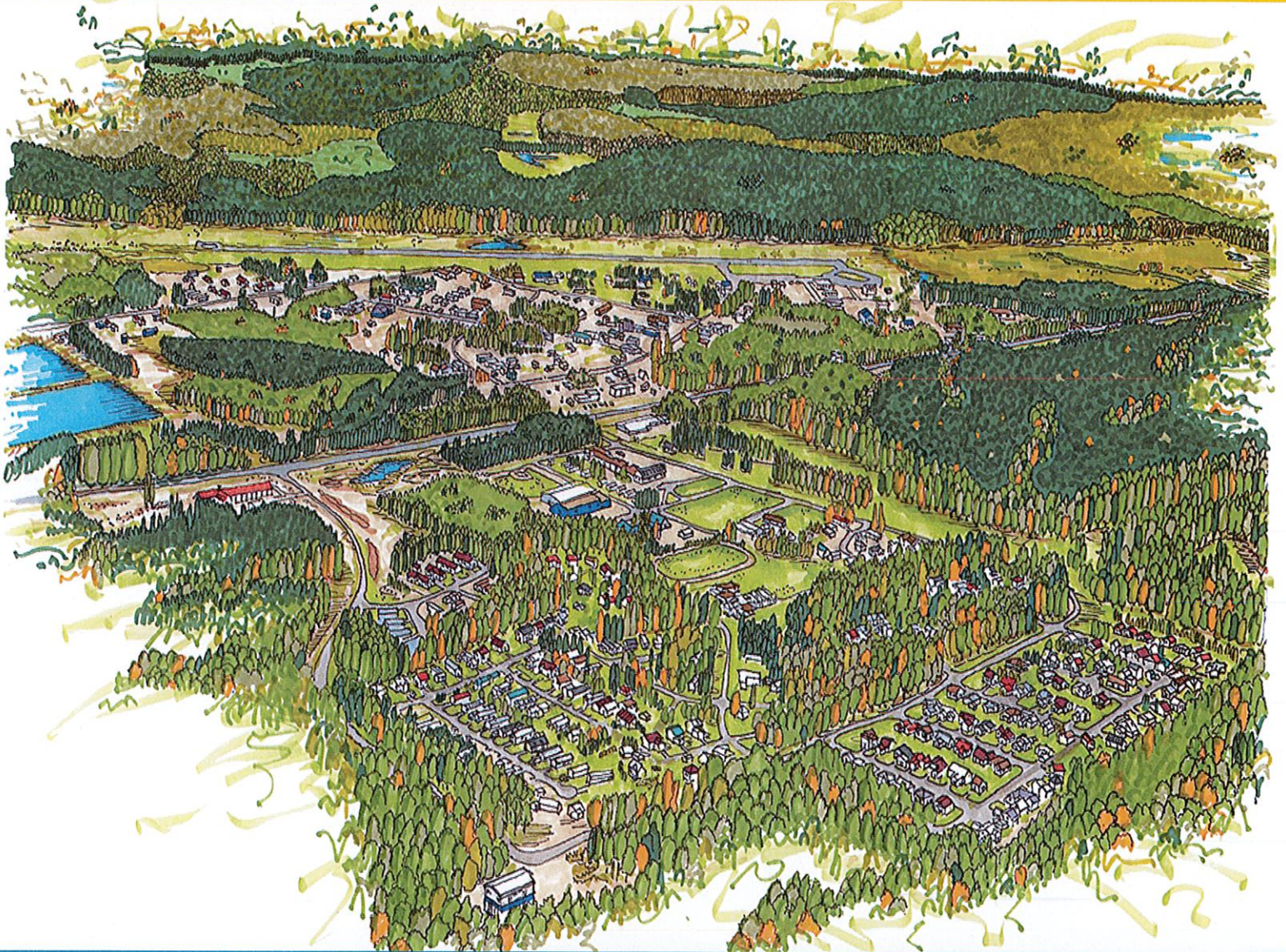




LAND USE BYLAW



Bylaw No. 2021 - 06
Adopted on December 20, 2021



LAND USE BYLAW No. 2021-06

Adopted on December 20, 2021

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SCHEDULE B LIST OF AMENDMENTS

SCHEDULE C LAND USE DISTRICT MAP



BYLAW NO. 2021-06

BEING A BYLAW OF THE TOWN OF RAINBOW LAKE, IN THE PROVINCE OF ALBERTA, TO REPLACE THE TOWN OF RAINBOW LAKE LAND USE BYLAW NO. 2014-04

WHEREAS, Pursuant to the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, the Council of a municipality must enact a Land Use Bylaw to regulate and control the use and development of lands and buildings within the municipality, and

WHEREAS, The Council of the Town of Rainbow Lake, in the Province of Alberta, adopted the Rainbow Lake Land Use Bylaw 2014-04, as amended from time to time, to regulate and control the use and development of lands and buildings within the Town; and

WHEREAS, The Council of the Town of Rainbow Lake, in the Province of Alberta, deems it advisable to replace the Town of Rainbow Lake Land Use Bylaw 2014-04, as amended from time to time; and

WHEREAS, The Council of the Town of Rainbow Lake, in the Province of Alberta, deems it advisable to adopt a new Land Use Bylaw to ensure clarity, consistency and relevancy of the bylaw;

**NOW
THEREFORE,** Pursuant to Sections 230, 606 and 692 of the Province of Alberta *Municipal Government Act*, the Council of the Town of Rainbow Lake, duly assembled, hereby enacts as follows:

TITLE

1. This Bylaw may be cited as the "Town of Rainbow Lake Land Use Bylaw".

SEVERABILITY

2. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion shall be severed and the remainder of the Bylaw is deemed valid.

SCHEDULES

3. The following schedules form parts of this Bylaw:
- (a) Schedule "A" – Land Use Bylaw
 - (b) Schedule "B" – List of Amendments
 - (c) Schedule "C" – Land Use District Maps

ENACTMENT

4. This Bylaw shall take force and come into effect on the date of its final passage.
5. Bylaw 2014-04, and any amendments thereto, are hereby repealed.

READ THE FIRST TIME this 4th day of OCTOBER, A.D. 2021.


Michelle Farris, Mayor


Dan Fletcher, Chief Administrative Officer

PUBLIC HEARING HELD this 1st day of NOVEMBER, A.D. 2021.


Michelle Farris, Mayor


Dan Fletcher, Chief Administrative Officer

READ THE SECOND TIME this 1st day of NOVEMBER, A.D. 2021.


Michelle Farris, Mayor


Dan Fletcher, Chief Administrative Officer

READ THE THIRD TIME AND FINALLY PASSED this 20th day of DECEMBER, A.D. 2021.


Michelle Farris, Mayor


Dan Fletcher, Chief Administrative Officer

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 shall 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, when 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:

"ACCESSORY" when used to describe a structure, is a detached building that is either naturally or normally incidental, subordinate, or exclusively devoted to the principal building that is also located on the same lot or site as the principal building.

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

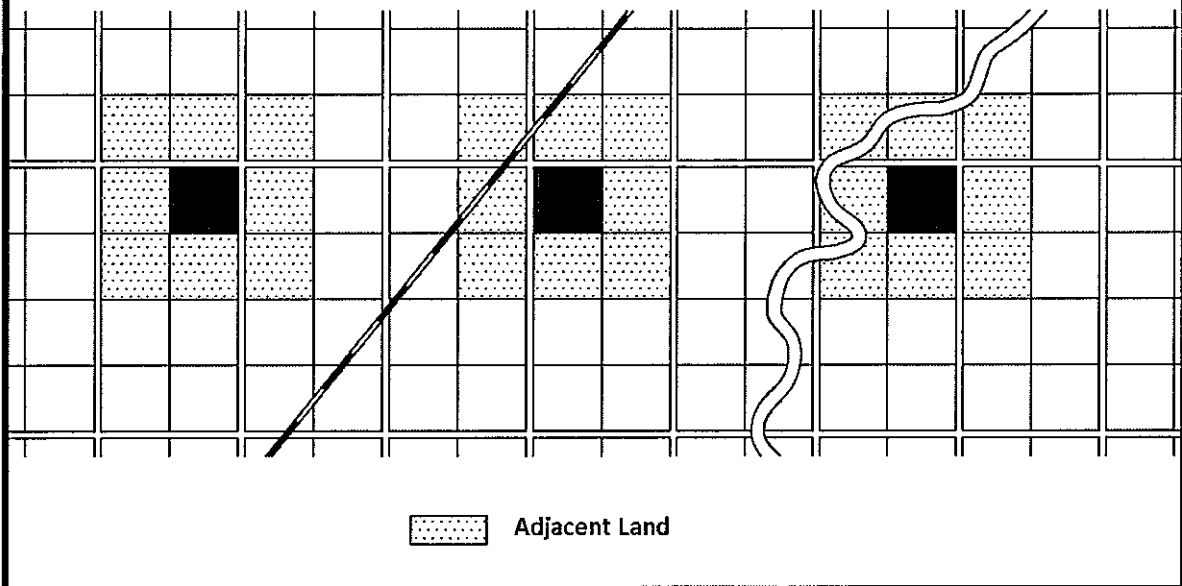
"ADJACENT LAND" means land or a portion of land that shares a common boundary with a parcel of land that is subject to a development permit application and/or subdivision application and includes land that would be adjacent if not for a public roadway, railway, river or stream.

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.



"**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.

