Licensing Regulation* and the *Public Health Act*; both as amended; and
  - ii) municipal bylaws and regulations, including but not limited to the City of Lacombe's Business License Bylaw.

### 9.8.2 Home Occupation 1

- a) To receive approval for a Home Occupation 1, a home occupation is required to comply with the following:
 

(amended, b.400.23, 07/8/2019)

  - i) the home occupation shall not generate any additional pedestrian or vehicular traffic than is typical for a residential use;
  - ii) there shall be no signage or advertisement of the address related to the home occupation with the exception of vehicle wrapping on a registered vehicle used for the day-to-day operations of the business;
  - iii) the home occupation shall not employ any person on site other than permanent residents of the principal dwelling;
  - iv) the storage of goods is allowed within the principal dwelling or accessory building. No goods associated with the home occupation shall be displayed. Sales of goods made electronically or by telephone may occur on the premises, however, no sales where the customer is present on site are allowed on site; and
  - v) any equipment to be located outside of the principal dwelling is at the discretion of the Development Authority. The Development Authority may require the screening of any on-site storage.

### 9.8.3 Home Occupation 2

- a) To receive approval for a Home Occupation 2, a home occupation is required to comply with the following:
 

(amended, b.400.23, 07/8/2019)

  - i) a Home Occupation 2 may generate an increase in traffic provided that it does not impede typical vehicular or pedestrian traffic characteristic of the surrounding District;

- ii a Home Occupation 2 shall not be allowed if, in the opinion of the Development Authority, the intensity of the use or type of use would be more appropriately located in a commercial or industrial district to maintain the residential character of the area;
- iii where the Home Occupation 2 involves the sale of goods, the area of space dedicated to the display and retail sales should be limited to no more than 20m<sup>2</sup>. (amended, b.400.23, 07/8/2019)
- b) The application for a Home Occupation 2 shall:
  - i include a site plan identifying required parking, per clause 9.8.1(i);
  - ii state the on-site location of any visitor parking that is to be provided on-site.
- c) No more than one (1) non-resident employee is allowed to work on the parcel at any one time.
- d) The Development Authority may require the screening of any on-site storage.
- e) Signs may be allowed for Home Occupation 2 uses if:
  - i the sign displays only the name and type of the business, telephone number and logo;
  - ii the sign does not exceed 0.16m<sup>2</sup>;
  - iii the sign is unlit;
  - iv the sign is affixed to the front face of the dwelling or a free-standing sign post not to exceed 1.5m in height; and
  - v in the opinion of the Development Authority the sign is unobtrusive and complementary to the neighbourhood.

### 9.9 Modular Home Development Standards

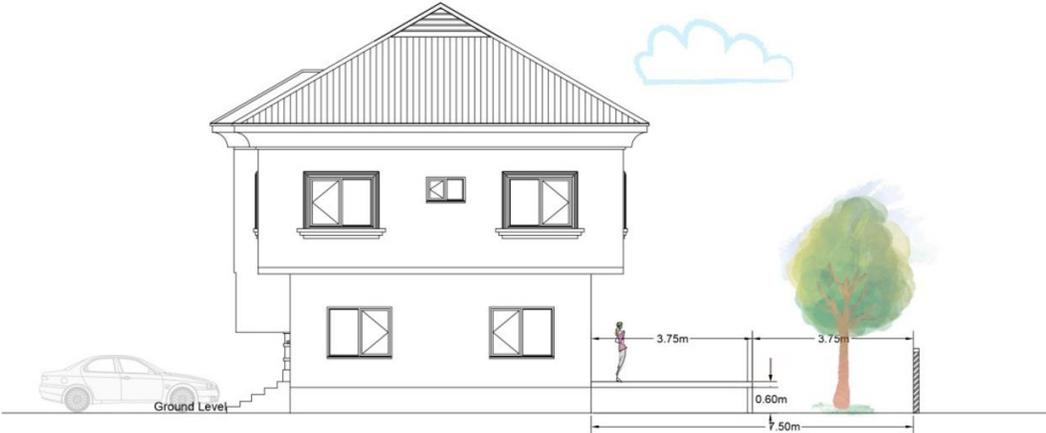
- 9.9.1 The external appearance of new modular homes located in all districts other than the R3 – (Residential Modular Home District shall be acceptable to the Development Authority having regard to compatibility with other buildings in the vicinity and should have:
  - a) a minimum roof pitch of 4:12;
  - b) a minimum roof overhang or eaves of 0.40m from each external wall;
  - c) a maximum length to width ratio of 3:1;
  - d) a minimum width of 6.7m.
- 9.9.2 Modular homes located in all districts other than the R3 – Residential Modular Home District shall be set on a permanent foundation.
- 9.9.3 The Development Authority may require architectural details be provided as part of a development permit application to ensure that the proposed development complies with the regulations set out in Section 9.4 and Section 9.9.

### 9.10 Projections into Minimum Yard Setbacks

- 9.10.1 Except as provided for in this Part, projections that are on foundation walls and footings, or are on a grade beam/pile system are deemed to be part of the building, and shall not be considered a projection.
- 9.10.2 No portion of a structure or building shall project into a public or private right-of-way, and to do so will require an agreement with the City or owner of the right-of-way.
- 9.10.3 The following portions or attachments of the principal building, an accessory building or a structure which project over or on a minimum yard setback shall be allowed when they are located on the same parcel:

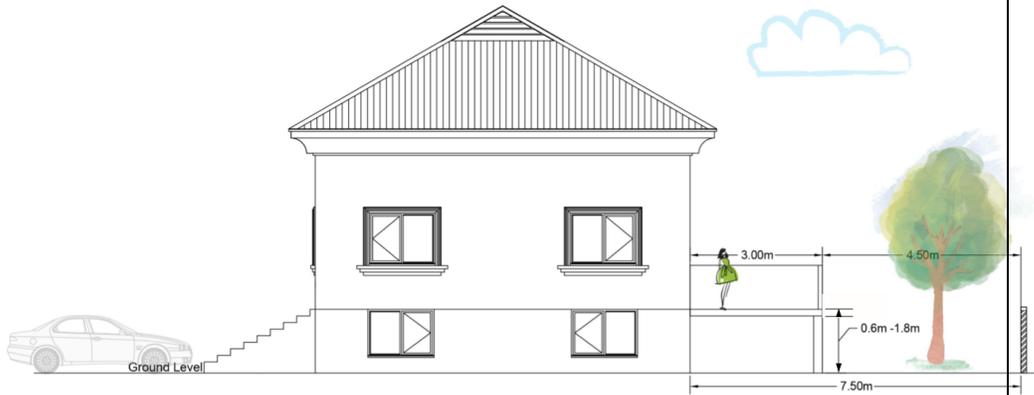
**TABLE 9.1: PROJECTIONS INTO MINIMUM YARD SETBACKS**

A) Projections into All Yard Setbacks:	Permitted Projection into Required Setback
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<ul style="list-style-type: none"> <li>i. Eave overhangs of principal buildings or accessory buildings</li> <li>ii. Fireplace chase or any other enclosed projection of a building area</li> <li>iii. Retaining walls and landscaping (so long as site lines are not impacted)</li> <li>iv. Fences having a maximum height of 1m</li> <li>v. Patios at grade level</li> </ul>	<ul style="list-style-type: none"> <li>i. 0.6m</li> <li>ii. 0.6m</li> <li>iii. Unlimited</li> <li>iv. Unlimited</li> <li>v. Unlimited</li> </ul>
<b>B) Projections into Front Yard Setbacks:</b>	<b>Permitted Projection into Required Setback</b>
<ul style="list-style-type: none"> <li>i. Balconies, patios (above grade) and decks (unenclosed/no roof)</li> <li>ii. Steps (unenclosed/no roof)</li> </ul>	<ul style="list-style-type: none"> <li>i. 2.0m</li> <li>ii. 3.0m</li> </ul>
<b>C) Projections into Rear and Side Yard Setbacks:</b>	<b>Permitted Projection into Required Setback</b>
<ul style="list-style-type: none"> <li>i. Satellite dishes, radio and television antenna</li> <li>ii. Fences having a maximum height of 1.8m except where sight triangles are required</li> <li>iii. Landings (unenclosed)</li> <li>iv. Patios (above grade), and decks (unenclosed), the finished surface of which is greater than grade level and not more than 0.6m above grade</li> </ul> 	<ul style="list-style-type: none"> <li>i. 0.6m</li> <li>ii. Unlimited</li> <li>iii. 1.0m</li> <li>iv. half (1/2) the minimum required yard</li> </ul>
<b>D) Projections into Rear Yard Setbacks</b>	<b>Permitted Projection into Required Setback</b>

i. Balconies, decks (unenclosed) and verandahs, the finished surface of which is more than 0.6m but less than or equal to 1.8m above grade

i. 3m

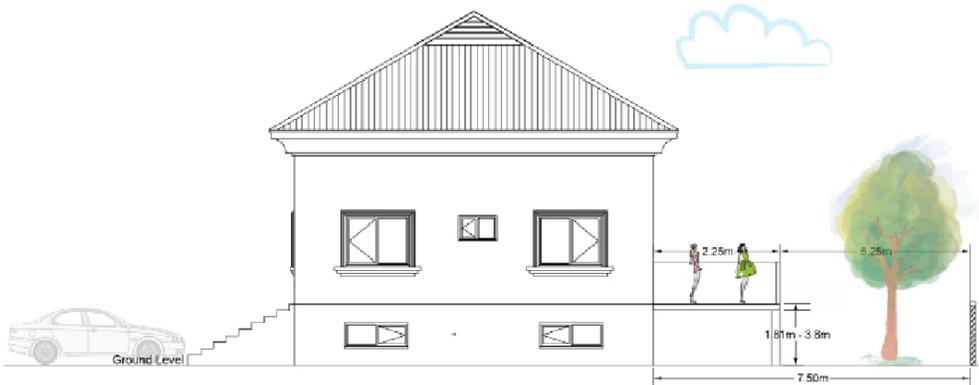


**D) Projections into Rear Yard Setbacks (continued)**

**Permitted Projection into Required Setback**

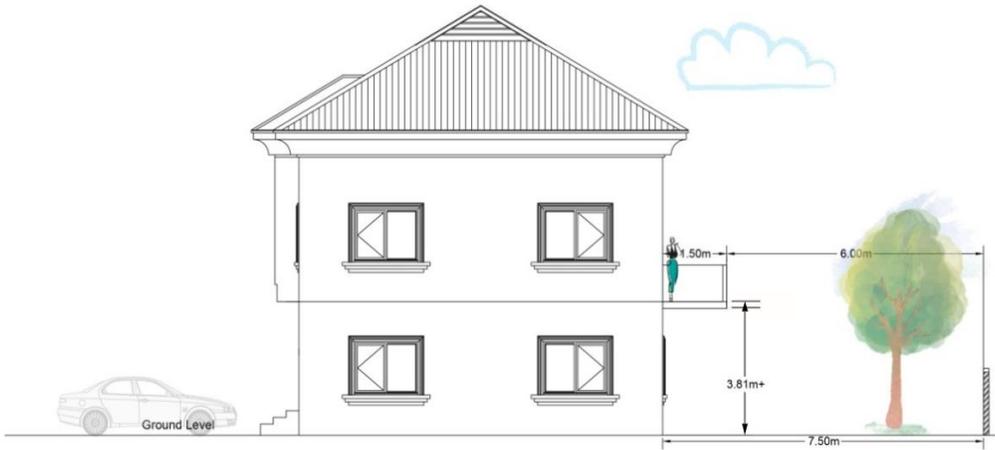
ii. Balconies, decks (unenclosed) and verandahs where the finished surface is more than 1.8m but less than or equal to 3.8m above grade

ii. 2.25m



iii. Balconies, decks (unenclosed) and verandahs, where the finished surface is more than 3.8m above grade

iii. 1.5m



## 9.11 Suites: Garden and Secondary

- 9.11.1 Suites shall meet Alberta Building Code standards.
- 9.11.2 Where two (2) suites are proposed for a parcel of land (e.g within the R4 - Residential Mixed District), the suites shall be a secondary and garden suite. No parcel of land shall accommodate two (2) secondary suites or two (2) garden suites.
- 9.11.3 The number of suites per single detached principal dwelling unit is limited to one (1) suite in the R1 (Residential Detached), R1-N (Residential Detached Narrow), R2 (Residential Single & Semi-Detached), R-LI (Residential Light Industrial) and RCM (Residential Commercial Mixed Use) Districts. Suites are not allowed within a semi-detached dwelling unit, or on the same parcel as a semi-detached dwelling unit within these Districts.
- 9.11.4 Suites are not allowed in the R3 (Residential Modular Home) District.
- 9.11.5 Within the R4 - Residential Mixed District, one (1) secondary suite within the principal dwelling and one (1) garden suite within an accessory residential building may be developed on the same parcel provided the requirements for each use are fulfilled. Within this district, the secondary suite may be within a semi-detached or multi-attached dwelling unit and the garden suite may be on the same lot as a semi-detached, duplex or multi-attached dwelling unit.
- 9.11.6 Within the R5 (Residential Multi Unit Dwelling District), a garden suite may be considered on the same lot as a semi-detached, duplex or multi-attached dwelling unit.
- 9.11.7 A secondary suite should occupy no more than the equivalent of 90% of the main floor area of the principal dwelling. (amended, b.400.23, 07/8/2019)
- 9.11.8 A garden suite shall be considered an accessory residential building. **Despite the size regulations for accessory residential buildings found in Section 9.2, a garden suite should occupy no more than 75m<sup>2</sup>.**-(amended, b.400.23, 07/8/2019)

9.11.9 The building footprint of the accessory residential building containing the garden suite shall be subject to clause 9.2.1 c):

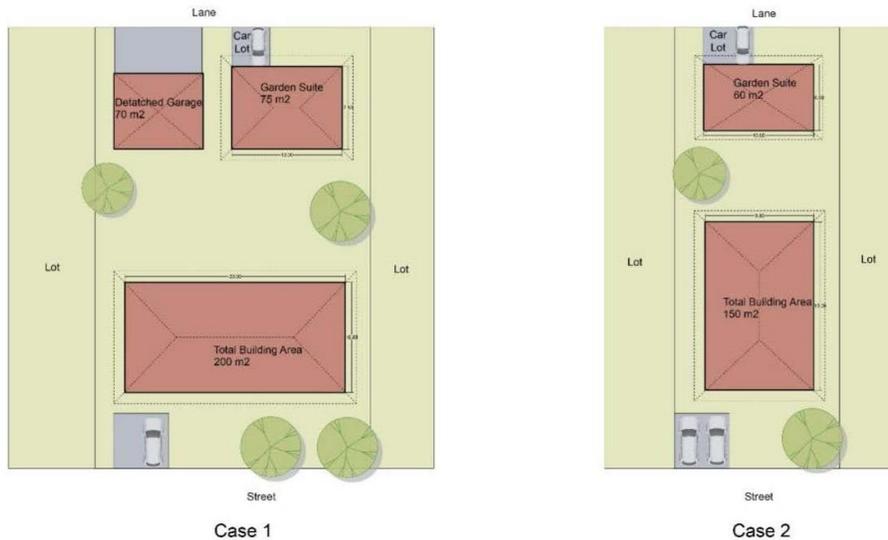
~~a) should not exceed 75m<sup>2</sup>; and~~

~~b) (deleted, b.400.23, 07/8/2019)~~

FIGURE 9.5: GARDEN SUITE REGULATIONS (Amended, b.400.23, 07/8/2019)

Permissible Areas for Garden Suite on a Lot

A garden suite should occupy no more than 75m<sup>2</sup>.



9.11.10 A garden suite shall not be taller than 9m, but shall be a minimum of 0.5m shorter than the principal dwelling.

9.11.11 In addition to the parking requirements for the principal use, parking spaces shall be provided as follows:

a) zero or one bedroom suites which are less than 60m<sup>2</sup>: one (1) parking space; or

b) two bedroom suites or suites between 60m<sup>2</sup> and 75m<sup>2</sup>: two (2) parking spaces; and

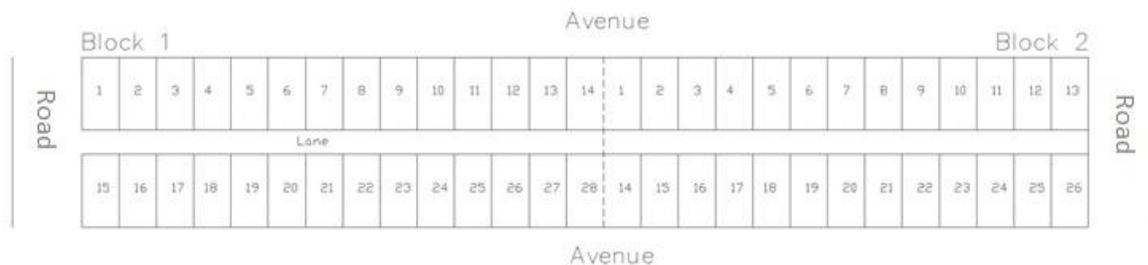
~~c) where two parking spaces are required, tandem parking shall not be allowed;~~

9.11.12 Parcels containing suites shall be developed so that:

- the portion of the principal dwelling or accessory residential building containing the suite reflects the design of the principal dwelling on the parcel; incorporating similar design features such as windows and door detailing, exterior cladding materials and color, and roof lines;
- all buildings on the parcel are compatible in scale to the residential developments in the immediate vicinity;
- all site improvements associated with the suite, such as parcel landscaping, parking, and fencing are consistent in design to site improvements associated with the residential developments in the immediate vicinity; and
- windows and doors are oriented in a manner that maximizes privacy for the suite as well as adjacent parcels. Windows and doors are encouraged to face mainly towards the back lane and back yard of the parcel, as opposed to neighbouring parcels.

- 9.11.13 Suite concentrations (both secondary and garden) will be limited on a block by block basis within the R1 (Residential Detached), R1-N (Residential Detached Narrow), R2 (Residential Single & Semi-Detached), R-LI (Residential Light Industrial) and RCM (Residential Commercial Mixed Use) Districts. Within the R4 (Residential Mixed) and R5 (Residential Multi Unit Dwelling) Districts suites are not regulated by a block limitation. The Development Authority shall maintain an up to date map of suite blockings and approved suites, and shall make this map available for viewing to the public.
- 9.11.14 Secondary suite blocks are developed by Development Authority and should enable one, or a combination of the following:
- a continuous group of residential parcels abutting a common lane or property boundary; or
  - a continuous group of residential parcels sharing a common street where no lane exists; or
  - a continuous group of residential parcels sharing a common crescent.
- 9.11.15 Secondary suite blocks should include no more than thirty (30) residential parcels for the purpose of this Part:
- If a block consists of more than thirty (30) parcels on which a suite may be considered, the block shall be divided into new blocks so that the total number of lots within a block does not exceed thirty (30) parcels.
    - Divisions should be made perpendicular to the lane or rear property line; and where irregularities in street patterns exist, block delineations shall be established by the Development Authority.
- 9.11.16 The number of suites allowed within any block (for R1 (Residential Detached), R1-N (Residential Detached Narrow), R2 (Residential Single & Semi-Detached), R-LI (Residential Light Industrial) and RCM (Residential Commercial Mixed Use) Districts) shall be limited to twelve percent (12%) of the existing parcels located on that block. All calculations shall be rounded up to the next whole number.

FIGURE 9.6: TYPICAL BLOCKING (SINGLE DETACHED NEIGHBOURHOOD WITH LANE)



**Blocking**

Total single family dwellings = 54 units  
 Maximum Block Size = 30 units  
 Block 1 = 28 units  
 Block 2 = 26 units

**Secondary Suites @12% per block**

Block 1 = 3.36, or 4 suites  
 Block 2 = 3.12, or 4 suites

FIGURE 9.7: TYPICAL BLOCKING FOR SINGLE DETACHED NEIGHBOURHOOD WITHOUT A LANE

FIGURE 9.8: TYPICAL BLOCKING FOR CRESCENTS

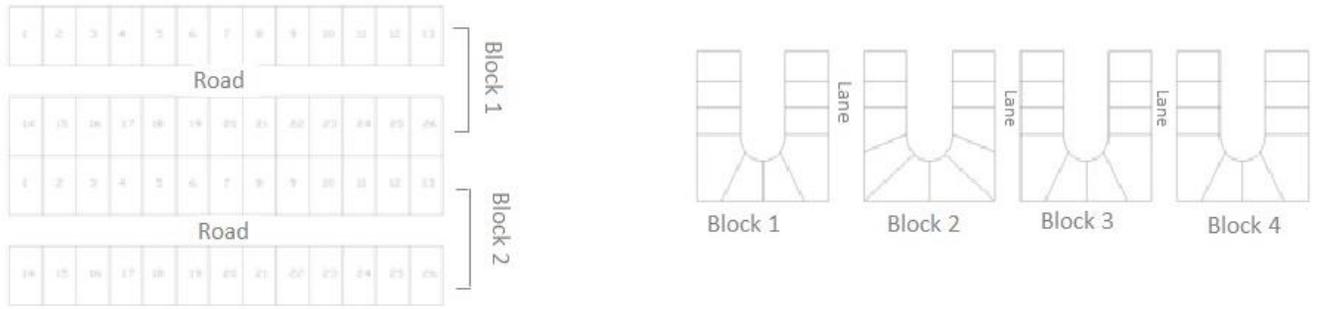


FIGURE 9.9: TYPICAL BLOCKING FOR R2: RESIDENTIAL SINGLE AND SEMI-DETACHED DISTRICT



9.11.17 Where an approved Outline Plan identifies 'pre-approved' locations for garden and secondary suites, these suites shall be considered a permitted use. A maximum of 10% of the total number of suites allowed per block shall be pre-approved at the Outline Plan Stage.

9.11.18 Pre-approved garden and secondary suites shall count towards fulfilling the total number of suites allowed in any one (1) block. Should the garden or secondary suite not be constructed and completed within two (2) five (5) years of the principal dwelling's building permit being approved, the garden or secondary suite 'pre-approval' shall be forfeited to enable the development of other suites to contribute towards the blocking percentage.

9.11.19 If the number of existing suites exceeds the prescribed concentration on a block the Development Authority will consider the functionality and merits of each individual application on a case by case basis.

## 9.12 Swimming Pools and Hot Tubs

9.12.1 Outdoor pools and hot tubs shall not be located within the front yard.

9.12.2 Outdoor pools and hot tubs shall not be located within the side yard setback requirement.

9.12.3 Outdoor pools and hot tubs shall be located a minimum of 2m from the rear property boundary. Where an easement or right of way exists, outdoor pools and hot tubs shall not be located on the easement/right of way and shall be set back 0.5m from the easement/right of way.

9.13 RESIDENTIAL DETACHED DISTRICT

R1

9.13.1 Purpose: To provide an area for residential development in the form of detached dwellings and compatible uses.  
 (amended, b.400.02, 04/27/2017) ( amended, b.400.23, 07/8/2019)



Permitted Uses	Discretionary Uses
Accessory residential building Demolition Detached dwelling Garden suite as in an approved Outline Plan Home occupation 1 Public utility building/use Relocation of building	Bed and breakfast Boarding and rooming house Care residence Community, culture and recreation facility – minor Day care facility Duplex dwelling existing at the date of passage of this Land Use Bylaw Garden suite Historic mixed use dwelling Home occupation 2 Modular home Parking facility Parks and playgrounds Place of worship, existing at the date of passage of this Land Use Bylaw Secondary suite Semi-detached dwelling existing at the date of passage of this Land Land Use Bylaw Wind turbine generator Class 2 sign

### 9.13.2 PARCEL DEVELOPMENT REGULATIONS

<b>Minimum Front Yard</b>	6m
<b>Minimum Side Yard</b>	1.5m; or 2.75m where the property abuts a public roadway other than a lane; or 3m on one side on a laneless lot where no front garage exists
<b>Minimum Rear Yard</b>	7.5m; or 6m from a rear attached garage to a lane, providing the remainder of the principal dwelling maintains a 7.5m rear yard setback.
<b>Maximum Parcel Coverage (Principal)</b>	40%
<b>Maximum Parcel Coverage (Accessory)</b>	15%
<b>Maximum Building Height</b>	10 m
<b>Minimum Parcel Area</b>	Interior parcel: 465m <sup>2</sup> Corner parcel: 510m <sup>2</sup>
<b>Minimum Parcel Width</b>	Interior parcel: 13m Corner parcel: 14.5m
<b>Landscaping</b>	As per the regulations in Section 8.13
<b>Parking</b>	As per the regulations in Section 8.18
<b>Supplementary Regulations</b>	As per the regulations in Parts 8 - 14 (amended, b.400.23, 07/8/2019)

9.14 RESIDENTIAL DETACHED NARROW DISTRICT

R1-N

9.14.1 Purpose: To provide an area for residential development in the form of detached dwellings and compatible uses on narrow lots. (amended, b.400.23, 07/8/2019)



Permitted Uses	Discretionary Uses
Accessory residential building Demolition Detached dwelling Home occupation 1 Public utility building/use Relocation of building	Bed and breakfast Community, culture and recreation facility – minor Duplex dwelling existing at the date of passage of this Land Use Bylaw Garden suite (provision only up to one (1) bedroom unit) Home occupation 2 Modular home Parking facility Parks and playgrounds Secondary suite (provision only up to one (1) bedroom unit) Class 2 sign

### 9.14.2 PARCEL DEVELOPMENT REGULATIONS

<b>Minimum Front Yard</b>	6m
<b>Minimum Side Yard</b>	1.5m; or 2.75m where the property abuts a public roadway other than a lane; or 3m on one side on a laneless lot where no front garage exists
<b>Minimum Rear Yard</b>	7.5m; or 6m from a rear attached garage to a lane, providing the remainder of the principal dwelling maintains a 7.5m rear yard setback.
<b>Maximum Parcel Coverage (Principal)</b>	40%
<b>Maximum Parcel Coverage (Accessory)</b>	15%
<b>Maximum Building Height</b>	10m
<b>Minimum Parcel Area</b>	Interior parcel: 375m <sup>2</sup> Corner parcel: 410m <sup>2</sup>
<b>Minimum Parcel Width</b>	Interior parcel: 10.5m Corner parcel: 11.75m
<b>Landscaping</b>	As per the regulations in Section 8.13
<b>Parking</b>	As per the regulations in Section 8.18
<b>Supplementary Regulations</b>	As per the regulations in Parts 8 - 14 (amended, 07/8/2019)

9.15 RESIDENTIAL SINGLE & SEMI-DETACHED DISTRICT

R2

9.15.1 Purpose: To provide an area for residential development in the form of detached and semi-detached dwellings and compatible uses. (amended, b.400.02, 04/24/2017) (amended, b.400.23, 07/8/2019)



Permitted Uses	Discretionary Uses
Accessory residential building Demolition Detached dwelling Duplex dwelling Garden suite as in an approved Outline Plan Home occupation 1 Public utility building/use Relocation of building Secondary suite in detached dwellings up to 12% of block Semi-detached dwelling	Bed and breakfast Care residence Community, culture and recreation facilities – minor Day care facility Garden suite Historic mixed use dwelling Home occupation 2 Modular home Parking facility Parks and playgrounds Place of worship, existing at the date of passage of this Land Use Bylaw Secondary suite, when 12% block exceeded Class 2 sign

## 9.15.2 PARCEL DEVELOPMENT REGULATIONS

<b>Minimum Front Yard</b>	6m
<b>Minimum Side Yard</b>	1.5m, or 2.75m where the property abuts a public roadway other than a lane; or 3m on one side on a laneless lot where no front garage exists; or 0m where the building and/or deck/verandah shares a common wall, and a party wall agreement has been entered into and duly registered on title of the subject parcels (Amended, b.400.02, 04/24/2017)
<b>Minimum Rear Yard</b>	7.5m; or 6m from a rear attached garage to a lane, providing the remainder of the principal dwelling maintains a 7.5m rear yard setback.
<b>Maximum Parcel Coverage (Principal)</b>	40%
<b>Maximum Parcel Coverage (Accessory)</b>	15%
<b>Maximum Building Height</b>	10m
<b>Minimum Parcel Area</b>	<b>Detached, duplex and care residence</b> <ul style="list-style-type: none"> <li>• Interior parcel: 375m<sup>2</sup></li> <li>• Corner parcel: 410m<sup>2</sup>**</li> </ul> <b>Semi-detached dwelling</b> <ul style="list-style-type: none"> <li>• Interior parcel: 310m<sup>2</sup></li> <li>• Corner parcel: 345m<sup>2</sup></li> </ul>
<b>Minimum Parcel Width</b>	<b>Detached, duplex and care residence</b> <ul style="list-style-type: none"> <li>• Interior parcel: 10.5m</li> <li>• Corner parcel: 11.75m</li> </ul> <b>Semi-detached dwelling</b> <ul style="list-style-type: none"> <li>• Interior parcel: 8.75m</li> <li>• Corner parcel: 10m</li> </ul>
<b>Landscaping</b>	As per the regulations in Section 8.13
<b>Parking</b>	As per the regulations in Section 8.18
<b>Supplementary Regulations</b>	As per the regulations in Parts 8 - 14 (amended, b.400.23, 07/8/2019)

\*\*parcel area for Lot 1, Plan 4404TR shall not be less than 325 m<sup>2</sup>

9.16.1 Purpose: To provide an area for residential development in the form of modular homes and compatible uses, on separately titled parcels or in comprehensively designed parks. (amended, b.400.23, 07/8/2019)

Permitted Uses	Discretionary Uses
Accessory residential building Demolition Home occupation 1 Modular home Public utility building/use Relocation of building	Accessory building Accessory use Community, culture and recreation facility – minor Day care facility Home occupation 2 Modular home park Parking facility Parks and playgrounds  Class 2 sign

9.16.2 In this District,

- a) "lot" means the total area of land reserved for the placement of a modular home and for the exclusive use of its occupant(s);
- b) "structure" means a subordinate building which is an addition to or supplements the facilities provided by a modular home, such as awnings, storage structures, carports, decks, porches and skirting.

**MODULAR HOME PARK REGULATIONS**

<b>Minimum Park Area</b>	2.0 hectares
<b>Recreation &amp; Storage Areas</b>	<p>A minimum of 10% of the total area of a modular home park shall be set aside in a suitable location as a public amenity area. Playground equipment or other recreation facilities shall be provided in accordance with the approved development permit. (amended, b.400.23, 07/8/2019)</p> <p>Common storage areas, separate from the individual modular home lots, shall be provided for storage of seasonal recreational equipment not capable of storage on the modular home lot. Such storage areas shall be screened. A minimum of 20m<sup>2</sup> per modular home lot shall be provided for storage areas.</p>
<b>Lot Lines</b>	<p>A site plan indicating all lot boundaries and dimensions shall be required.</p> <p>All lot lines shall be clearly defined on the ground by permanent flush stakes, or markers with a lot number or other address system</p>
<b>Minimum Yards</b>	<p>Modular homes and any attached, enclosed structures (e.g. attached garages, sunrooms and additions) in a newly created modular home park shall be no less than:</p> <ul style="list-style-type: none"> <li>• 4.8m from one another</li> <li>• 7m from any park boundary</li> <li>• 3m from any internal access road or common parking facility</li> <li>• 1.5m from any side lot line</li> <li>• 1.5m from any rear lot line</li> </ul> <p>Residential accessory buildings shall maintain a minimum 0.9m setback from side and rear lot lines, and shall be located no closer than 2.4m from a modular home on an adjacent lot.</p> <p>Notwithstanding Section 9.10, unenclosed decks may extend to a side lot line provided a minimum 1.5m separation distance is maintained from any structure on an adjacent lot and is approved by the Municipal Planning Commission.</p>
<b>Maximum Gross Density</b>	17 modular homes per hectare
<b>Design</b>	<p>All modular homes shall be factory built. Skirting or any attached structure shall have matching or complimentary exterior finish, or be of durable all-weather construction and designed in a manner complimentary to the modular home development.</p> <p>Each modular home shall be leveled, blocked and skirted and all stairs and landings constructed within thirty (30) days of being placed on a lot.</p>
<b>Landscaping</b>	As per the regulations in Section 8.13
<b>Parking</b>	As per the regulations in Section 8.18
<b>Supplementary Regulations</b>	As per the regulations in Parts 8 - 14 and as listed in this District (amended,b.400.23, 07/8/2019)

## MODULAR HOME SUBDIVISION/INDIVIDUALLY TITLED LOTS

<b>Minimum Parcel Area</b>	Interior parcel: 375m <sup>2</sup> Corner parcel: 410m <sup>2</sup>
<b>Minimum Parcel Width</b>	Interior parcel: 10.8m Corner parcel: 11.75m
<b>Minimum Yards</b>	Modular homes and any attached, enclosed structures (ie. attached garages, sunrooms and additions) shall be no less than: <ul style="list-style-type: none"><li>• 4.8 m from one another</li><li>• 6m from front parcel boundary</li><li>• 1.5m from rear parcel boundary</li><li>• 1.5m from the side parcel boundary except on a corner parcel where the side yard abutting a road shall be at least 3m.</li></ul>
<b>Maximum Parcel Coverage</b>	40% for principal and 15% for accessory
<b>Design</b>	All modular homes shall be factory built.  All attached structures shall have a matching or complimentary exterior finish, be of a durable all-weather construction and designed in a manner complimentary to the modular home.  All modular homes shall be leveled, blocked (and skirted, where applicable), with all stairs and landings constructed within thirty (30) days of being placed on a lot.  For all modular homes not located on a permanent foundation, skirting shall have a matching or complimentary exterior finish.
<b>Landscaping</b>	As per the regulations in Section 8.13
<b>Parking</b>	As per the regulations in Section 8.18
<b>Supplementary Regulations</b>	As per the regulations in Parts 8 - 14 and as listed in this District (amended, b.400.23, 07/8/2019)

9.17.1 Purpose: To provide an area for residential development promoting a mix of dwelling types, primarily in the form of street-oriented, multi-attached housing units and compatible uses. (amended, b.400.02, 04/24/2017) (amended, b.400.23, 07/8/2019)



Permitted Uses	Discretionary Uses
Accessory residential building Demolition Duplex dwelling Garden suite, on detached dwelling lots Home occupation 1 Multi-attached housing, up to 30 units/ha maximum Public utility building Relocation of building Secondary suite, in detached dwellings Semi-detached dwelling	Apartment housing, 55 units/hectare maximum Bed and breakfast Boarding and rooming house Care residence, up to 55 units/ha maximum Community, culture and recreation facility – minor Day care facility Detached dwelling Garden suite on non-detached dwelling lots, 55 units/hectare maximum Historic mixed use dwelling Home occupation 2 Modular home Multi-attached housing, 31 to 55 units/ha maximum Multiple housing development, 31 to 55 units/hectare maximum Parking facility Parks and playgrounds Secondary suite for all non-detached dwellings, 31 to 55 units/ha maximum Class 2 sign

## 9.17.2 PARCEL DEVELOPMENT REGULATIONS

Minimum Front Yard	6m; or As approved in an Outline Plan; or As approved in a master development permit for multiple housing developments
Minimum Side Yard	<p><b>All Development excluding Apartment Housing:</b></p> <ul style="list-style-type: none"> <li>• 1.5m, or</li> <li>• 2.4m where a principal entry door is accessed from the side or rear yard;</li> <li>• 2.75m where the property abuts a public roadway other than a lane; or</li> <li>• 0m where the building and/or deck/verandah shares a common wall, and a party wall or appropriate agreement has been entered into and duly registered on title of subject parcels; or (Amended, b.400.02, 04/24/2017)</li> <li>• As approved in a master development permit for multiple housing developments</li> </ul> <p><b>Apartment housing</b></p> <ul style="list-style-type: none"> <li>• 3m, or</li> <li>• 3.5m where the property abuts a public roadway other than a lane</li> </ul>
Minimum Rear Yard	7.5m; or 6m from a rear attached garage to a lane, providing the remainder of the principal dwelling maintains a 7.5m rear yard setback; or As approved in a master development permit for multiple housing developments
Maximum Parcel Coverage (Principal)	<p>Detached Dwelling Lots:</p> <ul style="list-style-type: none"> <li>• 40% for the principal building; and</li> <li>• 15% for any accessory residential buildings</li> </ul> <p>All other lots where the principal building is not a detached dwelling unit:</p> <ul style="list-style-type: none"> <li>• 55% (including all principal and accessory buildings on site)</li> </ul>
Maximum Building Height	10m
Maximum Number of Units for a Multi-attached Housing	6 dwelling units
Minimum Parcel Area	To the discretion of the Development Authority
Minimum Parcel Width	To the discretion of the Development Authority
Landscaping	As per the regulations in Section 8.13
Parking	As per the regulations in Section 8.18
Supplementary Regulations	As per the regulations in Parts 8 - 14 (amendment, b.400.23, 07/8/2019)

9.18.1 Purpose: To provide an area for residential development primarily in the form of higher density units such as multi-attached housing units, apartment housing and compatible uses. (amended b.400.02, 04/24/2017) (amended, b.400.23, 07/8/2019)



Permitted Uses	Discretionary Uses
Accessory residential building Apartment housing Demolition Home occupation 1 Multi-attached housing Multiple housing development Public utility building Relocation of building	Bed and Breakfast Boarding and rooming house Care residence Community, culture and recreation facility – minor Day care facility Detached dwelling existing at the date of passage of this bylaw Garden suite Historical mixed use dwelling Home occupation 2 Parking facility Parks and playgrounds  Class 2 sign

## 9.18.2 PARCEL DEVELOPMENT REGULATIONS

Minimum Front Yard	<p>All development excluding Apartment Housing:</p> <ul style="list-style-type: none"> <li>• 6m; or</li> <li>• as approved in an Outline Plan; or</li> <li>• as approved in a master development permit for multiple housing development</li> </ul> <p>Apartment Housing:</p> <ul style="list-style-type: none"> <li>• 7.5m</li> </ul>
Minimum Side Yard	<p>All development excluding Apartment Housing:</p> <ul style="list-style-type: none"> <li>• 1.5m, or</li> <li>• 2.4m where a principal entry door is accessed from the side or rear yard; or</li> <li>• 2.75m where the property abuts a public roadway other than a lane; or</li> <li>• 0m where the building and/or deck/verandah shares a common wall, and a party wall or appropriate agreement has been entered into and duly registered on title of subject parcels; or (Amended, b.400.02, 04/24/2017)</li> <li>• As approved in a master development permit for multiple housing developments</li> </ul> <p>Apartment housing</p> <ul style="list-style-type: none"> <li>• 3m; or</li> <li>• 3.5m where the property abuts a public roadway other than a lane; or greater as required by the Alberta Building Code</li> </ul>
Minimum Rear Yard	7.5m, or 9m for any building exceeding three (3) storeys; or As approved in a master development permit for multiple housing developments
Maximum Parcel Coverage	<del>75%</del> 65%
Maximum Building Height	The lesser of four stories or 15.25m
Maximum Density	80 dwelling units/ha
Maximum units in Multi-attached housing	8 dwelling units
Minimum Parcel Area	To the discretion of the Development Authority
Minimum Parcel Width	To the discretion of the Development Authority
Landscaping	As per the regulations in Section 8.13
Parking	As per the regulations in Section 8.18
Supplementary Regulations	As per the regulations in Parts 8 - 14 (amended, b.400.23, 07/8/2019)

9.19 RESIDENTIAL APARTMENT DISTRICT

R6

9.19.1 Purpose: To provide residential development primarily in the form of high density, urban style dwelling units in the form for apartment housing along with any other compatible uses. (amended, b.400.02, 04/24/2017) (amended, b.400.23, 07/8/2019)

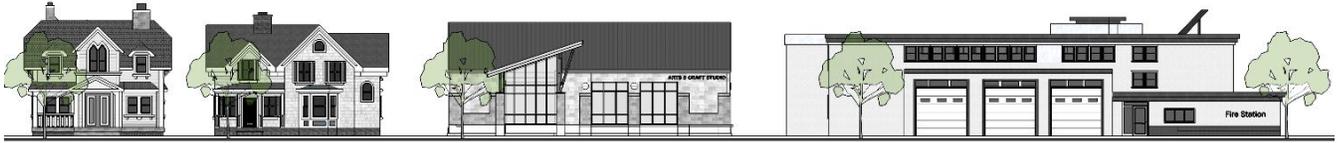


Permitted Uses	Discretionary Uses
Accessory residential building Apartment housing Demolition Home occupation 1 Multiple housing development Public utility building Relocation of building	Boarding and rooming house Care residence Community, culture and recreation facility – minor Day care facility Home occupation 2 Parking facility Parks and playgrounds  Class 2 sign

## 9.19.2 PARCEL DEVELOPMENT REGULATIONS

<b>Minimum Front Yard</b>	6m, or as approved in an Outline Plan or master development permit (multiple housing development) 7.5m for apartment housing
<b>Minimum Side Yard</b>	<p><b>All development except Apartment Housing:</b></p> <ul style="list-style-type: none"> <li>• 1.5m, or</li> <li>• 2.4m where a principal entry door is accessed from the side or rear yard; or</li> <li>• 2.75m where the property abuts a public roadway other than a lane; or</li> <li>• 0m where the building and/or deck/verandah shares a common wall, and a party wall or appropriate agreement has been entered into and duly registered on title of subject parcels; or (Amended, b.400.02, 04/24/2017)</li> <li>• As approved in a master development permit for multiple housing developments</li> </ul> <p><b>Apartment housing:</b></p> <ul style="list-style-type: none"> <li>• 3m; or</li> <li>• 3.5m where the property abuts a public roadway other than a lane; or greater as required by the Alberta Building Code</li> </ul>
<b>Minimum Rear Yard</b>	7.5m, or 9m for any building exceeding three (3) storeys; or As approved in a master development permit for multiple housing developments
<b>Maximum Parcel Coverage</b>	75%
<b>Maximum Building Height</b>	Four (4) storeys to a maximum of 17m
<b>Maximum Density</b>	180 dwelling units/ha
<b>Minimum Parcel Area</b>	To the discretion of the Development Authority
<b>Minimum Parcel Width</b>	To the discretion of the Development Authority
<b>Landscaping</b>	As per the regulations in Section 8.13
<b>Parking</b>	As per the regulations in Section 8.18
<b>Supplementary Regulations</b>	As per the regulations in Parts 8 - 14 (amended, b.400.23, 07/8/2019)

9.20.1 Purpose: To provide an area for residential development in combination with limited light industrial uses. (amended, b.400.23, 07/8/2019)



Permitted Uses	Discretionary Uses
<p><b>RESIDENTIAL</b></p> <ul style="list-style-type: none"> <li>Accessory residential building</li> <li>Demolition</li> <li>Detached dwelling</li> <li>Home occupation 1</li> <li>Home occupation 2</li> </ul> <p><b>INDUSTRIAL</b></p> <ul style="list-style-type: none"> <li>Accessory use – Retail sales</li> <li>Arts and crafts studio</li> <li>Demolition</li> <li>Manufacturing facility, general</li> <li>Public utility building/use</li> <li>Relocation of building</li> <li>Repair facility, no outdoor storage yard</li> </ul>	<ul style="list-style-type: none"> <li>Accessory use</li> <li>Animal services</li> <li>Bed and breakfast</li> <li>Garden suite</li> <li>Greenhouse, commercial</li> <li>Modular home</li> <li>Parking facility</li> <li>Parks and playgrounds</li> <li>Secondary suite</li> <li>Veterinary clinic</li> <li>Warehousing</li> <li>Wind turbine generator</li> <li>Class 2 sign</li> </ul>
<p>Any other use that is similar, in the opinion of the Development Authority, to the industrial uses above may apply for a discretionary use development permit.</p>	

## 9.20.2 PARCEL DEVELOPMENT REGULATIONS

Minimum Front Yard	15m
Minimum Side Yard	6m, or greater if in the opinion of the Development Authority greater separation is warranted
Minimum Rear Yard	6m, or greater if in the opinion of the Development Authority greater separation is warranted
Maximum Parcel Coverage	<p>The minimum residential component including all building, accessory structures, parking, landscaping and amenities related to the residence shall be a minimum of 25% of the total parcel area.</p> <p>Industrial/commercial component for all combined uses, parking, outside storage, driveways and buildings shall not exceed 50% of the parcel area.</p> <p>The area required for landscaping, screening, driveways and buffering shall be a minimum of 25% of the parcel area.</p>
Maximum Building Height	10m
Minimum Parcel Width	45m, with a minimum 20m frontage
Minimum Parcel Depth	90m, except on pie shaped lots where a minimum 40m depth shall be maintained
Minimum Parcel Area	To the discretion of the Development Authority
Minimum Parcel Width	To the discretion of the Development Authority
Landscaping	As per the regulations in Section 8.13
Parking	As per the regulations in Section 8.18
Supplementary Regulations	As per the regulations in Parts 8 – 14 and as listed in this District (amended, 400.23, 07/8/2019)

### 9.20.3 Supplementary Regulations:

The following regulations apply to the principal residential and industrial structure on the property:

- a) A residential and industrial development shall be approved together and neither use can exist singularly.
- b) A residential use shall be developed prior to the industrial use. A building permit for the residential use shall be issued prior to a building permit for the industrial use.
- c) A minimum separation between the industrial structures and the residential structures shall be no less than 10m or such greater amount as may be required pursuant to the Alberta Building Code.
- d) The residential uses shall be sufficiently screened from the industrial use on the same or on an adjacent parcel as may be deemed necessary by the Development Officer.
- e) The residence shall be located in the front of the lot with the industrial use to the rear of the lot.
- f) The industrial uses in this Land Use District are not intended to cause any objectionable or dangerous conditions beyond the confines of the building in which they are located.
- g) The degree of outside storage is limited and any storage areas shall be screened from public view and the view of the residential uses on adjacent properties.
- h) All changes of use require that any new industrial use of the property be assessed and approved through a new development permit application.
- i) All uses shall comply with the regulations in Part 8 & Part 9.

9.21.1 Purpose: To provide an area for a pedestrian-oriented urban environment that contains a mix of residential and commercial uses including live/work arrangements. The district regulations will emphasize the provision of a high quality built environment, landscaping and public spaces. (amended, 400.02, 04/24/2017) (amended, 400.23, 07/8/2019)



Permitted Uses	Discretionary Uses
Accessory dwelling unit Arts and crafts studio Community, culture and recreation facility – minor Demolition Food production facility – minor Home occupation 1 Medical and health services clinic Mixed use dwelling Multi-attached housing Office Personal services Public utility building/use Relocation of building Retail sales	Accessory building Accessory use Accessory residential building Animal services Apartment housing Bed and breakfast Care residence Community market Convenience store Day care facility Drinking establishment Home occupation 2 Hotel Liquor store Motel Multiple housing development Parking facility Parks and playgrounds Restaurant  Class 2 sign  <b>Prohibited Use:</b> Drive through business
Any other use that is similar, in the opinion of the Development Authority, to the uses above may apply for a discretionary use development permit.	

### 9.21.2 PARCEL DEVELOPMENT REGULATIONS

Minimum Front Yard	6m
Minimum Side Yard	0m; or (Amended, b.400.02, 04/24/2017) 2.4m where a principal entry door is accessed from the side or rear yard; or 2.75m where the property abuts a public roadway other than a lane; or 3m on one side on a laneless lot where no front garage exists
Minimum Rear Yard	7.5m; or 6m from a rear attached garage to a lane, providing the residence maintains a 7.5m rear yard setback from the dwelling.
Maximum Parcel Coverage (Principal)	40%
Maximum Parcel Coverage (Accessory)	15%
Maximum Building Height	10m
Minimum Parcel Area	Interior parcel: 375m <sup>2</sup> Corner parcel: 410m <sup>2</sup>
Minimum Parcel Width	Interior parcel: 10.5m Corner parcel: 11.75m
Landscaping	As per the regulations in Section 8.13
Parking	As per the regulations in Section 8.18
Supplementary Regulations	As per the regulations in Parts 8 – 14 and as listed in this District (amended, b.400.23, 07/8/2019)

### 9.21.3 Supplementary Regulations:

- a) Residential and commercial developments shall be approved together and neither use can exist singularly, unless provided for as part of a multiple building development as part of an approved Outline Plan.
- b) The development of property in the District shall not proceed until a master development permit identifying site building, public spaces, and landscaping is approved
- c) All uses shall comply with the regulations in Parts 8, 9 & 10.

### 10.1 General Rules for Commercial Districts

#### 10.1.1 Applicability

- a) These general rules are applicable to Districts identified with the letter “C” followed by other identifying letters or numbers as well as the “UC” district. Unless otherwise provided in a commercial district, the following rules apply to all uses in the commercial districts and are in addition to the General Rules for all Districts contained within Part 8 of this Bylaw.

### 10.2 Accessory Dwelling Unit

- 10.2.1 Accessory dwelling enable mixed use opportunities on a site. Any accessory dwelling unit should support a new or existing principal commercial use on the site, and should not interfere with the principal commercial activity.
- 10.2.2 An accessory dwelling unit shall only be approved when a commercial use is provided within the building.
- 10.2.3 All external storage or residential accessory structures (e.g. sheds, play structures) related to the accessory dwelling unit(s) shall be subject to the same regulations as accessory residential buildings, found in Section 9.2.
- 10.2.4 Parking for the accessory dwelling unit(s) shall be provided in accordance with the parking regulations found in Section 8.18 and shall be in addition to parking required for the principal commercial uses on the parcel.
- 10.2.5 Accessory dwelling units shall be located above the first floor or to the rear of the first floor of the principal commercial use.
- 10.2.6 Where there are first storey suites located at the rear of the principal use, the entrances should be located at the rear or side of the building. Where the residential entrance is from the front of the building, the residential entrance shall not occupy more than 15% of the building’s frontage and shall not dominate the commercial frontage.
- 10.2.7 Dwelling units shall have an entrance separate from the commercial component of the building.
- 10.2.8 All building materials should be consistent with those typically found on commercial buildings, including but not limited to doors, windows, stairs, balconies and roofing materials.

