



LAND USE BYLAW Non 2014-04

Adopted July 21 , 2014

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Town of Rainbow Lake

Land Use Bylaw

PART ONE GENERAL

1.1 PURPOSE

The purpose of this Bylaw is to ensure development is established in an orderly, efficient, and compatible manner in keeping with the Municipal Development Plan of the Town of Rainbow Lake and the Land Use Policies of the Province of Alberta.

1.2 APPLICATION OF BYLAW

The provisions of this Bylaw apply to all lands and buildings within the corporate boundaries of the Town of Rainbow Lake.

1.3 CONFORMITY WITH BYLAW

No person shall commence any development unless it is in conformance with the terms and conditions of a Development Permit issued pursuant to this Bylaw, where such a permit is required.

1.4 DEFINITIONS

In this Bylaw, and any amendments thereto, the definitions and interpretations set out in the following subsections shall apply:

"ACT" means the Province of Alberta Municipal Government Act and amendments thereto.

"ACCESSORY" when used to describe a use, building or structure, means a use, building or structure naturally and normally incidental, subordinate and exclusively devoted to the principal use or building and located on the same lot or site.

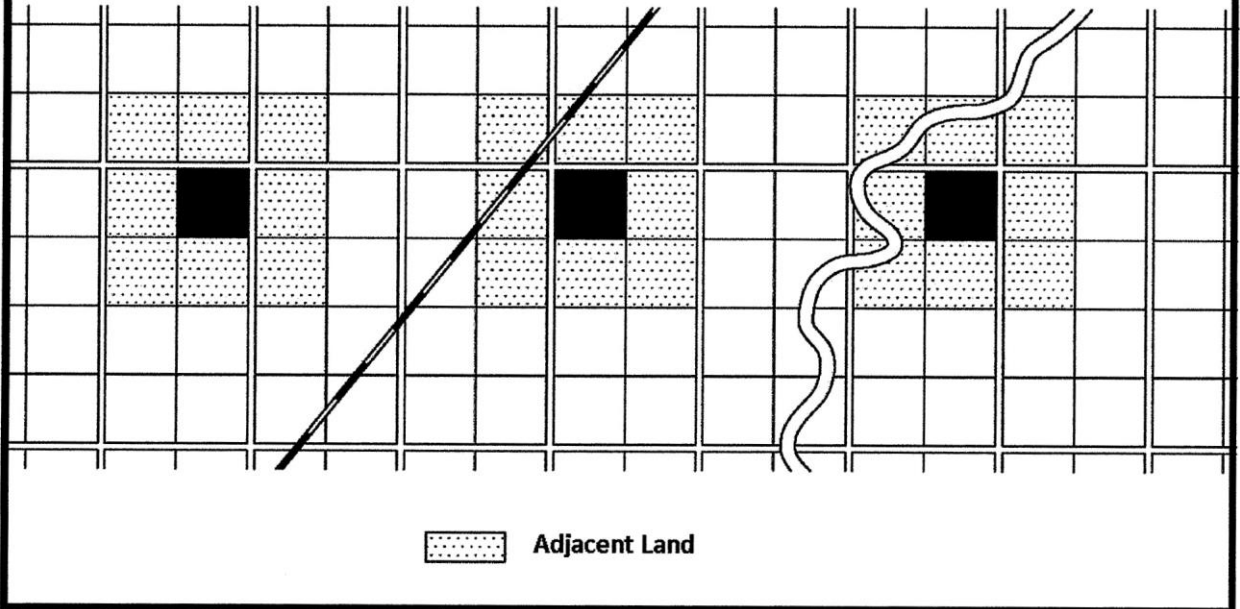
"ADJACENT LAND" means land or a portion of land that shares a common boundary with a parcel of land that is subject to a development permit application and/or subdivision application and includes land that would be adjacent if not for a public roadway, railway, river or stream.

EXPLANATION NOTES

Adjacent Land

This graphic is not part of this bylaw but is provided to aid in its interpretation.

"ADJACENT LAND" means land or a portion of land that shares a common boundary with a parcel of land that is subject to a development permit application and/or subdivision application and includes land that would be adjacent if not for a public roadway, railway, river or stream.



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Adjacent Land

"ADULT ENTERTAINMENT FACILITY" means a facility where entertainment is provided to the adult public, either exclusively or in combination with other activities and may, without restricting the generality of the foregoing, include a night club, live theatre or cinema, but does not include a restaurant/drinking establishment, restaurant-food service only, gaming-establishment-bingo or gaming establishment-casino.

"AMUSEMENT ARCADE" means any 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.

"APARTMENT" means a development consisting of three or more dwelling units having shared entrance facilities, in which dwellings are arranged in any horizontal or vertical configuration, and which does not conform to the definition of any other residential use. "AUTOMOTIVE SPECIALTY" means a development solely used for the service and repair of components of motor vehicles, but does not include an automotive body and paint service or an automotive service. Typical developments are a service shop for the following automotive components: brake, lubrication, muffler, rust proofing, transmission, wheel alignment and windshield.

"AUTOMOTIVE AND INDUSTRIAL SUPPLY" means a development used for the retail counter sales of automotive and industrial parts.

"BED AND BREAKFAST OPERATION" means a development that forms an accessory use to a single-detached dwelling or duplex and provides temporary sleeping accommodation and meals to persons who are not residents of the Town but are visitors, but does not include a boarding house.

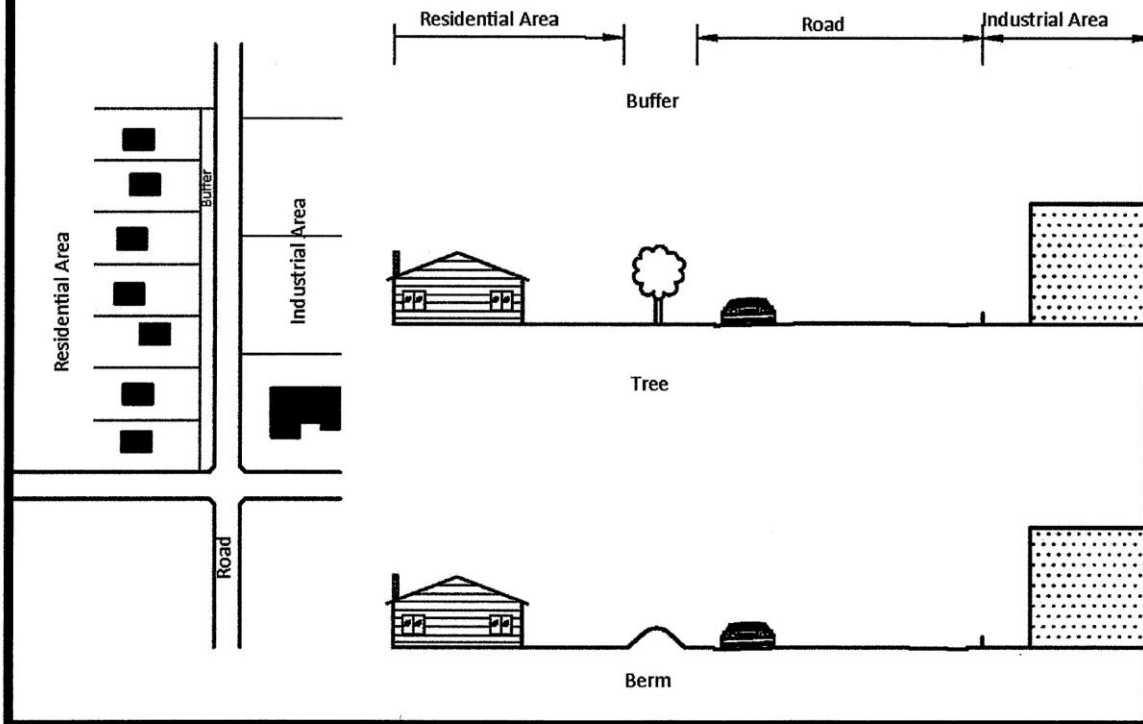
"BUFFER" means a row of trees or shrubs, a berm or a fence to provide visual screening and separation and/or a sound mitigation barrier between sites or districts.

EXPLANATION NOTES

Buffer

This graphic is not part of this bylaw but is provided to aid in its interpretation.

"Buffer" means a row of trees or shrubs, a berm or a fence to provide visual screening and separation and / or a sound mitigation barrier between sites or districts.



"BUILDING" includes anything constructed or placed on, in, over, or under land but does not include a highway or public roadway or a bridge forming part of a highway or public roadway.

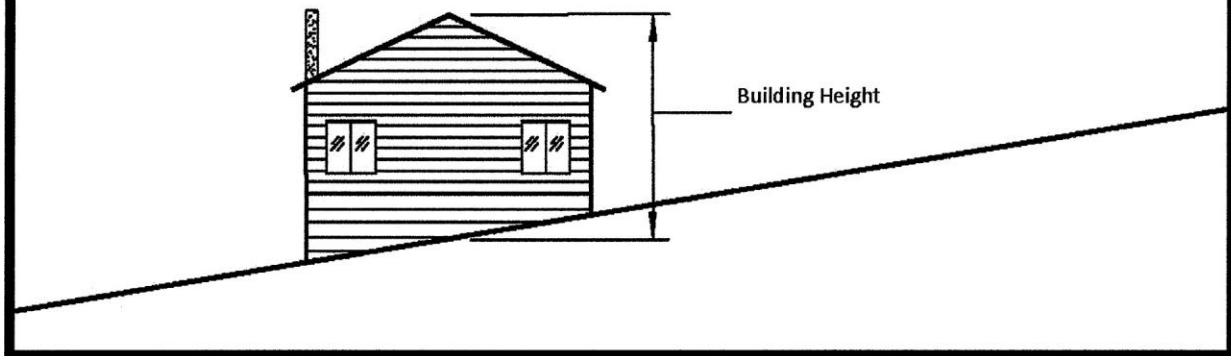
"BUILDING HEIGHT" means the vertical distance between the average grade and the highest point of a building that is not: a roof stairway entrance; a ventilating fan; a skylight; a steeple; a chimney; a smoke stack; a firewall; a parapet wall; a flagpole; or similar device not structurally essential to the building.

EXPLANATION NOTES

Building Height

This graphic is not part of this bylaw but is provided to aid in its interpretation.

"BUILDING HEIGHT" means the vertical distance between the average grade and the highest point of a building that is not: a roof stairway entrance; a ventilating fan; a skylight; a steeple; a chimney; a smoke stack; a fire wall; a parapet wall; a flagpole; or other similar device that is not structurally essential to the building.



"BUSINESS SUPPORT SERVICE" means a development for support services to business generally, which for example include: the use of minor mechanical equipment for batch printing; processing and binding; drafting; word and photographic processing services; office maintenance or security services; business-related equipment sales and rental services or repairs.

"CARETAKER'S RESIDENCE" means a single dwelling unit that is secondary or ancillary to the principal industrial or commercial use on the same lot and is used for the purpose of providing living accommodation for the individual who is primarily responsible for the maintenance and security of the principal use on that lot. This residence can either be a built-in suite in the principal building or separate from or attached to the principal building.

"RELIGIOUS USE FACILITY" means a building available for the purpose of assembly and worship and may include as accessory uses social, recreational and community activities such as group meetings, banquets and child care.

"MINISTER'S RESIDENCE" means a separate dwelling which is either attached to or detached from a religious use facility but on the same site. This dwelling is for religious officials who are authorized to conduct religious services at the primary facility.

"CONSTRUCT" means to build, reconstruct, or relocate, and without limiting the generality of the word, also includes:

- (1) any preliminary operation such as excavation, filling or draining;
- (2) altering an existing building or structure by an addition, enlargement, extension or other structural change; and
- (3) any work which requires a Building Permit.

"COUNCIL" means the Municipal Council of the Town of Rainbow Lake.

"DAYCARE FACILITY" means a development used to provide care and supervision, but not overnight accommodation, to children in accordance to the Social Care Facilities Licensing Act. This definition does not include a private babysitting facility.

"DECK" means a raised platform, extending from the principal building and used as an outdoor living space.

"DEVELOPMENT" means:

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

"DEVELOPMENT AUTHORITY" means those persons appointed to conduct the administration and implementation of the Land Use Bylaw, pursuant to the Municipal Government Act and the Development Authority Bylaw.

"DEVELOPMENT PERMIT" means a document or certificate issued by the municipality authorizing, with or without conditions, a development pursuant to this Land Use Bylaw.
"DISCRETIONARY USE" means the use of land or a building provided for in a land use bylaw for which a development permit may or may not be issued based upon the merits of the application being made.

"DISMANTLED/WRECKED VEHICLE" means a vehicle that is no longer licensed and in use and may or may not have missing vehicle parts.

"DRIVE-IN BUSINESS" means an establishment providing attendant services or services at drive-up windows for patrons in motor vehicles.

"DRIVE-IN RESTAURANT" means a business offering food for sale to the public and designed on the basis that consumption will take place either within a motor vehicle parked in a permitted parking space on the site or within a building located on the site.

"DUPLEX" means a building containing two dwelling units, located one above the other, or side-by-side, each of which has an independent entrance either directly from outside the building or through a common vestibule. Both dwelling units are located on only ONE lot.

"DWELLING, FOUR-PLEX" means a complex of four dwelling units under one roof and sharing either one or two common walls.

"DWELLING GROUP" means three or more dwelling units located on a site or a number of adjoining sites where all buildings, recreational areas, vehicular areas, landscaping and all other features have been planned as an integrated development and where each dwelling unit has a separate principal entrance accessible directly from ground level.

"DWELLING, SEMI-DETACHED" means a building that is divided vertically into two dwelling units side by side, straddling two adjacent lots, and separated from each other by a common wall extending from foundation to roof along the property line, having separate entrances and not attached to any other residential building.

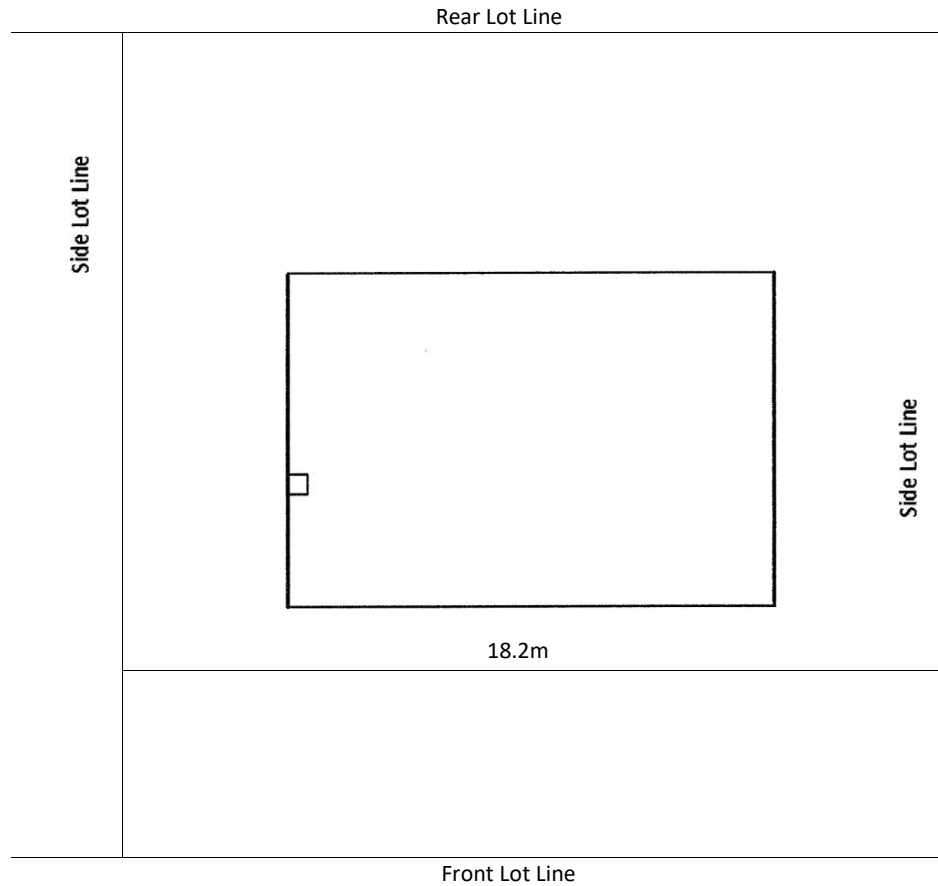
"DWELLING, SINGLE-DETACHED" means a complete building or self-contained portion of a building for the use of one or more individuals living as a single housekeeping unit with associated facilities and intended as a permanent residence not separated from direct access to the outside by another separate or self-contained portion of a building. This definition does not include a mobile home.

"DWELLING UNIT" means a self-contained residence comprising kitchen, washroom, living, and sleeping facilities with a separate private entrance from the exterior of a building or from a common hall, lobby or stairway inside a building, but does not include any part of a hospital, hotel, motel or recreational vehicle.

EXPLANATION NOTES

This graphic is not part of this Duplex bylaw but is provided to aid in its interpretation.

Plan



'DUPLEX' means a building containing two dwelling units, one above the other or side by side, each of which has an independent entrance either directly from outside the building or through a common vestibule. Both dwelling units are located on only ONE lot.

Elevation

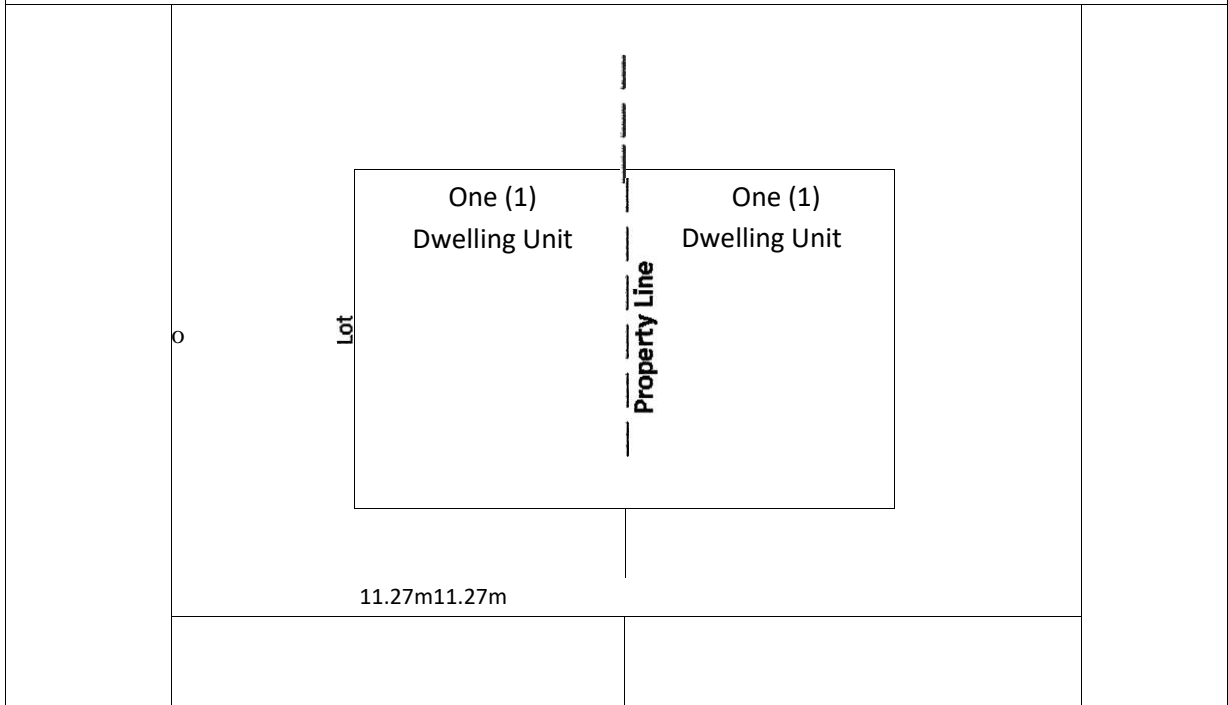
Entrance



EXPLANATION NOTES This graphic is not part of this bylaw but is provided to aid in
Semi-Detached Dwelling its interpretation.

