



# Town of Grimshaw Province of Alberta

## LAND USE BYLAW

Bylaw No. 1028

July 2000

(including Amendments to  
June 30, 2009)

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Prepared by the:  
**Mackenzie Municipal Services Agency**

BYLAW NO. 1028

TOWN OF Grimshaw  
LAND USE BYLAW

The Council of the Town of Grimshaw  
hereby enacts the Grimshaw Land Use  
Bylaw in accordance with the  
Municipal Government Act.

Effective Date: July 26, 2000

(Including Amendments to June 30, 2009)

# TOWN OF GRIMSHAW

## LAND USE BYLAW No. 1028

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**TOWN OF Grimshaw  
LAND USE BYLAW**

**No. 1028**

**PART 1:  
ADMINISTRATION**

# TOWN OF GRIMSHAW

## LAND USE BYLAW No. 1028

### PART 1: ADMINISTRATION

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#### DIVISION 1: GENERAL

##### SECTION 1: TITLE, PURPOSE AND APPLICATION

(1) Title of Bylaw:

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

(2) Purpose:

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

(3) Application of Bylaw:

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

##### SECTION 2: CONFORMITY WITH THIS BYLAW

(1) Conformity with Bylaw:

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

##### SECTION 3: SCHEDULE "C" DISTRICT MAP

- (1) The geographic area of the municipality of the Town of Grimshaw is hereby divided into districts listed in Section 50, and their boundaries are delineated on the map attached to and forming a part of this Bylaw, as Schedule "C".

**SECTION 4: DEFINITIONS**

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

**Bylaw 1054**

- (1) **"ACCESSORY BUILDING OR USE"** means a building or use that is subordinate to, exclusively devoted to, and located on the same site as the principal building or use. Where the structure is attached to a principal building on a site by a roof, an open or enclosed structure, a floor or foundation, or any structure below grade allowing for access between the building and the structure, it is considered part of the principal building.
- (2) "ACT" means the Province of Alberta Municipal Government Act.
- (3) "AMENITY AREA" means an area within the site which has been designed to serve as a useful area for passive or active recreation and may include patios, landscaped areas, balconies, recreation facilities or communal lounges.
- (4) "APARTMENT BUILDING" means a building designed and built to contain three or more separate dwelling units, each of which has an independent entrance either directly from outside the building or through a common vestibule. This definition includes buildings referred to as tri-plexes, four-plexes, six-plexes and the like.
- (5) "BED AND BREAKFAST ACCOMMODATION" means the use of a part of a residential dwelling for overnight accommodation, where breakfast is usually served as part of the accommodation service.
- (6) "BOARDING OR ROOMING HOUSE" means a building used for gain or profit (other than a hotel or motel) containing guest rooms for two or more persons where meals may or may not be served and in which the proprietor may supply accommodation for his family.
- (7) "BUFFER" means a row of trees, or shrubs, or berming to provide visual screening and separation between sites or districts.
- (8) "BUILDING" includes anything constructed or placed on, in, over, or under land but does not include a highway or public roadway or a bridge forming part of a highway or public roadway.
- (9) "BUILDING HEIGHT" means the vertical distance between grade and the highest point of a building that is not: a roof, stairway entrance, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, a firewall or a parapet wall and a flagpole or similar device not structurally essential to the building.

- (10) "BUILDING PERMIT" means a written approval by the appropriate authority which states that a building conforms to the provisions of the Province of Alberta Safety Codes Act.
- (11) "CARPORT" means a building, designed and used for the storage of not more than four private motor vehicles, consisting of a roof supported on posts or columns and not enclosed on more than two sides whether separate from or attached to the principal building on a site.
- (12) "CHILD CARE FACILITY" means a facility licensed by the Provincial Government to provide daytime personal care and education to more than seven (7) children, but does not include overnight accommodation. Typical uses include day care centres, play schools, kindergartens, nursery schools and after-school programs.
- (13) "CONDOMINIUM-TYPE OWNERSHIP" means a form of property ownership that, in the case of the Town of Grimshaw, means a structure with multiple residential units involving areas of common property ownership that is registered in accordance to The Condominium Property Act.
- (14) "CONSTRUCT" means to build, reconstruct, or relocate, and without limiting the generality of the word, also includes:
- (a) any preliminary operation such as excavation, filling or draining;
  - (b) altering an existing building or structure by an addition, enlargement, extension or other structural change; and
- (15) "CORNER LOT" means a lot at the intersection of two abutting streets.
- (16) "COUNCIL" means the Council of the Town of Grimshaw.
- (17) "DECK" means a recreational area that is constructed and attached to the principal building on the site, at ground level or elevated, that may be open or closed in terms of the design of its construction.
- (18) "DERELICT VEHICLE" means a vehicle abandoned by its owner.
- (19) "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.
- (20) "DEVELOPMENT APPEAL BOARD" means a development appeal board established pursuant to the Act and by council through the adoption of a bylaw.
- (21) "DEVELOPMENT OFFICER" means:
- (a) the person appointed by a resolution of council to the office established by Section 5 of this bylaw, or
  - (b) where a Town of Grimshaw Planning Committee is authorized to act as a development officer, the Town of Grimshaw Planning Committee, or
  - (c) where a Town of Grimshaw Planning Committee is authorized to act as a development officer in addition to a person appointed as a development officer, either or both of them.
- (22) "DEVELOPMENT PERMIT" means a document authorizing a development pursuant to this Bylaw.
- (23) "DISCRETIONARY USE" means the use of land or a building which is listed in the column captioned "Discretionary Uses" under land use districts contained in this Bylaw for which a development permit may or may not be issued upon an application having been made.
- (24) "DUPLEX" means a structure containing two dwelling units, each of which is totally separated from the other by a party wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, each of which has an independent entrance. A duplex can be located on either one or two lots.
- (25) "DWELLING GROUP" means three or more dwelling units located on a site or a number of adjoining sites where all buildings, recreational areas, vehicular areas, landscaping and all other features have been planned as an integrated development and where each dwelling unit has a separate principal entrance accessible directly from ground level.

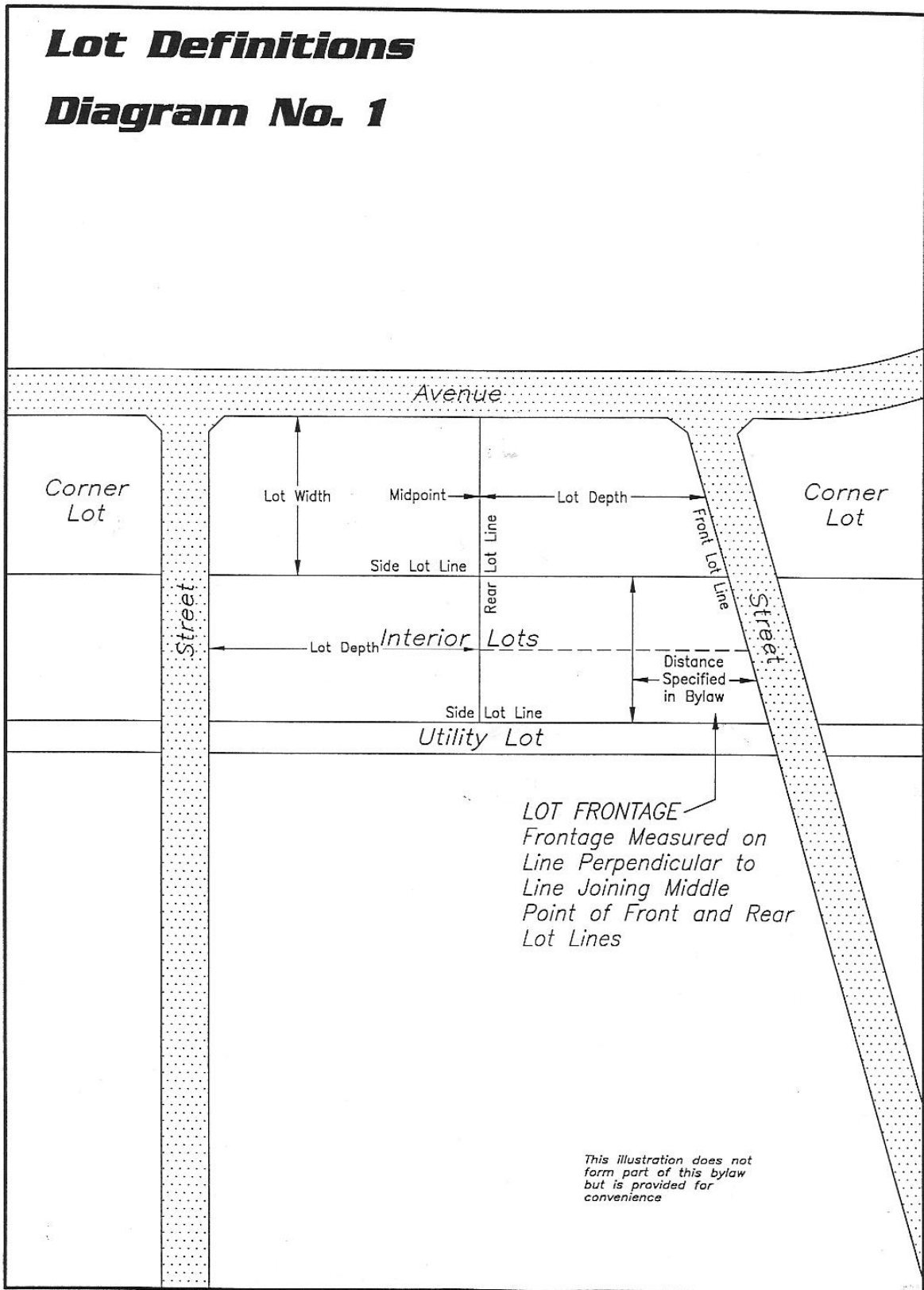
- (26) "DWELLING UNIT" means self-contained rooms designed or used exclusively as the living quarters (construed as including sleeping, cooking and toilet facilities) for one family, and with an independent entrance either directly from outside a building or through a common hallway inside a building.
- (27) "FLOOR AREA" means the total of the floor areas of every room and passageway contained in a building (using the outside dimensions of the building) but not including the floor areas of basements, attached garages, sheds, open porches or breezeways.

**Bylaw 1040**

- (27A) "GAMING ESTABLISHMENT" means a facility for patrons to participate in gaming opportunities as the principal use.**

**Bylaw 1054**

- (28) **"GARAGE" means an accessory building designed and used primarily for the storage of non-commercial motor vehicles, but does not include a portable garage or any similar structure that does not meet the Alberta Building Code.**
- (29) "GARDEN SUITE" means a temporary dwelling unit being an additional residence on a parcel of land on which there is already a principal residence. The unit is intended to house one or two elderly people that require support and that have a parental relationship to the occupants of the principal residence.
- (30) "GRADE" means the average finished elevation of the ground at the corners of the property.
- (31) "GROUP HOME" means a facility which provides special care for individuals that are handicapped; aged; disabled; or in need of adult supervision in accordance with their individual needs and are licensed, if necessary, by the Provincial authority having jurisdiction over the group home's activities.
- (32) "HARD-SURFACE" means a durable, all weather surface constructed of concrete, asphalt or other similar materials.
- (33) "HOME-BASED BUSINESS" means the use of a building or a site which is secondary to the principal residential use of the building or the site for the purpose of operating a home-based business.
- (34) "HOTEL" means a building designed for the accommodation of the travelling or vacationing public containing guest rooms served by a common entrance as well as general kitchen and dining or other public rooms.



- (35) "INDUSTRIAL CAMP" means a self contained residential complex used to house workers for industrial camps, contracting firms etc. on a temporary basis away from their permanent place of residence. An industrial camp is usually made up of a number of mobile units which provide sleeping, eating, recreational and other basic living facilities, constructed so that they may be dismantled and moved from the site.
- (36) "LANE" means a public roadway, not exceeding thirty (30) feet (9.1 metres) in right-of-way width, which provides a secondary means of access to a site or sites.
- (37) "LOADING SPACE" means a space for parking a commercial vehicle while being loaded or unloaded.
- (38) "LOT" means:
- (a) a quarter section.
  - (b) a river lot or settlement lot shown on an official plan referred to in The Surveys Act that is filed or lodged in a land titles office.
  - (c) a part of a parcel where the boundaries of the part are separately described in a certificate of title other than by reference to a legal subdivision, or
  - (d) a part of a parcel where the boundaries of the part are described in a certificate of title by reference to a plan of subdivision.
- (39) "LOT CORNER" means a lot located at the intersection or junction of two or more streets.
- (40) "LOT COVERAGE" means that percentage of the area of any lot which is covered by all buildings on the lot excluding balconies, canopies and the like.
- (41) "LOT DEPTH" means the length of a straight line joining the middle of the front lot line with the middle of the rear lot line.
- (42) "LOT LINE" means a legally defined limit of any lot.
- (43) "LOT LINE, FRONT" means the boundary dividing the lot from an abutting street. In the case of a corner lot, the front lot line shall be determined by the Development Officer.
- (44) "LOT LINE, REAR" means the lot line of a lot which is directly opposite to the front lot line.

- (45) "LOT LINE, SIDE" means any lot line other than a front or rear lot line.
- (46) "LOT, THROUGH" means any lot other than a corner lot having access on two abutting streets.
- (47) "LOT WIDTH" means the horizontal measurement between the side lot lines measured at a point fifty (50) feet perpendicularly distant from the front lot line.
- (48) "MOBILE HOME (MANUFACTURED HOME) (SINGLE WIDE)" means a compact and transportable detached dwelling unit which can be transported after fabrication on a trailer, detached wheels or its own wheels, is designed to be towed in a single load and to be used with or without a permanent foundation as a dwelling when connected to indicated utilities. The term mobile home (manufactured home) as used here does not apply to multiple sectional mobile homes (manufactured homes) (double wides) but does apply to swing out and expandable room section mobile homes (manufactured homes).
- (49) "MOBILE HOME (MANUFACTURED HOME) (DOUBLE WIDE)" means a mobile home (manufactured home) composed of two sections, separately towable, but designed to be joined together into one integral unit at the site.
- (50) "MOBILE HOME (MANUFACTURED HOME) PAD" means that portion on an individual mobile home (manufactured home) park lot within a mobile home (manufactured home) park which has been reserved for the placement of the mobile home (manufactured home), appurtenant structure or additions.
- (51) "MOBILE HOME (MANUFACTURED HOME) PARK" means a parcel under single ownership which has been designed for the placement of mobile homes (manufactured homes) on mobile home (manufactured home) park lots for non-transient use.
- (52) "MOBILE HOME (MANUFACTURED HOME) PARK LOT" means that leasable or rentable portion of land within a mobile home (manufactured home) park which has been reserved for the placement of a mobile home (manufactured home).
- (53) "MOBILE HOME (MANUFACTURED HOME) SUBDIVISION" means a mobile home (manufactured home) development registered as a subdivision under freehold tenure, where the responsibility for maintaining services rests with the municipality.
- (54) "MODULAR APARTMENT" means a factory-fabricated, apartment unit, designed to be transported on a flat-bed truck and assembled on a permanent foundation of the building site and which meets the standards of the Alberta Uniform Building Code.

- (55) "MODULAR HOME" means a factory-fabricated, single-detached dwelling designed to be transported and assembled on a permanent foundation at the building site and meets the standards of the Alberta Safety Codes Act. A mobile home (manufactured home) shall not be considered to be a modular home for the purpose of this Bylaw.
- (56) "MOTEL" means a building or group of buildings designed for the accommodation of the travelling or vacationing public containing guest rooms, each of which has a separate entrance directly from outside the building. The motel units may be built on site or built in a factory and assembled on site.
- (57) "MOVED-IN BUILDING" means a building previously constructed and occupied on another site from any area that has, or is proposed to be, relocated to a site within the Town.
- (58) "Town of Grimshaw Planning Committee (T.G.P.C.)" means a Town of Grimshaw Planning Committee as established by Council by bylaw pursuant to the Municipal Government Act.
- (59) "NET ACRE" means an acre of land not including public roadway right-of-ways, utility lots or lanes.
- (60) "NON-CONFORMING BUILDING" means a building:
- (a) that is lawfully constructed or lawfully under construction at the date this land use bylaw or any amendment thereof affecting the building or land on which the building is situated becomes effective, and
  - (b) that on the date this land use bylaw or any amendment thereof becomes effective does not, or when constructed will not comply with this land use bylaw.
- (61) "NON-CONFORMING USE" means a lawful specific use:
- (a) being made of land or a building or intended to be made of a building lawfully under construction, at the date this land use bylaw or any amendment thereof affecting the land or building becomes effective, and
  - (b) that on the date this land use bylaw or any amendment thereof becomes effective does not, or when constructed will not comply with this land use bylaw.
- (62) "OFFICE" means a building where the administrative affairs of a business, public, or non-profit agency, or a professional service are conducted.