### 10.3 Adult Entertainment Establishment

- 10.3.1 Unless otherwise approved by the Development Authority, an adult entertainment establishment shall be located a minimum radial separation distance of 200m from the boundary of a parcel in a residential district, educational facility, place of worship, community, culture, recreational facility (major or minor), parks and playgrounds, or day care facility.

### 10.4 Drive-Through Business Uses

- 10.4.1 The Development Authority may require the following to be provided by any development permit where on-site vehicle circulation is paramount to the use of the land or building:
  - a) an on-site vehicle-queuing aisle to the satisfaction of the Development Authority for:
    - i drive-through restaurants,
    - ii funeral homes;
    - iii car washes; and
    - iv other uses with drive-through facilities;

- b) a minimum of two (2) vehicle-queuing aisles for each pump lane or service bay for:
  - i automotive shops with drive-through facilities or service bays,
  - ii automotive repair services and service stations, and
  - iii gas bars.

10.4.2 All vehicle entrances and exits for the uses indicated shall be adequately separated with the traffic lanes signed. All queuing lanes shall be curbed or painted so that the safety and efficiency of on-site traffic is maximized.

## 10.5 Impact of Uses on Adjacent Residential Districts

10.5.1 The Development Authority may require the applicant for a development permit for a proposed commercial use that is in close proximity (as determined by the Development Authority) to one or more residential districts to submit an impact statement as part of the development permit application, indicating the measures that will be taken to ensure that noise, visual and other confirmed or potential impacts will be addressed so that the proposed use will not negatively affect the adjacent residential district(s).

10.5.2 When considering the impact statements for applications specified in 10.5.1 above, the Development Authority may require the applicant to take any measures necessary to ensure that noise, visual and other confirmed or potential impacts will be addressed so that the proposed use will not negatively affect the said residential district(s). These measures may include vegetation planting, berms, fencing or masonry walls, a minimum separation distance, street furniture, building orientation or a combination of any or all of these or any additional measures, that are appropriate in the discretion of the Development Authority.

10.5.3 The Development Authority may require that any side or rear yard areas that abut a residential district, with or without a lane, be screened with a combination of tree species having a minimum height of 2.5m at the time of planting, and with noise attenuation fences, berms, privacy walls, or gates to a maximum height of 1.8m.

- a) Materials used shall provide year-round screening.

## 10.6 Number of Buildings on a Site

10.6.1 More than one principal building may be allowed on an unsubdivided parcel where:

- a) The buildings form a uniform group of buildings;
- b) the use and building conform to the regulations of the district in which the building is proposed;
- c) a development permit is issued for each future additional building on site, that was not included in the Master Development Permit; and (amended, b.400.23, 07/8/2019)
- d) a development permit issued for each use.

10.6.2 Where the additional building(s) developed on site are accessory to the principal building (and do not constitute a principal building), the regulations for accessory buildings, found in Section 8.2, shall be followed.

## 10.7 Outdoor Display Areas

10.7.1 Outdoor display areas shall be considered accessory to the principal use of the parcel and are accessible by the customer.

10.7.2 All merchandise being displayed shall be maintained in good condition and shall be kept in a neat and orderly manner.

10.7.3 All outdoor display areas shall be appropriately designed and landscaped to compliment the character of the development and surrounding parcels.

10.7.4 Outdoor display areas shall not be used for the purpose of an outdoor storage yard.

## 10.8 Outdoor Storage Yards

- 10.8.1 The purpose of outdoor storage yards shall be to store equipment and materials associated with the day-to-day operations or sales of a business and access is restricted to the customer.
- 10.8.2 Outdoor storage yards shall be considered accessory to the principal building and use of the parcel, and where necessary, the adjacent land:
- a) Where outdoor storage is proposed on a parcel of land that does not include a principal building, the adjacent property shall include a building that is part of the outdoor storage operation. The Development Authority may require that a parcel of land be consolidated, so that the principal use and the outdoor storage are located on a single parcel of land;
  - b) If, per section 10.8.2, outdoor storage is located on a separate parcel of land but adjacent to the parcel of land that includes its principal use, the Development Authority shall determine whether the property with outdoor storage be:
    - i. Fenced or screened;
    - ii. Landscaped with a 3m buffer fronting the street(s); and  
Have separate access to the street rather than accessing the street through the adjacent property.  
(Amended, b.400.02, 04/24/2017)
- 10.8.3 All outdoor storage of goods, products, materials or equipment shall be kept in a neat and orderly condition at all times and shall be screened from adjacent sites and public streets to the satisfaction of the Development Authority.
- 10.8.4 Sites with approved outdoor storage adjacent to a residential district or public street shall be required to provide additional landscaping, exceeding that of the minimum requirements as set forth in this Bylaw, to the satisfaction of the Development Authority.

## 10.9 Projections into Minimum Yard Setbacks

- 10.9.1 Except as provided for in this Part, projections that are on foundation walls and footings, or are on a grade beam/pile system are deemed to be part of the building, and shall not be considered a projection over a yard.
- 10.9.2 No portion of a structure or building shall project into a public or private right-of-way, and to do so will require an agreement with the City or owner of the right-of-way.
- 10.9.3 The following portions or attachments of the principal building, an accessory building or a structure which project over or on a minimum yard setback shall be allowed when they are located on the same parcel:

**TABLE 10.1: PROJECTIONS INTO MINIMUM YARD SETBACKS**

A) Projections into All Yard Setbacks:		Permitted Projection into Required Setback	
i.	Eave overhangs of principal buildings	i.	0.6m
ii.	Eave overhangs on accessory buildings	ii.	0.3m
iii.	Unenclosed landings and/or steps	iii.	1m
iv.	Unenclosed patios and decks, the finished surface of which is not more than 0.6m above grade	iv.	half (1/2) the minimum yard
v.	Retaining walls and landscaping	v.	unlimited
vi.	Fences having a maximum height of 1m	vi.	unlimited
vii.	Exterior fire escape. A minimum clearance of 2.4m above grade should be maintained.	vii.	2m
B) Projections into Rear and Side Yard Setbacks		Permitted Projection into Required Setback	
i.	Satellite dishes, radio and television antenna	i.	0.6m
ii.	1.8m regulation height fences	ii.	Unlimited

**10.10 Shipping Containers**

10.10.1 The following regulations shall apply to all shipping containers located on parcels in the C4 - Highway Commercial and C5 - Shopping Centre District:

- a) a maximum of one (1) shipping container/hectare of parcel area (rounded up to the next whole number) shall be allowed;
- b) a shipping container shall not exceed the following dimensions: 13.8m (L) x 2.5m (W) x 2.9m (H);
- c) shipping containers shall only be placed on the ground, and shall not be stacked upon one another or on any other structure;
- d) shipping containers will only be allowed on parcels where the approved building has already been constructed;
- e) shipping containers should be located at the rear yard of the property and shall:
  - i) standalone so that they are not connected to one another or to any structures on the property (e.g. through the development of a roof structure, or other means);
  - ii) be finished in the same colour as the primary colour of the principal building on the parcel; and
  - iii) be screened, using either solid fencing measuring 1.8m in height or coniferous trees, planted at a minimum height of 2.5m and spaced to provide a wall of fencing.

10.10.2 Where the rear yard is adjacent to a residential district, or public street, additional landscaping and screening, exceeding that of the minimum requirements found in Section 8.13 and clause 10.10.1 (e) (iii), shall be provided to screen the shipping containers, to the satisfaction of the Development Authority.

**10.11 Temporary Buildings**

10.11.1 The Development Authority may issue a development permit for a temporary building and may include (but are not limited to) conditions concerning:

- a) the size, height, and location of the building;
- b) the appearance of the building; and
- c) the provision of a bond or other form of security to ensure the building is removed within thirty (30) days of the expiry of the development permit.

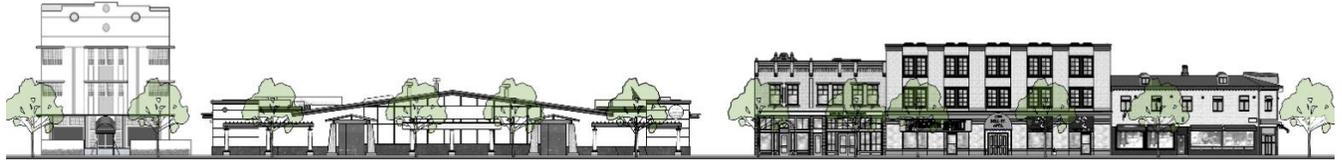
10.11.2 The length of time within which the temporary building may remain erected to a maximum of eight (8) months.

- 10.11.3 Where the applicant requires an extension to the time approved under 10.11.2, a new development permit application shall be submitted for consideration by the Development Authority.
- 10.11.4 Where a temporary building is part of seasonal operations for the principal use, the Development Authority may consider an ongoing development permit. The development permit shall indicate the time period for the seasonal temporary building to be erected and removed on an annual basis, so long as the temporary building is removed according to the conditions of the permit.
- 10.11.5 The provision of a bond or other form of security to ensure the building is removed within thirty (30) days of the expiry of the development permit.

## **10.12 Commercial Land Use District Regulations**

- 10.12.1 The following District regulations shall be read in conjunction with Part 8, which establishes the general rules for all Districts as well as Part 14, which provides for Overlays that may affect the parcel. Please refer to Part 15 – Land Use District Maps, which identify the boundaries of the Districts.

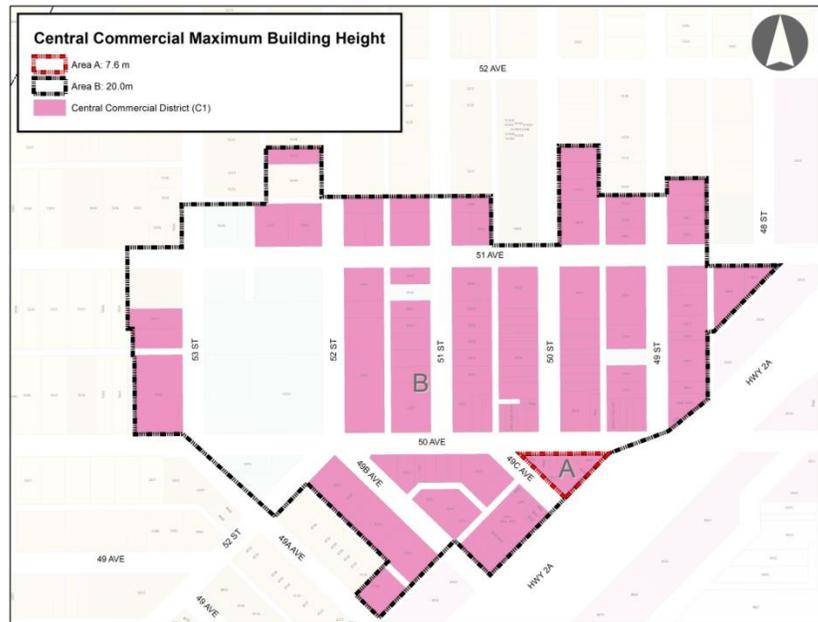
10.13.1 Purpose: To provide an attractive and vibrant area for pedestrian-oriented commercial activities and services.  
 (amended, b.400.16, 09/10/2018) (amended, b.400.23, 07/8/2019)



Permitted Uses	Discretionary Uses
Accessory dwelling unit	Accessory use
Animal services	Bus depot
Arts and crafts studio	Care residence
Cannabis Retail Sales	Day care facility
Commercial recreation establishment	Detached dwelling existing at the date of passage of this Land Use Bylaw
Commercial school	Drinking establishment
Community, culture and recreation facility – minor	Education facility
Community, culture and recreation facility – major	Funeral home
Community market	Liquor store
Convenience store	Microbrewery - minor
Demolition	Parking facility
Financial institution	Parks and playgrounds
Fitness facility	Repair facility, without an outdoor storage yard
Food production facility – minor	Veterinary clinic
Government use	
Home occupation 1	
Home occupation 2, in accessory dwelling unit, or existing detached dwelling, only.	
Hotel (including boutique)	
Medical and health services facility	
Office	
Personal services	
Public utility use/building	
Relocation of building	
Restaurant	
Retail sales	
Theatre and entertainment service	
Class 2 sign	
Any other use that is similar, in the opinion of the Development Authority, to the uses above may apply for a discretionary use development permit.	

### 10.13.2 PARCEL DEVELOPMENT REGULATIONS

<b>Minimum Front Yard</b>	0m
<b>Minimum Side Yard</b>	0m (subject to appropriate agreements registered on title for the affected parcels).
<b>Minimum Rear Yard</b>	Shall be provided for parking and loading spaces in accordance with Part 8 unless parking and loading otherwise accommodated.
<b>Required Built Form</b> (Amended, b.400.02, 04/24/2017)	Buildings should span the majority of the lot frontage. Where a building is located on a corner, and fronts onto two streets, one frontage should span the entire lot/property boundary. Spanning of the entire second frontage is supported but not required. (Amended, b.400.02, 04/24/2017)
<b>Maximum Parcel Coverage</b>	100%
<b>Maximum Building Height</b>	Height shall not exceed 10m within 100m of the 'Flatiron Block' (See Area A on the following diagram), bounded by 50 Avenue, Highway 2A and 49C Avenue. Outside of Area A, buildings shall not exceed 20m in height.



\*The height regulations of the prevailing district shall apply for all properties located within Area A and B not zoned C1 - Downtown Commercial.

<b>Outdoor Storage Yard</b>	Not permitted
<b>Minimum Parcel Area</b>	To the discretion of the Development Authority
<b>Minimum Parcel Width</b>	To the discretion of the Development Authority
<b>Landscaping</b>	As per the regulations in Section 8.13
<b>Parking</b>	Parking regulations are not applicable for existing buildings in this District. Parking regulations for new construction in this District is per the regulations in Section 8.18 (amended, b.400.23, 07/8/2019)
<b>Supplementary Regulations</b>	As per the regulations in Parts 8 – 14 (amended, b.400.23, 07/8/2019)
<b>Sign Regulations</b>	As per the regulations in Part 7.

10.14.1 Purpose: To provide an area for pedestrian-oriented commercial uses and activities within a residential neighbourhood. (amended, b.400.16, 09/10/2018) (amended, b.400.23, 07/8/2019)

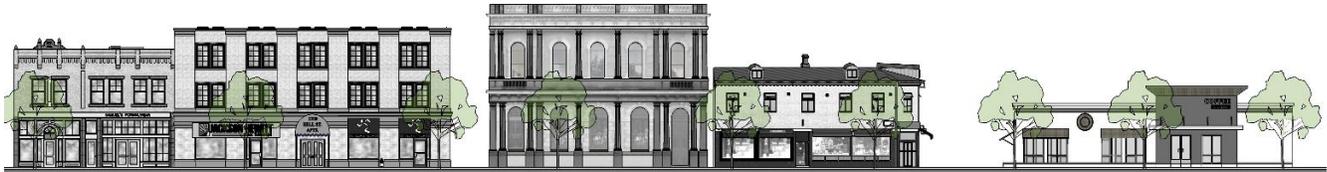


Permitted Uses	Discretionary Uses
Accessory dwelling unit	Accessory use
Arts and craft studio	Animal service
Commercial school	Cannabis Retail Sales
Community, culture and recreation facility – minor	Car wash
Convenience store	Care residence
Demolition	Commercial recreation establishment
Food production facility – minor	Community market
Government use	Day care facility
Medical and health services facility	Drinking establishment
Office <100m <sup>2</sup>	Financial institution
Personal services	Fitness facility
Public utility use/building	Gas bar
Relocation of building	Gas station
Restaurant	Liquor store
Retail sales	Office (between 101m <sup>2</sup> and 300m <sup>2</sup> )
Class 2 sign	Parking facility
	Parks and playgrounds
<p>Site Specific Exception: Cannabis Retail Sales and Liquor Store, be prohibited in the C2 – Neighbourhood Commercial District located at 5536 58 Street (Lot 1, Plan 812 1583). (Added, b.400.16, 09/10/2018)</p>	
<p>Any other use that is similar, in the opinion of the Development Authority, to the uses above may apply for a discretionary use development permit.</p>	

#### 10.14.2 PARCEL DEVELOPMENT REGULATIONS

Minimum Front Yard	3m
Minimum Side Yard	3m; or 3.5m where the property abuts a road other than a lane
Minimum Rear Yard	6m
Minimum Parcel Coverage	20%
Maximum Parcel Coverage	60%
Maximum Building Height	A maximum height of 12m but no more than two (2) storeys
Outdoor Storage Yard	Not Permitted
Minimum Parcel Area	0.15ha
Minimum Parcel Width	30m
Landscaping	As per the regulations in Section 8.13
Parking	As per the regulations in Section 8.18
Supplementary Regulations	As per the regulations in Parts 8 – 14 (amended, b.400.23, 07/8/2019)
Minimum Landscape Area	As per the regulations in Section 8.13

10.15.1 Purpose: To provide an area that is transitioning from industrial development to commercial development in areas having major thoroughfare exposure and in which uses create an attractive environment that is accessible to both vehicles and pedestrians. (amended, b.400.16, 09/10/2018) (amended, b.400.17, 09/24/2018) (amended, b.400.23, 07/8/2019)

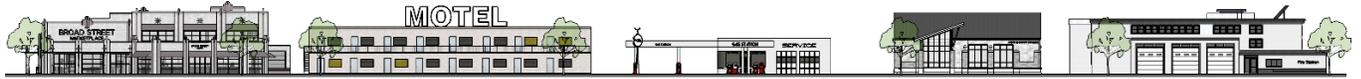


Permitted Uses	Discretionary Uses
Accessory building	Accessory use
Animal service	Automotive sales & service
Arts and crafts studio	Bus depot
Cannabis Retail Sales	Cannabis Production & Distribution - Major
Commercial school	Cannabis Production & Distribution - Minor
Community, culture and recreation facility – minor	Car wash
Community market	Cartage and freight terminal
Convenience store	Commercial recreation establishment
Demolition	Drinking establishment
Equipment rentals	Drive through restaurant
Fitness facility	Education facility
Food production facility - minor	Gas bar
Government use	Gas station
Liquor store	Hotel
Medical and health services facility	Manufacturing, general, existing at the date of passage of this bylaw
Office	Microbrewery – minor
Parking facility	Parks and playgrounds
Personal services	Railway use
Public utility use/building	Recycle depot
Relocation of building	Service station
Repair facility (with or without an outdoor storage yard)	Theatre and entertainment establishment
Restaurant	Veterinary clinic
Retail sales	Warehousing
Class 2 sign	Class 3 sign
<p><b>Site Exception:</b> Block 5, Plan 842 1610 (4726 46 Street) – Manufacturing, intensive, and any minor expansion onto adjacent lands, shall be a discretionary use. (amended, b.400.23, 07/8/2019)</p>	
<p>Any other use that is similar, in the opinion of the Development Authority, to the uses above may apply for a discretionary use development permit.</p>	

## 10.15.2 PARCEL DEVELOPMENT REGULATIONS

<b>Minimum Front Yard</b>	4.5m
<b>Minimum Side Yard</b>	0m (subject to appropriate agreements registered on title for the affected parcels).
<b>Minimum Rear Yard</b>	6m
<b>Minimum Parcel Coverage</b>	20%
<b>Maximum Parcel Coverage</b>	60%
<b>Maximum Building Height</b>	A maximum height of 12m but no more than two (2) storeys
<b>Building Design</b>	<p>See Section 14.4 for design features covered by the Downtown Area Redevelopment Plan Architectural Guidelines Overlay.</p> <p>Buildings at the corner of 46 Street and 46 Avenue and at the corner of 50 Avenue and 46 Street shall ensure that the building architecture orients towards all streets, avenues and the railway line.</p> <p>Exterior treatment of the rear elevations located on the East side of the Canadian Pacific Rail line shall be to the same standard and materials as the front elevations. Architectural details which reflect railway imagery shall be provided.</p>
<b>Outdoor Storage Yard and Outdoor Display</b>	<p>All outdoor storage yards shall be screened using a 1.8m solid fencing, or as approved by the Development Authority</p> <p>All outdoor display shall be screened from residential districts</p>
<b>Minimum Parcel Area</b>	0.05ha
<b>Minimum Parcel Width</b>	15m
<b>Landscaping</b>	As per the regulations in Section 8.13
<b>Parking</b>	As per the regulations in Section 8.18
<b>Supplementary Regulations</b>	As per the regulations in Parts 8 – 14 (amended, b.400.23, 07/8/2019)
<b>Sign Regulations</b>	As per the regulations in Part 7

10.16.1 Purpose: To provide an area for vehicle-oriented commercial uses requiring high visibility locations adjacent to a major transportation route. (amended, b.400.16, 09/10/2018) (amended, b.400.17, 09/24/2018) (amended, b.400.23, 07/8/2019)



Permitted Uses	Discretionary Uses
Accessory building	Accessory uses
Animal services	Agricultural implement and industrial equipment sales and service
Automotive sales and service	Arts and crafts studio
Bus depot	Autobody and paint shop
Cannabis Retail Sales	Building Supply and lumber yard
Car wash	Cannabis Production & Distribution - Major
Commercial recreation establishment	Cannabis Production & Distribution - Minor
Community, culture and recreation facilities – minor	Care residence
Community market	Commercial school
Convenience store	Community, culture and recreation facilities – major
Demolition	Drinking establishment
Food production facility - minor	Drive through restaurant
Gas bar	Equipment rentals
Gas station	Financial institution
Hotel	Fitness facility
Liquor Store	Funeral home
Motel	Greenhouse, commercial
Parking facility	Government use
Public utility use/building	Heavy equipment sales and service, industrial
Relocation of building	Medical and health services facility
Repair facility (no outdoor storage yard)	Microbrewery - minor
Restaurant	Modular home sales
Retail sales	Office
Service station	Outdoor storage yard (accessory use)
Class 2 sign	Personal services
	Shipping container
	Temporary building
	Theatre and entertainment services
	Veterinary clinic
	Veterinary hospital
	Wind turbine generator
	Class 3 sign

Permitted Uses	Discretionary Uses
<p><b>Site Exception:</b> Lot 4, Block 2, Plan 042-6823 (4425 Heritage Way) The regulations of the commercial uses on the ground floor shall reflect the uses of the C2 – Neighbourhood Commercial District.</p> <p><b>Site Exception:</b> Lot 3, Block 1, Plan 042-3848 (4340 Highway 12) – Recreation equipment storage will be allowed at this site (Added, b.400.07, 10/10/2017) (Amended, b.400.23, 07/8/2019)</p> <p><b>Site Exception:</b> Lot 2A, Block 1, Plan 052 4141 (4726 46 Street) – Bulk fuel sales and storage shall be a discretionary use. (amended, b.400.23, 07/8/2019)</p> <p><b>Site Exception:</b> Lot 5, Block 1, Plan 042 3848 (4110 Highway 12) – Place of worship and Recreational equipment storage shall be discretionary uses. (amended, b.400.23, 07/8/2019)</p>	
<p><b>Any other use that is similar, in the opinion of the Development Authority, to the uses above may apply for a discretionary use development permit.</b></p>	

## 10.16.2 PARCEL DEVELOPMENT REGULATIONS

<b>Minimum Front Yard</b>	4.5m
<b>Minimum Side Yard</b>	3m; or 6m where the property is adjacent to a public road other than a lane; or 6m on one side of the property in a laneless subdivision unless access is provided to the rear yard through other means on the parcel, to the satisfaction of the Development Authority
<b>Minimum Rear Yard</b>	6m; or 8m when adjacent to a residential district
<b>Minimum Parcel Coverage</b>	20%
<b>Maximum Parcel Coverage</b>	60%
<b>Maximum Building Height</b>	16m for hotels and buildings with accessory dwelling units; 12m for all other buildings
<b>Outdoor Storage Yard and Outdoor Display</b>	All outdoor storage yards shall be screened through the use of solid fencing measuring 1.8m high, or as approved by the Development Authority All outdoor display shall be screened from residential Districts
<b>Minimum Parcel Area</b>	Hotels and Motels: 0.25ha. Service Stations: 0.14ha All Other Uses: 0.10ha
<b>Minimum Parcel Width</b>	Hotels and Motels: 45m All Other Uses: 30m except when access is not by a local or service road, then 45m
<b>Landscaping</b>	As per the regulations in Section 8.13
<b>Parking</b>	As per the regulations in Section 8.18
<b>Supplementary Regulations</b>	As per the regulations in Parts 8 – 14 (amended, b.400.23, 07/8/2019)
<b>Sign Regulations</b>	As per the regulations in Part 7

10.17.1 Purpose: To provide an area for district shopping centres. (amended, b.400.16, 09/10/2018) (amended, b.400.17, 09/24/2018) (amended, b.400.23, 07/8/2019)



Permitted Uses	Discretionary Uses
Accessory use – service station as part of retail sales	Accessory building
Animal services	Accessory use
Building supply and lumber yard	Arts and crafts studio
Cannabis Retail Sales	Building supply and lumber yard
Commercial recreation establishment	Bus depot
Commercial school	Cannabis Production & Distribution - Major
Community market	Cannabis Production & Distribution - Minor
Community, culture and recreation facility – minor	Car wash
Convenience store	Care residence
Demolition	Day care facility
Financial institution	District shopping centre
Food production facility - minor	Drinking establishment
Gas bar	Drive through restaurant
Government use	Fitness facility
Liquor store	Gas station
Medical and health services facility	Microbrewery – minor
Parking facility	Office
Personal services	Parks and playground
Public utility use/building	Service station
Relocation of building	Shipping container
Repair facility - without outdoor storage yard	Temporary building
Restaurant	Veterinary clinic
Retail sales	Wind turbine generator
Theatre and entertainment service	
Class 2 signs	Class 3 signs
Any other use that is similar, in the opinion of the Development Authority, to the uses above may apply for a discretionary use development permit.	

## 10.17.2 PARCEL DEVELOPMENT REGULATIONS

Minimum Front Yard	4.5m
Minimum Side Yard	6m; or 7.6m where the property is adjacent to a residential parcel.
Minimum Rear Yard	6m; or 7.6m where the property is adjacent to a residential parcel
Maximum Building Height	16m for buildings with accessory dwelling units; 12m for all others
Minimum Parcel Coverage	30%
Maximum Parcel Coverage	70%
Outdoor Storage Yard and Outdoor Display	All outdoor storage yards shall be screened through the use of solid fencing measuring 1.8m high, or as approved by the Development Authority.  All outdoor display shall be screened from residential Districts.
Minimum Parcel Area	2 ha
Minimum Parcel Width	To the discretion of the Development Authority
Landscaping	As per the regulations in Section 8.13
Parking	As per the regulations in Section 8.18
Supplementary Regulations	As per the regulations in Parts 8 – 14 (amended, b.400.23, 07/8/2019)
Sign Regulations	As per the regulations in Part 7

10.18.1 Purpose: To provide an area for the development of a variety of commercial activities, and student support services related to the operation of Burman University. (amended, b.400.23, 07/8/2019)



Permitted Uses	Discretionary Uses
Accessory dwelling unit Commercial recreation establishment Community market Community, culture and recreation facility, minor Commercial school Convenience store Day care facility Demolition Financial institution Fitness facility Food production facility, minor Medical and health services facility Parking facility Personal services Public utility use/building Relocation of building Restaurant Retail sales Class 2 signs	Accessory uses Animal service Arts and crafts studio Care residence Community, culture and recreation facility, major Detached dwelling existing at the date of passage of this Land Use Bylaw Distribution facility Education facility Equipment rental Government use Manufacturing, general Office Parks and playground Repair facility, without outdoor storage yard Temporary building Veterinary clinic Warehousing Wind turbine generator
Any other use that is similar, in the opinion of the Development Authority, to the uses above may apply for a discretionary use development permit.	

## 10.18.2 PARCEL DEVELOPMENT REGULATIONS

Minimum Front Yard	3m
Minimum Side Yard	3m; or 3.5m where the property abuts a road other than a lane
Minimum Rear Yard	6m
Minimum Parcel Coverage	20%
Maximum Parcel Coverage	60%
Maximum Building Height	A maximum height of 12m but no more than two (2) storeys
Outdoor Storage Yard	Not Permitted
Minimum Parcel Area	To the discretion of the Development Authority
Minimum Parcel Width	30m
Landscaping	As per the regulations in Section 8.13
Parking	As per the regulations in Section 8.18
Supplementary Regulations	As per the regulations in Parts 8 – 14 (amended, b.400.23, 07/8/2019)
Sign Regulations	As per the regulations in Part 7

10.19.1 Purpose: To provide an area that allows for a variety and mix of commercial uses including, but not limited to, merchandise sales, services, offices, commercial and recreational establishments, to serve the City and the region as a whole. (amended, b.400.23, 07/8/2019)



Permitted Uses	Discretionary Uses
Accessory building	Accessory use
Accessory use – service station as part of retail sales	Agricultural implement and industrial equipment sales and service
Animal services	Autobody and paint shop
Arts and crafts studio	Cannabis Production & Distribution - Major
Automotive sales and service	Cannabis Production & Distribution - Minor
Building supply and lumber yard	Care residence
Bus depot	Community, culture and recreation facility – major
Cannabis Retail Sales	Equipment rental
Car wash	Funeral home
Commercial recreation establishment	Greenhouse, commercial
Commercial school	Heavy equipment sales and service, industrial
Community market	Modular home sales
Community, culture and recreation facility – minor	Outdoor storage yard (accessory use)
Convenience store	Parks and playground
Day care facility	Shipping container
Demolition	Temporary building
District shopping centre	Wind turbine generator
Drinking establishment	
Drive through business	Class 3 signs
Drive through restaurant	
Financial institution	
Fitness facility	
Food production facility - minor	
Gas bar	
Gas station	
Government use	
Hotel	
Liquor store	
Medical and health services facility	
Microbrewery – minor	
Motel	
Multi-tenant lease bay	
Office	

<p>Outdoor display area Parking facility Personal services Public utility use/building Relocation of building Repair facility - without outdoor storage yard Restaurant Retail sales Service station Theatre and entertainment service Veterinary clinic  Class 2 signs</p>	
<p>Any other use that is similar, in the opinion of the Development Authority, to the uses above may apply for a discretionary use development permit.</p>	

## 10.19.2 PARCEL DEVELOPMENT REGULATIONS

<b>Minimum Front Yard</b>	3m
<b>Minimum Side Yard</b>	3m; or 6m where the property is adjacent to a residential parcel; or 6m where the property is adjacent to a public road other than a lane
<b>Minimum Rear Yard</b>	3m; or 7.6m where the property is adjacent to a residential parcel
<b>Maximum Building Height</b>	16m for hotels and buildings with accessory dwelling units; 12m for all others
<b>Minimum Parcel Coverage</b>	15%
<b>Maximum Parcel Coverage</b>	70%
<b>Outdoor Storage Yard and Outdoor Display</b>	All outdoor storage yards shall be screened through the use of solid fencing measuring 1.8m high, or as approved by the Development Authority.  All outdoor display shall be screened from residential Districts.
<b>Minimum Parcel Area</b>	Hotels and Motels: 0.25ha Service Stations: 0.14ha All Other Uses: 0.10ha
<b>Minimum Parcel Width</b>	Hotel and Motels: 45m All Other Uses: 30m except when access is not by a local or service road, then 45m
<b>Landscaping</b>	As per the regulations in Section 8.13
<b>Parking</b>	As per the regulations in Section 8.18
<b>Supplementary Regulations</b>	As per the regulations in Parts 8 – 14 (amended, b.400.23, 07/8/2019)
<b>Sign Regulations</b>	As per the regulations in Part 7

## Part - 11 Industrial Districts

### 11.1 General Rules for Industrial Districts

#### 11.1.1 Applicability

- a) These general rules are applicable to districts identified with the letter “I” followed by other identifying letters or numbers. Unless otherwise provided in an Industrial District, the following rules apply to all uses in the Industrial Districts and are in addition to the general rules for all Districts contained within Part 8 of this Bylaw.

### 11.2 Accessory Dwelling Unit

#### 11.2.1 An accessory dwelling unit shall provide for mixed use opportunities on a site and shall:

- a) be temporary in nature (e.g. modular home) and issued as a temporary approval only. The accessory dwelling use shall expire with the expiration of the principal use, and the use shall be discontinued and the accessory dwelling unit removed from the parcel. A deposit to ensure the removal of the dwelling unit shall be collected at the time of the accessory dwelling unit approval and refunded when the unit has been removed;
- b) be limited to one (1) accessory dwelling unit on each parcel in the industrial district. The dwelling unit shall be accessory to the principal use on the parcel, and is to be for occupancy of the owner, operator, or caretaker;
- c) not involve external storage or residential accessory structures (e.g. sheds, play structures) related to the accessory dwelling unit;
- d) provide parking for the accessory dwelling unit in accordance with Section 8.18 in addition to the parking required for the principal industrial uses on the parcel; and
- e) not interfere with the principal use of the site.

### 11.3 Drive Through Business Uses

#### 11.3.1 The Development Authority may require the following to be provided by any applicant for a development permit where on-site vehicle circulation is paramount to the use of the land or building:

- a) an on-site vehicle-queuing aisle to the satisfaction of the Development Authority for:
  - i car washes; and
  - ii other uses with drive-through facilities.
- b) a minimum of two (2) vehicle-queuing aisle for each pump lane or service bay for:
  - i automotive shops with drive-through facilities or service bays;
  - ii repair services and service stations; and
  - iii gas bars.

#### 11.3.2 All vehicle entrances and exits for the approved uses shall be adequately separated with the traffic lanes signed to the satisfaction of the Development Authority. All queuing lanes shall be curbed or painted so that the safety and efficiency of on-site traffic is maximized.

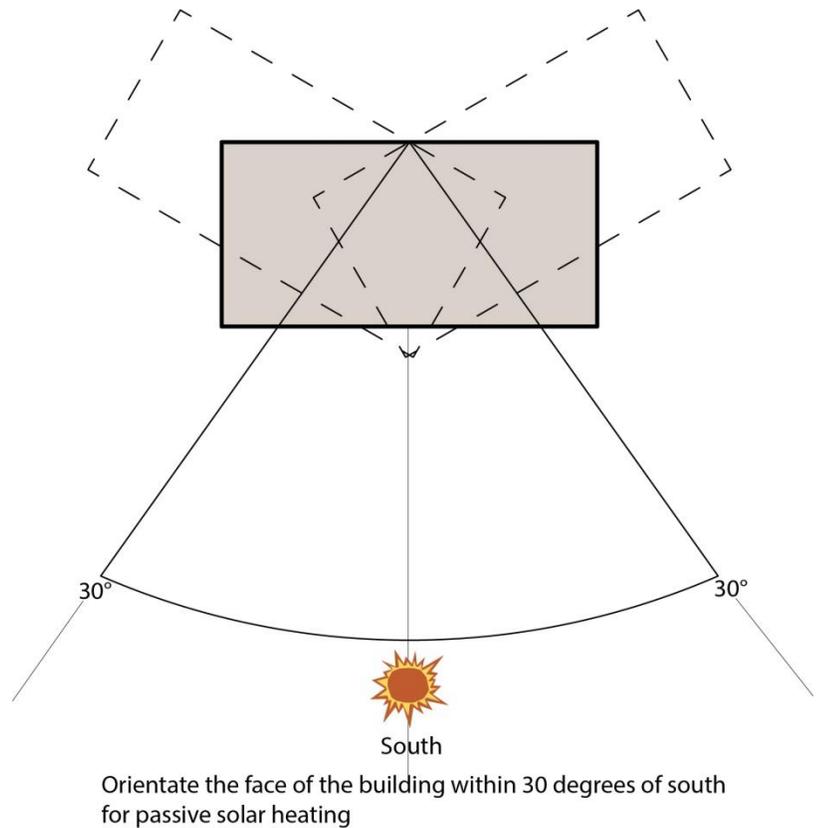
## 11.4 ECO-Industrial Development

11.4.1 The City of Lacombe's Municipal Development Plan, Growing Lacombe (2015 – 2036) identifies support for industrial innovation that demonstrates a higher achievement towards environmental and community sustainability. The City challenges industrial operations to come up with new and innovative ideas to capture this vision, and should favourably consider (and where appropriate, consider variances to regulations) a development permit application which:

- a) proposes a side yard variance(s) to enable benefits obtained from co-location such as by-product synergy (to share energy, heating and cooling costs between buildings on other parcels);
- b) promotes shared facilities with adjacent properties, including:
  - i shared access points and personal vehicle parking across property lines, to reduce the overall level of parking required;
  - ii shared buildings across property lines for storage, warehousing, shipping and receiving (subject to Fire Safety Plan Approvals);
  - iii shared services (eg. human resources, marketing services); and
  - iv shared landscaping area between units, preferably located on the west side of the site shared, outdoor lunch areas, etc.

Where shared services and buildings are promoted, appropriate cross access and party wall agreements are required.

- c) proposes a variance to building siting (including setback and architectural considerations) so as to orientate and size the building to maximize opportunities for passive solar heating and cooling, natural lighting and ventilation (see Figure 11.1 for details);
- d) delivers green roofs, landscaped and living walls, recirculation of treated grey water for landscaping or reuse within the building or incorporates renewable energy generation on-site;
- e) employs natural lighting strategies and on-site lighting that minimizes light pollution and promotes dark sky principles;
- f) plans for surface run-off into the site design, including:
  - i directing roof runoff for use in industry or for watering landscaping (ensuring appropriate filtration through natural means); and
  - ii use of swales and drywells;
- g) demonstrates building design which has a consistent and complimentary external architectural finish; and
- h) achieves a LEED status.



**FIGURE 11.1: BUILDING ORIENTATION TO MAXIMIZE SUNLIGHT**

- 11.4.2 Where a development permit application proposes variances of Land Use Bylaw regulations to support industrial innovation, the following may be required to support the application:
- a) identification of the resource needs and waste production of all affected operations and businesses (includes energy, water, materials, human resources, training, logistics, transportation, etc) and the estimated quantities of each;
  - b) identification of the standard level of resource needs and waste production for nearby businesses and sites, and identify the differences between the business proposed and the typical business;
  - c) identification of a plan for how the building will achieve LEED status;
  - d) demonstration of by-product synergy where materials and energy are cycled between businesses to increase efficiency and reduce environmental impact (waste of one = feed for another);
  - e) a proposal for an ecological design – buildings and sites are designed to minimize resource use to a greater degree than on a typical build. The standard measure is LEED rating; and
  - f) a proposal for the use or delivery of green infrastructure – use of natural systems to replace traditional infrastructure networking.

## 11.5 Health, Safety and Nuisance Factors

- 11.5.1 Unless otherwise provided in an industrial district, the following health, safety and nuisance factors shall be considered in determining if a use may cause any significant health or safety hazards, or nuisance beyond the boundaries of the parcel on which it is located, and shall be employed to protect the community from hazards and nuisances and to protect industry by indicating the bounds within which industrial activities may be carried out:
- a) no use shall cause or create excessive air contaminants, visible and particulate emissions, odours, water contaminates or noise as determined by the regulations pursuant to the *Clean Air Act*, the *Clean Water Act*, the City's Water and Waste Water Bylaw and the Garbage Collection and Disposal Bylaw, all as amended;
  - b) no use shall create or store refuse or operate a use in a manner that attracts pests in contravention of the regulations pursuant to the *Public Health Act*, the Garbage Collection and Disposal Bylaw, all as amended;
  - c) all uses which manufacture, utilize or store materials or products that may be hazardous due to their flammable or explosive characteristics shall comply with the *Fire Prevention Act* and regulations, all as amended.

## 11.6 Industrial Performance Standards

- 11.6.1 Performance standards shall be minimum standards to be met and maintained by all uses. The purpose of performance standards in the control of industrial uses is to:
- a) identify potential nuisances;
  - b) ensure that all uses will provide methods to protect the community from hazards and nuisances which can be prevented by processes of control and nuisance elimination; and
  - c) protect industries from arbitrary exclusion based solely on the nuisance production by any particular type of use in the past.
- 11.6.2 All industrial development permit applications will require a declaration of any dangerous goods handled on the parcel, to the satisfaction of the Development Authority.
- 11.6.3 **General Industrial Standards** - the following apply to all new uses, buildings or structures in all industrial districts. This includes any existing use, building or structure which is extended, enlarged, intensified or reconstructed.
- a) No use or operation in any industrial district shall cause or create air contaminants, visible emissions or particulate emissions which exceed those levels prescribed by the Province of Alberta within the *Clean Air Act*, as amended.
  - b) Airborne particulate matter originating from open storage yards or roads shall be kept to a minimum by appropriate landscaping, hard-surfacing or other approved means.
  - c) No uses or operation shall cause or create the emission of odorous matter or vapour in amounts or quantities that exceed those levels prescribed by the Province of Alberta within the *Clean Air Act*, as amended.

- d) No uses or operation shall cause or create the emission of toxic matter or vapour in amounts or quantities that exceed those levels prescribed by the Province of Alberta within the *Clean Air Act*, as amended.
- e) The Development Authority may require an applicant to submit verification that the conditions of any senior government authority having jurisdiction over any performance standard contained herein have been met.

11.6.4 **Industrial Standard I** – applies to Light Industrial Districts. Industrial Standard I means any industrial operation including production, processing, cleaning, testing, repairing, storage or distribution of any material shall conform to the following standards:

- a) no emission of noise of industrial production audible at any point on the boundary of the lot on which the operation takes place is allowed;
- b) no emission of smoke, except the use of a waste disposal incinerator of a design approved by the Development Authority is allowed;
- c) no emission of dust, fly ash, or other particulate matter is allowed;
- d) no emission of odorous gas or vapour is allowed;
- e) no emission of toxic vapour or gas is allowed;
- f) no operation shall be carried out that produces glare or heat discernible at any point on the boundary of the parcel on which the operation takes place;
- g) no unapproved waste shall be discharged into any waste or storm water system; and
- h) any activity involving the storage, processing or handling of dangerous goods (see Section 8.7) shall be referred to appropriate regulatory organizations as per Section 8.17.

11.6.5 **Industrial Standard II** –applies to the Heavy Industrial District and means any industrial operation, including production, processing, cleaning, testing, repairing, storage or distribution of any material, which may create a nuisance discernible beyond the property line of the property concerned.

## 11.7 Number of Buildings on a Site

11.7.1 More than one principal building may be allowed on an unsubdivided parcel where:

- a) the buildings form a unified group of buildings;
- b) the use and building conform to the regulations of the district in which the building is proposed;
- c) a development permit is issued for each additional building on site; and
- d) a development permit issued for each use.

11.7.2 Where the additional building(s) developed on site are accessory to the principal building, the regulations for accessory buildings, found in Section 8.2, shall be followed.

## 11.8 Office

11.6.1 Office uses shall be accessory to the principal use of the parcel and are not permitted as the primary use.

## 11.9 Outdoor Display Areas

11.9.1 Outdoor display areas shall be considered accessory to the principal use of the parcel.

11.9.2 All merchandise being displayed shall be maintained in good condition and shall be kept in a neat and orderly manner.

11.9.3 All outdoor display areas shall be appropriately designed and landscaped to compliment the character of the development and surrounding parcels.

11.9.4 Outdoor display areas shall be maintained as such and shall not be used for the purpose of an outdoor storage yard.

## 11.10 Outdoor Storage Yards

11.10.1 The purpose of outdoor storage yards shall be to store equipment and materials associated with the day-to-day operations or sales of a business.

11.10.2 Outdoor storage yards shall be considered accessory to the principal building and use of the parcel, and where necessary, the adjacent land or lands within close proximity: (amended, b.400.23, 07/8/2019)

- a) Where outdoor storage is proposed on a parcel of land that does not include a principal building, the adjacent property shall include a building that is part of the outdoor storage operation. The Development Authority may require that a parcel of land be consolidated, so that the principal use and the outdoor storage are located on a single parcel of land;
- b) If, per section 11.10.2, outdoor storage is located on a separate parcel of land but adjacent to the parcel of land that includes its principal use, the Development Authority shall determine whether the property with outdoor storage be:
  - i Fenced or screened;
  - ii Landscaped with a 3m buffer fronting the street/s; and
  - iii Have separate access to the street rather than accessing the street through the adjacent property.  
(Amended, b.400.02, 04/24/2017)
- c) If, per section 11.10.2, outdoor storage is located on a separate parcel of land within close proximity to the parcel of land that includes its principal use, the Development Authority shall determine whether outdoor storage shall be allowed on a temporary basis. The conditions of the Development Permit shall include the date for which the outdoor storage must cease to occupy the property. (added, b.400.23, 07/8/2019)

11.10.3 No outdoor storage shall be allowed within the front yard of any industrial district.

11.10.4 All outdoor storage of goods, products, materials or equipment shall be kept in a neat and orderly condition at all times and shall be screened from adjacent sites to the satisfaction of the Development Authority.

11.10.5 Sites with approved outdoor storage yards adjacent to a residential district or public street shall be required to provide additional landscaping, exceeding that of the minimum requirements as set forth in this Bylaw, to the satisfaction of the Development Authority.

## 11.11 Projections into Minimum Yard Setbacks

11.11.1 Except as provided for in this Part, projections that are on foundation walls and footings, or are on a grade beam/pile system are deemed to be part of the building, and shall not be considered a projection over a yard.

11.11.2 No portion of a structure or building shall project into a public or private right-of-way, and to do so will require an agreement with the City or owner of the right-of-way.

11.11.3 The following portions or attachments of the principal building, an accessory building which project over or on a minimum yard setback shall be allowed when they are located on the same parcel:

TABLE 11.1: PROJECTIONS INTO MINIMUM YARD SETBACKS

A) Projections into All Yard Setbacks:	Permitted Projection into Required Setback
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<ul style="list-style-type: none"> <li>i. Eave overhangs of principal buildings</li> <li>ii. Eave overhangs on accessory buildings</li> <li>iii. Unenclosed landings and/or steps</li> <li>iv. Unenclosed patios and decks, the finished surface of which is not more than 0.6m above grade</li> <li>v. Retaining walls and landscaping</li> <li>vi. Fences having a maximum height of 1m</li> <li>vii. Exterior fire escape. A minimum clearance of 2.4m above grade should be maintained.</li> </ul>	<ul style="list-style-type: none"> <li>i. 0.6m</li> <li>ii. 0.3m</li> <li>iii. 1m</li> <li>iv. half (1/2) the minimum yard</li> <li>v. unlimited</li> <li>vi. unlimited</li> <li>vii. 2m</li> </ul>
<b>B) Projections into Rear and Side Yard Setbacks</b>	<b>Permitted Projection into Required Setback</b>
<ul style="list-style-type: none"> <li>i. Satellite dishes, radio and television antenna</li> <li>ii. 1.8m regulation height fences</li> <li>iii. 2.0m regulation height fences as approved with a Salvage Recycling Development Permit</li> </ul>	<ul style="list-style-type: none"> <li>i. 0.6m</li> <li>ii. unlimited</li> <li>iii. unlimited</li> </ul>

## 11.12 Salvage Recycling Operations

11.12.1 Vehicles and parts storage shall not be stored in any front yard abutting a road.

11.12.2 All salvage recycling operations shall be totally enclosed and screened from public view by a solid fence measuring a minimum height of 2.44m (and approved by the Development Authority), constructed of material suitable to conceal from view the materials stored on site. In lieu of a fence, the following may be considered:

- a) natural or planted vegetation, such as an earth berm or a line of coniferous trees having a minimum height of 2.5m at the time of planting and providing year round screening;
- b) a structure; or
- c) any other appropriate methods approved by the Development Authority.

11.12.3 No materials shall be stacked above the height of the fence within 9m of any property boundary.

11.12.4 All vehicular parts, dismantled vehicles, storage drums and crates, stockpiled material, and similar articles and materials shall be stored within a building or be suitably screened from public view.

11.12.5 Salvage recycling operations shall not be located adjacent to a residential or commercial district.

## 11.13 Screening Adjacent to Residential and Commercial Districts

11.13.1 Any newly created industrial lots shall not be adjacent to a residential district.

11.13.2 Any side or rear yard area, and any front yard area utilized for storage and/or display, that abuts a residential or commercial district, with or without an intervening public road or lane, shall be screened so to mitigate any negative effect on the said residential and commercial district(s). These measures may include vegetation planting, berms, fencing or masonry walls, a minimum separation distance, building orientation or a combination of any or all of these or any additional measures that are appropriate at the discretion of the Development Authority.

11.13.3 Any yard areas that abut a residential and commercial district(s) shall be screened with a combination of tree species having a minimum height of 2.5m at the time of planting, and with fences, privacy walls, or gates to a maximum height of 1.8m, to the satisfaction of the Development Authority.

11.13.4 Materials used shall provide year-round screening.

## 11.14 Shipping Containers

11.14.1 The following regulations shall apply to all shipping containers in the Industrial District:

- a) a maximum of two (2) shipping container/hectare of parcel area (rounded up to the next whole number) shall be allowed;
- b) a shipping container shall not exceed the following dimensions: 13.8m (L) x 2.5m (W) x 2.9m (H);
- c) shipping containers shall only be placed on the ground or on skids, and shall not be stacked upon one another or any other structure;
- d) shipping containers will only be allowed on parcels where the approved building has already been constructed;
- e) shipping containers shall be located at the rear yard of the property and should:
  - i) be unmarked (e.g. no brand names of the shipping container or business shall be on the shipping container);
  - ii) be standalone so that they are not connected to one another or to any structures on the property (e.g. through the development of a roof structure, or other means); and
  - iii) be screened when visible from a public road, using either solid fencing measuring 1.8m in height, buildings on site or coniferous trees, planted at a minimum height of 2.5m and spaced to provide a wall of fencing.

11.14.2 Where the rear yard is adjacent to a residential district, or public street, additional landscaping and screening, exceeding that of the minimum requirements found in Section 8.13 and clause 11.14.1(e) (iii) shall be provided to screen the shipping containers, to the satisfaction of the Development Authority.

