

# Village of Hill Spring



## Land Use Bylaw No. 107-274 September 2008



**VILLAGE OF HILL SPRING**  
**BYLAW NO. 107-274**

BEING a bylaw of the Village of Hill Spring in the Province of Alberta, to adopt a new Land Use Bylaw;

WHEREAS the Council of the Village of Hill Spring wishes to adopt a new Land Use Bylaw to comply with the land use planning provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended;

AND WHEREAS the purpose of the proposed bylaw is:

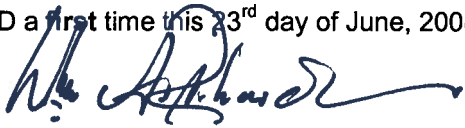
- to incorporate the mandatory changes required for land use bylaws prescribed in the Municipal Government Act;
- to incorporate minor revisions and previous amendments to the present bylaw;
- to change the existing Land Use District Map to reflect several land use redesignations which have or will be made;
- to incorporate an expanded number of land use definitions;
- to add several additional land use schedules which will govern specific developments in the municipality;
- to incorporate the required bylaws necessary to establish the Subdivision And Development Authority as well as the Subdivision And Development Appeal Board;

AND WHEREAS it is deemed expedient and appropriate for the Village of Hill Spring to consider Bylaw No. 107-274 for the above-noted reasons;

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 duly assembled does hereby enact the following:

1. Bylaw No. 90-205, being the former Land Use Bylaw, and any amendments thereto are hereby rescinded.
2. Bylaw No. 107-274 shall come into effect upon third and final reading thereof.
3. Bylaw No. 107-274 is hereby adopted.

READ a first time this 23<sup>rd</sup> day of June, 2008.

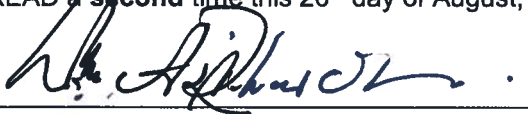


**Mayor – Bill Richards**

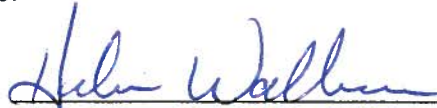


**Chief Administrative Officer – Helen Walburger**

READ a ~~second~~ time this 26<sup>th</sup> day of August, 2008.

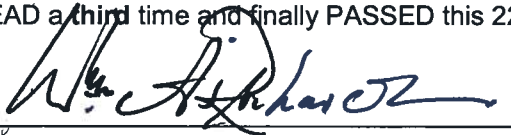


**Mayor – Bill Richards**



**Chief Administrative Officer – Helen Walburger**

READ a ~~third~~ time and finally PASSED this 22<sup>nd</sup> day of September, 2008.



**Mayor – Bill Richards**



**Chief Administrative Officer – Helen Walburger**

# TABLE OF CONTENTS

	Page
1. DEFINITIONS .....	1
2. DESIGNATED OFFICER / DEVELOPMENT OFFICER .....	1
3. MUNICIPAL PLANNING COMMISSION .....	2
4. LAND USE DISTRICTS.....	2
5. DEVELOPMENT PERMIT APPLICATIONS.....	2
6. PERMITTED USE APPLICATIONS .....	2
7. DISCRETIONARY USE APPLICATIONS .....	3
8. NOTIFICATION .....	3
9. PROVISION OF SERVICES .....	3
10. NOTIFICATION DEVELOPMENT PERMIT ISSUED .....	4
11. VALIDITY OF A DEVELOPMENT PERMIT .....	4
12. REAPPLICATION .....	4
13. COMMENCEMENT OF DEVELOPMENT .....	4
14. TRANSFER OF DEVELOPMENT PERMIT .....	4
15. WAIVERS OF BYLAW PROVISIONS .....	4
16. DEEMED REFUSAL / FAILURE TO RENDER DECISION .....	5
17. ADDITIONAL DEVELOPMENT REFERRALS .....	5
18. ADDITIONAL CONDITIONS OF APPROVAL .....	5
19. NUMBER OF DWELLING UNITS ON A PARCEL .....	5
20. DEVELOPMENT AGREEMENTS.....	5
21. ADDITIONAL APPLICATION INFORMATION REQUIREMENTS .....	6
22. DEVELOPMENT PERMIT SUSPENSION OR CANCELLATION .....	6
23. STOP ORDERS .....	6
24. APPEALS .....	6
25. NON-CONFORMING BUILDINGS AND USES .....	6
26. DEVELOPMENT IN MUNICIPALITY GENERALLY .....	6
27. PENALTIES .....	6
28. SIMILAR USES .....	7
29. LAND USE REDESIGNATIONS.....	7
30. SCHEDULES, MAPS AND APPENDICES .....	7
31. NON-CONFORMING USE VARIANCES.....	7
32. AMENDMENT OR REPEAL OF BYLAW.....	7
<b>SCHEDULE 1 – LAND USE DISTRICTS AND MAP .....</b>	<b>9</b>
LAND USE DISTRICT MAP .....	

	<b>Page</b>
<b>SCHEDULE 2 – LAND USE DISTRICT REGULATIONS</b>	
Residential – R1 .....	11
Manufactured / Modular Home Residential – R2.....	15
Downtown Commercial / Residential – C1 .....	17
General Commercial – C2 .....	19
Public and Institutional – PI.....	21
Recreation and Open Space – RO .....	23
Agricultural – AG.....	25
<b>SCHEDULE 3 – DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT .....</b>	<b>27</b>
<b>SCHEDULE 4 – STANDARDS OF DEVELOPMENT.....</b>	<b>29</b>
<b>SCHEDULE 5 – SIGN STANDARDS.....</b>	<b>33</b>
<b>SCHEDULE 6 – OFF-STREET PARKING AND LOADING AREA REQUIREMENTS.....</b>	<b>43</b>
<b>SCHEDULE 7 – MOVED-IN BUILDINGS .....</b>	<b>49</b>
<b>SCHEDULE 8 – CRITERIA FOR HOME OCCUPATIONS .....</b>	<b>51</b>
<b>SCHEDULE 9 – MANUFACTURED / MODULAR HOME DEVELOPMENT STANDARDS .....</b>	<b>53</b>
<b>SCHEDULE 10 – FEE SCHEDULE .....</b>	<b>55</b>
<b>SCHEDULE 11 – FORMS AND APPLICATIONS</b>	
FORM A – Development Application.....	57
FORM B – Notice of Subdivision and Development Authority Meeting	59
FORM C – Notice of Subdivision and Development Appeal Board Hearing .....	61
FORM D – Notice of Decision of Subdivision and Development Appeal Board.....	63
FORM E – Agreement for Time Extension.....	65
FORM F – Stop Order .....	67
FORM G – Application for a Land Use Bylaw Amendment.....	69
FORM H – Application for a Home Occupation.....	71
<b>SCHEDULE 12 – DEFINITIONS.....</b>	<b>73</b>
<b>Appendix I</b> DEVELOPMENT AUTHORITY BYLAW NO. 107-275	
<b>Appendix II</b> SUBDIVISION AUTHORITY BYLAW NO. 107-276	
<b>Appendix III</b> SUBDIVISION AND DEVELOPMENT APPEAL BOARD BYLAW NO. 107-277	
<b>Appendix IV</b> BED AND BREAKFAST HEALTH STANDARDS AND GUIDELINES	

# VILLAGE OF HILL SPRING

## LAND USE BYLAW NO. 107-274

The council of the Village of Hill Spring enacts as follows:

BEING A BYLAW OF THE VILLAGE OF HILL SPRING, IN THE PROVINCE OF ALBERTA, TO REGULATE THE USE AND DEVELOPMENT OF LAND AND BUILDINGS.

This bylaw may be cited as "The Village of Hill Spring Land Use Bylaw".

<p><b>In this bylaw, words used in the singular include the plural, and words using the masculine gender include the feminine gender.</b></p>
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1. **DEFINITIONS** – See Schedule 12.
2. **DESIGNATED OFFICER / DEVELOPMENT OFFICER \***
  - (a) The office of "designated officer" is established.
  - (b) The council shall, by resolution, appoint a person or persons to the office of designated officer.
  - (c) For the purpose of this bylaw, the designated officer shall be the development officer.
  - (d) Each person appointed to the office of development officer:
    - (i) may perform only such powers and duties as are specified in this bylaw or by resolution of council;
    - (ii) is responsible for processing, deciding upon and referring applications for a development permit in accordance with this bylaw;
    - (iii) shall be considered an "authorized person" pursuant to section 624 of the Act.
  - (e) The development officer is responsible for:
    - (i) processing and referring all development permit applications in accordance with this bylaw;
    - (ii) maintaining a register and recording therein all applications made for development permits and the decisions made with respect to them;
    - (iii) requesting written comments from building inspectors, other municipal staff and other agencies, as appropriate, prior to issuing a development permit or referring an application to the Municipal Planning Commission; and
    - (iv) carrying out such other duties and responsibilities as may be assigned by the municipality.

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\* **Note:** The Municipal Planning Commission is empowered to act as a designated officer and may assume any authority or make any decisions delegated to the designated officer under this bylaw.

**3. MUNICIPAL PLANNING COMMISSION**

The Municipal Planning Commission may perform only such powers and duties as are specified:

- (a) in the municipality's Subdivision and Development Authority Bylaw;
- (b) in this bylaw,
- (c) in the Act, or
- (d) by resolution of council.

**4. LAND USE DISTRICTS**

- (a) The municipality is divided into those districts specified in Schedule 1 and shown on the land use district map.
- (b) The one or more uses of land or buildings that are:
  - (i) permitted uses in each district, with or without conditions; or
  - (ii) discretionary uses in each district, with or without conditions;are described in Schedule 2.
- (c) A land use that is not listed as permitted or discretionary in a district, is prohibited.

**5. DEVELOPMENT PERMIT APPLICATIONS**

- (a) Except as provided in Schedule 3, no person shall commence a development unless he has been issued a development permit in respect of the development.
- (b) An application for a development permit must be made to the development officer or the Municipal Planning Commission by submitting to him or them a completed application on a development application form or Form A of Schedule 11, any prescribed fee and such other information as may be required by the development officer or the Municipal Planning Commission.
- (c) An application for a development permit must be made by *either* the owner of the land on which the development is proposed or, with the consent of the owner, by any other person.

**6. PERMITTED USE APPLICATIONS**

- (a) Upon receipt of a completed application for a development permit for a permitted use, the development officer shall, if the application otherwise conforms with this bylaw, issue a development permit with or without conditions.
- (b) As a condition of approval, the Municipal Planning Commission may require that a development agreement be completed with the municipality.
- (c) The development officer may refer any application for a permitted use to the Municipal Planning Commission for a decision.
- (d) At the discretion of the Development Authority or the designated officer, a permitted use may be advertised, and/or notification given to any person who may be affected prior to a decision being rendered by the appropriate authority.

**7. DISCRETIONARY USE APPLICATIONS**

- (a) Upon receipt of a completed application for a development permit for a discretionary use, the development officer may initiate notification as detailed in section 7(b) hereof and shall submit the application to the Municipal Planning Commission.
- (b) Upon receipt of a completed application under section 7(a), the Municipal Planning Commission or the development officer:
  - (i) may notify, or cause to be notified, in accordance with section 8(c), those persons likely to be affected by the issue of a development permit; and
  - (ii) may also notify Cardston County if, in the opinion of the Municipal Planning Commission, the proposed development could have an impact on land uses in either or both of those municipalities.

**8. NOTIFICATION**

- (a) Upon receipt of a completed application for a development permit for a development that does not comply with this bylaw, but in respect of which the Municipal Planning Commission is requested by the applicant to exercise discretion under section 15, the development officer shall submit the application to the Municipal Planning Commission.
- (b) Upon receipt of an application under section 7(b), and if the Municipal Planning Commission is prepared to exercise its discretion under section 15, it may notify, or cause to be notified, in accordance with section 8(c), those persons likely to be affected by the issue of a development permit.
- (c) Whenever notification is required under section 7(a) or 7(b), the development officer shall, at least five days before the meeting of the Municipal Planning Commission:
  - (i) mail written notice of the application to any person who may be affected; or
  - (ii) cause a similar notice to be published in a newspaper circulating in the municipality where the application is located; or
  - (iii) cause a similar notice to be posted in a conspicuous place on the property; or
  - (iv) any combination of the above.
- (d) In all cases, notification shall:
  - (i) describe the nature and location of the use;
  - (ii) state the time and place where the Municipal Planning Commission will meet to consider the application as well as any oral or written submissions by either the applicant, other affected parties, or both.
- (e) After considering any response to the notification by those likely to be affected by the development, the Municipal Planning Commission may issue a development permit with or without conditions or may refuse to approve it.

**9. PROVISION OF SERVICES**

No development permit shall be issued unless the development officer has confirmed that construction of all public roadways and utilities to the satisfaction of the municipality has either been completed or dealt with in a completed development agreement.

**10. NOTIFICATION DEVELOPMENT PERMIT ISSUED**

Upon the issuing of a development permit, the development officer shall immediately notify the applicant by mail and shall also notify any other person likely to be affected by the development either:

- (a) by mail, or
- (b) by placing an advertisement in a local newspaper circulating in the municipality, or
- (c) by posting a notice in a conspicuous place on the property, or
- (d) any combination of the above.

**11. VALIDITY OF A DEVELOPMENT PERMIT**

- (a) Unless it is suspended or cancelled, a development permit remains in effect for 12 months from the date of issue.
- (b) The validity of a development permit may be extended by the Municipal Planning Commission for up to 18 months from the date of its issue.

**12. REAPPLICATION**

If an application for a development permit is refused by the development officer, the Municipal Planning Commission or, on appeal, by the Subdivision and Development Appeal Board, another application for development:

- (a) on the same lot, and
  - (b) for the same or a similar use,
- may not be accepted for at least 6 months after the date of refusal.

**13. COMMENCEMENT OF DEVELOPMENT**

Notwithstanding the decision of a development application, no development is authorized to commence:

- (a) until at least 14 days after the date of notification of the issuance of the development permit;
- (b) if an appeal is made, until the appeal is decided upon; and
- (c) upon the issuance of the development permit by the development officer.

**14. TRANSFER OF DEVELOPMENT PERMIT**

A valid development permit is transferable where the use remains unchanged and the development is affected only by a change in ownership or tenancy.

**15. WAIVERS OF BYLAW PROVISIONS**

At its discretion, the Municipal Planning Commission may approve a development that does not comply with one or more provisions of this bylaw if, in its opinion:

- (a) the proposed development would not:
  - (i) unduly interfere with the amenities of the neighbourhood; or

- (ii) materially interfere with or affect the use, enjoyment or value of neighbouring properties; AND
- (b) the proposed development conforms with a use that has been prescribed for that land or building under Schedule 2.

**16. DEEMED REFUSAL / FAILURE TO RENDER DECISION**

In accordance with section 684 of the Act, an application for a development permit shall, at the option of the applicant, be deemed to be refused when the decision of the development officer or the Municipal Planning Commission, as the case may be, is not made within 40 days of receipt of the completed application by the development officer, unless the applicant has entered into an agreement with the development officer to extend the 40-day period.

**17. ADDITIONAL DEVELOPMENT REFERRALS**

No application for a proposed development on a site overlying or in the vicinity of an abandoned underground coal mine or a sour gas pipeline corridor shall be accepted unless written comments from:

- (a) the Alberta Energy and Utilities Board in accordance with the Subdivision and Development Regulation; and
- (b) in the case of a sour gas pipeline, the utility owner or operator; assessing the potential risks accompany the application.

**18. ADDITIONAL CONDITIONS OF APPROVAL**

In addition to the conditions that the Municipal Planning Commission may impose on a development permit under one or more of the schedules to this bylaw, it may impose such additional conditions as it considers necessary to ensure that this bylaw and any statutory plan adopted by the Village of Hill Spring are complied with.

**19. NUMBER OF DWELLING UNITS ON A PARCEL**

No person shall construct or locate or cause to be constructed or located more than one dwelling unit on a parcel unless authorized by the Municipal Planning Commission through the issuance of a development permit.

**20. DEVELOPMENT AGREEMENTS**

The Municipal Planning Commission may require with respect to a development that as a condition of issuing a development permit, the applicant enter into an agreement to:

- (a) construct or pay for the construction of public roadways or parking areas;
- (b) install or pay for the installation of utilities, and/or any municipal service mutually agreed upon;
- (c) pay for an off-site levy or redevelopment levy imposed by bylaw.

**21. ADDITIONAL APPLICATION INFORMATION REQUIREMENTS**

The development officer may require proof of ownership or right to land in question and may require a surveyor's certificate as proof of location of development on said land. The provision of geotechnical information, percolation tests, soil stability analysis and/or the preparation of an area structure plan may be required from the applicant prior to a decision being rendered on a development application.

**22. DEVELOPMENT PERMIT SUSPENSION OR CANCELLATION**

If, after a development permit has been issued, the development officer or the Municipal Planning Commission becomes aware that:

- (a) the application for the permit contained a serious misrepresentation; or
- (b) facts concerning the application or development that were not disclosed, and which should have been disclosed at the time the application was considered, have subsequently become known; or
- (c) a development permit was issued in error;

the development officer or the Municipal Planning Commission may suspend or cancel the development permit, as appropriate, by notice in writing to the holder of it.

**23. STOP ORDERS**

The development officer or the Municipal Planning Commission are authorized to issue an order under section 645 of the Act whenever *either* considers it necessary to do so.

**24. APPEALS**

Any person applying for a development permit or anyone affected by any order, decision or development permit made or issued by the development officer or Municipal Planning Commission has the right to appeal to the Village of Hill Spring Subdivision and Development Appeal Board in accordance with the procedures detailed in the Act.

**25. NON-CONFORMING BUILDINGS AND USES**

A non-conforming building or use may only be continued in accordance with the conditions detailed in the Act.

**26. DEVELOPMENT IN MUNICIPALITY GENERALLY**

A person who develops land or a building in the municipality shall comply with the standards of development specified in one or more of the schedules of this bylaw, in addition to complying with the use or uses prescribed in the applicable land use district and any conditions attached to a development permit if one is required.

**27. PENALTIES**

Every person who contravenes any provision of this bylaw is guilty of an offence under section 566 of the Act and is liable to a fine of not more than \$10,000.00 or to imprisonment for not more than one year, or to both fine and imprisonment.

**28. SIMILAR USES**

Where a use is proposed which is not specifically shown in any land use district but is similar in character and purpose to other uses of land and buildings permitted by the bylaw in the land use district in which such use is proposed, the Municipal Planning Commission may:

- (a) rule that the proposed use is either permitted or discretionary development in the land use district in which it is proposed; and
- (b) direct that a development permit be issued in accordance with section 8(e) of this bylaw.

**29. LAND USE REDESIGNATIONS**

If an application for a land use redesignation is refused by the council, another application for a redesignation:

- (a) on the same lot, or
- (b) for the same or a similar use,

may not be accepted for at least six months after the date of refusal.

**30. SCHEDULES, MAPS AND APPENDICES**

Schedules 1 through 13, the Land Use District Map and Appendices 1 through 4 form part of this bylaw.

**31. NON-CONFORMING USE VARIANCES**

The Municipal Planning Commission is authorized to exercise minor variance powers with respect to non-conforming uses pursuant to section 643(5)(c) of the Act.

**32. AMENDMENT OR REPEAL OF BYLAW**

The procedure for amendment or repeal of this bylaw is prescribed under section 692 of the Act.



Schedule 1

**LAND USE DISTRICTS AND MAP**

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## LAND USE DISTRICTS

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1. The Village of Hill Spring is divided into those land use districts described in Schedule 2 and as drawn on the Land Use District Map.
  
2. Each land use district shall be known by the following identifying symbols:
  - RESIDENTIAL – R1
  - MANUFACTURED / MODULAR HOME RESIDENTIAL – R2
  - DOWNTOWN COMMERCIAL / RESIDENTIAL – C1
  - GENERAL COMMERCIAL – C2
  - PUBLIC AND INSTITUTIONAL – PI
  - RECREATION AND OPEN SPACE – RO
  - AGRICULTURAL – AG
  
3. Land Use District Map (following this page)



Schedule 2

**LAND USE DISTRICT REGULATIONS**

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**LAND USE DISTRICT REGULATIONS**

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**RESIDENTIAL – R1**

- The intent of this land use district is to encourage and ensure that residential and related development in the Village of Hill Spring occurs in an attractive, orderly, economic and efficient manner, through the regulation of the following permitted and discretionary uses.

**PERMITTED LAND USES\***

Attached garages and carports  
 Patios  
 Porches and decks  
 Single family dwellings  
 Modular housing

**DISCRETIONARY LAND USES**

Accessory buildings  
 Civic halls and clubs  
 Churches  
 Dwellings:  
     Boarding and rooming houses  
     Manufactured homes  
     Multi-family dwellings  
     Row housing  
     Senior citizen housing  
     Two family dwellings  
 Home occupations  
 Institutional  
 Intensive horticultural operations  
 Preschool/day care centres  
 Private recreation  
 Public parks, playgrounds and sportsfields  
 Recreational vehicle park  
 Schools  
 Signs  
 Utilities  
 Similar uses

**2. MINIMUM LOT SIZE**

Use	Width		Length		Area	
	ft.	m	ft.	m	sq. ft.	m <sup>2</sup>
Single family dwellings	125	38.1	120	36.6	15,000	1394.0
Double-wide mobile homes	125	38.1	120	36.6	15,000	1394.0
Two-family dwellings:						
– one storey (semi-detached)	125	38.1	120	36.6	15,000	1394.0
– two storey	125	38.1	120	36.6	15,000	1394.0

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\* See Schedule 3, Development Not Requiring a Permit.

Use	Width		Length		Area	
	ft.	m	ft.	m	sq. ft.	m <sup>2</sup>
Multi-family dwellings	125	38.1	120	36.6	15,000	1394.0
	(or greater as required by the designated officer or MPC)				(or greater as required by the designated officer or MPC)	
Rowhousing	125	38.1	120	36.6	15,000	1394.0
Other uses	As required by the designated officer or MPC					

### 3. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard		Side Yard		Rear Yard		
	ft.	m	ft.	m	ft.	m	
Single family dwellings and double-wide manufactured homes	25	7.6	<b>Corner lots:</b>			25	7.6
			- street side	12.5	3.8		
			<b>Interior lots:</b>				
			- both sides	12.5	3.8		
Two-family dwellings	25	7.6	<b>Corner lots:</b>			25	7.6
			- street side	12.5	3.8		
			- other side	12.5	3.8		
Semi-detached (1 storey, common wall)	25	7.6	<b>Interior lots:</b>			25	7.6
			- both sides	12.5	3.8		
Duplex (2 storeys)	25	7.6	<b>Interior lots:</b>			25	7.6
			- both sides	12.5	3.8		
Multi-family dwelling	25	7.6	<b>Corner lots:</b>			25	7.6
			- street side	12.5	3.8		
			- other side	12.5	3.8		
			<b>Interior lots:</b>				
			- both sides	12.5	3.8		
Row housing							
- interior units	25	7.6	Common wall			25	7.6
- end units	25	7.6	<b>Corner lots:</b>				
			- street side	12.5	3.8		
			- other side	12.5	3.8		
			<b>Interior block sites:</b>				
			- both end units	12.5	3.8		

### 4. MAXIMUM SITE COVERAGE

#### (a) Principal Building

The principal building shall not cover more than 33 percent of the surface area of the lot.

