

PART 14 – DEFINITIONS

14.1 General Definitions

A

ABUTTING means immediately contiguous to or physically touching, and when used with respect to a lot or site, means that the lot or site physically touches upon another lot, site or piece of land, and shares a property line or boundary line with it.

ACTIVE STREET FRONT means a street frontage that enables direct visual and physical contact between the pedestrian zone and the interior of the building. Clearly defined building edges including windows, entrances and store-front features contribute to an Active Street Front.

ADJACENT means contiguous to, or would be contiguous if not for a river, stream, railway, road, utility right-of-way or public utility lot.

AFFORDABLE HOUSING means adequate housing that does not cost more than 30% of a household's before-tax income, or as otherwise defined by the *City of Fort Saskatchewan Affordable Housing Strategy*.

¹AIR-SUPPORTED AND FABRIC COVERED STRUCTURE means an accessory development where the outer shell is supported by artificially produced and constantly maintained air pressure above local atmospheric level or the outer shell is made of artificial fabric spanned across rigid trusses. This does not include temporary structures associated with a permitted Temporary outdoor event.

AISLE means that portion of a parking facility that accommodates the circulation of vehicles.

AMENITY AREA means:

- a) In a residential development, an indoor and/or outdoor space provided for the active or passive recreation and enjoyment of the occupants of a residential development, which may be for private or communal use and owned individually or in common; and/or
- b) With respect to non-residential development, space provided for the active or passive recreation and enjoyment of the public, during the hours which the development is open to the public, which shall be owned and maintained by the owners of the development.

APPLICANT means the landowner, or an agent, person, firm or company acting on the landowner's behalf to apply for a Development Permit, building Permit, subdivision or Land Use Bylaw amendment.

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AREA REDEVELOPMENT PLAN means a Statutory Plan adopted by Council, prepared pursuant to the MGA, which addresses the redevelopment or rehabilitation of established neighbourhoods or other areas.

AREA STRUCTURE PLAN means a Statutory Plan adopted by Council, prepared pursuant to the MGA, which addresses the future development of large areas of land at a conceptual level of detail.

B

BACKGROUND AREA or **SIGN AREA** means the entire surface area of a sign upon which copy could be placed. In calculating the Background area of a sign, only that face or faces which can be seen from any one direction at one time shall be counted.

BALCONY means a platform, attached to and projecting from the face of a building with or without a supporting structure above the first storey, normally surrounded by a balustrade or railing and used as an outdoor Porch or sundeck where the only means of access is provided from within the building.

BASEMENT means that portion of a building that is located wholly or partially below grade, the ceiling of which does not extend more than 1.8m (6.0ft) above finished grade.

BAY WINDOW means a window that projects outward from the facade of a building but does not include an opening that is intended to give access to a building.

BICYCLE PARKING means a rack, railing, locker or other structurally sound device designed for the securing of one or more bicycles in an orderly fashion.

BLANK WALL means an exterior building wall with no openings and a single material and uniform texture on a single plane.

BLOCK means a unit of land bounded by streets or by a combination of streets and public lands, railroad right-of-way, waterway or any barrier to the continuity of development, but shall not include in the calculation of the block size measurement the barriers creating the boundary.

BLOCK FACE means the portion of a block that abuts a public roadway.

BUILDING means anything constructed or placed on, in, over or under land but does not include a highway or road or a bridge that forms part of a highway or road, as defined in the MGA, as amended.

¹**BUSINESS** means:

(g) A commercial, merchandising or industrial activity or undertaking;

(h) A profession, trade, occupation, calling or employment; or

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- (i) An activity providing goods or services;

whether or not for profit and however organized or formed, including a co-operative or association of persons.

C

CANOPY means a projection extending from the outside wall of a building normally for the purpose of shielding a part of the building from the weather.

¹**CANTILEVER, ROOM ENHANCING** means a projection of part of an exterior wall of a building not supported by a foundation wall for the purposes of accommodating a bow window, shelving units, closets, a fireplace or a portion of a bathroom. At no time shall a cantilevered wall section extend the entire length of the room.

²³**(DELETED)**

CHANGEABLE COPY SIGN means a sign which is characterized by changeable letters, and is not subject to copy area illumination.

CHATTEL means a moveable item of personal property.

CHIEF ADMINISTRATIVE OFFICER means a person appointed to a position under Section 205 of the MGA, as amended.

CITY means the Municipal Authority of the City of Fort Saskatchewan, in the Province of Alberta.

COMMERCIAL VEHICLE means any motorized vehicle that is designed or used for any activity with the main purpose of financial gain, and shall include, but is not limited to:

- (j) Any vehicle licensed or used for commercial purposes and having a gross vehicle weight (GVW) rating in excess of 4,000kg or exceeding seven metres in length or any trailer licensed or used for commercial purposes;
- (k) Any piece of construction equipment or agricultural equipment;
- (l) Any vehicle not licensed as a commercial vehicle, but is used for the collection or delivery, or both, of merchandise or commodities in the ordinary course of a business undertaking; or
- (m) Any vehicle that incorporates a boom (cherry picker) or similar mechanical fitting.

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COMMON VESTIBULES means the entrance area before the lobby of an apartment building that is accessed at street level.

COMPATIBILITY means the characteristic of different uses or activities or designs which allow them to be located near or adjacent to each other in harmony. Some elements offering compatibility include height, scale, mass and bulk of buildings and structures. Other characteristics include pedestrian or vehicular traffic, circulation, access and parking impacts. Other important characteristics that affect compatibility are landscaping, lighting, noise, odour and architecture. Compatibility does not mean “the same as”. Rather, compatibility refers to the sensitivity of development proposals in maintaining the character of existing development.

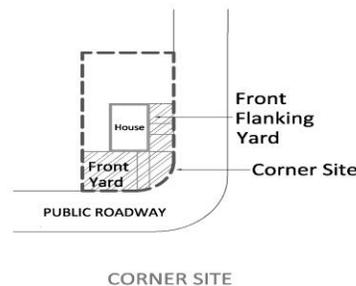
CONDOMINIUM means a building or lot containing bare land units or other units and shared areas, as defined in the *Condominium Property Act*, as amended.

COPY means the letters, graphics or characters that make up the message on the sign face.

COPY AREA means the total area of the sign, within one or more rectangles, in which the entire limits of the copy is enclosed. The total copy area of any sign shall be calculated as the sum of all the individual faces of the sign.

CORNER means the intersection of any two property lines of a site.

CORNER SITE – see SITE, CORNER



COUNCIL means the Council of the Municipality of the City of Fort Saskatchewan, as defined in the MGA, as amended.

CURB CUT means the lowering of a curb, sidewalk or boulevard to provide vehicular access to a site.

D

DANGEROUS OR HAZARDOUS GOODS means a product, substance or organism listed in the *Dangerous Goods Transportation and Handling Act* and by the Major Industrial Accidents Council of Canada (MIACC), as amended.

DECK means an uncovered platform that is raised more than 0.6m (2.0ft) as measured from finished grade to the top of the deck surface.

DENSITY means the overall average number of dwelling units located on the net residential hectare (as applicable) contained within the development and calculated on a per-hectare basis.

DESIGNATED OFFICER means the Development Authority, Peace Officer, or any other official appointed by the Chief Administrative Officer to enforce the provisions of this Bylaw.

DEVELOPER means an owner, agent or any person, firm or company required to obtain or having obtained a Development Permit.

DEVELOPMENT means:

- (a) An excavation or stockpile and the creation of either of them;
- (b) 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;
- (c) A change of use of land or a building or an act done in relation to land or a building that results in, or is likely to result in, a change in the use of the land or building; or
- (d) A change in intensity of use of land or a building or an act done in relation to land or a building that results in, or is likely to result in, a change in the intensity of use of the land or building, as defined in the MGA, as amended.

DEVELOPMENT AUTHORITY means a Development Authority established pursuant to the MGA, as amended.

DEVELOPMENT FOOTPRINT means the land area covered by buildings, streets, parking areas, and other typically impermeable surfaces.

DEVELOPMENT PERMIT means a document authorizing a development pursuant to the provisions of this Bylaw and as defined in the MGA, as amended.

¹**DIGITAL DISPLAY** means a device intended to display copy on an Electronic Message sign using electronic screens, projection, television, computer video monitors, liquid crystal displays (LCD), light emitting diode (LED) displays, or any other similar electronic, computer generated or digital technology.

DISCONTINUED means the time at which, in the opinion of the Development Authority, substantial construction activity, a non-conforming use, or a conforming use has ceased.

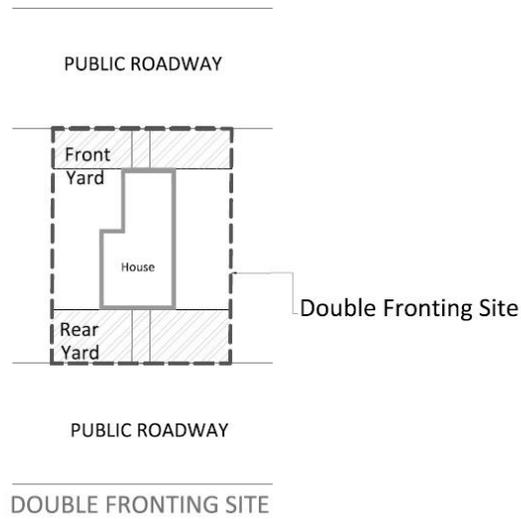
DISCRETIONARY USE means those uses of land, buildings or structures for which permits may be issued only at the discretion of the Development Authority, Council or Subdivision and Development Appeal

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Board (SDAB), depending on the compliance of the proposed development with regulation, and applicable Statutory Plans and compatibility with surrounding uses and development.

¹**DISPLAY GARDENS** means an area dedicated to planting that provides privacy for residential uses, and improves streetscape aesthetics.

DOUBLE FRONTING SITE means a site which abuts two public roadways, not including a lane, which are parallel to or nearly parallel where abutting the site.



DOWNTOWN means the area encompassed by the Downtown Area Redevelopment Plan, excluding the Fort Mall or the area zoned C5 – Fort Mall Redevelopment District, the City Hall site, and the most southeasterly portion of Lot 1A, Block 37, Plan 6067KS.

DOWNTOWN AREA REDEVELOPMENT PLAN means the City of Fort Saskatchewan Downtown Area Redevelopment Plan, Bylaw C14-08, adopted by Council on January 27, 2009.

