



TOWN OF HARDISTY LAND USE BYLAW

BYLAW 1284-25

ADOPTED AUGUST 12, 2025



SHOWING HARDISTY, ALTA. 1 MILE AWAY.

BYLAW 1284-25

BEING A BYLAW OF THE TOWN OF HARDISTY, IN THE PROVINCE OF ALBERTA, TO PROHIBIT OR REGULATE AND CONTROL THE USE AND DEVELOPMENT OF LANDS AND BUILDINGS

WHEREAS pursuant to the provisions of Section 640(1) of the *Municipal Government Act, RSA, Chapter M-26* as amended, the Council of a Municipality must, by Bylaw, adopt a land use bylaw;

AND WHEREAS Council has undertaken a major review of the Land Use Bylaw 1252-20;

AND WHEREAS Council, having considered at a public hearing the concerns of persons claiming to be affected by the land use bylaw, believes that a new land use bylaw should be enacted to achieve the orderly, economical and beneficial use of land in the municipality;

NOW THEREFORE, the Council of the Town of Hardisty in the province of Alberta, duly assembled, enacts as follows:

1. This Bylaw shall be known as "The Town of Town of Hardisty Land Use Bylaw".
2. The Town of Hardisty Land Use Bylaw being Schedule "A" as attached to and forming part of this Bylaw is hereby adopted.
3. Bylaw 1252-20 and all amendments are hereby repealed.
4. This Bylaw takes effect on the date of the third and final reading.

READ A FIRST TIME THIS 12th DAY OF JUNE, 2025.

READ A SECOND TIME THIS 8th DAY OF JULY, 2025.

READ A THIRD AND FINAL TIME THIS 12th DAY OF AUGUST, 2025.

X 

Mayor



X 

Chief Administrative Officer

Town of Hardisty Land Use Bylaw | A User's Guide

The Land Use Bylaw establishes the regulations for how land can be developed within the Town of Hardisty. Regulations vary depending on the location and types of development. Development permits provide municipal approval for the use of land, as well as the size and location of any buildings or structures. Other Bylaws or regulations of the Town, Province or Federal Government must also be followed.

There are several parts of the Land Use Bylaw that need to be examined to understand how the Bylaw should be interpreted. First, the Land Use Bylaw maps divide the Town into various Land Use Districts. Second, the text of the Land Use Bylaw details the uses that are allowed in each District. Third, the text provides additional regulations that apply to certain uses and/or within the Districts.

The following steps may assist the user:

1. **Locate** the subject property on the Land Use District maps in **PART K**. These maps divide the Town into various Land Use Districts. Each land use district has a name such as “Low Density Residential (R1) District” or “General Commercial (C2) District”. Take note of which Land Use District the subject property is located in. Also note if the subject property is affected by an Area Structure Plan which may modify some of the uses and regulations that apply to the property or impose additional regulations.

PLEASE NOTE: Land Use Districts are commonly referred to as Zones or Zoning. In order to conform to the language of the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended, this document uses the terms District and Districting.

2. **Check** the table of contents and locate the Land Use District you are interested in. All of the Land Use Districts are listed in **PART J**. In each Land Use District you will find a list of permitted and discretionary uses, subdivision regulations, development regulations and other miscellaneous regulations. These uses and regulations identify how and what can be developed in any given Land Use District. There are definitions in **PART B** that should also be consulted to ensure that words and terms used in the Land Use Bylaw are understood.
3. **Review** the table of contents to see if there are any general regulations that apply to the use or situation in question. For example, **PART H** contains general regulations about matters such as Vehicle Access and Egress, Site Grading and Drainage, Fences and Screening, and **PART I** contains special regulations about specific uses such as Manufactured Dwellings, Home Occupations, Suites, and Gas Bar and Service Stations.
4. **Discuss** your proposal/concern with Planning and Development staff. Town staff are well trained and eager to assist you with your development/subdivision or general inquiry and to explain procedures. They can also assist with other situations such as enforcement or how to apply for a Land Use Bylaw amendment.

PLEASE NOTE: This page is intended only to assist users and does not form part of the Town of Hardisty Land Use Bylaw.

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PART A | General Administration

1 GENERAL ADMINISTRATION

TITLE

1. The title of this Bylaw shall be the Land Use Bylaw of the Town of Hardisty.

PURPOSE

2. The purpose of this Bylaw is to direct the orderly, economic and beneficial **development** and **use** of land in accordance with the vision of the Town of Hardisty Municipal Development Plan. This is achieved through this Bylaw by regulating and controlling **development**, or where necessary, prohibiting **development**, without infringing on the rights of individual for any public interest except to the extent that is for the overall greater public interest.

APPLICATION

3. The provisions of this Bylaw apply to all land and **buildings** within the boundaries of the Town of Hardisty.

CONFORMITY WITH BYLAW

4. No person shall commence any **development** unless it is in accordance with the terms and conditions of this Bylaw.

METRIC AND IMPERIAL MEASUREMENTS

5. Within this Bylaw, both Metric and Imperial measures are normally provided, the Imperial measures within brackets. However, the Imperial measures are approximate, and are provided only for information, and in order to provide some comparison for persons who are unfamiliar with Metric measures.

COMPLIANCE WITH OTHER LEGISLATION

6. Compliance with the requirements of this Bylaw does not exempt a person from:
 - a. The requirements of any federal, provincial, or municipal legislation; and
 - b. Complying with any **easement**, covenant, agreement, or contract affecting the **development**.

SEVERABILITY PROVISION

7. It is the intention of the **Council** that each separate provision of this Bylaw shall be deemed independent of all other provisions, and it is further the intention of **Council** that if any provision of this Bylaw be declared invalid, that provision shall be deemed to be severed and all other provisions of the Bylaw shall remain in force and effect.

EFFECTIVE DATE

8. This Bylaw comes into effect upon the date of its third reading by **Council**.

PART B | Interpretation

1 RULES OF INTERPRETATION

1. Where a word is used in the singular, such a word may also mean plural.
2. Where a word is used in the present tense, such a word may also mean the future tense.
3. The word “person” includes a corporation as well as an individual.
4. Where a masculine or impersonal pronoun or adjective is used, such a work may also mean the feminine or impersonal pronoun or adjective.
5. Words, phrases and terms not defined in this Bylaw may be given their definition in the *Act* or the *Safety Codes Act*.
6. Where a regulation involves two or more conditions or provisions connected by the conjunction “and” means all the connected items shall apply in combination; “or” indicates that the connected items may apply singly; and “and/or” indicates the items may apply singly or in combination.
7. For ease of reference:
 - a. words that are **Capitalized** and **Bold** denote *uses* defined in **Part B.2**;
 - b. words that are *italicized* and **bold** denote general terms defined in **Part B.2**;
 - c. words that are *italicized* reference federal or provincial legislation or regulations thereunder; and
 - d. all other words must be given their plain and ordinary meaning as the context requires.

2 DEFINITIONS

In this bylaw:

1. **Abattoir** means a *use* where land or **buildings** accommodate a facility for the slaughtering of animals and the processing of meat products;
2. **abut** or **abutting** means immediately contiguous or physically touching, and, when used with respect to a **lot** or **parcel**, means that the **lot** or **parcel** physically touches upon another **lot** or **parcel**, and shares a **property line** with it;
3. **Accessory Building** means a *use* where a **building** or **structure** that is related to, but is separate and incidental or subordinate to, the **principal use** or **building** located on the same **parcel**. This includes **buildings** or **structures** such as sheds, garages, carports, pergolas, gazebos, greenhouses, shipping containers, fabric covered structures, swimming pools and hot tubs, and similar **buildings** or **structures**;
4. **accessory use** means a *use* that is customarily incidental and subordinate to the **principle use** or **building** and is located on the same **parcel**;
5. *Act* means the *Municipal Government Act, R.S.A. 2000, c. M-26*, as amended;
6. **adjacent** means land that is contiguous to a **parcel** of land and includes land that would be contiguous if not for a **highway, road, lane, river** or stream (See **Figure 1**);

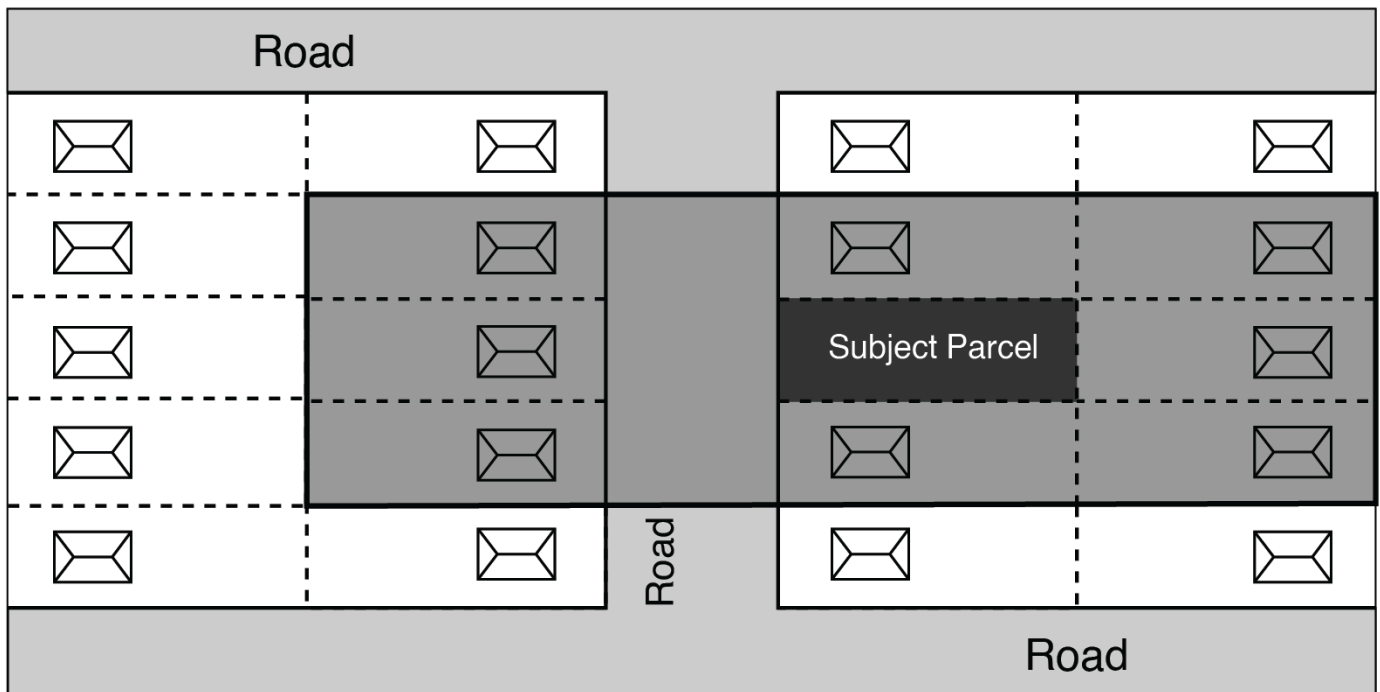


FIGURE 1: ADJACENT LAND

7. **Agriculture, Intensive** means the *use* of land or *buildings* for an agricultural operation in which crops are raised on a land-intensive basis. **Intensive Agriculture** includes greenhouses, silviculture and sod farms, but does not include **Confined Feeding Operations**, or **Cannabis Production and Distribution Facilities**;
8. **Agricultural Industry** means a *use* involving the processing, cleaning, packing or storage of agricultural products. This includes, but is not restricted to, seed cleaning and/or processing plants and grain elevators, but does not include the manufacture of processed foods from agricultural products or an **Abattoir**;
9. **Alcohol Retail Sales** means a *use* where an establishment possessing a Class D liquor license for the retail sales of any and all types of alcoholic beverages to the public for consumption off premises. This use may include, as well as the sale of alcohol, the retail sales of related products such as soft drinks and snack foods. This does not include **Cannabis Retail Sales**;
10. **amenity area** means an area which developed for the active or passive recreation and enjoyment of the occupants of a residential *development*. Such area may be for either private or communal use and may be under either individual or common ownership. **Amenity areas** may include *landscaped* areas, *patios*, *balconies*, lounges, swimming pools, play areas and similar areas but does not include any area occupied at *grade* by a *building's* service areas or *parking areas*;
11. **Amusement Establishment, Indoor** means a *use* providing recreational facilities indoors with games played by patrons for entertainment. This includes billiard parlours, arcades, bowling alleys, axe throwing and golf simulators;
12. **Amusement Establishment, Outdoor** means a *use* providing recreational facilities outdoors played by patrons for entertainment. This includes amusement parks, go-cart tracks, and miniature golf courses, but does not include drive-in motion picture theatres, carnivals or circuses;
13. **Appeal Body** means the board hearing a *subdivision* or *development permit* appeal in accordance with the Act.

14. **Auctioneering Establishment** means a **use** specifically intended for the auctioning of goods and equipment, including the temporary storage of such goods and equipment. **Auctioneering Establishments** do not include flea markets;
15. **Automotive Sales/Rentals** means a **use** where new or used vehicles are sold or rented, together with incidental maintenance services and sale of parts. This may include refueling and/or washing facilities as an integral part of the operation;
16. **Auto Wrecker** means a **use** for storing, junking, dismantling or wrecking three (3) or more motor vehicles and parts thereof and may include subsequent sales of such parts;
17. **balcony** means a projecting platform on a **building**, which is greater than 0.6 m above **grade**. A **balcony** is only accessible from within the **building** and is enclosed by a railing. It may be cantilevered from the **building** or supported from below;
18. **basement** means the portion of a **building** which is wholly or partially below **grade**, having above grade no more than 1.8 m (5.9 ft) of its clear height which lies below the finished level of the floor directly above;
19. **body of water** means a body of water as defined in the Act;
20. **building** means anything constructed or placed on, in, over, or under land but does not include a **highway** or **road** or a bridge forming part of a **highway** or **road**;
21. **building height** means the vertical distance measured from the **established grade** immediately adjacent to the subject **building** to the highest point of the **building**, exclusive of any accessory roof construction such as mechanical housing, an elevator housing, a ventilating fan, a skylight, a smokestack, a flagpole, a fire wall, a parapet wall, a chimney, a steeple, an antenna, or a similar device (See **Figure 2**);

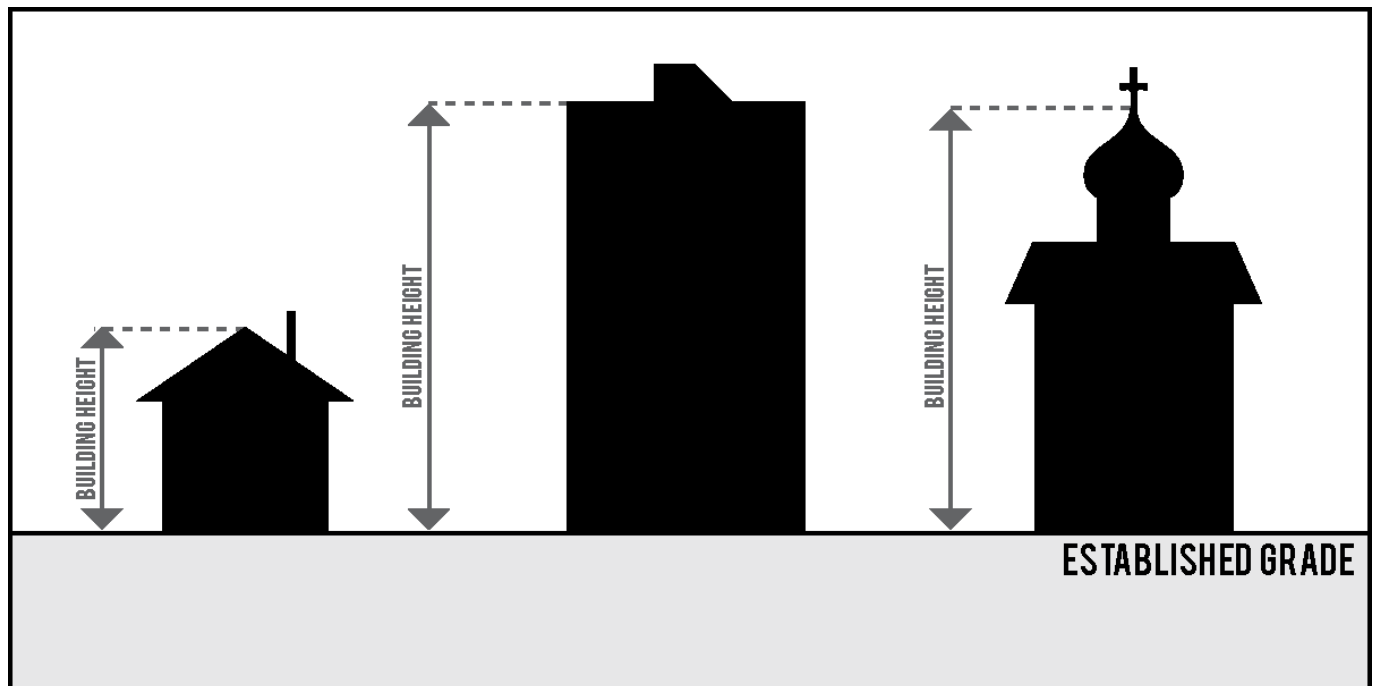


FIGURE 2: BUILDING HEIGHT

22. **building permit** means a permit or document issued in writing by a designated Safety Codes Officer within the building discipline pursuant to the *Safety Codes Act* authorizing the commencement of a **use**, occupancy, relocation, construction or demolition of any **building**;
23. **Bulk Fuel Station** means a **use** for handling petroleum products in bulk quantities and includes supplementary tanker vehicle storage;

24. **Business Support Services** means a *use* where support services are provided to businesses and may include the use of minor mechanical equipment for printing, duplicating, binding or photographic processing; the provision of office maintenance or custodial services; the provision of office security; or the sale, rental, repair or servicing of office equipment, furniture and machines;
25. **Campground** means a *use* for the purpose of providing seasonal or short-term accommodation for campers consisting of stalls or sites which provide, for payment of a fee, a site for the locating of a tent or *recreation vehicle* and may include facilities or amenities such as laundry, recreational activities and an administration building;
26. **Cannabis Production and Distribution Facility** means a *use* for one or more of the following activities relating to cannabis production in a federally approved and licensed facility:
- The production, cultivation, and growth of cannabis;
 - The processing of raw materials;
 - The making, testing, manufacturing, assembling, or in any way altering the chemical or physical properties of semi-finished or finished cannabis goods or products;
 - The storage of materials, goods, or products; or
 - The distribution and sales of materials, goods, and products to **Cannabis Retail Sales** establishments.
27. **Cannabis Retail Sales** means a *use* for the retail sales of cannabis that is authorized by provincial or federal legislation. This may include the sale of cannabis accessories but does not include on-site consumption;
28. **canopy** means a non-retractable projection extending from the outside wall of a *building* normally for the purpose of shielding a part of the *building* from the sun;
29. **Car Wash** means a *use* intended for the cleaning of motor vehicles;
30. **Care Facility** means a *use* where a public or private facility provides for the care, supervision or rehabilitation of individuals, or for palliative and end-of-life-care, containing overnight accommodation and operated in accordance with any relevant legislation or regulations of the Province of Alberta. Units within a **Care Facility** may, at the discretion of the *Development Authority*, be considered both long-term care units or **Dwelling Units** as these may be for permanent residences for the occupants.
31. **Cemetery** means a *use* for the entombment of the deceased, which may include a crematorium, columbarium mausoleum, memorial parks, burial grounds, chapels and gardens of remembrance;
32. **Child Care Facility** means a *use* where children are supervised and cared for and may include group day care, family day care, nurseries, child minding, out of school care, or specialized day care. This does not include a *dayhome*;
33. **Conceptual Plan** means a detailed land use plan for an area that provides a framework for subsequent *subdivision* and *development* of that land, and is otherwise equivalent to a “Conceptual Scheme” pursuant to Part 17 of the *Act*;
34. **condominium** means a condominium plan registered with the Land Titles Office under the *Condominium Property Act*, R.S.A. 2000, c. C-22, as amended, which allows for the division of a parcel into units and common elements, and the provision of an administrative framework through a condominium corporation which enables owners to manage the property;
35. **condominium, bareland** means housing units administered under the *Condominium Property Act*, R.S.A. 2000, c. C-22, as amended, which allows for the division of a *parcel* of land into units and common property, and where “joint control” is applied to a *parcel* of land (as distinct from a *building*) in which there are a number of individually owned units with the joint control being applied to the entire *parcel* of land owned by those owning a “unit”. Condominium title is conferred upon those owning individual units with the Condominium Association being responsible for the common property;

36. **Confined Feeding Operation** means a *use* as defined in the *Agricultural Operation Practices Act*, R.S.A. 2000, c. A-7, as amended, as a **Confined Feeding Operation**;
37. **Contractor Service, Limited** means a *use* where electrical, plumbing, heating, painting and similar contractor services are provided, primarily to individual households, and where goods normally associated with the contractor service may be sold, where all materials are kept within an enclosed **building**, and there are no accessory manufacturing activities;
38. **Contractor Service, General** means a *use* for the provision of **building** construction, landscaping, concrete, electrical, **excavation**, drilling, heating, plumbing, paving, **road** construction, sewer or similar services of a construction nature which require on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service. Any sales, display, office or technical support service areas are an **accessory use** to the **principal use** only;
39. **Construction Management Plan** means a document outlining building tasks and schedules, with detailed information on how the construction work itself is to be accomplished. A **Construction Management Plan** addresses the impact of the construction project on the area around it, controls to limit noise or vibration, management of air, dust, stormwater, and sediment and other matters considered necessary by the **Development Authority**;
40. **Council** means the Council of the Town of Hardisty;
41. **Cultural Establishment** means a *use* which is available to the public for the purpose of assembly, instruction, cultural or community activity and includes such things as a library, museum, art gallery, community centre and similar facilities;
42. **day home** means a type of **Home Occupation, Major** operated from a **Dwelling Unit** which provides supervision for a maximum of six (6) children under the age of thirteen (13), including children that are residents of the **Dwelling Unit**;
43. **deck** means a platform attached to a **building** having a height greater than 0.61 m (2.0 ft) above **grade**. A **deck** does not have walls higher than 1.25 m (4.1 ft) from the surface or a roof;
44. **deck, enclosed** means a platform attached to a **building** having a height greater than 0.61 m (2.0 ft) above **grade** that has walls higher than 1.25 m (4.1 ft), but does not have a roof;
45. **density** means a measure of the number of **Dwelling Units** per unit of area;
46. **Designated Officer** means a position established by bylaw whereby **Council** has delegated powers, duties, and/or functions;
47. **development** means:
- An **excavation** or stockpile and the creation of either of them; or
 - A **building** or an addition to or replacement or repair of a **building** and the construction or placing of any of them in, on, over or under land; or
 - 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
 - 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**.
48. **Development Authority** means a person or persons appointed as a **Development Authority** as contemplated by and in accordance with the *Act*;
49. **Development Officer** means a position established by bylaw whereby **Council** has delegated powers, duties, and/or functions;

