

# MUNICIPALITY OF CROWNEST PASS

## BYLAW NO. 1182, 2024 LAND USE BYLAW AMENDMENT

**BEING** a bylaw of the Municipality of Crownsnest Pass in the Province of Alberta, to amend Bylaw No. 1165-2023, being the municipal Land Use Bylaw.

**WHEREAS** the Council of the Municipality of Crownsnest Pass deems it prudent to combine the “Non-Urban Commercial Recreation – NUCR-1 District” and the “Non-Urban Commercial Recreation – NUCR-2 District” into one consolidated and renamed “Non-Urban Tourism Accommodation and Recreation – NUTAR District”, with essentially the same permitted and discretionary land uses as before (i.e. this is a renaming only and it respects the judicial order that applies to Block B, Plan 7510370).

**AND WHEREAS** the Council of the Municipality of Crownsnest Pass deems it prudent to establish a new “Urban Tourism Accommodation and Recreation – UTAR District”.

**AND WHEREAS** the purpose of the proposed amendments is to eliminate the duplication in the existing districts, create a new district to distinguish between non-urban and urban tourism accommodations, establish standards of development, parking regulations, land use definitions and administrative definitions for tourism accommodations, provide for the opportunity to continue to use and develop existing tourism accommodations in accordance with the “Non-Urban Tourism Accommodation and Recreation – NUTAR District” and bring three of those parcels, which are presently in the C-2 and NUA-1 districts, into conformance with the land use bylaw, and provide the opportunity for the development of new urban tourism accommodations in the “Urban Tourism Accommodation and Recreation – UTAR District”.

**AND WHEREAS** the Municipality must prepare an amending bylaw and provide for its consideration at a public hearing.

**NOW THEREFORE**, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Municipality of Crownsnest Pass in the Province of Alberta duly assembled does hereby enact the following amendments, as shown in Schedules ‘A’, ‘B’, ‘C’ and ‘D’ attached hereto and forming part of this bylaw:

1. In Schedule 2 of the Land Use Bylaw, delete the existing “Non-Urban Commercial Recreation – NUCR-1 District” and the existing “Non-Urban Commercial Recreation – NUCR-2 District”, and combine these two former districts to establish a new, renamed “Non-Urban Tourism Accommodation and Recreation – NUTAR District” to replace the former two districts (shown in the attached Schedule ‘A’).
2. Amend the Land Use District Map to delete the land use district names “Non-Urban Commercial Recreation – NUCR-1 District” and “Non-Urban Commercial Recreation – NUCR-2 District” and replace it by one new land use district name “Non-Urban Tourism Accommodation and Recreation – NUTAR District”, in respect of the lands legally described as (not shown in a Schedule to this Bylaw):
  - 2.1 Lot N/A, Block 1, Plan 9610315, within a portion of SW;12;8;6;W5 and NW;1;8;6;W5 and NE;1;8;6;W5, containing ±17.06ha (42.16 acres), LINC 0026 649 533 (Island Lake Christian Retreat Centre); and

- 2.2 A portion of SW;9;8;5;W5 containing ±1.15 ha (2.85 acres), LINC 0021 393 863 (Hatchet Creek Campground); and
- 2.3 Lot N/A, Block B, Plan 7510370, within SW;15;8;5;W5, containing ±12.33 ha (30.47 acres), LINC 0018 024 406 (Eckardt's Tecumseh Mountain Resort); and
- 2.4 Lots 2&3, Block 1, Plan 0313303, within SW;11;8;5;W5, containing ±13.9 ha (34.35 acres), LINC 0030 219 414 and LINC 0030 219 422 (Crownsnest River RV Park); and
- 2.5 Lot 1, Block 4, Plan 0714095, containing ±3.719 ha (9.19 acres) LINC 0032 619 439 and Lot 4, Block 1, Plan 9910341, containing ± 19.627 ha (48.5 acres) LINC 0032 619 421 within NW;12;8;5;W5 (Crownsnest Mountain Resort / The Nest); and
- 2.6 A portion of SW;8;8;4;W5 containing ±29.52 ha (73.08 acres), LINC 0034 353 433. A portion of NW8;8;4;5 containing ±1.30 ha (3.21 acres), LINC 0013025508 (Green Mountain RV Park); and
- 2.7 Lot 3, Block 1, Plan 2210225, within SE;2;8;4;W5, containing ±24.02 ha (59.35 acres), LINC 0039 095 915 (Kenai Acres); and
- 2.8 A portion of SE;36;7;4;W5 and NE;36;7;4;W5, containing ±6.68 ha (16.51 acres), LINC 0017 207 911 and Block O; Plan 1503JK, containing ±0.03 acres, LINC 0020384 863(Goat Mountain Getaway); and
- 2.9 A portion of SW;16;7;3;W5, containing ±1.65 ha (4.88 acres), LINC 0021 264 049 (Adanac Adventures).
- 2.10 Lot 1-8, Block 15, Plan 185AA, within SE;16;7;3;W5, containing ±0.27 ha (0.66 acres), LINC 0029 179 298 (Crownsnest Pass Campground RV Storage)
- 2.11 Lot 7, Block 1, Plan 2110398, containing ± 94.488 ha (233.48 acres) LINC 0038 827 739 (Golf Course)
- 2.12 Lot 2, Block 2, Plan 8410844, within NW;10;8;5;5, containing ±1.43 ha (3.53 acres), LINC 0014 635 743 (Private Residence- 2610 21 Avenue)
- 2.13 Lot 2, Block 2, Plan 0610447, within W; 20;7;3;W5, containing ±5.41 ha (13.37 acres) (Private Residence- 790 223 Street)
- 2.14 A portion of NE;4;8;4;W5, containing ±4.77ha (117.99 acres). LINC 0028 300 424, (Private Residence- 1853 York Creek Drive)
- 2.15 Lot 5, Block 1 Plan 2011720, ± 44.748 ha (110.57 acres) LINC 0038 728 697 (Northback)
- 2.16 A portion of Lot 8, Block RW, Plan 8810387, containing ±7.89 ha (19.50 acres) LINC 0013 478 631 and Block 1 Plan 8711438, ±14.8 ha (36.57 acres) LINC 0013 025 508 and a portion of NE;3;8;4;W5, containing ±9.43 ha (23.34 acres) LINC 0021 332 663 (Crown Land)
3. Amend the Land Use District Map to rezone from "Drive-in Commercial – C-2" to "Non-Urban Tourism Accommodation and Recreation – NUTAR District" the lands legally described as Plan 9812234, Block A within 5;3;7;16;SE, containing ±1.46 ha (3.6 acres), as shown in the attached Schedule 'B' (Crownsnest Pass Campground).
4. Amend the Land Use District Map to rezone from "Non-Urban Area – NUA-1 District" to "Non-Urban Tourism Accommodation and Recreation – NUTAR District" the lands legally described as a portion

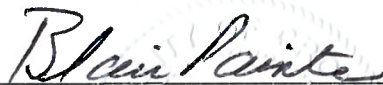
of NE;6;8;5;W5, containing ±11.95 ha (29.5 acres) LINC 0021 597 183, as shown in the attached Schedule 'C' (the Crowsnest Lake Bible Camp).

5. In Schedule 2 of the Land Use Bylaw, establish and add a new "Urban Tourism Accommodation and Recreation – UTAR District" (shown in the attached Schedule 'A').
6. Amend the Land Use District Map to rezone from "Drive-in Commercial – C-2" to "Urban Tourism Accommodation and Recreation – UTAR District" the lands legally described as Plan 8211466, Block A, Lot 1 within 5;4;8;3;SE, containing ±1.33 ha (3.29 acres), as shown in the attached Schedule 'D' (the Lost Lemon Campground).
7. Amend the applicable text in Schedule 1 Land Use District table of contents, Schedule 3 Development Not Requiring a Development Permit, Schedule 4 Standards of Development, Schedule 6 Off-street Parking and Loading Standards, and Schedules 18A Use Definitions and Schedule 18B Administrative Definitions (shown in the attached Schedule 'A').
8. Bylaw No. 1165, 2023, being the Land Use Bylaw, is hereby amended.
9. This bylaw shall come into effect upon third and final reading hereof.

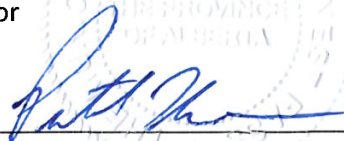
READ a **first** time in council this 23rd day of April 2024.

READ a **second** time in council this 28th day of May 2024.

READ a **third and final** time in council this 28th day of May 2024.



Blair Painter  
Mayor



Patrick Thomas  
Chief Administrative Officer



Schedule 1

LAND USE DISTRICTS

1. The municipality is divided into those districts shown on the Land Use District Maps which form part of this Schedule.

2. Each land use district shall be known by the following identifying letters and numbers:

RESIDENTIAL	-	R-1
RESIDENTIAL	-	R-1A
DUPLEX OR SEMI-DETACHED RESIDENTIAL	-	R-2
MEDIUM DENSITY RESIDENTIAL	-	R-2A
HIGH DENSITY RESIDENTIAL	-	R-3
MANUFACTURED HOME COMMUNITIES	-	R-4
NARROW LOT RESIDENTIAL	-	R-5
COMPREHENSIVE SKI VILLAGE	-	CSV
COMPREHENSIVE RESORT VILLAGE	-	CRV
GROUPED COUNTRY RESIDENTIAL	-	GCR-1
RETAIL COMMERCIAL	-	C-1
DRIVE-IN COMMERCIAL	-	C-2
COMPREHENSIVE COMMERCIAL	-	C-3
CANNABIS RETAIL COMMERCIAL	-	C-4
COMPREHENSIVE MIXED USE	-	CM-1
INDUSTRIAL	-	I-1
SENTINEL INDUSTRIAL PARK	-	SIP-1
RECREATION AND OPEN SPACE	-	RO-1
PUBLIC	-	P-1
<del>NON-URBAN COMMERCIAL RECREATION</del>	<del>-</del>	<del>NUCR-1</del>
<del>NON-URBAN COMMERCIAL RECREATION</del>	<del>-</del>	<del>NUCR-2</del>
<del>URBAN TOURISM ACCOMMODATION &amp; RECREATION DISTRICT</del>	<del>-</del>	<del>UTAR</del>
<del>NON-URBAN TOURISM ACCOMMODATION &amp; RECREATION DISTRICT</del>	<del>-</del>	<del>NUTAR</del>
NON-URBAN AREA	-	NUA-1
HISTORIC COMMERCIAL AREAS OVERLAY DISTRICT	-	HCA-OD
AREAS OF POTENTIAL ENVIRONMENTAL CONCERN OVERLAY DISTRICT	-	APEC-OD
DIRECT CONTROL (Crowsnest Mountain Resort)	-	DC-1
DIRECT CONTROL (Turtle Mountain Restricted Development Area)	-	DC-2



## NON-URBAN COMMERCIAL RECREATION — NUCR-1

**PURPOSE:** — *To accommodate a variety of commercial recreation uses which are to be located primarily outside the built-up urban areas of the community.*

### 1. PERMITTED USES

- Accessory Building or Use  
up to 18.6 m<sup>2</sup> (200 ft<sup>2</sup>)
- Exploratory Excavation
- Private Utility — except freestanding Solar Collector  
and freestanding Small Wind Energy  
Conversion System
- Recreation Facility, Indoor (Small)
- Sign — Types:
  - A-board
  - Fascia and Wall
  - Freestanding
  - Murals
  - Portable
  - Projecting
  - Subdivision or Development Marketing
- Stockpiling
- Tree Felling, not within minimum yard setback

### DISCRETIONARY USES

- Accessory Building or Use  
over 18.6 m<sup>2</sup> (200 ft<sup>2</sup>)
- Campground
- Canvas Covered Structure
- Community Facility
- Cultural Establishment
- Drive-In Theatre
- Dwelling Unit, secondary to an approved use
- Hostel
- Private Utility — freestanding Solar Collector and  
freestanding Small Wind Energy Conversion System
- Recreation Facility, Indoor (Large)
- Recreation Facility, Outdoor
- Recreational Vehicle Park
- Recreational Vehicle Storage
- Resort
- Riding Arena
- Sign — Types:
  - Roof
  - Third-Party
- Surveillance Suite
- Tree Felling, within minimum yard setback

### 2. MINIMUM LOT SIZE

1.2 hectares (3 acres).

### 3. MINIMUM YARD SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft	m	ft	m	ft
Tree Felling	15.2	50	15.2	50	15.2	50
All other uses	As approved by the Development Authority					

### 4. MAXIMUM BUILDING HEIGHT

As approved by the Development Authority.

### 5. MAXIMUM LOT COVERAGE RATIO

As approved by the Development Authority.