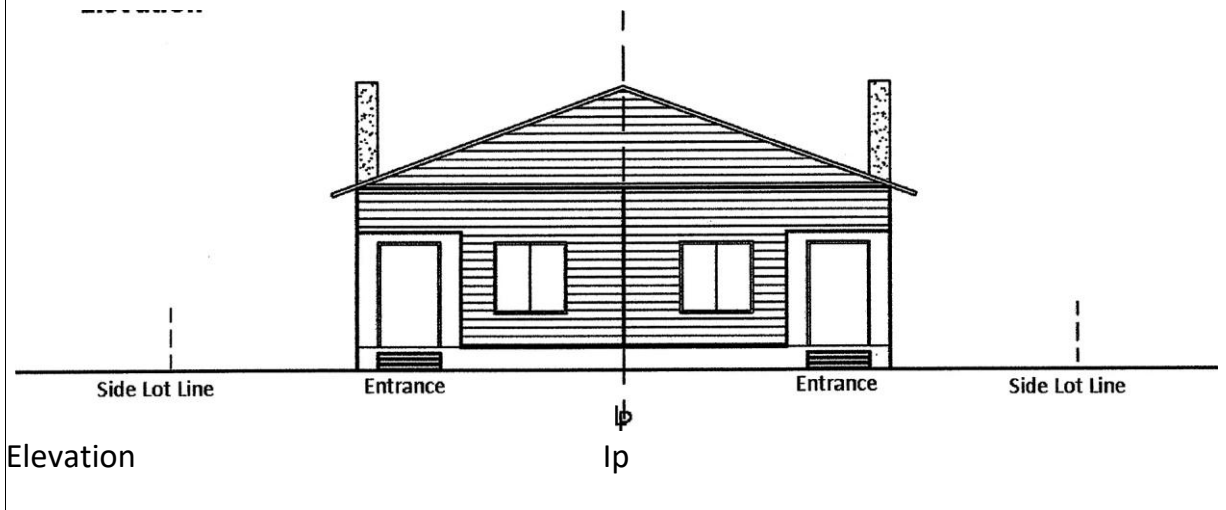
Plan

Rear Lot Line



Front Lot Line

"SEMI-DETACHED DWELLING" means a building that is divided vertically into two dwelling units side by side and separated, straddling two adjacent lots, and separated from each other by a common wall extending from foundation to roof along the property line, having separate entrances and not attached to any other residential building.



"EASEMENT" means a right held by one owner of a parcel of land to make use of the land of another for a limited purpose (for example: right of passage by pedestrians or vehicles, right to park vehicles, right of drainage, right to project eaves and guttering over a property boundary, etc.), or to prevent it from being used for certain purposes. An easement must be registered on the certificate of title of both parcels of land that are involved in the agreement.

"ENVIRONMENTAL AUDIT" means a comprehensive site analysis to determine:

- (1) if there are any hazardous substances above, on or below the surface of the subject property that may pose a threat to the environment and/or health of humans, wildlife, and/or vegetation;
- (2) if there are any breaches of federal, provincial, and/or municipal environmental standards;
- (3) the level of risk that a contaminated site poses to the environment and/or the health of humans, wildlife, and/or vegetation; and
- (4) what remedial actions may be required to reduce the level of risk posed by a contaminated site to an acceptable level.

"ENVIRONMENTAL IMPACT ASSESSMENT" means a comprehensive site analysis to determine:

- (1) the potential impact of the proposed development on the site;
- (2) the potential impact of the proposed development upon adjacent properties or land uses;
- (3) the potential environmental impact of the proposed development upon the future land use potential of the property; and
- (4) the potential impact of the proposed development upon the Town's water supply, waterways, and drainage.

"FINANCIAL INSTITUTION" means a development, use, or building that is primarily for the banking or lending of money and other related services. It includes a trust company, chartered bank or credit union.

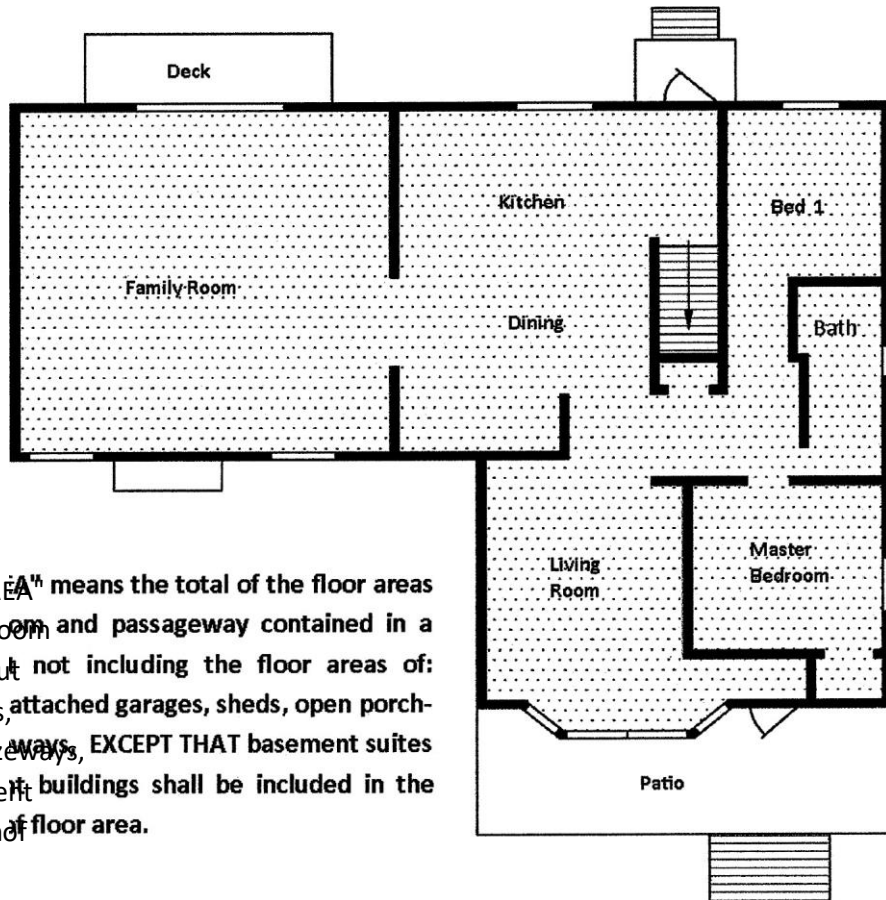
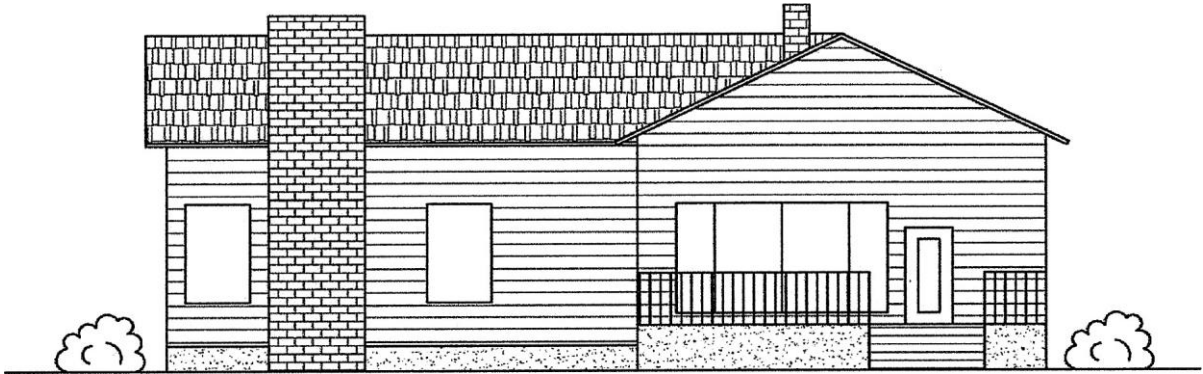
"FIRE PIT, PERMANENT" means a pit that is constructed, or requires some degree of excavation or use of permanent building materials. Such pit construction will require a development permit.

"FIRE PIT, PORTABLE" means any fire pit or receptacle that does not require heavy construction to install. A Portable Fire Pit includes those that are pre-constructed and may be purchased at a retail outlet.

EXPLANATION NOTES This graphic is not part of this bylaw but is provided to aid in its interpretation.

Floor Area

its interpretation.



"FLOOR AREA" means the total of the floor areas of every room and passageway contained in a building but not including the floor areas of: basements, attached garages, sheds, open porches or breezeways, EXCEPT THAT basement suites in apartment buildings shall be included in the calculation of floor area.

"FLOOR AREA" means the total area of the floor areas of every room and passageway contained in a building but not including the floor areas of: basements, attached garages, sheds, open porches or breezeways, EXCEPT THAT basement suites in apartment buildings shall be included in the calculation of floor area.

"GARAGE" means an accessory building or part of the principal building designed and used primarily for the storage of motor vehicles and includes a carport. .

"GAS BAR" means a development used for the sale of gasoline, lubricating oils and other automotive fluids and incidental goods.

"GENERAL RETAIL STORE" means a development used for the retail sale of a wide range of consumer goods but does not include a grocery store or a specialty store. Typical uses include convenience stores, plumbing and hardware stores, clothing stores, shoe stores, sporting goods stores, furniture stores, appliance stores, second hand stores, and pharmacies.

"GOVERNMENT SERVICE" means a development used by a municipal, provincial or federal government department or agency to provide government services directly to the public, and includes a school district office or transit service, but does not include a public use, emergency protective service or school.

"GRADE" means the elevation of finished ground surface, excluding an artificial embankment, at any point immediately adjacent to the building.

"HARD-SURFACE" means a durable, all weather surface constructed of concrete, asphalt or other similar materials.

"HEALTH SERVICE" means a development used for the provision of outpatient health care and social or counselling services, but does not include a hospital.

"HOME-BASED BUSINESS" means an occupation carried on within a residence or an accessory building incidental and subordinate to the principal residential use that does not change the character thereof.

"HOME OFFICE" means an accessory development contained within one room in a dwelling unit, for a business that involves office functions only and is operated by a permanent resident of the dwelling unit.

"INDUSTRIAL CAMP" means a residential complex used to house workers by various contracting firms on a temporary basis. The camp is usually made up of a number of modular units, clustered in such a fashion to provide sleeping, eating, recreation and other basic living facilities. The units may be dismantled and removed from the site from time to time. A single and/or double wide mobile home does not constitute an Industrial Camp.

"KENNEL" means any place, owned by any person, group of persons or corporation engaged in the commercial business of breeding, buying, selling, training or boarding of Animals.

"LANDSCAPING" means preserving, enhancing or incorporating vegetative and other materials in a development and includes combining new and existing vegetative materials with architectural elements, existing site features or other development features including fences or walls.

"LANE" means a public roadway, not exceeding 9.1 metres in right-of- way width, which provides a secondary means of access to a lot.

"LAUNDROMAT" means an establishment providing washing, drying or dry cleaning machines on the premises for rental use to the general public for family laundering or dry cleaning purposes.

"LOADING SPACE" means a space for parking a commercial vehicle while being loaded or unloaded.

"LOT" means:

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

"LOT COVERAGE" means that percentage of the area of any lot which is covered by all buildings on the lot excluding balconies, canopies and the like.

"LOT, CORNER" means a lot located at the intersection or junction of two or more streets.

"LOT DEPTH" means the length of a straight line joining the middle of the front lot line with the middle of the rear lot line.

"LOT LINE" means a legally defined limit of any lot.

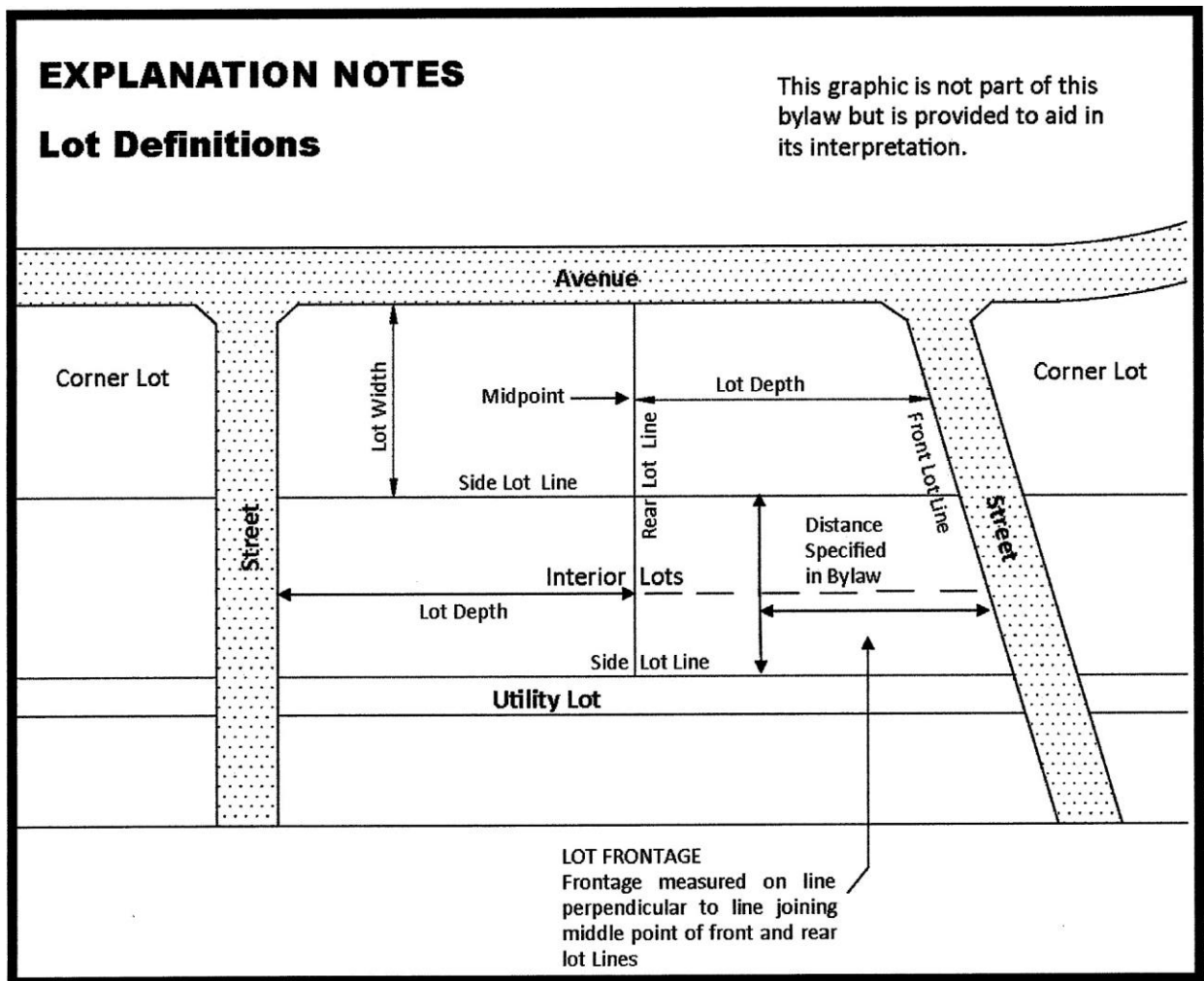
"LOT LINE, FRONT" means the boundary dividing the lot from an abutting street. In the case of a corner lot the Development Authority may select one of the street boundaries as the front.

"LOT LINE, REAR" means the lot line of a lot which is directly opposite to the front lot line.

"LOT LINE, SIDE" means any lot line other than a front or rear lot line.

"LOT LINE, THROUGH" means any lot other than a corner lot having access on two abutting streets.

"LOT WIDTH" means the horizontal measurement between the side lot lines measured at the center point between the front and rear lot lines.



"MOBILE HOME" means a transportable, single or multiple (double) - section single detached dwelling built and assembled in a factory. It is ready for occupancy upon completion of on-site installation in accordance with required factory-recommended installation instructions and is intended for non-transient occupancy, but shall not include Industrial trailers.

"MOBILE HOME PARK" means a lot under single title which is managed by a mobile home park operator and which has been designed for the placement of mobile homes on mobile home site lots for non-transient use.

"MOBILE HOME PARK LOT" means a leasable or rentable portion of land located within a mobile home park reserved for the placement of a mobile home for non-transient occupancy. A "MOBILE HOME PARK LOT" could be owned by a single operator or under a co-operative ownership agreement.

"MOBILE PARK" means a parcel under single title, which is managed by an operator and which has been designed for the placement of mobile homes on mobile park lots for transient occupancy.

"MOBILE PARK LOT" means a leasable or rentable portion of land located within a mobile home park reserved for the placement of a mobile home for transient occupancy, not to exceed one year at any one time unless authorized by Council.

"MOBILE HOME SUBDIVISION" means a mobile home development registered as a subdivision under freehold tenure.

"MODULAR BUILDING" means finished section(s) of a complete building built in a factory for transport to the site for installation. For the purpose of this By-law, modular construction includes single or multiple dwellings, including single, semi-detached, rows, townhomes, duplexes, and apartments, but not a mobile home. Modular construction can also include commercial, industrial and institutional buildings.

"MOTEL" means a building or group of buildings designed for the accommodation of the travelling or vacationing public containing guest rooms, each of which has a separate entrance directly from outside the building.

"MOTOR HOTEL" means a building designed for the accommodation of the travelling or vacationing public containing guest rooms served by a common entrance as well as general kitchen and dining or other public rooms.

"MOVED-IN BUILDING" means any building moved-in or relocated from jurisdictions outside or within the corporate boundary of the Town of Rainbow Lake to a parcel within the Town of Rainbow Lake.

"MUNICIPALITY" means the Town of Rainbow Lake.

"NON-CONFORMING BUILDING" means a building:

- (1) that on the date this land use bylaw or any amendment thereof becomes effective does not, or when constructed will not comply with this land use bylaw; and

- (2) that is lawfully constructed or lawfully under construction at the date this land use bylaw or any amendment thereof affecting the building or land on which the building is situated becomes effective.

"NON-CONFORMING USE" means a lawful specific use:

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

"NON-TRANSIENT OCCUPANCY" means occupancy when it is the intention of the parties that the occupancy will not be temporary. There is a presumption that when the dwelling unit occupied is the sole residence of the guest, the occupancy is non-transient.

"PARCEL" means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office.

"PARKING LOT" means a development or part thereof which provides for access, manoeuvring and parking of motor vehicles.