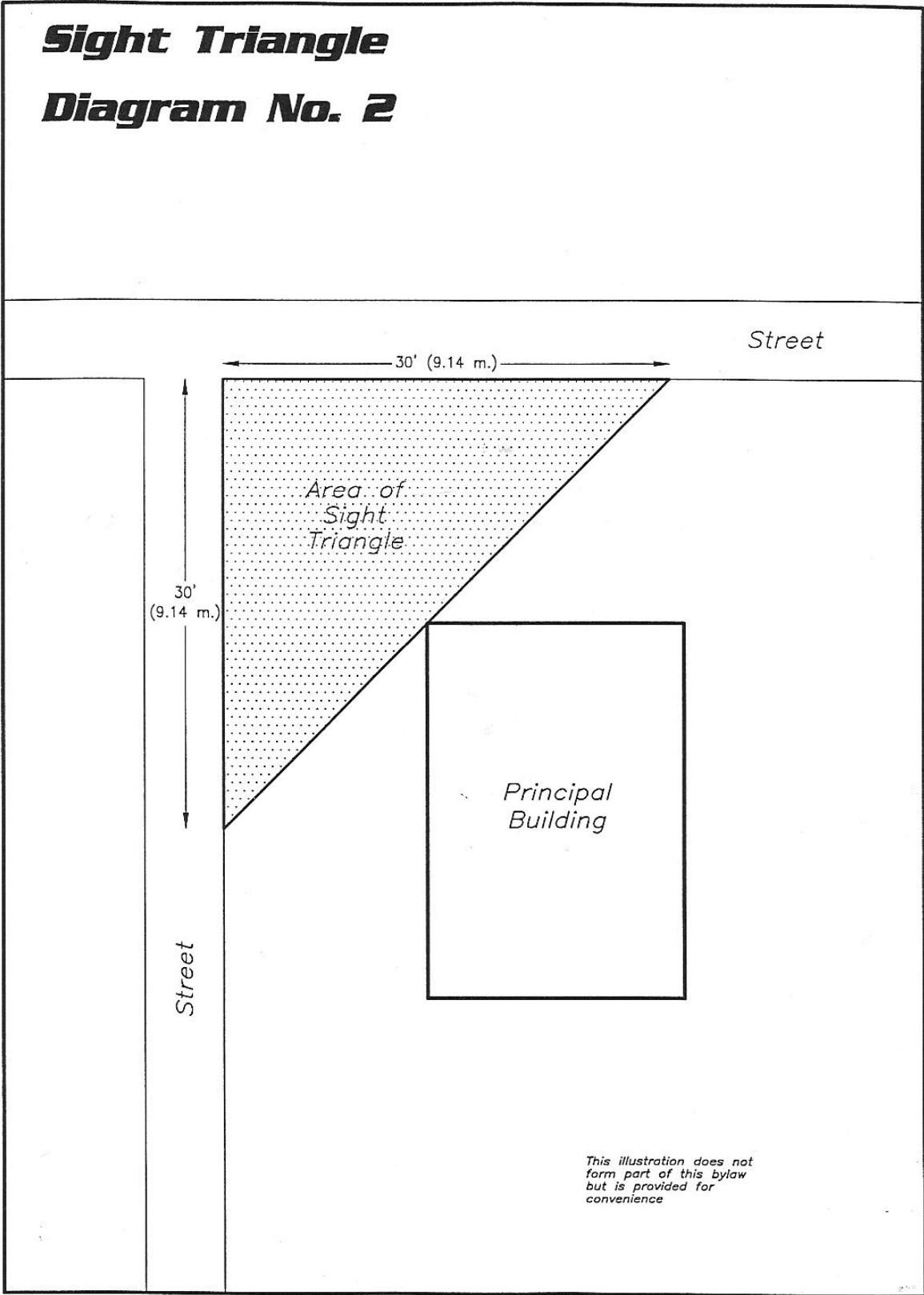
- (63) "OFFICIAL" means a duly appointed officer of the Town of Grimshaw.
- (64) "PARCEL OF LAND" means the area of land described in a certificate of title or, where there has been a subdivision, any lot or block shown on a plan of subdivision that has been registered in a land titles office.
- (65) "PARKING SPACE OR STALL" means a space set aside for and capable of being used for the parking of one motor vehicle as set out in this Bylaw.
- (66) "PATIO" means a paved or concrete recreational area near the principal building on the site, such as a dwelling unit.
- (67) "PERMITTED USE" means the use of land or of a building which is listed in the column captioned "Permitted Uses" for land use districts contained in the Bylaw for which a development permit shall be issued upon an application having conformed to the provisions of this Bylaw.

**Bylaw 1091**

- (68) **"PORTABLE GARAGE" means a non-permanent structure designed by virtue of easy assembly and dismantling, commercially constructed of metal or synthetic tube and fabric, plastic or similar materials, which may be located within all districts and shall meet all the requirements of the Alberta Building Code. For the purpose of this Bylaw, the term portable garage as used here shall not be considered to be an accessory building or use.**
- (69) "PORTABLE SIGN" means a sign mounted on an "A" frame or on a trailer, stand or similar support and which together with the support can be relocated to another location.
- (70) "PRINCIPAL BUILDING OR USE" means the main purpose for which a building or site is ordinarily used.
- (71) "PUBLIC ROADWAY" means any street, avenue, service roadway, residential collector roadway, lane, walkway or rural road as defined in the Public Highways Development Act, intended to be used by the public generally, but does not include a highway.

- (72) "PUBLIC USE" means a building, structure or lot used for public services by the Town of Grimshaw, by any local board or agency of the Town, by any department, commission or agency of any other municipal corporation or the Government of Alberta or Canada, by any railway company authorized under the Railway Act, or by any public utility.
- (73) "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 steam;
  - (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) gas;
  - (j) telephone; and
  - (k) waste management,
- and includes the thing that is provided for public consumption, benefit, convenience or use.
- (74) "RADIO TOWER" (or antenna) means a structure located on the roof of a residence or on a residential lot and which is used by private non-commercial operators to send or receive signals from other private non-commercial operators.
- (75) "RECREATIONAL VEHICLE" means a vehicular type unit designed as temporary living quarters for recreational, camping or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. It includes such vehicles as a travel trailer, a camping trailer, a truck camper, a motorhome, a tent trailer, but does not include a mobile home as defined in this Bylaw.
- (76) "RECREATIONAL VEHICLE PARK" means a lot or land upon which two or more recreational vehicle sites are located or maintained for temporary occupancy by recreational vehicles as temporary living quarters for recreation or vacation purposes.
- (77) "RECREATIONAL VEHICLE SITE" means a plot of ground within a recreational vehicle park intended for the accommodation of either a recreational vehicle, tent, or other individual camping unit on a temporary basis.

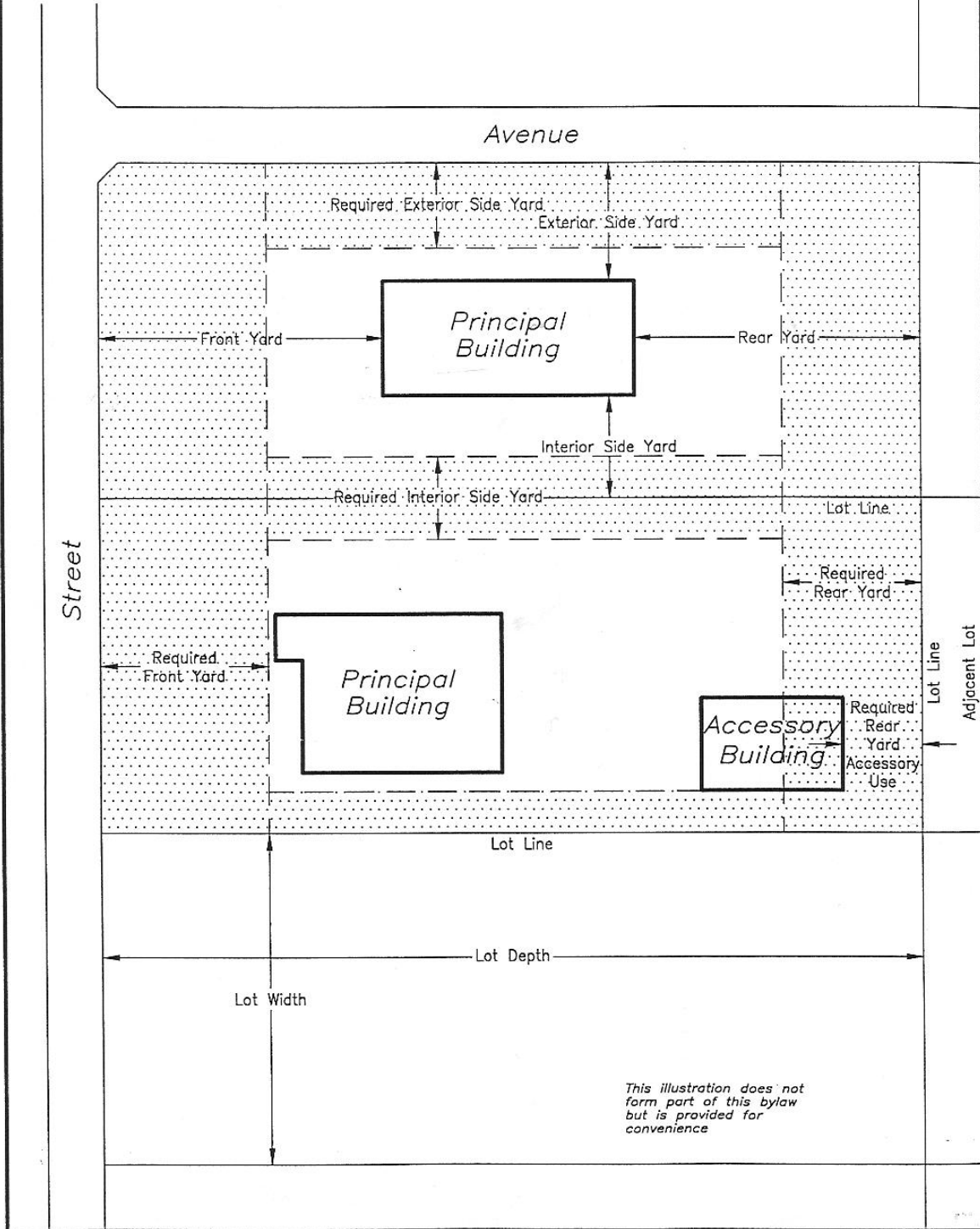
- (78) "RESTAURANT" means a business where the principal use is to offer food in a prepared state for sale to the public for immediate consumption either within the building, outside on the premises or elsewhere and without limiting its generality, includes a sit down restaurant, diner, café, eatery, cafeteria, take-out restaurant, fast food restaurant, doughnut shop, bake shop, or similar use and includes ancillary facilities such as a drive-through or outdoor patio facility.
- (79) "ROW DWELLING" means one of three or more dwelling units which are constructed in a row and divided vertically and each of which has a separate rear and front entrance.
- (80) "SATELLITE DISH OR ANTENNAE" means a combination of:
- (a) antennae or dish antennae whose purpose is to receive communication or other signals from orbiting satellites.
  - (b) a low noise amplifier which is situated at the focal point of the receiving component and whose purpose is to magnify and transfer signals.
  - (c) a coaxial cable whose purpose is to carry the signals into the interior of the building.
- (81) "SCREENING" means a fence, berm or hedge used to visually separate areas, uses and/or functions from a public roadway, highway or neighbouring land uses.
- Bylaw 1091**
- (81a) **"SECONDARY SUITE" means a second, self-contained dwelling unit that is located within a primary dwelling unit either above or below grade level. Further a secondary suite shall also constitute a proposed dwelling unit situated above a garage. Secondary suites shall meet the standards of the Alberta Building Code.**
- (82) "SEMI-DETACHED DWELLING" means a single-detached dwelling attached to one other single-detached dwelling by a common vertical wall, and each dwelling located on a separate lot. The semi-detached dwelling could also be considered one side of a duplex.
- (83) "SETBACK" means the distance between a structure and either a lot line, utility or road easement, another developed structure or the crest of a significant slope.



- (84) "SHOPPING CENTRE" means an architecturally unified group of retail and personal service establishments on a site planned, developed and managed as a single operation unit or group of owners or tenants and characterized by the sharing of common parking areas and driveways.
- (85) "SHOPPING MALL" means a group of commercial establishments enclosed in a climate controlled environment, developed and managed as a unit and located on a common parcel of land with off street parking provided on the site
- (86) "SIGHT TRIANGLE" means that triangle formed by a straight-line drawn between two points on the exterior boundaries of a corner lot, thirty (30) feet (9.1 metres) from the point where they intersect or for Residential Districts, fifteen (15) feet (4.6 metres).
- (87) "SIGNS" means anything that serves to indicate the presence or the existence of something, including but not limited to lettered board, a structure, or a trademark displayed, erected or otherwise developed and used or serving or intended to serve to identify, to advertise, or to give direction.
- (88) "SINGLE-DETACHED DWELLING" means a building containing one dwelling unit which is completely separated on all sides from any other dwelling or structure and, except as otherwise allowed by this Bylaw, used for no other purpose including basement suites.
- (89) "SITE" means a parcel, lot, or group of lots used for or proposed to be used for the undertaking of a single development.
- (90) "STOREY" means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost storey shall be that portion of a building included between the upper surface of the topmost floor and the ceiling above. If the finished floor level directly above is more than six (6) feet above such grade then the portion of the building below finished floor level shall be considered a storey in calculating the height of any building.
- (91) "SWIMMING POOL" means a structure containing water maintained or used for swimming purposes, whether constructed above or in the ground.

# Yard Definitions

## Diagram No. 3



- (92) "YARD" means a part of a lot upon or over which no building or structure other than a boundary fence is erected except for specifically permitted accessory buildings.
- (93) "YARD, EXTERIOR SIDE" means a side yard immediately adjoining a street.
- (94) "YARD, FRONT" means a yard extending across the full width of a lot and situated between the front lot line and the nearest portion of the principal building.
- (95) "YARD, INTERIOR SIDE" means a side yard other than an exterior side yard.
- (96) "YARD, REAR" means a yard extending across the full width of a lot and situated between the rear lot line and the nearest portion of the principal building.
- (97) "YARD, SIDE" means a yard extending from the front yard to the rear yard and situated between the side lot line and the nearest part of the principal building.
- (98) "YARD DEPTH, FRONT" means the least horizontal dimension between the front lot line of the lot and the nearest part of any building or structure.
- (99) "YARD DEPTH, REAR" means the least horizontal dimension between the rear lot line of the lot and the nearest part of the principal building.
- (100) "YARD WIDTH, SIDE" means the least horizontal dimension between the side lot line of the lot and the nearest part of the principal building.

## **DIVISION 2: ADMINISTRATIVE AGENCIES**

### **SECTION 5: DEVELOPMENT AUTHORITY**

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

### **SECTION 6: DEVELOPMENT OFFICER**

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

### **SECTION 7: DUTIES AND RESPONSIBILITIES OF THE DEVELOPMENT OFFICER**

- (1) In accordance with the Act, the Development Officer shall:
  - (a) receive, consider and decide upon applications for a development permit for "permitted uses";
  - (b) where deemed necessary by the Development Officer, applications for a development permit for a "permitted use" may be referred to the Town of Grimshaw Planning Committee;
  - (c) keep and maintain for public inspection during office hours, a copy of this Bylaw and all amendments and resolutions thereto;
  - (d) ensure that copies of this Bylaw including all amendments and resolutions thereto are available to the public at a reasonable cost; and
  - (e) keep a register of all applications for development permits including the decisions thereon and the reasons therefore, for a minimum period of seven (7) years.

- (2) In accordance with the Act, where a person applies for a development permit for a permitted use, the Development Officer shall, where the application otherwise conforms to this bylaw, issue a development permit. Where the use does not otherwise conform to the Bylaw, the Development Officer may approve the application subject to conditions necessary to ensure conformity.
- (3) In making a decision on an application for a use listed under the “Discretionary Uses” column in that District, the Development Officer may:
- (a) approve the application unconditionally, or
  - (b) approve the application and attach conditions dealing with all or any of the following:
    - (i) developers agreement
    - (ii) the construction, operation and maintenance of sewer and water facilities
    - (iii) the location of refuse disposal facilities
    - (iv) access for fire and police protection
    - (v) general access and circulation
    - (vi) provision for recreation areas
    - (vii) landscaping and other aesthetic considerations
    - (viii) building design and site layout
    - (ix) provision for parking facilities
    - (x) public safety
    - (xi) buffering, screening & fencing or any other appropriate planning condition
  - (c) refuse an application.
- (4) The Development Officer may decide upon an application for a development permit notwithstanding that the proposed development does not comply with this Bylaw, if, in the opinion of the Development Officer:
- (a) the proposed development would not:
    - (i) unduly interfere with the amenities of the neighbourhood; or
    - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
  - (b) the proposed development does not conflict with the use prescribed for that land or building in this Bylaw.