(b) **Accessory Building**

Accessory structures shall not cover more than 10 percent of the surface area of the lot or 900 sq. ft. (83.6 m<sup>2</sup>) whichever is the lesser.

**5. MINIMUM FLOOR AREA**

- One-family dwellings – 800 sq. ft. (74.3 m<sup>2</sup>)
- Double-wide manufactured homes – 800 sq. ft. (74.3 m<sup>2</sup>)
- Two-family dwellings – 1,400 sq. ft. (130.1 m<sup>2</sup>)
- Multi-family dwellings – 700 sq. ft. (65.1 m<sup>2</sup>) per unit
- Other uses – As required by the MPC or designated officer

**6. MAXIMUM HEIGHT OF PRINCIPAL AND ACCESSORY BUILDINGS**

No accessory buildings shall exceed 15 ft. (4.6 m) in height.

No principal buildings shall exceed 28 feet (8.5 m) in height.

**7. OFF-STREET PARKING REQUIREMENTS**

- Dwellings – Two spaces per dwelling unit
- Lodging or boarding houses – One space per three guest rooms
- All others – As required by the designated officer

**8. ACCESSORY BUILDINGS**

- (a) Accessory buildings shall be setback from a side lot line or rear lot line so that no portion of the building lies on the adjoining property, including eavestroughing. All roof drainage to be contained within the property that the said building is situated.
- (b) A carport is permitted in a side yard but shall be not less than 5 feet (1.5 m) from a side lot line.
- (c) Detached accessory buildings shall not be closer than 10 feet (3.0 m) to a principal building unless the side yard requirement for the principal structure can be met.
- (d) The side yard requirements for a principal building with an attached garage shall be the same as for a principal building. A detached garage may be less than 5 feet (1.5 m) from a side lot line.

**9. DESIGN APPROVAL**

Before approving any application for development in this land use district, due consideration shall be given to any design guidelines or policies that may have been adopted by Council.

**10. FENCES** – See Schedule 4.

**11. SERVICES, TRANSPORTATION AND UTILITIES FACILITIES** – See Schedule 4.

**12. SIGN REGULATIONS** – See Schedule 5.

**13. MANUFACTURED / MODULAR HOME DEVELOPMENT STANDARDS** – See Schedule 9.



**MANUFACTURED / MODULAR HOME RESIDENTIAL – R2**

- The intent of this land use district is to provide an opportunity for manufactured/modular home residential development in those areas of the Village of Hill Spring that are considered suitable for such development, through the regulation of the following permitted and discretionary uses:

**PERMITTED LAND USES\***

Attached garages and carports  
 Manufactured homes  
 Modular housing  
 Patios  
 Porches and decks

**DISCRETIONARY LAND USES**

Accessory buildings  
 Home occupations  
 Manufactured / Modular home additions  
 Public parks, playgrounds and sportsfields  
 Recreational uses  
 Signs  
 Single family dwellings  
 Utilities  
 Similar uses

**2. MINIMUM LOT SIZE**

Use	Width		Length		Area	
	ft.	m	ft.	m	ft.	m <sup>2</sup>
Single-wide manufactured homes	125	38.1	120	36.6	15,000	1394.0
Double-wide manufactured homes	125	38.1	120	36.6	15,000	1394.0
Other uses	As required by the Municipal Planning Commission.					

**3. CORNER LOTS**

Corner lots shall be used for double-wide manufactured homes only.

**4. MINIMUM SETBACK REQUIREMENTS**

Use	Front Yard		Side Yard		Rear Yard		
	ft.	m	ft.	m	ft.	m	
All manufactured homes	25	7.6	<b>Main entrance:</b>		10	3.0	
			- side	12.5			3.8
			- other side	12.5			3.8
All other uses	As required by the Municipal Planning Commission.						

**5. SITE COVERAGE**

- Manufactured/modular homes inclusive of all additions shall not cover more than 33 percent of the surface area of the lot.
- Any accessory buildings shall not cover more than 10 percent of the surface area of the lot.

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\* See Schedule 3, Development Not Requiring a Permit.

(c) Any other development shall be at the discretion of the Municipal Planning Commission.

**6. MINIMUM FLOOR AREA**

Single-wide manufactured homes – 700 sq. ft. (65.1 m<sup>2</sup>)

Double-wide manufactured homes – 800 sq. ft. (74.3 m<sup>2</sup>)

Other uses – As required by the Municipal Planning Commission.

**7. ACCESSORY BUILDINGS**

(a) Accessory buildings shall be set back from a side lot line or rear lot line, so that no portion of the building (including eavestroughing) lies on or over the adjoining properties. All roof drainage is to be contained within the property that the said building is situated.

(b) A carport is permitted in a side yard but shall not be less than 5 feet (1.5 m) from a side lot line.

(c) The side yard requirements for a principal building with a garage shall be the same for a principal building itself, except on an irregular-shaped lot one corner of the garage may be less than 5 feet (1.5 m) from a side lot line, provided that the overhanging eave shall not be less than 1.6 feet (0.5 m) from the side lot line.

(d) No accessory building shall exceed 15 feet (4.6 m) in height.

**8. FENCES** – See Schedule 4.

**11. SERVICES, TRANSPORTATION AND UTILITIES FACILITIES** – See Schedule 4.

**9. SIGN REGULATIONS** – See Schedule 5.

**10. MANUFACTURED / MODULAR HOME DEVELOPMENT STANDARDS** – See Schedule 9.

## DOWNTOWN COMMERCIAL / RESIDENTIAL – C1

- The intent of this land use district is to encourage the development, redevelopment, conservation and rehabilitation of the central commercial area, through the regulation of the following permitted and discretionary uses:

**PERMITTED LAND USES\***

Medical clinics  
 Offices  
 Public use or assembly  
 Personal services  
 Retail outlets  
 Single family dwellings

**DISCRETIONARY LAND USES**

Accessory buildings and uses  
 Automotive sales and service  
 Hotels  
 Institutional  
 Light industry  
 Motels  
 Multi-family dwellings  
 Residential accommodation in conjunction with an approved commercial use  
 Restaurants  
 Service stations  
 Signs  
 Theatres  
 Utilities  
 Similar uses

**2. MINIMUM LOT SIZE**

Use	Width		Length		Area	
	ft.	m	ft.	m	sq. ft.	m <sup>2</sup>
All uses	62.5	19.0	120	36.6	7,500	697.0

**3. MINIMUM SETBACK REQUIREMENTS**

Use	Front Yard		Side Yard		Rear Yard	
	ft.	m	ft.	m	ft.	m
All uses	As required by the designated officer or the MPC					

**4. MAXIMUM SITE COVERAGE**

All buildings – 80 percent.

**5. HIGHWAY SETBACK REQUIREMENTS**

Notwithstanding other provisions contained within this bylaw, no permanent development shall be allowed within 15 feet (4.6 m) of a highway right-of-way, within this land use district.

**6. LANDSCAPING REQUIREMENTS – See Schedule 4.**

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\* See Schedule 3, Development Not Requiring a Permit.

7. **SERVICES, TRANSPORTATION AND UTILITIES FACILITIES** – See Schedule 4.
8. **SIGN REGULATIONS** – See Schedule 5.
9. **OFF-STREET PARKING AND LOADING AREA REQUIREMENTS** – See Schedule 6.

## GENERAL COMMERCIAL – C2

1. The intent of this land use district is to encourage the development, redevelopment, conservation and rehabilitation of the remainder of the commercial area, through the regulation of the following permitted and discretionary uses:

**PERMITTED LAND USES\***

Medical clinics  
 Offices  
 Public use or assembly  
 Personal services  
 Retail outlets  
 Single family dwellings

**DISCRETIONARY LAND USES**

Accessory buildings and uses  
 Automotive sales and service  
 Commercial recreation  
 Hotels  
 Institutional  
 Light industry  
 Motels  
 Multi-family dwellings  
 Residential accommodation in conjunction with an approved commercial use  
 Restaurants  
 Service stations  
 Signs  
 Theatres  
 Utilities  
 Similar uses

**2. MINIMUM LOT SIZE**

Use	Width		Length		Area	
	ft.	m	ft.	m	sq. ft.	m <sup>2</sup>
All uses	125	38.1	120	36.6	15,000	1394.0

**3. MINIMUM SETBACK REQUIREMENTS**

Use	Front Yard		Side Yard		Rear Yard	
	ft.	m	ft.	m	ft.	m
All uses	As required by the designated officer or the MPC					

**4. MAXIMUM SITE COVERAGE**

All buildings – 80 percent.

**5. HIGHWAY SETBACK REQUIREMENTS**

Notwithstanding other provisions contained within this bylaw, no permanent development shall be allowed within 15 feet (4.6 m) of a highway right-of-way, within this land use district.

**6. LANDSCAPING REQUIREMENTS – See Schedule 4.**

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\* See Schedule 3, Development Not Requiring a Permit.

7. **SERVICES, TRANSPORTATION AND UTILITIES FACILITIES** – See Schedule 4.
8. **SIGN REGULATIONS** – See Schedule 5.
9. **OFF-STREET PARKING AND LOADING AREA REQUIREMENTS** – See Schedule 6.

**PUBLIC AND INSTITUTIONAL – PI**

1. The intent of this land use district is to ensure that the development of institutional uses and facilities within the Village of Hill Spring is compatible with other land uses, through the regulation of the following permitted and discretionary uses:

**PERMITTED LAND USES\***

Churches  
 Government offices  
 Hospitals  
 Public recreation  
 Schools

**DISCRETIONARY LAND USES**

Civic halls and clubs  
 Medical clinics  
 Preschool, day care or educational centres  
 Private recreation  
 Public services  
 Public utilities  
 Senior citizen housing  
 Signs  
 Similar uses

2. **MINIMUM LOT SIZE**

All uses – As required by the designated officer or the Municipal Planning Commission.

3. **MINIMUM SETBACK REQUIREMENTS**

Use	Front Yard		Side Yard		Rear Yard	
	ft.	m	ft.	m	ft.	m
All uses	25	7.6	10	3.0	25	7.6
	Or as required by the designated officer or MPC					

4. **MAXIMUM SITE COVERAGE**

All buildings – 50 percent.

5. **LANDSCAPING REQUIREMENTS** – See Schedule 4.

6. **SERVICES, TRANSPORTATION AND UTILITIES FACILITIES** – See Schedule 4.

7. **SIGN REGULATIONS** – See Schedule 5.

8. **OFF-STREET PARKING REQUIREMENTS** – See Schedule 6.

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\* See Schedule 3, Development Not Requiring a Permit.



## RECREATION AND OPEN SPACE – RO

1. The intent of this land use district is to ensure the protection of public parks and open space in the Village of Hill Spring, through the regulation of the following permitted and discretionary land uses:

**PERMITTED LAND USES\***

Public parks, playgrounds and sportsfields

**DISCRETIONARY LAND USES**

Accessory buildings and uses  
Civic halls and clubs  
Private recreation  
Signs  
Utilities  
Similar uses

2. **MINIMUM LOT SIZE**

All uses – 0.2 hectare (0.5 acre).

3. **MINIMUM SETBACK REQUIREMENTS**

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All uses	At the discretion of the designated officer or MPC					

4. **SERVICES, TRANSPORTATION AND UTILITIES FACILITIES** – See Schedule 4.

5. **SIGN REGULATIONS** – See Schedule 5.

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\* See Schedule 3, Development Not Requiring a Permit.



## AGRICULTURAL – AG

1. The intent of this land use district is to ensure the planned and orderly development of the fringe area of the Village of Hill Spring in order that this area may be suitable for more intensive future development through the regulation of the following permitted and discretionary uses:

**PERMITTED LAND USES\***

Cultivation of land  
 Pasture  
 Single family dwellings

**DISCRETIONARY LAND USES**

Accessory buildings and uses  
 Commercial recreation  
 Home occupations  
 Public parks, playgrounds and sportsfields  
 Signs  
 Similar uses

2. **MINIMUM LOT SIZE**

All uses – 5 acres (2.0 hectares) or existing parcels.

3. **MINIMUM SETBACK REQUIREMENTS**

Use	Front Yard		Side Yard		Rear Yard	
	ft.	m.	ft.	m	m	ft.
All uses	35	10.7	80	24.4	As required by the designated officer or the MPC	

4. **SERVICES, TRANSPORTATION AND UTILITIES FACILITIES** – See Schedule 4.

5. **SIGN REGULATIONS** – See Schedule 5.

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\* See Schedule 3, Development Not Requiring a Permit.



Schedule 3

**DEVELOPMENT NOT REQUIRING  
A DEVELOPMENT PERMIT**

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## DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

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1. No development permit is required for any development that is specifically exempt by the Lieutenant Governor in Council pursuant to section 618(4) of the Act.
  
2. No development permit is required for development of the following kind:
  - (a) the completion of a building which was lawfully under construction at the date of the first publication of the public notice, required by the Act, stating Council's intent to pass this bylaw, provided that:
    - (i) the building is completed in accordance with the terms of any permit granted by the development officer or the Municipal Planning Commission in respect of it and subject to the conditions under which that permit was granted; and
    - (ii) the building, whether or not a permit was granted in respect of it, is completed within a period of 12 months from the date of the first publication of the public notice;
  - (b) the use of any building referred to in subsection (a) of this schedule for the purpose for which construction was commenced;
  - (c) the carrying out of works of maintenance or repair, if such works do not include structural alterations and interior building renovations that do not affect the existing use, appearance or exterior dimensions of a building;
  - (d) the erection or construction of buildings, works, plants or machinery needed in connection with operations for which a development permit has been issued for the period of those operations;
  - (e) the maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial, municipal or public authorities on land which is publicly owned or controlled;
  - (f) concrete or asphalt parking surfaces (excluding carports);
  - (g) patios and related accessories (excluding roofs);
  - (h) sidewalks or concrete surfaces;
  - (i) fences of 6 feet (1.8 m) or less in height in side or rear yards;
  - (j) utility and garden sheds or greenhouses that are not on a permanent foundation and do not exceed 100 sq. ft. (9.2 m<sup>2</sup>);
  - (k) any landscaping or other outdoor improvements including driveways, patios, sidewalks, retaining walls under 2 ft. (0.6 m) in height and enclosures which do not involve a roof, providing the improvements comply with all other provisions of this bylaw;
  - (l) interior building renovations that do not affect the existing use, structural integrity, appearance or exterior dimensions of the dwelling;

- (m) the construction or maintenance of gates, fences, walls, or other means of enclosure, subject to any limitations in height or other features detailed in Schedule 4 hereof;
  - (n) a temporary sign or notice not exceeding 4 sq. ft. (0.4 m<sup>2</sup>) in area and relating to:
    - (i) the sale or lease of land or building; or
    - (ii) the carrying out of any construction; or
    - (iii) the announcement of any local event of a religious, educational, cultural, political or governmental nature;limited in display to period of completion of the sale, lease, construction or event or to a maximum of 90 days, whichever is less;
  - (o) a satellite dish which will not:
    - (i) be installed on a roof, in a front yard, or part of a corner lot sideyard adjoining a street; or
    - (ii) will not exceed the height of the principal building on the site.
  - (p) moved-in buildings of less than 100 sq. feet (9.3 m<sup>2</sup>);
  - (q) any use which requires approval at either a provincial or federal level, including but not limited to commercial wind turbines, sour gas facilities, telecommunications towers, heliports and airports.
3. 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.

Schedule 4

**STANDARDS OF DEVELOPMENT**

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## STANDARDS OF DEVELOPMENT

### 1. QUALITY OF DEVELOPMENT

The development officer or the Municipal Planning Commission may require additional standards as a condition of a development permit, in order to improve the quality of any proposed development such as, but not limited to, paved parking areas, exterior finishes to buildings and additional street setbacks.

### 2. REDUCED LOT AREA AND DIMENSION

The Municipal Planning Commission may approve a development on a lot which does not conform to the minimum requirements for length, width or area specified in a land use district.

### 3. STREET CORNER VISIBILITY

- (a) On a corner lot nothing shall be erected, placed, planted or allowed to grow in a manner which materially impedes vision between a height of 3 feet (0.9 m) and 10 feet (3.0 m) above the centre line grades of two intersecting streets within the triangular area shown on Diagrams 1 and 2.

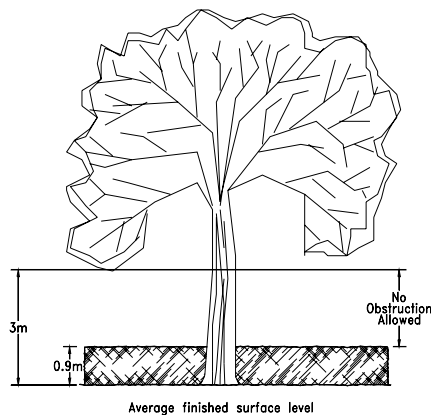


DIAGRAM 1

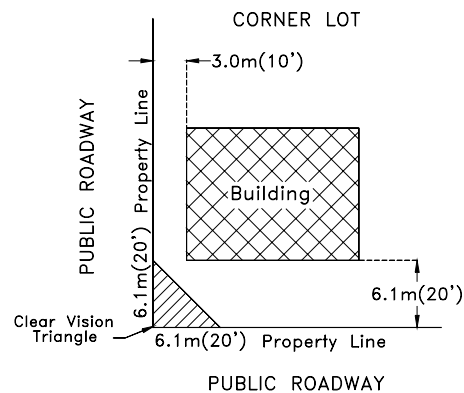


DIAGRAM 2

### 4. MULTIPLE FRONT YARD PROVISION

On a corner lot the required building setback for the front yard shall apply to only one of the yards adjoining a street; a minimum setback of one-half the required front yard setback shall apply to the second yard adjoining a street (see Diagram 2).

**5. RETAINING WALLS AND GRADING**

As a condition of approval the Municipal Planning Commission may require:

- (a) the construction of a retaining wall wherever, in its opinion, significant differences in grade exist or may be created between the parcel being developed and an adjacent parcel including a road; and/or
- (b) that a retaining wall be designed by a professional engineer; and/or
- (c) that grading or other provisions for control of surface drainage, including the prevention of drainage onto adjacent parcels, be completed to the satisfaction of the development officer.

**6. STORAGE OF REFUSE AND GARBAGE**

The Municipal Planning Commission may require the provision of a suitably-sized enclosure or appropriate screening for the temporary storage of refuse and garbage pending collection or removal.

**7. DRIVEWAYS AND STREET ACCESS**

- (a) No driveways or other vehicular access shall be located less than:
  - (i) 20 feet (6.1 m) from the intersection of any two streets,
  - (ii) 10 feet (3.0 m) from the entrance to a lane,or such greater distance as may be required by the Municipal Planning Commission.
- (b) the Municipal Planning Commission may require a minimum separation distance between vehicular access points in a non-residential land use district.
- (c) Vehicular access to corner lots shall be limited to the minor street wherever practical.

**8. FENCES**

- (a) **Fences, residential:** in any residential land use district no fence, wall or other enclosure shall extend more than 3 feet, 3 inches (1.0 m) above grade in any front yard and no more than 6 feet (1.8 m) above grade in any rear or side yard.
- (b) **Fences, commercial:** in any commercial land use district no fence, wall or other enclosure shall extend 6 feet (1.8 m) above grade in any side or rear yard unless a development permit has been approved by the Municipal Planning Commission.
- (c) **Fences, industrial:** in any industrial land use district no fence, wall or other enclosure shall extend 6 feet (1.8 m) above grade in any side, rear or front yard unless a development permit has been approved by the Municipal Planning Commission.
- (d) **Fences, general:** no fence shall be constructed using barbed wire or wood slabs.
- (e) All fences shall be constructed of materials and colors that are conducive to the principal residence and/or the surrounding neighbourhood.

**9. LANDSCAPING**

- (a) The quality of landscaping shall be suited to the land use district involved and be compatible with the landscaping of surrounding properties.
- (b) The front yard of any residential, public or private institutional use shall be landscaped and, in the case of a corner lot, this shall also include the minor street frontage.

**10. OUTDOOR STORAGE AND SCREENING**

- (a) In a residential land use district, no outdoor storage, other than garbage enclosures as described in section 6 above, shall be permitted in any front yard, including any unscreened portion of a corner lot side yard adjacent to a street.
- (b) The Municipal Planning Commission may require that any yard area utilized for storage that adjoins one or more lots in a non-industrial land use district shall be effectively screened by a solid fence, vegetation, earth berm or other device to the satisfaction of the development officer. This shall apply whether or not there is an intervening public roadway.

**11. BUILDING SETBACKS**

The Municipal Planning Commission may waive, vary or increase any building setback requirement wherever doing so would:

- (a) either enhance, or avoid conflict with, the appearance of adjacent areas;
- (b) facilitate a potential or proposed boundary adjustment scheme.

**12. EXTERIOR BUILDING FINISHES**

In order to ensure that:

- (a) a proposed development is compatible with surrounding or adjacent developments, and
- (b) any accessory building or addition to an existing building is compatible with existing structures on the same lot,
- (c) roofing materials shall be a minimum Class C ULC rating,

the Municipal Planning Commission may require the use of specific finishing materials and/or colours as a condition of an approval or institute architectural controls for a specific area in the municipality.

**13. ACCESSORY BUILDINGS**

- (a) A building or structure attached to a principal building by a roof or any other unattached, open or enclosed above-grade structure shall be considered an accessory building.
- (b) The height of an accessory building in a residential land use district shall:
  - (i) not exceed 15 feet (4.5 m) on lands of 0.5 acres (0.2 ha) or less in size,
  - (ii) not exceed 22 feet (6.7 m) on lands between 0.5 and 10 acres (0.2 and 4.0 ha),
  - (iii) be at the discretion of the Municipal Planning Commission on lands of 10 acres (4.0 ha) or greater in size.
- (c) The height of an accessory building in a non-residential land use district shall be at the discretion of the Municipal Planning Commission.
- (d) No accessory building shall:
  - (i) be located less than 3 feet (0.9 m) from a side lot line,
  - (ii) be located less than 4 feet (1.2 m), if unattached, from a residential dwelling,
  - (iii) be located less than 2 feet (0.6 m) from a rear property line,
  - (iv) cover more than 15 percent of the lot area in a residential land use district,

unless a waiver has been granted by the Municipal Planning Commission or the Subdivision and Development Appeal Board;

- (e) The Municipal Planning Commission may restrict the location of an accessory building wherever, because of its proposed location, it might cause snow drifting onto a public roadway.

**14. AREA STRUCTURE PLANS**

To help ensure orderly growth and development, the Municipal Planning Commission may require that an area structure plan be prepared prior to approval or as a condition of approval for a proposed development in any land use district in the municipality.