6. ~~STANDARDS OF DEVELOPMENT~~ — See Schedule 4.
7. ~~OFF-STREET PARKING AND LOADING~~ — See Schedule 6.
8. ~~RELOCATION OF BUILDINGS~~ — See Schedule 7.
9. ~~SIGN STANDARDS~~ — See Schedule 11.
10. ~~DEFINITIONS~~ — See Schedule 18.



## NON-URBAN COMMERCIAL RECREATION — NUCR-2

**PURPOSE:** — *To accommodate a variety of commercial recreation uses which are to be located primarily outside the built-up urban areas of the community.*

### 1. PERMITTED USES

- Accessory Building or Use  
up to 18.6 m<sup>2</sup> (200 ft<sup>2</sup>)
- Exploratory Excavation
- Private Utility — except freestanding Solar Collector  
and freestanding Small Wind Energy  
Conversion System
- Recreation Facility, Indoor (Small)
- Resort
- Sign — Types:
  - A-board
  - Fascia and Wall
  - Freestanding
  - Murals
  - Portable
  - Projecting
  - Subdivision or Development Marketing
- Stockpiling
- Tree Felling, not within minimum yard setback

### DISCRETIONARY USES

- Accessory Building or Use  
over 18.6 m<sup>2</sup> (200 ft<sup>2</sup>)
- Campground
- Canvas Covered Structure
- Community Facility
- Cultural Establishment
- Drive-In Theatre
- Dwelling Unit, secondary to an approved use
- Hostel
- Private Utility — freestanding Solar Collector and  
freestanding Small Wind Energy Conversion System
- Recreation Facility, Indoor (Large)
- Recreation Facility, Outdoor
- Recreational Vehicle Park
- Recreational Vehicle Storage
- Riding Arena
- Sign — Types:
  - Roof
  - Third-Party
- Surveillance Suite
- Tree Felling, within minimum yard setback

### 2. MINIMUM LOT SIZE

1.2 hectares (3 acres)

### 3. MINIMUM YARD SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft	m	ft	m	ft
Tree Felling	15.2	50	15.2	50	15.2	50
All other uses	As approved by the Development Authority					

### 4. MAXIMUM BUILDING HEIGHT

As approved by the Development Authority.



5. ~~MAXIMUM LOT COVERAGE RATIO~~  
~~As approved by the Development Authority.~~
6. ~~STANDARDS OF DEVELOPMENT~~ — See Schedule 4.
7. ~~OFF-STREET PARKING AND LOADING~~ — See Schedule 6.
8. ~~RELOCATION OF BUILDINGS~~ — See Schedule 7.
9. ~~SIGN STANDARDS~~ — See Schedule 11.
10. ~~DEFINITIONS~~ — See Schedule 18.





## URBAN TOURISM ACCOMMODATION & RECREATION – UTAR

**PURPOSE:** To provide for a variety of tourism accommodation and recreation experiences primarily within or on the edges of the urban areas of the community for tourists to experience the urban centres and local recreation opportunities, in comprehensively planned and designed destination areas by assigning the majority of uses as discretionary to address site-specific compatibility with the use and enjoyment of adjacent properties.

### 1. PERMITTED USES

- Accessory Building or Use  
up to 18.6 m<sup>2</sup> (200 ft<sup>2</sup>)
- Exploratory Excavation
- Home Occupation – Class 1
- Private Utility – except freestanding Solar Collector and freestanding Small Wind Energy Conversion System
- Sign – Types:
  - A-board
  - Fascia and Wall
  - Freestanding
  - Murals
  - Portable
  - Projecting
  - Subdivision or Development Marketing
- Stockpiling
- Tree Felling, not within minimum yard setback

### DISCRETIONARY USES

- Accessory Building or Use  
over 18.6 m<sup>2</sup> (200 ft<sup>2</sup>)
- Cultural Establishment
- Entertainment Establishment
- Food and Beverage Services
- Hostel
- Hotel
- Mixed-use Building
- Motel
- Private Utility – freestanding Solar Collector and freestanding Small Wind Energy Conversion System
- Recreation Facility, Indoor (Small)
- Sign – Types:
  - Roof
  - Third-Party
- Surveillance Suite
- Tourism Accommodation, Small
- Tree Felling, within minimum yard setback

### 2. LOT SIZE

- Minimum - this district does not establish a minimum lot size.
- Maximum – 1.21 ha (3.0 acres, which may be varied by the Development Authority having regard for site-specific circumstances.

### 3. MINIMUM YARD SETBACKS

<u>Use</u>	<u>Front Yard</u>		<u>Side Yard</u>		<u>Rear Yard</u>	
	<u>m</u>	<u>ft</u>	<u>m</u>	<u>ft</u>	<u>m</u>	<u>ft</u>
<u>All uses including Tree Felling</u>	<u>As approved by the Development Authority in a Comprehensive Site Development Plan</u>					

### 4. MAXIMUM LOT COVERAGE RATIO

As approved by the Development Authority in a Comprehensive Site Development Plan.

### 5. MAXIMUM BUILDING HEIGHT

As approved by the Development Authority in a Comprehensive Site Development Plan, having consideration for the typical building height in the neighbourhood.



**6. MINIMUM HABITABLE FLOOR AREA OF PRINCIPAL BUILDING**

This district does not establish a minimum habitable floor area.

**7. STANDARDS OF DEVELOPMENT - See Schedule 4**

- The applicant for a Tourism Accommodation shall prepare a Comprehensive Site Development Plan to the satisfaction of the Development Authority.
- Servicing: with the exceptions provided for in Schedule 4 subsection 18.6, a Tourism Accommodation, Small in the UTAR district **shall** be connected to a municipal service connection for water supply and wastewater disposal to provide either, or a combination of, collective servicing of units and/or communal washrooms and wastewater dumping stations, for either year-round and/or seasonal operation.

**8. OFF-STREET PARKING AND LOADING – no parking is allowed on public roads - see Schedule 6.**

**9. RELOCATION OF BUILDINGS – See Schedule 7.**

**10. SIGN STANDARDS – See Schedule 11.**

**11. DEFINITIONS – See Schedule 18.**

## NON-URBAN TOURISM ACCOMMODATION & RECREATION – NUTAR

**PURPOSE:** *To provide for a variety of tourism accommodation and recreation experiences primarily outside or on the edges of the urban areas of the community for tourists to experience the broader community and regional outdoor recreation opportunities, in comprehensively planned and designed destination areas by assigning the majority of uses as discretionary to address site-specific compatibility with the use and enjoyment of adjacent properties.*

### 1. PERMITTED USES

Accessory Building or Use  
up to 18.6 m<sup>2</sup> (200 ft<sup>2</sup>)

Exploratory Excavation

Home Occupation – Class 1

Private Utility – except freestanding Solar Collector and freestanding Small Wind Energy Conversion System

Recreation Facility, Indoor (Small)

Sign – Types:

- A-board
- Fascia and Wall
- Freestanding
- Murals
- Portable
- Projecting
- Subdivision or Development Marketing

Stockpiling

Tourism Accommodation, Large – applies only on Block B, Plan 7510370 and is restricted to resort accommodation as defined in this Bylaw (43 cabins and one lodge as approved under DP60/2008 to be commenced by no later than June 30, 2025).

Tree Felling, not within minimum yard setback

### DISCRETIONARY USES

Accessory Building or Use  
over 18.6 m<sup>2</sup> (200 ft<sup>2</sup>)

Cultural Establishment

Drive-in Theatre

Entertainment Establishment

Food and Beverage Services

Hostel

Hotel

Mixed-use Building

Motel

Private Utility – freestanding Solar Collector and freestanding Small Wind Energy Conversion System

Recreation Facility, Indoor (Large)

Recreation Facility, Outdoor

Recreational Vehicle Storage

Riding Arena

Sign – Types:

- Roof
- Third-Party

Surveillance Suite

Tourism Accommodation, Large

Tourism Accommodation, Small

Tree Felling, within minimum yard setback

### 2. LOT SIZE

This district does not establish a minimum or maximum lot size.

### 3. MINIMUM YARD SETBACKS

<u>Use</u>	<u>Front Yard</u>		<u>Side Yard</u>		<u>Rear Yard</u>	
	<u>m</u>	<u>ft</u>	<u>m</u>	<u>ft</u>	<u>m</u>	<u>ft</u>
<u>All uses including Tree Felling</u>	<u>As approved by the Development Authority in a Comprehensive Site Development Plan</u>					

### 4. MAXIMUM LOT COVERAGE RATIO

As approved by the Development Authority in a Comprehensive Site Development Plan.

**5. MAXIMUM BUILDING HEIGHT**

As approved by the Development Authority in a Comprehensive Site Development Plan, having consideration for the typical building height in the neighbourhood.

**6. MINIMUM HABITABLE FLOOR AREA OF PRINCIPAL BUILDING**

This district does not establish a minimum habitable floor area.

**7. STANDARDS OF DEVELOPMENT - See Schedule 4**

- The applicant for a Tourism Accommodation shall prepare a Comprehensive Site Development Plan to the satisfaction of the Development Authority.
- Notwithstanding anything to the contrary in this bylaw, when a Tourism Accommodation (Small or Large) that contains camping accommodation units is approved in an urban growth node described in Policy 3.1.7 of the Municipal Development Plan the camping accommodation units must be held under a form of ownership that encourages long-term occupancy or control of occupancy (versus random short-term rental).
- Servicing: A Tourism Accommodation (Small or Large) in the NUTAR district **may** be connected to a municipal service connection for water supply and wastewater disposal to provide either, or a combination of, collective servicing of units and/or communal washrooms and wastewater dumping stations, for either year-round and/or seasonal operation, except that a Tourism Accommodation in the NUTAR district that is approved in an urban growth node pursuant to subsection 32.3 in Schedule 4 **shall** be connected to a municipal service connection for water supply and wastewater disposal to provide collective servicing of units for year-round operation.

**8. OFF-STREET PARKING AND LOADING** – no parking is allowed on public roads - see Schedule 6.

**9. RELOCATION OF BUILDINGS** – See Schedule 7.

**10. SIGN STANDARDS** – See Schedule 11.

**11. DEFINITIONS** – See Schedule 18.

- 2.18 the **exploratory excavation** of utilities, building foundations and temporary accesses prior to obtaining a development permit for a use that is listed in the applicable land use district and does not affect storm water drainage to adjacent properties, temporary provided that the Developer has notified the Development Officer and the Development Officer has issued a conditional excavation approval, including a hold harmless condition as follows:
- (a) This temporary permit is issued for the purpose of excavating to gain temporary access to a parcel, remove trees, explore foundation options, locate existing utilities and confirm yard setbacks in preparation for intended construction relative to a development for which the developer has submitted a development permit application to the Municipality. The developer shall not proceed with construction activities beyond this scope (e.g. the developer shall not pour concrete foundations);
  - (b) The developer undertakes any and all work permitted under this temporary permit at their sole risk and assumes the full cost of associated expenses. This includes any remediation work and expenses, if required. By accepting and bringing into effect this temporary permit the developer indemnifies the Municipality from any liability and/or cost relative to the work permitted under this permit or any remediation work, if required;
  - (c) This temporary permit is valid from the date of issuance and until a development permit is issued for the construction of the proposed development on the subject property, or a date to be determined, whichever occurs first. If a development permit is not issued by the determined date, the developer may apply for an extension of the temporary permit. Failing the completion of this condition, the developer shall remediate the site to the Development Officer's satisfaction and at no cost to the Municipality;
  - (d) The issuance of this temporary permit does not provide any guarantees to the developer relative to the issuance of a development permit for any use;
- 2.19 earthworks and construction to service an approved subdivision for which engineering design has been approved by the Municipality and a development agreement has been executed; and
- 2.20 **Tree Felling** within the ~~Grouped Country Residential — GCR-1, UTAR, NUTAR, and Non-Urban Area — NUA-1, Non-Urban Commercial Recreation — NUCR-1 or Non-Urban Commercial Recreation — NUCR-2~~ land use districts, on the part of a parcel that is not within the minimum yard setback. The minimum yard setbacks specific to Tree Felling are prescribed in the applicable land use districts. A development permit is required to fell trees within the minimum yard setback in the districts listed above, except for the purposes specified in Schedule 4 of this Bylaw.
3. Subject to the provisions of this Schedule relative to exemptions for certain developments [e.g. a shed less than 10 m<sup>2</sup> (108 ft<sup>2</sup>)] and the exemptions provided for in the Municipality's Encroachment Policy and Procedure, a development permit for certain developments that encroach onto adjacent land may not be required. To qualify for such an exemption, the development must be an existing building, structure or other improvement that encroaches onto an adjacent street, lane, Municipal easement or Municipal property (other than Reserves), or onto adjacent private property. In all cases, it is required that an Encroachment Agreement must be executed pursuant to the Municipality's Encroachment Policy and Procedure. Where the Encroachment Agreement is between two private landowners it is a requirement that the Municipality shall be a third-party to the agreement.
  4. Any question as to whether a proposed development requires a development permit shall be referred to the Development Officer who may make a decision or may refer the question to the Municipal Planning Commission.
  5. Notwithstanding anything stated elsewhere in this Bylaw, including the exemptions provided for in this Schedule, any activity or construction or earthworks that involves or results in a change to the flow of overland stormwater drainage patterns, whether natural or man-made,



Schedule 4

STANDARDS OF DEVELOPMENT

- 1. The following is an alphabetical list with section number references of the general and land use specific development standards established in this Schedule:

Table listing various development standards such as 'Applicability of this Schedule', 'Accessory Buildings and Uses', 'Animal Care Service Facilities', etc., with corresponding section numbers.