DRIVEWAY means a private area that provides vehicle access from an individual lot or site to a public roadway.

DUPLEX DWELLING – see DWELLING, DUPLEX

DWELLING or DWELLING UNIT means a complete building or self-contained portion of a building used by a household, containing sleeping, cooking and sanitary facilities intended as a permanent residence and having an independent entrance either directly from the outside of the building or through a common area inside the building.

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E

EASEMENT means a documented and registered interest on private or public land, held by a person, government agency or public utility company, which entitles the holder to specific limited use of the land.

ELEVATION means a drawing made in projection on a vertical plane to show a building face.

EMPLOYEES means the total number of persons reasonably anticipated to be employed in a building or on a parcel of land during normal periods of use.

ESSENTIAL SERVICES means potable water, sanitary sewer and storm drainage systems as well as natural gas and electricity, roads, curbs, gutter and sidewalks as per the City's Engineering Standards.

EXCAVATION means any breaking of ground but does not include landscaping for a use for which a Development Permit has been issued, common ground care or agricultural cultivation.

EXTENT REASONABLY FEASIBLE means that, under the circumstances, reasonable efforts have been undertaken to comply with the regulation, that the costs of compliance clearly outweigh the potential benefits to the public or would unreasonably burden the proposed project, and reasonable steps have been undertaken to minimize any potential harm or adverse impacts resulting from noncompliance with the regulation.

F

FACADE means the exterior outward face of a building. Typically, the facade of interest is that surface that serves as the front of that building and faces the primary public roadway, buildings on the corner of two public roadways present two public facades.

FASCIA SIGN – see SIGN, FASCIA

FENCE means a vertical physical barrier constructed to prevent visual intrusion, sound transmission or unauthorized access.

FLEA MARKET (see FARMERS/FLEA MARKET)

FLOOD PLAIN means the area of land along a river, stream or creek that is potentially at risk of flooding from time to time, based on a 1:100 year event as established by the City and/or the Province of Alberta.

¹**FLOOR AREA** means the sum of the areas of all above grade floors of a building measured to the glassline, or where there is no glassline, to the outside surface of the exterior walls, or where buildings are separated by firewalls, to the centre line of the common firewalls, and includes all mechanical

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equipment areas and all open areas inside a building, including atriums, elevator shafts, stairwells, basements, attached garages, sheds, open Porches, breezeways and similar areas.

¹**FLOOR AREA RATIO (FAR)** means the numerical value of the gross floor area on all levels of all buildings on a lot, divided by the area of the lot.

FOUNDATION means the lower portion of a building, usually composed of concrete or masonry, and includes the footings that transfer the weight of loads on a building to the ground.

FRONT LOT LINE – see LOT LINE, FRONT

FRONT FLANKING LOT LINE – see LOT LINE, FRONT FLANKING

FRONT YARD – see YARD, FRONT

FRONT FLANKING YARD – see YARD, FRONT FLANKING

FRONTAGE means the length of a public roadway boundary measured along the front lot lines of a site. On corner sites or double fronting sites, all sides of a site adjacent to public roadways shall be considered frontage.

G

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.

GRADE means the average elevation at the finished level of the ground at the corners of a site or at the foundation or as otherwise established by the City.

²**GROSS FLOOR AREA (GFA)** means the total floor area of the building or structure within the exterior and basement walls. The gross floor area does not include basement areas used exclusively for storage or service to the building; parking areas above or below grade; mechanical and equipment floor area; stairwells, elevator shafts, escalators, public washrooms, commercial kitchen and similar areas.

GROSS VEHICLE WEIGHT (GVW) means the total weight of a vehicle, including its maximum allowable load.

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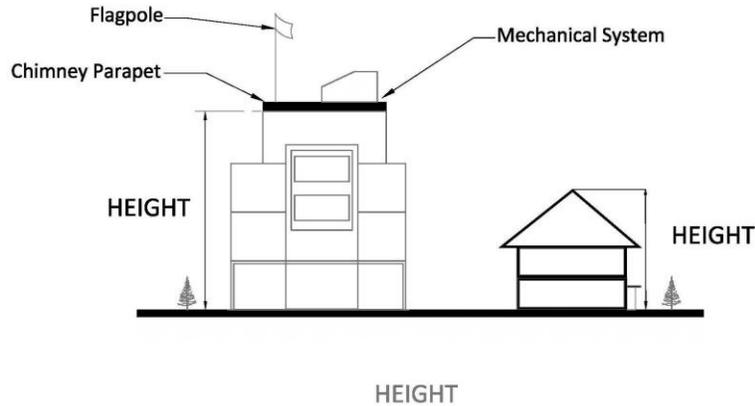
HALF STOREY – see STOREY, HALF

HARD SURFACING means asphalt, concrete, paving stone or similar material that is used in the construction of a driveway or parking area. Gravel is not considered hard surfacing.

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HEIGHT means the vertical distance between grade (at the base of the structure) and the highest point of a structure, excluding an elevator housing, a mechanical housing, 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.



¹²**HIGH DENSITY RESIDENTIAL** means residential development at a density of over 70 dwelling units per net developable hectare except when located in the Downtown or C5 Districts.

HIGHWAY means a provincial highway under the *Highways Development and Protection Act*, as amended.

I

INTERIOR SITE – see SITE, INTERIOR

L

³**LANDSCAPE BUFFER** means an area landscaped with sod and any other soft landscaping elements.

⁴⁵ **LANDSCAPING** means the preservation or modification of the natural features of a site through the placement or addition of any or a combination of the following:

- (a) Soft landscaping elements consisting of vegetation such as, but not limited to, trees, shrubs, plants, lawns, xeriscaping and ornamental plantings;
- (b) Hard landscaping elements such as bricks, pavers, shale, crushed rock or other suitable materials, excluding monolithic concrete and asphalt, in the form of patios, walkways and paths; and

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- (c) Architectural elements such as decorating fencing, walls and sculptures.

LANDSCAPING ACCEPTANCE CERTIFICATE (LAC) means a document issued by the City, upon verification by the City that the landscaping approved in a Landscaping Completion Certificate (LCC) has endured a warranty period, with respect to the overall landscaping condition as determined by the health of the individual plantings and grassed areas, and the quality of the appearance of landscaped areas. Landscaping Acceptance Certificates are not issued prior to one year following the date of a Landscaping Completion Certificate, or if the landscaping is incomplete, or is considered unhealthy in any manner, as determined by the City. A Landscaping Acceptance Certificate includes the release of any security deposit held by the City for the landscaping of the respective site.

LANDSCAPING COMPLETION CERTIFICATE (LCC) means a document issued by the City, upon verification by the City that a site has been landscaped in accordance with a specific landscaping condition on a Development Permit. Landscaping Completion Certificates are not issued for sites that have incomplete landscaping, or landscaping that is considered unhealthy in any manner, as determined by the City. A Landscaping Completion Certificate marks the commencement of a warranty period, which is typically dated the same as the date of the landscaping inspection by the City.

LAND TITLES OFFICE means the Northern Alberta Land Titles Office located in the City of Edmonton.

LAND USE means the purpose or activity for which a piece of land or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.

LAND USE DISTRICT means an area of the City established as a Land Use District by this Bylaw.

LANE means a narrow public roadway intended chiefly to give access to the rear of buildings and parcels of Land, also known as an alley as defined by the *Traffic Safety Act, RSA 2000, c T-6*, as amended.

LOADING SPACE means a space provided on a site to accommodate a commercial vehicle on a temporary basis for loading and unloading of goods and materials.

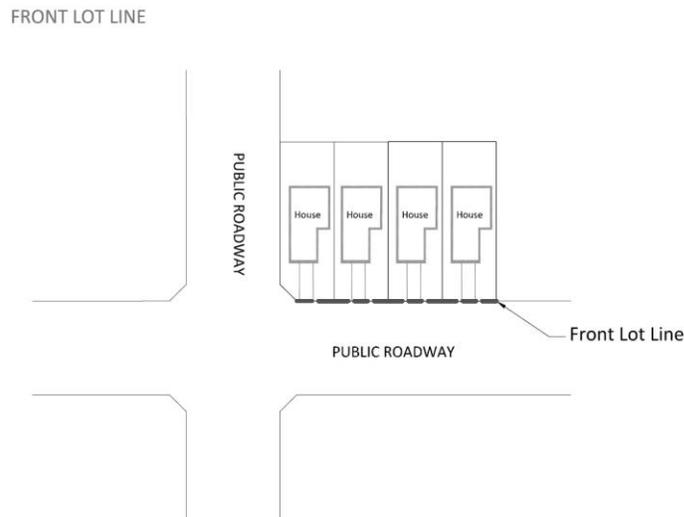
LOT means:

- (a) A quarter section;
- (b) A river lot shown on an official plan, as defined in the *Surveys Act*, that is filed or lodged in a Land Titles Office;
- (c) A settlement lot shown on an official plan, as defined in the *Surveys Act*, that is filed or lodged in a Land Titles Office ;

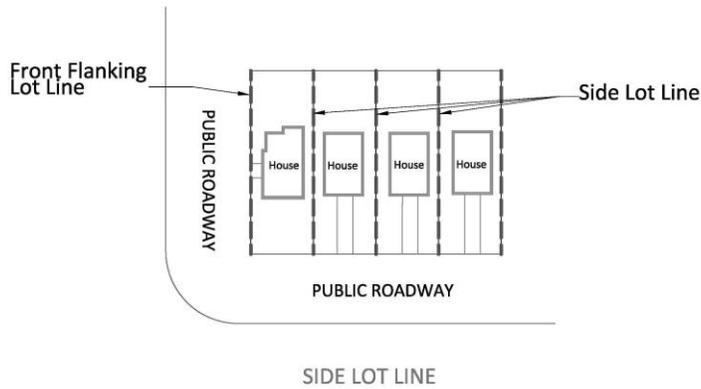
- (d) A part of a parcel of Land described in a certificate of title if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision; or
- (e) A part of a parcel of Land described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision.

As defined in the MGA, as amended.