"PARKING STALL" means a space within a building or a public or private parking lot, exclusive of driveway, aisles, ramps and columns for the parking of one vehicle.

"PERMITTED USE" means the use of land or a building provided for in a land use bylaw for which a development permit shall be issued upon an application having been made, and that the use conforms to the provisions of the land use bylaw.

"POOL HALL" means a business where the primary function is the rental of billiard tables, pool tables or any similar games tables to the public for a fee and where no more than three mechanical or electronic games are kept for the purpose of furnishing entertainment or amusement.

"PRINCIPAL USE OR BUILDING" means the main purpose for which a building or site is ordinarily used.

"PRIVATE DAYCARE FACILITY" means a facility in a private residence of the person operating the facility at which care is provided for children, some or all of whom are children of persons other than the person operating the facility and does not require a licence under the Social Care Facilities Licensing Act.

"PROFESSIONAL SERVICE" means a development used to provide professional services, but does not include health service or government service. Typical uses are offices

providing accounting, architectural, employment, engineering, insurance, investment, legal, real estate and travel agent services. .

"PUBLIC USE" means a building, structure or lot used for public services by the Municipality, by any local board or agency of the Municipality, by any department, commission or agency of any other municipal corporation or the Government of Alberta or Canada, or by any public utility.

"PUBLIC UTILITY" means a system or works used to provide one or more of the following for public consumption, benefit, convenience or use:

- (1) water or steam;
- (2) sewage disposal;
- (3) public transportation operated on behalf of the municipality;
- (4) irrigation;
- (5) drainage;
- (6) fuel;
- (7) electric power;
- (8) heat;
- (9) waste management;
- (10) gas;
- (11) telecommunication;

and includes the goods and services provided for public consumption, benefit, convenience or use.

"RECREATIONAL VEHICLE" means a vehicular type portable structure without permanent foundation, which can be towed, hauled or driven and primarily designed as temporary living accommodation for recreational, camping and travel use and including but not limited to travel trailers, truck campers, camping trailers and self-propelled motor homes.

"RESIDENT" means a person that permanently resides and normally eats and sleeps within the dwelling unit, and when absent, intends to return.

"RESTAURANT" means the use of a building as a public eating place and may include a licensed dining lounge and other associated facilities.

"ROW HOUSING" means one of three or more dwelling units which are constructed in a row and divided vertically and each of which has a separate rear and front entrance.

"SATELLITE DISH OR ANTENNA" means a combination of:

- (1) antenna or dish antenna whose purpose is to receive communication or other signals from orbiting satellites;
- (2) a low noise amplifier which is situated at the focal point of the receiving component and whose purpose is to magnify and transfer signals; and
- (3) a coaxial cable whose purpose is to carry the signals into the interior of the building.

"SCHOOL" means a publicly or privately supported or subsidized development used for education and includes its administrative offices. Typical developments are elementary and secondary schools, but do not include commercial schools.

"SCREENING" means a fence, berm or hedge used to visually separate areas, uses and/or functions from a public roadway, highway or neighbouring land uses.

"SERVICE STATION" means any building, land area or other premises used for the retail dispensing or sales of vehicular fuels; and including as an accessory use the sale and installation of lubricants, tires, batteries and other similar accessories. It may also include an enclosed restaurant facility or convenience store facility as a secondary use to the principal fuel sale use.

"SETBACK" means the distance that a development or a specified portion of it, must be set back from a property line. A setback is not a yard, amenity space, or separation space.

"SHOPPING CENTRE" means a development comprising three or more separate commercial use facilities that operate as a unit and share a common parking area.

"SIGHT TRIANGLE" means that triangle formed by a straight line drawn between two points on the exterior boundaries of a lot, 7.6 metres (25 feet) from the point where they intersect.

"SIGNS" means anything that serves to indicate the presence or the existence of something, including but not limited to a lettered board, a structure, or a trademark displayed, erected or otherwise developed and used or serving or intended to serve to identify, to advertise, or to give direction.

"SPECIALTY STORE" means a book store, florist, craft studio, art gallery, photographic shop, delicatessen, butcher shop, bakery or specialty food store.

"STOREY" means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost storey shall be that portion of the building included between the upper surface of the topmost floor and the ceiling above. If the finished floor level directly above grade is more than 1.8 metres (6 feet) above such grade then the portion of the building below finished floor level shall be considered a storey in calculating the height of any building.

"SUBDIVISION AND DEVELOPMENT APPEAL BOARD" means a subdivision and development appeal board established pursuant to the Act and by Council through the adoption of a bylaw.

"TEMPORARY STRUCTURE" means a structure without any permanent foundation or footings and which is removed when the designated time period, activity or use for which the temporary structure was erected has ceased.

"TOWNHOUSE" means a multiple dwelling comprised of three or more dwelling units separated from each other by walls extending from foundation to roof with each dwelling unit having separate direct entrance from grade and includes all row, length, patio, garden court or other housing which meet those criteria.

"TRANSIENT OCCUPANCY" means occupancy when it is the intention of the parties that the occupancy will be temporary. There is a presumption that, if the unit occupied is not the sole residence of the guest, the occupancy is transient.

"UTILITY RIGHT OF WAY" means an interest in land which is commonly granted where there is a need for a continuous right of way under many parcels of land (for example, gas and oil pipelines and municipal utilities). A utility right of way is registered only against the land which is subject to the rights granted and once it is registered, the right to use the land in accordance with the terms of the grant remains with the grantee (for example, the Crown or a corporation) and its successors or assigns until a release is registered.

"VARIANCE" means permission to depart from the literal requirements of a zoning regulation.

"WAREHOUSE" means a development for the indoor storage of equipment, goods, motor vehicles, recreation vehicles, materials or products.

"YARD" means a part of a lot upon or over which no principal building is erected.

"YARD, EXTERIOR SIDE" means a side yard immediately adjoining a street.

"YARD, FRONT" means a yard extending across the full width of a lot and situated between the front lot line and the nearest portion of the principal building.

"YARD, INTERIOR SIDE" means a side yard other than an exterior side yard.

"YARD, REAR" means a yard extending across the full width of a lot and situated between the rear lot line and the nearest portion of the principal building.

"YARD, SIDE" means a yard extending from the front yard to the rear yard and situated between the side lot line and the nearest part of the principal building.

"YARD DEPTH, FRONT" means the least horizontal dimension between the front lot line of the lot and the nearest part of any building or structure. .

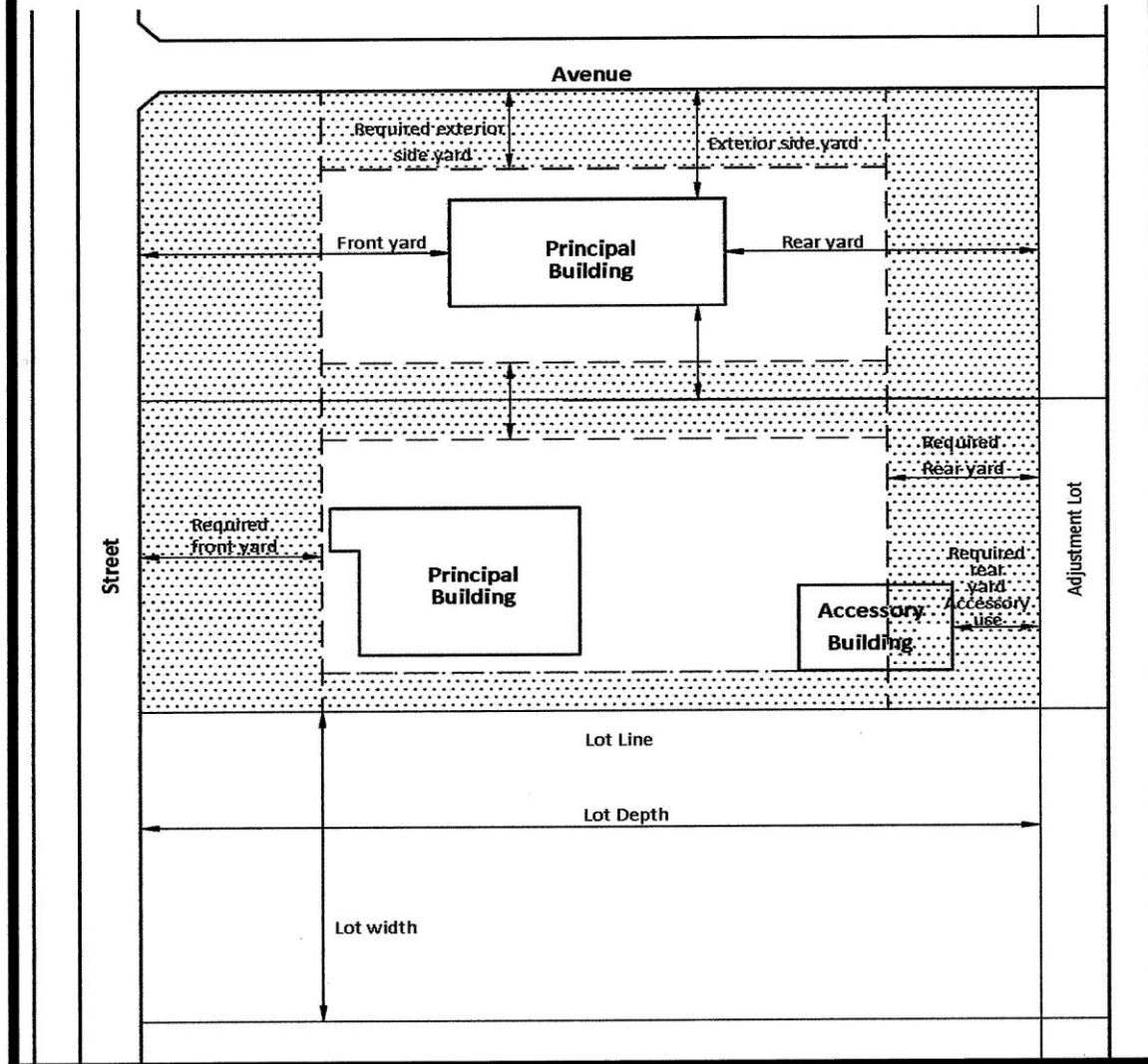
"YARD DEPTH, REAR" means the least horizontal dimension between the rear lot line of the lot and the nearest part of the principal building.

"YARD WIDTH, SIDE" means the least horizontal dimension between the side lot line of the lot and the nearest part of the principal building.

EXPLANATION NOTES

Yard Definitions

This graphic is not part of this bylaw but is provided to aid in its interpretation.



PART TWO AGENCIES

2.1 DEVELOPMENT AUTHORITY

- (1) The Development Authority shall be as established by the Development Authority Bylaw.
- (2) The Development Authority shall perform such duties that are specified in this section of this Bylaw.

2.2 DUTIES AND RESPONSIBILITIES OF THE DEVELOPMENT AUTHORITY

- (1) In accordance with the Act, the Development Authority shall:
 - (a) receive, consider and decide on all applications for a development permit; and
 - (b) keep and maintain for the inspection of the public during office hours, a copy of this Bylaw and all amendments and resolutions thereto; and
 - (c) keep a register of all applications for development permit, including the decisions and the reasons for the decisions, for a minimum period of seven (7) years.
- (2) In accordance with the Act, where a person applies for a development permit for a permitted use, the Development Authority shall, where the application otherwise conforms to this Bylaw, issue a development permit.
- (3) In making a decision on an application involving a discretionary use the Development Authority may:
 - (a) approve the application unconditionally; or
 - (b) approve the application subject to conditions; or
 - (c) refuse the application.
- (4) The Development Authority may, with respect to a Discretionary Use, impose such conditions as the Development Authority deems appropriate, having regard to the regulations of this Bylaw and the provisions of any statutory plan.
- (5) The Development Authority may require with respect to a development permit that as a condition of issuing a development permit, the applicant enter into an agreement with the Town to:
 - (a) construct or pay for the construction of public roadways or parking areas; and/or

- (b) install or pay for the installation of utilities; and/or
 - (c) pay an offsite levy or redevelopment levy imposed by bylaw.
- (6) In the case where an application for a development permit has been refused pursuant to this PART or ultimately after appeal pursuant to the Subdivision and Development Appeal Board Bylaw, the submission of another application for a permit on the same property and for the same or similar use of the land by the same or any other applicant may not be accepted by the Development Authority for a least 6 months after the date of the previous refusal.
- (7) The Development Authority may approve an application for a development permit notwithstanding that the proposed development does not comply with this bylaw if, in the opinion of the Development Authority:
- (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 the use prescribed for the land or building in the bylaw.
- (8) An application for a development permit shall, at the option of the applicant, be deemed refused when a decision of the Development Authority is not made within forty (40) days of the receipt of the application in its complete and final form. Alternatively, the applicant may enter into an agreement with the Development Authority to extend the time required to render the decision.
- (9) The Development Authority may refer any application to any federal, provincial or municipal department, or any other agency, in order to receive qualified comment and advice.
- (10) In the case of all buildings and the relationship of the buildings to each other and the total relationship to the land on which they are constructed, in particular respect to such matters as air, privacy and landscaping shall be fully shown upon the site plans of the whole development, and all the foregoing shall be to the satisfaction of the Development Authority.
- (11) When, in the opinion of the Development Authority, insufficient details of the proposed development have been provided with the application for a development permit, the Development Authority may return the application to the applicant for further details. The application so returned shall be deemed not to have been in its complete and final form until all required details have been submitted to the satisfaction of the Development Authority.

- (12) Whenever, in the opinion of the Development Authority, satisfactory arrangements have not been made by a developer for the supply of water, electrical power, natural gas, sewage, and street access, or any of them, including payment of the costs of installation or construction, the Development Authority may refuse to issue a development permit.

2.3 DEVELOPMENT PERMITS AND NOTICES

- (1) A permit granted pursuant to this PART does not come into effect until 15 days after the date an order, decision or development permit is publicized as described in subsection (3) of this section and any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
- (2) Where an appeal is made to the Subdivision and Development Appeal Board, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit may be modified or nullified thereby.
- (3) When a permit has been issued the Development Authority shall:
 - (a) post a notice of the decision conspicuously on the property for which the application has been made; and/or
 - (b) post a notice on the community channel; and/or
 - (c) publish a notice in a newspaper circulating in the municipality stating the location of the property for which the application has been made and the use approved; and/or
 - (d) mail a notice in writing to all adjacent land owners who in the opinion of the Development Authority may be affected (to be used only in the event that, in the opinion of the Development Authority, the development is a controversial matter); and
 - (e) mail a copy of the development permit to the owner of the property if the owner is not the applicant.
- (4) If the development authorized by a permit is not commenced within 12 months from the date of its issue, the permit is deemed to be void, unless an extension to this period has previously been granted by the Development Authority.
- (5) Notwithstanding subsection (4), for certain discretionary uses such as temporary signage, industrial camps, or other land uses which are intended to be temporary in nature, the Development Authority may determine that a development permit is valid for less than twelve (12) months from its date of issue. The expiry date of all "temporary development permits" shall be clearly indicated on the approved development permit.

- (6) A decision of the Development Authority on an application for a development permit shall be given in writing and a copy of it sent to the applicant.
- (7) When a Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal.

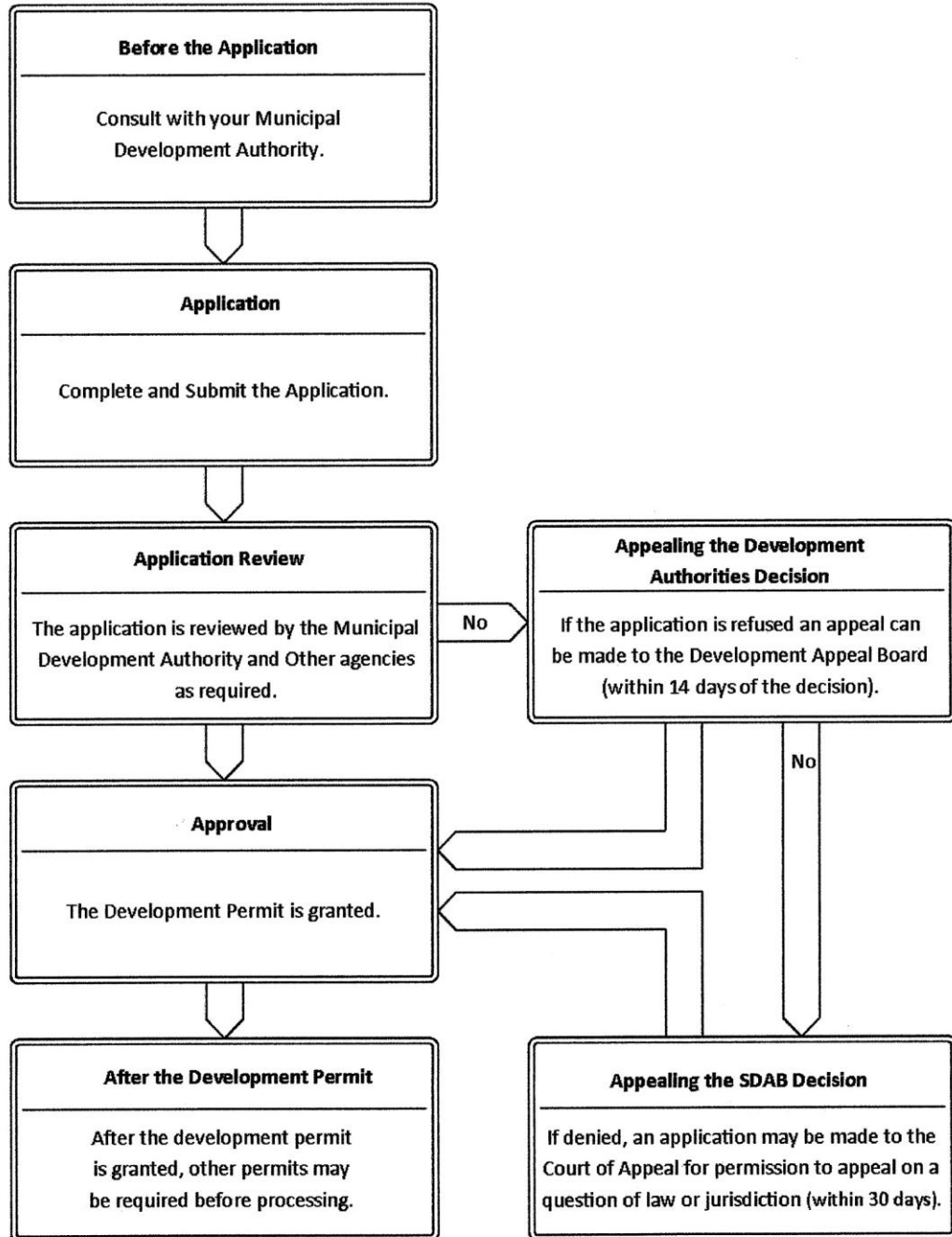
2.4 DEVELOPMENT APPEAL PROCEDURES

Procedures for appealing a Development Authority's decision shall be pursuant to the provisions of the Municipal Government Act.

EXPLANATION NOTES

Development Process

This graphic is not part of this bylaw but is provided to aid in its interpretation.



PART THREE DEVELOPMENT PERMITS

3.1 CONTROL OF DEVELOPMENT

No development other than that designated in this section shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.