50. **development permit** means a document authorizing a **development** issued pursuant to this Bylaw, and includes the plans and conditions of approval;
51. **discretionary use** means the **use** of land or a **building** provided for in this Bylaw for which a **development permit** may be issued upon an application having been made;
52. **Drinking Establishment** means a **use** possessing a Class A Minors Prohibited liquor license where the sale and consumption of liquor on site are open to the public and where alcohol, rather than food, is the predominant item consumed.
53. **drive-in business** means a business which serves customers traveling in motor vehicles driven onto the site where the customer either remains in the vehicle for service, or parks the vehicle for a short period for the purpose of doing business at the premises. **Drive-in businesses** include **Gas Bar and Service Station, Eating and Drinking Establishments, Car Washes**, and financial institutions;
54. **driveway** means a vehicle access route between the carriageway of a **road** and a **development** on a **parcel**;
55. **Dwelling Unit** means a **use** where a **building** or a self-contained portion of a **building**, which contains sleeping, cooking, living and separated or shared toilet facilities, and is used or intended to be used permanently or semi-permanently as a residence for one or more people;
56. **Dwelling, Apartment** means a **use** where a **building** dwelling contains three (3) or more **Dwelling Units** with a shared or common entrance (See **Figure 3**);
57. **Dwelling, Duplex** means a **use** where a **building** containing two (2) **Dwelling Units** share a common wall or are located one above the other, with each **Dwelling Unit** having a separate entrance. 'Semi-Detached Dwelling' has the same meaning (See **Figure 3**);
58. **Dwelling, Manufactured** means a **use** where a transportable, single or multiple section **building** conforming to CSA standards at the time of construction that contains a **Dwelling Unit** and when placed on a permanent foundation is ready for **residential use** and occupancy. A **Manufactured Dwelling** includes such styles known as manufactured homes and Ready to Move (RTM) Homes. For better clarity, a **building** is considered a **Manufactured Dwelling** where all of the following are met:
- a. the **building** is prefabricated to CSA standards; and
 - b. its roof pitch is equal to or less than 1:3; and
 - c. the depth of its **eaves** is equal to or less than 0.3 m (1.0 ft); and
 - d. the ratio of its depth versus its width is 3:1 or greater.
59. **Dwelling, Row Housing** means a **use** where a **building** containing three (3) or more **Dwelling Units** each have a separate entrance. This includes townhouses, triplexes and fourplexes and similar multi-dwelling **developments**. (See **Figure 3**);
60. **Dwelling, Single Detached** means a **use** where a **building** contains one (1) **principal Dwelling Unit** (See **Figure 3**). A **Single Detached Dwelling** is normally constructed on-site. However, a **building** is considered a **Single Detached Dwelling** where it is constructed in pieces off-site, with the pieces being transported to the site for assembly on-site if all of the following conditions are met:
- a. the **building** is prefabricated to CSA standards; and
 - b. its roof pitch is greater than 1:3; and
 - c. the depth of its **eaves** are greater than 0.3 m (1.0 ft); and
 - d. the ratio of its depth versus width is less than 3:1;



FIGURE 3: EXAMPLES OF DWELLINGS

61. ***easement*** means a right to the limited use of land held by another, generally for access to another ***parcel*** or as a right-of-way for a ***utility*** and is registered on the ***parcel*** with the Land Titles Office in accordance with the *Land Titles Act*.
62. **Eating and Drinking Establishment** means a ***use*** where food and/or beverages are prepared and offered for sale to the public, for consumption within the premises, or at an accessory outdoor seating area on the site, or off the site, where food, rather than alcohol, is the predominant item consumed. **Eating and Drinking Establishments** include restaurants, cafes, delicatessens, tea rooms, and refreshment stands;
63. ***eave*** means the edges of the roof that overhang past the walls of a ***building*** that primarily function to protect a ***building*** from rain and to provide ventilation;
64. **Educational Facility** means a ***use*** where persons are assembled for educational purposes within ***buildings*** and ***structures***, including classrooms, libraries, offices, recreational facilities and other related facilities, and where dormitory accommodations and common kitchen and dining facilities may also be provided. **Educational Facilities** includes schools, colleges and academies and their administrative offices and maintenance facilities;
65. **Entertainment Establishment** means a ***use*** where persons may be entertained by music or theatre and includes cinemas;
66. ***environmental audit*** means a comprehensive site analysis to determine if there are any hazardous substances above, on or below the surface of a ***parcel*** that may pose a threat to the environment and/or health of humans, wildlife and/or vegetation; if there are any breaches of federal, provincial and/or municipal environmental standards; the level of risk that a contaminated site poses to the environment and/or health of humans, wildlife and/or vegetation; and what remedial actions may be required to reduce the level of risk posed by a contaminated site to an acceptable level;
67. **Equipment Rental Establishment** means a ***use*** where tools, appliances, recreation craft, office machines, furniture, light construction equipment, or similar items are rented and serviced. An **Equipment Rental Establishment** does not include the rental or servicing of motor vehicles or industrial equipment;

68. **established grade** means the average of the highest (A) and lowest (B) elevation of finished surface of the ground where it meets the exterior main walls of a **building** or the average elevation of the finished grade of the ground immediately surrounding a **structure**, exclusive in both case of any artificial embankment or entrenchment (See **Figure 4**);

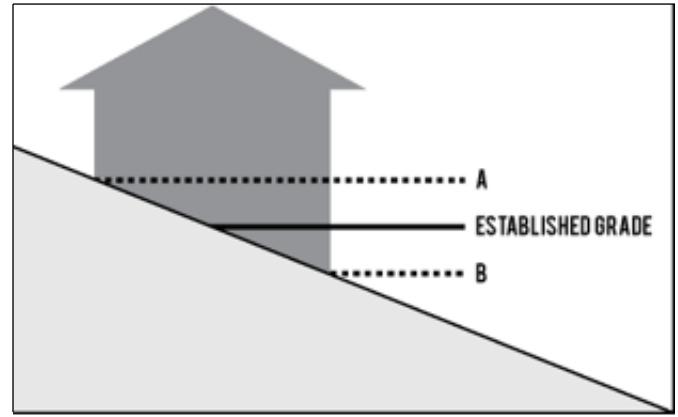


FIGURE 4: ESTABLISHED GRADE

69. **excavation** means any breaking of ground, except common household gardening and ground care;
70. **existing** means existing as of the effective date of this Bylaw;
71. **fence** means a vertical physical barrier constructed of typical materials to reduce sound or prevent visual intrusion or unauthorized access;
72. **floor area** means the total area of all floors of a **building** excluding the area of a **basement** floor, EXCEPT for **Dwelling Units** in a **basement** of a **Dwelling, Apartment** shall be included in the calculation of **floor area**;
73. **frontage** means a **property line** of a **parcel** which **abuts** a **highway** or **road**;
74. **Funeral Services** means a **use** where the dead are prepared for burial or cremation and where funeral services are held. **Funeral Services** includes funeral homes and undertaking establishments, and may include a small-scale crematorium;
75. **Gas Bar and Service Station** means a **use** for the retail sale of gasoline, other petroleum products and incidental automobile accessories. A **Gas Bar and Service Station** may also include an **Eating and Drinking Establishment** and a **Car Wash** as **accessory uses**;
76. **Government Services** means a **use** where municipal, provincial or federal government services are provided directly to the public. **Government Services** include government administration offices, courthouses, postal distribution offices, manpower and employment offices and social services offices, but does not include **Protective and Emergency Services**;
77. **grade** means the geodetic elevation of the existing ground in an undisturbed natural state or an approved design grade as described in a grading plan;
78. **Greenhouse and Plant Nursery** means a **use** where bedding, household and ornamental plants are raised, stored and sold, together with incidental accessories such as garden equipment, fertilizers and garden care products. This use does not include **Cannabis Production and Distribution Facilities**;
79. **Health Service** means a **use** where physical or mental health services are provided on an out-patient basis. Such services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative or counseling nature. **Health Services** includes medical, chiropractic, massage, acupuncture, and dentistry offices, holistic and counselling services, and community health centres;
80. **high water mark** means the line separating the bed and shore of a **body of water** from the adjoining upland as determined by an Alberta Legal Surveyor, also known as the legal bank of a **body of water**;
81. **highway** means a **highway** or proposed **highway** that is designated as a **highway** pursuant to the *Highways Development and Protection Act*;

82. **Hobby Farm** means the *use* of an acreage-sized *parcel* for the operation of a small farm that does not produce products for sale on a commercial scale;
83. **Home Occupation, Major** means a *use* where a business, occupation, trade, profession or craft that is carried on as an *accessory use* within a **Dwelling Unit** by at least one permanent resident of said **Dwelling Unit** and which may be detectable outside the **Dwelling Unit** but does not negatively impact the general residential nature of the neighbourhood, and includes a *dayhome*;
84. **Home Occupation, Minor** means a *use* where a business, occupation, trade, profession or craft that is carried on as an *accessory use* within a **Dwelling Unit** by at a permanent resident of said **Dwelling Unit** which does not have any exterior evidence of an *accessory use*;
85. **Hotel** means a *use* where members of the traveling public are lodged for brief periods of time, normally not exceeding seven (7) days, in rentable units, where access to the rentable units is from a common entranceway. A **Hotel** may include **Eating and Drinking Establishments**, meeting rooms or convention facilities, **Personal Service Shops**, **Retail Shops**, **Alcohol Retail Sales** and **Entertainment Establishments**;
86. **Industrial, Light** means a *use* where goods or products are fabricated, processed, assembled or packaged for distribution where all or part of the processes associated with the *use* are located inside of a *building*, and no adverse environmental impact or nuisance is created beyond the *parcel*;
87. **Industrial Vehicle and Equipment Sales/Rental** means a *use* where new or used heavy vehicles, machinery or mechanical equipment typically used in building, roadway, pipeline, oilfield and mining construction, manufacturing, assembling and processing operations and/or agricultural operations are sold or rented, together with incidental maintenance services and sale of parts;
88. **Kennel** means a *use* where dogs or cats or other domestic pets may be maintained, boarded, bred or trained and may include the incidental sale of products related to the services provided, but does not include a **Veterinary Clinic**;
89. **landscaping** means the modification and enhancement of a *parcel* through the use of lawns, trees, shrubs, ornamental plantings, bark mulch or other ground cover, and hard landscaping materials such as brick, stone, concrete tile or wood, but excludes all areas used for a *driveway* or parking area;
90. **lane** means a public thoroughfare typically providing secondary access to one or more *parcels*. For the purpose of this Bylaw, a *lane* is not a *road*;
91. **loading space** means an off-street space for the temporary parking of a vehicle while it is being loaded or unloaded;
92. **lot** means:
- a quarter section; or
 - a river or a settlement lot shown on an official plan referred to in the Surveys Act that is filed or lodged in a Land Titles Office; or
 - a part of a *parcel* of land described in a certificate of title if the boundaries of the part are separately described in the certificate of title other than by reference to a legal subdivision; or
 - a part of a *parcel* of land described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision;
93. **maintenance** means the upkeep of the physical form of any *building*. **Maintenance** includes painting, replacing flooring, replacing roofing materials and repair of any facility related to a *development*, but does not include any activity that will change the *floor area* or the internal volume of any *building*, or *structural alteration* to a *building*;
94. **Motel** means a *use* where members of the traveling public are lodged for brief periods of time, normally not exceeding seven (7) days, in rentable units, and where access to each of the rentable units is individually available

from grade or via exterior stairways. A **Motel** may include **Eating and Drinking Establishments**, but shall not include **Alcohol Retail Sales** or an **Entertainment Establishment**;

95. **Municipal Planning Commission (MPC)** means the **Municipal Planning Commission** established by bylaw pursuant to the Act;
96. **municipality** means the Town of Hardisty;
97. **must** is an operative word, which means, similarly to the word **shall**, that an action is imperative or mandatory;
98. **non-conforming building** means a **building**:
- a. that is lawfully constructed or lawfully under construction at the date a land use bylaw or any amendment thereof affecting the **building** or the land on which the **building** is situated becomes effective; and
 - b. that on the date the land use bylaw becomes effective does not, or when constructed will not, comply with the land use bylaw;
99. **non-conforming use** means a lawful specific **use**:
- a. being made of land or a **building** or intended to be made of a **building** lawfully under construction at the date a land use bylaw affecting the land or **building** becomes effective; and
 - b. that on the date the land use bylaw becomes effective does not, or in the case of a **building** under construction will not, comply with the land use bylaw;
100. **noise** means any sound which either annoys or disturbs persons, or which injures, endangers, or detracts from the comfort, repose, health, peace or safety of persons;
101. **nuisance** means any act or deed, or omission, or thing, which is or could reasonably be expected to be annoying, or troublesome, or destructive or harmful, or inconvenient, or injurious to another person and/or their property, or anything troublesome or bothersome to other people;
102. **objectionable**, see **obnoxious**;
103. **obnoxious** means, when used with reference to a **development**, a **use** which by its nature, or from the manner of carrying on the same, may, in the opinion of the **Development Authority**, create noise, vibration, smoke, dust or other particulate matter, odour, toxic or non-toxic matter, radiation, fire, or explosive hazard, heat, humidity, glare, or unsightly storage of goods, materials, salvage, junk, waste or other materials, a condition which, in the opinion of the **Development Authority**, may be or may become a **nuisance**, or which adversely affects the amenities of the neighbourhood, or which may interfere with the normal enjoyment of any land or **building**;
104. **offensive**, see **obnoxious**;
105. **Office** means a **use** where professional, management, administrative, consulting and financial services may be provided. **Office uses** include the offices of lawyers, accountants, engineers, architects and realtors. Offices also include insurance firms; clerical, secretarial, employment and telephone answering and similar office support services; banks, credit unions, loan offices and similar financial institutions;
106. **outdoor storage** means the storing, stockpiling, or accumulation of goods, equipment or materials in an area that is open or exposed to the natural elements, and includes vehicles, **recreational vehicles** and boats, waste materials, debris or garbage;
107. **owner** means:
- a. in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land; or
 - b. in the case of any other land, the person shown as the owner of a **parcel** of land shown on the certificate of title;
108. **parcel** means the aggregate of the one or more areas of land described in a certificate of title by reference to a plan filed or registered in a land titles office;

109. **parcel area** means the total area of land within a **parcel**;
110. **parcel coverage** means the percentage of the **parcel area** covered by the area of all **buildings** on a **parcel**, including **Accessory Buildings**, but excluding balconies, canopies, **eaves**, stairways and landings, **patios**, **decks** and similar projections;
111. **parcel depth** means the average horizontal distance between the **front parcel lines** and **rear parcel lines** measured either perpendicular to the **front parcel line**, or perpendicular to the tangent on a curve from the midpoint of a curved **front parcel line**;
112. **parcel width** means the average horizontal distance between the two **side parcel lines** or for irregular shaped lots, the distance between the **side parcel lines** 10.0 m (32.8 ft) from the **front parcel line** measured parallel to the **front parcel line** or at right angles to the tangent on a curve from the midpoint of a curved **front parcel line**;
113. **parcel, corner** means a **parcel** which is situated at the intersection of two (2) separate **roads**, or with a **property line** on a single **road** that curves at an angle of sixty (60) degrees or more at the subject **parcel** (see **Figure 5**);
114. **parcel, interior** means a **parcel** which **abuts** only one (1) **road** (see **Figure 5**);

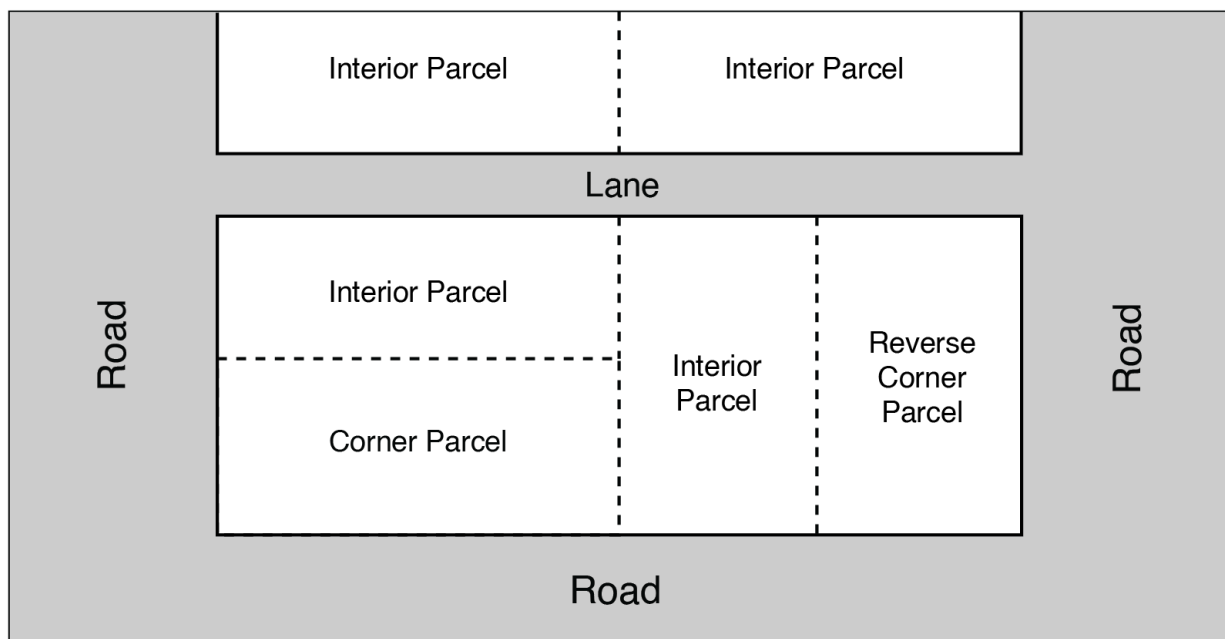


FIGURE 5: INTERIOR, CORNER AND REVERSE CORNER PARCELS

115. **parcel, lake front** means a **parcel** which either **abuts** a **body of water** or **reserve land** which **abuts** a **body of water** (see **Figure 6**);
116. **parcel, reverse corner** means a **corner parcel** where the front façade of a **Dwelling Unit** is oriented towards the longest **property line** which **abuts** a **road** (see **Figure 5**);
117. **parcel line, exterior side** means a **property line**, other than the **front parcel line**, which **abuts** a **road**;
118. **parcel line, front** means the shortest **property line** that **abuts** a **road**, except for **lake front parcels**. On **lake front parcels** the **front parcel line** shall be the **property line** that is closest to the **body of water** (see **Figure 6**);
119. **parcel line, interior side** means the **property line** of a **parcel** lying between a **front parcel line** and a **rear parcel line** which does not **abut** a **road**;
120. **parcel line, rear** means the **property line** lying opposite to the **front parcel line** and/or farthest from a **road**;

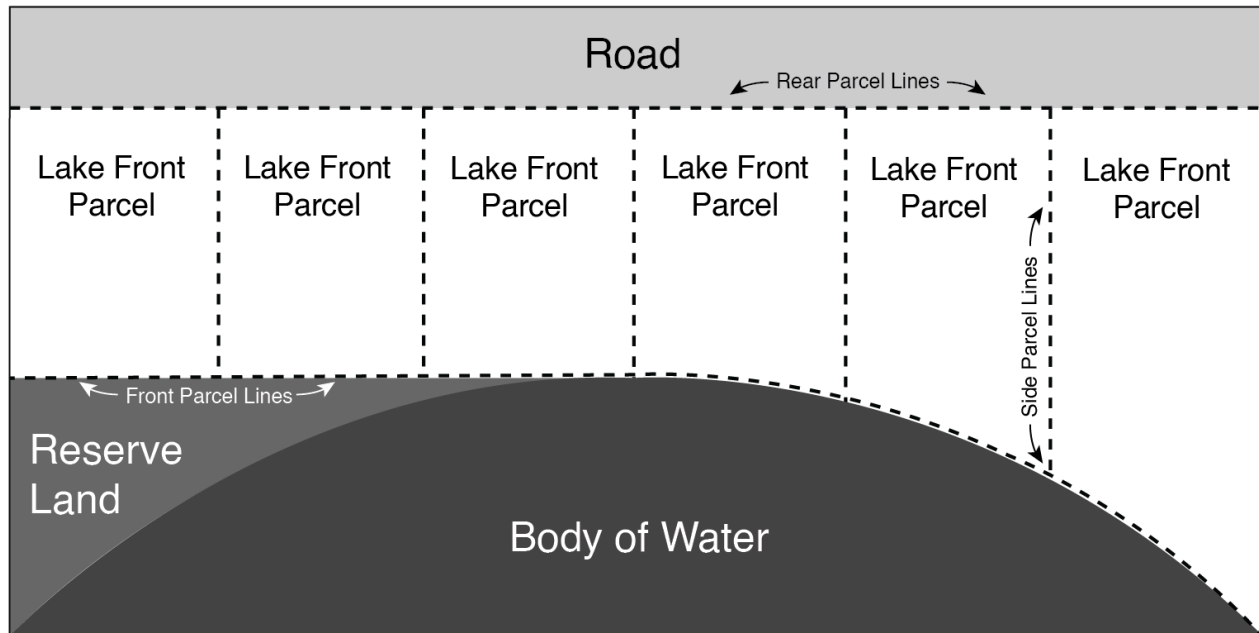


FIGURE 6: LAKEFRONT PARCEL

121. **Park** means a *use* designed or reserved for active or passive recreational use, or to be left in a natural state, and/or areas of cultural or scenic value. This may include all natural and man-made open space and **landscaping**, facilities, and **buildings** that are consistent with this general purpose. **Parks** include playgrounds, band shells, picnic grounds, pedestrian trails and paths, landscaped buffers, water features, and similar outdoor features;
122. **parking space** means a space within a **building** or **parking area**, for the parking of one vehicle, excluding **driveways**, aisles, and ramps;
123. **park model** means a type of recreational unit or trailer that provides for temporary or seasonal accommodation and is connected to **utilities**. A **park model** is not a **Dwelling Unit** (See Figure 7);



FIGURE 7: PARK MODEL EXAMPLES

124. **parking area** means an area set aside for the storage and/or parking of vehicles. Components of **parking areas** include **parking spaces**, **loading spaces**, aisles, entrances and exits to the **parking area** and traffic islands where they are part of the **parking area**. A **parking area** may be above or below ground or within a **building**, and, if so, is commonly referred to as a parkade;