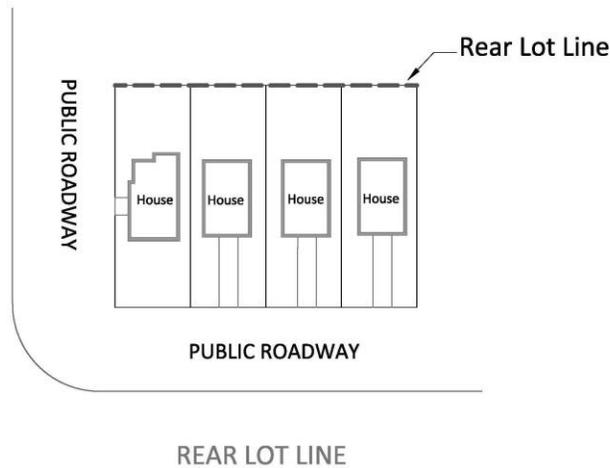
LOT LINE, FRONT means the property line separating a lot from an abutting public roadway other than a lane. In the case of a corner site, the front lot line is the shorter of the property lines abutting a public roadway, other than a lane. In the case of a corner site formed by a curved corner, the front lot line shall be the shorter of the two segments of the property line lying between the point determined to be the actual corner and the two points at the extremities of that property line.



LOT LINE, FRONT FLANKING means, on a corner site, the property line separating a lot from an abutting public roadway other than a lane that is not the front lot line. This is the longer of the property lines abutting a public roadway, other than a lane. In the case of a corner site formed by a curved corner, the front flanking lot line shall be the longer of the two segments of the property line lying between the point determined to be the actual corner and the two points at the extremities of that property line.



LOT LINE, REAR means either the property line of a lot which is furthest from and opposite to the front lot line, or, in the case of corner sites, the property line of a lot which is opposite from the shortest of the front lot lines. For corner sites that have public roadways on three or more sides, there is no rear lot line.



LOT LINE, SIDE means the property line of a lot other than a front lot line, flanking front lot line, or rear lot line.

¹²³**LOW DENSITY RESIDENTIAL** means residential development at a density up to 35 dwelling units per net developable hectare except when located in the Downtown or C5 Districts.

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MAXIMUM EXTENT FEASIBLE means that no feasible and prudent alternative exists, and all possible efforts to comply with the regulations or minimize potential harm or adverse impacts have been undertaken.

¹²**MEDIUM DENSITY RESIDENTIAL** means residential development at a density of 36-70 dwelling units per net developable hectare except when located in the Downtown of C5 Districts.

MIXED USE DEVELOPMENT means a development that is designed to accommodate a mix of commercial, residential and/or a limited range of light industrial uses within a single site. This type of development is sensitive to adjacent districts that allow residential uses and provides a building form that is street oriented at grade. This mix of uses may be either vertical or horizontal. A common example of a vertical mixed use is street level retail, one or more floors of office use in the middle floors, and one or more floors of residential use in the upper floors. An example of a horizontal mixed use is two buildings, one commercial and one office, located on the same site.

³**MODULAR CONSTRUCTION** means a building consisting of one or more sections constructed off-site often in a factory which meets Canadian Standards Association (CSA) standards and the requirements of the Alberta Building Code. The building is transported to a site where the sections(s) are permanently assembled and anchored to a permanent foundation. A modular unit has no chassis, running gear or wheels. The units or sections may be stacked horizontally or vertically and completed to form one or more complete units for year round occupancy. Modular construction does not include a manufactured home but any other structures can be built using modular construction.

MOTOR VEHICLE means:

- (a) a vehicle propelled by any power other than muscular power, or
- (b) a moped, but does not include a bicycle, a power bicycle, an aircraft, an implement of husbandry or a motor vehicle that runs only on rails;

as defined by the *Traffic Safety Act*, as amended.

MOVED-IN BUILDING means a building or other occupied structure that existed off-site in its entirety, at some point in time, and is transported to a site for the intended placement and use thereof. This use includes manufactured homes, but does not include modular construction.

MULCH means landscaped ground cover, other than grass, which is intentionally placed or maintained and includes soft mulch such as wood chips or bark, and hard mulch such as rock product.

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¹**MULTI-UNIT DEVELOPMENT** means a development of three or more dwellings, commercial or industrial uses developed on a site that includes common property, such as, but not limited to, communal parking areas, driveways, private roadways, amenity areas, or maintenance areas that are shared. Typical Multi-unit developments include rental projects and conventional condominium developments, developed in accordance with the *Condominium Property Act, RSA 2000, and c. C-21*.

N

NATURAL FEATURE means any tree, plant life, water feature, natural open space, rock outcropping or view corridor which presents vistas to a natural feature. Natural features include wetlands, forests, ravines, rivers, valleys, and associated wildlife habitat areas along the edge of, or which support significant ecological functions within, the natural feature.

NON-CONFORMING BUILDING means a building:

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

As defined in the MGA, as amended.

NON-CONFORMING USE means a lawful specific use:

- (a) Being made of land or a building or intended to be made of land or a building lawfully under construction, at the date a Land Use Bylaw or amendment thereof affecting the land or building, becomes effective; and
- (b) That, on the date the Land Use Bylaw or any amendment thereof becomes effective does not, or in the case of a building under construction will not, comply with the uses permitted in the Land Use Bylaw.

As defined in the MGA, as amended.

O

OBJECTIONABLE means unpleasant or offensive.

OCCUPANCY means the use or intended use of a building or part thereof for the shelter and support of persons or property.

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ORIENT means to bring into relation to, or adjust to, the surroundings, situation or environment; to place with the most important parts facing in certain directions; to set or arrange in a determinate position: to orient a building.

OUTLINE PLAN means a detailed land use plan for an area of land that is typically smaller than the land covered by an Area Structure Plan and which conforms to all Statutory Plans. An Outline Plan may be adopted by resolution of Council pursuant to Part 17 of the MGA, and is otherwise equivalent to a “Conceptual Scheme” as described in Section 653 of the MGA.

¹**OVERLAY** means additional regulations superimposed on specific areas of the Land Use Map (Appendix A), which supersedes or add to the regulations of the underlying Land Use District.

P

PARAPET WALL means that part of an exterior wall or firewall extending above the roof line of a building, or a wall that serves as a guard at the edge of a balcony or roof.

PARCEL OR PARCEL OF LAND means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a Land Titles Office, as defined in the MGA, as amended.

PARKING SPACE means that portion of a parking facility that is intended to accommodate a single parked vehicle.

PARTY WALL means either:

- (a) a wall erected at, or upon, a line separating two parcels of Land each of which is, or is capable of being, a separate legal parcel subdivided under the *Municipal Government Act*; or
- (b) a wall separating two dwellings or rear detached garages, each of which is, or is capable of being, a separate legal parcel divided under the *Condominium Property Act*.

PATIO means a hard surfaced brick, concrete or wood outdoor area flush with or resting at grade.

PEDESTRIAN ZONE means an area dedicated to the movement of pedestrians located between the building façade and street curb edge.

PERMITTED USE means those uses of land, buildings and structures for which Permits shall be issued if the development conforms to all applicable provisions of this Bylaw, and for which conditions may or may not be imposed.

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PLAN OF SUBDIVISION means a plan of survey prepared in accordance with the *Land Titles Act* for the purpose of effecting a subdivision, as defined in the MGA, as amended.

PLANNED OCCUPANCY means the estimated building occupants based on planned use and industry standards for building floor area requirements per employee. The minimum planned occupancy for multi-unit residential buildings is 1 person for a bachelor unit, 1.5 persons for a one-bedroom unit, and 1.25 persons per bedroom for a two-bedroom or larger unit.

PORCH means an entrance structure typically attached to the front or sides of a residential dwelling at the ground floor entrance level, consisting of a roof and floor, where the front and sides of the structure are enclosed by solid walls and/or windows.

PRINCIPAL BUILDING OR USE means a building or use that, in the opinion of the Development Authority:

- (a) Occupies the major or central portion of the site;
- (b) Is the chief or main building or use among one or more buildings or uses on a site; and
- (c) Constitutes, by reason of its use, the primary purpose for which the site is used.

There shall be no more than one principal building or use on each site, unless otherwise permitted in this Bylaw.

PRIVACY WALL means a structure that:

- (a) Provides visual screening;
- (b) Is located on a balcony, deck or patio; and
- (c) Does not include a railing or balustrade.

PROJECTION means structures projecting from the wall of a building. Common structures include balconies, raised terraces, fireplaces, bay windows, and decks.

¹ (DELETED)

PUBLIC ROADWAY means the right-of-way for a Highway, street or lane that is registered at the Land Titles Office and is used or intended to be used to accommodate vehicular traffic, and includes a bridge forming part of a public roadway or any structure incidental to a public roadway as defined in the MGA, as amended.

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PUBLIC UTILITY LOT means a lot owned by the City that is designated as a utility lot with the Land Titles Office and is designed to accommodate one or more public utilities, pedestrian walkways or multi-use trails.

R

REAR LOT LINE – see LOT LINE, REAR

REAR YARD - see YARD, REAR

¹²**RECREATIONAL VEHICLE** means a portable structure designed and built to be transported on its own wheels or carried on a vehicle to provide temporary living accommodate for recreational or travel purposes and/or for motorized sports activities conducted outdoors on both land and water. This use includes, but is not limited to: motor homes or travel trailers; fifth wheel trailers; campers, whether located on a truck or other vehicle or not; tent trailers; park model trailers; boats; off-highway vehicles, as defined by the *Traffic Safety Act*, as amended; utility trailers; and a trailer used to transport any of the above. This use does not include a manufactured home.

RESERVE LAND means environmental reserve, municipal reserve, community services reserve, school reserve or municipal and school reserves as defined in the MGA, as amended.

RIGHT-OF-WAY means an interest in land, most commonly granted for municipal utilities where there is a need for a continuous right-of-way under one or more parcels of Land, which is registered only against the land which is subject to the interest.

ROOM-ENHANCING CANTILEVER – see CANTILEVER, ROOM-ENHANCING

S

SATELLITE DISH means an antenna and associated components used to receive signals from orbiting satellites.

SCREENING means a fence, wall, berm or landscaping feature used to visually separate areas or functions.

SETBACK means the distance that a development shall be set back from a lot line or any other features on a site as specified by this Bylaw. A setback is not a yard. A setback measurement shall be taken from the building foundation.

³**SHIPPING CONTAINER** means an Accessory sealed unit (such as a sea can) used for the land and sea transport of goods and materials, which may also be used for storage, where permitted.