3.2 APPLICATION FOR DEVELOPMENT PERMIT

- (1) An application for a development permit shall be made to the Development Authority in writing in the prescribed form and shall be signed by the owner or his/her agent. The Development Authority may require any of the following information with the application:
 - (a) a site plan in duplicate showing the legal description and the front, rear and side yards, if any, and any provision for off-street loading and vehicle parking and access and egress points to the site;
 - (b) floor plans and elevations and sections in duplicate;
 - (c) a statement of uses;
 - (d) a statement of ownership of land and interest of the applicant therein;
 - (e) site plans showing utilities, site drainage, grade elevations, existing and finished lot grades, the grades of the streets and the location of proposed sewer, water and natural gas lines;
 - (f) the estimated commencement and completion dates; and
 - (g) the estimated cost of the project or contract price.
- (2) In addition to those requirements outlined in subsection (1) above, the developer will also provide the following information if the application is for apartments, row housing, duplex, semi-detached dwelling, or four-plex development:
 - (a) location and position of any "For Rent" or identification signs;
 - (b) location of an access to garbage storage areas and incinerators, and the fencing and landscaping of these facilities;
 - (c) landscape plan of the entire site which shall also show intended surfacing for drives and parking areas; and

- (d) emergency vehicle access.
- (3) In addition to those requirements outlined in subsection (1) above, applications for industrial and commercial uses shall indicate provisions for connection to existing municipal water, sewer and gas systems, the anticipated water demand of the development, any accessory works required, and/or any other such information as may be reasonably required by the Development Authority.
 - (4) Each application for a development permit shall be accompanied by a fee set by a resolution of Council from time to time.
 - (5) At the discretion of the Development Authority, the development permit application fee may be waived or reduced if any of these conditions apply:
 - (a) the Town of Rainbow Lake is the applicant;
 - (b) the applicant is a non-profit organization and where, in the opinion of Council, the proposed development is intended to promote the general welfare of the residents of the Town of Rainbow Lake (excluding public bodies such as schools, hospitals, health services, and government services; and
 - (c) the development permit application was withdrawn by the applicant prior to being processed by the Development Authority.
 - (6) As a condition of any development permit, the Development Authority can require the developer to obtain additional permits and certificates from a Government of Alberta accredited inspection agency for code compliance related, but not limited, to building, electrical, gas, plumbing and sewer provisions of the development, and these permits must be made available upon request of the Development Authority.
 - (7) All developments are required to have appropriate connection to the Town services and utilities, such as water, sewer, gas and others, as deemed necessary by the Development Authority and any relevant utilities Bylaws.

3.3 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

The following development shall not require a development permit:

- (1) The carrying out of works of maintenance or repair to any building, provided that such works do not include structural alterations or major works of renovations.
- (2) The completion of a building which was lawfully under construction at the date this Bylaw comes into full force and effect provided that the building is completed in accordance with the terms of any permit granted in respect of it

and subject to the conditions to which such permit was granted and provided, also, that the building is completed within a period of twelve months from the date of the first publication of the official notice.

- (3) The use of any such buildings as is referred to in subsection (2) for the purpose for which construction was commenced.
- (4) A development that is subject to valid development agreement for:
 - (a) constructing, widening, altering, redesigning or maintaining a public roadway or walkway;
 - (b) traffic management projects and devices;
 - (c) water reservoirs, water lines, storm and sanitary sewer installations;
 - (d) street furniture, tennis courts, playgrounds, public park landscaping, municipal recreation equipment and civic buildings with a gross floor area under 75 square metres (807.3 square feet); and
 - (e) constructing and maintaining public utilities, including cable television, under the control or direction of the Town of Rainbow Lake.
- (5) A project listed in subsection (a) to (e) above undertaken by the Town.
- (6) Maintenance of that part of a public utility located in, on, over or under a public roadway, a public utility right-of-way or public utility lot.
- (7) The use of a building or a part of it in connection with federal, provincial, municipal, or school election, referendum or census.
- (8) In a residential district, construction of a garden shed or playhouse less than 13 square metres (140 square feet) in floor area if the development complies with this Bylaw.
- (9) In a residential district, one radio antenna less than 12 metres (39.4 feet) above finished grade at its highest point and otherwise complies with this Bylaw.
- (10) In a residential district, hard surfacing of any yard for the purposes of providing vehicular access from a public roadway to a garage or carport, provided that such hard surfacing does not exceed 7.5 metres (24.6 feet) in width.
- (11) Holding a garage sale.
- (12) In a residence, the habitation within a dwelling unit of a family, plus a maximum of two lodgers.

- (13) Signs posted or exhibited inside a building.
- (14) Window signs, provided they are not for the purpose of advertising a home based business or home office.
- (15) Municipal signs.
- (16) Traffic Signs.
- (17) Garage sale signs.
- (18) Signs located on a community notice board.
- (19) Signs identifying a construction or demolition project.

Developments listed within this subsection must otherwise comply with the requirements of this Bylaw.

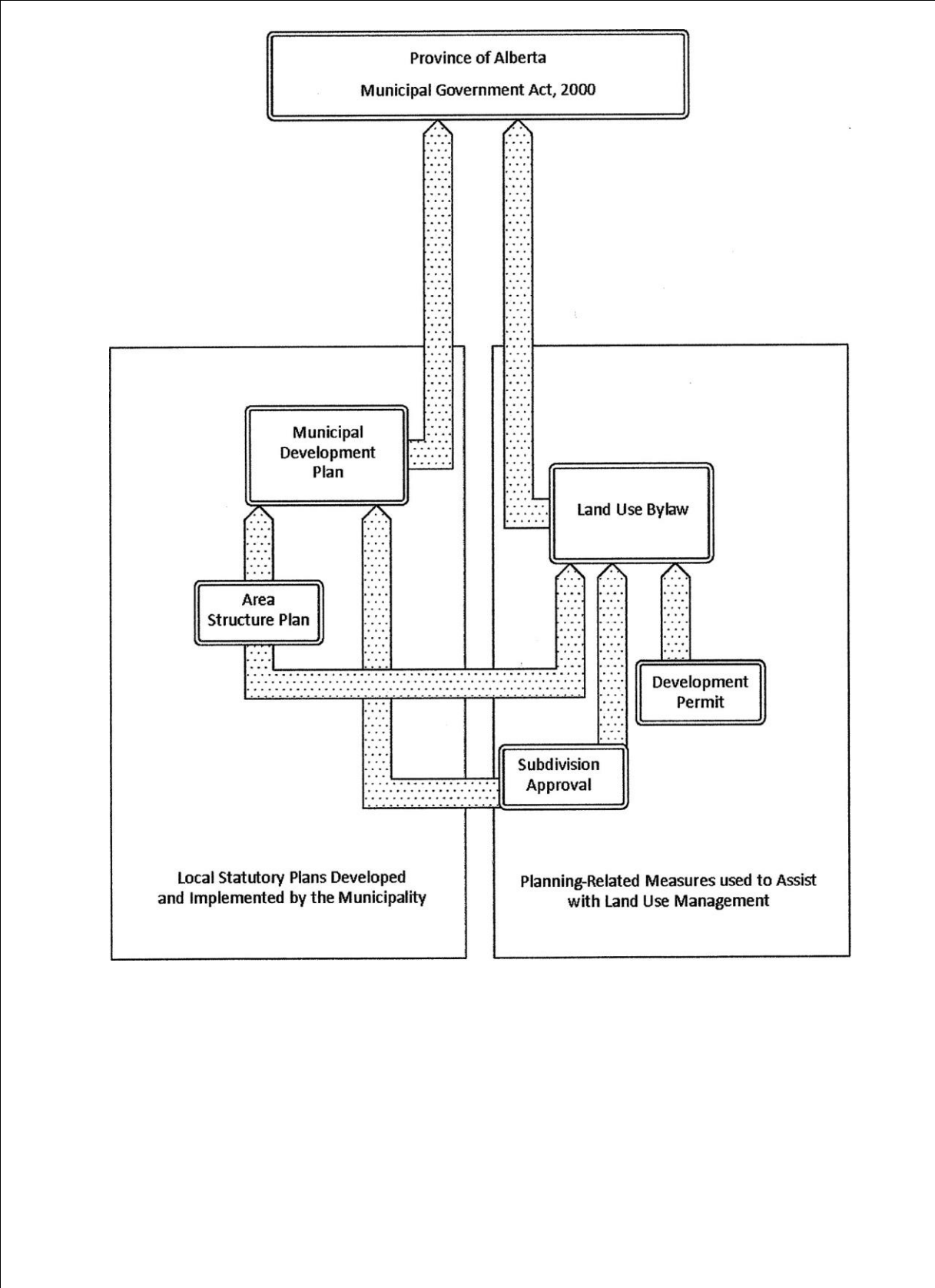
3.4 NON-CONFORMING BUILDINGS AND USES

Refer to the Municipal Government Act, 2000 M-26, and amendments thereto for rules respecting "Non-Conforming Uses and Non-Conforming Buildings". If a building is nonconforming, a minor variance may be approved by the Development Authority.

EXPLANATION NOTES

Relationship between Plans and bylaw but is provided to aid in its interpretation.

Planning Related Measures



PART FOUR GENERAL LAND USE PROVISIONS

4.1 ACCESSORY BUILDINGS

- (1) An accessory building shall not be used as a dwelling.
- (2) The siting of an accessory building on an irregular shaped parcel shall be as approved by the Development Authority.
- (3) No accessory building or use shall be located in the front yard of a residential use.
- (4) An accessory building shall not be located closer than 2.1 metres (7 feet) to a main building.
- (5) The height of an accessory building shall not exceed 4.6 metres (15 feet) or one storey.
- (6) Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or a foundation, it is to be considered a part of the principal building and is not an accessory building.
- (7) The total area of the accessory building shall not exceed 12 percent of the site area.
- (8) No eave on any accessory building shall be closer than 0.9 metres (3 feet) to any property line, with the structure of any accessory building being no closer than 1.2 metres (4 feet) to any property line.

4.2 AERODROME RESTRICTIONS

- (1) All developments within the range of aerodrome reference point (a certain distance or radius from the geometric centre of the landing area), as defined by the Transport Canada's Aerodrome Standards and Recommendations, shall comply with all regulations, recommendations and standards set forth by Transport Canada and other relevant regulating authorities at the time of the Development Permit request.
- (2) All developments and land uses within a 4 kilometre (2.49 miles) radius of the aerodrome reference point (geometric centre of the landing area) are restricted in their height (at the highest peak of the development) so that they do not exceed 45 metres (147.6 feet) from the elevation line of the aerodrome reference point.
- (3) Developments within a 4 kilometre (2.49 miles) radius of the aerodrome reference point (geometric centre of the landing area) can be required by the Development Authority to meet certain commercial, industrial and other management practices in terms of noise, electromagnetic waves, waste and other concerns, in order to reduce risks associated with wildlife and other elements within the aerodrome

vicinity. Particular restrictions might be placed on the following (but not limited to these) land uses:

- (a) food-waste landfill sites;
- (b) garbage dumps;
- (c) feedlots and feeding stations;
- (d) electronic and telecommunication installations;
- e commercial activities:
 - (i) Outdoor theatres;
 - (ii) Food waste from restaurants;
 - (iii) Food waste from picnic areas.

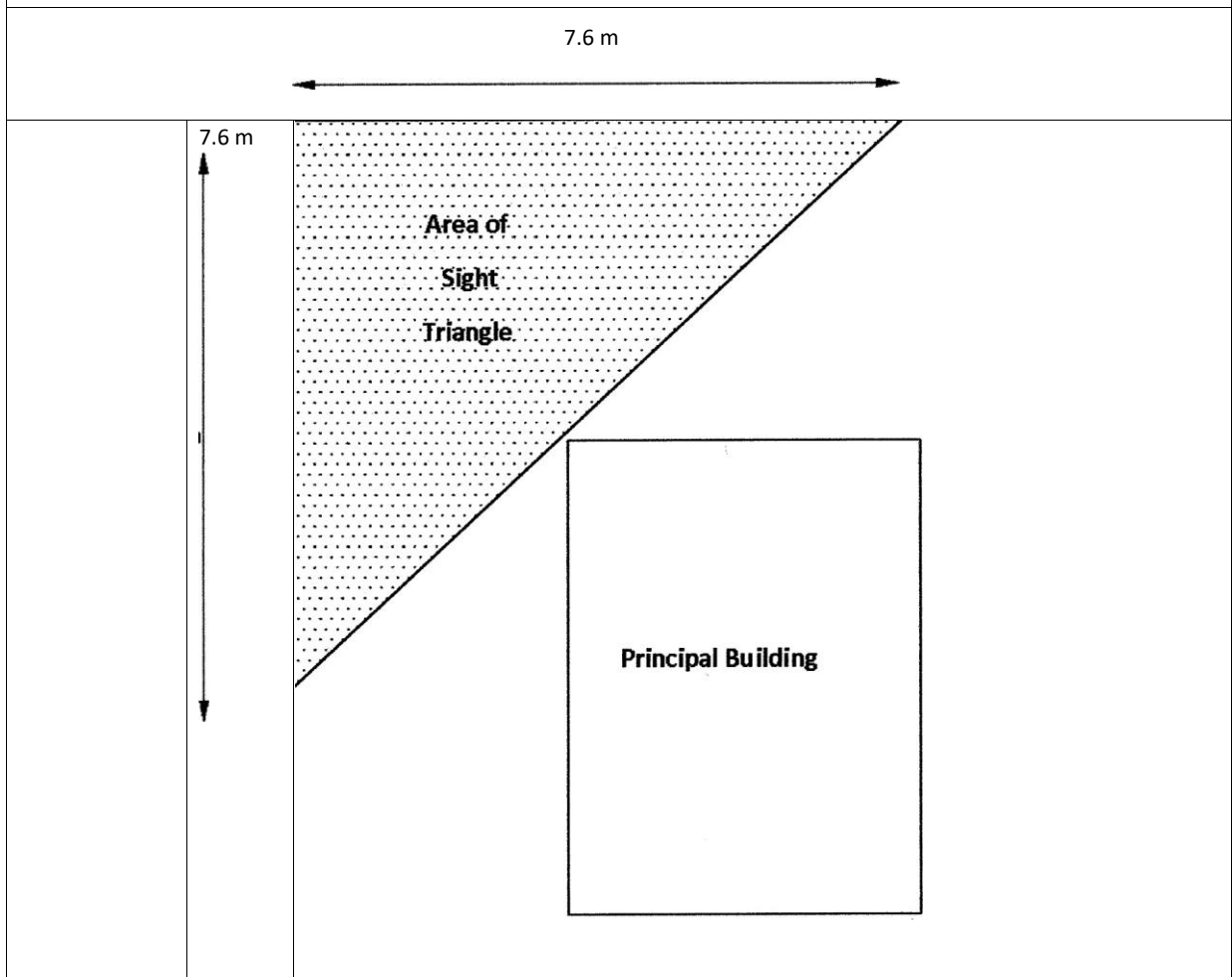
4.3 CORNER LOTS

For the purpose of this section, corner lots shall include property measurements based on a sight triangle (refer to diagram).

- (1) A sight triangle means that triangle formed by a straight line drawn between two points on the exterior boundaries of the lot, 7.6 metres (25 feet) from the point where they intersect.
- (2) On any corner lot in a residential area, no person shall erect, place or maintain within the sight triangle a wall, fence, shrub, trees, hedge, or any object over 0.9 metres (3 feet) in height above the lowest street grade adjacent to the intersection.
- (3) On any corner lot, no finished grade shall exceed the general elevation of the street line by more than 0.6 metres (2 feet) within the area defined as a sight triangle.
- (4) When a lot has more than one front yard line (corner lot), the front yard requirement shall apply to all front yards, but, at the discretion of the Development Authority, one front yard may be considered a side yard.

EXPLANATION NOTES This graphic is not part of this bylaw but is provided to aid in
Sight Triangle its interpretation.

A "SIGHT TRIANGLE" means that triangle formed by a straight line drawn between two points on the exterior boundaries of the said site 7.6 metres from the point where they intersect.



4.4 DECKS, BALCONIES AND PATIOS

- (1) Decks, balconies and patios shall be developed to the satisfaction of the Development Officer.
- (2) Construction of new decks, balconies and patios require a development permit.
- (3) Decks, balconies and patios shall meet the following requirements:
 - (a) conform to the required front, side and rear yard setbacks of the principal building. However, an uncovered deck may project a maximum of 3.0

metres (10 feet) into a required front yard, provided its location and appearance are satisfactory to the Development Officer;

(b) a deck shall not be located within the 7.6 metres (25 feet) corner sight triangle;

(c) shall comply with the Alberta Building Code;

d a covered or enclosed deck shall be considered an addition to the principal building and is required to meet the requirements for a principal building; (e) a deck shall be included in the calculation of lot coverage; and

(f) a deck shall be limited in height to no more than the main floor level of the principal building.

4.5 ENTRANCES AND EXITS

(1) Driveways shall be set back a minimum distance of 6.1 metres (20 feet) from the intersection of site boundaries on corner lots.

(2) Notwithstanding the above, the setback distance for driveways may be increased where, in the opinion of the Development Authority, such increase is necessary for reasons of public safety and convenience.

(3) The minimum distance between adjacent driveways on the same side of the property shall be determined by the Development Authority.

4.6 ENVIRONMENT

(1) When reviewing an application for development that may have an adverse environmental impact on adjacent lands, the Development Authority may consider the following:

(a) the impact of the proposed development on the subject and surrounding areas;

(b) the soil and slope conditions of the area surrounding the subject property;

(c) any information on the history of the subject property and surrounding area from a geo-technical perspective;

(d) the impact of the development on watercourses; and

e comments and recommendations from Alberta Environmental Protection: Land Reclamation Branch.

- (2) As part of the development permit application, the Development Authority may require a geo-technical study, prepared by a qualified geo-technical engineer, addressing the proposed development. The geo-technical study will establish building setbacks from property lines based upon land characteristics of the subject property.
- (3) As part of the development permit application and/or subdivision, the Development Authority may require a Storm-water Management Plan, prepared by an Alberta registered certified professional Engineer, to demonstrate that post-development run-off rates are maintained at pre-development levels. If the development is deemed by the study as increasing the discharge rates post development and on-site mitigation strategies are not sufficient, the Development Authority can require the developer to pay towards any off-site improvements and mitigation measures that would handle the increased water run-off discharge.

4.7 FIRE PITS AND PERMANENT BARBEQUES

- (1) Construction of fire pits and permanent barbeques require a development permit and shall meet the following requirements:
 - (a) be set back 3.0 metres (10 feet) from fences, property lines and buildings;
 - (b) be located in the rear yard;
 - (c) be constructed of non-combustible materials, including a proper screen;
 - (d) not be constructed over a gas line; and
 - (e) be constructed in accordance with any provincial and/or municipal codes, bylaws or regulations.
- (2) Only clean combustibles shall be burned in the fire pit.

4.8 GARDEN SHEDS AND PLAYHOUSES

- (1) Garden sheds and playhouses require a development permit and shall meet the following requirements:
 - (a) not be located on the front yard;
 - (b) not exceed one (1) storey in height;
 - (c) maintain a minimum side yard setback of 1.52 metres (5 feet);

- (d) maintain a rear yard setback of 0.9 metres (3 feet) when there is a lane; and
- (e) have a minimum separation distance of 2.4 metres (8 feet) from the principal building and 1.2 metres (4 feet) from all other buildings on the same parcel of land.