## 11.15 Temporary Buildings

11.15.1 The Development Authority may issue a development permit for a temporary building and may include conditions concerning:

- a) the size, height, and location of the building;
- b) the appearance of the building;
- c) the length of time within which the building may remain erected to a maximum of twelve (12) months; and
- d) the provision of a performance bond or other form of security to ensure the building is removed within thirty (30) days of the expiry of the development permit.

11.15.2 Where the applicant requires an extension to the time approved under 11.15.1 (c), a new development permit application shall be submitted for consideration by the Development Authority.

## 11.16 Industrial Land Use District Regulations

11.16.1 The following district regulations shall be read in conjunction with Part 8, which establishes the general rules for all districts as well as Part 14, which provides for Overlays that may affect the parcel. Please refer to Part 15 – Land Use District Maps, which identify the boundaries of the districts.

11.17.1 Purpose: To provide an area for a wide variety of light and other service related industrial activities that do not create a nuisance beyond the property boundary. (amended, b.400.02, 04/24/2017) (amended, b.400.16, 09/10/2018) (amended, b.400.23, 07/8/2019)

Permitted Uses	Discretionary Uses
Accessory building Agricultural implement and industrial equipment sales and service Building supply and lumber yard (with or without outdoor storage yard) Cannabis Production & Distribution – Major Cannabis Production & Distribution - Minor Cannabis Retail Sales Car wash Commercial card lock Demolition Distribution facility Equipment rental (with or without outdoor storage yard) Greenhouses, commercial Heavy equipment sales and service Industrial support services Industrial training facility Manufacturing facility, general Public maintenance buildings, structures and yards Public utility uses/buildings Relocation of building Repair facility, (with or without outdoor storage yard) Shipping container Self service storage Veterinary clinic Veterinary hospital Warehousing  Class 2 signs	Accessory dwelling unit Accessory use Auction facility Autobody and paint shop Automotive sales and service Building assembly/sales/staging Bulk fuel sales and storage Cartage and freight terminal Commercial school Crematorium Existing uses at the date of passage of this land use bylaw Fitness facility Food production facility – minor Government use Kennel Microbrewery - minor Microbrewery - major Parking facility Parks and playgrounds Railway use Recycle Depot Restaurant Service station Temporary building Trucking establishment Wind turbine generator  Class 3 signs
Site Specific Exception: Cannabis Production and Distribution – Major, Cannabis Production and Distribution – Minor, Cannabis Retail Sales, be prohibited in the I1 – Light Industrial District located at 40 Brownstone Road (Lot 19, Block 7, Plan 782 2856). (Added, b.400.16, 09/10/2018)	
Any other use that is similar, in the opinion of the Development Authority, to the uses above may apply for a discretionary use development permit.	

### 11.17.2 PARCEL DEVELOPMENT REGULATIONS

Minimum Front Yard	9m
Minimum Side Yard	3m; or 6m on one side of the property in a laneless subdivision unless access is provided to the rear yard through other means on the parcel, to the satisfaction of the Development Authority
Minimum Rear Yard	6m
Minimum Parcel Coverage	5% (Amended, b.400.02, 04/24/2017)
Maximum Parcel Coverage	80%
Minimum Parcel Area	0.20ha
Minimum Parcel Width	30m
Landscaping	As per the regulations in Section 8.13
Parking	As per the regulations in Section 8.18
Supplementary Regulations	As per the regulations in Parts 8 – 14 (amended, b.400.23, 07/8/2019)
Sign Regulations	As per the regulations in Part 7

11.18.1 Purpose: To provide an area for a variety of manufacturing, warehousing, transportation-related and other industrial activities, which may in the course of normal operations create nuisance factors apparent beyond the property boundary. (amended, b.400.02, 04/24/2017) (amended, b.400.16, 09/10/2018) (amended, b.400.23, 07/8/2019)



Permitted Uses	Discretionary Uses
Accessory building Agricultural implement and industrial equipment sales and service Autobody and paint shop Bulk fuel sales and storage Cannabis Production & Distribution – Major Cannabis Production & Distribution – Minor Car wash Commercial card lock Demolition Distribution facility Equipment rental - (with or without outdoor storage yard) Food production facility – major Heavy equipment sales and services Industrial support services Industrial training facility Manufacturing facility, general Manufacturing facility, intensive Public maintenance buildings, structures, yards Public utility use/building Relocation of building Repair facility (with or without outdoor storage yard) Shipping container Trucking establishment Veterinary clinic Veterinary hospitals Warehousing Class 2 signs	Accessory use Auction facility Building assembly/sales/staging Cannabis Production & Distribution - Major Cartage and freight terminal Crematorium Dangerous goods occupancy Government use Greenhouses, commercial Kennel Microbrewery – major Microbrewery – minor Parking facility Parks and playgrounds Railway use Salvage recycling operation Temporary building Wind turbine generator Class 3 signs
<p><b>Site Exception:</b> Units 1-8 3, Plan 152 2371 only (3413 53 Avenue) – The approved Accessory Use for the Microbrewery – minor shall be allowed a footprint of no more than 140.45m<sup>2</sup>. (Added, b.400.12, 03/26/2018)</p> <p><b>Site Exception:</b> Fitness Facility (Boxing Club only) shall be a permitted use on Lot 3, Block 2, Plan 772 2916 (4823 45A Street) (added, b.400.23, 07/8/2019)</p>	

Any other use that is similar, in the opinion of the Development Authority, to the uses above may apply for a discretionary use development permit.

### 11.18.2 PARCEL DEVELOPMENT REGULATIONS

<b>Minimum Front Yard</b>	9m
<b>Minimum Side Yard</b>	3m; or  6m on one side of the property in a laneless subdivision unless access is provided to the rear yard through other means on the parcel, to the satisfaction of the Development Authority
<b>Minimum Rear Yard</b>	6m
<b>Minimum Parcel Coverage</b>	5% (Amended, b.400.02, 04/24/2017)
<b>Maximum Parcel Coverage</b>	80%
<b>Minimum Parcel Area</b>	0.20ha
<b>Minimum Parcel Width</b>	45m
<b>Landscaping</b>	As per the regulations in Section 8.13
<b>Parking</b>	As per the regulations in Section 8.18
<b>Supplementary Regulations</b>	As per the regulations in Parts 8 – 14 (amend b.400.23, 07/8/2019)
<b>Sign Regulations</b>	As per the regulations in Part 7

## 12.1 General Rules for Public Use Districts

### 12.1.1 Applicability

- a) These general rules are applicable to districts identified with the following letters: BU, CS, EOS, GS and UT. Unless otherwise provided in the Public Use Districts, the following rules apply to all uses in the individual districts and are in addition to the general rules for all Districts contained within Part 8 of this Bylaw.

## 12.2 Impact of Uses on Adjacent Residential Districts

- 12.2.1 The Development Authority may require the applicant for a development permit for a proposed development that is in close proximity (as determined by the Development Authority) to one or more residential districts to submit an impact statement as part of the development permit application, indicating the measures that will be taken to ensure that noise, visual and other confirmed or potential impacts will be addressed so that the proposed use will not negatively affect the adjacent residential district(s).
- 12.2.2 When considering the impact statements for applications specified in (12.2.1) above, the Development Authority may require the applicant to take the necessary measures to ensure that noise, visual and other confirmed or potential impacts will be addressed so that the proposed use will not negatively affect the said residential district(s). These measures may include vegetation planting, berms, fencing or masonry walls, a minimum separation distance, street furniture, building orientation or a combination of any or all of these or any additional measures that are appropriate at the discretion of the Development Authority.
- 12.2.3 The Development Authority may require that any side or rear yard areas that abut a residential district, with or without a lane, be screened with a combination of tree species having a minimum height of 2.5m at the time of planting, and with fences, privacy walls, or gates to a maximum height of 1.8m. Materials used shall provide year-round screening.

## 12.3 Number of Buildings on a Site

- 12.3.1 More than one principal building may be allowed on an unsubdivided parcel where:
  - a) the buildings form a unified group of buildings;
  - b) the use and building conform to the regulations of the district in which the building is proposed;
  - c) a development permit is issued for each additional building on site; and
  - d) a development permit issued for each use.
- 12.3.2 Where the additional building(s) developed on site are accessory to the principal building, the regulations for accessory buildings, found in Section 8.2, shall be followed.

## 12.4 Outdoor Storage Yards

- 12.4.1 The purpose of outdoor storage yards shall be to store equipment and materials associated with the day to day operations of a development.

- 12.4.2 Outdoor storage yards shall be considered accessory to the principal building and use of the parcel, and where necessary, the adjacent land:
- a) Where outdoor storage is proposed on a parcel of land that does not include a principal building, the adjacent property shall include a building that is part of the outdoor storage operation. The Development Authority may require that a parcel of land be consolidated, so that the principal use and the outdoor storage are located on a single parcel of land;
  - b) If, per section 12.4.2, outdoor storage is located on a separate parcel of land but adjacent to the parcel of land that includes its principal use, the Development Authority shall determine whether the property with outdoor storage be:
    - i Fenced or screened;
    - ii Landscaped with a 3m buffer fronting the street/s; and
    - iii Have separate access to the street rather than accessing the street through the adjacent property.  
(Amended, b.400.02, 04/24/2017)
- 12.4.3 No outdoor storage yard shall be allowed within the front yard of the parcel.
- 12.4.4 All outdoor storage of goods, products, materials or equipment shall be kept in a neat and orderly condition at all times and shall be screened from adjacent sites and public streets.
- 12.4.5 Sites with approved outdoor storage yards adjacent to a residential district or public street shall be required to provide additional landscaping, exceeding that of the minimum requirements as set forth in this Bylaw, to the satisfaction of the Development Authority.

## 12.5 Projections into Minimum Yard Setbacks

- 12.5.1 Except as provided for in this Part, projections that are on foundation walls and footings, or are on a grade beam/pile system are deemed to be part of the building, and shall not be considered a projection over a yard.
- 12.5.2 No portion of a structure or building shall project into a public or private right-of-way, and to do so will require an agreement with the City or owner of the right-of-way.
- 12.5.3 The following portions or attachments of the principal building, an accessory building which project over or on a minimum yard setback shall be allowed when they are located on the same parcel:

**TABLE 12.1: PROJECTIONS INTO MINIMUM YARD SETBACKS:**

A) Projections into All Yard Setbacks:	Permitted Projection into Required Setback
<ul style="list-style-type: none"> <li>i. Eave overhangs of principal buildings</li> <li>ii. Eave overhangs on accessory buildings</li> <li>iii. Unenclosed landings and/or steps</li> <li>iv. Unenclosed patios and decks, the finished surface of which is not more than 0.6m above grade</li> <li>v. Retaining walls and landscaping</li> <li>vi. Fences having a maximum height of 1m</li> <li>vii. Exterior fire escape. A minimum clearance of 2.4m above grade should be maintained when a fire escape is located on a second storey or more.</li> </ul>	<ul style="list-style-type: none"> <li>i. 0.6m</li> <li>ii. 0.3m</li> <li>iii. 1m</li> <li>iv. half (1/2) the minimum yard</li> <li>v. unlimited</li> <li>vi. unlimited</li> <li>vii. 2m</li> </ul>
B) Projections into Rear and Side Yard Setbacks	Permitted Projection into Required Setback
<ul style="list-style-type: none"> <li>i. Satellite dishes, radio and television antenna</li> <li>ii. 1.8m regulation height fences</li> </ul>	<ul style="list-style-type: none"> <li>i. 0.6m</li> <li>ii. unlimited</li> </ul>

## 12.6 Shipping Containers

12.6.1 The following regulations shall apply to all shipping containers in Public Use Districts:

- a) a maximum of one (1) shipping container/hectare of parcel area (rounded up to the next whole number) shall be allowed;
- b) a shipping container shall not exceed the following dimensions: 13.7m (L) x 2.4m (W) x 2.9m (H);
- c) shipping containers shall only be placed on the ground, and shall not be stacked upon one another or on any other structure;
- d) shipping containers will only be allowed on parcels where the approved building has already been constructed;
- e) shipping containers should be located at the rear yard of the property and shall:
  - i be standalone so that they are not connected to one another or to any structures on the property (e.g. through the development of a roof structure, or other means);
  - ii be finished in the same colour as the primary colour of the principal building on the parcel; and
  - iii be screened, using either solid fencing measuring 1.8m in height or coniferous trees, planted at a minimum height of 2.5m and spaced to provide a wall of fencing.

12.6.2 Where the rear yard is adjacent to a residential district, or public street, additional landscaping and screening, exceeding that of the minimum requirements found in Sections 8.13 and clause 12.6.1(e) (iii), shall be provided to screen the shipping containers, to the satisfaction of the Development Authority.

## 12.7 Temporary Buildings

12.7.1 The Development Authority may issue a development permit for a temporary building and may include conditions concerning:

- a) the size, height, and location of the building;
- b) the appearance of the building;
- c) the length of time within which the building may remain erected to a maximum of twelve (12) months; and

- d) the provision of a performance bond or other form of security to ensure the building is removed within thirty (30) days of the expiry of the development permit.

12.7.2 Where the applicant requires an extension to the time approved under 12.6.1(c), a new development permit application shall be submitted for consideration by the Development Authority.

## **12.8 Public Land Use District Regulations**

12.8.1 The following district regulations shall be read in conjunction with Part 8, which establishes the general rules for all districts as well as Part 14, which provides for Overlays that may affect the parcel. Please refer to Part 15 – Land Use District Maps, which identify the boundaries of the districts.

12.9.1 Purpose: To provide a District for the Burman University campus, offering a mix of compatible uses. (amended, b.400.23, 07/8/2019)



Permitted Uses	Discretionary Uses
Accessory use Community, culture and recreation facility, major Community, culture and recreation facility, minor Commercial school Community market Day care facility Demolition Educational facility Food production facility - minor Fitness facility Government use Medical and health services facility Parks and playgrounds Place of worship Public maintenance buildings, structure and yards Public utility uses/building Relocation of building Restaurant Staff residence Student dormitories  Class 2 sign	Commercial recreation establishment Parking facility Theatre and entertainment services Wind turbine generator  Class 3 sign
Any use that is similar, in the opinion of the Development Authority, to the uses above may apply for a discretionary use development permit.	

<b>Building Regulations</b>	As determined by the Development Authority
<b>Landscaping</b>	As per the regulations in Section 8.13
<b>Parking</b>	As per the regulations in Section 8.18
<b>Supplementary Regulations</b>	As per the regulations in Parts 8 – 14 (amended, b.400.23, 07/8/2019)
<b>Sign Regulations</b>	As per the regulations in Part 7

12.10.1 Purpose: To provide an area for larger scale community, recreation, government and other public facilities and their accompanying uses. (amended, b.400.23, 07/8/2019)



Permitted Uses	Discretionary Uses
Accessory use – fitness facility Accessory use – retail sale Agricultural exhibition ground Agricultural research facility Community, culture and recreation facility, major Community, culture and recreation facility, minor Community market Day care facility Demolition Educational facility Government use Hospital Parking facility Parks and playgrounds Place of worship Public utility use/building Relocation of building  Class 2 sign	Accessory building Accessory use Campground Care residence Cemetery Commercial recreation establishment Emergency service provision – publically provided Golf course Medical and health services clinic Shipping container Theatre and entertainment services Wind turbine generator  Class 3 signs
<p><b>Site Exception:</b> Lot 4, Block 1, Plan 012 4031 (5432 56 Avenue) and Block A, Plan 6000HW (5424 50 Street) – Public maintenance buildings, structures and yards shall be discretionary uses. (amended, b.400.23, 07/8/2019)</p>	
Any other use that is similar, in the opinion of the Development Authority, to the uses above may apply for a discretionary use development permit.	

12.10.2 Occupancy permits within this district are not required with the change of ownership or name.

12.10.3 Occupancy permits are only required when there is a change of use or a change of intensity of the use.

**12.10.4 PARCEL DEVELOPMENT REGULATIONS**

<b>Minimum Front Yard</b>	4.5m; or
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	9m for places of worship
<b>Minimum Side Yard</b>	3m; or  6m on one side of the property in a laneless subdivision unless access is provided to the rear yard through other means on the parcel, to the satisfaction of the Development Authority
<b>Minimum Rear Yard</b>	6m
<b>Maximum Parcel Coverage</b>	80%
<b>Maximum Building Height</b>	12m;
	20m from grade to the top of a steeple
<b>Outdoor Storage Yard and Outdoor Display</b>	Outdoor storage yards shall be screened. Outdoor display is not allowed.
<b>Minimum Parcel Area</b>	To the discretion of the Development Authority
<b>Minimum Parcel Width</b>	To the discretion of the Development Authority
<b>Landscaping</b>	As per the regulations in Section 8.13
<b>Parking</b>	As per the regulations in Section 8.18
<b>Supplementary Regulations</b>	As per the regulations in Parts 8 – 14 (amended, b.400.23, 07/8/2019)
<b>Sign Regulations</b>	As per the regulations in Part 7

12.11.1 Purpose: To provide a district for either the preservation of public land in its natural state, or land that has been altered in some manner, but because of its ecological or local significance to the community has been re-vegetated.



Permitted Uses	Discretionary Uses
Parks and playground	Accessory uses  Class 2 sign

12.11.2 The following regulations apply to all uses:

- i all land parcels with a legal land title designation of Environmental Reserve should be designated as EOS - Environmental Open Space. Where a land parcel is designated as Environmental Reserve, the provisions in the *Municipal Government Act* override the provisions of this district;
- ii all uses of lands designated EOS - Environmental Open Space shall have due regard for the environment and any disturbance shall be minimal. An overall plan to re-establish natural vegetation shall be a condition of approval to develop buildings and permanent structures.

**12.11.3 PARCEL DEVELOPMENT REGULATIONS**

Parking	As per the regulations in Section 8.18
Supplementary Regulations	As per the regulations in Part 8 and Part 12
Sign Regulations	As per the regulations in Part 7

12.12.1 Purpose: To provide lands dedicated to greenspace and recreation, with the secondary provision of appropriate municipal uses. (amended, 400.23, 07/8/2019)

Permitted Uses	Discretionary Uses
Accessory building Community market Demolition Parking facility Parks and playgrounds Relocation of building  Class 2 sign	Accessory uses Campground Community, culture and recreation facility, major Community, culture and recreation facility, minor Day care facility Public utility use/building Wind turbine generator  Class 3 sign
Any other use that is similar, in the opinion of the Development Authority, to the uses above may apply for a discretionary use development permit.	

12.12.2 All lands which are designated as Municipal Reserve should be zoned as GS – Greenspace, unless the municipality determines that either the CS - Community Services District or the EOS - Environmental Open Space District are more suitable.

12.12.3 Where a land parcel is designated as Municipal Reserve, the provisions in the *Municipal Government Act* override the provisions of this district.

**12.12.4 PARCEL DEVELOPMENT REGULATIONS**

<b>Parking</b>	As per the regulations in Section 8.18
<b>Supplementary Regulations</b>	As per the regulations in Parts 8 – 14 (amended, b.400.23, 07/8/2019)
<b>Sign Regulations</b>	As per the regulations in Part 7

12.13.1 Purpose: to provide lands dedicated to the provision of public utilities and services. When the principal use of the land is recognized to be a utility use, the land may also provide a secondary municipal use. (amended, b.400.23, 07/8/2019)

Permitted Uses	Discretionary Uses
Accessory building Parking facility Parks and playgrounds Public utility use/building Relocation of building  Class 2 sign	Accessory use Wind turbine generator  Class 3 sign
Any other use that is similar, in the opinion of the Development Authority, to the uses above may apply for a discretionary use development permit.	

12.13.2 All land parcels with a PUL – Public Utility Lot designation should be designated as UT - Utility District. Where a land parcel is designated as Public Utility Lot, the provisions in the *Municipal Government Act* override the provisions of this district.

**12.13.3 PARCEL DEVELOPMENT REGULATIONS**

<b>Parking</b>	As per the regulations in Section 8.18
<b>Supplementary Regulations</b>	As per the regulations in Parts 8 – 14 (amended, b.400.23, 07/8/2019)
<b>Sign Regulations</b>	As per the regulations in Part 7

## Part - 13 Other Districts: AP, DC1, DC2 and FD

(Amended, b.400.02, 04/24/2017)

### 13.1 General Rules

#### 13.1.1 Applicability

- a) These general rules are applicable to districts identified with the following letters and numbers: AP, DC1, DC2 and FD. Unless otherwise provided in the Land Use District, the following rules apply to all uses in the individual districts and are in addition to the general rules for all Districts contained within Part 8 of this Bylaw. (Amended, b.400.02, 04/24/2017)

### 13.2 Projections into Minimum Yard Setbacks

- 13.2.1 Except as provided for in this Part, projections that are on foundation walls and footings, or are on a grade beam/pile system are deemed to be part of the building, and shall not be considered a projection over a yard.
- 13.2.2 No portion of a structure or building shall project into a public or private right-of-way, and to do so will require an agreement with the City or owner of the right-of-way.
- 13.2.3 The following portions or attachments of the principal building, an accessory building or a structure which project over or on a minimum yard setback shall be allowed when they are located on the same parcel:

**TABLE 13.1: PROJECTIONS INTO MINIMUM YARD SETBACKS**

<b>A) Projections into All Yard Setbacks:</b>	<b>Permitted Projection into Required Setback</b>
i. Eave overhangs of principal buildings	i. 0.6m
ii. Eave overhangs on accessory buildings	ii. 0.3m
iii. Unenclosed landings and/or steps	iii. 1m
iv. Unenclosed patios and decks, the finished surface of which is not more than 0.6m above grade	iv. half (1/2) the minimum yard
v. Retaining walls and landscaping	v. unlimited
vi. Fences having a maximum height of 1m	vi. unlimited
vii. Exterior fire escape. A minimum clearance of 2.4m above grade should be maintained when a fire escape is located on a second storey or more.	vii. 2m
<b>B) Projections into Rear and Side Yard Setbacks</b>	<b>Permitted Projection into Required Setback</b>
i. Satellite dishes, radio and television antenna	i. 0.6m
ii. 1.8m regulation height fences	ii. unlimited

### 13.3 Shipping Containers

13.3.1 The following regulations shall apply to all shipping containers in Other Districts:

- a) a maximum of one (1) shipping container/hectare of parcel area (rounded up to the next whole number) shall be allowed;
- b) a shipping container shall not exceed the following dimensions: 13.7m (L) x 2.5m (W) x 2.9m (H);

- c) shipping containers shall only be placed on the ground, and shall not be stacked upon one another or on any other structure;
- d) shipping containers will only be allowed on parcels where the approved building has already been constructed;
- e) shipping containers should be located at the rear yard of the property and shall:
  - i) standalone so that they are not connected to one another or to any structures on the property (e.g. through the development of a roof structure, or other means); and
  - ii) be finished in the same colour as the primary colour of the principal building on the parcel; or
  - iii) be screened, using either solid fencing measuring 1.8m in height or coniferous trees, planted at a minimum height of 2.5m and spaced to provide a wall of fencing.

13.3.2 Where the rear yard is adjacent to a residential district, or public street, additional landscaping and screening, exceeding that of the minimum requirements found in Sections 8.13 and clause 13.3.1 (e) (iii), shall be provided to screen the shipping containers.

### 13.4 Temporary Buildings

13.4.1 The Development Authority may issue a development permit for a temporary building and may include conditions concerning:

- a) the size, height, and location of the building;
- b) the appearance of the building;
- c) the length of time within which the building may remain erected to a maximum of twelve (12) months; and
- d) the provision of a performance bond or other form of security to ensure the building is removed within thirty (30) days of the expiry of the development permit.

13.4.2 Where the applicant requires an extension to the time approved under 13.4.1(c), a new development permit application shall be submitted for consideration by the Development Authority.

### 13.5 Other District Regulations

13.5.1 The following district regulations shall be read in conjunction with Part 8, which establishes the general rules for all Districts as well as Part 14, which provides for Overlays that may affect the parcel. Please refer to Part 15 – Land Use District Maps, which identify the boundaries of the Districts.

13.6 AIRPORT DISTRICT

AP

13.6.1 Purpose: To provide an area for the safe movement and storage of aircraft, and the facilities and uses related to aircraft and aircraft operations in addition to promoting appropriate economic development which is compatible to the surrounding districts. (Amended, b.400.02, 04/24/2017) (amended, b.400.23, 07/8/2019)

Permitted Uses	Discretionary Uses
Airport Building Relocation/Relocation of building Bulk fuel sales and storage Cartage and freight terminal Demolition Distribution facility Educational Facility Government Use Hangar Parking facility Office Public utility Public utility building Repair facility (related to aviation, aircraft, avionics and navigational aids) Terminal building  Class 2 sign	Accessory building Accessory use Commercial School Greenhouse Industrial training facility Manufacturing, general, processing, distribution, Repair facility Shipping container Temporary building Warehousing
Any use that the Municipal Planning Commission deems as pertaining to or related to aircrafts and their facilities.	

### 13.6.2 PARCEL DEVELOPMENT REGULATIONS

<b>Minimum Front Yard</b>	9m 3m from the edge of each internal leased lot (Added, b.400.02, 04/24/2017) 3m from taxi way (Added, b.400.02, 04/24/2017)
<b>Minimum Side Yard</b>	3m 1.5m from edge of each leased lot (Added, b.400.02, 04/24/2017)
<b>Maximum Building Height</b>	6m
<b>Minimum Parcel Area</b>	To the discretion of the Development Authority
<b>Minimum Parcel Width</b>	To the discretion of the Development Authority
<b>Landscaping</b>	As per the regulations in Section 8.13
<b>Parking</b>	As per the regulations in Section 8.18
<b>Supplementary Regulations</b>	As per the regulations in Parts 8 – 14 (amended, b.400.23, 07/8/2019)
<b>Sign Regulations</b>	As per the regulations in Part 7

13.7.1 Purpose: To provide an area for integrated residential, public and community uses, which meets the needs of the landowner while being compatible with the immediate neighbourhood and meets the regulations of this Bylaw.  
 (amended, b.400.23, 07/8/2019)

Uses
Accessory dwelling unit
Accessory residential building
Accessory uses
Detached dwelling (existing at the passage of this bylaw)
Demolition
Educational facility
Parking facility
Place of worship
Public utility use/building
Relocation of building
Wind turbine generator
Class 2 sign
Any use that Council deems as pertaining to or related to uses and buildings within this District.

**13.7.2 PARCEL DEVELOPMENT REGULATIONS**

<b>Regulations pertaining to yard setbacks, building height, site coverage and vehicular and pedestrian circulation</b>	As Determined by Council
<b>Minimum Parcel Area</b>	To the discretion of the Development Authority
<b>Minimum Parcel Width</b>	To the discretion of the Development Authority
<b>Landscaping</b>	As per the regulations in Section 8.13
<b>Parking</b>	As per the regulations in Section 8.18
<b>Supplementary Regulations</b>	As per the regulations in Parts 8 – 14 (amended, b.400.23, 07/8/2019)
<b>Sign Regulations</b>	As per the regulations in Part 7

13.8.1 Purpose: To provide an area which acts as a gateway to our community for integrated residential, public and community uses, while being compatible with the adjacent residential and institutional neighbourhood. (amended, b.400.16, 09/10/2018) (amended, b. 400.23, 07/8/2019)

Permitted Uses	Discretionary Uses
Accessory residential building	Accessory dwelling unit
Arts & crafts studio	Accessory use
Commercial school	Apartment Housing
Community, culture and recreation facility – minor	Automotive sales & service
Community, culture and recreation facility – major	Cannabis Production & Distribution - Major
Community market	Cannabis Production & Distribution - Minor
Convenience store	Cannabis Retail Sales
Demolition	Care residence
Equipment rentals (without an outdoor storage yard)	Commercial recreation establishment
Financial facility	Day care facility
Fitness facility	Drinking establishment
Food production facility – minor	Drive through restaurant
Government use	Gas bar
Medical and health services facility	Gas station
Office	Hotel
Parking facility	Liquor store
Personal services	Microbrewery – minor
Public utility use/building	Multi-attached housing
Relocation of building	Multiple housing development
Restaurant	Parks and playgrounds
Retail sales	Recycle depot
Class 2 sign	Theatre and entertainment establishment
	Veterinary Clinic
	Class 3 sign
Any other use that is similar, in the opinion of the Development Authority, to the uses above may apply for a discretionary use development permit.	

Council is the approving authority for all new buildings and building components, site development, setbacks, building heights.

The listed permitted and discretionary uses are provided for guidance to Council, neighbours, and developers to identify appropriate uses, however as a direct control district, all use decisions are determined by Council.

Delegation of Authority – The Development Authority may approve applications for occupancy of permitted and discretionary uses, however, may refer any application for occupancy to Council.

Decisions of the Development Officer are appealable, decisions of Council are final.

**PARCEL DEVELOPMENT REGULATIONS** (Added, b.400.02, 04/24/2017)

<b>Regulations pertaining to yard setbacks, building height, site coverage and vehicular and pedestrian circulation</b>	As Determined by Council
<b>Minimum Parcel Area</b>	To the discretion of the Development Authority
<b>Building Design</b>	Exterior treatment of the rear elevations located on the East side of the Canadian Pacific Rail line shall be to the same standard and materials as the front elevations. Architectural details which reflect railway imagery shall be provided.
<b>Minimum Parcel Width</b>	To the discretion of the Development Authority
<b>Landscaping</b>	As per the regulations in Section 8.13
<b>Parking</b>	As per the regulations in Section 8.18
<b>Supplementary Regulations</b>	As per the regulations in Parts 8 – 14 (amended, b.400.23, 07/8/2019)
<b>Sign Regulations</b>	As per the regulations in Part 7

13.9.1 Purpose: To provide for the continuation of existing and non-permanent land uses until overall plans for future uses are prepared and approved by Council. (amended, b.400.23, 07/8/2019)

Permitted Uses	Discretionary Uses
Accessory residential building Agricultural operations, excluding confined feeding operations, that will not, in the opinion of the Development Authority: Materially alter the use of the land from that existing on the date the land was designated to this Land Use District; Conflict with future urban expansion; or Conflict with other municipal bylaws Public utility use/building Relocation of building  Class 2 sign	Accessory use Building assembly/sales/staging Demolition Existing residences and other related improvements Recreational equipment storage Wind turbine generator
Any other use that is similar, in the opinion of the Development Authority, to the uses above may apply for a discretionary use development permit.	

**13.9.2 PARCEL DEVELOPMENT REGULATIONS**

<b>Minimum Parcel Area</b>	All the land contained in the existing Certificate of Title, unless otherwise approved by the Municipal Planning Commission, having regard to the future use of the parcel and the form of future subdivision and development.
<b>Outdoor Storage Yard and Outdoor Display</b>	Outdoor storage yards shall be screened. Outdoor display shall be screened from residential districts.
<b>Minimum Parcel Area</b>	To the discretion of the Development Authority
<b>Minimum Parcel Width</b>	To the discretion of the Development Authority
<b>Landscaping</b>	As per the regulations in Section 8.13
<b>Parking</b>	As per the regulations in Section 8.18
<b>Supplementary Regulations</b>	As per the regulations in Parts 8 – 14 (amended, b.400.23, 07/8/2019)
<b>Sign Regulations</b>	As per the regulations in Part 7

## Part - 14 Overlay Districts

### 14.1 Purpose

- 14.1.1 The purpose of Part 14 of the Land Use Bylaw is to facilitate the implementation of specific goals and objectives of adopted statutory land use plans, and include Area Structure Plans, Area Redevelopment Plans or any other policy plan adopted by Council, and are generally referred to as Statutory Plan Overlays (SPO). Generally Overlay Districts are put in place to protect, preserve and enhance either natural or man-made environments having historical or environmental significance or to identify hazard lands.
- 14.1.2 Because of the nature of the goals, no one district can fulfill the objectives as they transcend land use district boundaries, as they generally relate to existing developed areas and their purpose is to limit or control the type, style and density of redevelopment or infill proposals. Overlay districts also relate to areas having topographical or environmental features that encompass large areas or blocks within the City.

### 14.2 Application

- 14.2.1 All of the Overlays contained within this Part are applied and interpreted in the same manner of the underlying district; its purpose, regulations and standards are read in conjunction with the Overlay, but that the underlying District is considered subordinate where there is a discrepancy between the two Districts.
- 14.2.2 Applications for Development found within the Overlays are pursuant to Section 3.2 and Section 3.3.
- 14.2.3 To determine which lands are subject to the provisions of any of the following Overlay Districts, the user of this Land Use Bylaw shall refer to Part 14 (Overlay Districts) and Part 15 (Land Use District Maps).

### 14.3 Overlay Districts

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#### 14.4 Downtown Area Redevelopment Plan (DARP) Architectural Guidelines Overlay:

- 14.4.8 Auto Oriented Downtown Gateway District
- 14.4.9 Business Industrial District
- 14.4.10 Historic Residential District
- 14.4.11 Medium Density Transition District
- 14.4.12 Mixed-Use Transition District
- 14.4.13 Old Town Main Street District: Mixed Use District
- 14.4.14 Old Town Main Street District: Residential District
- 14.4.15 Pedestrian-Oriented Downtown Gateway District
- 14.4.16 Central Residential District

#### 14.5 Historic District Area Overlay

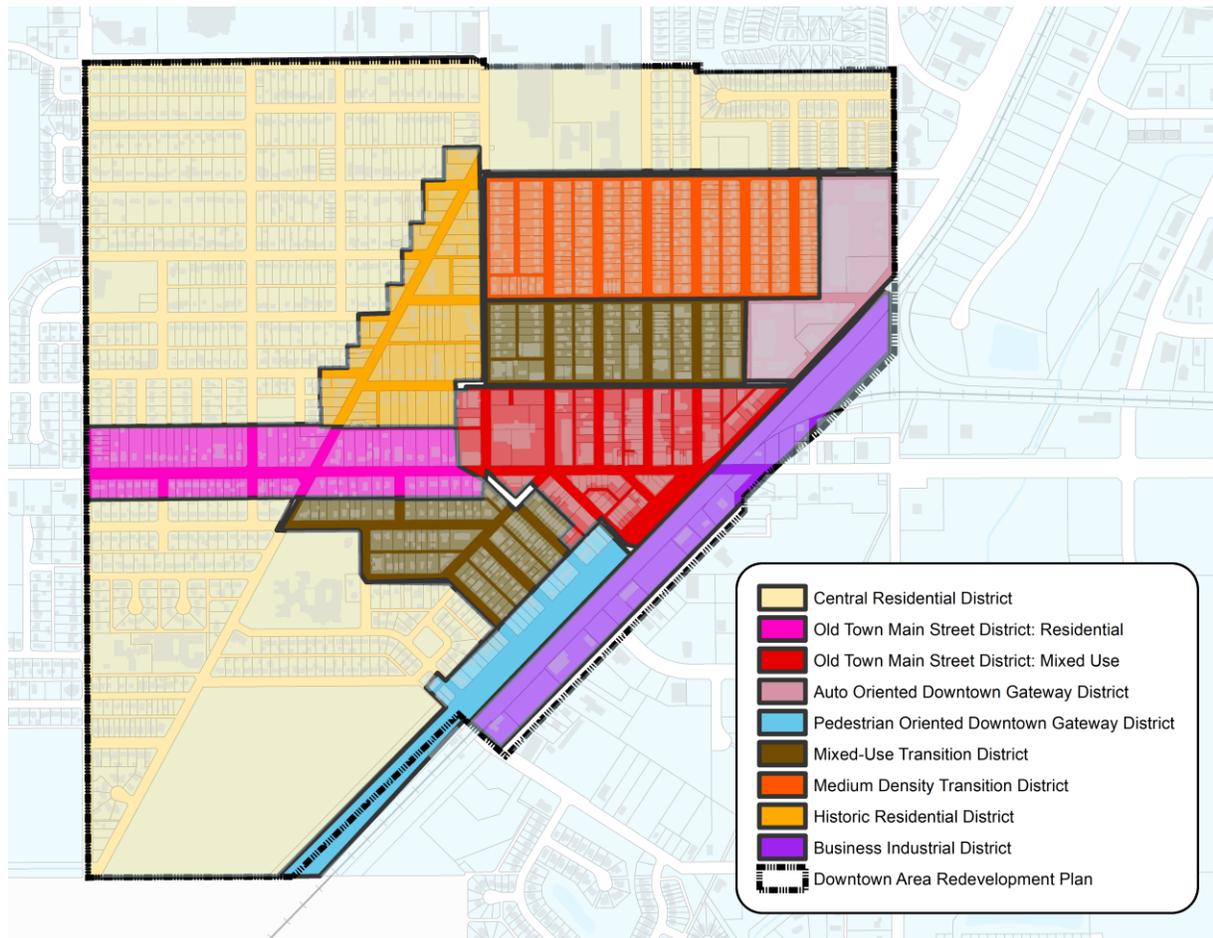
#### 14.6 Flood Hazard Area Regulations Overlay (Amended, b.400.02, 04/24/2017) (Amended, b.400.20, 02/11/2019)

#### 14.7 Place of Worship Overlay

## 14.4 Downtown Area Redevelopment Plan (DARP) Architectural Guidelines Overlay

- 14.4.1 The regulations of the Downtown Area Redevelopment Plan Architectural Guidelines Overlay shall apply in addition to the regulations of the underlying districts and other provisions of the Land Use Bylaw. Where extensive exterior renovations occur that typically would not require a development permit, a development permit may be required to ensure compatibility with this overlay.
- 14.4.2 Buildings which are 50 years of age or older (as determined by the Development Authority) will use the Historic Guidelines (Section 14.4) as required. The Development Officer, at their discretion, may refer applications relating to buildings which are less than 50 years of age to use the Historic Guidelines Overlay (Section 14.4).
- 14.4.3 The regulations of Part 7 through 13 shall be applied unless otherwise noted within the Overlay.
- 14.4.4 The Downtown Area Redevelopment Plan Architectural Guidelines Overlay is composed of multiple regulations based on location. The general regulations listed above (14.3.1 – 14.3.3) apply, along with the individual area district requirements. The following map identifies the location that each part of this Overlay addresses:

**FIGURE 14.1: DOWNTOWN AREA REDEVELOPMENT PLAN ARCHITECTURAL GUIDELINES MAP**



#### 14.4.5 DEFINITIONS:

The following glossary of terms applies to Section 14.4:

**“Active commercial frontage”** means the portion of a commercial building that fronts onto the street which shall be designed to engage the community by providing ground level entry points and viewpoints into the building, as well as activating the sidewalk space in front of the building.

**“Awning”** means a roof-like shelter fitted over windows, doors, etc., to provide protection from the sun, rain and wind, and to reduce heat gain through storefront windows; usually canvas, etc., stretched over an adjustable metal frame.

**“Balustrade”** means an entire railing system including the top rail, its balusters and sometimes a bottom rail, used on balcony, terrace or staircase.



**“Boulevard”** means a portion of public road right-of-way which has been landscaped with trees planted at intervals.

**“Building massing”** means the spatial relationship of buildings to the street.

**“Bulkhead panel”** means the storefront component below the display window, typically acting as an elevated sill, raising the display area to a more effective viewing height.



**“Cornice”** means any horizontal decorative molding that crowns or tops a building.



**“Dormer”** means a roofed structure projecting through a sloping main roof, containing windows.

**“Eave”** means the lower edge of a roof which projects beyond the face of a wall, throwing water away from the wall.

**“Entablature”** means a horizontal molding in classical architecture, made up of architrave, frieze and cornice which rests horizontally upon columns or pilasters.

**“Gable”** means the triangular part of an end wall under the pitched roof.

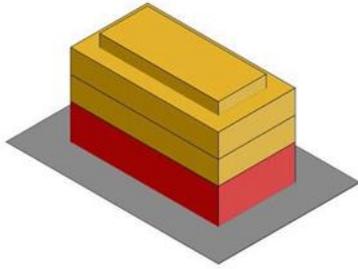
**“Gabled roof”** means a single-pitched roof having a gable at each end, where a gable is the triangular part of an end wall under the pitched roof.

**“Hipped roof”** means a roof sloped on all four sides.

**“Historic building”** means any (principal) building 50 years or older.

**“Mixed use”** means a development that accommodates a mix of commercial and/or residential uses within a single site. This type of development is sensitive to adjacent districts that allow residential uses and provides a building form that is street oriented at grade. Mixed use built form can be in a variety of configurations such as these seen below:

Commercial and residential uses stacked:



**“Non historic building”** means any existing building that is less than fifty (50) years old.

**“Palladian window”** means an arch-headed window flanked by narrower, shorter, square-headed windows.

**“Parking facility”** means a space to park vehicles for all non-residential uses and for all residential uses where parking for more than four vehicles on one parcel is required.

**“Pediment”** means an architectural element consisting of a gable placed above the horizontal entablature, typically supported by columns.

**“Pedestrian realm”** means an environment designed for a continuous, pleasant pedestrian experience, often defined by adequate provision of sidewalks, crosswalks, lighting, street furniture, vegetation and barriers from moving traffic such as parallel parking or grade separations.

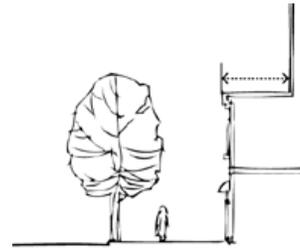
**“Pilaster”** means an architectural element used to give the appearance of a supporting column, with only an ornamental function.

**“Porch”** means a structure abutting a main wall of a building having a roof but with walls that are generally open and unenclosed.

**“Punched window”** means a window that is inset from a building’s façade, typically long and narrow.

**“Reveal”** means a feature constructed of separate pieces, seen at the edge of a door or window, the face molding is setback to reveal the edge of the casing.

**“Step back”** means the horizontal distance a building facade is set in, on a horizontal plane, from the building facade immediately below it.



**“Transom (window)”** means an operable or fixed window above doors and/or windows.

**“Turret”** means a small, slender tower characteristically projecting from the corner of a building.

**“Verandah”** means a roofed porch or balcony attached to the elevation of a building.

**“Vertical element”** means the distance from the ground plane to the top peak of the building’s roofline.

#### 14.4.6 ARCHITECTURAL STANDARDS

- a) Specific architectural style shall guide development. Where new development occurs within the following Districts:
  - i Section 14.4.10 Historic Residential District;
  - ii Section 14.4.11 Medium Density Transition District;
  - iii Section 14.4.12 Mixed-Use Transition District;

- iv Section 14.4.13 Old Town Main Street District: Mixed Use District; and
- v Section 14.4.14 Old Town Main Street District: Residential District.

Development shall incorporate the required features of each architectural style, as well as provide a required number of optional features, as identified below:

**b) Eclectic / Craftsman Houses:**

**Definition:** Eclectic/Craftsman House is an architectural building style from the eighteenth and nineteenth centuries that combine elements from multiple historic styles.



**Description:** Eclectic style houses are characterized by hipped roofs with an assortment of gables, supported by columns and massive piers.

**Required Elements:**

- i. hipped roof with gables, supported by columns and piers;
- ii. one story or one and half story;
- iii. low pitched roof.

**Optional Elements (minimum of 3 to be provided):**

- iv. porches, either full or partial width, with the porch roof supported by distinctive but varied columns;
- v. wood clapboard cladding and/or wood shingles;
- vi. transom windows;
- vii. where a fireplace is provided, a square window on each side of the (stone or brick) chimney;
- viii. roof features of either:
  - Wide eave overhangs; and/or
  - Exposed roof rafter; and/or
  - False beams or braces under gable ends.
- ix. Short, square and/or tapered upper columns that:
  - rise upon more massive piers, or
  - upon a solid porch balustrade made from stone, clapboard, shingle, brick, or stucco.

**c) Edwardian House**

**Definition:** Edwardian House is an architectural building style from the early twentieth century that included simple, balanced designs, with minimal ornamentation and detailing.



**Description:** Edwardian style houses are characterized by unadorned two story houses typically constructed from wood.

**Required elements include:**

- i. two stories or two stories with an attic;
- ii. front porch, spanning the entire front; façade, supported by columns and piers;
- iii. largely symmetrical façade.

**Optional elements (minimum of 2 to be provided):**

- iv. cornices
- v. shutters
- vi. pediment over the entrance.

**d) Folk House**

**Definition:** Folk House is an architectural building style from the eighteenth and nineteenth centuries that included simple housing forms decorated with elaborate spindle work and trim.

**Description:** Folk style houses are characterized by unadorned, small proportioned houses typically constructed from wood.



**Required elements include:**

- i. one, one and a half or two story;
- ii. gables, either front or front and wing to create “L shape” floor plan;
- iii. side gabled, which is stepped (height of the roof ridge may vary)

**Optional Elements (Minimum of 2 to be provided):**

- iv. symmetrically placed rectangular, double sash windows, typically in pairs;
- v. shutters;
- vi. a shed-roofed porch on two wings within the “L”;
- vii. verandah running the full length of the frontage of the house.

**e) Queen Anne House**

**Definition:** Queen Anne House is an architectural building style during the reign of Queen Anne; common decorative features include sweeping steps, doors and corners cased in stone, windows flush with brick walls, and hipped roofs with a central triangular pediment.

**Description:** Queen Anne style houses are characterized by asymmetrical facades, dominant front facing gables with overhanging eaves and a tower.

**Required Elements include:**

- i. asymmetrical façade;
- ii. front facing gable;
- iii. overhanging eaves;



- iv. two stories or two stories with an attic;
- v. irregular shaped roof;
- vi. turret.

**Optional Elements (A minimum of 3 to be provided):**

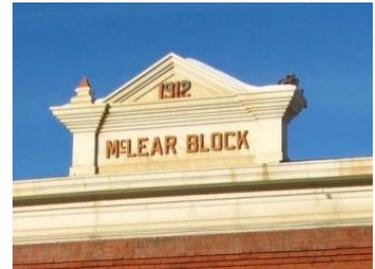
- vii. wood clapboard;
- viii. wood shingles;
- ix. transformed windows;
- x. patterned shingles and/or roof dormer;
- xi. wrap-around and full porches, with decorative porch supports of classic columns, grouped in twos and threes with wood railings or embellishments such as a pediment at the entry;
- xii. cut-away bay windows or grouped doubled hung windows;
- xiii. palladian windows on second and third story façades;
- xiv. a fireplace is part of the design, one square window on each side of the chimney (stone, brick);
- xv. wall surfacing:
  - Use of bays, towers, overhangs, cantilevered wall extensions and wall projections to avoid plain flat walls;
  - Use of several wall materials or textures, such as more than one sheathing material or using decorative bands; delicate spindle work; and wood friezes suspended from the porch ceiling.

**14.4.7 SIGNAGE:**

The following signage types shall guide signage for development within Section 14.4.13 Old Town Main Street District: Mixed Use District

**a) Architectural Sign**

- i A sign that may include the original building owner’s name and the date of construction with accompanying decoration, usually cast in concrete and set into masonry walls.
- ii Architectural signs are usually cast in concrete and set into masonry walls.
- iii Architectural signs and decorative details shall be preserved and enhanced to add character to the commercial core



**b) Display Easel / Sandwich Board**

- i An upright frame, typically supported by a tripod, to display visual material.
- ii Structures shall include a method of secured openings so that they do not fold up on windy days.
- iii Signs shall be situated in a manner that does not block or impede pedestrian traffic on the sidewalk. Signs shall be removed from the sidewalk during non-business hours.



**c) Fascia Sign**

- i A sign mounted to an exterior building wall, parallel to the face of the wall, but does not include a third party advertising sign, a painted wall sign, an awning or canopy sign, or a projecting sign.
- ii Historically designated buildings shall have signage appropriate for the time. Buildings built prior to 1950 shall have externally sourced lighting for fascia signs.
  - Externally sourced light for fascia signs is recommended
  - Fascia signs shall be located in the sign band area, above the store front windows, and wherever possible, centered above the main public entrance to the building.



**d) Projecting Sign**

- i A sign supported by an exterior building wall that protrudes out from a structure or a building face but does not include a canopy or awning sign.
- ii Sizes and positions of projecting signs shall be coordinated with neighbouring signs to avoid visual interference.
- iii Height of projecting signs shall comply with Part 7 of this Land Use Bylaw.



**e) Window Sign**

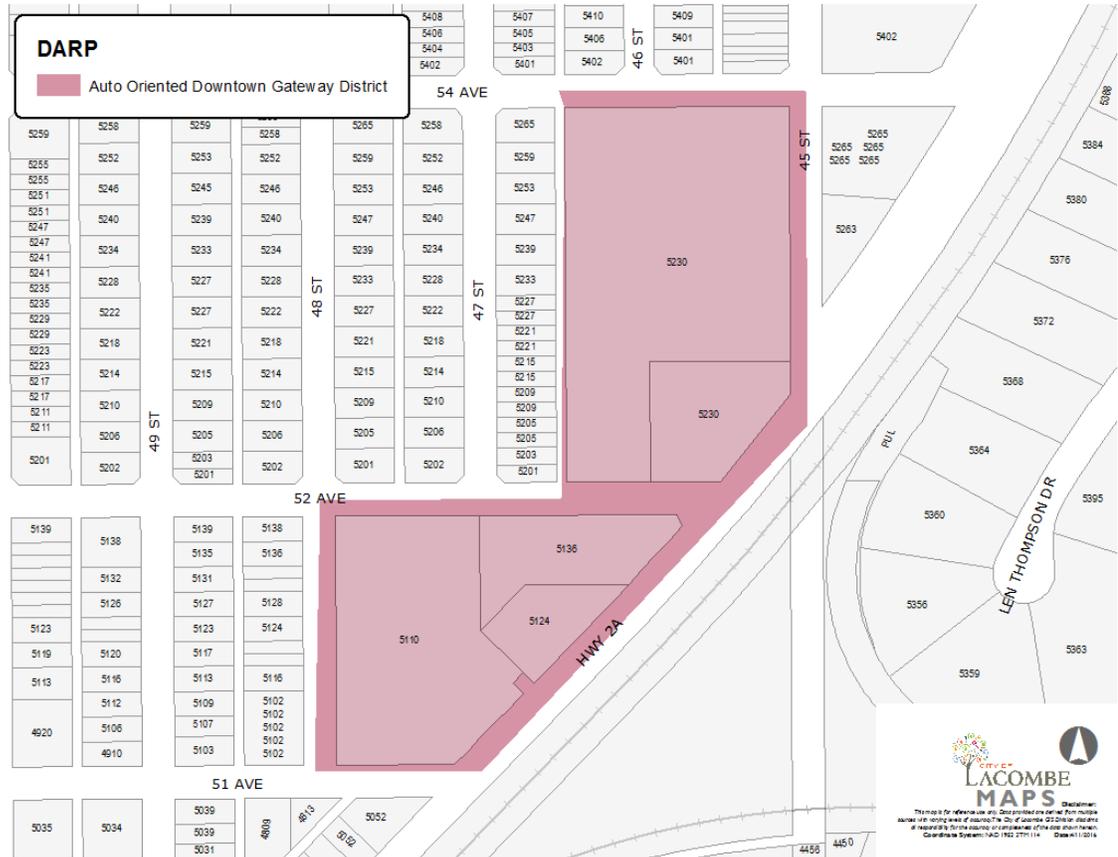
- i Any sign painted on, affixed to, or installed on or near a window for the purpose of being viewed from outside the premises
- ii Window signs may use a variety of techniques for application:
  - Etching
  - Hand lettering with paint
  - Gold leaf (and other materials)
  - Vinyl adhesive letters
  - Galvanized Tin



### 14.4.8 AUTO-ORIENTED DOWNTOWN GATEWAY DISTRICT

- a) **General Purpose:** To regulate the development of major additions and infill development for commercial uses in a manner that ensures compatibility with adjacent properties and establishes a positive visual impression of the Highway 2A corridor and 45 Street. This district acts as a gateway transition area into Lacombe’s historic downtown, while accommodating large volumes of vehicular traffic.