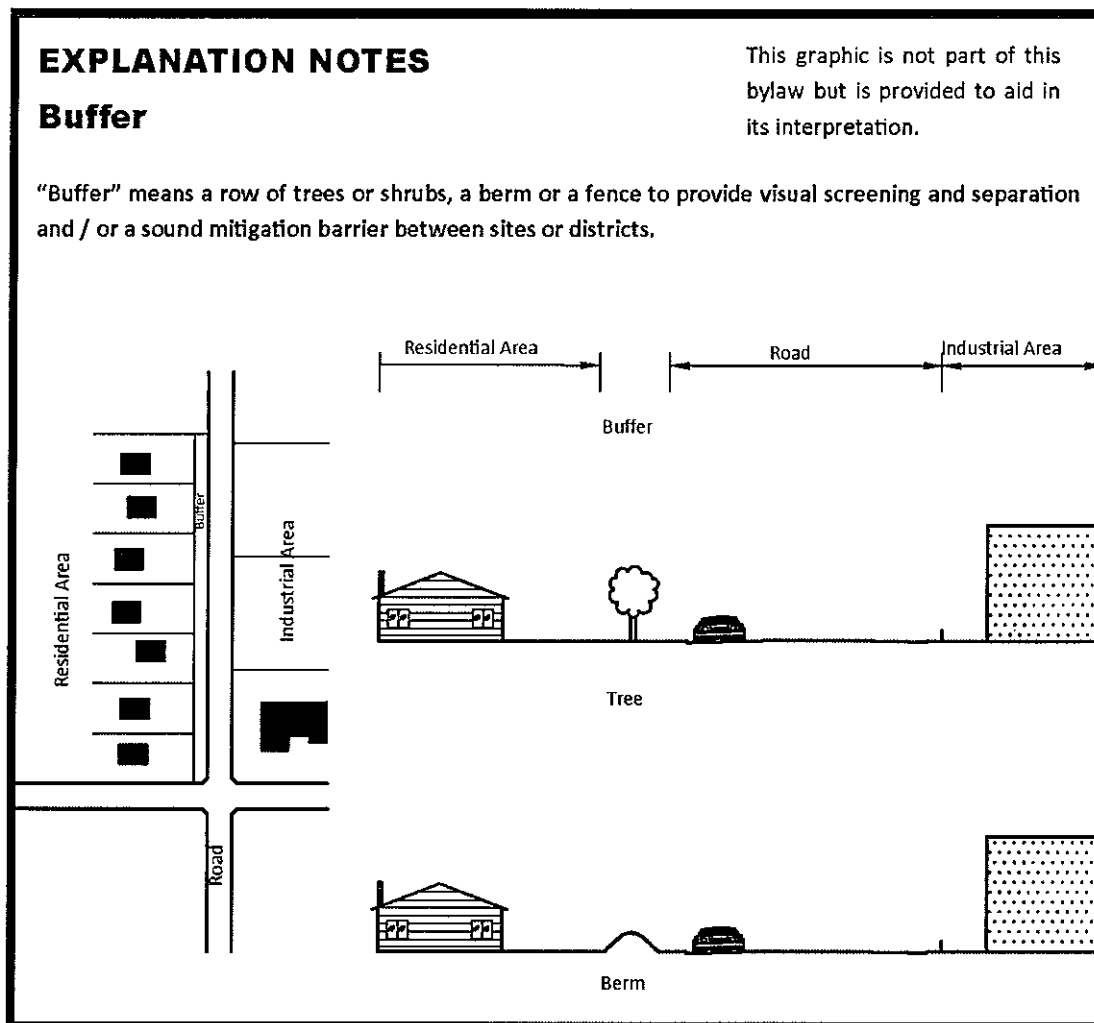
"**APARTMENT**" means a development consisting of three or more dwelling units having shared entrance facilities, in which dwellings are arranged in any horizontal or vertical configuration, and which does not conform to the definition of any other residential use.

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

"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.

"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.



"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.

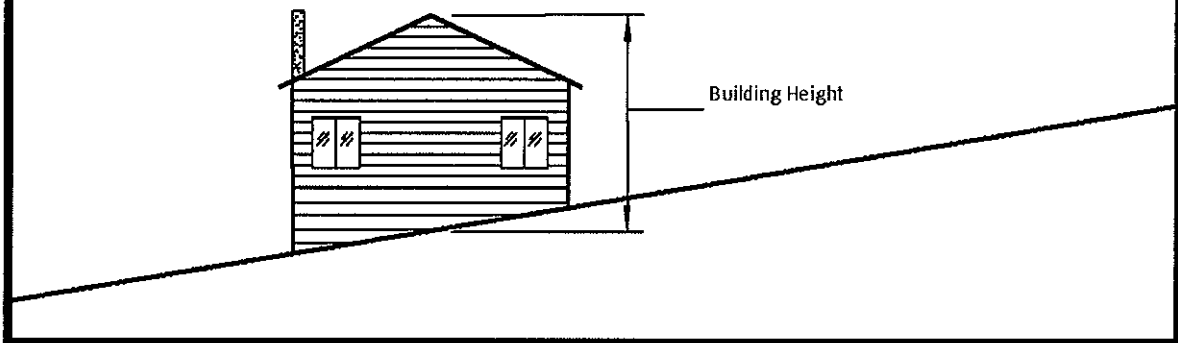
"BUILDING HEIGHT" means the vertical distance between the average grade and the highest point of a building that is not: a roof stairway entrance; a ventilating fan; a skylight; a steeple; a chimney; a smoke stack; a firewall; a parapet wall; a flagpole; or similar device not structurally essential to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

"CANNABIS" means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the Cannabis Act (Canada) and its regulations

"CANNABIS RETAIL SALES" means a retail store licensed by the Alberta Liquor and Gaming Commission (AGLC) where cannabis and cannabis accessories are sold to individuals who attend at the premises.

"CANNABIS PRODUCTION FACILITY" means a premise used for growing, producing, testing, destroying, storing, or distribution of cannabis authorized by a license issued by Health Canada.

"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.

"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 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 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.

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

"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.

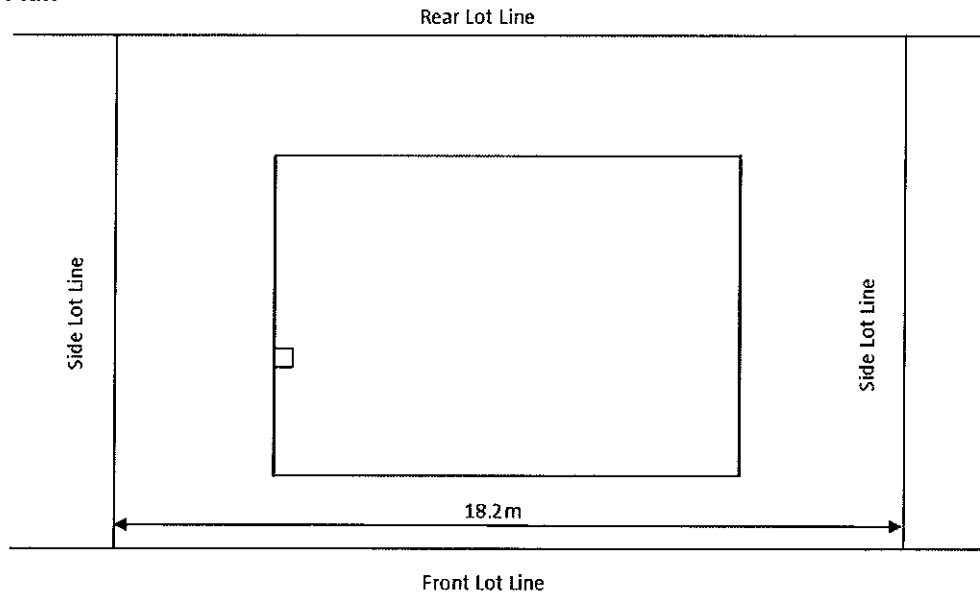
"DWELLING, SINGLE-DETACHED" means a complete building or self-contained portion of a building for the use of one or more individuals living as a single housekeeping unit with associated facilities and intended as a permanent residence not separated from direct access to the outside by another separate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

EXPLANATION NOTES

Duplex

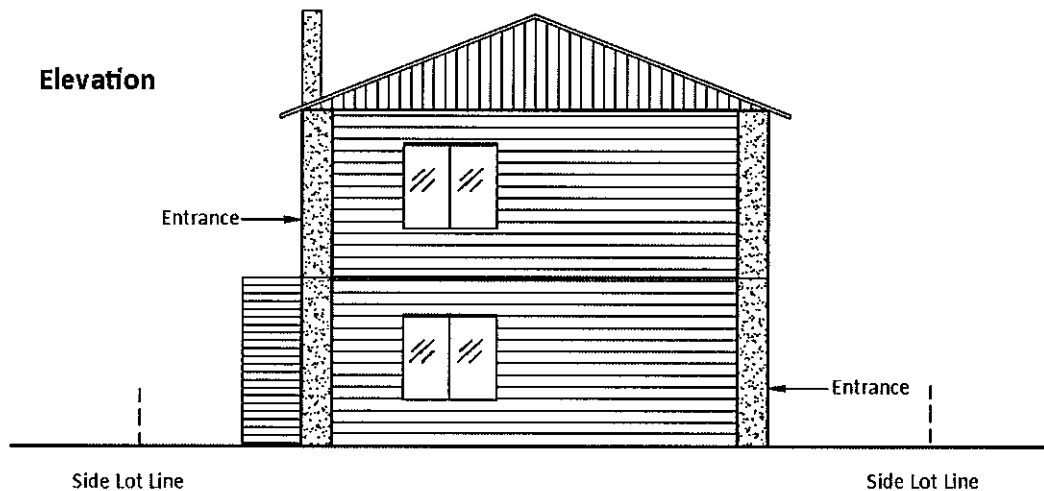
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Plan