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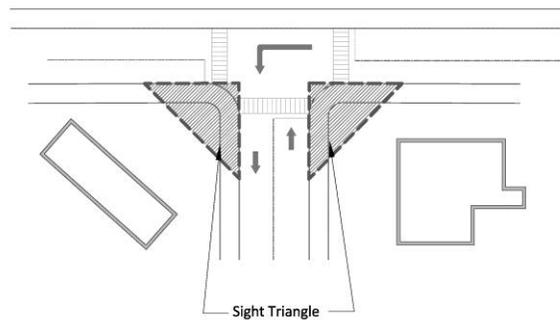
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SIDE LOT LINE – see LOT LINE, SIDE

SIDE YARD - see YARD, SIDE

SIDEWALK means a paved or asphalted path for pedestrians which is usually located adjacent to a roadway.

SIGHT TRIANGLE means a triangular portion of land established at roadway intersections in which nothing shall be erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists or pedestrians entering or leaving the intersection.



SIGN means any object or device, including its structure and other component parts, intended for the purpose of advertising or calling attention to any business, organization, person, matter, thing or event.

SITE means an area of land consisting of one or more abutting lots under single ownership or control.

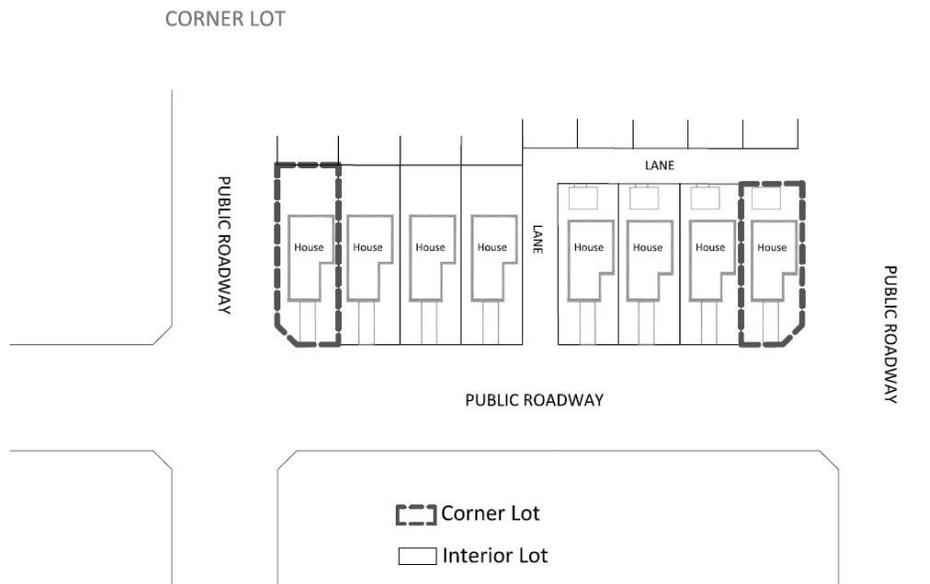
SITE AREA means the total area of a site.

SITE COVERAGE means the ratio of the total horizontal area of all buildings and structures on a site which are located at or higher than 0.6m (2.0ft) above grade, including any covered projections (i.e. verandas, Porches, enclosed/covered decks) less than 2.4m (7.9ft) above grade on a site to the total lot area. This definition shall not include:

- (a) Steps, eaves, cornices, uncovered decks and similar uncovered projections;
- (b) Driveways, aisles and parking spaces unless they are part of a parking garage which is 1.0m (3.3ft) or more above grade; or
- (c) Unenclosed inner and outer courts, terraces and patios where these are less than 0.6m (2.0ft) above grade.

SITE DEPTH means the average horizontal distance between the front and rear site boundaries.

SITE, CORNER means a site located at the intersection of two public roadways, other than a lane.



SITE, INTERIOR means a site that is bounded by only one public roadway, or by one public roadway and a lane.

SITE WIDTH means the horizontal distance between the side lot lines of a site measured at a distance from the front site line equal to the minimum front yard setback for the Land Use District in which the site is located. Where the side lot lines are not parallel, the site width is measured between the side lot lines at the minimum front yard or rear yard setback for the Land Use District, whichever is the lesser.

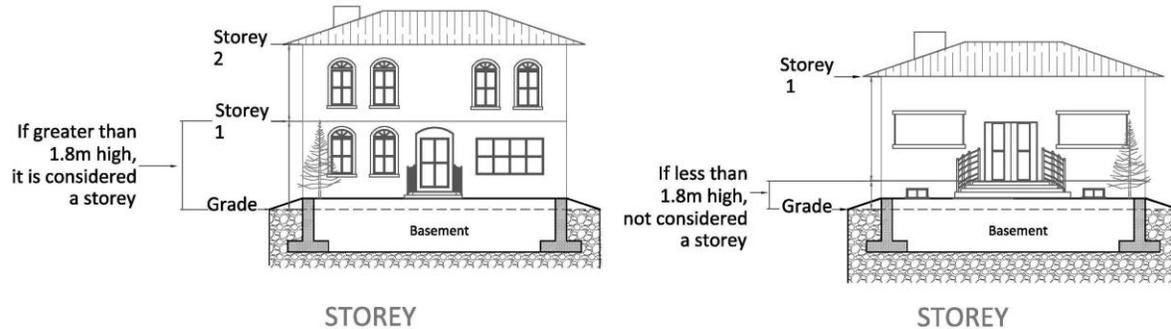
SOLAR COLLECTOR means any device used to collect sunlight that is part of a system used to convert radiant energy from the sun into thermal energy or electric energy.

STATUTORY PLAN means an intermunicipal development plan, a municipal development plan, an Area Structure Plan and an Area Redevelopment Plan adopted by a municipality under the MGA, as amended.

STEPBACK means a recession in the building façade from the building façade immediately below it.

STOP ORDER means a Stop Order as referenced in Section 645 of the MGA.

STOREY means that portion of a building which is situated between the top of any floor and the top of the floor next above it. If there is no floor above, the storey is the portion of the building which is situated between the top of any floor and the ceiling above it. If the top of the floor directly above a basement is more than 1.8m (5.9ft) above grade, such basement shall be considered a storey for the purpose of this Bylaw.



STOREY, HALF means that part of any building wholly or partly within the framing of the roof, where the habitable floor area is not more than 70% of the ground floor.

STREET means a right-of-way used for a public thoroughfare and designed for the use of vehicular and/or pedestrian traffic, but does not include a lane.

STREETWALL means the exterior wall of buildings that directly abut or face towards a public right of way.

¹**STRUCTURE** means a building (including eaves) or other thing erected or placed in, on, over or under land, whether or not it is so affixed to the land as to become transferred without special mention by a transfer or sale of the land, pursuant to the MGA, as amended.

²**STRUCTURAL ALTERATION** means any change to the supporting members of a structure, including foundation bearing walls or partitions, columns, beams, or girders, or any structural change in the roof or in the exterior walls.

SUBDIVISION means the division of a parcel of Land into one or smaller parcels by a plan of subdivision or other instrument, or as defined in the MGA, as amended.

SUBDIVISION AND DEVELOPMENT APPEAL BOARD means the Subdivision and Development Appeal Board appointed pursuant to the MGA, as amended.

³**(DELETED)**

SWIMMING POOL means a structure, basin or tank containing an artificially created pool or water that is greater than 0.6m (2.0ft) at any point and is used for swimming, recreation, bathing, diving, wading, or other similar purposes and includes all buildings, equipment and facilities used in connection with it. This use includes hot tubs.

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I

TEMPORARY BUILDING/DEVELOPMENT means a development for which a permit has been issued for up to one year. Uses may include: shipping container, garage, tent, or an office trailer. These uses shall conform to the Alberta *Safety Codes Act* requirements.

TOP OF BANK means the line where the surrounding tableland is broken by a valley slope and forms the valley crest as determined by a Geotechnical Engineer.

TRAFFIC ISLAND means an area of space set aside within a street, road, or parking area, prohibited for use by motor vehicles and is marked or indicated by paint or physical means, to be clearly visible at all times. Typically, islands are raised with perimeter concrete curbs and are landscaped within.

U

USE means the purpose or activity for which a site and buildings are designed, arranged, developed, or intended, or for which it is occupied or maintained.

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

- (a) Water or steam;
- (b) Sewage disposal;
- (c) ¹Public transportation operated by or on behalf of the City;
- (d) Irrigation;
- (e) Drainage;
- (f) Fuel;
- (g) Electric power;
- (h) Heat;
- (i) Waste management;
- (j) Residential and commercial street lighting; or
- (k) Any building required to operate the utility as defined in the MGA, as amended.

V

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VARIANCE means an alteration or change to a standard prescribed by this Bylaw that is authorized by the Development Authority or the Subdivision and Development Appeal Board.

VARIANCE REVIEW COMMITTEE shall mean a committee comprised of the members of the Development Authority, and may include the Director, Senior Development Planner, Development Officers and Land Development Coordinator of the City of Fort Saskatchewan.

VERANDA means an entrance structure typically located at the front or sides of a residential dwelling at the ground floor entry level, consisting of a roof and floor, where the front and sides of the structure remain open to the outside elements.

VIDEO DISPLAY means a device intended to display copy on an Electronic Message sign using full motion video, motion picture, Moving Picture Experts Group (MPEG) or any other digital video format.

VIOLATION TAG means a tag or similar document issued by the City of Fort Saskatchewan pursuant to the MGA for the purposes of notifying a person that an offence has been committed for which a prosecution may follow.

VIOLATION TICKET means a ticket that is issued pursuant to the *Provincial Offences Procedure Act*.

W

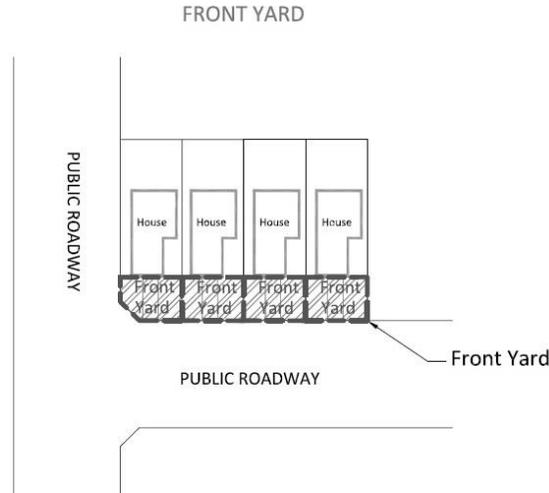
WALKWAY means an off-street pedestrian path.

Y

YARD means a part of a site unoccupied by any portion of a building or structure over 0.6m (2.0ft) in height, except for projections and accessory developments specifically permitted in this Bylaw. A yard may contain a fence.