Exposed Foundations.....	Section 8
Historic Commercial Areas (also see Municipal Historic Resources) .....	Section 9
Home Occupations .....	Section 35
Industrial and Commercial Use Standards .....	Section 10
Infill Development in Mature Neighbourhoods.....	Section 11
Landscaping and Screening Standards.....	Section 12
Lighting (Outdoor) .....	Section 13
Lot Grading, Drainage and Stormwater Management (Retaining Walls) .....	Section 14
Lot Sizes and Sub-Standard Lots.....	Section 15
Manufactured Homes .....	Section 36
Manufactured Home Communities .....	Section 37
Maximum Grade.....	Section 16
Fully Developable Lots .....	16.1
Slope Stability Assessment .....	16.2
Urban Driveways .....	16.3
Municipal Historic Resources (also see Historic Commercial Areas) .....	Section 17
Municipal Infrastructure, Utilities and Servicing.....	Section 18
Number of Dwelling Units, Recreational Vehicles and Principal Buildings on a Parcel of Land or Bare Land Condominium Unit.....	Section 19
Number of Dwelling Units and RVs on a Parcel of Land or a Bare Land Condominium Unit .....	19.1
Number of Principal Buildings on a Parcel of Land or a Bare Land Condominium Unit .....	19.2
Parking and Loading .....	Section 19
Private Utilities.....	Section 38
Projections Into Yard Setbacks .....	Section 21
Quality and Design of Development .....	Section 22
Recreational Vehicles – Outdoor Storage and Temporary Sleeping Accommodations.....	Section 39
Relocation of Buildings.....	Section 23
Renewable Energy Operations.....	Section 40
Road Access, Driveways and Parking Pads.....	Section 24
All Locations .....	24.1
Urban Locations .....	24.2
Rural Locations .....	24.3
Secondary Front Yard .....	Section 25
Secondary Suites .....	Section 41
Short-Term Rental / Bed & Breakfast and Tourist Homes.....	Section 42
Show Homes and Real Estate Sales Offices.....	Section 26
Slope-Adaptive Building and Site Design .....	Section 27
Temporary Auto Sales Standards .....	Section 43
<u>Tourism Accommodation Standards .....</u>	<u>Section 32</u>
Work Camps.....	Section 44

## 7.2 Flood-Risk Lands

- (a) Development of flood-risk lands shall comply with the following standards:
  - (i) Passive recreational land use may be allowed in a portion of the floodway as identified in the “Flood Risk Mapping Study of the Crowsnest River and its Tributaries” (AMEC, February 2007).
  - (ii) No building shall be allowed in the floodway. A fence, a retaining wall and other minor structures may be allowed in the floodway if the Development Authority is of the opinion that damage to the structure in the event of a flood is not likely to be significant.
  - (iii) No development in the floodway shall be allowed which may, in the Development Authority’s opinion, adversely alter the floodway hydraulics to the extent that flood frequency is increased.
  - (iv) No filling shall be allowed in the floodway.
  - (v) The Development Authority may require that a principal building in the flood fringe be flood proofed pursuant to the recommendations of a professional engineer (see definition), as a condition of issuing a development permit for the building. This requirement does not apply to accessory buildings.

## 7.3 Tree Felling

- (a) Tree Felling is regulated only in those districts where it is listed as a use.
- (b) Tree Felling ~~without the benefit of a development permit~~ within the ~~Grouped Country Residential — GCR-1, UTAR, NUTAR, and Non-Urban Area — NUA-1, Non-Urban Commercial Recreation — NUCR-1 or Non-Urban Commercial Recreation — NUCR-2~~ land use districts ~~without the benefit of a development permit~~ shall only be allowed on the part of a parcel that is not within the minimum yard setback. The minimum yard setbacks specific to Tree Felling are prescribed in the applicable land use districts.
- (c) Notwithstanding the prohibitions on Tree Felling prescribed above, Tree Felling within the minimum yard setback shall be allowed for the purposes of adhering to FireSmart Canada best practices, developing a driveway or a fence, and managing land subject to an easement or right-of-way in accordance with the underlying easement or right-of-way agreement.
- (d) Landowners shall refrain from felling trees within 30 m (98.4 ft) of the boundary of a water body or watercourse, in accordance with the guidelines promoted in the provincial policy document *Stepping Back from the Water*.

## 7.4 Wetlands, Watercourses, Riparian Areas and Regionally Sensitive Areas

- (a) Development in the Municipality shall incorporate appropriate setbacks and other design considerations relative to its potential impact on the bed and shore of a watercourse or waterbody, riparian areas and/or regionally sensitive areas, by incorporating best practices, for example those promoted in relevant publications such as “*Stepping Back from the Water*” and “*Environmentally Significant Areas of Alberta*”.
- (b) It is the responsibility of the landowner or applicant for a development permit to obtain clearance from provincial agencies for wetland assessment and compensation and from provincial and/or federal agencies for the use of or impacting upon the bed and shore of a waterbody or watercourse.

## 7.5 Wildlife and Wildland-Urban Interface



## 12. LANDSCAPING AND SCREENING STANDARDS

- 12.1 The Development Authority shall impose development permit conditions relative to aesthetic, landscaping and/or screening requirements for commercial, industrial, ~~campground~~ Tourism Accommodation, ~~and~~ multi-unit residential and apartment development, and bareland condominium development for a permitted or discretionary use if these would serve to improve the quality or compatibility of the proposed development or to comply with the standards set out in this Bylaw.

## 13. LIGHTING (OUTDOOR)

- 13.1 Where artificial outdoor lighting is provided to illuminate any parcel, building or site, the type, location, intensity and orientation of lighting shall:
- (a) avoid direct illumination of the neighbouring properties;
  - (b) not adversely affect the use, enjoyment and privacy of any dwelling; and
  - (c) not interfere with traffic safety on public roadways.
- 13.2 Outdoor lighting is to be mounted not more than 6.1 metres (20 ft) above ground, excepting outdoor lighting for public uses and lighting approved in conjunction with a development permit.
- 13.3 Site lighting may be required as a condition of development and any such lighting shall be located, oriented and shielded so as not to adversely affect neighbouring properties or traffic safety on public roadways.

## 14. LOT GRADING, DRAINAGE AND STORMWATER MANAGEMENT (RETAINING WALLS)

- 14.1 Notwithstanding any other provision in this Bylaw, including exemptions provided for in Schedule 3, a development (i.e. land use activity, construction or earthworks) that involves or would result in a change to the flow of overland stormwater drainage patterns, whether natural or man-made, or that results in a change to the existing grade of a property by more than 1.20 metres, or that results in a side slope ratio (metres) that exceeds 3:1 or a back slope ratio (metres) that exceeds 2:1, shall not be undertaken without first obtaining a development permit.
- 14.2 Development shall comply with the following standards:
- (a) In no circumstances shall any part of a building encroach into or cause runoff onto an adjoining property.
  - (b) The applicant shall provide to the Development Officer engineered grading and drainage plans for the development and a legal survey demonstrating that engineered grades have been met.
  - (c) Grading and other measures, as appropriate, to control surface drainage, reduce or eliminate grade difference between adjacent lots, and minimize erosion or slope instability.
  - (d) The construction of a retaining wall when, in the opinion of the Development Authority, significant grade differences exist or will exist after construction between the lot being developed and an adjacent lot, public land, a lane or a roadway. A retaining wall that is either greater than 1.2 m (4 ft) in height above grade and/or that is critical to the support of building foundations, shall be designed by a professional engineer (see definition). Should a retaining wall be required, that was not previously approved in a development permit, an additional development permit is required. Notwithstanding any other provision in this Bylaw, a retaining wall is deemed to be an accessory structure and may be constructed with a zero-lot line yard setback without requiring the approval of a variance.

- 18.4 Private Sewage Disposal Systems are prohibited in **urban areas**, which includes all areas designated R-1, R-1A, R-2, R-2A, R-3, R-4, R-5 and CSV, **except for the purpose** of complying with a Restrictive Covenant for a holding tank pursuant to clause (a) above.
- 18.5 In a block where infill development potential has been identified consistent with the Municipal Development Plan, a coordinated approach to provision of infrastructure is required, subject to the preparation of a Comprehensive Site Development Plan or an Area Structure Plan, as applicable, to the satisfaction of the Development Authority or the Subdivision Authority.
- 18.6 Development proposed for an unserviced parcel (i.e. water and wastewater connections to Municipal infrastructure have not been installed for the subject parcel) or in areas of the Municipality that are not serviced with water and wastewater infrastructure, must be connected to municipal water and wastewater infrastructure. Where municipal infrastructure is not available or it is unfeasible or impractical to connect to municipal infrastructure, development approval shall be subject to a condition requiring compliance with provincial standards for unserviced parcels.
- 18.7 A development permit application shall be refused where, in the opinion of the Development Authority, the proposed use will have a detrimental effect on an existing or planned:
- (a) transportation or communication system, including primary highways, secondary highways, railway, airport site or communication facility; or
  - (b) regionally significant service, public works or utilities, including pipelines and power transmission lines.
- 18.8 Building foundations and sub-grade pilings, and/or the utility connections to municipal infrastructure (e.g. curb stop water valves and sanitary sewer), respectively shall be set back from the front lot boundary a distance that allows safe excavation of municipal infrastructure for maintenance and repair.
- 19. NUMBER OF DWELLING UNITS, RECREATIONAL VEHICLES AND PRINCIPAL BUILDINGS ON A PARCEL OF LAND OR BARE LAND CONDOMINIUM UNIT**
- 19.1 **Number of Dwelling Units and Recreational Vehicles on a Parcel of Land or Bare Land Condominium Unit**
- (a) Where more than one dwelling unit type is listed (either as a permitted use or as a discretionary use) in a specific land use district, it does not imply that all such dwelling units may be approved to exist or to be placed or constructed on one parcel of land or bare land condominium unit at the same time, except as provided for in this section.
  - (b) No person shall construct or place or cause to be constructed or placed more than one dwelling unit or more than one cabin, one recreational vehicle, one Park Model Trailer CSA-Z240, or one Cottage Model CSA-Z241 on a parcel of land or bare land condominium unit except where:
    - (i) in the sole discretion and opinion of the Development Authority:
      - (A) the additional dwelling unit(s) is (are) contained in a building designed for two or more dwelling units, or is (are) located on a parcel of land or bare land condominium unit in a land use district that allows for two or more dwelling units on the parcel or the bare land condominium unit, but not necessarily in the same building;
    - and:
    - (B) the additional dwelling unit(s) is (are) located in a land use district that includes either a Secondary Suite, a Duplex / Semi-Detached Dwelling, a



Multi-unit Residential Building, an Apartment Building, a Mixed-use Building or Mixed-use Development, resort accommodation within a Tourist Accommodationa Resort, or a Manufactured Home in an unsubdivided Manufactured Home Community; or

- (C) the cabins and/or the recreational vehicles(s), Park Model Trailers CSA-Z240, or Cottage Models CSA-Z241 is(are) placed in a Tourist Accommodation, Resort, a Campground, or a Recreational Vehicle Park, or are stored on a parcel of land or a bare land condominium unit in an applicable land use district pursuant tofor the purposes of Section 39 of this Schedule and used as temporary sleeping accommodation;

and:

- (ii) where required, the Development Authority has issued a development permit for the use that accommodates the additional dwelling unit(s), cabin(s), or recreational vehicle(s), Park Model Trailers CSA-Z240, or Cottage Models CSA-Z241.

#### 19.2 Number of Principal Buildings on a Parcel of Land or Bare Land Condominium Unit

- (a) Except for those types of buildings and recreational vehicles that are contemplated in this section, the Development Authority shall not approve one or more development permit applications for multiple principal buildings on either a parcel of land or on a bare land condominium unit, unless the Development Authority has approved a Comprehensive Site Development Plan that provides for two or more groups of principal buildings and addresses stormwater management, pedestrian and vehicle traffic movement and any other matters that the Development Authority deems necessary.
- (b) Where the applicable land use district does not provide for multiple dwelling units or multiple principal buildings on a parcel of land or bare land condominium unit, the Development Authority shall not approve a development permit application for a principal building if the same or a similar principal building already exists on the parcel of land or bare land condominium unit, except for the purpose of making an addition to the existing principal building or except when the removal of the existing principal building is made a condition of the development permit.