Auto Oriented Downtown Gateway District:



- b) **New Construction/Infill/Site Development**
- i Infill developments shall be sensitive to the character, scale, façade, and materials of adjacent buildings and users within this District Overlay. This will be provided through the provisions set forth in this Overlay District.
  - ii Where an occupancy permit with no proposed changes to the building’s exterior or site layout is applied for, the provisions marked with an (\*\*) should be applied.
- c) **Building Components**
- i Mechanical equipment (including roof top mechanical equipment) should be screened from view from all sides. Screening should be compatible with the surrounding character of the site.
  - ii The facades of buildings which are across from residential districts shall incorporate features such as the use of colour, variations in building massing (both vertical and horizontal) and screening. This will ensure that uses are adequately screened and the sightlines of residential uses are respected.

- d) **Building Placement, Massing and Stepbacks**
  - i Buildings shall be oriented to the corners at intersections through the use of entrances and windows.
  - ii Buildings in excess of one story, or 6m, shall be stepped back where the building faces or is adjacent to a residential district.
  - iii The step back shall be a minimum of 2m from the building frontage above the second story, to minimize the amount of shadow cast onto the adjacent districts.

- e) **Building facade/Building Materials**
  - i Where walls are greater than 15m in length, the visual massing shall be reduced through the use of architectural elements such as columns, ribs, pilaster or piers, changes in plane (recesses or projections), changes in building finish, material or texture, to create an identifiable pattern and address human scale.



- f) **Parking and Access**

- i The Development Authority may require that parking facilities incorporate low fences between 0.6m to 0.9m in height, or be framed by vegetation (i.e. shrubs) 0.6m to 0.9m in height. Preferred fencing includes wrought iron, wood picket or rope and tie/post and cable fencing. Where fence material is chain link, it shall be painted black. \*\*
- ii The Development Authority may require that landscaping be provided between public roadways and surface parking facilities, excepting access to the parking facility. The minimum width of landscaping from the property line to the parking facility surface should be 2m when abutting a public roadway.\*\*
- iii Parking bays shall be divided by 3m landscape medians so that no more than 15 stalls are located in a row.
- iv Where parking is adjacent to a residential district, screening between the residential district and the parking facility shall be to the satisfaction of the Development Officer.\*\*
- v Sidewalks shall be provided along all sides of the lot that abut a public roadway, to the satisfaction of the Development Officer.
- vi To the maximum extent feasible, continuous internal pedestrian walkways shall be provided from the public sidewalk or right-of-way to the principal customer entrance of all commercial establishments on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, street crossings, building store entry points, and shall feature adjoining landscaped areas.\*\*
- vii To the extent reasonably feasible, all internal pedestrian walkways and/or physical barriers shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as paint or signage, to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.\*\*



- viii Sidewalks shall be provided along a building frontage at the main entrance areas and should have a minimum width of 3m and total at least 20m<sup>2</sup> in area.
- ix Common area shall be provided on site in addition to the entrance area of each unit, measuring 15m<sup>2</sup> in area and being 3m wide. This common area is encouraged to incorporate seating.
- x Loading docks shall be screened in a complimentary finish to the principal building.\*\*
- xi **Multi-level Parking Structures:** For all multi-level parking structures, a use other than parking shall be provided at grade along street frontages to ensure that there is continuity of active commercial use, a maximum number of four (4) rows of parking shall be allowed without being separated by a landscape median/pedestrian path which shall be a minimum of 3m wide.
- xii All other Parking and Access components shall comply with Part 8 of this Land Use Bylaw.

g) Landscaping

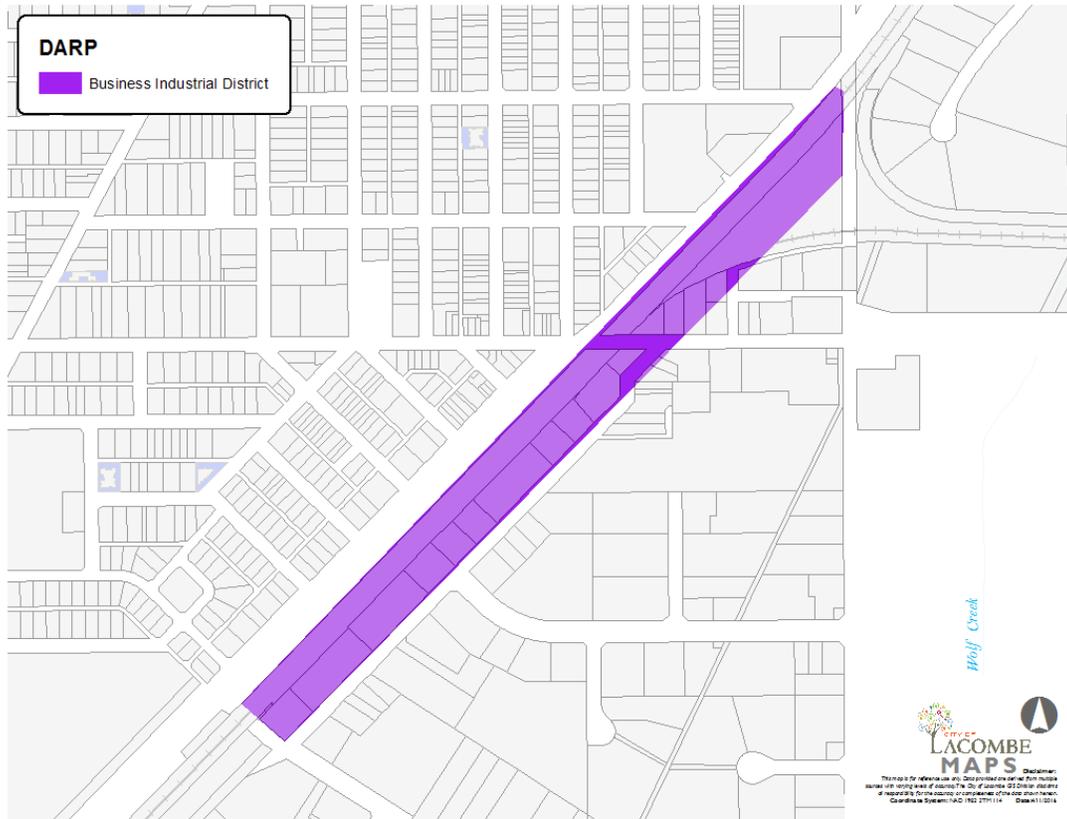
- i. All applications for development permits within the District Overlay should be accompanied by a landscaping plan. The approval of a landscaping plan should form part of a development permit.
- ii. Applications for development permits for building occupancy/change of use should include a landscape plan which provides for planters or hanging baskets outside each external front entrance. These shall not impede access to or along the building frontage. The design and approval of the planters and/or hanging baskets will be to the Development Officer's approval.\*\*
- iii. The use of art (which does not include merchandise displays) in lieu of landscaping requirements may be considered where the art would provide visual interest to the pedestrian. The design and approval (where it is used in lieu of landscaping) will be to the Development Officer's approval, based on recommendations from the Art Selection Committee (or its equivalent).
- iv. Landscaping North of Highway 2A: Deciduous tree and shrub plantings shall be located adjacent to the multi-use trail to enhance the pedestrian experience and act as a traffic calming tool for motorists along Highway 2A.\*\*
- v. On site storage of materials shall be screened and may include the use of fencing (which cannot be seen through), vegetation or other materials.\*\*
- vi. All other landscaping components shall comply with Part 8 of this Land Use Bylaw.



#### 14.4.9 BUSINESS INDUSTRIAL DISTRICT OVERLAY

- a) **General Purpose:** To regulate the development of major additions, infill development, and new development for commercial and light industrial uses in a manner that ensures compatibility with adjacent properties and establishes a positive visual impression of the Highway 2A corridor.

##### Business Industrial District:



##### b) New Construction/Infill/Site Development

- i Infill developments shall be sensitive to the character, scale, façade, and materials of adjacent buildings and users within this District Overlay.
- ii As the area transitions and further develops to commercial uses away from industrial uses, the provisions of this Overlay shall ensure that development is to a higher standard than previous development in the area.
- iii Where an occupancy permit with no proposed changes to the building's exterior or site layout is applied for, the provisions marked with an (\*\*) should be applied.

##### c) Building Components

- i Roofs: Building roofline variations should be provided but should be related to one another stylistically and support design concepts.
- ii Mechanical equipment (including roof top mechanical equipment) should be screened from view. Screening should be compatible with the surrounding character of the site.

d) Building Placement and Massing

- i Buildings shall be oriented to the corners at intersections through the use of entrances and windows.
- ii Public entrances shall be delineated through the use of gables, parapets, awnings or other architectural features.
- iii All buildings over one story in height shall be designed to include a discernible top, middle and bottom by use of different architectural elements and treatments to break up vertical massing.

e) Building facade/Building Materials

- i Where walls are greater than 15m in length, the visual massing shall be reduced through the use of architectural elements such as columns, ribs, pilaster or piers, changes in plane (recesses or projections), changes in building finish, material or texture, to create an identifiable pattern and address human scale.
- ii The use of murals on facades fronting the rail line is encouraged. Murals should reflect the role of the railway and settlement of the community, although other murals which are appropriate to the district may be considered.
- iii All new development and major additions shall incorporate design and architectural features which reflect the railway, to the satisfaction of the Development Authority.



f) Parking and Access

- i The Development Authority may require that parking facilities incorporate low fences between 0.6m to 0.9m in height, or be framed by vegetation (i.e. shrubs) 0.6m to 0.9m in height. Preferred fencing includes wrought iron, wood picket or rope and tie/post and cable fencing. Where fence material is chain link, it shall be painted black.\*\*
- ii The Development Authority may require that landscaping be provided between public roadways and surface parking facilities, excepting access to the parking facility. The minimum width of landscaping from the property line to the parking facility surface should be 2m when abutting a public roadway.\*\*
- iii Landscaped traffic islands should be arranged to break up large areas of parking into smaller areas.
- iv Sidewalks on 46 Street shall be provided and buffered by a landscaped boulevard strip.
- v Loading docks shall be fully screened from public roadways other than a Lane.\*\*
- vi All other Parking and Access components shall comply with Part 8 of this Land Use Bylaw.

g) Landscaping

- i To the extent reasonably feasible, all internal pedestrian walkways and/or physical barriers shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.\*\*
- ii Applications for development permits for building occupancy/change of use should include a landscape plan which provides for planters outside each external front entrance. These shall not impede access to or along the building frontage. The design and approval of the planters will be to the Development Officer's approval.\*\*
- iii The use of art (which does not include merchandise displays) in lieu of landscaping requirements may be considered where the art would provide visual interest to the pedestrian. The design and

approval (where it is used in lieu of landscaping) will be to the Development Officer's approval, based on recommendations from the Art Selection Committee (or its equivalent).

h) Landscaping South East of Highway 2A, Adjacent to the CP Rail Line:

- i Landscaping is encouraged in the rear yards fronting onto the railway. Rear yard landscaping may include coniferous trees and shrubs that will screen/buffer the railway line to mitigate noise. \*\*
- ii No outdoor storage yards shall be permitted in the rear yards fronting onto the railway, unless it is screened.
- iii All other Landscaping components shall comply with Part 8 of this Land Use Bylaw. An example of appropriate landscaping is shown in the adjacent picture.



### 14.4.10 HISTORIC RESIDENTIAL DISTRICT

a) **General Purpose:** To regulate the rehabilitation of existing buildings and the development of major additions and new infill in a manner that preserves, enhances, and celebrates the unique historic residential character of the area shown in the map below.

#### Historic Residential District:



#### b) New Construction/Infill

- i Infill developments shall be sensitive to the character, scale, façade, and materials of adjacent buildings and users within this District Overlay. This will be provided through the provisions set forth in this Overlay District.
- ii A Victorian, Queen Anne, Eclectic/Craftsman, Folk or Edwardian architectural styles, as shown Section 14.4.6 shall guide all new construction. The architect and/or builder should draw on the architectural features and building materials of that specific style. Development shall provide the required elements and shall incorporate the minimum number of features associated with the specific style (see the styles found in the glossary). Examples of infill using appropriate architectural styles is illustrated in the picture adjacent.



iii All new residential developments shall have a minimum side yard setback of 2.0m.

c) Building Components

- i Windows: Double hung or multi-pane windows should not be wider than 0.9m and not taller than 1.8m with transparent glazing as opposed to translucent or glass block.
- ii Roofs: The principal roof of the building shall have a slope of 3 in 12 or greater. Gables or dormers on the front elevation are required, unless the Architectural Style chosen in Section 14.4.6 requires otherwise.
- iii Verandahs/Porches:
  - Roofed, but not enclosed front verandahs with flooring, columns, guard rails of wood construction, and piers of wood, brick or stone construction are encouraged.
  - If the front porch is two stories in height, there should be an eave at the single story level.
- iv Entrances: Principal building entrances shall front onto the primary roadway. Principal entrances may be allowed, subject to Development Officer approval along a laneway where the building is at the corner of the primary roadway and the lane. An example of appropriate laneway entrances is shown below.



d) Building facade/Building Materials

- i All exposed building facades shall be carefully designed to create a unified building exterior.
- ii All building facades shall use high quality, compatible and harmonious exterior finishing materials.
  - Wood, metals, and plastics shall be deemed acceptable as trim materials for window and door frames, cornices, and awnings or canopies.
  - Façade trim work, including window and door frames, cornices, pilasters, awnings, canopies and other elements may be any colour, with the exception of luminescent, fluorescent or metallic colours.
  - Trim work around windows shall be delineated through wider framing or different colours from the main principal building.
- iii Building material should reflect the applicable Architectural Style in Section 14.4.6.
- iv Accessory Buildings shall should use the same facade treatment and finishing as the principal buildings.

e) Parking and Access

- i Parking shall should be provided on site via rear lanes so that the building can be setback at a distance that is the same as adjacent buildings to create a consistent streetscape character.
- ii ~~Surface parking, loading~~ Loading and storage areas shall be located to the rear of any building and be screened from public roadways through landscaping.
- iii Landscaping shall be provided between public roadways and surface parking facilities, excepting access to the parking facilities. The minimum width of landscaping from the property line to the parking facility surface should be 2m when abutting a public roadway.
- iv Where parking is provided from the lane for multiple housing developments, it shall:
  - provide screening from adjacent properties – either through fences or be framed by vegetation (i.e. shrubs) .6m to .9m in height. Preferred fencing includes wrought iron, wood picket or rope and tie/post and cable fencing. Where fence material is chain link, it shall be painted black.\*\*
  - be setback from the rear of the principal building to ensure that a strip of landscaping is provided between the principal building and the parking facilities.
- v Landscaping shall be provided between public roadways and surface parking facilities, excepting access to the parking facilities. The minimum width of landscaping from the property line to the parking facilities surface should be 2m when abutting a public roadway.

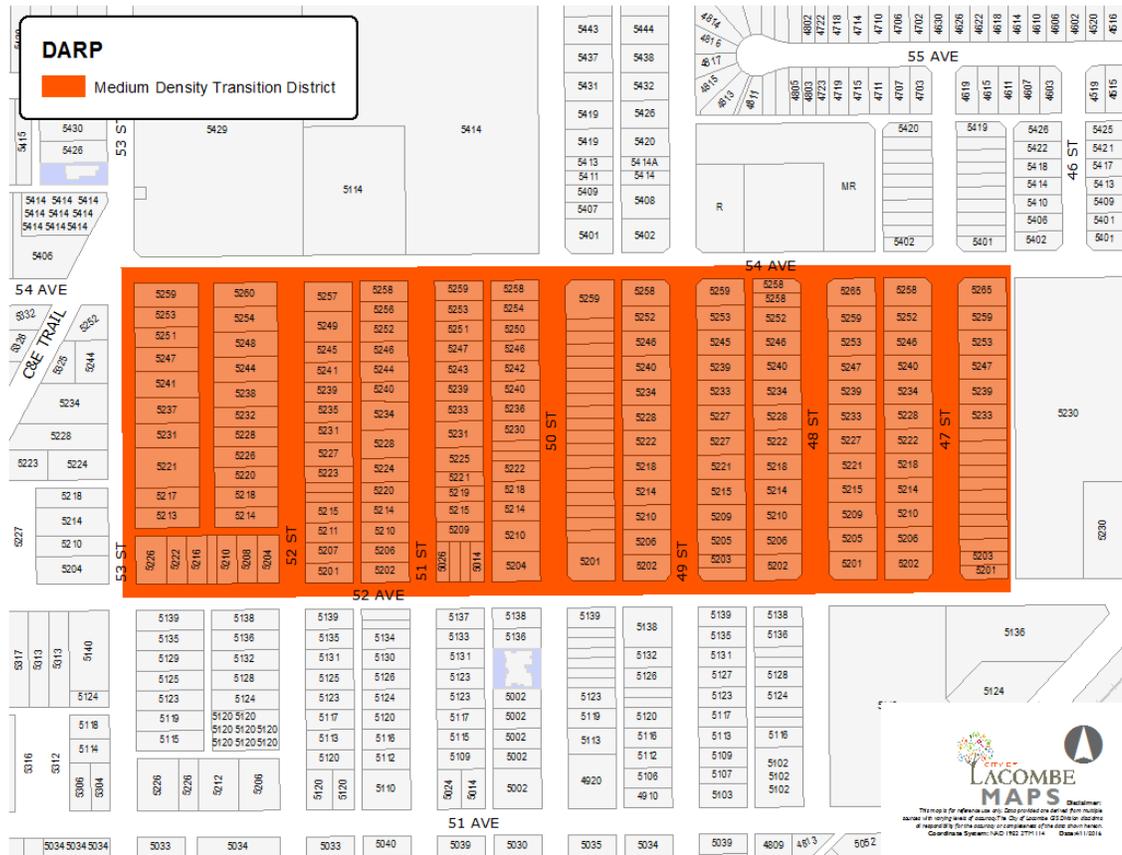
f) Landscaping

- i ~~Detached dwellings shall provide:~~
  - ~~one (1) tree per dwelling unit; as well as~~
  - ~~the requirements found in clause 8.13.8.~~
- ii ~~All other landscaping shall comply with Section 8.13 Landscaping requirements of this Land Use Bylaw~~

14.4.11 MEDIUM DENSITY TRANSITION DISTRICT

- a) **General Purpose:** To regulate the development of major additions and infill development for Medium Density residential uses in a manner that ensures compatibility with adjacent properties. This District acts as a transition area between the higher density Mixed Use Transition District and lower density residential surrounding areas.

MEDIUM DENSITY TRANSITION DISTRICT



- b) **New Construction/Infill/Site Development**
  - i Infill developments shall be sensitive to the character, scale, façade, and materials of adjacent buildings and users within this District Overlay. This will be provided through the provisions set forth in this Overlay District.
  - ii A Victorian, Queen Anne, Eclectic/Craftsman, Folk or Edwardian architectural style, as shown Section 14.4.6 shall be chosen for construction of a new building. The architect and/or builder should draw on the architectural features and building materials of that specific style. Development shall provide the required elements and shall incorporate the minimum number of features associated with the specific style (see the styles found in the glossary).
  - iii All new residential developments shall have a minimum side yard setback of 2.0m.
- c) **Building Components**
  - i **Roofs:** Residential developments shall have roof slopes of 3 in 12 or greater – and shall be indicated on the submitted plans. Where residential development proposes a flat roof or slope of less than 3 in 12, it shall be at the discretion of the Development Officer.
  - ii **Entrances:** All new development which provides for more than one dwelling unit per site shall be developed to promote street orientated design. Aspects of street orientated design include (but may not be limited to):

- Front verandahs
  - Roof elements separating the first storey from the second storey
  - Larger windows facing the street
  - Minimal front yard parking, where any garage is setback from the primary facade of the structure; or with a second story above the garage.
- iii Apartments shall have a central entry point directly accessible at ground level fronting onto the street. Where multiple street frontages exist (e.g. corner lots) an additional central entry point shall be developed.
- iv A hard surfaced pedestrian path shall link all parking for multi-unit development to entrances.

d) Building Placement and Massing

- i New developments on all corner sites shall orient to both street frontages through the use of elements such as entrances, windows, porches.

e) Building facade/Building Materials

- i All exposed building facades shall be architecturally treated to create a unified building exterior.
- ii All building facades shall use high quality, compatible and harmonious exterior finishing materials.
- Wood, metals, and plastics shall be deemed acceptable as trim materials for window and door frames, cornices, and awnings or canopies.
  - Façade trim work, including window and door frames, cornices, pilasters, awnings, canopies and other elements may be any colour, with the exception of luminescent, fluorescent or metallic colours.
  - Trim work around windows shall be delineated through wider framing or different colours from the principal building.



Examples of appropriate building facades are shown in the pictures adjacent.

f) Parking and Access

- i All parking shall be accessed through the lanes. Where parking is proposed from the street it shall be through the provision of a garage which:
- incorporates a second story above the garage and
  - is flush with or recessed back from the principal building.
- ii Where parking is provided from the lane for multiple housing developments, it shall:
- provide screening from adjacent properties – either through fences or be framed by vegetation (i.e. shrubs) 0.6m to 0.9m in height. Preferred fencing includes wrought iron, wood picket or rope and tie/post and cable fencing. Where fence material is chain link, it shall be painted black.\*\*
  - be setback from the rear of the principal building to ensure that a strip of landscaping is provided between the principal building and the parking facilities
- iii Landscaping shall be provided between public roadways and surface parking facilities, excepting access to the parking facilities. The minimum width of landscaping from the property line to the parking facilities surface should be 2m when abutting a public roadway.

g) Landscaping

~~i Detached dwellings shall provide:~~

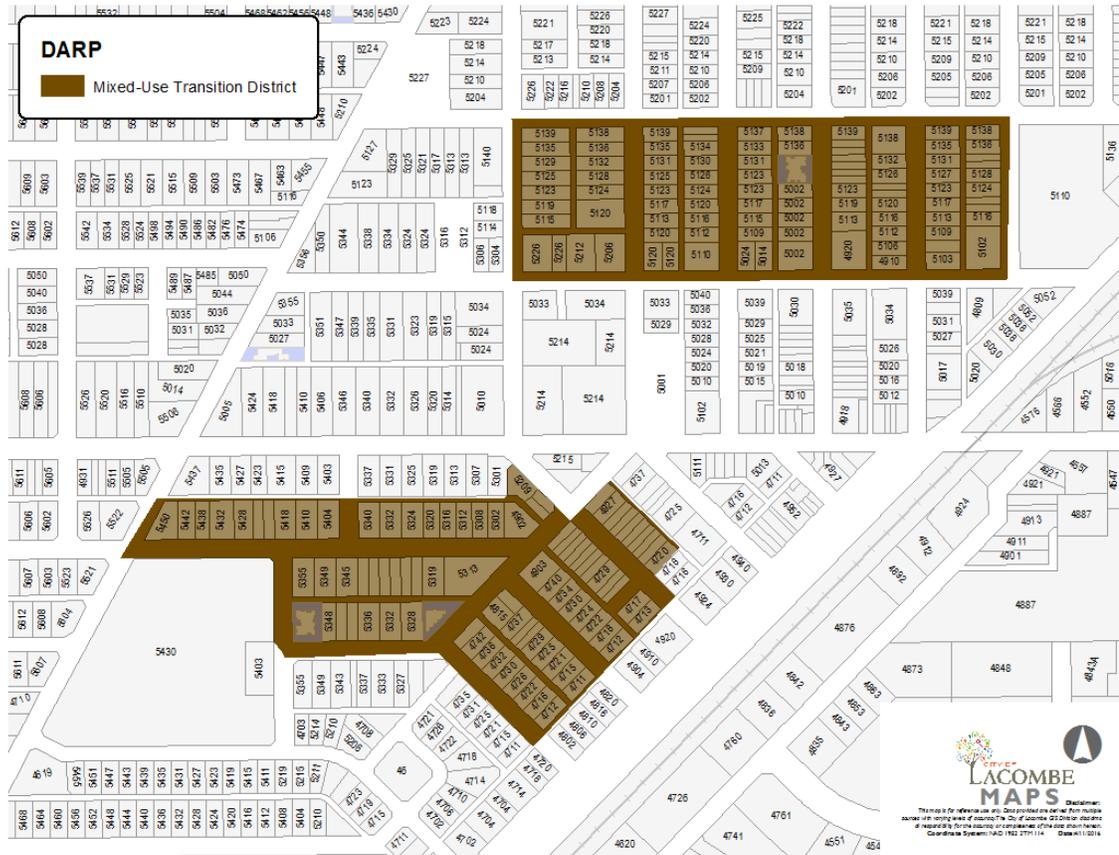
- ~~• one (1) tree per dwelling unit; as well as~~
- ~~• the requirements found in clause 8.13.8.~~

~~ii All other landscaping shall comply with Section 8.13 Landscaping requirements of this Land Use Bylaw.~~

### 14.4.12 MIXED USE TRANSITION DISTRICT

- a) **General Purpose:** To regulate the development of major additions and infill development for medium density, high density, and maximum density multi-unit residential uses in a manner that ensures compatibility with adjacent properties while allowing for ground floor commercial development in strategic locations. This district provides a transition area between the higher density downtown and lower density residential surrounding areas.

#### MIXED USE TRANSITION DISTRICT:



- b) **New Construction/Infill/Site Development**
  - i Infill developments shall be sensitive to the character, scale, façade, and materials of adjacent buildings and users within this District Overlay. This will be provided through the provisions set forth in this Overlay District.
  - ii A Victorian, Queen Anne, Eclectic/Craftsman, Folk or Edwardian architectural style, as shown Section 14.4.6 shall be chosen for construction of a new building. The architect and/or builder should draw on the architectural features and building materials of that specific style. Development shall provide the required elements and shall incorporate the minimum number of features associated with the specific style (see the styles found in the glossary).
  - iii Where an occupancy permit with no proposed changes to the building's exterior or site layout is applied for, the provisions marked with an (\*\*) should be applied.

c) Building Components

i Roofs: Residential developments shall have roof slopes of 3 in 12 or greater and shall be indicated on the submitted plans. Where residential development proposes a flat roof or slope of less than 3 in 12, it shall be at the discretion of the Development Officer.

ii Entrances:

- Apartments shall have a central entry point directly accessible at ground level fronting onto the street. Where multiple street frontages exist (e.g. corner lots) an additional central entry point shall be developed.
- A hard surfaced pedestrian path shall link all parking for multi-unit development to entrances.



d) Building Placement and Massing

i New developments on all corner sites shall orient to both street frontages through the use of elements such as entrances, windows, porches.

e) Building Setbacks

i Commercially zoned buildings shall front onto the north side of 51 Avenue and shall have zero (0m) lot line setbacks with commercial uses on the ground floor.



iii All new residential developments shall have a minimum side yard setback of 2.0m.

f) Parking and Access

i The Development Authority may require that parking facilities incorporate low fences between 0.6m to 0.9m in height, or be framed by vegetation (e.g. shrubs) 0.6m to 0.9m in height. Preferred fencing includes wrought iron, wood picket or rope and tie/post and cable fencing. Where fence material is chain link, it shall be painted black.\*\*

ii The Development Authority may require that landscaping be provided between public roadways and surface parking facilities, excepting access to the parking facilities. The minimum width of landscaping from the property line to the parking facilities surface should be 2m when abutting a public roadway.\*\*

- Examples of appropriate parking arrangements are shown in the adjacent image.



g) Multi-level Parking Structures:

- i For all multi-level parking structures, a use other than parking may be provided at grade along street frontages if it will ensure that there is continuity of active commercial frontage along the street. In the case of a corner site, due regard to the nature of the adjacent uses on the flanking public roadway shall be made.
- ii Where the street is primarily residential, parking uses may be provided at street level.



h) Below Grade Multi-level Parking Structures:

- i Parking entrances shall be provided at the rear of the structure or on a laneway and the size of parking openings should be limited to no wider than 7m.

i) Landscaping

~~i Detached dwellings shall provide:~~

- ~~• one (1) tree per dwelling unit; as well as~~
- ~~• the requirements found in clause 8.13.8~~

~~ii All other landscaping shall comply with Section 8.13 Landscaping and Environmental Conservation of this Land Use Bylaw.~~

14.4.13 Old Town Main Street District: Mixed Use District

- a) **General Purpose:** To facilitate the rehabilitation of existing buildings and the development of major additions and new infill development in a manner that preserves, enhances, and celebrates the unique historic character for the area shown in the map below.

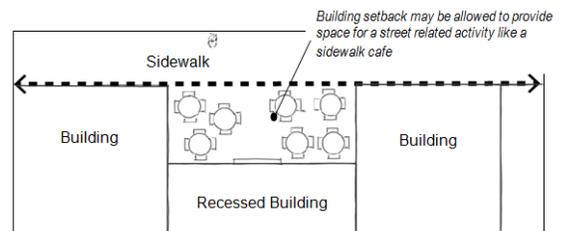
**Old Town Main Street District: Mixed Use District**



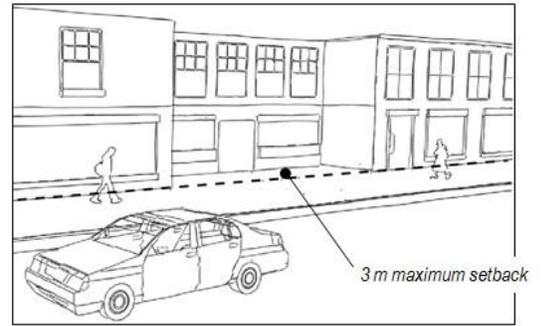
- b) **Historic facade Rehabilitation:**
  - i Historic Guidelines are provided in Section 14.5.
- c) **New Construction/Infill/Site Development:**
  - i Infill developments shall be sensitive to the character, scale, façade, and materials of adjacent buildings and users within this District Overlay. This will be provided through the provisions set forth in this Overlay District.
  - ii Where an occupancy permit with no proposed changes to the building’s exterior or site layout is applied for, the provisions marked with an (\*\*) should be applied.

d) **Setbacks**

- i Buildings shall be built to a 0m setback. The Development Officer may allow building setbacks up to 3m to accommodate street related activities such as sidewalk cafes, architectural features and landscaping that contribute to the historical character and enhanced pedestrian environment of the area.

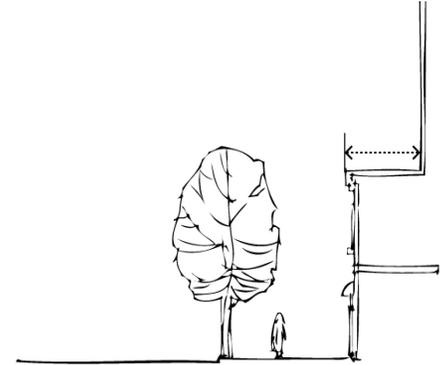


- ii Where a 3m setback is considered, the application should include a site plan that identifies the features that will be used to accommodate street related activities – and the provision of these will be required as part of the development permit.



e) Building Massing and Orientation:

- i Buildings in excess of two (2) stories shall step back a minimum of 3m from the street frontage above the second story, to maintain a 3m appropriate pedestrian scale and minimize the amount of shadow cast onto adjacent buildings.
- ii Mechanical equipment (including roof top mechanical equipment) should be screened from view. Screening should be compatible with the surrounding character of the site.

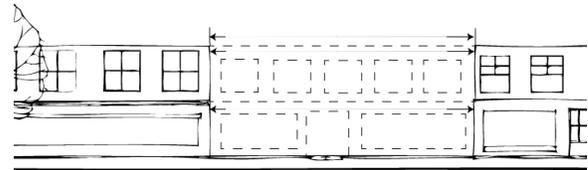


f) Building Components

- i Entrances:
  - Principal building entrances should front onto the street to create a livelier pedestrian realm.
  - Rear entrances should be highlighted with appropriate signage and awnings or other entrance covers.
- ii Windows:
  - Lower window sills should be between 0.45m and 0.75m above the level of the sidewalk, allowing for a bulkhead panel below.
  - Upper windows shall reflect the repetitive vertical pattern along the street from building to building and should align with those on neighbouring buildings.
- iii Awnings shall respect and enhance the ambience of the historic area. Where awnings are developed, they shall be:
  - Of a colour or combination of colours that reflect professional design, and in general do not detract from the ambience of the historic area.

g) Vertical Elements

- i Major vertical elements shall be incorporated to maintain the rhythm of the typical building front pattern, particularly on buildings exceeding 15m in width.



h) Horizontal Elements

- i New construction shall respect and enhance horizontal alignments of adjacent buildings, or of the street, to the discretion of the Development Officer.
- ii Consideration shall be given to decorative details and facade articulation, including the horizontal features of neighbouring buildings.
- iii Sign bands, store front windows, canopies, entrances and awnings shall be aligned with similar features on neighbouring buildings.
- iv Upper windows shall align with those on neighbouring buildings; and
- v Upper windows shall be of "punched" design and vertically proportioned.

i) Building Facade/Building Materials

- i To highlight the historic character, facades shall provide a minimum of three (3) of the following elements:
  - Awnings;
  - Reveals;
  - Offsets;
  - Multiple entrance arcades;
  - Fenestrations (windows and doors) with panes built into the design;
  - Double height entrances; and
  - Cornices or other architectural details.
- ii Building materials used on the lower floors of buildings shall improve visual access and permeability of the building(s), and enhance the pedestrian experience at the street level.
- iii Specifically, buildings shall be designed so that brick, stucco, or painted wood shall predominate building facades which front onto a street. Brick shall be used as the predominant cladding material (within the first two stories of the building, red brick should represent more than 50% of the exterior cladding not including any portion of the building which contains windows and entrances).
- iv Accessory buildings shall should use the same facade treatment, finishing, materials, and colours as the principal buildings.

j) Laneway Development/Commercial Dual Fronted Development:

- i Developments which allow for laneway frontage, or provide dual frontage commercial development, is encouraged.
- ii Dual fronted commercial use should have building frontages with separate functioning entrances from the lane;
- iii Setbacks for new build development which propose the main access be from the lane, shall be established by the Development Authority. The Development may be required to allocate or develop land for pedestrian access (e.g. sidewalks).
- iv Where dual frontage commercial use is proposed, the requirements for frontages shall be applied (e.g. public entrances highlighted, appropriate lighting and signage, etc).

k) Parking and Access

- i The Development Authority may require that parking facilities incorporate low fences between 0.6m to 0.9m in height, or be framed by vegetation (i.e. shrubs) 0.6m to 0.9m in height. Preferred fencing includes wrought iron, wood picket or rope and tie/post and cable fencing. Where fence material is chain link, it shall be painted black.\*\*
  - The Development may require that landscaping be provided between public roadways and surface parking facilities, excepting access to the parking facilities. The minimum width of landscaping from the property line to the parking facilities surface should be 2m when abutting a public roadway.\*\*

l) Multi-level Parking Structures

- i For all multi-level parking structures, a use other than parking shall be provided at grade along street frontages to ensure that there is continuity of active commercial frontage along the street. In the case of a corner site, due regard to the nature of the adjacent uses on the flanking public roadway shall be made.

m) Below Grade Multi-level Parking Structures

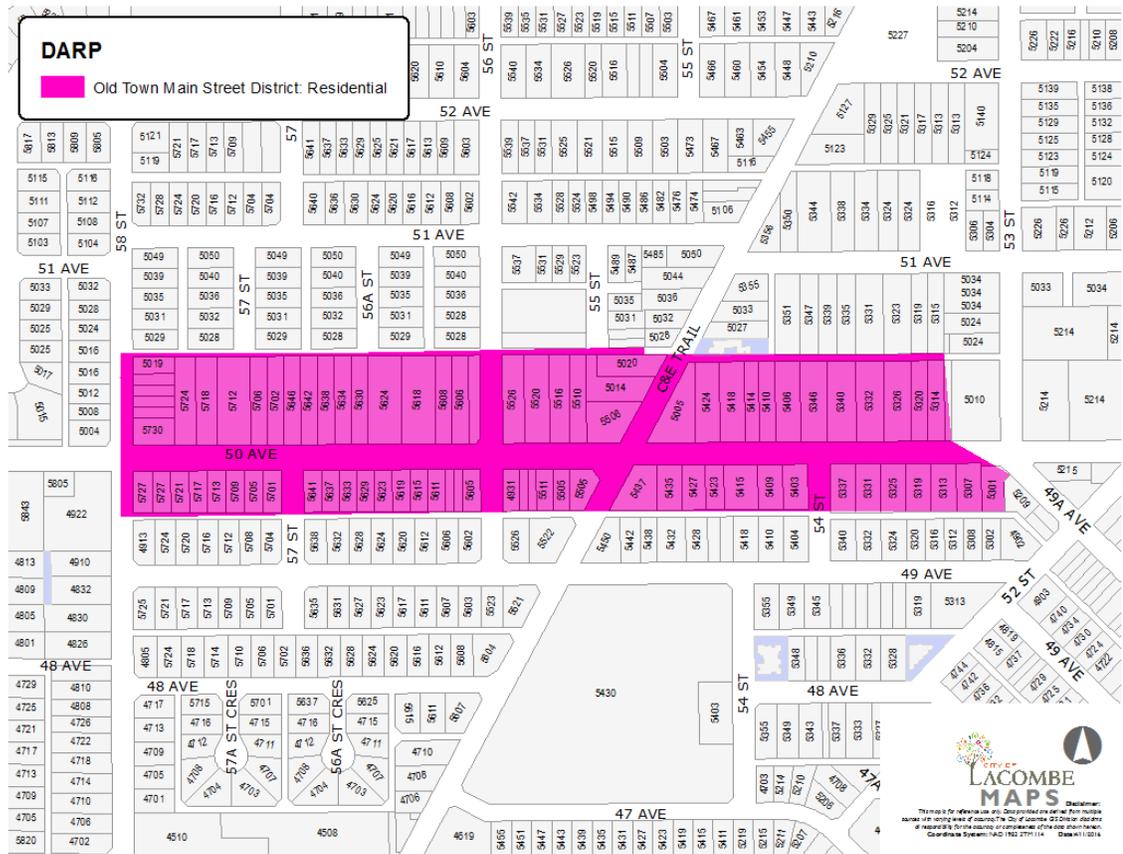
- i Parking entrances shall be provided at the rear of the structure or on a laneway and the size of parking openings should be limited to no wider than 7m.

- n) Signage
  - i See clause 14.4.7.\*\*
- o) Landscaping
  - i See Section 8.13.\*\*

### 14.4.14 OLD TOWN MAIN STREET DISTRICT: RESIDENTIAL DISTRICT

- a) **General Purpose:** To facilitate the rehabilitation of existing buildings and the development of major additions and new infill in a manner that preserves, enhances, and celebrates the unique historic character of 50 Avenue shown in the map below.

#### OLD TOWN MAIN STREET DISTRICT: RESIDENTIAL DISTRICT:



- b) **New Construction/Infill**
  - i Infill developments shall be sensitive to the character, scale, façade, and materials of adjacent buildings and users within this District Overlay. This will be provided through the provisions set forth in this Overlay District.
  - ii Multi-attached, multiple family and apartment housing developments shall be designed to have the appearance of a single detached structure.
  - iii A Victorian, Queen Anne, Eclectic/Craftsman, Folk or Edwardian architectural style, as shown in Section 14.4.6 shall be chosen for construction of a new building. The architect and/or builder should draw on the architectural features and building materials of that specific style. Development shall provide the required elements and shall incorporate the minimum number of features associated with the specific style (see the styles found in the glossary).
- c) **Building Components**
  - i **Windows:** Double hung or multi-pane windows should be not wider than 0.9m and not taller than 1.8m with transparent glazing as opposed to translucent or glass block.

- ii Roofs: The principal roof of the building shall have a slope of 3 in 12 or greater. Gables or dormers on the front elevation are encouraged.
- iii Verandas/Porches: Roofed, but not enclosed front verandas, columns, guard rails of wood construction, and piers of wood, brick or stone construction are required, unless the Architectural Style chosen in Section 14.4.6 Architectural Style requires otherwise.
  - If the front porch is two stories in height, there should be an eave at the single story level.

d) Building Setbacks

- i Front yards abutting the north side of 50 Avenue: 12m.
- ii Front yards abutting the south side of 50 Avenue: 9m.
- iii Side yards: For properties abutting 50 Avenue, 10% of parcel width for each side yard (totaling 20%) with a minimum width of ~~1.5m~~ 2m
- iv For those units not abutting 50 Avenue, the setbacks (~~side, front, and rear~~) of the underlying District shall prevail. ~~The side yard setback shall be a minimum of 2m~~

e) Building facade/Building Materials

- i All exposed building facades shall be architecturally treated to create a unified building exterior. The building shall include the following design elements to reduce the perceived mass and add architectural interest:
  - Articulation of the building façade;
  - Creation of architectural pattern;
  - The use of recessions and projections such as porches, bay windows and entrance features;
  - The use of a variety of exterior building cladding materials;
  - Trim work around windows and doors shall be delineated through wider framing or different colours from the principal building.
- ii All building facades shall use high quality, compatible and harmonious exterior finishing materials. The material should seek to compliment the surrounding neighbourhood.
  - Windows facing a street shall have a delineated trim (different shade or use of framing material); and
  - Façade trim work, including window and door frames, cornices, pilasters, awnings, canopies and other elements may be any colour, with the exception of luminescent, fluorescent or metallic colours.
- iii Building material should reflect the architectural style chosen from the Architectural Style in 14.4.6.
- iv Accessory Buildings ~~shall~~ should use the same facade treatment, finishing, materials, and colours as the principal buildings.

f) Landscaping

- ~~i Detached dwellings shall provide:
 
  - one (1) tree per dwelling unit; as well as
  - the requirements found in clause 8.13.8~~
- ii ~~All other landscaping shall comply with Section 8.13 of this Land Use Bylaw.~~

g) Parking and Access

- i All parking ~~shall~~ should be accessed from the rear lanes as any further parking curb cuts along 50 Avenue shall be prohibited. The reuse of existing curbs may occur, although new or redeveloped front attached garages shall be at the discretion of the Development Authority ~~and are not encouraged~~
- ii ~~Surface parking, loading~~ Loading and storage areas shall be located to the rear of any building, fronting onto the rear lane and be screened from public roadways through landscaping.

- iii Landscaping shall be provided between public roadways and surface parking facilities, excepting access to the parking facilities. The minimum width of landscaping from the property line to the parking facilities surface should be 2m when abutting a public roadway.

#### 14.4.15 PEDESTRIAN-ORIENTED DOWNTOWN GATEWAY DISTRICT

- a) **General Purpose:** To regulate the development of major additions and infill development for Commercial uses in a manner that ensures compatibility with adjacent properties and establishes a positive visual impression of Highway 2A. This District acts as a gateway transition area into Lacombe’s historic downtown, with an emphasis on pedestrian-scaled development.

#### PEDESTRIAN-ORIENTED DOWNTOWN GATEWAY DISTRICT



- b) **New Construction/Infill/Site Development**
  - i Infill developments shall be sensitive to the character, scale, façade, and materials of adjacent buildings and uses within this District Overlay. This will be provided through the provisions set forth in this Overlay District.
  - ii Where an occupancy permit with no proposed changes to the building’s exterior or site layout is applied for, the provisions marked with an (\*\*) should be applied.
- c) **Building Components**
  - i Entrances: Individual entrances shall be well-defined and designed to face all public roadways, other than a lane.
  - ii Mechanical equipment (including roof top mechanical equipment) should be screened from view from all sides. Screening should be compatible with the surrounding character of the site.
- d) **Building Placement and Massing**
  - i Buildings located on corner lots shall be designed and oriented towards both streets through the use of entrances and windows.

- ii A single, large, dominant building mass shall be avoided in new development. Methods of addressing building massing include, but are not limited to changes in height, projecting or recessing of elements and entrances, and the use of different materials and colours to create the look of different facades.
- e) Building facade/Building Materials
- i All exposed building facades shall be architecturally treated to create a unified building exterior.
  - ii All building facades shall use high quality, compatible and harmonious exterior finishing materials that also compliment the surrounding neighbourhood.
  - iii Where walls are greater than 15m in length, the visual massing shall be reduced through the use of architectural elements such as columns, ribs, pilaster or piers, changes in plane (recesses or projections), changes in building finish, material or texture, to create an identifiable pattern and address human scale.
  - iv Façade treatments of new or substantially renovated buildings shall incorporate canopies, awnings or arcades, entrance features or other features to enhance pedestrian comfort and visual interest along the street.
  - v Loading docks shall be fully screened from public roadways other than a lane.
- f) Parking and Access
- i The Development Authority may require that parking facilities incorporate low fences between 0.6m to 0.9m in height, or be framed by vegetation (i.e. shrubs) 0.6m to 0.9m in height. Preferred fencing includes wrought iron, wood picket or rope and tie/post and cable fencing. Where fence material is chain link, it shall be painted black.\*\*
  - ii The Development may require that landscaping be provided between public roadways and surface parking facilities, excepting access to the parking facilities. The minimum width of landscaping from the property line to the parking facilities surface should be 2m when abutting a public roadway.\*\*
  - iii Sidewalks shall be provided along all sides of the lot that abut a public street, to the discretion of the Development Officer.
  - iv Sidewalks on Highway 2A should be buffered by a landscaped boulevard strip. If the applicant provides a sidewalk as part of municipal improvements, then the landscaping strip required In Part 8 shall be reduced to 2m from 3m.\*\*
  - v To the maximum extent feasible, continuous internal pedestrian walkways shall be provided from the public sidewalk or right-of-way to the principal customer entrance of all commercial establishments on the site.\*\*
  - vi At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, street crossings, building store entry points, and shall feature adjoining landscaped areas.
  - vii To the extent reasonably feasible, all internal pedestrian walkways and/or physical barriers shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.\*\*
  - viii Multi-level Parking Structures
    - For all multi-level parking structures, a use other than parking shall be provided at grade along street frontages to ensure that there is continuity of active commercial parking. Parking adjacent to residential districts shall be screened to the satisfaction of the Development officer and should be limited to staff parking only.
- g) Landscaping and Site Development
- i No storage of materials (excepting vehicles) relating to business operations shall occur where adjacent to residential Districts, unless adequately screened to the satisfaction of the Development Officer.\*\*
  - ii All applications for development permits with the District Overlay should be accompanied by a landscaping plan. The approval of a landscaping plan should form part of a development permit. \*\*
  - iii Applications for development permits for building occupancy/change of use should include a landscape plan which provides for planters outside each external front entrance. These shall not impede access to

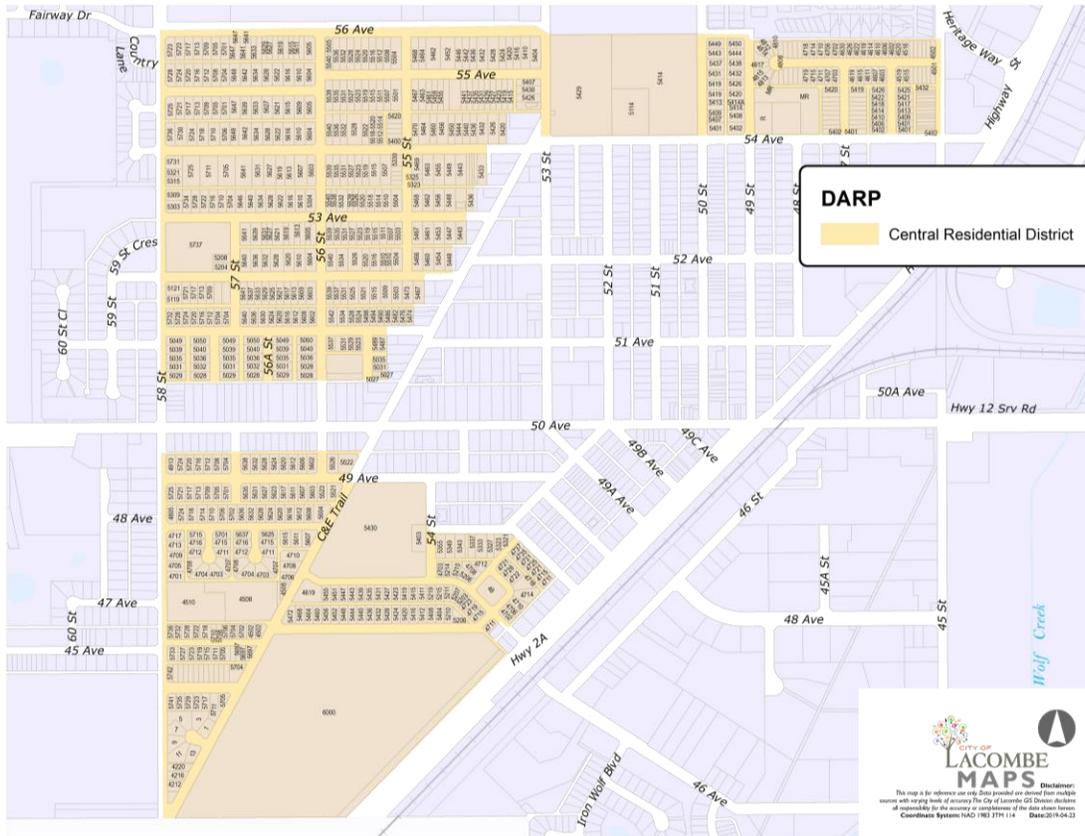
or along the building frontage. The design and approval of the planters will be to the Development Officer's approval.\*\*

- iv The use of art (which does not include merchandise displays) in lieu of landscaping requirements may be considered where the art would provide visual interest to the pedestrian. The design and approval (where it is used in lieu of landscaping) will be to the Development Officer's approval, based on recommendations from the Art Selection Committee (or its equivalent).