4.9 GATES, WALLS, FENCES, HEDGES OR OTHER MEANS OF ENCLOSURE

- (1) The erection, construction or alteration of all gates, walls, fences, hedges or other means of enclosure require a development permit.
- (2) All such means of enclosure shall meet the specific standards set under their respective land use district.

4.10 LANDSCAPING AND SCREENING

- (1) All new developments shall have their landscaping and beautification provisions identified as part of the development permit process. If the Development Authority deems these provisions to be insufficient or unsuitable, they shall be adjusted accordingly.
- (2) Any area required to be landscaped shall be loamed and planted with grass, trees, shrubs and/or flowers and natural plant species, or similar outdoor treatments which enhance the appearance of the site and which complement the building on it, while minimizing the ecological impact of the development.
- (3) Site Elevations:
 - (a) Any area required to be landscaped shall be done so that the finished surface contours do not direct surface drainage onto an adjoining lot.
 - (b) The Town may require an applicant to build a retaining wall in order to prevent surface drainage onto adjacent properties.
 - (c) The property owner shall be responsible for ensuring that surface drainage does not cause problems for adjacent properties.
 - (d) As a condition of the development permit, the Development Authority might require a lot grading certificate during the development process and after the finished grade has been established.
- (4) In the case of a swimming pool, the property on which the swimming pool is situated shall be fenced to the satisfaction of the Development Officer, with the fence height being a minimum of 1.83 metres (6 feet) while providing for lockable gates for the fencing around the swimming pool.

- (5) As a condition of the development permit, all landscaping and planting shall be carried out (weather permitting) within six months of occupancy or commencement of operation of the proposed development.
- (6) In all districts, landscaping shall include the boulevards.
- (7) In all districts, the location of an enclosure for garbage receptacles and other apparatus shall be to the satisfaction of the Development Officer.
- (8) Commercial and Industrial Sites:
 - (a) Any portion of the lot that is not covered by the development and/or uses associated with the development, such as a work area or off-street parking, shall be landscaped to the satisfaction of the development Authority.
 - (b) The entire surface area of the lot, beyond the main building footprint, shall not be paved, and therefore a portion has to be set aside as a pervious surface area for storm water and for landscaping purposes.
 - (c) Efforts shall be made to deal with the capture and treatment of storm water runoff on site, through provisions such as swales, detention ponds and natural landscaping, feeding water from roofs and lot surfaces into these areas before channeling the excess water to the Town drainage system.

4.11 NUMBER OF DWELLING UNITS PERMITTED ON A LOT

- (1) . No person in the Town shall construct or cause to be constructed more than one (1) dwelling unit per lot.
- (2) Sub-section 1 does not apply to:
 - (a) duplex dwellings;
 - (b) multi-family dwellings with more than two dwelling units such as fourplexes, rowhousing, and apartments; or
 - (c) additional dwelling units allowed as a permitted or discretionary use i.e. industrial camps.
- (3) When determining whether or not to allow for an additional dwelling unit on a lot, the Development Authority shall consider the following:
 - (a) the suitability of the site for the proposed development;

- (b) access to and from the site;
- (c) the provision of proper, on-site water and sewer and natural gas servicing; and
- (d) existing and future surrounding land uses.

4.12 OBJECTS PROHIBITED OR RESTRICTED IN RESIDENTIAL AREAS

No person shall keep or permit in any part of a yard in any residential district:

- (1) Any dismantled or wrecked vehicle for more than 14 consecutive days.
- (2) Any object or chattel which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the district.
- (3) Any excavation, storage or piling up of materials required during the construction stage unless all necessary safety measures are undertaken; the owner of such materials or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work.

4.13 OFF-STREET PARKING

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

USE OF BUILDING OR DEVELOPMENT	MINIMUM NUMBER OF PARKING STALLS
Residential	
Single-Detached Dwellings and Duplexes	2 spaces per dwelling unit
Apartments and Row Housing	2 spaces per unit except for bachelor unit -1 space. 1 visitor space for every 5 units
Mobile Home Parks	2 spaces per lot
Boarding and Lodging Houses	1 space per bed
Commercial Uses	
Retail Shops, Personal Service Shops, Banks and Offices	1.5 spaces per 46.4 sq m (500 sq ft)-and 1 space per employee 1 bicycle parking rack
Restaurants, Cocktail Bars, Taverns	1 space per 4 seating spaces and 1 space per 2 employees 1 bicycle parking rack

Hotels, Motor Hotels, and Motels	1 spaces per unit and 1 space per 2 employees
Public Places of Assembly	
Public Assembly Auditoriums, Theatres, Convention Halls, Gymnasiums, Private Clubs, Ball Parks	1 space per 3.5 seats or 1 space per 3.2 sq m (35 sq ft) of floor area used by patrons, whichever is greater 1 bicycle parking rack
Places of Worship	1 space per 4 seats 1 bicycle parking rack
Hospitals	1 space per 93 sq m (1,000 sq ft)
Schools	
Public, separate, or private elementary and Jr. High Schools	1 per employee, plus one for every 20 students 1 bicycle parking rack
Public or private Sr. High schools	1 per employee, plus one for every 5 students 1 bicycle parking rack
Industrial	
Manufacturing and Industrial Plants, Warehousing, Wholesale and Storage Building and Yards, Servicing and Repair Establishments, research laboratories and public utility buildings.	1 space per employee on maximum shift

- (2) In the case of a use not specifically mentioned, the required number of off-street parking spaces shall be the same as for a similar use as determined by the Development Authority. Where a development falls within more than one class, the required number of spaces shall be the sum of requirements for each of the development classes.
- (3) Notwithstanding subsections (1) and (2) of this section, the Development Authority may accept payment in lieu of the number of off-street parking spaces deficient, provided there is public parking available within 60 metres of a development. This payment shall be based on the amount of money that Council considers reasonable in return for the equivalent parking space to be provided by the Municipality elsewhere in the district in which the development is proposed.
- (4) An off-street parking area shall:
- (a) not be located within 0.9 metres (3 feet) of a lot line common to the lot and to a street; and

- (b) be constructed so that adequate access to, and exit from each stall is to be provided at all times by means of manoeuvring aisles.
- (5) A parking space shall be a minimum of 3 metres (10 feet) wide and 6 metres (20 feet) deep.
- (6) Every off-street parking space provided must be surfaced to the satisfaction of the Development Authority.
- (7) Each parking area shall be so graded and drained as to dispose of all storm water runoff. In no case shall drainage be allowed to cross a sidewalk unless otherwise permitted by the Development Authority.

4.14 PROTECTION FROM EXPLOSIVE HAZARDS

- (1) The location of any anhydrous ammonia or liquefied petroleum gas storage tank with a water capacity exceeding 9092 litres (2000 gallons) shall require an engineer's environmental report.
- (2) Anhydrous ammonia or liquefied petroleum gas containers with a water capacity of less than 9092 litres (2000 gallons) shall be located in accordance with the provisions of the Alberta Safety Codes Act.
- (3) Setbacks from pipelines and other utility corridors shall be as required by the Development Authority and the appropriate Provincial Regulations or Acts. The Development Authority may require an engineer's report.
- (4) When reviewing development proposals for the placement of commercial pressure vessels, the Development Authority shall consider:
 - (a) the material to be stored in the pressure vessel(s);
 - (b) the orientation of the pressure vessel(s) to buildings in the surrounding neighbourhood, especially those which are used for residential use or public assembly;
 - (c) the ability of the local fire department to respond to an accident involving the proposed development;
 - (d) the truck route through the Town of Rainbow Lake which will be used to service the proposed development; and
 - (e) may require an engineer's report and other reports from approving agencies.
- (5) After the completion of any development, permanent storage of propane on the site is limited to a maximum of one tank, no larger than 30 lbs unless a special

permit is approved by the Development Authority. Propane tanks shall be stored and sited in a manner that is fully satisfactory to the Development Authority.

4.15 RELOCATION OF BUILDINGS

(1) Moved-In Buildings

- (a) Moved-in buildings are defined as those buildings which have been relocated from another lot within or outside the Town of Rainbow Lake, and may include:
- (i) moved-in dwelling as defined in this bylaw;
 - (ii) commercial buildings; (iii) garages; and
 - (iv) accessory buildings.
- (b) All buildings proposed to be moved into the Town of Rainbow Lake or moved within the Town of Rainbow Lake from one lot to another shall require a development permit.
- (c) All applications for development shall include the following additional information to that which is normally required under this bylaw, prior to processing of the permit:
- (i) coloured photographs of the building proposed to be moved-in which accurately depict the style and general condition of the building;
 - (ii) complete site plan showing how the proposed building would be located on the proposed site;
 - (iii) floor plans of the building; and
 - (iv) consent to entry by owner and all successors in title until such time as the building has complied with the requirements of the development permit.
- (d) For all moved-in buildings, public notification of the development proposal will occur pursuant to Part Two, Section 2(3) of the Town of Rainbow Lake Land Use Bylaw.
- (e) Each individual landowner may be required to post a performance bond or letter of credit upon which the Town may draw to bring the building into compliance with the Town's requirements. The Town may also draw from this amount to remove any building which does not comply with the Town's requirements or repair any damages to roads, curbs, sidewalks, or any other public lands caused by the transportation of the moved-in building.

The amount of the performance bond or letter of credit shall be as follows:

i residential units - 15% of the projected value of the development; ii commercial units - 15% of the projected value of the development; and (iii) garages and accessory use buildings - 10% of the projected value of the development with any removal costs in excess of the amount of the performance bond to be applied to the landowner's property taxes.

(f) Any buildings receiving approval to be relocated shall be brought up to all existing federal, provincial, and municipal standards, ordinances, rules, regulations and bylaws.

(g) All renovations and any conditions imposed by the Development Authority to a moved-in building shall be completed within one year of the issuance of a development permit. Non-compliance shall result in the forfeiture of the bond or letter of credit.

(h) No moved-in building, which is known to be substandard or has defects, shall be relocated to the Town of Rainbow Lake

(i) Moved-in commercial buildings, moved-in garages, and moved-in accessory buildings shall be allowed only as discretionary uses in land use districts which allow such structures as either permitted or discretionary uses.

(2) Moved-In Buildings

Moved-in buildings are subject to the following provisions:

- (a) All development permits for moved-in buildings shall be reviewed by the Development Authority, based on the following criteria:
- (i) building condition;
 - (ii) the compatibility of the proposed building to the neighbourhood and adjacent properties;
 - (iii) the proposed location within the Town;
 - (iv) aesthetics of the receiving neighbourhood;
 - (v) the compatibility of the proposed building with the proposed future development of the area; and (vi) all planning considerations.

The building to be relocated shall, in the opinion of the Development Authority, be compatible with the buildings in the receiving neighbourhood with respect to style and appearance, prior to the permit being issued. The moved-in building may only be of equal or better quality than the buildings in the receiving neighbourhood, or brought to equal or better quality than the buildings in the receiving neighbourhood.

- (b) Notwithstanding the definition of a moved-in building in Part One, Section 4 of the Land Use Bylaw, a moved-in building shall only be allowed as a discretionary use and only in land use districts which allow the building type which is defining the moved-in building as either a permitted or discretionary use.

4.16 SATELLITE DISHES AND ANTENNAS

- (1) Private non-commercial radio and television antennas may be permitted to be constructed to a height in excess of the maximum requirements of the district, provided that the development complies with the other requirements set out in this Bylaw.
- (2) All satellite dishes and antennas shall be required to meet setbacks as determined by the Development Authority taking into account:
 - (a) the amenities of the neighbourhood;
 - (b) the use and enjoyment of neighbourhood properties; and
 - (a) the location of overhead power and telephone lines.
- (3) If the satellite dish is not mounted on the principal building, a site plan showing the location of the satellite dish or antenna on the lot and in relation to other buildings on the lot shall be submitted at the time of application for a development permit.

4.17 SIGN CONTROL

- (1) No signs or advertising structures of a commercial, directional or informative nature shall be erected on land or affixed to any exterior surface of any building or structure unless an application for this purpose has been approved and a development permit has been issued.
- (2) No signs or advertising structures shall be erected on or affixed to private property without the prior consent of the property owner or tenant.
- (3) No signs, billboards, advertising structure or signboards shall be erected on or affixed to public property without the prior consent of the appropriate public body.
- (4) Notwithstanding the generality of (1) above, nor the provisions of (2) and (3) above, the following signs may be erected on land or affixed to the exterior surface of a building or structure without application for a Development Permit provided that no such signs shall be illuminated.

- (a) Signs for the purpose of identification, direction and warning or relating to a person, partnership or company carrying on a profession, business or trade, or relating to an institution of a religious, educational, cultural, recreational or similar character or to a residential hotel, apartment block, club or similar institution, not exceeding 1.1 square metres (12 square feet) and limited to one sign per parcel.
 - (b) Temporary advertisement relating to the sale or letting of land, the sale of goods or livestock, the carrying out of building or similar work, announcement of any local event of a religious, educational, cultural, political, or similar character not exceeding 1.9 square metres (20 square feet.)
 - (c) provided that all such temporary advertisements shall be removed by the advertiser within fifteen (15) days of the completion of the event or works to which such advertisements relate.
 - (d) Advertisements or signs in relation to the function of Local Authorities, Utility Boards or other public or quasi-public bodies.
- (5) No sign or advertisement shall resemble or conflict with a traffic sign, nor shall it be a traffic hazard.
 - (6) All advertisements shall be kept in a safe, clean and tidy condition, and may by resolution of the Council be required to be renovated or removed.
 - (7) No signs or advertising structures other than those specified under (4) above shall be permitted in RI, R2, RMH-I and RMH-2 Districts.
 - (8) Signs identifying the use of home-based businesses as indicated in section 5.1 of this Land Use Bylaw are permitted.
 - (9) Permanent signs in commercial and industrial areas are limited to one per property and have to be directly related to the business activity on the lot and require a permit from the Development Authority. Such a sign has to meet existing site restrictions and setback requirements.

4.18 SITE CONDITIONS

- (1) Removal of Topsoil
 - (a) A Development Permit is required for the removal or stockpile or placement of top soil or other fill materials.

- (b) A Development Permit shall only be granted, where it is shown to the satisfaction of the Development Authority, that the land or adjacent land will not be adversely affected by the removal or stockpile or placement of the top soil or other fill materials.
 - (c) The lot shall be landscaped to the satisfaction of the Development Authority.
- (2) Fences and Walls
- (a) No fence, wall or hedge in a single detached, multi-family or mobile home district shall be:
 - (i) Higher than 1.8 metres (6 feet) in side yard and rear yards to be measured as the average elevation from the ground at the fence or wall unless otherwise provided in this Bylaw;
 - (ii) Higher than 0.9 metres (3 feet) in front yards;
 - (iii) Higher than 0.9 metres (3 feet) within 7.6 metres (25 feet) of the intersection of lanes, streets, or a street and lane.
 - (b) In the case of apartments or rowhouses all off-street parking may include a landscaped area, and in residential areas, a wall, hedge or wooden fence of not less than 1.2 metres (4 feet) and not more than 2.1 metres (7 feet) in height, may be provided along the side property lines.
 - (c) In the case of drive-in businesses, car washing establishments, service stations and gar bars, landscaping shall be provided and maintained to the satisfaction of the Development Authority. Solid fences shall be provided at least 1.5 metres (5 feet) in height and no higher than 2.1 metres (7 feet) adjacent to residential areas.
- (3) Landscaping of Open Space Areas
- (a) As a condition of the development permit, and to the satisfaction of the Development Authority, all landscaping and planting must be carried out within twelve (12) months of commencement of the proposed development.
- (4) Clearing and Disposal of Brush
- (a) As a condition of the development permit, provisions for the clearing and disposal of brush may be included; and

- (b) Brush may be burned on site with the approval of all municipal, provincial, and federal departments, and all other applicable agencies, or other arrangements shall be made for its disposal.

4.19 SITE DEVELOPMENT

The design, siting, external finish, architectural appearance and landscaping generally of all buildings, including any accessory buildings or structures and signs and any reconstruction shall be to the satisfaction of the Development Authority in order that there shall be general conformity with adjacent buildings.

4.20 SITE DIMENSIONS

No permit shall be issued for any development on a site, the area or width of which is less than the minimum prescribed for the district in which the site is located, except that a lot of separate record in the Land Titles Office containing less than the minimum area or width specified for the district may be used subject to the discretion of the Development Authority after other requirements of this Bylaw are considered.

4.21 SUBDIVISION OF LAND

Where the development of land involves the subdivision of land:

- (1) An application for subdivision shall be made to, and approval received from, the Subdivision Approving Authority prior to the issuance of a development permit.

4.22 TEMPORARY STRUCTURES

(1) All temporary structures require a development permit, which will be allowed on a 3 month basis from the date of the development permit approval, with the possibility of a 3 month extension by the Development Authority on a case by case basis:

- (a) Extensions are at the discretion of the Development Authority and can be revoked at any time; and
- (b) If temporary structures are part of a construction project, such permits are in tandem with the original permit for the primary construction project, and once the construction is completed, the permit for the temporary structure is automatically revoked.

PART FIVE SPECIAL LAND USE PROVISIONS

5.1 BASEMENT SUITES

In residential districts, in addition to all the provisions required under the specific zone, the following provisions shall be met if a basement suite is being constructed:

- (1) All basement suites require a development permit.
- (2) Only one basement suite is permitted per primary dwelling unit.
- (3) When deciding on a development application for a basement suite, the development authority shall consider the following:
 - (a) Separate access/egress provisions to the secondary suite and its integration with the host dwelling unit or garage;
 - (b) On-site parking arrangements;
 - (c) Separate utility connections and/or arrangements for separating utility bills;
 - (d) Compliance with Alberta Building Code, the Public Health Act and the Province of Alberta minimum housing standards regulation.
- (4) The Development Authority may require the developer to produce a certified building code inspection upon the completion of the basement suite.

5.2 CAR WASHING ESTABLISHMENTS

(1) Site Area

The minimum site area shall be 557 square metres (6000 square feet) and shall contain storage space for ten vehicles prior to their entry into any part of the cleaning process. In the case of service stations including car washes, the minimum site area shall be 1115 square metres (12,000 square feet).

(2) Site and Building Requirements

All site and building requirements that pertain to drive-in businesses shall also apply to car washing establishments.

5.3 DRIVE-IN BUSINESSES

- (1) Provision of points of access and egress shall be located to the satisfaction of the Development Authority.

- (2) The minimum site area shall be 557 square metres (6000 square feet). The minimum building area shall be 37.2 square metres (400 square feet). There shall be a provision for at least eight customer cars on the site.
- (3) All parts of the site to which vehicles may have access shall be hard-surfaced and drained to the satisfaction of the Development Authority.
- (4) The site and all improvements thereon shall be maintained in clean and tidy condition, free from rubbish and debris.
- (5) Receptacles for the purpose of disposing of rubbish and debris shall be provided.
- (6) The owner/operator of a drive-in business shall be responsible for the safe and orderly operation of motor vehicles using the site.