### 20. PARKING AND LOADING

- 20.1 Development shall comply with standards for off-street parking and loading area established in Schedule 6.

### 21. PROJECTIONS INTO YARD SETBACKS

- 21.1 A structure that projects into a yard setback shall not encroach into, or cause runoff onto, an adjacent property.
- 21.2 Subject to the relevant development standards in this Bylaw (e.g. corner sight triangles, fence height, etc.), the following accessory buildings and structural features may project into the minimum yard setbacks (front, rear and sides as specified below) established in this Bylaw **up to the specified property line**:
  - (a) unenclosed steps or unenclosed fire escapes, up to the side property line;
  - (b) a wheelchair ramp, excluding the housing of an elevator device;
  - (c) a ground level deck attached to the front or rear elevation of a building may wrap around into the side yard of the property for a distance not exceeding two metres along the side wall of the building, and up to the side property line;
  - (d) a fence to the property line;

31.1 Development shall comply with the standards for Apartment, Multi-Unit Residential and Mixed-Use Buildings established in Schedule 5.

### **CAMPGROUND AND RECREATIONAL VEHICLE PARK STANDARDS**

~~When considering an approval for a development permit for a Campground or Recreational Vehicle Park, and the conditions that may be attached to a development permit, the Development Authority may have regard for the specifications established in the current Alberta Camping Association Standards Manual, as well as Policy 3.1.7 from the Municipal Development Plan, which discourages new campground development from locating within the boundaries of an urban growth node delineated on Maps 2–6 of the Municipal Development Plan. The Development Authority may require that the applicant prepare a Comprehensive Site Development Plan to its satisfaction, and may set development related conditions to ensure a minimum standard within the campground or recreational vehicle park and to ensure compatibility with adjacent land uses including, but not limited to: the siting, area, dimensions, surfacing, setbacks, landscaping, screening, density, servicing and delineation of campsites and RV stalls; parking areas, access and roadway design; measures to mitigate adverse effects and nuisances that may unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land. measures to mitigate the impact of a campground or recreational vehicle park on landscapes visible or viewed from adjacent and nearby public roadways. the maximum number or maximum percentage of RV units in a Recreational Vehicle Park that may be used for permanent residential occupancy, provided that the RV stalls on which the RV units so used are located, have year-round collective water and wastewater services connections available. the restrictions on the number, size, height, appearance, and use of an Accessory Building (e.g. deck, shed) that may be approved to be placed on an RV stall in a Campground or a Recreational Vehicle Park.~~

### **32. TOURISM ACCOMMODATION STANDARDS**

~~32.1 The applicant for a Tourism Accommodation shall prepare a Comprehensive Site Development Plan (CSDP) to the satisfaction of the Development Authority and subject to the provisions of subsections 32.2 and 32.3.~~

~~32.2 The Development Authority, in its sole discretion (except as approved in DP60/2008 relative to Block B, Plan 7510370 – see the permitted use list in the NUTAR district) **may**, subject to Administration section 19 of this Bylaw, impose conditions on the approval of a development permit for a Tourism Accommodation, and in doing so it **shall** have regard for site-specific considerations that it deems relevant and that must be established in a CSDP to its satisfaction, including but not limited to the following:~~

- ~~(a) The subject property's locational context in relation to the Purpose Statement in the UTAR and NUTAR districts and its relation to the edge of an urban area as defined in this Bylaw).~~
- ~~(b) The types, combination, and maximum number of resort accommodation units and/or camping accommodation units (both as defined in this Bylaw) that are approved for a specific Tourism Accommodation, including:
 
  - ~~(i) the desirability of restricting the types, combination, and maximum number of resort accommodation units and/or camping accommodation units for the purpose of making a proposed development more compatible with natural features and existing and/or planned development or land uses in adjacent areas (refer to subsection 32.3 below);~~~~

- (ii) the maximum number or maximum percentage of resort accommodation units and/or camping accommodation units that, notwithstanding anything to the contrary in this Bylaw, may be used for residential occupancy (as defined in this Bylaw), provided that the units so used are connected to year-round collective water and wastewater services.
- and
- (iii) with reference to the considerations in subsection 32.3 below, the Development Authority may prohibit certain types of camping accommodation units;
- (c) Parking areas, road access, and internal private roadway design - specifically, all parking shall be accommodated on-site or on private roads within the Tourism Accommodation (without restricting emergency vehicle access), and parking shall not be allowed on public streets and lanes.
- (d) Access and egress for emergency response (i.e. a road with at least two separate ingress/egress points, with an all-weather surface for its entire length, and constructed along its entire length and termination points to accommodate all EMS vehicle types in terms of width, length, height, weight and turning radius), and measures to ensure that such access and egress remain unobstructed at all times.
- (e) Landscaping, amenity areas, and the preservation of natural features.
- (f) The maximum or minimum density in the Tourism Accommodation, either overall or broken down by accommodation type.
- (g) Measures to mitigate:
  - (i) adverse effects and nuisances that may unduly interfere with the amenities of the adjacent neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and/or
  - (ii) the impact of a Tourism Accommodation on community landscapes that are visible or viewed from adjacent and nearby public roadways.
- (h) Servicing for water supply and wastewater disposal:
  - (i) With the exceptions provided for in Schedule 4 Section 18.6, a Tourism Accommodation in the UTAR district **shall** be connected to a municipal service connection for water supply and wastewater disposal to provide either or a combination of collective servicing of units and/or communal washrooms and wastewater dumping stations, for either year-round and/or seasonal operation.
  - (ii) Except as otherwise **required** in subsection 32.3(d), a Tourism Accommodation in the NUTAR district **may** be connected to a municipal service connection for water supply and wastewater disposal to provide either or a combination of collective servicing of units and/or communal washrooms and wastewater dumping stations, for either year-round and/or seasonal operation,.
- (i) For a Tourism Accommodation that includes **camping accommodation** (as defined in this Bylaw) **in any location**:
  - (i) The specifications established in the current Alberta Camping Association Standards Manual.
  - (ii) The siting, area, dimensions, surfacing, setbacks, screening, servicing and identification / delineation of camping accommodation units.
  - (iii) The maximum number or maximum percentage of camping accommodation units that, notwithstanding anything to the contrary in this Bylaw, may be used for residential occupancy (as defined in this Bylaw), provided that the units so used are connected to year-round collective water and wastewater services.

- (iv) Restrictions on the number, size, height, appearance, and use of an Accessory Building (e.g. deck, shed) that may be approved in a Tourism Accommodation that includes camping accommodation.

### **Tourism Accommodation in an Urban Growth Node**

32.3 When deciding on a development permit application for a Tourism Accommodation on a parcel that is located in an **urban growth node**, and in exercising its discretion pursuant to subsection 32.2:

- (a) the Development Authority **shall** have regard for the intent of Policy 3.1.7 of the Municipal Development Plan (MDP), which discourages support for the development of traditional “campgrounds” and other private recreation facilities in an urban growth node;

and

- (b) the Development Authority **may**, notwithstanding Policy 3.1.7 of the MDP, approve in an urban growth node a development permit for a Tourism Accommodation that entirely or partially consists of resort accommodation and/or camping accommodation (as defined in this bylaw – cabins and recreational vehicles) if it is satisfied that the Tourism Accommodation is deemed not to be a traditional or typical “resort”, “campground” or “recreational vehicle park” as implied in Policy 3.1.7 of the MDP, by having regard for but not being limited to the following considerations, and by imposing relevant conditions as it deems necessary for this purpose:

- (i) site-specific and locational context of the subject parcel, e.g. the extent to which the subject parcel presents challenging terrain conditions that preclude or render highly unfeasible or impractical the development in the foreseeable future of the subject parcel or a substantial portion thereof for traditional type of higher density urban residential development that the MDP promotes for new neighbourhood development;

and/or

- (ii) the extent to which the Comprehensive Site Development Plan incorporates minimum standards for resort accommodation and camping accommodation to ensure a high quality and unique style of development, e.g.:

- (A) the presence / absence and/or an enhanced standard and quality of certain types of buildings and uses in the proposed development, and/or
- (B) paved internal roads, high quality landscaping, uniform design and development of resort accommodation units and camping accommodation units (or stalls), for example relative to stall layout and fencing, and/or
- (C) **specifically for camping accommodation**, a form of ownership of the camping accommodation units in a manner that encourages long-term occupancy or control of occupancy (versus random short-term rental), and/or
- (D) servicing of the development from municipal water and wastewater infrastructure, subject to subsection 32.3(d);

and

- (c) if the Development Authority determined pursuant to subsection 32.3(b) to approve in an urban growth node a Tourism Accommodation (Small or Large) in either the UTAR district or the NUTAR district **that includes camping accommodation**, it **shall** impose a development permit condition that requires the Developer, notwithstanding anything to the contrary in this Bylaw, to establish a form of ownership of the camping accommodation units through either leases or a bareland condominium plan, but not fee

simple subdivision (for greater clarity this requirement does not apply when a Tourist Accommodation in an urban growth node includes only resort accommodation);

and

(d) notwithstanding subsection 32.2(h)(ii), if the Development Authority determined pursuant to subsection 32.3(b) to approve in an urban growth node a Tourism Accommodation in the NUTAR district that includes **either resort accommodation or camping accommodation**, it shall impose a development permit condition that requires that the Tourism Accommodation shall be connected to a municipal service connection for water supply and wastewater disposal to provide collective servicing of all units for year-round operation.

### 33. CANNABIS RETAIL SALES

33.1 The Development Authority and the Subdivision and Development Appeal Board shall not issue a development permit for a use that is required to obtain a cannabis license under the Gaming, Liquor and Cannabis Act when the proposed use does not comply with the applicable requirements of regulations under that Act respecting the location of cannabis premises and distances between cannabis premises and other specified premises.

33.2 Cannabis retail sales uses shall be located on parcels such that the following separation distances are complied with:

- | (a) Separation Distance | Use                             |
|-------------------------|---------------------------------|
| (i) 100 m               | Provincial Health Care Facility |
| (ii) 200 m              | Schools; Child Care Facilities  |
| (iii) 300 m             | Cannabis Retail Sales           |
- (b) Separation distances are established by measuring the shortest distance between the property lines of the parcels containing the uses to be separated.
- (c) Separation distances are reciprocal.

### 34. DRIVE-IN COMMERCIAL USE STANDARDS

34.1 Every drive-in commercial development shall:

- (a) provide at least 10 parking spaces subject to the standards in Schedule 6 of this Bylaw;
- (b) clearly identify on site plans accompanying the development application the areas proposed for parking and vehicle circulation, including appropriate signs;
- (c) provide hard surfacing and surface drainage to the satisfaction of the Development Officer, in consultation with appropriate municipal staff;
- (d) provide a waiting bay not less than 18.3 metres (60 ft) in length on the lot for every take-out service window;
- (e) provide adequate distance separation between all vehicle access points as well as between access points and streets or lanes to the satisfaction of the Development Authority;
- (f) ensure any vehicular access from Highway 3 is acceptable to Alberta Transportation;
- (g) screen parking and traffic circulation areas abutting side or rear lot boundaries with an opaque structure or fence, wall or landscaping or any combination thereof to the satisfaction of the Development Authority;
- (h) provide landscaping of a type and amount satisfactory to the Development Authority.