- (c) where the Development Officer is required to use his discretion when granting a variance of prescribed development standards, he may consult with the Town of Grimshaw Planning Committee or with the Town of Grimshaw Council prior to granting such a variance.

## SECTION 8: DEVELOPMENT APPEAL BOARD

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

- (1) Establishment of a Development Authority:

Pursuant to Section 624 of the Municipal Government Act, the authority to exercise development powers and duties under the Land Use Bylaw is vested in the Chief Administrative Officer, herein after referred to as the Development Officer, or any other person acting on behalf of the Development Officer.

- (2) Establishment of a Development Appeal Board:

- (a) Pursuant to Section 627 of the Municipal Government Act, the Development Appeal Board is hereby established.

- (b) The purpose of the Development Appeal Board is:

- (i) to hear and decide upon appeals against decisions with respect to development permits and stop orders issued by the Town of Grimshaw Development Officer, and to perform the duties assigned to the Development Appeal Board as set out in this Bylaw.

- (c) The Development Appeal Board shall consist of:

- (i) One Member of Council, and

- (ii) Four Members of the Public at Large who are electors living within the corporate limits of the Town of Grimshaw and shall be appointed by resolution of Council at the Annual Organizational Meeting of Council.

- (iii) A vacancy on the Development Appeal Board may be filled by resolution of Council at any time.

- (d) The quorum for a meeting of the Development Appeal Board shall be three members.

- (e) The Board shall elect a Chairman from among their members, and the Chairman shall retain the position until he or she resigns.

If the Chairman is absent from a Development Appeal Board Hearing, those present may elect an Acting Chairman prior to hearing an appeal.

- (f) The administrative co-ordinator of the Town of Grimshaw shall serve as Secretary to the Development Appeal Board. Duties include all administrative duties related to the Board, keeping a written record of the Board proceedings and preparing Board decisions in writing.
- (g) The procedure for filing, processing and making decisions is set out in Sections 678 and 687 of the Municipal Government Act.
- (h) Remuneration for the members of the Development Appeal Board shall be set by resolution of Council at the Annual Organizational Meeting of Council.

#### SECTION 9: THE MACKENZIE MUNICIPAL SERVICES AGENCY

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

#### SECTION 10: DEVELOPMENT PERMIT: PAYMENT OF TAXES

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

**SECTION 11: FORMS AND NOTICES**

- (1) For the purposes of administering the provisions of this Bylaw, Council, by resolution, may authorize the preparation and use of such forms or notices as in its discretion it may deem necessary. Such forms or notices contained in Schedule "A" are deemed to have the full force and effect of this Bylaw in execution of the purpose for which they were designed, authorized, and issued.
- (2) The forms and notices authorized by Council pursuant to this Bylaw may be posted, issued, served or delivered (in the course of his or her duties) by the Development Officer or an official of the municipality.

**DIVISION 3: DEVELOPMENT PERMITS**

**SECTION 12: DEVELOPMENT REQUIRING A PERMIT**

- (1) A development permit is required prior to the commencement of development as defined in the definition section of this Bylaw (Division 1, Section 4).
- (2) No development other than that designated in sub-section (4) hereto shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.
- (3) Except as provided for in sub-section (4), a development permit shall be required when the terms or conditions for a Building Permit do not conform with the Land Use Bylaw development provisions or amendments thereto.
- (4) Notwithstanding sub-section (1), a development permit is not required for the following developments but they shall otherwise comply with the provisions of this Bylaw:
  - (a) works of maintenance, repair or alterations, on a structure, both internal and external, if in the opinion of the Development Officer, such work:
    - (i) does not include structural alterations;
    - (ii) does not change the use or intensity of the use of the structure; and
    - (iii) is performed in accordance with obligatory legislation or other government regulations;

- (b) the completion of a building which was lawfully under construction, or for which a permit has been lawfully issued, at the date this Bylaw comes into full force and effect, provided that:
  - (i) the building is completed in accordance with the terms of any permit granted by the Municipality, subject to the conditions of that permit; and
  - (ii) the building, whether or not a permit was granted in respect of it, is completed within a period of twelve (12) months from the date this Bylaw comes into full force and effect;
- (c) the use of any building referred to in sub-section 4(b) for the purpose for which construction was commenced;
- (d) the completion, alteration, maintenance or repair of a public utility, undertaken upon a public thoroughfare or public utility easement, or undertaken to connect the same with any lawful use of buildings or land;
- (d) the construction, maintenance and repair of walkways, pathways, driveways and similar works;
- (e) the erection of a satellite dish or dish antenna or a radio tower;
- (f) the erection, construction, or the maintenance of gates, fences, walls, or other means of enclosure less than six feet (1.8 metres) in height where such enclosure does not extend beyond the foremost portion of the principal building on any lot and provided that the erection of such fence, wall or gate does not contravene any other provision of this Bylaw;
- (g) the erection or installation of machinery needed in connection with operations for which a Development Permit has been issued, for the period of those operations;
- (h) the use by the Municipality of land of which the Municipality is the legal or equitable owner for a purpose approved by a two-thirds majority vote of Council in connection with any public utility carried out by the Municipality;
- (i) the erection or construction of a single-detached dwelling or an accessory building or structure in a district in which it is listed as a "Permitted Use" when it complies with the provision of the Bylaw;
- (j) the use of a building or part thereof as a temporary polling station for a Federal, Provincial or Municipal election or referendum;

- (k) an official notice, sign, placard, or bulletin required to be displayed pursuant to the provision of Federal, Provincial or Municipal legislation;
- (l) one temporary, on-site sign which does not exceed twelve square feet (1.1 square metres) in area nor 4 feet (1.2 metres) in height and is intended for:
  - (i) advertising the sale or lease of a dwelling unit, or property for which a development permit has been issued for the development of said property; or
  - (ii) identifying a construction or demolition project for which a development permit has been issued for such a project; or
  - (iii) identifying a political campaign; such a sign may be displayed for 30 days prior to an election or referendum and must be removed within 7 days following the election or referendum; or
  - (iv) advertising a campaign drive which has been approved by Council: such a sign may be posted for a maximum period of fourteen (14) days and must be removed after the expiration of this time period.

## SECTION 13: APPLICATION FOR DEVELOPMENT PERMIT

- (1) An application for a development permit shall be made to the Development Officer in writing in the prescribed form, and shall be signed by the owner and his or her agent. The Development Officer may require the following information with the application:
  - (a) building plans, in duplicate, showing:
    - (i) floor plans;
    - (ii) elevations;
    - (iii) exterior finishing materials; and
    - (iv) any other information deemed necessary by the Development Officer and/or the Municipal Planning Committee.
  - (b) site plans, in duplicate, showing:
    - (i) the legal description and municipal address;
    - (ii) dimensions of the site;
    - (iii) utilities, site drainage, grade elevations, existing and finished lot grades, the grades of the streets and the location of proposed sewer and water lines;

- (iv) the height, dimensions, and relationship to property lines of all existing and proposed buildings and structures including retaining walls, trees, landscaping, other features and location of fencing if deemed necessary by the Development Officer; and
- (v) on applications for multiple-family, commercial, industrial, recreational and institutional uses:
  - loading and parking provisions,
  - access locations to and from the site,
  - garbage and storage areas and the fencing and screening proposed for same, and the
  - location and approximate dimensions of existing and proposed culverts and crossings.
- (c) the application fee for a Development Permit shall be established by a resolution of Council from time to time;
- (d) a statement of ownership of land and interest of the applicant therein;
- (e) the estimated commencement and completion dates; and
- (f) such additional information as the Development Officer may require.

## SECTION 14: ENVIRONMENTAL AUDITS

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

- (d) what remedial actions may be required to reduce the level of risk posed by a contaminated site to an acceptable level.

## SECTION 15: ENVIRONMENTAL IMPACT ASSESSMENT

In this section of the Bylaw:

**ENVIRONMENTAL IMPACT ASSESSMENT** means a comprehensive analysis to determine:

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

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

Town Council or the Development Officer may require an applicant to conduct an environmental impact assessment and submit a report as part of a development permit application, an application to amend this Bylaw, an application for subdivision or an application to adopt or amend a statutory plan.

The environmental impact assessment shall be conducted by qualified persons.

The environmental impact assessment report shall be referred to Alberta Environment for comment.

They may use the recommendations of the environmental impact assessment report as:

- (a) reasons for issuing or not issuing a development permit, with or without conditions;
- (b) reasons to amend or not amend this Bylaw;
- (c) as a basis for recommendations to the Subdivision Authority related to applications for subdivision; and
- (d) reasons to adopt or amend a statutory plan.
- (e) reasons to refuse to adopt or amend a statutory plan.

**SECTION 16: SUBDIVISION STANDARDS**

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

**SECTION 17 CONDITIONS OF A DEVELOPMENT PERMIT**

- (1) A Development Permit lapses and is automatically void if the development authorized is not commenced within twelve (12) months from the date of issuing the permit, or within such longer periods not exceeding three (3) months as may be approved by the Development Officer.
- (2) A development permit is automatically effective seventeen (17) days after its issuance unless an appeal is lodged with the Development Appeal Board.
- (3) When an appeal is made with respect to a development permit approved by the Development Officer, the development permit which has been issued shall not come into effect until the appeal has been determined, at which time the permit may be modified or nullified thereby.
- (4) When an application for a development permit has been refused pursuant to this Bylaw or ultimately after appeal, the submission of another application for a development permit on the same parcel of land and for a similar use of the land by the same or another applicant may not be accepted by the Development Officer for at least six (6) months after the date of the refusal.
- (5) Notwithstanding sub-section (4), the Development Officer may receive an application for a development permit within the said six (6) month period if, in his discretion, the situation warrants a relaxation of this provision.

**SECTION 18: DEVELOPMENT PERMIT: CONDITIONS**

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

- (5) The Development Officer and/or the Town of Grimshaw Planning Committee may, as a condition of issuing a development permit, require that an applicant enter into an agreement which shall be attached to and form part of such permit, to pay an off-site levy or redevelopment levy or both, imposed by bylaw adopted pursuant to the Act.
- (6) The Development Officer may require an agreement entered into pursuant to sub-section (4) and (5) of this section of this bylaw to be caveated against the title to the site at the Land Titles Office.
- (7) When, in the opinion of the Development Officer, insufficient details of the proposed development have been provided by the application for a development permit, the Development Officer may return the application to the applicant for further details. The application so returned shall be deemed not to have been in its complete and final form until all required details have been submitted to the satisfaction of the Development Officer.
- (8) The Development Officer shall consider and decide on the development permits within forty (40) days of receipt of the application in its complete and final form.
- (9) Notwithstanding subsection (8), the application shall, at the option of the applicant, be deemed refused when a decision is not made within forty (40) days of the receipt of the application in its complete and final form.
- (10) Whenever, in the opinion of the Development Officer, satisfactory arrangements have not been made by a developer for the supply of water, electrical power, sewage and street access, or any of them, including payment of the costs of installation or construction, the Development Officer shall refuse to issue a development permit.
- (11) The Development Officer may require an application to be referred to the Mackenzie Municipal Services Agency or any other agency in order to receive qualified comment or advice.
- (12) Notwithstanding any specific provisions and standards set out in this Bylaw, the Development Officer may establish a more stringent standard for discretionary uses when it is deemed necessary to do so.

**SECTION 19: DEVELOPMENT PERMIT: NOTIFICATION**

- (1) When an application for a development permit is approved for a "permitted use" in a residential district, an official of the Municipality shall:
  - (a) post a notice of the decision conspicuously on the property for which the application has been made; and
  - (b) post a notice of the decision in the Town Office.
- (2) When an application for a development permit is approved for a "permitted use" in a non-residential district or when an application for a development permit is approved for a "discretionary use" under any district, an official of the Municipality shall:
  - (a) post a notice of the decision conspicuously on the property for which the application has been made; and
  - (b) post a notice of the decision in the Town Office; and
  - (c) publish a notice in one issue of a newspaper circulating in the Town of Grimshaw stating the location of the property for which the application has been made and the development permit approved.
- (3) When an application for a development permit is refused, an official of the Municipality shall immediately mail a notice of decision, in writing, to the applicant or his or her agent stating the reasons for refusal and shall immediately publish a notice in one issue of a newspaper circulating in the Town of Grimshaw respecting the decision of refusal by the Development Officer.
- (4) For the purposes of this Bylaw, notice of the decision of the Development Officer is deemed to have been given on the day when Notice of Decision has been published in a newspaper, and/or posted on the site, and/or received by the affected property owners, and upon a decision of refusal, received by the applicant.

**TOWN OF Grimshaw  
LAND USE BYLAW**

**No. 1028**

**PART 2:  
LAND USE PROVISIONS**

# TOWN OF GRIMSHAW

## LAND USE BYLAW No. 1028

### PART 2: LAND USE PROVISIONS

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#### DIVISION 1: GENERAL LAND USE PROVISIONS

##### SECTION 20: ACCESSORY BUILDINGS (INCLUDING GARAGES)

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

Bylaw 1091

Bylaw 1057

# Setback Requirements For Garages

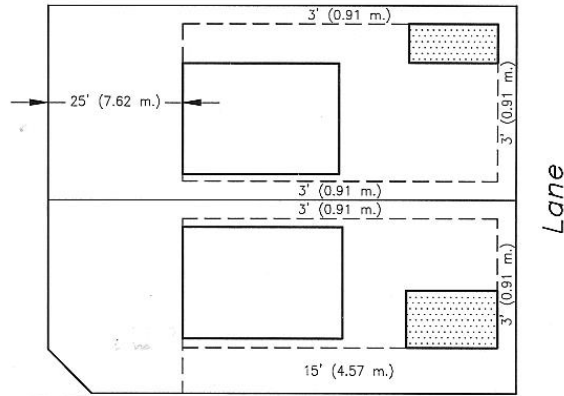
## Diagram No. 4

Note: in laneless subdivision no rear yard setback is required

This illustration does not form part of this bylaw but is provided for convenience

Internal Lot

Corner Lot



### EXAMPLES

Street

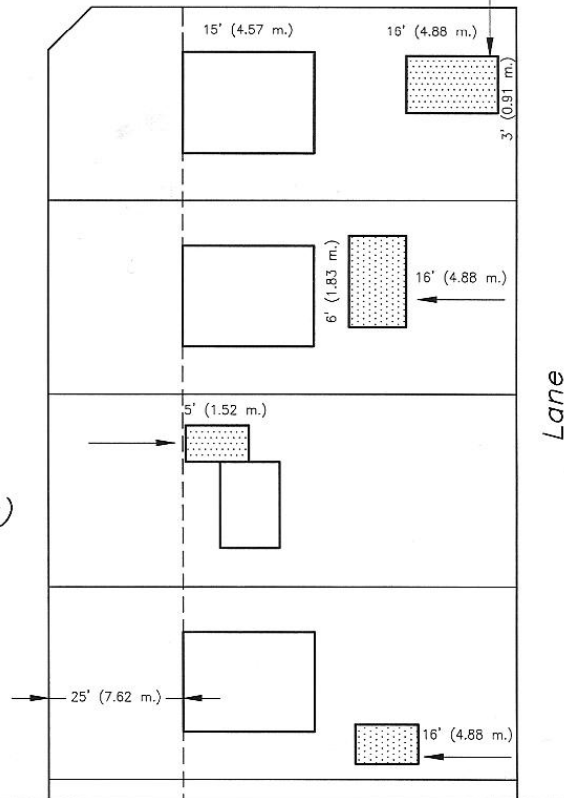
No Detached Garages Permitted in Front Yard or Exterior Yard in R-1 and R-2 Districts

Corner Lots:  
Direct Access to Street

Internal Lots:  
Direct Access to Lane

Direct Access to Street  
(part of principal dwelling)

Indirect Access to Lane  
(mutual wall—no side yard Required)



**Bylaw 1091**

**(a) Notwithstanding subsection (6), when a secondary suite is located above a garage the maximum height shall not exceed 24 feet (7.31 meters) from top of gable to average grade.**

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

**SECTION 21: SITE DIMENSIONS**

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

**SECTION 22: SITE COVERAGE**

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

**SECTION 23: FRONT, SIDE AND REAR YARD SETBACKS**

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

**SECTION 24: PROJECTIONS INTO YARDS**

- (1) The following features may project into a required yard in any district permitting residential uses:
  - (a) Verandas, porches, eaves, shade projections, bay windows, chimneys, sills, balconies, unenclosed steps not more than three (3) feet (0.9 metres) above ground level, and any other architectural features, which in the opinion of the Development Officer are of similar nature, providing such projections do not exceed three (3) feet (0.9 metres) cumulatively totalled.
  - (b) Balconies and exterior fire escapes, provided such projections do not exceed four (4) feet (1.2 metres).
  - (c) An open, hard surfaced, uncovered terrace or patio in any yard in a residential district if such terrace or patio is unenclosed except by a guard rail or parapet wall which does not exceed the height permissible for a fence in the same location. The provision of an awning or similar temporary covering for a terrace or patio shall be permitted.