5.4 HOME-BASED BUSINESSES AND HOME OFFICES

- (1) Home-based businesses and offices shall be limited to those uses which do not interfere with the rights of other residents to quiet enjoyment of a residential neighbourhood. Home-based businesses shall be no more than supplementary uses to the principal residential building and shall not:
 - (a) store material goods or equipment on or off the site in an unsightly manner;
 - (b) create a nuisance and/or hazards by way of dust, noise, smell, smoke, material and equipment use and storage, traffic generation, or electrical interruption;
 - (c) require alterations to any building unless the alterations are approved by the Development Authority; and
 - (d) employ any persons other than the occupants of the principal residential dwelling or accessory building in which it is approved.
 - (e) be permitted if, in the opinion of the Development Authority, it would be more appropriately located in a Commercial or Industrial District.
 - (f) generate pedestrian or vehicular traffic, or parking, in excess of that which is characteristic of the area in which it is located.
- (2) An unlighted sign to identify the use conducted on the property may be placed in a window and the size of the sign shall be limited to 0.19 square metres (2 square feet).
- (3) Home-based businesses shall be approved for a period not exceeding one year.

- (4) All permits for home based businesses shall be subject to the condition that the permit may be revoked at any time, if, in the opinion of the Development Authority, the use is or has become detrimental or otherwise incompatible with the amenities of the neighbourhood.

5.5 INDUSTRIAL CAMPS

- (1) All parking must be provided on-site and areas for parking developed to the satisfaction of the Development Authority.
- (2) All entrance and exit points shall be located to the satisfaction of the Development Authority.
- (3) Maximum site coverage shall be such that space is available for all the on-site parking, the applicable setback and such area as required for landscaping as determined by the Development Authority.
- (4) Screening and fencing of storage areas shall be to the satisfaction of the Development Authority.
- (5) Adequate noise attenuation measures and sound proofing shall be provided to the satisfaction of the Development Authority.

5.6 MOBILE HOMES

- (1) All mobile homes shall conform to the Canadian Standards Association (CSA) and the Alberta Building Code as amended.
- (2) The undercarriage of a mobile home shall be completely screened from view by the foundation, or by skirting compatible in appearance with the mobile home or by other means satisfactory to the Development Authority.
- (3) All axles, wheels, running gear and towing tongue shall be removed prior to final installation of the mobile home on piers, blocking or foundation.
- (4) All accessory structures, additions, porches, and skirting shall be of quality and appearance equivalent to the mobile home.
- (5) The floor area of porches and additions shall be proportionate to the floor area of the mobile home unit and this relationship shall be determined by the Development Authority.
- (6) No accessory building or use shall be located in the front yard of a mobile home use.

- (7) Mobile homes shall be of sound construction and appearance to the satisfaction of the Development Authority.
- (8) Used Mobile homes over 5 years of age under consideration for location or relocation on a parcel shall meet the following criteria:
 - (a) not be older than 10 years of age;
 - (b) enclosed by a peaked roof;
 - (c) to be architecturally similar to existing dwellings in the vicinity of the proposed development.
- (9) Mobile homes shall be located in areas free from shifting due to frost and readily accessible to municipal or private water servicing.
- (10) Each Mobile Home Park Lot shall be provided with a horizontal, stable parking apron suitable for blocking and levelling.
- (11) The Mobile Home Park owner shall ensure that each Mobile Home is leveled blocked, skirted, and the hitch removed or skirted within 30 days of being installed on the lot.

5.7 MODULAR BUILDING

- (1) All modular buildings shall conform to the Alberta Safety Code.
- (2) All proposed modular buildings shall be architecturally similar to existing buildings in the vicinity of the proposed development, including exterior finishes, roofline, size, scale, placement on site, to the satisfaction of the Development Officer.

5.8 MOTELS

(1) Minimum Area Requirements:

MINIMUM SITE AREA/UNIT	YARDS	MINIMUM FLOOR AREA/UNIT
One Storey: 139 sq m (1500 sq ft)	Front: 7.6 m (25 ft) Side: 3.0 m (10 ft) Rear: 3.0 m (10 ft)	26.5 sq m (285 sq ft)
Two Storey: 93 sq m (1000 sq ft)	Front: 7.6 m (25 ft) Side: 3.0 m (10 ft) Rear: 3.0 m (10 ft)	26.5 sq m (285 sq ft)

- (2) Except in the case of rentable units and any other buildings where connected by a continuous roof to form a shelter for motor vehicles, not less than 3.6 metres (12 feet) of clear and unoccupied surface space shall be provided between each rentable unit and any other building on the site.
- (3) Each rentable unit shall face on to or abut a driveway not less than 6.1 metres (20 feet) in width and shall have unobstructed access to it.
- (4) Not more than one motor vehicle entrance and one motor vehicle exit to a street, each of a minimum width of 7.6 metres (25 feet) measured at its minimum dimension shall be permitted, provided that one combined motor vehicle entrance and exit shall be permitted, not less than 9.1 metres (30 feet) in width.
- (5) The owner, tenant, operator or person in charge of a motel shall at all times:
 - (a) maintain the site and the buildings, structures and improvements thereon in a clean, neat, tidy and attractive condition and free from all rubbish and debris;
 - (b) maintain garbage and/or incineration facilities; and
 - (c) maintain an appropriate fence where required, not less than 1.5 metres (5 feet) in height around the boundaries of the site and shall landscape and keep the site landscaped.

5.9 RELIGIOUS USE FACILITY

- (1) The site upon which a religious use facility is situated shall have a frontage of not less than 30.5 metres (100 feet) and an area of not less than 929 square metres (10,000 square feet) except in the case where a building for a Minister's residence is to be erected on the same site. The combined area of the site in this case shall not be less than 1394 square metres (15,000 square feet).
- (2) Front, side and rear yards shall be those permitted within the district in which the religious use facility site is located.

5.10 RECREATIONAL VEHICLES

- (1) Recreational Vehicles may be parked in the front yard in any Residential District provided that the Recreational Vehicle is set back a minimum of 4.6 metres (15 feet) from the front property line and meets all other applicable setback requirements in the specific zone.
- (2) Recreational vehicles in residential areas shall not be occupied by any residents while parked in a driveway and shall not be connected to any of the Town services.

- (3) One guest recreation vehicle is allowed to be parked in a residential driveway on a temporary bases, for up to 2 weeks, and as long as it maintains all setback requirements including those set above. If longer stays are desired, an extension permit (in two week increments) is required from the Development Authority.

5.11 SERVICE STATIONS AND GAS BARS

- (1) Site Area and Coverage
 - (a) The minimum site area shall be 743 square metres (8000 square feet) and the maximum building coverage shall be 25% of the site area. For service station including car wash, the minimum site area shall be 1115 square metres (12,000 square feet).
 - (b) In the case of a service station designed and built as part of a shopping centre, the ratio of building space to parking space shall be as determined by the Development Authority.
- (2) Site and Building Requirements
 - (a) No entrance to or exit from to the site shall be located within 61 metres (200 feet) of an entrance to or exit from a fire hall, school, playground, religious use facility, or other similar public use.
 - (b) No part of a service station or gas station building or of any pump or other accessory shall be within 6.1 metres (20 feet) of a side yard or rear property line.
 - (c) Service stations shall have a front yard of not less than 12.2 metres (40 feet) and no gasoline pump shall be located closer than 6.1 metres (20 feet) to the front property line.
 - (d) No activity may be carried on which constitutes a nuisance or annoyance to persons occupying land in the immediate vicinity of the site, by reason of dust, noise, gases, odours, smoke or vibration.
 - (e) Fencing of at least 1.5 metres (5 feet) in height shall be maintained on the boundaries of the site when required by the Development Authority.
 - (f) The owner or operator of the service station shall be responsible for ensuring:
 - (i) that operators of motor vehicles do not obstruct the sidewalks and boulevards abutting or adjacent to the service station; and
 - (ii) that operators of motor vehicles enter and leave the service station only at the entrances and exits provided for such purposes and not elsewhere.

- (g) Any lighting proposed to illuminate off-street parking areas shall be located and arranged so that all direct rays of light are directed upon the site only and not on any adjoining properties.

PART SIX LAND USE DISTRICTS

6.1 ESTABLISHMENT OF DISTRICTS

- (1) For the purpose of this Bylaw, the Town of Rainbow Lake is divided into the following Districts as shown on the Land Use District Map being Schedule "C" attached hereto:

Residential District.....	RI
Residential Mobile Home Subdivision District	RMHI
Residential Mobile Home District	RMH1
Residential Mobile Home District	C1
Park District	C2
RMH2	
Commercial District	
Highway Commercial District	
Direct Control District.....	DC
Industrial District	I
Industrial District	M2
Industrial District	I
Residential District	
Institutional District	
Urban Reserve District.....	I-JR

- (2) Where there is uncertainty as to the boundaries of the districts as shown on the Land Use District Map, Council may request planning advice and shall decide thereon.
- (3) After Council has fixed a district boundary, no portion of the boundary shall be altered except by an amendment to this Bylaw.

6.2 RESIDENTIAL DISTRICT (RI)

The general purpose of this district is to permit development of single-detached dwellings, with the possibility for some duplex and row housing development at the discretion of the Development Authority.

(1) Permitted Uses

- Accessory building or structure
- Attached garage
- Modular dwelling unit ● Recreation area — outdoor

- Single-detached dwelling

(2) Discretionary Uses

- Bed and breakfast operation
- Daycare facility
- Duplex
 - Four-plex
- Home-based business
- Moved-in buildings
- Religious use facility
- Public use or a public utility required to serve the immediate area
- Row housing
- Small park and playground

(3) Site Provisions

(a) Single-detached dwelling and modular dwelling unit

Minimum Site Width	18.3 m (60 ft) minimum
Minimum Site Depth	30 m (100 ft) minimum
Front Yard Depth	7.6 m (25 ft) minimum
Rear Yard Depth	3 m (10 ft) minimum
Side Yard Depth	1.5 m (5 ft)
Interior:	3 m (10 ft)
Exterior:	
In laneless subdivisions with no attached garages	One side yard shall be a minimum of 3 m (10 ft)
Minimum Floor Area	88 sq m (950 sq ft) for 1 storey 93 sq m (1000 sq ft) for 1.5 storey 111 sq m (1200 sq ft) for 2 storey

(b) Duplex

Minimum Site Width	21.3 m (70 ft) minimum 24.4 m (80 ft) for corner lots
Minimum Site Depth	30 m (100 ft) minimum
Yard Depths	As stated for single-detached dwellings
Minimum Floor Area	74 sq m (800 sq ft) for each dwelling unit

(c) Row Housing and Four-Plex

Minimum Site Width	9 m (30 ft) for each dwelling unit
Minimum Site Depth	30 m (100 ft) for each dwelling unit
Setbacks	As stated for Single-Detached Dwellings
Minimum Floor Area	74 sq m (800 sq ft) for each dwelling unit

(d) All other uses as required by the Development Authority.

(e) Maximum Lot Coverage

Main Buildings	30% of lot area
Accessory Buildings	12% of lot area

(4) The Design, Character and Appearance of Buildings

The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall be comparable with or better than existing structures in the neighbourhood, and to the satisfaction of the Development Authority.

(5) Special Provisions

(1) All of the above uses shall not be located within 152.4 metres (500 feet) of an adult entertainment facility, amusement arcade, pool hall, or liquor store unless otherwise approved by the Development Authority.

Additional Requirements:

(2) No person shall use any lot or erect, alter or use any building or structure unless such lot is served by a public water system and a sanitary sewer system.

6.3 RESIDENTIAL MOBILE HOME SUBDIVISION DISTRICT (RMHI)

The general purpose of this district is to permit development of mobile home subdivisions, in which each unit is located on a separately registered lot.

(1) Permitted Uses

- Accessory building or structure
 - Addition
- Attached garage
- Mobile home
- Porch
- Public park and playground

(2) Discretionary Uses

- Daycare facility
- Duplex
- Home-based business ● Modular dwelling unit
- Public Use
- Single-detached dwelling

(3) Site Provisions

(a) Height of Building

Mobile Home Unit	maximum 5.5 m (18 ft)
Accessory	maximum 4.6 m (15 ft)
Others	as approved by the Development Authority

(b) Minimum Floor Area

Mobile Home Unit	51.1 sq m (550 sq ft)-excluding attached porch
Others	as approved by the Development Authority

(c) Minimum Lot Width and Depth

One-family mobile home unit	- width 15.2 m (50 ft) - depth 36.6 m (120 ft)
Others	as approved by the Development Authority

(d) Minimum Yard Dimensions

One-family mobile home unit	- width 15.2 m (50 ft) - depth 36.6 m (120 ft)
Others	as approved by the Development Authority

(e) Maximum Lot Coverage

Mobile Home Unit	30 percent of lot
Accessory	12 percent of lot
Others	as approved by Development Authority

(4) The Design, Character And Appearance of Buildings

The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall be comparable with or better than existing structures in the neighbourhood, and to the satisfaction of the Development Authority.

Mobile Homes:

If placed upon a basement, solid footings and concrete or wood block foundation wall or skirting should be required so that the appearance, design and construction will complement the mobile home. The undercarriage of the mobile home shall be screened from view.

All ancillary structures such as patios, porches, additions, etc., shall be of a quality so that appearance, design and construction will complement the mobile home.

(5) Special Provisions

- (1) All of the above uses shall not be located within 152.4 metres (500 feet) of an adult entertainment facility, amusement arcade, pool hall, or liquor store unless otherwise approved by the Development Authority.

6.4 RESIDENTIAL MOBILE HOME PARK DISTRICT (RMH2)

The general purpose of this district is to permit and regulate mobile home parks wherein stalls are provided on a rental basis.

A RESIDENTIAL MOBILE PARK may be located in a separate section of the RESIDENTIAL MOBILE HOME PARK DISTRICT, provided the proposed section is clearly demarcated on the site plan submitted for issuance of a Development Permit.

Mobile Homes shall be on a permanent occupancy basis in the RESIDENTIAL MOBILE HOME PARK DISTRICT area of the district and on a transient occupancy basis in the RESIDENTIAL MOBILE PARK area of the district in accordance with the Special Provisions outlined in Section 6.4 (8) below.

(1) Permitted Uses

- Accessory building or structure
- Addition
 - Mobile home
- Porch
- Public park and playground

(2) Discretionary Uses

- Attached garage
- Daycare facility
- Home-based business
- Laundromat
- Mobile bunk unit
- Public use
 - Relocated or moved-in buildings
- Retail convenience store
- Single-detached dwelling

(3) Site Provisions

(a) Height of Buildings

Mobile home units	maximum 5.5 m (18 ft)
Others	maximum 4.6 m (15 ft)
Accessory	maximum 4.6 m (15 ft)

(b) Maximum density shall be 8 mobile home units per acre (20 units per hectare) at each stage of development.

(c) Minimum Stall and Park Dimensions

Single-wide mobile home Park Lot:	- width 12.2 m (40 ft) - depth 32 m (105 ft)
Double-wide mobile home Park Lot:	- width 13.7 m (45 ft) - depth 32 m (105 ft)
Mobile home park	8 stalls

(d) Minimum Yard Dimensions

Front	3 m (10 ft)
Side	1.2 m (4 ft) from lot line
Rear	3 m (10 ft)

(e) Maximum Stall Coverage

Mobile Home Unit	
Accessory	
Others	as approved by the Development Authority

(f) Minimum floor area for mobile homes shall be 51.1 square metres (550 square feet).

(g) Mobile home lots shall be located at least 3 metres (10 feet) from a boundary of a street and at least 3 metres (10 feet) from adjacent parcels. The setback strip shall be landscaped to the satisfaction of the Development Authority.

(h) All roads and pedestrian walkways within a mobile home park shall be well drained and surfaced and maintained to the satisfaction of the Development Authority. Minimum right-of-way width shall be 9.1 metres (30 feet) and minimum pedestrian walkway width shall be 0.91 metres (3 feet)

(i) Visitor parking space shall be provided at a ratio of at least one space for every two mobile home units and shall be located at convenient locations throughout the mobile home park, and shall not be used for the storage of boats, trailers, etc.

(j) All municipal utilities shall be provided underground to lots in a mobile home park.

(k) Each mobile home lot shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges.

(l) Street lighting in a mobile home park shall be equal to that in a conventional residential neighbourhood.

(m) (i) Only one main, free-standing, identification sign of residential character and appearance shall be erected at the entrance to a mobile home park. The sign or signs shall be of a size, type and construction acceptable to the Development Authority.

(ii) Directional signs within the mobile home park shall be integrated in design and appearance, be kept in scale with the immediate surroundings and constructed of durable material.

(4) Appearance

(a) All ancillary structures such as patios, porches, additions, skirting and storage facilities shall be factory pre-fabricated units, or of a quality equivalent thereto, so that the appearance, design and construction will complement the mobile home.

(b) The undercarriage of each mobile home shall be screened from view by skirting or such other means satisfactory to the Development Authority.

(c) All areas of a mobile home park not developed or occupied by park roads, walkways, driveways, parking aprons, buildings or other developed facilities shall be grassed and landscaped by the developer.

(5) Reserve Requirements

Ten (10) percent of land shall be reserved for park and playground areas.

(6) Recreational Vehicle Parking

Common space parking for Recreational Vehicles shall be 1 parking stall for every 2 mobile home park lots.

(7) Special Provisions

(a) All of the above uses shall not be located within 152.4 metres (500 feet) of an adult entertainment facility, amusement arcade, pool hall, or liquor store unless otherwise approved by the Development Authority.

(8) Residential Mobile Park Special Provisions

(a) For a Residential Mobile Park containing over 50 lots, an emergency access shall be provided that may be in the form of a boulevard road with a central dividing strip.

- (b) In a Residential Mobile Park, the owner shall ensure that the site complies with Minimum Housing and Health standards.
- (c) All mobile home units shall be located on demarcated and numbered lots in accordance with the approved site plan, and may be required to include:
 - (i) Landscaping
 - (ii) Storm water management
 - (iii) Servicing
 - (iv) Garbage location and collection of waste/recycling
- (d) All lots shall be serviced by a public or private water and sanitary sewer system in accordance with Alberta Environment regulations.
- (e) Notwithstanding Section (8) (3) (d), garbage shall be:
 - (i) Located at a distance from Mobile Homes to mitigate odour impacts;
 - (ii) Located adjacent to private road with convenient access to residents;
 - (iii) Located with easy access to public road for garbage and refuse removal.
- (f) All areas of the park not developed or occupied by park roads, walkways, driveways, parking aprons, buildings or other development facilities including playgrounds, shall be landscaped by the developer.
- (g) Outdoor lighting in the park shall conform to the development agreement.
- (h) Signs shall be of a character that fit within the context of the residential area including size, height and style, satisfactory to the Development Officer.
- (i) Lot Requirements:
 - (i) Mobile homes shall be sited on a horizontal, stable parking apron suitable for parking and/or blocking and levelling of the Mobile Home including attached structures.
 - (ii) The Mobile Park owner shall ensure that each mobile home is placed within the building envelope, levelled, and can be blocked, skirted on a temporary basis, and shall meet the following requirements:

1. Minimum Setback from:

Adjacent Mobile Home	3.05 m (10 ft)
Carport	3.05 m (10 ft)
Any structure or permanent Mobile Park	3.05 m (10 ft)
Any Mobile Park Boundary	3.05 m (10 ft)
Any Mobile Park Street	3.05 m (10 ft)

From any Mobile home, including any attached structures, or permanent Mobile Park structures, located directly on the opposite side of a Mobile Park street	19.8 m (65 ft)

2. Minimum Width of Driveway:

Along Mobile Park Street	2.74 m (9 ft)
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3. Abut a Mobile Park street;
4. Be clearly defined on the ground by permanent flush stakes, markers or other means, and permanently marked with a lot number for civic addressing; and;
5. Maximum height of fence:

Front Yard	0.91m (3 ft)
Side and rear yards to be measured as the average elevation from the ground at the fence or wall	1.8 m (6 ft)

(j) Service and Auxiliary Buildings:

- (i) The location and design of all service and auxiliary facilities shall be identified on the site plan and shall conform to development agreement guidelines;
- (ii) All service buildings shall be accessible by a Mobile Park street;
- (iii) A screened storage compound may be provided for trucks, campers, travel trailers, snowmobiles, and boats and shall be identified on the site plan and shall conform to development standards.