125. **Parking Lot** means a *use* where the *principal use* of the *parcel* is for a *parking area*;
126. **patio** means any developed surface adjacent to a *building* which is less than 0.61 m (2.0 ft) above *grade*;
127. **Peace Officer** means a position authorized by the Alberta Government, or by **Council** for the purpose of enforcing various laws to provide safe and secure communities;
128. **permitted use** means the *use* of land or a *building* provided for in this Bylaw for which a **development permit** shall be issued upon an application having been made, provided that all of the regulations of this Bylaw are or will be met;
129. **Personal Service Shop** means a *use* for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects. This includes barber shops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, dry cleaning establishments and laundromats. This does not include **Health Services**;
130. **Place of Worship** means a *use* wherein people regularly gather for worship and related religious, philanthropic or social activities. Typical examples include churches, chapels, convents, kingdom halls, manses, monasteries, mosques, synagogues and temples;
131. **principal building** means a *building* which:
- a. occupies the major central portion of a *parcel*;
 - b. is the chief or main *building* among one or more *buildings* on the *parcel*; or,
 - c. constitutes by reason of its *use* the primary purpose for which the *parcel* is used;
132. **principal use** means the primary or main purpose for which a *building* or *parcel* is used;
133. **property line** means the legal boundary of a *parcel* or *lot*;
134. **Protective and Emergency Services** means a *use* where the administration of the protection of persons and property from injury, harm or damage takes place, and where the equipment necessary for such activities is stored, maintained and supplied. **Protective and Emergency Services** include police stations, fire stations and ancillary training facilities;
135. **qualified professional** means individuals with experience and training in a particular discipline with a recognized degree, certification, license or registration;
136. **Recreational Facility, Indoor** means a *use* for sports and active recreation within an enclosed *building*. **Indoor Recreational Facilities** include ice arenas, curling rinks, racquet courts, gyms, and swimming pools and may include a refreshment stand incidental to the *principal use*;
137. **Recreational Facility, Outdoor** means a *use* where large areas of land are used to provide day-to-day sporting and athletic facilities outdoors and the *structures* incidental thereto. This includes ski slopes, nature trails, fishing and ice fishing, golf courses, archery, trap and rifle ranges, racetracks, boating, riding, swimming, skating rinks, sports grounds and similar uses, and may include a refreshment stand incidental to the *principal use*;
138. **recreational vehicle** means a vehicle or a trailer that is designed, constructed and equipped, either temporarily or permanently, as a temporary accommodation for travel, vacation or recreational use and includes but is not limited to: trailers, motorized homes, slide in campers, chassis mounted campers and tent trailers;
139. **Recycling Depot** means a *use* where bottles, cans, newspapers and similar non-hazardous household goods are bought, sold and temporarily stored for reuse and where all storage is contained within an enclosed *building* or an enclosed compound;
140. **Regulation** means the *Matters Related to Subdivision and Development Regulation AR84/2022*, as amended, and any parallel or successor legislation.
141. **relocated building** means a *building* that was constructed and previously used or occupied and is relocated or is proposed to be relocated to another *parcel*;

142. **renewable energy system** means a system that produces electrical power or heat to be used for on-site consumption or heating requirements by means such as, but not limited to, active and passive solar collectors, geothermal energy or heat exchange systems. A **renewable energy system** may provide residual power to the grid but is not intended to produce power primarily for resale;
143. **renovation** means the process of repairing, restoring or improving any **building**;
144. **Repair Shop** means a **use** where small-scale products and appliances are repaired or reconditioned and where there is no **outdoor storage** of goods or materials;
145. **reserve land** means reserve land as defined in the Act;
146. **residential use** means the use of a **parcel** for the purpose of a residence by a person or persons and does not include use of the property for commercial purposes. A **residential use** is one where the occupants have exclusive use for an indefinite amount of time except in accordance with a tenancy agreement under the *Residential Tenancies Act* or the *Mobile Homes Site Tenancies Act*;
147. **Resort/Retreat** means a **use** of a **parcel** of land intended for visitors to stay for a defined period of time for recreation, study, or relaxation and may include **buildings** used for overnight accommodation, including **park models**, a managers or **Surveillance Suite**; and other **buildings** used in the **Resort/Retreat** operations;
148. **Retail Establishment** means a **use** for the retail sale of groceries, beverages, household goods, furniture and appliances, hardware, printed matter, confections, tobacco, pharmaceutical and personal care items, automotive parts and accessories, office equipment, stationary and/or similar goods from within an enclosed **building**. This does not include **Alcohol Retail Sales**, a **Gas Bar** or **Bulk Fuel Station**, **Industrial Vehicle and Equipment Sales/Rental**; **Automotive Sales/Rentals** or **Warehousing and Distribution**;
149. **road** means any public **road**, including the boulevards, sidewalks and improvements, but excluding a **lane**, **highway** or private road;
150. **Rodeo Grounds** means a **use** where a display of the skills of cowboys, including bareback riding, steer wrangling, etc., is executed;
151. **Seasonal Accommodation** means a **use** where a **park model**, **recreational vehicle** or similar **structure** that contains sleeping, cooking and sanitary facilities is used seasonally, generally between May 1 and October 31. **Seasonal Accommodation** is not a **Dwelling Unit**, and is not intended for **residential use**;
152. **Self-Service Storage Facility** means a **use** where varying sizes of individual, compartmentalized and controlled access lockers are provided within a fenced compound or within a **building** for the storage of a customer's goods or wares. **Self-Service Storage Facilities** do not include a **Storage Yard**;
153. **setback** means the minimum horizontal distance as required by the district regulations between a **building**, **structure**, or **use** from each of the respective **property lines**, or from a **body of water**, a natural boundary or other reference line. A **setback** is not a **yard** or **amenity area** (See **Figure 8**);

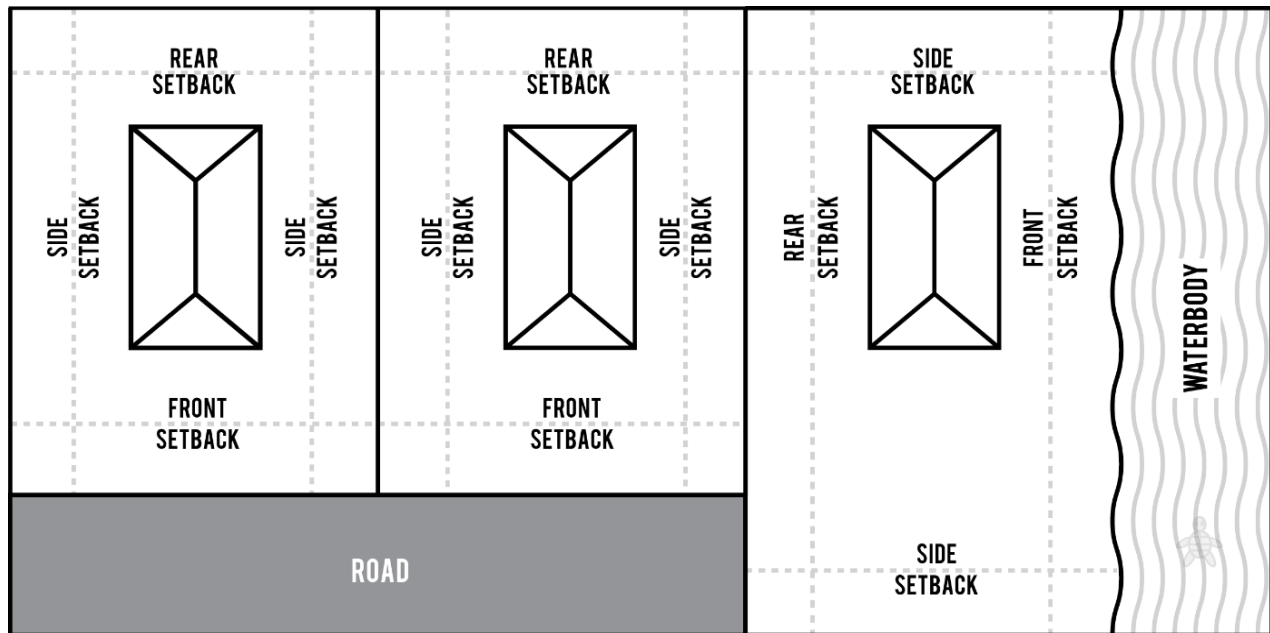


FIGURE 8: SETBACKS

154. **shall** is an operative word, which means similarly to the word **must**, that an action is imperative or mandatory;
155. **shipping container** means a container that is new or was formerly used for transport of goods by means of rail, truck or sea. These containers are rectangular in shape and are generally made of metal. When used for any other purpose other than transporting freight, a **shipping container** is considered an **Accessory Building**. **Shipping containers** are also referred to as a sea cargo container, sea can or cargo container (See Figure 9);



FIGURE 9: SHIPPING CONTAINER

156. **Short-Term Rental** means a **use** where a **Dwelling Unit** is operated as a temporary place to stay and includes vacation rentals of a **Dwelling Unit**. The characteristics of a **Short-Term Rental** may include, but is not limited to: the intent of the occupant to stay for short-term purposes rather than as a residence; the management and advertising of the property as a short-term accommodation property; and/or the use of a system for reservations, deposits, confirmations, credit cards or other forms of electronic payment;
157. **sight line triangle** means the triangular area formed by a line drawn between two (2) points on the curbs of intersecting **roads** 6.0 m (19.7 ft) from the point where the curbs would meet if extended or 5.0 m (16.4 ft) from that point in the case of an intersecting **lane** and **road** or **driveway** and **road**;
158. **Sign** means any visual medium, including its structure and other component parts, illuminated or not illuminated, which is used or capable of being used, on a permanent or temporary basis, to identify or convey information, or to advertise or attract attention to a product, service, place, activity, person, institution or business;
159. **sign area** means the area of a **Sign** that is available for copy or advertisements, excluding the main support structure (see Figure 10);

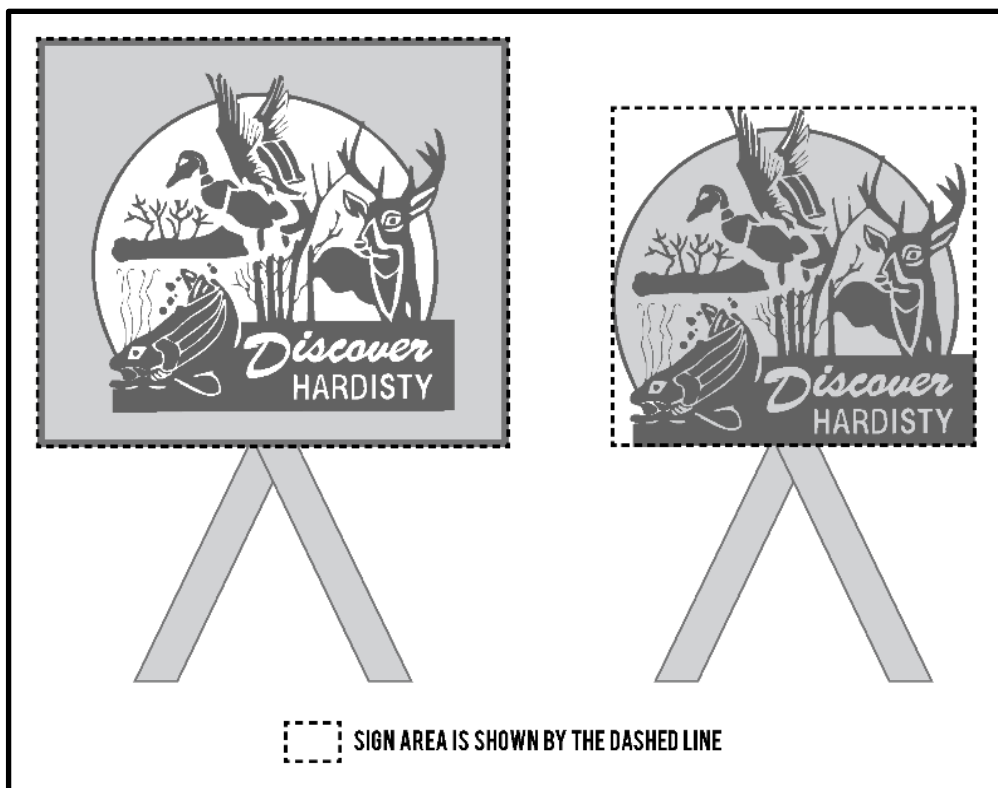


FIGURE 10: SIGN AREA

160. **sign content** means the wording/lettering, message, graphics or content displayed on a **Sign**;
161. **Sign, A-Frame** means a **Sign** commonly referred to as a “sandwich board”, composed of two hinged or otherwise joined boards which leans on the ground (see **Figure 11**);
162. **Sign, Canopy** means a **Sign** which is part of, or attached to, the outside edge of a canopy but which does not extend below the bottom edge or surface of the canopy (see **Figure 11**);
163. **Sign, Fascia/Wall** is a **Sign** attached to or placed flat against the exterior wall or surface of any building, no portion of which projects more than 0.1 m (4 inches) from the wall, but which may or may not project above the roof or parapet (see **Figure 11**);
164. **Sign, Freestanding** means a **Sign** supported by one or more uprights, braces or pylons and which stands independently of another structure (see **Figure 11**);
165. **Sign, Portable** means a temporary **Sign** on a standard or column fixed to its own self-contained base and capable of being moved manually (see **Figure 11**);
166. **Sign, Projecting** means a **Sign** which is affixed to any **building** or part thereof and extends beyond the **building** wall or parts thereof by more than 0.3 m (1.0 ft) (see **Figure 11**);
167. **Sign, Roof** means any **Sign** erected upon, against or directly above a roof or on top of or above the parapet wall of a **building** (see **Figure 11**);
168. **Sign, Under Canopy** means a **Sign** which is attached to the bottom face of a canopy (see **Figure 11**);



FIGURE 11: EXAMPLES OF SIGN TYPES

169. **similar use** means a **use** which, in the opinion of the **Development Authority**, closely resembles another defined **use** with respect to the type of activity, structure and its compatibility with the surrounding environment;
170. **slope stability** means the stability of a slope, which is a function of the steepness, soil material, moisture content, ground water condition, slope geometry and vegetation cover;
171. **Storage Yard** means a **use** where materials or equipment are placed outside of a **building** on a more or less permanent or continuous basis;
172. **storey** means the space between one floor of a multi-storey building and the next floor above it. The upper limit of the top **storey** shall be the ceiling above the topmost floor. A **basement** or cellar shall be considered a **storey** in calculating the height of a **building** if the upper limit of the **basement** or cellar is greater than 1.8 m (6.0 ft) above **established grade**;

173. **structural alteration** means a **renovation**, addition to, deletion from or change to any **building** which includes work to the structure of the **building**;
174. **structure** means anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground, but does not include a **building**, **fence** or a **Sign**;
175. **Subdivision and Development Appeal Board** means the Subdivision and Development Appeal Board established by the **municipality's Subdivision and Development Appeal Board Bylaw** and appointed by **Council**;
176. **Subdivision Authority** means the **Subdivision Authority** established by the **municipality's Subdivision Authority Bylaw** and appointed in accordance with the provisions of that Bylaw;
177. **Suite, Garage** means a self-contained **Dwelling Unit** located above a detached **Accessory Building** (garage) which is located in a **rear yard** and which is accessory to a **Single Detached Dwelling**. **Garage Suites** have an entrance which is separated from the vehicle entrance to the **Accessory Building** (garage), either from a common indoor landing or directly from the exterior of the **building** (see **Figure 12**);
178. **Suite, Garden** a self-contained **Dwelling Unit** located at grade within a detached **Accessory Building** which is located in a **rear yard** and which is accessory to a **Single Detached Dwelling** (See **Figure 12**);
179. **Suite, Secondary** means a self-contained **Dwelling Unit** located in a **building** in which the **principal use** is a **Single Detached Dwelling** or **Duplex Dwelling**. This **use** includes the conversion of a **basement** or a portion of a **basement**, or the addition of new **floor area** for the **Secondary Suite** (See **Figure 12**);
180. **Suite, Surveillance** means a **Dwelling Unit** used to accommodate a person or persons whose function is to provide surveillance for the maintenance and safety of the **development** (See **Figure 12**);



FIGURE 12: EXAMPLES OF SUITES

181. **Town** means the Town of Hardisty;
182. **Truck and Recreational Vehicle Sales/Rentals** means a **use** where new or used trucks with a gross vehicle weight rating of 4000.0 kg (8818.5 lbs) or greater, motor homes, and **recreational vehicles** with a gross vehicle weight rating of 6000.0 kg (13,227.7 lbs) or greater or a length greater than 6.7 m (22.0 ft) are sold or rented, together with incidental maintenance services and sale of parts. This includes truck dealerships, recreational vehicle

dealerships, and truck and **recreational vehicle** rental agencies, and may include refueling and/or washing facilities as an integral part of the operation;

183. **Trucking and Cartage Establishments** means **buildings**, structures or land for the purpose of storing, servicing, repairing or loading trucks and/or transport trailers, but does not include a **Gas Bar and Service Station** or **Industrial Vehicle and Equipment Sales/Rental**;

184. **use** means the purpose or activity for which a **parcel** or a **lot** and any **buildings** located on it are designed, arranged, developed or intended, or for which it is occupied or maintained;

185. **Utility** means a **use** where a system or works are provided for treatment, storage or distribution of one or more of the following:

- a. waterworks;
- b. sewage disposal;
- c. public transportation;
- d. irrigation;
- e. drainage;
- f. fuel;
- g. electric power;
- h. heat;

and includes any **buildings** or structures that house any equipment used in conjunction with the **Utility**;

186. **Vehicle and Equipment Repair Shop** means a **use** where automobiles, motorcycles, snowmobiles and similar vehicles are serviced or mechanically repaired and where related accessories and parts are sold and/or installed. **Vehicle and Equipment Repair Shops** include transmission shops, muffler shops, tire shops, automotive glass shops and upholstery shops, but not **Vehicle Body Repair and Paint Shops**;

187. **Vehicle Body Repair and Paint Shop** means a **use** where the bodies of automobiles, motorcycles, snowmobiles and similar vehicles are repaired and or painted;

188. **Veterinary Clinic** means a **use** for the medical treatment of animals, and includes provision for their overnight accommodation, and may include associated office space. **Veterinary Clinics** do not include **Kennels**;

189. **Warehousing and Distribution** means a **use** where goods are stored inside a **building** and transferred to and from other locations. **Warehousing and Distribution** does not include any manufacturing, display or sales of the goods, but may include associated administrative functions;

190. **Waste Transfer Station** means a **use** where solid waste materials are received from collection vehicles and consolidated into larger vehicles for transport to the landfill;

191. **Wholesale Outlet** means a **use** where goods are sold for retail in larger quantities to other retailers or direct to other retailers or direct to consumers;

192. **Wireless Communications Facilities** means a device that requires a permit from the Federal Government and is used to receive and/or to transmit radio-frequency (RF) signals, microwave signals, or other communications energy transmitted from, or to be received by, other antennas. **Wireless Communications Facilities** include the antenna, and may include a supporting tower, mast or other supporting structure, and an equipment shelter. **Wireless Communications Facilities** may be freestanding or mounted on an existing **building** or **structure**;

193. **yard** means the open space on a part of a **lot** or **parcel** upon or over which no **principal building** is erected, and is the distance between the **property line** to the foundation of the **principal building** or the exterior finishing materials of an **Accessory Building** (See **Figure 13**);

194. **yard, exterior side** means the area of a **parcel** extending from the front foundation of the **principal building** to the rear foundation of the **principal building** and between the side foundation of the **principal building** to the **exterior side parcel line** (See **Figure 13**);
195. **yard, interior side** means the area of a **parcel** extending from the front foundation of the **principal building** to the rear foundation of the **principal building** and between the side foundation of the **principal building** to the **interior side parcel line** (See **Figure 13**);
196. **yard, front** means a **yard** extending across the full width of a **parcel** from the **front parcel line** to the nearest wall of the **principal building**. In the case of a curved **front parcel line**, the **front yard** will also form a curve (See **Figure 13**);
197. **yard, rear** means a **yard** extending across the full width of a **parcel** from the nearest wall of the **principal building** to the **rear parcel line** (See **Figure 13**).

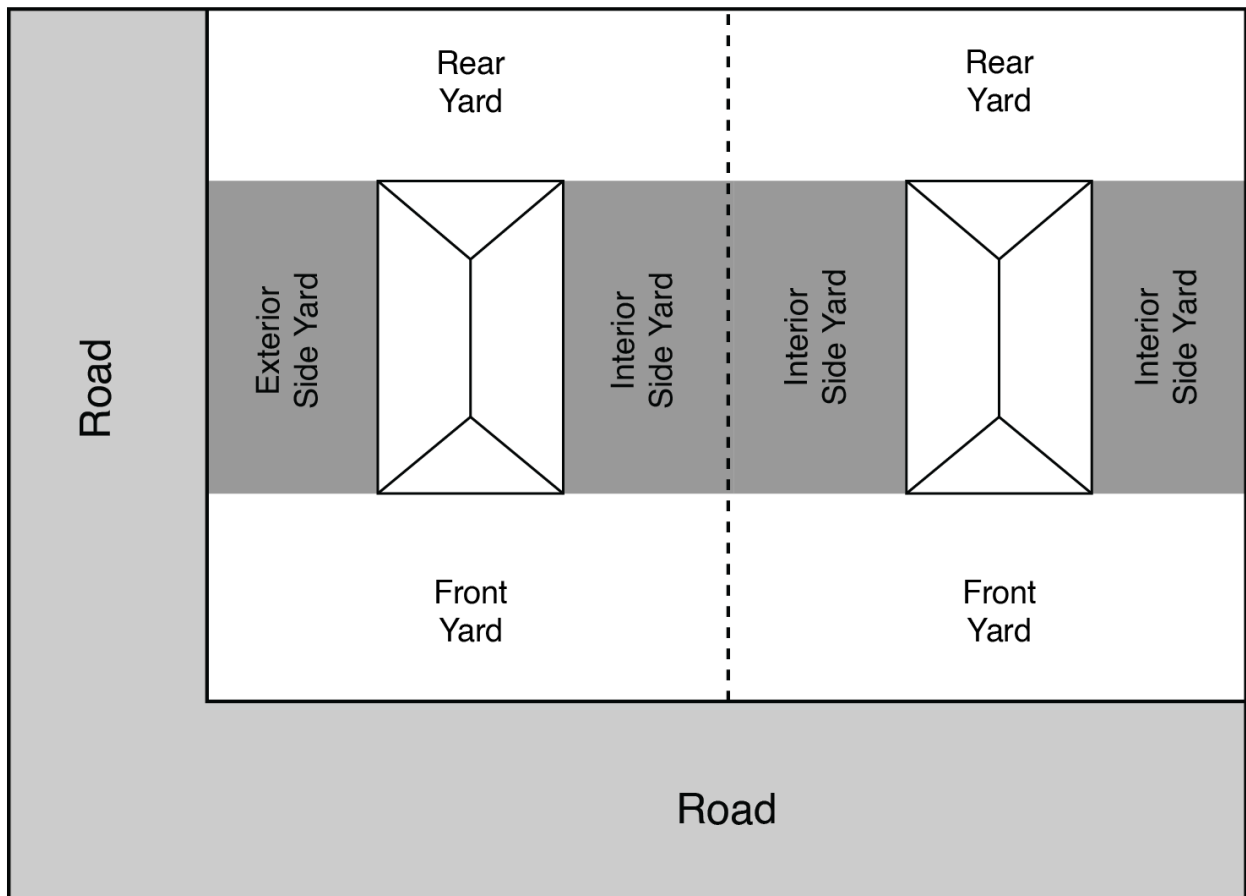


FIGURE 13: YARDS

Part C | Administrative Agencies

1 DEVELOPMENT AUTHORITIES

1. The **Development Authority** shall exercise powers and perform duties on behalf of the **Municipality** in accordance with the Act.
2. The **Development Authority** is:
 - a. the **Development Officer** while carrying out his or her functions or duties under this Bylaw and/or the Act;
 - b. the **Municipal Planning Commission** while exercising development powers or duties under this Bylaw and/or the Act; or
 - c. where the context of this Bylaw permits in Direct Control Districts, the **Council**.