**Table 2**  
**MINIMUM OFF-STREET PARKING SPACES**

PROPOSED USE	PARKING SPACES REQUIRED
<b>Residential, except in the CM-1 District</b>	
Apartment and Multi-Unit Residential Building	1.75 per dwelling unit containing 2 or more bedrooms 1.25 per dwelling unit containing no more than 1 bedroom
Seniors Supportive Housing Facility	0.5 per accommodation unit
Secondary Suite	1.0 per secondary suite
All Other Residential Uses	2 per dwelling unit
<b>Commercial, except in the CM-1, <u>UTAR</u>, and <u>NUTAR</u> Districts</b>	
Retail – Store, Small	1 per 45.1 m <sup>2</sup> (485 ft <sup>2</sup> ) net floor area (NFA)*
Retail – Store, Large	To be determined by the recommendations of a traffic engineering review
Service Station and Automobile or Equipment Repair	1 per 45.1 m <sup>2</sup> (485 ft <sup>2</sup> ) NFA; minimum 6 spaces per development
Office and Personal Service	1 per 60.0 m <sup>2</sup> (645 ft <sup>2</sup> ) NFA
Food and/or Beverage Service	1 per 5 seats or 1 per 12.0 m <sup>2</sup> (130 ft <sup>2</sup> )NFA, whichever is greater, plus 1 space per 2 employees
Motel	1 per guest room
Hotel	1 per guest room
Drive-in Food Service	As for Food and/or beverage service , but with a minimum of 10 spaces per development
Auto Sales and Service	1 per 49.7 m <sup>2</sup> (535 ft <sup>2</sup> ) of site area
Short-Term Rental / Bed & Breakfast	1 per 4 guests in addition to parking required for the principal use. Parking for all principal use and guest vehicles, including recreation vehicles, utility trailers and ATV trailers shall be accommodated on the subject property, and the parking of all principal use and guest vehicles, including recreation vehicles, utility trailers and ATV trailers shall not be allowed on the street, regardless of the provisions in other municipal bylaws (e.g. for landowner on-street parking or the recreational vehicle of the landowner). The Development Authority shall not approve a variance to the off-street parking standard for a Short- Term Rental / Bed & Breakfast in any District that is not within the Historic Commercial Areas Overlay District.
Tourist Home	1 per 4 guests. Parking for all vehicles, including recreation vehicles, utility trailers and ATV trailers shall be accommodated on the subject property, and the parking of all vehicles, including recreation vehicles, utility trailers and ATV trailers shall not be allowed on the street, regardless of the provisions in other municipal bylaws (e.g. for landowner on-street parking or the recreational vehicle of the landowner). The Development Authority shall not approve a variance to the off-street parking





	standard for a Tourist Home in any District that is not within the Historic Commercial Areas Overlay District.
All Other Commercial Uses	As approved by the Development Authority
<b>Industrial and Storage</b>	
Manufacturing or processing	1 per 65.0 m <sup>2</sup> (700 ft <sup>2</sup> )NFA; minimum of 5 spaces
Light Manufacturing, Warehousing and Storage Facility	1 per 65.0 m <sup>2</sup> (700 ft <sup>2</sup> )NFA; minimum of 5 spaces
<b>Public Assembly, except in the CM-1 District</b>	
Place of Worship	1 per 5 fixed seats
Community Facility(except school)	1 per 6 fixed seats OR 1 per 5.0 m <sup>2</sup> (54 ft <sup>2</sup> ) NFA, whichever is greater
School, elementary and junior	2 per classroom
School, high and college	1 per 4 students
<b>All other uses and all uses in the CM-1, <u>UTAR</u>, and <u>NUTAR</u> Districts</b>	<ul style="list-style-type: none"> <li>• <u>As approved by the Development Authority and/or specified in an approved Comprehensive Site Development Plan.</u></li> <li>• <u>In the UTAR and NUTAR districts parking shall include additional guest parking, and parking shall not be allowed on public streets.</u></li> </ul>

\* **NOTE:** NFA refers to net floor area

**Auto Wreckage and Salvage** means a facility for the dismantling of motor vehicles and sale of parts to the general public. Such a facility may include a central office and work area.

## B

**Bottling Plant** means an industrial facility where beverages are put in bottles with caps and later transported to various markets for sale. This use does not include a brew pub, which is encompassed by “Food and/or beverage service.”

**Building Supply Centre** means a commercial retail store where building materials, landscaping, gardening, household accessories and other related goods are stored, offered, or kept for sale and typically includes outdoor storage.

**Bulk Fertilizer Storage and Sales** means a facility or storage containers used to house and sell fertilizer products to customers.

**Bulk Fuel Sales and Storage** means a facility for the purpose of storing and/or selling oil and gas products. Such a facility may or may not include an office and convenience retail establishment.

## C

~~**Campground** means an area with campsites or stalls for short term, temporary, seasonal occupancy in camping-related equipment (e.g. an RV or tent) or cabins. This use may include accessory buildings and uses such as an administrative office, washrooms, cooking and eating shelters, laundry facilities, recreational and entertainment facilities, a convenience retail operation, accommodation for the owner/operator, and a shed and a deck for each RV stall, subject to these items being identified in a Comprehensive Site Development Plan. If the campground included an area for group camping, accessory uses may include joint use facilities such as dormitories and kitchens. A campground may provide either seasonal and/or year-round collective water supply and sanitary wastewater disposal systems for serviced campsites or RV stalls, or it may provide communal washrooms and RV dumping stations. An RV in a campground may be parked on a designated camping stall year-round however, a “Campground” does not include and shall not be used as “Recreational Vehicle Storage” or a “Work Camp”. This use does not include “Recreational Vehicle Park” or “Resort” as defined in this Bylaw. The stalls in a campground may be held under rentals, leases or a bare land condominium.~~

**Cannabis Production Facility** means a building where federally approved cannabis plants, for either medical or recreational use, are grown, processed, packaged, tested, destroyed, stored or loaded for shipping, and that meets all applicable federal and provincial requirements.

**Cannabis Retail Sales** means a retail store licensed by the Province of Alberta where cannabis and cannabis accessories are sold to individuals who attend the premise and for which any sales are expressly authorized by Alberta Gaming, Liquor and Cannabis (AGLC). This use shall be a stand-alone use and not in conjunction with any other use.

**Canvas Covered Structure** means a framework structure covered by any fabric or any similar type of non-rigid sheathing and used to provide outdoor storage.

**Car Wash** means a building designed for the cleansing and vacuuming of motor or recreational vehicles.



**Cemetery** means an area for the entombment or commemoration of the deceased, and may include crematoria, cineraria, columbaria, mausolea and cenotaph.

**Community Facility** means a facility owned or operated by a government or quasi-government entity established primarily for the benefit and service of residents of the Municipality or the province. Typical examples of a Community Facility include a community centre, a library, a municipal government building, a post office, a public works yard or facility, a public utility and a school.

**Contractor Services, Limited** means a development used for the provision of electrical, plumbing, heating, painting, catering and similar contractor services and the accessory sales of goods normally associated with the contractor services where all materials are kept within an enclosed building, and there are no accessory manufacture activities or fleet storage of more than four vehicles.

**Contractor Services, General** means development used for industrial service support and construction. Typical uses include cleaning and maintenance contractors, building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, wastewater systems or similar services of a construction or light manufacturing 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 shall be accessory to the principal general contractor use.

**Cultural Establishment** means a development for the purpose of cultural activity and includes but is not limited to such uses as an art gallery, an auditorium, a private club, a youth centre, a museum, a convention centre, or a visitor information centre. ~~This use does not include "Resort."~~

## D

**Day Care Facility** means the use of a building, or portion of a building, for the provision of care, instruction, maintenance, or supervision of 7 or more children under the age of 13 years, not including children under the age of 13 years who permanently reside in the home, for periods not exceeding 24 consecutive hours.

**Day Home** means a private dwelling unit where temporary care, development and supervision for periods not exceeding 24 consecutive hours is provided to a maximum of six (6) children under the age of 13 years, not including children under the age of 13 years who permanently reside in the home.

**Drive-In Food Service** means a food service facility operated in a manner that allows rapid customer service and includes one or more of the following features: interior or outdoor sit-down facility, car attendant services; drive-through food ordering and pickup services and parking primarily intended for the on-site consumption of food within a motor vehicle and for customers who choose to use the sit-down facility

**Drive-In Theatre** means a commercial facility on a parcel of land where movies are shown on an outdoor screen to customers who remain in their vehicle. Typically the facility will consist of a large outdoor screen, a projection booth, a concession stand, washroom facilities and a large parking/viewing area.

**Duplex / Semi-Detached Dwelling** means a residential building containing two attached dwelling units located either above and below or side by side, with separate access to each dwelling unit. The two dwelling units in a Duplex / Semi-Detached Dwelling are connected either by a common floor or

ceiling or by at least one common wall which extends from the foundation to the top of the first storey of both dwelling units.

**Dwelling Unit, secondary to an approved use** means a dwelling unit on property within a non-residential land use district, where a principal building or use has been legally established on the property prior to a development permit being issued in respect of the dwelling unit.

## E

**Emergency Service** means fire protection, police, ambulance, rescue or similar services.

**Entertainment Establishment** means a facility where entertainment is provided ~~to the public~~, either exclusively or in combination with other activities and may, without restricting the generality of the foregoing, include a live theatre, ~~or a~~ cinema, or a convention centre, but does not include a drive-in theatre, a gambling establishment or an adult entertainment establishment. This use may include Food and/or Beverage Service as an accessory use.

**Exploratory Excavation** means excavation in preparation for intended construction to undertake a permitted or discretionary use in the applicable land use district, where a development permit application has been submitted but a decision has yet to be made by the Development Authority in respect of the application. Exploratory Excavation includes excavation for the purposes of gaining temporary access to a parcel, removing trees, confirming yard setbacks, locating existing utilities and exploring building foundation options, subject to the criteria specified in Schedule 3 of this Bylaw.

**Extended Care Facility** means a public or private health facility for the care or supervision of individuals, and containing overnight accommodation.

## F

**Farm Supplies and Service** means the use of land or buildings for the sale, storage and distribution of grain (including grain elevators), livestock feed, fertilizer, chemicals and fuel used in agriculture.

**Financial Institution** means a development or use primarily for providing the service of banking or lending money, such as a bank, savings and loan institution, or credit union.

**Food and/or Beverage Service** means a facility where food and/or beverages are prepared and/or served on the premises and includes catering, a restaurant, a delicatessen, a bakery, a cafeteria, a brew pub and a licensed establishment serving alcoholic beverages, but excludes Drive-In Food Service.

**Funeral Home** means a development used for the arrangement of funerals, the preparation of the dead for burial or cremation, the holding of funeral services and the carrying out of cremations.

## G

**Gaming or Gambling Establishment** means a building, or any portion thereof, which is used for the purpose of dealing, operating, maintaining or conducting any risk game played with cards, dice, or any mechanical device or machine, and may include the accessory sale of food and/or beverages.

**Recreation Facility, Outdoor** means a park, playground, or recreation area, including but not limited to hiking, biking, snow sledding, snowboarding, skiing, all-terrain vehicle (ATV), boating facilities, horse-riding, and/or walking trail, picnic grounds, golfing, outdoor rink, sports field, rodeo grounds, historic or archaeological site, an organizational group camp, or any similar facility or use of land or buildings, and may include associated uses incidental to the principal recreational use such as ~~a designated area for stalls or a group area for tents, recreational vehicles and/or cabins, dormitories,~~ dining or eating facilities and a concession booth.

~~**Recreational Vehicle Park** means the use of an area developed specifically and only for the occupancy of Recreational Vehicles (RVs) on stalls that are collectively serviced with potable water supply and wastewater disposal systems for either seasonal and/or year-round operation. An RV in a Recreational Vehicle Park may be parked on its designated stall year-round however, a “Recreational Vehicle Park” does not include and shall not be used as “Recreational Vehicle Storage” or “Work Camp” (see the definition for those land uses). A Recreational Vehicle Park may be developed in association with related recreational activities such as hiking, skiing or riding trails, picnic grounds, boating facilities and playgrounds. This use may include accessory buildings and uses such as an administrative office, washrooms, cooking and eating shelters, laundry facilities, recreational and entertainment facilities, a convenience retail operation, accommodation for the owner/operator, and a shed and a deck for each RV stall, subject to these items being identified in a Comprehensive Site Development Plan. An RV in a Recreational Vehicle Park may be parked on its designated stall year-round however, a “Recreational Vehicle Park” does not include and shall not be used as “Recreational Vehicle Storage” or “Work Camp”. The stalls in a Recreational Vehicle Park may be held under rentals, leases or a bare land condominium. Also see the definition of “Campground”. This use does not include “Campground” or “Resort” as defined in this Bylaw. The stalls in a Recreational Vehicle Park may be held under rentals, leases or a bare land condominium.~~

**Recreational Vehicle and/or Manufactured Home Sales and Rentals** means a facility for the retail sale or rental of new or used motorcycles, snowmobiles, tent trailers, boats, travel trailers, similar recreational vehicles, Manufactured Homes, bicycles, and skis and may include incidental maintenance services and sale of parts.

**Recreational Vehicle Storage** means a fenced compound used for the parking, wintering, or storing of trailers, motor homes, boats, quads, recreational vehicles and/or hauling structures licensed under the *Motor Vehicles Administration Act* for a specified fee paid to the owner or proprietor of the property. Sleeping accommodation (whether temporary, seasonal, long-term, or permanent) is not allowed in “Recreational Vehicle Storage”.

**Recycling Facility** means the use of land or buildings for the purchasing, receiving and/or temporary storage of discarded articles, provided that the use does not generate a detrimental effect or nuisance beyond the boundaries of the lot or site on which it is situated. A recycling facility may involve supplementary production of by-products or materials and includes bottle, can and paper recycling depots.

**Renewable Energy Operation** means a development that collects or produces energy (and in some cases marketable by-products, depending on the process utilized) from natural renewable resources or from waste, and transmits the energy off-site for distribution in the commercial marketplace. This may include energy collected or derived from the earth, the sun, flowing water, tides, the wind, or incineration of waste and various other materials.