6.5 COMMERCIAL DISTRICT (CI)

The general purpose of this district is to permit commercial development appropriate for the Central Business District and involving fairly high density development. The regulations do not permit obnoxious uses or those involving excessive outside storage.

(1) Permitted Uses

- Accessory building or structure
- Barber shop, beauty parlour
- Business support service
- Catering
- Daycare facility
- Dwelling unit above the ground floor
- Financial institution
- General retail store
- Government service ● Grocery store
- Health service
- Household appliance sales

- Laundromat
- Professional service
- Restaurant
- Small equipment repair
- Specialty store ● Upholstery repair
- Video outlet
- Other commercial uses seen appropriate by the Development Authority

(2) Discretionary Uses

- Adult entertainment facility
- Amusement arcade
- Bowling alley
- Car wash
- Club or lodge
- Dwelling unit within a commercial building
- Employment training institution
- Farmers market
- Hotel, motor hotel, motel
- Liquor store
- Parking lot (public or private)
- Pool hall
- Public use
- Service station or gas bar
- Shopping centre
- An accessory building or use incidental to any of the aforementioned uses.

Accessory use in this connection shall be deemed to include dwelling accommodation in a building used for any of the aforementioned uses. Dwelling units shall have direct access to the outside.

- The indoor storage of articles before sale in connection with any of the aforementioned uses

(3) Site Provisions

(a) Minimum Site Provisions

Lot Depth	25 m (82 ft)
Lot Width	9 m (30 ft)

Where shopping centres or groups of shops are to be built on the site, requirements shall be determined by the Development Authority who

shall deal with the overall scheme, taking into account building, access, parking and specific commercial uses.

(b) Minimum Yard Requirements

Front	No front yard setback is required except where the Development Authority may deem it necessary to conform to existing development.
Side	If the subject lot is bounded on both sides by land classified CI, no side yard requirement is necessary except, where a side yard is provided, it shall be not less than 1.5 m (5 ft). If the subject lot is bordered by a residential district, the side yard shall be not less than 1.5 m (5 ft).
Rear	6.1 (20 ft) parking or loading zone shall be provided.

(c) Maximum Site Coverage - 80% provided that provision has been made for on-site parking, loading, storage and waste disposal.

(4) Special Provisions

(a) Adult entertainment facilities, amusement arcades, pool halls and liquor stores shall not be located within 152.4 metres (500 feet) of a religious use facility, education institution, park, public facility, daycare facility, residence, or other similar uses unless otherwise approved by the Development Authority.

(b) Dwelling units within the commercial district shall meet the following requirements:

(i) Dwelling unit(s) shall be permitted only above the first level of a commercial unit and not at the ground level or on the first

storey.

(ii) the dwelling unit shall have access at grade, with a separate and private entrance;

(iii) In a mixed use development, the dwelling unit and commercial component shall be designed and sited to minimize any impacts from the commercial use within that development related to noise, smells/fumes, traffic circulation or loss of privacy;

6.6 HIGHWAY COMMERCIAL DISTRICT (C2)

The general purpose of this district is to permit commercial uses which will serve the travelling public.

(1) Permitted Uses

- Accessory building or structure
- Automotive and industrial supply
- Automotive rental service
- Automotive service or repair
- Business support service
- Drive-in restaurant ● Equipment rental
 - Freight depot or warehouse
- Heavy truck service or repair
- Household repair service
- Motel
- Motor hotel
 - Oilfield service
- Restaurant
 - Public use

(2) Discretionary Uses

- Automotive body and paint service
- Automotive specialty
- Auto sales (new and used)
- Campground
 - Car wash
- Cemetery
- Funeral home
- Public utility building
- Service station or gas bar
- Tire shop (sales or repair)

(3) Site Provisions

(a) Height of Buildings

Main & Accessory	Maximum 10.7 m (35 ft)
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(b) Minimum Lot Size

Depth	20 m (65 ft)
-------	--------------

Width	30 m (100 ft)
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(c) Minimum Yard Dimensions

Front	6.1 m (20 ft)
Side	3 m (10 ft)
Rear	6.1 m (20 ft)

(d) Access

Access to all developments within this District shall be by service road or by similar standard for controlled turning traffic, such as a one-way system, to the satisfaction of the Development Authority. The number of accesses provided to the highway from a development or service road shall be to the satisfaction of the Development Authority and of the District Highway Engineer if necessary.

e No use to be established that is or will become obnoxious by way of noise, odour, dust or fumes.

(f) Maximum Lot Coverage - 80% provided that provision has been made for on-site parking, loading, storage and waste disposal.

(g) Buffering

Where Highway Commercial development is located adjacent to a residential area, adequate means of landscaping and buffering shall be provided to the satisfaction of the Development Authority.

(4) Special Provisions

(a) Public uses, public utility buildings, campgrounds and cemeteries shall not be located within 152.4 metres (500 feet) of an adult entertainment facility, amusement arcade, pool hall, or liquor store unless otherwise approved by the Development Authority.

(b) There shall be no outside storage of materials on properties located on the north side of Highway 58.

6.7 DIRECT CONTROL DISTRICT (DC)

The purpose of this district is to permit Council to exercise particular control over the use and development of land or buildings within the areas so designated.

(1) Uses

Council shall determine the land uses that may be allowed in a Direct Control district.

(2) Development Provisions

Council may impose standards and conditions it considers appropriate to regulate a use.

Only Council may decide on a development permit application.

6.8 INDUSTRIAL DISTRICT (MI)

The general purpose of this district is to provide opportunities for light industrial and manufacturing uses, with heavier industry permitted in approved locations at the discretion of the Development Authority.

(1) Permitted Uses

- Accessory building or structure
 - Bottle depot
- Building supply
- Equipment repair
- Greenhouse
- Light manufacturing and fabrication which are not obnoxious
- Taxi service
 - Truck depot

(2) Discretionary Uses

- Aviation servicing ● Car wash
- Dog kennel
- Rig servicing
- Service station and repair garage
- Warehousing, storage, distribution of raw materials, processed or manufactured goods, servicing establishment

(3) Site Provisions

- (a) Minimum site area shall be as approved by the Development Authority.
- (b) Minimum front yard setback shall be 7.6 metres (25 feet)
- (c) Minimum side yard setbacks shall be 4.6 metres (15 feet) unless the Development Authority requires a greater setback;
- (d) Minimum rear yard shall be as approved by the Development Authority.
- (e) Maximum site coverage shall be 60%.
- (f) Maximum height shall be 10.7 metres (35 feet) or as approved by the Development Authority.

6.9 INDUSTRIAL RESIDENTIAL DISTRICT (M2)

The purpose of this district is to provide opportunities for light industry and manufacturing uses with some discretionary capacity for residential dwellings, without limiting the industrial development potential of these parcels. A Residential dwelling will only be allowed as an accessory use to a principal industrial use on the same lot. No multi-unit housing will be allowed in this district.

(1) Permitted Uses

- Accessory building or structure
 - Bottle depot
- Building supply
- Equipment repair
- Greenhouse
- Light manufacturing and fabrication which are not obnoxious.
- Taxi service
- Truck depot

(2) Discretionary Uses

- Aviation servicing
- Bulk fuel facility
- Car wash
- Dog kennel
- Health service
- Industrial camp
- Mobile home
 - Modular home
- Occupation of recreational vehicle
- Professional service
- Recreational vehicle park
- Rig servicing
- Service station and repair garage
- Single-detached dwelling
- Warehousing, storage, distribution of raw materials, processed or manufactured goods, servicing establishment

(3) Site Provisions - Mobile Homes

(a) Minimum site area shall be as approved by the Development Authority;

(b) Minimum front yard setbacks shall be 7.6 metres (25 feet);

- (c) Minimum side yard setbacks shall be 4.6 metres (15 feet) unless the Development Authority requires a greater setback due to unique circumstances of the site and adjacent uses;
- (d) Minimum rear yard setbacks shall be 3 metres (10 feet);
- (e) Maximum height shall be 10.7 metres (35 feet) or as approved by the Development Authority; and
- f Mobile home construction shall conform to those standards listed for mobile homes in Part Five - Special Land Use Provisions.
- (g) Within the same lot there shall be a minimum 3 metres (10 feet) separation between a residential dwelling and an industrial building, unless the Development Authority requires a greater buffer for sitespecific safety concerns, as related to the industrial uses proposed on the site.

(4) Site Provisions - All Uses

- (a) Adequate noise attenuation measures and sound proofing shall be provided to the satisfaction of the Development Authority.
- (b) Adequate visual screening of unsightly equipment and industrial uses through landscaping or other measures might be required at the request of the Development Authority.

(5) Site Provisions - All Other Uses

For all other developments listed as either Permitted or Discretionary Uses, the standards shall be those specified in the Industrial District (MI).

(6) Special Provisions

- (a) Maximum residential accommodation shall be limited to one singledetached dwelling and one industrial camp per lot, with the exception of the following lots, which may have the numbers specified:

Plan	Block	Lot	No. of Single-Detached Dwellings Permitted on Lot
6570 NY	1	19	2
6570 NY	1	20	2
6570 NY	1	12	3
6570 NY	2	4	2
6570 NY	3	1	2

6570 NY	6	8	2
6570 NY	7	10	3
6570 NY	8	5	2
6570 NY	9	1	3
772 0994			3
772 0994			4
782 2133	11	2	2

Plan	Block	Lot	No. of Single-Detached Dwellings Permitted on Lot
792 2194	8	9	3
842 0813	6	12A	4
852 0430	4	4	2
852 0430	4	5	2
852 0430	4	6	2
852 0430	4	10	2
852 0430	4	12	3
852 0430	5	4	2
852 0430	5	10	2
852 0430	5	14	2
852 0430	5	5	3
852 0430	5	13	3
852 1666	11	5	4
852 2072	3	6	2
872 2513			2

- (b) For lots containing a principal residential use, that residential use may be continued, even if a new development permit application is submitted. However, if a pre-existing residential use is discontinued for a period of 6 consecutive months or more, any future use of the land or buildings must conform with the prevailing zoning provisions that apply to all lots in the M2 District, which means industrial use is the principal use on the lot. As such, a new development permit application must explicitly request a new residential use, if residential use is intended.

Plan	Block	Lot	No. of Single-Detached Dwellings Permitted on Lot
872 2514	13	9	2
872 2514		16	2
872 2514	14	18	2
882 3131	1	28	14
892 0570	4		3

892 0910	11		4
892 2549	4		2
892 2549	4		2
922 3145	12	7	2

- (c) Residential uses and recreational vehicle parks shall not be located within 152.4 metres (500 feet) of an adult entertainment facility, amusement arcade, pool hall, or liquor store unless otherwise approved by the Development Authority.

6.10 INSTITUTIONAL DISTRICT (I)

The general purpose of this district is to permit development of uses of either a public or private nature which provide services to the community.

(1) Permitted Uses

- Accessory building or structure
- Religious use facility
- Community club or association
- Curling rink
- Fire hall
- Medical facility, including a hospital
- School
- Tourist information facility

(2) Discretionary Uses

- Cemetery
- Daycare facility
- Private club or lodge
- Public use
- Recreational use

(3) Site Provisions

All site requirements shall be as approved by the Development Authority.

(4) Special Provisions

- (a) All of the above uses shall not be located within 152.4 metres (500 feet) of an adult entertainment facility, amusement arcade, pool hall, or liquor store unless otherwise approved by the Development Authority.

6.11 URBAN RESERVE DISTRICT (UR)

The general purpose of this district is to reserve those lands on the periphery of the Town which by their relationship to existing land uses, to the main road system, and to the established utility systems, will in time become suitable for general urban uses.

(1) Discretionary Uses

(a) Any strictly temporary use or building which in the opinion of the Development Authority will not prejudice the possibility of conveniently and economically replotting or developing the area in the future.

(b) Public utility installation

(c) Public use

(2) Site Provisions

No subdivision or development other than for the above uses shall take place until an overall plan for the area has been resolved. This plan should establish an outline plan of subdivision, the proposed land use classification, public reserve dedications and utilities policies.

PART SEVEN ENACTMENT

7.1 CONTRAVENTION

- (1) When the Development Authority deems that a development or use of land or buildings is in contravention of:
 - (a) the Municipal Government Act, or its regulations;
 - (b) a development permit;
 - (c) a subdivision approval;
 - (d) an order or decision of the Subdivision and Development Appeal Board;
or
 - (e) one or more provisions of this Bylaw,

the Development Authority may, in accordance with the provisions described in the Municipal Government Act, give notice in writing to the registered owner, the person in possession of the land or buildings, or the person responsible for the contravention of all or any of them to:

 - (f) stop the development or use of the land or buildings in whole or in part as directed in the notice;
 - (g) demolish, remove or replace the development; or
 - (h) take such other measures as are specified in the notice so that the development or use of the land or buildings is in accordance with the Act and regulations thereto, development permit, subdivision approval, order or decision of the Subdivision and Development Appeal Board or this Land Use Bylaw within the time specified in the notice.
- (2) A person who receives a notice pursuant to sub-section (1), other than a notice of an order or decision of the Subdivision and Development Appeal Board, may appeal to the Subdivision and Development Appeal Board.
- (3) Where a person fails or refuses to comply with an order pursuant to sub-section (1), the Development Authority may:
 - (a) apply to the Alberta Court of Appeal to enter upon the land or building and take such action as is necessary to effect such works as are required by the Order and all of the costs incurred in so doing may be placed on the tax roll against the property concerned and shall be collected in the same manner as property taxes;

- (b) apply to the Alberta Court of Appeal for an injunction to cease the noncompliance; and/or
 - (c) apply to the Alberta Court of Appeal to have a charge laid for an offence under this Land Use Bylaw.
- (4) Contravention of any provision of this Bylaw constitutes an offence and any person convicted thereof is liable to a penalty in the amount of:
- (a) a fine of not more than \$2,500.00, and not less than \$100.00, and in addition;
 - (b) a fine of not more than \$500.00 for every day the contravention continues, following notification of the conviction; and
 - (c) shall be subject to the costs and expenses pursuant to sub-sections (3) and (4).
- (5) Where a person is found guilty of an offence pursuant to this Land Use Bylaw, the Alberta Court of Appeal may, in addition to any other penalty imposed, order the person to comply with the Act and any regulations, a development permit, a subdivision approval, an order or decision of the Subdivision and Development Appeal Board, or this Land Use Bylaw.
- (6) The above offenses and penalties are supplementary to the Municipal Government Act under which any person who commences a development and fails or neglects to obtain a development permit or comply with a condition of a permit, is guilty of an offence.

7.2 APPLICATION TO AMEND BYLAW

- (1) All amendments to this Bylaw shall be made by Council and in conformance with the Municipal Government Act.
- (2) A person may apply to have this bylaw amended, by applying in writing, furnishing reasons in support of the application and paying the required fee.
- (3) Council may at any time initiate an amendment to this Bylaw by directing the Development Authority to initiate an application for it.
- (4) All applications for amendment to the Land Use Bylaw shall be made to Council, and shall be accompanied by the following, namely:
 - (a) an application fee set by a resolution of Council for each application, but if the proposed amendment is adopted by Council, Council may determine that the whole or part of the application fee be returned to

the applicant;

- (b) a certificate of title for the subject property, or other documents satisfactory to the Development Authority including the applicant's interest in the land; and
- (c) all drawings required to be submitted shall be drawn on standard drafting material to the satisfaction of the Development Authority and shall be fully dimensioned, accurately figured, explicit and complete.

7.3 COMPLIANCE WITH OTHER LEGISLATION

- (1) A person applying for, or in possession of, a valid development permit is not relieved from full responsibility for ascertaining and complying with, or carrying out, and shall ascertain, comply with and carry out development in accordance with:
 - (a) the requirements of the Safety Codes Act, Environmental Protection and Enhancement Act, and the Natural Resources Conservation Board Act;
 - (b) the requirements of any other federal, provincial or municipal enactment or any other law; and
 - (c) the conditions of any caveat, covenant, easement or other instrument affecting a building or land.
- (2) The Town is not responsible for, nor does the Town have any obligation whatsoever, to determine what other legislation may apply to a development, nor to monitor or enforce compliance with such legislation.

PART EIGHT ADOPTION

8.1 REPEAL OF EXISTING BYLAW

The existing Town of Rainbow Lake Land Use Bylaw No. 99-05 and all amendments thereto are hereby rescinded.

8.2 EFFECTIVE DATE

The adoption of this Bylaw No. 2014-04 comes into effect upon the date of its third and final reading.

First reading given on —æ— day of June, 2014.






Boyd Langford, Mayor Dan Fletcher, Chief Administrative Officer second reading given on

21st day of April, 2014.

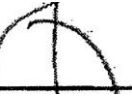




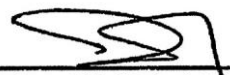
Boyd Langford, Mayor Boyd

Mayor Dan Fletcher, Chief Administrative Officer Third reading given on

April, 2014.



Boyd Langford, Mayor



Dan Fletcher, Chief Administrative Officer



Box 149, 65 Imperial Way
Rainbow Lake, Alberta T0H 2Y0
Telephone: 780-956-3934
Fax: 780-956-3570
Email: admin@rainbowlake.ca

Schedule A

Forms

DEVELOPMENT PERMIT APPLICATION

(This is not a Building Permit Application Form)

No work or construction shall commence until a Building Permit is issued pursuant to applicable regulations. Building permits are available from Superior Safety Codes (applications forms are available at the Town Office Reception Counter).

APPLICATION NO. _____

RECEIPT NO. _____

The required plans and information attached to this sheet must be submitted with this application.

I/We hereby make application for a development permit under the Land Use Bylaw in accordance with the laws and the information herewith and which forms part of the application.