- (2) Notwithstanding the above, no feature may project into a sight triangle.

#### SECTION 25: RESTRICTIONS ON CORNER SITES

- (1) On any corner site, except in the Primary Commercial District, no building, structure, fence, hedge or other visual barrier over three (3) feet (0.9 metres) shall be allowed within the area defined as a sight triangle.
- (2) A sight triangle means that triangle formed by a straight line drawn between two points on the exterior boundaries of the said site 30 feet (9.14 metres) from the point where they intersect, or for residential districts, fifteen (15) feet (4.6 metres).
- (3) Notwithstanding Section 25(1), in the Secondary Commercial District the Development Officer may allow a building, structure, fence, hedge or other visual barrier to be developed with the area defined as a sight triangle where such development will not interfere with the safe movement of traffic.
- (4) On any corner site, no finished grade shall exceed the general elevation of the street line by more than two (2) feet (0.6 metres) within the area defined as a sight triangle.

#### SECTION 26: HEIGHT OF BUILDINGS

No building shall be erected to a greater height than the maximum height prescribed for buildings in the district in which the building is proposed to be located.

No building or structure shall be erected unless it conforms to the height restrictions imposed by the "Minimum Requirements for Airports" regulations.

#### SECTION 27: HOME-BASED BUSINESS

- (1) Home-based businesses are limited to those uses which are approved by the Development Officer for the dwelling unit or accessory building supplementary to the principal residential use.
- (2) A home-based business shall conform to the following provisions:
  - (a) There shall be no outside storage of materials, commodities or finished products;

- (b) be operated as a secondary use only, and shall not change the character or external appearance of the dwelling involved, unless approved by the Development Officer;
  - (c) consist of the residents of the dwelling, and may include one other person who is not a resident of the dwelling employed in the business;
  - (d) not involve the parking or maintenance of more than one commercial vehicle or about the site; and
  - (e) become null and void where upon the home-based business experiences a change of ownership or address.
- (3) The signage for advertising home-based businesses shall:
- (a) consist of a single sign;
  - (b) be flatly attached to the residence;
  - (c) be no greater than two (2) feet by two (2) feet in area or 60 cm by 60 cm.
- (4) Development permit requirements for home-based businesses:
- (a) All development permits used for a home-based business under the authority of this Bylaw be reviewed by the Development Officer, notwithstanding any other section of this Bylaw, based on the following criteria:
    - (i) building conditions;
    - (ii) the compatibility of the proposed business to neighbourhood and adjacent properties;
    - (iii) the proposed location within the Town;
    - (iv) the aesthetics of the receiving neighbourhood;
    - (v) the compatibility of the proposed dwelling unit with the proposed future development of the area; and
    - (vi) other planning considerations.
  - (b) The Development Officer shall not issue a permit for a home-based business which would:
    - (i) unduly interfere with the amenities of the neighbourhood;

- (ii) materially interfere with or affect the use or enjoyment of neighbouring properties;
  - (iii) cause or create traffic noise, dust, smell, smoke or vehicular traffic, in excess of that which is characteristic of the area in which it is located; or
  - (iv) be more suitably located in a Commercial or Industrial District.
- (5) A development permit for a home-based business, when approved, shall be issued for a period of one year.
- (6) All development permits issued for home-based businesses shall be subject to the condition that the development permit may be revoked at any time, if, in the opinion of the Development Officer, the use is or has become detrimental to the amenities of the neighbourhood.

#### SECTION 28: ILLUMINATION

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

#### SECTION 29: INDUSTRIAL STANDARDS

- (1) Any industrial operation including production, processing, cleaning, testing, repair, storage or distribution of any material shall conform to this section of the Bylaw. The Development Officer may consult with the Public Health Officer, Alberta Environmental Protection, Alberta Labour - General Safety Services Division, or any other qualified consultant prior to making a decision on an application for a Development Permit.
- (2) Obvious toxic or noxious materials or dust or ash shall not be released or permitted to escape to the atmosphere at such a rate as to interfere with the use and enjoyment of property or to endanger the health or safety of the public.
- (3) No industrial operation shall be carried out which would result in the projection of glare or heat onto adjacent properties.

- (4) Waste products shall not be discharged into any sewer or private sewage disposal system if the nature of such waste products, or the manner of their discharge, would exceed the design standards for the sewer or sewage disposal system.
- (5) The location of bulk storage facilities for liquified petroleum gases and anhydrous ammonia shall conform to the following:
  - (a) All provincial regulations regarding the location of such facilities on a site.
  - (b) The slope of any parcel upon which dangerous chemicals are stored shall not be such that drainage of the chemicals onto adjacent properties may occur.

### SECTION 30: LANDSCAPING AND SCREENING

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

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

- (1) No person shall allow:
  - (a) a commercial vehicle with a gross vehicle weight (G.V.W.) rating in excess of 9000 pounds to remain on a site or street in a residential district for longer than is reasonably necessary to load or unload the vehicle, and/or
  - (b) an unlicensed, dismantled or derelict vehicle to remain on a site or a street in a residential district for more than fourteen (14) days, and/or
  - (c) any excavation, building, or storage of material upon a site during the construction stage of any development unless all safety requirements are complied with and the owner and developer of any such site shall assume full responsibility for on-site safety measures, and/or
  - (d) any excavation, equipment, or construction materials to remain on a site over a period longer than is reasonably necessary for completion of construction, and/or
  - (e) any object or chattel which, in the opinion of the Development Officer, is unsightly or tends to adversely affect the amenities of the area.

**SECTION 32: ANIMALS PROHIBITED OR RESTRICTED**

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

## SECTION 33: PARKING AND LOADING FACILITIES

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

Type of Use	Minimum Parking Space Requirements
<b>Residential Uses:</b>	
Apartment Building, Row Housing	1.5 spaces per dwelling unit of which, at least 0.25 spaces per dwelling unit must be set aside and provided for visitor parking
Boarding House, Lodging House	1 space per unit
Other Residential Uses permitted by this Bylaw	2 spaces per dwelling unit
<b>Commercial Uses:</b>	
Business, Administrative and Professional Offices and Banks	1 space per 500 square feet of gross floor area
Retail Shops and Personal Service Shops	1 space per 500 square feet of gross floor area
Eating Establishments	1 space per 4 seats or 1 space per 300 square feet of gross floor area
Hotels	1 space per 2 guest units plus 1 space per two employees
Motels	1 space per guest room, plus 1 space for every two employees
Beer Parlours and Cocktail Lounges	1 space per 4 seats plus 1 space per two employees.
Note: Where a hotel and/or eating establishment and/or motel and/or beer parlours and cocktail lounges are grouped in any combination on a site the parking required shall be based on a cumulative total of the standards for each specific use.	

II

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Type of Use	Minimum Parking Space Requirements
<b>Other Non-Residential Uses:</b>	
Public Assembly Auditoriums, Theatres, Convention Halls, Gymnasiums, Private Clubs, Ball Parks	1 space per 3.5 seats or 1 space per 35 square feet of floor area used by patrons, whichever is greater
Churches	1 space per 3.5 seating spaces
Schools: Elementary Junior High; Senior High	1 space for each classroom 4 spaces for each classroom
Hospitals or Clinics	1 space per 1000 square feet of gross floor area
Industrial: Manufacturing and Industrial Plants, Warehousing, Wholesale and Storage Buildings and Yards, Servicing and Repair Establishments and Public Utility Buildings	1 space per 3 employees on a maximum working shift
Any other uses permitted by this Bylaw	1 parking space per 400 square feet of gross floor area

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

- (3) Notwithstanding Section 33(2), should the Development Officer deem it advisable, he or she may:
- (a) accept a payment in lieu on the number of off-street parking spaces deficient, which payment shall be based on the amount of money Council considers reasonable in return for the equivalent parking space to be provided by the Municipality elsewhere in the district in which the development is proposed;
  - (b) require the developer to provide the required off-street parking on land other than that to be developed provided that:
    - (i) the alternate parking site is within four hundred (400) feet (122 metres) of the site where the principal building is located or where the approved use is carried on;
    - (ii) the person wishing to use an alternate parking site must have absolute control of it for a length of time equal to the life of the approved use of the building or site, and will use that site for no other purpose than to provide alternate parking;
    - (iii) the absolute control is established to the satisfaction of the Council;
    - (iv) should the alternate parking site cease to be available, another parking site must be provided which meets the above criteria or the approved use of the building or the site must be discontinued;
    - (v) the person wishing to use an alternate site shall agree with the Municipality in writing under seal, which document shall be in such form that it can be protected by registration of a caveat under the Land Titles Act, that the site on which the alternate parking site is located shall be used for such purpose as long as it is required by this part.
- (4) Allowance for "On Street Parking"
- In the primary commercial area, credit for "On Street" parking may be given providing such parking stalls about the development and provided the use of the said stalls have not been preempted by a Fire Hydrant, Yellow Curb Line, Loading Zone, Entrance or some obstruction which prevents the use of the said stalls for public parking.
- (5) A parking space or stall shall not be less than 180 square feet (16.7 square meters) in area.

- (6) Any loading space shall have at least 300 square feet (27.9 square meters) of area, 12 feet (3.6 meters) width and 14 feet (4.3 meters) of overhead clearance.
- (7) Any parking space or any loading space provided shall be developed and surfaced to the satisfaction of the Development Officer within 12 months of the completion of the development for which the development permit was issued.
- (8) Every off-street parking space provided or required in any commercial district and the access thereto, including the whole areas contained within the municipal land to which the curb crossing applies, shall be hard surfaced if the access thereto is from a street or land which is hard surfaced.
- (9) Adequate curbs or concrete bumpers or fences shall be provided to the satisfaction of the Development Officer, if it is or becomes necessary to protect adjacent fences, walls, boulevards, landscaped areas or buildings on the site, or an abutting site, from contact with vehicles using such parking space or area.
- (10) Notwithstanding anything contained in this section, if the street or land from which access is available to any required parking space is hard-surfaced after the time at which the parking space is provided or required, the person owning the land which the parking space is located shall forthwith hard-surfaced such parking space and the access thereto and the whole area contained within the municipal land to which the curb crossing applies.
- (11) When a building is enlarged or the use of the building is altered in such a manner that additional parking spaces are required, provision shall be made for the total number of parking spaces required by the provisions of this Bylaw.
- (12) Adequate curbs or fences shall be provided to the satisfaction of the Development Officer if it is or becomes necessary to protect adjacent fences, walls, boulevards, landscaped areas or buildings on the site, or an abutting site, from contact with vehicles using such parking space or area.
- (13) Off-street parking shall be provided in the manner shown on the approved site plan with the entire area to be graded so as to ensure that drainage will be confined to the site and disposed of in a manner satisfactory to the Development Officer.

- (14) Notwithstanding anything contained in Section 33(10) and in particular under the heading Commercial Uses - retail shops and personal service shops, in the event an owner or owners proposes to replace a building or buildings on a lot or lots with a new building or buildings, and in the event the proposed use for the new building or buildings is identical to the existing use and in the event the purpose for replacement of the building or buildings is the upgrading or expanding of an existing business or businesses, such proposal may be subject to special consideration as to parking requirements as more particularly set forth herein.
- (15) If in the opinion of the Development Officer, all other requirements of the Land use Bylaw and amendments thereto have been observed the Development Officer may, in his discretion, allow a relaxation of required parking spaces as set forth in this Bylaw.

#### SECTION 34: "RELOCATED" AND "MOVED-IN" BUILDINGS

(1) Relocated Buildings

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

(2) Moved-In Buildings

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

- (3) Unless and until a development permit from the Development Officer is obtained no person shall:
- (a) place on a site a building which has been previously erected or placed on a different site, or
  - (b) alter the location on a site of a building which has already been erected on the site.

- (4) Moved-In Buildings and Relocated Buildings development approval provisions shall apply to all Town Land Use Districts, excluding R-MHP and R-MHS Districts.
- (a) Notwithstanding the provisions of this subsection, moved-in garages/accessory buildings may be allowed as a discretionary use in the R-MHS and R-MHP Districts.
  - (b) In all cases, where applications are made for development wherein moved-in or relocated buildings apply, notwithstanding that the use may be listed as a permitted use in the district, their uses shall be discretionary and shall require a development permit.
  - (c) All applicants for a development permit will be required to submit the following information in addition to that normally required under this Bylaw, prior to processing of the development permit:
    - (i) coloured photographs of the proposed building, accurately depicting the style and general condition of the building and its conformity to the neighbourhood;
    - (ii) complete site plan showing how the proposed building would be located on the proposed lot;
    - (iii) floor plans of the proposed building;
    - (iv) the applicant shall provide an unconditional right of entry for the Development Officer, or appointed successors to inspect said premises and building until such time as the building has complied with the requirements of the Development Permit.
  - (d) All applications for relocated or moved-in buildings shall require that public notification be given in the following manner:
    - (i) All development permits shall be advertised in the local newspaper;
    - (ii) All adjacent landowners shall be notified in writing of the proposed development. Adjacent landowners shall be defined as landowners of property having a common border with the property for which the application has been made.

- (e) Each applicant who applies for a development permit for a moved-in or relocated building under this Bylaw shall post a performance bond or an irrevocable letter of credit upon which the Town may draw to:
  - (i) To bring the building and site development into compliance with the Town requirements.
  - (ii) To repair any damage to municipal infrastructures or any other public property resulting from the development.
  - (iii) To remove any building which has been located on site other than the building described in the application.

The amount of the performance bond or irrevocable letter of credit shall be established by having the applicant provide an estimated contract cost to complete the conditions set out in the Development Permit, to bring the building and site development into compliance.

- (f) Any buildings receiving approval to be moved-in or relocated shall be brought up to all existing federal, provincial, and municipal standards, ordinances, rules, regulations and bylaws.
  - (g) Each completed building and foundation shall be inspected, at the applicants expense, by a professional engineer or a representative of Alberta Labour: Building Standards Branch who will provide the Town with written certification that all codes, ordinances, bylaw, and regulations have been complied with.
  - (h) All renovations and any conditions imposed by the Development Officer to relocated or moved-in buildings shall be completed within one year of the issuance of a development permit. Non-compliance shall result in the forfeiture of the bond or irrevocable letter of credit.
- (5) Development Permit Requirements
- (a) All development permits issued under the authority of this Bylaw be reviewed by the Development Officer, based on the following criteria:
    - (i) age and appearance of the building;
    - (ii) building condition/materials;
    - (iii) the compatibility of the proposed building to neighbourhood and adjacent properties;
    - (iv) the proposed location within the Town;

- (v) aesthetics of the receiving neighbourhood;
  - (vi) other planning considerations.
- (b) A development permit will not be issued for any moved-in building or relocated building, when it is known to be substandard or has construction defects, such as urea-formaldehyde insulation, sprayed asbestos insulation, et cetera, which do not meet the current Alberta Building Code Standards.
- (c) Pursuant to subsection (1) and (2) of the Land Use Bylaw, a relocated or moved-in building shall also include a single-detached dwelling, duplex, row housing, or apartment.

## SECTION 35: SIGN CONTROL

- (1) No sign of an advertising, directional or information nature shall be erected on land or affixed to any exterior surface of any building or structure unless an application for a development permit for this purpose has been approved by the Development Officer.
- (2) Signs shall comply with the setback requirements for principal buildings in the district in which the sign is located unless otherwise allowed by the Development Officer.
- (3) Notwithstanding Section 35(1), the following signs shall not require a development permit:
- (a) statutory and official notices of government authorities, as referred to in section 12(2)(k);
  - (b) traffic and directional signs authorized by Council;
  - (c) temporary signs as indicated in section 12(2)(l);
  - (d) signs for traffic control devices; and
  - (e) name and number signs on residential properties.
- (4) Except as considered necessary by the Development Officer, no person shall erect a sign on public property without prior approval.