## 14.4.16 CENTRAL RESIDENTIAL DISTRICT

- a) **General Purpose:** To regulate the development of major additions and new infill in a manner that is compatible with the scale and character of the existing area, shown in the map below.

### Central Residential District:



### b) New Construction/Infill

- i Infill developments shall be sensitive to the character, scale, façade, and materials of adjacent buildings and users within this District Overlay. This will be provided through the provisions set forth in this Overlay District.
- ii All new residential developments shall have a minimum side yard setback of 2.0m.

### c) Building Components

- i Roofs: The principal roof of the building shall have a slope of 3 in 12 or greater. Where residential development proposes a flat roof or slope of less than 3 in 12, it shall be at the discretion of the Development Officer.
- ii Entrances: All new development which provides for more than one dwelling unit per site shall be developed to promote street orientated design. Aspects of street orientated design include (but may not be limited to):
  - Front verandahs
  - Roof elements separating the first storey from the second storey
  - Larger windows facing the street
  - Minimal front yard parking, where any garage is setback from the primary facade of the structure; or with a second story above the garage.
- iii A hard surfaced pedestrian path shall link all parking for multi-unit development to entrances.

d) Building façade / Building Materials

- i All exposed building façades shall be carefully designed to create a unified building exterior.
- ii All building facades shall use high quality, compatible and harmonious exterior finishing materials.
  - Wood, metals, and plastics shall be deemed acceptable as trim materials for window and door frames, cornices, and awnings or canopies.
  - Façade trim work, including window and door frames, cornices, pilasters, awnings, canopies and other elements may be any colour, with the exception of luminescent, fluorescent or metallic colours.
  - Trim work around windows shall be delineated through wider framing or different colours from the main principal building.
- iii Accessory Buildings should use the same facade treatment and finishing as the principal buildings.

e) Parking and Access

- i Parking should be provided on site via rear lanes so that the building can be setback at a distance that is the same as adjacent buildings to create a consistent streetscape character.
- ii Loading and storage areas shall be located to the rear of any building and shall be screened from public roadways through landscaping.
- iii Landscaping shall be provided between public roadways and surface parking facilities, excepting access to the parking facilities. The minimum width of landscaping from the property line to the parking facility surface should be 2m when abutting a public roadway.
- iv Where parking is provided from the lane for multiple housing developments, it shall:
  - provide screening from adjacent properties – either through fences or be framed by vegetation (i.e. shrubs) .6m to .9m in height. Preferred fencing includes wrought iron, wood picket or rope and tie/post and cable fencing. Where fence material is chain link, it shall be painted black.\*\*
  - be setback from the rear of the principal building to ensure that a strip of landscaping is provided between the principal building and the parking facilities.
- v Landscaping shall be provided between public roadways and surface parking facilities, excepting access to the parking facilities. The minimum width of landscaping from the property line to the parking facilities surface should be 2m when abutting a public roadway.

## 14.5 Historic District Area Overlay

- 14.5.1 **Purpose:** To promote the conservation and production retention of historical resources through the provision of conservation guidelines, and demolition and adaptive reuse regulations.
- 14.5.2 **Application:** All principal structures of 50 years of age or older which are not provincially or municipally designated, within the City of Lacombe corporate boundaries.
- 14.5.3 **Interpretation:** The Historic District Area Overlay overlays other Districts and has the following effects.
- a) The regulations of this Overlay shall apply in addition to the regulations of the underlying Districts, and other provisions of the Land Use Bylaw, including other Overlays.
  - b) Where the regulations of this Overlay appear to conflict with the regulations of the underlying District or any other provision of this Land Use Bylaw including other Overlays, the regulations of this Overlay shall take precedence.
    - i **Permitted Uses:** The permitted uses of the underlying District
    - ii **Discretionary Uses:** Demolition of Historic Buildings  
Historic Mixed Use Dwellings
    - iii **Prohibited Uses:** Demolition of Provincial or Municipal Historic Resource

### 14.5.4 Definitions

The following definitions apply to Section 14.5:

**“Adaptive reuse”** means the productive retention and reuse of historical buildings through the provision of expanded development and use options that serve to discourage the underutilization or demolition of resources.

**“Guidelines”** means principles which will be referenced and generally adhered to when considering alterations, additions, demolitions preservation, restoration or rehabilitation of structures, parcels, or other features and contained in this Overlay.

**“Heritage alteration permit”** means a permit which gives approval for works being undertaken on a Municipal Historic Resource. The owner of a Municipal Historic Resource shall submit an application for this permit prior to undertaking any interventions on a designated building. This application is required only when the work impacts a Character Defining Element as listed on the Statement of Significance.

**“Heritage inventory”** means a list of evaluated sites from the Heritage Survey and/or a more refined list of sites known as the Places of Interest List. Heritage Inventory sites are

documented through a Statement of Significance.

**“Heritage register”** means a list of sites that have been designated as Municipal Historic Resources or as a Provincial Historic Resource.

**“Heritage Resource Committee”** means the Committee established by Municipal Historic Resource Bylaw.

**“Historic building”** means any principal building that is 50 years or older.

**“Historic mixed use dwelling”** means the adaptive reuse of a residential Historic Building providing for a commercial component for conducting business, while maintaining a portion of the building for residential purposes.

**“Intervention”** refers to any action, other than demolition, that results in a physical change to an element or a historic place.

**“Municipal Historic Resource”** means a resource that has been designated at the municipal level through bylaw in accordance with the *Historical Resources Act, RSA 2000, c. H-9*, as amended.

**“Municipal Historic Resources Bylaw”** means the bylaw approved by City Council to manage historic buildings in Lacombe.

**“Non historic building”** means any building that is younger than fifty (50) years.

**“Principal Building”** means the principal structure on a property, e.g. a house or a commercial, institution or industrial structures.

**“Provincial Historic Resource”** means a resource that has provincial significance and has been designated at the provincial level.

**“Regulations”** means requirements contained in this Overlay which shall be met when considering alternations, additions, demolitions, preservation, restoration or rehabilitation. Where the applicant is unable to meet, or chooses not to meet a requirement of this Overlay, the request shall be considered as a variance and may be subject to review by the Heritage Resource Committee prior to the

application being considered by the Municipal Planning Commission.

**“Standards and Guidelines for the Conservation of Historic Places in Canada”** means a document that provides guidance for work being undertaken on heritage properties within Canada. City of Lacombe Council has approved the use of this document for Lacombe’s Municipal Historic Resources.

**“Statement of Significance (SOS)”** means a statement that identifies the description, heritage value, and character-defining elements of an historic place. A Statement of Significance is required in order for an historic place to be listed on the Provincial and Canadian Registers of Historic Places. The document is used at the local level as a planning tool for future conservation interventions.

#### 14.5.5 Guidelines for Non-Historic Buildings

- a) Non-historic buildings are those that are under fifty (50) years old.
- b) Additions and alterations to non-historic buildings should be compatible with the character and scale of the building.
- c) Prior to demolition, non-historic buildings should be evaluated by the City of Lacombe to determine if the building has historic significance.

#### 14.5.6 Demolition or Relocation of Historic Buildings

- a) Any intervention to be completed on a Municipal Historic Resource shall utilize the guidelines provided within the Municipal Historic Resource Bylaw. Prior to any intervention, including the relocating, dismantling, or demolishing of a non-designated Historical Resources shall ensure that:
  - i A complete development permit application has been submitted in accordance with Section 4.5
  - ii The building has been thoroughly researched, documented, and photographed to the satisfaction of the Heritage Resource Committee.
  - iii The applicant has advertised in the local newspaper for two weeks, their intent to demolish the structure and the availability of the building for relocation or architectural salvage, prior to a development permit for demolition being issued. The City of Lacombe shall be provided with a summary of all inquiries received.
  - iv Relocation or demolition of a building on the City’s Heritage Inventory or Municipal Heritage Register will be considered only if restoration of the building, as determined by the Heritage Resources Committee, is not feasible.
  - v The Heritage Resource Committee shall make a recommendation regarding the development permit application for demolition, based on the information compiled in 14.5.5 (b) & (c) above, to the Development Authority. Within their recommendation, the Heritage Resource Committee may advocate

for the salvaging of items, development of a Statement of Significance (SOS) and/or require the proponent to pay for an interpretive plaque for the site.

- vi The Development Authority will consider the recommendation of the Heritage Resource Committee as well as any information received from the advertising required under clause 14.5.6 (iii).
  - vii As a condition of approval for demolition of a historic building, the City may require the proponent to salvage specific items, pay for an interpretive plaque for the site and/or develop a Statement of Significance (SOS).
  - viii Buildings approved for demolition shall be subject to an 'End of Life Cycle' report to be prepared by the Lacombe & District Historical Society as outlined in the approved fee schedule.
  - ix Buildings designated as Municipal Historic Resources may not be demolished unless approved by City Council in accordance the *Alberta Historical Resources Act* and Heritage Management Plan.
  - x Provincial Historic Resource buildings are subject to the conditions outlined in the *Alberta Historical Resources Act*.
- b) Where, in consultation with the Lacombe and District Historical Society (or its equivalent), that due to the condition, structural integrity or function of the building, the Development Authority may choose to waive any or all parts of this Overlay. Reasons for waiving the requirement shall be recorded within the file.

#### 14.5.7 Historic Building Conservation

- a) Any intervention to be completed on a Municipal Historic Resource shall utilize the guidelines provided within the Municipal Historic Resource Bylaw. Prior to any intervention, including the relocating, dismantling, or demolishing of a non-designated Historical Resources shall ensure that:
- i A complete development permit application has been submitted in accordance with Section 4.5
  - ii The building has been thoroughly researched, documented, and photographed to the satisfaction of the Heritage Resource Committee.
  - iii The applicant has advertised in the local newspaper for two weeks, their intent to demolish the structure and the availability of the building for relocation or architectural salvage, prior to a development permit for demolition being issued. The City of Lacombe shall be provided with a summary of all inquiries received.
  - iv Relocation or demolition of a building on the City's Heritage Inventory or Municipal Heritage Register will be considered only if restoration of the building, as determined by the Heritage Resources Committee, is not feasible.
  - v The Heritage Resource Committee shall make a recommendation regarding the development permit application for demolition, based on the information compiled in 14.5.5 (b) & (c) above, to the Development Authority. Within their recommendation, the Heritage Resource Committee may advocate for the salvaging of items, development of a Statement of Significance (SOS) and/or require the proponent to pay for an interpretive plaque for the site.
  - vi The Development Authority will consider the recommendation of the Heritage Resource Committee as well as any information received from the advertising required under clause 14.5.6 (iii).
  - vii As a condition of approval for demolition of a historic building, the City may require the proponent to salvage specific items, pay for an interpretive plaque for the site and/or develop a Statement of Significance (SOS).
  - viii Buildings approved for demolition shall be subject to an 'End of Life Cycle' report to be prepared by the Lacombe & District Historical Society as outlined in the approved fee schedule.
  - ix Buildings designated as Municipal Historic Resources may not be demolished unless approved by City Council in accordance the *Alberta Historical Resources Act* and Heritage Management Plan.
  - x Provincial Historic Resource buildings are subject to the conditions outlined in the *Alberta Historical Resources Act*.

## 14.6 FLOOD HAZARD AREA REGULATIONS OVERLAY

### 14.6.1 General Purpose

- a) Flooding can cause damage to property, hardship to people, and in extreme events, loss of life.
- b) The potential for flooding within the City of Lacombe exists along the streambed of Wolf Creek. This creek is located on the east side of Highway 2 and runs in a north/south direction through the City. To assist residents in mitigating potential flood losses, the City of Lacombe manages these flood hazard areas by limiting development within both the floodway, and flood fringe areas.
- c) The potential for flooding within the City of Lacombe exists along the streambed of Whelp Brook. This brook is located on the east side of Highway 2, in the western portion of the City of Lacombe. To assist residents in mitigating potential flood losses, the City of Lacombe manages these flood hazard areas by limiting development within both the floodway, and flood fringe areas. (Added, b.400.20, 02/11/2019)

14.6.2 The City of Lacombe's flood mapping is comprised of mapping prepared by the City of Lacombe and the Province of Alberta. For details on the provincial mapping, please see Alberta Environment and Parks (or its affiliated agency).

14.6.3 Within Section 14.6, the following definitions apply:

**"Cross section"** means surveyed areas of lands located within the flood fringe, floodway and streambed of Wolf Creek and Whelp Brook. The surveyed design flood level will vary depending on the location of a specific property within the flood hazard area.

(Note: Within the City of Lacombe, sixteen (16) quarter sections were surveyed and are included in the Flood Hazard Mapping found under Part 15 - Land Use District Maps, for cross-referencing with Table 14.6.1 and 14.6.2 below). (Amended, b.400.20, 02/11/2019)

**"Design flood"** means the one percent flood.

**"Design flood level"** means the modelled water elevation within a flood hazard area based on design flood (one per cent flood event). The Design flood level does not change as a result of development or obstruction of flows within the flood fringe.

**"Flood hazard area"** means the floodway and flood fringe zones and may also include areas of overland flow. See figure one.

**"Flood hazard mapping"** means the delineation of flood hazard areas along the streambed of Wolf Creek and Whelp Brook using design flood elevations established by survey. (Amended, b.400.20, 02/11/2019)

**"Floodway"** means that portion of the Flood Hazard Area where flows are deepest, fastest and most destructive. The floodway typically includes the main channel of a stream and a portion of the adjacent overbank area. See figure one.

**"Flood fringe"** means that portion of the Flood Hazard Area where the flows are generally shallower and move more slowly than in the floodway. The flood fringe typically includes the area between the Floodway and the outer boundary of the Flood Hazard Area. See figure one.

**"Flood proofing"** means, with respect to new structures, buildings or building extensions, a design, manner of construction or siting thereof for the purpose of preventing damage by floods of a specified magnitude.

**"Free board"** means the difference in the "Minimum Geodetic Elevations for Flood Fringe Development" and the "Design Flood Level" as outlined in Table 14.6.1 and Table 14.6.2, providing a factor of safety. (Amended, b.400.20, 02/11/2019)

**"Geodetic elevation"** means the minimum elevation of the lowest unprotected opening on

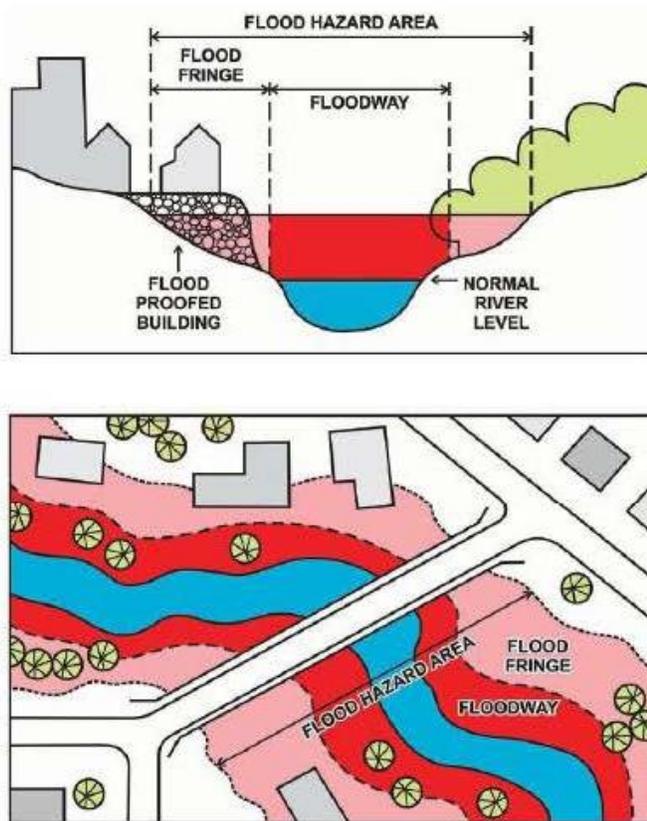
the structure (ie. window well, door opening) by adding the design flood elevation and freeboard.

"Hydraulic impact" means the restriction of flow or displacement of storage capacity from floodway.

"One percent flood" means a flood whose magnitude has a one percent chance of being equaled or exceeded in any year. Although it can be referred to as a 100-year flood, this does not mean that it will only occur once every hundred years.

#### 14.6.4 Figure 1: Floodway and Flood Fringe Zones

Floodway and Flood Fringe Zones



Source: Alberta Environment and Parks, Flood Hazard Area Diagrams

<http://esrd.alberta.ca/water/programs-and-services/flood-hazard-identification-program/flood-hazard-mapping.aspx>

#### 14.6.5 Floodway- Acceptable Land Uses

- a) Potential land use in the floodway is to be non-obstructing in nature. The main objective is to prohibit any obstructive development that has the potential to be damaged by floods, obstruct flow or restrict flow paths, result in downstream debris issues, provide a location to trap debris, or place the public at risk in the event of a flood.

Permitted Uses	Discretionary Uses
None	Bike and ski trails and related facilities  Boat and canoe launching sites  Flora and fauna preservation areas  Horticultural nurseries and botanical gardens, provided no structures are associated with their development  Parks and Recreation - parks, playgrounds, unserviced campsites, golf courses, open air structures (Picnic open air shelters, band shells, etc.), structural facilities for recreational use that are flood proofed and present minimal obstruction to flow.  Public utilities adjacent to and across the watercourse, pumping station inlets and outfalls.  Roads and parking facilities*  Roads and pedestrian bridges  Structures and associated works for flood control  Temporary structures for agriculture use

**14.6.6 Development Restrictions in the Floodway** (Amended, b.400.02, 04/24/2017)

- a) (Deleted, b.400.02, 04/24/2017)
- b) A development permit application for a site that is partially or wholly located in a floodway shall be restricted to the following: (Amended, b.400.02, 04/24/2017)
  - i structures and associated works for flood control;
  - ii agricultural land uses, public parks and outdoor recreational land uses and public utilities, including bridges and pedestrian walkways, that do not have a negative hydraulic impact on the flood hazard area; and
  - iii agricultural land uses which do not have a negative hydraulic impact to the flood hazard area.
- c) (Deleted, b.400.02, 04/24/2017)
- d) (Deleted, b.400.02, 04/24/2017)
- e) (Deleted, b.400.02, 04/24/2017)
- f) (Deleted, b.400.02, 04/24/2017)
- g) (Deleted, b.400.02, 04/24/2017)

**14.6.7 Development Restrictions in the Flood Fringe** (Added, b.400.02, 04/24/2017)

- a) The regulations for development within the flood fringe shall be applied to all development proposed to be located wholly or partially within the flood fringe in addition to the regulations of the underlying districts and other provisions of the Land Use Bylaw, as shown on Part 15 - Land Use District Maps. When a parcel of land is located partially within the flood fringe but the proposed building is located outside of the flood fringe and set back a minimum of 0.5m from the flood fringe, only the regulations of the underlying district will apply.
- b) New development located wholly or partially within the flood fringe shall be subject to the following requirements.

- i Development shall be restricted to buildings or structures which can be adequately flood proofed to minimize potential flood damage, to the satisfaction of the Development Authority. The construction of berms to flood proof a building or structure is not an adequate flood protection measure. Elevating the lot so that exposed building penetrations satisfy 14.6.7(b)(ii) and (iii) is an adequate flood protection measure.
  - ii Notwithstanding (iii) below, no habitable floor space developed below the design flood level, calculated by determining the design flood level and adding an additional 0.5m freeboard, shall be approved unless they have been flood proofed. (Refer to Table 14.6.1 and Table 14.6.2 in this Part and the Mapping which follows to determine the minimum Geodetic Elevation). (Amended, b.400.20, 02/11/2019)
  - iii The first floor and the main electrical panel within any structures or buildings shall be a minimum of 0.5m above the design flood level, as identified in the flood hazard mapping, unless they have been flood proofed.
- c) The applicant shall provide information on the grade elevations of the proposed building site, the building corners and first floor, as well as the building openings and mechanical or electrical equipment. If the building will have habitable floor space developed below the design flood level, the applicant shall provide details on how the building or site will be flood proofed.
- d) Before a development permit is issued, the Development Officer may require the applicant to provide a certificate containing the seal and signature of a registered Professional Engineer or Architect indicating that the requirements listed under 14.6.7 (b) to (c) have been met, and that the building or structure is adequately protected against flood damage to the Design Flood Level.
- e) As the situation of each floodway is unique, applications for subdivision and development within the floodway shall be undertaken in accordance with Alberta Environment and Parks requirements. The above, therefore, is only a general guideline.
- f) Minimum Elevations for Flood Fringe Development
  - i See Table 14.6.1
  - ii See Table 14.6.2 (Added, b.400.20, 02/11/2019)

**TABLE 14.6.1: MINIMUM ELEVATIONS FOR FLOOD FRINGE DEVELOPMENT ALONG WOLF CREEK** (Amended, b.400.20, 02/11/2019)

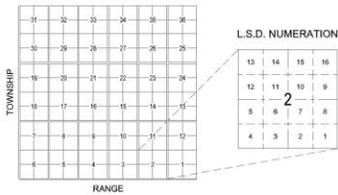
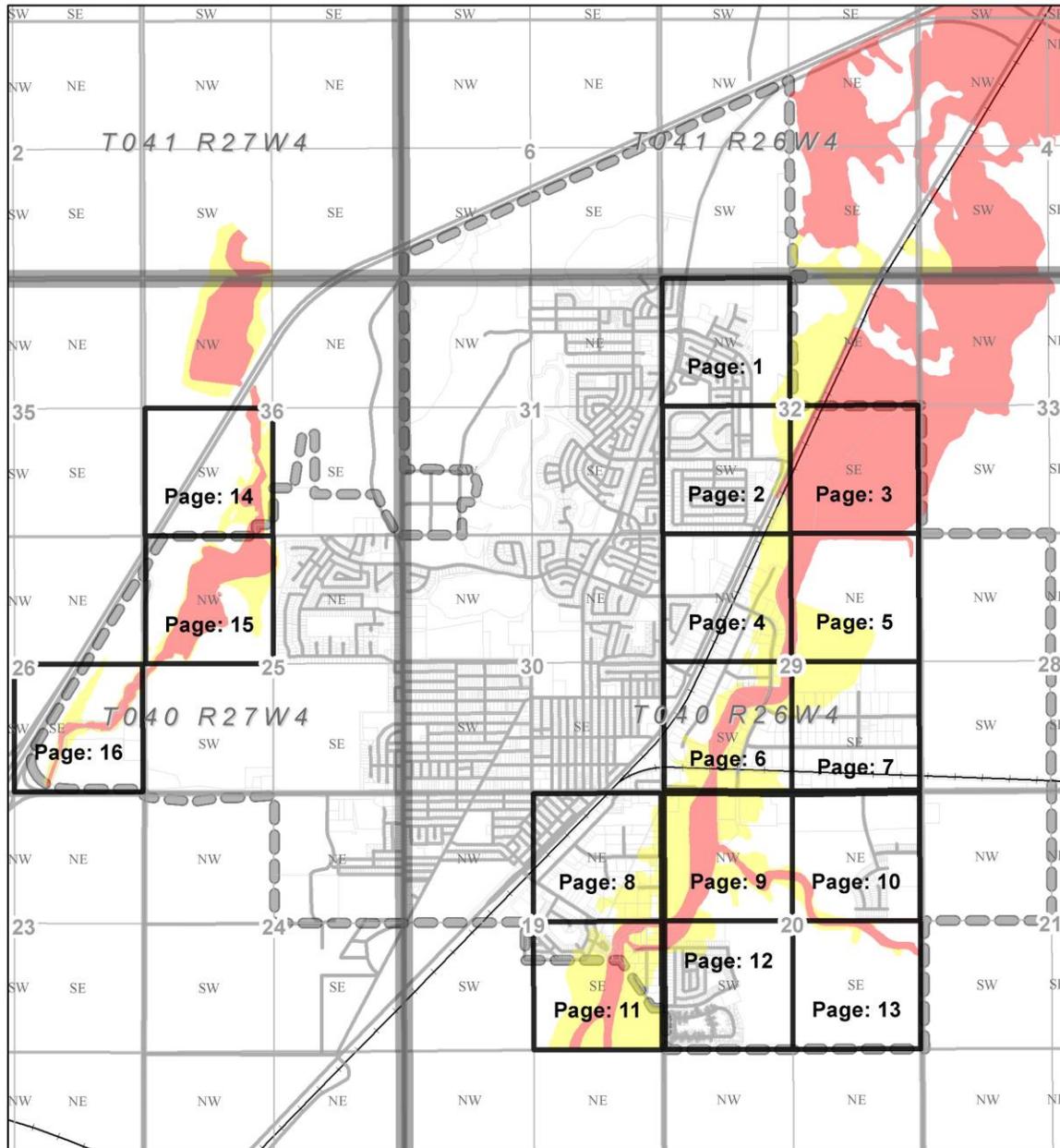
Cross Section	Design Flood Level	Minimum Geodetic Elevations for Flood Fringe Development (m) (includes 0.5m freeboard)
22	845.46	845.96
23	845.46	845.96
24	845.46	845.96
25	845.46	845.96
26	845.46	845.96
27	845.47	845.97
28	845.47	845.97
29	845.50	846.00
30	845.51	846.01
31	845.51	846.01
32	845.83	846.33
33	845.84	846.34
34	845.88	846.38
35	845.86	846.36
36	845.86	846.36
37	845.02	845.52
38	846.02	846.52
39	846.04	846.54
40	846.04	846.54
41	846.05	846.55
42	846.05	846.55
43	846.07	846.57
44	846.20	846.70
45	846.21	846.71
46	846.21	846.71
47	846.46	846.96
48	846.47	846.97
49	846.48	846.98
50	846.50	847.00
51	846.04	846.54
52	846.18	846.68
53	846.49	846.99
54	847.40	847.90
55	848.68	849.18
56	850.49	850.99
57	852.32	852.82
58	854.91	855.41

**TABLE 14.6.2: MINIMUM ELEVATIONS FOR FLOOD FRINGE DEVELOPMENT ALONG WHELP BROOK** (Added,

b.400.20, 02/11/2019)

Cross Section	Design Flood Level	Minimum Geodetic Elevations for Flood Fringe Development (m) (includes 0.5m freeboard)
100	852.47	852.97
101	852.47	852.97
102	852.47	852.97
103	852.47	852.97
104	852.47	852.97
105	852.47	852.97
106	852.47	852.97
107	852.47	852.97
108	852.47	852.97
109	852.48	852.98
110	852.49	852.99
111	852.49	852.99
112	854.38	854.88
113	854.39	854.89
114	854.39	854.89
115	854.39	854.89
116	854.39	854.89
117	854.40	854.90
118	854.40	854.90
119	854.39	854.89
120	854.41	854.91
121	854.41	854.91
122	854.59	855.09
123	854.62	855.12
124	854.68	855.18
125	854.70	855.20
126	854.72	855.22
127	854.79	855.29

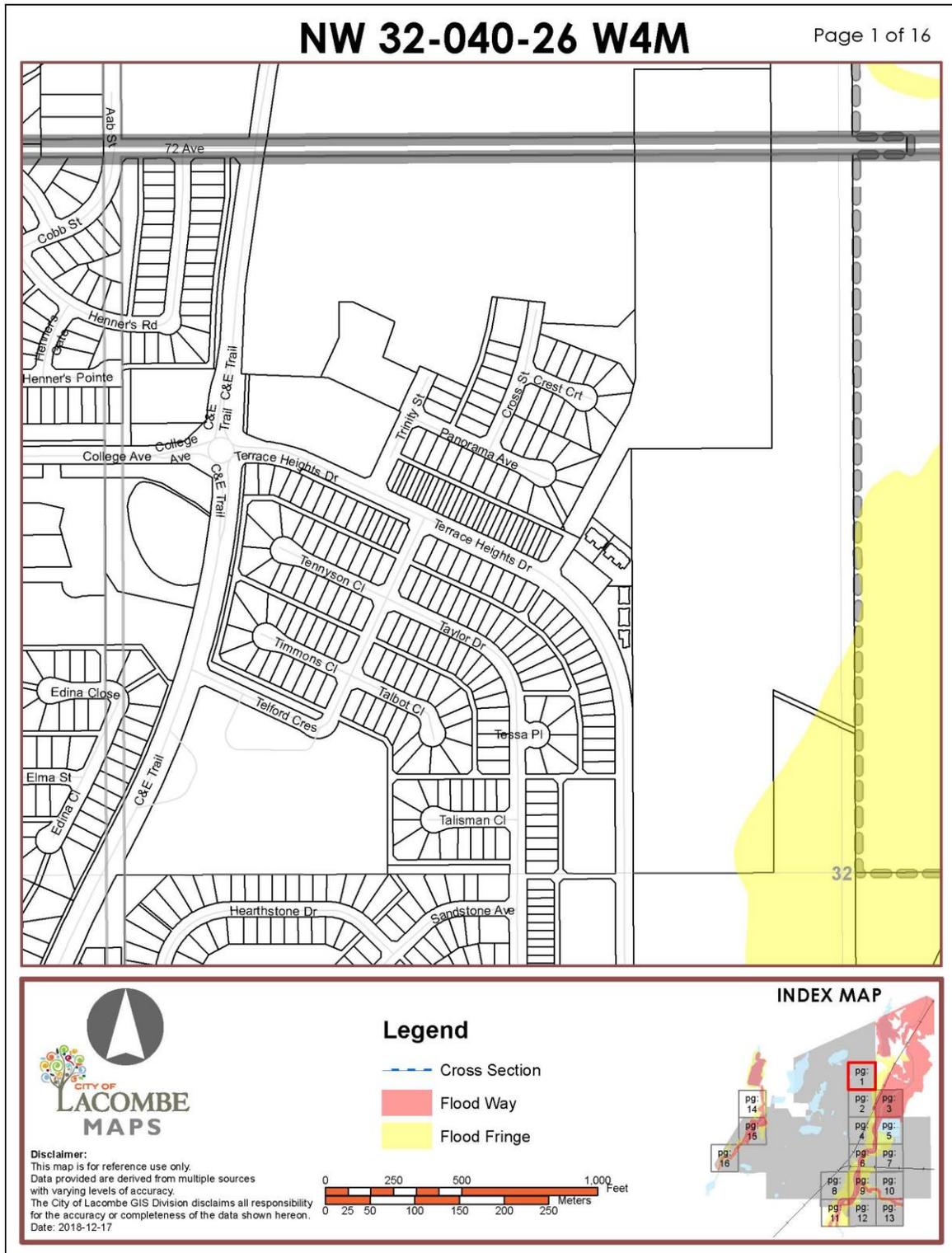
# Flood Zone Cross Section Maps



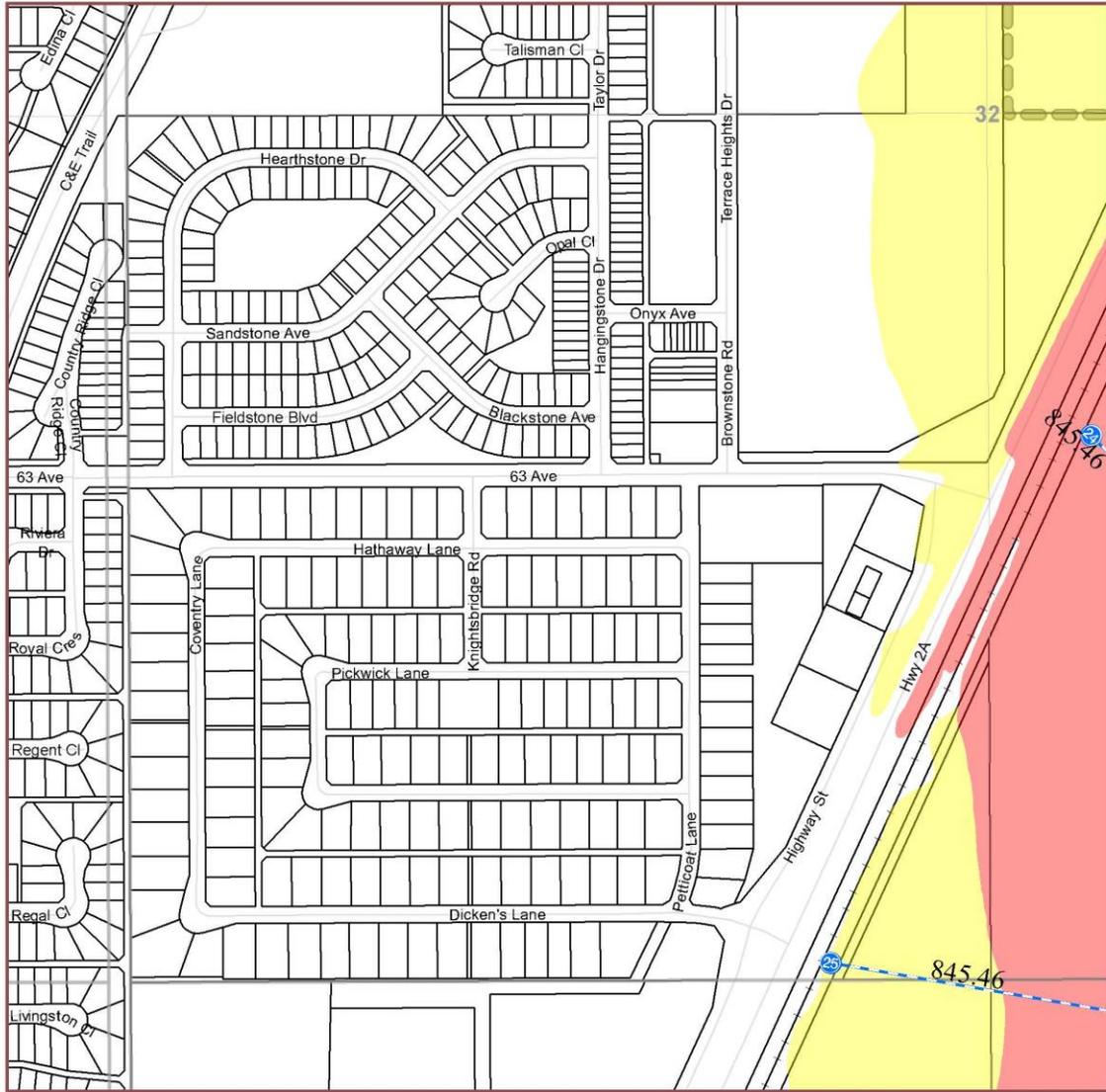
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MAPS

(Amended, b.400.20, 02/11/2019)



# SW 32-040-26 W4M



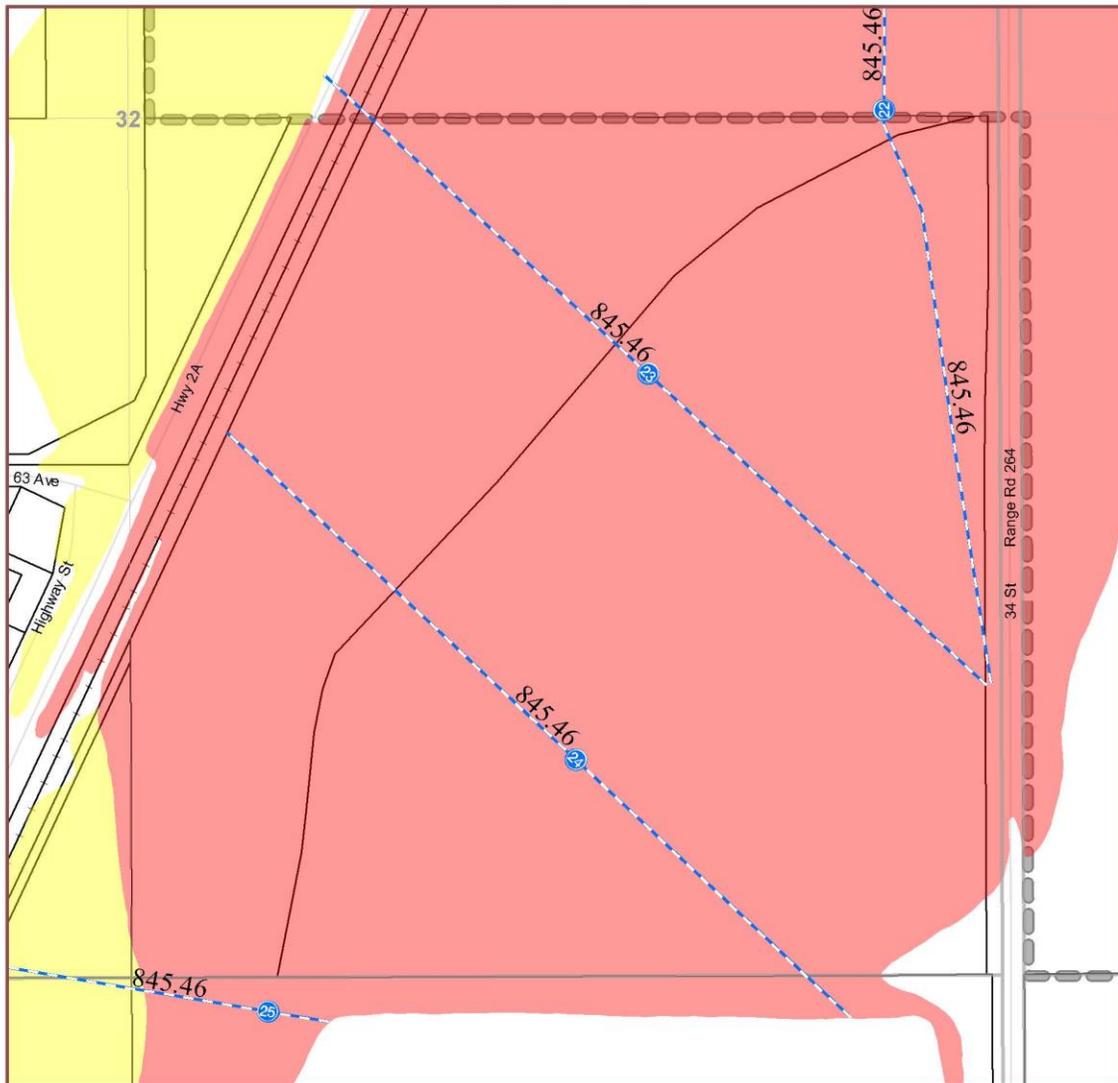
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- Cross Section
- Flood Way
- Flood Fringe

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### INDEX MAP

# SE 32-040-26 W4M



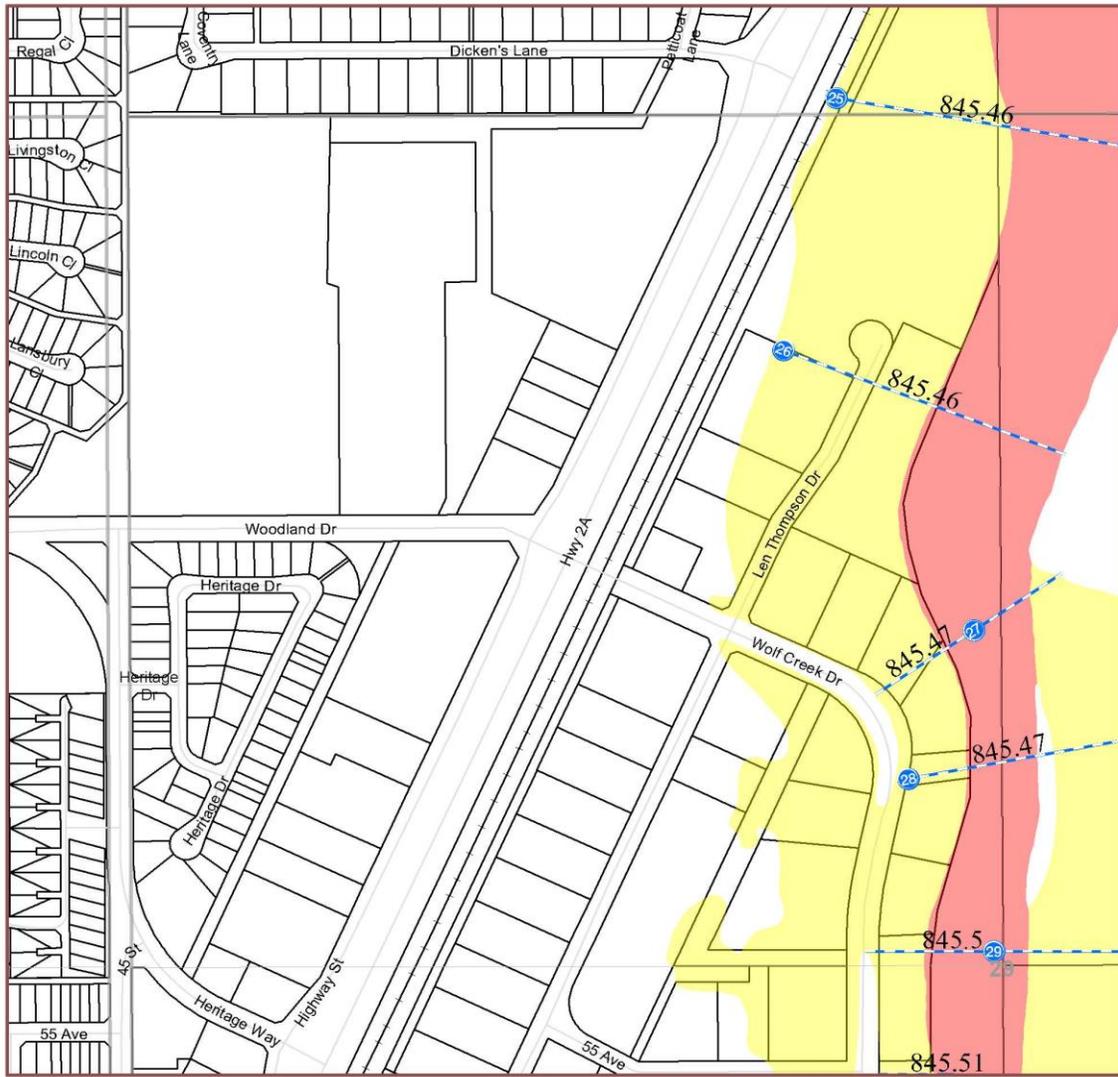
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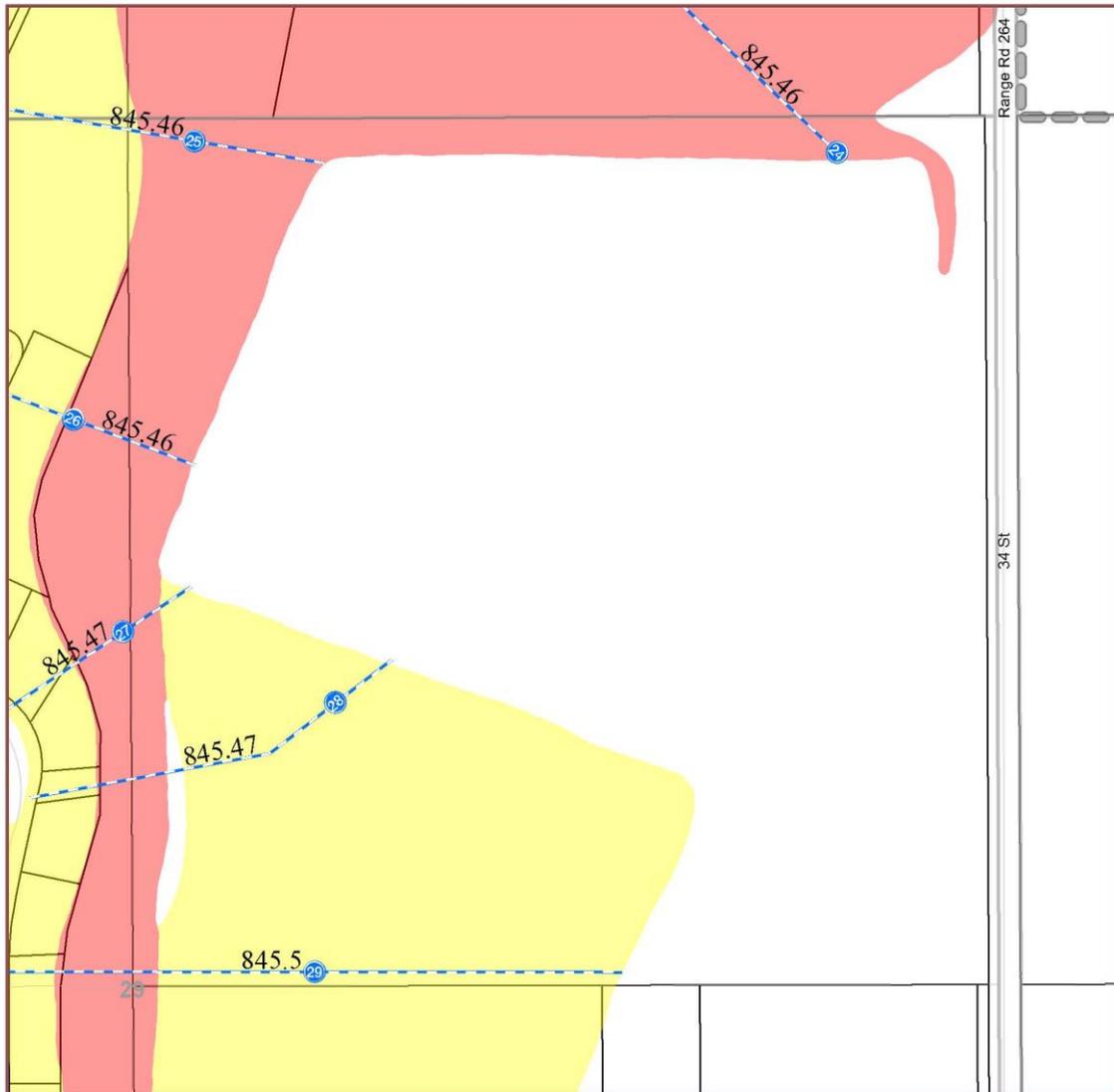
### Legend

- Cross Section
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- Flood Fringe

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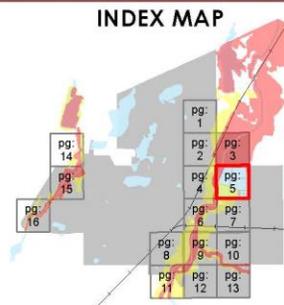


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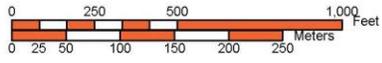
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-  Flood Way
-  Flood Fringe