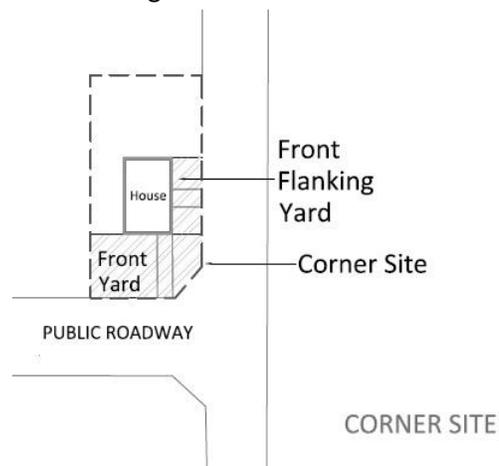
¹**YARD, FRONT** means:

- (a) In low-density residential districts, the portion of a site abutting the front lot line extending across the full width of the site, situated between the front lot line and the nearest wall of the principal building.



- (b) in all other cases, a lot adjoining 2 or more public roadways other than a lane is considered to have a front yard adjoining each public roadway requiring compliance with the yard requirements of the land use district in which the lot is located, notwithstanding that the lot is separated from the public roadway by a public utility lot;

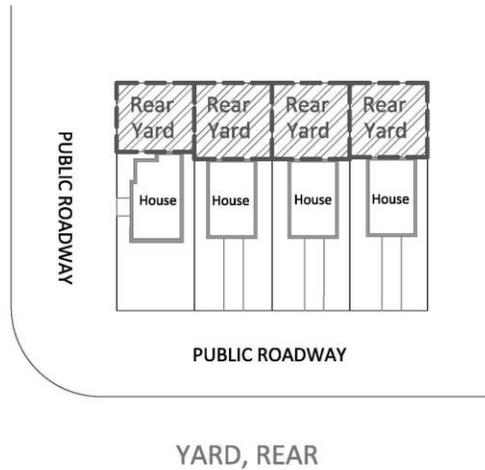
²**YARD, FRONT FLANKING** means in low-density residential districts, that portion of a site on a corner site abutting the front flanking lot line extending from the front yard to the rear yard. The front flanking yard is situated between the front flanking lot line and the nearest wall of the principal building.



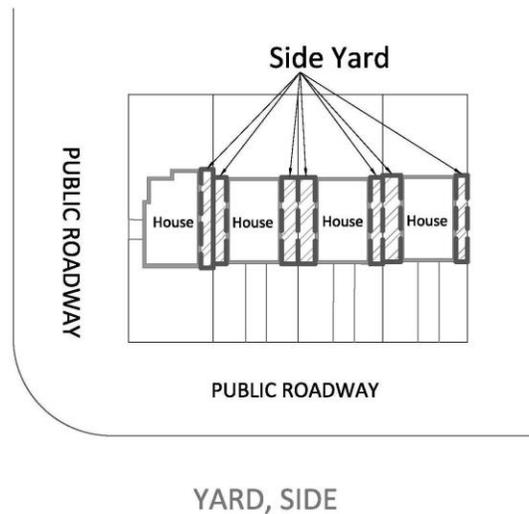
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YARD, REAR means the portion of a site abutting the rear lot line extending across the full width of the site, situated between the rear lot line and the nearest wall of the principal building.



YARD, SIDE means that portion of a site abutting a side lot line extending from the front yard to the rear yard. The side yard is situated between a side lot line and the nearest wall of the principal building.



X

¹XERISCAPING means a method of landscaping that uses plants, soils & mulches whose natural requirements are appropriate to the local climate, resulting in a reduction or elimination of supplemental water, fertilizer or other maintenance.

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14.2 Use Class Definitions

A

ACCESSORY DEVELOPMENT means a building, structure or use that is subordinate to, incidental to and located on the same site as the principal building or use. Where a structure is attached to a principal building on a site by a roof, an open or enclosed structure, a floor or foundation, or any structure below grade allowing access between the building and the accessory development, it shall be considered part of the principal building. This use may include, but is not limited to sheds, detached garages, gazebos, private play structures, pergolas and decorative ponds.

ADULT ENTERTAINMENT FACILITY means any premises or parts thereof in which products or services are provided that are of a sexual nature and show or display nudity or partial nudity involving exposure of human breasts below a point immediately above the top of the areola, the genitals and/or the buttocks in a sexually explicit or suggestive manner. This use includes, but is not limited to:

- (a) Adult mini-theatres, which are any premise wherein live performances, motion pictures, video tapes, digital video disc, slides or similar electronic or photographic reproductions are performed or shown as a principal use or accessory use to some other business activity which is conducted on the premises;
- (b) Erotic dance clubs, which are any premise, other than Adult mini-theatres, wherein live performances are performed or shown as a principal use or Accessory use to some other business activity which is conducted on the premises;
- (c) Adult video stores which are businesses where greater than 30% of the floor area is used to sell, rent, lease or loan "X rated" adult video tapes, digital video discs or other similar electronic or photographic reproductions;
- (d) Love boutique/shops which are retail or wholesale businesses where greater than 30% of the floor area is used for the display and sale of merchandise and/or products intended to be used for sexual pleasure; and
- (e) Services of which a principal feature of characteristics is the nudity or partial nudity of any person.

¹²**AGRICULTURE** means the cultivation of soil for the growing of crops and all related activities, or the raising of animals to provide food or other products. This Use does not include cannabis production and distribution facility, retail store (cannabis) or any other cannabis related uses.

APARTMENT DWELLING – see DWELLING, APARTMENT

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ASSISTED LIVING FACILITY means accommodation with flexible 24 hour on-site personal care and oversight with scheduled access to professional services, including a Licensed Practical Nurse and Registered Nurse. Residents receive room and board services, light housekeeping services, assistance, personal care and social and recreational support. Settings are therapeutically designed to offer comfort and safety to clients who are fearful, who may be at risk for wandering and who need more structure and stimulation. Individual residential units are contained within a larger residence and may contain up to two bedrooms and living area space. Residential units may or may not include cooking facilities.

ASSISTED LIVING FACILITY (LIMITED) means accommodation with moderate care provisions for residents in a congregate setting. Residents do not require continuous access to professional services or on-site professional services. Room and board services, light housekeeping services, 24 hour availability of assistance and oversight with personal care and social and recreational support may be provided. Individual dwelling units may contain up to two bedrooms, living area space and cooking facilities.

¹**AUCTIONEERING FACILITY** means a development intended for the auctioning of goods and equipment, including the temporary storage of such goods and equipment for a period not to exceed 30 days, but does not include farmers/flea markets or second-hand retail stores.

B

BED AND BREAKFAST means the use of an owner-occupied dwelling whereby temporary accommodation is provided to the public for remuneration, for up to 14 days within four or fewer guest rooms, with or without meals.

BILLBOARD SIGN – see SIGN, BILLBOARD

²**BOARDING FACILITY** means a development, within a standalone building, used for shared living and containing individual units on a fee-for-service arrangement. This Use Class does not include Assisted Living, Assisted Living (limited), Bed and Breakfast, Group Home, Group Home (limited), Hotel, or Motel. For the purposes of this definition, shared living means four or more persons occupying individual units within a congregate living setting and within a building where the occupants share access to facilities such as cooking, dining, laundry, or sanitary facilities.

³**BUSINESS SUPPORT SERVICE** means development used to provide support services to businesses, typical uses include but are not limited to printing establishments, testing laboratories, janitorial firms, office equipment sales, repair establishments, and sign shops.

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¹**CAMPGROUND** means an area which has been planned and improved to be used and maintained for a seasonal short-term period for campers locating tents, tent trailers, holiday trailers, campers, motor homes, and similar recreation vehicles within a defined area. Related facilities that are accessory to and support the campground such as an administrative office, laundromat, picnic grounds, playgrounds and boating facilities may be included on-site.

²**CANNABIS PRODUCTION AND DISTRIBUTION FACILITY** means development where the primary purpose of the facility is the production and distribution of cannabis that is authorized by provincial or federal legislation. This Use does not include retail store (cannabis) or any other cannabis related uses.

³**CASINO** means a development used for the playing of games of chance, but does not include an Indoor Entertainment Facility, or a drinking establishment in which fewer than 11 video lottery terminals are located.

CEMETERY means development of a parcel of Land primarily as landscaped open space for the entombment of the deceased, and may include the following accessory developments: crematoria, columbaria and mausoleums. Typical uses include memorial parks, burial grounds and gardens of remembrance.

⁴**CHILD CARE FACILITY** means a development licensed by the Province to provide personal care, maintenance, supervision or education, without overnight accommodation. This includes daycare centres, nurseries, kindergartens, nursery schools and play schools and other similar uses but does not include an institution operated by or under the authority of the Province.

⁵**COMMERCIAL SCHOOL** means a development used for indoor training and instruction in a specific trade, skill, artistic endeavour, or service for the financial gain of the individual or company owning the school. Typical uses include secretarial, business, hairdressing, beauty, culture, art, dance or music schools.

COMMUNICATION TOWER means a structure for transmitting or receiving television, radio, telephone, internet or other electronic communications which is regulated by Industry Canada.

COMMUNICATION TOWER (LIMITED) means a structure for transmitting or receiving television, radio, telephone, internet or other electronic communications which is not regulated by Industry Canada.

COMMUNITY GARDEN means a plot of land used by a group of community members to grow vegetables and fruit for personal use and consumption.

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COMMUNITY SERVICE FACILITY means a development for use by the public or public groups for cultural or community activities. Typical uses include museums, libraries, YM/YWCA, tourist information/interpretive centres and multi-purpose facilities and public and private Clubs.

CONTRACTOR SERVICE means development used for the provision of building construction, landscaping, concrete, and electrical, excavation, drilling, heating, plumbing, paving, road, sewer or similar services of a construction nature which require on-site storage space for materials, construction equipment or vehicles normally associated with general contracted services. Any sales, display, office or technical support services are accessory to the principal contractor services and are regulated in accordance with the regulations of use and Land Use District regulations where the development is located. This use shall not include any on-site manufacturing activities.

CREMATORIUM means a development fitted with equipment for the purpose of the cremation of human or pet remains and may include associated facilities for the preparation of the dead human body for internment or cremation.