- (5) In considering a development permit for a sign, the Development Officer shall have due regard to the amenities of the district in which the sign is located and to the design of the proposed signs.
- (6) Quality, aesthetic character and finishing of sign construction shall be at the discretion of the Development Officer.
- (7) On each industrial site the following signs may be allowed subject to the following limitations:
  - (a) no sign shall project more than 5 feet (1.5 metres) above the top of any main wall or parapet to which it is affixed, unless, in the opinion of the Development Officer, it has been designed as an integral part of the building; and
  - (b) no sign shall be illuminated unless the source of light is steady and suitably shielded.
- (8) On each commercial site, the following signs may be allowed subject to the following limitations:
  - (a) signs and billboards shall be prohibited excepting signs advertising the principal use of the premises or the principal products offered for sale on the premises;
  - (b) no sign shall be illuminated unless the source of light is suitably shielded;
  - (c) signs shall not protrude out from the face of the building a distance exceeding five feet (1.5 meters).
- (9) No private sign, including awnings, shall project over public property or across title boundaries unless the applicant has filed a certificate of insurance co-insuring the Town of Grimshaw to amounts satisfactory to the Council with the Town.
- (10) The following signage policy shall apply for Main (50th) Street:
  - (a) No sign shall protrude from the face of the building.
  - (b) Use of colourful canopies and awnings as signage shall not be considered as protruding signs.

## (11) Wall Signs:

- (a) Not more than one wall sign shall be allowed per building face and the sign shall be used only to identify the building or principal tenant of the building.
- (b) Notwithstanding (a), in Commercial and Industrial districts, two signs may be allowed per building face.
- (d) Shall be placed not less than 8 feet (2.4 metres) above grade.
- (e) The area of the sign shall not exceed 30% of the building face.

## (12) Freestanding Signs:

- (a) Shall be situated wholly upon the site to which it refers.
- (b) One freestanding sign shall be allowed per site, with the exception of Highway No. 2 where there shall be no free standing signs unless otherwise approved by the Development Officer.
- (c) Notwithstanding (b), one additional freestanding sign may be allowed where a site has in excess of 600 feet (183 metres) frontage or where a site is considered to be double fronting by the Development Officer.
- (d) The total area of all freestanding signs shall not exceed 1 square foot (0.9 square metres) in area for each linear foot (0.3 metres) of street frontage of the site, to a maximum of 200 square feet (18.6 square metres).
- (e) Freestanding signs shall be a maximum of 15 feet (4.6 metres) above grade and shall not cross a property line of the site.
- (f) There shall be a minimum separation distance of 10 feet (3.05 metres) between freestanding signs, whether on the same site or not.

## (13) Roof Signs:

- (a) Shall be finished in such a manner so that the visual appearance from all sides makes the roof sign appear to be part of the building.
- (b) No supporting structures shall be visible.
- (c) Roof signs shall not project beyond any portion of the exterior walls of any building.

- (14) Special Regulations for Highway Entrance Routes:
- (a) Where a sign (including the large hook-type signs) is located along a highway entrance route, the following regulations shall apply:
    - (i) such signs shall be located on private property only;
    - (ii) such signs shall be setback from the highway at least thirty (30) feet (9.1 metres) or greater when, in the opinion of the Development Officer, the sign may cause traffic movement and/or safety problems;
    - (iii) such signs may be illuminated where they do not cause problems with the operation of the highway, subject to the approval of Alberta Infrastructure; and
    - (iv) appearance and size shall be at the discretion of the Development Officer.
- (15) Portable Signs:
- (a) The Development Officer shall, in the case of a development permit for a portable sign, specify the length of time that permit remains in effect.
  - (b) Not more than one portable sign shall be displayed on a site.
  - (c) Notwithstanding sub-section (b), one portable sign shall be permitted for each business in a multiple occupancy development provided that no portable sign is located within 50 feet (15.2 metres) of another.
  - (d) Portable signs shall be allowed only in the following districts:
    - (i) Primary Commercial District (C-1);
    - (ii) Secondary Commercial District (C-2); and
    - (iii) Highway Commercial District (C-3).
  - (e) Portable signs shall not be placed upon a site so as to conflict with parking, loading or walkway areas.
  - (f) No portable signs are permitted within roadway rights-of-way or at any location whereby the intent is to have the sign seen from a primary highway or the direct access to a primary highway.
  - (g) No portable sign shall be permitted on public property or within 3 feet of public property.

- (h) The following information shall be required for an application for a development permit for a portable sign:
  - (i) the municipal address and legal description of the land or building where the sign is to be located;
  - (ii) the applicant's name, address and telephone number;
  - (iii) an indication on where the sign is to be located;
  - (iv) the length of time the sign is to be displayed at the location proposed;
  - (v) a letter from the owner or his agent authorizing the placement of the sign on the subject property; and
  - (vi) the size, height and nature of the sign.
- (i) A portable sign shall be removed on or before the expiry date specified by the development permit.

#### SECTION 36: ENTRANCES AND EXITS

- (1) Curb cuts shall be set back a minimum distance of twenty (20) feet (6.1 metres) from the intersection of site boundaries on corner lots.
- (2) Notwithstanding section 36(1), the setback distance for curb cuts may be increased where, in the opinion of the Development Officer, such increase is necessary for reasons of public safety and convenience.
- (3) The maximum width of curb cutting shall not exceed thirty-five (35) feet (10.7 metres).
- (4) The sides of driveway approaches crossing sidewalks or boulevards may be constructed on an angle with the curb line, but the angle extended between the curb and the edge of the driveway shall in no case be less than 30 degrees nor more than 60 degrees.

- (5) The minimum distance between curb cuts shall not be less than a distance of twenty (20) feet (6.1 metres) from each other, measured at the property line. The Development Officer may increase said minimum clear distance in any cases where, because of width of adjacent sidewalks or boulevards or traffic conditions, such increase is necessary for reasons of public safety and convenience.
- (6) All parts of the site to which vehicles may have access shall be developed so as to provide a durable dust free surface.

### SECTION 37: FENCES IN RESIDENTIAL DISTRICTS

- (1) In addition to the restrictions contained in Section 25, a person shall not construct a fence on a site in a residential district that is:
  - (a) higher than six feet (1.8 metres) for that portion of the fence that does not extend beyond the foremost portion of the principal building on the site;
  - (b) higher than three feet (0.9 metres) for that portion of the fence that does extend beyond the foremost portion of the principal building on the site;
  - (c) of such lesser height than the maximum as may be required at the discretion of the Development Officer.

### SECTION 38: ON-SITE DEMOLITION

- (1) The applicant will be responsible for:
  - (a) The replacement of any boulevard trees that are damaged or cut down to effect the demolition or removal of a structure or building from the site.
  - (b) Removal of all building, structural and foundation materials or debris from the site to a suitable landfill area.
  - (c) Fencing off of demolition and excavation area to protect against any safety hazard on the site until such time as the excavation is filled in and the site is properly levelled.
  - (d) Filling in of the excavation area with suitable fill material within a reasonable period of time, contingent upon weather conditions.
  - (e) Levelling of site to provide for proper drainage.

- (f) Replacement, at the applicant's expense, of any sidewalk, curb and gutter, fire hydrants and water and sewer lines damaged as a result of the said demolition or removal of the building or structure from the site.
- (g) Notification to public utility authorities (Telus, ATCO Electric, ATCO Gas, and the operator of the cable television system), so that they may disconnect said utilities from the structure or building prior to its demolition or removal and to assist with the said moving of the utility to help effect the demolition or removal of the structure or building.
- (h) All the above conditions to be carried out to the satisfaction of the Development Officer.

**SECTION 38 A: SECONDARY SUITE**  
**Bylaw 1091**

In addition to the General Land Use Provisions in Part 2, the following additional standards shall apply to Secondary Suites for its respective district:

- (1) Any person wanting to establish and/or develop a secondary suite shall require a development permit.
- (2) When deciding on a development application for a secondary suites, the Development Officer shall take into consideration the following:
  - (a) Be located in a primary dwelling unit or above a garage.
  - (b) Have a separate entrance that is finished and landscaped in the same manner as the exterior of the primary unit.
  - (c) Have a separate utility connection or a method of separating utility bills.
  - (d) Have an onsite parking space.
  - (e) Must comply with the Alberta Building Code.
  - (f) Must comply with the Public Health Act.
  - (g) Must comply with the minimum Housing Standards Regulation.
  - (h) Any other matter as deemed necessary by the Development Officer.

- (3) **Secondary suites may be allowed as a discretionary use in areas zoned Residential 1 District, Residential 2 District and Mixed Residential District under this bylaw and shall conform to site provisions for its respective district.**

**SECTION 38 B PORTABLE GARAGE**  
**Bylaw 1091**

- (1) **Any person wanting to erect a portable garage shall require a development permit.**
- (2) **The following information shall be required for an application for a development permit for a portable garage:**
  - (a) **The size and height of the portable garage.**
  - (b) **The material and the location of the portable garage.**
  - (c) **Any other matter as deemed necessary by the Development Officer.**
- (3) **Landscaping shall be to the satisfaction of the Development Officer.**
- (4) **Portable garages may be allowed as a discretionary use with all districts and shall conform to the site provision for its respective district.**
- (5) **Portable garages shall not be allowed in the front yard of any lot within any district.**

## **DIVISION 2: SPECIAL LAND USE PROVISIONS**

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

### **SECTION 39: CAR/TRUCK WASHING ESTABLISHMENTS**

- (1) Site Area:
  - (a) The minimum site area shall be 8,000 square feet (743.2 square metres) and shall contain storage space for five vehicles prior to their entry into any part of the cleaning process. In the case of service stations including car washes, the minimum site area shall be 12,000 square feet (1,114.8 metres).
- (2) All Car/Truck Washing Establishments must be equipped with filtration apparatus to an acceptable standard to serve the establishment, precise details of which shall accompany the development permit application.

### **SECTION 40: CHURCHES**

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

### **SECTION 41: DRIVE-THROUGH FACILITIES**

- (1) A drive-through facility must provide stacking space for at least five (5) vehicles or such lesser number of spaces as approved by the Development Officer.

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

**SECTION 42: MOTELS AND MOTOR HOTELS**

	<b>Minimum Site Area</b>	<b>Minimum Setback Requirements</b>	<b>Minimum Unit Area</b>
<b>Motels in Primary Commercial (C-1) District:</b>			
1 storey	800 sq. ft. per unit	Same as C-1 District	285 sq. ft.
2 storey	550 sq. ft. per unit		
<b>Motels in Secondary Commercial (C-2) District:</b>			
1 storey	1190 sq. ft. per unit	Front Yard: 10 ft. Rear Yard: 5 ft. Side Yard: 5 ft.	285 sq. ft.
2 storey	775 sq.ft. per unit		
<b>Motels in Highway Commercial (H-C) District:</b>			
1 storey	1500 sq. ft. per unit	Front Yard: 25 ft. Rear Yard: 10 ft. Side Yard: 10 ft.	285 sq. ft.
2 storey	1000 sq. ft. per unit		

**SECTION 43: MOBILE HOMES (MANUFACTURED HOMES) (SINGLE WIDE AND DOUBLE WIDE)**

- (1) All mobile homes (manufactured homes) shall conform to the Alberta Building Code.
- (2) Mobile homes (manufactured homes) shall be of sound construction and appearance to the satisfaction of the Development Officer.
- (3) The undercarriage of a mobile home (manufactured home) shall be completely screened from view by the foundation, or by skirting compatible in appearance with the mobile home (manufactured home) or by such other means satisfactory to the Development Officer.
- (4) Axles, wheels, running gear and towing tongue shall be removed prior to final installation of the mobile home (manufactured home) on piers, blocking or foundation or in a satisfactory manner in the opinion of the Development Officer.
- (5) All accessory structures, additions, porches and skirting shall be of a quality and appearance equivalent to the mobile home (manufactured home) and additions shall not exceed 30 percent of the gross floor area of the mobile home (manufactured home).
- (6) In the event of oil being used for heating purposes, the oil receptacle to be provided shall be concealed and enclosed with external screening compatible with the mobile home.
- (7) Mobile homes shall be located in areas free from shifting due to frost and readily accessible for water line hook-up.

**SECTION 44: SERVICE STATIONS, GAS STATIONS AND GAS BARS**

- (1) Site Location:
  - (a) Service stations and gas stations may only be located at the intersection of a street and avenue, as part of a shopping centre, or along a highway with a service road.
- (2) Site Area and Coverage:
  - (a) The maximum site area shall be 6,000 square feet (557.4 square metres) and the maximum building coverage shall be 15 percent of the site area.

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

**SECTION 45 NEIGHBOURHOOD CONVENIENCE STORE**

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

**SECTION 46: MODULAR HOMES**

- (1) All modular homes shall conform to the Alberta Safety Codes Act.
- (2) All modular homes shall be presentable in the opinion of the Development Officer and of an appearance similar to neighbouring properties.

**SECTION 47: SATELLITE DISHES AND ANTENNAS**

- (1) Private non-commercial radio and television antennas/dishes may be permitted to be constructed to a height in excess of the maximum requirements of the district, provided that the development complies with the other requirements set out in this Bylaw.

- (2) All satellite dishes and antennas or other transmitting, broadcasting and receiving equipment shall be required to meet setbacks as determined by the Development Officer taking into account:
  - (a) the amenities of the neighbourhood;
  - (b) the use and enjoyment of neighbouring properties;
  - (c) the location of overhead power and telephone lines; and
  - (d) public safety.
- (3) Satellite dishes and antennas shall not be allowed in the front yard of any lot.

#### SECTION 48: GARDEN SUITES

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

#### SECTION 49: CHILD CARE FACILITIES

- (1) All child care facilities, as defined in this Bylaw, shall be licensed by the appropriate provincial department and/or agency, and shall meet provincial health requirements and fire protection requirements.
- (2) When deciding on a development permit application for a child care facility, the Development Officer shall take into consideration the following:
  - (a) provision of one (1) parking space per five for staff members;

- (b) provision of a safe and adequate loading/unloading area for children;
- (c) provision for a safe play area(s)/or location of playground within a safe walking distance;
- (d) surrounding land uses and the character of the area; and
- (e) other matters deemed necessary by the Development Officer.

#### SECTION 50: OUTDOOR FIRE PITS AND FIREPLACES

- (1) Any person wanting to build a fire pit or fireplace in the backyard of their residential property shall require a development permit.
- (2) Fire pits and fireplaces shall:
  - (a) be set back ten (10) feet (3.0 metres) from fences, property lines and buildings;
  - (b) be located in the rear yard;
  - (c) be constructed of non-combustible materials, with fire pits having a heavy gauge metal screen with a mesh size not larger than 13 millimetres to catch sparks;
  - (d) not be constructed over a gas line, or any utility lines or similar easements; and
  - (e) be constructed in accordance to any provincial and/or municipal codes, bylaws or resolutions.
- (3) Any person wishing to install a fire pit or fireplace must submit a site plan of where the structure is to be located in their backyard, and a design plan of the proposed structure to the Town Office. All such plans shall be forwarded to the Grimshaw Volunteer Fire Department for their comments, prior to the Development Officer granting approval.
- (4) Only clean combustibles shall be burned in fire pits or fireplaces.
- (5) The Town of Grimshaw Volunteer Fire Department shall provide comments on development permit applications for fire pits.

**SECTION 51: BED AND BREAKFAST ACCOMMODATION**

- (1) Any person wanting to establish and/or develop a bed and breakfast accommodation operation shall require a development permit.
- (2) The following regulations shall apply to the development of a bed and breakfast accommodation operation:
  - (a) maximum size of a sign: 3 square feet (.28 square metres);
  - (b) one (1) on-site parking stall shall be provided for each bed and breakfast unit, unless otherwise approved by the Development Officer; and,
  - (c) the bed and breakfast operation shall be contained entirely within the principal building.
- (3) When reviewing a development permit application for a bed and breakfast accommodation operation, the Development Officer shall consider the following:
  - (a) the impact of the bed and breakfast operation on surrounding properties; and
  - (b) parking and/or traffic generated from the operation and its effect on the general area.

**SECTION 52: INDUSTRIAL CAMPS**

- (1) Access: Provision of points of access and egress shall be located to the satisfaction of the Development Officer.
- (2) Servicing: All industrial camps must be self-sufficient in terms of servicing, provided to the satisfaction of Alberta Labour.
- (3) Site Coverage: The maximum site coverage shall be such that space is available for all on-site parking and storage.
- (4) Setbacks: Minimum setbacks for any unit placement shall be:  
Front Yard: 25 feet (7.6 metres)  
Side Yard: 5 feet (1.5 metres)  
Minimum distance between units: 10 feet (3.0 metres)

- (5) Parking: All parking must be provided on site with a special area set aside for large truck and equipment storage.
- (6) Garbage: A central garbage area/receptacle shall be provided.
- (7) A development permit is to be obtained from the Development Officer for each industrial camp locating on site.
- (8) Any development permit issued shall be valid for a maximum of 120 days subject to a renewal at the discretion of the Development Officer.
- (9) Any site development for an industrial camp must adhere to all municipal bylaws regarding upkeep of the site, to the satisfaction of the Development Officer.