"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

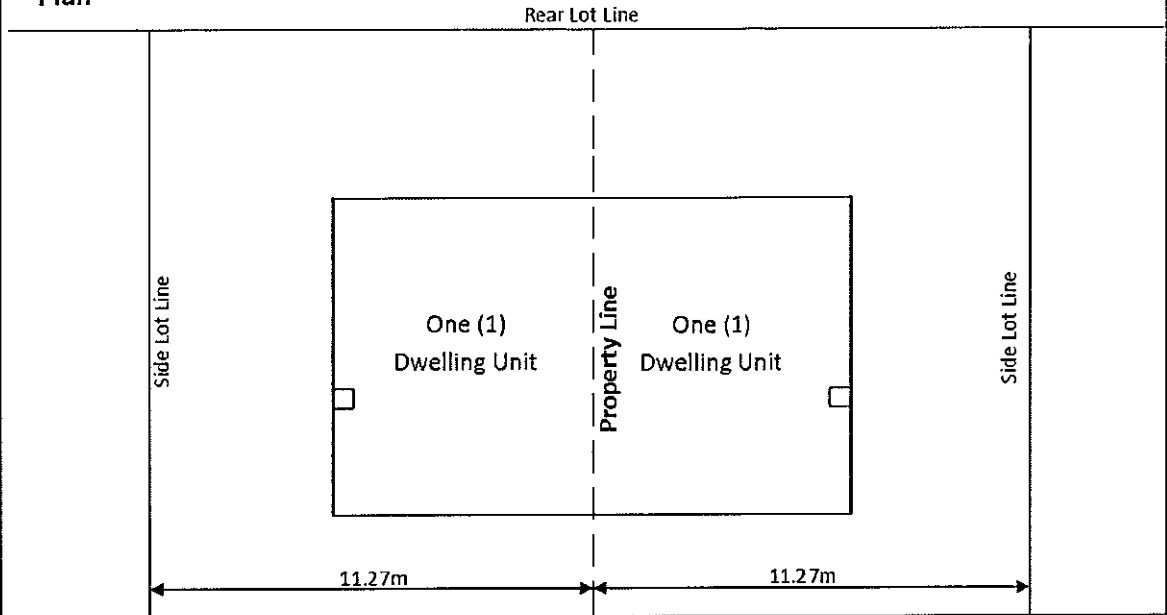


EXPLANATION NOTES

Semi-Detached Dwelling

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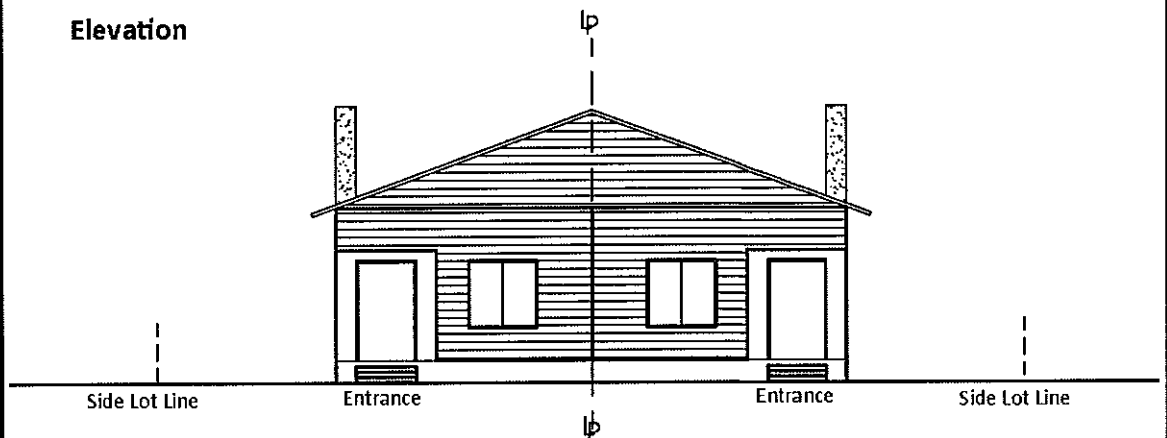
Plan



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.

Elevation



"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.

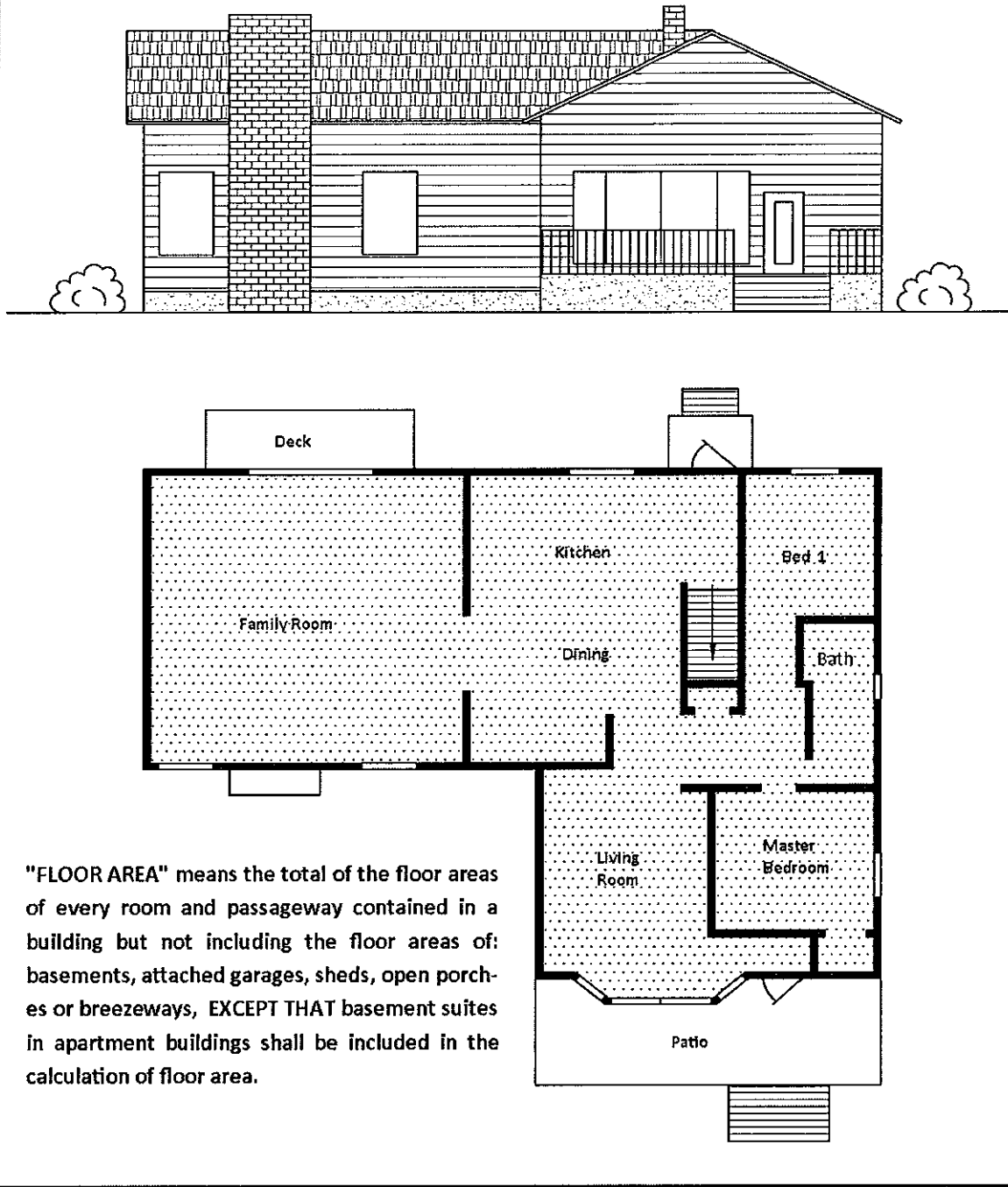
"FIRE PIT, PERMANENT" means a pit that is constructed, or requires some degree of excavation or use of permanent building materials. Such pit construction will require a development permit.

"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

Floor Area

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



"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, social, and counselling services, but does not include a hospital.

"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.

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

"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 Manufactured 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 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.

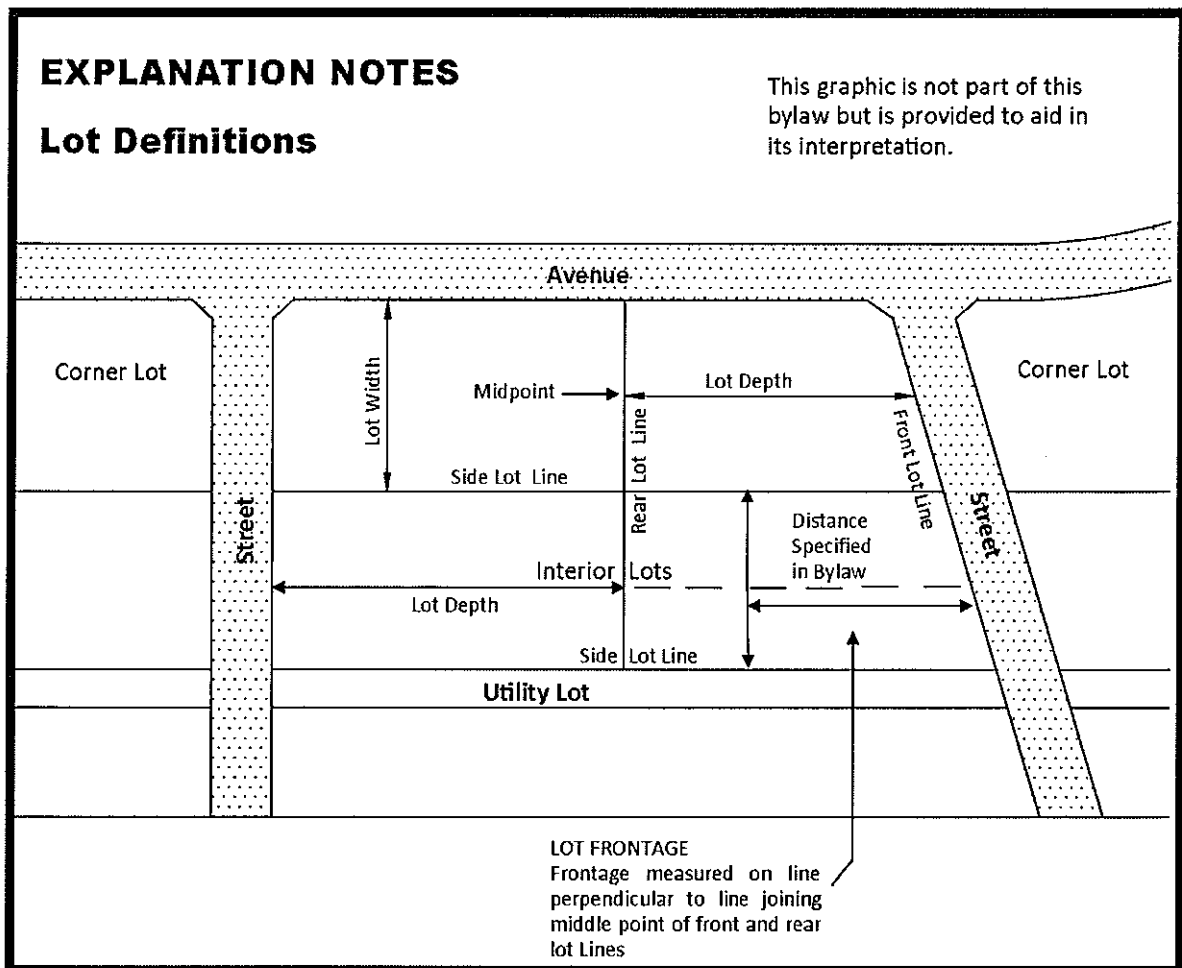
"LOT LINE, FRONT" means the boundary dividing the lot from an abutting street. In the case of a corner lot the Development Authority may select one of the street boundaries as the front.