DEVELOPMENT OFFICER

3. The office of the **Development Officer** is hereby established to act on behalf of **Council** in those matters delegated by the Bylaw and in such matters as **Council** may instruct from time to time.

MUNICIPAL PLANNING COMMISSION

4. The **Municipal Planning Commission**, established by Bylaw in accordance with the Act, shall perform such duties as are specified in this Bylaw.

2 DEVELOPMENT AUTHORITY POWERS AND DUTIES

1. The **Development Authority** must administer all **development permit** applications in accordance with this Bylaw and decide upon all **development permit** applications.
2. The **Development Authority** must refuse to accept a **development permit** application where the prescribed fee for a **development permit** has not been paid.
3. The **Development Authority** must make available for inspection, during office hours, all applications and decisions for **development permits**, subject to any legislation in force.
4. The **Development Authority** must collect fees according to the schedule approved by **Council**.
5. The types of **development permit** applications a **Development Authority** may consider are a **development permit** for:
 - a. a **permitted use** that complies with all requirements of this Bylaw;
 - b. a **permitted use** that does not comply with all requirements of this Bylaw;
 - c. a **discretionary use** that complies with requirements of this Bylaw; and
 - d. a **discretionary use** that does not comply with all requirements of this Bylaw.
6. The **Development Authority** must issue the following notices and acknowledgements on **development permit** applications:
 - a. notice of complete application;
 - b. notice of incomplete application;
 - c. notice of decision; and
 - d. notice of refusal/deemed refusal of an application.

DEVELOPMENT OFFICER

7. The **Development Officer** shall:

- a. Receive, review, consider and decide all applications for **development permits** for those **uses** listed as **permitted uses** in the relevant land use district and which complies with the minimum standards of this Bylaw;
- b. Receive, review, consider and decide all applications for **development permits** for those **uses** listed as **permitted uses** in the relevant land use district and requires a relaxation of any standard in this Bylaw in accordance with **Part C.3.2**;
- c. Receive and refer with recommendations to the **Municipal Planning Commission** for its consideration and decision, all applications for a **development permit** which has been assigned to it for consideration and decision pursuant to **Part C.2.8**.

MUNICIPAL PLANNING COMMISSION

8. The **Municipal Planning Commission shall** decide on all **development permit** applications for:
 - a. those **uses** listed as **discretionary uses**;
 - b. those uses listed as **permitted uses** and requires a relaxation of any standard in this Bylaw in accordance with **Part C.3.3**;
 - c. **similar uses** as described in **Part D.7.9**; and
 - d. relocated buildings as described in **Part H.14**.

3 VARIANCE POWERS OF THE DEVELOPMENT AUTHORITY

1. The **Development Authority may** approve a **development permit** application for a **permitted use** or **discretionary use** where the proposed **development** does not comply with all of the applicable requirements and rules of this Bylaw if, in the opinion of the **Development Authority**:
 - a. the proposed **development** would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
 - b. the proposed **development** conforms with a **use** prescribed by this Bylaw for that land or **building**.
2. The **Development Officer**, at its discretion, **may** relax the development standards up to fifteen percent (15%) of that requirement.
3. The **Municipal Planning Commission** at its discretion, **may** relax the development standards fifteen percent (15%) or greater of that requirement.

4 SUBDIVISION AUTHORITY ESTABLISHMENT

1. The **Subdivision Authority** of the Town of Hardisty **shall** be as established by the Town's Subdivision Authority Bylaw.
2. The **Subdivision Authority shall** perform such duties in accordance with the Act and this Bylaw.

5 SUBDIVISION AUTHORITY POWERS AND DUTIES

1. The **Subdivision Authority must** administer all **subdivision** applications in accordance with this Bylaw and decide upon all **subdivision** applications.
2. The **Subdivision Authority must** refuse to accept a **subdivision** application where the prescribed fee for a **subdivision** application has not been paid.
3. The **Subdivision Authority may** refuse to deem complete a **subdivision** application where:
 - a. the information required is not provided; and/or

- b. the quality is inadequate to properly evaluate the application.

4. The **Subdivision Authority shall:**

- a. keep and maintain for the inspection of the public copies of all decisions and ensure that copies of same are available to the public at a reasonable charge;
- b. keep a register of all applications for **subdivision**, including the decisions therein and the reasons therefore;
- c. receive all applications for **subdivision** including the prescribed application fees and decide upon all applications in accordance with the *Regulation* and the Land Use Bylaw with consideration of all comments received through circulation;
- d. issue the following notices and acknowledgements on **subdivision** applications:
 - i. notice of complete application;
 - ii. notice of incomplete application;
 - iii. notice of decision; and
 - iv. notice of refusal/deemed refusal of an application.

A notice **shall** be issued to the applicant on the form created by the **Subdivision Authority** and sent by email where consent has been granted by the applicant, otherwise it **shall** be sent by mail;

- e. excepting **subdivision** applications not requiring circulation under the *Act*, to circulate applications for **subdivision** for comments to an **adjacent** municipality when the original **parcel** boundaries are **adjacent** to the municipal boundary or where an intermunicipal development plan requires;
- f. prepare, sign and transmit all notices of decision to the relevant agencies in accordance with the *Regulation*;
- g. ensure all conditions are complied with prior to endorsement to the satisfaction of the municipality; and
- h. endorse Land Titles instruments to effect the registration of the **subdivision** of land.

6 COUNCIL

- 1. **Council shall** perform such duties as are specified for it in this Bylaw and issue as required permits for **development** in Direct Control Districts.

Part D | Development Application and Approval Process

1 CONTROL OF DEVELOPMENT

1. No **development** other than that designated in **PART D.2** of this Bylaw **shall** be undertaken within the **municipality** unless an application for it has been approved and a **development permit** has been issued.

2 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

1. The following **development shall** not require a **development permit**:
 - a. any **use** or **development** exempted under section 618(1) of the Act;
 - b. any **use** or **development** exempted by the Lieutenant Governor in Council pursuant to section 618(4) of the Act;
 - c. **Wireless Communication Facilities**;
 - d. the completion and **use** of a **development** which was lawfully under construction at the date this Bylaw came into effect provided the **development** is completed in accordance with the terms and conditions of any **development permit(s)** granted;
 - e. the completion of a **development** that did not require a **development permit** under the previous Land Use Bylaw and which was lawfully under construction provided the **development** is completed within twelve (12) months from the date this Bylaw came into effect and complies with the applicable requirements of the previous Land Use Bylaw;
 - f. **Signs** located inside a **building** and are not visible from the exterior, or are installed on a window of a **building**;
 - g. **Signs** that state the municipal address, **owner** or name of the **building**, to a maximum **sign area** of 0.2 m² (2.2 ft²);
 - h. **Signs** for the purpose of warning or direction;
 - i. **Signs** that indicate “open”, “closed”, “vacancy” or “no vacancy” with a maximum **sign area** of 0.5 m² (5.4 ft²);
 - j. **temporary Signs** that relate to a real estate sale or a **temporary** event, provided the **Sign** is removed immediately following the event or sale;
 - k. an official notice, **Sign**, placard or bulletin required to be displayed pursuant to provisions of federal, provincial or municipal legislation;
 - l. the erection of campaign **Signs** for federal, provincial, municipal or school board elections on privately-owned **parcels** for no more than thirty (30) days, or such time as regulated under provincial or federal legislation provided that:
 - i. such **Signs** are removed within one (1) day after the election date;
 - ii. such **Signs** do not obstruct or impair vision or traffic; and
 - iii. such **Signs** indicate the name and address of the sponsor and the person responsible for removal;
 - m. the use of a **building** or part thereof for a federal, provincial, or municipal election, referendum or plebiscite; and
 - n. the digging of test holes requiring less than 6.0 m² (64.5 ft²) in surface area for exploration purposes.

2. The following ***development shall*** not require a ***development permit***, but must otherwise comply with all provisions of this Bylaw:
- a. the carrying out of works of ***maintenance*** or ***renovation*** to any ***building***, provided that such works do not:
 - i. include ***structural alterations*** or major works of ***renovation*** that would affect any regulations in this Land Use Bylaw; or
 - ii. change the ***use*** or the intensity of ***use*** of the land or ***building***;
 - b. interior ***renovations*** to a ***building***, including finishing a ***basement***, which do not:
 - i. create an additional ***Dwelling Unit***, and/or
 - ii. result in the change of ***use*** or the intensity of ***use*** of a ***building***;
 - c. the temporary placement or construction of a ***building***, works or machinery, including a ***shipping container***, the sole purpose of which is incidental to the construction of a ***development*** for which a ***development permit*** has been issued under this Bylaw;
 - d. the ***use*** of land for, or the maintenance and repair of works, services and ***utilities*** on publicly owned or administered land carried out by or on behalf of federal, provincial and municipal public authorities on land, or private ***utilities*** under special agreement with the ***municipality***;
 - e. the erection, construction, maintenance, or alteration of gates, ***fences***, walls or other means of enclosure;
 - f. ***Signs*** for ***Cemeteries, Cultural Establishments, Government Services, Protective and Emergency Services, Places of Worship, Educational Facilities, Recreation Facilities Indoor and Outdoor, and Parks***;
 - g. for ***maintenance***, repair, changing the ***sign content***, or reducing the ***sign content area*** of an approved ***Sign***;
 - h. a ***patio*** or a ***deck*** (EXCEPT for an ***enclosed deck***);
 - i. a ***building*** or ***structure*** with a ***floor area*** of under 9.3 m² (100.0 ft²) which is listed as a ***permitted use***;
 - j. ***landscaping***;
 - k. the construction, ***maintenance*** and repair of private walkways, pathways, ***driveways***, and similar works;
 - l. a ***Minor Home Occupation***;
 - m. the placement of up to two (2) ***Accessory Buildings*** on a ***parcel*** within the Urban Reserve (UR) District;
 - n. a ***Hobby Farm***;
 - o. ***Extensive Agriculture***;
 - p. the demolition or removal of any ***building*** or ***structure***;
 - q. ***renewable energy systems***; and
 - r. an ***electric vehicle charging station*** within a ***Parking Lot*** or ***parking stall*** of an approved ***development***.

3 NON-CONFORMING BUILDINGS AND USES

- 1. ***Non-conforming buildings*** and ***non-conforming uses*** shall be treated in accordance with the Act, and any amendments thereto.
- 2. A ***non-conforming building*** may continue to be used, and the ***building*** may be enlarged, added to, rebuilt or structurally altered, if at the discretion of the ***Development Authority***, the alterations do not substantially increase the extent of non-conformance and are within all other requirements of this Bylaw.
- 3. Nothing in this Bylaw diminishes or in any way affects the power of the ***Development Authority*** to issue a ***development permit*** which makes a ***non-conforming building*** conforming through the granting of a relaxation of the requirements or rules to which the ***existing building*** does not conform.

4 APPLICATION FOR DEVELOPMENT

GENERAL REQUIREMENTS

1. An application for a **development permit shall** be completed and submitted to the **Development Authority** in writing, on the prescribed form, and **shall** be accompanied by the required **development permit** fee. The following information **shall** be submitted with the application:
 - a. authorization of the **owner**;
 - b. a site plan, drawn to scale, showing the following:
 - i. north arrow;
 - ii. plan scale;
 - iii. legal description and municipal address of the **parcel**;
 - iv. location and dimensions of **property lines**, the **parcel area** and the required **front, rear** and **side yards**, if any;
 - v. location of any existing and/or proposed **buildings** and the measured **front, rear** and **side yard setbacks**;
 - vi. location of any existing or proposed **structures** including utility poles, retaining walls, **fences** and **Signs** and the measured setbacks to **property lines**;
 - vii. existing or proposed utility rights-of-way and **easements**;
 - viii. identification of existing and/or proposed **roads** or **lanes** that will provide access to the **parcel**;
 - ix. proposed **parking areas** and **loading spaces**, and vehicle entrances and exits (**driveways**);
 - x. location of any on-site water and sewer services;
 - xi. existing **grades** at the corners of the **parcel**, and at all corners of existing and proposed **buildings**;
 - c. the estimated commencement and completion dates;
 - d. a statement of the current and proposed **use** of the lands;
 - e. a statement of existing and proposed **Utility** services (i.e. on-site or municipal); and
 - f. the presence of abandoned oil and gas wells in accordance with the *Regulation*.

APPLICATIONS FOR HOME OCCUPATIONS

2. An application for a **Home Occupation must** contain information concerning:
 - a. a description of the nature of the business;
 - b. the number of resident and non-resident employees proposed to work on the **parcel**;
 - c. the location of any materials or goods to be kept or stored;
 - d. a floor plan of the **Dwelling Unit** showing the area to be used for business purposes;
 - e. an estimate of the number of client visits or deliveries to be expected on a daily basis; and
 - f. parking of any commercial vehicles.

APPLICATIONS FOR SIGNS

3. An application for a **Sign shall** be accompanied by the following information:
 - a. a drawing showing the width, height and **sign area** of the **Sign**, including the proposed **sign content**; and
 - b. a description or drawing showing the **Sign** materials and colors.

APPLICATIONS FOR INDUSTRIAL DEVELOPMENT

4. An application for an industrial **development shall** be accompanied by the following information:
 - a. the type and nature of the industry;
 - b. the estimated number of employees;
 - c. the estimated water demand and anticipated source;
 - d. the type of effluent and method of treatment;
 - e. the source and level of sounds to be created;
 - f. the source, type and strength of odors to be created;
 - g. the hours of operation of the facility;
 - h. transportation routes to be used (rail and **road**); and
 - i. means of solid waste disposal.

APPLICATIONS FOR CANNABIS PRODUCTION AND DISTRIBUTION FACILITIES

5. An application for a **Cannabis Production and Distribution Facility shall** be accompanied by the following information:
 - a. the quantity and characteristics of liquid and solid waste material discharged by the facility;
 - b. the method and location of collection and disposal of liquid and solid waste material discharged by the facility; and
 - c. the incineration of waste products and method of treatment of airborne emissions, including odors.

ADDITIONAL INFORMATION

6. The **Development Authority may** require additional information in order to assess the conformity of a proposed **development** with this Bylaw before consideration of the **development permit** application **shall** commence. Such information **may** include, but is not limited to:
 - a. a copy of the current certificate of title;
 - b. copies of any restrictive covenants, utility rights-of-way, **easements** or Town of Hardisty caveats registered on title;
 - c. floor plans, elevations and section drawings;
 - d. written rationale supporting any requested variances;
 - e. samples or representations of exterior **building** finishing materials and/or colors;
 - f. a real property report, prepared by an Alberta Land Surveyor, showing the location and distances of any **existing buildings, bodies of water**, trees or other physical features on or **adjacent** to the **parcel** being developed;
 - g. photographs showing the **parcel** in its current state;
 - h. in the case of the placement of a **relocated building** that has been previously used or occupied, information relating to the age and condition of the **building** and its compatibility with the District in which it is to be relocated, including photographs of the **building**;
 - i. engineering plans, prepared by a **qualified professional**, respecting the provision of water, storm water and sewer services and franchise utilities for the **development**;
 - j. elevations of proposed **buildings** and floors relative to the invert elevations of public **Utilities**;
 - k. stormwater management, grading or landscaping plans, prepared by a **qualified professional**;

- l. a traffic impact assessment prepared by a **qualified professional**;
 - m. detailed studies prepared by a **qualified professional** showing the potential impacts of the proposed **development** on **utilities** and drainage in the area;
 - n. an assessment by a **qualified professional** of any potential flooding or subsidence or **slope stability** hazard that may, in the sole opinion of the **Development Authority**, affect the subject **parcel**;
 - g. a plan showing the proposed **development** in relation to future phases of **development** on the **parcel**;
 - h. where a proposal is considered to have a significant environmental impact, the **Development Authority** may request the applicant to have an **environmental audit** prepared by a **qualified professional**; and
 - i. a copy of an application made and the approval given in relation to a **development** under 619 of the Act, or any other Provincial or Federal approval.
7. Notwithstanding **Parts D.4.1** through **D.4.6**, at the discretion of the **Development Authority**, additional information, plans or reports **may** be required to adequately render a decision on an application.

5 NOTICE OF COMPLETE OR INCOMPLETE APPLICATION

- 1. Within the timeframe specified in the Act, a notice of complete or incomplete application **shall** be issued to the applicant on the form created by the **Development Authority** and sent by email where consent has been granted by the applicant, otherwise it **shall** be sent by mail.
- 2. The time period referred to in **PART D.5.1** **may** be extended by an agreement in writing between the applicant and the **Development Authority**.
- 3. If the **Development Authority** does not issue a notice referred to in **PART D.5.1** above within the required time the application is deemed to be complete.
- 4. If the **Development Authority** determines the application is incomplete, the **Development Authority** **must** issue to the applicant a notice that the application is incomplete and clearly indicate the outstanding documents and information to be submitted by the date set out in the notice agreed to between the applicant and the **Development Authority**.
- 5. If the applicant fails to submit all the required outstanding information and documents on or before the date referred to in **PART D.5.4**, the application is deemed to be refused.

6 NOTICE OF APPLICATION AND APPLICATION REFERRAL

- 1. Upon receipt of an application for a **development permit** for a **development** listed as a **discretionary use** or where a variance is requested, the **Development Officer** **shall** send a written notice to all **adjacent** landowners indicating the location and nature of the proposed **development**, and indicating opportunities for comment.
- 2. The **Development Officer** **may** refer for comment any matter or any application for a **development permit** to any municipal department or external agency or authority it deems necessary.
- 3. Applications for **development permits** on **parcels** within an area contained within an Intermunicipal Development Plan (IDP) **shall** be referred to the other municipality for review and comment in accordance with the requirements of the IDP.
- 4. A notice of application or a referral **must** state the location and details of the application being circulated, how more information can be obtained, the date comments are due by and to whom the comments must be sent to.
- 5. Having received a reply on a matter referred to any person, municipality, agency or authority, the **Development Authority** **shall** make a decision giving due consideration to the comments received.
- 6. After the time period identified in the circulation notice from the date of referral indicated in **Part D.6.4**, the application **shall** be dealt with by the **Development Authority** whether or not comments have been received.

DIRECT CONTROL DISTRICTS

7. Upon receipt of a complete application for a **development permit** within a Direct Control District where the Council is required to make the decision, the **Council may**, prior to making a decision, refer the application to the **Municipal Planning Commission**, the **Development Officer**, and/or any municipal department or external agency for comment.
8. Prior to deciding upon the **development permit** application before it, the **Council may** provide public notice through means and to whom it considers necessary, that a decision on a **development permit** pursuant to a Direct Control District is to be made and that **Council may** afford an opportunity to any interested person to make representation on the application and **shall** take into account any such representations made when giving final consideration to the said application.

7 DECISION PROCESS

DEEMED REFUSAL

1. At the option of the applicant, an application for a **development permit may** be deemed to be refused when a decision thereon is not made by the **Development Authority** within the timeframe specified in the Act unless an extension of this time period is agreed to in a written agreement between the applicant and the **Development Authority**.

PERMITTED USE PERMITS THAT MEET ALL REQUIREMENTS

2. Where a **development permit** application is for a **permitted use** in a **building** or on a **parcel** and the proposed **development** conforms to all of the applicable requirements and rules of this Bylaw, the **Development Authority must** approve the application and issue the **development permit**. The **Development Authority** may impose such conditions as required to ensure compliance with this Bylaw.

PERMITTED USE PERMITS THAT DO NOT MEET ALL REQUIREMENTS

3. Where a **development permit** application is for a **permitted use** in a **building** or on a **parcel** and the proposed **development** does not conform to all of the applicable requirements and rules of this Bylaw, the **Development Authority may**:
 - a. refuse to approve the **development permit** application; or
 - b. approve the **development permit** application; and **may**:
 - i. grant a relaxation of the requirement or regulation to which the proposed **use** does not conform; or
 - ii. impose such conditions as required to ensure compliance with this Bylaw.
4. The **Development Authority may**, as a condition of approving a **development permit** for a **permitted use** that does not comply with all of the applicable requirements and rules of this Bylaw require the applicant to conform to a higher standard than required by the applicable rules if, in the opinion of the **Development Authority**, conformance to a higher standard will off-set any impact of granting the relaxation.

DISCRETIONARY USE PERMITS

5. When making a decision on a **development permit** for a **discretionary use** the **Development Authority must** take into account:
 - a. any plans and policies affecting the **parcel**;
 - b. the purpose statement in the applicable Land Use District;

- c. the appropriateness of the location and **parcel** for the proposed **use**;
 - d. the compatibility and impact of the proposed **development** with respect to **adjacent parcels** and the neighbourhood;
 - e. the merits of the proposed **development**;
 - f. the utility servicing requirements;
 - g. access, parking and transportation requirements;
 - h. vehicle and pedestrian circulation within the **parcel**;
 - i. the impact on the public transportation system; and
 - j. sound planning principles.
6. The **Development Authority may** approve a **development permit** application for a **discretionary use**, and **may** impose such conditions considered appropriate or necessary, which **may** include:
- a. limiting hours of operation;
 - b. limiting number of patrons;
 - c. establishing **landscaping** requirements;
 - d. requiring noise attenuation;
 - e. requiring special provisions be made for parking;
 - f. regarding the location, character and appearance of a **building**;
 - g. regarding the **grading** of a **parcel** or such other procedures as is necessary to protect the **parcel** from other **developments** or to protect other **developments**;
 - h. establishing the period of time during which a **development** may continue; and
 - i. ensuring the **development** is compatible with surrounding **uses**.
7. The **Development Authority may** refuse a **development permit** application for a **discretionary use** even though it meets the requirements and rules of this Bylaw.

APPLICATIONS THE DEVELOPMENT AUTHORITY MUST REFUSE

8. The **Development Authority must** refuse a **development permit** application when the proposed **development**:
- a. is for a **use** that is not listed as either a **permitted use** or **discretionary use** in the Land Use District; or
 - b. is for a **use** containing a restriction in its definition that is not met by the proposed **use**.

SIMILAR USE PERMITS

9. In the case where a proposed specific **use** of land or a **building** is not provided for in any District in the Bylaw, the **Municipal Planning Commission** may determine that such **use** is similar in character and purpose to the definition of a **permitted use** or **discretionary use** prescribed for a particular District.

8 DEVELOPMENT PERMIT CONDITIONS OF APPROVAL

1. Where a **development permit** application does not demonstrate that the proposed **development** conforms to all the applicable requirements of this Bylaw, the **Development Authority may**, as a condition of issuing the **development permit**, require the applicant to amend specific elements of the plans to conform with the applicable requirements.
2. The **Development Authority may**, as a condition of issuing a **development permit** for a **permitted use** or **discretionary use**, require the applicant to make satisfactory arrangements for the supply of **Utilities** including,

but not limited to natural gas, cable, water, electric power, sewer service, or any one or more of them including payment of the cost of installation or construction of any such **Utility** or facility by the applicant.