### SECTION 53: HIGHWAY 2 SETBACKS

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

- (1) That no building shall be erected nearer than 25 feet to the property line adjacent to Highway No. 2 on the following properties:
  - (a) Lot 21, Block 2, Plan 1457 O.L.
  - (b) Lot 22, Block 2, plan 471 E.O.
  - (c) Lots 22 and 23, Block 4, Plan 471 E.O.
  - (d) Lots A and B, Block 21, Plan 1226 H.W.
  - (e) Block 5, Plan 748 H.W.
  - (f) The lands described in Certificate of Titles
    - (1) 190-T082- 6 acres
    - (2) 175-N-247-.562 acres
    - (3) 1-D-215- 2.38 acres
    - (4) 178-B-197- .395 acres
    - (5) 183-A-201- 1 acre
- (2) That no building shall be erected nearer than 15 feet to the property line adjacent to Highway No. 2 on the following properties:
  - (a) Lots 1, 2, and 3, Block 15, Plan 86 H.W.
  - (b) Lots 1 to 9 inclusive, Block 6, Plan 748 H.W.
  - (c) Lots 1 to 10 inclusive, Block 8, Plan 1378 H.W.
  - (d) The lands described in Certificate of Title 62-Y-261, 6.218 acres

SECTION 54: NUMBER OF DWELLING UNITS PERMITTED ON A LOT

- (1) No person in the Town shall construct or cause to be constructed more than one (1) dwelling unit per lot.
- (2) Notwithstanding Section 54(1), multi-unit residential dwellings (apartments, duplexes, four-plexes, ect.) may be allowed to be developed on a lot in accordance with the provisions of the Bylaw.
- (3) Notwithstanding Section 54(1), the Town may allow for additional single-unit residential dwellings to be developed on a lot subject to the approval of the Development Officer who shall consider the following:
  - (i) the suitability of the site for the proposed development;
  - (ii) access to and from the site;
  - (iii) the provision of proper, on-site water and sewer and natural gas servicing; and
  - (iv) existing and future surrounding land uses.

**DIVISION 3: LAND USE DISTRICTS**

SECTION 55: DISTRICTS

(1) District Classification:

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

<u>District</u>	<u>Symbol</u>
Residential 1 .....	R-1
Residential 2 .....	R-2
<b>Mixed Residential</b> .....	<b>R-2A</b>
Residential 3 .....	R-3
Residential - Mobile (Manufactured) Home Subdivision .....	R-MHS
Residential - Mobile (Manufactured) Home .....	R-MH
Primary Commercial .....	C-1
Secondary Commercial .....	C-2
Highway Commercial .....	HC
Industrial .....	M-1
Community .....	COM
Agricultural - Urban Reserve .....	A-UR
Direct Control .....	DC

(2) District Symbols:

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

(3) Similar Uses:

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

## SECTION 56: RESIDENTIAL 1 DISTRICT (R-1)

## (1) Uses:

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

## (a) Permitted Uses

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

## (b) Discretionary Uses

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

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## (2) Site Provisions:

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

- |     |                               |  |                     |
|-----|-------------------------------|--|---------------------|
| (a) | Lot Dimensions (minimum)      | Lot Width<br>(feet)  | Lot Depth<br>(feet) |
|     | ● Single-detached dwelling    | 50   | 110                 |
|     | ● Duplex (single lot)         | 60   | 110                 |
|     | ● Semi-detached dwelling unit | 37/unit  | 110                 |
|     | ● Other Uses                  | as specified by the<br>Development Officer or<br>elsewhere in this<br>Bylaw. |                     |
- (b) Notwithstanding Section 51(2)(a), the lot width for a corner site shall not be less than 55 feet (16.8 metres) for a single-detached dwelling, a duplex and a semi-detached dwelling unit.
- (c) Front Yard Depth (minimum): 25 feet (7.6 metres).  
**(i) Notwithstanding sub-section 56(2)(c), the following front yard depths shall apply for the subject properties legally known as:**  
**20 feet (6.1 metres) - Lots 33-45, Blk 11, PI 802-1627**  
**22 feet (6.7 metres) - Lots 32 and 46, Blk 11, PI 802-1627**  
**(Bylaw 1050)**
- (d) Rear Yard Depth (minimum): 25 feet (7.6 metres).
- (e) Side Yard Width (minimum):  
 (i) Exterior side yard width: 15 feet (4.6 metres)  
 (ii) Interior side yard width: 5 feet (1.5 metres)
- A developer of a residence on a lot in a laneless subdivision should take into account the siting of a garage, especially if it is planned for the rear of the lot.
- (f) Accessory Uses:  
 (i) No accessory building or structure shall be located in any yard other than an interior side yard or rear yard, and

- (ii) No accessory building or structure shall be located closer than three (3) feet (0.9 metres) from any side lot line or rear lot line except in a laneless subdivision whereby no rear yard setback is required, and
  - (iii) **In the case of a garage, where direct access from the vehicle entrance of a garage to a side street or lane exists, then a 4.88 metre (16 foot) setback from this entrance and the side street or lane shall be required. (Bylaw 1054)**
- (g) Floor Area (minimum);
- (i) 1020 square feet;
  - (ii) Notwithstanding sub-section 39(2)(g)(i), an attached garage may be considered as part of the square footage requirement. If a garage is attached to a house by a breeze-way, it does not qualify (i.e. a common wall must be in existence). The dwelling must be a minimum of 900 square feet when the garage is included in the overall square footage requirement; and
  - (iii) In the case of a two storey dwelling, the minimum ground level square footage must be 900 square feet.
- (h) Building Height (maximum):
- thirty-five (35) feet (10.7 metres).
- (i) Coverage of Site (maximum): Thirty-five (35) percent
- (j) Group Home Spacing Distance Requirement

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

## SECTION 57: RESIDENTIAL 2 DISTRICT (R-2)

## (1) Use:

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

## (a) Permitted Uses:

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

## (b) Discretionary Uses:

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

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## (2) Site Provisions

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

(a) Lot Dimensions (minimum)	Lot Width (feet)	Lot Depth (feet)
● Single-detached dwelling	50	110
● Duplex (single lot)	60	110
● Semi-detached dwelling unit	37	110
● Other Uses:	as specified by the Development Officer or elsewhere in this Bylaw.	

(b) Notwithstanding subsection 52(2)(a), the lot width for a corner site shall not be less than 55 feet for a single-detached dwelling, a duplex and a semi-detached dwelling unit.

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

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

(e) Side Yard Width (minimum):

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

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

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

(f) Notwithstanding subsection 52(2)(e), in a laneless subdivision at least one side yard shall be a minimum of ten (10) feet (3.1 metres) in width to provide for vehicular access.

(g) Accessory Uses:

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

- (ii) No accessory building or structure shall be located closer than three (3) feet (0.9 metres) from any side lot line or rear lot line except in a laneless subdivision whereby no rear yard setback is required, and
  - (iii) On any lot where the rear lot abuts onto a laneway, the minimum rear yard setback for a garage facing the lane shall be sixteen feet (4.9 metres) from the lot line.
  - (h) Floor Area (minimum): 900 square feet
  - (i) Building Height (maximum):  
Two (2) storeys or thirty-five (35) feet (10.7 metres), whichever is greater.
  - (j) Group Home Spacing Distant Requirement  
Within a Residential 2 District (R-2), no site containing a group home shall be located within five hundred (500) metres of another site containing a group home which is located in a Residential 1 District (R-1) or a Residential 2 District (R-2).
- (3) Special Provisions: A Professional Office:
- (a) When considering a development permit for a professional office, the Town of Grimshaw Planning Committee and/or the Development Officer shall consider the following:
    - (i) existing, surrounding land uses and the character of the neighbourhood in which the professional office is to be located;
    - (ii) the availability of on-site parking;
    - (iii) the proposed landscaping of the lot on which the professional office is to be located;
    - (iv) the appearance of the building;
    - (v) the height of the building in relation to surrounding buildings;
    - (vi) the location, size, appearance and type of signs to be located on site.

**SECTION 57A MIXED RESIDENTIAL DISTRICT (R-2A)**  
**Bylaw 1079****(1) Use:****Bylaw 1079**

*The intent of the mixed-use residential district is to accommodate traditional stick built residential development and where compatible, future high quality mobile home development. No person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following:*

**(a) Permitted Uses:**

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

**(b) Discretionary Uses:**

- Bed and breakfast accommodation
- Boarding house
- Church
- Garden suite
- Group home
- Home-based business
- child care facility
- Modular home
- Public use
- Professional office
- Relocated or moved-in building
- School
- Senior citizens home
- *Double wide mobile home*
- *Single wide mobile home*
- *Portable garage*
- *Secondary suite*

**Bylaw 1079****Bylaw 1091**

**(2) Site Provisions**

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

- | (a) Lot Dimensions (minimum)  | Lot Width<br>(feet)  | Lot Depth<br>(feet) |
|-------------------------------|--|---------------------|
| ● Single-detached dwelling    | 50   | 110                 |
| ● Duplex (single lot)         | 60   | 110                 |
| ● Semi-detached dwelling unit | 37   | 110                 |
| ● Other Uses                  | as specified by the<br>Development Officer<br>or elsewhere in this<br>Bylaw. |                     |
- (b) Notwithstanding subsection 57A(2)(a), the lot width for a corner site shall not be less than 55 feet for a single-detached dwelling, a duplex and a semi-detached dwelling unit.
- (c) Front Yard Depth (minimum): 25 feet (7.6 metres).
- (d) Rear Yard Depth (minimum): 25 feet (7.6 metres).
- (e) Side Yard Width (minimum):
- (i) Exterior side yard width: 15 feet (4.6 metres).
- (ii) Interior side yard width: 5 feet (1.5 metres).
- A developer of a residence on a lot in a laneless subdivision should take into account the siting of a garage, especially if it is planned for the rear of the lot.
- (f) Notwithstanding subsection 57A(2)(e), in a laneless subdivision at least one side yard shall be a minimum of ten (10) feet (3.1 metres) in width to provide for vehicular access.
- (g) Accessory Uses:
- (i) No accessory building or structure shall be located in any yard other than an interior side yard or rear yard, and



**(4) *Special Provisions: Mobile homes: (Bylaw 1079)***

***Notwithstanding Section 57A (2), site provisions for mobile homes (single and double wide) shall be the same as those in the Residential-Mobile Home Subdivision District (R-MHS).***

**(a) When considering a development permit for a mobile home dwelling, the Town of Grimshaw Planning Committee and the Development Officer shall consider the following:**

- (i) the age and character of the building;**
- (ii) compliance with provincial building standards, health and safety regulations;**
- (iii) existing, surrounding land uses and the character of the neighbourhood in which the mobile homes is to be located;**
- (iv) the proposed landscaping of the lot on which the mobile home is to be located;**
- (v) the appearance of the building;**
- (vi) integration of proposed development with character of adjacent properties and land use districts;**
- (vii) certification from an accredited inspection company that the mobile home meets current code is required.**

**(5) In consideration of mobile homes older than five (5) years of age, the development officer shall assess the condition of the structure any improvements and/or refurbishment of the building in relation to the intent and character of the land use district, surrounding neighbourhood and adjacent uses. All mobile homes over five (5) years of age shall be subject to an inspection.**

**SECTION 58: RESIDENTIAL 3 DISTRICT (R-3)****(1) Uses:****(a) Permitted Uses:**

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

**(b) Discretionary Uses:**

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

**Bylaw 1091**

(2) Site Provisions

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

(a)	Area of Site (minimum):	Lot Width (feet)	Lot Depth (feet)
	<ul style="list-style-type: none"> <li>● a single-detached dwelling</li> <li>● a duplex</li> <li>● a semi-detached dwelling</li> </ul>	<ul style="list-style-type: none"> <li>50</li> <li>60</li> <li>37</li> </ul>	<ul style="list-style-type: none"> <li>110</li> <li>110</li> <li>110</li> </ul>

Area per Dwelling Unit

- an apartment: 1000 sq.ft. of site area
- a row dwelling: 2500 sq.ft. of site area

- (b) Front Yard Depth (minimum): 25 feet
- (c) Rear Yard Depth (minimum): 25 feet
- (d) Side Yard Width (minimum):
  - (i) Apartments, row dwellings, senior citizens home: 15 feet
  - (ii) Single-detached dwelling, duplex, semi-detached dwelling:
    - interior side yard: 5 feet
    - exterior side yard: 15 feet
  - (iii) In a laneless subdivision at least one yard shall be a minimum of 10 feet.
- (e) Coverage of site (maximum): 40 percent
- (f) Building Height (maximum): 3½ storeys or 45 feet
- (g) Density (maximum): 36 units per net acre
- (h) Accessory Uses:
  - (i) No accessory building or structure shall be located in any yard other than an interior side yard or rear yard, and

- (ii) No accessory building or structure shall be located closer than three (3) feet from any side lot line or rear lot line except in a laneless subdivision whereby no rear yard setback is required, and
  - (iii) In the case of a garage, where direct access from the vehicle entrance of a garage to a street or lane exists, then a sixteen (16) foot setback from this entrance and the side street or lane shall be required.
- (3) Additional Requirements:
- (a) The distance between two row dwelling units facing each other shall be a minimum of ninety (90) feet.
  - (b) the distance between two row dwelling units backing onto each other shall be a minimum of one hundred and ten (110) feet.
  - (c) A minimum of 10 percent of a lot containing an apartment building or row dwelling shall be devoted to landscaped open space. A minimum of 50 percent of this landscaped open space may contain recreational and playground equipment.
  - (d) Notwithstanding the above regulations, any apartment projects shall satisfy the Development Officer as to:
    - (i) provision for garbage storage, with appropriate access;
    - (ii) access for fire engines;
    - (iii) light between buildings;
    - (iv) privacy for dwelling units in and adjacent to development;
    - (v) orientation of buildings and general appearance of project;
    - (vi) safe pedestrian access to and from the public sidewalk fronting the building; and
    - (vii) adequate lighting of parking areas.
- (4) Special Provisions: A Professional Office:
- (a) When considering a development permit for a professional office, the Municipal Planning Committee and/or the Development Officer shall consider the following:
    - (i) existing, surrounding land uses and the character of the neighbourhood in which the professional office is to be located;

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

SECTION 59: RESIDENTIAL-MOBILE (MANUFACTURED) HOME SUBDIVISION DISTRICT (R-MHS)

(1) Uses:

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

(a) Permitted Uses:

- an accessory building or use
- a double wide mobile home (manufactured home)
- a single wide mobile home (manufactured home)
- a park
- a playground
- a public use

(b) Discretionary Uses

- a bed and breakfast accommodation
- a church
- a home based business
- a child care facility
- a modular home
- **Portable garage**

**Bylaw 1091**

(2) Site Provisions:

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

(b) Front Yard Depth (minimum): 25 feet

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

(d) Accessory Uses:

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

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

SECTION 60: RESIDENTIAL-MOBILE (MANUFACTURED) HOME DISTRICT (R-MH)

(1) Uses:

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

(a) Permitted Uses:

- an accessory building or use
- a double wide mobile home (manufactured home)
- a park
- a playground
- a public use
- a single wide mobile home (manufactured home)
- child care facility

(a) Discretionary Uses:

- a home based business
- **Portable garage**

**Bylaw 1091**

(2) Site Provisions:

(a) Mobile Home (Manufactured Home) Buffer:

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

(b) Every mobile home (manufactured home) shall:

- (i) be at least three acres in size;
- (ii) have a lighted storage area of 100 square feet per mobile home (manufactured home) lot;
- (iii) devote 10 percent of the gross site area to landscaped open space and at least 1/2 of the open space may contain

playground equipment;

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

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

	Lot Width (feet)	Lot Depth (feet)
● a single wide mobile home (manufactured home)	35	110
● a double wide mobile home (manufactured home)	40	110
● a modular home	40	110

- (d) Front Yard Depth (minimum): 20 feet
- (e) Rear Yard Depth (minimum): 20 feet
- (f) Side Yard Width (minimum): 5 feet
- (g) Notwithstanding clause (f) every mobile home (manufactured home) lot shall have one ten (10) foot side yard for fire access and there shall be a minimum distance of fifteen (15) feet between permitted principal residential dwelling units.

- (h) Every mobile home (manufactured home) lot shall:
  - (i) front onto a private road with a minimum carriageway of thirty-two (32) feet; and
  - (ii) be clearly marked by means of stakes, fences, hedges or other means satisfactory to the Development Officer; and
  - (iii) have at least one off-street parking space, 10 feet wide and 20 feet in depth.
- (i) Accessory Uses:
  - (i) No accessory building or structure shall be located in the front yard; and
  - (ii) No accessory building or structure shall be located closer than three (3) feet from any side lot line or rear lot line.