"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.



"MANUFACTURED HOME" means a development of a transportable dwelling unit that is built off-site. It is designed to be transported on its own wheels or on a chassis and upon arriving at the site for placement is, apart from incidental operations such as installation of foundation supports and connections of utilities, ready for year-round occupancy. This definition does not apply to recreational vehicles or industrial camp trailers. A manufactured home meets any one of the following design criteria:

- (1) Is supported by a steel frame;
- (2) Has a roof pitch of less than 1:4;
- (3) The eaves are equal to or less than 30.4 cm (1.0 ft.);
- (4) The length to width ratio of the unit is more than 3:1.

"MANUFACTURED HOME PARK" means a lot under single title which is managed by a Manufactured Home Park operator, and which has been designed for the placement of Manufactured Homes on Manufactured Home site lots for non-transient use.

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

"MANUFACTURED HOME SUBDIVISION" means a Manufactured Home development registered as a subdivision under freehold tenure.

"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.

"MODULAR BUILDING" means a development that is built off-site and designed to be transported and assembled on a permanent foundation at the building site. Upon arriving at the site for placement the modular building, apart from incidental operations such as installation of foundation supports and connections of utilities, is ready for year-round occupancy. A modular building may include residential, commercial, industrial and institutional buildings. This definition does not apply to manufactured homes, recreational vehicles or industrial camp trailers.

"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, and may include:

- (i) dwelling as defined in this bylaw;
- (ii) commercial buildings;
- (iii) garages; and
- (iv) accessory buildings.

"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 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.

"RECREATIONAL VEHICLE PARK" means a parcel of land under single title, which is managed by an operator and which has been designed for the placement of two or more recreational vehicles on recreational vehicle park lots for transient occupancy. A residential dwelling for management purposes may be permitted.

"RECREATIONAL VEHICLE PARK LOTS" means a leasable or rentable portion of land within a recreational vehicle park, reserved for the placement of a recreational vehicle for transient occupancy.

"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.

"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 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, 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.

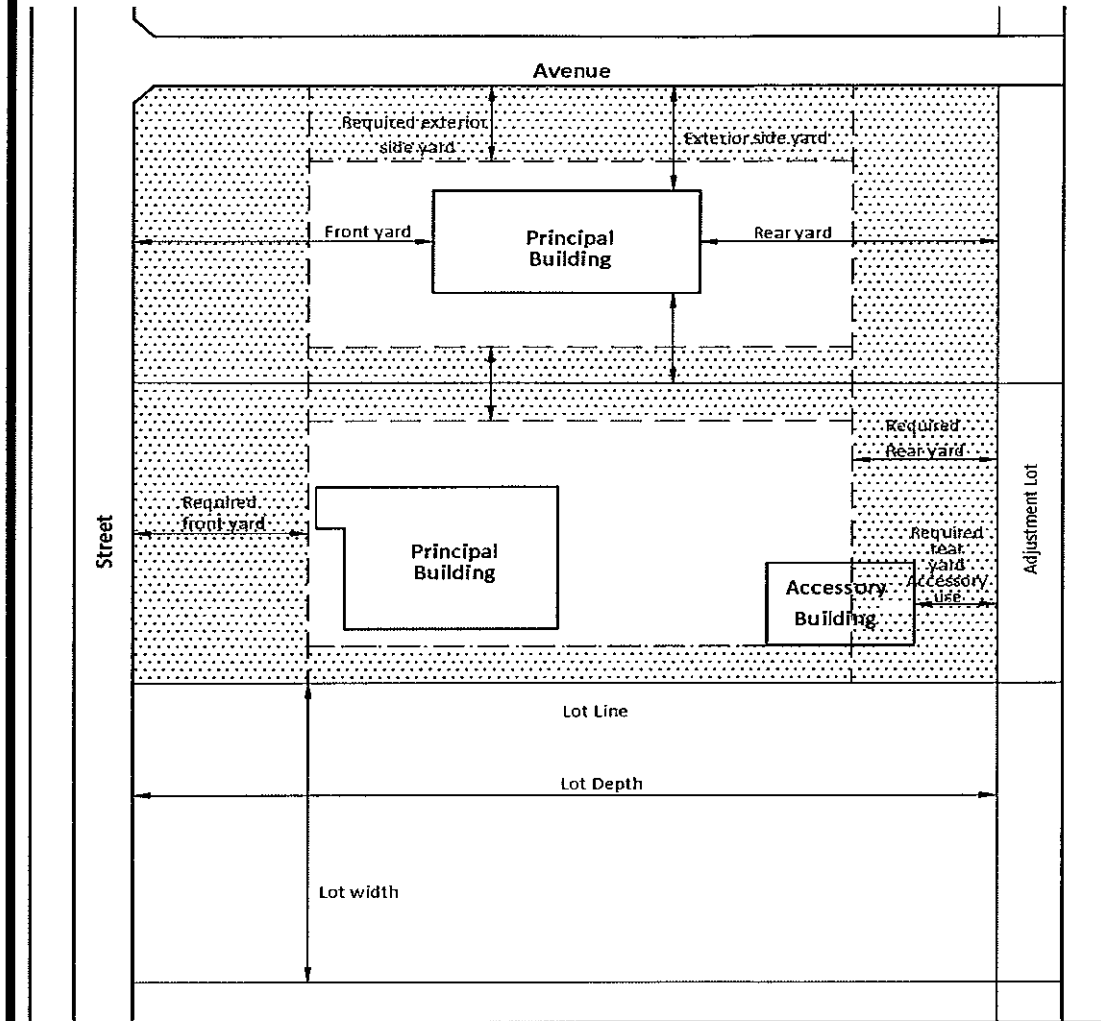
"YARD, SIDE" means a yard extending from the front yard to the rear yard and situated between the side lot line and the nearest part of the principal building.

"YARD 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 is 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) Within 20 days after receipt of a development permit application, the Development Authority shall determine whether the application is complete or incomplete.
- (3) Notwithstanding subsection 2, the Development Authority may extend the time period for determining the completeness of a development permit application, based on a written agreement between the Development Authority and the applicant.
- (4) When, in the opinion of the Development Authority:
 - (a) sufficient details of a proposed development have been included with the application for a development permit, the Development Authority shall, in a form and manner appropriate, issue a notice of complete application to the applicant, advising that the application is complete within the timeline provided for in subsection 2 or 3.
 - (b) sufficient details of a proposed development have not been included with the application for a development permit, the Development Authority shall, in a form and manner appropriate, issue a notice of incomplete application to the applicant, advising that the application is incomplete within the timeline provided for in subsection 2 or 3. The notice shall outline any outstanding

information and/or documentation that must be provided by the applicant for the application to be considered complete by a date stated in the notice or as agreed upon between the Development Authority and the applicant.

- (5) If the Development Authority does not issue a notice of complete or incomplete application for a development permit application within 20 days from the date of receipt of the application, or the extended time period agreed upon between the Development Authority and the applicant, the application is deemed to be complete.
- (6) Notwithstanding the issuance of a notice of complete or incomplete application pursuant to subsection 4, or failure to issue a notice under subsection 5, the Development Authority may request additional information or documentation from the applicant that the Development Authority considers necessary to review the application.
- (7) If an applicant who has been issued a notice of incomplete application:
 - (a) submits all the required information and/or documentation by the date given in subsection 4(b), the Development Authority shall, in a form and manner appropriate, issue a notice of complete application to the applicant, advising that the application is now complete.
 - (b) fails to submit all the required information and/or documents by the date given in subsection 4(b), the application is deemed refused.
- (8) Where an application for a development permit is deemed refused under subsection 7(b), the Development Authority shall issue a notice to the applicant, stating that the application has been refused and the reason for the refusal.
- (9) Unless extended by a written agreement between the Development Authority and the applicant, the Development Authority shall decide on a development permit application either:
 - (a) within 40 days of receipt by the applicant the notice of complete application if issued under subsection 4 (a) or 7 (a), or
 - (b) within 40 days from the receipt of the application, if no notice is issued under subsection 5.
- (10) If the Development Authority does not make a decision on an application within the time period provided for in subsection 9, the application is, at the opinion of the applicant, deemed refused.
- (11) In making a decision on an application for a "Permitted Use", the Development Authority shall:

- (i) approve the application, with or without conditions, where the proposed development conforms with this Bylaw; or
 - (ii) refuse the application, if the proposed development does not conform with this Bylaw.
- (12) In making a decision on an application for a "Discretionary Use", the Development Authority:
 - (a) may approve a development permit application which conforms with this Bylaw; or
 - (b) may approve a development permit application, subject to conditions, which conforms with this Bylaw; or
 - (c) shall refuse a development permit application, if the proposed development does not conform with this Bylaw.
- (13) 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, 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.
- (14) 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.
- (15) 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 unduly interfere with the amenities of the neighbourhood, and/or materially interfere with or affect the use, enjoyment, or value of neighbouring properties, and
 - (b) the proposed development conforms with the use prescribed or the land or building in the Bylaw.
- (16) The Development Authority may refer any application to any federal, provincial or municipal department, or any other agency deemed appropriate.