~~**Resort** means a comprehensively planned and operated destination development held under a single certificate of title (i.e. unsubdivided) that offers recreational, educational, cultural, convention and/or conference facilities with or without resort visitor accommodation, in a location chosen for the unique qualities and attributes of its cultural or natural physical setting. Appropriate uses associated~~

~~with and that may be incorporated into a resort could include, but are neither required nor limited to resort accommodation as defined in this Bylaw, dwelling units in their various forms as defined in this Bylaw, golf course, ski hill, riding arena, tennis court, health spa, retail, personal service, and other uses suitable to the location and compatible with the land uses in the resort and adjacent land uses. This use shall not be interpreted to mean “Campground,” “Recreational Vehicle Park” or “Cultural Establishment” as defined in this Bylaw. The dwelling units in a resort may be held under timeshare, rental or lease, but shall not be subdivided.~~

**Resource Extraction** means those uses of land or buildings which are governed by the location of a natural resource, and which involve the extraction, storage and/or on-site processing of a natural resource, Resource extraction includes, but is not limited to, commercial logging and the extraction of surface materials.

**Resource Processing** means the use of land and/or buildings for the storage mixing, refining or other processing of natural resources including cement, gravel, sand and/or other surface minerals or timber that are transported to the subject site from the location where the resources were extracted.

**Retail – Accessory** means retail sales accessory to an approved principal use and shall not exceed 69.7 m<sup>2</sup> (750 ft<sup>2</sup>).

**Retail – Store, Small** means a singular retail premises up to 464.5 m<sup>2</sup> (5000 ft<sup>2</sup>) in size (not including those portions of the premises not used specifically for retail purposes) where goods, wares, merchandise, substances alcoholic beverages or articles are stored, offered or kept for sale at retail, and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles or things sufficient only to service such a store. Typical examples of this use include but are not limited to a department store, a pharmacy, a business and office supply store and a retailer that primarily sells electronics, appliances, furniture, clothing or sporting goods. This use may include an accessory convenience food and/or beverage serving area. Where a retail store is engaged in the sale of alcoholic beverages, the retail store must be licensed by the Alberta Gaming, Liquor and Cannabis (AGLC). For uses involving the on-site consumption of alcoholic beverages, see “Food and/or beverage service.”

**Retail – Store, Large** means a singular retail premises exceeding 464.5 m<sup>2</sup> (5000 ft<sup>2</sup>) in size (not including those portions of the premises not used specifically for retail purposes) where goods, wares, merchandise, substances, alcoholic beverages or articles are stored, offered or kept for sale at retail, and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles or things sufficient only to service such a store. Typical examples of this use include but are not limited to a department store, a pharmacy, a business and office supply store and a retailer that primarily sells electronics, appliances, furniture, clothing or sporting goods. This use may include an accessory convenience food and/or beverage serving area. Where a retail store is engaged in the sale of alcoholic beverages, the retail store must be licensed by the Alberta Gaming, Liquor and Cannabis (AGLC). For uses involving the on-site consumption of alcoholic beverages, see “Food and/or beverage service.”

**Retail – Shopping Mall** means a unified concentration of retail stores, offices and service establishments of the types listed as permitted or discretionary uses in the applicable land use district.

**Riding Arena** means a compound designed for the housing, bedding or confinement of four-legged animals used for riding purposes, but does not include the structures associated with the raising of livestock under Agriculture as defined in this Bylaw.



solely to accommodate a person or persons, whose function is to provide surveillance, maintenance and/or security for a development provided for in the land use district.

## T

**Temporary Auto Sales** means the temporary use of land for the purpose of the sale of new or used motor vehicles, but does not include auto repairs.

**Temporary Storage Yard** means development used exclusively for temporary outdoor storage of goods, materials, vehicles or equipment where such storage does not involve the construction of a permanent building, the establishment of business operations on the same site as the temporary outdoor storage, or the material alteration of the existing state of the land. Typical uses include the temporary storage of construction vehicles, equipment and materials and/or a maximum of one recreational vehicle which shall not be occupied or otherwise used as temporary sleeping accommodation.

**Tourism Accommodation, Small** means a development that is comprehensively planned and designed, subject to the standards established in this Bylaw, for the recreational occupancy of a minimum of four units of resort accommodation and/or camping accommodation (both as defined in this Bylaw). Except to the extent that may be approved under provisions in Schedule 4 Standards of Development in this Bylaw, Tourism Accommodation, Small is not typically intended for residential occupancy (as defined in this Bylaw). The use shall not be interpreted to include "Recreational Vehicle Storage" or a "Work Camp" or any other use that is listed separately in the applicable land use district. The subject property shall be held in a single certificate of title and shall not be subdivided in any form (long-term leases are allowed if the Land Titles Office will register such an instrument on the certificate of title).

**Tourism Accommodation, Large** means a development that is comprehensively planned and designed, subject to the standards established in this Bylaw, for the recreational occupancy of a minimum of four units of resort accommodation and/or camping accommodation (both as defined in this Bylaw). Except to the extent that may be approved under provisions in Schedule 4 Standards of Development in this Bylaw, Tourism Accommodation, Large is not typically intended for residential occupancy (as defined in this Bylaw). The use shall not be interpreted to include "Recreational Vehicle Storage" or a "Work Camp" or any other use that is listed separately in the applicable land use district, but it may include a storage area for ATVs, snowmobiles, boats, and/or other recreational equipment for the sole purpose of storing equipment used by the occupants of the Tourism Accommodation and only if provision for such a storage area has been approved in the Comprehensive Site Development Plan. The subject property may be subdivided as a bareland condominium plan (which may be a requirement under certain provisions in Schedule 4 of this Bylaw), but it shall not be subdivided as fee simple lots (long-term leases are allowed if the Land Titles Office will register such an instrument on the certificate of title).

**Tourist Home** means the operation of short-term commercial accommodation within a dwelling unit where the entire property is rented to only one reservation at a time for a period not exceeding 30 days and the owner of the property is not required to occupy the dwelling unit as their primary residence. Refer to the definition of Primary Residence. Tourist Home does not include a hotel, hostel, motel, or Short-Term Rental / Bed & Breakfast.

**Transportation Terminal** means a centralized area for the parking, loading, unloading, storage or servicing of large commercial trucks engaged in the business of transporting goods and materials to specified destinations, and may typically include a Warehouse.



to be part of the building that it is attached to, and it is subject to the provisions for projections into yard setbacks. Also see “Deck”, “Patio” and “Porch.”

**Basement** means any storey of a building of which the ceiling level is less than 1.8 metres (6 ft) above the average finished surface level of the surrounding ground.

**BearSmart** means the Alberta BearSmart Program which provides information on how to reduce human-bear conflicts while achieving the goals of keeping people safe, helping bear populations survive and reducing property damage and costs.

**Berm** means a dyke-like earthen or rock form used to separate incompatible areas or functions, or constructed to protect the site or district from vehicular road or other noise.

**Boulevard** means that portion of a public roadway that lies between a curb and the boundary of a lot or parcel.

**Brew pub** means a licensed “Food and/or Beverage Service” establishment that includes the brewing of malt beverages (beer, ale, etc.) in compliance with applicable provincial laws, for on-site consumption and/or retail or wholesale distribution. The establishment may include live entertainment but does not include a Bottling Plant.

**Buffer** means a row of trees, hedges, shrubs or landscaped berm planted or constructed to provide visual screening and separation between uses, buildings, sites or districts.

**Building** has the same meaning as it has in the *Municipal Government Act* and in addition includes a structure but does not include a recreational vehicle or other types of wheeled / mobile units.

**Building footprint** means the shape of the building where it sits on the parcel. If an outline of the building could be drawn on the ground along the exterior of the foundation wall where it sits and then the building is removed, the footprint is the shape that was drawn around the building. Changing the footprint of the building means adding to it or removing from it in such a way that this outline would be altered.

**Building footprint area** means the greatest above-grade horizontal roofed floor area of a building in plan view, measured from the outside surface of the exterior walls or the centreline of adjoining firewalls as may be applicable.

**Building height** means the vertical distance measured from the finished grade point(s) located at the base of the tallest exposed wall to the highest point of a building including the top of a pitched roof but excluding an elevator housing, a roof stairway entrance, HVAC equipment, a roof sign, a skylight, a steeple, a chimney, a smoke stack, a fire wall or a parapet wall and a flagpole or similar device not structurally essential to the building.

**Building inspector** means the person or persons appointed by the municipality to be the building inspector in and for the Municipality of Crowsnest Pass.

**Building permit** means a certificate or document issued by the Safety Codes Officer pursuant to provincial legislation authorizing commencement of construction.

## C

**Cabin** means an habitable shelter (including a yurt or similar type of structure) for recreational occupancy that is located in an approved “Tourism Accommodation” and, depending on the facilities and services provided in the “Tourism Accommodation”, either has its own cooking, laundry and



~~washroom facilities or has access to communal cooking, laundry and washroom facilities. A cabin is not a dwelling unit and is not typically intended for residential occupancy (as defined in this Bylaw). Cabin means a seasonal habitable dwelling unit of not more than 46.5 m<sup>2</sup> (500 ft<sup>2</sup>) complete with sleeping, cooking and washroom facilities that is located in a Campground, a Resort, a Recreation Facility or other similar use.~~

~~**Camping Accommodation** means an area within an approved “Tourism Accommodation” that is developed for the recreational occupancy of cabins (as defined in this Bylaw), dormitories, tenting campsites, and/or Recreational Vehicles (regular model, Park Model Trailer CSA-Z240, and Cottage Model CSA-Z241 as defined in this bylaw), and the associated use of camping-related equipment (e.g. power generators, wood stoves). Camping accommodation may include accessory buildings and uses such as an administrative office, communal washrooms, cooking shelters, laundry, recreation, entertainment and convenience retail facilities for the use of the occupants and day-users of the development, owner/operator accommodation, and sheds and decks. Camping accommodation is not a dwelling unit and is not typically intended for residential occupancy (as defined in this Bylaw).~~

**Cantilever** means a structure that projects into a yard, such as a beam that is supported at one end and carries a load at the other end or along its length.

**Carpport** means a structure enclosed on not more than three sides intended for the shelter of one or more motor vehicles.

**Certificate of Compliance** means a document signed by the Development Authority certifying that a development complies with this Bylaw with respect to yard requirements and insofar as represented on an Alberta Land Surveyor’s Real Property Report.

**Certificate of title** means the record of the title to land that is maintained by the Registrar of Titles at a Land Titles Office.

**Common wall** means a vertical separation completely dividing a portion of a building from the remainder of the building and creating in effect a building which, from its roof to its lowest level, is separate and complete unto itself for its intended purpose, such wall being owned by one party or both but jointly used by two parties, one or both of whom is entitled to such use by prior arrangement.

**Communication structure** means a structure designed to support one or more communication antennae.

**Communication antenna** means an antenna for the transmission and/or reception of television, radio or cellular phone signals/waves.

**Comprehensive development** means planned residential development having a high standard of design, a variety of accommodation, and adequate amenity provisions.

**Comprehensive Site Development Plan** means a plan, in a format to be determined for each case based on the requirements established in Schedule 4 of this Bylaw, that provides for the coordinated, comprehensive planning of multi-faceted or otherwise complex development, redevelopment, infill development or bare land condominium subdivision, which is of such a scale or complexity or is located in an area that, in the opinion of the Development Authority or the Subdivision Authority, the proposal requires a coordinated and comprehensive approach to the provision of infrastructure, the design and layout of land uses or buildings, the interrelation of the proposal with adjacent or neighbouring lands, and/or the impact of the proposal on adjacent or neighbouring property owners.

**Conceptual scheme** means a detailed site layout plan for piece of land which:



utilities and other services to be provided by the permit holder as a condition of development approval or subdivision approval, provided the agreement is in accordance with the relevant provisions of the *Municipal Government Act*, as amended.

**Development Authority** means the Development Officer and/or the Municipal Planning Commission and/or the Subdivision and Development Appeal Board and/or Council as provided for in this Bylaw.

**Development permit** means a document issued pursuant to this Bylaw authorizing a development.

**Direct control** means a land use designation attributed to a piece of land for exercising specific land use regulations and uses in accordance with the relevant provisions of the *Municipal Government Act*, as amended.

**Discretionary use** means the one or more uses of land or buildings that are described in Schedule 2 within the land use classifications that are required to be approved by the Municipal Planning Commission, or by the Development Officer for those discretionary uses as may be provided for in this Bylaw.