**SECTION 61: PRIMARY COMMERCIAL DISTRICT (C-1)****(1) Uses:**

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

**(a) Permitted Uses:**

- an accessory building or use
- an artist studio
- an auction room
- a bakery
- a bank or financial institution
- a barber shop, beauty salon, shoe repair, tailor shop, or similar personal service shop
- a billiard hall, bowling alley, or similar indoor recreation establishment
- a bus terminal
- a cinema or theatre
- a cocktail lounge as either a principal use or accessory use
- a community building and facility
- a department store
- a dry cleaning establishment or Laundromat
- a funeral home
- a hotel
- a medical laboratory
- an office (business, administrative, public, professional, and medical)
- a park
- a parking lot
- a police station or fire hall
- a post office
- a printing establishment
- a private club, lodge, or hall
- a public use
- a restaurant
- a retail store
- a sign (identification, direction, advertising)
- a taxidermy shop
- a television/radio/electronics repair shop

## (b) Discretionary Uses:

- an amusement arcade (whether a principal or accessory use)
- a church
- a mixed commercial/residential building
- a motel
- a shopping centre or mall
- a residential space above C-1 uses
- a home based business
- **Portable garage**
- **Apartment building**

**Bylaw 1091**  
**Bylaw 1093**

## (2) Site Provisions:

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

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

## (3) Additional Requirements:

- (a) All sites abutting a residential district shall be screened from view of the residential district to the satisfaction of the Development Officer.
- (b) All apparatus on the roof shall be screened to the satisfaction of the Development Officer.
- (c) Outside storage areas shall be screened from adjacent sites and public thoroughfares.

- (d) If a landscaped area is provided, it must be in accordance with the plan approved by the Development Officer.
- (e) Dwelling accommodation in a C-1 district shall:
  - (i) not be located below the second storey of a building;
  - (ii) have direct access to the outside street level; and
  - (iii) not be located on the same floor as a non-residential use.
- (iv) **notwithstanding Subsection 61(3)(e) an Apartment Building shall not apply under these requirements.**
- (f) The exterior design and appearance of buildings and structures shall meet with the satisfaction of the Development Officer or Municipal Planning Committee.
- (g) Accessory Buildings:
  - (i) No accessory building or structure shall be located in any yard other than a rear yard; and
  - (ii) No accessory building or structure shall be located closer than three (3) feet from any rear lot line.

**Bylaw 1093**

**SECTION 62: SECONDARY COMMERCIAL DISTRICT (C-2)****(1) Uses:**

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

**(a) Permitted Uses:**

- an accessory building or use
- an automobile sale and service dealership
- a bus depot
- a car/truck washing establishment
- a restaurant
- a farm implement sales and service dealership
- a gas or service station
- a household furnishing and/or appliance store
- a laundry or dry cleaning establishment
- a lumber yard
- a mobile home (manufactured home) dealership
- a police detachment
- a public use
- a recreation vehicle sales and service dealership
- a service or trade occupation
- a vehicle repair shop
- a warehouse for non-hazardous storage

**(b) Discretionary Uses:**

- an auction mart
- a bulk oil sales and distribution centre
- shops and offices for light construction trades
- any uses listed under the column captioned Permitted Uses or Discretionary Uses in Highway Commercial District, Section 63(1)(a) and (b).
- ***Portable garage***

***Bylaw 1091***

## (2) Site Provisions:

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

- (a) Front Yard Depth (minimum): 25 feet
- (b) Side Yard Depth (minimum): 10 feet

Notwithstanding sub-section 58(2)(a)(b) when an appropriate fire wall is provided, or it is adjacent to a road allowance, the side yard depth may be reduced to zero when the adjacent lots are located in a Commercial District and all other provisions of this Bylaw are met pursuant to the satisfaction of the Development Officer.

- (c) Rear Yard Depth (minimum): 20 feet
- (d) Building Height (maximum): 3 storeys or 35 feet, whichever is greater.
- (e) Accessory Uses:
  - (i) No accessory building or structure shall be located in any yard other than an interior side yard or rear yard and
  - (ii) No accessory building or structure shall be located closer than five (5) feet from any side lot line or rear lot line.

## (3) Additional Requirements

- (a) No use shall be established that is or will become obnoxious by way of the following:
  - (i) noise;
  - (ii) vibration;
  - (iii) smoke, dust and other kinds of particular matter;
  - (iv) radiation hazards;
  - (v) heat, humidity, glare; or
  - (vi) any other nuisance factors.

- (b) All storage yards shall be enclosed or completely screened by buildings, trees, landscaped features or fences or a combination thereof.
- (c) Landscaping shall be provided within any required buffer area on all motel sites.
- (d) Provision for adequate vehicular traffic circulation, site access and parking areas shall be provided on all sites to the satisfaction of the Development Officer.

SECTION 63: HIGHWAY COMMERCIAL DISTRICT (HC)

(1) Uses:

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

(a) Permitted Uses:

- an accessory building or use
- a restaurant
- a hotel
- a motel
- a public use
- a restaurant

(b) Discretionary Uses:

- an automobile dealership
- a car washing establishment
- a convenience store
- a farm machinery dealership
- **a gaming establishment**
- a gas bar
- a retail store
- a service station
- a vehicle repair shop
- a truck stop
- mini-storage
- an office
- a construction office/shop
- **a residential condominium**
- **a portable garage**

Bylaw 1040

Bylaw 1042

Bylaw 1091

(2) Site Provisions:

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

- (a) Lot Frontage:  
(minimum) 150 feet  
(maximum) 500 feet
  - (b) Lot Depth:  
(minimum) 200 feet  
(maximum) 600 feet
  - (c) Front Yard Depth (minimum): 30 feet
  - (d) Side Yard Width (minimum): 10 feet
  - (e) Rear Yard Depth (minimum): 20 feet
  - (f) Building Height (maximum): 35 feet
  - (g) Accessory Buildings:
    - (i) No accessory building or structure shall be located in any yard other than interior side yard or rear yard; and
    - (ii) No accessory building or structure shall be located closer than three (3) feet from any side lot line or rear lot line.
- (3) Additional Requirements:
- (a) Landscaping shall be provided within any required buffer area on all motel sites.
  - (b) Provision for adequate vehicular traffic circulation shall be provided on all sites to the satisfaction of the Development Officer.
  - (c) No portion of a lot shall be closer than 200 feet from the centre line of a highway.
  - (d) A service road shall be provided for all highway commercial developments fronting onto a highway.
  - (e) Screening or Buffer/fencing shall be provided to the satisfaction of the Development Officer where a use in a Highway Commercial District (HC) abuts a Residential zone.

**SECTION 64: INDUSTRIAL DISTRICT (M-1)****(1) Uses:**

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

**(a) Permitted Uses:**

- an accessory building or use
- an autobody and repair establishment
- a construction firm
- a general contractor
- a heavy equipment dealership
- a manufacturing establishment
- an oilfield contractor
- a public use
- **rental equipment business (Bylaw 1041)**
- a repair shop
- a warehouse or storage area
- a welding shop

**(b) Discretionary Uses:**

- **caretaker's residence (Bylaw 1041)**
- a grain elevator
- a secondary commercial use
- a seed cleaning plant
- an industrial camp
- **a processing facility (Bylaw 1042)**
- **Portable garage**

**Bylaw 1091****(2) Site Provisions:**

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

(a) Front Yard Depth (minimum): 20 feet

(b) Side Yard Depth (minimum):

(i) 15 feet

(ii) The Development Officer may reduce the above side yard requirements whenever there is an abutting railway line, lane or utility lot provided fire prevention regulations are not violated.

- (c) Rear Yard Depth (minimum):
    - 15 feet except:
      - (i) in the case where there is no rear lane, the distance shall not be less than 15 feet;
      - (ii) where the rear boundary of a site abuts a railway right-of-way no rear yard is required.
  - (d) Site Coverage (maximum): 60 percent
  - (e) Building Height (maximum): At the discretion of the Development Officer.
- (3) Additional Requirements:
- (a) Principal Building:

Only one principal building per lot.
  - (b) Accessory Buildings:
    - (i) Where a structure is attached to the principal building on a site by a roof, a floor or a foundation, it is part of the principal building, even though separated from it by a passage which is open at both ends.
    - (ii) No person shall erect an accessory building unless and until the Development Officer has approved the position of such building in relation to the boundaries of the site on which it is located and to the other buildings on the site.
  - (c) Industrial buildings and accessory buildings shall, where applicable, be equipped with filtration apparatus to an acceptable standard to serve the establishment, precise details of which shall accompany the development permit application.
  - (d) Landscaping:
    - (i) Landscaping shall be to the satisfaction of the Development Officer.
    - (ii) All sites abutting a residential district shall be screened from the view of the residential district to the satisfaction of the Development Officer.

- (iii) Any industrial development located on a site bordering a main arterial roadway or highway shall be buffered from these roadways by a strip of treed land or a raised berm of a height to be determined by the Development Officer.
- (iv) Other than for landscaping, a developer shall apply in writing to the Development Officer for a development permit for excavation, stripping and grading with the following details:
  - the location of the site on which the excavation, stripping or grading is to take place;
  - the location of the stockpile on the site; and
  - the present height of the land on the site in relation to any abutting thoroughfares and with relation to adjoining sites.
- (e) Appearance
  - (i) Any building or accessory building shall employ some of the same elevation elements, materials and colours to achieve a complementary design that will tie the structures together.
  - (ii) A building shall have its exterior walls finished with a material or materials that are acceptable to the Development Officer or Municipal Planning Committee.
  - (iii) The colour of building materials shall be to the satisfaction of the Development Officer.
  - (iv) The appearance of the building shall be finished with brick masonry, siding, wood and/or steel type building materials.
- (f) Premises Used for Outdoor Display or Storage:
  - (i) The Development Officer may require that goods be displayed/stored in an orderly manner.
  - (ii) The Development Officer may require that the display area in whole or in part be enclosed by a fence or wall of a design and height approved by the Development Officer.

(g) Garbage Storage:

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

(h) Temporary Buildings:

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

(i) Utilities:

(i) The necessary right-of-ways shall be proved at the time of development or subdivision of the site.

(ii) Utility up-grading shall be coordinated to accommodate new development.

(j) Access:

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

(4) Alberta Safety Codes Act:

All development shall conform to the Alberta Safety Codes Act.

## SECTION 65: COMMUNITY DISTRICT (COM)

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

(a) Permitted Uses:

- an accessory building or use
- an arena
- a church
- a curling club
- a community hall/centre
- a golf course
- a hospital
- a library
- a museum
- a park
- a playground
- a public use
- a private religious institution
- a recreation area
- a school
- a swimming pool
- a tennis court
- similar type recreational use

(b) Discretionary Uses:

- a dormitory residence
- a hangar
- a public parking area
- recreational vehicle park
- **Portable garage**

**Bylaw 1091**

- (2) Site Provisions:

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

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

**SECTION 66: AGRICULTURAL-URBAN RESERVE DISTRICT (A-UR)****(1) Uses:**

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

**(a) Permitted Uses:**

- an accessory building or structure
- an extensive agricultural use
- a farm residence
- a public use

**(b) Discretionary Uses**

- a market garden
- a natural resource extraction
- a public use
- a recreational use not requiring permanent facilities
- **Portable garage**

**Bylaw 1091****(2) Site Provisions:**

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

- (a) Front Yard Depth (minimum): 25 feet
- (b) Side Yard Depth (minimum): 15 feet
- (c) Rear Yard Depth (minimum): 25 feet
- (d) Residential Buildings on Same Site:

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

- (e) Notwithstanding anything in this Bylaw, no person shall use land in this district for an intensive agricultural use such as a feed lot, a chicken hatchery or a hog farm.

- (f) Natural Resource Extraction uses shall be subject to the following provisions:
- (i) a site plan shall be submitted including excavation, stockpile areas, machinery storage areas, site access, setbacks and similar site development information,
  - (ii) rehabilitation/reuse plans shall be submitted and approved by either Alberta Environmental Protection or the Municipality,
  - (iii) ancillary uses such as gravel crushing asphalt manufacture and concrete batching plans shall be permitted only by amendment to this bylaw,
  - (iv) excavation areas shall be setback a minimum of 200 feet from any street or adjacent property line,
  - (v) the application shall be submitted to the Grimshaw Gravel Aquifer Management Advisory Committee for their comments,
  - (vi) information of number and type of trucks and proposed truck routes shall be submitted to the Development Officer for review and approval,
  - (vii) topsoil shall be stripped, stockpiled and stabilized in accordance with Municipal requirements,
  - (viii) the Town may require a performance bond, letter of credit, or other security to ensure that reclamation of the site is carried out and completed to the satisfaction of the Municipality.

(3) Special Site Provisions:

In addition to the provisions set out in subsection (1) and 92), the following special provisions shall apply to land occupying a portion of the NW 1/4 7-83-23W5M, south of 50<sup>th</sup> Avenue and lying southwest of the railway right-of way shown on Railway Plan 1337CL and west of the Flood Control Plan 4915RS, more particularly outlined on Schedule C-1 to this Bylaw.

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

- a) Permitted uses
  - a park
  - a playground
  - a single family dwelling
  - an accessory building or structure
- b) Discretionary Uses
  - a home occupation or home-based business
  - a public use
  - a recreational use

(c) Site Provisions - General

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

- (i) Lot Area (minimum)  
43,560 square feet (4,047 square metres)
- (ii) Lot Width (minimum)  
100 feet (30.4 metres), with lot width for a corner site at the discretion of the Development Officer.
- (iii) Front Yard Depth (minimum)  
25 feet (7.6 metres)
- (iv) Rear Yard Depth (minimum)  
25 feet (7.6 metres)
- (v) Side Yard Width (minimum)
  - a) Exterior Side Yard Width  
15 feet (4.6 metres)
  - b) Interior Side Yard Width  
15 feet (4.6 metres)
  - c) The Development Officer may decrease the side yard width requirement where deemed necessary due to the character of existing development on adjacent properties.

- (vi) Building Height (maximum)  
At the discretion of the Development Officer.
- (vii) Site Coverage (maximum)  
At the discretion of the Development Officer.
- (viii) Floor Area (minimum)  
Principle Building: 1200 square feet (111.5 square metres)
- (d) Additional Requirements
  - (i) When reviewing an application for a subdivision or a development permit application, the Town shall consider the following:
    - a) access to the subject property and the construction standards for roads to be built;
    - b) provision of municipal services and utilities;
    - c) water supply for fire fighting purposes;
    - d) site drainage;
    - e) provision of parking facilities, and
    - f) provision of park or other public reserves.
  - (ii) Landscaping and Screening:
    - a) All developments shall conform to the amenities of the neighbourhood. Trees and other landscaping shall be provided, preserved or protected to the satisfaction of the Development Officer.
  - (iii) Building Appearance:
    - a) The design, construction and architectural appearance of any building shall be subject to the satisfaction of the Development Officer.

(iv) Accessory Uses:

- a) No accessory building or structure shall be located in any yard other than an interior side yard or rear yard.
- b) No accessory building shall be located closer than 10 feet (3.0 metres) from any side lot line.
- c) On any lot where the rear lot abuts onto a lane, the minimum rear yard setback for a garage facing the lane shall be 16 feet (4.9 metres).
- d) In the case of a garage, the maximum floor area allowed shall be 2,500 square feet (232.2 square metres).
- e) No accessory building shall be located closer than 10 feet (2.7 metres) from the principal building.

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

**SECTION 67: DIRECT CONTROL (DC)****(1) Purpose and Intent:**

To provide for a development on a site to standards set by Council.

**(2) Site Provisions:**

(a) A development application shall be evaluated on its own merits by Council which will establish the appropriate development standards.

(b) In assessing a development application in a Direct Control District, Council shall have regard to but not to be bound by:

- (i) The Grimshaw Municipal Development Plan; and
- (ii) The Grimshaw Land Use Bylaw.

(c) Council may impose conditions deemed necessary concerning:

- (i) parking
- (ii) buffers
- (iii) landscaping
- (iv) site coverage and building orientation
- (v) servicing
- (vi) internal circulation
- (vii) accessory uses
- (viii) types of development allowed
- (ix) signs
- (x) exterior architecture and appearance
- (xi) number of business establishments,

or any other requirements deemed necessary having due regard for the nature of a proposed development and the purpose and intent of this district.

(d) An application for development shall include such information as required in Section 9 of this Bylaw.

(e) Council shall inform the applicant upon decision on an application for a development permit that the decision cannot be appealed to the Development Appeal Board.

## **DIVISION 4: ENACTMENT**

### **SECTION 68: AMENDMENTS**

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

### **SECTION 69: ENFORCEMENT AND PENALTIES**

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

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

**SECTION 70: REPEAL OF EXISTING BYLAW**

The existing Town of Grimshaw Land Use Bylaw No. 733 and all amendments thereto is hereby rescinded.

SECTION 71: EFFECTIVE DATE

This Bylaw comes into effect upon the date of it being finally passed.