3. The **Development Authority may**, as a condition of issuing a **development permit** for a **permitted use** or **discretionary use**, require the applicant enter into an agreement with the Town of Hardisty to do any or all of the following:
 - a. to construct or pay for the construction of a **road** 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**, or
 - ii. pedestrian walkways to connect the pedestrian walkway system serving the **development** with a pedestrian walkway system that serves or is proposed to serve an **adjacent development**, or both;
 - c. to install or pay for the installation of a public **Utility** that is necessary to serve the **development**, whether or not the public **Utility** is, or will be, located on the land that is the subject of the **development**;
 - d. to construct or pay for the construction of:
 - i. off-street or other parking facilities, and
 - ii. loading and unloading facilities;
 - e. to pay an off-site levy or redevelopment levy imposed by bylaw; and
 - f. to give security to ensure that the terms of the agreement under this section are carried out.
4. The Town of Hardisty **may** register a caveat pursuant to the provisions of the *Act* and the *Land Titles Act* in respect of an agreement under **Part D.8.3** against the Certificate of Title for the land that is the subject of the **development**. Said caveat **shall** be discharged when the agreement has been complied with.
5. The **Development Authority may** attach conditions to a **development permit** which may include adherence to engineering standards, the completion of any required reports and studies, the preparation of a **Construction Management Plan**, and phasing requirements.

9 DEVELOPMENT PERMITS AND NOTICE OF DECISION

1. A **development permit** issued for a **permitted use** in compliance with the regulations and standards of this Bylaw, or a **development permit** issued by **Council** pursuant to a Direct Control District, comes into effect on the date that the decision is made. A notice of the issuance of the **development permit shall** be displayed in a conspicuous location in the Town of Hardisty office for 21 days following the day after which the **development permit** was issued.
2. When a **development permit** is approved for a **discretionary use** or for a **permitted use** in which a variance has been granted, the **Development Authority shall**:
 - a. provide a notice of decision to the applicant of the approval;
 - b. publish the notice of decision once in a locally circulating newspaper;
 - c. publish the notice of decision in a conspicuous location in the Town of Hardisty office; and
 - d. issue a **development permit** after the appeal period has expired if no appeals have been received.
3. A **development permit** issued pursuant to **Part D.9.2** does not come into effect until twenty-one (21) days after the day the date the notice of decision is published in the newspaper. Any **development** proceeded with by the applicant prior to the expiry of this appeal period is done solely at the risk of the applicant.
4. The notices indicated in **Part D.9.2 must** state:
 - a. the legal description and the street address of the **parcel** of the proposed **development**;

- b. the **uses** proposed for the subject **development**;
 - c. any discretion that was granted in the approval of the **development**, whether by use or by interpretation of this Bylaw, and any variation or relaxation in regulation that was made by the **Development Authority** when the **development permit** was approved;
 - d. the date the **development permit** was approved; and
 - e. how an appeal may be made to the **Appeal Body** and the deadline for such appeal.
5. Where an appeal is made pursuant to **Part E** of this Bylaw, a **development permit** which has been granted **shall** not come into effect until the appeal has been determined and the **development permit** has been confirmed or modified.
 6. When the **Development Authority** refuses an application for a **development permit**, the notice of refusal **shall** be issued to the applicant. The notice of refusal **shall** contain reasons for the refusal.

10 REAPPLICATION FOLLOWING DEVELOPMENT PERMIT REFUSAL

1. Pursuant to the *Act*, in the case where an application for a **development permit** has been refused pursuant to this **PART**, or ultimately after appeal pursuant to **PART E** of this Bylaw, at their discretion, the **Development Authority** **may** not accept the submission of another application for a **development permit** on the same **parcel** and for the same or similar **use** by the same or any other applicant for six (6) months after the date of the previous refusal.
2. **Part D.10.1** does not apply in the case of an application that was deemed to be refused under Section 683.1(8) of the *Act* or **PART D.5.5** of this Bylaw.

11 DEVELOPMENT COMMENCEMENT AND COMPLETION

1. If the **development** authorized by a **development permit** is not commenced within twelve (12) months from the date of its issuance or carried out with reasonable diligence the **development permit** is deemed to be void, unless an extension request for the time period is submitted in writing by the applicant and granted by the **Development Authority**. The extension request **must** provide reasons for the request.
2. If the **development** authorized by a **development permit** is not completed within two (2) years of the date of issue or as otherwise specified within a **development permit**, the **development permit** is deemed to be void, unless an extension request for the time period is submitted in writing by the applicant and granted by the **Development Authority**. The extension request **must** provide reasons for the request.
3. For the purposes of this Bylaw, commencement includes excavation, but does not include **fencing**, or demolition on the **parcel**, or obtaining permits.
4. The approval or issuance of a **development permit** does not authorize commencement of construction except in conjunction with all other required permits and conditions of the **development permit**.

12 REVOKING A PERMIT

1. After the issuance of a **development permit**, a **Development Authority** **may** revoke a **development permit** in writing to the applicant at any time:
 - a. where the **development permit** was issued on the basis of incorrect information, fraud, non-disclosure, or misrepresentation on the part of the applicant; or
 - b. where the **development permit** was issued in error.

PART E | Development Appeal Process

1 APPEAL PROCEDURE

1. Appeals in respect of decisions on **development permit** and **subdivision** applications are governed by the Act.

GROUND FORS FOR APPEAL

2. An appeal **may** be made to the **Appeal Body** where a **Development Authority**:
 - a. refuses or fails to issue a **development permit**; or
 - b. issues a **development permit** subject to conditions; or
 - c. issues an order under **PART G.3** of this Bylaw.
3. Notwithstanding **PART E.1.2**, no appeal lies in respect of the issuance of a **development permit** for a **permitted use** unless:
 - a. the provisions of this Bylaw were relaxed, varied or misinterpreted; or
 - b. the application for the **development permit** was deemed to be refused under **Part D.5.5**.
4. Notwithstanding **PART E.1.2**, if a decision with respect to a **development permit** in a Direct Control District:
 - a. is made by a **Council** pursuant to **Part C.6.1**, there is no appeal to the **Subdivision and Development Appeal Board**;
 - b. is made by a **Development Authority**, the appeal **may** only be made to the **Subdivision and Development Appeal Board** and is limited to whether the **Development Authority** followed the directions of **Council**, and if the **Subdivision and Development Appeal Board** finds that the **Development Authority** did not follow the directions it **may**, in accordance with the directions, substitute its decision for the **Development Authority's** decision.

APPELLANTS

5. The person applying for the **development permit** or affected by the order, or any other person affected by an order, decision or **development permit** of a **Development Authority** **may** appeal to the **Appeal Body**.
6. An appeal **shall** be made by serving a written notice of appeal, together with reasons for the appeal and the appeal fee as established by resolution of **Council**, to the Secretary of the **Appeal Body** by the date indicated on the notice of decision or order.

PART F | Bylaw Amendment Process

1 APPLICATION TO AMEND THE LAND USE BYLAW

1. **Council may** at any time initiate an amendment to this Bylaw.
2. Any **owner** of a **parcel**, his authorized agent, or other persons having legal or equitable interest in the **parcel may** apply to have the Land Use District of the **parcel** changed through an amendment to this Bylaw, or any other proposed amendment to this Bylaw.

APPLICATION REQUIREMENTS

3. All applications for amendment to this Bylaw **shall** be made to the **Council** on the form provided by the **municipality** and shall be accompanied by:
 - a. the application fee as established by **Council**; and
 - b. a current title search of the land affected or other documents satisfactory to the Town of Hardisty showing the applicant's interest in the said land; and
 - c. drawings, plans or maps showing the subject land, the proposed District(s), the proposed **use** and/or **development**, if applicable; and
 - d. any other information or documents deemed necessary by the Town of Hardisty.
4. **Council may** request such information as it considers necessary in order to reach a decision on the proposed amendment.

REFERRALS

5. The **Council**, in considering an application for an amendment to this Land Use Bylaw, **shall** refer a copy of the proposed amendment to the following agencies:
 - a. Flagstaff County if, the proposed amendment:
 - i. affects land on the boundary with Flagstaff County; or
 - ii. may otherwise have an effect on Flagstaff County; or
 - b. such other persons or agencies as it considers necessary for comment.

DECISION

6. All amendments to this Land Use Bylaw **shall** be made by **Council** by bylaw and in accordance with the procedures set forth in the Act.
7. If an application for an amendment to this Bylaw has been refused by **Council**, **Council may** not accept an application for an amendment for the same **use** on the same **parcel** for twelve (12) months from the date of the refusal.

PART G | Enforcement

1 OFFENCES

1. If a **Development Authority** finds that a **development** or **use** of land or **buildings** is not in accordance with:
 - a. the *Act* or the *Regulation*;
 - b. a **development permit** or **subdivision** approval; or
 - c. this Bylawthe **owner**, lessee or occupant of land or a **building**, or the owner of a **structure** or a **Sign** thereon, commits an offense.
2. Any person who commences or continues **development** for which a **development permit** is required but has not been issued, has expired, has been revoked or suspended, or which is in contravention of a condition of a **development permit** under the Bylaw commits an offense.
3. Any person who prevents or obstructs the **Development Authority** or a **Designated Officer** from carrying out any official duty under the Bylaw or the *Act* commits an offense.

2 ENTRY AND INSPECTION

1. Pursuant to the *Act*, a **Designated Officer** may only enter land or a **building** for the purpose of ensuring compliance with the *Act* and the *Regulation*, or this Bylaw if:
 - a. the **owner** or person in possession of it gives his consent to the entry; or
 - b. the entry is authorized by an Order of the Court of Queen's Bench; and
 - c. only for the purpose of ensuring compliance with the *Act* and the *Regulation*, or this Bylaw.

3 ORDERS

1. Where an offense occurs, the **Development Officer** may, by notice in writing, order the **owner**, the person in possession of the land or **buildings** or the person responsible for the contravention or 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. carry out any other actions required by the notice so that the **development** or **use** of the land or **buildings** is in accordance with the *Act*, the *Regulation*, a **development permit**, subdivision approval or this Bylaw, as the case may be, within the time set out in the notice.
2. A person who receives a notice pursuant to **PART G.3.1** may appeal the order in the notice to the **Subdivision and Development Appeal Board** in accordance with **PART E** of this Bylaw.
3. If a person fails or refuses to comply with an order directed to them under **PART G.3.1** or an order of the **Subdivision and Development Appeal Board**, the **Municipality** may, in accordance with Section 542 of the *Act*, enter on the land or **building** and take any action necessary to carry out the order.
4. Where the **Council** or a person appointed by it carries out an order the **Council** shall cause the costs and expenses incurred in carrying out the order to be added to the tax roll of the **parcel** of land and the amount:
 - a. is deemed for all purposes to be a tax imposed under the *Act* from the date it was added to the tax roll; and
 - b. it forms a special lien against the **parcel** of land in favour of the **Municipality** from the date it was added to the tax roll.

5. The **Municipality may** register a Caveat under the *Land Titles Act* in respect of an order against the certificate of title that is subject to the order in accordance with Section 646(2) of the *Act*.
6. Nothing in this Bylaw diminishes or in any way affects the rights of the Town of Hardisty pursuant to the *Act*, or at common law to seek an entry order, order for compliance, injunction or any other order to obtain compliance with this Bylaw.

4 VIOLATION TICKETS

1. Notwithstanding any other provision of this Bylaw, a **Peace Officer** is hereby authorized and empowered to immediately issue a **violation ticket** pursuant to the *Provincial Offences Procedures Act*, as amended, to any person who the **Peace Officer** has reasonable grounds to believe has contravened any provision of this Bylaw.
2. Nothing in this Bylaw **shall** prevent a **Peace Officer** from issuing Summons for the mandatory court appearance of any person or company who contravenes any provision of this Bylaw.
3. Any person who is guilty of an offence and is liable upon summary conviction to a fine not less than \$100.00 and not exceeding \$10,000 per violation after conviction and costs, and upon failure to pay the fine and costs, to imprisonment for a period not exceeding 30 days unless such fine and costs are sooner paid.

PART H | General Provisions

1 DESIGN, CHARACTER, AND APPEARANCE OF BUILDINGS

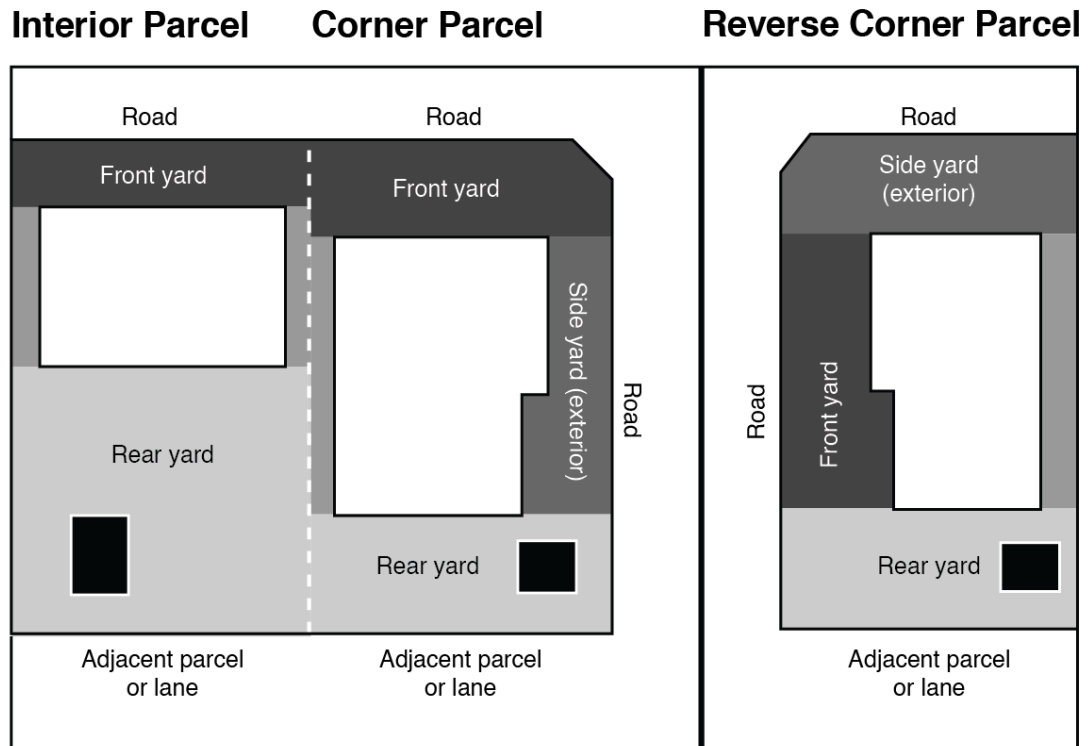
1. The design, character and appearance of all **buildings shall**:
 - a. be compatible with other **buildings** in the vicinity unless, in the opinion of the **Development Authority**, the **building** is setting a new standard for the District in which it is located; and
 - b. comply with the provision of any statutory plan applicable to the design, character or appearance of the **building**.

2 NUMBER OF DWELLING UNITS ON A PARCEL

1. The maximum number of **Dwelling Units** on a **parcel shall** be one (1) unless it is otherwise permitted in this Land Use Bylaw.

3 CORNER, REVERSE CORNER AND IRREGULAR PARCELS

1. The **parcel lines** and **yards** of **corner parcels shall** be determined by the following:
 - a. the **front parcel line** of a **corner parcel** is the shortest **property line abutting** a road;
 - b. the **exterior side parcel line** of a **corner parcel** is the longest **property line abutting** a road;
 - c. the **interior side parcel line** of a **corner parcel** is the longest **property line abutting** a **parcel**; and
 - d. the **rear parcel line** of a **corner parcel** is the shortest **property line abutting** a **parcel** or **lane** (See Figure 14).
2. Notwithstanding **Part H.3.1** or anything else in this Bylaw, the **Development Authority may** determine a **corner parcel** to be a **reverse corner parcel** (See Figure 14).
3. The **Development Authority shall** determine the **front, rear** and **side yards** of a **reverse corner parcel** by taking into account:
 - a. the general pattern and location of existing **buildings** on **adjacent parcels**;
 - b. the size and geometry of the **parcel**;
 - c. the ability to create sufficient privacy on the **parcel** and privacy for **adjacent parcels**;
 - d. ensuring safe traffic movement at the intersection, considering the primary flow of traffic and access to the **parcel**; and
 - e. the general aesthetics, considering the location and height of **fencing** and hedges.
4. For **parcels** other than **corner lots** which have **frontage** on two (2) **roads**, or for **parcels** which are not rectangular in shape, the **Development Authority shall** determine the **yard** designations.



Legend



FIGURE 14: DETERMINING YARDS OF CORNER AND REVERSE CORNER PARCELS

4 CORNER VISIBILITY SETBACK

RESIDENTIAL DISTRICTS

1. Notwithstanding any other provision of this Bylaw, no person **shall** place or maintain any object, **structure, fence, hedge, shrub or tree** greater than 1.0 m (3.3 ft) in height above **grade** in or on that part of a **corner parcel** or **reverse corner parcel** which lies within a triangle formed by a straight line drawn between two points on the closest curbs of the intersecting **roads** 6.0 m (19.7 ft) from the point where the curbs would meet if extended, or 3.0 m (9.8 ft) from that point in the case of an intersecting **lane** and **road**.

ALL DISTRICTS OTHER THAN RESIDENTIAL DISTRICTS

2. Notwithstanding any other provision of this bylaw, no person **shall** place or maintain any object, **structure, fence, hedge, shrub or tree** greater than 1.0 m (3.3 ft) in height above **grade** in or on that part of a **corner parcel** which lies within a triangle formed by a straight line drawn between two points on the closest curbs of the intersecting **roads** 4.5 m (14.8 ft) from the point where the curbs would meet if extended.
3. **PART H.4.2** above does not apply to lands in the Primary Commercial (C1) District.
4. No **Sign shall** be located within the areas defined in **PART H.4.2** such that any part of the **Sign** is between the heights of 1.0 m (3.3 ft) and 4.0 m (13.1 ft) above **grade**.

5 YARD SETBACKS AND PERMITTED PROJECTIONS

1. In all districts, the minimum **yard setbacks** do not apply to:
 - a. construction wholly beneath the surface of the ground;
 - b. **driveways, parking spaces** and sidewalks;
 - c. **fences, patios** and retaining walls; and
 - d. **landscaping**.
2. Wheelchair ramps **may** be permitted to encroach into any required **yard setback**, at the discretion of the **Development Authority**, provided that the ramp:
 - a. does not impede fire access to or around the **building**;
 - b. is complementary to and well-integrated into the **building** design; and
 - c. does not extend beyond the **property line**.

RESIDENTIAL PROJECTIONS

3. Residential **building** projections specified in **Parts H.5.4 to H.5.6** into or over a required **yard setback shall** not require a variance.

FRONT YARDS

4. The following projections are permitted into a required **front yard setback**:
 - a. **eaves**, bay windows and chimneys, or other similar projections to a maximum of 0.61 m (2.0 ft);
 - b. **canopies** over an entrance to the **principal building**, provided such projections are cantilevered and do not project greater than 1.0 m (3.3 ft);
 - c. stairways and landings, and uncovered decks to a maximum of 2.0 m (6.6 ft); and
 - d. **balconies** on a **Dwelling, Apartment** provided:
 - i. they are not enclosed, and designed as an integral part of the **building**; and
 - ii. they do not project more than 2.0 m (6.6 ft) into the **front yard setback**.

SIDE YARDS

5. The following projections are permitted into a required **side yard setback**:
 - a. stairways and landing no more than 0.6 m (2.0 ft) above **grade may** project one hundred percent (100%) into the required **side yard setback**;
 - b. stairways and landings greater than 0.6 m (2.0 ft) above **grade**, provided they do not project fifty percent (50%) or greater into the required **side yard setback**;
 - c. **eaves** and chimneys to maximum of 0.6 m (2.0 ft);
 - d. **canopies** over an entrance to the **principal building**, provided such projections are cantilevered and do not project greater than 1.0 m (3.3 ft);
 - e. **balconies** on a **Dwelling, Apartment** provided:
 - i. they are not enclosed, and designed as an integral part of the **building**; and
 - ii. they do not project more than 1.0 m (3.3 ft) into a required **side yard setback** and in no case are closer than 2.0 m (6.6 ft) to a **side parcel line**.

REAR YARDS

6. The following projections are permitted into a required **rear yard setback**:

- a. **eaves**, and chimneys, or other similar projections to a maximum of 0.61 m (2.0 ft);
- b. stairways and landings and uncovered **decks** to a maximum of 2.0 m (6.6 ft);
- c. **canopies** over an entrance to the **principal building**, provided such projections are cantilevered and do not project greater than 1.0 m (3.3 ft);
- d. **balconies** on a **Dwelling, Apartment** provided:
 - i. they are not enclosed, and designed as an integral part of the **building**; and
 - ii. they do not project more than 2.0 m (6.6 ft) into a required **rear yard setback**.

6 FENCES

1. No **fence** in a Residential District shall be:
 - a. higher than 2.0 m (6.6 ft) in a **side yard** or **rear yard**; and
 - b. higher than 1.0 m (3.3 ft.) in a **front yard**.
2. No **fences** with barbed wire **shall** be allowed, except in the Industrial (M1) District and in the Urban Reserve (UR) District. In these Districts, barbed wire **may** be allowed, but not below the elevation of 1.8 m (6.0 ft) above grade.
3. No electrification of **fences** or razor wire **shall** be allowed.
4. Materials used to construct **fences shall** be wood, brick, stone, concrete, or metal or other acceptable material to the satisfaction of the **Development Authority**, and **shall** be aesthetically acceptable and in general conformity with **adjacent development**.

7 SCREENING

APARTMENTS AND ROW HOUSING

1. All **Dwelling, Apartment** or **Dwelling, Row Housing developments may** be required to provide, to the satisfaction of the **Development Authority** a **fence** or hedge of not less than 1.5 m (4.9 ft) nor more than 2.0 m (6.6 ft) in height, along any **side parcel lines** or **rear parcel lines abutting a parcel** in a R1 or R2 District.
2. For a **Dwelling, Apartment development**, garbage and waste material **must** be stored in weatherproof and animal proof containers. Garbage and waste containers **must** be screened from **roads**, excluding **lanes**.

COMMERCIAL AND INDUSTRIAL DEVELOPMENTS

3. Commercial **development abutting a parcel** with a **principal residential use shall** provide, to the satisfaction of the **Development Authority**, a solid wooden **fence** of not less than 2.0 m (6.6 ft) in height.
4. For commercial and industrial **developments**, garbage and waste material **must** be stored in weatherproof and animal proof containers. Garbage and waste containers **must** be screened from **roads**, excluding **lanes**.
5. For commercial and industrial **developments, outdoor storage areas shall** be screened from **adjacent parcels** and **roads**.

8 UTILITY SERVICES

1. The **Development Authority must** confirm there is adequate sewage collection, treatment and disposal, water supply treatment and distribution, stormwater collection and storage and **road** capacity necessary to serve a **development**.
2. A **development shall** not be permitted if the **development** is not served by:
 - a. the municipal sewer and water system; or
 - b. at the discretion of the **Development Authority**, a provincially approved private system.