**15. INDUSTRIAL USE STANDARDS**

The Municipal Planning Commission may set conditions to improve the compatibility with nearby land uses of any industrial use or development including, but not limited to:

- (a) measures to control noise, smoke, dust, ash, smell, glare, heat and/or industrial waste;
- (b) design, exterior building finish, landscaping, siting, setbacks, paving of parking areas, and other details, as appropriate.

**16. EASEMENTS**

In no case shall a building be located closer than 10 feet (3.0 m) to a registered easement, or such distance as may be required by the Municipal Planning Commission.

**17. SERVICES, TRANSPORTATION AND UTILITIES**

No application to locate or expand a land use shall be approved unless, in the opinion of the Municipal Planning Commission, the proposed use will not have a detrimental effect on any:

- (a) transportation or communication system, including highways, railway or communication facility; or
- (b) regionally significant services or utilities facilities, including irrigation works, pipelines and power transmission lines.

**18. LOT SETBACK WAIVERS**

The development authority may waive the front or rear yard setback requirement of a specific land use district to accommodate manufactured or modular homes which, because of their size, may not meet the prescribed setbacks.

Schedule 5

**SIGN STANDARDS**

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## SIGN STANDARDS

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### DEFINITIONS

1. In addition to the definitions in Schedule 12 of this bylaw, the following definitions apply to this schedule:

**A-Board sign** means a self-supporting A-shaped sign or sandwich board which is set upon the ground and has no external supporting structure.

**A-Board off-premises directional sign** means a self-supporting A-shaped sign or sandwich board which is set upon the ground and has no external supporting structure at a location other than the premises on which the business is located.

**Abandoned sign** means a sign which no longer advertises or identifies an existing activity, business, owner, product, lessee or service, or a sign for which no legal owner can be found.

**Animated sign** means a sign which uses movement or change of lighting to depict action or to create a special effect or scene, but does not include a changeable copy sign.

**Awning** means an adjustable or temporary roof-like covering fitted over windows and doors and used for either shelter, advertising or decoration.

**Balloon sign** means any inflatable device, used or employed as a sign, that is anchored to the ground or to a building.

**Banner sign** means a sign made of fabric or other non-rigid material with no enclosing framework.

**Billboard** means a sign structure designed and intended to provide a leasable advertising copy area of not less than 91.5 sq. ft. (8.5 m<sup>2</sup>), usually where the copy can be periodically replaced and not necessarily related to an adjacent use.

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

**Canopy** means a permanent fixture fitted over windows and doors and used for either shelter advertising or decoration.

**Canopy sign** means a sign that is mounted, painted or otherwise attached to an awning, canopy or marquee.

**Changeable copy sign** means a sign on which the copy changes automatically through electronic or mechanical means.

**Construction sign** means a temporary sign erected on a site where construction is taking place to identify the construction project and those parties having a role or interest in the construction.

**Copy** means the message on a sign in either permanent or removable form.

**Copy area** means the entire area within a single straight line geometric figure or a combination of squares or rectangles that will enclose the extreme limits of the advertising message or announcement including decorations related to the specific nature of the advertising message or announcement.

**Community signs** means any sign advertising a local community organization.

**Council** means the council of the Village of Hill Spring.

**Development permit** means a document authorizing a development issued pursuant to the land use bylaw of the Village of Hill Spring.

**Directional off-premises sign** means any sign which advertises, directs or otherwise identifies a service, facility, product or activity to be found at a location other than the premises on which the sign is located.

**Facade** means the entire front of a building including the parapet.

**Fascia sign** means a sign attached across the face of a building, located approximately parallel thereto, in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign, which does not project more than 12 inches (0.3 m) from the building or structure supporting said sign.

**Free-standing sign** means any sign or display supported by a free-standing column or structure.

**Frontage** means the front lot line or that side of a lot abutting a public roadway, but does not include any side abutting a lane, unless said lane is the only means of physical access to a lot.

**Home occupation** means a home occupation as it is defined in the Village of Hill Spring Land Use Bylaw.

**Home occupation sign** means a sign advertising a home occupation approved under the provisions of the Village of Hill Spring Land Use Bylaw.

**Incidental sign** means a small sign, decal or emblem advertising goods, facilities, business hours or services available on the premises.

**Informational sign** means a sign the message of which is limited to providing directions and information necessary or convenient for persons coming onto the property, including signs marking entrances, exits, parking areas, circulation direction, rest rooms, and pick-up and delivery areas.

**Illuminated sign** means a sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed towards the sign.

**Land use bylaw** means the Village of Hill Spring Land Use Bylaw.

**Marquee** means a permanent structure that projects over a public place, usually an entrance, and is permanently attached to and supported by a building.

**May** means that an action is discretionary.

**Memorial sign** means a tablet or plaque memorializing a person, event, structure or site, provided said sign is not located in conjunction with any commercial or industrial use.

**Merchandising aid** means a device, such as statues, inflatables, and tethered balloons intended to call attention to a business and which may contain a name, logo, advertising message or announcement.

**Multiple listing or multi-tenant sign** means a sign that contains within one structural frame two or more smaller signs, each of which identifies or advertises a different business, organization or facility.

**Municipal Government Act** means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

**Municipal Planning Commission (MPC)** means the Village of Hill Spring Municipal Planning Commission as established by bylaw to act as the Development Authority.

**Mural** means a painting or other decorative work applied to and made integral with an exterior wall surface of a building.

**Parapet** means the extension of a false front wall above a roof line.

**Political poster** means a temporary sign announcing or supporting candidates or issues in any election or plebiscite.

**Portable sign** means a sign that is not permanently affixed to a building, structure or the ground and is supported on a structure allowing it to be readily moved from one location to another.

**Projecting sign** means a sign that is wholly or partly dependent upon a building for support and which projects more than 1 foot (0.3 m) from such building.

**Primary sign** means a sign advertising the primary use of the premises.

**Public place** means any location in the Village of Hill Spring that is for public use and includes streets, lanes, avenues, boulevards, sidewalks, parks, campgrounds, squares or rights-of-way and the space above the same.

**Real estate sign** means a sign pertaining to the sale or lease of the premises or a portion of the premises on which the sign is located.

**Resident identification sign** means a sign located on the premises, limited to providing the address and/or name of the owner or occupant of a building or premises.

**Roofline** means the top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys, or minor similar projections.

**Roof sign** means any sign which is entirely upon and above the roofline or parapet of a building.

**Secondary sign** means any sign advertising or otherwise related to an occupation or use that is not the primary use of the premises.

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

**Should** means that the action is recommended.

**Sign** means any development:

- (a) constructed and permanently affixed directly or indirectly to any building, structure, window or a parcel of land; and
- (b) which is used to advertise, identify or display a commercial or non-commercial activity, product, place, organization, institution, person, service, event or location, by any means, including words, letters, figures, design, symbols, fixtures, colours, illumination or projected images and in such a manner as to be visible from any public place, but does not include any real estate sign, window display, political poster, flags, graffiti, athletic scoreboards or any traffic or directional and informational sign erected by the Village of Hill Spring, the Alberta or federal governments and their agencies.

**Sign area** means the entire face of a sign including the advertising surface and any framing, trim or moulding, but not including the supporting structure, with the sign area of individual letter signs being the sum total of the area of the smallest straight line geometric figure that encloses the individual letters or figures of the sign.

**Sign band** means a prominent exterior display surface located horizontally between storefront windows and the cornice or roofline.

**Sign clutter area** means any area of the Village of Hill Spring that council has declared by resolution to appear cluttered by an excessive amount of signs, and therefore warranting special restrictions in order to limit the sign clutter.

**Temporary sign** means any sign permitted, designed or intended to be displayed for a short period of time.

**Theme sign** means any sign that is part of a series or group of signs incorporating a distinctive theme, design or logo.

**Third party sign** means any permanent off-premises sign advertising a commercial activity not located on the same lot or parcel of land as the sign.

**Waiver** means a whole or partial exemption from compliance with a particular standard or requirement of this bylaw which has been allowed by a municipal authority authorized to grant it pursuant to this bylaw.

**Wall sign** means a sign fastened to or painted on the wall of a building.

**Window sign** means a sign permanently applied directly to the inside surface of a window and intended to be viewed from the outside.

## **ADMINISTRATION**

2. Unless specifically exempted under Schedule 3 hereof, no one shall erect, place, alter or commence any sign without having first obtained a development permit.
3. In addition to information submitted with any development permit application, the development officer or the Municipal Planning Commission may require additional details including:
  - (a) the location of all existing and proposed signs on the lot or premises;
  - (b) all size, height, and other dimensions of the proposed signs and any supporting structures, including mounting details if it is proposed to mount the signs on a building;
  - (c) the finish proposed for the signs and the type of illumination or animation, if any;
  - (d) photos and/or drawings at a suitable scale.

## **GENERAL REGULATIONS**

4. With the exception of approved off-premises signs, the message on a sign shall relate to the use of the lot or building on which the sign is located (also see Portable Signs).
5. All signs shall:
  - (a) be maintained in a safe and tidy manner to the satisfaction of the development officer or the Municipal Planning Commission;
  - (b) be placed so as not to obstruct the vision of vehicular traffic or interfere with or cause confusion with any information sign, traffic, sign, signal light or other device;
  - (c) not be relocated or substantially repaired unless authorized by a development permit except for cleaning, repainting or other routine maintenance.
6. The source of lighting for any illuminated signs shall be fixed, non-flashing, non-revolving and shielded to the satisfaction of the development officer or the Municipal Planning Commission.
7. Unless otherwise specified, not more than three primary signs shall be permitted on a lot with a single frontage and not more than four signs on a lot with two or more frontages.
8. Unless otherwise specified, the maximum area of a primary sign located on a lot with a single frontage is 130 sq. ft. (12 m<sup>2</sup>).
9. As a condition of approval, the Municipal Planning Commission may require that a sign's design and/or the materials comprising it be of acceptable quality having regard to its size, purpose and location.

## **FREESTANDING SIGNS**

10. A freestanding sign shall:
  - (a) only be permitted on the site of a non-residential land use or an approved home occupation;
  - (b) be limited to one sign per frontage and a total of not more than two signs on a single lot or premises with more than one frontage;

- (c) be limited to 25 feet (7.6 m) in overall height, including any supporting structure;
- (d) be limited to 70 sq. ft. (6.5 m<sup>2</sup>) of sign area per sign face;
- (e) have no part of the sign area less than 9 feet (2.7 m) above grade if located within a required front yard setback;
- (f) be of a design and construction acceptable to the development officer or the Municipal Planning Commission.

**PROJECTING AND CANOPY SIGNS**

11. Every projecting or canopy sign shall:
- (a) be limited to one sign per individual lot or premises;
  - (b) be at least 9 feet (2.7 m) above grade if it projects over public property;
  - (c) not exceed 10 sq. ft. (0.9 m<sup>2</sup>) of copy area in the case of a projecting sign, or 100 sq. ft. (9.3 m<sup>2</sup>) in the case of a canopy sign;
  - (d) be securely fastened to the building to the satisfaction of the development officer or the Municipal Planning Commission;
  - (e) not project more than 5 feet (1.5 m) horizontally over any public place or within 5 feet (1.5 m) of a curb or developed street;
  - (f) not be mounted or extend within 1.6 feet (0.5 m) of a roofline or the top of a parapet;
  - (g) only be considered for approval if the owners of the premises upon which it is located provide, to the satisfaction of the municipality, a written waiver of liability or an indemnification agreement for any injury or damage resulting from the presence of the said sign.

**FASCIA SIGNS**

- 12. A fascia sign shall only be permitted either in a non-residential land use district or in conjunction with an approved home occupation.
- 13. In a residential land use district, fascia signs shall be limited to one per frontage or, where there are two or more frontages, a total of two such signs may be located on a single lot provided they are located on the same site as the use being advertised.
- 14. In a non-residential land use district, the total area of the one or more fascia signs on an exterior wall shall not exceed the lesser of 70 sq. ft. (6.5 m<sup>2</sup>) or 15 percent of the area of the exterior wall on which the sign or signs are located.
- 15. On a building which is divided into units, one or more of which have individual frontages, the area of the one or more fascia signs on an individual unit shall be limited to the equivalent of 15 percent of the area of the exterior frontage wall of the unit.
- 16. A fascia sign shall be located at or reasonably near the level of any other fascia or projecting signs on the same premises and/or adjacent buildings.
- 17. Wherever there is an identifiable sign band, a fascia sign shall be located within the sign band.

18. No fascia sign shall be located within 1.6 feet (0.5 m) of a roofline or the top of a parapet.

#### **ROOF SIGNS**

19. A roof sign:

- (a) shall be limited to one sign in conjunction with any one conforming non-residential development or use;
- (b) shall not exceed 90 sq. ft. (8.4 m<sup>2</sup>) of sign area;
- (c) shall not be placed on the sloped portion of a roof;
- (d) shall not project horizontally beyond an exterior wall, parapet or roofline;
- (e) shall extend no more than 15 feet (4.6 m) above the portion of the roof to which the sign is attached;
- (f) be securely fastened to the building to the satisfaction of the development officer or the Municipal Planning Commission.

20. At the discretion of the Municipal Planning Commission, a separation of up to 300 feet (91.4 m), measured horizontally, from any other roof sign may be made a condition of development approval for a roof sign.

#### **BALLOON SIGNS**

21. A balloon sign:

- (a) shall not be permitted in a residential land use district;
- (b) may be permitted in any other land use district at the discretion of the Municipal Planning Commission.

#### **PORTABLE OR SIDEWALK SIGNS**

22. A portable sign:

- (a) shall not be permitted in a residential land use district;
- (b) placed on private land shall not exceed 40 sq. ft. (3.7 m<sup>2</sup>) in sign area;
- (c) shall only be placed adjacent to or upon the parcel or premises to which it applies;
- (d) shall not remain on a particular site for more than a total of 120 days in any calendar year.

23. Not more than one portable sign on a lot with a single frontage or a total of two signs on a lot with two or more frontages shall be permitted.

24. At the discretion of the Municipal Planning Commission, a portable sign not exceeding 7.5 sq. ft. (0.7 m<sup>2</sup>) may be permitted on a public sidewalk or boulevard strip for a limited period of time.

25. No portable sign shall occupy more than 30 percent of the width of any public sidewalk.

26. Unless approved by the Municipal Planning Commission, no portable sign shall be placed on, or project into, any public place.

### **HOME OCCUPATION SIGNS**

27. A sign associated with a home occupation shall:
- (a) be limited to one fascia sign, wall sign or freestanding sign on the premises of an approved ancillary non-residential use;
  - (b) not extend more than 5 feet (1.5 m) above grade;
  - (c) not be greater than 4 sq. ft. (0.4 m<sup>2</sup>) in area.

### **THEME SIGNS**

28. At the discretion of the Municipal Planning Commission, a theme sign displaying a logo or design approved by council:
- (a) may be used for information or promotional purposes;
  - (b) may be used for commercial or other purposes only;
  - (c) may be exempted from any provisions of this schedule if it is to be used to promote a theme or attraction in the municipality;
  - (d) shall not be attached to any light standard, traffic control sign, signal, light or similar device;
  - (e) shall not be more than 4 sq. ft. (0.4 m<sup>2</sup>) in area.

### **TOURISM SIGN AREAS**

29. The following signs may be located in a tourism sign area designated as such by council:
- (a) specific attraction signs and theme signs, provided the theme, design, colour and type is consistent with sign advertising the same specific attraction;
  - (b) directional or informational signs required by Alberta Transportation or the municipality;
  - (c) special event signs approved by the development officer or the Municipal Planning Commission for no longer than a total accumulation of 30 days per calendar year;
  - (d) community signs, third party signs, off-premises signs or billboards approved by the development officer or the Municipal Planning Commission;
  - (e) portable and temporary signs approved as special event signs.

### **TEMPORARY SIGNS**

30. A single temporary sign may be permitted on a single lot or premises provided that:
- (a) it is to remain on the premises a total of no more than 60 days, cumulatively, in any one calendar year; and
  - (b) the development officer is satisfied that it will not create a traffic hazard or obstruct other signs.

### **THIRD PARTY AND OFF-PREMISES SIGNS**

31. The sign area of a third party or off-premises sign visible from a public roadway shall not exceed:
- (a) 25 sq. ft. (2.3 m<sup>2</sup>) where the speed limit is not over 50 km per hour; and
  - (b) 50 sq. ft. (4.6 m<sup>2</sup>) where the speed limit is over 50 km per hour but no more than 80 km per hour; and
  - (c) 70 sq. ft. (6.5 m<sup>2</sup>) where the speed limit is over 80 km per hour.

### **WINDOW SIGNS**

32. A window sign shall only be permitted in conjunction with a conforming non-residential use or an ancillary residential land use.
33. An illuminated window sign may be approved at the discretion of the Municipal Planning Commission.

### **SIGN CLUTTER**

34. The Municipal Planning Commission may recommend that council designate a building, a site or a specific area as a sign clutter area.
35. No new signs shall be permitted in a designated sign clutter area until the amount of existing signs has been reduced to the satisfaction of the Municipal Planning Commission.

### **RESIDENCE IDENTIFICATION SIGNS**

36. All residence identification signs should be:
- (a) visible from the main road,
  - (b) reflective in appearance and finish,
  - (c) made of non-combustible materials.



Schedule 6

**OFF-STREET PARKING AND  
LOADING AREA REQUIREMENTS**

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## OFF-STREET PARKING AND LOADING AREA REQUIREMENTS

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### PARKING AREA REQUIREMENTS

1. Minimum Parking Space Size: – 9 feet (2.7 m) wide  
– 20 feet (6.1 m) long
2. Minimum Loading Space Size: – 10 feet (3.0 m) wide  
– 30 feet (9.1 m) long  
– 300 sq. ft. (27.9 m<sup>2</sup>) area  
– 14 feet (4.3 m) overhead clearance
3. Off-street parking and loading facilities shall be accessible and shall be:
  - (a) constructed so as to facilitate drainage, snow removal and maintenance;
  - (b) provided with either gravelled or paved all-weather surfaces;
  - (c) designed so as to not interfere with either parking or traffic and pedestrian safety.
4. As a condition of development approval, the Municipal Planning Commission may require that:
  - (a) all or part of a specified parking area be paved;
  - (b) a certain number of parking spaces for the handicapped be provided;
  - (c) a proposed parking area with over four spaces be set back at least 8 feet (2.4 m) from a street, lane or property line adjacent to a residential land use district, and be screened appropriately;
  - (d) parking facilities for any use, other than a residential structure with four or fewer dwelling units, shall be laid out and clearly marked in a manner which provides for safe and orderly parking;
  - (e) the dimensions of parking spaces and access lanes shall be comparable to one of the alternatives shown on Diagram 3A or 3B in this schedule.
5. In the case of multiple uses on a site, parking spaces equivalent to the total of the spaces required for each individual use shall be provided.
6. Calculation of parking and loading space resulting in a fractional number shall be rounded to the next highest number.
7. A required parking or loading facility shall be located on the same lot as the development for which it is required unless, in the opinion of the Municipal Planning Commission, it is impractical to provide all of the required facilities on the same lot. In such a situation the Municipal Planning Commission may:

- (a) allow all or some of the required parking spaces on an alternate lot located within 164 feet (50 m) of the development, provided a restrictive covenant is registered against the alternate lot concerned; or
  - (b) allow limited sharing of parking spaces between two uses where the *normal* hours of operation will not conflict, e.g. a church and a commercial use;
  - (c) require the payment into a municipal "Off-Street Parking Fund" of money-in-lieu of all or some of the required spaces, based on the amount per space established at \$15.00 per square foot for each square foot of parking space not provided;
  - (d) the amounts to be paid into the municipality's "Off-Street Parking Fund" are based on the estimated costs involved to acquire land and develop parking stalls equivalent in number to those which would be required under Table 1 of this schedule;
  - (e) all funds paid into the municipality's "Off-Street Parking Fund" shall be used for the development of off-street parking facilities in the respective land use districts from which the funds were derived.
8. Unless otherwise specified, the minimum number of off-street spaces designated for specific uses in Table 1 shall be provided for these uses and be applicable in every land use district.

#### **LOADING AREA REQUIREMENTS**

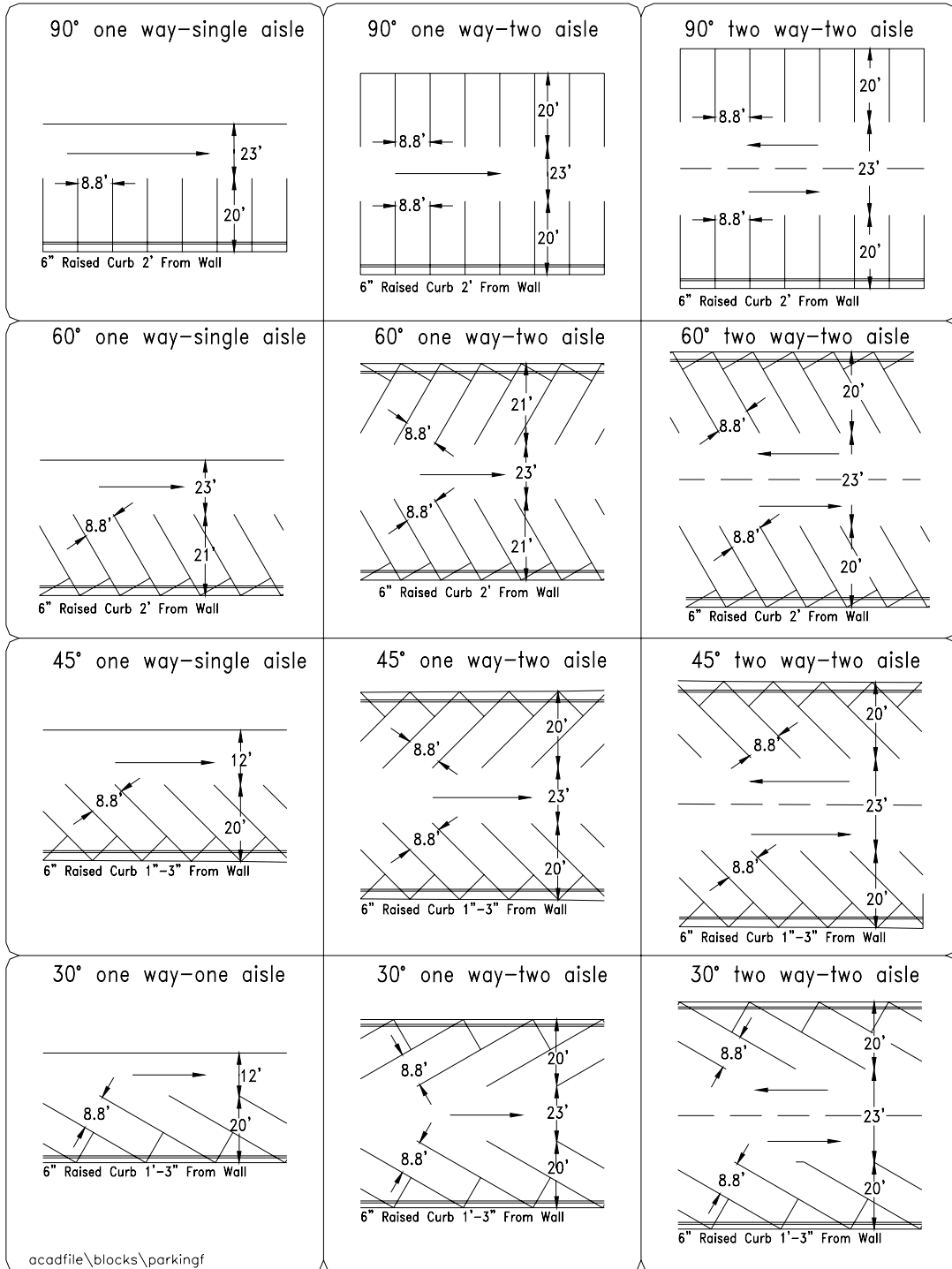
9. (a) A minimum of one off-street loading area per building shall be provided in the Commercial land use district.
- (b) A minimum of two off-street loading areas per building shall be provided in the Industrial land use district.
- (c) The Municipal Planning Commission may require the provision of off-street loading areas in other land use districts.
10. The Municipal Planning Commission may:
- (a) require additional loading areas or doors be provided for a specific development or for all developments in specific land use districts;
  - (b) allow a joint loading area for two adjacent developments where this would facilitate more orderly or economical development.
11. One loading area shall be provided for each loading door.
12. Each loading area shall be a minimum of 10 feet (3.0 m) in width and 30 feet (9.1 m) in length.
13. Each loading area shall provide a loading doorway of adequate size into the building.
14. Each loading area shall be designed so that vehicles using it will not interfere with safe and convenient pedestrian movement, traffic flow or parking.