**District** means a district established under Schedule 1 of this Bylaw.

**Domestic animal** means an animal that is kept by a household for domestic purposes. A domestic animal may include the following: cat, dog, ferret, gerbil, guinea pig, hamster, rabbit, iguana or small non-poisonous amphibians, reptiles, caged birds, and other similar animals typically sold in pet stores and kept as pets. The Development Authority may include other animals as domestic animals on a case-by-case basis after due consideration of the potential impact on neighbouring property and residents.

**Drive-in business** means an establishment with facilities for on-site service to customers who remain in their motor vehicles.

**Dwelling unit** means a building or portion of a building consisting of one or more rooms that provide(s) a cohesive self-contained area with sleeping, cooking and sanitary facilities intended to be inhabited and used by a household for residential occupancy as opposed to recreational occupancy (both as defined in this Bylaw). Camping Accommodation such as a cabin, a recreational vehicle, and a recreational vehicle "Cottage Model" and some forms of Resort Accommodation are deemed to not be a dwelling unit.~~means one or more self-contained rooms provided with sleeping, cooking and sanitary facilities intended to be inhabited by a household. No land use that involves a dwelling unit shall be interpreted to include a recreational vehicle, and the use of a recreational vehicle as a dwelling unit is restricted to those purposes provided for in Schedule 4, Section 39 of this Bylaw, and the placement of a recreational vehicle in a Campground or a Recreational Vehicle Park.~~

## E

**Easement** means a right held by one party in land owned by another, typically for access or to accommodate a public utility.

**Eaveline** means the overhanging portion of a roof beyond the exterior walls of a building.

**Embankment** means an earth bank constructed so that it is raised above the immediately surrounding land, with the specific purpose to redirect water or prevent flooding by a river, lake, canal, or other water body, or to carry a road, railway, or canal across a low-lying area.

**Environmental audit** means the process of determining the impact of proposed projects on the environment.

- (a) a local road,
- (b) a service road,
- (c) a street,
- (d) an avenue, or
- (e) a lane.

**Public thoroughfare** means any pathway, sidewalk, bridge, lane, service road, local street, collector street, arterial street, or highway.

**Public utility** means the municipally owned or franchise owned infrastructure, property and / or right-of-way or easement for one or more of the following:

- (a) water service;
- (b) wastewater service;
- (c) stormwater drainage and retention facility;
- (d) gas;
- (e) electricity;
- (f) telecommunication;
- (g) any other things prescribed by the Lieutenant Governor in Council by regulation, but does not include those systems or facilities referred to in subclauses (a) to (f) that are exempted by the Lieutenant Governor in Council by regulation.

## Q

**Quarter section** means a titled area of approximately 64.8 hectares (160 acres).

**Quarter section, unsubdivided** means a titled area of 64.8 hectares (160 acres) more or less, but excluding road widening, previous subdivision for school sites and other public uses.

## R

**Ready-to-move (RTM) home** means a factory-built dwelling unit other than a Manufactured Home.

**Real property report (RPR)** means a legal document that illustrates in detail the location of all relevant, visible public and private improvements relative to property boundaries.

**Recreational occupancy** – means the infrequent, temporary, short-term and/or seasonal occupancy of a dwelling unit, or a resort accommodation unit, or a camping accommodation unit.

**Recreational vehicle** means a vehicular unit, which is designed ~~for as a~~ temporary or seasonal ~~occupancy dwelling~~ for travel, recreational and vacation use, and which is either self-propelled, ~~or~~ mounted on, or pulled by another vehicle. Examples include but are not limited to a motorhome, a fifth-wheel, a travel trailer, a camping trailer, a truck camper, a motorhome, a fifth-wheel trailer, a van, a Recreational Vehicle that conforms to the CSA-Z240 Standard for Recreational Vehicles (i.e. a Recreational Vehicle - Park Model Trailer), a tent trailer, or a boat, but does not include any vehicle or trailer over 2.6 m (8 ft 6 in.) in transit mode width, a Manufactured Home, or a Recreational Vehicle – Park Model Recreational Unit (CSA-Z241). ~~A Recreational Vehicle is not a dwelling unit and is not typically intended for residential occupancy (as defined in this Bylaw).~~

**Recreational Vehicle - Park Model Recreational Unit (“Cottage Model”)** means a living unit, conforming to the CSA-Z241 standard, built on a single chassis mounted on wheels which may be

removed. The unit is designed to facilitate occasional relocation using a special tow vehicle and requiring a highway movement permit to tow the unit. It has living quarters for ~~a temporary~~ or seasonal occupancy~~residence or seasonal use~~. It is typically skirted once installed ~~in a location on the parcel~~. It is typically connected to those public or private utilities necessary for the operation of installed fixtures and appliances, with a maximum CSA approved 50 ~~Ampamp~~ interior electric panel. The transit mode width of this unit exceeds 2.6 m (8 ft 6 in). The maximum size of a Recreational Vehicle - Park Model Recreational Unit is 55 m<sup>2</sup> (600 ft<sup>2</sup>). A Recreational Vehicle – Park Model Recreational Unit is not allowed to be placed on a basement or other permanent foundation. This ~~definition and use~~ does not include a “Manufactured Home” or a “Recreational Vehicle”. A Recreational Vehicle - Park Model Recreational Unit (“Cottage Model”) is not a dwelling unit and is not typically intended for residential occupancy (as defined in this Bylaw).

**Regionally sensitive area** means lands within the municipality that are or may be environmentally sensitive including, but not limited to:

- (a) a swamp;
- (b) a gully, ravine or coulee;
- (c) an escarpment;
- (d) a natural drainage course;
- (e) riparian lands adjacent to the beds and shores of rivers, streams, creeks, water bodies, or natural drainage courses;
- (f) wetlands;
- (g) lands subject to flooding, including flood risk areas, floodways, and flood fringe;
- (h) unstable lands;
- (i) contaminated lands;
- (j) a public park;
- (k) a designated historic or archaeological site;
- (l) an environmentally significant area; or
- (m) a forest reserve.

**Registered 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:
  - (i) the purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the certificate of title in the land, and any assignee of the purchaser’s interest that is the subject of a caveat registered against the certificate of title; or
  - (ii) in the absence of a person described in paragraph (i), the person registered under the *Land Titles Act* as the owner of the fee simple estate in the land.

**Reserve land** means environmental reserve, municipal reserve or school reserve or municipal and school reserve.

**Residence** – see “Dwelling Unit”.

Residential occupancy – means the regular, relatively permanent and/or long-term occupancy, control and management of a dwelling unit by a household under a form of ownership of the dwelling unit.

**Resort accommodation** ~~means buildings within an approved “Tourism Accommodation” for the recreational occupancy of cabins (as defined in this Bylaw), “Apartment Building”, “Duplex / Semi-Detached Dwelling”, “Hostel”, “Hotel”, “Motel”, “Multi-Unit Residential Building”, or “Single-Detached Dwelling”. Resort accommodation may include accessory buildings and uses such as an administrative office, communal washrooms, cooking shelters, laundry, recreation, entertainment and convenience retail facilities for the use of the occupants and day-users of the development, owner/operator accommodation, and sheds and decks. While some forms of Resort Accommodation may be deemed to be a dwelling unit it is not typically intended for residential occupancy (as defined in this Bylaw).~~ ~~means accommodation inside a “Resort”, as defined in this Bylaw, for visitors to the resort, which may be in the form of apartments, cabins, hotels, lodges, recreational vehicles (but not as a stand-alone “Campground” or “Recreational Vehicle Park” as defined in this Bylaw) or other dwelling units in their various forms as defined in this Bylaw.~~

**Riparian area** means land that is comprised of the vegetative and wildlife areas strongly influenced by water that occur adjacent to streams, shorelines and wetlands which are delineated by the existence of plant species normally found near fresh water.

**Roofed or covered** means that an area, or a space, or a building or a structure has an impermeable overhead covering. **Roofline** means the top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys, or minor similar projections.

## S

**Safety Codes Officer** means a person certified and authorized to perform inspections and enforce the regulations established in the National Building Code – 2019 Alberta Edition pursuant to the *Safety Codes Act*, Chapter S-1, RSA 2000, as amended.

**Screening** means a fence, berm or landscaping, or any combination thereof, used to visually separate areas or functions which detract from the urban street or neighbouring land uses.

**Seasonal** means a use that coincides with weather-related or cultural times of the year.

**Self-contained** means a dwelling unit providing sleeping, cooking and washroom facilities.

**Service connection** means, in respect of a municipal water or wastewater utility, the portion of the public utility running from the main line to a building or other place on a lot for the purpose of providing utility service to the lot. Where the public utility is municipally owned, the responsibility for constructing, maintaining and repairing the portion of the service connection running from the main line to the lot boundary lies with the Municipality. By implication, the landowner is responsible for constructing, maintaining and repairing the portion of the service connection between the lot boundary and the building, including the associated cost. As a term of supplying utility service to a lot, the Municipality may make the owner of the lot bear the costs associated with constructing, maintaining and repairing the portion of the service connection running from the main line to the lot boundary.

**Service road** means a road located adjacent to a Provincial highway or local road, which is intended to provide access to one or more subdivided parcels.

**Serviced, Collectively or Communally** means a system of pipes designed, constructed, or installed as a collective or communal means of water supply or sewage disposal, where the water supply source or the final sewage disposal and treatment is either privately-owned on-site or publicly-owned off-site (municipal infrastructure), and to which two or more properties are connected.

**Shall** means that the action is mandatory.



**Subdivision and Development Appeal Board** means the tribunal established, by bylaw, to act as the municipal appeal body for subdivision and development pursuant to the relevant provisions of the Act.

**Subdivision and Development Regulation** means the *Matters Relating to Subdivision and Development Regulation (Alberta Regulation 84/2022)*, established and amended from time to time by order of the Lieutenant Governor in Council pursuant to the *Municipal Government Act*.

**Subdivision approval** means the approval of a subdivision by a subdivision approving authority.

**Subdivision Authority** means the person or body empowered by a bylaw of Council to approve a subdivision.

## T

**Tandem parking space** means a parking space that is located behind another parking space and which, if used, prevents the other space from being accessed by a motor vehicle.

**Telecommunication** means infrastructure required for the distribution or reception of telephone, cable, and internet services, but excludes a Communication Structure and a Communication Antenna as defined in this Bylaw.

**Temporary development** means a development for which a development permit has been issued for a limited time period.

**Tenant** means a person who rents, leases or sub-leases, through either a written or oral agreement, real property from another individual or entity.

**This Bylaw** means the Municipality of Crowsnest Pass Land Use Bylaw No. 1165, 2023 as amended.

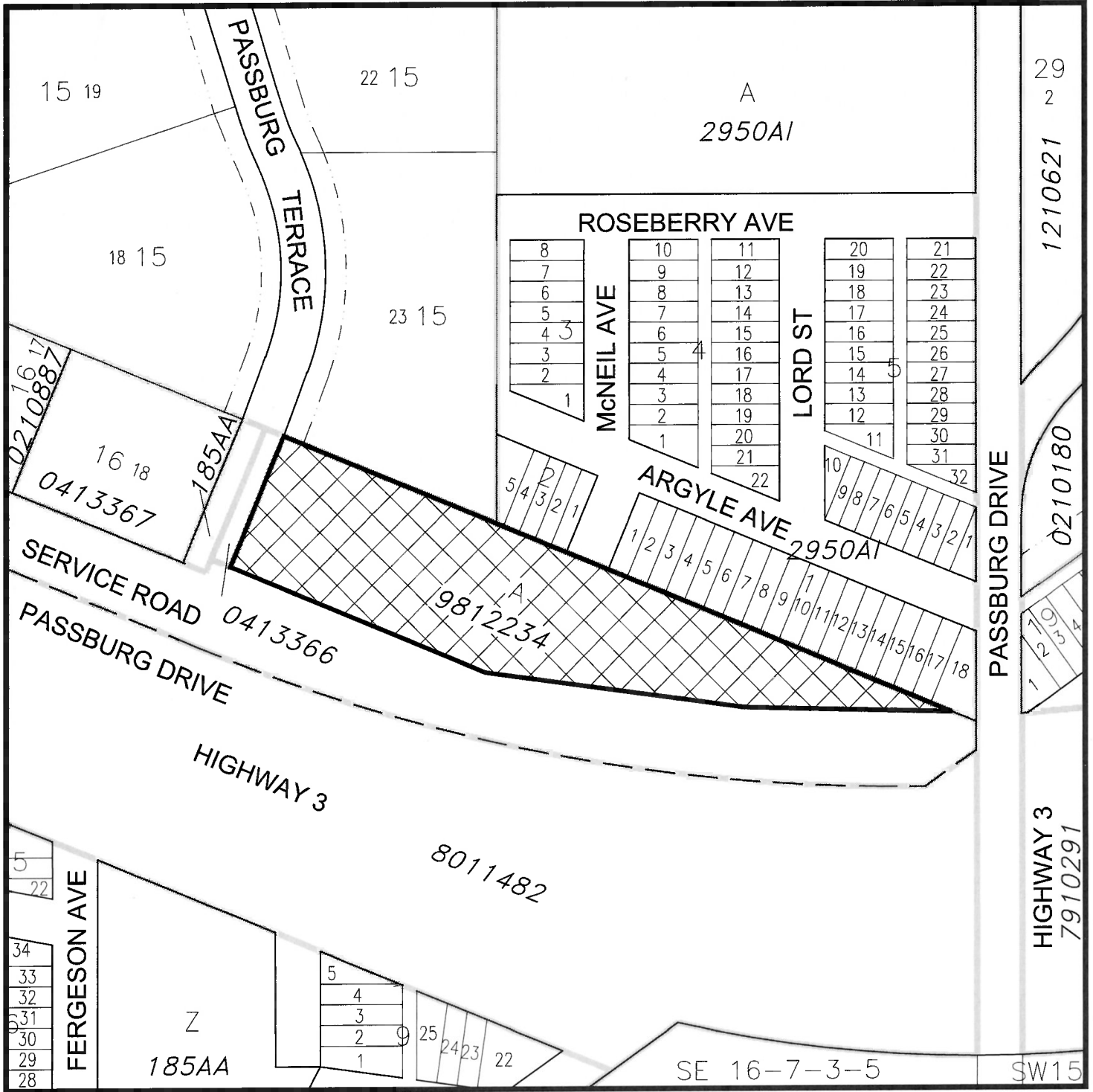
**Tourist Home Rental Unit** means the building or portion thereof and the entire premises contained in a certificate of title that are rented as a single reservation to a party who occupies either the entire building or a portion thereof and the entire premises for the rental period.