3. Where a proposed **use may** release contaminants or other deleterious substances into the municipal sewer system, the **Development Authority may** require an applicant to submit plans and reports prepared by a **qualified professional** to evaluate the potential impact on the sewer system and propose mitigations.
4. The **Development Authority may** require a fats, oil and grease (FOG) interceptor, an oil and grit separator or other such interceptor, and/or a test manhole to be installed where a **use** may release contaminants or other deleterious substances into the municipal sewer system.
5. Stormwater run-off **shall** be contained on-site or disposed of in a manner acceptable to the Town of Hardisty and/or as required in a stormwater management report prepared by a **qualified professional**.

9 SITE GRADING AND DRAINAGE

1. **Parcel grades** and **building** elevations **shall** be established to ensure effective drainage and prevent drainage from one **parcel** to another, except where drainage conforms to an approved **subdivision** drainage plan.
2. The **owner** of a **parcel shall** be responsible to ensure that **grading** is maintained over time to provide effective drainage. Where a drainage swale or path is established within an **easement** or right-of-way on a **parcel**, swale grades **shall** be maintained and the swale **shall** be kept free of any obstructions. Where maintenance of a common drainage swale or path at a **property line** is required, the responsibility of maintenance lies with the **owners** of both **parcels**.
3. Where retaining walls are necessary or proposed in any **development**, such walls **shall** be developed with professional quality and **shall** not negatively affect **abutting parcels** due to elevations or drainage.

10 VEHICLE ACCESS AND EGRESS

1. Vehicle entrances and exits **shall** be located at least 6.0 m (19.7 ft) from the corner along a **property line** at the intersection of two (2) or more **roads**.
2. The **Development Authority may** require that entrances and exits for vehicles be separate, one-directional, and/or adequately signed.

11 DRIVE-IN BUSINESSES

1. **Drive-in businesses** and vehicular-oriented designs **may** only be allowed if the **Development Authority** is satisfied that such designs do not adversely affect the functioning of surrounding **roads**, traffic circulation or **adjacent uses**.
2. The following regulations **shall** apply to the design of maneuvering aisles and queuing spaces:
 - a. **may** be located in a required **setback** area if there are no safety or nuisance concerns identified with **adjacent uses**;
 - b. **must** not provide direct access to any **parcel** or **road**; and
 - c. **must** not interfere with other vehicular or pedestrian movements.
3. For **Eating Establishments** with a **drive-in business**:
 - a. ordering windows or order boards must not be located within 20.0 m (65.6 ft) of a **parcel** with a **principal residential use**; and
 - b. a minimum of five (5) queuing spaces **shall** be provided per order board or ordering window.
4. For **drive-in businesses** which provide automotive services, the following minimum queuing spaces are required:
 - a. **Gas Bars and Services Stations**: one (1) queuing space per fuel pump or service bay; and
 - b. **Car Washes**: two (2) queuing spaces per bay.

5. Queuing spaces **shall** be a minimum of 2.7 m (8.8 ft) in width and 6.5 m (21.3 ft) in length and provide sufficient space for the turning and maneuvering of vehicles.
6. **Drive-in businesses abutting a parcel** with a **principal residential use** shall provide a **fence** at least 2.0 m (6.0 ft) in height along a **side** and/or **rear parcel line**.

12 RECREATIONAL VEHICLES

1. A maximum of one (1) **recreational vehicle** may be stored on a **parcel** in a residential district, except up to two (2) **recreational vehicles** may be stored on a residential **parcel** that is 2,023.3 m² (0.5 ac).
2. Except as approved in a **development permit** for a **Campground** or for **Seasonal Accommodation**, no person may occupy a **recreational vehicle** for a period longer than five (5) consecutive days in a calendar year on any **parcel**.
3. Except on a **parcel** in the R1A and R1C Districts a **recreational vehicle** may be stored within a **side, rear** or **front yard** of a residential **parcel** under the following conditions. The **recreational vehicle shall** be:
 - a. entirely contained within the **parcel**;
 - b. located in a **front yard** exclusively during the regular summer season (between April 1 and October 1); and
 - c. removed from the **front yard** between October 2 and March 31 of each calendar year.
4. If a **development permit** for the temporary occupancy of a **recreational vehicle** on the **parcel** has been issued during the construction period of the **development**, the **recreational vehicle must** be removed within three (3) months of construction completion or **shall** not continue to be occupied.

13 REVEWABLE ENERGY SYSTEMS

1. **Renewable energy systems** attached to a **principal building** or **Accessory Building** shall:
 - a. not extend above the peak of a roof; and
 - b. not project past a roof by 1.5 m (4.9 ft) at any point.
2. **Renewable energy systems shall** not generate noise, in the opinion of the **Development Authority**, which affects the amenity or enjoyment of an **adjacent residential use**.
3. Ground-mounted or freestanding **renewable energy systems shall** be located in a **side yard** or **rear yard**, and must meet the height and **setback** regulations for an **Accessory Building** within the applicable Land Use District.

14 RELOCATION OF BUILDINGS

1. **Notwithstanding Part D.2.2**, a **development permit** application **shall** be required for a **relocated building** that has been previously occupied as part of the **development** of a **permitted use** or a **discretionary use**.
2. A **development permit** for a **relocated building** may include conditions of approval that:
 - a. the **building** and the proposed location of the **building** meets the requirements of the Land Use District in which the **building** is to be located;
 - b. the **building** is compatible with the character of the neighbourhood in which the **building** is to be relocated to; and
 - c. the **building** be renovated to a satisfactory condition within a specified time.

15 HOSPITAL HELIPAD VICINITY

1. The Hospital Helipad Vicinity **shall** be that area within a 200.0 m (656.2 ft) radius measured from the center of the landing/takeoff pad located at Lot 12, Block 28, Plan 0828362, the Hardisty Health Care Centre (See **Figure 15**).
2. No **development**, or part thereof, within the Hospital Helipad Vicinity **shall** exceed a height of 20.6 m (35.0 ft).
3. No **development** within the Hospital Helipad Vicinity **shall** be allowed if, in the opinion of the **Development Authority**, it generates a large amount of smoke, dust or attracts birds.
4. No **development** within 30.5 m (100.0 ft) of the centre of the landing/takeoff pad **shall** exceed a height of 1.5 m (4.9 ft).

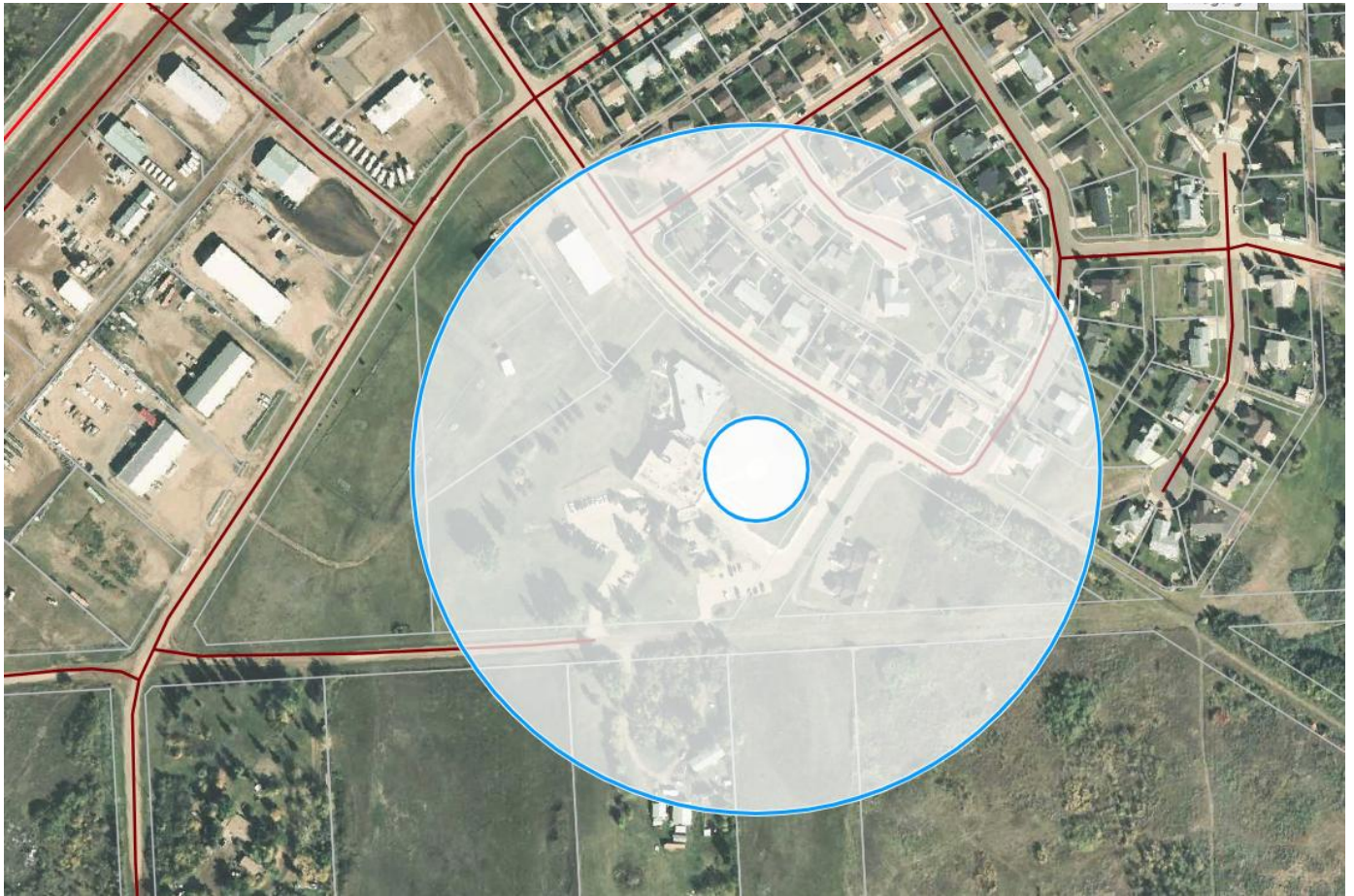


FIGURE 15: HOSPITAL HELIPAD VICINITY

PART I | Special Use Provisions

1 ACCESSORY BUILDINGS IN RESIDENTIAL DISTRICTS

GENERAL RULES FOR ALL ACCESSORY BUILDINGS

1. **Accessory Buildings** *must* be secondary and subordinate to the **principal building** or **principal use** on the same **parcel**.
2. The determination of whether a **building** or **structure** is considered accessory *shall* be at the discretion of the **Development Authority**.
3. An enclosed **structure** which is attached to the **principal building** by a roof, a floor or a foundation is not an **Accessory Building** and is to be considered part of the **principal building**.
4. No person *shall use*, or allow an **Accessory Building** to be used, as a **Dwelling Unit** except where specifically allowed in this Bylaw and as approved in a **development permit**.
5. **Accessory Buildings** *shall* be constructed either simultaneously with, or after the construction of the **principal building** on a **parcel** or the commencement of the **principal use** on a **parcel**.
6. No person *shall* construct or permit the placement of an **Accessory Building**, or group of **Accessory Buildings**, such that, individually or collectively, the total **floor area** of the **Accessory Building(s)** would:
 - a. along with the **principal building**, exceed the maximum **parcel coverage**;
 - b. exceed the **floor area** of the **principal building** on the **parcel**; or
 - c. exceed twelve percent (12%) of the **parcel area**.
7. The height of an **Accessory Building** *shall* not exceed 5.5 m (18.0 ft), except in the case where the **parcel area** exceeds 0.40 ha (1.0 ac) an **Accessory Building** *shall* not exceed 10.0 m (32.8 ft) in height.
8. Except in the R1A and R1C District, no **Accessory Building** *shall* be located in the **front yard** of a **parcel**.
9. The minimum **setbacks** of an **Accessory Building** in a residential district *shall* be 1.0 m (3.3 ft) from a **side parcel line** or a **rear parcel line**, except on a **corner parcel** or a **reverse corner parcel**, the minimum **setback** from an **exterior side parcel line** *shall* be no less than the minimum **exterior side yard setback** for the **principal building**.
10. **Eaves** of an **Accessory Building** *shall* be **setback** a minimum of 0.3 m (1.0 ft) from a **side parcel line** or **rear parcel line**.

ADDITIONAL RULES FOR SHIPPING CONTAINERS USED AS AN ACCESSORY BUILDING

11. Except on a residential **parcel** that is 0.4 ha (1.0 ac) in **parcel area**, a **shipping container** used as an **Accessory Building** *shall* be a maximum of 6.0 m (20.0 ft) in length.
12. The **Development Authority** may require the exterior surface of a **shipping container** used as an **Accessory Building** be finished, or **screened** from public view, to the satisfaction of the **Development Authority**.
13. A **shipping container** used as an **Accessory Building** shall not be used to display a **Sign**.

2 ACCESSORY BUILDINGS IN DISTRICTS OTHER THAN RESIDENTIAL DISTRICTS

GENERAL RULES FOR ALL ACCESSORY BUILDINGS

1. **Accessory Buildings** must be secondary and subordinate to the **principal building** or **principal use** on the same **parcel**.
2. The determination of whether a **use**, **building** or **structure** is considered accessory shall be at the discretion of the **Development Authority**.

3. No **Accessory Building** shall be located in the *front yard* of a *parcel*.

ADDITIONAL RULES FOR SHIPPING CONTAINERS USED AS AN ACCESSORY BUILDING

4. The **Development Authority** may require the exterior surface of a *shipping container* used as an **Accessory Building** be finished, or *screened* from public view, to the satisfaction of the **Development Authority**.
5. A *shipping container* used as an **Accessory Building** shall not be used to display a **Sign**.

3 SHORT-TERM RENTALS

1. A **Short-Term Rental** *shall*:
 - a. not change the residential character or external appearance of the **Dwelling Unit**; and
 - b. have a maximum of four (4) guest bedrooms (providing for a maximum of eight (8) guests).
2. A *development permit* for a **Short-Term Rental** of a **Dwelling Unit** *shall* be issued for a maximum of five (5) years.

4 HOME OCCUPATIONS

GENERAL REGULATIONS

1. A **Home Occupation** *shall* not change the character or external appearance of the **Dwelling Unit**.
2. **Home Occupations** *shall* be incidental and subordinate to the *principal residential use* of the **Dwelling Unit**.
3. **Home Occupations** *shall* not include:
 - a. activities that use or store hazardous material in quantities exceeding those normally found in a residential **Dwelling Unit**; or
 - b. any business that would, in the opinion of the **Development Authority**, materially interfere with or affect the use, enjoyment, or value of neighbouring properties; and
 - c. the production of any noise, vibration, smoke, dust, odour, heat, glare, electrical or radio disturbance that would be detectable beyond the boundary of the *parcel*.

MINOR HOME OCCUPATIONS

4. In addition to the General Regulations of **PART I.4**, a **Minor Home Occupation** *shall* meet all of the following criteria:
 - a. occupy less than twenty percent (20%) of the *floor area* of the **Dwelling Unit** or 30.0 m² (322.9 ft²), whichever is less;
 - b. no *outdoor storage* or display of goods;
 - c. up to ten (10) business visits per day, and no more than three (3) customers on-site at a time;
 - d. no on-site employees other than the residents of the **Dwelling Unit**.
5. A maximum of one (1) **Fascia Sign** for a **Minor Home Occupation** *may* be displayed in accordance with **Part I.12.18**.

MAJOR HOME OCCUPATIONS

6. In addition to the General Regulations of **PART I.4**, a **Major Home Occupation** *shall* meet all of the following criteria:
 - a. the number of non-resident employees that work in the **Dwelling Unit** *shall* not exceed two (2); and
 - b. up to twenty (20) business visits per day are allowed, and no more than five (5) customers on-site at a time.
7. A **Major Home Occupation** *may* be allowed to operate in an **Accessory Building**.

8. A maximum of one (1) **Fascia Sign** for a **Major Home Occupation** *may* be displayed in accordance with **Part I.12.18**.
9. A maximum of one (1) **Freestanding Sign** for a **Major Home Occupation** *may* be displayed on a *parcel* in the R1C District in accordance with **Part 1.12.22**.

5 MANUFACTURED DWELLINGS

1. **Manufactured Dwellings** constructed more than ten (10) years prior to the date the application for a **development permit** is received *may* not be approved at the discretion of the **Development Authority** in consideration of its condition and appearance.
2. In determining the suitability of a **Manufactured Dwelling** for placement on a *parcel*, consideration *shall* be given to its condition and appearance in context with the *adjacent parcels*.
3. The undercarriage of a **Manufactured Dwelling** *shall* be screened from view by the foundation or by skirting within 30 days of placement of the **Manufactured Dwelling**.
4. All accessory **structures** such as stairways and landings, *patios, decks*, and skirting *shall* be of complementary quality and design to the **Manufactured Dwelling**.
5. All **Manufactured Dwellings** *shall* be provided with stairways and landings to all entrances within 45 days of their placement.

6 SUITE, GARAGE

1. A **Garage Suite** *shall* only be allowed, where provided for in a Land Use District, on a *parcel* as an **accessory use** to a **Single Detached Dwelling**.
2. A maximum of one (1) **Garage Suite** *shall* be allowed per *parcel*. No additional **Garden Suite** or **Secondary Suite** *shall* be allowed.
3. A **Garage Suite** *shall* not be located in the *front yard* of a *parcel*.
4. The minimum **setbacks** of a **Garage Suite** *shall* be 1.0 m (3.3 ft) from a *side parcel line* and 1.5 m (4.9 ft) from a *rear parcel line*, except on a *corner parcel* or a *reverse corner parcel*, the minimum **setback** from an *exterior side parcel line* *shall* be no less than the minimum *exterior side yard setback* for the *principal building*.
5. Notwithstanding **Part I.6.3**, in the R1A District a **Garage Suite** may be located in the *front yard* and *shall* be **setback** a minimum of 6.0 m (19.7 ft) from the *front parcel line*.
6. A **Garage Suite** *shall* remain accessory to and subordinate to the *principal Dwelling Unit* and *shall* not exceed 80.0 m² (860.0 ft²) in *floor area*.
7. The minimum *floor area* of a **Garage Suite** *shall* be 30.0 m² (322.9 ft²).
8. For the purposes of this Bylaw, shared mechanical rooms and common areas shall be excluded from the *floor area* calculation of the **Garage Suite**.
9. At *grade* **Garage Suites** *shall* have a maximum height of 4.5 m (14.8 ft) (See **Figure 16**).
10. Above *grade* **Garage Suites** with a flat or single-pitch roof *shall* be a maximum height of 5.5 m (18.0 ft), and 6.5 m (21.3 ft) for **Garage Suites** with a gable or pitched roof, provided the maximum height of the *building* is not higher than the height of the **Single Detached Dwelling** (See **Figure 16**).

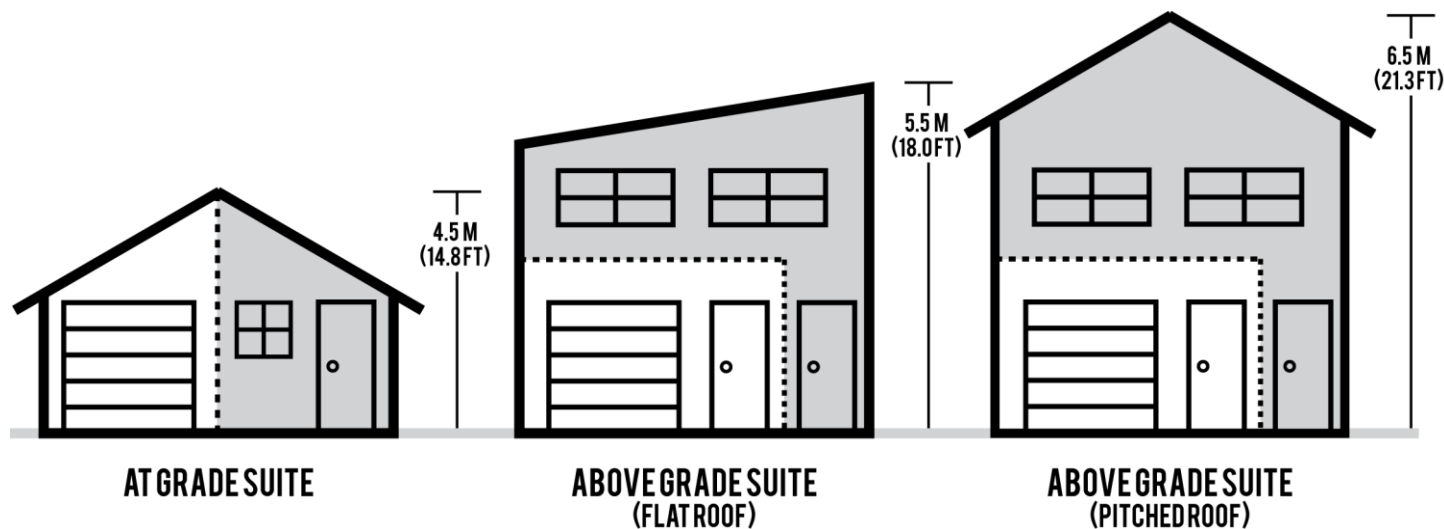


FIGURE 16: MAXIMUM GARAGE SUITE HEIGHT

11. Windows within the second storey of a **Garage Suite** *shall* be located and sized such that they minimize overlook into **yards** and windows of **abutting parcels** through one or more of the following strategies:
 - a. off-setting window placement to limit direct views into a window of a **Dwelling Unit** on an **abutting parcel**;
 - b. locating larger windows such as living room windows to face a **lane**, a **road**, the **principal Dwelling Unit** on the **parcel**, or the larger of any **side yard abutting a parcel**.
12. A **Garage Suite** *must* not be separated from the **principal residential use** on a **parcel** by the registration of a **condominium** or **subdivision**.

7 SUITE, GARDEN

1. A **Garden Suite** *shall* only be allowed, where provided for in a Land Use District, on a **parcel** as an **accessory use** to a **Single Detached Dwelling**.
2. A maximum of one (1) **Garden Suite** *shall* be allowed per **parcel**. No additional **Garage Suite** or **Secondary Suite** *shall* be allowed.
3. A **Garden Suite** *shall* not be located in the **front yard** of a **parcel**.
4. The minimum **setbacks** of a **Garden Suite** *shall* be 1.0 m (3.3 ft) from a **side parcel line** and 1.5 m (4.9 ft) from a **rear parcel line**, except on a **corner parcel** or a **reverse corner parcel**, the minimum **setback** from an **exterior side parcel line** *shall* be no less than the minimum **exterior side yard setback** for the **principal building**.
5. Notwithstanding **Part I.7.3**, in the R1A District a **Garden Suite** may be located in the **front yard** and *shall* be **setback** a minimum of 6.0 m (19.7 ft) from the **front parcel line**.
6. A **Garden Suite** *shall* remain accessory to and subordinate to the **principal Dwelling Unit** and *shall* not exceed 80.0 m² (860.0 ft²) in **floor area**.
7. The minimum **floor area** of a **Garden Suite** *shall* be 30.0 m² (322.9 ft²).
8. A **Garden Suite** *shall* have a maximum height of 4.5 m (14.8 ft).
9. A **Garden Suite** *must* not be separated from the **principal residential use** on a **parcel** by the registration of a **condominium** or **subdivision**.