**Table 1**  
**MINIMUM PARKING SPACES**

PROPOSED USE	PARKING SPACES REQUIRED
<b>Residential</b>	
Apartments .....	1.75 per dwelling unit
Senior citizens housing.....	0.5 per accommodation unit
All other.....	2 per dwelling unit
<b>Commercial</b>	
Retail sales .....	1 per 485 sq. ft. (45.1 m <sup>2</sup> ) gross floor area (GFA)
Service stations and automobile or equipment repair .....	1 per 485 sq. ft. (45.1 m <sup>2</sup> ) GFA; minimum 6 stalls per development
Offices, personal and professional services .....	1 per 645 sq. ft. (60 m <sup>2</sup> ) GFA
Shopping centres.....	As required by the MPC
Restaurants, lounges and taverns.....	1 per 5 seats or 1 per 130 sq. ft. (12 m <sup>2</sup> ) GFA, whichever is greater, plus 1 space per 2 employees
Food take-out service .....	10 spaces minimum; additional spaces as required by the MPC
Motels .....	1 per guest room
Hotels.....	1 per 3 guest rooms
Drive-in restaurants .....	As for restaurants, but with a minimum of 10 spaces per development
Auto dealers.....	1 per 535 sq. ft. (49.7 m <sup>2</sup> ) of site area
Other uses .....	As required by the MPC
<b>Industrial and Storage</b>	
Manufacturing or processing .....	1 per 700 sq. ft. (65 m <sup>2</sup> ) GFA; minimum of 5 spaces
Light industry, warehousing, storage buildings and yards .....	1 per 700 sq. ft. (65 m <sup>2</sup> ) GFA; minimum of 5 spaces
<b>Public Assembly</b>	
Churches .....	1 per 10 fixed seats
Community halls, lodges and other public assembly .....	1 per 6 fixed seats OR 1 per 54 sq. ft. (5 m <sup>2</sup> ) GFA, whichever is greater
Schools, elementary and junior .....	1.2 per classroom
Schools, high and colleges.....	4 per classroom, or as required by the MPC
<b>All other uses</b>	As required by the MPC

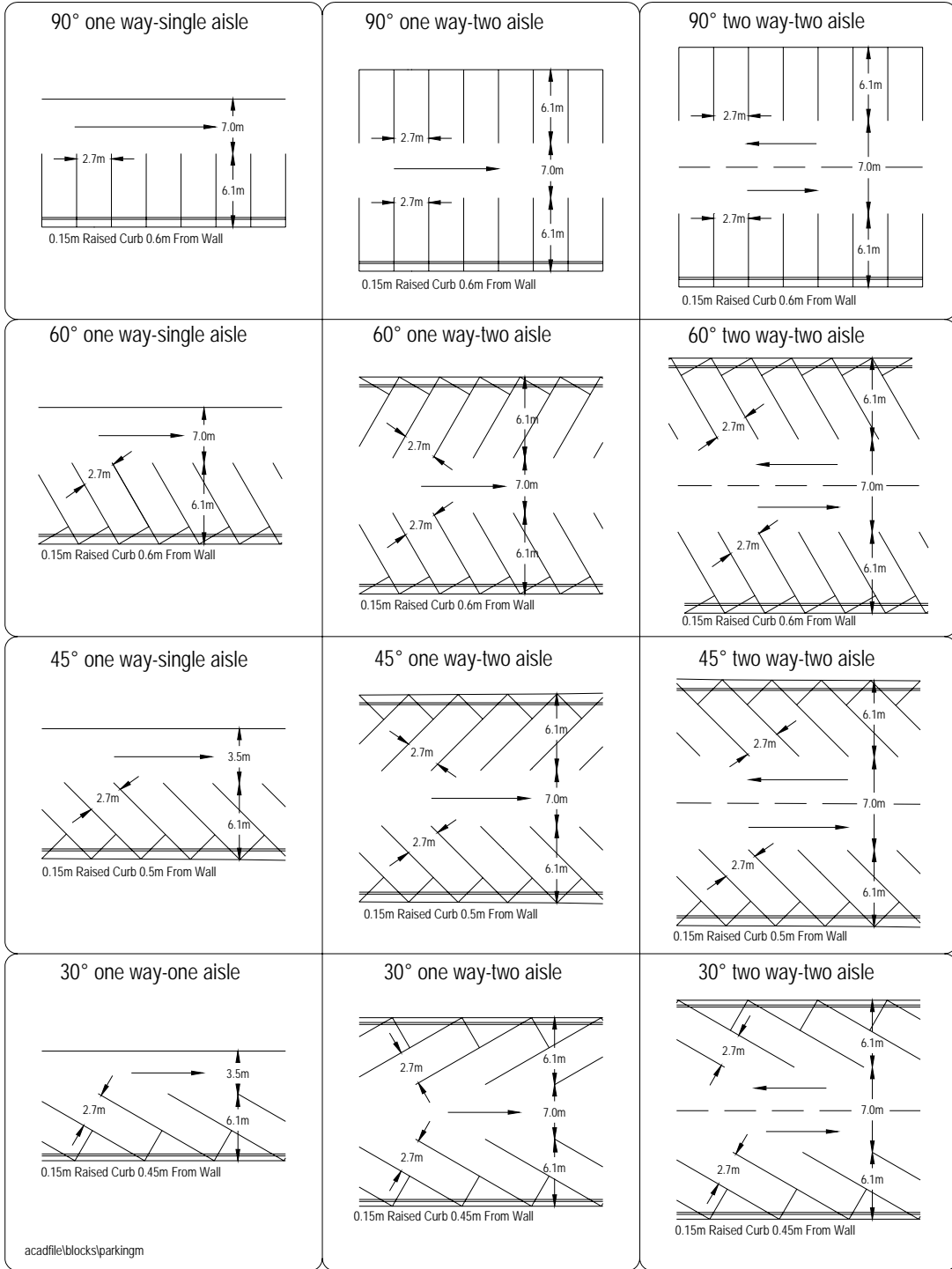
**NOTE:** GFA refer to gross floor area.

# PARKING LAYOUT ALTERNATIVES—FEET



acadfile\blocks\parkingf

## PARKING LAYOUT ALTERNATIVES-METRES





Schedule 7

**MOVED-IN BUILDINGS**

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## MOVED-IN BUILDINGS

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1. No building greater than 100 sq. ft. (9.3 m<sup>2</sup>) shall be relocated onto a different lot or parcel unless a development permit has been issued and any conditions of approval met.
2. The building and the land upon which it is to be located shall be subject to all conditions and standards specified for the particular land use district involved.
3. The development officer or the Municipal Planning Commission may require any or all of the following be provided before an application to relocate a building from one lot to another can be accepted as a completed application:
  - (a) details of the purpose for which the building is to be used;
  - (b) the name and consent of the registered owner of the site to which the building is to be moved;
  - (c) written confirmation from a certified building inspector, at the applicant's cost, that the building meets, or can be made to meet, the provincial building code;
  - (d) details of the building's size and structural condition;
  - (e) details of any proposed improvements, alterations or renovations;
  - (f) an accurate plot or site plan of the site to which the building is to be moved;
  - (g) one or more recent colour photographs depicting different sides of the building.
4. The Municipal Planning Commission may attach any or all of the following conditions to a development permit to relocate a building:
  - (a) improvements, alterations or renovations required to meet other provisions of this bylaw, or to make the building compatible with surrounding uses and developments;
  - (b) specified improvements or alterations to the building and/or its proposed site to be completed by a certain date.
5. No building shall be relocated until at least 14 days after the date of notification of the issuance of the development permit or, in the event of an appeal, until the appeal is decided.
6. All structural and exterior renovation to a moved-in building shall be completed within 12 months of the issuance of a development permit.
7. This schedule applies to both non-residential and residential structures with the exception of manufactured homes and new modular housing.
8. The Municipal Planning Commission may exempt a building that has been designated or otherwise recognized as a historical building from compliance with one or more of the conditions in this schedule.



Schedule 8

**CRITERIA FOR HOME OCCUPATIONS**

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## CRITERIA FOR HOME OCCUPATIONS

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For the purpose of this bylaw, the following classes shall be used to distinguish various home occupations:

- Class 1** – Home occupations which involve only the establishment of an in-home office, phone and no more than one commercial vehicle “A” as defined.
  
- Class 2** – Home occupations which may include one or more of the Class 1 criteria as well as one or more of the following:
  - (a) an exterior identification sign,
  - (b) an in-home retail sales area,
  - (c) one commercial vehicle “B” as defined,
  - (d) an in-home bed and breakfast establishment.
  
- Class 3** – Home occupations which may include one or more Class 1 or Class 2 criteria as well as any non-residential activities which originate from an attached or unattached accessory building which include the manufacturing, processing, assembly, packaging, storage, warehousing, shipping, wholesale distribution and/or retail sales of goods or services which provided from the residential property.

Where any doubt arises in determining the home occupation classification, the matter may be referred to the Municipal Planning Commission for clarification and whose decision shall prevail.

Home occupations, as defined, may be approved subject to the following conditions:

1. No person other than the occupant’s immediate family and one paid assistant (approved in principle by the Municipal Planning Commission) shall be engaged in such occupations on the premises.
2. The use shall not involve the display or storage of goods or equipment upon or inside the premises such that these items are exposed to public view from the exterior.
3. No variation in the residential character and appearance of the dwelling, ancillary residential building, or land shall be permitted.
4. A commercial vehicle “A”, as defined, associated with the approved use may be parked either on the premises or an adjoining street.
5. A commercial vehicle “B”, as defined, associated with an approved use may only be parked either on the premises or an adjoining street if it has been approved by the development officer or the Municipal Planning Commission.

6. One identification sign may be attached to the building but shall not exceed 4 sq. ft. (0.4 m<sup>2</sup>) in area unless authorized by the Municipal Planning Commission.
7. The use shall not generate more vehicular or pedestrian traffic and vehicular parking than normal within the district.
8. No offensive noise, vibration, electrical interference, smoke, dust, odours, heat or glare shall be produced by the use.
9. No use shall cause an increase in the demand placed on any one or more utilities (water, sewer, garbage, etc.) such that the combined total consumption for a dwelling and its home occupation exceeds the average for residences in the area.
10. No use requiring electrical or mechanical equipment shall cause a substantial fire rating change in the structure or the district in which the home occupation is located.
11. The approved use shall be valid only for the period of time the property is occupied by the applicant for such approved use.
12. Permits issued for home occupations may be subject to the conditions that the permit is renewed annually and may be revoked at any time if, in the opinion of the Municipal Planning Commission, the use is, or has become detrimental to the residential character and amenities of the neighbourhood.
13. Home occupations shall not include any use declared by resolution of council to be undesirable as a home occupation.
14. Only one license shall be issued per dwelling.
15. A new development application must be submitted for consideration by the Municipal Planning Commission in order to:
  - (a) reinstate a permit that has been revoked, or
  - (b) make any substantial changes or additions to an approved use.
16. An application for a home occupation which involves an office in the home and telephone only, may be approved by the development officer.

Schedule 9

**MANUFACTURED / MODULAR HOME  
DEVELOPMENT STANDARDS**

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## **MANUFACTURED / MODULAR HOME DEVELOPMENT STANDARDS**

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### **1. ELIGIBLE MANUFACTURED / MODULAR HOMES**

- (a) New manufactured/modular home units that have Canadian Standards Association (CSA) approval.
- (b) Used manufactured/modular home units are subject to Municipal Planning Commission approval and:
  - (i) must be manufactured units of 700 sq. ft. (65.1 m<sup>2</sup>) or more, constructed after 1992,
  - (ii) applicant may be required to provide CSA approval for year constructed,
  - (iii) must be in a good state of repair,
  - (iv) the development application must be accompanied by recent colour photographs of all elevations (i.e. front, side and rear views), including additions.

### **2. FOUNDATIONS, SKIRTING AND ANCHORING**

- (a) All manufactured/modular homes shall be placed on permanent concrete foundations consisting of:
  - (i) concrete piers set below frost level; or
  - (ii) a concrete slab at least 4 inches (10 cm) thick, set on at least 6 inches (15 cm) of crushed, compacted gravel.
- (b) A manufactured/modular home not bolted to a concrete foundation, shall be anchored to the ground by not less than 6 cables, including one cable at each corner of the unit. Each cable, its attachment and anchor, shall have a rated breaking strain of not less than 4000 lbs. (1,814 kg).
- (c) All manufactured/modular homes shall be skirted to the satisfaction of the Municipal Planning Commission, unless the underside of the unit is concealed by the foundation, and the skirting shall have a fire resistance at least equal to that of the unit's exterior cladding.
- (d) Where a basement is provided for a manufactured/modular home, access shall be housed within an enclosure of a design and finish which, in the opinion of the Municipal Planning Commission, complements the unit.
- (e) Manufactured/modular homes, with or without a basement, shall be not less than 1 foot (0.3 m) and not more than 3 feet (0.9 m) above the average grade of the surrounding ground.

### **3. ADDITIONS TO MANUFACTURED/MODULAR HOMES**

- (a) Any proposed addition to a manufactured/modular home will be considered part of the unit and shall require a development permit.

- (b) The colour and finish of any addition shall be of a quality, style and design which, in the opinion of the development officer, match or complement the unit. The materials used shall be limited to those normally used for the exteriors of residences. The use of non-combustible exterior materials for additions to manufactured/modular homes is required.

**4. UTILITIES**

- (a) Utility connections shall be installed by qualified tradesmen only, at the expense of the manufactured/modular home owner. Electrical and natural gas hook-ups must be done by licensed journeymen.
- (b) The Municipal Planning Commission may require that fencing, vegetation or other suitable screening be provided for fuel storage tanks wherever such an installation is highly visible from nearby properties.

Schedule 10  
**FEE SCHEDULE**

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**FEE SCHEDULE**

1. The following fees shall accompany all applications for developments made with respect to this land use bylaw:\*

(a) **Residential**

- single-family homes.....\$100.00
- garages.....\$50.00
- modular/manufactured homes .....\$100.00
- residential additions.....\$100.00
- home occupations .....\$100.00
- multi-family dwellings (per unit) .....\$100.00
- special residential uses including half-way houses, group homes  
day care, nursing homes, etc. ....\$200.00
- decks, carports, fences .....25.00

(b) **Commercial**, including government office buildings

- car lots, trailer sales, parking garages, etc.....\$200.00
- commercial buildings:
  - less than 5,000 sq. ft. (465 m<sup>2</sup>).....\$200.00
  - 5,000 - 20,000 sq. ft. (465 - 1,858 m<sup>2</sup>).....\$350.00
  - 20,001 - 50,000 sq. ft. (1,859 - 4,645 m<sup>2</sup>) .....\$600.00

(c) **Industrial**

- Industrial and warehouse buildings:
  - less than 5,000 sq. ft. (465 m<sup>2</sup>).....\$200.00
  - 5,000 - 20,000 sq. ft. (465 - 1,858 m<sup>2</sup>).....\$300.00
  - 20,001 - 50,000 sq. ft. (1,859 - 4,645 m<sup>2</sup>) .....\$400.00
- Multi-tenancy industrial buildings or complexes exceeding  
50,000 sq. ft. (4,645 m<sup>2</sup>).....\$600.00

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\* See Section 4 of this Schedule.

(d) **Miscellaneous**

- public service buildings such as churches, schools, auditoriums, fire halls, police stations, etc.:
  - under 10,000 sq. ft. (929 m<sup>2</sup>).....\$250.00
  - 10,000 sq. ft. (929 m<sup>2</sup>) and over.....\$400.00
- sign permits for freestanding structures .....\$100.00
- sign permits .....\$50.00
- sign for a home occupation .....\$50.00
- land use bylaw amendments (per title).....\$600.00
- request to convene a special meeting of the Subdivision and Development Appeal Board or the Municipal Planning Commission.....\$400.00
- appeal to the Subdivision and Development Appeal Board (of which \$200.00 will be refunded if appeal is successful) .....\$400.00

2. Where the permit fees are on a graduated scale, as shown above for residential, commercial, industrial and miscellaneous uses, the said fees shall be based exclusively on the category into which the proposed development falls.
3. Whenever an application is received for a development for a use not listed in this schedule, the amount of the fee shall be determined by the development officer or the Municipal Planning Commission and shall be consistent with those fees listed herein for similar developments.
4. Whenever, pursuant to the provisions of this bylaw, an application for a discretionary use will require notification of any persons who may be affected by the development, the applicant shall pay, in addition to any fee specified in this schedule, an additional fee of \$50.00 to cover costs of notification.
5. Whenever, in the opinion of the development officer, an application is substantially revised after it has been submitted, the applicant shall pay a supplementary fee equal to 50 percent of the initial application fee. Such a supplementary fee shall not be required if changes suggested by the development officer or the Municipal Planning Commission resulted in the revisions.
6. Where a development has been commenced prior to a development application being approved, or where a stop order has been issued pursuant to the land use bylaw, the fee for any subsequent application for that development shall be twice the amount specified in this schedule for that use.
7. The Municipal Planning Commission reserves the right to waive any of the above-noted fees given the circumstances associated with the development application.

Schedule 11

**FORMS AND APPLICATIONS**

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**VILLAGE OF HILL SPRING**  
**APPLICATION FOR A DEVELOPMENT PERMIT**

**SCHEDULE 11**

**Form A**

**APPLICATION NO.** \_\_\_\_\_

**APPLICANT:** \_\_\_\_\_

**REGISTERED OWNER:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

Legal Description:      Lot(s) \_\_\_\_\_      Block \_\_\_\_\_      Plan \_\_\_\_\_

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

Proposed Development:    Residential \_\_\_\_\_      Commercial \_\_\_\_\_      New \_\_\_\_\_

                                 Addition \_\_\_\_\_      Remodelling \_\_\_\_\_      Other \_\_\_\_\_

(Specify)

**PARTICULARS OF PROPOSED DEVELOPMENT**

Estimated Completion Date \_\_\_\_\_      Building Grades \_\_\_\_\_

Lot Dimensions:            Width \_\_\_\_\_      Length \_\_\_\_\_      Area \_\_\_\_\_

Building Dimensions:    Width \_\_\_\_\_      Length \_\_\_\_\_      Area \_\_\_\_\_

Setback:                    Front Yard \_\_\_\_\_      Side Yard \_\_\_\_\_      Rear Yard \_\_\_\_\_

**OTHER DETAILS: (use reverse if necessary)**

I have submitted particulars concerning the completion of the proposed development and agree to comply in all respects with any conditions that may be attached to any development permit that is issued and with any other bylaws that are applicable. I am aware that I may be required to pay for all local improvement costs, which include drainage, sidewalks, road base preparation, street lighting, water and sewer main extensions, utility connection fees and installation costs at the present established rate.

I have read and understand the terms noted on the reverse side of this form and hereby apply for permission to carry out the development described above and/or on the attached plans and specifications. I further certify that the owner of the land described above is aware of this application.

**DATE:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_

**Applicant**

**IMPORTANT: (see over)**

**IMPORTANT:**

1. Subject to the provisions of the Land Use Bylaw of the Village of Hill Spring, the term "Development" includes any change in the use of buildings or land.
2. Although the development officer is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as an official consent, and is without prejudice to the decision in connection with the formal application. It must be clearly understood that any development by the applicant within seventeen (17) days after receipt of a Development Permit, is at his own risk.
3. Plans and drawings in duplicate should be submitted with this application in sufficient detail to enable adequate consideration of the application together with a plan sufficient to identify the land. It is desirable that the plans and drawings should be on a scale appropriate to the development, that is:
  - Block plans or site plans – ratio of 1 to 1,000 or 1,500
  - Other drawings – ratio of 1 to 100 or 1 to 200or as required by the development officer.

However, unless otherwise stipulated, it is not necessary for plans and drawings to be professionally prepared.
4. If a decision is not made within forty (40) days from the date of the receipt of the application in its complete and final form, the applicant may exercise his right of appeal as though he had been mailed a refusal at the end of the forty (40) day period.

**VILLAGE OF HILL SPRING  
NOTICE OF SUBDIVISION AND DEVELOPMENT  
AUTHORITY MEETING**

**SCHEDULE 11**

**Form B**

**APPLICATION NO.** \_\_\_\_\_

Notice is hereby given that an application is being made for a development permit with regard to the following:

NAME OF APPLICANT:

TYPE OF DEVELOPMENT:

LEGAL DESCRIPTION OF SITE:

PLACE OF MEETING: \_\_\_\_\_

TYPE OF MEETING: \_\_\_\_\_

DATE OF MEETING: \_\_\_\_\_

Any person affected by the said proposal has the right to present a written brief prior to the hearing and/or to be present and be heard at the meeting.

Persons requesting to be heard at the meeting shall submit a written request to be heard to the Village of Hill Spring not later than:

\_\_\_\_\_

**DATE:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_

**Development Officer  
Village of Hill Spring**



**VILLAGE OF HILL SPRING**  
**NOTICE OF SUBDIVISION AND DEVELOPMENT APPEAL**  
**BOARD HEARING**

**SCHEDULE 11**

**Form C**

**APPLICATION NO.** \_\_\_\_\_

**NAME:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

A Public Hearing in the matter of the appeal of \_\_\_\_\_  
of \_\_\_\_\_ to the decision of the development officer / Subdivision  
and Development Authority on Development Application No. \_\_\_\_\_, being the application  
for a development permit for \_\_\_\_\_

\_\_\_\_\_

at \_\_\_\_\_ by \_\_\_\_\_

shall be heard on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_ o'clock (a.m./p.m.)