Applicant:		
Mailing Address:		
Phone:	Fax:	Email:

Box 149, 65 Imperial

TOWN OF Rainbow Lake, Alberta TOH **RAINBOW LAKE**

Fax: Telephone: 780-956-3570/780-956-3934

Email:

Registered Land Owner:		
Mailing Address:		
Phone:	Fax:	Email:
Signature of Proposed Owner:		
Legal description of Property. Lot:	Block:	Plan:
Civic address of proposed development:		
Description of proposed development: <hr style="border: 0.5px solid black; margin-bottom: 5px;"/> <hr style="border: 0.5px solid black; margin-bottom: 5px;"/>		
Estimated commencement date:	Estimated completion date:	
Estimated cost of development:		
The developer must ensure that the development does not extend beyond the legal boundaries of the property		

Application Fee for Development Permits:

- Extensions/renovations to residential, commercial or industrial buildings; garages
 - Single-detached dwellings, Duplex, Semi-detached, Townhouse, Apartment developments
 - Change of use of a building or site.
- If value of work is \$10,000 or less, permit fee is \$100.00.
 If value of work is over \$10,000, permit fee is \$250.00.
 If value of work is over \$100,00, permit fee is \$500.00

See Council Resolution 368-12 on page 7

The Applicant is responsible to ensure that the estimated value of the development is reasonable in relation to the proposed development. Low estimations may be reassessed by the development authority and the applicant may be charged a greater fee than the fee submitted with the application before the application is processed or approved.

- 1) The issuance of a development permit does not relieve the owner or applicant from responsibility for obtaining the proper building, electrical, or plumbing permits from Superior Safety Codes, and complying with:

Box 149, 65 Imperial

Rainbow Lake, Alberta T0H 2Y0

Box 149, 65 Imperial Way
Rainbow Lake, Alberta T0H 2Y0
Telephone: 780-956-3934
Fax: 780-956-3570
Email: admin@rainbowlake.ca

TOWN OF



- a) the requirements of the Alberta Safety Codes Act,
- b) the requirements of any other appropriate federal, provincial or municipal legislation,
- c) the conditions of any caveat, covenant, easement or other instrument affecting a building or land, or
- d) the requirements of any municipal utility servicing.

2) The Town of Rainbow Lake does not conduct independent environmental checks of land. If the applicant or owner is concerned about the suitability of the property for any purpose, the owner/applicant should conduct the proper tests. The Town of Rainbow Lake, when issuing a development permit, makes no representation regarding the suitability of the property for any purpose or as to the presence or absence of environmental contaminants on the property.

Please check if you will require a building, electrical, gas, plumbing or private sewage permit. These permits are not included in this development permit application but information may be obtained from the Town of Rainbow Lake office or online at www.superiorsafetycodes.com.

C] Please check this box if you do not require any of the above mentioned permits.

Application fee: _____ Application fee must be submitted with this form.

Date of decision

Date of notice

Signed by Development Authority

Box 149, 65 Imperial

TOWN OF Rainbow Lake, Alberta TOH 2Y0 **RAINBOW LAKE**

Box 149, 65 Imperial Way
 Rainbow Lake, Alberta T0H 2Y0
 Telephone: 780-956-3934
 Fax: 780-956-3570
 Email: admin@rainbowlake.ca

GENERAL CONDITIONS

- 1) An application for a development permit shall, at the option of the applicant, be deemed refused when a decision is not made within 40 days of receipt of the complete application unless the applicant has entered into an agreement with the Development Authority to extend beyond the 40 day period.
- 2) If the Development Authority;
 - (a) refuses or fails to issue a development permit to a person;
 - (b) issues a development permit subject to conditions; or
 - (c) issues an order under Section 645 of the Municipal Government Act,

the person applying for the permit, or affected by the order, may appeal upon payment of such fee as may be prescribed by Council from time to time to the Subdivision and Development Appeal Board.
- 3) A person affected by an order, decision or development permit made or issued by the Development Authority, other than a person having a right of appeal under item 2, may appeal upon payment of such fee, as may be prescribed by Council from time to time, to the Subdivision and Development Appeal Board in accordance to the Land Use Bylaw and the Municipal Government Act.
- 4) Written notice of an appeal with the required fee shall be filed with the Secretary of the Subdivision and Development Appeal Board within 14 days of notification of the decision, conditions or order.
- 5) The Town of Rainbow Lake does not conduct independent environmental checks of land. If the applicant or owner is concerned about the suitability of the property for any purpose, the owner/applicant should conduct the proper tests. The Town of Rainbow Lake, when issuing a

Box 149, 65 Imperial

Rainbow Lake, Alberta T0H 2Y0

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TOWN OF



development permit, makes no representation regarding the suitability of the property for any purpose or as to the presence or absence of environmental contaminants on the property.

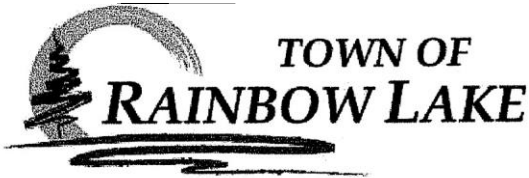
DIAGRAM OF LOT, BUILDINGS AND MEASUREMENT SKETCH (Must be provided by the applicant at the time the application is submitted)

The Site Plan should show:

- legal description, address, property line locations ● building setbacks ● building area ● landscaping being provided including area size and type (berms, soft/hard landscaping, retaining walls, etc.) ● fencing/gates — type and height ● garbage enclosures, where required ● roads, sidewalks, and pathways abutting property ● lighting — if any ● parking stalls indicating stall width, length and aisle width ● graveled areas.
- 8 1/2 X 11 copy of site plan, elevations, potential drainage, etc.

The above list is a generalized list of requirements. The Development Authority may require additional information.

Box 149, 65 Imperial Way Rainbow
Lake, Alberta T0H 2Y0



Box 149, 65 Imperial Way
Rainbow Lake, Alberta T0H 2Y0
Telephone: 780-956-3934
Fax: 780-956-3570
Email: admin@rainbowlake.ca

RIGHT OF ENTRY AUTHORIZATION

OWNER(S) CONSENT TO THE RIGHT OF ENTRY BY AN AUTHORIZED PERSON OF THE TOWN OF RAINBOW LAKE FOR THE PURPOSE OF A SITE INSPECTION OF THE LAND AFFECTED BY AN APPLICATION FOR A DEVELOPMENT PERMIT OR A LAND USE BYLAW AMENDMENT. Section 542 of the Municipal Government Act, R.S.A. 2000, c.M-26 stipulates that:

542(1) If this or any other enactment or a bylaw authorizes or requires anything to be inspected, remedied, enforced or done by a municipality, a designated officer of the municipality may, after giving reasonable notice to the owner or occupier of land or the structure to be entered to carry out the inspection, remedy, enforcement or action,

- (a) enter on that land or structure at any reasonable time, and carry out the inspection, enforcement or action authorized or required by the enactment or bylaw,
- (b) request anything to be produced to assist in the inspection, remedy, enforcement or action, and
- (c) make copies of anything related to the inspection, remedy, enforcement or action.

(1.1) A consent signed under section 653 is deemed to be a reasonable notice for the purposes of subsection (1).

IN ACCORDANCE WITH THE ABOVE SECTION AND THE TOWN OF RAINBOW LAKE LAND USE BYLAW REQUIREMENTS, IT IS NECESSARY THAT THIS FORM BE COMPLETED AND RETURNED WITH YOUR APPLICATION SUBMISSION IN ORDER THAT AN AUTHORIZED PERSON FROM THE TOWN MAY BE ABLE TO DO A SITE INSPECTION ON THE PROPERTY, IF REQUIRED.

I/We grant consent for an authorized person of the Town of Rainbow Lake to enter upon the subject land for a site inspection.

LEGAL LAND DESCRIPTION:

Box 149, 65 Imperial

Rainbow Lake, Alberta TOH 2YO

TOWN OF

RAINBOW LAKE Fax:

Telephone: 780-956-3570780-956-3934

Email: admin@rainbowlake.ca

NAME OF PROPERTY OWNER(S): _____

ADDRESS: _____

SIGNATURE(S): _____

DATE _____



**TOWN OF
RAINBOW LAKE**

FORM A

Box 149, 65 Imperial Way
Rainbow Lake, Alberta T0H 2Y0
Telephone: 780-956-3934
Fax: 780-956-3570
Email: admin@rainbowlake.ca

RAINBOW LAKE

Fax: Telephone: 780-956-3570/780-956-3934

Email: admin@rainbowlake.ca

DEVELOPMENT AUTHORITY/UTILITY INSPECTION

DATE:

APPLICANT NAME:

ADDRESS:

TELEPHONE: HOME:

WORK:

CELL:

LAND DESCRIPTION:

LOT:

BLOCK:

PLAN:

STREET ADDRESS:

UTILITY INSPECTION/COMMENTS:

TOWN OF
RAINBOW LAKE

Box 149, 65 Imperial Way

Rainbow Lake, Alberta T0H

Telephone: Fax: 780-956-3570/780-956-3934

Email: admin@rainbowlake.ca

WATER:

SEWER:

GAS:



Box 149, 65 Imperial Way
Rainbow Lake, Alberta T0H 2Y0
Telephone: 780-956-3934
Fax: 780-956-3570
Email: admin@rainbowlake.ca

FURM A

MINUTES

REGULAR COUNCIL MEETING OF THE RAINBOW LAKE TOWN COUNCIL

Town Council Chambers

December 19, 2012

7. RECREATION AND COMMUNITY SERVICES

7.1 Recreation Department 2013 Proposed Budget

Resolution No. 367—12 Councillor Olorenshaw MOVED:
That Council adopts the Recreation Department's 2013
Proposed Budget as the 2013 Interim Budget
CARRIED

8. PLANNING DEVELOPMENT

8.1 Development Proposed Budget 2013

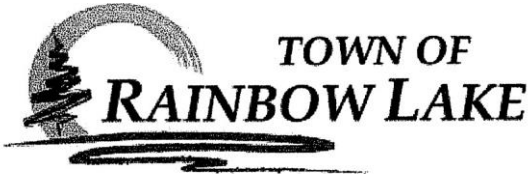
Resolution No. 368-12 Councillor Farris MOVED:
That Council adopts the 2013 Development Proposed Budget
as the 2013 Interim Budget.
CARRIED

8-2 Building Permits

Resolution No. 369-12 Councillor Olorenshaw MOVED:
That Council directs Administration that all Development
Permits less than \$10,000 are \$100.00 per permit, anything
over \$10,000 are \$250.00 per permit and over \$100,000 is
\$500.00 per permit.
CARRIED

TOWN
RAINBOW LAKE

Box 149, 65 Imperial Way
Rainbow Lake, Alberta T0H 2Y0
Telephone: 780-956-3934
Fax: 780-956-3570
Email: admin@rainbowlake.ca



Box 149, 65 Imperial Way
Rainbow Lake, Alberta T0H 2Y0
Telephone: 780-956-3934
Fax: 780-956-3570
Email: admin@rainbowlake.ca

Application No. _____
(Office Use Only)

APPLICATION TO AMEND THE LAND USE BYLAW I/VVe hereby make application to amend the Town of Rainbow Lake Land Use Bylaw.

Applicant Name:		
Address:		
Phone:	Email:	
Owner of Land Name:		
Address:		
Phone:	Email:	
Land Description	Address of Property	
Legal Lot:	Block:	Plan:
Certificate of Title:		

TOWN OF
RAINBOW LAKE

Box 149, 65 Imperial Way

Rainbow Lake, Alberta T0H

Telephone: Fax: 780-956-3570780-956-3934

Email: admin@rainbowlake.ca

Amendment Proposed

From:

To:

Reasons in support of this Application for Amendment: _____

I enclose \$

being the application fee.

Date:

Signed

Box 149, 65 Imperial Way Rainbow Lake, Alberta

RAINBOW

Telephone: 780-956-3934

Fax: 780-956-3570

Email: admin@rainbowlake.ca

FORM C



Box 149, 65 Imperial Way
Rainbow Lake, Alberta T0H 2Y0
Telephone: 780-956-3934
Fax: 780-956-3570
Email: admin@rainbowlake.ca

Application No. _____
(Office Use only)

STOP ORDER

This order is issued to: _____

regarding development involving: _____

On land located at: Lot Block Registered Plan No.
 or; Certificate of Title No. _____
 1/4 sec. _____
 or; _____ Twp. _____ Rge. _____ W6M _____

You are hereby ordered to:

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

As the development is in contravention of: _____

OF
RAINBOW LAKE

Box 149, 65 Imperial Way

Rainbow Lake, Alberta T0H

Telephone: Fax: 780-956-3570/780-956-3934

Email: admin@rainbowlake.ca

20

This order shall be complied with by

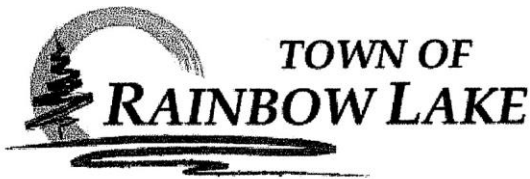
Failure or refusal to comply with this order may result in a person or persons appointed by the Council entering upon the land or building and taking any action necessary to carry out the order. In such circumstances, the Council shall cause the costs incurred to be placed on the tax roll as an additional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

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

Dated this _____ day of _____, 20

SIGNATURE OF DEVELOPMENT OFFICER

FORM D



Box 149, 65 Imperial Way
Rainbow Lake, Alberta T0H 2Y0
Telephone: 780-956-3934
Fax: 780-956-3570
Email: admin@rainbowlake.ca

DEVELOPMENT PERMIT
NOTIFICATION TO ADJACENT LANDOWNER

Permit Number:
Civic Address:
Legal Description:
Land Use District:

OF
RAINBOW LAKE

Box 149, 65 Imperial Way

Rainbow Lake, Alberta T0H

Telephone: Fax: 780-956-3570/780-956-3934

Email: admin@rainbowlake.ca

Discretionary Use:
Town of Rainbow Lake Development Authority approved the
Development Permit # _____ this date

If the Development Authority issues a development permit, the applicant or any person affected by the decision may appeal to the Subdivision and Development Appeal Board by filing a written notice of appeal containing the reasons for the appeal within 14 days from the date of decision by the Development Authority.

Deadline for filing written notice of appeal: _____

Appeals should be sent to:

Secretary, Subdivision and Development Appeal Board Box
149
Rainbow Lake, AB
T0H 2Y0

FORM E



Box 149, 65 Imperial Way
Rainbow Lake, Alberta T0H 2Y0
Telephone: 780-956-3934
Fax: 780-956-3570
Email: admin@rainbowlake.ca

DEVELOPMENT PERMIT

Development involving _____
(address of property)

Further described as _____ Lot: Block: _____ Plan: _____ for the
proposed development of:

OF
RAINBOW LAKE

Box 149, 65 Imperial Way

Rainbow Lake, Alberta T0H

Telephone: Fax: 780-956-3570/780-956-3934

Email: admin@rainbowlake.ca

as further described in Application No. _____ has been APPROVED.

You are hereby authorized to proceed with the development specified provided:

1. that any stated conditions are complied with;
2. that development is in accordance with any approved plans and application; and,
3. that a Building Permit is obtained if construction is involved.
4. Should an appeal be made against this decision to the Subdivision and Development Appeal Board, the DEVELOPMENT PERMIT may be modified or nullified.

Date of Decision: _____

Date of Issue of Development Permit: _____

Signature of Development Officer: _____

NOTE:

1. The DEVELOPMENT PERMIT is subject to the provisions of the Land Use Bylaw.
2. The DEVELOPMENT PERMIT must be posted in a visible location during construction.

FORM F



Box 149, 65 Imperial Way
Rainbow Lake, Alberta T0H 2Y0
Telephone: 780-956-3934
Fax: 780-956-3570
Email: admin@rainbowlake.ca

DEVELOPMENT APPEAL FORM

1. Name of Appellant: _____

2. Address of Appellant: _____

OF
RAINBOW LAKE

Box 149, 65 Imperial Way

Rainbow Lake, Alberta TOH

Telephone: Fax: 780-956-3570780-956-3934

Email: admin@rainbowlake.ca

Telephone: _____

3. Notice is hereby given to the Subdivision and Development Appeal Board of this appeal against the
decision (date) of the Development Officer regarding Development Permit

Application No. _____

4. Development Proposal (description)

Location
(legal)

Type of use

Decision

5. Reasons for Appeal: (please feel free to attach additional sheets, if required)

Date

Appellant (or authorized person)

Mail or Deliver to.

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

Secretary,
Subdivision and Development Appeal Board
Town of Rainbow Lake
Box 149
Rainbow Lake AB TOH
2YO Date Received:

Hearing

Date:

(FOR OFFICE USE ONLY)

Appeal No.: _____



Box 149, 65 Imperial Way
Rainbow Lake, Alberta T0H 2Y0
Telephone: 780-956-3934
Fax: 780-956-3570
Email: admin@rainbowlake.ca

Appeal Hearing File No. _____

(Office Use Only)

NOTICE OF DEVELOPMENT APPEAL BOARD HEARING

This is to notify you that an appeal has been made to the Subdivision and Development Appeal Board against a decision regarding Development Permit Application No. _____ which involves development described as follows:

Address of Property:

Legal Description: Lot _____ Block _____ Plan _____

for the purpose of:

The decision of the Development Officer was:

APPROVED

APPROVED, subject to the following conditions

REFUSAL, for the following reasons: _____

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

(date)

OF
RAINBOW LAKE

Box 149, 65 Imperial Way

Rainbow Lake, Alberta T0H

Telephone: Fax: 780-956-3570/780-956-3934

Email: admin@rainbowlake.ca

Date of Hearing:

Place of Hearing:

Date

Signature of Secretary,
Subdivision and Development Appeal Board

FORM H



Box 149, 65 Imperial Way
Rainbow Lake, Alberta T0H 2Y0
Telephone: 780-956-3934
Fax: 780-956-3570
Email: admin@rainbowlake.ca

Appeal Hearing File No. _____
(Office Use Only)

NOTICE OF DEVELOPMENT APPEAL BOARD DECISION

This is to notify that an appeal against Development Permit Application No.

was considered by the Subdivision and Development Appeal Board on (date)

The decision of the Subdivision and Development Appeal Board regarding the appeal is as follows and for the following reasons:

OF
RAINBOW LAKE

Box 149, 65 Imperial Way

Rainbow Lake, Alberta T0H

Telephone: Fax: 780-956-3570/780-956-3934

Email: admin@rainbowlake.ca

Date

Signature of Chairman,
Subdivision and Development Appeal Board

Note: A decision of the Subdivision and Development Appeal Board is final and binding on all parties and persons and subject only to an appeal upon a question of jurisdiction or law pursuant to the Municipal Government Act. An application for leave to appeal to the Appellate Division of the Supreme Court of Alberta shall be made:

- a) to a judge of the Appellate Division, and
- b) within 30 days after the issue of the order, decision, permit or approval sought to be appealed.

Schedule B

List of Amendments

Schedule C
Land Use District Map



**Town of Rainbow Lake
Bylaw No. 2014 - 04**

LAND USE DISTRICTS

- Commercial (C1)
- Commercial - Highway (C2)
- Direct Control (DC)
- Institutional (I)
- Industrial (M1)
- Industrial - Residential (M2)
- Residential (R1)
- Mobile Home - Subdivision (RMH1)
- Mobile Home District (RMH2)
- Urban Reserve (UR)

Schedule C: Land Use District Map
Adopted by Council this 21st day of July, 2014.

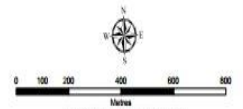
Original Signed By:

Mayor: Boyd Langston

Chief Administrative Officer: Dan Fletcher

Amendments

Bylaw No.	Date	Bylaw No.	Date



Last Updated: August 26, 2014



Base Digital Spatial Data - ARA, US Limited
Cartographic Data last updated: April 2014