- (17) 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.
- (18) In the case where an application for a development permit has been refused, 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, unless the application was refused under subsection 7(b).
- (19) Where the proposed use is not listed in the specific land use district, the Development Authority may consider it so listed if, in their opinion, it is sufficiently similar in character and purpose to a listed use, but is not listed, as a use in another district or defined in Section 1.4 Definitions.

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:
 - (a) may post a notice of the decision conspicuously on the property for which the application has been made; or
 - (b) may 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; or
 - (c) mail a notice in writing to all adjacent landowners who in the opinion of the Development Authority may be affected (to be used only if, in the opinion of the Development Authority, the development is a controversial matter); and
 - (d) shall 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.

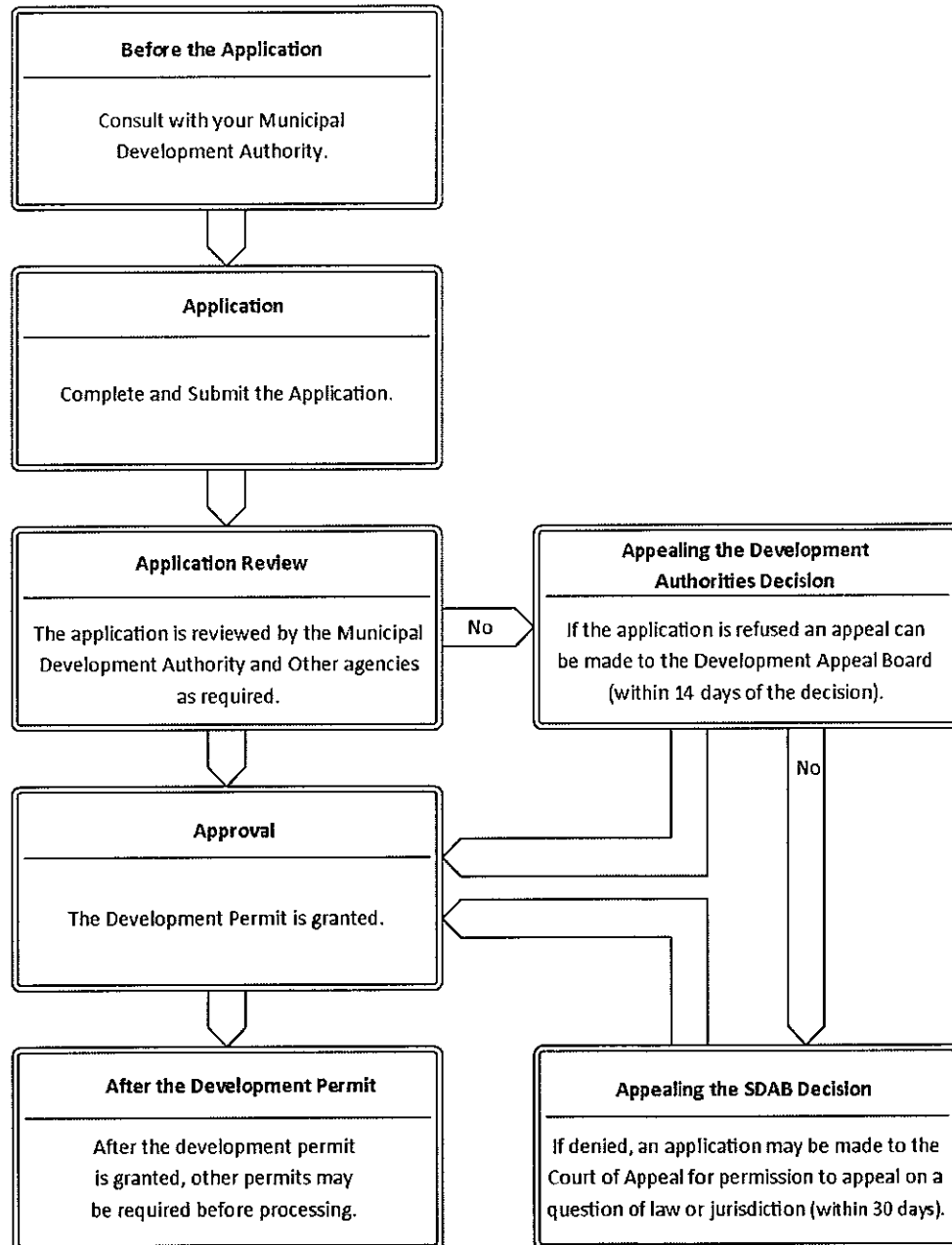
2.4 DEVELOPMENT APPEAL PROCEDURES

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

- (1) 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.
- (8) 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 and Parks

- (9) 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.
- (10) 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.

3.3 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

- (1) The following development shall not require a development permit:
 - (a) 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.
 - (b) 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.
 - (c) The use of any such buildings as is referred to in subsection (2) for the purpose for which construction was commenced.
 - (d) A development that is subject to a valid development agreement for:
 - (i) constructing, widening, altering, redesigning or maintaining a public roadway or walkway;
 - (ii) traffic management projects and devices;
 - (iii) water reservoirs, water lines, storm and sanitary sewer installations;
 - (iv) 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

- (v) constructing and maintaining public utilities, including cable television, under the control or direction of the Town of Rainbow Lake.
- (e) A project listed in subsection d (i) to (v) above undertaken by the Town.
- (f) Maintenance on a public utility located in, on, over or under a public roadway, a public utility right-of-way or public utility lot.
- (g) The use of a building or a part of it in connection with federal, provincial, municipal, or school election, referendum or census.
- (h) 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.
- (i) 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.
- (j) 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.
- (k) In a residence, the habitation within a dwelling unit of a family, plus a maximum of two lodgers.
- (l) Window signs, provided they are not for the purpose of advertising a home -based business or home office.
- (m) Municipal signs.
- (n) Traffic Signs.
- (o) Garage sale signs.
- (p) Signs located on a community notice board.
- (q) Signs identifying a construction or demolition project.
- (2) Developments not listed within this subsection must otherwise comply with the requirements of this Bylaw.

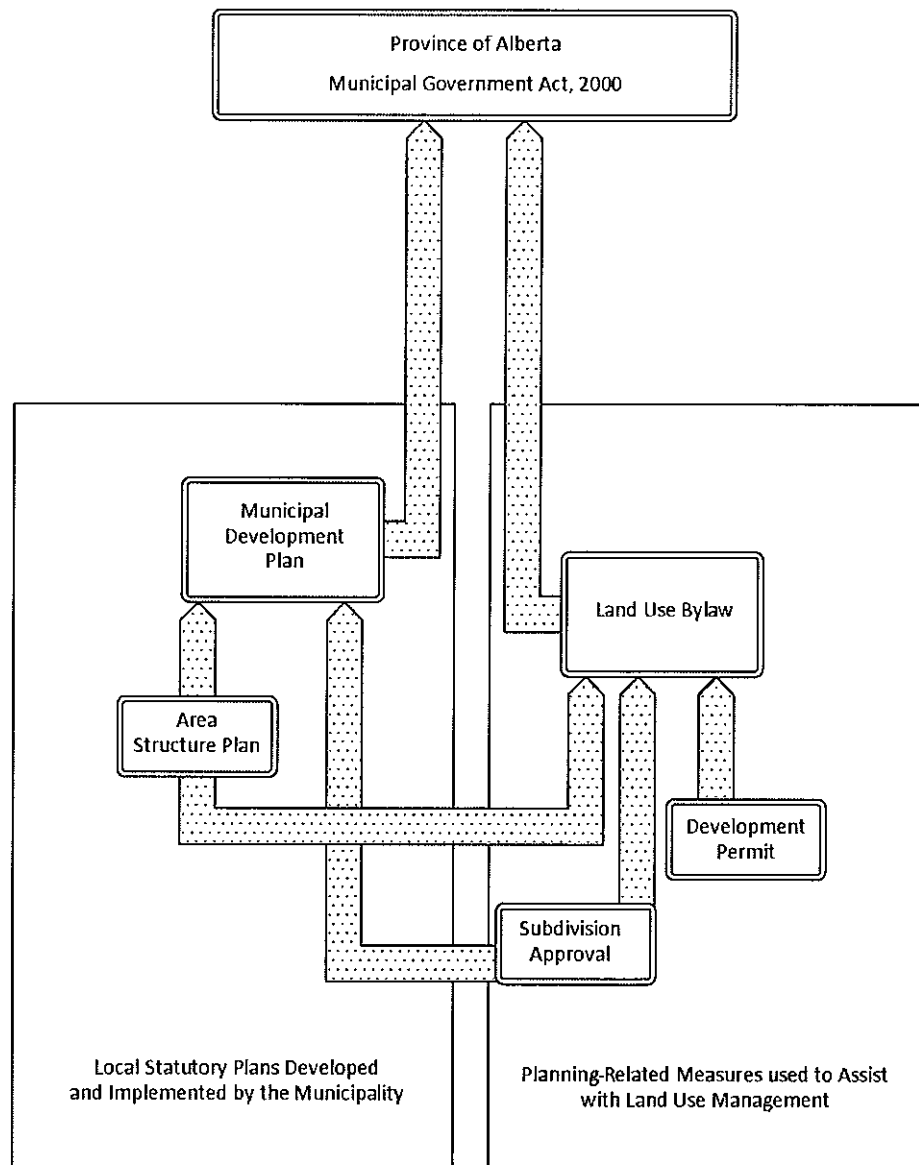
3.4 NON-CONFORMING BUILDINGS AND USES

- (1) 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 non-conforming, a minor variance may be approved by the Development Authority.