**The hearing will be held in the Village of Hill Spring Council Chambers.**

**DATE:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_

Secretary, Subdivision and Development Appeal Board  
Village of Hill Spring



**VILLAGE OF HILL SPRING  
NOTICE OF DECISION OF  
SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

**SCHEDULE 11**

**Form D**

**APPLICATION NO.** \_\_\_\_\_

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

In the matter of the appeal of \_\_\_\_\_  
of \_\_\_\_\_ to the decision of the development officer / Subdivision  
and Development Authority on Development Application No. \_\_\_\_\_, being the application  
for a development permit for \_\_\_\_\_

\_\_\_\_\_ at \_\_\_\_\_ by \_\_\_\_\_  
the Subdivision and Development Appeal Board, duly convened on the \_\_\_\_\_ day of  
\_\_\_\_\_, \_\_\_\_\_ decided to:

For the following reasons:

**DATE:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_

Secretary, Subdivision and Development Appeal Board  
Village of Hill Spring

**IMPORTANT:**

**This decision of the Subdivision and Development Appeal Board is final and binding on all parties and all persons, subject only to appeal pursuant to the provisions of the Municipal Government Act.**



**VILLAGE OF HILL SPRING  
AGREEMENT FOR TIME EXTENSION**

**SCHEDULE 11**

**Form E**

**APPLICATION NO.** \_\_\_\_\_

I/We \_\_\_\_\_ being the registered owner  
or person authorized to act on behalf of the registered owner with respect to:

Application No. \_\_\_\_\_

For: \_\_\_\_\_

Located on (legal description): \_\_\_\_\_

Do hereby agree to a time extension of: \_\_\_\_\_ days, until

On the understanding that if a decision has not been made by this time, I may deem the application refused and appeal to the Subdivision and Development Appeal Board in accordance with the provisions of the Municipal Government Act.

**DATE:** \_\_\_\_\_

\_\_\_\_\_  
**Signature of Registered Owner/Person Acting on behalf of:**

\_\_\_\_\_  
**Signature of Witness**

**DATE:** \_\_\_\_\_

\_\_\_\_\_  
**Signature of Development Officer - Village of Hill Spring**

\_\_\_\_\_  
**Signature of Witness**



**VILLAGE OF HILL SPRING  
STOP ORDER**

**SCHEDULE 11**

**Form F**

**APPLICATION NO.** \_\_\_\_\_

TO THE REGISTERED OWNER: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

LEGAL DESCRIPTION: Lot(s) \_\_\_\_\_ Block \_\_\_\_\_ Plan \_\_\_\_\_

Quarter \_\_\_\_\_ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

PLEASE TAKE NOTICE that in accordance with the Municipal Government Act, section 645, you are HEREBY ORDERED TO:

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

BE ADVISED that pursuant to sections 557 and 566 of the Municipal Government Act, a person who contravenes an order under section 645, is guilty of an offense and is liable to a fine of not more than \$10,000 or to imprisonment for not more than one year, or to both fine and imprisonment; and be FURTHER ADVISED that pursuant to section 685 of the Municipal Government Act, you may appeal this order by serving a written notice of the appeal on the Subdivision and Development Appeal Board within 14 days after receiving this order, in care of the secretary, Subdivision and Development Appeal Board, Village of Hill Spring, Box 171, Hill Spring, Alberta, T0K 1E0.

**DATE:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_

**Development Officer  
Village of Hill Spring**



**VILLAGE OF HILL SPRING**  
**APPLICATION FOR A LAND USE BYLAW AMENDMENT**

**SCHEDULE 11**

**Form G**

**APPLICATION NO.** \_\_\_\_\_

APPLICANT: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

REGISTERED OWNER: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

LEGAL DESCRIPTION: Lot(s) \_\_\_\_\_ Block \_\_\_\_\_ Plan \_\_\_\_\_

Quarter \_\_\_\_\_ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

**PROPOSED AMENDMENT:**

FROM: \_\_\_\_\_

\_\_\_\_\_

TO: \_\_\_\_\_

\_\_\_\_\_

**APPLICANT'S SUBMISSION:**

Please state your reasons for applying for this amendment. Attach a separate sheet if necessary.

\_\_\_\_\_

\_\_\_\_\_

**REGISTERED OWNER OR PERSON ACTING ON BEHALF OF:**

I certify that I am the registered owner or that the registered owner(s) of the land described above is aware of this application.

**Fees Submitted \$** \_\_\_\_\_

**Receipt No.** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_

Applicant



**VILLAGE OF HILL SPRING  
APPLICATION FOR A HOME OCCUPATION**

**SCHEDULE 11**

**Form H**

**APPLICATION NO.** \_\_\_\_\_

APPLICANT: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

REGISTERED OWNER: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

LEGAL DESCRIPTION: Lot(s) \_\_\_\_\_ Block \_\_\_\_\_ Plan \_\_\_\_\_

Quarter \_\_\_\_\_ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

EXISTING USE: \_\_\_\_\_

PROPOSED USE BEING APPLIED FOR: \_\_\_\_\_

HOURS OF OPERATION: \_\_\_\_\_ to \_\_\_\_\_

NOISE GENERATED:  Yes  No

OFF-STREET PARKING AVAILABLE:  Yes  No No. of Spaces \_\_\_\_\_

STORAGE OF GOODS ON PROPERTY:  Yes  No

ANTICIPATED INCREASE IN VEHICULAR TRAFFIC:  Yes  No

ODOURS OR NOXIOUS EFFLUENTS:  Yes  No

ADDITIONAL VEHICLES REQUIRED:  Yes  No

**APPLICANT'S SUBMISSION:** Please state your reasons for applying for this home occupation.  
(Attach a separate sheet if necessary.)

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

**REGISTERED OWNER OR PERSON ACTING ON BEHALF OF:**

I certify that I am the registered owner or that the registered owner(s) of the land described above is aware of this application.

**DATE:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_

**Applicant**



Schedule 12

**DEFINITIONS**

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## DEFINITIONS

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### A

**Abattoir** means premises where livestock is slaughtered and the meat is cut, cured, smoked, aged, wrapped or frozen for distribution.

**Accessory building** means any building which is attached or unattached to the principal building on the lot on which both are located and the use of which the designated officer decides is normally subordinate and incidental to that of the principal building.

**Accessory development** means a building or use which is subordinate, incidental and directly related to the principal use of the premises, building, or site and which does not substantially add to the patronage, volume of traffic, or intensity of the use of the premises, building or site. An accessory building or use must be located on the same site as the principal use and shall not precede the development of the principal building or use.

**Accessory structure** means a building or structure detached from a principal building, normally ancillary, incidental, subordinate to the principal building or use. Typical accessory structures include flagpoles, swimming pools, propane tanks, satellite dishes, garages, and garden sheds. When a building is attached to the principal building by a roof, a floor or foundation above or below grade, it is part of the principal building.

**Accessory use** means a use or development customarily incidental and subordinate to the principal use or building and is located on the same parcel as such principal use or building.

**Act** means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

**Addition** means adding onto an existing building, provided that there are no structural changes to the existing building, no removal of the roof structure, and no removal of the exterior walls, other than that required to provide an opening for access from, and integration of, the existing building to the portion added thereto and there is a common structural connection from the existing building to the addition that includes a foundation, constructed to the minimum standards outlined in the Alberta Building Code, and a roof.

**Adjacent** means land that abuts a site and land that would abut if not for a road, lane, walkway, watercourse, utility lot, pipeline right-of-way, power line, railway, or similar feature.

**Agriculture, extensive** means the production of crops and/or livestock by the expansive cultivation or open grazing of existing titles or proposed parcels usually greater than 160 acres on dryland or 80 acres on irrigated land.

**Agriculture, intensive** means the concentrated cultivation, operation of cultivation facilities or operation of confinement structures on a parcel of land usually less than 80 acres, for the commercial production of specialty crops, produce and/or livestock via special agricultural practices.

**Alter** or **Alteration** means any structural change to a building that results in an increase or decrease in the area or the volume of the building; any change in the area frontage, depth, or width of a lot that affects the required yard, landscaped open space, or parking requirements of this bylaw; structural change to a sign; and to discontinue or change the principal use of the site or building with a use defined as being distinct from the discontinued use.

**Amenity area** means an area or areas within the boundaries of a project intended for recreational purposes. These may include landscaped areas, patios, balconies, swimming pools and similar uses.

**Amusement arcade** means a facility where four or more mechanical or electronic games are kept for the purpose of furnishing entertainment or amusement to the public for a fee.

**Ancillary building** means a building which is separate from the main building on the parcel of land where both are located, and which is normally subordinate to, and the use of which is incidental to that of, the main building.

**Ancillary use** means a use of a building or land which is normally incidental to and subordinate to the principal use of the site on which it is located.

**Animal care service, large** means development used for the care, treatment, boarding, breeding or training of animals and livestock within or outside buildings and includes the supplementary sale of associated products. This use includes veterinary offices or hospitals, animal shelters, boarding and breeding kennels, facilities for impounding and quarantining animals and related research facilities.

**Animal care service, small** means development for the on-site treatment or grooming of small animals such as household pets, where on-site accommodation is not normally provided and where all care and confinement facilities are enclosed within a building. This use includes off-site treatment of animals or livestock of any size and the supplementary sale of associated products. Examples include pet grooming salons, pet clinics and veterinary offices.

**Apartment dwelling** means a building or a portion of a building which contains three or more dwelling units and where the primary access to each unit is provided through a common or shared entryway. This use also includes eightplexes or any building containing more than six dwelling units, where each unit is provided with its own primary access to the outside.

**Applicant** means the registered owner of the land or his or her representative or agent certified as such.

**Approved use** means a use of land and/or building for which a development permit has been issued by the designated officer or the Municipal Planning Commission.

**Apron** means a flat-surfaced area that surrounds and lies adjacent to a manufactured/mobile home pad.

**Arcades** – see “Amusement arcades”.

**Area redevelopment plan** means a statutory plan in accordance with the Act and the municipal development plan for the purpose of all or any of the following:

- (a) preserving or improving land and buildings in the area;

- (b) rehabilitating buildings in the area;
- (c) removing buildings from the area;
- (d) constructing or replacing buildings in the area;
- (e) establishing, improving or relocating public roadways, public utilities or other services in the area;
- (f) any other development in the area.

**Area structure plan** means a statutory plan in accordance with the Act and the municipal development plan for the purpose of providing a framework for subsequent subdivision and development of an area of land in the municipality.

**Art and craft studio** means development used for the purpose of small scale, on-site production of goods by hand manufacturing primarily involving the use of hand tools. Typical uses include pottery, ceramic, jewelry, toy manufacturing, and sculpture and artist studios.

**As required by the Municipal Planning Commission** means that a standard or requirement of the land use bylaw may be varied but not completely waived.

**Athletic and recreational facilities** means a facility for the purpose of active recreation or athletic activities where patrons are predominantly participants and any spectators are incidental. This includes skating and hockey rinks, swimming pools, rifle, archery and pistol ranges, bowling alleys and racquet courts.

**Auction mart** means a use of land or buildings for the auctioning and related temporary storage of household effects, goods and equipment, except livestock.

**Auditorium** means a room, hall or entire building specially designed for stage and film presentations, concerts, recitals, lectures and audio-visual features and activities.

**Auto body and paint shop** means a premise where the bodies, but not other parts of motor vehicles, are repaired, and where motor vehicle bodies and other metal machines, components or articles may be painted.

**Auto sales and service** means an enclosed building within which motor vehicles and parts are displayed for sale, and may include a new or used automobile sales lot, and may also include auto repairs, except for body work and painting.

## B

**Bakery** means a facility where baked products (i.e. bread, buns, cookies, pastries) are prepared, sold and/or distributed.

**Bank** means a financial institution for the deposit, custody, loan, exchange or issuance of money.

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

**Batch plants** – see “Natural resource extractive uses”.

**Bed and breakfast** means a home occupation which provides short-term accommodation, generally not exceeding one week, to the travelling public, tourists or members of the general public.

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

**Boarding house** means a building (other than a hotel or motel) containing not more than 15 sleeping rooms where meals or lodging for five or more persons are provided for compensation pursuant to previous arrangements or agreements.

**Bowling alley** means an indoor facility to accommodate several games which balls are rolled down an alley toward a stationary group of objects (i.e. pins).

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

**Buildable area** means that portion of a lot or parcel which remains after all setbacks, minimum yard dimensions and separation distances have been deducted.

**Building** has the same meaning as it has in the Act.

**Building height** means the vertical distance between grade and the highest point of a building excluding an elevator housing, a roof stairway entrance, a ventilating fan, 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 permit** means a certificate or document issued by the Safety Codes Officer pursuant to provincial legislation authorizing commencement of construction.

**Building supply centre** means a commercial retail store where building materials, household accessories and other related goods are stored, offered, or kept for sale and may include outside storage.

**Bulk fuel station** means a facility for the purpose of storing fuel for distribution to customers and does not include a service station.

**Bus depot** means a building designed to accommodate the scheduled arrival and departure of bus passengers or cargo.

## C

**Campground, institutional** means a group camp having such joint use facilities such as dormitories and kitchens and operated by not-for-profit organizations.

**Campground, tourist** means development of land for the paid use of holiday trailers, motor homes, tents, campers, and similar vehicles, recreation, and is not normally used as year-round storage, or accommodation for residential uses.

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

**Carport** means a partially enclosed structure intended for the shelter of one or more motor vehicles.

**Cemetery** means a landscaped open space for the entombment of the deceased, and may include crematoria, cineraria, columbaria, and mausolea.

**Cenotaph** means a structure or monument erected at an area designed for public assembly and reflection to honour individuals who lost their lives in wartime periods and whose bodies are buried elsewhere.

**Certificate of Compliance** means a document signed by the Development Authority or development officer 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.

**Church** means a facility for the purpose of assembly and worship and may include as accessory uses social, recreational and community activities such as group meetings, cultural events, banquets, and child care services.

**Clear vision triangle** means a triangular area formed on the corner site by the two street property lines and a straight line, which intersects then 6.1 m (20 ft.) from the corner where the property lines meet.

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

**Coffee shop** means a small restaurant which is independent or attached to a hotel where light refreshments or regular meals are served.

**Commercial logging** means the removal of existing timber stands within the municipality whereby the logs are removed from the site to be processed at a different location into dimensional lumber or other wood by-products.

**Commercial recreation** means the use of land or buildings for the purpose of providing recreation opportunities to individuals or groups on a user-pay basis. Such uses include, but are not limited to: lodges, ski hills, resorts, golf courses, riding stables, guest ranches, campgrounds, golf and rifle ranges.

**Commercial vehicle "A"** means a vehicle not exceeding a rated load capacity of 907 kilograms (one ton), that is used for commercial or industrial purposes.

**Commercial vehicle "B"** means a vehicle exceeding a rated load capacity of 907 kilograms (one ton), that is used for commercial or industrial purposes.

**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 but jointly used by two parties, one or both of whom is entitled to such use by prior arrangement.

**Community facilities** means community halls, public libraries, parks, playgrounds, schools, hospitals, shopping, medical and dental clinics and other similar facilities.

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

**Condominium** means a building or structure where there exists a type of ownership of individual units, generally in a multi-unit development or project where the owner possesses an interest as a tenant in common with other owners.

**Construction trade shop** means a facility for the provision of electrical, plumbing, heating, painting and similar contractor services primarily to individual households and the accessory sale of goods normally associated with such contractor services where all materials are kept within an enclosed building, and where there are no associated manufacturing activities.

**Contractor** means an individual or company who contracts on predetermined terms to provide labour and materials and to be responsible for the performance of a construction job in accordance with established specifications or plans.

**Convenience store** means a retail outlet selling goods and foodstuffs to area residents on a day-to-day basis from business premises which do not exceed 200 m<sup>2</sup> (2,153 sq. ft.) in gross floor area.

**Convention facility** means a permanent facility for meetings, seminars and conventions. Eating establishments and drinking establishments may be incorporated into the facility as accessory uses.

**Copy area** means the entire area within a single square or rectangle or combination of squares or rectangles which encloses the limits of the advertising message or announcement, and which

- (a) shall include, but not be limited to, decorations related to the specific nature of the advertising message or announcement;
- (b) the area of individual figures or letters shall be calculated on the basis of the smallest squares or rectangles that will enclose the individual letters or figures; and
- (c) in the case of a double or multi-face sign, the average of the total area of all sign faces will be counted in copy area calculations.

**Council** means the Council of the Village of Hill Spring in the Province of Alberta.

**Country lodge** – see “Lodge”.

**Cultural establishment** means a development that is available to the public for the purpose of assembly, instruction, cultural or community activity and includes such uses as a church, a library, a museum and an art gallery.

## D

**Dairies** – see “Intensive agricultural pursuit”.

**Day care facility** means a facility for the provision of care, supervision or rehabilitation of children or adults for periods not exceeding 24 consecutive hours.

**Density** means the number of dwelling or accommodation units on a site expressed in units per acre or hectare, or alternatively as the site area required per dwelling unit.

**Designated officer** means a person authorized by council to act as a development authority pursuant to section 624(2) of the Municipal Government Act and in accordance with the municipality's development authority bylaw.

**Developer** means a person or an owner of land in accordance with the Statutes of the Province of Alberta who wishes to alter the title to the property and change the use of the property from its existing use.

**Development** has the same meaning as it has in the Act.

**Development area** means the area to be occupied by a building plus the reasonable area required for excavation and construction.

**Development agreement** means a contractual agreement completed between the municipality and an applicant for a development permit which specifies the public roadways, 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 sections 648, 650, 654 and 655 of the Act, as amended.

**Development Authority** means the Municipal Planning Commission, except in such instances whereby the designated officer may be the Development Authority, in accordance with this bylaw.

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

**Discretionary use** means the one or more uses of land or buildings that are described in Schedule 2 as discretionary uses.

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

**Dog kennel** – see "Kennel".

**Double-wide mobile home** means a mobile home (as defined) that is permanently fixed to two chassis, or is permanently fixed to one chassis and has a section which can be expanded or telescoped from the mobile home for additional floor area. Double-wide mobile homes are typically not less than 20 feet (6 m) in width.

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

**Drive-in food service** means a facility for eating and drinking which offers a limited menu produced in a manner that allows rapid customer service and includes one or more of the following features: car attendant services; drive-through food pickup services; or parking primarily intended for the on-site consumption of food within a motor vehicle.

**Drive-in restaurant** means a restaurant which offers car attendant service or drive-through pick-up service.

**Driving range** means a designated practice area designed for the purpose of hitting and/or putting golf balls.

**Dry cleaners** means an establishment which specializes in the cleansing of clothes or fabrics with substantially non-aqueous organic solvents to which special detergents or soaps are often added.

**Duplex** means a building containing two separate dwelling units connected by a common floor or ceiling.

**Dwelling unit** means a room or a suite of rooms operated as a residence for family, containing cooking, sleeping and sanitary facilities.

## E

**Eating establishment** means a facility where food is prepared and served on the premises for sale to the public and includes restaurants, delicatessens, and cafeterias but excludes drive-in food services.

**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.

**Employee housing** means one or more dwelling units used exclusively for the residence of employees and members of their family.

**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 cinema, but does not include a restaurant, gaming establishment or adult mini-theatre.

**Environmental education** means field trips related to publicly or privately sponsored educational and interpretive programs.

**Environmental reserve** means any parcel of land specified as environmental reserve by a subdivision approving authority pursuant to section 664 of the Act, as amended.

**Equipment sales, rental and service** means the use of land or buildings for the retail sale, wholesale distribution, rental and/or service of: hand tools, small construction, farming, gardening and automotive equipment, small machinery parts and office machinery and equipment.

**Essential public service** means a fire station, police station, or similar service.

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

**Extensive agricultural pursuit** means systems of tillage and animal husbandry on large areas of land for the raising of crops or the rearing of livestock either separately or in conjunction with another in unified operations and includes buildings and other structures incidental to the operation.

**Extensive agriculture** means the production of crops or livestock or both by the expansive cultivation or open grazing of normally more than one parcel or lot containing 64.8 hectares (160 acres) more or less.

**Existing lot** means a lot that existed at the time this bylaw was adopted.

## F

**Factory-built housing** means homes intended for residential occupancy that are constructed in a factory setting. Includes manufactured, modular, panelized and pre-engineered homes.

**Family** means one or more persons occupying a dwelling unit as a single housekeeping unit.

**Farm buildings** means buildings or development commonly or normally contained in a farmstead that is associated with a farming operation or an extensive agriculture use. Examples include barns, granaries, implement machinery and equipment sheds, dugouts, corrals, fences and haystacks but this use does not include intensive horticultural facility, intensive livestock operation or any dwelling unit including conventional single-detached residences and manufactured/mobile homes.

**Farm/industrial machinery sales, rental and service** means the use of land or buildings for the sale, service and/or rental of agricultural implements, vehicles over 5,900 kg (13,000 lbs.) tare weight and heavy machinery used in the operation, construction or maintenance of buildings, roadways, pipelines, oil fields, mining or forestry operations, and in freight hauling operations. Cleaning, repairing and sale of parts and accessories may be allowed as part of the principal use or as accessory uses.

**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 and chemicals used in agriculture.

**Fence** means a roofless structure, wall or hedge used as an enclosure or screening on any part of a lot.

**Fill** means the import and placement of natural uncontaminated earth or aggregate materials (e.g. clay, silt, sand, gravel) on a parcel for the purposes of altering/modifying grades, drainage, or building up a site for a proposed building or development, but does not include the import and placement of dry-waste or land fill waste materials.

**Financial institutions** – see “Banks”.

**Fire halls** – see “Public and institutional use”.

**Fitness centre** means the use of premises for the development of physical health or fitness, including, but not limited to, health centres, gymnasiums, racquet and ball courts, spas and reducing salons.

**Floor area** means the sum of the gross horizontal area of the several floors and passageways of a building, but not including basements, attached garages, and open porches. All dimensions shall be external dimensions.

**Flower** means an annual, perennial, flowering shrub/tree, etc.

**Foundation** means the supporting base structure of a building.

**Fourplex dwelling** means a form of cluster housing containing four dwelling units, where:

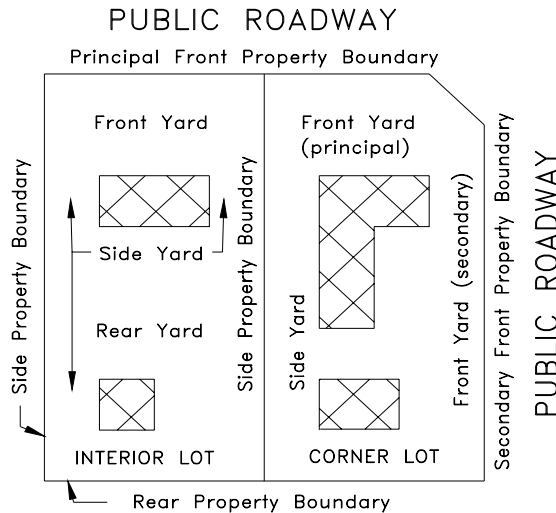
- (a) each unit has two contiguous or abutting walls which provide fire separation from the adjacent dwelling units;
- (b) two of the dwelling units ordinarily face the front yard, and two dwelling units ordinarily face the rear yard; and
- (c) each unit is provided with its own separate primary access to the outdoors.