8 SUITE, SECONDARY

1. A **Secondary Suite** *shall* only be allowed, where provided for in a Land Use District, on a *parcel* as an **accessory use** to a **Single Detached Dwelling** or **Duplex Dwelling**.
2. A maximum of one (1) **Secondary Suite** *shall* be allowed per *parcel*. No additional **Garage Suite** or **Garden Suite** *shall* be allowed.
3. A **Secondary Suite** *shall* remain accessory to and subordinate to the **principal Dwelling Unit**. The maximum **floor area** of the **Secondary Suite** shall not exceed thirty percent (30%) of the **floor area** of the **principal Dwelling Unit** or 80.0 m² (860.0 ft²), whichever is the lesser.
4. Notwithstanding **Part I.8.3**, where a **Secondary Suite** occupies:
 - a. the **basement** within a one-storey **Single Detached Dwelling**; or
 - b. the second **storey** of a two-storey **Single Detached Dwelling**;
 the **Secondary Suite** may occupy a maximum of 50% of the **floor area** of the **building**.
5. For the purposes of this Bylaw, shared mechanical rooms and common areas shall be excluded from the **floor area** calculation of the **Secondary Suite**.
6. The minimum **floor area** of a **Secondary Suite** is 38.0 m² (400.0 ft²).

9 SUITE, SURVEILLANCE

1. A **Surveillance Suite** which is not attached to or within the **principal building** *shall* be located:
 - a. A minimum of 2.0 m (6.6 ft) from any **buildings**;
 - b. A minimum of 3.0 m (9.8 ft) from the **rear parcel line** and **side parcel lines**; and
 - c. No closer to the **front parcel line** than the **principal building**.
2. The maximum **floor area** of a **Surveillance Suite** shall be 32.6 m² (351.0 ft²), but in no case *shall* a **Surveillance Suite** be larger in **floor area** than the **principal building**.

10 CANNABIS PRODUCTION AND DISTRIBUTION FACILITIES

1. The **Development Authority** *may* require for a complete application for a **Cannabis Production and Distribution Facility**, the submission of a waste management plan completed by a **qualified professional**, which includes but is not limited to:
 - a. the quantity and characteristics of liquid and solid waste material discharged by the facility;
 - b. the method and location of collection and disposal of liquid and solid waste material discharged by the facility; and
 - c. the incineration of waste products and method of treatment of airborne emissions, including odours.
2. The issuance of a **development permit** in no way exempts the applicant from obtaining any other approval, permit, authorization, consent or license that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
3. As a condition of a **development permit** and prior to the operation of the facility, the applicant **must** provide a copy of the current license for all activities associated with cannabis production as issued by Health Canada.
4. All processes and functions related to a **Cannabis Production and Distribution Facility** **must** be fully contained within a **building** including all loading stalls and docks, garbage receptacles and waste material.
5. A **Cannabis Production and Distribution Facility** *shall* not include **outdoor storage** of goods, materials or supplies.
6. A **Cannabis Production and Distribution Facility** *shall* not be allowed to operate on a *parcel* with any other **use**.
7. A **Cannabis Production and Distribution Facility** **must** include equipment in the ventilation system designed and intended to remove odours from the air where it is discharged from the **building**.

11 GAS BARS AND SERVICE STATIONS

1. No part of any **building** or any pump island **shall** be located within 6.0 m (19.7 ft) of a **side parcel line** or **rear parcel line**.
2. A pump island **shall** be **setback** 6.0 m (19.7 ft) from the **front parcel line**.
3. A canopy over a pump island **shall** not extend to within 3.0 m (9.8 ft) of any **property line**.
4. Notwithstanding the minimum required **front yard setback** in the district regulations, the **front yard setback** of a **Gas Bar and Service Station shall** not be less than 12.0 m (39.4 ft).
5. The minimum **parcel area** of a **Gas Bar and Service Station shall** be 740.0 m² (7,965 ft²). When a **Car Wash** is included on the same **parcel**, the minimum **parcel area** shall be 1,110.0 m² (11,948 ft²).
6. The maximum **parcel coverage** of a **Gas Bar and Service Station shall** be twenty-five percent (25%).
7. The maximum width of a **driveway** for a **Gas Bar and Service Station shall** not exceed 10.7 m (35.1 ft) in width.

12 SIGNS

SIGN AUTHORITY AND ADMINISTRATION

1. No **Sign** shall be erected on or affixed to municipal property without the prior consent of the Town of Hardisty.
2. Where a **Sign** is no longer related to a business, product or event located on the same **parcel** as the **Sign**, the **Sign** must be removed by the owner of the **Sign** or the owner of the **parcel** on which the **Sign** is located.
3. No person shall place a motor vehicle, **shipping container**, trailer or similar **structure** on a **parcel** for the purpose of displaying a **Sign**.
4. Where a **Sign** contravenes the regulations of this Bylaw or the terms of a **development permit**, the **owner** of the **parcel** or the **owner** of the **Sign** shall remove the **Sign** or relocate or repair the **Sign** such that it complies with the Bylaw or the **development permit** within the timelines specified in the written warning or order.
5. The Town of Hardisty may remove any **Sign** that remains in contravention of this Bylaw and an order, and/or may refuse to issue a **development permit** for a **Sign** on the **parcel** for a period of three (3) months.

GENERAL SIGN REGULATIONS

6. No **Sign shall** resemble or conflict with a traffic sign, signal or device.
7. All **Signs shall** be designed and manufactured to a professional standard of quality, to the satisfaction of the **Development Authority**.
8. The design and location of a **Sign** on a **building shall** complement the architectural elements and materials of the **building**.
9. **Buildings shall** be designed to incorporate **Signs** into the **building** as an integrated architectural element.
10. All **Sign lighting shall** be designed to illuminate the **Sign** only.
11. A **Sign shall** not be located to obstruct the movement or free and clear vision of a pedestrian or motorist, or cause conflict with any required **parking area**.
12. All **Signs shall** be kept in a safe, clean, tidy and legible condition and may, at the discretion of the **Development Authority**, be required to be renovated or removed if not kept in a safe, clean, tidy or legible condition.

A-FRAME SIGNS

13. **A-Frame Signs shall:**

- a. be placed only within the **frontage** area of the business;
 - b. not disrupt pedestrian traffic on a sidewalk;
 - c. not be illuminated; and
 - d. not exceed 0.6 m² (6.0 ft²) in **sign area**.
14. Only one (1) **A-Frame Sign** *shall* be permitted per business.

CANOPY SIGNS

15. **Canopy Signs** *shall*:
- a. have a minimum height clearance of 2.7 m (8.6 ft) from **grade** or any sidewalk below;
 - b. not project above the roof;
 - c. be set back a minimum of 0.6 m (2.0 ft) from a curb;
 - d. not project greater than 2.0 m (6.6 ft) from the face of the **building**; and
 - e. not exceed 9.3 m² (100.1 ft²) in **sign area**.

FASCIA/WALL SIGNS

16. **Fascia Signs** *shall*:
- a. be located on the **building frontage** directly adjacent to the business;
 - b. not exceed 20% in **sign area** of the **building** face to which the **Sign** is attached; and
 - c. not project above the roof greater than 1.0 m (3.3 ft).
17. A business *shall* have a maximum of one (1) **Fascia Sign** per **frontage**.
18. A maximum of one (1) **Fascia Sign** for a **Minor Home Occupation**, **Major Home Occupation** or **Short-Term Rental** *shall* be displayed with a maximum **sign area** of 0.2 m² (2.2 ft²).
19. For **Apartment** and **Row Housing developments**, one (1) **Fascia Sign** not exceeding 1.0 m² (10.8 ft²) in **sign area** *shall* be allowed on a **parcel**.

FREESTANDING SIGNS

20. **Freestanding Signs** *shall*:
- a. not exceed 6.0 m (19.7 ft) in height;
 - b. not exceed a maximum **sign area** of 19.0 m² (204.5 ft²);
 - c. be a minimum of 6.0 m (19.7 ft) from a curb or 1.5 m (4.9 ft) from a **property line**, whichever is the greater distance; and
 - d. be separated a minimum of 30.0 m (98.4 ft) from any other **Freestanding Sign** along the same side of a block of the **road**.
21. A maximum of one (1) **Freestanding Sign** is allowed per **parcel** except:
- a. where a **parcel** has in excess of 90.0 m (295.3 ft) business frontage, one (1) additional **Freestanding Sign** *may* be erected for each additional 90.0 m (295.3 ft); or
 - b. where a **parcel** is considered to be a **corner parcel**, each **frontage** may have a **Freestanding Sign** provided that the **Signs** are no closer than 90.0 m (295.3 ft.) apart.
22. A maximum of one (1) **Freestanding Sign** for a **Major Home Occupation** or **Short-Term Rental** *may* be displayed in the R1C District with a maximum **sign area** of 0.3 m² (3.3 ft²) and a maximum sign height of 1.0 m (3.3 ft).
23. A maximum of one (1) **Freestanding Sign** for a **Dwelling** or **Apartment** *may* be displayed with a maximum **sign area** of 2.0 m² (21.5 ft²) and a maximum sign height of 1.5 m (4.9 ft).

PORTABLE SIGNS

24. A maximum of one (1) **Portable Sign** is allowed per *parcel* provided the **Sign** does not:
 - a. exceed 6.6 m² (71.0 ft²) in *sign area*;
 - b. exceed 3.0 m (9.8 ft) in height above *grade*, and
 - c. is not located within the sight line triangle.
25. Notwithstanding **Part I.12.24**, additional **Portable Signs** *may*, at the discretion of the **Development Authority**, be allowed in a multiple occupancy *development* provided that no **Portable Sign** is located closer than 15.0 m (49.2 ft) from another **Portable Sign**.
26. A **Portable Sign** *must* be stabilized and anchored in a manner that ensures the **Sign** will not be unintentionally moved or blown over.

PROJECTING SIGNS

27. **Projecting Signs shall:**
 - a. have a minimum clearance of no less than 3.0 m (10.0 ft) between the bottom of the **Sign** and the *grade* immediately below it;
 - b. not project more than 2.0 m (6.6 ft) from the face of the *building*;
 - c. shall be *setback* a minimum of 0.6 m (2.0 ft) from a curb;
 - d. no project above the roof greater than 1.0 m (3.3 ft); and
 - e. not exceed 9.3 m² (100.1 ft²) in *sign area*.
28. A business *shall* have a maximum of one (1) **Projecting Sign** per *frontage*.

ROOF SIGNS

29. **Roof Signs shall:**
 - a. be developed so they appear as an architectural feature of the *building* on which they are located;
 - b. be *setback* at least 1.0 m (3.3 ft) from the exterior walls of the *building*; and
 - c. not exceed 9.3 m² (100.1 ft²) in *sign area*.
30. No supporting structure of a **Roof Sign** *shall* be visible to the public unless finished in an aesthetically pleasing manner to the satisfaction of the **Development Authority**.

UNDER CANOPY SIGNS

31. **Under Canopy Signs shall:**
 - a. have a minimum clearance of 2.7 m (8.6 ft) from *grade* of any sidewalk below;
 - b. be *setback* a minimum of 0.6 m (2.0 ft) from a curb;
 - c. not project greater than 2.0 m (6.6 ft) from the face of the *building*; and
 - d. not exceed 0.5 m² (5.4 ft²) *sign area*.

PART J | Land Use Districts

1 ESTABLISHMENT OF LAND USE DISTRICTS

- For the purposes of this Bylaw, the following Districts are hereby established:

LAND USE DISTRICT	DISTRICT TITLE
RESIDENTIAL LAND USE DISTRICTS	
Low Density Residential District	(R1)
Lake Lot Residential District	(R1A)
Acreage Residential District	(R1C)
Estate Lot Residential District	(R1D)
Medium Density Residential District	(R2)
High Density Residential District	(R3)
Manufactured Dwelling Residential District	(RMDS)
COMMERCIAL LAND USE DISTRICTS	
Primary Commercial District	(C1)
General Commercial District	(C2)
INDUSTRIAL LAND USE DISTRICTS	
Industrial District	(M1)
PUBLIC USE/RECREATION LAND USE DISTRICTS	
Institutional District	(I)
Parks and Recreation District	(P)
Hardisty Lake Park District	(HLP)
MISCELLANEOUS LAND USE DISTRICTS	
Urban Reserve District	(UR)

2 DISTRICT BOUNDARIES

- The boundaries of the districts listed in **PART J.1** are as delineated in **PART K** on **Map 1 - Land Use Districts Map**.
- Where uncertainty exists as to the boundaries of Districts as shown on the Land Use District Map, the following rules *shall* apply:
 - Rule 1. Where a boundary is shown as following a *highway, road, lane, or body of water*, it *shall* be deemed to follow the *parcel* line thereof.
 - Rule 2. Where a boundary is shown as approximately following a *parcel* line, it *shall* be deemed to follow the *parcel* line.
 - Rule 3. In circumstances not covered by Rule 1 or 2, the location of the boundary *shall* be determined:
 - where dimensions are set out in this Bylaw, by the dimensions so set; or
 - where no dimensions are set out on the Land Use District Map with respect to such boundary, by measurement of and use of the scale shown on the Land Use District Map.

3. Where the application of the above rules does not determine the exact location of the boundary of a District, the **Council** either by motion or upon written application being made to it by any person requesting the determination of the exact location of the boundary, **shall** fix the portion of the District boundary in doubt or dispute in a manner consistent with the provisions of this Bylaw and the degree of detail as to measurements and directions as the circumstances may require.
4. After the **Council** has fixed a District boundary pursuant to the provisions of **PART J.2.3** above, the portion of the boundary so fixed **shall** not be thereafter altered except by an amendment of this Bylaw.
5. The **Development Authority shall** maintain a list of **Council's** decisions with respect to boundaries or portions thereof fixed by **Council**.

3 ESTABLISHMENT OF DIRECT CONTROL DISTRICTS

1. Direct Control Districts provide for development that, due to its unique characteristics, unusual site conditions, or innovative design, requires specific regulations unavailable in other Land Use Districts. Land Uses within a Direct Control District shall be determined by **Council**.
2. Direct Control Districts shall not be used in substitution of any other Land Use District in this Bylaw that could be used to achieve the same result either with or without variances to this Bylaw.
3. Where **Council** deems there are sufficient and appropriate regulations within a Direct Control Bylaw, authority to approve **development** within the Direct Control District may be delegated to the **Development Authority**.

4 LOW DENSITY RESIDENTIAL (R1) DISTRICT

GENERAL PURPOSE

- To provide for low-**density** residential **development** and other compatible residential neighbourhood **uses** on serviced **parcels**.

USES

2. Permitted Uses	3. Discretionary Uses
Accessory Buildings	Care Facility
Dwelling, Single Detached	Child Care Facility
Home Occupation, Minor	Dwelling, Duplex
Parks	Home Occupation, Major
Sign, Fascia	Place of Worship
Suites, Secondary	Short-Term Rental
Utilities	Suite, Garage
	Suite, Garden

PARCEL AREA AND WIDTH

4. Minimum parcel area	
a. Single Detached Dwellings	500.0 m ² (5,382.0 ft ²)
b. Duplex Dwellings	353.0 m ² (3,800.0 ft ²) per Dwelling Unit
5. Minimum parcel width	
a. Single Detached Dwellings	15.2 m (50.0 ft)
b. Duplex Dwellings	10.7 m (35.0 ft) per Dwelling Unit

DEVELOPMENT REGULATIONS

In addition to the General Provisions in **Part H** and Special Use Provisions in **Part I**, the following regulations apply:

6. Maximum parcel coverage
40%
7. Maximum building height
10.0 m (32.8 ft)
8. Minimum front yard setback
6.0 m (19.7 ft)
9. Minimum rear yard setback
7.5 m (24.6 ft)

10.	Minimum <i>interior side yard setback</i>	
	a. Single Detached Dwellings	1.5 m (4.9 ft)
	b. Duplex Dwellings	1.5 m (4.9 ft), except for a shared <i>property line</i> where it is zero
11.	Minimum <i>exterior side yard setback</i>	
	3.0 m (9.8 ft)	
12.	Minimum <i>floor area</i>	
	a. Single Detached Dwellings	79.0 m ² (850.0 ft ²)
	b. Duplex Dwellings	79.0 m ² (850.0 ft ²) per Dwelling Unit

5 LAKE LOT RESIDENTIAL (R1A) DISTRICT

GENERAL PURPOSE

1. To provide for low-**density** residential **development** on residential **parcels** surrounding Hardisty Lake, as well as **Seasonal Accommodation** in **recreational vehicles** and **park models**.

USES

2. Permitted Uses	3. Discretionary Uses
Accessory Buildings	Dwelling, Manufactured
Dwelling, Single Detached	Home Occupation, Major
Home Occupation, Minor	Seasonal Accommodation
Parks	Short-Term Rentals
Sign, Fascia	Suite, Secondary
Utilities	Suite, Garden
	Suite, Garage
	Place of Worship

PARCEL AREA AND WIDTH

4. Minimum parcel area
603.9 m ² (6,500.0 ft ²)
5. Minimum parcel width
12.2 m (40.0 ft)

DEVELOPMENT REGULATIONS

In addition to the General Provisions in **Part H** and Special Use Provisions in **Part I**, the following regulations apply:

6. Maximum parcel coverage
40%
7. Maximum building height
10.0 m (32.8 ft)
8. Minimum front yard setback
6.0 m (19.7 ft)
9. Minimum setback to the high water mark of Hardisty Lake
5.0 m (16.4 ft)
10. Minimum rear yard setback
7.5 m (24.6 ft)

11.	Minimum <i>side yard setback</i>
	1.8 m (6.0 ft)
12.	Minimum <i>floor area</i>
	74.3 m ² (800.0 ft ²) for Single Detached Dwellings and Manufactured Dwellings

ADDITIONAL REGULATIONS

13. As part of an application for a **development permit** for **Seasonal Accommodation**, the following are required:
 - a. proof of valid vehicle registration and insurance of a **recreational vehicle** or **park model**;
 - b. current photographs indicating the condition of the proposed **recreational vehicle, park model** or similar **structure**; and
 - c. a site plan showing the placement of the **recreational vehicle, park model** or similar **structure**, including any **patios, decks** or **Accessory Buildings**.
14. A **recreational vehicle** or **park model** or similar **structure shall** be maintained and kept in good condition. Any **recreational vehicle** or **park model** or similar **structure** that is considered, in the opinion of the **Development Officer**, to be a **derelict vehicle** (i.e. broken windows, damaged siding) **may** be required to be removed from the **parcel** in accordance with the provisions of **Part G Enforcement**.
15. A **temporary development permit** for **Seasonal Accommodation shall** be issued for a maximum of five (5) years.

6 ACREAGE RESIDENTIAL (R1C) DISTRICT

GENERAL PURPOSE

1. To provide for residential *development* and *accessory uses* on acreage *parcels*.

USES

2. Permitted Uses	3. Discretionary Uses
Accessory Buildings	Agriculture, Intensive
Dwelling, Single Detached	Short-Term Rental
Dwelling, Manufactured	Suite, Garden
Hobby Farm	Suite, Garage
Home Occupation, Major	
Home Occupation, Minor	
Parks	
Sign, Fascia	
Sign, Freestanding	
Suite, Secondary	
Utilities	

PARCEL AREA AND WIDTH

4. Minimum <i>parcel area</i>
1.0 ha (2.5 ac)

5. Notwithstanding the minimum *parcel area* specified in **Part J.6.4**, there *shall* be no further *subdivision* of *existing* R1C *parcels* in Hardisty.

DEVELOPMENT REGULATIONS

In addition to the General Provisions in **Part H** and Special Use Provisions in **Part I**, the following regulations apply:

6. Maximum <i>building height</i>
10.0 m (32.8 ft)
7. Minimum <i>front yard setback</i>
7.5 m (24.6 ft)
8. Minimum <i>rear yard setback</i>
7.5 m (24.6 ft)
9. Minimum <i>side yard setbacks</i>
1.5 m (4.9 ft)

7 ESTATE RESIDENTIAL (R1D) DISTRICT

GENERAL PURPOSE

1. To provide for low-*density* residential *development* on serviced estate *parcels*.

USES

2. Permitted Uses	3. Discretionary Uses
Accessory Buildings	Home Occupation, Major
Dwelling, Single Detached	Place of Worship
Home Occupation, Minor	Short-Term Rental
Parks	Suite, Garage
Sign, Fascia	Suite, Garden
Utilities	Suite, Secondary

PARCEL AREA AND WIDTH

4. Minimum <i>parcel area</i>
929.0 m ² (10,000.0 ft ²)
5. Minimum <i>parcel width</i>
23.0 m (75.5 ft)

DEVELOPMENT REGULATIONS

In addition to the General Provisions in **Part H** and Special Use Provisions in **Part I**, the following regulations apply:

6. Maximum <i>parcel coverage</i>
40%
7. Maximum <i>building height</i>
10.0 m (32.8 ft)
8. Minimum <i>front yard setback</i>
7.5 m (24.6 ft)
9. Minimum <i>rear yard setback</i>
7.5 m (24.6 ft)
10. Minimum <i>interior side yard setbacks</i>
1.5 m (4.9 ft)
11. Minimum <i>exterior side yard setbacks</i>
4.5 m (14.8 ft)
12. Minimum <i>floor area</i>
111.5 m ² (1,200.0 ft ²)

8 MEDIUM DENSITY RESIDENTIAL (R2) DISTRICT

GENERAL PURPOSE

- To provide for medium **density** residential **development** and other compatible residential neighbourhood **uses** on serviced **parcels**.