EXPLANATION NOTES

Relationship between Plans and Planning Related Measures

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



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 use within a 4-kilometer (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-kilometer (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, 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

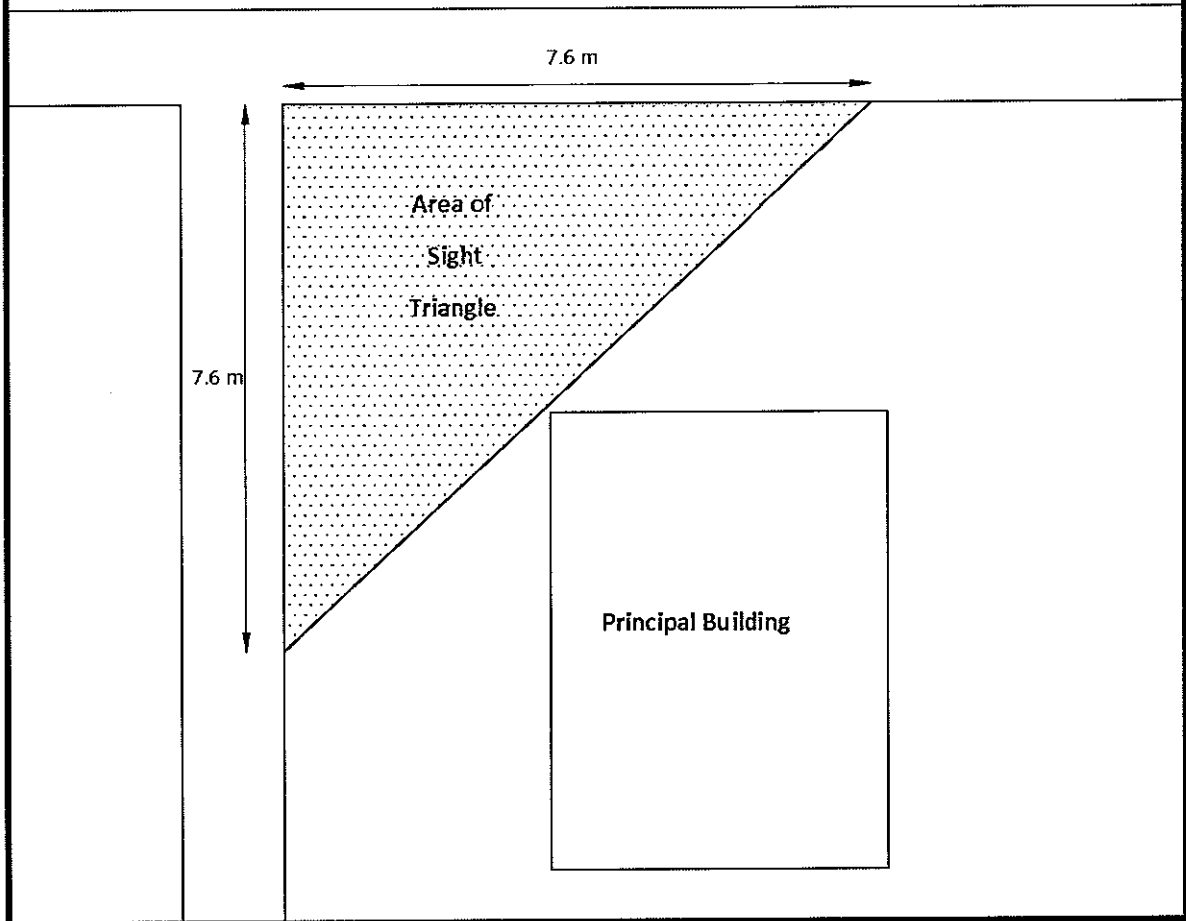
- (1) For the purpose of this section, corner lots shall include property measurements based on a sight triangle (refer to diagram).
- (2) A sight triangle means that triangle formed by a straight line drawn between two points on the exterior boundaries of the lot, 7.6 metres (25 feet) from the point where they intersect.
- (3) 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.
- (4) 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.
- (5) 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

Sight Triangle

This graphic is not part of this bylaw but is provided to aid in 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 Authority.
- (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 Authority;
 - (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 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.

4.7 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.

4.8 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.

4.9 HEIGHT OF BUILDINGS

- (1) Refer to the Rainbow Lake (CYOP) Airport map for elevation information, as the airport is at the lowest elevation in the Town.
- (2) Subject to the provisions of other sections of this bylaw, the maximum height of a building or structure within the Town is 10.67 m (35 ft.) and two (2) storeys, except where lower maximum heights are identified within the Land Use Bylaw.
- (3) Two-storey detached garages/accessory buildings in residential districts may be permitted only if the principal building is two storeys in height and shall not exceed the height of the principal building.
- (4) Requests for a building or structure height over 10.67 m. (35 ft.) are at the discretion of the Development Authority.

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 Authority, 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 Authority.
- (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 four-plexes, row-housing, 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

- (1) No person shall keep or permit in any part of a yard in any residential district:
 - (a) Any dismantled or wrecked vehicle for more than 14 consecutive days.
 - (b) Any object or chattel which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the district.
 - (c) 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
Manufactured 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
Restaurants, Cocktail Bars, Taverns	1 space per 4 seating spaces and 1 space per 2 employees
Hotels, Motor Hotels, and Motels	1 space 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
Places of Worship	1 space per 4 seats
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
Public or private Sr. High schools	1 per employee, plus one for every 5 students
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 RELOCATION OF BUILDINGS

- (1) Moved-In Buildings
 - (a) 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.
 - (b) 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.
 - (c) 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.
- (d) 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.
- (e) Any buildings receiving approval to be relocated shall be brought up to all existing federal, provincial, and municipal standards, ordinances, rules, regulations and bylaws.
- (f) 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.
- (f) No moved-in building, which is known to be substandard or has defects, shall be relocated to the Town of Rainbow Lake
- (g) Moved-in commercial buildings, moved-in garages, and moved-in accessory buildings shall only be allowed as "Discretionary Uses" in a Land Use District which allow such structures as either Permitted or Discretionary Uses.

4.15 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

- (c) 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.

4.16 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 R1, R2, RMH-1 and RMH-2 Districts.
- (8) 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.

4.17 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 Manufactured 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.
 - (d) In the case of apartments or row-houses 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.

4.18 SITE DEVELOPMENT

- (1) 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.

4.19 SITE DIMENSIONS

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

4.20 SUBDIVISION OF LAND

- (1) Where the proposed development of land involves the subdivision of land, an application for subdivision must be submitted and approved by the Subdivision Approving Authority, prior to the issuance of the development permit.

4.21 TEMPORARY STRUCTURES

- (1) All temporary structures shall 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 where:

- (a) Extensions are at the discretion of the Development Authority and can be revoked at any time; and
- (b) 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

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

5.2 DRIVE-IN BUSINESSES

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

5.3 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.

5.4 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.

5.5 MANUFACTURED HOMES

- (1) Before a development permit is issued for a manufactured home, the Development Authority shall receive verification that the home fully complies with either the CSA Z240 MH National Manufactured Home Standard or CSA A277 Procedure for Factory Certification of Buildings Standard. If the CSA Z240/A277 sticker or

the Alberta Municipal Affairs sticker is missing, the Development Authority may require an inspection by an Alberta Safety Codes Officer.

- (2) Should an inspection by an Alberta Safety Codes Officer be required, and should the inspection indicate that upgrades to the manufactured home are necessary to bring the home into compliance with the CSA Z240/A277 standard, all required upgrades shall be made before the issuance of a development permit.
- (3) In addition to the requirements of subsection (1) and (2) above, a manufactured home must meet the following aesthetic regulations:
 - (a) The height of the main floor above grade shall be consistent with the height of the main floor of dwellings in the immediate area.
 - (b) The roof pitch shall be consistent with the roof pitch of dwellings in the immediate area.
 - (c) Exterior finishing materials used on the roof and exterior walls shall be consistent with the materials used on dwellings in the immediate and general area and be in good condition.
 - (d) Minimum roof overhang or eaves should be consistent with the overhang or eaves of dwellings in the immediate area.
 - (e) The undercarriage of a manufactured home shall be completely screened from view by fireproof skirting or by such other means satisfactory to the Development Authority.
 - (f) The design of each manufactured home shall ensure the side or end of the building facing the street contains a front door, and/or windows in quantity and size to provide a strong visual connection between the building and the street.
 - (g) Every manufactured home shall be fastened securely and placed on a full perimeter foundation, such as the skirted foundation system described in CSA Z240.10.1.
 - (h) The full perimeter foundation or the skirting utilized on an alternative skirting foundation should be parged in order create the same finished appearance customarily found on concrete basements of single detached dwellings in the immediate area.
 - (i) All accessory structures, additions, porches, and skirting shall:
 - (i) be of a quality and appearance equivalent to that manufactured home;
 - (ii) be considered as part of the main building; and
 - (iii) be erected only after obtaining a development permit.