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

**Frontage** means the lineal distance measured along the front legal lot line.

**Front property boundary, principal** means the front property boundary as shown in Figure 1.

**Front property boundary, secondary** means the front property boundary as shown in Figure 1.



**FIGURE 1**

**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, where not more than one cremation chamber is provided.

## G

**Garage (residential)** means an accessory building designed and used for storage of motor vehicles.

**Garage suite** means a dwelling unit located above a rear detached garage, which is accessory to a principal dwelling unit.

**Garden centre** means the use of land or buildings for the sale, display, growing and storage of garden, household, and ornamental plants and trees provided that the retail sale and display of plants and trees remains the principal use. This use includes the supplementary retail sale of fertilizers, garden chemicals and implements as well as associated products.

**Garden shed** means a small outdoor storage compound constructed for the housing of garden tools, lawn equipment or other small items.

**Garden suite** means a separate detached dwelling unit.

**Gas bar** means a facility for the sale of gasoline and associated automotive fluids but is not a service station.

**Golf course** means an outdoor establishment/development of varying sized designated primarily for the game of golf. Accessory uses include a pro shop, driving range and/or practice facility, food service, and other commercial uses typically associated with a golf course clubhouse facility.

**Golf driving range** means an area of land whose primary purpose is to accommodate the practicing of golf shots and may include the land encompassed by netting or screening and may also include buildings, such as a club house or maintenance building as part of the use.

**Government buildings** – see “Public and institutional use”.

**Government services** means development providing municipal, provincial, or federal government services directly to the public or the community at large, and includes development required for the public protection of persons or property.

**Grade** means the average elevation of the finished ground or street surface.

**Grade point** means the point(s) on a site which are used to measure the maximum permitted height of a building from grade. Where grade points have not been established as part of an approved comprehensive grading plan, the location of grade points shall be determined by the Development Authority.

**Grain elevator** means a facility for the collection, grading, sorting, storage, and transshipment of grains. This definition also includes inland grain terminals.

**Greenhouse** means a building specially designed and used for the growing of vegetables, flowers or other plants for transplanting or sale.

**Gross floor area** means the sum of the areas of all floors of a building measured to the outside surface of the exterior walls or, where buildings are separated by firewalls, to the centre line of the common firewalls and includes all floors totally or partially above the finished ground surface excluding an artificial embankment but including all mechanical equipment areas.

**Group home** means development using a dwelling unit for a provincially-approved residential social care facility providing rehabilitative and supportive care for four or more persons. A group home may incorporate accommodation for resident staff as an accessory use.

**Grouped country residential** means two or more contiguous country residential parcels or acreages.

**Guest** means an individual who occupies a dwelling unit other than as their residence.

**Guest ranches** means a ranch or resort in an agricultural setting designed for vacationers offering primarily lodging, horseback riding and other activities typical of western ranches.

## H

**Health care services** means development used for the provision of physical and mental health services on an outpatient basis, of a preventative, diagnostic treatment, therapeutic nature. Typical uses or facilities would include medical and dental offices, health clinics, and chiropractor offices.

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

**Highway** means:

- (a) a highway or proposed highway that is designated as a primary highway; or
- (b) a road, street or highway formerly designated as a secondary road and numbered between 500 and 999.

**Highway commercial** is a general term used to describe development, typically along a major roadway or highway that provides goods and services to the travelling public. Typical highway commercial uses include service stations, truck stops, motels, motor-hotels, drive-in and fast-food restaurants.

**Historical site** means a site or a building or both designated to be of historical significance by the Government of Canada, the Government of Alberta or the Village of Hill Spring.

**Holiday trailer** or **travel trailer** means an accommodation unit designed to be transported on its own wheels or by other means (including units permanently mounted or otherwise on trucks) designed or constructed in such manner as will permit its use for temporary dwelling accommodation for travel and recreation purposes only, but does not include a manufactured/mobile home.

**Holiday trailer park** means a parcel of land on which two or more holiday trailers are harboured.

**Home improvement centre** means a facility where building materials, tools, domestic garden supplies, household accessories required for interior or exterior building renovations, and similar goods are stored, offered or kept for sale but does not include any outside storage yards.

**Home care service** means the provision of food, lodging and care for up to three individuals conducted in a conventional single-family dwelling which has common cooking and washroom facilities.

**Home occupation** means an occupation, trade, profession or craft carried on by an occupant of a dwelling unit as a use secondary to the residential use of the lot, and which does not change the character thereof or have any exterior evidence of such secondary use.

**Hospital** means a facility providing room, board, and surgical or other medical treatment for the sick, injured or infirm including outpatient services and accessory staff residences. Typical uses include hospitals, sanatoria, nursing homes, convalescent homes, isolation facilities, psychiatric hospitals, auxiliary hospitals, and detoxification centres.

**Hostel** means a facility operated to provide temporary (not exceeding 30 days) accommodation to transients for remuneration within dormitory-style visitor accommodation with communal kitchen and sanitary facilities and may include recreational facilities or services but not additional services such as room service.

**Hotel** means a building used primarily for sleeping accommodation and ancillary services provided in rooms or suites of rooms which may contain bar/kitchen facilities. The building may also contain commercial or other uses and may offer such additional services as parking facilities, restaurant or dining room, room service or public convention facilities.

**Household repair service** means a facility for the provision of repair services to goods, equipment and appliances normally found within the home. This includes radio, television and appliance repair shops, and furniture refinishing and upholstery shops.

I

**Illumination** means the lighting of any sign by artificial means and may further be described as:

- internal illumination which means the lighting of any sign face from a light source located within the sign or behind the copy;
- directed illumination which means the lighting of any sign face from a light source located on or near the exterior of the sign;
- indirect illumination which means the lighting of any sign face by reflected light from a source that is distinct from, but intentionally directed toward the sign.

**Improvement** means any installation or physical change made to a property with a view to increasing its value, utility or beauty.

**Industrial equipment sale and rental means** a facility for the sale or rental of equipment typically used in building, roadway, pipeline, oilfield and mining construction or agricultural production. This does not include truck and manufactured/mobile home sales and rentals.

**Industrial operation** means a business engaged in secondary manufacturing, processing, assembling, disassembling, packaging, printing, cleaning, servicing, testing, storing and distribution of materials, goods, products or equipment.

**Institutional** means a use by or for an organization or society for public or social purposes and, without restricting the generality of the term, includes senior citizen housing, nursing homes, day care centres, places of worship, museums, libraries, schools, service and fraternal organizations, and government buildings.

**Intensive agricultural pursuit** means any concentrated method used to raise crops or to rear or keep livestock, animals, poultry or their products for market, including such operations as horse riding stables, poultry farms, pastures, rabbitries, fur farms, greenhouses, tree farms, sod farms, dairies, nurseries and similar specialty uses conducted as the principal use of a building or site.

**Intensive horticultural operations or facilities** means a use of land or buildings for the high yield production and/or sale of specialty crops. This use includes greenhouses, nurseries, hydroponic or market gardens, tree, mushroom and sod farms and such other uses that the Municipal Planning Commission considers similar in nature and character to any one or all of these uses.

**Isolated country residential** means a small single-lot parcel of land or acreage created by subdivision for the purpose of accommodating a single family dwelling.

## K

**Kennel** means a facility where dogs or cats or other domestic pets are maintained, boarded, bred, trained or cared for or kept for the purposes of sale but excludes a veterinary clinic.

**Kiosk** means a location or structure housing a seasonal/temporary business.

## L

**Laboratory** means a facility for the purpose of scientific or technical research, investigations or experimentation.

**Landscaped area** means that portion of a site which is to be landscaped pursuant to a development permit, and excludes areas used for parking and driveways.

**Landscaping** means the modification and enhancement of a site or development through the use of the following elements:

- natural landscaping consisting of vegetation such as trees, shrubs, hedges, grass and other ground cover;
- hard landscaping consisting of non-vegetative materials such as brick, stone, concrete, tile and wood, excluding monolithic concrete and asphalt; and
- excludes all areas utilized for driveways and parking.

**Lane** means a public thoroughfare which provides a secondary means of access to a lot or lots.

**Laundromat** means a facility for the cleaning of clothing or other fabric goods on a self-serve basis.

**Laundry** means a facility for the cleaning and pressing of clothing or other fabric goods.

**Light industrial/manufacturing** means development used for manufacturing, fabricating, processing, assembly, production or packaging of goods or products, as well as administrative offices and warehousing and wholesale distribution uses which are accessory uses to the above, provided that the use does not generate any detrimental impact, potential health or safety hazard or any nuisance beyond the boundaries of the developed portion of the site or lot upon which it is situated.

**Loading space** means a portion of a lot or parcel that is designated or used by a vehicle while loading or unloading goods or materials to a building or use on that parcel or lot.

**Lodge** means a facility for tourists that complies with the definition of visitor accommodation except that a lodge has a minimum of five (5) accommodation rooms and cooking facilities which are not located in the accommodation rooms and where there are no areas for public retail, public entertainment functions, meeting rooms and public convention rooms. Accessory uses may include rental cabins, accommodation for permanent staff and one or more beverage rooms, dining rooms, athletic and recreation facilities (indoor and outdoor) for use by the guests and other similar uses.

**Lodging house** means the use of a dwelling unit for residential purposes by more than three (3) persons who do not constitute a “family” within the meaning of the Land Use Bylaw.

**Loft** means the floor space above the eave line and within the pitch of the roof of a building.

**Lot**, in accordance with the Act, means:

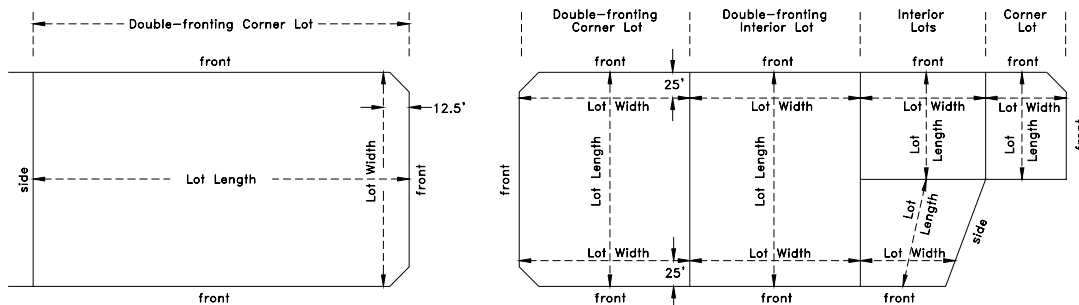
- (a) a quarter section;
- (b) a river lot shown on an official plan referred to in section 32 of the Surveys Act that is filed or lodged in a land titles office;
- (c) a settlement lot shown on an official plan referred to in section 32 of the Surveys Act that is filed or lodged in a land titles office;
- (d) a part of a parcel where the boundaries of the parcel are separately described in a certificate of title other than by reference to a legal subdivision; or
- (e) a part of a parcel where the boundaries of the parcel are described in a certificate of title by reference to a plan of subdivision.

**Lot area** means the area contained within the lot lines of a lot as shown on a plan of subdivision or described in a certificate of title.

**Lot, corner** means a lot located at the intersection of two or more streets.

**Lot, double fronting** means a lot with two front property boundaries, where the front property boundaries are situated at opposite or approximately opposite sides of the lot, as shown in Figure 2.

**Lot, interior** means a lot other than a corner lot as shown in Figure 2.



**FIGURE 2**

**Lot length** means the horizontal distance between the shortest or principal front property boundary and the opposite property boundary, measured along the median between the side property boundaries as shown in Figure 2.

**Lot width** means the horizontal distance between opposite side property boundaries measured at a point 25 feet (7.6 m) from the shorter or principal front property boundary as shown in Figure 2.

**Lumber yard** means a facility where bulk supplies of lumber and other building materials are stored, offered or kept for retail sale and includes storage on or about the premises of such material but does not include retail sales of furniture, appliances or other goods not ordinarily used in building construction.

## M

**Machinery and equipment sales and repair** means the use of land or buildings for the display, sale, service and/or rental of machinery.

**Manufactured home** means a dwelling unit or series of dwelling units built in an enclosed off-site factory environment in one or more sections and intended to be delivered and assembled at a residential site. New manufactured homes shall be constructed to either the CSA Z241 or CSA A277 standards and installed to CSA Z240.10.1 standards or on a permanent foundation.

**Manufactured / Mobile home park** means a lot occupied by or intended for two or more manufactured, single-wide and/or double-wide mobile homes, where each manufactured/mobile home site is not subdivided into a separately titled lot.

**Manufactured / Mobile home sales and service** means development for the sale, rental or storage of new and used manufactured/mobile homes, and includes supplementary maintenance services and the sale of parts and accessories.

**Manufactured / Mobile home subdivision** means lands divided into lots intended to be occupied by their owners for private residential purposes, and on which are erected permanent foundations for manufactured/mobile or modular homes.

**Market garden** means the growing of vegetables or fruit for commercial purposes. This use includes an area for the display and sale of goods or produce grown or raised on site.

**May** means, within the context of a policy, that a discretionary action is permitted.

**Medical and dental office** means development providing medical and health care on an outpatient basis. Examples of this use include medical and dental offices, clinics, occupational health and safety offices, counselling services, chiropractic and naturopathic services and such other uses as the Municipal Planning Commission considers similar in character and nature to any of these uses, but this excludes dispensaries (which sell pharmaceutical and related medical supplies) as an accessory use.

**Minimum building setback** means the shortest distance between the wall of a building and a designated lot line.

**Mobile home** means a prefabricated dwelling unit that:

- (a) is designed to be transported, and when placed on a foundation and connected to utilities is ready for occupancy; and
- (b) is subject to the current provincial building requirements.

The term mobile home includes “Double-wide” and Single-wide” mobile homes, as defined, but the term does not include motor homes, travel trailers, recreation vehicles and any similar vehicles that are neither intended for permanent residential habitation nor subject to the current provincial building requirements.

**Modular construction** means the construction of a building in prefabricated units at a factory or place other than that of its final assembly which:

- (a) are assembled at the location where the building is to be permanently used;
- (b) are transported from one point to another by being carried on a motor vehicle;
- (c) are not constructed on a frame capable of being equipped with wheels and thus towed from one point to another; and
- (d) are equipped at the factory with interior electrical and plumbing utilities and interior walls (if these elements are required in the modular building).

**Motel** means development primarily providing temporary sleeping accommodation in rooms or suites, where each room or suite may contain kitchen facilities. Each room or suite in a motel usually has its own private exterior access and is typically provided with an adjoining or conveniently-located parking stall. A motel may include eating and drinking facilities, entertainment, convention, sports, recreation, personal service and retail facilities as accessory uses.

**Moved-in building** means a conventional, preconstructed, previously occupied building which is physically removed from one site, transported and re-established on another site and does not include manufactured/mobile homes.

**Multi-family dwelling** means a building (other than a rowhouse dwelling) containing three or more separate dwelling units.

**Municipal Government Act** means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

**Municipal Planning Commission (MPC)** means a committee appointed by council to act as a development authority pursuant to section 624(2) of the Municipal Government Act and in accordance with the municipality’s development authority bylaw.

**Municipal development plan** means a statutory plan, formerly known as a general municipal plan, adopted by bylaw in accordance with section 632 of the Act.

**Municipal reserve** means the land specified to be municipal reserve by a subdivision approving authority pursuant to section 666 of the Act.

**Municipality** means the geographic area of the Village of Hill Spring in the Province of Alberta.

**Municipal/school reserve** means the land specified to be municipal and school reserve by a subdivision approving authority pursuant to section 666 of the Act.

**Museum** means a building or site used for the preservation, collection, restoration, display and/or demonstration of articles of historical significance and may include archival records of a geographic area or of a time period.

## N

**Natural resource extractive uses** means those uses of land or buildings which are governed by the location of a natural resource and which involve the extraction or on-site processing and/or storage of a natural resource, except those industries which are noxious or hazardous industries. Natural resource extractive uses include the following:

- (a) cement and concrete batching plants;
- (b) sand and gravel operations;
- (c) logging and forestry operations, including sawmills; and
- (d) such other uses as established by Council or the Municipal Planning Commission to be similar to any one or all of the above uses.

**Non-conforming building**, in accordance with the Act, means a building:

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

**Non-conforming use**, in accordance with the Act, means a lawful specific use:

- (a) being made of land or a building or intended to be made of a building lawfully under construction, at the date a land use bylaw or any amendment thereof affecting the land or building becomes effective; and
- (b) that on the date the land use bylaw or any amendment thereof becomes effective does not, or in the case of a building under construction will not, comply with the land use bylaw.

**Nuisance** means any use, prevailing condition or activity which has a detrimental effect on living or working conditions.

## O

**Office** means development to accommodate:

- (a) professional, managerial and consulting services;
- (b) the administrative centres of businesses, trades, contractors and other organizations; and
- (c) service-related businesses such as travel agents, insurance brokers, real estate agents.

**Off-street parking space** means a lot or parcel or portion thereof, excluding a public roadway, which is used or intended to be used as a parking area for motor vehicles.

**Orientation** means the arranging or facing of a building or other structure with respect to the points of the compass.

**Outdoor athletic and recreational facility** means a facility available to the public for sports and active recreation conducted outdoors. Typical uses include golf courses, driving ranges, ski hills, ski jumps, sports fields, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, boating facilities, outdoor swimming pools, bowling greens, riding stables and fitness trails.

**Outdoor vehicle storage** means the outdoor storage of vehicles including automobiles, recreation vehicles and boats.

**Outside storage** means the open storage of goods, merchandise or equipment outside a building.

**Owner** means the person or persons shown as the owner(s) of land on the assessment roll of a municipality.

## P

**Parcel**, in accordance with the Act, means the aggregate of the one or more areas of land described in a certificate of title by reference to a plan filed or registered in a land titles office.

**Parking facility** includes parking areas, parking spaces and parking structures which are defined as follows:

- (a) **Parking area** means a portion of land or a building or a combination of both, set aside for and capable of providing space for the parking of a number of motor vehicles.
- (b) **Parking space** means a space set aside for and capable of being used for the parking of one motor vehicle.
- (c) **Parking structure** means a building or other structure designed for parking automobiles in tiers on a number of levels above each other whether above or below the ground.

**Patio** means an outdoor area of a lot developed and used for leisure and/or recreation purposes.

**Permanent foundation** means a foundation installed to provide structural support for a building or structure, for a period of at least 20 years including: concrete slab on grade, concrete strip footings, wood or concrete full basement and pile or pier footings.

**Permitted use** means:

- (a) the one or more uses of land or buildings that are stated in Schedule 2 as permitted uses; and
- (b) uses which, in accordance with and subject to the Act, shall be issued a development permit with or without conditions (unless the use is exempted from requiring a development permit) if the proposed development conforms with this bylaw.

**Personal service use** means a development providing services for personal care and appearance; services for cleaning, servicing, altering and maintenance of personal effects and accessories. Personal service includes barber shops, beauty salons, tailors, diet centres, shoe repair shops, dry cleaners, upholstery and rug cleaners, laundromats, funeral homes and such other uses that the Municipal Planning Commission considers similar to any one or all of these uses.

**Place of worship** means a building dedicated to the undertaking of religious practices and activities and includes churches, chapels, temples, parish halls, synagogues, convents, seminaries, monasteries, rectories, or mosques and may include such accessory uses as offices for administration of the place of worship, parsonages, and parish houses.

**Plan of subdivision** means a plan of survey prepared in accordance with the relevant provisions of the Land Titles Act for the purpose of effecting subdivision.

**Planning advisor** means the person or organization retained by the Village of Hill Spring to provide planning-related advice or services.

**Playground** – see “Public park or recreation use”.

**Portable storage structure** means a framework structure made of steel or aluminum and covered by a fabric used to provide outdoor storage for vehicles and/or equipment.

**Post office** means a government approved facility charged with regulating and handling the transmission of mail or parcels in a country.

**Primary access** means the location and manner of the principal means of vehicular access and egress from a site or building.

**Principal building** means a building which:

- (a) is the main building on a lot; or
- (b) by reason of its use, is the primary purpose for which the lot is used.

**Principal use** means the main purpose for which a lot, parcel, or building is used or intended to be used.

**Printing establishment, commercial** means a retail business providing photocopying and/or commercial offset printing and retail services.

**Printing establishment, industrial** means a facility providing non-retail commercial, industrial printing and publishing services normally using automated, web-type presses or full colour process printing.

**Private** means the use of land or buildings intended for or restricted to the use of a particular person or group or class of persons which is not freely available to the general public.

**Private campground** – see “Campground, tourist”.

**Private club** means a facility, not open to the general public, for the meeting, social or recreational activities of members of philanthropic, social services, athletic, business or service organizations, without on-site residences. Private clubs may include rooms for eating, drinking and assembly.

**Property line** means any legal surveyed boundary of a parcel.

**Provincial Land Use Policies** means policies established by order of the Lieutenant Governor pursuant to section 622 of the Act.

**Public** means the use of land or a building which is accessible or visible to all members of the community.

**Public and institutional use** means a use of land or buildings for any of the following public or semi-public developments:

- (a) a school or educational facility whether public or private;
- (b) churches or places of worship;
- (c) medical facilities which provide both in-patient and out-patient services including hospitals, nursing homes and sanatoriums;
- (d) government and municipal offices, libraries and similar developments;
- (e) protective services, including fire halls, police stations and ambulance services;
- (f) cemeteries; and
- (g) such other uses as the Municipal Planning Commission considers similar in nature and character to any one of these.

**Public open space** means land which is not in private ownership and is open to use by the public.

**Public park or recreation use** means a public park, playground, recreation area, indoor or outdoor rink, gymnasium, sportsfield, campground, historic or archaeological site or any similar facility or use of land or buildings provided that the park, playground, recreation area or similar facility is owned and/or administered by any level of government.

**Public or quasi-public building or use** means a facility owned or operated by or for the municipality, the provincial government, the federal government, or a corporation which is an agent of the Crown under federal or provincial statute for the purpose of furnishing services or commodities to or for the use of the inhabitants of the municipality.

**Public roadway** means, in a city, town, new town, village or summer village, the right-of-way of all or any of the following:

- (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 right-of-way for one or more of the following:

- (a) telecommunications systems;
- (b) waterworks systems;
- (c) sewage systems;
- (d) heating systems;
- (e) systems for the distribution of gas, whether natural or artificial;
- (f) systems for the distribution of artificial light or electric power.

## R

**Railway** means any use connected with the direct operation of a railway system.

**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.

**Rear lane** means service access, generally for vehicular traffic at the rear of properties.

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

**Recreational vehicle sanitary pump out site** means a facility for the disposal of wastes from recreational vehicles.

**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.

**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.

**Religious assembly** means development owned by a religious organization used for worship and related religious, philanthropic or social activities and includes accessory rectories, manses, meeting rooms, classrooms, dormitories and other buildings. Typical facilities would include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries.