**Transport trailer** means a rectangular steel structure mounted on a series of axles and wheels used to haul merchandise while being towed by a transport truck licensed under the *Motor Vehicles Administration Act* or subsequent provincial legislation.

## U

**Unenclosed** means an area, a space, a building or a structure that is permanently open on at least one side, while it may be roofed.

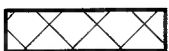
**Urban Area** means, regardless of the land use district in which a parcel is located, the communities of Hillcrest, Bellevue, Frank, Blairmore and Coleman where the Municipality in general terms provides, operates, and maintains either or both municipal water and municipal wastewater infrastructure that is either presently available for service connections or could be brought to a state of readiness and availability for service connections. The extent of an urban area generally corresponds with but is not restricted by the delineation of the “built-up areas” identified in the Municipal Development Plan.



**LAND USE DISTRICT REDESIGNATION  
SCHEDULE 'B'**

Bylaw #: 1182, 2024

Date: May 28, 2024



FROM: Drive-In Commercial C-2

TO: Non-Urban Tourism Accommodation and Recreation - NUTAR

BLOCK A, PLAN 9812234 WITHIN SE 1/4 SEC 16, TWP 7, RGE 3, W 5 M  
CONTAINING 1.46±ha(3.60±ac)

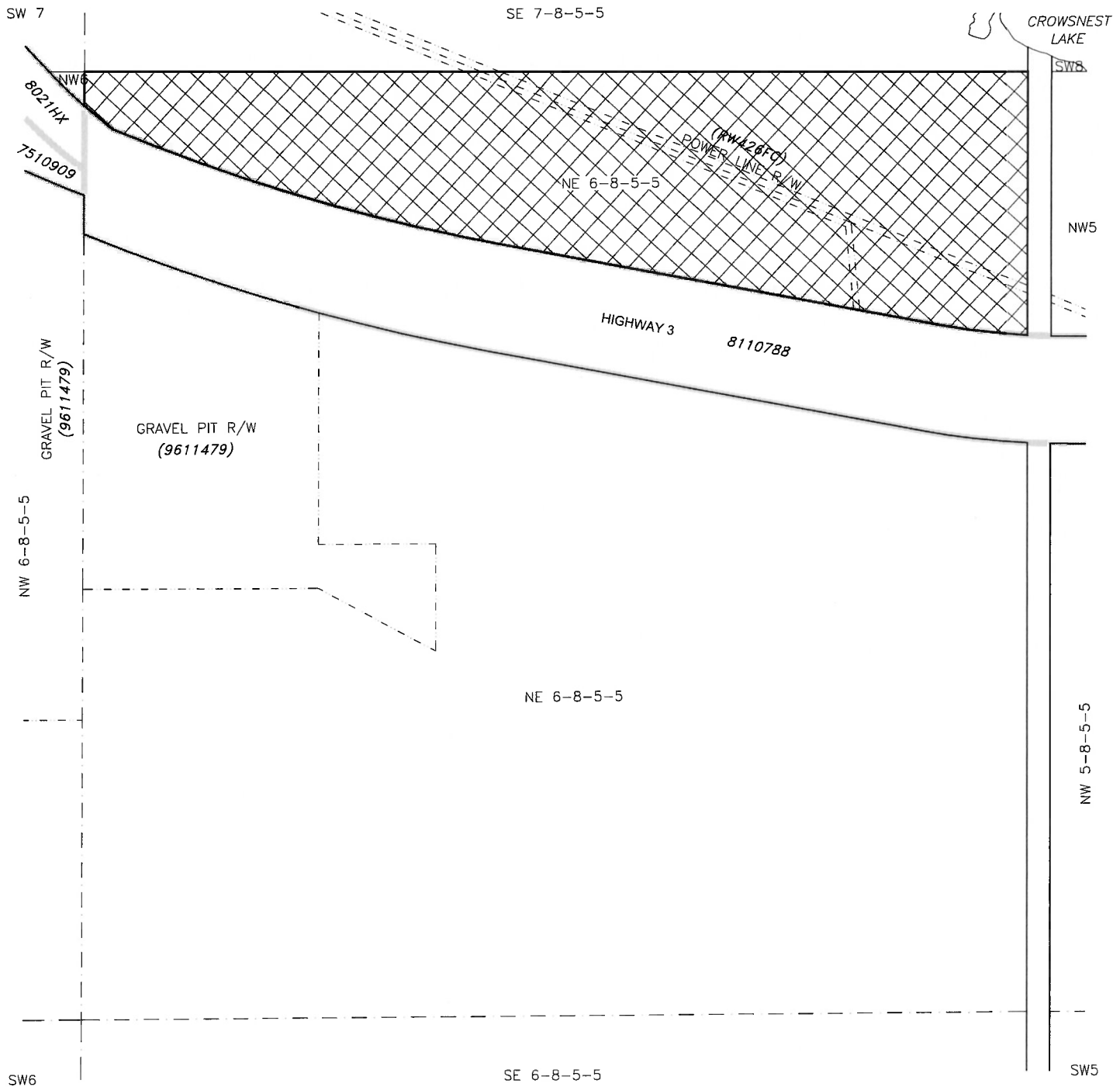
MUNICIPALITY: MUNICIPALITY OF CROWSNEST PASS

DATE: APRIL 12, 2024



MAP PREPARED BY:  
OLDMAN RIVER REGIONAL SERVICES COMMISSION  
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8  
TEL. 403-329-1344

"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"



**LAND USE DISTRICT REDESIGNATION  
SCHEDULE 'C'**



FROM: NON-URBAN AREA NUA-1

TO: NON-URBAN TOURISM ACCOMMODATION AND RECREATION - NUTAR

PORTION OF NE 1/4 SEC 6, TWP 8, RGE 5, W 5 M

CONTAINING 11.95±ha (29.5±ac)

MUNICIPALITY: MUNICIPALITY OF CROWSNEST PASS

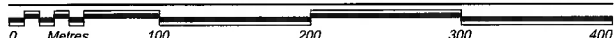
DATE: APRIL 15, 2024

Bylaw #: 1182, 2024

Date: May 28, 2024



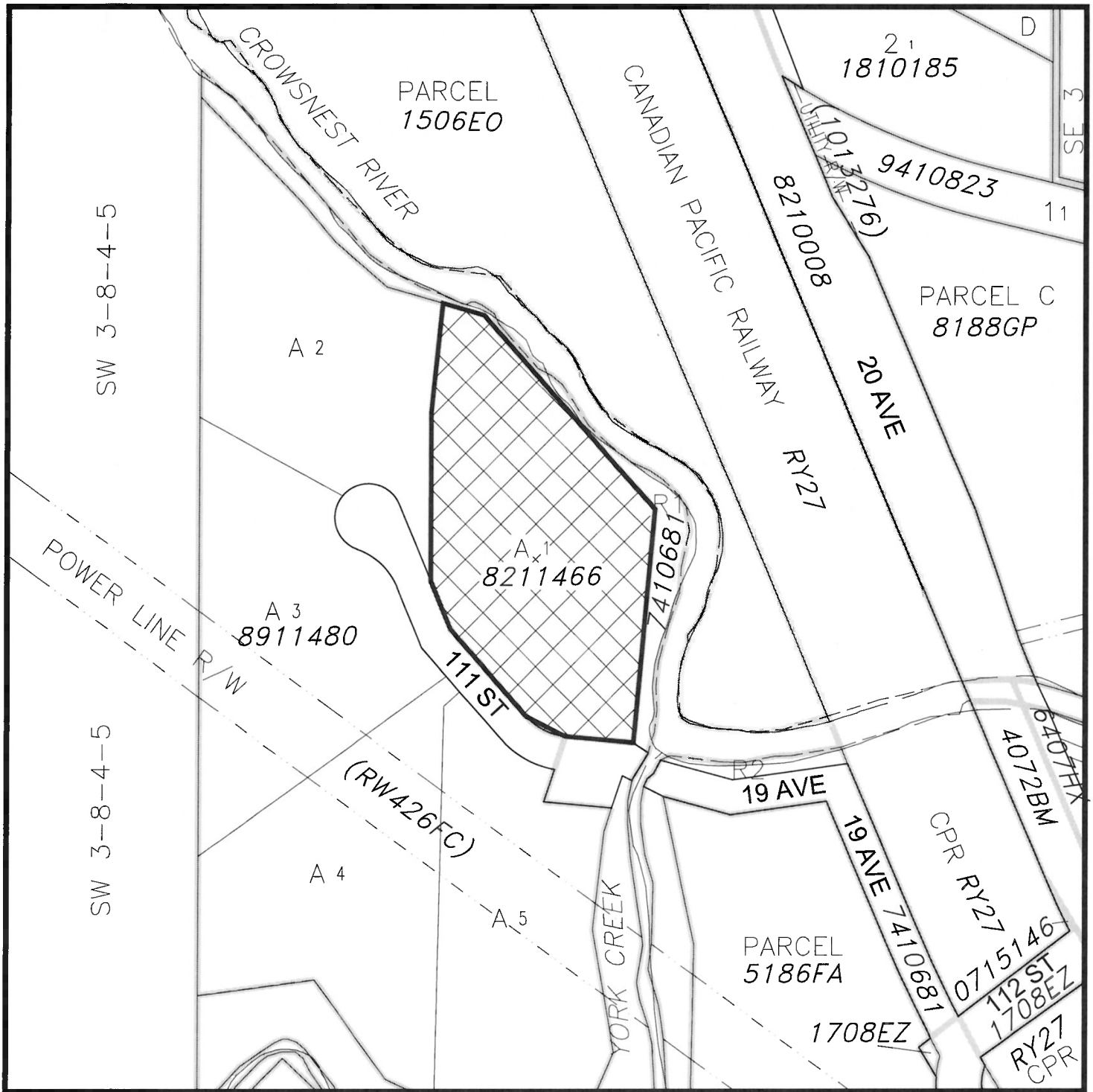
OLDMAN RIVER REGIONAL SERVICES COMMISSION



MAP PREPARED BY:  
OLDMAN RIVER REGIONAL SERVICES COMMISSION  
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8  
TEL. 403-329-1344

"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"





**LAND USE DISTRICT REDESIGNATION  
SCHEDULE 'D'**



**FROM:** Drive-In Commercial C-2

**TO:** Urban Tourism Accommodation and Recreation - UTAR

LOT 1, BLOCK A, PLAN 8211466 WITHIN

SE 1/4 SEC 3, TWP 8, RGE 4, W 5 M CONTAINING ±1.329±ha

MUNICIPALITY: MUNICIPALITY OF CROWSNEST PASS

DATE: APRIL 12, 2024

**Bylaw #:** 1182, 2024

**Date:** May 28, 2024



OLDMAN RIVER REGIONAL SERVICES COMMISSION



0 Metres 50 100 150 200

April 12, 2024 N:\C-N-P\CNP LUD & Land Use Redesignations\Crowsnest Pass - Bylaw 1184, 2024 - Lot 1, Block A, Plan 8211466.dwg

MAP PREPARED BY:  
OLDMAN RIVER REGIONAL SERVICES COMMISSION  
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8  
TEL. 403-329-1344

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