- (j) For the purposes of storage, any domestic equipment or seasonally used equipment shall be stored in adequate covered storage or screening, either individually on the lot or communally.
- (k) The following regulations also apply to manufactured home uses located in residential subdivisions and manufactured home parks:
 - (i) All manufactured homes shall be placed on a foundation or base. The manufactured home is to be attached by means of bolting or similar connectors to the foundation or base.
 - (ii) The property is to be grassed and landscaped within one (1) year from the date of issue of the development permit.
 - (iii) Minimum lot area and width may be less in the case of existing registered substandard lots, with the approval of the Development Authority.
- (4) The hitch and wheels are to be removed from the manufactured home.
- (5) The property is to be grassed and landscaped within one (1) year from the date of issue of the development permit.
- (6) Any required aesthetic upgrades to the manufactured home must be completed before the issuance of the development permit. The completion of foundation or skirting material must be completed within thirty (30) days of the placement of the manufactured home on a site.
- (7) Used manufactured homes over the age of 5 years under consideration 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) be architecturally similar to existing dwellings in the vicinity of the proposed development.
- (8) Manufactured homes shall be located in areas free from shifting due to frost and readily accessible to municipal or private water servicing.
- (9) Each Manufactured Home Park Lot shall be provided with a horizontal, stable parking apron suitable for blocking and levelling.
- (10) With the exception of driveways, no accessory building or use shall be located in the front yard of any residential district.

5.6 MODULAR BUILDING

- (1) Before a development permit is issued for a modular building, the Development Authority shall receive verification that the building fully complies the CSA A277 Procedure for Factory Certification of Buildings Standard. If the CSA A277 sticker

or the Alberta Municipal Affairs sticker is missing, the Development Authority may require an inspection by an Alberta Safety Codes Officer.

- (2) Should an inspection by an Alberta Safety Codes Officer be required, and should the inspection indicate that upgrades to the modular building are necessary to bring the building into compliance with the CSA A277 standard, all required upgrades shall be made before the issuance of a development permit.
- (3) A proposed modular building shall be architecturally similar to existing buildings in the vicinity of the proposed development, including its exterior finish, roofline, size, scale, placement on site, to the satisfaction of the Development Authority.
- (4) Modular homes shall be securely fastened and placed on a permanent foundation.
- (5) A modular single-detached dwelling placed in the R-1, RMH1 or RMH2 District shall have a front door and a minimum of one window facing the street to provide a strong visual connection between the building and the street.
- (6) The quality of the completed modular construction shall be consistent with the quality of the other structures in the area.

5.7 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 when 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.

5.8 RELIGIOUS USE FACILITY

- (1) Front, side and rear yards shall be those permitted within the district in which the religious use facility site is located.

5.9 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.

5.10 RECREATIONAL VEHICLE PARK

- (1) For parks containing over 50 lots, two separate means of access shall be provided and may be in the form of a boulevard road with a central dividing strip, so that in the event of a blockage on one side, the other side is accessible for emergency vehicles.
- (2) The Park owner shall ensure that the site complies with Minimum Housing and Health standards.
- (3) All recreational vehicles shall be located on lots defined on the site plan for the park.

- (4) Prior to the location of recreational vehicles in the park, the park owner shall submit a site plan and landscape plan in conformance with development permit requirements.
- (5) Prior to the location of recreational vehicles in the park, the owner shall submit a drainage plan, clearly indicating how storm water is to be managed on site.
- (6) All lots shall be serviced by a public water and sanitary sewer system in accordance with provincial regulations.
- (7) The Park operator shall provide on-site containerized and appropriately screened/enclosed garbage collection facilities or garbage cans for the storage of garbage and refuse awaiting final disposal. Such location shall be indicated on the site plan submitted with the application for development permit and shall be in conformance with the following requirements:
 - (a) Located at a sufficient distance from Recreational Vehicles to mitigate odour impacts;
 - (b) Located adjacent to private road with convenient access to visitors;
 - (c) Located with easy access to public road for garbage and refuse removal.
- (8) 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.
- (9) Outdoor lighting in the park shall conform to the development agreement.
- (10) Signs shall be of a character that fit within the context of the area including size, height and style, satisfactory to the Development Authority.
- (11) Vehicular and pedestrian areas shall conform to the following:
 - (a) All Park roads shall be constructed to the Town's specifications to accommodate their proposed use.
 - (b) One off-street parking space per unit shall be provided either on the recreational vehicle lot or in small communal parking areas as identified on the site plan;
- (13) Lot Requirements:
 - (a) The following regulations shall apply to Recreational Vehicle Park lots:
 - (i) Each lot shall be clearly defined on the ground by permanent flush stakes, markers or other means, and permanently marked with a site number for identification purposes;
 - (ii) Each lot shall be provided with a horizontal, stable, parking apron suitable for parking and/or blocking and levelling;

- (iii) Recreational Vehicles shall be sited on parking aprons and shall be within the boundaries of the lot;
- (iv) The Recreational Vehicle Park owner shall ensure that each Recreational Vehicle is placed within the building envelope, levelled, and can be blocked on a temporary basis;
- (v) Recreational Vehicles shall be sited at least 3.0 m (10 ft.) from every adjacent recreational vehicle, and any structure or permanent park structure, and 3.0 m (10 ft.) from any park boundary;
- (vi) Recreational Vehicles shall be sited at least 3.0 m (10 ft.) from any park street;
- (vii) Fences, if permitted, shall not exceed 0.9 m (3 ft.) in height for front yards;
- (viii) Fences, if permitted, shall not exceed 1.8 m (6 ft.) in side and rear yards, to be measured as the average elevation from the ground at the fence or wall.

(14) Lot Service and Auxiliary Buildings:

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

5.12 SERVICE STATIONS AND GAS BARS

(1) Site Area and Coverage

- (a) 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 6.1 metres (20 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.

5.13 CANNABIS RETAIL SALES

- (1) The owner or applicant must obtain any other approval, permit, authorization, consent, or licence that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
- (2) Cannabis Retail Sales use shall not be located within 100 metres from:
 - (a) a private or public school; or
 - (b) a provincial health care facility;
- (3) The separation distance between uses shall be measured from lot line to lot line.
- (4) The development shall not operate in conjunction with another use.
- (5) Customer access to the store is limited to a storefront that is visible from the street. Mall access shall allow for clear visibility from the interior.
- (6) No customer parking shall be located behind a facility and all parking areas in front of the building shall be well lit.
- (7) Parking shall be provided in accordance with the minimum requirements under Section 4.14 (I) Commercial Uses: Retail Shops, Personal Service Shops, Banks, and Offices.

5.14 CANNABIS PRODUCTION FACILITY

- (1) The owner or applicant must provide as a condition of development a copy of the licence for all activities associated with cannabis production as issued by the Federal Government.
- (2) The owner or applicant must obtain any other approval, permit, authorization, consent or licence that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
- (3) The development must be done in a manner where all the processes and functions are fully enclosed within a stand-alone building including all loading stalls, docks, and garbage containers and waste material.
- (4) The development shall not include an outdoor area for storage of goods, materials or supplies.
- (5) The development shall not operate in conjunction with another approved use.
- (6) The development must include equipment designed and intended to remove odours from the air where it is discharged from the building as part of a ventilation system.
- (7) The Development Authority may require, as a condition of the development permit, a waste management plan, completed by a qualified professional, which includes but not limited to, details on:
 - (a) the incineration of waste products and airborne emissions, including smell;
 - (b) the quantity and characteristics of liquid and waste material discharged by the facility; and
 - (c) the method and location of collection and disposal of liquid and waste material discharged by the facility.
- (8) Parking shall be provided in accordance with the minimum requirements under Section 4.14 (1) Industrial: Manufacturing and Industrial Plants, Warehousing, Wholesale and Storage Building and Yards, Servicing and Repair Establishments, Research laboratories and Public Utility Buildings.

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 "B" attached hereto:

Residential District.....	RI
Residential Manufactured Home Subdivision District	RMH1
Residential Manufactured Home Park District.....	RMH2
Commercial District.....	C1
Highway Commercial District.....	C2
Direct Control District.....	DC
Industrial District.....	M1
Industrial Residential District	M2
Institutional District.....	I
Urban Reserve District.....	UR
Geothermal Development District.....	GD

- (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
- Recreation area – outdoor
- Single-detached dwelling
- Moved-in buildings
- Home-based business
- Small Park and playground
- Public use or a public utility required to serve the immediate area
- Bed and breakfast operation
- Day-care Facility

(2) Discretionary Uses

- Duplex
- Four-plex
- Religious use facility
- Row housing

(3) Site Provisions

(a) Single-detached dwelling

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	
Interior:	1.5 m (5 ft)
Exterior:	3 m (10 ft)
In lane less 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 storeys

(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

- (a) 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

- (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.

Additional Requirements:

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

6.3 RESIDENTIAL MANUFACTURED HOME SUBDIVISION DISTRICT (RMHI)

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

(1) Permitted Uses

- Accessory building or structure
- Addition
- Attached garage
- Manufactured Home
- Porch
- Public Park and playground
- Daycare facility
- Duplex
- Home-based business
- Public Use
- Single-detached dwelling

(3) Site Provisions

(a) Height of Building

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

(b) Minimum Floor Area

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

(c) Minimum Lot Width and Depth

Manufactured Home	- width 15.2 m (50 ft) - depth 36.6 m (120 ft)
Others	as approved by the Development Authority

(d) Minimum Yard Dimensions

Manufactured Home	- width 15.2 m (50 ft) - depth 36.6 m (120 ft)
Others	as approved by the Development Authority

(e) Maximum Lot Coverage

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

(4) The Design, Character and Appearance of Buildings

- (a) 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

- (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.