**Religious institution** – see “Churches” or “Place of worship”.

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

**Residential streets** means streets whose primary function is to allow access to residential lots. A collector street may be classified as a residential street, providing the volume of traffic is not detrimental to living conditions.

**Resort** means a comprehensively planned and operated development offering recreational, educational, cultural, convention and conference facilities, together with visitor accommodation, in a location chosen for the unique qualities and attributes of its natural physical setting. Appropriate uses within a resort could include, but are not limited to: visitor accommodation, private residences, convention and conference facilities, indoor and outdoor recreation facilities (e.g. golf courses, ski hills, riding stables, tennis courts, health spas), retail and personal service facilities and other uses suitable to the location and compatible with adjacent land uses.

**Resort accommodation** means a facility for visitors to a resort, which may be in the form of visitor accommodation, apartment hotels, lodges, campground or other forms of tourist accommodation.

**Resource development activity** means the removal of natural resources including oil, gas, minerals or timber on a commercial basis.

**Resource processing activity** means the extraction, refining or other processing of natural resources including oil, gas, minerals or timber on a commercial basis.

**Restaurant** means an establishment where food is prepared and served on the premises for sale to the public, and may include entertainment which is ancillary to the preparation and service of food.

**Retail** means premises where goods, merchandise, other materials, and personal services are offered for sale at retail to the general public and includes limited on-site storage or limited seasonal outdoor sales to support that store's operations. Typical uses include but are not limited to grocery, hardware, pharmaceutical, appliance and sporting goods stores. This use excludes warehouse sales and the sale of gasoline, heavy agricultural and industrial equipment, alcoholic beverages, pawnshops, or second-hand goods, or retail stores requiring outdoor storage. Minor government services, such as postal services, are permitted within general retail stores.

**Retail store** means a building where goods, wares, merchandise, substances, articles or things 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.

**Riding stable** means a compound designed with stalls for the housing, bedding or confinement of four-legged animals used for riding purposes.

**Rifle range** means a designated practice area designed for the purpose of controlled discharge of firearms or archery equipment.

**Rodeo grounds** consists of an agricultural-recreation oriented facility where exhibiting horses and cattle and giving exhibitions of the speed, breeding and management of livestock and husbandry is a few of its functions and purposes, and which may also include facilities (arena, chutes, grandstand, corrals, stables, concession booths, etc.) to carry out such purpose, and may be managed by civic, private or nonprofit organizations.

**Rowhouse dwelling or townhouse** means a residential building containing three or more dwelling units, where each dwelling unit is joined in whole or in part at the side only and where no dwelling unit is located in whole or in part above another dwelling unit. Each dwelling unit in a rowhouse is separated from the abutting dwelling unit by a wall, generally extending from the foundation to the roof, and each dwelling unit is provided with its own direct access from grade.

**RTM (ready to move) home** means a house that would normally be built on your construction site, but for various reasons, such as cost and location, the RTM gets built on the plant site. It is then loaded and transported as one (1) unit onto the proper moving equipment and delivered to the client's location.

## S

**Salvage or waste disposal facility** means development for purchasing, receiving or transporting of spent materials or substances which may generate a detrimental impact or nuisance beyond the boundaries of the lot or parcel on which it is situated. This term includes uses such as autowreckers, salvage and scrap yards, garbage container services, effluence tanker services and such other uses as the Municipal Planning Commission considers similar in character and nature to any one or all of these uses.

**Satellite dish** means an anchored structure designed to capture or receive broadcast signals beamed by satellites for audio-visual purposes.

**Satellite dish antenna** means a parabolic antenna including foundation used for the reception of satellite transmitted television or radio waves.

**School** means a place of instruction offering courses of study. Included in the category are public, private, and separate schools.

**School, commercial** means a place in instruction operated for profit but does not include a private school.

**School, post-secondary** means a public or private educational establishment providing academic, professional, trade, craft or other educational curriculum to post-secondary students.

**School , private** means a school, other than a school operated by a School Board under the School Act, that provides grade and secondary school instruction to pupils through courses prescribed or approved by the Minister of Education.

**School, public or separate** means a place of instruction operated with public funds pursuant to The School Act.

**Scrap yard** means a facility where materials are stored temporarily on the site for reprocessing into scrap materials for sale or where useable parts for used goods, equipment or vehicles are sold.

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

**Semi-detached dwelling** means a residential building containing only two dwelling units located side by side with separate access to each dwelling unit. Each dwelling unit in a "Semi-detached dwelling" is joined to the other unit by at least one common wall which extends from the foundation to at least the top of the first storey of both dwelling units.

**Senior citizen housing** means development, including lodges, which is used as a residence for elderly individuals not requiring constant or intensive medical care.

**Service club** – see “Private club”.

**Service station** means premises or the portion thereof used or intended to be used for the servicing and minor repairing of motor vehicles and for the sale of gasoline, lubricating oils and minor accessories for motor vehicles.

**Setback** means the distance required between a building, development or use from a property line facing a street or other property line.

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

**Shipping container** means an container that was used for transport of goods by means of rail, truck or sea. These containers are rectangular in shape and are generally made of metal.

**Should** means that the action is recommended.

**Shrub** means a single or multi-stemmed woody plant under five 16.4 feet (5 m) at maturity.

**Sign** has the same meaning as it has in the sign standards in Schedule 5 of this bylaw.

**Similar use** means a use which is not specifically considered in a land use district but, in the opinion of the Municipal Planning Commission, is similar in character and purpose to another use that is permitted or discretionary in the land use district in which such use is proposed, the Municipal Planning Commission may:

- (a) rule that the proposed use is either a permitted or discretionary use in the land use district in which it is proposed; and
- (b) direct that a development permit be issued in accordance with this bylaw.

**Single family dwelling** means a freestanding residential dwelling, other than a manufactured/mobile home, not forming part of and not physically attached to any other dwelling or structure.

**Single-wide mobile home** means a mobile home which is:

- (a) typically not greater than 16 feet (4.9 m) in width; and
- (b) permanently fixed to a single chassis; and
- (c) not intended to be expanded, telescoped or twinned for additional floorspace.

Double-wide mobile home is a separate use.

**Site** means that part of a parcel or a group of parcels on which a development exists or for which an application for a development permit is being made.

**Slope adaptive housing** means housing which incorporates specific building and site design methods that minimize the impact of site development on the natural environment, ensures slope stability, and responds positively to the aesthetic opportunities presented by construction on sloping lands. Techniques to achieve this normally include: design of rooflines and building massing designs to echo the angles and shapes of the surrounding landscape; breaking up of the building mass to conform to the slope; and the use of indigenous materials and compatible colours.

**Sod farm** means the commercial growing of sod through seeding and stripping of topsoil to sell the final product.

**Souvenir shop** means a retail store which sells various souvenirs and mementos and generally caters to the shopping needs of visitors.

**Stake out of the site** means the process of measuring the site and designating the areas on the site where construction will occur.

**Statutory plan** means a municipal development plan, area structure plan or area redevelopment plan adopted under the Municipal Government Act.

**Stop order** means an order issued by the development authority pursuant to section 645 of the Act.

**Storey** means that portion of a building situated between the top of any floor and the top of the next floor above it or, if there is no floor above it, the ceiling above it. When the top of a floor directly above a basement is over 6 feet (1.8 m) above grade, that basement shall be considered a storey.

**Street** means a public thoroughfare affording the principal means of access to abutting parcels, and includes the sidewalks and the land on each side of and contiguous with the prepared surface of the thoroughfare and owned by the municipality.

**Structural alteration** means a repair or alteration to the supporting members or fabric of a building which tends to either substantially prolong its use or alter its character.

**Subdivision** means the division of a parcel by an instrument, and “subdivide” has a corresponding meaning.

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

**Subdivision and Development Regulation** means regulations established by order of the Lieutenant Governor in Council pursuant to section 694 of the Act.

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

**Subdivision Authority** means the person or body empowered to approve a subdivision.

**Surveillance suite** means a dwelling unit or sleeping unit that is developed in conjunction with a principal use so that the dwelling is a supplementary use to that principal use, and which is used 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

**Take-out service** means the sale of food or beverages in a form ready for consumption from a restaurant or other premises where a significant portion of the consumption will take place off the premises.

**Taxi service** means a business established to provide chauffer-driven automobile transportation available on call to carry a passenger between two points for a fare determined by a taximeter or flat rate.

**Taxidermist** means an individual engaged in the art of preparing life-like representations of animals by stuffing the skin or usually fashioning a wooden or plaster model on which the skin of the specimen is mounted or moulded.

**Temporary storage yard** means development used exclusively for temporary outside storage of goods and materials where such storage of goods and materials does not involve the erection of permanent structures or the material alteration of the existing state of the land. Typical uses include storage yards for construction vehicles, equipment and materials or recreation vehicles.

**Temporary structure** means a structure without any foundation or footings and which is removed when the designated time period, activity or use for which the temporary structure was erected and ceased.

**Theatre** means a building or structure designed for the showing of motion pictures or to accommodate a company of performers for the showing of plays or dances.

**Tourist home** means a dwelling unit operated as an accommodation unit, occupied by a guest or guests for a period of less than 28 days.

**Townhouse** means a single building comprised of three or more dwelling units separated from each other by walls extending from foundation to roof, with each dwelling unit having a separate, direct, at grade entrance. This includes all row, linked, patio, garden court or other housing which meet these criteria. A townhouse development may consist of a group of buildings each of which contains three or more dwelling units.

**Townhouse, stacked** means a multiple dwelling comprised of three or more dwelling units and constructed such that one or more dwelling units are located totally or partially above another dwelling unit, and each having a separate, direct entrance from grade or a landscaped area. A stacked townhouse development may consist of a group of buildings each of which contains three or more dwelling units.

**Travel agency** means an office or enterprise engaged in the selling, arranging or furnishing of information regarding personal transportation or travel.

**Triplex** means a single building comprised of three dwelling units, each unit having a separate, direct entrance from grade or a landscaped area.

**Truck and manufactured home sale and rental** means development used for the sale or rental of new or used trucks, motor homes, manufactured homes, and automobiles together with incidental maintenance services and the sale of parts and accessories. Typical uses include truck dealerships, recreation vehicle sales and manufactured home dealerships.

**Truck repair and servicing** means a facility for the servicing and repair primarily of licensed motor vehicles with a gross vehicle weight in excess of 4000 kg (8818 lbs.).

**Truck stop** means a service station which caters to large commercial vehicles such as semi-trailer trucks as well as intermediate-sized vehicles and passenger vehicles. The use "Truck stop" includes an accompanying restaurant or cafe as well as a card lock or key lock motor vehicle fuel dispensing facility. The use may also include general retail sales, vehicle towing services, limited vehicle sales or rentals and similar uses provided that any such uses are clearly accessory uses and incidental to the operation of the truck stop in the opinion of the Municipal Planning Commission.

**Truck transport depot** 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.

**Truck wash** – see “Car wash”.

**Trucking establishment** means a facility for the purpose of storing and dispatching trucks and tractor trailers for transporting goods.

## U

**Utilities** means any one or more of the following:

- (a) systems for the distribution of gas, whether artificial or natural;
  - (b) facilities for the storage, transmission, treatment, distribution or supply of water or electricity;
  - (c) facilities for the collection, treatment, movement or disposal of sanitary sewage;
  - (d) storm sewage drainage facilities;
  - (e) 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 (d) that are exempted by the Lieutenant Governor in Council by regulation.

## V

**Vegetation management** means the manipulation of plant material for purposes such as the spread of wildfires, or the control of plants or diseases.

**Vehicle sales and rental use** means a use of land or buildings for the sale of automobiles, vans, motorcycles, snowmobiles, tent and holiday trailers, boats and other recreational vehicles and craft and trucks with a tare weight not exceeding 5,900 kg (13,000 lbs.). This use includes supplementary vehicle maintenance and cleaning, sale of parts and accessories and dispensing of motor fuel.

**Veterinary clinic** means a facility for the care of animals but does not include outdoor pens, runs or enclosures.

**Visitor accommodation** means a building or group of buildings not intended for residential use where sleeping facilities are provided for persons for periods of up to 30 days and which may also contain recreational facilities, commercial uses and additional facilities including but not limited to eating establishments, drinking establishments, room service, meeting rooms, public convention rooms, and laundry service. Where the majority of visitor accommodation units within the visitor accommodation contain suites of more than one room, two or more of the following services shall be provided: eating establishment, drinking establishment, room service, public convention room, or laundry service. This definition does not include lodges.

**Visitor accommodation unit** means a room or suite of rooms located within visitor accommodation which has a door leading directly to a public hallway or other public access area.

## W

**Waiver** means the relaxation or variance of a development standard established in the land use bylaw. For the purpose of this bylaw, only the Municipal Planning Commission or, on appeal, the Subdivision and Development Appeal Board can waive provisions of the land use bylaw.

**Warehouse** means a building used or intended to be used predominantly for the indoor storage of goods and merchandise.

**Warehouse store** means a facility for the wholesale or retail sale of a limited range of bulky goods from within an enclosed building where the warehouse or storage component occupies at least 50 percent of the gross floor area and retail uses occupy 50 percent or less of the gross floor area. Typical uses include furniture, carpet and appliance warehouses.

**Warehousing** means the use of a building for the storage of materials, products, goods and merchandise.

**Welding shop** means a business engaged in the fabrication, assembly or repair of machinery or equipment by heating materials to a fluid state and uniting or consolidating them at a common point known as a weld.

**Wildlife corridor** means an area which provides or is designed to provide connectivity between patches of wildlife habitat. Wildlife corridors generally do not fulfill the requirements of wildlife habitat patches except for the physical security provided by vegetative cover or other buffers from development.

**Wind energy conversion system (WECS)** means a system consisting of subcomponents which convert wind energy to electrical energy and having major components being generator rotors, tower and a storage system.

**Workshop** means a small establishment where manufacturing or craftwork is carried on by an individual or proprietor with or without helpers or power machinery.

## Y

**Yard** means the minimum required open space, on a site, that lies between the principal and accessory building or structure and the nearest lot line.

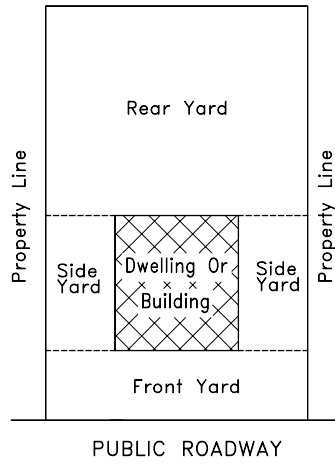
**Yard, front** means a yard extending across the full width of the site and measured, as to depth, at the least horizontal distance between the front street line and the nearest projection of the principal building as shown in Figure 3.

**Yard, rear** means a yard which extends the full width of a site and measured, as to depth, at the least horizontal distance between the rear property line and the nearest projection of any building as shown in Figure 3.

**Yard, side** means a yard extending from the front yard to the rear yard, and measured as to width at the least horizontal distance between the side property line or side street line and the nearest projection of any building as shown in Figure 3.

**FIGURE 3**

INTERIOR LOT



APPENDIX I

**Development Authority Bylaw No. 107-275**

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**VILLAGE OF HILL SPRING  
IN THE PROVINCE OF ALBERTA  
DEVELOPMENT AUTHORITY BYLAW NO. 107-275**

1. BEING a bylaw of the Village of Hill Spring in the Province of Alberta to establish a municipal Development Authority;

AND WHEREAS, the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended from time to time requires the municipality to adopt a bylaw to establish a municipal Development Authority;

AND WHEREAS, the Development Authority is authorized to make decisions on applications for development approval in accordance with the administrative procedures, land uses and schedules established in the municipal land use bylaw;

AND WHEREAS, this bylaw may be cited as the Village of Hill Spring Development Authority Bylaw;

NOW THEREFORE, the Council of the Village of Hill Spring in the Province of Alberta duly assembled, enacts as follows:

2. DEFINITIONS:

- (a) **Act** means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended from time to time.
- (b) **Authorized persons** means a person or organization authorized by the council to which the municipality may delegate any of its Development Authority powers, duties or functions.
- (c) **Council** means the Municipal Council of the Village of Hill Spring.
- (d) **Designated officer** means a person or persons authorized to act as the designated officer for the municipality as established by bylaw.
- (e) **Development Authority** means the person or persons appointed, by bylaw, to exercise only such powers and perform duties as are specified:
  - (i) in the Act; or
  - (ii) in the Village of Hill Spring Land Use Bylaw; or
  - (iii) in this bylaw; or
  - (iv) by resolution of council.
- (f) **Members** means the members of the Development Authority.
- (g) **Municipal Planning Commission** means the Municipal Planning Commission of the Village of Hill Spring as established by bylaw.
- (h) **Municipality** means the Village of Hill Spring in the Province of Alberta.
- (i) **Secretary** means the person or persons appointed by council to act as secretary of the Development Authority.
- (j) **All other terms used in this bylaw shall have the meaning as is assigned to them in the Municipal Government Act, as amended from time to time.**

3. For the purpose of this bylaw, the Development Authority for the municipality shall be the Municipal Planning Commission.
4. The Development Authority shall be composed of not more than five persons who are elected officials of the Village of Hill Spring.
5. Appointments to the Development Authority shall be made by resolution of council.
6. Appointments to the Development Authority shall be made for a term of three years, after each municipal election.
7. When a person ceases to be a member of the Development Authority before the expiration of his term, council shall appoint another person for the unexpired portion of that term within 60 days of receiving notice of the vacancy.
8. The members of the Development Authority shall elect one of themselves as chairman, and one of themselves as vice-chairman to hold office for a term of one year from the date of election.
9. Each member of the Development Authority shall be entitled to such remuneration, travelling, and living expenses as may be fixed from time to time by council; and the remuneration, travelling, and living expenses shall be paid by the Village of Hill Spring.
10. The council may, by resolution, appoint a secretary who shall be an employee of the municipality and shall attend all meetings of the Development Authority, but shall not vote on any matter before the Development Authority.
11. The Development Authority shall hold regular meetings at least 12 times per year on a date to be determined by the Development Authority, and it may also hold special meetings at any time at the call of the chairman.
12. Three of the members of the Development Authority shall constitute a quorum.
13. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole Development Authority.
14. The Development Authority may make its orders, decisions, development permits, and approvals; and may issue notices with or without conditions.
15. The Development Authority may make rules to govern its hearings.
16. Members of the Development Authority shall not be members of the Subdivision and Development Appeal Board.
17. The secretary of the Development Authority shall attend all meetings of the Development Authority and shall keep the following records with respect thereto:
  - (a) the minutes of all meetings;
  - (b) all applications;
  - (c) records of all notices of meetings and of persons to whom they were sent;
  - (d) copies of all written representations to the Development Authority;
  - (e) notes as to each representation;

- (f) the names and addresses of those making representations at the meeting;
- (g) the decision of the Development Authority;
- (h) the reasons for the decision of the Development Authority;
- (i) the vote of the members of the Development Authority on the decision;
- (j) records of all notices of decision and of persons to whom they were sent;
- (k) all notices, decisions, and orders made on appeal from the decision of the Development Authority;
- (l) such other matters as the Development Authority may direct.

18. When a person ceases to be a member of the Development Authority before the expiration of his/her term the council may, by resolution, appoint another person for the unexpired portion of that term.

19. This bylaw comes into effect upon the third and final reading thereof.

READ a **first** time this 22<sup>nd</sup> day of September, 2008.

  
\_\_\_\_\_  
Mayor – Bill Richards

  
\_\_\_\_\_  
Municipal Administrator – Helen Walburger

READ a **second** time this 22<sup>nd</sup> day of September, 2008.

  
\_\_\_\_\_  
Mayor – Bill Richards

  
\_\_\_\_\_  
Municipal Administrator – Helen Walburger

READ a **third** time and finally passed this 22<sup>nd</sup> day of September, 2008.

  
\_\_\_\_\_  
Mayor – Bill Richards

  
\_\_\_\_\_  
Municipal Administrator – Helen Walburger



APPENDIX II

**Subdivision Authority Bylaw No. 107-276**

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**VILLAGE OF HILL SPRING  
IN THE PROVINCE OF ALBERTA  
SUBDIVISION AUTHORITY BYLAW NO. 107-276**

1. BEING a bylaw of the Village of Hill Spring in the Province of Alberta to establish a municipal Subdivision Authority;

AND WHEREAS, the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended from time to time requires the municipality to adopt a bylaw to establish a municipal Subdivision Authority;

AND WHEREAS, the Subdivision Authority is authorized to make decisions on applications for subdivision approval in accordance with the provincial land use policies, the subdivision and development regulations, the local land use bylaw and statutory plans;

AND WHEREAS, this bylaw may be cited as the Village of Hill Spring Subdivision Authority Bylaw;

NOW THEREFORE, the Council of the Village of Hill Spring in the Province of Alberta duly assembled, enacts as follows:

2. DEFINITIONS:

- (a) **Act** means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended from time to time.
  - (b) **Authorized persons** means a person or organization authorized by council to which the municipality may delegate any of its Subdivision Authority powers, duties or functions.
  - (c) **Council** means the Council of the Village of Hill Spring.
  - (d) **Member** means a member of the Subdivision Authority.
  - (e) **Municipality** means the Village of Hill Spring in the Province of Alberta.
  - (f) **Secretary** means the person or persons authorized to act as secretary for the Subdivision Authority.
  - (g) **Subdivision Authority** means the board, person or organization established to act as the Subdivision Authority.
  - (h) **All other terms used in this bylaw shall have the meaning as is assigned to them in the Municipal Government Act, as amended from time to time.**
3. For the purpose of this bylaw, the Subdivision Authority for the Village of Hill Spring shall be the Council of the Village of Hill Spring.
4. Appointments to the Subdivision Authority shall be made by resolution of council.
5. Appointments to the Subdivision Authority shall be made for a term of three years, after each municipal election.
6. The members of the Subdivision Authority shall elect one of themselves as chairman, and one of themselves as vice-chairman to hold office for a term of one year from the date of election.

7. Each member of the Subdivision Authority shall be entitled to such remuneration, travelling, and living expenses as may be fixed from time to time by council; and the remuneration, travelling, and living expenses shall be paid by the Village of Hill Spring.
8. The council shall, by resolution, appoint a secretary who shall be an employee of the municipality and shall attend all meetings of the Subdivision Authority, but shall not vote on any matter before the Subdivision Authority.
9. The Subdivision Authority shall hold regular meetings at least 12 times per year on a date to be determined by the Subdivision Authority, and it may also hold special meetings at any time at the call of the chairman.
10. Three of the members of the Subdivision Authority shall constitute a quorum.
11. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole Subdivision Authority.
12. The Subdivision Authority may make its orders, decisions, and subdivision approvals; and may issue notices with or without conditions.
13. The Subdivision Authority may make rules to govern its hearings.
14. The Subdivision Authority, when considering an application for subdivision approval, is not required to hold a hearing.
15. Members of the Subdivision Authority shall not be members of the Subdivision and Development Appeal Board.
16. The secretary of the Subdivision Authority shall attend all meetings of the Subdivision Authority and shall keep the following records with respect thereto:
  - (a) the minutes of all meetings;
  - (b) all applications;
  - (c) records of all notices of meetings and of persons to whom they were sent;
  - (d) copies of all written representations to the Subdivision Authority;
  - (e) notes as to each representation;
  - (f) the names and addresses of those making representations at the meeting;
  - (g) the decision of the Subdivision Authority;
  - (h) the reasons for the decision of the Subdivision Authority;
  - (i) the vote of the members of the Subdivision Authority on the decision;
  - (j) records of all notices of decision and of persons to whom they were sent;
  - (k) all notices, decisions, and orders made on appeal from the decision of the Subdivision Authority;
  - (l) such other matters as the Subdivision Authority may direct.
17. When a person ceases to be a member of the Subdivision Authority before the expiration of his/her term the council may, by resolution, appoint another person for the unexpired portion of that term.