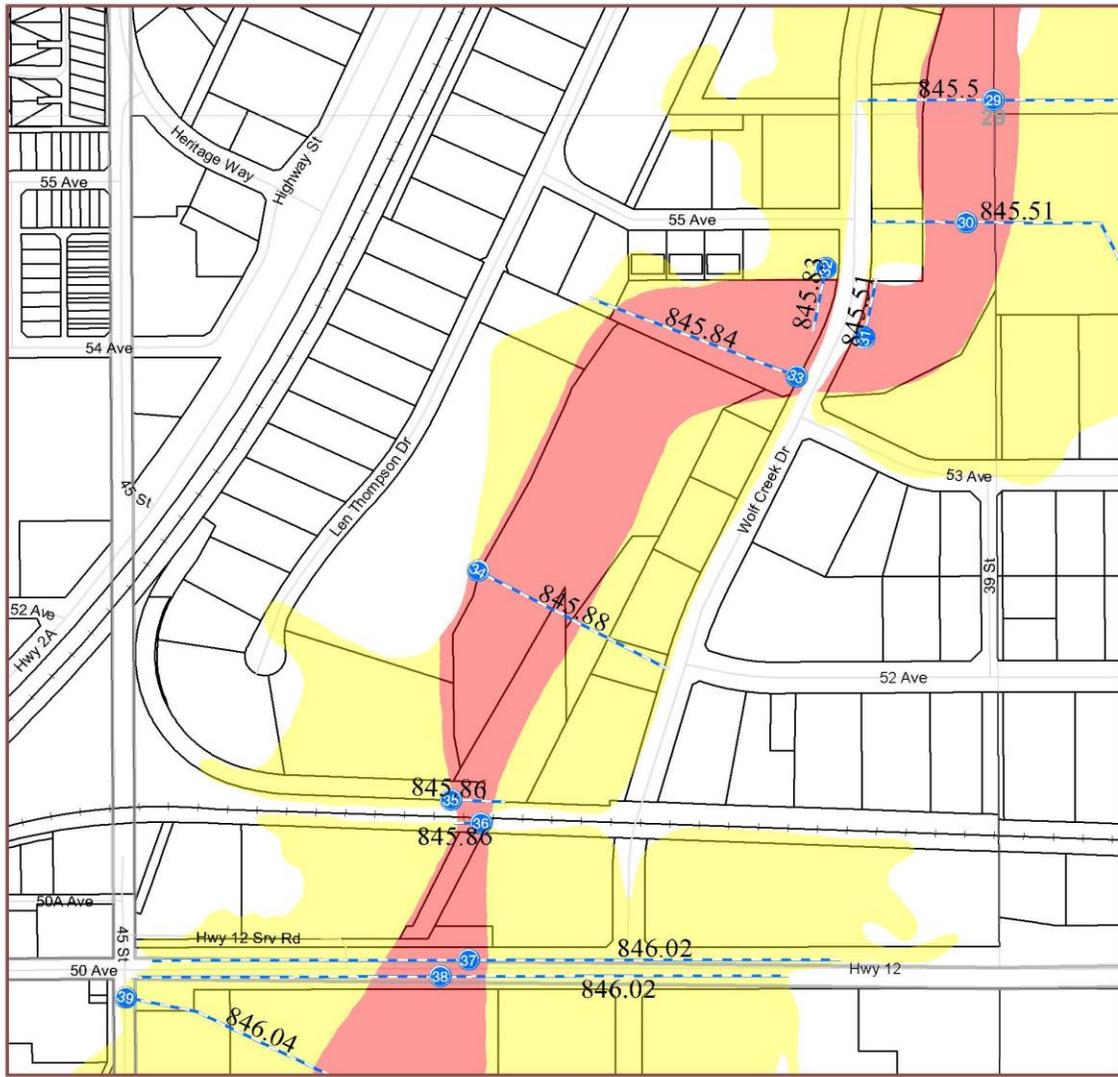
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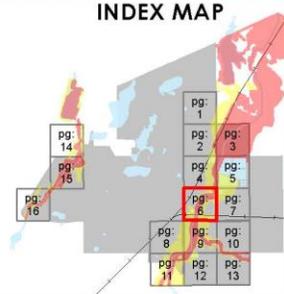
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**Legend**

- Cross Section
- Flood Way
- Flood Fringe

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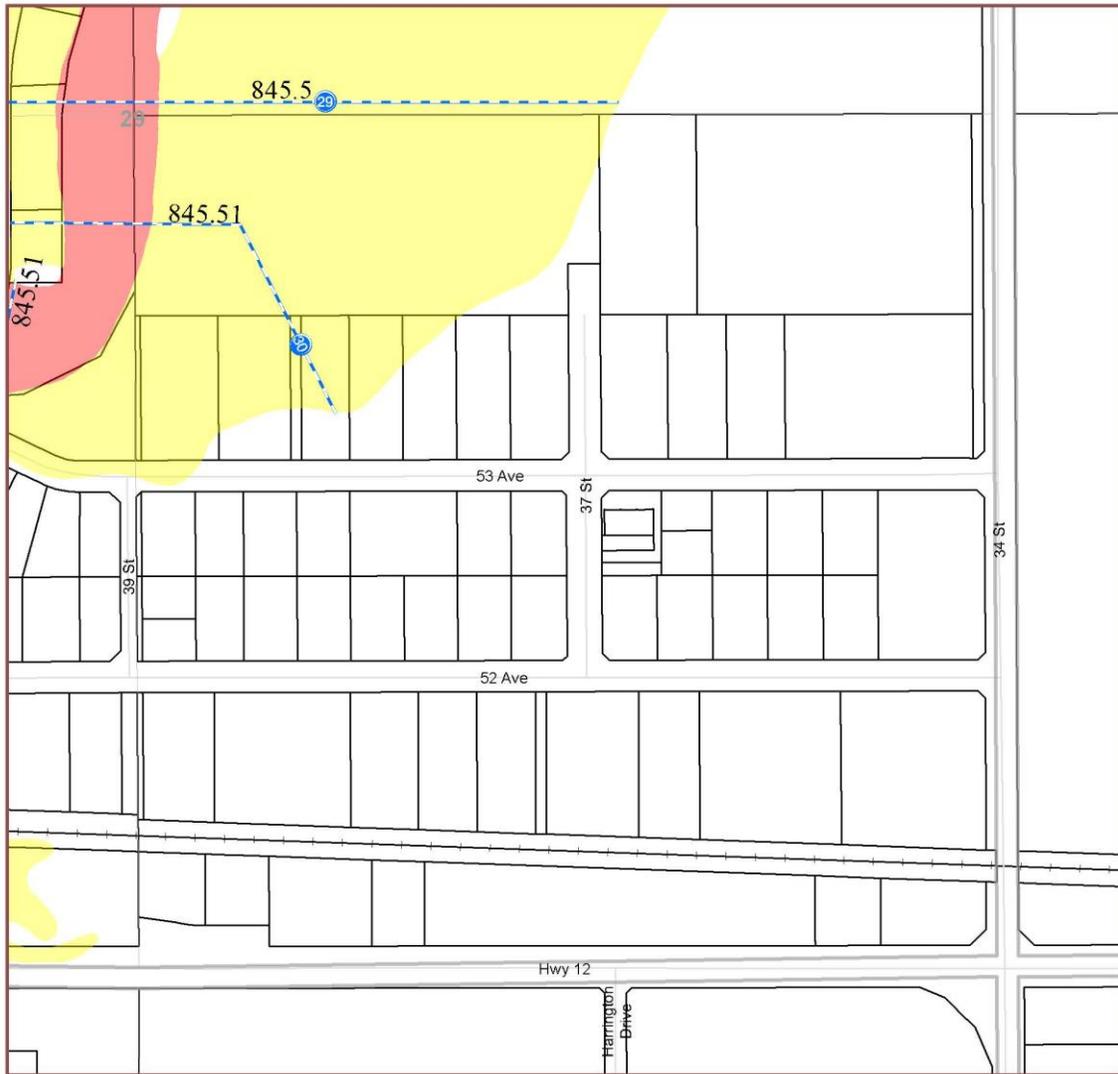
**INDEX MAP**



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pg: 15	pg: 6	pg: 7
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	pg: 10	pg: 11
	pg: 12	pg: 13

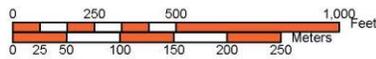
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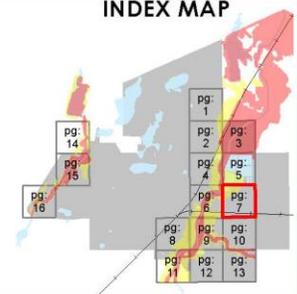
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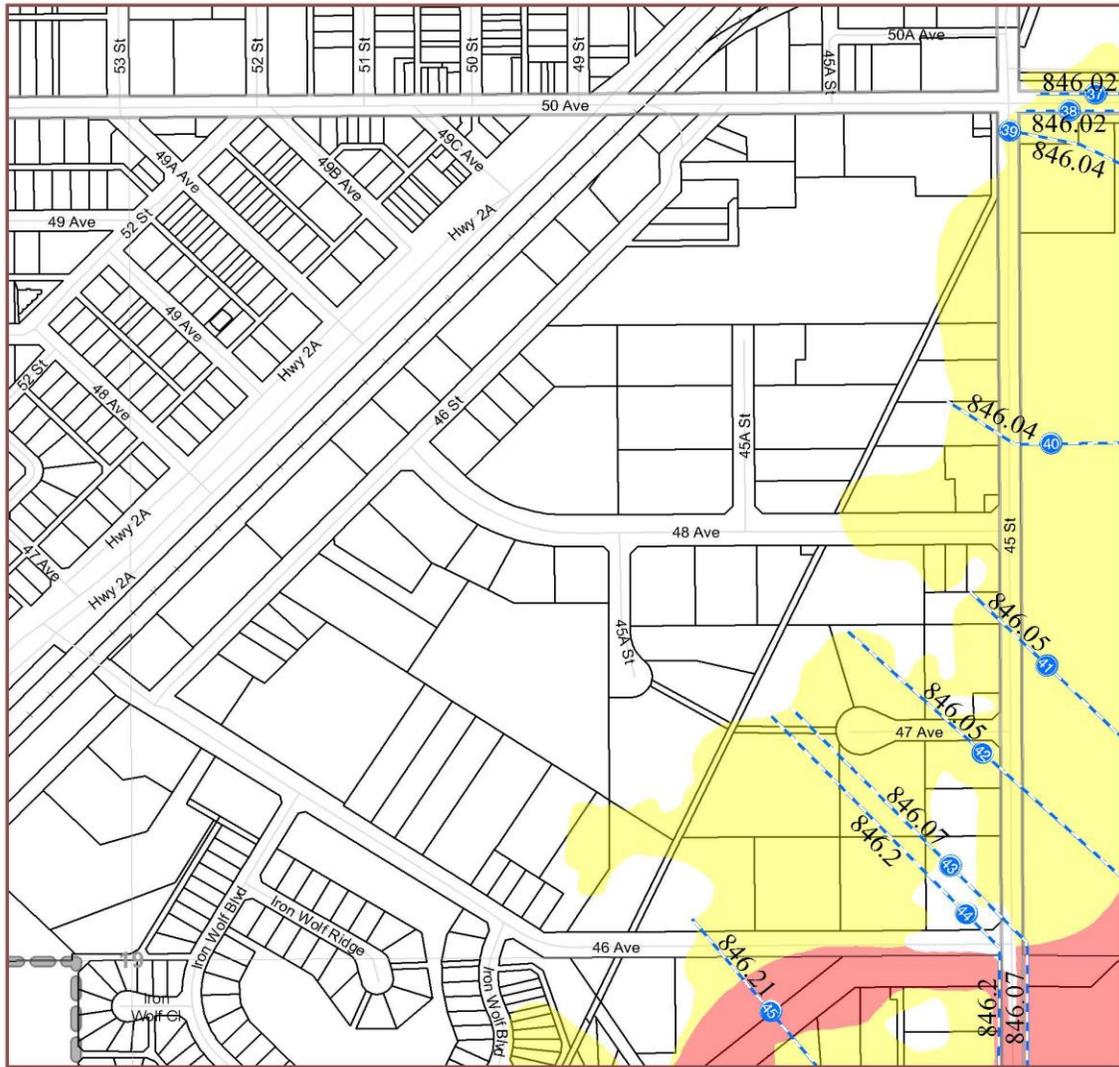
- Cross Section
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### INDEX MAP



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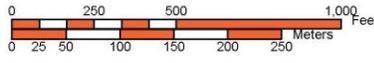


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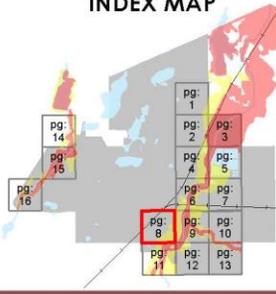
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**Legend**

-  Cross Section
-  Flood Way
-  Flood Fringe

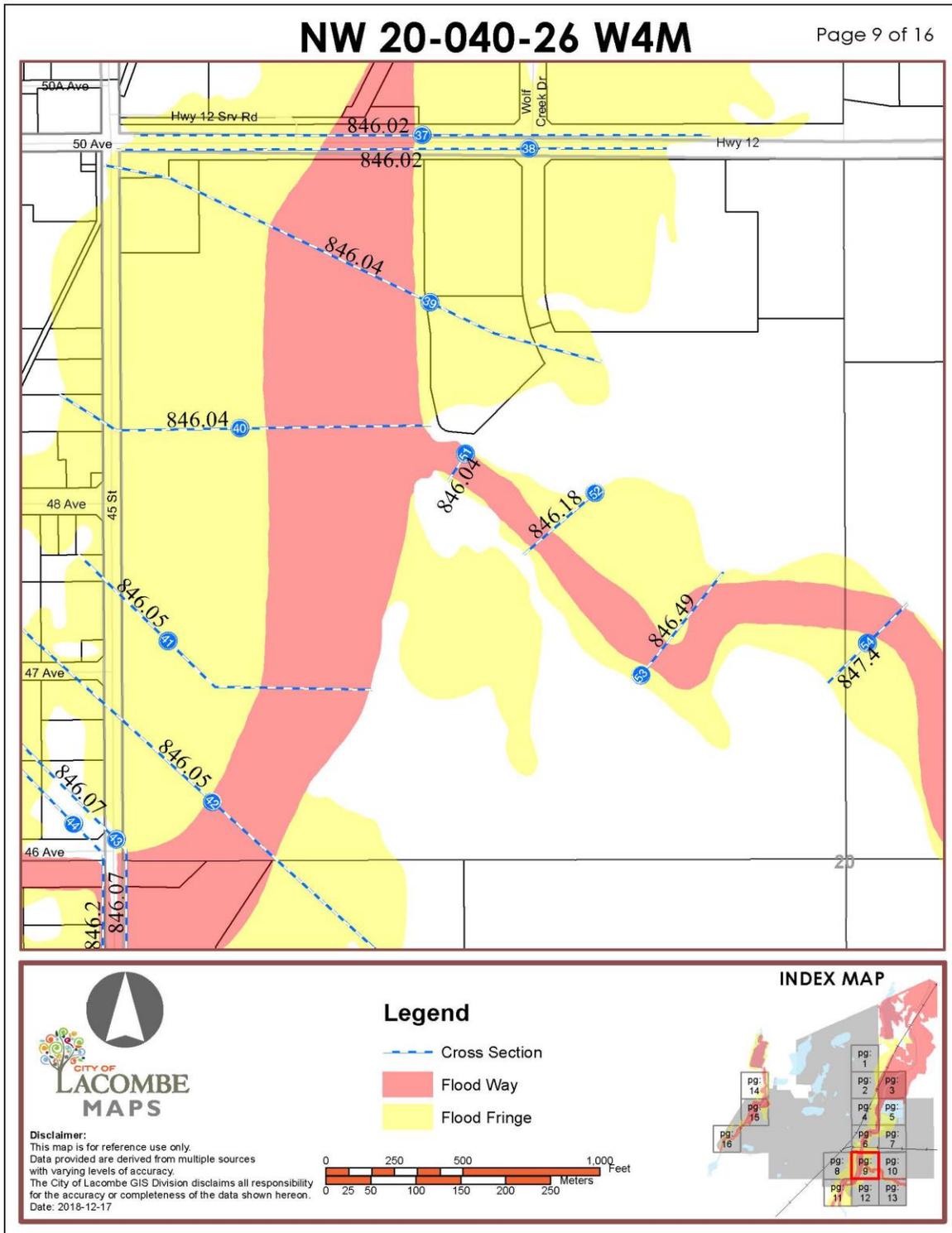
  
0 25 50 100 150 200 250 Meters  
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**INDEX MAP**



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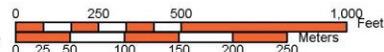
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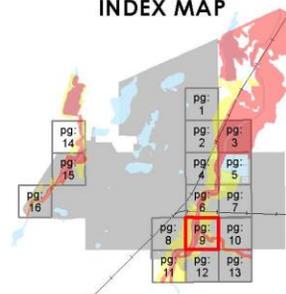
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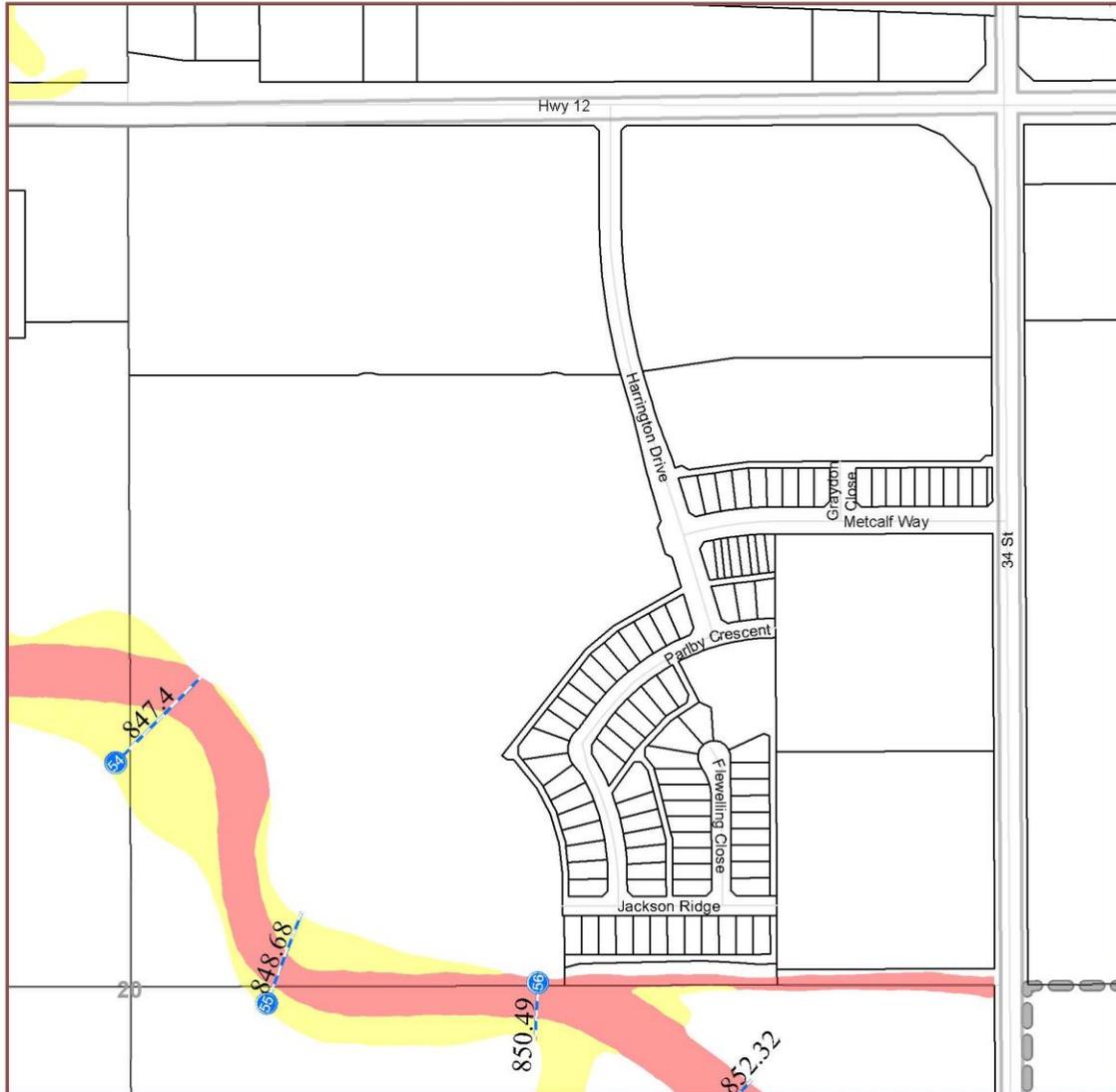
- Cross Section
- Flood Way
- Flood Fringe



### INDEX MAP



# NE 20-040-26 W4M



**CITY OF LACOMBE MAPS**

### Legend

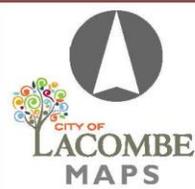
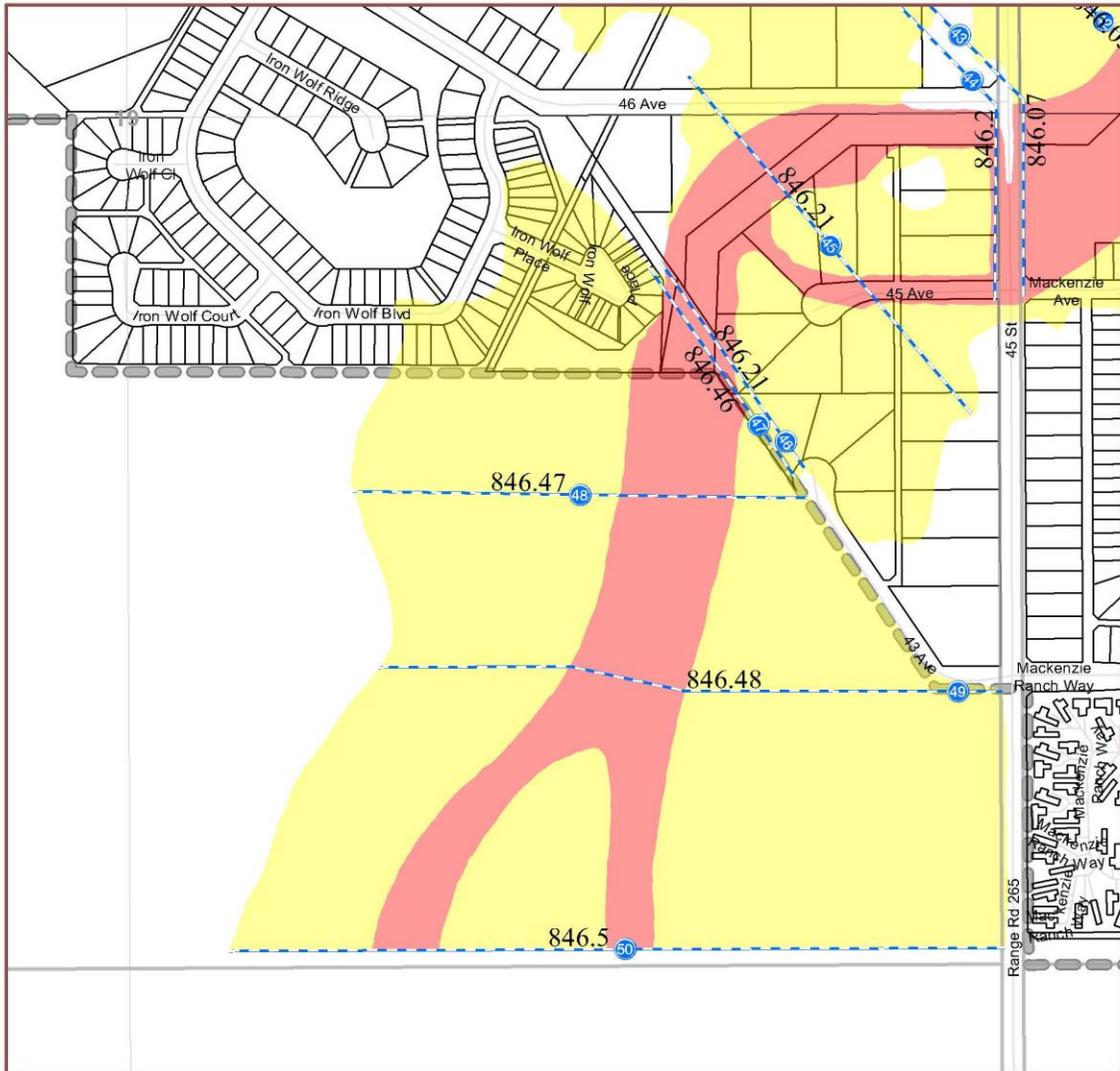
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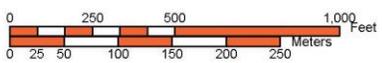
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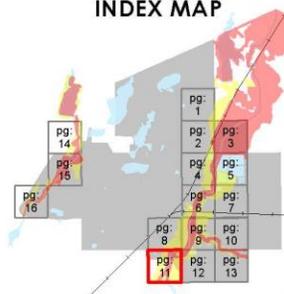


- Legend**
- Cross Section
  - Flood Way
  - Flood Fringe

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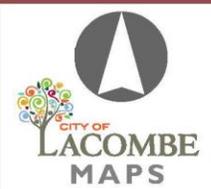
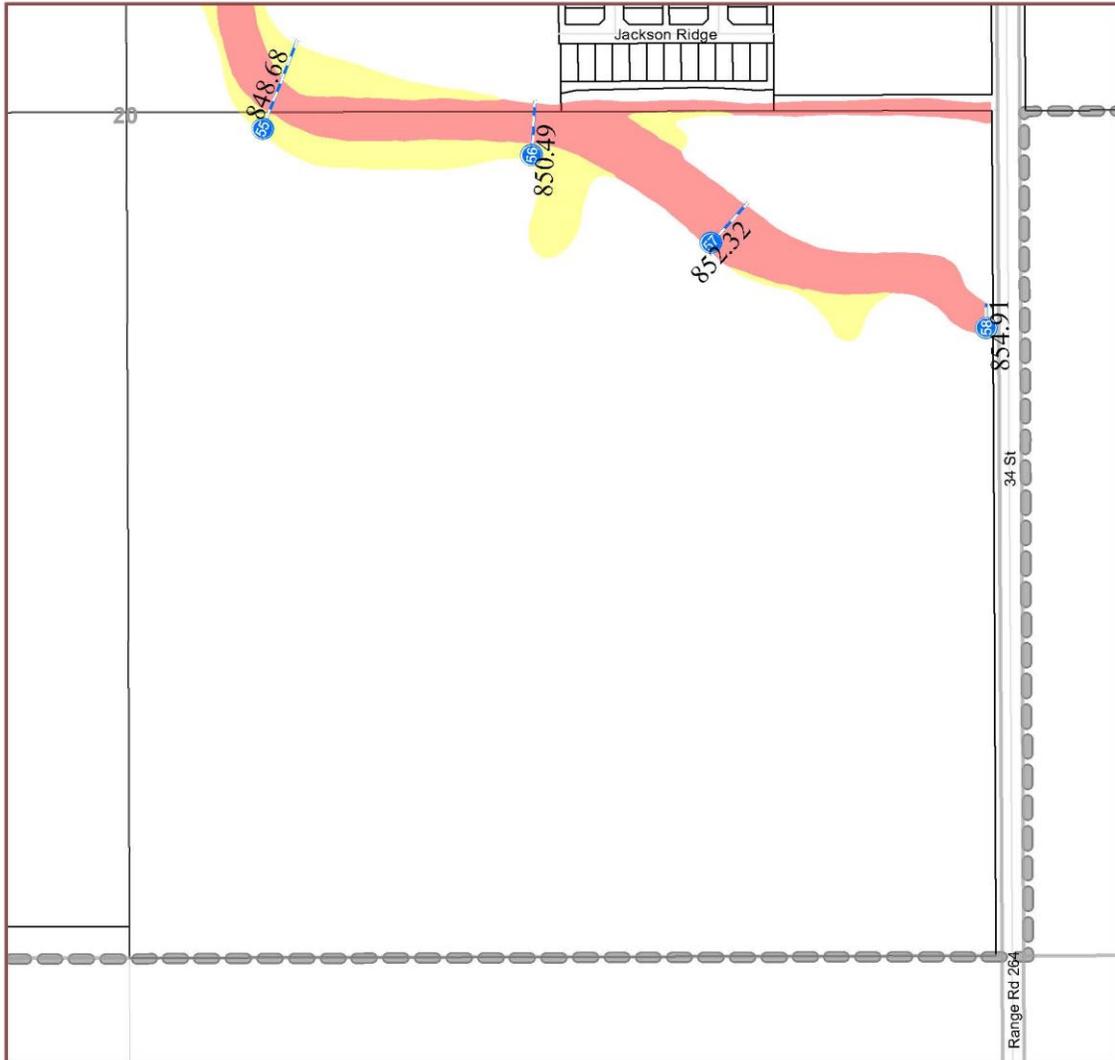


### INDEX MAP



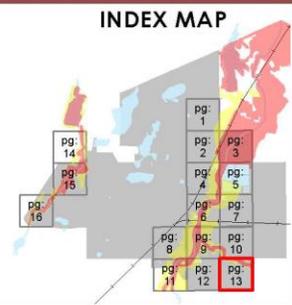
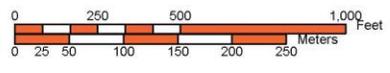


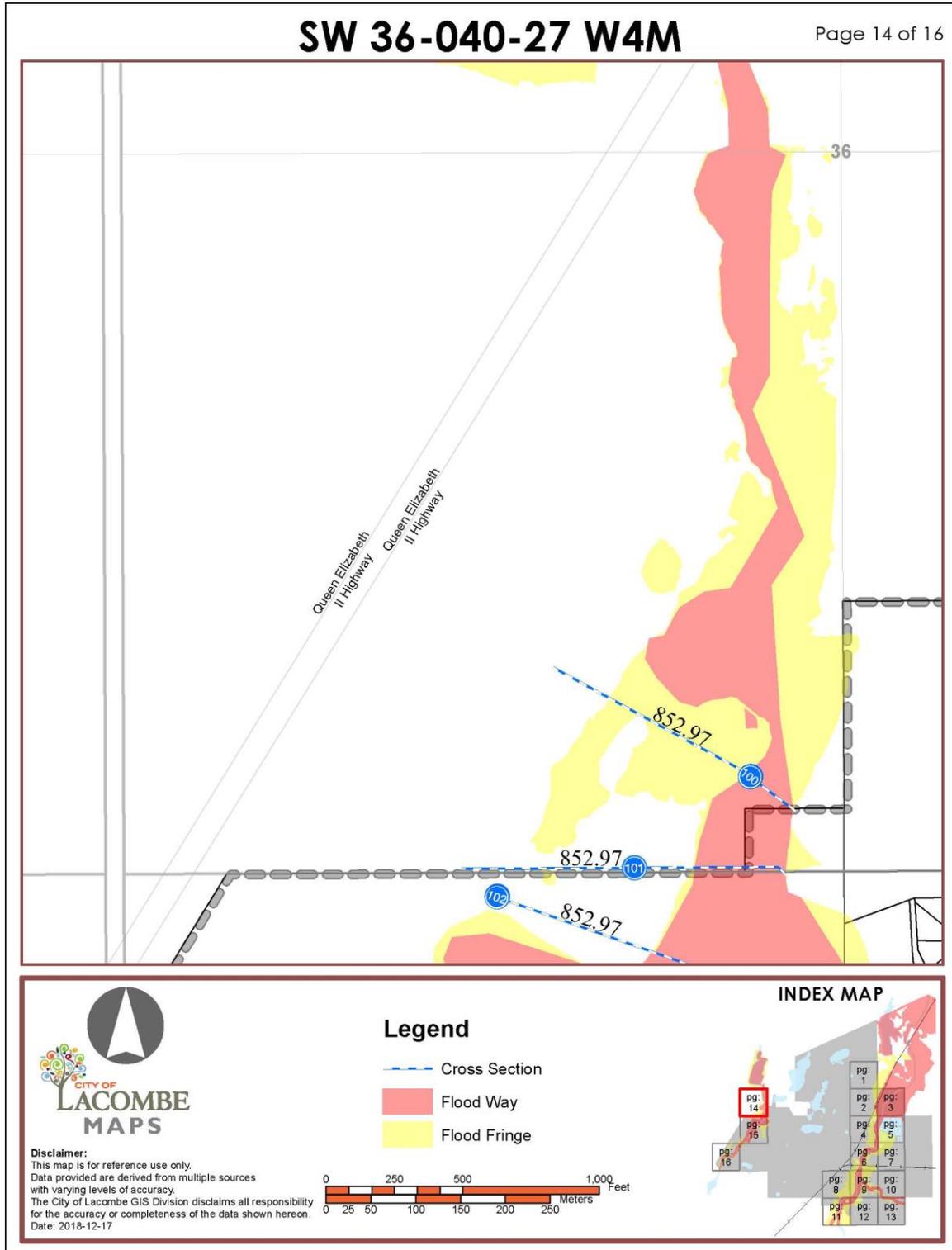
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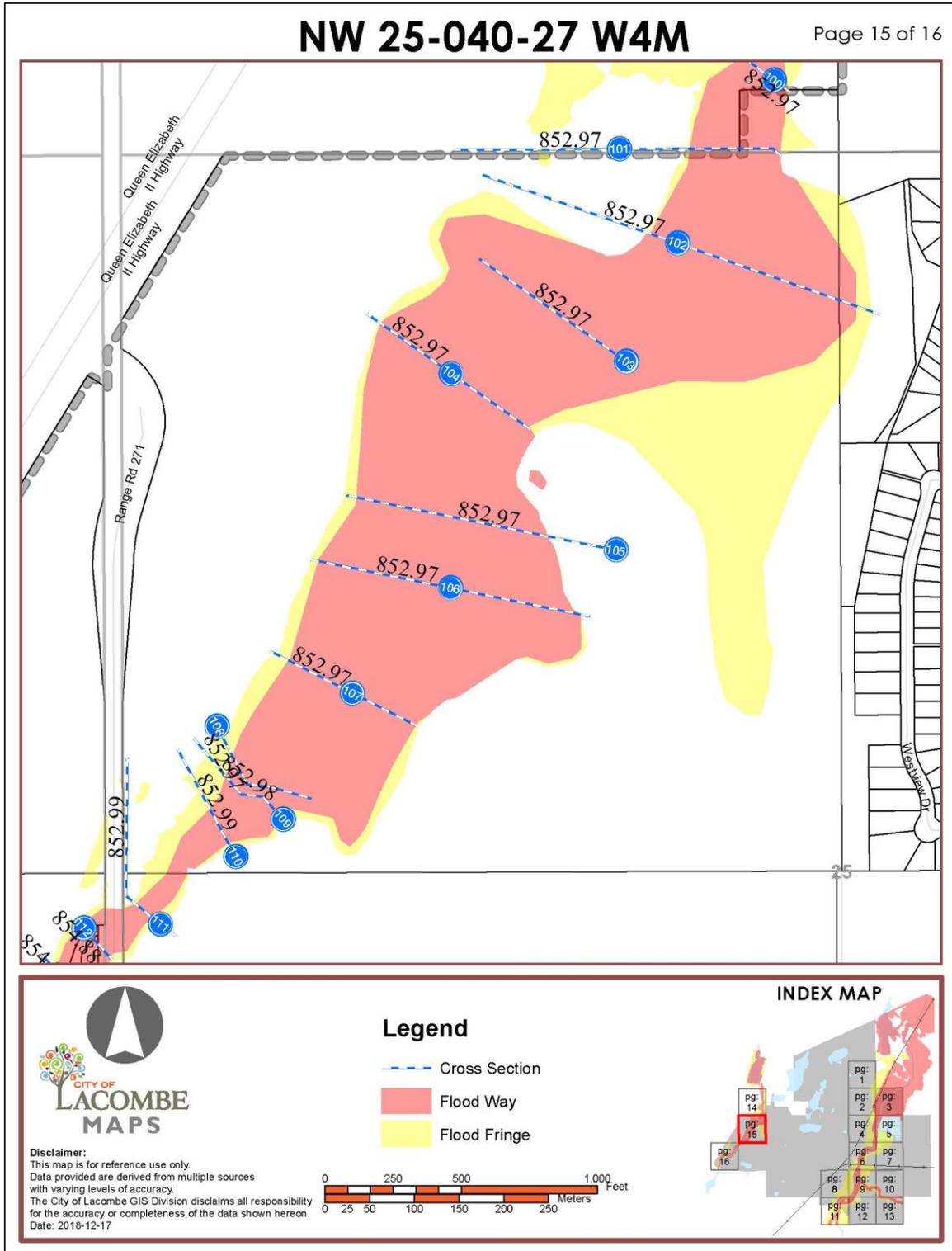


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- ### Legend
- Cross Section
  - Flood Way
  - Flood Fringe









## 14.7 Place of Worship Overlay

**14.7.1 Purpose:** To support the continuation of religious and spiritual places of worship existing within the community, and to ensure that site uses are consistent with the intent of the Place of Worship definition.

**14.7.2 Application:** The Place of Worship Overlay District overlays other districts excepting out the CS – Community Services District and has the following effect:

- a) The regulations of this district shall be applied to ‘place of worship’ uses in addition to the regulations of the underlying districts and other provisions of the Land Use Bylaw, as shown on Part 15 – Land Use District Map.
- b) The regulations are to be satisfied as a condition of a development permit.
- c) The Overlay applies to redevelopment of existing buildings and facilities as well as all new development.
- d) The regulations found within the Downtown Area Redevelopment Plan (DARP) Architectural Guidelines Overlay are applicable to the parcels identified in (a). No specific design guidance is provided to places of worship within the Overlays, however the applicants shall work with the Development Authority to deliver a design that reflects the intent of the DARP Overlay in which the place of worship is located.

### 14.7.3 Existing Places of Worship Site Development Regulations

Permitted Uses	Discretionary Uses
None	All permitted and discretionary uses of the underlying District.

### 14.7.4 PARCEL DEVELOPMENT REGULATIONS

Minimum Front Yard	3m
Minimum Side Yard	1.5m
Minimum Rear Yard	1.5m
Maximum Parcel Coverage	80%
Building Height	12m; 20m from grade to the top of a steeple
Landscaping	As per the regulations in Section 8.13
Parking	As per the regulations in Section 8.18
Supplementary Regulations	As per the regulations for the underlying District
Sign Regulations	As per the regulations in Part 7

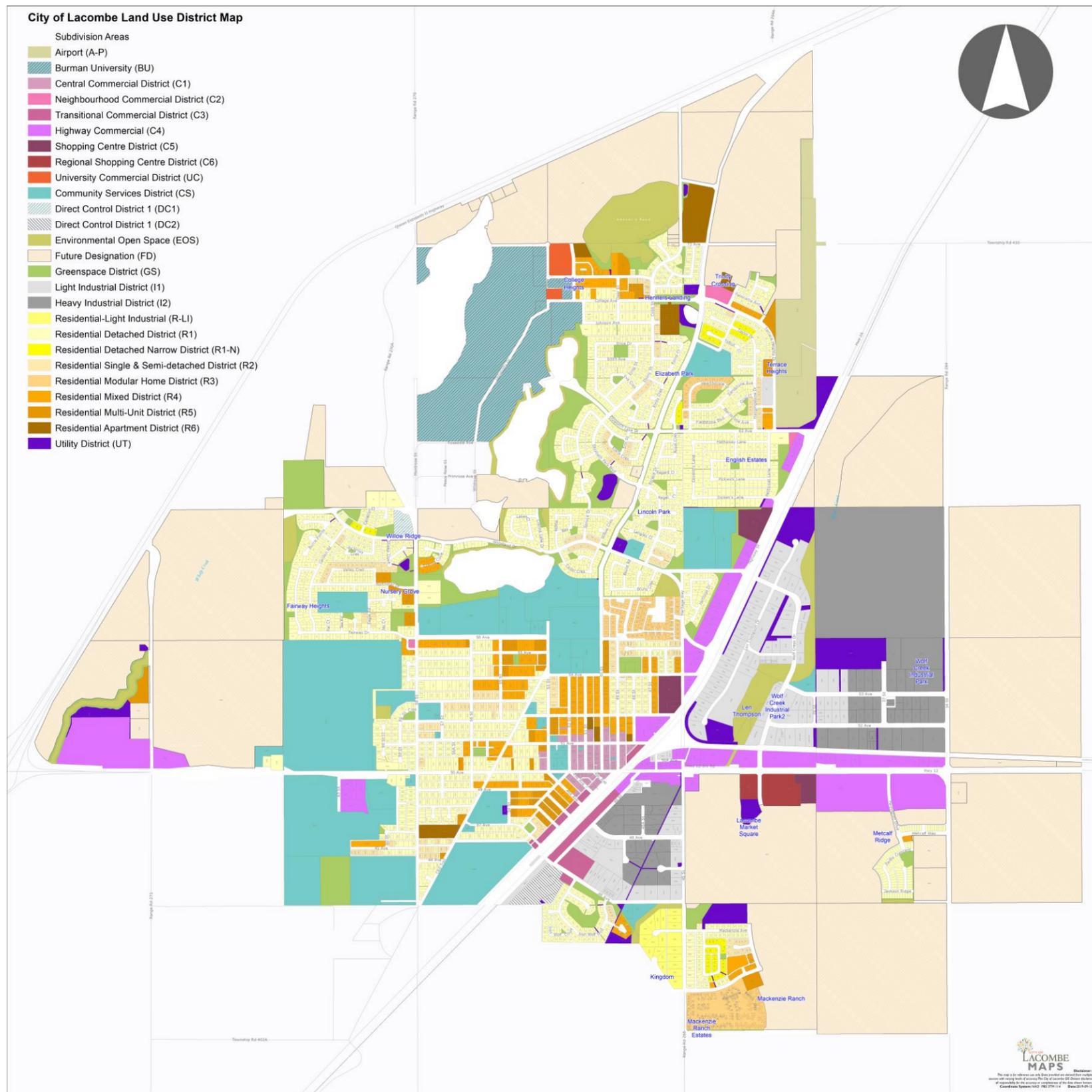
## Part - 15 Land Use District Maps

### 15.1 Land Use District Maps

15.1.1 The Land Use District Map(s) shall be read in conjunction with the entire document.



FIGURE 15.1 CITY OF LACOMBE LAND USE DISTRICT MAP (Amended, b.400.26, 09/9/2019)





## 15.2 Validity of Individual Sections

- 15.2.1 Each provision of this Land Use Bylaw is independent of all other provisions, and if any provision of this Bylaw is declared invalid, all other provisions remain valid and enforceable.

## 15.3 Repeal

- 15.3.1 Land Use Bylaw No. 300 is hereby repealed.

*Land Use Bylaw No. 400:*

*Read a first time the 15<sup>th</sup> of June 2016*

*Read a second time the 11<sup>th</sup> of October, 2016*

*Read a third time and passed 24<sup>th</sup> of October, 2016*

*(Bylaw 400 shall come into effect upon January 1, 2017)*

# REQUEST FOR COUNCIL DECISION



**SUBJECT:** Bylaw 365.1 - Records Bylaw Amendment  
**PREPARED BY:** Tabatha Robbins-Deutsch, Records Management and FOIP Coord.  
**PRESENTED BY:** Diane Piché, Director of Corporate Services  
**DATE:** February 24, 2020

FILE: 12/113

## **PURPOSE:**

To provide Council with Bylaw 365.1, an amendment to Bylaw 365 - The Records Retention, Disposal and Release of Municipal Documents Bylaw.

## **RECOMMENDED MOTION(S):**

1. THAT Council give second reading to Bylaw 365.1.
2. THAT Council give third reading to Bylaw 365.1

## **RELATED PRIOR MOTION(S):**

1. February 10, 2020, motion 20-034; THAT Council approve first reading of Bylaw 365.1
2. September 13, 2010, motion 10-296, THAT Bylaw 365 be given third and final reading..

## **EXECUTIVE SUMMARY:**

Administration has prepared Bylaw 365.1 for Council's consideration. This bylaw proposes amendments to Bylaw 365 that updates the fee schedule for general information requests and the authority to maintain the retention schedule is delegated to the Chief Administrative Officer.

## **ANALYSIS:**

In 1995, the Town of Lacombe's Council passed Bylaw 212 "The Records Management By-Law". This was the first bylaw stating how long the municipality would retain records. In 2010, Bylaw 212 was repealed and replaced by Bylaw 365, "The Records Retention, Disposal and Release of Municipal Documents Bylaw". Bylaw 365 included a Records Retention Schedule as Schedule A, and a listing of related fees as Schedule B.

The City's retention schedule has not been reviewed since 2010 and is need of an update, as it does not include all the types of records that the City has in its custody and control. An update will take into consideration the ever-changing nature of technology, the shift from mostly paper based files to electronic files, legislation compliancy, and a streamlined process for updating the retention schedule.

# REQUEST FOR COUNCIL DECISION



The fee schedule for general requests for information has also not been updated in many years. Bylaw 365.1 updates the fees to be in alignment with the Freedom of Information and Protection of Privacy Act section 95(b) and the Regulations Schedule 2.

The MGA section 214(2) states, “A council may pass a bylaw respecting the destruction of other records and documents of the municipality.”

Bylaw 365.1 amends Bylaw 365 to designate the establishment and maintenance of the City’s records retention schedule to the Chief Administrative Officer via an administrative directive. This will allow the maintenance of the retention schedule to be completed in a timely manner.

Due to the growth of the City’s electronic records, Administration has started the Records & Electronic Management System (REMI) project which was approved by Council in the 2020 Capital Budget on November 12, 2019. Amending Bylaw 365 to confirm that all types of records, including electronic, are included in the retention schedule will ensure that the City is meeting its legal obligations related to the retention and destruction of records. This is balanced with the need to efficiently dispose of records when they are no longer of any value to the city.

## **STRATEGIC PLAN ALIGNMENT:**

The proposed bylaw aligns **favourably** with the ‘Governance’ pillar and Strategic Goal 4.1.3: ‘Improved Reporting’ in the current 2018-2021 Strategic Plan.

Organizing the City’s records into categories through the retention schedule will ensure that information will be easier to search, create an inventory of information kept, and will assist the City in being more transparent. Aligning the fee schedule with the Freedom of Information and Protection of Privacy Act section 95(b) and the Regulations Schedule 2 will allow for the public to ask for general information without having to formally make a FOIP request and not be charged the higher fees.

## **PUBLIC ENGAGEMENT/COMMUNICATION STRATEGY:**

N/A

## **ALTERNATIVE MOTION(S):**

1. THAT Council give second reading to Bylaw 365.1.
2. THAT Council give third reading to Bylaw 365.1
3. THAT Council provides direction to administration as they see fit.

# REQUEST FOR COUNCIL DECISION



**ATTACHMENTS:**

- 1. DRAFT Bylaw 365.1
- 2. DRAFT Bylaw 365 consolidation

**City of Lacombe**  
**Bylaw 365.1**

**A Bylaw of the City of Lacombe, in the Province of Alberta (hereinafter referred to as “the Municipality”), to amend Bylaw 365 being a Bylaw for the regulation and procedures for the retention, disposal and release of municipal documents**

WHEREAS, section 214 (2) of the Municipal Government Act, R.S.A. 2000, c M-26, states that Council may authorize the destruction of documents;

WHEREAS, section 214 (3) of the Municipal Government Act, R.S.A. 2000, c M-26, governs the retention of personal information;

NOW THEREFORE, the Council of the City of Lacombe, duly assembled hereby enacts as follows:

**1. BYLAW TITLE**

1.1. This bylaw shall be referred to as “Records Bylaw Amendment”.

**2. BYLAW 365 AMENDMENTS**

2.1. Bylaw 365 clause 1 is deleted in its entirety and replaced with

This bylaw shall be referred to as “The Records Management Bylaw” for the City of Lacombe.

2.2. Bylaw 365 clause 2 is deleted in its entirety and replaced with

In this bylaw, unless context otherwise required, the term:

a) “Chief Administrative Officer” or “CAO” shall mean the Chief Administrative Officer of the City of Lacombe, or delegate authorized by the Chief Administrative Officer to act on their behalf;

b) “City” shall mean the City of Lacombe.

c) “Disposition” shall mean the formal, structured process of determining what happens to records at the end of their required retention period, actions may include destruction or transfer to another institution such as an archive;

d) “FOIP” means the Freedom of Information Protection of Privacy Act R.S.A 2000 c. F-25

e) “Hold” shall mean the process to preserve all forms of potentially relevant records when litigation or a freedom of information request is reasonably anticipated or underway.

f) “Permanent Record” shall mean information of enduring value that may or may not be required for the ongoing administrative purposes but which is retained for the life of the organization because of its legal, fiscal, evidentiary, informational, cultural, historic or aesthetic value)

g) “Personal Information” shall mean personal information as that term is defined in the Freedom of Information and Protection of Privacy Act, R.S.A. 2000, c. F-25, as amended or replaced.

h) “Record” shall mean recorded information, created or received, in any format or media type, which is maintained as evidence of the City of Lacombe’s business operations based on business need, or in adherence with legal and regulatory obligation. A record may be in either physical or electronic form.

i) “Records Retention Schedule” shall mean the list of approved categories, retention periods during which a Record must be retained before Disposition, and disposition rules for each business activity or subject area within the City of Lacombe’s operations.

2.3. Bylaw 365 clause 3 is deleted in its entirety and replaced with

The Chief Administrative Officer shall:

- a) establish, by way of internal policy, a Records Retention Schedule.
- b) ensure that all Records are retained or Dispositioned of in accordance with the Records Retention Schedule.
- c) Convert records for retention from their original form to an electronic image or other format

2.4. Bylaw 365 clause 5 is deleted in its entirety and replaced with

Any document or Record not referenced in the Records Retention Schedule may only be destroyed with the direction and approval of the Chief Administrative Officer.

2.5. Bylaw 365 clause 7 is deleted in its entirety and replaced with

The Chief Administrative Officer shall have discretion to retain records longer than the retention period provided for in the Records Retention Schedule via a Hold. Such decision to retain records shall be recorded.

2.6. Bylaw 365 clause 8 is deleted in its entirety and replaced with

The Chief Administrative Officer shall be responsible for the administration of the release of information upon request in accordance with the Freedom of Information Protection Act, and all applicable bylaws, and or policies, of the City of Lacombe.

2.7. Bylaw 365 clause 11 is deleted in its entirety and replaced with

Fees for access to information requested through a Freedom of Information request is governed by the FOIP Act. For non-FOIP related requests to access information, the fees for searching records, receiving photocopied, faxed, electronically mailed, or receiving reproductions on other media are set forth in Schedule "B" of this bylaw.

2.8. Bylaw 365 clause 12 is deleted in its entirety.

2.9. Bylaw 365 Schedule A is deleted in its entirety.

2.10. Bylaw 365 Schedule B is replaced with the attached Schedule B.

**3. EFFECTIVE DATE**

3.1. This bylaw shall come into force and effect when it receives third reading and is duly signed.

**4. SEVERABILITY**

4.1. If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

INTRODUCED AND GIVEN FIRST READING THIS 10<sup>th</sup> day of February, 2020.

GIVEN SECOND READING THIS \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

GIVEN THIRD AND FINAL READING THIS \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Administrative Officer

**Schedule B**  
**Fees for Provision of Information Requested**

1. Fees for provision of information requested shall be equal to or less than the fees provided for in the *Freedom of Information and Protection of Privacy Regulations*, Schedule B, as amended or updated.