READ a first time this 28<sup>th</sup> day of JUNE, 2000 .

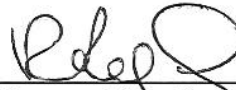


\_\_\_\_\_  
Mayor: Bob Regal



\_\_\_\_\_  
Chief Administrative Officer:  
Cathie Bailey

READ a second time this 26<sup>th</sup> day of JULY, 2000.



\_\_\_\_\_  
Mayor: Bob Regal

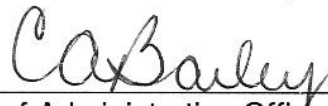


\_\_\_\_\_  
Chief Administrative Officer:  
Cathie Bailey

READ a third time and finally passed this 26<sup>th</sup> day of JULY, 2000.



\_\_\_\_\_  
Mayor: Bob Regal



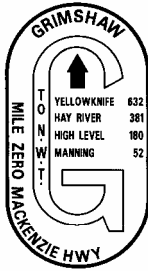
\_\_\_\_\_  
Chief Administrative Officer:  
Cathie Bailey

**TOWN OF Grimshaw  
LAND USE BYLAW**

**SCHEDULES**

**TOWN OF Grimshaw  
LAND USE BYLAW**

**SCHEDULE "A"  
FORMS AND NOTICES**



# TOWN OF GRIMSHAW

Application No. \_\_\_\_\_  
(Office Use Only)

## APPLICATION FOR DEVELOPMENT PERMIT

I hereby make application under the provisions of the Land Use Bylaw for a Development Permit in accordance with the plans and supporting information submitted herewith and which form part of this application.

Applicant: \_\_\_\_\_ Telephone: \_\_\_\_\_

Address of Property to be Developed: \_\_\_\_\_

Lot \_\_\_\_\_ Block \_\_\_\_\_ Registered Plan \_\_\_\_\_

Registered Owner: \_\_\_\_\_

Parcel Dimensions: Length: \_\_\_\_\_ Width: \_\_\_\_\_ Total Area: \_\_\_\_\_

Proposed Use: \_\_\_\_\_ Land Use District: \_\_\_\_\_

Principal Use Setbacks: Front: \_\_\_\_\_ Sides: \_\_\_\_\_ Rear: \_\_\_\_\_

Accessory Use Setbacks: Front: \_\_\_\_\_ Sides: \_\_\_\_\_ Rear: \_\_\_\_\_

Estimated Dates of Commencement and Completion: \_\_\_\_\_

Permit Fee: \_\_\_\_\_ Receipt No.: \_\_\_\_\_ Estimated Cost: \_\_\_\_\_

Date of Application: \_\_\_\_\_ Applicant: \_\_\_\_\_

APPROVED  REJECTED  APPROVED, subject to the following conditions: \_\_\_\_\_

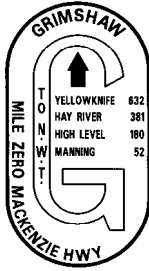
The issuance of a Development Permit is subject to the condition that it does not become effective until seventeen (17) days after the date of this issue of the notice of decision. Should this decision be appealed within fourteen (14) days after the notice of decision, the development permit shall be null and void.

Date of Decision: \_\_\_\_\_

Date of Issue of Development Permit: \_\_\_\_\_

Signature of Development Officer: \_\_\_\_\_

**Note:** The Land Use Bylaw provides that any person claiming to be affected by a decision of the Development Officer may appeal to the Development Appeal Board within fourteen (14) days after notice of decision is given. Development approval lapses and is automatically void if the development authorized is not commenced within twelve (12) months from the date of issuing the permit.



# TOWN OF GRIMSHAW

Application No. \_\_\_\_\_  
(Office Use Only)

## Notice of Development Permit Decision APPROVAL

Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

Application for development of \_\_\_\_\_  
(address of property)

further described as Lot \_\_\_\_\_, Block \_\_\_\_\_, Plan \_\_\_\_\_ for the purpose of

\_\_\_\_\_

has been:

APPROVED     APPROVED, subject to the following conditions: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

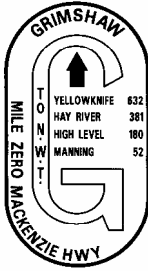
The issuance of a Development Permit is subject to the condition that it does not become effective until seventeen (17) days after the date of this issue of the notice of decision. Should this decision be appealed within fourteen (14) days after the notice of decision, the development permit shall be null and void.

Date of Decision: \_\_\_\_\_

Date of Issue of Development Permit: \_\_\_\_\_

Signature of Development Officer: \_\_\_\_\_

**Note:** The Land Use Bylaw provides that any person claiming to be affected by a decision of the Development Officer may appeal to the Development Appeal Board within fourteen (14) days after notice of decision is given. Development approval lapses and is automatically void if the development authorized is not commenced within twelve (12) months from the date of issuing the permit.



# TOWN OF GRIMSHAW

Application No. \_\_\_\_\_  
(Office Use Only)

## Notice of Development Permit Decision REFUSAL

Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

You are hereby notified that your application for a development permit with regard to the following:

Address of Property: \_\_\_\_\_

Lot \_\_\_\_\_, Block \_\_\_\_\_, Plan \_\_\_\_\_ for the purpose of \_\_\_\_\_

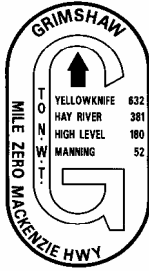
has been REFUSED for the following reasons: \_\_\_\_\_

You are further notified that you may appeal this decision to the Development Appeal Board. Such an appeal shall be made in writing and shall be delivered to the Secretary of the Development Appeal Board (Box 377, Grimshaw, Alberta, TOH 1W0) not later than fourteen (14) days following the date of issue of this notice. The notice of appeal shall contain a statement of the grounds of appeal.

Date of Decision: \_\_\_\_\_

Date of Issue of Development Permit: \_\_\_\_\_

Signature of Development Officer: \_\_\_\_\_



# TOWN OF GRIMSHAW

Land File No. \_\_\_\_\_

Permit No. \_\_\_\_\_

## DEVELOPMENT PERMIT

Development involving: \_\_\_\_\_  
 (address of property)

further described as Lot \_\_\_\_\_, Block \_\_\_\_\_, Plan \_\_\_\_\_ for the proposed  
 development of \_\_\_\_\_

(as further described in Application No. \_\_\_\_\_ ) has been APPROVED.

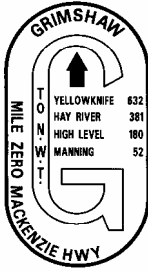
You are hereby authorized to proceed with the development specified provided that any stated conditions are compiled with; that development is in accordance with any approved plans and applications; and, that a Building Permit is obtained if construction is involved. Should an appeal be made against this decision to the Development Appeal Board, the development permit shall be null and void.

Date of Decision: \_\_\_\_\_

Date of Issue of Development Permit: \_\_\_\_\_

Signature of Development Officer: \_\_\_\_\_

**Note:** The issuance of a Development Permit is subject to the condition that it does not become effective until seventeen (17) days after the date of this issue of the notice of decision. Should this decision be appealed within fourteen (14) days after the notice of decision, the development permit shall be null and void. A permit issued in accordance with the notice of decision is subject to the provisions of section 24.2.0 of the Land Use Bylaw.



# TOWN OF GRIMSHAW

## DEVELOPMENT APPEAL FORM

1. Name \_\_\_\_\_ of \_\_\_\_\_ Appellant: \_\_\_\_\_
  2. Address of Appellant: \_\_\_\_\_  
Telephone: Work \_\_\_\_\_ Home \_\_\_\_\_
  3. Notice is hereby given to the Development Appeal Board of this appeal against the decision  
(date) \_\_\_\_\_ of the Development Officer regarding Development Permit  
Application No. \_\_\_\_\_.
  4. Development Proposal (description)  
location (legal) \_\_\_\_\_  
type of use \_\_\_\_\_  
decision \_\_\_\_\_
  5. Reasons for Appeal: (please feel free to attach additional sheets, if required)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Date \_\_\_\_\_ Appellant (or authorized person) \_\_\_\_\_

Mail or Deliver to:  
Secretary,  
Development Appeal Board,  
Town of Grimshaw,  
Box 377  
Grimshaw AB T0H 1W0

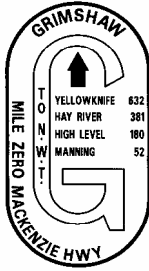
**THIS FORM MUST REACH THE SECRETARY NO LATER THAN  
FOURTEEN (14) DAYS AFTER THE DATE OF NOTIFICATION BY  
THE DEVELOPMENT OFFICER.**

Date Received: \_\_\_\_\_

Appeal No.: \_\_\_\_\_

Hearing Date: \_\_\_\_\_

(FOR OFFICE USE ONLY)



# TOWN OF GRIMSHAW

Appeal Hearing File No. \_\_\_\_\_  
(Office Use Only)

## Notice of Development Appeal Board Hearing

This is to notify you that an appeal has been made to the Development Appeal Board against a decision in respect of Development Permit Application No. \_\_\_\_\_ which involves development described as follows:

Address of Property: \_\_\_\_\_

Legal Description: Lot \_\_\_\_\_, Block \_\_\_\_\_, Plan \_\_\_\_\_ for the purpose of \_\_\_\_\_

The decision of the Development Officer was:

- APPROVED
- APPROVED, subject to the following conditions: \_\_\_\_\_

- REFUSAL, for the following reasons: \_\_\_\_\_

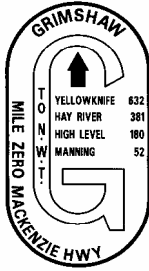
Any person affected by the proposed development has the right to present a written brief to the hearing and to be present and be heard at the hearing. Persons requiring to be heard at the meeting shall submit a written brief to the Secretary of the Development Appeal Board no later than (date) \_\_\_\_\_.

Date of Hearing: \_\_\_\_\_

Place of Hearing: \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Secretary,  
Development Appeal Board



# TOWN OF GRIMSHAW

Appeal Hearing File No. \_\_\_\_\_  
(Office Use Only)

## Notice of Development Appeal Board Decision

This is to notify that an appeal against Development Permit Application No. \_\_\_\_\_  
was considered by the Development Appeal Board on (date) \_\_\_\_\_.

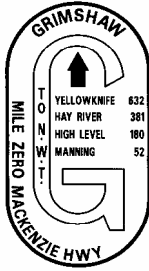
The decision of the Development Appeal Board with regard to the appeal is as follows and for the following reasons: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Chairman,  
Development Appeal Board

**Note:** A decision of the Development Appeal Board is final and binding on all parties and persons and subject only to an appeal upon a question of jurisdiction or law pursuant to the Municipal Government Act. An application for leave to appeal to the Appellate Division of the Supreme Court of Alberta shall be made  
a) to a judge of the Appellate Division, and  
b) within 30 days after the issue of the order, decision, permit or approval sought to be appealed.



# TOWN OF GRIMSHAW

Application No. \_\_\_\_\_  
(Office Use Only)

## Application to Amend the Land Use Bylaw

I/We hereby make application to amend the Town of Grimshaw Land Use Bylaw.

1. Applicant: Name \_\_\_\_\_ Telephone \_\_\_\_\_  
Address \_\_\_\_\_
2. Owner of Land: Name \_\_\_\_\_ Telephone \_\_\_\_\_  
Address \_\_\_\_\_
3. Land Description: Address of Property \_\_\_\_\_  
Legal: Lot \_\_\_\_\_, Block \_\_\_\_\_, Plan \_\_\_\_\_  
Certificate of Title \_\_\_\_\_

### AMENDMENT PROPOSED

From \_\_\_\_\_ to \_\_\_\_\_

Reasons in support of this Application for Amendment:

\_\_\_\_\_

\_\_\_\_\_

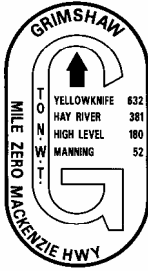
\_\_\_\_\_

\_\_\_\_\_

I/We enclose \$ \_\_\_\_\_ being the application fee.

\_\_\_\_\_ Date

\_\_\_\_\_ Signed



# TOWN OF GRIMSHAW

Application No. \_\_\_\_\_  
(Office Use Only)

## STOP ORDER

This order is issued to: \_\_\_\_\_

in respect to development involving:

on land located at: \_\_\_\_\_ 1/4 Sec. \_\_\_\_\_ Twp. \_\_\_\_\_ Rge. \_\_\_\_\_ W6M

or; Lot \_\_\_\_\_ Block \_\_\_\_\_ Registered Plan No. \_\_\_\_\_

or; Certificate of Title No. \_\_\_\_\_

You are hereby ordered to

- STOP THE DEVELOPMENT
- DEMOLISH/REMOVE/REPLACE THE DEVELOPMENT
- AND/OR TAKE THE FOLLOWING ACTION

as the development is in contravention of

This order shall be complied with by \_\_\_\_\_, 20\_\_\_\_.

Failure or refusal to comply with this order may result in a person or persons appointed by the Council entering upon the land or building and taking any action necessary to carry out the order. In such circumstances, the Council shall cause the costs incurred to be placed on the tax roll as an additional tax against the property concerned.

You may appeal this order by giving notice in writing to the Secretary of the Development Appeal Board for the Town of Grimshaw. The notice must contain the reasons for the appeal.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
SIGNATURE OF DEVELOPMENT OFFICER

**TOWN OF Grimshaw  
LAND USE BYLAW**

**SCHEDULE "B"  
LIST OF AMENDMENTS**

## LIST OF AMENDMENTS

BYLAW No.	DATE	PURPOSE	LAND AFFECTED
1040	March 13, 2002	"Gaming Establishment"	n/a
1041	July 10, 2002	"Rental Equipment Business" to Sec. 64(1)(a) and "Caretakers Residence" to Sec. 64(1)(b)	n/a
1042	May 22, 2002	"Residential Condominium" to Sec 61(1)(b) and "Processing facility" to Sec 64(1)(b)	n/a
1050	June 11, 2003	Amend Front Yard Depth in R-1 District	n/a
1054	Feb. 25, 2004	Amend "Accessory Building" /"Garage"	n/a
1057	July 28, 2004	Amend Sec. 20(6) accessory buildings	n/a
1058	July 28, 2004	Add Sec 57A - Mixed Residential District	n/a
1059	July 28, 2004	From R-2 to R-2A	Lots 1-9, blk 4A, PI 6224 KS and Lots 10-18, blk 4, PI 6224 KS
1060	Sept. 8, 2004	From R-1 an AUR to M-1	Pt. Blk A, PI 792 0725 (Pt. SW 18.83.23.W5M)
1061	Sept. 22, 2004	From M-1 to R-MH	Lot 5, Blk 16, PI 86HW
1063	Feb. 9, 2005	From C-1 Residential to DC	Lot 20, Blk 1, PI 6197 CL
1073	Jan. 11, 2006	From A-UR to R-2	NW 1/4 Sec 8-83-23-W5M
1074	June 28, 2006	From R-2 to HC	Pt of Lot 29-MR, Blk 11, PI 782-2717 & Lot 30-MR, Blk 11, PI 782-2717
1079	June 28, 2006	Amend Mixed Residential (R-2A) to Sec. 57A	n/a

1082	June 28, 2006	From R-2 to HC	Pt of Lot 29-MR, Blk 11, PI 782 2717
1083	June 14, 2006	From COM to HC	Pt of Lot 1, Blk 11, PI 782 2253
1086	November 8, 2006	From M-1 to DC  From R-MH to DC	Lots 1-4 & 6,7 Blk 16 PI 86HW Lots 6 & 7 Blk 15 PI 86HW Lot 5 Blk16 Plan 86 HW
1088	March 28, 2007	From A-UR to M-1	Pt SW-18-83-23-W5
1091	July 11, 2007	Amend "Portable Garage", "Secondary Suites" & Sec 20 Accessory Buildings	n/a
1092	September 12, 2007	From A-UR to R-1	Pt SW 18-83-23-W5
1093	September 26, 2007	Add "Apartment Building" to 61(1)(b)  Add (3)(iv) to Sub 61	n/a
1096	May 14, 2008	From C-1 to D-C	Lots 16 to 19 (now Lots 31-36) & 21 to 25 Blk1 PI 6197CL  Lots 10 to 19 Blk 3 PI 471EO
1102	August 13, 2008	From R-2 to D-C	Lots 1A to 9 Blk 4 PI 6224KS  Lot 1 Blk 4 PI 748HW
1106	October 8, 2008	From R-2 to R-MHS	Lot 1 Blk 19 PI 4208RS
1107	October 27, 2008	From R-1 to R-1, R-2, R-3	Blk A PI 792 0725

**TOWN OF Grimshaw  
LAND USE BYLAW**

**SCHEDULE "C"  
DISTRICT MAP**

# SCHEDULE C-1