18. This bylaw comes into effect upon third and final reading thereof.

READ a first time this 22<sup>nd</sup> day of September, 2008.

  
\_\_\_\_\_  
Mayor – Bill Richards

  
\_\_\_\_\_  
Municipal Administrator – Helen Walburger

READ a second time this 22<sup>nd</sup> day of September, 2008.

  
\_\_\_\_\_  
Mayor – Bill Richards

  
\_\_\_\_\_  
Municipal Administrator – Helen Walburger

READ a third time and finally passed this 22<sup>nd</sup> day of September, 2008.

  
\_\_\_\_\_  
Mayor – Bill Richards

  
\_\_\_\_\_  
Municipal Administrator – Helen Walburger



APPENDIX III

**Subdivision and Development Appeal Board  
Bylaw No. 107-277**

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**VILLAGE OF HILL SPRING  
IN THE PROVINCE OF ALBERTA  
SUBDIVISION AND DEVELOPMENT APPEAL BOARD  
BYLAW NO. 107-277**

1. BEING a bylaw of the Village of Hill Spring in the Province of Alberta to establish a municipal Subdivision and Development Appeal Board;

AND WHEREAS, the Municipal Government Act, Chapter M-26.1, 1994 as amended from time to time requires the municipality to adopt a bylaw to establish a municipal Subdivision and Development Appeal Board by December 1, 1995;

AND WHEREAS, the Subdivision and Development Appeal Board is authorized to render decisions on appeals resulting from decisions of the Subdivision Authority or the Development Authority in accordance with the provincial land use policies, the subdivision and development regulations, the local land use bylaw and statutory plans;

AND WHEREAS, this bylaw may be cited as the Village of Hill Spring Subdivision and Development Appeal Board Bylaw;

NOW THEREFORE, the Council of the Village of Hill Spring in the Province of Alberta duly assembled, enacts as follows:

2. DEFINITIONS:

- (a) **Act** means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended from time to time.
  - (b) **Council** means the Council of the Village of Hill Spring.
  - (c) **Member** means a member of the Subdivision and Development Appeal Board.
  - (d) **Municipality** means the Village of Hill Spring in the Province of Alberta.
  - (e) **Secretary** means the person or persons authorized to act as secretary for the Subdivision and Development Appeal Board.
  - (f) **Subdivision and Development Appeal Board** means the tribunal established to act as the municipal appeal body.
  - (g) **All other terms used in this bylaw shall have the meaning as is assigned to them in the Municipal Government Act, as amended from time to time.**
3. For the purpose of this bylaw, the Subdivision and Development Appeal Board shall be composed of not more than three persons who are adult residents of the Village of Hill Spring.
4. Appointments to the Subdivision and Development Appeal Board shall be made by resolution of council.
5. Appointments to the Subdivision and Development Appeal Board shall be made for a term of three years, after each municipal election.

6. The members of the Subdivision and Development Appeal Board shall elect one of themselves as chairman, and one of themselves as vice-chairman to hold office for a term of one year from the date of election.
7. Each member of the Subdivision and Development Appeal Board shall be entitled to such remuneration, travelling, and living expenses as may be fixed from time to time by council; and the remuneration, travelling, and living expenses shall be paid by the Village of Hill Spring.
8. The council may, by resolution, appoint a secretary who shall be an employee of the municipality and shall attend all meetings of the Subdivision and Development Appeal Board, but shall not vote on any matter before the Subdivision and Development Appeal Board.
9. The Subdivision and Development Appeal Board shall hold meetings as required pursuant to the Act on a date to be determined by the Subdivision and Development Appeal Board, and it may also hold special meetings at any time at the call of the chairman.
10. Two of the members of the Subdivision and Development Appeal Board constitute a quorum.
11. There shall not be a majority of municipal councillors sitting to hear any individual appeal.
12. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole Subdivision and Development Appeal Board.
13. The Subdivision and Development Appeal Board may make its orders, decisions, development permits, and subdivision approvals; and may issue notices with or without conditions.
14. The Subdivision and Development Appeal Board may make rules to govern its hearings.
15. Members of the Subdivision and Development Appeal Board shall not be members of the Subdivision Authority or the Development Authority.
16. When a person ceases to be a member of the Subdivision and Development Appeal Board before the expiration of his/her term the council may, by resolution, appoint another person for the unexpired portion of that term.
17. The secretary of the Subdivision and Development Appeal Board shall attend all meetings of the Subdivision and Development Appeal Board and shall keep the following records with respect thereto:
  - (a) the minutes of all meetings;
  - (b) all applications;
  - (c) records of all notices of meetings and of persons to whom they were sent;
  - (d) copies of all written representations to the Subdivision and Development Appeal Board;
  - (e) notes as to each representation;
  - (f) the names and addresses of those making representations at the meeting;
  - (g) the decision of the Subdivision and Development Appeal Board;
  - (h) the reasons for the decision of the Subdivision and Development Appeal Board;

- (i) the vote of the members of the Subdivision and Development Appeal Board on the decision;
- (j) records of all notices of decision and of persons to whom they were sent;
- (k) all notices, decisions, and orders made on appeal from the decision of the Subdivision and Development Appeal Board;
- (l) such other matters as the Subdivision and Development Appeal Board may direct.

18. This bylaw comes into effect upon third and final reading thereof.

READ a first time this 22<sup>nd</sup> day of September, 2008.

  
\_\_\_\_\_  
Mayor – Bill Richards

  
\_\_\_\_\_  
Municipal Administrator – Helen Walburger

READ a second time this 22<sup>nd</sup> day of September, 2008.

  
\_\_\_\_\_  
Mayor – Bill Richards

  
\_\_\_\_\_  
Municipal Administrator – Helen Walburger

READ a third time and finally passed this 22<sup>nd</sup> day of September, 2008.

  
\_\_\_\_\_  
Mayor – Bill Richards

  
\_\_\_\_\_  
Municipal Administrator – Helen Walburger



APPENDIX IV

**Bed and Breakfast Health Standards and Guidelines**

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# **BED AND BREAKFAST HEALTH STANDARDS AND GUIDELINES**

**The following are excerpts from Alberta Health “Bed and Breakfast Health Standards and Guidelines”, April 1996.**

## **DEFINITIONS**

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Bed and Breakfast	A private owner-occupied dwelling where rooms are rented and a breakfast meal is provided for registered guests.
Potable Water	Water that is safe and suitable to drink. The Regional Health Authority will assess the water quality in Bed and Breakfast facilities.
Potentially Hazardous Food	Any food that consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish or other ingredients, including synthetic ingredients and which is in a form capable of supporting the growth of disease-causing organisms.
Residential Kitchen	The primary kitchen in a private home.
Sanitization	The application of cumulative heat or chemicals or cleaned food contact surfaces that, when evaluated for efficacy, yield a reduction of 5 logs, which is equal to a 99.999% reduction, of representative disease micro organisms of public health importance. (FDA Food Code 1993)

## **OPERATIONAL REQUIREMENTS**

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### **General Premises**

1. A Bed and Breakfast establishment must comply to building standards set out by the Alberta Building Code. (refer to Appendix B)
2. The premises must be maintained in good repair and sound condition.
3. The premises must be maintained in a condition that prevents, wherever possible, the entry, presence or harbourage of rodents, flies and other pests.
4. The premises must be equipped with smoke alarms and fire extinguishers as prescribed by the Alberta Building Code. (refer to Appendix B)
5. The building shall be maintained in a clean and sanitary condition.
6. Plumbing and drainage systems or private sewage disposal systems shall be maintained in proper operating condition and free from defects.
7. Heating facilities supplied must be capable of maintaining an indoor temperature of not less than 22°C (72°F) if the premises are used or intended to be used during the winter months.

### **Bedrooms**

1. Bedrooms shall be of sufficient size [3.5 m<sup>2</sup> (38 sq. ft.) of floor space per person] to prevent overcrowding.
2. Beds provided for guests shall be maintained in a clean and sanitary condition and equipped with a mattress cover.
3. All other furnishings provided shall be maintained in good condition and easily cleanable.
4. An adequate supply of mattress covers, pillows and other bedding must be provided and maintained in a clean and sanitary condition.
5. Sheets and pillow cases that are provided for guests must be laundered prior to each new guest or at least once per week for long-term guests.

### **Washrooms**

1. Washroom floors must be smooth/impervious to moisture and easily cleanable.
2. In a washroom provided for guests, a supply of soap and single service or individual hand towels must be provided. Paper towels are recommended.
3. Individual guest towels shall be laundered as needed and prior to each new guest.
4. Washrooms shall be cleaned and disinfected on a daily basis.

### **Swimming Pools/Hot Tubs**

1. Hot tubs and/or swimming pool facilities made available to registered guests must comply with the Public Health Act – Swimming Pool Regulation.
2. If hot tub/swimming pool facilities are made available to guests, application for a swimming pool permit must be made to the Regional Health Authority to operate such a facility.

### **Waste Disposal**

1. Garbage containers shall be provided in each guest room and emptied daily.
2. Garbage and refuse must be disposed of in an approved manner to prevent objectionable odours and the attraction of pests.
3. All waste sharps – such as needles, syringes and razor blades – shall be placed in a puncture resistant container with a tight fitting lid and disposed of in accordance with the Regional Health Authority's requirements.
4. All other waste materials shall be collected in appropriate containers.
5. Indoor waste receptacles shall be lined with disposable plastic bags.

### **FOOD PROTECTION AND PREPARATION**

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1. An adequate supply of hot and cold potable water shall be provided. The source of drinking water shall be subject to the approval of the Regional Health Authority and tested annually.
2. All food preparation surfaces shall be smooth, impervious to moisture and easily cleanable.

3. All food must come from an approved/inspected source. The use of home-canned food, with the exception of fruit jams and jellies, is prohibited.
4. All foods are to be protected from contamination.
5. Perishable foods or potentially hazardous foods must be kept refrigerated at a temperature of less than 4°C (40°F) or held at greater than 60°C (140°F). A food grade thermometer shall be kept in the refrigerator(s) to monitor the temperature by the Bed and Breakfast operator.
6. All frozen food items must be stored at a temperature of not warmer than -18°C (0°F).
7. Once served to a guest, open portions of left-over food must not be re-used.
8. All utensils (dishes, silverware, etc.) must be stored in a clean and sanitary condition.
9. All reusable utensils are to be effectively cleaned and sanitized by using one of the following methods:
  - (1) An approved manual three-compartment sink procedure, or  
For example: If your kitchen has only a two-compartment sink, the three-compartment method can be incorporated by either refilling the second sink with a sanitizing solution after rinsing or using a tub or basin with a sanitizing solution. This can be discussed with your Health Inspector. (see Approved Sanitizing Solutions)
  - (2) An approved commercial dishwasher, or
  - (3) A domestic or home-style dishwasher, provided the following criteria are met and has been approved by the local Health Inspector.
    - a) The dishwasher must effectively remove physical soil from all surfaces of dishes.
    - b) The dishwasher must sanitize the dishes, i.e. by the application of sufficient accumulative heat (sani cycle) or by the addition of chemical sanitizer.
    - c) The dishwasher must be installed and operated according to the manufacturer's instructions for the highest level of sanitization possible.
10. Pets may be present on the premises, but must be kept out of preparation and dining areas during food preparation and serving for the guests.
11. Laundry facilities may be present in the residential kitchen but shall not be used during food preparation and service.
12. A food handler while engaged in food handling shall
  - (a) be clean in his person,
  - (b) be free from infected sores or wounds,
  - (c) wear only clean clothing,
  - (d) refrain from smoking or chewing tobacco, and
  - (e) keep his hair effectively under control.

13. A food handler is recommended to take the FOOD SANITATION AND HYGIENE training course available from your Regional Health Authority.
14. A food handler must have good personal hygiene and ensure that hands are washed prior to handling food.
15. Soap and paper towels shall be provided by the kitchen sink.

## **APPROVED SANITIZING SOLUTIONS**

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**BLEACH** A chlorine solution of not less than 100 p.p.m. available chlorine is required at a temperature of not less than 45°C.

Dilution of household bleach (chlorine) for disinfecting purposes:

- a) one Tablespoon per gallon of water
- b) ½ ounce per gallon of water
- c) ½ teaspoon per litre of water
- d) 2 ml per litre of water

*(These examples are approximations based on 5% available chlorine or household bleach)*

If used for disinfecting surfaces the diluted bleach (chlorine) should be prepared fresh on a daily basis. Store in a spray bottle labelled accordingly, and keep the solution, as all other chemicals away from children. The use of bleach is inexpensive and effective, however, bleach is corrosive.

**QUATS** A Quaternary ammonium compound (QUATS) having a strength of at least 200 p.p.m. is required at a temperature of not less than 45°C.

QUATS are mild to the skin, heat stable (strength stays the same from the day dilution is made), do not dull finishes on floors nor corrode metals, however, are more expensive.

Examples include:

- |                                     |                 |               |
|-------------------------------------|-----------------|---------------|
| a) Deosan                           | e) Micro Quat   | h) Pursue     |
| b) Air X-78                         | f) Proclean 130 | i) Lemon Tree |
| c) Enzall                           | g) Quavo Plus   |               |
| d) Germicidal multi purpose cleaner |                 |               |

**IODINE** An iodine solution containing at least 25 p.p.m. available iodine is required at a temperature of not less than 45°C.

Commonly formulated as an iodophor it has quick microbial action, is relatively non-toxic, non-irritating and stable. Iodine may stain porous and plastic surfaces and is relatively expensive.

# ALBERTA BUILDING CODE REQUIREMENTS

The following are excerpts from Alberta Labour “Bed and Breakfast Accommodation and the Alberta Building Code”, January 1996.

## INTRODUCTION

This document is for individuals wishing to convert their single family dwelling into Bed and Breakfast accommodations.

These guidelines assume there will be a maximum of eight (8) guests plus the permanent residents of the dwelling. If this is exceeded, then the bed and breakfast establishment is to be treated as a motel or hotel, and other more stringent requirements of the Alberta Building Code will apply.

## GENERAL

It is recommended that a general overview of the dwelling be conducted by a Building Safety Codes Officer to review the safety of the dwelling in such areas as structural, stability, stairs, guards & handrails, heating system, etc.

If any renovation or construction is needed to operate a Bed and Breakfast, safety permits for building, electrical, plumbing and gas may be required. Contact your local building authority or the nearest Alberta Labour Office.

## REGIONAL HEALTH AUTHORITY

No person is to operate a Bed and Breakfast establishment unless the owner has received written approval from the Regional Health Authority.

## BEDROOMS

No cooking facilities are allowed in sleeping rooms or suites.

## WINDOWS

Each bedroom is to have at least one exterior window, (unless an exterior door is provided), openable from the inside without the use of tools or special knowledge. It is to have an unobstructed opening of not less than 380 mm (15 in.) in any direction and 0.35 m<sup>2</sup> (3.76 sq. ft.) in area.

Where a window opens into a window well, a clearance of at least 550 mm (22 in.) is to be provided in front of the window. Where the sash swings toward the window well, the operation of the sash will not reduce the clearance in a manner that would restrict escape in an emergency.

The window glass area for each bedroom is to be a minimum 5% of the floor area.

## **SMOKE ALARMS**

At least one permanently wired smoke alarm is required on each floor level, including basements, and between each sleeping room and the rest of the dwelling.

It is also recommended that smoke alarms, either battery or hardwired, be located in each bedroom.

Where two or more alarms are required, they are to be interconnected so that the activation of one alarm will cause all alarms to sound.

## **FIRE ALARMS**

If sleeping accommodation is provided for more than 10 persons (including the guests and family) a fire alarm system is to be provided throughout the dwelling.

Fire alarm systems are to be installed in conformance with CAN/ULC-S524-M, "Standard for Installation of Fire Alarm Systems" and tested to ensure satisfactory operation in conformance with CAN/ULC-S537-M, "Standard for the Verification of Fire Alarm Systems."

A certificate of verification is to be obtained from a Certified Fire Alarm technician, who does not work for the installation company, to ensure satisfactory operation of the system.

## **EXTINGUISHERS**

At least one Class 2A-10 BC portable extinguisher is to be installed on each floor level of the dwelling and an additional one is to be installed in the kitchen area.

## **EMERGENCY PLAN**

An emergency escape plan for the occupants of the dwelling unit is to be prepared by the owner and be acceptable by the local fire department. The guests are to be kept informed of the plan. For further information contact your local fire department or refer to the emergency plan section of the Alberta Fire Code.

## **HEATING AND VENTILATION**

The heating system is to be capable of maintaining an indoor air temperature of 22°C at the outside winter design temperature.

The mechanical ventilation system is to have a capacity to exhaust inside air and to introduce outside air at the rate of not less than 0.5 air changes per hour.

## **COOKING EQUIPMENT**

A domestic stove and oven complete with a range hood is acceptable for food preparation. If a commercial grill and/or fryer is proposed, the kitchen ventilation system is to be designed, constructed and installed to conform to NFPA 96, "Installation of Equipment for the removal of Smoke and Grease-Laden Vapours from Commercial Cooking Equipment."

## **PLUMBING FACILITIES**

An accessible adequate supply of potable water, suitable sanitary facilities and plumbing fixtures are to be provided for the occupants in the dwelling.

## **SWIMMING POOLS & HOT TUBS**

Swimming pool and/or hot tub facilities made available to guests are to comply with section 7.3 of the Alberta Building Code and they must also meet the requirements of the Swimming Pool Regulations under the Public Health Act.

**For further information, please contact your Local Building Authority or the nearest Alberta Labour Building Safety Office.**



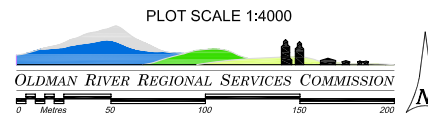
# VILLAGE OF HILL SPRING

LAND USE DISTRICTS  
 Bylaw No: 107-274  
 Date: September 22, 2008

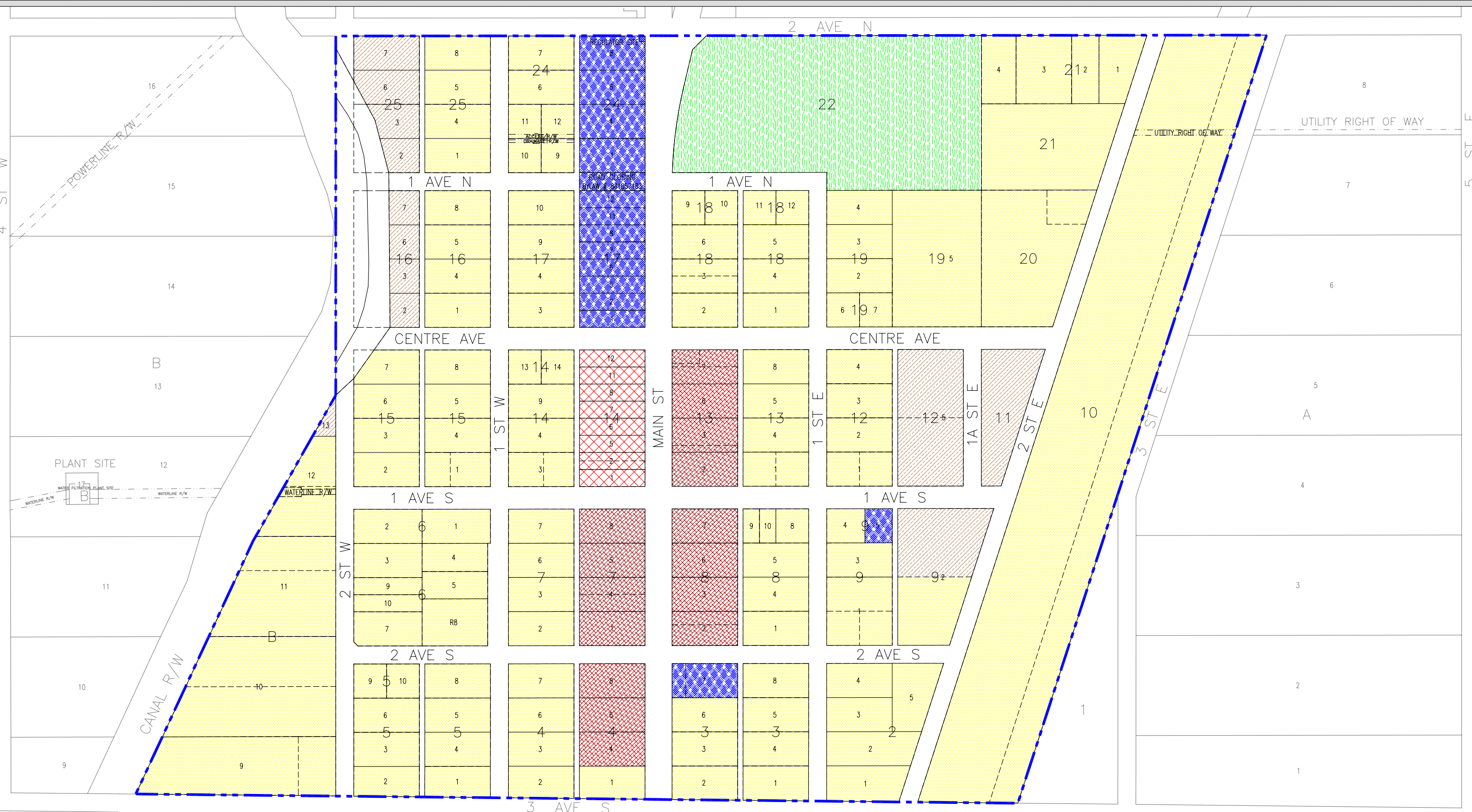
- Residential R1
- Mobile Residential R2\*
- Downtown Commercial / Residential C1
- General Commercial C2
- Public & Institutional P
- Recreational RO
- Agricultural AG

\*(Note: No R2 Designations at this time)

MAP PREPARED BY:  
 OLDMAN RIVER REGIONAL SERVICES COMMISSION  
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\*NOT RESPONSIBLE FOR ERRORS OR OMISSIONS\*



October 08, 2008 N:\Cardston-County\Hillspring\HillsSpringProjects\Hillspring LUD Bylaw107-274.dwg



PLOT SCALE 1:4000