CITY OF LACOMBE

Bylaw 365

Consolidation to **MONTH DAY, 2020**

**A Bylaw of the City of Lacombe, in the Province of Alberta, to provide for the regulation and procedures for the retention, disposal and release of municipal documents**

WHEREAS, section 214 (2) of the *Municipal Government Act, R.S.A. 2000, c M-26*, states that Council may authorize the destruction of documents;

WHEREAS, section 214 (3) of the *Municipal Government Act, R.S.A. 2000, c M-26*, governs the retention of personal information, and

WHEREAS, sections 88, 93, and 95 of the *Freedom of Information Protection of Privacy Act R.S.A 2000 c. F-25* allows citizens to access information and the Municipality to set fees for these services;

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE CITY OF LACOMBE ENACTS AS FOLLOWS:

**Short Title**

1. ~~The bylaw shall be referred to as “The Records Retention, Disposal and Release of Municipal Documents Bylaw” of the City of Lacombe.~~ This bylaw shall be referred to as “The Records Management Bylaw” for the City of Lacombe.

**Definitions**

~~2. In this bylaw and schedules:~~

- a) ~~“Chief Administrative Officer” shall mean the Chief Administrative Officer of the City of Lacombe and or anyone authorized by the Chief Administrative Officer to act on his behalf.~~
- b) ~~“Disposition” shall mean the destruction of records~~
- c) ~~“S/O” shall mean selective retention / Obsolete~~
- d) ~~“Permanent Record” shall mean original records that shall be preserved and never destroyed.~~
- e) ~~“Records” shall mean a record or records of information in any form, including electronically stored information, notes, images, audiovisual recordings, x-rays, books, documents, maps, drawings, photographs, letters, vouchers and papers and any other information that is written, photographed, recorded or stored in any manner, but does not include software or any mechanism that produces records.~~
- f) ~~“Retention Period” shall mean the total length of time a Record must be kept before final disposition is implemented. This period commences when the file is completed.~~
- g) ~~“Records Retention Schedule” shall mean the timetable that identifies the Retention Period during which a Record must be retained before Disposition, and is set forth in Schedule “A” attached to and forming part of this bylaw.~~

2. In this bylaw, unless context otherwise required, the term:

- a) “Chief Administrative Officer” or “CAO” shall mean the Chief Administrative Officer of the City of Lacombe, or delegate authorized by the Chief Administrative Officer to act on their behalf;
- b) “City” shall mean the City of Lacombe.
- c) “Disposition” shall mean the formal, structured process of determining what happens to records at the end of their required retention period, actions may include destruction or transfer to another institution such as an archive;

- d) "FOIP" means the Freedom of Information Protection of Privacy Act R.S.A 2000 c. F-25
- e) "Hold" shall mean the process to preserve all forms of potentially relevant records when litigation or a freedom of information request is reasonably anticipated or underway.
- f) "Permanent Record" shall mean information of enduring value that may or may not be required for the ongoing administrative purposes but which is retained for the life of the organization because of its legal, fiscal, evidentiary, informational, cultural, historic or aesthetic value)
- g) "Personal Information" shall mean personal information as that term is defined in the Freedom of Information and Protection of Privacy Act, R.S.A. 2000, c. F-25, as amended or replaced.
- h) "Record" shall mean recorded information, created or received, in any format or media type, which is maintained as evidence of the City of Lacombe's business operations based on business need, or in adherence with legal and regulatory obligation. A record may be in either physical or electronic form.
- i) "Records Retention Schedule" shall mean the list of approved categories, retention periods during which a Record must be retained before Disposition, and disposition rules for each business activity or subject area within the City of Lacombe's operations.

### Records Management

- ~~3. The Chief Administrative Officer shall have the authority to:
 
  - a) ~~Convert as may be expedient, records for retention from their original form to an electronic image or other format, and~~
  - b) ~~To destroy the records of the municipality once their potential relevance, applicability and use has expired.~~~~
- 3. The Chief Administrative Officer shall:
  - a) establish, by way of internal policy, a Records Retention Schedule.
  - b) ensure that all Records are retained or Dispositioned of in accordance with the Records Retention Schedule.
  - c) Convert records for retention from their original form to an electronic image or other format.
- 4. The Chief Administrative Officer shall keep an index of:
  - a) Records permanently retained and details of storage, where appropriate,
  - b) Records permanently retained in electronic image or format,
  - c) Records destroyed,
  - d) Records retained in provincial or other archives,
  - e) Listing of the Records Retention Schedule, and
  - f) To the extent practical, all other records retained by the municipality.
- 5. Any document or Record not referenced in the Records Retention Schedule may only be destroyed with the direction and approval of the Chief Administrative Officer. ~~The destruction of all records to be destroyed under this bylaw must be authorized by the Chief Administrative Officer, who must ensure that such destruction is carried out in the presence of at least one (1) other employee of the City. The Chief Administrative Officer must prepare a Statement of Disposition in writing attesting to the time and place of the destruction of these records, together with a detailed list of the records destroyed and also the names of the employee or employees who witnessed the destruction. This certificate of destruction shall be maintained as a permanent record.~~

6. Election material that has been locked in the ballot boxes can be destroyed in accordance with the provisions of section 101 in the Local Authorities Election Act R.S.A. c. L-21.

#### **Discretion**

7. The Chief Administrative Officer shall have discretion to retain records longer than the retention period provided for in the Records Retention Schedule via a Hold. Such decision to retain records shall be recorded. ~~The Chief Administrative Officer shall have discretion to retain records longer than the retention period provided for in this bylaw. Such decision to retain records shall be recorded.~~

#### **Access to Information**

8. The Chief Administrative Officer shall be responsible for the administration of the release of information upon request in accordance with the Freedom of Information Protection Act, and all applicable bylaws, and or policies, of the City of Lacombe. ~~The Chief Administrative Officer shall be responsible for the administration of the release of information upon request in accordance with Part 7 of the Freedom of Information Protection Act.~~
9. Information requested that is in the possession of the Municipality, and of which the CAO is not otherwise required to withhold, shall be available for viewing in the municipal office of the Municipality during regular business hours.
10. Copies of the information that may be requested will be provided in paper, electronic data or electronic image format.
11. Fees for access to information requested through a Freedom of Information request is governed by the FOIP Act. For non-FOIP related requests to access information, the fees for searching records, receiving photocopied, faxed, electronically mailed, or receiving reproductions on other media are set forth in Schedule "B" of this bylaw. ~~The fees for viewing records, receiving photocopied, faxed, electronically mailed, or receiving reproductions on other media of records are set forth in Schedule "B" of this bylaw. No initial fee will be charged for viewing ones' own personal information.~~

#### **Schedules**

12. ~~(deleted) The attached Schedule "A", Records Retention Schedule, is hereby adopted.~~
13. Fees will be in accordance with Schedule "B", Fees for Provision of Information Requested.

#### **Enactment**

14. City of Lacombe Bylaw 212 is hereby repealed.
15. This Bylaw shall come into force and take effect on its passing thereof.

INTRODUCED AND GIVEN FIRST READING THIS 13th day of September, 2010

GIVEN SECOND READING THIS 13th day of September, 2010

GIVEN THIRD AND FINAL READINGS THIS 13th day of September, 2010

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Mayor

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Acting Chief Administrative Officer

**Schedule B**  
**Fees for Provision of Information Requested**

1. Fees for provision of information requested shall be equal to or less than the fees provided for in the *Freedom of Information and Protection of Privacy Regulations*, Schedule B, as amended or updated.

**Schedule B**  
**Fees for Provision of Information Requested**

- ~~1) In this Schedule:
  - a) "Active File" means those records stored on the Municipality's administrative offices
  - b) "Inactive File" means those records transferred from the Municipality's administrative offices to the long term storage areas designated by the Chief Administrative Officer~~
- ~~2) Photocopies of Active Files:
  - a) Initial Cost and First Page \_\_\_\_\_ \$3.50
  - b) Second and subsequent page or original document \_\_\_\_\_ \$0.25~~
- ~~3) Photocopies of Inactive Files:
  - a) Initial Cost and First Page \_\_\_\_\_ \$13.25
  - b) Second and subsequent pages \_\_\_\_\_ \$0.50~~
- ~~4) Requests to View Inactive Files \_\_\_\_\_ \$13.00~~
- ~~5) Paper copies of Records Retained by the Municipality in Electronic Data or Image format
  - a) Initial Cost and First Page \_\_\_\_\_ \$7.00
  - b) Second and subsequent pages \_\_\_\_\_ \$0.50~~
- ~~6) Electronic Copies or Records Retained by the Municipality in Electronic Data or Image Format on CD or DVD provided by the Municipality:
  - a) Each CD or DVD required \_\_\_\_\_ Disc Cost
  - b) Initial Cost and First Electronic File copied \_\_\_\_\_ \$7.00
  - c) Second and subsequent electronic file required \_\_\_\_\_ \$0.50~~
- ~~7) Electronic Copies of Records Retained by the Municipality in Electronic Data or Image Format transferred electronically by facsimile telecopier:
  - a) Initial Cost and First Page \_\_\_\_\_ \$7.00
  - b) Each subsequent page \_\_\_\_\_ \$0.50~~
- ~~8) 8. Electronic Copies of Records Retained by the Municipality in Electronic Data or Image Format transferred by electronic mail:
  - a) Initial Cost and First 5 Electronic Files Sent \_\_\_\_\_ \$7.00
  - b) Each additional electronic file \_\_\_\_\_ \$0.50~~
- ~~9) 9. If the retrieval and copying of the documents requested are such that more than one (1) hour of staff time is used, there will be an additional charge of \$13.00 per hour over and above the first hour, pre-rated~~
- ~~10) In addition to those fees set above, those requesting copies of information under this bylaw shall be responsible to pay to the City the sum of all additional costs incurred in the delivery and transmission of the information including but not limited to such costs as:
  - a) Telephone charges and tolls
  - b) Postage, courier and shipping costs~~

## MONTHLY SIGNIFICANT EVENTS REPORT

Chief Administrative Officer  
Date: to February 20th, 2020

### Financial

- AUMA Audit & Finance Committee meeting – Feb 12
- Received confirmation of employment grant for year 2 internship through municipal affairs

### Administrative

- Reviewing City of Lacombe benefits comparison as completed by Alberta Urban Municipalities Association
- Staff touring public works buildings in preparation of concept planning for City of Lacombe's building
- Business planning underway

### Planning & Development

- Media availability event for Provincial Building & Police Station Fire Hall building sale
- Beginning work on subdivision, rezoning, and land preparation of Highway 12 commercial property

### Regional Matters

- Meeting with Lacombe County to officially begin process for industrial connection to NRDRWWSC system

### External Recognition

- Nothing to report

## Lacombe & District Rikubetsu Friendship Society

Minutes of the Annual General Meeting

Held on January 28, 2020 at

26 Dickens Lane

Lacombe, Alberta

Present:

Marlene McQuesten	Cora Hoekstra
Andrea Collins	Jennifer Meadus
Linda Henderson	Allie Parker
Thalia Hibbs	Leanne Oslund
Patrick Oslund	

- Meeting was called to order at 7:25 p.m.
- Moved by Andrea, seconded by Cora that the minutes of the February 12, 2019, AGM Minutes be accepted as circulated. **Motion Carried.**
- Financial Report:
  - Andrea distributed copies of her financial statement. Bank Balance is \$6,929.73. Total Expenses for 2019 were \$13,319.53 which included \$7,500 grant for the trip to Rikubetsu.
  - City of Lacombe grant of \$6,375.00 was approved but not received to date.
  - Moved by Patrick and seconded by Jennifer that the Financial Report be accepted as presented. **Motion Carried.**
- Discussion & Review of September Visit:
  - Welcome Reception – Agreed that Terrace Ridge School was an ideal location for the Reception and Activities.
  - Corn Maze – Agreed it is a good activity.
  - Telus World of Science – Discussed the pros and cons of the activity. Agreed to continue with this activity.
  - City Tour – Suggested we eliminate the stop at the Radio Station to spend more time at the Fire Station and Police Station. Ask Sunny 94 to be a back-up stop if inclement weather. Ask Darren Clark, the Sunny 94 DJ who is fluent in Japanese to MC the Farewell Banquet.
  - Suggestions
    - i. During the afternoon at the Jr. High have the Rikubetsu students do demonstrations of Calligraphy (bookmarks with the Lacombe Student's name), Origami etc. Marlene will discuss with Mr. Matthie.
    - ii. Extend the stay and have the students arrive around 5:00 p.m. on Friday. The pizza supper and activities could be that evening. The Corn Maze still

- on Saturday and optional. Marlene will contact Mr. Kitamura to discuss the Friday arrival.
    - iii. Contact Martin Folkerts to discuss the participation of the students at the Christian School.
    - iv. Invite the Country Pride Dancers again.
    - v. Include a Mural Tour.
- Report on Meeting in Stony Plain:
  - Marlene reported that Linda, Maureen and herself met with Kelly Maluta and Donna Cowan. Kelly is the town employee responsible for the twinning Program with Shikaoi and Donna Cowan was the mayor signing the twinning agreement and is still involved with the exchange.
  - They have between 50 – 70 students plus chaperones arrive in October for 2 weeks.
  - The town and citizens are very engaged in the exchange.
  - The town of Shikaoi financially supports their exchange. They have also built a house in Shikaoi to accommodate long stay exchanges. Adults can apply for the program and are involved with teaching English while living in Shikaoi.
  - Cora and Thalia will discuss the possibility of including the Twinning and Exchange on the City website. The website will be undergoing revamping. Also to discuss the possibility of a City employee being the key contact for the twinning.
- Promotions:
  - Marlene circulated a copy of a pamphlet that Stony Plain has developed. Agreed a pamphlet be developed for Lacombe.
  - Develop a blog for the twinning.
  - Develop a video on social media of the exchange. A video was prepared for presentation to City Council. It would be a good start.
  - Encourage host students to bring a friend to activities during the September Visit.
- Elections:
  - By acclamation:
    - President: Marlene McQuesten
    - Vice President: Cora Hoekstra
    - Treasurer: Andrea Collins
    - Secretary: Linda Henderson
    - Directors: Patrick Oslund, Jennifer Meadus, Allie Parker
- New Business:
  - There was no New Business
- Meeting adjourned at 8:40 p.m.

**LACOMBE POLICE COMMISSION  
REGULAR MEETING MINUTES  
Tuesday, January 7, 2020**

**Attendees:** Corey Gish, Chair  
Judy Lucht, Vice-Chair  
Reuben Konnik, City of Lacombe Councillor  
Sonja Dykslag, Commission Member at Large  
Elaine Willette-Larsen, Commission Member at Large  
Edith McKinlay, Commission Member at Large  
John Walker, Commission Member at Large

**Others:** Chief Lorne Blumhagen, Lacombe Police Service  
SGT. Bryan Zens, Lacombe Police Service  
CST Reuben Geleynse, Lacombe Police Service  
Diane Piche, Director of Corporate Services  
Ross Pettibone, Secretary

**Regrets:**

**1. CALL TO ORDER**

Vice-Chair Lucht called the meeting to order at 9:00 a.m.

**1.1 New Commissioner**

Chief Blumhagen administered the oath of office for new Police Commission appointee Elaine Willette Larsen.

**1.2 Elections**

Commissioner Willette-Larsen opened nominations for Commission Chair. Commissioner Walker nominated Judy Lucht for Chair, who accepted the nomination. Commissioner Dykslag nominated Corey Gish for Chair, who accepted the nomination.

(20.01) **MOVED** by *Sonja Dykslag* that nominations for Commission Chair cease.

**CARRIED UNANIMOUSLY**

Both nominees spoke to the Chair position, and following a Police Commission vote by ballot, Commissioner Gish was declared elected as Chair.

Chair Gish opened nominations for Commission Vice-Chair. Commissioner Dykslag nominated Judy Lucht for Vice-Chair. Commissioner Lucht accepted the nomination.

(20.02) **MOVED** by *John Walker* that nominations for Commission Vice-Chair cease.

**CARRIED UNANIMOUSLY**

**2. ADOPTION OF AGENDA**

2.1 January 7, 2020 LPC Agenda.

(20.03) **MOVED by Judy Lucht** to adopt the agenda as presented.

**CARRIED UNANIMOUSLY**

**3. ADOPTION OF MINUTES**

3.1 December 12, 2019 Lacombe Police Commission meeting minutes.

(20.04) **MOVED by John Walker** to adopt the December 12, 2019 meeting minutes as presented.

**CARRIED UNANIMOUSLY**

3.2 No Business arising from minutes.

**4. PRESENTATIONS**

Chief Blumhagen presented a 20 year exemplary service medal from the office of the Governor General of Canada for 20 years of exemplary service in policing to SGT Brian Zens.

**5. REPORTS**

5.1 \*Chief of Police Monthly Report: December 1, 2019 –January 1, 2020

5.1a \*School Resource Officer Report and Statistics (December)

5.2 \*Quarterly Budget Report N/A – Next Report in March

5.3 \*Public Complaints Director Report (No complaints)

**Discussion Items / Action Plans:**

Chief Blumhagen provided the Commission with an overview of activities, statistical information, budget, and human resources. The following items from the above reports were highlighted:

- Under budget to date, pending final updates from finance by end of February.
- 2020 budget to incur overtime expenses on recent file.
- Vehicle repairs
- CPO Dispatch monitoring progress with other jurisdictions

5.4 Chair Report

N/A

5.5 Vice-Chair Report

N/A

5.6 Council Rep. Report

N/A

(20.05) **MOVED by Elaine Willette-Larsen** to accept reports (5.1/5.1a/5.2/5.3/5.4/5.5/5.6) as presented.

**CARRIED UNANIMOUSLY**

**6. OLD BUSINESS**

6.1 VTRA Presentation

Commissioner Dykslag presented a summary of the Violent Threat Risk Assessment (VTRA) protocol, and introduced CST Reuben Geleyense, the School Resource Officer (SRO). VTRA is a protocol utilized through a community partnership agreement between Wolf Creek Public Schools and other stakeholders (including A.H.S., Children's Services, LPS, RCMP, and STAR Catholic Schools).

CST Geleyense reviewed his School Resource Officer report (5.1a) and summarized his SRO role.

**7. NEW BUSINESS**

7.1 Election of Chair/Vice-Chair

Commission members conducted a vote (per section 1.2 above), naming Corey Gish as the Chair of the Lacombe Police Commission and Judy Lucht as Vice-Chair.

7.2 Next Meeting Confirmation (February 20, 2020) & Meeting Schedule

Commission members scheduled the 2020 Lacombe Police Commission meetings, for posting to the website.

(20.06) **MOVED by John Walker** to accept the 2020 meeting schedule as amended.

**CARRIED UNANIMOUSLY**

7.3 AAPG Conference

Commission members discussed available members to attend the April 24/25 AAPG Conference and would confirm availability to the secretary prior to January 31 to facilitate registration. Commissioners were also informed of the Alberta Provincial Rural Crime Watch Association Symposium (February 21/22) in Grande Prairie and the Alberta Community Crime Prevention Association Conference (May 4-7) in Edmonton.

7.4 2020 Challenges and Opportunities

With reference to budget, Councillor Konnik discussed items for development in 2020 by the Commission, including the HR Plan review, Service Level review, LPS member on ALERT, and the Strategic Plan review.

7.5 LPS Member position on ALERT

Chief Blumhagen informed Commission members of the benefits of up to two funded short term LPS member secondments to the ALERT teams. The HR Plan would require modifications for an initial increase of one member as a surplus complement to authorized strength. Chief Blumhagen discussed the challenge of maintaining authorized staffing levels at LPS while seconding members to ALERT, even with salaries paid. He requested authorization from the Commission to increase the member complement by one, contingent upon ALERT funding. A new member would replace a member seconded. Director Piche, who sits on the ALERT Community Advisory Board, spoke to the experience gained by those seconded from other communities, and as a tool for succession planning.

(20.07) **MOVED by Sonja Dykslag** that the Lacombe Police Commission support the Chief in authorizing a person to be seconded to the ALERT team with the hiring of a replacement, contingent on the ALERT funding being in place.

**CARRIED UNANIMOUSLY**

7.6 2019-2021 LPC/LPS Strategic Plan Review

Chief Blumhagen informed the Commission the Strategic Plan would come forward at the next meeting for updates over the six strategic goals.

**8. INFORMATION**

Commissioners discussed the following information items. Chief Blumhagen commented on the Police Act Review progress.

8.1 AAPG Newsletter

8.2 EPS Grad

Commissioners Lucht, McKinlay and Willette-Larsen expressed interest in attending the ceremony for the graduation of a new LPS member.

**9. IN CAMERA**

(20.08) **MOVED by Elaine Willette-Larsen** to enter *In Camera* at 11:38 a.m. for discussion of a labour item.

**CARRIED UNANIMOUSLY**

(20.09) **MOVED by Edith McKinlay** to return to *Open Meeting* at 11:43 a.m.

**CARRIED UNANIMOUSLY**

**10. EMERGING ITEMS**

Commissioners reviewed the following emerging items for information.

- 10.1 LPC Annual Work Plan
- 10.2 Human Resource Plan Revisions
- 10.3 Commission succession planning/Bylaw Commission Member Terms
- 10.4 2019 Annual Report
- 10.5 Annual Assessment - Chief

**11. ADJOURNMENT**

(20.10) **MOVED** by *John Walker* to adjourn the meeting at 11:58 a.m.

**CARRIED UNANIMOUSLY**

<Original Signed>

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Secretary



# COUNCIL MEMBER'S REPORT

<b>TO</b>	Members of Council
<b>FROM</b>	Mayor Grant Creasey
<b>SUBJECT</b>	<ul style="list-style-type: none"> <li>• Summary of meetings/events attended as a Council representative</li> <li>• Key issues raised and/or comments for Council's information</li> </ul>
<b>DATE OF REPORT</b>	Feb 19, 2020 For Jan 10, 2020 thru Feb 19, 2020
<b>ORGANIZATION</b>	<b>KEY POINTS OF DISCUSSION AND/OR DECISIONS</b>
Regular City Council Meeting	Jan 13, 2020 - Please see minutes / news release summary.
Inter-Municipal Discussion	Jan 15, 2020 - Met with Senior Staff & reps to summarize ICF issues.
Donation Photo Op	Jan 21, 2020 - Met with Vesta Energy representatives in appreciation of their generosity for donating \$30K towards community initiatives.
AUMA Presidents Summit Municipal Finance	Jan 22-23, 2020 - Attended Summit focused on creative ways to ensure sustainable municipal financing. The City utilizes the vast majority of ideas brought forward.
Regular City Council Meeting	Jan 27, 2020 - Please see minutes / news release summary.
Lacombe Generals Game	Feb 01, 2020 - Attended playoff game to support our AA Senior Men's team Lacombe / Daysland game 3 of 5 went to the visiting team.
ICF Meeting Lacombe County	Feb 05, 2020 - Hosted at Lacombe County – negotiations continue to finalize the Inter-Municipal Collaboration Framework Agreement. Representatives focused on working together to execute within the required timeline. Draft prepared for Council examination.
MP Hosted Meet & Greet	Feb 05, 2020 - Attended the meet and greet for Hon. Peter McKay hosted by MP Calkins. Interesting to hear Mr. McKay speak on several issues.
Dance Among the Stars Fundraiser	Feb 05, 2020 - Attended this inaugural event in support of BBBS & others. - County Reeve Law excelled in a well received dance routine entitled Monkey Business. - Congratulations to all the participants who made the event a huge success.

Regular City Council Meeting	Feb 10, 2020 - Please see minutes / news release summary.
Media Event	Feb 11, 2020 - Gathered with the CAO & Economic Development Officer to field questions arising from previous nights Council meeting decisions regarding City properties – Provincial Building & Fire Hall.
Alberta Seniors Provincial Curling Championships  Opening Ceremonies	Feb 11, 2020 - Joined MLA Orr, Reeve Law, Councillor Gullekson, Alberta Curling President & others in attendance - Welcomed athletes and fans to the Alberta Seniors Provincial Curling Championships. - Honorary first rock delivered by Cliff Carson.
Len Thompson Pond - ACA Check presentation Photo Opportunity	Feb 12, 2020 - Press release and photo opportunity for parties involved in the Len Thompson Pond stocking decision. - VP of Alberta Conservation Association Ken Kranrod was on hand to receive City check for \$15k towards enhancing trout stocking over the next 5 years. - In attendance were LFGA Pres Greg Lunn, Worlds Largest Lure proponent Brad Pallister, Councillor Hoekstra.
Global Edmonton TV Interview	Feb 13, 2020 - Provided input on Lacombe Hospital services adjustment.
Fair Deal Panel	Feb 13, 2020 - Attended Provincial Government's Fair Deal Panel discussion at the LMC. - MLA Ron Orr outlined the purpose of the Panel and heard from many area residents. - Addressed the meeting suggesting Alberta needs a transfer payment formula adjustment that better serves the needs of the nation.
MPC Municipal Planning Commission	Feb 19, 2020 - Deliberated on a single development application for a home based business – Yoga Studio. - Adequate parking was again at the center of the discussion. - Application was conditionally approved.
	-
	-
	-
	-

-End-



# COUNCIL MEMBER'S REPORT

<b>TO</b>	Members of Council
<b>FROM</b>	Thalia Hibbs
<b>SUBJECT</b>	<ul style="list-style-type: none"> <li>• Summary of meetings/events attended as a Council representative</li> <li>• Key issues raised and/or comments for Council's information</li> </ul>
<b>DATE OF REPORT</b>	Feb 24, 2020 <i>(for the period Jan 10, 2020 to Feb 18, 2020)</i>
<b>ORGANIZATION</b>	<b>KEY POINTS OF DISCUSSION AND/OR DECISIONS</b>
COUNCIL	Jan 13 – regular Council Meeting
Intermunicipal Collaborative Framework (ICF)	Jan 15 - Continued City/County negotiations on ICF agreement. Agreement must be in place by April 2020, Council will be asked to approve prior to that date.
MPC	Jan 22 – One item. Placement of Shipping Containers (discretionary use) in Community Services District CS (educational facility). Up to 3 Shipping containers repurposed for animal barn and rooftop garden - APPROVED
COUNCIL	Jan 27 – regular Council Meeting
ICF	Feb 5 - Continued City/County negotiations on ICF.
COUNCIL	Feb 10 – regular Council Meeting
Community Event	Feb 13 – Fair Deal Panel. Provincial travelling panel to engage citizens on direction for relationship with federal government. Wasn't originally planning to speak, but did so supporting provincial administration of provincial matters based on the subsidiarity principle, that matters ideally be handled at the level closest to the people possible (federal government being the furthest).
Community Feedback	<ol style="list-style-type: none"> <li>1. Continued impatience with the lack of movement on recycling discussion. Solid Waste audit will be the vehicle to start that conversation.</li> <li>2. Positive feedback on recent land transactions. Interest on what will be developed.</li> </ol>



# COUNCIL MEMBER'S

<b>TO</b>	Members of Council
<b>FROM</b>	Cora Hoekstra
<b>SUBJECT</b>	<ul style="list-style-type: none"> <li>• Summary of meetings/events attended as a Council representative</li> <li>• Key issues raised and/or comments for Council's information</li> </ul>
<b>DATE OF REPORT</b>	February 24, 2020
<b>ORGANIZATION</b>	<b>KEY POINTS OF DISCUSSION AND/OR DECISIONS</b>
Big Brothers Big Sisters and Dancers' Edge Parent Assoc.	February 8 – Dancing with the Stars fundraiser Well attended community event. Went to support Lacombe County Reeve Paula Law who was dancing to raise money for Big Brothers Big Sisters.
Alberta Conservation Association	February 12 – Media event and lunch To quote our Mayor, "We are very pleased to support higher stocking levels of trout to maintain good recreational fishing for our residents, especially children and youth, so that they can enjoy getting back to nature and bonding with family and friends." With the stocking of a trout pond also comes the responsibility of dealing with predators. This issue may come up in the future.

**CITY OF LACOMBE**  
**MINUTES OF COUNCIL MEETING 20-03**

Minutes of the Regular Meeting of Council held on **January 27, 2020** in the Council Chambers of the City Administration Office.

**Present:** Mayor Grant Creasey  
Deputy Mayor Thalia Hibbs  
Councillor Don Gullekson  
Councillor Cora Hoekstra  
Councillor Jonathan Jacobson  
Councillor Reuben Konnik  
Councillor Chris Ross

**Staff Present:** Matthew Goudy, Chief Administrative Officer  
Deborah Juch, Director of Community Services  
Diane Piche, Director of Corporate Services  
Jordan Thompson, Director of Operations and Planning Services  
Mauricio Reyes, Senior Finance Manager  
Deven Kumar, Communications Coordinator  
Guy Lapointe, Manager of Community Economic Development  
Barbara Wilton, Manager of Human Resources  
Ross Pettibone, Legislative Coordinator/Executive Support

**Regrets**

**Media Present:** Todd Vaughan, Lacombe Express

**Others Present:** Craig Teale, Parkland Community Planning Services

**CALL TO ORDER – Regular Meeting of Council**

Mayor Creasey called the meeting to order at 5:00 p.m.

**ADOPTION OF AGENDA**

11/178.03 20MO  
THAT the Monday  
February 10, 2020  
regular meeting agenda  
be adopted as  
presented.  
20-031

**MOVED BY** Councillor Hibbs:

THAT the Monday February 10, 2020 regular meeting agenda be adopted as presented.

CARRIED UNANIMOUSLY

**REQUESTS FOR DECISION**

**Hours of Work Policy**

Barbara Wilton, Manager of Human Resources, presented a revised Hours of Work Policy to be effective February 10, 2020, and recommended rescindment of the former hours of work policy.

14/125.02 20PO  
THAT Council approve  
the Hours of Work  
Policy effective  
February 10, 2020.  
20-032

**MOVED BY** Councillor Ross:

THAT Council approve the Hours of Work Policy effective February 10, 2020.

CARRIED UNANIMOUSLY

**MOVED BY** Councillor Hibbs:

14/125.02 20MO  
THAT Council rescind  
the existing Hours of  
Work Policy 14/125.02  
2018 effective February  
10, 2020.  
20-033

THAT Council rescind the existing Hours of Work Policy 14/125.02 2018 effective February 10, 2020.

CARRIED UNANIMOUSLY

**Bylaw 365.1 – Records Retention**

Diane Piche, Director of Corporate Services, presented an updated Records Management Bylaw, as an update to the Records Retention Disposal and Release of Municipal Documents Bylaw.

11/175.05 20MO  
THAT Council approve  
first reading of Bylaw  
365.1.  
20-034

**MOVED BY** Councillor Konnik:

THAT Council approve first reading of Bylaw 365.1.

CARRIED UNANIMOUSLY

**Land Use Bylaw 400.24 –Workshop 2 (Commercial/Industrial)**

Jordan Thompson, Director of Operations and Planning, presented background information on the proposed Bylaw 400.24 related to commercial and industrial development amendments, and a summary of feedback collected at the Open House. Council provided direction to administration on the updates and on increasing permit duration for temporary buildings.

**MOVED BY** Councillor Konnik:

THAT Council accept this report as information.

CARRIED UNANIMOUSLY

61/201.01 20MO  
THAT Council accept  
this report as  
information.  
20-035

**Land Use Bylaw 400.28 –Trinity Crossing Phase 2**

Craig Teale, Parkland Community Planning Services, presented Bylaw 400.28 for re-designation of part of NW ¼ Section 32-40-26 W4M and part of closed road allowance C. of T. 082 247 200+1 from Future Designation District (FD) to Residential Detached District (R1), to facilitate residential development in Trinity Crossing Phase 2.

**MOVED BY** Councillor Gullekson:

THAT Council give first reading to Bylaw 400.28 as presented.

CARRIED UNANIMOUSLY

11/175.06 20MO  
THAT Council give first  
reading to Bylaw 400.28  
as presented.  
20-036

**MOVED BY** Councillor Konnik:

THAT Council schedule a public hearing for Bylaw 400.28 at 5:30PM on Monday, March 9, 2020.

CARRIED UNANIMOUSLY

11/135.01 20MO  
THAT Council schedule  
a public hearing for  
Bylaw 400.28 at  
5:30PM on Monday,  
March 9, 2020.  
20-037

**Parkland Community Planning Services Bylaw 475**

Jordan Thompson, Director of Operations and Planning, presented Council with Bylaw 475, to authorize the execution of a master agreement between the City of Lacombe (and other municipalities) for the establishment of an inter-municipal planning agency, named Parkland Community Planning Services (PCPS), and requested second and third reading.

**MOVED BY** Councillor Hibbs:

THAT Council give second reading to Bylaw 475.

CARRIED UNANIMOUSLY?

11/175.07 20MO  
THAT Council give  
second reading to  
Bylaw 475.  
20-038

**MOVED BY** Councillor Hibbs:

THAT Council give third reading to Bylaw 475.

CARRIED UNANIMOUSLY

66/201.01 20BL  
THAT Council give third  
reading to Bylaw 475.  
20-039

**MOVED BY** Councillor Gullekson:

THAT Council appoint Jordan Thompson, Director of Operations and Planning to the Parkland Community Planning Services Board.

CARRIED UNANIMOUSLY

66/201.01 20MO  
THAT Council appoint  
Jordan Thompson,  
Director of Operations  
and Planning to the  
Parkland Community  
Planning Services  
Board.  
20-040

**MOVED BY** Councillor Hoekstra:

THAT Council direct Administration to enter into the 3-year planning services contract with Parkland Community Planning Services.

66/201.02 20MO  
THAT Council direct  
Administration enter  
into the 3-year planning  
services contract  
with Parkland  
Community Planning  
Services.  
20-041

CARRIED UNANIMOUSLY

**Request for Fee Waiver**

Jordan Thompson, Director of Operations and Planning, presented a request to waive development and building permit fees for a new Eco-vision project at Ecole Secondaire Lacombe Composite High School, called "Roofs 4 Kids."

**MOVED BY** Councillor Jacobson:

THAT Council direct Administration to apply standard permit fees to the "Roofs 4 Kids" development.

CARRIED UNANIMOUSLY

61/250.03 20MO  
THAT Council direct  
Administration to apply  
standard permit fees to  
the "Roofs 4  
Kids" development.  
20-042

**C&E Trail Upgrade – Offsite Levy Expenditure**

Jordan Thompson, Director of Operations and Planning, presented a proposal to relocate an existing overhead power line underground, adjacent to C&E Trail from the vicinity of the water reservoir to Charis Village in advance of the planned C&E Trail Upgrade.

**MOVED BY** Councillor Ross:

THAT Council authorizes Administration to spend up to \$50,000 to bury the overhead power line adjacent C&E Trail as described, funded from the offsite levy reserve.

CARRIED UNANIMOUSLY

66/250.02 20MO  
THAT Council  
authorizes  
Administration to spend  
up to \$50,000 to bury  
the overhead power line  
adjacent C&E Trail as  
described, funded from  
the offsite levy reserve.  
20-043

**ADOPTION OF MINUTES**

**MOVED BY** Councillor Hoekstra:

THAT the January 27, 2020 regular council meeting minutes be confirmed as presented.

CARRIED UNANIMOUSLY

11/179.03 20MO  
THAT the January 27,  
2020 regular council  
meeting minutes be  
confirmed as presented.  
20-044

**ITEMS FOR INFORMATION**

1. CAO Report
2. GOA letter – Alberta Health Services Review, Feb 3
3. Big Brothers Big Sisters Thank you to Council, Feb 4
4. Municipal Library Board Minutes, Nov 26
5. Councillor Reports

**MOVED BY** Councillor Hoekstra:

THAT Council receive all reports and mailbox items as information.

CARRIED UNANIMOUSLY

11/173.03 20MO  
THAT Council receive  
all reports and mailbox  
items as information.  
20-045

**NOTICES OF MOTION**

Councillor Jacobson:

A Notice of Motion was submitted which read:

THAT Council direct administration to research and present options for instituting a redevelopment levy in strategic areas of the city.

*Any submitted Notices of Motion are dealt with at a subsequent regular meeting of Council per City of Lacombe Procedural Bylaw No. 370 Section 6.14(10).*

11/177.07 20MO  
THAT Council with  
Administrative staff  
attending to support  
Council  
(Matthew Goudy,  
Deborah Juch, Diane  
Piche, Jordan  
Thompson, Mauricio  
Reyes, Guy Lapointe,  
Deven Kumar and Ross  
Pettibone) move In  
Camera at 6:56 PM to

*Meeting recessed at 6:26 p.m.  
Meeting resumed at 6:45 p.m.*

**IN CAMERA**

**MOVED BY** Councillor Gullekson:

discuss the following  
items (Land(x3)).  
20-046

THAT Council with Administrative staff attending to support Council (Matthew Goudy, Deborah Juch, Diane Piche, Jordan Thompson, Mauricio Reyes, Guy Lapointe, Deven Kumar and Ross Pettibone) move In Camera at 6:45 PM to discuss the following items:

Land (FOIP Section 16)  
Land (FOIP Section 24)  
Land (FOIP Section 16)

CARRIED UNANIMOUSLY

*Deven Kumar and Guy Lapointe left Council chambers at 7:34 p.m.*

11/177.08 20MO  
THAT Council return to  
Open Meeting at 7:50  
PM.  
20-047

**MOVED BY** Councillor Konnik:

THAT Council return to Open Meeting at 7:35 PM.

CARRIED UNANIMOUSLY

69/641.01 20MO  
THAT Council approves  
the relocation  
compensation  
agreement with the  
Chamber of Commerce  
as presented and  
approves the transfer of  
\$165,000 from the  
General Capital  
Reserve.  
20-048

**MOVED BY** Councillor Hoekstra:

THAT Council approves the relocation compensation agreement with the Chamber of Commerce as presented and approves the transfer of \$165,000 from the General Capital Reserve.

CARRIED UNANIMOUSLY

**MOVED BY** Councillor Hibbs:

THAT Council approves the agreement with Tricon Developments Inc. to sell the City properties located at 5211 and 5215 50 Avenue, and at 5102 50 Avenue.

CARRIED UNANIMOUSLY

69/641.02 20MO  
THAT Council approves  
the agreement with  
Tricon Developments  
Inc. to sell the City  
properties located at  
5211 and 5215 50  
Avenue, and at 5102 50  
Avenue.  
20-049

**MOVED BY** Councillor Konnik:

THAT Council approves the agreement with Tricon Developments Inc. to purchase the Tricon property located at 5404 56 Avenue, as presented.

CARRIED UNANIMOUSLY

69/519.01 20MO  
THAT Council approves  
the agreement with  
Tricon Developments  
Inc. to purchase the  
Tricon property located  
at 5404 56 Avenue, as  
presented.  
20-050

**MOVED BY** Councillor Gullekson:

THAT Council set the reserve bid for 3919 Highway 12 (Meridian 4 Range 26 Township 40 Section 20 Quarter North West) as discussed.

CARRIED UNANIMOUSLY

**MOVED BY** Councillor Jacobson:

THAT Council set the conditions that apply to the sale as presented.

CARRIED UNANIMOUSLY

61/413.01 20MO  
THAT Council set the  
reserve bid for 3919  
Highway 12 (Meridian 4  
Range 26 Township 40  
Section 20 Quarter  
North West) as  
discussed.  
20-051

**MOVED BY** Councillor Ross:

THAT Council with Administrative staff attending to support Council (Matthew Goudy, Deborah Juch, Diane Piche, Jordan Thompson, Mauricio Reyes, and Ross Pettibone) move In Camera at 7:40 PM to discuss the following items:

Legal (FOIP Section 24)  
Monthly Update (FOIP Sections 24/16)

CARRIED UNANIMOUSLY

11/177.09 20MO  
THAT Council with  
Administrative staff  
attending to support  
Council  
(Matthew Goudy,  
Deborah Juch, Diane  
Piche, Jordan  
Thompson, Mauricio  
Reyes, and Ross  
Pettibone) move In  
Camera at 7:40 PM to  
discuss the following  
items (Legal, Monthly  
Update)).  
20-053

**MOVED BY** Councillor Konnik:

THAT Council return to Open Meeting at 8:25 PM.

CARRIED UNANIMOUSLY

**MOVED BY** Councillor Jacobson:

THAT Council accept the Intermunicipal Collaboration Framework – Master Agreement, as information.

CARRIED UNANIMOUSLY

11/177.10 20MO  
THAT Council return to  
Open Meeting at 8:25  
PM.  
20-054

**ADJOURNMENT**

**MOVED BY** Councillor Gullekson

THAT the meeting be adjourned at 8:27 PM.

CARRIED UNANIMOUSLY

12/352.01 20MO  
THAT Council accept  
the Intermunicipal  
Collaboration  
Framework – Master  
Agreement, as  
information.  
20-055

11/177.11 20MO  
Adjournment  
20-056

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Mayor

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Chief Administrative Officer

# AGENDA



## REGULAR MEETING AGENDA

Council of the City of Lacombe  
 Monday, February 24, 2020 at 5:00 p.m.  
 in Council Chambers

Time	Agenda Item	Representative
5:00	<b>1. CALL TO ORDER</b>	
	<b>2. ADOPTION OF AGENDA</b>	
	2.1 Additions	
	2.2 Deletions	
	2.3 Reordering ( <i>Item 7 prior to Item 6</i> )	
	<b>3. PRESENTATIONS</b>	
5:00	3.1 Bike Skills Park Group (Jay Hootz/Don Derowin/Corey Gish)	
	<b>4. PUBLIC HEARINGS</b>	
5:30	4.1 Land Use Bylaw Amendments: Bylaw 400.24 (Amend Land Use Bylaw 400)	<i>Dir Thompson</i>
	<b>5. REQUESTS FOR DECISION</b>	
	5.1 RFP for Assessment Services	<i>Sr. Mgr. Reyes</i>
	5.2 Alberta Community Partnership Grant Application	<i>Dir Piche</i>
	5.3 Lower Michener Park Development	<i>Dir Juch</i>
	5.4 Bylaw Enforcement – Service Level Report	<i>Dir Piche</i>
	5.5 Land Use Bylaw 400.24 Updates (Second/Third Reading)	<i>Dir Thompson</i>
	5.6 Options for Redevelopment Levy in Strategic City Areas ( <i>THAT Council direct administration to research and present options for instituting a redevelopment levy in strategic areas of the city</i> )	<i>Clr. Jacobson</i>
	5.7 Bylaw 365.1 Records Retention (Second/Third Reading)	<i>Dir Piche</i>
	<b>6. INFORMATION</b>	
	6.1 Administrative Reports	
	6.1.a Chief Administrative Officer Report	
	6.2 Council Mailbox (N/A)	
	6.3 Commission, Board, Committee Reports and Minutes	
	6.3.a Rikubetsu Annual General Meeting Minutes January 28	<i>Cnclr: Hoekstra</i>
	6.3.b Lacombe Police Commission Minutes January 7	<i>Cnclr: Konnik</i>

- 6.4 Councillor Reports
  - 6.4.a Mayor Creasey
  - 6.4.b Councillor Gullekson
  - 6.4.c Councillor Ross
  - 6.4.d Councillor Hoekstra
  - 6.4.e Councillor Jacobson
  - 6.4.f Councillor Hibbs
  - 6.4.g Councillor Konnik

**7. ADOPTION OF MINUTES**

- 7.1 February 10, 2020 Regular Council Meeting Minutes

**8. NOTICES OF MOTION**

- 8.1

**9. IN CAMERA**

- |   |                   |
|---|-------------------|
| 9.1 Labour (FOIP S. 17)                   | <i>Mgr Wilton</i> |
| 9.2 Legal (FOIP S. 24)                    | <i>CAO Goudy</i>  |
| 9.3 Legal (FOIP S. 24)                    | <i>CAO Goudy</i>  |
| 9.4 Monthly Update (FOIP Sections 24, 16) | <i>CAO Goudy</i>  |

**10. ADJOURNMENT**

**Next Meetings:**

- Monday, March 9, 2020
  - Regular Council Meeting: 5:00 p.m., Council Chambers
- Monday, March 23, 2020
  - Regular Council Meeting: 5:00 p.m., Council Chambers
- Monday, April 6, 2020
  - Council Committee Meeting: 5:00 p.m., Council Chambers

# REQUEST FOR COUNCIL DECISION



**SUBJECT:** Assessment Services RFP Award  
**PREPARED BY:** Mauricio Reyes, Senior Manager of Financial Services  
**PRESENTED BY:** Mauricio Reyes, Senior Manager of Financial Services  
**DATE:** February 24, 2020

FILE:

## **PURPOSE:**

A Council resolution is required to appoint Wild Rose Assessment Services Inc. as the Assessor for the City of Lacombe for 2020 to 2024.

## **RECOMMENDED MOTION(S):**

1. THAT Council award the assessment services contract to Wild Rose Assessment Services Inc. and THAT Wild Rose Assessment Services Inc. be appointed as the Assessor for the City of Lacombe for 2020 to 2025.

## **RELATED PRIOR MOTION(S):**

1. None

## **EXECUTIVE SUMMARY:**

As per section 285 of the Municipal Government Act (MGA), “each municipality must prepare annually an assessment for each property in the municipality”. Furthermore, section 284.2(1) of the MGA states that “a municipality must appoint a person having the qualifications set out in the regulations to the position of designated officer to carry out the functions, duties and powers of a municipal assessor”

The City of Lacombe’s current Assessment Services contract has been in place since August 2013 and is at the end of its term. A Request For Proposal (RFP) was issued by the City in January 2020 and received 5 responses, with one being disqualified since it arrived after the deadline. Administration recommends the contract be awarded to Wild Rose Assessment Services Inc. and Wild Rose Assessment Services Inc. be appointed as the Assessor for the City of Lacombe for 2020 to 2025.

## **ANALYSIS:**

The City of Lacombe assessment services contract expired in 2019. As per the terms of the contract, an extension of one year was granted. To ensure seamless assessment services, the City of Lacombe issued a Request for Proposals in January 2020, through the City website and

# REQUEST FOR COUNCIL DECISION



the Alberta Purchasing Connection, for an assessment services contractor for the 2020-2025 fiscal years.

Assessment services are a legislative requirement for all Alberta municipalities. The City has been served well by our current contractors who have maintained the contract during the last 6 years. In compliance with the City of Lacombe's Procurement Policy, this process has been transparent and competitive to ensure fairness and value.

Assessment services required over the 5-year term include, but are not limited to, the following:

- Prepare assessments, both general and supplementary, in accordance with the Municipal Government Act and its attendant regulations
- Provide completed assessments, both general and supplementary, to the Municipality in compliance with the statutory timelines prescribed in the Municipal Government Act
- Provide assessment information, both general and supplementary, as requested by the Minister of Municipal Affairs in compliance with the statutory reporting requirements prescribed in the Municipal Government Act
- Work with Municipal Affairs staff as required
- Provide security for all assessment data through regular backups
- Provide a quality assurance and inspection process that encompasses one quarter (¼) of the parcels in the City of Lacombe on an annual basis
- Prepare public forums to address ratepayer questions and concerns
- Provide direct electronic communication (telephone or email) to address day-to-day questions from ratepayers
- Conduct on site interviews with ratepayers on request
- Deal with the media only in concert with representatives from the Municipality
- Provide defense of any assessment complaints before the Assessment Review Board and any assessment appeals before the Municipal Government Board

A criteria set was included with the RFP, creating a methodology for awarding points.

Selection Criteria	Points
Proposed Inspection and Quality Assurance Methodology	20
Defense of Complaints and Appeals	5
Assessment Experience	20
Training and Transition	5
References	10

# REQUEST FOR COUNCIL DECISION



Public Relations Skills	10
Cost/Value	25
Total	95

Five companies submitted proposals, but one was received after the deadline. Consequently, the late submission was disqualified, and the proponent has been notified. The following companies were evaluated during the RFP process:

- Accurate Assessment Group Ltd.
- Compass Assessment Consultants Inc.
- Powers & Associates Appraisal services Inc.
- Wild Rose Assessment Services Inc.

The proposals were evaluated by a team of three qualified City employees who applied the criteria above. The results from the individual evaluations were aggregated and the summarized results are presented below:

Proponent	Score
Wild Rose Assessment Services Inc.	90
Powers & Associates Appraisal services Inc.	88
Accurate Assessment Group Ltd.	83
Compass Assessment Consultants Inc.	79

Consequently, Wild Rose Assessment Services Inc. received the highest score based on the criteria set by the City.

## **Financial Implications**

The following is the annual base fee proposed by Wild Rose Assessment Services Inc.:

Contract Period	Fees:
April 1, 2020 – March 31, 2021	\$15.50 per parcel + GST
April 1, 2021 – March 31, 2022	\$16.00 per parcel + GST
April 1, 2022 – March 31, 2023	\$16.50 per parcel + GST
April 1, 2023 – March 31, 2024	\$17.00 per parcel + GST
April 1, 2024 – March 31, 2025	\$17.50 per parcel + GST

# REQUEST FOR COUNCIL DECISION



Based on 5834 assessment rolls, this will in approximately \$90,427.00 plus GST in 2020. In 2019, assessor fees amounted to approximately \$107,480. In 2020, the total budget for assessment fees is approximately \$108,000. By accepting the recommendation, the City will save approximately \$17,000 in assessment fees in 2020.

## **Legislative Authority**

- Section 284.2(1), 285 & 289 MGA RSA 2000 Chapter M-26
- Bylaw 266 – Establish the Assessor as a Designated Position
- 13/211/01 (2014) Purchasing Policy

## **STRATEGIC PLAN ALIGNMENT:**

The award of this contract as recommended aligns **favourably** with Strategic Priority 4.1.4 (d) Fiscal Prudence:

Goal – To manage the City to allow for property tax increases near inflation

- Property tax increases are aligned with the Consumer Price Index and community growth.

## **PUBLIC ENGAGEMENT/COMMUNICATION STRATEGY:**

Once assessor is appointed, the public will be informed about the assessor's appointment. The public will have the opportunity to meet the assessor at a future date.