CUSTOM MANUFACTURING ESTABLISHMENT means development used for small scale on-site production of goods by hand manufacturing, primarily involving the use of hand tools and provided such developments have fewer than five production employees. Typical uses include jewelry, toy and musical instrument manufacturing, gunsmiths, woodworking and pottery and sculpture studios.

D

DATING AND ESCORT SERVICE means any business activity that offers to provide or does provide introductions from a person or persons to another person or persons for a period of companionship of short duration, for which service or introduction a fee is charged or imposed for each occasion companionship is provided or an introduction is made.

¹(DELETED)

²DAY HOME means an accessory use that may be licensed by the Province, in a dwelling unit that is intended to provide temporary care, educational services and supervision that shall follow the regulations of the Province.

DETENTION AND CORRECTIONAL SERVICE means a development used to hold, confine or to provide regulated or temporary residential facilities for minors or adults either awaiting trial on criminal charges or as part of the disposition of criminal charges, or released from custody under the supervision of the National Parole Board, a parole or probation Officer or similar authority. Typical uses include a remand centre, jail or halfway house.

DIRECTIONAL SIGN – see SIGN, DIRECTIONAL

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DRIVE-THROUGH SERVICE means an accessory use that provides rapid customer service to patrons in a motor vehicle and may have outdoor speakers provided. This land use includes, but is not limited to drive-through financial institutions, drive-in/through food services and similar developments providing drive-in service in which patrons generally remain within their vehicles.

DWELLING, ABOVE GROUND FLOOR means a development consisting of one or more Dwellings contained within a building where a non-residential use or uses comprises the ground or street level storey. This does not include an 'Apartment Dwelling'.

DWELLING, APARTMENT means a building, or part there-of, other than stacked multi-attached dwellings, containing three or more dwelling units arranged in any horizontal or vertical configuration and which have a shared entrance facility through a common vestibule.

DWELLING, DUPLEX means a building, divided into two individual dwelling units, with each dwelling having a separate direct access to grade. This type of development is to be designed and constructed as two dwellings at the time of initial construction of the building. This land use does not include secondary suite dwellings.

¹²**DWELLING, GARAGE SUITE** means a dwelling located above a detached garage; or a one to two-storey dwelling attached to the side or rear of a detached garage. This land use does not include secondary suites or Garden suites.

³**DWELLING, GARDEN SUITE** means a single storey dwelling which is located in a building separate from the principal use which is single detached dwelling. This land use does not include secondary suites or garage suites.

⁴**DWELLING, MULTI-ATTACHED** means a residential building containing three or more dwelling units separated by common walls and located either on a single lot or with each unit on an individual lot, each dwelling unit having at least one separate entrance. Typical uses include townhouse, row houses, triplexes and fourplexes.

⁵⁶⁷**DWELLING, SECONDARY SUITE** means development consisting of a dwelling unit located within and accessory to a principal residential use. This Use Class includes the Development or Conversion of Basement space or above-grade space to a separate Dwelling, or the addition of new floor space for a Secondary Suite to an existing Single Detached Dwelling. A Secondary Suite does not include Semi-detached, Apartment Dwelling, Garage Suites, Garden Suites, or Boarding Facilities.

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DWELLING, SEMI-DETACHED means a building containing only two principal dwelling units side by side, each with individual and separate entrances, but does not include a single detached dwelling and secondary suite. Each dwelling is separate from the adjoining dwelling by a vertical party wall which is insulated against sound transmission.

DWELLING, SINGLE DETACHED means a building containing one dwelling unit. This use does not include a manufactured home.

E

EATING AND DRINKING ESTABLISHMENT means a development accommodating 60 or more seats or 139.4m² (1,500.0ft²) or more of floor area, where prepared foods and beverages are offered for sale to the public, for consumption within the confines of the building or off the site. This use includes neighbourhood pubs, licensed restaurants, cafes, delicatessens, tea rooms, lunch rooms, refreshment stands and take-out restaurants. This use does not include drive through service restaurants or eating and drinking establishments (limited).

EATING AND DRINKING ESTABLISHMENT (LIMITED) means a development accommodating less than 60 seats with less than 139.4m² (1,500.0ft²) of floor area, where prepared foods and beverages are offered for sale to the public, for consumption within the confines of the building or off the site. This use includes neighbourhood pubs, licensed restaurants, cafes, delicatessens, tea rooms, lunch rooms, refreshment stands and take-out restaurants. This use does not include drive through service restaurants.

EATING AND DRINKING ESTABLISHMENT (OUTDOOR) means a development where food and drink are normally consumed either outside or within the confines of the Establishment. This use shall be used in conjunction with either an eating and drinking establishment or an eating and drinking establishment (limited).

EDUCATION (PRIVATE) means a development for instruction and education which is not maintained at public expense and which may or may not offer courses of study equivalent to those offered in a public school or private instruction. This use includes dormitory and Accessory buildings. This use does not include commercial schools or home businesses.

EDUCATION (PUBLIC) means a development that is publicly supported and involves public assembly for education, training or instruction purposes. This use includes dormitories and the administration offices required for the provision of such services on the same site. Typical uses include, but are not limited to public and separate schools, community colleges, universities and technical and vocational schools. This use does not include private education developments and commercial schools.

ELECTRONIC MESSAGE SIGN – see SIGN, ELECTRONIC MESSAGE.

EMERGENCY RESPONSE SERVICE means a use where police, fire and publicly operated emergency medical services are provided.

ENTERTAINMENT FACILITY, INDOOR means an indoor development in which the public participates in and/ or views an activity for entertainment or social purposes. This use includes the sale of food and beverages to the patrons and may be licensed by the Province of Alberta for the on-site consumption of alcohol. Without limiting the generality of the foregoing, this land use may include facilities for dinner theatres; theatrical, musical or dance performances; amusement arcades; billiard/pool halls; bingo halls; indoor miniature golf establishment; indoor arts event; indoor exhibition; indoor animals, vegetation or museum exhibit; indoor presentation of exhibits, animal acts; and Cinemas when combined with any other entertainment facility use. This use does not include adult entertainment facility, casino, and late night club.

ENTERTAINMENT FACILITY, OUTDOOR means an outdoor development in which the public participates in and/ or views an activity for entertainment or social purposes. This use includes the sale of food and beverages to the patrons and may be licensed by the Province of Alberta for the on-site consumption of alcohol. Without limiting the generality of the foregoing, this land use may include outdoor theatrical, musical or dance performances; drive in theatres; amusement parks; go-cart tracks; outdoor miniature golf establishments; outdoor arts events and exhibition; animals or vegetation exhibit; exhibits or animal acts. This land use does not include a late night club.

F

FARMERS/FLEA MARKET means a development used for the sale of new or used goods and food products by multiple vendors renting tables and space either in or out of an enclosed building. Vendors may vary from day to day, although the general layout of space to be rented generally remains the same. Such uses are usually of a seasonal nature.

FREESTANDING SIGN – see SIGN, FREESTANDING

FUNERAL HOME means a development used for the preparation of the dead for burial or cremation, and the holding of funeral services.

G

GARAGE SUITE DWELLING – see DWELLING, GARAGE SUITE

GARDEN SUITE DWELLING – see DWELLING, GARDEN SUITE

GENERAL ADVERTISING SIGN – see SIGN, GENERAL ADVERTISING

GENERAL INDUSTRIAL USE – see INDUSTRIAL USE, GENERAL

¹**GOVERNMENT SERVICE** means a development providing Crown Corporation, or municipal, provincial or federal government services directly to the public. Typical uses include, but are not limited to taxation offices, courthouses, postal stations, manpower and employment offices, food banks and social service

¹ C15-17

offices. This use does not include emergency response service, detention and correctional service or education facilities.

¹**GREENHOUSE** means a development for the growing, acclimating, propagating, harvesting, displaying and selling of bedding, edible, household and ornamental plants and may include accessory uses relating to the storage, displaying, and selling of gardening, nursery and related products. This Use does not include cannabis production and distribution facility, retail store (cannabis) or any other cannabis related uses.

GROUP HOME means a development using a dwelling unit as a facility which is authorized, licensed or certified by a Provincial Authority to provide room and board for seven or more residents, for foster children or for physically, mentally, socially, developmentally, or behaviourally challenged persons and which may be for the personal rehabilitation of its residents either through self-help or professional care, guidance and supervision. The residential character of the development shall be maintained with the residents of the group home living together as a single housekeeping group using shared kitchen facilities. A group home may incorporate accommodations for residential staff as an accessory use.

GROUP HOME (LIMITED) means a development using a dwelling unit as a facility that is recognized, authorized, licensed or certified by a Provincial Authority as a social care facility intended to provide interim room and board for four to six residents, exclusive of staff, for foster children or disabled persons, or for persons with medical, physical, mental, social or behavioural problems and which may be for the personal rehabilitation of its residents either through self-help or professional care, guidance and supervision. The residential character of the development shall be primary, with residents living together as a single housekeeping group with shared kitchen facilities. This use does not include homes or half-way houses for persons under the jurisdiction of the Federal or Provincial Justice Systems or services such as drug and alcohol addiction treatment centres.

H

HEALTH SERVICE means a building or part of a building used for the medical, dental, surgical or therapeutic treatment of human beings, but does not include a public or private hospital or a professional office of a doctor located in his residence. Typical uses include a clinic.

HEAVY INDUSTRIAL USE – see INDUSTRIAL USE, HEAVY

²³**HOME BUSINESS** means the accessory use of a principal dwelling, or a combination of a principal dwelling and an accessory building, in a residential neighbourhood to operate an enterprise or related uses. This use does not include any cannabis related uses.

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¹²**HOME OFFICE** means an accessory use located within a dwelling unit for the purpose of a office uses. This Use does not include any cannabis related uses.

HOSPITAL means an institutional development used to provide in-patient and out-patient health care to

³**HOTEL** means a development used for the provision of rooms or suites for temporary or short-term accommodation where the rooms have access from a common interior corridor and may be equipped with individual kitchen facilities, and may include accessory eating and drinking establishments, meeting rooms, personal services and retail stores.

!