6.4 RESIDENTIAL MANUFACTURED HOME PARK DISTRICT (RMH2)

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

(1) Permitted Uses

- Accessory building or structure
- Addition
- Manufactured Home
- Manufactured Home Park
- Porch
- Public Park and playground
- Day-care facility
- Home-based business
- Public use
- Relocated or moved-in buildings

(2) Discretionary Uses

- Laundromat
- Retail convenience store

(3) Site Provisions

(a) Height of Buildings

Manufactured Home	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 Manufactured Home units per acre (20 units per hectare) at each stage of development.

(c) Minimum Stall and Park Dimensions

Manufactured Home Lot	- width 12.2 m (40 ft) - depth 32 m (105 ft)
Manufactured 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

Manufactured Home Unit	30%
Accessory	10%
Others	as approved by the Development Authority

- (f) Minimum floor area for Manufactured Homes shall be 51.1 square metres (550 square feet).
- (g) Manufactured 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 Manufactured Home Park shall be well drained and surfaced and maintained to the satisfaction of the Development Authority.
- (i) Visitor parking space shall be provided at a ratio of at least one space for every two Manufactured Home units and shall be located at convenient locations throughout the Manufactured 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 Manufactured Home Park.
- (k) Each Manufactured Home lot shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges.
- (l) Street lighting in a Manufactured 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 may be erected at the entrance to a Manufactured Home Park. The sign or signs shall be of a size, type and construction acceptable to the Development Authority.
 - (ii) Directional signs within the Manufactured Home Park shall be integrated in design and appearance, be kept in scale with the immediate surroundings and constructed of durable material.

(4) Reserve Requirements

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

(5) Recreational Vehicle Parking

- (a) Common space parking for Recreational Vehicles shall be 1 parking stall for every 2 Manufactured Home Park lots.

(6) 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.

6.5 COMMERCIAL DISTRICT (C1)

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

(I) 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
- Amusement arcade
- Bowling alley
- Car wash
- Club or lodge
- Dwelling unit within a commercial building
- Employment training institution
- Farmer's market
- Hotel, motor hotel, motel
- Liquor store
- Parking lot (public or private)
- Pool hall
- Public use
- Service station or gas bar
- Shopping centre
- The indoor storage of articles before sale in connection with any of the aforementioned uses

(2) Discretionary Uses

- Adult entertainment facility
- Cannabis Retail Sales

(3) Site Provisions

(a) Minimum Site Provisions

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

- (i) 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 C1, 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) the dwelling unit shall have access at grade, with a separate and private entrance; and
 - (ii) 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.
- (c) An accessory building or use incidental to any of the aforementioned uses may be permitted. 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.

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
- 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)

(2) Discretionary Uses

- Cannabis Retail Sales

(2) 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)

(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 Alberta Transportation 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.

(3) 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

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

(2) Development Provisions

- (a) Council may impose standards and conditions it considers appropriate to regulate a use.
- (b) 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
- Aviation servicing
- Car wash
- Kennel
- Rig servicing
- Service station and repair garage
- Warehousing, storage, distribution of raw materials, processed or manufactured goods, servicing establishment

(2) Discretionary Uses

- Cannabis Production Facility

(2) 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. 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
- Aviation servicing
- Bulk fuel facility
- Car wash
- Health service
- Industrial camp
- Kennel
- Manufactured 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

(2) Discretionary Uses

- Cannabis Production Facility

(2) Site Provisions - Manufactured 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) Manufactured Home construction shall conform to those standards listed for Manufactured 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 site-specific safety concerns, as related to the industrial uses proposed on the site.

(3) 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.

(4) Site Provisions - All Other Uses

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

(5) Special Provisions

- (a) Maximum residential accommodation shall be limited to one single-detached 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		D	3
772 0994		E	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		L	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	14	16	2
872 2514	14	18	2
882 3131	1	28	14
892 0570	4	1C	3
892 0910	11	N	4
892 2549	4	1E	2
892 2549	4	1F	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.
- (d) A Residential dwelling will only be allowed as an accessory use to a principal industrial use on the same lot.
- (e) No multi-unit housing will be allowed in this district.

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

(2) Site Provisions

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

(3) 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

- (a) 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.

6.12 GEOTHERMAL DEVELOPMENT DISTRICT (GD)

The general purpose of the district is to encourage and allow the development of geothermal energy and related uses within the Town.

(1) Uses

- (a) Council shall determine the land uses that may be allowed in a Geothermal Development District.

(2) Development Provisions

- (a) Council shall assess and approve development permit applications within the Geothermal Development District.
- (b) A development permit application within this District shall be evaluated on its own merits by Council which will establish appropriate development standards.
- (c) In assessing a development application in a Geothermal Development District, Council shall have regard to, but not be bound by:
 - (i) The Town of Rainbow Lake Municipal Development Plan; and
 - (ii) The Town of Rainbow Lake Land Use Bylaw.
- (d) Council may impose conditions deemed necessary, having due regard for the nature of the proposed development and the purpose and intent of this District.
- (e) Application for the Development Permit shall include such information required in Section 3.2 of this Bylaw.

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;

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) may appeal the order 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 non-compliance; 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.
 - (i) 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 EFFECTIVE DATE

The adoption of this Bylaw No. 2021-06 comes into effect upon the date of its third and final reading.

Schedule B

List of Amendments

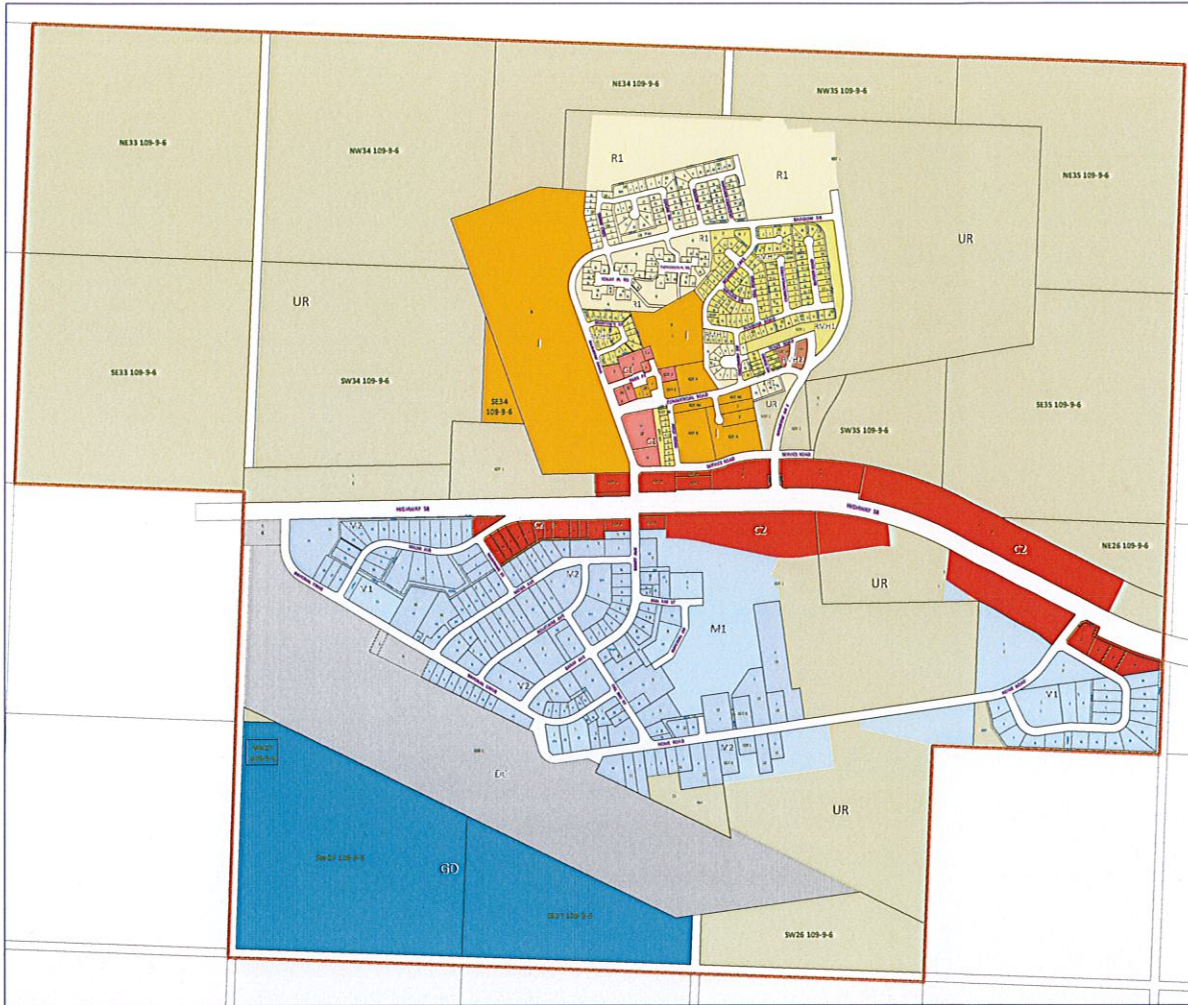
Schedule B

List of Amendments

[illegible]

Schedule C

Land Use District Map



Town of Rainbow Lake
Bylaw No. 2021-06

- Town Boundary**
- Land Use Districts**
- Residential (R1)
 - Residential Mobile Home Subdivision (R1MH1)
 - Residential Mobile Home Park (R1MH2)
 - Commercial (C1)
 - Highway Commercial (C2)
 - Direct Control (DC)
 - Industrial (M1)
 - Industrial Residential (M2)
 - Geothermal Development (GD)
 - Institutional (I)
 - Urban Reserve (UR)

Schedule C: Land Use Bylaw Districts
Adopted by Council this 21st of December, 2021

Original signed by:
Mayor: MICHELLE FARRIS

Original signed by:
Chief Administrative Officer: DAN FLETCHER

Amendments

Rev. No.	Date	Rev. No.	Date

200 100 0 200
Metres
Scale: 1/6,000



Cadastral Data (Date): Atlas 5 Ltd (Sep. 2021)
Last Update: October 2021