## **ALTERNATIVE MOTION(S):**

- a) THAT Council award the assessment services contract to Wild Rose Assessment Services Inc. and THAT Wild Rose Assessment Services Inc. be appointed as the Assessor for the City of Lacombe for 2020 to 2025
- b) THAT Council not award the assessment services contract and provides alternative direction to administration

## **ATTACHMENTS:**

- None

# REQUEST FOR COUNCIL DECISION



**SUBJECT:** Support for Alberta Community Partnership Grant Application  
**PREPARED BY:** Diane Piché, Director of Corporate Services  
**PRESENTED BY:** Diane Piché, Director of Corporate Services  
**DATE:** February 24, 2020

FILE: 23/127

## **PURPOSE:**

The purpose of this request for decision is to attain a motion of support by Council for an Alberta Community Partnership Grant application for the Fire Services Level Review that is being completed in conjunction with Lacombe County.

## **RECOMMENDED MOTION(S):**

1. THAT Council supports the application for the Alberta Community Partnership Grant for the Lacombe Fire Services Review that is being completed with support from Lacombe County.

## **RELATED PRIOR MOTION(S):**

1. Add any previous motions made by Council related to the topic being discussed.

## **EXECUTIVE SUMMARY:**

An application has been submitted for an Alberta Community Partnership Grant to assist with funding of the Fire Service Level Review. The Fire Service Level Review project is eligible for this grant funding as it services both municipalities and is being completed with the support from Lacombe County. Administration is looking for a motion from Council to support the grant application which will complete the application process.

## **ANALYSIS:**

The City of Lacombe has started the Fire Service Level Review process. The request for proposal (RFP) submissions did come in higher than anticipated; however, the Government of Alberta does offer Alberta Community Partnership grants, up to \$200,000, for projects that are collaborative with other municipal organizations. In reviewing last year's projects that were awarded grants, many municipalities used this grant for funding Intermunicipal Collaboration Framework (ICF) discussions and joint or regional service level reviews.

The Lacombe Fire Department services both the City of Lacombe and areas of Lacombe County which are managed through multiple agreements. This service level review includes an evaluation of the fire service agreements and exploration of different governance models, which meet the eligibility to apply for the Alberta Community Partnership Grant.

# REQUEST FOR COUNCIL DECISION



Administration has applied for \$60,000 for the cost of the Service Level Review. Part of the application process is to have the participating municipalities Council's support through a motion or resolution. Lacombe County has provided the letter of support. These letters of support must be submitted by March 2, 2020 to complete the application.

## **STRATEGIC PLAN ALIGNMENT:**

Applying for the Alberta Community Partnership Grant speaks **favourably** with Council's Strategic goal of 4.1.4 Fiscal Prudence (A) Identify and consider alternative revenue sources and 4.5.7 To Provide Effective Fire Protection Services (A) Review, plan, and level of service for fire protection and emergency response partnerships.

## **PUBLIC ENGAGEMENT/COMMUNICATION STRATEGY:**

Not Applicable

## **ALTERNATIVE MOTION(S):**

1. THAT Council supports the application for the Alberta Community Partnership Grant for the Fire Services Review that is being completed with Lacombe County.
2. THAT Council provide direction to Administration as they see fit.

## **ATTACHMENTS:**

Letter of Support from Lacombe County

# REQUEST FOR COUNCIL DECISION



**SUBJECT:** Proposed Lacombe Bike Park Development  
**PREPARED BY:** Sandi Stewart, Manager of Recreation & Culture Services  
**PRESENTED BY:** Deborah Juch, Director of Community Services  
**DATE:** February 24, 2020

FILE: 75/711

## **PURPOSE:**

To provide Council with information on a community group's proposal to redevelop the Lower Michener Park into a multi-use bike skills park.

## **RECOMMENDED MOTION(S):**

1. THAT Council supports in principle the redevelopment of the Lower Michener Park into a bike park and directs Administration to work with the organizing group to develop the project plan and seek a further recommendation(s) from the Lacombe & District Recreation, Parks and Culture Board.

## **RELATED PRIOR MOTION(S):**

## **EXECUTIVE SUMMARY:**

A newly formed community group is proposing to partner with the City to develop a multi-use bike skills park in Lower Michener Park with construction in 2020. The development is intended to provide a challenging, multi-faceted facility for bike enthusiasts of all types (mountain, BMX, etc.), ages and skill levels to improve their technical skills in a central location in the City; and provide outdoor amenities for walkers, runners, and other day users. On Feb 11, 2020 the Lacombe and District Recreation, Parks and Culture Board recommended that Council support the project in principle, after receiving the group's presentation with an overview of the development.

Administration proposes to work with the group and their consultant to fully develop the project plans. Information on pricing (components and total project), estimates of operating costs (City to operate), applications for any available City in-kind or monetary contributions, and the results of public input will be returned to the Board and to Council in the near future for a decision on committing the Lower Michener Park to the development.

# REQUEST FOR COUNCIL DECISION



## **ANALYSIS:**

### Background

In 2019, a new community group formed to propose redeveloping the Lower Michener Park into a bike skills park similar to successful bike parks in Red Deer, Hinton, and a number of other locations in the province. The proposed project will provide for technical skill development and recreation in mountain, BMX and other cycling as well as provide trails for walkers and runners, and an open area with facilities for other outdoor activities.

The 2008 BMX Park developed by community volunteers east of the Len Thompson Fish Pond was intended to serve these needs in the community but the inconvenient location east of the Highway 2A and the railway tracks 2A led to a lack of use; maintenance also lagged, causing conditions to degrade until the park became unusable.

Other re-development concepts for the Lower Michener Park have been proposed but have not gained interest from the City or the community.

### Details

The Lacombe and District Recreation, Parks and Culture Board received a presentation from this group on February 11/20 and passed the following resolution in support of a new Bike Park:

***Moved by Jonathan Jacobson that the Board recommend to Council to support in principle redevelopment of the Michener Bowl Park as a Bike Skills Park, and direct Administration work with the group to develop the concept further and return the matter to the Lacombe & District Recreation, Parks and Culture Board with additional information. **CARRIED Unanimously*****

A variety of bike rider types, ages, and skill levels in the community have identified the desire for a bike park.

The 2013 Recreation and Culture Master Plan identified a bike park as a future community infrastructure priority. The Plan emphasizes the strategic importance of effecting the priorities they become possible, and the importance of collaborating with community group initiatives. The Plan also describes bike parks as a recreation industry trend.

# REQUEST FOR COUNCIL DECISION



An industry trend in municipal recreation services (supported by provincial and municipal research) shows a preference for infrastructure that facilitates multi-users with a variety of equipment in self-serve, unstructured (non-programmed) activities; these passive options are potentially more sustainable over time.

The basic dirt BMX track east of Len Thompson Fish Pond was established with limited support from the City and the City did not assume its maintenance. The park facilitated BMX bike activities but not other bike riding types or other outdoor day-users. Access to the location from the residential areas of Lacombe were hampered by the highway and the train track crossings, and lack of trail connectivity. Overall, the amenities there had low appeal for local bike enthusiasts and none at all for regional riders.

The model of bike park proposed for the Lower Michener Park mirrors nearly 70 similar parks enjoying high usage in Alberta, Canada and the US, designed and built by the consultant engaged by the group. The model also matches the preferred passive outdoor recreation approach consistent with the City's facility preferences in the past (outdoor ice rinks, athletic park, skateboard park, etc.)

The group will work to identify the maintenance, operational, and capital replacement needs and costs of the park, as well as sustainability planning for long-term viability to users.

The current overall project timeline is:

1. Presentation to Lacombe & District Recreation, Parks and Culture Board Feb 11, 2020 for support in principle. **COMPLETED.**
2. Presentation to Council Feb 24, 2020 requesting support in principle with tentative commitment of the park to the project and direction to Administration to work with the group to:
  - a. develop a full project scope and cost estimates for construction, operating, and capital replacement
  - b. determine public support
  - c. formulate the group's potential requests for City financial and in-kind contribution (such as a Community Builder Partnership Fund application and/or Public Works and Parks Department contributions)
3. present final project scope, costs, and contribution requests to the Lacombe & District Recreation, Parks and Culture Board for recommendation, and if supported

# REQUEST FOR COUNCIL DECISION



4. present final project scope, costs, and contribution requests to Council for consideration

## General “Pros”

- This design will include multi-use trails and a variety of features for multiple recreation user groups to enjoy
- By serving a range of user groups, higher visitation will reduce vandalism, and ensure a better return on investment over the long term
- The development will provide dedicated space where riders can learn crucial bike handling skills/life skills
- Location allows for easy access to other outdoor recreation amenities at Michener Park, such as the skateboard park, campground and ballfields, and will be connected to the Trans Canada Trail in Lacombe, which is itself a cycling link to the surrounding region
- The bike park consultant will provide use statistics from other Alberta bike skills parks that indicate bike parks increase tourism, with the average out-of-town users staying two days (one night) in communities with a bike park
- The tourism statistic indicates a bike park at the Lower Michener Park could increase stays at the adjacent City campground and two hotels

## General “Cons”

- The developed amenities in the park will be turned over to the City for operating, increasing parks operating and facility capital replacement costs
- The City must determine if there are any drainage issues or flood risks needing mitigation

## Financial Implications

1. No specific allocation of funds for this project is being requested from the City at this time.
2. This project may be suitable for Community Builder Partnership (CBP) funding. The 2020 balance in the CBP fund is approximately \$15,000, which may be augmented by a 2021 contribution of \$50,000. \$65,000 equals approximately 25% of the preliminary budget for this project, the maximum City funding level within policy parameters.
3. The Lower Michener Park does not have a current redevelopment plan, i.e., no operational or capital improvement is provided for in the 10-Year Capital Plan.
4. Project cost will be finalized priced by component to facilitate fundraising and scaling the project to available funding.

# REQUEST FOR COUNCIL DECISION



5. The City will need to consider operating and capital replacement costs prior to approving the redevelopment.
6. The group will identify the financial and in-kind requests they may make, if any, from the City. In-kind construction contributions and a Community Builder Partnership or other grant applications are most likely.

## Service Level Impacts

A multi-use bike park developed in the Lower Michener Park would be a service-level increase in the parks and recreation departments.

The 2019 Citizen Satisfaction Survey determined that citizens value trails among the top nine City services and facilities, and rate them as fourth in a list of 16 of Lacombe's strengths and unique features. 75% of citizens rated their satisfaction with trails as high or very high.

Completing the multi-use bike park and will increase the recreation service level in the City serving, bikers, walkers and runners of all ages and fitness abilities. The new feature will enhance nature experiences. The Bike Park will also attract visitors from around the region, potentially affecting Lacombe's economy and "livability" reputation.

As it incorporates multi-use trails in the surrounding wooded parts of the park, the development will provide runners and walkers from adjacent neighbourhoods with a linked loop in a natural recreation area with views overlooking the bike park. The skills component can serve as a significant fitness challenge in individual training, both cycle and pedestrian.

## Legislative Implications

N/A

## Organizational Capacity & Business Plans

The project supports goals and objectives in the City's Recreation & Culture Master Plan, the Green Spaces Review, and the Trails Plan.

Administration has the capacity to provide ongoing, as-needed support and guidance to the group.

Should Council support the project in principle, the community group will be able to commence fundraising and apply for grants.

# REQUEST FOR COUNCIL DECISION



## STRATEGIC PLAN ALIGNMENT:

The proposed community led initiative aligns **favourably** with strategic objectives:

- 4.1.4. Fiscal Prudence. *Council reviews service levels and considers alternate revenue sources.*
- 4.3.3 Sustainable Infrastructure. *Be strong stewards of our built environment.*
- 4.3.4 Economic Prosperity. *Create a plan for underperforming City property.*
- 4.5.5 Future Space Needs. *Capital and operating partnerships are considered when the City plans new facilities.*
- 4.5.8 Encourage Volunteerism. *Strongly support volunteerism and partnering opportunities to build a growing sense of community.*

## PUBLIC ENGAGEMENT/COMMUNICATION STRATEGY:

City support in principle will allow the group to present the project concept to Lacombe County, to launch fundraising and sponsorship efforts, and to gather letters of support from Lacombe sport organizations and businesses, youth service groups, and educators as well as regional bike user groups.

Administration will formally research public support on the redevelopment and project concepts when further City commitment to the project warrants. The preferred method will be public open house(s) led by the community group.

A preliminary measure of public support is successful fundraising for the project and the letters of support gathered by the group. The City may offer the assistance of its Communications and Marketing staff to co-promote the fund-raising initiatives of the community group, as it had with the skateboard park project.

## ALTERNATIVE MOTION(S):

1. THAT Council supports in principle the redevelopment of the Lower Michener Park into a bike park, and directs Administration to work with the organizing group to develop the project plan and seek further recommendation(s) from the Lacombe & District Recreation, Parks and Culture Board; or
2. THAT Council returns the matter of the Lower Michener Park redevelopment to Administration with direction; or

# REQUEST FOR COUNCIL DECISION



3. That Council accepts this report on redevelopment of the Lower Michener Park as information.

## **ATTACHMENTS:**

1. Lacombe Bike Park Presentation (includes map and letters of support)
2. Recreation and Culture Master Plan (Link: <http://www.lacombe.ca/home/showdocument?id=2195>)

# REQUEST FOR COUNCIL DECISION



**SUBJECT:** Bylaw Enforcement Services Review Update  
**PREPARED BY:** Diane Piché, Director of Corporate Services  
**PRESENTED BY:** Diane Piché, Director of Corporate Services  
**DATE:** February 24, 2020

FILE: 26/920

## **PURPOSE:**

The purpose of this report is to present Council with information one year after the City's Bylaw Enforcement Services service level review that occurred in November 2018.

## **RECOMMENDED MOTION(S):**

1. THAT Council accepts this as information.
- AND
2. THAT Council direct administration to change the hours of Bylaw Enforcement Services to reflect the seasons which extends hours in the summer and shortens the hours in the winter.

## **RELATED PRIOR MOTION(S):**

1. Add any previous motions made by Council related to the topic being discussed.

## **EXECUTIVE SUMMARY:**

This report is being provided to Council to summarize the changes and results of Bylaw Enforcement Services since the service level was reviewed in November 2018. The summary focuses on the scheduling changes, number of incidents and ticket issued, and review of bylaws to better assist the Bylaw Enforcement Services. Administration recommends that the hours of service be altered based on the seasons and that the rest of the reports is received as information.

## **ANALYSIS:**

In November 2018, administration [conducted a review](#) of the City's Bylaw Enforcement Services to determine the level of service that would be provided to the citizens of Lacombe. Administration supplied statistics and presented several options for schedules, hours of service and levels of authority.

As a result of the service level review, Council decided that Bylaw Enforcement Services would remain with the existing staffing level, extend the days of service to include Saturdays and extend the hours from 8:00 am to 7:00 pm. Council also directed administration to focus on the education and compliance of the City's Bylaws.

# REQUEST FOR COUNCIL DECISION



The following sections are summaries of the 2019 results due to the changes in Bylaw Enforcement Services.

## **Staffing**

In 2019, the City saw the first full year with the current staff in place. Staff provide coverage from 8:00 am to 7:00 pm, Monday to Saturday. To accommodate this schedule, each bylaw officer is on shift four days out of the six working days. They work either Monday to Thursday or Wednesday to Saturday. There are only two days a week where two officers are on together. The challenge with this schedule is ensuring full coverage for illness and vacation times. When time off is planned, staff will accommodate by doing one or more of the following:

- work five days, but with shorter hours (eight vs ten hours)
- be available on call
- work overtime

There are occasions that do not allow for planned time off. In 2019, there were 16 working days without bylaw service coverage. On those days, the animal service contractor and Lacombe Police Service are notified that no staff are available and in the event of certain types of incidents, their services may be called upon.

The change of hours for Bylaw Enforcement Service was welcomed by many. Now that a full year's cycle is complete, it is important to review the effectiveness of the hours of service.

In the summer, the extended hours were good, however it did not seem long enough during the months of June, July and August where daylight lasted until past 10:00 pm. Many times, Bylaw Enforcement would get calls after they have left for the evening or would see infractions on their way home when they were no longer in uniform. Finishing work at 7:00 pm posed lost opportunities when many residents were very active and available during the evening hours.

Be it dogs running at large, or dogs off leash in a park, or to have a chat with a home owner regarding an unsightly premise - it was a suitable time to talk to residents who are working or playing outdoors. This coming year, the Bylaw Enforcement Officers are purchasing a bicycle where they will be able to do bike patrols. During the summer months, it would be advantageous for the officers have a presence on trails and in parks in the evening, later than 7:00 pm.

To compensate for the longer hours in the summer, the days for the winter months (November, December, January) could end earlier. The longer hours in the winter leave the officers

# REQUEST FOR COUNCIL DECISION



patrolling dark streets where most residents are indoors. The officers must take advantage of the shorter daylight hours to patrol and complete resident visits during the day.

Public up take of utilizing the longer hours required monthly notifications and media releases. The statistics of the calls were compiled based on call activity as all Bylaw telephone lines are forwarded to the on duty officer's cellular phone. The following table is a count of telephone calls received by the staff past 5:00 pm.

<b>Month</b>	<b>Count of Calls past 5:00 pm</b>
January	0
February	1
March	7
April	17
May	9
June	9
July	9
August	7
September	9
October	9
November	9
December	3

The Saturday service was new for 2019. Similar to the way data was compiled for telephone calls past 5:00 pm, the following table shows the incoming calls on Saturdays. It has taken time for residents utilize the service, however the service is building.

<b>Month</b>	<b>Count of Calls on Saturdays</b>
January	0
February	1
March	4
April	3
May	6
June	7
July	5
August	2
September	9
October	1
November	8
December	2

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To continue to build the presence of Bylaw Enforcement Services, Administration recommends that starting in May of 2020, the schedule for bylaw services is altered to extend to longer hours in the summer and shorter the hours in the winter. To accommodate the change in schedule, it is recommended that the staff hours are adjusted to eight hour days and are staggered. An example of the suggested staff hours is included the attachments below. Changing to eight-hour work days has the benefits of providing dual coverage more often, better shared communication between officers, and safer working conditions.

## Statistics

In 2019 there were 487 complaints that were either received by complaint or generated by the Bylaw Enforcement Services. Of those complaints, 144 files were created as reports and 343 tickets or warnings were issued.

The following is a breakdown of the types of incident responses in 2019.

# of Reports	Incident Type
70	RESPONSIBLE ANIMAL OWNERSHIP BYLAW #469 - Various cat and dog complaints
66	COMMUNITY STANDARDS #468 - Unsightly property
56	TRAFFIC #223 - EXTENSION CORDS
25	NUISANCE #326 - PERMIT A NUISANCE- FIRST OFFENCE
24	TRAFFIC #223 - sidewalk snow removal
21	313 (1) TRAFFIC #223 - UNATTACHED TRAILER
20	302 (A) TRAFFIC #223 - PAINTED CURB
20	312 (3) TRAFFIC #223 - NO PARKING / STREET MAINTENANCE NO TOW
19	312 (3) TRAFFIC #223 - NO PARKING - STREET MAINTENANCE WITH TOW
18	302 ( I ) TRAFFIC #223 - PARK WITHIN 5M OF FIRE HYDRANT
17	307 A TRAFFIC #223 - PARK RIGHT HAND WHEEL MORE THAT 500MM 19.7 IN FROM CURB
14	302 (N) TRAFFIC #223 - OBSTRUCT DRIVEWAY
12	302 (G) TRAFFIC #223 - PARK LESS THAN 5M FROM INTERSECTION
12	302 (L) TRAFFIC #223 - NO PARKING / STOPPING ZONE
10	307 (A) TRAFFIC #223 - PARK LEFT SIDE TO CURB
9	305 TRAFFIC #223 - PARK IN ALLEY
8	303 (1) TRAFFIC #223 - PARKING LIMITS OVERPARKED
8	309 TRAFFIC #223 - PARK / DRIVE ON RECREATION / PARK AREA
7	302 (J) TRAFFIC #223 - CROSSWALK - PARK WITHIN 5M NEAR SIDE
6	306 (1) A B TRAFFIC #223 - HEAVY VEHICLE
5	28 PARKS #253 - PARK/DRIVE VEHICLE IN OR UPON PUBLIC LANDS

# REQUEST FOR COUNCIL DECISION



4	COMMUNITY STANDARDS #468 : NUISANCE #326 - cats at large
4	302 (B) TRAFFIC #223 - PARK ON BOULEVARD/SIDEWALK
4	308 (1) TRAFFIC #223 - ABANDON A VEHICLE
4	308 (3) TRAFFIC #223 - PARK OVER 72 HRS
3	COMMUNITY STANDARDS #468 : NUISANCE #326 : NUISANCE - smell or noise complaint
3	TRAFFIC #223 : TRAFFIC - Parking in front of fire hydrant
3	302 (C) TRAFFIC #223 - PARK ON / IN CROSSWALK
2	BYLAW - OTHER
2	313 (B) TRAFFIC #223 - TRAILER NOT FULLY CONTAINED ON PROPERTY
2	4.1 (D) DOG #265 - BARK HOWL- FIRST OFF
1	BUSINESS LICENCE BYLAW #381 : BUSINESS LICENCE BYLAW
1	PROVINCIAL ACTS : TOBACCO AND SMOKING REDUCTION ACT
1	BYLAW - ANIMAL CONTROL
1	BYLAW - PARKING
1	201 TRAFFIC #223 - VEHICLE ON A HIGHWAY MUST BE REGISTERED AND INSURED
1	3(1) BUSINESS #381 - FAIL TO OBTAIN A BUSINESS LICENCE
1	302 (H) TRAFFIC #223 - PARK WITHIN 5M FROM STOP / YIELD
1	36.4/38.3 UTILITY #393 - UNAUTHORIZED OPERATION OF A WATER SERVICE CURB COCK VALVE (CC) OR WATER MAIN VALVE.
1	405 (2) TRAFFIC #223 - SNOW / ICE / DEBRIS ON HIGHWAY

The following are the number of tickets on the day of the week that they were written.

Day of the Week	Number of Incidents
Sunday	3
Monday	66
Tuesday	118
Wednesday	100
Thursday	108
Friday	53
Saturday	39

## Appointments of Authority

When the service level review was completed, Council directed Administration to focus on the City's bylaws and to make education and compliance a priority. Bylaw Enforcement staff have ensured that this remains one of their highest priorities despite applying for the Community Peace Officer 2 (CPO 2) appointments.

# REQUEST FOR COUNCIL DECISION



Administration has encouraged and supported the Bylaw Enforcement Officers to apply for a Community Peace Officer 2 (CPO 2) appointments as this affords the City with certain information accesses and safety assurances for the officers.

Both officers now have CPO 2 appointments.

The CPO 2 appointments do allow the officers to write provincial tickets based on the authority that they are granted. These authorities are:

- Animal Protection Act
- Dangerous Dogs Act
- Environmental Protection and Enhancement Act, Part 9, Division 2
- Petty Trespass Act
- Provincial Offences Procedure Act
- Traffic Safety Act (non-moving offenses only)
- Trespass to Premise Act

The appointment allows access to databases for registered owners of vehicles which will be beneficial when it comes to abandoned vehicles, street maintenance and following up with unpaid tickets. It also grants the officers to carry some personal protection gear and allows them to utilize the AFRRCS radio system.

Since the recommendations of the Lazenby Inquiry were released, the Solicitor General created legislation that makes it a requirement that CPOs have a form of communication and monitoring process. If the staff were to remain as a municipal bylaw officers without any appointment, there is no requirement for any communication component, however the officers are still placed into situations that could have potential dangers. The service that the Lacombe Police Service is providing that monitors and communicates with multiple municipal organizations, allows our staff to benefit and participate with the same ability and accesses as other CPO officers, yet are able to focus on what Council sets as priority. This is particularly important as the officers work alone for 50% of their time.

## **Bylaw Reviews**

Bylaws are the tools that guide the officers to educate and enforce as required. Over time, as each bylaw ages, interpretation will change due to language evolving, staff turnover, or new formats and circumstances that make a bylaw obsolete. Over the last two years, Administration has updated the Dog Control Bylaw to the Responsible Animal Ownership Bylaw

# REQUEST FOR COUNCIL DECISION



#469 and combined the Nuisance Bylaw and the old Community Standards Bylaw to the new Community Standards Bylaw #468.

As the officers work within the confines of the City's bylaws, there have been suggested changes and requests that more of the bylaws be updated. To support the tools that Bylaw Enforcement Services require, Administration recommends new drafts of the following bylaws are brought to Council over the next 12 to 18 months:

- [Bylaw Enforcement Officer Bylaw #72](#)
- [Traffic Bylaw #223](#)
- [Business License Bylaw #381](#)
- [Taxi Bylaw #178](#)
- [The Parks and Facilities Bylaw #253](#) (under review by Parks and Recreation departments)
- [Utilities Bylaw #383](#) (under review by the Planning and Operations departments)

## Legislative Authority

- City of Lacombe Bylaw 72
- Municipal Government Act, R.S.A. 2000, Chapter M-26, section 555 and section 556
- Peace Officer Act, S.A. 2006, Chapter P-35

## STRATEGIC PLAN ALIGNMENT:

Similar to 2018, in consideration of staying at the current resource level, but customizing the hours to flex with the seasonal daylight hours to meet the community needs speaks favourably with Council's Strategic goal of 4.1.4 Fiscal Prudence (B) Review and Set Service Levels for programs and services that the City provides.

## PUBLIC ENGAGEMENT/COMMUNICATION STRATEGY:

Educating residents on pertinent bylaws will constantly be a top priority of Bylaw Enforcement Services. Throughout the year and depending on the issues at hand, social media and website updates, delivering of brochures and handouts, newspaper articles and radio spots will continue to be Bylaw Enforcement Services' means of communication to the general public.

## ALTERNATIVE MOTION(S):

1. THAT Council accepts this as information.

# REQUEST FOR COUNCIL DECISION



2. THAT Council direct administration to change the hours of Bylaw Enforcement Services to reflect the seasons which extends hours in the summer and shortens the hours in the winter.
3. THAT Council provide direction as they deem appropriate.

**ATTACHMENTS:**

Suggested schedule changes

# REQUEST FOR COUNCIL DECISION



**SUBJECT:** 2<sup>nd</sup> and 3<sup>rd</sup> Reading of Bylaw 400.24 – Proposed Amendments to the Land Use Bylaw  
**PREPARED BY:** Craig Teal, RPP MCIP  
**PRESENTED BY:** Jordan Thompson, Director of Operations and Planning  
**DATE:** February 24<sup>th</sup>, 2020

FILE: 61.201.24 (19)

## **PURPOSE:**

To present Bylaw 400.24 and proposed amendments to Bylaw 400.24 to Council for their consideration.

## **RECOMMENDED MOTION(S):**

1. THAT Council amend Bylaw 400.24 by
  - a. replacing “30 day period” with “60 day period” in item 1 j);
  - b. replacing item 1 r) with the following:  
“8.1.9 a) is replaced with the following:  
Provided that there is a landscaping strip on one side of the residential front driveway, the minimum distance between driveways serving single detached units, semi-detached or duplex dwelling units, or any form of multi-unit residential other than an apartment building may be nil.”
  - c. adding “Up to 50% of the total number of suites allowed per block may be pre-approved in an approved Outline Plan” as the last sentence in item 1 y); and
  - d. deleting item 1 aa)
2. THAT Council give second reading to Bylaw 400.24 as amended
3. THAT Council give third reading to Bylaw 400.24 as amended.

## **RELATED PRIOR MOTION(S):**

1. THAT Council give first reading to Bylaw 400.24 as presented.
2. THAT Council schedule a public hearing for Bylaw 400.24 to be held at 5:30PM on Monday, February 24, 2020.

## **EXECUTIVE SUMMARY:**

Administration prepared Bylaw 400.24 for Council’s consideration. This bylaw proposes amendments to the Land Use Bylaw (LUB) which:

- Increases the side yard setback for residential development within Downtown Area Redevelopment Plan (DARP), to 2m to support more sensitive infill development,
- Creates a DARP overlay for the Central Residential District,
- Allows the City’s Development Officers to consider variances up to 15%,

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- Allows R1 and R-L1 property owners to develop larger accessory buildings

Following first reading of Bylaw 400.24, Administration received additional feedback on the contents of Bylaw 400.24. Administration is recommending changes to Bylaw 400.24 as part of Council's consideration for second and third reading.

## ANALYSIS:

### **Background Information:**

Council's 2019-2022 Strategic Plan includes two goals which pertain to local land development regulation: [4.1.1B](#), [4.1.2A \(1\)](#). Since the adoption of the Strategic Plan, Administration has been documenting feedback heard from Council, permit applicants and developers in order to have a clear understanding of where improvements to local land development regulation is most desired. In the process, staff also underwent a detailed review of the current [Land Use Bylaw \(LUB 400\)](#).

The proposed bylaw includes the amendments that were previously presented to Council on May 6, 2019 but were excluded from 400.23 because Council indicated they either require additional information or further discussion. Additional amendments are also being brought forward based on administration recommendations. **The following timeline summarizes the review process for the proposed bylaw to date:**

<b>Milestone</b>	<b>Date</b>
Public Open House	August 22, 2019
First Reading of Bylaw 400.24	December 9, 2019
Workshop #1: proposed amendments related to residential development, and the Downtown Area Redevelopment Plan	January 13, 2020
Workshop #2: proposed amendments related to commercial/industrial development and other proposed amendments	February 10, 2020
Public Hearing	February 24, 2020
Second/Third Reading of Bylaw 400.24	For consideration tonight.

References to existing land use districts are included throughout this report so Administration recommends the [Land Use District Map](#) be used as reference. The existing [Land Use Bylaw \(400\) \(LUB 400\)](#) is also an important reference document.

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## **Proposed Amendments – Bylaw 400.24**

The amendments are outlined based on different themes. Administration proposes a number of amendments that are grouped below into the following categories:

- Residential Development,
- Downtown Area Redevelopment Plan,
- Commercial and Industrial Development,
- Other Amendments

## **Residential Development Amendments**

The proposed residential amendments will provide opportunities for enhanced single family development. This will include changes to accessory building sizes in the R1 and R-L1 Districts and amendments to suite parking requirements. **NOTE: Administration is recommending additional changes to these provisions based on Council feedback. See Change #1-#4 on page 11 of this report.**

<b>Proposed</b>	<b>Rationale</b>	<b>Sections of the LUB</b>
<p>Temporary Buildings:</p> <p>Provide a provision to allow a temporary building to be placed on a residential site for a 30 day period.</p>	<p>This provision will support construction and renovation work being undertaken on residential properties throughout the community, by allowing temporary buildings (such as a construction site trailer, building or seacan) to be utilized for storage during the construction process. This clause is limited to projects that have been issued a permit.</p> <p>The Planning and Development Department will maintain a list of the approved, temporary buildings. This will include the dates for the placement and removal of the temporary building.</p> <p><b>NOTE: Administration is recommending additional changes to this provision based on Council feedback. See Change #1 on page 10 of this report.</b></p>	4.3.1 j) i)
<p>Enhanced Screening:</p> <p>Provide a provision that gives the Development Authority</p>	<p>This new clause will provide the Development Authority with the ability to require enhanced screening between multi-attached housing and a detached dwelling. This clause will be beneficial for infill developments which</p>	8.12.6 b)

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Proposed	Rationale	Sections of the LUB
<p>the ability to require enhancing screening for when a multi-unit residential building is built next to a detached dwelling.</p>	<p>result in a reduction to the privacy level currently enjoyed by the adjacent properties. Enhanced screening can be used to replace landscaping and fencing that is removed when a multi-attached housing development is constructed.</p>	
<p>Landscaping and Front Yard Parking:</p> <p>Establish a requirement for multi-unit residential front yard parking to soften the appearance of the parking area through a landscape buffer.</p>	<p>For front yard parking on multi-unit residential sites, a landscape buffer shall be placed between the parking stalls for each separate unit. Not only will this establish distinct parking for each residential unit, it will also establish a visual break that will enhance the appearance of front yard parking by softening the use of hardsurfacing.</p> <p><b>NOTE: Administration is recommending additional changes to this provision based on Council feedback. See Change #2 on page 10 of this report.</b></p>	<p>8.18.20 h)</p>
<p>Accessory Buildings on R-LI and large R1 lots:</p> <p>Provide increased flexibility for the size of accessory buildings on R-LI lots and R1 lots which are 1500m<sup>2</sup> or larger.</p>	<p>These new policies will exempt the R-LI (Residential Light Industrial) lots from the size restrictions (maximum building size and size ratio to the principal dwelling) placed on standard residential lots.</p> <p>The policy also addresses the unique nature of large R1 (Residential Detached) lots that have the size capacity to support accessory buildings with an increased footprint. This provision will enable R1 lots sized 1500m<sup>2</sup> or larger the ability to construct a larger accessory building due to an increased size ratio and increased maximum building size.</p> <p>The lots will still be subject to the parcel coverage standards which determine the percentage of a lot which can be utilized for accessory buildings.</p> <p>This clause will be beneficial by allowing the property owner to construct a single building that meets their needs, rather than constructing numerous smaller accessory buildings. It will also provide alternative</p>	<p>9.2.1 c)</p>

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Proposed	Rationale	Sections of the LUB
	development opportunities for heritage properties which contain single family dwellings.	
<p><b>Parking Design:</b></p> <p>The clause will encourage residential parking designs to be complementary to the existing neighbourhood.</p>	<p>This clause will be beneficial for infill developments since it promotes more sensitive infill development by directing new development to be more compatible with the established neighbourhood.</p> <p>This will help direct the placement of parking, by allowing the design of the new parking to be directly influenced by the design of existing parking. This includes determining whether parking should be located at the front of the property, at the rear of the property or shared between the front and rear.</p>	9.4.2 c)
<p><b>Garden and Secondary Suite Parking:</b></p> <p>Provide flexibility in the design of garden suites and secondary suite parking to support quality suite development. This includes the allowance of tandem-parking and flexible garden suite size for larger accessory buildings.</p>	<p>The proposed amendments will provide property owners with the flexibility to design garden suites that can meet the needs of different types of renters (eg. Single person households vs. ones with children).</p> <p>The amendments will allow garden suites to be sized based on the footprint of the accessory building rather than a prescribed, specific size and will also align suite parking requirements with residential parking standards.</p> <p>Garden suites provide an alternative form of multi-family housing that can be used to establish new residential rental units while maintaining the established single family dwelling streetscape. This style of redevelopment is of particular value in downtown Lacombe, where it provides a viable alternative to other forms of redevelopment (eg. Multi-attached housing).</p>	9.11.8 9.11.9 9.11.11 a), b) & c)

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<p>Pre-Identification of Garden and Secondary Suites:</p> <p>Provide options for developers to identify specific lots in which to locate garden suites and secondary suites.</p>	<p>The proposed amendment will enable pre-approval of units within an Outline Plan based on the suite allowances established in the Land Use Bylaw. It will enable these specific suites to be processed as permitted uses. The amendments will also establish an extended timeframe in which the pre-approval becomes void.</p> <p>Developers who chose to pre-select locations for the suites within their Outline Plan will be able to strategically select the best lots for this type of enhanced development and can be used as a marketing tool.</p> <p><b>NOTE: Administration is recommending additional changes to this provision based on Council feedback. See Change #3 on page 11 of this report.</b></p>	<p>9.11.17 9.11.18</p>
<p>R5 Lot Coverage:</p> <p>Decrease the maximum lot coverage allowed for the R5 (Residential Multi-Unit Dwelling) District from 75% to 65%</p>	<p>This amendment will help ensure that there is a distinct difference between the development intensity of the R5 and R6 Districts. The proposed amendment would establish the R5 District as allowing 65% lot coverage and having a maximum density of 80 dwelling units/ha. The R6 District will allow for more intense development with allowing 75% lot coverage and 180 dwelling units/ha.</p> <p>This would establish the following lot coverage (includes the principal building and accessory buildings) for residential land use districts that allow for multi-unit development:</p> <p>R2 – Residential Single &amp; Semi-Detached District: 55% R4 – Residential Mixed District: 55% R5 – Residential Multi-Unit Dwelling District: 65% R6 – Residential Apartment District: 75%</p> <p><b>NOTE: Administration is recommending additional changes to this provision based on Council feedback. See Change #4 on page 11 of this report.</b></p>	<p>9.18.2</p>

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## DARP Amendments

The DARP amendments include the establishment of the Central Residential District overlay, increasing residential side yard setbacks to 2m, and amendments that promote functional site design.

Proposed	Rationale	Sections of the LUB
Establishment of a Central Residential District Overlay.	<p>The area proposed for the new overlay currently lacks direction and regulation for infill development in a manner that is compatible with the scale and character of the existing area.</p> <p>The Overlay District includes new regulations on New Construction and Infill, Building Components, Building Façade and Building Materials, and Parking and Access.</p> <p>Due to the diverse styles of housing currently found within the Overlay, administration is not proposing that new construction be required to align with the historical architectural styles that are used in other Overlay Districts.</p>	14.3 14.4.16 Figure 14.1
<p>Side Yard Setback:</p> <p>Increase the minimum side yard setback for residential development to 2.0m in the DARP Residential Overlays.</p>	<p>The standard side yard setback for residential development is 1.5m. The proposed clause would establish the standard minimum side yard setback for residential development within the residential DARP overlays at 2.0m. The larger side yard setback will support more sensitive infill development, by ensuring development is more in line with traditional streetscape patterns.</p> <p>This proposed change will affect the following existing overlays:</p> <ul style="list-style-type: none"> <li>• Historic Residential District</li> <li>• Medium Density District</li> <li>• Mixed Use Transition District</li> <li>• Old Town Main Street District: Residential District</li> </ul>	14.4.10 b) iii) 14.4.11 b) iii) 14.4.12 e) ii) 14.4.14 d) iii) iv)

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<p><b>Design of Accessory Buildings:</b></p> <p>The change will enable accessory buildings to be complementary to the principal building rather than completely replicating the principal building.</p>	<p>The proposed change will provide the applicant and the Development Authority flexibility with designing an accessory building. While the design of the accessory building should be complementary to the principal building, it will allow the use of alternative materials to achieve a satisfactory result.</p> <p>For example, this change will also provide flexibility to applicants who are in the process of refinishing the principal building by allowing the accessory building to match the new finishing, rather than the existing finishing.</p> <p>This proposed change will affect the following existing overlays:</p> <ul style="list-style-type: none"> <li>• Historic Residential District</li> <li>• Old Town Main Street District: Mixed Use District</li> <li>• Old Town Main Street District: Residential District</li> </ul>	<p>14.4.10 d) iv) 14.4.13 i) iv) 14.4.14 e) iv)</p>
<p><b>Removal Additional Residential Landscaping Requirements:</b></p> <p>Proposed amendment would remove additional landscaping requirements for detached dwellings within the residential overlays that differ from the Land Use Bylaw Section 18.3.</p>	<p>This proposed amendment will eliminate the additional landscaping standards that are currently required for the development of all detached dwellings within the DARP overlays. This will ensure that all detached dwellings are developed with the same landscaping standards throughout the entire City.</p> <p>This proposed change will affect the following existing overlays:</p> <ul style="list-style-type: none"> <li>• Historic Residential District</li> <li>• Medium Density District</li> <li>• Mixed Use Transition District</li> <li>• Old Town Main Street District: Residential District</li> </ul>	<p>14.4.10 f) 14.4.11 g) 14.4.12 i) 14.4.14 f)</p>
<p><b>Parking Design Flexibility:</b></p> <p>The change will enable parking on infill projects to be accessible from the street, rather than completely from the lane.</p>	<p>This proposed amendment will provide flexibility in allowing parking to be provided on site from the street rather than be required to provide it from the lane. This change will enable the continued use of existing street accesses, enable developers to focus on functional site design that provides easy access from the parking stalls to the building entrances, and will</p>	<p>14.4.10 e) i &amp; ii 14.4.11 f) i 14.4.14 g) i &amp; ii</p>

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	<p>no longer direct all traffic to generated from the property to the lane.</p> <p>Loading and storage areas will continue to be located at the rear of the property and will require that the areas be screened from the public.</p> <p>This proposed change will affect the following existing overlays:</p> <ul style="list-style-type: none"> <li>• Historic Residential District</li> <li>• Medium Density Transition District</li> <li>• Old Town Main Street District: Residential District</li> </ul>	
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## **Commercial and Industrial Development Amendments**

The commercial and industrial amendments will require more user friendly site design though establishing increased front yard setbacks that will enable customer parking to be placed directly in front of a building.

<b>Proposed</b>	<b>Rationale</b>	<b>Sections of the LUB</b>
To provide downtown business owners the flexibility in choosing the placement of an allowable A-Board sign.	The amended clause provides business owners within Lacombe’s downtown with the flexibility to locate their sign, so long as they maintain safe and unrestricted pedestrian passage.	7.9.1 b)
Add Education Facility as a Discretionary Use in the C3 (Transitional Commercial) and UC (University Commercial) District.	By adding Education Facility as a Discretionary Use in this District, it provides flexibility to consider the use on a site by site basis.	10.15.1 10.18.1

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## Other Proposed Amendments

These miscellaneous amendments address a variety of items such as providing Development Officers with the authority to make decisions on variances up to 15% and establishing consistency between the different sections of the Land Use Bylaw.

<b>Proposed</b>	<b>Rationale</b>	<b>Sections of the LUB</b>
To provide Development Officers with the authority to make decisions on variances up to 15% and to enable them to serve as the Development Authority for discretionary use applications which did not receive concerns or objections from the public.	This proposed change will increase the Development Authority of the City's Development Officers, which will reduce the number of applications that are required to be brought forward to the Municipal Planning Commission for decision. This will streamline the development approval process and will shorten the approval time for certain development applications.	3.2.3 a), c), e) & f) 3.3.3 a), c), d), e) 4.8.1 a) and b) 4.8.2 4.8.7 4.9.1 b)

## Amendments to Bylaw 400.24 Recommended by Administration

Following first reading of Bylaw 400.24, Administration sought additional feedback from Council on each of the proposals contained in Bylaw 400.24. Based on this feedback, Administration is recommending changes to Bylaw 400.24. The recommended changes are outlined below.

### Change #1 (see Motion 1a):

The proposal to allow temporary buildings in support of construction or renovation work on a site is recommended to be adjusted to allow for 60 days initially with the ability to request an additional 30 days. This means amending item 1 j) in Bylaw 400.24 by replacing "30 day period" with "60 day period."

### Change #2 (see Motion 1b):

The proposal to require landscaping between parking stalls located in the front yard for multi-unit residential sites was further reviewed. Administration is of the view that the intent of the proposal (space for vegetation to break up a large paved area, space for snow) can be better addressed by applying the existing rules for front parking and driveways that apply to detached dwellings and duplexes. This means modifying Section 8.1.9 to add reference to multi-unit residential units that have front yard parking. Multi-unit residential in the form of an apartment

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building, which is more likely to use a large, single shared parking lot, would not be subject to the requirement for landscaping along a side of each parking stall. The proposed amendment is to replace item 1 r) with the following:

“8.1.9 a) is replaced with the following:

Provided that there is a landscaping strip on one side of the residential front driveway, the minimum distance between driveways serving single detached units, semi-detached or duplex dwelling units, or any form of multi-unit residential other than an apartment building may be nil.”

### Change #3 (see Motion 1c):

The proposal to allow a developer to Pre-Identify Garden and Secondary Suites to the maximum that would be allowed is recommended to be adjusted by limiting the number of “pre-identified” sites to half of the number that would be allowed per block. This means adding the following as the last sentence in item 1 y) in Bylaw 400.24: “Up to 50% of the total number of suites allowed per block may be pre-approved in an approved Outline Plan.”

### Change #4 (see Motion 1d):

The proposal to decrease the R5 Lot Coverage is recommended to be taken out. This means deleting item 1 aa) from Bylaw 400.24.

### **Service Level Impacts**

The proposed improvements will help clarify development requirements and should help streamline the development process for applicants.

### **Financial Implications**

The City paid for all postage costs and the newspaper advertisements.

### **Legislation Implications**

The Municipal Government Act gives the City of Lacombe authority to amend the City’s Land Use Bylaw.

### **STRATEGIC PLAN ALIGNMENT:**

Council’s consideration of the preliminary amendments described in this report speak **favourably** to the desired outcomes of Council’s Strategic Goal 4.1.1B: *The Municipal Development Plan Reflects the will of Council and the Community* and 4.1.2A(1): *The Land Use*

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*Bylaw ensures that the rezoning and subdivision of large lots is compatible with homes and businesses in the neighbourhood.*

## **PUBLIC ENGAGEMENT/COMMUNICATION STRATEGY:**

Administration hosted a Public Open House to allow residents and other interested parties to provide feedback on the proposed amendments. The Open House was hosted on Thursday, August 22, 2019 and included a session for the development community and another session for members of the public. Administration sent invitations to active developers/builders, local real estate agencies, the Lacombe & District Chamber of Commerce and other applicable individuals. Public advertisement was also undertaken and included advertisement in the Lacombe Express, Lacombe Globe, on Sunny94, on the City's Facebook Page and it was also included in the Utility Bill.

A Summary of the Open House has been prepared and is included as an attachment. The document includes the specific feedback collected through the comment sheets for each question asked. 13 individuals attended the Open House and 2 comment sheets were submitted.

The public hearing and Bylaw 400.24 were advertised in the February 13, 2020 and February 20, 2020 editions of the Lacombe Express. The same information was posted on the City's website. Members of the development community were emailed a notice of the public hearing and a copy of Bylaw 400.24.

**As of the date of preparing this RFD, no additional comments have been received.**

## **ALTERNATIVE MOTION(S):**

1. THAT Council table consideration of second reading of Bylaw 400.24 to a later date.
2. THAT Council direct Administration to make further amendments to Bylaw 400.24 prior to second reading.
3. THAT Council refuse second reading of Bylaw 400.24.
4. THAT Council table consideration of third reading of Bylaw 400.24 to a later date.
5. THAT Council direct Administration to make further amendments to Bylaw 400.24 prior to third reading.
6. THAT Council refuse third reading of Bylaw 400.24.

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## **ATTACHMENTS:**

- Bylaw 400.24
- Open House Summary
- Land Use Bylaw 400 – Draft Consolidated Document (Based on Bylaw 400.24 at First Reading)

# REQUEST FOR COUNCIL DECISION



**SUBJECT:** Bylaw 365.1 - Records Bylaw Amendment  
**PREPARED BY:** Tabatha Robbins-Deutsch, Records Management and FOIP Coord.  
**PRESENTED BY:** Diane Piché, Director of Corporate Services  
**DATE:** February 24, 2020

FILE: 12/113

## **PURPOSE:**

To provide Council with Bylaw 365.1, an amendment to Bylaw 365 - The Records Retention, Disposal and Release of Municipal Documents Bylaw.

## **RECOMMENDED MOTION(S):**

1. THAT Council give second reading to Bylaw 365.1.
2. THAT Council give third reading to Bylaw 365.1

## **RELATED PRIOR MOTION(S):**

1. February 10, 2020, motion 20-034; THAT Council approve first reading of Bylaw 365.1
2. September 13, 2010, motion 10-296, THAT Bylaw 365 be given third and final reading..

## **EXECUTIVE SUMMARY:**

Administration has prepared Bylaw 365.1 for Council's consideration. This bylaw proposes amendments to Bylaw 365 that updates the fee schedule for general information requests and the authority to maintain the retention schedule is delegated to the Chief Administrative Officer.

## **ANALYSIS:**

In 1995, the Town of Lacombe's Council passed Bylaw 212 "The Records Management By-Law". This was the first bylaw stating how long the municipality would retain records. In 2010, Bylaw 212 was repealed and replaced by Bylaw 365, "The Records Retention, Disposal and Release of Municipal Documents Bylaw". Bylaw 365 included a Records Retention Schedule as Schedule A, and a listing of related fees as Schedule B.

The City's retention schedule has not been reviewed since 2010 and is need of an update, as it does not include all the types of records that the City has in its custody and control. An update will take into consideration the ever-changing nature of technology, the shift from mostly paper based files to electronic files, legislation compliancy, and a streamlined process for updating the retention schedule.

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The fee schedule for general requests for information has also not been updated in many years. Bylaw 365.1 updates the fees to be in alignment with the Freedom of Information and Protection of Privacy Act section 95(b) and the Regulations Schedule 2.

The MGA section 214(2) states, “A council may pass a bylaw respecting the destruction of other records and documents of the municipality.”

Bylaw 365.1 amends Bylaw 365 to designate the establishment and maintenance of the City’s records retention schedule to the Chief Administrative Officer via an administrative directive. This will allow the maintenance of the retention schedule to be completed in a timely manner.

Due to the growth of the City’s electronic records, Administration has started the Records & Electronic Management System (REMI) project which was approved by Council in the 2020 Capital Budget on November 12, 2019. Amending Bylaw 365 to confirm that all types of records, including electronic, are included in the retention schedule will ensure that the City is meeting its legal obligations related to the retention and destruction of records. This is balanced with the need to efficiently dispose of records when they are no longer of any value to the city.

## **STRATEGIC PLAN ALIGNMENT:**

The proposed bylaw aligns **favourably** with the ‘Governance’ pillar and Strategic Goal 4.1.3: ‘Improved Reporting’ in the current 2018-2021 Strategic Plan.

Organizing the City’s records into categories through the retention schedule will ensure that information will be easier to search, create an inventory of information kept, and will assist the City in being more transparent. Aligning the fee schedule with the Freedom of Information and Protection of Privacy Act section 95(b) and the Regulations Schedule 2 will allow for the public to ask for general information without having to formally make a FOIP request and not be charged the higher fees.

## **PUBLIC ENGAGEMENT/COMMUNICATION STRATEGY:**

N/A

## **ALTERNATIVE MOTION(S):**

1. THAT Council give second reading to Bylaw 365.1.
2. THAT Council give third reading to Bylaw 365.1
3. THAT Council provides direction to administration as they see fit.

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## **ATTACHMENTS:**

1. DRAFT Bylaw 365.1
2. DRAFT Bylaw 365 consolidation