IDENTIFICATION SIGN – see SIGN, IDENTIFICATION

INDOOR ENTERTAINMENT FACILITY – see ENTERTAINMENT FACILITY, INDOOR

INDOOR RECREATION FACILITY – see RECREATION FACILITY, INDOOR

⁴⁵**INDUSTRIAL USE, GENERAL** means a use which may involve one or more of the following activities:

- (a) The processing of raw or finished materials;
- (b) The manufacturing or assembly of goods, products or equipment;
- (c) The cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or the cleaning, servicing and repair of goods and equipment associated with household use, where such operations have impacts that would typically make them incompatible in non-industrial Land Use Districts;
- (d) The storage or transshipping of materials, goods and equipment;
- (e) the distribution and sale of materials, goods and equipment to institutions or industrial and commercial businesses for their direct use or to General Retail Stores or other sales Use Classes defined in this Bylaw for resale to individual customers; or
- (f) The training of personnel in General industrial operations.

This Use does not include cannabis production and distribution facility, retail store (cannabis) or any other cannabis related Uses.

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Notwithstanding the above, General industrial uses may include any indoor display, office, technical or administrative support areas or any sales operation accessory to the General industrial use.

INDUSTRIAL USE, HEAVY means a manufacturing or processing activity that:

- (a) May consume large quantities of land, energy, water or other natural resources in its operation, or that requires access to transportation facilities capable of handling bulk materials or commodities; and
- (b) By the nature of its operation may have off-site effects such as noise, vibration, light, dust, odour, humidity, smoke, fumes, or heavy truck traffic and other impacts affecting the safety, use, amenity and enjoyment of adjacent sites.

¹Notwithstanding the above, Heavy industrial uses may include any indoor display, office, technical or administrative support areas or any sales operation accessory to the General industrial use.

INFLATABLE SIGN – See SIGN, INFLATABLE

K

KENNEL means a development for the purpose of boarding small animals normally considered to be household pets, generally for periods of greater than 24 hours, and includes enclosures, pens, runs or exercise areas. This land use may also include training, grooming, impounding/quarantining facilities, animal shelters and retail sale of associated products.

L

LATE NIGHT CLUB means any premises or part thereof, the primary purpose of which is to host regular dances, entertainment performances or other live events where:

- (a) No alcohol or alcoholic beverages are available on the premises for consumption or sale;
- (b) 20 or more patrons are assembled at any time between 2:00 a.m. and 6:00 a.m.;
- (c) The events are held for the purpose of gain or profit;
- (d) Tickets are sold or an entrance or attendance fee is charged for persons to attend; and
- (e) Music, noise or sound of any kind or source is emitted, including but not limited to the performing or playing of live music, amplified recorded or computer generated sounds.

LIVE WORK UNIT means a business operated from a dwelling by the principal resident of the dwelling where:

¹ CXX-15

(a) The business does not exceed 50% of the gross floor area of the dwelling;

(b) The business is limited to:

- ii. Child care facility
- iii. Personal service
- iv. Professional, financial and office services
- v. Custom manufacturing establishments;
- vi. Health services;
- vii. Commercial school; and

(c) The associated dwelling does not contain a Home Based Business.

M

¹**MANUFACTURED HOME** means a prefabricated detached dwelling unit that meets Canadian Standards Association (CSA) standards and meets the requirements of the Alberta Building Code. This applies to both single section and multi-section models, but does not apply to modular construction, recreational vehicles or industrial camp trailers.

MAJOR IMPACT UTILITY SERVICE means development for public utility infrastructural purposes which is likely to have a major impact on the environment or adjacent land uses by virtue of its emissions, appearance, noise, size, traffic generation or operational characteristics. Typical uses include sanitary landfill sites, sewage treatment plants, sewage lagoons, sludge disposal beds, garbage transfer and compacting stations, power generating stations, cooling plants, district heating plants, incinerators and waste recycling plants.

MINOR IMPACT UTILITY SERVICE means development for public utility infrastructural purposes that are likely to have some impact on the environment or adjacent land uses by virtue of its appearance, noise, size, traffic generation or operational characteristics. Typical uses include vehicle, equipment and material storage yards for utilities and services; light rail transit stations; transit bus terminals, depots and transfer facilities; surface reservoirs; storm water management facilities, including lakes, wetlands and dry ponds; water towers; power terminal and distributing substations.

MOTEL means development used for the provision of rooms or suites for temporary lodging or light housekeeping, where each room or suite has its own exterior access. Motels may include accessory eating and drinking establishments and Personal services.

¹ C15-17

MULTI-ATTACHED DWELLING – see DWELLING, MULTI-ATTACHED

N

NATURAL CONSERVATION USE means land areas set aside for outdoor recreation or to protect sensitive natural features and or areas of cultural or scenic value. Without restricting the generality of the foregoing, this use may include parks, environmentally sensitive areas, wilderness areas, natural areas, ecological reserves and archaeological sites.

NATURAL RESOURCE DEVELOPMENT means development for the on-site removal, extraction and primary processing of raw materials found on or under the site or accessible from the City. Typical uses include gravel pits, sand pits, clay pits, oil and gas wells, coal mining and stripping of topsoil. This use does not include the processing of raw materials transported to the site.

NATURAL RESOURCE PROCESSING means development for the processing of raw materials extracted either on a site or transported from another site. Typical uses include petroleum upgrading and gravel processing.

O

OUTDOOR ENTERTAINMENT FACILITY – see ENTERTAINMENT FACILITY, OUTDOOR

OUTDOOR RECREATION FACILITY – see RECREATION FACILITY, OUTDOOR

OUTDOOR STORAGE means a development used for the outdoor storage of goods and materials where such storage of goods and materials is Accessory to the principal use of the site.

OUTDOOR STORAGE FACILITY means a site primarily used for the outdoor storage of goods, materials or equipment. Un-serviced buildings or structures are considered Accessory buildings.

P

PARK means land developed for recreational activities that do not require major buildings or facilities, and may include picnic areas, playgrounds, pedestrian and bicycle paths, landscaped areas and associated public washrooms.

PARKING FACILITY means the area set aside for the storage and parking of vehicles and includes parking spaces, parkades, loading spaces, aisles, entrances and exits to the area, and traffic islands where they are part of the parking facility. This land use may be the principal use on a site or an accessory use. This use includes underground parking facilities and park and ride facilities.

¹**PARK MODEL TRAILER** means a recreational unit designed for seasonal use. Park Model Trailers are built on a single chassis mounted on wheels, are designed to facilitate occasional relocation and must be connected to utilities to operate installed fixtures and appliances.

PAWN SHOP means the use of premises for the retailing of goods and chattels in pawn.

PERSONAL SERVICE means a development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects and may include such uses as: barbershops, hairdressers, tattoo parlours, beauty salon, tanning salons, shoe repair shops, Laundromats, dry cleaning outlets, but does not include health services, retail stores, Service stations or Adult Entertainment Facilities.

²**PET CARE SERVICE** means a development where small animals normally considered as household pets are washed, groomed, trained and/or boarded, but not overnight. This land use may also include the retail sales of associated products.

PLACE OF WORSHIP means a development, including any meeting halls, used for spiritual worship and related religious, charitable, educational or social activities, but does not include a School. Typical uses include churches, chapels, mosques, temples, synagogues, parishes, convents and monasteries.

PORTABLE SIGN – see SIGN, PORTABLE

PRIVATE CLUB means development used for the meeting, social or recreational activities of members of a non-profit philanthropic, social service, and athletic, business or fraternal organization, without on-site residences. private Clubs may include lodges as well as rooms for eating, drinking and assembly.

PROFESSIONAL, FINANCIAL and OFFICE SERVICE means development primarily used for the provision of professional, management, administrative, consulting, and financial services. Typical uses include: the offices of lawyers, accountants, engineers, and architects; offices for real estate and insurance firms; clerical, secretarial, employment, telephone answering, and similar office support services; and banks, credit unions, loan offices and similar financial uses.

PROJECTING SIGN – see SIGN, PROJECTING

PUBLIC FACILITY means any land or buildings owned by the City including lands that are used as public utility lots, playgrounds, recreational areas, public parks, municipal reserves, buffers, boulevards, parkways, ornamental areas or squares.

R

¹ C15-17

² C19-15

¹RECREATION FACILITY, INDOOR means a development providing facilities that are available to the public for sports and recreational activities conducted indoors. Typical uses include indoor swimming pools, hockey rinks, gymnasiums, indoor tennis courts, and indoor athletic fields but does not include indoor gun ranges.

²RECREATION FACILITY, INDOOR (unrestricted) means a development providing facilities that are available to the public for sports and recreational activities conducted indoors. Typical uses include indoor swimming pools, hockey rinks, gymnasiums, indoor tennis courts, and indoor athletic fields.

³RECREATION FACILITY, OUTDOOR means a development providing facilities that are available to the public for sports and recreational activities conducted outdoors. Typical uses include golf courses, outdoor swimming pools, hockey rinks, sports fields, parks, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, boating facilities, bowling greens, and fitness trails but does not include outdoor gun ranges.

RECYCLING DEPOT means a development used for the buying, collecting, sorting and storage of bottles, cans, newspapers and similar household goods for reuse, where all storage is contained within an enclosed building or screened outdoor storage area.

⁴RECYCLING DROP-OFF means a development used for the collection and temporary storage of bottles, cans, newspapers and similar household goods in unattended containers placed in public areas. All materials shall be contained within the recycling containers and removed periodically for transfer to another facility. This use does not include a recycling depot.

RESEARCH AND DEVELOPMENT FACILITY means a premise used for the purpose of conducting low risk research and development of products or services, but does not include retail or wholesale of these products. Businesses locating in a building or part thereof are generally used by raw material development and testing firms; processed products development and testing firms; and chemical and biological products development and testing firms.

⁵RETAIL STORE (CANNABIS) means a retail store licensed by the Province to sell cannabis and cannabis accessories to the public, for consumption elsewhere. This Use does not include cannabis production and distribution facility or any other cannabis related uses.

RETAIL STORE (CONVENIENCE) means a development used for the retail sale of those goods required by area residents on a day-to-day basis in an enclosed building which does not exceed 371.6.0m² (4,000.0ft²) of public floor area. Typical uses include small food stores, drug stores, video sales and rentals, and variety stores selling confectionery, tobacco, groceries, beverages, pharmaceuticals, and

¹ C19-14

² C19-15

³ C19-14

⁴ C19-14

⁵ C18-18

personal care items, hardware or printed matter. This use does not include an adult entertainment facility or retail store (drug paraphernalia).

RETAIL STORE (DRUG PARAPHERNALIA) means a development used for the retail sale of any product, equipment, thing or material of any kind primarily used or intended to be used to produce, process, package, store, inject, ingest, inhale or otherwise introduce into the human body a controlled substance as defined in the Controlled Drugs and Substances Act.