USES

2. Permitted Uses	3. Discretionary Uses
Accessory Buildings	Care Facility
Dwelling, Duplex	Child Care Facility
Dwelling Single Detached with a Suite, Secondary	Dwelling, Row Housing
Dwelling Single Detached with a Suite, Garage	Dwelling, Single Detached
Dwelling Single Detached with a Suite, Garden	Home Occupation, Major
Home Occupation, Minor	Place of Worship
Parks	Short-Term Rental
Sign, Fascia	
Utilities	

PARCEL AREA AND WIDTH

4. Minimum parcel area	
a. Dwelling, Row Housing (internal units)	230.0 m ² (2,476.0 ft ²) per Dwelling Unit
b. Dwellings, Duplex and Row Housing (end units)	285.0 m ² (3,068.0 ft ²) per Dwelling Unit
c. Dwelling, Single Detached	446.0 m ² (4,800.0 ft ²)
5. Minimum parcel width	
a. Dwelling, Row Housing (internal units)	7.5 m (24.6 ft) per Dwelling Unit
b. Dwellings, Duplex and Row Housing (end units)	9.0 m (29.5 ft) per Dwelling Unit
c. Dwelling, Single Detached	15.2 m (50.0 ft)

DEVELOPMENT REGULATIONS

In addition to the General Provisions in **Part H** and Special Use Provisions in **Part I**, the following regulations apply:

6. Maximum parcel coverage	
a. Dwelling, Single Detached	40%
b. Dwellings, Duplex and Row Housing	45%
7. Maximum building height	
a. Dwellings, Single Detached	10.0 m (32.8 ft)
b. Dwellings, Duplex and Row Housing	10.7 m (35.0 ft)

8.	Minimum <i>front yard setback</i>	
	6.0 m (19.7 ft)	
9.	Minimum <i>rear yard setback</i>	
	7.5 m (24.6 ft)	
10.	Minimum <i>interior side yard setback</i>	
	a. Dwelling, Single Detached	1.5 m (4.9 ft)
	b. Dwellings, Duplex and Row Housing	1.5 m (4.9 ft), except for a <i>property line</i> shared between two Dwelling Units , where it is zero
11.	Minimum <i>exterior side yard setback</i>	
	a. Dwelling, Single Detached	3.0 m (9.8 ft)
	b. Dwellings, Duplex and Row Housing	2.0 m (6.6 ft)
	c. Other <i>uses</i>	3.0 m (9.8 ft)
12.	Minimum <i>floor area</i>	
	74.3 m ² (800.0 ft ²) per Dwelling Unit	
13.	Maximum Dwelling, Row House <i>density</i>	
	30 Dwelling Units per ha (12 Dwelling Units per ac)	

9 HIGH DENSITY RESIDENTIAL (R3) DISTRICT

GENERAL PURPOSE

- To provide for high **density** residential **development** including **Apartments** and **Row Housing** and other compatible residential neighbourhood **uses** on serviced **parcels**.

USES

2. Permitted Uses	3. Discretionary Uses
Accessory Buildings	Dwelling, Duplex
Child Care Facility	Dwelling, Single Detached
Care Facility	Home Occupation, Major
Dwelling, Apartment	Place of Worship
Dwelling, Row Housing	
Home Occupation, Minor	
Parks	
Sign, Fascia	
Utilities	

PARCEL AREA AND WIDTH

4. Minimum parcel area	
a. Dwelling, Apartment	880.0 m ² (9,472.2 ft ²)
b. Dwellings, Duplex and Row Housing	As per the R2 District
c. Dwelling, Single Detached	390.2 m ² (4,200.0 ft ²)
5. Minimum parcel width	
a. Dwelling, Apartment	30.5 m (100.0 ft)
b. Dwellings, Duplex and Row Housing	As per the R2 District
c. Dwelling, Single Detached	10.0 m (32.8 ft)

DEVELOPMENT REGULATIONS

In addition to the General Provisions in **Part H** and Special Use Provisions in **Part I**, the following regulations apply:

6. Maximum parcel coverage	
50%	
7. Maximum building height	
a. Dwelling, Apartment and Care Facilities	15.2 m (50.0 ft)
b. Dwellings, Row Housing and Duplex	As per the R2 District
c. Other uses	10.7 m (35.1 ft)

8. Minimum <i>front yard setback</i>	
a. Dwelling, Apartment and Care Facilities	7.5 m (24.6 ft)
b. Dwellings, Row Housing and Duplex	As per the R2 District
c. Other <i>uses</i>	6.0 m (19.7 ft)
9. Minimum <i>rear yard setback</i>	
a. Dwelling, Apartment and Care Facilities	6.0 m (19.7 ft)
b. Dwellings, Row Housing and Duplex	As per the R2 District
c. Other <i>uses</i>	6.0 m (19.7 ft)
10. Minimum <i>interior side yard setback</i>	
a. Dwelling, Apartment and Care Facilities	3.0 m (9.8 ft)
b. Dwellings, Row Housing and Duplex	As per the R2 District
c. Other <i>uses</i>	1.5 m (4.9 ft)
11. Minimum <i>exterior side yard setback</i>	
a. Dwelling, Apartment and Care Facilities	3.0 m (9.8 ft)
b. Dwellings, Row Housing and Duplex	As per the R2 District
c. Other <i>uses</i>	3.0 m (9.8 ft)
12. Minimum <i>floor area</i>	
a. Dwelling, Apartment	55.0 m ² (592.0 ft ²) per Dwelling Unit
b. Dwellings, Row Housing and Duplex	74.3 m ² (800.0 ft ²) per Dwelling Unit
c. Dwelling, Single Detached	60.4 m ² (650.0 ft ²)
13. Maximum <i>density</i>	
a. Apartments	86 Dwelling Units per ha (35 Dwelling Units per ac)
b. Row Housing	35 Dwelling Units per ha (14 Dwelling Units per ac)

ADDITIONAL REQUIREMENTS

14. **Parking areas** for a **Dwelling, Apartment** *shall* not be located in the *front yard*.
15. **Dwelling, Apartments** *must*, to the satisfaction of the **Development Authority**, be designed in accordance with the following:
 - a. vehicle entrances and exits, **parking stalls** and **loading stalls** *shall* be located in such a manner to minimize impact on **adjacent residential uses**; and
 - b. the **building** and site design *shall* be integrated with the surrounding neighbourhood context.
16. For **Dwelling, Apartment developments**, at least ten percent (10%) of the **parcel area** *shall* be provided as an outdoor **amenity area**.
17. Notwithstanding **PART J.9.16, balconies** and **patios** *may* be considered an outdoor **amenity area** provided they are unenclosed and have a minimum depth of 2.0 m (6.6 ft).

10 RESIDENTIAL MANUFACTURED DWELLING SUBDIVISION (RMDS) DISTRICT

GENERAL PURPOSE

1. To provide for *subdivisions* in which **Manufactured Dwellings** are located on separately registered *parcels*.

USES

2. Permitted Uses	3. Discretionary Uses
Accessory Buildings	Child Care Facility
Dwelling, Manufactured	Dwelling, Single Detached
Home Occupation, Minor	Home Occupation, Major
Parks	Places of Worship
Sign, Fascia	
Utilities	

PARCEL AREA AND WIDTH

4. Minimum <i>parcel area</i>	
a. Dwelling, Manufactured	400.0 m ² (4,305.6 ft ²)
b. Dwelling, Single Detached	500.0 m ² (5,382.0 ft ²)
5. Minimum <i>parcel width</i>	
a. Dwelling, Manufactured	12.2 m (40.0 ft)
b. Dwelling, Single Detached	15.2 m (50.0 ft)

DEVELOPMENT REGULATIONS

In addition to the General Provisions in **Part H** and Special Use Provisions in **Part I**, the following regulations apply:

6. Maximum <i>parcel coverage</i>	
45%	
7. Maximum <i>building height</i>	
10.0 m (32.8 ft)	
8. Minimum <i>front yard setback</i>	
a. Dwelling, Manufactured	4.5 m (14.8 ft)
b. Dwelling, Single Detached	6.0 m (19.7 ft)
9. Minimum <i>rear yard setback</i>	
6.0 m (19.7 ft)	

10. Minimum <i>interior side yard setback</i>	
a. Dwelling, Manufactured	1.2 m (3.9 ft)
b. Dwelling, Single Detached	1.2 m (3.9 ft)
c. Other <i>uses</i>	1.5 m (4.9 ft)
11. Minimum <i>exterior side yard setback</i>	
3.0 m (9.8 ft)	
12. Minimum <i>floor area</i>	
a. Dwelling, Manufactured	65.0 m ² (700.0 ft ²)
b. Dwelling, Single Detached	65.0 m ² (700.0 ft ²)

11 PRIMARY COMMERCIAL (C1) DISTRICT

GENERAL PURPOSE

1. To provide for retail and service commercial businesses, including civic and cultural uses, in the downtown core.

USES

2. Permitted Uses	3. Discretionary Uses
Accessory Buildings	Cannabis Retail Sales
Alcohol Retail Sales	Care Facility
Amusement Establishment, Indoor	Contractor Services, Limited
Business Support Services	Dwelling, Apartment
Child Care Facility	Equipment Rental Establishment
Cultural Establishment	Funeral Services
Drinking Establishment	Motel
Dwelling Units above the first <i>storey</i>	Parking Lot
Eating and Drinking Establishment	Recycling Depot
Entertainment Establishment	Sign, Freestanding
Government Services	Sign, Roof
Health Services	Veterinary Clinic
Hotel	
Offices	
Parks	
Personal Service Shop	
Place of Worship	
Protective and Emergency Service	
Recreation Facility, Indoor	
Retail Establishment	
Sign, A-Frame	
Sign, Canopy	
Sign, Fascia	
Sign, Projecting	
Sign, Under Canopy	
Utilities	

PARCEL AREA AND WIDTH

4.	Minimum parcel area
	140.0 m ² (1,507.0 ft ²)
5.	Minimum parcel width
	7.6 m (25.0 ft)

DEVELOPMENT REGULATIONS

In addition to the General Provisions in **Part H** and Special Use Provisions in **Part I**, the following regulations apply:

6.	Maximum parcel coverage
	100%, except as required to provide for loading spaces and garbage and waste containers.
7.	Maximum building height
	11.0 m (36.1 ft)
8.	Minimum front yard setback
	Zero
9.	Minimum rear yard setback
	Zero, except as required to provide for loading spaces and garbage and waste containers.
10.	Minimum side yard setback
	Zero, unless the parcel abuts a parcel in a residential district in which case the minimum required side yard setback shall be 2.5 m (8.2 ft).

ADDITIONAL REQUIREMENTS

1. **Parking spaces shall** not be located in a **front yard**.
2. A **building** that contains **Dwelling Units**, above the first **storey must**:
 - a. provide access at **grade** which is separate from any access for any commercial **use**;
 - b. locate vehicle entrances and exits, **parking stalls** and **loading stalls** in such a manner to minimize impact on **adjacent uses**; and
 - c. integrate the **building** and site design with the surrounding neighbourhood context.
3. A **Dwelling, Apartment must**, to the satisfaction of the **Development Authority**:
 - a. locate vehicle entrances and exits, **parking stalls** and **loading stalls** in such a manner to minimize impact on **adjacent uses**;
 - b. integrate the **building** and site design with the surrounding neighbourhood context; and
 - c. provide ten percent (10%) of the **parcel area** as a **landscaped area** that functions as an **amenity area**.

GENERAL PURPOSE

1. To provide a variety of goods and services to Hardisty residents and the surrounding region, including those *uses* which require a larger *parcel area*.

USES

2. Permitted Uses	3. Discretionary Uses
Accessory Buildings	Alcohol Retail Sales
Amusement Establishment, Indoor	Bulk Fuel Station
Automotive Sales/Rentals	Cannabis Retail Sales
Business Support Services	Contractor Services, General
Car Wash	Drinking Establishment
Contractor Services, Limited	Funeral Services
Eating and Drinking Establishment	Greenhouse and Plant Nursery
Entertainment Establishment	Industrial Vehicle and Equipment Sales/Rentals
Equipment Rental Establishment	Parking Lot
Gas Bar and Service Station	Place of Worship
Government Services	Recycling Depot
Health Services	Self-Service Storage Facility
Hotel	Suite, Surveillance
Motel	Sign, Roof
Offices	Truck and Recreational Vehicle Sales/Rentals
Parks	Trucking and Cartage Establishment
Personal Service Shop	Vehicle and Equipment Repair Shop
Protective and Emergency Service	Veterinary Clinic
Recreation Facility, Indoor	Wholesale Outlet
Repair Shop	
Retail Establishment	
Sign, Canopy	
Sign, Fascia	
Sign, Freestanding	
Sign, Portable	
Utilities	

PARCEL AREA AND WIDTH

4.	Minimum parcel area
	650.0 m ² (6,996.5 ft ²)
5.	Minimum <i>parcel width</i>
	30.0 m (98.4 ft)

DEVELOPMENT REGULATIONS

In addition to the General Provisions in **Part H** and Special Use Provisions in **Part I**, the following regulations apply:

6.	Maximum <i>parcel coverage</i>
	60%
7.	Maximum <i>building height</i>
	11.0 m (36.1 ft)
8.	Minimum <i>front yard setback</i>
	6.0 m (19.7 ft)
9.	Minimum <i>rear yard setback</i>
	6.0 m (19.7 ft)
10.	Minimum <i>side yard setback</i>
	2.0 m (6.6 ft)

ADDITIONAL REQUIREMENTS

11. In addition to the screening requirements in **Part H.7**, a *yard abutting a parcel* in a residential district **shall** be **landscaped**. The minimum width of the **landscaped** area shall be 2.0 m (6.6 ft), and shall include the planting or preservation of trees and shrubs, to the satisfaction of the **Development Authority**.
12. All plant materials **shall** be a native species or a species capable of healthy growth in Hardisty.

GENERAL PURPOSE

1. To provide for a range of manufacturing, warehousing and other industrial *uses*.

USES

2. Permitted Uses	3. Discretionary Uses
Accessory Buildings	Abattoir
Automotive Sales/Rentals	Agricultural Industry
Business Support Services	Amusement Establishment, Outdoor
Car Wash	Auctioneering Establishment
Contractor Services, Limited	Bulk Fuel Station
Contractor Services, General	Cannabis Production and Distribution Facility
Equipment Rental Establishment	Eating and Drinking Establishment
Gas Bar and Service Station	Recreation Facility, Indoor
Greenhouse and Plant Nursery	Retail Establishment
Industrial Vehicle and Equipment Sales/Rentals	Storage Yard
Industrial, Light	Suite, Surveillance
Parks	Vehicle Body Repair and Paint Shop
Protective and Emergency Service	Waste Transfer Station
Recycling Depot	
Self-Service Storage Facility	
Sign, Canopy	
Sign, Fascia	
Sign, Freestanding	
Sign, Portable	
Sign, Roof	
Truck and Recreational Vehicle Sales/Rentals	
Trucking and Cartage Establishment	
Utilities	
Vehicle and Equipment Repair Shop	
Veterinary Clinic	
Warehousing and Distribution	

PARCEL AREA

4.	Minimum <i>parcel area</i>
	650.0 m ² (6,996.5 ft ²)

DEVELOPMENT REGULATIONS

In addition to the General Provisions in **Part H** and Special Use Provisions in **Part I**, the following regulations apply:

5.	Maximum <i>parcel coverage</i>
	60%
6.	Maximum <i>building height</i>
	12.0 m (39.4 ft)
7.	Minimum <i>front yard setback</i>
	6.0 m (19.7 ft)
8.	Minimum <i>rear yard setback</i>
	5.0 m (16.4 ft)
9.	Minimum <i>side yard setback</i>
	2.0 m (6.6 ft)

ADDITIONAL REQUIREMENTS

10. In addition to the screening requirements in **Part H.7**, a *yard abutting* a *parcel* in a residential district **shall** be **landscaped**. The minimum width of the **landscaped** area shall be 2.0 m (6.6 ft), and shall include the planting or preservation of trees and shrubs, to the satisfaction of the **Development Authority**.
11. All plant materials **shall** be a native species or a species capable of healthy growth in Hardisty.

14 INSTITUTIONAL (I) DISTRICT

GENERAL PURPOSE

1. To provide for public service **uses** primarily intended to serve the local community, such as schools, medical clinics and government services.

USES

2. Permitted Uses	3. Discretionary Uses
Accessory Buildings	Campground
Care Facility	Cemetery
Child Care Facility	Place of Worship
Cultural Facility	Resort/Retreat
Educational Facility	Suite, Surveillance
Health Service	
Government Service	
Parks	
Protective and Emergency Service	
Sign, A-Frame	
Sign, Canopy	
Sign, Fascia	
Sign, Freestanding	
Sign, Portable	
Utilities	

DEVELOPMENT REGULATIONS

In addition to the General Provisions in **Part H** and Special Use Provisions in **Part I**, the following regulations apply:

4. Maximum <i>parcel coverage</i>
50%
5. Maximum <i>building height</i>
15.2 m (50.0 ft)
6. Minimum <i>front yard setback</i>
6.0 m (19.7 ft)
7. Minimum <i>rear yard setback</i>
5.0 m (16.4 ft)
8. Minimum <i>side yard setback</i>
2.0 m (6.6 ft)

GENERAL PURPOSE

1. To provide land for open space and recreational needs of the Town's residents.

USES

2. Permitted Uses	3. Discretionary Uses
Accessory Buildings	Parking Lot
Parks	
Recreational Facility, Indoor	
Recreational Facility, Outdoor	
Sign, A-Frame	
Sign, Canopy	
Sign, Fascia	
Sign, Freestanding	
Sign, Portable	
Utilities	

GENERAL PURPOSE

- To provide for the **use** and **development** of Hardisty Lake Park for public recreation purposes, including but not limited to golf, sports fields, rodeo grounds and campgrounds and natural areas.

USES

2. Permitted Uses	3. Discretionary Uses
Accessory Buildings	Cultural Establishment
Campground	Parking Lot
Parks	
Recreational Facility, Indoor	
Recreational Facility, Outdoor	
Rodeo Grounds	
Sign, A-Frame	
Sign, Canopy	
Sign, Fascia	
Sign, Freestanding	
Sign, Portable	
Utilities	

DEVELOPMENT REGULATIONS

In addition to the General Provisions in **Part H** and Special Use Provisions in **Part I**, the following regulations apply:

4. Minimum front yard setback
6.0 m (19.7 ft)
5. Minimum rear yard setback
5.0 m (16.4 ft)
6. Minimum side yard setback
2.0 m (6.6 ft)

GENERAL PURPOSE

1. To reserve lands which are intended for future urban development.

USES

2. Permitted Uses	3. Discretionary Uses
Accessory Buildings	Agriculture, Intensive
Agriculture, Extensive	Recreational Facility, Outdoor
Dwelling, Manufactured	Resort/Retreat
Dwelling, Single Detached	
Greenhouse and Plant Nursery	
Home Occupation, Major	
Home Occupation, Minor	
Park	
Sign, Fascia	
Sign, Freestanding	
Utilities	

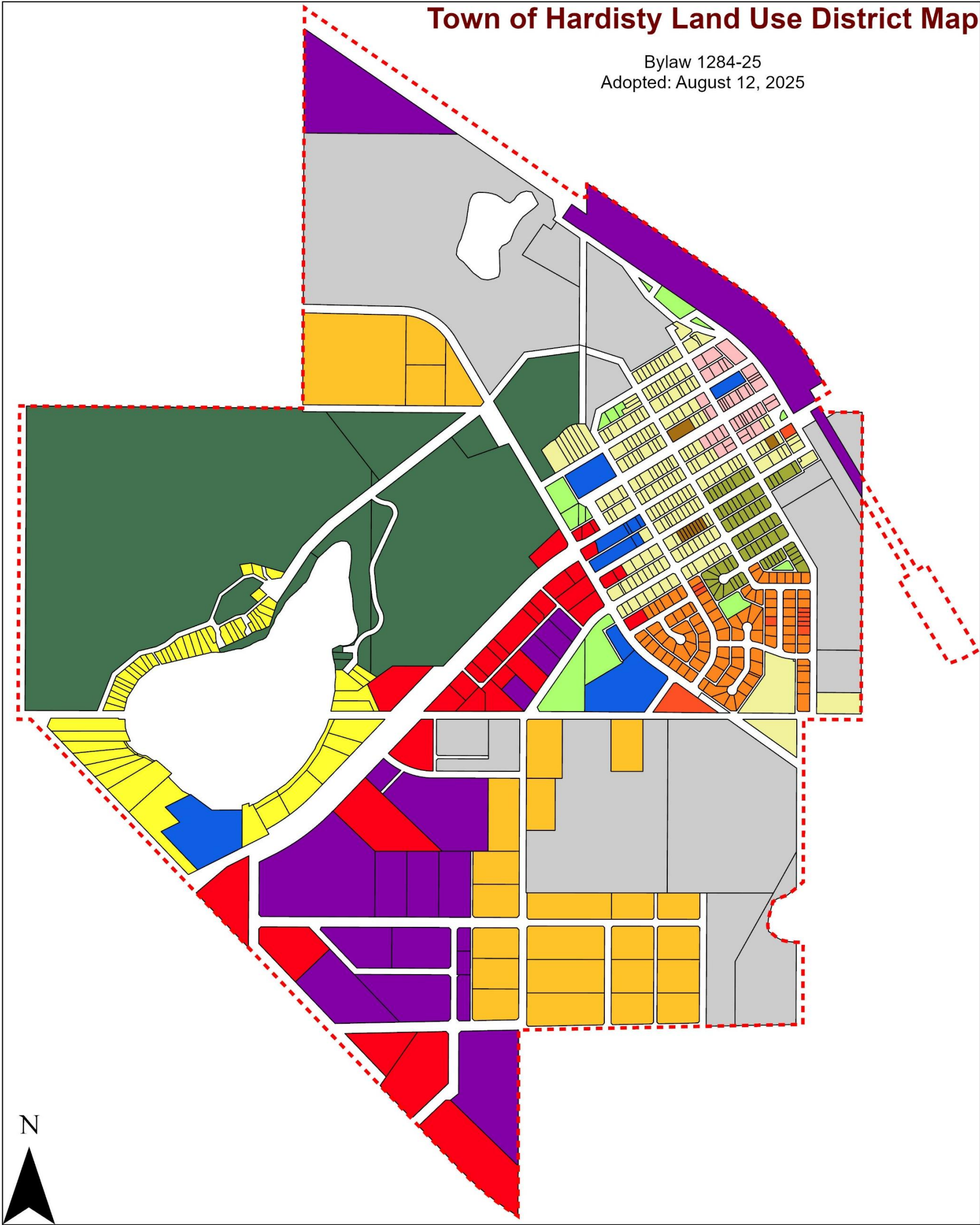
DEVELOPMENT REGULATIONS

In addition to the General Provisions in **Part H** and Special Use Provisions in **Part I**, the following regulations apply:

4. Minimum <i>front yard setback</i>
7.5 m (24.6 ft)
5. Minimum <i>rear yard setback</i>
7.5 m (24.6 ft)
6. Minimum <i>side yard setbacks</i>
7.5 m (24.6 ft)

ADDITIONAL REQUIREMENTS

7. There shall be no **subdivision** of lands designated UR-Urban Reserve, excepting when:
 - a. an Area Structure Plan, if required to be prepared by **Council**, has been adopted by bylaw; or
 - b. a conceptual scheme, if required to be prepared by **Council**, has been adopted by bylaw or resolution; and
 - c. a concurrent application for an amendment to this Bylaw has been submitted to and/or approved by Council.
8. Prior to approving a **development permit** application in the Urban Reserve (UR) District, the **Development Authority** must be satisfied that the proposed use will not prejudice the future orderly **development** of the area.



Land Use Districts

- Low Density Residential (R1) District
- Lake Lot Residential (R1A) District
- Acreage Residential (R1C) District
- Estate Residential (R1D) District
- Medium Density Residential (R2) District
- High Density Residential (R3) District
- Residential Manufactured Dwelling Subdivision (RMDS) District
- Primary Commercial (C1) District
- General Commercial (C2) District

- Industrial (M1) District
- Institutional (I) District
- Parks and Recreational (P) District
- Hardisty Lake Park (HLP) District
- Urban Reserve (UR) District

- Town Boundary
- Legal Parcels