¹**RETAIL STORE (GENERAL)** means a development used for the retail sale of groceries, beverages, household goods, furniture and appliances, clothing, hardware, printed matter, confectionery, tobacco, pharmaceutical and personal care items, video sales and rentals, automotive parts and accessories, office equipment, stationary and similar goods from within an enclosed building. This Use does not include retail store (cannabis), cannabis production and distribution facility or any other cannabis related uses.

RETAIL STORE (LIQUOR) means a retail store licensed by the Province to sell alcoholic beverages to the public, for consumption elsewhere. Typical uses include wine and beer stores.

ROOF SIGN means a sign erected upon, against or above a roof or parapet wall of a building and which is wholly or partially supported by the building. Roof signs are permanent signs.

S

SEASONAL GARDEN CENTRE means a temporary structure, which may or may not include fencing, erected on the site of an existing retail store, for the purpose of selling gardening related goods on a seasonal basis.

SECONDARY SUITE DWELLING – see DWELLING, SECONDARY SUITE

SEMI-DETACHED DWELLING – see DWELLING, SEMI-DETACHED

²**SERVICE STATION** means development used for the servicing, washing and repairing of vehicles; and the sale of gasoline (both self-serve and full serve), other petroleum products and a limited range of vehicle parts and accessories. Service station may include eating and drinking establishments and/or a retail store (convenience). Typical uses include truck stops and highway service stations. Total above ground storage of all fuel shall be in an amount of 30,000 Liters or less.

SERVICE STATION, BULK FUEL DEPOT means lands, buildings and structures for the bulk storage and distribution of petroleum products and may include key lock retail sales.

SERVICE STATION (LIMITED) means development used for the servicing, washing and repairing of vehicles with a gross vehicle weight of 4,000kg or less; and for the sale of gasoline (both self-serve and

¹ C18-18

² C19-14

full serve), other petroleum products and a limited range of automotive parts and accessories. Service station (limited) may include eating and drinking establishments and/or retail store (convenience). This use does not include a vehicle repair facility.

SHOW HOME means a permanent dwelling that is constructed for the temporary purpose of illustrating to the public the type or character of a dwelling or dwellings to be constructed in other parts of a subdivision or development area. Show homes may contain offices for the sale of other lots or dwellings in the area. A show home may not be occupied by any person for the purpose of residency. This use may include a Show suite in a multi-unit development.

SIGN, BILLBOARD means a sign directing attention to a business, commodity, service or entertainment conducted, sold, or offered elsewhere than upon the site where the sign is located.

SIGN, CHANNEL LETTER means a sign where each letter, including logos, is individually shaped, providing a more sophisticated and architectural feel. As each letter is custom designed, they are manufactured to match exactly the letter style that is part of the corporate image. These signs may be used at interior as well as exterior locations.

¹**SIGN, DEVELOPER** means a temporary sign promoting vacant lots or show homes within a subdivision and does include signage identified in Appendix C as part of the Developer Sign Program;

SIGN, DIRECTIONAL means a sign designed to guide or direct pedestrians or motorists.

SIGN, ELECTRONIC MESSAGE means a sign that displays copy by means of a digital display but does not contain copy that is full motion video, motion picture, Moving Picture Experts Group (MPEG) or any other digital video format, and does not display third party advertising

SIGN, FASCIA means a sign painted on or attached to an exterior building wall, or any other permitted structure, running parallel to the face of the building and does not project more than 0.40m (1.3ft) from the wall or structure. Typical fascia signs include painted signs and wall signs.

SIGN, FREESTANDING means a sign which is supported by one or more columns, uprights or braces in or upon the grade independently of a building. Typical freestanding signs include revolving signs, pylon signs and flag signs.

²**(DELETED)**

SIGN, IDENTIFICATION means a sign that identifies the name, municipal address, institution, person or activity located within a development. This type of sign contains no advertising.

SIGN, INFLATABLE means a temporary air-inflated sign.

¹ C19-15

² C15-17

SIGN, PORTABLE means a sign with a total area on one face of no greater than 4.65m² (50.1ft²) mounted on a frame or on a trailer, stand or similar support which together with the support can be relocated to another location, and may include copy that can be changed manually through the use of detachable characters. A-board signs shall be considered as a Portable Sign

SIGN, PROJECTING means a sign which is attached to a building or structure so that part of the sign projects more than 61.0cm (2.0ft) from the face of the building or structure.

SIGN, SPECIALTY PROJECTING means a sign that is supported by an exterior building and projects outward from the building by more than 0.4m (1.31ft). Specialty projecting signs are designed to catch the attention of those within the pedestrian zone. The copy, icon, or symbolic message is typically perpendicular to the building façade that it is projecting from.

SIGN STRUCTURE means any structure that supports a sign, including materials used to conceal or improve the visual appearance of the structural parts.

SINGLE DETACHED DWELLING – see DWELLING, SINGLE DETACHED

STORAGE FACILITY means a self-contained building or group of buildings, containing lockers available for rent for the storage of personal goods or a facility used exclusively to store bulk goods of a non-hazardous nature.

¹**SURVEILLANCE SUITE** means a single residential unit, forming part of a development, which is accessory to the principal use and is used solely to accommodate persons whose official function is to provide surveillance required for the maintenance and safety of the development.

I

²**TEMPORARY OUTDOOR EVENT** means a temporary development and associated temporary structures incidental to the principal and permitted use of the site on which they are located. This use shall last no longer than five consecutive days, including the time needed erect and dismantle any temporary structures. Typical uses in Residential Land Use Districts may include, but are not limited birthday parties, block parties, weddings and other social, cultural, entertainment and worship events. Typical uses in Commercial Land Use Districts may include but are not limited to customer appreciation events, grand openings, sales, farmers/flea markets and other commercial events. Typical uses in Institutional Land Use Districts may include but are not limited to organized sporting events, festivals, carnivals, farmers/flea markets, outdoor church services, and other social, cultural, worship or recreational events.

TEMPORARY SALES CENTRE means a temporary building, other than a show home, used for a limited period of time for the purpose of marketing residential land and buildings.

¹ C15-17

² C19-14

¹**TEMPORARY SHELTER SERVICE** means the provision of communal, transient accommodation sponsored or supervised by a public authority or non-profit agency intended to provide basic lodgings for persons requiring immediate shelter and assistance for a short period of time.

V

VEHICLE AND EQUIPMENT STORAGE means development used exclusively for outdoor storage of vehicles, derelict vehicles or parts. Un-serviced buildings or structures are considered Accessory buildings. Typical uses include vehicle or equipment storage compounds.

VEHICLE REPAIR FACILITY means a development where mechanical repairs, painting and structural changes or repairs are made to motor vehicles and recreational vehicles including automobiles, trucks, farm machinery, recreational vehicles and heavy equipment, and the sale, installation, servicing or storage of related accessories and parts. This includes truck and heavy equipment shops, body shops, and recreational vehicle repair shops.

²**VEHICLE REPAIR FACILITY (LIMITED)** means a development used for the servicing and mechanical repair of motor vehicles with a gross vehicle weight of less than 4,000kg (3.94 tonnes) in weight including automobiles, light trucks, utility vehicles, motorcycles, snowmobiles and similar vehicles and the sale, installation or servicing of related accessories and parts. This includes transmission shops, muffler shops, tire shops, automotive glass shops, and upholstery shops. Vehicle repair facility (limited) may operate a car wash as an accessory use. This does not include body repair and paint shops.

³**VEHICLE SALES, LEASING OR RENTAL FACILITY** means development used for the retail sale, service and rental of new or used commercial and industrial vehicles, including farm and heavy equipment related to the agricultural community; including, but not limited to heavy duty trucks, dump trucks, vacuum and welding trucks, cargo and flatbed trailers, tractors, harvesting or threshing machinery, spraying machinery for agricultural use, grain trucks, and all-terrain vehicles.

VEHICLE SALES, LEASING OR RENTAL FACILITY (LIMITED) means a development used for the retail sale or rental of new or used motor vehicles with a gross vehicle weight of less than 4,000kg (3.94 tonnes) including automobiles, recreational vehicles, motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar light vehicles or crafts, together with incidental maintenance services and sale or parts. This land use includes automobile dealerships, rental agencies, and motorcycle dealerships, but does not include dealerships for the sale of recreational vehicles, manufactured homes or large trucks with a gross vehicle weight rating greater than 4,000kg (3.94 tonnes).

¹ C15-17

² C19-14

³ C19-14

¹**VEHICLE WASH** means development providing cleaning services to motor vehicles where the customer remains within his vehicle or waits on the premises, unless the facility includes self-service wand wash. Typical uses include automatic/drive through or coin/time operated car washes.

VETERINARY CLINIC means a development for the purpose of providing medical care and treatment to small animals normally considered as household pets. The animals shall not be boarded overnight, except for animals in the care of the use where overnight stays are necessary for medical observation or recovery of the animal and the development shall not have any outside enclosures, pens, runs or exercise areas. This land use may also include the retail sale of associated products.

W

WAREHOUSE, DISTRIBUTION AND STORAGE means a single building Storage facility in which all storage is indoors with an exterior loading and unloading dock. Exterior storage is not permitted except for licensed vehicles that may be parked for extended periods of time, but does not include recreational vehicles. It includes moving companies, trucking terminals and intermodal transfer areas.

WAREHOUSE SALES means development used for the wholesale or retail sale of a limited range of bulk goods from within an enclosed building where the size and nature of the principal goods being sold typically require large floor areas for direct display to the purchaser or consumer. This land use includes developments where principal goods being sold are such bulky items as furniture, carpet, major appliances and building materials. This land use does not include Flea Markets or developments used for the retail sale of food or a broad range of goods for personal or household use.

WIND ENERGY CONVERTER SYSTEM (WECS) means more than two rotating machines that convert the kinetic energy in wind into mechanical energy. If the mechanical energy is used directly by the machinery, such as a pump or grinding stone, the machine is usually called a windmill. If the mechanical energy is then converted into electricity, the machine is called a wind generator, wind turbine, wind power unit (WPU) or wind energy converter (WEC).

WIND ENERGY CONVERTER SYSTEM (WECS) (LIMITED) means up to two wind energy systems consisting of a wind turbine, tower and associated control or conversion electronics which is intended to primarily reduce on-site consumption of utility power for a single site. A Wind energy converter system (limited) may be free standing or attached to a principal or Accessory building.

¹ C19-15

